CITY OF ALBUQUERQUE
DEVELOPMENT SERVICES DIVISION
P.O. BOX 1293, ALBUQUERQUE, NM 87103

KOAT-TV
3801 Carlisle Blvd. NE
Albuq. NM 87107

April 16, 2001

CERTIFICATION OF ZONING

FILE: 00110 00000 00888 (Project #1000643)
DATE OF FINAL ACTION: August 17, 2000
LEGAL DESCRIPTION: for Lot A-1, Block 1, Montgomery Heights, located on Carlisle and Comanche NE, between Montgomery and Comanche, containing approximately 3.6 acres. (G-16) Debbie Stover, Staff Planner

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

FROM C-1 TO SU-1 FOR TV STATION SATELLITE DISHES, RELATED FACILITIES AND A HELIPAD AND SIGNAGE RESTRICTIONS

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of the zoning is secured. Approval of this case does not constitute approval of plans for a building permit. You should take two copies of your plans to the Building & Inspection Division of the City to initiate a building permit.

Sincerely,

Russell Brito

for Robert McCabe
Planning Director

RM/ac
cc: Zoning
Neal Weinberg/AGIS

Notice of Decision
City Council
City of Albuquerque
November 7, 2000

AC-00-24, Rebecca Steele, Agent for First Unitarian Church – Appeals the Environmental Planning Commission's Approval of a Zone Map Amendment and Approval of a Site Development Plan for Building Permit for approximately 3.6 acres located on Lot A-1, Block 1, Montgomery Heights on the northwest corner of Carlisle and Comanche NE.

Decision

On October 25, 2000, by a vote of 3 FOR and 0 AGAINST, the Land Use, Planning and Zoning Committee of the City Council voted to recommend that Appeal No. AC-00-24 not be heard by the full Council.

Yes: 3
Excused: Hundley, Payne

On November 6, 2000, the City Council voted, by a vote of 9 FOR and 0 AGAINST, to accept the Land Use, Planning and Zoning Committee's recommendation that Appeal No. AC-00-24 not be heard by the full Council.

IT IS THEREFORE ORDERED THAT THE ZONE MAP AMENDMENT AND SITE DEVELOPMENT PLAN FOR BUILDING PERMIT ARE APPROVED.

Adopted Findings

On October 25, 2000, by a vote of 3 FOR 0 AGAINST, the Land Use, Planning and Zoning Committee of the City Council voted to adopt the following findings in support of its decision that the appeal not be heard by the full Council:

1. The City and the applicant followed the required notification procedures for the zone map amendment, and the City sent a notice to the First Unitarian Church regarding the Environmental Planning Commission's hearing on the on the zone map amendment.
2. The appellant did not appear before the EPC during the hearing on the zone map amendment and site development plan approval. The appellant did not enter any verbal or written objection to the application in the EPC's record.
3. The record indicates that the EPC considered the effect of noise from the helicopter on the neighborhood, and the record supports the EPC's finding that the noise generated by the KOAT helicopter did not violate the existing, or the proposed, noise ordinance.
4. The record lacks evidence to support a finding that the site development plan approval or the zone map amendment will cause a risk of harm to the children in the daycare center located in the church.
5. The Environmental Planning Commission properly applied adopted City plans, policies, and ordinances in arriving at its decisions to amend the zone map from C-1 to SU-1, and to approve the site development plan.
6. There was no error in the Environmental Planning Commission's decisions, including the stated facts.
7. The Environmental Planning Commission did not act arbitrarily or capriciously, nor did it manifestly abuse its discretion in arriving at its decisions.

Yes: 3
Excused: Hundley, Payne

Attachments

1. Action Summary from November 6, 2000 City Council Meeting
2. October 25, 2000 Land Use, Planning and Zoning Committee Report
3. October 25, 2000 Staff Report

Appeal of Final Decision

A person aggrieved by this decision may appeal the decision to the Second Judicial District Court by filing in the Court a notice of appeal within thirty (30) days from the date this decision is filed with the City Clerk.

Michael Brasher, President
City Council

Date: 11/13/00

Received by: _____
City Clerk's Office

Date: 11-14-00

Dac00-24.kmb

LAND USE, PLANNING, AND ZONING COMMITTEE
Of THE
CITY COUNCIL

October 25, 2000

LAND USE, PLANNING, AND ZONING COMMITTEE REPORT ON:

AC-00-24, Rebecca Steele, Agent for First Unitarian Church Appeals the EPC's Approval of a Zone Map Amendment and Approval of Site Development Plan for Building Permit for approximately 3.6 acres located on Lot A-1, Block 1, Montgomery Heights on the northwest corner of Carlisle and Comanche NE, between Montgomery and Comanche.

MEMBERS PRESENT:

Hess Yntema
Alan Armijo
Brad Winter

MEMBERS EXCUSED:

Greg Payne
Adele Baca-Hundley

OTHERS PRESENT:
John Salazar, Rodey Law Firm
Christine Robinson, Appellant
David Suffling, City Attorney
Susan Johnson, Environmental Planning Commission
Deborah Stover, City Planning Department
Laura Mason, Senior Policy Analyst
Karen Baca-Moya, Senior Administrative Assistant

Councillor Yntema swore in all interested parties concerning AC-00-24. Councillor Yntema stated that AC-00-24 appeals the Environmental Planning Commission's approval of a zone map amendment and approval of a Site Development Plan for building permit approximately 3.6 acres, located on Lot A-1, BLock 1, Montgomery Heights on the northwest corner of Carlisle and Comanche NE, between Montgomery and Comanche.

Christine Robinson stated that there was a misunderstanding as to when the appeal was heard by the Environmental Planning Commission. She stated that the First Unitarian Church has a very neighborly relationship with KOAT and intends to continue. She stated that KOAT has agreed not to fly over the playground during school times. Ms. Robinson stated that the basic issue is not with KOAT, but the Environmental Planning Commission. When the Environmental Planning Commission changed KOAT zoning classification to SU-1allowing them to continue flying their helicopter in the neighborhood. That was not operating within the spirit of Bill No. 73 which passed. Ms. Robinson stated that Bill No. 73 was passed because the City Council believed that growth and density requires changing concerns, and that a growing City like Albuquerque needs to take care that the growing are taken into account. Ms. Robinson stated that the ordinance recognizes the helicopters are annoyances and hazardous to the neighborhoods and should only be allowed to be in situations where they do not degrade the quality of life of the neighborhood.

John Salazar requested that AC-00-24 be dismissed. The First Unitarian Church received notice of the hearing for a zone change request and chose not to appear. Mr. Salazar stated that there was letter notice, posted notice, published notice, and a neighborhood news letter. The First Unitarian Church wants to present a case tonight to the Land Use, Planning & Zoning Committee with new evidence when they were not a party to the preceding before the Environmental Planning Commission. Mr. Salazar stated that the appeal does not comply with the City Zone Code requirements for an appeal. The code requires that the appellant specifically site and explain one or more errors in applying adopted city, plans, policies, and ordinances and arriving at the decision in the appealed action or decision in stated facts, or that the Environmental Planning Commission acted arbitrarily or capriciously or it manifestly abused its discretion. He stated that there was no statement that any of these standards were done improperly. Mr. Salazar stated that AC-00-24 should

be dismissed on the merits that the appeal is not well taken. He stated that he had two letters he would like submitted as new evidence.

Councillor Winter asked if a person can file an appeal who was not present at the Environmental Planning Commission. David Suffling responded that he does not see anything in the zone code stating you have to appeal at the Environmental Planning Commission in order to appeal later. Mr. Suffling stated that the zone code does address the question of cases before the Zone Hearing Examiner. It states if a person could have been a party they can appeal, as long as they speak to the record that was made.

Councillor Armijo agreed with Councillor Winter that this appeal should not be heard based on the record. Councillor Yntema stated that the appeal will continue and both parties will make their arguments.

Susan Johnson stated that the Environmental Planning Commission granted approval of a zone change and a site development plan for KOAT TV to allow a helipad for its new helicopter landings and take-offs. Ms. Johnson stated that KOAT TV clearly satisfied the letter of intent. Ms. Johnson stated that the Environmental Planning Commission did not make and error in applying adopted city plans, and policies, nor did the Environmental Planning Commission make any error in making a decision in stated facts, or acted arbitrarily or capriciously.

Deborah Stover stated that Planning Department, and the Environmental Planning Commission recommended approval. Ms. Stover stated that the question of notification, the First Unitarian Church was notified by mail, sign posted, published in the Albuquerque Journal. Ms. Stover stated that KOAT TV has met all the requirements suggested.

Christine Robinson stated that based on the record the First Unitarian Church felt they were arguing from the fact that the rules of the City Council passing Bill No. O-73 was not being applied in the neighborhood.

Councillor Yntema moved that the Committee accept the new evidence (letter from La Puerta de los Ninos) - [Exhibit 1-in permanent file]. Seconded. The motion carried by a vote of 3 FOR AND 0 AGAINST.

For: 3 - Council Members: Yntema, Armijo and Winter
Against: 0
Excused: 2 - Council Members: Payne and Hundley

Councillor Yntema moved that the Committee accept the new evidence (letter from KOAT) - [Exhibit 2-in permanent file]. Seconded. The motion carried by a vote of 3 FOR AND 0 AGAINST.

For: 3 - Council Members: Yntema, Armijo and Winter
Against: 0
Excused: 2 - Council Members: Payne and Hundley

Councillor Armijo moved that the Committee recommend that AC-00-24 be Sent to Council with a recommendation of Not Be Heard. Seconded. The motion carried by a vote of 3 FOR AND 0 AGAINST.

For: 3 - Council Members: Yntema, Armijo and Winter
Against: 0
Excused: 2 - Council Members: Payne and Hundley

Councillor Armijo moved the following Findings:

1. The City and the applicant followed the required notification procedures for the zone map amendment, and the City sent a notice to the First Unitarian Church regarding the Environmental Planning Commission's hearing on the on the zone map amendment.
2. The appellant did not appear before the EPC during the hearing on the zone map amendment and site development plan approval. The appellant did not enter any verbal or written objection to the application in the record.
3. The record indicates that the EPC considered the effect of noise from the helicopter on the neighborhood, and the record supports the EPC's finding that the noise generated by the KOAT helicopter did not violate the existing or the proposed noise ordinance.

4. The record lacks evidence to support a finding that the site development plan approval or the zone map amendment will cause a risk of harm to the children in the daycare center located in the church.
5. The Environmental Planning Commission properly applied adopted City plans, policies, and ordinances in arriving at its decisions to amend the zone map from C-1 to SU-1, and to approve the site development plan.
6. There was no error in the Environmental Planning Commission's decisions, including its stated facts.
7. The Environmental Planning Commission did not act arbitrarily or capriciously, nor did it manifestly abuse its discretion in arriving at its decisions.

Councillor Armijo moved that the Committee recommend that AC-00-24 be Sent to Council with Findings. Seconded. The motion carried by a vote of 3 FOR AND 0 AGAINST.

For: 3 - Council Members: Yntema, Armijo and Winter
Against: 0
Excused: 2 - Council Members: Payne and Hundley

City of Albuquerque
CITY COUNCIL
November 3, 2000

Albuquerque Bernalillo
County
Government Center
One Civic Plaza
Albuquerque, NM
87102

INTER-OFFICE CORRESPONDENCE

TO: **All Councillors**

FROM: **Mark Sanchez, Director of Council Services**

SUBJECT: **COMMUNICATIONS AND INTRODUCTIONS FOR THE COUNCIL MEETING OF NOVEMBER 6, 2000**

COMMUNICATIONS

EC-188, Lease Agreement with the Simon Property Group for Space at the Cottonwood Mall Occupied by an APD Mini Sub Station

Referred to the Finance & Government Operations Committee

EC-189, Purchasing Activity Report for 4/1/00 through 6/30/00

Referred to the Finance & Government Operations Committee

EC-190, Mayor's Recommendation of Claudio Vigil Architects for Renovation and Conversion of the Esperanza Family Learning Center

Placed On Next Council Agenda

EC-191, Mayor's Recommendation of Leedshill-Herkenhoff, Inc. for City-Wide on-Call Engineering Services

Placed On Next Council Agenda

EC-192, Mayor's Appointment to the Joint Air Quality Control Board

Placed On Next Council Agenda

EC-193, Lease Agreement with Verizon Wireless for Antennae Facilities at the Albuquerque International Sunport

Referred to the Finance & Government Operations Committee

EC-194, Mayor's Reappointment to the Internal Audit Committee

Placed On Next Council Agenda

EC-195, Second Amendment to Multiple Service Operator Lease and Agreement, Double Eagle II General Aviation Reliever Airport, with Sin Nombre, Inc.

Referred to the Finance & Government Operations Committee

EC-196, Second Supplemental Lease Agreement with W&W Properties for East Gateway Senior Center

Placed On Next Council Agenda

EC-197, Cooperative Management Agreement with the National Park Service

Referred to the Land Use, Planning, and Zoning Committee

EC-198, Mayors Veto Message of O-55, Requiring Council Approval of all Social Services Contracts in Excess of $55,000.

Immediate Action Requested

EC-199, Mayor's Veto Message of R-140, Supporting the Right of M-Series White Collar Employees to Move Foward with Union Election as Ordered by the labor Board

Immediate Action Requested

EC-200, Mayor's Appointment/Reappointment to the Greater Albuquerque Recreational Trails Committee

Placed On Next Council Agenda

EC-201, Citynet Telecommunications License Agreement

Immediate Action Requested

[Replacement Legislation for EC-186]

EC-202, Preliminary Year-End Financial and Management Report FY/01

Referred to the Finance & Government Operations Committee

EC-203, Mayor's Appointment/Reappointment to the Albuquerque Arts Board

Placed On Next Council Agenda

EC-204, Proposed Settlement of City of Albuquerque v. Rio Grande Alameda Joint Venture; Condemnation of South 48 Acres of Anderson Fields

Immediate Action Requested

AC-00-27, Cummins Consultants, Agent for Yoshiro Akutagawa Appeals the EPC's Denial of a Zone Map Amendment from R-D to C-2; Located on Coors Boulevard NW Between Rambla Lane and Bosque Meadows.

Referred to the Land Use, Planning, and Zoning Committee

[Scheduled to be heard on November 15, 2000]

INTRODUCTIONS

Bill No. M-013, Encouraging the New Mexico Governor and State Legislature to Amend New Mexico Criminal Statutes to Limit Use of Electronic Tracking Devices (McEntee)

Placed On Next Council Agenda

Bill No. M-014, Urging the City Administration to Consider the Goal of the Veterans Association of Enhanced Use Lease in Order to Provide One-Stop Shopping for Veterans (Brasher)

Placed On Next Council Agenda

Bill No. O-070, Authorizing the Issuance and Sale of Taxable Golf Course/Gross Receipts Tax Revenue Bonds for the Purpose of Defraying the Cost of Bettering, Repairing, Improving, Constructing, Purchasing, Furnishing, Equipping and Rehabilitating Certain Public Golf Courses in the City of Albuquerque, New Mexico (Kline)

Referred to the Finance & Government Operations Committee

Bill No. O-071, Adopting the Lobbyist Registration Ordinance; Defining Terms; Requiring Registration; Establishing Penalties (Payne)

Referred to the Finance & Government Operations Committee

Bill No. R-145, Establishing City Policy for Information Technology and Providing Public Access to City Public Records (Yntema)

Referred to the Finance & Government Operations Committee

Bill No. R-146, Authorizing the Mayor to Execute a Contract Agreement with New Mexico Department of Children, Youth and Families; Providing an Appropriation to the Department of Family and Community Services/Office of Child Development, Temporary Assistance for Needy Families Program (TANF) (McEntee)

Referred to the Finance & Government Operations Committee

Bill No. R-147, Authorizing the Mayor to Execute a Contract Agreement with the New Mexico Department of Children, Youth and Families; Providing an Appropriation to the Department of Family and Community Services/Office of Child Development, Teen Residence Program (TPR) (Winter)

Referred to the Finance & Government Operations Committee

Bill No. R-148, Making an Appropriation to the Department of Family and Community Services to Continue the "Not Even One Project" to Prevent Youth Firearm Violence (Payne)

Placed On Next Council Agenda

Bill No. R-149, Declaring the Intent to Issue Industrial Development Revenue Bonds in Connection with a Proposed Project Located at 4200, 4240 and 4272 Balloon Park Road, N.E. and 4401 Alexander Boulevard, N.E., for the Purpose of Inducing SP Pharmaceuticals, L.L.C. to Develop, Construct and Equip the Project Site in the Manner Set Forth in the Plan (Griego, by request)

Referred to the Finance & Government Operations Committee

Bill No. R-150, Approving and Authorizing the Filing of the Attached Grant Application for Basic State Grant-In-Aid with the New Mexico State Library; Providing for an Appropriation to the Cultural Services Department for the Albuquerque Public Library (Yntema)

Placed On Next Council Agenda

Bill No. R-151, Declaring the City of Albuquerque an Immigrant-Friendly City; Establishing City of Albuquerque Policies Regarding the Status of Immigrants, and Particularly Regarding Employed Undocumented Immigrants and their Immediate Family Members; Establishing a City of Albuquerque Immigrant Resource Program; Providing an Appropriation (Yntema)

Referred to the Finance & Government Operations Committee

Bill No. R-152, Establishing City Policy that the Utility Expansion Charge Shall Reflect the Actual Cost of Providing Service Within the Specific Water Trunk and Zone And Sewer Subbasin (Yntema)

Referred to the Land Use, Planning, and Zoning Committee

Bill No. R-153, Urging the New Mexico State Legislature to Immediately Enact Legislation to Deter the Practice of Filing SLAPP Suits in Order to Protect and Encourage Full Citizen Participation in Government (Payne)

Placed On Next Council Agenda

Bill No. R-154, Establishing City Policy that City-Assisted Residential Construction Shall be Within the 1960 Urban Boundaries, in Redeveloping Areas, and Near Transit Services (Yntema)

Referred to the Land Use, Planning, and Zoning Committee

Bill No. R-155, Adjusting Fiscal Year 2000 Appropriations for Certain Programs to Provide for Actual Expenditures (McEntee, by request)

Referred to the Finance & Government Operations Committee

Bill No. R-156, Providing an Interim Jail Facility and Declaring an Emergency (Brasher)

Immediate Action Requested

City of Albuquerque
Action Summary

Albuquerque/Bernalillo County
Government Center
One Civic Plaza
Albuquerque, NM 87102

City Council

Council President Michael Brasher, District 9
Vice President Alan B. Armijo, District 1

Council Members Vincent E. Griego, District 2,
Adele Baca-Hundley, District 3, Brad Winter, District 4,
Tim Kline, District 5, Hess Yntema, District 6
Mike McEntee, District 7, Greg Payne, District 8

TTY Phone # - 768-2474
For Weekly Schedule of Meetings Call: 768-4777

Monday, November 06, 2000 **5:00 PM** **Council/Commission Chambers, One Civic Plaza, Albuquerque/Bernalillo County Government Center**

EC-176

Substance Abuse Treatment Professional and Technical Services Voucher Contracts; Providing Professional Counseling and Other Substance Abuse Treatment Services

Approved 9 - 0

For: 9 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, McEntee, Payne, Winter and Yntema
Against: 0

EC-184

Mayor's Reappointment to the City Labor-Management Relations Board

Confirmed 9 - 0

For: 9 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, McEntee, Payne, Winter and Yntema
Against: 0

Bill No. R-115

Adopting the Albuquerque On-Street Comprehensive Bike Plan as a Rank Two Facility Plan (Brasher)

Passed 9 - 0

For: 9 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, McEntee, Payne, Winter and Yntema
Against: 0

Bill No. R-117

Changing the Name of a One-Block Portion of Ladera Drive NW, to St. Joseph Drive NW for the Portion of Ladera Drive NW Between Coors Boulevard NW and Atrisco Drive NW (Armijo)

Passed 9 - 0

For: 9 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, McEntee, Payne, Winter and Yntema
Against: 0

Bill No. R-125

Approving a Grant Application to the United States Department of Housing and Urban Development for the Restoration, Planning and Design of The Albuquerque Little Theatre; Providing an Appropriation to the Department of Family and Community Services (Hundley)

Passed 9 - 0

For: 9 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, McEntee, Payne, Winter and Yntema
Against: 0

Bill No. R-126

Appropriating Funds to the Department of Family and Community Services for Housing Related Purposes (Kline)
Passed 9 - 0
For: 9 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, McEntee, Payne, Winter and Yntema
Against: 0

Bill No. R-139

Reaffirming the Albuquerque/Bernalillo County Comprehensive Plan as the Policy to Guide Land Use in the City and County (Armijo)
Postponed scheduled for November 20 6 - 3
For: 6 - Council Members: Brasher, Griego, McEntee, Payne, Winter and Yntema
Against: 3 - Council Members: Armijo, Hundley and Kline

EC-170

Lease Agreement with Qwest Wireless for Antennae Facilities at the Convention Center
Postponed scheduled for December 4 9 - 0
For: 9 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, McEntee, Payne, Winter and Yntema
Against: 0

EC-172

Reappointment to Labor-Management Relations Board
Approved 9 - 0
For: 9 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, McEntee, Payne, Winter and Yntema
Against: 0

EC-173

Lease Agreement with Qwest Wireless for Antennae Facilities at Los Altos Park
Postponed scheduled for December 4 9 - 0
For: 9 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, McEntee, Payne, Winter and Yntema
Against: 0

EC-174

Lease Agreement with Qwest Wireless for Antennae Facilities at the Albuquerque Sports Complex
Postponed scheduled for December 4 9 - 0
For: 9 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, McEntee, Payne, Winter and Yntema
Against: 0

EC-175

Mayor's Appointment to the Environmental Planning Commission
Approved 9 - 0
For: 9 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, McEntee, Payne, Winter and Yntema
Against: 0

EC-186

CityNet Telecommunications License Agreement
Withdrawn 9 - 0
For: 9 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, McEntee, Payne, Winter and Yntema
Against: 0

EC-201

Citynet Telecommunications License Agreement
Approved 9 - 0
For: 9 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, McEntee, Payne, Winter and Yntema
Against: 0

EC-204

Proposed Settlement of City of Albuquerque v. Rio Grande Alameda Joint Venture; Condemnation of South 48 Acres of Anderson Fields

Approved 9 - 0

For: 9 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, McEntee, Payne, Winter and Yntema
Against: 0

Bill No. O-036

Amending ROA 1994, to Provide Approval of Special Dispenser's Permits to Dispense Alcoholic Beverages on Property Owned by the City (Brasher)

Postponed scheduled for February 5 9 - 0

For: 9 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, McEntee, Payne, Winter and Yntema
Against: 0

Bill No. O-046

Relating to SAD No. 216; Ratifying the Proceedings Taken in Providing for Certain Street and Storm Drainage Improvements; Providing for the Payment of the Costs and Expenses of Such Improvements; Providing for a Penalty for Delinquent Payments; and Declaring an Emergency (Griego)

Postponed scheduled for December 4 8 - 1

For: 8 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, McEntee, Winter and Yntema
Against: 1 - Council Member: Payne

Bill No. O-054

Prohibiting the Use of Electronic Tracking Devices (Payne, by request)

Postponed scheduled for November 20 9 - 0

For: 9 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, McEntee, Payne, Winter and Yntema
Against: 0

Bill No. O-059

Annexing 0.56 Acres More or Less, Located on Solar Road NW Between 4th Street and Fairway Road; Amending the Zone Map to Establish R-1 Zoning (Griego, by request)

Passed 8 - 1

For: 8 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, McEntee, Winter and Yntema
Against: 1 - Council Member: Payne

Bill No. O-063

Relating to SAD No. 225; Providing For and Authorizing the City to Issue Bonds In the Form Of A SAD 225 Loan Agreement to Finance Certain Street Improvements and Storm Drainage Improvements; Declaring An Emergency (Armijo)

Substituted 9 - 0

For: 9 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, McEntee, Payne, Winter and Yntema
Against: 0

Bill No. O-063

Relating to SAD No. 225; Providing For and Authorizing the City to Issue Bonds In the Form Of A SAD 225 Loan Agreement to Finance Certain Street Improvements and Storm Drainage Improvements; Declaring An Emergency (Armijo)

Passed As Substituted 9 - 0

For: 9 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, McEntee, Payne, Winter and Yntema
Against: 0

Bill No. R-097

Relating to Special Assessment District No. 216; Confirming and Approving Assessment Roll for Such District (Griego)

Postponed scheduled for December 4 8 - 1

For: 8 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, McEntee, Winter and Yntema
Against: 1 - Council Member: Payne

Bill No. R-101

Directing Mayor to Utilize all Four Lanes of Traffic Capacity on Montaño Bridge (McEntee)

There was a FAILED MOTION that this matter be Passed

For: 2 - Council Members: Brasher and McEntee
Against: 7 - Council Members: Armijo, Griego, Hundley, Kline, Payne, Winter and Yntema

Bill No. R-104

Directing Mayor to Implement Requirements Outlined In Bill No. R-306, Enactment No. 103-1995; In the Montano River Crossing Independent Evaluation Report Concerning the Montano Bridge Crossing; Calling for an Evaluation of Montano east of 4th Street and of 2nd and 4th Street Intersections with Montano (Armijo)

Substituted 9 - 0

For: 9 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, McEntee, Payne, Winter and Yntema
Against: 0

Bill No. R-104

Directing Mayor to Implement Requirements Outlined In Bill No. R-306, Enactment No. 103-1995; In the Montano River Crossing Independent Evaluation Report Concerning the Montano Bridge Crossing; Calling for an Evaluation of Montano east of 4th Street and of 2nd and 4th Street Intersections with Montano (Armijo)

Passed As Substituted 8 - 1

For: 8 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, McEntee, Payne and Winter
Against: 1 - Council Member: Yntema

Bill No. R-129

Amending the Facility Plan: Electric Service Transmission and Subtransmission Facilities (1995-2005), Updating the Description of Proposed Electric Facility Projects (Hess Yntema, by request)

Passed 8 - 0 - 1

For: 8 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, McEntee, Winter and Yntema
Against: 0
Excused: 1 - Council Member: Payne

Bill No. R-130

Authorizing the Mayor to Execute a Contract Agreement with the New Mexico Youth Conservation Corps Commission; Providing an Appropriation to the Department of Family and Community Services (Brasher)

Postponed scheduled for November 20 5 - 4

For: 5 - Council Members: Brasher, McEntee, Payne, Winter and Yntema
Against: 4 - Council Members: Armijo, Griego, Hundley and Kline

Bill No. R-142

Amending the Adopted Capital Implementation Program of the City of Albuquerque by Approving a New Project; Providing an Appropriation (Griego)

Passed as Amended 9 - 0

For: 9 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, McEntee, Payne, Winter and Yntema
Against: 0

Bill No. R-144

Requiring the Development of a Central Intake Process to Produce Identification Cards for the Homeless (Kline)

Substituted 8 - 1

For: 8 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, Payne, Winter and Yntema
Against: 1 - Council Member: McEntee

Bill No. R-144

Requiring the Development of a Central Intake Process to Produce Identification Cards for the Homeless (Kline)
Referred to the Finance & Government Operations Committee 8 - 1
For: 8 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, Payne, Winter and Yntema
Against: 1 - Council Member: McEntee

Bill No. R-156

Providing an Interim Jail Facility and Declaring an Emergency (Brasher)
Received and Referred to the Finance & Government Operations Committee 8 - 0 - 1
For: 8 - Council Members: Armijo, Brasher, Hundley, Kline, McEntee, Payne, Winter and Yntema
Against: 0
Excused: 1 - Council Member: Griego

EC-198

Mayors Veto Message of O-55, Requiring Council Approval of all Social Services Contracts in Excess of $55,000.
There was a FAILED MOTION that this matter be Overridden
For: 5 - Council Members: Brasher, McEntee, Payne, Winter and Yntema
Against: 4 - Council Members: Armijo, Griego, Hundley and Kline

EC-199

Mayor's Veto Message of R-140, Supporting the Right of M-Series White Collar Employees to Move Foward with Union Election as Ordered by the labor Board
Overridden 9 - 0
For: 9 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, McEntee, Payne, Winter and Yntema
Against: 0

CITY OF ALBUQUERQUE
CITY COUNCIL

INTEROFFICE MEMORANDUM

TO: Hess Yntema, Chairman, Land Use, Planning and Zoning Committee

FROM: Laura Mason, Senior Policy Analyst LJM
Linda Stewart, Legislative Policy Analyst

SUBJECT: Staff Report for October 25 LUPZ Agenda

DATE: October 19, 2000

CC: LUPZ Committee Members, Mark Sanchez, Lou Colombo

Item No. 1 Bill No. O-059 Annexing 0.56 Acres More or Less, Located on Solar Road NW Between 4th Street and Fairway Road; Amending the Zone Map to Establish R-1 Zoning (Griego, by request) lls

Bill No. 0-59 is a request for annexation of .56 acres located on Solar Road, N. W. between 4th Street and Fairway Road and a request to amend the zone map to establish R-1 zoning. The applicant's request is to obtain City sewer services for the property which is located in the unincorporated area of the County and zoned R-1. The applicant is currently connected to City water. The property to the west is also in the County and zoned R-1, and to the east is City zoned/SU-1 R-1 uses. The most recent annexation is directly southwest of the subject property .

The EPC recommended approval at its hearing on May 18, 2000 and found that the request met all of the policies for annexation outlined in *Resolution 54, 1990*, and furthers the applicable goals and policies of the *Comprehensive Plan* and the *North Valley Area Plan.* EPC further found that the zoning request met the justification requirements in Resolution 270-1980 and is consistent with the established zoning and land use patterns in the area. The property has adequate infrastructure and will not require any extraordinary expenses by the City.

The Planning Department staff stated this annexation will have little fiscal impact on the City budget as other major infrastructure such as roads and drainage have been in place for some time.

Item No. 2 Bill No. O-065 Annexing 20 Acres More or Less, Located Eubank Boulevard SE, Between Gibson Boulevard and Kirtland Air Force Base; Amending the Zone Map to Establish IP Zoning (Yntema, by request) lls

Note: This annexation bill was introduced on October 2, so under state law, the County Commission has until November 2 to comment upon the annexation. The Commission will be considering this annexation at its October 24 meeting and will provide comments to the LUPZ Committee prior to the LUPZ meeting on October 25.

This bill proposes the annexation of 20 acres on Eubank SE adjacent to Kirtland Air Force Base. The proposed zoning is IP Industrial Park zoning. The EPC found that the proposed IP zoning will "further stabilize the land use in the area as an industrial, research and technology park," referring to Sandia Research Park. A Master Development Plan is required by the Zoning Code for IP zoning, and that plan, submitted by Dekker Perich Sabatini on behalf of the State Land Office, is in the record beginning on page 32. The fiscal impact analysis which precedes page 1 of the record states that "the annexation of this property will essentially cost the City nothing and the salaries earned will more than likely be used within the City." According to the testimony at the EPC, the State Land Office representative stated that Emcore is the applicant for a long term lease on the site.

The record supports the EPC's recommendation of approval of the annexation and the establishment of zoning. The requirements of the City's zone change and annexation resolutions have been met. The EPC's decision to approve the master development plan is final and does not require further action by the Council.

Comment: The state statute requires an annexation map and the City Clerk needs a map attached to each annexation ordinance to publish after adoption. No annexation map was attached to this ordinance, so the ordinance should be amended either at LUPZ or at full Council to include a map and a reference to the map in the bill.

Item No. 3 Bill No. R-129 Amending the Facility Plan: Electric Service Transmission and Subtransmission Facilities (1995-2005), Updating the Description of Proposed Electric Facility Projects (Hess Yntema, by request) lls

Bill No. R-129 is a request by PNM for a major amendment to the *Electric Facilities Plan*, which is a rank two plan adopted by the City and County in 1996. The Facilities Plan includes both the City of Albuquerque and the County of Bernalillo, and addresses policies for the system of Electric Transmission and Subtransmission Facilities in the City and County. The current version has been updated to address electro-magnetic fields, joint uses within utility rights-of-way, designs for corridor maintenance, and changes in the visual impact guidelines. It also contains undergrounding recommendations and definitions of major and minor changes that PNM is requesting.

The projects being added to the Electric Facility Projects list include capacity upgrades for several existing lines, installation of additional substations, construction of new lines, upgrades of substations, construction of new switching stations, and other projects. Below are some of the more notable projects included in the submittal: (1) New substation for BCDC on far west mesa; (2) New Roy substation for additional capacity to the Signetics substation and Sandia Pueblo; and (3) Additional Lomas and Downtown substation to accommodate downtown growth.

The EPC, the County Planning Commission, and the Extraterritorial Land Use Commission held a joint public hearing on this amendment to the Facility Plan on July 25, 2000 and unanimously recommended approval. The Commissions also found there was a need for the periodic update of the *Electric Facility Plan*, that the amendment furthers the goals and policies of the *Comprehensive Plan*, the *Facility Plan: Electric Service Transmission and Subtransmission Facilities (1995 – 2005)*, and

Resolution 91-1998 as these amendments contain projects intended to meet the energy needs of the growing and redeveloping metropolitan area.

The Planning Department received no adverse comments from City Departments or correspondence from any interested parties. There is no measurable fiscal impact since no additional revenues or costs will be generated as a result of the approval of the amendment.

Questions:

1. Will the proposed new projects have any impact on the occasional brown outs?
2. What is in the plan for undergrounding?

Item No. 4 Bill No. R-141 Designating the Los Candelarias Village Center Metropolitan Redevelopment Area; Authorizing and Directing the Metropolitan Redevelopment Agency to Issue a Request for Proposals for the Prepare a Plan for the New Metropolitan Redevelopment Area (Griego)

This bill proposes to create a metropolitan redevelopment are (pursuant to state statute) for the Los Candelarias area which is in the vicinity of 12th Street and Candelaria NW (see page 3 of the Designation Report). In order to be designated as an MR area, the area must be a found to contain blighted conditions. The designated area includes approximately 26 acres and contains 27 parcels including a strip shopping center with fragmented ownership. The designated area only contains 6 residences, 3 of which are in a neglected and dangerous condition. The area is predominantly made up of retail and office uses.

The designation study found that though there are some new and well maintained businesses in the area, there are several vacant businesses which have encouraged blighted conditions in the area. The report found that 6 acres within the designated area are vacant parcels on which trash, weed and litter are accumulating, and that the remaining parcels are underutilized. The report found that the economic conditions in the area appear to be flat or declining. If the designation receives Council approval, the area will be the focus of a metropolitan redevelopment plan that will be designed to do away with the blighted conditions and to recommend ways to stimulate redevelopment activities.

Item No. 5 Bill No. O-066 A Franchise Ordinance Granting McLeod USA Telecommunications Services, Inc. Municipal Authority to Rent, Use and Occupy Rights-Of-Way and Other Public Places; Fixing the Terms and Conditions Thereof (Griego) lls

Bill No. 0-66 grants a franchise to McLeod USA Telecommunications Services, Inc. for use of the City's rights-of-way to sell, furnish and distribute retail telecommunication services in the City. McLeod has been operating under the terms and conditions of its License Agreement for the construction of the majority of its network since January 14, 2000. The term of the franchise is for five years, and the municipal authority fee is 3% of the annual gross revenue on telecommunications

services as defined in Section 13-4-10-2 ROA 1994. The 911 relay service and telephone devices for the deaf will not be considered gross revenues. The revenues are projected at $80,000 for the current year for local exchange services in the City limits, and $180,000 for next year.

The company has also agreed to furnish the City certain non-monetary consideration in the form of network capacity, conduit, equipment or other infrastructure or services up to a value of 12% of the municipal authority fee during the term on the franchise.

Comments: This franchise agreement appears to be within the guidelines of Section 13-4-10 ROA 1994 which spells out all governing details for telecommunications providers, and establishes rules governing the use of City rights-of-way.

Questions:

1. How many telecommunication service providers does the City currently have under franchise agreement?

2. Is there a point when additional providers are no longer advantageous to the City due to the disruption of installing infrastructure?

Item No. 6 Bill No. O-034 Amending ROA. 1994, The Noise Control Ordinance (Yntema) lls

The Environmental Health Department has drafted a Committee Substitute for Bill No. 0-34 based on their response to the testimony heard on this issue by the Committee. The Committee Substitute contains a multitude of changes to the original bill; however, only the more notable changes will be discussed.

The term "noise sensitive area" has been replaced with "noise sensitive property" and is now used throughout the ordinance in lieu of various types of other properties. Basically, this property is one that contains an "occupied school, hospital, religious institution, child-care facility, adult-care facility or residence."

The operation of sound amplifying equipment has been revised to say "no more than 5 dB above the ambient noise level when measured on any "noise-sensitive property" rather than "50 dB when measured on any other property." The sound equipment can at no time exceed the limits set forth in the new table (office/commercial is now 60 dB during the day and 55 dB at night). Outdoor sound amplifying equipment used for communication with employees or customers will still be subject to the ordinance if the sound is plainly audible at a distance of 25 or more feet. However, there is a phase-out schedule for these devices beginning with those systems that have been installed for more than 10 years (will have 6 months to comply), installed for 5-10 years (will have 1 year), and installed less than 5 years (will have 2 years to comply).

Except for emergency work, machinery, equipment, fans and air conditioners cannot exceed the Table 1 limits and cannot be operated within 500 feet of any "noise sensitive property" (except during an emergency) during the nighttime, between the hours of 7:00 a.m. and 9:00 am, or on a Saturday, Sunday or holiday. The same is true for construction of buildings and projects, excavation and grading and they have dB and time of use limitations. A Temporary Construction Noise Permit may be obtained subject to certain conditions.

The sound limit for motor vehicles now includes infractions on "minor arterials and collectors in residential areas," and "principal arterials and collectors in commercial and industrial areas" and will have a limit of 88 dB during the day and 80 dB during the night. There are changes regarding motorcycles that have specific requirements for certain years of manufacture which is relevant to the motorcycle's emission control system and exhaust system. Also, no motorcycle can have a sound level of 95 dB when measured 20 inches from the exhaust outlet.

Helicopter noise during takeoffs and landings at heliports are not to exceed any of the sound pressure level/time limits on any "noise-sensitive property." Finally, there is a new subsection that sets forth conditions for obtaining a Temporary Construction Noise Permit.

Comments: The Environmental Health Department's substitute bill does not contain solutions to all the problems that were brought up in testimony before the Committee; however, the bill does incorporate many of the citizens' recommendations. Apparently, the motorcycle dealers can live with the new requirements, and the restaurants will probably be happy with the sound speaker language. However, the auto dealers may be unhappy with the requirement to phase out their speaker systems. There is nothing in the Ordinance regarding barking dogs, and the fines remain unchanged.

Item No. 7 AC-00-03 Bill Chappell Jr., Chappell Law Firm, P.A., Agent for Tanoan Homeowners Association & Individual Landowners - Appeals the EPC's Decision to Approve a Minor Change to the Facility Plan: Electric Service Transmission and Subtransmission Facilities (1995-2005), The Masters at Tanoan, Zoned RD; Located on Eubank Blvd. NE Between Alexandria Road and Masters Drive NE.

This appeal was deferred in September because the parties stated that a settlement of the case was imminent and they needed additional time to work out the details of the agreement. The letter requesting that deferral suggested that the appeal would be withdrawn when the settlement was final. To date, the parties are still working on the details of the settlement and will report to the LUPZ Committee by the day of the meeting whether they will need to request another deferral or whether they are ready to dismiss the appeal.

Item No. 8 AC-00-24 Rebecca Steele, Agent for First Unitarian Church Appeals the EPC's Approval of a Zone Map Amendment and Approval of Site Development Plan for Building Permit for approximately 3.6 acres located on Lot A-1, Block 1, Montgomery Heights on the northwest corner of Carlisle and Comanche NE, between Montgomery and Comanche.

This is an appeal from the EPC regarding an approval of a zone change and a site development plan for KOAT TV to allow a helipad for its news helicopter landings and take-offs. KOAT's request for a zone change came about as a result of the ordinance passed by the Council in February, 2000. That ordinance amended the Zoning Code to clarify that all helipads (except law enforcement and medical) had to be located in an SU-1 zone. KOAT has been operating its news helicopter from its C-1

zoned location for approximately 20 years and wanted to keep the helipad at that site, so KOAT TV applied for a zone change and an approval of the site development plan that is required in conjunction with an SU-1 zone. The bulk of the record contains the application, including letters in support of the helipad at the subject location, noise studies, and documents justifying the zone change under City policies and ordinances. The transcript from the hearing indicates that three individuals spoke in opposition to the helipad at the subject site.

The Planning Department recommended, and the Environmental Planning Commission approved, the zone map amendment from C-1 to SU-1, and the site development plan was approved with twelve conditions. The Official Notification of Decision is on pages 156 through 160 of the record. KOAT TV agreed to make improvements to its site that were not all related to the helipad, and the EPC added some requirements to the site plan approval that will improve the landscaping and fencing on the site, and will provide for better pedestrian access, a shaded patio and bicycle facilities.

The appellant, First Unitarian Church, raised the following issues on appeal. (See the appellant's letter on page 3 of the record.) The appellant stated that it was not notified of the request for a zoning change. The appellant also stated that the church has 500 members and a "Monday through Friday" childcare center with approximately 70 children, and they are "heavily affected by the noise of the helicopter taking off and landing. The appellant also stated that "there is considerable risk to the children" (presumably from the helicopter landings and take-offs.)

Resolution 270-1980 (attached) applies to the zone map amendment. The passage of a new regulation does not always create "changed community conditions," however, in this case, Bill O-73 did create a "changed condition" that necessitated a zone change request because helipads are no longer allowed uses in any zone but an SU-1 zone. The EPC has wide discretion in its site plan approval authority. The SU-1 special use zone provisions from the Zoning Code are also attached.

The standard of appeal is as follows:

Standard of Appeal

The Council must determine if:

1. The EPC made an error in applying adopted city plans, policies, and ordinances in arriving at its decision;
2. There was an error in the EPC's decision including its stated facts; or
3. The EPC acted arbitrarily or capriciously or it manifestly abused its discretion.

If the Committee finds that the EPC erred in its decisions to amend the zoning on the subject site from C-1 to SU-1 and to approve the site development plan for building permit, or finds that the notification procedure was flawed, the Committee should move that the appeal BE HEARD by the full Council.

If the Committee finds that the EPC properly followed City plans, policies and ordinances and made no other errors in approving the zone change and site plan, the Committee may move that the appeal NOT BE HEARD by the full Council. The Committee must accompany that motion with findings in support of its decision.

Item No. 9 AC-00-25 Southwest Surveying, Agent for Keith MacDuffee Appeals the EPC's Denial of a Zone Map Amendment; The subject site is approximately .92 acres located on Lot 40, Block 6, Unit One, Casa Grande Estates, located on Candelaria between Tramway Blvd. and Matador Drive.

This is an appeal from the EPC. The Council made a decision involving the subject site in 1997 by denying an appeal of a zone change from C-1 to SU-1 for Townhouses. The Council's 1997 decision upheld the EPC's approval of the zone change. (The applicant who requested the zone change in 1997 is the same developer who is appealing the EPC decision at issue in this case.) Pursuant to the Zoning Code, if an SU-1 zone is approved without a site development plan, the site plan must be submitted within a certain time period after approval of the SU-1 zone. The Zoning Code further provides that if the "requirements prerequisite" are not met within six months "after the date final city approval is voted, the approval is void," though the Planning Director may extend the time limit up to an additional six months.

In this case, the applicant did not obtain approval of a site development plan for the SU-1 site within the required time period, so he reapplied for a zone change. In 1997, the EPC had approved SU-1 for Townhouses (9du's/ac). When the applicant reapplied to the City for a zone change, he applied for SU-1/RT (7 du's/ac). He also submitted a site development plan for subdivision.

The subject site is approximately one acre near the corner of Tramway and Candelaria NE. The site is subject to the Sandia Foothills Area Plan which imposes a requirement of 3 du/gross acre and a maximum of 12 du/net acre allowed for any individual parcel within the area. (It is unclear why this limit was not imposed in 1997, but the applicant met this requirement upon reapplication.)

The Planning Department recommended approval of the zone map amendment and site development plan, based in part upon the EPC's and Council's prior approval of the more dense 1997 application. However, the EPC unanimously denied the application this time. Two individuals appeared to speak in opposition to the zone change. One of those individuals raised the issue that the SU-1 zone required a minimum of 3 acres for residential development. That individual also stated that the applicant had cleared and graded the property, and built a retaining wall without a permit.

The EPC members appeared to be more concerned with the proposed site plan than the zone amendment, but were reluctant to approve the zone change without an acceptable site development plan. The EPC findings indicated that the EPC found that the zone change did not meet the goals and policies of the Comprehensive Plan nor did it meet the requirements of R-270-1980. The EPC found that the C-1 zone served as a transition zone between the neighborhood and Tramway Boulevard.

As with the appeal in the preceding item, Resolution 270-1980 (attached) applies to the zone map amendment, and the EPC has wide discretion in its site plan approval authority. The SU-1 special use zone provisions from the Zoning Code are also attached.

The standard of appeal is as follows:

Standard of Appeal

The Council must determine if:

1. The EPC made an error in applying adopted city plans, policies, and ordinances in arriving at its decision;

2. There was an error in the EPC's decision including its stated facts; or
3. The EPC acted arbitrarily or capriciously or it manifestly abused its discretion.

If the Committee finds that the EPC erred in denying the zone map amendment, the Committee should move that the appeal BE HEARD by the full Council. If the Committee determines that the EPC made the proper decision to deny the zone change, the Committee may move that the appeal NOT BE HEARD by the full Council and must adopt findings supported by the record to reflect that decision.

Item No. 10 AC-00-26 Hank Thierry Appeals the EPC's Approval of Site Development Plan for Building Permit; Located on Balloon Museum Drive north of Alameda Boulevard and south of AMAFCA Channel. Bob Paulsen, Staff Planner

This is an appeal from the EPC. The EPC approved an amendment to the Balloon Fiesta Master Development Plan for a site development plan for subdivision (for 358 acres), and a site development plan for building permit for an 18 acre site within the Balloon Fiesta Park . The latter was necessary to develop two proposed museums on the site. The original Master Development Plan was approved by the EPC in June, 1998. The amendments approved by the EPC after several long hearings were to reconfigure the siting of the two museums, the tethered balloon, and the lake. The approved amendment also included the removal of 3 community ball fields from the area adjacent to the revised siting of the museums. The EPC approved the amendment and based its decision on 15 findings and 8 conditions. The EPC's Official Notification of Decision is in the record on pages 252 through 261. There are additional findings and conditions for the two decisions involving the site development plans.

The two museums on the site plan for building permit are proposed as the Anderson-Abruzzo International Balloon Museum and the National Museum of Nuclear Science and History. The EPC heard a great deal of testimony (see the supplement packet for AC-00-26) on the appropriateness of locating the Nuclear Science Museum at the Balloon Park.

The grounds for the appeal are set forth in appellant's letter on page 2 of the record. The appellant, Hank Thierry, is a City resident, a board member of the Alameda North Valley Association, for which he serves as the Zoning Board Chairman. He appeared and testified before the EPC on this matter. Mr. Thierry is appealing the amendment to the master development plan and the site development plan for building permit. The basis for his appeal are generally summarized as follows:

1. He received the EPC's Official Notification of Decision 11 days after the decision was issued, leaving only 4 days to file an appeal. He did not have enough time to draft specific comments on the many findings and conditions of the EPC's decision.
2. The provisions of the North Valley Area Plan and the Comprehensive Plan are being ignored or need to be clarified.
3. The findings and conditions need to be strengthened and clarified, and other findings and conditions need to be added.
4. Reasonable requests by the most directly affected communities were not taken into account by the EPC.
5. There were possible conflicts of interest.

The Planning Department pointed out in its transmittal memorandum that the appeal as set forth in the record does not meet the requirement of specificity. The Zoning Code requires that "applications for an appeal shall clearly articulate the reasons for the appeal" and that "appellants shall specifically cite and explain one or more alleged errors." The standard of appeal is the same as in all appeals:

Standard of Appeal

The Council must determine if:

1. The EPC made an error in applying adopted city plans, policies, and ordinances in arriving at its decision;
2. There was an error in the EPC's decision including its stated facts; or
3. The EPC acted arbitrarily or capriciously or it manifestly abused its discretion.

The EPC has discretion in approving and placing conditions upon master plans and site development plans. The EPC made a finding in its decision to approve the site plan for building permit that "the lease agreement between the City and National Museum of Nuclear Science and History is under evaluation by the City Council. The Finance Committee deferred action on this lease for 60 days in late June." (Finding 10.)

If the Committee finds that the EPC properly approved the master plan amendment and the site plan for building permit, the Committee may move that the appeal NOT BE HEARD, and must adopt findings that support that decision.

If the Committee finds that the EPC erred in its approvals of the master plan amendment and the site plan for building permit, the Committee should move that the appeal BE HEARD by the full Council.

RESOLUTION 270 - 1980

ADOPTING POLICIES FOR ZONE MAP CHANGE APPLICATIONS AND APPEALS OF ENVIRONMENTAL PLANNING COMMISSION DECISION; SUPERSEDING CITY COUNCIL RESOLUTION 217-1975 AND 182-1978 RELATING ZONE CHANGE APPLICATION AND APPEALS.

WHEREAS, the usefulness of the Comprehensive City Zoning Code in implementing the City's Comprehensive Plan and promoting health, safety, morals, and general welfare is enhanced by a reasonable flexibility in order to deal reasonably with changes in the physical, economic, and sociological aspects of the city; and

WHEREAS, certain general policies for consideration of zone map changes and other zoning regulation changes should be recognized as determinative.

BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:

Section 1. · The following policies for deciding zone map change applications pursuant to the Comprehensive City Zoning Code are hereby adopted:

A. A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the City.

B. Stability of land use and zoning is desirable; therefore, the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, , not on the City to show why the change should not be made.

C. A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other City master plans and amendments thereto including privately developed area plans which have been adopted by the City.

D. The applicant must demonstrate that the existing zoning is inappropriate because;

(1) there was an error when the existing zone map pattern was created, or

(2) changed neighborhood or community conditions justify the change, or

(3) a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan, even though (1) or (2) above do not apply.

E. A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood or the community.

F. A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the City may be;

(1) denied due to lack of capital funds, or

(2) granted with the implicit understanding that the City is not bound to provide the capital improvements on any special schedule.

G. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

H. Location on a collector or major street is not in itself sufficient justification of apartments, office, or commercial zoning.

I. A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when;

(1) the change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan, or

(2) the area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, on special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

J. A zone change request which would give a zone different from surrounding zoning to a strip of land along a street is generally called "strip zoning." Strip commercial zoning will be approved only where:

(1) the change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan, and

(2) the area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

ection 2. City Council Resolution 217-1975 and 182-1978 adopting policies for zone map change applications and appeals of (the) Environmental Planning commission are hereby superseded.

Bill No. O-066 A Franchise Ordinance Granting McLeodUSA Telecommunications Services, Inc. Municipal Authority to Rent, Use and Occupy Rights-Of-Way and Other Public Places; Fixing the Terms and Conditions Thereof (Griego)

Councillor Yntema moved that this matter be Accepted with a Recommendation Do Pass. Seconded. The motion carried by the following vote:

For: 9 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, McEntee, Payne, Winter and Yntema
Against: 0

Councillor Yntema moved moved that the Committee Reports (Exhibits 10 - 13) be accepted. Seconded. The motion carried by the following vote:

For: 9 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, McEntee, Payne, Winter and Yntema
Against: 0

AC-00-24 Rebecca Steele, Agent for First Unitarian Church Appeals the EPC's Approval of a Zone Map Amendment and Approval of Site Development Plan for Building Permit for approximately 3.6 acres located on Lot A-1, Block 1, Montgomery Heights on the northwest corner of Carlisle and Comanche NE, between Montgomery and Comanche.

Councillor Yntema moved that this matter be Accepted with a recommendation Not Be Heard. Seconded. The motion carried by the following vote:

For: 9 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, McEntee, Payne, Winter and Yntema
Against: 0

Councillor Yntema moved make motion to accept Committee Report (Exhibit 14). Seconded. The motion carried by the following vote:

For: 9 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, McEntee, Payne, Winter and Yntema
Against: 0

AC-00-25 Southwest Surveying, Agent for Keith MacDuffee Appeals the EPC's Denial of a Zone Map Amendment; The subject site is approximately .92 acres located on Lot 40, Block 6, Unit One, Casa Grande Estates, located on Candelaria between Tramway Blvd. and Matador Drive.

Councillor Yntema moved that this matter be Accepted with a recommendation Be Heard. Seconded. The motion carried by the following vote:

For: 9 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, McEntee, Payne, Winter and Yntema
Against: 0

Councillor Yntema moved make motion to accept Committee Report (Exhibit 15). Seconded. The motion carried by the following vote:

For: 9 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, McEntee, Payne, Winter and Yntema
Against: 0

AC-00-26 Hank Thierry Appeals the EPC's Approval of Site Development Plan for Building Permit located on Balloon Museum Drive north of Alameda Boulevard and south of AMAFCA Channel. Bob Paulsen, Staff Planner.

Councillor Yntema moved that this matter be Accepted with a recommendation Be Withdrawn. Seconded. The motion carried by the following vote:

For: 9 - Council Members: Armijo, Brasher, Griego, Hundley, Kline, McEntee, Payne, Winter and Yntema
Against: 0

file.

City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

NOTICE OF HEARING

October 11, 2000

First Unitarian Church
3701 Carlisle NE
Albuquerque, NM 87110

AC-00-24 (00218-00000-01245/00110-00000-00888/00110-00000-00889/Project #1000643) Rebecca Steele, Agent for First Unitarian Church Appeals the EPC's Approval of a Zone Map Amendment and Approval of Site Development Plan for Building Permit for approximately 3.6 acres located on Lot A-1, Block 1, Montgomery Heights on the northwest corner of Carlisle and Comanche NE, between Montgomery and Comanche. Deborah Stover, Staff Planner.

The above appealed case will be heard by the Land Use, Planning and Zoning Committee (LUPZ) on **Wednesday, October 25, 2000.** The hearing begins at 5:00 p.m. and will be held in the Council/Committee Room, 9th Floor, City/County Government Center, One Civic Plaza, NW.

Please note that any information submitted after the final EPC hearing (other than the appeal application) is NOT part of the EPC record and is therefore not included in the attached packet. Submittal of new information should be directed to the Council Services Office, c/o Karen Baca, 1 Civic Plaza NW, Albuquerque, NM 87102.

If you have any questions or if I can be of further assistance, you can contact me at (505) 924-3889.

Sincerely,

Crystal Peña

Crystal Peña
Board Secretary

cc: Rebecca Steele, Facilities Manager, First Unitarian Church, 3701 Carlisle NE, Albuquerque, NM 87110
KOAT-TV, 3801 Carlisle Blvd. NE, Albuq. NM 87107
Rodey, Dickason, Sloan, Akin & Robb, PA, P.O. Box 1888, Albuq. NM 87103-1888
H. Diane Snyder, Hodgin Neigh. Assoc., 4012 Delamar Ave. NE, Albuq. NM 87110
Eddy Jacobs, Hodgin Neigh. Assoc., 4920 Hilton NE, Albuq. NM 87110
Rick Cooper, Alta Monte Neigh. Assoc., 10327 Connemera Ave. SW, Albuq. NM 87121
Perla Webb, Alta Monte Neigh. Assoc., 8 Plains View Ln., Edgewood NM, Albuq. NM 87015

THE CITY OF ALBUQUERQUE IS AN EQUAL OPPORTUNITY/REASONABLE ACCOMMODATION EMPLOYER

Bob Swartwood, Montgomery Heights Neigh. Assoc., 3517 Hendrix Rd. NE, Albuq. NM 87107
Karen Schueler, Montgomery Heights Neigh. Assoc., 3504 Delamar NE, Albuq. NM 87107
Michael Carson, 400 Roma NW, Albuq. NM 87102
Sheryl Paloni, 400 Roma NW, Albuq. NM 87102
Karen Schueler, 3504 Delamar NE, Albuq. NM 87107
Curtis Chambers, CSP, 2704 Wooded Acres Dr., Arlington Tx. 76016
James Fanning, 3801 Wellesley NE, Albuq. NM 87107
Gregory Hicks, 400 San Pasquale SW, Albuq. NM 87104
David Wiederholt, 3816 Delamar NE, Albuq. NM 87110

file.

City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

NOTICE OF APPEAL

September 6, 2000

TO WHOM IT MAY CONCERN:

The Planning Department received the attached appeal on **September 1, 2000**. You will be notified by mail when the appeal has been scheduled to be heard before the Land Use Planning & Zoning Committee (LUPZ).

If you have any questions, please contact Crystal Peña, Board Secretary, Development Services Division at (505) 924-3889.

APPEAL NUMBER: **AC-00-24/00-110-00000-00888/00110-00000-00889**

APPELLANT: First Unitarian Church
3701 Carlisle NE
Albuquerque, NM 87110

AGENT: Rebecca Steele, Facilities Manager
First Unitarian Church
3701 Carlisle NE
Albuquerque, NM 87110

cc: KOAT-TV, 3801 Carlisle Blvd. NE, Albuq. NM 87107
Rodey, Dickason, Sloan, Akin & Robb, PA, P.O. Box 1888, Albuq. NM 87103-1888
H. Diane Snyder, Hodgin Neigh. Assoc., 4012 Delamar Ave. NE, Albuq. NM 87110
Eddy Jacobs, Hodgin Neigh. Assoc., 4920 Hilton NE, Albuq. NM 87110
Rick Cooper, Alta Monte Neigh. Assoc., 10327 Connemera Ave. SW, Albuq. NM 87121
Perla Webb, Alta Monte Neigh. Assoc., 8 Plains View Ln., Edgewood NM, Albuq. NM 87015
Bob Swartwood, Montgomery Heights Neigh. Assoc., 3517 Hendrix Rd. NE, Albuq. NM 87107
Karen Schueler, Montgomery Heights Neigh. Assoc., 3504 Delamar NE, Albuq. NM 87107
Michael Carson, 400 Roma NW, Albuq. NM 87102
Sheryl Paloni, 400 Roma NW, Albuq. NM 87102
Karen Schueler, 3504 Delamar NE, Albuq. NM 87107
Curtis Chambers, CSP, 2704 Wooded Acres Dr., Arlington Tx. 76016
James Fanning, 3801 Wellesley NE, Albuq. NM 87107
Gregory Hicks, 400 San Pasquale SW, Albuq. NM 87104
David Wiederholt, 3816 Delamar NE, Albuq. NM 87110

THE CITY OF ALBUQUERQUE IS AN EQUAL OPPORTUNITY/REASONABLE ACCOMMODATION EMPLOYER

CITY OF ALBUQUERQUE

Albuquerque, New Mexico

September 25, 2000

INTER-OFFICE CORRESPONDENCE

TO: Michael Brasher, President, City Council

FROM: Robert R. McCabe, AIA, APA, Planning Director

SUBJECT: **AC-00-24/00218-00000-01245/00110-00000-00888/00110-00000-00889** Rebecca Steele, Agent for First Unitarian Church Appeals the EPC's Approval of a Zone Map Amendment and Approval of Site Development Plan for Building Permit for approximately 3.6 acres located on Lot A-1, Block 1, Montgomery Heights on the northwest corner of Carlisle and Comanche NE, between Montgomery and Comanche. Deborah Stover, Staff Planner.

This is an appeal of the Environmental Planning Commission's approval of a zone map amendment from C-1 to SU-1 for TV Station Satellite Dishes, Related Facilities and a Helipad and Signage Restrictions plus approval of a site development plan for building permit. This is the site of KOAT TV broadcast studios.

The two-part request was approved on August 17, 2000. The EPC adopted findings to support this action. (The LUPZ committee is advised to review the attached minutes of the EPC hearing and other portions of the record for an accounting of the issues and for a text of the EPC's deliberations).

KOAT's rationale for zone change and site plan approval is in response to Bill O-73. which was passed in February 2000. Bill O-73 mandates conditions and zoning for helipads within the city. The applicant's request is necessary in order to come into compliance with Bill O-73, which states that helipads are an allowed use under the Zoning Code only in the Special Use zone. Since KOAT-TV's zoning is C-1, it is necessary for them to request a zone change to continue the use of the existing helipad. Any request for Special Use zoning must be accompanied by a site plan. The Planning Department recommended approval of this request based on the applicant's justification of the zone change and it's compliance with applicable policies. It was staff's belief that, after testing of noise conditions and careful analysis of Bill O-73, that KOAT met the requirements of the ordinance.

The EPC approved the zone change request based on 10 findings and 6 conditions and approved the site plan based on 14 findings and 12 conditions. When summarized, these findings state that the applicant did justify the zone change under Resolution 270-1980 and O-73 and has met all the goals and policies of the Comprehensive Plan.

The appellant's reasons for appeal are stated in a one-page letter. The appellant's state that they were not notified of the hearing for a zone change. They also state that the Monday through Friday day care that operates next to the church is heavily affected by the noise of the helicopter and they feel there is considerable risk to the some 70 children in care at this facility.

The Planning Department records show that the First Unitarian Church at 3701 Carlisle NE was sent notification of the hearing. In addition, the standard yellow signs notifying the public of the hearing were posted for 15 days prior to the hearing on both Carlisle Boulevard and Comanche Boulevard NE. In addition, the hearing, including this case, was advertised in the Albuquerque Journal 15 days prior to the August hearing. Also, the request was published in the monthly neighborhood newsletter published by the Office of Neighborhood Coordination. These are the usual ways that the Planning Department assures notification of the public in these matters.

The Planning Department recommends denial of this appeal.

APPROVED:

Richard Dineen, Division Manager
Development Services Division
Planning Department

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FAX# 924-3864 CC-24

City of Albuquerque

DEVELOPMENT REVIEW APPLICATION

Supplemental form Z

ZONING
- ___ Annexation or Map Amendment
- ___ Sector Plan
- ___ Text Amendment
- ___ Special Exception

E

S

SUBDIVISION
- ___ DRB Major Subdivision *
- ___ DRB Minor Subdivision
- ___ Variance (Non-Zoning)
- ___ Vacation (Public * & Private)

V

Supplemental form P

SITE DEVELOPMENT PLAN
- ___ for Subdivision Purposes *
- ___ for Building Permit
- ___ Plan Amendment *
- ___ Administrative Amendment
- ___ Master Development Plan

A

APPEAL / PROTEST of...
- ___ Planning Director, Zoning
- ___ Enforcement Officer, Zoning
- X Hearing Examiner, DRB, EPC
- ___ Zoning Board of Appeals, LUCC

* Notification of the Recognized Neighborhood Association is required

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICANT INFORMATION:
NAME: First Unitarian Church PHONE: 884-1801
ADDRESS: 3701 Carlisle NE FAX:
CITY: Albuquerque STATE NM ZIP 87110 E-MAIL:
Proprietary interest in site:
AGENT (if any): Rebecca Steele Facilities Manager PHONE: 884-1801
ADDRESS: 1st Unitarian Church 3701 Carlisle NE FAX:
CITY: Albuquerque STATE NM ZIP 87110 E-MAIL:

SITE INFORMATION:
DESCRIPTION OF REQUEST: Appeal of Decision EPC ZMA C1 to SU1

Lot or Tract No. Lot A-1 Block1 Montgomery Heights Block: Block1 Unit:
Subdiv. / Addn. Montgomery Heights
Current Zoning: C-1 Proposed zoning: SU-1
Zone Atlas page(s): G-16 No. of **existing** lots: No. of proposed lots:
Total area of site (acres): 3.6 Density if applicable: dwellings per gross acre: dwellings per net acre:
UPC No. 101806049428910501 MRGCD Map No.
Within city limits? ✓ Yes. No___, but site is within 5 miles of the city limits (DRB jurisdiction.) Within 1000FT of a landfill? NO
LOCATION OF PROPERTY BY STREETS: On or Near: Corner of Carlisle and Comanche NE
Between: and

CASE HISTORY:
List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX-, Z-, V-, S-, etc.): 1000643
00110-00000-00888 // 00110-00000-00889

SIGNATURE Rebecca Steele DATE Sept. 1, 2000
(Print) Rebecca Steele ___ Applicant X Agent

Form revised May 2000

FOR OFFICIAL USE ONLY

- ☐ INTERNAL ROUTING
- ☐ All checklists are complete
- ☐ All fees have been collected
- ☐ All case #s are assigned
- ☐ Case history #s are listed
- ☑ Site is within 1000ft of a landfill No
- ☐ F.H.D.P. density bonus
- ☐ F.H.D.P. fee rebate

Application case numbers 00218-00000-01245

	S.F.	Fees
	A	$ 50.00
		$
		$
		$
		$
		Total $ 50.00

Hearing date

Planner signature / date 9/1/00

Project # 1000643

First Unitarian Church

3701 Carlisle NE · Albuquerque, NM 87110-1642
505-884-1801 · fax: 505-884-6425
e-mail: uuabq@nmia.com · website: http://www.nmia.com/~uuabq/
Christine Robinson, Minister

September 5, 2000

Lenora Chavez
Research Specialist
Planning Department, Land Development
Coordination Division
600 2nd Street NW
Albuquerque, NM 87102

Dear Lenora Chavez,

This is to verify that Rebecca Steele is employed as the Facilities Manager of First Unitarian Church of Albuquerque, therefore has authorization to file the appeal of KOAT's zoning request.

Sincerely,

Jane Ronca-Washburn

For First Unitarian Church of Albuquerque
Jane Ronca-Washburn
President, Board of Directors

FROM : First Unitarian Church ABQ NM PHONE NO. : 505 884 6425 P02

First Unitarian Church
3701 Carlisle NE
Albuquerque, NM 87110
September 1, 2000

Robert McCabe, Planning Director
City of Albuquerque Planning Dept.
600 2nd St. NW
Albuquerque, NM.

Dear Sirs:

As Facilities Manager for First Unitarian Church and authorized to act on its behalf, I am filing an appeal to the decision to continued use of the corner of the KOAT-TV property for a helipad.

The appeal is for the reason that the church was not notified of the request for a zoning change. I was told that we were not notified because we are more than 100 ft from that site. However, only Comanche Blvd lies between us, four lanes of busy thoroughfare between their large parking lot and ours.

We are a church of approximately 500 members, with a Monday through Friday childcare center of approximately 70 children. We are heavily affected by the noise of the helicopter taking off and landing. There is also considerable risk to the children.

Sincerely yours,

Rebecca Steele, Facilities Manager

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

Date: August 18, 2000

OFFICIAL NOTIFICATION OF DECISIO

KOAT-TV
3801 Carlisle Blvd. NE
Albuq. NM 87107

#1000643

FILE: 00110 00000 00888/00110 00000 00889
LEGAL DESCRIPTION: for Lot A-1, Block 1, Montgomery Heights, located on Carlisle and Comanche NE, between Montgomery and Comanche, containing approximately 3.6 acres. (16) Debbie Stover, Staff Planner

On August 17, 2000, the Environmental Planning Commission voted to approve 00110 00000 00888, a zone map amendment from C-1 to SU-1 for TV Station Satellite Dishes, Related Facilities and a Helipad and Signa Restrictions based on the following Findings:

FINDINGS:

1. This is a request for approval of a zone map amendment from C-1 to SU-1 for TV Station, Satellite Dishes, Related Facilities and Helipad for a 3.6 acre parcel located on the northwest corner of Carlisle Boulevard and Comanche Road NE. KOAT-TV is located on this site; a news helicopter operates from this location.

2. The reason for the zone map amendment request is to comply with a recent City Ordinance (Bill O-73) which makes helipads an allowed use under the Zoning Code only in the Special Use zone. Prior to Bill O-73, helipads had been an allowed accessory use under the Zoning Code and could locate on any commercial premises.

3. Under O-73, helipads other than those used for law enforcement and medical uses are allowed under certain conditions if they comply with Federal, State and Local regulations including City noise regulations.

4. Adoption of this new Ordinance constitutes a change in community conditions, as stipulated in Resolution 270-1980. Specifically, O-73 makes helipads an allowed use under the zoning code only in the Special Use zone. The applicant's submittal is an effort to comply with this regulatory change.

5. A new Noise Ordinance is currently under consideration by City Council, but has not yet been acted upon and is not an adopted policy at this time.

6. There is no clear, convincing evidence that the helipad has been or will be injurious to adjacent proper the neighborhood or the community. Noise testing, as recommended by the Environmental Health Department, was conducted as part of the analysis of this request.

7. A report produced by Metro Safety Consultants, Inc. concerning noise level readings taken at the subje site on July 6 and August 10, 2000, were submitted. Environmental Health Department staff has evaluated the study in order to include the findings in this staff report.

8. This request conforms with applicable City plans, ordinances and policies.

9. Staff recommends approval of this zone change.

10. The signage in the satellite dish is a non permitted sign.

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. There shall be no more than one (1) operable helicopter at this site. The intent of this condition is for th helipad to accommodate one, single, news-related helicopter.

3. Flight logs shall be maintained by the operator and such flight logs shall be made available for public viewing upon written request in a timely manner. These logs shall include notations as to what type of flight occurred ie. emergency, promotional, news gathering, engineering (maintenance and repair) or other.

4. The helicopter shall be limited, as per the adopted O-73, to three (3) take-off and landing functions per day (with the exception of emergencies) as per the zone code.

5. The helicopter should maintain take-off and landing flight paths along non-residential areas and utilize areas above arterial streets whenever possible.

6. The signage within the satellite dish shall be removed.

On August 17, 2000, the Environmental Planning Commission voted to approve 00110 00000 00889, a site development plan for building permit based on the following Findings and subject to the following Conditio

FINDINGS:

1. This is a request for approval of a site development plan for TV Station, Satellite Dishes, Related Facilities and Helipad for a 3.6 acre parcel located on the northwest corner of Carlisle Boulevard and Comanche Road NE. The reason for the site plan request is to comply with a recent City Ordinance (Bill O-73) which makes helipads an allowed use under the zoning code only in the Special Use zone, and the site plan for building permit is a secondary request necessitated by the request for zone change
2. The existing building is a 37,000 square foot building which houses the offices as well as studios for t operation of a television station.
3. The circulation of the site remains unchanged, with access from Comanche Road NE.
4. There are five satellite dishes in existence at this site.
5. The helipad consists of a 10 foot radial concrete landing pad surrounded by chain link fencing and landscaping and is located at the southeast corner of the site.
6. Minimal additional landscape will be added to the existing mature landscape.
7. The changes to the site as proposed in the site plan for building permit are minimal and will not change the character of the site or the surrounding area.
8. Environmental Health has observed and analyzed the noise level tests done at the existing helipad and has submitted a memo stating that the levels of noise generated by KOAT-TV's helicopter are within allowable ranges under the current noise ordinance and the proposed new noise ordinance.
9. Staff recommends approval of this request.
10. The existing signage within the satellite dish is a non permitted sign.
11. Pedestrian access from the facility to adjacent streets does not exist.
12. Existing chain link fence around the site should be removed.
13. The site does not currently comply with the street tree ordinance.

14. There are 83 employees maximum on site at one time. Break areas and bike facilities are minimal and should be enhanced.

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 helicopter should maintain take-off and landing flight paths along non-residential areas and utilize areas above arterial streets whenever possible.

3. Flight logs shall be maintained by the operator and such flight logs shall be made available for public viewing upon written request in a timely manner. These logs shall include notations as to what type of flight occurred ie. emergency, promotional, news gathering, engineering (maintenance and repair) or other.

4. The site plan shall comply with the street tree ordinance. In lieu of large shade trees at 30 feet on cente due to the location of helicopter pad and satellite dishes, street trees along Carlisle and Comanche shall be permitted to be ornamental trees at 25 feet on center.

5. Remove all chain link fence and razor wire and replace with wrought iron or aluminum fencing.

6. The existing satellite dish with signage shall have the signage removed from the dish.

7. Provide a 6-foot clear sidewalk from the front door to Comanche with a textured concrete pedestrian crossing at the drive aisle.

8. Add a 30-inch high screen wall or berm to shield parking along Comanche.

9. Add shade trees and landscaping at parking lot areas and particularly along the west property line and north parking lot area. There shall be trees located per code and the distance from a trunk of a tree to a parking stall is to be no more then 100 feet.

10. Trees shall be located at 25 feet on center in minimum of 5 x 5 planting areas along all internal pedestrian paths through parking lots and connections to the street.

11. Add bicycle lockers or secured bike facilities, the secured bike facility would be a minimum of 200 square feet.

12. Add a 400 square foot shaded patio area, which will be an employee patio.

FORM A: APPEAL OR PROTEST

THIS FORM IS REQUIRED WITH THE DEVELOPMENT REVIEW APPLICATION FOR APPEAL. IN YOUR APPEAL DOCUMENTS, ALONG WITH THE REASONS FOR YOUR APPEAL, YOU MUST STATE THE BASIS FOR YOUR STANDING AS AN APPELLANT. CHECK-OFF THE SECTION BELOW CORRESPONDING TO **THE AGENCY WHICH ISSUED THE DECISION** YOU ARE PROTESTING. APPEAL DEADLINES MUST BE MET AND THE APPROPRIATE FEES PAID. ULTIMATELY, ANY FINAL DECISION MAY BE REFERRED TO DISTRICT COURT FOR JUDICIAL REVIEW. APPLICATIONS FOR APPEALS ARE TAKEN PROVISIONALLY PENDING REVIEW FOR COMPLIANCE WITH ALL CITY RULES AND REGULATIONNS

__ **APPEALED OR PROTESTED CASE NUMBER** _____
X Reason For Appeal
X Basis For Standing

____ **PLANNING DIRECTOR. The decision being appealed regards,**
__ Administrative Amendment
__ Other _____
Appeals are heard by the Environmental Planning Commission.

____ **ZONING ENFORCEMENT OFFICER. The decision being appealed regards,**
__ Declaratory Ruling
Appeals are heard by the Environmental Planning Commission. A fee is charged.

____ **ZONING HEARING EXAMINER. The decision being appealed regards,**
__ Special Exception
Appeals are heard by the Zoning Board of Appeals. A fee is charged for filing this appeal.
__ Administrative Amendment
__ Other _____
Appeals are heard by the Environmental Planning Commission.

____ **DEVELOPMENT REVIEW BOARD. The decision being appealed regards,**
__ Subdivision. A fee is charged for filing this appeal.
__ Vacation or Variance. A fee is charged for filing this appeal.
__ Site Development Plan approval or amendment
__ Other _____
Appeals are heard by the Environmental Planning Commission.

AP# ____-_____-___

✓ **ENVIRONMENTAL PLANNING COMMISSION. The decision being appealed regards,**
X Zone Map amendment
✓ Site Development Plan approval or amendment X Notice of Decision
__ Other _____
Appeals are heard by the City Council.

____ **ZONING BOARD OF APPEALS. The decision being appealed regards,**
__ Appeal of the Examiner's decision regarding a Special Exception (This is the second appeal.)
Appeals are heard by the City Council.

____ **LANDMARKS AND URBAN CONSERVATION COMMISSION. The decision being appealed regards,**
__ Historic Zone or City Landmark Designation
__ Certificate of Appropriateness
__ Other _____
Appeals are heard by the City Council.

AC# ____-_____-___

All original and related case numbers must be listed here! (DRB, Zone Change, Variance, etc.)
Project 1000643 // 0011D 00000 00888 / 0011D-00000-00889

All necessary information has been submitted and checked at the time of application

(Sign) X Rebecca Steele

(Print) X Rebecca Steele 9/1/00
Applicant or Agent / Date

9-1-00
Planner / Date

Form A
Revised 12/98
kt

Project 1000643 // 00218-00000-01245

DRB ____-____

Accompanying sheets of current **Appeal Form**

IF YOU WISH TO APPEAL THIS DECISION, YOU MUST DO SO BY **SEPTEMBER 1, 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 Departmer within 15 days of the Planning Commission's decision. The date the determination in question is issue 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 an 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).

Sincerely,

For Robert R. McCabe, AIA, APA
Planning Director

RM/DS/ac

cc: Rodey, Dickason, Sloan, Akin & Robb, PA, P.O. Box 1888, Albuq. NM 87103-1888
H. Diane Snyder, Hodgin Neigh. Assoc., 4012 Delamar Ave. NE, Albuq. NM 87110
Eddy Jacobs, Hodgin Neigh. Assoc., 4920 Hilton NE, Albuq. NM 87110
Rick Cooper, Alta Monte Neigh. Assoc., 10327 Connemera Ave. SW, Albuq. NM 87121
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David Wiederholt, 3816 Delamar NE, Albuq. NM 87110

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
LAND DEVELOPMENT COORDINATION DIVISION
PAID RECEIPT

APPLICANT NAME: First Unitarian Church

AGENT: Rebecca Steele
Facilities Mngr

ADDRESS: 3701 Carlisle NE
(w/zip code) ABQ NM 87110

CASE NUMBER: Project 1006643 // 00218-00000-01245

AMOUNT DUE: $50.-

✓ 441006/4981000 (City Cases)

____ 441018/4921000 (County)

____ 441011/7000110 (LUCC)

Revised 8/1/2000
x:/share/receipt.doc

City Of Albuquerque THANK YOU
Treasury Division

DATE:07/01/2000 TIME: 12:27PM LOC:ANEX
[illegible] WS# 006 TRANS# 0057
[illegible]
[illegible] ACTVTY# 470.000 FUND:0110
[illegible] 50.00
[illegible] 0.00

-10-

EPC
ENVIRONMENTAL PLANNING COMMISSION
CITY OF ALBUQUERQUE

Agenda Number: 13
Case Number: 00110 00000 00888/00128 00000 00889
August 17, 2000

Staff Report

• ***Agent***	Rodey, Dickason, Sloan, Akin & Robb, P.A.
• ***Applicant***	KOAT-TV
Requests	**Zone Map Amendment & Site Development Plan for Building Permit**
• ***Legal Description***	Lot A-1, Block 1, Montgomery Heights
• ***Location***	Northwest corner of Comanche and Carlisle NE
• ***Size***	approximately 3.6 acres
• ***Existing Zoning***	C-1
• ***Proposed Zoning***	SU-1 for TV Station, Satellite Dishes, Related Facilities & Helipad

Staff Recommendation

DEFERRAL of 00110 00000 00888, a zone map amendment, based on the findings on page 10.

DEFERRAL of 00128 00000 00889, a site development plan, based on the findings on page 11.

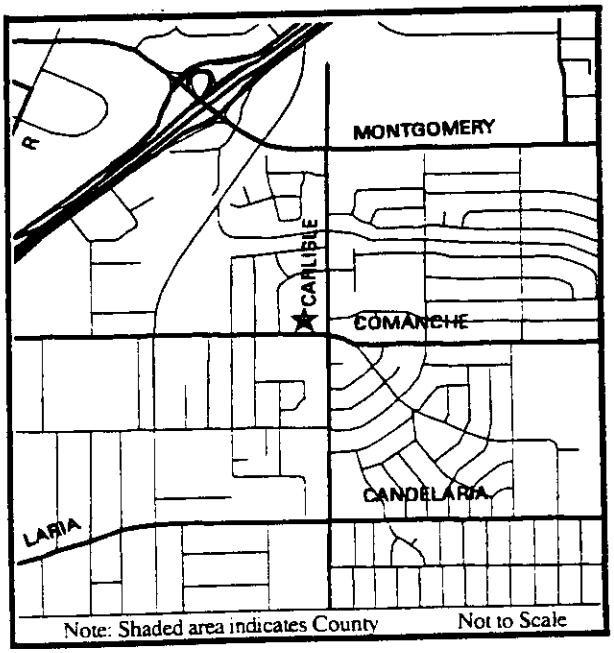
Staff Planner

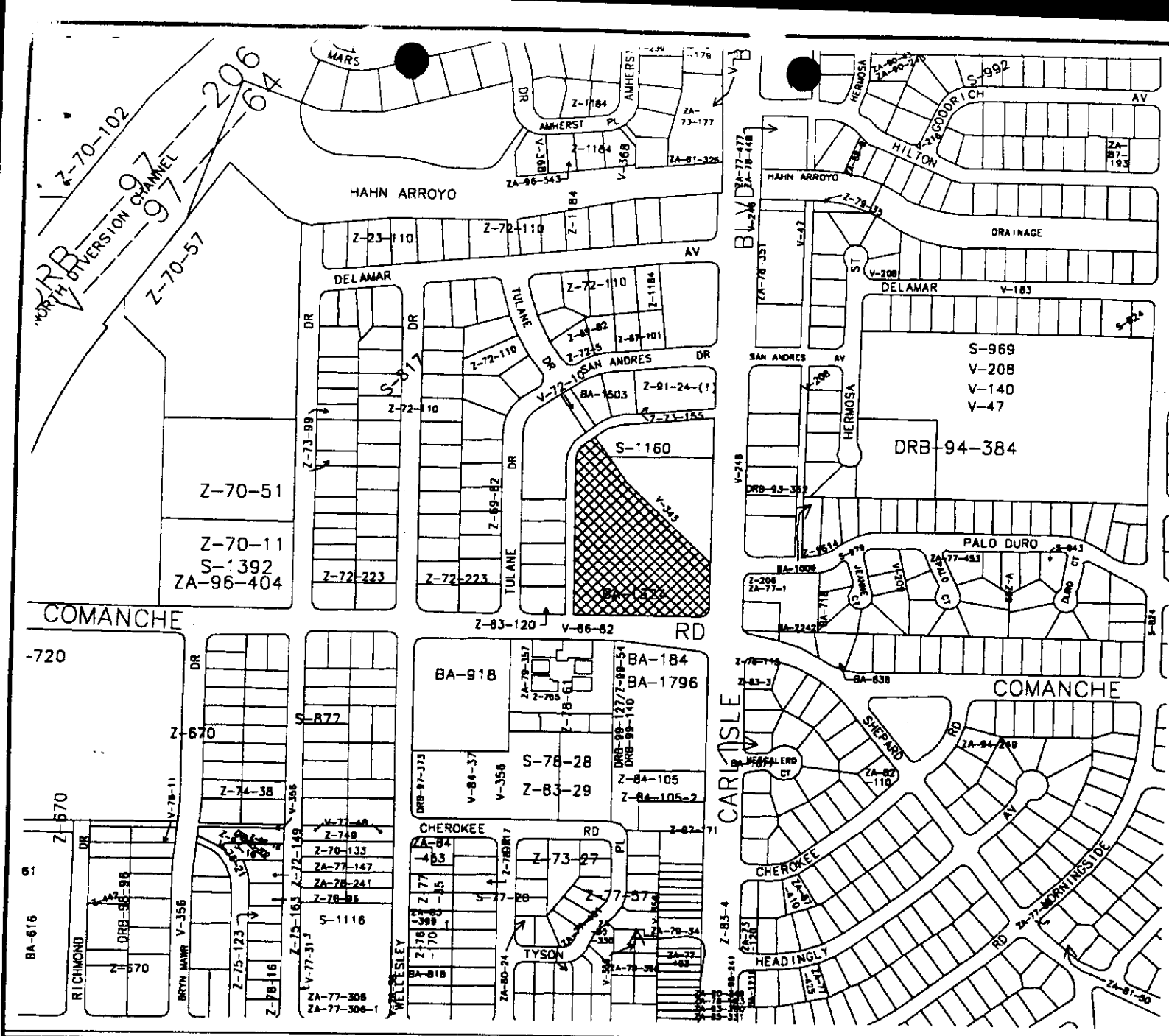
Deborah L. Stover, Planner

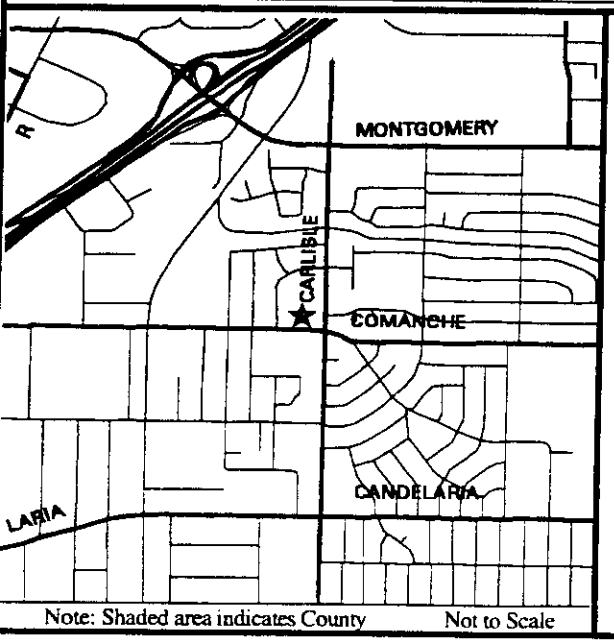
Summary of Analysis

This is a request for a zone map amendment for the Channel 7/KOAT TV news station to allow a helipad. A helipad currently exists in this location and has been in existence since 1980. The request is in response to a recent ordinance passed by City Council in February of this year. This ordinance, Bill O-73, mandates conditions and zoning for helipads within the city. One of the conditions required for a helipad is that it be located in a special use zone that allows helipads. This site is zoned C-1, thus the need for a zone map amendment for the subject site.

The Environmental Health Department recommends that any Special Use zoning for helipads be conditioned on demonstration and concurrence by the Department that the helicopter is able to comply with whatever noise control provisions are in effect. Noise level information was presented to staff on Wednesday, August 9, 2000, affording insufficient time to evaluate the results. At the time of this writing, Environmental Health Department continues to have questions regarding this information. Therefore, staff recommends deferral of this request for one month in order for sound level compliance to be evaluated.







HISTORY MAP

-12-

AGIS

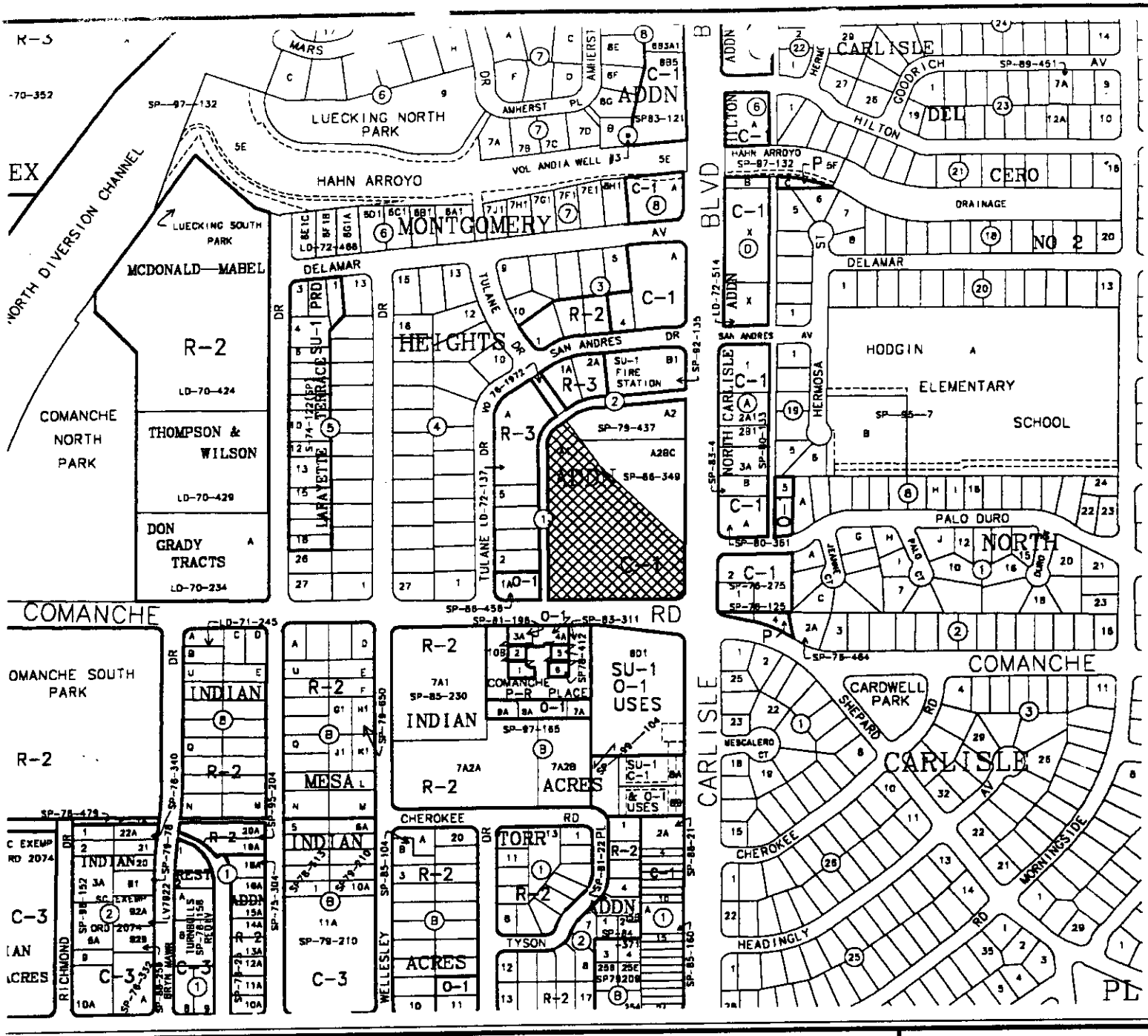
Scale 1"= 452'

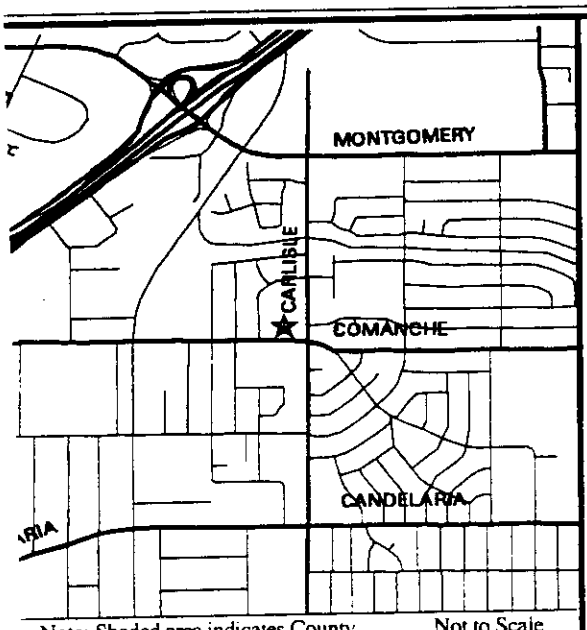
PROJECT NO.
1000643

HEARING DATE
08-17-00

MAP NO.
G-16

APPLICATION NO.
00110-00000-00888
00128-00000-00889





Note: Shaded area indicates County Not to Scale

ZONING MAP

-13-

AGIS

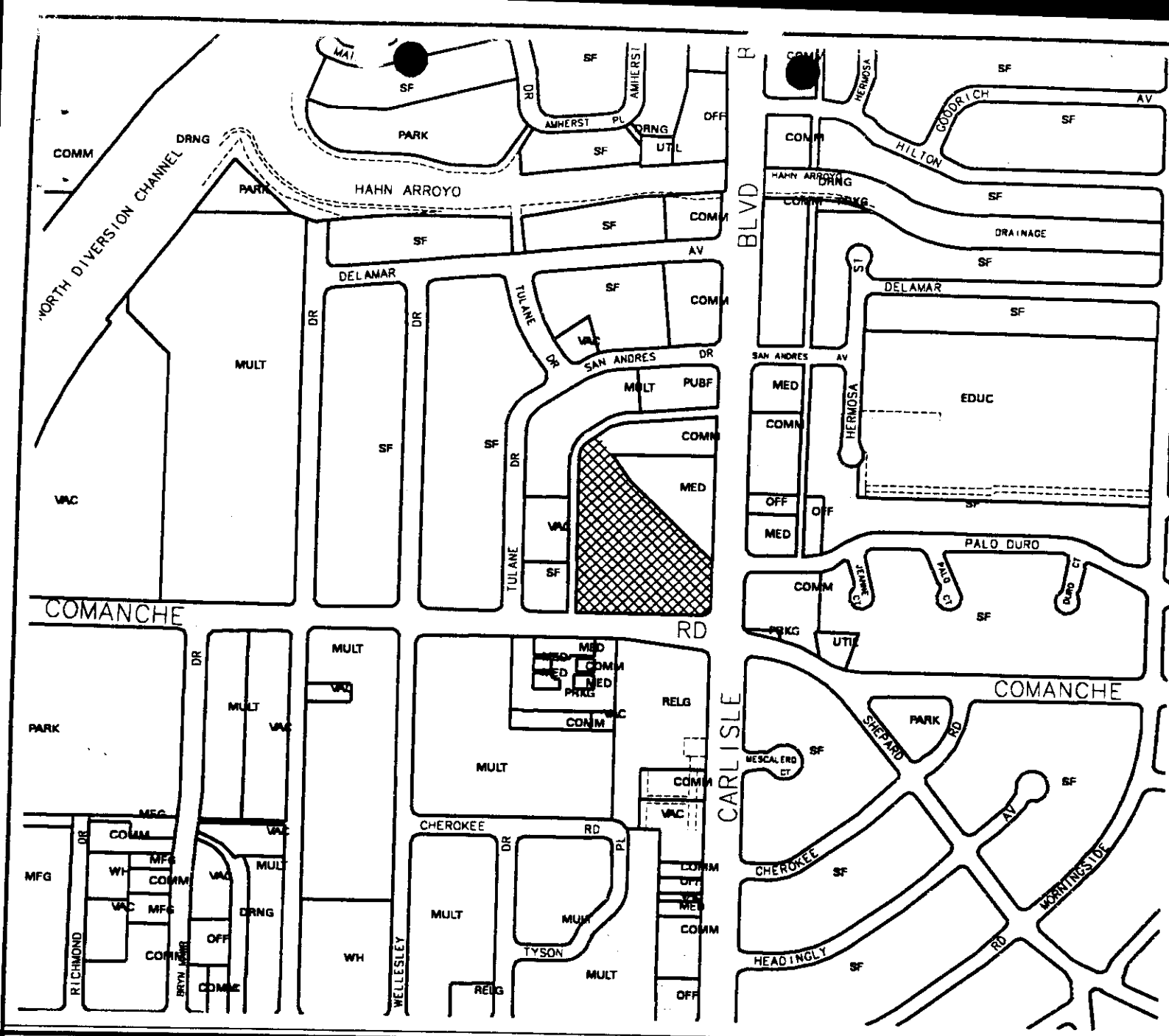
Scale 1"= 452'

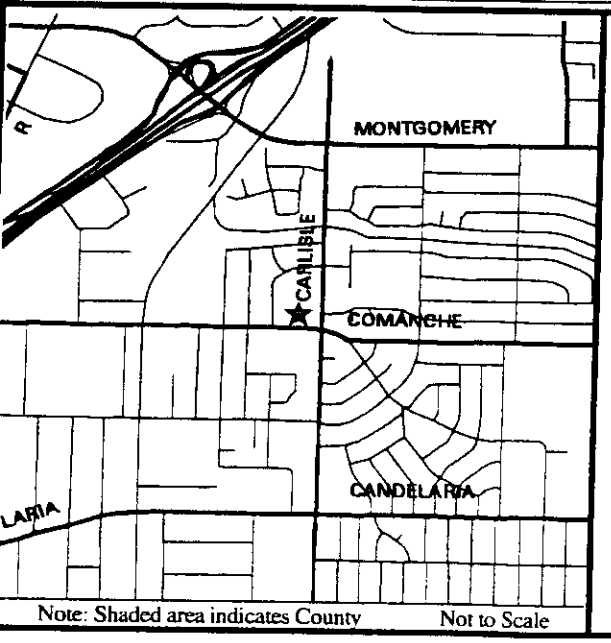
PROJECT NO.
1000643

HEARING DATE
08-17-00

MAP NO.
G-16

APPLICATION NO.
00110-00000-00888
00128-00000-00889





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

-14-

AGIS

Scale 1"= 452 '

PROJECT NO.
1000643

HEARING DATE
08-17-00

MAP NO.
G-16

APPLICATION NO.
00110-00000-00888
00128-00000-00889

City Departments and other interested agencies reviewed this application from 7-7-00 to 7-21-00. Agency comments were used in the preparation of this report, and begin on page 10.

Development Services Report

SUMMARY OF REQUEST

Requests	1. Zone Map Amendment 2. Site Development Plan for Building Permit
Location	Northwest corner of Carlisle Boulevard and Comanche Road

AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses:

	Zoning	***Comprehensive Plan Area;***	***Land Use***
Site	C-1	Established Urban Area	Television Station
North	C-1		Lovelace Medical
South	SU-1 O-1 Uses		1st Unitarian Church
East	C-1		Retail Center/Medical
West	O-1 & R-3		Dental Office, Vacant Lot, Apartments

Background

This is a request for a zone map amendment from C-1 to SU-1 for TV Station, Satellite Dishes, Related Facilities and Helipad for a 3.6 acre parcel located on the northwest corner of Carlisle Boulevard and Comanche Road NE. The foremost reason for the zone map amendment request is to comply with a recent City Ordinance (Bill O-73, attached) which makes helipads an allowed use under the Zoning Code only in the Special Use zone.

The subject site is located at the northwest corner of the intersection of the intersection of Comanche and Carlisle Boulevard NE. Both streets are designated (minor) arterials. Land uses along these streets is primarily commercial and commercial residential (apartments).

Zoning along these streets is predominately C-1, with some O-1, R-2 and R-1 along Comanche and the east side of Carlisle south of Comanche. There are no residential dwellings within 350 feet of the current helipad site.

The land uses surrounding the subject site are of a wide mix, including a church to the south, commercial and retail uses (video rental store, barber shop, dry cleaner, etc.) to the east, medical facilities to the north, and a vacant lot, a dental office and apartments to the west. The wider area around the subject site includes single-family housing, other commercial and retail uses, medical offices and a fire station.

There have been no new zone changes in this area. The most recent zone change request in the area was in 1991 (Z-91-24-1). This was a request for a site plan for building permit for the fire station, adjacent to the Lovelace Medical Clinic, immediately north of the subject site. This was approved in 1991.

APPLICABLE PLANS AND POLICIES

Albuquerque / Bernalillo County Comprehensive Plan

KOAT-TV is located within the Established Urban Area as designated by the Albuquerque/Bernalillo County Comprehensive Plan. The plan's goal for the Established Urban Area is "to create a quality urban environment which perpetuates the traditions 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 environment." Applicable policies of the Comprehensive Plan are as follows:

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

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 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.

City of Albuquerque, New Mexico Code of Ordinances

§9-9-12 General Noise Regulation

In the above referenced section of the New Mexico Code of Ordinance, it states that "it shall be unlawful for any person to make or continue, cause to be made or continued, or allow to be made or continued, any noise in excess of 50 dB(A), or 10 dB(A) above the ambient noise level, whichever is higher at any residential property line." ('74 Code, § 6-22-14) (Ord. 21-1975; Am. Ord. 30-1981)

In the proposed Noise Ordinance, currently being considered by City Council, the language regarding noise from helicopters has been refined and specifies noise levels allowed for helicopter use. It follows the policy of the recently approved Ordinance (O-70) governing helipads within the city. Specifically it states "Helicopter Noise. Takeoff and landing operations at heliports shall not result in exceedance of any of the following sound level/duration limits on any residential property:

65 dB for more that 5 minutes per operation;
70 dB for more than 90 seconds per operation;
80 dB for more than 15 minutes per operation;
90 dB for any length of time.

Nighttime takeoff and/or landing operations are prohibited. Sound level/duration limit compliance shall be determined with an approved sound-level meter which measures and records at least 16 distinct readings per second. This section does not apply to helicopters used by the following personnel:

a) law enforcement
b) emergency medical transport
c) emergency search and rescue"

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 Carlisle Boulevard NE as a Minor Arterial. The Long Range Roadway System designates Comanche Road as a Collector street.

ANALYSIS

Conformance to Adopted Plans, Policies, and Ordinances

This is a request for approval of a zone map amendment from C-1 to SU-1 for TV Station, Satellite Dishes, Related Facilities and Helipad *and* a site development plan for a 3.6 acre parcel located on the northwest corner of Carlisle Boulevard and Comanche Road NE. The foremost reason for the zone map amendment request is to comply with a recent City Ordinance (Bill O-73) which makes helipads an allowed use under the zoning code only in the Special Use zone, and the site plan for building permit is an associated secondary request necessitated by the request for zoning change.

Prior to Bill O-73, helipads had been an allowed accessory use under the Zoning Code and could locate on any commercial premises. Under O-73, helipads other than those used for law enforcement and medical uses are allowed under certain conditions if they comply with Federal, State and Local regulations including City noise regulations. The adoption of this Ordinance constitutes a change in community conditions, as stipulated in Resolution 270-1980. It should also be noted that a new Noise Ordinance is under consideration by City Council at this time, but has not yet been acted upon. (See background section)

O-73 further states that helicopters and their use of helipads are a beneficial use within the community for many purposes. More specifically, the public benefits from law enforcement activities related to helicopters such as heightened surveillance abilities and emergency response time and medical helicopters are a benefit to the community for obvious reasons. In the case of a helipad for uses that are other than medical or law enforcement related, the ordinance states that they should be a "minimum of 650 feet from the nearest residential zone as measured from the edge of the helipad *unless it is demonstrated the helipad will not be injurious to adjacent property, the neighborhood, or the community,* but **in no case shall a helipad be located less than 350 feet from the nearest residential zone**, as measured by the edge of the helipad." The key point to consider from this section of the Ordinance is whether KOAT's helipad operation is injurious to adjacent property and how to demonstrate this measure. The helipad is more than 350 feet from the nearest residential property, according to 1998 survey prepared

for the applicant by Southwest Survey Co., Inc. Additionally, Planning staff performed a GIS analysis which shows no residential properties within a 350 foot radius of the helipad (see attached map).

The Environmental Health Department recommends that a test run should occur prior to EPC consideration of this request in order to determine the noise levels and effects of the helicopter in the neighborhood. Planning staff agrees with this recommendation. KOAT provided a report of tests performed at the site on July 6, 2000. This report was submitted on Wednesday, August 9. Although it is included with this staff report, the Environmental Health Department had read the report and had questions concerning the information in the report at the time of this writing. Similarly, Planning staff did not have sufficient time to incorporate the data into this report. If an analysis of the report can be conducted by Environmental Health prior to the EPC hearing, staff will provide such analysis to the Commission.

The applicant's letter states that in the twenty years since KOAT has operated its helipad at the current location at Carlisle and Comanche there has never been a complaint regarding the helicopter and related operations until the past year. The applicant further states that when public discussions of the proposed ordinance occurred, one individual had concerns. That individual lives 1000 feet from the subject site, according to the letter, and is concerned with overhead, in flight noise rather than noise emanating from the activities occurring on the helipad itself.

Staff has received phone calls from two individuals stating opposition to the zone change proposal. Mr. James Fanning has spoken with staff on numerous occasions, and voices his complaint regarding the noise from the craft. Ms. Kathy Entemann left voice mail on July 26, 2000, stating her opposition to KOAT's helipad. She also called on July 31 to speak to staff regarding her opposition. She stated that she didn't feel it belonged in the middle of a city and should take off from the airport like other aircraft. Staff has received no letters of opposition at the time of this writing.

Staff has also received phone calls in support KOAT's helipad. Two individuals (names unknown) called in support of the proposal and stated that Channel 7 has made every effort to protect the neighborhood from the noise by flying along streets instead of over neighborhoods. One of the callers stated that when she hears the helicopter start up she and her family turn on the television to "see what's going on", but never think of the noise as a nuisance. The applicant's letter of justification includes several letters of support. It is difficult to assert that the helipad operation has or has not been injurious to adjacent property, the neighborhood or the community. With two exceptions, as noted above, staff has no reason to believe that the use on the subject site for a helipad has been injurious to adjacent property, the neighborhood, or the community. There have been surprisingly few calls or letters to staff regarding this request.

O-73 also states that helipads that accommodate heavy usage should be located at an airport. The term "heavy usage" is not defined in the ordinance. However, for helipads used for other than law enforcement and medical purposes, the ordinance specifies that no more than 3 operations (a takeoff and a landing are considered one operation) shall occur on a single day and the operations per day do not accumulate if not used. Additionally, landing and takeoff operations are prohibited between 10:00 pm and 7:00 am. The Ordinance further stipulates if a helipad is solicited by agencies such as law enforcement or medical providers for assistance in emergencies, that act of assistance shall not be included in the three operations per day limitation nor will it be limited to the time of day restrictions. This would mean that, at times, the KOAT helicopter could be flying more than the allotted three times per day as well as flying at late hours of the night and early hours of the morning, if such requests for its assistance were made. However, staff spoke with the applicant, who stated that such requests were made on an average of once a month or less. However, flight plan records were not submitted with this request. In this case, according to staff's conversations with the applicant and the applicant's letter, the number of additional flights and their effect on the surrounding area would appear to be minimal.

An additional issue is the number of helicopters at the site. Currently, KOAT operates one helicopter from the site. If the SU-1 zoning is approved, perhaps a condition that the site be limited to one craft would be reasonable to prevent numerous takeoffs and landings throughout the day. Also, if KOAT decided in the future to move from their present location, would the site become available as a permanent helipad with numerous aircraft utilizing the space? Staff assumes this is not the applicant's intent, but safeguards should be in place to avoid these issues in the future.

In summary as regards the zoning request, important information central to the issue of possible harm to surrounding uses has not been analyzed. Consequently, a one month deferral is necessary.

Site Plan Layout / Configuration

The site lies on the corner of Comanche and Carlisle NE on the northwest corner. Access to the site is from Comanche on the south and Carlisle on the east. The site and landscaping plans depict the current site as well as proposed changes to the site. The existing building is a 37,000 square foot, one-story stucco building. The helipad is located toward the front of the building, which is oriented toward the southeast. Parking for the site is located next to the building on the south and west sides. Existing landscaping consists of sod, trees and shrubs; many of the existing plants are low water use species, such as chamisa.

There are five existing satellites on the site, as well as the existing helipad. The helipad, according to the applicant's letter, is a 10-foot diameter circle of marked concrete located on the southeastern portion of the KOAT site. The helipad is more than 350 feet from the nearest residential property, according to 1998 survey prepared by Southwest Survey Co.,

Inc. Additionally, Planning staff performed a GIS analysis which showed no residential properties within a 350 foot radius.

Changes to the site plan relate to the approval of the helipad site, which are minimal. Additional landscaping and the removal of a chain link fence are proposed. A new fence will be erected around the helipad with a gate at the west corner of the site. Also proposed is the addition of a designated "helicopter observation area" on the west side of the helipad. A locked, rolling gate is depicted to the west at the entrance to the helipad to allow for helicopter service vehicle access or emergency access.

Vehicular Access, Circulation and Parking

Access to the site is from Comanche Road NE. Parking was built at a 1:300 ratio, and there are 121 parking spaces with 4 handicap spaces. There is no parking on adjacent streets. The parking is adequate for the site because the square footage of the building belies the actual need for parking. The 37,000 square foot building contains two very large studios which total 12,150 square feet and are not counted as part of the office space for the entire site. Calculated at 24,900, less the 10% credit taken for being on a transit corridor, the required parking would be 113 spaces. Therefore the parking existing on site is more than adequate for this use.

Pedestrian and Bicycle Access and Circulation, Transit Access

A designated "helicopter observation area" on the west side of the helipad is proposed in the site plan. This area is adjacent to the helipad and is depicted on the site plan as approximately 5 feet deep and 65 feet wide. The area is delineated by concrete pavers. In the applicant's letter to the Commission, it is stated that this area is proposed "to allow for safe public viewing of helipad operations".

There is a bicycle trail near the subject site on the North Diversion Channel. There are six bicycle spaces provided on site.

Lighting and Security

Lighting and security appear adequate for the site and no changes are proposed. The type of lighting fixtures are shown in the site plan with the photographs of the site. They are shown as 20' high, shoe-box type cutoff fixtures. The lamps do not protrude below the lamp housing.

Fencing for the site consists of an existing chain link fence surrounding the site. The site plan shows the removal of a chain link fence. The fence exists around the helipad site and would be replaced with a three-foot aluminum picket fence. Two gates will be added. One small gate at the west corner of the helipad site will be for pedestrian use. The other, a locked, rolling gate is depicted to the south west at the entrance to the helipad to allow for helicopter service vehicle access or emergency access.

Landscaping

The site plan proposes additional plant material in the landscape, as well as existing landscape. The site has many trees and shrubs, as well as grass lawn areas. All existing landscaping is to remain. The proposed additions to the landscape consist of an additional screening of rubber rabbitbrush on the northeast side of the helipad. This is in context with the existing vegetation on the southwest side of the helipad site. Additional trees are proposed for the southern portion of the site. These trees are in context with existing trees on site. Proposed species include Bradford pear, Honey locust, Purple ash and New Mexico olive. In addition, numerous shrubs and an area of low-water use sod (Blue gramma and Buffalo grass) are proposed for the western portion of the site.

Architecture and Signage

The building is an odd-shaped, tan stucco structure oriented to the southeast. The entry sports a white, steel truss and faces Comanche Road. Rooftop mechanical equipment is clearly visible, but is painted to match the building. Windows are anodized bronze aluminum with bronze glazing. KOAT's logo, a large numeral 7 in a circle, is distinctly shown on the southeast corner of the building's parapet. No changes to existing architecture and signage are proposed.

Concerns of Reviewing Agencies / Pre-Hearing Discussion

The applicant's were in attendance at the pre-hearing discussion.

The Environmental Health Department has significant concerns regarding this request. The suggestions made by this Department may be the avenue to determine if the helipad will be injurious to adjacent property, the neighborhood or the community. The Department recommends that any Special-Use zoning for helipads be conditioned on prior (**initial**) demonstration and concurrence by the Environmental Health Department that each helicopter that will take off and/or land at the helipad and is able to comply with whatever noise control provisions are in effect. New provisions (i.e., new Noise Ordinance) will require a new demonstration/concurrence before helipad use.

The Department also recommends conditions that would provide for a periodic re-evaluation and re-certification of the helicopter(s) using the helipad to ensure compliance with the Noise Control. Ordinance. Staff concurs with these recommendations.

Neighborhood Concerns

Staff has received several phone calls from neighbors of the subject site. Two of the individuals were against the proposal and two individuals were in support of the proposal.

Conclusions

This is a request for a zone map amendment for the Channel 7/KOAT TV news station to allow a helipad. A helipad currently exists in this location and has been in existence since 1980. The request is in response to a recent ordinance passed by City Council in February of this year. This ordinance, Bill O-73, mandates conditions and zoning for helipads within the city. One of the conditions required for a helipad is that it be located in a special use zone that allows helipads. This site is zoned C-1, thus the need for a zone map amendment for the subject site.

The Environmental Health Department recommends that any Special Use zoning for helipads be conditioned on demonstration and concurrence by the Department that the helicopter is able to comply with whatever noise control provisions are in effect. Staff agrees with this condition and therefore recommends deferral of this request until such time as sound level compliance can be demonstrated. KOAT did submit a report of noise level readings taken on July 6, 2000. Planning staff received this report August 9, 2000. There will be an analysis of the report and staff from the Environmental Health Department will be involved. However, the analysis will not be completed in time to be discussed in this report. All other information is complete and staff believes a 30 day deferral will allow a thorough report to be provided to this Commission upon receipt of the noise study.

FINDINGS - 00110 00000 00888, August 17, 2000, a request for a zone map amendment

1. This is a request for approval of a zone map amendment from C-1 to SU-1 for TV Station, Satellite Dishes, Related Facilities and Helipad for a 3.6 acre parcel located on the northwest corner of Carlisle Boulevard and Comanche Road NE. KOAT-TV is located on this site; a news helicopter operates from this location.

2. The reason for the zone map amendment request is to comply with a recent City Ordinance (Bill O-73) which makes helipads an allowed use under the Zoning Code only in the Special Use zone. Prior to Bill O-73, helipads had been an allowed accessory use under the Zoning Code and could locate on any commercial premises.

3. Under O-73, helipads other than those used for law enforcement and medical uses are allowed under certain conditions if they comply with Federal, State and Local regulations including City noise regulations.

4. Adoption of this new Ordinance constitutes a change in community conditions, as stipulated in Resolution 270-1980. Specifically, O-73 makes helipads an allowed use under the zoning code only in the Special Use zone. The applicant's submittal is an effort to comply with this regulatory change.

5. A new Noise Ordinance is currently under consideration by City Council, but has not yet been acted upon and is not an adopted policy at this time.

6. There is no clear, convincing evidence that the helipad has been or will be injurious to adjacent property, the neighborhood or the community. However, noise testing, as recommended by the Environmental Health Department, should be conducted as part of the analysis of this request.

7. A report produced by Metro Safety Consultants, Inc. concerning noise level readings taken at the subject site was submitted on August 9, 2000. Staff has not had adequate time to evaluate the study in order to include the findings in this staff report.

8. Staff recommends deferral of this request for 30 days, to be heard at the Environmental Planning Commission all day hearing on September 21, 2000.

RECOMMENDATION -00110 00000 00888, August 17, 2000,a request for site plan for subdivision
DEFERRAL of *00110 00000 00888*, a request for a zone map amendment, based on the above findings.

FINDINGS -00128 00000 00889, August 17, 2000, a request for site plan for subdivision

1. This is a request for approval of a site development plan for TV Station, Satellite Dishes, Related Facilities and Helipad for a 3.6 acre parcel located on the northwest corner of Carlisle Boulevard and Comanche Road NE. The reason for the site plan request is to comply with a recent City Ordinance (Bill O-73) which makes helipads an allowed use under the zoning code only in the Special Use zone, and the site plan for building permit is a secondary request necessitated by the request for zone change.

2. The existing building is a 37,000 square foot building which houses the offices as well as studios for the operation of a television station.

3. The circulation of the site remains unchanged, with access from Comanche Road NE.

4. There are five satellite dishes in existence at this site.

5. The helipad consists of a 10 foot radial concrete landing pad surrounded by chain link fencing and landscaping and is located at the southeast corner of the site.

6. Minimal additional landscape will be added to the existing mature landscape.

7. The changes to the site as proposed in the site plan for building permit are minimal and will not change the character of the site or the surrounding area.

8. Staff recommends deferral of this request for 30 days in order to evaluate new information concerning noise readings, to be heard at the Environmental Planning Commission all day hearing on September 21, 2000.

Deborah L. Stover
Planner

DS/ac

cc: KOAT-TV, 3801 Carlisle Blvd. NE, Albuq. NM 87107
Rodey, Dickason, Sloan, Akin & Robb, PA, P.O. Box 1888, Albuq. NM 87103-1888
H. Diane Snyder, Hodgin Neigh. Assoc., 4012 Delamar Ave. NE, Albuq. NM 87110
Eddy Jacobs, Hodgin Neigh. Assoc., 4920 Hilton NE, Albuq. NM 87110
Rick Cooper, Alta Monte Neigh. Assoc., 10327 Connemera Ave. SW, Albuq. NM 87121
Perla Webb, Alta Monte Neigh. Assoc., 8 Plains View Ln., Edgewood NM, Albuq. NM 87015
Bob Swartwood, Montgomery Heights Neigh. Assoc., 3517 Hendrix Rd. NE, Albuq. NM 87107
Karen Schueler, Montgomery Heights Neigh. Assoc., 3504 Delamar NE, Albuq. NM 87107

Attachments

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT
Zoning Code Services
"Reviewed, no comment."
PUBLIC WORKS DEPARTMENT
Transportation Development Services:
No adverse comment.

Utility Development:
No Adverse Comment.

Traffic Engineering Operations:
No adverse affect anticipated on traffic patterns.

Hydrology:
The Hydrology Section has no objection to the zone map amendment request. An approved grading and drainage plan is required for site plan sign-off by the City Engineer/AMAFCA.

Transportation Planning:
This request should have no adverse effect on the arterial street system nor on the bikeway system.

ENVIRONMENTAL HEALTH DEPARTMENT
Air Quality Division
Background
Albuquerque's current Noise Control Ordinance applies only to noise impacting residential property. Under the general provisions, it limits that noise to 50 decibels (dB) or 10 dB above the ambient level, whichever is higher.

The Noise Control Ordinance is currently being revised. The proposed ordinance specifically addresses helicopter noise and reads:

Helicopter Noise. Takeoff and landing operations at heliports shall not result in exceedance of any of the following sound level/duration limits on any residential property:

65 dB for more than 5 minutes per operation;
70 dB for more than 90 seconds per operation;
80 dB for more than 15 seconds per operation;
90 dB for any length of time

Nighttime takeoff and/or landing operations are prohibited. Sound level/duration limit compliance shall be determined with an approved sound-level meter which measures and records at least 16 distinct readings per second.

This section does not apply to helicopters used by the following personnel:
a) law enforcement
b) emergency medical transport
c) emergency search and rescue

EHD records show that one resident (to the west of KOAT) has filed numerous complaints of excessive noise from Channel 7 helicopter flights over his house. One other complainant is on file. At a public hearing, Councillor Adele Hundley referred to a report indicating that a significant percentage of residents contacted in the neighborhood around KOAT were aggrieved by the Channel 7 helicopter noise. Current helicopter operations providing news coverage of the Big-I reconstruction have generated complaints of helicopter noise in general, and at least one complaint of Channel 7 helicopter noise in particular.

Section 14-16-2-22(B)16(a) (Special-Use Zone provisions) requires a demonstration that a helipad located 350 to 650 feet from a residential zone will not be injurious to adjacent property, the neighborhood or the community.

Recommendations:
1. The Department recommends that any Special-Use zoning for helipads be conditioned on prior (initial) demonstration and concurrence by the Environmental Health Department that each helicopter that will take off and/or land at the helipad is able to comply with whatever noise control provisions are in effect. New provisions will require a new demonstration/concurrence before helipad use.
2. The Department also recommends conditions that would provide for a periodic re-evaluation and recertification of the helicopter(s) using the helipad as to compliance with the Noise Control Ordinance.
3. The Department further recommends specific reference to all the provisions in Section 14-16- 2-22(B)16.
In addition, the EPC may want to require compliance demonstration before deciding on the application and/or await the final helicopter provisions in the proposed Noise Control Ordinance before a ruling."

Environmental Services Division
"No known landfills in the immediate vicinity."

NEIGHBORHOOD SERVICES
Alta Monte, Hodgin, Montgomery Heights (all recognized associations) were notified."

PARKS AND RECREATION
Design & Development

"No adverse comment."

OPEN SPACE DIVISION
"No adverse comment."

POLICE DEPARTMENT/Planning

"No adverse comment."
SOLID WASTE MANAGEMENT DEPARTMENT
Refuse Division
Approved on condition will bring refuse enclosure into compliance with SWMD ordinances or possible new location at time Building Permitting. T.L. Baca 761-8142

FIRE DEPARTMENT/Planning
"No adverse comment."

TRANSIT DEPARTMENT
"No comment."

COMMENTS FROM OTHER AGENCIES:

BERNALILLO COUNTY

ALBUQUERQUE METROPOLITAN FLOOD CONTROL AUTHORITY
"No objection. See City Hydrology comments."

ALBUQUERQUE PUBLIC SCHOOLS
"No adverse comment."

MIDDLE RIO GRANDE COUNCIL OF GOVERNMENTS
No adverse comment. For information, the Long Range Roadway System designates Carlisle Boulevard and Comanche Road as minor arterials. In addition, the Long Range Bikeway System designates Comanche as a bike route

City of Albuquerque

DEVELOPMENT REVIEW APPLICATION

Supplemental form Z

ZONING
- X Annexation or Map Amendment
- ___ Sector Plan
- ___ Text Amendment
- ___ Special Exception

SUBDIVISION (Supplemental form S)
- ___ DRB Major Subdivision *
- ___ DRB Minor Subdivision
- ___ Variance (Non-Zoning)
- ___ Vacation (Public * & Private)

Supplemental form P

SITE DEVELOPMENT PLAN
- ___ for Subdivision Purposes *
- X for Building Permit
- ___ Plan Amendment *
- ___ Administrative Amendment
- ___ Master Development Plan

APPEAL / PROTEST of... (A)
- ___ Planning Director, Zoning
- ___ Enforcement Officer, Zoning
- ___ Hearing Examiner, DRB, EPC,
- ___ Zoning Board of Appeals, LUCC

*** Notification of the Recognized Neighborhood Association is required**

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICANT INFORMATION:

NAME: KOAT-TV PHONE: 884-7777
ADDRESS: 3801 Carlisle Blvd., NE FAX: 884-6282
CITY: Albuquerque STATE NM ZIP 87107 E-MAIL:
Proprietary interest in site: Owner

AGENT (if any): Rodey, Dickason, Sloan, Akin & Robb, P.A. PHONE: 768-7224
ADDRESS: P.O. Box 1888 FAX: 768-7395
CITY: Albuquerque STATE NM ZIP 87103-1888 E-MAIL: sbfox@rodey.com

SITE INFORMATION:

DESCRIPTION OF REQUEST: Zone change from C-1 to SU-1 for TV station, satellite dishes, related facilities and helipad, to allow helipad on radio/TV station site. See attached.

Lot or Tract No. A-1 Block: 1 Unit: --
Subdiv. / Addn. Montgomery Heights
Current Zoning: C-1 Proposed zoning: SU-1
Zone Atlas page: G-16 Total area of site (acres): 3.6 No. of existing lots: 1 No. of proposed lots: 1
Density of dwellings per acre if applicable: Dwellings per gross acre n/a Dwellings per net acre n/a
UPC No. 101606049329010305 MRGCD Map No.
Within city limits? X Yes. No___, but site is within 5 miles of the city limits (DRB jurisdiction.) Within 1000FT of a landfill? No
LOCATION OF PROPERTY BY STREETS: On or Near: 3801 Carlisle and Comanche, NE KOAT
Between: Montgomery, NE and Comanche

CASE HISTORY: 6/20/00 Prehearing discussed w/ agent. BA-1324
List any project numbers that may be relevant to your application (annexation, zoning, subdivision, variance, etc.):

SIGNATURE DATE 6-29-00
(Print) Susan B. Fox ___ Applicant X Agent

Form revised May 2000

FOR OFFICIAL USE ONLY

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

Application case numbers

		S.F.	Fees
Z	00110 - 00000 - 00888	Z	$ 170.-
BP	00128 - 00000 - 00889	P	$ 270.-
			$
			$
			$
			Total $

Hearing date 8-17-00

Planner signature / date 6/29/00

Project # 1000643

-3T-

CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) / AIR QUALITY ASSESSMENT (AQIA) FORM

APPLICANT: KOAT TV Date of request: 6/23/00 Zone atlas page(s): G-16-Z

CURRENT:

Zoning C-1 Legal Description -

Parcel Size (acres / sq.ft.) 3.6 ACRES Lot or Tract # A-1 Block # 1

Subdivision Name MONTGOMERY HEIGHTS

REQUESTED CITY ACTION(S):

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

PROPOSED DEVELOPMENT:

No construction / development	[ ]	# of units -	
New Construction	[ ]	Building Size - (sq. ft.)	
Expansion of existing development	[ ]		

GENERAL DESCRIPTION OF ACTION: helipad modification.

