



CITY OF ALBUQUERQUE
PLANNING DEPARTMENT, DEVELOPMENT REVIEW DIVISION
P.O. BOX 1293, ALBUQUERQUE, NM 87103

April 29, 2004

Jimmie W. Davis
6325 Isleta SW
Albuq. NM 87105

CERTIFICATE OF ZONING

FILE: 03EPC 01911 (Project 1000522)
DATE OF FINAL ACTION: December 18, 2003
LEGAL DESCRIPTION: for all or a portion of Lot(s) 14 &
15 and a portion of Tract 68A2C, MRGCD Map 32, **Zapf
Van Addition #10**, from RA-2 to SU-1 for RC Uses, located
on MONTANO ROAD NW, between GUADALUPE TRAIL &
HARWOOD LATERAL, containing approx. 2 acres. (F-14)
Deborah Stover, Staff Planner

THE POSSIBLE APPEAL PERIOD HAVING EXPIRED, THE ZONING ON THE ABOVE CITED
PROPERTY IS NOW CHANGED AS FOLLOWS:

FROM RA-2

**TO SU-1 for RC Uses Excluding Sales of Drugs and Medical Supplies, Restaurants, Dry Cleaning and
Self Service Laundry**

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of the zoning is secured. Approval of a zone map amendment does not constitute approval of plans for a building permit. Site and building plans need to be reviewed, approved and signed-off by the Environmental Planning Commission, the Development Review Board, the Design Review Committee and/or the Building and Safety Division, as applicable and as required by the site's zoning, before a building permit will be issued.

Sincerely,


Victor Chavez
Planning Director

RD/ac

cc: Zoning Code Services Division
Neal Weinberg, AGIS Division



City of Albuquerque
Planning Department
Development Services Division
P.O. Box 1293
Albuquerque, New Mexico 87103

Date: December 19, 2003

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project # 1000522**
03EPC-01911 Zone Map Amendment
03EPC-01912 EPC Site Development Plan-
Subdivision

Jimmie W. Davis
6325 Isleta SW
Albuq. NM 87105

LEGAL DESCRIPTION: for all or a portion of Lot(s) 14 & 15 and a portion of Tract 68A2C, MRGCD Map 32, **Zapf Van Addition #10**, from RA-2 to SU-1 for RC Uses, located on MONTANO ROAD NW, between GUADALUPE TRAIL & HARWOOD LATERAL, containing approx. 2 acres. (F-14) Deborah Stover, Staff Planner

On December 18, 2003 the Environmental Planning Commission voted to approve Project 1000522/ 03EPC 01911, a request for a zone map amendment from RA-2 to SU-1 for RC Uses Excluding Sales of Drugs and Medical Supplies, Restaurants, Dry Cleaning and Self Service Laundry for Lot 14, a portion of Lot 15, Zapf Van Addition #10 & a portion of Tract 68A2C, MRGCD Map 32, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for approval of a zone map amendment from RA-2 to SU-1 for R-C and to exclude medical uses, drugstores, dry cleaning, and restaurants for Lot 14, a portion of Lot 15, Zapf Van Addition #10 & a portion of Tract 68A2C, MRGCD Map 32, located on Montañó Road between Guadalupe Trail and the Harwood Lateral.
2. The subject site has been the subject of zone map amendment requests since 1998.
3. A site development plan, required for an SU-1 request, was submitted with this request.
4. The request furthers the applicable Goals and policies of the *Comprehensive Plan* by proposing a zone category that would allow uses in a location and intensity that will respect existing neighborhood conditions by providing residential zoning with some commercial uses allowed (*Policy d*).

5. The proposed zoning would allow employment and service uses in a location that will complement residential areas and will minimize adverse effects of noise, lighting, pollution, and traffic on residential environments (*Policy i*).
6. The zone map amendment request helps to preserve and enhance the environmental quality of the North Valley Area by controlling growth and maintaining low-density development by allowing some commercial activity along a Minor Arterial and provides a variety of housing opportunities and life styles that include differing socioeconomic types, as per the *North Valley Area Plan (Goals)*.
7. The *North Valley Area Plan* states that the City and County shall stabilize residential zoning and land use in the North Valley Area and, where appropriate, according to this plan or more detailed plans, encourage and support efforts to rezone properties to their present use or for residential uses. (*Zoning and Land Use Policies*) This property is currently used as a beauty shop and the R-C zoning will support efforts to rezone this property to its present use.
8. The request meets the policies of Resolution 270-1980 for a zone map amendment: the requested zoning will not destabilize the surrounding zoning and the existing zoning is inappropriate because there are changed community conditions (Resolution 270-1980 Sections 1., B. & D. 2.).
9. A site development plan for building permit is necessary as an enforcement document for the Zoning Code Services Division.
10. At the hearing the applicant and the applicant's agent has agreed to amend their request to eliminate the uses of sales of drugs & medical supplies, restaurants, dry cleaning and self service laundry.

CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
 2. A site plan for building permit for this site shall be submitted and approved by the EPC within 6 months of the date of approval of the zone map amendment.
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OFFICIAL NOTICE OF DECISION
DECEMBER 18, 2003
PROJECT #1000522
PAGE 3 OF 4

On December 18, 2003 the Environmental Planning Commission voted to approve Project 1000522/03EPC 01912, a site development plan for subdivision, for Lot 14, a portion of Lot 15, Zapf Van Addition #10 & a portion of Tract 68A2C, MRGCD Map 32, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for approval of a site development plan for Lot 14, a portion of Lot 15, Zapf Van Addition #10 & a portion of Tract 68A2C, MRGCD Map 32, located on Montañó Road between Guadalupe Trail and the Harwood Lateral.
2. The site plan accompanies a zone map amendment request for and SU-1 zone. All items shown on the submitted site plan are existing.
3. The site plan furthers the applicable Goals and policies of the *Comprehensive Plan* by proposing uses in a location that would allow uses in a location and intensity that will respect existing neighborhood conditions by providing residential zoning with some commercial uses allowed (*Policy d*). At the hearing the applicant and the applicants agent has agreed to amend their request to eliminate the four uses that have been discussed.
4. The site plan furthers the applicable Goals of the *North Valley Area Plan* which states that the City and County shall stabilize residential zoning and land use in the North Valley Area and, where appropriate, according to this plan or more detailed plans, encourage and support efforts to rezone properties to their present use or for residential uses. (*Zoning and Land Use Policies*) This property is currently used as a beauty shop and the requested R-C zoning to support efforts to rezone this property to its present use requires a site development plan.
5. A site development plan for building permit is necessary as an enforcement document for the Zoning Code Services Division.

CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.

2. All conditions stated by the Public Works Department, City Engineer, Municipal Development and other City Agencies shall be complied with.

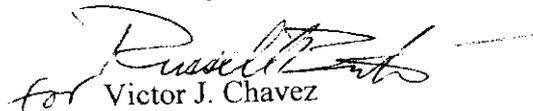
IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY **JANUARY 2, 2004** IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED.

Appeal to the City Council: Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department within 15 days of the Planning Commission's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If it decides that all City plans, policies and ordinances have not been properly followed, it shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

YOU WILL RECEIVE NOTIFICATION IF ANY OTHER PERSON FILES AN APPEAL. IF THERE IS NO APPEAL, YOU CAN RECEIVE BUILDING PERMITS AT ANY TIME AFTER THE APPEAL DEADLINE QUOTED ABOVE, PROVIDED ALL CONDITIONS IMPOSED AT THE TIME OF APPROVAL HAVE BEEN MET. SUCCESSFUL APPLICANTS ARE REMINDED THAT OTHER REGULATIONS OF THE CITY MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

Successful applicants should be aware of the termination provisions for Site Development Plans specified in Section 14-16-3-11 of the Comprehensive Zoning Code. Generally plan approval is terminated 7 years after approval by the EPC

Sincerely,


for Victor J. Chavez
Planning Director

VJC/DS/ac

cc: DAC Enterprises, P.O. Box 16658, Albuquerque, NM 87191

Bill Tafoya, being duly sworn, appears and says that he is Classified Advertising Manager of The Albuquerque Journal, and that this newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Session Laws of 1937, and that payment therefore has been made of assessed as court cost; that the notice, copy of which is hereto attached, was published in said paper in the regular daily edition, for 1 times, the first publication being on the 27 day of Nov, 2003, and the subsequent consecutive publications on _____, 2003.

[Handwritten Signature]

Sworn and subscribed to before me, a Notary Public, in and for the County of Bernalillo and State of New Mexico this day of Nov 27 of 2003.

PRICE 136.88

Statement to come at end of month.

ACCOUNT NUMBER C80583

CLA-22-A (R-1/93)



CELESTIAL SEAL
Samantha Weiss
NOTARY PUBLIC
STATE OF NEW MEXICO



NOTICE OF PUBLIC HEARING
Notice is hereby given that the City of Albuquerque Environmental Planning Commission will hold a Study Session on **Thursday, December 11, 2003, 4:00 p.m.**, in the Plaza del Sol Hearing Room, Lower Level, Plaza del Sol Building, 600 2nd St. NW, Albuquerque, NM to consider the following:
1. Distribution & Review - Current Land Use Matters for the December 16, 2003 Public Hearing, which include the projects listed below.
Notice is hereby given that the City of Albuquerque Environmental Planning Commission will hold a Public Hearing on **Thursday, December 11, 2003, 8:30 a.m.**, in the Plaza del Sol Hearing Room, Lower Level, Plaza del Sol Building, 600 2nd St. NW, Albuquerque, NM to consider the following items: (Note: these items are not in the order they will be heard.)

Project # 1002717
03EPC-01472 EPC Sector Development Plan
03EPC-01474 EPC Site Development Plan-Subdivision
03EPC-00924 Zone Map Amendment
TIMOTHY FLYNN-OBRIEN agent for WEST BLUE CENTER LLC, A NM LIABILITY CO request the above actions for all or a portion of Tracts 303 & Tracts 304, 305, & 306, Town of Atrisco Grant, a zone map amendment from SU-1/0-PRD to SU-1 for C-1 & PRD, Warehouse, Wholesaling, Sales and Display Rooms or Buildings for Wholesalers, Distributors Warehouses or Manufacturers (0.33 FAR max), located on COORS BLVD. NW, between CORONA DRIVE NW & ALMOGORDO DRIVE NW, containing approximately 7 acres. (H-11) Russell Brito, Staff Planner (DEFERRED FROM NOVEMBER 20, 2003)

Project # 1003080
03EPC-01851 Zone Map Amendment
MARK GOODWIN & ASSOCIATES, PA agents for VISTA DEL NORTE LLC request the above actions for all or a portion of Tract A, Bernardo Trails, a zone map amendment from SU-1 for Permissive C-2 Uses to RT, located on VISTA DEL NORTE DR. NE, between CRICKET HILLS DRIVE NE and LAS LONITAS DRIVE NE, containing approximately 8 acres. (D-16) Elvira Lopez, Staff Planner

Project # 1003097
03EPC-01908 EPC Sector Development Plan
03EPC-01909 Zone Map Amendment
03EPC-01910 EPC Site Development Plan-Subdivision DAC ENTERPRISES, INC. agent for DIAMOND SHAMROCK request the above actions for all or a portion of Lot 1-C, El Rancho Atrisco Phase III, zoned RD, located on LADERA DRIVE NW, between COORS BLVD. NW and MARKET ST. NW, containing approximately 1 acre. (H-9) Simon Shima, Staff Planner

Project # 1000522
03EPC-01911 Zone Map Amendment
03EPC-01912 EPC Site Development Plan-Subdivision DAC ENTERPRISES, INC. agents for JIMMIE W. DAVIS request the above actions for all or a portion of Lot(s) 14 & 15 and a portion of Tract 68A2C, MRGCO Map 32, Zapf Van Addition #10, a zone map amendment from RA-1 to SU-1 for RC Uses, located on MONTANO ROAD NW, between GUADALUPE TRAIL NW and HARWOOD LATERAL, containing approximately 2 acres. (F-14) Deborah Stover, Staff Planner

Project # 1003099
03EPC-01914 EPC Sector Development Plan
03EPC-01915 Zone Map Amendment
CONSENSUS PLANNING, INC. agent(s) for TS MCNANEY & ASSOCIATES request the above action(s) for all or a portion of Lot(s) 7 & 20, Tract(s) A, North Albuquerque Acres, zoned SU-2/1P, located on EAGLE ROCK AVE. NE, between SAN PEDRO DRIVE NE and LOUISIANA BLVD. NE, containing approximately 2 acres. (C-18) Chris Hyatt, Staff Planner

Project # 1002805
03EPC-01917 EPC Site Development Plan-Building Permit DENISH KLINE ASSOCIATES, INC. agent for MOUNTAIN RUN PARTNERS, LTD. request the above action for all of Tract D, St. Anthony's Orphanage, zoned C-2 (SC) located on 12TH ST. NW, between INTERSTATE 40 and INDIAN SCHOOL ROAD NW, containing approximately 14 acres. (H-13) Carmen Marrone, Staff Planner

Project # 1002942
03EPC-01918 Annexation
03EPC-01919 Zone Map Amendment
DENISH & KLINE ASSOCIATES, INC. agent for THE TRAILS LLC request the above actions for all or a portion of Tract 5, Black Ranch, Annexation and a Zone Map Amendment from County A-1 to RD, located on PASEO DEL NORTE NW, west of RAINBOW NW, containing approximately 56 acres. (C-6) Juanita Vigil, Staff Planner

Project # 1003100
03EPC-01921 EPC Site Development Plan-Building Permit TIERRA WEST LLC agents for SKYE, INC. request the above actions for all or a portion of Tracts B1, C1, ADOBE WELLS SUBDIVISION, zoned SU-1 IP C-2 R-2 USES, located on Eagle Ranch Road between Westside Drive & Irving Blvd. NW, containing approximately 6 acres. (B-13) Deborah Stover, Staff Planner

Project # 1001370
03EPC-01062 Annexation
03EPC-01920 Zone Map Amendment
03EPC-01922 EPC Site Development Plan-Subdivision MARK GOODWIN & ASSOCIATES, PA agents for JUAN TABO HILLS LLC, & OTHERS request the above action(s) for and W/2-SW/4 & W/2-E/2-SW/4, Sec. 34, T.10 N, R. 4E, and SE/4-SE/4, SEC.33, T.10 N, R.4E, and E/2-SE/4-NE/4 (AKA Tract B), Sec. 33, T.10N, R. 4E, zoned County A-1 & RD, located on JUAN TABO BLVD. NE, between EUBANK BLVD. NE and FOUR HILLS ROAD NE, containing approximately 327 acres. (M-21) Simon Shima, Staff Planner

03EPC-01923 Zone Map Amendment
CONSENSUS PLANNING, INC. agent for CURB WEST INC. requests a zone map amendment from R-1 to R-LT for all or a portion of Tract B&B, Seville Subdivision, located on Kavanta Street NW, between RIO SEGURO and the CALABACILAS ARROYO, containing approximately 10 acres. (A-10) Carmen Marrone, Staff Planner

Project # 1003102
03EPC-01923 Zone Map Amendment
03EPC-01923 EPC Site Development Plan-Building Permit DEKKERHERICH SABATHIN agent for SH & R. G. ROUSE request the above action(s) for all or a portion of Lot(s) 12, 14, Replat of Ferrari Equitable, zoned SU-1 PRD, a zone map amendment from SU-1 PRD to SU-1 C-1, located on JUAN TABO NE, between MONTGOMERY BLVD. NE and LA GRIMA DE GRACIA NE, containing approximately 2 acres. (F-21) Makita Hill, Staff Planner

Project # 1000557
03EPC-01927 EPC Site Development Plan-Building Permit TIERRA WEST LLC agent for TNERAS, P&S, LLC SERIES request the above action(s) for all or a portion of Tract A28A1, TOWN OF ATRISCO, GRANT NE UNIT 1, zoned EPC FOR PDA C-1 USES, located on REDLANDS ROAD NW, between COORS BLVD NW and CORONADO DRIVE NW, containing approximately 1.5 acres. (D-11) Makita Hill, Staff Planner

Project # 1001796
03EPC-01928 Zone Map Amendment
03EPC-01928 EPC Site Development Plan-Subdivision DENISH KLINE ASSOCIATES, INC. agent for THIS ADVISING, INC. request the above actions for all or a portion of Lot 12, four Subdivisions, a zone map amendment from SU-1 to C-1, Permissive C-1, C-1, Permissive C-1, Permissive C-1, located on COORS BLVD. NW, between RANCHO ROAD NW and PASEO DEL NORTE NW, containing approximately 24 acres. (C-18) Carmen Marrone, Staff Planner

Project # 1001716
03EPC-01929 EPC Site Development Plan-Building Permit TIERRA WEST LLC agent for ZANBARA DODGE request the above action for all or a portion of Lot(s) 10, 9, & 11A, EAST END ADDITION, zoned C-2 & SU-1 for C-1 USES, located on VIRGINIA ST. and Stover, located on VIRGINIA ST. NE, between LOMAS BLVD NE and MARBLE ST. NE, containing approximately 1 acre. (M-19) Juanita Vigil, Staff Planner

Details of these applications may be examined at the Development Services Division of the Planning Department, 3rd Level, Plaza del Sol Building, 600 Second Street, NW between 10:00 a.m. and 12:00 p.m. and between 2:00 and 4:00 p.m., Monday through Friday, or you may call April Cardenas at 924-3888. INDIVIDUALS WITH DISABILITIES who need special assistance should participate at the public hearing should contact April Cardenas, 924-3888 (VOICE) or 924-3361 (TTY). TTY users may also access the voice network by the New Mexico Relay Network by

1. Add the following text to Transportation Note #1: . "and provide for a fourth northbound travel lane."
 2. Change Note #3 to read - Staff comments on the draft Traffic Impact Study (TIS) will be addressed prior to application for subsequent EPC and DRB actions.
 3. Add a new Note #4: Adequacy of the site access proposed will be evaluated as a component of the forthcoming TIS. Changes to access requiring modification to the Coors Corridor Plan may also require the approval of the Mid-Region Council of Governments before DRB signoff.
 - b. Construction of a *minimum* 10 foot wide trail facility within the rights-of-way of either the Corrales Main Canal or the proposed public road as designated on the Long Range Bikeways System, and more specifically detailed in the City's DPM standards.
 - c. Platting should be a concurrent DRB action.
7. The Design Guidelines, Sheet 2, shall be amended to reflect the changes proposed by the applicant in the letter dated December 16, 2003 from Consensus Planning. (See Attached)

MOVED BY COMMISSIONER DEICHMANN
SECONDED BY COMMISSIONER OWENS

MOTION PASSED UNANIMOUSLY

10. Project # 1000522
03EPC-01911 Zone Map Amendment
03EPC-01912 EPC Site Development
Plan-Subdivision

DAC ENTERPRISES agents for JIMMIE W. DAVIS request the above actions for all or a portion of Lot(s) 14 & 15 and a portion of Tract 68A2C, MRGCD Map 32, **Zapf Van Addition #10**, from RA-2 to SU-1 for RC Uses, located on MONTANO ROAD NW, between GUADALUPE TRAIL & HARWOOD LATERAL, containing approx. 2 acres. (F-14) Deborah Stover, Staff Planner
(APPROVED WITH CONDITIONS)

STAFF PRESENT:

Deborah Stover, Planning Department
Don Newton, Neighborhood Coordination

PERSON PRESENT TO SPEAK IN FAVOR OF THIS REQUEST:

Doug Crandall, P.O. Box 16658

THERE WAS NO ONE PRESENT TO SPEAK IN OPPOSITION OF THIS REQUEST:

MS. STOVER: Reiterated comments made in the staff report in which approval was recommended for both the zone map amendment and site plan for subdivision.

FINAL ACTION TAKEN

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to approve Project 1000522/ 03EPC 01911, a request for a zone map amendment from RA-2 to SU-1 for RC Uses Excluding Sales of Drugs and Medical Supplies, Restaurants, Dry Cleaning and Self Service Laundry for Lot 14, a portion of Lot 15, Zapf Van Addition #10 & a portion of Tract 68A2C, MRGCD Map 32, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for approval of a zone map amendment from RA-2 to SU-1 for R-C and to exclude medical uses, drugstores, dry cleaning, and restaurants for Lot 14, a portion of Lot 15, Zapf Van Addition #10 & a portion of Tract 68A2C, MRGCD Map 32, located on Montañó Road between Guadalupe Trail and the Harwood Lateral.
2. The subject site has been the subject of zone map amendment requests since 1998.
3. A site development plan, required for an SU-1 request, was submitted with this request.
4. The request furthers the applicable Goals and policies of the *Comprehensive Plan* by proposing a zone category that would allow uses in a location and intensity that will respect existing neighborhood conditions by providing residential zoning with some commercial uses allowed (*Policy d*).
5. The proposed zoning would allow employment and service uses in a location that will complement residential areas and will minimize adverse effects of noise, lighting, pollution, and traffic on residential environments (*Policy i*).
6. The zone map amendment request helps to preserve and enhance the environmental quality of the North Valley Area by controlling growth and maintaining low-density development by allowing some commercial activity along a Minor Arterial and provides a variety of housing opportunities and life styles that include differing socioeconomic types, as per the *North Valley Area Plan (Goals)*.

7. The *North Valley Area Plan* states that the City and County shall stabilize residential zoning and land use in the North Valley Area and, where appropriate, according to this plan or more detailed plans, encourage and support efforts to rezone properties to their present use or for residential uses. (*Zoning and Land Use Policies*) This property is currently used as a beauty shop and the R-C zoning will support efforts to rezone this property to its present use.
8. The request meets the policies of Resolution 270-1980 for a zone map amendment: the requested zoning will not destabilize the surrounding zoning and the existing zoning is inappropriate because there are changed community conditions (Resolution 270-1980 Sections 1., B. & D. 2.).
9. A site development plan for building permit is necessary as an enforcement document for the Zoning Code Services Division.
10. At the hearing the applicant and the applicant's agent has agreed to amend their request to eliminate the uses of sales of drugs & medical supplies, restaurants, dry cleaning and self service laundry.

CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. A site plan for building permit for this site shall be submitted and approved by the EPC within 6 months of the date of approval of the zone map amendment.

MOVED BY COMMISSIONER OWENS
SECONDED BY COMMISSIONER STEELE

MOTION PASSED 6-1 (CHAIRMAN
VOTED NO)

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to approve Project 1000522/03EPC 01912, a site development plan for subdivision, for Lot 14, a portion of Lot 15, Zapf Van Addition #10 & a portion of Tract 68A2C, MRGCD Map 32, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for approval of a site development plan for Lot 14, a portion of Lot 15, Zapf Van Addition #10 & a portion of Tract 68A2C, MRGCD Map 32, located on Montaña Road between Guadalupe Trail and the Harwood Lateral.
2. The site plan accompanies a zone map amendment request for and SU-1 zone. All items shown on the submitted site plan are existing.
3. The site plan furthers the applicable Goals and policies of the *Comprehensive Plan* by proposing uses in a location that would allow uses in a location and intensity that will respect existing neighborhood conditions by providing residential zoning with some commercial uses allowed (*Policy d*). At the hearing the applicant and the applicants agent has agreed to amend their request to eliminate the four uses that have been discussed.
4. The site plan furthers the applicable Goals of the *North Valley Area Plan* which states that the City and County shall stabilize residential zoning and land use in the North Valley Area and, where appropriate, according to this plan or more detailed plans, encourage and support efforts to rezone properties to their present use or for residential uses. (*Zoning and Land Use Policies*) This property is currently used as a beauty shop and the requested R-C zoning to support efforts to rezone this property to its present use requires a site development plan.
5. A site development plan for building permit is necessary as an enforcement document for the Zoning Code Services Division.

CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.

2. All conditions stated by the Public Works Department, City Engineer, Municipal Development and other City Agencies shall be complied with.

MOVED BY COMMISSIONER OWENS
SECONDED BY COMMISSIONER STEELE MOTION PASSED 6-1 (CHAIRMAN VOTED NO)

11. Project # 1002805 *
03EPC-01917 EPC Site Development
Plan-Building Permit

DENISH KLINE ASSOCIATES, INC. agent for MOUNTAIN RUN PARTNERS, LTD. request the above action for all of Tract D, **St. Anthony's Orphanage**, zoned C-2 (SC) located on 12TH ST. NW, between INTERSTATE 40 and INDIAN SCHOOL ROAD NW, containing approx. 14 acres. (H-13) Carmen Marrone, Staff Planner
(APPROVED WITH CONDITIONS)

STAFF PRESENT:

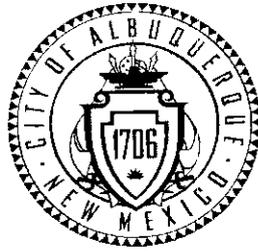
Carmen Marrone, Planning Department
Jack Bayse, Zoning Division

PERSON PRESENT TO SPEAK IN FAVOR OF THIS REQUEST:

Lawrence Kline, P.O. Box 2001
Mark Millis
George Rainhart, 2325 San Pedro NE
Nathan Bush, 1920 Indian School Rd. NW
Anna Marie Amonilello, 1500 Indian School NW
Aileen O'Catherice, 1316 Sawmil Rd. NW

THERE WAS NO ONE PRESENT TO SPEAK IN OPPOSITION OF THIS REQUEST:

MS. MARRONE: Reiterated comments made in the staff report in which approval was recommended.



ENVIRONMENTAL PLANNING COMMISSION

A G E N D A

Thursday, December 18, 2003, 8:30 a.m.

Plaza del Sol Hearing Room
Lower Level
600 2nd Street NW

MEMBERS

Jeffery Jesionowski, Chairman
Mick McMahan, Vice Chair

Camilla Serrano
Jens Deichmann
David Steele

Larry Chavez
Virginia Klebesadel
Bevin Owens

NOTE: A LUNCH BREAK AND DINNER BREAK WILL BE ANNOUNCED AS NECESSARY

Agenda items will be heard in the order specified unless changes are approved by the EPC at the beginning of the hearing; deferral and withdrawal requests (by applicants) are generally reviewed at this time (see item 1A and 1B below). Applications with no known opposition that are supported by the Planning Department are scheduled at the beginning of the agenda; these cases are noted with an asterisk (*). Applications deferred from a previous hearing are normally scheduled at the end of the agenda.

There is no set time for cases to be heard. However, interested parties can monitor the progress of the hearing by calling the Planning Department at 924-3860. All parties wishing to address the Commission must sign-in with the Commission Secretary at the front table prior to the case being heard. Please be prepared to provide brief and concise testimony to the Commission if you intend to speak. **In the interest of time, presentation times are limited as follows, unless otherwise granted by the Commission Chair: Staff - 5 minutes; Applicant - 10 minutes; Public speakers - 2 minutes each.**

All written materials - including petitions, legal analysis and other documents - should be submitted at least 10 days prior to the public hearing, ensuring presentation at the EPC Study Session. The EPC strongly discourages submission of written material at the public hearing. Except in extraordinary circumstances, the EPC will not consider written materials submitted at the hearing. In the event the EPC believes that newly submitted material may influence its final decision, the application may be deferred to a subsequent hearing.

NOTE: ANY AGENDA ITEMS NOT HEARD BY 8:30 P.M. MAY BE DEFERRED TO ANOTHER HEARING DATE AS DETERMINED BY THE PLANNING COMMISSION.

1. **Holiday Music by Neil Weinberg's Brass Souls**
2. **Presentation of Acknowledgements to Commissioners Begay, Schwartz, Briscoe, and Owens**
3. **Call to Order.**
 - A. Announcement of Changes and/or Additions to the Agenda
 - B. Approval of the Amended Agenda
 - C. Approval of the Minutes for

4. Project # 1002717

03EPC-01472 EPC Sector Development Plan

03EPC-01474 EPC Site Development Plan-Subdivision

03EPC-00924 Zone Map Amendment

TIMOTHY FLYNN-OBRIEN agent for WEST BLUFF CENTER LLC, A NM LIABILITY CO request the above actions for all or a portion of Tracts 303 and Tracts 304, 305, and 306, **Town of Atrisco Grant**, a zone map amendment from SU-1/O-1/PRD to SU-1 for O-1 and PRD, Warehouse, Wholesaling, Sales and Display Rooms or Buildings for Wholesalers, Distributors Warehouses or Manufacturers (0.33 FAR max) and Hotel or Motel (90 rooms max), located on COORS BLVD. NW, between CORONA DRIVE NW and ALAMOGORDO DRIVE NW, containing approximately 7 acre(s). (H-11) Russell Brito, Staff Planner **(DEFERRED FROM NOVEMBER 20, 2003)**

5. Project # 1003099 *

03EPC-01914 EPC Sector Development Plan

03EPC-01915 Zone Map Amendment

CONSENSUS PLANNING, INC. agent(s) for TS MCNANEY & ASSOCIATES request the above action(s) for all or a portion of Lot(s) 7 & 26, Tract(s) A, **North Albuquerque Acres**, zoned SU-2/IP, located on EAGLE ROCK AVE. NE, between SAN PEDRO DRIVE NE and LOUISIANA BLVD. NE, containing approximately 2 acres. (C-18) Chris Hyer, Staff Planner

6. Project # 1002942 *

03EPC-01918 Annexation

03EPC-01919 Zone Map Amendment

DENISH & KLINE ASSOCIATES, INC. agent for THE TRAILS LLC request the above actions for all or a portion of Tracts of Land in T 11 NR2E Section 17, being a portion of Tract 5, **Black Ranch**, Annexation and a Zone Map Amendment from County A-1 to RD, located on PASEO DEL NORTE NW, west of RAINBOW NW, containing approximately 56 acres. (C-8) Juanita Vigil, Staff Planner

7. Project # 1003100 *

03EPC-01921 EPC Site Development Plan-Building Permit

TIERRA WEST LLC agents for SKYE, INC. request the above actions for all or a portion of Tracts B1, C1, **ADOBE WELLS SUBDIVISION**, zoned SU-1 IP C-2 R-2 USES, located on Eagle Ranch Road NW between Westside Drive & Irving Blvd., containing approx. 6 acres. (B-13) Deborah Stover, Staff Planner

8. Project # 1003102 *

03EPC-01925 Zone Map Amendment
03EPC-01929 EPC Site Development
Plan-Building Permit

DEKKER/PERICH/SABATINI agent(s) for SM & R G ROUP request the above action(s) for all or a portion of Lot(s) 12, 14, **Replat of Ferrari Esquibel-Palmer Sec 23**, a zone map amendment from SU-1 PRD 22 DU/a & Office to SU-1 for C-1, located on JUAN TABO NE, between MONTGOMERY BLVD. NE & LAGRIMA DE ORO NE, containing approx. 2 acres. (F-21) Makita Hill, Staff Planner

9. Project # 1002714 *

03EPC-01931 EPC Site Development
Plan-Building Permit

TIERRA WEST LLC agent for ZANGARA DODGE request the above action for all or a portion of Lots 8, 10, 9, & 11A, **EAST END ADDITION**, zoned C-2, & SU-1 for C-1 USES and Automobiles Sales and Storage, located on VIRGINIA ST NE, between LOMAS BLVD & MARBLE ST, containing approx. 1 acres. (J-19) Juanita Vigil, Staff Planner

10. Project # 1000651 *

03EPC-01927 EPC Site Development
Plan-Building Permit

TIERRA WEST LLC agent(s) for TIJERAS PLACE LLC SERIES B request the above action(s) for all or a portion of Tract(s) A29A1, **TOWN OF ATRISCO GRANT NE UNIT 1**, zoned SU-1 FOR PDA C-1 USES, located on REDLANDS ROAD NW, between COORS BLVD & CORONA DR, containing approx. 1.13 acres. (G-11) Makita Hill, Staff Planner

11. Project # 1001796

03EPC-01928 Zone Map Amendment
03EPC-01930 EPC Site Development
Plan-Subdivision

CONSENSUS PLANNING, INC. agent for FORTIS ADVISORS request the above actions for all or a portion of Lot 1, **Stout Subdivision**, a zone map amendment from SU-1 for O-1 Permissive Uses & C-1 Permissive Uses & Restarant to SU-1 for C-1 Permissive Uses, located on COORS BLVD. NW, between EAGLE RANCH ROAD & PASEO DEL NORTE, containing approx. 24 acres. (C-13) Carmen Marrone, Staff Planner

12. Project # 1000522

03EPC-01911 Zone Map Amendment
03EPC-01912 EPC Site Development
Plan-Subdivision

DAC ENTERPRISES agents for JIMMIE W. DAVIS request the above actions for all or a portion of Lot(s) 14 & 15 and a portion of Tract 68A2C, MRGCD Map 32, **Zapf Van Addition #10**, from RA-2 to SU-1 for RC Uses, located on MONTANO ROAD NW, between GUADALUPE TRAIL & HARWOOD LATERAL, containing approx. 2 acres. (F-14) Deborah Stover, Staff Planner

13. Project # 1002805

03EPC-01917 EPC Site Development
Plan-Building Permit

DENISH KLINE ASSOCIATES, INC. agent for MOUNTAIN RUN PARTNERS, LTD. request the above action for all of Tract D, **St. Anthonys Orphanage**, zoned C-2 (SC) located on 12TH ST NW, between INTERSTATE 40 & INDIAN SCHOOL ROAD, containing approximately 14 acres. (H-13) Carmen Marrone, Staff Planner

14. Project # 1003097

03EPC-01908 EPC Sector Development Plan

03EPC-01909 Zone Map Amendment

03EPC-01910 EPC Site Development Plan-Subdivision

DAC ENTERPRISES, INC., agent for DIAMOND SHAMROCK, request the above actions for all or a portion of Lot 1-C, **El Rancho Atrisco Phase III**, from R-D to SU-1 for C-1 permissive uses & sales of alcoholic drink for off-premise consumption, located on LADERA DRIVE NW, between COORS BLVD. NW and MARKET ST. NW, containing approximately 1 acre. (H-9) Simon Shima, Staff Planner

15. Project # 1001370

03EPC-01062 Annexation

03EPC-01920 Zone Map Amendment

03EPC-01922 EPC Site Development Plan-Subdivision

MARK GOODWIN & ASSOCIATES, PA agents for JUAN TABO HILLS LLC & OTHERS request the above action(s) for and W/2-SW/4&W/2-E/2-SW/4, Sec. 34, T.10 N, R 4E and SE/4-SE/4, SEC.33, T.10 N, R.4E, and E/2-SE/4-NE/4 (AKA Tract B), Sec. 33, T.10N, R 4E, **NE/4 SE/4, SEC 33, T.10N, R 4E**, zoned County A-1 & RD, located on JUAN TABO BLVD. NE, between EUBANK BLVD. NE and FOUR HILLS ROAD NE, containing approximately 327 acres. (M-21) Chris Hyer, Staff Planner

16. Project # 1003080

03EPC-01851 Zone Map Amendment

MARK GOODWIN & ASSOCIATES, PA agents for VISTA DEL NORTE LLC request the above actions for all or a portion of Tract A, **Bernardo Trails**, a zone map amendment from SU-1 for Permissive C-2 Uses to RT, located on VISTA DEL NORTE DR. NE, between CRICKET HILLS DRIVE NE and LAS LOMITAS DRIVE NE, containing approximately 6 acres. (D-16) Elvira Lopez, Staff Planner

17. Project # 1001306

03EPC-01924 Zone Map Amendment

CONSENSUS PLANNING, INC. agent for CURB WEST INC. requests a zone map amendment from R-1 to R-LT for all or a portion of Tract B2B, **Seville Subdivision**, located on Kayenta Street NW, between RIO SEGURA and the CALABACILLAS ARROYO, containing approximately 10 acres. (A-10) Carmen Marrone, Staff Planner

18. Project # 1002948

03EPC- 01736

03DRB-01485 Major-Preliminary Plat Approval

03DRB-01486 Minor-Sidewalk Variance

03DRB-01497 Minor-Temp Defer SDWK

Juan R. Alderete et al, appeals the Development Review Board's approval of the above action(s) for all or a portion of Tract(s) A-1, Lot(s) 1 & 2, Tract(s) 171a1b2, **LANDS OF JACK CULLY**, zoned RA-2 residential and agricultural zone, located on ADOBE RD NW, between MONTANO RD and GUADALUPE TR containing approximately 6 acre(s). (F-14) **(DEFERRED FROM NOVEMBER 20, 2003)**

19. Project # 1002624

03EPC-00935 EPC Site Development
Plan-Subdivision

RICK BENNETT ARCHITECTS agent(s) for NEW DAY, INC. request the above action(s) for all or a portion of Tract(s) Tract of Land within the SE/4 NE/4, Section 36, T10N, R3E, Zoned SU-1 for A Short Term Shelter, located on RIDGECREST SE, between LOUISIANA SE and SAN PEDRO SE, containing approx. 10 acres. (M-18) Juanita Vigil, Staff Planner **(DEFERRED FROM OCTOBER 16, 2003)**

20. Project # 1002943

03EPC-01469 Zone Map Amendment

GARCIA/KRAEMER & ASSOCIATES agent(s) for DAVID & SANDRA MOLLOHAN & BOB & MARY COC request the above action(s) for all or a portion of Lot(s) 16 & 17, **East End Addition**, a zone map amendment from R-1 to C-2, located on VIRGINIA NE, between LOMAS NE and MARBLE NE, containing approx. 1 acre. (J-19) (Juanita Vigil, Staff Planner) **(DEFERRED FROM OCTOBER 16, 2003)**

21. Project # 1000262

03EPC-01476 EPC Site Development
Plan-Subdivision
03EPC-01477 EPC Site Development
Plan-Building Permit
03EPC-01478 Zone Map Amendment

CONSENSUS PLANNING, INC., agent for LONGFORD HOMES request the above actions for all or a portion of Tract B-1, **Costco Development, Manzano Mesa Addition**, a zone map amendment from SU-1 for C-2 Permissive Uses with IP Permissive Uses to SU-1 for PRD, located on SOUTHERN BLVD. SE, between EUBANK BLVD. SE and JUAN TABO SE, containing approx. 13 acres. (L-21) Simon Shima, Staff Planner **(DEFERRED FROM NOVEMBER 20, 2003)**

22. Project # 1000575

03EPC-01661 EPC Site Development
Plan-Amendment to Building Permit

DEKKER/PERICH/SABATINI agents for PRESBYTERIAN HEALTHCARE SERVICES request the above action(s) for all or a portion of Tract(s) 1-9, **Presbyterian Hospital Main Campus**, zoned SU-1 SU-2 Hospital & Related Uses, located on CENTRAL SE, between OAK SE and SYCAMORE SE, containing approximately 27 acres. (K-15) Carmen Marrone, Staff Planner **(DEFERRED FROM NOVEMBER 20, 2003)**

23. Project # 1000162 *

03EPC-01667 EPC Site Development
Plan-Subdivision
03EPC-01668 Zone Map Amendment

CONSENSUS PLANNING, INC. agents for TIM WHITE request the above actions for all or a portion of Tract A-2, **Luecking Park Complex**, a zone map amendment from R-3 to SU-1 for IP Permissive Uses, located on PATHWAY AVE. NE, between PAN AMERICAN HIGHWAY and NORTH DIVERSION CHANNEL, containing approximately 7 acres. (G-16) Simon Shima, Staff Planner **(DEFERRED FROM NOVEMBER 20, 2003)**

24. Other Matters



Agenda Number: 12
Project Number: 1000522
Case Number: 03EPC 01911/01912
December 18, 2003

Staff Report

Agent	DAC Enterprises
Applicant	Jimmie Davis
Requests	Zone Map Amendment Site Development Plan for Subdivision
Legal Description	Lot 14, a portion of Lot 15, Zapf Van Addition #10 & a portion of Tract 68A2C, MRGCD Map 32
Location	Montano Road NW between Guadalupe Trail and the Harwood Lateral NW
Size	907 Montañño road NW Approximately 2 acres
Existing Zoning	RA-1
Proposed Zoning	SU-1 for RC Uses

Staff Recommendation

APPROVAL of 03EPC 01911,
based on the findings on page 8,
and subject to the conditions of
approval on page 9.

APPROVAL of 03EPC 01912,
based on the findings on page
10#, and subject to the conditions of approval
on page 10.

Staff Planner

Deborah L. Stover, Planner

Summary of Analysis

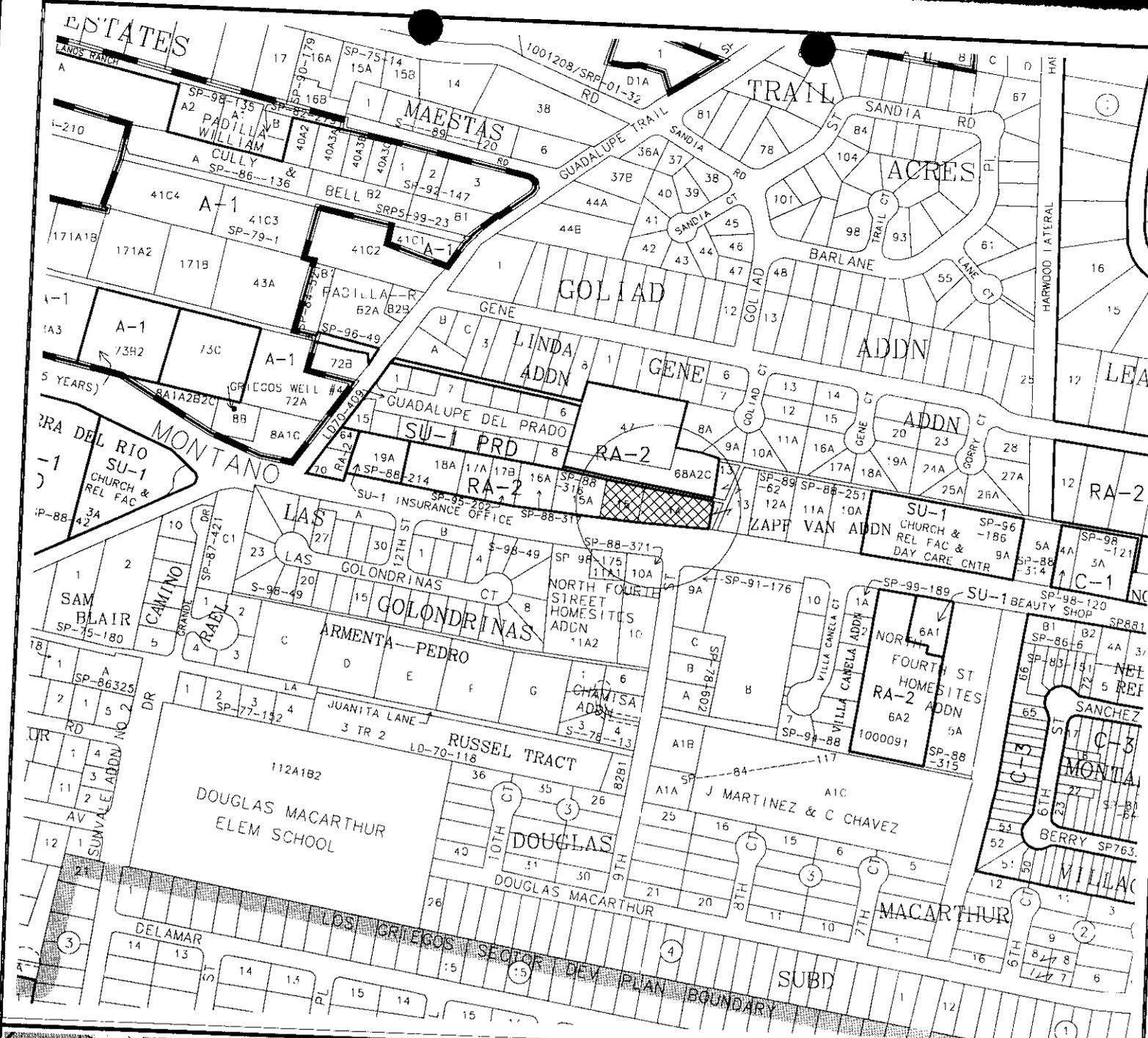
This is a request for a zone map amendment to change zoning from RA-2 to SU-1 for R-C on a 2-acre site known as Lot 14, a portion of Lot 15, Zapf Van Addition #10 & a portion of Tract 68A2C, MRGCD Map 32, located at 907 Montañño Road NW.

Although the North Valley Area Plan specifically states that residential uses are to be retained on Montañño Road, two arguments regarding that issue may be made in support of this zone change. The first is that the R-C zoning is still a residential zone, so the change will still comply with the tenets of the Plan. The second is that three properties along this portion of Montañño Road have been rezoned from residential to commercial uses. To deny this request would present a conflict with those.

The submitted zone map amendment is in line with the Goals and Policies of the Comprehensive Plan and the North Valley Area Plan and meets the policies of Resolution 270-1980. The proposed zoning has the potential to stabilize the surrounding zoning; the permissive uses in the R-C zone would not be harmful to adjacent property and the neighborhood; and the changed conditions in the area, including the construction of the Montañño Bridge and the subsequent zone map amendments in the area is justification for the residential/commercial zoning. Staff recommends approval of this request.



City Departments and other interested agencies reviewed this application from 11/10/03 to 11/21/03.
Agency comments were used in the preparation of this report, and begin on page 11.



