

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

Dr. Sharon Holland  
7405 4th St. NW  
Albuq. NM 87107

December 22, 2000

CERTIFICATION OF ZONING

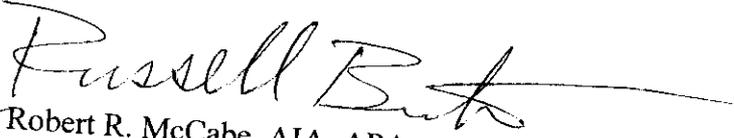
FILE: 00110 00000 01028  
DATE OF FINAL ACTION: October 19, 2000  
LEGAL DESCRIPTION: for Tract 67A3,  
MRGCD Map No. 29, located on Fourth Street  
NW, between Vineyard Road and Willow Road,  
containing approximately 1.15 acres. (E-15)  
Russell Brito, Staff Planner (DEFERRED  
FROM SEPTEMBER 21, 2000)

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

FROM C-1 & R-1 TO SU-1 FOR C-1 PERMISSIVE USES INCLUDING RESTAURANT WITH  
RETAIL SALES OF ALCOHOLIC DRINK FOR CONSUMPTION ON PREMISE

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. SU-1 zoning requires site development plan approval prior to submittal of plans to the building & Inspection Division of the City to initiate a building permit..

Sincerely,

  
For Robert R. McCabe, AIA, APA  
Planning Director

BM/ac  
cc: Zoning  
Neal Weinberg/AGIS

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

Date: October 26, 2000

**AMENDED OFFICIAL NOTIFICATION OF  
DECISION**

Dr. Sharon Holland  
7405 4th St. NW  
Albuq. NM 87107

FILE: 00110 00000 01028  
LEGAL DESCRIPTION: for Tract 67A3,  
MRGCD Map No. 29, located on Fourth Street  
NW, between Vineyard Road and Willow Road,  
containing approximately 1.15 acres. (E-15)  
Russell Brito, Staff Planner (**DEFERRED  
FROM SEPTEMBER 21, 2000**)

On October 19, 2000, the Environmental Planning Commission voted to approve 00110 00000 01028, a zone map amendment from C-1 and R-1 to SU-1 for C-1 Permissive Uses including restaurant with retail sales of alcoholic drink for consumption on premise based on the following Findings:

**FINDINGS:**

1. This is a request for a zone map amendment for a 1.15 acre site located on the east side of Fourth Street NW between Vineyard and Willow Roads, more particularly described as Tract 67A3, MRGCD Map No. 29. the zone change request is to change zoning from C-1 to SU-1 for C-1 Uses including Restaurant with Retail Sales of Alcoholic Drink for Consumption on Premise.
2. The request is in conformance with the Comprehensive Plan, Established Urban Area which states that the location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources and resources of other social, cultural or recreational concern and that new growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be assured.
3. The zone change is justified under Resolution 270-1980 as "more advantageous to the community" because it facilitates development of a vacant site in a manner that is not harmful to existing neighborhoods.
4. The requested zoning is compatible with the surrounding zoning and land use context.
5. SU-1 zoning provides site plan control ensuring that negative impacts can be mitigated.

AMENDED OFFICIAL NOTICE OF DECISION

00110 00000 01028

OCTOBER 19, 2000

PAGE 2

IF YOU WISH TO APPEAL THIS DECISION, YOU MUST DO SO BY **NOVEMBER 3, 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).

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

Sincerely,

  
for Robert R. McCabe, AIA, APA  
Planning Director

RM/RB/ac

cc: Garcia/Kraemer & Assoc., 200 Lomas Blvd. NW, Albuquerque, NM 87102  
Frances Boggess-Gallegos, Lee Acres Neigh. Assoc., 1036 Solar Rd. NW, Albuquerque, NM 87107  
Pat Georges, Lee Acres Neigh. Assoc., 856 Fairway NE, Albuquerque, NM 87107  
Enrico Gradi, 6338 4<sup>th</sup> St. NW, Albuquerque, NM 87107

MOVED BY COMMISSIONER BEGAY  
SECONDED BY COMMISSIONER McMAHAN

MOTION CARRIED UNANIMOUSLY

7. 00110 00000 01028      Garcia/Kraemer & Associates, agents for Dr. Sharon Holland,  
    Project # 1000699      request a zone map amendment from R-1 & C-1 to C-2 for Tract  
   67A3, MRGCD Map No. 29, located on Fourth Street NW, between  
   Vineyard Road and Willow Road, containing approximately 1.15  
   acres. (E-15) Russell Brito, Staff Planner **(APPROVED)**

**STAFF PRESENT:**

Russell Brito, Planning Department

**PERSON PRESENT TO SPEAK IN FAVOR OF THIS REQUEST:**

William Kraemer, 200 Lomas NW

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

MR. BRITO: Reiterated comments made in the staff report in which denial was recommended.

**FINAL ACTION TAKEN**

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to approve 00110 00000 01028, a zone map amendment from C-1 and R-1 to SU-1 for C-1 Permissive Uses including restaurant with retail sales of alcoholic drink for consumption on premise based on the following Findings:

**FINDINGS:**

1. This is a request for a zone map amendment for a 1.15 acre site located on the east side of Fourth Street NW between Vineyard and Willow Roads, more particularly described as Tract 67A3, MRGCD Map No. 29. the zone change request is to change zoning from C-1 to SU-1 for C-1 Uses including Restaurant with Retail Sales of Alcoholic Drink for Consumption on Premise.
2. The request is in conformance with the Comprehensive Plan, Established Urban Area which states that the location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources and resources of other social, cultural or recreational concern and that new growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be assured.





ENVIRONMENTAL PLANNING COMMISSION  
A G E N D A

Thursday, October 19, 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 August 17, 2000

2. 00138 00000 01307  
00110 00000 01306  
Project # 1000690

WM Duran & Assoc., agents for Josephine Jensen, request a zone map amendment from SU-1/ TH (12 du's/ac) to R-2 plus an amendment to the La Cuesta Sector Development Plan for Lots 22 & 23, Block A, La Cuesta Subdivision, located on Zia Road NE between Juan Tabo Boulevard NE and Zena Lona Street NE, containing approximately .404 acres. (K-22) Debbie Stover, Staff Planner

3. 00128 00000 00294

Resource Technology Inc., agents for 5 B Management, request approval of a site development plan for building permit for the westerly portion of Lot 4, Jefferson Commons II, zoned IP, located on Office Boulevard NE between Singer Boulevard and I-25 Frontage Road, containing approximately 3.52 acres. (F-17) Debbie Stover, Staff Planner **(DEFERRED FROM FROM JULY 20, 2000)**

4. 00114 00000 01055  
00138 0000001056  
Project # 1000711

Tierra West LLC, agents for Paradise West Inc., request annexation and establishment of R-D zoning, plus an amendment the La Cueva Sector Development Plan, located on Modesto between Ventura and Holbrook, containing approximately 13 acres. (B-20) Carmen Marrone, Staff Planner **(CONTINUED FROM SEPTEMBER 21, 2000)**

5. 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 **(CONTINUED FROM SEPTEMBER 21, 2000)**

6. 00128 00000 01017  
Project # 1000692

James W. Green, Architect, agent for Desert Sky Development, request approval of a site development plan for building permit for Tract A-1A, Academy Acres Subdivision, zoned SU-1/C-1, located on the corner of Wyoming Boulevard NE & Burlison, containing approximately 4.08 acres. (E-19) Debbie Stover, Staff Planner **(CONTINUED FROM SEPTEMBER 21, 2000)**

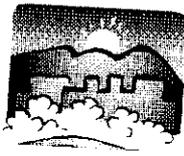
7. 00128 00000 01181  
Project # 1000692

Tom Couch, agent for Desert Sky Development LLC, request approval of a site development plan for building permit for Lot A1A, Academy Acres, located on Wyoming Boulevard NE between Academy Boulevard and San Antonio, containing approximately 4 acres. (E-19) Debbie Stover, Staff Planner

8. 00110 00000 01028  
Project # 1000699  
Garcia/Kraemer & Associates, agents for Dr. Sharon Holland, request a zone map amendment from R-1 & C-1 to C-2 for Tract 67A3, MRGCD Map No. 29, located on Fourth Street NW, between Vineyard Road and Willow Road, containing approximately 1.15 acres. (E-15) Russell Brito, Staff Planner **(DEFERRED FROM SEPTEMBER 21, 2000)**
  
9. 00110 00000 001026  
Project # 1000697  
Garcia/Kraemer & Associates, agents for John Kinzer request a zone map amendment from R-T to C-2 for Lot 37, Block 4, La Mesa Addition, located on Mesilla Street NE between Central Avenue and Domingo Road, containing approximately 0.16 acre. (K-19) Carmen Marrone, Staff Planner **(DEFERRED FROM SEPTEMBER 21, 2000)**
  
10. 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 **(DEFERRED FROM AUGUST 17, 2000)**
  
11. 00110 00000 00140  
Garcia/Kraemer & Associates, agents for C. James Schomburg, request a zone map amendment from M-2 to SU-1/C-2 for Lot A, Lands of Helen E. Saunders, located on Montano Road NW between I-25 and Culture Drive, containing approximately .56 acre. (F-16) Elisa Paster, Staff Planner **(DEFERRED FROM SEPTEMBER 21, 2000)**
  
12. Z-99-116 Tierra West LLC, agents for Beach Water Park, Inc. and James Schomburg, request a zone map amendment from M-2 and SU-1/IP to SU-1/C-2 Permissive Uses (2.6 acres) and Amendment to a Site Development Plan for Subdivision (25.5 acres) plus approval of a Site Development Plan for Building Permit (2.6 acres) for Lot A, Lands of Helen E. Saunders, Tracts B & C, Renaissance Center III (zoned SU-1 for IP Uses & Recreation Facility) located on Montano Road NW between Interstate 25 and Alexander Boulevard, containing approximately 25.5 total acres. (F-16) Bob Paulsen, Staff Planner
  
13. 00110 00000 01170  
Project # 1000757  
Eva & Marisol Encinias request a zone map amendment from R-1 to R-2 for Lot A-3, Jarvis Subdivision, located on Poblana NW between 12<sup>th</sup> Street and 16<sup>th</sup> Street, containing approximately 0.76 acres. (H-13) Makita Hill, Staff Planner

14. 00110 00000 01180  
Project # 1000764 Mitchell Turbov requests a zone map amendment from SU-1 Church & Related Facilities to O-1 for Lot 6, Block 7, Baron Burg Heights, located on Madeira Drive SE between Zuni Road and Bell Avenue, containing approximately 0.20 acres. (L-18) Simon Shima, Staff Planner
15. 00128 00000 01178  
Project # 1000762 Herbert M. Denish & Associates, Inc., agents for Newfoundland Investment Company, LLC, request approval of a site development plan for subdivision purposes for Lots 10A1, 10A2, C & portions of Lots B & F, Albuquerque West Subdivision and Lot B, Richland Hills Unit 1, zoned SU-1 for C-3 Uses with Exceptions and SU-1 for IP Uses with Exceptions, located on Paseo del Norte NW between Eagle Ranch Road and Richland Hills Road, containing approximately 27.3 acres. (C-12) Russell Brito, Staff Planner
16. 00128 00000 01182  
Project # 1000508 Tierra West LLC, agents for Wal-Mart Stores Inc., requests approvals of amendments to site development plans for subdivision purposes plus approval of a site development plan for building permit for Tract B1A, Towne Park Plaza & Lots 1 & 5, Lenkurt Properties, located on Eubank Boulevard NE between I-40 East and Chico Road, containing approximately 100 acres. (K-21) Russell Brito, Staff Planner
17. 011128 00000 01186  
Project #1000163 Tierra West LLC, agents for Brinker Restaurant Corporation request approval of a site development plan for building permit for Lot 5, La Cueva Town Center, located on Wyoming Boulevard NE between Carmel Avenue and Paseo del Norte, containing approximately 1.53 acres. (C-19) Carmen Marrone, Staff Planner
18. 00136-00000-01279  
**Project #1000493**  
440-00-1140 Michael Cadigan, agent for Coors Trail Neighborhood Association, appeals the Development Review Board's approval of a request for Subdivision Design Variance for portion of Tract E-1, Marion Rocco Subdivision, zoned SU-1/PRD (City) and located on Coors Tr NW between Montano Road NW and Paseo del Norte NW containing approximately 16.51 acres. [REF: Z-87-166, Z-98-597, AX-98-6, DRB-93-437, DRB-95-213] [FIRST TIME ON THE AGENDA 1995] (D-13)
19. 00128 00000 00586  
00128 00000 00587  
(Project #1000493) Consensus Planning, agents for Garrett Group, Inc., request approval of a site development plan for subdivision purposes plus approval of a site development plan for building permit for a portion of Tract E-1, Marian Rocco Subdivision, zoned SU-1 PRD, located on Coors Boulevard NW between Montano Road and Paseo del Norte, containing approximately 16.51 acres. (D-13) Russell Brito, Staff Planner **(CONTINUED FROM SEPTEMBER 21, 2000)**

20. 00128 00000 01195  
Project # 1000769 Herbert M. Denish & Associates, Inc., agents for Lowe's Companies, request approval of a site development plan for building permit for Tracts 1 and A, Tinnin Shopping Center, zoned C-2, located on Juan Tabo Boulevard NE between Candelaria Road and Golden Gate Avenue, containing approximately 15.35 acres. (G-22) Debbie Stover, Staff Planner
21. 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 AUGUES 17, 2000)**
22. 00110 00000 01196  
00128 00000 01192  
Project # 1000444 Bohannan Huston, Inc., agents for Bandelier Equities/McMahon Equities L.C., request a zone map amendment from R-1 to SU-1 for C-2, SU-1 for R-2/O-1 and SU-1 for C-2/O-1, plus approval of a site development plan for subdivision purposes for an unplatted 17.2 acre tract, Paradise Hills, located on McMahon Boulevard NW between Dover Street and Stonebridge Drive at Bandelier Drive, containing approximately 17.2 acres. (A-12) Russell Brito, Staff Planner
23. 00128 00000 01199  
00128 00000 01200  
Project # 1000771 Consensus Planning, Inc., agents for American Realcorp, requests approval of a site development plan for subdivision purposes plus approval of a site development plan for building permit for Tracts E, F, and G, Adobe Wells Addition, zoned SU-1 for IP, C-2/R-2 Uses, located on Eagle Ranch Road NW and Irving Boulevard, containing approximately 38.1 acres. (B-13) Russell Brito, Staff Planner
24. 00114 00000 01184  
00138 00000 01185  
Project # 1000 766 Mark Goodwin & Associates, PA, agents for Unite-Us, LLC, request annexation and establishment of RD zoning plus an amendment to the Tower-Unser Sector Development Plan for Tracts 3-7, Unit 2, Town of Atrisco Grant, located on Tower Road NW between Unser Boulevard and 75<sup>th</sup> Street, containing approximately 20 acres. (L-10) Debbie Stover, Staff Planner
25. Other Matters



