



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

January 11, 2002

To whom it may concern:

REF: 01114 00556 / 01110 00557 / 01128 00558 / Project # 1001206
(Council Bill No. 0-01-133, Enactment No. 56-2001)

Enclosed is a copy of a new annexation that was approved through our office on the above referenced case. **The subject property is now eligible for City services.** The annexation and simultaneous establishment of zoning is effective five (5) days after publication of the Ordinance. The existing addresses within the annexed area are:

Address and corresponding UPC:

9368 Valley View Dr. NW 87114	101306433832710407
9374 Valley View Dr. NW 87114	101306435133810408
9388 Valley View Dr. NW 87114	101306437838910411
9378 Valley View Dr. NW 87114	101306436235410409
9384 Valley View Dr. NW 87114	101306437237110410
9390 Coors Blvd. NW 87114	101306436440410412
9386 Coors Blvd. NW 87114	101306434738510413

"Existing addresses" listed for this annexation may be incomplete. If you are aware of any additional "existing addresses" for this annexation, please feel free to contact me at (505) 924-3889.

Sincerely,

Crystal Ortega
Administrative Assistant
City Planning Department

Enclosure

CITY of ALBUQUERQUE
FOURTEENTH COUNCIL

COUNCIL BILL NO. 0-01-133 ENACTMENT NO. 56-2001

SPONSORED BY: Alan B. Amigo

ORDINANCE

**ANNEXATION, 01114 00556, ANNEXING 19.23 ACRES MORE OR LESS,
LOCATED ON COORS BOULEVARD NW BETWEEN PASEO DEL NORTE AND
IRVING NW; AMENDING THE ZONE MAP TO ESTABLISH SU-1 FOR C-1
PERMISSIVE USES AND HOTEL NOT TO EXCEED 2-STORIES IN HEIGHT AND
RESTAURANTS WITH FULL-SERVICE LIQUOR FOR TRACTS 2A, 2B AND 2C, RO-
1FOR TRACT 2D, C-1 FOR TRACT 3B, SU-1 C-1 FOR TRACT 3C, AND O-1 FOR
TRACTS 3F1, 3G1, 3H, 3I AND 3J, BLACK RANCH.**

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

**Section 1. AREA PROPOSED FOR ANNEXATION. The owner of the area
annexed hereby presented a properly signed petition to annex the following
territory: 19.23 acres, more or less, located on Coors Boulevard NW, between
Paseo del Norte and Irving NW; and more particularly described as follows:**

- A. Tracts 2A, 2B, 2C and 2D, 3B and 3C, and 3F1, 3G1, 3H, 3I and 3J,
Black Ranch.**
- B. All of the right-of-way adjoining the land described in A. of this
section to the extent it is not already in the City.**

**Section 2. ANNEXATION ACCEPTED. The petition and the area specified
in Section 1 above are accepted and the above territory is hereby annexed.**

**Section 3. FINDINGS ACCEPTED. The Council shall adopt the following
zone map amendment findings recommended by the Environmental Planning
Commission:**

**(A) This is a request for approval of annexation of an approximately 19.23
acre site located on Coors Boulevard NW between Paseo del Norte and
Irving Boulevard; more particularly described as Tract 2A, 2B, 2C, 2D,
3F1, 3G1, 3H, 3I, 3J, 3B, and 3C, Black Ranch.**



Mary Herrera

Bern. Co. ANEX

R 15.00

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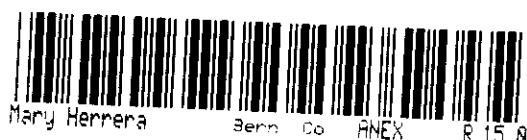
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- (B) The subject request meets the policies for annexation into the city as outlined in *Resolution 54-1990* because it is contiguous to city boundaries, accessible to service providers, and the site can be provided with convenient street access. In addition, the area is suitable for urban intensity as defined by its designation of Developing Urban in the Albuquerque / Bernalillo County Comprehensive Plan.
- (C) The subject request meets the *Comprehensive Plan's* goal for this area 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.
- (D) The subject request meets the policies of the *West Side Strategic Plan* by proposing annexation that will allow for urban style services that are appropriate in the community. Annexation of the subject site would further the goals of the West Side Strategic Plan by providing the potential for further job growth and development of the area.
- (E) The annexation request furthers Policy 4 of the land use and intensity of development section of the Coors Corridor Plan, which states "properties under county jurisdiction, which are now surrounded by City jurisdiction should be annexed as soon as possible".
- (F) This is a request is for establishment of SU-1 for C-1 Permissive Uses and Hotel not to Exceed 2-Stories in Height and Restaurants with Full-Service Liquor for Tracts 2A, 2B and 2C. A zoning designation of RO-1 is requested for Tract 2D. Establishment of C-1 zoning is requested for Tract 3B. Establishment of SU-1 for C-1 is requested for Tract 3C. Establishment of O-1 zoning is requested for Tracts 3F1, 3G1, 3H, 3I and 3J.
- (G) The subject request will meet all the requirements of *Resolution 270-1980* with the establishment of SU-1 for C-1 Permissive Uses and Hotel not to Exceed 2-Stories in Height and Restaurants with Full-Service Liquor, RO-1, C-1, SU-1 C-1, O-1 as these uses are more advantageous to the community than the existing zone category. In addition, the subject site meets the requirements of *Resolution 270-1980* under the changed



Mary Herrera

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community conditions as the *West Side Strategic Plan* and the Paseo del Norte bridge represent changed conditions in the area.

(H) The requested zoning meets the goals in the Albuquerque/Bernalillo County Comprehensive Plan by placing employment and service uses that are located to complements residential uses and sited to minimize adverse effects of noise, lighting, pollution and traffic on residential environments.

(I) The Coors Corridor Plan states that the "intensity of development shall be compatible with the roadway function, existing zoning or recommended land use, environmental concerns, and design guidelines." The proposed zoning categories are compatible with existing conditions in the area.

Section 4. SEVERABILITY CLAUSE. If any section, paragraph, sentence, clause, word or phrase of this ordinance is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this ordinance. The Council hereby declares that it would have passed this ordinance and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provisions being declared unconstitutional or otherwise invalid.

Section 5. EFFECTIVE DATE AND PUBLICATION. This ordinance shall become effective five or more days after publication in full when a copy of the ordinance and a plat of the territory hereby annexed is filed in the office of the County Clerk.



Mary Herrera

Bern. Co. ANEX

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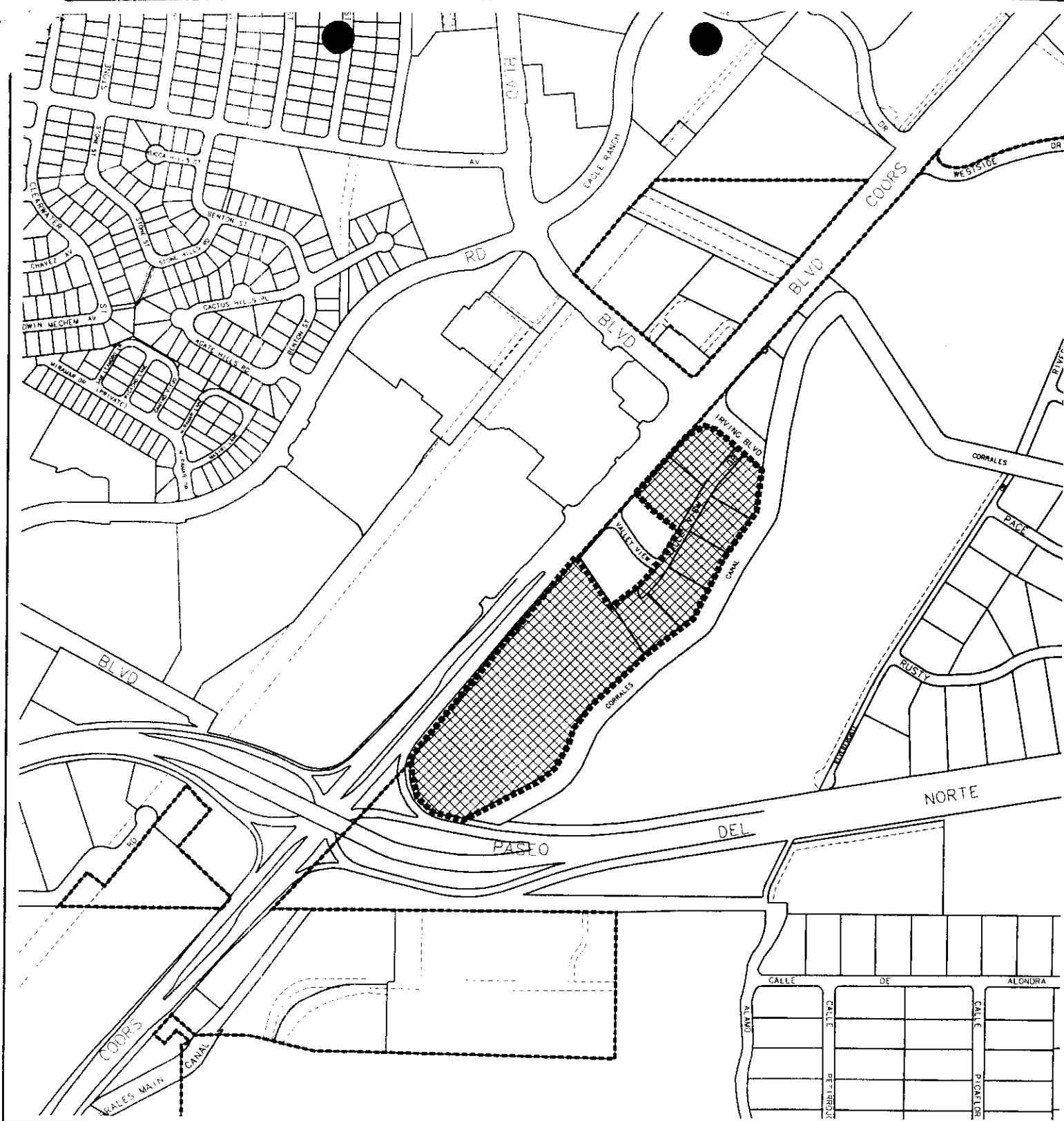
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Proposed annexation in



Map Scale: 1" = 600'

Map Printed July 24, 2001

- MUNICIPAL LIMITS
- AREA PROPOSED FOR ANNEXATION
- GRAY SHADING INDICATES COUNTY

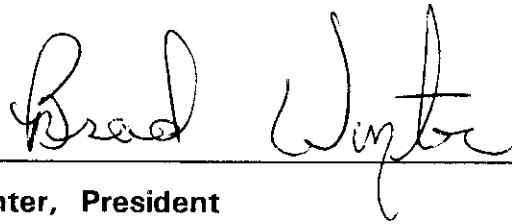


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Page: 4 of 5
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A **G** **I** **S**
Planning Department

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1 PASSED AND ADOPTED THIS 19th DAY OF NOVEMBER, 2001
2 BY A VOTE OF: 9 FOR 0 AGAINST.

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12 Brad Winter, President
13 City Council
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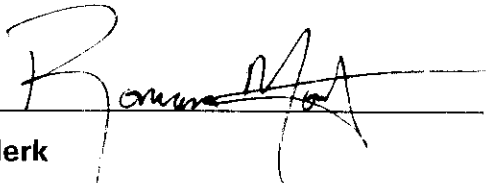
17 APPROVED THIS 30 DAY OF November, 2001 *Per*

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19 Bill No. O-133

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22 Jim Baca, Mayor
23 City of Albuquerque
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25 ATTEST:

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28 *Asst* City Clerk
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Mary Herrera

Bern. Co. ANEX

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CITY of ALBUQUERQUE
FOURTEENTH COUNCIL

COUNCIL BILL NO. 0-01-133 ENACTMENT NO. 56-2001

SPONSORED BY: Alan B. Amigo

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PERMISSIVE USES AND HOTEL NOT TO EXCEED 2-STORIES IN HEIGHT AND
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- A. Tracts 2A, 2B, 2C and 2D, 3B and 3C, and 3F1, 3G1, 3H, 3I and 3J,
Black Ranch.
- B. All of the right-of-way adjoining the land described in A. of this
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Irving Boulevard; more particularly described as Tract 2A, 2B, 2C, 2D,
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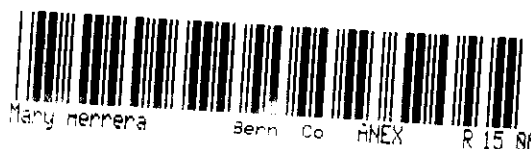
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- (G) The subject request will meet all the requirements of *Resolution 270-1980* with the establishment of SU-1 for C-1 Permissive Uses and Hotel not to Exceed 2-Stories in Height and Restaurants with Full-Service Liquor, RO-1, C-1, SU-1 C-1, O-1 as these uses are more advantageous to the community than the existing zone category. In addition, the subject site meets the requirements of *Resolution 270-1980* under the changed



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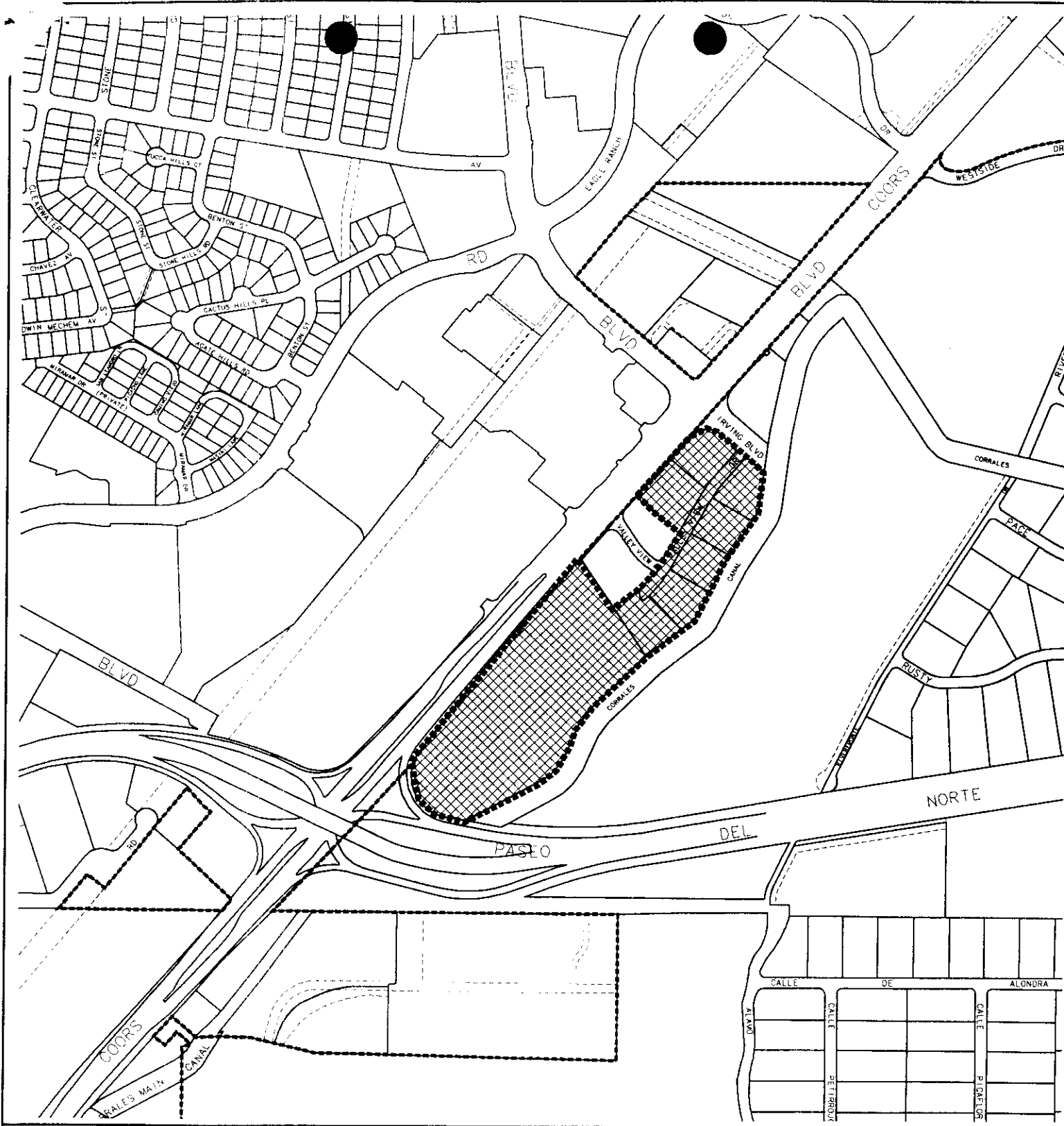
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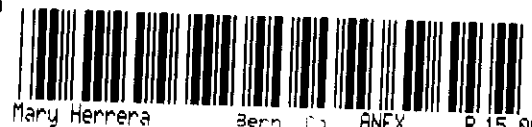
Proposed annexation in



Map Scale: 1" = 600'

Map Printed July 24, 2001

- MUNICIPAL LIMITS
-  AREA PROPOSED FOR ANNEXATION
-  GRAY SHADING INDICATES COUNTY

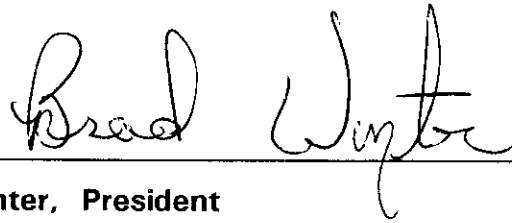


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Page: 4 of
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A G I S
Albuquerque Geographic Information System
PLANNING DEPARTMENT

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1 PASSED AND ADOPTED THIS 19th DAY OF NOVEMBER, 2001
2 BY A VOTE OF: 9 FOR 0 AGAINST.

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12 Brad Winter, President
13 City Council
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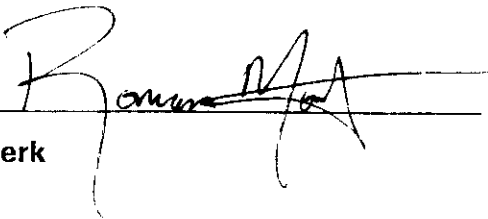
17 APPROVED THIS 30 DAY OF November, 2001 *Per*

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19 Bill No. O-133

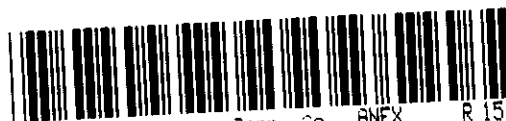
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22 Jim Baca, Mayor
23 City of Albuquerque
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25 ATTEST:

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28 *Ass't* City Clerk
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Mary Herrera

Bern. Co. ANEX

R 15.00

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Page: 5 of 5
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Councillor McEntee moved that the Committee Report (Exhibit 16) be accepted. Seconded. The motion carried by the following vote:

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

AC-01-23

Alan Wilson, Esq., Agent for Eller Media Company Appeals the Board of Appeals Decision to Grant an Appeal thereby Denying a Variance Request and Reversing the Decision of the ZHE's Approval of a Variance to the Off-Premise Sign Height Allowance; Zoned SU-2/M-1 - Located at 1921 Broadway NE
Councillor McEntee moved that this matter be Accepted with a recommendation Be Heard scheduled for January 7, 2001. Seconded. The motion carried by the following vote:

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

Councillor McEntee moved that the Committee Report (Exhibit 17) be accepted. Seconded. The motion carried by the following vote:

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

FINAL ACTION

R-01-373

Naming the Library at the South Broadway Cultural Center, the Frances Parrish Library (Armijo) (Exhibit 18)

Councillor Armijo moved that this matter be Passed. Seconded. The motion carried by the following vote:

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

O-01-133

Annexation - Annexing 19.23 Acres Located on Coors NW between Paseo del Norte and Irving NW; Amending Zone Map to Establish SU-1 for C-1 Permissive Uses and Hotel not to Exceed 2-Stories in Height and Restaurants with Full-Service Liquor (Armijo)

(Exhibit 19)

Councillor Armijo moved that this matter be Passed. Seconded. The motion carried by the following vote:

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



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

NOTICE OF HEARING

October 31, 2001

John Black
3613 NM State Road 528 NW
Suite H
Albuquerque, NM 87114

Council Bill O-01-133 (01114-00556/01110-00557/Project #1001206) The Environmental Planning Commission recommends approval of annexation and establishment of zoning for Tract 2A, 2B, 2C, 2D, 3F1, 3G1, 3H, 3I, 3J, 3B, 3C, Black Ranch; located on Coors Boulevard NW between Paseo del Norte and Irving Boulevard, containing approximately 19.23 acres. (C-13) Deborah Stover, Staff Planner.

The above case will be heard by the Land Use, Planning and Zoning Committee (LUPZ) of the City Council on **Wednesday, November 14, 2001**. The hearing begins at 5:00 p.m. and will be held in the Council/Committee Room, 9th Floor, City/County Government Center, One Civic Plaza, NW.

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

Sincerely,

Crystal Ortega
Administrative Assistant

cc: Consensus Planning, 924 Park Ave. SW, Albuquerque, NM 87102
Audre Bonadea, Paradise Hills Civic Assoc., 10137 Furman NW, Albuquerque, NM 87114
Meredith Hughes, Paradise Hills Civic Assoc., 9908 La Paz NW, Albuquerque, NM 87114
Marlo Peters, Riverfronte Estates NA, Inc., 9506 Kandace Dr. NW, Albuquerque, NM 87114
Gary Plante, Riverfronte Estates NA, Inc., 1692 Pace Rd. NW, Albuquerque, NM 87114
Rick Lackey, Taylor Ranch NA, 2001 Carlisle NE, Albuquerque, NM 87110
Jerry Beck, Taylor Ranch NA, 8201 Golf Course Rd. NW, Suite D-3, Albuquerque, NM 87120
Mrs. Ginger Carman, 7201 Central Ave. NW, Albuquerque, NM 87121
Sylvain Segal, 6201 Uptown Blvd. NE, Albuquerque, NM 87110
Ginger Carman, 1728 Rusty Rd. NW, Albuquerque, NM 87114
Susan Fox, P.O. Box 1888, Albuquerque, NM 87102
John Marach, 3613 NM State Highway 528, Albuquerque, NM 87114

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

Date: June 22, 2001

OFFICIAL NOTIFICATION OF DECISION

John Black
3613 NM State Road 528 NW
Suite H
Albuq. NM 87114

FILE: 01114 00556/01110 00557/01128 00558
LEGAL DESCRIPTION: for Tract 2A, 2B, 2C,
2D, 3F1, 3G1, 3H, 3I, 3J, 3B, 3C, Black Ranch,
located on Coors Boulevard NW between Paseo
del Norte and Irving Boulevard, containing
approximately 18.0356. (C-13) Deborah Stover,
Staff Planner

On June 21, 2001, the Environmental Planning Commission voted to recommend approval to the City Council of 01114 00556, a request for annexation, for Tracts 2, 3F1, 3C1, 3H, 3I, 3J and 3B, 3C, Black Ranch, based on the following Findings:

FINDINGS:

1. This is a request for annexation of approximately 18 acres located on Coors Boulevard NW between Paseo del Norte and Irving Boulevard and described as Tracts 2, 3F1, 3C1, 3H, 3I, 3J and 3B, 3C, Black Ranch.
2. The subject request meets the requirements for annexation into the city because it is contiguous to City boundaries, accessible to service providers, and has convenient street access to the City.
3. The annexation request furthers the applicable Goals and policies of the *Albuquerque/Bernalillo County Comprehensive Plan* by allowing for an urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and choice in housing, transportation, work areas and life styles.
4. The area is suitable for urban intensity as defined by its designation of Developing Urban in the *Albuquerque/Bernalillo County Comprehensive Plan*.
5. The annexation request furthers the applicable Goals and policies of the *West Side Strategic Plan* by proposing annexation that will allow for urban style services that are appropriate in the community.

6. The annexation request furthers Policy 4 of the land use and intensity of development section of the *Coors Corridor Plan* which states that “properties under county jurisdiction, which are now surrounded by City jurisdiction, should be annexed as soon as possible.

On June 21, 2001, the Environmental Planning Commission voted to recommend approval to the City Council of 01110 00557, a request for establishment of zoning for Tracts 3F1, 3C1, 3H, 3I, 3J, 3B, 3C, Black Ranch SU-1 for C-1 Permissive Uses and Hotel not to exceed 2 stories in height, and Restaurants with Full-Service Liquor is requested for Tracts 2A, 2B and 2C, a zoning designation of RO-1 for Tract 2D, C-1 for Tract 3B, C-1 for Tract 3B, and SU-1 for C-1 for Tract 3C and O-1 for Tracts 3F1, 3G1, 3H, 3I and 3J, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for establishment of zoning for approximately 18 acres located on Coors Boulevard NW between Paseo del Norte and Irving Boulevard and described as Tracts 2, 3F1, 3C1, 3H, 3I, 3J and 3B, 3C, Black Ranch.
2. Zoning for parcels created by the accompanying site plan for subdivision is requested. SU-1 for C-1 Permissive Uses and Hotel not to exceed 2 stories in height and Restaurants with Full-Service Liquor is requested for Tracts 2A, 2B and 2C. A zoning designation of RO-1 is requested for Tract 2D. C-1 is requested for Tract 3B. O-1 is requested for Tracts 3F1, 3G1, 3H, 3I and 3J. SU-1 C-1 for Tract 3C.
3. A plat showing clear and distinct boundaries of the newly created tracts should be submitted at DRB.
4. The subject site meets the requirements of 270-1980 under the changed community conditions finding. The West Side Strategic Plan and the Paseo del Norte bridge crossing present changed conditions in the area.
5. The requested zoning meets the goals in the *Albuquerque/Bernalillo County Comprehensive Plan* by placing employment and service uses that are located to complement residential uses and sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.
6. The *Coors Corridor Plan* states that “the intensity of development shall be compatible with the roadway function, existing zoning or recommended land use, environmental concerns, and design guidelines.” The proposed zoning categories are compatible with existing conditions in the area.

CONDITIONS:

1. The site shall be replatted to show clear and distinct boundaries of the newly created tracts.

On June 21, 2001, the Environmental Planning Commission voted to recommend approval to the City Council of 01128 00558, a request for site development plan for subdivision, for Tract 2, Black Ranch based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for approval of a site development plan for subdivision for approximately 12.5 acres located on Coors Boulevard NW between Paseo del Norte and Irving Boulevard and described as Tract 2, Black Ranch.
2. A site plan for subdivision is required for approval of SU-1 zoning.
3. The site development plan for subdivision furthers the applicable goals and policies of the Comprehensive Plan by creating a framework for a quality urban environment that offers a choice in transportation, work areas and life styles.
4. The site development plan meets all of the requirements of the Zoning Code by specifying all of the elements of a site development plan for subdivision.
5. Design guidelines are incorporated into the site including an overall theme and land use concept, landscape design requirements, signage design requirements, and lighting design requirements.

CONDITIONS:

1. The submittal of this site plan to the DRB shall meet all EPC conditions. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. The site shall be replatted to create distinct lots that conform to or create the new zone boundary lines.

OFFICIAL NOTICE OF DECISION

JUNE 21, 2001

01114 00556/01110 00557/01128 00558

PAGE 4

3. Design guidelines shall include off-street parking requirements and design (automobiles and bicycles), street design, transit facilities (benches, shelters, pedestrian connections), architectural design requirements (façade elements, massing, colors, materials), and pedestrian amenities (walkways, plazas, shade structures) that are consistent with EPC directives and intents.
4. Lighting:
 - a. The height of lighting fixtures is maximum height of 16 feet.
 - b. 12 feet maximum height for any security language remains on after 11:00 p.m. and it be directed towards the building and no to the neighborhood.
 - c. All lighting on the site shall be fully shielded, cutoff lighting (shoebox) to minimize fugitive lighting and the bulbs shall not extend past the housing.
5. The maximum sign area on each monument sign shall be 50 square feet on each face.
6. No outdoor loud speakers and paging systems are allowed.
7. All parking surfaces facing streets shall be screened with a minimum a 30 inch wall or landscape berm so that parking grills and headlights are shielded from the right-of-way.
8. There shall be a minimum 6-foot high, solid wall along the eastern edge of the subject site.

IF YOU WISH TO APPEAL THIS DECISION, YOU MUST DO SO BY **JULY 6, 2001** 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.

OFFICIAL NOTICE OF DECISION
JUNE 21, 2001
01114 00556/01110 00557/01128 00558
PAGE 5

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//ac

cc: Consensus Planning Ave. SW, Albuquerque, NM 87102
Audre Bonadea, Paradise Hills Civic Assoc., 10137 Furman NW, Albuquerque, NM 87114
Meredith Hughes, Paradise Hills Civic Assoc., 9908 La Paz NW, Albuquerque, NM 87114
Marlo Peters, Riverfronte Estates NA, Inc., 9506 Kandace Dr. NW, Albuquerque, NM 87114
Gary Plante, Riverfronte Estates NA, Inc., 1692 Pace Rd. NW, Albuquerque, NM 87114
Rick Lackey, Taylor Ranch NA, 2001 Carlisle NE, Albuquerque, NM 87110
Jerry Beck, Taylor Ranch NA, 8201 Golf Course Rd. NW, Suite D-3, Albuquerque, NM 87120
Mrs. Ginger Carman, 7201 Central Ave. NW, Albuquerque, NM 87121
Sylvain Segal, 6201 Uptown Blvd. NE, Albuquerque, NM 87110
Ginger Carman, 1728 Rusty Rd. NW, Albuquerque, NM 87114
Susan Fox, P.O. Box 1888, Albuquerque, NM 87102
John Marach, 3613 NM State Highway 528, Albuquerque, NM 87114

City of Albuquerque



DEVELOPMENT REVIEW APPLICATION

Supplemental form		Supplemental form	
SUBDIVISION	S	ZONING	Z
<input type="checkbox"/> Major Subdivision Plat		<input checked="" type="checkbox"/> Annexation & Zone Establishment	
<input type="checkbox"/> Minor Subdivision Plat		<input type="checkbox"/> Sector Plan	
<input type="checkbox"/> Vacation	V	<input type="checkbox"/> Zone Change	
<input type="checkbox"/> Variance (Non-Zoning)		<input type="checkbox"/> Text Amendment	
		<input type="checkbox"/> Special Exception	E
SITE DEVELOPMENT PLAN	P	APPEAL / PROTEST of...	A
<input checked="" type="checkbox"/> ...for Subdivision Purposes		<input type="checkbox"/> Decision by: Planning Director	
<input type="checkbox"/> ...for Building Permit		<input type="checkbox"/> or Staff, DRB, EPC, Zoning Board of	
<input type="checkbox"/> IP Master Development Plan		<input type="checkbox"/> Appeals, LUCC	
<input type="checkbox"/> Cert. of Appropriateness (LUCC) L			

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2nd Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICANT INFORMATION:

NAME: John Black (See Attachment A) PHONE: 792-3713
 ADDRESS: 3613 NM State Road 528 NW, Suite H FAX: 792-3735
 CITY: Albuquerque STATE NM ZIP 87114 E-MAIL: jblack@cwrealty.com
 Proprietary interest in site: owner (See Attachment A)
 AGENT (if any): Consensus Planning PHONE: 764-9801
 ADDRESS: 924 Park Avenue SW FAX: 842-5495
 CITY: Albuquerque STATE NM ZIP 87102 E-MAIL: pitman@consensusplanning.com

DESCRIPTION OF REQUEST: Annexation, Establishment of Zoning,
and Site Plan for Subdivision

SITE INFORMATION: ACCURACY OF THE LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.

Lot or Tract No. See Attachment A 293 Block: _____ Unit: _____
 Subdiv. / Addn. Black Ranch
 Current Zoning: County A-1, O-1, & C-1 Proposed zoning: City SU-1 for C-1, C-1, & O-1
 Zone Atlas page(s): C-13 No. of **existing** lots: 8 No. of **proposed** lots: 10
 Total area of site (acres): 18.0356 Density if applicable: dwellings per gross acre: n/a dwellings per net acre: n/a
 Within city limits? Yes No x, but site is within 5 miles of the city limits (DRB jurisdiction.) Within 1000FT of a landfill? no
 UPC No. See Attachment A 101306433832710407 MRGCD Map No. _____
 LOCATION OF PROPERTY BY STREETS: On or Near: Coors Boulevard NW
 Between: Paseo del Norte NW and Irving Boulevard NW

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB, AX, Z, V, S, etc.): County:
ZA-94-65, CZ-90-10; City: AX-83-17, Z-83-93
 Check-off if project was previously reviewed by ☐ Sketch Plat/Plan ☐ or Pre-application Review Team ☒ Date of review: 12/20/00

SIGNATURE [Signature] DATE 4/26/01
 (Print) James K. Strozier, AICP ☐ Applicant ☒ Agent

FOR OFFICIAL USE ONLY

Form revised September 2000

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input type="checkbox"/> All checklists are complete	<u>01114 - 0000 - 00556</u>	<u>ANNEX</u>	<u>Z</u>	\$
<input type="checkbox"/> All fees have been collected	<u>01110 - 0000 - 00557</u>	<u>Est. Z</u>	<u>Z</u>	\$
<input type="checkbox"/> All case #s are assigned	<u>01138 - 0000 - 00558</u>	<u>SDPS</u>	<u>PL</u>	\$ <u>340.00</u>
<input type="checkbox"/> AGIS copy has been sent				\$
<input type="checkbox"/> AGIS copy has been sent				\$
<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>6/21/01</u>			Total \$ <u>340.00</u>

J. Charz 4-26-01
 Planner signature / date

Project # 1001306

FORM Z: ZONE MAP AMENDMENT AND ZONING CODE TEXT AMENDMENT

☒ ANNEXATION AND ESTABLISHMENT OF ZONING

- ☒ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)

NOTE: The Zone Atlas must show that the site is in County jurisdiction, but is contiguous to City limits.

- ☒ Letter briefly describing, explaining, and justifying the request
☒ Letter of authorization from the property owner if application is submitted by an agent
☒ Property Boundary Survey prepared by a licensed professional surveyor
☒ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
☒ Sign Posting Agreement
☒ TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form

n/a Fee (see schedule)

- ☒ Any original and/or related file numbers are listed on the cover application

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

☐ SECTOR DEVELOPMENT PLAN PHASE I - DRB CONCEPTUAL PLAN REVIEW (Unadvertised)

☐ SECTOR DEVELOPMENT PLAN PHASE II - EPC FINAL REVIEW & APPROVAL (Public Hearing)

☐ SECTOR DEVELOPMENT PLAN PHASE II - DRB FINAL SIGN-OFF (Unadvertised)

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

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

☐ AMENDMENT TO ZONE MAP (ZONE CHANGE)

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

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

☐ AMENDMENT TO SECTOR DEVELOPMENT PLAN

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

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

☐ AMENDMENT TO ZONING CODE OR SUBDIVISION REGULATIONS TEXT

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

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

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

James K. Strozier, AICP, Agent

Applicant name (print)

Applicant signature / date

Form revised September 2000



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

Application case numbers

01114 - 00000 - 00356
01110 - 00000 - 00357

Planner signature / date

Project #

1001306

☒ SITE DEVELOPMENT PLAN FOR SUBDIVISION

☐ IP MASTER DEVELOPMENT PLAN

- ☒ Scaled site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **30** copies for EPC public hearings. For IP master development plans, include general building and parking locations, and design requirements for buildings, landscaping, lighting, and signage.
 - ☒ Site plans and related drawings reduced to 8.5" x 11" format
 - ☒ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - ☒ Letter briefly describing, explaining, and justifying the request
 - ☒ Letter of authorization from the property owner if application is submitted by an agent (Petition for Annex.)
 - ☒ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - ☒ Sign Posting Agreement
 - ☒ 2 copies of the Conceptual Utility Layout Plan (mark one for Planning, one for Utility development)
 - ☒ TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form with required signatures
 - ☒ Fee (see schedule) \$ 270
 - ☒ Any original and/or related file numbers are listed on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

☐ SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

☐ SITE DEVELOPMENT PLAN FOR BUILDING PERMIT OF WIRELESS TELECOM FACILITY

- Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **30** copies for EPC public hearings.
 - Site Plan for Subdivision, if applicable, previously approved or simultaneously submitted. (Folded to fit into an 8.5" by 14" pocket.) **30** copies for EPC public hearings.
 - Site plans and related drawings reduced to 8.5" x 11" format
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Letter of authorization from the property owner if application is submitted by an agent
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - Sign Posting Agreement
 - Completed Site Plan for Building Permit Checklist
 - 2 copies of the Conceptual Utility Layout Plan (mark one for Planning, one for Utility development)
 - TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form with required signatures
 - Fee (see schedule)
 - Any original and/or related file numbers are listed on the cover application
- NOTE:** For wireless telecommunications facilities that are concealed and/or subject to site development plan review, the following materials are required in addition to those listed above for application submittal:
- Collocation evidence as described in Zoning Code §14-16-3-17(A)(5)
 - Notarized statement declaring # of antennas accommodated. Refer to §14-16-3-17(A)(10)(d)2
 - Letter of intent regarding shared use. Refer to §14-16-3-17(A)(10)(e)
 - Letter of description as above also addressing concealment issues, if relevant. Refer to §14-16-3-17(A)(12)(a)
 - Distance to nearest existing free standing tower and its owner's name if the proposed facility is also a free standing tower
 - Registered Engineer's stamp on the Site Development Plans
 - Office of Community & Neighborhood Coordination inquiry response as above **based on ¼ mile radius**
- EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

☐ AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION

☐ AMENDED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

- Proposed amended Site Plan (folded to fit into an 8.5" by 14" pocket) **30** copies for EPC public hearings
 - DRB signed Site Plan being amended (folded to fit into an 8.5" by 14" pocket) **30** copies for EPC public hearings
 - DRB signed Site Plan for Subdivision, if applicable (required when amending SDP for Building Permit) **30** copies for EPC public hearings
 - Site plans and related drawings reduced to 8.5" x 11" format
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Letter of authorization from the property owner if application is submitted by an agent
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - Sign Posting Agreement
 - Completed Site Plan for Building Permit Checklist (not required for amendment of SDP for Subdivision)
 - TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form with required signatures
 - Fee (see schedule)
 - Any original and/or related file numbers are listed on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

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

James K. Strozier, AICP, Agent

Applicant name (print)

9/26/01

Applicant signature / date

Form revised September 2000

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

Application case numbers

01128-00000-00358

Planner signature / date

Project #

1061206



TO BE COMPLETED BY APPLICANT

TRANSPORTATION DEVELOPMENT

ENVIRONMENTAL HEALTH

CITY OF ALBUQUERQUE

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

APPLICANT: John Black Date of request: 04/18/01 Zone atlas page(s): C.13

CURRENT: Zoning County A-1/0.1/0.1 Legal Description - Lot or Tract # _____ Block # _____
Parcel Size (acres / sq.ft.) see attachment A Subdivision Name _____

REQUESTED CITY ACTION(S): 17.9926 total
Annexation [☒] Sector Plan [☐] Site Development Plan: Building Permit [☐]
Comp. Plan [☐] Zone Change [☒] a) Subdivision [☒] Access Permit [☐]
Amendment [☐] Conditional Use [☐] b) Build'g Purposes [☐] Other [☐]
c) Amendment [☐]

PROPOSED DEVELOPMENT: No construction / development [☒] # of units - _____
New Construction [☐] Building Size - _____ (sq. ft.) zoning to be established by annexation.
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 [☐]
PWD, Dev. & Bldg. Services Div., Transportation Dev. Section - 2nd FL 600 2nd St NW Plaza drl Sol Bldg. 924-3991 or 3994

THRESHOLDS MET? YES [☒] NO [☐] Mitigating reasons for not requiring TIS: Previously studied: [☐]
Notes: TIS will be required prior to the application for Site Plan for building permit on any one of the parcels. SU-1 zoning is assumed.
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 4/18/2001
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] 4/24/00
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

PETITION ACCEPTED BY: _____ DATE _____

EPC HEARING DATE _____
ANNEXATION CASE NO: AX- _____
ZONING CASE NO: Z- _____

PETITION FOR ANNEXATION

INSTRUCTIONS: TYPE OR PRINT IN BLACK INK ONLY. Use additional sheets if necessary. Applicant must provide exhibit that accurately describes boundaries for a proposed annexation. Thirty (30) copies of any required attachment if exhibit is larger than 11x17, or One (1) copy is smaller than 11x17 must be submitted with this form. After folding, copies shall not exceed 8½ x14. Other attachments may include Site Plan or location map.