Note: Shaded area indicates County Not to Scale

ZONING MAP



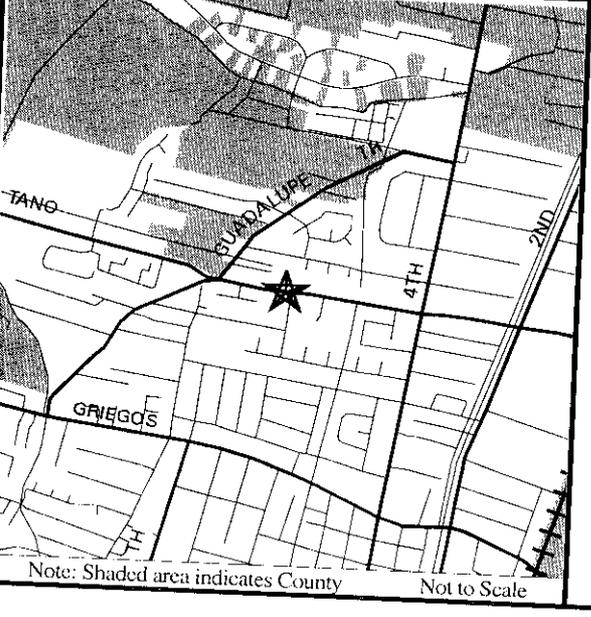
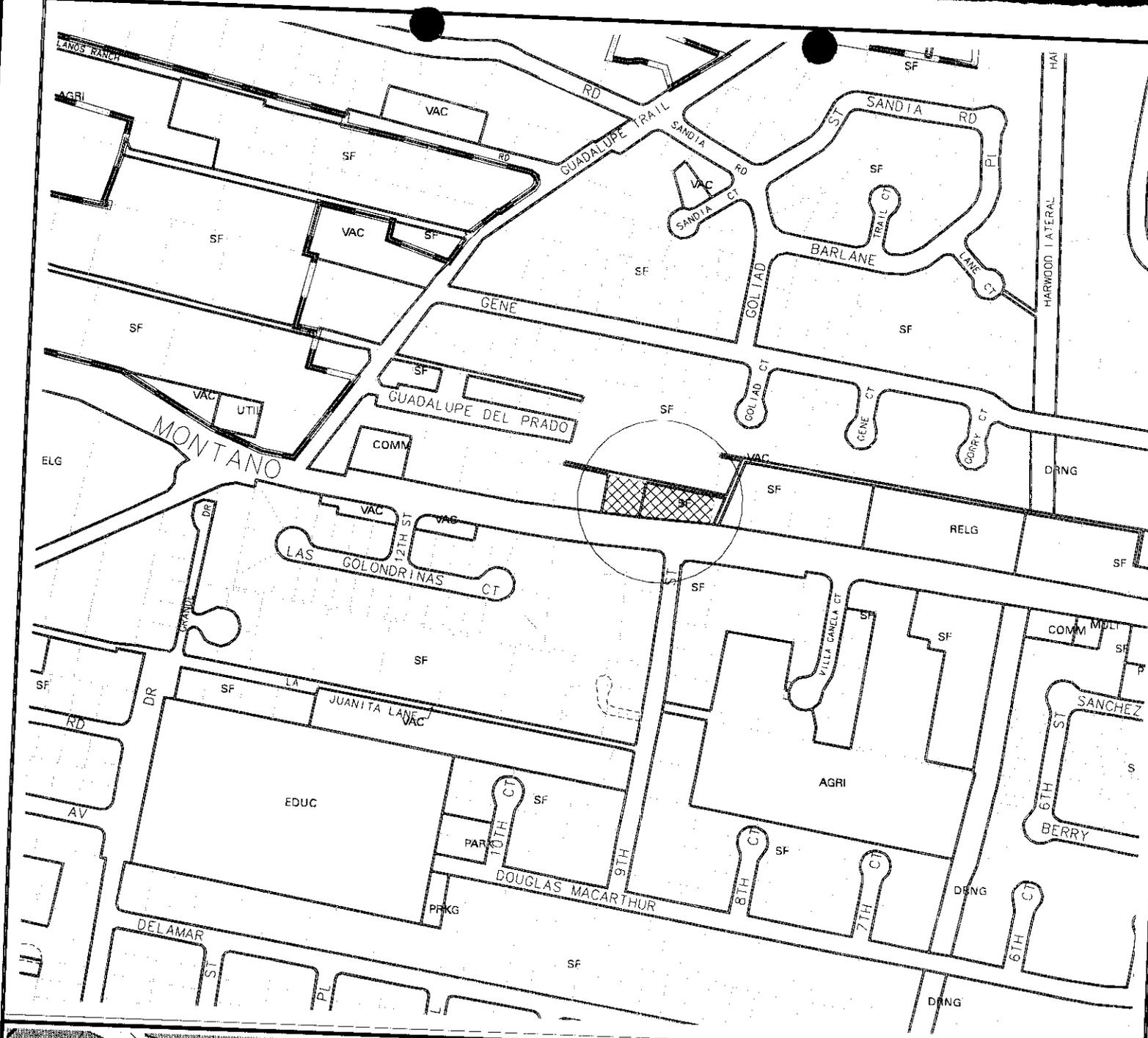
Scale 1" = 377'

PROJECT NO.
1000522

HEARING DATE
12-18-03

MAP NO.
F-14

ADDITIONAL CASE NUMBER(S)
03EPC-01911
03EPC-01912



Note: Shaded area indicates County Not to Scale

LAND USE MAP

KEY to Land Use Abbreviations

- AGRI Agricultural
- COMM Commercial -Retail, Service, Wholesale
- DRNG Drainage
- EDUC Public or Private School
- GOLF Golf Course
- MED Medical Office or Facility
- MFG Manufacturing or Mining
- MH Mobile Home
- MULT Multi-Family or Group Home
- OFF Office
- ORG Social or Civic Organization
- PARK Park, Recreation or Open Space
- PRKG Parking
- PUBF Public Facility
- RELG Religious Facility
- SF Single Family
- TRAN Transportation Facility
- UTIL Utility
- VAC Vacant Land or Abandoned Bldgs
- WH Warehousing & Storage



Scale 1" = 377'

PROJECT NO.
1000522

HEARING DATE
12-18-03

MAP NO.
F-14

ADDITIONAL CASE NUMBER(S)
03EPC-01911
03EPC-01912

Development Services Report

SUMMARY OF REQUEST

Requests	Zone Map Amendment from RA-1 to SU-1 for RC Uses Site Development Plan for Subdivision
Location	Montaño between Guadalupe Trail and the Harwood Lateral NW 907 Montano Road NW

AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses:

	Zoning	Comprehensive Plan Area; Applicable Rank II & III Plans	Land Use
Site	RA-2	Established Urban North Valley Area Plan	Single-Family/Hair Salon
North	RA-2		Single-Family Residential
South	R-1		Single-Family Residential
East	RA-2		School
West	R-1		Single-Family Residential

Background, History and Context

This is a request for a zone map amendment to change the subject property from RA-2, which is a rural, single-family zone, to SU-1 for RC Uses. RC Uses allow for commercial activity within a residential environment. The uses on the site currently consist of a single-family house being used, as least partially, as a beauty salon. This is an illegal use of the site as currently zoned. The subject property has a history of attempting to obtain a zone map amendment prior to this application starting in 1998 when the applicant requested a conditional use from the Zoning Hearing Examiner for a Nursery and Landscape Yard. The request was denied, appealed to the Board of Appeals where it was denied, and appealed to City Council. The City Council remanded the matter to the Board of Appeals with instructions to remand to the ZHE for approval. This direction never materialized, because in the interim the applicant had requested a zone map amendment through the EPC process. The EPC approved an amendment from RA-2 to SU-1 for RC, O-1 Permissive Uses and Nursery and Landscape Uses (Z-00-08). A neighbor appealed this approval to the City Council, where it was remanded back to the EPC (AC-00-11). During the remand process, the applicant expanded the initial zone change request to include C-1 Uses. Because of the more intense uses allowed in the C-1 category, the EPC denied the request. The applicant then appealed this decision and the City Council denied the appeal (AC-00-34).

The area surrounding the subject site is a mixture of residential, church, school and business uses. The property to the north of the subject site consists of established single-family residential

development. West of the site is a Montessori School while across Montañito to the south is a relatively new single-family subdivision. East of the site are also single-family uses. Several zone map amendments have taken place in the area within the last few years. In 1998 the property abutting the subject property to the west was zoned from RA-2 to SU-1 for School (Z-98-100). In 2001, a property 5 parcels west of the school was zoned from RA-2 to SU-1 for Insurance Office (1001033). Lot 6A1, east of the site across the street from the church was zoned from RA-2 to SU-1 for a Beauty Shop in 2002 (1001446).

APPLICABLE PLANS AND POLICIES

Albuquerque / Bernalillo County Comprehensive Plan

The subject site is located in the area designated (text) by the *Comprehensive Plan* with a Goal to The subject site is within the **Established Urban** Area of the *Comprehensive Plan* which has a goal to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment. Applicable policies include:

Policy a The Established and Developing Urban Areas . . . shall allow a full range of urban land uses, resulting in an overall gross density up to 5 dwelling units per acre.

Policy d The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, or recreational concern.

Policy e New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured.

Policy g Development shall be carefully designed to conform to topographical features and include trail corridors in the development where appropriate.

Policy I Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

Policy j Where new commercial development occurs, it should generally be located in existing commercially zoned areas as follows:

- in small neighborhood-oriented centers provided with pedestrian and bicycle access within reasonable distance of residential areas for walking or bicycling.
- in larger area-wide shopping centers located at intersections of arterial streets and provided with access via mass transit; more than one shopping center should be allowed at an intersection only when transportation problems do not result.
- in free-standing retailing and contiguous storefronts along streets in older neighborhoods.

Policy k Land adjacent to arterial streets shall be planned to minimize harmful effects of traffic; livability and safety of established residential neighborhoods shall be protected in transportation planning and operations.

Policy l Quality and innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate to the plan area.

Policy m Urban and site design which maintains and enhances unique vistas and improves the quality of the visual environment shall be encouraged.

North Valley Area Plan

The North Valley Area Plan was adopted by both the City of Albuquerque and Bernalillo County in 1993. The Plan generally encompasses properties between Roy/Tramway on the north, Interstate 40 on the south, Interstate 25 on the east, and the Rio Grande on the west; specific boundaries are shown on page in the Plan. It sets forth applicable goals, issues and policies regarding environmental quality, zoning, land use, wastewater and housing:

Goals:

2. To preserve and enhance the environmental quality of the North Valley Area by:
 - a) maintaining the rural flavor of the North Valley
 - b) controlling growth and maintaining low density development
 - c) providing a variety of housing opportunities and life styles including differing socioeconomic types
 - d) reducing noise level impacts

Zoning and Land Use Policies:

2. The City and County shall stabilize residential zoning and land use in the North Valley Area.
 - g. Where appropriate, according to this plan or more detailed plans, encourage and support efforts to rezone properties to their present use or for residential uses.
3. The City and County shall limit new strip commercial development and associated signage on valley arterials.
 - a. Retain existing residential zoning on Alameda Boulevard, Second Street, Montañó Road, and on future roadway corridors.
 - c. Promote commercial development and redevelopment of existing commercially zoned properties.

Transportation Policies:

1. The City and County shall encourage the smooth flow of traffic on arterials.
 - a. Retain existing residential zoning on Alameda Boulevard, Second Street, Montañó Road, and on future roadway corridors.
3. Wastewater systems shall be designed to serve the North Valley at future development densities allowed by existing zoning.

Housing Policies:

1. The City and County shall stabilize land use to protect affordable housing and land presently zoned for housing.

- a. Maintain and expand areas zoned for residential uses including A-1, R-1, MH.
- b. Limit encroachment of non-residential uses into residential areas.
- c. Encourage residential zoning of parcels with residential use.

Resolution 270-1980 (Policies for Zone Map Change Applications)

This Resolution outlines policies and requirements for deciding zone map change applications pursuant to the Comprehensive City Zoning Code. There are several tests that must be met and the applicant must provide sound justification for the change. The burden is on the applicant to show why a change should be made, not on the City to show why the change should not be made.

The applicant must demonstrate that the existing zoning is inappropriate because of one of three findings: there was an error when the existing zone map pattern was created; or changed neighborhood or community conditions justify the change; or a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan.

Long Range Roadway System

The Long Range Roadway System designates Montañó Road as a Minor Arterial, with a right-of-way of 86'.

ANALYSIS – Zone Map Amendment

Conformance to Adopted Plans, Policies, and Ordinances

This is a request for a zone map amendment from RA-2 to SU-1 for R-C for a site located on the north side of Montañó between and Guadalupe Trail the Harwood Lateral. The applicant believes that the requested RC zoning will respect existing neighborhood conditions and accommodate new growth while maintaining the integrity of the residential character of the neighborhood. The applicant justifies the zone map amendment request for SU-1 for RC Uses a being more advantageous to the community as articulated in the Comprehensive Plan. The way in which the proposal is more advantageous to the community is that there are no permissive uses in the RC zone that would be harmful to the adjacent property, the neighborhood or the community and there are “no major or unprogrammed capital expenditures associated with this request”. The applicant further believes this request will further the goals of the North Valley Area Plan by “stabilizing residential zoning and land use”. The reasoning behind this assertion is that the proposed zoning will not allow significant commercial development and will permit only limited signage. The proposed zoning is Residential Commercial (RC), thereby retaining the residential zoning on Montañó Road.

Recent changes in the area include the construction of the Montañó Bridge, which precipitated the requests for zone changes from residential to commercial uses along this stretch of Montañó. This resulted in a zone change from residential to allow a school in 1998, a zone change from residential to allow an insurance office in 2001, and a zone change from residential to allow a beauty salon in 2002. It should be noted that there was no neighborhood opposition to these requests. So, despite the North Valley Area Plan mandate to retain the residential character on Montañó, the construction of the bridge triggered a flurry of requests for changes in land use because some found the area no longer conducive to residential living. The EPC agreed with this assessment by approving such zone changes in this area.

The subject site is zoned RA-2, Residential and Agricultural Zone. The zoning of the adjacent properties is R-1 to these east and SU-1 for School to the west. The requested zoning is for R-C, Residential Commercial, which the *Zoning Code* describes as "suitable for a mixture of residential and small commercial activities" (§14-16-2-13). Permissive uses allowed in the RC zone include all uses permissive in the R-T zone, as well as apartments provided the density does not exceed 20 dwelling units per acre. Also, churches, libraries and office and retail of certain goods such as arts and crafts, books, cosmetics, jewelry, etc. is allowed. Also, neighborhood services such as barber and beauty salons, day care centers, and dry cleaning are allowed.

A site development plan, required for an SU-1 request, was submitted with this request; although it is a site plan for subdivision rather than building permit. A site plan for building permit will be required prior to the final establishment of SU-1 zoning, thereby creating an enforceable document for use by Zoning Code Services.

Comprehensive Plan

The request complies with the applicable Goals and policies of the *Comprehensive Plan* by proposing a zone category that would allow uses in a location and of an intensity that will respect existing neighborhood conditions (*Policy d.*). It will accommodate new growth where the integrity of existing neighborhoods can be ensured (*Policy e.*). The proposed zoning would allow employment and service uses in a location that will complement residential areas, as well as the other small commercial endeavors in the area and will minimize adverse effects of noise, lighting, pollution, and traffic on residential environments (*Policy i.*). The proposed zoning would allow new commercial development in an area that is increasing becoming commercially zoned (*Policy j.*).

North Valley Area Plan

The request is in conflict with the applicable Goals and policies of the *North Valley Area Plan* by encouraging commercial development on lots not already zoned commercial/industrial. However, the requested R-C zoning does retain residential character while allowing limited commercial uses. In addition, the request complies with *North Valley Area Plan* to support efforts to rezone properties to their present use (*Zoning & Land Use Policies 2.g*). The present use is a beauty salon which would be allowed under the R-C zone category. The request will help stabilize residential zoning and land use in the North Valley Area. It helps limit new strip commercial development and associated signage on valley arterials by retaining a residential presence on Montañó Road (*Zoning & Land Use Policies 2*). The request assists in retaining existing residential zoning on Montañó Road, as the R-C zone is a residential zone allowing small commercial uses (*Zoning & Land Use Policies 3.a*). It does stabilize land use to protect

affordable housing and land presently zoned for housing by maintaining areas zoned for residential uses (*Housing Policies*).

Resolution 270-1980

The request meets all of the policies of *Resolution 270-1980* for a zone map change. The proposed zoning has the potential to stabilize the surrounding zoning by allowing commercial uses that are compatible with residential uses. As discussed above, the proposed change is in compliance with adopted elements of the *Comprehensive Plan* and the *North Valley Area Plan*.

The requested zoning will respect existing neighborhood conditions and accommodate new growth while maintaining the integrity of the residential character of the neighborhood. The applicant justifies the zone map amendment request for SU-1 for R-C Uses as being more advantageous to the community as articulated in the *Comprehensive Plan*. The way in which the proposal is more advantageous to the community is that there are no permissive uses in the RC zone that would be harmful to the adjacent property, the neighborhood or the community and there are "no major or unprogrammed capital expenditures associated with this request". The applicant further believes this request will further the goals of the *North Valley Area Plan* by stabilizing residential zoning and land use by allowing light commercial development and only limited signage. The proposed zoning is Residential Commercial (RC), thereby retaining the residential zoning on Montañó. The applicant states that the construction of the Montañó Bridge has created a changed condition that reduces the subject site viability as solely a single-family residence. In addition, the site is located on a major street at this point. Montañó Road was classified as a minor arterial prior to the construction of the Montañó Bridge.

This zone change request does not constitute a spot zone. The site to the west is zoned for special use for a school. Additionally, this zoning requested for this site is a residential/commercial zone.

ANALYSIS – Site Development Plan for Subdivision

Conformance to Adopted Plans, Policies, and Ordinances

The applicant has submitted a site development plan for subdivision, as required by the Zoning Code when requesting an SU zone category, which meets the requirements of such a plan. The applicant will be required to submit a site plan for building permit showing the current conditions of the site prior to final sign-off at the DRB.

Concerns of Reviewing Agencies / Pre-Hearing Discussion

The applicant was in attendance at the pre-hearing discussion.

The Zoning Code Services Division states that the site development plan submittal indicates outside storage areas, a use not allowed in the proposed zone category. Recommend that special buffer landscaping, 10 feet wide, be provided where the site abuts residentially zoned properties, per Section 14-16-3-10(E)(4).

Neighborhood Concerns

Staff received a phone call from a neighbor three house east of the subject site. The neighbor is in support of the request. Staff received another call from the individual who appealed the previous requests for zone changes on this site, objecting to the request.

Conclusions

This is a request for a zone map amendment from RA-2 to SU-1 for R-C for a site located on the north side of Montañó Road between Guadalupe Trail and the Harwood Lateral. The applicant states that the reason for this request is to allow uses in a location and intensity that will respect existing neighborhood conditions.

Although the *North Valley Area Plan* specifically states that residential uses are to be retained on Montañó Road, two arguments regarding that issue may be made in support of this zone change. The first is that the R-C zoning is still a residential zone, so the change will still comply with the tenets of the *Plan*. The second is that three properties along this portion of Montañó Road have been rezoned from residential to commercial uses. To deny this request would present a conflict with those approvals and call into question the previous, precedent setting decisions.

The submitted zone map amendment is in line with the Goals and Policies of the *Comprehensive Plan* and the *North Valley Area Plan* and it meets the policies of *Resolution 270-1980* for the following reasons: the proposed zoning has the potential to stabilize the surrounding zoning; the permissive uses in the R-C zone would not be harmful to adjacent property and the neighborhood; and the changed conditions in the area, including the construction of the Montañó Bridge and the subsequent zone map amendments in the area is justification for the residential/commercial zoning. Staff recommends approval of this request.

FINDINGS – 03EPC 01911, December 18, 2003- Zone Map Amendment

1. This is a request for approval of a zone map amendment from RA-2 to SU-1 for R-C for Lot 14, a portion of Lot 15, Zapf Van Addition #10 & a portion of Tract 68A2C, MRGCD Map 32, located on Montañó Road between Guadalupe Trail and the Harwood Lateral.
2. The subject site has been the subject of zone map amendment requests since 1998.
3. A site development plan, required for an SU-1 request, was submitted with this request.
4. The request furthers the applicable Goals and policies of the *Comprehensive Plan* by proposing a zone category that would allow uses in a location and intensity that will respect existing neighborhood conditions by providing residential zoning with some commercial uses allowed (*Policy d*).
5. The proposed zoning would allow employment and service uses in a location that will complement residential areas and will minimize adverse effects of noise, lighting, pollution, and traffic on residential environments (*Policy i*).
6. The zone map amendment request helps to preserve and enhance the environmental quality of the North Valley Area by controlling growth and maintaining low-density development by allowing some commercial activity along a Minor Arterial and provides a variety of housing opportunities and life styles that include differing socioeconomic types, as per the *North Valley Area Plan (Goals)*.
7. The *North Valley Area Plan* states that the City and County shall stabilize residential zoning and land use in the North Valley Area and, where appropriate, according to this plan or more detailed plans, encourage and support efforts to rezone properties to their present use or for residential uses. (*Zoning and Land Use Policies*) This property is currently used as a beauty shop and the R-C zoning will support efforts to rezone this property to its present use.

8. The request meets the policies of Resolution 270-1980 for a zone map amendment: the requested zoning will not destabilize the surrounding zoning and the existing zoning is inappropriate because there are changed community conditions (Resolution 270-1980 Sections 1., B. & D. 2.).

9. A site development plan for building permit is necessary as an enforcement document for the Zoning Code Services Division.

RECOMMENDATION -- 03EPC 01911, December 18, 2003

APPROVAL of 03EPC 01911, a request for a zone map amendment from RA-2 to SU-1 for RC Uses, for Lot 14, a portion of Lot 15, Zapf Van Addition #10 & a portion of Tract 68A2C, MRGCD Map 32, based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL -- 03EPC 01911, December 18, 2003

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.

2. A site plan for building permit for this site shall be submitted and approved by the EPC within 6 months of the date of approval of the zone map amendment.



December 18, 2003

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FINDINGS - 03EPC 01912, December 18, 2003- Site Development Plan for Building Permit

1. This is a request for approval of a site development plan for Lot 14, a portion of Lot 15, Zapf Van Addition #10 & a portion of Tract 68A2C, MRGCD Map 32, located on Montaña Road between Guadalupe Trail and the Harwood Lateral.
2. The site plan accompanies a zone map amendment request for and SU-1 zone. All items shown on the submitted site plan are existing.
3. The site plan furthers the applicable Goals and policies of the *Comprehensive Plan* by proposing uses in a location that would allow uses in a location and intensity that will respect existing neighborhood conditions by providing residential zoning with some commercial uses allowed (*Policy d*).
4. The site plan furthers the applicable Goals of the *North Valley Area Plan* which states that the City and County shall stabilize residential zoning and land use in the North Valley Area and, where appropriate, according to this plan or more detailed plans, encourage and support efforts to rezone properties to their present use or for residential uses. (*Zoning and Land Use Policies*) This property is currently used as a beauty shop and the requested R-C zoning to support efforts to rezone this property to its present use requires a site development plan.
5. A site development plan for building permit is necessary as an enforcement document for the Zoning Code Services Division.