Agenda Number: 8  
 Case Number: 00110 00000 01028  
 19 October 2000

## Staff Report

<b>Agent</b>	Garcia/Kraemer & Assoc.
<b>Applicant</b>	Dr. Sharon Holland
<b>Request</b>	<b>Zone Map Amendment</b>
<b>Legal Description</b>	Tract 67A3, MRGCD Map No. 29
<b>Location</b>	On 4 <sup>th</sup> Street NW, between Vineyard and Willow Roads
<b>Size</b>	Approximately 1.15 acres
<b>Existing Zoning</b>	R-1 and C-1
<b>Proposed Zoning</b>	C-2

**Staff Recommendation**  
**DENIAL OF 00110 00000 01028, based on the findings on page 9.**

**Staff Planner**  
 Russell Brito, Planner

**Summary of Analysis**

The EPC deferred this case for one month at the applicant's request. The applicant has not submitted a revised request or additional, supporting information. Staff comments, analysis, and recommendation remain unchanged, and can be summarized as follows:

The requested C-2 zoning has not been sufficiently justified as per the policies and requirements of *Resolution 270-1980*:

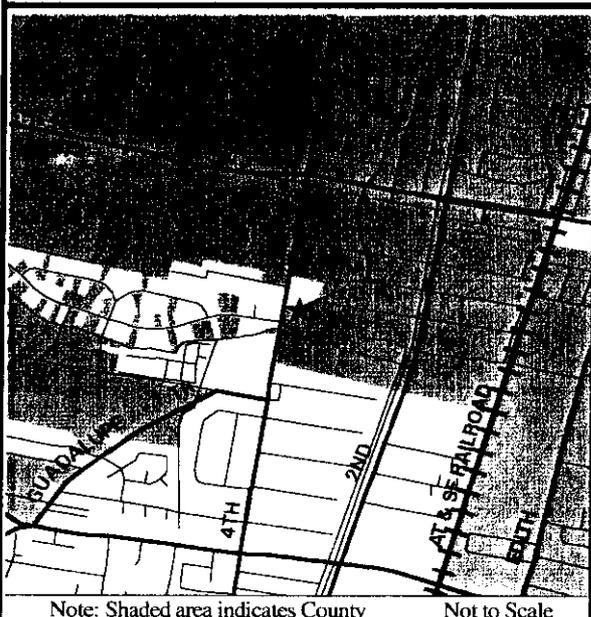
- The applicant has not demonstrated that the existing zoning is inappropriate.
- Some of the permissive uses in the requested C-2 zone may be harmful to adjacent property, the neighborhood or the community.
- The subject request is an unjustified "spot zone".

Planning Staff recommends denial of this request for a zone map amendment from R-1 and C-1 to C-2. Staff comments, findings and recommendation begin on page 8.



City Departments and other interested agencies review this application from 4 August 2000 to 18 August 2000. Agency comments were used in the preparation of this report, and begin on page 10.





Note: Shaded area indicates County Not to Scale

## LAND USE MAP

### KEY to Land Use Abbreviations

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



Scale 1" = 273'

<b>PROJECT NO.</b> 1000699
<b>HEARING DATE</b> 09-21-00
<b>MAP NO.</b> E-15
<b>APPLICATION NO.</b> 00110-00000-01028

**Development Services Report**

**SUMMARY OF REQUEST**

<b>Request</b>	Zone Map Amendment
<b>Location</b>	Tract 67A3, MRGCD Map No. 29 located on 4 <sup>th</sup> Street NW, between Vineyard and Willow Roads

**AREA CHARACTERISTICS AND ZONING HISTORY**  
 Surrounding zoning, plan designations, and land uses:

	Zoning	Comprehensive Plan Area; Applicable Rank II & III Plans	Land Use
<b>Site</b>	R-1 and C-1	Established Urban; North Valley Area Plan	undeveloped
<b>North</b>	R-1 and C-1	"	car wash
<b>South</b>	County C-1 (across Vineyard Road)	"	convenience store, restaurant
<b>East</b>	County C-1 and R-3 (across the Chamisal Lateral)	"	parking Lot and single family homes
<b>West</b>	SU-1 for PRD and SU-1 for O-1 and C-1 (across 4 <sup>th</sup> Street)	"	commercial

**Background**

The applicant states a desire to develop a restaurant with a full service liquor license on the subject site. The site is located at the confluence of three jurisdictions: the City of Albuquerque, the Village of Los Ranchos and Bernalillo County.

The subject site was annexed and zoned R-1 and C-1 in 1977 (Z-77-130/AX-77-21). The Environmental Planning Commission denied a zone map amendment request for C-2 zoning in 1991 (Z-91-2). The EPC's findings for denial included:

- The applicant has not provided any evidence to demonstrate the need for additional C-2 zoning in the general area.
- The Albuquerque/Bernalillo County Comprehensive Plan contains policies intended to prevent strip commercial development.

- The proposed zone change may exacerbate the traffic problems in this area.
- The proposed C-2 zoning which is adjacent to property zoned R-1 to the north is not an effective transition to single-family residential zoning.

The applicant from 1990 appealed the EPC's denial decision to the City Council (AC-91-8). The City Council denied the appeal with findings that included:

- The zoning and land use in this area of Fourth Street is very mixed commercial.
- There are not changed neighborhood conditions which justify changing the C-1 zoning to the more intense C-2. The C-1 zoning is appropriate.
- There is no adopted plan which justifies this zone change as being more advantageous to the community.

The site's recent zoning history clearly shows the City's intention to prevent C-2 zoning on the subject site.

## **APPLICABLE PLANS AND POLICIES**

### ***Albuquerque / Bernalillo County Comprehensive Plan***

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

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

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

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

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

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

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

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

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

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

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

#### ***North Valley Area Plan (Rank II)***

The North Valley Area Plan was first adopted in 1993 by City Council Enactment No. 60-1993. The Plan area is bounded by the Bernalillo County / Sandoval County line (north), Interstate 40 (south), Interstate 25 (east), and the Rio Grande (west); specific boundaries are shown on the Boundaries map in the Plan (page 24). It sets forth policies regarding land use and zoning, wastewater, and housing (*Zoning and Land Use Policy 3, Wastewater Policy 3, Transportation Policy 1, and Housing Policy 1 and 2*).

*Zoning and Land Use Policy 3* states that strip commercial development and associated signage on valley arterials shall be limited by the City and County.

*Transportation Policy 1* states that the City and County shall encourage the smooth flow of traffic on arterials.

*Transportation Policy 2* states that the City and County shall actively promote sustainable transportation in and through the Plan area by encouraging reduced automobile use and improving the safety of non-motorized travel; possibly by restriping narrower driving lanes on Fourth Street to provide additional space for sidewalks or walkways, bikeways, and bus stops.

*Village Centers Policy 1* states that the City and County shall encourage new development and redevelopment that incorporates Village Center Principles including: pedestrian attraction and accessibility, mixed use development, and valley scale and character.

#### ***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 Fourth Street as a Minor Arterial.

**ANALYSIS**

**Conformance to Adopted Plans, Policies, and Ordinances**

This is a request for a zone map amendment from R-1 and C-1 to C-2 for an approximately 1.15 acre site located on 4<sup>th</sup> Street NW between Vineyard and Willow Roads.

The subject site is located at the confluence of three jurisdictions: the City of Albuquerque, the Village of Los Ranchos and Bernalillo County. The area has a strong historical character with longtime agricultural uses existing alongside more recent residential and commercial development and a mix of rural and urban development and uses. Some of the nearby, existing commercial development is located within the City Limits and some is located within the Village of Los Ranchos.

Residential zoning is located immediately to the north of the site, to the east and to the west across 4<sup>th</sup> Street. Residential uses are located to the east of the site along Vineyard Road and to the west across 4<sup>th</sup> Street.

The applicant proposes to develop a restaurant with a full service liquor license on the subject site. The applicant is correct in stating that this use is first permissive in the C-2 zone.

The applicant has not demonstrated that the existing zoning is inappropriate because either "changed neighborhood or community conditions justify the change" or because "a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan". (Resolution 270-1980, Section 1.D.)

The applicant asserts that the requested zone map amendment is justified under Resolution 270-1980 because of changed neighborhood conditions. The applicant states that "pre-existing C-2 uses in the area can be viewed as changed neighborhood conditions which justify the zoning." (applicant's Reason for Request)

These "pre-existing C-2 uses" include uses on the east side of 4<sup>th</sup> Street that were allowed under County C-1 zoning and then allowed to continue after 1986 when the County C-1 zone was changed and C-2 zoning was added to the County Zoning Code. Existing businesses under the old guidelines for County C-1 zoning have not been required to seek C-2 zoning in order to continue allowing liquor service. Other "pre-existing C-2 uses" include the Guadalupe Plaza shopping center on the west side of 4<sup>th</sup> Street, within the City Limits, with SU-1 for Planned Commercial Development and C-2 Uses zoning that was established in 1983 (Z-82-93/AX-82-14, Z-82-93-1, Z-82-93-2).

These "pre-existing C-2 uses" are all located on sites with zoning that was established more than a decade ago. There have been no changed neighborhood or community conditions that justify the current request.

The question remains as to whether additional C-2 zoning is needed in the area. The applicant has not provided any evidence to support such a claim other than "development of a quality restaurant with full service liquor sales can also be seen as beneficial to the community." (applicant's Reason for Request) *Resolution 270-1980* allows for a zone change justification that is "more advantageous to the community," but only "as articulated in the Comprehensive Plan or other City master plan" (*R-270-1980*, Section 1.D.). The applicant has not presented language or policy from an adopted plan that justifies this zone change as being more advantageous to the community.

Furthermore, the requested zone change would give a zone different from surrounding zoning to one small area, which is generally called a "spot zone" as defined by *Resolution 270-1980*. The applicant has not shown that the change will clearly facilitate realization of the Comprehensive Plan or the North Valley Area Plan. The area of the proposed zone change would not function as a transition between adjacent zones (C-1 and R-1). The applicant has not shown why the site is not suitable for the uses allowed in the current zoning or in any adjacent zoning (C-1 and R-1).

Section 1.E. of *Resolution 270-1980* states:

"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."

There are several permissive uses in the C-2 zone that may be harmful to the vicinity, including:

- 
- Off-premise sign
  - Vehicle sales, rental, service, repair, and storage, both indoor and outdoor
  - Circus or Carnival operation outdoor or in a tent
  - Drive-in restaurant
  - Storage structure or yard
  - Uses or activities in a tent

Planning Department Staff recommends denial of this request for a zone map amendment from R-1 and C-1 to C-2.

### ***Neighborhood Concerns***

The Planning Department has received a letter of concern from Enrico and Arthur Gradi, nearby property owners. Their concerns include:

- No public notification signs have been posted on the site, leading to inadequate notification and awareness of the request by nearby property owners.
- No site plan is required for C-2 zoning.
- The unique and historical context of the site and the area necessitate site plan review.

Failure to post public notification signs within fifteen days of the public hearing date is grounds for deferral of the case.

The Planning Department has also received a petition with signatures of nearby residents opposed to the requested zone map amendment.

### ***Conclusions***

The requested C-2 zoning has not been sufficiently justified as per the policies and requirements of *Resolution 270-1980*:

- The applicant has not demonstrated that the existing zoning is inappropriate.
- Some of the permissive uses in the requested C-2 zone may be harmful to adjacent property, the neighborhood or the community.
- The subject request is a "spot zone" that will not facilitate realization of the Comprehensive Plan or other master plan nor would it function as a transition between adjacent zones, and the applicant has not shown why the site is not suitable for the uses allowed in the current zoning or in any adjacent zoning.

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**FINDINGS – 21 September 2000**

1. This is a request for a zone map amendment from R-1 and C-1 to C-2 for an approximately 1.15 acre site located on 4<sup>th</sup> Street NW between Vineyard and Willow Roads.
2. The applicant has not demonstrated that the existing zoning is inappropriate because either “changed neighborhood or community conditions justify the change” or because “a different use category is more advantageous to the community, as articulated in the *Comprehensive Plan* or other City master plan”. (*Resolution 270-1980*, Section 1.D.)
3. There are several permissive uses in the C-2 zone that may be harmful to adjacent property, the neighborhood or the community. (*Resolution 270-1980*, Section 1.E.)
4. The subject request is a “spot zone” that will not facilitate realization of the *Comprehensive Plan* or other master plan nor would it function as a transition between adjacent zones, and the applicant has not shown why the site is not suitable for the uses allowed in the current zoning or in any adjacent zoning. (*Resolution 270-1980*, Section 1.I.)
5. Planning Department Staff recommends denial of this request for a zone map amendment from R-1 and C-1 to C-2.

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**RECOMMENDATION – 21 September 2000**

**DENIAL of 00110 00000 01028, a zone map amendment from R-1 and C-1 to C-2 for Tract 67A3, MRGCD Map No. 29, based on the preceding Findings.**

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ACTION TAKEN BY THE ENVIRONMENTAL PLANNING COMMISSION ON 21  
SEPTEMBER 2000:

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to continue 00110 00000 01028, to the Environmental Planning Commission Public Hearing on 19 October 2000.

MOVED BY COMMISSIONER HEISER

SECONDED BY COMMISSIONER McMAHAN MOTION CARRIED UNANIMOUSLY

ADDITIONAL COMMENTS TO THE ENVIRONMENTAL PLANNING COMMISSION  
FOR 19 OCTOBER 2000:

The EPC deferred this case for one month at the applicant's request. The applicant has not submitted a revised request or additional, supporting information. Staff comments, analysis, and recommendation remain unchanged, and can be summarized as follows:

The requested C-2 zoning has not been sufficiently justified as per the policies and requirements of *Resolution 270-1980*:

- The applicant has not demonstrated that the existing zoning is inappropriate.
- Some of the permissive uses in the requested C-2 zone may be harmful to adjacent property, the neighborhood or the community.
- The subject request is a "spot zone" that will not facilitate realization of the Comprehensive Plan or other master plan nor would it function as a transition between adjacent zones, and the applicant has not shown why the site is not suitable for the uses allowed in the current zoning or in any adjacent zoning.