1. LEGAL DESCRIPTION OF AREA PROPOSED FOR ANNEXATION
Tracts 2A, 2B, 2C, 2D, 3B, 3F1, 3G1, 3H, 3I, 3J, Black Ranch
2. TOTAL ACREAGE OF AREA: 17.9926 acres
3. REASON FOR ANNEXATION: THIS STATEMENT SHOULD RELATE TO THE POLICIES FOR ANNEXATION FOR THE CITY OF ALBUQUERQUE

See Attached Page

4. CAPITAL SERVICES FOR MAJOR STREETS, WATER, SANITARY SEWER, AND STORM DRAINAGE:
THE APPLICANT(S) AND CITY AGREE THAT:
- A. There will be a normal distribution of costs between special assessment districts and/or other funding sources.
- B. The City shall provide its funding through normal Capital Improvements Program process, and that unless a project is specifically identifies in the Council Improvements Program, the timing of City funded installations of such services is indefinite and may require a substantial number of years.
- C. In the absence of City funding for required projects, the land owner(s) or their that satisfies City policies and standards.
Any variations from the above shall be set forth by separate agreement.

See Zoning

5. Propose to establish Exhibit zoning; attach zone map amendment application.
6. AUTHORIZED AGENT: I (we) authorize Consensus Planning to act as my (our) agent on my (our) agent on my (our) behalf on all matters related to this petition for annexation and simultaneous establishment of zone: Attach authorizing document.
7. SIGNATURE(S):
- A. OWNER Trusts of Albert J. and Mary J. PHONE 792-3713
MAILING ADDRESS 3613 NM 528 NW Ste. Black ZIP CODE 87114
LEGAL DESCRIPTION OF PROPERTY OWNED: Tracts 3F1, 3G1, 3H, 3I, 3J,
Black Ranch
SIGNATURE [Signature] ACREAGE 4.4 acres
John Black, Trustee
- B. OWNER _____ PHONE _____
MAILING ADDRESS _____ ZIP CODE _____
LEGAL DESCRIPTION OF PROPERTY OWNED _____
SIGNATURE _____ ACREAGE _____
- C. (ATTACH ADDITIONAL SIGNATURES AS NECESSARY)

FOR OFFICE USE ONLY

PETITION ACCEPTED BY: _____ DATE _____

EPC HEARING DATE _____
ANNEXATION CASE NO:AX- _____
ZONING CASE NO: Z- _____

3. REASON FOR ANNEXATION

The parcels described are contiguous to the City of Albuquerque and contiguous to Coors Boulevard that is also within the City of Albuquerque. The property owners signing this petition desire the territory to be annexed into the in order to benefit from the services available from the City of Albuquerque, except for services now available from New Mexico Utilities (water and sewer). The territory to be annexed is adjacent to the Paradise and Seven Bar Communities of *the West Side Strategic Plan*, adjacent to the Paseo del Norte/Coors Community Center of the Proposed *West Side Strategic Plan Amendments* (which have been adopted by the Environmental Planning Commission but await City Council Introduction), and within Segment 3 north of the *Coors Corridor Plan*.

PETITION FOR ANNEXATION

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7. SIGNATURE(S):

A. OWNER AMAFCA PHONE 884-2215
MAILING ADDRESS 2600 Prospect Avenue NE ZIP CODE 87107
LEGAL DESCRIPTION OF PROPERTY OWNED: Tract 2D, Black Ranch

SIGNATURE  ACREAGE 6.7 acres

John Kelly, Executive Engineer

B. OWNER _____ PHONE _____
MAILING ADDRESS _____ ZIP CODE _____
LEGAL DESCRIPTION OF PROPERTY OWNED _____

SIGNATURE _____ ACREAGE _____

C. (ATTACH ADDITIONAL SIGNATURES AS NECESSARY)

FOR OFFICE USE ONLY

PETITION ACCEPTED BY: _____ DATE _____

EPC HEARING DATE _____

ANNEXATION CASE NO: AX- _____

ZONING CASE NO: Z- _____

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- 5. Propose to establish Exhibit zoning; attach zone map amendment application.
- 6. AUTHORIZED AGENT: I (we) authorize Consensus Planning to act as my (our) agent on my (our) agent on my (our) behalf on all matters related to this petition for annexation and simultaneous establishment of zone: Attach authorizing document.

- 7. SIGNATURE(S):
 - A. OWNER Black Development Two, LLC PHONE 792-3713
MAILING ADDRESS 3613 NM State Rd 528 NW Ste ZIP CODE 87114
LEGAL DESCRIPTION OF PROPERTY OWNED: H
Tracts 2A, 2B, 2C, Black Ranch
SIGNATURE [Signature] ACREAGE 5.8 acres
John Black, Manager
 - B. OWNER PHONE
MAILING ADDRESS ZIP CODE
LEGAL DESCRIPTION OF PROPERTY OWNED
SIGNATURE ACREAGE
 - C. (ATTACH ADDITIONAL SIGNATURES AS NECESSARY)

FOR OFFICE USE ONLY

PETITION ACCEPTED BY: DATE

EPC HEARING DATE
ANNEXATION CASE NO:AX-
ZONING CASE NO: Z-

3. REASON FOR ANNEXATION

The parcels described are contiguous to the City of Albuquerque and contiguous to Coors Boulevard that is also within the City of Albuquerque. The property owners signing this petition desire the territory to be annexed into the in order to benefit from the services available from the City of Albuquerque, except for services now available from New Mexico Utilities (water and sewer). The territory to be annexed is adjacent to the Paradise and Seven Bar Communities of *the West Side Strategic Plan*, adjacent to the Paseo del Norte/Coors Community Center of the Proposed *West Side Strategic Plan Amendments* (which have been adopted by the Environmental Planning Commission but await City Council Introduction), and within Segment 3 north of the *Coors Corridor Plan*.

3. REASON FOR ANNEXATION

The parcels described are contiguous to the City of Albuquerque and contiguous to Coors Boulevard that is also within the City of Albuquerque. The property owners signing this petition desire the territory to be annexed into the in order to benefit from the services available from the City of Albuquerque, except for services now available from New Mexico Utilities (water and sewer). The territory to be annexed is adjacent to the Paradise and Seven Bar Communities of *the West Side Strategic Plan*, adjacent to the Paseo del Norte/Coors Community Center of the Proposed *West Side Strategic Plan Amendments* (which have been adopted by the Environmental Planning Commission but await City Council Introduction), and within Segment 3 north of the *Coors Corridor Plan*.



April 26, 2000

Ms. Elizabeth Begay, Chairman
Environmental Planning Commission
600 Second Street NW, Suite 300
Albuquerque, New Mexico 87102

Re: Northeast corner of Coors and Paseo del Norte

Dear Commissioner Begay:

The purpose of this letter is to provide the rationale and justification for the proposed Annexation, Establishment of Zoning, and Site Plan for Subdivision for several parcels of land located on the east side of Coors Boulevard just north of Paseo del Norte Boulevard. This request includes Tracts 2A, 2B, 2C, 2D, 3B, 3F1, 3G1, 3H, 3I, and 3J, a total of 17.9926 acres, as well as, the Site Plan for Subdivision of Tract 2 into Tracts 2A, 2B, 2C, and 2D. Acreages, existing zoning, and proposed zoning for each tract are as follow:

Tract	Acreage	Existing Zoning	Proposed Zoning
2A	1.7018 acres	County A-1	SU-1 (see below)
2B	3.0935 acres	County A-1	SU-1 (see below)
2C	1.0581 acres	County A-1	SU-1 (see below)
2D	6.6896 acres	County A-1	RO-20
3B	1.0 acres	County C-1	City C-1
3F1	0.9660 acres	County O-1	City O-1
3G1	0.8838 acres	County O-1	City O-1
3H	0.8838 acres	County O-1	City O-1
3I	0.8838 acres	County O-1	City O-1
3J	0.8752 acres	County O-1	City O-1

We have also been in contact with the property owners of Tracts 3C, 3D, and 3E1 and will continue to try to add those properties to this request. Proposed zoning for Tracts 2A, 2B and 2C is SU-1 for C-1 Permissive Uses and Hotel, Automobile Sales, and Restaurants with Full-Service Liquor. The subdivision of Tract 2 into Tracts 2A, 2B, 2C, and 2D is intended to provide for a separation of the AMAFCA detention pond (to be zoned RO-20); relocation of a road accessing the property to the east in order to avoid the detention pond; and to allow for a mixture of various retail establishments including hotel, automobile sales and restaurants with full-service liquor at this location. Proposed zoning at Tracts 3B, 3F1, 3G1, 3H, 3I, and 3J is intended to bring the tracts into the City with zoning similar to what now exists on each of these tracts. All of

these parcels, shown on the attached zone atlas page, C-13, lie within the Developing Urban area of the Comprehensive Plan, and are also governed by the *Coors Corridor Plan* and the *West Side Strategic Plan*. The proposed zoning is consistent with the health, safety and general welfare of the residents of the City.

- *The existing zoning is inappropriate because of changed neighborhood conditions and because a different land use category is more advantageous to the community, as articulated in the Comprehensive Plan and other land use plans adopted by the City as described below.*
- *Annexation of the parcels described here is contiguous to the City of Albuquerque as well as to Coors Boulevard, also within the City of Albuquerque.*
- *The property owners desire annexation in order to benefit from City services, except for services now available from New Mexico Utilities (water and sewer).*
- *The Subdivision of Tract 2 allows for the AMAFCA detention pond, the relocation of the access road, and the development of a mixed-use center including office, retail and dining establishments.*
- *Access to these properties is controlled and is limited to the right-in and right-out of Valley View Drive and full access at the existing traffic signal at Irving Boulevard.*

Site Characteristics

The site is located on the eastern edge of Coors Boulevard, which is within the City of Albuquerque. The existing development along Coors Boulevard in the vicinity of this site is a mixture of commercial uses. The property is bounded by Coors Road and two County parcels (C-2 to the south, and Special Use for a Specific Use for a Drive-In Restaurant to the north) to the west, C-2 to the north, the Corrales Main Canal to the east, and the Paseo del Norte interchange to the south. Across Coors Boulevard to the west is existing C-2 development primarily consisting of large format shopping facilities including Target and a movie theater. Across the Paseo del Norte interchange to the south is existing City C-1 zoning adjacent to Coors, and City SU-1 for PDA, both at Riverpoint. Across the Coors Main Canal to the east is Tract 12, Black Ranch, which is currently vacant, zoned County A-1, and also owned by the applicant and other family members. To the east of Tract 12 is the existing Riverfronte Estates subdivision.

Applicable Plans and Policies

City of Albuquerque Zoning Ordinance

This request is for a zone change from the current County A-1 to SU-1 for C-1 Permissive Uses and Hotel, Automobile Sales, and Restaurants with Full-Service Liquor; County A-1 to RO-20; County O-1 to City O-1; and County C-1 to City C-1. These zoning categories are appropriate for the subject parcels since, respectively, they allow for the appropriate scale of community

commercial uses, the AMAFCA detention pond, and maintain the intent of the current County zoning. The integrity of existing neighborhoods will be ensured, and the proposed zone amendment to allow future commercial development will complement adjacent land uses.

Albuquerque/Bernalillo County Comprehensive Plan

The *Albuquerque/Bernalillo County Comprehensive Plan* designates this area as Developing Urban. Goals and policies applicable to this request include:

Established and Developing Urban Area:

The Goal is to create a quality urban environment, which perpetuates the tradition of identifiable, individual, but integrated communities within the metropolitan area and which offers a variety and maximum choice in housing, transportation, work areas, and lifestyles, while creating a visually pleasing built environment.

Policy a

The Established and Developing Urban Areas as shown by the Plan Map shall allow a full range of urban land uses....

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 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.

Policy m

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

Transportation and Transit:

The Goal is to provide a balanced circulation system through efficient placement of employment and services, and encouragement of bicycling, walking, and use of transit/paratransit as alternatives to automobile travel, while providing sufficient roadway capacity to meet mobility and access needs.

Policy b

Compatible mixing and convenient placement of residential, commercial, manufacturing, and public service related land uses shall be encouraged where desirable and appropriate to lessen the need for intra-city motorized travel.

Policy c

To reduce travel needs and promote transit use, buildings and sites shall be designed and jointly used for multiple uses when efficient and feasible.

Possible Techniques include:

- 3) Encourage buildings in urban centers to incorporate a variety of activities.
- 4) Implement new zones or combinations of existing zones which encourage mixing of activities.

Policy p

Peak hour demands on the circulation system should be decreased.

Economic Development:

The Goal is to achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals.

Policy a

New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs located convenient to areas of most need.

Policy b

Development of local business enterprises as well as the recruitment of outside firms shall be emphasized.

Based upon these *Comprehensive Plan* goals and policies, this site adheres to and will help implement the *Comprehensive Plan* policies noted above in the following ways:

- *Development of commercial uses at this location is compatible with the adjacent development and provides for commercial service in an area where it will have little impact on nearby residential uses.*
- *Compatible commercial uses (such as restaurants and service commercial) at this location will serve those employed by adjacent office and commercial establishments.*
- *Commercial development adjacent to other office and commercial establishments will help reduce vehicle miles traveled to such uses thus reducing harmful impacts to air quality and noise generation.*
- *Consolidation of community commercial with other commercial and office uses in one area such as this with appropriate physical barriers decreases the impact of such uses on residential neighbors while providing needed services to residents.*
- *Location of community commercial at this site will contribute to decrease traffic and transportation in this developing urban area since local residents' employment will be served by these uses.*
- *Since local employment centers will be served by these uses during peak hours, demands on adjacent circulation systems will decrease.*

Coors Corridor Plan

Land use and intensity of development is the third of four major issues addressed in the *Coors Corridor Plan*. Policy Four of land use and intensity of development addresses annexation by stating that "properties under county jurisdiction, which are now surrounded by City jurisdiction, should be annexed into the City as soon as possible." The rationale behind this policy is that "continuity and consistency of appropriate public services and ordinances are essential to achieve orderly growth and cost effective services to the property owner."

The *Coors Corridor Plan* also states that the "intensity of development shall be compatible with the roadway function, existing zoning or recommended land use, environmental concerns, and design guidelines. The proposed zoning, SU-1 for C-1 Permissive Uses with Hotel, Automobile Sales and Restaurants with Full-Service Liquor is appropriate next to Coors Boulevard; RO-20 is appropriate for the AMAFCA detention pond; and O-1 and C-1 are appropriate to maintain the intent of the existing zoning once the parcels are annexed into the City from the County.

Based upon these *Coors Corridor Plan* goals and policies, this proposal adheres to and will help implement the Plan's policies noted above in the following ways:

- *Few commercial establishments are located on the east side of Coors within this stretch, and this request will increase the availability of commercial establishments on the east side of Coors.*

➤ *The streetscape will be compatible with local zoning standards.*

➤ *These community commercial uses are located on a major transportation service route.*

The *Coors Corridor Plan* proposed a Coors/Paradise Sector Plan that has never been completed, however, the development intensity of this site is compatible with the roadway function and the existing zoning and land uses.

West Side Strategic Plan

Policies applicable to this request include:

The location of this request is included in the "Paradise Community" as described by the Plan, and designated in the #1 priority zone for City service areas beginning in decades I and II (1995-2015) as referenced in the following policy:

Policy 4.2

The intent of this Plan is to allow adequate capacity, equitably and geographically distributed at all times, according to the strategy outlined above. Infrastructure, new facilities, and additional services shall be programmed consistent with the general intent of the phasing plan shown above (where the site is shown within the #1 priority zone).

Policy 4.9

It is important to promote and establish land uses and urban patterns whose design support bicycle and pedestrian travel, and public transportation, encourage ridership, enhance public mobility and promote alternatives to single occupant vehicle use.

Policy 4.11

The County of Bernalillo and the City of Albuquerque may elect to apply an incentive to developments on the West Side and throughout the City that are already served by infrastructure. These incentives, if applicable, will be so designated as Conditions of Approval at the time of public hearing for annexations, zone changes, site plans, or subdivisions.

Policy 4.12

An incentive to areas already served by infrastructure may include any one of the following: lower development impact fees, expedited plan approval processing, rebates for application fees or other charges, public/private cost-sharing of infrastructure, allowing shared parking or driveway facilities or joint utility taps, or other techniques approved by elected officials.

Based upon these *West Side Strategic Plan* policies, this site adheres to and will help implement the Plan policies noted above in the following ways:

- *The site is across the street from an identified Village Center (Paradise Village Center) where non-single family residential uses are entirely appropriate.*
- *A mixture of commercial uses, particularly uses which provide services to local employment areas, will support increased pedestrian travel and public transportation, enhancing public mobility and promoting alternatives to single occupant vehicle use.*
- *This site is served by existing infrastructure and therefore, eligible for incentives.*

Annexation (Resolution 54-1990)

Annexation for areas planned to be urban intensity will be met when the following policies are met:

- Section 1(a) "Compliance with City policy regarding land dedication for public facilities is assured."
- Section 1(b) "The applicant shall agree in writing to timing of capital expenditures for necessary major streets, water, sanitary sewer, and storm water handling facilities."
- Section 1(c) "The City may decline an annexation request if timing for provision of services cannot be assured and if it is determined that land owners must wait for basic utilities and facilities."
- Section 1(d) "Land annexed shall be to some extent contiguous to City limits..."
- Section 1(e) "Land to be annexed shall have provision for convenient street access to the City."
- Section 1(f) "Land to be annexed shall have reasonable boundaries so that providers of public services can determine with ease where the City boundary is located and so that public services can be delivered under appropriate service extension policies at reasonable operating and capital cost to the City."

These properties are contiguous to land within the City west of the property. Convenient street access is available from Coors Boulevard, and the site's proximity to land within the City indicates that service extension can be accommodated. Further, the tremendous growth taking place in northwest Albuquerque indicates that provision of services should be attainable within a reasonable period of time. The properties are within New Mexico Utilities service area for water and sewer services and are serviceable through existing lines.

Resolution 270-1980

The proposed City SU-1 for C-1 Permissive Uses and Hotel, Automobile Sales, and Restaurants with full-service liquor, RO-20, C-1, and O-1 zoning for these sites meets the requirements set forth in Resolution 270-1980 as follows:

- A. The annexation request and simultaneous zone change are consistent with the health, safety, and general welfare of the residents of the City. Few other commercial establishments are located on this stretch of Coors on the east side of the roadway and other zone categories are consistent with existing zoning.
- B. Stability of land use and zoning will be achieved through this annexation request since the area to the immediate west is within the City of Albuquerque. Property across Coors Boulevard is also zoned C-2 and has compatible land uses with what is envisioned to be developed on the subject site. As a Developing Urban area, these properties are appropriate for annexation since they can be serviced by City utilities and are located on an existing arterial.
- C. The annexation request and simultaneous zone amendment fulfills the policies outlined in the *Comprehensive Plan*, the *Coors Corridor Plan* and the *West Side Strategic Plan* since annexation is specifically called for and the establishment of City SU-1 for C-1 Permissive Uses and Hotels, Automobile Sales, and Restaurants with Full-Service Liquor, RO-20, C-1, and O-1 zoning is also consistent with these plans.
- D2. The existing zoning is County A-1 (C-1, and O-1) and is not appropriate due to the dynamic residential and commercial growth taking place on the West Side and in Rio Rancho. Changed conditions are present in this area due to the zone changes and development of a variety of adjacent commercial properties, and the associated transportation and infrastructure improvements.
- D3. The proposed zoning at this location is more advantageous to the community since it will accommodate a variety of urban land uses necessary to serve this growing area. The proposed zoning also allows for a better mix of uses that will contribute to a decrease of vehicular miles traveled in the area.
- E. The annexation request and simultaneous zone change will not be harmful to adjacent property, the neighborhood, or the community. On the contrary, annexation will enhance the adjacent property and give the neighborhood and community increased options when seeking much needed services.
- F. Private capital will be used for site development expenditures.
- G. The cost of land or other economic considerations are not the determining factor for the Annexation Request, simultaneous Zone Change and Site Plan for Subdivision.

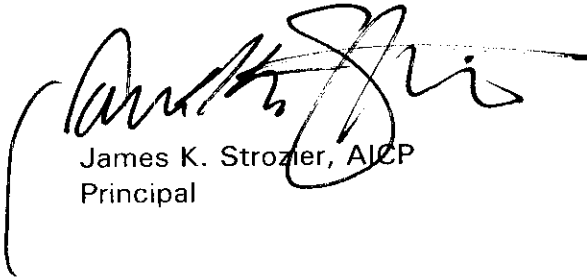
- H. The site's location next to Coors Boulevard is not the sole basis behind this request.
- I. The Annexation Request and Establishment of Zoning do not constitute spot zoning.
- J. The Annexation Request and Establishment of Zoning do not constitute strip zoning.

Conclusion

In conclusion, this request is supported by *the Albuquerque/Bernalillo County Comprehensive Plan*, the *Coors Corridor Plan*, the *West Side Strategic Plan*, and *Council Resolutions 270-1980* and *54-1990*. Primarily, the significant changed conditions listed here have affected this site making it a more appropriate location for City SU-1 for C-1 Permissive Uses and Hotel, Automobile Sales, and Restaurants with Full-Service Liquor; City RO-20; City C-1; and City O-1 zoning. As a secondary benefit, this zoning is more advantageous to the health, safety and welfare of the local community.

Based upon the justification provided above, the applicant respectfully requests approval of this Zoning, Annexation, and Site Plan for Subdivision Request for Tracts 2A, 2B, 2C, 2D, 3B, 3F1, 3G1, 3H, 3I, and 3J, Black Ranch.

Sincerely,



James K. Strozner, AICP
Principal

Attachment: Zone Atlas Page C-13

c: Project Team

"ATTACHMENT A"

*Kerin Pitman, AIA, Consensus Planning
Zone Map C-13*

PARADISE HILLS CIVIC ASSOC. (R)

***Audre Bonadea**

10137 Furman NW/87114 897-9663 (h)

Meredith Hughes

9908 La Paz NW/87114 898-0909 (h)

RIVERFRONTE ESTATES N.A., INC. (R)

***Marlo Peters**

9506 Kandace Dr. NW/87114 890-9090 (h&w)

Gary Plante

1692 Pace Rd. NW/87114 897-6874 (h&w)

TAYLOR RANCH N.A. (R)

***Rick Lackey**

2001 Carlisle NE/87110 944-8418 (w)

Jerry Beck

8201 Golf Course Rd. NW, Suite D-3/87120 890-5478 (h) 792-0917 (w)

**LETTERS MUST BE SENT TO BOTH CONTACTS OF EACH
NEIGHBORHOOD ASSOCIATION.**

Ms. Elizabeth Begay – Chairman
Environment Planning Commission
600 Second Street NW, Suite 300
Albuquerque, New Mexico 87102

R.E. Northwest corner of Coors and Paseo del Norte
Case 2- 01114-00556 and 2- 01114-0057
Project 101206
Consensus Planning/ John Black

Dear Ms. Begay:

The Riverfronte Estates Neighborhood Association Inc. objects to the zoning proposed on the 18 acres, indicated in their letter to you of April 26, 2001. This property is adjacent to our residential subdivision and on a bluff that overlooks our properties. It is part of the properties included in our Neighborhood Association.

The Riverfronte Estates Neighborhood Association Inc. respectfully requests the Environment Planning Commission to consider SU-1 for C-1 for all properties and that no properties be zoned C-1 without the opportunity of the Association to review all development uses and proposals prior to approval. If the developer receives C-1 we will have only limited say on uses adjacent to our properties and within our Association boundaries.

We further request the SU-1 for C-1 uses preclude Automobile sales or Automobile dealerships. This property overlooks many of our resident's properties and Automobile sales/dealerships would prevent the quiet environment of their property, which they contemplated at the time they built their homes. Most of our homes are custom built for our residents. They believed they were building their last residence. The problems associated with this use would not be compatible with the surrounding neighborhood.

We further request the SU-1 for C-1 uses preclude "drive through" food service restaurants. We have no objection to "non-drive through" food service; however, we would request the primary business be food sales and liquor would be allowed only in conjunction with dining.

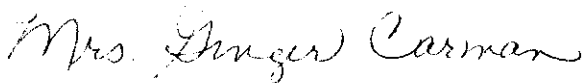
We do not object to hotel use if the hotel/motel is of limited height (no more than two stories). We would request input on the architectural design and that signage and lighting be restricted on the east side.

We are very concerned about the commercial uses allowed on this property as this property is on a bluff above our homes and all uses will impact all homes within our Association. The winds carry smells, trash and pollutants over our homes and lights, traffic and noise are exposed to all of our residents.

We have expressed these concerns with the representative of the developer in a two-hour meeting. None of our concerns were incorporated in the developer's submittal of April 26th. The meeting was at the request of the developer's representative and we attended in good faith.

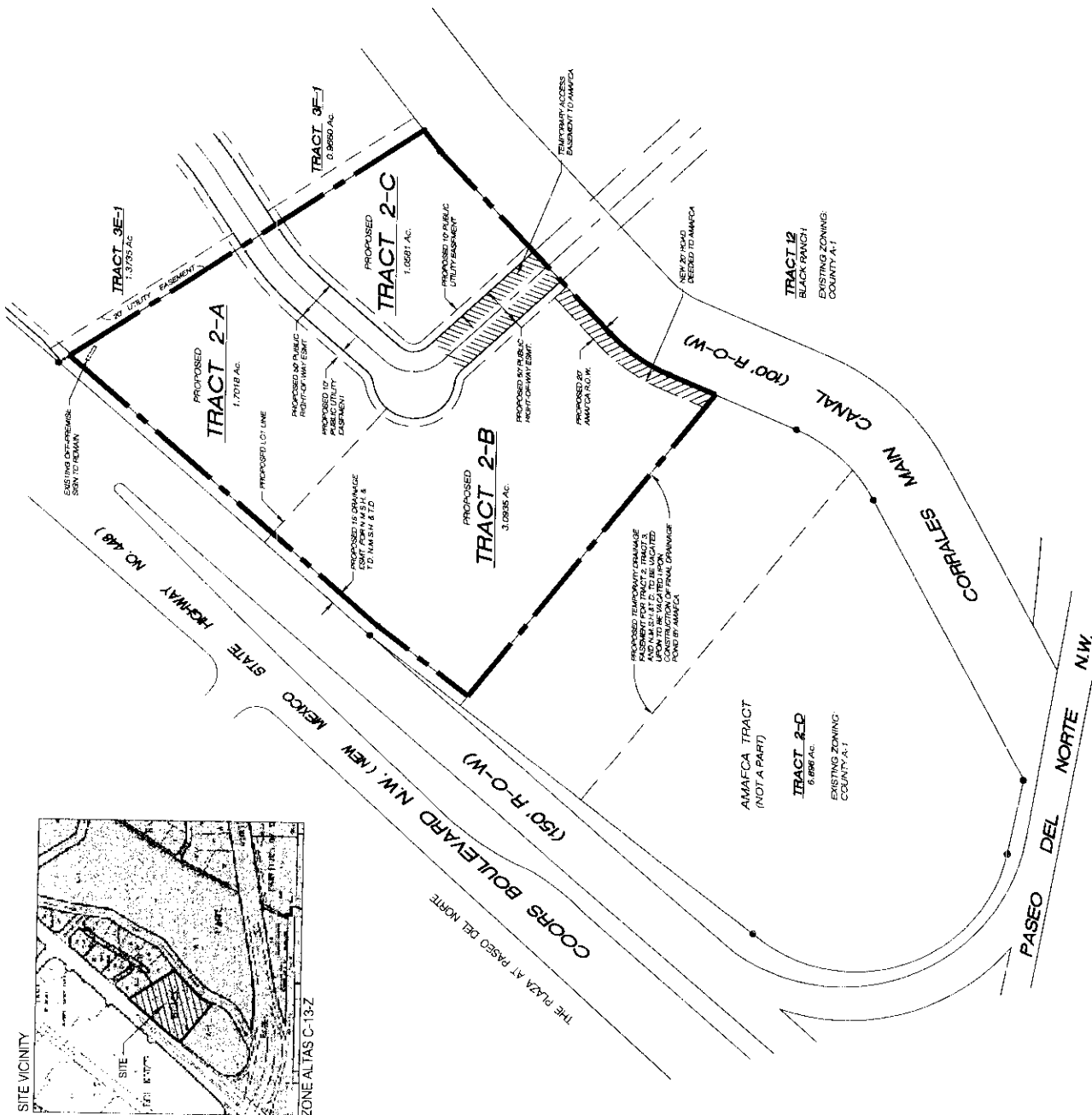
Our recourse now lies in the hands of your committee and its members. We request your consideration of these issues that are of major importance to our member's enjoyment of their properties. We understand reasonable development is necessary we only request development does not occur in a manner that reduces the equality of life for the residents next to this property.

Respectfully,

A handwritten signature in cursive script that reads "Mrs. Ginger Carman". The ink is dark and the signature is fluid.

Mrs. Ginger Carman
President
Riverfronte Estates Neighborhood Association

April 26, 2003
Sheet 1 of 2



ATTACHMENT A: APPLICANT/SITE INFORMATION BY PARCEL

APPLICANT 1

APPLICANT INFORMATION

NAME: *Black Development Two, LLC (John Black, Mgr.)* PHONE: (505) 792-3713
ADDRESS: *3613 NM State Road 528 NW, Suite H* FAX: (505) 792-3735
CITY: *Albuquerque* STATE: *NM* ZIP: *87114* E: *jblack@wwrealty.com*
Proprietary interest in site: *Owner, Tract 2A, 2B, 3F1, 3G1, 3H, 3I, 3J*

SITE INFORMATION

Legal Description	Acreage	Existing Zoning	UPC #
<i>Tract 2A, Black Ranch</i>	<i>1.7018 acres</i>	<i>County A-1</i>	<i>N/A</i>
<i>Tract 2B, Black Ranch</i>	<i>3.0935 acres</i>	<i>County A-1</i>	<i>N/A</i>
<i>Tract 2C, Black Ranch</i>	<i>1.0581 acres</i>	<i>County A-1</i>	<i>N/A</i>

Proposed Zoning: *See zoning exhibit*

Zone Atlas page(s): *C-13* No. of existing lots: *1** No of proposed lots: *3*

Total area of site (acres): *5.8534 acres (total)* Density: *N/A*

Within city limits? *No, but sites are within 5 miles of the city limits*

Within 1000FT of a landfill? *No*

UPC No. *See table above*

**Tracts 2A (above), 2B (above), 2C (above) and 2D (below) have been created from the original Tract 2*

APPLICANT 2

APPLICANT INFORMATION

NAME: *AMAFCA (John Kelly, Executive Engineer)* PHONE: (505) 884-2215
ADDRESS: *2600 Prospect Avenue NE* FAX: (505) 884-0214
CITY: *Albuquerque* STATE: *NM* ZIP: *87107* E: *c/o m_w_eckert@yahoo.com*
Proprietary interest in site: *Owner, Tract 2D*

SITE INFORMATION

Legal Description: *Tract 2D, Black Ranch*

Current Zoning: *County A-1* Proposed Zoning: *See zoning exhibit*

Zone Atlas page(s): *C-13* No. of existing lots: *0*** No of proposed lots: *1*

Total area of site (acres): *6.6896 acres* Density: *N/A*

Within city limits? *No, but site is within 5 miles of the city limits*

Within 1000FT of a landfill? *No*

UPC No. *N/A*

***This lot was created from the original Tract 2 accounted for above, see * above*

APPLICANT 3**APPLICANT INFORMATION**

NAME: *Trusts of Albert J. and Mary J. Black*
(John Black, Trustee)

PHONE: (505) 792-3713

ADDRESS: *3613 NM State Road 528 NW, Suite H*

FAX: (505) 792-3735

CITY: *Albuquerque* STATE: *NM* ZIP: *87114*

E: *jblack@wwrealty.com*

Proprietary interest in site: *Owner, Tract 2A, 2B, 3F1, 3G1, 3H, 3I, 3J*

SITE INFORMATION

Legal Description	Acreage	Existing Zoning	UPC #
<i>Tract 3F1, Black Ranch</i>	<i>0.9660 acres</i>	<i>County O-1</i>	<i>101306433832710407</i>
<i>Tract 3G1, Black Ranch</i>	<i>0.8838 acres</i>	<i>County O-1</i>	<i>101306435133810408</i>
<i>Tract 3H, Black Ranch</i>	<i>0.8838 acres</i>	<i>County O-1</i>	<i>101306436235410409</i>
<i>Tract 3I, Black Ranch</i>	<i>0.8838 acres</i>	<i>County O-1</i>	<i>101306437237110410</i>
<i>Tract 3J, Black Ranch</i>	<i>0.8752 acres</i>	<i>County O-1</i>	<i>101306437838910411</i>

Proposed Zoning: *See zoning exhibit*

Zone Atlas page(s): *C-13* No. of existing lots: *5* No of proposed lots: *5*

Total area of site (acres): *4.4926 acres (total)* Density: *N/A*

Within city limits? *No, but sites are within 5 miles of the city limits*

Within 1000FT of a landfill? *No*

UPC No. *See table above*

APPLICANT 4**APPLICANT INFORMATION**

NAME: *Wells Fargo Bank New Mexico, N.A.*

PHONE: (505) 766-7301

ADDRESS: *Corporate Properties Group (MAC@S4500113)* FAX: (505) 766-7332
200 Lomas Boulevard NW, 11th Floor
(Attention: Gary Williams)

CITY: *Albuquerque* STATE: *NM* ZIP: *87102*

E: *n/a*

Proprietary interest in site: *Owner, Tract 3B*

SITE INFORMATION

Legal Description: *Tract 3B, Black Ranch*

Current Zoning: *County C-1* Proposed Zoning: *See zoning exhibit*

Zone Atlas page(s): *C-13* No. of existing lots: *1* No of proposed lots: *1*

Total area of site (acres): *1.0 acres* Density: *N/A*

Within city limits? *No, but site is within 5 miles of the city limits*

Within 1000FT of a landfill? *No*

UPC No. *101306434738510413*

DESIGN GUIDELINES

INTRODUCTION

The purpose of these Design Guidelines is to provide a framework for the development of a high-quality, sustainable, and visually appealing community. These guidelines are intended to guide the design and construction of new developments and to ensure that they are consistent with the overall vision and goals of the community. The guidelines are organized into several sections, each addressing a different aspect of the design process. These sections include: General Design Guidelines, Site Planning and Architecture, Landscaping, and Public Utilities. Each section contains specific guidelines and standards that must be followed by all developers and designers working within the community. These guidelines are intended to be flexible and adaptable, allowing for creative solutions while ensuring that the overall quality and character of the community are maintained. The guidelines are intended to be a living document, subject to periodic review and update as the community evolves and new challenges arise. The goal of these guidelines is to create a high-quality, sustainable, and visually appealing community that meets the needs of its residents and visitors alike.