RECOMMENDATION - 03EPC 01912, December 18, 2003

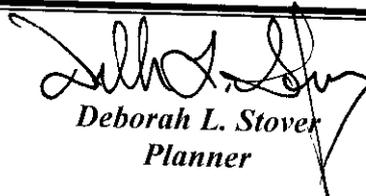
APPROVAL DENIAL DEFERRAL of 03EPC 01912, a site development plan for subdivision, for Lot 14, a portion of Lot 15, Zapf Van Addition #10 & a portion of Tract 68A2C, MRGCD Map 32, based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL - 03EPC 01912, December 18, 2003

December 18, 2003

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1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. All conditions stated by the Public Works Department, City Engineer, Municipal Development and other City Agencies shall be complied with.


Deborah L. Stover
Planner

cc: Jimmie W. Davis, 6325 Isleta SW, Albuquerque, NM 87105
DAC Enterprises, P.O. Box 16658, Albuquerque, NM 87191

Attachments

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Code Services

The site development plan submittal indicates outside storage areas, a use not allowed in the proposed zone category. Recommend that special buffer landscaping, 10 feet wide, be provided where the site abuts residentially zoned properties, per Section 14-16-3-10(E)(4).

Office of Neighborhood Coordination

No associations

PUBLIC WORKS DEPARTMENT

Transportation Development:

The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan for building permit. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for.

Delete middle driveway.

Re-construct east and west driveways at 36' width minimum. East driveway should be constructed with 25' curb return radii for truck access.

Site shall comply and be designed per DPM Standards.

Utility Development:

No comments received.

Traffic Engineering Operations:

No comments.

Hydrology:

No objection to the zone map amendment request. No adverse comments on the site plan at this time.

Condition: Platting should be a concurrent DRB action.

Transportation Planning:

No adverse comments regarding on-street bikeway, off-street trails or roadway system facilities.

Street Maintenance:

No comments.

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Water Resources, Water Utilities and Wastewater Utilities:

No comments.

New Mexico Department of Transportation:

No comments.

RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT, PUBLIC WORKS and NMDOT:

Conditions of approval for the proposed Zone Map Amendment and Site Development Plan for Subdivision:

- a. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan for building permit. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for.

Conditions of approval continued on next page:

- b. Delete middle driveway.
- c. Re-construct east and west driveways at 36' width minimum. East driveway should be constructed with 25' curb return radii for truck access.
- d. Site shall comply and be designed per DPM Standards.
- e. Platting should be a concurrent DRB action.

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

Environmental Services Division

PARKS AND RECREATION

Planning and Design

No objection to the zone change.

Any future residential development will be subject to the Park Dedication and Development Ordinance.

Open Space Division

No adverse comment.

December 18, 2003

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POLICE DEPARTMENT/Planning

No comment.

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

Approved on condition, will comply with all SWMD requirements & ordinances.

FIRE DEPARTMENT/Planning

No Adverse Comments

TRANSIT DEPARTMENT

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

No comment.

ALBUQUERQUE PUBLIC SCHOOLS

MID-REGION COUNCIL OF GOVERNMENTS

No adverse comment. For information, the Long Range Roadway System designates Montano Boulevard as a minor arterial. The Long Range Bikeway System designates a bike lane on Montano

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

PUBLIC SERVICE COMPANY OF NEW MEXICO

No comment based upon the information provided to date.



NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Albuquerque Environmental Planning Commission will hold a **Study Session on Thursday, December 11, 2003, 4:00 p.m.**, in the Plaza del Sol Hearing Room, Lower Level, Plaza del Sol building, 600 2nd St. NW, Albuquerque, NM to consider the following:

1. Distribution & Review – Current Land Use Matters for the December 18, 2003 Public Hearing, which include the projects listed below.

Notice is hereby given that the City of Albuquerque Environmental Planning Commission will hold a **Public Hearing on Thursday, December 18, 2003, 8:30 a.m.**, in the Plaza del Sol Hearing Room, Lower Level, Plaza del Sol building, 600 2nd St. NW, Albuquerque, NM to consider the following items: [Note: these items are not in the order they will be heard]

Project # 1000262

03EPC-01476 EPC Site Development
Plan-Subdivision
03EPC-01477 EPC Site Development
Plan-Building Permit
03EPC-01478 Zone Map Amendment

CONSENSUS PLANNING, INC., agent for LONGFORD HOMES request the above actions for all or a portion of Tract B-1, **Costco Development, Manzano Mesa Addition**, a zone map amendment from SU-1 for C-2 Permissive Uses with IP Permissive Uses to SU-1 for PRD, located on SOUTHERN BLVD. SE, between EUBANK BLVD. SE and JUAN TABO SE, containing approximately 13 acres. (L-21) Simon Shima, Staff Planner

Project # 1002717

03EPC-01472 EPC Sector Development
Plan
03EPC-01474 EPC Site Development
Plan-Subdivision
03EPC-00924 Zone Map Amendment

TIMOTHY FLYNN-OBRIEN agent for WEST BLUFF CENTER LLC, A NM LIABILITY CO request the above actions for all or a portion of Tracts 303 and Tracts 304, 305, and 306, **Town of Atrisco Grant**, a zone map amendment from SU-1/O-1/PRD to SU-1 for O-1 and PRD, Warehouse, Wholesaling, Sales and Display Rooms or Buildings for Wholesalers, Distributors Warehouses or Manufacturers (0.33 FAR max) and Hotel or Motel (90 rooms max), located on COORS BLVD. NW, between CORONA DRIVE NW and ALAMOGORDO DRIVE NW, containing approximately 7 acre(s). (H-11) Russell Brito, Staff Planner **(DEFERRED FROM NOVEMBER 20, 2003)**

Project # 1003080
03EPC-01851 Zone Map Amendment

MARK GOODWIN & ASSOCIATES, PA agents for VISTA DEL NORTE LLC request the above actions for all or a portion of Tract A, **Bernardo Trails**, a zone map amendment from SU-1 for Permissive C-2 Uses to RT, located on VISTA DEL NORTE DR. NE, between CRICKET HILLS DRIVE NE and LAS LOMITAS DRIVE NE, containing approximately 6 acres. (D-16) Elvira Lopez, Staff Planner

Project # 1003097
03EPC-01908 EPC Sector Development Plan
03EPC-01909 Zone Map Amendment
03EPC-01910 EPC Site Development Plan-
Subdivision

DAC ENTERPRISES, INC., agent for DIAMOND SHAMROCK, request the above actions for all or a portion of Lot 1-C, **El Rancho Atrisco Phase III**, zoned RD, located on LADERA DRIVE NW, between COORS BLVD. NW and MARKET ST. NW, containing approximately 1 acre. (H-9) Simon Shima, Staff Planner

Project # 1000522
03EPC-01911 Zone Map Amendment
03EPC-01912 EPC Site Development Plan-
Subdivision

DAC ENTERPRISES agents for JIMMIE W. DAVIS request the above actions for all or a portion of Lot(s) 14 & 15 and a portion of Tract 68A2C, MRGCD Map 32, **Zapf Van Addition #10**, a zone map amendment from RA-2 to SU-1 for RC Uses, located on MONTANO ROAD NW, between GUADALUPE TRAIL NW and HARWOOD LATERAL, containing approximately 2 acres. (F-14) Deborah Stover, Staff Planner

Project # 1003099
03EPC-01914 EPC Sector Development Plan
03EPC-01915 Zone Map Amendment

CONSENSUS PLANNING, INC. agent(s) for TS MCNANEY & ASSOCIATES request the above action(s) for all or a portion of Lot(s) 7 & 26, Tract(s) A, **North Albuquerque Acres**, zoned SU-2/IP, located on EAGLE ROCK AVE. NE, between SAN PEDRO DRIVE NE and LOUISIANA BLVD. NE, containing approximately 2 acres. (C-18) Chris Hyer, Staff Planner

Project # 1002805
03EPC-01917 EPC Site Development Plan-
Building Permit

DENISH KLINE ASSOCIATES, INC. agent for MOUNTAIN RUN PARTNERS, LTD. request the above action for all of Tract D, **St. Anthonys Orphanage**, zoned C-2 (SC) located on 12TH ST. NW, between INTERSTATE 40 and INDIAN SCHOOL ROAD NW, containing approximately 14 acres. (H-13) Carmen Marrone, Staff Planner

Project # 1002942

03EPC-01918 Annexation
03EPC-01919 Zone Map Amendment

DENISH & KLINE ASSOCIATES, INC. agent for THE TRAILS LLC request the above actions for all or a portion of Tracts of Land in T 11 NR2E Section 17, being a portion of Tract 5, **Black Ranch**, Annexation and a Zone Map Amendment from County A-1 to RD, located on PASEO DEL NORTE NW, west of RAINBOW NW, containing approximately 56 acres. (C-8) Juanita Vigil, Staff Planner

Project # 1003100

03EPC-01921 EPC Site Development Plan-
Building Permit

TIERRA WEST LLC agents for SKYE, INC. request the above actions for all or a portion of Tracts B1, C1, **ADOBE WELLS SUBDIVISION**, zoned SU-1 IP C-2 R-2 USES, located on Eagle Ranch Road between Westside Drive and Irving Blvd. NW, containing approximately 6 acres. (B-13) Deborah Stover, Staff Planner

Project # 1001370

03EPC-01062 Annexation
03EPC-01920 Zone Map Amendment
03EPC-01922 EPC Site Development Plan-
Subdivision

MARK GOODWIN & ASSOCIATES, PA agents for JUAN TABO HILLS LLC & OTHERS request the above action(s) for and W/2-SW/4&W/2-E/2-SW/4, Sec. 34, T.10 N, R 4E and SE/4-SE/4, SEC.33, T.10 N, R.4E, and E/2-SE/4-NE/4 (AKA Tract B), Sec. 33, T.10N, R 4E, **NE/4 SE/4, SEC 33, T.10N, R 4E**, zoned County A-1 & RD, located on JUAN TABO BLVD. NE, between EUBANK BLVD. NE and FOUR HILLS ROAD NE, containing approximately 327 acres. (M-21) Simon Shima, Staff Planner

Project # 1001306

03EPC-01924 Zone Map Amendment

CONSENSUS PLANNING, INC. agent for CURB WEST INC. requests a zone map amendment from R-1 to R-LT for all or a portion of Tract B2B, **Seville Subdivision**, located on Kayenta Street NW, between RIO SEGURA and the CALABACILLAS ARROYO, containing approximately 10 acres. (A-10) Carmen Marrone, Staff Planner

Project # 1003102

03EPC-01925 Zone Map Amendment
03EPC-01929 EPC Site Development Plan-
Building Permit

DEKKER/PERICH/SABATINI agent(s) for SM & R G ROUP request the above action(s) for all or a portion of Lot(s) 12, 14, **Replat of Ferrari Esquibel-Palmer Sec 23**, a zone map amendment from SU-1 PRD 22 DU/a & Office to SU-1 for C-1, located on JUAN TABO NE, between MONTGOMERY BLVD. NE and LAGRIMA DE ORO NE, containing approximately 2 acre(s). (F-21) Makita Hill, Staff Planner

Project # 1000651
03EPC-01927 EPC Site Development Plan-
Building Permit

TIERRA WEST LLC agent(s) for TIJERAS PLACE LLC SERIES B request the above action(s) for all or a portion of Tract(s) A29A1, **TOWN OF ATRISCO GRANT NE UNIT 1**, zoned SU-1 FOR PDA C-1 USES, located on REDLANDS ROAD NW, between COORS BLVD NW and CORONA DR NW, containing approximately 1.13 acre(s). (G-11) Makita Hill, Staff Planner

Project # 1001796
03EPC-01928 Zone Map Amendment
03EPC-01930 EPC Site Development Plan-
Subdivision

CONSENSUS PLANNING, INC. agent for FORTIS ADVISORS request the above actions for all or a portion of Lot 1, **Stout Subdivision**, a zone map amendment from SU-1 for O-1 Permissive Uses & C-1 Permissive Uses & Restarant to SU-1 for C-1 Permissive Uses, located on COORS BLVD. NW, between EAGLE RANCH ROAD NW and PASEO DEL NORTE NW, containing approximately 24 acres. (C-13) Carmen Marrone, Staff Planner

Project # 1002714
03EPC-01931 EPC Site Development Plan-
Building Permit

TIERRA WEST LLC agent for ZANGARA DODGE request the above action for all or a portion of Lots 8, 10, 9, & 11A, **EAST END ADDITION**, zoned C-2, & SU-1 for C-1 USES and Automobiles Sales and Storage, located on VIRGINIA ST NE, between LOMAS BLVD NE and MARBLE ST NE, containing approximately 1 acres. (J-19) Juanita Vigil, Staff Planner

Details of these applications may be examined at the Development Services Division of the Planning Department, 3rd Level, Plaza Del Sol Building, 600 Second Street, NW between 10:00 a.m. and 12:00 and between 2:00 and 4:00 p.m., Monday through Friday, or you may call April Candelaria at 924-3886. INDIVIDUALS WITH DISABILITIES who need special assistance to participate at the public hearing should contact April Candelaria 924-3886 (VOICE) or 924-3361 (TTY). TTY users may also access the voice number via the New Mexico Relay Network by calling toll free: 1-800-659-8331.

Jeff Jesionowski, Chairman
Environmental Planning Commission

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL NOVEMBER 26, 2003.

APPROVED

Russell Brito, Senior Planner
Planning Department

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
PROPERTY OWNERSHIP LIST**

Meeting Date: December 18, 2003
Zone Atlas Page: F-14-Z
Notification Radius: 100 Ft.

Project# 1000522
App# 03EPC-01911
App# 03EPC-01912

Cross Reference and Location: N/A

Applicant: JIMMIE W. DAVIS
Address: 6325 ISLETA SW
ALBUQUERQUE NM 87105

Agent: DAC ENTERPRISES, INC.
Address: PO BOX 16658
ALBUQUERQUE NM 87191

Special Instructions:

**Notice must be mailed from the
City's 15 day prior to the meeting.**

Date Mailed: December 3, 2003

Signature: Kyle Tsethlikai

PROPERTY OWNERSHIP / LEGAL LIST

App# _____
 Proj# _____

Date: _____

Page 1 Of 1

Zone Atlas Page	Zone Atlas #	Grid Location	Parcel Sequence	Name & Address				
E-14	114/111	228-318	101-06	✓	114/111	225-235	202	16 ✓
		250-305	05	✓ 08		216-250		45 ✓
		243-326	04	✓		291-275	419	12 ✓
		244-300	26	✓ 108		304-204		16 ✓
		253-325	83	✓				
		240-324	24	✓ M				
		255-331	82	✓				
		254-337	81	✓				
		271-333	54	✓				
		291-335	53	✓				
		299-331	52	✓				
		305-329	51	✓				
		311-332	50	✓				
		294-305	07	✓				
		310-315	08	✓				
		240-292	208-26	✓				
		245-287	25	✓				
		204-274	228-15	✓				
		269-277	12	✓				



<mainframe@coa1mp
3.cabq.gov>

11/13/03 10:17 AM

To:
cc:
Subject:

1 R E C O R D S W I T H L A B E L S PAGE
1
01014061 *** THIS UPC CODE HAS NO MASTER RECORD ON FILE
0101406127831810106 LEGAL: LTS 14 & 15 EXC THE WEST 80 FT OF LT 15 ZAPF
VAN A LAND USE:
PROPERTY ADDR: 00000 MONTANO
OWNER NAME: DAVIS JIMMIE W & LINDA V REVOC
OWNER ADDR: 06325 ISLETA BL SW
ALBUQUERQUE NM 87105
0101406125630510105 LEGAL: LT 1 5A P LAT OF LTS 15A & 15B ZAPF-VAN ADDN #10
BEI LAND USE:
PROPERTY ADDR: 00000 MONTANO
OWNER NAME: BACA BILLY W & JEANETTE M TRUS
OWNER ADDR: 00915 MONTANO NW
ALBUQUERQUE NM 87107
0101406124330610104 LEGAL: LT 1 6-A PLAT OF LTS 16-A & 16-B BEING A REPLAT
OF LAND USE:
PROPERTY ADDR: 00000 MONTANO
OWNER NAME: MONTOYA KENT J & ROSEANN
OWNER ADDR: 08432 BELLA VISTA PL NW
ALBUQUERQUE NM 87120
0101406124430010196 LEGAL: THE SLY POR OF THE W 100 FT OF LT 16 CONT
0.0510 A LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: CITY OF ALBUQUERQUE
OWNER ADDR: 00000
ALBUQUERQUE NM 87103
0101406125332510183 LEGAL: 008 GUAD ALUPE DEL PRADO ADD
LAND USE:
PROPERTY ADDR: 00000 GUADALUPE DEL PRADO
OWNER NAME: MONTOYA JOSEPH M II
OWNER ADDR: 00000
SANTA FE NM 87502
0101406126032410174 LEGAL: TRAC T 68 A2B MAP 32 0.12 ACRE
LAND USE:
PROPERTY ADDR: 00000 MONTANO
OWNER NAME: BACA BILLY W & JEANETTE M &
OWNER ADDR: 00915 MONTANO RD NW
ALBUQUERQUE NM 87107
0101406125533110182 LEGAL: 007 GUAD ALUPE DEL PRADO ADD
LAND USE:
PROPERTY ADDR: 00000 GUADALUPE DEL PARDO
OWNER NAME: DUNLAP ELIZABETH J
OWNER ADDR: 01000 GUADALUPE DEL PRADO NW
ALBUQUERQUE NM 87107
0101406125433710181 LEGAL: 006 GUAD ALUPE DEL PRADO ADD
LAND USE:
PROPERTY ADDR: 00000 GUADALUPE DEL PRADO
OWNER NAME: CHAVEZ CHARLES & ANGELINA
OWNER ADDR: 01005 GUADALUPE DEL PRADO NW
ALBUQUERQUE NM 87107
0101406127133310154 LEGAL: TR 4 7 MA P 32

LAND USE:

PROPERTY ADDR: 00000 GENE
 OWNER NAME: ORTEGA JOSE
 OWNER ADDR: 05626 GUADALUPE NW

ALBUQUERQUE NM 87107
 0101406129133510153
 LAND USE: LEGAL: 08A GENE ADDN REPLAT

PROPERTY ADDR: 00000 GOLIAD
 OWNER NAME: LEWANDOWSKI STEPHEN H &
 OWNER ADDR: 00550 GOLIAD CT NW

ALBUQUERQUE NM 87107
 0101406129933110152
 LAND USE: LEGAL: 09A GENE ADDN

PROPERTY ADDR: 00000 GOLIAD
 OWNER NAME: DE NOON DONALD L
 OWNER ADDR: 00548 GOLIAD CT NW

ALBUQUERQUE NM 87107
 1 R E C O R D S W I T H L A B E L S PAGE
 2
 0101406130532910151
 LAND USE: LEGAL: 10A GENE ADDN REPLAT

PROPERTY ADDR: 00000 GOLIAD
 OWNER NAME: SOLIS JOSE A
 OWNER ADDR: 00000

OTHELLO WA 99344
 0101406131133210150
 LAND USE: LEGAL: 11A GENE ADDN REPLAT OF PORTIONS LOT 11A

PROPERTY ADDR: 00000 GOLIAD
 OWNER NAME: URIOSTE MARISSA
 OWNER ADDR: 00544 GOLIAD CT NW

ALBUQUERQUE NM 87107
 0101406129430510107
 ZAPF LAND USE: LEGAL: LT 1 3 (E XECPT SLY PORT OUT TO R/W MONTANO RD)