---

**FINDINGS – 19 October 2000**

1. This is a request for a zone map amendment from R-1 and C-1 to C-2 for an approximately 1.15 acre site located on 4<sup>th</sup> Street NW between Vineyard and Willow Roads.
2. The applicant has not demonstrated that the existing zoning is inappropriate because either “changed neighborhood or community conditions justify the change” or because “a different use category is more advantageous to the community, as articulated in the *Comprehensive Plan* or other City master plan”. (*Resolution 270-1980*, Section 1.D.)
3. There are several permissive uses in the C-2 zone that may be harmful to adjacent property, the neighborhood or the community. (*Resolution 270-1980*, Section 1.E.)
4. The subject request is a “spot zone” that will not facilitate realization of the *Comprehensive Plan* or other master plan nor would it function as a transition between adjacent zones, and the applicant has not shown why the site is not suitable for the uses allowed in the current zoning or in any adjacent zoning. (*Resolution 270-1980*, Section 1.I.)
5. Planning Department Staff recommends denial of this request for a zone map amendment from R-1 and C-1 to C-2.

**RECOMMENDATION – 19 October 2000**

**DENIAL** of 00110 00000 01028, a zone map amendment from R-1 and C-1 to C-2 for Tract 67A3, MRGCD Map No. 29, based on the preceding Findings.

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Russell Brito  
Planner

cc: Dr. Sharon Holland, 7405 4<sup>th</sup> St. NW, Albuquerque, NM 87107  
Garcia/Kraemer & Assoc., 200 Lomas Blvd. NW, Albuquerque, NM 87102  
Frances Boggess-Gallegos, Lee Acres Neigh. Assoc., 1036 Solar Rd. NW, Albuquerque, NM 87107  
Pat Georges, Lee Acres Neigh. Assoc., 856 Fairway NE, Albuquerque, NM 87107

**Attachments**

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**CITY OF ALBUQUERQUE AGENCY COMMENTS**

**PLANNING DEPARTMENT**

**Zoning Code Services**

"Reviewed, no comments."

**PUBLIC WORKS DEPARTMENT**

**Transportation Development Services:**

Condition of annexation and establishment of zoning should include:

- A) Dedication of 10 feet of right-of-way for Fourth Street and 30 feet of right-of-way for Vineyard Road.
- B) Construction of paving, curbs, gutters and 6 foot sidewalks for both Fourth Street and Vineyard Road. Reconstruction of the 4th St. / Vineyard intersection will be required.

**Utility Development:**

No comment.

**Traffic Engineering Operations:**

Good sight visibility is essential from this property onto 4th. At least 500 feet from driver's eye height 13 feet back of curb face is necessary.

**Hydrology:**

The Hydrology Section has no objection to the zone map amendment request.

**Transportation Planning:**

No comment on zoning request.

**FINDING**

4<sup>th</sup> Street is a minor arterial on the Long Range Roadway System map, to have a right-of-way 80 feet wide. The Village of Los Ranchos= 4<sup>th</sup> Street corridor plan (not finalized) suggests that some additional right-of-way may be taken from the opposite side (west side) of the street. The matter is complicated by an existing power line on the east side, with large power poles right at the edge of pavement. Accordingly, we suggest that development of this property hold away from the street a few feet, in case minimal taking of right-of-way becomes necessary.

**ENVIRONMENTAL HEALTH DEPARTMENT**

**Air Quality Division**

"No Comment."

**Environmental Services Division**

**NEIGHBORHOOD SERVICES**

“Lee Acres (a recognized association was notified.)

**PARKS AND RECREATION**

**Design & Development**

“No adverse comment.”

**OPEN SPACE DIVISION**

“No adverse comment.”

**POLICE DEPARTMENT/Planning**

“no comment.”

**SOLID WASTE MANAGEMENT DEPARTMENT**

**Refuse Division**

“Approved on condition will comply with all SWMD ordinances and requirements.”

**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.”



ENVIRONMENTAL PLANNING COMMISSION  
AMENDED A G E N D A

Thursday, September 21, 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 July 20, 2000

- 1D. 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 **(RECOMMENDED APPROVAL TO CITY COUNCIL OF ANNEXATION. RECOMMENDED APPROVAL OF ESTABLISHMENT OF IP ZONING. MASTER DEVELOPMENT PLAN CONTINUED TO SEPTEMBER 21, 2000)**
2. 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
3. 00110 00000 00140
- Garcia/Kraemer & Associates, agents for C. James Schomburg, request a zone map amendment from M-2 to SU-1/C-2 for Lot A, Lands of Helen E. Saunders, located on Montano Road NW between I-25 and Culture Drive, containing approximately .56 acre. (F-16) Elisa Paster, Staff Planner **(DEFERRED FROM JULY 20, 2000)**
4. Z-99-116
- Tierra West LLC, agents for Beach Water Park, Inc., request approval of a site development plan for subdivision purposes plus approval of a site development plan for building permit for Tract B & C, Renaissance Center III and replat Lot 3 & 4, Tract 6-A, zoned SU-1 for IP Uses & Recreation Facility, located on Montano Road NW between Interstate 25 and Alexander Boulevard, containing approximately 1.9 acres. (F-16) Elisa Paster, Staff Planner **(DEFERRED FROM JULY 20, 2000)**
5. 00114 00000 01055  
00138 0000001056  
Project # 1000711
- Tierra West LLC, agents for Paradise West Inc., request annexation and establishment of R-D zoning, plus an amendment the La Cueva Sector Development Plan, located on Modesto between Ventura and Holbrook, containing approximately 13 acres. (B-20) Carmen Marrone, Staff Planner

6. 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 **(DEFERRED FROM AUGUST 17, 2000)**
  
7. 00110 00000 00145  
00138 00000 00146  
Pacific Equities, LLC request an amendment to the North I-25 Sector Development Plan plus a zone map amendment from R-D to SU-2/C-1 zoning for Lots 14-19, Block 34, Tract A, Unit B, North Albuquerque Acres, located on Louisiana Boulevard NE between Holly Avenue and Carmel Avenue, containing approximately 4.71 acres. (C-18) Bob Torres, staff Planner **(DEFERRED FROM AUGUST 17, 2000)**
  
8. 00110 00000 00995  
Project # 1000683  
John Lorentzen requests a zone map amendment from IP to C-2 for a western portion of Tract E, Airport Center, located on Miles Road SE between University Boulevard and Buena Vista, containing approximately .355 acre. (M-15) Simon Shima, Staff Planner
  
9. Z-00-11  
AX-00-3  
Tierra West LLC, agents for Development Services LTD Co. & Four Suns Bldgs., requests Annexation and Establishment of SU-1 for MH zoning plus approval of a Site Plan for Subdivision and approval of a Site Plan for Building Permit for Tracts 1, 2 and A-1, Lands of Chapman, plus the adjacent portion of the MRGCD lateral, plus Tract 22A, MRGCD Map 29; along with annexation and establishment of SU-1 for IP zoning and approval of a site plan for building permit for Tract B, Lands of Chapman, plus Tract 22, MRGCD Map 29, located on Edith Avenue NE between Osuna Boulevard and Sin Nombre Ct. for a total of approximately 23.08 acres. (E-15) Bob Torres, Staff Planner **(DEFERRED FROM AUGUST 17, 2000)**
  
10. 00110 00000 01004  
00138 00000 01005  
Project # 1000580  
Greater Albuquerque Housing Partnership, agents for Albuquerque Public Schools, request a zone map amendment from O-1 to R-1, plus an amendment to the Martineztown/Santa Barbara Sector Development Plan for unplatted tracts within projected Section 16 T.10.N, R.3.E, N.M.P.M. Town of Atrisco Grant, located on Indian School Road NE & High Street between Indian School Road and Crespino Avenue, containing approximately .50 acre. (J-15) Cynthia Borrego Archuleta, Staff Planner

11. 00110 00000 01006  
00138 00000 01007  
Project # 1000580  
Greater Albuquerque Housing Partnership, agents for Albuquerque Public Schools, request a zone map amendment from O-1 to R-1 plus an amendment to the Martineztown/Santa Barbara Sector Development Plan for unplatted Tracts within projected Section 16 T.10.N, R.3.E, N.M.P.M. Town of Atrisco Grant, located on Cordero Street between High Street and Albuquerque High School, containing approximately .70 acre. (J-15) Cynthia Borrego Archuleta, Staff Planner
12. 00110 00000 01215  
00138 00000 01216  
Project # 1000580  
Greater Albuquerque Housing Partnership, agents for Albuquerque Public Schools, request a zone map amendment from SU-2/RCM to R-1 plus an amendment to the Martineztown/Santa Barbara Sector Development Plan for unplatted Tracts within projected Section 16 T.10.N, R.3.E, N.M.P.M. Town of Atrisco Grant, located on High Street between Crespin and Kinley and adjacent to Albuquerque High School, containing approximately .19 acre. (J-15) Cynthia Borrego Archuleta, Staff Planner
13. 00110 00000 00585  
00128 00000 00682  
(Project #1000493)  
Consensus Planning, agents for the City of Albuquerque, Open Space Division request a zone map amendment from SU-1 PRD to SU-1 for Major Public Open Space plus an amendment to a site development for subdivision for a portion of Tract E-1, Marian Rocco Subdivision, located on Coors Boulevard NW between Montañó Road and Paseo del Norte, containing approximately 9.38 acres. (D-13) Russell Brito, Staff Planner **(DEFERRED FROM AUGUST 17, 2000)**
14. 00128 00000 00586  
00128 00000 00587  
(Project #1000493)  
Consensus Planning, agents for Garrett Group, Inc., request approval of a site development plan for subdivision purposes plus approval of a site development plan for building permit for a portion of Tract E-1, Marian Rocco Subdivision, zoned SU-1 PRD, located on Coors Boulevard NW between Montañó Road and Paseo del Norte, containing approximately 16.51 acres. (D-13) Russell Brito, Staff Planner **(DEFERRED FROM AUGUST 17, 2000)**
15. 00110 00000 01016  
Project # 1000691  
Herbert M. Denish & Associates, agents for Ike J. Monty, request a zone map amendment from R-2 to C-2 for Lots 1 & 2, Block 13, Clayton Heights Addition, located on the west side of Wilmoore Avenue SE between Gibson Boulevard and Ross Avenue, containing approximately .488 acres. (L-15) Jon Messier, Staff Planner
16. 00128 00000 01017  
Project # 1000692  
James W. Green, Architect, agent for Desert Sky Development, request approval of a site development plan for building permit for Tract A-1A, Academy Acres Subdivision, zoned SU-1/C-1, located on the corner of Wyoming Boulevard NE & Burlison, containing approximately 4.08 acres. (E-19) Debbie Stover, Staff Planner

17. 00110 00000 01040  
Project # 1000704  
Guadalupe Architects, agents for Walter Sanchez, request a zone map amendment from R-2 to C-1 for Lots 3 & 4, Block 25, Playa del Sol Addition located on the east side of Florida Street SE between Zuni Road SE and Bell Avenue, containing approximately .475 acre. (L-18) Jon Messier, Staff Planner
18. 00110 00000 01028  
Project # 1000699  
Garcia/Kraemer & Associates, agents for Dr. Sharon Holland, request a zone map amendment from R-1 & C-1 to C-2 for Tract 67A3, MRGCD Map No. 29, located on Fourth Street NW, between Vineyard Road and Willow Road, containing approximately 1.15 acres. (E-15) Russell Brito, Staff Planner
19. 00110 00000 001024  
Project # 1000696  
Cummins Consulting, agents for Yoshiro Akutagawa et. al., request a zone map amendment from R-D to C-2 for Tract F, Bosque Meadows, located on Coors Boulevard NW between Rambla Lane and Bosque Meadows, containing approximately 3.14 acres. (D-12) Russell Brito, Staff Planner
20. 00110 00000 01020  
00128 00000 01021  
Project # 1000694  
John Griego, agent for Family Worship Center, requests a zone map amendment from R-2 to SU-1 for Church and Related Uses plus a site development plan for subdivision purposes for Lots 226-230, Town of Atrisco Grant, Airport Unit, located on Glenrio Road NW between Coors Boulevard and I-40, containing approximately 7.361 acres. (J-10) Mary Piscitelli, Staff Planner
21. 00110 00000 001026  
Project # 1000697  
Garcia/Kraemer & Associates, agents for John Kinzer request a zone map amendment from R-T to C-2 for Lot 37, Block 4, La Mesa Addition, located on Mesilla Street NE between Central Avenue and Domingo Road, containing approximately 0.16 acre. (K-19) Carmen Marrone, Staff Planner
22. 00128 00000 01029  
Project # 1000400  
Kevin Georges, AIA, agents for Our Lady of the Rosary Church request approval of a site development plan for building permit for Lot 336, Town of Atrisco Grant, zoned SU-1 Church/School/Rectorry, located on Ouray Road NW between Ouray Road NW and Miami Road NW, containing approximately 5 acres. (H-11) [REMANDED FROM CITY COUNCIL] Debbie Stover, Staff Planner

23. 00128 00000 001037  
Project #1000703 SMPC Architects, agents for Sandia Baptist Church, request an amendment to a site development plan for Tract A and Lot 15, Tijeras Club Gardens Addition, zoned SU-1 for Church and Related Facilities, located on the NE corner of Constitution Avenue and Moon Street NE, between Moon and Erbbe Streets, containing approximately 3.7 acres. (J-20) Russell Brito, Staff Planner
24. 00128 00000 001032  
Project # 1000702 John Klee requests approval of a site development plan for building permit for Tract X, Temple Addition, zoned SU-2/R-2, O-1, located on the intersection of San Pedro Drive NE between Indian School Road and Haines, containing approximately .9833 acre. (J-18) Debbie Stover, Staff Planner
25. 00128 00000 001027  
Project # 1000698 Laurie Moye, agent for PNM, requests approval of a site development plan for building permit for Tract E, Filberto Gurule Addition, zoned SU-2/IP/EP, located north of Balloon Fiesta Parkway NE between Jefferson Street and San Mateo Boulevard, containing approximately 11.42 acres. (B-17) Russell Brito, Staff Planner
26. SPR-95-2-1 The City of Albuquerque Planning Department requests amendments to the West Side Strategic Plan regarding mapping and policies for Village and Community Centers and Adjacent Areas designated in the West Side Strategic Plan. (Joel Wooldridge, Staff Planner) **(DEFERRED FROM JULY 25, 2000)**
27. 00110 00000 01031  
Project # 1000701 Lawrence Rodriguez, agent for Tom Gunzelman, requests a zone map amendment from R-2 to C-2 for Lot 24, Loma Verde Addition, located on the northwest corner of Espanola Street NE, between Chico Road and Domingo, containing approximately K-19) Simon Shima, Staff Planner
28. Other Matters