GENERAL DESIGN GUIDELINES

1. SITE PLANNING AND ARCHITECTURE

a. SITE PLANNING

i. GENERAL DESIGN GUIDELINES

ii. SITE PLANNING

iii. SITE PLANNING

iv. SITE PLANNING

v. SITE PLANNING

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City of Albuquerque

PLEASE NOTE: The Neighborhood Association information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter - you will need to get an updated letter from our office. It is your responsibility to provide current information - outdated information may result in a deferral of your case.

April 4, 2001

Karin Pitman, AIA
Consensus Planning
924 Park Avenue SW/87102
Phone: 764-9801/Fax: 842-5495

Dear Karin:

Thank you for your inquiry of April 4, 2001 requesting the names of Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed project at TRACT 2X, 3F1, 3G1, 3H, 3I, 3J, BLACK RANCH, PART OF TRACT 2, BLACK RANCH, TRACT 3E1, BLACK RANCH, TRACT 3D, BLACK RANCH, TRACT 3C, BLACK RANCH, TRACT 3B, BLACK RANCH - zone map C-13.

Our records indicate that the Recognized Neighborhood Association(s) affected by this proposal and the contact names are as follows:

SEE "ATTACHMENT A" FOR NEIGHBORHOOD INFORMATION.

Please note that according to O-92 you are required to notify each of these contact persons by **CERTIFIED MAIL, RETURN RECEIPT REQUESTED, BEFORE** the Planning Department will accept your application filing. **IMPORTANT! FAILURE OF ADEQUATE NOTIFICATION MAY RESULT IN YOUR APPLICATION HEARING BEING DEFERRED FOR 30 DAYS.** If you have any questions about the information provided, please contact our office at (505) 924-3914.

Sincerely,

Stephani Winklepleck

OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

planningrnaform(11/5/98)

NOTICE TO APPLICANTS

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

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

WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

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

(below this line for OCNC use only)

Date of Inquiry:

4/4/07

Time Entered:

10:35am

OCNC Rep. Initials:

SW



April 26, 2001

Ms. Audre Bonadea
Paradise Hills Civic Association
10137 Furman NW
Albuquerque, NM 87114

Dear Ms. Bonadea:

Landscape Architecture
Urban Design
Planning Services

924 Park Avenue SW
Albuquerque, NM 87102

(505) 764-9801
Fax 842-5495
cp@consensusplanning.com
www.consensusplanning.com

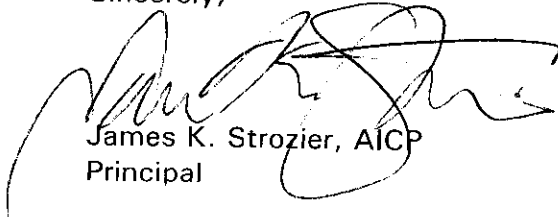
The purpose of this letter is to inform you and the members of the Paradise Hills Civic Association that Consensus Planning has submitted an Annexation Petition, Establishment of Zoning, and a concurrent Site Plan for Subdivision application to the City of Albuquerque. The property covered by this request consists of 18.0356 acres and is located adjacent to Coors Boulevard, north of Paseo del Norte and south of Irving Boulevard, (see Zone Atlas sheet with property indicated, Zoning Exhibit, and blueines). The property is owned by several different entities, and these requests are consistent with the intent of both the *Coors Corridor Plan* and the *Westside Strategic Plan*.

The Annexation Petition seeks to bring these properties into the City, the Establishment of Zoning sets forth the appropriate zoning for each parcel, and the Site Plan for Subdivision subdivides Tract 2 while providing Design Guidelines and restrictions for future development. If approved, a portion of the property (± 5.8534 acres) will be zoned SU-1 for C-1 Permissive Uses with Hotel, Automobile Sales, and Restaurants with Full-Service Liquor; another portion of the property will be zoned RO-20; another portion of the property will be zoned C-1; and the balance of the property will be zoned O-1 (see Zoning Exhibit).

The proposed zoning is due to changed conditions, and is more compatible and therefore more beneficial to the entire community than the current uses. This development will also create an attractive mixed use area that will be pedestrian and transit friendly.

Please feel free to call me at 764-9801 if you desire additional information or have any questions.

Sincerely,



James K. Strozier, AICP
Principal

PRINCIPALS

Karen R. Blumertz, AICP
James K. Strozier, AICP
Christopher E. Green, ASLA

Attachments: Justification letter
Zone Map
Zoning Exhibit
Site Plan for Subdivision



April 26, 2001

Ms. Meredith Hughes
Paradise Hills Civic Association
9908 La Paz NW
Albuquerque, NM 87114

Dear Ms. Hughes:

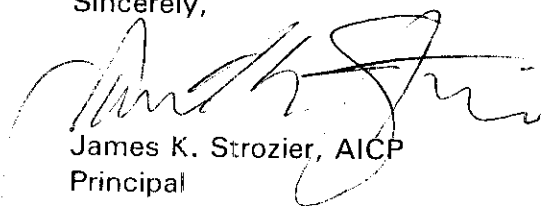
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Sincerely,



James K. Strozier, AICP
Principal

PRINCIPALS

Karen R. Monahan, AICP
James K. Strozier, AICP
Christopher J. Green, AIA, A

Attachments: Justification letter
Zone Map
Zoning Exhibit
Site Plan for Subdivision



April 26, 2001

Ms. Marlo Peters
Riverfronte Estates Neighborhood Association, Inc.
9506 Kandace Drive NW
Albuquerque, NM 87114

Dear Ms. Peters:

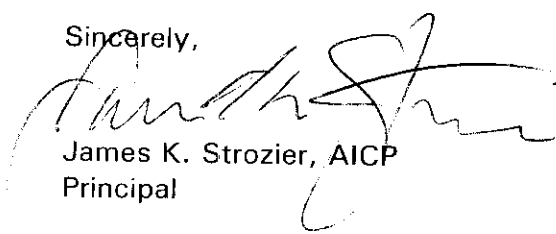
Thank you for taking the time to meet with us about this upcoming request. The purpose of this letter is to inform you and the members of the Riverfronte Estates Neighborhood Association that Consensus Planning has submitted an Annexation Petition, Establishment of Zoning, and a concurrent Site Plan for Subdivision application to the City of Albuquerque. The property covered by this request consists of 18.0356 acres and is located adjacent to Coors Boulevard, north of Paseo del Norte and south of Irving Boulevard, (see Zone Atlas sheet with property indicated, Zoning Exhibit, and bluelines). The property is owned by several different entities, and these requests are consistent with the intent of both the *Coors Corridor Plan* and the *Westside Strategic Plan*.

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Please feel free to call me at 764-9801 if you desire additional information or have any questions.

Sincerely,



James K. Strozier, AICP
Principal

Attachments: Justification letter
Zone Map
Zoning Exhibit
Site Plan for Subdivision

PRINCIPALS

Kevin E. Martinez, AICP
James K. Strozier, AICP
Christina M. Jones, ASLA



April 26, 2001

Mr. Gary Plante
Riverfronte Estates Neighborhood Association, Inc.
1692 Pace Road NW
Albuquerque, NM 87114

Dear Mr. Plante:

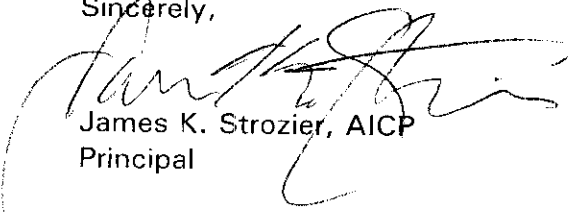
Thank you for taking the time to meet with us about this upcoming request. The purpose of this letter is to inform you and the members of Riverfronte Neighborhood Association that Consensus Planning has submitted an Annexation Petition, Establishment of Zoning, and a concurrent Site Plan for Subdivision application to the City of Albuquerque. The property covered by this request consists of 18.0356 acres and is located adjacent to Coors Boulevard, north of Paseo del Norte and south of Irving Boulevard, (see Zone Atlas sheet with property indicated, Zoning Exhibit, and bluelines). The property is owned by several different entities, and these requests are consistent with the intent of both the *Coors Corridor Plan* and the *Westside Strategic Plan*.

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Sincerely,


James K. Strozier, AICP
Principal

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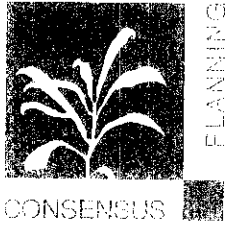
Landscape Architecture
Urban Design
Planning Services

924 Park Avenue SE
Albuquerque, NM 87102

(505) 764-9801
Fax 842-5493
cp@consensusplanning.com
www.consensusplanning.com

PERIODIC

James K. Strozier, AICP
James M. Strozier, AICP
Christopher L. Strozier, AICP



April 26, 2001

Mr. Rick Lackey
Taylor Ranch Neighborhood Association
2001 Carlisle NE
Albuquerque, NM 87110

Dear Mr. Lackey:

The purpose of this letter is to inform you and the members of Taylor Ranch Neighborhood Association that Consensus Planning has submitted an Annexation Petition, Establishment of Zoning, and a concurrent Site Plan for Subdivision application to the City of Albuquerque. The property covered by this request consists of 18.0356 acres and is located adjacent to Coors Boulevard, north of Paseo del Norte and south of Irving Boulevard, (see Zone Atlas sheet with property indicated, Zoning Exhibit, and bluelines). The property is owned by several different entities, and these requests are consistent with the intent of both the *Coors Corridor Plan* and the *Westside Strategic Plan*.

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Please feel free to call me at 764-9801 if you desire additional information or have any questions.

Sincerely,

James K. Strozier, AICP
Principal

Attachments: Justification letter
Zone Map
Zoning Exhibit
Site Plan for Subdivision

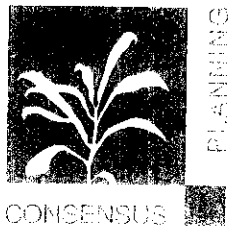
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cp@consensusplanning.com
www.consensusplanning.com

PRINCIPALS

Karen R. Mancoske, AICP
James K. Strozier, AICP
Christa Ann J. Christ, ASLA



April 26, 2001

Mr. Jerry Beck
Taylor Ranch Neighborhood Association
8201 Golf Course Road NW, Suite D-3
Albuquerque, NM 87120

Dear Mr. Beck:

The purpose of this letter is to inform you and the members of Taylor Ranch Neighborhood Association that Consensus Planning has submitted an Annexation Petition, Establishment of Zoning, and a concurrent Site Plan for Subdivision application to the City of Albuquerque. The property covered by this request consists of 18.0356 acres and is located adjacent to Coors Boulevard, north of Paseo del Norte and south of Irving Boulevard, (see Zone Atlas sheet with property indicated, Zoning Exhibit, and bluelines). The property is owned by several different entities, and these requests are consistent with the intent of both the *Coors Corridor Plan* and the *Westside Strategic Plan*.

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Please feel free to call me at 764-9801 if you desire additional information or have any questions.

Sincerely,

James K. Strozier, AICP
Principal

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cp@consensusplanning.com
www.consensusplanning.com

PRINCIPALS

James K. Strozier, AICP
James K. Strozier, AICP
Christopher J. DeMa, ASI A



***** WELCOME TO *****
DOWNTOWN STATION
ALBUQUERQUE, NM 87103-9998
04/26/01 09:44AM.

Store USPS Trans 8
Wkstn sys5004 Cashier KXJJVS
Cashier's Name CONRAD
Stock Unit Id WINDOWCONRAD
PO Phone Number 1-800ASKUSPS

1. First Class	4.79
Destination:	87110
Weight:	5.90oz
Postage Type:	PVI
Total Cost:	4.79
Base Rate:	1.39
SERVICES	
Certified Mail	1.90
Return Receipt	1.50
2. First Class	4.79
Destination:	87120
Weight:	5.90oz
Postage Type:	PVI
Total Cost:	4.79
Base Rate:	1.39
SERVICES	
Certified Mail	1.90
Return Receipt	1.50
3. First Class	4.79
Destination:	87114
Weight:	5.90oz
Postage Type:	PVI
Total Cost:	4.79
Base Rate:	1.39
SERVICES	
Certified Mail	1.90
Return Receipt	1.50
4. First Class	4.79
Destination:	87114
Weight:	5.90oz
Postage Type:	PVI
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SERVICES	
Certified Mail	1.90
Return Receipt	1.50
5. First Class	4.79
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Weight:	5.90oz
Postage Type:	PVI
Total Cost:	4.79
Base Rate:	1.39
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Certified Mail	1.90
Return Receipt	1.50
6. Priority Mail	7.35
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Weight:	11lb 5.20oz
Postage Type:	PVI
Total Cost:	7.35
Base Rate:	3.95
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Certified Mail	1.90
Return Receipt	1.50

Subtotal 31.30
Total 31.30
Personal/ Business Check 31.30

Number of Items Sold: 6

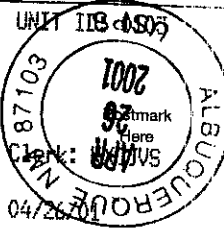
HELP US STAMP OUT
BREAST CANCER
BUY THE BREAST CANCER
RESEARCH STAMP
THANK-YOU

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only: No Insurance Coverage Provided)

Article Sent To:

Andre Bonadea

Postage \$ 1.34³⁹
Certified Fee 1.92⁹⁰
Return Receipt Fee (Endorsement Required) 1.50⁵⁰
Restricted Delivery Fee (Endorsement Required)
Total Postage & Fees \$ 4.77⁷⁹



Name (Please Print Clearly) (To be completed by mailer)

Andre Bonadea
10137 Farman NW
Albuquerque, NM 87114

PS Form 3800, July 1999

See Reverse for Instructions

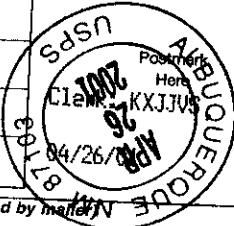
U.S. Postal Service
CERTIFIED MAIL RECEIPT
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Article Sent To:

Carol Plante

Postage \$ 1.34³⁹
Certified Fee 1.92⁹⁰
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Restricted Delivery Fee (Endorsement Required)
Total Postage & Fees \$ 4.77⁷⁹

UNIT ID: 0103



Name (Please Print Clearly) (To be completed by mailer)

Carol Plante
1692 Pace Road NW
Albuquerque, NM 87114

PS Form 3800, July 1999

See Reverse for Instructions

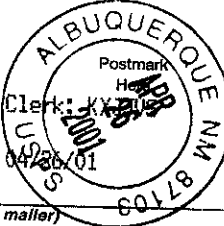
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Article Sent To:

Rick Lackey

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Return Receipt Fee (Endorsement Required) 1.50⁵⁰
Restricted Delivery Fee (Endorsement Required)
Total Postage & Fees \$ 4.77⁷⁹

UNIT ID: 0103



Name (Please Print Clearly) (To be completed by mailer)

Rick Lackey
2001 Carlisle NE
Albuquerque, NM 87110

PS Form 3800, July 1999

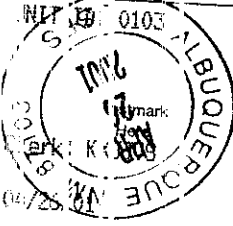
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U.S. Postal Service
CERTIFIED MAIL RECEIPT
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Article Sent To:

Mario Per...

Postage \$ 1.34³⁹
Certified Fee 1.92⁹⁰
Return Receipt Fee (Endorsement Required) 1.50⁵⁰
Restricted Delivery Fee (Endorsement Required)
Total Postage & Fees \$ 4.77⁷⁹



Name (Please Print Clearly) (To be completed by mailer)

Mario Per...
9506 Farnham St NW
Albuquerque, NM 87114

PS Form 3800, July 1999

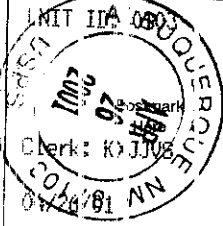
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Article Sent To:

Mary Beck

Postage \$ 1.34³⁹
Certified Fee 1.92⁹⁰
Return Receipt Fee (Endorsement Required) 1.50⁵⁰
Restricted Delivery Fee (Endorsement Required)
Total Postage & Fees \$ 4.77⁷⁹

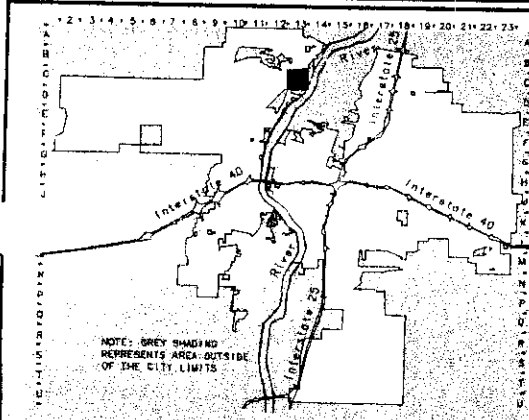
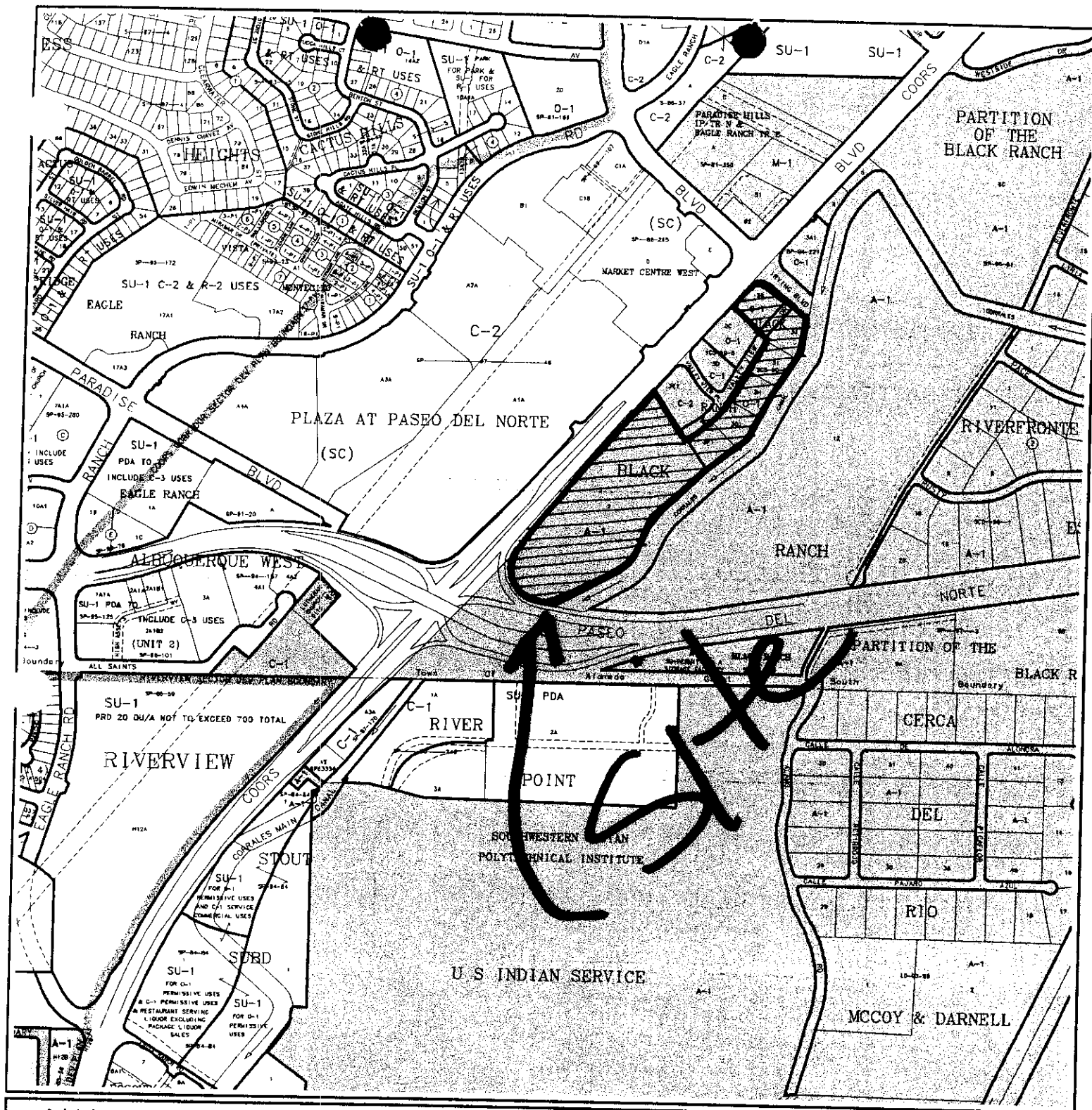


Name (Please Print Clearly) (To be completed by mailer)

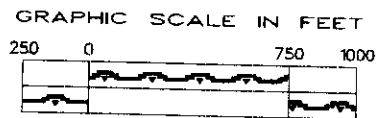
Mary Beck
8201 Golf Course Rd. NW, Suite D-3
Albuquerque, NM 87120

PS Form 3800, July 1999

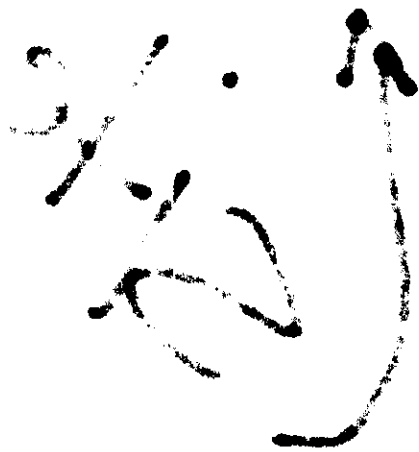
See Reverse for Instructions



CITY OF
Albuquerque
Albuquerque **G**eographic **I**nformation **S**ystem
PLANNING DEPARTMENT
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Zone Atlas Page
C-13-Z
 Map Amended through July 27, 2000



CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
LAND DEVELOPMENT COORDINATION DIVISION
PAID RECEIPT

APPLICANT NAME: John Black

AGENT: Consensus Planning

ADDRESS:
(w/zip code)

CASE NUMBER: 1001306/ 01114 00000 00554
01110 00000 00557
01128 00000 00558

AMOUNT DUE: \$ 270.00

X 441006/4981000 (City Cases)
441018/4921000 (County)
441011/7000110 (LUCC)

CONSENSUS PLANNING INC
924 PARK AVE SW
ALBUQUERQUE, NM 87102

6728

WCMA[®] Working Capital
Management[™] Account

DATE 4/25/01 25-80/440

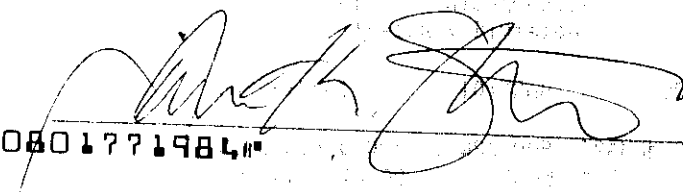
PAY TO THE ORDER OF City of Albuquerque \$ 270.00
Two Hundred Twenty + 00/100 DOLLARS

 **Merrill Lynch**

 **BANK ONE** BANK ONE, COLUMBUS, NA
COLUMBUS, OH 43227

MEMO

⑈006728⑈ ⑈044000804⑈ 040801771984⑈



SIGN POSTING REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the City Zoning Code or Subdivision Ordinance are responsible for the posting and maintaining of one or more signs on the property which the application describes. Vacations of public rights-of way (if the way has been in use) also require signs. Waterproofed signs will be provided at the time of application. If the application is mailed, you must still stop at the Planning Division to pick up the sign.

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Planning Division at a charge of \$3.00 each.

1. LOCATION

- A. The sign shall be conspicuously located. It shall be located within twenty feet of the public sidewalk (or edge of public street). Staff may indicate a specific location.
- B. The face of the sign shall be parallel to the street, and the bottom of the sign shall be two to seven feet from the ground.
- C. No barrier shall prevent a person from coming within five feet of the sign in order to read it.

2. NUMBER

- A. One sign shall be posted on each paved street frontage. Signs may be required on unpaved street frontages.
- B. If the land does not abut a public street, then in addition to a sign placed on the property a sign shall be placed on and at the edge of the public right-of-way of the nearest paved City street. Such a sign must direct readers toward the subject property by an arrow and an indication of distance.

3. PHYSICAL POSTING

- A. A heavy stake with two crossbars or a full plywood backing works best to keep the sign in place, especially during high winds.
- B. Large headed nails or staples are best for attaching signs to a post or backing; the sign tears out less easily.

4. TIME

Signs must be posted from

6-6-01 to 6-21-01

5. REMOVAL

- A. The sign is not to be removed before the initial hearing on the request.
- B. The sign should be removed within five days after the initial hearing.

I have read this sheet and discussed it with the Planning Division staff. I understand (A) my obligation to keep the sign(s) posted for 15 days and (B) where the sign(s) are to be located. I am being given a copy of this sheet.

Karin M. Pittman 4/26/01
(Applicant or Agent) (Date)

Issued 2 signs for this application, 4-26-01 J. Chry
(Date) (Staff Member)

CASE NUMBER 1001306
01114 00000 00354
01110 00000 00357
01128 00000 00358



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

December 10, 2001

John Black
3616 NM State Road 528 NW
Suite H
Albuquerque, NM 87114

CERTIFICATE OF ZONING


FILE: 01114-00556/01110-00557/Proj. #1001206
(Council Bill #O-01-133, Enactment #56-2001)
DATE OF FINAL ACTION: November 19, 2001
LEGAL DESCRIPTION: for Tract 2A, 2B, 2C, 2D,
3F1, 3G1, 3H, 3I, 3J, 3B, 3C, Black Ranch, located
on Coors Boulevard NW between Paseo del Norte
and Irving Boulevard, containing approximately
19.23 acres. (C-13) Deborah Stover, Staff Planner

The City Council approved your request to annex and amend the zone map as it applies to the above-cited property. The possible appeal period having expired, the property status is now changed as follows:

**SU-1 FOR C-1 PERMISSIVE USES AND HOTEL NOT TO EXCEED 2-STORIES IN
HEIGHT AND RESTAURANTS WITH FULL-SERVICE LIQUOR
FOR TRACTS 2A, 2B AND 2C
RO-1 FOR TRACT 2D
C-1 FOR TRACT 3B
SU-1/C-1 FOR TRACT 3C
AND O-1 FOR TRACTS 3F1, 3G1, 3H, 3I, AND 3J**

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

Sincerely,


For David Steele
Acting Planning Director

cc: Consensus Planning, 924 Park Ave. SW, Albuquerque, NM 87102
Audre Bonadea, Paradise Hills Civic Assoc., 10137 Furman NW, Albuquerque, NM 87114
Meredith Hughes, Paradise Hills Civic Assoc., 9908 La Paz NW, Albuquerque, NM 87114
Marlo Peters, Riverfronte Estates NA, Inc., 9506 Kandace Dr. NW, Albuquerque, NM 87114
Gary Plante, Riverfronte Estates NA, Inc., 1692 Pace Rd. NW, Albuquerque, NM 87114
Rick Lackey, Taylor Ranch NA, 2001 Carlisle NE, Albuquerque, NM 87110
Jerry Beck, Taylor Ranch NA, 8201 Golf Course Rd. NW, Suite D-3, Albuquerque, NM 87120
Mrs. Ginger Carman, 7201 Central Ave. NW, Albuquerque, NM 87121
Sylvain Segal, 6201 Uptown Blvd. NE, Albuquerque, NM 87110
Ginger Carman, 1728 Rusty Rd. NW, Albuquerque, NM 87114
Susan Fox, P.O. Box 1888, Albuquerque, NM 87102
John Marach, 3613 NM State Highway 528, Albuquerque, NM 87114
Zoning Code Services Division
Neal Weinberg, AGIS Division



ENVIRONMENTAL PLANNING COMMISSION

A G E N D A

Thursday, June 21, 2001, 8:00 a.m.

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

MEMBERS

Elizabeth Begay, Chairman
Alan Schwartz, Vice Chair

Chuck Gara
Mick McMahan
Camilla Serrano

Susan Johnson
Larry Chavez
John Briscoe

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 April 19, 2001.

2. 00110 00000 01498 Ernest Castillo, agent for Michael Castillo request a zone map
00128 00000 01499 amendment from R-1 to SU-1 to include mini-warehouse storage, RV
Project # 1000891 Parking, On-Site Management Residence, Sales/Rental Office (Truck
Rental) and Storage, for Lot 3A, San Jose Arenal Addition, located on
Arenal between Coors SW and Unser SW, containing approximately 4.934
acres. (M-10 & M-11) Cynthia Borrego-Archuleta, Staff Planner
(DEFERRED FROM MARCH 22, 20001)
3. 01221 00000 00405 The City of Albuquerque requests an amendment to portions of the
Project #1001146 Comprehensive City Zoning Code, to prohibit the dispensing of certain
containers of alcoholic beverages in certain zones within 500 feet of a pre-
elementary, elementary or secondary school, religious institution, residential
zone, City park or City owned major public open space; and to establish a 4
year amortization period for nonconforming uses involving resales of
alcoholic beverages. Simon Shima, Staff Planner **(DEFERRED FROM
MAY 17, 2001)**
4. 01128 00000 00413 BPLW Architects & Engineer, agents for Qwest request approval of a
Project #1001151 site development plan for building permit for Tract A, Archdiocese of Santa
Fe, zoned SU-1 for Switching Station, located on Wyoming Blvd. NE
between Scotts Place and Palomas Parkway, containing approximately 1.01
acre. (D-19) Lola Bird, Staff Planner **(CONTINUED FROM MAY 17,
2001)**
5. 01221 00000 00136 The City of Albuquerque request an amendment to the Comprehensive,
Project #1001032 City Zoning Code Section 14-16-3-17, (A.)(3.)(C.) adding criteria for
antennas mounted on existing vertical structures. Cynthia Borrego-
Archuleta, Staff Planner **(DEFERRED FROM MAY 17, 2001)**
6. 01128 00421 Jon Marcotte, Kent Hanaway Architect, agents for Albertsons, Inc.,
Project # 1000085 request approval of a site development plan for building permit for Lot M-1-
A, Tanoan Properties, zoned SU-1 for C-1, located on Academy Road NE
between Tramway Blvd and Tennyson Street, containing approximately 9.94
acres. (E-22) Lola Bird, Staff Planner
7. 01110 00554 Consensus Planning, Inc., agents for Paradise Ridge LLC request a zone
Project #1001205 map amendment from SU-1 for PRD to R-LT for Lots A-1 and A-2A,
located on Paradise Boulevard NW between Lyon Boulevard and Justin
Drive, containing approximately 21.5 acres. (B-11) Deborah Stover, Staff
Planner

EPC AGENDA
JUNE 21, 2001
PAGE 3 OF 4

8. 01110 00540
01138 00541
Project #1001201
Boleslo Romero, agent for Carl Landspecht requests an amendment to the University Neighborhoods Sector Development Plan plus a zone map amendment from SU-2 / DR to SU-2 / RC for Lots 13-17, Block 25, University Heights Addition, located on Girard Boulevard SE between Central Avenue and Silver Avenue, containing approximately 0.8 acre. (K-16) Lola Bird, Staff Planner
9. 01110 00542
01138 00543
Project # 1000682
Richard Hall, agent for DePonte Investments requests an amendment to the North Interstate 25 Sector Development Plan plus a zone map amendment from SU-2/IP to SU-2/C-2 for Lots 1-10, Block 29, North Albuquerque Acres, located on Alameda Boulevard NE between San Pedro Drive and Louisiana Boulevard, containing approximately 8.7 acres. (C-18) Loretta Naranjo-Lopez, Staff Planner
10. 01225 00551
Project #1001146
The City of Albuquerque, Public Works Department requests an amendment to portions of the Comprehensive Zoning Code, amending Chapter 14, Article 16, ROA 1994. (City Wide) John Hartman, Staff Planner
11. 01110 00552
Project #1001135
Consensus Planning, Inc., agents for Felix Rabadi requests a zone map amendment from SU-1 for PRD to R-LT for Tract A-2B, Paradise Bluff, located on Justin Drive NW between Paradise Boulevard and Buglo Avenue, containing approximately 13.0 acres. (B-11) Deborah Stover, Staff Planner
12. 01128 00486
01128 00487
Project #1001042
Garcia/Kraemer & Associates, agents for Pete and Sandra Vigil request approval of a site development plan for building permit plus approval of a site development plan for building for a wireless telecommunication facility for Lot 8 and the west 1/2 of lot 9, Block 20, Tract 3, North Albuquerque Acres, zoned SU-2 / Mixed Uses, located on Holly Avenue NE between Ventura Street and Holbrook Street, containing approximately 1.32 acres. (C-20) Lola Bird, Staff Planner
13. 01114 00556
01110 00557
01128 00558
Project #1001206
Consensus Planning, Inc., agents for John Black request annexation and establishment of SU-1 for C-1, C-1 & O-1 Zoning plus approval of site development for subdivision purposes for Tract 2A, 2B, 2C, 2D, 3F1, 3G1, 3H, 3I, 3J, 3B, Black Ranch, located on Coors Boulevard NW between Paseo del Norte and Irving Boulevard, containing approximately 18.0356. (C-13) Deborah Stover, Staff Planner

14. 01114 00560
01110 00561
Project #1001208
Ross Howard Co., agent for Ricardo and Guadalupe Gutierrez requests annexation and establishment of R-1 zoning, for Tract D-1, Lands of the Heirs of Aurelia Gutierrez, located at the northwest corner of Sandia Road NW and Guadalupe Trail NW between Montano Road and Grecian Avenue NW, containing approximately 1.58 acres. (F-14) Loretta Naranjo-Lopez, Staff Planner

15. 01128 00563
01128 00564
Project #1000163
Tierra West LLC, agents for Whataco, Inc., request approval of a site development plan for subdivision purposes plus approval of a site development plan for building permit for Lot 4, Block 19, La Cueva Town Center, zoned SU-1 for C-2, located on Wyoming Boulevard NE between and Paseo del Norte and Carmel Avenue, containing approximately 1.5 acres. (C-19) Deborah Stover, Staff Planner

16. 01128 00562
Project #1001209
Mark Goodwin & Associates, agents for Clifford Capital Fund, Inc., requests approval of a site development plan for subdivision purposes for Lands of Ben E. Traub, Lands of Raymond R. Van Wye and Tracts A-2 & C-2 of the Land of Albuquerque Public Schools, zoned SU-1 for C-1 and SU-1 for Residential @ 12-14 du/ac, located on Western Trail NW between Unser Boulevard and Atrisco Drive, containing approximately 11.6 acres. (F-10 & F-11) Loretta Naranjo-Lopez, Staff Planner

17. 01110 00565
01128 00566
Project #1001210
Glenn Parry, agent for SEED request a zone map amendment from SU-1 for Church and Related Uses to SU-1 for O-1 plus approval of a site development plan for Lot A, Block 8, Palisades Addition, located on Atrisco Drive NW between Interstate 40 and Iliff Road, containing approximately 1.23 acres. (H-11) Lola Bird, Staff Planner

18. Other Matters.

Lola Bird, Planning Department
Kevin Curran, Legal Department

PERSON PRESENT TO SPEAK IN FAVOR OF THIS REQUEST:

William Kraemer, 200 Lomas NE

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

MS. BIRD: Reiterated comments made in the staff report in which deferral was recommended.

FINAL ACTION TAKEN

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to defer 01128 00486/01128 00487 to the Environmental Planning Commission Public Hearing on August 16, 2001.