PROPERTY ADDR: 00000 MONTANO
 OWNER NAME: RUFFENNACH STEVEN
 OWNER ADDR: 00631 SAN LORENZO

ALBUQUERQUE NM 87107
 0101406131031510108
 NO LAND USE: LEGAL: LT 1 2A (PLAT OF LTS 12A & 12B) ZAPF - VAN ADDN

PROPERTY ADDR: 00000 MONTANO
 OWNER NAME: NARVAEZ JOE E & PAULA M
 OWNER ADDR: 00809 MONTANO RD NW

ALBUQUERQUE NM 87107
 0101406124229220826
 AN LAND USE: LEGAL: LT 6 COR RECTED & AMENDED PLAT OF TRACTS A AND B

PROPERTY ADDR: 00000 LAS GOLONDRINAS
 OWNER NAME: DONOVAN ERDINE
 OWNER ADDR: 00698 LAKESHORE DR

GAINESVILLE GA 30501
 0101406124528720825
 AN LAND USE: LEGAL: LT 7 COR RECTED & AMENDED PLAT OF TRACTS A AND B

PROPERTY ADDR: 00000 LAS GOLONDRINAS
 OWNER NAME: PENA GALLEGOS CARRIE
 OWNER ADDR: 01001 LAS GOLONDRINAS CT NE

ALBUQUERQUE NM 87107
 0101406126427420219
 STREE LAND USE: LEGAL: LT 1 1A2 PLAT OF LTS 11A1 & 11A2 NORTH FOURTH

PROPERTY ADDR: 00000 MONTANO
 OWNER NAME: GONZALES DAVID & REBECCA
 OWNER ADDR: 05925 EDITH BL NE

ALBUQUERQUE NM 87107

Project# 1000522

JIMMIE W. DAVIS
6325 ISLETA BLVD SW
ALBUQUERQUE NM 87105

101406124330610104

MONTOYA KENT J & ROSEANN
8432 BELLA VISTA PL NW
ALBUQUERQUE NM 87120

101406125433710181

CHAVEZ CHARLES & ANGELINA
1005 GUADALUPE DEL PRA NW
ALBUQUERQUE NM 87107

101406129933110152

DE NOON DONALD L
548 GOLIAD CT NW
ALBUQUERQUE NM 87107

101406129430510107

RUFFENNACH STEVEN
631 SAN LORENZO
ALBUQUERQUE NM 87107

101406124528720825

PENA GALLEGOS CARRIE
1001 LAS GOLONDRINAS CT NE
ALBUQUERQUE NM 87107

101406129127541917

MONTANO ANTHONY & CHARLOTT
822 MONTANO RD NW
ALBUQUERQUE NM 87107

DAC ENTERPRISES, INC.
PO BOX 16658
ALBUQUERQUE NM 87191

101406125332510183

MONTOYA JOSEPH M II
PO BOX 5075
SANTA FE NM 87502

101406127133310154

ORTEGA JOSE
5626 GUADALUPE NW
ALBUQUERQUE NM 87107

101406130532910151

SOLIS JOSE A
PO BOX 374
OTHELLO WA 99344

101406131031510108

NARVAEZ JOE E & PAULA M
809 MONTANO RD NW
ALBUQUERQUE NM 87107

101406126427420219

GONZALES DAVID & REBECCA
5925 EDITH BL NE
ALBUQUERQUE NM 87107

101406130426441916

WHITING JEAN F
810 MONTANO RD NW
ALBUQUERQUE NM 87107

101406125630510105

BACA BILLY W & JEANETTE M TRU
915 MONTANO NW
ALBUQUERQUE NM 87107

101406125533110182

DUNLAP ELIZABETH J
1000 GUADALUPE DEL PRA NW
ALBUQUERQUE NM 87107

101406129133510153

LEWANDOWSKI STEPHEN H &
550 GOLIAD CT NW
ALBUQUERQUE NM 87107

101406131133210150

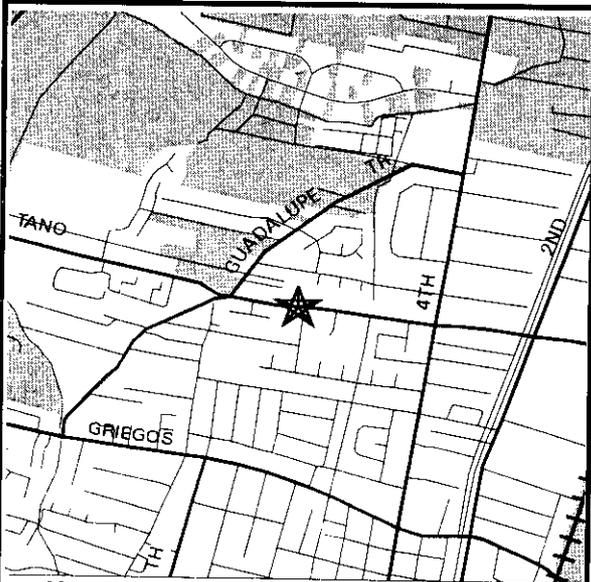
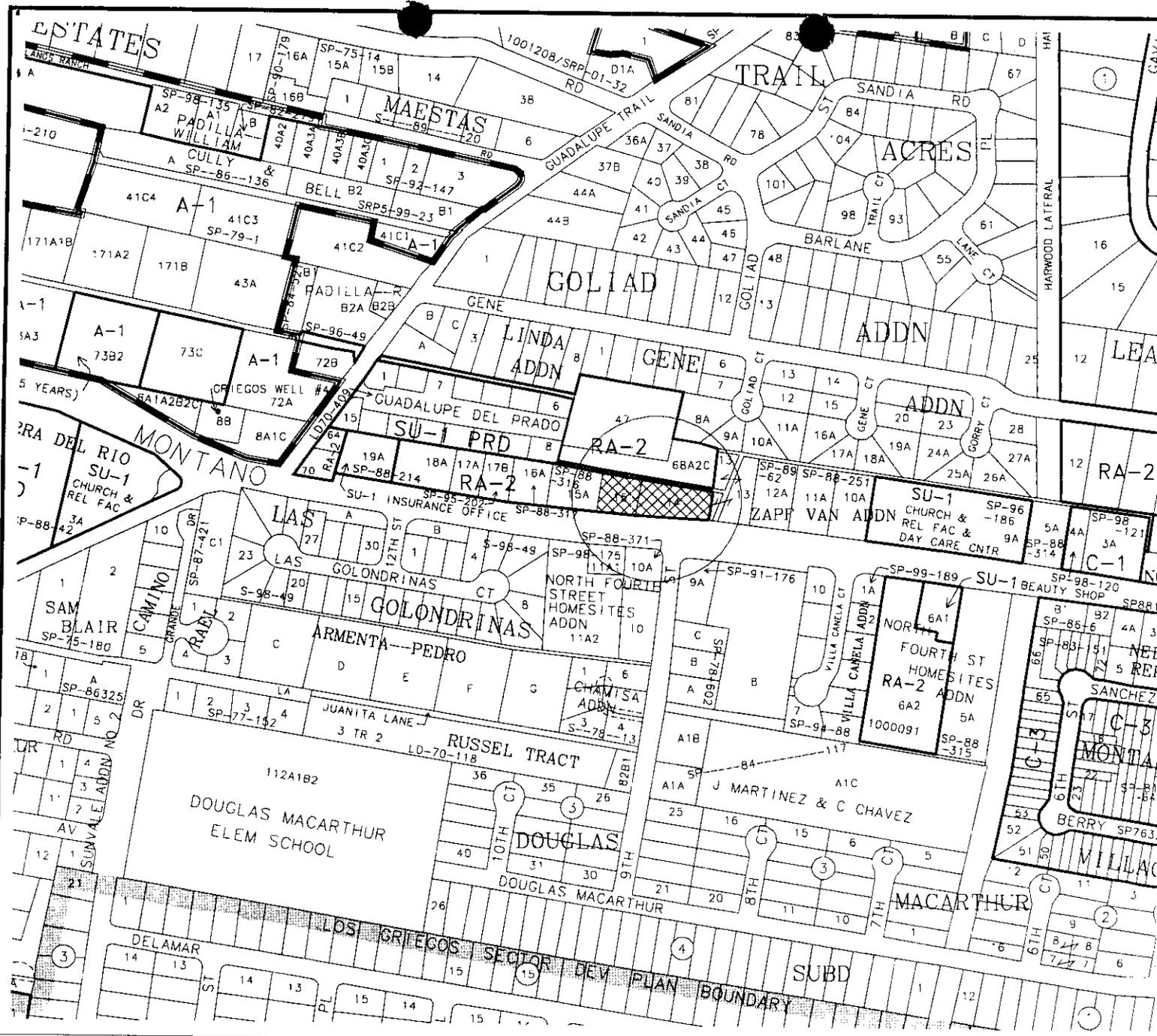
URIOSTE MARISSA
544 GOLIAD CT NW
ALBUQUERQUE NM 87107

101406124229220826

DONOVAN ERDINE
698 LAKESHORE DR
GAINESVILLE GA 30501

101406127528520216

BRINKLEY P D & D CO-TRUSTEES
906 MONTANO RD NW
ALBUQUERQUE NM 87107



ZONING MAP



Scale 1" = 377'

PROJECT NO.
1000522

HEARING DATE
12-18-03

MAP NO.
F-14

ADDITIONAL CASE NUMBER(S)
03EPC-01911
03EPC-01912

Note: Shaded area indicates County Not to Scale



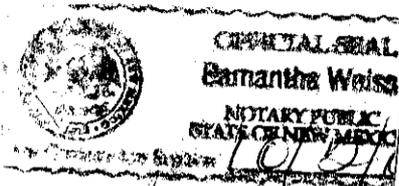
NOTICE OF PUBLIC HEARING
 Notice is hereby given that the City of Albuquerque Environmental Planning Commission will hold a Study Session on **Thursday, December 11, 2003, 4:00 p.m.**, in the Plaza del Sol Hearing Room, Lower Level, Plaza del Sol Building, 600 2nd St. NW, Albuquerque, NM to consider the following:
 1. Distribution & Review - Current Land Use Matters for the December 18, 2003 Public Hearing, which include the projects listed below.
 Notice is hereby given that the City of Albuquerque Environmental Planning Commission will hold a **Public Hearing on Thursday, December 18, 2003, 8:30 a.m.**, in the Plaza del Sol Hearing Room, Lower Level, Plaza del Sol Building, 600 2nd St. NW, Albuquerque, NM to consider the following items: (Note: these items are not in the order they will be heard)

Bill Tafoya, being duly sworn, swears and says that he is Classified Advertising Manager of **The Albuquerque Journal**, and that this newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Session Laws of 1937, and that payment therefore has been made of assessed as court cost; that the notice, copy of which is hereto attached, was published in said paper in the regular daily edition, for 1 times, the first publication being on the 27 day of Nov, 2003, and the subsequent consecutive publications on _____, 2003.

[Handwritten Signature]

Sworn and subscribed to before me, a Notary Public, in and for the County of Bernalillo and State of New Mexico this day of Nov 27 of 2003.

PRICE 136.88
 Statement to come at end of month.
 ACCOUNT NUMBER C80583



[Handwritten Signature]

CLA-22-A (R-1/93)



Project # 1003102
 03EPC-01025 Zone Map Amendment
 CONSENSUS PLANNING, INC. agent for CURB WEST INC. requests a zone map amendment from R-1 to R-1T for all or a portion of Tract B25, Seville Subdivision, located on Kaventa Street NW, between RIO SEGURA and the CALABACILLAS ARROYO, containing approximately 10 acres. (A-10) Carmen Marrone, Staff Planner

Project # 1003102
 03EPC-01025 Zone Map Amendment
 03EPC-01025 EPC Site Development Plan-Building Permit DEKKE/PERICH/SABATINI agent(s) for BM & F.G. ROUJ request the above action(s) for all or a portion of Lots 12, 14, Replat of Ferrant Equitable, from SU-1 PRD 22 DUAs, CHRYL SU-1 for C-1, located on JUAN TABO NE, between MONTGOMERY BLVD. NE and LA GRANK DE ORO NE, containing approximately 2 acres. (F-21) Makia Hill, Staff Planner

Project # 1000861
 03EPC-01907 EPC Site Development Plan-Subdivision TERRA WEST LLC agent(s) for TERRA PLACE LLC request the above action(s) for all or a portion of Tract(s) A20A1; TOWN OF ATRISCO, GRANT, NE UNIT 1, zoned SU-1 FOR PDA, C-1 USES, located on REDLANDS ROAD NW, between COORS BLVD NW and CORONA DR NW, containing approximately 1.13 acres. (G-17) Makia Hill, Staff Planner

Project # 1001726
 03EPC-01925 Zone Map Amendment
 03EPC-01930 EPC Site Development Plan-Subdivision CONSENSUS PLANNING, INC. agent for CONSENSUS PLANNING, INC. request the above action(s) for all or a portion of Lot 1, zoned SU-1 for C-1 Permissive Uses & Treatment from SU-1 for C-1 Permissive Uses located on COORS BLVD. NW, between EAGLE RANCH ROAD NW and PASEO DEL NORTE NW, containing approximately 24 acres. (C-13) Carmen Marrone, Staff Planner

Project # 1002714
 03EPC-01931 EPC Site Development Plan-Building Permit TERRA WEST LLC agent for ZANGARA DODGE request the above action for all or a portion of Lots 8, 10, 9, & 11A, EAST END ADDITION, zoned C-2, & SU-1 for C-1 USES, and Automobile Sales and Storage, located on VIRGINIA ST NE, between LOMAS BLVD NE and MARBLE ST NE, containing approximately 1 acre. (J-19) Juanita Vigil, Staff Planner

Details of these applications may be examined at the Development Services Division of the Planning Department, 3rd Level, Plaza del Sol Building, 600 Second Street, NW, between 2:00 and 4:00 p.m., Monday through Friday, or you may call April Candelaria at 824-3866. INDIVIDUALS WITH DISABILITIES who need special assistance to participate at the public hearing should contact April Candelaria: 824-3866 (VOICE) or 824-3861 (TTY). TTY users may also access the voice number via the New Mexico Relay Network by

Project # 1002717
 03EPC-01472 EPC Sector Development Plan
 03EPC-01474 EPC Site Development Plan-Subdivision
 03EPC-00924 Zone Map Amendment
 TIMOTHY FLYNN/OBRIEN agent for WEST BLUFF CENTER LLC, A NM LIABILITY CO request the above actions for all or a portion of Tracts 303 & Tracts 304, 305, & 306, Town of Atrisco Grant, a zone map amendment from SU-1/0-1/PRD to SU-1 for C-1 & PRD, Warehouse, Wholesaling, Sales and Display Rooms or Buildings for Wholesalers, Distributors Warehouses or Manufacturers (0.33 FAR max) and Hotel or Motel (80 rooms max), located on COORS BLVD. NW, between CORONA DRIVE NW & ALA-MOGORDO DRIVE NW, containing approximately 7 acres. (H-11) Russell Brito, Staff Planner (DEFERRED FROM NOVEMBER 20, 2003)

Project # 1003080
 03EPC-01851 Zone Map Amendment
 MARK GOODWIN & ASSOCIATES, PA agents for VISTA DEL NORTE LLC request the above actions for all or a portion of Tract A, Bernardo Trails, a zone map amendment from SU-1 for Permissive C-2 Uses to RT, located on VISTA DEL NORTE DR. NE, between CRICKET HILLS DRIVE NE and LAS LOMITAS DRIVE NE, containing approximately 6 acres. (D-16) Elvira Lopez, Staff Planner

Project # 1003097
 03EPC-01908 EPC Sector Development Plan
 03EPC-01909 Zone Map Amendment
 03EPC-01910 EPC Site Development Plan-Subdivision DAC ENTERPRISES, INC., agent for DIAMOND SHAMROCK, request the above actions for all or a portion of Lot 1-C, El Rancho Atrisco Phase II, zoned R-1, located on LADERA DRIVE NW, between COORS BLVD. NW and MARKET ST. NW, containing approximately 1 acre. (H-9) Simon Shima, Staff Planner

Project # 1000522
 03EPC-01911 Zone Map Amendment
 03EPC-01912 EPC Site Development Plan-Subdivision DAC ENTERPRISES agents for JIMMIE W. DAVIS request the above actions for all or a portion of Lots 14 & 15 and a portion of Tract Addition #10, a zone map amendment from RA-1 to SU-1 for RC Uses, located on MONTANO ROAD NW, between GUADALUPE TRAIL NW and HARWOOD LATERAL, containing approximately 2 acres. (F-14) Deborah Stover, Staff Planner

Project # 1003099
 03EPC-01914 EPC Sector Development Plan
 03EPC-01915 Zone Map Amendment
 CONSENSUS PLANNING, INC. agent(s) for TS MCNANEY & ASSOCIATES request the above action(s) for all or a portion of Lot(s) 7 & 26, Tract(s) A, North Albuquerque Acres, zoned SU-2/P, located on EAGLE REDRO AVE. NE, between SAN PEDRO DRIVE NE and LOUISIANA BLVD. NE, containing approximately 2 acres. (C-18) Chris Hyer, Staff Planner

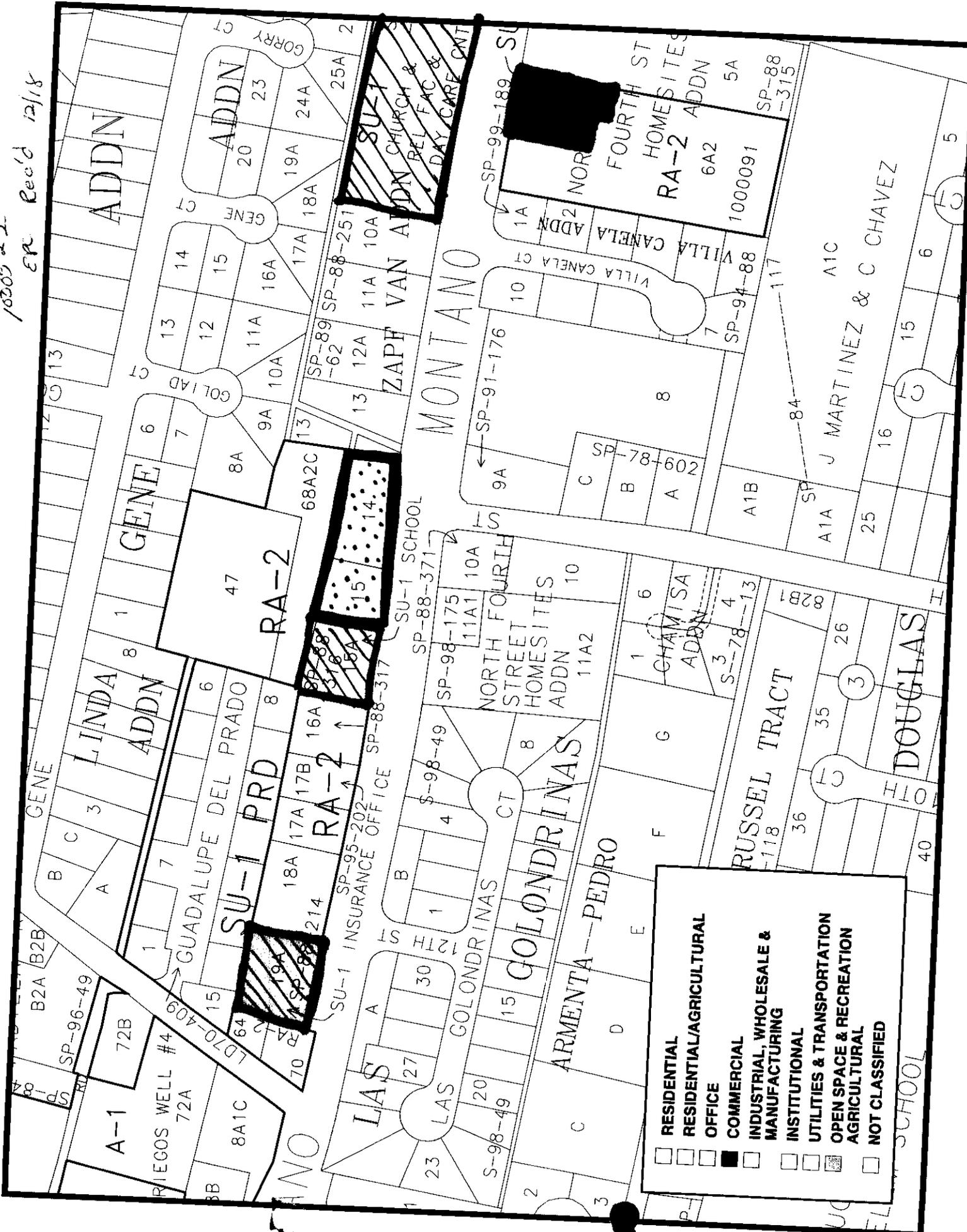
Project # 1002805
 03EPC-01917 EPC Site Development Plan-Building Permit DENISH KLINE ASSOCIATES, INC. agent for MOUNTAIN RUN PARTNERS, LTD. request the above action for all of Tract C, St. Anthony's Orphanage, zoned C-2 (SC) located on 12TH ST. NW, between INTERSTATE 40 and INDIAN SCHOOL ROAD NW, containing approximately 14 acres. (H-13) Carmen Marrone, Staff Planner

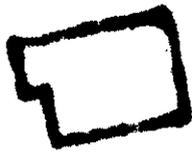
Project # 1002942
 03EPC-01918 Annexation
 03EPC-01919 Zone Map Amendment
 DENISH & KLINE ASSOCIATES, INC. agent for THE TRAILS LLC request the above actions for all or a portion of Tract 5, Black Ranch, Annexation and a Zone Map Amendment from County A-1 to RD, located on PASEO DEL NORTE NW, west of RAINBOW NW, containing approximately 56 acres. (C-8) Juanita Vigil, Staff Planner

Project # 1003100
 03EPC-01921 EPC Site Development Plan-Building Permit TERRA WEST LLC agent(s) for SKYE, INC. request the above actions for all or a portion of Tracts B1, C1, ADOBE WELLS SUBDIVISION, zoned SU-1 IP C-2 R-2 USES, located on Eagle Ranch Road between Westside Drive & Irving Blvd. NW, containing approximately 6 acres. (B-13) Deborah Stover, Staff Planner

Project # 1001370
 03EPC-01062 Annexation
 03EPC-01820 Zone Map Amendment
 03EPC-01922 EPC Site Development Plan-Subdivision MARK GOODWIN & ASSOCIATES, PA agents for JUAN TABO HILLS LLC & OTHERS request the above action(s) for and W/2-SW/4 & W/2-E/2-SW/4, Sec. 34, T.10 N, R.4E, and SE/4-SE/4, SEC.33, T.10 N, R.4E, and E/2-SE/4-NE/4 (AKA Tract B), Sec. 33, T.10N, R.4E, NE/4 SE/4, SEC. 33, T.10N, R.4E, zoned County A-1 & RD, located on JUAN TABO BLVD. NE, between EUBANK BLVD. NE and FOUR HILLS ROAD NE, containing approximately 327 acres. (M-21) Simon Shima, Staff Planner

1020522
ER Rec'd 12/18





CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) / ENVIRONMENTAL HEALTH INFORMATION FORM

APPLICANT: Jimmie W. Davis Date of request: 11/14/03 Zone atlas page(s): F.14

CURRENT: Zoning RA-1 to RC Legal Description - Lot 14 5th part
Parcel Size (acres / sq.ft.) 2 acres Lot or Tract # of Lot 15 Block #
Subdivision Name Zap & Van Arden #10

REQUESTED CITY ACTION(S):
Annexation [] Sector Plan [] Site Development Plan: Building Permit []
Comp. Plan [] Zone Change [] a) Subdivision [] Access Permit []
Amendment [] Conditional Use [] b) Build'g Purposes [] Other []
c) Amendment []

PROPOSED DEVELOPMENT:
No construction / development [] # of units - EXIST. MU
New Construction [] Building Size - Res & Comm.
Expansion of existing development []

GENERAL DESCRIPTION OF ACTION: 1
of units - EXIST. MU
Building Size - Res & Comm. (sq. ft.)

Notes: 1. Changes made to development proposals / assumptions, from the information provided above, may change the TIS or AQIA analysis requirements.

Applicant or Representative Dag Craker Date 11/14/03
(To be signed upon completion of processing by Traffic Engineer and Environmental Health)

TRAFFIC IMPACT STUDY (TIS) REQUIRED: YES [] NO BORDERLINE []
Planning Dept., Dev. & Bldg. Services Div., Transportation Dev. Section - 2nd FL. 600 2nd St. NW Plaza del Sol Bldg. 924-3994

THRESHOLDS MET? YES [] NO Mitigating reasons for not requiring TIS: Previously studied: []
Notes:

IF A TIS IS REQUIRED: A scoping meeting (as outlined in the Development Process Manual) must be held to define the level of analysis needed and the parameters of the study. Any subsequent changes to the development proposal identified above may require an update or new TIS.

Tony J... 11-14-03
TRAFFIC ENGINEER DATE

Per letter dated August 7, 2003 from the Director of the Environmental Health Department to the Director of the Planning Department, "all 5 CO monitors within Bernalillo County are yielding 8-hour average CO levels at less than 50% of the Federal CO standard ..." and "based on our review of the available scientific data, we do not foresee a circumstance where preparation of a detailed air quality study for a land use development will be warranted - regardless of the project size, location or traffic generated".

Required TIS must be completed prior to applying to the EPC. Arrangements must be made prior to submittal if a variance to this procedure is requested and noted on this form, otherwise the application may not be accepted or deferred if the arrangements are not complied with.

TIS - SUBMITTED ___/___/___
- FINALIZED ___/___/___
TRAFFIC ENGINEER _____ DATE _____

TO BE COMPLETED BY APPLICANT

TRANSPORTATION DEVELOPMENT

ENVIRONMENTAL HEALTH

DAC Enterprises, Inc.
Zoning & Land Use Services

November 3, 2003

Chair, Environmental Planning Commission
City of Albuquerque
Albuquerque, New Mexico

Dear Chair:

This is a request to amend the City zone map from RA-1 to SU-1 for RC uses. This property has previously been approved by the Environmental Planning Commission (EPC) for a similar zone change in April 2000, (Z-00-8), though the matter was appealed and the zone change was never effectuated.

Applicant believes that this request of SU-1 for RC uses is less intensive than the map amendment originally approved in 2000. The originally approved site development plan has also been re-submitted with this request.