## Staff Report

<b>Agent</b>	Garcia/Kraemer & Assoc.
<b>Applicant</b>	Applicant's Name
<b>Request</b>	<b>Zone Map Amendment</b>
<b>Legal Description</b>	Tract 67A3, MRGCD Map No. 29
<b>Location</b>	On 4 <sup>th</sup> Street NW, between Vineyard and Willow Roads
<b>Size</b>	Approximately 1.15 acres
<b>Existing Zoning</b>	R-1 and C-1
<b>Proposed Zoning</b>	C-2

**Staff Recommendation**  
**DENIAL OF 00110 00000 01028, based on the findings on page 7.**

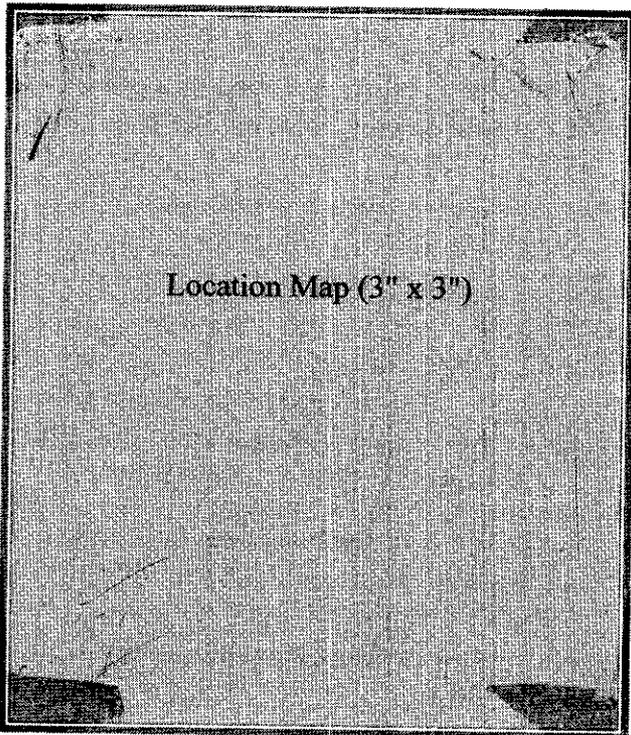
**Staff Planner**  
 Russell Brito, Planner

**Summary of Analysis**

The requested C-2 zoning has not been sufficiently justified as per the policies and requirements of *Resolution 270-1980*:

- The applicant has not demonstrated that the existing zoning is inappropriate.
- Some of the permissive uses in the requested C-2 zone may be harmful to adjacent property, the neighborhood or the community.
- The subject request is a "spot zone" that will not facilitate realization of the Comprehensive Plan or other master plan nor would it function as a transition between adjacent zones, and the applicant has not shown why the site is not suitable for the uses allowed in the current zoning or in any adjacent zoning.

Planning Staff recommends denial of this request for a zone map amendment from R-1 and C-1 to C-2.



**Development Services Report**

**SUMMARY OF REQUEST**

<b>Request</b>	<i>Zone Map Amendment</i>
<b>Location</b>	Tract 67A3, MRGCD Map No. 29 located on 4 <sup>th</sup> Street NW, between Vineyard and Willow Roads

**AREA CHARACTERISTICS AND ZONING HISTORY**

*Surrounding zoning, plan designations, and land uses:*

	<b>Zoning</b>	<b>Comprehensive Plan Area; Applicable Rank II &amp; III Plans</b>	<b>Land Use</b>
<b>Site</b>	R-1 and C-1	Established Urban; North Valley Area Plan	undeveloped
<b>North</b>	R-1 and C-1	"	car wash
<b>South</b>	County C-1 (across Vineyard Road)	"	convenience store, restaurant
<b>East</b>	County C-1 and R-3 (across the Chamisal Lateral)	"	parking Lot and single family homes
<b>West</b>	SU-1 for PRD and SU-1 for O-1 and C-1 (across 4 <sup>th</sup> Street)	"	commercial

**Background**

The applicant states a desire to develop a restaurant with a full service liquor license on the subject site. The site is located at the confluence of three jurisdictions: the City of Albuquerque, the Village of Los Ranchos and Bernalillo County.

The subject site was annexed and zoned R-1 and C-1 in 1977 (Z-77-130/AX-77-21). The Environmental Planning Commission denied a zone map amendment request for C-2 zoning in 1991 (Z-91-2). The EPC's findings for denial included:

- The applicant has not provided any evidence to demonstrate the need for additional C-2 zoning in the general area.
- The Albuquerque/Bernalillo County Comprehensive Plan contains policies intended to prevent strip commercial development.

- 
- The proposed zone change may exacerbate the traffic problems in this area.
  - The proposed C-2 zoning which is adjacent to property zoned R-1 to the north is not an effective transition to single-family residential zoning.

The applicant from 1990 appealed the EPC's denial decision to the City Council (AC-91-8). The City Council denied the appeal with findings that included:

- The zoning and land use in this area of Fourth Street is very mixed commercial.
- There are not changed neighborhood conditions which justify changing the C-1 zoning to the more intense C-2. The C-1 zoning is appropriate.
- There is no adopted plan which justifies this zone change as being more advantageous to the community.

The site's recent zoning history clearly shows the City's intention to prevent C-2 zoning on the subject site.

## ***APPLICABLE PLANS AND POLICIES***

### ***Albuquerque / Bernalillo County Comprehensive Plan***

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

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

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

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

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

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

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

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

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

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

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

#### ***North Valley Area Plan (Rank II)***

The North Valley Area Plan was first adopted in 1993 by City Council Enactment No. 60-1993. The Plan area is bounded by the Bernalillo County / Sandoval County line (north), Interstate 40 (south), Interstate 25 (east), and the Rio Grande (west); specific boundaries are shown on the Boundaries map in the Plan (page 24). It sets forth policies regarding land use and zoning, wastewater, and housing (*Zoning and Land Use Policy 3, Wastewater Policy 3, Transportation Policy 1, and Housing Policy 1 and 2*).

*Zoning and Land Use Policy 3* states that strip commercial development and associated signage on valley arterials shall be limited by the City and County.

*Transportation Policy 1* states that the City and County shall encourage the smooth flow of traffic on arterials.

*Transportation Policy 2* states that the City and County shall actively promote sustainable transportation in and through the Plan area by encouraging reduced automobile use and improving the safety of non-motorized travel; possibly by restriping narrower driving lanes on Fourth Street to provide additional space for sidewalks or walkways, bikeways, and bus stops.

*Village Centers Policy 1* states that the City and County shall encourage new development and redevelopment that incorporates Village Center Principles including: pedestrian attraction and accessibility, mixed use development, and valley scale and character.

#### ***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.

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***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 Fourth Street as a Minor Arterial.

***ANALYSIS***

***Conformance to Adopted Plans, Policies, and Ordinances***

This is a request for a zone map amendment from R-1 and C-1 to C-2 for an approximately 1.15 acre site located on 4<sup>th</sup> Street NW between Vineyard and Willow Roads.

The subject site is located at the confluence of three jurisdictions: the City of Albuquerque, the Village of Los Ranchos and Bernalillo County. The area has a strong historical character with longtime agricultural uses existing alongside more recent residential and commercial development and a mix of rural and urban development and uses. Some of the nearby, existing commercial development is located within the City Limits and some is located within the Village of Los Ranchos.

Residential zoning is located immediately to the north of the site, to the east and to the west across 4<sup>th</sup> Street. Residential uses are located to the east of the site along Vineyard Road and to the west across 4<sup>th</sup> Street.

The applicant proposes to develop a restaurant with a full service liquor license on the subject site. The applicant is correct in stating that this use is first permissive in the C-2 zone.

The applicant has not demonstrated that the existing zoning is inappropriate because either "changed neighborhood or community conditions justify the change" or because "a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan". (Resolution 270-1980, Section 1.D.)

The applicant asserts that the requested zone map amendment is justified under Resolution 270-1980 because of changed neighborhood conditions. The applicant states that "pre-existing C-2 uses in the area can be viewed as changed neighborhood conditions which justify the zoning." (applicant's Reason for Request)

These "pre-existing C-2 uses" include uses on the east side of 4<sup>th</sup> Street that were allowed under County C-1 zoning and then allowed to continue after 1986 when the County C-1 zone was changed and C-2 zoning was added to the County Zoning Code. Existing businesses under the old guidelines for County C-1 zoning have not been required to seek C-2 zoning in order to continue allowing liquor service. Other "pre-existing C-2 uses" include the Guadalupe Plaza shopping center on the west side of 4<sup>th</sup> Street, within the City Limits, with SU-1 for Planned Commercial Development and C-2 Uses zoning that was established in 1983 (Z-82-93/AX-82-14, Z-82-93-1, Z-82-93-2).

These "pre-existing C-2 uses" are all located on sites with zoning that was established more than a decade ago. There have been no changed neighborhood or community conditions that justify the current request.

The question remains as to whether additional C-2 zoning is needed in the area. The applicant has not provided any evidence to support such a claim other than "development of a quality restaurant with full service liquor sales can also be seen as beneficial to the community." (applicant's Reason for Request) *Resolution 270-1980* allows for a zone change justification that is "more advantageous to the community," but only "as articulated in the Comprehensive Plan or other City master plan" (*R-270-1980*, Section 1.D.). The applicant has not presented language or policy from an adopted plan that justifies this zone change as being more advantageous to the community.

Furthermore, the requested zone change would give a zone different from surrounding zoning to one small area, which is generally called a "spot zone" as defined by *Resolution 270-1980*. The applicant has not shown that the change will clearly facilitate realization of the Comprehensive Plan or the North Valley Area Plan. The area of the proposed zone change would not function as a transition between adjacent zones (C-1 and R-1). The applicant has not shown why the site is not suitable for the uses allowed in the current zoning or in any adjacent zoning (C-1 and R-1).

Section 1.E. of *Resolution 270-1980* states:

"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."

There are several permissive uses in the C-2 zone that may be harmful to the vicinity, including:

- 
- Off-premise sign
  - Vehicle sales, rental, service, repair, and storage, both indoor and outdoor
  - Circus or Carnival operation outdoor or in a tent
  - Drive-in restaurant
  - Storage structure or yard
  - Uses or activities in a tent

Planning Department Staff recommends denial of this request for a zone map amendment from R-1 and C-1 to C-2.

### ***Neighborhood Concerns***

The Planning Department has received a letter of concern from Enrico and Arthur Gradi, nearby property owners. Their concerns include:

- No public notification signs have been posted on the site, leading to inadequate notification and awareness of the request by nearby property owners.
- No site plan is required for C-2 zoning.
- The unique and historical context of the site and the area necessitate site plan review.

Failure to post public notification signs within fifteen days of the public hearing date is grounds for deferral of the case.

The Planning Department has also received a petition with signatures of nearby residents opposed to the requested zone map amendment.

### ***Conclusions***

The requested C-2 zoning has not been sufficiently justified as per the policies and requirements of *Resolution 270-1980*:

- The applicant has not demonstrated that the existing zoning is inappropriate.
- Some of the permissive uses in the requested C-2 zone may be harmful to adjacent property, the neighborhood or the community.
- The subject request is a "spot zone" that will not facilitate realization of the Comprehensive Plan or other master plan nor would it function as a transition between adjacent zones, and the applicant has not shown why the site is not suitable for the uses allowed in the current zoning or in any adjacent zoning.

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**FINDINGS**

1. This is a request for a zone map amendment from R-1 and C-1 to C-2 for an approximately 1.15 acre site located on 4<sup>th</sup> Street NW between Vineyard and Willow Roads.
2. The applicant has not demonstrated that the existing zoning is inappropriate because either "changed neighborhood or community conditions justify the change" or because "a different use category is more advantageous to the community, as articulated in the *Comprehensive Plan* or other City master plan". (*Resolution 270-1980*, Section 1.D.)
3. There are several permissive uses in the C-2 zone that may be harmful to adjacent property, the neighborhood or the community. (*Resolution 270-1980*, Section 1.E.)
4. The subject request is a "spot zone" that will not facilitate realization of the *Comprehensive Plan* or other master plan nor would it function as a transition between adjacent zones, and the applicant has not shown why the site is not suitable for the uses allowed in the current zoning or in any adjacent zoning. (*Resolution 270-1980*, Section 1.I.)
5. Planning Department Staff recommends denial of this request for a zone map amendment from R-1 and C-1 to C-2.

**RECOMMENDATION**

***DENIAL of 00110 00000 01028, a zone map amendment from R-1 and C-1 to C-2 for Tract 67A3, MRGCD Map No. 29, based on the preceding Findings.***

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Russell Brito  
Planner

cc: Dr. Sharon Holland, 7405 4<sup>th</sup> St. NW, Albuquerque, NM 87107  
Garcia/Kraemer & Assoc., 200 Lomas Blvd. NW, Albuquerque, NM 87102

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87107 Frances Boggess-Gallegos, Lee Acres Neigh. Assoc., 1036 Solar Rd. NW, Albuquerque, NM  
Pat Georges, Lee Acres Neigh. Assoc., 856 Fairway NE, Albuquerque, NM 87107

*Attachments*

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**CITY OF ALBUQUERQUE AGENCY COMMENTS**

**PLANNING DEPARTMENT**

**Zoning Code Services**

"Reviewed, no comments."

**PUBLIC WORKS DEPARTMENT**

**Transportation Development Services:**

Condition of annexation and establishment of zoning should include:

- A) Dedication of 10 feet of right-of-way for Fourth Street and 30 feet of right-of-way for Vineyard Road.
- B) Construction of paving, curbs, gutters and 6 foot sidewalks for both Fourth Street and Vineyard Road. Reconstruction of the 4th St. / Vineyard intersection will be required.

**Utility Development:**

No comment.

**Traffic Engineering Operations:**

Good sight visibility is essential from this property onto 4th. At least 500 feet from driver's eye height 13 feet back of curb face is necessary.