MOVED BY COMMISSIONER SERRANO

SECONDED BY COMMISSIONER McMAHAN

MOTION CARRIED UNANIMOUSLY

11. 01114 00556 Consensus Planning, Inc., agents for John Black request annexation
01110 00557 and establishment of SU-1 for C-1, C-1 & O-1 Zoning plus approval of
01128 00558 site development for subdivision purposes for Tract 2A, 2B, 2C, 2D,
Project #1001206 3F1, 3G1, 3H, 3I, 3J, 3B, Black Ranch, located on Coors Boulevard
NW between Paseo del Norte and Irving Boulevard, containing
approximately 18.0356. (C-13) Deborah Stover, Staff Planner
**(RECOMMENDED APPROVAL TO THE CITY COUNCIL OF
ANNEXATION AND ESTABLISHMENT OF ZONING.)**

STAFF PRESENT:

Debbie Stover, Planning Department
Russell Brito, Planning Department
Joe David Montano, Public Works Department
Don Newton, Office of Community and Neighborhood Coordination

PERSON PRESENT TO SPEAK IN FAVOR OF THIS REQUEST:

Jim Strozier, 924 Park Ave. SW, 87102
John Black
Susan Fox, P.O. Box 1888

PERSONS PRESENT TO SPEAK IN OPPOSITION OF THIS REQUEST:

Silvan Seagull, 6201 Uptown Boulevard NE, 87110
Ginger Carmen, 1728 Rusty Road NW, 87114

MS. STOVER: Madam Chair, Commissioner's, this is item 13 case 01114-00556 a request for annexation, 01110-00557 a request for establishment of zoning and 01128-00558 a request for approval of a site development plan for subdivision, for tracts 2, 3F1, 3C1, 3H, 3I, 3J and 3B, Black Ranch, totaling approximately 18 acres. The site is located on Coors Boulevard northwest between Paseo del Norte and Irving Boulevard, and although there are three parcels that were not included in this request, staff has been in talks with and continues to talk to the owners of tracts 3E1, 3D and 3C, regarding inclusion in the annexation request. I hope you received a letter faxed on Tuesday from the attorneys for tract 3C, they submitted a letter stating that they would like to be included in the annexation and requesting C-1 zoning. Although, it is not mentioned in the report and it's not in the request, these properties can be added to the annexation request by review by City Council and we are hoping to do the same with the other two properties in question.

Staff believes that this annexation and establishment of zoning request furthers the goals of the Comprehensive Plan and the West Side Strategic Plan. There was a lengthy discussion in the staff report regarding its exclusion from the West Side Strategic Plan and reliance on other plans to consider this request. The request does comply with the Coors Corridor Plan, which states that properties under County jurisdiction that are surrounded by City jurisdiction should be annexed as soon as possible. They have also included design guidelines with the site plan for subdivision and they do meet the requirements of the City Zone Code. Staff did receive one letter from the Riverfront Estates Neighborhood Association, which is included in the staff report. Other meetings, or at least one other meeting has occurred between the applicant and this neighborhood association since that letter was written. I would like the applicant to speak to that. Staff is recommending approval of this request.

CHAIR BEGAY: Thank you Debbie, any questions? Commissioner Schwartz.

COMMISSIONER SCHWARTZ: Thank you madam chair. The request is for the same zoning over the entire area, right? I mean not the other lots that we are talking about in the annexation . . . but everything on here is the same zoning?

MS. STOVER: Yes.

COMMISSIONER SCHWARTZ: So, we could end up with three car dealerships?

MS. STOVER: That is correct . . . or three hotels, or . . .

COMMISSIONER SCHWARTZ: How do we put . . . do we have any of this that is RO-20 zoning?

MS. STOVER: I am sorry.

COMMISSIONER SCHWARTZ: We are doing RO-20 zoning on the AMAFCA piece, is that part of this?

MS. STOVER: Yes.

COMMISSIONER SCHWARTZ: Okay, how do we do RO-20 on a piece that is not 20 acres? I thought the minimum size for RO-20 was 20 acres.

MS. STOVER: I don't have a good answer for that right now, I need to look at something.

COMMISSIONER SCHWARTZ: I understand it pretty much limits what can be done there, but from a technical point of view I don't

MS. STOVER: Right, I understand your question. I am not sure what the answer is.

COMMISSIONER SCHWARTZ: I guess that is all I have right now.

CHAIR BEGAY: Commissioner Briscoe.

COMMISSIONER BRISCOE: My questions I think have to do with my own confusion. The . . . which is always the case I guess. The size of the parcel is approximately 18 acres but the site plan shows I think 6 acres. So, obviously that's zoned . . . (INAUDIBLE) . . . small part. How do we have a sense of what else is planned, or do we?

MS. STOVER: How do you have a sense of what else is planned? Well, let me just see if I can . . . I am not exactly sure what your questions is. But, the site plan for subdivision is addressing that one small portion. The rest of it would be zoned, I believe it is O-1, which would . . . the office uses and so forth. C-1 on the corner, which is where a bank is currently existing so it is already there. Then the southern portion that is proposed to be RO-20 would be the AMAFCA usage. So, it is only that small portion that is shown on the site plan for subdivision that would have the SU-1 uses for hotel, auto sales . . .

COMMISSIONER BRISCOE: Okay, so the only part of this request that is for the C-1 is where the existing bank . . . or . . . and the parcel that was added today?

MS. STOVER: That is correct. The portion that is within the proposed subdivision is SU-1 for the certain uses.

COMMISSIONER BRISCOE: Okay. The neighborhood comments on this were concerns about the potential from the glare from a potential car dealership. Now, frankly those seem like very legitimate concerns and I am not sure that they are being addressed in the package here.

MS. STOVER: If I could, I would like the applicant to speak to that.

COMMISSIONER BRISCOE: Good, okay, thank you.

CHAIR BEGAY: Commissioner Gara did you have a question.

COMMISSIONER GARA: I guess that entire parcel is all in the County at the present time, with the exception of the three lots that did not request annexation. We are annexing it all, and that subdivision, that County subdivision on the existing developed area remains in fact I presume. So, the only thing we are subdividing then is the acreage to the south and I guess . . . why would not the AMAFCA lot be part of the subdivision request?

MS. STOVER: It is part of the subdivision.

COMMISSIONER GARA: (INAUDIBLE, mic was not turned on)

MS. STOVER: It is being subdivided. It is part of the . . . it is being subdivided. The whole thing right now is one tract and it is being subdivided so that the southern portion is the AMAFCA portion.

COMMISSIONER GARA: Then this drawing is misleading and we will talk about it with the applicant.

MS. STOVER: Okay.

CHAIR BEGAY: Any other questions of Ms. Stover? Commissioner Schwartz.

COMMISSIONER SCHWARTZ: The piece, I guess it is 3E1, it is currently zoned C-2?

MS. STOVER: Yes, the piece in the County that is not included.

COMMISSIONER SCHWARTZ: That is going to leave that in the County?

MS. STOVER: This request will leave three pieces in the County, except that those three people are all in talks with the City and it looks favorable that they will be included in this request.

COMMISSIONER SCHWARTZ: All right, so they are not none of those three are included?

MS. STOVER: That is correct.

COMMISSIONER GARA: One has requested the . . . (INAUDIBLE, mic was not on)

COMMISSIONER SCHWARTZ: They had previously requested, but then they stipulated only if they get a zone change.

COMMISSIONER BRISCOE: Which lot got added today?

MS. STOVER: I am sorry.

COMMISSIONER BRISCOE: Which lot got added today?

MS. STOVER: 3C.

CHAIR BEGAY: Any other questions for Ms. Stover? Thank you. All those here to speak in this case, please rise. Raise your right hand, do you swear to tell the truth? Thank you. Mr. Strozier, you know the routine.

MR. STROZIER: Yes ma'am, Madam Chair, members of the Commissioner, my name is Jim Strozier, 924 Park Ave. SW, 87102. I am here today representing the Black Family regarding an annexation, establishment of zoning and concurrent site plan for subdivision for approximately 18 acres in northwest Albuquerque. The annexation and establishment of zoning request includes Black Ranch Tracts 2A, 2B, 2C, 2D, which are those covered by the site plan for subdivision. 3B, 3F1, 3D1, 3H, 3I, and 3J, the site plan for subdivision, as I mentioned, refers to the four tracts that we are proposing to create. One thing I would like to point out is that what is shown on the screen is tract 2, the AMAFCA portion has already been subdivided, it is in AMAFCA's ownership now. So, the site plan for subdivision only is referring to that portion that is owned by the Black Family. So the AMAFCA portion . . . and in looking with staff at the Zoning Code, it appears that we would be best . . . we were just trying to make sure that we zoned the AMAFCA parcel so that it was clear that it was to be open. But, as Commissioner Schwartz has pointed out, it doesn't meet the acreage requirement. RO-1 is the next zone down in intensity, which allows one-acre minimum lot size and it is for agricultural and open uses. So, that would seem to be appropriate and I think we should amend that request for the AMAFCA portion for RO-1 instead of RO-20.

We have been in contact with, and I know the City has been in contact with the owners of tracts 3C, 3D, and 3E1. Susan Fox is here to speak on behalf of Presbyterian, which owns tract 3C, and she will address those issues relative to that tract. Tract 3D is currently being developed as a Burger King. It went through the Extraterritorial Commission and Authority and received approval. They are currently under review for their building permit. So, that was site planned controlled, there is a special use permit that went through that body. Tract 3E1, as was mentioned, is currently vacant and zoned for straight County C-2 zoning. I believe Ms. Stover discussed where they are in the process of discussions with the City. These parcels that we are requesting today are contiguous to the City of Albuquerque boundaries. They are adjacent to Coors Boulevard, the property owners have signed this petition and they desire to be annexed into the City for the purpose mainly of getting City services, with the exception of water and sewer, which are provided by New Mexico utilities for this area. The petitioners include John Black Development II, LLC, the trusts of Albert J. and Mary J. Black, AMAFCA, and Wells Fargo Bank. Subdivision of tract 2 and of tracts 2A thru D is intended to provide separation of the AMAFCA detention pond to be zoned RO-1, and relocation of the road accessing the property to the east to avoid the detention pond allow for a mixture of various retail establishments including hotel, automobile sales,

restaurants with full service liquor at this location. Proposed zonings for tracts 3B, 3F1, 3G1, 3H, 3I, and 3J are intended to bring those tracts into the City with zoning similar to what now exists on these tracts in the County. Basically, all of the lots on the backside of this property, which are 3F1 thru 3J there, along the canal, are all currently zoned County O-1 and we are requesting City O-1 for those tracts. The tract 3B, which is there at the corner of Irving and Coors, is currently developed. It is zoned County C-1 and that tract is developed as the existing bank, Wells Fargo Bank, and it would be proposed to be annexed and zoned City C-1. I think that sets the stage here for where we are.

The proposed zoning for tract 2, which is really the one that we are proposing to change from its existing zoning, is consistent with the health, safety, and general welfare of the residents of the City, and we are making this request on the basis of changed community conditions and that we feel that a different land use category is more advantageous to the community. That side is currently zoned County A-1. Some of the changed conditions include: the Paseo del Norte interchange, which is adjacent to this property, access restrictions on Coors Boulevard and the Coors Corridor Plan. The access to this area has been determined based on decisions providing for a right-in/right-out and the existing access permit at Valleyview Drive, which is right there in between tract 3E1 and 3D. That is limited to right-in/right-out and the signalized intersection at Irving. The other thing is . . . as you will notice in the site plan for subdivision, we provide for an access to the area below on the other side of the canal, the area to the east. When Riverfront Estates went through the subdivision and platting process, one of the conditions that was required as part of that was provision of a secondary access. They currently access their property . . . you can't see that on this . . . I got another exhibit that shows a little bit larger area. The current access down to the subdivision is this road right here, which comes down and provides access. That is the only access right now to Riverfront Estates and part of the approval was a requirement for a secondary access that would be provided, basically, through tract 2 . . . now as part of the proposal, and we have accommodated that. The original thought was that it would basically go through the AMAFCA detention pond and we have redesigned it so that it does not do that. There is a significant grade change in that area.

One of the other changed conditions in the area is the change of two commercial zoning and development of commercial uses on lands adjacent to this property west and north. Those are zoned City C-2, County C-1, County C-2, and they basically . . . again, this area immediately across Coors to the west, this is the Target center with the movie theater. That is zoned City C-2. The new auto dealership, the Melloy dealership, is on this tract right here. This is the Westside dealership, the Calabacillas arroyo is here to the right and of course you get into all the Cottonwood Mall activity just right here. This location right here is the existing Chevron, that is not a part of this request. This is the Wells Fargo Bank, this is the Burger King that is under construction . . . just to kind of set the stage for what's been going on around this property.

The West Side Strategic Plan also came in to be . . . which addresses a number of issues that affect the property. We feel the proposed zoning of tract 2 will be beneficial to the community, will accommodate a variety of urban land uses necessary to serve the growing area, with the addition of neighborhood commercial uses. Proposed neighborhood

commercial zoning will allow for a better mix of uses and contribute to providing some of these services in close proximity to, once again, this area that has been growing quite rapidly out in the northwest portion of the City. Territory to be annexed is adjacent to the Paradise and Seven Bar communities to the West Side Strategic Plan, adjacent to the Paseo del Norte/Coors Community Center and the proposed West Side Strategic Plan amendments, which were just introduced to City Council finally this week, within the segment three of the Coors Corridor Plan.

We have held two meetings with the members of the Riverfront Estates Neighborhood Association, and there has been a lot of dialogue and communication back and forth. As part of those meetings, and since those meetings, the dialogue about land uses and specific restrictions . . . Mr. Black has offered to make extensive concessions in return for the neighborhood support for this request and unfortunately we are not there in terms of an agreement between the neighborhood and our request. Our request generally proposes uses that are similar to or of less impact to those already existing within the area. Uses that can already be found in the area include gas station, convenience store, restaurants, including fast food, several car dealerships and various other retail establishments. In fact, some of the proposed uses that they have objected to are already closer to, or in the proximity to the neighborhood, without the types of restrictions that we are proposing. We have prepared this aerial photo with . . . let's see, can you go back to this one . . . we have added some dimensions just so you get a sense of where the neighborhood is relative to what is going on. Up along Coors, this is the distance up to the existing dealership, the Westside dealership on Coors, approximately 1,000 feet. The new Melloy dealership is about 1,225 feet from the neighborhood. The Chevron gas station and convenience store in this area, basically . . . and the bank at the intersection of Irving, they are approximately 1,100 feet. The corner of tract 2, the area that we are proposing for the SU-1/C-1 zoning, is approximately 1,000 feet to the existing Riverfront Estates neighborhood, basically to that very southern tip of the neighborhood there.

As illustrated in this map, this development is not something happening in the outlying area, but is continued development of an area already serving as an activity center in the heart of an existing community. We believe the type of zoning and development proposed here will have little, if any, negative impact on the adjacent residential zoning. Corrales canal lies directly east of the site at the bottom of a steep bluff configuration. Furthermore, the Black Family owns the residential land east of the Corrales Canal, between this property and Riverfront Estates, approximately 60 acres that is in between these two. The Black Family is very concerned about the types of uses and design requirements, since they stand to be affected as much or more than other properties in the area. We are in agreement with the staff report and all the findings and conditions. We appreciate the work done by Ms. Stover on this project, in contacting the other property owners, and the extensive amount of research that she put in to her report. We believe that this proposal is consistent with the adopted plans and policies, including the Comprehensive Plan, West Side Strategic Plan, Coors Corridor Plan, R-270 and R-70. We believe that they new development in this section of town provides an opportunity for many shared benefits to residents and businesses in the area. We respectfully ask that you approve our request in accordance with the findings and conditions in the staff report.

With me today is John Black, and as I mentioned, the representative for the other tract that is asking to join is here and she can speak to their issues separately. I would be happy to answer any questions that you might have.

CHAIR BEGAY: Do we have questions for Mr. Strozier? Commissioner Briscoe.

COMMISSIONER BRISCOE: The property on the east side of the Corrales Canal that is owned by the same . . . well, by the principal landowner here, becomes a great kind of unknown to me. It seems to me like the appropriate planning activity would have included both sides. That that is kind of a little left over island of land, that that should have, perhaps not the same level of planning, but some level of planning about how that land could potentially be used as well.

MR. STROZIER: Well, Madam Chair, Commissioner Briscoe, that property is currently in the County

COMMISSIONER BRISCOE: It all is.

MR. STROZIER: It all is, that is correct at this time, and currently zoned A-1, as is tract 2. The intent is, of the property owner, is not to annex that property, certainly at this time and so it would remain . . . and that's a similar zoning in the development that Riverfront Estates took place under, was the existing County A-1 zoning. So, right now that is the only thing that is allowed to happen on that property and there is no intent to change that at this time, or desire to bring it into the City.

COMMISSIONER BRISCOE: The lot 3F-1, from the graphic that is up on the board now, that shows an existing dead end road to get access to 3F-1. Now, your site development plan here shows that road extending through. I don't see anything at all about any easement to allow that to happen. Can you talk about that?

MR. STROZIER: Madam Chair, Commissioner Briscoe, that road currently . . . right now what you see there today is a temporary situation. That road is platted all the way to the property line. Currently it is being used as a temporary detention pond. So, that pond will move down to the AMAFCA property, basically. That is part of the . . . the right of way exists.

COMMISSIONER BRISCOE: Okay, that is the issue. That is all I have.

CHAIR BEGAY: Thank you. Commissioner Schwartz.

COMMISSIONER SCHWARTZ: Thank you, right now . . . can we go back to Mr. Strozier? Access to the residential is up Coors a way, right?

MR. STROZIER: Yes, this road

COMMISSIONER SCHWARTZ: I guess there is some kind of crossing on the canal right down near Paseo, or no?

MR. STROZIER: Right here?

COMMISSIONER SCHWARTZ: Well, not on Paseo . . . I mean on the property?

MR. STROZIER: No, there is currently no crossing of the canal from these properties heading east. Irving dead-ends

COMMISSIONER SCHWARTZ: I was over there the other day and one of Mr. Black's livestock truck was coming up and I couldn't quite see where the road

MR. STROZIER: The way they get there today for the agricultural, for the ranch, is they go down along the canal on the frontage road and they get across. There is a little turnaround right at Paseo. They can get across at that point.

COMMISSIONER SCHWARTZ: Okay, so there is some

MR. STROZIER: Yes, there is not really a full road. It is

COMMISSIONER SCHWARTZ: So, they are going to have to construct some kind of a bridge then?

MR. STROZIER: Yes. The original idea was that road, that Valleyview Drive would be extended and come down and come across the property. But, that puts it right through the middle of the new pond that AMAFCA is going to be building and so we did some fairly detailed analysis with Easterling Wilson . . . did that work looking at the grades. One of the problems is there is quite a bluff.

COMMISSIONER SCHWARTZ: Okay, let me . . . is that why, I mean when you look at it from one side, Irving seems like the natural place to is that why . . .

MR. STROZIER: That is correct. The reason that we are heading south

COMMISSIONER SCHWARTZ: Because of . . (INAUDIBLE) . . . elevation change there is so much greater at Irving than

MR. STROZIER: Yes, as you head south the elevation change gets less and we got to a point where it was, basically acceptable, to bring . . . from Irving down, my understanding from the engineer, is to bring Irving straight down across the canal. By the time you get back down to grade you are all the way up the neighborhood, you are almost down here.

COMMISSIONER SCHWARTZ: Oh, okay. You probably know that southeast corner of the current detention pond, the fenced area is apparently quite a party spot.

MR. STROZIER: I was hoping that the development of that property may

COMMISSIONER SCHWARTZ: Of both singles and case goods.

MR. STROZIER: Not limited only to singles and 40's?

COMMISSIONER SCHWARTZ: Not limited only to singles, and there are some bags that indicate where it is coming from.

COMMISSIONER MCMAHAN: Is that what you were doing there?

COMMISSIONER SCHWARTZ: I was inspecting the site.

COMMISSIONER GARA: Yeah, but it was midnight.

COMMISSIONER SCHWARTZ: Well, I wanted to get those lighting conditions.

MR. STROZIER: One of the existing land uses is, of course, in the area that I neglected to point out on the map, it is right here. This is Kelly's liquor and that is the Taco Bell there on that caddy corner.

COMMISSIONER SCHWARTZ: Okay, thank you.

CHAIR BEGAY: Any more questions? Thank you Mr. Strozier.

MR. STROZIER: Thank you.

CHAIR BEGAY: Mr. Briscoe has a question for staff?

COMMISSIONER BRISCOE: Well, of Mr. Montano. It seems to me on this project, that we should be asking this developer to bridge across the Corrales main canal, that they are at the point where this touches, why are we not asking them to extend the road on across the canal there a little bit? Maybe even tying it back in to the residential property, it seems like a natural to me.

MR. MONTANO: Madam Chair, Commissioner Briscoe, at this point there is no development being requested on the east side of the canal and the neighborhood who is currently existing below there does not want any connection from that area. At this point, we would prefer to wait until some determination is made on how that property would develop, if indeed there will be a need to make that connection across and whoever develops that land below, will be the person providing the structure. We have the right of way available, if it is needed, but it would not be developed until such point in time that something occurs on the east side of the channel.

COMMISSIONER BRISCOE: Right, okay, in that case it seems to me like you are kind of giving in to a near dead end situation here with the road that comes back in to this

subdivision. Nor are you all concerned about getting emergency vehicles in and out and all that sort of important things?

MR. MONTANO: Which subdivision are you talking about? The area above on the east?

COMMISSIONER BRISCOE: If this road does not go on, then the road ends here, okay.

MR. MONTANO: We have a cul de sac at the

COMMISSIONER BRISCOE: Right, we have a cul de sac . . . cul de sac here and some distance back up before it goes up to the small Valleyview place and Outback on the

MR. MONTANO: Which is right-in/right-out only.

COMMISSIONER BRISCOE: Right. You have reviewed all of this and are comfortable with this plan?

MR. MONTANO: It is a typical development in an area as such where we have a strip area of development and a common roadway to serve those areas. The other situation that you see like that is a little further south at Eagle Ranch Road and Caminito Coors, it is a similar situation. They have a right turn in also off of Coors and there is an extension that goes a little further south to the area where the new bicycle shop is and Bob's Burgers. It is very typical in this area.

COMMISSINER BRISCOE: Okay, thank you.

CHAIR BEGAY: Any other questions? April.

MS. CANDELARIA: Silvan Seagull.

MR. SEAGULL: Madam Chairman, members of the Commission, my name is Silvan Seagull, I am an attorney. My address is 6201 Uptown Boulevard NE 87110. With your permission Madam Chairman, I would like to distribute to each of the members of the board, some correspondence, which we have had with the applicant and the developer, so that I may refer to it later on in my remarks.

CHAIR BEGAY: Hold on. Do we want to accept it?

COMMISSIONER GARA: How many pages is it?

MR. SEAGULL: (INAUDIBLE, did not speak into mic or mic was off)

CHAIR BEGAY: Is that okay? All right. In the future Mr. Seagull, any paperwork that you want to have us look at, needs to be in the secretary's hands by 4 o'clock on Tuesday.

MS. CANDELARIA: 9 o'clock.

CHAIR BEGAY: 9 o'clock on Tuesday morning.

MR. SEAGULL: Unfortunately (INAUDIBLE, did not speak into mic or mic was off).

CHAIR BEGAY: Well, then in the future they will not be accepted.

MR. SEAGULL: I understand. I don't ask you to look at that at the moment. I am here as the attorney and representative for the Riverfront Estates Neighborhood Association, which is the association that includes the territory of the association includes not only the Riverfront Estates Development, which is pictured on the screen over to the right side of the development, which is the subject matter of this area. This is Riverfront Estates up here and there are about 30 homes in there right now. They are bounded on the south by Paseo, on the east by the Rio Grande, on the north by the Calabacillas Arroyo, and on the west by the private property of John Black or the family. In any event, they are very jealous of their environment, so when they became apprised of the fact that this application was made, they sought the opportunity to discuss with the developer upon receipt of notice, possibly some restrictions on the use, which was proposed. Those restrictions are summarized in part by the letter addressed to John Black, which is dated June 5 from Karin Pitman, which is the first of the three letters that are here. I don't intend to go through them, but in essence those are substantially the requests that were made.

A response was received, which is the second letter, from John Black to Karin Pitman, in which, and I have taken the liberty of underlining some of the most pertinent portions of the letter in which Mr. Black said we can do these things and will be glad to do them and some of the things we can't do, so we are not able to and therefore won't. Following that letter, an oral request was made by one of the representatives of the association, saying okay well if you can't do all that we ask how about some of these modified requests. Those modified requests are summarized in the third letter addressed to that individual, Gary Plant from James Strozier, they are underlined in the first paragraph . . . the things which the association felt . . . well, if we can't have everything we requested in the beginning, maybe we can talk about these things. I am appalled at the response, which is in this letter. Mr. Black . . . we were advised by Mr. Strozier that, as you can see in the second paragraph from the bottom, since such agreement has not been reached and you have continued to request additional concessions we are planning to enter the hearing on Thursday with our request as it was originally submitted to the EPC without the above concessions. Now, is that what the ordinance, which required notice to be given to the neighborhood association contemplated, just a blanket stone walling of a neighborhood association and instead of negotiating and trying to work out a plan so that the neighborhood association could back this application, just saying nope, now we are not going to give you anything because you are not satisfied with what we are willing to give you. That is such a callous attitude that I just found myself astounded to believe that a developer or his agent would engage in this kind of tactic. Then the last insult is contained in the last sentence of that letter, which I have underlined. Where he says in addition, the Black Family has not requested any restrictions of the uses allowable in Riverfront Estates, which stands to affect their adjacent property. That is kind of a slap in the face when you say something like that. There has never been a discussion or a thought

of requiring anybody in Riverfront Estates to consider changes in the covenants, which affect the estates.

The point that I am trying to make is that the whole process which was contemplated by ordinance of discussions between . . . good faith discussion between neighborhood associations and developers has been forced here by this kind of response. Not only are they not willing to make the concessions which are contained in the second letter, but they are not even willing to talk anymore. So, that the remark made by one of the prior speakers that unfortunately we haven't come to some agreement, is really a minimal description of what really happened. They broke up all discussions, so there was no further discussion possible.

My suggestions, I have two: one, grant the application subject, not only to the restrictions to which they agreed in the second letter, but subject to the other restrictions to which they did not agree in the third letter. Then, the association will not have any reason for complaint. The second suggestion that I would make in the alternative, is that you continue this hearing for 60 days and require the applicant to enter into some good faith negotiations with the neighborhood association so that these problems can be resolved and hopefully an agreement can be reached so there won't be any opposition. But, the manner in which the applicant has treated the neighborhood association is a sham and I don't think that this application, in its present form, should be granted unless all of the restrictions that I have requested are included, or until there has been another opportunity granted to the applicant to have good faith discussions with the neighborhood association.

CHAIR BEGAY: Any questions for Mr. Seagull? Commissioner Schwartz.

COMMISSIONER SCHWARTZ: I have a question for Mr. Seagull, but first I have a question for Mr. Newton. Mr. Newton, Riverfront Estates was identified as a neighborhood . . . I guess this is actually within Riverfront Estates?

MR. NEWTON: Yes, it is.

COMMISSIONER SCHWARTZ: All right, so under the City policy, they were entitled to a facilitated meeting?

MR. NEWTON: Yes.

COMMISSIONER SCHWARTZ: Okay, thank you. Mr. Seagull, myself, Commissioner Begay and I think possibly at that time Commissioner Gara and Commissioner McMahan . . . on the ELUC, we heard the application for the Burger King . . . the same kind of rancor, perhaps, existed at that time between the neighborhood association and the developer. Why wasn't there a facilitated meeting? This neighborhood association has a history already, why didn't they have the facilitate meeting? Why did they just try to resolve it themselves when they know that the last time there were these similar kind of problems?

MR. SEAGULL: Well, we tried.

COMMISSIONER SCHWARTZ: What do you mean you tried? You tried to have a facilitated meeting and the City refused to arrange it?

MR. SEAGULL: No, no, we didn't try that.

COMMISSIONER SCHWARTZ: Okay, why not?

MR. SEAGULL: We tried without the offices of the City to negotiate.

COMMISSIONER SCHWARTZ: Okay, that's my questions, why? Why? I mean I remember this from the last time and there was a lot of not real friendly between the two parties and I remember that hearing across the street and the last thing that was said at that hearing was to try for these two groups to work out their differences, because we knew there was going to be additional development of Mr. Black's property and there will continue to be development of Mr. Black's property. I don't understand why you didn't go to a facilitated meeting, because I really think that had there been a facilitated meeting that you would carry a little more weight than what we have here already.

MR. SEAGULL: I appeared to us that a good faith negotiation was being in progress and that was as far as I know, but I will allow someone else . . . if I am permitted to do so, the former president of the association to respond directly to that. But, it appeared to the members of the board of directors that negotiations were proceeding fine and why should it become necessary to go to a facilitated meeting. I would suggest, however, that Ms. Peters is probably . . . would probably be able to answer that question better than I could. The point is . . . the fact is that we would like to engage in good faith negotiations with the developer, so that we can come in and say we approve.

CHAIR BEGAY: You don't get to approve it, I am sorry Mr. Seagull.

MR. SEAGULL: We don't approve, of course, we do not object to the application would be the better way to put it.

CHAIR BEGAY: It would be nice if you could come in here and say that you don't object. If you do come in and say that you object, we will take that into consideration. But, it does not mean that the development can't go forward. We are the final say.

MR. SEAGULL: I understand that, I understand that.

CHAIR BEGAY: Thank you.

MR. SEAGULL: I'd like to let Ms. Peters, who is a former president of the association, address the Commission for a moment.

CHAIR BEGAY: Hold on, Mr. Newton do you have something to add. Maybe you can help us out.

MR. NEWTON: Madam Chair, my name is Don Newton with the Office of Neighborhood Coordination. Back in April, the City's legal department ran out of funds for facilitated meetings, maybe the Commission does not know that, but yearly that happens. They run out of the money, they allocate x amount of dollars in their budget to do facilitation and mediation. It seems consistently each year, about April they have no funds for facilitated meetings.

CHAIR BEGAY: If it happens every year, why don't they plan

MR. NEWTON: Madam Chair, maybe I am stepping way out of bounds here, but I would appreciate personally from our office, maybe the chair writing a letter to Mr. White at the legal department asking for an increase so this does not happen. Because it is really difficult for the development community and the neighborhoods when we run out of money. Mr. Strozier was aware of this, so there was a good faith effort promised to our office that they would it is his past history of working very closely with the neighborhoods. We will have funds here in a couple weeks, new budget July 1.

CHAIR BEGAY: Okay, thank you Mr. Newton. Are we going to public comment now?

MS. CARMEN: I am part of the neighborhood association.

CHAIR BEGAY: We are going to public comment then, okay.

MS. CANDELARIA: Ginger Carmen.

MS. CARMEN: That's me. Madam Chair, Commission members, my name is Ginger Carmen. I am president of Riverfront Estates Neighborhood Association, 1728 Rusty Road NW 87114. I represent the neighborhood as we currently now have between 29 and 32 homes, some of them are still under construction. We feel that we have a voice as a neighborhood association and we want to be a neighborhood association that is known to work with the developers. I read your staff report and I noticed that on page, I believe it's on page 1 after the maps, that when it talks about the area characteristics and the zoning history, that in the east zoning area in the Comprehensive Plan, the land uses . . . Riverfront Estates is not even listed in that. We feel like we are . . . that we have something to say. We met in good faith with the Consensus Planning department and talked with them on several occasions, basically two occasions to be specific, and they came to us, asked us what we thought, we met, we met with our board, we came up with something, we gave that back when they requested another meeting, we told them what we would like. They lead us to believe, on both of our meetings that we were operating in good faith. They agreed with us to the separate different issues as to the car lots. We have some definite concerns, because some of the most of the acres are . . . most of the parcels that we are talking about, the houses sit on acre lots and some lots are 1.5, very view . . . I think there is only a couple of them that are 2 acre lots.

We have some concerns regarding noise pollution. We get a lot of noise pollution from the paging systems on the car lots as they exist now. We have a wind flow pattern that seems to

flow down, so everything that comes off of Irving we seem to get, as far as dust. So, we were concerned about any fast food restaurants, anything that goes up the hill flows down into our neighborhood. We were also concerned . . . currently we do not have a deceleration lane, a way to get into our neighborhoods, so people coming off of Paseo are merging in, they are coming heading north as we are turning on to Westside Drive into our development. I don't know how many times . . . there are those of us who live down there that feel like we are about ready to be rear ended in trying to get down in that area. We are concerned about the amount of traffic flowing onto Coors from Paseo heading north to the mall and to some of the other areas that are trying to exist off at Valleyview Drive at the rate of speed that most people do. We are concerned that there is the traffic that might mean that there is a . . . require extensive traffic management. We are not against Mr. Black nor the development of what he would like to do. All of us enjoy the conveniences that occur and everybody likes just to run up the hill and take part in Target, or Taco Bell . . . I don't but. Any of those areas up there . . . we are most willing to work with him. However, we would like some of our concessions as to car lots, being that it bring end to the paging systems that seem to flow down. We were concerned about fast food restaurants and the idling of cars in there and the traffic that comes down. But, we are more than willing and would request that you would consider a deferment so that we could meet and come to a decision so that we will not waste your time or Mr. Black's time. Thank you for your consideration.

CHAIR BEGAY: Thank you. Any questions? Thank you. Next.

MS. CANDELARIA: Susan Fox.

MS. FOX: Madam Chair, Commissioners, I am Susan Fox, P.O. Box 1888, Albuquerque. I am here representing Presbyterian Healthcare Services where the . . . (INAUDIBLE) . . . here today. We currently own tract 3C, which is appropriately sandwiched in between tract 3B and 3D fronting onto Coors Boulevard. We are here requesting, or actually, acquiescing in this annexation request provided, as our letter states, we receive C-1 zoning or if more palatable SU-1 for C-1 uses zoning. We believe that this request is within the parameters of R-270-1980. There is a nice progression actually, as you head down toward Riverfront Estates starting at the C-2 property across Coors from us, Coors Boulevard . . . the C-1 property just west of Valleyview, O-1 behind us, the Corrales drain, the A-1 property before you reach the Riverfront Estates property. We think that is a pretty nice progression and a very good buffer. We, PHS, recently entered into or received two letters of intent for . . . to purchase this property. The Wells Fargo Bank, currently located on tract 3B, proposes to purchase a portion of this property and do a lot line extension for an expansion of their banking facility. The other letter of intent is from Jiffy Lube, and they would propose to do a Jiffy Lube on that particular . . . on the rest of that tract. Again, we are currently zoned County O-1, sandwiched in between County C-1. We merely request that we be in line with the other zoning at this point, which is both C-1 on both our north and south sides. I stand for any questions.

CHAIR BEGAY: Any questions for Ms. Fox? Thank you.

MS. CANDELARIA: John Black.

MR. BLACK: Unless the Planning Commission has questions of me, I'll just defer to our agent, I am available, okay.

CHAIR BEGAY: Mr. Briscoe.

COMMISSIONER BRISCOE: Would you be opposed to doing some additional land planning? I realize that is an expensive proposal and all.

CHAIR BEGAY: Hold on, can you wait please. Somebody needs to turn their phone off.

UNIDENTIFIED SPEAKER: It's not . . . it is an oxygen tank.

CHAIR BEGAY: Thank you. Don't turn that one off.

COMMISSIONER BRISCOE: It seems to me like there are a lot of questions that are left unanswered here because of the . . . well the land is shown as agricultural between the residential area and this relatively high level of commercial development property that's proposed. I don't know . . . it just seems like that would be a reasonable request, is to ask that you do the planning for both sides of the canal.

MR. BLACK: There are two reasons, well actually three. Number one, we don't ever intend to annex that into the City, at least the current owners. The current family owners are different than the owners of tract 2, it is not the same ownership. The third thing is we are heavily dependent on that farm to support our existing ranch. For certain times of the year we move some of our cattle down there and graze and we use that as a vital part of our other ranch when we don't have the proper amount of grass on the other property. So, we are still actively ranching and farming and have no desires to subject ourselves to the perils of the tax assessor if we go in and plan and subdivide that property before we are ready to sell it.

COMMISSIONER BRISCOE: Would you be willing to say that that's going to remain agricultural for a long period of time?

MR. BLACK: Well, we can say that it's going to remain for at least two years, because we have commitments that extend that far. At this point in time I am not able on behalf of those other owners . . . I am one of many owners in that other piece. I own half of this current piece, so just to tell you there is a dramatic difference in ownership there. But, I know the other owners . . . I can't sign up for them, but I can tell you that they are obligated by other contracts to at least keep that property and agriculture used for the next two years and possibly a lot longer, I don't know. But it is a different piece of land entirely from a lot of different respects. The access is not such, even with this new road someday going into it. It will not be such that it can be developed in very intense commercial or industrial or non-residential uses. It is a very different piece of property.

COMMISSIONER BRISCOE: Okay, thank you.

CHAIR BEGAY: That's it? Okay, thank you. I have a question for Joe David. Mr. Montano, you heard the representatives from the neighborhood association requesting a d-cel lane. What are the possibilities of that? The d-cel lane, I believe it is so you can get off the road before you are turning down into the way they access their properties down there.

COMMISSIONER GARA: That's not part of this case.

CHAIR BEGAY: I just want him to answer the question for them.

COMMISSIONER GARA: Oh.

CHAIR BEGAY: What would be the trigger mechanism for that to happen?

MR. MONTANO: Madam Chair, currently, that would be a right-in/right-out location according to the Coors Corridor Plan and a d-cel lane would be required for that configuration. When we went in and put in the six lanes, I believe we used a shoulder that was being used previously for the sixth lane. There should be some room over on the edge to provide for a shoulder and a bike lane, if I recall correctly. So, they effectively have a d-cel lane there already, from my recollection. I have not been out there to specifically look for that but there should be some additional asphalt beyond the outer lane so that you can pull off and slow down.

CHAIR BEGAY: So then it might just be a matter of striping.

MR. MONTANO: Yes, that's probably what it would be.

CHAIR BEGAY: If it were to be built, with curb and gutter and all that stuff, it would happen at the time when that property was developed?

MR. MONTANO: Yes, that would be one of the first things that we would look at, is how that intersection would be redesigned to comply with the Coors Corridor Plan.