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

Applicant or Representative [signature] Date 6/26/00

(To be signed upon completion of processing by Traffic Engineer and Environmental Health)

TRAFFIC IMPACT STUDY (TIS) REQUIRED: YES [ ] NO [~~X~~] BORDERLINE [ ]

PWD, Dev. & Bldg. Services Div., Transportation Dev. Section - 2nd FL. 600 2nd St. NW Plaza del Sol Bldg. 924-3991 or 3994

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

Notes:

F 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.**

for Joseph D. Montano 6/23/00

TRAFFIC ENGINEER DATE

AIR QUALITY IMPACT ASSESSMENT (AQIA) REQUIRED: YES [ ] NO [X] BORDERLINE [ ]

ENVIRONMENTAL HEALTH DEPT. Air Quality Div. 3rd Floor / Rm. 3023 City/County Bldg. 768-2600

THRESHOLDS MET? YES [ ] NO [X] Mitigating reasons for not requiring **AQIA:** Previously studied: [ ]

Notes:

AN AQIA IS REQUIRED: a scoping meeting must be held to define the level of analysis needed and the parameters of the udy. **Any subsequent changes to the development proposal identified above may require an update or new AQIA.**

[signature] 6/26/00

ENVIRONMENTAL HEALTH DATE

equired **TIS** and / or **AQIA** **must be completed prior to applying to the EPC.** Arrangements must be made prior to omittal if a variance to this procedure is requested and noted on this form, otherwise the application may not be accepted or ferred if the arrangements are not complied with.

IS - SUBMITTED	___/___/___		
- FINALIZED	___/___/___	TRAFFIC ENGINEER	DATE
QIA - SUBMITTED	___/___/___		
- FINALIZED	___/___/___	ENVIRONMENTAL HEALTH	DATE

SITE DEVELOPMENT PLAN
FOR BUILDING PERMIT CHECKLIST

This checklist will be used by the Planning Department to verify the completeness of site plans submitted for review by the Environmental Planning Commission. Since development proposals vary in type and scale, there may be application requirements that are not included here. Nonetheless, it is the applicant's responsibility to provide a complete submittal. Incomplete submittals will be rejected. Site development plans submitted will ordinarily be composed of the following plan sheets:

1. ***Site Plan (including utilities and easements)***
2. ***Landscaping Plan***
3. ***Grading Plan***
4. ***Building and Structure Elevations***

Submitted plans shall be organized in the above manner. The following checklist describes the minimum information necessary for element. ***The Applicant shall check off all items shown on the site plan or label as NA, if not applicable.***

Accompanying Material - Fee payment

X *A. Complete application with summary.*
X *B. 8 ½" x 11" reductions*

SHEET #1 - SITE PLAN

A. General Information

X *1.*	*Scale*	*Under 1.0 acre*	*1" = 10'*
		1.0 - 5.0 acres	*1" = 20'*
		Over 5 acres	*1" = 50'*
		Over 20 acres	*1" = 100'*
		Other scales as approved by staff	

X *2. Bar Scale*
X *3. North Arrow*
X *4. Scaled Vicinity Map*
X *5. Existing structures on site and on sites adjacent to the proposal that may impact, or may be impacted by the project.*
X *6. Property lines*
X *7. Existing and proposed easements (identify each)*

B. Proposed Development

1. Structural

X *A. Location of existing and proposed structures on the property and on adjacent properties, including privacy and retaining walls (distinguish between proposed and existing structures).*
X *B. Square footage of each structure*
X *C. Proposed use of each structure*
X *D. Temporary structures, signs and other improvements*
X *E. Wall(s), fence(s), and screening: height, length, color and materials. Show cross-sections for retaining walls.*

X F. Dimensions of all principal site elements
X G. Loading facilities
X H. Site lighting (height, type, and intensity)

2. Non-Structural and Parking

X A. Parking design with spaces numbered per aisle.
X 1. Location
X 2. Arrangements
X 3. Dimensions and curve radii
X 4. Turning spaces
X 5. Drives
X 6. Aisles
X 7. Ingress
X 8. Egress
NA 9. Number of spaces required:_____
NA 10. Handicapped parking, spaces required:_____
NA B. Bicycle racks, spaces required:_____
X C. Elevation draving of refuse container and enclosure, if applicable.

C. Street and Circulation

X 1. Identification and location of public and private streets and alleys with proper name, existing and proposed width dimensions.
X 2. Curve radii
X 3. Right-of-Way width
X 4. Pavement width (flow line to flow line) including medians and median cuts.
X 5. Sidewalk widths and locations, existing and proposed.
NA 6. Rail spurs, if applicable
X 7. Location of traffic signs and signals related to the functioning of the proposal.
X 8. Bikeways
X 9. Bus facilities, including bays and shelters where required.
X 10. Curb cut size and type.
X 11. Provisions for non-auto transportation, including transit and bicycle related improvements and pedestrian linkage.

D. Utilities

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

Phasing

NA 1. Proposed phasing of improvements and provision for interim facilities. Information on future phasing should be included. If applicable, indicate location and square footage.

SHEET #2 - LANDSCAPING PLAN

If appropriate, landscaping maybe shown on sheet #1 with the approval of Planning staff. See article 6-1-1-1et.al., the Water Conservation Landscaping and Water Waste Ordinance for specific restrictions, regulations, standards, and requirements

- X 1. *Scale - must be same as scale on sheet #1 - Site plan*
- X 2. *Bar Scale*
- X 3. *North Arrow*
- X 4. *Property Lines*
- X 5. *Existing and proposed easements*
- X 6. *Identify nature of ground cover materials*
  - *A. Impervious areas (pavements, 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.*
- X 7. *Identify nature, location and size of shrubbery and trees (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.*
- X 8. *Irrigation System*
- X 9. *Planting Beds*
- X 10. *Turf Area - only 20% of landscaped area can be high water turf; provide square footage and percentage.*
- X 11. *Responsibility for maintenance (Statement)*
- X 12. *Statement of Water Waste, etc.*
- X 13. *Landscaped area requirement; square footage and percent:* 17,764 SF (15%)
- X 14. *Landscaped area provided; square footage and percent:* 47,309 SF (40%)

SHEET #3 - GRADING PLAN

A. General Information

- X 1. *Scale - must be same as Sheet #1 - Site Plan*
- X 2. *Bar Scale*
- X 3. *North Arrow*
- X 4. *Existing topography and structural improvements within at least 25 feet beyond property boundaries (more may be required).*
- X 5. *Property Lines*
- X 6. *Existing and proposed easements*
- X 7. *Proposed contours and/or spot elevations*
- X 8. *Retaining walls*

B. Proposal

1. *Grading submittals, ponding areas, erosion and sediment control facilities:*
   - *A. Conceptual grading and drainage plan*
   - *B. Drainage plan (maybe required for other submittals)*
   - *C. Drainage Report (maybe required for other submittals)*

NA A. *Cross Sections*
Provide cross section for all perimeter property lines at the point of the greatest grade change: Where the grade change is greater than 4 feet, provide one additional cross section in each direction within no more than 100 feet of the reference point.

X B. *Spot Elevation*
Provide spot elevations existing and proposed within 20 feet of both sides of the property line, not to exceed intervals of 100 feet.

X C. *Grade Changes*
Identify grade change on the site greater than 2 feet with shading or a single cross-hatch. Identify grade changes greater than 4 feet with darker shading or a double cross-hatch.

SHEET #4 - BUILDING AND STRUCTURE ELEVATIONS

A. General Information

N/A 1. *Scale (minimum of 1/8" or as approved by Planning Staff).*
N/A 2. *Bar Scale*
X 3. *Facade orientation (elevation of all sides of the buildings)*
X 4. *Dimensions, to scale including overall height and width, and dimensions of major facade elements.*
X 5. *Location, material and colors of windows, doors and framing.*
X 6. *Materials and colors of all building elements and structures.*

Signage

X 1. *Elevations*
X 2. *Location*
X 3. *Height and width*
X 4. *Sign face area - dimensions and square footage*
X 5. *Lighting*
X 6. *Materials and Colors for sign face and structural elements.*

C. Additional information, including, renderings and perspective drawings may be submitted.

__ A. *Samples*
__ 1 *Presentation Models*
X 2. *Photos*

FORM P: SITE DEVELOPMENT PLAN

REVISED 6/99

THIS FORM IS REQUIRED WITH THE DEVELOPMENT REVIEW APPLICATION FOR SITE PLAN APPROVAL. CHECK-OFF THE SECTION BELOW CORRESPONDING TO THE ACTION YOU REQUEST. APPLICANTS MUST BE AWARE THAT APPROVED SITE DEVELOPMENT PLANS MAY EXPIRE AND SHOULD READ CAREFULLY ZONING CODE SECTION: 14-16-3-11 REGARDING THIS MATTER. A PRE-APPLICATION DISCUSSION WITH A PLANNER FROM DEVELOPMENT SERVICES IS RECOMMENDED.

A LETTER EXPLAINING THE REASON FOR THE REQUEST IS REQUIRED FOR ALL SUBMITTALS.....

____ **SKETCH PLAN REVIEW AND COMMENT. You must submit,**

__ 6 copies of the proposed plan (folded to 8.5" by 14")

__ Zone Atlas page showing the property clearly marked **MUST BE ABLE TO PHOTO COPY**

YOUR ATTENDANCE IS NOT REQUIRED AT DRB MEETINGS. COMMENTS CAN BE FORWARDED.

__X__ **SITE DEVELOPMENT PLAN APPROVAL ___ OR AMENDMENT ___ . You must submit for,**

-- MUST BRING ORIGINAL MYLAR TO THE DRB MEETING --

__X__ Site Development Plan for Building Permit __X__ Site Development Plan for Subdivision ___ Master Dev. Plan

__X__ EPC public hearing ____ DRB public hearing ____ DRB non-public hearing

Administrative Amendment: ____ DRB ____ Planning staff

✓ X EPC: 30 copies of the site plan (folded to 8.5" by 14")

__ DRB: 24 copies of Site Plan if a public hearing case (folded to 8.5" by 14")

__ DRB: 6 copies of Site Plan if a non-public hearing case (folded to 8.5" by 14")

__ DRB: 6 copies of the Infrastructure List, if infrastructure required.

✓ 30 copies of Utility Layout Plan

__ AA: 5 copies of Site Plan if an Administrative Amendment case (folded to 8.5" by 14")

✓ X Zone Atlas map showing the property clearly marked **MUST BE ABLE TO PHOTO COPY**

✓ X Site plan checklist

✓ X Traffic Impact Study / Air Quality Statement if a EPC public hearing case (one copy)

__ FORM DRWS/TIS (Drainage Report / Water & Sewer Availability/Traffic Impact Study) if a public hearing case (one copy)

✓ X **Neighborhood Notification if a public hearing case**

X Sign Posting Agreement if a public hearing case

✓ X Reductions (8.5" x 11") of site plans if an EPC case includes Video Tapes.

X Fee (see schedule)

If your case requires an EPC HEARING, hearings are approximately SEVEN WEEKS after the filing deadline.

If your case requires a DRB PUBLIC HEARING, hearings are approximately ONE MONTH after filing deadline.

If your case requires DRB NON-PUBLIC HEARING, meetings are approximately EIGHT DAYS after the Tuesday noon filing deadline. **IN ALL CASES, YOUR ATTENDANCE IS REQUIRED.**

____ **FINAL SIGN-OFF FOR E.P.C. APPROVED PLAN FILE ____-_____-___. You must submit,**

__ Six complete sets of the plan (folded to 8.5" by 14")

__ Zone Atlas map showing the property clearly marked **MUST BE ABLE TO PHOTO COPY**

__ E.P.C. Official Notification of Decision with conditions for site development

__ Letter outlining how you have met each condition of the Notification of Decision

__ Drainage Report submitted to Hydrology Division, (date submitted_____)

__ Blue print with the Fire Marshall's signature

The Filing deadline is Tuesday noon. The DRB meeting is Wednesday of the following week..

YOUR ATTENDANCE IS REQUIRED.

All original and related case numbers must be listed here! (Zone change, variance, etc.)

_____ _____ _____

_____ _____ _____

All necessary information has been submitted and checked at the time of application

(Sign)_____ _____

(Print) Susan Fox 6/29/00 Malita Hill 6/28/00

Applicant or Agent / Date Planner / Date

Project # 1000643 App # 00110-00000-00888

-37- 28-60000-00889

ORM Z: ZONING

THIS FORM IS REQUIRED WITH THE DEVELOPMENT REVIEW APPLICATION FOR A ZONING ACTION. CHECK-OFF THE SECTION BELOW CORRESPONDING TO THE ACTION YOU REQUEST. A PRE-APPLICATION DISCUSSION WITH A PLANNER FROM DEVELOPMENT SERVICES IS RECOMMENDED.

__X__ **MAP AMENDMENT. You must submit for,**

____ Annexation / Establishment of Zoning
__X__ Zone Change (Map Amendment)

AX# _____-_____-___
Z# _____-_____-___

✓ X Property owner's signature on **application or written permission**
✓ X Written explanation of reasons for amendment
✓ X Zone Atlas page **showing the property clearly marked**
__ If an annexation, **submit a survey of the property to be annexed and a sketch of any current uses.**
✓ X If a Site Development Plan is also being submitted for approval, **attach Form-P to submittal package.**
✓ X Traffic Impact Study (TIS) / Air Quality Form
✓ X Neighborhood notification
✓ X Sign Posting Agreement
✓ X Fee (see schedule)

YOUR CASE REQUIRES AN EPC PUBLIC HEARING. HEARINGS ARE APPROXIMATELY SEVEN WEEKS AFTER THE FILING DEADLINE. YOUR ATTENDANCE IS REQUIRED.

__ **SECTOR PLAN. You must submit for,**

SD# _____-_____-___

__ Phase I-Conceptual Plan Review __ Phase II-Final Review & Approval __ Phase II-Final DRB Sign-off
____ Adoption ____ Amendment
__ See Map Amendment requirements and consult Planning Dept. Staff
__ Fee for final review and approval only (see schedule)

PHASE I -CONCEPTUAL PLAN REVIEW requires a DRB meeting and an EPC public hearing. YOUR ATTENDANCE IS REQUIRED.
PHASE II -FINAL REVIEW & APPROVAL Requires a DRB public hearing, an EPC public hearing, and in some cases, City Council approval. YOUR ATTENDANCE IS REQUIRED.
PHASE II -FINAL DRB SIGN-OFF requires a DRB meeting. Your attendance is recommended.

__ **ZONE CODE TEXT AMENDMENT. You must submit for,**

TA# _____-_____-___

__ . 30 copies of the amendment. Include title and enactment number of the document to be amended.
__ Fee (see schedule)

YOUR CASE REQUIRES AN EPC PUBLIC HEARING. HEARINGS ARE APPROXIMATELY SEVEN WEEKS AFTER THE FILING DEADLINE. YOUR ATTENDANCE IS REQUIRED.

__ **SPECIAL PROJECTS REVIEW.**

SPR#_____-_____-___

__ Consult with a City planner for the requirements specific to your project.

original and related case numbers must be listed here! (DRB, Zone Change, Variance, Etc.)

ssary information has been submitted and checked at the time of application

)_____

) Susan B. Fox, Agent 6/29/00
Applicant or Agent / Date

Makin Hill 6/28/00
Planner / Date
Rev. 01/29/98

Project # 1000643
App # 0010-00000-00858
0012-00000-00859

Z #_____-_____

Mary Lynn Roper
President/General Manager

June 21, 2000

RE: KOAT-TV/Zone Change Application

To Whom It May Concern:

KOAT-TV hereby appoints the law firm of Rodey, Dickason, Sloan, Akin and Robb, P.A., as its agent and authorizes it to file a zone change application and act on KOAT-TV's behalf with respect to said application.

Mary Lynn Roper
President/General Manager

3801 Carlisle N.E.
Albuquerque, New Mexico 87107
505-884-7777

ACTION 7 NEWS
Coverage You Can Count On
Hearst-Argyle TELEVISION

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MICHELLE HENRIE
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PEARCE C. RODEY (1889-1958)
DON L. DICKASON (1906-1999)
WILLIAM A. SLOAN (1910-1993)

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TELEPHONE (505) 954-3900
FACSIMILE (505) 954-3942

WRITER'S DIRECT NUMBER
505-768-7224

June 29, 2000

VIA HAND-DELIVERY

Charles Gara, Chairman
Environmental Planning Commission
Plaza Del Sol Building
600 2nd Street, NW - 3rd Floor
Albuquerque, NM 87102

Re: **KOAT-TV Zone Change Application, C-1 to SU-1 for TV Station, Satellite Dishes, Related Facilities and Helipad/ Reason for Request**

Dear Chairman Gara:

This Firm represents KOAT-TV with respect to the above-referenced zone change application. KOAT-TV's station is located at 3801 Carlisle Boulevard NE, at the northwest corner of two arterial streets, Carlisle and Comanche (see Zone Atlas Page G-16-Z, attached hereto as Exhibit A). KOAT's current site is approximately 1 mile east of Interstate 25 and one-half mile from the North Diversion Channel. The site is 3.6 acres in size, and is presently zoned C-1. KOAT-TV has been operating a small portion of the site as a helipad for its television news helicopter since the early 1980s.

This Request results from the recent passage of Bill O-73, which makes helipads an allowed use under the zoning code only in the Special Use Zone (see Council Bill O-73, February 7, 2000, attached hereto as Exhibit B). Under this revised ordinance, non-medical and non-law enforcement helipads must comply with federal, state and local regulations and must be a minimum of 650 feet from the nearest residential zone, measured from the edge of the helipad. Id., § 4.B.16.a. However, helipads located more than 350 feet from the nearest residential zone may receive SU-1 approval if it is demonstrated that the helipad will not be injurious to adjacent property, the neighborhood, or the community. Id. Thus, under the revised ordinance and pursuant to the instruction of the Planning Department, in order to continue to operate its on-site helipad, KOAT apparently must

obtain a zone change from C-1 to SU-1 for the entire 3.6 acre site. A Site Plan for Building Permit, showing the as-built site and certain proposed updates, has therefore been submitted for approval in conjunction with this request.

This letter respectfully requests the Environmental Planning Commission's favorable consideration of KOAT's application. The letter focuses on the helipad, since it is only due to the helipad's on-site presence that this zone change request is necessary (the television station, satellite dishes and related facilities comply with relevant laws and regulations and have generated no complaints and required no City action in KOAT's twenty years at the Comanche/Carlisle site). KOAT therefore respectfully requests that, as a preliminary matter, the EPC consider the feasibility of the zone change and site plan request vis-a-vis the helipad before embarking upon consideration of the remainder of the site. Should helipad use under the SU-1 category be disapproved, KOAT withdraws from consideration its zone change request and proposed site plan for the rest of the site.

Helipad History. KOAT moved to the C-1-zoned Comanche/Carlisle site from its old site on University Boulevard nearly twenty years ago in significant part to allow an on-site helipad. At that time, the community was consulted and gave input about the location of the helipad. It was by neighborhood request (see letter of Ray Montgomery dated 8/31/98, attached hereto as Exhibit C) that the current helipad site was located near the front of the station near the Comanche/Carlisle intersection, where it remains today. The Federal Aviation Administration also gave it's blessing to KOAT's helipad site and helicopter flight patterns (see FAA letter, attached hereto as Exhibit D).

In the twenty years since KOAT moved to the Comanche/Carlisle site and has operated its helipad, there have been no neighborhood complaints about KOAT's helicopter or helipad usage. Only within this past year, in conjunction with the City Council's consideration of Bills O-73 and O-109, has anyone in the vicinity of KOAT complained about KOAT's helicopter use. (See Record, Bills O-73 and -109). Notably, that individual lives approximately 1,000 feet from the KOAT helipad and complains of overhead, in-flight helicopter noise rather than noise emanating from the activities occurring on the helipad itself.

Current (And Proposed) Location of Helipad. The helipad is a 10-foot diameter circle of marked concrete which has always been located in the southeastern portion of the KOAT site. The helipad was designed and built in accordance with FAA Heliport Design Guidelines, AC150/5390-2A, Private Use Heliport Standards. The helipad is 373 feet from the nearest residentially-zoned property to the west, 374.4 feet from the nearest residentially-zoned property to the southeast, and 390 feet from the nearest residentially-zoned property to the east, as confirmed by a ground survey performed by a professional surveyor (see November, 1998 Survey, attached hereto as Exhibit E).

Justification for Request. KOAT's request for a zone change from C-1 to SU-1 for TV Station, Satellite Dishes, Related Facilities and Helipad is consistent with the health, safety, morals, and general welfare of the City. In passing Bill O-73, the City Council implicitly determined that a helipad greater than 650 feet from the nearest residentially-zoned property, or a helipad greater than 350 feet from the nearest residentially-zoned property which meets all federal, state and City regulations and which demonstrates that it will not be injurious to adjacent property, the neighborhood or the community, poses little if any threat to the neighborhood or the community (see Section 2.H, Exhibit B). KOAT's helipad is greater than 350 feet from the nearest residentially-zoned property and it meets all the requirements of Section 4.B.16.a.:

KOAT's Helipad Meets All Applicable Regulations.

1. Federal. KOAT's helipad and helicopter have received all necessary FAA approvals for operation from the site (see Exhibit D). KOAT currently operates a Bell 206 L-4 turbine-powered helicopter, which is known to be the safest single engine aircraft in the world. KOAT's helicopter is designated as "SKY 7." SKY 7 is operated under strict FAA Part 135 regulations: this means that mechanical inspections of KOAT's helicopter are tougher and more frequent than what is "normally" required for other helicopters. In addition, KOAT's pilot, Jeff Martin, has more than 11 years of helicopter pilot experience and has logged more than 4600 hours of helicopter flight time. He faces annual flight safety and competency checks by the FAA, and Jeff has consistently received the highest ratings for his aircraft operation and safe flight paths. KOAT maintains a flight log which is available for public viewing at any time.

2. State. KOAT-TV abides by all state laws and regulations and has never received any citation or notice of a violation by its helipad or by virtue of its use of its helicopter.

3. Local. KOAT-TV likewise abides by all local laws and regulations and has never received any citation or notice of a violation by its helipad or by virtue of its use of the helicopter. By the City's own noise measurements, and by virtue of KOAT's location at the intersection of two arterial streets with considerable motor vehicle traffic, noise levels generated by helicopter warm-up/cool-down on the KOAT helipad are only "**slightly to not-at-all annoying**." (See Testimony of noise expert Harvey Knauer, July 28, 1999 Land Use, Planning and Zoning Committee hearing, Bill O-109, attached hereto as Exhibit F.)

KOAT's Helipad Will Not Be Injurious to Adjacent Property, the Neighborhood, or the Community.

1. Adjacent Property. KOAT's site is bordered by a 30-foot alley and by property zoned R-3 (currently occupied by a vacant lot and by the Theta apartments) and O-1 (currently an office building) to the west; by an AMAFCA ditch and R-3 (the Theta apartments) and C-1 zoning (Lovelace Health Care Center) to the north and northeast; by Carlisle Boulevard (a minor arterial) and C-1 zoning (Carlisle Center strip center) to the east; and by Comanche Boulevard (a minor arterial) and O-1 (Comanche Place office building) and SU-1 for O-1 (Unitarian Church) zoning to the south. KOAT has never received a complaint about its helipad from any of these neighbors.

   In conjunction with this request, KOAT proposes to update the area of the site surrounding the helipad. As depicted on the proposed site and landscape plans, KOAT will remove the currently-existing chain-link fence around the helipad area and surround the helipad area with an attractive three-foot aluminum picket fence. KOAT proposes to add a designated "helicopter observation area" on the west side of the helipad area to allow for safe public viewing of helipad operations. There will be a locked rolling gate installed in the fence at the west end of the helipad area to allow for helicopter service vehicle access or emergency access. Additional landscape screening in the form of rubber rabbit brush will be planted at the eastern side of the helipad area. This screening will provide a good buffer for the public while still allowing for public viewing of helipad activities.

   Taller fencing and/or trees in the helipad area were considered and rejected for safety reasons: the helicopter must safely clear any wall, fence or trees on takeoff/landing; a 3-foot fence and lower-growing shrubbery allows this. A solid wall was likewise rejected because KOAT feels, and experience shows, that it is important that the public be able to view what is happening when a helicopter takes off; a see-through fence discourages children or the public from climbing into or otherwise attempting to come within the helipad area in order to see "what is going on." A non-solid fence also eliminates the potential for graffiti.

2. The Neighborhood. KOAT has a policy of not taking off from or landing on the helipad between 10:00 p.m. and 7:00 a.m. unless assisting in a medical or law enforcement emergency situation. In a typical week, SKY 7 utilizes the helipad for less than ten operations (1 takeoff + 1 landing= 1 operation). These operations generally do not exceed three per day. Typical helicopter warm-up time on the

helipad is less than two minutes (summer), or 3-4 minutes (winter), with a mandatory post-flight cool-down period lasting two minutes. After takeoff, the helicopter ascends to an altitude of 300 feet within ten seconds and within 400 feet of the helipad. In no case does SKY 7 deviate from its pattern of flying directly over Carlisle and/or Comanche for approach/takeoff, and in no case does SKY 7 fly over residential property at an altitude of less than 300 feet (the FAA-prescribed altitude for flights within the City of Albuquerque). As previously noted, KOAT's helipad usage for helicopter takeoffs and landings has generated no neighborhood complaints in twenty years of operation. SKY 7 uses only FAA-approved flight patterns when taking off and landing. KOAT does not store helicopter fuel on-site. For the EPC's convenience, a videotape of SKY 7 takeoff/landing procedure has been included in KOAT's application package.

3. Neighborhood Support. KOAT's continued respect and concern for its neighbors has resulted in neighborhood SUPPORT for the KOAT helicopter and helipad. The boards of the Alta Monte Neighborhood Association, the Montgomery Heights Neighborhood Association, and the Montgomery I-25 Neighborhood Association all support the continued use of the helipad and helicopter at KOAT's current site (see letters in support, attached hereto as Exhibit G).

4. The Community. Rather than threatening injury to the community as a whole, KOAT's on-site helipad provides a public service. Viewers expect and depend on coverage from SKY 7. The ability to have both pilot and helicopter on-site has been and remains critical to KOAT's newsgathering process. Anything less would represent a great disservice to viewers. SKY 7 also plays an important role in public safety and emergency situations. SKY 7 often helps in search and rescue operations, local law enforcement efforts, state law enforcement efforts, and federal law enforcement efforts. SKY 7 is also used by fire chiefs for better views during forest or grass fires. SKY 7 has assisted in locating downed aircraft and crash scenes. It is imperative that the KOAT helipad remain on-site in order to properly serve the community in these and other ways. (See FAA letter dated 8/17/98 and e-mail dated 6/19/98, attached hereto as Exhibit H.)

KOAT's Proposed Zone Change Is Not In Significant Conflict With Adopted Elements Of The Comprehensive Plan Or Other City Plans.

KOAT's site lies within the Established Urban development area, as described by the 1988 Albuquerque/Bernalillo County Comprehensive Plan. KOAT's proposed zone change to allow a helipad does not conflict with any of the goals or policies of the Comprehensive

Plan. This is perhaps best demonstrated by KOAT's impeccable, complaint-free record of helipad operation on the site for the past twenty years. No sector or area plan is applicable to the KOAT site.

The Existing C-1 Zoning Is Inappropriate for Continued Helipad Use. Although the existing C-1 zoning has been and remains entirely appropriate for radio/television station uses, the City Council's action in amending the zoning code to prohibit helipads except on property zoned SU-1 has made clear that, in the view of the City Council, there has been a change in community conditions justifying a change to SU-1 zoning for helipads, and/or that a different use category for helipads is more advantageous to the community. This amendment to the zoning code requires KOAT to seek this zone change. Because the continued operation of SKY 7 from its existing site is a vital part of KOAT's operations, a change to SU-1 zoning for the entire site is appropriate in order to allow the continuing operation of the helipad.

Site Plan Approval for Remainder of Site. The accompanying site and landscaping plans depict the current, as-built KOAT site. These existing improvements are grandfathered under the City of Albuquerque zoning code. KOAT has proposed certain updates which are depicted on its site plan and landscaping plan.

With respect to parking, the zoning code prescribes no specific parking requirement for television stations. KOAT's parking ratio, 1:300, was City-approved at time of occupancy and, twenty years later, more than adequately fulfills the site's needs. KOAT currently employs 143 employees at its 24-hour station; on the busiest day of the KOAT week, during any one shift, the maximum number of employees on site totals only 81. No parking is necessary (or possible) on adjacent streets. With 123 parking spaces provided on site in both secured and unsecured parking areas, this ratio amply covers the needs of both KOAT staff and site visitors (see KOAT staff calculation, attached hereto as Exhibit I). In addition, the site is well-served by City transit lines along both Carlisle and Comanche Boulevards, and by the nearby bicycle path along the North Diversion Channel. KOAT encourages bicycle commuters by maintaining bike racks and two on-site showering facilities.

The site plan depicts five existing satellite dishes. All are located in a grassy area near the Comanche/Carlisle intersection and all have been placed in order to allow adequate transmission and reception. These dishes meet all FCC standards and KOAT has had no complaints regarding the dishes. KOAT proposes to remove the existing chain link fence in front of the satellite dishes. Because of transmission and helicopter clear zone requirements, placement of trees or other obstructions in this area are not possible.

KOAT proposes to supplement its existing landscaping, both in the helipad area and in other areas of the site, as depicted on the proposed landscaping plan. The site exceeds the percentage of

landscaped area required by the City. KOAT proposes to add trees and xeric plantings to further enhance the streetscape.

For the reasons described above, on behalf of KOAT-TV, we respectfully request that the EPC grant the proposed zone change from C-1 to SU-1 for Television Station, Satellite Dishes, Related Facilities and Helipad and related site plan approval.

Very truly yours,

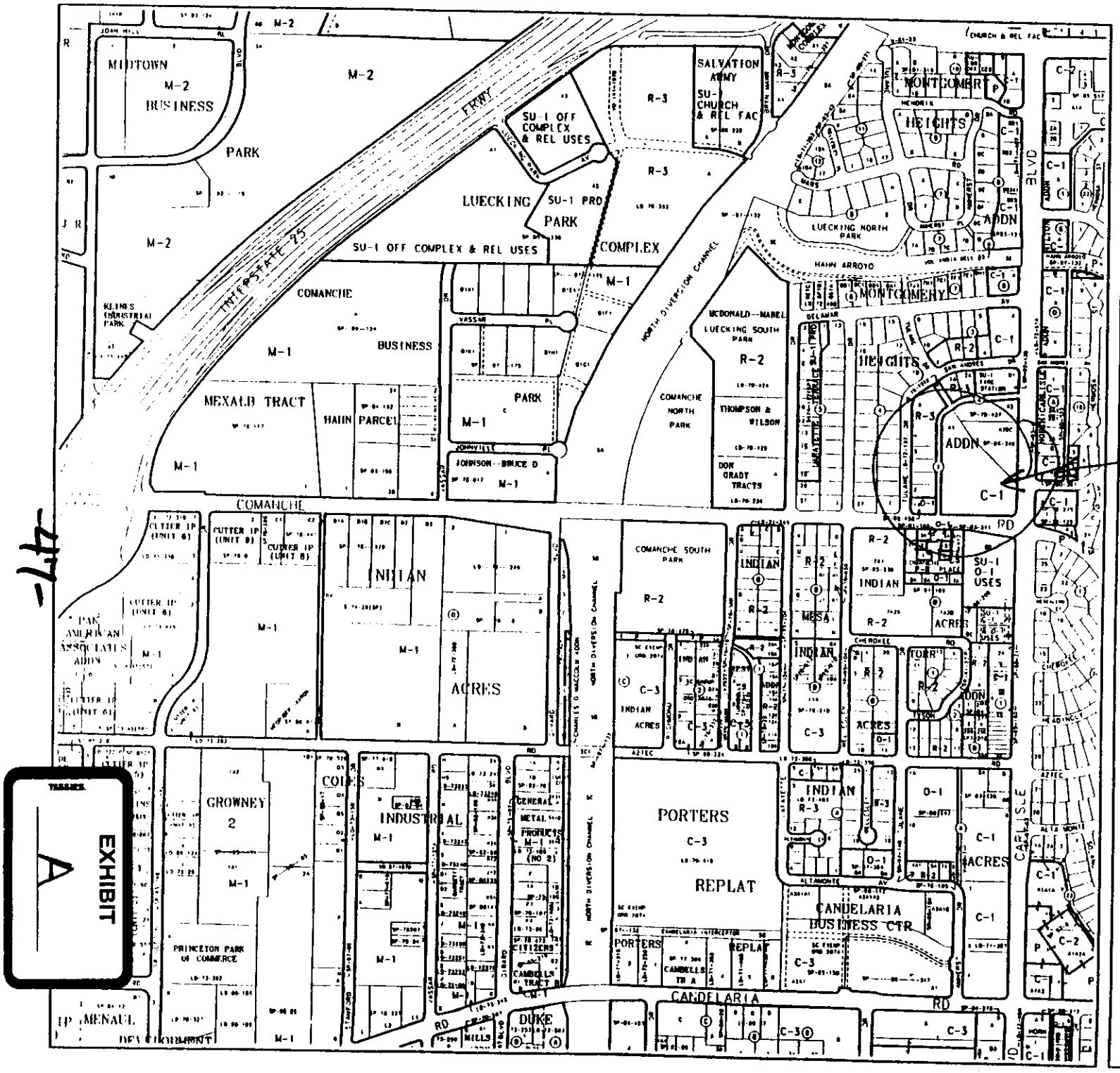
RODEY, DICKASON, SLOAN, AKIN & ROBB, P.A.

By: Susan B. Fox

SBF/ssb

Enclosures

cc: Mary Lynn Roper



CITY OF Albuquerque

Albuquerque Geographic Information System

PLANNING DEPARTMENT

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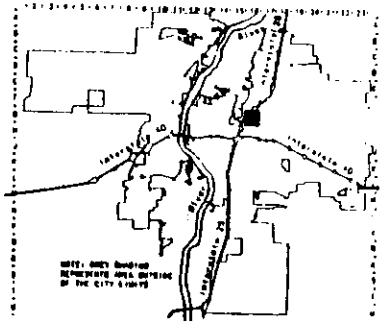

Zone Atlas Page
G-16-Z

Map Amended through
February 27, 1998

EXHIBIT
A

-47-

CITY of ALBUQUERQUE
THIRTEENTH COUNCIL

COUNCIL BILL NO. O-73 ENACTMENT NO. _____

SPONSORED BY: Adele Baca-Hundley

ORDINANCE

AMENDING ZONING CODE SECTIONS 14-16-1-5, 14-16-2-22, AND 14-16-3-4(A) R.O.A. 1994 MAKING HELIPADS, LAW ENFORCEMENT HELIPADS AND MEDICAL HELIPADS AN ALLOWED USE UNDER THE ZONING CODE ONLY IN THE SU-1, SPECIAL USE ZONE, AND CREATING A ONE YEAR AMORTIZATION PERIOD FOR NONCONFORMING HELIPADS, LAW ENFORCEMENT HELIPADS AND MEDICAL HELIPADS.

BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:

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Section 1. INTENT: The land use of taking off and landing helicopters has potential adverse impacts on the health, safety, and welfare of the users and the surrounding property. Operating a take off and landing facility for helicopters, commonly known as a helipad or heliport, is not a prohibited use of land within the City of Albuquerque. Historically, there have been very few helipads within the City of Albuquerque. As the City of Albuquerque has become a larger Metropolitan area over recent decades, there has been an increase in the number of helipads within the City. Because of the increasing potential for adverse effects of helipads on health, safety, and welfare, the City of Albuquerque needs to regulate the location and operation of helipads to minimize the potential for adverse effects.

Section 2. FINDINGS:

A. Helipads have historically been an allowed accessory use under the Zoning Code and could locate on any commercial premises;

B. Helipads do not currently have to meet any land use requirements to lessen potential adverse effects to the premises on which the helipad is located or

EXHIBIT B

to surrounding properties;

C. Since the adoption the 1959 City of Albuquerque Zoning Code the growth of the City of Albuquerque and advances in technology have caused the frequency of the interaction between helipads and other land uses to increase;

D. Helicopters taking off and landing can cause noise in violation of the City of Albuquerque Noise Ordinance, high wind from the down draft of their rotors and can physically threaten the safety of people and property by the very nature of their operation;

E. Helicopters may use City of Albuquerque airports for take offs and landings and thereby minimize the adverse effects of their operation on surrounding properties. Helipads or heliports which accommodate heavy usage should be located at an airport;

F. If helicopters operate from helipads in other areas of the City outside of airports, the location and operation of heliports can be regulated so as to minimize the potential hazards and adverse effects resulting from their operation;

G. The SU-1 zone provides an appropriate means for regulating helipads. Helipads should be allowed only in the SU-1 special use zone because of their effect on surrounding property, the potential threat from helicopters to the safety of people and property, and the inherent hazard helicopters present from the very nature of their operation;

H. In order to limit their impacts, helipads located outside of airports that do not provide emergency safety or medical functions should be restricted to a reasonable number of operations per day and reasonable hours of operation; furthermore, such helipads should be adequately buffered and separated a minimum distance from residential zones. Evidence, including direct observation and public testimony, indicates that a separation between 350 feet and 650 feet provides a level of safety and noise attenuation to allow for the enjoyment of residential property;

I. Helicopters and their use of helipads are a beneficial use within the community for many purposes. In particular, helicopters enhance law enforcement effectiveness with unique surveillance and emergency response attributes; also, helicopters to bring emergency medical patients to hospitals in a much faster time than by other forms of transportation. Medical helipads currently exist at certain City

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hospitals and are already regulated by site plans in SU-1 zones;

J. Due to their unique and important public safety and emergency functions, law enforcement and medical helipads should not be unnecessarily restricted;

K. Existing helipads, not already regulated by a site plan in an SU-1 zone, including law enforcement and medical helipads, should be regulated by the same regulations that will govern ~~all~~ future helipads, because of the possible harmful effects that existing helipads may be causing to adjacent properties;

L. Evidence, including direct observation, noise monitoring and extensive public testimony, indicates that the detrimental impact of helipads within close proximity to residential zones can be severe and acutely disruptive to enjoyment of property; therefore, the adoption of the briefest reasonable amortization period for nonconforming helipads is appropriate; and

M. A one-year amortization period for nonconforming helipads provides a reasonable period for helipad operators to come into conformance with this ordinance, or to make alternate arrangements to the on-site helipad and recoup financial investment in the on-site helipad.

Section 3. §14-16-1-5 DEFINITIONS, R.O.A. 1994, of the Zoning Code is amended by addition of the following language:

"Helicopter: Any rotary wing aircraft or other vertical lift aircraft powered by mechanical or jet propulsion, and specifically excluding lighter-than-air craft."

"Helipad: An area of land or structural surface created for and used for the landing and takeoff of helicopters or similar vertical lift aircraft."

"Law Enforcement Helipad: A helipad that is operated by a governmental agency and used exclusively for law enforcement purposes."

"Medical Helipad: A helipad that is located on the same premises as a hospital, or in close proximity to a hospital, and is used exclusively for emergency medical transport."

Section 4. § 14-16-2-22 SU-1 SPECIAL USE ZONE, R.O.A. 1994, is amended as follows:

This zone provides suitable sites for uses which are special because of infrequent occurrence, effect on surrounding property, safety, hazard, or other

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reasons, and in which the appropriateness of the use to a specific location is partly or entirely dependent on the character of the site design.

(A) Procedure.

(1) Development within the SU-1 zone may only occur in conformance with an approved Site Development Plan. An application for a change to SU-1 zoning shall state the proposed use and must be accompanied by a plan including, at a minimum, all the elements of a Site Development Plan for Subdivision Purposes. As part of the zone amendment action, a Site Development Plan may be approved; alternatively a plan may be approved later. If an approved Site Development Plan is a specified condition of zone change approval, such plan must be approved within the time period specified in § 14-16-4-1(C)(10) of this Zoning Code. No building permit shall be approved unless it is consistent with a complete site development plan for building permit and landscaping plan for the lot in question, approved by the Planning Commission or its designee; at the Planning Commission's discretion, approval of detailed plans may be required for the entire SU-1 zone area prior to issuing a building permit.

(2) A decision implementing a change to the zone map to SU-1 zoning shall designate the specific use permitted, and a building permit shall be issued only for the specific use and in accordance with an approved Site Development Plan. The specific use shall be recorded on the zone map.

(3) In approving an application, the Planning Commission may impose requirements as may be necessary to implement the purpose of this Zoning Code.

(4) A certified copy of the Site Development Plan shall be kept in the Planning Department records so that it may be reviewed against an application for a building permit for any part or all of a special use.

(5) The Planning Commission may review the application, plan, and progress of development at least every four years until it is fully implemented to determine if it should be amended.

(6) The Planning Director may approve minor changes to an approved Site Development Plan or Landscaping Plan if it is consistent with the use and other written requirements approved by the Planning Commission, if the buildings are of the same general configuration, if the total building square footage is not greater than

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10% than the approved plan, the vehicular circulation is similar in its effect on adjacent property and streets, and the approving official finds that neither the city nor any person will be substantially aggrieved by the altered plan. If the Planning Director believes there might be a person substantially aggrieved by the altered plan or if the total building square footage would be increased more than 2%, he shall give mailed notice of the proposed change to owners of adjacent property and to neighborhood associations entitled to notice of zone change proposals there.

(7) The Planning Director or a designee may approve site plans for temporary park-and-ride facilities.

(B) Special Uses.

(1) Accessory use customarily associated with a use permitted in this zone, provided it is incidental to the major use. Signs as permitted and regulated by the Planning Commission.

(2) Airport. Signs as permitted and regulated by the Planning Commission.

(3) Antenna (commercial).

(4) Amusement facility of a permanent character, including but not limited to kiddie land, baseball batting range, golf driving range, provided that any adult amusement establishment is not:

(a) Located within 500 feet from the nearest residential zone, or from any church or pre-elementary, elementary, or secondary school; or

(b) Located within 1,000 feet from any of the following uses: adult amusement establishment, adult book store, adult photo studio, and adult theater. Signs as regulated in the C-2 zone.

(5) Automobile dismantling yard or similar use. Signs as regulated in the C-1 zone.

(6) Bed and Breakfast Establishment. Bed and breakfast establishment with four to eight guest rooms on a site which was previously in a residential zone is restricted to lots abutting collector streets, minor arterial streets, or major arterial streets.

(7) Campground, provided it meets the requirements of § 14-16-3-7 of this Zoning Code. Signs as regulated in the C-2 zone.

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(8) Cemetery, including columbarium, mausoleum, or crematory, provided the site contains at least 30 acres. Signs as regulated in the O-1 zone.

(9) Church or other place of worship, including incidental recreational and educational uses; such an incidental use must be operated by the church rather than a business entity and must continue to be operated by the church, unless the resolution governing the SU-1 zone specifically allows operation of a specified incidental use by an entity other than the church itself. Incidental uses allowed include but are not limited to an emergency shelter operated by the church on the church's principal premises which is used regularly for public worship, notwithstanding special limitations elsewhere in this Zoning Code. Signs as permitted and regulated by the Planning Commission.

(10) Park-and-Ride temporary facilities.

(11) Drilling, production, or refining of petroleum gas or hydrocarbons. Signs as regulated in the O-1 zone.

(12) Drive-in theater, provided:

(a) Reservoir off-street standing space or side service road space is provided at any entrance sufficient to accommodate at least 30% of the vehicular capacity of the theater.

(b) A screen less than 500 feet from an arterial street is so located or shielded that the picture surface cannot be seen from the arterial street.

(c) The theater is enclosed with a solid wall or fence at least six feet high.

(d) Any adult theater is not:

1. Located within 500 feet from the nearest residential zone, or from any church or pre-elementary, elementary, or secondary school, or

2. Located within 1,000 feet from any of the following uses: adult amusement establishment, adult book store, adult photo studio, and adult theater. Signs as regulated in the C-2 zone.

(13) Fire station. Signs as regulated in the O-1 zone.

(14) Golf course. Signs as regulated in the O-1 zone.

(15) Gravel, sand, or dirt removal activity, stockpiling, processing, or distribution and batching plant. Signs as regulated in the O-1 zone.

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(16) Helipad, other than a medical helipad or a law enforcement helipad, provided it complies with Federal, State and Local regulations including City noise regulations; and further provided that:

(a) Helipads are a minimum of 650 feet from the nearest residential zone as measured from the edge of the helipad unless it is demonstrated the helipad will not be injurious to adjacent property, the neighborhood, or the community, but in no case shall a helipad be located less than 350 feet from the nearest residential zone, as measured from the edge of the helipad.

(b) The total number of helicopter operations (a landing and a takeoff is one operation) shall not exceed 3 on any day. The operations per day do not accumulate if not used.

(c) Helicopter landing and takeoff operations are prohibited between 10 P.M. and 7 A.M.

(d) Written documentation of helipad operations, including, but not limited to, flight path usage and the date and time of all landings and takeoffs, shall be maintained by the helipad owner and made available upon request for public inspection.

(e) Helipad operations that assist in medical emergencies, police emergencies, or search and rescue emergencies, when solicited by agencies which respond to such emergencies, shall not be limited to three operations per day nor to time of day limitations.

(17) Hospital for human beings, including medical helipad, provided that ~~neither~~ the traffic generated, ~~nor~~ ambulance noise, nor medical helipad will have serious adverse effects on the neighborhood. Medical helipads shall be sited and buffered to minimize impacts on surrounding properties. Written documentation of medical helipad operations, including date and time of all landings and takeoffs, shall be maintained and made available upon request for public inspection. Signs as regulated in the C-1 zone.

(18) Institution, correctional or mental. Signs as regulated in the O-1 zone.

(19) Law Enforcement Helipad, provided that such helipads are sited and buffered to minimize impacts on surrounding properties. Written documentation

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of law enforcement helipad operations, including date and time of all landings and takeoffs, shall be maintained and made available upon request for public inspection.

(20) Major public open space as defined and administered pursuant to Chapter 5, Article 8, ROA 1994 of this code of ordinances.

(21) Open market. Signs as regulated in the C-1 zone.

(22) Ore reduction, smelting. Signs as regulated in the O-1 zone.

(23) Planned development area, including residential development and mobile home development, in which special use, height, area, setback, or other regulations should be imposed, provided the site contains at least three acres. Signs as permitted and regulated by the Planning Commission.

(24) Public utility structure. Signs as regulated by the Planning Commission.

(25) Police Station. Signs as regulated in the O-1 zone.

(26) Race track. Signs as regulated in the C-2 zone.

(27) Stadium. Signs as regulated in the C-2 zone.

(28) Swimming pool. Signs as regulated in the O-1 zone.

(29) Transit facilities.

(30) Truck plaza.

(31) Use combinations not adequately allowed and controlled in other zones, relative to a specific site. Signs as permitted and regulated by the Planning Commission.

(C) Off-Street Parking. Off-street parking shall be provided as required by the Planning Commission.

(D) Height. The same regulations apply as in the R-2 zone unless modified by the Planning Commission.

(E) Open Space. If the SU-1 zone is mapped in an area not designated by the master plan as Redeveloping or Established Urban, 2,400 or more square feet of open space per dwelling shall be preserved. Of the total 2,400 square feet, the following minimum amounts shall be usable open space on the lot with the dwelling: 200 square feet for each efficiency or one-bedroom dwelling, 250 square feet for each two-bedroom dwelling, and 300 square feet for each dwelling containing three or more bedrooms. The remaining requirement may be met by the alternatives listed

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in § 14-16-3-8(A) of this Zoning Code.

(F) Variances. If the resolution approving SU-1 references the regulations of another zone or if the adopted site development plan specifically incorporates such regulations, the referenced zone regulations shall apply unless a variance is approved.

(G) An air quality impact review and assessment may be required. See § 14-16-3-14 of this Zoning Code.

Section 5. §14-16-3-4(A) NONCONFORMANCE REGULATIONS. R.O.A. 1994, of the Zoning Code is amended by the addition of the following language:

"(11) Helipads, law enforcement helipads and medical helipads, which constitute nonconforming uses, must be removed from the premises they are located on within twelve-months after they become nonconforming. A helipad, law enforcement helipad or medical helipad which is located in an SU-1 zone and has a site development plan depicting such a helipad approved by the Environmental Planning Commission prior to the adoption of this ordinance shall be deemed conforming."

Section 6. SEVERABILITY CLAUSE. If any section, paragraph, sentence, clause, word or phrase of this ordinance is for any reason held to be invalid or unenforceable by and court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this ordinance. The Council hereby declares that it would have passed this ordinance and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provision being declared unconstitutional or otherwise invalid.

Section 7. COMPILATION. Section 3, 4 and 5 of this ordinance shall be incorporated in and compiled as part of the Revised Ordinances of Albuquerque, New Mexico, 1994.

Section 8. EFFECTIVE DATE. This ordinance shall take effect five days after publication in full.

legislation\thirteen\o-73amd.

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PASSED AND ADOPTED THIS 7th DAY OF FEBRUARY, 2000

BY A VOTE OF 8 FOR AND 1 AGAINST.

Yes: 8
No: Yntema

Michael Brasher

Michael Brasher, President
City Council

APPROVED THIS _____ DAY OF _____, 2000

"Pursuant to Article XI, Section 3, City Charter, this Ordinance is in full force and effect without the Mayor's approval"

_____

Jim Baca, Mayor
City of Albuquerque

ATTEST:

City Clerk

Bill No. O-73

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Ray Montgomery
President
Montgomery I-25 Neighborhood Association
1720 Louisiana NE, Suite 310
505-260-1099

August 31, 1998

Mr. Joe Chavez
Environmental Planning Commission Chairman
C/O Planning Department
Development Services Division
P.O. Box 1293
Albuquerque, NM 87103

Dear Mr. Chavez:

I am the President of the Montgomery I-25 Neighborhood Association, a position I have held since the Association was founded in 1983. During those 15 years, I can assure the Commission that I have not received one complaint about KOAT's helicopter! In fact, the neighbors enjoy having the helicopter so visible in the area. The general sentiment of the residents is "Sky 7 is nifty."

Apparently there are now concerns raised by the Albuquerque Country Club neighborhood about KOB-TV landing its helicopter at their station. Those concerns stem from residents feeling that the helicopter is flying over homes as it takes off and lands. Our neighborhood is different. KOAT's helicopter is able to take off and fly down either Carlisle or Comanche. The immediate area around KOAT is more commercial than residential, eliminating the concerns of the helicopter flying over homes.

When KOAT-TV officials were looking for a location to build their new facility in 1979, I personally took an active role in encouraging them to locate at Comanche and Carlisle. The station was built in 1980, and for 18 years has been a wonderful neighbor, and good for our neighborhood. Again, let me stress that I have never even had one complaint about the helicopter taking off or landing from the station. Kids enjoy watching Sky 7, and adults know that the reporters are in active pursuit of informing them of breaking news.

EXHIBIT
C

When KOAT-TV purchased the land, then General Manager Max Sklower wanted to buy additional acreage to the Northwest for the helicopter to land behind the station. I encouraged management to land the helicopter right out in front, where everybody could see it and enjoy it. That's what was done, and it has been great.

As President of the Association, responsible for accurately reflecting the concerns of neighbors in the KOAT-TV area, I strongly recommend that this Commission continue to allow KOAT-TV to fly Sky 7 from the station.

Respectfully,

Ray Montgomery
President

U.S. Department
of Transportation
**Federal Aviation
Administration**

FLIGHT STANDARDS DISTRICT OFFICE
1601 RANDOLPH RD., SE SUITE 200N
ALBUQUERQUE, NM 87106
TELEPHONE: (505)-764-1200

September 2, 1998

Mr. Pahl Shipley, News Director
KOAT-TV
3801 Carlisle, NE
Albuquerque, NM 87107

Dear Mr. Shipley:

This letter confirms our conversation reference the KOAT-TV helistop. At the time the KOAT-TV helistop was established, it met all of the requirements for a privately owned and operated helistop as set forth in Federal Aviation Administration's (FAA) Advisory Circular (AC) 150/5390-2A, Heliport Design. As we discussed, any Advisory Circular is advisory in nature, not regulatory. Additionally, since yours is a privately owned helistop, and does not receive public funding, you are not required to comply with the recommendations stated in the AC. Your compliance with the safety recommendations was strictly voluntary on the part of KOAT-TV and, in the interest of aviation safety, much appreciated by this office.

Sincerely,

J.D. Huss
Aviation Safety Inspector

EXHIBIT
D

EXHIBIT FOR KOAT-TV

TRACT A-1, BLOCK 1
MONTGOMERY HEIGHTS
SECTION 3, T. 10 N., R. 3 E., N.M.P.M.
ALBUQUERQUE, NEW MEXICO
NOVEMBER 1998

EXHIBIT E-12

SCALE: 1" = 60'

ZONED R-3

ZONED R-1

ZONED O-1

30' ALLEY

TRACT A-1, BLOCK 1
MONTGOMERY HEIGHTS

COMANCHE ROAD NE

PALO DURO AVENUE NE

CARLISLE BOULEVARD NE

ZONED C-1

ZONED R-1

ZONED R-1

Vicinity Map

SITE

N.T.S.

G-16-Z

SURVEYOR'S CERTIFICATE

I hereby certify that this exhibit is the result of an actual ground survey performed by me or under my supervision and that the dimensions shown hereon are true and correct to the best of my knowledge and belief.

THOMAS W. PATRICK
N.M.P.S. NO. 12651

Date 1 December 1998

SOUTHWEST SURVEYING CO., INC.
333 LOMAS BLVD., N.E.
ALBUQUERQUE, NEW MEXICO
87102
PHONE: (505) 998-0303
FAX: (505) 998-0306

TION R3E SEC. 3

LAND USE, PLANNING & ZONING MEETING
7/28/99 -- TAPE 1 of 3

TESTIMONY OF HARVEY KNAUER
Council Bill O-73

KEY:

CC	Chairman Cummins
HK	Harvey Knauer
CH	Councillor Hundley
CB	Councillor Bregman
CM	Councillor McEntee

CH We have a second. For a while there, I was afraid I was _____. This bill is prohibiting helicopter takeoffs and landings within the city limits in locations other than public airports, and it's providing for certain extensions. . . . And what I would like to do at this time, Mr. Chairman, if it's okay with the Committee, is I have Mr. Knauer here who is a noise expert that flew in last night and did some site visits; and I would like to ask him to come up to the witness table along with our city attorney, Mr. Wheeler.

CC You know we have people signed up to speak. I assume you want to make all those presentations before . . .

CH First. Yes. This is part of my presentation, so . . .

HK Good evening, Mr. Chairman, counselors. My name's Harvey Knauer. I work for Environmental Acoustics, Incorporated. Our firm is a acoustical engineering firm affiliated with Gannett Fleming, who have an office here in Albuquerque. I live at 16 South Hawthorne Road in Coatesville, Pennsylvania. Our office is in Camp Hill, which is a suburb of Harrisburg area of Pennsylvania. Currently under contract to

EXHIBIT F

the City, Environmental, and working at their request to come in and review data and noise measurements that were taken in 1998 by City staff, Environmental Health Department staff, and to review the heliports in the area to look at that data and to give opinions related to the noise related to helicopter operations in the Albuquerque City area. Counselor had asked me to give a brief indication of my past experience. I'm a professional engineer since 1971. I have a Bachelor of Science in Civil Engineering from University of Miami and a Masters in Civil Engineering from Villa Nova University in Pennsylvania. I've been a member since the late 1970's of the National Academy of Sciences Transportation Research Board of Transportation, Noise and Environment and Vibration Committee, and served as full committee member for approximately eleven years on that committee. Prior to coming to Environmental Acoustics, I worked for thirty years with the Pennsylvania Department of Transportation.

. . .

. . . That experience dealt with construction of over fifty miles of noise barriers in Pennsylvania from both _____ design review standpoint. Also, serving and working with communities in the area, I attended over 300 community meetings. These were meetings held with individual citizens, primarily on noise issues in the citizens' homes and in public places. Since becoming a consultant a little over two years ago, I worked on projects in nine states involving highway transit airport projects and, a project that I worked on recently in our community around our office that was very similar to the issues of community helicopter noise that exits in the area here and they're under discussion tonight. That particular involved communities where _____ helicopter was landing on a daily basis, approximately 200 feet from the nearest tunnel in a parking lot _____ very little shielding between the sight of landing and the residential homes. To evaluate that, we looked at standard noise criteria that applied to airport operations and it is very much true on the highway and

the transit field also where criteria levels are based on levels that are averaged over a large period of time, sometimes an hour, but more often with aircraft noise over a 24-hour period, even though they might wait the night-time noise levels somewhat. There's usually a period such as that 24-hour day/night course level or 24-hour equivalent in noise level for an average. When sporadic events like helicopter landings or a loud truck or a passing train get evaluated under such criteria, truthfully, they don't show up at all in the criteria and they are very difficult to show in a steady noise environment. That's been an issue in the noise community for some time now and there have been methods to try to evaluate those types of events in terms of a noise and on the project that we did in Pennsylvania, we used some annoyance curves that looked at our equivalent work which called the average noise level over a period of over an hour and we also looked at that level, plus the variation in noise, descriptive to evaluate the variation noise and that's called a noise pollution evaluation or LNT. So that takes into account how much the noise fluctuates during the period of measurement. There are a number of citizens that testified before the Planning Commission and the Zoning Board in that particular case. Their findings, their opinions as far as noise range from somewhat moderate annoyance to extreme annoyance and they correlated quite well with the numbers we came up using both LAQ and LNT as descriptors of noise. So when I was contacted by the City of Albuquerque, it sounded much like that situation and I asked if there was any noise monitoring data available and the City supplied me with noise monitoring that they had performed in March/April of 1998 at the three radios — or television station locations, TV4, TV7 and TV13. I looked at that data prior to coming out here and saw what the appropriate values, similar to what I used in Pennsylvania would be and how that would fall on the annoyance scale and then I came —

CB Yes, I'm sorry.

HK No problem, I'm sorry.

CB I guess what my question, before you go on, you were looking at data from 19 — March and April of 1998. Are we dealing with the exact same equipment now? I guess the question . . .

HK Yes.

CB We are. Again, a lot of head shaking and nobody's saying — okay, that's all I want to know.

HK Sorry for not — thank you Mr. Chairman. Those measurements were taken during times of both no helicopter activity and during times of helicopter activity and some of them were not with the cooperation of the stations in terms of coming in at the time when people were out there monitoring. I looked at that data and yesterday afternoon, when I got in I toured the various heliport sites in the Albuquerque area, as well as looking at one of them tonight through this morning. In looking at that data that all the locations with helicopter operations fell in some range of annoyance, from being slightly to moderately annoying to being extremely annoying. That was a function of the measurements that I had to work with which were limited in terms of numbers.

. . .

Much of what I determined was based on the function of what the existing noise level is out there now and the distance from the measurement site to the helipad. It relates also to how the helicopter happened to be operating in that particular operation and this thing and discussing it with the environmental staff, they indicated that in most cases the flights were along the major routes for the TV7 helicopter and the normal approaches for the other ones. The flight approach is different than it might have

been monitored concerning resulting in higher annoyance levels in certain areas, particularly if those flight paths would take the helicopter over residential areas.

CM Can I ask you a question? Are you saying that the flights that originate from the sites we're talking about or are you talking about those flight paths that also happen to be other — used by other commercial or —

HK No, primarily what I'm talking about the flights related to the three stations that I had the opportunity to look at the data from. I've also looked at some criteria that planners in Britain use to evaluate planning — giving planning permission to certain developments and this was the British government planning policy guidance on planning of noise from London in 1994. And they ranked — if I were to apply some of the numbers here to that, they would fall relatively wise in the same category although they don't talk about annoyance, the highest level there was a category that we'd say should not normally be granted planning permission.

. . .

CH I believe Counselor Bregman has a question.

CB Yeah, I have just a couple of questions. You said you looked at all three: 4, 7 and 13?

HK Yes.

CB Are they all just the same amount of annoying?

HK 7, based on the measurements I had, 7 was the least . . .

CB When you talk about your different ranking, where would you put 7?

HK It would be the lowest of the three, based on — again, based on the data. Lowest being the least annoying.

CB So, it would fall into the category called least annoying?

HK The level is — the levels there fell into the range of moderately — I'm sorry, slightly to not at all annoying, depending on what descriptor I used.

CB Slightly to not at all?

HK Yes.

. . .

CB Thank you, Mr. Chairman.

CC Any other questions?

Send to: KOAT TV 7
Subject: Helicopter

ALTA MONTE NEIGHBORHOOD ASSOCIATION
P. O. Box 30131
Albuquerque, NM 87190-0131

April 17, 2000

KOAT TV, Channel 7
3801 Carlisle Blvd. NE
Albuquerque, NM 87107

Attn: Wynn Wood and Paul Shipley

RE: On site helicopter

Gentlemen:

The Board of Directors of the Alta Monte Neighborhood Association has asked me to write you this letter concerning your on site helicopter pad. The Association does not consider the takeoff and landing of your helicopter from this site to be a nuisance nor does the Association belive your helicopter creates excessive and/or undue noise levels.

Military helicopters that overfly our neighborhood on their way to Kirtland Air Force base create a much higher noise level than your helicopter does. Also commercial air-liners that overfly our neighborhood on their approach to the North-South runway at the Sunport create a much greather disturbance than your helicopter.

We also have a city Fire Station just to the North of your helicopter site. The coming and going of the firetrucks creates a greater noise disturbance than your helicopter take offs and landing. A necessary evil but nevertheless a disturbance to the tranquility of the neighborhood.

The gathering of the news and the desemination of the news is just as much of a public service as protecting the public from fires and certainly creates less noise.

The Alta Monte Neighborhood Association supports your efforts to keep your on site helicopter pad. It has existed there for many years. We do not see any reason for you to have to relocate it.

Sincerely,
ALTA MONTE NEIGHBORHOOD ASSOCIATION

John C. Lilly

XC: Board of Directors

EXHIBIT
G

Montgomery Heights Neighborhood Association
c/o 3517 Hendrix Road NE
Albuquerque, NM 87107
July 15, 1999

M.L. ROPER

JUL 16 1999

Vincent E. Griego, President
City Council
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

Dear Mr. Griego,

The Montgomery Heights Neighborhood Association would like the City Council to know that we have had no complaints about the helipad for KOAT-TV either before the recent publicity about helicopter noise or since. We feel that Channel 7 planned the location of its helipad well and uses Carlisle and Comanche Boulevards and the Diversion Channels for the helicopter route rather than flying over buildings. The helicopter has the practice of ascending and descending from a high position over the helipad to minimize noise. The helicopter does not seem to be flown everyday and very seldom is heard in the evening.

Our neighborhood is bounded by Montgomery, Carlisle, Comanche and the North Diversion Channel. Though we are not that large, we have a mixture of individual homes, apartments and duplexes, shops, offices, restaurants and businesses with a bank, a medical facility, a fire station and KOAT-TV station. We are a part of this city and realize that in exchange for the conveniences of a city, we cannot have the quietness of the country. We do hear the Channel 7 helicopter come and go but the interruption is brief; in fact, our first thought is what's happening? and where? The Montgomery Heights Association has even put the Channel 7 helicopter into its newsletter logo along with Firestation No. 19 as these are identifying features of the neighborhood.

When we think of the various intrusive and constant noisemakers heard in our neighborhood, such as the freeway hum, fire engines, emergency vehicles, buses, train whistles, speeding cars, police surveillance planes, garbage trucks, north/south airplane traffic, barking dogs, loud music, and burgler alarms, the KOAT-TV helicopter's contribution is minor mainly due to it's thoughtful operation by Channel 7.

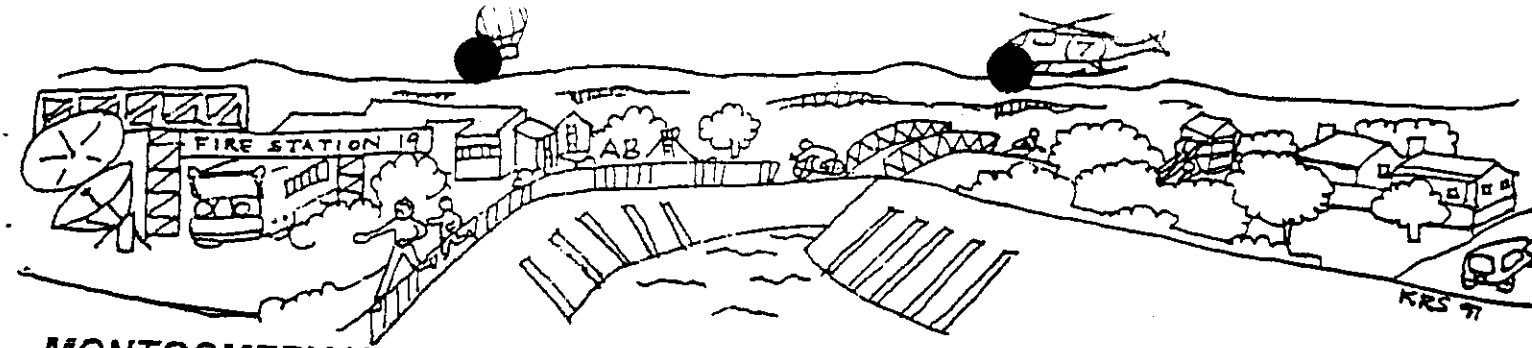
Sincerely,

Bob Swartwood, President

Karen Schueler, Secretary

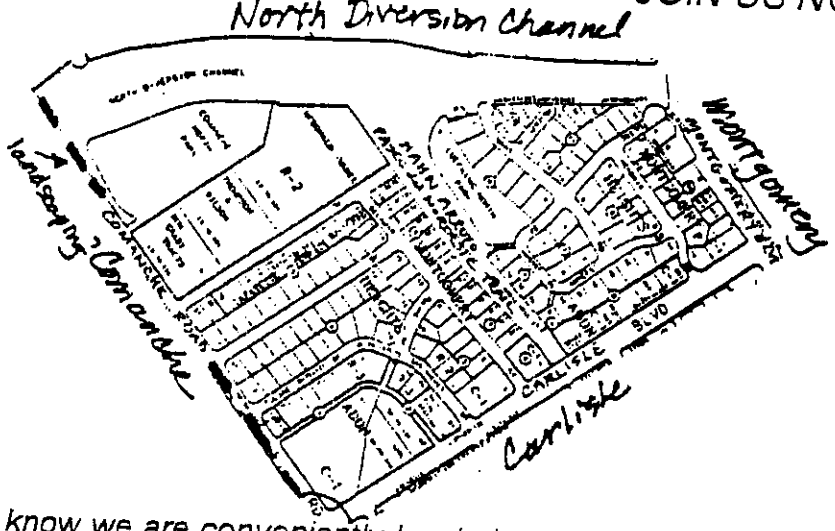
cc: Pahl Shipley, KOAT-TV
Mayor Jim Baca

-69-



MONTGOMERY HEIGHTS NEIGHBORHOOD ASSOCIATION

If you live or have a business within the boundaries of Comanche, Carlisle, Montgomery and the North Diversion Channel, you can be a member of the Montgomery Heights Neighborhood Association. JOIN US NOW!



Those who live here know we are conveniently located within Albuquerque, near the freeway, the bicycle path and the bus line and have many fine local businesses and restaurants nearby as well as a firestation. We have spectacular views of the mountains and the volcanoes from the bicycle path which runs through our neighborhood and pleasant residential streets and homes with well maintained apartment complexes. We urge those neighbors who live here to join the Montgomery Heights Neighborhood Association and work with us to maintain the features we enjoy and improve the issues that concern all of us.

OUR NEXT GENERAL MEETING AND ELECTIONS WILL BE IN APRIL. WE WANT TO SEE YOU THERE. *A newsletter will be delivered in April announcing date, time and location. The 1998-99 Officers for the Montgomery Heights Neighborhood Association are: Bob Swartwood, President, 881-3151, Andy Caird, V-P, 884-5656, Dan Pyzel, Treasurer, 883-0291, and Karen Schueler, Secretary, 889-0103.*

Printing donated by RMS Engineering, 4015 Carlisle NE.

HAVE YOU JOINED THE NEIGHBORHOOD ASSOCIATION YET? Dues are just $10 per household or $20 per business. The Neighborhood Associations exist to be the conduit for information from the city to the neighborhood and vice versa. Send your dues to the treasurer: Dan Pyzel, 4305 Wellesley NE, Albuquerque, NM, 87107. Make checks payable to Montgomery Heights Neighborhood Association. Please list name, address, phone #.

Ray Montgomery
President
Montgomery I-25 Neighborhood Association
1720 Louisiana NE, Suite 310
505-260-1099

August 31, 1998

Mr. Joe Chavez
Environmental Planning Commission Chairman
C/O Planning Department
Development Services Division
P.O. Box 1293
Albuquerque, NM 87103

Dear Mr. Chavez:

I am the President of the Montgomery I-25 Neighborhood Association, a position I have held since the Association was founded in 1983. During those 15 years, I can assure the Commission that I have not received one complaint about KOAT's helicopter! In fact, the neighbors enjoy having the helicopter so visible in the area. The general sentiment of the residents is "Sky 7 is nifty."

Apparently there are now concerns raised by the Albuquerque Country Club neighborhood about KOB-TV landing its helicopter at their station. Those concerns stem from residents feeling that the helicopter is flying over homes as it takes off and lands. Our neighborhood is different. KOAT's helicopter is able to take off and fly down either Carlisle or Comanche. The immediate area around KOAT is more commercial than residential, eliminating the concerns of the helicopter flying over homes.

When KOAT-TV officials were looking for a location to build their new facility in 1979, I personally took an active role in encouraging them to locate at Comanche and Carlisle. The station was built in 1980, and for 18 years has been a wonderful neighbor, and good for our neighborhood. Again, let me stress that I have never even had one complaint about the helicopter taking off or landing from the station. Kids enjoy watching Sky 7, and adults know that the reporters are in active pursuit of informing them of breaking news.

When KOAT-TV purchased the land, then General Manager Max Sklower wanted to buy additional acreage to the Northwest for the helicopter to land behind the station. I encouraged management to land the helicopter right out in front, where everybody could see it and enjoy it. That's what was done, and it has been great.

As President of the Association, responsible for accurately reflecting the concerns of neighbors in the KOAT-TV area, I strongly recommend that this Commission continue to allow KOAT-TV to fly Sky 7 from the station.

Respectfully,

Ray Montgomery
President

U.S. Department
of Transportation
**Federal Aviation
Administration**

AIRPORT TRAFFIC CONTROL TOWER
3400 Gibson Boulevard SE
Albuquerque, New Mexico 87106
(505) 856-4900 FAX: 856-4914

August 17, 1998

Pahl Shipley
KOAT Channel 7
3801 Carlisle Blvd. NE
Albuquerque, New Mexico 87107

Dear Mr. Shipley:

On Friday, August 7, 1998, we faced a situation that no air traffic controller or pilot ever wants to face--an aircraft accident. A Cessna Centurion reported to the controller that her engine had quit, and she was going down.

In the control tower, we strive to give the best service we possibly can at all times. In a situation like this one, we are completely helpless. We call the emergency equipment, make our reports, and wait. This is the time that we, and the survivors of the aircraft, rely on others.

We want to thank your pilot, Jeff Martin, for his assistance during this very trying time. From the Tower we attempted to direct the rescue vehicles to the sight of the Cessna. We had no luck. We could not see landmarks and access roads. Mr. Martin and the other pilots in the area worked with us to find the airplane, verify that the pilot was out and walking around, and direct the rescue vehicles to the scene.

Mr. Martin's eagerness to assist us and the Cessna pilot was invaluable. This is just one more time we see proof that the flying community is a very unique and special group of people. Teamwork is a huge part of making the system work. Mr. Martin is definitely a team player in the best sense of the word.

Sincerely,

Mike Baldridge
Air Traffic Manager

EXHIBIT
H

-113--73-

From: Wynne Wood
To: PShipley, Maryl
Date: 6/19/98 3:22pm
Subject: Sky 7 to the Rescue

Had a nice call a few minutes ago from Sgt Dennis Yurcisin of APD. (761-8800)

Says without our help they could not have caught the Bernalillo County Detention Ctr. escapee as easily as they did. Our hovering over the area he was hiding made him stay put because, he thought it was a police helicopter. Police were able to close in on him and snatch him up.

He made it sound as though we stayed up longer than we really had to help them; I am not sure if that was the case or not as I was at lunch. But in any event APD appreciates our assistance.

Staff on Site at KOAT (Albuquerque) on Wednesdays

Total # Employees at KOAT Site (Albuquerque) - 143

Department	Noon	2:00pm	5:00pm
G&A	1	7	4
Programming	0	2	1
Sales	4	13	12
Engineering	4	5	3
Creative Services	7	8	8
Production	14	17	12
News	16	17	18
NORMAL TOTAL	**46**	**69**	**58**
News Photographers	13	12	18
POSSIBLE TOTAL	**59**	**81**	**76**

M.L. ROPER
JUN 0 2 2000

City of Albuquerque

Fax: 768-7395

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: May 23, 2000

TO CONTACT NAME: Susan Fox

COMPANY/AGENCY: Rodey, Dickason, Sloan, Akin + Robb, PA

ADDRESS/ZIP/PHONE: PO Box 1888 / 87103

Thank you for inquiry of 5-23-00 (date) requesting the names of the Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed project at Tract A-1, Blk 1, of Montgomery Heights

zone map page(s): G-16

Our records indicate that the Recognized Neighborhood Associations affected by this proposal and their contact names, addresses and phone numbers are as follows:

Hoagland NA
Neighborhood Association
Contacts: H. Diane Snyder
4012 Delamar Ave NE/87110
830-0031 (H) 830-1669 (W)
Eddy Jacobs
4920 Hilton NE / 87110
881-9261 (H)

Alta Monte NA
Neighborhood Association
Contacts: Rick Cooper
10327 Connemara Ave SW/87121
833-1751 (H)
Perla Webb
8 Plains View Ln, Edgewood, NM 87015
281-6857 (H)

See reverse side for additional Neighborhood Association Information: Yes [X] No [ ]

Please note that according to O-92 you are required to notify each of the contact persons by ***CERTIFIED MAIL, RETURN RECEIPT REQUESTED BEFORE*** the Planning Department will accept your application filing. ***IMPORTANT! FAILURE OF ADEQUATE NOTIFICATION MAY RESULT IN YOUR APPLICATION HEARING BEING DEFERRED FOR THIRTY (30) DAYS.***

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

Dalaina K Carmona
OFFICE OF COMMUNITY/NEIGHBORHOOD COORDINATION

planningmaform (11/5/98)

Additional Neighborhood Association Information

Montgomery Heights NA
Neighborhood Association
Contacts: Bob Swartwood
3517 Henry Rd NE 87107
881-3151 (w) 881-1288 (w)
Karen Schueler
3504 Delamar NE 87107
889-0103 (w)

Neighborhood Association
Contacts:

Neighborhood Association
Contacts:

Neighborhood Association
Contacts:

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NOTICE TO APPLICANTS

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

Applicants for Zone Change, Site Plan, Sector Development Plan approval or an amendment to a Sector Development Plan by the EPC, DRB, etc. are required under Council Bill O-92 to notify all affected recognized neighborhood associations ***PRIOR TO FILING THE APPLICATION TO THE PLANNING DEPARTMENT***. Because the purpose of the notification is to ensure communication as a means of identifying and resolving problems early, it is essential that the notification be fully informative.

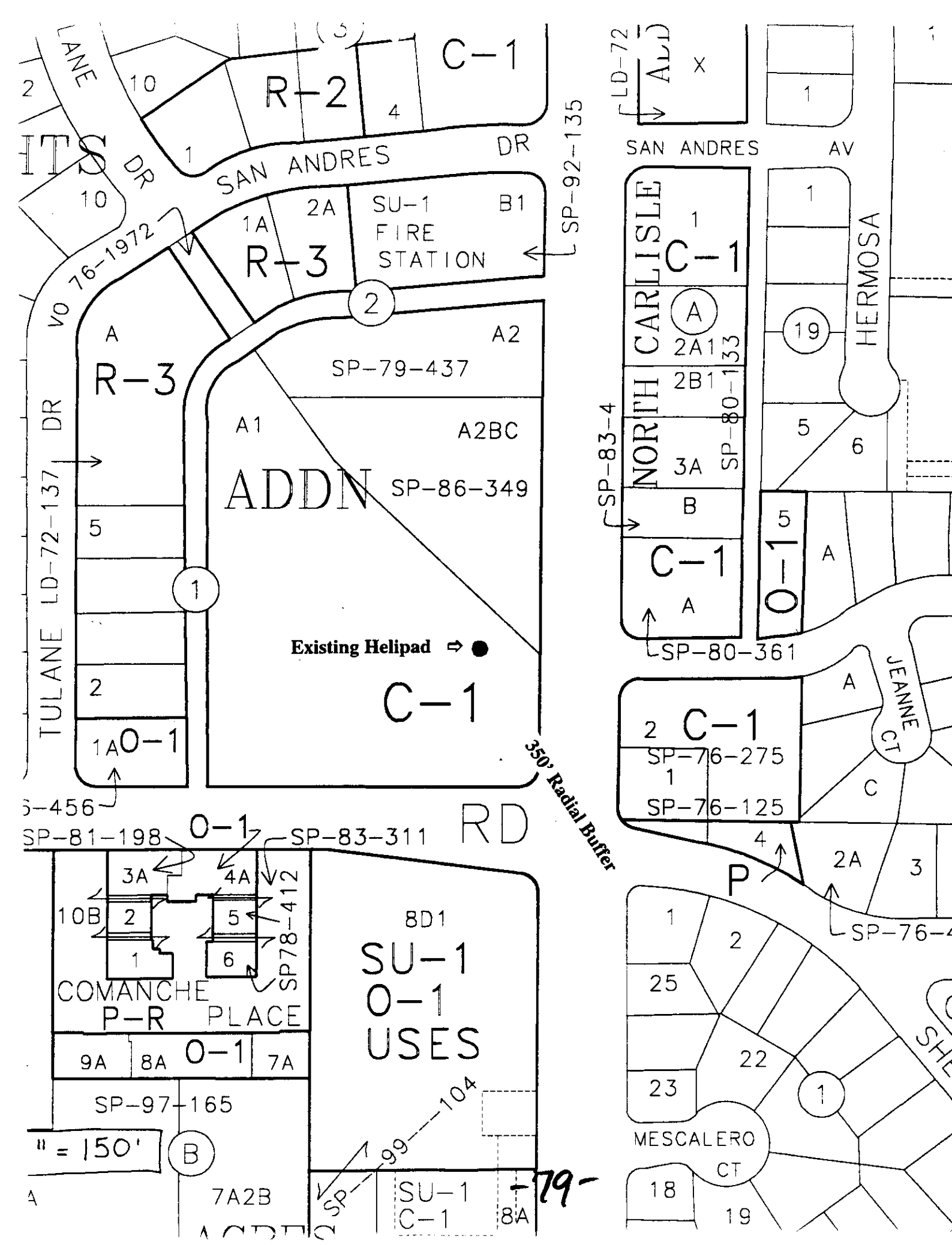
WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

1. The street address of the subject property.
2. The legal description of the property, including lot or tract number (if any), block number (if any), and name of the subdivision.
3. A physical description of the location, referenced to streets and existing land uses.
4. A complete description of the actions requested of the EPC:
   a) If a **ZONE CHANGE OR ANNEXATION**, the name of the existing zone category and primary uses and the name of the proposed category and primary uses (i.e., "from the R-T Townhouse zone, to the C-2 Community Commercial zone").
   b) If a **SITE DEVELOPMENT OR MASTER DEVELOPMENT PLAN** approval or amendment describe the physical nature of the proposal (i.e., "an amendment to the approved plan to allow a drive-through restaurant to be located just east of the main shopping center entrance off Montgomery Blvd.").
   c) If a **SECTOR DEVELOPMENT PLAN OR PLAN AMENDMENT** a general description of the plan area, plan concept, the mix of zoning and land use categories proposed and description of major features such as location of significant shopping centers, employment centers, parks and other public facilities.
5. The name, address and telephone number of the applicant and of the agent (if any). In particular the name of an individual contact person will be helpful so that neighborhood associations may contact someone with questions or comments.

* *

(below this line for OCNC use only)

Date of Inquiry: 5/23/00 Time Entered: 12:15 pm OCNC Rep. Initials: DC


C-1
R-2
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SAN ANDRES DR
SP-92-135
SU-1
FIRE
STATION
B1
2A
1A
R-3
VO 76-1972
2
A
A2
R-3
SP-79-437
A1
A2BC
ADDN
SP-86-349
TULANE DR
LD-72-137
5
1
2
1A
O-1
Existing Helipad
C-1
350' Radial Buffer
RD
SP-81-198
O-1
SP-83-311
3A
4A
10B
2
5
1
6
SP78-412
COMANCHE PLACE
P-R
9A
8A
O-1
7A
SP-97-165
B
7A2B
8D1
SU-1
O-1
USES
99
104
SU-1
C-1
8A
LD-72
SAN ANDRES AV
X
1
CARLISLE
NORTH
C-1
A
2A1
2B1
3A
B
SP-80-133
SP-83-4
SP-80-361
HERMOSA
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6
O-1
A
JEANNE CT
2
C-1
SP-76-275
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SP-76-125
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-79-

METRO SAFETY Consultants, Inc.
The OSHA Compliance Specialists

Helicopter Noise Survey

KOAT-TV
Albuquerque, NM

July 6, 2000

SCOPE

Curtis Chambers, CSP/OHST, of Metro Safety Consultants, Inc. conducted a noise survey at the request of KOAT-TV, Albuquerque, NM. Sound pressure level readings were measured at three different positions surrounding KOAT-TV's television station located at 3801 Carlisle N.E. in Albuquerque, NM, on Thursday, July 6, 2000, between the hours of 8:00 am and 2:00 pm.

The purpose of this noise survey was to determine sound levels generated at the nearest residential property lines by the television station's helicopter during take-off and landing operations. Specific positions where measurements were taken are identified in the Summary of Findings, and a survey map with each position identified is also included as Exhibit A of this report.

Sound pressure levels recorded during these studies are recapped in the Summary of Findings, and monitoring logs for each position are included as Exhibits B and C.

METHODOLOGY

Sound pressure levels were measured using Quest Q-300 noise dosimeters set to A scale, fast response. The instruments were calibrated before and after the survey with a Quest QC-10 calibrator. Meters were placed at three different positions around the station. The microphones were placed approximately four (4) feet above ground level, and set in an upward position (approximately 70-degree angle above horizontal) facing the television station's helipad. Microphone windscreens were utilized throughout the survey. Additional information about these meters is included as Appendix A.

Three meters were run continuously from approximately 8:15 am to 1:45 p.m. at each position, with one noted exception, with sound levels recorded at a rate of 32 readings per second. The data were utilized to approximate ambient sound levels for the entire test period at each of the three test positions. Charts showing the distribution of these readings are included with this report as Exhibit B.

A separate meter (same set-up) was utilized to measure sound levels at each individual position during one or more of the four take-off/landing operations conducted the morning of this survey, with maximum readings logged in five-second increments. These readings were charted to help determine if sound levels generated during a certain length of time exceed limits specified in the City's proposed noise ordinance. Monitoring logs for these five-second segments are included with this report as Exhibit C.

DISCUSSION

The City's proposed noise ordinance contains a section that specifically addresses helicopter noise. Proposed limits not to be exceeded on residential property during take off or landing operations are listed below:

- 65 dB for more than 5 minutes per operation
- 70 dB for more than 90 seconds per operation
- 80 dB for more than 15 seconds per operation
- 90 dB for any length of time

In order to evaluate helicopter sound levels generated during take off and landing operations, readings were taken while the helicopter was sitting on the helipad, either warming up for take-off or cooling down after landing.

During interviews, station managers indicated that helicopter take off and landing operations, including time to warm-up or cool-down, do not exceed four minutes each during the winter, nor two minutes each during the summer. This being the case, then the first limit listed above (65 dB for more than five minutes per operation) would be rendered not applicable.

In addition, the overall noise level (includes noise generated by motor vehicle traffic and other extraneous sources) at one of the three test positions actually exceeds 72 dBA for over 90% of the time during this survey. The high level of competing noise prevents accurate measurement of helicopter sound at lower levels, because it effectively "drowns out" whatever sound the helicopter is generating. This fact seems to make the portion of the proposed ordinance that specifies "70 dBA for more than 90 seconds per operation" a moot point at this particular test position.

Another factor to keep in mind is that peak noise levels generated by certain motor vehicles during these tests were actually measured well above 90 dBA on numerous occasions (city buses and some motorcycles can be pretty loud). Such loud noises can skew readings during a noise survey, and will nearly always be an issue in urban areas such as this which are located near a main thoroughfare, but probably not so much in rural areas.

SUMMARY OF FINDINGS

Position A – *Northwest (back) corner of residential property sitting at the Southwest corner of the intersection of Palo Duro Avenue NE and Jeanne Ct. ; approximately 390 feet East of the station's helipad.*

Residential property in this area is partially shielded from the station's helipad by commercial development, primarily the strip center situated West of this test position. Motor vehicle traffic is relatively light at the intersection of Palo Duro and Jeanne Ct., which sits off of the main thoroughfare, so ambient noise levels are relatively low.

Based on readings collected during this survey, sound levels generated by the helicopter during warm up and cool down at this position were as follows:

65 dB for more than 5 minutes per operation:	Not applicable
70 dB for more than 90 seconds per operation:	Did not exceed during warm up/cool down
80 dB for more than 15 seconds per operation:	Did not exceed during warm up/cool down
90 dB for any length of time:	Did not exceed during warm up/cool down

Position B – *Residential property line just inside of the Southeast corner of the intersection of Carlisle Blvd. NE and Comanche Road NE; approximately 375 feet from the station's helipad.*

Residential property at this corner of the intersection is in direct view of the helipad, as there are no buildings or structures to shield it from the helipad. Motor vehicle traffic is very heavy at this intersection, which results in much higher ambient noise levels during the day as compared to the other positions.

Based on readings collected during this survey, sound levels generated by the helicopter during warm up and cool down at this position were as follows:

65 dB for more than 5 minutes per operation:	Not applicable
70 dB for more than 90 seconds per operation:	Unable to determine - general sound levels exceeded 70 dBA throughout test period
80 dB for more than 15 seconds per operation:	Did not exceed during warm up/cool down
90 dB for any length of time:	Did not exceed during warm up/cool down

Position C – *West edge of station property near the alley that runs between the station's property line and the back of adjacent Theta apartment buildings; approximately 440 feet from the helipad.*

Residential property in this area is almost completely shielded from the helipad by the television station building. Motor vehicle traffic is almost non-existent at the alley West of KOAT-TV, except for vehicles driving in and out of parking lots for the apartment buildings and television station, so ambient noise levels are relatively low.

Based on readings collected during this survey, sound levels generated by the helicopter during warm up and cool down at this position were as follows:

65 dB for more than 5 minutes per operation:	Not applicable
70 dB for more than 90 seconds per operation:	Did not exceed during warm up/cool down
80 dB for more than 15 seconds per operation:	Did not exceed during warm up/cool down
90 dB for any length of time:	Did not exceed during warm up/cool down

CONCLUSION

Sound generated by KOAT-TV's helicopter during take off and landing operations did not exceed noise limits specified in the City of Albuquerque's proposed noise ordinance at positions A or C during these tests.

Motor vehicle traffic resulted in ambient noise levels that consistently exceeded 70 dBA at position B during these tests. Given these persistently high ambient readings, it could not be determined, following commencement of helicopter operation, whether sound pressure levels generated by the KOAT-TV helicopter exceeded 70 dBA for gtreater than 90 seconds per operation at position B. Motor vehicle traffic would have to be halted during warm up and cool down periods to obtain accurate readings. However, all other noise limits specified in the ordinance were not exceeded at this position.

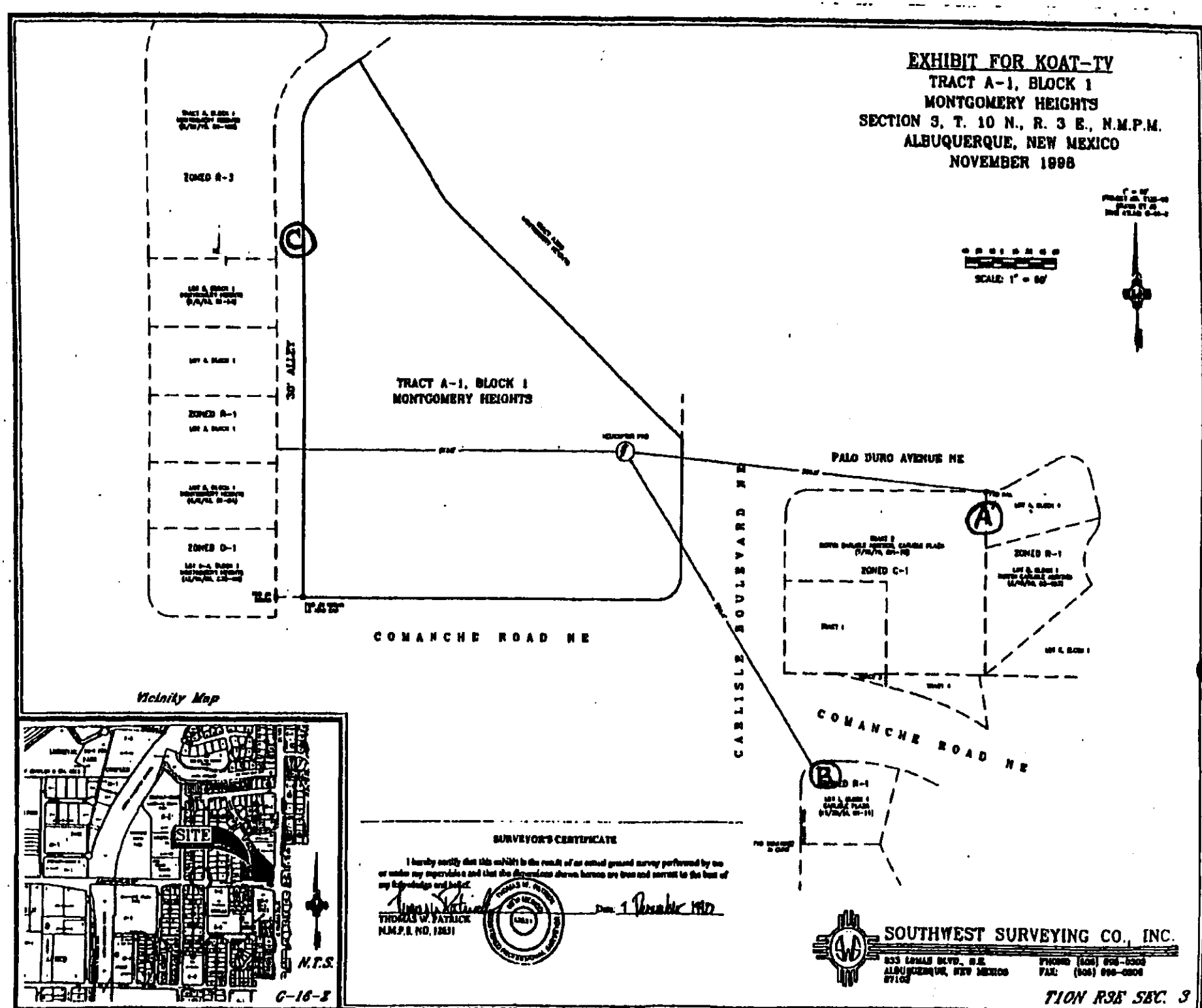
EXHIBIT FOR KOAT-TV
TRACT A-1, BLOCK 1
MONTGOMERY HEIGHTS
SECTION 3, T. 10 N., R. 3 E., N.M.P.M.
ALBUQUERQUE, NEW MEXICO
NOVEMBER 1998
SCALE: 1" = 50'
ZONED R-3
ZONED R-1
ZONED O-1
30' ALLEY
TRACT A-1, BLOCK 1
MONTGOMERY HEIGHTS
COMANCHE ROAD NE
CARLISLE BOULEVARD NE
PALO DURO AVENUE NE
ZONED C-1
ZONED R-1
COMANCHE ROAD NE
Vicinity Map
SITE
N.T.S.
C-16-Z
SURVEYOR'S CERTIFICATE
THOMAS W. PATRICK
N.M.P.S. NO. 12831
SOUTHWEST SURVEYING CO., INC.
T10N R3E SEC. 3

-86-

SURVEY NOISE LEVEL RE D S

Percent Time Statistical Distributions
(fast time constant)

Position A – East of Station, beyond strip center

Total Samples: 181,484
Total Run Time: 1:34:31

dBA	Samples	% Time
< 70 dBA	162,290	89.42%
70	10,615	5.85
71	4,498	2.47
72	958	0.52
73	887	0.48
74	854	0.47
75	483	0.26
76	409	0.22
77	206	0.11
78	145	0.07
79	49	0.02
80	18	< 0.01
81	16	< 0.01
82	14	< 0.01
83	16	< 0.01
84	11	< 0.01
85	6	< 0.01
86	4	< 0.01
87	3	< 0.01
88	2	< 0.01

Percent Time Statistical Distributions

(fast time constant)

Position B – SW corner of Carlisle & Comanche

Total Samples: 627,938
Total Run Time: 5:27:03

dBA	Samples	% Time
< 70 dBA	411,857	65.58%
70	58,700	9.34
71	50,069	7.97
72	35,047	5.58
73	23,745	3.78
74	15,507	2.46
75	10,302	1.64
76	6,618	1.05
77	4,311	0.68
78	3,004	0.47
79	2,507	0.39
80	1,637	0.26
81	1,175	0.18
82	828	0.13
83	509	0.08
84	491	0.07
85	403	0.06
86	353	0.05
87	323	0.05
88	228	0.03
89	84	0.01
90	63	0.01
91	35	< 0.01
92	54	< 0.01
93	32	< 0.01
94	5	< 0.01
95	17	< 0.01
96	12	< 0.01
97	7	< 0.01
98	4	< 0.01
99	4	< 0.01
100	8	< 0.01

SURVEY NOISE LEVEL RE[illegible]DINGS

Percent Time Statistical Distributions
(fast time constant)

Position C – West of Station, near Theta apartments

Total Samples: 664,912
Total Run Time: 5:46:18

dBA	Samples	% Time
< 70 dBA	649,827	97.73%
70	2,636	0.39
71	2,387	0.35
72	1,958	0.29
73	1,518	0.22
74	1,391	0.20
75	1,135	0.17
76	913	0.13
77	758	0.11
78	682	0.10
79	574	0.08
80	440	0.06
81	318	0.04
82	172	0.02
83	117	0.01
84	50	< 0.01
85	23	< 0.01
86	2	< 0.01
87	8	< 0.01
88	3	< 0.01

TAKE-OFF AND LANDING NOISE LEVELS

Five Second Time History

TEST ONE

Position B - SW corner of Carlisle & Comanche

(first of two tests at this location)

Warm up			Cool down		
8:31:25	70.1		8:38:50	81.1	touch down
8:31:30	< 70		8:38:55	76.3	
8:31:35	74.0		8:39:00	72.7	
8:31:40	73.1		8:39:05	71.5	
8:31:45	72.2		8:39:10	72.0	
8:31:50	70.9		8:39:15	72.8	
8:31:55	71.2		8:39:20	< 70	
8:32:00	71.7		8:39:25	70.2	
8:32:05	< 70		8:39:30	71.8	
8:32:10	70.3		8:39:35	72.9	
8:32:15	71.2		8:39:40	71.4	
8:32:20	72.9		8:39:45	73.0	
8:32:25	75.0		8:39:50	71.9	
8:32:30	72.8		8:39:55	< 70	
8:32:35	73.3		8:40:00	< 70	
8:32:40	< 70		8:40:05	72.5	
8:32:45	74.9		8:40:10	81.9	
8:32:50	70.6		8:40:15	78.7	
8:32:55	74.7		8:40:20	74.9	
8:33:00	71.5		8:40:25	73.4	
8:33:05	75.9		8:40:30	71.5	
8:33:10	71.7		8:40:40	76.9	
8:33:15	73.5		8:40:40	77.5	
8:33:20	76.0		8:40:45	71.2	
8:33:25	< 70		8:40:50	81.5	
8:33:30	70.5		8:40:55	71.1	
8:33:35	72.5		8:41:00	72.4	
8:33:40	70.0		8:41:05	76.5	
8:33:45	< 70		8:41:10	73.2	
8:33:50	71.7		8:41:15	70.8	
8:33:55	72.2		8:41:20	74.3	
8:34:00	71.6		8:41:25	75.0	
8:34:05	72.3		8:41:30	70.9	
8:34:10	73.7		8:41:35	< 70	
8:34:15	71.6		8:41:40	74.8	
8:34:20	72.3		8:41:45	82.1	
8:34:25	78.8	liftoff	8:41:50	73.5	

Readings are maximum level (in dBA) recorded for each five second period

TAKE-OFF AND LANDING NOISE LEVELS

Five Second Time History

TEST TWO

Position A - East of Station, beyond strip center

Warm up			Cool down		
8:49:15	< 70		8:59:35	83.2	touch down
8:49:20	< 70		8:59:40	77.4	
8:49:25	< 70		8:59:45	73.1	
8:49:30	< 70		8:59:50	70.3	
8:49:35	< 70		8:59:55	< 70	
8:49:40	< 70		9:00:00	< 70	
8:49:45	< 70		9:00:05	70.0	
8:49:50	< 70		9:00:10	< 70	
8:49:55	< 70		9:00:15	< 70	
8:50:00	< 70		9:00:20	78.2	
8:50:05	< 70		9:00:25	71.1	
8:50:10	71.2		9:00:30	< 70	
8:50:15	70.4		9:00:35	< 70	
8:50:20	< 70		9:00:40	< 70	
8:50:25	< 70		9:00:45	< 70	
8:50:30	< 70		9:00:50	< 70	
8:50:35	< 70		9:00:55	< 70	
8:50:40	< 70		9:01:00	< 70	
8:50:45	< 70		9:01:05	< 70	
8:50:50	76.2		9:01:10	< 70	
8:50:55	<70		9:01:15	< 70	
8:51:00	< 70		9:01:20	< 70	
8:51:05	< 70		9:01:25	< 70	
8:51:10	< 70		9:01:30	< 70	
8:51:15	< 70		9:01:35	< 70	
8:51:20	< 70		9:01:40	< 70	
8:51:25	< 70		9:01:45	< 70	
8:51:30	< 70		9:01:50	< 70	
8:51:35	< 70		9:01:55	< 70	
8:51:40	< 70		9:02:00	< 70	
8:51:45	< 70		9:02:05	< 70	
8:51:50	< 70		9:02:10	< 70	
8:51:55	< 70		9:02:15	88.1	
8:52:00	70.4		9:02:20	< 70	
8:52:05	< 70		9:02:25	< 70	
8:52:10	71.9		9:02:30	< 70	
8:52:15	73.0	liftoff	9:02:35	< 70	

Readings are maximum level (in dBA) recorded for each five second period

TAKE-OFF AND LANDING NOISE LEVELS

Five Second Time History

TEST THREE

Position C - West of Station, near Theta apartments

Warm up			Cool down		
9:12:25	< 70		9:36:20	71.8	touch down
9:12:30	< 70		9:36:25	70.2	
9:12:35	< 70		9:36:30	< 70	
9:12:40	< 70		9:36:59	< 70	
9:12:45	< 70		9:36:40	< 70	
9:12:50	< 70		9:36:45	< 70	
9:12:55	< 70		9:36:50	< 70	
9:13:00	< 70		9:36:55	< 70	
9:13:05	< 70		9:37:00	< 70	
9:13:10	< 70		9:37:05	< 70	
9:13:15	< 70		9:37:10	< 70	
9:13:20	< 70		9:37:15	< 70	
9:13:25	< 70		9:37:20	< 70	
9:13:30	< 70		9:37:25	< 70	
9:13:35	< 70		9:37:30	< 70	
9:13:40	< 70		9:37:35	< 70	
9:13:45	< 70		9:37:40	< 70	
9:13:50	< 70		9:37:45	< 70	
9:13:55	< 70		9:37:50	< 70	
9:14:00	< 70		9:37:55	< 70	
9:14:05	< 70		9:38:00	< 70	
9:14:10	< 70		9:38:05	< 70	
9:14:15	< 70		9:38:10	< 70	
9:14:20	< 70		9:38:15	< 70	
9:14:25	< 70		9:38:20	< 70	
9:14:30	< 70		9:38:25	< 70	
9:14:35	< 70		9:38:30	< 70	
9:14:40	< 70		9:38:35	< 70	
9:14:45	< 70		9:38:40	< 70	
9:14:50	< 70		9:38:45	< 70	
9:14:55	< 70		9:38:50	< 70	
9:15:00	< 70		9:38:55	< 70	
9:15:05	< 70		9:39:00	< 70	
9:15:10	< 70		9:39:05	< 70	
9:15:15	< 70		9:39:10	< 70	
9:15:20	70.5		9:39:15	< 70	
9:15:25	71.3	liftoff	9:39:20	< 70	

Readings are maximum level (in dBA) recorded for each five second period

Five Second Time History

TEST FOUR

Position B - SW corner of Carlisle & Comanche

(second of two tests at this location)

Warm up			Cool down		
9:36:55	71.6		9:47:50	87.2	touch down
9:37:00	70.5		9:47:55	82.8	
9:37:05	70.9		9:48:00	75.2	
9:37:10	73.8		9:48:05	73.7	
9:37:15	71.3		9:48:10	74.9	
9:37:20	72.5		9:48:15	70.8	
9:37:25	74.0		9:48:20	74.1	
9:37:30	71.6		9:48:25	70.2	
9:37:35	72.2		9:48:30	< 70	
9:37:40	76.1		9:48:35	73.3	
9:37:45	74.8		9:48:40	70.5	
9:37:50	73.4		9:48:45	71.9	
9:37:55	71.1		9:48:50	< 70	
9:38:00	75.1		9:48:55	71.0	
9:38:05	73.0		9:49:00	no reading	
9:38:10	74.6		9:49:05	no reading	
9:38:15	70.9		9:49:10	no reading	
9:38:20	72.2		9:49:15	no reading	
9:38:25	70.2		9:49:20	no reading	
9:38:30	71.3		9:49:25	no reading	
9:38:35	74.9		9:49:30	no reading	
9:38:40	75.2		9:49:40	no reading	
9:38:45	73.7		9:49:40	no reading	
9:38:50	75.1		9:49:45	no reading	
9:38:55	72.9		9:49:50	no reading	
9:39:00	70.7		9:49:55	no reading	
9:39:05	< 70		9:50:00	no reading	
9:39:10	70.3		9:50:05	no reading	
9:39:15	77.1		9:50:10	no reading	
9:39:20	70.4		9:50:15	no reading	
9:39:25	72.8		9:50:20	no reading	
9:39:30	74.3		9:50:25	no reading	
9:39:35	73.0		9:50:30	no reading	
9:39:40	70.0		9:50:40	no reading	
9:39:45	70.5		9:50:40	no reading	
9:39:50	71.7		9:50:45	no reading	
9:39:55	75.7	liftoff	9:50:50	no reading	

Readings are maximum level (in dBA) recorded for each five second period

Monitor 1 - Quest Model Q-300 Noise Dosimeter
Serial Number: QC8010129
Scale: A
Response: Fast
Range: 70 – 130 dB
Pre-calibration: 114 dB
Post- calibration: 114 dB

Monitor 2 - Quest Model Q-300 Noise Dosimeter
Serial Number: QC8010130
Scale: A
Response: Fast
Range: 70 – 130 dB
Pre-calibration: 114 dB
Post- calibration: 114 dB

Monitor 3 - Quest Model Q-300 Noise Dosimeter
Serial Number: QC8010132
Scale: A
Response: Fast
Range: 70 – 130 dB
Pre-calibration: 113.9 dB
Post- calibration: 114 dB

Monitor 4 - Quest Model Q-300 Noise Dosimeter
Serial Number: QC6100122
Scale: A
Response: Fast
Range: 70 – 130 dB
Pre-calibration: 114 dB
Post- calibration: 113.9 dB

Calibration Unit - Quest QC-10/QC-20
114 dB ~ 1000 Hz
Calibrated 06/23/00

ROBERT M. ST. JOHN
JOSEPH J. MULLINS
MARK K. ADAMS
ROBERT G. McCORKLE
BRUCE HALL
JOHN P. SALAZAR
WILLIAM S. DIXON
JOHN P. BURTON
REX D. THROCKMORTON
JONATHAN W. HEWES
W. ROBERT LASATER, JR.
MARK C. MEIERING
CATHERINE T. GOLDBERG
TRAVIS R. COLLIER
EDWARD RICCO
W. MARK MOWERY
PATRICK M. SHAY
NANCY J. APPLEBY
ELLEN T. SKRAK
TRACY M. JENKS
HENRY M. BOHNHOFF
CHARLES K. PURCELL
ANDREW G. SCHULTZ
JOHN M. BRANT
JOSEPH B. ROCHELLE
SCOTT D. GORDON
SUSAN S. THROCKMORTON
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SUSAN BARGER FOX
MacDONNELL GORDON
PAUL C. COLLINS
WILLIAM J. ARLAND, III
JAMES A. ASKEW
JEFFREY M. CROASDELL
JEFFREY L. LOWRY
DEBORAH E. MANN
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THOMAS A. OUTLER
SETH L. SPARKS
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JO SAXTON BRAYER

BERNARD S. RODEY (1856-1927)
PEARCE C. RODEY (1889-1958)
DON L. DICKASON (1906-1999)
WILLIAM A. SLOAN (1910-1993)

SANTA FE OFFICE
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123 EAST MARCY STREET, SUITE 101
SANTA FE, NEW MEXICO 87501-2034
P. O. BOX 1357
SANTA FE, NM 87504-1357
TELEPHONE (505) 954-3900
FACSIMILE (505) 954-3942

WRITER'S DIRECT NUMBER

August 4, 2000

HAND DELIVERED

Ms. Debbie Stover
Planner
Planning Department
City of Albuquerque
600 2nd Street NW
Albuquerque, NM 87102

Re: KOAT TV Zone Change Request / Z-00110-00000-00888
BP-00128-00000-00889

Dear Ms. Stover:

I enclose herein for your information and review the following correspondence supportive of the on-site KOAT TV helicopter operation:

1. Letter from John Lilly on behalf of Alta Monte Neighborhood Association dated April 17, 2000.

2. Letter from Bob Swartwood and Karen Schueler on behalf of Montgomery Heights Neighborhood Association dated July 15, 1999.

3. Letter from Ray Montgomery on behalf of Montgomery I-25 Neighborhood Association dated August 31, 1998.

We would appreciate it if you would place these letters in the referenced file following your review.

Sincerely,

RODEY, DICKASON, SLOAN, AKIN & ROBB, P.A.

By
John P. Salazar

JPS/jsd

Enclosures

-98-

Send to: KO[illegible]
Subject: Helicopter

ALTA MONTE NEIGHBORHOOD ASSOCIATION
P. O. Box 30131
Albuquerque, NM 87190-0131

April 17, 2000

KOAT TV, Channel 7
3801 Carlisle Blvd. NE
Albuquerque, NM 87107

Attn: Wynn Wood and Paul Shipley

RE: On site helicopter

Gentlemen:

The Board of Directors of the Alta Monte Neighborhood Association has asked me to write you this letter concerning your on site helicopter pad. The Association does not consider the takeoff and landing of your helicopter from this site to be a nuisance nor does the Association belive your helicopter creates excessive and/or undue noise levels.

Military helicopters that overfly our neighborhood on their way to Kirtland Air Force base create a much higher noise level than your helicopter does. Also commercial air-liners that overfly our neighborhood on their approach to the North-South runway at the Sunport create a much greather disturbance than your helicopter.

We also have a city Fire Station just to the North of your helicopter site. The coming and going of the firetrucks creates a greater noise disturbance than your helicopter take offs and landing. A necessary evil but nevertheless a disturbance to the tranquility of the neighborhood.

The gathering of the news and the desemination of the news is just as much of a public service as protecting the public from fires and certainly creates less noise.

The Alta Monte Neighborhood Association supports your efforts to keep your on site helicopter pad. It has existed there for many years. We do not see any reason for you to have to relocate it.

Sincerely,
ALTA MONTE NEIGHBORHOOD ASSOCIATION

John C. Lilly

XC: Board of Directors

-100-

Ray Montgomery
President
Montgomery I-25 Neighborhood Association
1720 Louisiana NE, Suite 310
505-260-1099

August 31, 1998

Mr. Joe Chavez
Environmental Planning Commission Chairman
C/O Planning Department
Development Services Division
P.O. Box 1293
Albuquerque, NM 87103

Dear Mr. Chavez:

I am the President of the Montgomery I-25 Neighborhood Association, a position I have held since the Association was founded in 1983. During those 15 years, I can assure the Commission that I have not received one complaint about KOAT's helicopter! In fact, the neighbors enjoy having the helicopter so visible in the area. The general sentiment of the residents is "Sky 7 is nifty."

Apparently there are now concerns raised by the Albuquerque Country Club neighborhood about KOB-TV landing its helicopter at their station. Those concerns stem from residents feeling that the helicopter is flying over homes as it takes off and lands. Our neighborhood is different. KOAT's helicopter is able to take off and fly down either Carlisle or Comanche. The immediate area around KOAT is more commercial than residential, eliminating the concerns of the helicopter flying over homes.

When KOAT-TV officials were looking for a location to build their new facility in 1979, I personally took an active role in encouraging them to locate at Comanche and Carlisle. The station was built in 1980, and for 18 years has been a wonderful neighbor, and good for our neighborhood. Again, let me stress that I have never even had one complaint about the helicopter taking off or landing from the station. Kids enjoy watching Sky 7, and adults know that the reporters are in active pursuit of informing them of breaking news.

When KOAT-TV purchased the land, then General Manager Max Sklower wanted to buy additional acreage to the Northwest for the helicopter to land behind the station. I encouraged management to land the helicopter right out in front, where everybody could see it and enjoy it. That's what was done, and it has been great.

As President of the Association, responsible for accurately reflecting the concerns of neighbors in the KOAT-TV area, I strongly recommend that this Commission continue to allow KOAT-TV to fly Sky 7 from the station.

Respectfully,

Ray Montgomery
President

Montgomery Heights Neighborhood Association
c/o 3517 Hendrix Road NE
Albuquerque, NM 87107
July 15, 1999

M.L. ROPER

JUL 16 1999

Vincent E. Griego, President
City Council
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

Dear Mr. Griego,

The Montgomery Heights Neighborhood Association would like the City Council to know that we have had no complaints about the helipad for KOAT-TV either before the recent publicity about helicopter noise or since. We feel that Channel 7 planned the location of its helipad well and uses Carlisle and Comanche Boulevards and the Diversion Channels for the helicopter route rather than flying over buildings. The helicopter has the practice of ascending and descending from a high position over the helipad to minimize noise. The helicopter does not seem to be flown everyday and very seldom is heard in the evening.

Our neighborhood is bounded by Montgomery, Carlisle, Comanche and the North Diversion Channel. Though we are not that large, we have a mixture of individual homes, apartments and duplexes, shops, offices, restaurants and businesses with a bank, a medical facility, a fire station and KOAT-TV station. We are a part of this city and realize that in exchange for the conveniences of a city, we cannot have the quietness of the country. We do hear the Channel 7 helicopter come and go but the interruption is brief; in fact, our first thought is what's happening? and where? The Montgomery Heights Association has even put the Channel 7 helicopter into its newsletter logo along with Firestation No. 19 as these are identifying features of the neighborhood.

When we think of the various intrusive and constant noisemakers heard in our neighborhood, such as the freeway hum, fire engines, emergency vehicles, buses, train whistles, speeding cars, police surveillance planes, garbage trucks, north/south airplane traffic, barking dogs, loud music, and burgler alarms, the KOAT-TV helicopter's contribution is minor mainly due to it's thoughtful operation by Channel 7.

Sincerely,

Bob Swartwood, President

Karen Schueler, Secretary

cc: Pahl Shipley, KOAT-TV
Mayor Jim Baca

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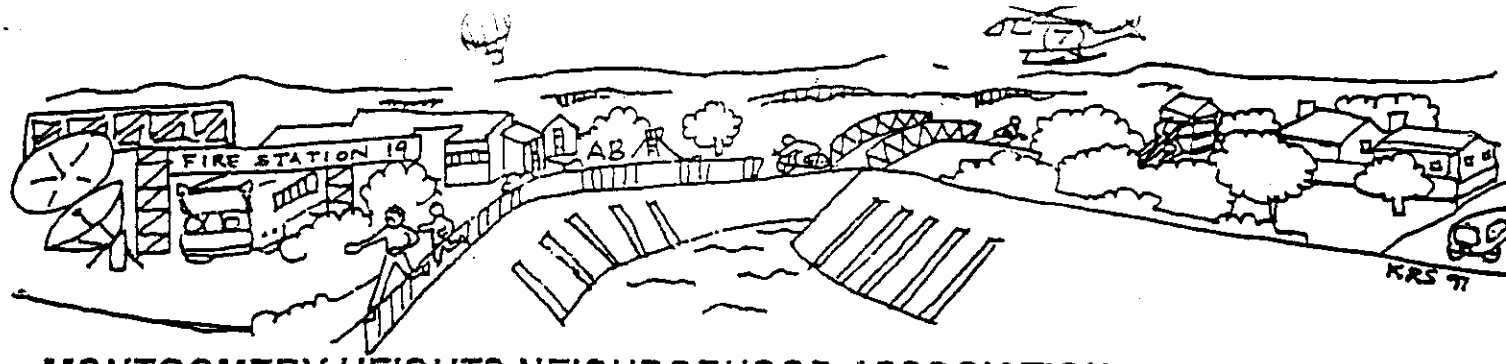
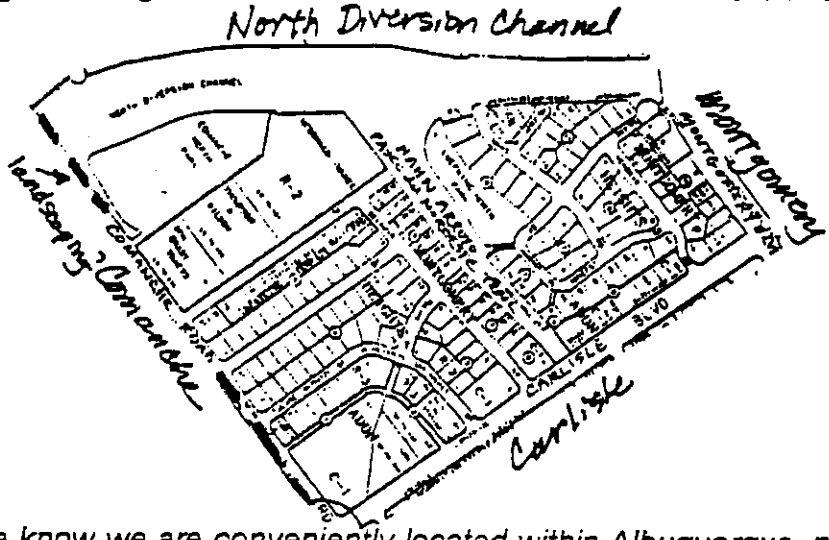


MONTGOMERY HEIGHTS NEIGHBORHOOD ASSOCIATION

If you live or have a business within the boundaries of Comanche, Carlisle, Montgomery and the North Diversion Channel, you can be a member of the Montgomery Heights Neighborhood Association. JOIN US NOW!



Those who live here know we are conveniently located within Albuquerque, near the freeway, the bicycle path and the bus line and have many fine local businesses and restaurants nearby as well as a firestation. We have spectacular views of the mountains and the volcanoes from the bicycle path which runs through our neighborhood and pleasant residential streets and homes with well maintained apartment complexes. We urge those neighbors who live here to join the Montgomery Heights Neighborhood Association and work with us to maintain the features we enjoy and improve the issues that concern all of us.

OUR NEXT GENERAL MEETING AND ELECTIONS WILL BE IN APRIL. WE WANT TO SEE YOU THERE. ***A newsletter will be delivered in April announcing date, time and location. The 1998-99 Officers for the Montgomery Heights Neighborhood Association are: Bob Swartwood, President, 881-3151, Andy Caird, V-P, 884-5656, Dan Pyzel, Treasurer, 883-0291, and Karen Schueler, Secretary, 889-0103.***

Printing donated by RMS Engineering, 4015 Carlisle NE.

HAVE YOU JOINED THE NEIGHBORHOOD ASSOCIATION YET? Dues are just $10 per household or $20 per business. The Neighborhood Associations exist to be the conduit for information from the city to the neighborhood and vice versa. Send your dues to the treasurer: Dan Pyzel, 4305 Wellesley NE, Albuquerque, NM, 87107. Make checks payable to Montgomery Heights Neighborhood Association. Please list name, address, phone #.

Proposed Noise Control Ordinance

CITY of ALBUQUERQUE
FOURTEENTH COUNCIL

COUNCIL BILL NO. O-34 ENACTMENT NO. _____

SPONSORED BY:

ORDINANCE
..Title
Amending Chapter 9, Article 9, R.O.A. 1994, The Noise Control Ordinance.
..Body
Be It Ordained By The Council, The Governing Body Of The City Of Albuquerque:
Section 1. Section 9-9-1 et seq., R.O.A. 1994, is hereby amended to read as follows:
9-9-1 SHORT TITLE [+AND DECLARATION OF INTENT+].
(A) This article may be cited as the "Noise Control Ordinance."
[+(B) A substantial body of scientific research has shown that exposure to excessive sound and vibration may be a serious hazard to the public health, welfare, safety and quality of life. It is therefore declared to be the intent of the City Council (through this ordinance and through other City regulations) to minimize the exposure to the potential physiological and psychological dangers of excessive noise and protect, promote and preserve the public health, safety and welfare. It is the express intent of the City Council to control the level of noise in a manner that promotes the use, value and enjoyment of property, conduct of business, sleep and repose and reduces unnecessary and excessive sound in the environment.+]
9-9-2 DEFINITIONS.
For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.
[+APPROVED+] SOUND-LEVEL METER. An instrument [-including a microphone, an amplifier, an output meter, and weighting networks that is-] sensitive to pressure fluctuations and [+meeting the standards of the American National Standards Institute (ANSI S1.4-1983) Type 1 or Type 2 or those of IEC Publication 651 or those of the latest respective revisions thereof+] [-The output meter reads sound pressure level when properly calibrated and the instrument is of Type 2 or better as specified in ANSI S1.4-1971.-]

A?WEIGHTED SOUND PRESSURE LEVEL. The sound pressure level as measured on an [-ANSI-S1.4-1971 Type 1 or Type2-] [+approved+] sound-level meter using the A?weighting network. Instrument response shall be "fast" for motor vehicle measurements and "slow" for all other measurements.
AMBIENT NOISE LEVEL. The sound pressure level of the all-encompassing noise associated with a given environment, being usually a composite of sounds from many sources and excluding the specific noise under investigation; the A?weighted sound pressure level equaled or exceeded 90 percent of the time [+(L90)+] and based on a maximum [-of a-] one-hour [+sample+]period [-(L90)-].
[+DAYTIME. From 7:00 a.m. (0700 hours) to 10:00 p.m. (2200 hours).
DEPARTMENT. Albuquerque Environmental Health Department or its subsequent designation.+]
EMERGENCY WORK. Work made necessary to restore property to a safe condition following a public calamity, work to restore public utilities [+or roadways+]or work required to protect persons or property from an imminent exposure to danger.
[+GVW. Gross Vehicle Weight.

HAZARDOUS NOISE AREA SIGN. A rectangular-shaped sign with "CAUTION- THE SOUND LEVEL WITHIN THESE PREMISES MAY HARM YOUR HEARING" shown in capital letters at least 4 inches high on a white background. The sign shall include the noise symbol at least 9 inches high.
HELIPAD. Facility intended for the takeoff and/or landing of helicopters at a location other than an airport or other general aviation facility.
IEC. International Electrotechnical Commission.+]
MAYOR. The Mayor or his designated representative.
MOTORCYCLE. Every motor vehicle having a seat or saddle for use by
the rider and designed to travel with not more than three wheels in contact with the ground, including every motorscooter, motor?driven cycle and mini?bike, but excluding a tractor.
MOTOR VEHICLE. Every vehicle which is self?propelled, but excluding off?highway construction equipment, or unlicensed construction equipment or equipment operated upon rails.
NIGHTTIME. From 10:00 p.m. (2200 hours) to 7:00 a.m. (0700 hours).
[+NOISE-SENSITIVE AREA. Any area within 500 feet of an occupied school, hospital, church, library, licensed child-care facility, licensed adult-care facility or residential property.
NOISE SYMBOL.+]

PERSON. A person, firm, association, co-partnership, joint venture, corporation, or any entity, public or private in nature.
PLAINLY AUDIBLE SOUND. Any sound for which the information content of that sound is unambiguously communicated to the listener, such as, but not limited to, understandable spoken speech [-,-] [+which need not be wholly discernable, or +] comprehension of whether a voice is raised or normal, [+or bass reverberations,+] or comprehensible musical rhythms.
[+QUIET AREA. An area designated and maintained to not exceed a sound level of 70 dB at any point within that area as a result of amplified sound.+]
REFERENCE PRESSURE. The reference pressure for all sound level measurements shall be [-20 micronewtons per square meter (20 uN/m2)-] [+20 micropascals (20 uPa).+] This shall be further defined as 0dB(A).
RESIDENTIAL, [-OFFICE or-] COMMERCIAL, [+INDUSTRIAL+] [-ZONE-]. [-Any area of the city defined as residential, office or commercial
in the Zoning Code of the city.-] [+These terms shall be as used in the Zoning Code (Chapter 14, Article 16, Albuquerque Code of Ordinances). Residential mixed-use property is defined as residential for purposes of the Noise Control Ordinance.+]
SOUND AMPLIFYING EQUIPMENT. Any machine or device for the sound amplification of the human voice, music, or any other sound. [-"Sound amplifying equipment"shall not include standard automobile radios when used and heard only by the occupants of the vehicle in which the automobile radio is installed.-] "Sound amplifying equipment" shall not include warning devices on authorized emergency vehicles or horns or other warning devices on any vehicles used only for traffic safety purposes.
[-SOUND?LEVEL METER. An instrument including a microphone, an amplifier, an output meter, and weighting networks that is sensitive to pressure fluctuations. The output meter reads sound pressure level when properly calibrated and the instrument is of Type 2 or better as specified in ANSI1.4-1971.-]
9-9-3 DECIBEL MEASUREMENT CRITERIA.
[+Unless otherwise indicated,+] any decibel [+(dB)+] measurement made pursuant to the provisions of this article shall be based on the reference sound pressure and measured with a sound level meter using the A?weighting network. [+In this ordinance, the terms dB and dB(A) are synonymous unless otherwise stated.+]
9-9-4 SOUND AMPLIFYING EQUIPMENT.