**Hydrology:**

The Hydrology Section has no objection to the zone map amendment request.

**Transportation Planning:**

No comment on zoning request.

**FINDING**

4<sup>th</sup> Street is a minor arterial on the Long Range Roadway System map, to have a right-of-way 80 feet wide. The Village of Los Ranchos= 4<sup>th</sup> Street corridor plan (not finalized) suggests that some additional right-of-way may be taken from the opposite side (west side) of the street. The matter is complicated by an existing power line on the east side, with large power poles right at the edge of pavement. Accordingly, we suggest that development of this property hold away from the street a few feet, in case minimal taking of right-of-way becomes necessary.

**ENVIRONMENTAL HEALTH DEPARTMENT**

**Air Quality Division**

"No Comment."

**Environmental Services Division**

**NEIGHBORHOOD SERVICES**

"Lee Acres (a recognized association was notified.)

**PARKS AND RECREATION**

**Design & Development**

"No adverse comment."

**OPEN SPACE DIVISION**

"No adverse comment."

**POLICE DEPARTMENT/Planning**

"no comment."

**SOLID WASTE MANAGEMENT DEPARTMENT**

**Refuse Division**

"Approved on condition will comply with all SWMD ordinances and requirements."

**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."



## NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Albuquerque Environmental Planning Commission will hold a public hearing on Thursday, September 21, 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: [Note: these items are not in the order they will be heard]

- 00110 00000 00995    John Lorentzen requests a zone map amendment from IP to C-2 for  
Project # 1000683    a western portion of Tract E, Airport Center, located on Miles Road SE  
between University Boulevard and Buena Vista, containing  
approximately .355 acre. (M-15) Simon Shima, Staff Planner
- 00110 00000 01004    Greater Albuquerque Housing Partnership, agents for Albuquerque  
00138 00000 01005    Public Schools, request a zone map amendment from O-1 to R-1, plus  
Project # 1000580    an amendment to the Martineztown/Santa Barbara Sector Development  
Plan for unplatted tracts within projected Section 16 T.10.N, R.3.E,  
N.M.P.M. Town of Atrisco Grant, located on Indian School Road NE &  
High Street between Indian School Road and Crespin Avenue,  
containing approximately .50 acre. (J-15) Cynthia Borrego Archuleta,  
Staff Planner
- 00110 00000 01006    Greater Albuquerque Housing Partnership, agents for Albuquerque  
00138 00000 01007    Public Schools, request a zone map amendment from O-1 to R-1 plus  
Project # 1000580    an amendment to the Martineztown/Santa Barbara Sector Development  
Plan for unplatted Tracts within projected Section 16 T.10.N, R.3.E,  
N.M.P.M. Town of Atrisco Grant, located on Cordero Street between  
High Street and Albuquerque High School, containing approximately  
.70 acre. (J-15) Cynthia Borrego Archuleta, Staff Planner
- 00110 00000 01215    Greater Albuquerque Housing Partnership, agents for Albuquerque  
00138 00000 01216    Public Schools, request a zone map amendment from SU-2/RCM to R-1  
Project # 1000580    plus an amendment to the Martineztown/Santa Barbara Sector  
Development Plan for unplatted Tracts within projected Section 16  
T.10.N, R.3.E, N.M.P.M. Town of Atrisco Grant, located on High Street  
between Crespin and Kinley and adjacent to Albuquerque High School,  
containing approximately .19 acre. (J-15) Cynthia Borrego Archuleta,  
Staff Planner

- 00110 00000 01016 Herbert M. Denish & Associates, agents for Ike J. Monty, request a zone  
Project # 1000691 map amendment from R-2 to C-2 for Lots 1 & 2, Block 13, Clayton Heights Addition, located on the west side of Wilmoore Avenue SE between Gibson Boulevard and Ross Avenue, containing approximately .488 acres. (L-15) Jon Messier, Staff Planner
- 00110 00000 01020 John Griego, agent for Family Worship Center, requests a zone map  
00128 00000 01021 amendment from R-2 to SU-1 for Church and Related Uses plus a site  
Project # 1000694 development plan for subdivision purposes for Lots 226-230, Town of Atrisco Grant, Airport Unit, located on Glenrio Road NW between Coors Boulevard and I-40, containing approximately 7.361 acres. (J-10) Mary Piscitelli, Staff Planner
- 00110 00000 001024 Cummins Consulting, agents for Yoshiro Akutagawa et. al., request a  
Project # 1000696 zone map amendment from R-D to C-2 for Tract F, Bosque Meadows, located on Coors Boulevard NW between Rambla Lane and Bosque Meadows, containing approximately 3.14 acres. (D-12) Russell Brito, Staff Planner
- 00110 00000 001026 Garcia/Kraemer & Associates, agents for John Kinzer request a zone  
Project # 1000697 map amendment from R-T to C-2 for Lot 37, Block 4, La Mesa Addition, located on Mesilla Street NE between Central Avenue and Domingo Road, containing approximately 0.16 acre. (K-19) Carmen Marrone, Staff Planner
- 00110 00000 01028 Garcia/Kraemer & Associates, agents for Dr. Sharon Holland, request a  
Project # 1000699 zone map amendment from R-1 & C-1 to C-2 for Tract 67A3, MRGCD Map No. 29, located on Fourth Street NW, between Vineyard Road and Willow Road, containing approximately 1.15 acres. (E-15) Russell Brito, Staff Planner
- 00110 00000 01031 Lawrence Rodriguez, agent for Tom Gunzelman, requests a zone map  
Project # 1000701 amendment from R-2 to C-2 for Lot 24, Loma Verde Addition, located on the northwest corner of Espanola Street NE, between Chico Road and Domingo, containing approximately K-19) Simon Shima, Staff Planner
- 00110 00000 01040 Guadalupe Architects, agents for Walter Sanchez, request a zone map  
Project # 1000704 amendment from R-2 to C-1 for Lots 3 & 4, Block 25, Playa del Sol Addition located on the east side of Florida Street SE between Zuni Road SE and Bell Avenue, containing approximately .475 acre. (L-18) Jon Messier, Staff Planner

- 00128 00000 01017 James W. Green, Architect, agent for Desert Sky Development, request  
Project # 1000692 approval of a site development plan for building permit for Tract A-1A, Academy Acres Subdivision, zoned SU-1/C-1, located on the corner of Wyoming Boulevard NE & Burlison, containing approximately 4.08 acres. (E-19) Debbie Stover, Staff Planner
- 00128 00000 001027 Laurie Moyer, agent for PNM, requests approval of a site development  
Project # 1000698 plan for building permit for Tract E, Filberto Gurule Addition, zoned SU-2/IP/EP, located north of Balloon Fiesta Parkway NE between Jefferson Street and San Mateo Boulevard, containing approximately 11.42 acres. (B-17) Russell Brito, Staff Planner
- 00128 00000 01029 Kevin Georges, AIA, agents for Our Lady of the Rosary Church request  
Project # 1000400 approval of a site development plan for building permit for Lot 336, Town of Atrisco Grant, zoned SU-1 Church/School/Rectorry, located on Ouray Road NW between Ouray Road NW and Miami Road NW, containing approximately 5 acres. (H-11) [REMANDED FROM CITY COUNCIL] Debbie Stover, Staff Planner
- 00128 00000 001032 John Klee requests approval of a site development plan for building  
Project # 1000702 permit for Tract X, Temple Addition, zoned SU-2/R-2, O-1, located on the intersection of San Pedro Drive NE between Indian School Road and Haines, containing approximately .9833 acre. (J-18) Debbie Stover, Staff Planner
- 00128 00000 001037 SMPC Architects, agents for Sandia Baptist Church, request an  
Project #1000703 amendment to a site development plan for Tract A and Lot 15, Tijeras Club Gardens Addition, zoned SU-1 for Church and Related Facilities, located on the NE corner of Constitution Avenue and Moon Street NE, between Moon and Erbbe Streets, containing approximately 3.7 acres. (J-20) Russell Brito, Staff Planner
- 00114 00000 01055 Tierra West LLC, agents for Paradise West Inc., request annexation and  
00138 00000 01056 establishment of R-D zoning, plus an amendment the La Cueva Sector  
Project # 1000711 Development Plan, located on Modesto between Ventura and Holbrook, containing approximately 13 acres. (B-20) Carmen Marrone, 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 SEPTEMBER 6, 2000.**

APPROVED  
  
Bob Paulsen, Senior Planner,

Development Services Division, Planning Department

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT - DEVELOPMENT SERVICES DIVISION  
PROPERTY OWNERSHIP LIST

Meeting Date: Sept. 21, 2000

Zone Atlas Page: E-15-2

Notification Radius: 100 Ft.

Cross Reference and Location: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

App# <u>00110-00000-01028</u>
Proj# <u>1000699</u>
Other#

Applicant: Dr. Sharon Holland

Address: 7405 4<sup>th</sup> St. NW, 87107

Agent: Garcia / Kraemer & Associates ✓

Address: 200 Comas NW, Ste # 1111, 87102

SPECIAL INSTRUCTIONS  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Notices Must be mailed from the  
City 15 days prior to the meeting.

Date Mailed: 9/16/00

Signature: RST

PROPERTY OWNERSHIP / LEGAL LIST

App# \_\_\_\_\_  
 Proj# \_\_\_\_\_

Date: \_\_\_\_\_

Page 1 Of 1

Zone Atlas Page	Zone Atlas #	Grid Location	Parcel Sequence	Name & Address				
E-15	1015042	020-110	504-01	✓	1014002	488-105	403	083 ✓
		058-143	03	✓		488-101		09 ✓
		027-124	17	✓ mp		487-090		10 ✓
		031-134	18	✓ mp		487-091		11 ✓
		061-115	307-01	✓		487-080		12 ✓
		069-117	02	✓		508-123	407	39 ✓
		081-119	03	✓		477-131		40 ✓
		080-068	301-04	✓		444-151		46 ✓
		011-091	11	✓		519-143		38 ✓
		008-071	12	✓ mp		505-145		45 ✓
		061-080	304-03	✓		517-100	408	17 ✓
		052-090	04	✓ mp		502-103		16 ✓
		063-100	05	✓ mp				
		075-093	06	✓				
E-14	1014002	499-075	405-05	✓ mp				
		489-070	23	✓				
		500-083	407-37	✓				
		501-095	35	✓ mp				
		483-107	403-07	✓				

1015062

\*\*\* THIS UPC CODE HAS NO MASTER RECORD ON FILE

101506202011030601

LEGAL: TRAC T 67 A3 MRGCD MAP 29 CONT 1.14 AC

LAND USE:

PROPERTY ADDR: 00000 6308 04TH ST NW

OWNER NAME: HOLLAND SHARON

OWNER ADDR: 07401 4TH

ST NW ALBUQUERQUE NM 87107

101506205814330603

LEGAL: MRGC D MA P 29 TRS "66-C" & "67-B" CONT 3.82 AC

LAND USE:

PROPERTY ADDR: 00000 6338 FOURTH ST NW

OWNER NAME: GRADI YOLANDA & GRADI ANITA

OWNER ADDR: 06338 FOURTH

ST NW ALBUQUERQUE NM 87107

101506202712430617	LEGAL: MAP 29 T R 67A2 CONT 1.16 AC PROPERTY ADDR: 00000 6310 FOURTH ST NW OWNER NAME: HOFINGER LUDWIG A & EMIL LEE OWNER ADDR: 01332 BRIDGE	LAND USE:   SW ALBUQUERQUE NM 87105
101506203113430618	LEGAL: MRGC D MA P 29 TRACT 67A1 CONT 1.24 ACRES PROPERTY ADDR: 00000 N/A OWNER NAME: HOFINGER LUDWIG A & EMIL LEE OWNER ADDR: 01332 BRIDGE	LAND USE:   SW ALBUQUERQUE NM 87105
101506206111530701	LEGAL: ALL OF L OT 43 EXC ELY 73' MERRITT ACRES ADDN TOGET PROPERTY ADDR: 00000 N/A OWNER NAME: PINTO JOHNNY T & ROSEANNE J OWNER ADDR: 00335 VINEYARD	LAND USE:   RD NW ALBUQUERQUE NM 87107
101506206911730702	LEGAL: * 04 3 W 60FT OF E 73FT MERRITT ACRES PROPERTY ADDR: 00000 333 VINEYARD RD NW OWNER NAME: MCCOY WILLIAM T AND REITHA E OWNER ADDR: 00333 VINEYARD	LAND USE:   RD NW ALBUQUERQUE NM 87107
101506208111930703	LEGAL: MERR ITT AC E13 FT OF LOT 43 X W120 FT OF 44 PROPERTY ADDR: 00000 331 VINEYARD RD NW OWNER NAME: SNYDER DANIEL T & MINZA OWNER ADDR: 00331 VINEYARD	LAND USE:   NW ALBUQUERQUE NM 87107
101506205006830104	LEGAL: TR C PLA T OF TRS A, B AND C LDS OF BLANCHARD CONT PROPERTY ADDR: 00000 6230 FOURTH ST NW OWNER NAME: STAFFORD ROBERT C ETUX OWNER ADDR: 00125 NARA VISTA	LAND USE:   NW ALBUQUERQUE NM 87107
101506201109130111	LEGAL: TR A PLA T OF TRS A, B AND C LDS OF BLANCHARD CONT PROPERTY ADDR: 00000 6242 4TH NW OWNER NAME: GIANT INDUSTRIES INC OWNER ADDR: 00000 PO BOX 12999	LAND USE:   SCOTTSDALE AZ 85267
101506200907130112	LEGAL: TR B PLA T OF TRS A, B AND C LDS OF BLANCHARD CONT PROPERTY ADDR: 00000 6210 4TH ST NW OWNER NAME: BLAKE CHANSLOR G TRUSTEE OWNER ADDR: 00000 PO BOX 6323	LAND USE:   ALBUQUERQUE NM 87107
101506206108630403	LEGAL: LT 8 6-B AMENDED REPL OF LTS 86 & 87 (NOW COMPRISIN PROPERTY ADDR: 00000 342 VINEYARD RD NW OWNER NAME: DELFRATE VICTOR & EMMA OWNER ADDR: 02920 SANTA CLARA	LAND USE:   SE ALBUQUERQUE NM 87106
101506205209630404	LEGAL: LT 8 7-A AMENDED REPL OF LTS 86 & 87 (NOW COMPRISIN PROPERTY ADDR: 00000 348 VINEYARD RD NW OWNER NAME: DURAN STEVEN E OWNER ADDR: 06300 SECOND	LAND USE:   ST NW ALBUQUERQUE NM 87107
101506206310030405	LEGAL: LT 8 6-A AMENDED REPL OF LTS 86 & 87 (NOW COMPRISIN PROPERTY ADDR: 00000 N/A OWNER NAME: DURAN STEVEN E OWNER ADDR: 06300 SECOND	LAND USE:   ST NW ALBUQUERQUE NM 87107