CHAIR BEGAY: Okay, thank you.

MR. MONTANO: Now, there could be a possibility at some point in time that a left turn would be permissive in one direction only, like we have in other segments of Coors. So they may not be totally closed off, but it would not be a full intersection like you see today.

CHAIR BEGAY: Okay.

COMMISSIONER GARA: Are you talking about Valleyview or the next one up?

MR. MONTANO: The one above.

COMMISSIONER GARA: Okay.

MR. MONTANO: The one north of Irving. The principal entrance to the subdivision is below.

COMMISSIONER GARA: Okay.

CHAIR BEGAY: Okay, thank you. Any questions for anybody else? Commissioner Chavez.

COMMISSIONER CHAVEZ: I would like to go back to Mr. Seagull's comments for just a minute, if I can. Both a comment and a question of Mr. Strozier. The Commissioner, even today, on several occasions has strongly encouraged cooperation and communication with the neighbors by the developers. I think the applicant, and particularly the agent, have a history. I think it is appropriate to point out . . . a history of bending over backwards to have that kind of communication. So, I think they have gone in the right direction. I think it's also important to recognize, however, that it's not expected and certainly not required that there be complete agreement on all issues. If there is not then we all take it into account in our decision making process. With that, Mr. Strozier, I wonder if you could take briefly and recap the efforts that you have had with the neighbors to communicate and cooperate.

MR. STROZIER: I appreciate that, Madam Chair, Commissioner Chavez. We met with the neighborhood association board prior to submitting our request to the City. At that time, it was really kind of a fact-finding mission to see what their concerns were, let them know where we were headed. It had not been . . . we hadn't finalized anything, we were in the process of getting ready to put the submittal together. We had that meeting . . . it was, I'd say, a good meeting. We then prepared our submittal. One of the things I think that . . . and we have been clear about this from day one with the neighborhood association, was that Mr. Black was really looking for . . . trying to reach a compromise with them on what his proposal was and getting their support. So, we went . . . all of this was done in that spirit, but being very clear that what was expected of them is if compromises were made on Mr. Black's behalf, in terms of his request and concessions, that their responsibility in that was to be in agreement with those things. That's kind of the rules, if you will, that we went into that dialogue with . . . was to try and reach an agreement and so that was kind of the . . . part of that whole situation. One of the things that we request . . . okay, never mind. We went in, we submitted our application to the City, we sent them several copies of our full submittal and then we found out from the staff that they had sent a letter, which is contained in your packet. That was not copied to us, it was sent directly to the City. We got a copy of that letter, we called them and we said, you know we would like to meet again and go through this information. We let Ms. Stover know that we were going to have a meeting, she wasn't able to attend that meeting. But we met again, and we went through . . . and I believe that while . . . I guess we would object to these being entered into the record at the last minute, we had a meeting and we went through their request point by point. We summarized those in a memorandum to Mr. Black. Once again, it was a very amicable meeting. However, I must say that on several occasions throughout this whole process it was kind of . . . said that if we don't get what we want then we are going to fight it, we are going to sue. So that was on the table, and this is not something, as you pointed out, that's new in this dialogue. We have been there before. So, we outlined all of those requested changes, Mr. Black then sent a response. We transmitted all of this in writing to the neighborhood association . . . a copy of our memo to Mr. Black and a copy of his letter back saying out of that laundry list of things,

what he felt he could do and not do. So, then we were looking for and we requested on several occasions a response back in writing. This whole thing of . . . we kept getting verbal requests saying well, is Mr. Black willing to compromise some more.

The compromise was only happening one way, we were never getting any kind of . . . well, we are okay with this with those design restrictions. It only was that way. So, then we were told that we needed to get back to them a firm answer by 5 o'clock on June 18th. So that's why we said, the premise when we started all this was we tried to come to an agreement if you . . . Mr. Black would be willing to make certain concessions and agree to those provided that you support the request. We never got back that commitment for support. So, basically the memo on the 18th when we given the deadline by them, was if we are going to go to court anyways, if there is going to be a fight, then we are going to go in and ask for what we think is appropriate, which is our original request. So, that was . . . it wasn't meant as a that's it, we are not talking anymore.

COMMISSIONER CHAVEZ: That's fine. The reason I asked the question is that you didn't have the opportunity for the facilitated meeting, and so I just wanted to probe a little deeper into the details of how much communication and a cooperative effort there had been . . .

MR. STROZIER: A lot of communication.

COMMISSIONER CHAVEZ: It sounds like it. I would just reiterate Commissioner Serrano's suggestion . . . there is always still room for improvement, both with the neighborhoods and the developers that some sort of summary brought with the case wrapping up or summarizing communication and cooperative efforts, is really helpful to us. We really do want to take those concerns into consideration and make sure that we understand them. Particularly, if there are glitches like the facilitated meetings and so forth. I think it is worthwhile to have spent this little extra time to probe into that because it's quite important and we certainly encourage it. Like I say, I think there has been a history of cooperation and I think that's appropriate to bring to the Commission's attention and to the audience.

MR. STROZIER: Our goal is still to have agreement.

COMMISSIONER SCHWARTZ: I live nearby this site and one thing is the area could use a hotel, there is very little opportunities if you live here, to put out of town guests up, other than there is a B & B nearby and the Inn at Paradise Hills Golf Course. I would say that my primary concern when I looked at this, had to do with the auto dealership, I wasn't happy about the fact that we are bringing auto dealerships south of Irving. When I look at this and thinking about the neighborhood over here . . . especially concerned that the dealership might end up on tract 2C, which would have a lot of lighting. When I am looking at this material here and I see that one of the concessions was no auto dealerships. In fact, I am looking at this whole thing of concessions and I have to say that in the time I have been here, this is a lot better than what a lot of other people have been able to get . . . a lot longer things. I don't live in the neighborhood there, Riverfront, I think I would have been inclined to get on the phone and just say I accept. There is a lot of concessions here. Then we come back . . . I want to point out, first of all that Commissioner Briscoe about the A-1, I think I understand

what you are talking about. We had a case here not too long ago south of Montano, Mr. Graham's property, there was a similar kind of consideration about some A-1 County property that he did not include in a request and we dropped it. We didn't really press it that hard.

Some of these additional requests here . . . exclusion of outdoor dining areas. We have been sitting here for the past year twisting people's arms to include patio dining and offering them parking bonuses for patio dining, so that request is kind of contrary to what the policy of this Commission is. So, I guess my question would be how much, if any, of what's in the letter of June 7 would you agree to today?

MR. STROZIER: Well, I think that our commitment stands where we left it, that we put those offers on the table. It just . . . it's a little bit frustrating on our side if without recognition from the other side that we have made those concessions, that's really where we are. I think that that offer is certainly on the table. I guess I just . . . on the issue of outdoor dining, and I did point this out, one of our meetings was the reason that the Burger King had to go through the special use permit process in the ELUA was because of a glitch in the County's Zoning Ordinance that does not allow outdoor dining with a drive-thru restaurant, unless you put a six foot wall around it, so that was why we had to go through that effort on behalf of tract 3B.

CHAIR BEGAY: Thank you. Commissioner Serrano.

COMMISSIONER SERRANO: Thank you Madam Chair. While we were talking . . . I guess I just want to follow up on Commissioner Schwartz's comments. I went through Ms. Carmen's letter to the EPC and kind of just did a check, underline and a checklist what the concerns were versus what at one time had been agreed to, assuming that what's in this June 18 memorandum is correct . . . what had been agreed to. It seems to me that the applicant agreed . . . I agree with you . . . to an awful lot of things and it seems to be the real major concessions, when you are talking about exclusion of auto dealers, I think auto repairs, auto sale uses and those kinds of things, I think that those are big concessions. It also appeared to me that there really wasn't a lot in the letter that you didn't agree to. If you did a tally sheet, there seem to be more on the yes we agree to then the no we don't. I guess I just want to follow up on that, I agree . . . you are correct.

CHAIR BEGAY: Any other comments? Questions? I would like to say that in regards to the lighting, we heard the case at the Albertson's up on Academy and their application packet had some really cool lighting in it that was really diffused a lot that went into the outlying areas. I would encourage you to take a look at that.

MR. STROZIER: Yes, Madam Chair, I was here during that dialogue and I made a mental note. I heard Commissioner Briscoe's questions and comments related to that and I made a note to try and get a copy of that because that and certainly this area, the Chevron . . . the existing Chevron is not the best example of that issue and we certainly are always striving to come up with the best lighting regulations. So I will take a look at that.

CHAIR BEGAY: Great, thank you.

MS. CARMEN: Madam Chair, Commissioners. Commissioner Chavez, I would like to address what you had to say regarding . . . I guess there was a comment about that we will sue and we'll fight . . . you know, sue is an ugly word. I believe that if you are going to say something that you ought to put it in writing. We have not put anything in writing. To my knowledge, coming from my mouth, I never said that we would sue as representative of the Riverfront Estates Neighborhood Association. So, I would like to stand on that, that we did not say that. As far as Commissioner Serrano, I agree with you, I think that they made some wonderful concessions. We just went back and asked them if they would consider a couple of things. We did ask them, however, when we met with Consensus Planning they were lovely people to work with, I have to say that . . . very polite. I can even say I had them in my home . . . very nice. Both . . . this couple was very, very nice to us and very articulate in what they wanted, and lead us to believe that during the time that they were talking to us that when we requested some of these things, yes we agree with you, yes we agree with you. Having been novices in this and not being paid for our position and having them as representatives of the developer and being paid by the developer, we were lead to believe that what they were agreeing with us . . . we just said okay you agree with us when there were certain things that they did. We did ask them, however, if they would let us know by 5 o'clock on the 18th. That was not meant to be a threat, it was simply we need to know so that we can notify and have plenty of time between the 18th and today, the 21st, to give us ample time to allow a vote from our board, as well as any support or non-support from our members, our paid members, of our neighborhood association. That is why we requested the time of the 18th. When we received this letter and it appeared, unless I am reading it wrong, that we were not . . . an agreement had not been reached. That was not necessarily true. They did not come back and tell us about the concessions until we received this letter on the 18th, so we weren't able to get back with them. Like I said, we want to work with them. We don't want to . . . we are standing here wanting to work, we don't want . . . no we don't want . . . we would prefer not to have a car sales. We live across from two car sales that receive the paging. No amount of bothering the County and calling the non-emergency number to tell them that we're receiving the paging system, works. I think that is a complete waste of our County's time when they can track down criminals instead.

As to some of these other issues, we think that a hotel is limited to two stories instead of some huge monstrosity, is good clean industry. We realize that with the Balloon Fiesta and especially being that it is closer on our side of town, will bring revenue and we are interested in that. As to the lighting restrictions, we just simply wanted the lighting restrictions so that it doesn't spill over. A member of our board also works for PNM and had some excellent suggestions and they were talking lighting back and forth, so we didn't have a problem with that. As far as the outdoor patio dining, we did agree to the outdoor music. We just simply said that if you are going to have outdoor dining, please do not have the outdoor music. Right across the street from Coors and across from Riverfront Estates, we can hear Our Place II that sits close to the corner of Coors and Irving. There is a Taco Bell there and right next door is Our Place II and right next to that is Kelly's Liquor. There are many times at night that we can hear clearly the outdoor dining music all the way from that road. We were just simply requesting that if there were going to be outdoor dining, that they would not have the music and the paging. That was it. So, I agree with you that what you stated is that the concessions are correct, you bet they are. We would like these. We don't particularly want

to see a Jiffy Lube there just because of the oil smell, but we like these concessions and we want to work with them. We did not have time for litigation plus I was newly elected and I didn't have time, okay. So, I just ask that you would consider our request also, and we do, we stand as an association more than willing to work with Mr. Black and his associates. Thank you.

CHAIR BEGAY: Thank you. Ms. Fox.

MS. FOX: Just briefly Madam Chair and Commissioners, in response to Commissioner Schwartz's questions to Mr. Strozier regarding the June 7th concessions that Mr. Black was willing to make. Just for the record for . . . on the part of PHS in tract 3, we can live with all these concessions with the exception of the construction of a 6-foot wall adjacent to the Corrales main canal, which doesn't make sense, as we are not adjacent to the canal. Also, we cannot agree to the exclusion of auto repair for the Jiffy Lube services. I want to point out that Jiffy Lube is highly regulated and it's actually a very clean industry and there is no oil smell coming off of those properties. Thank you very much.

CHAIR BEGAY: Thank you Ms. Fox. Ms. Stover, do you have anything in closing to say? Mr. Strozier, quick closing.

MR. STROZIER: Thank you Madam Chair, I will try and address just a couple of points here. I guess it sounds like we are in . . . we are closer to agreement than the representative that we dealt with most on the phone was Mr. Gary Plant from the neighborhood. I have to say that while Ms. Carmen . . . she never did say they were going to fight this to the end, or sue Mr. Black. However, Mr. Plant stated on several occasions to myself, Ms. Pitman, and Mr. Black that they would be raising money for the legal fight. I just want to make sure that . . . she didn't say it.

COMMISSIONER GARA: We are not here for who said what . . . he said she said.

MR. STROZIER: With regard to the deceleration lane at their access point. One of the things that we had to deal with that as part of the Burger King, that same issue at Valleyview Drive. Our recollection, collectively, is that probably the same thing happened up there to the north, that there was a deceleration lane originally constructed, probably with both of those access points on the Coors when the widening came in. Basically, they widened over the deceleration lane and didn't put it back. The Highway Department has agreed to work with Mr. Black and the property owners there in this entire area to replace the deceleration lane there at Valleyview Drive, and I would suggest that that may be the appropriate discussion for them to have with the Highway Department regarding their access. So, with that we would request your support. Once again, I think if we are indeed in agreement with the concessions that we have brought forth to the neighborhood and that they are in agreement with those, we would love that, let's proceed ahead. I would be happy to answer any other questions that you might have at this time. We think that the design restrictions that we have put in place relative to the tract 2 would be a great protection. One of the things that we talked . . . we worked on the project north of the Calabacillas, which includes the Larry Miller used auto sales and the Cottonwood crossing development. That was really kind of our model for some

of the issues, because we worked very closely with the two neighborhood associations up there with regard to that development. It came out very well and there is no paging at that . . . at the Larry Miller facility and we have very strict lighting and signage regulations up there. So, that's kind of the model and I believe the neighborhood is very happy with that project and they've been collectively good neighbors with each other.

CHAIR BEGAY: Thank you Mr. Strozier. Commissioner Gara.

COMMISSIONER GARA: Did I miss the screen wall or burning on the parking area that would front Coors?

MR. STROZIER: If that's not in there, then we would be more than happy to add that.

COMMISSIONER GARA: Thank you. I did not see it.

MR. STROZIER: I will look. We usually . . . we have been trying to get that in everything, but if we missed it we will put it in.

CHAIR BEGAY: Thank you. Okay, we are going to close the floor. Entertain comments or a motion. Commissioner McMahan.

COMMISSIONER MCMAHAN: I would just like to comment. These things that go back and forth between the neighborhoods and the developers and we get sort of in the middle of them. We hear some comments and I would like to characterize Mr. Seagull's comments simply as being a little petulant. I am really disappointed in that. Process of negotiation is yes, give and take. As Mr. Strozier pointed out, it seemed like from what we have heard, it was all one sided, and to say that one side did not cooperate with the other I think is wrong and I am really disappointed that it got to this. I understand how it got there but I think we can make a decision based on what we have heard today. Thank you very much.

CHAIR BEGAY: Any other comments? Motion? Commissioner Gara.

COMMISSIONER GARA: In the matter of 01114-00556, annexation of tracts 2, 3F1, 3C1, 3H, 3I, 3J, and 3B, Black Ranch, we recommend approval to the City Council based on findings 1 – 6.

COMMISSIONER MCMAHAN: Second.

CHAIR BEGAY: A motion and a second on the floor for annexation. All those in favor?

COMMISSIONER SERRANO: I had a question.

CHAIR BEGAY: Okay.

COMMISSIONER SERRANO: But, I want to ask my question anyway. My question relates to tract 3C and PHS' request that they not be annexed, I mean unless the zoning goes

through and with the concessions there appears to be a conflict in the concessions that the developer has made with regard to auto repairs and auto sales and those types of things. That is not consistent, I don't think, with what they want and my question is does tract 3C . . . do we want to include tract 3C, or do we want to pull that out because of the concessions. They appear to be in conflict.

COMMISSIONER GARA: That is tract 3C1.

COMMISSIONER SERRANO: Oh, is it 3C1?

COMMISSIONER GARA: (Inaudible).

COMMISSIONER SERRANO: Well, I don't know.

CHAIR BEGAY: Is that the PHS tract?

COMMISSIONER SERRANO: I think it is the PHS tract.

COMMISSIONER GARA: But it is included in this annexation request.

COMMISSIONER SERRANO: Right, but their letter specifically states that they don't want it to be a part of it unless their zoning is there. But if we have these concessions over here . . .

COMMISSIONER GARA: But at this point in time all we are doing is recommending to the City Council. If they don't get the zoning they want, they can pull that property out of the annexation request before it gets to Council for hearing, is what I believe.

COMMISSIONER SERRANO: Okay, that is what I wanted clarification on, is that correct that it can be pulled?

CHAIR BEGAY: We are just voting on the annexation now, the establishment of zoning comes later.

COMMISSIONER SERRANO: I understand that and to me

COMMISSIONER GARA: Anytime between now and City Council, they can withdraw that property from the annexation request.

COMMISSIONER SERRANO: Okay, thank you.

CHAIR BEGAY: We could also make a motion for annexation on that piece specifically and give them what they want, that is an option too. We made the motion. I am going to ask for a reclarification of all those in favor of annexation. Unanimous, okay thank you.

COMMISSIONER GARA: Madam Chair, in the matter of establishment of zoning, I want to go through this a little slower please and go through the responses in the request to make sure we cover what we want to cover. It is an SU request, so that has been agreed to. What is the . . . staff, what is the height limitation in the Coors Corridor Design Overlay Zone, as far as height restrictions on the east side of Coors? Will that preclude anything taller than a two story hotel?

MR. STROZIER: Madam Chair, Commissioner Gara, I believe since it is tied to the elevation . . . it varies because it is tied to the crest and the elevation at Coors. If you sink a building down, drop it down off of Coors . . . so, I am not sure that the height . . . it's a height regulation as it relates to Coors Boulevard and the Coors Corridor Plan, as opposed to an absolute height of a structure. So, it is difficult to answer it that it allows . . . does or doesn't allow two or three stories. It depends on how you site the building and whether or not you . . . and how it relates to the crest and the elevation of Coors, but we have agreed to two story on that.

COMMISSIONER GARA: But, I am trying to figure out how we do that as far as any zoning issues concerned. The only way we have done it in the past, that I can remember, is we would change zoning to SU-1 for C-1 use . . . the different uses, permissive uses. I guess hotel, I guess, has no greater than two story.

MR. STROZIER: That would be fine.

COMMISSIONER GARA: Okay. That becomes part of the zoning then.

CHAIR BEGAY: So you want to add that to number 2? No greater than two story.

COMMISSIONER GARA: Yes, we would add that . . . no greater than two story hotels, no greater than two story.

COMMISSIONER MCMAHAN: (inaudible, mic is not turned on)

COMMISSIONER GARA: Why are you uncomfortable with it, I have no idea.

COMMISSIONER MCMAHAN: (inaudible, mic is not turned on)

COMMISSIONER GARA: Well, you are going to have a conflict all along Coors then, because of the view corridor.

CHAIR BEGAY: Yes, and it is an overlay zone?

COMMISSIONER GARA: Yes.

CHAIR BEGAY: So it has to be complied with?

COMMISSIONER GARA: Yes. Staff, in the future we need to have the zoning that is requested as part of the findings, so I don't have to keep looking back and forth to the front page and the page that I am trying to go on. If we have the complete listing of the zones that are being request, then it makes it easier to review.

COMMISSIONER SCHWARTZ: Finding two, page 11?

CHAIR BEGAY: Yes. So we are taking out automobile sales

COMMISSIONER SCHWARTZ: Hotels not to exceed two stories.

COMMISSIONER GARA: This needs to be . . . in my opinion, it needs to be part of the motion, not a finding, okay. That is why I need to put it in there. We talked about RO-1, is that correct?

CHAIR BEGAY: Yes.

COMMISSIONER JOHNSON: (inaudible, mic is not turned on)

COMMISSIONER GARA: I don't see a zoning for 3C in here, so that would be C-1 also?

COMMISSIONER SERRANO: (inaudible, mic is not turned on)

COMMISSIONER GARA: 3B is the corner, and that is an existing building which is the bank, correct?

CHAIR BEGAY: Yes.

COMMISSIONER GARA: And that is straight C-1, and then straight O-1 for 3F1, 3G1, 3H, I and J. Okay. Now, on the 3C, I assume staff, that under C-1 zone, a Jiffy Lube could be done. In the matter of 01110-00557, request for establishment of zoning for tracts 2, 3F1, 3C1, 3H, 3I, 3J, 3B, Black Ranch, SU-1 for C-1 permissive uses and hotel not to exceed two stories in height and restaurant with full service liquor for tract 2A, 2B and 2C. Zoning designation of RO-1 for tract 2D. C-1 for tract 3B and SU-1 for C-1 for tract 3C and O-1 for tracts 3F1, 3G1, 3H, 3I, and 3J, based upon findings 1-6 in our packet. I will modify finding two by adding the C-1 permissive uses and hotel not to exceed two stories in height, deleting automobile sales, changing RO-20 to RO-1 and adding SU-1/C-1 for tract 3C.

CHAIR BEGAY: Okay. Do we have a second?

COMMISSIONER BRISCOE: Second.

CHAIR BEGAY: Motion and second on the floor, all those in favor? Opposed? Motion passes unanimously.

COMMISSIONER GARA: Now with regards to subdivision, we have lighting restrictions changing the maximum height from 20 feet to 16 feet. Maximum of 12 feet for security lights will remain on after 11 pm and directed towards the building. Directed that . . . lighting be directed away from the neighborhood and fully show the building . . . INAUDIBLE . . . lights. I don't know how we can control and I agree . . . I don't know how we can control PNM lights. Let's see, what else on lighting.

CHAIR BEGAY: Sign restrictions?

COMMISSIONER GARA: I am just looking for lighting right now, that's all the lighting?

COMMISSIONER BRISCOE: (inaudible, mic was not turned on)

CHAIR BEGAY: Fully shielded?

COMMISSIONER GARA: Yes. So we will have a condition number 4, which will be the lighting language. That would be that the height of lighting fixtures is . . . the maximum height is 16 feet and 12 feet maximum height for any security lights that remain on after 11 pm and it be directed towards the building and not towards the neighborhood. It is 4a and 4b. 4c, we have specific language that we have used many times, staff do you know what that is off hand about fully shielded, horizontal bound directed, or whatever the case may be, lighting?

MR. BRITO: Madam Chair, Commissioner Gara, that wording is all lighting on the site shall be fully shielded, cut-off lighting (ie. Shoebox) to minimize fugitive lighting.

COMMISSIONER GARA: And the bulb shall not extend past the

MR. BRITO: And the bulb shall not extend past the housing.

COMMISSIONER GARA: Okay, that will be item number C under lighting 4c. Then we will go to item number 5, which would be signage. Sign area maximum on each monument sign of 50 square feet. What else on signs? That is the only thing I see. Okay, so that is five. Six we have done before, the loudspeakers and paging systems and what do you call them? Not allowing those to . . . no outdoor loudspeakers and paging systems, number six.

CHAIR BEGAY: The City has their new noise ordinance too. I have to keep saying that that they think they can enforce.

COMMISSIONER GARA: Okay. Pollution . . . the noise ordinance will kick in there. Odors . . . I don't know that we can . . . that is not a land use issue. All these . . . all the SU-1 for C-1 uses would require site plan review, so they have to come back before the Planning Commission and at that time if the dumpster areas and other refuse areas are not enclosed and screened, they will be required to do so. That is typically what the Planning Commission looks for. But most of the people know that when they come here they have to have that. I had number seven which would be that all parking surfaces, whether its for automobile . . . we are not doing automobile sales . . . all parking surfaces facing major arterials shall be

screened with a 30 inch wall over landscape berm so that the parking grills are shielded from the right of way. Do you have better language than that Mr. Brito? Feel free to jump in. That is all I see. A 6-foot high solid wall on existing tract 3 lots are on the east side of Valleyview Drive and also along those lots along tract 2. I guess that is along the Corrales main canal. That is number 8. Is that all?

COMMISSIONER SCHWARTZ: Number 10?

COMMISSIONER GARA: Number 9?

COMMISSIONER SCHWARTZ: Their number 10.

CHAIR BEGAY: Whose number 10?

COMMISSIONER SCHWARTZ: In the letter.

COMMISSIONER GARA: Which letter?

CHAIR BEGAY: The Westwood letter.

COMMISSIONER SCHWARTZ: Number 10, which would limit gas station to a maximum of one acre on tract 2A.

COMMISSIONER GARA: I don't know how we can limit that.

CHAIR BEGAY: Yeah, that would be hard.

COMMISSIONER GARA: I would assume 2A would be the most logical place for that since it is on

COMMISSIONER SCHWARTZ: Well, actually . . .

COMMISSIONER GARA: I don't know that there is a logical place for it.

COMMISSIONER SCHWARTZ: Yeah, because you don't really have an access

COMMISSIONER GARA: You don't have a corner. I don't know that I am worried about gas stations going in the other lots. Anything else?

CHAIR BEGAY: Mr. Strozier, you are jumping up and down . . .

MR. STROZIER: I am hopping on my seat. Just to be clear, on the wall on the eastern property line, or on the edge of the Corrales main canal, what may be better . . . Mr. Black and I were talking about, there may be a situation where the developed property . . . the most appropriate place for the wall is not necessarily on the property line, but on the edge of the developed portion . . . the eastern edge of the developed portion of the lot, because there

may be a situation where it then drops in grade and we don't want to get to the DRB and say no the wall has to go down there, when the appropriate place for it to do any good, is at the edge of the developed portion.

COMMISSIONER GARA: Okay, that was number 8? Was that number 8?

CHAIR BEGAY: Yes.

COMMISSIONER GARA: Would you modify it accordingly Ms. Stover.

MR. SEAGULL: There were two more in the letter to which they have agreed and one was . . .

CHAIR BEGAY: Mr. Seagull you need to sit down.

MR. SEAGULL: Well, I just wanted to call the Commission's attention to the auto dealership. . . .

CHAIR BEGAY: No, you need to sit down, you have not been recognized. We will get to it. We are going through the letters now.

COMMISSIONER GARA: That is all I see. I am looking at the June 5th memo, I am looking at the June 7th memo

CHAIR BEGAY: Okay, do we have a second?

COMMISSIONER CHAVEZ: Second.

CHAIR BEGAY: A motion and a second on the floor, all those in favor, opposed? Motion passes unanimously. Do we want to take a break? We are going to take a 10 minute break until 4 o'clock.

FINAL ACTION TAKEN

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to recommend approval to the City Council of 01114 00556, a request for annexation, for Tracts 2, 3F1, 3C1, 3H, 3I, 3J and 3B, 3C, Black Ranch, based on the following Findings:

FINDINGS:

1. This is a request for annexation of approximately 18 acres located on Coors Boulevard NW between Paseo del Norte and Irving Boulevard and described as Tracts 2, 3F1, 3C1, 3H, 3I, 3J and 3B, 3C, Black Ranch.

2. The subject request meets the requirements for annexation into the city because it is contiguous to City boundaries, accessible to service providers, and has convenient street access to the City.
3. The annexation request furthers the applicable Goals and policies of the *Albuquerque/Bernalillo County Comprehensive Plan* by allowing for an urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and choice in housing, transportation, work areas and life styles.
4. The area is suitable for urban intensity as defined by its designation of Developing Urban in the *Albuquerque/Bernalillo County Comprehensive Plan*.
5. The annexation request furthers the applicable Goals and policies of the *West Side Strategic Plan* by proposing annexation that will allow for urban style services that are appropriate in the community.
6. The annexation request furthers Policy 4 of the land use and intensity of development section of the *Coors Corridor Plan* which states that "properties under county jurisdiction, which are now surrounded by City jurisdiction, should be annexed as soon as possible.

MOVED BY COMMISSIONER GARA

SECONDED BY COMMISSIONER MCMAHAN

MOTION CARRIED UNANIMOUSLY

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to recommend approval to the City Council of 01110 00557, a request for establishment of zoning for Tracts 3F1, 3C1, 3H, 3I, 3J, 3B, 3C, Black Ranch SU-1 for C-1 Permissive Uses and Hotel not to exceed 2 stories in height, and Restaurants with Full-Service Liquor is requested for Tracts 2A, 2B and 2C, a zoning designation of RO-1 for Tract 2D, C-1 for Tract 3B, C-1 for Tract 3B, and SU-1 for C-1 for Tract 3C and O-1 for Tracts 3F1, 3G1, 3H, 3I and 3J, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for establishment of zoning for approximately 18 acres located on Coors Boulevard NW between Paseo del Norte and Irving Boulevard and described as Tracts 2, 3F1, 3C1, 3H, 3I, 3J and 3B, 3C, Black Ranch.

2. Zoning for parcels created by the accompanying site plan for subdivision is requested. SU-1 for C-1 Permissive Uses and Hotel not to exceed 2 stories in height and Restaurants with Full-Service Liquor is requested for Tracts 2A, 2B and 2C. A zoning designation of RO-1 is requested for Tract 2D. C-1 is requested for Tract 3B. O-1 is requested for Tracts 3F1, 3G1, 3H, 3I and 3J. SU-1 C-1 for Tract 3C.
3. A plat showing clear and distinct boundaries of the newly created tracts should be submitted at DRB.
4. The subject site meets the requirements of 270-1980 under the changed community conditions finding. The West Side Strategic Plan and the Paseo del Norte bridge crossing present changed conditions in the area.
5. The requested zoning meets the goals in the *Albuquerque/Bernalillo County Comprehensive Plan* by placing employment and service uses that are located to complement residential uses and sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.
6. The *Coors Corridor Plan* states that "the intensity of development shall be compatible with the roadway function, existing zoning or recommended land use, environmental concerns, and design guidelines." The proposed zoning categories are compatible with existing conditions in the area.

CONDITIONS:

1. The site shall be replatted to show clear and distinct boundaries of the newly created tracts.

MOVED BY COMMISSIONER GARA

SECONDED BY COMMISSIONER BRISCOE

MOTION CARRIED UNANIMOUSLY

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to recommend approval to the City Council of 01128 00558, a request for site development plan for subdivision, for Tract 2, Black Ranch based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for approval of a site development plan for subdivision for approximately 12.5 acres located on Coors Boulevard NW between Paseo del Norte and Irving Boulevard and described as Tract 2, Black Ranch.

2. A site plan for subdivision is required for approval of SU-1 zoning.
3. The site development plan for subdivision furthers the applicable goals and policies of the Comprehensive Plan by creating a framework for a quality urban environment that offers a choice in transportation, work areas and life styles.
4. The site development plan meets all of the requirements of the Zoning Code by specifying all of the elements of a site development plan for subdivision.
5. Design guidelines are incorporated into the site including an overall theme and land use concept, landscape design requirements, signage design requirements, and lighting design requirements.

CONDITIONS:

1. The submittal of this site plan to the DRB shall meet all EPC conditions. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. The site shall be replatted to create distinct lots that conform to or create the new zone boundary lines.
3. Design guidelines shall include off-street parking requirements and design (automobiles and bicycles), street design, transit facilities (benches, shelters, pedestrian connections), architectural design requirements (façade elements, massing, colors, materials), and pedestrian amenities (walkways, plazas, shade structures) that are consistent with EPC directives and intents.
4. Lighting:
 - a. The height of lighting fixtures is maximum height of 16 feet.
 - b. 12 feet maximum height for any security language remains on after 11:00 p.m. and it be directed towards the building and no to the neighborhood.
 - c. All lighting on the site shall be fully shielded, cutoff lighting (shoebox) to minimize fugitive lighting and the bulbs shall not extend past the housing.
5. The maximum sign area on each monument sign shall be 50 square feet on each face.
6. No outdoor loud speakers and paging systems are allowed.
7. All parking surfaces facing streets shall be screened with a minimum a 30 inch wall or landscape berm so that parking grills and headlights are shielded from the right-of-way.

8. There shall be a minimum 6-foot high, solid wall along the eastern edge of the subject site.

MOVED BY COMMISSIONER GARA

SECONDED BY COMMISSIONER CHAVEZ

MOTION CARRIED UNANIMOUSLY

12. 01110 00542 Richard Hall, agent for DePonte Investments requests an amendment
01138 00543 to the North Interstate 25 Sector Development Plan plus a zone map
Project # 1000682 amendment from SU-2/IP to SU-2/C-2 for Lots 1-10, Block 29, North
Albuquerque Acres, located on Alameda Boulevard NE between San
Pedro Drive and Louisiana Boulevard, containing approximately 8.7
acres. (C-18) Loretta Naranjo-Lopez, Staff Planner **(APPROVED**

STAFF PRESENT:

Loretta Naranjo-Lopez, Planning Department

PERSON PRESENT TO SPEAK IN FAVOR OF THIS REQUEST:

Brent DePonte, 6301 Indian School Rd. NE

PERSON PRESENT TO SPEAK IN OPPOSITION OF THIS REQUEST:

William Kraemer, 200 Lomas NW

MS. NARANJO-LOPEZ: Reiterated comments made in the staff report in which approval was recommended for both the zone map amendment and amendment to the North I-25 Sector Development Plan.

FINAL ACTION TAKEN

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to approve 01138 00543, a request for an amendment to the North I-25 Sector Development Plan, changing the zone map designation from SU-2/IP to SU-2/SU-1 for C-2 Uses, for Lots 1-10, Block 29, Tract A, Unit B, North Albuquerque Acres, located on Alameda Boulevard NE, between San Pedro Drive and Louisiana Boulevard NE, based on the following Findings:



Staff Report

Agent	Consensus Planning
Applicant	John Black
Requests	Annexation Establishment of Zoning Site Development Plan for Subdivision
Legal Description	Tracts 2, 3F1, 3C1, 3H, 3I, 3J & 3B, Black Ranch
Location	Coors Boulevard NW between Paseo del Norte and Irving
Size	Approximately 18 acres
Existing Zoning	County A-1, O-1 & C-1
Proposed Zoning	SU-1 for C-1 Permissive Uses and Hotel, Automobile Sales, and Restaurants with Full-Service Liquor, C-1, O-1 & RO-20

Staff Recommendation

That **APPROVAL** of 01114 00556, a request for annexation, be forwarded to the City Council, based on the findings on page 10.

That **APPROVAL** of 01110 00557, a request for establishment of zoning, be forwarded to the City Council, based on the findings on page 11, and subject to the conditions of approval on page 12.

APPROVAL of 01128 00558, a request for approval of a site development plan for subdivision, based on the findings on page 12, and subject to the conditions of approval on page 12.

Staff Planner

Deborah L. Stover, Planner

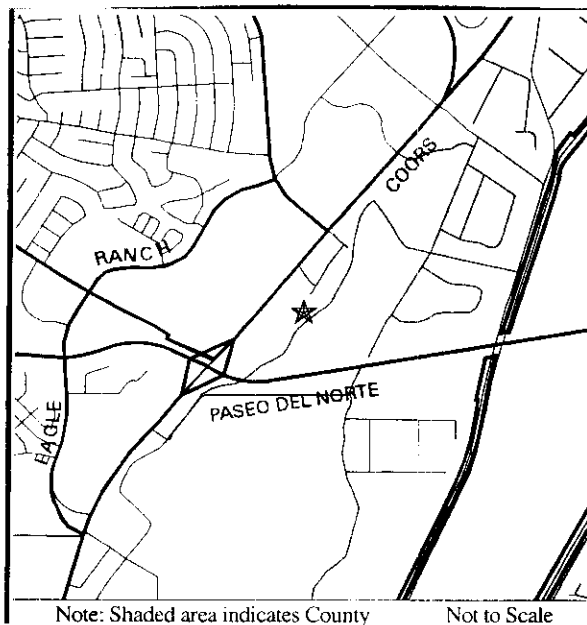
Summary of Analysis

This request is for a recommendation to City Council for annexation into the City and establishment of zoning for an 18-acre site located on Coors Boulevard NW between Paseo del Norte and Irving Boulevard. Also requested is approval of a site development plan for subdivision for the 18-acres. Although not part of this request, the owners of Tracts 3E1, 3D and 3C are currently in talks with City staff regarding inclusion in the annexation request.