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(A) [+Bands.+]It shall be unlawful for any person within any zone of the city to practice, play, or conduct live band activities using sound amplifying equipment in such a manner that the noise level produced exceeds 50 dB[-(A)-] or [-10-] [+5+] dB[-(A)-] above the ambient noise level, whichever is higher, when measured [-at the property line of any residential property-] [+on any other property+] or, if a condominium or apartment house, within any adjoining apartment or to conduct such activities or operate any such device [-between 10:00 pm (2200 hours) and 7:00 a.m (0700 hours)-] [+in the nighttime +] so as to be plainly audible within any dwelling unit which is not the source of sound.
[-(C)-] [+(B)+] Radios, televisions, stereos, and other sound amplifying equipment shall be operated in such a manner that the noise level will not exceed 50 dB[-(A),-] or [-10-] [+5+] dB[-(A)-] above the ambient noise level, whichever is higher, when measured [-at the property line of any residential property-] [+on any other property+] or, if a condominium or apartment house, within any adjoining apartment provided that [-between 10:00 p.m. (2200 hours) and 7:00 a.m. (0700 hours)-] such equipment shall not be operated [+in the nighttime+] so as to be plainly audible within any dwelling unit which is not the source of [-the-] sound. [+Vehicular sound amplification devices are further subject to the requirements of E below.+]
[+(C) Portable self-contained music or sound amplification equipment shall not be operated in the daytime on a public space or right-of-way in such a manner as to be plainly audible 25 or more feet from the operator. Such equipment shall not be operated in the nighttime in such a manner that is plainly audible by any person other than the operator.+]
[-(B)-][+(D)+] [+Provisions in (A) and (B) and (C) above+] [-Division (A) of this section-] shall not apply to any person who has [-applied for and received-] [+obtained+]a temporary [+amplified sound +] permit as described in 9-9-[+14+][-(15)-] [+of this article.+]
[+(E) Vehicular sound amplification devices. No person operating or occupying a motor vehicle on a street, highway, alley, parking lot or driveway shall operate or allow the operation of any sound amplification device from the vehicle resulting in plainly audible sound 25 or more feet from the vehicle. Commercial vehicles including, but not limited to, ice cream trucks with amplified sound used for commercial advertisement shall comply with this ordinance within 1 year of the effective date of this ordinance. During the 1-year compliance attainment period, no person operating or occupying a commercial motor vehicle including, but not limited to, ice cream trucks with amplified sound used for commercial advertisement shall cause or allow such amplified sound to result in sound levels above 50 dB or 5 dB over the ambient level, whichever is higher, on any residential property.
(F) No person shall allow, on premises available to the general public (including, but not limited to, dance halls, bars, auditoriums, movie theaters, arenas and stadiums) the exposure of any person to amplified sound over 90 dB unless a Hazardous Noise Area sign is prominently posted at each entry to the premises or a separate quiet area is available. Facilities owned and/or operated by the City of Albuquerque are subject to (G) below.
(G) No person shall allow, at an indoor or outdoor City of Albuquerque facility, the exposure of any person to amplified sound over 90 dB.
(H) Outdoor public address systems at private commercial facilities. No person shall cause or allow the operation of any outdoor sound amplifier, loudspeaker system or similar device producing, reproducing or amplifying sound at any private commercial facility.
(1) Systems installed and operated before the effective date of this article shall have the following time period (from the effective date) to meet this requirement:
(a) Systems over 10 years old shall comply within 6 months..
(b) Systems 5 to 10 years old shall comply within 1 year.
(c) Systems under 5 years old shall comply within 2 years.
(2) Other reasonable actions to minimize the off-property noise from the sound sources in this section are required during the specified compliance attainment period.+]
9-9-5 DRUMS AND BELLS [+AND MUSICAL INSTRUMENTS+].
[-It shall be unlawful for any-] [+No+] person [+shall+] [-to-]use any drum or other percussion or

musical instrument [-for the purpose of attracting attention by the creation of noise if the noise level produced exceeds-] [+resulting in sound levels above +]50 dB[-(A)-]or [-10-] [+5+]dB[-(A)-] above the ambient noise level, whichever is higher, when measured [+on+] [-at-] any [-residential-][+other+] property [-line-]. This section shall not apply to any person who is a participant in a school band or duly licensed parade or who has been otherwise duly authorized to engage in such conduct.

9-9-6 SCHOOLS, HOSPITALS, CHURCHES AND LIBRARIES.

[-It shall be unlawful for any-] [+No+] person [+shall+] [-to-] create any unnecessary noise on any street, sidewalk, or public place adjacent to any school, library, or other institution of learning, or church, while the same is in use; or adjacent to any hospital, which noise unreasonably interferes with the workings of such institution or which disturbs or unduly annoys patients in the hospital, provided conspicuous signs are displayed in such streets, sidewalk or public place indicating the presence of a school, hospital, church or library.

9-9-7 MACHINERY, EQUIPMENT FANS, AND AIR CONDITIONERS.

(A) [+Except for emergency work,+][-It shall be unlawful for any-] [+no+] person [+shall+] [-to operate,-] cause [+or allow+] to operate [-or permit to operate-] any stationary machinery, equipment, fan, air?conditioning apparatus, or similar permanently installed mechanical device in any manner so as to create noise which [+results in exceedance of the Table 1 limits specified in 9-9-13 of this article.+] [-exceeds 50 dB(A), or 10 dB(A) above the ambient noise level, whichever is higher, when measured at a residential property line.

(B) Stationary machinery, equipment, fans, and air conditioners, as defined by this section, shall have the following replacement periods:

(1) Installed and operating sources, of age ten years or older, shall comply with the provisions of this section within a reasonable time period, upon determination of a violation condition. This time period shall not exceed six months.

(2) Installed and operating sources, of age five to ten years, shall comply with the provisions of this section within a reasonable time period, upon determination of a violation condition. This time period shall not exceed one year.

(3) Installed and operating sources, of age under five years, shall comply with the provisions of this section within a reasonable time period, upon determination of a violation condition. This time period shall not exceed two years.

(C) Nothing in division (B) of this section shall be interpreted in such a way as to relieve the person responsible for such stationary machinery, equipment, fan, air conditioning apparatus, or similar permanently installed mechanical device, from the responsibility of taking other reasonable actions, other than replacement, directed at reducing noise levels from these sources at a residential property line.-]

[+(B) Power equipment. Except for emergency work, no person shall operate or cause to be operated outdoors, any power equipment including but not limited to, sweepers, power mowers, leaf blowers, rototillers, power saws or other power equipment used to sweep parking lots or other surfaces or power equipment used to perform gardening, property repair or other functions in a noise-sensitive area during the nighttime.

(C) No person shall install mechanical equipment such as, but not limited to, air conditioning or freezer compressors, evaporative coolers, exhaust fans or other noise-producing machines on commercial property with such equipment on the side facing adjacent residential property or such property separated only by an alleyway. Roof locations may be used when the mechanical equipment is installed and maintained so as to not result in an exceedance of the sound-level limits in Table 1. Mechanical equipment legally installed or in receipt of official final approval for installation before the effective date of this ordinance is specifically exempt from this location requirement.

9-9-8 CONSTRUCTION [+OR DEMOLITION+] OF BUILDINGS AND PROJECTS, [+EXCAVATION AND GRADING.

[+(A) Except for emergency work as defined in this article, no person shall,+] [-it shall be unlawful for

any person-] within [-a residential zone or within a radius of 500 feet therefrom,-] [+any noise-sensitive area,+] [-to-]operate or cause to be operated any equipment used in construction, repair, alteration, excavation, grading or demolition work on buildings, structures, streets, alleys or appurtenances thereto, with sound-control devices less effective than those provided on the original equipment [-,or in violation of any regulations of the United States Environmental Protection Agency; or to operate or cause to be operated any such equipment during the nighttime,-except in emergency situations as defined in this article, in such manner that the sound produced exceeds-50 dB(A), or 10- dB(A) above the ambient noise level, whichever is higher, when measured at the residential property line-].

[+(B) Projects in any noise-sensitive area that will exceed any of the following sound levels and durations shall comply with the Department's General Construction Noise Mitigation Provisions:

(1) nighttime projects that result in an exceedance of Table 1 limits during each of 4 or more nights;

(2) nighttime or daytime projects that result in an exceedance of 75 dB during any calendar day for more than 3 calendar days; or

(3) nighttime or daytime projects that result in an exceedance of 90 dB during any hour for more than 4 hours.

For purposes of Section 9-9-8(B) only, daytime hours are extended to include the period from 6:00 am to 10:00 pm. The location for sound-level measurements shall be on any noise-sensitive property other than the project property.

(C) Public works projects shall not be subject to (B) but shall comply with the Department's Public Works Noise Mitigation Provisions.

9-9-9 VEHICLE REPAIRS.

[-It shall be unlawful for any-] [+No+] person [+shall+] within any residential zone of the city [-to-] repair, rebuild [-,-] or test any motor vehicle [+so as to result in an exceedance of the Table 1 residential sound level limits specified in 9-9-13 of this article.+] [-in such a manner that the noise produced by such activity exceeds 50 dB(A) or 10 dB(A) above the ambient noise level, whichever is higher, when measured at the residential property line.-]

9?9-10 MOTOR VEHICLES.

(A) [-(1) (a)-] No person shall operate [-within the speed limits specified in this section in any roadway within the city-] [+,at any speed including idle,+] either a motor vehicle or combination of vehicles of a type subject to registration at any time or under any condition of grade, load, acceleration or deceleration in such a manner as to exceed the following [-noise-] [+sound level+] limits when measured [-50-][+25+] feet from the center of the vehicle path:

[+Sound Level Limit+]

[-Noise Limit in Relation to Posted Speed Limit-]

[-40 mph or less Over 40 mph-]

Type of Vehicle [+Time Period Maximum+]

[-(a)-] [+(1)+] Any motor vehicle with a [-86 dB(A) 90 dB(A)-]

Manufacturer's GVW rating of [+Daytime: 88 dB+]

[-8,000-] [+10,000+] lbs. or more, and [+Nighttime: 80 dB+]

any combination of vehicles towed by

such motor vehicle [+on city streets or

highways designated for heavy vehicle

traffic+]

[-(b)-][+(2)+]Any [-motorcycle-][+motor vehicle+] [- 82 dB(A) 86 dB(A)-]

[+with a GVW rating under 10,000 lbs. All Times: 80 dB

including motorcycles+]

[-(c) Any other motor vehicle or 76 dB(A) 82 dB (A)

combination of motor vehicles-]

[-(b) This division (1)-] [+The requirements in (A) above +][-applies-] [+apply+] to the total [-noise-] [+sound+] from a vehicle or combination of vehicles and shall not be construed as limiting or

precluding the enforcement of any other provisions of this article relating to motor vehicle mufflers for noise control.
[-(2) No person shall operate a motor vehicle having a manufacturer's gross vehicle rating of less than 6,000 lb., except a motorcycle, which exceeds 95 dB(A), measured 20 in. (508 mm) from the exhaust outlet. The measured exhaust system sound level of a stationary vehicle shall be the highest reading obtained during the test, disregarding unrelated peaks due to extraneous ambient noise. When there is more than one exhaust outlet, the reported sound level shall be for the loudest outlet. When there is more than one exhaust outlet extending from a single muffler, separated by less than 12 in. (305 mm), measurements shall not be made on the outlet furthest from the side of the vehicle.
(3) No person shall operate a motor vehicle having a manufacturer's gross vehicle weight rating of at least 6,000 lb. which exceeds 93 dB(A), measured 25 ft. (7.6 m) from the side of the vehicle. The sound level meter shall be observed during the full cycle of engine acceleration?deceleration, and the measured sound level reading shall be the highest value obtained during this cycle, excluding unrelated peaks due to extraneous ambient noise. When there is more than one outlet, the sound level for each side of the vehicle shall be measured, and the reported sound level shall be the average of the two highest readings within 1 dB of each other on the loudest side.-]
(B) (1) No person shall sell or offer for sale a recreational or off?highway motor vehicle, go?cart, or motorcycle, that [+can+] produce[-s-] a maximum [-noise-] [+sound level+] exceeding 88 dB[-(A) at a distance of 50-] [+when measured 25 or more+] feet from the center line of travel.
(2) [-It shall be unlawful for any-] [+No+] person [+shall+]
[-to-] operate a motor vehicle off a public right-of-way at any time or under any condition of load, acceleration, or deceleration, [-in such a manner that the noise produced by such operation exceeds-] [+resulting in an exceedance of +] 82 dB[-(A)-] at any point on occupied property zoned for residential [-,office-] or commercial use [-at a distance of not less than 50-][+when measured 25 or more+] feet from the path of travel. This [-division-] [+requirement+]shall not apply to commercial enterprises which are lawfully engaged in the repair and maintenance of such motor vehicles.
(C) [+Except when necessary to provide a warning signal, no person shall, within any 7-day period, cause or allow the sounding of any security alarm on or in any vehicle owned, leased or otherwise held by that person:
(1) on more than 2 occasions; or
(2) during more than 5 consecutive minutes.+]
9-9-11 AIRCRAFT [-ENGINE-][+-RELATED +] NOISE
(A) [ ] [+No+] person [+shall+] [ ] operate [ ] [+or+] run up [ ]
or cause to be operated [ ] [+or+] run up [ ] [+for testing, repair or maintenance purposes,+] an aircraft engine which creates a [ ] [+sound+] level of 50 dB [ ] or [ ] 5 dB [ ] above the ambient [ ] [+sound+] level, whichever is higher, measured at any place within an inhabited residential zone of the city during the nighttime hours.[+Military aircraft shall be exempt from this provision.+]
(B) Any aircraft engine operating within an aircraft during a landing, takeoff or while moving upon the ground surface of an airport shall be exempt from the provisions of [ ] [+(A)+].
(C) The intent of this section is to regulate the noise levels produced in the testing, maintenance and repairing of aircraft engines and aircraft in the nighttime hours to the extent such levels exceed 50 dB [ ] or [ ] [+5 +] dB [ ] above the ambient noise level, whichever is higher, measured within any inhabited residential zone of the city.
[+(D) Helicopter Noise. Takeoff and landing operations at heliports shall not result in exceedance of any of the following sound level/duration limits on any residential property:
65 dB for more than 5 minutes per operation;
70 dB for more than 90 seconds per operation;
80 dB for more than 15 seconds per operation;
90 dB for any length of time.

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Nighttime takeoff and/or landing operations are prohibited. Sound level/duration limit compliance shall be determined with an approved sound-level meter which measures and records at least 16 distinct readings per second.

This section does not apply to helicopters used by the following personnel:

a) law enforcement

b) emergency medical transport

c) emergency search and rescue

9-9-12 REFUSE COLLECTION.

No person shall collect refuse with a refuse collection vehicle except during the following hours:

(A) Multi-Unit Residential Complexes Over 8 Units:

Monday through Friday: 6:00 am to 8:00 pm

Saturday, Sunday, Holiday: 7:00 am to 10:00 pm

(B) Residential and Noise-Sensitive Areas Not Specified in (A):

Monday through Friday: 7:00 am to 8:00 pm

Saturday, Sunday, Holiday: 7:00 am to 10:00 pm

(C) Areas Not Specified in (A) or (B):

Monday through Friday: 6:00 am to 10:00 pm

Saturday, Sunday, holiday: 7:00 am to 12:00 pm+]

9-9-[-12-][+13+] GENERAL NOISE [-REGULATION-].

Except as otherwise provided in this article, [-it shall be unlawful for any-] [+no+] person [+shall+] [-to-] make or continue, cause to be made or continued, or allow to be made or continued, any [-noise-] [+sound+] [-in excess of 50 dB(A), or10 dB(A) above the ambient noise level, whichever is higher at any residential property line.-] [+resulting in an exceedance of the following limits as measured at any location on any other property receiving the sound:

Table 1

General Sound-Level Limits

Land Use Time Maximum (dB)

Residential Daytime: 55

Nighttime: 50

Commercial Daytime: 60

Nighttime: 55

Industrial Daytime: 75

Nighttime: 70+]

9-9-[-15-] [+14+] TEMPORARY [+AMPLIFIED SOUND+] PERMITS.

(A) The Mayor may grant a temporary permit which allows non-compliance with the limitations prescribed in this article for the purpose of amplified sound activities of short duration. The issuance of such permits will be only for a time period between 7:00 am [-a.m. (0700 hours)-] and 12:00 pm [+(midnight)+] [-a.m. (2400 hours)-].

(B) Permits shall be granted upon application [-,at no cost to applicant,-] provided an initial [-investigation-] [+evaluation+] assures that the permit will not result in a condition injurious to health or safety.

(C) The following factors shall be considered, in the initial [-investigation-] [+evaluation+] [-in order-] to determine whether granting the permit will result in a condition injurious to health or safety:

(1) Distance of proposed activities from a residential zone.

(2) Number of amplification devices to be used in the proposed activities.

(3) Anticipated direction of amplification devices.

(4) Anticipated length of proposed activities.

(5) Whether the activity will be held within or without a structure.

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(D) Upon a determination that the granting of a permit will not result in a condition injurious to health or safety, the permit shall be issued specifying place, duration, and any [+requirements+] [-restrictions-] appropriate to the proposed [+activity+] site [-of the activities.-][+to include:
a) neighborhood notification ;
b) sound reduction measures ; and
c) maximum allowable sound levels at any property boundary.+]
(E) Issued permits will be surrendered to any city police officer upon request when it is determined that [-the-] [+any+] restriction [-of the permit specifying duration-] [+contained in the permit+] has been violated.
(F) Reapplication for a permit may be denied upon evidence of a complaint(s) by a resident(s) in the locality of the permitted activity or if an applicant has in the past been required to surrender a permit as described in division (E).
(G) This section shall not apply to any person who has been granted a variance as prescribed by 9-9-[-14-][+15+].
(H) Any person aggrieved by the disposition of an application for a temporary [+amplified sound+] permit may appeal such disposition by filing a written petition with the Mayor within 30 days of the disposition. [-The procedures governing such appeals are those procedures promulgated by the Mayor as provided herein.-]
9-9-[-14-] [+15+] VARIANCES.
(A) The Mayor may grant an individual variance from the limitations prescribed in this article [+upon finding it to be in the public interest, or+][-whenever it is found, upon presentation of adequate proof,-] that compliance with any part of this article will result in an arbitrary and unreasonable taking of property, or will impose an undue economic burden upon any lawful business, occupation or activity, and that the granting of the variance will not result in a condition injurious to health or safety.

(B) Any variance, or renewal thereof, shall be granted within the requirements of division (A) of this section and for time periods and under conditions consistent with the reasons therefore, and within the following limitations:
(1) If the variance is granted on the grounds that compliance with the particular requirement or requirements will necessitate the taking of measures which, because of their extent or cost, must be spread over a considerable period of time, it shall be for a period not to exceed such reasonable time as, in the view of the Mayor is requisite for taking of the necessary measures. A variance granted on the ground specified in this division shall contain a timetable for taking of action in an expeditious manner and shall be conditioned on adherence to the timetable; or
(2) If the variance is granted on the ground that it is justified to relieve or prevent hardship of a kind other than that provided for in [-division (1) of this division (B)-][+(B)(1) above+], it shall be for not more than one year.
(C) Any person seeking a variance shall file a petition for variance with the Mayor. The Mayor shall [-investigate-] [+evaluate+] the petition and [+decide its+] [-make a determination as to the-] disposition [-thereof within-] [+after a review period of 10 working days from receipt of the petition+] [-ten working days following receipt of the request by the Mayor-].
(D) Any person aggrieved by [-the-] [+that+] disposition [-of a petition for a variance-] may appeal [-such disposition-] by filing a written petition with the Mayor within 30 days of [+the+] [-such-] disposition. [-The procedures governing such appeals shall be those procedures that have been promulgated by the Mayor as provided herein.-]
[+9-9-16 EXCEPTIONS.
The following sources of noise are specifically governed within the indicated Article of the Albuquerque Code of Ordinances:
a) animal noise: Animal Control Ordinance (Chapter 9, Article 2)
b) alarm system noise (structure/facility): Alarm Systems Ordinance (Chapter

9, Article 3)
c) vehicular horn noise: Traffic Code (Chapter 8, Article 6)
d) "unreasonable noise": Criminal Code (Chapter 12, Article 2)+]
9-9-[-13-] [+17+] ADMINISTRATION.
The Mayor shall be responsible for the administration of this article. Rules, regulations, and test and compliance procedures to carry out the intent and purpose of this article shall be promulgated by the Mayor [-after a public hearing-].
[+The Mayor shall have the authority to establish reasonable fees for costs associated with the administration of this article.+]
9?9?[-98-] [+18+] VIOLATIONS; ADDITIONAL REMEDIES; INJUNCTIONS.
As an additional remedy to the penalty set forth in 9?9?99, the operation or maintenance of any device, instrument, vehicle, or machinery in violation of any provision of this article, which operation or maintenance exceeds the limitations of this article may be subject to abatement summarily by a restraining order or injunction issued by a court of competent jurisdiction.
9-9-[-99-] [+19+] PENALTY.
Any person who violates any [+provision of this article shall be subject to the following penalties for offenses during any period of 36 or fewer months: a) fine of $25 for the first offense;
b) fine of $50 for the second offense;
c) fine of $100 for the third offense;
d) for fourth and subsequent offenses, the person shall be subject to the penalty provisions of Section 1-1-99 of the Albuquerque Code of Ordinances.+]
[-of the provisions of this article shall be subject to the general penalty provisions of this code set forth in 1-1-99.-] [+Each calendar day during which the violation occurs constitutes a separate and distinct offense.+]
Section 2. SEVERABILITY CLAUSE. If any section, paragraph, sentence, clause, word or phrase of this ordinance is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this ordinance. The Council hereby declares that it would have passed this ordinance and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provision being declared unconstitutional or otherwise invalid.
Section 3. COMPILATION. This ordinance shall be incorporated in and made part of the Revised Ordinances of Albuquerque, New Mexico, 1994.
Section 4. EFFECTIVE DATE. This ordinance shall take effect five days after publication in full.

Survey submitted by Mr. Jim Fanning at re-hearing discussion Mr. Fanning stated to stat. that NMPIRG took this survey in Oct. 1998.

Channel 7 Survey Results

Family Questionnaires:

123	Covered in survey	
58	No Concern	47.15 % (of total 123)
65	Yes for at least one question	52.84%
27	Just interested in a helicopter meeting	21.95%
38	Had concerns	30.80% (of total 123) or 58.46% (of 65 w/one question)

Breakdown of the 38 households with concerns:

22	Had issues w/noise	57.89%
9	Had issues w/air pollution	23.68%
28	Had issues w/safety	73.68%
23	Would support removal legislation	60.52%
17	Would be interested in council meetings re: helicopters.	44.74%

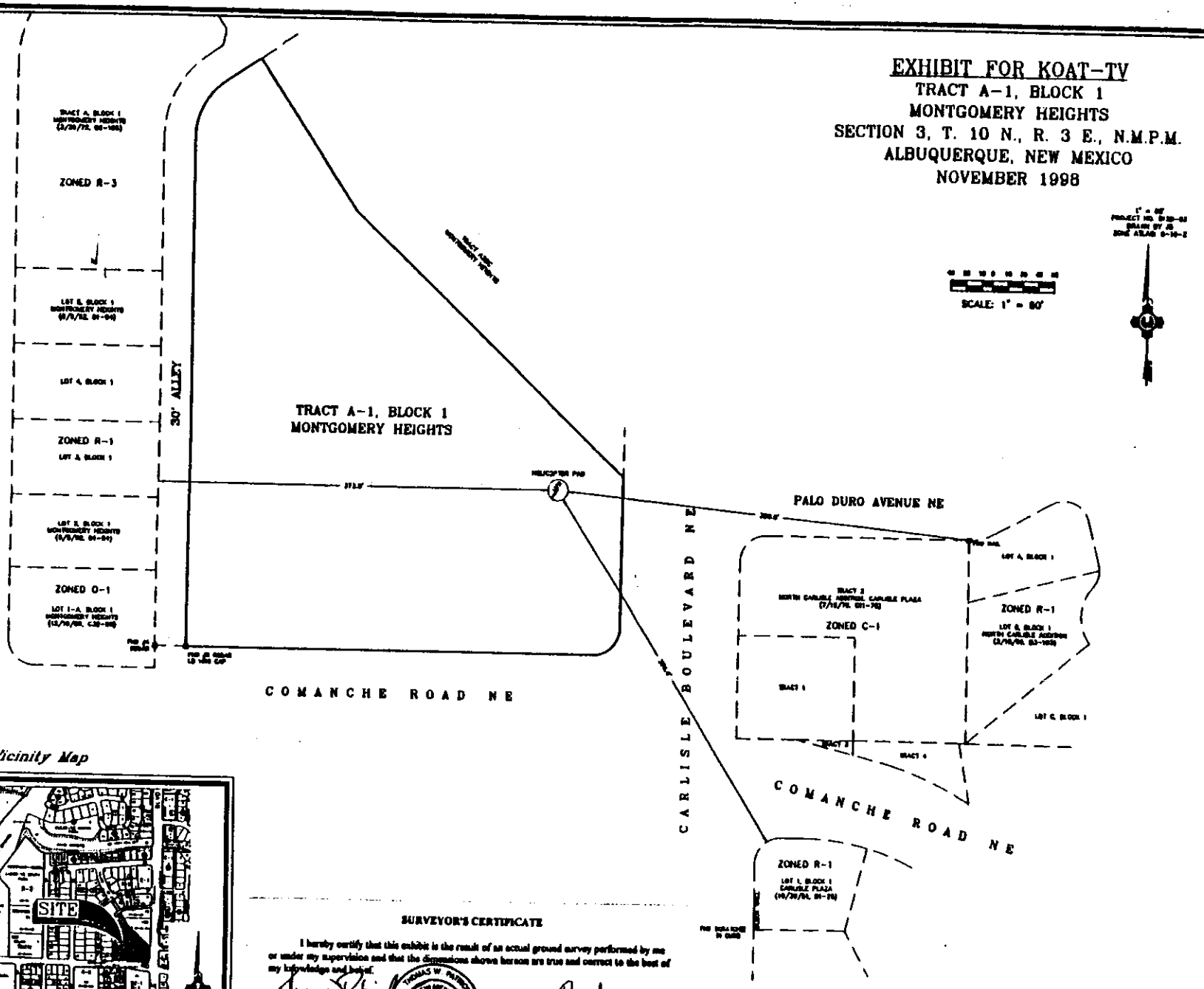
Business Questionnaires:

8	Covered in Survey	
6	Had Concerns	75.0 %
1	With noise	16.66%
1	With air	16.66%
4	With safety	66.66%
4	Would support removal	66.66%
2	Interested in Council Meeting	33.33%

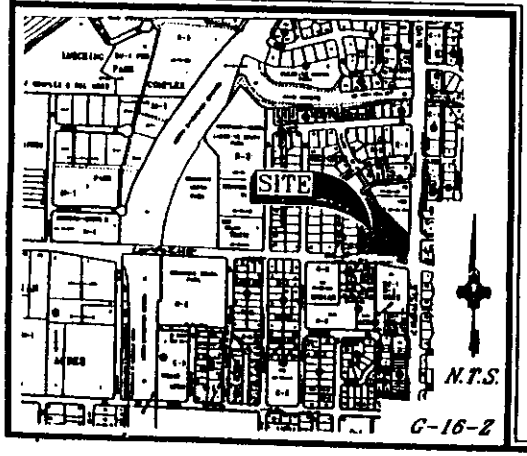
EXHIBIT FOR KOAT-TV

TRACT A-1, BLOCK 1
MONTGOMERY HEIGHTS
SECTION 3, T. 10 N., R. 3 E., N.M.P.M.
ALBUQUERQUE, NEW MEXICO
NOVEMBER 1998

EXHIBIT 3



Vicinity Map



SURVEYOR'S CERTIFICATE

I hereby certify that this exhibit is the result of an actual ground survey performed by me or under my supervision and that the dimensions shown hereon are true and correct to the best of my knowledge and belief.

THOMAS W PATRICK
N.M.P.S. NO. 12651

Date 1 December 1998

SOUTHWEST SURVEYING CO., INC.
333 LOMAS BLVD., N.E.
ALBUQUERQUE, NEW MEXICO
87102
PHONE: (505) 998-0303
FAX: (505) 998-0309

TION R3E SEC. 3

-511-

August 14, 2000 3:00 pm

Dear Commissioners:

We just received this information from KOAT- TV and wanted to get it to you as soon as possible. Bob Kirkpatrick, Noise Officer with Environmental Health, did accompany the Metro Safety Consultant, Curtis Chambers, last Thursday (8-10-00) while the latest noise level readings were taken. We are expecting a report regarding these tests from Mr. Kirkpatrick any moment. From telephone conversations between Mr. Kirkpatrick and staff, it would seem that Environmental Health believes that KOAT-TV meets all current and proposed noise level requirements. We will fax his report to you as soon as it is available.

In addition, the application materials for this case included a videotape that KOAT-TV provided. Those tapes were misplaced or inadvertently thrown away. We have requested copies of those tapes from KOAT-TV and hope to have those for you soon as well.

Thank you.

Debbie

PLANNING DEPARTMENT
AUG 14 3 00 PM '00

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COUNSELORS AND ATTORNEYS AT LAW
ALBUQUERQUE PLAZA
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SANTA FE OFFICE
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FACSIMILE (505) 954-3942

WRITER'S DIRECT NUMBER

August 14, 2000

HAND DELIVERED

Ms. Debbie Stover
Planner
Planning Department
City of Albuquerque
600 2nd Street NW
Albuquerque, NM 87102

Re: KOAT TV Zone Change Request / Z-00110-00000-00888
BP-00128-00000-00889

Dear Ms. Stover:

We enclose herein for your information, review and placement in the file in this matter the following documentation:

1. Helicopter Noise Survey prepared by Metro Safety Consultants, Inc. based on sound testing conducted in the KOAT-TV neighborhood on Thursday, August 10, 2000. Mr. Bob Kirkpatrick of the Albuquerque Environmental Health Department was able to review the video record of the morning testing conducted on August 10, 2000 and to observe additional testing during the afternoon of August 10, 2000. The enclosed written report recaps the findings in written form.

2. Sky 7 daily flight logs for the months of January through December, 1999 and January through July, 2000. The logs reflect the rather limited use of Sky 7. During 1999, Sky 7 flew on only 300 assignments, or an average of only 25 assignments per month. During 2000, it has flown on only 158 assignments from January through July which averages approximately 22.6 assignments per month.

Thank you for taking the time to review these materials and for placing them in the record of this application.

Sincerely,

RODEY, DICKASON, SLOAN, AKIN & ROBB, P.A.

By
John P. Salazar

JPS/jsd

Enclosures

cc: (w/enclosures)
Mr. Bob Kirkpatrick (hand delivered)
Ms. Mary Lynn Roper (hand delivered)
Mr. Pahl Shipley (hand delivered)

(w/out enclosures)
Ms. Veronica A. Miner

METRO SAFETY Consultants, Inc.
The OSHA Compliance Specialists

PLANNING DEPARTMENT
PLAN DIV.
AUG 14 3 01 PM '00

Helicopter Noise Survey

KOAT-TV
Albuquerque, NM

August 10, 2000

SCOPE

Curtis Chambers, CSP/OHST, of Metro Safety Consultants, Inc. conducted a noise survey at the request of KOAT-TV, Albuquerque, NM. Sound pressure level readings were measured at numerous positions surrounding television station KOAT-TV, located at 3801 Carlisle N.E. in Albuquerque, NM, on Thursday, August 10, 2000.

The purpose of this noise survey was to determine sound levels generated at the nearest residential property lines and at select locations in nearby neighborhoods by the television station's helicopter during takeoff and landing operations. For purposes of these tests, noise level readings were measured continuously as the helicopter warmed up, took off, flew out, made its approach to land, landed, and then cooled down.

Specific positions where measurements were taken are identified in the Summary of Findings, and a survey map identifying each test position is included as Exhibit A of this report.

Sound pressure levels recorded during these studies are recapped in the Summary of Findings, and monitoring logs for each position are included as Exhibit B.

METHODOLOGY

Sound pressure levels were measured using Quest Q-300 noise dosimeters set to A scale, fast response. The instruments were calibrated before and after the survey with a Quest QC-10 calibrator. The instrument's microphone was placed approximately four (4) feet above ground level, and set in an upward position (approximately 70-degree angle above horizontal) facing the television station's helipad. Microphone windscreens were utilized throughout the survey. Additional information about these meters is included in this report as Appendix A.

A sound level meter was run continuously at each test position during one or more of the take-off/landing operations conducted during this survey. These meters record sound pressure levels at a rate of 32 readings per second, and maximum sound level readings are logged in one-second increments. A video camera was also utilized during these tests to capture meter readouts in one-second intervals, and to document background noise present during the tests. These readings were then charted to help determine if sound levels generated by the helicopter during takeoff and landing operations within a certain length of time exceed limits specified in the City's proposed noise ordinance. Monitoring logs for each test position are included with this report as Exhibit B.

DISCUSSION

The City's proposed noise ordinance contains a section that specifically addresses helicopter noise. Proposed limits not to be exceeded on residential property during take off or landing operations are listed below:

- 65 dB for more than 5 minutes per operation
- 70 dB for more than 90 seconds per operation
- 80 dB for more than 15 seconds per operation
- 90 dB for any length of time

For purposes of this survey, sound pressure level readings were taken continuously while the helicopter was sitting on the helipad warming up, took off, flew out, made its approach to land, landed, and then cooled down.

The helicopter took off and landed in what was described as the "normal" takeoff and landing patterns during tests conducted at positions A, B, and C, which are adjacent to television station property. This is where the helicopter takes off toward the South over Carlisle Blvd. into the prevailing winds, and approaches the station from North to South over Carlisle Blvd. for landing.

For the test conducted at the corner of Comanche and Wellesey (position D), the helicopter took off and then headed west down the center of Comanche Dr., and then landed per the normal landing pattern. For the test conducted in the 3800 block of Delamar (position E), the helicopter took off towards the North, traveling over Carlisile Blvd., and after looping around, landed per the normal landing pattern. The patterns flown provided "worst case" scenarios for noise generated by the helicopter during takeoff at each test location.

Spot readings showed that sound pressure levels that are generated by the helicopter at test locations during warm up and cool down are lower than 65 decibels. Station managers indicated that helicopter take off and landing operations, including time to warm-up or cool-down, do not exceed four minutes each during the winter, nor two minutes each during the summer. This being the case, the first limit listed above (65 dB for more than five minutes per operation) would not be applicable.

An important factor to keep in mind when reviewing test results is that peak noise levels generated by certain motor vehicles during this survey were actually measured well above 80 dBA on numerous occasions, and even exceeded 90 dBA a few times (refer to reading logs and video tape for documented examples). Loud background noise skews readings during a noise survey, and will nearly always be an issue when testing in urban areas such as this which are located near a main thoroughfare.

SUMMARY OF FINDINGS

Position A – *Residential property line just inside of the Southeast corner of the intersection of Carlisle Blvd. NE and Comanche Road NE; approximately 375 feet from the station's helipad.*

Residential property at this corner of the intersection is in direct view of the helipad, as there are no buildings or structures to shield it from the helipad. Motor vehicle traffic is very heavy at this intersection, which results in much higher background noise levels during the day as compared to the other positions. However, the video taken during this test confirmed that during those periods when traffic noise in the area was low, sound pressure levels generated by the helicopter were measured at levels well below the maximums allowed.

Based on readings collected during this survey, sound levels generated by the helicopter during takeoff and landing operations at this position were as follows:

65 dB for more than 5 minutes per operation:	Not applicable
70 dB for more than 90 seconds per operation:	Did not exceed
80 dB for more than 15 seconds per operation:	Did not exceed
90 dB for any length of time:	Did not exceed

Position B – *Northwest (back) corner of residential property sitting at the Southwest corner of the intersection of Palo Duro Avenue NE and Jeanne Ct. ; approximately 390 feet East of the station's helipad.*

Residential property in this area is partially shielded from the station's helipad by commercial development, primarily the strip center situated West of this test position. Motor vehicle traffic is relatively light at the intersection of Palo Duro and Jeanne Ct., which sits off of the main thoroughfare, so background noise levels are relatively low.

Based on readings collected during this survey, sound levels generated by the helicopter during takeoff and landing operations at this position were as follows:

65 dB for more than 5 minutes per operation:	Not applicable
70 dB for more than 90 seconds per operation:	Did not exceed
80 dB for more than 15 seconds per operation:	Did not exceed
90 dB for any length of time:	Did not exceed

Position C – *West edge of station property near the alley that runs between the station's property line and the back of adjacent Theta apartment buildings; approximately 440 feet from the helipad.*

Residential property in this area is almost completely shielded from the helipad by the television station building. Motor vehicle traffic is almost non-existent at the alley West of KOAT-TV, except for vehicles occasionally driving in and out of parking lots of the apartment buildings and television station. Therefore, background noise levels are relatively low.

Based on readings collected during this survey, sound levels generated by the helicopter during takeoff and landing operations at this position were as follows:

65 dB for more than 5 minutes per operation:	Not applicable
70 dB for more than 90 seconds per operation:	Did not exceed
80 dB for more than 15 seconds per operation:	Did not exceed
90 dB for any length of time:	Did not exceed

Position D –*Southwest corner of the intersection of Comanche Rd. NE and Wellesey Dr. NE; approximately three blocks due West of the station's helipad.*

Residential dwellings located at this intersection are situated a few blocks due West of the television station. There are several building structures including the television station's building that shield this area from the helipad. Motor vehicle traffic on Comanche Dr. is moderately heavy on occasion, which results in higher background noise levels as compared to the other positions. However, video taken during the test confirmed that sound pressure levels generated by the helicopter were well below the maximum levels allowed.

Based on readings collected during this survey, sound levels generated by the helicopter during takeoff and landing operations at this position were as follows:

65 dB for more than 5 minutes per operation:	Not applicable
70 dB for more than 90 seconds per operation:	Did not exceed
80 dB for more than 15 seconds per operation:	Did not exceed
90 dB for any length of time:	Did not exceed

Position E – *3800 block of Delamar Ave. NE approximately three and one half blocks Northeast of the station's helipad.*

Residential property in this area is completely shielded from the helipad by numerous residential and commercial buildings. Motor vehicle traffic on this street was relatively light during this test, with only an occasional vehicle passing, so background noise levels are relatively low. The test was conducted from the roadway, directly across the street from the house located at 3816 Delamar NE.

Based on readings collected during this survey, sound levels generated by the helicopter during takeoff and landing operations at this position were as follows:

65 dB for more than 5 minutes per operation:	Not applicable
70 dB for more than 90 seconds per operation:	Did not exceed
80 dB for more than 15 seconds per operation:	Did not exceed
90 dB for any length of time:	Did not exceed

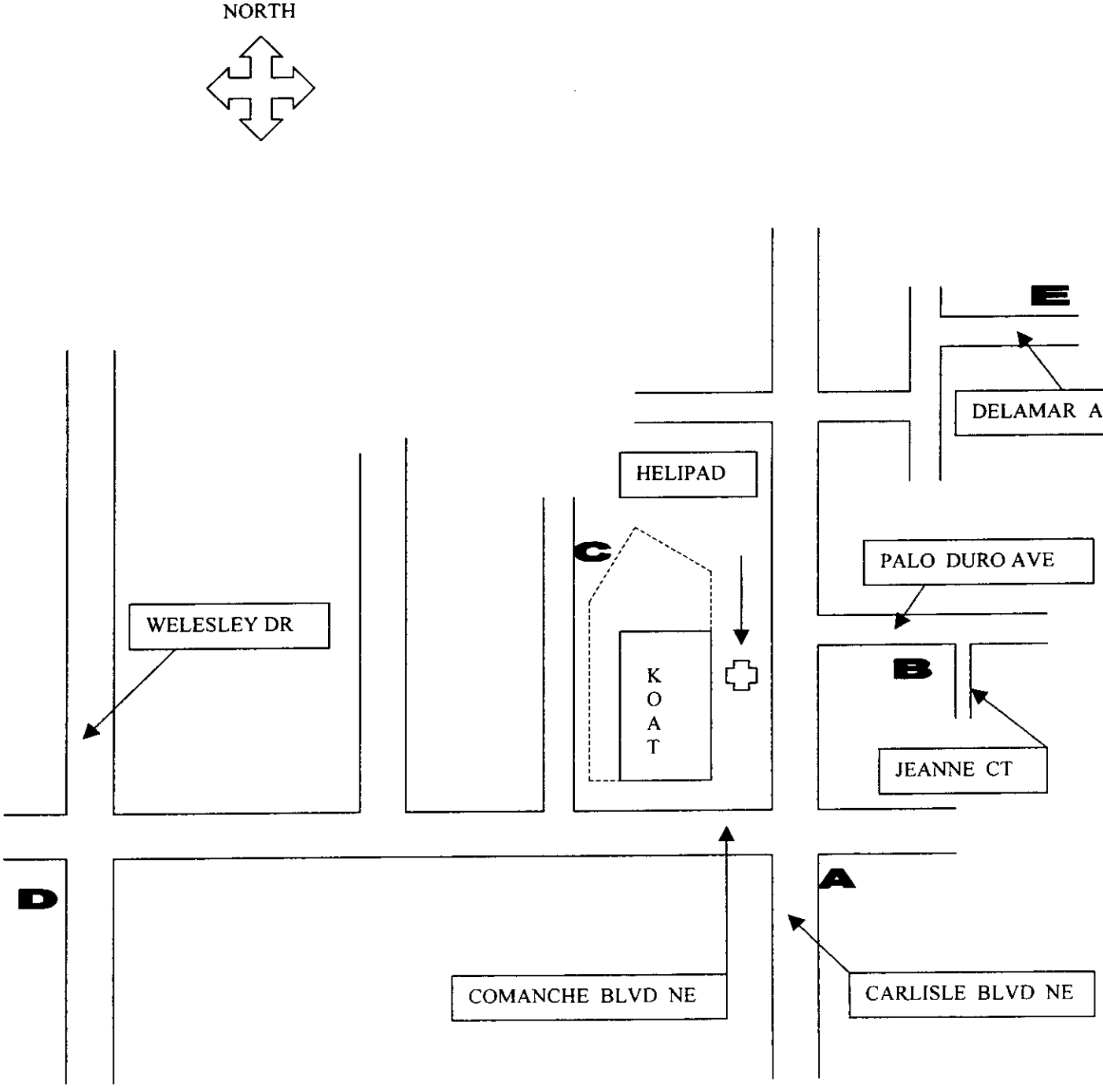
CONCLUSION

Sound generated by KOAT-TV's helicopter during take off and landing operations did not exceed noise limits specified in the City of Albuquerque's proposed noise ordinance at any of the test positions during this survey.

KOAT-TV Helicopter Noise Survey

Test Locations

Drawing Not To Scale



MONITORING LOG

Sound Pressure Level Readings

Test Date 08/10/00

TEST POSITION A - SE Corner of Carlisle and Comanche

Elapsed Time	+ 1 sec	+ 2 sec	+ 3 sec	+ 4 sec	+ 5 sec	Comments
0:00	70.4	< 70	< 70	< 70	< 70	
0:05	< 70	< 70	< 70	< 70	< 70	
0:10	71.2	73.2	73.4	73	74	
0:15	73.9	70.2	< 70	< 70	< 70	
0:20	< 70	< 70	< 70	< 70	< 70	
0:25	< 70	< 70	< 70	< 70	< 70	
0:30	73.4	< 70	78	74.5	< 70	Started engine
0:35	70.8	71.8	< 70	< 70	< 70	Warming up
0:40	< 70	< 70	70.2	71.6	70.8	
0:45	71.1	< 70	70.5	< 70	< 70	
0:50	< 70	71	72.5	73	72.9	
0:55	73	74	78.8	72.2	73.9	
1:00	73.4	74.2	72.2	73.4	74.9	
1:05	< 70	< 70	< 70	< 70	< 70	
1:10	< 70	< 70	< 70	< 70	< 70	
1:15	< 70	< 70	70.4	70.5	< 70	
1:20	< 70	< 70	< 70	70.5	71.8	
1:25	72.4	73	71.6	70.6	71.1	
1:30	73.7	70.7	< 70	< 70	< 70	
1:35	< 70	< 70	< 70	< 70	73	
1:40	73.3	71.2	71.7	70.9	< 70	
1:45	< 70	< 70	< 70	71	< 70	
1:50	< 70	< 70	70.9	73.6	74.8	
1:55	73.2	72.6	73.8	73.6	< 70	
2:00	70.2	71.4	70.5	< 70	< 70	
2:05	< 70	70.7	71.6	71.8	70.4	
2:10	71.6	70.9	70.4	< 70	< 70	
2:15	< 70	< 70	< 70	< 70	< 70	
2:20	70.2	70.4	70.6	71.7	71.8	
2:25	72.1	72.2	73.4	76.2	76.9	
2:30	76.8	73.4	75	74.6	77.4	
2:35	77.6	77.5	87.5	78	81.9	Lift off
2:40	82.4	79.8	79.2	83.5	86.4	
2:45	87.8	89.5	89.5	88.5	86	
2:50	82.6	78.2	75.4	70	< 70	
2:55	< 70	< 70	72	74.2	72.4	
3:00	< 70	< 70	< 70	< 70	< 70	
3:05	< 70	< 70	< 70	< 70	71.8	
3:10	72.6	71.4	70.5	76.6	76.5	
3:15	73.7	76.6	77.7	75.7	< 70	
3:20	< 70	< 70	< 70	< 70	< 70	
3:25	< 70	< 70	< 70	< 70	< 70	
3:30	< 70	< 70	< 70	< 70	< 70	
3:35	< 70	71	71.1	70.3	70.8	
3:40	< 70	< 70	70.8	71.8	79.2	
3:45	79.5	78.8	< 70	< 70	71	
3:50	73.1	75.1	73.6	73.4	73.8	
3:55	72.1	82.7	90.8	89.8	< 70	< car squealing tires >
4:00	< 70	< 70	< 70	< 70	72.8	
4:05	72	72.4	74.8	81.2	80.3	
4:10	78.6	77.8	80.5	81.1	81.4	
4:15	85.8	85	88.8	88	79.6	
4:20	78.2	78.5	77.4	78.6	72.2	Touch down
4:25	79	70.7	70.5	< 70	< 70	Cool off
4:30	71	70.5	71.1	73	72.6	
4:35	70.2	71.4	71.8	72.8	73.4	
4:40	72.4	71.2	72.3	70.8	71.6	
4:45	71	72.4	71.3	< 70	< 70	
4:50	70.4	< 70	< 70	< 70	< 70	
4:55	< 70	< 70	< 70	< 70	< 70	
5:00	< 70	< 70	< 70	< 70	< 70	
5:05	< 70	< 70	< 70	< 70	< 70	
5:10	< 70	< 70	< 70	< 70	< 70	
5:15	70.7	71.1	< 70	< 70	< 70	
5:20	< 70	< 70	< 70	< 70	< 70	
5:35	< 70	< 70	< 70	< 70	< 70	
5:40	< 70	< 70	< 70	< 70	< 70	
5:45	70.4	70.7	72	74.5	78.2	
5:50	78.7	78.2	81.9	82.1	80.3	
5:55	82.6	83.5	82.7	76.6	76.6	
6:00	75.7	73	71	71.1	< 70	

All readings represent the maximum sound pressure level measured during the preceding one second

A scale - Fast response

MONITORING LOG

Sound Pressure Level Readings

Test Date 08/10/00

TEST POSITION B - Due East of TV Station, beyond Shopping Center

Elapsed Time	+ 1 sec	+ 2 sec	+ 3 sec	+ 4 sec	+ 5 sec	Comments
0:00	< 70	< 70	< 70	< 70	< 70	Warming up
0:05	< 70	< 70	< 70	< 70	< 70	
0:10	< 70	< 70	< 70	70.9	70.7	
0:15	< 70	< 70	< 70	< 70	< 70	
0:20	< 70	< 70	< 70	70	70.2	
0:25	< 70	< 70	< 70	< 70	70.2	
0:30	75.3	76.4	78.2	81.1	79.6	
0:35	78.9	85.9	84.2	80.8	80.4	Lift Off
0:40	81.4	81.7	76.4	79.2	80.7	
0:45	81.2	80.7	79	79.8	74.5	
0:50	72.1	< 70	< 70	< 70	< 70	
0:55	< 70	< 70	< 70	< 70	< 70	
1:00	< 70	< 70	< 70	< 70	< 70	
1:05	< 70	< 70	< 70	< 70	< 70	
1:10	< 70	< 70	< 70	< 70	< 70	
1:15	< 70	< 70	< 70	< 70	< 70	
1:20	< 70	< 70	< 70	< 70	< 70	
1:25	< 70	< 70	< 70	< 70	< 70	
1:30	< 70	< 70	< 70	< 70	< 70	
1:35	< 70	< 70	< 70	< 70	< 70	
1:40	< 70	< 70	< 70	< 70	< 70	
1:45	< 70	< 70	< 70	< 70	< 70	
1:50	< 70	< 70	< 70	< 70	< 70	
1:55	< 70	< 70	< 70	< 70	76.6	
2:00	72.6	< 70	< 70	< 70	< 70	
2:05	< 70	< 70	< 70	< 70	70.1	
2:10	< 70	71.4	71.6	72	74.7	
2:15	74.9	74.4	74.2	73.2	75.6	
2:20	78.4	82.2	84.4	85.6	83.4	
2:25	83.8	78.9	77.9	76	73.7	Touch down
2:30	71.2	73.8	73.4	72.2	71.2	Cool off
2:35	70.1	< 70	< 70	< 70	< 70	
2:40	< 70	< 70	< 70	< 70	< 70	
2:45	< 70	< 70	< 70	< 70	< 70	
2:50	< 70	< 70	< 70	< 70	< 70	
2:55	< 70	< 70	< 70	< 70	< 70	
3:00	< 70	< 70	< 70	< 70	< 70	
3:05	< 70	< 70	< 70	< 70	X	
3:10						
3:15						
3:20						
3:25						
3:30						
3:35						
3:40						
3:45						
3:50						
3:55						
4:00						
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4:40						
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4:55						
5:00						
5:05						
5:10						
5:15						
5:20						
5:35						
5:40						
5:45						
5:50						
5:55						
6:00						

All readings represent the maximum sound pressure level measured during the preceding one second

A scale ~ Fast response

MONITORING LOG

Sound Pressure Level Readings

Test Date 08/10/00

TEST POSITION C - West of TV Station, near Theta Apartments

Elapsed Time	+ 1 sec	+ 2 sec	+ 3 sec	+ 4 sec	+ 5 sec	Comments
0:00	< 70	< 70	< 70	< 70	< 70	Warming up
0:05	< 70	< 70	< 70	< 70	< 70	
0:10	< 70	< 70	< 70	< 70	< 70	
0:15	< 70	< 70	< 70	< 70	< 70	
0:20	75.4	< 70	< 70	< 70	< 70	
0:25	< 70	< 70	< 70	< 70	< 70	
0:30	< 70	< 70	< 70	< 70	< 70	
0:35	< 70	< 70	< 70	< 70	< 70	
0:40	< 70	< 70	< 70	< 70	< 70	
0:45	< 70	< 70	< 70	< 70	< 70	
0:50	< 70	< 70	< 70	< 70	< 70	
0:55	< 70	< 70	< 70	< 70	< 70	
1:00	< 70	< 70	< 70	< 70	< 70	
1:05	< 70	< 70	< 70	< 70	< 70	
1:10	< 70	< 70	< 70	< 70	< 70	
1:15	< 70	< 70	< 70	< 70	< 70	
1:20	< 70	< 70	< 70	< 70	< 70	
1:25	< 70	< 70	70.2	70.8	72.6	Lift off
1:30	75.5	72.4	< 70	< 70	< 70	
1:35	< 70	< 70	< 70	< 70	< 70	
1:40	< 70	70.2	< 70	< 70	< 70	
1:45	< 70	< 70	< 70	< 70	< 70	
1:50	< 70	< 70	< 70	< 70	< 70	
1:55	< 70	< 70	< 70	< 70	< 70	
2:00	< 70	< 70	< 70	< 70	< 70	
2:05	< 70	< 70	< 70	< 70	< 70	
2:10	< 70	< 70	< 70	< 70	< 70	
2:15	< 70	< 70	< 70	< 70	< 70	
2:20	< 70	< 70	< 70	< 70	< 70	
2:25	< 70	< 70	< 70	< 70	< 70	
2:30	< 70	< 70	< 70	< 70	70.5	
2:35	< 70	< 70	< 70	< 70	70.9	
2:40	71.8	76.6	78	77.7	80.8	
2:45	82.1	80.8	79.8	79.4	76.3	
2:50	75.3	77.1	78.6	78.2	80	Touch down
2:55	75.3	73.4	70.5	< 70	< 70	Cool off
3:00	< 70	< 70	< 70	< 70	< 70	
3:05	< 70	< 70	< 70	< 70	< 70	
3:10	< 70	< 70	< 70	< 70	< 70	
3:15	< 70	< 70	< 70	< 70	< 70	
3:20	< 70	< 70	< 70	< 70	< 70	
3:25	< 70	X				
3:30						
3:35						
3:40						
3:45						
3:50						
3:55						
4:00						
4:05						
4:10						
4:15						
4:20						
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5:05						
5:10						
5:15						
5:20						
5:35						
5:40						
5:45						
5:50						
5:55						
6:00						

All readings represent the maximum sound pressure level measured during the preceding one second

A scale ~ Fast response

MONITORING LOG

Sound Pressure Level Readings

Test Date 08/10/00

TEST POSITION D - SW corner of Comanche & Wellesley

(test 1 of 2 - voided due to interference)

Elapsed Time	+ 1 sec	+ 2 sec	+ 3 sec	+ 4 sec	+ 5 sec	
0:00	< 70	< 70	< 70	< 70	70.2	Warming up
0:05	73.2	70.5	< 70	< 70	< 70	
0:10	< 70	< 70	< 70	< 70	< 70	
0:15	< 70	< 70	< 70	< 70	< 70	
0:20	< 70	< 70	< 70	< 70	< 70	
0:25	< 70	< 70	< 70	70.1	70	
0:30	< 70	< 70	< 70	< 70	< 70	
0:35	< 70	< 70	< 70	< 70	< 70	
0:40	< 70	< 70	< 70	70.7	72.1	
0:45	70.9	< 70	71	70.7	70	
0:50	< 70	< 70	< 70	< 70	< 70	
0:55	< 70	< 70	< 70	< 70	< 70	
1:00	< 70	< 70	< 70	< 70	< 70	
1:05	< 70	< 70	< 70	< 70	< 70	
1:10	< 70	< 70	< 70	< 70	< 70	
1:15	< 70	< 70	< 70	< 70	< 70	
1:20	< 70	< 70	< 70	< 70	< 70	
1:25	< 70	< 70	< 70	< 70	< 70	
1:30	< 70	< 70	< 70	< 70	< 70	
1:35	< 70	< 70	< 70	< 70	< 70	
1:40	< 70	< 70	< 70	74.6	70.5	
1:45	70.8	71.8	< 70	< 70	< 70	
1:50	< 70	< 70	< 70	< 70	< 70	
1:55	73.3	90.8	78.8	< 70	< 70	< car squealing tires >
2:00	71.2	73.2	73.6	73.8	75.6	
2:05	79.2	80.9	79.6	75.9	72.5	
2:10	70.2	72	73.4	< 70	< 70	
2:15	< 70	< 70	< 70	< 70	< 70	
2:20	< 70	72.2	73.6	72.3	< 70	
2:25	70.8	70.1	< 70	< 70	< 70	
2:30	< 70	< 70	< 70	< 70	< 70	
2:35	< 70	< 70	< 70	< 70	< 70	Lift off
2:40	72.4	72.2	71.2	70.7	71.6	
2:45	71.2	76.4	78.3	80.6	82.2	
2:50	83.3	81.6	87.6	90.6	89.2	< two cars racing past test location >
2:55	79.4	74.2	73	72	72.2	
3:00	< 70	< 70	72.8	73.4	71.6	
3:05	< 70	71	72	71.7	71.2	
3:10	70.7	< 70	< 70	< 70	< 70	
3:15	< 70	< 70	< 70	< 70	< 70	
3:20	< 70	70	70.2	< 70	71.6	
3:25	72.7	70	< 70	71.9	75	
3:30	75.8	74.1	70.4	< 70	< 70	No landing recorded.
3:35	< 70	< 70	< 70	< 70	< 70	
3:40	< 70	< 70	X			Test voided due to high noise interference from vehicular traffic
3:45						
3:50						
3:55						
4:00						
4:05						
4:10						
4:15						
4:20						
4:25						
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5:20						
5:35						
5:40						
5:45						
5:50						
5:55						
6:00						

All readings represent the maximum sound pressure level measured during the preceding one second

A scale ~ Fast response

MONITORING LOG

Sound Pressure Level Readings

Test Date 08/10/00

TEST POSITION D - SW corner of Comanche & Wellesley

(test 2 of 2)

Elapsed Time	+ 1 sec	+ 2 sec	+ 3 sec	+ 4 sec	+ 5 sec	
0:00	< 70	< 70	< 70	< 70	< 70	Warming up
0:05	< 70	70.1	< 70	< 70	< 70	
0:10	< 70	< 70	< 70	< 70	< 70	
0:15	< 70	< 70	< 70	< 70	< 70	
0:20	< 70	< 70	< 70	< 70	72.8	
0:25	76.3	76.7	74.8	71.8	< 70	
0:30	71.4	71.8	< 70	< 70	< 70	
0:35	72	73.4	71.1	< 70	< 70	
0:40	< 70	< 70	< 70	< 70	< 70	
0:45	< 70	< 70	72.2	72.4	70	Lift off
0:50	< 70	< 70	< 70	71.6	72.7	
0:55	72.2	71.7	73	75.8	77.5	
1:00	81.9	83.6	84	83.4	80.6	
1:05	79.3	77.4	74	73.9	72	
1:10	< 70	< 70	< 70	< 70	< 70	
1:15	< 70	< 70	< 70	< 70	< 70	
1:20	< 70	< 70	< 70	< 70	< 70	
1:25	< 70	< 70	< 70	< 70	< 70	
1:30	< 70	< 70	< 70	< 70	< 70	
1:35	< 70	< 70	< 70	< 70	71.8	
1:40	< 70	< 70	< 70	< 70	72.4	
1:45	71.8	< 70	< 70	< 70	< 70	
1:50	< 70	< 70	73	< 70	< 70	
1:55	< 70	< 70	< 70	< 70	< 70	
2:00	< 70	< 70	73.6	75.8	80.2	
2:05	81.7	82.2	78.4	71.8	70.2	
2:10	70.1	< 70	72.3	< 70	< 70	
2:15	< 70	< 70	< 70	< 70	< 70	
2:20	< 70	73.8	72.2	71.2	< 70	Touch down
2:25	< 70	X				Cool off
2:30						
2:35						
2:40						
2:45						
2:50						
2:55						
3:00						
3:05						
3:10						
3:15						
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5:15						
5:20						
5:35						
5:40						
5:45						
5:50						
5:55						
6:00						

All readings represent the maximum sound pressure level measured during the preceding one second

A scale ~ Fast response

MONITORING LOG

Sound Pressure Level Readings

Test Date 08/10/00

TEST POSITION E - 3800 block of Delamar

Elapsed Time	+ 1 sec	+ 2 sec	+ 3 sec	+ 4 sec	+ 5 sec	
0:00	< 70	< 70	< 70	< 70	< 70	Warming up
0:05	< 70	< 70	< 70	< 70	< 70	
0:10	71.5	< 70	< 70	< 70	74.2	
0:15	74.4	< 70	< 70	< 70	< 70	
0:20	< 70	< 70	< 70	< 70	< 70	
0:25	< 70	< 70	< 70	< 70	< 70	
0:30	< 70	< 70	< 70	< 70	< 70	
0:35	< 70	< 70	< 70	< 70	< 70	
0:40	< 70	< 70	< 70	< 70	< 70	
0:45	< 70	< 70	< 70	< 70	< 70	
0:50	< 70	< 70	< 70	< 70	< 70	
0:55	< 70	< 70	< 70	< 70	< 70	
1:00	< 70	< 70	< 70	< 70	< 70	
1:05	< 70	< 70	< 70	< 70	< 70	
1:10	< 70	< 70	< 70	< 70	< 70	
1:15	< 70	< 70	< 70	< 70	< 70	Lift off
1:20	< 70	< 70	< 70	< 70	73.1	
1:25	77.2	74.9	< 70	< 70	< 70	
1:30	< 70	< 70	70.6	73.6	71.4	
1:35	75.5	75.7	74.7	75.1	76	
1:40	75.2	74.6	72.2	73.6	74.3	
1:45	74.8	73.6	72.8	72.4	71.6	
1:50	71.3	70	< 70	73.6	< 70	
1:55	< 70	< 70	< 70	< 70	< 70	
2:00	< 70	< 70	< 70	< 70	< 70	
2:05	< 70	< 70	< 70	< 70	< 70	
2:10	< 70	< 70	< 70	< 70	< 70	
2:15	< 70	< 70	< 70	< 70	< 70	
2:20	< 70	< 70	< 70	< 70	< 70	
2:25	< 70	< 70	< 70	< 70	< 70	
2:30	< 70	< 70	< 70	< 70	< 70	
2:35	< 70	< 70	< 70	< 70	< 70	
2:40	< 70	< 70	< 70	< 70	< 70	
2:45	< 70	< 70	< 70	70.2	70.7	
2:50	< 70	< 70	< 70	< 70	< 70	
2:55	< 70	< 70	< 70	< 70	< 70	
3:00	< 70	< 70	< 70	< 70	< 70	
3:05	< 70	< 70	< 70	< 70	< 70	
3:10	< 70	< 70	< 70	70.9	70.8	
3:15	70.8	< 70	< 70	< 70	70.8	< On approach, due West of test location >
3:20	71.5	71.4	71.6	72.4	70.2	
3:25	74	72.2	< 70	71.2	< 70	
3:30	< 70	< 70	< 70	< 70	< 70	
3:35	< 70	< 70	< 70	< 70	< 70	Touch down
3:40	< 70	< 70	< 70	< 70	< 70	Cool off
3:45	< 70	< 70	< 70	< 70	< 70	
3:50	< 70	< 70	< 70	< 70	< 70	
3:55	< 70	< 70	< 70	< 70	< 70	
4:00	< 70	< 70	< 70	< 70	X	
4:05						
4:10						
4:15						
4:20						
4:25						
4:30						
4:35						
4:40						
4:45						
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5:40						
5:45						
5:50						
5:55						
6:00						

All readings represent the maximum sound pressure level measured during the preceding one second

A scale ~ Fast response

Monitor 1 - Quest Model Q-300 Noise Dosimeter
Serial Number: QC8010129
Scale: A
Response: Fast
Range: 70 – 130 dB
Pre-calibration: 114 dB
Post- calibration: 114 dB

Monitor 2 - Quest Model Q-300 Noise Dosimeter
Serial Number: QC8010130
Scale: A
Response: Fast
Range: 70 – 130 dB
Pre-calibration: 113.9 dB
Post- calibration: 114 dB

Monitor 3 - Quest Model Q-300 Noise Dosimeter
Serial Number: QC6100122
Scale: A
Response: Fast
Range: 70 – 130 dB
Pre-calibration: 114 dB
Post- calibration: 114.1 dB

Calibration Unit - Quest QC-10/QC-20
114 dB ~ 1000 Hz
Calibrated 06/23/00

All units factory calibrated in June, 2000

PLANNING DEPARTMENT PLANNING DIV.
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SKY 7 DAILY FLIGHT LOG

Jan-99

beginning balance= **347.1**

flight hours this month= **32.1**

total flight time remaining= **315.0**

Date	Destination	Purpose & Crew	Flight Hrs	Code
1/5/99	Albuquerque	Search for Truck (Ken)	0.9	n
1/6/99	Albuquerque	End of Car Chase (Buzz/Jeff Z)	1.5	n
1/6/99	Albuquerque	I-40 Truck Accident (Gilbert)	0.4	n
1/7/99	Albuquerque	Bomb Threat(Bicycle Shop) Randy	0.5	n
1/7/99	Albuquerque	Meth Lab @ Hotel (Ken/Mike S)	0.7	n
1/8/99	Albuquerque	SWAT Action/FBI Body Search(Pilot)Randy	2.1	n
1/9/99	Cuba	Hwy 44 Road Detour (Bryan)	1.8	n
1/13/99	Albuquerque	Sky 7 Promo Shoot (Ken/Joe D)	1.1	p
1/13/99	Albuquerque	Reported Car Chase(False) Ken	0.7	n
1/14/99	Edgewood	I-40 Car/Truck Accident(Fatal) Ken	3.1	n
1/14/99	Albuquerque	Tanker Rollover (Andy)	0.9	n
1/18/99	Albuquerque	Plane Landing with Trouble (Bryan)	0.2	n
1/18/99	Rio Rancho	Worker Killed in fall from Tower (Bryan)	1.2	n
1/19/99	East Mountains	False Fire Call (Randy)	0.7	n
1/20/99	Albuquerque	Chase/Promo Shoot (Mike,Mark, Yevette)	1.7	n
1/20/99	Albuquerque	Plane Crash in Foothills (Randy, Matt)	1.5	n
1/22/99	Tres Piedras	Snowmobiler Search & Rescue (Angela)	3.5	n
1/22/99	Albuquerque	FBI Search for Pilots Body (Ken)	1	n
1/23/99	Albuquerque	Sky 7 & Sat 7 Promo Shoot (Brian/Ken)	1.6	p
1/27/99	Albuquerque	Housing Buildup along Rio Grande River(Randy)	0.8	n
1/29/99	Clines Corners	Weather Aerials (I-40) Ken	2.2	n
1/30/99	Tucumcari	I-40 Closure (Ken/Mike S/JB)	4	n

n=news
e=engin.
p=promo
o=other

SKY 7 DAILY FLIGHT LOG

Feb-99

beginning balance= 315.0

flight hours this month= 30.1

total flight time remaining= 284.9

Date	Destination	Purpose & Crew	Flight Hrs	Code
2/2/99	Albuquerque	Aerials of Car Dealerships for Sales (Ken)	2.1	o
2/2/99	KOAT-TV	Night Sky 7 Promo Shoot @ Station	0.3	p
2/3/99	Albuquerque	SW Valley Garage Fire (Angela/Dan)	0.5	n
2/4/99	Albuquerque	Officer & Suspect Shooting (Ken)	1	n
2/5/99	Albuquerque	Reposition Helicopter to Airport (Pad Repaint)	0.4	o
2/5/99	Albuquerque	I-40/Paseo Traffic Aerials (Buzz)	0.4	n
2/8/99	Las Vegas	Jail Breakout/Manhunt (Randy/Jeff Z)	4	n
2/9/99	Las Vegas	Manhunt & 1 Captured (Randy/Andy)	4.5	n
2/9/99	Los Lunas	Bosque River Fire (Ken/Bob K)	1.4	n
2/11/99	Santa Fe	School visit w/Nelson (Richard)	1.4	o
2/11/99	Santa Fe	Aerials for Target 7 (Randy)	1	n
2/16/99	Roswell	UFO story for Target 7 (Gary/Larry B)	3.9	n
2/23/99	Aztec	Transporation and Aerials for T7(Mike/Larry)	4	n
2/23/99	Moriarty	Huge Grass Fire (Mike)	1.2	n
2/24/99	Thoreau	Jury Verdict and Reaction (Gary/Nanette)	2.6	n
2/25/99	Albuquerque	Road Rage Murder (Randy)	0.7	n
2/25/99	Albuquerque	Bomb Threat @ School (Ken/Serigo)	0.7	n

n=news
e=engin.
p=promo
o=other

SKY 7 DAILY FLIGHT LOG

Mar-99

beginning balance= **284.9**

flight hours this month= **46.7**

total flight time remaining= **238.2**

Date	Destination	Purpose & Crew	Flight Hrs	Code
3/1/99	Rio Rancho	House Fire (Buzz)	0.8	n
3/1/99	Santa Domingo	School Visit/Lake Aerials (Randy/Nelson)	1.5	o
3/2/99	Santa Fe	School Bus Crash{Fatal} (Randy/Tim)	2	n
3/3/99	Santa Fe	School Bus Accident Scene (Angela)	3.3	n
3/3/99	Santa Fe	School Bus Removal (Ken)	3.1	n
3/5/99	Grants	Copkillers Court Apperance (Angela/Dan)	2	n
3/12/99	Santa Fe	Snowfall Aerials (Angela)	2.1	n
3/13/99	Santa Fe	Snowfall Aerials (Angela)	1.7	n
3/15/99	Albuquerque	Bomb Threat at Clinic (Randy/JeffZ)	2	n
3/15/99	Los Lunas	Aftermath of Car Chase (Randy)	0.9	n
3/16/99	Isleta Pubelo	Found Persons who robbed our crew (Mike)	1.3	n
3/16/99	Isleta	Minor Bus Wreck (Mike)	1.1	n
3/18/99	East Mountains	Snow in Canyon (Randy/Angela/JB)	2.1	n
3/19/99	Albuquerque	I-40 Closed due to snow/traffic(Angela/JB)	1.9	n
3/19/99	Albuquerque	Traffic backup (Gary/Dan/JB)	1.3	n
3/21/99	Albuquerque	Train Derailment (Ben/Mark/JB)	0.9	n
3/22/99	Albuquerque	School Bus Accident (Randy/Mark/JB)	1.4	n
3/22/99	Albuquerque	House Fire (Randy/David/JB)	1.1	n
3/24/99	Vaughn	Stay Overnight for WIPP Shipment (Randy)	1.2	n
3/25/99	Vaughn	Fly to Butte Lake for FBI Body Search (Randy)	4.1	n
3/27/99	Butte Lake	FBI Body Search (Mike) SATURDAY	3.7	n
3/29/99	Butte Lake	FBI Body Search (Randy/JeffZ)	3.4	n
3/30/99	Butte Lake	FBI Body Search (Ben)	3.8	n

n=news
e=engin.
p=promo
o=other

SKY 7 DAILY FLIGHT LOG

Apr-99

beginning balance= **238.2**

flight hours this month= **41.5**

total flight time remaining= **196.7**

Date	Destination	Purpose & Crew	Flight Hrs	Code
4/6/99	Hobbs	Airport Prison Riot (Randy/Tim)	6.1	n
4/7/99	KOAT-TV	Troubleshoot TV Monitor (Ken Simpson)	0.8	e
4/10/99	Butte Lake	FBI Body Search (Angela)	4.2	n
4/13/99	Estancia	Salt Pond Aerials (Ben)	1.5	n
4/14/99	Black Mesa, AZ	Target 7(Indian Schools) Charlie/Mike	5.8	n
4/16/99	Mid Valley	Man hit by airplane propeller (Randy)	0.7	n
4/16/99	Belen	Police Officer Shoots Suspect (Angela)	1.5	n
4/19/99	Ft. Wingate	Target 7(Indian Schools) Larry/Mike	3.1	n
4/19/99	Mountainair	Minor Train Derailment (Gilbert)	1.4	n
4/20/99	Albuquerque	Early Police Drug Raid (Angela)	1.8	n
4/20/99	KOAT-TV	Troubleshoot Sony Monitor (Ken)	0.3	e
4/22/99	Albuquerque	Fix & Test Cellular Phone	1.7	o
4/25/99	Ruidoso	Plane Crash(Fatal) Mike/JB	4.3	n
4/26/99	Old town	Armed Man on Roof (Randy)	2.2	n
4/27/99	Los Lunas	Traffic Aerials for Target 7 (Todd)	1.2	n
4/28/99	Butte Lake	Resumed FBI Body Search (Mike/JeffZ)	4.5	n
4/28/99	Albuquerque	Moved Helicopter due to Threat (per Pahl S)	0.2	o
4/29/99	Albuquerque	Move Helicopter back to Station	0.2	o

n=news
e=engin.
p=promo
o=other

SKY 7 DAILY FLIGHT LOG

May-99

beginning balance= **196.7**

flight hours this month= **56.1**

total flight time remaining= **140.6**

Date	Destination	Purpose & Crew	Flight Hrs	Code
5/2/99	Elk	Fatal Church Bus Crash (Mike/Matt)Sunday	3.2	n
5/3/99	Elk	Fatal Church Bus Crash (Mike/Matt)	2.7	n
5/6/99	T or C	Roberts Forest Fire (Randy)	3.9	n
5/6/99	Albuquerque	Missing 3 year old (Ben/Randy)	1.7	n
5/7/99	Los Lunas	End of Car Chase (Todd/Mike S)	1.5	n
5/11/99	Albuquerque	Chemical Bombs @ School (Randy)	2.8	n
5/13/99	Canincito	Town with no water (Randy/Mike S)	1.1	n
5/14/99	Ruidoso	Forest Fire (Buzz)	2.5	n
5/14/99	Ruidoso	Forest Fire & Crew Ferry (Randy)	3.7	n
5/17/99	Hwy 6 & I-40	False Grass Fire (Buzz/Mark)	0.9	n
5/17/99	Albuquerque	Called for Loose Bear, Then Canceled (Gilbert)	0.3	n
5/18/99	Albuquerque	Wescam Training (Randy/Rhett)	1.3	n
5/18/99	Albuquerque	Reported Fuel Truck Fire (Buzz)	0.5	n
5/18/99	Albuquerque	Apartment Fire (Randy)	0.5	n
5/20/99	T or C	Man Trapped in mine shaft (Solo trip)	2.9	n
5/21/99	Albuquerque	Hilary Clinton's visit (Randy)	1.1	n
5/21/99	Albuquerque	Carlisle/I-40 Construction (Randy)	0.4	n
5/21/99	T or C	Man Trapped in mine shaft (Randy)	2.4	n
5/21/99	Espanola	Men with Guns near School (Randy)	2	n
5/24/99	Albuquerque	Target 7 Aerials (Mike)	0.6	n
5/24/99	Tome	Possible Tornado Damage (Mike)	3.8	n
5/25/99	Tome	Storm Damage (Mike/Keith[NWS]	1.5	n
5/26/99	KOAT-TV	Troubleshoot Talent Mic (Ken)	0.5	e
5/26/99	Albuquerque	Racetrack Aerials for Sports (Mike/Bob)	0.7	n
5/27/99	Edgewood	Loose bear & Capture (Randy/Ed)	1.9	n
5/27/99	Albuquerque	Wal-Mart Fire(False) Ben/Mike	0.2	n
5/27/99	Cabazo Peak	Climber fell to his death (Gilbert/Matt)	1.9	n
5/28/99	Jarales	Armed man in house (Buzz/Rosalinda)	2.8	n
5/28/99	Rio Rancho	Strip mall Shooting (Buzz)	0.6	n
5/29/99	Albuquerque	Hot Air Balloons (Randy/JB)	2.5	n
5/29/99	Butte Lake	Holiday Weekend Crowds (Angela/Mike/JB)	3.7	n

n=news
e=engin.
p=promo
o=other

SKY 7 DAILY FLIGHT LOG

Jun-99

beginning balance= 140.6

flight hours this month= 40.0

total flight time remaining= 100.6

Date	Destination	Purpose & Crew	Flight Hrs	Code
6/3/99	Anton Chico	Targer 7 (Fire Dept. Story) Angela	2.7	n
6/4/99	Mt. Taylor	Forest Fire (Angela/Nanette)	2	n
6/5/99	Mt. Taylor	Forest Fire (Angela/Mark)	2	n
6/8/99	East Mtns.	Fireworks Fire Danger (Mike)	1.1	n
6/9/99	9 Mile hill	Man with rifle (Buzz)	0.5	n
6/9/99	ABQ	Bosque Fire (Randy/Mike S)	0.6	n
6/10/99	ABQ	Paso & I-25 Const. (Randy)	0.4	n
6/10/99	ABQ	Man falls to death off crane (Randy)	0.6	n
6/11/99	Elephant Butte	Pickup Audio Tapes (Randy)	3.6	n
6/11/99	Bernalillo	New Hotel & Casino (Randy)	0.5	n
6/14/99	Tome	New Construction (Mike)	1.1	n
6/14/99	Reserve	Forest Fire (Randy)	3.1	n
6/15/99	ABQ	Vintage Auto Race (Mike/Mike S)	1.5	n
6/16/99	Rainsville	Target 7/Man shoots @ SKY 7 (Larry/Mike)	4.6	n
6/17/99	ABQ	Storm Damage (Randy)	0.8	n
6/21/99	ABQ	Sandia Labs/Wescam Tng (Randy/Rhett)	0.9	n
6/21/99	ABQ	I-40 & Coors Aerials (Mike)	0.4	n
6/22/99	ABQ	Oil Spill & Wescam Tng(Randy/Rhett)	0.6	n
6/23/99	Coyote	Target 7(Fire Dept. Story)Larry/Mike	3.6	n
6/24/99	ABQ	FBI "Top 10" Sighiting (Gilbert/John L)	0.5	n
6/24/99	East Mtns.	UH-60 Emergency Landing(Gilbert)	0.8	n
6/25/99	Cohiti	Fatal Car Crash (Randy/JB)	2.5	n
6/25/99	Taos	Court Verdict (Mike/Todd/JB)	3.1	n
6/26/99	East Mtns.	Forest Fire (Angela/JB)	1.3	n
6/30/99	ABQ	Bosque Fire & Barn Fire (Mike)	0.9	n
6/23/99	ABQ	House Fire (Randy)	0.3	n

n=news
e=engin.
p=promo
o=other

SKY 7 DAILY FLIGHT LOG

Jul-99

beginning balance= **100.6**

flight hours this month= **41.8**

total flight time remaining= **58.8**

Date	Destination	Purpose & Crew	Flight Hrs	Code
7/1/99	Edgewood	High Wind Damage (Gilbert)	1	n
7/2/99	Placitias	House Fire (Randy)	1.4	n
7/3/99	Elephant Butte Lake	Holiday Weekend Crowds (Rhett) SAT	3.5	n
7/4/99	Bernalillo	Concert Festival Crowd (Mike) SUN	0.7	n
7/5/99	Mountainair	Search for Serial Killer (Rhett) HOLIDAY	2.8	n
7/6/99	Albuquerque	Fireman's Funeral (Randy/Mark)	2	n
7/6/99	Albuquerque	New Home Construction (Mike)	0.3	n
7/8/99	Albuquerque	New Talent City Tour (Pahl/David)	0.5	o
7/8/99	Albuquerque	Balloon Field Aerials (Angela)	0.3	n
7/8/99	Los Lunas	Grass Fire (Gilbert)	0.9	n
7/9/99	Albuquerque	SWAT (Suspected bank robber)Angela/John L	0.7	n
7/12/99	Roswell	F16 Crash/Mike	2.3	n
7/13/99	Albuquerque	Ferry back from Roswell	2	n
7/14/99	Albuquerque	SWAT (Man holding child hostage)Buzz	0.5	n
7/15/99	Albuquerque	Propane truck crash/Field Aerials(Angela)	1	n
7/16/99	Albuquerque	Trailer Fire (Angela)John B.	0.3	n
7/19/99	Albuquerque	Traffic/Shed Fire/Weather aerials(Mike)	0.9	n
7/20/99	VLA	Airplane Crash(Buzz/Bo)33-58.5/107-34.2	3.2	n
7/23/99	Albuquerque	Library & Land Aerials (Angela)	0.5	n
7/23/99	Albuquerque	Downtown Cleanup (Randy/Rosalinda)	0.4	n
7/23/99	Albuquerque	Plane Crash & Fire (Randy/Jon L)	1	n
7/26/99	Albuquerque	I-25 Construction Aerials (Buzz)	0.4	n
7/26/99	Albuquerque	Live Construction I-25 (Mike/Tim)	2.2	n
7/26/99/	Mountainair	Grass Fire (Mike) *SAME FLIGHT*	***	n
7/26/99	Albuquerque	Big "I" Night Construction (Mike/Tim)	1	n
7/27/99	Rio Puerco	Two Car Rollover (Randy/Mark) I-40W	1.1	n
7/27/99	Albuquerque	New Wal-Mart Site (Mike)	0.6	n
7/27/99	Albuquerque	New Wal-Mart Site (Mike/Tim)Live	0.5	n
7/28/99	Albuquerque	Isleta Aerials/Wescam Training(Mike/Rhett)	2.1	n
7/29/99	East Mountains	Mobile Home Aerials (Rhett)	0.7	n
7/29/99	N. Rio Rancho	Flash Flooding(Hwy 44 & 528)Buzz/Mike	1.8	n
7/30/99	Edgewood	Murder Suspects House (Randy)	1.2	n
7/30/99	Bluewater	Flash Flooding below Dam(Randy)	2.2	n
7/31/99	East Mountains	Airplane Crash @ Sandia AP(Angela/John B)	1.2	n
7/15/99	Albuquerque	Busted Water Main(Rhett)	0.6	n

n=news
e=engin.
p=promo
o=other

SKY 7 DAILY FLIGHT LOG

Aug-99

beginning balance= **58.8**

flight hours this month= **61.6**

total flight time remaining= **-2.8**

Date	Destination	Purpose & Crew	Flight Hrs	Code
8/1/99	Albuquerque	City Tour (Mary Lynn/Sherry) John B.	1.5	o
8/1/99	South Santa Fe	Car Accident (Nanette/Mike/John B)	1.1	n
8/2/99	Belen	Prison Escape/Montgomery Aerials(Mike)	1.9	n
8/2/99	Albuquerque	Montgomery Traffic/Weather Shots(Mike/Jeff Z)	1.5	n
8/3/99	Albuquerque	Flood Damage(Rhett/Mark) Rio Puerco	1.8	n
8/3/99	Albuquerque	Minor Shooting (Rhett)	0.4	n
8/3/99	Albuquerque	Sucidal Man on Bridge (Mike)	1	n
8/4/99	Albuquerque	Prison Escapee West Side(Mike)	1.1	n
8/4/99	Mountainair	Chemical Spill on Road (Mike/Jeff Z)	2	n
8/4/99	Albuquerque	Escapee Search/Sinkhole(Mike/Angela)0.5/1.9	2.4	n
8/5/99	Albuquerque	Fatal Wreck (Angela)	0.7	n
8/5/99	N. Rio Rancho	Fly to Courthouse to Testify (Date Changed)	0.4	o
8/5/99	Albuquerque	Gas Line Fire (Gilbert/Jeff Z)	0.4	n
8/5/99	Albuquerque	Sucidal Woman on Bridge(Randy/JeffZ)	0.9	n
8/5/99	ABQ & I-40/hwy 6	Flood Aftermath/Nursing Home Evac(Randy/Dan	2.1	n
8/6/99	San Acacia	Broken Phone/FiberOpitc Lines (Angela)	1.6	n
8/6/99	Miera	Fatal Car Wreck (Rhett)	0.5	n
8/6/99	Albuquerque	YMCA Visit (Rhett/Pahl Shipley)	0.4	o
8/6/99	Rio Rancho	Flood Damage (Rhett)	1.3	n
8/6/99	Hillsboro	Flash Flood Damage (Randy)	3.8	n
8/9/99	Los Alamos	Protest March/Arrests (Randy/Sergio)	4.1	n
8/9/99	Albuquerque	BKN Sewer Pipe/Wrecked Police Car(Randy)	0.9	n
8/10/99	Bernalillo	Water over road (Randy)	0.6	n
8/10/99	Espanola	SWAT Action(Man holding hostage)Randy	2.3	n
8/11/99	Los Lunas	Truck/Car Wreck (Angela)	1.1	n
8/11/99	Estancia	Fatal Propane Truck/Car Wreck (Randy)	1.3	n
8/11/99	Albuquerque	Fire @ Fix-it Shop (Randy)	0.6	n
8/11/99	Rio Rancho	Weather Shot and Heavy Rain (Randy)	0.9	n
8/12/99	Mt. Taylor	Small Plane Crash (Angela)35'14.8/107'36.4	2.2	n
8/12/99	Rio Rancho	Fly to Courthouse to Testify (Grand Jury)	0.5	o
8/18/99	Albuquerque	Plane crash @ Sunport (Rhett)	0.8	n
8/18/99	Estancia	Prison Riot (Rhett)	1.2	n
8/18/99	Albuquerque	School Traffic/Corn Field Maze (Mike)	1.2	n
8/20/99	Albuquerque	Delta 757 Emergency Landing(RandyJon L)	0.4	n
8/23/99	Chaco Canyon	Fly U.S. Senator Demenachi for tour (Mike)	2.7	n
8/27/99	Santa Rosa	Friday Night Football (Angela)	2.5	n
8/28/99	Silverton, CO	Mud slide over train track (Angela) Saturday	4.3	n
8/30/99	Isleta	Drowning Victim (Mike)	0.9	n
8/31/99	KOAT-TV	Troubleshoot VTR (Ken)	0.4	e
8/31/99	Albuquerque	Aerials all over town (Mike)	3.1	n
8/31/99	Santa Rosa	Prison Riot (Ben) Night Live	2.8	n

n=news
e=engin.
p=promo
o=other

SKY 7 DAILY FLIGHT LOG

Sep-99

beginning balance= **480.0**

flight hours this month= **49.8**

total flight time remaining= **430.2**

Date	Destination	Purpose & Crew	Flight Hrs	Code
9/2/99	Santa Rosa	Prison aerials after riot & Murder (Angela/JB)	3.3	n
9/3/99	Albuquerque	Prisoner Transfer & Transport (Angela/JB)	4.4	n
9/4/99	Tucumcari	Prison Guards Funeral (Rhett/JB)	4.1	n
9/5/99	Gallup	Jail Breakout/Interstate Traffic (Rhett/JB)	5.4	n
9/6/99	Albuquerque	Lost Hikers on Crest (Rhett/JB)	1.4	n
9/10/99	KOAT-TV	Troubleshoot/Fix/Test/Adjust VTR (Ken)	1.7	e
9/10/99	Los Lunas	Barn & Trailer Fire (Angela/Dan M)	1.7	n
9/10/99	Albuquerque	State Fair Traffic (Angela/Dan M)	0.5	n
9/11/99	Albuquerque	State Fair Parade/Live (Rhett) SATURDAY	3.3	n
9/16/99	Albuquerque	Small Restruant Fire (Angela)	0.3	n
9/17/99	Galisteo	Train/Truck Wreck (Randy)	1.9	n
9/18/99	Mid Valley	Train/truck Wreck (Angela) SATURDAY	1.8	n
9/20/99	Sandia Crest	Search for hikers(We found them!) Randy	2.7	n
9/21/99	White Sands M.R.	Target 7(Ranchers Side) Mike/Larry B.	3.2	n
9/21/99	Miera	Child Locked in Car (Mike)	0.8	n
9/21/99	Albuquerque	Aerials of car dealership & hotel (Randy)	0.9	n
9/21/99	Albuquerque	Minor fender bender (Angela)	0.3	n
9/22/99	White Sands M.R.	Target 7 (Officals side) Mike/Larry	4.9	n
9/24/99	Albuquerque	Tour of city(Mary Lynn/MLR assistant/New SM)	0.9	o
9/27/99	Albuquerque	Possible Drowning in pool (Randy)	0.4	n
9/28/99	KOAT-TV	Install/Test software for Wescam(Ken/John)	0.6	o
9/29/99	Albuquerque	Troubleshoot/fix/test Wescam (Randy/John)	2.1	o
9/29/99	Esponola	State & Federal Drug bust (Randy/John)	2.5	n
9/29/99	Albuquerque	737 w/smoke in cabin (Randy/Matt)	0.7	n

n=news
e=engin.
p=promo
o=other

SKY 7 DAILY FLIGHT LOG

Oct-99

beginning balance= **430.2**

flight hours this month= **49.7**

total flight time remaining= **380.5**

Date	Destination	Purpose & Crew	Flight Hrs	Code
10/2/99	Albuquerque	Balloon Fiesta (Randy/Mike) SATURDAY	3.9	n
10/3/99	Albuquerque	Balloon Fiesta (Mike/Jon) SUNDAY	4.6	n
10/3/99	Albuquerque	Balloon Glow (Mike) SUNDAY NIGHT	1.1	n
10/4/99	Albuquerque	Balloon Fiesta (Randy)	1.1	n
10/4/99	Albuquerque	SWAT Action (Randy)	0.5	n
10/4/99	Estancia	Prisoner Transfer/ SWAT action in ABQ(Randy)	2.4	n
10/6/99	Albuquerque	Promotion Shoot (Air-to-Air/Ground-to-Air)	1.9	p
10/8/99	Albuquerque	Balloon Fiesta (Randy)	1.3	n
10/9/99	Albuquerque	Balloon Fiesta (Randy/Mike) SATURDAY	3.9	n
10/10/99	Albuquerque	Balloon Fiesta (Mike/Mike) SUNDAY	3.8	n
10/11/99	Socorroco	Fatal Train/Car wreck (Rhett/Dan)	3.3	n
10/12/99	Albuquerque	Troubleshoot/Replace Converter for antenna	0.9	o
10/12/99	Albuquerque	Body found burned on SW Mesa	1.6	n
10/13/99	Albuquerque	House Fire (Randy/Craig)	0.4	n
10/8/99	Albuquerque	Balloon Glow/ Special Shapes (Angela)	1.9	n
10/14/99	Albuquerque	Started for flight, then cancelled	0.4	n
10/14/99	Albuquerque	Body search and Store fire (Rhett)	0.5	n
10/14/99	Jemez Mtns.	US Forest Service Prescribed Burn (Rhett)	1.9	n
10/14/99	Santa Rosa	Escaped Child killer (Rhett)	3.8	n
10/17/99	Clines Corners	Snow Aerials/Traffic Problems(Mike)SUNDAY	3.1	n
10/19/99	Rio Rancho	Trailer Fire (Randy)	1.3	n
10/21/99	Clines Corners	Bus/Car Accident (Nanette/Randy/JB)	2.1	n
10/22/99	Rio Rancho	Cessna 172 Emergency Landing (Randy/JB)	1.4	n
10/25/99	Albuquerque	Fire at US Customs Building (Randy)	0.3	n
10/27/99	Albuquerque	Launched for fire, then cancelled (Randy,Mike)	0.2	n
10/28/99	Albuquerque	Search Warrant Served (Angela)	0.4	n
10/28/99	Albuquerque	Shed fire & Train/Trailer Accident (Angela)	0.8	n
10/29/99	Albuquerque	Swat Action (Angela)	0.9	n

n=news
e=engin.
p=promo
o=other

SKY 7 DAILY FLIGHT LOG

Nov-99

beginning balance= **380.5**

flight hours this month= **45.8**

total flight time remaining= **334.7**

Date	Destination	Purpose & Crew	Flight Hrs	Code	
11/1/99	Cortez, CO	Body of cop killer found (Randy/Matt)OVERNITE	2.7	n	n=news
11/2/99	Cortez, CO	New Search/Trip back to ABQ(Randy/BO/Matt)	3.4	n	e=engin.
11/3/99	Albuquerque	SWAT Action (Randy)	0.6	n	p=promo
11/4/99	Albuquerque	SWAT Aftermath[busted up house] (Randy)	0.9	n	o=other
11/4/99	KOAT-TV	Told to start, then cancelled per D. Ware	0.2	n	
11/9/99	Manzano Mtns.	Prescribed Burn(Forest Service) Mike	1.4	n	
11/9/99	Acoma Pueblo	Man fell 300' off Mesa (Randy/Rena)	1.3	n	
11/10/99	Albuquerque	Downtown Sinkhole (Angela/Tim)	1.2	n	
11/15/99	San Ysidro	Body Found (Mike)	1.5	n	
11/16/99	Taos/Santa Fe	Lack of snow for ski areas (Angela)	3.6	n	
11/17/99	Pewitt/I-40W	Gas Explosion @ Civic Ctr.(Randy/Lori)	2.1	n	
11/17/99	West of Los Lunas	Triple Fatal Wreck (Angela)34'47.6/106'59.8	1.4	n	
11/18/99	Manzano Mtns.	Prescribed burn out of control (Randy)	2.5	n	
11/19/99	Albuquerque	Santa Claus Arrival/Pipe break (Angela)	0.6	n	
11/19/99	Deming,NM/El Paso,TX	School Shooting(Angela/Rosa Linda) OVERNITE	3.4	n	
11/20/99	El Paso, TX-ABQ	El Paso Aerials/Fly to ABQ SATURDAY	3.9	n	
11/22/99	Gallup	Snow & Traffic aerials (Angela)	2.1	n	
11/22/99	Albuquerque	Man Fell down well (Angela)	0.6	n	
11/23/99	Albuquerque	Big "I" Traffic story (Angela/Nanette)	1.3	n	
11/23/99	Albuquerque	NAPA Parts Store Fire (Angela)	0.7	n	
11/24/99	Garcia, CO	Car involved in Murder found (Rhett)	4.2	n	
11/26/99	Albuquerque	Apt. fire aftermath/Holiday Traffic (Angela)	0.8	n	
11/29/99	Santa Fe	Car Chase/Crash (Angela/Toni/JB)	1.8	n	
11/29/99	Albuquerque	737 landing w/smoke in cockpit (Mike/Matt/JB)	0.5	n	
11/30/99	El Paso, TX	Mass Grave in Juarez, Mexico (Angela/Carlos)	3.1	n	
		Aerials in Juarez, Mexico(OVERNITE in El Paso)			

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SKY 7 DAILY FLIGHT LOG

Dec-99

beginning balance= **334.7**

flight hours this month= **20.4**

total flight time remaining= **314.3**

Date	Destination	Purpose & Crew	Flight Hrs	Code
12/1/99	El Paso, TX-ABQ	Aerials and trip back to ABQ (Adam)	3.4	n
12/4/99	Moriarty/Santa Fe	Weather (Snow) Aerials (Rhett) SATURDAY	2.1	n
12/7/99	W. Los Lunas Hwy 6	Burned Bridge (Angela)	1.1	n
12/8/99	Grants	Weather Shots (Mike/JB)	1.9	n
12/9/99	Albuquerque	Wescam Training (Angela/Dave/JB)	0.9	o
12/16/99	Santa Fe	Plane Crash @ Airport (Angela)	1.9	n
12/23/99	Albuquerque	Holiday Shopping Traffic (Rhett)	0.9	n
12/26/99	Belen	Train Derailment (Mike) SUNDAY	2.1	n
12/27/99	Socorro/T or C	Fly engineers to fix signal (Jeff-engineer)	4.3	e
12/31/99	Albuquerque	New Years Eve/Y2K (Mike)	1.8	n

n=news
e=engin.
p=promo
o=other

SKY 7 DAILY FLIGHT LOG

Jan-00

beginning balance= **314.3**

flight hours this month= **35.4**

total flight time remaining= **278.9**

Date	Destination	Purpose & Crew	Flight Hrs	Code
1/4/00	Albuquerque	Trailer fire and SWAT Training (Buzz)	1.1	n
1/5/00	Albuquerque	Bosque School Opening (Angela/Mike)	0.8	n
1/6/00	Albuquerque	Burger King Fire (Dave)	0.9	n
1/7/00	Taos	Missing girl search/Body Recovery (Angela)	4.7	n
1/8/00	Tinnie	Fatal Church Van/Semi-Truck Crash(Mike/Jeff)	4.2	n
1/10/00	San Antonio Peak	Elk Herding & Tagging (Mike/Dan) NM/CO	5.1	n
1/11/00	N of Cuba	Helicopter Crash (Mike)	2.9	n
1/13/00	Albuquerque	Fight @ W. Mesa H.S. (Angela/JB)	0.4	n
1/14/00	Albuquerque	School Bus Wreck/Big I Traffic (Dave/JB)	1.4	n
1/15/00	Taos	Body in gorge/I-25 Semi Crash(Adam/Matt/JB)	3.6	n
1/17/00	Albuquerque	House Fire (Minor) Renee/Buzz	0.3	n
1/18/00	Albuquerque	School Bus Accident (South Valley)Bo/Angela	0.7	n
1/18/00	Albuquerque	UNM Dormitory Fire (2nd Floor) Buzz	0.7	n
1/20/00	Albuquerque	Liquid Gas Line Leak (Derek) S. Valley	1.2	n
1/24/00	Albuquerque	Smoke in School (No Fire) Buzz	0.4	n
1/25/00	Manzano Mtns.	Missing Girl's Body Found (Mike/Jeff Z)	2.3	n
1/26/00	Albuquerque	F-16 Emergency/Bad Drivers (Angela)	1.3	n
1/26/00	Santa Fe/Rio Rancho	School Bus Crash/Car in Building (Mike)	1.9	n
1/27/00	Albuquerque	Fly City Councilman(P Shipley,V Griego, D Mont)	0.7	o
1/25/00	Albuquerque	Radioactive Material on side of road (Mike/Bo)	0.8	n

n=news
e=engin.
p=promo
o=other

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SKY 7 DAILY FLIGHT LOG

Feb-00

beginning balance= **278.9**

flight hours this month= **28.4**

total flight time remaining= **250.5**

Date	Destination	Purpose & Crew	Flight Hrs	Code
2/2/00	Albuquerque	Car crashed into house (Adam/Rosa Linda)	0.3	n
2/2/00	Albuquerque	Wescam Training (Adam,Dave)	1.1	o
2/3/00	KOAT-TV	Fly City Concilman (Pahl/Dan/Tim Klien)	0.6	o
2/3/00	Albuquerque	Bomb @ Fairgrounds (Buzz/Craig)	0.7	n
2/5/00	Albuquerque	Small plane crash @ airport (Derek/JB)	0.6	n
2/8/00	Silver City	Small Forest Fire (Mike) N33-16.0 W108-32.4	4.3	n
2/8/00	Albuquerque	Illegals being sent back to Mexico (Buzz)	0.4	n
2/9/00	Albuquerque	Wescam /House Fire (Mike/Derek)	1.6	n
2/10/00	Albuquerque	House Fire (S. Valley) Adam	0.4	n
2/11/00	Albuquerque	Grocery Store Fire (Dave/Mark R)	0.7	n
2/12/00	Moriarty	Grass Fire (Derek/Shawn) SATURDAY	1.2	n
2/13/00	Albuquerque	Aerials of Murder scene (Adam) SUNDAY	0.6	n
2/14/00	Albuquerque	MD-80 Emergency Landing(Adam/Matt)	1.1	n
2/15/00	Sandia Mtns.	No snow & warm weather/fires(Angela/Craig)	1.7	n
2/15/00	Los Lunas	Grass Fire (Buzz)	0.7	n
2/16/00	Albuquerque	House Fire (Angela)	0.6	n
2/16/00	Albuquerque	Car Crashed into VA Hospital (Derek/Matt)	0.7	n
2/21/00	Albuquerque	House Fire (Adam)	0.6	n
2/23/00	Albuquerque	School kitchen fire & House fire (Buzz)	0.9	n
2/23/00	ABQ	Man fell off cliff in foothills (Mike)	1.1	n
2/25/00	Taos	Fatal small plane crash (Buzz/Rosa)	3.6	n
2/26/00	KOAT-TV	Fly former City Councilman(T. cunningham)SAT	0.8	o
2/27/00	ABQ	Small grass fire (Adam) SUNDAY	0.6	n
2/28/00	ABQ	Bank Robbery (Buzz/Renee)	0.3	n
2/29/00	Moriarty	I-40 Chemical Spill (Buzz/Craig)	2.8	n
2/22/00	ABQ	Skate Park Aerials (Buzz)	0.4	n

n=news
e=engin.
p=promo
o=other

SKY 7 DAILY FLIGHT LOG

Mar-00

beginning balance= **250.5**

flight hours this month= **37.3**

total flight time remaining= **213.2**

Date	Destination	Purpose & Crew	Flight Hrs	Code
3/1/00	Socorro	Pipe bomb exploded in school (Buzz/Tim)	3.5	n
3/2/00	Santa Fe	Ski Bus Crash Aniv. (Buzz)	2.2	n
3/3/00	Isleta	Body found along I-25/mm214 (Buzz)	0.6	n
3/3/00	ABQ	Officer injured @ High School (Buzz)	0.6	n
3/3/00	ABQ	Bomb scare @ Middle School (Buzz)	1.3	n
3/5/00	Alamogordo	On way down, then called back (Angela)SUN	1	n
3/9/00	Vaughn	Range(Grass) Fire Angela/Cynthia	3.3	n
3/13/00	ABQ	Paseo/I-25 Const//S. Valley SWAT (Mike/Bo)	2.3	n
3/14/00	ABQ	Paseo & I-25 Construction (Buzz/Marisa)	0.5	n
3/15/00	ABQ	Aftermath of Police chase (Mike)	0.5	n
3/16/00	Santa Fe/Clines Cnrs	Weather Video/Look for Downed Helo (Dave)	2.8	n
3/16/00	ABQ	I-25 Traffic backup after rollover (Derek D)	0.4	n
3/17/00	ABQ	Shooting by school (Angela)	0.3	n
3/18/00	ABQ	Statewide Power Outage (Angela/Cynthia)**SAT**	1.9	n
3/19/00	Farmington	Find cause of power outage(Mike/Cynthia)**SUN**	3.5	n
3/20/00	ABQ	Oil Products Warehouse Fire (Adam)	1.9	n
3/15/00	Los Lunas	Bomb scare on School Bus (Buzz/Mike S)	1.2	n
3/23/00	ABQ & I-40 West	Storm damage/Search & Rescue (Angela)	2.4	n
3/23/00	ABQ	Bank Robbery (Derek)	1.1	n
3/23/00	Highland Meadows	Muddy Mess/People stuck (Angela/Tim B)	1.1	n
3/24/00	Highland Meadows	Muddy Mess/People stuck (Rhett/JB)	2.2	n
3/28/00	ABQ	Voiceover Training/Car Rollover (Mike)	1.4	n
3/29/00	ABQ	House Fire (Buzz)	0.4	n
3/30/00	ABQ	Hand Gernade found (Adam)	0.6	n
3/30/00	ABQ	Gang fight @ Rio Grand H.S. (Dave)	0.3	n

n=news
e=engin.
p=promo
o=other

SKY 7 DAILY FLIGHT LOG

Apr-00

beginning balance= **213.2**

flight hours this month= **47.9**

total flight time remaining= **165.3**

Date	Destination	Purpose & Crew	Flight Hrs	Code
4/3/00	ABQ	Wescam Training (Mike/Brian B.)	1.5	o
4/3/00	ABQ	Fire @ School (Mike)	0.4	n
4/3/00	ABQ	Weather Shot/Troubleshoot Wescam (Mike)	1.5	n
4/4/00	ABQ	Troubleshoot/Fix/Adjust Wescam (Ken)Eng.	1.1	o
4/4/00	ABQ	Grass Fire & Big "I" Aerials (Mike)	0.7	n
4/5/00	ABQ	Sandia Mtn aerials/End of car chase (Buzz)	1.5	n
4/6/00	I-40W (mm97)	Reported Trucker Protest (Angela/Cynthia)	1.6	n
4/6/00	ABQ	S. Valley School Aerials (Dave/Mike S)	0.7	n
4/9/00	Rio Rancho	Dynamite Found/Water Main Break(Adam/JB)	1.5	n
4/10/00	Edgewood/Isleta	Grass Fire & Bosque Fire (Buzz)	2.3	n
4/10/00	Isleta	Big Bosque Fire (Mike/Matt)	1.9	n
4/10/00	Isleta	Big Bosque Fire (Mike/Matt) Night	1.2	n
4/12/00	ABQ	172 Hard Landing @ Coronodo (Mike)	0.3	n
4/12/00	ABQ	Coors/I-40 New Wal-Mart (Mike)	0.3	n
4/12/00	ABQ	Water Main Break/Body found @ Apts. (Mike)	0.9	n
4/14/00	Belen	Big Bosque Fire (Dave) Night	1.7	n
4/16/00	Farmington	Test equip. for Clinton visit (Mike) **SUNDAY**	5.4	n
4/17/00	Farmington	President Clinton's Visit (Mike)	6.9	n
4/19/00	Gallup	Oil Refinery (Target 7) Mike/Larry B.	2.6	n
4/20/00	Belen/Santa Fe	Fire aftermath/Pilgramage to Chimio (Buzz)	3.2	n
4/21/00	Chimayo	Pilgrimage walkers (Dave/Cynthia/Buzz)	3.1	n
4/25/00	Tijeras	Aerials of Billboard/Misc. (Mike)	1.5	n
4/27/00	ABQ	Pipe bomb found (Buzz)	0.9	n
4/28/00	ABQ	Aerials of school kids forming a symbol (Dave)	0.3	n
4/30/00	Santa Rosa/Socorro	Range fire/Bosque Fire (Mike) **SUNDAY**	4.1	n
4/27/00	ABQ	I-25 Traffic Backup (Dave)	0.8	n

n=news
e=engin.
p=promo
o=other

SKY 7 DAILY FLIGHT LOG

May-00

Beginning balance= **166.1**

Flight hours this month= **65.1**

Total flight time remaining= **101.0**

Date	Destination	Purpose & Crew	Flight Hrs	Code
5/2/00	ABQ	I-25 & Alameda Construction (Angela)	0.9	n
5/3/00	ABQ	Hwy. Const. & Bosque Fire (Mike/Tim G)	1.3	n
5/8/00	Los Alamos/Rusideo	Forest Fires (Buzz)	6.5	n
5/9/00	Los Alamos/Rusideo	Forest Fires (Buzz/Angela)	6.5	n
5/10/00	Socorro	State Police SWAT (Angela)	2.4	n
5/10/00	Los Alamos	Forest Fire/Town Evacuation (Rhett)	2.5	n
5/10/00	Los Alamos	Wild Forest Fire/Houses Burning (Angela)	2.4	n
5/11/00	Los Alamos	Wild Forest Fire/Houses Burning (Angela)	2.4	n
5/11/00	Los Alamos	Wild Forest Fire (Rhett)	2.6	n
5/12/00	Los Alamos	Forest Fire (Mike)	2.8	n
5/12/00	Los Alamos	Forest Fire (Mike)	2.5	n
5/13/00	Los Alamos	Forest Fire (Mike/JB)	5.7	n
5/14/00	Los Alamos	Forest Fire (Mike/JB)	3	n
5/14/00	Los Alamos	Aerial Survey w/ Gov. Johnson(Mike)**SUNDAY**	2.8	n
5/15/00	Los Alamos/Gloretia	Forest Fires (Mike/Jeff)	3.9	n
5/18/00	ABQ	Mesa Del Sol Amphitheater (Dave)	0.4	n
5/19/00	Los Alamos	Fire Mop-up (Dave)	2.3	n
5/24/00	San Ysidro	Bosque Fire (Derrick)	1.8	n
5/25/00	ABQ	TWA MD-80 Emergency Landing (Buzz)	0.7	n
5/29/00	Pecos	Forest Fire (Mike)	1.8	n
5/30/00	Pecos	Forest Fire (Mike)	6.4	n
5/31/00	Pecos	Forest Fire (Mike)	3.5	n

n=news
e=engin.
p=promo
o=other

50 Hour
20.0
100 Hour
28.3

SKY 7 DAILY FLIGHT LOG

Jun-00

beginning balance= **101.0**

flight hours this month= **39.4**

total flight time remaining= **61.6**

Date	Destination	Purpose & Crew	Flight Hrs	Code
6/1/00	ABQ	House Fire in High Desert (Dave)	0.4	n
6/1/00	Cochiti Lake	Dead Body found in water (Derrick)	1.1	n
6/2/00	Los Alamos	Flooding after rainfall (Derrick)	1.5	n
6/5/00	Manzano Mtns.	Reported Fire (False) Mike	0.9	n
6/6/00	ABQ	Worker fell 60ft. @ Mesa Del Sol (Derrick)	0.6	n
6/7/00	Alamosa,CO	Rio Grand River Headwaters (Mike/Bo)	5.8	n
6/8/00	Santa Fe	Missing Boy (Buzz)	2	n
6/11/00	ABQ	Mesa Del Sol Opening Night (Mike) **SUNDAY**	0.5	n
6/13/00	Questa/Los Alamos	Forest Fire & Crew Taxi (Mike/Larry B/Bo]1 & 2	5.1	n
6/14/00	ABQ	Wescam Training (Mike/Derrick)	0.9	o
6/18/00	Socorro	Old Tires on Fire (Adam/JB)	2.2	n
6/18/00	I-40 & MM 73	Bus/Semi Crash (JB)	2	n
6/21/00	ABQ	Emergency Landing/Big I Aerials (Derrick)	0.7	n
6/24/00	Magdalena	Body Search (Derrick) **SATURDAY**	4.8	n
6/25/00	Magdalena	Body Search (Derrick) **SUNDAY**	3	n
6/29/00	Butte Lake	Lake & Dam Aerials (Derrick)	4.4	n
6/30/00	ABQ	Big I aerials/Meth lab bust (Rhett)	1.5	n
6/30/00	ABQ	Big I Aerials (Derrick)	1.2	n
6/28/00	ABQ	Big I Aerials (Buzz)	0.8	n

n=news
e=engin.
p=promo
o=other

Hrs. Left
50 Hour
27.4
100 Hour
77.4

SKY 7 DAILY FLIGHT LOG

Jul-00

beginning balance= **61.6**

flight hours this month= **49.6**

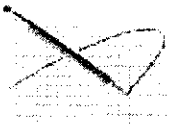
total flight time remaining= **12.0**

Date	Destination	Purpose & Crew	Flight Hrs	Code
7/1/00	ABQ	Big I Aerials (Adam) **SATURDAY**	1.6	n
7/2/00	ABQ	Big I Aerials (Adam) **SUNDAY**	1.5	n
7/4/00	ABQ	Big I & AFB Aerials (Adam) **HOLIDAY**	0.6	n
7/5/00	ABQ	Big I (Adam)	2.4	n
7/5/00	ABQ	Big I Rush Hour (Derrick)	1.3	n
7/6/00	KOAT-TV	MLR Special Projects	1.1	o
7/9/00	ABQ/Santa Fe	PR Flight (Mary Lynn Roper) **SUNDAY**	1.8	o
7/12/00	Tome/I-25 & Mall	Stabbing @ Tome/Grass fire @ I-25 (Adam)	3.1	n
7/13/00	Santa Fe	Search for boy in landfill (Dave/JB)	1.9	n
7/13/00	Santa Fe	Search for boy in landfill (Rhett/JB)	2.9	n
7/14/00	Rio Rancho	Sewage spill into river (Derek/Mark/JB)	1.7	n
7/19/00	Los Alamos	Flood Prevention Work (Buzz/Bo)	1.7	n
7/20/00	ABQ	Big I Traffic (Adam)	1.7	n
7/21/00	Cortez, CO	Mesa Verde Forest Fire (Derrick)	5.4	n
7/22/00	Cortez, CO	Mesa Verde Forest Fire (Derrick/Rosa/JB)	5.7	n
7/23/00	Cortez, CO	Mesa Verde Forest Fire (Adam/JB)	5.1	n
7/24/00	Cortez, CO	Mesa Verde Fire (Buzz/Nancy)UP (Cynthia)DN	4.5	n
7/25/00	ABQ	Military VIP plane Emergency Landing (Derrick)	0.8	n
7/25/00	Socorro	Silverly Minnow release into river(Derrick/Bo)	2.5	n
7/27/00	San Anancia	Water Rights Battle @ Dam (Dave)	2.3	n

n=news
e=engin.
p=promo
o=other

50 Hour
40.3
100 Hour
32.9

-154-



Robert E. Kirkpatrick
08/14/2000 04:42 PM

To: Deborah L. Stover/PLN/CABQ@COA

cc:
Subject: KOAT-TV Helicopter Noise Tests

To: Chuck Gara, Chairman, EPC
thru: Deborah Stover, Planning Department
From: Bob Kirkpatrick, Environmental Health Department
Subject: KOAT-TV Helicopter N9BQ - Noise Ordinance Compliance

Noise tests on 7/6/00, 8/10/00 and 8/14/00 show that the operation of KOAT-TV's N9BQ helicopter complies with Albuquerque's current noise ordinance and with the proposed noise ordinance (Council Bill O-34).

Tests were conducted at several locations in the vicinity of the station helipad at Comanche and Carlisle for both standard and alternate flight paths.

Test results are presented in reports by Metro Safety Consultants, Inc. dated 7/6/00 and 8/10/00 and in AEHD files 3100106 and 3100107. Supplementary documentation is contained in KOAT-TV videotapes labeled "KOAT TV 8/10/00" and "Sky 7 Tail Camera".

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

Date: August 18, 2000

OFFICIAL NOTIFICATION OF DECISION

KOAT-TV
3801 Carlisle Blvd. NE
Albuq. NM 87107

FILE: 00110 00000 00888/00110 00000 00889
LEGAL DESCRIPTION: for Lot A-1, Block 1, Montgomery Heights, located on Carlisle and Comanche NE, between Montgomery and Comanche, containing approximately 3.6 acres. (G-16) Debbie Stover, Staff Planner

On August 17, 2000, the Environmental Planning Commission voted to approve 00110 00000 00888, a zone map amendment from C-1 to SU-1 for TV Station Satellite Dishes, Related Facilities and a Helipad and Signage Restrictions based on the following Findings:

FINDINGS:

1. This is a request for approval of a zone map amendment from C-1 to SU-1 for TV Station, Satellite Dishes, Related Facilities and Helipad for a 3.6 acre parcel located on the northwest corner of Carlisle Boulevard and Comanche Road NE. KOAT-TV is located on this site; a news helicopter operates from this location.

2. The reason for the zone map amendment request is to comply with a recent City Ordinance (Bill O-73) which makes helipads an allowed use under the Zoning Code only in the Special Use zone. Prior to Bill O-73, helipads had been an allowed accessory use under the Zoning Code and could locate on any commercial premises.

3. Under O-73, helipads other than those used for law enforcement and medical uses are allowed under certain conditions if they comply with Federal, State and Local regulations including City noise regulations.

4. Adoption of this new Ordinance constitutes a change in community conditions, as stipulated in Resolution 270-1980. Specifically, O-73 makes helipads an allowed use under the zoning code only in the Special Use zone. The applicant's submittal is an effort to comply with this regulatory change.

5. A new Noise Ordinance is currently under consideration by City Council, but has not yet been acted upon and is not an adopted policy at this time.

6. There is no clear, convincing evidence that the helipad has been or will be injurious to adjacent property the neighborhood or the community. Noise testing, as recommended by the Environmental Health Department, was conducted as part of the analysis of this request.

7. A report produced by Metro Safety Consultants, Inc. concerning noise level readings taken at the subject site on July 6 and August 10, 2000, were submitted. Environmental Health Department staff has evaluated the study in order to include the findings in this staff report.

8. This request conforms with applicable City plans, ordinances and policies.

9. Staff recommends approval of this zone change.

10. The signage in the satellite dish is a non permitted sign.

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. There shall be no more than one (1) operable helicopter at this site. The intent of this condition is for the helipad to accommodate one, single, news-related helicopter.

3. Flight logs shall be maintained by the operator and such flight logs shall be made available for public viewing upon written request in a timely manner. These logs shall include notations as to what type of flight occurred ie. emergency, promotional, news gathering, engineering (maintenance and repair) or other.

4. The helicopter shall be limited, as per the adopted O-73, to three (3) take-off and landing functions per day (with the exception of emergencies) as per the zone code.

5. The helicopter should maintain take-off and landing flight paths along non-residential areas and utilize areas above arterial streets whenever possible.

6. The signage within the satellite dish shall be removed.

On August 17, 2000, the Environmental Planning Commission voted to approve 00110 00000 00889, a site development plan for building permit 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 TV Station, Satellite Dishes, Related Facilities and Helipad for a 3.6 acre parcel located on the northwest corner of Carlisle Boulevard and Comanche Road NE. The reason for the site plan request is to comply with a recent City Ordinance (Bill O-73) which makes helipads an allowed use under the zoning code only in the Special Use zone, and the site plan for building permit is a secondary request necessitated by the request for zone change.

2. The existing building is a 37,000 square foot building which houses the offices as well as studios for the operation of a television station.

3. The circulation of the site remains unchanged, with access from Comanche Road NE.

4. There are five satellite dishes in existence at this site.

5. The helipad consists of a 10 foot radial concrete landing pad surrounded by chain link fencing and landscaping and is located at the southeast corner of the site.

6. Minimal additional landscape will be added to the existing mature landscape.

7. The changes to the site as proposed in the site plan for building permit are minimal and will not change the character of the site or the surrounding area.

8. Environmental Health has observed and analyzed the noise level tests done at the existing helipad and has submitted a memo stating that the levels of noise generated by KOAT-TV's helicopter are within allowable ranges under the current noise ordinance and the proposed new noise ordinance.

9. Staff recommends approval of this request.

10. The existing signage within the satellite dish is a non permitted sign.

11. Pedestrian access from the facility to adjacent streets does not exist.

12. Existing chain link fence around the site should be removed.

13. The site does not currently comply with the street tree ordinance.

14. There are 83 employees maximum on site at one time. Break areas and bike facilities are minimal and should be enhanced.

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 helicopter should maintain take-off and landing flight paths along non-residential areas and utilize areas above arterial streets whenever possible.

3. Flight logs shall be maintained by the operator and such flight logs shall be made available for public viewing upon written request in a timely manner. These logs shall include notations as to what type of flight occurred ie. emergency, promotional, news gathering, engineering (maintenance and repair) or other.

4. The site plan shall comply with the street tree ordinance. In lieu of large shade trees at 30 feet on center due to the location of helicopter pad and satellite dishes, street trees along Carlisle and Comanche shall be permitted to be ornamental trees at 25 feet on center.

5. Remove all chain link fence and razor wire and replace with wrought iron or aluminum fencing.

6. The existing satellite dish with signage shall have the signage removed from the dish.

7. Provide a 6-foot clear sidewalk from the front door to Comanche with a textured concrete pedestrian crossing at the drive aisle.

8. Add a 30-inch high screen wall or berm to shield parking along Comanche.

9. Add shade trees and landscaping at parking lot areas and particularly along the west property line and north parking lot area. There shall be trees located per code and the distance from a trunk of a tree to a parking stall is to be no more then 100 feet.

10. Trees shall be located at 25 feet on center in minimum of 5 x 5 planting areas along all internal pedestrian paths through parking lots and connections to the street.

11. Add bicycle lockers or secured bike facilities, the secured bike facility would be a minimum of 200 square feet.

12. Add a 400 square foot shaded patio area, which will be an employee patio.

IF YOU WISH TO APPEAL THIS DECISION, YOU MUST DO SO BY **SEPTEMBER 1, 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).

Sincerely,

For Robert R. McCabe, AIA, APA
Planning Director

RM/DS/ac

cc: Rodey, Dickason, Sloan, Akin & Robb, PA, P.O. Box 1888, Albuq. NM 87103-1888
H. Diane Snyder, Hodgin Neigh. Assoc., 4012 Delamar Ave. NE, Albuq. NM 87110
Eddy Jacobs, Hodgin Neigh. Assoc., 4920 Hilton NE, Albuq. NM 87110
Rick Cooper, Alta Monte Neigh. Assoc., 10327 Connemera Ave. SW, Albuq. NM 87121
Perla Webb, Alta Monte Neigh. Assoc., 8 Plains View Ln., Edgewood NM, Albuq. NM 87015
Bob Swartwood, Montgomery Heights Neigh. Assoc., 3517 Hendrix Rd. NE, Albuq. NM 87107
Karen Schueler, Montgomery Heights Neigh. Assoc., 3504 Delamar NE, Albuq. NM 87107
Michael Carson, 400 Roma NW, Albuq. NM 87102
Sheryl Paloni, 400 Roma NW, Albuq. NM 87102
Karen Schueler, 3504 Delamar NE, Albuq. NM 87107
Curtis Chambers, CSP, 2704 Wooded Acres Dr., Arlington Tx. 76016
James Fanning, 3801 Wellesley NE, Albuq. NM 87107
Gregory Hicks, 400 San Pasquale SW, Albuq. NM 87104
David Wiederholt, 3816 Delamar NE, Albuq. NM 87110

UNAPPROVED

13. Add landscaping and trees at the west side of the building along the drainage channel.

MOVED BY COMMISSIONER HEISER
SECONDED BY COMMISSIONER McMAHAN MOTION CARRIED UNANIMOUSLY

10. 00110 00000 00888
00110 00000 00889
Project # 1000643

Rodey, Dickason, Sloan, Akin & Robb, PA, agents for KOAT-TV requests a zone map amendment from C-1 to SU-1 for TV Station, satellite dishes, related facilities and helipad, to allow helipad on radio/TV station site plus approval of a site development plan for building permit for Lot A-1, Block 1, Montgomery Heights, located on Carlisle and Comanche NE, between Montgomery and Comanche, containing approximately 3.6 acres. (G-16) Debbie Stover, Staff Planner **(APPROVED ZONE MAP AMENDMENT TO SU-1 FOR TV STATION WITH CONDITIONS. APPROVED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT WITH CONDITIONS.)**

STAFF PRESENT:

Debbie Stover, Planning Department

PERSONS PRESENT TO SPEAK IN FAVOR OF THIS REQUEST:

John Salazar, P.O. Box 18888
Mary Lynn Roper, 3801 Carlisle
Curtis Chambers, 2704 Wooded Acres Dr., Arlington,TX
Tom Deederly, 3801 Carlisle
Jeff Martin, 3801 Carlisle
Michael Carson, 400 Roma NW
Sheryl Paloni, 400 Roma NW
Karen Schueler, 3504 Delamar NE
Rick Cooper, 10327 Cannemara

PERSONS PRESENT TO SPEAK IN OPPOSITION OF THIS REQUEST:

James Fanning, 3801 Wellesley NE
Gregory Hicks, 400 San Pasquale SW
David Wiederholt, 3816 Delamar NE

CHAIRMAN GARA: We are on agenda item number thirteen.

MS. STOVER: Mr. Chairman, Commissioners, this is item number thirteen, case number 00110 00000 00888 which is a request for a zone map amendment and 00128 00000 00889 for a site

development plan approval. The property is a television station located on the northwest corner of Carlisle Boulevard and Comanche Road Northeast, lot A1, Block 1, Montgomery Heights. The request for zone change is from C-1 to SU-1 for TV station, satellite dishes, related facilities and helipad. In the staff report we had recommended a thirty-day deferral in order to evaluate tests from noise readings taken at the site in July and in August and to perform additional tests with the Environmental Health Department's involvement. These evaluations and additional tests were performed and completed as of Monday, August 14. The additional information was faxed, hand delivered or mailed to each Commissioner, I hope you all received it.

CHAIRMAN GARA: All forty pages.

MS. STOVER: Excuse me?

CHAIRMAN GARA: I said all forty pages.

MS. STOVER: This information included a complete staff report, an e-mail memo from Bob Kirkpatrick with the Environmental Health Department, a letter from John Salazar, the helicopter noise survey by Metro Safety Consultants dated August 10, 2000, and daily flight logs of the Sky Seven Helicopter dated from January 1999 through July 2000. The Environmental Health Department is satisfied with the procedures and results of the noise levels and is here today to speak to those tests. Therefore, staff can support this request. I have copies of findings and conditions for approval and we would like to proceed and have the case heard today if that is acceptable to the Commission.

CHAIRMAN GARA: Commissioner Heiser?

COMMISSIONER HEISER: Do we have copy of this?

CHAIRMAN GARA: Go ahead.

MS. STOVER: The reason for the zone change request is in response to the recent ordinance passed by City Council in February of this year. This ordinance, which is Bill O-70, which is included in your packets, mandates conditions for helipads within the city. One of the conditions required for a helipad is that it be located in a special use zone that allows helipads. The current zoning of the subject site is C-1. Prior to Bill O-70 helipads had been allowed as an accessory use under the Zoning Code and could locate on any commercial premises. Bill O-70 speaks to certain conditions under which helipads other than law enforcement or medical uses are allowed. Specifically they should be a minimum of six hundred and fifty feet from the nearest residential zone as measured from the edge of the helipad unless it is demonstrated that the helipad will not be injurious to adjacent property, the neighborhood or the community. But in no case shall a helipad be located less then three hundred fifty feet from the nearest residential zone as measured by the edge of the helipad. Neal Weinburg has kindly brought up this map showing the three hundred and fifty foot buffer and that it does not touch or abut any residential zoned area.

The helipad at KOAT has been in existence since 1980. It is difficult for staff to assert that the helipad has or has not been injurious to the area but staff has no clear evidence that any injury has been caused by the helipad. Noise level testing that was done by Metro Safety Consultants for KOAT on August 10 of this year indicate that the flight operations of the helicopter at Channel 7 are in compliance with both the current noise ordinance and the more specific requirements proposed in the new ordinance that is currently under consideration by City Council.