101506207509330406 LEGAL: \* 08 5 ME RRRITT ACRES LAND USE:  
PROPERTY ADDR: 00000 334 VINEYARD RD  
OWNER NAME: KALINA JIRI & KALINOVA BELA  
OWNER ADDR: 00000 PO BOX 10171 ALBUQUERQUE NM 87184

101406249907540525 LEGAL: TRAC T A LANDS OF EVELYN H FELLIS CONT 0.693 AC LAND USE:  
PROPERTY ADDR: 00000 6131 4TH ST NW  
OWNER NAME: CHANSLOR G BLAKE TRUSTEE  
OWNER ADDR: 00000 PO BOX 6323 ALBUQUERQUE NM 87197

101406248907640523 LEGAL: MAP 29 T RACT 69D2A2B X 69C2A2B 0.585 AC LAND USE:  
PROPERTY ADDR: 00000 SOLAR DR NW  
OWNER NAME: REYES DOLORES  
OWNER ADDR: 00410 SOLAR DR NW ALBUQUERQUE NM 87107

101406250008340737 LEGAL: TRAC T 1- B PLAT OF DIVISION OF LAND OF MONROE ENTER LAND USE:  
PROPERTY ADDR: 00000 6225 4TH ST NW  
OWNER NAME: NAPOLITANO LUIGI  
OWNER ADDR: 02611 LOS TRETOS NW ALBUQUERQUE NM 87120

101406250109540735 LEGAL: TRAC T 1- A PLAT OF DIVISION OF LAND OF MONROE ENTER LAND USE:  
PROPERTY ADDR: 00000 6245 4TH ST NW  
OWNER NAME: LEPPKE JANET M  
OWNER ADDR: 06303 4TH ST NW ALBUQUERQUE NM 87107

101406248310740307 LEGAL: \* 7 SABR E SUBD #1 PLAT OF SUBD OF TRACT 2 OF LAND LAND USE:  
PROPERTY ADDR: 00000 6220 SABRE CT NW  
OWNER NAME: DUNAGAN KATHERYNE  
OWNER ADDR: 06220 SABRE CT NW ALBUQUERQUE NM 87107

101406248810540308 LEGAL: \* 8 SABR E SUBD #1 PLAT OF SUBD OF TRACT 2 OF LAND LAND USE:  
PROPERTY ADDR: 00000 6216 SABRE CT NW  
OWNER NAME: SANCHEZ ROBERT M & BETH MELKA  
OWNER ADDR: 06216 SABRE CT NW ALBUQUERQUE NM 87107

101406248810140309 LEGAL: \* 9 SABR E SUBD #1 PLAT OF SUBD OF TRACT 2 OF LAND LAND USE:  
PROPERTY ADDR: 00000 6212 SABRE CT NW  
OWNER NAME: CIDDIO WAYNE W ETUX  
OWNER ADDR: 06212 SABRE CT NW ALBUQUERQUE NM 87107

101406248709640310 LEGAL: \* 10 SAB RE SUBD #1 PLAT OF SUBD OF TRACT 2 OF LAND LAND USE:  
PROPERTY ADDR: 00000 6208 SABRE CT NW  
OWNER NAME: KRAMER MARY ANN  
OWNER ADDR: 06001 E2 SAN MATEO BL NE ALBUQUERQUE NM 87109

101406248709140311 LEGAL: \* 11 SAB RE SUBD #1 PLAT OF SUBD OF TRACT 2 OF LAND LAND USE:  
PROPERTY ADDR: 00000 6204 SABRE CT NW  
OWNER NAME: MARCH JOHN A & CAROL J  
OWNER ADDR: 06204 SABRE CT NW ALBUQUERQUE NM 87107

101406248708640312 LEGAL: \* 12 SAB RE SUBD #1 PLAT OF SUBD OF TRACT 2 OF LAND LAND USE:  
PROPERTY ADDR: 00000 6200 SABRE CT NW  
OWNER NAME: DYKE ARTHUR E & DOROTHY  
OWNER ADDR: 06200 SABRE CT NW ALBUQUERQUE NM 87107

101466250812340739	LEGAL: TR B -1 I N SPANISH WALK SUBD PROPERTY ADDR: 00000 6303 FOURTH ST NW OWNER NAME: LEPPKE JANET M OWNER ADDR: 06303 4TH	LAND USE:  ST NW ALBUQUERQUE NM 87107
101406247413140740	LEGAL: TR A -1 I N SPANISH WALK SUBD PROPERTY ADDR: 00000 N/A OWNER NAME: LEPPKE JANET M OWNER ADDR: 06303 04TH	LAND USE:  ST NW ALBUQUERQUE NM 87107
101406244615140746	LEGAL: CAMI NO E SPANOL RD. NW A PRIVATE ROAD & UTILITY EAS PROPERTY ADDR: 00000 N/A OWNER NAME: LEPPKE JANET M OWNER ADDR: 06303 04TH	LAND USE:  ST NW ALBUQUERQUE NM 87107
101406251914340738	LEGAL: MAP 29 T R 65 A 7B CONT 0.25 ACRES PROPERTY ADDR: 00000 04TH ST NW OWNER NAME: CHAVEZ GILBERT B OWNER ADDR: 00946 CHAVEZ	LAND USE:  RD NW ALBUQUERQUE NM 87107
101406250014540745	LEGAL: MRGC D MA P 29 TR 65A7A1A3 CONT 0.8749 AC PROPERTY ADDR: 00000 N/A OWNER NAME: CHAVEZ TOMMIE E OWNER ADDR: 00946 CHAVEZ	LAND USE:  RD NW ALBUQUERQUE NM 87107
101406251716040817	LEGAL: LOTS 17 & 18 EL PARAISO SUB'D UNIT ONE CONT 1.06 A PROPERTY ADDR: 00000 6343 FOURTH ST NW OWNER NAME: SANCHEZ LIONEL J & WENDY J OWNER ADDR: 06109 SILVERLEAF	LAND USE:  TR NE ALBUQUERQUE NM 87111
101406250216340816	LEGAL: * 01 6 EL PARAISO SUB NO 1 PROPERTY ADDR: 00000 416 MULLEN RD NW OWNER NAME: TURNER OTIS L OWNER ADDR: 00416 MULLEN	LAND USE:  RD NW ALBUQUERQUE NM 87107

# NEIGHBORHOOD NOTIFICATION ADDENDUM TO APPLICATION

This certifies that I, Tammy D. Leslie-Mills have notified via certified mail, return receipt request, two representatives of the following Recognized Office of Neighborhood Associations, as furnished of Neighborhood Coordination Office\* regarding our application for

- ZONE MAP AMENDMENT
- SITE DEVELOPMENT PLAN APPROVAL OR AMENDMENT
- ANNEXATION
- MAJOR SUBDIVISION
- VACATION OF PUBLIC RIGHT-OF-WAY
- PRIVATE SECTOR DEVELOPMENT PLAN

for property located at Tract 67A3, MRGCD Map No. 29, Fourth Street NW, between Vineyard Road and Willow Road  
(legal description)

Lee Acres Neighborhood Assoc.  
(Neighborhood Association)

Frances Rogness-Callegos  
(Representative)  
1036 Solar Road NW/87107

(Address)  
344-1588 (h)  
(Phone)

Pat Georges  
(Representative)  
856 Fairway NW/87107

(Address)  
341-2559 (h)  
(Phone)

(Representative)  
  
(Address)

(Phone)  
  
(Representative)

(Address)  
  
(Phone)

\_\_\_\_\_  
(Neighborhood Association)

\_\_\_\_\_  
(Neighborhood Association)

\_\_\_\_\_  
(Neighborhood Association)

Certified by Tammy D. Leslie  
GARCIA/KRAEMER & Associates  
(Owner/Agent)

For \_\_\_\_\_  
(Owner)

Printed name of person signing Tammy D. LESLIE Phone# 505-242-5566 Date \_\_\_\_\_

\*The Neighborhood Coordination Office is located in the 5 Floor of the Old City Hall Building. 768-3790

To Whom It May Concern:

I hereby authorize the firm of GARCIA/KRAEMER & ASSOCIATES to act as my agent and represent my interests regarding a zone change from R-1 and C-1 to C-2 for Tract 67A3, MRGCD Map No. 29

Sincerely,



Dr. Sharon Holland  
7405 4th Street N.W.  
Albuquerque, New Mexico 87107





Submitted to  
EPC on 10/19

# 8

L.A.N.A  
LEE ACRES NEIGHBORHOOD ASSOCIATION

Patricia Georges - President  
856 Fairway Rd. NW  
Albuquerque, N.M. 87107  
(505)341-2559  
[patgeorges@aol.com](mailto:patgeorges@aol.com)

October 9, 2000

Garcia/Kraemer&Associates  
200 Lomas NW  
Albuquerque, N.M. 87102  
(505) 242-5566

Dear Sirs,

This letter is being sent per your request, Lee Acres Neighborhood Association held a special meeting on Tuesday, September 12, 2000 to discuss a proposed zoning change which would facilitate the construction of an Applebee's Restaurant on the corner of Vineyard Rd. NW and 4<sup>th</sup> St. NW. This location is near to Lee Acres but does not fall with in the boundaries of our Association.

At this meeting our Association voted a majority in favor of the proposed zoning change with the following conditions that we were promised would be implemented.

- 1) The zoning change would be from C-1 and R-1 to SU-2 , we were willing to give our approval to Applebee's, but not to a permanent C-2 which could possibly open the door to detriment in the future.
- 2) A blind curve area of Vineyard Rd. NW just east of the site would be investigated and corrected as to prevent traffic accidents at the properties 2 entrance/exits points on to Vineyard Rd. NW.

Overall we feel Applebee's would be a nice addition to our community, we would greatly appreciate it if they would consider blending into our unique atmosphere here in the North Valley with their architectural choices, and make an effort to become neighborhood friendly. We currently have amazingly supportive relationships with the local businesses in our immediate area and would like to develop the like ,with Applebee's but we would certainly not say these are requirements for our approval.

The traffic concerns along 4<sup>th</sup> St. NW are always a concern for us because 4<sup>th</sup> St is the main artery to our neighborhood, and although we are sure that an

Applebee's at the proposed location will indeed cause increased traffic at the 4<sup>th</sup> & Solar stop light, that is the entrance to Lee Acres. We felt to put the fault on to Applebee's was not the solution. The traffic situation needs to be addressed by the Los Ranchos 4<sup>th</sup> St. revitalization project phase II, which covers the area of the proposed Applebee's location.

In closing, we as a neighborhood in close proximity to the proposed site are looking forward to dining at Applebee's in the near future.

Sincerely,

Signature

A handwritten signature in black ink, appearing to read "P. A. Geery". The signature is written in a cursive style with a large, looping initial "P".

**GARCIA/KRAEMER&ASSOCIATES**

Wells Fargo Bank Building  
200 Lomas N.W., Suite 1111  
Albuquerque, NM 87102  
(505) 242 5566  
Fax (505) 242 9028

October 11, 2000

Mr. Charles Gara, Chairman  
Environmental Planning Commission  
City of Albuquerque

HAND DELIVERED

RE: 00110-00000-01028

Dear Mr. Gara:

The purpose of this letter is to report the results of our October 9, 2000 meeting with a group of interested residents from Vineyard Road N.W. regarding the above referenced zone map amendment request. The group included representatives of each family who signed the petition in opposition to this request.

The consensus of the neighborhood group was clear. They stated that they do not oppose the development of an Applebee's Grill and Bar at this location. They are concerned about the existing traffic situation on Vineyard Road N.W. and fear that this development could make the problem worse. They are also concerned about some of the other permissive uses in the C-2 zone and would like to see development of the site controlled by a site development plan.

The following agreement was reached at the neighborhood meeting:

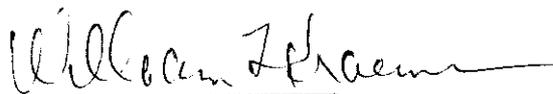
1. The applicant will modify the request to ask for approval of special use zoning, specifically to allow development of a restaurant with a full service liquor license. This amended request will allow the proposed development and eliminate the possibility that the site could be developed with other C-2 permissive uses that may have more negative impacts on the neighborhood.
2. The developer, applicant, and their agents will do everything in their power to assist the neighborhood in their efforts to address the pre-existing traffic situation on Vineyard Road N.W. between 2<sup>nd</sup> and 4<sup>th</sup> Streets. The neighbor's "best case" solution would be the vacation (closing) of Vineyard Road N.W. just West of 2<sup>nd</sup> Street. Another

acceptable solution would be to design the access from the site onto Vineyard Road N.W. so that the only traffic movement would be "right out", directing traffic only towards 4<sup>th</sup> Street. This solution would also involve the construction of "speed bumps" on Vineyard Road between the site and 2<sup>nd</sup> Street. Everyone understands that these traffic solutions will require approval and/or input from the City of Albuquerque, Bernalillo County and the Village of Los Ranchos since these governmental entities have overlapping jurisdiction in this area.

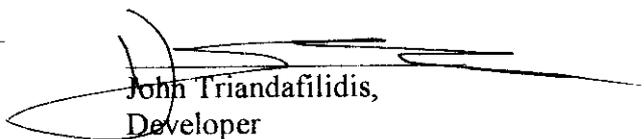
3. The undersigned residents of Vineyard N.W., who previously signed a petition in opposition to this request, are now in support of the amended request, based on the assurances of the developer and the applicant's agent.

Therefore, we hope that the EPC will favorably consider the amended request in this matter.