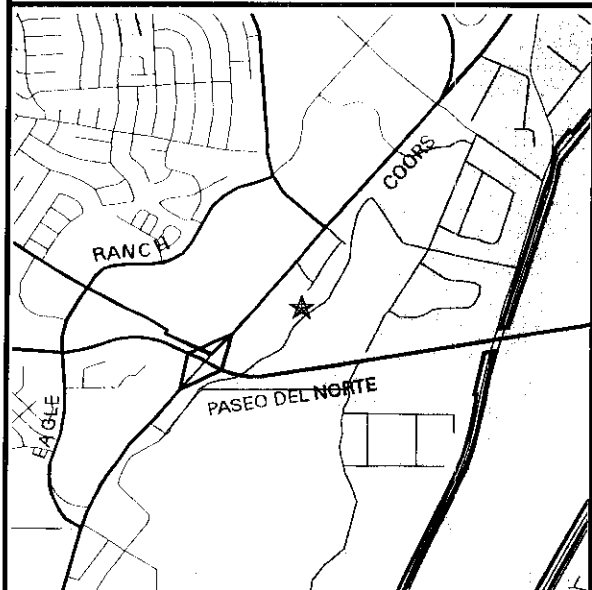
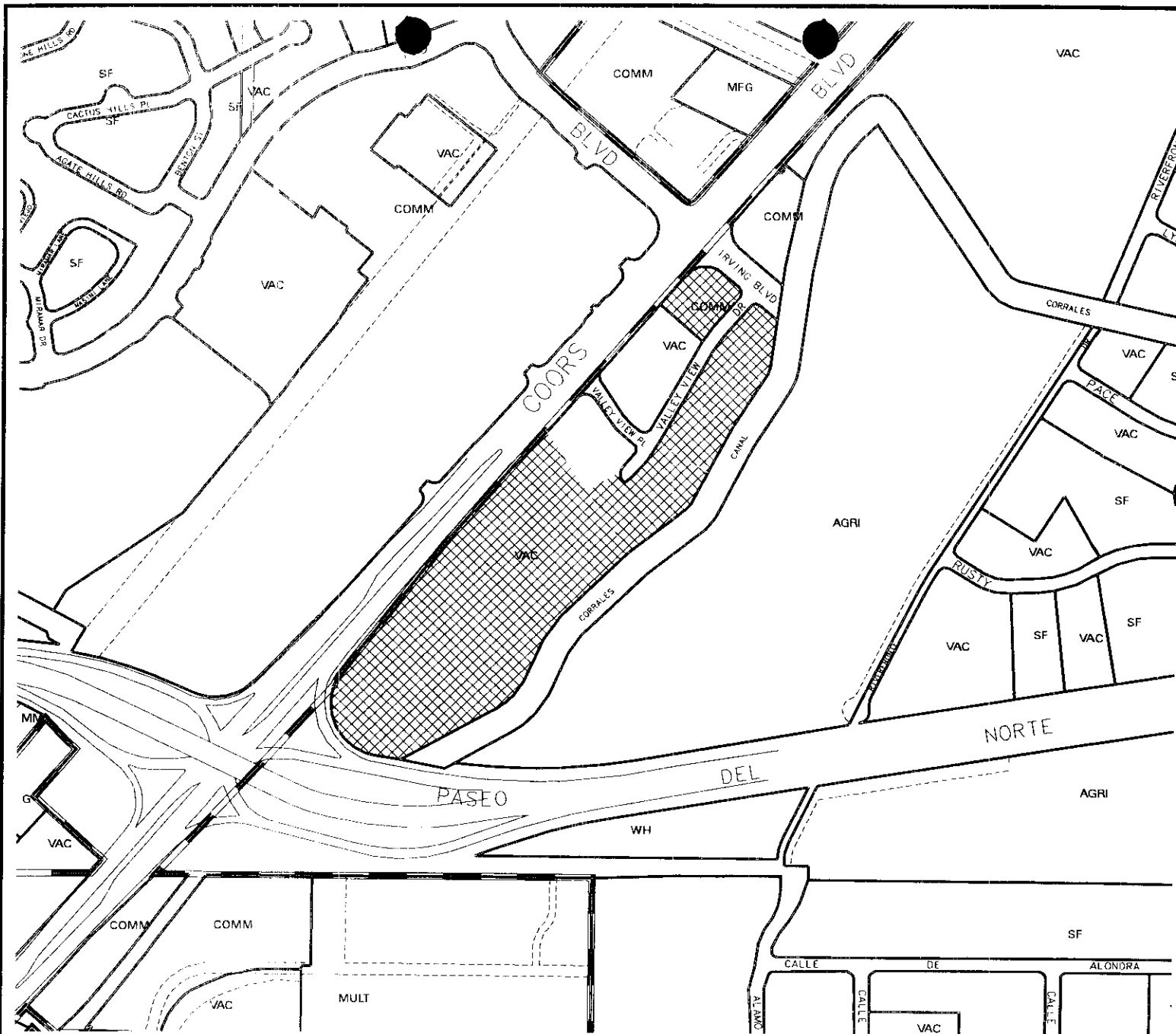
The annexation and zone map amendment requests further the applicable Goals, policies and intents of the *Comprehensive Plan* and the *West Side Strategic Plan*.

The annexation request fulfills the policies of *Resolution 54-1990*. The zone map amendment (establishment of zoning) request fulfills the policies of *Resolution 270-1980*. The site plan for subdivision request fulfills the requirements set forth in the *Comprehensive Zoning Code*.

Staff recommends approval of this request.



City Departments and other interested agencies reviewed this application from 5/4/01 to 5/18/01. Agency comments were used in the preparation of this report, and begin on page 14.



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



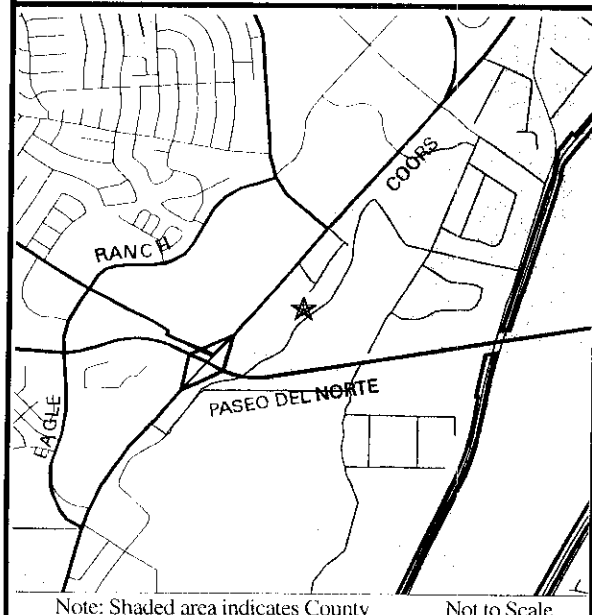
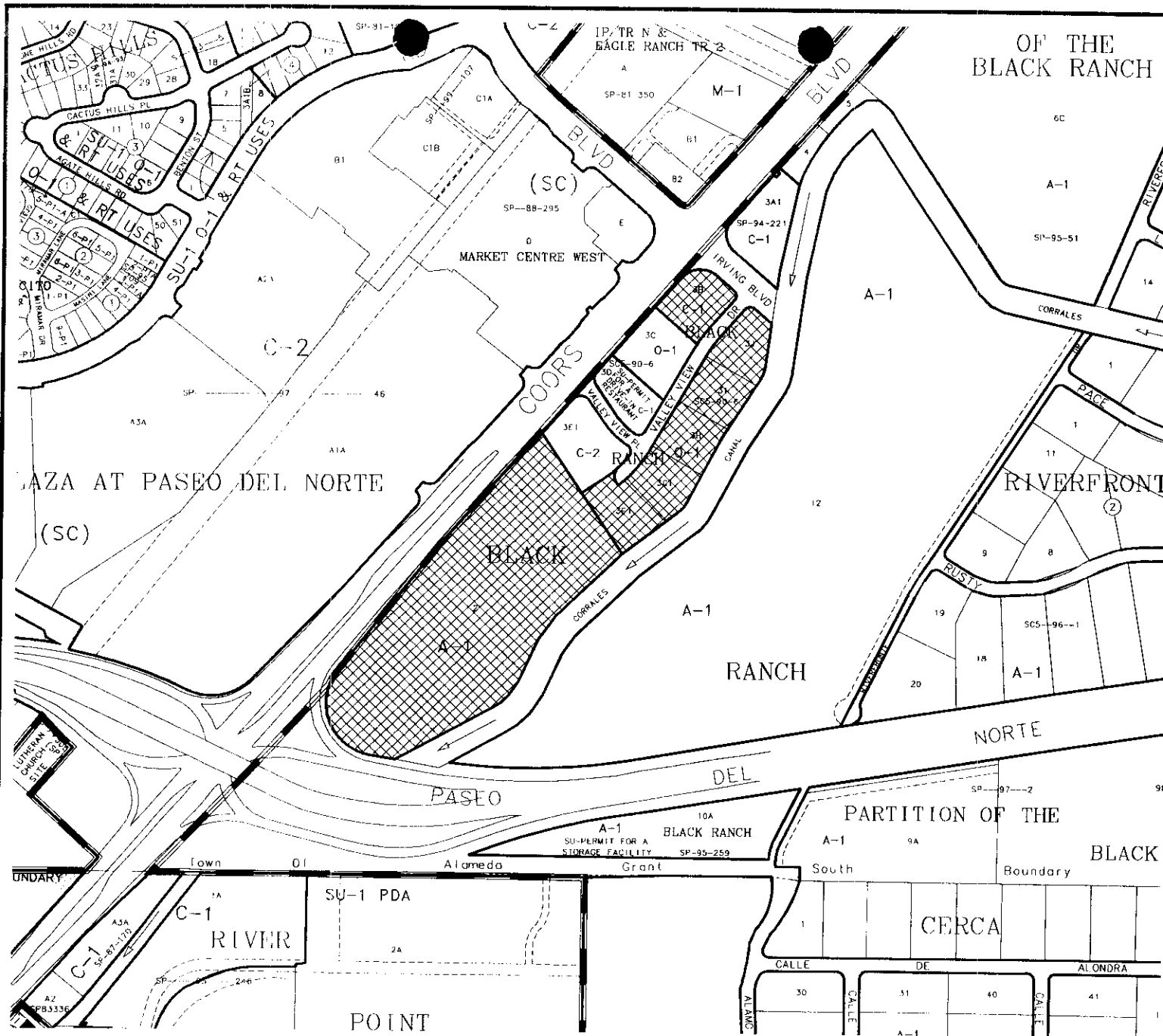
Scale 1"= 523 '

PROJECT NO.
1001206

HEARING DATE
06-21-01

MAP NO.
C-13

APPLICATION NO.
01114-00000-00556
01110-00000-00557
01128-00000-00558



ZONING MAP



Scale 1" = 523'

PROJECT NO.
1001206

HEARING DATE
06-21-01

MAP NO.
C-13

APPLICATION NO.
01114-00000-00556
01110-00000-00557
01128-00000-00558

Development Services Report

SUMMARY OF REQUEST

<i>Requests</i>	<i>Annexation</i> <i>Establishment of Zoning</i> <i>Site Development Plan for Subdivision</i>
<i>Location</i>	<i>Coors Boulevard NW between Paseo del Norte and Irving</i>

AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses:

	<i>Zoning</i>	<i>Comprehensive Plan Area; Applicable Rank II & III Plans</i>	<i>Land Use</i>
<i>Site</i>	County A-1, O-1 & C-1	Developing Urban; West Side Strategic Plan; Coors Corridor Plan	Bank/Undeveloped
<i>North</i>	C-2 & M-1	Established Urban; West Side Strategic Plan; Coors Corridor Plan	Shopping Center/Commercial
<i>South</i>	ROW/SU-1 PDS/C-1	Developing Urban; West Side Strategic Plan; Coors Corridor Plan	Paseo del Norte ROW, Multi-family Housing, Commercial
<i>East</i>	Drainage/County A-1	Rural	Corrales Canal/Agriculture
<i>West</i>	C-2	Established Urban; West Side Strategic Plan, Coors Corridor Plan	Shopping Center

Background, History and Context

This is a request for annexation, establishment of zoning and approval of a site development plan for subdivision for 18-acres located on Coors Boulevard NW between Paseo del Norte and Irving Boulevard. The site is located on the east side of Coors Boulevard and sits in an unusual placement between a commercial/retail shopping center and medium density residential development to the west but low density housing and agricultural fields to the east. Land uses north of the site are commercial and south of the site is the Paseo del Norte/Coors Boulevard interchange. The Corrales Canal lies east of the site at the bottom of a steep bluff configuration. There is also an AMAFCA detention pond on the site.

APPLICABLE PLANS AND POLICIES

Albuquerque / Bernalillo County Comprehensive Plan

The subject site is located in the area designated Developing Urban by 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 as shown by the plan map 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 integrity of existing neighborhoods can be ensured.
- Policy i: Employment and service uses shall be located to complement residential uses 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 traffic 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 affects of traffic; livability and safety of established residential neighborhoods shall be protected in transportation and planning operations.
- Policy m: Urban and site design that maintains and enhances unique vistas and improves the quality of the visual environment shall be encouraged.

West Side Strategic Plan

The *West Side Strategic Plan (WSSP)* was adopted in 1997. The WSSP area is bounded by the Sandoval County line on the north, the Rio Puerco Escarpment on the west, a line south of Gun Club Road (the Atrisco Grant line) on the south, and the Rio Grande on the east for areas north of Central, and Coors Boulevard on the east for areas south of Central. It encompasses over 96,000 acres of land, or approximately 150 square miles. Specific boundaries are shown on the Plan Boundary map on p.2 in the WSSP.

The WSSP is based on a Community Concept that identified seven communities in the plan and established a community-based urban form which defines areas for low density and open spaces as well as nodes of higher density development to support services and transit. Each community is comprised of villages and the plan describes uses that should occur in core and adjacent areas of the Community and Village centers. The WSSP strives to create and encourage a multi-nodal pattern of low-density and high-density forms.

The subject site is located in the Paradise Community which has boundaries that extend to Paseo del Norte on the south and the Calabacillas Arroyo on the north. The Rio Grande comprises the eastern boundary while the western boundary is a line just west of the Ventana Ranch area. Unser Boulevard and Golf Course Road provide the major north/south access through the community. This community encompasses approximately 4,700 acres capable of supporting a population of approximately 21,700. The 1995 population of this community was approximately 8,126. Applicable policies include:

- Policy 3.8: The largest mix of land uses and the highest intensity shall develop in the Community Core Area and in Village Centers. Multi-family housing, public facilities, educational and employment facilities, and other non-single family residential uses are appropriate along with commercial services in these areas.

Coors Corridor Plan

The *Coors Corridor Plan* was adopted in 1984 and revised in 1989. The plan provides policy and guidelines for the design of Coors Boulevard and adjacent properties between Central Avenue and Alameda Boulevard NW/NM 528. Guidelines contained in the plan relate to traffic movement, signage, landscaping, setbacks, view preservation, architecture and other similar physical elements. Development of the subject property must conform to applicable guidelines contained within this plan. The proposal falls within Segment 3 of the *Coors Corridor Plan*. The following regulations relate to this request:

Issue 4, visual impressions and urban design overlay zone, include general policies, site planning and architecture policies, view preservation and signage policies.

Issue 4, site planning and architecture, Policy 6: Commercial sites, such as shopping centers, should be designed so that a portion of the building or buildings is located near the street perimeter and relates to the streetscape area along Coors Boulevard.

Resolution 54-1990 (Policies on Annexation to the City of Albuquerque)

This Resolution sets forth policies and requirements for annexation of territory to the City. Land to be annexed shall be generally contiguous to City boundaries, be accessible to service providers, and have provision for convenient street access to the City. The applicant must agree to timing of capital expenditures for any necessary major streets, water, sanitary sewer and other facilities. Additionally, the *Comprehensive Plan* area designation of a subject site corresponds to specific policies that must be met for approval of an annexation request.

As per the Zoning Code, a zone map amendment for the subject site must be filed and processed concurrently with an annexation action. The Environmental Planning Commission is charged with forwarding recommendations for the requests to the City Council.

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

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

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

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 Coors Boulevard as a Limited-Access Principal arterial.

The Long Range Roadway System designates Paseo del Norte as a Limited-Access Principal arterial.

ANALYSIS - Annexation

The property owners desire annexation into the City in order to benefit from City services other than water and sewer, which are now available from New Mexico Utilities. As per the policies of *Resolution 54-1990*, the subject land is contiguous to the City limits, has provision for convenient street access to the City and has reasonable boundaries. Utility and infrastructure requirements can be addressed at the Development Review Board at the time of platting, negating the need for a pre-annexation agreement.

The annexation request furthers the applicable Goals and policies of the *Comprehensive Plan* by allowing for an urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and choice in housing, transportation, work areas and life styles.

The annexation request furthers the applicable Goals and policies of the *West Side Strategic Plan* by proposing annexation that will allow for urban style services that are appropriate in the community.

Policy 4 of the land use and intensity of development section of the *Coors Corridor Plan* addresses annexation by stating that "properties under county jurisdiction, which are now surrounded by City jurisdiction, should be annexed as soon as possible." The annexation request furthers this policy.

ANALYSIS- Establishment of Zoning

The applicant is requesting zoning of SU-1 for C-1 Permissive Uses and Hotel, Automobile Sales, and Restaurant with Full-Service Liquor for a portion of the site and C-1, O-1 and RO-20 for the remainder. The site is proposed to be subdivided and Tract 2 would become Tracts 2A, 2B, 2C and 2D. The request is for these tracts (Tracts 2A, 2B and 2C) to be zoned with the SU-1 for C-1 designation. The AMAFCA ponding area is proposed to be zoned RO-20. Tract 3B is requesting the same zoning as exists on the site now which is County C-1. This is the current location of the existing Wells Fargo Bank. Tracts 3F1, 3C1, 3H, 3I and 3J all have County O-1 zoning currently and the request is for these parcels to continue with the O-1 designation. A

table with all the requested zoning designations proposed tract numbers and acreages is provided on the first page of the applicant's letter to the commission.

The applicant discusses the reasons for zoning in the submittal and provides a letter of justification. The applicant cites changed community conditions as justification for the requested zoning as required by Resolution 270-1980. In the letter of justification it is states that significant changed conditions have affected the site making it a more appropriate location for commercial enterprises than residential and that the requested zoning is more advantageous to the health, safety and welfare of the local community. The letter from the applicant also states that the requested zoning will be more advantageous to the community since it will accommodate a variety of urban land uses necessary to serve the growing area. They also assert that the proposed zoning will allow for a better mix of uses that will contribute to a decrease of vehicular miles traveled in the area. The applicant cites numerous policies from the *Albuquerque/Bernalillo County Comprehensive Plan* and others that support the annexation and establishment of zoning for this site. The applicant states that the annexation request and simultaneous zone change will not be harmful to adjacent property, the neighborhood or the community and would instead give the neighborhood and community increased options when seeking such services.

While the requested zoning for this site seems reasonable, the *West Side Strategic Plan* does not address this area. Proposed amendments to the *West Side Strategic Plan* do not address this site either. The site seems to have been ignored by the plan and therefore it is uncertain as to what policies and plans may apply in this case. It is unclear as to whether this area was meant to develop with residential or commercial uses. For an analysis to be performed one must look to other plans for guidance in addressing the area as well as other portions of the *West Side Strategic Plan* that provide direction in the discussion. To analyze this request, the context of the surrounding areas must be taken into consideration as well as *Resolution 270-1980*, the *Albuquerque/Bernalillo County Comprehensive Plan*, the *West Side Strategic Plan (WSSP)*, and the *Coors Corridor Plan*.

The *Comprehensive Plan* lists two clear policies regarding this type of request. Policy i states that *employment and service uses shall be located to complement residential uses and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments*. This request respects and furthers this policy by providing an effective buffer for the residential development east of the site. Commercial uses would help minimize the effects of this busy, high-automobile usage area on these neighbors below the bluff. Due to the high volume of traffic at Paseo del Norte and Coors, one of the busiest interchanges in the city, any residential uses placed in this location which is generally surrounded by commercial uses, would suffer substantially from the effects of noise, lighting and pollution issues and traffic.

Policy k states that *land adjacent to arterial streets shall be planned to minimize harmful affects of traffic; livability and safety of established residential neighborhoods shall be protected in transportation and planning operations*. The proposal by the applicant attempts to minimize harmful effects on any residential neighbors by limiting uses to those allowed in C-1 zoning. While multi-family housing, public facilities, educational and employment facilities, and other

non-single family residential uses are cited in the *Comprehensive Plan* as appropriate in some areas along with commercial services in these areas, this site would better fit into that category of commercial uses. Additionally, if residential zoning were to be established on the site, any residential development that would occur at this site would need mitigation from noise, traffic, pollution and lighting from the surrounding uses. Traditional landscape buffers and setbacks may not be sufficient to mask noise from surrounding areas. In other words, if residential uses were proposed, this would not be a course of action that would minimize harmful effects of traffic on the development.

The *WSSP* does not prohibit commercial development outside of Activity Centers, nor does it encourage it. While the intent of the *WSSP* is not to have new commercial zoning outside of Activity Centers, any zoning other than commercial would be ill-considered. The fact that this section of the Coors/Paseo interchange was not addressed in the *WSSP* leaves the EPC to determine the appropriateness of any requested zoning for this area. Regardless of the lack of direction for this site within the *WSSP*, the area has developed as a commercial corridor. Several of the tracts within this request have county zoning for commercial and office uses. In fact, if the annexation into the city did not occur, these parcels could continue to develop as office and commercial within the county with the zoning already in place.

The *Coors Corridor Plan* states that "the intensity of development shall be compatible with the roadway function, existing zoning or recommended land use, environmental concerns, and design guidelines." The proposed zoning categories are compatible with existing conditions in the area. This site would be an anomaly if not zoned commercially. The surrounding land uses and zoning are primarily commercial. Roadway functions are compatible with commercial zoning. While citing this as a reason for continuing commercial zoning in this area this could become an argument for strip zoning in other places, strip zoning is effectively what has occurred along Coors Boulevard to this point and to impose anything other than commercial zoning would present an unfair burden to any development attempt.

While it is possible to locate residential uses on the subject site, it would seem an unlikely place for people to wish to live. The request for commercial uses is justified.

ANALYSIS- Site Development plan for Subdivision

Conformance to Adopted Plans, Policies, and Ordinances

This is a request for approval of a site development plan for subdivision for an approximately 5-acre site located on the east side of Coors Boulevard NW between Paseo del Norte and Irving Boulevard. The applicant proposes to create 4 lots, Tracts 2-A, 2-B, 2-C and 2-D. Proposed uses for Tract 2-A and 2-C are restaurants, automobile sales or retail. The proposed use for Tract 2-B is a hotel. Tract 2-D will continue the existing use as drainage facility.

The submitted site development plan provides a framework for future site development plan for building permit to follow within the guidelines of the *Coors Corridor Plan*.

The site plan meets all of the requirements of the Zoning Code by specifying all of the elements of a site development plan for subdivision. The site plan provides a scale of at least 1 inch to 100 feet, which covers at least one lot and specifies the site, proposed use, pedestrian and vehicular ingress and egress, internal circulation requirements and, for each lot, nonresidential uses' maximum floor area ratio. Design guidelines are also included for the site.

Site Plan Layout / Configuration

This submittal would create 4 tracts of land. All tracts would border Coors Boulevard with the exception of Tract 2-C and will contain hotel, restaurant, automobile sales, retail and drainage uses.

Vehicular Access, Circulation and Parking

There is one access point to the site from Valley View Drive. The site plan shows a 50-foot public right-of-way extension of this drive to the site and a 50-foot temporary access to the AMAFCA facility. There is also a proposed 20-foot AMAFCA right-of-way through Tract 2-B to provide access to the drainage area on Tract 2-D. No additional direct vehicular access shall be permitted to Coors pursuant to the *Coors Corridor Plan*.

Internal circulation will be developed with the existing and proposed rights-of-way.

Pedestrian and Bicycle Access and Circulation, Transit Access

Pedestrian connection to Coors Boulevard shall be through a new sidewalk along Valley View Drive. Design guidelines state that pedestrian links will be provided between parking areas and buildings with signage and contrasting textured paving materials. Crosswalks will be treated with visual and tactile distinction from the asphalt pavement. Trees will be provided along pathways at 30-foot on center in 5x5 foot planters. Pedestrian pathways will range in width but shall be no less than 6-feet wide.

Design Guidelines

A set of design guidelines has been submitted and includes information on Streetscape, Landscape, Setbacks, Site Planning/Architecture, Signage and Lighting. The guidelines are designed to provide a framework to assist developers and designers in understanding the objectives for development in Tracts 2-A, 2-B and 2-C.

Landscape buffers consisting primarily of evergreen trees are proposed for the site along with street trees. Notes pertaining to percentage of landscape to be provided as well as low water use plants and turf are included in the guidelines. A suggested plant palette that lists trees, street trees, shrubs, groundcover flowers and vines and ornamental and lawn grasses is supplied.

Architectural, signage and lighting standards have also been provided within the guidelines. Although no specific architectural style is proposed, the guidelines state that "design should demonstrate a high quality aesthetic character throughout the site". Signage and Lighting guidelines are generally in conformance with the City Comprehensive Zoning Ordinance. Outdoor lighting is not to exceed 20-feet. The illustrations show a "shoebox" type fixture that would prevent fugitive light from escaping the property line.

Some of the suggested guidelines not included with the request include off-street parking requirements and design for both automobiles and bicycles, street design, transit facilities such as benches, shelters and pedestrian connections, specific architectural design requirements like façade elements, massing, colors and materials, and pedestrian amenities such as walkways, plazas, and shade structures.

Concerns of Reviewing Agencies / Pre-Hearing Discussion

The applicant was present at the Pre-Hearing discussion.

Several agencies comment that the remaining contiguous parcels not included in the annexation request should be incorporated prior to approval. Staff sent letters to these property owners and ongoing conversations with the owners regarding their inclusion are taking place. Although the status of these talks is not final, it appears that some or all of the properties in question will be joining in the annexation request.

The Parks and Recreation Department is proposing a secondary trail in this location along the Corrales Main Canal. Upon platting, Parks requests the applicant to provide pedestrian and bicycle access to the Corrales Main Canal.

Neighborhood Concerns

Staff has received a letter from the Riverfronte Estates Neighborhood Association regarding this request. In summary, the letter requests that the EPC eliminate Automobile Sales from this request and that all zoning be SU-1 so that there is opportunity for site plan review prior to plan approval. The letter also states that there is no objection to a hotel if it is limited to two stories and no objection to food sales as long as there are no drive-through windows. The letter is included in the packet.

Conclusions

The site plan for subdivision meets the requirements as set forth in the City Comprehensive Zoning Code and provides guidelines for future design of the project. Staff recommends approval of this request.

FINDINGS – 01114 00556, June 21, 2001 - Annexation

1. This is a request for annexation of approximately 18 acres located on Coors Boulevard NW between Paseo del Norte and Irving Boulevard and described as Tracts 2, 3F1, 3C1, 3H, 3I, 3J and 3B, Black Ranch.
2. The subject request meets the requirements for annexation into the city because it is contiguous to City boundaries, accessible to service providers, and has convenient street access to the City.
3. The annexation request furthers the applicable Goals and policies of the *Albuquerque/Bernalillo County Comprehensive Plan* by allowing for an urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and choice in housing, transportation, work areas and life styles.
4. The area is suitable for urban intensity as defined by its designation of Developing Urban in the *Albuquerque/Bernalillo County Comprehensive Plan*.
5. The annexation request furthers the applicable Goals and policies of the *West Side Strategic Plan* by proposing annexation that will allow for urban style services that are appropriate in the community.
6. The annexation request furthers Policy 4 of the land use and intensity of development section of the *Coors Corridor Plan* which states that "properties under county jurisdiction, which are now surrounded by City jurisdiction, should be annexed as soon as possible

RECOMMENDATION – 01114 00556, June 21, 2001 - Annexation

That APPROVAL of 01114 00556, a request for annexation, for Tracts 2, 3F1, 3C1, 3H, 3I, 3J and 3B, Black Ranch, be recommended to City Council, based on the preceding Findings.

FINDINGS – 01110 00557, June 21, 2001 – Establishment of Zoning

1. This is a request for establishment of zoning for approximately 18 acres located on Coors Boulevard NW between Paseo del Norte and Irving Boulevard and described as Tracts 2, 3F1, 3C1, 3H, 3I, 3J and 3B, Black Ranch.
2. Zoning for parcels created by the accompanying site plan for subdivision is requested. SU-1 for C-1 Permissive Uses and Hotel, Automobile Sales and Restaurants with Full-Service Liquor is requested for Tracts 2A, 2B and 2C. A zoning designation of RO-20 is requested for Tract 2D. C-1 is requested for Tract 3B. O-1 is requested for Tracts 3F1, 3G1, 3H, 3I and 3J.
3. A plat showing clear and distinct boundaries of the newly created tracts should be submitted at DRB.
4. The subject site meets the requirements of 270-1980 under the changed community conditions finding. The West Side Strategic Plan and the Paseo del Norte bridge crossing present changed conditions in the area.
5. The requested zoning meets the goals in the *Albuquerque/Bernalillo County Comprehensive Plan* by placing employment and service uses that are located to complement residential uses and sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.
6. The *Coors Corridor Plan* states that “the intensity of development shall be compatible with the roadway function, existing zoning or recommended land use, environmental concerns, and design guidelines.” The proposed zoning categories are compatible with existing conditions in the area.

RECOMMENDATION - 01110 00557, June 21, 2001 – Establishment of Zoning

That APPROVAL of 01110 00557, a request for establishment of zoning for Tracts 2, 3F1, 3C1, 3H, 3I, 3J and 3B, Black Ranch, be recommended to City Council based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL - 01110 00557, June 21, 2001 – Establishment of Zoning

1. The site shall be replatted to show clear and distinct boundaries of the newly created tracts.

FINDINGS – 01128 00558, June 21, 2001 – Site Development Plan for Subdivision

1. This is a request for approval of a site development plan for subdivision for approximately 12.5 acres located on Coors Boulevard NW between Paseo del Norte and Irving Boulevard and described as Tract 2, Black Ranch.
2. A site plan for subdivision is required for approval of SU-1 zoning.
2. The site development plan for subdivision furthers the applicable goals and policies of the Comprehensive Plan by creating a framework for a quality urban environment that offers a choice in transportation, work areas and life styles.
3. The site development plan meets all of the requirements of the Zoning Code by specifying all of the elements of a site development plan for subdivision.
4. Design guidelines are incorporated into the site including an overall theme and land use concept, landscape design requirements, signage design requirements, and lighting design requirements.

RECOMMENDATION - 01128 00558, June 21, 2001 – Site Development Plan for Subdivision

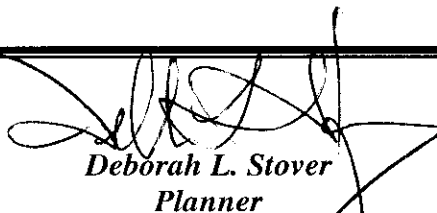
APPROVAL of 01128 00558, a request for site development plan for subdivision, for Tract 2, Black Ranch based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL - 01128 00558, June 21, 2001 – Site Development Plan for Subdivision

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

conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.

2. The site shall be replatted to create distinct lots that conform to or create the new zone boundary lines.
3. Design guidelines shall include off-street parking requirements and design (automobiles and bicycles), street design, transit facilities (benches, shelters, pedestrian connections), architectural design requirements (façade elements, massing, colors, materials), and pedestrian amenities (walkways, plazas, shade structures) that are consistent with EPC directives and intents.



Deborah L. Stover
Planner

cc: John Black, 3613 NM State Road 528 NW, Suite H, Albuquerque, NM 87114
Consensus Planning Ave. SW, Albuquerque, NM 87102
Audre Bonadea, Paradise Hills Civic Assoc., 10137 Furman NW, Albuquerque, NM 87114
Meredith Hughes, Paradise Hills Civic Assoc., 9908 La Paz NW, Albuquerque, NM 87114
Marlo Peters, Riverfronte Estates NA, Inc., 9506 Kandace Dr. NW, Albuquerque, NM 87114
Gary Plante, Riverfronte Estates NA, Inc., 1692 Pace Rd. NW, Albuquerque, NM 87114
Rick Lackey, Taylor Ranch NA, 2001 Carlisle NE, Albuquerque, NM 87110
Jerry Beck, Taylor Ranch NA, 8201 Golf Course Rd. NW, Suite D-3, Albuquerque, NM 87120
Mrs. Ginger Carman, 7201 Central Ave. NW, Albuquerque, NM 87121

Attachments

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Code Services

“Reviewed, no comment.”

PUBLIC WORKS DEPARTMENT

Transportation Development Services:

No adverse comment on the proposed annexation and establishment of zoning. The remaining parcels adjacent to Coors Boulevard should be included in this request.

Utility Development:

Recommend denial. The applicant seeks to benefit from the services of the City, the effective and efficient delivery of which depends in part of reasonable and logical boundaries. By creating an island of incorporated land the requested action would be counterproductive making both City and County service delivery less efficient. The alternative to denial would be to create a more manageable boundary by including the rest of the subdivision, or at minimum all the land bounded by Coors, Paseo del Norte and the Corrales main: Lot 2 through 5. Water and sewer services are provided by NMUI.

Traffic Engineering Operations:

Prefer not to have the right-in/right-out, just the access at Irving onto Coors.

Hydrology:

The Hydrology Section has no objection to the annexation request. An approved conceptual grading and drainage plan is required for Site Plan sign-off by the City Engineer.

Transportation Planning:

The annexation should include adjoining portions of Irving Blvd., Paseo del Norte, and Valley View Drive. Written clarification is needed regarding automobile access to the AMAFCA pond.

FINDINGS:

- The Long Range Bikeway System map identifies proposed bike lanes on Coors Boulevard adjacent the subject development.
- Additional right-of-way on Coors Boulevard, as determined by the City Engineer in coordination with the City's Bicycle Planner, may be required to accommodate the needed bike lanes.
- Additional right-of-way may also be required for roadway operational improvements.

CONDITION of “Site Plan for Subdivision” approval.

- Dedication of additional right-of-way on Coors Boulevard the length of the entire annexed property, as required by the City Engineer in coordination with the City's Bicycle Planner, to provide for on-

street bicycle lanes and possible roadway operational improvements. This coordination and/or dedication should not be deferred

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

Environmental Services Division

An Air Quality Impact Assessment (AQIA), as required per the City Zoning Code Section 14-16-3-14, has been requested. The Environmental Health Department has not received an AQIA as of this time, and cannot formulate comments without this required study.

Prior to any earthmoving or surface alteration activities involving a parcel of 3/4 of an acre or more, a Surface Disturbance Permit must be obtained from the City's Environmental Health Department pursuant to Albuquerque/Bernalillo County Air Quality Control Board Regulation, Part 20. Revegetation or stabilization of disturbed areas can be coordinated as part of the permitting process. Call 768-1930.

NEIGHBORHOOD SERVICES

"Paradise Hills ®, Riverfronte Estates ® and Taylor Ranch (all recognized associations) were notified."

PARKS AND RECREATION

Planning and Design

No objection to the annexation or zoning request. The Trails & Bikeways Facility Plan proposes a secondary trail in this location along the Corrales Main Canal. Upon platting of these tracts, Parks & Recreation requests the applicant to provide pedestrian and bike access from the subdivision to the Corrales Main Canal.

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 requirements and ordinances."

FIRE DEPARTMENT/Planning

TRANSIT DEPARTMENT

"This site is with 300 feet of Routes 90 and 96."

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

ALBUQUERQUE METROPOLITAN FLOOD CONTROL AUTHORITY

1. The temporary drainage easement on Tract 2-D will not be required. Remove the language and replace with: "Interim temporary drainage facilities may be constructed within the AMAFCA right-of-way subject to approval from AMAFCA."
2. The 20-foot road deeded to AMAFCA, as shown in Tract 2-B, is actually part of Tract 2-D. The corrected acreages are: Tract 2-B = 2.9835 acres and Tract 2-D = 7.006 acres.

ALBUQUERQUE PUBLIC SCHOOLS

The request for annexation, establishment of zoning, and site plan for subdivision for tracts 2A, 2B, and 2C (18.0356 acres to be zoned SU-1, C-1, and O-1) of the **Black Ranch Development** located East of Coors NW just North of Paseo Del Norte Blvd NW will impact APS. This annexation will affect Petroglyph Elementary School, the New Monroe Middle School, and Cibola High School. The APS elementary/middle school facilities in the area continue to be upgraded and expanded. An elementary school (7-Bar) and middle school (Monroe) are slated to open (in this area) in the fall of 2001. Regardless of the recent and planned additions to existing educational facilities, the region's growth may well outpace the district's ability to construct new schools. As schools become overcrowded, boundary

changes, alternative schedules, transportation to less crowded schools, and/or combinations of the above strategies may be employed to relieve schools with large numbers of students.

MIDDLE RIO GRANDE COUNCIL OF GOVERNMENTS

The Long Range Roadway System designates Coors Boulevard as a limited access principal arterial which requires 156 feet of right-of-way. There is 150 feet of right-of-way existing, adequate right- of-way should be preserved for Coors. The Long Range Bikeway System proposes a bike lane on Coors. Development on these lots should facilitate the use of the adjacent bike lane

Ms. Elizabeth Begay -- Chairman
Environment Planning Commission
600 Second Street NW, Suite 300
Albuquerque, New Mexico 87102

R.E. Northwest corner of Coors and Paseo del Norte
Case 2- 01114-00556 and 2- 01114-0057
Project 101206
Consensus Planning/ John Black

Dear Ms. Begay:

The Riverfronte Estates Neighborhood Association Inc. objects to the zoning proposed on the 18 acres, indicated in their letter to you of April 26, 2001. This property is adjacent to our residential subdivision and on a bluff that overlooks our properties. It is part of the properties included in our Neighborhood Association.