This request furthers the applicable goals and policies of the *Comprehensive Plan* by proposing a zone category that would allow uses in a location and intensity that will respect existing neighborhood conditions. SU-1 for RC zoning will accommodate new growth while maintaining the integrity of the residential character of the neighborhood, recognizing the changed neighborhood conditions brought about by the Montano Bridge and several other SU-1 map amendments in the vicinity. The proposed zoning would allow employment and service uses in a location that will complement the residential area and will minimize adverse effects of noise, lighting, pollution and traffic on residential environments. The proposed zoning will not allow any outdoor activity except parking.

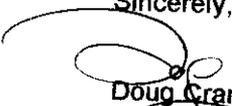
Applicant believes this request furthers the applicable goals and policies of the *North Valley Area Plan*, by stabilizing residential zoning and land use. The proposed zoning will not allow significant strip commercial development and will permit only limited signage. The proposed zoning is residential, thus retaining the residential zoning on Montano Road. This request stabilizes land use to protect land presently zoned for housing and maintaining areas zoned for residential uses.

This request meets all the criteria of Resolution 270-1980. In addition to the information noted above, applicant believes that SU-1 for RC uses would be more advantageous to the community. Applicant believes that there are no permissive uses in the RC zone that would be harmful to the adjacent property, the neighborhood or the community. There are no major, or unprogrammed capital expenditures associated with this request and applicant makes no argument regarding economic factors to justify this request.

SU-1 for RC uses will constitute neither a spot zone, nor a strip zone. Location of this property on a major street is used as justification only as it applies to changed neighborhood conditions and is not an argument unto itself.

In conclusion, applicant believes that this request meets all applicable criteria for a map amendment as already approved by the EPC in 2000, and as justified in this request.

Sincerely,


Doug Crandall
DAC Enterprises, Inc.
Agent for Jimmie W. Davis

Project # 1000522

Supplementary Justification Information

This request for a zone change from RA-2, to SU-1 for RC uses complies with all relevant portions of Resolution 270-1980. Specifically:

- A. This proposed zone change will not harm the health, safety, morals and general welfare of the City. SU-1 for RC uses is a residential zone with limited commercial uses and is well integrated into the existing uses along Montano near this site.
- B. This request will not de-stabilize the existing land use pattern in the area. As noted, RC is a residential zone that will allow limited commercial uses, which would be beneficial to the immediate neighborhood. Policy a of the **Comprehensive Plan** states that "[t]he Developing Urban and Established Urban Areas...shall allow a *full range* (italics are mine) of urban uses."
- C. Neighborhood conditions have clearly changed in this area with the completion of the Montano Bridge. Prior to adoption of zoning regulations, this property was used for a building contractor, a radio repair shop and a tree service. There have been previous zone changes in the area, including a beauty salon and a church with a pre-school.

Policy d of the **Comprehensive Plan** states that the "location intensity and design of new development shall respect exiting neighborhood values, natural environmental conditions and carrying conditions" as well as "resources of other social cultural and recreational concerns." As an SU-1 development, the City will have the opportunity and authority to approve any building, signage and landscape design for the property. There are no current plans for any major redesign of the existing buildings, which are small and rural in character.

Policy e of the **Comprehensive Plan** calls for new growth to be accommodated through areas where land is contiguous to existing urban facilities and services and where the integrity of the neighborhoods can be assured. The **Zoning Code** defines the RC zone category as a residential zone and refers to SU-1 zoning as residential where "the predominant use allowed in a subarea is residential." Thus, the residential character of the zone is not changed by this request.

Policy i of the **Comprehensive Plan** states that "[e]mployment and service uses shall be located to complement residential areas and shall be sited to minimize adverse affects of lighting, pollution and traffic on residential environments." This request furthers this policy as a neighborhood service use mixing low density residential uses and neighborhood oriented commercial uses. It is expected that residents in the area who will use the commercial facilities will walk or bicycle to the location due to its proximity. This justification also applies to Policy j as a neighborhood oriented business within reasonable distance of a neighborhood for walking or bicycling.

Policy k of the **Comprehensive Plan** states that land adjacent to arterial streets shall be planned t o minimize harmful effects of traffic. As an SU-1 property, this policy can be furthered through the site plan review process.

- D. Arguments recited in "C" above also apply here. Neighborhood conditions have substantially changed since the opening of the Montano Bridge and the proposed use will be more advantageous to the community as articulated in Policies a, d, e, i, j and k of the **Comprehensive Plan**.

- E. Permissive uses in the RC zone include apartments, institutions such as a church or library, and limited office, retail and service uses, provided that the total non-residential floor area does not exceed 50% of the floor area on the lot. It further provides that all business activity, except for parking must be conducted inside a building. Some specific commercial uses include bookstores, flower sales, barber or beauty shop, day center and tailoring. Some uses currently allowed in the existing RA-2 zone are commercial agricultural activity including the sale of agricultural products, kennel, a veterinary hospital and the raising of farm animals such as pigs or poultry. None of the permissive uses in the proposed zone change would be harmful to the neighborhood and any impact of approved uses could be mitigated through the site development plan approval process.
- F. No capital expenditures are required for this request.
- G. Economic considerations are not a factor in this request except as it would apply to any neighborhood business providing a potential employment opportunity for nearby residents.
- H. Although the location of the request along Montano is important, it is not used as sole justification for this request.
- I. This is a request for a residential zone in a residentially zoned area and is therefore not a spot zone. This request furthers the goals of the North Valley Area Plan Zoning, Land Use and Transportation policies to retain residential zoning on Montano Road.
- J. See I. above.

In conclusion, applicant believes that this request meets all applicable goals and policies of the North Valley Area Plan and the Comprehensive Plan.

Sincerely,

Doug Crandall
Agent for Jimmie Davis

DAC Enterprises, Inc.

Zoning & Land Use Services

October 15, 2003

Jim Davis
6225 Isleta SW
Albuquerque, NM 87106

AUTHORIZATION

For Professional Services

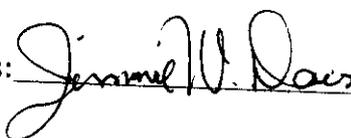
Re: 907 Montano Rd. NW - Consultant services to secure application for map amendment from RA-2 to SU-1 RC uses. Services to include attendance at all necessary meetings with City of Albuquerque staff and neighborhood organizations, and to appear before the Environmental Planning Commission as advocate for said map amendment.

By signing this authorization, client engages DAC Enterprises, Inc. to act as client's agent for all matters regarding this map amendment.

Thank you.


Doug Crandall
Principal
DAC Enterprises, Inc.

Accepted by Jim Davis:

 Date 10/16/03

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT CHECKLIST

Revised: 4/7/2003

B. Proposed Development

1. Structural

- A. Location of existing and proposed structures (distinguish between existing & proposed)
- B. Square footage of each structure
- C. Proposed use of each structure
- D. Temporary structures, signs and other improvements
- E. Walls, fences, and screening: indicate height, length, color and materials
- F. Dimensions of all principal site elements or typical dimensions thereof
- G. Loading facilities
- H. Site lighting (indicate height & fixture type)
- I. Indicate structures within 20 feet of site
- J. Elevation drawing of refuse container and enclosure, if applicable.

2. Parking and Internal Circulation

- A. Parking layout with spaces numbered per aisle and totaled.
 - 1. Location and typical dimensions, including handicapped spaces
 - 2. Calculations: spaces required: ? provided: ?
Handicapped spaces required: ? provided: ?
- B. Bicycle parking & facilities
 - 1. Bicycle racks, spaces required: ? provided: ?
 - 2. Other bicycle facilities, if applicable
- C. Vehicular Circulation (Refer to Chapter 23 of DPM)
 - 1. Ingress and egress locations, including width and curve radii dimensions
 - 2. Drive aisle locations, including width and curve radii dimensions
 - 3. End aisle locations, including width and curve radii dimensions
 - 4. Location & orientation of refuse enclosure, with dimensions
 - 5. Curb cut locations and dimensions
- D. Pedestrian Circulation
 - 1. Location and dimensions of all sidewalks and pedestrian paths
 - 2. Location and dimension of drive aisle crossings, including paving treatment
 - 3. Location and description of amenities, including patios, benches, tables, etc.

3. Streets and Circulation

- A. Locate and identify adjacent public and private streets and alleys.
 - 1. Existing and proposed pavement widths, right-of-way widths and curve radii
 - 2. Identify existing and proposed turn lanes, deceleration lanes and similar features related to the functioning of the proposal, with dimensions
 - 3. Location of traffic signs and signals related to the functioning of the proposal
 - 4. Identify existing and proposed medians and median cuts
 - 5. Sidewalk widths and locations, existing and proposed
- B. Identify Alternate transportation facilities within site or adjacent to site
 - 1. Bikeways and bike-related facilities

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT CHECKLIST

Revised: 4/7/2003

- 2. Pedestrian trails and linkages
- 3. Bus facilities, including routes, bays and shelters existing or required

4. Utilities

- 1. Fire hydrant locations, existing and proposed.
- 2. Distribution lines
- 3. Right-of-Way and easements, existing and proposed, on the property and adjacent to the boundaries, with identification of types and dimensions.
- 4. Existing water, sewer, storm drainage facilities (public and/or private).
- 5. Proposed water, sewer, storm drainage facilities (public and/or private)

5. Phasing

- A. Proposed phasing of improvements and provision for interim facilities. Indicate phasing plan, including location and square footage of structures and associated improvements including circulation, parking and landscaping.

SHEET #2 - LANDSCAPING PLAN

Need

Landscaping may be shown on sheet #1 with written approval from Planning Department staff.

- 1. Scale - must be same as scale on sheet #1 - Site plan
- 2. Bar Scale
- 3. North Arrow
- 4. Property Lines
- 5. Existing and proposed easements
- 6. Identify nature of ground cover materials
 - A. Impervious areas (pavement, sidewalks, slope pavings, curb and gutters, etc.)
 - B. Pervious areas (planting beds, grass, ground cover vegetation, etc.)
 - C. Ponding areas either for drainage or landscaping/recreational use
- 7. Identify type, location and size of plantings (common and/or botanical names).
 - A. Existing, indicating whether it is to preserved or removed.
 - B. Proposed, to be established for general landscaping.
 - C. Proposed, to be established for screening/buffering.
- 8. Describe irrigation system
- 9. Planting Beds, indicating square footage of each bed
- 10. Turf Area - only 20% of landscaped area can be high water turf; provide square footage and percentage.
- 11. Responsibility for Maintenance (statement)
- 12. Statement of compliance with Water Conservation... Ordinance, see article 6-1-1-1.
- 13. Landscaped area requirement; square footage and percent (specify clearly on plan)
- 14. Landscaped area provided; square footage and percent (specify clearly on plan)

SHEET #3 -PRELIMINARY GRADING PLAN -

The Preliminary Grading Plan provides the Planning Commission and staff with an understanding of site topography and how it relates to adjacent property. Planning staff may waive or allow adjustments to the Preliminary Grading Plan requirements for sites that are small, relatively flat and have no existing or proposed extraordinary drainage facilities. Waivers must be obtained in writing from the City Engineer prior to application submittal.

Grading information for sites that are under 1 acre can be included on Sheet #1.

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT CHECKLIST

Revised: 4/7/2003

A. General Information

- 1. Scale - must be same as Sheet #1 - Site Plan
- 2. Bar Scale
- 3. North Arrow
- 4. Property Lines
- 5. Existing and proposed easements
- 6. Building footprints
- 7. Location of Retaining walls

B. Grading Information

- 1. On the plan sheet, provide a narrative description of existing site topography, proposed grading improvements and topography within 100 feet of the site.
- 2. Indicate finished floor elevation and provide spot elevations for all corners of the site (existing and proposed) and points of maximum cut or fill exceeding 1 foot.
- 3. Identify ponding areas, erosion and sediment control facilities.
- 4. Cross Sections
Provide cross section for all perimeter property lines where the grade change is greater than 4 feet at the point of the greatest grade change. Provide one additional cross section in each direction within no more than 100 feet of the reference point.

SHEET #4 - BUILDING AND STRUCTURE ELEVATIONS

A. General Information

- A. Scale (minimum of 1/8" or as approved by Planning Staff).
- B. Bar Scale
- C. Detailed Building Elevations for each facade
 - 1. Identify facade orientation
 - 2. Dimensions of facade elements, including overall height and width
 - 3. Location, material and colors of windows, doors and framing
 - 4. Materials and colors of all building elements and structures
- E. Site Development Plans for single family residential projects with multiple units may require submittal of specific information on building features in lieu of elevation drawings for each building. Applicants are advised to discussed submittal requirements with Planning Department staff.

B. Signage

- 1. Site location(s)
- 2. Sign elevations to scale
- 3. Dimensions, including height and width
- 4. Sign face area - dimensions and square footage clearly indicated
- 5. Lighting
- 6. Materials and colors for sign face and structural elements.

Applicants should make sure that the submitted site development plan drawings are accurate and complete, and that items specified in this checklist have been clearly indicated on the plan drawings as required.



City of Albuquerque

PLEASE NOTE: The Neighborhood Association 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. It is your responsibility to provide current information – outdated information may result in a deferral of your case.

Date: November 4, 2003

Planning Department
Plaza Del Sol Building
600 Second St. NW
Second Floor (924-3860)

This letter will serve to notify you that on November 4, 2003
(date)

TO CONTACT NAME: Doug Crandall
COMPANY/AGENCY: DAC Enterprises Inc
ADDRESS/ZIP: PO Box 16458 87191
PHONE/FAX #: 294-5243 / 247-4530

Contacted the Office of Community and Neighborhood Coordination requesting the contact names for any Recognized Neighborhood Associations affected by their request concerning a Zoning Action or Site Development Plan, etc. at lots 14 & portion of lot 15, ZAPF Van Addition No. 10
zone map page(s) F-14.

Our records indicate that as of 11-4-03, there were **no Recognized Neighborhood Associations** in this area.
(date)

If you have any questions about the information provided, please contact our office at (505) 924-3914 or by fax at 924-3913.

Sincerely,

Dalaina R. Carmena
OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

5. The request furthers the applicable Goals and policies of the *North Valley Area Plan* by stabilizing residential zoning and land use; it limits new strip commercial development and associated signage on valley arterials by retaining existing residential zoning on Montañío Road; it stabilizes land use to protect land presently zoned for housing by maintaining areas zoned for residential uses.
6. The request meets the policies of *Resolution 270-1980* for a zone map change: the requested zoning does not destabilize the surrounding zoning; the existing zoning is inappropriate because there are changing community conditions and a different use category is more advantageous to the community.
7. It is a good idea to limit the signage in this area because of the contextual nature of the area being very residential in character and that is to protect and not to intrude upon the residential character.

On April 27, 2000, the Environmental Planning Commission voted to approve Z-00-8, a site development plan for building permit for Lot 14 and a portion of Lot 15, Zapf Van Addition #10, and a portion of Tract 68A2C, MRGCD Map 32, based on the preceding Findings and subject to the following Conditions of Approval.

FINDINGS:

1. This is a request for approval of a site development plan for building permit for an approximately 2 acre site on Montañío Road NW between Guadalupe Trail and Fourth Street.
2. This site plan accompanies a zone map amendment request for an SU-1 zone. All items shown on the submitted site plan are existing.
3. The site plan furthers with the applicable Goals and policies of the *Comprehensive Plan* by proposing uses in a location and of an intensity that will respect existing neighborhood conditions. It will accommodate new growth where the integrity of existing neighborhoods can be ensured. The proposed uses allow employment and service uses in a location that will complement residential areas and will minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.
5. The site plan furthers the applicable Goals and policies of the *North Valley Area Plan* by stabilizing residential zoning and land use; it limits new strip commercial development and associated signage on valley arterials by retaining existing residential zoning on Montañío Road; it stabilizes land use to protect land presently zoned for housing by maintaining areas zoned for residential uses.
6. The submitted site plan will be adequate with some additions and changes.

CONDITIONS:

1. The submittal of this site plan to the DRB shall meet all EPC conditions; a letter shall accompany the submittal, indicating all modifications that have been made to the site plan since the EPC submittal, including how the site plan has been modified to meet each of the EPC conditions.

2. The Public Works Department comments and conditions shall be addressed and adhered to, including:
 - a. The parking and circulation area along Montañño Road shall be paved.
 - b. The gate between the front and rear of the site shall be 20'-0" wide for emergency access.
 - c. The parking area towards the rear of the site, near "Shed 2" requires end islands.
 - d. The rear parking area shall be covered with gravel with possible paving of the primary drive aisle.
3. A bicycle rack shall be located near the entrance to the main building.
4. Additional landscaping shall be provided along Montañño Road or other visible locations to meet the landscaping requirements of the *Zoning Code*.
5. A six foot high solid wall shall be built between the subject site and any adjacent residential or residentially zoned property.
6. The site shall be replatted to create one lot
7. Only monument signs are allowed on this site with these restrictions: 75 square feet per face maximum maximum height of 10 feet.

IF YOU WISH TO APPEAL THIS DECISION, YOU MUST DO SO BY MAY 12, 2000 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE OF \$50 IS REQUIRED AT THE TIME THE APPEAL IS FILED.

Appeal to the City Council: Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department within 15 days of the Planning Commission's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If it decides that all City plans, policies and ordinances have not been properly followed, it shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

YOU WILL RECEIVE NOTIFICATION IF ANY OTHER PERSON FILES AN APPEAL. IF THERE IS NO APPEAL, YOU CAN RECEIVE BUILDING PERMITS AT ANY TIME AFTER THE APPEAL DEADLINE QUOTED ABOVE, PROVIDED ALL CONDITIONS IMPOSED AT THE TIME OF APPROVAL HAVE BEEN MET. SUCCESSFUL APPLICANTS ARE REMINDED THAT OTHER REGULATIONS OF THE CITY MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

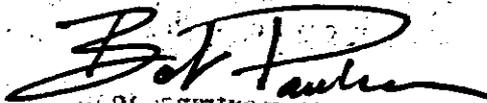
OFFICIAL NOTICE OF DECISION

APRIL 27, 2000

Z-00-8

PAGE 4

Sincerely,



FOR Robert R. McCabe, AIA, APA
Planning Director

RM/RB/ac

cc: Lisa Blair, Common Grounds Neigh. Assoc., 624 Douglas MacArthur NW, Albuquerque, NM 87107
Juanita Lujan, Common Grounds Neigh. Assoc., 1302 Griegos NW, Albuquerque, NM 87107

**DAC Enterprises, Inc.
9520 Macallan Road NE
Albuquerque, New Mexico 87109
505.294.5243**

November 24, 2003

Ms. Debbie Stover
Planning Department
City of Albuquerque
Albuquerque, New Mexico

VIA FACSIMILE: 924-3339

RE: Lot 14 and a portion of Lot 15, Zapf Van Addition #10, and a portion of Tract 68A2C, MRGCD Map 32

Dear Ms. Stover:

Thank you for bringing an error in the application for re-zoning of the above referenced property to my attention. The correct zoning for the property is not RA-1, as it states on the application, but rather it is RA-2. The error is my and I apologize for any inconvenience.

If it is possible to advertise the correct zone in time for the next EPC hearing, it would be greatly appreciated. I would be happy to pay for any associated costs.

Thank you for your help.

Sincerely,
Doug Crandall

Doug Crandall
DAC Enterprises, Inc.

DEBBIE, AS PER OUR CONVERSATION I AM
SENDING A LIST OF 25 HOMEOWNERS WHO WILL
BE ADVERSELY AFFECTED BY APPROVING THIS
AMMENDMENT. I AM A BUSINESS OWNER + OF
COURSE, I AM ALL FOR BUSINESS, BUT NOT IN
A RESIDENTIAL NEIGHBORHOOD. AS A BUSINESS
OWNER I DO NOT HAVE MUCH FREE TIME, BUT
I WENT OUT LAST NIGHT + TIME PERMITTED ME
TO JUST GO INTO VILLA CAMELA + LAS GOLONDRINAS
SUBDIVISIONS. I WILL BE SENDING YOU MORE SIGNATURES
AS TIME PERMITS.

THE ONLY CHANGED CONDITION IN THIS CORRIDOR
IS INCREASED TRAFFIC WHICH DOES NOT JUSTIFY ANY
DEVIATION FROM THE NORTH VALLEY AREA PLAN OR
COMPREHENSIVE PLAN. BOTH OF WHICH WERE REVIEWED
ACCEPTED + SIGNED OFF BY THE CITY COUNCIL.

I HAVE PERSONALLY INVESTED WELL OVER
1/2 A MILLION DOLLARS IN MY RESIDENCE + WILL
NOT JUST ROLL OVER + ACCEPT ANYTHING BUT
DENIAL OF ANY TYPE OF CHANGE TO COMMERCIAL
BE IT R/C C-1 ETC.