Sincerely,

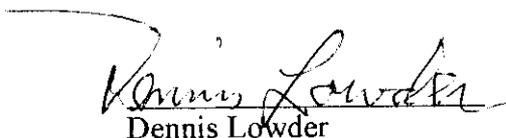


William L. Kraemer  
Applicant's Agent

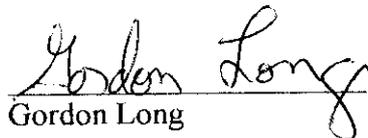


John Triandafilidis,  
Developer

Enrico Gradi



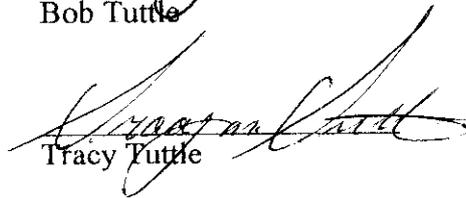
Dennis Lowder



Gordon Long

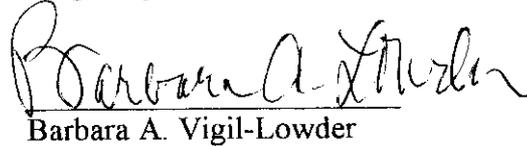


Bob Tuttle

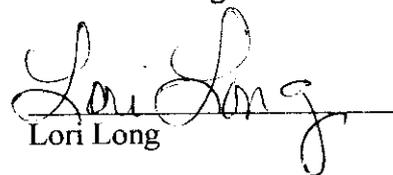


Tracy Tuttle

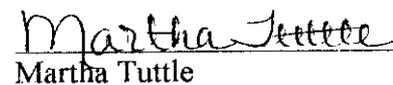
Luigi Napolitano



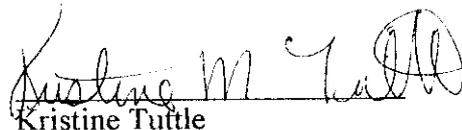
Barbara A. Vigil-Lowder



Lori Long



Martha Tuttle



Kristine M. Tuttle

L.A.N.A  
LEE ACRES NEIGHBORHOOD ASSOCIATION

Patricia Georges - President  
856 Fairway Rd. NW  
Albuquerque, N.M. 87107  
(505) 341-2559  
[patgeorges@aol.com](mailto:patgeorges@aol.com)

October 9, 2000

Garcia/Kraemer&Associates  
200 Lomas NW  
Albuquerque, N.M. 87102  
(505) 242-5566

Dear Sirs,

This letter is being sent per your request, Lee Acres Neighborhood Association held a special meeting on Tuesday, September 12, 2000 to discuss a proposed zoning change which would facilitate the construction of an Applebee's Restaurant on the corner of Vineyard Rd. NW and 4<sup>th</sup> St. NW. This location is near to Lee Acres but does not fall within the boundaries of our Association.

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In closing, we as a neighborhood in close proximity to the proposed site are looking forward to dining at Applebee's in the near future.

Sincerely,

Signature



## GARCIA/KRAEMER & ASSOCIATES

Wells Fargo Bank Building  
200 Lomas N.W., Suite 1111  
Albuquerque, NM 87102  
(505) 242-5566  
Fax #(505) 242-9028

September 18, 2000

Mr. Charles Gara, Chairman  
Environmental Planning Commission

RE: 00110-00000-01028

Dear Mr. Gara:

The purpose of this letter is to request a 30-day deferral of our application for a change of zone from C-1 and R-1 to C-2.

The reason for the deferral is that the notification signs were not posted as required and secondly the deferral will allow some time to meet with the residents along Vineyard Road.

Thank you for your consideration of this request.

Sincerely,



*for* PHIL GARCIA  
PG/tdl

# A City of Albuquerque

## DEVELOPMENT REVIEW APPLICATION

		Supplemental form			Supplemental form
ZONING		Z	SITE DEVELOPMENT PLAN		P
<input checked="" type="checkbox"/>	Annexation or Map Amendment		<input type="checkbox"/>	for Subdivision Purposes *	
<input type="checkbox"/>	Sector Plan		<input type="checkbox"/>	for Building Permit	
<input type="checkbox"/>	Text Amendment		<input type="checkbox"/>	Plan Amendment *	
<input type="checkbox"/>	Special Exception	E	<input type="checkbox"/>	Administrative Amendment	
			<input type="checkbox"/>	Master Development Plan	
SUBDIVISION		S	APPEAL / PROTEST of...		A
<input type="checkbox"/>	DRB Major Subdivision *		<input type="checkbox"/>	Planning Director, Zoning	
<input type="checkbox"/>	DRB Minor Subdivision		<input type="checkbox"/>	Enforcement Officer, Zoning	
<input type="checkbox"/>	Variance (Non-Zoning)	V	<input type="checkbox"/>	Hearing Examiner, DRB, EPC,	
<input type="checkbox"/>	Vacation (Public * & Private)		<input type="checkbox"/>	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: DR SHARON HOLLAND PHONE: \_\_\_\_\_

ADDRESS: 7405 4th Street NW FAX: \_\_\_\_\_

CITY: ALBUQA STATE NM ZIP 87107 E-MAIL: \_\_\_\_\_

Proprietary interest in site: OWNER

AGENT (if any): Garcia/Kraemer & Assoc. PHONE: 242-5566

ADDRESS: 200 Lomas Blvd NW FAX: 242-9028

CITY: ALB. STATE NM ZIP 87102 E-MAIL: \_\_\_\_\_

### SITE INFORMATION:

DESCRIPTION OF REQUEST: Change of zone from R-Land C-1 to C-2

Lot or Tract No. Tract 67A.3 Block: --- Unit: ---

Subdiv. / Adn. MRGCD Map No. 29

Current Zoning: R-1 & C-1 Proposed zoning: C-2

Zone Atlas page(s): E-15 No. of existing lots: 1 No. of proposed lots: 1

Total area of site (acres): 1.15 Density if applicable: dwellings per gross acre: --- dwellings per net acre: ---

UPC No. 101506202011030601 MRGCD Map No. 29

Within city limits?  Yes No  but site is within 5 miles of the city limits (DRB jurisdiction.) Within 1000FT of a landfill? N/O

LOCATION OF PROPERTY BY STREETS: On or Near: Fourth Street NW

Between: Vineyard Rd and Willow Rd

### CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX-, Z-, V-, S-, etc.):

C2-2014 CS4-2050

SIGNATURE William L Kraemer DATE 7/27/00

(Print) WILLIAM L KRAEMER Applicant  Agent

### FOR OFFICIAL USE ONLY

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers <u>01028</u>	S.F.	Fees
<input type="checkbox"/> All checklists are complete	<u>0600 0000 <del>0228</del></u>		\$ <u>210.00</u>
<input type="checkbox"/> All fees have been collected			\$ _____
<input type="checkbox"/> All case #s are assigned			\$ _____
<input type="checkbox"/> Case history #s are listed			\$ _____
<input type="checkbox"/> Site is within 1000ft of a landfill			\$ _____
<input type="checkbox"/> F.H.D.P. density bonus			\$ _____
<input type="checkbox"/> F.H.D.P. fee rebate			\$ _____
	Hearing date <u>9/21/00</u>		Total \$ <u>210.00</u>

Form revised May 2000

Melita Hill 7/28/00  
Planner signature / date

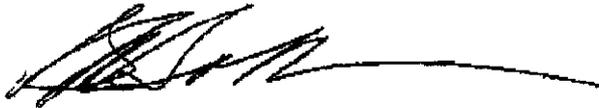
Project # 1000699

726-240 Jim Br...

To Whom It May Concern:

I hereby authorize the firm of GARCIA/KRAEMER & ASSOCIATES to act as my agent and represent my interests regarding a zone change from R-1 and C-1 to C-2 for Tract 67A3, MRGCD Map No. 29

Sincerely,



Dr. Sharon Holland  
7405 4th Street N.W.  
Albuquerque, New Mexico 87107

**CITY OF ALBUQUERQUE**  
**TRAFFIC IMPACT STUDY (TIS) / AIR QUALITY ASSESSMENT (AQIA) FORM**

APPLICANT: Dr. Sharon Hollis Date of request: 7/27/00 Zone atlas page(s): E-15

CURRENT: Zoning C-1 & R-1 to C-2 Legal Description -  
 Parcel Size (acres / sq.ft.) 1.15 Ac Lot or (Tract) # 67A3 Block #       
 Subdivision Name MRC&D Map No 29

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

PROPOSED DEVELOPMENT: GENERAL DESCRIPTION OF ACTION: 1  
 No construction / development [  ] # of units -       
 New Construction [ ] Building Size -      (sq. ft.)  
 Expansion of existing development [ ]

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

Applicant or Representative \_\_\_\_\_ Date \_\_\_\_\_  
 (To be signed upon completion of processing by Traffic Engineer and Environmental Health)

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

PUBLIC WORKS DEPT. Transportation Development Div. 3rd Floor / Room 304 City Hall 768-2680

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

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

Joseph D. Montano 7/28/2000  
 for TRAFFIC ENGINEER DATE

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

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

THRESHOLDS MET? YES [ ] NO [  ] 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] 7/28/00  
 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	<u>    </u> / <u>    </u> / <u>    </u>	_____	_____
	- FINALIZED	<u>    </u> / <u>    </u> / <u>    </u>	TRAFFIC ENGINEER	DATE
AQIA	- SUBMITTED	<u>    </u> / <u>    </u> / <u>    </u>	_____	_____
	- FINALIZED	<u>    </u> / <u>    </u> / <u>    </u>	ENVIRONMENTAL HEALTH	DATE

TO BE COMPLETED BY APPLICANT

TRANSPORTATION DEVELOPMENT

ENVIRONMENTAL HEALTH

## GARCIA/KRAEMER & ASSOCIATES

---

Wells Fargo Bank Building  
200 Lomas N.W., Suite 1111  
Albuquerque, NM 87102  
(505) 242-5566  
Fax #(505) 242-9028

### REASON FOR REQUEST

This is a request for a zone map amendment from C-1 and R-1 to C-2 for Tract 67A3, MRGCD Property Map No. 29. The subject property is located on North 4<sup>th</sup> Street just south of Osuna Road. This parcel abuts and is almost surrounded by property which lies within the jurisdictional boundaries of the Village of Los Ranchos.

The zoning pattern of this area is complicated by the fact that there are two (2) separate zoning jurisdictions, the City and the Village. The subject property and the two (2) parcels to its north are within the City of Albuquerque. These parcels have C-1 zoning to a depth of approximately 200 feet from Fourth Street. The remaining portions are zoned R-1. The only other City zoned properties in the area are zoned SU-1 including Guadalupe Plaza zoned SU-1 Planned Commercial Development and C-2 uses; an Italian Restaurant zoned SU-1 for O-1 and C-1 uses and Spanish Walk zoned SU-1 for PRD and office. The Village zoned properties in the area are R-3 and C-1. The C-1 zone in the Village allows Restaurant with full service liquor as a conditional use, a C-2 use under Albuquerque's zoning ordinance. The land uses in this stretch of Fourth Street N.W. are commercial and office with a significant number of C-2 uses, most notably Sadie's Restaurant, the Valley Bowl, various other restaurants with full service liquor and the Smith's Grocery with off premise liquor sales. It is also important to note that the R-1 zoned portion of the subject parcel does not abut existing developed single-family residential. The southeast boundary of this property is formed by the Chamisal Lateral and Vineyard Road. There is a vehicular access onto Vineyard from the Sadie's parking lot directly south of the R-1 portion of the subject property.

The applicants have plans to develop a restaurant with a full service liquor license on the subject property. That use is first permissive in the C-2 zone. A special use zoning designation could also be used to allow the desired use while protecting the neighborhood from other C-2 uses which may be a negative impact on the area.

We assert that the requested zone map amendment is justified under Resolution 270-1980. The pre-existing C-2 uses in the area can be viewed as changed neighborhood conditions which justify the requested change. The development of a quality restaurant with full service liquor sales can also be seen as beneficial to the community. This property is situate in a well established commercial area, which draws people from throughout the North Valley and the rest of the community for dining and other services. Another dining option in this area will be a benefit to the community.

# NEIGHBORHOOD NOTIFICATION ADDENDUM TO APPLICATION

This certifies that I, Tammy D. Leslie-Mills have notified via certified mail, return receipt request, two representatives of the following Recognized Office of Neighborhood Associations, as furnished of Neighborhood Coordination Office\* regarding our application for

- ZONE MAP AMENDMENT
- SITE DEVELOPMENT PLAN APPROVAL OR AMENDMENT
- ANNEXATION
- MAJOR SUBDIVISION
- VACATION OF PUBLIC RIGHT-OF-WAY
- PRIVATE SECTOR DEVELOPMENT PLAN

for property located at Tract 67A3, MRGCD Map No. 29, Fourth Street NW, between  
Vineyard Road and Willow Road  
 (legal description)

Lee Acres Neighborhood Assoc.  
 (Neighborhood Association)

Frances Rogness-Gallegos  
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1036 Solar Road NW/87107  
 (Address)  
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 (Phone)

\_\_\_\_\_  
 (Neighborhood Association)

Pat Georges  
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\_\_\_\_\_  
 (Neighborhood Association)

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 (Representative)  
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 (Address)  
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 (Phone)

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 (Neighborhood Association)

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 (Representative)  
 \_\_\_\_\_  
 (Address)  
 \_\_\_\_\_  
 (Phone)

Certified by *Tammy D. Leslie*  
GARCIA/KRAEMER & Associates  
Owner/Agent

For \_\_\_\_\_  
 (Owner)

Printed name of person signing Tammy D. LESLIE Phone# 505-242-5566 Date \_\_\_\_\_

\*The Neighborhood Coordination Office is located in the 5 Floor of the Old City Hall Building, 768-3790

**GARCIA/KRAEMER&ASSOCIATES**

Wells Fargo Bank Building  
200 Lomas N.W., Suite 1111  
Albuquerque, NM 87102  
(505) 242 5566  
Fax (505) 242 9028

October 4, 2000

Mr. Enrico Gradi  
6338 4<sup>th</sup> Street N.W.  
Albuquerque, New Mexico 87107

RE: Proposed Zone Change to C-2 at Vineyard and 4<sup>th</sup> Street N.W.  
Case No. 00110-00000-01028

Dear Mr. Gradi:

As you know, our firm is the agent for the property owner for the above referenced zone map amendment request. We would like to take this opportunity to try to address the concerns you raised in your letter dated September 13, 2000. You and your neighbors are clearly interested parties regarding this proposed development. We stand ready to address the concerns raised in your letter and any others that you and your neighbors may have.

Our client, Dr. Sharon Holland, has contracted to sell the subject property for the development of an Applebee's Family Grill and Bar at this location. The reason that C-2 zoning was requested is that it is the zoning classification under which the sale of alcoholic drink for on-premise consumption is first permissive under the City Zoning Ordinance.