The Riverfronte Estates Neighborhood Association Inc. respectfully requests the Environment Planning Commission to consider SU-1 for C-1 for all properties and that no properties be zoned C-1 without the opportunity of the Association to review all development uses and proposals prior to approval. If the developer receives C-1 we will have only limited say on uses adjacent to our properties and within our Association boundaries.

We further request the SU-1 for C-1 uses preclude Automobile sales or Automobile dealerships. This property overlooks many of our resident's properties and Automobile sales/dealerships would prevent the quiet environment of their property, which they contemplated at the time they built their homes. Most of our homes are custom built for our residents. They believed they were building their last residence. The problems associated with this use would not be compatible with the surrounding neighborhood.

We further request the SU-1 for C-1 uses preclude "drive through" food service restaurants. We have no objection to "non-drive through" food service; however, we would request the primary business be food sales and liquor would be allowed only in conjunction with dining.

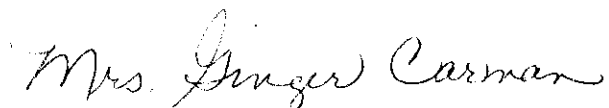
We do not object to hotel use if the hotel/motel is of limited height (no more than two stories). We would request input on the architectural design and that signage and lighting be restricted on the east side.

We are very concerned about the commercial uses allowed on this property as this property is on a bluff above our homes and all uses will impact all homes within our Association. The winds carry smells, trash and pollutants over our homes and lights, traffic and noise are exposed to all of our residents.

We have expressed these concerns with the representative of the developer in a two-hour meeting. None of our concerns were incorporated in the developer's submittal of April 26th. The meeting was at the request of the developer's representative and we attended in good faith.

Our recourse now lies in the hands of your committee and its members. We request your consideration of these issues that are of major importance to our member's enjoyment of their properties. We understand reasonable development is necessary we only request development does not occur in a manner that reduces the equality of life for the residents next to this property.

Respectfully,

A handwritten signature in cursive script that reads "Mrs. Ginger Carman". The ink is dark and the signature is fluid.

Mrs. Ginger Carman
President
Riverfronte Estates Neighborhood Association



PRESBYTERIAN
Healthcare Services

June 5, 2001

Deborah L. Stover
City of Albuquerque
Planning Department
PO Box 1293
Albuquerque, NM 87103

Dear Deborah:

As we discussed by phone yesterday, Presbyterian Healthcare Services is not opposed to Tract 3C on Coors Boulevard now being included in the annexation of it and surrounding properties into the City. We have not been more actively involved in the annexation because it is our intent to sell this property. However, given the annexation of the majority of the property east of Coors, we believe it would be in the new owner's best interest for Tract 3C to be annexed as well.

Thank you for bringing this matter to our attention.

Sincerely,

James R. Jeppson
Administrative Director

JRJ:jk

CC: Gene Walton
Ruthann Holm



Memorandum

To: Debbie Stover, Case Planner, City of Albuquerque

From: Karin Pitman, AIA *KMP*

Date: May 21, 2001

Re: Tracts 2/3, Black Ranch

Per our conversation earlier this week, we would like the City to investigate whether or not the owners of Tracts 3C, 3D, and 3E1 would be interested in annexing their properties into the City in conjunction with the annexation request we have already submitted on behalf of John Black.

Following is contact information for each tract:

Tract 3C:

Mr. James R. Jeppson, Administrative Director
Presbyterian Health Care Services
1224 Central Avenue SE
Albuquerque, NM 87125-6666
(505) 841-1234

Tract 3D:

Mr. Tom McCollum
11000 Bermuda Dunes NE
Albuquerque, NM 87111
(505) 292-5744

Tract 3E1:

Tim Cummins
Cummins and Associates
10400 Academy Road NE
Albuquerque, NM 87111
(505) 271-2800

Please contact me at 764-9801 if you have any additional questions.

c: John Black, West Wood Realty, 792-3735



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

May 31, 2001

Mr. Tim Cummins
Cummins and Associates
10400 Academy Road NE
Albuquerque, New Mexico 87111

RE: Annexation

Dear Mr. Cummins,

As you may know, application for annexation into the City of Albuquerque for approximately 18-acres adjacent to your property (Tract 3E1) on Coors Boulevard NW has been received by the City of Albuquerque and will be considered at the June 21, 2001 Environmental Planning Commission at 8:00 am.

It is usual for the applicant and/or City of Albuquerque to inquire as to interest in annexation with property owners adjacent to annexation requests. If Tract 3E1 is not annexed with this request, an "island" of county property will be created if the requested annexation is approved. You are under no obligation to annex your property, nor is this a request that you do so. We simply want your input as to your interest in annexing your property into City boundaries.

The address for the Planning Department is 600 2nd Street NW, 87102. I may be reached at 924-3940.

Sincerely,

Deborah L. Stover
City of Albuquerque, Planning Department



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

May 31, 2001

Mr. James Jeppson, Administrative Director
Presbyterian Health Care Services
1224 Central Avenue SE
Albuquerque, New Mexico 87125-6666

RE: Annexation

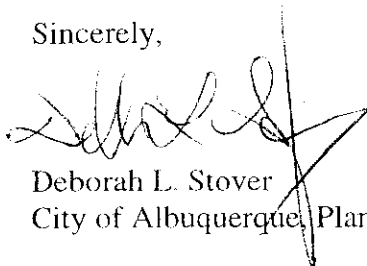
Dear Mr. Jeppson,

As you may know, application for annexation into the City of Albuquerque for approximately 18-acres adjacent to your property (Tract 3C) on Coors Boulevard NW has been received by the City of Albuquerque and will be considered at the June 21, 2001 Environmental Planning Commission at 8:00 am.

It is usual for the applicant and/or City of Albuquerque to inquire as to interest in annexation with property owners adjacent to annexation requests. If Tract 3C is not annexed with this request, an "island" of county property will be created if the requested annexation is approved. You are under no obligation to annex your property, nor is this a request that you do so. We simply want your input as to your interest in annexing your property into City boundaries.

The address for the Planning Department is 600 2nd Street NW, 87102. I may be reached at 924-3940.

Sincerely,



Deborah L. Stover
City of Albuquerque, Planning Department



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

May 31, 2001

Mr. Tom McCollum
11000 Bermuda Dunes NE
Albuquerque, New Mexico 87111

RE: Annexation

Dear Mr. McCollum,

As you may know, application for annexation into the City of Albuquerque for approximately 18-acres adjacent to your property (Tract 3D) on Coors Boulevard NW has been received by the City of Albuquerque and will be considered at the June 21, 2001 Environmental Planning Commission at 8:00 am.

It is usual for the applicant and/or City of Albuquerque to inquire as to interest in annexation with property owners adjacent to annexation requests. If Tract 3D is not annexed with this request, an "island" of county property will be created if the requested annexation is approved. You are under no obligation to annex your property, nor is this a request that you do so. We simply want your input as to your interest in annexing your property into City boundaries.

The address for the Planning Department is 600 2nd Street NW, 87102. I may be reached at 924-3940.

Sincerely,

Deborah L. Stover
City of Albuquerque, Planning Department



Memorandum

To: Ms. Ginger Carman, President and Mr. Gary Plante, Vice-President
Riverfronte Estates Neighborhood Association, 897-6875

From: Karin Pitman, AIA *KMP*

Date: May 22, 2001

Re: Tracts 2/3, Black Ranch Annexation request

Per my conversation with Gary Plante today, I am writing on behalf of Jim Strozier and John Black (who are both out of town today) to request an additional meeting with you and other neighborhood members on May 31st or sometime in early June, at your earliest convenience. We would greatly appreciate this opportunity to talk with you again and to see which of your issues can be resolved prior to the June EPC hearing.

Please call me at 764-9801 to schedule a meeting. Thank you.

c: Russell Brito, EPC, City of Albuquerque Planning Department, 924-3339
Debbie Stover, Case Planner, City of Albuquerque Planning Department, 924-3339
John Black, West Wood Realty, 792-3735

STATE OF NEW MEXICO
County of Bernalillo SS

Bill Tafoya, being duly sworn, declares and says that he is Classified Advertising Manager of The Albuquerque Journal, and that this newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Session Laws of 1937, and that payment therefore has been made of assessed as court cost; that the notice, copy of which is hereto attached, was published in said paper in the regular daily edition, for four times, the first publication being on the 16 day of June, 2001, and the subsequent consecutive publications on _____, 2001.

Sworn and subscribed to before me, a Notary Public, in
and for the County of Bernalillo and State of New Mexico
this 16 day June of 2001.

PRICE 136.88

Statement to come at end of month.

ACCOUNT NUMBER 080583

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



NOTICE OF PUBLIC HEARING

Notice is hereby given, that the City of Albuquerque Environmental Planning Commission will hold a public hearing on Thursday, June 21, 2001 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)

01221 00000 00136
Project #1001032
The City of Albuquerque request an amendment to the Comprehensive City Zoning Code Section 14-16-3-17, (A)(3)(C) adding criteria for antennas mounted on existing vertical structures. Cynthia Borrego-Archuleta, Staff Planner

01128 00421
Project # 1000085
Jon Marcotte, Kent Hanaway Architect, agents for Albartsons, Inc., request approval of a site development plan for building permit for Lot M-1-A, Tanoan Properties, zoned SU-1 for C-1, located on Academy Road NE between Tramway Blvd and Tennyson Street, containing approximately 9.94 acres. (E-22) Lola Bird, Staff Planner

01128 00486
01128 00487
Project #1001042
Garcia/Kramer & Associates, agents for Pete and Sandra Vigil request approval of a site development plan for building permit plus approval of a site development plan for building for a wireless telecommunication facility for Lot 8 and the west 1/2 of lot 9, Block 20, Tract 3, North Albuquerque Acres, zoned SU-2 / Mixed Uses, located on Holly Avenue NE between Ventura Street and Holbrook Street, containing approximately 1.32 acres. (C-20) Lola Bird, Staff Planner

01110 00540
01138 00541
Project #1001201
Bolesio Romero, agent for Carl Landspecht requests an amendment to the University Neighborhoods Sector Development Plan plus a zone map amendment from SU-2 / DR to SU-2 / RC for Lots 13-17, Block 25, University Heights Addition, located on Girard Boulevard SE between Central Avenue and Silver Avenue, containing approximately 0.8 acre. (K-16) Lola Bird, Staff Planner

01110 00542
01138 00543
Project # 1000682
Richard Hall, agent for DePonte Investments requests an amendment to the North Interstate 25 Sector Development Plan plus a zone map amendment from SU-2 / PR to SU-2 / C-2 for Lots 1-10, Block 29, North Albuquerque Acres, located on Alameda Boulevard NE between San Pedro Drive and Louisiana Boulevard, containing approximately 8.7 acres. (C-18) Loretta Naranjo-Lopez, Staff Planner

01225 00551
Project #1001146
The City of Albuquerque, Public Works Department requests an amendment to portions of the Comprehensive Zoning Code, amending Chapter 14, Article 16, ROA, 1994. (City Wide) Mary Hardison, Staff Planner

01110 00552
Project #1001135
Consensus Planning, Inc., agents for Felix Rabadi requests a zone map amendment from SU-1 for PRD to R-LT for Tract A-2B, Paradise Bluff, located on Justin Drive NW between Paradise Boulevard and Buglo Avenue, containing approximately 13.0 acres. (B-11) Deborah Stover, Staff Planner

01110 00554
Project #1001205
Consensus Planning, Inc., agents for Paradise Ridge LLC request a zone map amendment from SU-1 for PRD to R-LT for Lots A-1 and A-2A, located on Paradise Boulevard NW between Lyon Boulevard and Justin Drive, containing approximately 21.5 acres. (B-11) Deborah Stover, Staff Planner

01114 00556
01110 00557
01128 00558
Project #1001206
Consensus Planning, Inc., agents for John Black request annexation and establishment of SU-1 for C-1, C-1 & O-1 Zoning plus approval of site development for subdivision purposes for Tract 2A, 2B, 2C, 2D, 3F1, 3G1, 3H, 3I, 3J, 3K, Black Ranch, located on Coors Boulevard NW between Paseo del Norte and Irving Boulevard, containing approximately 18.0356. (C-13) Deborah Stover, Staff Planner

01114 00560
01110 00561
Project #1001208
Ross Howard Co., agent for Ricardo and Guadalupe Gutierrez requests annexation and establishment of R-1 zoning, for Tract D-1, Lands of the Heirs of Aurelia Gutierrez, located at the northwest corner of Sandia Road NW and Guadalupe Trail NW between Montano Road and Greelan Avenue NW, containing approximately 1.58 acres. (F-14) Loretta Naranjo-Lopez, Staff Planner

01128 00582
Project #1001209
Mark Goodwin & Associates, agents for Clifford Capital Fund, Inc. requests approval of a site development plan for subdivision purposes for Lands of Ben E. Traub, Lands of Raymond R. Van Wyk and Tracts A-2 & C-2 of the Land of Albuquerque Public Schools, zoned SU-1 for C-1 and SU-1 for Residential, C-1 & C-2, located on Western Trail NW between Unser Boulevard and Kinross Drive, containing approximately 1.13 acres. (F-14) Loretta Naranjo-Lopez, Staff Planner

01128 00583
01128 00584
Project #1001169
Tierra Vista LLC, agents for Whalaco, Inc., requests approval of a site development plan for subdivision purposes plus approval of a site development plan for building permit for Lot 1, Block 18, La Cueva Town Center, zoned SU-1 for C-1, located on Wyoming Boulevard NE between and Paseo del Norte and Carmel Avenue, containing approximately 1.5 acres. (C-19) Deborah Stover, Staff Planner

01110 00585
01128 00586
Project # 1001210
Glenn Harty, agent for SEEA requests a zone map amendment from SU-1 for Church and Related Uses to SU-1 for O-1 plus approval of a site development plan for Lot A, Block 8, Palisades Addition, located on Atlixco Drive NW between Interstate 40 and 11th Road, containing approximately 1.23 acres. (H-11) Lola Bird, 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 Adri Candelaria at 924-3686. INDIVIDUALS WITH DISABILITIES who need special assistance to participate at the public hearing should contact April Candelaria at 924-3686 (VOICED) 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.

Elizabeth Begay, Chairman
Environmental Planning Commission
APPROVED
Russell Brito, Senior Planner
Development Services Division,
Planning Department
Journal: June 6, 2001



NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Albuquerque Environmental Planning Commission will hold a public hearing on Thursday, June 21, 2001 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]

01221 00000 00136
Project #1001032

The City of Albuquerque request an amendment to the Comprehensive, City Zoning Code Section 14-16-3-17, (A.)(3.)(C.) adding criteria for antennas mounted on existing vertical structures. Cynthia Borrego-Archuleta, Staff Planner

01128 00421
Project # 1000085

Jon Marcotte, Kent Hanaway Architect, agents for Albertsons, Inc., request approval of a site development plan for building permit for Lot M-1-A, Tanoan Properties, zoned SU-1 for C-1, located on Academy Road NE between Tramway Blvd and Tennyson Street, containing approximately 9.94 acres. (E-22) Lola Bird, Staff Planner

01128 00486
01128 00487
Project #1001042

Garcia/Kraemer & Associates, agents for Pete and Sandra Vigil request approval of a site development plan for building permit plus approval of a site development plan for building for a wireless telecommunication facility for Lot 8 and the west 1/2 of lot 9, Block 20, Tract 3, North Albuquerque Acres, zoned SU-2 / Mixed Uses, located on Holly Avenue NE between Ventura Street and Holbrook Street, containing approximately 1.32 acres. (C-20) Lola Bird, Staff Planner

01110 00540
01138 00541
Project #1001201

Boleslo Romero, agent for Carl Landspecht requests an amendment to the University Neighborhoods Sector Development Plan plus a zone map amendment from SU-2 / DR to SU-2 / RC for Lots 13-17, Block 25, University Heights Addition, located on Girard Boulevard SE between Central Avenue and Silver Avenue, containing approximately 0.8 acre. (K-16) Lola Bird, Staff Planner

01110 00542 01138 00543 Project # 1000682	Richard Hall, agent for DePonte Investments requests an amendment to the North Interstate 25 Sector Development Plan plus a zone map amendment from SU-2/IP to SU-2/C-2 for Lots 1-10, Block 29, North Albuquerque Acres, located on Alameda Boulevard NE between San Pedro Drive and Louisiana Boulevard, containing approximately 8.7 acres. (C-18) Loretta Naranjo-Lopez, Staff Planner
01225 00551 Project #1001146	The City of Albuquerque, Public Works Department requests an amendment to portions of the Comprehensive Zoning Code, amending Chapter 14, Article 16, ROA 1994. (City Wide) Mary Hardison, Staff Planner
01110 00552 Project #1001135	Consensus Planning, Inc., agents for Felix Rabadi requests a zone map amendment from SU-1 for PRD to R-LT for Tract A-2B, Paradise Bluff, located on Justin Drive NW between Paradise Boulevard and Buglo Avenue, containing approximately 13.0 acres. (B-11) Deborah Stover, Staff Planner
01110 00554 Project #1001205	Consensus Planning, Inc., agents for Paradise Ridge LLC request a zone map amendment from SU-1 for PRD to R-LT for Lots A-1 and A-2A, located on Paradise Boulevard NW between Lyon Boulevard and Justin Drive, containing approximately 21.5 acres. (B-11) Deborah Stover, Staff Planner
01114 00556 01110 00557 01128 00558 Project #1001206	Consensus Planning, Inc., agents for John Black request annexation and establishment of SU-1 for C-1, C-1 & O-1 Zoning plus approval of site development for subdivision purposes for Tract 2A, 2B, 2C, 2D, 3F1, 3G1, 3H, 3I, 3J, 3B, Black Ranch, located on Coors Boulevard NW between Paseo del Norte and Irving Boulevard, containing approximately 18.0356. (C-13) Deborah Stover, Staff Planner
01114 00560 01110 00561 Project #1001208	Ross Howard Co., agent for Ricardo and Guadalupe Gutierrez requests annexation and establishment of R-1 zoning, for Tract D-1, Lands of the Heirs of Aurelia Gutierrez, located at the northwest corner of Sandia Road NW and Guadalupe Trail NW between Montano Road and Grecian Avenue NW, containing approximately 1.58 acres. (F-14) Loretta Naranjo-Lopez, Staff Planner
01128 00562 Project #1001209	Mark Goodwin & Associates, agents for Clifford Capital Fund, Inc., requests approval of a site development plan for subdivision purposes for Lands of Ben E. Traub, Lands of Raymond R. Van Wye and Tracts A-2 & C-2 of the Land of Albuquerque Public Schools, zoned SU-1 for C-1 and SU-1 for Residential @ 12-14 du/ac, located on Western Trial NW between Unser Boulevard and Atrisco Drive, containing approximately 11.6 acres. (F-10 & F-11) Loretta Naranjo-Lopez, Staff Planner

01128 00563
01128 00564
Project #1000163

Tierra West LLC, agents for Whataco, Inc., request approval of a site development plan for subdivision purposes plus approval of a site development plan for building permit for Lot 4, Block 19, La Cueva Town Center, zoned SU-1 for C-2, located on Wyoming Boulevard NE between and Paseo del Norte and Carmel Avenue, containing approximately 1.5 acres. (C-19) Deborah Stover, Staff Planner

01110 00565
01128 00566
Project #1001210

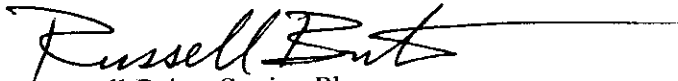
Glenn Parry, agent for SEED request a zone map amendment from SU-1 for Church and Related Uses to SU-1 for O-1 plus approval of a site development plan for Lot A, Block 8, Palisades Addition, located on Atrisco Drive NW between Interstate 40 and Iliff Road, containing approximately 1.23 acres. (H-11) Lola Bird, 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.

Elizabeth Begay, Chairman
Environmental Planning Commission

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL JUNE 6, 2001.

APPROVED



Russell Brito, Senior Planner
Development Services Division, Planning Department

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

Meeting Date: June 21, 2001
Zone Atlas Page: C-132
Notification Radius: 100 Ft.

App# <u>01114 0000-02556</u>
Proj# <u>1001206</u>
Other# <u>01110-0000 02557</u>
<u>0128-0200-00558</u>

Cross Reference and Location: _____

Applicant: John Black ✓
Address: 3613 Nmsk Rd 524, sk #4, 87114
Agent: Consensus Planning, Inc ✓
Address: 924 Park Ave SW, 87102

SPECIAL INSTRUCTIONS

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

Date Mailed: May 31, 2001
Signature: K. Tse-Hlika

ATTACHMENT A: APPLICANT/SITE INFORMATION BY PARCEL

APPLICANT 1

APPLICANT INFORMATION

NAME: *Black Development Two, LLC (John Black, Mgr.)* PHONE: (505) 792-3713
ADDRESS: *3613 NM State Road 528 NW, Suite H* FAX: (505) 792-3735
CITY: *Albuquerque* STATE: *NM* ZIP: *87114* E: *jblack@wwrealty.com*
Proprietary interest in site: *Owner, Tract 2A, 2B, 3F1, 3G1, 3H, 3I, 3J*

SITE INFORMATION

Legal Description	Acreage	Existing Zoning	UPC #
<i>Tract 2A, Black Ranch</i>	<i>1.7018 acres</i>	<i>County A-1</i>	<i>N/A</i>
<i>Tract 2B, Black Ranch</i>	<i>3.0935 acres</i>	<i>County A-1</i>	<i>N/A</i>
<i>Tract 2C, Black Ranch</i>	<i>1.0581 acres</i>	<i>County A-1</i>	<i>N/A</i>

Proposed Zoning: *See zoning exhibit*

Zone Atlas page(s): *C-13* No. of existing lots: *1** No of proposed lots: *3*

Total area of site (acres): *5.8534 acres (total)* Density: *N/A*

Within city limits? *No, but sites are within 5 miles of the city limits*

Within 1000FT of a landfill? *No*

UPC No. *See table above*

**Tracts 2A (above), 2B (above), 2C (above) and 2D (below) have been created from the original Tract 2*

APPLICANT 2

APPLICANT INFORMATION

NAME: *AMAFCA (John Kelly, Executive Engineer)* PHONE: (505) 884-2215
ADDRESS: *2600 Prospect Avenue NE* FAX: (505) 884-0214
CITY: *Albuquerque* STATE: *NM* ZIP: *87107* E: *c/o m_w_eckert@yahoo.com*
Proprietary interest in site: *Owner, Tract 2D*

SITE INFORMATION

Legal Description: *Tract 2D, Black Ranch*

Current Zoning: *County A-1* Proposed Zoning: *See zoning exhibit*

Zone Atlas page(s): *C-13* No. of existing lots: *0*** No of proposed lots: *1*

Total area of site (acres): *6.6896 acres* Density: *N/A*

Within city limits? *No, but site is within 5 miles of the city limits*

Within 1000FT of a landfill? *No*

UPC No. *N/A*

***This lot was created from the original Tract 2 accounted for above, see * above*

App# _____
Proj# _____

PROPERTY OWNERSHIP / LEGAL LIST

Date: _____

Page _____ Of _____

Zone Atlas Page	Zone Atlas #	Grid Location	Parcel Sequence	Name & Address					
1-13	113044	338-327	104-02	✓ 08	1013044	115-101	902	02	✓
		351-348	08	✓ 08		190-163	303	04	✓
		342-354	03	✓ 08		247-135		11	✓
		372-371	10	✓ 08		205-138		15	✓
		328-380	11	✓ 08		247-153		15	✓
		304-404	12	✓		370-317	044	02	✓
		347-385	13	✓ 08					
		340-300	14	✓ 08					
		405-327	101-02	✓ 08					
		384-431	102-02	✓					
		237-341	102-10	✓					
		301-418	13	✓					
		334-443	14	✓					
		354-447	103-03	✓					
		357-454	14	✓					
		119-242	305-05	✓					
		136-234	304-10	✓ 08					
		129-205	16	✓ 08					
		053-122	06	✓					

1013064 *** THIS UPC CODE HAS NO MASTER RECORD ON FILE

101306433832710407 LEGAL: TRAC T 3F -1 BLACK RANCH TRS 3E-1 3F-1 & 3G-1 (BEING LAND USE:

PROPERTY ADDR: 00000 9368 COORS BLV NM

OWNER NAME: BLACK ALBERT J ETUX

OWNER ADDR: 00000 PO BOX 37109 ALBUQUERQUE NM 87176

101306435133810408 LEGAL: TRAC T 3G -1 BLACK RANCH TRS 3E-1 3F-1 & 3G-1 (BEING LAND USE:

PROPERTY ADDR: 00000 9374 COORS BLV NM

OWNER NAME: BLACK ALBERT J ETUX

OWNER ADDR: 00000 PO BOX 37109 ALBUQUERQUE NM 87176

101306436235410409 LEGAL: TRAC T 3H BLACK RANCH (BEING A REPLAT OF TR 3 BLACK LAND USE:

PROPERTY ADDR: 00000 9378 VALLEY VIEW DR NM

OWNER NAME: SEVEN BAR LAND & CATTLE CO

OWNER ADDR: 00000 PO BOX 37109 ALBUQUERQUE NM 87176

101306437237110410 LEGAL: TRAC T 3I BLACK RANCH (BEING A REPLAT OF TR 3 BLACK LAND USE:

PROPERTY ADDR: 00000 9384 VALLEY VIEW NM

OWNER NAME: SEVEN BAR LAND & CATTLE CO

OWNER ADDR: 00000 PO BOX 37109 ALBUQUERQUE NM 87176

101306437838910411 LEGAL: TRAC T 3J BLACK RANCH (BEING A REPLAT OF TR 3 BLACK LAND USE:

PROPERTY ADDR: 00000 9388 VALLEY VIEW DR NM

OWNER NAME: SEVEN BAR LAND & CATTLE CO

OWNER ADDR: 00000 PO BOX 37109 ALBUQUERQUE NM 87176

101306436440410412 LEGAL: TRAC T 3B BLACK RANCH (BEING A REPLAT OF TR 3 BLACK LAND USE:

PROPERTY ADDR: 00000 9390 COORS BLV

OWNER NAME: NORWEST BANK NEW MEXICO

OWNER ADDR: 00000 PO BOX 1081 ALBUQUERQUE NM 87103

101306434738510413 LEGAL: TRAC T 3C BLACK RANCH (BEING A REPLAT OF TR 3 BLACK LAND USE:

PROPERTY ADDR: 00000 9386 COORS BLV NM

OWNER NAME: PRESBYTERIAN HEALTHCARE

OWNER ADDR: 00000 PO BOX 26666 ALBUQUERQUE NM 87125

101306434036610414 LEGAL: TRAC T 3D BLACK RANCH (BEING A REPLAT OF TR 3 BLACK LAND USE:

PROPERTY ADDR: 00000 9380 COORS BLV NM

OWNER NAME: PRESBYTERIAN HEALTHCARE

OWNER ADDR: 00000 PO BOX 26666 ALBUQUERQUE NM 87125

101306440532710102 LEGAL: MRGC D MA P 25 TRACT 5A1A (AKA TR 12 EXC PORT. OUT T LAND USE:

PROPERTY ADDR: 00000 N/A
OWNER NAME: BLACK ALBERT J ETUX
OWNER ADDR: 00000 PO BOX 37109 ALBUQUERQUE NM 87176

101306438443110202 LEGAL: TR 3 A1 P LAT OF TR 3A1 BLACK RANCH CONT 1.4026 AC M LAND USE:

PROPERTY ADDR: 00000 9400 COORS RD NM

OWNER NAME: PSG LTD PTNS

OWNER ADDR: 00000 PO BOX 25845 ALBUQUERQUE NM 87125

101306423734120210 LEGAL: TR A 1A P LAT FOR THE PLAZA AT PASEO DEL NORTE TRACT LAND USE:

PROPERTY ADDR: 00000 9311 COORS BLV

OWNER NAME: PRICE REIT INC

OWNER ADDR: 00145 SOUTH FAIRFAX AV LOS ANGELES CA 90036

101306430142820213

LEGAL: TR D PLA T FOR THE PLAZA AT PASEO DEL NORTE TRACTS LAND USE:
PROPERTY ADDR: 00000 9371 COORS BLV
OWNER NAME: DAYTON HUDSON CORPORATION
OWNER ADDR: 00777 NICOLLET MALL MINNEAPOLIS MN 55402

101306433644320214

LEGAL: TR E PLA T FOR THE PLAZA AT PASEO DEL NORTE TRACTS LAND USE:
PROPERTY ADDR: 00000 9391 COORS NW
OWNER NAME: PASEO DEL NORTE PLAZA
OWNER ADDR: 05215 PHOENIX NE ALBUQUERQUE NM 87110

101306435444710303

LEGAL: TRAC T B- 2 OF REPL TR B TR N PARADISE HILLSIndustr LAND USE:
PROPERTY ADDR: 00000 9395 COORS NW
OWNER NAME: ALVARADO ROBERT L & LINDA G
OWNER ADDR: 01266 SANTA FE DR DENVER CO 80204

101306435745410314

LEGAL: TRAC T B- 1 OF REPL TR B TR N PARADISE HILLSIndustr LAND USE:
PROPERTY ADDR: 00000 9411 COORS BLV NW
OWNER NAME: CHICAGO PRIME HOUSE LTD
OWNER ADDR: 00000 PO BOX 15742 RIO RANCHO NM 87174

101306411924230905

LEGAL: LT 4 -A-2 PLAT OF ALBUQUERQUE WEST UNIT 2 LT 4-A-1 LAND USE:
PROPERTY ADDR: 00000 4801 ALL SAINTS RD NW
OWNER NAME: DEVONSHIRE ADOBE LTD (THE)
OWNER ADDR: 05300 EUBANK NE ALBUQUERQUE NM 87111

101306413623630410

LEGAL: LUTH ERAN CHURCH SITE PARADISE HILLS CONTAINING 1.0 LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: ALL SAINTS LUTHERAN CHURCH
OWNER ADDR: 04800 ALL SAINTS RD ALBUQUERQUE NM 87114

101306412920530416

LEGAL: TR I N NW NE SW SEC 18 T11N R3E CONT 2.5AC LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: ALL SAINTS LUTHERAN CHURCH
OWNER ADDR: 04800 ALL SAINTS RD ALBUQUERQUE NM 87114

101306405312230406

LEGAL: PARC EL H -12A RIVERVIEW CONT 32.5819 AC M/L LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: MANN WILLIAM F ETAL
OWNER ADDR: 00000 PO BOX 1519 ALBUQUERQUE NM 87103

101306416517130202

LEGAL: LOT A-3- A THUNDERSHIP PARTNERSHIP BEING A REPLAT O LAND USE:
PROPERTY ADDR: 00000 9170 COORS BLV NW
OWNER NAME: NORWEST BANK NM TRUSTEE

OWNER ADDR: 00000 PO BOX 1968 ALBUQUERQUE NM 87103

101306419016330304 LEGAL: TR 1 -A P LAT OF TRS 1-A, 2-A & 3-A RIVER POINT CONT LAND USE:

PROPERTY ADDR: 00000 9190 COORS BLV NW

OWNER NAME: NEW MEXICO SPORTS & WELLNESS

OWNER ADDR: 04100 PROSPECT NE ALBUQUERQUE NM 87110

101306424715530311 LEGAL: THE WLY POR OF TR 2-A PLAT OF TRS 1-A, 2-A & 3-A R LAND USE:

PROPERTY ADDR: 00000 9180 COORS NW

OWNER NAME: SAN MIGUEL DEL BOSQUE

OWNER ADDR: 07000 CENTRAL PARK WAY ATLANTA GA 30328

101306420513830305

LEGAL: TR 3 -A P LAT OF TRS 1-A, 2-A & 3-A RIVER POINT CONT LAND USE:
 PROPERTY ADDR: 00000 9180 COORS RD NW
 OWNER NAME: MWT HOLDINGS LLC
 OWNER ADDR: 07000 CENTRAL PARKWAY ATLANTA GA 30328

101306429715330315

LEGAL: THE ELY POR OF TR 2-A PLAT OF TRS 1-A, 2-A & 3-A R LAND USE:
 PROPERTY ADDR: 00000 9180 COORS NW
 OWNER NAME: SAN MIGUEL DEL BOSQUE
 OWNER ADDR: 07000 CENTRAL PARK WAY ATLANTA GA 30328

101306437020740602

LEGAL: LT 1 0-A PLAT OF LT 10-A BLACK RANCH CONT 3.7560 AC LAND USE:
 PROPERTY ADDR: 00000 9181 COORS BLV
 OWNER NAME: DINOSTOR GEN PTNS
 OWNER ADDR: 09181 COORS RD NW ALBUQUERQUE NM 87120

Proj# 1001206

JOHN BLACK
3613 NM STATE RD 528, STE# H
ALBUQ., NM 87114

WELLS FARGO BANK OF NM
Attn: Gary Williams
200 LOMAS BLVD NW, 11TH FLOOR
ALBUQ., NM 87102

101306436440410412

NORWEST BANK NEW MEXICO
PO BOX 1081
ALBUQUERQUE NM 87103

101306423734120210

PRICE REIT INC
145 SOUTH FAIRFAX AV
LOS ANGELES CA 90036

101306435444710303

ALVARADO ROBERT L & LINDA G
1266 SANTA FE DR
DENVER CO 80204

101306413623630410

ALL SAINTS LUTHERAN CHURCH
4800 ALL SAINTS RD
ALBUQUERQUE NM 87114

101306419016330304

NEW MEXICO SPORTS & WELLNESS
4100 PROSPECT NE
ALBUQUERQUE NM 87110

101306437020740602

DINOSTOR GEN PTNS
9181 COORS RD NW
ALBUQUERQUE NM 87120

Proj# 1001206

CONSENSUS PLANNING, CO.
924 PARK AVE. SW
ALBUQ., NM 87102

101306433832710407

BLACK ALBERT J ETUX
PO BOX 37109
ALBUQUERQUE NM 87176

101306434738510413

PRESBYTERIAN HEALTHCARE
PO BOX 26666
ALBUQUERQUE NM 87125

101306430142820213

DAYTON HUDSON CORPORATION
777 NICOLLET MALL
MINNEAPOLIS MN 55402

101306435745410314

CHICAGO PRIME HOUSE LTD
PO BOX 15742
RIO RANCHO NM 87174

101306405312230406

MANN WILLIAM F ETAL
PO BOX 1519
ALBUQUERQUE NM 87103

101306424715530311

SAN MIGUEL DEL BOSQUE
7000 CENTRAL PARK WAY
ATLANTA GA 30328

Proj# 1001206

AMAFCA / JOHN KELLY
2600 PROSPECT AVE NE
ALBUQ., NM 87107

101306436235410409

SEVEN BAR LAND & CATTLE CO
PO BOX 37109
ALBUQUERQUE NM 87176

101306438443110202

PSG LTD PTNS
PO BOX 25845
ALBUQUERQUE NM 87125

101306433644320214

PASEO DEL NORTE PLAZA
5215 PHOENIX NE
ALBUQUERQUE NM 87110

101306411924230905

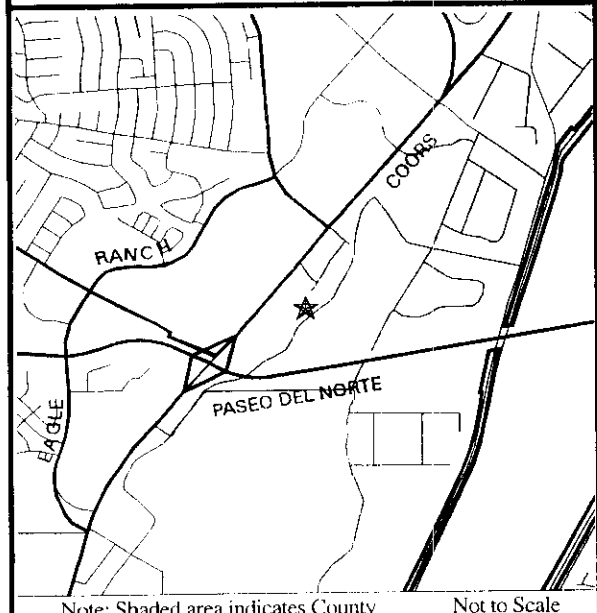
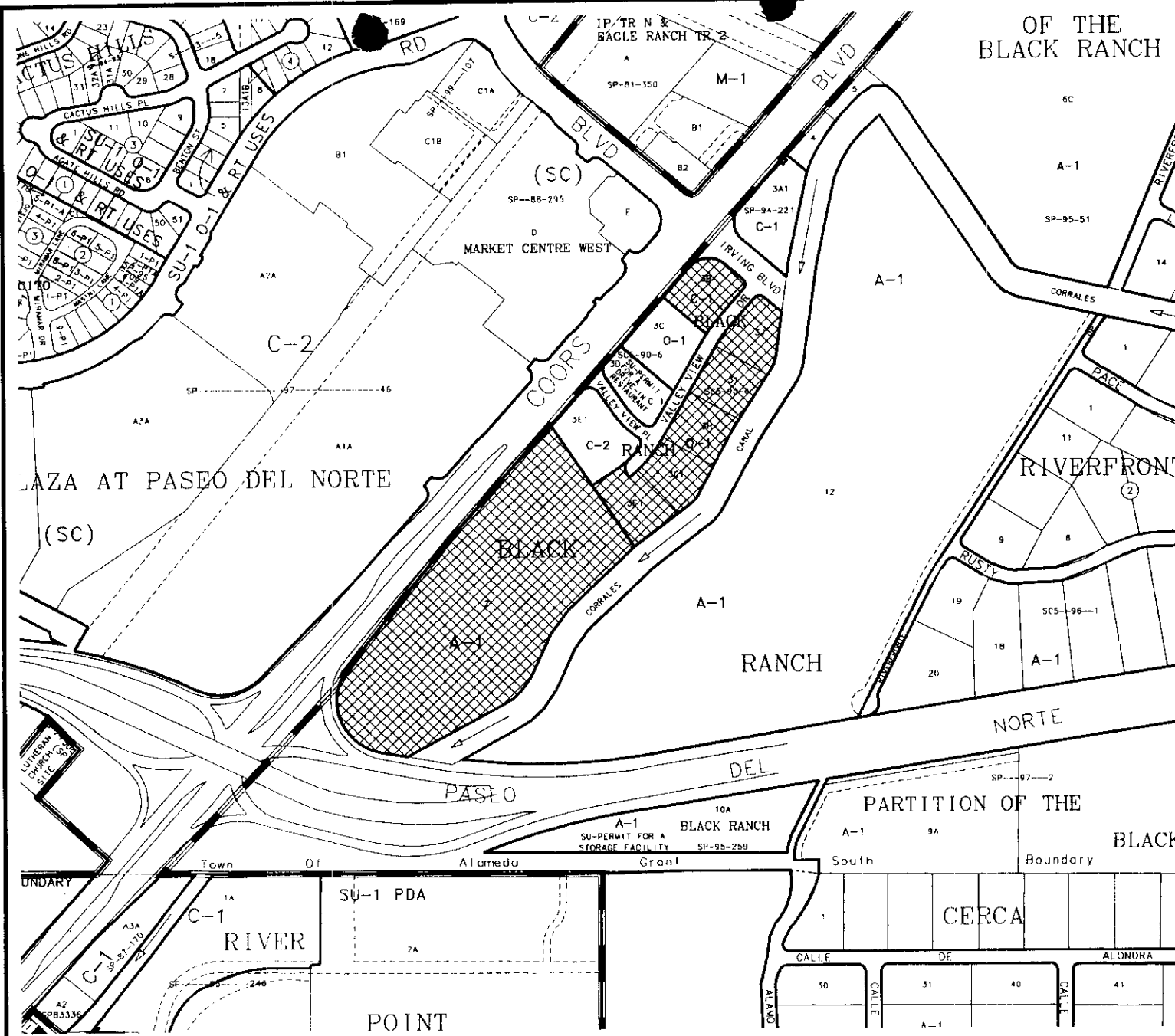
DEVONSHIRE ADOBE LTD (THE)
5300 EUBANK NE
ALBUQUERQUE NM 87111

101306416517130202

NORWEST BANK NM TRUSTEE
PO BOX 1968
ALBUQUERQUE NM 87103

101306420513830305

MWT HOLDINGS LLC
7000 CENTRAL PARKWAY
ATLANTA GA 30328



ZONING MAP



Scale 1" = 523'

PROJECT NO.
1001206

HEARING DATE
06-21-01

MAP NO.
C-13

APPLICATION NO.
01114-00000-00556
01110-00000-00557
01128-00000-00558

Note: Shaded area indicates County Point Not to Scale

County of Bernalillo

State of New Mexico

BOARD OF COUNTY COMMISSIONERS

STEVE D. GALLEGOS, CHAIR
DISTRICT 2
TOM RUTHERFORD, VICE CHAIR
DISTRICT 3
TIM CUMMINS, MEMBER
DISTRICT 4
LES HOUSTON, MEMBER
DISTRICT 5
KEN SANCHEZ, MEMBER
DISTRICT 1
JUAN R. VIGIL, COUNTY MANAGER



MARK J. CARRILLO, ASSESSOR
MARY HERERRA, CLERK
MERRI RUDD, PROBATE JUDGE
JOE BOWDICH, SHERIFF
ALEX A. ABEYTA, JR., TREASURER

ONE CIVIC PLAZA, N.W.
ALBUQUERQUE, NEW MEXICO 87102
ADMINISTRATION (505) 768-4000
COMMISSION (505) 768-4217
FAX (505) 768-4329

October 24, 2001

Mr. Brad Winter, President
Albuquerque City Council
One Civic Plaza NW
Albuquerque, NM 87102

Dear Mr. Winter:

At their October 9, 2001, meeting the Board of County Commissioners reviewed one pending annexation submitted for County comment pursuant to 3-7-17.1 NMSA, 1978 as amended. The law states that the Council shall consider the impact of annexations on existing County contracts and provision of services such as fire protection, solid waste collection and water and sewer service. The City may make agreements with the County to continue such services if it is in the interest of the County, the City, or the residents of the area proposed for annexation.