The changes to the site as proposed in the site plan are minimal. They include the replacement of a chain link fence around the helipad with an aluminum picket fence, the addition of some landscaping and an observation deck for helicopter viewing by the public.

The site plan request conforms to applicable city policies. Staff did receive phone calls from the neighborhood both in support and in opposition of this request and some of these letters were included in your packet. Two additional letters were received after the reports were distributed. One letter was in opposition to the request, which should have been faxed to you and the other we just received today which was in support of the request.

So with those findings and conditions staff can support this request.

CHAIRMAN GARA: Any questions? Commissioner Heiser?

COMMISSIONER HEISER: I hate to ask this question but is the satellite freestanding sign, is that a legal sign on this site?

MS. STOVER: Is it a legal sign?

COMMISSIONER HEISER: Yes. There is a large satellite dish with the interior of the sign painting with the information on the site it seems to me it violates the sign ordinance.

MS. STOVER: I am afraid I hadn't considered that but you may be right.

CHAIRMAN GARA: Any other questions? Commissioner Chavez, Joe?

COMMISSIONER J CHAVEZ: Yes, I know there are three TV stations in town that have helicopters, is this the only one that there is no residents within three hundred and fifty feet?

MS. STOVER: I haven't analyzed the other two but I believe that is the case.

COMMISSIONER J CHAVEZ: So the other two stations there is no way they can even apply for what these people are applying for?

MS. STOVER: I am not sure of their situations Commissioner Chavez.

COMMISSIONER J CHAVEZ: Will you try to find out from staff or somebody; you don't have to answer it right now, later on.

CHAIRMAN GARA: Any other questions? Thank you Ms. Stover. Anyone who is going to speak on this case I need to swear you in please. Do you swear or affirm the testimony you are about to give is the truth? Thank you. I think we have a few people signed up. The applicant?

MR. SALAZAR: MR. Chairman, members of the Commission my name is John Salazar, I am with the Rodey Law firm here today representing KOAT, the applicant, address is P.O. Box 1888 and the zip is 87103. And we are here today on a request for a zone change because of O-73 as well as a site development plan for building permit of essentially for of the existing situation with some improvements to the landscaping. Now with the permission of the Chairman I would like to take a couple witnesses out of order. There are a couple of representatives of the Albuquerque Police Department that are here to speak on some issues that have been raised but if they can speak now they can get back to duty. Ordinarily they would, I would like to ask them if it is all right with the Chairman if they come up and speak now.

CHAIRMAN GARA: That is fine.

MR. SALAZAR: And what they will the address there have been some safety issues raised and each of them have sequently patrolled this area for a number of years and I would just like them to talk about their own observations of what they have seen and not seen. And first if I may I would like to call Officer Michael Carson.

MR. CARSON: Yes Mr. Chairman and members of the Committee...

CHAIRMAN GARA: We need your name and address for the record please.

MR. CARSON: Yes it is Michael Carson at 400 Roma Northwest with the Albuquerque Police Department.

CHAIRMAN GARA: Thank you.

MR. CARSON: For approximately the last six years I have been on uniformed patrol in the area of Comanche and Carlisle. During those last six years never once have I ever been dispatched to any situation regarding the helicopter, meaning never been dispatched to any accidents, any noise complaints or any other situation whatsoever has never been brought to my attention in those six years of patrolling that area. I am not aware of any other situations that any other officers have brought to my attention either and that is really all I have to say today Mr. Chairman.

CHAIRMAN GARA: Thank you. Any questions?

COMMISSIONER McMAHAN: Mr. Chairman?

CHAIRMAN GARA: Commissioner McMahan?

COMMISSIONER McMAHAN: Thank you. Officer Carson what shift do you work?

MR. CARSON: I work dayshift, 6:30 in the morning until 4:30 in the afternoon.

COMMISSIONER McMAHAN: For the six years you have been here on this beat you work dayshift?

MR. CARSON: Yes that is correct.

COMMISSIONER McMAHAN: Have you worked other shifts in Albuquerque in other parts of town?

MR. CARSON: No I haven't.

COMMISSIONER McMAHAN: Thank you very much, thank you Mr. Chairman.

CHAIRMAN GARA: Thank you.

MR. CARSON: Thank you.

MR. SALAZAR: Mr. Chairman as Officer Carson indicated he has worked this shift and this beat for the last six years until the present time and now I would like to call Officer Sherri Paloni who worked the shift prior to Officer Carson.

MS. PALONI: Mr. Chairman, Commissioners, my name is Officer Sheryl Paloni, I am with the Albuquerque Police Department, my address is 400 Roma Northwest. I have been with the Albuquerque Police Department for eighteen years and out of those eighteen years I have worked that area for at least eight years. I have worked dayshift down there and I have also worked swing shift, the swing shift hours were three to eleven and dayshift was 6:30 to, well we worked ten hours, 6:30 to whatever ten hours. I have also worked it from 8:00 in the morning until 6:00 in the evening and as long as I have worked that area I have never had a call from any citizen about any problems with the helicopter from Channel 7. I have never taken any accidents that have been anybody has ever complained that it was the helicopter that caused the accident and to the best of my knowledge any of the other officers that have worked that area have never had any calls either. All I can say is no problems.

CHAIRMAN GARA: Any questions? Commissioner McMahan?

COMMISSIONER McMAHAN: Thank you Mr. Chairman. Officer Paloni have you worked other shifts in other areas of town were TV stations are.

MS. PALONI: When I first came on back in 1982 I worked downtown by 13 and 4...

COMMISSIONER McMAHAN: And your experience at that time was similar, different from...

MS. PALONI: I believe they didn't have helicopters there. Other then that, I don't remember taking any calls over there.

COMMISSIONER McMAHAN: Fine, thank you very much. Thank you Mr. Chairman.

CHAIRMAN GARA: Any other questions? Thank you.

MR. SALAZAR: Thank you Mr. Chairman. The present situation is an existing C-1 zone commercial in which a helicopter is an auxiliary use, in this case the use will remain the same. Again the reason for the zone change request is because of the passage of Council Bill O-73, which now requires a special use zone for helipads. So, the request to change the zone from C-1 to SU-1 for TV station, satellite dishes related facilities and helipad. As noted in the staff report the passage of Bill O-73 constitutes change community conditions, which justifies the zone change request. Further the City Council has determined that a different use category is more advantageous to the community in instances of helipads. The SU-1 zone is now preferred to the existing C-1 zone.

Now O-73, what it did, it amended the SU-1 zone to include a helipad as an approved use subject to specific conditions and the conditions are as follows: 1) You have got to maintain written documentation of helipad operations including flight path usage and date and time of all landings and take offs, that is a requirement. At KOAT logs are kept as a matter of course and even though it is not presently required by ordinance because it is a C-1 zone presently KOAT is now noting the time of landings and take offs on its logs. So that is not a problem in terms of a condition. Another condition of O-73 is that take off and landing operations are prohibited between 10:00 p.m. and 7:00 a.m. That is an acceptable timetable and it is consistent with KOAT's present policy and practice. Another condition is that the total number of helicopter operations shall not exceed three on any one day. An operation is one take off and one landing. This is acceptable. Sky 7, which is the KOAT helicopter, has had less then one mission per day on average from the beginning of 1999 through the end of July of 2000. Another condition is that the helipad must comply with federal, state, and local regulations including city noise regulations. The helipad is in compliance with all federal, state, and local regulations including the city noise regulations. The record in this matter which includes video tape evidence and written sound reports indicates that the operation of Sky 7 complies with the requirements of the noise ordinance presently in affect as well as the criteria set forth in the proposed revisions to the noise ordinance. And in order to establish this fact KOAT authorized a sound testing to be undertaken by Mr. Curtis Chambers of Metro Safety Consultants who did preside over a sound test on two occasions for which written reports were prepared and those written reports are in the record. But at this time I would like to ask Mr. Chambers to come up and kind of just explain what he did, what he tested for and with what results.

MR. CHAMBERS: Mr. Chairman and Commissioners, my name is Curtis Chambers, I am with Metro Safety Consultants, my address is 2704 Wooded acres Drive in Arlington Texas. KOAT TV retained me to come up and conduct some noise tests up here and the first test I conducted on July 6. We came up and picked three areas that had been determined as being the nearest residential areas to the helipad and put meters out and basically conducted tests to see how the helicopter noise stood in relation to the new ordinance here at the city. And in a nutshell basically what we found if you look in your results there, were that they were well within the limits. Now for the purposes of the first test we had interpreted take offs and landings as being

that time, that period time were the helicopters sitting on the pad warming up up until the moment of lift off and then for a landing from the time that it had touched down until it had cooled down which usually takes about two minutes. And after submitting this report and discussions amongst themselves and with other folks they decided they wanted some more tests done that also incorporated the noise levels once the helicopter had left the pad and also as it came into approach. So again we came back out and utilized the same areas and conducted these tests and again they show the helicopter was in compliance. I also conducted tests at a couple of other areas in nearby neighborhoods at their request also. We did video tape the sound level meter and the last test and do have that information available on video tape here if that is something that you all need to want to look at. I also had the opportunity to meet with Mr. Kirpatrick from the City and go over my results. The day I actually came out and did the second test and showed him the video tape and the meters that we use and all that and actually went out and conducted a few more tests at his request I just helped satisfy some questions that he had. And again basically the conclusion was that it was within the limits set out in this new ordinance.

CHAIRMAN GARA: Any questions? Commissioner McMahan?

COMMISSIONER McMAHAN: Thank you Mr. Chairman. Mr. Chambers you did the TV of showing the sound meter and the readings during your test?

MR. CHAMBERS: Yes sir.

COMMISSIONER McMAHAN: That has to be the dullest video I ever saw. Thank you.

MR. CHAMBERS: (INAUDIBLE).

COMMISSIONER McMAHAN: Thank you for doing that. Thank you Mr. Chairman.

MR. CHAMBERS: I did that for several reasons.

CHAIRMAN GARA: Commissioner Chavez?

COMMISSIONER J CHAVEZ: You said you did three tests that the closest residences...

MR. CHAMBERS: Residential property line.

COMMISSIONER J CHAVEZ: How far are those residential, what is the closest residential property?

MR. CHAMBERS: Well I don't know if I can point...

COMMISSIONER J CHAVEZ: Do you know how many feet away?

MR. CHAMBERS: Approximately, it showed approximately three hundred and seventy to three hundred and seventy-five feet I believe is what our...

COMMISSIONER J CHAVEZ: And that was the closest residence?

MR. CHAMBERS: ...exhibit shows, yes sir. The map exhibit A and the first report actually has some distances mapped out there to the point and I believe they were all within three hundred and seventy five give or take three or four feet.

COMMISSIONER J CHAVEZ: Thank you.

CHAIRMAN GARA: Any other questions? Commissioner Schwartz?

COMMISSIONER SCHWARTZ: Thank you Mr. Chairman. Mr. Chambers, you read the ordinance that you were testing against?

MR. CHAMBERS: Yes sir.

COMMISSIONER SCHWARTZ: Okay. I think the ordinance required sixteen samples per minute, was that correct?

MR. CHAMBERS: What it required is that the meter that is used is capable of capturing at least sixteen...

COMMISSIONER SCHWARTZ: And the metered use in the recent test I think was thirty-two?

MR. CHAMBERS: Yes sir, it actually captures thirty-two.

COMMISSIONER SCHWARTZ: You exceeded the sample, exceeded the specifications of the ordinance?

MR. CHAMBERS: Yes sir.

COMMISSIONER SCHWARTZ: Thank you.

CHAIRMAN GARA: Thank you.

MR. SALAZAR: Mr. Chairman, of course Mr. Kirkpatrick is present and can speak for himself but it is our understanding that he is satisfied that Sky 7 does comply with all applicable noise criteria. Now another condition on Bill O-73 depends on were you are located. If you are located more than three hundred and fifty feet from the nearest residence but less then six hundred and fifty feet and KOAT does, their helipad does fit within this band. Now if you are in that band it must be demonstrated that the helipad will not be injurious to adjacent property, the neighborhood, or the community. And as Mr. Chambers indicated the nearest residential zone is three hundred and seventy three feet from the helipad. Now in this case this site was chosen because it is compatible with adjacent property, the neighborhood and the community. The helipad is situated between the KOAT building, the KOAT grounds to the south, a parking lot for

office use to the north, and Carlisle Boulevard to the east. The immediate surrounding uses are commercial and office.

When Sky 7 was located in 1980 the residential neighbors welcomed Sky 7 to their neighborhood and even encouraged the location of the helipad on Carlisle Boulevard because that is where the helicopter can be seen. For twenty years KOAT has operated its helicopter with no complaints. Only recently have a few complaints been heard and it appears that they may have been neighborhood opposition to other helicopter operations. The flight path of Sky 7 is long arterial streets. Normally Sky 7 precedes after liftoff south along Carlisle and then when it returns to the station it comes in from the north along Carlisle for landing essentially using Carlisle Boulevard as a runway. This is the pattern 85% of the time. Sky 7 does not fly over residential areas on take off or landing. Now there are occasions when wind conditions require it that Sky 7 will lift off and on take off proceed a little differently. Sometimes it will proceed north above Carlisle instead of south and that is about 10% of the time. Or sometimes after lift off it will proceed west above Comanche toward I-25 and that will be less then 5% of the time. As you can see from your review of the flight logs that have been submitted to the end of the record for all of 1999 and through July 2000 roughly there is twenty flights per month. A little more then that but just roughly the math is easier but if that is the case if 5% of the flights go west on Comanche that is one flight per month, west on Comanche. There have been no complaints from property owners within six hundred feet, within six hundred and fifty feet of the helipad. In fact to the contrary the neighborhood associations in the area are actually very supportive of Sky 7. The Montgomery Heights Neighborhood Association even has Sky 7 in the logo for its neighborhood letterhead and this document is in the record and I don't know if you all have seen it but up at the top there is a little helicopter flying and it has the seven inside a circle. It is Sky 7, they are proud of being near Sky 7. And this is the neighborhood association that actually includes the KOAT property. The Montgomery Heights Neighborhood Association is bound by Montgomery on the north, Carlisle on the east, Comanche on the south and sort of the north diversion channel on the west, northwest. So this is KOAT's neighborhood and they are very proud of KOAT and Sky 7. Now the other neighborhood associations in the area there is the Montgomery/I-25 Neighborhood Association, which is a little bit to the west. They submitted a letter in support of Sky 7 and then there is the Hodgins Neighborhood Association which would be just across Carlisle to the east, and I believe Diane Snyder who is president who has spoken before in favor of Sky 7 and at the present time she has submitted a letter she is not able to be here today but she submitted a letter indicating personally her support of the Sky 7 operation. And the Alta Monte Neighborhood Association, which is located just to the south, south of Comanche, has also submitted a letter of support of Sky 7. And I believe there will be some neighborhood representatives here today to speak in support. But you know the fact that there is this neighborhood support should not be surprising since KOAT has been a good neighbor, it selected its site carefully before it moved to this location. The helicopter is used infrequently. It does not fly at night. It flies over arterial roads, not neighborhoods. And the sound recorded at or near residential properties in the area are within the limits of the City Noise Ordinance.

And I do want to state for the record that Sky 7 is not flying over the Big I to give traffic reports. Some people think it is, it is not. We are not going to say who is up there but Sky 7 is not up there. Now I do have to admit that when it all started Sky 7 did go up to report on traffic at the Big I for a few days late June early July but I will tell you there were some neighborhoods in the

area that did not like it. KOAT heard the neighbors and stopped. Sky 7 is no longer and has not been for some time going over the Big I to do traffic reports.

But this is consistent with KOAT history of sensitivity to its neighbors and its neighborhood. Further Sky 7 provides a public service to the community. Certainly in terms of breaking news coverage and also in terms of public safety and emergency situations. Sky 7 has assisted in search and rescue operations. It has assisted in law enforcement efforts. It has assisted fire marshals and other fire personal in terms of forest fires and grass fires. So we think not only has Sky 7 not been detrimental in anyway to its neighborhood it has been a real plus. We think the neighborhood support, would illustrate that.

Now in addition to the zone change request we are requesting site development plan approval. The site is developed. There are some improvements to the site site proposed. This is reflected on the site plan that has been submitted and they were discussed in the staff report. Tom Deederly of Fanning Baird Tatum Architects and Elizabeth Reardon of Morrow Reardon Wilkenson Landscape Architects are present to address any questions you may have about the site plan. There are other people here present to respond to questions so Mr. Chairman even though a lot of people raised their hands and were sworn in not all are going to speak unless there are questions that they need to respond to. But I would like to tell you that Mary Lynn Roper, the president and general manager of KOAT is here. Paul Shipley, the news director of KOAT is here. Jeff Martin, the Sky 7 pilot for KOAT is here. And of course Curtis Chambers who spoke to you earlier is here if you have additional questions. We do have two videos, which we can show you if you like. Both are in the record. One deals with normal flight patterns for Sky 7 and the relates to the sound test undertaken on 8/10/2000 which I understand at least one Commissioner thinks would be an exciting video to watch.

CHAIRMAN GARA: No.

MR. SALAZAR: So therefore Mr. Chairman, members of the Commission for the reasons stated and based on the evidence in the record we do request approval of our zone change request from C-1 to SU-1 for TV station, Satellite Dishes, Related Facilities and Helipad and for approval of our request for a site development plan for building permit.

CHAIRMAN GARA: Questions? Commissioner Chavez, Joe?

COMMISSIONER J CHAVEZ: Yes Mr. Salazar I assume you were kind of involved when this ordinance was written up and especially since I see there are no homes within three hundred and fifty feet. But could you tell me on this three hundred and fifty feet there cannot be any helicopter pads in it. I mean there is no way of having one?

MR. SALAZAR: That is the way the ordinance reads Commissioner Chavez.

CHAIRMAN GARA: Because I am concerned about that because I live close to where they have two helicopters over the Big I and I don't want to set a precedence that is going to affect the other sites.

MR. SALAZAR: Right and this would not set a precedent because the City Council when it passed O-73 one of the things it considered was what would be the minimum distance that a helipad could be located and they concluded three hundred and fifty but then if you are going to between three fifty and six fifty you have to then show you are not going to be adversely impacted of the neighborhood. But this was a subject of debate when O-73 was passed and the Council concluded that the three hundred and fifty would be the minimal distance that would be allowed.

COMMISSIONER J CHAVEZ: Okay thank you.

CHAIRMAN GARA: Commissioner Heiser?

COMMISSIONER HEISER: So I understand the way the ordinance works the helipad and the dimension from a residence to the helipad is to on this particular site plan it would be the ten foot radius circle indicated on the site plan right? That is where you are taking the measurement not to the enclosure area but to the actual concrete twenty-foot diameter circle right?

MR. SALAZAR: Right, to the helipad itself, yes.

COMMISSIONER HEISER: How many employees work at KOAT?

MR. SALAZAR: If I may have one second.

COMMISSIONER HEISER: On a given shift?

MR. SALAZAR: The shift that would have the most employees at any one time would have about eighty-three employees.

COMMISSIONER HEISER: Eighty-three? Are there currently any bicycle lockers or facilities for those employees on site?

MR. SALAZAR: Mr. Chairman if I may may ask Mary Lynn Roper to come up and address that question?

CHAIRMAN GARA: Sure.

MS. ROPER: Commissioner we...

CHAIRMAN GARA: Will you state your name and address for the record please.

MS. ROPER: I am Mary Lynn Roper, 10600 Del Ray Northeast.

CHAIRMAN GARA: Thank you.

MS. ROPER: We are budgeted at roughly a hundred and fifty five employees. I did an analysis of coming and going and what is the worst case scenario of how many of us could possibly be

there at one time and I came up with a number of eighty-three, that is worst case scenario. In reference to the bicycles yes there are some areas that you can park in the front and there is also shower facilities and we are also right on the path for the bus so as much as we can encourage that we try to.

COMMISSIONER HEISER: Okay, as long as we are here looking at the site plan since there in for a new zoning there a few little site plan details that I have noticed that I would like to go over with you that we do on every site plan. These are just sort of the standard things. I noticed on the site that there is not a pedestrian connection from really any of the streets to the building and I felt that there probably could be one located from Comanche to the front door somewhere so that you have a street connection from the sidewalk to the front door.

MR. SALAZAR: Mr. Chairman if I may I would like to ask Mr. Deederly to address that question.

MR. DEEDERLY: Mr. Chairman, members of the Board...

CHAIRMAN GARA: Name and address for the record please.

MR. DEEDERLY: My name is Tom Deederly; I am with Fanning Baird Architects, 6100 Indian School Road, 87110. The pedestrian link from Comanche to the front of the building that you speak of we had looked at that and our preliminary meetings with the Planning Commission through various studies of that connection there what it ends up doing is creating a path that bisects the parking area and creates possibly a pedestrian hazard.

COMMISSIONER HEISER: Before you go further I can see where you can make one, I mean how do you get if you are approaching the site on a wheelchair how do you get to the front door?

MR. DEEDERLY: That is a good question. Right now there is a handicap accessible curb ramp, two handicapped parking spots up front.

COMMISSIONER HEISER: Right but if I am...

MR. DEEDERLY: ...currently...

COMMISSIONER HEISER: Translating to the site in a wheelchair...

MR. DEEDERLY: Yes, currently you would have to take the turn...

COMMISSIONER HEISER: If you were to create something that came into the site and then crossed here where your plaza is you kind of do a little hook and then cross the drive aisle and do a textured cross in I think you can probably do it.

MR. DEEDERLY: It is not circumventing the entire parking area?

COMMISSIONER HEISER: Yes, right.

MR. DEEDERLY: That is possible. That scenario tends to eat up some of the buffering; the landscape buffering that is in the front there.

COMMISSIONER HEISER: Okay, the next thing is there is an awful lot of chain link fence on the site.

MR. DEEDERLY: Yes.

COMMISSIONER HEISER: My thinking is that it would be really nice to go with the sensitivity to the neighborhood to remove the razor wire and chain link fence on the site and replace it with something a little more aesthetic.

MR. DEEDERLY: That is a security issue and aesthetic issue that Mary Lynn might be able to speak to. We have removed the chain link fence from the front, the Comanche/Carlisle side, the most visible side of the building and that has been replaced with something more aesthetically appealing.

COMMISSIONER HEISER: On the west their razor wire could be replaced with a secure wrought iron fence that still meets the same security requirements. The existing satellite dish with the whole signage is actually a non-permitted sign and we probably need to unless there is a permit for it probably take all the signage out because it is actually like a freestanding sign. We have been and the Planning Commission will probably talk about this along arterial streets we have been requesting either earth berms or screen walls to screen parking spaces from the arterials.

MS. ROPER: I just thought Commissioner I might be able to answer your questions right away. On the back area where that wire is we would be more than happy to adjust that, I frankly had not thought about it. When we put the big KOAT in the satellite dish my mistake we can get that out of there. I thought it looked kind of neat. So at any rate I am more than willing to address these concerns.

COMMISSIONER HEISER: And I just have a few more. I think we need to comply with the street tree ordinance on the site.

MR. DEEDERLY: That is something possibly Liz Rierdon can speak to.

COMMISSIONER HEISER: Now understanding that you have satellite dishes and the helicopter pad on the site instead of doing large shade trees maybe you go to ornamentals so that you do not have the same clearance problem along the two streets which might mitigate some of the impact. You don't want sixty-foot trees next to the helicopter site so you can do ornamentals, a canopy that are like twenty feet or something. And we probably need to add some more parking on the parking lot like the north parking lot area and add some shade trees along the walkways as a transit through the parking lot to the building north and make sure we have a shaded walkway in the front that ADA connection I was talking about from the street to the front door. That is about it.

MR. DEEDERLY: Okay.

CHAIRMAN GARA: Anything else Mr. Salazar?

MR. SALAZAR: If we can just make one additional comment on the parking.

MR. ROPER: Commissioner there was a lot of consideration about whether or not we made the standard for the number of parking spaces and I cannot put my fingers on the document right now maybe I can but there was an indication that in fact we did meet the standard. So, I don't know frankly where we would add more additional space, parking spaces.

COMMISSIONER HEISER: I am not, no not adding spaces I am talking about adding trees in the parking lot.

MS. ROPER: My misunderstanding.

CHAIRMAN GARA: Is that all Mr. Salazar?

MR. SALAZAR: Yes sir Mr. Chairman, we are prepared to respond to any questions that the Commission may have.

CHAIRMAN GARA: Any questions? Commissioner Chavez, Larry?

COMMISSIONER L CHAVEZ: My information came to me the past several days in several different segments and perhaps I would have it here but is the August 2000 flight log available? We have going back about eighteen months or so but is the flight log for this month available?

MS. ROPER: What the pilot does is at the end of the month he puts the report together so he can put it together but it is actually formerly done at the end of the month.

COMMISSIONER L CHAVEZ: I was just wondering at comparing July of this year there were twenty flights and July of last year there thirty-five flights. That is considerably less. I wonder how August would be this versus last year?

MR. SALAZAR: We do have the pilot here who can speak to that Mr. Chairman if we may ask Jeff Martin to address the question.

CHAIRMAN GARA: Okay.

MR. MARTIN: Chief pilot Jeff Martin, KOAT TV, 3801 Carlisle Northeast. The reason why there are not very many flights compared to July of last year is this year is obviously the fire season was a lot worse this year then last year. We are allotted so many hours per a certain time period during a year, we were getting towards the end of that allotment and so therefore the flights have decreased and as far as this month we are at approximately twelve point six hours and roughly about seven flights and that is it for this month.

COMMISSIONER L CHAVEZ: So you have fewer longer flights of longer durations?

MR. MARTIN: Not necessarily longer it is just that we were out of town a lot covering fires so we did burn up a lot of time out of town covering the Los Alamos, Mesa Verde, Pecos, things like that.

COMMISSIONER L CHAVEZ: Okay, so just seven flights this year versus maybe twenty for a comparable period last year?

MR. MARTIN: Yes.

CHAIRMAN GARA: In August 1999 was a bad month. They had two suicidal bridges, women on bridges, man on bridge, a lot of activity. Any other questions? Thank you.

MR. SALAZAR: Mr. Chairman, there are some other folks signed up to speak.

CHAIRMAN GARA: We are going to get to the public comments right now. April?

MS. CANDELARIA: Karen Schueler.

MS. SCHUELER: Hello, my name is Karen Schueler and I live at 3504 Delamar Northeast about one thousand feet northeast of the helicopter pad. And I have lived at that address since 1986. And in all those years I really had not heard anyone complain about the helicopter talking to my friends. I am the one in 1997 drew up the design of the helicopter for our neighborhood association in 1997 we organized the neighborhood association. I am the secretary. We did not organize with any thoughts of complaints of helicopter. Our problems were more graffiti, traffic, barking dogs, things like that. And basically that has been the type of subject brought up to the neighborhood association until recently in which we have had one of our residents Mr. Fanning come to the association and talk about his concerns about the helicopter. We also had Mr. Shipley from Channel 7 come to another neighborhood association and tell us about all the guidelines and safety procedures that they go through on a regular basis with their helicopter to make sure that it is safe, it flies safely. It has been my personal observation that any noise from the helicopters has been very infrequent and many days often will go by without any noise noticed from the helicopter. And I can maybe once remember the helicopter coming in close to 10:00; generally there isn't any nighttime activity.

Evidently October '98 there was some kind of survey done in our neighborhood about concerns with the helicopter. I have to say this was not a survey that covered all of our neighborhood association area, which is from Comanche up to Montgomery from the drainage on the west to Carlisle. Only a few neighborhood streets were polled. The neighborhood association was not contacted with the thought of helping conduct this poll nor was it ever given the results of the poll. I only learned about it by attending some of the Commission hearings for the city.

I feel that the City Council ordinance which sets guidelines for the operation of the helicopter within the city limits is very reasonable, it addresses safety concerns that some people express

and that there is a limitation on how often the helicopters to go up, during what hours it is to operate and similar such guidelines. I don't think Channel 7 will have any difficulties complying to this because it has been my experience they have operated very reasonably and with concern to the neighborhood. There was one residence I mentioned before who had some concerns and as I understand Channel 7 looked at how they were using the city streets and have made sure that they do not fly down Comanche which is what this man complained about some years ago.

I wanted to read just a few sentences from Diane Snyder who is the representative from Hodgins Neighborhood Association who is indisposed and cannot appear. She says in her letter to Mr. Gara that she occasionally sees the helicopter arriving and departing, she lives two blocks east of Carlisle but the noise is loud enough to be bothersome and in fact I appreciate their arrival and departure being guided along the commercial lines on Carlisle. KOAT TV is a good corporate citizen of Albuquerque and a good neighbor. And I think that expresses my personal feelings about this. I am speaking for the Board of the neighborhood association. We have not in general had any strong feelings of that and we needed to oppose this, we in fact have been very supportive of Channel 7. I have to say I cannot speak for 100% of the neighbors in our neighborhood association. There is always going to be someone whose situation is somewhat different from mine. I think the city made a reasonable compromise in setting the guidelines for this situation and I think I would suggest it to be approved. Thank you very much.

CHAIRMAN GARA: Any questions? Thank you very much.

MS. CANDELARIA: Rick Cooper.

MR. COOPER: My name is Rick Cooper, 10327 Canaemara Drive, I am member of the Alta Monte Association and the lady preceded me has voiced most of our same comments so I won't reiterate them again. However, our association was formed seven years ago obviously the helicopter wasn't our integral issues and KOAT TV has joined our association a couple of years ago and before the helicopter became a issue and they have been a integral part of our neighborhood association in what we consider to be a very integral neighbor. Our neighborhood association runs from Comanche down to Carlisle and from, I am sorry Comanche to Candelaria and Carlisle to the arroyo. So we are directly south of the helicopter. We have had zero complaints over the years in our entire existence about the helicopter however we have had many many comments about the advantages of having a helicopter there. One of the major features that we see in having the helicopter there is that it is an eye on our neighborhood and we appreciate that and we appreciate the participation that Channel 7 has had with our neighborhood in keeping us informed of what is going on. We are very much in favor of keeping the helicopter there and continuing its existence. If there are any questions I can answer?

CHAIRMAN GARA: Any questions? Thank you very much. Next?

MS. CANDELARIA: James Fanning.

MR. FANNING: Good evening. My name is James Fanning and I reside at 3801 Wellesley Drive Northeast. My home is right at one thousand feet from were Channel 7 parks their helicopter. I would like to know one thing here. The police and the sheriffs department both operate helicopters but they can operate them from the airport, not Channel 7. Why they have to have it within the city limits ready (INAUDIBLE) the residential areas with the technology and the communications available to them today they should be able to be at the airport. The military, the police they do these things, they have communication were they can launch these things, aircraft from a distance. Also this helicopter is a distraction to pedestrians and drives, I have witnessed three different occasions, two right at the intersection of Carlisle and Comanche. One was road rage. Another one two young girls are walking across the street they were watching the helicopter they almost got hit by a car. Another one is right down there, Wellesley and Comanche, Comanche, my home there I was outside working in the, cleaning up the city property adjacent to my home there two fellows coming around the corner watching the helicopter they run up the aisle in there. That is three incidents were the helicopter has possible could have caused a problem.

Difficulty walking down Carlisle, have you ever tried walking down Carlisle there when that helicopter is running? Right there by Lovelace Medical Center you can hardly breath. Just last week when they were doing these noise studies I didn't know what was going on at the time but I was going north on Carlisle I figured well I saw the helicopter coming in for a landing so I pulled off just to the north of the intersection, the northeast intersection and I stepped out of my vehicle. Well you can feel the wind; you can feel stuff blowing in your face and everything else. He took off and he climbed and he went west and I watched him and I guess he flew over my home purposely at a low altitude and this was no higher then he usually flies. You should be in my kitchen when the helicopter flies over that is something. It doesn't last long but it is enough to frighten you. But what I am getting at is it is an aircraft, it belongs at an airport and they say action news, we can wait twenty or thirty minutes for the news. I have talked to many many people about this in all quadrants of the city just nonchalantly, not taking a survey or anything else but they say why do they have to have the helicopter in the city why can't they have it at an airport. The news, we can wait a few minutes for the news.

Now, this letter from Mr. (I cannot pronounce his name) .... From the association saying that there was no problem. Well I talked to him about this after he wrote this letter, the letter was dated July of last year I think it was. He said he was not aware of any people against the helicopter. Well I talked to him about it and he said would have done things differently if he had known then. But please do not give them this permit, this is an aircraft, it belongs to be operated from an airport not within the city and with the traffic along Carlisle now it has increased in the past twenty years so much that it is a hazard.

And another thing that survey they have supposedly made when they moved in there and started operating their helicopter I would like to see that survey. I have talked to many people and I was there before Channel 7, I have talked to many people and asked them about this survey and no one can remember it. I would like to have a copy of that survey you made before you started operating the helicopter.

CHAIRMAN GARA: If you would direct your questions to the Chair please.

MR. FANNING: Yes I will.

CHAIRMAN GARA: Thank you.

MR. FANNING: I am finished but I would like to have a copy of that. One more thing that survey that was made in July of '98 listen to what the people are saying in that thing, they say it is too noisy, they it is unsafe. The people have the right to express their feelings and this should be heard. A lot of the people they cannot come down here they work. But if you can just come up there and watch the helicopter when it flies it is, it is unsafe and it does not belong in a residential area. It belongs at an airport.

CHAIRMAN GARA: Any questions?

MR. FANNING: Thank you.

COMMISSIONER McMAHAN: Yes Mr. Chairman.

CHAIRMAN GARA: Commissioner McMahan?

COMMISSIONER McMAHAN: Thank you. Mr. Fanning you live in the Alta Monte Neighborhood Association?

MR. FANNING: No, Montgomery Heights. I live right along; I am just west of Channel 7 on the northwest corner of Wellesley and Comanche.

CHAIRMAN GARA: Two blocks west.

MR. FANNING: Correct. Right at one thousand feet.

COMMISSIONER McMAHAN: And how long have you lived there?

MR. FANNING: I have been there for twenty-three years.

COMMISSIONER McMAHAN: Thank you very much. Thank you Mr. Chairman.

CHAIRMAN GARA: Any other questions? Thank you. Next?

MS. CANDELARIA: Gregory Hicks?

MR. HICKS: I am Gregory Hicks, 400 San Pasquale Southwest. I do not live in the Channel 7 area. I want to compliment KOAT and John Salazar they have done a thorough and comprehensive job of trying to meet the O-73 ordinance that we got passed earlier this year. I am here this afternoon, this evening to support Jim Fanning and other neighbors in that area. In the Huning Castle and Barelas neighbors we had huge complaints about helicopters because of the other two stations. And when we put it on a map we found that the number of complaints

tailed off at nine hundred feet and the area between three hundred and fifty and six hundred and fifty feet we had a significant number of complaints. I am here to testify to say that this area between three hundred and fifty and six hundred and fifty is really an area that does experience noise from helicopters and I am sure that KOAT sent letters to properties within one hundred feet or whatever the requirement was but since this issue, this SU-1 request is for people or for them to be between three hundred and fifty feet and six hundred fifty feet it seems as though notification should have gone out to people like that. I know there is no ordinance or anything that supports that but since it affects those people it seems like that is the area that needs to be addressed.

In reading the staff report I noticed that none of the letters of complaint were in the task report and I question that. I also know because it is in city the city has those, I know that, I have seen them. And also the survey, the poll that was taken in 1998 the city has but it is not report as well so I question why those didn't go into the report. I really do believe that the helicopters do have an adverse impact on people between three hundred and fifty and six hundred and fifty feet. When we first tried to get the ordinance through we asked for nine hundred feet because that is where the complaints tailed off. We end up compromising at six hundred and fifty as our request and then when that went in we had the KOAT ordinance written which broke it down to just below the three hundred and seventy feet that they are away from residences. So, I would ask you to strongly consider that those people in three hundred and fifty and six hundred and fifty boundaries have not been notified of this meeting. Thank you very much.

CHAIRMAN GARA: Any questions? Thank you. Next?

MS. CANDELARIA: David Wiederholt.

MR. WIEDERHOLT: I am David Wiederholt, I live at 3816 Delamar Northeast. I am here to present the opinions of my wife and I regarding the KOAT helicopter. We reside in the Hodgin neighborhood area, which is east of Carlisle. Our home is northeast of the helipad adjacent to the Hodgin Playground. We are opposed to the zoning request of KOAT from C-1 to SU-1 and we have carefully read the staff reports. The Ordinance O-73 and the zoning requirements of SU-1 for helipads. We have several comments regarding the information in the staff report stated that there is no residence within three hundred and fifty feet of the helipad but there are plenty of residences within three, close by there.

It is our belief that the staff report does not adequately reflect the high density of residences that surround KOAT. It is true that there is buffers on the street side by businesses but just beyond those businesses there are apartments and a lot of homes. The traffic volume on Carlisle and Comanche has increased over the years and the Big I construction has diverted an awful lot of traffic down those streets. This added traffic creates noise and the decimals readings above seventy at the southwest corner of Carlisle and Comanche shows that. It creates a safety hazard and it creates additional air pollution due to the exhaust of all this traffic that is coming through there.

These decibel readings indicates that the noise volume is already very high and even if the helicopter does not exceed the limits it certainly has to an already very high decibel level and

the pollution level in the area. As an active member of the Hodgin Neighborhood Association I know neighborhood association reflect only a small number of the residence who live within the boundaries. There is no hard evidence that shows how the majority of affected residence who live in homes and apartments near the helicopter feel about the noise. Often neighbors are bothered by the noise but do not want to complain. They do not where they can complain or who to complain to. The number of complaints registered by the neighborhood is not testimony as to whether it is noisy and bothersome to people. The newspaper article dated February 7, 2000 the Albuquerque Tribune says TV stations leaving from the airport would the ability to broadcast news immediately delayed but there is no hard evidence to prove this is to be true. We believe that it is necessary for the stations to provide evidence to substantiate the claim that news is delayed by taking off from an airport and the actual need for immediately in local news reporting.

Helicopters are aircraft, aircraft belong at an airport where they are meant to take off and land. When the Council drafted O-73 that was their intent. The SU-1 provision is the way to test this ordinance. For us and our family the helicopter taking off and landing at the helipads several times a day during mealtime is a loud annoyance. It interrupts the conversation and disturbs the relatively quiet of our backyard. We make it a practice in our family from May to about October to enjoy the backyard, to have barbecues, and to just about everyday eat on the patio. It is a nice summer relaxation activity.

To quote Mayor Baca I believe that people should be able to enjoy life at a reasonable noise that goes along with life's activities. They are entitled to the peaceful enjoyment of their property and of areas throughout the city, end quote. The helicopter taking off nearby is not reasonable noise. It is airport noise, nor is it a necessary price to pay for living in the city. Even if KOAT is in compliance with all city requirements the EPC is being asked to rule on a precedent in regards to helicopters and commercial in residential neighborhoods and on the intent of O-73. We urge you to respect our right to a peaceful neighborhood to comply with O-73 and to deny this zoning request on the grounds that it singles out one area in town to have aircraft noise allowed right in the area where people drive, work, carry on business and most importantly reside. Thank you.

CHAIRMAN GARA: Thank you. Any questions? You said that was all?

MS. CANDELARIA: Yes.

CHAIRMAN GARA: Staff, any closing comments?

MS. STOVER: In answer to Commissioner Chavez's question, we looked in the staff report from the previous hearing when EPC considered the ordinance and a rough figure is that KOB, Channel 4 is eighty feet from residential areas and KRKE Channel 13 is two hundred and twenty-five from residential area.

COMMISSIONER J CHAVEZ: Okay, thank you.

CHAIRMAN GARA: Any other questions of staff? The applicant, any closing comments?

MS. SALAZAR: Just a few Mr. Chairman. It appears that essentially the comments that were made really boil down into an attempt to reargue O-73 and because the arguments were made well helicopters should be at the airport. That was the argument, 109 was the Bill that said all helicopters have to go to the airport. And then O-73 was the one that said well maybe they don't all have to go the airport if they meet certain criteria. But there was a lot of argument about that and the City Council finally decided no they do not all have to go to the airport if they can meet the criteria set forth in O-73 they can be in town at their facilities. And so O-73 was passed and now we are coming forward pursuant to O-73 and we have established that we meet the criteria of O-73. So that argument was already made, that decision was already made that if you can meet the criteria of O-73 you are entitled to have a helicopter at your facility. Now the, you know there were allegations about unconfirmed incidents of which we have no knowledge.

But I would also like to tell you that because we were aware of Mr. Fanning's concerns about noise at his location we did some testing not only at the closest neighborhoods, neighborhood homes you know to the helipad but we did sound testings right near Mr. Fanning's home and also near the home of Mr. Wiederholt, if I have that name right of who just testified he is at Delamar. We did testing with the helicopter in flight at both those locations and there was, the readings were well within the limits of the noise ordinance. And again as to Mr. Fanning the helicopter rarely flies west on Comanche. As he indicated he is at Wellesly and Comanche which is more then two full blocks west of the helipad and then there is of course the KOAT building between him and the helipad and then the other gentlemen who spoke in the neighborhood is on Delamar which is maybe two blocks north and at least one block east and the helicopter doesn't fly east. It doesn't fly east of Carlisle; its flight path is up and down Carlisle or sometimes over Comanche going west. And again Mr. Chambers is here if you would like, those reports by the way about the noise test on those two locations are in the record but Mr. Chambers is here if you have any questions about it. So we took a look at it because they were raising questions and we wanted to see what the situation was at their location and so that is in the record and as for Mr. Hicks who testified and he did indicate he is not from this neighborhood they were concerned about another situation and again he thinks that the minimum should be a higher distance then three-fifty but again that decision has already been made. It was argued and has been decided if you are at least three hundred and fifty feet you qualified to be considered. So with that Mr. Chairman, members of the Commission we feel we are entitled to the zone change request, we believe we are entitled to the site plan amendments requested and we ask you approval.

CHAIRMAN GARA: Any questions of Mr. Salazar? Thank you. You have already discussed your conditions Commissioner Heiser?

COMMISSIONER HEISER: Yes.

CHAIRMAN GARA: Okay then we will close the floor and I will entertain discussion or a motion. I think it appears that there is not a hundred percent neighborhood support but there is neighborhood support for the request. I think that the testimony we have heard today is that they have been there for twenty years and the neighborhood associations that have testified

indicated participation by the applicant in their productivities and neighborhood associations and it appears from my opinion to be a good corporate citizen and a good neighbor to the community. So I am prepared to support the motion or to support the approval which we need discussion or a motion. Commissioner Schwartz and then Commissioner Heiser.

COMMISSIONER SCHWARTZ: Thank you Mr. Chairman. I guess just to reiterate in part what Mr. Salazar has just said and I am looking at the ordinance O-73 in the first section one is titled intent where the Councils states their intent and it states that operating a helicopter is not a prohibited use of land within the City of Albuquerque. There is no mention of any (INAUDIBLE) to airport operations so I don't think that it was the intent in anyway of this ordinance to limit helicopter operations to airports. The intent seems to be to mitigate any adverse affects of heliports on health, safety, and welfare of the citizens. So that seems to be the criteria for helicopter operations. I was also going through the I guess it is the draft the proposed noise ordinance and there are different things vary as to durations and distances of measure but there are several instances in here of permitted uses that exceed ninety decibels. So I think the one here is construction up to four hours in excess of ninety decibels during a day.

CHAIRMAN GARA: That is when they got that jack hammer out in front of your house all afternoon.

COMMISSIONER SCHWARTZ: Certain vehicles, heavy vehicles measure twenty-five feet from the vehicle cannot exceed ninety-three decibels. So there are some loud sounds that are permitted in this, I don't think that, I think KOAT has made a good showing that they are in compliance that they meet the criteria that O-73 sets out.

CHAIRMAN GARA: Commissioner Heiser?

COMMISSIONER HEISER: Well my observation is as we listen to the testimony the test here is to whether or not there is a injurious situation between the distances of six hundred and fifty to three hundred and fifty feet is a test because if it was six hundred and fifty feet no question, not an issue. The testimony we heard from the way I understood it from those who are opposed and lived in the neighborhood their residences are further away from the helipad then six hundred and fifty feet. So I am not sure how it would impact them differently. They are further away from the site then six hundred and fifty feet so we didn't hear any testimony from people that lived within the six-fifty to three-fifty range. So, I am inclined to say I think they have met the test, we haven't heard testimony from people in the neighborhood that fell within the three-fifty to six-fifty range. So I think that this is a chance to allow for this use that is permitted by the ordinance and to also add some nice aesthetic site improvements.

CHAIRMAN GARA: Commissioner Chavez, Joe?

COMMISSIONER J CHAVEZ: Yes, having lived in the neighborhood where we have helicopters, I think I live about four or five blocks from where Channel 4 and 13 land. I don't know what the distance it is from me to where the helicopters are but I kind of hear them but it doesn't bother me. I feel sorry for the people that live across the street or within two hundred feet of these helicopters. I am going to go ahead and support this proposal because a

helicopter we are just talking about landing and taking off. The helicopter can fly three hundred feet from the ground anywhere in the city. So that, having a helicopter fly over your house at three hundred, four hundred, five hundred feet I mean they can do that anywhere. So I think the only issue we have here is when they take off and when they land. And you know I think Channel 7 has demonstrated that they have worked with the community, with their neighborhoods. I am sure the helicopter takes off and it is within three hundred feet real quick and that is allowable anywhere in the city. So I am going to go ahead and support this motion. Thank you.

CHAIRMAN GARA: Commissioner Chavez, Larry?

COMMISSIONER L CHAVEZ: Mr. Chairman is it possible to ask a question of the applicant?

CHAIRMAN GARA: Sure, I will reopen the floor for a question by a Commissioner. Mr. Salazar?

COMMISSIONER L CHAVEZ: I know that the helicopter flies basically whenever there is news but is there any information or anybody that can give us a general idea of the time of day that the helicopter will typically fly. By looking at the logs again it seems to be spread out pretty well so that it will not commonly be at the dinner hour or at the breakfast hour or something of that nature. Is there anything you can tell us about that?

MR. SALAZAR: Yes, Mr. Chairman if I may call our pilot up here, Jeff Martin.

MR. MARTIN: It really varies depending on what is going on. There are at times when we fly in the morning, sometimes in the afternoon, sometimes at the evening, hopefully not too late and that does, it really is not that often. That is really about it.

COMMISSIONER L CHAVEZ: So it is fairly well spread out then if you fly once a day which is what it looks like...

MR. MARTIN: Well that is on average. There are days and the way the news business goes there are days that we can sit there for three or four days and not turn the blade and then a forest fire or whatever breaks out and we are turning and burning for two days straight.

COMMISSIONER L CHAVEZ: But what it seems is that you wouldn't very frequently have consistent flying at the dinner hour (INAUDIBLE)?

MR. MARTIN: That is correct.

COMMISSIONER L CHAVEZ: Or at any other pick the time of day it seems...

MR. MARTIN: That is correct, it is very spotty, very hit and miss. There is no time frame that you can put your thumb on.

COMMISSIONER L CHAVEZ: Thank you.

MS. ROPER: If I can just add to that, we have a long-standing tradition that we have never flown at night. Frankly the previous pilot wouldn't do it. So we have been very sensitive of not trying to wake people up or once they get the kids down for bed. So you will see that our flight patterns have always been daylight hours and further you know a lot of helicopter operations do have a situation where they would like to do morning drive traffic or afternoon traffic where you would see the helicopter consistently going up. You can see from our flight logs that we don't do that. We go and fly when we have to and that is unscheduled news events usually but there is no particular patter but I can assure that is not during the night, it is not early morning, it is not late night, and it is kind of an unscheduled event so there is not a particular pattern.

CHAIRMAN GARA: Thank you. Does that answer your question? I will reclose the floor. Commissioner McMahan?

COMMISSIONER McMAHAN: Thank you Mr. Chairman. One of the advantages of getting older is you get deafer and so you don't hear these things quite as often. I couldn't help it I am sorry, it is late; it is early in the evening. The only thing the city really can regulate in helicopter use is take offs and landings. Anything above three hundred, I think anything in the air but typically anything of three hundred feet is regulated by the FAA so as Commissioner Chavez pointed out somebody can come in and fly around your neighborhood until he runs out of gas at three hundred feet and the city has no control over that. So I think KOAT is well within the bounds of the ordinance. Now when the ordinance was drafted then some of the questions about how close the distances three hundred and six hundred and fifty, or nine hundred, or three thousand feet that is the place that those really should have been addressed with vigor if it was a real issue with the number of people that are apparently have commented today. But apparently they were in the minority and their opinions were listened to I think respectfully but we are not (INAUDIBLE) into this. That is part of the democratic process. It really sounds cruel to say gee you have to live with the noise but I have to live with the noise of the fire engine going by my house and I live close to the thirty-seventy busiest fire station in the country, not in Albuquerque in the country. And you live with that and say oh yea okay and I will admit that yes I am getting older and deafer and so I don't hear it quite as much but the fire station has more calls for service in my neighborhood or out of my neighborhood then the helicopter flies. By the way folks he has one of the best flying jobs in the world, he flies the same kind of hours that United Airline Prime Captains fly.

MR. MARTIN: I wish I made that much.

COMMISSIONER McMAHAN: No comment on the salary. But I think in this instance the ordinance says what we can and cannot regulate. The ordinance says what a helipads properties are and what a helicopter business has to fly and in that instance I am ready to support. Thank you very much.

CHAIRMAN GARA: Commissioner Heiser?

COMMISSIONER HEISER: Well if there is no other comment I am prepared to make a motion.

CHAIRMAN GARA: Go ahead.

COMMISSIONER HEISER: In the matter of 00110 00000 00888, a request for a zone map amendment from C-1 to SU-1 for TV Station, Satellite Dishes, Related Facilities and a Helipad and signage restrictions, I move for approval based on findings one through nine and on finding seven, now these are the staff findings, I don't know if I need to read these, each one. Has the applicant had a chance to read through these? And the correction on number seven? Okay. And conditions one through, let me add a finding ten, "The signage in the satellite dish is a non permitted sign." Conditions of approval one through five as written and six "The signage within the satellite dish shall be removed."

COMMISSIONER McMAHAN: Second.

CHAIRMAN GARA: A motion and a second, any discussion? All in favor of the motion "Aye"? All opposed "No"? Motion carries unanimously.

COMMISSIONER HEISER: On the matter of 00110 00000 00889, a request for a site plan for subdivision...

CHAIRMAN GARA: I have different numbers.

COMMISSIONER HEISER: I am sorry, isn't this a site plan for building permit?

CHAIRMAN GARA: Yes, it should be building permit and I have different numbers.

COMMISSIONER HEISER: It says subdivision on it.

MS. STOVER: It is building permit.

COMMISSIONER HEISER: What are the numbers?

CHAIRMAN GARA: Those are the numbers, is that correct?

MS. STOVER: Yes.

COMMISSIONER HEISER: The site plan for building permit...

CHAIRMAN GARA: Is 00128 00000 00889.

COMMISSIONER HEISER: Right.

CHAIRMAN GARA: You said 38.

COMMISSIONER HEISER: Sorry. Okay, 889 I move for approval based on findings one through eleven as written. Finding twelve, "The existing signage within the satellite dish is a non permitted sign." Thirteen, "Pedestrian access from the facility to adjacent streets does not

exist." Fourteen, "The existing chain link fence around the site should be removed." Fifteen, "The site does not currently comply with the street tree ordinance." Sixteen, "There are eighty-three employees maximum on site at one time. Break areas and bike facilities are minimal and should be enhanced." And conditions one through three as written a new condition four "The site plan shall comply with the street tree ordinance. In lieu of large shade trees at thirty feet on center due to the location of helicopter pad and satellite dishes, street trees along Carlisle and Comanche shall be permitted to be ornamental trees at twenty-five feet on center. Which allows for lower canopy and less in appearance." Condition five "Remove all chain link fence and razor wire and replace with wrought iron or aluminum fencing." Six, "The existing satellite dish with signage shall have the signage removed from the dish." Seven, "Provide a six foot clear sidewalk from the front door to Comanche with a textured concrete pedestrian crossing at the drive aisle." Eight, "Add a thirty inch high screen wall or berm to shield parking along Comanche from, to shield the parking of cars along Comanche." And that should go from the eastern portion of the site to the western portion of the site. Nine, "Add shade trees and landscaping at parking lot areas and particularly along the west property line and north parking lot area. There shall be trees located per code and the distance from a trunk of a tree to a parking stall at no more then 100 feet." Ten, "Trees shall be located at twenty-five on center in minimum 5x5 planting areas along all internal pedestrian paths through parking lots and connections to the street." Eleven, "Add bicycle lockers or secured bike facilities, the secure bike facility would be a minimum of two hundred square feet." Twelve, "Add a four hundred square foot shaded patio area which will be an employee patio."

COMMISSIONER McMAHAN: Second.

CHAIRMAN GARA: There is a motion and a second any additional discussion? All in favor of the motion "Aye?" All opposed "No?" Motion carries unanimously.

FINAL ACTION TAKEN

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to approve 00110 00000 00888, a zone map amendment from C-1 to SU-1 for TV Station Satellite Dishes, Related Facilities and a Helipad and Signage Restrictions based on the following Findings:

FINDINGS:

1. This is a request for approval of a zone map amendment from C-1 to SU-1 for TV Station, Satellite Dishes, Related Facilities and Helipad for a 3.6 acre parcel located on the northwest corner of Carlisle Boulevard and Comanche Road NE. KOAT-TV is located on this site; a news helicopter operates from this location.

2. The reason for the zone map amendment request is to comply with a recent City Ordinance (Bill O-73) which makes helipads an allowed use under the Zoning Code only in the Special Use zone. Prior to Bill O-73, helipads had been an allowed accessory use under the Zoning Code and could locate on any commercial premises.

3. Under O-73, helipads other than those used for law enforcement and medical uses are allowed under certain conditions if they comply with Federal, State and Local regulations including City noise regulations.

4. Adoption of this new Ordinance constitutes a change in community conditions, as stipulated in Resolution 270-1980. Specifically, O-73 makes helipads an allowed use under the zoning code only in the Special Use zone. The applicant's submittal is an effort to comply with this regulatory change.

5. A new Noise Ordinance is currently under consideration by City Council, but has not yet been acted upon and is not an adopted policy at this time.

6. There is no clear, convincing evidence that the helipad has been or will be injurious to adjacent property, the neighborhood or the community. Noise testing, as recommended by the Environmental Health Department, was conducted as part of the analysis of this request.

7. A report produced by Metro Safety Consultants, Inc. concerning noise level readings taken at the subject site on July 6 and August 10, 2000, were submitted. Environmental Health Department staff has evaluated the study in order to include the findings in this staff report.

8. This request conforms with applicable City plans, ordinances and policies.

9. Staff recommends approval of this zone change.

10. The signage in the satellite dish is a non permitted sign.

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. There shall be no more than one (1) operable helicopter at this site. The intent of this condition is for the helipad to accommodate one, single, news-related helicopter.

3. Flight logs shall be maintained by the operator and such flight logs shall be made available for public viewing upon written request in a timely manner. These logs shall

include notations as to what type of flight occurred ie. emergency, promotional, news gathering, engineering (maintenance and repair) or other.

4. The helicopter shall be limited, as per the adopted O-73, to three (3) take-off and landing functions per day (with the exception of emergencies) as per the zone code.

5. The helicopter should maintain take-off and landing flight paths along non-residential areas and utilize areas above arterial streets whenever possible.

6. The signage within the satellite dish shall be removed.

MOVED BY COMMISSIONER HEISER
SECONDED BY COMMISSIONER McMAHAN MOTION CARRIED UNANIMOUSLY

On August 17, 2000, the Environmental Planning Commission voted to approve 00110 00000 00889, a site development plan for building permit 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 TV Station, Satellite Dishes, Related Facilities and Helipad for a 3.6 acre parcel located on the northwest corner of Carlisle Boulevard and Comanche Road NE. The reason for the site plan request is to comply with a recent City Ordinance (Bill O-73) which makes helipads an allowed use under the zoning code only in the Special Use zone, and the site plan for building permit is a secondary request necessitated by the request for zone change.

2. The existing building is a 37,000 square foot building which houses the offices as well as studios for the operation of a television station.

3. The circulation of the site remains unchanged, with access from Comanche Road NE.

4. There are five satellite dishes in existence at this site.

5. The helipad consists of a 10 foot radial concrete landing pad surrounded by chain link fencing and landscaping and is located at the southeast corner of the site.

6. Minimal additional landscape will be added to the existing mature landscape.

7. The changes to the site as proposed in the site plan for building permit are minimal and will not change the character of the site or the surrounding area.

8. Environmental Health has observed and analyzed the noise level tests done at the existing helipad and has submitted a memo stating that the levels of noise generated by KOAT-TV's helicopter are within allowable ranges under the current noise ordinance and the proposed new noise ordinance.

9. Staff recommends approval of this request.

10. The existing signage within the satellite dish is a non permitted sign.

11. Pedestrian access from the facility to adjacent streets does not exist.

12. Existing chain link fence around the site should be removed.

13. The site does not currently comply with the street tree ordinance.

14. There are 83 employees maximum on site at one time. Break areas and bike facilities are minimal and should be enhanced.

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 helicopter should maintain take-off and landing flight paths along non-residential areas and utilize areas above arterial streets whenever possible.

3. Flight logs shall be maintained by the operator and such flight logs shall be made available for public viewing upon written request in a timely manner. These logs shall include notations as to what type of flight occurred ie. emergency, promotional, news gathering, engineering (maintenance and repair) or other.

4. The site plan shall comply with the street tree ordinance. In lieu of large shade trees at 30 feet on center due to the location of helicopter pad and satellite dishes, street trees along Carlisle and Comanche shall be permitted to be ornamental trees at 25 feet on center.

5. Remove all chain link fence and razor wire and replace with wrought iron or aluminum fencing.

6. The existing satellite dish with signage shall have the signage removed from the dish.

7. Provide a 6-foot clear sidewalk from the front door to Comanche with a textured concrete pedestrian crossing at the drive aisle.

UNAPPROVED

8. Add a 30-inch high screen wall or berm to shield parking along Comanche.

9. Add shade trees and landscaping at parking lot areas and particularly along the west property line and north parking lot area. There shall be trees located per code and the distance from a trunk of a tree to a parking stall is to be no more then 100 feet.

10. Trees shall be located at 25 feet on center in minimum of 5 x 5 planting areas along all internal pedestrian paths through parking lots and connections to the street.

11. Add bicycle lockers or secured bike facilities, the secured bike facility would be a minimum of 200 square feet.

12. Add a 400 square foot shaded patio area, which will be an employee patio.

MOVED BY COMMISSIONER HEISER
SECONDED BY COMMISSIONER McMAHAN MOTION CARRIED UNANIMOUSLY

11. 00110 00000 00887
Project #1000642

Tierra West, LLC agents for Plumbers and Steamfitters #412, request a zone map amendment from O-1/R-3/C-1 to C-1 for the north half of Tract 1, Mesa Park Addition, located on San Pedro Drive SE between Bell Avenue and Zuni Road, containing approximately 1.239 acres. (L-18) Bob Paulsen, Staff Planner **(APPROVED TO O-1)**

STAFF PRESENT:

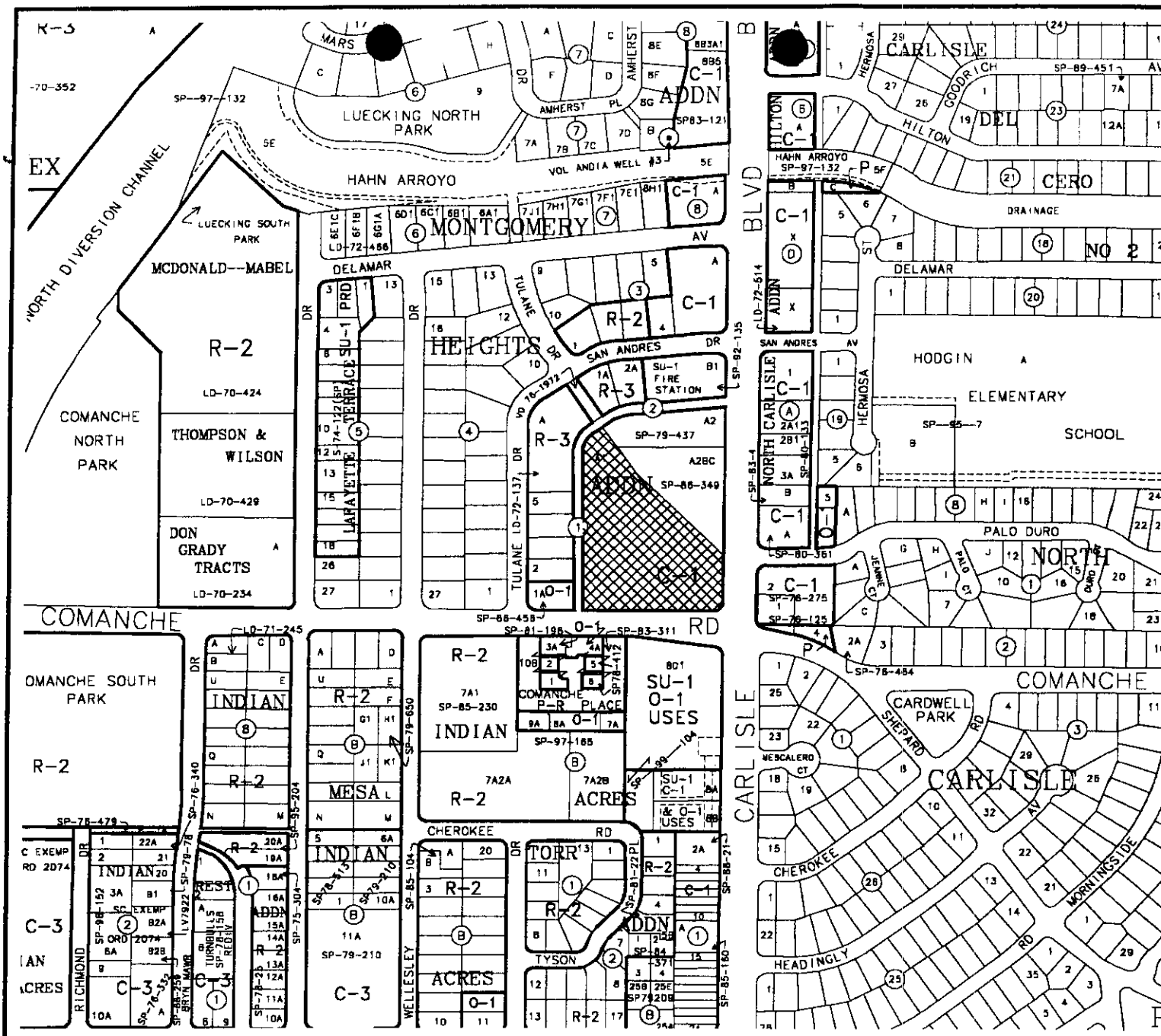
Bob Paulsen, Planning Department

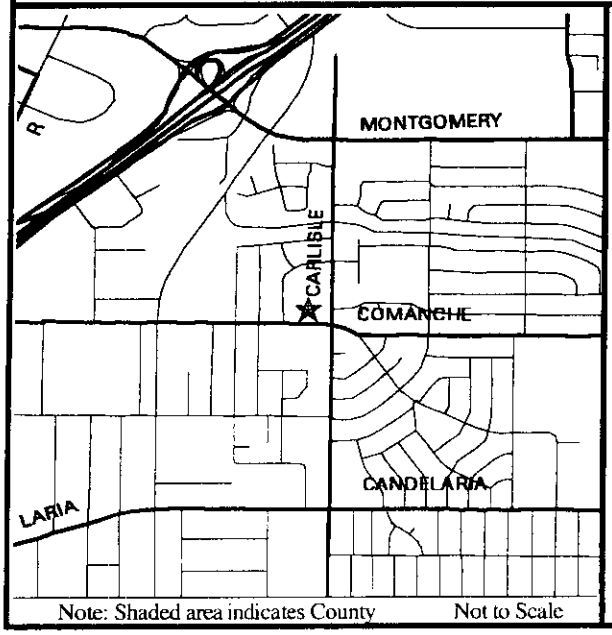
PERSONS PRESENT TO SPEAK IN FAVOR OF THIS REQUEST:

Ron Bohannan, 8509 Jefferson NE

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

MR. PAULSEN: Reiterated comments made in the staff report in which denial was recommended.





Note: Shaded area indicates County Not to Scale

ZONING MAP

-191-

AGIS

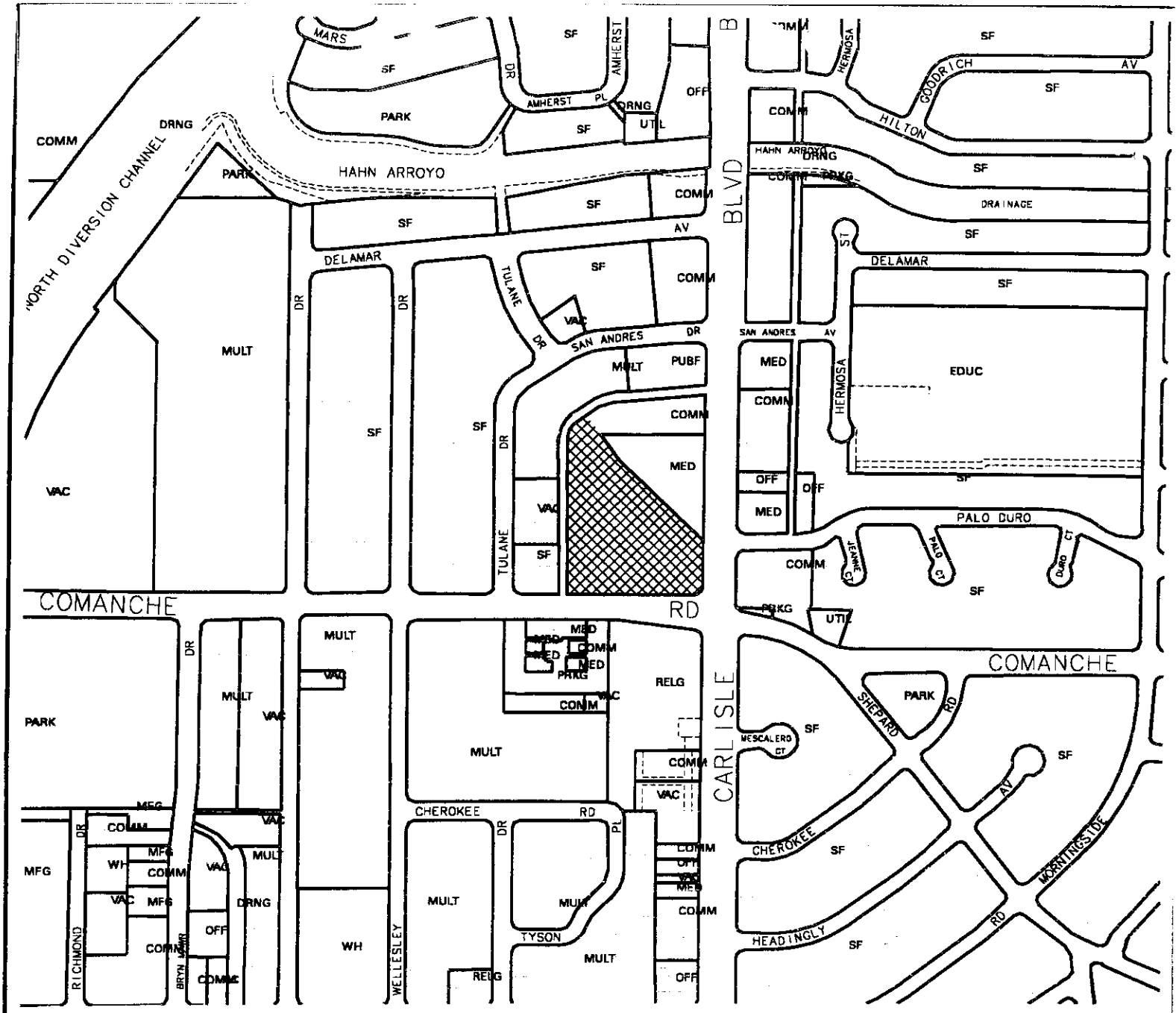
Scale 1"= 452 '

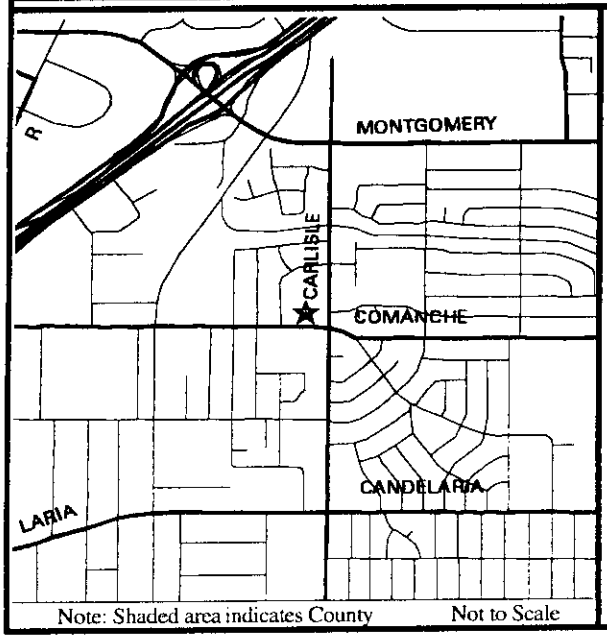
PROJECT NO.
1000643

HEARING DATE
08-17-00

MAP NO.
G-16

APPLICATION NO.
00110-00000-0088
00128-00000-0088





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

-192-

AGIS

Scale 1"= 452 '

PROJECT NO.
1000643

HEARING DATE
08-17-00

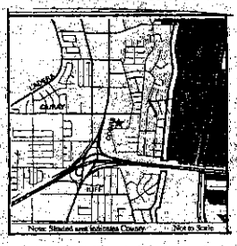
MAP NO.
G-16

APPLICATION NO.
00110-00000-00888
00128-00000-00889

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Albuquerque Environmental Planning Commission will hold a public hearing on Thursday, August 17, 2000 at 8:00 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:

00128 00000 00870
00128 00000 00871,
Project # 1000188
Tierra West, LLC, agents for Walmart Stores, Coors Ltd, RRG, Repetto, Komadina, Dolde Tract, Valencia Partners, Richard & Susan Saylor requests approval of a site development plan for subdivision plus approval of a site development plan for building permit for a portion of Tract 330 in Unit 8 of a portion of Tracts allotted from the Town of Atrisco Grant, Tract 331-A, Town of Atrisco Grant, Tract 332 in Unit 8, a portion of tracts allotted from the Town of Atrisco Grant, Tract A-2122-A of Northeast Unit, Town of Atrisco Grant, a 0.3074 acre portion of Tract Lettered A-14 in the Northeast Unit of Town of Atrisco Grant, Tract A-19-C2, Northeast Unit, Town of Atrisco Grant, Tract A-1-A Lands of Ann Komadina, 1/9 interest; and undivided interest; zoned SU-1 for C-2, located on Ouray Road NW between Coors Boulevard and Quail Road containing approximately 33.4339 acres. (H-11) Russell Brito, staff Planner



00128 00000 00894
Project #1000645
Nims, Calvani & Assoc., agents for City of Albuquerque, requests approval of a site development plan for building permit for El Rancho Atrisco (Ladera Golf Course), zoned SU-1, located on Ladera Drive NW between Sequoia and Redlands, containing approximately 1.2 acres. (G-11, G-10 & H-10) Cynthia Borrego Archuleta, Staff Planner

00128 00000 00897
Project #1000421
Consensus Planning, Inc., agents for Rigel Corporation dba Krispy Kreme Doughnuts, requests approval of a site development plan for building permit for Tract D1, Cottonwood Corners, located on NM528 between Coors by Pass and Ellison Drive containing approximately 1.4 acres. (A-14) Bob Torres, Staff Planner

00128 00000 00899
Project# 100648
Advanced Engineering and Consulting, LLC, agents for Zuni Development LLC, request approval of a site development plan for building permit for Tracts 4 and 5, Lands of C.H. Hall, zoned SU-1 for MH, located on 90th Street NW between Volcano Road and Bluewater Road, containing approximately 10 acres. (K-9) Russel Brito, Staff Planner

0012800000 00904
Project #1000060
Herb Denish and Associates, Inc., agents for John Hammons Industries, request approval of a site development plan for building permit for Tracts B and C, Gateway subdivision, zoned SU-2/C-3, located on Lomas Boulevard NE between Interstate 25 and Woodward Place, containing approximately 9.35 acres. (J-15) Russel Brito, Staff Planner

00128 00000 00906
Rick Bennett Architect, agent for Conway Oil Co., request approval of a site development plan for building permit for a lot A, Tract A, North Albuquerque Acres, zoned SU-1 for C-2, located on the southwest corner of Louisiana and Paseo del Norte, containing approximately 2.7 acres. (D-18) Debbie Stover, Staff Planner

00128 00000 00915
00128 00000 00917
Project #1000651
Tierra West LLC, agents for SCM Properties Co., requests approval of a site development plan for subdivision purposes plus approval of a site development plan for building permit for Tract A-29-A, Town of Atrisco Grant Northeast, zoned SU-1 for PDA, C-1 Uses and Office located on Coors Boulevard between Redlands Road and Pheasant Avenue, containing approximately 3.4116, acres. (G-11) Bob Torres, Staff Planner.

00110-00000-00604
00128 00000 01003
(Project #1000501)
Thanh Nguyen, agent of Susan Mirabel, request a Zone Map Amendment from R-T to SU-1 for a Church and approval of a site development plan for subdivision for Lots 17 and 18, Block 8, Casas Serenas, located at 419 Rhode Island, SE between Bell Street, SE and Trumbell Street, SE, containing approximately 0.3054 acres. (G-11) Bob Torres, Staff Planner

00110 00000 00787
00128 00000 00788
Project # 10000065
Keith MacDufee, agent for Southwest Surveying Co Inc., request a zone map amendment from C-1 to SU-1 for RT plus approval of a site development plan for subdivision purposes for Lot 40, Block 6, Unit 1, Casa Grande Estates, located on Candelaria between Tramway Boulevard and Matador Drive, containing approximately .92 acres. (H-23) Debbie Stover, Staff Planner

00110 00000 00844
Project #1000617
Livia Strimbu, agent for Mike Tabrizian request a zone map from C-1 to C-2 for the northwest corner of N/2 of Tract 1, Mesa Park Addition, located on San Pedro SE and Zuni between Zuni and Bell, containing approximately .30 acre. (L-18) Mary Piscitelli, Staff Planner

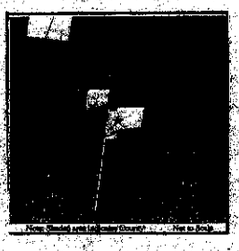
00110 00000 00887
Project #1000642
Tierra West, LLC agents for Plumbers and Steam fitters #412, request a zone map amendment from O-1/R-3/C-1 to C-1 for the north half of Tract 1, Mesa Park Addition, located on San Pedro Drive SE between Bell Avenue and Zuni Road, containing approximately 1.239 acres. (L-18) Bob Paulsen, Staff Planner

00110 00000 00888
00110 00000 00889
Project # 1000643
Rodey, Dickason, Sloan, Akin & Robb, PA, agents for KOAT-TV requests a zone map amendment from C-1 to SU-1 for TV station, satellite dishes, related facilities and helipad, to allow helipad on radio/TV station site plus approval of a site development plan for building permit for Lot A-1, Block 1, Montgomery Heights, located on Carlisle and Comanche NE, between Montgomery and Comanche, containing approximately 3.6 acres. (G-16) Debbie Stover, Staff Planner

00110 0000 00895
00128 0000 00896
Project #1000646
Insite Architecture + Development, agents for Capital Aspects requests a zone map amendment from SU-1, P-1 to SU-1 plus approval of a site development plan for building permit for Tract H-2, New Holiday Park Addition, located on Montgomery Boulevard between Juan Tabo and Tramway, containing approximately .8264 acre. (F-22) Mary Piscitelli, Staff Planner

00110 0000 00898
Project #1000647
John A Myers, agent for Sandia Foundation, a New Mexico Corporation requests an amendment to the Sawmill Sector Development Plan plus a zone map amendment from S-MI to P-R for Tract 238C-1-A-2-A Stewart Walker Addition, located on 20th Street between Mountain Road and Bellemah Avenue, containing approximately .8 acre. (J-13) Debbie Stover, Staff Planner

00128 00000 00907
Project #1000650
DCSW, agents for John J. Mahoney & Assoc., requests approval of a site development plan for building permit for lots 1A and2A, Lands of Lamonica and Wenk, located at the southeast corner of the intersection of Coors and Rio Bravo Boulevards SW, containing approximately 26 acres. (P-10) Russell Brito, Staff Planner



00138 00000 00911
00114 00000 00576
Project #1000488
Tierra West LLC, agents for Mock Homes, request annexation and establishment for R-D zoning plus an amendment to the La Cueva Sector Development Plan for Lots 1-5 and 28-32, Block 12, Tract 3, Unit 3, North Albuquerque Acres located on Ventura Avenue NE between Eagle Rock Avenue and Oakland Avenue, containing approximately 10 acres. (C-20) Carmen Marrone, Staff Planner

00114 00000 00715
00110 00000 00716
00128 00000 00718
Project #1000554
Dekker/Perich/Sabatini, agents for NM Commissioner of Public Lands, requests annexation and establishment of IP zoning plus a approval of a master development plan for a Tract of land in Section 33 T10N, R4E, in the North 1/2 of the SW 1/4 of the NW 1/4, located on Eubank Boulevard SE, south of Gibson Boulevard, containing approximately 20 acres. (M-21) Russell Brito, 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 pm, 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 at 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.

Chuck Gara, Chairman
Environmental Planning Commission

APPROVED
s/Bob Paulsen, Senior Planner,
Development Services Division, Planning Department

Journal: August 2, 2000

PAMELA L. DAWSON, an unmarried person, RONALD E. RICHARDS and

---

STATE OF NEW MEXICO
County of Bernalillo SS

Bill Tafoya, being duly sworn, declares 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 2 day of Aug 2000, and the subsequent consecutive publications on _____, 2000.

Sworn and subscribed to before me, a Notary Public, in and for the County of Bernalillo and State of New Mexico this 2 day Aug of 2000.

SEAL
Duncan
PUBLIC
MEXICO
5/03

PRICE $ 341.17

Statement to come at end of month.

ACCOUNT NUMBER C 80583

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

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

Date: August 18, 2000

OFFICIAL NOTIFICATION OF DECISION

KOAT-TV
3801 Carlisle Blvd. NE
Albuq. NM 87107

FILE: 00110 00000 00888/00110 00000 00889
LEGAL DESCRIPTION: for Lot A-1, Block 1, Montgomery Heights, located on Carlisle and Comanche NE, between Montgomery and Comanche, containing approximately 3.6 acres. (G-16) Debbie Stover, Staff Planner

On August 17, 2000, the Environmental Planning Commission voted to approve 00110 00000 00888, a zone map amendment from C-1 to SU-1 for TV Station Satellite Dishes, Related Facilities and a Helipad and Signage Restrictions based on the following Findings:

FINDINGS:

1. This is a request for approval of a zone map amendment from C-1 to SU-1 for TV Station, Satellite Dishes, Related Facilities and Helipad for a 3.6 acre parcel located on the northwest corner of Carlisle Boulevard and Comanche Road NE. KOAT-TV is located on this site; a news helicopter operates from this location.

2. The reason for the zone map amendment request is to comply with a recent City Ordinance (Bill O-73) which makes helipads an allowed use under the Zoning Code only in the Special Use zone. Prior to Bill O-73, helipads had been an allowed accessory use under the Zoning Code and could locate on any commercial premises.

3. Under O-73, helipads other than those used for law enforcement and medical uses are allowed under certain conditions if they comply with Federal, State and Local regulations including City noise regulations.

4. Adoption of this new Ordinance constitutes a change in community conditions, as stipulated in Resolution 270-1980. Specifically, O-73 makes helipads an allowed use under the zoning code only in the Special Use zone. The applicant's submittal is an effort to comply with this regulatory change.

5. A new Noise Ordinance is currently under consideration by City Council, but has not yet been acted upon and is not an adopted policy at this time.

6. There is no clear, convincing evidence that the helipad has been or will be injurious to adjacent property, the neighborhood or the community. Noise testing, as recommended by the Environmental Health Department, was conducted as part of the analysis of this request.

7. A report produced by Metro Safety Consultants, Inc. concerning noise level readings taken at the subject site on July 6 and August 10, 2000, were submitted. Environmental Health Department staff has evaluated the study in order to include the findings in this staff report.

8. This request conforms with applicable City plans, ordinances and policies.

9. Staff recommends approval of this zone change.

10. The signage in the satellite dish is a non permitted sign.

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. There shall be no more than one (1) operable helicopter at this site. The intent of this condition is for the helipad to accommodate one, single, news-related helicopter.

3. Flight logs shall be maintained by the operator and such flight logs shall be made available for public viewing upon written request in a timely manner. These logs shall include notations as to what type of flight occurred ie. emergency, promotional, news gathering, engineering (maintenance and repair) or other.

4. The helicopter shall be limited, as per the adopted O-73, to three (3) take-off and landing functions per day (with the exception of emergencies) as per the zone code.

5. The helicopter should maintain take-off and landing flight paths along non-residential areas and utilize areas above arterial streets whenever possible.

6. The signage within the satellite dish shall be removed.

On August 17, 2000, the Environmental Planning Commission voted to approve 00110 00000 00889, a site development plan for building permit 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 TV Station, Satellite Dishes, Related Facilities and Helipad for a 3.6 acre parcel located on the northwest corner of Carlisle Boulevard and Comanche Road NE. The reason for the site plan request is to comply with a recent City Ordinance (Bill O-73) which makes helipads an allowed use under the zoning code only in the Special Use zone, and the site plan for building permit is a secondary request necessitated by the request for zone change.

2. The existing building is a 37,000 square foot building which houses the offices as well as studios for the operation of a television station.

3. The circulation of the site remains unchanged, with access from Comanche Road NE.

4. There are five satellite dishes in existence at this site.

5. The helipad consists of a 10 foot radial concrete landing pad surrounded by chain link fencing and landscaping and is located at the southeast corner of the site.

6. Minimal additional landscape will be added to the existing mature landscape.

7. The changes to the site as proposed in the site plan for building permit are minimal and will not change the character of the site or the surrounding area.

8. Environmental Health has observed and analyzed the noise level tests done at the existing helipad and has submitted a memo stating that the levels of noise generated by KOAT-TV's helicopter are within allowable ranges under the current noise ordinance and the proposed new noise ordinance.

9. Staff recommends approval of this request.

10. The existing signage within the satellite dish is a non permitted sign.

11. Pedestrian access from the facility to adjacent streets does not exist.

12. Existing chain link fence around the site should be removed.

13. The site does not currently comply with the street tree ordinance.

14. There are 83 employees maximum on site at one time. Break areas and bike facilities are minimal and should be enhanced.

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 helicopter should maintain take-off and landing flight paths along non-residential areas and utilize areas above arterial streets whenever possible.

3. Flight logs shall be maintained by the operator and such flight logs shall be made available for public viewing upon written request in a timely manner. These logs shall include notations as to what type of flight occurred ie. emergency, promotional, news gathering, engineering (maintenance and repair) or other.

4. The site plan shall comply with the street tree ordinance. In lieu of large shade trees at 30 feet on center due to the location of helicopter pad and satellite dishes, street trees along Carlisle and Comanche shall be permitted to be ornamental trees at 25 feet on center.

5. Remove all chain link fence and razor wire and replace with wrought iron or aluminum fencing.

6. The existing satellite dish with signage shall have the signage removed from the dish.

7. Provide a 6-foot clear sidewalk from the front door to Comanche with a textured concrete pedestrian crossing at the drive aisle.

8. Add a 30-inch high screen wall or berm to shield parking along Comanche.

9. Add shade trees and landscaping at parking lot areas and particularly along the west property line and north parking lot area. There shall be trees located per code and the distance from a trunk of a tree to a parking stall is to be no more then 100 feet.

10. Trees shall be located at 25 feet on center in minimum of 5 x 5 planting areas along all internal pedestrian paths through parking lots and connections to the street.

11. Add bicycle lockers or secured bike facilities, the secured bike facility would be a minimum of 200 square feet.

12. Add a 400 square foot shaded patio area, which will be an employee patio.

IF YOU WISH TO APPEAL THIS DECISION, YOU MUST DO SO BY **SEPTEMBER 1, 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).

Sincerely,

For Robert R. McCabe, AIA, APA
Planning Director

RM/DS/ac

cc: Rodey, Dickason, Sloan, Akin & Robb, PA, P.O. Box 1888, Albuq. NM 87103-1888
H. Diane Snyder, Hodgin Neigh. Assoc., 4012 Delamar Ave. NE, Albuq. NM 87110
Eddy Jacobs, Hodgin Neigh. Assoc., 4920 Hilton NE, Albuq. NM 87110
Rick Cooper, Alta Monte Neigh. Assoc., 10327 Connemera Ave. SW, Albuq. NM 87121
Perla Webb, Alta Monte Neigh. Assoc., 8 Plains View Ln., Edgewood NM, Albuq. NM 87015
Bob Swartwood, Montgomery Heights Neigh. Assoc., 3517 Hendrix Rd. NE, Albuq. NM 87107
Karen Schueler, Montgomery Heights Neigh. Assoc., 3504 Delamar NE, Albuq. NM 87107
Michael Carson, 400 Roma NW, Albuq. NM 87102
Sheryl Paloni, 400 Roma NW, Albuq. NM 87102
Karen Schueler, 3504 Delamar NE, Albuq. NM 87107
Curtis Chambers, CSP, 2704 Wooded Acres Dr., Arlington Tx. 76016
James Fanning, 3801 Wellesley NE, Albuq. NM 87107
Gregory Hicks, 400 San Pasquale SW, Albuq. NM 87104
David Wiederholt, 3816 Delamar NE, Albuq. NM 87110

13. Add landscaping and trees at the west side of the building along the drainage channel.

MOVED BY COMMISSIONER HEISER
SECONDED BY COMMISSIONER McMAHAN MOTION CARRIED UNANIMOUSLY

10. 00110 00000 00888
00110 00000 00889
Project # 1000643

Rodey, Dickason, Sloan, Akin & Robb, PA, agents for KOAT-TV requests a zone map amendment from C-1 to SU-1 for TV Station, satellite dishes, related facilities and helipad, to allow helipad on radio/TV station site plus approval of a site development plan for building permit for Lot A-1, Block 1, Montgomery Heights, located on Carlisle and Comanche NE, between Montgomery and Comanche, containing approximately 3.6 acres. (G-16) Debbie Stover, Staff Planner **(APPROVED ZONE MAP AMENDMENT TO SU-1 FOR TV STATION WITH CONDITIONS. APPROVED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT WITH CONDITIONS.)**

STAFF PRESENT:

Debbie Stover, Planning Department

PERSONS PRESENT TO SPEAK IN FAVOR OF THIS REQUEST:

John Salazar, P.O. Box 18888
Mary Lynn Roper, 3801 Carlisle
Curtis Chambers, 2704 Wooded Acres Dr., Arlington,TX
Tom Deederly, 3801 Carlisle
Jeff Martin, 3801 Carlisle
Michael Carson, 400 Roma NW
Sheryl Paloni, 400 Roma NW
Karen Schueler, 3504 Delamar NE
Rick Cooper, 10327 Cannemara

PERSONS PRESENT TO SPEAK IN OPPOSITION OF THIS REQUEST:

James Fanning, 3801 Wellesley NE
Gregory Hicks, 400 San Pasquale SW
David Wiederholt, 3816 Delamar NE

CHAIRMAN GARA: We are on agenda item number thirteen.

MS. STOVER: Mr. Chairman, Commissioners, this is item number thirteen, case number 00110 00000 00888 which is a request for a zone map amendment and 00128 00000 00889 for a site

development plan approval. The property is a television station located on the northwest corner of Carlisle Boulevard and Comanche Road Northeast, lot A1, Block 1, Montgomery Heights. The request for zone change is from C-1 to SU-1 for TV station, satellite dishes, related facilities and helipad. In the staff report we had recommended a thirty-day deferral in order to evaluate tests from noise readings taken at the site in July and in August and to perform additional tests with the Environmental Health Department's involvement. These evaluations and additional tests were performed and completed as of Monday, August 14. The additional information was faxed, hand delivered or mailed to each Commissioner, I hope you all received it.

CHAIRMAN GARA: All forty pages.

MS. STOVER: Excuse me?

CHAIRMAN GARA: I said all forty pages.

MS. STOVER: This information included a complete staff report, an e-mail memo from Bob Kirkpatrick with the Environmental Health Department, a letter from John Salazar, the helicopter noise survey by Metro Safety Consultants dated August 10, 2000, and daily flight logs of the Sky Seven Helicopter dated from January 1999 through July 2000. The Environmental Health Department is satisfied with the procedures and results of the noise levels and is here today to speak to those tests. Therefore, staff can support this request. I have copies of findings and conditions for approval and we would like to proceed and have the case heard today if that is acceptable to the Commission.

CHAIRMAN GARA: Commissioner Heiser?

COMMISSIONER HEISER: Do we have copy of this?

CHAIRMAN GARA: Go ahead.

MS. STOVER: The reason for the zone change request is in response to the recent ordinance passed by City Council in February of this year. This ordinance, which is Bill O-70, which is included in your packets, mandates conditions for helipads within the city. One of the conditions required for a helipad is that it be located in a special use zone that allows helipads. The current zoning of the subject site is C-1. Prior to Bill O-70 helipads had been allowed as an accessory use under the Zoning Code and could locate on any commercial premises. Bill O-70 speaks to certain conditions under which helipads other than law enforcement or medical uses are allowed. Specifically they should be a minimum of six hundred and fifty feet from the nearest residential zone as measured from the edge of the helipad unless it is demonstrated that the helipad will not be injurious to adjacent property, the neighborhood or the community. But in no case shall a helipad be located less then three hundred fifty feet from the nearest residential zone as measured by the edge of the helipad. Neal Weinburg has kindly brought up this map showing the three hundred and fifty foot buffer and that it does not touch or abut any residential zoned area.

The helipad at KOAT has been in existence since 1980. It is difficult for staff to assert that the helipad has or has not been injurious to the area but staff has no clear evidence that any injury has been caused by the helipad. Noise level testing that was done by Metro Safety Consultants for KOAT on August 10 of this year indicate that the flight operations of the helicopter at Channel 7 are in compliance with both the current noise ordinance and the more specific requirements proposed in the new ordinance that is currently under consideration by City Council.

The changes to the site as proposed in the site plan are minimal. They include the replacement of a chain link fence around the helipad with an aluminum picket fence, the addition of some landscaping and an observation deck for helicopter viewing by the public.

The site plan request conforms to applicable city policies. Staff did receive phone calls from the neighborhood both in support and in opposition of this request and some of these letters were included in your packet. Two additional letters were received after the reports were distributed. One letter was in opposition to the request, which should have been faxed to you and the other we just received today which was in support of the request.

So with those findings and conditions staff can support this request.

CHAIRMAN GARA: Any questions? Commissioner Heiser?

COMMISSIONER HEISER: I hate to ask this question but is the satellite freestanding sign, is that a legal sign on this site?

MS. STOVER: Is it a legal sign?

COMMISSIONER HEISER: Yes. There is a large satellite dish with the interior of the sign painting with the information on the site it seems to me it violates the sign ordinance.

MS. STOVER: I am afraid I hadn't considered that but you may be right.

CHAIRMAN GARA: Any other questions? Commissioner Chavez, Joe?

COMMISSIONER J CHAVEZ: Yes, I know there are three TV stations in town that have helicopters, is this the only one that there is no residents within three hundred and fifty feet?

MS. STOVER: I haven't analyzed the other two but I believe that is the case.

COMMISSIONER J CHAVEZ: So the other two stations there is no way they can even apply for what these people are applying for?

MS. STOVER: I am not sure of their situations Commissioner Chavez.

COMMISSIONER J CHAVEZ: Will you try to find out from staff or somebody; you don't have to answer it right now, later on.

CHAIRMAN GARA: Any other questions? Thank you Ms. Stover. Anyone who is going to speak on this case I need to swear you in please. Do you swear or affirm the testimony you are about to give is the truth? Thank you. I think we have a few people signed up. The applicant?

MR. SALAZAR: MR. Chairman, members of the Commission my name is John Salazar, I am with the Rodey Law firm here today representing KOAT, the applicant, address is P.O. Box 1888 and the zip is 87103. And we are here today on a request for a zone change because of O-73 as well as a site development plan for building permit of essentially for of the existing situation with some improvements to the landscaping. Now with the permission of the Chairman I would like to take a couple witnesses out of order. There are a couple of representatives of the Albuquerque Police Department that are here to speak on some issues that have been raised but if they can speak now they can get back to duty. Ordinarily they would, I would like to ask them if it is all right with the Chairman if they come up and speak now.

CHAIRMAN GARA: That is fine.

MR. SALAZAR: And what they will the address there have been some safety issues raised and each of them have sequently patrolled this area for a number of years and I would just like them to talk about their own observations of what they have seen and not seen. And first if I may I would like to call Officer Michael Carson.

MR. CARSON: Yes Mr. Chairman and members of the Committee...

CHAIRMAN GARA: We need your name and address for the record please.

MR. CARSON: Yes it is Michael Carson at 400 Roma Northwest with the Albuquerque Police Department.

CHAIRMAN GARA: Thank you.

MR. CARSON: For approximately the last six years I have been on uniformed patrol in the area of Comanche and Carlisle. During those last six years never once have I ever been dispatched to any situation regarding the helicopter, meaning never been dispatched to any accidents, any noise complaints or any other situation whatsoever has never been brought to my attention in those six years of patrolling that area. I am not aware of any other situations that any other officers have brought to my attention either and that is really all I have to say today Mr. Chairman.

CHAIRMAN GARA: Thank you. Any questions?

COMMISSIONER McMAHAN: Mr. Chairman?

CHAIRMAN GARA: Commissioner McMahan?

COMMISSIONER McMAHAN: Thank you. Officer Carson what shift do you work?

MR. CARSON: I work dayshift, 6:30 in the morning until 4:30 in the afternoon.

COMMISSIONER McMAHAN: For the six years you have been here on this beat you work dayshift?

MR. CARSON: Yes that is correct.

COMMISSIONER McMAHAN: Have you worked other shifts in Albuquerque in other parts of town?

MR. CARSON: No I haven't.

COMMISSIONER McMAHAN: Thank you very much, thank you Mr. Chairman.

CHAIRMAN GARA: Thank you.

MR. CARSON: Thank you.

MR. SALAZAR: Mr. Chairman as Officer Carson indicated he has worked this shift and this beat for the last six years until the present time and now I would like to call Officer Sherri Paloni who worked the shift prior to Officer Carson.

MS. PALONI: Mr. Chairman, Commissioners, my name is Officer Sheryl Paloni, I am with the Albuquerque Police Department, my address is 400 Roma Northwest. I have been with the Albuquerque Police Department for eighteen years and out of those eighteen years I have worked that area for at least eight years. I have worked dayshift down there and I have also worked swing shift, the swing shift hours were three to eleven and dayshift was 6:30 to, well we worked ten hours, 6:30 to whatever ten hours. I have also worked it from 8:00 in the morning until 6:00 in the evening and as long as I have worked that area I have never had a call from any citizen about any problems with the helicopter from Channel 7. I have never taken any accidents that have been anybody has ever complained that it was the helicopter that caused the accident and to the best of my knowledge any of the other officers that have worked that area have never had any calls either. All I can say is no problems.

CHAIRMAN GARA: Any questions? Commissioner McMahan?

COMMISSIONER McMAHAN: Thank you Mr. Chairman. Officer Paloni have you worked other shifts in other areas of town were TV stations are.

MS. PALONI: When I first came on back in 1982 I worked downtown by 13 and 4...

COMMISSIONER McMAHAN: And your experience at that time was similar, different from...

MS. PALONI: I believe they didn't have helicopters there. Other then that, I don't remember taking any calls over there.

COMMISSIONER McMAHAN: Fine, thank you very much. Thank you Mr. Chairman.

CHAIRMAN GARA: Any other questions? Thank you.

MR. SALAZAR: Thank you Mr. Chairman. The present situation is an existing C-1 zone commercial in which a helicopter is an auxiliary use, in this case the use will remain the same. Again the reason for the zone change request is because of the passage of Council Bill O-73, which now requires a special use zone for helipads. So, the request to change the zone from C-1 to SU-1 for TV station, satellite dishes related facilities and helipad. As noted in the staff report the passage of Bill O-73 constitutes change community conditions, which justifies the zone change request. Further the City Council has determined that a different use category is more advantageous to the community in instances of helipads. The SU-1 zone is now preferred to the existing C-1 zone.

Now O-73, what it did, it amended the SU-1 zone to include a helipad as an approved use subject to specific conditions and the conditions are as follows: 1) You have got to maintain written documentation of helipad operations including flight path usage and date and time of all landings and take offs, that is a requirement. At KOAT logs are kept as a matter of course and even though it is not presently required by ordinance because it is a C-1 zone presently KOAT is now noting the time of landings and take offs on its logs. So that is not a problem in terms of a condition. Another condition of O-73 is that take off and landing operations are prohibited between 10:00 p.m. and 7:00 a.m. That is an acceptable timetable and it is consistent with KOAT's present policy and practice. Another condition is that the total number of helicopter operations shall not exceed three on any one day. An operation is one take off and one landing. This is acceptable. Sky 7, which is the KOAT helicopter, has had less then one mission per day on average from the beginning of 1999 through the end of July of 2000. Another condition is that the helipad must comply with federal, state, and local regulations including city noise regulations. The helipad is in compliance with all federal, state, and local regulations including the city noise regulations. The record in this matter which includes video tape evidence and written sound reports indicates that the operation of Sky 7 complies with the requirements of the noise ordinance presently in affect as well as the criteria set forth in the proposed revisions to the noise ordinance. And in order to establish this fact KOAT authorized a sound testing to be undertaken by Mr. Curtis Chambers of Metro Safety Consultants who did preside over a sound test on two occasions for which written reports were prepared and those written reports are in the record. But at this time I would like to ask Mr. Chambers to come up and kind of just explain what he did, what he tested for and with what results.

MR. CHAMBERS: Mr. Chairman and Commissioners, my name is Curtis Chambers, I am with Metro Safety Consultants, my address is 2704 Wooded acres Drive in Arlington Texas. KOAT TV retained me to come up and conduct some noise tests up here and the first test I conducted on July 6. We came up and picked three areas that had been determined as being the nearest residential areas to the helipad and put meters out and basically conducted tests to see how the helicopter noise stood in relation to the new ordinance here at the city. And in a nutshell basically what we found if you look in your results there, were that they were well within the limits. Now for the purposes of the first test we had interpreted take offs and landings as being

that time, that period time were the helicopters sitting on the pad warming up up until the moment of lift off and then for a landing from the time that it had touched down until it had cooled down which usually takes about two minutes. And after submitting this report and discussions amongst themselves and with other folks they decided they wanted some more tests done that also incorporated the noise levels once the helicopter had left the pad and also as it came into approach. So again we came back out and utilized the same areas and conducted these tests and again they show the helicopter was in compliance. I also conducted tests at a couple of other areas in nearby neighborhoods at their request also. We did video tape the sound level meter and the last test and do have that information available on video tape here if that is something that you all need to want to look at. I also had the opportunity to meet with Mr. Kirpatrick from the City and go over my results. The day I actually came out and did the second test and showed him the video tape and the meters that we use and all that and actually went out and conducted a few more tests at his request I just helped satisfy some questions that he had. And again basically the conclusion was that it was within the limits set out in this new ordinance.

CHAIRMAN GARA: Any questions? Commissioner McMahan?

COMMISSIONER McMAHAN: Thank you Mr. Chairman. Mr. Chambers you did the TV of showing the sound meter and the readings during your test?

MR. CHAMBERS: Yes sir.

COMMISSIONER McMAHAN: That has to be the dullest video I ever saw. Thank you.

MR. CHAMBERS: (INAUDIBLE).

COMMISSIONER McMAHAN: Thank you for doing that. Thank you Mr. Chairman.

MR. CHAMBERS: I did that for several reasons.

CHAIRMAN GARA: Commissioner Chavez?

COMMISSIONER J CHAVEZ: You said you did three tests that the closest residences...

MR. CHAMBERS: Residential property line.

COMMISSIONER J CHAVEZ: How far are those residential, what is the closest residential property?

MR. CHAMBERS: Well I don't know if I can point...

COMMISSIONER J CHAVEZ: Do you know how many feet away?

MR. CHAMBERS: Approximately, it showed approximately three hundred and seventy to three hundred and seventy-five feet I believe is what our...

COMMISSIONER J CHAVEZ: And that was the closest residence?

MR. CHAMBERS: ...exhibit shows, yes sir. The map exhibit A and the first report actually has some distances mapped out there to the point and I believe they were all within three hundred and seventy five give or take three or four feet.

COMMISSIONER J CHAVEZ: Thank you.

CHAIRMAN GARA: Any other questions? Commissioner Schwartz?

COMMISSIONER SCHWARTZ: Thank you Mr. Chairman. Mr. Chambers, you read the ordinance that you were testing against?

MR. CHAMBERS: Yes sir.

COMMISSIONER SCHWARTZ: Okay. I think the ordinance required sixteen samples per minute, was that correct?

MR. CHAMBERS: What it required is that the meter that is used is capable of capturing at least sixteen...

COMMISSIONER SCHWARTZ: And the metered use in the recent test I think was thirty-two?

MR. CHAMBERS: Yes sir, it actually captures thirty-two.

COMMISSIONER SCHWARTZ: You exceeded the sample, exceeded the specifications of the ordinance?

MR. CHAMBERS: Yes sir.

COMMISSIONER SCHWARTZ: Thank you.

CHAIRMAN GARA: Thank you.

MR. SALAZAR: Mr. Chairman, of course Mr. Kirkpatrick is present and can speak for himself but it is our understanding that he is satisfied that Sky 7 does comply with all applicable noise criteria. Now another condition on Bill O-73 depends on were you are located. If you are located more than three hundred and fifty feet from the nearest residence but less then six hundred and fifty feet and KOAT does, their helipad does fit within this band. Now if you are in that band it must be demonstrated that the helipad will not be injurious to adjacent property, the neighborhood, or the community. And as Mr. Chambers indicated the nearest residential zone is three hundred and seventy three feet from the helipad. Now in this case this site was chosen because it is compatible with adjacent property, the neighborhood and the community. The helipad is situated between the KOAT building, the KOAT grounds to the south, a parking lot for

office use to the north, and Carlisle Boulevard to the east. The immediate surrounding uses are commercial and office.

When Sky 7 was located in 1980 the residential neighbors welcomed Sky 7 to their neighborhood and even encouraged the location of the helipad on Carlisle Boulevard because that is where the helicopter can be seen. For twenty years KOAT has operated its helicopter with no complaints. Only recently have a few complaints been heard and it appears that they may have been neighborhood opposition to other helicopter operations. The flight path of Sky 7 is long arterial streets. Normally Sky 7 precedes after liftoff south along Carlisle and then when it returns to the station it comes in from the north along Carlisle for landing essentially using Carlisle Boulevard as a runway. This is the pattern 85% of the time. Sky 7 does not fly over residential areas on take off or landing. Now there are occasions when wind conditions require it that Sky 7 will lift off and on take off proceed a little differently. Sometimes it will proceed north above Carlisle instead of south and that is about 10% of the time. Or sometimes after lift off it will proceed west above Comanche toward I-25 and that will be less then 5% of the time. As you can see from your review of the flight logs that have been submitted to the end of the record for all of 1999 and through July 2000 roughly there is twenty flights per month. A little more then that but just roughly the math is easier but if that is the case if 5% of the flights go west on Comanche that is one flight per month, west on Comanche. There have been no complaints from property owners within six hundred feet, within six hundred and fifty feet of the helipad. In fact to the contrary the neighborhood associations in the area are actually very supportive of Sky 7. The Montgomery Heights Neighborhood Association even has Sky 7 in the logo for its neighborhood letterhead and this document is in the record and I don't know if you all have seen it but up at the top there is a little helicopter flying and it has the seven inside a circle. It is Sky 7, they are proud of being near Sky 7. And this is the neighborhood association that actually includes the KOAT property. The Montgomery Heights Neighborhood Association is bound by Montgomery on the north, Carlisle on the east, Comanche on the south and sort of the north diversion channel on the west, northwest. So this is KOAT's neighborhood and they are very proud of KOAT and Sky 7. Now the other neighborhood associations in the area there is the Montgomery/I-25 Neighborhood Association, which is a little bit to the west. They submitted a letter in support of Sky 7 and then there is the Hodgins Neighborhood Association which would be just across Carlisle to the east, and I believe Diane Snyder who is president who has spoken before in favor of Sky 7 and at the present time she has submitted a letter she is not able to be here today but she submitted a letter indicating personally her support of the Sky 7 operation. And the Alta Monte Neighborhood Association, which is located just to the south, south of Comanche, has also submitted a letter of support of Sky 7. And I believe there will be some neighborhood representatives here today to speak in support. But you know the fact that there is this neighborhood support should not be surprising since KOAT has been a good neighbor, it selected its site carefully before it moved to this location. The helicopter is used infrequently. It does not fly at night. It flies over arterial roads, not neighborhoods. And the sound recorded at or near residential properties in the area are within the limits of the City Noise Ordinance.

And I do want to state for the record that Sky 7 is not flying over the Big I to give traffic reports. Some people think it is, it is not. We are not going to say who is up there but Sky 7 is not up there. Now I do have to admit that when it all started Sky 7 did go up to report on traffic at the Big I for a few days late June early July but I will tell you there were some neighborhoods in the

area that did not like it. KOAT heard the neighbors and stopped. Sky 7 is no longer and has not been for some time going over the Big I to do traffic reports.

But this is consistent with KOAT history of sensitivity to its neighbors and its neighborhood. Further Sky 7 provides a public service to the community. Certainly in terms of breaking news coverage and also in terms of public safety and emergency situations. Sky 7 has assisted in search and rescue operations. It has assisted in law enforcement efforts. It has assisted fire marshals and other fire personal in terms of forest fires and grass fires. So we think not only has Sky 7 not been detrimental in anyway to its neighborhood it has been a real plus. We think the neighborhood support, would illustrate that.

Now in addition to the zone change request we are requesting site development plan approval. The site is developed. There are some improvements to the site site proposed. This is reflected on the site plan that has been submitted and they were discussed in the staff report. Tom Deederly of Fanning Baird Tatum Architects and Elizabeth Reardon of Morrow Reardon Wilkenson Landscape Architects are present to address any questions you may have about the site plan. There are other people here present to respond to questions so Mr. Chairman even though a lot of people raised their hands and were sworn in not all are going to speak unless there are questions that they need to respond to. But I would like to tell you that Mary Lynn Roper, the president and general manager of KOAT is here. Paul Shipley, the news director of KOAT is here. Jeff Martin, the Sky 7 pilot for KOAT is here. And of course Curtis Chambers who spoke to you earlier is here if you have additional questions. We do have two videos, which we can show you if you like. Both are in the record. One deals with normal flight patterns for Sky 7 and the relates to the sound test undertaken on 8/10/2000 which I understand at least one Commissioner thinks would be an exciting video to watch.

CHAIRMAN GARA: No.

MR. SALAZAR: So therefore Mr. Chairman, members of the Commission for the reasons stated and based on the evidence in the record we do request approval of our zone change request from C-1 to SU-1 for TV station, Satellite Dishes, Related Facilities and Helipad and for approval of our request for a site development plan for building permit.

CHAIRMAN GARA: Questions? Commissioner Chavez, Joe?

COMMISSIONER J CHAVEZ: Yes Mr. Salazar I assume you were kind of involved when this ordinance was written up and especially since I see there are no homes within three hundred and fifty feet. But could you tell me on this three hundred and fifty feet there cannot be any helicopter pads in it. I mean there is no way of having one?

MR. SALAZAR: That is the way the ordinance reads Commissioner Chavez.

CHAIRMAN GARA: Because I am concerned about that because I live close to where they have two helicopters over the Big I and I don't want to set a precedence that is going to affect the other sites.

MR. SALAZAR: Right and this would not set a precedent because the City Council when it passed O-73 one of the things it considered was what would be the minimum distance that a helipad could be located and they concluded three hundred and fifty but then if you are going to between three fifty and six fifty you have to then show you are not going to be adversely impacted of the neighborhood. But this was a subject of debate when O-73 was passed and the Council concluded that the three hundred and fifty would be the minimal distance that would be allowed.

COMMISSIONER J CHAVEZ: Okay thank you.

CHAIRMAN GARA: Commissioner Heiser?

COMMISSIONER HEISER: So I understand the way the ordinance works the helipad and the dimension from a residence to the helipad is to on this particular site plan it would be the ten foot radius circle indicated on the site plan right? That is where you are taking the measurement not to the enclosure area but to the actual concrete twenty-foot diameter circle right?

MR. SALAZAR: Right, to the helipad itself, yes.

COMMISSIONER HEISER: How many employees work at KOAT?

MR. SALAZAR: If I may have one second.

COMMISSIONER HEISER: On a given shift?

MR. SALAZAR: The shift that would have the most employees at any one time would have about eighty-three employees.

COMMISSIONER HEISER: Eighty-three? Are there currently any bicycle lockers or facilities for those employees on site?

MR. SALAZAR: Mr. Chairman if I may may ask Mary Lynn Roper to come up and address that question?

CHAIRMAN GARA: Sure.

MS. ROPER: Commissioner we...

CHAIRMAN GARA: Will you state your name and address for the record please.

MS. ROPER: I am Mary Lynn Roper, 10600 Del Ray Northeast.

CHAIRMAN GARA: Thank you.

MS. ROPER: We are budgeted at roughly a hundred and fifty five employees. I did an analysis of coming and going and what is the worst case scenario of how many of us could possibly be

there at one time and I came up with a number of eighty-three, that is worst case scenario. In reference to the bicycles yes there are some areas that you can park in the front and there is also shower facilities and we are also right on the path for the bus so as much as we can encourage that we try to.

COMMISSIONER HEISER: Okay, as long as we are here looking at the site plan since there in for a new zoning there a few little site plan details that I have noticed that I would like to go over with you that we do on every site plan. These are just sort of the standard things. I noticed on the site that there is not a pedestrian connection from really any of the streets to the building and I felt that there probably could be one located from Comanche to the front door somewhere so that you have a street connection from the sidewalk to the front door.

MR. SALAZAR: Mr. Chairman if I may I would like to ask Mr. Deederly to address that question.

MR. DEEDERLY: Mr. Chairman, members of the Board...

CHAIRMAN GARA: Name and address for the record please.

MR. DEEDERLY: My name is Tom Deederly; I am with Fanning Baird Architects, 6100 Indian School Road, 87110. The pedestrian link from Comanche to the front of the building that you speak of we had looked at that and our preliminary meetings with the Planning Commission through various studies of that connection there what it ends up doing is creating a path that bisects the parking area and creates possibly a pedestrian hazard.

COMMISSIONER HEISER: Before you go further I can see where you can make one, I mean how do you get if you are approaching the site on a wheelchair how do you get to the front door?

MR. DEEDERLY: That is a good question. Right now there is a handicap accessible curb ramp, two handicapped parking spots up front.

COMMISSIONER HEISER: Right but if I am...

MR. DEEDERLY: ...currently...

COMMISSIONER HEISER: Translating to the site in a wheelchair...

MR. DEEDERLY: Yes, currently you would have to take the turn...

COMMISSIONER HEISER: If you were to create something that came into the site and then crossed here where your plaza is you kind of do a little hook and then cross the drive aisle and do a textured cross in I think you can probably do it.

MR. DEEDERLY: It is not circumventing the entire parking area?

COMMISSIONER HEISER: Yes, right.

MR. DEEDERLY: That is possible. That scenario tends to eat up some of the buffering; the landscape buffering that is in the front there.

COMMISSIONER HEISER: Okay, the next thing is there is an awful lot of chain link fence on the site.

MR. DEEDERLY: Yes.

COMMISSIONER HEISER: My thinking is that it would be really nice to go with the sensitivity to the neighborhood to remove the razor wire and chain link fence on the site and replace it with something a little more aesthetic.

MR. DEEDERLY: That is a security issue and aesthetic issue that Mary Lynn might be able to speak to. We have removed the chain link fence from the front, the Comanche/Carlisle side, the most visible side of the building and that has been replaced with something more aesthetically appealing.

COMMISSIONER HEISER: On the west their razor wire could be replaced with a secure wrought iron fence that still meets the same security requirements. The existing satellite dish with the whole signage is actually a non-permitted sign and we probably need to unless there is a permit for it probably take all the signage out because it is actually like a freestanding sign. We have been and the Planning Commission will probably talk about this along arterial streets we have been requesting either earth berms or screen walls to screen parking spaces from the arterials.

MS. ROPER: I just thought Commissioner I might be able to answer your questions right away. On the back area where that wire is we would be more than happy to adjust that, I frankly had not thought about it. When we put the big KOAT in the satellite dish my mistake we can get that out of there. I thought it looked kind of neat. So at any rate I am more than willing to address these concerns.

COMMISSIONER HEISER: And I just have a few more. I think we need to comply with the street tree ordinance on the site.

MR. DEEDERLY: That is something possibly Liz Rierdon can speak to.

COMMISSIONER HEISER: Now understanding that you have satellite dishes and the helicopter pad on the site instead of doing large shade trees maybe you go to ornamentals so that you do not have the same clearance problem along the two streets which might mitigate some of the impact. You don't want sixty-foot trees next to the helicopter site so you can do ornamentals, a canopy that are like twenty feet or something. And we probably need to add some more parking on the parking lot like the north parking lot area and add some shade trees along the walkways as a transit through the parking lot to the building north and make sure we have a shaded walkway in the front that ADA connection I was talking about from the street to the front door. That is about it.

MR. DEEDERLY: Okay.

CHAIRMAN GARA: Anything else Mr. Salazar?

MR. SALAZAR: If we can just make one additional comment on the parking.

MR. ROPER: Commissioner there was a lot of consideration about whether or not we made the standard for the number of parking spaces and I cannot put my fingers on the document right now maybe I can but there was an indication that in fact we did meet the standard. So, I don't know frankly where we would add more additional space, parking spaces.

COMMISSIONER HEISER: I am not, no not adding spaces I am talking about adding trees in the parking lot.

MS. ROPER: My misunderstanding.

CHAIRMAN GARA: Is that all Mr. Salazar?

MR. SALAZAR: Yes sir Mr. Chairman, we are prepared to respond to any questions that the Commission may have.

CHAIRMAN GARA: Any questions? Commissioner Chavez, Larry?

COMMISSIONER L CHAVEZ: My information came to me the past several days in several different segments and perhaps I would have it here but is the August 2000 flight log available? We have going back about eighteen months or so but is the flight log for this month available?

MS. ROPER: What the pilot does is at the end of the month he puts the report together so he can put it together but it is actually formerly done at the end of the month.

COMMISSIONER L CHAVEZ: I was just wondering at comparing July of this year there were twenty flights and July of last year there thirty-five flights. That is considerably less. I wonder how August would be this versus last year?

MR. SALAZAR: We do have the pilot here who can speak to that Mr. Chairman if we may ask Jeff Martin to address the question.

CHAIRMAN GARA: Okay.

MR. MARTIN: Chief pilot Jeff Martin, KOAT TV, 3801 Carlisle Northeast. The reason why there are not very many flights compared to July of last year is this year is obviously the fire season was a lot worse this year then last year. We are allotted so many hours per a certain time period during a year, we were getting towards the end of that allotment and so therefore the flights have decreased and as far as this month we are at approximately twelve point six hours and roughly about seven flights and that is it for this month.

COMMISSIONER L CHAVEZ: So you have fewer longer flights of longer durations?

MR. MARTIN: Not necessarily longer it is just that we were out of town a lot covering fires so we did burn up a lot of time out of town covering the Los Alamos, Mesa Verde, Pecos, things like that.

COMMISSIONER L CHAVEZ: Okay, so just seven flights this year versus maybe twenty for a comparable period last year?

MR. MARTIN: Yes.

CHAIRMAN GARA: In August 1999 was a bad month. They had two suicidal bridges, women on bridges, man on bridge, a lot of activity. Any other questions? Thank you.

MR. SALAZAR: Mr. Chairman, there are some other folks signed up to speak.

CHAIRMAN GARA: We are going to get to the public comments right now. April?

MS. CANDELARIA: Karen Schueler.

MS. SCHUELER: Hello, my name is Karen Schueler and I live at 3504 Delamar Northeast about one thousand feet northeast of the helicopter pad. And I have lived at that address since 1986. And in all those years I really had not heard anyone complain about the helicopter talking to my friends. I am the one in 1997 drew up the design of the helicopter for our neighborhood association in 1997 we organized the neighborhood association. I am the secretary. We did not organize with any thoughts of complaints of helicopter. Our problems were more graffiti, traffic, barking dogs, things like that. And basically that has been the type of subject brought up to the neighborhood association until recently in which we have had one of our residents Mr. Fanning come to the association and talk about his concerns about the helicopter. We also had Mr. Shipley from Channel 7 come to another neighborhood association and tell us about all the guidelines and safety procedures that they go through on a regular basis with their helicopter to make sure that it is safe, it flies safely. It has been my personal observation that any noise from the helicopters has been very infrequent and many days often will go by without any noise noticed from the helicopter. And I can maybe once remember the helicopter coming in close to 10:00; generally there isn't any nighttime activity.

Evidently October '98 there was some kind of survey done in our neighborhood about concerns with the helicopter. I have to say this was not a survey that covered all of our neighborhood association area, which is from Comanche up to Montgomery from the drainage on the west to Carlisle. Only a few neighborhood streets were polled. The neighborhood association was not contacted with the thought of helping conduct this poll nor was it ever given the results of the poll. I only learned about it by attending some of the Commission hearings for the city.

I feel that the City Council ordinance which sets guidelines for the operation of the helicopter within the city limits is very reasonable, it addresses safety concerns that some people express

and that there is a limitation on how often the helicopters to go up, during what hours it is to operate and similar such guidelines. I don't think Channel 7 will have any difficulties complying to this because it has been my experience they have operated very reasonably and with concern to the neighborhood. There was one residence I mentioned before who had some concerns and as I understand Channel 7 looked at how they were using the city streets and have made sure that they do not fly down Comanche which is what this man complained about some years ago.

I wanted to read just a few sentences from Diane Snyder who is the representative from Hodgins Neighborhood Association who is indisposed and cannot appear. She says in her letter to Mr. Gara that she occasionally sees the helicopter arriving and departing, she lives two blocks east of Carlisle but the noise is loud enough to be bothersome and in fact I appreciate their arrival and departure being guided along the commercial lines on Carlisle. KOAT TV is a good corporate citizen of Albuquerque and a good neighbor. And I think that expresses my personal feelings about this. I am speaking for the Board of the neighborhood association. We have not in general had any strong feelings of that and we needed to oppose this, we in fact have been very supportive of Channel 7. I have to say I cannot speak for 100% of the neighbors in our neighborhood association. There is always going to be someone whose situation is somewhat different from mine. I think the city made a reasonable compromise in setting the guidelines for this situation and I think I would suggest it to be approved. Thank you very much.

CHAIRMAN GARA: Any questions? Thank you very much.

MS. CANDELARIA: Rick Cooper.

MR. COOPER: My name is Rick Cooper, 10327 Canaemara Drive, I am member of the Alta Monte Association and the lady preceded me has voiced most of our same comments so I won't reiterate them again. However, our association was formed seven years ago obviously the helicopter wasn't our integral issues and KOAT TV has joined our association a couple of years ago and before the helicopter became a issue and they have been a integral part of our neighborhood association in what we consider to be a very integral neighbor. Our neighborhood association runs from Comanche down to Carlisle and from, I am sorry Comanche to Candelaria and Carlisle to the arroyo. So we are directly south of the helicopter. We have had zero complaints over the years in our entire existence about the helicopter however we have had many many comments about the advantages of having a helicopter there. One of the major features that we see in having the helicopter there is that it is an eye on our neighborhood and we appreciate that and we appreciate the participation that Channel 7 has had with our neighborhood in keeping us informed of what is going on. We are very much in favor of keeping the helicopter there and continuing its existence. If there are any questions I can answer?

CHAIRMAN GARA: Any questions? Thank you very much. Next?

MS. CANDELARIA: James Fanning.

MR. FANNING: Good evening. My name is James Fanning and I reside at 3801 Wellesley Drive Northeast. My home is right at one thousand feet from were Channel 7 parks their helicopter. I would like to know one thing here. The police and the sheriffs department both operate helicopters but they can operate them from the airport, not Channel 7. Why they have to have it within the city limits ready (INAUDIBLE) the residential areas with the technology and the communications available to them today they should be able to be at the airport. The military, the police they do these things, they have communication were they can launch these things, aircraft from a distance. Also this helicopter is a distraction to pedestrians and drives, I have witnessed three different occasions, two right at the intersection of Carlisle and Comanche. One was road rage. Another one two young girls are walking across the street they were watching the helicopter they almost got hit by a car. Another one is right down there, Wellesley and Comanche, Comanche, my home there I was outside working in the, cleaning up the city property adjacent to my home there two fellows coming around the corner watching the helicopter they run up the aisle in there. That is three incidents were the helicopter has possible could have caused a problem.

Difficulty walking down Carlisle, have you ever tried walking down Carlisle there when that helicopter is running? Right there by Lovelace Medical Center you can hardly breath. Just last week when they were doing these noise studies I didn't know what was going on at the time but I was going north on Carlisle I figured well I saw the helicopter coming in for a landing so I pulled off just to the north of the intersection, the northeast intersection and I stepped out of my vehicle. Well you can feel the wind; you can feel stuff blowing in your face and everything else. He took off and he climbed and he went west and I watched him and I guess he flew over my home purposely at a low altitude and this was no higher then he usually flies. You should be in my kitchen when the helicopter flies over that is something. It doesn't last long but it is enough to frighten you. But what I am getting at is it is an aircraft, it belongs at an airport and they say action news, we can wait twenty or thirty minutes for the news. I have talked to many many people about this in all quadrants of the city just nonchalantly, not taking a survey or anything else but they say why do they have to have the helicopter in the city why can't they have it at an airport. The news, we can wait a few minutes for the news.

Now, this letter from Mr. (I cannot pronounce his name) .... From the association saying that there was no problem. Well I talked to him about this after he wrote this letter, the letter was dated July of last year I think it was. He said he was not aware of any people against the helicopter. Well I talked to him about it and he said would have done things differently if he had known then. But please do not give them this permit, this is an aircraft, it belongs to be operated from an airport not within the city and with the traffic along Carlisle now it has increased in the past twenty years so much that it is a hazard.

And another thing that survey they have supposedly made when they moved in there and started operating their helicopter I would like to see that survey. I have talked to many people and I was there before Channel 7, I have talked to many people and asked them about this survey and no one can remember it. I would like to have a copy of that survey you made before you started operating the helicopter.

CHAIRMAN GARA: If you would direct your questions to the Chair please.

MR. FANNING: Yes I will.

CHAIRMAN GARA: Thank you.

MR. FANNING: I am finished but I would like to have a copy of that. One more thing that survey that was made in July of '98 listen to what the people are saying in that thing, they say it is too noisy, they it is unsafe. The people have the right to express their feelings and this should be heard. A lot of the people they cannot come down here they work. But if you can just come up there and watch the helicopter when it flies it is, it is unsafe and it does not belong in a residential area. It belongs at an airport.