1. Insufficient Notice. The failure to post and maintain the yellow zone change signs was an oversight on our part. Once it was discovered, we immediately requested a deferral. We had two meetings with the Lee Acres Neighborhood Association regarding this case and received their support. We apologize for the fact that you and your neighbors along Vineyard were not included in those meetings. We completely understand the need for all interested parties to evaluate the proposed development and to analyze its implications.
2. Site Plan. Applebee's has a sketch site plan which was shared with the Lee Acres Neighborhood Association. You will find it attached hereto along with other information provided to that neighborhood. We are open to discuss your stated concerns on lighting standards, hours of operation, signage, liquor sales, architecture, landscaping

and traffic concerns. We are also willing to discuss the option of a zoning classification that would include approval of a specific site development plan.

3. Context. We also understand and are sensitive to your concerns involving the Historical and Current context of this property and its relationship to current planning efforts by the Village of Los Ranchos.

We have tried to reach you by phone without success and would like to invite you to a meeting scheduled for **Monday, October 9, 2000 @6:30 PM, at Sadie's Dining Room (Patio), 6230 4<sup>th</sup> Street N.W.** We are copying this letter to all of your neighbors who have petitioned the Environmental Planning Commission regarding this project. We hope to meet with you and all interested parties to obtain any suggestions and/or concerns that you might have regarding the proposed development.

If you have any questions prior to the meeting, please do not hesitate to contact us at anytime.

Sincerely,

PHIL GARCIA  
PG/tdl

cc: Mr. and Mrs. Gordon Long  
Mr. and Mrs. Dennis Lowder  
Mr. and Mrs. Robert Tuttle  
Ms. Kristine Tuttle  
Ms. Tracy Tuttle  
Mr. Luigi Napolitano  
Ms. Catherine Gradi  
Mr. Russell Brito, Planner

September 13, 2000

Enrico Gradi  
6338 4<sup>th</sup> Street NW  
Albuquerque, NM 87107

Mr. Chuck Gara, Chairman  
City of Albuquerque Environmental Planning Commission  
600 Second Street  
Albuquerque, NM 87102

**RE: Proposed Zone Change to C2 at Vineyard and 4<sup>th</sup> Street**

Dear Mr. Gara:

We are property owners directly east and approximately 100 feet north of the site that is being considered for a zone change. We have lived in this area for generations and have some concerns about this request. While we are not anti-development and have supported various types of residential and commercial development in our neighborhood in the past, we are concerned about lack of public notice and the appropriateness of a C2 zone change without a site plan, given the historical and current context of this area of the North Valley.

Our concerns are as follows:

1. Insufficient notice given to the public.

To date, no public notification signs have been posted on the site. This is in direct violation of the City's own ordinance and NM State Statute, which require that signs be posted 15 days prior to a public hearing date. In addition to the obvious legal ramifications of approving a project without proper public notice, we are concerned that the insufficient notice has resulted in a lack of community participation. There are surrounding property owners and community members who live further than 100 feet away from this site and were not notified because public signs were not posted. They would like time to evaluate a project of this scale and analyze its implications. Also, while we have heard that the applicant has held some neighborhood meetings, we were not invited to attend those meetings and therefore can conclude that many who own property closest to this site may be completely unaware of this request.

2. No site plan.

Without a site plan, the community has no information regarding lighting standards, hours of operation, signage and liquor sales, all of which could potentially impact the residential character of adjacent properties. More importantly, the community cannot assess the traffic impact on Vineyard or

4<sup>th</sup> Street without a traffic impact analysis, and without knowledge of curb cut and parking area locations, all of which would be required in a site plan.

Without a site plan, it is also impossible to evaluate the proposed architecture of the building. Will the proposed facade be standard franchise architecture which treats New Mexico like Iowa or Minnesota, or is the developer willing to be sensitive to the character of the North Valley and propose a more regional façade and color palate? This is especially important, given the fact that the Village of Los Ranchos is currently working to revitalize 4<sup>th</sup> street (see no. 3, below).

Most significant, perhaps, is the fact that rezoning the entire site for an unknown use may result in development that is inconsistent with the surrounding area, and with the existing residential zoning and development both east and west of the site. For example, a zone change to C2 would allow future drive-in uses without public notice. Neither, C-1 or C-2 have site plan review standards attached to them. This would surely be detrimental to the adjacent residential neighborhood, especially in regard to traffic impact.

### 3. Historical and Current Context

This is a unique area of the North Valley, with important historical features. Our property, only 100 feet to the north, contains a well preserved historic adobe home dating back to the late 1800's, and slightly further north is a historic winery dating to the late 1950's.

This area of north 4<sup>th</sup> Street is also unique because it lies at the confluence of three political jurisdictions: the Village of Los Ranchos, Bernalillo County and the City of Albuquerque. We believe that the long-range planning goals of all of these jurisdictions should be considered in order to ensure coherent, orderly development in the area, and that this zone change request should be evaluated accordingly.

While today's North 4<sup>th</sup> Street today has been neglected and does not entirely reflect its historic past, the Village of Los Ranchos is spearheading efforts to change this. Through a revitalization effort, Los Ranchos currently is implementing planning and zoning principles which support large businesses such as national franchises, but also protect small business people and long-time property owners. We support the Village of Los Ranchos 4<sup>th</sup> Street revitalization efforts which target both economic development and improvement of the aesthetic quality of 4<sup>th</sup> Street. We consider it important that this part of the City reflect the heritage and character of New Mexico and the North Valley. The appropriate zoning and thorough site plan review for this project is therefore essential.

If this commission is inclined to recommend a zone change, we would support a zone that requires a site plan, such as a SU-I zone, which can be evaluated and approved by this commission to address the above neighborhood concerns.

Thank you for your time and consideration.

Respectfully,



Enrico Gradi



Arthur Gradi

Mr. Chuck Gara,

Chairman of the City of Albuquerque Environmental Planning Commission.

We the undersigned oppose the requested zone map amendment from R-1 and C-1 to C-2 or any other additional increase in commercial intensity for Tract 67A3, MRGCD Map No. 29, located on the north east corner of Vineyard and Fourth Street NW.

Name	Signature	Address	Phone Number
Gordon Long	Gordon Long	219 Vineyard NW	344-2685
Lori Long	Lori Long	219 Vineyard NW	344-7685
Barbara Louder	Barbara Louder	213 VINEYARD NW	344-2826
Dennis W. Louder	Dennis W. Louder	213 VINEYARD NW	344-2826
ROBERTS TUTTLE	Robert Tuttle	305 VINEYARD N.W.	344-4664
Tracey M. Tuttle	Tracey M. Tuttle	307 Vineyard Rd NW	343-9824
Kristine M Tuttle	Kristine M Tuttle	307 Vineyard Rd NW	343-9824
Martha Q Tuttle	Martha Q Tuttle	305 Vineyard Rd NW	344-4664
ENZO COADI	Enzo Coadi	6338 4th NW	344-7585





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

Date: September 22, 2000

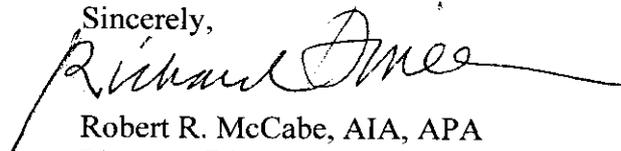
**OFFICIAL NOTIFICATION OF DECISION**

Dr. Sharon Holland  
7405 4<sup>th</sup> St. NW  
Albuq. NM 87107

FILE: 00110 00000 01028  
LEGAL DESCRIPTION: for Tract 67A3, MRGCD  
Map No. 29, located on Fourth Street NW, between  
Vineyard Road and Willow Road, containing  
approximately 1.15 acres. (E-15) Russell Brito,  
Staff Planner

On September 21, 2000, the Environmental Planning Commission voted to defer 00110 00000 01028 to the Environmental Planning Commission Public Hearing on October 19, 2000. There is a \$75.00 fee when a deferral is made at the request of an applicant/agent. Payment is due by October 6, 2000 and may be paid at the Land Development Coordination counter at the Plaza del Sol Building.

Sincerely,



Robert R. McCabe, AIA, APA  
Planning Director

RM/RB/ac

cc: Garcia/Kraemer & Assoc., 200 Lomas Blvd. NW, Albuq. NM 87102

# City of Albuquerque

## DEVELOPMENT REVIEW APPLICATION

**ZONING** Supplemental form **Z**

Annexation or Map Amendment  
 Sector Plan  
 Text Amendment  
 Special Exception

**SITE DEVELOPMENT PLAN** Supplemental form **P**

for Subdivision Purposes \*  
 for Building Permit  
 Plan Amendment \*  
 Administrative Amendment  
 Master Development Plan

**SUBDIVISION** Supplemental form **S**

DRB Major Subdivision \*  
 DRB Minor Subdivision  
 Variance (Non-Zoning) **V**  
 Vacation (Public \* & Private)

**APPEAL / PROTEST of...** Supplemental form **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: DR SHARON HOLLAND PHONE: \_\_\_\_\_  
 ADDRESS: 7405 4th Street NW. FAX: \_\_\_\_\_  
 CITY: ALBUQA STATE NM ZIP 87107 E-MAIL: \_\_\_\_\_  
 Proprietary interest in site: OWNER  
 AGENT (if any): Garcia/Kraemer & Assoc. PHONE: 242-5566  
 ADDRESS: 200 Lomas Blvd NW. FAX: 242-9028  
 CITY: Alb STATE NM ZIP 87102 E-MAIL: \_\_\_\_\_

**SITE INFORMATION:**

DESCRIPTION OF REQUEST: Change of zone from R-1 and C-1 to C-2

Lot or Tract No. Tract 67A3 Block: - Unit: -  
 Subdiv. / Addn. MRGCD Map No. 29  
 Current Zoning: R-1 & C-1 Proposed zoning: C-2  
 Zone Atlas page(s): E-15 No. of existing lots: 1 No. of proposed lots: 1  
 Total area of site (acres): 1.15 Density if applicable: dwellings per gross acre: - dwellings per net acre: -  
 UPC No. 101506202011030601 MRGCD Map No. 29  
 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: Fourth Street NW  
 Between: Vineyard Rd and Willow Rd

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX-, Z-, V-, S-, etc.): \_\_\_\_\_

SIGNATURE William L Kraemer DATE 7/27/00  
 (Print) WILLIAM L. KRAEMER Applicant  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
<u>01028</u>		
<u>0610 - 0000 - <del>01028</del></u>		\$ <u>210.00</u>
		\$ _____
		\$ _____
		\$ _____
		\$ _____
Hearing date <u>9/20/00</u>		Total \$ <u>210.00</u>

Melita Liu 7/28/00  
 Planner signature / date

Project # 1000699

26-2600 In. Bar  
 260-2600

**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.

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

- Annexation / Establishment of Zoning
- Zone Change (Map Amendment)

AX# \_\_\_\_\_  
Z# \_\_\_\_\_

- Property owner's signature on application or written permission
- Written explanation of reasons for amendment
- 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.
- If a Site Development Plan is also being submitted for approval, attach Form-P to submittal package.
- Traffic Impact Study (TIS) / Air Quality Form
- Neighborhood notification
- Sign Posting Agreement
- 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,**

- Phase I-Conceptual Plan Review
- Adoption
- See Map Amendment requirements and consult Planning Dept. Staff
- Fee for final review and approval only (see schedule)

SD# \_\_\_\_\_  
Phase II-Final Review & Approval  
Phase II-Final DRB Sign-off

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,**

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

TA# \_\_\_\_\_

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

**SPECIAL PROJECTS REVIEW.**

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

SPR# \_\_\_\_\_

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

Signature) William L. Kraemer

Print) WILLIAM L. KRAEMER  
Applicant or Agent / Date

7/27/00 Makita Hill 7/28/00  
Planner / Date

Project # 00069 (App # 0010-0000-01028)

Rev. 01/29/98

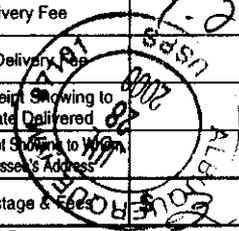
Z # \_\_\_\_\_

Z 483 002 920

US Postal Service  
**Receipt for Certified Mail**  
No Insurance Coverage Provided.  
Do not use for International Mail (See reverse)

Sent to <b>Pat Georges</b>	
Street & Number <b>856 Fairway NW</b>	
Post Office, State, & ZIP Code <b>Albq. NM 87107</b>	
Postage	\$ <b>77</b>
Certified Fee	<b>1.40</b>
Special Delivery Fee	<b>1.25</b>
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	<b>2.42</b>
Postmark or Date	

PS Form 3800, April 1995

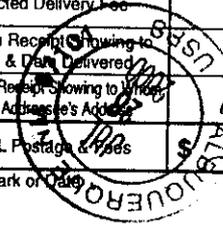


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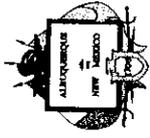
US Postal Service  
**Receipt for Certified Mail**  
No Insurance Coverage Provided.  
Do not use for International Mail (See reverse)

Sent to <b>Frances Bogges-Gallegos</b>	
Street & Number <b>1036 Solar Rd NW</b>	
Post Office, State, & ZIP Code <b>Albq. NM 87107</b>	
Postage	\$ <b>77</b>
Certified Fee	<b>1.40</b>
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	<b>1.25</b>
TOTAL Postage & Fees	<b>2.42</b>
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PS Form 3800, April 1995



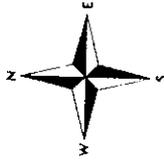
The complete application package was mailed to the Neigh Assoc.



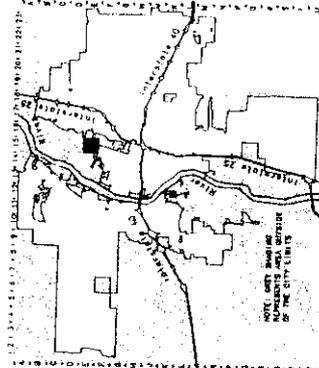
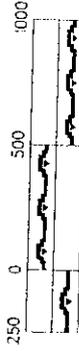
CITY OF Albuquerque

Approved by **City Council** and **City Manager**  
**PLANNING DEPARTMENT**

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GRAPHIC SCALE IN FEET



# Zone Atlas Page E-15-Z

Map Amended through  
February 26, 1998