THANKS! DAVE GONZALES

Project # 1000522
 03EPC-01911 Zone Map Amendment
 03EPC-01912 EPC Site Development Plan-
 Subdivision

DAC ENTERPRISES agents for JIMMIE W. DAVIS request the above actions for all or a portion of Lot(s) 14 & 15 and a portion of Tract 68A2C, MRGCD Map 32, Zapf Van Addition #10, a zone map amendment from RA-2 to SU-1 for RC Uses, located on MONTANO ROAD NW, between GUADALUPE TRAIL NW and HARWOOD LATERAL, containing approximately 2 acres. (F-14) Deborah Stover, Staff Planner

**LAM OPPOSED TO THE ABOVE REFERENCE ZONE
 AMENDMENT**

NAME	ADDRESS	SIGNATURE
Virginia E Novak	1004 Las Golondrinas Ct NW	Virginia E Novak
Lee Ann Drake	1014 Las Golondrinas Ct NW	Lee Ann Drake
Margie Martinez	1030 Las Golondrinas Ct NW	M Martinez
Josel Ojeda	1030 Las Golondrinas Ct NW	J. Ojeda
Lawrence Hale	1034 Las Golondrinas Ct	Lawrence Hale
Jon Boltz	1038 Las Golondrinas Ct NW	Jon Boltz
Thomas J. Lopez	1028 Las Golondrinas	Thomas J. Lopez
Deather Farm	1061 Las Golondrinas NW	Deather Farm
Ralph Nau	1049 Las Golondrinas NW	Ralph Nau
Spur Nung	1045 Las Golondrinas Ct NW, NW	Spur Nung
W.	1037 Las Golondrinas NW	W.
Becky Gonzales	912 Montano NW	Becky Gonzales

Project # 1000522
03EPC-01911 Zone Map Amendment
03EPC-01912 EPC Site Development Plan-
Subdivision

DAC ENTERPRISES agents for JIMMIE W. DAVIS request the above actions for all or a portion of Lot(s) 14 & 15 and a portion of Tract 68A2C, MRGCD Map 32, Zapf Van Addition #10, a zone map amendment from RA-2 to SU-1 for RC Uses, located on MONTANO ROAD NW, between GUADALUPE TRAIL NW and HARWOOD LATERAL, containing approximately 2 acres. (F-14) Deborah Stover, Staff Planner

LAM OPPOSED TO THE ABOVE REFERENCE ZONE AMENDMENT

NAME	ADDRESS	SIGNATURE
Henry Sandoval	5516 Villa Canela Ct NW	
Roshin N Sandoval	5514 Villa Canela Ct NW	
Jacobo Muldorado	5515 Villa Canela Ct NW	
Thomas Keen	5512 Villa Canela Ct NW	Tom Keen
CHARLES SCHMIDT	5509 Villa Canela Ct NE	
HERMAN GONZALES	1027 LAS GOLONDRINAS CT N.W	
LAWRENCE GARCIA	1009 LAS GOLONDRINAS CT NW	
Dolores Garcia	1009 Las Golondrina NW 87107	87107
Carrie Gallegos	1001 Las Golondrinas NW	
Sean Calvert	1000 Las Golondrinas Ct	
Fran Calvert	1000 Las Golondrinas Ct	
Linda McCreevy	1004 Las Golondrinas	

Project # 1000522
03EPC-01911 Zone Map Amendment
03EPC-01912 EPC Site Development Plan-
Subdivision

DAC ENTERPRISES agents for JIMMIE W. DAVIS request the above actions for all or a portion of Lot(s) 14 & 15 and a portion of Tract 68A2C, MRGCD Map 32 Zapf Van Addition #10, a zone map amendment from RA-2 to SU-1 for RC Uses, located on MONTANO ROAD NW, between GUADALUPE TRAIL NW and HARWOOD LATERAL, containing approximately 2 acres. (F-14) Deborah Stover, Staff Planner

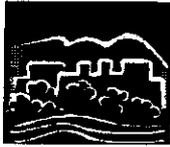
I AM OPPOSED TO THE ABOVE REFERENCE ZONE AMENDMENT

NAME

ADDRESS

SIGNATURE

DAVID GONZALEZ 914 MONTANO [Signature]



Agenda Number: 23
 Case Number: Z-00-8
 January 20, 2000

Staff Report

• <i>Applicant</i>	Jimmie W. Davis
<i>Requests</i>	Zone map amendment
• <i>Legal Description</i>	Lot 14 and a portion of Lot 15, Zapf Van Addition #10, and a portion of Tract 68A2C, MRGCD Map 32
• <i>Location</i>	on the north side of Montañõ Road NW, between Villa Camela Ct. and Guadalupe Trail
• <i>Size</i>	approximately 2 acres
• <i>Existing Zoning</i>	RA-2
• <i>Proposed Zoning</i>	C-2

Staff Recommendation
DENIAL of Z-00-8, based on the findings on pages 8 - 9.

Staff Planner
 Russell Brito, Planner

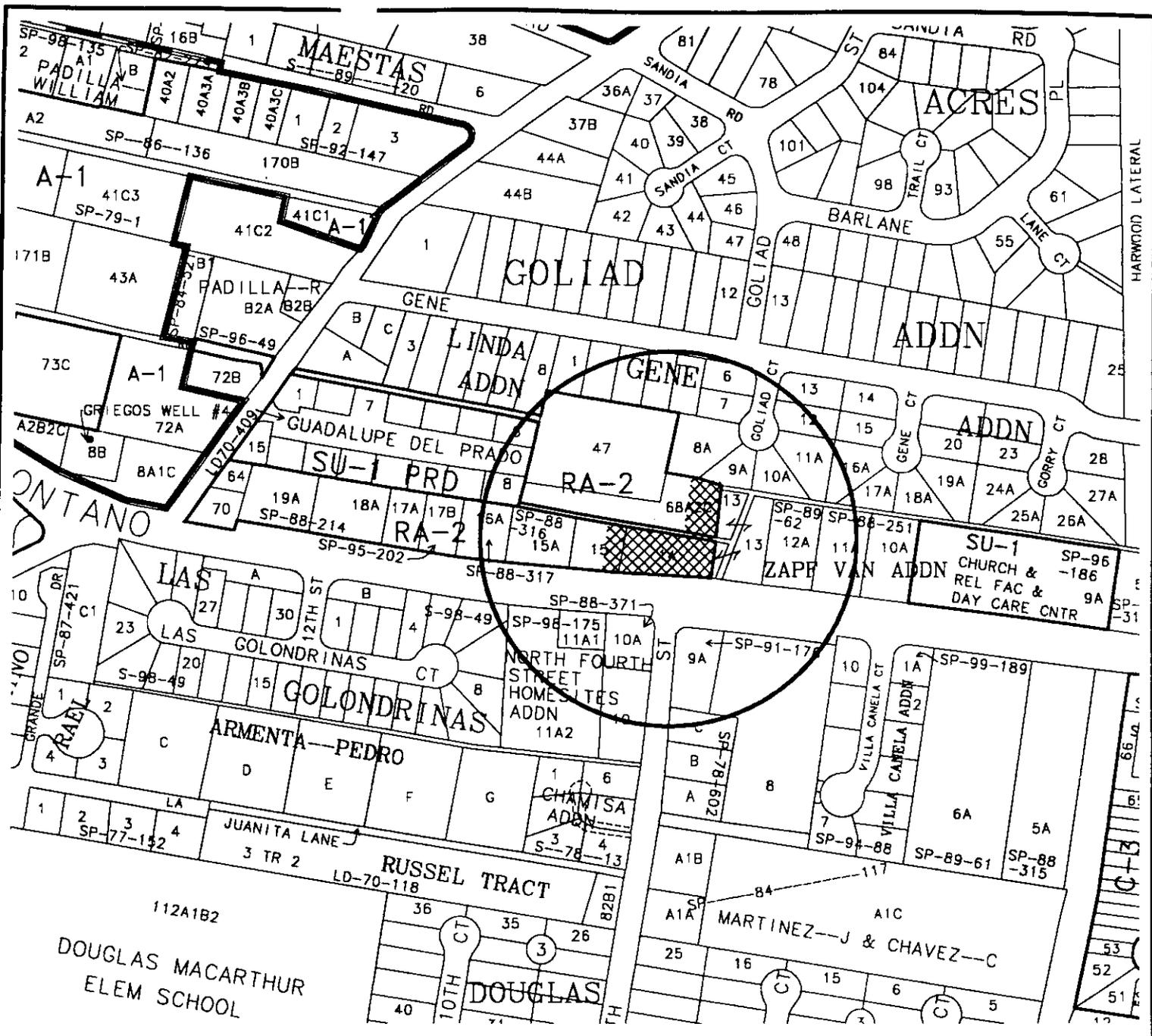
Summary of Analysis

This is a request for a zone map amendment from RA-2 to C-2 for a site located on the north side of Montañõ between Villa Camela Ct. and Guadalupe Trail. The applicant states that the reason for this request is to continue the existing use as a nursery and landscape business. The applicant recently prevailed in a City Council appeal of the Board of Appeals decision to uphold the Zoning Hearing Examiner's (ZHE) denial of a conditional use permit for a nursery on the subject site (ZA-98-473/AP-99-07/AC-99-09).

The submitted zone map amendment request conflicts with the Goals and Policies of the *Comprehensive Plan* and the *North Valley Area Plan*. It does not meet the policies of *Resolution 270-1980*, specifically: the proposed zoning has the potential to destabilize the surrounding zoning; the applicant has failed to demonstrate that the existing zoning is inappropriate; some of the permissive uses in the C-2 zone would be harmful to adjacent property and the neighborhood; economic considerations pertaining to the applicant shall not be the determining factor for a change of zone; location on a collector or major street is not in itself sufficient justification of commercial zoning; this zone change request constitutes a spot zone.



City Departments and other interested agencies reviewed this application from 3 December to 17 December 1999. Agency comments were used in the preparation of this report, and begin on page 10.



Note: Shaded area indicates County Not to Scale

ZONING MAP



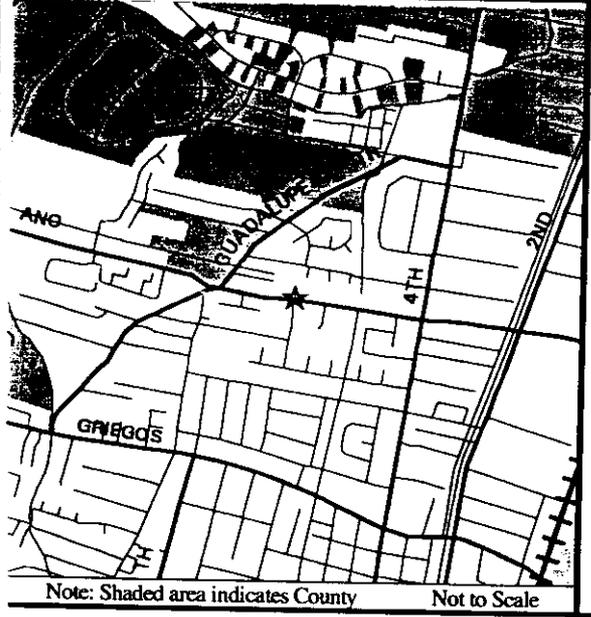
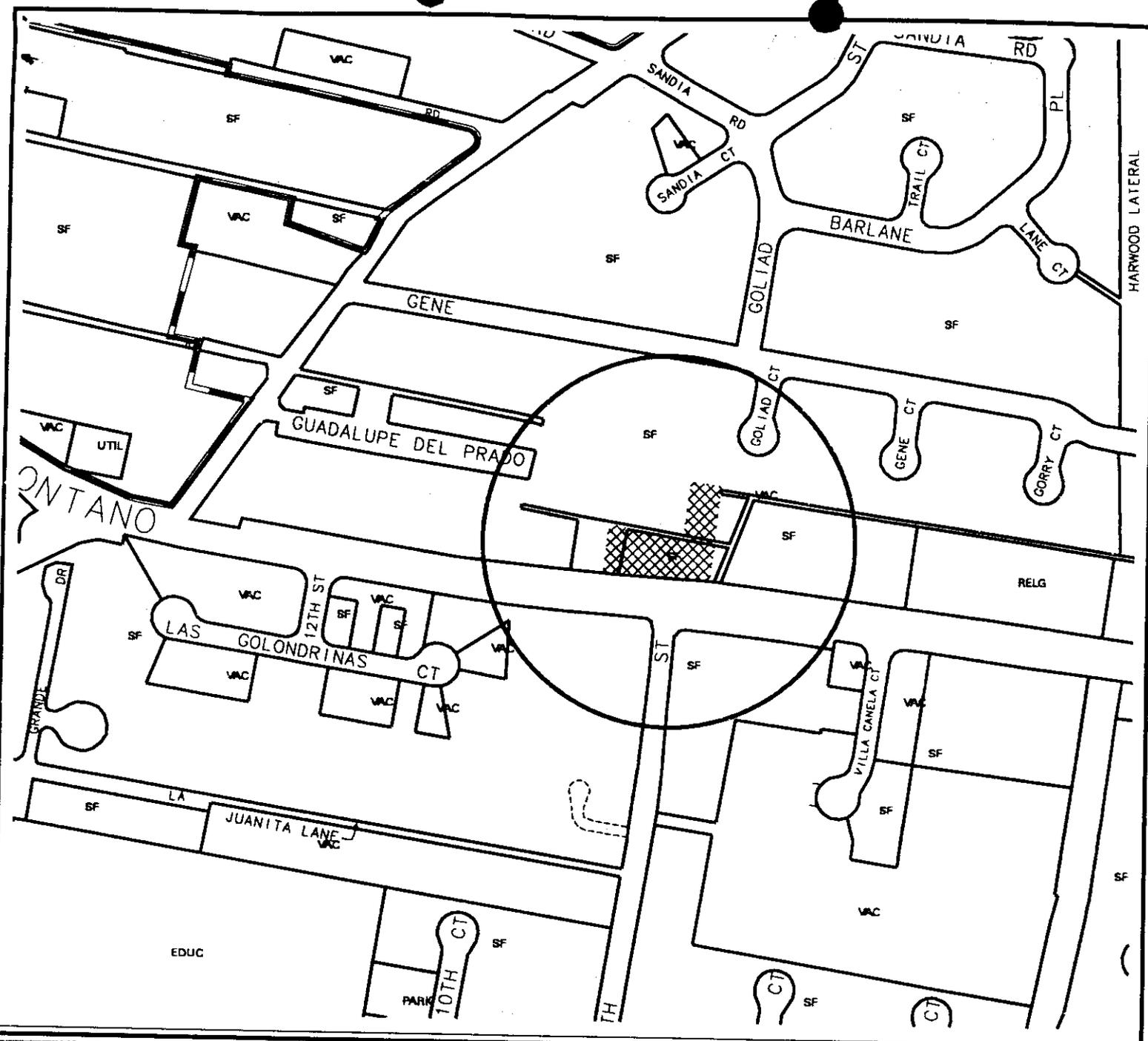
Scale 1"=294'

CASE PLANNER

HEARING DATE
01-20-00

MAP NO.
F-14

FILE NO.
Z-00-8



LAND USE MAP

KEY to Land Use Abbreviations

- AGRI Agricultural
- COMM Commercial -Retail, Service, Wholesale
- DRNG Drainage
- EDUC Public or Private School
- GOLF Golf Course
- MED Medical Office or Facility
- MFG Manufacturing or Mining
- MH Mobile Home
- MULT Multi-Family or Group Home
- OFF Office
- ORG Social or Civic Organization
- PARK Park, Recreation or Open Space
- PRKG Parking
- PUBF Public Facility
- RELG Religious Facility
- SF Single Family
- TRAN Transportation Facility
- UTIL Utility
- VAC Vacant Land or Abandoned Bldgs
- WH Warehousing & Storage



Scale 1" = 294'

CASE PLANNER

HEARING DATE
01-20-00

MAP NO.
F-14

FILE NO.
Z-00-8

Development Services Report

SUMMARY OF REQUEST

<i>Request</i>	Zone Map Amendment
<i>Location</i>	Lot 14 and a portion of Lot 15, Zapf Van Addition #10, and a portion of Tract 68A2C, MRGCD Map 32 located on the north side of Montaña Road NW, between Villa Camela Ct. and Guadalupe Trail

AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses:

	<i>Zoning</i>	<i>Comprehensive Plan Area; Applicable Rank II & III Plans</i>	<i>Land Use</i>
<i>Site</i>	RA-2	Established Urban; North Valley Area Plan	single family home and landscaping and nursery
<i>North</i>	RA-2 and R-1	"	single family homes
<i>South</i>	R-1	"	single family homes
<i>East</i>	R-1	"	single family homes
<i>West</i>	RA-2	"	single family homes

Background

The applicant states that the reason for this request is to continue the existing use as a nursery and landscape business. The applicant recently prevailed in a City Council appeal of the Board of Appeals decision to uphold the Zoning Hearing Examiner's (ZHE) denial of a conditional use permit for a nursery on the subject site (ZA-98-473/AP-99-07/AC-99-09). On 13 December 1999, the City Council voted to remand the case to the Board of Appeals with instruction to remand to the ZHE to approve the conditional use for a nursery and to hold a hearing on conditions to be imposed on the conditional use for a nursery.

On 11 January 2000, the Board of Appeals remanded the matter to the ZHE to grant the conditional use for a nursery and to hold a hearing on conditions to be imposed on the conditional use for a nursery. These conditions include direction to the ZHE to impose whatever conditions of approval he believes are appropriate and necessary to ensure this conditional use for a nursery will not be injurious to the adjacent property, the neighborhood or the community. The ZHE is to approve and identify a specific site development plan for the premises. A hearing date before the ZHE has yet to be scheduled.

APPLICABLE PLANS AND POLICIES

Albuquerque / Bernalillo County Comprehensive Plan

The subject site is within the Established Urban Area of the *Comprehensive Plan* which has a goal "to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment." Applicable policies include:

Policy a The Established and Developing Urban Areas . . . shall allow a full range of urban land uses, resulting in an overall gross density up to 5 dwelling units per acre.

Policy d The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, or recreational concern.

Policy e New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured.

Policy g Development shall be carefully designed to conform to topographical features and include trail corridors in the development where appropriate.

Policy I Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

Policy j Where new commercial development occurs, it should generally be located in existing commercially zoned areas as follows:

- in small neighborhood-oriented centers provided with pedestrian and bicycle access within reasonable distance of residential areas for walking or bicycling.
- in larger area-wide shopping centers located at intersections of arterial streets and provided with access via mass transit; more than one shopping center should be allowed at an intersection only when transportation problems do not result.
- in free-standing retailing and contiguous storefronts along streets in older neighborhoods.

Policy k Land adjacent to arterial streets shall be planned to minimize harmful effects of traffic; livability and safety of established residential neighborhoods shall be protected in transportation planning and operations.

Policy l Quality and innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate to the plan area.

Policy m Urban and site design which maintains and enhances unique vistas and improves the quality of the visual environment shall be encouraged.

North Valley Area Plan

The North Valley Area Plan was adopted by both the City of Albuquerque and Bernalillo County in 1993. The Plan generally encompasses properties between Roy/Tramway on the north, Interstate 40 on the south, Interstate 25 on the east, and the Rio Grande on the west; specific boundaries are shown on page in the Plan. It sets forth applicable goals, issues and policies regarding environmental quality, zoning, land use, wastewater and housing:

Goals:

2. To preserve and enhance the environmental quality of the North Valley Area by:
 - a) maintaining the rural flavor of the North Valley
 - b) controlling growth and maintaining low density development
 - c) providing a variety of housing opportunities and life styles including differing socioeconomic types
 - d) reducing noise level impacts
6. To encourage quality commercial/industrial development and redevelopment in response to area needs in already developed/established commercial industrial zones and areas. To discourage future commercial/industrial development on lots not already zoned commercial/industrial.
11. To locate commercial and industrial development within the I-25 corridor, and selected areas along the I-40 corridor, especially as an alternative to extensive lower valley commercial/industrial development.

Zoning and Land Use Policies:

2. The City and County shall stabilize residential zoning and land use in the North Valley Area.
 - g. Where appropriate, according to this plan or more detailed plans, encourage and support efforts to rezone properties to their present use or for residential uses.
3. The City and County shall limit new strip commercial development and associated signage on valley arterials.
 - a. Retain existing residential zoning on Alameda Boulevard, Second Street, Montaña Road, and on future roadway corridors.
 - c. Promote commercial development and redevelopment of existing commercially zoned properties.

Transportation Policies:

1. The City and County shall encourage the smooth flow of traffic on arterials.
 - a. Retain existing residential zoning on Alameda Boulevard, Second Street, Montaña Road, and on future roadway corridors.
3. Wastewater systems shall be designed to serve the North Valley at future development densities allowed by existing zoning.

Housing Policies:

1. The City and County shall stabilize land use to protect affordable housing and land presently zoned for housing.
 - a. Maintain and expand areas zoned for residential uses including A-1, R-1, MH.
 - b. Limit encroachment of non-residential uses into residential areas.
 - c. Encourage residential zoning of parcels with residential use.

Resolution 270-1980 (Zone Change Policy)

This Resolution requires that one of three findings be made for a change of zone: that there was an error when the existing zone map pattern was created, or that changed neighborhood or community conditions justify the change, or that a different use category is more advantageous to the community. The applicant is required to justify the request.

Resolution 91-1998 (R-70)

This Resolution establishes an overall direction for implementation of the City's growth policies, with a framework emphasizing:

- development of community and regional activity centers and major transportation corridors (high capacity corridors); encourage increased densities and mixed uses in activity centers and corridors; meet the needs of residents closer to their homes or employment to decrease Vehicle Miles Traveled and automobile dependence.
- maintenance, enhancements and upgrades of roads and utilities in the core area, to prevent deterioration of existing communities and to encourage infill; diversify the Downtown land use mix with public facilities, hotels, office and retail development, more and higher density housing; generate more activity and attract more private investment in the Downtown area.
- enhance transit system performance, consistent with the principles of a compact urban form and a network of centers and corridors; improve the viability of transit as an alternative to the single-occupancy vehicle and reduce Vehicle Miles Traveled; improve pedestrian mobility and the character of the pedestrian environment, transit orientation and bicycle connections, within centers and corridors.
- plan the timing of road and utility construction to ensure orderly growth, and coordinate capacity increases and street extensions; transportation improvement programs must recognize the significance of natural, historic, and cultural resources and include strategies for minimizing adverse impacts on them.

Long Range Roadway System

The Long Range Roadway System designates Montañó Road as a Minor Arterial.

ANALYSIS

Conformance to Adopted Plans, Policies, and Ordinances

This is a request for a zone map amendment from RA-2 to C-2 for a site located on the north side of Montañño between Villa Camela Ct. and Guadalupe Trail. The applicant states that the reason for this request is to continue the existing use as a nursery and landscape business. The applicant recently prevailed in a City Council appeal of the Board of Appeals decision to uphold the Zoning Hearing Examiner's (ZHE) denial of a conditional use permit for a nursery on the subject site (ZA-98-473/AP-99-07/AC-99-09). On 13 December 1999, the City Council voted to remanded the case to the Board of Appeals with instruction to remand to the ZHE to approve the conditional use for a nursery and to hold a hearing on conditions to be imposed on the conditional use for a nursery.

The application for this request cites both C-2 and SU-1 for C-2 as the requested zone categories. A site development plan, required for an SU-1 request, was not submitted with this request; therefore, this request is being treated as a request for C-2 zoning.

The subject site is zoned RA-2, Residential and Agricultural Zone. The zoning of the adjacent properties is RA-2 and R-1. The requested zoning is C-2, Community Commercial, which the *Zoning Code* describes as "suitable for offices, for most service and commercial activities, and for certain specified institutional uses." (§14-16-2-17) There are permissive uses allowed in the C-2 zone that are not compatible with the adjacent and surrounding low density residential zoning including:

- Sign, off-premise
- Retailing of consumer products and provision of customer, personal, or business service:
 - Vehicle sales, rental, service, repair, and storage, both indoor and outdoor
 - Building materials
 - Drive-in restaurant
 - Dry cleaning, laundry, clothes pressing
 - Gasoline, oil, and liquefied petroleum gas retailing, including outdoor sales
 - Golf driving range, miniature golf course, baseball batting range
 - Hospital for animals
 - Parking lot
 - Pet store
 - Secondhand store
- Storage structure or yard for equipment, material or activity incidental to a specific construction project

All of the above uses are permissively allowed in the C-2 zone. There are additional uses that are conditionally allowed, but only if granted by the Zoning Hearing Examiner at a public hearing.

Comprehensive Plan

The request is in conflict with the applicable Goals and policies of the *Comprehensive Plan* by proposing a zone category that would allow uses in a location and of an intensity that will not respect existing neighborhood conditions. It will not accommodate new growth where the integrity of existing neighborhoods can be ensured. The proposed zoning would allow employment and service uses in a location that will not complement residential areas and will not minimize adverse effects of noise, lighting, pollution, and traffic on residential environments. The proposed zoning would allow new commercial development in an area that is currently not commercially zoned.