CHAIRMAN GARA: Any questions?

MR. FANNING: Thank you.

COMMISSIONER McMAHAN: Yes Mr. Chairman.

CHAIRMAN GARA: Commissioner McMahan?

COMMISSIONER McMAHAN: Thank you. Mr. Fanning you live in the Alta Monte Neighborhood Association?

MR. FANNING: No, Montgomery Heights. I live right along; I am just west of Channel 7 on the northwest corner of Wellesley and Comanche.

CHAIRMAN GARA: Two blocks west.

MR. FANNING: Correct. Right at one thousand feet.

COMMISSIONER McMAHAN: And how long have you lived there?

MR. FANNING: I have been there for twenty-three years.

COMMISSIONER McMAHAN: Thank you very much. Thank you Mr. Chairman.

CHAIRMAN GARA: Any other questions? Thank you. Next?

MS. CANDELARIA: Gregory Hicks?

MR. HICKS: I am Gregory Hicks, 400 San Pasquale Southwest. I do not live in the Channel 7 area. I want to compliment KOAT and John Salazar they have done a thorough and comprehensive job of trying to meet the O-73 ordinance that we got passed earlier this year. I am here this afternoon, this evening to support Jim Fanning and other neighbors in that area. In the Huning Castle and Barelas neighbors we had huge complaints about helicopters because of the other two stations. And when we put it on a map we found that the number of complaints

tailed off at nine hundred feet and the area between three hundred and fifty and six hundred and fifty feet we had a significant number of complaints. I am here to testify to say that this area between three hundred and fifty and six hundred and fifty is really an area that does experience noise from helicopters and I am sure that KOAT sent letters to properties within one hundred feet or whatever the requirement was but since this issue, this SU-1 request is for people or for them to be between three hundred and fifty feet and six hundred fifty feet it seems as though notification should have gone out to people like that. I know there is no ordinance or anything that supports that but since it affects those people it seems like that is the area that needs to be addressed.

In reading the staff report I noticed that none of the letters of complaint were in the task report and I question that. I also know because it is in city the city has those, I know that, I have seen them. And also the survey, the poll that was taken in 1998 the city has but it is not report as well so I question why those didn't go into the report. I really do believe that the helicopters do have an adverse impact on people between three hundred and fifty and six hundred and fifty feet. When we first tried to get the ordinance through we asked for nine hundred feet because that is where the complaints tailed off. We end up compromising at six hundred and fifty as our request and then when that went in we had the KOAT ordinance written which broke it down to just below the three hundred and seventy feet that they are away from residences. So, I would ask you to strongly consider that those people in three hundred and fifty and six hundred and fifty boundaries have not been notified of this meeting. Thank you very much.

CHAIRMAN GARA: Any questions? Thank you. Next?

MS. CANDELARIA: David Wiederholt.

MR. WIEDERHOLT: I am David Wiederholt, I live at 3816 Delamar Northeast. I am here to present the opinions of my wife and I regarding the KOAT helicopter. We reside in the Hodgin neighborhood area, which is east of Carlisle. Our home is northeast of the helipad adjacent to the Hodgin Playground. We are opposed to the zoning request of KOAT from C-1 to SU-1 and we have carefully read the staff reports. The Ordinance O-73 and the zoning requirements of SU-1 for helipads. We have several comments regarding the information in the staff report stated that there is no residence within three hundred and fifty feet of the helipad but there are plenty of residences within three, close by there.

It is our belief that the staff report does not adequately reflect the high density of residences that surround KOAT. It is true that there is buffers on the street side by businesses but just beyond those businesses there are apartments and a lot of homes. The traffic volume on Carlisle and Comanche has increased over the years and the Big I construction has diverted an awful lot of traffic down those streets. This added traffic creates noise and the decimals readings above seventy at the southwest corner of Carlisle and Comanche shows that. It creates a safety hazard and it creates additional air pollution due to the exhaust of all this traffic that is coming through there.

These decibel readings indicates that the noise volume is already very high and even if the helicopter does not exceed the limits it certainly has to an already very high decibel level and

the pollution level in the area. As an active member of the Hodgin Neighborhood Association I know neighborhood association reflect only a small number of the residence who live within the boundaries. There is no hard evidence that shows how the majority of affected residence who live in homes and apartments near the helicopter feel about the noise. Often neighbors are bothered by the noise but do not want to complain. They do not where they can complain or who to complain to. The number of complaints registered by the neighborhood is not testimony as to whether it is noisy and bothersome to people. The newspaper article dated February 7, 2000 the Albuquerque Tribune says TV stations leaving from the airport would the ability to broadcast news immediately delayed but there is no hard evidence to prove this is to be true. We believe that it is necessary for the stations to provide evidence to substantiate the claim that news is delayed by taking off from an airport and the actual need for immediately in local news reporting.

Helicopters are aircraft, aircraft belong at an airport where they are meant to take off and land. When the Council drafted O-73 that was their intent. The SU-1 provision is the way to test this ordinance. For us and our family the helicopter taking off and landing at the helipads several times a day during mealtime is a loud annoyance. It interrupts the conversation and disturbs the relatively quiet of our backyard. We make it a practice in our family from May to about October to enjoy the backyard, to have barbecues, and to just about everyday eat on the patio. It is a nice summer relaxation activity.

To quote Mayor Baca I believe that people should be able to enjoy life at a reasonable noise that goes along with life's activities. They are entitled to the peaceful enjoyment of their property and of areas throughout the city, end quote. The helicopter taking off nearby is not reasonable noise. It is airport noise, nor is it a necessary price to pay for living in the city. Even if KOAT is in compliance with all city requirements the EPC is being asked to rule on a precedent in regards to helicopters and commercial in residential neighborhoods and on the intent of O-73. We urge you to respect our right to a peaceful neighborhood to comply with O-73 and to deny this zoning request on the grounds that it singles out one area in town to have aircraft noise allowed right in the area where people drive, work, carry on business and most importantly reside. Thank you.

CHAIRMAN GARA: Thank you. Any questions? You said that was all?

MS. CANDELARIA: Yes.

CHAIRMAN GARA: Staff, any closing comments?

MS. STOVER: In answer to Commissioner Chavez's question, we looked in the staff report from the previous hearing when EPC considered the ordinance and a rough figure is that KOB, Channel 4 is eighty feet from residential areas and KRKE Channel 13 is two hundred and twenty-five from residential area.

COMMISSIONER J CHAVEZ: Okay, thank you.

CHAIRMAN GARA: Any other questions of staff? The applicant, any closing comments?

MS. SALAZAR: Just a few Mr. Chairman. It appears that essentially the comments that were made really boil down into an attempt to reargue O-73 and because the arguments were made well helicopters should be at the airport. That was the argument, 109 was the Bill that said all helicopters have to go to the airport. And then O-73 was the one that said well maybe they don't all have to go the airport if they meet certain criteria. But there was a lot of argument about that and the City Council finally decided no they do not all have to go to the airport if they can meet the criteria set forth in O-73 they can be in town at their facilities. And so O-73 was passed and now we are coming forward pursuant to O-73 and we have established that we meet the criteria of O-73. So that argument was already made, that decision was already made that if you can meet the criteria of O-73 you are entitled to have a helicopter at your facility. Now the, you know there were allegations about unconfirmed incidents of which we have no knowledge.

But I would also like to tell you that because we were aware of Mr. Fanning's concerns about noise at his location we did some testing not only at the closest neighborhoods, neighborhood homes you know to the helipad but we did sound testings right near Mr. Fanning's home and also near the home of Mr. Wiederholt, if I have that name right of who just testified he is at Delamar. We did testing with the helicopter in flight at both those locations and there was, the readings were well within the limits of the noise ordinance. And again as to Mr. Fanning the helicopter rarely flies west on Comanche. As he indicated he is at Wellesly and Comanche which is more then two full blocks west of the helipad and then there is of course the KOAT building between him and the helipad and then the other gentlemen who spoke in the neighborhood is on Delamar which is maybe two blocks north and at least one block east and the helicopter doesn't fly east. It doesn't fly east of Carlisle; its flight path is up and down Carlisle or sometimes over Comanche going west. And again Mr. Chambers is here if you would like, those reports by the way about the noise test on those two locations are in the record but Mr. Chambers is here if you have any questions about it. So we took a look at it because they were raising questions and we wanted to see what the situation was at their location and so that is in the record and as for Mr. Hicks who testified and he did indicate he is not from this neighborhood they were concerned about another situation and again he thinks that the minimum should be a higher distance then three-fifty but again that decision has already been made. It was argued and has been decided if you are at least three hundred and fifty feet you qualified to be considered. So with that Mr. Chairman, members of the Commission we feel we are entitled to the zone change request, we believe we are entitled to the site plan amendments requested and we ask you approval.

CHAIRMAN GARA: Any questions of Mr. Salazar? Thank you. You have already discussed your conditions Commissioner Heiser?

COMMISSIONER HEISER: Yes.

CHAIRMAN GARA: Okay then we will close the floor and I will entertain discussion or a motion. I think it appears that there is not a hundred percent neighborhood support but there is neighborhood support for the request. I think that the testimony we have heard today is that they have been there for twenty years and the neighborhood associations that have testified

indicated participation by the applicant in their productivities and neighborhood associations and it appears from my opinion to be a good corporate citizen and a good neighbor to the community. So I am prepared to support the motion or to support the approval which we need discussion or a motion. Commissioner Schwartz and then Commissioner Heiser.

COMMISSIONER SCHWARTZ: Thank you Mr. Chairman. I guess just to reiterate in part what Mr. Salazar has just said and I am looking at the ordinance O-73 in the first section one is titled intent where the Councils states their intent and it states that operating a helicopter is not a prohibited use of land within the City of Albuquerque. There is no mention of any (INAUDIBLE) to airport operations so I don't think that it was the intent in anyway of this ordinance to limit helicopter operations to airports. The intent seems to be to mitigate any adverse affects of heliports on health, safety, and welfare of the citizens. So that seems to be the criteria for helicopter operations. I was also going through the I guess it is the draft the proposed noise ordinance and there are different things vary as to durations and distances of measure but there are several instances in here of permitted uses that exceed ninety decibels. So I think the one here is construction up to four hours in excess of ninety decibels during a day.

CHAIRMAN GARA: That is when they got that jack hammer out in front of your house all afternoon.

COMMISSIONER SCHWARTZ: Certain vehicles, heavy vehicles measure twenty-five feet from the vehicle cannot exceed ninety-three decibels. So there are some loud sounds that are permitted in this, I don't think that, I think KOAT has made a good showing that they are in compliance that they meet the criteria that O-73 sets out.

CHAIRMAN GARA: Commissioner Heiser?

COMMISSIONER HEISER: Well my observation is as we listen to the testimony the test here is to whether or not there is a injurious situation between the distances of six hundred and fifty to three hundred and fifty feet is a test because if it was six hundred and fifty feet no question, not an issue. The testimony we heard from the way I understood it from those who are opposed and lived in the neighborhood their residences are further away from the helipad then six hundred and fifty feet. So I am not sure how it would impact them differently. They are further away from the site then six hundred and fifty feet so we didn't hear any testimony from people that lived within the six-fifty to three-fifty range. So, I am inclined to say I think they have met the test, we haven't heard testimony from people in the neighborhood that fell within the three-fifty to six-fifty range. So I think that this is a chance to allow for this use that is permitted by the ordinance and to also add some nice aesthetic site improvements.

CHAIRMAN GARA: Commissioner Chavez, Joe?

COMMISSIONER J CHAVEZ: Yes, having lived in the neighborhood where we have helicopters, I think I live about four or five blocks from where Channel 4 and 13 land. I don't know what the distance it is from me to where the helicopters are but I kind of hear them but it doesn't bother me. I feel sorry for the people that live across the street or within two hundred feet of these helicopters. I am going to go ahead and support this proposal because a

helicopter we are just talking about landing and taking off. The helicopter can fly three hundred feet from the ground anywhere in the city. So that, having a helicopter fly over your house at three hundred, four hundred, five hundred feet I mean they can do that anywhere. So I think the only issue we have here is when they take off and when they land. And you know I think Channel 7 has demonstrated that they have worked with the community, with their neighborhoods. I am sure the helicopter takes off and it is within three hundred feet real quick and that is allowable anywhere in the city. So I am going to go ahead and support this motion. Thank you.

CHAIRMAN GARA: Commissioner Chavez, Larry?

COMMISSIONER L CHAVEZ: Mr. Chairman is it possible to ask a question of the applicant?

CHAIRMAN GARA: Sure, I will reopen the floor for a question by a Commissioner. Mr. Salazar?

COMMISSIONER L CHAVEZ: I know that the helicopter flies basically whenever there is news but is there any information or anybody that can give us a general idea of the time of day that the helicopter will typically fly. By looking at the logs again it seems to be spread out pretty well so that it will not commonly be at the dinner hour or at the breakfast hour or something of that nature. Is there anything you can tell us about that?

MR. SALAZAR: Yes, Mr. Chairman if I may call our pilot up here, Jeff Martin.

MR. MARTIN: It really varies depending on what is going on. There are at times when we fly in the morning, sometimes in the afternoon, sometimes at the evening, hopefully not too late and that does, it really is not that often. That is really about it.

COMMISSIONER L CHAVEZ: So it is fairly well spread out then if you fly once a day which is what it looks like...

MR. MARTIN: Well that is on average. There are days and the way the news business goes there are days that we can sit there for three or four days and not turn the blade and then a forest fire or whatever breaks out and we are turning and burning for two days straight.

COMMISSIONER L CHAVEZ: But what it seems is that you wouldn't very frequently have consistent flying at the dinner hour (INAUDIBLE)?

MR. MARTIN: That is correct.

COMMISSIONER L CHAVEZ: Or at any other pick the time of day it seems...

MR. MARTIN: That is correct, it is very spotty, very hit and miss. There is no time frame that you can put your thumb on.

COMMISSIONER L CHAVEZ: Thank you.

MS. ROPER: If I can just add to that, we have a long-standing tradition that we have never flown at night. Frankly the previous pilot wouldn't do it. So we have been very sensitive of not trying to wake people up or once they get the kids down for bed. So you will see that our flight patterns have always been daylight hours and further you know a lot of helicopter operations do have a situation where they would like to do morning drive traffic or afternoon traffic where you would see the helicopter consistently going up. You can see from our flight logs that we don't do that. We go and fly when we have to and that is unscheduled news events usually but there is no particular patter but I can assure that is not during the night, it is not early morning, it is not late night, and it is kind of an unscheduled event so there is not a particular pattern.

CHAIRMAN GARA: Thank you. Does that answer your question? I will reclose the floor. Commissioner McMahan?

COMMISSIONER McMAHAN: Thank you Mr. Chairman. One of the advantages of getting older is you get deafer and so you don't hear these things quite as often. I couldn't help it I am sorry, it is late; it is early in the evening. The only thing the city really can regulate in helicopter use is take offs and landings. Anything above three hundred, I think anything in the air but typically anything of three hundred feet is regulated by the FAA so as Commissioner Chavez pointed out somebody can come in and fly around your neighborhood until he runs out of gas at three hundred feet and the city has no control over that. So I think KOAT is well within the bounds of the ordinance. Now when the ordinance was drafted then some of the questions about how close the distances three hundred and six hundred and fifty, or nine hundred, or three thousand feet that is the place that those really should have been addressed with vigor if it was a real issue with the number of people that are apparently have commented today. But apparently they were in the minority and their opinions were listened to I think respectfully but we are not (INAUDIBLE) into this. That is part of the democratic process. It really sounds cruel to say gee you have to live with the noise but I have to live with the noise of the fire engine going by my house and I live close to the thirty-seventy busiest fire station in the country, not in Albuquerque in the country. And you live with that and say oh yea okay and I will admit that yes I am getting older and deafer and so I don't hear it quite as much but the fire station has more calls for service in my neighborhood or out of my neighborhood then the helicopter flies. By the way folks he has one of the best flying jobs in the world, he flies the same kind of hours that United Airline Prime Captains fly.

MR. MARTIN: I wish I made that much.

COMMISSIONER McMAHAN: No comment on the salary. But I think in this instance the ordinance says what we can and cannot regulate. The ordinance says what a helipads properties are and what a helicopter business has to fly and in that instance I am ready to support. Thank you very much.

CHAIRMAN GARA: Commissioner Heiser?

COMMISSIONER HEISER: Well if there is no other comment I am prepared to make a motion.

CHAIRMAN GARA: Go ahead.

COMMISSIONER HEISER: In the matter of 00110 00000 00888, a request for a zone map amendment from C-1 to SU-1 for TV Station, Satellite Dishes, Related Facilities and a Helipad and signage restrictions, I move for approval based on findings one through nine and on finding seven, now these are the staff findings, I don't know if I need to read these, each one. Has the applicant had a chance to read through these? And the correction on number seven? Okay. And conditions one through, let me add a finding ten, "The signage in the satellite dish is a non permitted sign." Conditions of approval one through five as written and six "The signage within the satellite dish shall be removed."

COMMISSIONER McMAHAN: Second.

CHAIRMAN GARA: A motion and a second, any discussion? All in favor of the motion "Aye"? All opposed "No"? Motion carries unanimously.

COMMISSIONER HEISER: On the matter of 00110 00000 00889, a request for a site plan for subdivision...

CHAIRMAN GARA: I have different numbers.

COMMISSIONER HEISER: I am sorry, isn't this a site plan for building permit?

CHAIRMAN GARA: Yes, it should be building permit and I have different numbers.

COMMISSIONER HEISER: It says subdivision on it.

MS. STOVER: It is building permit.

COMMISSIONER HEISER: What are the numbers?

CHAIRMAN GARA: Those are the numbers, is that correct?

MS. STOVER: Yes.

COMMISSIONER HEISER: The site plan for building permit...

CHAIRMAN GARA: Is 00128 00000 00889.

COMMISSIONER HEISER: Right.

CHAIRMAN GARA: You said 38.

COMMISSIONER HEISER: Sorry. Okay, 889 I move for approval based on findings one through eleven as written. Finding twelve, "The existing signage within the satellite dish is a non permitted sign." Thirteen, "Pedestrian access from the facility to adjacent streets does not

exist." Fourteen, "The existing chain link fence around the site should be removed." Fifteen, "The site does not currently comply with the street tree ordinance." Sixteen, "There are eighty-three employees maximum on site at one time. Break areas and bike facilities are minimal and should be enhanced." And conditions one through three as written a new condition four "The site plan shall comply with the street tree ordinance. In lieu of large shade trees at thirty feet on center due to the location of helicopter pad and satellite dishes, street trees along Carlisle and Comanche shall be permitted to be ornamental trees at twenty-five feet on center. Which allows for lower canopy and less in appearance." Condition five "Remove all chain link fence and razor wire and replace with wrought iron or aluminum fencing." Six, "The existing satellite dish with signage shall have the signage removed from the dish." Seven, "Provide a six foot clear sidewalk from the front door to Comanche with a textured concrete pedestrian crossing at the drive aisle." Eight, "Add a thirty inch high screen wall or berm to shield parking along Comanche from, to shield the parking of cars along Comanche." And that should go from the eastern portion of the site to the western portion of the site. Nine, "Add shade trees and landscaping at parking lot areas and particularly along the west property line and north parking lot area. There shall be trees located per code and the distance from a trunk of a tree to a parking stall at no more then 100 feet." Ten, "Trees shall be located at twenty-five on center in minimum 5x5 planting areas along all internal pedestrian paths through parking lots and connections to the street." Eleven, "Add bicycle lockers or secured bike facilities, the secure bike facility would be a minimum of two hundred square feet." Twelve, "Add a four hundred square foot shaded patio area which will be an employee patio."

COMMISSIONER McMAHAN: Second.

CHAIRMAN GARA: There is a motion and a second any additional discussion? All in favor of the motion "Aye?" All opposed "No?" Motion carries unanimously.

FINAL ACTION TAKEN

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to approve 00110 00000 00888, a zone map amendment from C-1 to SU-1 for TV Station Satellite Dishes, Related Facilities and a Helipad and Signage Restrictions based on the following Findings:

FINDINGS:

1. This is a request for approval of a zone map amendment from C-1 to SU-1 for TV Station, Satellite Dishes, Related Facilities and Helipad for a 3.6 acre parcel located on the northwest corner of Carlisle Boulevard and Comanche Road NE. KOAT-TV is located on this site; a news helicopter operates from this location.

2. The reason for the zone map amendment request is to comply with a recent City Ordinance (Bill O-73) which makes helipads an allowed use under the Zoning Code only in the Special Use zone. Prior to Bill O-73, helipads had been an allowed accessory use under the Zoning Code and could locate on any commercial premises.

3. Under O-73, helipads other than those used for law enforcement and medical uses are allowed under certain conditions if they comply with Federal, State and Local regulations including City noise regulations.

4. Adoption of this new Ordinance constitutes a change in community conditions, as stipulated in Resolution 270-1980. Specifically, O-73 makes helipads an allowed use under the zoning code only in the Special Use zone. The applicant's submittal is an effort to comply with this regulatory change.

5. A new Noise Ordinance is currently under consideration by City Council, but has not yet been acted upon and is not an adopted policy at this time.

6. There is no clear, convincing evidence that the helipad has been or will be injurious to adjacent property, the neighborhood or the community. Noise testing, as recommended by the Environmental Health Department, was conducted as part of the analysis of this request.

7. A report produced by Metro Safety Consultants, Inc. concerning noise level readings taken at the subject site on July 6 and August 10, 2000, were submitted. Environmental Health Department staff has evaluated the study in order to include the findings in this staff report.

8. This request conforms with applicable City plans, ordinances and policies.

9. Staff recommends approval of this zone change.

10. The signage in the satellite dish is a non permitted sign.

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. There shall be no more than one (1) operable helicopter at this site. The intent of this condition is for the helipad to accommodate one, single, news-related helicopter.

3. Flight logs shall be maintained by the operator and such flight logs shall be made available for public viewing upon written request in a timely manner. These logs shall

include notations as to what type of flight occurred ie. emergency, promotional, news gathering, engineering (maintenance and repair) or other.

4. The helicopter shall be limited, as per the adopted O-73, to three (3) take-off and landing functions per day (with the exception of emergencies) as per the zone code.

5. The helicopter should maintain take-off and landing flight paths along non-residential areas and utilize areas above arterial streets whenever possible.

6. The signage within the satellite dish shall be removed.

MOVED BY COMMISSIONER HEISER
SECONDED BY COMMISSIONER McMAHAN MOTION CARRIED UNANIMOUSLY

On August 17, 2000, the Environmental Planning Commission voted to approve 00110 00000 00889, a site development plan for building permit 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 TV Station, Satellite Dishes, Related Facilities and Helipad for a 3.6 acre parcel located on the northwest corner of Carlisle Boulevard and Comanche Road NE. The reason for the site plan request is to comply with a recent City Ordinance (Bill O-73) which makes helipads an allowed use under the zoning code only in the Special Use zone, and the site plan for building permit is a secondary request necessitated by the request for zone change.

2. The existing building is a 37,000 square foot building which houses the offices as well as studios for the operation of a television station.

3. The circulation of the site remains unchanged, with access from Comanche Road NE.

4. There are five satellite dishes in existence at this site.

5. The helipad consists of a 10 foot radial concrete landing pad surrounded by chain link fencing and landscaping and is located at the southeast corner of the site.

6. Minimal additional landscape will be added to the existing mature landscape.

7. The changes to the site as proposed in the site plan for building permit are minimal and will not change the character of the site or the surrounding area.

8. Environmental Health has observed and analyzed the noise level tests done at the existing helipad and has submitted a memo stating that the levels of noise generated by KOAT-TV's helicopter are within allowable ranges under the current noise ordinance and the proposed new noise ordinance.

9. Staff recommends approval of this request.

10. The existing signage within the satellite dish is a non permitted sign.

11. Pedestrian access from the facility to adjacent streets does not exist.

12. Existing chain link fence around the site should be removed.

13. The site does not currently comply with the street tree ordinance.

14. There are 83 employees maximum on site at one time. Break areas and bike facilities are minimal and should be enhanced.

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 helicopter should maintain take-off and landing flight paths along non-residential areas and utilize areas above arterial streets whenever possible.

3. Flight logs shall be maintained by the operator and such flight logs shall be made available for public viewing upon written request in a timely manner. These logs shall include notations as to what type of flight occurred ie. emergency, promotional, news gathering, engineering (maintenance and repair) or other.

4. The site plan shall comply with the street tree ordinance. In lieu of large shade trees at 30 feet on center due to the location of helicopter pad and satellite dishes, street trees along Carlisle and Comanche shall be permitted to be ornamental trees at 25 feet on center.

5. Remove all chain link fence and razor wire and replace with wrought iron or aluminum fencing.

6. The existing satellite dish with signage shall have the signage removed from the dish.

7. Provide a 6-foot clear sidewalk from the front door to Comanche with a textured concrete pedestrian crossing at the drive aisle.

8. Add a 30-inch high screen wall or berm to shield parking along Comanche.

9. Add shade trees and landscaping at parking lot areas and particularly along the west property line and north parking lot area. There shall be trees located per code and the distance from a trunk of a tree to a parking stall is to be no more then 100 feet.

10. Trees shall be located at 25 feet on center in minimum of 5 x 5 planting areas along all internal pedestrian paths through parking lots and connections to the street.

11. Add bicycle lockers or secured bike facilities, the secured bike facility would be a minimum of 200 square feet.

12. Add a 400 square foot shaded patio area, which will be an employee patio.

MOVED BY COMMISSIONER HEISER
SECONDED BY COMMISSIONER McMAHAN MOTION CARRIED UNANIMOUSLY

11. 00110 00000 00887
Project #1000642

Tierra West, LLC agents for Plumbers and Steamfitters #412, request a zone map amendment from O-1/R-3/C-1 to C-1 for the north half of Tract 1, Mesa Park Addition, located on San Pedro Drive SE between Bell Avenue and Zuni Road, containing approximately 1.239 acres. (L-18) Bob Paulsen, Staff Planner **(APPROVED TO O-1)**

STAFF PRESENT:

Bob Paulsen, Planning Department

PERSONS PRESENT TO SPEAK IN FAVOR OF THIS REQUEST:

Ron Bohannan, 8509 Jefferson NE

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

MR. PAULSEN: Reiterated comments made in the staff report in which denial was recommended.

ENVIRONMENTAL PLANNING COMMISSION

A G E N D A

Thursday, August 17, 2000, 8:00 a.m.

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

MEMBERS

Chuck Gara, Chairman
Robert Heiser, Vice Chairman

Elizabeth Begay
Joe Chavez
Larry Chavez
Susan Johnson
Mick McMahan
Alan Schwartz

****

NOTE: A LUNCH BREAK AND DINNER BREAK WILL BE ANNOUNCED AS NECESSARY
Agenda items will be heard in the order indicated below unless modifications to the Agenda are approved by the EPC at the beginning of the hearing (see item 1A and 1B below); deferral and withdrawal requests (by applicants) are generally reviewed at this time.

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. In the interest of time, the Chairman may establish time limitations on speakers. Please be prepared to provide brief and concise testimony to the Commission if you intend to speak.

1. Call to Order.
   - A. Announcement of changes and/or Additions to the Agenda.
   - B. Approval of the Amended Agenda.
   - C. Approval of Minutes for June 15, 2000

2. Z-99-31 James R. Achen, agent for Bandelier Equities/McMahon Equities LC, requests a zone map amendment from R-1 to R-2, C-1 and O-1 for an unplatted piece of property located on McMahon Boulevard NW at the intersection of Bandelier Drive (west of Paradise Heights -Unit 1), containing approximately 17.2 acres. (A-12) Bob Torres, Staff Planner **(DEFERRED FROM JUNE 15, 2000)**

3. 00138 00000 00911
00114 00000 00576
Project # 1000488

Tierra West LLC, agents for Mock Homes, request annexation and establishment of R-D zoning plus an amendment to the La Cueva Sector Development Plan for Lots 1-5 and 28-32, Block 12, Tract 3, Unit 3, North Albuquerque Acres located on Ventura Avenue NE between Eagle Rock Avenue and Oakland Avenue, containing approximately 10 acres. (C-20) Carmen Marrone, Staff Planner

4. 00110 00000 00176
00138 00000 00177
00128 00000 00590
(Project 1000232)

Consensus Planning, agents for West Tijeras Canyon Ltd., requests an amendment to the Sandia Foothills Area Plan plus a zone map amendment to SU-1 PRD for 64.8acres and SU-1 for O-1 for 10 acres, SU-1 for R-LT for 18.5 acres, and SU-1 for MPOS for 11 acres and approval of a site development plan for subdivision for Parcel A and a portion of Parcel C, Canyon de Carnuel Land Grant, located south of the Interstate-40 Frontage Road, east of Serenity Hills Neighborhood, containing approximately104.3 acres (L-23 & M-23) Russell Brito, Staff Planner **(DEFERRED FROM JUNE 15, 2000)**

5. 00128 00000 00897
Project #1000421

Consensus Planning, Inc., agents for Rigel Corporation dba Krispy Kreme Doughnuts, request approval of a site development plan for building permit for Tract D1, Cottonwood Corners, located on NM528 between Coors by Pass and Ellison Drive, containing approximately 1.4 acres. (A-14) Bob Torres, Staff Planner

6. 00110 00000 00460
00128 00000 00461

Tierra West LLC, agents for Union Pension Transaction Trust 932 NM, request a zone map amendment from SU-1 for R-3 Uses to SU-1 for C-2 & R-3 Uses plus approval of a site development plan for subdivision purposes for Tract 1B-1, Renaissance Center, located on Renaissance Boulevard NE between Montano Road and Union Way Road, containing approximately 10.460 acres. (F-16) Russell Brito, Staff Planner **(APPROVED ZONE MAP AMENDMENT TO SU-1 FOR C-2 & R-3 USES. DEFERRED SITE DEVELOPMENT PLAN FOR SUBDIVISION PURPOSES FROM JULY 17, 2000)**

7. 00128 00000 00915
00128 00000 00917
Project #1000651

Tierra West LLC, agents for SCM Properties Co., requests approval of a site development plan for subdivision purposes plus approval of a site development plan for building permit for Tract A-29A, Town of Atrisco Grant Northeast, zoned SU-1 for PDA C-1 Uses and Office located on Coors Boulevard between Redlands Road and Pheasant Avenue, containing approximately 3.4116 acres. (G-11) Bob Torres, Staff Planner

8. 00128 00000 00894
Project #1000645

Nims, Calvani & Assoc., agents for City of Albuquerque, requests approval of a site development plan for building permit for El Rancho Atrisco (Ladera Golf Course), zoned SU-1, located on Ladera Drive NW between Sequoia and Redlands, containing approximately 1.2 acres. (G-11, G-10 & H-10) Cynthia Borrego Archuleta, Staff Planner

9. 00128 00000 00904
Project # 1000060

Herb Denish and Associates, Inc., agents for John Hammons Industries, request approval of a site development plan for building permit for Tracts B and C, Gateway Subdivision, zoned SU-2/C-3, located on Lomas Boulevard NE between Interstate 25 and Woodward Place, containing approximately 9.35 acres. (J-15) Russell Brito, Staff Planner

10. 00110 00000 00844
Project # 1000617

Livia Strinbu, agent for Mike Tabrizian request a zone map from C-1 to C-2 for the northwest corner of N/2 of Tract 1, Mesa Park Addition, located on San Pedro SE and Zuni between Zuni and Bell, containing approximately .30 acre. (L-18) Mary Piscitelli, Staff Planner

11. 00128 00000 00906

Rick Bennett Architect, agent for Conway Oil Co., request approval of a site development plan for building permit for lot A, Tract A, North Albuquerque Acres, zoned SU-1 for C-2, located on the southwest corner of Louisianan and Paseo del Norte, containing approximately 2.7 acres. (D-18) Debbie Stover, Staff Planner

12. 00110 00000 00895
00128 00000 00896
Project #1000646

Insite Architecture + Development, agents for Capital Aspects requests a zone map amendment from SU-1, P-1 to SU-1 plus approval of a site development plan for building permit for Tract H-2, New Holiday Park Addition, located on Montgomery Boulevard between Juan Tabo and Tramway, containing approximately .8264 acre. (F-22) Mary Piscitelli, Staff Planner

13. 00110 00000 00888
00110 00000 00889
Project # 1000643

Rodey, Dickason, Sloan, Akin & Robb, PA, agents for KOAT-TV requests a zone map amendment from C-1 to SU-1 for TV Station, satellite dishes, related facilities and helipad, to allow helipad on radio/TV station site plus approval of a site development plan for building permit for Lot A-1, Block 1, Montgomery Heights, located on Carlisle and Comanche NE, between Montgomery and Comanche, containing approximately 3.6 acres. (G-16) Debbie Stover, Staff Planner

14. 00110 00000 00887
Project #1000642

Tierra West, LLC agents for Plumbers and Steamfitters #412, request a zone map amendment from O-1/R-3/C-1 to C-1 for the north half of Tract 1, Mesa Park Addition, located on San Pedro Drive SE between Bell Avenue and Zuni Road, containing approximately 1.239 acres. (L-18) Bob Paulsen, Staff Planner

15. 00128 00000 00899
Project # 100648

Advanced Engineering and Consulting, LLC, agents for Zuni Development LLC, request approval of a site development plan for building permit for Tracts 4 and 5, Lands of C.H. Hall, zoned SU-1 for MH, located on 90th Street NW between Volcano Road and Bluewater Road, containing approximately 10 acres. (K-9) Russell Brito, Staff Planner

16. 00110-00000-00604
00128 00000 01003
00138 00000 01067
(Project #1000501)

Thanh Nguyen, agent for Susan Mirabal, request a Zone Map Amendment from R-T to SU-1 for a Church, amendment to a sector development plan and approval of a site development plan for subdivision for Lots 17 and 18, Block 8, Casas Serenas, located at 419 Rhode Island, SE between Bell Street, SE and Trumbull Street, SE, containing approximately 0.3054 acres. (L-19) Debbie Stover, Staff Planner

17. 00110 000000 00898
Project # 1000647

John A Myers, agent for Sandia Foundation, a New Mexico Corporation requests an amendment to the Sawmill Sector Development Plan plus a zone map amendment from S-MI to P-R for Tract 238C-1-A-2-A, Stewart Walker Addition, located on 20th Street between Mountain Road and Bellamah Avenue, containing approximately .8 acre. (J-13) Debbie Stover, Staff Planner

18. 00128 00000 00907
Project # 1000650

DCSW, agents for John J. Mahoney & Assoc., requests approval of a site development plan for building permit for Lots 1A and 2A, Lands of Lamonica and Wenk, located at the southeast corner of the intersection of Coors and Rio Bravo Boulevards SW, containing approximately 26 acres. (P-10) Russell Brito, Staff Planner

19. 00110 00000 00787
00128 00000 00788
Project # 1000065

Keith MacDuffee, agent for Southwest Surveying Co Inc., request a zone map amendment from C-1 to SU-1 for RT plus approval of a site development plan for subdivision purposes for Lot 40, Block 6, Unit 1, Casa Grande Estates, located on Candelaria between Tramway Boulevard and Matador Drive, containing approximately .92 acres. (H-23) Debbie Stover, Staff Planner

20. 00114 00000 00715
00110 00000 00716
00128 00000 00718
Project # 1000554

Dekker/Perich/Sabatini, agents for NM Commissioner of Public Lands, requests annexation and establishment of IP zoning plus a approval of a master development plan for a Tract of land in Section 33 T10N, R4E, in the North ½ of the SW ¼ of the NW ¼, located on Eubank Boulevard SE, south of Gibson Boulevard, containing approximately 20 acres. (M-21) Russell Brito, Staff Planner

21. 00128 00000 00870
00128 00000 00871
Project # 1000188

Tierra West, LLC, agents for Walmart Stores, Coors Ltd, RRG, Repetto, Komadina, Dolde Trust, Valencia Partners, Richard & Susan Saylor requests approval of a site development plan for subdivision plus approval of a site development plan for building permit for a portion of Tract 330 in Unit 8 of a portion of Tracts allotted from the Town of Atrisco Grant, Tract 331-A, Town of Atrisco Grant, Tract 332 in Unit 8, a portion of tracts allotted from the Town of Atrisco Grant, Tract A-2122-A of Northeast Unit, Town of Atrisco Grant, a 0.3074 acre portion of Tract Lettered A-14 in the Northeast Unit of Town of Atrisco Grant, Tract A-19-C2, Northeast Unit, Town of Atrisco Grant, Tract A-1-A Lands of Ann Komadina, 1/9 interest; and undivided interest, zoned SU-1 for C-2, located on Ouray Road NW between Coors Boulevard and Quail Road containing approximately 33.4339 acres. (H-11) Russell Brito, Staff Planner

22. 00128 00000 00592
00128 00000 00593
(Project #1000032)

Consensus Planning, agents for Lowes Company, Inc., request approval of a site development plan for building permit plus an amendment to a site development plan for subdivision for Tract 3, Coors Village, University of Albuquerque Urban Center zoned SU-3, located on Coors Boulevard NW between Western Trial and Milne Road, containing approximately 14.16 acres. (F-11) Russell Brito, Staff Planner
(DEFERRED FROM JUNE 15, 2000)

23. Other Matters

EPC
ENVIRONMENTAL PLANNING COMMISSION
CITY OF ALBUQUERQUE

Agenda Number: 13
Case Number: 00110 00000 00888/00128 00000 00889
August 17, 2000

Staff Report

• ***Agent***	Rodey, Dickason, Sloan, Akin & Robb, P.A.
• ***Applicant***	KOAT-TV
Requests	**Zone Map Amendment & Site Development Plan for Building Permit**
• ***Legal Description***	Lot A-1, Block 1, Montgomery Heights
• ***Location***	Northwest corner of Comanche and Carlisle NE
• ***Size***	approximately 3.6 acres
• ***Existing Zoning***	C-1
• ***Proposed Zoning***	SU-1 for TV Station, Satellite Dishes, Related Facilities & Helipad

Staff Recommendation

DEFERRAL of 00110 00000 00888, a zone map amendment, based on the findings on page 10.

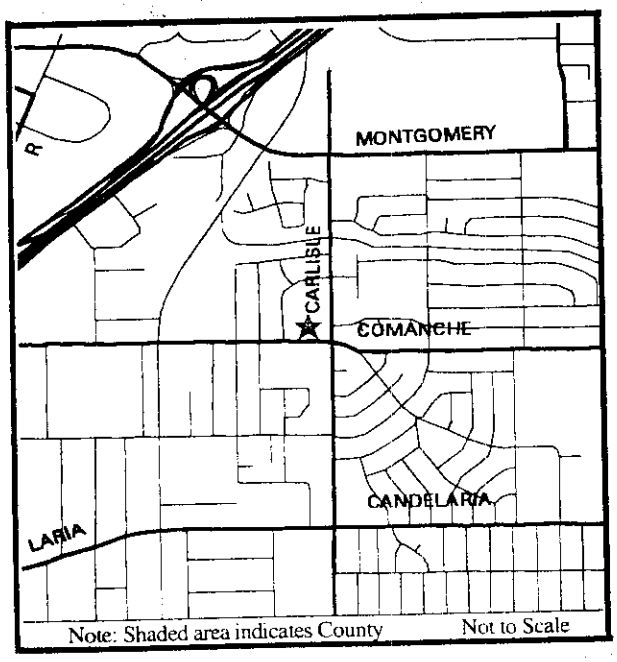
DEFERRAL of 00128 00000 00889, a site development plan, based on the findings on page 11.

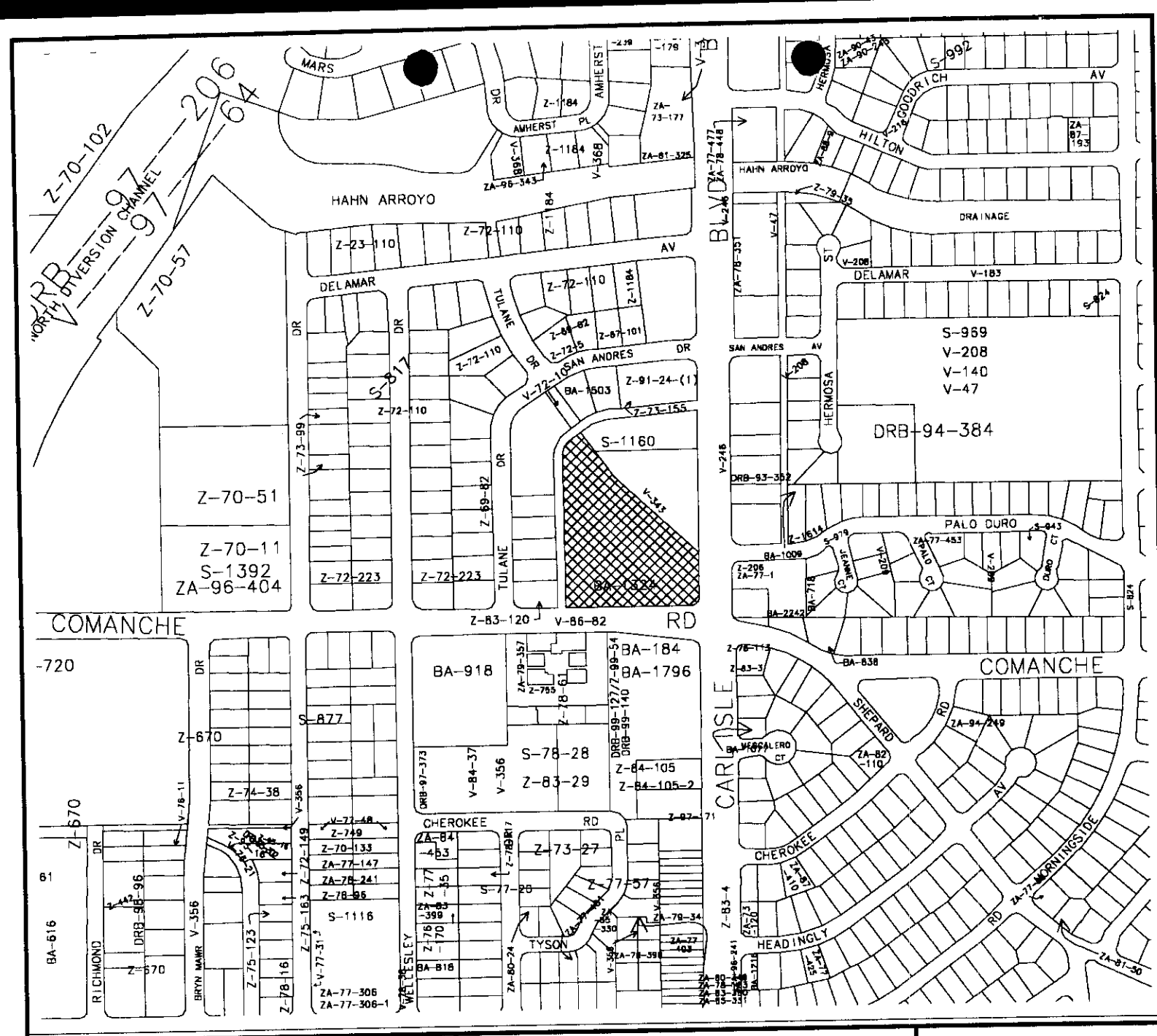
Staff Planner
Deborah L. Stover, Planner

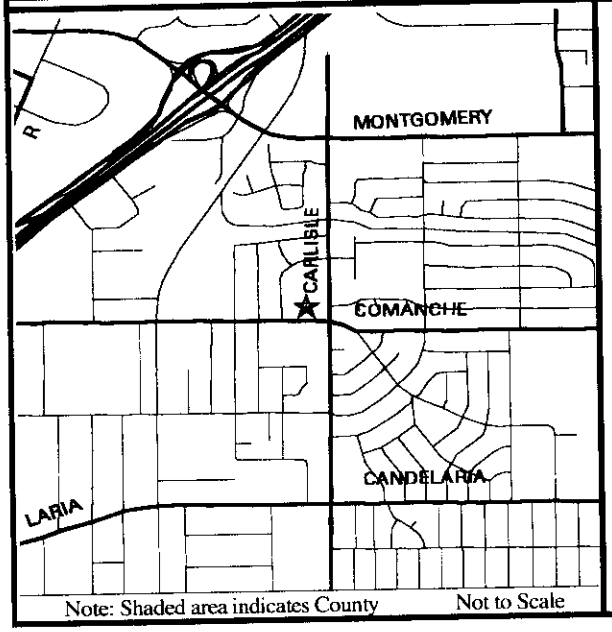
Summary of Analysis

This is a request for a zone map amendment for the Channel 7/KOAT TV news station to allow a helipad. A helipad currently exists in this location and has been in existence since 1980. The request is in response to a recent ordinance passed by City Council in February of this year. This ordinance, Bill O-73, mandates conditions and zoning for helipads within the city. One of the conditions required for a helipad is that it be located in a special use zone that allows helipads. This site is zoned C-1, thus the need for a zone map amendment for the subject site.

The Environmental Health Department recommends that any Special Use zoning for helipads be conditioned on demonstration and concurrence by the Department that the helicopter is able to comply with whatever noise control provisions are in effect. Noise level information was presented to staff on Wednesday, August 9, 2000, affording insufficient time to evaluate the results. At the time of this writing, Environmental Health Department continues to have questions regarding this information. Therefore, staff recommends deferral of this request for one month in order for sound level compliance to be evaluated.







Note: Shaded area indicates County Not to Scale

HISTORY MAP

AGIS

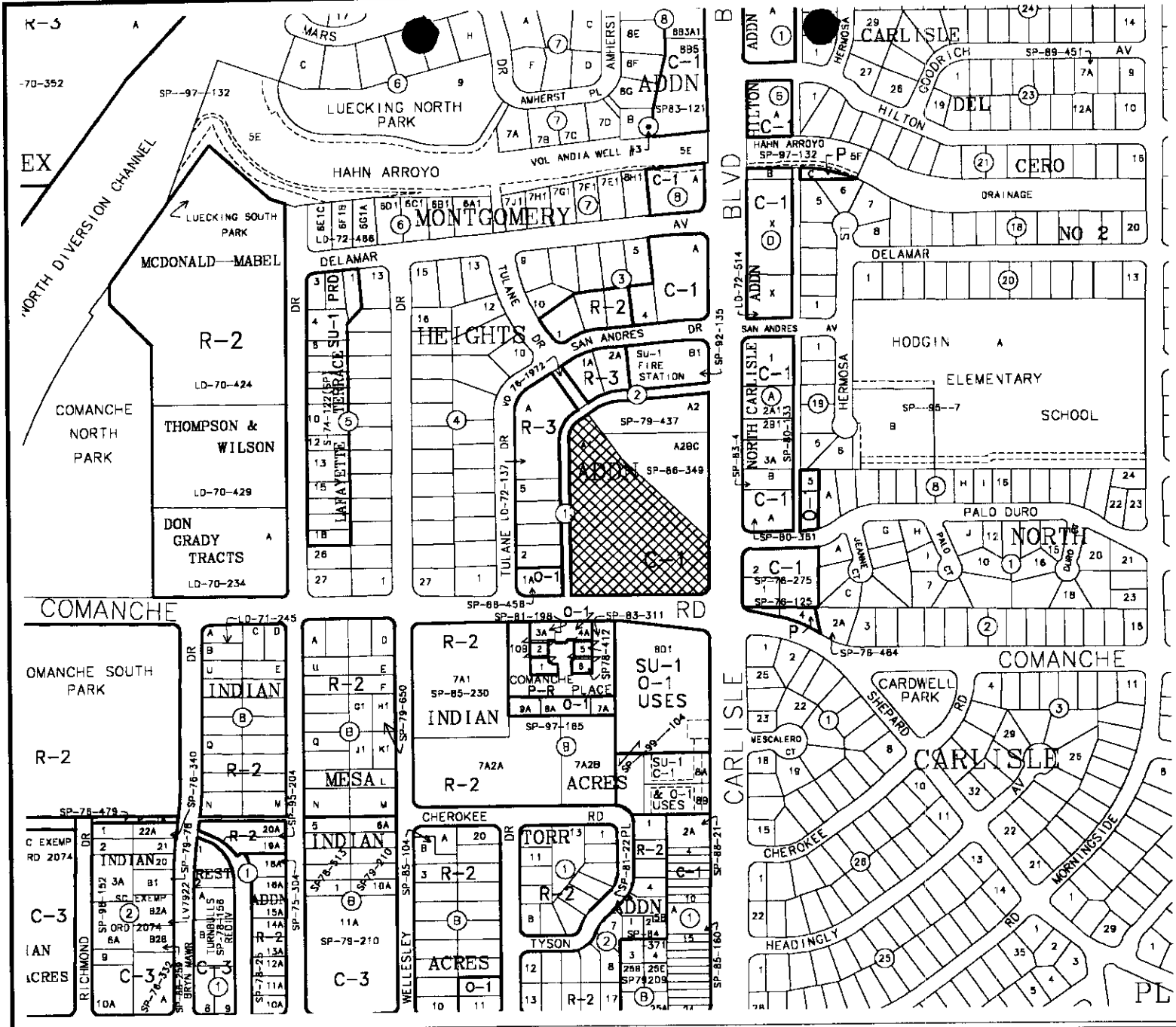
Scale 1"= 452 '

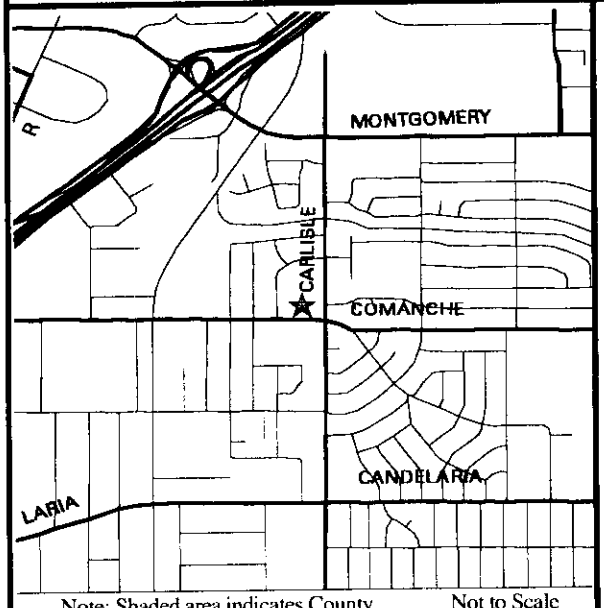
PROJECT NO.
1000643

HEARING DATE
08-17-00

MAP NO.
G-16

APPLICATION NO.
00110-00000-00888
00128-00000-00889





Note: Shaded area indicates County Not to Scale

ZONING MAP

AGIS

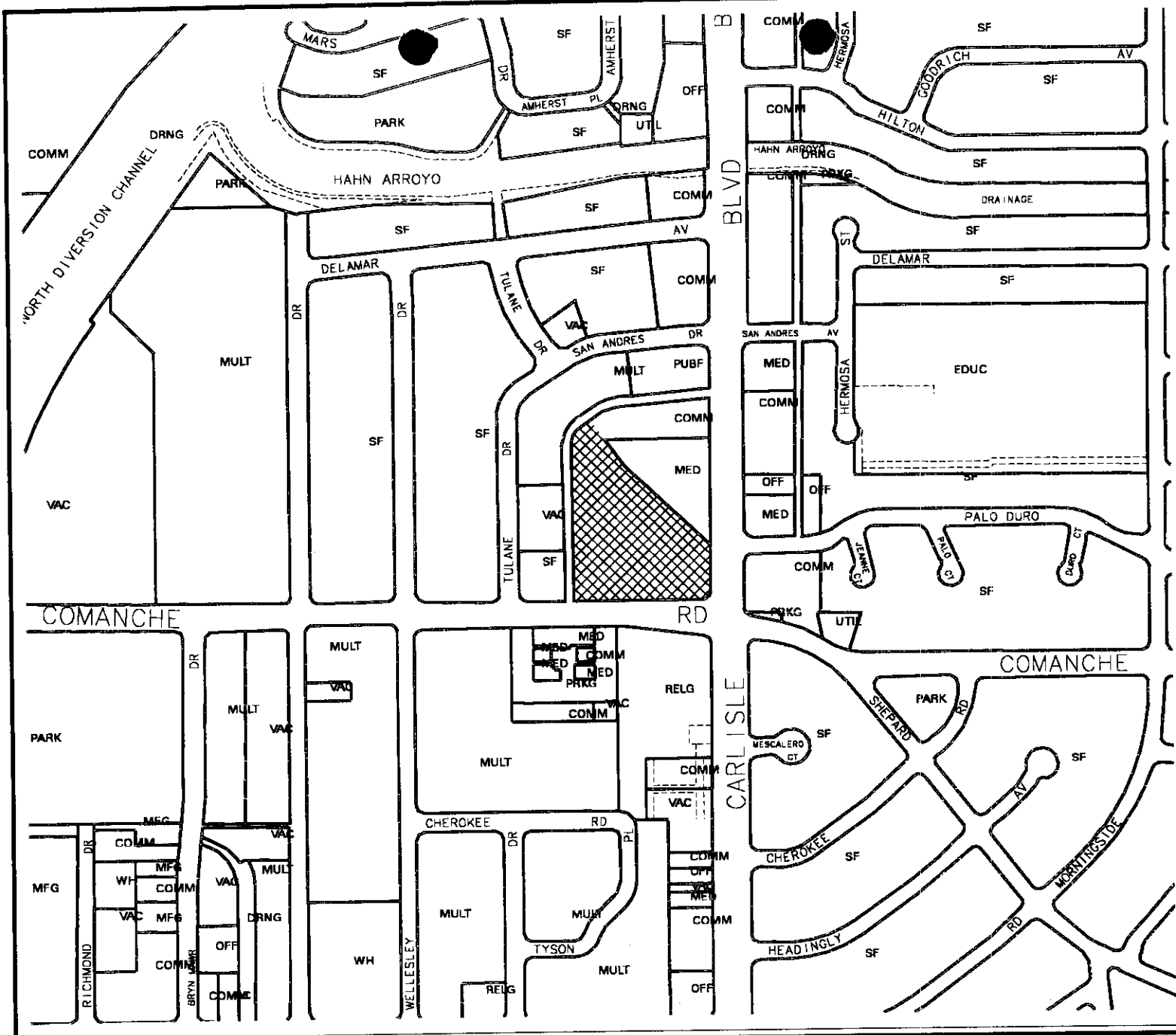
Scale 1"= 452 '

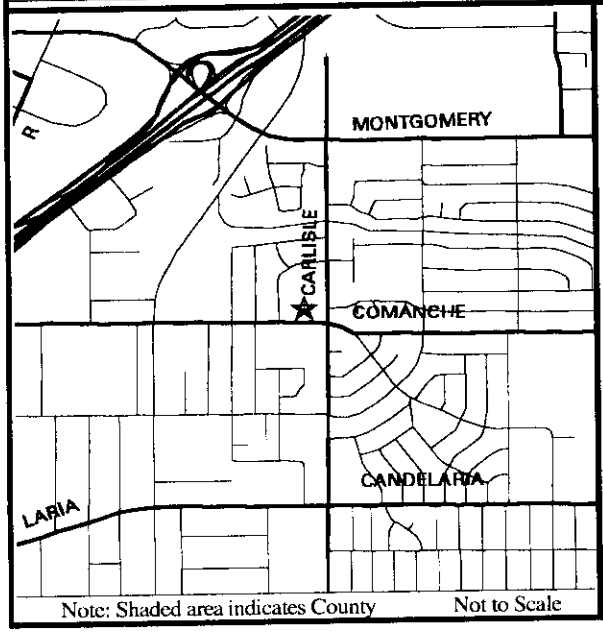
PROJECT NO.
1000643

HEARING DATE
08-17-00

MAP NO.
G-16

APPLICATION NO.
00110-00000-00888
00128-00000-00889





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

AGIS

Scale 1"=452'

PROJECT NO.
1000643

HEARING DATE
08-17-00

MAP NO.
G-16

APPLICATION NO.
00110-00000-00888
00128-00000-00889

City Departments and other interested agencies reviewed this application from 7-7-00 to 7-21-00. Agency comments were used in the preparation of this report, and begin on page 10.

Development Services Report

SUMMARY OF REQUEST

Requests	1. Zone Map Amendment 2. Site Development Plan for Building Permit
Location	Northwest corner of Carlisle Boulevard and Comanche Road

AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses:

	Zoning	***Comprehensive Plan Area;***	***Land Use***
Site	C-1	Established Urban Area	Television Station
North	C-1		Lovelace Medical
South	SU-1 O-1 Uses		1st Unitarian Church
East	C-1		Retail Center/Medical
West	O-1 & R-3		Dental Office, Vacant Lot, Apartments

Background

This is a request for a zone map amendment from C-1 to SU-1 for TV Station, Satellite Dishes, Related Facilities and Helipad for a 3.6 acre parcel located on the northwest corner of Carlisle Boulevard and Comanche Road NE. The foremost reason for the zone map amendment request is to comply with a recent City Ordinance (Bill O-73, attached) which makes helipads an allowed use under the Zoning Code only in the Special Use zone.

The subject site is located at the northwest corner of the intersection of the intersection of Comanche and Carlisle Boulevard NE. Both streets are designated (minor) arterials. Land uses along these streets is primarily commercial and commercial residential (apartments).

Zoning along these streets is predominately C-1, with some O-1, R-2 and R-1 along Comanche and the east side of Carlisle south of Comanche. There are no residential dwellings within 350 feet of the current helipad site.

The land uses surrounding the subject site are of a wide mix, including a church to the south, commercial and retail uses (video rental store, barber shop, dry cleaner, etc.) to the east, medical facilities to the north, and a vacant lot, a dental office and apartments to the west. The wider area around the subject site includes single-family housing, other commercial and retail uses, medical offices and a fire station.

There have been no new zone changes in this area. The most recent zone change request in the area was in 1991 (Z-91-24-1). This was a request for a site plan for building permit for the fire station, adjacent to the Lovelace Medical Clinic, immediately north of the subject site. This was approved in 1991.

APPLICABLE PLANS AND POLICIES

Albuquerque / Bernalillo County Comprehensive Plan

KOAT-TV is located within the Established Urban Area as designated by the Albuquerque/Bernalillo County Comprehensive Plan. The plan's goal for the Established Urban Area is "to create a quality urban environment which perpetuates the traditions 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 environment." Applicable policies of the Comprehensive Plan are as follows:

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

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 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.

City of Albuquerque, New Mexico Code of Ordinances

§9-9-12 General Noise Regulation

In the above referenced section of the New Mexico Code of Ordinance, it states that "it shall be unlawful for any person to make or continue, cause to be made or continued, or allow to be made or continued, any noise in excess of 50 dB(A), or 10 dB(A) above the ambient noise level, whichever is higher at any residential property line." ('74 Code, § 6-22-14) (Ord. 21-1975; Am. Ord. 30-1981)

In the proposed Noise Ordinance, currently being considered by City Council, the language regarding noise from helicopters has been refined and specifies noise levels allowed for helicopter use. It follows the policy of the recently approved Ordinance (O-70) governing helipads within the city. Specifically it states "Helicopter Noise. Takeoff and landing operations at heliports shall not result in exceedance of any of the following sound level/duration limits on any residential property:

65 dB for more that 5 minutes per operation;
70 dB for more than 90 seconds per operation;
80 dB for more than 15 minutes per operation;
90 dB for any length of time.

Nighttime takeoff and/or landing operations are prohibited. Sound level/duration limit compliance shall be determined with an approved sound-level meter which measures and records at least 16 distinct readings per second. This section does not apply to helicopters used by the following personnel:

a) law enforcement
b) emergency medical transport
c) emergency search and rescue"

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 Carlisle Boulevard NE as a Minor Arterial. The Long Range Roadway System designates Comanche Road as a Collector street.

ANALYSIS
Conformance to Adopted Plans, Policies, and Ordinances

This is a request for approval of a zone map amendment from C-1 to SU-1 for TV Station, Satellite Dishes, Related Facilities and Helipad *and* a site development plan for a 3.6 acre parcel located on the northwest corner of Carlisle Boulevard and Comanche Road NE. The foremost reason for the zone map amendment request is to comply with a recent City Ordinance (Bill O-73) which makes helipads an allowed use under the zoning code only in the Special Use zone, and the site plan for building permit is an associated secondary request necessitated by the request for zoning change.

Prior to Bill O-73, helipads had been an allowed accessory use under the Zoning Code and could locate on any commercial premises. Under O-73, helipads other than those used for law enforcement and medical uses are allowed under certain conditions if they comply with Federal, State and Local regulations including City noise regulations. The adoption of this Ordinance constitutes a change in community conditions, as stipulated in Resolution 270-1980. It should also be noted that a new Noise Ordinance is under consideration by City Council at this time, but has not yet been acted upon. (See background section)

O-73 further states that helicopters and their use of helipads are a beneficial use within the community for many purposes. More specifically, the public benefits from law enforcement activities related to helicopters such as heightened surveillance abilities and emergency response time and medical helicopters are a benefit to the community for obvious reasons. In the case of a helipad for uses that are other than medical or law enforcement related, the ordinance states that they should be a "minimum of 650 feet from the nearest residential zone as measured from the edge of the helipad *unless it is demonstrated the helipad will not be injurious to adjacent property, the neighborhood, or the community,* but **in no case shall a helipad be located less than 350 feet from the nearest residential zone**, as measured by the edge of the helipad." The key point to consider from this section of the Ordinance is whether KOAT's helipad operation is injurious to adjacent property and how to demonstrate this measure. The helipad is more than 350 feet from the nearest residential property, according to 1998 survey prepared

for the applicant by Southwest Survey Co., Inc. Additionally, Planning staff performed a GIS analysis which shows no residential properties within a 350 foot radius of the helipad (see attached map).

The Environmental Health Department recommends that a test run should occur prior to EPC consideration of this request in order to determine the noise levels and effects of the helicopter in the neighborhood. Planning staff agrees with this recommendation. KOAT provided a report of tests performed at the site on July 6, 2000. This report was submitted on Wednesday, August 9. Although it is included with this staff report, the Environmental Health Department had read the report and had questions concerning the information in the report at the time of this writing. Similarly, Planning staff did not have sufficient time to incorporate the data into this report. If an analysis of the report can be conducted by Environmental Health prior to the EPC hearing, staff will provide such analysis to the Commission.

The applicant's letter states that in the twenty years since KOAT has operated its helipad at the current location at Carlisle and Comanche there has never been a complaint regarding the helicopter and related operations until the past year. The applicant further states that when public discussions of the proposed ordinance occurred, one individual had concerns. That individual lives 1000 feet from the subject site, according to the letter, and is concerned with overhead, in flight noise rather than noise emanating from the activities occurring on the helipad itself.

Staff has received phone calls from two individuals stating opposition to the zone change proposal. Mr. James Fanning has spoken with staff on numerous occasions, and voices his complaint regarding the noise from the craft. Ms. Kathy Entemann left voice mail on July 26, 2000, stating her opposition to KOAT's helipad. She also called on July 31 to speak to staff regarding her opposition. She stated that she didn't feel it belonged in the middle of a city and should take off from the airport like other aircraft. Staff has received no letters of opposition at the time of this writing.

Staff has also received phone calls in support KOAT's helipad. Two individuals (names unknown) called in support of the proposal and stated that Channel 7 has made every effort to protect the neighborhood from the noise by flying along streets instead of over neighborhoods. One of the callers stated that when she hears the helicopter start up she and her family turn on the television to "see what's going on", but never think of the noise as a nuisance. The applicant's letter of justification includes several letters of support. It is difficult to assert that the helipad operation has or has not been injurious to adjacent property, the neighborhood or the community. With two exceptions, as noted above, staff has no reason to believe that the use on the subject site for a helipad has been injurious to adjacent property, the neighborhood, or the community. There have been surprisingly few calls or letters to staff regarding this request.

O-73 also states that helipads that accommodate heavy usage should be located at an airport. The term "heavy usage" is not defined in the ordinance. However, for helipads used for other than law enforcement and medical purposes, the ordinance specifies that no more than 3 operations (a takeoff and a landing are considered one operation) shall occur on a single day and the operations per day do not accumulate if not used. Additionally, landing and takeoff operations are prohibited between 10:00 pm and 7:00 am. The Ordinance further stipulates if a helipad is solicited by agencies such as law enforcement or medical providers for assistance in emergencies, that act of assistance shall not be included in the three operations per day limitation nor will it be limited to the time of day restrictions. This would mean that, at times, the KOAT helicopter could be flying more than the allotted three times per day as well as flying at late hours of the night and early hours of the morning, if such requests for its assistance were made. However, staff spoke with the applicant, who stated that such requests were made on an average of once a month or less. However, flight plan records were not submitted with this request. In this case, according to staff's conversations with the applicant and the applicant's letter, the number of additional flights and their effect on the surrounding area would appear to be minimal.

An additional issue is the number of helicopters at the site. Currently, KOAT operates one helicopter from the site. If the SU-1 zoning is approved, perhaps a condition that the site be limited to one craft would be reasonable to prevent numerous takeoffs and landings throughout the day. Also, if KOAT decided in the future to move from their present location, would the site become available as a permanent helipad with numerous aircraft utilizing the space? Staff assumes this is not the applicant's intent, but safeguards should be in place to avoid these issues in the future.

In summary as regards the zoning request, important information central to the issue of possible harm to surrounding uses has not been analyzed. Consequently, a one month deferral is necessary.

Site Plan Layout / Configuration

The site lies on the corner of Comanche and Carlisle NE on the northwest corner. Access to the site is from Comanche on the south and Carlisle on the east. The site and landscaping plans depict the current site as well as proposed changes to the site. The existing building is a 37,000 square foot, one-story stucco building. The helipad is located toward the front of the building, which is oriented toward the southeast. Parking for the site is located next to the building on the south and west sides. Existing landscaping consists of sod, trees and shrubs; many of the existing plants are low water use species, such as chamisa.

There are five existing satellites on the site, as well as the existing helipad. The helipad, according to the applicant's letter, is a 10-foot diameter circle of marked concrete located on the southeastern portion of the KOAT site. The helipad is more than 350 feet from the nearest residential property, according to 1998 survey prepared by Southwest Survey Co.,

Inc. Additionally, Planning staff performed a GIS analysis which showed no residential properties within a 350 foot radius.

Changes to the site plan relate to the approval of the helipad site, which are minimal. Additional landscaping and the removal of a chain link fence are proposed. A new fence will be erected around the helipad with a gate at the west corner of the site. Also proposed is the addition of a designated "helicopter observation area" on the west side of the helipad. A locked, rolling gate is depicted to the west at the entrance to the helipad to allow for helicopter service vehicle access or emergency access.

Vehicular Access, Circulation and Parking

Access to the site is from Comanche Road NE. Parking was built at a 1:300 ratio, and there are 121 parking spaces with 4 handicap spaces. There is no parking on adjacent streets. The parking is adequate for the site because the square footage of the building belies the actual need for parking. The 37,000 square foot building contains two very large studios which total 12,150 square feet and are not counted as part of the office space for the entire site. Calculated at 24,900, less the 10% credit taken for being on a transit corridor, the required parking would be 113 spaces. Therefore the parking existing on site is more than adequate for this use.

Pedestrian and Bicycle Access and Circulation, Transit Access

A designated "helicopter observation area" on the west side of the helipad is proposed in the site plan. This area is adjacent to the helipad and is depicted on the site plan as approximately 5 feet deep and 65 feet wide. The area is delineated by concrete pavers. In the applicant's letter to the Commission, it is stated that this area is proposed "to allow for safe public viewing of helipad operations".

There is a bicycle trail near the subject site on the North Diversion Channel. There are six bicycle spaces provided on site.

Lighting and Security

Lighting and security appear adequate for the site and no changes are proposed. The type of lighting fixtures are shown in the site plan with the photographs of the site. They are shown as 20' high, shoe-box type cutoff fixtures. The lamps do not protrude below the lamp housing.

Fencing for the site consists of an existing chain link fence surrounding the site. The site plan shows the removal of a chain link fence. The fence exists around the helipad site and would be replaced with a three-foot aluminum picket fence. Two gates will be added. One small gate at the west corner of the helipad site will be for pedestrian use. The other, a locked, rolling gate is depicted to the south west at the entrance to the helipad to allow for helicopter service vehicle access or emergency access.

Landscaping

The site plan proposes additional plant material in the landscape, as well as existing landscape. The site has many trees and shrubs, as well as grass lawn areas. All existing landscaping is to remain. The proposed additions to the landscape consist of an additional screening of rubber rabbitbrush on the northeast side of the helipad. This is in context with the existing vegetation on the southwest side of the helipad site. Additional trees are proposed for the southern portion of the site. These trees are in context with existing trees on site. Proposed species include Bradford pear, Honey locust, Purple ash and New Mexico olive. In addition, numerous shrubs and an area of low-water use sod (Blue gramma and Buffalo grass) are proposed for the western portion of the site.

Architecture and Signage

The building is an odd-shaped, tan stucco structure oriented to the southeast. The entry sports a white, steel truss and faces Comanche Road. Rooftop mechanical equipment is clearly visible, but is painted to match the building. Windows are anodized bronze aluminum with bronze glazing. KOAT's logo, a large numeral 7 in a circle, is distinctly shown on the southeast corner of the building's parapet. No changes to existing architecture and signage are proposed.

Concerns of Reviewing Agencies / Pre-Hearing Discussion

The applicant's were in attendance at the pre-hearing discussion.

The Environmental Health Department has significant concerns regarding this request. The suggestions made by this Department may be the avenue to determine if the helipad will be injurious to adjacent property, the neighborhood or the community. The Department recommends that any Special-Use zoning for helipads be conditioned on prior (**initial**) demonstration and concurrence by the Environmental Health Department that each helicopter that will take off and/or land at the helipad and is able to comply with whatever noise control provisions are in effect. New provisions (i.e., new Noise Ordinance) will require a new demonstration/concurrence before helipad use.

The Department also recommends conditions that would provide for a periodic re-evaluation and re-certification of the helicopter(s) using the helipad to ensure compliance with the Noise Control. Ordinance. Staff concurs with these recommendations.

Neighborhood Concerns

Staff has received several phone calls from neighbors of the subject site. Two of the individuals were against the proposal and two individuals were in support of the proposal.

Conclusions

This is a request for a zone map amendment for the Channel 7/KOAT TV news station to allow a helipad. A helipad currently exists in this location and has been in existence since 1980. The request is in response to a recent ordinance passed by City Council in February of this year. This ordinance, Bill O-73, mandates conditions and zoning for helipads within the city. One of the conditions required for a helipad is that it be located in a special use zone that allows helipads. This site is zoned C-1, thus the need for a zone map amendment for the subject site.

The Environmental Health Department recommends that any Special Use zoning for helipads be conditioned on demonstration and concurrence by the Department that the helicopter is able to comply with whatever noise control provisions are in effect. Staff agrees with this condition and therefore recommends deferral of this request until such time as sound level compliance can be demonstrated. KOAT did submit a report of noise level readings taken on July 6, 2000. Planning staff received this report August 9, 2000. There will be an analysis of the report and staff from the Environmental Health Department will be involved. However, the analysis will not be completed in time to be discussed in this report. All other information is complete and staff believes a 30 day deferral will allow a thorough report to be provided to this Commission upon receipt of the noise study.

FINDINGS - 00110 00000 00888, August 17, 2000, a request for a zone map amendment

1. This is a request for approval of a zone map amendment from C-1 to SU-1 for TV Station, Satellite Dishes, Related Facilities and Helipad for a 3.6 acre parcel located on the northwest corner of Carlisle Boulevard and Comanche Road NE. KOAT-TV is located on this site; a news helicopter operates from this location.

2. The reason for the zone map amendment request is to comply with a recent City Ordinance (Bill O-73) which makes helipads an allowed use under the Zoning Code only in the Special Use zone. Prior to Bill O-73, helipads had been an allowed accessory use under the Zoning Code and could locate on any commercial premises.

3. Under O-73, helipads other than those used for law enforcement and medical uses are allowed under certain conditions if they comply with Federal, State and Local regulations including City noise regulations.

4. Adoption of this new Ordinance constitutes a change in community conditions, as stipulated in Resolution 270-1980. Specifically, O-73 makes helipads an allowed use under the zoning code only in the Special Use zone. The applicant's submittal is an effort to comply with this regulatory change.

5. A new Noise Ordinance is currently under consideration by City Council, but has not yet been acted upon and is not an adopted policy at this time.

6. There is no clear, convincing evidence that the helipad has been or will be injurious to adjacent property, the neighborhood or the community. However, noise testing, as recommended by the Environmental Health Department, should be conducted as part of the analysis of this request.

7. A report produced by Metro Safety Consultants, Inc. concerning noise level readings taken at the subject site was submitted on August 9, 2000. Staff has not had adequate time to evaluate the study in order to include the findings in this staff report.

8. Staff recommends deferral of this request for 30 days, to be heard at the Environmental Planning Commission all day hearing on September 21, 2000.

RECOMMENDATION -00110 00000 00888, August 17, 2000,a request for site plan for subdivision
DEFERRAL of *00110 00000 00888*, a request for a zone map amendment, based on the above findings.

FINDINGS -00128 00000 00889, August 17, 2000, a request for site plan for subdivision

1. This is a request for approval of a site development plan for TV Station, Satellite Dishes, Related Facilities and Helipad for a 3.6 acre parcel located on the northwest corner of Carlisle Boulevard and Comanche Road NE. The reason for the site plan request is to comply with a recent City Ordinance (Bill O-73) which makes helipads an allowed use under the zoning code only in the Special Use zone, and the site plan for building permit is a secondary request necessitated by the request for zone change.

2. The existing building is a 37,000 square foot building which houses the offices as well as studios for the operation of a television station.

3. The circulation of the site remains unchanged, with access from Comanche Road NE.

4. There are five satellite dishes in existence at this site.

5. The helipad consists of a 10 foot radial concrete landing pad surrounded by chain link fencing and landscaping and is located at the southeast corner of the site.

6. Minimal additional landscape will be added to the existing mature landscape.

7. The changes to the site as proposed in the site plan for building permit are minimal and will not change the character of the site or the surrounding area.

8. Staff recommends deferral of this request for 30 days in order to evaluate new information concerning noise readings, to be heard at the Environmental Planning Commission all day hearing on September 21, 2000.

Deborah L. Stover
Planner

DS/ac

cc: KOAT-TV, 3801 Carlisle Blvd. NE, Albuq. NM 87107
Rodey, Dickason, Sloan, Akin & Robb, PA, P.O. Box 1888, Albuq. NM 87103-1888
H. Diane Snyder, Hodgin Neigh. Assoc., 4012 Delamar Ave. NE, Albuq. NM 87110
Eddy Jacobs, Hodgin Neigh. Assoc., 4920 Hilton NE, Albuq. NM 87110
Rick Cooper, Alta Monte Neigh. Assoc., 10327 Connemera Ave. SW, Albuq. NM 87121
Perla Webb, Alta Monte Neigh. Assoc., 8 Plains View Ln., Edgewood NM, Albuq. NM 87015
Bob Swartwood, Montgomery Heights Neigh. Assoc., 3517 Hendrix Rd. NE, Albuq. NM 87107
Karen Schueler, Montgomery Heights Neigh. Assoc., 3504 Delamar NE, Albuq. NM 87107

Attachments

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT
Zoning Code Services
"Reviewed, no comment."
PUBLIC WORKS DEPARTMENT
Transportation Development Services:
No adverse comment.

Utility Development:
No Adverse Comment.

Traffic Engineering Operations:
No adverse affect anticipated on traffic patterns.

Hydrology:
The Hydrology Section has no objection to the zone map amendment request. An approved grading and drainage plan is required for site plan sign-off by the City Engineer/AMAFCA.

Transportation Planning:
This request should have no adverse effect on the arterial street system nor on the bikeway system.

ENVIRONMENTAL HEALTH DEPARTMENT
Air Quality Division
Background
Albuquerque's current Noise Control Ordinance applies only to noise impacting residential property. Under the general provisions, it limits that noise to 50 decibels (dB) or 10 dB above the ambient level, whichever is higher.

The Noise Control Ordinance is currently being revised. The proposed ordinance specifically addresses helicopter noise and reads:

Helicopter Noise. Takeoff and landing operations at heliports shall not result in exceedance of any of the following sound level/duration limits on any residential property:

65 dB for more than 5 minutes per operation;
70 dB for more than 90 seconds per operation;
80 dB for more than 15 seconds per operation;
90 dB for any length of time

Nighttime takeoff and/or landing operations are prohibited. Sound level/duration limit compliance shall be determined with an approved sound-level meter which measures and records at least 16 distinct readings per second.

This section does not apply to helicopters used by the following personnel:
a) law enforcement
b) emergency medical transport
c) emergency search and rescue

EHD records show that one resident (to the west of KOAT) has filed numerous complaints of excessive noise from Channel 7 helicopter flights over his house. One other complainant is on file. At a public hearing, Councillor Adele Hundley referred to a report indicating that a significant percentage of residents contacted in the neighborhood around KOAT were aggrieved by the Channel 7 helicopter noise. Current helicopter operations providing news coverage of the Big-I reconstruction have generated complaints of helicopter noise in general, and at least one complaint of Channel 7 helicopter noise in particular.

Section 14-16-2-22(B)16(a) (Special-Use Zone provisions) requires a demonstration that a helipad located 350 to 650 feet from a residential zone will not be injurious to adjacent property, the neighborhood or the community.

Recommendations:
1. The Department recommends that any Special-Use zoning for helipads be conditioned on prior (initial) demonstration and concurrence by the Environmental Health Department that each helicopter that will take off and/or land at the helipad is able to comply with whatever noise control provisions are in effect. New provisions will require a new demonstration/concurrence before helipad use.
2. The Department also recommends conditions that would provide for a periodic re-evaluation and recertification of the helicopter(s) using the helipad as to compliance with the Noise Control Ordinance.
3. The Department further recommends specific reference to all the provisions in Section 14-16- 2-22(B)16.
In addition, the EPC may want to require compliance demonstration before deciding on the application and/or await the final helicopter provisions in the proposed Noise Control Ordinance before a ruling."

Environmental Services Division

"No known landfills in the immediate vicinity."

NEIGHBORHOOD SERVICES

Alta Monte, Hodgin, Montgomery Heights (all recognized associations) were notified."

PARKS AND RECREATION

Design & Development

"No adverse comment."

OPEN SPACE DIVISION
"No adverse comment."

POLICE DEPARTMENT/Planning

"No adverse comment."

SOLID WASTE MANAGEMENT DEPARTMENT
Refuse Division
Approved on condition will bring refuse enclosure into compliance with SWMD ordinances or possible new location at time Building Permitting. T.L. Baca 761-8142

FIRE DEPARTMENT/Planning
"No adverse comment."

TRANSIT DEPARTMENT
"No comment."

COMMENTS FROM OTHER AGENCIES:

BERNALILLO COUNTY

ALBUQUERQUE METROPOLITAN FLOOD CONTROL AUTHORITY

"No objection. See City Hydrology comments."

ALBUQUERQUE PUBLIC SCHOOLS

"No adverse comment."

MIDDLE RIO GRANDE COUNCIL OF GOVERNMENTS

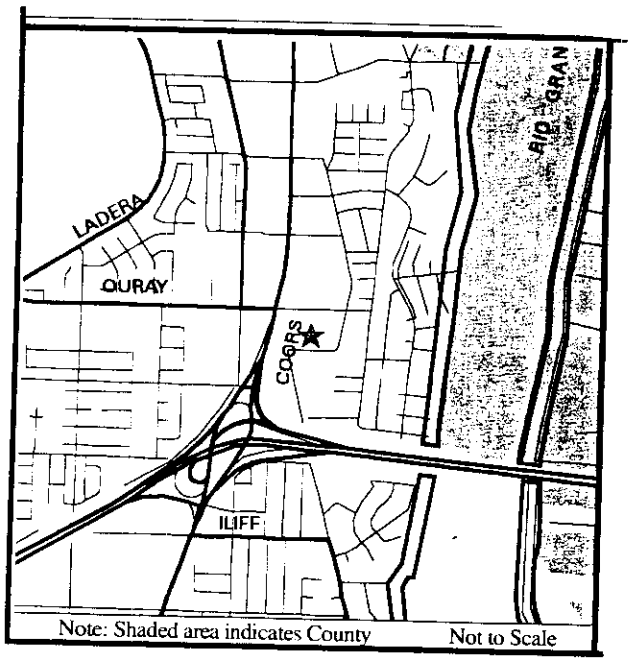
No adverse comment. For information, the Long Range Roadway System designates Carlisle Boulevard and Comanche Road as minor arterials. In addition, the Long Range Bikeway System designates Comanche as a bike route

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Albuquerque Environmental Planning Commission will hold a public hearing on Thursday, August 17, 2000 at 8:00 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:

00128 00000 00870
00128 00000 00871
Project # 1000188

Tierra West, LLC, agents for Walmart Stores, Coors Ltd, RRG, Repetto, Komadina, Dolde Trust, Valencia Partners, Richard & Susan Saylor requests approval of a site development plan for subdivision plus approval of a site development plan for building permit for a portion of Tract 330 in Unit 8 of a portion of Tracts allotted from the Town of Atrisco Grant, Tract 331-A, Town of Atrisco Grant, Tract 332 in Unit 8, a portion of tracts allotted from the Town of Atrisco Grant, Tract A-2122-A of Northeast Unit, Town of Atrisco Grant, a 0.3074 acre portion of Tract Lettered A-14 in the Northeast Unit of Town of Atrisco Grant, Tract A-19-C2, Northeast Unit, Town of Atrisco Grant, Tract A-1-A Lands of Ann Komadina, 1/9 interest; and undivided interest, zoned SU-1 for C-2, located on Ouray Road NW between Coors Boulevard and Quail Road containing approximately 33.4339 acres. (H-11) Russell Brito, Staff Planner



00128 00000 00894 Project #1000645	Nims, Calvani & Assoc., agents for City of Albuquerque, requests approval of a site development plan for building permit for El Rancho Atrisco (Ladera Golf Course), zoned SU-1, located on Ladera Drive NW between Sequoia and Redlands, containing approximately 1.2 acres. (G-11, G-10 & H-10) Cynthia Borrego Archuleta, Staff Planner
00128 00000 00897 Project #1000421	Consensus Planning, Inc., agents for Rigel Corporation dba Krispy Kreme Doughnuts, request approval of a site development plan for building permit for Tract D1, Cottonwood Corners, located on NM528 between Coors by Pass and Ellison Drive, containing approximately 1.4 acres. (A-14) Bob Torres, Staff Planner
00128 00000 00899 Project # 100648	Advanced Engineering and Consulting, LLC, agents for Zuni Development LLC, request approval of a site development plan for building permit for Tracts 4 and 5, Lands of C.H. Hall, zoned SU-1 for MH, located on 90th Street NW between Volcano Road and Bluewater Road, containing approximately 10 acres. (K-9) Russell Brito, Staff Planner
00128 00000 00904 Project # 1000060	Herb Denish and Associates, Inc., agents for John Hammons Industries, request approval of a site development plan for building permit for Tracts B and C, Gateway Subdivision, zoned SU-2/C-3, located on Lomas Boulevard NE between Interstate 25 and Woodward Place, containing approximately 9.35 acres. (J-15) Russell Brito, Staff Planner
00128 00000 00906	Rick Bennett Architect, agent for Conway Oil Co., request approval of a site development plan for building permit for lot A, Tract A, North Albuquerque Acres, zoned SU-1 for C-2, located on the southwest corner of Louisianan and Paseo del Norte, containing approximately 2.7 acres. (D-18) Debbie Stover, Staff Planner
00128 00000 00915 00128 00000 00917 Project #1000651	Tierra West LLC, agents for SCM Properties Co., requests approval of a site development plan for subdivision purposes plus approval of a site development plan for building permit for Tract A-29A, Town of Atrisco Grant Northeast, zoned SU-1 for PDA C-1 Uses and Office located on Coors Boulevard between Redlands Road and Pheasant Avenue, containing approximately 3.4116 acres. (G-11) Bob Torres, Staff Planner
00110-00000-00604 00128 00000 01003 (Project #1000501)	Thanh Nguyen, agent for Susan Mirabal, request a Zone Map Amendment from R-T to SU-1 for a Church and approval of a site development plan for subdivision for Lots 17 and 18, Block 8, Casas Serenas, located at 419 Rhode Island, SE between Bell Street, SE and Trumbull Street, SE, containing approximately 0.3054 acres. (L-19) Debbie Stover, Staff Planner

00110 00000 00787
00128 00000 00788
Project # 1000065

Keith MacDuffee, agent for Southwest Surveying Co Inc., request a zone map amendment from C-1 to SU-1 for RT plus approval of a site development plan for subdivision purposes for Lot 40, Block 6, Unit 1, Casa Grande Estates, located on Candelaria between Tramway Boulevard and Matador Drive, containing approximately .92 acres. (H-23) Debbie Stover, Staff Planner

00110 00000 00844
Project # 1000617

Livia Strinbu, agent for Mike Tabrizian request a zone map from C-1 to C-2 for the northwest corner of N/2 of Tract 1, Mesa Park Addition, located on San Pedro SE and Zuni between Zuni and Bell, containing approximately .30 acre. (L-18) Mary Piscitelli, Staff Planner

00110 00000 00887
Project #1000642

Tierra West, LLC agents for Plumbers and Steamfitters #412, request a zone map amendment from O-1/R-3/C-1 to C-1 for the north half of Tract 1, Mesa Park Addition, located on San Pedro Drive SE between Bell Avenue and Zuni Road, containing approximately 1.239 acres. (L-18) Bob Paulsen, Staff Planner

00110 00000 00888
00110 00000 00889
Project # 1000643

Rodey, Dickason, Sloan, Akin & Robb, PA, agents for KOAT-TV requests a zone map amendment from C-1 to SU-1 for TV Station, satellite dishes, related facilities and helipad, to allow helipad on radio/TV station site plus approval of a site development plan for building permit for Lot A-1, Block 1, Montgomery Heights, located on Carlisle and Comanche NE, between Montgomery and Comanche, containing approximately 3.6 acres. (G-16) Debbie Stover, Staff Planner

00110 00000 00895
00128 00000 00896
Project #1000646

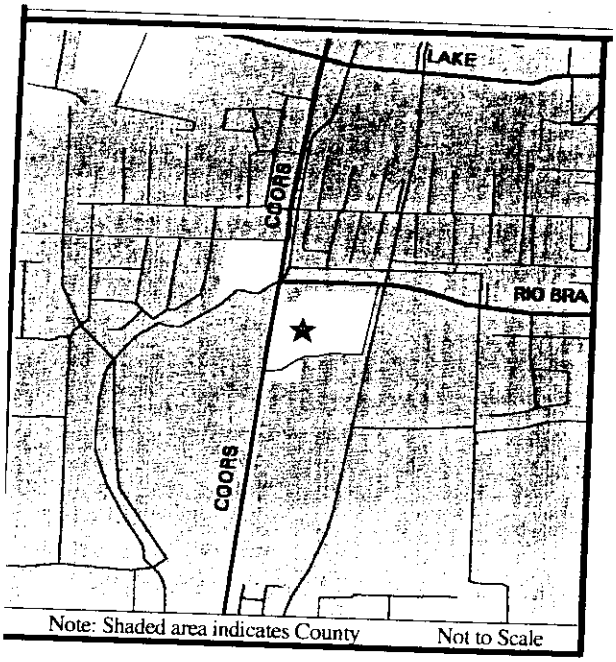
Insite Architecture + Development, agents for Capital Aspects requests a zone map amendment from SU-1, P-1 to SU-1 plus approval of a site development plan for building permit for Tract H-2, New Holiday Park Addition, located on Montgomery Boulevard between Juan Tabo and Tramway, containing approximately .8264 acre. (F-22) Mary Piscitelli, Staff Planner

00110 000000 00898
Project # 1000647

John A Myers, agent for Sandia Foundation, a New Mexico Corporation requests an amendment to the Sawmill Sector Development Plan plus a zone map amendment from S-MI to P-R for Tract 238C-1-A-2-A, Stewart Walker Addition, located on 20th Street between Mountain Road and Bellamah Avenue, containing approximately .8 acre. (J-13) Debbie Stover, Staff Planner

00128 00000 00907
Project # 1000650

DCSW, agents for John J. Mahoney & Assoc., requests approval of a site development plan for building permit for Lots 1A and 2A, Lands of Lamonica and Wenk, located at the southeast corner of the intersection of Coors and Rio Bravo Boulevards SW, containing approximately 26 acres. (P-10) Russell Brito, Staff Planner



00138 00000 00911
00114 00000 00576
Project # 1000488

Tierra West LLC, agents for Mock Homes, request annexation and establishment of R-D zoning plus an amendment to the La Cueva Sector Development Plan for Lots 1-5 and 28-32, Block 12, Tract 3, Unit 3, North Albuquerque Acres located on Ventura Avenue NE between Eagle Rock Avenue and Oakland Avenue, containing approximately 10 acres. (C-20) Carmen Marrone, Staff Planner

00114 00000 00715
00110 00000 00716
00128 00000 00718
Project # 1000554

Dekker/Perich/Sabatini, agents for NM Commissioner of Public Lands, requests annexation and establishment of IP zoning plus a approval of a master development plan for a Tract of land in Section 33 T10N, R4E, in the North ½ of the SW ¼ of the NW ¼, located on Eubank Boulevard SE, south of Gibson Boulevard, containing approximately 20 acres. (M-21) Russell Brito, 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 at 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.

Chuck Gara, Chairman
Environmental Planning Commission

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL AUGUST 2, 2000.

APPROVED

Bob Paulsen, Senior Planner,
Development Services Division, Planning Department

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT - DEVELOPMENT SERVICES DIVISION
PROPERTY OWNERSHIP LIST

App#	00110-00000-00888
Proj#	1000643
Other#	00128-00000-00889

Meeting Date: 8/17/00

Zone Atlas Page: G-16-Z

Notification Radius: 100 Ft.

Cross Reference and Location:

Applicant: KOAT-TV

Address: 3801 Carlisle NE, 87107

Agent: Rodney, Dickason, Sloan, Akin & Robb, PA

Address: P.O. Box 1888, Albuq, NM 87103-1888

SPECIAL INSTRUCTIONS

Notices Must be mailed from the
City 15 days prior to the meeting.

Date Mailed: August 2, 2000

Signature: Bridget Hallegos

PROPERTY OWNERSHIP / LEGAL LIST

App#_____
Proj#_____

Date:_____

Page 1 Of 2

Zone Atlas Page	Zone Atlas #	Grid Location	Parcel Sequence	Name & Address			
G-16	10160060	493·290	103·05	✓ 10160060	450·339	102	10 ✓
		509·306	06	✓	460·344		11 ✓
		503·324	08	✓	476·354	105	01 ✓
		465·275	01	✓	485·358		02 ✓
		509·343	09	✓	493·360		03 ✓
		491·340	11	✓	500·361		04 ✓
		470·326	12	✓	509·233	412	06 ✓
		468·302	17	✓	442·241		01 ✓
		466·294	18	✓	477·246		08 ✓
		468·287	19	✓	483·245		13 ✓
		468·280	20	✓	484·251		14 ✓
		448·273	102·02	✓	480·257		03 ✓
		448·281	03	✓	471·257		05 ✓
		448·290	04	✓	470·251		12 ✓
		449·296	05	✓	472·245		07 ✓
		449·304	06	✓ 10170060	013·302	202	02 ✓
		449·313	07	✓	013·293		03 ✓
		449·320	08	✓	013·318		06 ✓
		448·329	09	✓	012·308		08 ✓

PROPERTY OWNERSHIP / LEGAL LIST

App#_____
Proj#_____

Date:_____

Zone Atlas Page	Zone Atlas #	Grid Location	Parcel Sequence	Name & Address
G-17	1017060	016-271	201-43	✓
		026-321	203-04	✓
		027-313	05	✓
		035-310	06	✓
		026-296	07	✓
		025 241	315-13	✓
		026-245	14	✓ mp
		012-248	15	✓ mp
		011-241	16	✓
		012-233	17	✓
		011-227	18	✓
		021-230	19	✓

1016060 *** THIS UPC CODE HAS NO MASTER RECORD ON FILE

101606049329010305 LEGAL: TRAC T A1 BLK 1 REPL OF PORTIONS OF BLKS 1 & 2 MONT LAND USE:
PROPERTY ADDR: 00000 3801 CARLISLE NE
OWNER NAME: KOAT-TV INC
OWNER ADDR: 03801 CARLISLE NE ALBUQUERQUE NM 87107

101606050930610306 LEGAL: TRAC T A- 2BC A PLAT OF TR A2BC (A REPLAT OF TRS A2B LAND USE:
PROPERTY ADDR: 00000 3901 CARLISLE NE
OWNER NAME: LOVELACE MEDICAL CENTER INC
OWNER ADDR: 05400 GIBSON BL SE ALBUQUERQUE NM 87108

101606050332410308 LEGAL: TRAC T A- 2-A BLK 2 REPLAT OF TRACT A-2 BLK 2 TOGETH LAND USE:
PROPERTY ADDR: 00000 3915 CARLISLE BLV NE
OWNER NAME: ALBUQ PRODUCTION CREDIT ASSOC
OWNER ADDR: 03915 CARLISLE NE ALBUQUERQUE NM 87107

101606046827510301 LEGAL: LOT 1-A BLK 1 REDIVISION OF LOT 1 BLK 1 TOGETHER W LAND USE:
PROPERTY ADDR: 00000 3401 COMANCHE DR NE
OWNER NAME: BO-BO PARTNERSHIP
OWNER ADDR: 03239 LA RONDA PL NE ALBUQUERQUE NM 87110

101606050934310309 LEGAL: TR B -1 B LK 2 MONTGOMERY HEIGHTS PLAT OF TR B-1 BLK LAND USE:
PROPERTY ADDR: 00000 3520 SAN ANDRES NE
OWNER NAME: CITY OF ALBUQUERQUE
OWNER ADDR: 00000 PO BOX 1293 ALBUQUERQUE NM 87103

101606049134010311 LEGAL: * 02 A 00 2MONTGOMERY HTS ADD LAND USE:
PROPERTY ADDR: 00000 3504 SAN ANDRES DR NE
OWNER NAME: CRAWFORD AGI
OWNER ADDR: 00000 PO BOX 6232 S ALBUQUERQUE NM 87197

101606047032610312 LEGAL: *1A 2 RE PLAT OF MONTGOMERY HGHTS ADD & TR A BLK 1 LAND USE:
PROPERTY ADDR: 00000 3900 TULANE NE
OWNER NAME: ALEXANDER FRANK ETUX
OWNER ADDR: 04411 ANDREW DR NE ALBUQUERQUE NM 87109

101606046830210317	LEGAL: * 00 5 00 1MONTGOMERY HTS ADD	LAND USE:			
	PROPERTY ADDR: 00000 TULANE DR NE				
	OWNER NAME: ALEXANDER FRANK ETUX				
	OWNER ADDR: 04411 ANDREW	DR NE ALBUQUERQUE	NM	87109	
101606046829410318	LEGAL: * 00 4 00 1MONTGOMERY HTS ADD	LAND USE:			
	PROPERTY ADDR: 00000 TULANE DR NE				
	OWNER NAME: ALEXANDER FRANK ETUX				
	OWNER ADDR: 04411 ANDREW	DR NE ALBUQUERQUE	NM	87109	
101606046828710319	LEGAL: * 00 3 00 1MONTGOMERY HTS ADD	LAND USE:			
	PROPERTY ADDR: 00000 TULANE DR NE				
	OWNER NAME: ALEXANDER FRANK D				
	OWNER ADDR: 04411 ANDREW	DR NE ALBUQUERQUE	NM	87109	
101606046828010320	LEGAL: * 00 2 00 1MONTGOMERY HTS ADD	LAND USE:			
	PROPERTY ADDR: 00000 TULANE DR NE				
	OWNER NAME: ALEXANDER FRANK D				
	OWNER ADDR: 04411 ANDREW	DR NE ALBUQUERQUE	NM	87109	
101606044827310202	LEGAL: * 00 1 00 4MONTGOMERY HTS ADD	LAND USE:			
	PROPERTY ADDR: 00000 3801 TULANE DR NE				
	OWNER NAME: CRESPIN LUISITA R				
	OWNER ADDR: 03801 TULANE	DR NE ALBUQUERQUE	NM	87107	
101606044828110203	LEGAL: * 00 2 00 4MONTGOMERY HTS ADD	LAND USE:			
	PROPERTY ADDR: 00000 3805 TULANE DR NE				
	OWNER NAME: ORNELAS ANN MARIE				
	OWNER ADDR: 03805 TULANE	DR NE ALBUQUERQUE	NM	87107	
101606044829010204	LEGAL: * 00 3 00 4MONTGOMERY HTS ADD	LAND USE:			
	PROPERTY ADDR: 00000 3809 TULANE DR NE				
	OWNER NAME: O'BRIAN KENNETH J & JO ELLEN				
	OWNER ADDR: 03809 TULANE	DR NE ALBUQUERQUE	NM	87107	
101606044929610205	LEGAL: * 00 4 00 4MONTGOMERY HTS ADD	LAND USE:			
	PROPERTY ADDR: 00000 3813 TULANE DR NE				
	OWNER NAME: ARCHIBEQUE JERRY P ETUX				
	OWNER ADDR: 03813 TULANE	DR NE ALBUQUERQUE	NM	87107	
101606044930410206	LEGAL: * 00 5 00 4MONTGOMERY HTS ADD	LAND USE:			
	PROPERTY ADDR: 00000 3817 TULANE DR NE				
	OWNER NAME: SUNWEST BK OF ALBUQ TRUSTEE				
	OWNER ADDR: 00000 PO BOX 830155	DALLAS	TX	75283	
101606044931310207	LEGAL: * 00 6 00 4MONTGOMERY HTS ADD	LAND USE:			
	PROPERTY ADDR: 00000 3901 TULANE DR NE				
	OWNER NAME: RICHARDSON NORMAN J ETUX				
	OWNER ADDR: 03901 TULANE	DR NE ALBUQUERQUE	NM	87107	
101606044932010208	LEGAL: * 00 7 00 4MONTGOMERY HTS ADD	LAND USE:			
	PROPERTY ADDR: 00000 3905 TULANE DR NE				
	OWNER NAME: ANAYA ROBERT & CHERYL				
	OWNER ADDR: 03905 TULANE	DR NE ALBUQUERQUE	NM	87107	

101606044832910209 LEGAL: * 00 8 00 4MONTGOMERY HTS ADD LAND USE:
PROPERTY ADDR: 00000 3909 TULANE DR NE
OWNER NAME: MONTGOMERY ANDREW C &
OWNER ADDR: 03909 TULANE NE ALBUQUERQUE NM 87107

101606045033910210 LEGAL: * 00 9 00 4MONTGOMERY HTS ADD LAND USE:
PROPERTY ADDR: 00000 TULANE DR NE
OWNER NAME: GALEMORE GARY D & LORI D
OWNER ADDR: 03913 TULANE DR NE ALBUQUERQUE NM 87107

101606046034410211 LEGAL: * 01 0 00 4MONTGOMERY HTS ADD LAND USE:
PROPERTY ADDR: 00000 4001 TULANE DR NE
OWNER NAME: DEVOLDER JENNIFER G
OWNER ADDR: 04001 TULANE DR NE ALBUQUERQUE NM 87107

101606047635410501 LEGAL: * 00 1 00 3MONTGOMERY HTS ADDN LAND USE:
PROPERTY ADDR: 00000 SAN ANDRES DR NE
OWNER NAME: LUMRY WILLIS M & ANNA BETH TRU
OWNER ADDR: 05700 COMANCHE RD NE ALBUQUERQUE NM 87110

101606048535810502 LEGAL: * 00 2 00 3MONTGOMERY HTS ADDN LAND USE:
PROPERTY ADDR: 00000 3505 SAN ANDRES NE
OWNER NAME: JUAREZ BENNY JR & ROSALIE L
OWNER ADDR: 04204 HAHN CT NE ALBUQUERQUE NM 87109

101606049336010503 LEGAL: * 00 3 00 3MONTGOMERY HTS ADDN LAND USE:
PROPERTY ADDR: 00000 SAN ANDRES DR NE
OWNER NAME: LUMRY WILLIS & ANNA BETH TRUS
OWNER ADDR: 05700 COMANCHE RD NE ALBUQUERQUE NM 87110

101606050036010504 LEGAL: * 00 4 00 3MONTGOMERY HTS ADDN LAND USE:
PROPERTY ADDR: 00000 SAN ANDRES DR NE
OWNER NAME: LUMRY WILLIS & ANNA BETH TRUST
OWNER ADDR: 05700 COMANCHE RD NE ALBUQUERQUE NM 87110

101606050923341206 LEGAL: LOT 8D P LAT OF LOTS 8A 8B 8C & 8D BLOCK B INDIAN A LAND USE:
PROPERTY ADDR: 00000 3701 CARLISLE NE
OWNER NAME: FIRST UNITARIAN CHURCH
OWNER ADDR: 03701 CARLISLE NE ALBUQUERQUE NM 87110

101606044224141201 LEGAL: TR 7 A1 I NDIAN ACRES SUBD (BEING A REPL OF TR A BLK LAND USE:
PROPERTY ADDR: 00000 3400 COMANCHE BLV NE
OWNER NAME: PROPERTY TRST OF AMERICA
OWNER ADDR: 00000 PO BOX 13707 EL PASO TX 79913

101606047724641208 LEGAL: *10- B OF PLAT OF LTS 7-A, 8-A, 9-A & 10-B COMANCHE LAND USE:
PROPERTY ADDR: 00000 COMANCHE NE
OWNER NAME: 3500 PARTNERSHIP GROUP ETAL
OWNER ADDR: 03500 COMANCHE NE ALBUQUERQUE NM 87107

101606048324541213 LEGAL: *06 COMA NCHE PLACE A REDIVISION IN INDIAN ACRES LAND USE:
PROPERTY ADDR: 00000 3500 C COMMANCHE NE
OWNER NAME: HINKLE WILLIAM D ETUX
OWNER ADDR: 04104 CAMINO DE LA SIERRA NE ALBUQUERQUE NM 87111

101606048425141214 LEGAL: * 05 COM ANCHE PLACE A REDIVISION IN INDIAN ACRES LAND USE:
PROPERTY ADDR: 00000 3500 B COMANCHE NE
OWNER NAME: BUDAGHER JOHN A & SANDRA K
OWNER ADDR: 03500 COMANCHE (BLDG B) NE ALBUQUERQUE NM 87107

101606048025741203 LEGAL: *4-A PLA T OF LTS 3-A,4-A,& 10-A COMANCHE PLACE (A LAND USE:
PROPERTY ADDR: 00000 3500 COMANCHE NE
OWNER NAME: SPINN MICHAEL R & EDITH K
OWNER ADDR: 03500 COMANCHE NE ALBUQUERQUE NM 87107

101606047125741205 LEGAL: *3-A PLA T OF LTS 3-A,4-A,& 10-A COMANCHE PLACE (A LAND USE:
PROPERTY ADDR: 00000 3500 COMANCHE NE
OWNER NAME: TTT INC
OWNER ADDR: 03500 COMANCHE RD NE ALBUQUERQUE NM 87107

101606047025141212 LEGAL: * 02 COM ANCHE PLACE A REDIVISION IN INDIAN ACRES LAND USE:
PROPERTY ADDR: 00000 3500 COMANCHE NE
OWNER NAME: BLICKENSTAFF ROBERT &
OWNER ADDR: 05223 VICKSBURG DR NE ALBUQUERQUE NM 87120

101606047224541207 LEGAL: * 01 COM ANCHE PLACE A REDIVISION IN INDIAN ACRES LAND USE:
PROPERTY ADDR: 00000 3500 COMANCHE RD NE
OWNER NAME: ASSOCIATION FOR RETARDED
OWNER ADDR: 03500 COMANCHE RD NE ALBUQUERQUE NM 87107

101706001330220202 LEGAL: TR B BLK 8 SUMMARY PLAT OF TR B BLK 8 NORTH CARLIS LAND USE:
PROPERTY ADDR: 00000 3904 CARLISLE BLV NE
OWNER NAME: SILVA DELBERT V & CATHERINE L
OWNER ADDR: 03904 CARLISLE NW ALBUQUERQUE NM 87107

101706001329320203 LEGAL: TRAC T A BLK 8 CARLISLE ADD PLATOF TRACT A CONT 20. LAND USE:
PROPERTY ADDR: 00000 3816 CARLISLE BLV NE
OWNER NAME: 3816 CARLISLE LTD CO
OWNER ADDR: 03816 CARLISLE NE ALBUQUERQUE NM 87107

101706001331820206 LEGAL: PARC EL 2 B-1 BLK A REDIVISION OF PARCELS 2A & 2B (N LAND USE:
PROPERTY ADDR: 00000 3916 CARLISLE NE
OWNER NAME: CORACI VITO ETUX
OWNER ADDR: 13208 MOUNTAIN SHADOW NE ALBUQUERQUE NM 87111

101706001230820208 LEGAL: PARC EL 3 A BLK A REDIVISION OF PARCELS 2A & 2B (NOW LAND USE:
PROPERTY ADDR: 00000 3908 CARLISLE BLV NE
OWNER NAME: C & M ENTERPRISES
OWNER ADDR: 03908 CARLISLE NE ALBUQUERQUE NM 87107

101706001627120143 LEGAL: TRS 1 2 3 & 4 ALSO KNOWN AS TR 1-A OF SUMMARY PLAT LAND USE:
PROPERTY ADDR: 00000 3800 CARLISLE NE
OWNER NAME: CARLISLE COMANCHE CENTER INC
OWNER ADDR: 00000 PO BOX 3671 ALBUQUERQUE NM 87190

101706002832120304 LEGAL: * 00 4 01 9CARLISE DEL CERO #2 LAND USE:
PROPERTY ADDR: 00000 3809 HERMOSA ST NE
OWNER NAME: MORRIS TERRY G & SAUNDRA K A
OWNER ADDR: 03809 HERMOSA NE ALBUQUERQUE NM 87110

101706002731320305 LEGAL: * 00 5 01 9CARLISE DEL CERO #2 LAND USE:
PROPERTY ADDR: 00000 3805 HERMOSA ST NE
OWNER NAME: MORISON MARC J D & LAVERRIERE
OWNER ADDR: 03805 HERMOSA ST NE ALBUQUERQUE NM 87110

101706003531020306 LEGAL: * 00 6 01 9CARLISLE DEL CERO NO 2 LAND USE:
PROPERTY ADDR: 00000 3801 HERMOSA ST NE
OWNER NAME: ALLISON U STEPHEN
OWNER ADDR: 03801 HERMOSA NE ALBUQUERQUE NM 87110

101706002629620307 LEGAL: 008N ORTH CARLISLE REPL NO CARLISLE NO 1 LOT 5 EXC LAND USE:
PROPERTY ADDR: 00000 3609 PALO DURO NE
OWNER NAME: CARBON SOUTHWEST SALES INC
OWNER ADDR: 00000 PO BOX 3546 ALBUQUERQUE NM 87190

101706002524131513 LEGAL: * 00 3 00 1CARLISLE PLAZA LAND USE:
PROPERTY ADDR: 00000 3612 COMANCHE RD NE
OWNER NAME: BACA RITA R
OWNER ADDR: 03612 COMANCHE RD NE ALBUQUERQUE NM 87111

101706002624531514 LEGAL: * 00 2 00 1CARLISLE PLAZA LAND USE:
PROPERTY ADDR: 00000 3608 COMANCHE RD NE
OWNER NAME: MORRIS THOMAS E & KIMBERLY A
OWNER ADDR: 08809 CHERRY HILLS RD NE ALBUQUERQUE NM 87111

101706001224831515 LEGAL: * 00 1 00 1CARLISLE PLAZA LAND USE:
PROPERTY ADDR: 00000 3602 COMANCHE RD NE
OWNER NAME: MORRIS THOMAS E & KIMBERLY A
OWNER ADDR: 08809 CHERRY HILLS RD NE ALBUQUERQUE NM 87111

101706001124131516 LEGAL: * 02 5 00 1CARLISLE PLAZA LAND USE:
PROPERTY ADDR: 00000 3712 CARLISLE BLV NE
OWNER NAME: GRANT LITA
OWNER ADDR: 03712 CARLISLE BL NE ALBUQUERQUE NM 87110

101706001223331517 LEGAL: * 02 4 00 1CARLISLE PLAZA LAND USE:
PROPERTY ADDR: 00000 3706 CARLISLE BLV NE
OWNER NAME: OTERO LUTHER JOE ETUX
OWNER ADDR: 03706 CARLISLE BL NE ALBUQUERQUE NM 87110

101706001122731518 LEGAL: * 02 3 00 1CARLISLE PLAZA LAND USE:
PROPERTY ADDR: 00000 3603 MESCALERO CT NE
OWNER NAME: PAEZ REY & ROSEMARY
OWNER ADDR: 03603 MESCALERO CT NE ALBUQUERQUE NM 87111

101706002123031519 LEGAL: * 02 2 00 1CARLISLE PLAZA LAND USE:
PROPERTY ADDR: 00000 3609 MESCALERO CT NE
OWNER NAME: MARTINEZ BERNARDINO & MARIE M
OWNER ADDR: 00506 57TH NW ALBUQUERQUE NM 87105

City of Albuquerque

Fax: 768-7395

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: May 23, 2000

TO CONTACT NAME: Susan Fox

COMPANY/AGENCY: Rodey, Dickason, Sloan, Akin + Robb, PA

ADDRESS/ZIP/PHONE: PO Box 1888 / 87103

Thank you for inquiry of 5-23-00 (date) requesting the names of the Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed project at Tract A-1, Blk 1, of Montgomery Heights

zone map page(s): G-16.

Our records indicate that the Recognized Neighborhood Associations affected by this proposal and their contact names, addresses and phone numbers are as follows:

Hoagland NA
Neighborhood Association
Contacts: H. Diane Snyder
4012 Delamar Ave NE/87110
830-0031 (h) 830-1669 (w)
Eddy Jacobs
4920 Hilton NE / 87110
881-9261 (h)

Alta Monte NA
Neighborhood Association
Contacts: Rick Cooper
10327 Connemara Ave SW/87121
833-1751 (h)
Perla Webb
8 Plains View Ln, Edgewood, NM
281-6859 (h) 87015

See reverse side for additional Neighborhood Association Information: Yes [X] No [ ]

Please note that according to O-92 you are required to notify each of the contact persons by **CERTIFIED MAIL, RETURN RECEIPT REQUESTED BEFORE** the Planning Department will accept your application filing. ***IMPORTANT! FAILURE OF ADEQUATE NOTIFICATION MAY RESULT IN YOUR APPLICATION HEARING BEING DEFERRED FOR THIRTY (30) DAYS.***

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

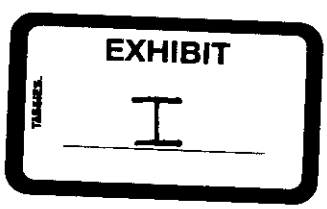
Dalaina K Carmona
OFFICE OF COMMUNITY/NEIGHBORHOOD COORDINATION

planningmaform (11/5/98)

Staff on Site at KOAT (Albuquerque) on Wednesdays

Total # Employees at KOAT Site (Albuquerque) - 143

Department	Noon	2:00pm	5:00pm
G&A	1	7	4
Programming	0	2	1
Sales	4	13	12
Engineering	4	5	3
Creative Services	7	8	8
Production	14	17	12
News	16	17	18
NORMAL TOTAL	**46**	**69**	**58**
News Photographers	13	12	18
POSSIBLE TOTAL	**59**	**81**	**76**



M.L. ROPER
JUN 0 2 2000

Additional Neighborhood Association Information

Montgomery Heights NA
Neighborhood Association
Contacts: Bob Swartwood
3517 Hendrix Rd NE 87107
881-3151 (w) 881-1288 (w)
Karen Schueler
3504 Delamar, NE 87107
889-0103 (w)

Neighborhood Association
Contacts:

Neighborhood Association
Contacts:

Neighborhood Association
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Neighborhood Association
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NOTICE TO APPLICANTS

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

Applicants for Zone Change, Site Plan, Sector Development Plan approval or an amendment to a Sector Development Plan by the EPC, DRB, etc. are required under Council Bill O-92 to notify all affected recognized neighborhood associations ***PRIOR TO FILING THE APPLICATION TO THE PLANNING DEPARTMENT.*** Because the purpose of the notification is to ensure communication as a means of identifying and resolving problems early, it is essential that the notification be fully informative.

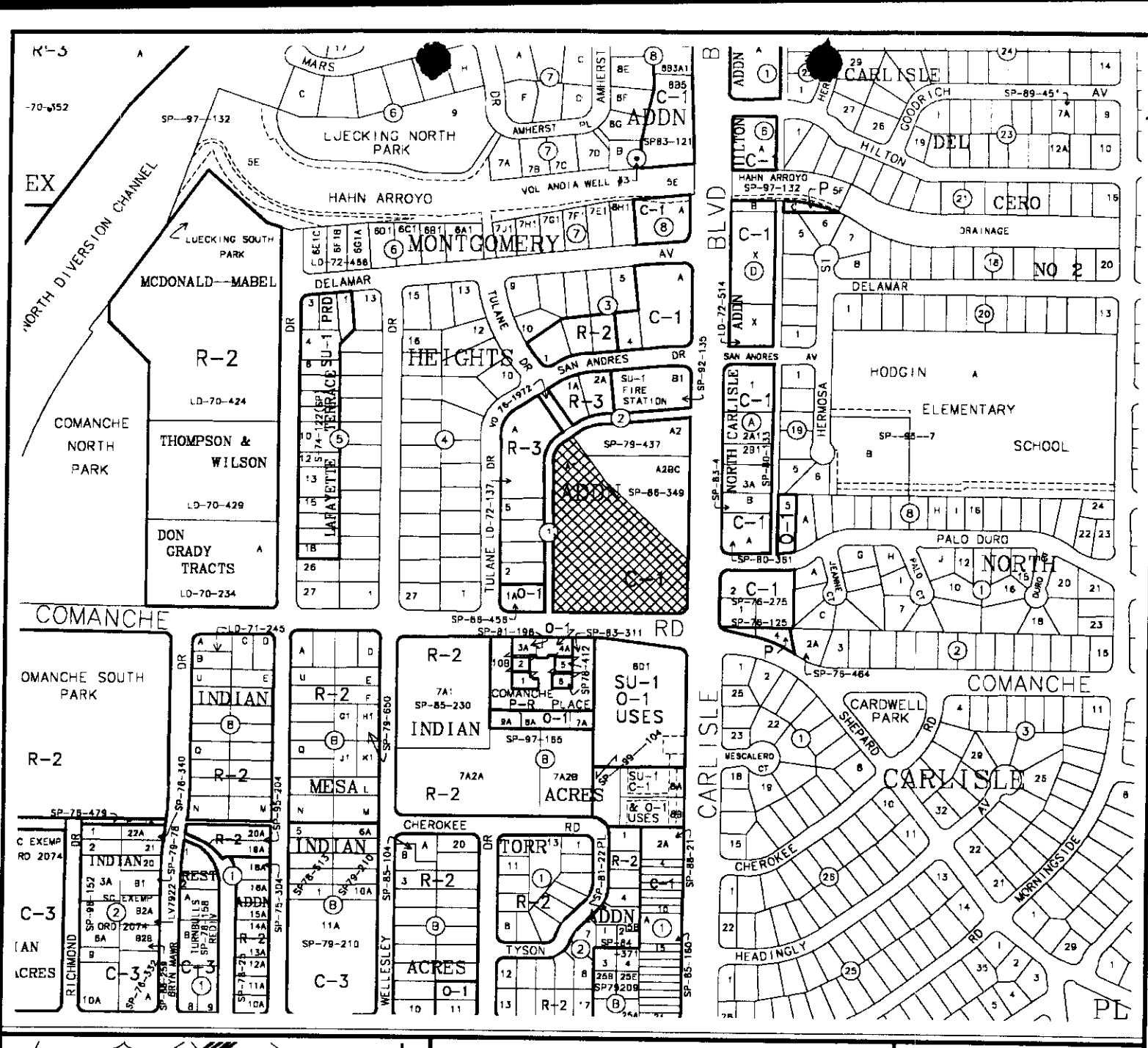
WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

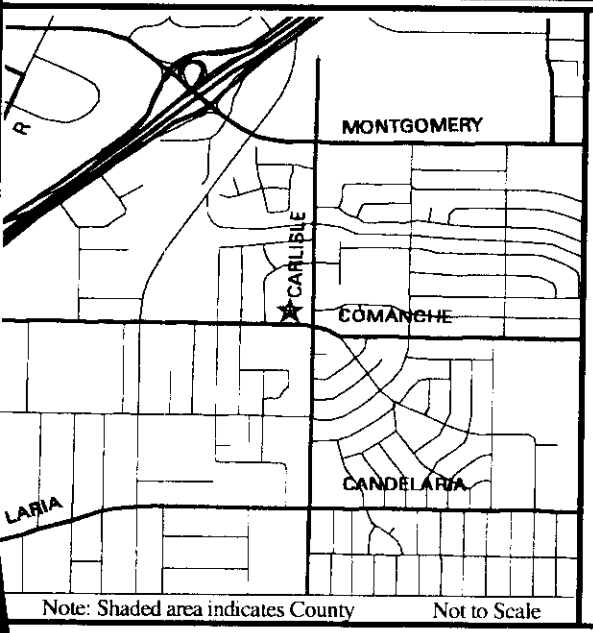
1. The street address of the subject property.
2. The legal description of the property, including lot or tract number (if any), block number (if any), and name of the subdivision.
3. A physical description of the location, referenced to streets and existing land uses.
4. A complete description of the actions requested of the EPC:
   a) If a **ZONE CHANGE OR ANNEXATION**, the name of the existing zone category and primary uses and the name of the proposed category and primary uses (i.e., "from the R-T Townhouse zone, to the C-2 Community Commercial zone").
   b) If a **SITE DEVELOPMENT OR MASTER DEVELOPMENT PLAN** approval or amendment describe the physical nature of the proposal (i.e., "an amendment to the approved plan to allow a drive-through restaurant to be located just east of the main shopping center entrance off Montgomery Blvd.").
   c) If a **SECTOR DEVELOPMENT PLAN OR PLAN AMENDMENT** a general description of the plan area, plan concept, the mix of zoning and land use categories proposed and description of major features such as location of significant shopping centers, employment centers, parks and other public facilities.
5. The name, address and telephone number of the applicant and of the agent (if any). In particular the name of an individual contact person will be helpful so that neighborhood associations may contact someone with questions or comments.

* *

(below this line for OCNC use only)

Date of Inquiry: 5-23-00 Time Entered: 12:15 pm OCNC Rep. Initials: DC





Note: Shaded area indicates County Not to Scale

ZONING MAP

AGIS

Scale 1"=452'

PROJECT NO.
1000643

HEARING DATE
08-17-00

MAP NO.
G-16

APPLICATION NO.
00110-00000-00888
00128-00000-00889

Note: Shaded area indicates County   Not to Scale

HISTORY MAP

Scale 1" = 452 '

PROJECT NO.
1000643

HEARING DATE
08-17-00

MAP NO.
G-16

APPLICATION NO.
00110-00000-00888
00128-00000-00889

RODEY, DICKASON, SLOAN, AKIN & ROBB, P.A.

COUNSELORS AND ATTORNEYS AT LAW

ALBUQUERQUE PLAZA

201 THIRD STREET NW, SUITE 2200
ALBUQUERQUE, NEW MEXICO 87102

P.O. BOX 1888
ALBUQUERQUE, NEW MEXICO 87103

TELEPHONE (505) 765-5900

FACSIMILE (505) 768-7395

SUSAN B. FOX

Direct Number:
768-7224

E-Mail Address: sbfox@rodey.com

March 20, 2001

VIA HAND-DELIVERY

Janet Stephens, Chair
City of Albuquerque - Development Review Board
Plaza Del Sol Building
600 2nd Street, NW
Albuquerque, NM 87102

COPY

Re: **Project No. 1000643/KOAT-TV Zone Change and Site Plan Final Approval**

Dear Ms. Stephens:

Per our telephone conversation yesterday, I am submitting to you for your approval the original mylar and three copies of the KOAT-TV site plan, along with the DRB Case Tracking Log, for the above-referenced project. At the March 14, 2001 DRB hearing, final sign-off of the KOAT-TV site plan was delegated to the City Planning Department. We met with Richard Dineen and Lola Bird on the same day and obtained their concurrence in the site plan as submitted. Therefore, we respectfully request the Planning Department's approval on the plans.

Please call me at the above number with any questions or when I may pick up a copy of the approval.

Very truly yours,

RODEY, DICKASON, SLOAN, AKIN & ROBB, P.A.

By:
Susan B. Fox

SBF/ssb
Enclosures
cc: Mary Lynn Roper
Richard Dineen, City Planning Department

RODEY, DICKASON, SLOAN, AKIN & ROBB, P.A.

COUNSELORS AND ATTORNEYS AT LAW

ALBUQUERQUE PLAZA

201 THIRD STREET NW, SUITE 2200
ALBUQUERQUE, NEW MEXICO 87102

P.O. BOX 1888
ALBUQUERQUE, NEW MEXICO 87103

TELEPHONE (505) 765-5900

FACSIMILE (505) 768-7395

SUSAN B. FOX

Direct Number: 768-7224

E-Mail Address: sbfox@rodey.com

February 5, 2001

VIA HAND-DELIVERY

Mr. Richard Dineen
City of Albuquerque - Planning Department
Plaza Del Sol Building
600 2nd Street, NW
Albuquerque, NM 87102

Re: **KOAT-TV Zone Change and Site Plan Approval/DRB Final Sign-Off**

Dear Mr. Dineen:

On behalf of my client, KOAT-TV, and per our telephone conversation today, I submit to you this request for a six-month extension of time for compliance with the Environmental Planning Commission's conditions imposed as part of its approval of the KOAT-TV zone change and site plan. The EPC voted approval of KOAT-TV's zone change and site plan request on August 17, 2000; however, that action was appealed by a neighbor and the appeal was not decided until November 6, 2000, when the City Council voted a "Do Not Hear" on the appeal. It is, therefore, our position that the six-month timeframe in City of Albuquerque Zoning Code § 14-16-14-1(C)(10)(b) does not expire until six (6) months from the City Council's final action on the appeal. However, lest there be any question, respectfully we are requesting a six-month extension from the date of this letter in which to meet the EPC's conditions of approval.

If you concur in this request, please sign and date below and call me at 768-7224 so I can arrange for retrieval.

Thank you in advance.

Very truly yours,

RODEY, DICKASON, SLOAN, AKIN & ROBB, P.A.

By: Susan B. Fox

SBF/ssb
cc: Mary Lynn Roper

The above six-month extension request is granted this 5th day of February, 2001.