North Valley Area Plan

The request is in conflict with the applicable Goals and policies of the *North Valley Area Plan* by encouraging commercial/industrial development on lots not already zoned commercial/industrial. It proposes zoning that will allow lower valley commercial/industrial development instead of in the I-25 and I-40 corridors. The request will not stabilize residential zoning and land use in the North Valley Area. It does not limit new strip commercial development and associated signage on valley arterials by not retaining existing residential zoning on Montaña Road. The request would detract from the promotion of commercial development and redevelopment of existing commercially zoned properties and does not retain existing residential zoning on Montaña Road. It does not stabilize land use to protect affordable housing and land presently zoned for housing by not maintaining areas zoned for residential uses nor limiting encroachment of non-residential uses into residential areas.

Resolution 270-1980

The request does not meet all of the policies of *Resolution 270-1980* for a zone map change. The proposed zoning has the potential to destabilize the surrounding zoning by allowing commercial uses that are not compatible with low density residential uses. As discussed above, the proposed change is in significant conflict with adopted elements of the *Comprehensive Plan* and the *North Valley Area Plan*.

The applicant has failed to demonstrate that the existing zoning is inappropriate. The applicant states that the construction of the Montaña bridge has created a changed condition that reduces the subject site's viability as a single family residence. The development of the Las Golondrinas subdivision across Montaña Road from the subject site, after the construction of the bridge, appears to contradict this claim. The applicant also states that a different use category is more advantageous to the community, but does not elaborate how, as articulated in the *Comprehensive Plan* or other City master plan.

Some of the permissive uses in the C-2 zone would be harmful to adjacent property and the neighborhood. The applicant is citing a desire to continue the use as a nursery and landscape business, but the *Resolution* states that economic considerations pertaining to the applicant shall not be the determining factor for a change of zone. In light of the recent City Council action granting a conditional use for a nursery, a zone change for the subject site appears to be unnecessary.

-
7. The request does not meet all of the policies of *Resolution 270-1980* for a zone map change; the proposed zoning has the potential to destabilize the surrounding zoning; the applicant has failed to demonstrate that the existing zoning is inappropriate; some of the permissive uses in the C-2 zone would be harmful to adjacent property and the neighborhood; economic considerations pertaining to the applicant shall not be the determining factor for a change of zone; location on a collector or major street is not in itself sufficient justification of commercial zoning; this zone change request constitutes a spot zone.

RECOMMENDATION

DENIAL of Z-00-8, a zone map amendment from RA-2 to C-2 for Lot 14 and a portion of Lot 15, Zapf Van Addition #10, and a portion of Tract 68A2C, MRGCD Map 32, based on the preceding Findings.



Russell Brito
Planner

RB/ac

cc: Jimmie W. Davis, 6325 Isleta SW, Albuquerque, NM 87105
Lisa Blair, Common Grounds Neigh. Assoc., 624 Douglas MacArthur NW, Albuquerque, NM 87107
Juanita Lujan, Common Grounds Neigh. Assoc., 1302 Griegos NW, Albuquerque, NM 87107

Attachments

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Code Services

Submittal lacks sufficient information for Zoning Enforcement consideration. Recommend deferral to allow for submittal of a comprehensive description of existing uses, a site plan indicating existing improvements, floor plans, elevation representations, parking, outside activity areas, and landscaping, in order to document and adequately assess existing conditions and regulations applicable to this property under C-2 zoning. A house exists on this property, a use which is conditional in the C-2 zone.

PUBLIC WORKS DEPARTMENT

Transportation Development Services:

PROPOSED ZONE CHANGE REQUEST

Adequate off-street parking must be demonstrated prior to approval.

Transportation Planning:

"This application should have no adverse effect on the arterial street system, nor on the bikeways system."

Utility Development:

No comment on land use. The legal description should be clarified. Per zone atlas maps the property appears to include portions of 4 different lots. Any action should be contingent on a replat.

Hydrology:

Traffic Engineering Operations:

Prefer to have no additional access to or from Montaña. If required a deceleration and acceleration lanes are requested.

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

Environmental Services Division

"No known landfills in the immediate vicinity."

“ATTACHMENT A”

Jimmy Wayne Davis
Zone Map F-14

COMMON GROUNDS N.A. (R)**

Lisa Blair

624 Douglas MacArthur NW/87107 345-6934 (h&w)

Juanita Lujan

1302 Griegos NW/87107 344-8836 (h)

LEGEND

(R)
*

Recognized Neighborhood Association under O-92.
Indicates Neighborhood Association President for Neighborhood Association
or Group.

FAX COVER

To: Debbie Stover

Company : City of Albuquerque

Fax Number : 924-3339

From : Doug Crandall

Company : DAC Enterprises, Inc.

Fax Number : 1-505-294-5243

Subject : Legal Ad Correction

Pages including cover page: 2

Time : 4:44:32 PM

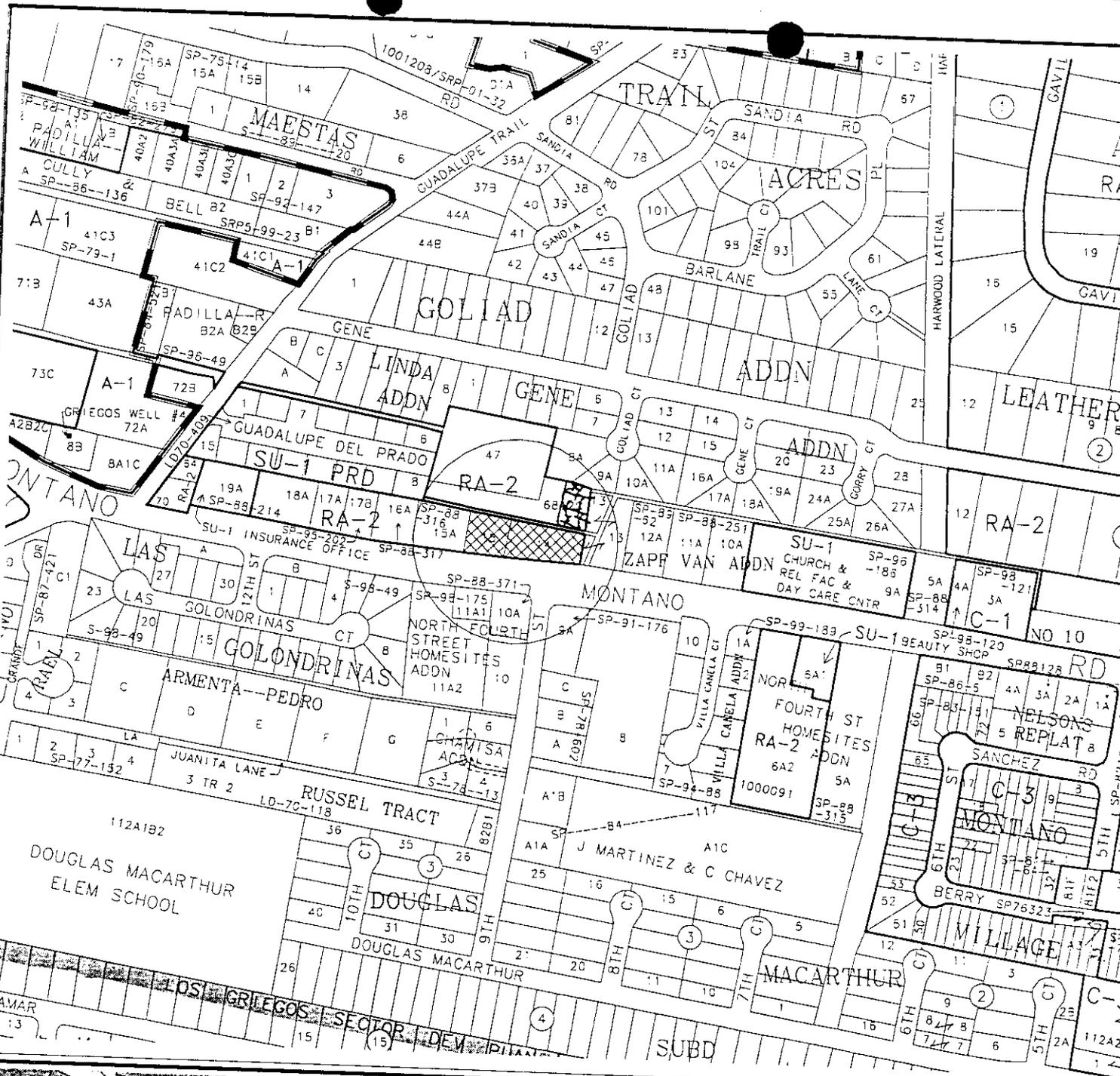
Date : 11/24/2003

MESSAGE

Debbie:

Thanks for indulging us on this issue! Give us a little time and we'll get this stuff down pat!

Dougt



ZONING MAP



Scale 1" = 362'

PROJECT NO.
PA-03-116

HEARING DATE
10-14-03

MAP NO.
F-14

ADDITIONAL CASE NUMBER(S)
PRE-APPLICATION
DISCUSSION
DOUG CRANDALL

Note: Shaded area indicates County Not to Scale

1. AGENCY REPRESENTATIVES PRESENT AT MEETING

Planning: Russell Brito Others Jack Basye, Zoning
 Transportation: Tony Loyd Others _____
 Utilities: Jack McDonough Others _____
 Others: _____

2. TYPE OF APPLICATION ANTICIPATED / APPROVAL AUTHORITY

Zone Map Amendment: EPC Approval City Council Approval
 Sector Dev. Plan Amendment: EPC Approval City Council Approval
 Site Dev. Plan for Subdivision: EPC Approval DRB Approval
 Site Dev. Plan for Bldg Permit: EPC Approval DRB Approval
 Annexation: [EPC Review with City Council Approval]
 OTHER _____

3. SUMMARY OF PRT DISCUSSION

- R-C is a "spot zone"
- SU-1 zoning is justifiable with a site development plan for building permit
- No neighborhood association
- Previous case was approved by EPC, appealed to City Council and overturned

4. SIGN & DATE TO VERIFY ATTENDANCE & RECEIPT OF THIS SUMMARY.

[PRT DISCUSSIONS ARE INFORMATIONAL & NON-BINDING]

Russell Brito 14 Oct 03
 PRT CHAIRMAN / DATE

[Signature]
 APPLICANT OR AGENT / DATE

PRE-APPLICATION DISCUSSION

NOTE: PRE APPLICATION DISCUSSIONS ARE PROVIDED TO ASSIST APPLICANTS IN ACQUIRING INFORMATION ON PROCESS AND REQUIREMENTS PERTAINING TO THEIR REQUEST. THE INTERPRETATION OF SPECIFIC USES ALLOWED WITHIN VARIOUS ZONES IS THE RESPONSIBILITY OF THE ZONING ENFORCEMENT OFFICER, AS PROVIDED FOR BY THE COMPREHENSIVE ZONING CODE. ANY STATEMENTS REGARDING ZONING AT THE PRE APPLICATION DISCUSSION ARE NOT CERTIFICATES OF ZONING.

PA # 03-116 APPLICANT Doug Crandall TEL. # 294-5243

RECEIVED BY Kyle Tsethlikai DATE September 29, 2003

APPOINTMENT TIME & DATE: 3:00 pm; October 14, 2003
Appointment requests received by Friday will be scheduled for Tuesday of the following week, if times are available. Requests received after Friday will be scheduled for the following Tuesday. **Please contact the Planning Division at 924-3860 for more information.**

1. **BRIEFLY DESCRIBE REQUEST:** (What do you plan to develop on this site?)

Zone Change for RC Zoning

2. **RESPOND TO THE FOLLOWING QUESTIONS:**

Size of site: 1.2 Acres Existing Zoning: R A-2 Proposed Zoning: RC

Previous zone change or site plan approval case #s for this site: ZA-98-473, Project # 1000522

Applicable Area or Sector Development Plans: N/A

Residential: Type and # of Units Proposed: Existing Apartment Building

Commercial: Estimated building square footage: _____ No. Of Employees: _____

3. **LOCATION OF REQUEST:** Provide a legal description of property and indicate location using surrounding streets. Indicate significant landmarks or notable features in the vicinity. **Include Zone atlas number.**

Lots 14 & Portion of Lot 15, Zapf Van Addition No. 10, located on Montano Rd NW between Guadalupe Trail NW and Harwood Lateral, **Zone Atlas Page: F-14-Z**

4. **WHAT QUESTIONS OR CONCERNS DO YOU HAVE REGARDING THIS REQUEST:**

- * Process Of Zone Change
- * He will have several questions during the discussion.

FORM Z: ZONE MAP, ZONING CODE TEXT & PLAN AMENDMENT

ANNEXATION

- ___ Application for zone map amendment including those submittal requirements. See below. Annexation and establishment of zoning must be applied for simultaneously.
- ___ Petition for Annexation Form and necessary attachments
- ___ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied). NOTE: The Zone Atlas must show that the site is in County jurisdiction, but is contiguous to City limits.
- ___ Letter briefly describing, explaining, and justifying the request
- ___ NOTE: Justifications must adhere to the policies contained in "Resolution 54-1990"
- ___ Letter of authorization from the property owner if application is submitted by an agent
- ___ BCC Notice of Decision for City Submittals
- ___ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- ___ Sign Posting Agreement
- ___ TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
- ___ Any original and/or related file numbers are listed on the cover application

EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

- SECTOR DEVELOPMENT PLAN PHASE I - DRB CONCEPTUAL PLAN REVIEW (Unadvertised)**
- SECTOR DEVELOPMENT PLAN PHASE II - EPC FINAL REVIEW & APPROVAL (Public Hearing)**
- SECTOR DEVELOPMENT PLAN PHASE II - DRB FINAL SIGN-OFF (Unadvertised)**

- ___ Copy of findings from required pre-application meeting (needed for the DRB conceptual plan review only)
- ___ Proposed Sector Plan (30 copies for EPC, 6 copies for DRB)
- ___ Zone Atlas map with the entire plan area precisely and clearly outlined and crosshatched (to be photocopied)
- ___ Letter briefly describing, explaining, and justifying the request
- ___ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts (for EPC final review and approval - public hearing only)
- ___ TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form (for EPC final review and approval public hearing only)
- ___ Fee for EPC final review and approval only (see schedule)
- ___ Any original and/or related file numbers are listed on the cover application

Refer to the schedules for the dates, times and places of D.R.B. Unadvertised meetings and E.P.C. hearings. **Your attendance is required.**

AMENDMENT TO ZONE MAP (ESTABLISHMENT OF ZONING OR ZONE CHANGE)

- Application for sector development plan amendment (required only if site is within a sector plan's boundaries.)
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing, explaining, and justifying the request NOTE: Justifications must adhere to the policies contained in "Resolution 270-1980"
- Letter of authorization from the property owner if application is submitted by an agent
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
- Fee (see schedule) 350.00
- Any original and/or related file numbers are listed on the cover application

EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

AMENDMENT TO SECTOR DEVELOPMENT, AREA, FACILITY, OR COMPREHENSIVE PLAN

- ___ Proposed Amendment referenced to the materials in the Plan being amended (text and/or map)
- ___ Plan to be amended with materials to be changed noted and marked
- ___ Zone Atlas map with the entire plan/amendment area precisely and clearly outlined and crosshatched (to be photocopied)
- ___ Letter briefly describing, explaining, and justifying the request
- ___ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts (sector plans only)
- ___ TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
- ___ Fee (see schedule)
- ___ Any original and/or related file numbers are listed on the cover application

AMENDMENT TO ZONING CODE OR SUBDIVISION REGULATIONS TEXT

- ___ Amendment referenced to the sections of the Zone Code/Subdivision Regulations being amended
- ___ Sections of the Zone Code/Subdivision Regulations to be amended with text to be changed noted and marked
- ___ Letter briefly describing, explaining, and justifying the request
- ___ Fee (see schedule)
- ___ Any original and/or related file numbers are listed on the cover application

EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

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

ROBERT E. Romero for DAC NG
Applicant name (print)
mb [signature]
Applicant signature / date 11/5/03



Form revised 9/02, 3/03, 7/03

- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

Application case numbers	
D3EPC-	-01911
-	-
-	-

B. Baker 11/4/03
Planner signature / date
Project # 1000522

FORM P(1): SITE PLAN REVIEW – E.P.C. PUBLIC HEARING

- SITE DEVELOPMENT PLAN FOR SUBDIVISION**
- IP MASTER DEVELOPMENT PLAN**

- Scaled site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **30** copies for EPC public hearings. For IP master development plans, include general building and parking locations, and design requirements for buildings, landscaping, lighting, and signage.
- Site plans and related drawings reduced to 8.5" x 11" format
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing, explaining, and justifying the request
- Letter of authorization from the property owner if application is submitted by an agent
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Completed Site Plan for Subdivision and/or Building Permit Checklist
- Sign Posting Agreement
- 2 copies of the Conceptual Utility Layout Plan (mark one for Planning, one for Utility Development)
- TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form with required signatures
- Fee (see schedule)
- Any original and/or related file numbers are listed on the cover application

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT
 EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

- SITE DEVELOPMENT PLAN and/or WAIVER OF STANDARDS FOR WIRELESS TELECOM FACILITY**

- Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **30** copies for EPC public hearings.
- Site Plan for Subdivision, if applicable, previously approved or simultaneously submitted. (Folded to fit into an 8.5" by 14" pocket.) **30** copies for EPC public hearings.
- Site plans and related drawings reduced to 8.5" x 11" format
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing, explaining, and justifying the request
- Letter of authorization from the property owner if application is submitted by an agent
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- Completed Site Plan for Subdivision and/or Building Permit Checklist
- 2 copies of the Conceptual Utility Layout Plan (mark one for Planning, one for Utility Development)
- TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form with required signatures
- Fee (see schedule) 255
- Any original and/or related file numbers are listed on the cover application

NOTE: For wireless telecom facilities (administrative reviews that have been referred to the EPC, or requests for waivers of requirements) the following materials are required in addition to those listed above for application submittal:

- Collocation evidence as described in Zoning Code §14-16-3-17(A)(5)
- Notarized statement declaring # of antennas accommodated. Refer to §14-16-3-17(A)(10)(d)2
- Letter of intent regarding shared use. Refer to §14-16-3-17(A)(10)(e)
- Letter of description as above also addressing concealment issues, if relevant. Refer to §14-16-3-17(A)(12)(a)
- Distance to nearest existing free standing tower and its owner's name if the proposed facility is also a free standing tower
- Registered Engineer's stamp on the Site Development Plans
- Office of Community & Neighborhood Coordination inquiry response as above **based on ¼ mile radius**

EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

- AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION**
- AMENDED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT**

- Proposed amended Site Plan (folded to fit into an 8.5" by 14" pocket) **30** copies for EPC public hearings
- DRB signed Site Plan being amended (folded to fit into an 8.5" by 14" pocket) **30** copies for EPC public hearings
- DRB signed Site Plan for Subdivision, if applicable (required when amending SDP for Building Permit) **30** copies for EPC public hearings
- Site plans and related drawings reduced to 8.5" x 11" format
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing, explaining, and justifying the request
- Letter of authorization from the property owner if application is submitted by an agent
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- Completed Site Plan for Building Permit Checklist (not required for amendment of SDP for Subdivision)
- TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form with required signatures
- Fee (see schedule)
- Any original and/or related file numbers are listed on the cover application

EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

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

ROBERT E. ROMERO for DAC INC
 Applicant name (print)
[Signature] 11/5/03
 Applicant signature / date



- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

Application case numbers
 03EPC - 01912

Form revised May 2003

[Signature] 11/4/03
 Planner signature / date
 Project # K00522

FAX TRANSMITTAL

City of Albuquerque Planning Department
Development Review Division
924-3860 / 924-3339 FAX

rev: 6/2003 x:\share\epc\stuff\siteplan\NewFaxlist

PAGE 1 of 5

DATE: 11-7-03

TO: DAC Enterprises FAX #: 247-4530

FROM: Planning Juanita Contact Phone #: 924-3349

RE: **Site Development Plan for Building Permit Deficiencies**

Project Description: Jimmy Davis

EPC Project #: 1000522 EPC Case #: 03EPC 11911, 12

Upon review, our office has determined that there are deficiencies with your Site Development Plan for Building Permit, submitted for EPC approval. The extent and/or nature of these deficiencies:

Allow for provisional distribution to other agencies and City Departments; eleven (11) copies of a complete site plan that clearly addresses all Site Development Plan for Building Permit Checklist items must be submitted to the Planning Department (staff planner) by _____.

Warrant rejection of this site plan submittal: Deficiencies prevent a complete and meaningful review of the plan(s). Consequently, this request will not be scheduled for the EPC hearing on Dec 18, 2003; resubmittal of a complete site plan that addresses all Site Development Plan for Building Permit Checklist items is necessary to be scheduled for a future EPC hearing.

DEFICIENCIES:

Noted on attached check list - everything check marked needs to be ~~submitted~~ submitted.

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 \$3.50 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 Dec. 03, '03 To Dec 18th 03

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.

M. J. Penas, DAC, IAC Nov 5, 2003
(Applicant or Agent) (Date)

I issued 1 signs for this application, 1/4/03 Brewer
(Date) (Staff Member)

DRB PROJECT NUMBER: 1000522
03EPC-01911 & 01912

ONE STOP SHOP ••• FRONT COUNTER
City of Albuquerque • Planning Department

DEVELOPMENT & BUILDING SERVICES (D&B Svcs)
LAND DEVELOPMENT COORDINATION SECTION (LDC)
Plaza Del Sol - 2nd & 4th Floor West - 600 2nd St NW 87102
Front Counter Main Number (505) 924-3858 or 924-3895
Main Fax (505) 924-3864

PAID RECEIPT

APPLICANT NAME

JIMMIE W. DAVIS

AGENT

DAC ENT.

ADDRESS

P.O. Box 16658 87191

PROJECT NO.

1000522

APPLICATION NO.

03EPL-01911
01912

- \$ 441006 / 4983000 (DRB Cases)
- \$ 605 441006 / 4971000 (EPC & AA / LUCC / Appeals)
- \$ 75 441018 / 4971000 (Notification)

\$ 680⁰⁰ Total amount due

DOUG OR ANN CRANDALL
DBA DAC ENTERPRISES, INC.
9520 MACALLAN RD NE
ALBUQUERQUE, NM 87109
505-294-5243

Date NOV 5, 2003 95-8367/3070 01

Pay to the Order of City of Albuquerque \$ 680.⁰⁰

Six hundred eighty and no/100 Dollars

*** DUPLICATE ***

City of Albuquerque
P.O. Box 25516
Albuquerque, NM 87125

Treasurer's Division

J. Davis (MA)

0016963398 6003

11/05/2003

11/05/2003
RECEIPT# 0006257
Account 44106
Activity 497
Trans AM
J24 Misc

RECEIPT# 00016253
Account 441018
Activity 4971000
Trans AM
J24 Misc

10/28/02