City of Albuquerque - Planning Department

By: Richard Dineen
Richard Dineen

FAX# 764-3864 AC 00-74

City of Albuquerque

DEVELOPMENT REVIEW APPLICATION

	Supplemental form
ZONING	Z
____ Annexation or Map Amendment	
____ Sector Plan	
____ Text Amendment	
____ Special Exception	E
SUBDIVISION	S
____ DRB Major Subdivision *	
____ DRB Minor Subdivision	
____ Variance (Non-Zoning)	V
____ Vacation (Public * & Private)	

	Supplemental form
SITE DEVELOPMENT PLAN	P
____ for Subdivision Purposes *	
____ for Building Permit	
____ Plan Amendment *	
____ Administrative Amendment	
____ Master Development Plan	
APPEAL / PROTEST of...	A
____ Planning Director, Zoning	
____ Enforcement Officer, Zoning	
X Hearing Examiner, DRB, EPC,	
____ Zoning Board of Appeals, LUCC	

*** Notification of the Recognized Neighborhood Association is required**

PRINT OR TYPE IN BLACK INK ONLY. **The applicant or agent must submit the completed application in person to the Planning Department. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.**

APPLICANT INFORMATION:

NAME: First Unitarian Church PHONE: 884-1801
ADDRESS: 3701 Carlisle NE FAX:
CITY: Albuquerque STATE NM ZIP 87110 E-MAIL:
Proprietary interest in site:
AGENT (if any): Rebecca Steele Facilities Manager PHONE: 884-1801
ADDRESS: 1st Unitarian Church 3701 Carlisle NE FAX:
CITY: Albuquerque STATE NM ZIP 87110 E-MAIL:

SITE INFORMATION:

DESCRIPTION OF REQUEST: Appeal of Decision EPC ZMA C1 to SU-1

Lot or Tract No. Lot A-1 Block1 Montgomery Heights Block: Block1 Unit:
Subdiv. / Addn. Montgomery Heights
Current Zoning: C-1 Proposed zoning: SU-1
Zone Atlas page(s): G-16 No. of **existing** lots: No. of **proposed** lots:
Total area of site (acres): 3.6 Density if applicable: dwellings per gross acre: dwellings per net acre:
UPC No. 101806049428910501 MRGCD Map No.
Within city limits? ✓ Yes. No___, but site is within 5 miles of the city limits (DRB jurisdiction.) Within 1000FT of a landfill? NO
LOCATION OF PROPERTY BY STREETS: On or Near: Corner of Carlisle and Comanche NE
Between: and

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX-, Z-, V-, S-, etc.): 1000643
00110-00000-00888 // 00110-00000-00889

SIGNATURE Rebecca Steele DATE Sept. 1, 2000
(Print) Rebecca Steele ___ Applicant X Agent

FOR OFFICIAL USE ONLY Form revised May 2000

- ☐ INTERNAL ROUTING
- ☐ All checklists are complete
- ☐ All fees have been collected
- ☐ All case #s are assigned
- ☐ Case history #s are listed
- ☑ Site is within 1000ft of a landfill No
- ☐ F.H.D.P. density bonus
- ☐ F.H.D.P. fee rebate

Application case numbers	S.F.	Fees
00218 - 00000 - 01245	A	$ 50.00
		$
		$
		$
		$
	Total	$ 50.00

Hearing date

9/1/00
Planner signature / date

Project # 1000643

First Unitarian Church

3701 Carlisle NE · Albuquerque, NM 87110-1642
505-884-1801 · fax: 505-884-6425
e-mail: uuabq@nmia.com · website: http://www.nmia.com/~uuabq/
Christine Robinson, Minister

September 5, 2000

Lenora Chavez
Research Specialist
Planning Department, Land Development
Coordination Division
600 2nd Street NW
Albuquerque, NM 87102

Dear Lenora Chavez,

This is to verify that Rebecca Steele is employed as the Facilities Manager of First Unitarian Church of Albuquerque, therefore has authorization to file the appeal of KOAT's zoning request.

Sincerely,

For First Unitarian Church of Albuquerque
Jane Ronca-Washburn
President, Board of Directors

First Unitarian Church
3701 Carlisle NE
Albuquerque, NM 87110
September 1, 2000

Robert McCabe, Planning Director
City of Albuquerque Planning Dept
600 2nd St. NW
Albuquerque, NM.

Dear Sirs:

As Facilities Manager for First Unitarian Church and authorized to act on its behalf, I am filing an appeal to the decision to continued use of the corner of the KOAT-TV property for a helipad.

The appeal is for the reason that the church was not notified of the request for a zoning change. I was told that we were not notified because we are more than 100 ft from that site. However, only Comanche Blvd lies between us, four lanes of busy thoroughfare between their large parking lot and ours.

We are a church of approximately 500 members, with a Monday through Friday childcare center of approximately 70 children. We are heavily affected by the noise of the helicopter taking off and landing. There is also considerable risk to the children.

Sincerely Yours,

Rebecca Steele, Facilities Manager

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

Date: August 18, 2000

OFFICIAL NOTIFICATION OF DECISION

KOAT-TV
3801 Carlisle Blvd. NE
Albuq. NM 87107

#1000643

FILE: 00110 00000 00888/00110 00000 00889
LEGAL DESCRIPTION: for Lot A-1, Block 1, Montgomery Heights, located on Carlisle and Comanche NE, between Montgomery and Comanche, containing approximately 3.6 acres. (G 16) Debbie Stover, Staff Planner

On August 17, 2000, the Environmental Planning Commission voted to approve 00110 00000 00888, a zone map amendment from C-1 to SU-1 for TV Station Satellite Dishes, Related Facilities and a Helipad and Signag Restrictions based on the following Findings:

FINDINGS:

1. This is a request for approval of a zone map amendment from C-1 to SU-1 for TV Station, Satellite Dishes, Related Facilities and Helipad for a 3.6 acre parcel located on the northwest corner of Carlisle Boulevard and Comanche Road NE. KOAT-TV is located on this site; a news helicopter operates from this location.

2. The reason for the zone map amendment request is to comply with a recent City Ordinance (Bill O-73) which makes helipads an allowed use under the Zoning Code only in the Special Use zone. Prior to Bill O-73, helipads had been an allowed accessory use under the Zoning Code and could locate on any commercial premises.

3. Under O-73, helipads other than those used for law enforcement and medical uses are allowed under certain conditions if they comply with Federal, State and Local regulations including City noise regulations.

4. Adoption of this new Ordinance constitutes a change in community conditions, as stipulated in Resolution 270-1980. Specifically, O-73 makes helipads an allowed use under the zoning code only in the Special Use zone. The applicant's submittal is an effort to comply with this regulatory change.

5. A new Noise Ordinance is currently under consideration by City Council, but has not yet been acted upon and is not an adopted policy at this time.

6. There is no clear, convincing evidence that the helipad has been or will be injurious to adjacent proper the neighborhood or the community. Noise testing, as recommended by the Environmental Health Department, was conducted as part of the analysis of this request.

7. A report produced by Metro Safety Consultants, Inc. concerning noise level readings taken at the subje site on July 6 and August 10, 2000, were submitted. Environmental Health Department staff has evaluated the study in order to include the findings in this staff report.

8. This request conforms with applicable City plans, ordinances and policies.

9. Staff recommends approval of this zone change.

10. The signage in the satellite dish is a non permitted sign.

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. There shall be no more than one (1) operable helicopter at this site. The intent of this condition is for th helipad to accommodate one, single, news-related helicopter.

3. Flight logs shall be maintained by the operator and such flight logs shall be made available for public viewing upon written request in a timely manner. These logs shall include notations as to what type of flight occurred ie. emergency, promotional, news gathering, engineering (maintenance and repair) or other.

4. The helicopter shall be limited, as per the adopted O-73, to three (3) take-off and landing functions per day (with the exception of emergencies) as per the zone code.

5. The helicopter should maintain take-off and landing flight paths along non-residential areas and utilize areas above arterial streets whenever possible.

6. The signage within the satellite dish shall be removed.

On August 17, 2000, the Environmental Planning Commission voted to approve 00110 00000 00889, a site development plan for building permit 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 TV Station, Satellite Dishes, Related Facilities and Helipad for a 3.6 acre parcel located on the northwest corner of Carlisle Boulevard and Comanche Road NE. The reason for the site plan request is to comply with a recent City Ordinance (Bill O-73) which makes helipads an allowed use under the zoning code only in the Special Use zone, and the site plan for building permit is a secondary request necessitated by the request for zone change.

2. The existing building is a 37,000 square foot building which houses the offices as well as studios for the operation of a television station.

3. The circulation of the site remains unchanged, with access from Comanche Road NE.

4. There are five satellite dishes in existence at this site.

5. The helipad consists of a 10 foot radial concrete landing pad surrounded by chain link fencing and landscaping and is located at the southeast corner of the site.

6. Minimal additional landscape will be added to the existing mature landscape.

7. The changes to the site as proposed in the site plan for building permit are minimal and will not change the character of the site or the surrounding area.

8. Environmental Health has observed and analyzed the noise level tests done at the existing helipad and has submitted a memo stating that the levels of noise generated by KOAT-TV's helicopter are within allowable ranges under the current noise ordinance and the proposed new noise ordinance.

9. Staff recommends approval of this request.

10. The existing signage within the satellite dish is a non permitted sign.

11. Pedestrian access from the facility to adjacent streets does not exist.

12. Existing chain link fence around the site should be removed.

13. The site does not currently comply with the street tree ordinance.

14. There are 83 employees maximum on site at one time. Break areas and bike facilities are minimal and should be enhanced.

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 helicopter should maintain take-off and landing flight paths along non-residential areas and utilize areas above arterial streets whenever possible.

3. Flight logs shall be maintained by the operator and such flight logs shall be made available for public viewing upon written request in a timely manner. These logs shall include notations as to what type of flight occurred ie. emergency, promotional, news gathering, engineering (maintenance and repair) or other.

4. The site plan shall comply with the street tree ordinance. In lieu of large shade trees at 30 feet on center due to the location of helicopter pad and satellite dishes, street trees along Carlisle and Comanche shall be permitted to be ornamental trees at 25 feet on center.

5. Remove all chain link fence and razor wire and replace with wrought iron or aluminum fencing.

6. The existing satellite dish with signage shall have the signage removed from the dish.

7. Provide a 6-foot clear sidewalk from the front door to Comanche with a textured concrete pedestrian crossing at the drive aisle.

8. Add a 30-inch high screen wall or berm to shield parking along Comanche.

9. Add shade trees and landscaping at parking lot areas and particularly along the west property line and north parking lot area. There shall be trees located per code and the distance from a trunk of a tree to a parking stall is to be no more then 100 feet.

10. Trees shall be located at 25 feet on center in minimum of 5 x 5 planting areas along all internal pedestrian paths through parking lots and connections to the street.

11. Add bicycle lockers or secured bike facilities, the secured bike facility would be a minimum of 200 square feet.

12. Add a 400 square foot shaded patio area, which will be an employee patio.

IF YOU WISH TO APPEAL THIS DECISION, YOU MUST DO SO BY **SEPTEMBER 1, 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 Departmen 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).

Sincerely,

For Robert R. McCabe, AIA, APA
Planning Director

RM/DS/ac

cc: Rodey, Dickason, Sloan, Akin & Robb, PA, P.O. Box 1888, Albuq. NM 87103-1888
H. Diane Snyder, Hodgin Neigh. Assoc., 4012 Delamar Ave. NE, Albuq. NM 87110
Eddy Jacobs, Hodgin Neigh. Assoc., 4920 Hilton NE, Albuq. NM 87110
Rick Cooper, Alta Monte Neigh. Assoc., 10327 Connemera Ave. SW, Albuq. NM 87121
Perla Webb, Alta Monte Neigh. Assoc., 8 Plains View Ln., Edgewood NM, Albuq. NM 87015
Bob Swartwood, Montgomery Heights Neigh. Assoc., 3517 Hendrix Rd. NE, Albuq. NM 87107
Karen Schueler, Montgomery Heights Neigh. Assoc., 3504 Delamar NE, Albuq. NM 87107
Michael Carson, 400 Roma NW, Albuq. NM 87102
Sheryl Paloni, 400 Roma NW, Albuq. NM 87102
Karen Schueler, 3504 Delamar NE, Albuq. NM 87107
Curtis Chambers, CSP, 2704 Wooded Acres Dr., Arlington Tx. 76016
James Fanning, 3801 Wellesley NE, Albuq. NM 87107
Gregory Hicks, 400 San Pasquale SW, Albuq. NM 87104
David Wiederholt, 3816 Delamar NE, Albuq. NM 87110

FORM A: APPEAL OR PROTEST

THIS FORM IS REQUIRED WITH THE DEVELOPMENT REVIEW APPLICATION FOR APPEAL. IN YOUR APPEAL DOCUMENTS, ALONG WITH THE REASONS FOR YOUR APPEAL, YOU MUST STATE THE BASIS FOR YOUR STANDING AS AN APPELLANT. CHECK-OFF THE SECTION BELOW CORRESPONDING TO **THE AGENCY WHICH ISSUED THE DECISION** YOU ARE PROTESTING. APPEAL DEADLINES MUST BE MET AND THE APPROPRIATE FEES PAID. ULTIMATELY, ANY FINAL DECISION MAY BE REFERRED TO DISTRICT COURT FOR JUDICIAL REVIEW. APPLICATIONS FOR APPEALS ARE TAKEN PROVISIONALLY PENDING REVIEW FOR COMPLIANCE WITH ALL CITY RULES AND REGULATIONNS

__ **APPEALED OR PROTESTED CASE NUMBER** _____

X Reason For Appeal

X Basis For Standing

____ **PLANNING DIRECTOR. The decision being appealed regards,**

__ Administrative Amendment

__ Other _____

Appeals are heard by the Environmental Planning Commission.

____ **ZONING ENFORCEMENT OFFICER. The decision being appealed regards,**

__ Declaratory Ruling

Appeals are heard by the Environmental Planning Commission. A fee is charged.

____ **ZONING HEARING EXAMINER. The decision being appealed regards,**

__ Special Exception

Appeals are heard by the Zoning Board of Appeals. A fee is charged for filing this appeal.

__ Administrative Amendment

__ Other _____

Appeals are heard by the Environmental Planning Commission.

____ **DEVELOPMENT REVIEW BOARD. The decision being appealed regards,**

__ Subdivision. A fee is charged for filing this appeal.

__ Vacation or Variance. A fee is charged for filing this appeal.

__ Site Development Plan approval or amendment

__ Other _____

Appeals are heard by the Environmental Planning Commission.

AP# ____-_____-___

✓ **ENVIRONMENTAL PLANNING COMMISSION. The decision being appealed regards,**

X Zone Map amendment

✓ Site Development Plan approval or amendment X Notice of Decision

__ Other _____

Appeals are heard by the City Council.

____ **ZONING BOARD OF APPEALS. The decision being appealed regards,**

__ Appeal of the Examiner's decision regarding a Special Exception (This is the second appeal.)

Appeals are heard by the City Council.

____ **LANDMARKS AND URBAN CONSERVATION COMMISSION. The decision being appealed regards,**

__ Historic Zone or City Landmark Designation

__ Certificate of Appropriateness

__ Other _____

Appeals are heard by the City Council.

AC# ____-_____-___

All original and related case numbers must be listed here! (DRB, Zone Change, Variance, etc.)

Project 1000643 // 00110 00000 00888 / 00110-00000-00889

All necessary information has been submitted and checked at the time of application

(Sign) X Rebecca Steele

(Print) X Rebecca Steele 9/1/00

Applicant or Agent / Date

9-1-00

Planner / Date

Form A
Revised 12/98
kt

Project 1000643 // 00218-00000-01245

DRB ____-____

Accompanying sheets of current **Appeal Form**

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
LAND DEVELOPMENT COORDINATION DIVISION
PAID RECEIPT

APPLICANT NAME: First Unitarian Church

AGENT: Rebecca Steele
Facilities Mngr

ADDRESS:
(w/zip code) 3701 Carlisle NE
ABQ NM 87110

CASE NUMBER: Project 1006643 // 00218-00000-01245

AMOUNT DUE: $50.-

✓ 441006/4981000 (City Cases)

____ 441018/4921000 (County)

____ 441011/7000110 (LUCC)

Revised 8/1/2000
x:/share/receipt.doc

ROBERT M. ST. JOHN
JOSEPH J. MULLINS
MARK K. ADAMS
ROBERT G. McCORKLE
BRUCE HALL
JOHN P. SALAZAR
WILLIAM S. DIXON
JOHN P. BURTON
REX D. THROCKMORTON
JONATHAN W. HEWES
W. ROBERT LASATER, JR.
MARK C. MEIERING
CATHERINE T. GOLDBERG
TRAVIS R. COLLIER
EDWARD RICCO
W. MARK MOWERY
PATRICK M. SHAY
NANCY J. APPLEBY
ELLEN T. SKRAK
TRACY M. JENKS
HENRY M. BOHNHOFF
CHARLES K. PURCELL
ANDREW G. SCHULTZ
JOHN M. BRANT
JOSEPH B. ROCHELLE
SCOTT D. GORDON
SUSAN S. THROCKMORTON
DEWITT M. MORGAN

MARK A. SMITH
R. NELSON FRANSE
THERESA W. PARRISH
PAUL R. KOLLER
JAMES P. BIEG
CHARLES J. VIGIL
MARY KELEHER CASTLE
THOMAS L. STAHL
DAVID W. BUNTING
GARY D. EISENBERG
LESLIE McCARTHY APODACA
SUSAN BARGER FOX
MACDONNELL GORDON
PAUL C. COLLINS
WILLIAM J. ARLAND, III
JAMES A. ASKEW
JEFFREY M. CROASDELL
JEFFREY L. LOWRY
DEBORAH E. MANN
ALICE NYSTEL PAGE
AMY BADGER WHITEMORE
THOMAS A. OUTLER
SETH L. SPARKS
LISA A. CHAVEZ
JOCELYN C. DRENNAN
MICHAEL J. BRESCIA
MICHELLE HENRIE
SUNNY J. NIXON

RODEY, DICKASON, SLOAN, AKIN & ROBB, P. A.
COUNSELORS AND ATTORNEYS AT LAW
ALBUQUERQUE PLAZA
201 THIRD STREET NW, SUITE 2200
ALBUQUERQUE, NEW MEXICO 87102

P. O. BOX 1888
ALBUQUERQUE, NEW MEXICO 87103
WEB-SITE: www.rodey.com
E-MAIL: info@rodey.com

TELEPHONE (505) 765-5900
FACSIMILE (505) 768-7395

COUNSEL
RICHARD C. MINZNER

OF COUNSEL
JACKSON G. AKIN
RAY H. RODEY
JOHN D. ROBB
JAMES C. RITCHIE
DEBRA ROMERO THAL
JO SAXTON BRAYER

BERNARD S. RODEY (1856-1927)
PEARCE C. RODEY (1889-1958)
DON L. DICKASON (1906-1999)
WILLIAM A. SLOAN (1910-1993)

SANTA FE OFFICE
MARCY PLAZA
123 EAST MARCY STREET, SUITE 101
SANTA FE, NEW MEXICO 87501-2034
P. O. BOX 1357
SANTA FE, NM 87504-1357
TELEPHONE (505) 954-3900
FACSIMILE (505) 954-3942

WRITER'S DIRECT NUMBER

August 11, 2000

HAND DELIVERED

Ms. Debbie Stover
Planner
Planning Department
City of Albuquerque
600 2nd Street NW
Albuquerque, NM 87102

Re: KOAT TV Zone Change Request / Z-00110-00000-00888
BP-00128-00000-00889

Dear Ms. Stover:

I enclose herein for the record in this matter a copy of each of the following videos:

1. Videotape entitled "KOAT Sky 7 (6/16/00)". This tape illustrates the normal flight pattern over arterial streets and the heights achieved by Sky 7 during take-off and landing operations.

2. Videotape entitled "KOAT-TV 7 (8/10/00)". This tape reflects sound level testing conducted at designated locations at residential property in the KOAT-TV neighborhood while Sky 7 was in operation.

Both tapes confirm sensitivity to neighborhood businesses and residences, as well as full compliance with applicable noise ordinances, both existing and as proposed.

These tapes were furnished yesterday to Mr. Bob Kirkpatrick of the Albuquerque Environmental Health Department. Mr. Kirkpatrick was able to review the results of the morning's sound testing and was able to observed additional testing which was conducted at his request yesterday afternoon. We understand that Mr. Kirkpatrick is satisfied that Sky 7 complies with all presently existing, as well as proposed noise ordinance criteria applicable to helicopters.

Thank you for your inclusion of these materials into the record in this case.

Sincerely,

RODEY, DICKASON, SLOAN, AKIN & ROBB, P.A.

By
John P. Salazar

JPS/jsd

Enclosures

cc: (w/out enclosures)
Ms. Mary Lynn Roper (via telefacsimile)
Mr. Pahl Shipley (via telefacsimile)
Ms. Veronica A. Miner

August 14, 2000 3:00 pm

Dear Commissioners:

We just received this information from KOAT- TV and wanted to get it to you as soon as possible. Bob Kirkpatrick, Noise Officer with Environmental Health, did accompany the Metro Safety Consultant, Curtis Chambers, last Thursday (8-10-00) while the latest noise level readings were taken. We are expecting a report regarding these tests from Mr. Kirkpatrick any moment. From telephone conversations between Mr. Kirkpatrick and staff, it would seem that Environmental Health believes that KOAT-TV meets all current and proposed noise level requirements. We will fax his report to you as soon as it is available.

In addition, the application materials for this case included a videotape that KOAT-TV provided. Those tapes were misplaced or inadvertently thrown away. We have requested copies of those tapes from KOAT-TV and hope to have those for you soon as well.

Thank you.

Debbie

PLANNING DEPARTMENT
3:00 PM '00

ROBERT M. ST. JOHN
JOSEPH J. MULLINS
MARK K. ADAMS
ROBERT G. McCORKLE
BRUCE HALL
JOHN P. SALAZAR
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COUNSELORS AND ATTORNEYS AT LAW
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FACSIMILE (505) 768-7395

COUNSEL
RICHARD C. MINZNER

OF COUNSEL
JACKSON G. AKIN
RAY H. RODEY
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SANTA FE, NM 87504-1357
TELEPHONE (505) 954-3900
FACSIMILE (505) 954-3942

WRITER'S DIRECT NUMBER

August 14, 2000

HAND DELIVERED

Ms. Debbie Stover
Planner
Planning Department
City of Albuquerque
600 2nd Street NW
Albuquerque, NM 87102

Re: KOAT TV Zone Change Request / Z-00110-00000-00888
BP-00128-00000-00889

Dear Ms. Stover:

We enclose herein for your information, review and placement in the file in this matter the following documentation:

1. Helicopter Noise Survey prepared by Metro Safety Consultants, Inc. based on sound testing conducted in the KOAT-TV neighborhood on Thursday, August 10, 2000. Mr. Bob Kirkpatrick of the Albuquerque Environmental Health Department was able to review the video record of the morning testing conducted on August 10, 2000 and to observe additional testing during the afternoon of August 10, 2000. The enclosed written report recaps the findings in written form.

2. Sky 7 daily flight logs for the months of January through December, 1999 and January through July, 2000. The logs reflect the rather limited use of Sky 7. During 1999, Sky 7 flew on only 300 assignments, or an average of only 25 assignments per month. During 2000, it has flown on only 158 assignments from January through July which averages approximately 22.6 assignments per month.

Thank you for taking the time to review these materials and for placing them in the record of this application.

Sincerely,

RODEY, DICKASON, SLOAN, AKIN & ROBB, P.A.

By
John P. Salazar

JPS/jsd

Enclosures

cc: (w/enclosures)
Mr. Bob Kirkpatrick (hand delivered)
Ms. Mary Lynn Roper (hand delivered)
Mr. Pahl Shipley (hand delivered)

(w/out enclosures)
Ms. Veronica A. Miner

METRO SAFETY
Consultants, Inc.
The OSHA Compliance Specialists

PLANNING
DEPARTMENT
AUG 14 3 02 PM '00

Helicopter Noise Survey

KOAT-TV
Albuquerque, NM

August 10, 2000

SCOPE

Curtis Chambers, CSP/OHST, of Metro Safety Consultants, Inc. conducted a noise survey at the request of KOAT-TV, Albuquerque, NM. Sound pressure level readings were measured at numerous positions surrounding television station KOAT-TV, located at 3801 Carlisle N.E. in Albuquerque, NM, on Thursday, August 10, 2000.

The purpose of this noise survey was to determine sound levels generated at the nearest residential property lines and at select locations in nearby neighborhoods by the television station's helicopter during takeoff and landing operations. For purposes of these tests, noise level readings were measured continuously as the helicopter warmed up, took off, flew out, made its approach to land, landed, and then cooled down.

Specific positions where measurements were taken are identified in the Summary of Findings, and a survey map identifying each test position is included as Exhibit A of this report.

Sound pressure levels recorded during these studies are recapped in the Summary of Findings, and monitoring logs for each position are included as Exhibit B.

METHODOLOGY

Sound pressure levels were measured using Quest Q-300 noise dosimeters set to A scale, fast response. The instruments were calibrated before and after the survey with a Quest QC-10 calibrator. The instrument's microphone was placed approximately four (4) feet above ground level, and set in an upward position (approximately 70-degree angle above horizontal) facing the television station's helipad. Microphone windscreens were utilized throughout the survey. Additional information about these meters is included in this report as Appendix A.

A sound level meter was run continuously at each test position during one or more of the take-off/landing operations conducted during this survey. These meters record sound pressure levels at a rate of 32 readings per second, and maximum sound level readings are logged in one-second increments. A video camera was also utilized during these tests to capture meter readouts in one-second intervals, and to document background noise present during the tests. These readings were then charted to help determine if sound levels generated by the helicopter during takeoff and landing operations within a certain length of time exceed limits specified in the City's proposed noise ordinance. Monitoring logs for each test position are included with this report as Exhibit B.

DISCUSSION

The City's proposed noise ordinance contains a section that specifically addresses helicopter noise. Proposed limits not to be exceeded on residential property during take off or landing operations are listed below:

- 65 dB for more than 5 minutes per operation
- 70 dB for more than 90 seconds per operation
- 80 dB for more than 15 seconds per operation
- 90 dB for any length of time

For purposes of this survey, sound pressure level readings were taken continuously while the helicopter was sitting on the helipad warming up, took off, flew out, made its approach to land, landed, and then cooled down.

The helicopter took off and landed in what was described as the "normal" takeoff and landing patterns during tests conducted at positions A, B, and C, which are adjacent to television station property. This is where the helicopter takes off toward the South over Carlisle Blvd. into the prevailing winds, and approaches the station from North to South over Carlisle Blvd. for landing.

For the test conducted at the corner of Comanche and Wellesey (position D), the helicopter took off and then headed west down the center of Comanche Dr., and then landed per the normal landing pattern. For the test conducted in the 3800 block of Delamar (position E), the helicopter took off towards the North, traveling over Carlisile Blvd., and after looping around, landed per the normal landing pattern. The patterns flown provided "worst case" scenarios for noise generated by the helicopter during takeoff at each test location.

Spot readings showed that sound pressure levels that are generated by the helicopter at test locations during warm up and cool down are lower than 65 decibels. Station managers indicated that helicopter take off and landing operations, including time to warm-up or cool-down, do not exceed four minutes each during the winter, nor two minutes each during the summer. This being the case, the first limit listed above (65 dB for more than five minutes per operation) would not be applicable.

An important factor to keep in mind when reviewing test results is that peak noise levels generated by certain motor vehicles during this survey were actually measured well above 80 dBA on numerous occasions, and even exceeded 90 dBA a few times (refer to reading logs and video tape for documented examples). Loud background noise skews readings during a noise survey, and will nearly always be an issue when testing in urban areas such as this which are located near a main thoroughfare.

SUMMARY OF FINDINGS

Position A – *Residential property line just inside of the Southeast corner of the intersection of Carlisle Blvd. NE and Comanche Road NE; approximately 375 feet from the station's helipad.*

Residential property at this corner of the intersection is in direct view of the helipad, as there are no buildings or structures to shield it from the helipad. Motor vehicle traffic is very heavy at this intersection, which results in much higher background noise levels during the day as compared to the other positions. However, the video taken during this test confirmed that during those periods when traffic noise in the area was low, sound pressure levels generated by the helicopter were measured at levels well below the maximums allowed.

Based on readings collected during this survey, sound levels generated by the helicopter during takeoff and landing operations at this position were as follows:

65 dB for more than 5 minutes per operation:	Not applicable
70 dB for more than 90 seconds per operation:	Did not exceed
80 dB for more than 15 seconds per operation:	Did not exceed
90 dB for any length of time:	Did not exceed

Position B – *Northwest (back) corner of residential property sitting at the Southwest corner of the intersection of Palo Duro Avenue NE and Jeanne Ct. ; approximately 390 feet East of the station's helipad.*

Residential property in this area is partially shielded from the station's helipad by commercial development, primarily the strip center situated West of this test position. Motor vehicle traffic is relatively light at the intersection of Palo Duro and Jeanne Ct., which sits off of the main thoroughfare, so background noise levels are relatively low.

Based on readings collected during this survey, sound levels generated by the helicopter during takeoff and landing operations at this position were as follows:

65 dB for more than 5 minutes per operation:	Not applicable
70 dB for more than 90 seconds per operation:	Did not exceed
80 dB for more than 15 seconds per operation:	Did not exceed
90 dB for any length of time:	Did not exceed

Position C – *West edge of station property near the alley that runs between the station's property line and the back of adjacent Theta apartment buildings; approximately 440 feet from the helipad.*

Residential property in this area is almost completely shielded from the helipad by the television station building. Motor vehicle traffic is almost non-existent at the alley West of KOAT-TV, except for vehicles occasionally driving in and out of parking lots of the apartment buildings and television station. Therefore, background noise levels are relatively low.

Based on readings collected during this survey, sound levels generated by the helicopter during takeoff and landing operations at this position were as follows:

65 dB for more than 5 minutes per operation:	Not applicable
70 dB for more than 90 seconds per operation:	Did not exceed
80 dB for more than 15 seconds per operation:	Did not exceed
90 dB for any length of time:	Did not exceed

Position D –*Southwest corner of the intersection of Comanche Rd. NE and Wellesey Dr. NE; approximately three blocks due West of the station's helipad.*

Residential dwellings located at this intersection are situated a few blocks due West of the television station. There are several building structures including the television station's building that shield this area from the helipad. Motor vehicle traffic on Comanche Dr. is moderately heavy on occasion, which results in higher background noise levels as compared to the other positions. However, video taken during the test confirmed that sound pressure levels generated by the helicopter were well below the maximum levels allowed.

Based on readings collected during this survey, sound levels generated by the helicopter during takeoff and landing operations at this position were as follows:

65 dB for more than 5 minutes per operation:	Not applicable
70 dB for more than 90 seconds per operation:	Did not exceed
80 dB for more than 15 seconds per operation:	Did not exceed
90 dB for any length of time:	Did not exceed

Position E – *3800 block of Delamar Ave. NE approximately three and one half blocks Northeast of the station's helipad.*

Residential property in this area is completely shielded from the helipad by numerous residential and commercial buildings. Motor vehicle traffic on this street was relatively light during this test, with only an occasional vehicle passing, so background noise levels are relatively low. The test was conducted from the roadway, directly across the street from the house located at 3816 Delamar NE.

Based on readings collected during this survey, sound levels generated by the helicopter during takeoff and landing operations at this position were as follows:

65 dB for more than 5 minutes per operation:	Not applicable
70 dB for more than 90 seconds per operation:	Did not exceed
80 dB for more than 15 seconds per operation:	Did not exceed
90 dB for any length of time:	Did not exceed

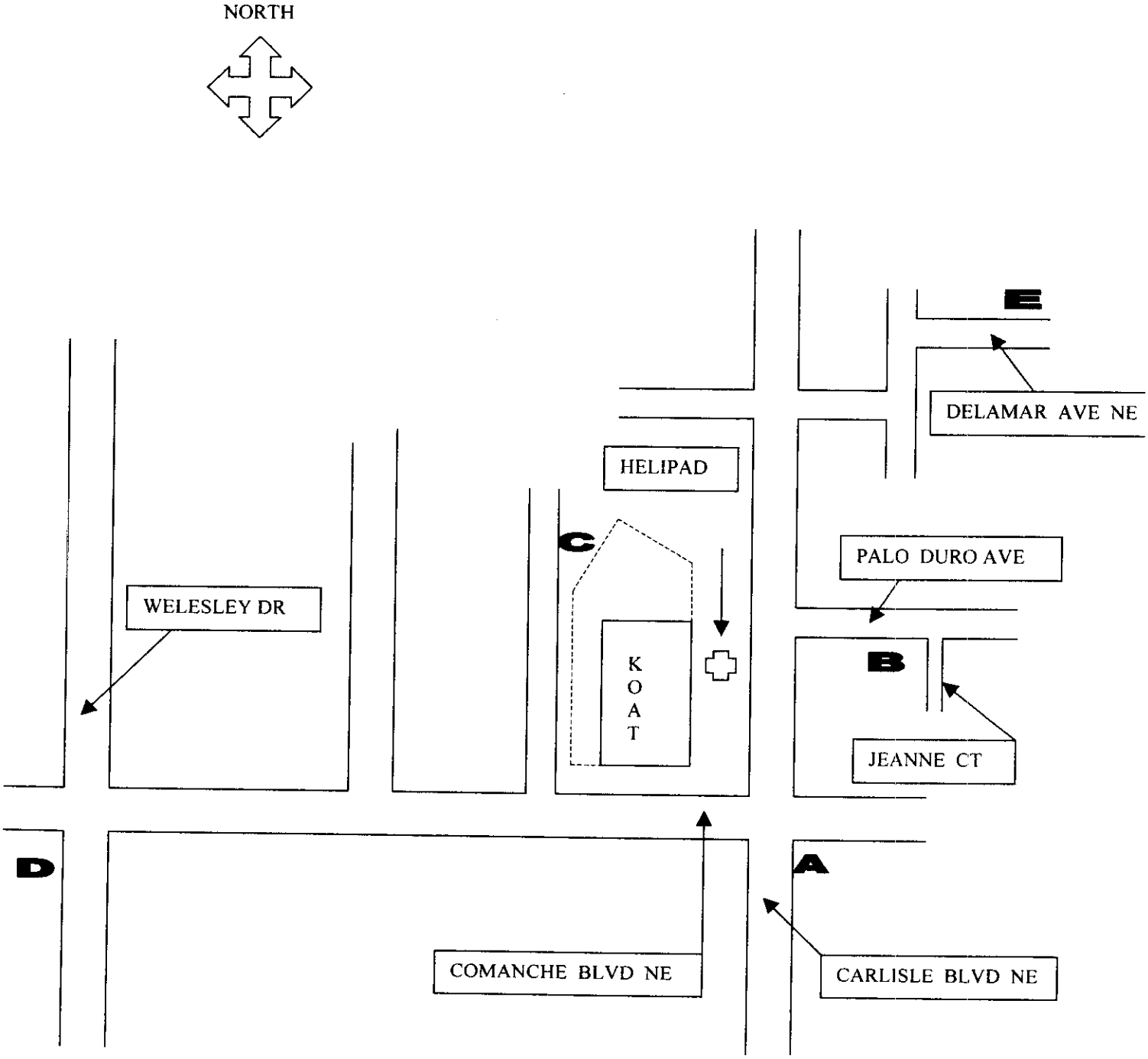
CONCLUSION

Sound generated by KOAT-TV's helicopter during take off and landing operations did not exceed noise limits specified in the City of Albuquerque's proposed noise ordinance at any of the test positions during this survey.

KOAT-TV Helicopter Noise Survey

Test Locations

Drawing Not To Scale



MONITORING LOG

Sound Pressure Level Readings

Test Date 08/10/00

TEST POSITION A - SE Corner of Carlisle and Comanche

Elapsed Time	+ 1 sec	+ 2 sec	+ 3 sec	+ 4 sec	+ 5 sec	Comments
0:00	70.4	< 70	< 70	< 70	< 70	
0:05	< 70	< 70	< 70	< 70	< 70	
0:10	71.2	73.2	73.4	73	74	
0:15	73.9	70.2	< 70	< 70	< 70	
0:20	< 70	< 70	< 70	< 70	< 70	
0:25	< 70	< 70	< 70	< 70	< 70	
0:30	73.4	< 70	78	74.5	< 70	Started engine
0:35	70.8	71.8	< 70	< 70	< 70	Warming up
0:40	< 70	< 70	70.2	71.6	70.8	
0:45	71.1	< 70	70.5	< 70	< 70	
0:50	< 70	71	72.5	73	72.9	
0:55	73	74	78.8	72.2	73.9	
1:00	73.4	74.2	72.2	73.4	74.9	
1:05	< 70	< 70	< 70	< 70	< 70	
1:10	< 70	< 70	< 70	< 70	< 70	
1:15	< 70	< 70	70.4	70.5	< 70	
1:20	< 70	< 70	< 70	70.5	71.8	
1:25	72.4	73	71.6	70.6	71.1	
1:30	73.7	70.7	< 70	< 70	< 70	
1:35	< 70	< 70	< 70	< 70	73	
1:40	73.3	71.2	71.7	70.9	< 70	
1:45	< 70	< 70	< 70	71	< 70	
1:50	< 70	< 70	70.9	73.6	74.8	
1:55	73.2	72.6	73.8	73.6	< 70	
2:00	70.2	71.4	70.5	< 70	< 70	
2:05	< 70	70.7	71.6	71.8	70.4	
2:10	71.6	70.9	70.4	< 70	< 70	
2:15	< 70	< 70	< 70	< 70	< 70	
2:20	70.2	70.4	70.6	71.7	71.8	
2:25	72.1	72.2	73.4	76.2	76.9	
2:30	76.8	73.4	75	74.6	77.4	
2:35	77.6	77.5	87.5	78	81.9	Lift off
2:40	82.4	79.8	79.2	83.5	86.4	
2:45	87.8	89.5	89.5	88.5	86	
2:50	82.6	78.2	75.4	70	< 70	
2:55	< 70	< 70	72	74.2	72.4	
3:00	< 70	< 70	< 70	< 70	< 70	
3:05	< 70	< 70	< 70	< 70	71.8	
3:10	72.6	71.4	70.5	76.6	76.5	
3:15	73.7	76.6	77.7	75.7	< 70	
3:20	< 70	< 70	< 70	< 70	< 70	
3:25	< 70	< 70	< 70	< 70	< 70	
3:30	< 70	< 70	< 70	< 70	< 70	
3:35	< 70	71	71.1	70.3	70.8	
3:40	< 70	< 70	70.8	71.8	79.2	
3:45	79.5	78.8	< 70	< 70	71	
3:50	73.1	75.1	73.6	73.4	73.8	
3:55	72.1	82.7	90.8	89.8	< 70	< car squealing tires >
4:00	< 70	< 70	< 70	< 70	72.8	
4:05	72	72.4	74.8	81.2	80.3	
4:10	78.6	77.8	80.5	81.1	81.4	
4:15	85.8	85	88.8	88	79.6	
4:20	78.2	78.5	77.4	78.6	72.2	Touch down
4:25	79	70.7	70.5	< 70	< 70	Cool off
4:30	71	70.5	71.1	73	72.6	
4:35	70.2	71.4	71.8	72.8	73.4	
4:40	72.4	71.2	72.3	70.8	71.6	
4:45	71	72.4	71.3	< 70	< 70	
4:50	70.4	< 70	< 70	< 70	< 70	
4:55	< 70	< 70	< 70	< 70	< 70	
5:00	< 70	< 70	< 70	< 70	< 70	
5:05	< 70	< 70	< 70	< 70	< 70	
5:10	< 70	< 70	< 70	< 70	< 70	
5:15	70.7	71.1	< 70	< 70	< 70	
5:20	< 70	< 70	< 70	< 70	< 70	
5:35	< 70	< 70	< 70	< 70	< 70	
5:40	< 70	< 70	< 70	< 70	< 70	
5:45	70.4	70.7	72	74.5	78.2	
5:50	78.7	78.2	81.9	82.1	80.3	
5:55	82.6	83.5	82.7	76.6	76.6	
6:00	75.7	73	71	71.1	< 70	

All readings represent the maximum sound pressure level measured during the preceding one second

A scale ~ Fast response

MONITORING LOG

Sound Pressure Level Readings

Test Date 08/10/00

TEST POSITION B - Due East of TV Station, beyond Shopping Center

Elapsed Time	+ 1 sec	+ 2 sec	+ 3 sec	+ 4 sec	+ 5 sec	Comments
0:00	< 70	< 70	< 70	< 70	< 70	Warming up
0:05	< 70	< 70	< 70	< 70	< 70	
0:10	< 70	< 70	< 70	70.9	70.7	
0:15	< 70	< 70	< 70	< 70	< 70	
0:20	< 70	< 70	< 70	70	70.2	
0:25	< 70	< 70	< 70	< 70	70.2	
0:30	75.3	76.4	78.2	81.1	79.6	
0:35	78.9	85.9	84.2	80.8	80.4	Lift Off
0:40	81.4	81.7	76.4	79.2	80.7	
0:45	81.2	80.7	79	79.8	74.5	
0:50	72.1	< 70	< 70	< 70	< 70	
0:55	< 70	< 70	< 70	< 70	< 70	
1:00	< 70	< 70	< 70	< 70	< 70	
1:05	< 70	< 70	< 70	< 70	< 70	
1:10	< 70	< 70	< 70	< 70	< 70	
1:15	< 70	< 70	< 70	< 70	< 70	
1:20	< 70	< 70	< 70	< 70	< 70	
1:25	< 70	< 70	< 70	< 70	< 70	
1:30	< 70	< 70	< 70	< 70	< 70	
1:35	< 70	< 70	< 70	< 70	< 70	
1:40	< 70	< 70	< 70	< 70	< 70	
1:45	< 70	< 70	< 70	< 70	< 70	
1:50	< 70	< 70	< 70	< 70	< 70	
1:55	< 70	< 70	< 70	< 70	76.6	
2:00	72.6	< 70	< 70	< 70	< 70	
2:05	< 70	< 70	< 70	< 70	70.1	
2:10	< 70	71.4	71.6	72	74.7	
2:15	74.9	74.4	74.2	73.2	75.6	
2:20	78.4	82.2	84.4	85.6	83.4	
2:25	83.8	78.9	77.9	76	73.7	Touch down
2:30	71.2	73.8	73.4	72.2	71.2	Cool off
2:35	70.1	< 70	< 70	< 70	< 70	
2:40	< 70	< 70	< 70	< 70	< 70	
2:45	< 70	< 70	< 70	< 70	< 70	
2:50	< 70	< 70	< 70	< 70	< 70	
2:55	< 70	< 70	< 70	< 70	< 70	
3:00	< 70	< 70	< 70	< 70	< 70	
3:05	< 70	< 70	< 70	< 70	X	
3:10						
3:15						
3:20						
3:25						
3:30						
3:35						
3:40						
3:45						
3:50						
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5:40						
5:45						
5:50						
5:55						
6:00						

All readings represent the maximum sound pressure level measured during the preceding one second

A scale ~ Fast response

MONITORING LOG

Sound Pressure Level Readings

Test Date 08/10/00

TEST POSITION C - West of TV Station, near Theta Apartments

Elapsed Time	+ 1 sec	+ 2 sec	+ 3 sec	+ 4 sec	+ 5 sec	Comments
0:00	< 70	< 70	< 70	< 70	< 70	Warming up
0:05	< 70	< 70	< 70	< 70	< 70	
0:10	< 70	< 70	< 70	< 70	< 70	
0:15	< 70	< 70	< 70	< 70	< 70	
0:20	75.4	< 70	< 70	< 70	< 70	
0:25	< 70	< 70	< 70	< 70	< 70	
0:30	< 70	< 70	< 70	< 70	< 70	
0:35	< 70	< 70	< 70	< 70	< 70	
0:40	< 70	< 70	< 70	< 70	< 70	
0:45	< 70	< 70	< 70	< 70	< 70	
0:50	< 70	< 70	< 70	< 70	< 70	
0:55	< 70	< 70	< 70	< 70	< 70	
1:00	< 70	< 70	< 70	< 70	< 70	
1:05	< 70	< 70	< 70	< 70	< 70	
1:10	< 70	< 70	< 70	< 70	< 70	
1:15	< 70	< 70	< 70	< 70	< 70	
1:20	< 70	< 70	< 70	< 70	< 70	
1:25	< 70	< 70	70.2	70.8	72.6	Lift off
1:30	75.5	72.4	< 70	< 70	< 70	
1:35	< 70	< 70	< 70	< 70	< 70	
1:40	< 70	70.2	< 70	< 70	< 70	
1:45	< 70	< 70	< 70	< 70	< 70	
1:50	< 70	< 70	< 70	< 70	< 70	
1:55	< 70	< 70	< 70	< 70	< 70	
2:00	< 70	< 70	< 70	< 70	< 70	
2:05	< 70	< 70	< 70	< 70	< 70	
2:10	< 70	< 70	< 70	< 70	< 70	
2:15	< 70	< 70	< 70	< 70	< 70	
2:20	< 70	< 70	< 70	< 70	< 70	
2:25	< 70	< 70	< 70	< 70	< 70	
2:30	< 70	< 70	< 70	< 70	70.5	
2:35	< 70	< 70	< 70	< 70	70.9	
2:40	71.8	76.6	78	77.7	80.8	
2:45	82.1	80.8	79.8	79.4	76.3	
2:50	75.3	77.1	78.6	78.2	80	Touch down
2:55	75.3	73.4	70.5	< 70	< 70	Cool off
3:00	< 70	< 70	< 70	< 70	< 70	
3:05	< 70	< 70	< 70	< 70	< 70	
3:10	< 70	< 70	< 70	< 70	< 70	
3:15	< 70	< 70	< 70	< 70	< 70	
3:20	< 70	< 70	< 70	< 70	< 70	
3:25	< 70	X				
3:30						
3:35						
3:40						
3:45						
3:50						
3:55						
4:00						
4:05						
4:10						
4:15						
4:20						
4:25						
4:30						
4:35						
4:40						
4:45						
4:50						
4:55						
5:00						
5:05						
5:10						
5:15						
5:20						
5:35						
5:40						
5:45						
5:50						
5:55						
6:00						

All readings represent the maximum sound pressure level measured during the preceding one second

A scale ~ Fast response

MONITORING LOG

Sound Pressure Level Readings

Test Date 08/10/00

TEST POSITION D - SW corner of Comanche & Wellesley

(test 1 of 2 - voided due to interference)

Elapsed Time	+ 1 sec	+ 2 sec	+ 3 sec	+ 4 sec	+ 5 sec	
0:00	< 70	< 70	< 70	< 70	70.2	Warming up
0:05	73.2	70.5	< 70	< 70	< 70	
0:10	< 70	< 70	< 70	< 70	< 70	
0:15	< 70	< 70	< 70	< 70	< 70	
0:20	< 70	< 70	< 70	< 70	< 70	
0:25	< 70	< 70	< 70	70.1	70	
0:30	< 70	< 70	< 70	< 70	< 70	
0:35	< 70	< 70	< 70	< 70	< 70	
0:40	< 70	< 70	< 70	70.7	72.1	
0:45	70.9	< 70	71	70.7	70	
0:50	< 70	< 70	< 70	< 70	< 70	
0:55	< 70	< 70	< 70	< 70	< 70	
1:00	< 70	< 70	< 70	< 70	< 70	
1:05	< 70	< 70	< 70	< 70	< 70	
1:10	< 70	< 70	< 70	< 70	< 70	
1:15	< 70	< 70	< 70	< 70	< 70	
1:20	< 70	< 70	< 70	< 70	< 70	
1:25	< 70	< 70	< 70	< 70	< 70	
1:30	< 70	< 70	< 70	< 70	< 70	
1:35	< 70	< 70	< 70	< 70	< 70	
1:40	< 70	< 70	< 70	74.6	70.5	
1:45	70.8	71.8	< 70	< 70	< 70	
1:50	< 70	< 70	< 70	< 70	< 70	
1:55	73.3	90.8	78.8	< 70	< 70	< car squealing tires >
2:00	71.2	73.2	73.6	73.8	75.6	
2:05	79.2	80.9	79.6	75.9	72.5	
2:10	70.2	72	73.4	< 70	< 70	
2:15	< 70	< 70	< 70	< 70	< 70	
2:20	< 70	72.2	73.6	72.3	< 70	
2:25	70.8	70.1	< 70	< 70	< 70	
2:30	< 70	< 70	< 70	< 70	< 70	
2:35	< 70	< 70	< 70	< 70	< 70	Lift off
2:40	72.4	72.2	71.2	70.7	71.6	
2:45	71.2	76.4	78.3	80.6	82.2	
2:50	83.3	81.6	87.6	90.6	89.2	< two cars racing past test location >
2:55	79.4	74.2	73	72	72.2	
3:00	< 70	< 70	72.8	73.4	71.6	
3:05	< 70	71	72	71.7	71.2	
3:10	70.7	< 70	< 70	< 70	< 70	
3:15	< 70	< 70	< 70	< 70	< 70	
3:20	< 70	70	70.2	< 70	71.6	
3:25	72.7	70	< 70	71.9	75	
3:30	75.8	74.1	70.4	< 70	< 70	No landing recorded
3:35	< 70	< 70	< 70	< 70	< 70	
3:40	< 70	< 70	X			Test voided due to high noise interference from vehicular traffic
3:45						
3:50						
3:55						
4:00						
4:05						
4:10						
4:15						
4:20						
4:25						
4:30						
4:35						
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4:55						
5:00						
5:05						
5:10						
5:15						
5:20						
5:35						
5:40						
5:45						
5:50						
5:55						
6:00						

All readings represent the maximum sound pressure level measured during the preceding one second

A scale ~ Fast response

MONITORING LOG

Sound Pressure Level Readings

Test Date 08/10/00

TEST POSITION D - SW corner of Comanche & Wellesley

(test 2 of 2)

Elapsed Time	+ 1 sec	+ 2 sec	+ 3 sec	+ 4 sec	+ 5 sec	
0:00	< 70	< 70	< 70	< 70	< 70	Warming up
0:05	< 70	70.1	< 70	< 70	< 70	
0:10	< 70	< 70	< 70	< 70	< 70	
0:15	< 70	< 70	< 70	< 70	< 70	
0:20	< 70	< 70	< 70	< 70	72.8	
0:25	76.3	76.7	74.8	71.8	< 70	
0:30	71.4	71.8	< 70	< 70	< 70	
0:35	72	73.4	71.1	< 70	< 70	
0:40	< 70	< 70	< 70	< 70	< 70	
0:45	< 70	< 70	72.2	72.4	70	Lift off
0:50	< 70	< 70	< 70	71.6	72.7	
0:55	72.2	71.7	73	75.8	77.5	
1:00	81.9	83.6	84	83.4	80.6	
1:05	79.3	77.4	74	73.9	72	
1:10	< 70	< 70	< 70	< 70	< 70	
1:15	< 70	< 70	< 70	< 70	< 70	
1:20	< 70	< 70	< 70	< 70	< 70	
1:25	< 70	< 70	< 70	< 70	< 70	
1:30	< 70	< 70	< 70	< 70	< 70	
1:35	< 70	< 70	< 70	< 70	71.8	
1:40	< 70	< 70	< 70	< 70	72.4	
1:45	71.8	< 70	< 70	< 70	< 70	
1:50	< 70	< 70	73	< 70	< 70	
1:55	< 70	< 70	< 70	< 70	< 70	
2:00	< 70	< 70	73.6	75.8	80.2	
2:05	81.7	82.2	78.4	71.8	70.2	
2:10	70.1	< 70	72.3	< 70	< 70	
2:15	< 70	< 70	< 70	< 70	< 70	
2:20	< 70	73.8	72.2	71.2	< 70	Touch down
2:25	< 70	X				Cool off
2:30						
2:35						
2:40						
2:45						
2:50						
2:55						
3:00						
3:05						
3:10						
3:15						
3:20						
3:25						
3:30						
3:35						
3:40						
3:45						
3:50						
3:55						
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4:45						
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4:55						
5:00						
5:05						
5:10						
5:15						
5:20						
5:35						
5:40						
5:45						
5:50						
5:55						
6:00						

All readings represent the maximum sound pressure level measured during the preceding one second

A scale ~ Fast response

MONITORING LOG

Sound Pressure Level Readings

Test Date 08/10/00

TEST POSITION E - 3800 block of Delamar

Elapsed Time	+ 1 sec	+ 2 sec	+ 3 sec	+ 4 sec	+ 5 sec	
0:00	< 70	< 70	< 70	< 70	< 70	Warming up
0:05	< 70	< 70	< 70	< 70	< 70	
0:10	71.5	< 70	< 70	< 70	74.2	
0:15	74.4	< 70	< 70	< 70	< 70	
0:20	< 70	< 70	< 70	< 70	< 70	
0:25	< 70	< 70	< 70	< 70	< 70	
0:30	< 70	< 70	< 70	< 70	< 70	
0:35	< 70	< 70	< 70	< 70	< 70	
0:40	< 70	< 70	< 70	< 70	< 70	
0:45	< 70	< 70	< 70	< 70	< 70	
0:50	< 70	< 70	< 70	< 70	< 70	
0:55	< 70	< 70	< 70	< 70	< 70	
1:00	< 70	< 70	< 70	< 70	< 70	
1:05	< 70	< 70	< 70	< 70	< 70	
1:10	< 70	< 70	< 70	< 70	< 70	
1:15	< 70	< 70	< 70	< 70	< 70	Lift off
1:20	< 70	< 70	< 70	< 70	73.1	
1:25	77.2	74.9	< 70	< 70	< 70	
1:30	< 70	< 70	70.6	73.6	71.4	
1:35	75.5	75.7	74.7	75.1	76	
1:40	75.2	74.6	72.2	73.6	74.3	
1:45	74.8	73.6	72.8	72.4	71.6	
1:50	71.3	70	< 70	73.6	< 70	
1:55	< 70	< 70	< 70	< 70	< 70	
2:00	< 70	< 70	< 70	< 70	< 70	
2:05	< 70	< 70	< 70	< 70	< 70	
2:10	< 70	< 70	< 70	< 70	< 70	
2:15	< 70	< 70	< 70	< 70	< 70	
2:20	< 70	< 70	< 70	< 70	< 70	
2:25	< 70	< 70	< 70	< 70	< 70	
2:30	< 70	< 70	< 70	< 70	< 70	
2:35	< 70	< 70	< 70	< 70	< 70	
2:40	< 70	< 70	< 70	< 70	< 70	
2:45	< 70	< 70	< 70	70.2	70.7	
2:50	< 70	< 70	< 70	< 70	< 70	
2:55	< 70	< 70	< 70	< 70	< 70	
3:00	< 70	< 70	< 70	< 70	< 70	
3:05	< 70	< 70	< 70	< 70	< 70	
3:10	< 70	< 70	< 70	70.9	70.8	
3:15	70.8	< 70	< 70	< 70	70.8	< On approach, due West of test location >
3:20	71.5	71.4	71.6	72.4	70.2	
3:25	74	72.2	< 70	71.2	< 70	
3:30	< 70	< 70	< 70	< 70	< 70	
3:35	< 70	< 70	< 70	< 70	< 70	Touch down
3:40	< 70	< 70	< 70	< 70	< 70	Cool off
3:45	< 70	< 70	< 70	< 70	< 70	
3:50	< 70	< 70	< 70	< 70	< 70	
3:55	< 70	< 70	< 70	< 70	< 70	
4:00	< 70	< 70	< 70	< 70	X	
4:05						
4:10						
4:15						
4:20						
4:25						
4:30						
4:35						
4:40						
4:45						
4:50						
4:55						
5:00						
5:05						
5:10						
5:15						
5:20						
5:35						
5:40						
5:45						
5:50						
5:55						
6:00						

All readings represent the maximum sound pressure level measured during the preceding one second

A scale ~ Fast response

Monitor 1 - Quest Model Q-300 Noise Dosimeter
Serial Number: QC8010129
Scale: A
Response: Fast
Range: 70 – 130 dB
Pre-calibration: 114 dB
Post- calibration: 114 dB

Monitor 2 - Quest Model Q-300 Noise Dosimeter
Serial Number: QC8010130
Scale: A
Response: Fast
Range: 70 – 130 dB
Pre-calibration: 113.9 dB
Post- calibration: 114 dB

Monitor 3 - Quest Model Q-300 Noise Dosimeter
Serial Number: QC6100122
Scale: A
Response: Fast
Range: 70 – 130 dB
Pre-calibration: 114 dB
Post- calibration: 114.1 dB

Calibration Unit - Quest QC-10/QC-20
114 dB ~ 1000 Hz
Calibrated 06/23/00

All units factory calibrated in June, 2000

PLANNING DEPARTMENT PLANNING DIV.
PLANNING DEPARTMENT PLANNING DIV.
DAILY FLIGHT LOG

SKY 7

Jan-99

beginning balance= **347.1**

flight hours this month= **32.1**

total flight time remaining= **315.0**

Date	Destination	Purpose & Crew	Flight Hrs	Code
1/5/99	Albuquerque	Search for Truck (Ken)	0.9	n
1/6/99	Albuquerque	End of Car Chase (Buzz/Jeff Z)	1.5	n
1/6/99	Albuquerque	I-40 Truck Accident (Gilbert)	0.4	n
1/7/99	Albuquerque	Bomb Threat(Bicycle Shop) Randy	0.5	n
1/7/99	Albuquerque	Meth Lab @ Hotel (Ken/Mike S)	0.7	n
1/8/99	Albuquerque	SWAT Action/FBI Body Search(Pilot)Randy	2.1	n
1/9/99	Cuba	Hwy 44 Road Detour (Bryan)	1.8	n
1/13/99	Albuquerque	Sky 7 Promo Shoot (Ken/Joe D)	1.1	p
1/13/99	Albuquerque	Reported Car Chase(False) Ken	0.7	n
1/14/99	Edgewood	I-40 Car/Truck Accident(Fatal) Ken	3.1	n
1/14/99	Albuquerque	Tanker Rollover (Andy)	0.9	n
1/18/99	Albuquerque	Plane Landing with Trouble (Bryan)	0.2	n
1/18/99	Rio Rancho	Worker Killed in fall from Tower (Bryan)	1.2	n
1/19/99	East Mountains	False Fire Call (Randy)	0.7	n
1/20/99	Albuquerque	Chase/Promo Shoot (Mike,Mark, Yevette)	1.7	n
1/20/99	Albuquerque	Plane Crash in Foothills (Randy, Matt)	1.5	n
1/22/99	Tres Piedras	Snowmobiler Search & Rescue (Angela)	3.5	n
1/22/99	Albuquerque	FBI Search for Pilots Body (Ken)	1	n
1/23/99	Albuquerque	Sky 7 & Sat 7 Promo Shoot (Brian/Ken)	1.6	p
1/27/99	Albuquerque	Housing Buildup along Rio Grande River(Randy)	0.8	n
1/29/99	Clines Corners	Weather Aerials (I-40) Ken	2.2	n
1/30/99	Tucumcari	I-40 Closure (Ken/Mike S/JB)	4	n

n=news
e=engin.
p=promo
o=other

SKY 7 DAILY FLIGHT LOG

Feb-99

beginning balance= **315.0**

flight hours this month= **30.1**

total flight time remaining= **284.9**

Date	Destination	Purpose & Crew	Flight Hrs	Code
2/2/99	Albuquerque	Aerials of Car Dealerships for Sales (Ken)	2.1	o
2/2/99	KOAT-TV	Night Sky 7 Promo Shoot @ Station	0.3	p
2/3/99	Albuquerque	SW Valley Garage Fire (Angela/Dan)	0.5	n
2/4/99	Albuquerque	Officer & Suspect Shooting (Ken)	1	n
2/5/99	Albuquerque	Reposition Helicopter to Airport (Pad Repaint)	0.4	o
2/5/99	Albuquerque	I-40/Paseo Traffic Aerials (Buzz)	0.4	n
2/8/99	Las Vegas	Jail Breakout/Manhunt (Randy/Jeff Z)	4	n
2/9/99	Las Vegas	Manhunt & 1 Captured (Randy/Andy)	4.5	n
2/9/99	Los Lunas	Bosque River Fire (Ken/Bob K)	1.4	n
2/11/99	Santa Fe	School visit w/Nelson (Richard)	1.4	o
2/11/99	Santa Fe	Aerials for Target 7 (Randy)	1	n
2/16/99	Roswell	UFO story for Target 7 (Gary/Larry B)	3.9	n
2/23/99	Aztec	Transporation and Aerials for T7(Mike/Larry)	4	n
2/23/99	Moriarty	Huge Grass Fire (Mike)	1.2	n
2/24/99	Thoreau	Jury Verdict and Reaction (Gary/Nanette)	2.6	n
2/25/99	Albuquerque	Road Rage Murder (Randy)	0.7	n
2/25/99	Albuquerque	Bomb Threat @ School (Ken/Serigo)	0.7	n

n=news
e=engin.
p=promo
o=other

SKY 7 DAILY FLIGHT LOG

Mar-99

beginning balance= **284.9**

flight hours this month= **46.7**

total flight time remaining= **238.2**

Date	Destination	Purpose & Crew	Flight Hrs	Code
3/1/99	Rio Rancho	House Fire (Buzz)	0.8	n
3/1/99	Santa Domingo	School Visit/Lake Aerials (Randy/Nelson)	1.5	o
3/2/99	Santa Fe	School Bus Crash{Fatal} (Randy/Tim)	2	n
3/3/99	Santa Fe	School Bus Accident Scene (Angela)	3.3	n
3/3/99	Santa Fe	School Bus Removal (Ken)	3.1	n
3/5/99	Grants	Copkillers Court Apperance (Angela/Dan)	2	n
3/12/99	Santa Fe	Snowfall Aerials (Angela)	2.1	n
3/13/99	Santa Fe	Snowfall Aerials (Angela)	1.7	n
3/15/99	Albuquerque	Bomb Threat at Clinic (Randy/JeffZ)	2	n
3/15/99	Los Lunas	Aftermath of Car Chase (Randy)	0.9	n
3/16/99	Isleta Pubelo	Found Persons who robbed our crew (Mike)	1.3	n
3/16/99	Isleta	Minor Bus Wreck (Mike)	1.1	n
3/18/99	East Mountains	Snow in Canyon (Randy/Angela/JB)	2.1	n
3/19/99	Albuquerque	I-40 Closed due to snow/traffic(Angela/JB)	1.9	n
3/19/99	Albuquerque	Traffic backup (Gary/Dan/JB)	1.3	n
3/21/99	Albuquerque	Train Derailment (Ben/Mark/JB)	0.9	n
3/22/99	Albuquerque	School Bus Accident (Randy/Mark/JB)	1.4	n
3/22/99	Albuquerque	House Fire (Randy/David/JB)	1.1	n
3/24/99	Vaughn	Stay Overnight for WIPP Shipment (Randy)	1.2	n
3/25/99	Vaughn	Fly to Butte Lake for FBI Body Search (Randy)	4.1	n
3/27/99	Butte Lake	FBI Body Search (Mike) SATURDAY	3.7	n
3/29/99	Butte Lake	FBI Body Search (Randy/JeffZ)	3.4	n
3/30/99	Butte Lake	FBI Body Search (Ben)	3.8	n

n=news
e=engin.
p=promo
o=other

SKY 7 DAILY FLIGHT LOG

Apr-99

beginning balance= **238.2**

flight hours this month= **41.5**

total flight time remaining= **196.7**

Date	Destination	Purpose & Crew	Flight Hrs	Code
4/6/99	Hobbs	Airport Prison Riot (Randy/Tim)	6.1	n
4/7/99	KOAT-TV	Troubleshoot TV Monitor (Ken Simpson)	0.8	e
4/10/99	Butte Lake	FBI Body Search (Angela)	4.2	n
4/13/99	Estancia	Salt Pond Aerials (Ben)	1.5	n
4/14/99	Black Mesa, AZ	Target 7(Indian Schools) Charlie/Mike	5.8	n
4/16/99	Mid Valley	Man hit by airplane propeller (Randy)	0.7	n
4/16/99	Belen	Police Officer Shoots Suspect (Angela)	1.5	n
4/19/99	Ft. Wingate	Target 7(Indian Schools) Larry/Mike	3.1	n
4/19/99	Mountainair	Minor Train Derailment (Gilbert)	1.4	n
4/20/99	Albuquerque	Early Police Drug Raid (Angela)	1.8	n
4/20/99	KOAT-TV	Troubleshoot Sony Monitor (Ken)	0.3	e
4/22/99	Albuquerque	Fix & Test Cellular Phone	1.7	o
4/25/99	Ruidoso	Plane Crash(Fatal) Mike/JB	4.3	n
4/26/99	Old town	Armed Man on Roof (Randy)	2.2	n
4/27/99	Los Lunas	Traffic Aerials for Target 7 (Todd)	1.2	n
4/28/99	Butte Lake	Resumed FBI Body Search (Mike/JeffZ)	4.5	n
4/28/99	Albuquerque	Moved Helicopter due to Threat (per Pahl S)	0.2	o
4/29/99	Albuquerque	Move Helicopter back to Station	0.2	o

n=news
e=engin.
p=promo
o=other

SKY 7 DAILY FLIGHT LOG

May-99

beginning balance= **196.7**

flight hours this month= **56.1**

total flight time remaining= **140.6**

Date	Destination	Purpose & Crew	Flight Hrs	Code
5/2/99	Elk	Fatal Church Bus Crash (Mike/Matt)Sunday	3.2	n
5/3/99	Elk	Fatal Church Bus Crash (Mike/Matt)	2.7	n
5/6/99	T or C	Roberts Forest Fire (Randy)	3.9	n
5/6/99	Albuquerque	Missing 3 year old (Ben/Randy)	1.7	n
5/7/99	Los Lunas	End of Car Chase (Todd/Mike S)	1.5	n
5/11/99	Albuquerque	Chemical Bombs @ School (Randy)	2.8	n
5/13/99	Canincito	Town with no water (Randy/Mike S)	1.1	n
5/14/99	Ruidoso	Forest Fire (Buzz)	2.5	n
5/14/99	Ruidoso	Forest Fire & Crew Ferry (Randy)	3.7	n
5/17/99	Hwy 6 & I-40	False Grass Fire (Buzz/Mark)	0.9	n
5/17/99	Albuquerque	Called for Loose Bear, Then Canceled (Gilbert)	0.3	n
5/18/99	Albuquerque	Wescam Training (Randy/Rhett)	1.3	n
5/18/99	Albuquerque	Reported Fuel Truck Fire (Buzz)	0.5	n
5/18/99	Albuquerque	Apartment Fire (Randy)	0.5	n
5/20/99	T or C	Man Trapped in mine shaft (Solo trip)	2.9	n
5/21/99	Albuquerque	Hilary Clinton's visit (Randy)	1.1	n
5/21/99	Albuquerque	Carlisle/I-40 Construction (Randy)	0.4	n
5/21/99	T or C	Man Trapped in mine shaft (Randy)	2.4	n
5/21/99	Espanola	Men with Guns near School (Randy)	2	n
5/24/99	Albuquerque	Target 7 Aerials (Mike)	0.6	n
5/24/99	Tome	Possible Tornado Damage (Mike)	3.8	n
5/25/99	Tome	Storm Damage (Mike/Keith[NWS]	1.5	n
5/26/99	KOAT-TV	Troubleshoot Talent Mic (Ken)	0.5	e
5/26/99	Albuquerque	Racetrack Aerials for Sports (Mike/Bob)	0.7	n
5/27/99	Edgewood	Loose bear & Capture (Randy/Ed)	1.9	n
5/27/99	Albuquerque	Wal-Mart Fire(False) Ben/Mike	0.2	n
5/27/99	Cabazo Peak	Climber fell to his death (Gilbert/Matt)	1.9	n
5/28/99	Jarales	Armed man in house (Buzz/Rosalinda)	2.8	n
5/28/99	Rio Rancho	Strip mall Shooting (Buzz)	0.6	n
5/29/99	Albuquerque	Hot Air Balloons (Randy/JB)	2.5	n
5/29/99	Butte Lake	Holiday Weekend Crowds (Angela/Mike/JB)	3.7	n

n=news
e=engin.
p=promo
o=other

SKY 7 DAILY FLIGHT LOG

Jun-99

beginning balance= **140.6**

flight hours this month= **40.0**

total flight time remaining= **100.6**

Date	Destination	Purpose & Crew	Flight Hrs	Code
6/3/99	Anton Chico	Targer 7 (Fire Dept. Story) Angela	2.7	n
6/4/99	Mt. Taylor	Forest Fire (Angela/Nanette)	2	n
6/5/99	Mt. Taylor	Forest Fire (Angela/Mark)	2	n
6/8/99	East Mtns.	Fireworks Fire Danger (Mike)	1.1	n
6/9/99	9 Mile hill	Man with rifle (Buzz)	0.5	n
6/9/99	ABQ	Bosque Fire (Randy/Mike S)	0.6	n
6/10/99	ABQ	Paso & I-25 Const. (Randy)	0.4	n
6/10/99	ABQ	Man falls to death off crane (Randy)	0.6	n
6/11/99	Elephant Butte	Pickup Audio Tapes (Randy)	3.6	n
6/11/99	Bernalillo	New Hotel & Casino (Randy)	0.5	n
6/14/99	Tome	New Construction (Mike)	1.1	n
6/14/99	Reserve	Forest Fire (Randy)	3.1	n
6/15/99	ABQ	Vintage Auto Race (Mike/Mike S)	1.5	n
6/16/99	Rainsville	Target 7/Man shoots @ SKY 7 (Larry/Mike)	4.6	n
6/17/99	ABQ	Storm Damage (Randy)	0.8	n
6/21/99	ABQ	Sandia Labs/Wescam Tng (Randy/Rhett)	0.9	n
6/21/99	ABQ	I-40 & Coors Aerials (Mike)	0.4	n
6/22/99	ABQ	Oil Spill & Wescam Tng(Randy/Rhett)	0.6	n
6/23/99	Coyote	Target 7(Fire Dept. Story)Larry/Mike	3.6	n
6/24/99	ABQ	FBI "Top 10" Sighiting (Gilbert/John L)	0.5	n
6/24/99	East Mtns.	UH-60 Emergency Landing(Gilbert)	0.8	n
6/25/99	Cohiti	Fatal Car Crash (Randy/JB)	2.5	n
6/25/99	Taos	Court Verdict (Mike/Todd/JB)	3.1	n
6/26/99	East Mtns.	Forest Fire (Angela/JB)	1.3	n
6/30/99	ABQ	Bosque Fire & Barn Fire (Mike)	0.9	n
6/23/99	ABQ	House Fire (Randy)	0.3	n

n=news
e=engin.
p=promo
o=other

SKY 7 DAILY FLIGHT LOG

Jul-99

beginning balance= **100.6**

flight hours this month= **41.8**

total flight time remaining= **58.8**

Date	Destination	Purpose & Crew	Flight Hrs	Code
7/1/99	Edgewood	High Wind Damage (Gilbert)	1	n
7/2/99	Placitias	House Fire (Randy)	1.4	n
7/3/99	Elephant Butte Lake	Holiday Weekend Crowds (Rhett) SAT	3.5	n
7/4/99	Bernalillo	Concert Festival Crowd (Mike) SUN	0.7	n
7/5/99	Mountainair	Search for Serial Killer (Rhett) HOLIDAY	2.8	n
7/6/99	Albuquerque	Fireman's Funeral (Randy/Mark)	2	n
7/6/99	Albuquerque	New Home Construction (Mike)	0.3	n
7/8/99	Albuquerque	New Talent City Tour (Pahl/David)	0.5	o
7/8/99	Albuquerque	Balloon Field Aerials (Angela)	0.3	n
7/8/99	Los Lunas	Grass Fire (Gilbert)	0.9	n
7/9/99	Albuquerque	SWAT (Suspected bank robber)Angela/John L	0.7	n
7/12/99	Roswell	F16 Crash/Mike	2.3	n
7/13/99	Albuquerque	Ferry back from Roswell	2	n
7/14/99	Albuquerque	SWAT (Man holding child hostage)Buzz	0.5	n
7/15/99	Albuquerque	Propane truck crash/Field Aerials(Angela)	1	n
7/16/99	Albuquerque	Trailer Fire (Angela)John B.	0.3	n
7/19/99	Albuquerque	Traffic/Shed Fire/Weather aerials(Mike)	0.9	n
7/20/99	VLA	Airplane Crash(Buzz/Bo)33-58.5/107-34.2	3.2	n
7/23/99	Albuquerque	Library & Land Aerials (Angela)	0.5	n
7/23/99	Albuquerque	Downtown Cleanup (Randy/Rosalinda)	0.4	n
7/23/99	Albuquerque	Plane Crash & Fire (Randy/Jon L)	1	n
7/26/99	Albuquerque	I-25 Construction Aerials (Buzz)	0.4	n
7/26/99	Albuquerque	Live Construction I-25 (Mike/Tim)	2.2	n
7/26/99/	Mountainair	Grass Fire (Mike) *SAME FLIGHT*	***	n
7/26/99	Albuquerque	Big "I" Night Construction (Mike/Tim)	1	n
7/27/99	Rio Puerco	Two Car Rollover (Randy/Mark) I-40W	1.1	n
7/27/99	Albuquerque	New Wal-Mart Site (Mike)	0.6	n
7/27/99	Albuquerque	New Wal-Mart Site (Mike/Tim)Live	0.5	n
7/28/99	Albuquerque	Isleta Aerials/Wescam Training(Mike/Rhett)	2.1	n
7/29/99	East Mountains	Mobile Home Aerials (Rhett)	0.7	n
7/29/99	N. Rio Rancho	Flash Flooding(Hwy 44 & 528)Buzz/Mike	1.8	n
7/30/99	Edgewood	Murder Suspects House (Randy)	1.2	n
7/30/99	Bluewater	Flash Flooding below Dam(Randy)	2.2	n
7/31/99	East Mountains	Airplane Crash @ Sandia AP(Angela/John B)	1.2	n
7/15/99	Albuquerque	Busted Water Main(Rhett)	0.6	n

n=news
e=engin.
p=promo
o=other

SKY 7 DAILY FLIGHT LOG

Aug-99

beginning balance= **58.8**

flight hours this month= **61.6**

total flight time remaining= **-2.8**

Date	Destination	Purpose & Crew	Flight Hrs	Code
8/1/99	Albuquerque	City Tour (Mary Lynn/Sherry) John B.	1.5	o
8/1/99	South Santa Fe	Car Accident (Nanette/Mike/John B)	1.1	n
8/2/99	Belen	Prison Escape/Montgomery Aerials(Mike)	1.9	n
8/2/99	Albuquerque	Montgomery Traffic/Weather Shots(Mike/Jeff Z)	1.5	n
8/3/99	Albuquerque	Flood Damage(Rhett/Mark) Rio Puerco	1.8	n
8/3/99	Albuquerque	Minor Shooting (Rhett)	0.4	n
8/3/99	Albuquerque	Sucidal Man on Bridge (Mike)	1	n
8/4/99	Albuquerque	Prison Escapee West Side(Mike)	1.1	n
8/4/99	Mountainair	Chemical Spill on Road (Mike/Jeff Z)	2	n
8/4/99	Albuquerque	Escapee Search/Sinkhole(Mike/Angela)0.5/1.9	2.4	n
8/5/99	Albuquerque	Fatal Wreck (Angela)	0.7	n
8/5/99	N. Rio Rancho	Fly to Courthouse to Testify (Date Changed)	0.4	o
8/5/99	Albuquerque	Gas Line Fire (Gilbert/Jeff Z)	0.4	n
8/5/99	Albuquerque	Sucidal Woman on Bridge(Randy/JeffZ)	0.9	n
8/5/99	ABQ & I-40/hwy 6	Flood Aftermath/Nursing Home Evac(Randy/Dan	2.1	n
8/6/99	San Acacia	Broken Phone/FiberOpitc Lines (Angela)	1.6	n
8/6/99	Miera	Fatal Car Wreck (Rhett)	0.5	n
8/6/99	Albuquerque	YMCA Visit (Rhett/Pahl Shipley)	0.4	o
8/6/99	Rio Rancho	Flood Damage (Rhett)	1.3	n
8/6/99	Hillsboro	Flash Flood Damage (Randy)	3.8	n
8/9/99	Los Alamos	Protest March/Arrests (Randy/Sergio)	4.1	n
8/9/99	Albuquerque	BKN Sewer Pipe/Wrecked Police Car(Randy)	0.9	n
8/10/99	Bernalillo	Water over road (Randy)	0.6	n
8/10/99	Espanola	SWAT Action(Man holding hostage)Randy	2.3	n
8/11/99	Los Lunas	Truck/Car Wreck (Angela)	1.1	n
8/11/99	Estancia	Fatal Propane Truck/Car Wreck (Randy)	1.3	n
8/11/99	Albuquerque	Fire @ Fix-it Shop (Randy)	0.6	n
8/11/99	Rio Rancho	Weather Shot and Heavy Rain (Randy)	0.9	n
8/12/99	Mt. Taylor	Small Plane Crash (Angela)35'14.8/107'36.4	2.2	n
8/12/99	Rio Rancho	Fly to Courthouse to Testify (Grand Jury)	0.5	o
8/18/99	Albuquerque	Plane crash @ Sunport (Rhett)	0.8	n
8/18/99	Estancia	Prison Riot (Rhett)	1.2	n
8/18/99	Albuquerque	School Traffic/Corn Field Maze (Mike)	1.2	n
8/20/99	Albuquerque	Delta 757 Emergency Landing(RandyJon L)	0.4	n
8/23/99	Chaco Canyon	Fly U.S. Senator Demenachi for tour (Mike)	2.7	n
8/27/99	Santa Rosa	Friday Night Football (Angela)	2.5	n
8/28/99	Silverton, CO	Mud slide over train track (Angela) Saturday	4.3	n
8/30/99	Isleta	Drowning Victim (Mike)	0.9	n
8/31/99	KOAT-TV	Troubleshoot VTR (Ken)	0.4	e
8/31/99	Albuquerque	Aerials all over town (Mike)	3.1	n
8/31/99	Santa Rosa	Prison Riot (Ben) Night Live	2.8	n

n=news
e=engin.
p=promo
o=other

SKY 7 DAILY FLIGHT LOG

Sep-99

beginning balance= **480.0**

flight hours this month= **49.8**

total flight time remaining= **430.2**

Date	Destination	Purpose & Crew	Flight Hrs	Code
9/2/99	Santa Rosa	Prison aerials after riot & Murder (Angela/JB)	3.3	n
9/3/99	Albuquerque	Prisoner Transfer & Transport (Angela/JB)	4.4	n
9/4/99	Tucumcari	Prison Guards Funeral (Rhett/JB)	4.1	n
9/5/99	Gallup	Jail Breakout/Interstate Traffic (Rhett/JB)	5.4	n
9/6/99	Albuquerque	Lost Hikers on Crest (Rhett/JB)	1.4	n
9/10/99	KOAT-TV	Troubleshoot/Fix/Test/Adjust VTR (Ken)	1.7	e
9/10/99	Los Lunas	Barn & Trailer Fire (Angela/Dan M)	1.7	n
9/10/99	Albuquerque	State Fair Traffic (Angela/Dan M)	0.5	n
9/11/99	Albuquerque	State Fair Parade/Live (Rhett) SATURDAY	3.3	n
9/16/99	Albuquerque	Small Restruant Fire (Angela)	0.3	n
9/17/99	Galisteo	Train/Truck Wreck (Randy)	1.9	n
9/18/99	Mid Valley	Train/truck Wreck (Angela) SATURDAY	1.8	n
9/20/99	Sandia Crest	Search for hikers(We found them!) Randy	2.7	n
9/21/99	White Sands M.R.	Target 7(Ranchers Side) Mike/Larry B.	3.2	n
9/21/99	Miera	Child Locked in Car (Mike)	0.8	n
9/21/99	Albuquerque	Aerials of car dealership & hotel (Randy)	0.9	n
9/21/99	Albuquerque	Minor fender bender (Angela)	0.3	n
9/22/99	White Sands M.R.	Target 7 (Officals side) Mike/Larry	4.9	n
9/24/99	Albuquerque	Tour of city(Mary Lynn/MLR assistant/New SM)	0.9	o
9/27/99	Albuquerque	Possible Drowning in pool (Randy)	0.4	n
9/28/99	KOAT-TV	Install/Test software for Wescam(Ken/John)	0.6	o
9/29/99	Albuquerque	Troubleshoot/fix/test Wescam (Randy/John)	2.1	o
9/29/99	Esponola	State & Federal Drug bust (Randy/John)	2.5	n
9/29/99	Albuquerque	737 w/smoke in cabin (Randy/Matt)	0.7	n

n=news
e=engin.
p=promo
o=other

SKY 7 DAILY FLIGHT LOG

Oct-99

beginning balance= **430.2**

flight hours this month= **49.7**

total flight time remaining= **380.5**

Date	Destination	Purpose & Crew	Flight Hrs	Code
10/2/99	Albuquerque	Balloon Fiesta (Randy/Mike) SATURDAY	3.9	n
10/3/99	Albuquerque	Balloon Fiesta (Mike/Jon) SUNDAY	4.6	n
10/3/99	Albuquerque	Balloon Glow (Mike) SUNDAY NIGHT	1.1	n
10/4/99	Albuquerque	Balloon Fiesta (Randy)	1.1	n
10/4/99	Albuquerque	SWAT Action (Randy)	0.5	n
10/4/99	Estancia	Prisoner Transfer/ SWAT action in ABQ(Randy)	2.4	n
10/6/99	Albuquerque	Promotion Shoot (Air-to-Air/Ground-to-Air)	1.9	p
10/8/99	Albuquerque	Balloon Fiesta (Randy)	1.3	n
10/9/99	Albuquerque	Balloon Fiesta (Randy/Mike) SATURDAY	3.9	n
10/10/99	Albuquerque	Balloon Fiesta (Mike/Mike) SUNDAY	3.8	n
10/11/99	Socorroco	Fatal Train/Car wreck (Rhett/Dan)	3.3	n
10/12/99	Albuquerque	Troubleshoot/Replace Converter for antenna	0.9	o
10/12/99	Albuquerque	Body found burned on SW Mesa	1.6	n
10/13/99	Albuquerque	House Fire (Randy/Craig)	0.4	n
10/8/99	Albuquerque	Balloon Glow/ Special Shapes (Angela)	1.9	n
10/14/99	Albuquerque	Started for flight, then cancelled	0.4	n
10/14/99	Albuquerque	Body search and Store fire (Rhett)	0.5	n
10/14/99	Jemez Mtns.	US Forest Service Prescribed Burn (Rhett)	1.9	n
10/14/99	Santa Rosa	Escaped Child killer (Rhett)	3.8	n
10/17/99	Clines Corners	Snow Aerials/Traffic Problems(Mike)SUNDAY	3.1	n
10/19/99	Rio Rancho	Trailer Fire (Randy)	1.3	n
10/21/99	Clines Corners	Bus/Car Accident (Nanette/Randy/JB)	2.1	n
10/22/99	Rio Rancho	Cessna 172 Emergency Landing (Randy/JB)	1.4	n
10/25/99	Albuquerque	Fire at US Customs Building (Randy)	0.3	n
10/27/99	Albuquerque	Launched for fire, then cancelled (Randy,Mike)	0.2	n
10/28/99	Albuquerque	Search Warrant Served (Angela)	0.4	n
10/28/99	Albuquerque	Shed fire & Train/Trailer Accident (Angela)	0.8	n
10/29/99	Albuquerque	Swat Action (Angela)	0.9	n

n=news
e=engin.
p=promo
o=other

SKY 7 DAILY FLIGHT LOG

Nov-99

beginning balance= **380.5**

flight hours this month= **45.8**

total flight time remaining= **334.7**

Date	Destination	Purpose & Crew	Flight Hrs	Code
11/1/99	Cortez, CO	Body of cop killer found (Randy/Matt)OVERNITE	2.7	n
11/2/99	Cortez, CO	New Search/Trip back to ABQ(Randy/BO/Matt)	3.4	n
11/3/99	Albuquerque	SWAT Action (Randy)	0.6	n
11/4/99	Albuquerque	SWAT Aftermath[busted up house] (Randy)	0.9	n
11/4/99	KOAT-TV	Told to start, then cancelled per D. Ware	0.2	n
11/9/99	Manzano Mtns.	Prescribed Burn(Forest Service) Mike	1.4	n
11/9/99	Acoma Pueblo	Man fell 300' off Mesa (Randy/Rena)	1.3	n
11/10/99	Albuquerque	Downtown Sinkhole (Angela/Tim)	1.2	n
11/15/99	San Ysidro	Body Found (Mike)	1.5	n
11/16/99	Taos/Santa Fe	Lack of snow for ski areas (Angela)	3.6	n
11/17/99	Pewitt/I-40W	Gas Explosion @ Civic Ctr.(Randy/Lori)	2.1	n
11/17/99	West of Los Lunas	Triple Fatal Wreck (Angela)34'47.6/106'59.8	1.4	n
11/18/99	Manzano Mtns.	Prescribed burn out of control (Randy)	2.5	n
11/19/99	Albuquerque	Santa Claus Arrival/Pipe break (Angela)	0.6	n
11/19/99	Deming,NM/El Paso,TX	School Shooting(Angela/Rosa Linda) OVERNITE	3.4	n
11/20/99	El Paso, TX-ABQ	El Paso Aerials/Fly to ABQ SATURDAY	3.9	n
11/22/99	Gallup	Snow & Traffic aerials (Angela)	2.1	n
11/22/99	Albuquerque	Man Fell down well (Angela)	0.6	n
11/23/99	Albuquerque	Big "I" Traffic story (Angela/Nanette)	1.3	n
11/23/99	Albuquerque	NAPA Parts Store Fire (Angela)	0.7	n
11/24/99	Garcia, CO	Car involved in Murder found (Rhett)	4.2	n
11/26/99	Albuquerque	Apt. fire aftermath/Holiday Traffic (Angela)	0.8	n
11/29/99	Santa Fe	Car Chase/Crash (Angela/Toni/JB)	1.8	n
11/29/99	Albuquerque	737 landing w/smoke in cockpit (Mike/Matt/JB)	0.5	n
11/30/99	El Paso, TX	Mass Grave in Juarez, Mexico (Angela/Carlos)	3.1	n
		Aerials in Juarez, Mexico(OVERNITE in El Paso)		

n=news
e=engin.
p=promo
o=other

SKY 7 DAILY FLIGHT LOG

Dec-99

beginning balance= **334.7**

flight hours this month= **20.4**

total flight time remaining= **314.3**

Date	Destination	Purpose & Crew	Flight Hrs	Code
12/1/99	El Paso, TX-ABQ	Aerials and trip back to ABQ (Adam)	3.4	n
12/4/99	Moriarty/Santa Fe	Weather (Snow) Aerials (Rhett) SATURDAY	2.1	n
12/7/99	W. Los Lunas Hwy 6	Burned Bridge (Angela)	1.1	n
12/8/99	Grants	Weather Shots (Mike/JB)	1.9	n
12/9/99	Albuquerque	Wescam Training (Angela/Dave/JB)	0.9	o
12/16/99	Santa Fe	Plane Crash @ Airport (Angela)	1.9	n
12/23/99	Albuquerque	Holiday Shopping Traffic (Rhett)	0.9	n
12/26/99	Belen	Train Derailment (Mike) SUNDAY	2.1	n
12/27/99	Socorro/T or C	Fly engineers to fix signal (Jeff-engineer)	4.3	e
12/31/99	Albuquerque	New Years Eve/Y2K (Mike)	1.8	n

n=news
e=engin.
p=promo
o=other

SKY 7 DAILY FLIGHT LOG

Jan-00

beginning balance= **314.3**

flight hours this month= **35.4**

total flight time remaining= **278.9**

Date	Destination	Purpose & Crew	Flight Hrs	Code
1/4/00	Albuquerque	Trailer fire and SWAT Training (Buzz)	1.1	n
1/5/00	Albuquerque	Bosque School Opening (Angela/Mike)	0.8	n
1/6/00	Albuquerque	Burger King Fire (Dave)	0.9	n
1/7/00	Taos	Missing girl search/Body Recovery (Angela)	4.7	n
1/8/00	Tinnie	Fatal Church Van/Semi-Truck Crash(Mike/Jeff)	4.2	n
1/10/00	San Antonio Peak	Elk Herding & Tagging (Mike/Dan) NM/CO	5.1	n
1/11/00	N of Cuba	Helicopter Crash (Mike)	2.9	n
1/13/00	Albuquerque	Fight @ W. Mesa H.S. (Angela/JB)	0.4	n
1/14/00	Albuquerque	School Bus Wreck/Big I Traffic (Dave/JB)	1.4	n
1/15/00	Taos	Body in gorge/I-25 Semi Crash(Adam/Matt/JB)	3.6	n
1/17/00	Albuquerque	House Fire (Minor) Renee/Buzz	0.3	n
1/18/00	Albuquerque	School Bus Accident (South Valley)Bo/Angela	0.7	n
1/18/00	Albuquerque	UNM Dormitory Fire (2nd Floor) Buzz	0.7	n
1/20/00	Albuquerque	Liquid Gas Line Leak (Derek) S. Valley	1.2	n
1/24/00	Albuquerque	Smoke in School (No Fire) Buzz	0.4	n
1/25/00	Manzano Mtns.	Missing Girl's Body Found (Mike/Jeff Z)	2.3	n
1/26/00	Albuquerque	F-16 Emergency/Bad Drivers (Angela)	1.3	n
1/26/00	Santa Fe/Rio Rancho	School Bus Crash/Car in Building (Mike)	1.9	n
1/27/00	Albuquerque	Fly City Councilman(P Shipley,V Griego, D Mont)	0.7	o
1/25/00	Albuquerque	Radioactive Material on side of road (Mike/Bo)	0.8	n

n=news
e=engin.
p=promo
o=other

SKY 7 DAILY FLIGHT LOG

Feb-00

beginning balance= **278.9**

flight hours this month= **28.4**

total flight time remaining= **250.5**

Date	Destination	Purpose & Crew	Flight Hrs	Code
2/2/00	Albuquerque	Car crashed into house (Adam/Rosa Linda)	0.3	n
2/2/00	Albuquerque	Wescam Training (Adam,Dave)	1.1	o
2/3/00	KOAT-TV	Fly City Concilman (Pahl/Dan/Tim Klien)	0.6	o
2/3/00	Albuquerque	Bomb @ Fairgrounds (Buzz/Craig)	0.7	n
2/5/00	Albuquerque	Small plane crash @ airport (Derek/JB)	0.6	n
2/8/00	Silver City	Small Forest Fire (Mike) N33-16.0 W108-32.4	4.3	n
2/8/00	Albuquerque	Illegals being sent back to Mexico (Buzz)	0.4	n
2/9/00	Albuquerque	Wescam /House Fire (Mike/Derek)	1.6	n
2/10/00	Albuquerque	House Fire (S. Valley) Adam	0.4	n
2/11/00	Albuquerque	Grocery Store Fire (Dave/Mark R)	0.7	n
2/12/00	Moriarty	Grass Fire (Derek/Shawn) SATURDAY	1.2	n
2/13/00	Albuquerque	Aerials of Murder scene (Adam) SUNDAY	0.6	n
2/14/00	Albuquerque	MD-80 Emergency Landing(Adam/Matt)	1.1	n
2/15/00	Sandia Mtns.	No snow & warm weather/fires(Angela/Craig)	1.7	n
2/15/00	Los Lunas	Grass Fire (Buzz)	0.7	n
2/16/00	Albuquerque	House Fire (Angela)	0.6	n
2/16/00	Albuquerque	Car Crashed into VA Hospital (Derek/Matt)	0.7	n
2/21/00	Albuquerque	House Fire (Adam)	0.6	n
2/23/00	Albuquerque	School kitchen fire & House fire (Buzz)	0.9	n
2/23/00	ABQ	Man fell off cliff in foothills (Mike)	1.1	n
2/25/00	Taos	Fatal small plane crash (Buzz/Rosa)	3.6	n
2/26/00	KOAT-TV	Fly former City Councilman(T. cunningham)SAT	0.8	o
2/27/00	ABQ	Small grass fire (Adam) SUNDAY	0.6	n
2/28/00	ABQ	Bank Robbery (Buzz/Renee)	0.3	n
2/29/00	Moriarty	I-40 Chemical Spill (Buzz/Craig)	2.8	n
2/22/00	ABQ	Skate Park Aerials (Buzz)	0.4	n

n=news
e=engin.
p=promo
o=other

SKY 7 DAILY FLIGHT LOG

Mar-00

beginning balance= **250.5**

flight hours this month= **37.3**

total flight time remaining= **213.2**

Date	Destination	Purpose & Crew	Flight Hrs	Code
3/1/00	Socorro	Pipe bomb exploded in school (Buzz/Tim)	3.5	n
3/2/00	Santa Fe	Ski Bus Crash Aniv. (Buzz)	2.2	n
3/3/00	Isleta	Body found along I-25/mm214 (Buzz)	0.6	n
3/3/00	ABQ	Officer injured @ High School (Buzz)	0.6	n
3/3/00	ABQ	Bomb scare @ Middle School (Buzz)	1.3	n
3/5/00	Alamogordo	On way down, then called back (Angela)SUN	1	n
3/9/00	Vaughn	Range(Grass) Fire Angela/Cynthia	3.3	n
3/13/00	ABQ	Paseo/I-25 Const//S. Valley SWAT (Mike/Bo)	2.3	n
3/14/00	ABQ	Paseo & I-25 Construction (Buzz/Marisa)	0.5	n
3/15/00	ABQ	Aftermath of Police chase (Mike)	0.5	n
3/16/00	Santa Fe/Clines Cnrs	Weather Video/Look for Downed Helo (Dave)	2.8	n
3/16/00	ABQ	I-25 Traffic backup after rollover (Derek D)	0.4	n
3/17/00	ABQ	Shooting by school (Angela)	0.3	n
3/18/00	ABQ	Statewide Power Outage (Angela/Cynthia)**SAT**	1.9	n
3/19/00	Farmington	Find cause of power outage(Mike/Cynthia)**SUN**	3.5	n
3/20/00	ABQ	Oil Products Warehouse Fire (Adam)	1.9	n
3/15/00	Los Lunas	Bomb scare on School Bus (Buzz/Mike S)	1.2	n
3/23/00	ABQ & I-40 West	Storm damage/Search & Rescue (Angela)	2.4	n
3/23/00	ABQ	Bank Robbery (Derek)	1.1	n
3/23/00	Highland Meadows	Muddy Mess/People stuck (Angela/Tim B)	1.1	n
3/24/00	Highland Meadows	Muddy Mess/People stuck (Rhett/JB)	2.2	n
3/28/00	ABQ	Voiceover Training/Car Rollover (Mike)	1.4	n
3/29/00	ABQ	House Fire (Buzz)	0.4	n
3/30/00	ABQ	Hand Gernade found (Adam)	0.6	n
3/30/00	ABQ	Gang fight @ Rio Grand H.S. (Dave)	0.3	n

n=news
e=engin.
p=promo
o=other

SKY 7 DAILY FLIGHT LOG

Apr-00

beginning balance= **213.2**

flight hours this month= **47.9**

total flight time remaining= **165.3**

Date	Destination	Purpose & Crew	Flight Hrs	Code
4/3/00	ABQ	Wescam Training (Mike/Brian B.)	1.5	o
4/3/00	ABQ	Fire @ School (Mike)	0.4	n
4/3/00	ABQ	Weather Shot/Troubleshoot Wescam (Mike)	1.5	n
4/4/00	ABQ	Troubleshoot/Fix/Adjust Wescam (Ken)Eng.	1.1	o
4/4/00	ABQ	Grass Fire & Big "I" Aerials (Mike)	0.7	n
4/5/00	ABQ	Sandia Mtn aerials/End of car chase (Buzz)	1.5	n
4/6/00	I-40W (mm97)	Reported Trucker Protest (Angela/Cynthia)	1.6	n
4/6/00	ABQ	S. Valley School Aerials (Dave/Mike S)	0.7	n
4/9/00	Rio Rancho	Dynamite Found/Water Main Break(Adam/JB)	1.5	n
4/10/00	Edgewood/Isleta	Grass Fire & Bosque Fire (Buzz)	2.3	n
4/10/00	Isleta	Big Bosque Fire (Mike/Matt)	1.9	n
4/10/00	Isleta	Big Bosque Fire (Mike/Matt) Night	1.2	n
4/12/00	ABQ	172 Hard Landing @ Coronodo (Mike)	0.3	n
4/12/00	ABQ	Coors/I-40 New Wal-Mart (Mike)	0.3	n
4/12/00	ABQ	Water Main Break/Body found @ Apts. (Mike)	0.9	n
4/14/00	Belen	Big Bosque Fire (Dave) Night	1.7	n
4/16/00	Farmington	Test equip. for Clinton visit (Mike) **SUNDAY**	5.4	n
4/17/00	Farmington	President Clinton's Visit (Mike)	6.9	n
4/19/00	Gallup	Oil Refinery (Target 7) Mike/Larry B.	2.6	n
4/20/00	Belen/Santa Fe	Fire aftermath/Pilgramage to Chimio (Buzz)	3.2	n
4/21/00	Chimayo	Pilgrimage walkers (Dave/Cynthia/Buzz)	3.1	n
4/25/00	Tijeras	Aerials of Billboard/Misc. (Mike)	1.5	n
4/27/00	ABQ	Pipe bomb found (Buzz)	0.9	n
4/28/00	ABQ	Aerials of school kids forming a symbol (Dave)	0.3	n
4/30/00	Santa Rosa/Socorro	Range fire/Bosque Fire (Mike) **SUNDAY**	4.1	n
4/27/00	ABQ	I-25 Traffic Backup (Dave)	0.8	n

n=news
e=engin.
p=promo
o=other

SKY 7 DAILY FLIGHT LOG

May-00

Beginning balance= **166.1**

Flight hours this month= **65.1**

Total flight time remaining= **101.0**

Date	Destination	Purpose & Crew	Flight Hrs	Code
5/2/00	ABQ	I-25 & Alameda Construction (Angela)	0.9	n
5/3/00	ABQ	Hwy. Const. & Bosque Fire (Mike/Tim G)	1.3	n
5/8/00	Los Alamos/Rusideo	Forest Fires (Buzz)	6.5	n
5/9/00	Los Alamos/Rusideo	Forest Fires (Buzz/Angela)	6.5	n
5/10/00	Socorro	State Police SWAT (Angela)	2.4	n
5/10/00	Los Alamos	Forest Fire/Town Evacuation (Rhett)	2.5	n
5/10/00	Los Alamos	Wild Forest Fire/Houses Burning (Angela)	2.4	n
5/11/00	Los Alamos	Wild Forest Fire/Houses Burning (Angela)	2.4	n
5/11/00	Los Alamos	Wild Forest Fire (Rhett)	2.6	n
5/12/00	Los Alamos	Forest Fire (Mike)	2.8	n
5/12/00	Los Alamos	Forest Fire (Mike)	2.5	n
5/13/00	Los Alamos	Forest Fire (Mike/JB)	5.7	n
5/14/00	Los Alamos	Forest Fire (Mike/JB)	3	n
5/14/00	Los Alamos	Aerial Survey w/ Gov. Johnson(Mike)**SUNDAY**	2.8	n
5/15/00	Los Alamos/Gloretia	Forest Fires (Mike/Jeff)	3.9	n
5/18/00	ABQ	Mesa Del Sol Amphitheater (Dave)	0.4	n
5/19/00	Los Alamos	Fire Mop-up (Dave)	2.3	n
5/24/00	San Ysidro	Bosque Fire (Derrick)	1.8	n
5/25/00	ABQ	TWA MD-80 Emergency Landing (Buzz)	0.7	n
5/29/00	Pecos	Forest Fire (Mike)	1.8	n
5/30/00	Pecos	Forest Fire (Mike)	6.4	n
5/31/00	Pecos	Forest Fire (Mike)	3.5	n

n=news
e=engin.
p=promo
o=other

50 Hour
20.0
100 Hour
28.3

SKY 7 DAILY FLIGHT LOG

Jun-00

beginning balance= **101.0**

flight hours this month= **39.4**

total flight time remaining= **61.6**

Date	Destination	Purpose & Crew	Flight Hrs	Code
6/1/00	ABQ	House Fire in High Desert (Dave)	0.4	n
6/1/00	Cochiti Lake	Dead Body found in water (Derrick)	1.1	n
6/2/00	Los Alamos	Flooding after rainfall (Derrick)	1.5	n
6/5/00	Manzano Mtns.	Reported Fire (False) Mike	0.9	n
6/6/00	ABQ	Worker fell 60ft. @ Mesa Del Sol (Derrick)	0.6	n
6/7/00	Alamosa,CO	Rio Grand River Headwaters (Mike/Bo)	5.8	n
6/8/00	Santa Fe	Missing Boy (Buzz)	2	n
6/11/00	ABQ	Mesa Del Sol Opening Night (Mike) **SUNDAY**	0.5	n
6/13/00	Questa/Los Alamos	Forest Fire & Crew Taxi (Mike/Larry B/Bo]1 & 2	5.1	n
6/14/00	ABQ	Wescam Training (Mike/Derrick)	0.9	o
6/18/00	Socorro	Old Tires on Fire (Adam/JB)	2.2	n
6/18/00	I-40 & MM 73	Bus/Semi Crash (JB)	2	n
6/21/00	ABQ	Emergency Landing/Big I Aerials (Derrick)	0.7	n
6/24/00	Magdalena	Body Search (Derrick) **SATURDAY**	4.8	n
6/25/00	Magdalena	Body Search (Derrick) **SUNDAY**	3	n
6/29/00	Butte Lake	Lake & Dam Aerials (Derrick)	4.4	n
6/30/00	ABQ	Big I aerials/Meth lab bust (Rhett)	1.5	n
6/30/00	ABQ	Big I Aerials (Derrick)	1.2	n
6/28/00	ABQ	Big I Aerials (Buzz)	0.8	n

n=news
e=engin.
p=promo
o=other

Hrs. Left
50 Hour
27.4
100 Hour
77.4

SKY 7 DAILY FLIGHT LOG

Jul-00

beginning balance= **61.6**

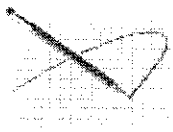
flight hours this month= **49.6**

total flight time remaining= **12.0**

Date	Destination	Purpose & Crew	Flight Hrs	Code
7/1/00	ABQ	Big I Aerials (Adam) **SATURDAY**	1.6	n
7/2/00	ABQ	Big I Aerials (Adam) **SUNDAY**	1.5	n
7/4/00	ABQ	Big I & AFB Aerials (Adam) **HOLIDAY**	0.6	n
7/5/00	ABQ	Big I (Adam)	2.4	n
7/5/00	ABQ	Big I Rush Hour (Derrick)	1.3	n
7/6/00	KOAT-TV	MLR Special Projects	1.1	o
7/9/00	ABQ/Santa Fe	PR Flight (Mary Lynn Roper) **SUNDAY**	1.8	o
7/12/00	Tome/I-25 & Mall	Stabbing @ Tome/Grass fire @ I-25 (Adam)	3.1	n
7/13/00	Santa Fe	Search for boy in landfill (Dave/JB)	1.9	n
7/13/00	Santa Fe	Search for boy in landfill (Rhett/JB)	2.9	n
7/14/00	Rio Rancho	Sewage spill into river (Derek/Mark/JB)	1.7	n
7/19/00	Los Alamos	Flood Prevention Work (Buzz/Bo)	1.7	n
7/20/00	ABQ	Big I Traffic (Adam)	1.7	n
7/21/00	Cortez, CO	Mesa Verde Forest Fire (Derrick)	5.4	n
7/22/00	Cortez, CO	Mesa Verde Forest Fire (Derrick/Rosa/JB)	5.7	n
7/23/00	Cortez, CO	Mesa Verde Forest Fire (Adam/JB)	5.1	n
7/24/00	Cortez, CO	Mesa Verde Fire (Buzz/Nancy)UP (Cynthia)DN	4.5	n
7/25/00	ABQ	Military VIP plane Emergency Landing (Derrick)	0.8	n
7/25/00	Socorro	Silverly Minnow release into river(Derrick/Bo)	2.5	n
7/27/00	San Anancia	Water Rights Battle @ Dam (Dave)	2.3	n

n=news
e=engin.
p=promo
o=other

50 Hour
40.3
100 Hour
32.9



Robert E. Kirkpatrick
08/14/2000 04:42 PM

To: Deborah L. Stover/PLN/CABQ@COA

cc:
Subject: KOAT-TV Helicopter Noise Tests

To: Chuck Gara, Chairman, EPC
thru: Deborah Stover, Planning Department
From: Bob Kirkpatrick, Environmental Health Department
Subject: KOAT-TV Helicopter N9BQ - Noise Ordinance Compliance

Noise tests on 7/6/00, 8/10/00 and 8/14/00 show that the operation of KOAT-TV's N9BQ helicopter complies with Albuquerque's current noise ordinance and with the proposed noise ordinance (Council Bill O-34).

Tests were conducted at several locations in the vicinity of the station helipad at Comanche and Carlisle for both standard and alternate flight paths.

Test results are presented in reports by Metro Safety Consultants, Inc. dated 7/6/00 and 8/10/00 and in AEHD files 3100106 and 3100107. Supplementary documentation is contained in KOAT-TV videotapes labeled "KOAT TV 8/10/00" and "Sky 7 Tail Camera".

<<< AMPLITUDE DISTRIBUTION REPORT FROM FILE 3100106 >>>

Test Location.....KOAT Helipad @ Theta Apts
Employee Name.....Bob Kirkpatrick
Employee Number...
Department.....EHD
Comment.....Ambient. Wind 0-5 mph. Mic @ cyclone fence directl
y south of Tulane Street.

Calibrator Type & Serial #...CL304 SN5214 (Meter 3646)
Calibrator Calibration Date..7/13/00

METROSONICS db-3100 SN 3646 V1.7
REPORT PRINTED 08/15/00 AT 08:51:55
TOTAL SAMPLES: 38683

dB	SAMPLES	% OF TOTAL
46	6	0.02
47	515	1.33
48	3158	8.16
49	4890	12.64
50	4910	12.69
51	3758	9.71
52	3366	8.70
53	6094	15.75
54	5306	13.72
55	3041	7.86
56	1677	4.34
57	798	2.06
58	356	0.92
59	249	0.64
60	214	0.55
61	103	0.27
62	102	0.26
63	33	0.09
64	18	0.05
65	13	0.03
66	20	0.05
67	24	0.06
68	28	0.07
69	4	0.01

Ln(0.0) = 69dB
Ln(9.0) = 55dB
Ln(50.0) = 52dB
Ln(90.0) = 49dB

	NO CUTOFF	80dB CUTOFF	90dB CUTOFF
Leq	53.3dB	39.0dB	39.0dB
Ldod	52.9dB	39.0dB	39.0dB
Leq(6)	52.6dB	39.0dB	39.0dB

<<< SUMMARY REPORT FROM FILE 3100106 >>>

Test Location.....KOAT Helipad @ Theta Apts
Employee Name.....Bob Kirkpatrick
Employee Number...
Department.....EHD
Comment.....Ambient. Wind 0-5 mph. Mic @ cyclone fence directl
y south of Tulane Street.

METROSONICS db-3100 SN 3646 V1.7
REPORT PRINTED 08/15/00 AT 08:51:13
EXCHANGE RATE.... 5dB FILTER..... A wt.
DOSE CRITERION... 90dB RESPONSE... Fast

Calibrator Type & Serial #...CL304 SN5214 (Meter 3646)
Calibrator Calibration Date..7/13/00

PRE-TEST CALIBRATION TIME: 08/14/00 AT 14:01:02
PRE-TEST CALIBRATION RANGE: 39.8dB TO 139.8dB

NO POST-TEST CALIBRATION

TEST BEGAN....08/14/00 AT 14:35:17
TEST LENGTH... 0 DAYS 00:10:04
TEST ENDED....08/14/00 AT 14:45:21
TEST INTERRUPTIONS...1

Lav..... 53.1dB
Lav (80).... 39.8dB
Lav (90).... 39.8dB

TWA..... 39.8dB
TWA (80).... 39.8dB
TWA (90).... 39.8dB

Lmax... 69.9dB ON 08/14/00 AT 14:45:21
Lpk....UNDER

TIME OVER 115.0dB 0 DAYS 00:00:00.00

8 HR % Dose (80dB CUTOFF)..... 0.00%
8 HR PROJ. % DOSE (80dB CUTOFF)..... 0.00%
8 HR % DOSE (90dB CUTOFF)..... 0.00%
8 HR PROJ. % DOSE (90dB CUTOFF)..... 0.00%

<<< TABULAR TIME HISTORY REPORT FROM FILE 3100106 >>>

Test Location.....KOAT Helipad @ Theta Apts
Employee Name.....Bob Kirkpatrick
Employee Number...
Department.....EHD
Comment.....Ambient. Wind 0-5 mph. Mic @ cyclone fence directl
y south of Tulane Street.

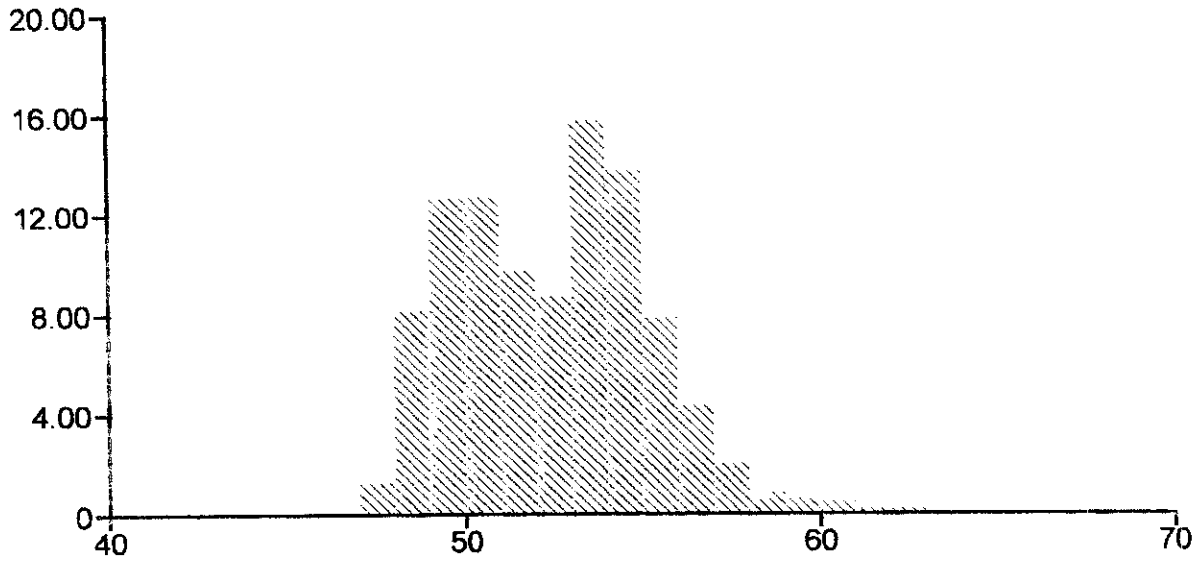
Calibrator Type & Serial #...CL304 SN5214 (Meter 3646)
Calibrator Calibration Date..7/13/00

METROSONICS db-3100 SN 3646 V1.7
REPORT PRINTED 08/15/00 AT 08:52:32
OF PERIODS: 11 MODE: CONTINUOUS
PERIOD LENGTH: 0:01:00
TIME HISTORY CUTOFF: NONE
Ln(1): 10.0% Ln(2): 90.0%

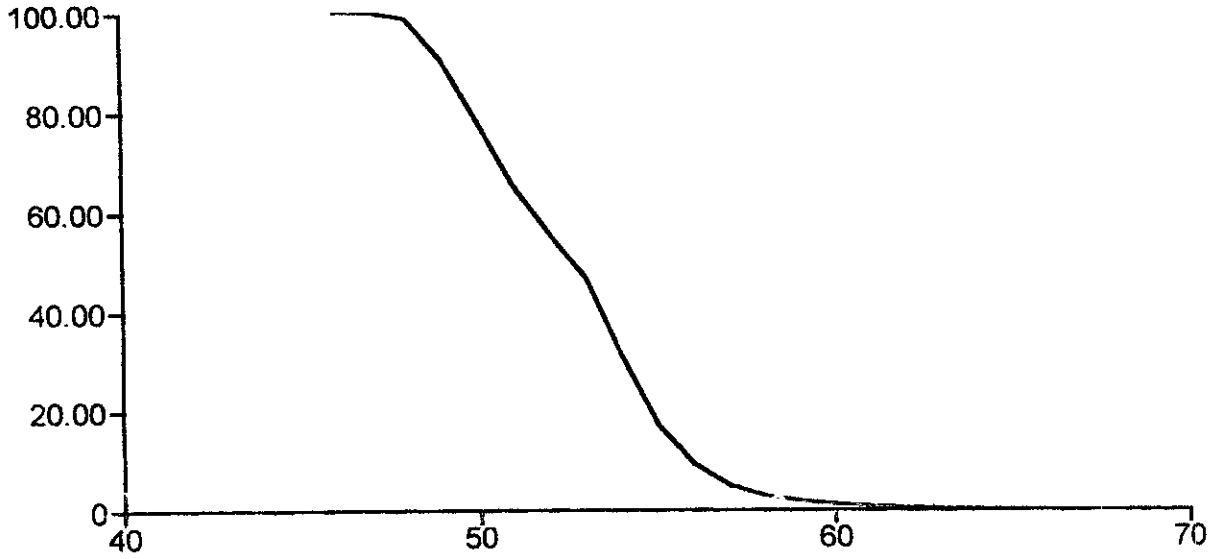
DATE: 8/14/00

INT	TIME	Lav	Lmx	Lpk	L1	L2
1	14:35:17	52.9	64.2	UNR	56	49
2	14:36:17	50.9	59.0	UNR	53	48
3	14:37:17	51.9	58.0	UNR	54	49
4	14:38:17	50.2	56.9	UNR	51	48
5	14:39:17	49.8	64.2	UNR	51	47
6	14:40:17	52.1	58.7	UNR	55	48
7	14:41:17	55.0	60.6	UNR	56	53
8	14:42:17	55.4	68.7	UNR	56	53
9	14:43:17	55.4	63.0	UNR	58	52
10	14:44:17	54.6	66.4	UNR	56	52
11	14:45:17	55.7	69.9	UNR	55	52

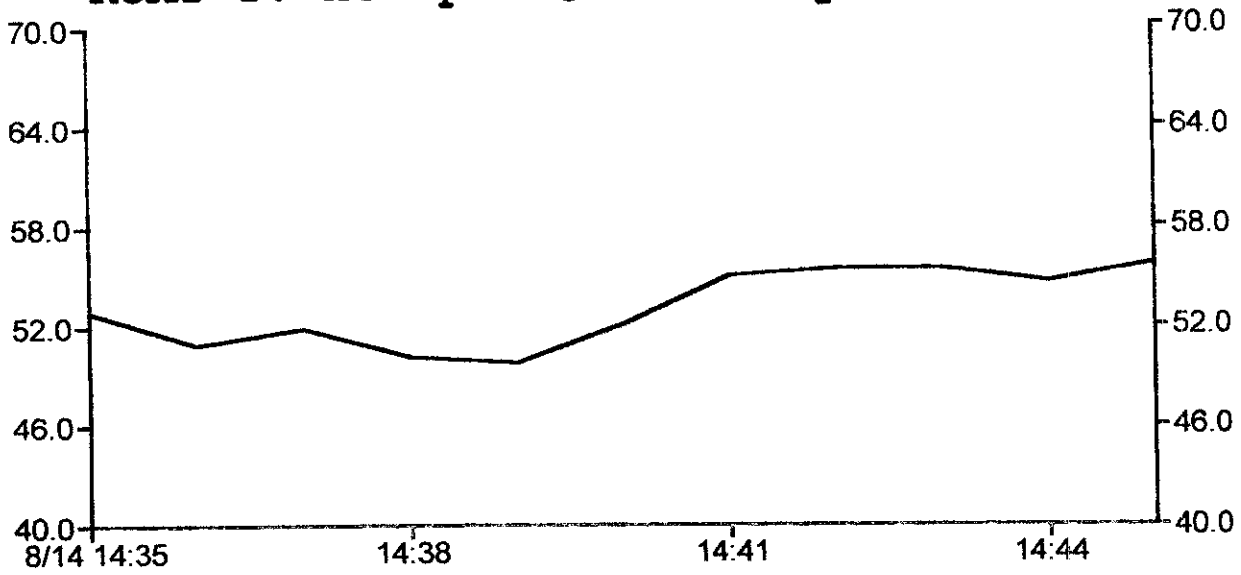
KOAT-TV [redacted]elipad @ Theta Ap[redacted] - Ambient



KOAT-TV [redacted]elipad @ Theta Ap[redacted]s - Ambient



KOAT-TV Helipad @ Theta Apts - Ambient



OverAll Lav = 54.1dB

Lav

METROSONICS
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285 Metro Park • Rochester, NY 14623 • TEL (716) 427-7402 FAX (716) 427-2512
METROSONICS WEB http://www.metrosonics.com

CERTIFICATE OF CALIBRATION

Certificate: 800978 **Customer:** City Of Albuquerque

Model: db-3100
Description: Sound Analyzer
Serial No.: 3646

Date Calibrated: 7/13/00
Calibration Due: 7/13/01

Equipment in tolerance when received: Yes ☒ No ☐

Decay Rate (dB/sec)	Pre-Cal 4.3	Post Cal 4.3	Frequency Freq. Reading	Response Pre-Cal	("A" Weight) Post-Cal
Linearity:			20000 (84.2 to -9.3)	49.2	49.2
80dB(+/-0.3)	80.0	80.0	10000 (89.0 to -2.5)	84.9	84.9
70dB(+/-0.3)	69.9	69.9	5000 (92.0 to 89.0)	90.0	90.0
60dB(+/-0.3)	59.8	59.8	2000 (91.7 to 90.7)	91.3	91.3
50dB(+/-0.3)	49.8	49.8	1000 (90.0)	90.0	90.0
40dB(+/-0.3)	39.9	39.9	500 (87.3 to 86.3)	86.6	86.6
30dB(+/-0.3)	30.0	30.0	200 (79.8 to 78.4)	78.7	78.7
20dB(+/-0.3)	20.1	20.1	100 (72.0 to 69.8)	70.3	70.3
10dB(+/-0.3)	10.0	10.0	50 (61.3 to 58.0)	58.9	58.9
0dB(+/-0.3)	0.0	0.0	10 (23.1 to -50.5)	18.3	18.3
			Noise Floor 0.0dB(+/- 0.0 dB)	0.0	0.0

Equipment Used to Perform Calibration

Metro ID Number	Manufacturer	Model	Serial Number	Date Calibrated	Calibration Due	Trace Number
S00282	Fluke	87	83360165	5/18/00	5/18/01	1-PZ252-260-2
S00078	Krohn-Hite	4200B	3933	5/19/00	5/19/01	1-PZ252-260-28
S00081	Krohn-Hite	4200B	3896	5/19/00	5/19/01	1-PZ252-260-29
S00074	Fluke	5520A	0925149	5/18/00	5/18/01	1-PZ252-260-20

Verified By: Gary W. Clem **Date:** 7-13-2000

Metrosonics certifies that this instrument has been calibrated to published specifications using measurement standards traceable to the National Institute of Standards and Technology (NIST). Metrosonics calibration system meets the requirements of MIL-STD-45662-A and ISO-10012.

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METROSONICS WEB http://www.metrosonics.com

CERTIFICATE OF CALIBRATION

Certificate: 800978 **Customer:** City of Albuquerque,EHD

Model: cl-304
Description: Calibrator
Serial No.: 5214

Date Calibrated: 7/13/00
Calibration Due: 7/13/01

Equipment in tolerance when received: Yes ☒ No ☐

Barometric Reading 990 Sine Wave Ok
Temperature 25.0c

Pre-Cal.	101.8	db (+/- 0.3db)	Pre-Cal Freq.	1001	hz (+/-2.0%)
Post-Cal.	102.0	db (+/- 0.3db)	Post-Cal Freq.	1001	hz (+/-2.0%)

Equipment Used to Perform Calibration

Metro ID Number	Manufacturer	Model	Serial Number	Date Calibrated	Calibration Due	Trace Number
T00236	Bruel & Kjaer	4144	1524852	11/23/99	11/23/00	19066-1
T00114	Fluke	8922A	2365046	2/24/00	2/24/01	1-OL992-200-24
T00118	Genrad	1568-P42	WQ108	9/2/99	9/2/00	WQ-108-935
S00067	Fluke	1910A	2795026	6/15/00	6/15/01	1-SX301-1-1
T00314	Bruel & Kjaer	4228	2034923	1/27/00	1/27/01	19544-401
S00169	Tektronix	2225	H707247	5/18/00	5/18/01	1-PZ250-260-21

Verified By: M. Hutchinson **Date:** 7-13-00

Metrosonics certifies that this instrument has been calibrated to published specifications using measurement standards traceable to the National Institute of Standards and Technology (NIST). Metrosonics calibration system meets the requirements of MIL-STD-45662-A and ISO-10012.
The Metrosonics transfer calibration standard has an uncertainty of these less than 0.09db

H. DIANE SNYDER

August 16, 2000

TO: Mr. Chuck Gara, Chairman and the members of the Environmental Planning Commission

FROM: H. Diane Snyder

Dear Mr. Gara,

This letter is to let you know that as a resident living two blocks East of Carlisle that my I do not object to the zone change request submitted by KOAT-TV. I occasionally see their helicopter arriving and departing but the noise is not loud enough to be bothersome. In fact, I appreciate their arrival and departure being guided along the commercial line on Carlisle. KOAT-TV is a good corporate citizen of Albuquerque and a good neighbor.

Please accept my apology for not appearing in person, but I am recovering from a bout of food poisoning.

Sincerely,

H. Diane Snyder

H. Diane Snyder

4012 Delamar Avenue, NE
Albuquerque, NM 87110

Phone: 505.830.1669
Fax: 505.830.1670
Email: hdsnyder@spinn.net

3816 Delamar NE
Albuquerque, NM 87110
August 7, 2000

Dear EPC Members: - Susan Johnson

We are writing concerning the zoning request of KOAT TV to amend their zoning from C-1 to SU-1 on August 17. (Z00110-00000--888, Z00110-00000-00889, Project # 1000643.)

We would like to register our concerns with this zoning amendment request. At the February 7 meeting of the Albuquerque City Council, Ordinance O-73 was passed by an 8-1 margin. This ordinance specifically addresses noise by helicopters at TV stations. "INTENT: The land use of taking off and landing helicopters has potential adverse impacts on the health, safety and welfare of the users and the surrounding property."

The ordinance goes on further to state that an SU-1 zone provides appropriate means for regulating helipads; helipads should be allowed only in the SU-1 special use zone because of their effect on surrounding property. We believe in this case the effect is adverse.

Further research of the City of Albuquerque Code of Ordinances for SU-1 zone shows that KOAT is in probable compliance. We have not personally measured whether KOAT is 650 feet from their helipad to the nearest residence. There are houses due east of the helipad on Comanche and Palo Duro however.

So the real issues become one of noise, safety, and precedence. We reside in the Hodgin Neighborhood (east of Carlisle) and we feel we are affected by the noise of the KOAT helicopter. Their noise interrupts our peace and quiet. It is loud, it is frequent and it violates the intent of O-73. Section L of Ordinance 73 says "Evidence, including direct observation, noise monitoring and extensive public testimony, indicates that the detrimental impact of helipads within close proximity to residential zones can be severe and acutely disruptive to enjoyment of property." We agree wholeheartedly with this assessment. There are residential homes, apartments, and duplexes on all sides of KOAT. They may not be 350 or 650 feet away from the helicopter but the noise of take-off and landing are nevertheless loud enough to interrupt a conversation.

In a conversation with Mary Lynn Roper, general manager of KOAT, she stated that in 1980 Ray Montgomery who resided in the neighborhood welcomed the arrival of KOAT and the helicopter from their previous location on University Blvd. However, in 1980 there were few businesses along Comanche Blvd., Carlisle had many vacant lots, and the traffic volume was nowhere near what it is in the year 2000 with Comanche being a main exit off I-25. Times have certainly changed from when KOAT was welcome. Also in 1980 the Hodgin Neighborhood Association and the Alta Monte Neighborhood Associations had not been formed.

With the volume of traffic on both Carlisle and Comanche, there is a definite safety hazard. People tend to become distracted and gawk when a helicopter takes off. Those neighbors who reside near the helipad are affected by the whirring, the vibrations, the smell of fumes, and the dust created at take off and landing. (Noise and air pollution factors.)

It seems patently unfair that one area of the city (the neighborhoods surrounding KOAT) are still subjected to the news helicopter noise and air pollution because of a zoning change.

KOAT's helicopter is not equivalent to a hospital, police, or military helicopter which provide a service for the public good. They are a business and their helicopter's purpose is to get news more quickly so as to promote continued viewership. Their purpose remains commercial in spite of a zone change.

We also believe that granting KOAT an SU-1 zone will undermine the purpose and intent of O-73 and provide a precedent that will allow the other local stations to make the same request and for any new TV stations to request an SU-1 zone to permit helipads.

The mayor on his web-page states that noise pollution has become an issue in the city and the council is considering a bill that affects such noises as car boom boxes, restaurant noise and even vending trucks with music. How then does a zoning request which permits and promotes noise of helicopters not come in direct conflict with the noise pollution issues being considered?

We are asking you to deny this request and to require KOAT -TV to comply with the stated intent of Ordinance O-73. We ask this on the grounds that there are adverse factors of 1)noise and air pollution, 2) safety issues and 3)the setting of a precedent for TV station zoning.

You might be interested in a log of their take-off and landing times we kept for a few days. You might be also interested to know that weeks before this hearing in early August and late July, they rarely took off from their helipad. If they do not need to take off but once every three or four days, then certainly there is no reason to keep a helipad on Comanche and Carlisle.

Thank you for your consideration in this matter.

Respectfully,

Cathy Intemann

David Wiederholt

Cathy Intemann
David Wiederholt
Members of the Hodgin
Neighborhood Assoc.

Due to the fact that I teach & school starts August 16, I will be unable to attend the hearing. CLO

KOAT TAKE-OFF
as recorded from 3816 Delamar NE These were recorded while I was home and do not necessarily reflect an accurate record of the day's flights.

MAY 30
11:09 a.m.
3:58 p.m.-? Exceeds 3 limit take-off allowed by O-73 and SU-1 zone
7:00 p.m.-7:15
7:20.m.-7:48 Note four take-off/landings within 48 minute period

MAY 31
I was gone from 8:30 to 12:30
3:55 p.m.-?

JUNE 1
10:42.m.-10:59
3:25 p.m.-?

JUNE 4
6:51-7:05 p.m. Dinner hour

JUNE 5
5:15 p.m. 6:07 Dinner hour

JUNE 7
5:21-? p.m. Dinner hour

JUNE 8
4;18 p.m.-?

June 10
7:17 p.m.-?

JUNE 11
6:11-?
7:22 -? Unknown if a.m. or p.m.

JUNE 14
4:15 -4:25
Took off and landed consecutively 3 additional times with the last landing at 5:09 Exceeds 3 limit take-off
5:58-? Dinner hour 10 take-off/landings within 1:45 minute period

I called Paul Shipley (News director) because of frequency. He said they were conducting required tests.

<<< AMPLITUDE DISTRIBUTION REPORT FROM FILE 3100107 >>>

Test Location.....KOAT Helipad @ Theta Apts
Employee Name.....Bob Kirkpatrick
Employee Number...
Department.....EHD
Comment.....N9BQ idling on pad. Wind 0-5 mph. Mic @ cyclone f
ence directly south of Tulane Street.

Calibrator Type & Serial #...CL304 SN5214 (Meter 3646)
Calibrator Calibration Date..7/13/00

METROSONICS db-3100 SN 3646 V1.7
REPORT PRINTED 08/15/00 AT 09:10:09

TOTAL SAMPLES: 39249

dB	SAMPLES	% OF TOTAL
50	49	0.12
51	732	1.87
52	3708	9.45
53	9945	25.34
54	10941	27.88
55	7606	19.38
56	3458	8.81
57	1341	3.42
58	538	1.37
59	234	0.60
60	118	0.30
61	86	0.22
62	66	0.17
63	92	0.23
64	61	0.16
65	36	0.09
66	44	0.11
67	30	0.08
68	32	0.08
69	23	0.06
70	34	0.09
71	36	0.09
72	24	0.06
73	15	0.04

Ln(0.0) = 73dB
Ln(9.0) = 56dB
Ln(50.0) = 54dB
Ln(90.0) = 52dB

	NO CUTOFF	80dB CUTOFF	90dB CUTOFF
Leq	55.3dB	39.0dB	39.0dB
Ldod	54.9dB	39.0dB	39.0dB
Leq(6)	54.6dB	39.0dB	39.0dB

<<< SUMMARY REPORT FROM FILE 3100107 >>>

Test Location.....KOAT Helipad @ Theta Apts
Employee Name.....Bob Kirkpatrick
Employee Number...
Department.....EHD
Comment.....N9BQ idling on pad. Wind 0-5 mph. Mic @ cyclone f
ence directly south of Tulane Street.

METROSONICS db-3100 SN 3646 V1.7
REPORT PRINTED 08/15/00 AT 09:10:23
EXCHANGE RATE.... 5dB FILTER..... A wt.
DOSE CRITERION... 90dB RESPONSE... Fast

Calibrator Type & Serial #...CL304 SN5214 (Meter 3646)
Calibrator Calibration Date..7/13/00

PRE-TEST CALIBRATION TIME: 08/14/00 AT 14:01:02
PRE-TEST CALIBRATION RANGE: 39.8dB TO 139.8dB

NO POST-TEST CALIBRATION

TEST BEGAN....08/14/00 AT 15:06:14
TEST LENGTH... 0 DAYS 00:10:13
TEST ENDED....08/14/00 AT 15:16:27
TEST INTERRUPTIONS...1

Lav..... 55.1dB
Lav (80).... 39.8dB
Lav (90).... 39.8dB

TWA..... 39.8dB
TWA (80).... 39.8dB
TWA (90).... 39.8dB

Lmax... 73.6dB ON 08/14/00 AT 15:08:47
Lpk....UNDER

TIME OVER 115.0dB 0 DAYS 00:00:00.00

8 HR % Dose (80dB CUTOFF)..... 0.00%
8 HR PROJ. % DOSE (80dB CUTOFF)..... 0.00%
8 HR % DOSE (90dB CUTOFF)..... 0.00%
8 HR PROJ. % DOSE (90dB CUTOFF)..... 0.00%

<<< TABULAR TIME HISTORY REPORT FROM FILE 3100107 >>>

Test Location.....KOAT Helipad @ Theta Apts
Employee Name.....Bob Kirkpatrick
Employee Number...
Department.....EHD
Comment.....N9BQ idling on pad. Wind 0-5 mph. Mic @ cyclone f
ence directly south of Tulane Street.

Calibrator Type & Serial #...CL304 SN5214 (Meter 3646)
Calibrator Calibration Date..7/13/00

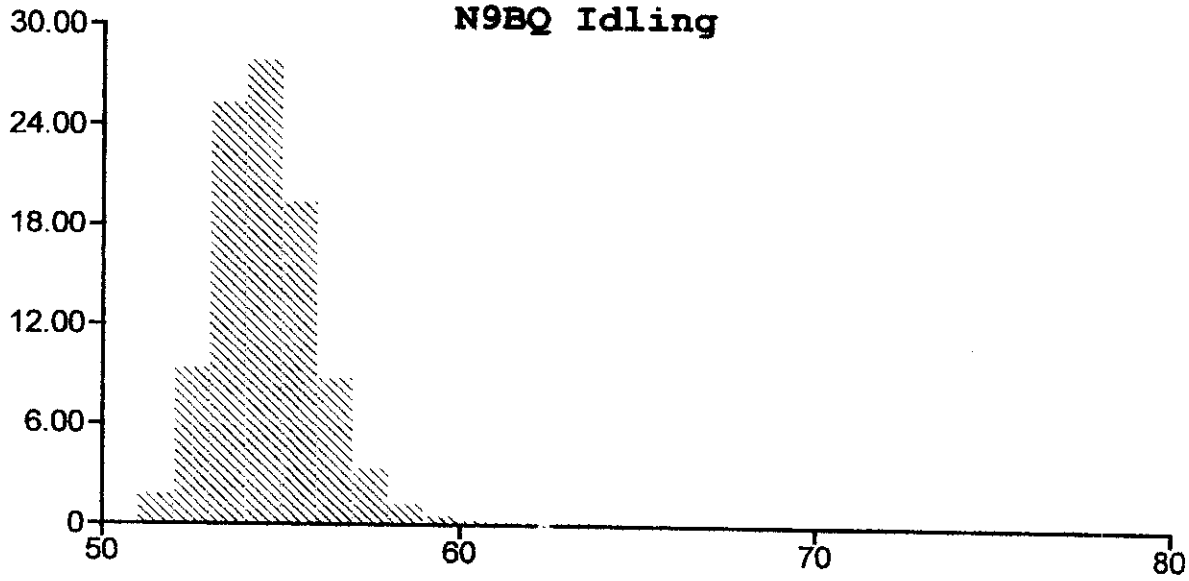
METROSONICS db-3100 SN 3646 V1.7
REPORT PRINTED 08/15/00 AT 09:10:37
OF PERIODS: 11 MODE: CONTINUOUS
PERIOD LENGTH: 0:01:00
TIME HISTORY CUTOFF: NONE
Ln(1): 10.0% Ln(2): 90.0%

DATE: 8/14/00

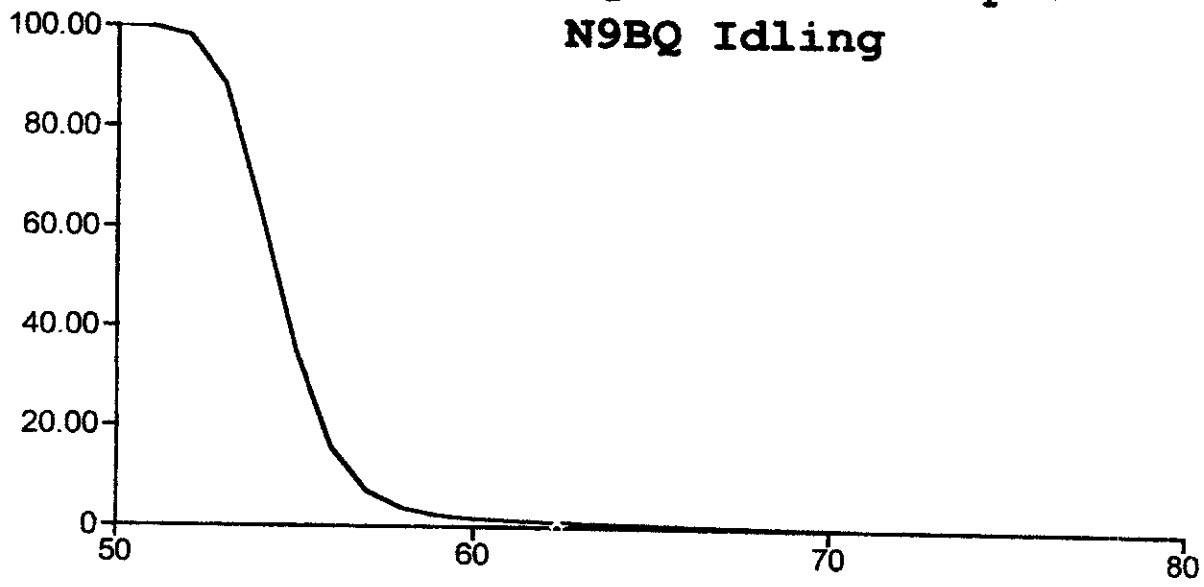
INT	TIME	Lav	Lmx	Lpk	L1	L2
1	15:06:14	55.4	68.7	UNR	56	54
2	15:07:14	57.6	73.5	UNR	61	52
3	15:08:14	54.7	73.6	UNR	55	52
4	15:09:14	55.0	63.2	UNR	56	53
5	15:10:14	54.5	57.2	UNR	55	53
6	15:11:14	54.4	59.6	UNR	56	52
7	15:12:14	55.1	59.2	UNR	56	53
8	15:13:14	54.8	63.9	UNR	56	53
9	15:14:14	53.8	58.2	UNR	55	51
10	15:15:14	55.1	69.6	UNR	57	53
11	15:16:14	53.8	56.8	UNR	54	53

KOAT-T● Helipad @ Theta A●ts

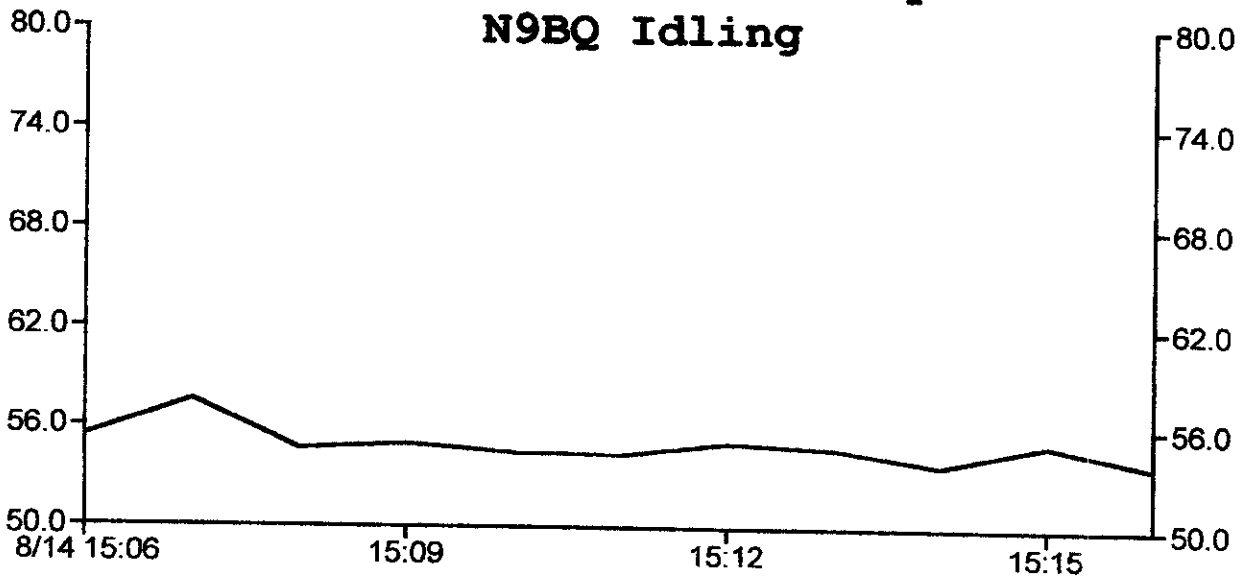
N9BQ Idling



KOAT TV Helipad @ Thet Apts
N9BQ Idling



KOAT-[redacted] Helipad @ Theta [redacted]pts
N9BQ Idling



OverAll Lav = 55.7dB

Lav

METROSONICS
A Quest Technologies company
285 Metro Park • Rochester, NY 14623 • TEL (716) 427-7402 FAX (716) 427-2512
METROSONICS WEB http://www.metrosonics.com

CERTIFICATE OF CALIBRATION

Certificate: 800978 **Customer:** City of Albuquerque,EHD

Model: cl-304
Description: Calibrator
Serial No.: 5214

Date Calibrated: 7/13/00
Calibration Due: 7/13/01

Equipment in tolerance when received: Yes ☒ No ☐

Barometric Reading 990 Sine Wave Ok
Temperature 25.0c

Pre-Cal.	101.8	db (+/- 0.3db)	Pre-Cal Freq.	1001	hz (+/-2.0%)
Post-Cal.	102.0	db (+/- 0.3db)	Post-Cal Freq.	1001	hz (+/-2.0%)

Equipment Used to Perform Calibration

Metro ID Number	Manufacturer	Model	Serial Number	Date Calibrated	Calibration Due	Trace Number
T00236	Bruel & Kjaer	4144	1524852	11/23/99	11/23/00	19066-1
T00114	Fluke	8922A	2356046	2/24/00	2/24/01	1-OL992-200-24
T00118	Genrad	1560-P42	WQ108	9/2/99	9/2/00	WQ-108-935
S00067	Fluke	1910A	2796026	6/15/00	6/15/01	1-SX301-1-1
T00314	Bruel & Kjaer	4228	2034923	1/27/00	1/27/01	19544-401
S00169	Tektronix	2225	H787247	5/18/00	5/18/01	1-PZ250-200-21

Verified By: M. Hutchinson **Date:** 7-13-00

Metrosonics certifies that this instrument has been calibrated to published specifications using measurement standards traceable to the National Institute of Standards and Technology (NIST). Metrosonics calibration system meets the requirements of MIL-STD-45662-A and ISO-10012.
The Metrosonics transfer calibration standard has an uncertainty of these less than 0.09db

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METROSONICS WEB http://www.metrosonics.com

CERTIFICATE OF CALIBRATION

Certificate: 800978

Customer: City Of Albuquerque

Model: db-3100
Description: Sound Analyzer
Serial No.: 3646

Date Calibrated: 7/13/00
Calibration Due: 7/13/01

Equipment in tolerance when received: Yes ☒ No ☐

Decay Rate (dB/sec) Linearity:	Pre-Cal	Post Cal
	4.3	4.3
80dB(+/-0.3)	80.0	80.0
70dB(+/-0.3)	69.9	69.9
60dB(+/-0.3)	59.8	59.8
50dB(+/-0.3)	49.8	49.8
40dB(+/-0.3)	39.9	39.9
30dB(+/-0.3)	30.0	30.0
20dB(+/-0.3)	20.1	20.1
10dB(+/-0.3)	10.0	10.0
0dB(+/-0.3)	0.0	0.0

Frequency Freq. Reading	Response Pre-Cal	("A" Weight) Post-Cal
20000 (84.2 to -9.3)	49.2	49.2
10000 (89.0 to -2.5)	84.9	84.9
5000 (92.0 to 89.0)	90.0	90.0
2000 (91.7 to 90.7)	91.3	91.3
1000 (90.0)	90.0	90.0
500 (87.3 to 86.3)	86.6	86.6
200 (79.8 to 78.4)	78.7	78.7
100 (72.0 to 69.8)	70.3	70.3
50 (61.3 to 58.0)	58.9	58.9
10 (23.1 to -50.5)	18.3	18.3
Noise Floor 0.0dB(+/- 0.0 dB)	0.0	0.0

Equipment Used to Perform Calibration

Metro ID Number	Manufacturer	Model	Serial Number	Date Calibrated	Calibration Due	Trace Number
S00282	Fluke	87	63360165	5/18/00	5/18/01	1-PZ262-260-2
S00078	Krohn-Hite	4200B	3833	5/19/00	5/19/01	1-PZ262-260-28
S00081	Krohn-Hite	4200B	3996	5/19/00	5/19/01	1-PZ262-260-29
S00074	Fluke	5520A	0925149	5/18/00	5/18/01	1-PZ252-260-20

Verified By: Guy W. Lee **Date:** 7-13-2000

Metrosonics certifies that this instrument has been calibrated to published specifications using measurement standards traceable to the National Institute of Standards and Technology (NIST). Metrosonics calibration system meets the requirements of MIL-STD-45662-A and ISO-10012.

City of Albuquerque

DEVELOPMENT REVIEW APPLICATION

Supplemental form

ZONING — Z
- X Annexation or Map Amendment
- ____ Sector Plan
- ____ Text Amendment
- ____ Special Exception — E

SUBDIVISION — S
- ____ DRB Major Subdivision *
- ____ DRB Minor Subdivision
- ____ Variance (Non-Zoning) — V
- ____ Vacation (Public * & Private)

Supplemental form

SITE DEVELOPMENT PLAN — P
- ____ for Subdivision Purposes *
- X for Building Permit
- ____ Plan Amendment *
- ____ Administrative Amendment
- ____ Master Development Plan

APPEAL / PROTEST of... — A
- ____ Planning Director, Zoning
- ____ Enforcement Officer, Zoning
- ____ Hearing Examiner, DRB, EPC,
- ____ Zoning Board of Appeals, LUCC

*** Notification of the Recognized Neighborhood Association is required**

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICANT INFORMATION:

NAME: KOAT-TV — PHONE: 884-7777

ADDRESS: 3801 Carlisle Blvd., NE — FAX: 884-6282

CITY: Albuquerque — STATE NM — ZIP 87107 — E-MAIL:

Proprietary interest in site: Owner

AGENT (if any): Rodey, Dickason, Sloan, Akin & Robb, P.A. — PHONE: 768-7224

ADDRESS: P.O. Box 1888 — FAX: 768-7395

CITY: Albuquerque — STATE NM — ZIP 87103-1888 — E-MAIL: sbfox@rodey.com

SITE INFORMATION:

DESCRIPTION OF REQUEST: Zone change from C-1 to SU-1 for TV station, satellite dishes, related facilities and helipad, to allow helipad on radio/TV station site. See attached.

Lot or Tract No. A-1 — Block: 1 — Unit: --

Subdiv. / Addn. Montgomery Heights

Current Zoning: C-1 — Proposed zoning: SU-1

Zone Atlas page: G-16 — Total area of site (acres): 3.6 — No. of **existing** lots: 1 — No. of **proposed** lots: 1

Density of dwellings per acre if applicable: Dwellings per gross acre n/a — Dwellings per net acre n/a

UPC No. 101606049329010305 — MRGCD Map No.

Within city limits? X Yes. No___, but site is within 5 miles of the city limits (DRB jurisdiction.) — Within 1000FT of a landfill? No

LOCATION OF PROPERTY BY STREETS: On or Near: 3801 Carlisle and Comanche, NE (@ KOAT)

Between: Montgomery, NE — and Comanche

CASE HISTORY: 6/29/00 Prehearing discussed w/ agent. SBF

List any project numbers that may be relevant to your application (annexation, zoning, subdivision, variance, etc.): BA-1324

SIGNATURE _____ DATE 6-29-00

(Print) Susan B. Fox — ___ Applicant X Agent

FOR OFFICIAL USE ONLY — Form revised May 2000

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

	Application case numbers	S.F.	Fees
Z	00110 - 00000 - 00888	Z	$ 170.-
BP	00128 - 00000 - 00889	P	$ 270.-
	- -	____	$
	- -	____	$
	- -	____	$
			Total

Hearing date 8-17-00 — $

6/29/00
Planner signature / date

Project # 1000643

CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) / AIR QUALITY ASSESSMENT (AQIA) FORM

APPLICANT: KOAT TV Date of request: 6/23/00 Zone atlas page(s): G-16-Z

CURRENT:
Zoning C-1
Parcel Size (acres / sq.ft.) 3.6 ACRES

Legal Description -
Lot or Tract # A-1 Block # 1
Subdivision Name MONTGOMERY HEIGHTS

REQUESTED CITY ACTION(S):

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

PROPOSED DEVELOPMENT:
No construction / development [ ]
New Construction [ ]
Expansion of existing development [ ]

GENERAL DESCRIPTION OF ACTION: [1]
# of units - _____
Building Size - _____(sq. ft.)
helipad modification.

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

Applicant or Representative [signature] Date 6/26/00
(To be signed upon completion of processing by Traffic Engineer and Environmental Health)

TRAFFIC IMPACT STUDY (TIS) REQUIRED: YES [ ] NO [~~X~~] BORDERLINE [ ]
PWD, Dev. & Bldg. Services Div., Transportation Dev. Section - 2nd FL. 600 2nd St. NW Plaza del Sol Bldg. 924-3991 or 3994

THRESHOLDS MET? YES [ ] NO [~~X~~] 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.**

for Joseph D. Montano 6/23/00
TRAFFIC ENGINEER DATE

AIR QUALITY IMPACT ASSESSMENT (AQIA) REQUIRED: YES [ ] NO [X] BORDERLINE [ ]
ENVIRONMENTAL HEALTH DEPT. Air Quality Div. 3rd Floor / Rm. 3023 City/County Bldg. 768-2600

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

IF AN AQIA IS REQUIRED: a scoping meeting 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 AQIA.**

[signature] 6/26/00
ENVIRONMENTAL HEALTH DATE

Required **TIS** and / or **AQIA** **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
AQIA	**- SUBMITTED** ___/___/___		
	- FINALIZED ___/___/___	ENVIRONMENTAL HEALTH	DATE

TO BE COMPLETED BY APPLICANT

TRANSPORTATION DEVELOPMENT

ENVIRONMENTAL HEALTH

SITE DEVELOPMENT PLAN
FOR BUILDING PERMIT CHECKLIST

This checklist will be used by the Planning Department to verify the completeness of site plans submitted for review by the Environmental Planning Commission. Since development proposals vary in type and scale, there may be application requirements that are not included here. Nonetheless, it is the applicant's responsibility to provide a complete submittal. Incomplete submittals will be rejected. Site development plans submitted will ordinarily be composed of the following plan sheets:

1. ***Site Plan (including utilities and easements)***
2. ***Landscaping Plan***
3. ***Grading Plan***
4. ***Building and Structure Elevations***

Submitted plans shall be organized in the above manner. The following checklist describes the minimum information necessary for element. ***The Applicant shall check off all items shown on the site plan or label as NA, if not applicable.***

Accompanying Material - Fee payment

X *A. Complete application with summary.*
X *B. 8 ½" x 11" reductions*

SHEET #1 - SITE PLAN

A. General Information

X *1. Scale*

Under 1.0 acre	*1" = 10'*
1.0 - 5.0 acres	*1" = 20'*
Over 5 acres	*1" = 50'*
Over 20 acres	*1" = 100'*

Other scales as approved by staff

X *2. Bar Scale*
X *3. North Arrow*
X *4. Scaled Vicinity Map*
X *5. Existing structures on site and on sites adjacent to the proposal that may impact, or may be impacted by the project.*
X *6. Property lines*
X *7. Existing and proposed easements (identify each)*

B. Proposed Development

1. Structural

X *A. Location of existing and proposed structures on the property and on adjacent properties, including privacy and retaining walls (distinguish between proposed and existing structures).*
X *B. Square footage of each structure*
X *C. Proposed use of each structure*
X *D. Temporary structures, signs and other improvements*
X *E. Wall(s), fence(s), and screening: height, length, color and materials. Show cross-sections for retaining walls.*

X F. Dimensions of all principal site elements
X G. Loading facilities
X H. Site lighting (height, type, and intensity)

2. Non-Structural and Parking

X A. Parking design with spaces numbered per aisle.
X 1. Location
X 2. Arrangements
X 3. Dimensions and curve radii
X 4. Turning spaces
X 5. Drives
X 6. Aisles
X 7. Ingress
X 8. Egress
NA 9. Number of spaces required:_____
NA 10. Handicapped parking, spaces required:_____
NA B. Bicycle racks, spaces required:_____
X C. Elevation draving of refuse container and enclosure, if applicable.

C. Street and Circulation

X 1. Identification and location of public and private streets and alleys with proper name, existing and proposed width dimensions.
X 2. Curve radii
X 3. Right-of-Way width
X 4. Pavement width (flow line to flow line) including medians and median cuts.
X 5. Sidewalk widths and locations, existing and proposed.
NA 6. Rail spurs, if applicable
X 7. Location of traffic signs and signals related to the functioning of the proposal.
X 8. Bikeways
X 9. Bus facilities, including bays and shelters where required.
X 10. Curb cut size and type.
X 11. Provisions for non-auto transportation, including transit and bicycle related improvements and pedestrian linkage.

D. Utilities

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

E. Phasing

NA 1. Proposed phasing of improvements and provision for interim facilities. Information on future phasing should be included. If applicable, indicate location and square footage.

SHEET #2 - LANDSCAPING PLAN

If appropriate, landscaping maybe shown on sheet #1 with the approval of Planning staff. See article 6-1-1-1et.al.; the Water Conservation Landscaping and Water Waste Ordinance for specific restrictions, regulations, standards, and requirements

- X 1. *Scale - must be same as scale on sheet #1 - Site plan*
- X 2. *Bar Scale*
- X 3. *North Arrow*
- X 4. *Property Lines*
- X 5. *Existing and proposed easements*
- X 6. *Identify nature of ground cover materials*
  - *A. Impervious areas (pavements, 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.*
- X 7. *Identify nature, location and size of shrubbery and trees (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.*
- X 8. *Irrigation System*
- X 9. *Planting Beds*
- X 10. *Turf Area - only 20% of landscaped area can be high water turf; provide square footage and percentage.*
- X 11. *Responsibility for maintenance (Statement)*
- X 12. *Statement of Water Waste, etc.*
- X 13. *Landscaped area requirement; square footage and percent:* 17,764 SF (15%)
- X 14. *Landscaped area provided; square footage and percent:* 47,308 SF (40%)

SHEET #3 - GRADING PLAN

A. General Information

- X 1. *Scale - must be same as Sheet #1 - Site Plan*
- X 2. *Bar Scale*
- X 3. *North Arrow*
- X 4. *Existing topography and structural improvements within at least 25 feet beyond property boundaries (more may be required).*
- X 5. *Property Lines*
- X 6. *Existing and proposed easements*
- X 7. *Proposed contours and/or spot elevations*
- X 8. *Retaining walls*

B. Proposal

1. *Grading submittals, ponding areas, erosion and sediment control facilities:*
   - *A. Conceptual grading and drainage plan*
   - *B. Drainage plan (maybe required for other submittals)*
   - *C. Drainage Report (maybe required for other submittals)*

NA A. *Cross Sections*
Provide cross section for all perimeter property lines at the point of the greatest grade change: Where the grade change is greater than 4 feet, provide one additional cross section in each direction within no more than 100 feet of the reference point.

X B. *Spot Elevation*
Provide spot elevations existing and proposed within 20 feet of both sides of the property line, not to exceed intervals of 100 feet.

X C. *Grade Changes*
Identify grade change on the site greater than 2 feet with shading or a single cross-hatch. Identify grade changes greater than 4 feet with darker shading or a double cross-hatch.

SHEET #4 - BUILDING AND STRUCTURE ELEVATIONS

A. General Information

N/A 1. *Scale (minimum of 1/8" or as approved by Planning Staff).*
N/A 2. *Bar Scale*
X 3. *Facade orientation (elevation of all sides of the buildings)*
X 4. *Dimensions, to scale including overall height and width, and dimensions of major facade elements.*
X 5. *Location, material and colors of windows, doors and framing.*
X 6. *Materials and colors of all building elements and structures.*

Signage

X 1. *Elevations*
X 2. *Location*
X 3. *Height and width*
X 4. *Sign face area - dimensions and square footage*
X 5. *Lighting*
X 6. *Materials and Colors for sign face and structural elements.*

C. Additional information, including, renderings and perspective drawings may be submitted.

__ A. *Samples*
__ 1 *Presentation Models*
X 2. *Photos*

FORM P: SITE DEVELOPMENT PLAN

REVISED 6/99

THIS FORM IS REQUIRED WITH THE DEVELOPMENT REVIEW APPLICATION FOR SITE PLAN APPROVAL. CHECK-OFF THE SECTION BELOW CORRESPONDING TO THE ACTION YOU REQUEST. APPLICANTS MUST BE AWARE THAT APPROVED SITE DEVELOPMENT PLANS MAY EXPIRE AND SHOULD READ CAREFULLY ZONING CODE SECTION: 14-16-3-11 REGARDING THIS MATTER. A PRE-APPLICATION DISCUSSION WITH A PLANNER FROM DEVELOPMENT SERVICES IS RECOMMENDED.

A LETTER EXPLAINING THE REASON FOR THE REQUEST IS REQUIRED FOR ALL SUBMITTALS.....

____ **SKETCH PLAN REVIEW AND COMMENT. You must submit,**

__ 6 copies of the proposed plan (folded to 8.5" by 14")

__ Zone Atlas page showing the property clearly marked **MUST BE ABLE TO PHOTO COPY**

YOUR ATTENDANCE IS NOT REQUIRED AT DRB MEETINGS. COMMENTS CAN BE FORWARDED.

__X__ **SITE DEVELOPMENT PLAN APPROVAL ___ OR AMENDMENT ___ . You must submit for,**

--- MUST BRING ORIGINAL MYLAR TO THE DRB MEETING ---

__X__ Site Development Plan for Building Permit __X__ Site Development Plan for Subdivision ___ Master Dev. Plan

__X__ EPC public hearing ____ DRB public hearing ____ DRB non-public hearing

Administrative Amendment: ____ DRB ____ Planning staff

✓ X EPC: 30 copies of the site plan (folded to 8.5" by 14")

__ DRB: 24 copies of Site Plan if a public hearing case (folded to 8.5" by 14")

__ DRB: 6 copies of Site Plan if a non-public hearing case (folded to 8.5" by 14")

__ DRB: 6 copies of the Infrastructure List, if infrastructure required.

✓ 30 copies of Utility Layout Plan

__ AA: 5 copies of Site Plan if an Administrative Amendment case (folded to 8.5" by 14")

✓ X Zone Atlas map showing the property clearly marked **MUST BE ABLE TO PHOTO COPY**

✓ X Site plan checklist

✓ X Traffic Impact Study / Air Quality Statement if a EPC public hearing case (one copy)

__ FORM DRWS/TIS (Drainage Report / Water & Sewer Availability/Traffic Impact Study) if a public hearing case (one copy)

✓ X **Neighborhood Notification if a public hearing case**

X Sign Posting Agreement if a public hearing case

✓ X Reductions (8.5" x 11") of site plans if an EPC case includes Video Tapes.

X Fee (see schedule)

If your case requires an EPC HEARING, hearings are approximately SEVEN WEEKS after the filing deadline.

If your case requires a DRB PUBLIC HEARING, hearings are approximately ONE MONTH after filing deadline.

If your case requires DRB NON-PUBLIC HEARING, meetings are approximately EIGHT DAYS after the Tuesday noon filing deadline. **IN ALL CASES, YOUR ATTENDANCE IS REQUIRED.**

____ **FINAL SIGN-OFF FOR E.P.C. APPROVED PLAN FILE ____-_____-___. You must submit,**

__ Six complete sets of the plan (folded to 8.5" by 14")

__ Zone Atlas map showing the property clearly marked **MUST BE ABLE TO PHOTO COPY**

__ E.P.C. Official Notification of Decision with conditions for site development

__ Letter outlining how you have met each condition of the Notification of Decision

__ Drainage Report submitted to Hydrology Division, (date submitted_____)

__ Blue print with the Fire Marshall's signature

The Filing deadline is Tuesday noon. The DRB meeting is Wednesday of the following week.

YOUR ATTENDANCE IS REQUIRED.

All original and related case numbers must be listed here! (Zone change, variance, etc.)

All necessary information has been submitted and checked at the time of application

(Sign) _____

(Print) SUSAN FOX 6/29/00

Applicant or Agent / Date

Makita Hill 6/28/00

Planner / Date

Project # 1000643 App # 00110-00000-00888

00128-60000-00884

FORM Z: ZONING

THIS FORM IS REQUIRED WITH THE DEVELOPMENT REVIEW APPLICATION FOR A ZONING ACTION. CHECK-OFF THE SECTION BELOW CORRESPONDING TO THE ACTION YOU REQUEST. A PRE-APPLICATION DISCUSSION WITH A PLANNER FROM DEVELOPMENT SERVICES IS RECOMMENDED.

__X__ **MAP AMENDMENT. You must submit for,**

____ Annexation / Establishment of Zoning **AX#** ____-_____-___

__X__ Zone Change (Map Amendment) **Z#** ____-_____-___

✓ X Property owner's signature on **application or written permission**
✓ X Written explanation of reasons for amendment
✓ X Zone Atlas page **showing the property clearly marked**
__ If an annexation, **submit a survey of the property to be annexed and a sketch of any current uses.**
✓ X If a Site Development Plan is also being submitted for approval, **attach Form-P to submittal package.**
✓ X Traffic Impact Study (TIS) / Air Quality Form
✓ X Neighborhood notification
✓ X Sign Posting Agreement
✓ X Fee (see schedule)

YOUR CASE REQUIRES AN EPC PUBLIC HEARING. HEARINGS ARE APPROXIMATELY SEVEN WEEKS AFTER THE FILING DEADLINE. YOUR ATTENDANCE IS REQUIRED.

____ **SECTOR PLAN. You must submit for,** **SD#** ____-_____-___

__ Phase I-Conceptual Plan Review __ Phase II-Final Review & Approval __ Phase II-Final DRB Sign-off
____ Adoption ____ Amendment
__ See Map Amendment requirements and consult Planning Dept. Staff
__ Fee for final review and approval only (see schedule)

PHASE I -CONCEPTUAL PLAN REVIEW requires a DRB meeting and an EPC public hearing. YOUR ATTENDANCE IS REQUIRED.
PHASE II -FINAL REVIEW & APPROVAL Requires a DRB public hearing, an EPC public hearing, and in some cases, City Council approval. YOUR ATTENDANCE IS REQUIRED.
PHASE II -FINAL DRB SIGN-OFF requires a DRB meeting. Your attendance is recommended.

____ **ZONE CODE TEXT AMENDMENT. You must submit for,** **TA#** ____-_____-___

__ 30 copies of the amendment. Include title and enactment number of the document to be amended.
__ Fee (see schedule)

YOUR CASE REQUIRES AN EPC PUBLIC HEARING. HEARINGS ARE APPROXIMATELY SEVEN WEEKS AFTER THE FILING DEADLINE. YOUR ATTENDANCE IS REQUIRED.

____ **SPECIAL PROJECTS REVIEW.** **SPR#**____-_____-___

__ Consult with a City planner for the requirements specific to your project.

All original and related case numbers must be listed here! (DRB, Zone Change, Variance, Etc.)

necessary information has been submitted and checked at the time of application

(Sign)_____

(Print) Susan B. Fox, Agent 6/29/00
Applicant or Agent / Date

Makita Hill 6/28/00
Planner / Date

Project # 1000643
Appt # 00110-00000-00888
00128-00000-00889

Rev. 01/29/98

rm Z

Z #____-____

Mary Lynn Roper
President/General Manager

June 21, 2000

RE: KOAT-TV/Zone Change Application

To Whom It May Concern:

KOAT-TV hereby appoints the law firm of Rodey, Dickason, Sloan, Akin a
Robb, P.A., as its agent and authorizes it to file a zone change applicatio
on KOAT-TV's behalf with respect to said application.

Mary Lynn Roper
President/General Manager

3801 Carlisle N.E.
Albuquerque, New Mexico 87107
505-884-7777

ACTION 7 NEWS
Coverage You Can Count On
From New Mexico's News Leader

Hear
EL
yle

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June 29, 2000

VIA HAND-DELIVERY

Charles Gara, Chairman
Environmental Planning Commission
Plaza Del Sol Building
600 2nd Street, NW - 3rd Floor
Albuquerque, NM 87102

Re: **KOAT-TV Zone Change Application, C-1 to SU-1 for TV Station, Satellite Dishes, Related Facilities and Helipad/ Reason for Request**

Dear Chairman Gara:

This Firm represents KOAT-TV with respect to the above-referenced zone change application. KOAT-TV's station is located at 3801 Carlisle Boulevard NE, at the northwest corner of two arterial streets, Carlisle and Comanche (see Zone Atlas Page G-16-Z, attached hereto as Exhibit A). KOAT's current site is approximately 1 mile east of Interstate 25 and one-half mile from the North Diversion Channel. The site is 3.6 acres in size, and is presently zoned C-1. KOAT-TV has been operating a small portion of the site as a helipad for its television news helicopter since the early 1980s.

This Request results from the recent passage of Bill O-73, which makes helipads an allowed use under the zoning code only in the Special Use Zone (see Council Bill O-73, February 7, 2000, attached hereto as Exhibit B). Under this revised ordinance, non-medical and non-law enforcement helipads must comply with federal, state and local regulations and must be a minimum of 650 feet from the nearest residential zone, measured from the edge of the helipad. Id., § 4.B.16.a. However, helipads located more than 350 feet from the nearest residential zone may receive SU-1 approval if it is demonstrated that the helipad will not be injurious to adjacent property, the neighborhood, or the community. Id. Thus, under the revised ordinance and pursuant to the instruction of the Planning Department, in order to continue to operate its on-site helipad, KOAT apparently must

obtain a zone change from C-1 to SU-1 for the entire 3.6 acre site. A Site Plan for Building Permit, showing the as-built site and certain proposed updates, has therefore been submitted for approval in conjunction with this request.

This letter respectfully requests the Environmental Planning Commission's favorable consideration of KOAT's application. The letter focuses on the helipad, since it is only due to the helipad's on-site presence that this zone change request is necessary (the television station, satellite dishes and related facilities comply with relevant laws and regulations and have generated no complaints and required no City action in KOAT's twenty years at the Comanche/Carlislesite). KOAT therefore respectfully requests that, as a preliminary matter, the EPC consider the feasibility of the zone change and site plan request vis-a-vis the helipad before embarking upon consideration of the remainder of the site. Should helipad use under the SU-1 category be disapproved, KOAT withdraws from consideration its zone change request and proposed site plan for the rest of the site.

Helipad History. KOAT moved to the C-1-zoned Comanche/Carlisle site from its old site on University Boulevard nearly twenty years ago in significant part to allow an on-site helipad. At that time, the community was consulted and gave input about the location of the helipad. It was by neighborhood request (see letter of Ray Montgomery dated 8/31/98, attached hereto as Exhibit C) that the current helipad site was located near the front of the station near the Comanche/Carlisle intersection, where it remains today. The Federal Aviation Administration also gave it's blessing to KOAT's helipad site and helicopter flight patterns (see FAA letter, attached hereto as Exhibit D).

In the twenty years since KOAT moved to the Comanche/Carlisle site and has operated its helipad, there have been no neighborhood complaints about KOAT's helicopter or helipad usage. Only within this past year, in conjunction with the City Council's consideration of Bills 0-73 and O-109, has anyone in the vicinity of KOAT complained about KOAT's helicopter use. (See Record, Bills O-73 and -109). Notably, that individual lives approximately 1,000 feet from the KOAT helipad and complains of overhead, in-flight helicopter noise rather than noise emanating from the activities occurring on the helipad itself.

Current (And Proposed) Location of Helipad. The helipad is a 10-foot diameter circle of marked concrete which has always been located in the southeastern portion of the KOAT site. The helipad was designed and built in accordance with FAA Heliport Design Guidelines, AC150/5390-2A, Private Use Heliport Standards. The helipad is 373 feet from the nearest residentially-zoned property to the west, 374.4 feet from the nearest residentially-zoned property to the southeast, and 390 feet from the nearest residentially-zoned property to the east, as confirmed by a ground survey performed by a professional surveyor (see November, 1998 Survey, attached hereto as Exhibit E).

Justification for Request. KOAT's request for a zone change from C-1 to SU-1 for TV Station, Satellite Dishes, Related Facilities and Helipad is consistent with the health, safety, morals, and general welfare of the City. In passing Bill O-73, the City Council implicitly determined that a helipad greater than 650 feet from the nearest residentially-zoned property, or a helipad greater than 350 feet from the nearest residentially-zoned property which meets all federal, state and City regulations and which demonstrates that it will not be injurious to adjacent property, the neighborhood or the community, poses little if any threat to the neighborhood or the community (see Section 2.H, Exhibit B). KOAT's helipad is greater than 350 feet from the nearest residentially-zoned property and it meets all the requirements of Section 4.B.16.a.:

KOAT's Helipad Meets All Applicable Regulations.

1. Federal. KOAT's helipad and helicopter have received all necessary FAA approvals for operation from the site (see Exhibit D). KOAT currently operates a Bell 206 L-4 turbine-powered helicopter, which is known to be the safest single engine aircraft in the world. KOAT's helicopter is designated as "SKY 7." SKY 7 is operated under strict FAA Part 135 regulations: this means that mechanical inspections of KOAT's helicopter are tougher and more frequent than what is "normally" required for other helicopters. In addition, KOAT's pilot, Jeff Martin, has more than 11 years of helicopter pilot experience and has logged more than 4600 hours of helicopter flight time. He faces annual flight safety and competency checks by the FAA, and Jeff has consistently received the highest ratings for his aircraft operation and safe flight paths. KOAT maintains a flight log which is available for public viewing at any time.

2. State. KOAT-TV abides by all state laws and regulations and has never received any citation or notice of a violation by its helipad or by virtue of its use of its helicopter.

3. Local. KOAT-TV likewise abides by all local laws and regulations and has never received any citation or notice of a violation by its helipad or by virtue of its use of the helicopter. By the City's own noise measurements, and by virtue of KOAT's location at the intersection of two arterial streets with considerable motor vehicle traffic, noise levels generated by helicopter warm-up/cool-down on the KOAT helipad are only "**slightly to not-at-all annoying.**" (See Testimony of noise expert Harvey Knauer, July 28, 1999 Land Use, Planning and Zoning Committee hearing, Bill O-109, attached hereto as Exhibit F.)

KOAT's Helipad Will Not Be Injurious to Adjacent Property, the Neighborhood, or the Community.

1. Adjacent Property. KOAT's site is bordered by a 30-foot alley and by property zoned R-3 (currently occupied by a vacant lot and by the Theta apartments) and O-1(currently an office building) to the west; by an AMAFCA ditch and R-3 (the Theta apartments) and C-1 zoning (Lovelace Health Care Center) to the north and northeast; by Carlisle Boulevard (a minor arterial) and C-1 zoning (Carlisle Center strip center) to the east; and by Comanche Boulevard (a minor arterial) and O-1 (Comanche Place office building) and SU-1 for O-1 (Unitarian Church) zoning to the south. KOAT has never received a complaint about its helipad from any of these neighbors.

   In conjunction with this request, KOAT proposes to update the area of the site surrounding the helipad. As depicted on the proposed site and landscape plans, KOAT will remove the currently-existing chain-link fence around the helipad area and surround the helipad area with an attractive three-foot aluminum picket fence. KOAT proposes to add a designated "helicopter observation area" on the west side of the helipad area to allow for safe public viewing of helipad operations. There will be a locked rolling gate installed in the fence at the west end of the helipad area to allow for helicopter service vehicle access or emergency access. Additional landscape screening in the form of rubber rabbit brush will be planted at the eastern side of the helipad area. This screening will provide a good buffer for the public while still allowing for public viewing of helipad activities.

   Taller fencing and/or trees in the helipad area were considered and rejected for safety reasons: the helicopter must safely clear any wall, fence or trees on takeoff/landing; a 3-foot fence and lower-growing shrubbery allows this. A solid wall was likewise rejected because KOAT feels, and experience shows, that it is important that the public be able to view what is happening when a helicopter takes off; a see-through fence discourages children or the public from climbing into or otherwise attempting to come within the helipad area in order to see "what is going on." A non-solid fence also eliminates the potential for graffiti.

2. The Neighborhood. KOAT has a policy of not taking off from or landing on the helipad between 10:00 p.m. and 7:00 a.m. unless assisting in a medical or law enforcement emergency situation. In a typical week, SKY 7 utilizes the helipad for less than ten operations (1 takeoff + 1 landing= 1 operation). These operations generally do not exceed three per day. Typical helicopter warm-up time on the

helipad is less than two minutes (summer), or 3-4 minutes (winter), with a mandatory post-flight cool-down period lasting two minutes. After takeoff, the helicopter ascends to an altitude of 300 feet within ten seconds and within 400 feet of the helipad. In no case does SKY 7 deviate from its pattern of flying directly over Carlisle and/or Comanche for approach/takeoff, and in no case does SKY 7 fly over residential property at an altitude of less than 300 feet (the FAA-prescribed altitude for flights within the City of Albuquerque). As previously noted, KOAT's helipad usage for helicopter takeoffs and landings has generated no neighborhood complaints in twenty years of operation. SKY 7 uses only FAA-approved flight patterns when taking off and landing. KOAT does not store helicopter fuel on-site. For the EPC's convenience, a videotape of SKY 7 takeoff/landing procedure has been included in KOAT's application package.

3. Neighborhood Support. KOAT's continued respect and concern for its neighbors has resulted in neighborhood SUPPORT for the KOAT helicopter and helipad. The boards of the Alta Monte Neighborhood Association, the Montgomery Heights Neighborhood Association, and the Montgomery I-25 Neighborhood Association all support the continued use of the helipad and helicopter at KOAT's current site (see letters in support, attached hereto as Exhibit G).

4. The Community. Rather than threatening injury to the community as a whole, KOAT's on-site helipad provides a public service. Viewers expect and depend on coverage from SKY 7. The ability to have both pilot and helicopter on-site has been and remains critical to KOAT's newsgathering process. Anything less would represent a great disservice to viewers. SKY 7 also plays an important role in public safety and emergency situations. SKY 7 often helps in search and rescue operations, local law enforcement efforts, state law enforcement efforts, and federal law enforcement efforts. SKY 7 is also used by fire chiefs for better views during forest or grass fires. SKY 7 has assisted in locating downed aircraft and crash scenes. It is imperative that the KOAT helipad remain on-site in order to properly serve the community in these and other ways. (See FAA letter dated 8/17/98 and e-mail dated 6/19/98, attached hereto as Exhibit H.)

KOAT's Proposed Zone Change Is Not In Significant Conflict With Adopted Elements Of The Comprehensive Plan Or Other City Plans.

KOAT's site lies within the Established Urban development area, as described by the 1988 Albuquerque/Bernalillo County Comprehensive Plan. KOAT's proposed zone change to allow a helipad does not conflict with any of the goals or policies of the Comprehensive

Plan. This is perhaps best demonstrated by KOAT's impeccable, complaint-free record of helipad operation on the site for the past twenty years. No sector or area plan is applicable to the KOAT site.

The Existing C-1 Zoning Is Inappropriate for Continued Helipad Use. Although the existing C-1 zoning has been and remains entirely appropriate for radio/television station uses, the City Council's action in amending the zoning code to prohibit helipads except on property zoned SU-1 has made clear that, in the view of the City Council, there has been a change in community conditions justifying a change to SU-1 zoning for helipads, and/or that a different use category for helipads is more advantageous to the community. This amendment to the zoning code requires KOAT to seek this zone change. Because the continued operation of SKY 7 from its existing site is a vital part of KOAT's operations, a change to SU-1 zoning for the entire site is appropriate in order to allow the continuing operation of the helipad.

Site Plan Approval for Remainder of Site. The accompanying site and landscaping plans depict the current, as-built KOAT site. These existing improvements are grandfathered under the City of Albuquerque zoning code. KOAT has proposed certain updates which are depicted on its site plan and landscaping plan.

With respect to parking, the zoning code prescribes no specific parking requirement for television stations. KOAT's parking ratio, 1:300, was City-approved at time of occupancy and, twenty years later, more than adequately fulfills the site's needs. KOAT currently employs 143 employees at its 24-hour station; on the busiest day of the KOAT week, during any one shift, the maximum number of employees on site totals only 81. No parking is necessary (or possible) on adjacent streets. With 123 parking spaces provided on site in both secured and unsecured parking areas, this ratio amply covers the needs of both KOAT staff and site visitors (see KOAT staff calculation, attached hereto as Exhibit I). In addition, the site is well-served by City transit lines along both Carlisle and Comanche Boulevards, and by the nearby bicycle path along the North Diversion Channel. KOAT encourages bicycle commuters by maintaining bike racks and two on-site showering facilities.

The site plan depicts five existing satellite dishes. All are located in a grassy area near the Comanche/Carlisle intersection and all have been placed in order to allow adequate transmission and reception. These dishes meet all FCC standards and KOAT has had no complaints regarding the dishes. KOAT proposes to remove the existing chain link fence in front of the satellite dishes. Because of transmission and helicopter clear zone requirements, placement of trees or other obstructions in this area are not possible.

KOAT proposes to supplement its existing landscaping, both in the helipad area and in other areas of the site, as depicted on the proposed landscaping plan. The site exceeds the percentage of

landscaped area required by the City. KOAT proposes to add trees and xeric plantings to further enhance the streetscape.

For the reasons described above, on behalf of KOAT-TV, we respectfully request that the EPC grant the proposed zone change from C-1 to SU-1 for Television Station, Satellite Dishes, Related Facilities and Helipad and related site plan approval.

Very truly yours,

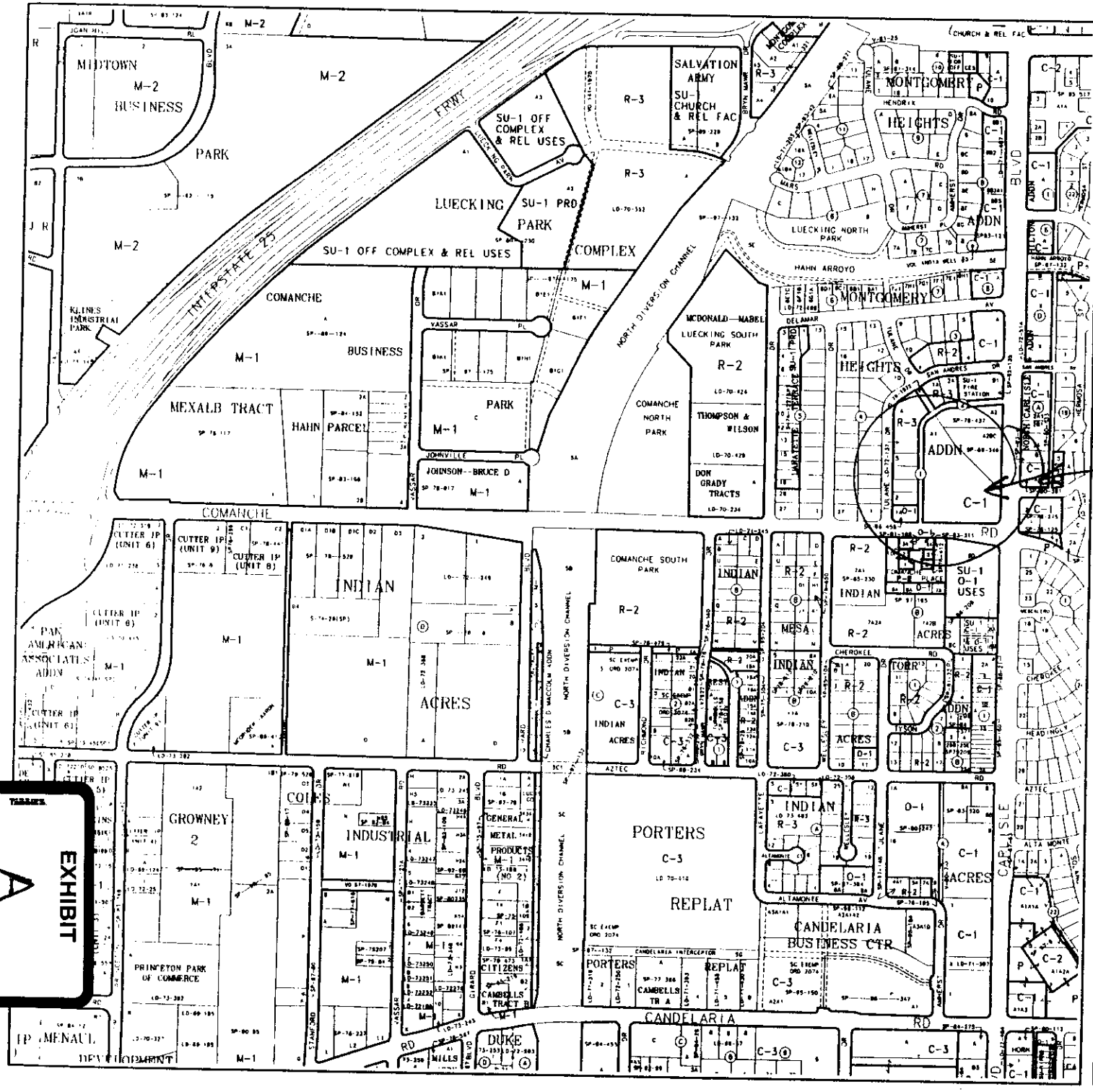
RODEY, DICKASON, SLOAN, AKIN & ROBB, P.A.

By:
Susan B. Fox

SBF/ssb

Enclosures

cc: Mary Lynn Roper



CITY OF Albuquerque

Albuquerque Geographic Information System

PLANNING DEPARTMENT

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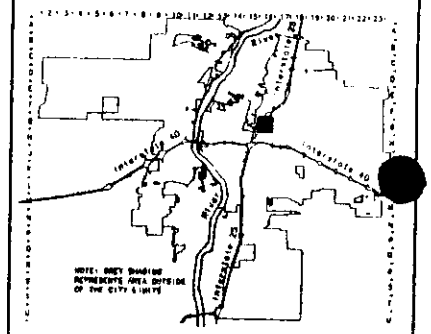

Zone Atlas Page

G-16-Z

Map Amended through February 27, 1998

EXHIBIT A

CITY of ALBUQUERQUE
THIRTEENTH COUNCIL

COUNCIL BILL NO. O-73 ENACTMENT NO. _____

SPONSORED BY: Adele Baca-Hundley

ORDINANCE

AMENDING ZONING CODE SECTIONS 14-16-1-5, 14-16-2-22, AND 14-16-3-4(A) R.O.A. 1994 MAKING HELIPADS, LAW ENFORCEMENT HELIPADS AND MEDICAL HELIPADS AN ALLOWED USE UNDER THE ZONING CODE ONLY IN THE SU-1, SPECIAL USE ZONE, AND CREATING A ONE YEAR AMORTIZATION PERIOD FOR NONCONFORMING HELIPADS, LAW ENFORCEMENT HELIPADS AND MEDICAL HELIPADS.

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BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:

Section 1. INTENT: The land use of taking off and landing helicopters has potential adverse impacts on the health, safety, and welfare of the users and the surrounding property. Operating a take off and landing facility for helicopters, commonly known as a helipad or heliport, is not a prohibited use of land within the City of Albuquerque. Historically, there have been very few helipads within the City of Albuquerque. As the City of Albuquerque has become a larger Metropolitan area over recent decades, there has been an increase in the number of helipads within the City. Because of the increasing potential for adverse effects of helipads on health, safety, and welfare, the City of Albuquerque needs to regulate the location and operation of helipads to minimize the potential for adverse effects.

Section 2. FINDINGS:

A. Helipads have historically been an allowed accessory use under the Zoning Code and could locate on any commercial premises;

B. Helipads do not currently have to meet any land use requirements to lessen potential adverse effects to the premises on which the helipad is located or

EXHIBIT
B

to surrounding properties;

C. Since the adoption the 1959 City of Albuquerque Zoning Code the growth of the City of Albuquerque and advances in technology have caused the frequency of the interaction between helipads and other land uses to increase;

D. Helicopters taking off and landing can cause noise in violation of the City of Albuquerque Noise Ordinance, high wind from the down draft of their rotors and can physically threaten the safety of people and property by the very nature of their operation;

E. Helicopters may use City of Albuquerque airports for take offs and landings and thereby minimize the adverse effects of their operation on surrounding properties. Helipads or heliports which accommodate heavy usage should be located at an airport;

F. If helicopters operate from helipads in other areas of the City outside of airports, the location and operation of heliports can be regulated so as to minimize the potential hazards and adverse effects resulting from their operation;

G. The SU-1 zone provides an appropriate means for regulating helipads. Helipads should be allowed only in the SU-1 special use zone because of their effect on surrounding property, the potential threat from helicopters to the safety of people and property, and the inherent hazard helicopters present from the very nature of their operation;

H. In order to limit their impacts, helipads located outside of airports that do not provide emergency safety or medical functions should be restricted to a reasonable number of operations per day and reasonable hours of operation; furthermore, such helipads should be adequately buffered and separated a minimum distance from residential zones. Evidence, including direct observation and public testimony, indicates that a separation between 350 feet and 650 feet provides a level of safety and noise attenuation to allow for the enjoyment of residential property;

I. Helicopters and their use of helipads are a beneficial use within the community for many purposes. In particular, helicopters enhance law enforcement effectiveness with unique surveillance and emergency response attributes; also, helicopters to bring emergency medical patients to hospitals in a much faster time than by other forms of transportation. Medical helipads currently exist at certain City

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hospitals and are already regulated by site plans in SU-1 zones;

J. Due to their unique and important public safety and emergency functions, law enforcement and medical helipads should not be unnecessarily restricted;

K. Existing helipads, not already regulated by a site plan in an SU-1 zone, including law enforcement and medical helipads, should be regulated by the same regulations that will govern ~~all~~ future helipads, because of the possible harmful effects that existing helipads may be causing to adjacent properties;

L. Evidence, including direct observation, noise monitoring and extensive public testimony, indicates that the detrimental impact of helipads within close proximity to residential zones can be severe and acutely disruptive to enjoyment of property; therefore, the adoption of the briefest reasonable amortization period for nonconforming helipads is appropriate; and

M. A one-year amortization period for nonconforming helipads provides a reasonable period for helipad operators to come into conformance with this ordinance, or to make alternate arrangements to the on-site helipad and recoup financial investment in the on-site helipad.

Section 3. §14-16-1-5 DEFINITIONS, R.O.A. 1994, of the Zoning Code is amended by addition of the following language:

"Helicopter: Any rotary wing aircraft or other vertical lift aircraft powered by mechanical or jet propulsion, and specifically excluding lighter-than-air craft."

"Helipad: An area of land or structural surface created for and used for the landing and takeoff of helicopters or similar vertical lift aircraft."

"Law Enforcement Helipad: A helipad that is operated by a governmental agency and used exclusively for law enforcement purposes."

"Medical Helipad: A helipad that is located on the same premises as a hospital, or in close proximity to a hospital, and is used exclusively for emergency medical transport."

Section 4. § 14-16-2-22 SU-1 SPECIAL USE ZONE, R.O.A. 1994, is amended as follows:

This zone provides suitable sites for uses which are special because of infrequent occurrence, effect on surrounding property, safety, hazard, or other

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reasons, and in which the appropriateness of the use to a specific location is partly or entirely dependent on the character of the site design.

(A) Procedure.

(1) Development within the SU-1 zone may only occur in conformance with an approved Site Development Plan. An application for a change to SU-1 zoning shall state the proposed use and must be accompanied by a plan including, at a minimum, all the elements of a Site Development Plan for Subdivision Purposes. As part of the zone amendment action, a Site Development Plan may be approved; alternatively a plan may be approved later. If an approved Site Development Plan is a specified condition of zone change approval, such plan must be approved within the time period specified in § 14-16-4-1(C)(10) of this Zoning Code. No building permit shall be approved unless it is consistent with a complete site development plan for building permit and landscaping plan for the lot in question, approved by the Planning Commission or its designee; at the Planning Commission's discretion, approval of detailed plans may be required for the entire SU-1 zone area prior to issuing a building permit.

(2) A decision implementing a change to the zone map to SU-1 zoning shall designate the specific use permitted, and a building permit shall be issued only for the specific use and in accordance with an approved Site Development Plan. The specific use shall be recorded on the zone map.

(3) In approving an application, the Planning Commission may impose requirements as may be necessary to implement the purpose of this Zoning Code.

(4) A certified copy of the Site Development Plan shall be kept in the Planning Department records so that it may be reviewed against an application for a building permit for any part or all of a special use.

(5) The Planning Commission may review the application, plan, and progress of development at least every four years until it is fully implemented to determine if it should be amended.

(6) The Planning Director may approve minor changes to an approved Site Development Plan or Landscaping Plan if it is consistent with the use and other written requirements approved by the Planning Commission, if the buildings are of the same general configuration, if the total building square footage is not greater than

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10% than the approved plan, the vehicular circulation is similar in its effect on adjacent property and streets, and the approving official finds that neither the city nor any person will be substantially aggrieved by the altered plan. If the Planning Director believes there might be a person substantially aggrieved by the altered plan or if the total building square footage would be increased more than 2%, he shall give mailed notice of the proposed change to owners of adjacent property and to neighborhood associations entitled to notice of zone change proposals there.

(7) The Planning Director or a designee may approve site plans for temporary park-and-ride facilities.

(B) Special Uses.

(1) Accessory use customarily associated with a use permitted in this zone, provided it is incidental to the major use. Signs as permitted and regulated by the Planning Commission.

(2) Airport. Signs as permitted and regulated by the Planning Commission.

(3) Antenna (commercial).

(4) Amusement facility of a permanent character, including but not limited to kiddie land, baseball batting range, golf driving range, provided that any adult amusement establishment is not:

(a) Located within 500 feet from the nearest residential zone, or from any church or pre-elementary, elementary, or secondary school; or

(b) Located within 1,000 feet from any of the following uses: adult amusement establishment, adult book store, adult photo studio, and adult theater. Signs as regulated in the C-2 zone.

(5) Automobile dismantling yard or similar use. Signs as regulated in the C-1 zone.

(6) Bed and Breakfast Establishment. Bed and breakfast establishment with four to eight guest rooms on a site which was previously in a residential zone is restricted to lots abutting collector streets, minor arterial streets, or major arterial streets.

(7) Campground, provided it meets the requirements of § 14-16-3-7 of this Zoning Code. Signs as regulated in the C-2 zone.

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(8) Cemetery, including columbarium, mausoleum, or crematory, provided the site contains at least 30 acres. Signs as regulated in the O-1 zone.

(9) Church or other place of worship, including incidental recreational and educational uses; such an incidental use must be operated by the church rather than a business entity and must continue to be operated by the church, unless the resolution governing the SU-1 zone specifically allows operation of a specified incidental use by an entity other than the church itself. Incidental uses allowed include but are not limited to an emergency shelter operated by the church on the church's principal premises which is used regularly for public worship, notwithstanding special limitations elsewhere in this Zoning Code. Signs as permitted and regulated by the Planning Commission.

(10) Park-and-Ride temporary facilities.

(11) Drilling, production, or refining of petroleum gas or hydrocarbons. Signs as regulated in the O-1 zone.

(12) Drive-in theater, provided:

(a) Reservoir off-street standing space or side service road space is provided at any entrance sufficient to accommodate at least 30% of the vehicular capacity of the theater.

(b) A screen less than 500 feet from an arterial street is so located or shielded that the picture surface cannot be seen from the arterial street.

(c) The theater is enclosed with a solid wall or fence at least six feet high.

(d) Any adult theater is not:

1. Located within 500 feet from the nearest residential zone, or from any church or pre-elementary, elementary, or secondary school, or

2. Located within 1,000 feet from any of the following uses: adult amusement establishment, adult book store, adult photo studio, and adult theater. Signs as regulated in the C-2 zone.

(13) Fire station. Signs as regulated in the O-1 zone.

(14) Golf course. Signs as regulated in the O-1 zone.

(15) Gravel, sand, or dirt removal activity, stockpiling, processing, or distribution and batching plant. Signs as regulated in the O-1 zone.

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(16) Helipad, other than a medical helipad or a law enforcement helipad, provided it complies with Federal, State and Local regulations including City noise regulations; and further provided that:

(a) Helipads are a minimum of 650 feet from the nearest residential zone as measured from the edge of the helipad unless it is demonstrated the helipad will not be injurious to adjacent property, the neighborhood, or the community, but in no case shall a helipad be located less than 350 feet from the nearest residential zone, as measured from the edge of the helipad.

(b) The total number of helicopter operations (a landing and a takeoff is one operation) shall not exceed 3 on any day. The operations per day do not accumulate if not used.

(c) Helicopter landing and takeoff operations are prohibited between 10 P.M. and 7 A.M.

(d) Written documentation of helipad operations, including, but not limited to, flight path usage and the date and time of all landings and takeoffs, shall be maintained by the helipad owner and made available upon request for public inspection.

(e) Helipad operations that assist in medical emergencies, police emergencies, or search and rescue emergencies, when solicited by agencies which respond to such emergencies, shall not be limited to three operations per day nor to time of day limitations.

(17) Hospital for human beings, including medical helipad, provided that ~~neither~~ the traffic generated, ~~nor~~ ambulance noise, nor medical helipad will have serious adverse effects on the neighborhood. Medical helipads shall be sited and buffered to minimize impacts on surrounding properties. Written documentation of medical helipad operations, including date and time of all landings and takeoffs, shall be maintained and made available upon request for public inspection. Signs as regulated in the C-1 zone.

(18) Institution, correctional or mental. Signs as regulated in the O-1 zone.

(19) Law Enforcement Helipad, provided that such helipads are sited and buffered to minimize impacts on surrounding properties. Written documentation

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[Bracketed Material] - Deletion

of law enforcement helipad operations, including date and time of all landings and takeoffs, shall be maintained and made available upon request for public inspection.

(20) Major public open space as defined and administered pursuant to Chapter 5, Article 8, ROA 1994 of this code of ordinances.

(21) Open market. Signs as regulated in the C-1 zone.

(22) Ore reduction, smelting. Signs as regulated in the O-1 zone.

(23) Planned development area, including residential development and mobile home development, in which special use, height, area, setback, or other regulations should be imposed, provided the site contains at least three acres. Signs as permitted and regulated by the Planning Commission.

(24) Public utility structure. Signs as regulated by the Planning Commission.

(25) Police Station. Signs as regulated in the O-1 zone.

(26) Race track. Signs as regulated in the C-2 zone.

(27) Stadium. Signs as regulated in the C-2 zone.

(28) Swimming pool. Signs as regulated in the O-1 zone.

(29) Transit facilities.

(30) Truck plaza.

(31) Use combinations not adequately allowed and controlled in other zones, relative to a specific site. Signs as permitted and regulated by the Planning Commission.

(C) Off-Street Parking. Off-street parking shall be provided as required by the Planning Commission.

(D) Height. The same regulations apply as in the R-2 zone unless modified by the Planning Commission.

(E) Open Space. If the SU-1 zone is mapped in an area not designated by the master plan as Redeveloping or Established Urban, 2,400 or more square feet of open space per dwelling shall be preserved. Of the total 2,400 square feet, the following minimum amounts shall be usable open space on the lot with the dwelling: 200 square feet for each efficiency or one-bedroom dwelling, 250 square feet for each two-bedroom dwelling, and 300 square feet for each dwelling containing three or more bedrooms. The remaining requirement may be met by the alternatives listed

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in § 14-16-3-8(A) of this Zoning Code.

(F) Variances. If the resolution approving SU-1 references the regulations of another zone or if the adopted site development plan specifically incorporates such regulations, the referenced zone regulations shall apply unless a variance is approved.

(G) An air quality impact review and assessment may be required. See § 14-16-3-14 of this Zoning Code.

Section 5. §14-16-3-4(A) NONCONFORMANCE REGULATIONS. R.O.A. 1994, of the Zoning Code is amended by the addition of the following language:

"(11) Helipads, law enforcement helipads and medical helipads, which constitute nonconforming uses, must be removed from the premises they are located on within twelve–months after they become nonconforming. A helipad, law enforcement helipad or medical helipad which is located in an SU-1 zone and has a site development plan depicting such a helipad approved by the Environmental Planning Commission prior to the adoption of this ordinance shall be deemed conforming."

Section 6. SEVERABILITY CLAUSE. If any section, paragraph, sentence, clause, word or phrase of this ordinance is for any reason held to be invalid or unenforceable by and court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this ordinance. The Council hereby declares that it would have passed this ordinance and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provision being declared unconstitutional or otherwise invalid.

Section 7. COMPILATION. Section 3, 4 and 5 of this ordinance shall be incorporated in and compiled as part of the Revised Ordinances of Albuquerque, New Mexico, 1994.

Section 8. EFFECTIVE DATE. This ordinance shall take effect five days after publication in full.

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legislation\thirteen\o-73amd.

PASSED AND ADOPTED THIS 7th DAY OF FEBRUARY, 2000

BY A VOTE OF 8 FOR AND 1 AGAINST.

Yes: 8
No: Yntema

Michael Brasher

Michael Brasher, President
City Council

APPROVED THIS _____ DAY OF _____, 2000

"Pursuant to Article XI, Section 3, City Charter, this Ordinance is in full force and effect without the Mayor's approval"

Jim Baca, Mayor
City of Albuquerque

ATTEST:

City Clerk

[+Bracketed Material+] - New
[-Bracketed Material-] - Deletion

Bill No. O-73

Ray Montgomery
President
Montgomery I-25 Neighborhood Association
1720 Louisiana NE, Suite 310
505-260-1099

August 31, 1998

Mr. Joe Chavez
Environmental Planning Commission Chairman
C/O Planning Department
Development Services Division
P.O. Box 1293
Albuquerque, NM 87103

Dear Mr. Chavez:

I am the President of the Montgomery I-25 Neighborhood Association, a position I have held since the Association was founded in 1983. During those 15 years, I can assure the Commission that I have not received one complaint about KOAT's helicopter! In fact, the neighbors enjoy having the helicopter so visible in the area. The general sentiment of the residents is "Sky 7 is nifty."

Apparently there are now concerns raised by the Albuquerque Country Club neighborhood about KOB-TV landing its helicopter at their station. Those concerns stem from residents feeling that the helicopter is flying over homes as it takes off and lands. Our neighborhood is different. KOAT's helicopter is able to take off and fly down either Carlisle or Comanche. The immediate area around KOAT is more commercial than residential, eliminating the concerns of the helicopter flying over homes.

When KOAT-TV officials were looking for a location to build their new facility in 1979, I personally took an active role in encouraging them to locate at Comanche and Carlisle. The station was built in 1980, and for 18 years has been a wonderful neighbor, and good for our neighborhood. Again, let me stress that I have never even had one complaint about the helicopter taking off or landing from the station. Kids enjoy watching Sky 7, and adults know that the reporters are in active pursuit of informing them of breaking news.

EXHIBIT
C

When KOAT-TV purchased the land, then General Manager Max Sklower wanted to buy additional acreage to the Northwest for the helicopter to land behind the station. I encouraged management to land the helicopter right out in front, where everybody could see it and enjoy it. That's what was done, and it has been great.

As President of the Association, responsible for accurately reflecting the concerns of neighbors in the KOAT-TV area, I strongly recommend that this Commission continue to allow KOAT-TV to fly Sky 7 from the station.

Respectfully,

Ray Montgomery
President

U.S. Department
of Transportation
**Federal Aviation
Administration**

FLIGHT STANDARDS DISTRICT OFFICE
1601 RANDOLPH RD., SE SUITE 200N
ALBUQUERQUE, NM 87106
TELEPHONE: (505)-764-1200

September 2, 1998

Mr. Pahl Shipley, News Director
KOAT-TV
3801 Carlisle, NE
Albuquerque, NM 87107

Dear Mr. Shipley:

This letter confirms our conversation reference the KOAT-TV helistop. At the time the KOAT-TV helistop was established, it met all of the requirements for a privately owned and operated helistop as set forth in Federal Aviation Administration's (FAA) Advisory Circular (AC) 150/5390-2A, Heliport Design. As we discussed, any Advisory Circular is advisory in nature, not regulatory. Additionally, since yours is a privately owned helistop, and does not receive public funding, you are not required to comply with the recommendations stated in the AC. Your compliance with the safety recommendations was strictly voluntary on the part of KOAT-TV and, in the interest of aviation safety, much appreciated by this office.

Sincerely,

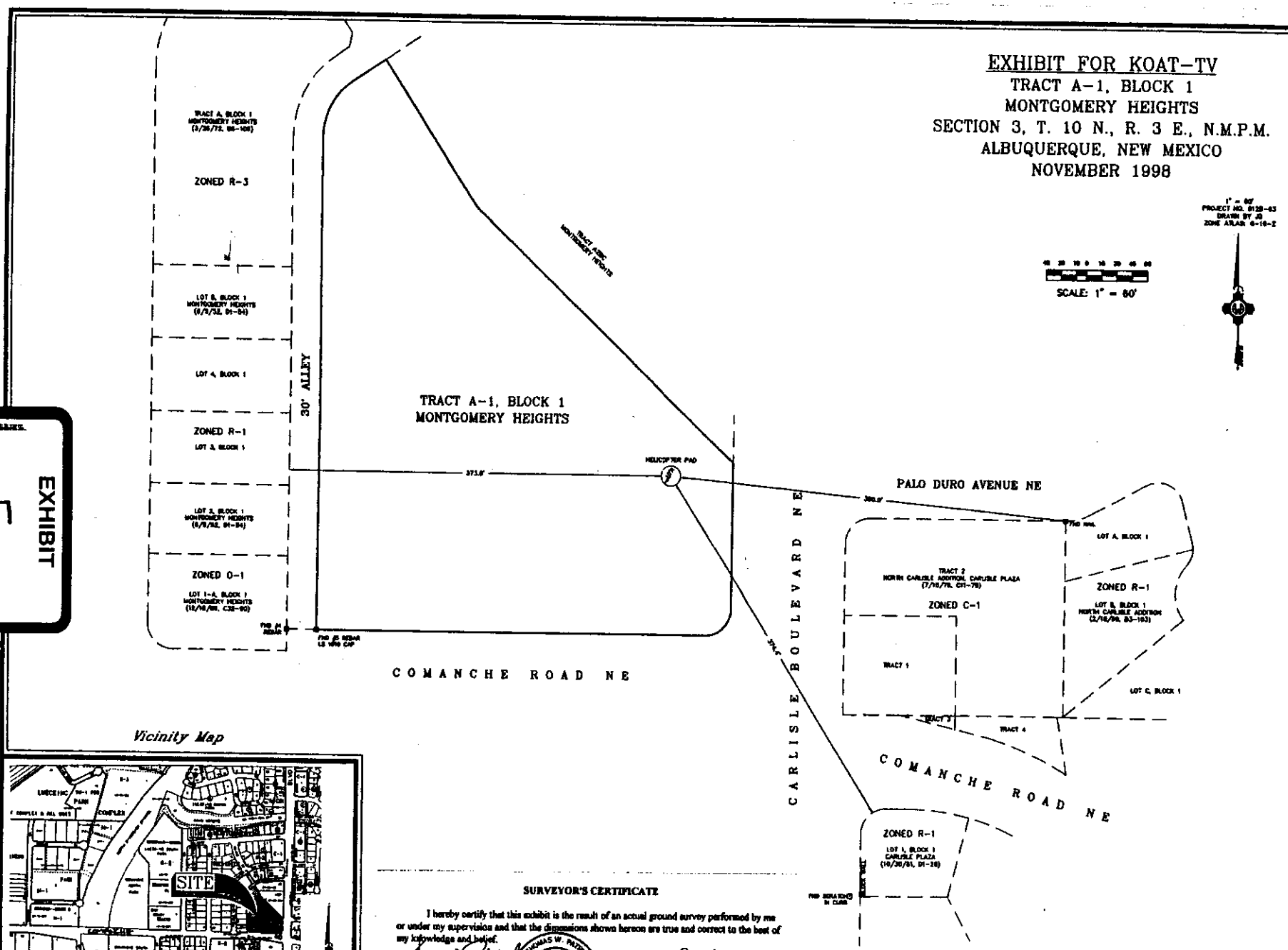
J.D. Huss
Aviation Safety Inspector

EXHIBIT
D

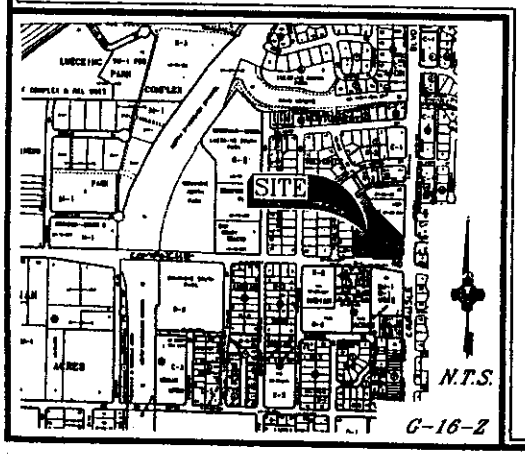
EXHIBIT FOR KOAT-TV

TRACT A-1, BLOCK 1
MONTGOMERY HEIGHTS
SECTION 3, T. 10 N., R. 3 E., N.M.P.M.
ALBUQUERQUE, NEW MEXICO
NOVEMBER 1998

EXHIBIT E



Vicinity Map



SURVEYOR'S CERTIFICATE

I hereby certify that this exhibit is the result of an actual ground survey performed by me or under my supervision and that the dimensions shown hereon are true and correct to the best of my knowledge and belief.

THOMAS W. PATRICK
N.M.P.S. NO. 12651

Date: 1 December 1998

SOUTHWEST SURVEYING CO., INC.
333 LOMAS BLVD., N.E.
ALBUQUERQUE, NEW MEXICO
87102
PHONE: (505) 998-0303
FAX: (505) 998-0308

T10N R3E SEC. 3

C:\ACAD12\DWG\CURRENT\9128-03 Thu Dec 3 17:16:54 1998 JDT

LAND USE, PLANNING & ZONING MEETING
7/28/99 -- TAPE 1 of 3

TESTIMONY OF HARVEY KNAUER
Council Bill O-73

KEY:

CC	Chairman Cummins
HK	Harvey Knauer
CH	Councillor Hundley
CB	Councillor Bregman
CM	Councillor McEntee

CH We have a second. For a while there, I was afraid I was _____. This bill is prohibiting helicopter takeoffs and landings within the city limits in locations other than public airports, and it's providing for certain extensions. . . . And what I would like to do at this time, Mr. Chairman, if it's okay with the Committee, is I have Mr. Knauer here who is a noise expert that flew in last night and did some site visits; and I would like to ask him to come up to the witness table along with our city attorney, Mr. Wheeler.

CC You know we have people signed up to speak. I assume you want to make all those presentations before . . .

CH First. Yes. This is part of my presentation, so . . .

HK Good evening, Mr. Chairman, counselors. My name's Harvey Knauer. I work for Environmental Acoustics, Incorporated. Our firm is a acoustical engineering firm affiliated with Gannett Fleming, who have an office here in Albuquerque. I live at 16 South Hawthorne Road in Coatesville, Pennsylvania. Our office is in Camp Hill, which is a suburb of Harrisburg area of Pennsylvania. Currently under contract to

EXHIBIT
F

the City, Environmental, and working at their request to come in and review data and noise measurements that were taken in 1998 by City staff, Environmental Health Department staff, and to review the heliports in the area to look at that data and to give opinions related to the noise related to helicopter operations in the Albuquerque City area. Counselor had asked me to give a brief indication of my past experience. I'm a professional engineer since 1971. I have a Bachelor of Science in Civil Engineering from University of Miami and a Masters in Civil Engineering from Villa Nova University in Pennsylvania. I've been a member since the late 1970's of the National Academy of Sciences Transportation Research Board of Transportation, Noise and Environment and Vibration Committee, and served as full committee member for approximately eleven years on that committee. Prior to coming to Environmental Acoustics, I worked for thirty years with the Pennsylvania Department of Transportation.

. . .

. . . That experience dealt with construction of over fifty miles of noise barriers in Pennsylvania from both _____ design review standpoint. Also, serving and working with communities in the area, I attended over 300 community meetings. These were meetings held with individual citizens, primarily on noise issues in the citizens' homes and in public places. Since becoming a consultant a little over two years ago, I worked on projects in nine states involving highway transit airport projects and, a project that I worked on recently in our community around our office that was very similar to the issues of community helicopter noise that exits in the area here and they're under discussion tonight. That particular involved communities where _____ helicopter was landing on a daily basis, approximately 200 feet from the nearest tunnel in a parking lot _____ very little shielding between the sight of landing and the residential homes. To evaluate that, we looked at standard noise criteria that applied to airport operations and it is very much true on the highway and

the transit field also where criteria levels are based on levels that are averaged over a large period of time, sometimes an hour, but more often with aircraft noise over a 24-hour period, even though they might wait the night-time noise levels somewhat. There's usually a period such as that 24-hour day/night course level or 24-hour equivalent in noise level for an average. When sporadic events like helicopter landings or a loud truck or a passing train get evaluated under such criteria, truthfully, they don't show up at all in the criteria and they are very difficult to show in a steady noise environment. That's been an issue in the noise community for some time now and there have been methods to try to evaluate those types of events in terms of a noise and on the project that we did in Pennsylvania, we used some annoyance curves that looked at our equivalent work which called the average noise level over a period of over an hour and we also looked at that level, plus the variation in noise, descriptive to evaluate the variation noise and that's called a noise pollution evaluation or LNT. So that takes into account how much the noise fluctuates during the period of measurement. There are a number of citizens that testified before the Planning Commission and the Zoning Board in that particular case. Their findings, their opinions as far as noise range from somewhat moderate annoyance to extreme annoyance and they correlated quite well with the numbers we came up using both LAQ and LNT as descriptors of noise. So when I was contacted by the City of Albuquerque, it sounded much like that situation and I asked if there was any noise monitoring data available and the City supplied me with noise monitoring that they had performed in March/April of 1998 at the three radios — or television station locations, TV4, TV7 and TV13. I looked at that data prior to coming out here and saw what the appropriate values, similar to what I used in Pennsylvania would be and how that would fall on the annoyance scale and then I came —

CB Yes, I'm sorry.

HK No problem, I'm sorry.

CB I guess what my question, before you go on, you were looking at data from 19 — March and April of 1998. Are we dealing with the exact same equipment now? I guess the question . . .

HK Yes.

CB We are. Again, a lot of head shaking and nobody's saying — okay, that's all I want to know.

HK Sorry for not — thank you Mr. Chairman. Those measurements were taken during times of both no helicopter activity and during times of helicopter activity and some of them were not with the cooperation of the stations in terms of coming in at the time when people were out there monitoring. I looked at that data and yesterday afternoon, when I got in I toured the various heliport sites in the Albuquerque area, as well as looking at one of them tonight through this morning. In looking at that data that all the locations with helicopter operations fell in some range of annoyance, from being slightly to moderately annoying to being extremely annoying. That was a function of the measurements that I had to work with which were limited in terms of numbers.

. . .

Much of what I determined was based on the function of what the existing noise level is out there now and the distance from the measurement site to the helipad. It relates also to how the helicopter happened to be operating in that particular operation and this thing and discussing it with the environmental staff, they indicated that in most cases the flights were along the major routes for the TV7 helicopter and the normal approaches for the other ones. The flight approach is different than it might have

been monitored concerning resulting in higher annoyance levels in certain areas, particularly if those flight paths would take the helicopter over residential areas.

CM Can I ask you a question? Are you saying that the flights that originate from the sites we're talking about or are you talking about those flight paths that also happen to be other — used by other commercial or —

HK No, primarily what I'm talking about the flights related to the three stations that I had the opportunity to look at the data from. I've also looked at some criteria that planners in Britain use to evaluate planning — giving planning permission to certain developments and this was the British government planning policy guidance on planning of noise from London in 1994. And they ranked — if I were to apply some of the numbers here to that, they would fall relatively wise in the same category although they don't talk about annoyance, the highest level there was a category that we'd say should not normally be granted planning permission.

. . .

CH I believe Counselor Bregman has a question.

CB Yeah, I have just a couple of questions. You said you looked at all three: 4, 7 and 13?

HK Yes.

CB Are they all just the same amount of annoying?

HK 7, based on the measurements I had, 7 was the least . . .

CB When you talk about your different ranking, where would you put 7?

HK It would be the lowest of the three, based on — again, based on the data. Lowest being the least annoying.

CB So, it would fall into the category called least annoying?

HK The level is — the levels there fell into the range of moderately — I'm sorry, slightly to not at all annoying, depending on what descriptor I used.

CB Slightly to not at all?

HK Yes.

. . .

CB Thank you, Mr. Chairman.

CC Any other questions?

Send to: KOAT TV 7
Subject: Helicopter

ALTA MONTE NEIGHBORHOOD ASSOCIATION
P. O. Box 30131
Albuquerque, NM 87190-0131

April 17, 2000

KOAT TV, Channel 7
3801 Carlisle Blvd. NE
Albuquerque, NM 87107

Attn: Wynn Wood and Paul Shipley

RE: On site helicopter

Gentlemen:

The Board of Directors of the Alta Monte Neighborhood Association has asked me to write you this letter concerning your on site helicopter pad. The Association does not consider the takeoff and landing of your helicopter from this site to be a nuisance nor does the Association belive your helicopter creates excessive and/or undue noise levels.

Military helicopters that overfly our neighborhood on their way to Kirtland Air Force base create a much higher noise level than your helicopter does. Also commercial air-liners that overfly our neighborhood on their approach to the North-South runway at the Sunport create a much greather disturbance than your helicopter.

We also have a city Fire Station just to the North of your helicopter site. The coming and going of the firetrucks creates a greater noise disturbance than your helicopter take offs and landing. A necessary evil but nevertheless a disturbance to the tranquility of the neighborhood.

The gathering of the news and the desemination of the news is just as much of a public service as protecting the public from fires and certainly creates less noise.

The Alta Monte Neighborhood Association supports your efforts to keep your on site helicopter pad. It has existed there for many years. We do not see any reason for you to have to relocate it.

Sincerely,
ALTA MONTE NEIGHBORHOOD ASSOCIATION

John C. Lilly

XC: Board of Directors

EXHIBIT
G

Montgomery Heights Neighborhood Association
c/o 3517 Hendrix Road NE
Albuquerque, NM 87107
July 15, 1999

M.L. ROPER

JUL 16 1999

Vincent E. Griego, President
City Council
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

Dear Mr. Griego,

The Montgomery Heights Neighborhood Association would like the City Council to know that we have had no complaints about the helipad for KOAT-TV either before the recent publicity about helicopter noise or since. We feel that Channel 7 planned the location of its helipad well and uses Carlisle and Comanche Boulevards and the Diversion Channels for the helicopter route rather than flying over buildings. The helicopter has the practice of ascending and descending from a high position over the helipad to minimize noise. The helicopter does not seem to be flown everyday and very seldom is heard in the evening.

Our neighborhood is bounded by Montgomery, Carlisle, Comanche and the North Diversion Channel. Though we are not that large, we have a mixture of individual homes, apartments and duplexes, shops, offices, restaurants and businesses with a bank, a medical facility, a fire station and KOAT-TV station. We are a part of this city and realize that in exchange for the conveniences of a city, we cannot have the quietness of the country. We do hear the Channel 7 helicopter come and go but the interruption is brief; in fact, our first thought is what's happening? and where? The Montgomery Heights Association has even put the Channel 7 helicopter into its newsletter logo along with Firestation No. 19 as these are identifying features of the neighborhood.

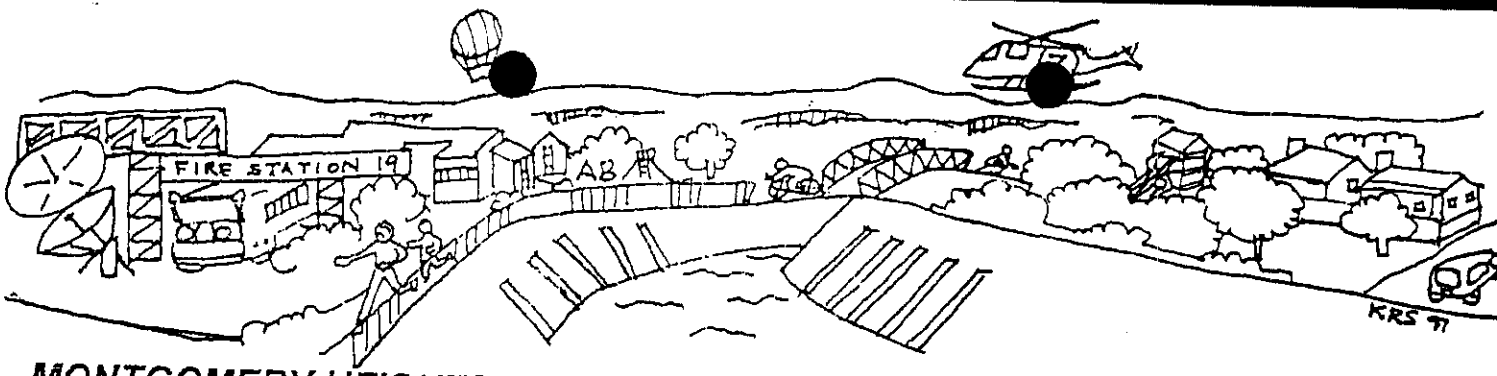
When we think of the various intrusive and constant noisemakers heard in our neighborhood, such as the freeway hum, fire engines, emergency vehicles, buses, train whistles, speeding cars, police surveillance planes, garbage trucks, north/south airplane traffic, barking dogs, loud music, and burgler alarms, the KOAT-TV helicopter's contribution is minor mainly due to it's thoughtful operation by Channel 7.

Sincerely,

Bob Swartwood, President

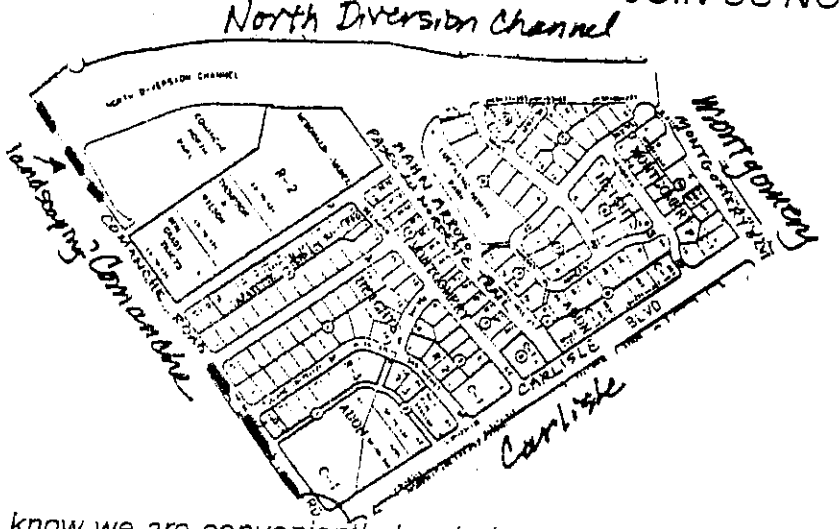
Karen Schueler, Secretary

cc: Pahl Shipley, KOAT-TV
Mayor Jim Baca



MONTGOMERY HEIGHTS NEIGHBORHOOD ASSOCIATION

If you live or have a business within the boundaries of Comanche, Carlisle, Montgomery and the North Diversion Channel, you can be a member of the Montgomery Heights Neighborhood Association. JOIN US NOW!



Those who live here know we are conveniently located within Albuquerque, near the freeway, the bicycle path and the bus line and have many fine local businesses and restaurants nearby as well as a firestation. We have spectacular views of the mountains and the volcanoes from the bicycle path which runs through our neighborhood and pleasant residential streets and homes with well maintained apartment complexes. We urge those neighbors who live here to join the Montgomery Heights Neighborhood Association and work with us to maintain the features we enjoy and improve the issues that concern all of us.

OUR NEXT GENERAL MEETING AND ELECTIONS WILL BE IN APRIL. WE WANT TO SEE YOU THERE. ***A newsletter will be delivered in April announcing date, time and location. The 1998-99 Officers for the Montgomery Heights Neighborhood Association are: Bob Swartwood, President, 881-3151, Andy Caird, V-P, 884-5656, Dan Pyzel, Treasurer, 883-0291, and Karen Schueler, Secretary, 889-0103.***

Printing donated by RMS Engineering, 4015 Carlisle NE.

HAVE YOU JOINED THE NEIGHBORHOOD ASSOCIATION YET? Dues are just $10 per household or $20 per business. The Neighborhood Associations exist to be the conduit for information from the city to the neighborhood and vice versa. Send your dues to the treasurer: Dan Pyzel, 4305 Wellesley NE, Albuquerque, NM, 87107. Make checks payable to Montgomery Heights Neighborhood Association. Please list name, address, phone #.

Ray Montgomery
President
Montgomery I-25 Neighborhood Association
1720 Louisiana NE, Suite 310
505-260-1099

August 31, 1998

Mr. Joe Chavez
Environmental Planning Commission Chairman
C/O Planning Department
Development Services Division
P.O. Box 1293
Albuquerque, NM 87103

Dear Mr. Chavez:

I am the President of the Montgomery I-25 Neighborhood Association, a position I have held since the Association was founded in 1983. During those 15 years, I can assure the Commission that I have not received one complaint about KOAT's helicopter! In fact, the neighbors enjoy having the helicopter so visible in the area. The general sentiment of the residents is "Sky 7 is nifty."

Apparently there are now concerns raised by the Albuquerque Country Club neighborhood about KOB-TV landing its helicopter at their station. Those concerns stem from residents feeling that the helicopter is flying over homes as it takes off and lands. Our neighborhood is different. KOAT's helicopter is able to take off and fly down either Carlisle or Comanche. The immediate area around KOAT is more commercial than residential, eliminating the concerns of the helicopter flying over homes.

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As President of the Association, responsible for accurately reflecting the concerns of neighbors in the KOAT-TV area, I strongly recommend that this Commission continue to allow KOAT-TV to fly Sky 7 from the station.

Respectfully,

Ray Montgomery
President

U.S. Department
of Transportation
**Federal Aviation
Administration**

AIRPORT TRAFFIC CONTROL TOWER
3400 Gibson Boulevard SE
Albuquerque, New Mexico 87106
(505) 856-4900 FAX: 856-4914

August 17, 1998

Pahl Shipley
KOAT Channel 7
3801 Carlisle Blvd. NE
Albuquerque, New Mexico 87107

Dear Mr. Shipley:

On Friday, August 7, 1998, we faced a situation that no air traffic controller or pilot ever wants to face--an aircraft accident. A Cessna Centurion reported to the controller that her engine had quit, and she was going down.

In the control tower, we strive to give the best service we possibly can at all times. In a situation like this one, we are completely helpless. We call the emergency equipment, make our reports, and wait. This is the time that we, and the survivors of the aircraft, rely on others.

We want to thank your pilot, Jeff Martin, for his assistance during this very trying time. From the Tower we attempted to direct the rescue vehicles to the sight of the Cessna. We had no luck. We could not see landmarks and access roads. Mr. Martin and the other pilots in the area worked with us to find the airplane, verify that the pilot was out and walking around, and direct the rescue vehicles to the scene.

Mr. Martin's eagerness to assist us and the Cessna pilot was invaluable. This is just one more time we see proof that the flying community is a very unique and special group of people. Teamwork is a huge part of making the system work. Mr. Martin is definitely a team player in the best sense of the word.

Sincerely,

Mike Baldridge
Air Traffic Manager

EXHIBIT
H

From: Wynne Wood
To: PShipley, Maryl
Date: 6/19/98 3:22pm
Subject: Sky 7 to the Rescue

Had a nice call a few minutes ago from Sgt Dennis Yurcisin of APD. (761-8800)

Says without our help they could not have caught the Bernalillo County Detention Ctr. escapee as easily as they did. Our hovering over the area he was hiding made him stay put because, he thought it was a police helicopter. Police were able to close in on him and snatch him up.

He made it sound as though we stayed up longer than we really had to help them; I am not sure if that was the case or not as I was at lunch. But in any event APD appreciates our assistance.

Staff on Site at KOAT (Albuquerque) on Wednesdays

Total # Employees at KOAT Site (Albuquerque) - 143

Department	Noon	2:00pm	5:00pm
G&A	1	7	4
Programming	0	2	1
Sales	4	13	12
Engineering	4	5	3
Creative Services	7	8	8
Production	14	17	12
News	16	17	18
NORMAL TOTAL	**46**	**69**	**58**
News Photographers	13	12	18
POSSIBLE TOTAL	**59**	**81**	**76**

EXHIBIT

I

M.L. ROPER

JUN 0 2 2000

City of Albuquerque

FAX: 768-7395

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: May 23, 2000

TO CONTACT NAME: Susan Fox

COMPANY/AGENCY: Rodey, Dickason, Sloan, Akin + Robb, PA

ADDRESS/ZIP/PHONE: PO Box 1888 / 87103

Thank you for inquiry of 5-23-00 (date) requesting the names of the Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed project at Tract A-1, Blk 1, of Montgomery Heights

zone map page(s): G-16.

Our records indicate that the Recognized Neighborhood Associations affected by this proposal and their contact names, addresses and phone numbers are as follows:

Hoagland NA
Neighborhood Association
Contacts: H. Diane Snyder
4012 Delamar Ave NE/87110
830-0031 (H) 830-1669(W)
Eddy Jacobs
4920 Hilton NE / 87110
881-9261 (H)

Alta Monte NA
Neighborhood Association
Contacts: Rick Cooper
10327 Connemara Ave SW/87121
833-1751 (H)
Perla Webb
8 Plains View Ln, Edgewood, NM 87015
281-6859 (H)

See reverse side for additional Neighborhood Association Information: Yes [X] No [ ]

Please note that according to O-92 you are required to notify each of the contact persons by **CERTIFIED MAIL, RETURN RECEIPT REQUESTED BEFORE** the Planning Department will accept your application filing. ***IMPORTANT! FAILURE OF ADEQUATE NOTIFICATION MAY RESULT IN YOUR APPLICATION HEARING BEING DEFERRED FOR THIRTY (30) DAYS.***

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

Dalaina K Carmona
OFFICE OF COMMUNITY/NEIGHBORHOOD COORDINATION

planningmaform (11/5/98)

Additional Neighborhood Association Information

Montgomery Heights NA
Neighborhood Association
Contacts: Bob Swartwood
3517 Hendrix Rd NE 87107
881-3151 (H) 881-1288 (W)
Karen Schueler
3504 Delamar NE 87107
889-0103 (H)

Neighborhood Association
Contacts:

Neighborhood Association
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NOTICE TO APPLICANTS

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

Applicants for Zone Change, Site Plan, Sector Development Plan approval or an amendment to a Sector Development Plan by the EPC, DRB, etc. are required under Council Bill O-92 to notify all affected recognized neighborhood associations ***PRIOR TO FILING THE APPLICATION TO THE PLANNING DEPARTMENT.*** Because the purpose of the notification is to ensure communication as a means of identifying and resolving problems early, it is essential that the notification be fully informative.

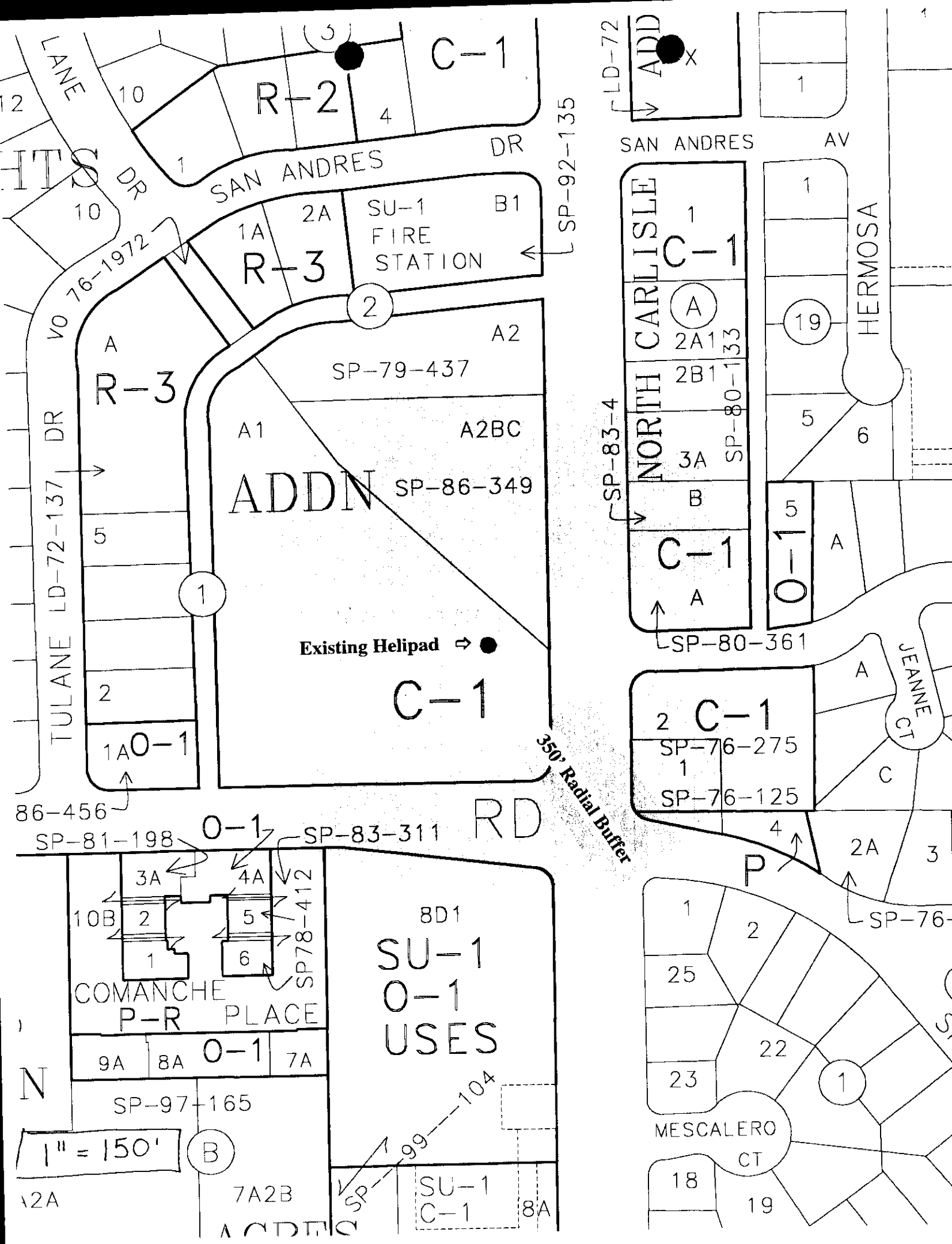
WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

1. The street address of the subject property.
2. The legal description of the property, including lot or tract number (if any), block number (if any), and name of the subdivision.
3. A physical description of the location, referenced to streets and existing land uses.
4. A complete description of the actions requested of the EPC:
   a) If a **ZONE CHANGE OR ANNEXATION**, the name of the existing zone category and primary uses and the name of the proposed category and primary uses (i.e., "from the R-T Townhouse zone, to the C-2 Community Commercial zone").
   b) If a **SITE DEVELOPMENT OR MASTER DEVELOPMENT PLAN** approval or amendment describe the physical nature of the proposal (i.e., "an amendment to the approved plan to allow a drive-through restaurant to be located just east of the main shopping center entrance off Montgomery Blvd.").
   c) If a **SECTOR DEVELOPMENT PLAN OR PLAN AMENDMENT** a general description of the plan area, plan concept, the mix of zoning and land use categories proposed and description of major features such as location of significant shopping centers, employment centers, parks and other public facilities.
5. The name, address and telephone number of the applicant and of the agent (if any). In particular the name of an individual contact person will be helpful so that neighborhood associations may contact someone with questions or comments.

* *

(below this line for OCNC use only)

Date of Inquiry: 5/23/00 Time Entered: 12:15 pm OCNC Rep. Initials: DC



LANE
DR
SAN ANDRES
DR
R-2
C-1
SP-92-135
LD-72
ADD
SAN ANDRES
AV
SU-1
FIRE
STATION
B1
R-3
VO 76-1972
R-3
A2
SP-79-437
A1
A2BC
ADDN
SP-86-349
TULANE LD-72-137 DR
Existing Helipad
C-1
O-1
86-456
NORTH CARLISLE
C-1
2A1
2B1
3A
SP-80-133
SP-83-4
C-1
SP-80-361
HERMOSA
O-1
JEANNE CT
C-1
SP-76-275
SP-76-125
350' Radial Buffer
RD
SP-81-198
O-1
SP-83-311
SP78-412
COMANCHE
P-R
PLACE
8D1
SU-1
O-1
USES
O-1
SP-97-165
1" = 150'
SP-99-104
SU-1
C-1
7A2B
MESCALERO
CT

METRO SAFETY
Consultants, Inc.
The OSHA Compliance Specialists

Helicopter Noise Survey

KOAT-TV
Albuquerque, NM

July 6, 2000

SCOPE

Curtis Chambers, CSP/OHST, of Metro Safety Consultants, Inc. conducted a noise survey at the request of KOAT-TV, Albuquerque, NM. Sound pressure level readings were measured at three different positions surrounding KOAT-TV's television station located at 3801 Carlisle N.E. in Albuquerque, NM, on Thursday, July 6, 2000, between the hours of 8:00 am and 2:00 pm.

The purpose of this noise survey was to determine sound levels generated at the nearest residential property lines by the television station's helicopter during take-off and landing operations. Specific positions where measurements were taken are identified in the Summary of Findings, and a survey map with each position identified is also included as Exhibit A of this report.

Sound pressure levels recorded during these studies are recapped in the Summary of Findings, and monitoring logs for each position are included as Exhibits B and C.

METHODOLOGY

Sound pressure levels were measured using Quest Q-300 noise dosimeters set to A scale, fast response. The instruments were calibrated before and after the survey with a Quest QC-10 calibrator. Meters were placed at three different positions around the station. The microphones were placed approximately four (4) feet above ground level, and set in an upward position (approximately 70-degree angle above horizontal) facing the television station's helipad. Microphone windscreens were utilized throughout the survey. Additional information about these meters is included as Appendix A.

Three meters were run continuously from approximately 8:15 am to 1:45 p.m. at each position, with one noted exception, with sound levels recorded at a rate of 32 readings per second. The data were utilized to approximate ambient sound levels for the entire test period at each of the three test positions. Charts showing the distribution of these readings are included with this report as Exhibit B.

A separate meter (same set-up) was utilized to measure sound levels at each individual position during one or more of the four take-off/landing operations conducted the morning of this survey, with maximum readings logged in five-second increments. These readings were charted to help determine if sound levels generated during a certain length of time exceed limits specified in the City's proposed noise ordinance. Monitoring logs for these five-second segments are included with this report as Exhibit C.

DISCUSSION

The City's proposed noise ordinance contains a section that specifically addresses helicopter noise. Proposed limits not to be exceeded on residential property during take off or landing operations are listed below:

- 65 dB for more than 5 minutes per operation
- 70 dB for more than 90 seconds per operation
- 80 dB for more than 15 seconds per operation
- 90 dB for any length of time

In order to evaluate helicopter sound levels generated during take off and landing operations, readings were taken while the helicopter was sitting on the helipad, either warming up for take-off or cooling down after landing.

During interviews, station managers indicated that helicopter take off and landing operations, including time to warm-up or cool-down, do not exceed four minutes each during the winter, nor two minutes each during the summer. This being the case, then the first limit listed above (65 dB for more than five minutes per operation) would be rendered not applicable.

In addition, the overall noise level (includes noise generated by motor vehicle traffic and other extraneous sources) at one of the three test positions actually exceeds 72 dBA for over 90% of the time during this survey. The high level of competing noise prevents accurate measurement of helicopter sound at lower levels, because it effectively "drowns out" whatever sound the helicopter is generating. This fact seems to make the portion of the proposed ordinance that specifies "70 dBA for more than 90 seconds per operation" a moot point at this particular test position.

Another factor to keep in mind is that peak noise levels generated by certain motor vehicles during these tests were actually measured well above 90 dBA on numerous occasions (city buses and some motorcycles can be pretty loud). Such loud noises can skew readings during a noise survey, and will nearly always be an issue in urban areas such as this which are located near a main thoroughfare, but probably not so much in rural areas.

SUMMARY OF FINDINGS

Position A – *Northwest (back) corner of residential property sitting at the Southwest corner of the intersection of Palo Duro Avenue NE and Jeanne Ct. ; approximately 390 feet East of the station's helipad.*

Residential property in this area is partially shielded from the station's helipad by commercial development, primarily the strip center situated West of this test position. Motor vehicle traffic is relatively light at the intersection of Palo Duro and Jeanne Ct., which sits off of the main thoroughfare, so ambient noise levels are relatively low.

Based on readings collected during this survey, sound levels generated by the helicopter during warm up and cool down at this position were as follows:

65 dB for more than 5 minutes per operation:	Not applicable
70 dB for more than 90 seconds per operation:	Did not exceed during warm up/cool down
80 dB for more than 15 seconds per operation:	Did not exceed during warm up/cool down
90 dB for any length of time:	Did not exceed during warm up/cool down

Position B – *Residential property line just inside of the Southeast corner of the intersection of Carlisle Blvd. NE and Comanche Road NE; approximately 375 feet from the station's helipad.*

Residential property at this corner of the intersection is in direct view of the helipad, as there are no buildings or structures to shield it from the helipad. Motor vehicle traffic is very heavy at this intersection, which results in much higher ambient noise levels during the day as compared to the other positions.

Based on readings collected during this survey, sound levels generated by the helicopter during warm up and cool down at this position were as follows:

65 dB for more than 5 minutes per operation:	Not applicable
70 dB for more than 90 seconds per operation:	Unable to determine - general sound levels exceeded 70 dBA throughout test period
80 dB for more than 15 seconds per operation:	Did not exceed during warm up/cool down
90 dB for any length of time:	Did not exceed during warm up/cool down

Position C – *West edge of station property near the alley that runs between the station's property line and the back of adjacent Theta apartment buildings; approximately 440 feet from the helipad.*

Residential property in this area is almost completely shielded from the helipad by the television station building. Motor vehicle traffic is almost non-existent at the alley West of KOAT-TV, except for vehicles driving in and out of parking lots for the apartment buildings and television station, so ambient noise levels are relatively low.

Based on readings collected during this survey, sound levels generated by the helicopter during warm up and cool down at this position were as follows:

65 dB for more than 5 minutes per operation:	Not applicable
70 dB for more than 90 seconds per operation:	Did not exceed during warm up/cool down
80 dB for more than 15 seconds per operation:	Did not exceed during warm up/cool down
90 dB for any length of time:	Did not exceed during warm up/cool down

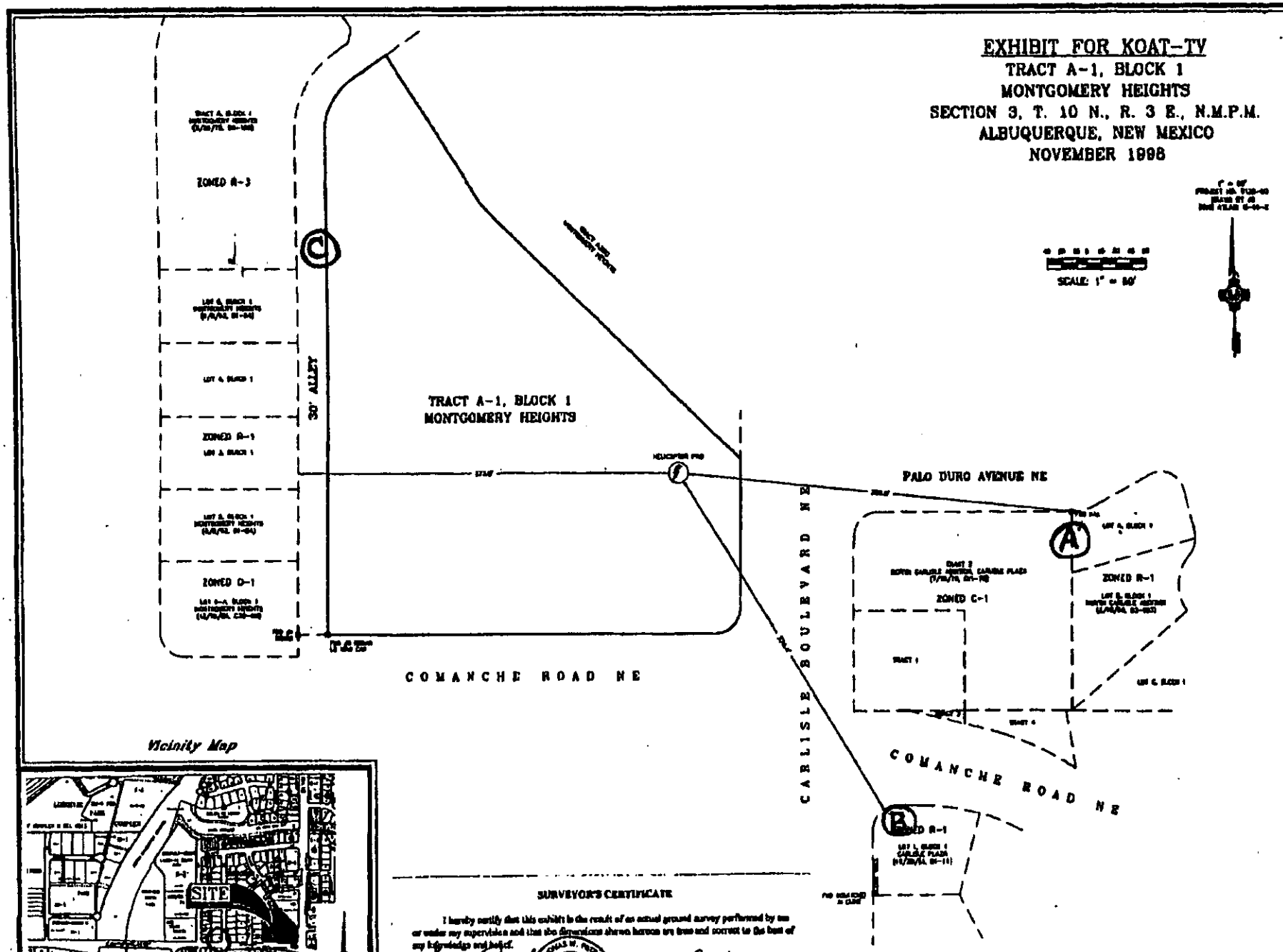
CONCLUSION

Sound generated by KOAT-TV's helicopter during take off and landing operations did not exceed noise limits specified in the City of Albuquerque's proposed noise ordinance at positions A or C during these tests.

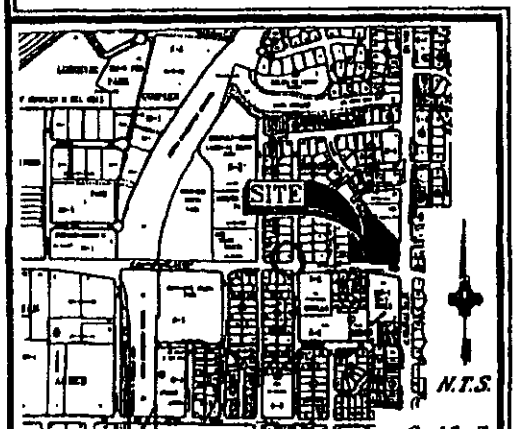
Motor vehicle traffic resulted in ambient noise levels that consistently exceeded 70 dBA at position B during these tests. Given these persistently high ambient readings, it could not be determined, following commencement of helicopter operation, whether sound pressure levels generated by the KOAT-TV helicopter exceeded 70 dBA for gtreater than 90 seconds per operation at position B. Motor vehicle traffic would have to be halted during warm up and cool down periods to obtain accurate readings. However, all other noise limits specified in the ordinance were not exceeded at this position.

EXHIBIT FOR KOAT-TV

TRACT A-1, BLOCK 1
MONTGOMERY HEIGHTS
SECTION 3, T. 10 N., R. 3 E., N.M.P.M.
ALBUQUERQUE, NEW MEXICO
NOVEMBER 1998



Vicinity Map



SURVEYOR'S CERTIFICATE

I hereby certify that this exhibit is the result of an actual ground survey performed by me or under my supervision and that the dimensions shown hereon are true and correct to the best of my knowledge and belief.

THOMAS W. PATRICK
N.M.P.E. NO. 12651

Date: 1 December 1998

SOUTHWEST SURVEYING CO., INC.
333 LOMAS BLVD., N.E.
ALBUQUERQUE, NEW MEXICO
87102
PHONE: (505) 898-0000
FAX: (505) 898-0004

TION R3E SEC. 3

S[redacted]VEY NOISE LEVEL READINGS[redacted]

Percent Time Statistical Distributions

(fast time constant)

Position A – East of Station, beyond strip center

Total Samples: 181,484
Total Run Time: 1:34:31

dBA	Samples	% Time
< 70 dBA	162,290	89.42%
70	10,615	5.85
71	4,498	2.47
72	958	0.52
73	887	0.48
74	854	0.47
75	483	0.26
76	409	0.22
77	206	0.11
78	145	0.07
79	49	0.02
80	18	< 0.01
81	16	< 0.01
82	14	< 0.01
83	16	< 0.01
84	11	< 0.01
85	6	< 0.01
86	4	< 0.01
87	3	< 0.01
88	2	< 0.01

SURVEY NOISE LEVEL READINGS

Percent Time Statistical Distributions

(fast time constant)

Position B – SW corner of Carlisle & Comanche

Total Samples: 627,938
Total Run Time: 5:27:03

dBA	Samples	% Time
< 70 dBA	411,857	65.58%
70	58,700	9.34
71	50,069	7.97
72	35,047	5.58
73	23,745	3.78
74	15,507	2.46
75	10,302	1.64
76	6,618	1.05
77	4,311	0.68
78	3,004	0.47
79	2,507	0.39
80	1,637	0.26
81	1,175	0.18
82	828	0.13
83	509	0.08
84	491	0.07
85	403	0.06
86	353	0.05
87	323	0.05
88	228	0.03
89	84	0.01
90	63	0.01
91	35	< 0.01
92	54	< 0.01
93	32	< 0.01
94	5	< 0.01
95	17	< 0.01
96	12	< 0.01
97	7	< 0.01
98	4	< 0.01
99	4	< 0.01
100	8	< 0.01

SURVEY NOISE LEVEL READINGS

Percent Time Statistical Distributions

(fast time constant)

Position C – West of Station, near Theta apartments

Total Samples: 664,912
Total Run Time: 5:46:18

dBA	Samples	% Time
< 70 dBA	649,827	97.73%
70	2,636	0.39
71	2,387	0.35
72	1,958	0.29
73	1,518	0.22
74	1,391	0.20
75	1,135	0.17
76	913	0.13
77	758	0.11
78	682	0.10
79	574	0.08
80	440	0.06
81	318	0.04
82	172	0.02
83	117	0.01
84	50	< 0.01
85	23	< 0.01
86	2	< 0.01
87	8	< 0.01
88	3	< 0.01

TAKE-OFF AND LANDING NOISE LEVELS

Five Second Time History

TEST ONE

Position B - SW corner of Carlisle & Comanche

(first of two tests at this location)

Warm up			Cool down		
8:31:25	70.1		8:38:50	81.1	touch down
8:31:30	< 70		8:38:55	76.3	
8:31:35	74.0		8:39:00	72.7	
8:31:40	73.1		8:39:05	71.5	
8:31:45	72.2		8:39:10	72.0	
8:31:50	70.9		8:39:15	72.8	
8:31:55	71.2		8:39:20	< 70	
8:32:00	71.7		8:39:25	70.2	
8:32:05	< 70		8:39:30	71.8	
8:32:10	70.3		8:39:35	72.9	
8:32:15	71.2		8:39:40	71.4	
8:32:20	72.9		8:39:45	73.0	
8:32:25	75.0		8:39:50	71.9	
8:32:30	72.8		8:39:55	< 70	
8:32:35	73.3		8:40:00	< 70	
8:32:40	< 70		8:40:05	72.5	
8:32:45	74.9		8:40:10	81.9	
8:32:50	70.6		8:40:15	78.7	
8:32:55	74.7		8:40:20	74.9	
8:33:00	71.5		8:40:25	73.4	
8:33:05	75.9		8:40:30	71.5	
8:33:10	71.7		8:40:40	76.9	
8:33:15	73.5		8:40:40	77.5	
8:33:20	76.0		8:40:45	71.2	
8:33:25	< 70		8:40:50	81.5	
8:33:30	70.5		8:40:55	71.1	
8:33:35	72.5		8:41:00	72.4	
8:33:40	70.0		8:41:05	76.5	
8:33:45	< 70		8:41:10	73.2	
8:33:50	71.7		8:41:15	70.8	
8:33:55	72.2		8:41:20	74.3	
8:34:00	71.6		8:41:25	75.0	
8:34:05	72.3		8:41:30	70.9	
8:34:10	73.7		8:41:35	< 70	
8:34:15	71.6		8:41:40	74.8	
8:34:20	72.3		8:41:45	82.1	
8:34:25	78.8	liftoff	8:41:50	73.5	

Readings are maximum level (in dBA) recorded for each five second period

TAKE-OFF AND LANDING NOISE LEVELS

Five Second Time History

TEST TWO

Position A - East of Station, beyond strip center

Warm up			Cool down		
8:49:15	< 70		8:59:35	83.2	touch down
8:49:20	< 70		8:59:40	77.4	
8:49:25	< 70		8:59:45	73.1	
8:49:30	< 70		8:59:50	70.3	
8:49:35	< 70		8:59:55	< 70	
8:49:40	< 70		9:00:00	< 70	
8:49:45	< 70		9:00:05	70.0	
8:49:50	< 70		9:00:10	< 70	
8:49:55	< 70		9:00:15	< 70	
8:50:00	< 70		9:00:20	78.2	
8:50:05	< 70		9:00:25	71.1	
8:50:10	71.2		9:00:30	< 70	
8:50:15	70.4		9:00:35	< 70	
8:50:20	< 70		9:00:40	< 70	
8:50:25	< 70		9:00:45	< 70	
8:50:30	< 70		9:00:50	< 70	
8:50:35	< 70		9:00:55	< 70	
8:50:40	< 70		9:01:00	< 70	
8:50:45	< 70		9:01:05	< 70	
8:50:50	76.2		9:01:10	< 70	
8:50:55	<70		9:01:15	< 70	
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8:51:20	< 70		9:01:40	< 70	
8:51:25	< 70		9:01:45	< 70	
8:51:30	< 70		9:01:50	< 70	
8:51:35	< 70		9:01:55	< 70	
8:51:40	< 70		9:02:00	< 70	
8:51:45	< 70		9:02:05	< 70	
8:51:50	< 70		9:02:10	< 70	
8:51:55	< 70		9:02:15	88.1	
8:52:00	70.4		9:02:20	< 70	
8:52:05	< 70		9:02:25	< 70	
8:52:10	71.9		9:02:30	< 70	
8:52:15	73.0	liftoff	9:02:35	< 70	

Readings are maximum level (in dBA) recorded for each five second period

TAKE-OFF AND LANDING NOISE LEVELS

Five Second Time History

TEST THREE

Position C - West of Station, near Theta apartments

Warm up			Cool down		
9:12:25	< 70		9:36:20	71.8	touch down
9:12:30	< 70		9:36:25	70.2	
9:12:35	< 70		9:36:30	< 70	
9:12:40	< 70		9:36:59	< 70	
9:12:45	< 70		9:36:40	< 70	
9:12:50	< 70		9:36:45	< 70	
9:12:55	< 70		9:36:50	< 70	
9:13:00	< 70		9:36:55	< 70	
9:13:05	< 70		9:37:00	< 70	
9:13:10	< 70		9:37:05	< 70	
9:13:15	< 70		9:37:10	< 70	
9:13:20	< 70		9:37:15	< 70	
9:13:25	< 70		9:37:20	< 70	
9:13:30	< 70		9:37:25	< 70	
9:13:35	< 70		9:37:30	< 70	
9:13:40	< 70		9:37:35	< 70	
9:13:45	< 70		9:37:40	< 70	
9:13:50	< 70		9:37:45	< 70	
9:13:55	< 70		9:37:50	< 70	
9:14:00	< 70		9:37:55	< 70	
9:14:05	< 70		9:38:00	< 70	
9:14:10	< 70		9:38:05	< 70	
9:14:15	< 70		9:38:10	< 70	
9:14:20	< 70		9:38:15	< 70	
9:14:25	< 70		9:38:20	< 70	
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9:14:35	< 70		9:38:30	< 70	
9:14:40	< 70		9:38:35	< 70	
9:14:45	< 70		9:38:40	< 70	
9:14:50	< 70		9:38:45	< 70	
9:14:55	< 70		9:38:50	< 70	
9:15:00	< 70		9:38:55	< 70	
9:15:05	< 70		9:39:00	< 70	
9:15:10	< 70		9:39:05	< 70	
9:15:15	< 70		9:39:10	< 70	
9:15:20	70.5		9:39:15	< 70	
9:15:25	71.3	liftoff	9:39:20	< 70	

Readings are maximum level (in dBA) recorded for each five second period

TAKE-OFF AND LANDING NOISE LEVELS

Five Second Time History

TEST FOUR

Position B - SW corner of Carlisle & Comanche

(second of two tests at this location)

Warm up			Cool down		
9:36:55	71.6		9:47:50	87.2	touch down
9:37:00	70.5		9:47:55	82.8	
9:37:05	70.9		9:48:00	75.2	
9:37:10	73.8		9:48:05	73.7	
9:37:15	71.3		9:48:10	74.9	
9:37:20	72.5		9:48:15	70.8	
9:37:25	74.0		9:48:20	74.1	
9:37:30	71.6		9:48:25	70.2	
9:37:35	72.2		9:48:30	< 70	
9:37:40	76.1		9:48:35	73.3	
9:37:45	74.8		9:48:40	70.5	
9:37:50	73.4		9:48:45	71.9	
9:37:55	71.1		9:48:50	< 70	
9:38:00	75.1		9:48:55	71.0	
9:38:05	73.0		9:49:00	no reading	
9:38:10	74.6		9:49:05	no reading	
9:38:15	70.9		9:49:10	no reading	
9:38:20	72.2		9:49:15	no reading	
9:38:25	70.2		9:49:20	no reading	
9:38:30	71.3		9:49:25	no reading	
9:38:35	74.9		9:49:30	no reading	
9:38:40	75.2		9:49:40	no reading	
9:38:45	73.7		9:49:40	no reading	
9:38:50	75.1		9:49:45	no reading	
9:38:55	72.9		9:49:50	no reading	
9:39:00	70.7		9:49:55	no reading	
9:39:05	< 70		9:50:00	no reading	
9:39:10	70.3		9:50:05	no reading	
9:39:15	77.1		9:50:10	no reading	
9:39:20	70.4		9:50:15	no reading	
9:39:25	72.8		9:50:20	no reading	
9:39:30	74.3		9:50:25	no reading	
9:39:35	73.0		9:50:30	no reading	
9:39:40	70.0		9:50:40	no reading	
9:39:45	70.5		9:50:40	no reading	
9:39:50	71.7		9:50:45	no reading	
9:39:55	75.7	liftoff	9:50:50	no reading	

Readings are maximum level (in dBA) recorded for each five second period

Monitor 1 - Quest Model Q-300 Noise Dosimeter
Serial Number: QC8010129
Scale: A
Response: Fast
Range: 70 – 130 dB
Pre-calibration: 114 dB
Post- calibration: 114 dB

Monitor 2 - Quest Model Q-300 Noise Dosimeter
Serial Number: QC8010130
Scale: A
Response: Fast
Range: 70 – 130 dB
Pre-calibration: 114 dB
Post- calibration: 114 dB

Monitor 3 - Quest Model Q-300 Noise Dosimeter
Serial Number: QC8010132
Scale: A
Response: Fast
Range: 70 – 130 dB
Pre-calibration: 113.9 dB
Post- calibration: 114 dB

Monitor 4 - Quest Model Q-300 Noise Dosimeter
Serial Number: QC6100122
Scale: A
Response: Fast
Range: 70 – 130 dB
Pre-calibration: 114 dB
Post- calibration: 113.9 dB

Calibration Unit - Quest QC-10/QC-20
114 dB ~ 1000 Hz
Calibrated 06/23/00

ROBERT M. ST. JOHN
JOSEPH J. MULLINS
MARK K. ADAMS
ROBERT G. McCORKLE
BRUCE HALL
JOHN P. SALAZAR
WILLIAM S. DIXON
JOHN P. BURTON
REX D. THROCKMORTON
JONATHAN W. HEWES
W. ROBERT LASATER, JR.
MARK C. MEIERING
CATHERINE T. GOLDBERG
TRAVIS R. COLLIER
EDWARD RICCO
W. MARK MOWERY
PATRICK M. SHAY
NANCY J. APPLEBY
ELLEN T. SKRAK
TRACY M. JENKS
HENRY M. BOHNHOFF
CHARLES K. PURCELL
ANDREW G. SCHULTZ
JOHN M. BRANT
JOSEPH B. ROCHELLE
SCOTT D. GORDON
SUSAN S. THROCKMORTON
DEWITT M. MORGAN

MARK A. SMITH
R. NELSON FRANSE
THERESA W. PARRISH
PAUL R. KOLLER
JAMES P. BIEG
CHARLES J. VIGIL
MARY KELEHER CASTLE
THOMAS L. STAHL
DAVID W. BUNTING
GARY D. EISENBERG
LESLIE McCARTHY APODACA
SUSAN BARGER FOX
MACDONNELL GORDON
PAUL C. COLLINS
WILLIAM J. ARLAND, III
JAMES A. ASKEW
JEFFREY M. CROASDELL
JEFFREY L. LOWRY
DEBORAH E. MANN
ALICE NYSTEL PAGE
AMY BADGER WHITEMORE
THOMAS A. OUTLER
SETH L. SPARKS
LISA A. CHAVEZ
JOCELYN C. DRENNAN
MICHAEL J. BRESCIA
MICHELLE HENRIE
SUNNY J. NIXON

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PEARCE C. RODEY (1889-1958)
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P. O. BOX 1357
SANTA FE, NM 87504-1357
TELEPHONE (505) 954-3900
FACSIMILE (505) 954-3942

WRITER'S DIRECT NUMBER

August 4, 2000

HAND DELIVERED

Ms. Debbie Stover
Planner
Planning Department
City of Albuquerque
600 2nd Street NW
Albuquerque, NM 87102

Re: KOAT TV Zone Change Request / Z-00110-00000-00888
BP-00128-00000-00889

Dear Ms. Stover:

I enclose herein for your information and review the following correspondence supportive of the on-site KOAT TV helicopter operation:

1. Letter from John Lilly on behalf of Alta Monte Neighborhood Association dated April 17, 2000.

2. Letter from Bob Swartwood and Karen Schueler on behalf of Montgomery Heights Neighborhood Association dated July 15, 1999.

3. Letter from Ray Montgomery on behalf of Montgomery I-25 Neighborhood Association dated August 31, 1998.

We would appreciate it if you would place these letters in the referenced file following your review.

Sincerely,

RODEY, DICKASON, SLOAN, AKIN & ROBB, P.A.

By
John P. Salazar

JPS/jsd

Enclosures

Send to: KOAT TV 7
Subject: Helicopter

ALTA MONTE NEIGHBORHOOD ASSOCIATION
P. O. Box 30131
Albuquerque, NM 87190-0131

April 17, 2000

KOAT TV, Channel 7
3801 Carlisle Blvd. NE
Albuquerque, NM 87107

Attn: Wynn Wood and Paul Shipley

RE: On site helicopter

Gentlemen:

The Board of Directors of the Alta Monte Neighborhood Association has asked me to write you this letter concerning your on site helicopter pad. The Association does not consider the takeoff and landing of your helicopter from this site to be a nuisance nor does the Association belive your helicopter creates excessive and/or undue noise levels.

Military helicopters that overfly our neighborhood on their way to Kirtland Air Force base create a much higher noise level than your helicopter does. Also commercial air-liners that overfly our neighborhood on their approach to the North-South runway at the Sunport create a much greather disturbance than your helicopter.

We also have a city Fire Station just to the North of your helicopter site. The coming and going of the firetrucks creates a greater noise disturbance than your helicopter take offs and landing. A necessary evil but nevertheless a disturbance to the tranquility of the neighborhood.

The gathering of the news and the desemination of the news is just as much of a public service as protecting the public from fires and certainly creates less noise.

The Alta Monte Neighborhood Association supports your efforts to keep your on site helicopter pad. It has existed there for many years. We do not see any reason for you to have to relocate it.

Sincerely,
ALTA MONTE NEIGHBORHOOD ASSOCIATION

John C. Lilly

XC: Board of Directors

Ray Montgomery
President
Montgomery I-25 Neighborhood Association
1720 Louisiana NE, Suite 310
505-260-1099

August 31, 1998

Mr. Joe Chavez
Environmental Planning Commission Chairman
C/O Planning Department
Development Services Division
P.O. Box 1293
Albuquerque, NM 87103

Dear Mr. Chavez:

I am the President of the Montgomery I-25 Neighborhood Association, a position I have held since the Association was founded in 1983. During those 15 years, I can assure the Commission that I have not received one complaint about KOAT's helicopter! In fact, the neighbors enjoy having the helicopter so visible in the area. The general sentiment of the residents is "Sky 7 is nifty."

Apparently there are now concerns raised by the Albuquerque Country Club neighborhood about KOB-TV landing its helicopter at their station. Those concerns stem from residents feeling that the helicopter is flying over homes as it takes off and lands. Our neighborhood is different. KOAT's helicopter is able to take off and fly down either Carlisle or Comanche. The immediate area around KOAT is more commercial than residential, eliminating the concerns of the helicopter flying over homes.

When KOAT-TV officials were looking for a location to build their new facility in 1979, I personally took an active role in encouraging them to locate at Comanche and Carlisle. The station was built in 1980, and for 18 years has been a wonderful neighbor, and good for our neighborhood. Again, let me stress that I have never even had one complaint about the helicopter taking off or landing from the station. Kids enjoy watching Sky 7, and adults know that the reporters are in active pursuit of informing them of breaking news.

When KOAT-TV purchased the land, then General Manager Max Sklower wanted to buy additional acreage to the Northwest for the helicopter to land behind the station. I encouraged management to land the helicopter right out in front, where everybody could see it and enjoy it. That's what was done, and it has been great.

As President of the Association, responsible for accurately reflecting the concerns of neighbors in the KOAT-TV area, I strongly recommend that this Commission continue to allow KOAT-TV to fly Sky 7 from the station.

Respectfully,

Ray Montgomery
President

Montgomery Heights Neighborhood Association
c/o 3517 Hendrix Road NE
Albuquerque, NM 87107
July 15, 1999

M.L. ROPER

JUL 16 1999

Vincent E. Griego, President
City Council
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

Dear Mr. Griego,

The Montgomery Heights Neighborhood Association would like the City Council to know that we have had no complaints about the helipad for KOAT-TV either before the recent publicity about helicopter noise or since. We feel that Channel 7 planned the location of its helipad well and uses Carlisle and Comanche Boulevards and the Diversion Channels for the helicopter route rather than flying over buildings. The helicopter has the practice of ascending and descending from a high position over the helipad to minimize noise. The helicopter does not seem to be flown everyday and very seldom is heard in the evening.

Our neighborhood is bounded by Montgomery, Carlisle, Comanche and the North Diversion Channel. Though we are not that large, we have a mixture of individual homes, apartments and duplexes, shops, offices, restaurants and businesses with a bank, a medical facility, a fire station and KOAT-TV station. We are a part of this city and realize that in exchange for the conveniences of a city, we cannot have the quietness of the country. We do hear the Channel 7 helicopter come and go but the interruption is brief; in fact, our first thought is what's happening? and where? The Montgomery Heights Association has even put the Channel 7 helicopter into its newsletter logo along with Firestation No. 19 as these are identifying features of the neighborhood.

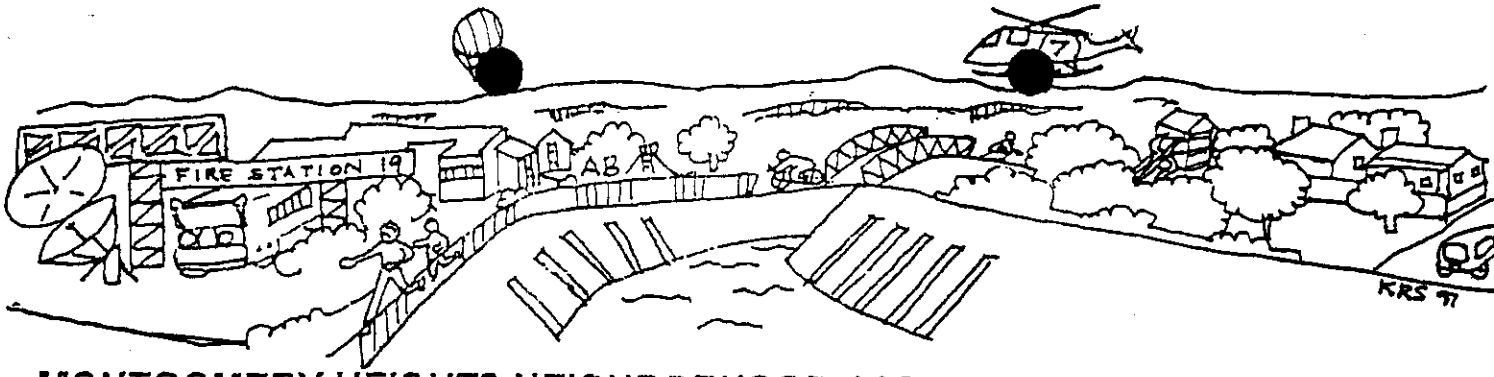
When we think of the various intrusive and constant noisemakers heard in our neighborhood, such as the freeway hum, fire engines, emergency vehicles, buses, train whistles, speeding cars, police surveillance planes, garbage trucks, north/south airplane traffic, barking dogs, loud music, and burgler alarms, the KOAT-TV helicopter's contribution is minor mainly due to it's thoughtful operation by Channel 7.

Sincerely,

Bob Swartwood, President

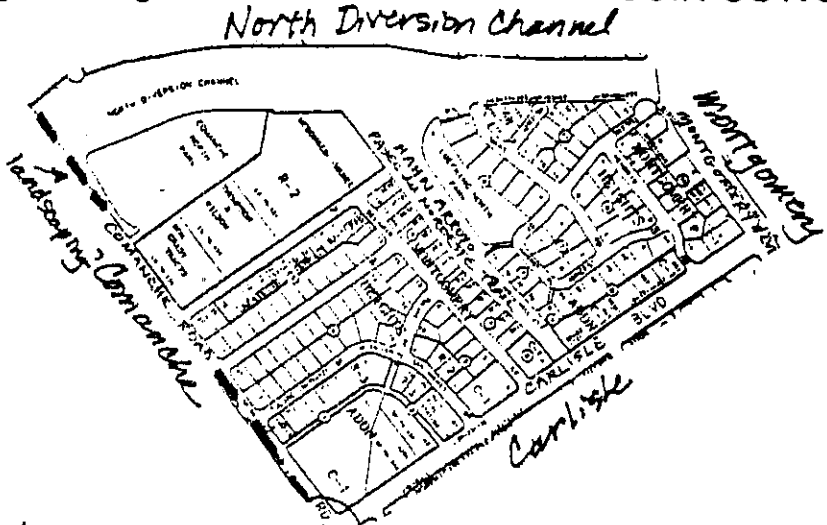
Karen Schueler, Secretary

cc: Pahl Shipley, KOAT-TV
Mayor Jim Baca



MONTGOMERY HEIGHTS NEIGHBORHOOD ASSOCIATION

If you live or have a business within the boundaries of Comanche, Carlisle, Montgomery and the North Diversion Channel, you can be a member of the Montgomery Heights Neighborhood Association. JOIN US NOW!



Those who live here know we are conveniently located within Albuquerque, near the freeway, the bicycle path and the bus line and have many fine local businesses and restaurants nearby as well as a firestation. We have spectacular views of the mountains and the volcanoes from the bicycle path which runs through our neighborhood and pleasant residential streets and homes with well maintained apartment complexes. We urge those neighbors who live here to join the Montgomery Heights Neighborhood Association and work with us to maintain the features we enjoy and improve the issues that concern all of us.

OUR NEXT GENERAL MEETING AND ELECTIONS WILL BE IN APRIL. WE WANT TO SEE YOU THERE. *A newsletter will be delivered in April announcing date, time and location. The 1998-99 Officers for the Montgomery Heights Neighborhood Association are: Bob Swartwood, President, 881-3151, Andy Caird, V-P, 884-5656, Dan Pyzel, Treasurer, 883-0291, and Karen Schueler, Secretary, 889-0103.*

Printing donated by RMS Engineering, 4015 Carlisle NE.

HAVE YOU JOINED THE NEIGHBORHOOD ASSOCIATION YET? Dues are just $10 per household or $20 per business. The Neighborhood Associations exist to be the conduit for information from the city to the neighborhood and vice versa. Send your dues to the treasurer: Dan Pyzel, 4305 Wellesley NE, Albuquerque, NM, 87107. Make checks payable to Montgomery Heights Neighborhood Association. Please list name, address, phone #.

Proposed Noise Control Ordinance

CITY of ALBUQUERQUE
FOURTEENTH COUNCIL

COUNCIL BILL NO. O-34 ENACTMENT NO. _____

SPONSORED BY:

ORDINANCE
..Title
Amending Chapter 9, Article 9, R.O.A. 1994, The Noise Control Ordinance.
..Body
Be It Ordained By The Council, The Governing Body Of The City Of Albuquerque:
Section 1. Section 9-9-1 et seq., R.O.A. 1994, is hereby amended to read as follows:
9-9-1 SHORT TITLE [+AND DECLARATION OF INTENT+].
(A) This article may be cited as the "Noise Control Ordinance."
[+(B) A substantial body of scientific research has shown that exposure to excessive sound and vibration may be a serious hazard to the public health, welfare, safety and quality of life. It is therefore declared to be the intent of the City Council (through this ordinance and through other City regulations) to minimize the exposure to the potential physiological and psychological dangers of excessive noise and protect, promote and preserve the public health, safety and welfare. It is the express intent of the City Council to control the level of noise in a manner that promotes the use, value and enjoyment of property, conduct of business, sleep and repose and reduces unnecessary and excessive sound in the environment.+]
9-9-2 DEFINITIONS.
For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.
[+APPROVED+] SOUND-LEVEL METER. An instrument [-including a microphone, an amplifier, an output meter, and weighting networks that is-] sensitive to pressure fluctuations and [+meeting the standards of the American National Standards Institute (ANSI S1.4-1983) Type 1 or Type 2 or those of IEC Publication 651 or those of the latest respective revisions thereof+] [-The output meter reads sound pressure level when properly calibrated and the instrument is of Type 2 or better as specified in ANSI S1.4-1971.-]

A?WEIGHTED SOUND PRESSURE LEVEL. The sound pressure level as measured on an [-ANSI-S1.4-1971 Type 1 or Type2-] [+approved+] sound-level meter using the A?weighting network. Instrument response shall be "fast" for motor vehicle measurements and "slow" for all other measurements.
AMBIENT NOISE LEVEL. The sound pressure level of the all-encompassing noise associated with a given environment, being usually a composite of sounds from many sources and excluding the specific noise under investigation; the A?weighted sound pressure level equaled or exceeded 90 percent of the time [+(L90)+] and based on a maximum [-of a-] one-hour [+sample+]period [-(L90)-].
[+DAYTIME. From 7:00 a.m. (0700 hours) to 10:00 p.m. (2200 hours).
DEPARTMENT. Albuquerque Environmental Health Department or its subsequent designation.+]
EMERGENCY WORK. Work made necessary to restore property to a safe condition following a public calamity, work to restore public utilities [+or roadways+]or work required to protect persons or property from an imminent exposure to danger.
[+GVW. Gross Vehicle Weight.

HAZARDOUS NOISE AREA SIGN. A rectangular-shaped sign with "CAUTION- THE SOUND LEVEL WITHIN THESE PREMISES MAY HARM YOUR HEARING" shown in capital letters at least 4 inches high on a white background. The sign shall include the noise symbol at least 9 inches high.
HELIPAD. Facility intended for the takeoff and/or landing of helicopters at a location other than an airport or other general aviation facility.
IEC. International Electrotechnical Commission.+]
MAYOR. The Mayor or his designated representative.
MOTORCYCLE. Every motor vehicle having a seat or saddle for use by
the rider and designed to travel with not more than three wheels in contact with the ground, including every motorscooter, motor?driven cycle and mini?bike, but excluding a tractor.
MOTOR VEHICLE. Every vehicle which is self?propelled, but excluding off?highway construction equipment, or unlicensed construction equipment or equipment operated upon rails.
NIGHTTIME. From 10:00 p.m. (2200 hours) to 7:00 a.m. (0700 hours).
[+NOISE-SENSITIVE AREA. Any area within 500 feet of an occupied school, hospital, church, library, licensed child-care facility, licensed adult-care facility or residential property.
NOISE SYMBOL.+]

PERSON. A person, firm, association, co-partnership, joint venture, corporation, or any entity, public or private in nature.
PLAINLY AUDIBLE SOUND. Any sound for which the information content of that sound is unambiguously communicated to the listener, such as, but not limited to, understandable spoken speech [-,-] [+which need not be wholly discernable, or +] comprehension of whether a voice is raised or normal, [+or bass reverberations,+] or comprehensible musical rhythms.
[+QUIET AREA. An area designated and maintained to not exceed a sound level of 70 dB at any point within that area as a result of amplified sound.+]
REFERENCE PRESSURE. The reference pressure for all sound level measurements shall be [-20 micronewtons per square meter (20 uN/m2)-] [+20 micropascals (20 uPa).+] This shall be further defined as 0dB(A).
RESIDENTIAL, [-OFFICE or-] COMMERCIAL, [+INDUSTRIAL+] [-ZONE-]. [-Any area of the city defined as residential, office or commercial
in the Zoning Code of the city.-] [+These terms shall be as used in the Zoning Code (Chapter 14, Article 16, Albuquerque Code of Ordinances). Residential mixed-use property is defined as residential for purposes of the Noise Control Ordinance.+]
SOUND AMPLIFYING EQUIPMENT. Any machine or device for the sound amplification of the human voice, music, or any other sound. [-"Sound amplifying equipment"shall not include standard automobile radios when used and heard only by the occupants of the vehicle in which the automobile radio is installed.-] "Sound amplifying equipment" shall not include warning devices on authorized emergency vehicles or horns or other warning devices on any vehicles used only for traffic safety purposes.
[-SOUND?LEVEL METER. An instrument including a microphone, an amplifier, an output meter, and weighting networks that is sensitive to pressure fluctuations. The output meter reads sound pressure level when properly calibrated and the instrument is of Type 2 or better as specified in ANSI1.4-1971.-]
9-9-3 DECIBEL MEASUREMENT CRITERIA.
[+Unless otherwise indicated,+] any decibel [+(dB)+] measurement made pursuant to the provisions of this article shall be based on the reference sound pressure and measured with a sound level meter using the A?weighting network. [+In this ordinance, the terms dB and dB(A) are synonymous unless otherwise stated.+]
9-9-4 SOUND AMPLIFYING EQUIPMENT.

(A) [+Bands.+]It shall be unlawful for any person within any zone of the city to practice, play, or conduct live band activities using sound amplifying equipment in such a manner that the noise level produced exceeds 50 dB[-(A)-] or [-10-] [+5+] dB[-(A)-] above the ambient noise level, whichever is higher, when measured [-at the property line of any residential property-] [+on any other property+] or, if a condominium or apartment house, within any adjoining apartment or to conduct such activities or operate any such device [-between 10:00 pm (2200 hours) and 7:00 a.m (0700 hours)-] [+in the nighttime +] so as to be plainly audible within any dwelling unit which is not the source of sound.
[-(C)-] [+(B)+] Radios, televisions, stereos, and other sound amplifying equipment shall be operated in such a manner that the noise level will not exceed 50 dB[-(A),-] or [-10-] [+5+] dB[-(A)-] above the ambient noise level, whichever is higher, when measured [-at the property line of any residential property-] [+on any other property+] or, if a condominium or apartment house, within any adjoining apartment provided that [-between 10:00 p.m. (2200 hours) and 7:00 a.m. (0700 hours)-] such equipment shall not be operated [+in the nighttime+] so as to be plainly audible within any dwelling unit which is not the source of [-the-] sound. [+Vehicular sound amplification devices are further subject to the requirements of E below.+]
[+(C) Portable self-contained music or sound amplification equipment shall not be operated in the daytime on a public space or right-of-way in such a manner as to be plainly audible 25 or more feet from the operator. Such equipment shall not be operated in the nighttime in such a manner that is plainly audible by any person other than the operator.+]
[-(B)-][+(D)+] [+Provisions in (A) and (B) and (C) above+] [-Division (A) of this section-] shall not apply to any person who has [-applied for and received-] [+obtained+]a temporary [+amplified sound +] permit as described in 9-9-[+14+][-(15)-] [+of this article.+]
[+(E) Vehicular sound amplification devices. No person operating or occupying a motor vehicle on a street, highway, alley, parking lot or driveway shall operate or allow the operation of any sound amplification device from the vehicle resulting in plainly audible sound 25 or more feet from the vehicle. Commercial vehicles including, but not limited to, ice cream trucks with amplified sound used for commercial advertisement shall comply with this ordinance within 1 year of the effective date of this ordinance. During the 1-year compliance attainment period, no person operating or occupying a commercial motor vehicle including, but not limited to, ice cream trucks with amplified sound used for commercial advertisement shall cause or allow such amplified sound to result in sound levels above 50 dB or 5 dB over the ambient level, whichever is higher, on any residential property.
(F) No person shall allow, on premises available to the general public (including, but not limited to, dance halls, bars, auditoriums, movie theaters, arenas and stadiums) the exposure of any person to amplified sound over 90 dB unless a Hazardous Noise Area sign is prominently posted at each entry to the premises or a separate quiet area is available. Facilities owned and/or operated by the City of Albuquerque are subject to (G) below.
(G) No person shall allow, at an indoor or outdoor City of Albuquerque facility, the exposure of any person to amplified sound over 90 dB.
(H) Outdoor public address systems at private commercial facilities. No person shall cause or allow the operation of any outdoor sound amplifier, loudspeaker system or similar device producing, reproducing or amplifying sound at any private commercial facility.
(1) Systems installed and operated before the effective date of this article shall have the following time period (from the effective date) to meet this requirement:
(a) Systems over 10 years old shall comply within 6 months..
(b) Systems 5 to 10 years old shall comply within 1 year.
(c) Systems under 5 years old shall comply within 2 years.
(2) Other reasonable actions to minimize the off-property noise from the sound sources in this section are required during the specified compliance attainment period.+]
9-9-5 DRUMS AND BELLS [+AND MUSICAL INSTRUMENTS+].
[-It shall be unlawful for any-] [+No+] person [+shall+] [-to-]use any drum or other percussion or

musical instrument [-for the purpose of attracting attention by the creation of noise if the noise level produced exceeds-] [+resulting in sound levels above +]50 dB[-(A)-]or [-10-] [+5+]dB[-(A)-] above the ambient noise level, whichever is higher, when measured [+on+] [-at-] any [-residential-][+other+] property [-line-]. This section shall not apply to any person who is a participant in a school band or duly licensed parade or who has been otherwise duly authorized to engage in such conduct.

9-9-6 SCHOOLS, HOSPITALS, CHURCHES AND LIBRARIES.

[-It shall be unlawful for any-] [+No+] person [+shall+] [-to-] create any unnecessary noise on any street, sidewalk, or public place adjacent to any school, library, or other institution of learning, or church, while the same is in use; or adjacent to any hospital, which noise unreasonably interferes with the workings of such institution or which disturbs or unduly annoys patients in the hospital, provided conspicuous signs are displayed in such streets, sidewalk or public place indicating the presence of a school, hospital, church or library.

9-9-7 MACHINERY, EQUIPMENT FANS, AND AIR CONDITIONERS.

(A) [+Except for emergency work,+][-It shall be unlawful for any-] [+no+] person [+shall+] [-to operate,-] cause [+or allow+] to operate [-or permit to operate-] any stationary machinery, equipment, fan, air?conditioning apparatus, or similar permanently installed mechanical device in any manner so as to create noise which [+results in exceedance of the Table 1 limits specified in 9-9-13 of this article.+] [-exceeds 50 dB(A), or 10 dB(A) above the ambient noise level, whichever is higher, when measured at a residential property line.

(B) Stationary machinery, equipment, fans, and air conditioners, as defined by this section, shall have the following replacement periods:

(1) Installed and operating sources, of age ten years or older, shall comply with the provisions of this section within a reasonable time period, upon determination of a violation condition. This time period shall not exceed six months.

(2) Installed and operating sources, of age five to ten years, shall comply with the provisions of this section within a reasonable time period, upon determination of a violation condition. This time period shall not exceed one year.

(3) Installed and operating sources, of age under five years, shall comply with the provisions of this section within a reasonable time period, upon determination of a violation condition. This time period shall not exceed two years.

(C) Nothing in division (B) of this section shall be interpreted in such a way as to relieve the person responsible for such stationary machinery, equipment, fan, air conditioning apparatus, or similar permanently installed mechanical device, from the responsibility of taking other reasonable actions, other than replacement, directed at reducing noise levels from these sources at a residential property line.-]

[+(B) Power equipment. Except for emergency work, no person shall operate or cause to be operated outdoors, any power equipment including but not limited to, sweepers, power mowers, leaf blowers, rototillers, power saws or other power equipment used to sweep parking lots or other surfaces or power equipment used to perform gardening, property repair or other functions in a noise-sensitive area during the nighttime.

(C) No person shall install mechanical equipment such as, but not limited to, air conditioning or freezer compressors, evaporative coolers, exhaust fans or other noise-producing machines on commercial property with such equipment on the side facing adjacent residential property or such property separated only by an alleyway. Roof locations may be used when the mechanical equipment is installed and maintained so as to not result in an exceedance of the sound-level limits in Table 1. Mechanical equipment legally installed or in receipt of official final approval for installation before the effective date of this ordinance is specifically exempt from this location requirement.

9-9-8 CONSTRUCTION [+OR DEMOLITION+] OF BUILDINGS AND PROJECTS, [+EXCAVATION AND GRADING.

[+(A) Except for emergency work as defined in this article, no person shall,+] [-it shall be unlawful for

any person-] within [-a residential zone or within a radius of 500 feet therefrom,-] [+any noise-sensitive area,+] [-to-]operate or cause to be operated any equipment used in construction, repair, alteration, excavation, grading or demolition work on buildings, structures, streets, alleys or appurtenances thereto, with sound-control devices less effective than those provided on the original equipment [-,or in violation of any regulations of the United States Environmental Protection Agency; or to operate or cause to be operated any such equipment during the nighttime,-except in emergency situations as defined in this article, in such manner that the sound produced exceeds-50 dB(A), or 10- dB(A) above the ambient noise level, whichever is higher, when measured at the residential property line-].

[+(B) Projects in any noise-sensitive area that will exceed any of the following sound levels and durations shall comply with the Department's General Construction Noise Mitigation Provisions:

(1) nighttime projects that result in an exceedance of Table 1 limits during each of 4 or more nights;

(2) nighttime or daytime projects that result in an exceedance of 75 dB during any calendar day for more than 3 calendar days; or

(3) nighttime or daytime projects that result in an exceedance of 90 dB during any hour for more than 4 hours.

For purposes of Section 9-9-8(B) only, daytime hours are extended to include the period from 6:00 am to 10:00 pm. The location for sound-level measurements shall be on any noise-sensitive property other than the project property.

(C) Public works projects shall not be subject to (B) but shall comply with the Department's Public Works Noise Mitigation Provisions.

9-9-9 VEHICLE REPAIRS.

[-It shall be unlawful for any-] [+No+] person [+shall+] within any residential zone of the city [-to-] repair, rebuild [-,-] or test any motor vehicle [+so as to result in an exceedance of the Table 1 residential sound level limits specified in 9-9-13 of this article.+] [-in such a manner that the noise produced by such activity exceeds 50 dB(A) or 10 dB(A) above the ambient noise level, whichever is higher, when measured at the residential property line.-]

9?9-10 MOTOR VEHICLES.

(A) [-(1) (a)-] No person shall operate [-within the speed limits specified in this section in any roadway within the city-] [+,at any speed including idle,+] either a motor vehicle or combination of vehicles of a type subject to registration at any time or under any condition of grade, load, acceleration or deceleration in such a manner as to exceed the following [-noise-] [+sound level+] limits when measured [-50-][+25+] feet from the center of the vehicle path:

[+Sound Level Limit+]

[-Noise Limit in Relation to Posted Speed Limit-]

[-40 mph or less Over 40 mph-]

Type of Vehicle [+Time Period Maximum+]

[-(a)-] [+(1)+] Any motor vehicle with a [-86 dB(A) 90 dB(A)-]
Manufacturer's GVW rating of [+Daytime: 88 dB+]
[-8,000-] [+10,000+] lbs. or more, and [+Nighttime: 80 dB+]
any combination of vehicles towed by
such motor vehicle [+on city streets or
highways designated for heavy vehicle
traffic+]

[-(b)-][+(2)+]Any [-motorcycle-][+motor vehicle+] [- 82 dB(A) 86 dB(A)-]
[+with a GVW rating under 10,000 lbs. All Times: 80 dB
including motorcycles+]

[-(c) Any other motor vehicle or 76 dB(A) 82 dB (A)
combination of motor vehicles-]

[-(b) This division (1)-] [+The requirements in (A) above +][-applies-] [+apply+] to the total [-noise-] [+sound+] from a vehicle or combination of vehicles and shall not be construed as limiting or

precluding the enforcement of any other provisions of this article relating to motor vehicle mufflers for noise control.

[-(2) No person shall operate a motor vehicle having a manufacturer's gross vehicle rating of less than 6,000 lb., except a motorcycle, which exceeds 95 dB(A), measured 20 in. (508 mm) from the exhaust outlet. The measured exhaust system sound level of a stationary vehicle shall be the highest reading obtained during the test, disregarding unrelated peaks due to extraneous ambient noise. When there is more than one exhaust outlet, the reported sound level shall be for the loudest outlet. When there is more than one exhaust outlet extending from a single muffler, separated by less than 12 in. (305 mm), measurements shall not be made on the outlet furthest from the side of the vehicle.

(3) No person shall operate a motor vehicle having a manufacturer's gross vehicle weight rating of at least 6,000 lb. which exceeds 93 dB(A), measured 25 ft. (7.6 m) from the side of the vehicle. The sound level meter shall be observed during the full cycle of engine acceleration?deceleration, and the measured sound level reading shall be the highest value obtained during this cycle, excluding unrelated peaks due to extraneous ambient noise. When there is more than one outlet, the sound level for each side of the vehicle shall be measured, and the reported sound level shall be the average of the two highest readings within 1 dB of each other on the loudest side.-]

(B) (1) No person shall sell or offer for sale a recreational or off?highway motor vehicle, go?cart, or motorcycle, that [+can+] produce[-s-] a maximum [-noise-] [+sound level+] exceeding 88 dB[-(A) at a distance of 50-] [+when measured 25 or more+] feet from the center line of travel.

(2) [-It shall be unlawful for any-] [+No+] person [+shall+]

[-to-] operate a motor vehicle off a public right-of-way at any time or under any condition of load, acceleration, or deceleration, [-in such a manner that the noise produced by such operation exceeds-] [+resulting in an exceedance of +] 82 dB[-(A)-] at any point on occupied property zoned for residential [-,office-] or commercial use [-at a distance of not less than 50-][+when measured 25 or more+] feet from the path of travel. This [-division-] [+requirement+]shall not apply to commercial enterprises which are lawfully engaged in the repair and maintenance of such motor vehicles.

(C) [+Except when necessary to provide a warning signal, no person shall, within any 7-day period, cause or allow the sounding of any security alarm on or in any vehicle owned, leased or otherwise held by that person:

(1) on more than 2 occasions; or

(2) during more than 5 consecutive minutes.+]

9-9-11 AIRCRAFT [-ENGINE-][+-RELATED +] NOISE

(A) [ ] [+No+] person [+shall+] operate [+or+] run up or cause to be operated [+or+] run up [+for testing, repair or maintenance purposes,+] an aircraft engine which creates a] [+sound+] level of 50 dB or 5 dB above the ambient] [+sound+] level, whichever is higher, measured at any place within an inhabited residential zone of the city during the nighttime hours.[+Military aircraft shall be exempt from this provision.+]

(B) Any aircraft engine operating within an aircraft during a landing, takeoff or while moving upon the ground surface of an airport shall be exempt from the provisions of] [+(A)+].

(C) The intent of this section is to regulate the noise levels produced in the testing, maintenance and repairing of aircraft engines and aircraft in the nighttime hours to the extent such levels exceed 50 dB or [+5 +] dB above the ambient noise level, whichever is higher, measured within any inhabited residential zone of the city.

[+(D) Helicopter Noise. Takeoff and landing operations at heliports shall not result in exceedance of any of the following sound level/duration limits on any residential property:

65 dB for more than 5 minutes per operation;

70 dB for more than 90 seconds per operation;

80 dB for more than 15 seconds per operation;

90 dB for any length of time.

Nighttime takeoff and/or landing operations are prohibited. Sound level/duration limit compliance shall be determined with an approved sound-level meter which measures and records at least 16 distinct readings per second.
This section does not apply to helicopters used by the following personnel:
a) law enforcement
b) emergency medical transport
c) emergency search and rescue
9-9-12 REFUSE COLLECTION.
No person shall collect refuse with a refuse collection vehicle except during the following hours:
(A) Multi-Unit Residential Complexes Over 8 Units:
Monday through Friday: 6:00 am to 8:00 pm
Saturday, Sunday, Holiday: 7:00 am to 10:00 pm
(B) Residential and Noise-Sensitive Areas Not Specified in (A):
Monday through Friday: 7:00 am to 8:00 pm
Saturday, Sunday, Holiday: 7:00 am to 10:00 pm
(C) Areas Not Specified in (A) or (B):
Monday through Friday: 6:00 am to 10:00 pm
Saturday, Sunday, holiday: 7:00 am to 12:00 pm+]
9-9-[-12-][+13+] GENERAL NOISE [-REGULATION-].
Except as otherwise provided in this article, [-it shall be unlawful for any-] [+no+] person [+shall+] [-to-] make or continue, cause to be made or continued, or allow to be made or continued, any [-noise-] [+sound+] [-in excess of 50 dB(A), or10 dB(A) above the ambient noise level, whichever is higher at any residential property line.-] [+resulting in an exceedance of the following limits as measured at any location on any other property receiving the sound:
Table 1
General Sound-Level Limits
Land Use Time Maximum (dB)
Residential Daytime: 55
Nighttime: 50
Commercial Daytime: 60
Nighttime: 55
Industrial Daytime: 75
Nighttime: 70+]
9-9-[-15-] [+14+] TEMPORARY [+AMPLIFIED SOUND+] PERMITS.
(A) The Mayor may grant a temporary permit which allows non-compliance with the limitations prescribed in this article for the purpose of amplified sound activities of short duration. The issuance of such permits will be only for a time period between 7:00 am [-a.m. (0700 hours)-] and 12:00 pm [+(midnight)+] [-a.m. (2400 hours)-].
(B) Permits shall be granted upon application [-,at no cost to applicant,-] provided an initial [-investigation-] [+evaluation+] assures that the permit will not result in a condition injurious to health or safety.
(C) The following factors shall be considered, in the initial [-investigation-] [+evaluation+] [-in order-] to determine whether granting the permit will result in a condition injurious to health or safety:
(1) Distance of proposed activities from a residential zone.
(2) Number of amplification devices to be used in the proposed activities.
(3) Anticipated direction of amplification devices.
(4) Anticipated length of proposed activities.
(5) Whether the activity will be held within or without a structure.

(D) Upon a determination that the granting of a permit will not result in a condition injurious to health or safety, the permit shall be issued specifying place, duration, and any [+requirements+] [-restrictions-] appropriate to the proposed [+activity+] site [-of the activities.-][+to include:
a) neighborhood notification ;
b) sound reduction measures ; and
c) maximum allowable sound levels at any property boundary.+]
(E) Issued permits will be surrendered to any city police officer upon request when it is determined that [-the-] [+any+] restriction [-of the permit specifying duration-] [+contained in the permit+] has been violated.
(F) Reapplication for a permit may be denied upon evidence of a complaint(s) by a resident(s) in the locality of the permitted activity or if an applicant has in the past been required to surrender a permit as described in division (E).
(G) This section shall not apply to any person who has been granted a variance as prescribed by 9-9-[-14-][+15+].
(H) Any person aggrieved by the disposition of an application for a temporary [+amplified sound+] permit may appeal such disposition by filing a written petition with the Mayor within 30 days of the disposition. [-The procedures governing such appeals are those procedures promulgated by the Mayor as provided herein.-]
9-9-[-14-] [+15+] VARIANCES.
(A) The Mayor may grant an individual variance from the limitations prescribed in this article [+upon finding it to be in the public interest, or+][-whenever it is found, upon presentation of adequate proof,-] that compliance with any part of this article will result in an arbitrary and unreasonable taking of property, or will impose an undue economic burden upon any lawful business, occupation or activity, and that the granting of the variance will not result in a condition injurious to health or safety.

(B) Any variance, or renewal thereof, shall be granted within the requirements of division (A) of this section and for time periods and under conditions consistent with the reasons therefore, and within the following limitations:
(1) If the variance is granted on the grounds that compliance with the particular requirement or requirements will necessitate the taking of measures which, because of their extent or cost, must be spread over a considerable period of time, it shall be for a period not to exceed such reasonable time as, in the view of the Mayor is requisite for taking of the necessary measures. A variance granted on the ground specified in this division shall contain a timetable for taking of action in an expeditious manner and shall be conditioned on adherence to the timetable; or
(2) If the variance is granted on the ground that it is justified to relieve or prevent hardship of a kind other than that provided for in [-division (1) of this division (B)-][+(B)(1) above+], it shall be for not more than one year.
(C) Any person seeking a variance shall file a petition for variance with the Mayor. The Mayor shall [-investigate-] [+evaluate+] the petition and [+decide its+] [-make a determination as to the-] disposition [-thereof within-] [+after a review period of 10 working days from receipt of the petition+] [-ten working days following receipt of the request by the Mayor-].
(D) Any person aggrieved by [-the-] [+that+] disposition [-of a petition for a variance-] may appeal [-such disposition-] by filing a written petition with the Mayor within 30 days of [+the+] [-such-] disposition. [-The procedures governing such appeals shall be those procedures that have been promulgated by the Mayor as provided herein.-]
[+9-9-16 EXCEPTIONS.
The following sources of noise are specifically governed within the indicated Article of the Albuquerque Code of Ordinances:
a) animal noise: Animal Control Ordinance (Chapter 9, Article 2)
b) alarm system noise (structure/facility): Alarm Systems Ordinance (Chapter

9, Article 3)
c) vehicular horn noise: Traffic Code (Chapter 8, Article 6)
d) "unreasonable noise": Criminal Code (Chapter 12, Article 2)+]
9-9-[-13-] [+17+] ADMINISTRATION.
The Mayor shall be responsible for the administration of this article. Rules, regulations, and test and compliance procedures to carry out the intent and purpose of this article shall be promulgated by the Mayor [-after a public hearing-].
[+The Mayor shall have the authority to establish reasonable fees for costs associated with the administration of this article.+]
9?9?[-98-] [+18+] VIOLATIONS; ADDITIONAL REMEDIES; INJUNCTIONS.
As an additional remedy to the penalty set forth in 9?9?99, the operation or maintenance of any device, instrument, vehicle, or machinery in violation of any provision of this article, which operation or maintenance exceeds the limitations of this article may be subject to abatement summarily by a restraining order or injunction issued by a court of competent jurisdiction.
9-9-[-99-] [+19+] PENALTY.
Any person who violates any [+provision of this article shall be subject to the following penalties for offenses during any period of 36 or fewer months: a) fine of $25 for the first offense;
b) fine of $50 for the second offense;
c) fine of $100 for the third offense;
d) for fourth and subsequent offenses, the person shall be subject to the penalty provisions of Section 1-1-99 of the Albuquerque Code of Ordinances.+]
[-of the provisions of this article shall be subject to the general penalty provisions of this code set forth in 1-1-99.-] [+Each calendar day during which the violation occurs constitutes a separate and distinct offense.+]
Section 2. SEVERABILITY CLAUSE. If any section, paragraph, sentence, clause, word or phrase of this ordinance is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this ordinance. The Council hereby declares that it would have passed this ordinance and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provision being declared unconstitutional or otherwise invalid.
Section 3. COMPILATION. This ordinance shall be incorporated in and made part of the Revised Ordinances of Albuquerque, New Mexico, 1994.
Section 4. EFFECTIVE DATE. This ordinance shall take effect five days after publication in full.

Survey submitted by Mr. Jim Fanning at Pre-Hearing discussion Mr. Fanning stated to staff that NMPIRG took this survey in Oct. 1998.

Channel 7 Survey Results

Family Questionnaires:

123	Covered in survey	
58	No Concern	47.15 % (of total 123)
65	Yes for at least one question	52.84%
27	Just interested in a helicopter meeting	21.95%
38	Had concerns	30.80% (of total 123) or 58.46% (of 65 w/one question)

Breakdown of the 38 households with concerns:

22	Had issues w/noise	57.89%
9	Had issues w/air pollution	23.68%
28	Had issues w/safety	73.68%
23	Would support removal legislation	60.52%
17	Would be interested in council meetings re: helicopters.	44.74%

Business Questionnaires:

8	Covered in Survey	
6	Had Concerns	75.0 %
1	With noise	16.66%
1	With air	16.66%
4	With safety	66.66%
4	Would support removal	66.66%
2	Interested in Council Meeting	33.33%

EXHIBIT FOR KOAT-TV

TRACT A-1, BLOCK 1
MONTGOMERY HEIGHTS
SECTION 3, T. 10 N., R. 3 E., N.M.P.M.
ALBUQUERQUE, NEW MEXICO
NOVEMBER 1998

EXHIBIT E

TRACT A, BLOCK 1 MONTGOMERY HEIGHTS (3/29/79, 80-108)

ZONED R-3

LOT B, BLOCK 1 MONTGOMERY HEIGHTS (9/9/82, 91-84)

LOT 4, BLOCK 1

ZONED R-1

LOT 3, BLOCK 1

LOT 2, BLOCK 1 MONTGOMERY HEIGHTS (9/9/82, 91-84)

ZONED O-1

LOT 1-A, BLOCK 1 MONTGOMERY HEIGHTS (12/10/84, C.32-82)

30' ALLEY

TRACT A-1, BLOCK 1
MONTGOMERY HEIGHTS

TRACT A-1, MONTGOMERY HEIGHTS

HELICOPTER PAD

373.8'

PALO DURO AVENUE NE

396.6'

FND #5 REBAR

FND #5 REBAR LS 4680 CAP

COMANCHE ROAD NE

CARLISLE BOULEVARD NE

374.4'

TRACT 2 NORTH CARLISLE ADDITION, CARLISLE PLAZA (7/16/79, C11-78)

ZONED C-1

TRACT 1

LOT A, BLOCK 1

ZONED R-1

LOT B, BLOCK 1 NORTH CARLISLE ADDITION (2/16/84, 83-103)

LOT C, BLOCK 1

TRACT 3

TRACT 4

COMANCHE ROAD NE

ZONED R-1

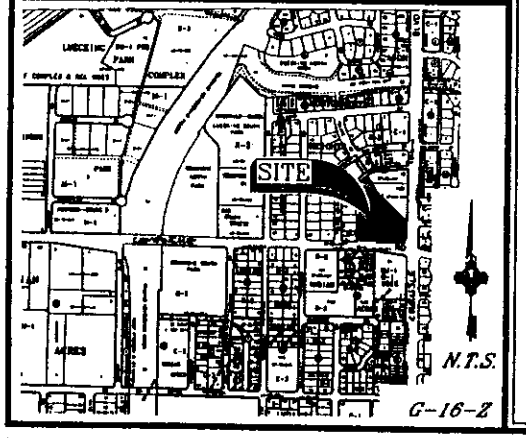
LOT 1, BLOCK 1 CARLISLE PLAZA (10/30/81, 09-28)

FND BOLA IRON IN CURB

SCALE: 1" = 60'

1" = 60'
PROJECT NO. 5138-93
DRAWN BY JD
ZONE ATLAS: G-16-Z

Vicinity Map



SURVEYOR'S CERTIFICATE

I hereby certify that this exhibit is the result of an actual ground survey performed by me or under my supervision and that the dimensions shown hereon are true and correct to the best of my knowledge and belief.

THOMAS W. PATRICK
N.M.P.S. NO. 12651

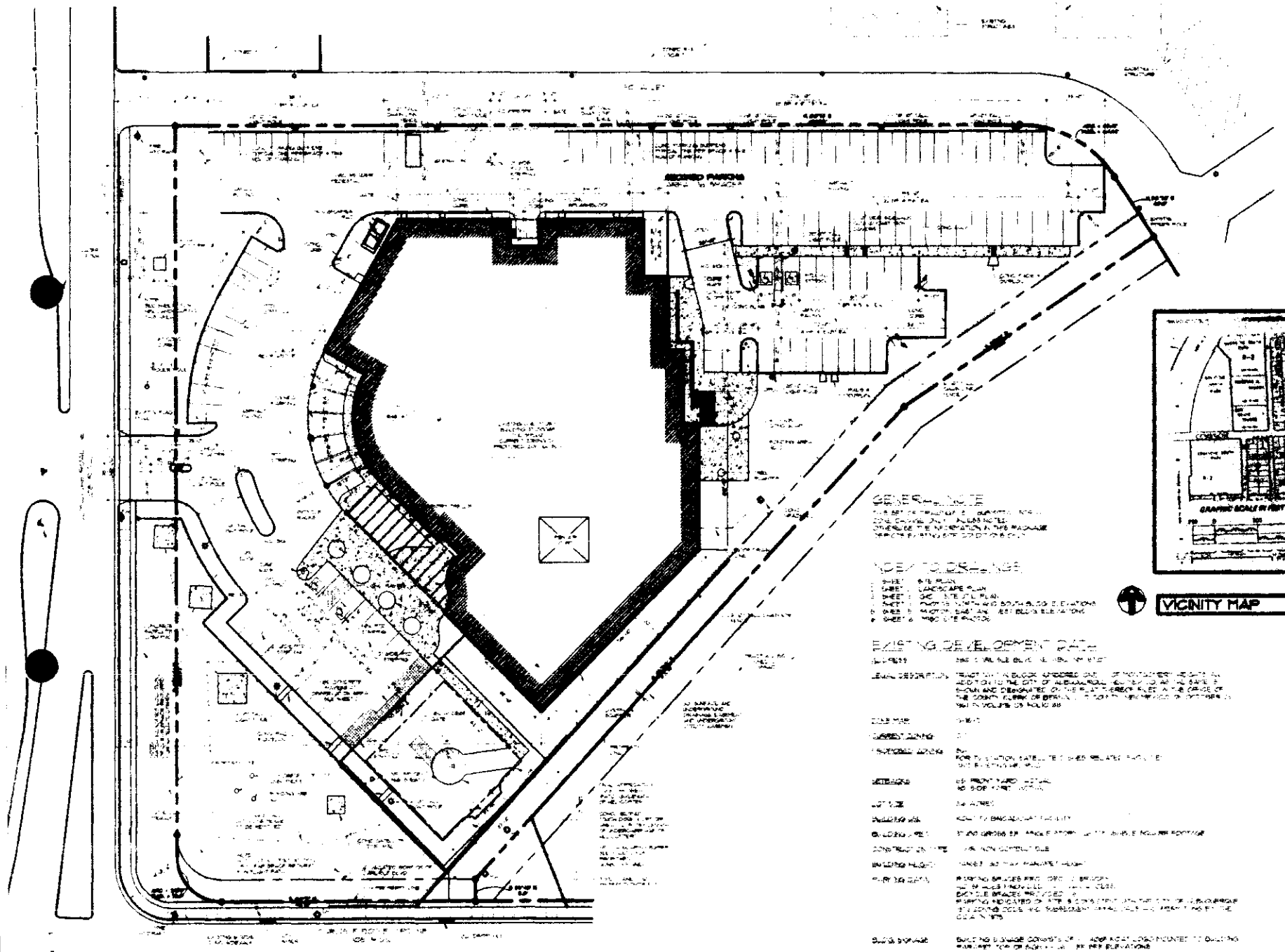
Date: 1 December 1998

THOMAS W. PATRICK NEW MEXICO 12651 REGISTERED PROFESSIONAL SURVEYOR

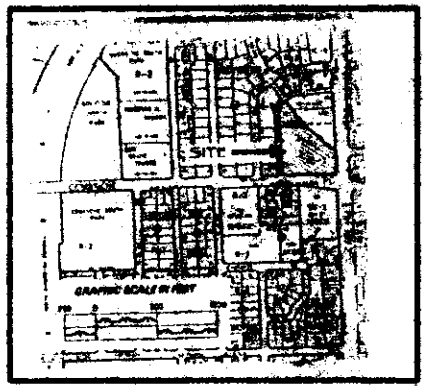
SOUTHWEST SURVEYING CO., INC.
333 LOMAS BLVD., N.E.
ALBUQUERQUE, NEW MEXICO
87102
PHONE: (505) 998-0303
FAX: (505) 998-0308

TION R3E SEC. 3

C:\MEASURE\DWG\CURRENT\9828-03 Thu Dec 3 17:16:54 1998 JODY



SITE PLAN

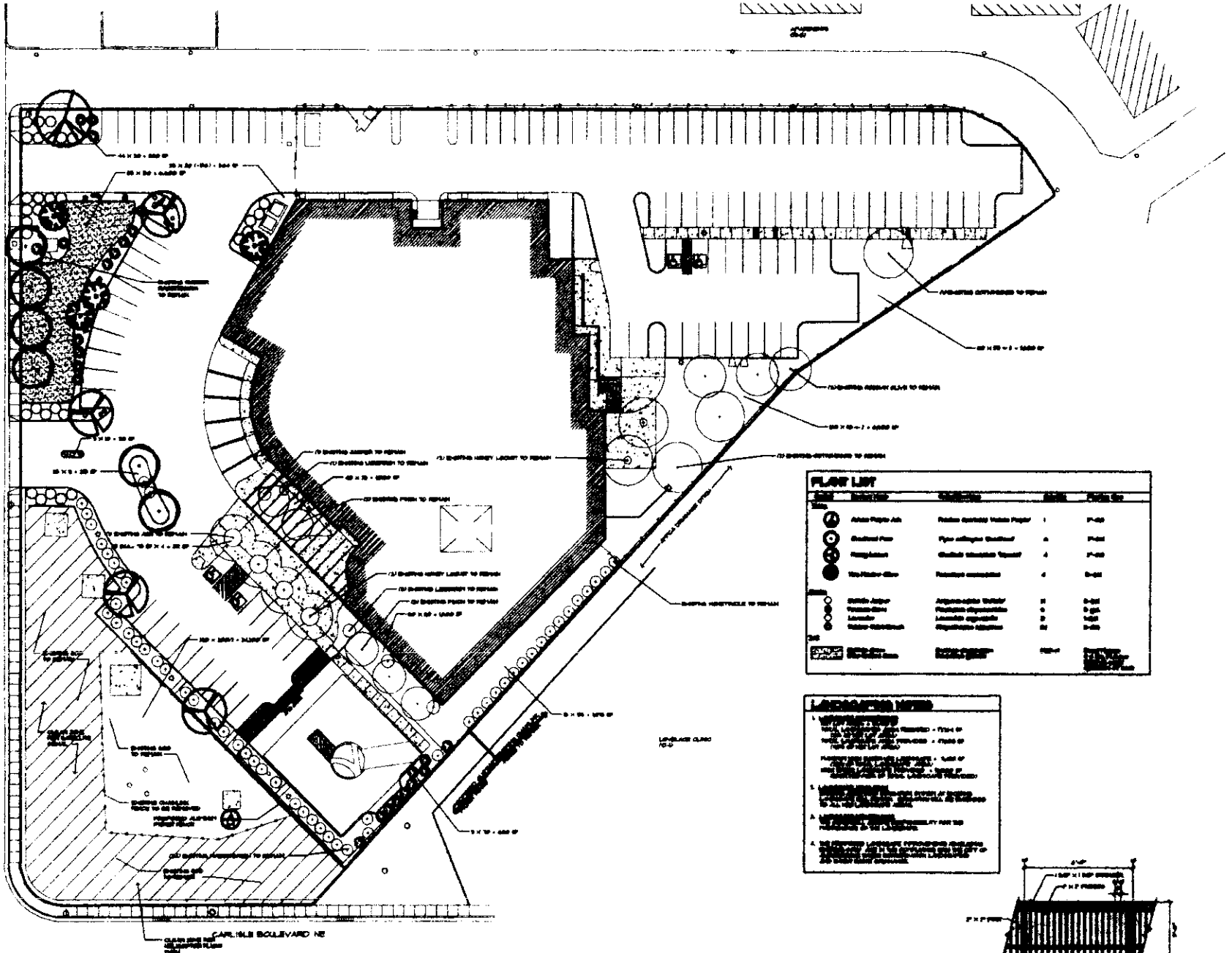


VICINITY MAP

EXISTING DEVELOPMENT DATA

PARKING DATA

SHEET 1



LANDSCAPE PLAN

FANNING-HARD TATUM

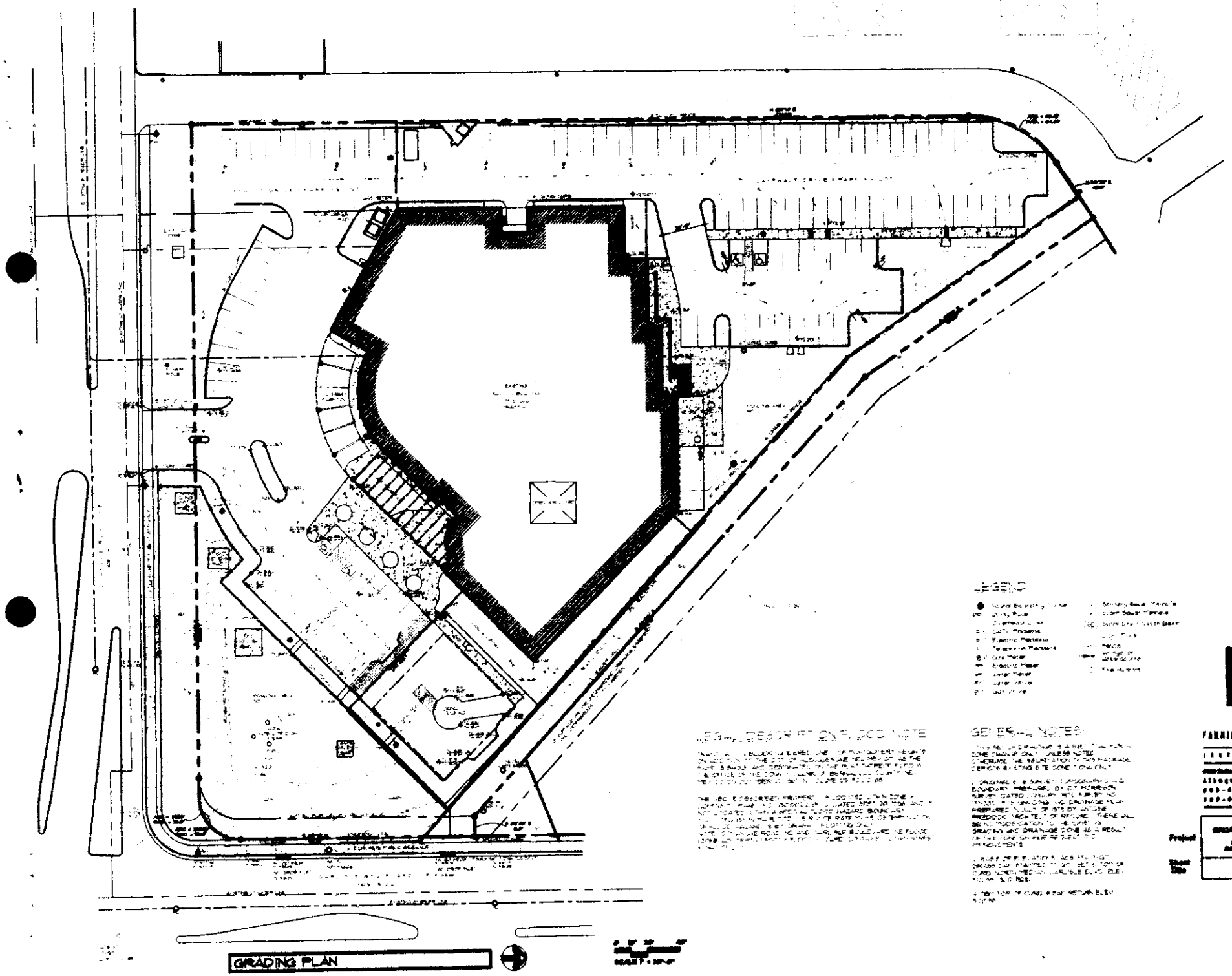
Project

Sheet Title

Sheet

L-1

Of



GRADING PLAN

LEGEND

GENERAL NOTES

FANNING BARD TATUM

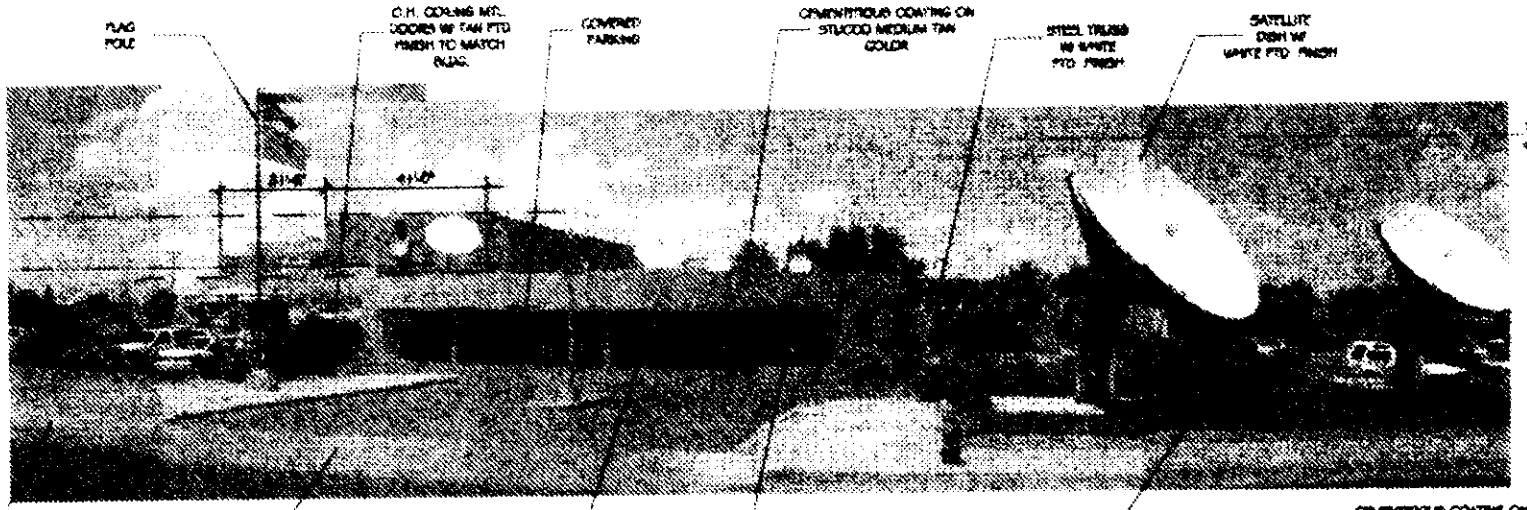
Project

Sheet Title

Sheet

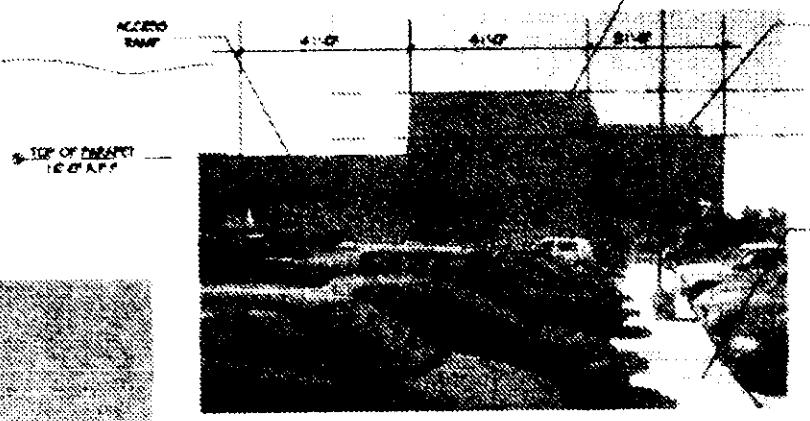
SHEET 3

of



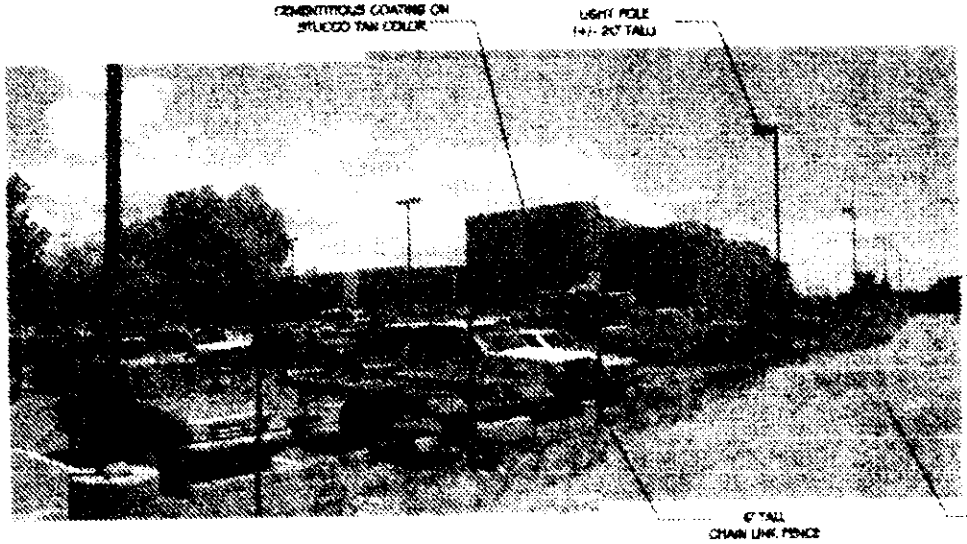
SOUTH ELEVATION

VIEW FROM COMANCHE LOOKING NORTH



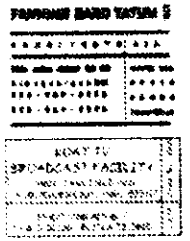
NORTH ELEVATION

VIEW FROM REAR PARKING LOT LOOKING SOUTH



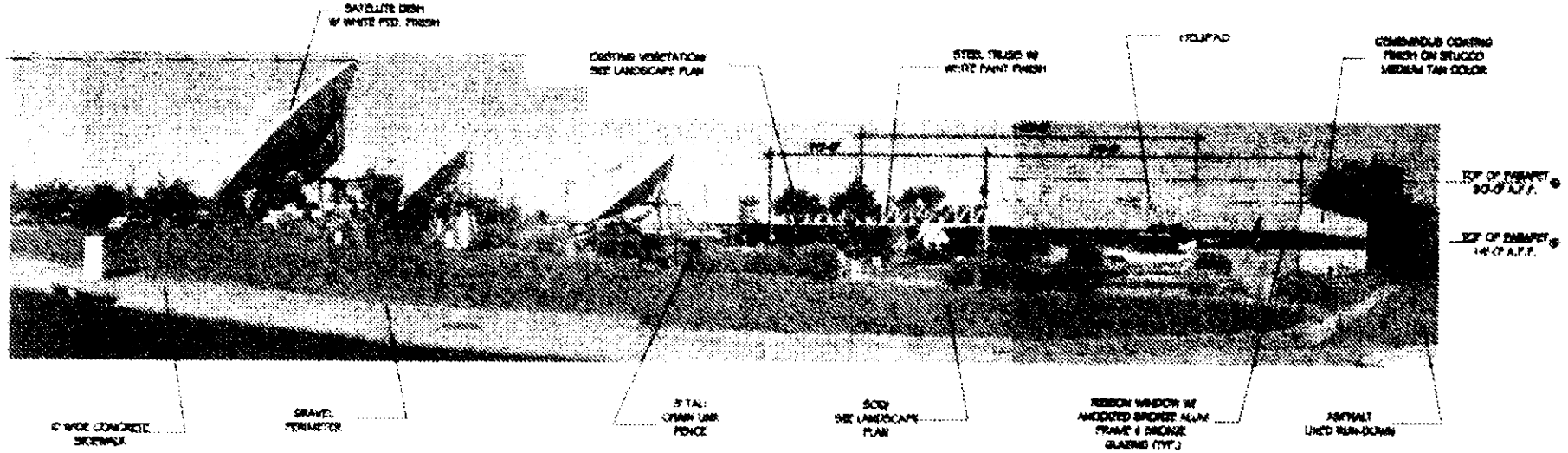
NORTHWEST ELEVATION

VIEW FROM ALLEY LOOKING SOUTH



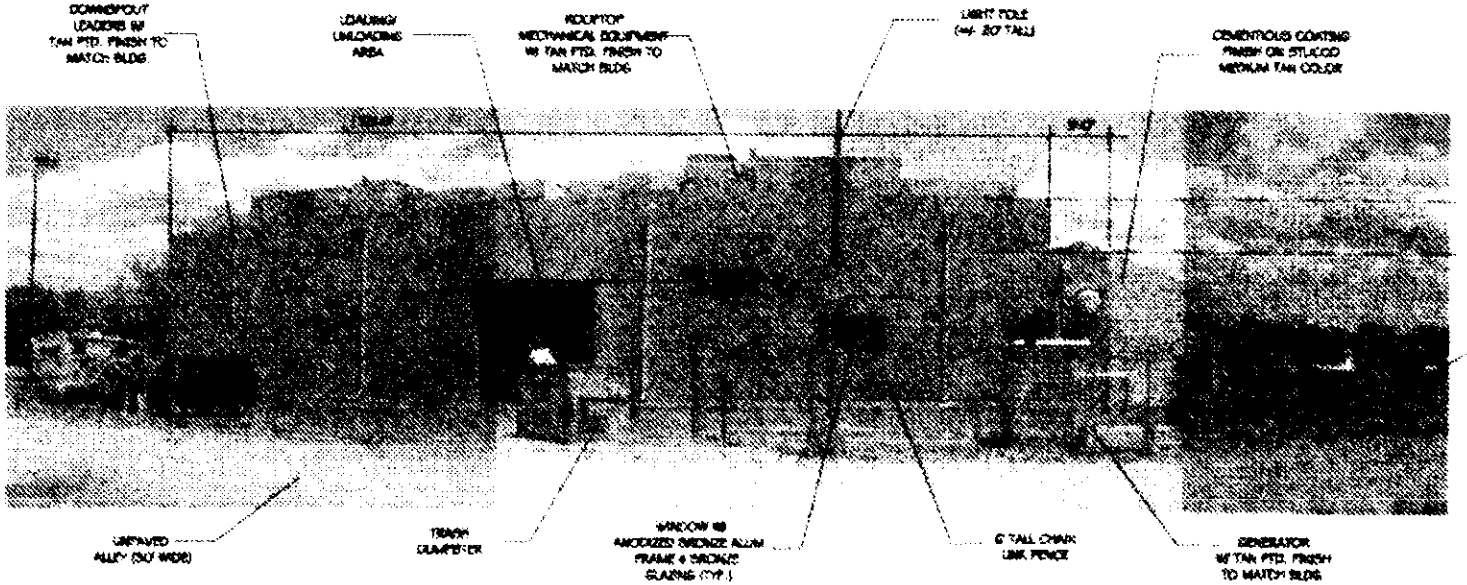
SHEET 4

OF



EAST ELEVATION

VIEW FROM CARLISLE BLVD. LOOKING WEST



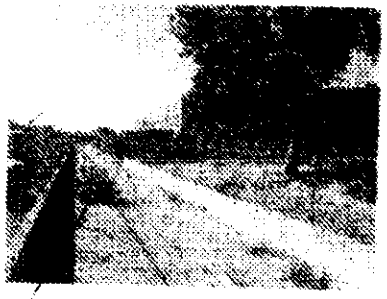
WEST ELEVATION

VIEW FROM ALLEY LOOKING EAST

SHEET 5

OF

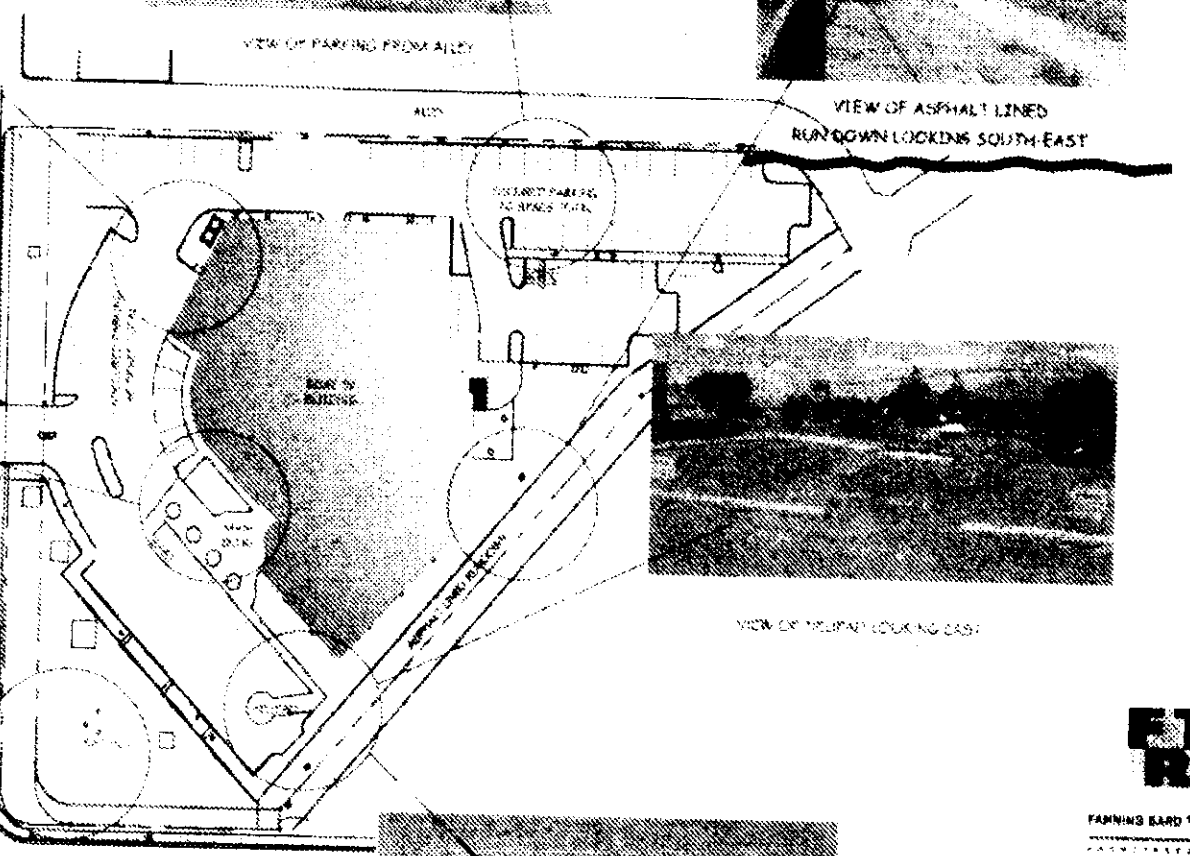
VIEW OF PARKING FROM ALLEY



VIEW OF ASPHALT LINED
RUNDOWN LOOKING SOUTH-EAST

VIEW FROM CORNER OF COMMERCE AND
CARLISLE LOOKING NORTH-WEST

VIEW OF HELIPAD LOOKING WEST

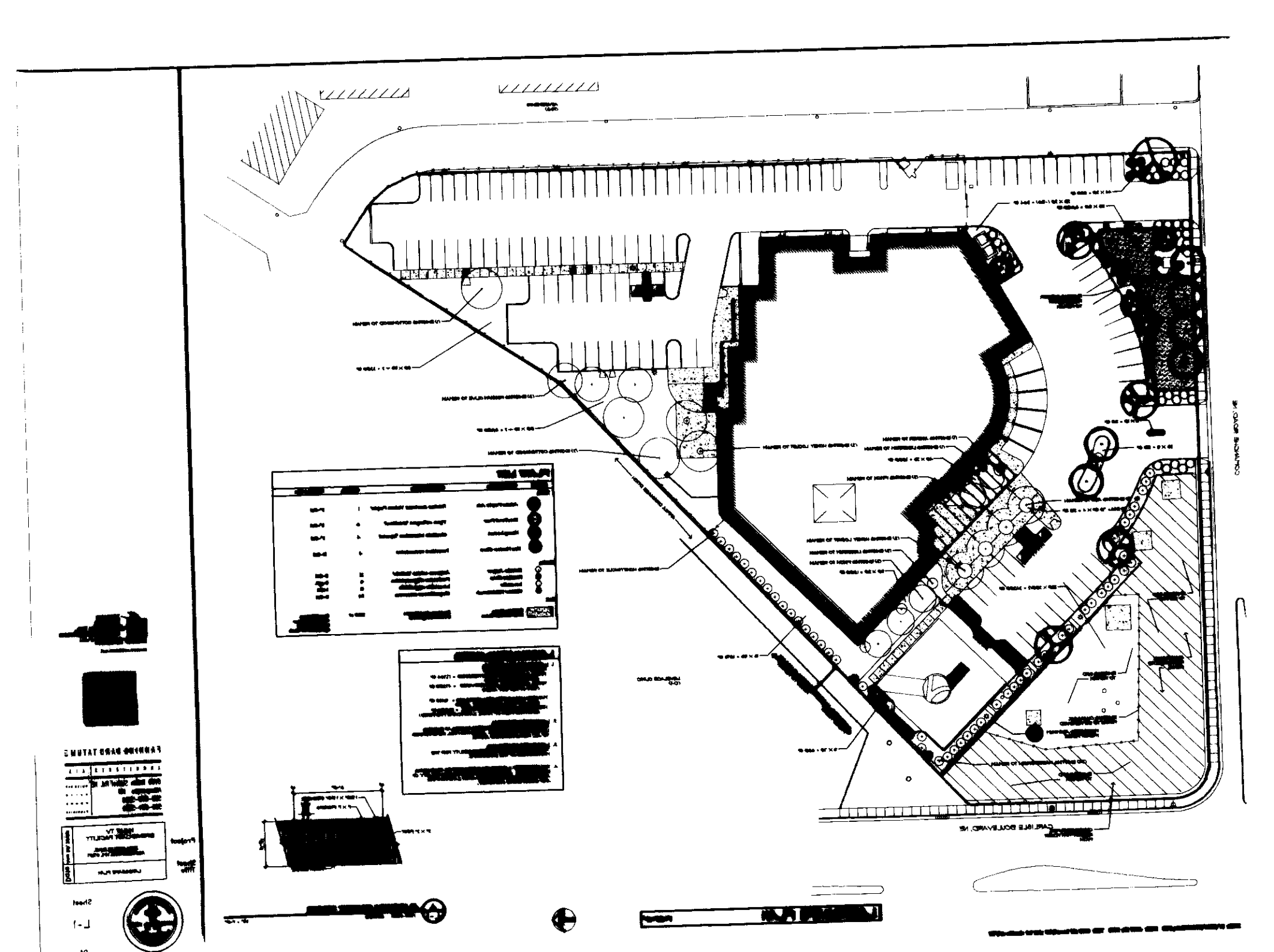


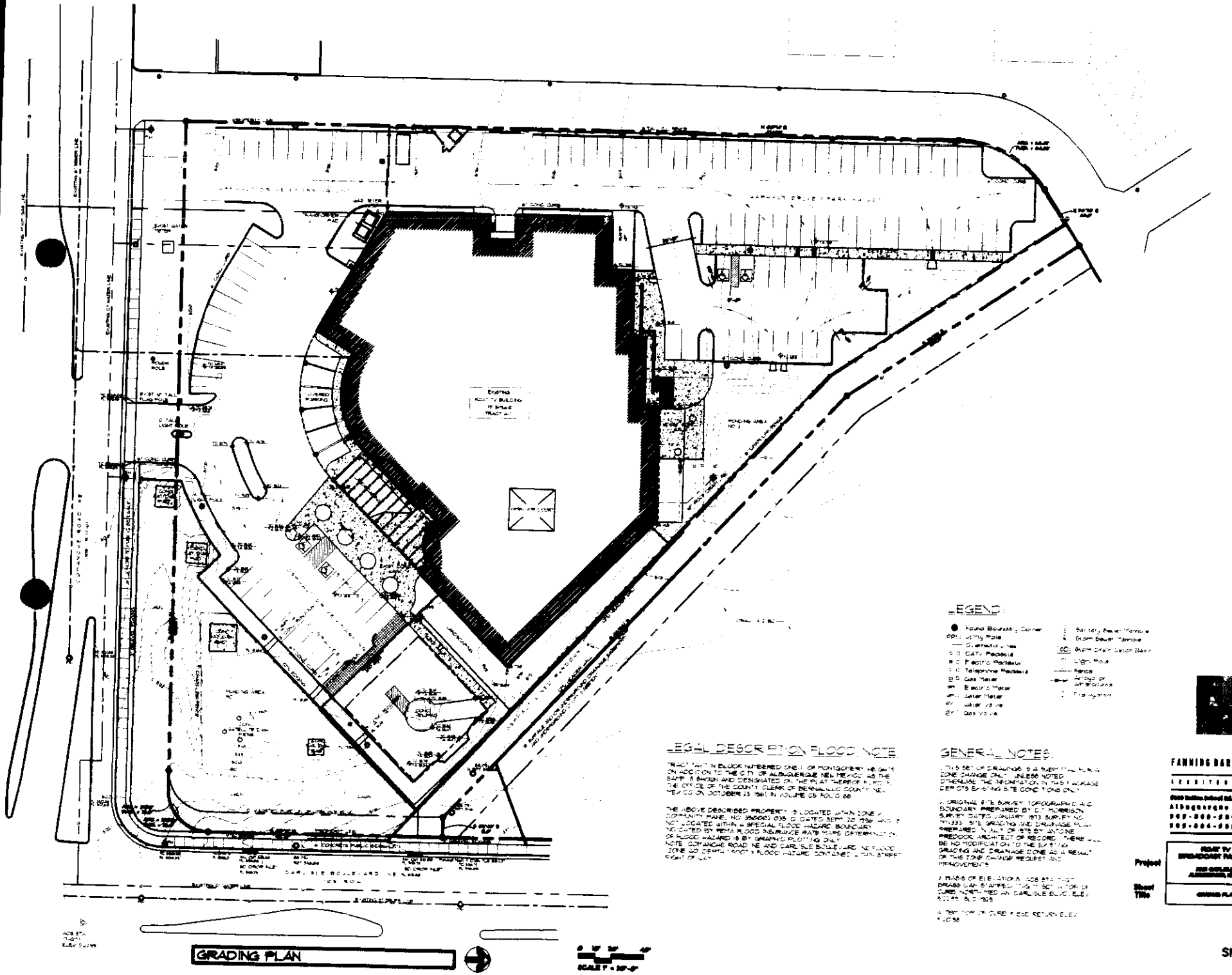
OVERALL SITE PLAN

FANNING BAIRD TAYLOR

SHEET 6
OF

SHEET





LEGEND

- Found Boundary Corner
- Utility Pole
- Guyline
- CATV Pedestal
- Electric Pedestal
- Telephone Pedestal
- Gas Meter
- Electric Meter
- Water Meter
- Water Valve
- Gas Valve
- Barricade Reflector Marker
- Storm Sewer Manhole
- Storm Drain Catch Basin
- Light Pole
- Fence
- Fire Hydrant

LEGAL DESCRIPTION FLOOD NOTE

TRACT TWO-A-1 BLOCK NUMBERED ONE (1) OF MONTGOMERY HEIGHTS ADDITION TO THE CITY OF ALBUQUERQUE NEW MEXICO, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT THEREOF FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY NEW MEXICO ON OCTOBER 23 1961 IN VOLUME C5 FOLIO 88

THE ABOVE DESCRIBED PROPERTY IS LOCATED WITHIN ZONE X COMMUNITY PANEL NO 350002 0015 D DATED SEPT 20 1986 AND IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD BOUNDARY INDICATED BY FEMA FLOOD INSURANCE RATE MAPS DETERMINATION OF FLOOD HAZARD IS BY GRAPHIC PLOTTING ONLY

NOTE COMANCHE ROAD NE AND CARLISLE BOULEVARD NE FLOOD ZONE AND DEPTH / ROOT 3 FLOOD HAZARD CONFINED TO N 8TREET RIGHT OF WAY

GENERAL NOTES

1. THIS SET OF DRAWINGS IS A SUBMITTAL FOR A ZONE CHANGE ONLY UNLESS NOTED OTHERWISE THE INFORMATION ON THIS PACKAGE DEPICTS EXISTING SITE CONDITIONS ONLY

2. ORIGINAL SITE SURVEY TOPOGRAPHIC AND BOUNDARY PREPARED BY C T HOWINGTON SURVEY DATED JANUARY 1973 SURVEY NO 70-333 SITE GRADING AND DRAINAGE PLAN PREPARED IN JULY OF 1978 BY ANTOINE PREDOCK ARCHITECT OF RECORD THERE WILL BE NO MODIFICATION TO THE EXISTING GRADING AND DRAINAGE DONE AS A RESULT OF THIS ZONE CHANGE REQUEST AND IMPROVEMENTS

3. BASIS OF ELEVATION IS A 3/8 INCH BRASS CAP STAMPED TOP OF CURB NORTH MEDIAN CARLISLE BLVD ELEV 5 0 0 88 M S L D 1929

4. TOP OF CURB & EDGE RETURN ELEV 5 0 0 58

FANNING HARO TATUM

ARCHITECTS	AIA
6565 Uptown Boulevard, NE, 300 Albuquerque, NM 87110	
505-888-8888	
505-884-8888	

Project: KOAT TV BROADCAST FACILITY
2500 CARLISLE BLVD NE ALBUQUERQUE, NEW MEXICO

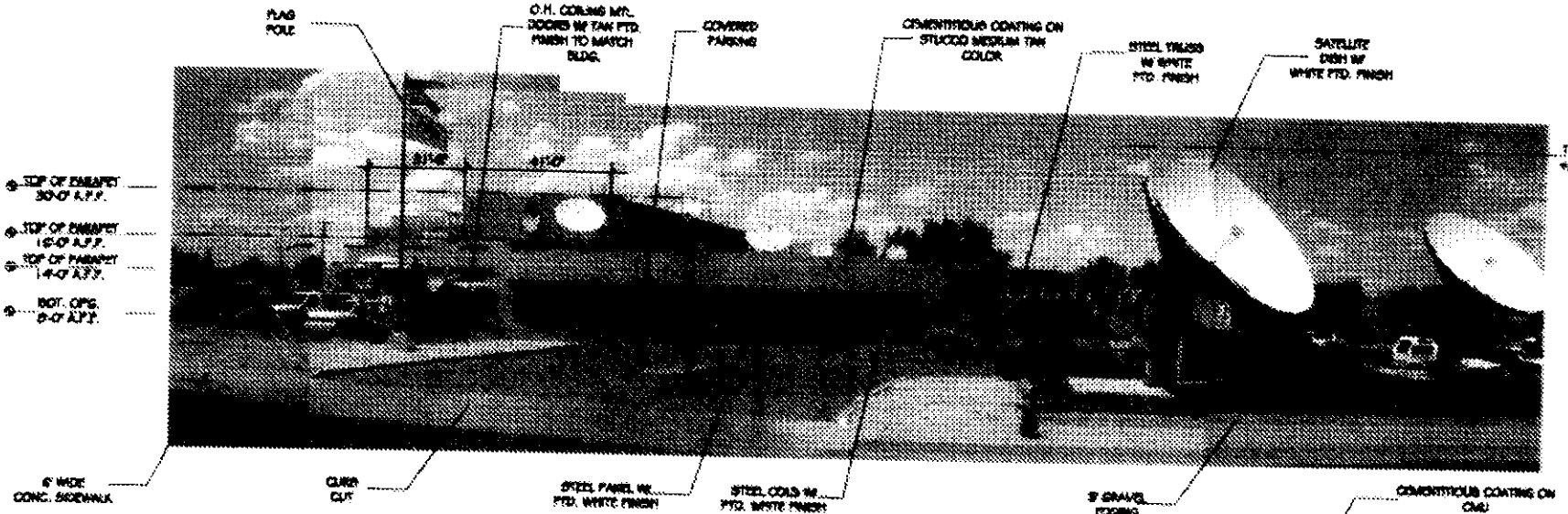
Sheet Title: GRADING PLAN

Date: JUNE 5, 1989

Sheet

SHEET 3

01

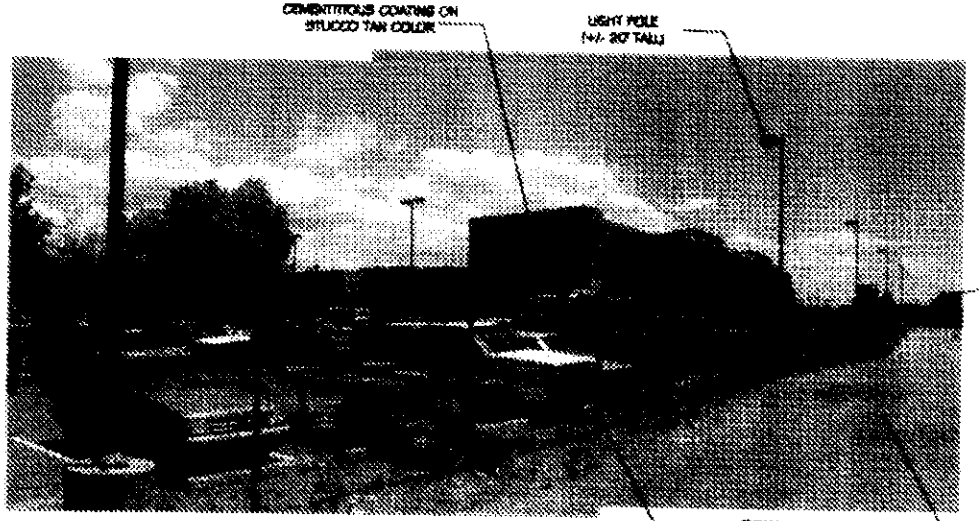


SOUTH ELEVATION

VIEW FROM COMANCHE LOOKING NORTH

NORTH ELEVATION

VIEW FROM REAR PARKING LOT LOOKING SOUTH



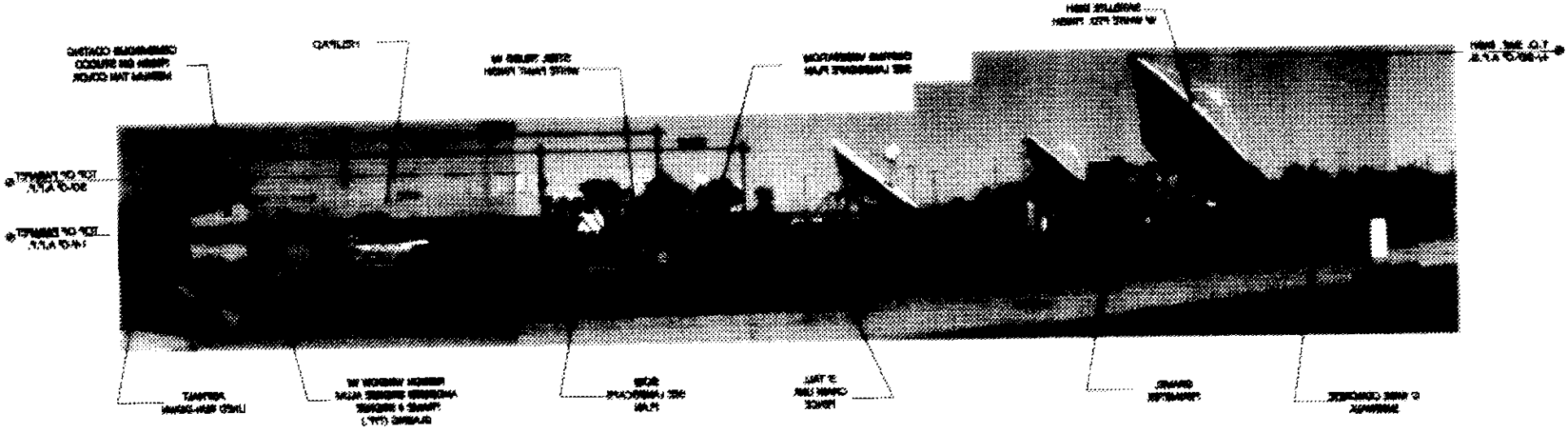
NORTHWEST ELEVATION

VIEW FROM ALLEY LOOKING SOUTH

ROMY TV BROADCAST FACILITY

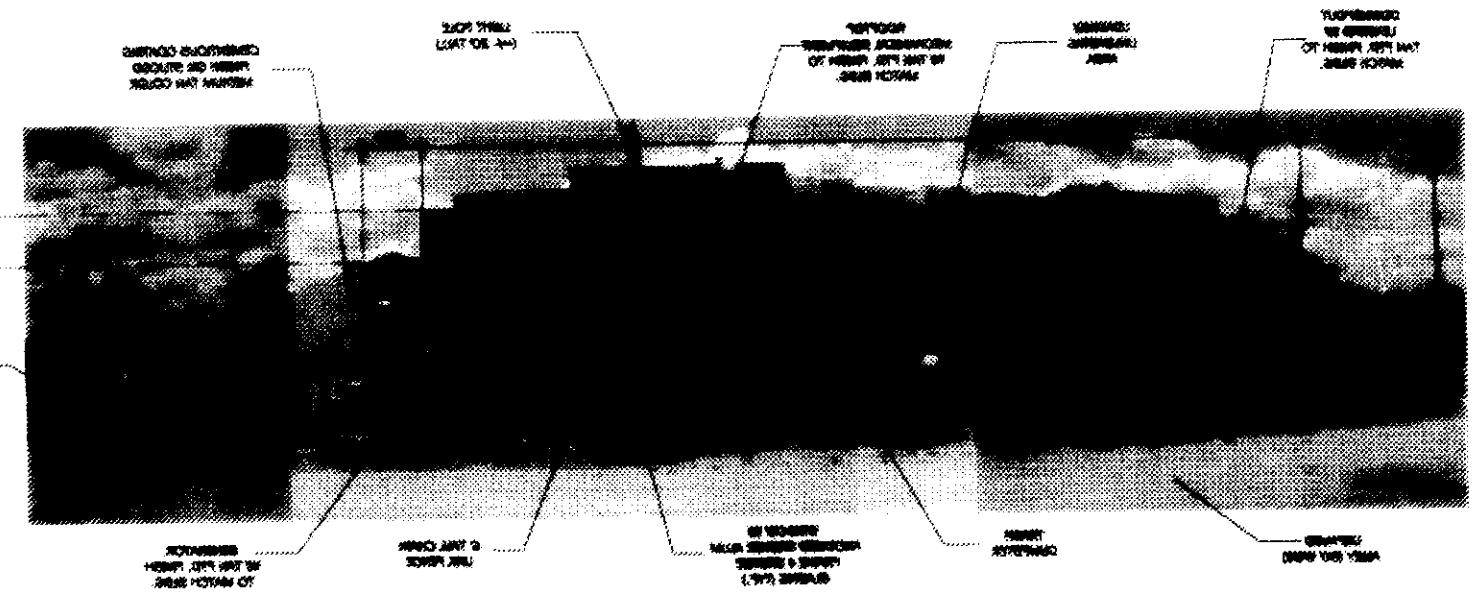
SHEET 4

OF



EAST ELEVATION

VIEW FROM CARLISLE BLVD. LOOKING WEST



WEST ELEVATION

VIEW FROM ALLEY LOOKING EAST

SHEET 5

OF

ROBERT M. ST. JOHN
JOSEPH J. MULLINS
MARK K. ADAMS
ROBERT G. McCORKLE
BRUCE HALL
JOHN P. SALAZAR
WILLIAM S. DIXON
JOHN P. BURTON
REX D. THROCKMORTON
JONATHAN W. HEWES
W. ROBERT LASATER, JR.
MARK C. MEIERING
CATHERINE T. GOLDBERG
TRAVIS R. COLLIER
EDWARD RICCO
W. MARK MOWERY
PATRICK M. SHAY
NANCY J. APPLEBY
ELLEN T. SKRAK
TRACY M. JENKS
HENRY M. BOHNHOFF
CHARLES K. PURCELL
ANDREW G. SCHULTZ
JOHN M. BRANT
JOSEPH B. ROCHELLE
SCOTT D. GORDON
SUSAN S. THROCKMORTON
DEWITT M. MORGAN
MARK A. SMITH
R. NELSON FRANSE
THERESA W. PARRISH
PAUL R. KOLLER
JAMES P. BIEG
CHARLES J. VIGIL
MARY KELEHER CASTLE
THOMAS L. STAHL
DAVID W. BUNTING
GARY D. EISENBERG
LESLIE McCARTHY APODACA
SUSAN BARGER FOX
MacDONNELL GORDON
PAUL C. COLLINS
WILLIAM J. ARLAND
JAMES A. ASKEW
JEFFREY M. CROASDELL
JEFFREY L. LOWRY
DEBORAH E. MANN
ALICE NYSTEL PAGE
AMY BADGER WHITTEMORE
THOMAS A. OUTLER
SETH L. SPARKS
LISA A. CHAVEZ
JOCELYN C. DRENNAN
MICHAEL J. BRESCIA
MICHELLE HENRIE
SUNNY J. NIXON

RODEY, DICKASON, SLOAN, AKIN & ROBB, P. A.
COUNSELORS AND ATTORNEYS AT LAW
ALBUQUERQUE PLAZA
201 THIRD STREET NW, SUITE 2200
ALBUQUERQUE, NEW MEXICO 87102

P.O. BOX 1888
ALBUQUERQUE, NEW MEXICO 87103
WEB-SITE: WWW.RODEY.COM
E-MAIL: INFO@RODEY.COM

TELEPHONE (505) 765-5900
FACSIMILE (505) 768-7395

COUNSEL
RICHARD C. MINZNER

OF COUNSEL
JACKSON G. AKIN
RAY H. RODEY
JOHN D. ROBB
JAMES C. RITCHIE
DEBRA ROMERO THAL
JO SAXTON BRAYER

BERNARD S. RODEY (1856-1927)
PEARCE C. RODEY (1888-1958)
DON L. DICKASON (1906-1999)
WILLIAM A. SLOAN (1910-1993)

SANTA FE OFFICE
MARCY PLAZA
123 EAST MARCY STREET, SUITE 101
SANTA FE, NEW MEXICO 87501-2034
P.O. BOX 1357
SANTA FE, NM 87504-1357
TELEPHONE (505) 954-3900
FACSIMILE (505) 954-3942

WRITER'S DIRECT NUMBER
505-768-7224

June 21, 2000

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Rick Cooper
Alta Monte Neighborhood Association
10327 Connemera Avenue, SW
Albuquerque, NM 87121

Perla Webb
Alta Monte Neighborhood Association
8 Plains View Lane
Edgewood, NM 87015

Re: KOAT-TV/Zone Change Application
Tract A-1, Block 1 of Montgomery Heights

Dear Mr. Cooper and Ms. Webb:

As agent for KOAT-TV, I am writing to let you know that KOAT-TV is requesting a zone map amendment from the City of Albuquerque to change the zoning on its property located at 3801 Carlisle NE from the C-1 neighborhood commercial zone to the SU-1 special use zone. We expect the City Environmental Planning Commission to hear our request on August 17, 2000. The purpose of this requested zone change is to allow KOAT to continue to operate its helipad on its present site at the corner of Comanche and Carlisle NE. A site plan will be submitted as part of the request. We hope that KOAT's neighbors will support this effort.

Please contact me at the above number should you have any questions or comments. If you wish, KOAT-TV would be happy to present details of its request at your next neighborhood meeting. Please call me to arrange our attendance if you think such a meeting would be beneficial.

Very truly yours,

RODEY, DICKASON, SLOAN, AKIN & ROBB, P.A.

By: Susan B. Fox

SFB/ssb
cc: Mary Lynn Roper, KOAT-TV

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write *"Return Receipt Requested"* on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Rick Cooper
Alta Monte Neighborhood Association
10327 Connemera Avenue, SW
Albuquerque, NM 87121

4a. Article Number
P 779 3220 0000 8700 6069

4b. Service Type
☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery
10/26/00

5. Received By: *(Print Name)*

6. Signature: *(Addressee or Agent)*
X

8. Addressee's Address *(Only if requested and fee is paid)*

Is your RETURN ADDRESS completed on the reverse side?

Thank you for using Return Receipt Service.

PS Form 3811, December 1994 102595-98-B-0229 Domestic Return Receipt

RODEY, DICKASON, SLOAN, AKIN & ROBB, P. A.
COUNSELORS AND ATTORNEYS AT LAW
ALBUQUERQUE PLAZA
201 THIRD STREET NW, SUITE 2200
ALBUQUERQUE, NEW MEXICO 87102

P.O. BOX 1888
ALBUQUERQUE, NEW MEXICO 87103
WEB-SITE: WWW.RODEY.COM
E-MAIL: INFO@RODEY.COM

TELEPHONE (505) 765-5900
FACSIMILE (505) 768-7395

ROBERT M. ST. JOHN
JOSEPH J. MULLINS
MARK K. ADAMS
ROBERT G. McCORKLE
BRUCE HALL
JOHN P. SALAZAR
WILLIAM S. DIXON
JOHN P. BURTON
REX D. THROCKMORTON
JONATHAN W. HEWES
W. ROBERT LASATER, JR.
MARK C. MEIERING
CATHERINE T. GOLDBERG
TRAVIS R. COLLIER
EDWARD RICCO
W. MARK MOWERY
PATRICK M. SHAY
NANCY J. APPLEBY
ELLEN T. SKRAK
TRACY M. JENKS
HENRY M. BOHNHOFF
CHARLES K. PURCELL
ANDREW G. SCHULTZ
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SANTA FE, NM 87504-1357
TELEPHONE (505) 954-3900
FACSIMILE (505) 954-3942

WRITER'S DIRECT NUMBER
505-768-7224

June 21, 2000

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Bob Swartwood
Montgomery Heights Neighborhood
Association
3517 Hendrix Road, NE
Albuquerque, NM 87107

Karen Schueler
Montgomery Heights Neighborhood
Association
3504 Delmar, NE
Albuquerque, NM 87107

Re: KOAT-TV/Zone Change Application
Tract A-1, Block 1 of Montgomery Heights

Dear Mr. Swartwood and Ms. Schueler:

As agent for KOAT-TV, I am writing to let you know that KOAT-TV is requesting a zone map amendment from the City of Albuquerque to change the zoning on its property located at 3801 Carlisle NE from the C-1 neighborhood commercial zone to the SU-1 special use zone. We expect the City Environmental Planning Commission to hear our request on August 17, 2000. The purpose of this requested zone change is to allow KOAT to continue to operate its helipad on its present site at the corner of Comanche and Carlisle NE. A site plan will be submitted as part of the request. We hope that KOAT's neighbors will support this effort.

Please contact me at the above number should you have any questions or comments. If you wish, KOAT-TV would be happy to present details of its request at your next neighborhood meeting. Please call me to arrange our attendance if you think such a meeting would be beneficial.

Very truly yours,

RODEY, DICKASON, SLOAN, AKIN & ROBB, P.A.

By:
Susan B. Fox

SFB/ssb
cc: Mary Lynn Roper, KOAT-TV

SENDER:
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- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
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- Write *"Return Receipt Requested"* on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):
1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Karen Schueler
Montgomery Heights Neighborhood Association
3504 Delmar, NE
Albuquerque, NM 87107

4a. Article Number: 7099 3220 0000 8700 6038

4b. Service Type
☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery: 6/22/00

5. Received By: *(Print Name)* C F Schueler

6. Signature: *(Addressee or Agent)* X C F Schueler

8. Addressee's Address *(Only if requested and fee is paid)*

PS Form **3811**, December 1994 102595-98-B-0229 Domestic Return Receipt

Is your RETURN ADDRESS completed on the reverse side?

Thank you for using Return Receipt Service.

SENDER:
- Complete items 1 and/or 2 for additional services.
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I also wish to receive the following services (for an extra fee):
1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Bob Swartwood
Montgomery Heights Neighborhood Association
3517 Hendrix Road, NE
Albuquerque, NM 87107

4a. Article Number: 7099 3220 0000 8700 6045

4b. Service Type
☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery: 6/23/00

5. Received By: *(Print Name)* Jimmie S. Swartwood

6. Signature: *(Addressee or Agent)* X Jimmie S. Swartwood

8. Addressee's Address *(Only if requested and fee is paid)*

PS Form **3811**, December 1994 102595-98-B-0229 Domestic Return Receipt

Is your RETURN ADDRESS completed on the reverse side?

Thank you for using Return Receipt Service.

ROBERT M. ST. JOHN
JOSEPH J. MULLINS
MARK K. ADAMS
ROBERT G. McCORKLE
BRUCE HALL
JOHN P. SALAZAR
WILLIAM S. DIXON
JOHN P. BURTON
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W. MARK MOWERY
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RODEY, DICKASON, SLOAN, AKIN & ROBB, P. A.
COUNSELORS AND ATTORNEYS AT LAW
ALBUQUERQUE PLAZA
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ALBUQUERQUE, NEW MEXICO 87102

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WEB-SITE: WWW.RODEY.COM
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TELEPHONE (505) 765-5900
FACSIMILE (505) 768-7395

COUNSEL
RICHARD C. MINZNER

OF COUNSEL
JACKSON G. AKIN
RAY H. RODEY
JOHN D. ROBB
JAMES C. RITCHIE
DEBRA ROMERO THAL
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SANTA FE OFFICE
MARCY PLAZA
123 EAST MARCY STREET, SUITE 101
SANTA FE, NEW MEXICO 87501-2034
P.O. BOX 1357
SANTA FE, NM 87504-1357
TELEPHONE (505) 954-3900
FACSIMILE (505) 954-3942

WRITER'S DIRECT NUMBER
505-768-7224

June 21, 2000

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

H. Diane Snyder
Hodgin Neighborhood Association
4012 Delamar Avenue, NE
Albuquerque, NM 87110

Eddy Jacobs
Hodgin Neighborhood Association
4920 Hilton, NE
Albuquerque, NM 87110

Re: KOAT-TV/Zone Change Application
Tract A-1, Block 1 of Montgomery Heights

Dear Ms. Snyder and Mr. Jacobs:

As agent for KOAT-TV, I am writing to let you know that KOAT-TV is requesting a zone map amendment from the City of Albuquerque to change the zoning on its property located at 3801 Carlisle NE from the C-1 neighborhood commercial zone to the SU-1 special use zone. We expect the City Environmental Planning Commission to hear our request on August 17, 2000. The purpose of this requested zone change is to allow KOAT to continue to operate its helipad on its present site at the corner of Comanche and Carlisle NE. A site plan will be submitted as part of the request. We hope that KOAT's neighbors will support this effort.

Please contact me at the above number should you have any questions or comments. If you wish, KOAT-TV would be happy to present details of its request at your next neighborhood meeting. Please call me to arrange our attendance if you think such a meeting would be beneficial.

Very truly yours,

RODEY, DICKASON, SLOAN, AKIN & ROBB, P.A.

By: Susan B. Fox

SFB/ssb
cc: Mary Lynn Roper, KOAT-TV

U.S. Postal Service
CERTIFIED MAIL

SENDER:
- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write *"Return Receipt Requested"* on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):
1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

H. Diane Snyder
Hodgin Neighborhood Association
4012 Delamar Avenue, NE
Albuquerque, NM 87110

4a. Article Number

4b. Service Type
☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery 6/22/00

5. Received By: *(Print Name)*

8. Addressee's Address *(Only if requested and fee is paid)*

6. Signature: *(Addressee or Agent)*
X H. Diane Snyder

Is your RETURN ADDRESS completed on the reverse side?

Thank you for using Return Receipt Service.

PS Form **3811**, December 1994 102595-98-B-0229 Domestic Return Receipt

---

SENDER:
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I also wish to receive the following services (for an extra fee):
1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Eddy Jacobs
Hodgin Neighborhood Association
4920 Hilton, NE
Albuquerque, NM 87110

4a. Article Number
7099 3220 0000 8700 6076

4b. Service Type
☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery 6/23/00

5. Received By: *(Print Name)* Shirley Jacobs

8. Addressee's Address *(Only if requested and fee is paid)*

6. Signature: *(Addressee or Agent)*
X Shirley Jacobs

Is your RETURN ADDRESS completed on the reverse side?

Thank you for using Return Receipt Service.

PS Form **3811**, December 1994 102595-98-B-0229 Domestic Return Receipt

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I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

H. Diane Snyder
Hodgin Neighborhood Association
4012 Delamar Avenue, NE
Albuquerque, NM 87110

4a. Article Number

4b. Service Type

☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery 6/22/00

5. Received By: *(Print Name)*

8. Addressee's Address *(Only if requested and fee is paid)*

6. Signature: *(Addressee or Agent)* X Diane Snyder

PS Form **3811**, December 1994 102595-98-B-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

7099 3220 0000 8700 6083

Article Sent To:

Diane Snyder

Postage	$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	**$**

20 FIRST PLAZA CENTRAL ST. JUN 21 2000 USPS

Postmark Here

Name (Please Print Clearly) (To be completed by mailer)
SAM BONAL

Street, Apt. No.; or PO Box No.

City, State, ZIP+ 4

PS Form 3800, July 1999 **See Reverse for Instructions**

Is your RETURN ADDRESS completed on the reverse side?

SENDER:
- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
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I also wish to receive the following services (for an extra fee):
1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Eddy Jacobs
Hodgin Neighborhood Association
4920 Hilton, NE
Albuquerque, NM 87110

4a. Article Number
7099 3220 0000 8700 6076

4b. Service Type
☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery
12/23/00

5. Received By: *(Print Name)*
Shirley Jacobs

8. Addressee's Address *(Only if requested and fee is paid)*

6. Signature: *(Addressee or Agent)*
X Shirley Jacobs

PS Form **3811**, December 1994 102595-98-B-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

Article Sent To:
Eddy Jacobs

Postage	$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	**$**

Postmark Here
DEC 21 2000

7099 3220 0000 8700 6076

Name (Please Print Clearly) (To be completed by mailer)
Sam Bonal

Street, Apt. No.; or PO Box No.

City, State, ZIP+ 4

PS Form 3800, July 1999 **See Reverse for Instructions**

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I also wish to receive the following services (for an extra fee):
1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Bob Swartwood
Montgomery Heights Neighborhood Association
3517 Hendrix Road, NE
Albuquerque, NM 87107

4a. Article Number
7099 3220 0000 8700 6045

4b. Service Type
☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery
6/23/00

5. Received By: *(Print Name)*
Jimmie S. Swartwood

8. Addressee's Address *(Only if requested and fee is paid)*

6. Signature: *(Addressee or Agent)*
X Jimmie S. Swartwood

Is your RETURN ADDRESS completed on the reverse side?

Thank you for using Return Receipt Service.

PS Form **3811**, December 1994 102595-98-B-0229 Domestic Return Receipt

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

7099 3220 0000 8700 6045

Article Sent To:
Bob Swartwood

Postage	$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	**$**

ALBUQUERQUE PLAZA POST OFFICE JUN 21 2000 Postmark Here USPS

Name (Please Print Clearly) (To be completed by mailer)
Sam Bowman

Street, Apt. No.; or PO Box No.

City, State, ZIP+ 4

PS Form 3800, July 1999 **See Reverse for Instructions**

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SENDER:
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- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):
1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Karen Schueler
Montgomery Heights Neighborhood Association
3504 Delmar, NE
Albuquerque, NM 87107

4a. Article Number
7099 3220 0000 8700 6038

4b. Service Type
☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery
6/22/00

5. Received By: *(Print Name)*
GF Schueler

6. Signature: *(Addressee or Agent)*
X [signature]

8. Addressee's Address *(Only if requested and fee is paid)*

Thank you for using Return Receipt Service.

PS Form **3811**, December 1994 102595-98-B-0229 Domestic Return Receipt

---

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

7099 3220 0000 8700 6038

Article Sent To:
KAREN Schueler

Postage	$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	**$**

Postmark Here
JUN 21 2000

Name (Please Print Clearly) (To be completed by mailer)
Sam Bonal

Street, Apt. No.; or PO Box No.

City, State, ZIP+ 4

PS Form 3800, July 1999 **See Reverse for Instructions**

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write *"Return Receipt Requested"* on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

Is your RETURN ADDRESS completed on the reverse side?

3. Article Addressed to:

Rick Cooper
Alta Monte Neighborhood Association
10327 Connemera Avenue, SW
Albuquerque, NM 87121

4a. Article Number
7099 3220 0000 8700 6069

4b. Service Type
☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery
6/26/00

5. Received By: *(Print Name)*

8. Addressee's Address *(Only if requested and fee is paid)*

6. Signature: *(Addressee or Agent)*
X

PS Form 3811, December 1994 102595-98-B-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

7099 3220 0000 8700 6069

Article Sent To:
Rick Cooper

Postage	$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$

Postmark Here
20 FIRST PLAZA ALBUQUERQUE NM USPS JUN 21 2000

Name (Please Print Clearly) (To be completed by mailer)
SAM BONAR

Street, Apt. No.; or PO Box No.

City, State, ZIP+ 4

PS Form 3800, July 1999 See Reverse for Instructions

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

7099 3220 0000 8700 6052

Article Sent To:
PERLA WEBB

Postage	$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$

Postmark Here
20 FIRST PLAZA ALBUQUERQUE NM USPS JUN 21 2000

Name (Please Print Clearly) (To be completed by mailer)
SAM BONAR

Street, Apt. No.; or PO Box No.

City, State, ZIP+ 4

PS Form 3800, July 1999 See Reverse for Instructions

City of Albuquerque

DEVELOPMENT REVIEW APPLICATION

Supplemental form

ING

- Z
- ___ Annexation or Map Amendment
- ___ Sector Plan
- ___ Text Amendment
- ___ Special Exception — E

DIVISION — S

- ___ DRB Major Subdivision *
- ___ DRB Minor Subdivision
- ___ Variance (Non-Zoning) — V
- ___ Vacation (Public * & Private)

Supplemental form

SITE DEVELOPMENT PLAN — P

- ___ for Subdivision Purposes *
- X for Building Permit
- ___ Plan Amendment *
- ___ Administrative Amendment
- ___ Master Development Plan

APPEAL / PROTEST of... — A

- ___ Planning Director, Zoning
- ___ Enforcement Officer, Zoning
- ___ Hearing Examiner, DRB, EPC,
- ___ Zoning Board of Appeals, LUCC

*** Notification of the Recognized Neighborhood Association is required**

OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the ng Department. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

ANT INFORMATION:

ME: KOAT-TV — PHONE: 884-7777

DRESS: 3801 Carlisle Blvd., NE — FAX: 884-6282

Y: Albuquerque — STATE NM — ZIP 87107 — E-MAIL:

rietary interest in site: Owner

NT (if any): Rodey, Dickason, Sloan, Akin & Robb, P.A. — PHONE: 768-7224

RESS: P.O. Box 1888 — FAX: 768-7395

: Albuquerque — STATE NM — ZIP 87103-1888 — E-MAIL: sbfox@rodey.com

ORMATION:

CRIPTION OF REQUEST: Zone change from C-1 to SU-1 for TV station, satellite dishes, lated facilities and helipad, to allow helipad on radio/TV station site. See attached.

Tract No. A-1 — Block: 1 — Unit: --

v. / Addn. Montgomery Heights

nt Zoning: C-1 — Proposed zoning: SU-1

Atlas page: G-16 — Total area of site (acres): 3.6 — No. of **existing** lots: 1 — No. of **proposed** lots: 1

y of dwellings per acre if applicable: Dwellings per gross acre n/a — Dwellings per net acre n/a

lo. 101606049329010305 — MRGCD Map No.

city limits? X Yes. No___, but site is within 5 miles of the city limits (DRB jurisdiction.) — Within 1000FT of a landfill? No

TION OF PROPERTY BY STREETS: On or Near: 3801 Carlisle and Comanche, NE KOAT

n: Montgomery, NE — and Comanche

ORY: 6/29/00 Pre-hearing discussion w/ agent.

project numbers that may be relevant to your application (annexation, zoning, subdivision, variance, etc.): BA-1324

Susan B. Fox — DATE 6-29-00

___ Applicant X Agent

AL USE ONLY

Form revised May 2000

TERNAL ROUTING

- checklists are complete
- fees have been collected
- case #s are assigned
- se history #s are listed
- is within 1000ft of a landfill
- .D.P. density bonus
- .D.P. fee rebate

Application case numbers

			S.F.	Fees
Z	00110 - 00000 - 00888		Z	$ 170.-
BP	00128 - 00000 - 00889		P	$ 270.-
	- -		___	$
	- -		___	$
	- -		___	$

Hearing date 8-17-00

Total $

6/29/00
Planner signature / date

Project # 1000643

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
LAND DEVELOPMENT COORDINATION DIVISION
PAID RECEIPT

APPLICANT NAME: KOAT-TV

AGENT: RDSAR, P.A.

ADDRESS: P.O. Box 1888, Abq 87103-1888
(w/zip code)

Z- 0010- 00000-00888

CASE NUMBER: BP- 0012 8- 00000- 00889

AMOUNT DUE: $584.00 - 314.00 for Zoning
- 270 for BP

X 441006/4921000 (City Cases)

____ 441018/4921000 (County)

____ 441011/7000110 (LUCC)

Revised 3/1/2000
x:/share/receipt.wpd

City Of Albuquerque THANK YOU
Treasury Division

DATE: 06/29/2000 TIME: 2:03PM LOC: AN
EX
RECPT# 00021508 WS# 007 TRANS# 0001
TRSJLM
ACCNT# 441006 ACTVTY# 4921000 FUND:0000
0070 J24 Misc 584.00
CK 24.00 CK 290.00
CK 270.00 CHG 0.00

SIGN POSTING 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. Waterproofed signs will be provided at the time of application. If the application is mailed, you must still stop at the Planning Division 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 Planning Division at a charge of $3.00 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 two to seven feet from the ground.
C. No barrier shall prevent a person from coming within five feet of the sign in order 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.

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.

TIME

Signs must be posted from 8-2-2000 to 8-17-00

REMOVAL

A. The sign is not to be removed before the initial hearing on the request.
B. The sign should be removed within five days after the initial hearing.

ave read this sheet and discussed it with the Planning Division staff. I understand (A) my ligation to keep the sign(s) posted for 15 days and (B) where the sign(s) are to be located. I n being given a copy of this sheet.

(Applicant or Agent) 6-29-00 (Date)

ued 2 signs for this application, 6/29/00 (Date) (Staff Member)

11/8/90

Project #
~~CASE NUMBER~~ 1000643

Appl # Z-ECIW-00000-00888
BP-00128-00000-00889