O-01-133 annexes 19.23 acres located on Coors NW between Paseo del Norte and Irving NW and establishes zoning of SU-1 for C-1 Permissive Uses and Hotel not to exceed 2-stories in height and restaurants with full-service liquor, RO-1, C-1, SU-1 for C-1 and O-1 Uses.

The parcels proposed for annexation were originally part of the City of Albuquerque's recent request to the New Mexico Boundary Commission. The City withdrew these parcels from consideration by the Boundary Commission based on the fact that the owners were seeking annexation through the petition method. Three adjacent parcels were ordered to be annexed by the Boundary Commission. The property owners initiated this request in order to obtain municipal services. Sewer and water are provided by New Mexico Utilities. The proposed development could potentially occur under Bernalillo County's jurisdiction if the property was not annexed.

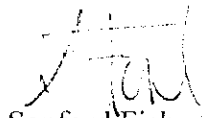
Currently, the roads within the existing subdivision are maintained by Bernalillo County Public Works. This annexation proposes to take Valley View Drive NW into the City. Valley View Place NW will be left under Bernalillo County maintenance until the action

Councillor Winter
October 24, 2001
Page 2

of the Boundary Commission is finalized. If these annexations are approved, the City of Albuquerque should take both roads into their maintenance responsibility, notifying Bernalillo County Public Works Division of the transition of the maintenance responsibility.

Comments regarding annexations are intended to further our coordinated planning efforts. Please note that final action on all annexation cases should include notice to the County so that the public safety agencies can be advised that these properties are within the City's boundaries and jurisdiction.

Sincerely,



Sanford Fish, AICP
Zoning, Building and Planning Director

cc: Mayor Jim Baca
Councillor Alan B. Armijo
Councillor Adele Baca-Hundley
Councillor Michael Brasher
Councillor Vince Griego
Councillor Tim Kline
Councillor Mike McEntee
Councillor Greg Payne
Councillor Hess Yntema
Laura Mason, City Council Senior Policy Analyst
Robert McCabe, City Planning Director
Larry Blair, City Public Works Director
Richard Dineen, Development Services Program Manager
Juan Vigil, County Manager
Thaddeus Lucero, County Community Services Division Director
Tim West, County Public Works Division Director

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

COUNSELORS AND ATTORNEYS AT LAW

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FACSIMILE (505) 768-7395

Direct Number:
768-7224

SUSAN B. FOX

E-Mail Address: sbfox@rodey.com

July 20, 2001

VIA HAND-DELIVERY

Ms. Debbie Stover, EPC Case Planner
City of Albuquerque Planning Department
600 Second Street, NW - Suite 300
Albuquerque, NM 87102

Re: **Tract 3C, Black Ranch/Annexation**

Dear Debbie:

Per our conversation, I am hand-delivering to you the following documents pertaining to Tract 3C, Black Ranch and its annexation and zoning request:

1. Petition for Annexation;
2. Development Review Application and Supplemental Form "Z;"
3. Letter in support of zone change;
4. Zone Atlas Page C-13-Z; and
5. Authorization letter.

It is my understanding from you that, with respect to most of the items listed on Form Z under "Annexation and Establishment of Zoning," the items already submitted in conjunction with the Black Development annexation petition will be sufficient. Please let me know if you require anything further.

Very truly yours,

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

By:

Susan B. Fox

SBF/ssb
Enclosures

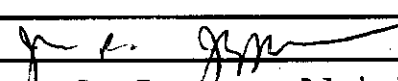
PETITION FOR ANNEXATION

INSTRUCTIONS: TYPE OR PRINT IN BLACK INK ONLY. Use additional sheets if necessary. Applicant must provide exhibit that accurately describes boundaries for a proposed annexation. Thirty (30) copies of any required attachment if exhibit is larger than 11x17, or One (1) copy is smaller than 11x17 must be submitted with this form. After folding, copies shall not exceed 8 1/2 x14. Other attachments may include Site Plan or location map.

1. LEGAL DESCRIPTION OF AREA PROPOSED FOR ANNEXATION _____
Tract 3C, Black Ranch
2. TOTAL ACREAGE OF AREA: 1.2 acres
3. REASON FOR ANNEXATION: THIS STATEMENT SHOULD RELATE TO THE POLICIES FOR ANNEXATION FOR THE CITY OF ALBUQUERQUE

See attached Page

4. CAPITAL SERVICES FOR MAJOR STREETS, WATER, SANITARY SEWER, AND STORM DRAINAGE:
 THE APPLICANT(S) AND CITY AGREE THAT:
 - A. There will be a normal distribution of costs between special assessment districts and/or other funding sources.
 - B. The City shall provide its funding through normal Capital Improvements Program process, and that unless a project is specifically identifies in the Council Improvements Program, the timing of City funded installations of such services is indefinite and may require a substantial number of years.
 - C. In the absence of City funding for required projects, the land owner(s) or their that satisfies City policies and standards.
 Any variations from the above shall be set forth by separate agreement.
5. Propose to establish SU-1 for C-1 zoning; attach zone map amendment application.
6. AUTHORIZED AGENT: I (we) authorize Rodey Law Firm to act as my (our) agent on my (our) agent on my (our) behalf on all matters related to this petition for annexation and simultaneous establishment of zone: Attach authorizing document.

7. SIGNATURE(S):
 - A. OWNER Presbyterian Health Care Services PHONE 841-1953
 MAILING ADDRESS 1224 Central Avenue SE ZIP CODE 87125
 LEGAL DESCRIPTION OF PROPERTY OWNED: Tract 3C, Black Ranch
 SIGNATURE  ACREAGE 1.2 acres
James R. Jeppson, Administrative Director
 - B. OWNER _____ PHONE _____
 MAILING ADDRESS _____ ZIP CODE _____
 LEGAL DESCRIPTION OF PROPERTY OWNED _____
 SIGNATURE _____ ACREAGE _____
 - C. (ATTACH ADDITIONAL SIGNATURES AS NECESSARY)

FOR OFFICE USE ONLY

PETITION ACCEPTED BY: _____ DATE _____

EPC HEARING DATE _____

ANNEXATION CASE NO: AX- _____

ZONING CASE NO: Z- _____

3. REASON FOR ANNEXATION

The parcel described is contiguous to the City of Albuquerque. The property owner signing this petition desires the territory to be annexed into the in order to benefit from the services available from the City of Albuquerque, except for services now available from New Mexico Utilities (water and sewer). The territory to be annexed is adjacent to the Paradise and Seven Bar Communities of *the West Side Strategic Plan*, adjacent to the Paseo del Norte/Coors Community Center of the Proposed *West Side Strategic Plan Amendments* (which have been adopted by the Environmental Planning Commission but await City Council Introduction), and within Segment 3 north of the *Coors Corridor Plan*.

DEVELOPMENT REVIEW APPLICATION

Planner signature / date

FORM Z: ZONE MAP AMENDMENT AND ZONING CODE TEXT AMENDMENT

☒ ANNEXATION AND ESTABLISHMENT OF ZONING☒ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)

NOTE: The Zone Atlas must show that the site is in County jurisdiction, but is contiguous to City limits.

☒ Letter briefly describing, explaining, and justifying the request☒ Letter of authorization from the property owner if application is submitted by an agent☐ Property Boundary Survey prepared by a licensed professional surveyor☐ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts☐ Sign Posting Agreement☐ TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form☐ Fee (see schedule)☐ Any original and/or related file numbers are listed on the cover applicationEPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. Your attendance is required.☐ SECTOR DEVELOPMENT PLAN PHASE I - DRB CONCEPTUAL PLAN REVIEW (Unadvertised)☐ SECTOR DEVELOPMENT PLAN PHASE II - EPC FINAL REVIEW & APPROVAL (Public Hearing)☐ SECTOR DEVELOPMENT PLAN PHASE II - DRB FINAL SIGN-OFF (Unadvertised)☐ Copy of findings from required pre-application meeting (needed for the DRB conceptual plan review only)☐ Proposed Sector Plan (30 copies for EPC, 6 copies for DRB)☐ Zone Atlas map with the entire plan area precisely and clearly outlined and crosshatched (to be photocopied)☐ Letter briefly describing, explaining, and justifying the request☐ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
(for EPC final review and approval public hearing only)☐ TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form☐ (for EPC final review and approval public hearing only)☐ Fee for EPC final review and approval only (see schedule)☐ Any original and/or related file numbers are listed on the cover applicationRefer to the schedules for the dates, times and places of D.R.B. unadvertised meetings and E.P.C. hearings. Your attendance is required.☐ AMENDMENT TO ZONE MAP (ZONE CHANGE)☐ Application for sector development plan amendment (required only if site is within a sector plan's boundaries.)☐ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)☐ Letter briefly describing, explaining, and justifying the request

NOTE: Justifications must adhere to the policies contained in "Resolution 270-1980"

☐ Letter of authorization from the property owner if application is submitted by an agent☐ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts☐ Sign Posting Agreement☐ TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form☐ Fee (see schedule)☐ Any original and/or related file numbers are listed on the cover applicationEPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. Your attendance is required.☐ AMENDMENT TO SECTOR DEVELOPMENT PLAN☐ Proposed Amendment referenced to the materials in the sector plan being amended☐ Sector Plan to be amended with materials to be changed noted and marked☐ Zone Atlas map with the entire plan area precisely and clearly outlined and crosshatched (to be photocopied)☐ Letter briefly describing, explaining, and justifying the request☐ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts☐ TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form☐ Fee (see schedule)☐ Any original and/or related file numbers are listed on the cover applicationEPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. Your attendance is required.☐ AMENDMENT TO ZONING CODE OR SUBDIVISION REGULATIONS TEXT☐ Amendment referenced to the sections of the Zone Code being amended☐ Sections of the Zone Code to be amended with text to be changed noted and marked☐ Letter briefly describing, explaining, and justifying the request☐ Fee (see schedule)☐ Any original and/or related file numbers are listed on the cover applicationEPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. Your attendance is required.

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

Applicant name (print)
JULY 17 2001

Applicant signature / date

Form revised December 2000

☐ Checklists complete

Application case numbers

☐ Fees collected☐ Case #s assigned☐ Related #s listed

Planner signature / date

Project #

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

COUNSELORS AND ATTORNEYS AT LAW

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Direct Number:
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E-Mail Address: sbfox@roday.com

SUSAN B. FOX

July 17, 2001

Brad Winter, City Council President
One Civic Plaza NW
City Council, Room 9087
Albuquerque, NM 87102

Re: **Tract 3C, Black Ranch**

Dear Mr. Winter:

This firm represents Presbyterian Healthcare Services ("PHS") which owns Tract 3C, Black Ranch. The purpose of this letter is to provide an explanation and justification for PHS' annexation and zoning request.

In June 2001, PHS was contacted by the City Planning Department regarding inclusion in an annexation request which had been filed by Black Development Two, LLC for properties adjacent to Tract 3C. PHS agreed that Tract 3C could be included in the annexation request if Tract 3C could receive C-1 zoning as part of the annexation. See letter dated June 18, 2001 to Debbie Stover, City Planning, attached hereto as Exhibit A. On June 21, 2001, at a public hearing on the matter, the Environmental Planning Commission recommended that Tract 3C be annexed into the City with a zoning designation of SU-1 for C-1 uses.

The SU-1 for C-1 designation is appropriate for Tract 3C for the reasons stated in my June 18, 2001 letter and for many of the same reasons stated by Black Development Two, LLC in its letter of justification, which are incorporated herein by reference. Tract 3C currently is the subject of letters of intent from two potential purchasers, Wells Fargo Bank and Jiffy Lube, which bank and oil change service uses are permissible under the C-1 zoning category and which services will benefit and pose no harm to the neighborhood or the community. Moreover, SU-1 for C-1 zoning is in keeping with the surrounding properties' zoning designations along Coors Boulevard. This proposed

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

Brad Winter, City Council President
July 17, 2001
Page 2

zoning designation has the support of the EPC and the Planning Department, and we ask that the City Council approve the EPC's June 21 recommendation.

Very truly yours,

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

By:

Susan B. Fox

SBF/ssb

Enclosure

cc(w/enc.): Debbie Stover, Case Planner

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

COUNSELORS AND ATTORNEYS AT LAW

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E-Mail Address: sbfox@rodey.com

SUSAN B. FOX

June 18, 2001

Ms. Debbie Stover, EPC Case Planner
City of Albuquerque Planning Department
600 Second Street, NW - Suite 300
Albuquerque, NM 87102

VIA FACSIMILE

COPY

Re: **Tract 3C, Black Ranch/Annexation**

Dear Ms. Stover:

This firm represents Presbyterian Healthcare Services ("PHS") with respect to the above-referenced property. Recently, PHS received your letter inviting PHS to be included with John Black's current request for annexation and establishment of zoning for Tracts 2/3, Black Ranch. In response, PHS sent you a letter dated June 5, 2001 agreeing to be included in the annexation request; however, at that time, PHS did not understand that, without a specific zone change request in conjunction with the annexation, its current County O-1 property would automatically be receiving City O-1 zoning, and that, once so zoned, such zoning would not be able to be changed for a minimum of one year.

To clarify PHS' position on the annexation request, PHS will join in the annexation request provided that C-1 zoning be established for PHS' property. We believe that this zone change request complies with the requirements of R270-1980 in that the PHS property is surrounded by existing C-1 commercial zoning on the north and south sides of the property. Moreover, both the annexation of the properties surrounding Tract 3C, as well as the extension of Paseo del Norte, constitute changed community conditions which justify the zone change to C-1 in conjunction with the annexation. If city C-1 zoning is not established pursuant to the annexation request, we withdraw our support for the annexation and would prefer to remain in the County.

If you have any additional questions, you can contact me at 768-7224, or James Jeppson at Presbyterian Healthcare Services 841-1953.

Very truly yours,

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

By:

Susan B. Fox

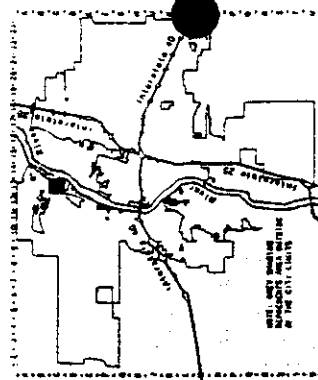
SBF/ssb



CITY OF
ALBUQUERQUE
Albuquerque Planning Department
PLANNING DEPARTMENT
(C) Copyright 1999

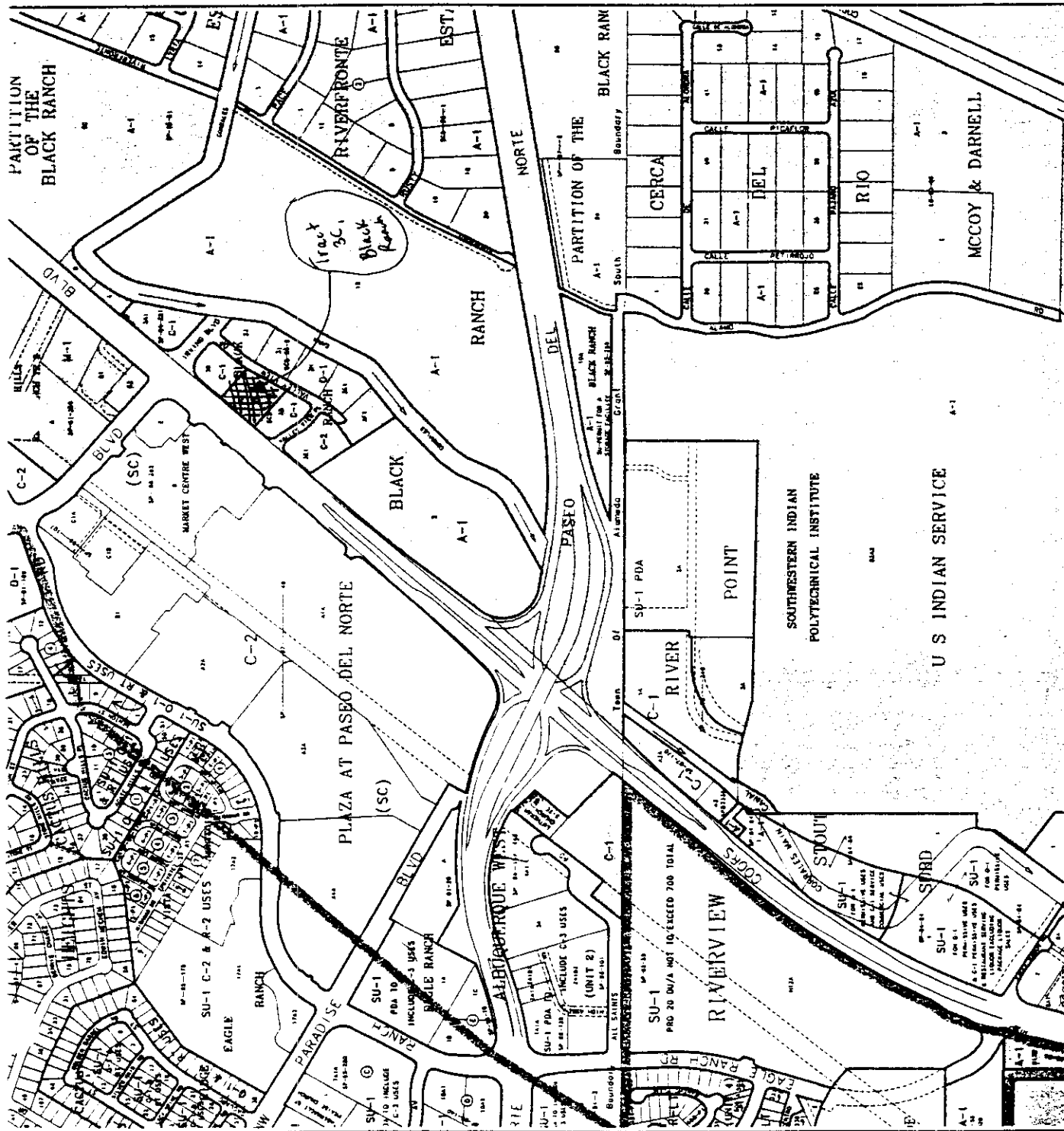


GRAPHIC SCALE IN FEET



Zone Atlas Page C-13-Z

Map Amended through
December 20, 1999





PRESBYTERIAN
Healthcare Services

July 19, 2001

TO WHOM IT MAY CONCERN:

The firm of Rodey, Dickason, Sloan, Akin & Robb, P.A. is hereby authorized to act on behalf of Presbyterian Healthcare Services in regard to the annexation and zone change of Tract 3C, Black Ranch.

Very Truly Yours,

James R. Jeppson
Administrative Director

cc: Gene Walton
Susan Fox
Ruthann Holm

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

COUNSELORS AND ATTORNEYS AT LAW

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Direct Number:
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E-Mail Address: sbfox@rodey.com

June 18, 2001

Ms. Debbie Stover, EPC Case Planner
City of Albuquerque Planning Department
600 Second Street, NW - Suite 300
Albuquerque, NM 87102

VIA FACSIMILERe: **Tract 3C, Black Ranch/Annexation**

Dear Ms. Stover:

This firm represents Presbyterian Healthcare Services ("PHS") with respect to the above-referenced property. Recently, PHS received your letter inviting PHS to be included with John Black's current request for annexation and establishment of zoning for Tracts 2/3, Black Ranch. In response, PHS sent you a letter dated June 5, 2001 agreeing to be included in the annexation request; however, at that time, PHS did not understand that, without a specific zone change request in conjunction with the annexation, its current County O-1 property would automatically be receiving City O-1 zoning, and that, once so zoned, such zoning would not be able to be changed for a minimum of one year.

To clarify PHS' position on the annexation request, PHS will join in the annexation request provided that C-1 zoning be established for PHS' property. We believe that this zone change request complies with the requirements of R270-1980 in that the PHS property is surrounded by existing C-1 commercial zoning on the north and south sides of the property. Moreover, both the annexation of the properties surrounding Tract 3C, as well as the extension of Paseo del Norte, constitute changed community conditions which justify the zone change to C-1 in conjunction with the annexation. If city C-1 zoning is not established pursuant to the annexation request, we withdraw our support for the annexation and would prefer to remain in the County.

If you have any additional questions, you can contact me at 768-7224, or James Jeppson at Presbyterian Healthcare Services 841-1953.

Very truly yours,

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

By:

Susan B. Fox

SBF/ssb

To: John Black, West Wood Realty

From: Karin M. Pitman, AIA *KMP*

Date: June 5, 2001

Re: Meeting with Riverfronte Estates Neighborhood Association Members

Per our meeting last night with Ginger Carman, Gary Plante, and Gilbert Jaramillo, following are the issues that the neighbors are looking to have addressed in our request for annexation. We made it clear to them that, if you agree to their terms, you would be looking for their agreement not to fight your request. If you agree with what is stated here, we will get back to them and they will convene a special meeting prior to the hearing on the 21st of June to determine if their Board can support the agreement and send a letter to that effect.

Please review the following and let us know if you think you can comply with these requests.

Lighting

- Change the maximum height limit to 16' from 20'.
- Require a maximum height of 12' for security lighting that remains on after 11pm and require that security lighting be directed towards the building.
- Stipulate lighting directed away from the neighborhood and fully shielded building mounted lighting.
- Add that PNM lights should be shielded (though we have no control of this, Gilbert works for PNM and can see that this happens).
- They would like you to consider making these same requirements for the five O-1 lots.

Signage

- Change maximum sign face size for each side of the individual monument signs to 32 SF (where one free-standing, two-sided sign is allowed for any one premise with street frontage of 100-feet or less, and no more than two free-standing, two-sided signs are allowed for any one premise with street frontage of 100-feet or more). FYI, our original Design Guidelines allowed a maximum of 75 SF per sign face.
- They would like to know if you have followed up with the business signs that are currently in violation along Coors.

Pollution

- Since it would be difficult to enforce "low level", the neighbors request that outdoor music be prohibited. This is an important issue to them.

- They would like some language about odors from restaurants and other businesses to insure that they will not be affected by discharge from businesses on these sites.
- They want to be assured that screening will be required at all trash and grease trap areas, and that these facilities will not be placed so as to cause smells to affect the neighborhood.
- They would like at least your verbal agreement to place a wall similar to that at the SU-1 site along the edge of the O-1 sites.

Zoning

- We made it clear that straight zoning was not negotiable, and reassured them that an SU designation has been requested for zoning that will be changed, allowing them an additional opportunity for review at the site plan stage.

Use Restrictions

- We stated that bars and clubs have already been restricted.
- They would like to restrict "high density construction", however, upon discussion with them, we learned that this really means restriction of uses that would generate large amounts of traffic and idling cars. Fast food/drive through restaurants are the key type of use that they see as problematic. Therefore, they would like your agreement to exclude such uses (even at Tract 2A).
- They would like to restrict hotels/motels to only 2 stories.
- They would like to restrict gas stations as well as auto dealerships or auto service/repair facilities.

Please call me once you have reviewed these items. Thanks.

Attachment: Copy of Neighborhood Issues List



WEST WOOD

Thursday, June 7, 2001

Karin Pittman
Consensus Planning
924 Park Avenue S.W.
Albuquerque, N.M. 87102

RE: Riverfront Estates Neighborhood

Dear Karin,

I have reviewed your letter dated June 5, 2001 regarding the Riverfront Neighborhood meeting you had on our behalf on the night of June 4th.

I have discussed with my family partners the proposed restrictions outlined in your letter. We have the following response:

1. The lighting restrictions are acceptable as proposed. We will, as well, agree to place these on the existing Tract 3 lots we own subject to our ability to keep these existing lots in this present zoning and annexation application.
2. If we have too much opposition on the rezoning of Tract 2 and the annexation of Tract 3, or face any threat of legal challenges relative to this application, then we may have to drop our Tract 3 lots out of this application and leave these lots in the County "as is".
3. We would agree to reduce the "sign area" on each side of a monument sign to 50 square feet instead of a 75 square foot area as currently proposed. With the volume of traffic on Coors and Paseo del Norte, we need an adequately sized sign for people to safely read from these busy highways. We are proceeding to call and/or write sign violators on our properties on Coors because these signs are too numerous and interfere with the marketing of our property. However, some of these signs are in the highway right-of-way and the owners of these signs need pressure from the State Highway Department to remove these illegal signs. A call or letter from the Riverfront Subdivision to the District 5 State Highway Department might help us with that issue.
4. We will agree with the proposed "no outdoor music" request. Our existing residential-agricultural zoned land is much closer to this potential problem than the existing Riverfront Subdivision and this is a concern of ours, too.
5. We feel the existing City ordinances on odors will be reasonably enforced if this becomes an issue. We currently are not aware of any of the many restaurants we have put into business in the Cottonwood Mall area creating any unusual odor problems. With the gas and diesel fuel fumes from the existing cars and trucks on Coors and Paseo, we highly doubt a restaurant operating within City codes could create any perceivable odor to our adjacent non-commercial land much less to the Riverfront Subdivision area which is over 700 feet away from our land at its closest point. We are not proposing any industrial uses in our zoning application either.
6. We agree to and have requested Special Use for commercial zoning. We want to have input on future design compliance with our zoning request as the most affected adjacent non-commercial landowner between Riverfront and the property in question. We will want to closely monitor how these properties are actually developed by the end users.

3613 NM STATE ROAD 528 NW, SUITE H • ALBUQUERQUE, NEW MEXICO 87114
505-792-3713 FAX 505-792-3735

Web Address: www.wwrealty.com E-mail: hollins@wwrealty.com

7. We will agree to require construction of a 6' wall on our existing Tract 3 lots that are on the east side of Valleyview Drive. We will also add this requirement to Tract 2 as a part of this present annexation petition.
8. We will want the right to have restaurant and fast food uses on Tract 2A, fronting on Coors Blvd. in Tract 2. We are already adjacent to several fast food zoned properties on Coors in Tract 3. We do not see the minor amount of traffic generated by these potential uses compared to the traffic existing on Coors and Paseo del Norte, not to mention the future increase in traffic on these facilities, as any significant air quality issue in this area. This land is located essentially at a freeway interchange and is not a desirable location for residential or other low density uses. We do want to keep the quality of the businesses to be located on this property as high as possible because of our vested interest in non-commercial land east of this property and feel positive that we can through deed restrictions, City codes, and the Special Use zoning enforcement. We can solve any operational problems that may arise from the commercial use of this land.
9. We would agree to limit any hotel use to two stories. That will help our other property, too.
10. We will agree to a restriction of no gas stations on most of our Tract 2 land. We do want to reserve the right to have a one-acre service station (without auto repair) site on Tract 2A, adjacent to Lot 3-E-1. This lot is probably not visible to the Riverfronte Subdivision, especially once the grading is done and the walls on the east boundary of Tract 2 are built.
11. We will agree to no auto dealership, auto repair, or auto sales. We do reserve the right to sell auto parts (without a repair station). Again, we want good clean commercial uses.

Our Aunt, Mrs. Briscoe, lives immediately adjacent to the Larry Miller Auto Dealership and the Academy Furniture Factory Outlet Store on Coors. She told me last week she is very happy with those businesses as neighbors. They are quiet businesses and cause her "no problems at all".

We worked on both those projects with Consensus Planning when they were zoned and we made sure the design elements regarding noise, lighting, landscaping and screen walls were at a high standard to be compatible with our Aunt's home as well as others nearby. In land planning, it has been proven to us it is more important "how you develop than what you develop". There are residential uses that could be put on this land that would be more of a concern to us than high-end businesses.

We appreciate the Riverfronte Neighborhood concerns. A lot of their concerns are reasonable and we appreciate their input. If any additional design concerns or ideas arise from their group, we would like to hear about them, as they may be mutually beneficial.

Sincerely,


John F. Black
Owner



Memorandum

To: Gary Plante, Riverfronte Estates Neighborhood Association, 897-6875
From: James K. Strozier, AICP, Principal
Date: June 18, 2001
Re: Tract 2/3 Annexation Request

Karin Pitman conveyed your request for additional compromises to John Black this morning. She stated that you were hoping for the following additional concessions: limitation to just one "fast food" business on Tract 2A, the exclusion of outdoor dining areas, and an agreement to provide additional equipment if the smells of such and establishment are found to be offensive. John Black was not willing to make these additional concessions. He has already offered to make the following concessions for his family's properties in return for your complete support of this annexation request (detailed in our earlier memo to John dated June 5 in response to your list of requests, John's response dated June 7, and your recent phone conversation with Karin Pitman):

- Additional lighting restrictions (both at Tract 2 and the straight-zoned Tract 3 parcels)
- Reduction of signage areas
- Prohibition of outdoor music and paging
- Special Use zoning to allow for additional neighborhood review prior to development
- Construction of a 6' wall adjacent to the Corrales Main Canal at both Tracts 2 and 3 (where Tract 3 has straight zoning)
- Limitation of hotel uses to two stories
- Limitation of gas station uses to just 1.7-acres of the request (less than 10%), and located on Coors Boulevard where it is not contiguous to residential zoning
- Exclusion of auto dealers, auto repairs, and auto sales uses

John had stated that he would be willing to make the above concessions if you would agree to fully support his request by the time of the hearing on Thursday. However, since such agreement has not been reached, and you have continued to request additional concessions, we are planning to enter the hearing on Thursday with our request as it was originally submitted to the EPC (without the above concessions).

As was stated before, the Black family owns residential (County A-1) land between your property and the area included within this request. As such, they stand to lose as much or more than you do if this development is less than desirable; however, they have no objections to the original submittal. In addition, the Black family has not requested any restrictions of the uses allowable in Riverfronte Estates, which stand to affect their adjacent property.

Please contact me at 764-9801 if you have any questions or require any additional information.

**CITY of ALBUQUERQUE
FOURTEENTH COUNCIL**

COUNCIL BILL NO. **0-01-133** ENACTMENT NO. **56-2001**

SPONSORED BY: *Alan B. Amigo*

ORDINANCE

**ANNEXATION, 01114 00556, ANNEXING 19.23 ACRES MORE OR LESS,
LOCATED ON COORS BOULEVARD NW BETWEEN PASEO DEL NORTE AND
IRVING NW; AMENDING THE ZONE MAP TO ESTABLISH SU-1 FOR C-1
PERMISSIVE USES AND HOTEL NOT TO EXCEED 2-STORIES IN HEIGHT AND
RESTAURANTS WITH FULL-SERVICE LIQUOR FOR TRACTS 2A, 2B AND 2C, RO-
1 FOR TRACT 2D, C-1 FOR TRACT 3B, SU-1 C-1 FOR TRACT 3C, AND O-1 FOR
TRACTS 3F1, 3G1, 3H, 3I AND 3J, BLACK RANCH.**

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

**Section 1. AREA PROPOSED FOR ANNEXATION. The owner of the area
annexed hereby presented a properly signed petition to annex the following
territory: 19.23 acres, more or less, located on Coors Boulevard NW, between
Paseo del Norte and Irving NW; and more particularly described as follows:**

- A. Tracts 2A, 2B, 2C and 2D, 3B and 3C, and 3F1, 3G1, 3H, 3I and 3J,
Black Ranch.**
- B. All of the right-of-way adjoining the land described in A. of this
section to the extent it is not already in the City.**

**Section 2. ANNEXATION ACCEPTED. The petition and the area specified
in Section 1 above are accepted and the above territory is hereby annexed.**

**Section 3. FINDINGS ACCEPTED. The Council shall adopt the following
zone map amendment findings recommended by the Environmental Planning
Commission:**

**(A) This is a request for approval of annexation of an approximately 19.23
acre site located on Coors Boulevard NW between Paseo del Norte and
Irving Boulevard; more particularly described as Tract 2A, 2B, 2C, 2D,
3F1, 3G1, 3H, 3I, 3J, 3B, and 3C, Black Ranch.**



Mary Herrera

Sern. Co. ANEX

R 15.00

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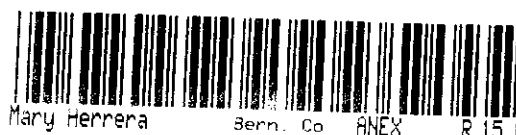
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Page: 1 of 5

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- (B) The subject request meets the policies for annexation into the city as outlined in *Resolution 54-1990* because it is contiguous to city boundaries, accessible to service providers, and the site can be provided with convenient street access. In addition, the area is suitable for urban intensity as defined by its designation of Developing Urban in the Albuquerque / Bernalillo County Comprehensive Plan.
- (C) The subject request meets the *Comprehensive Plan's* goal for this area 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.
- (D) The subject request meets the policies of the *West Side Strategic Plan* by proposing annexation that will allow for urban style services that are appropriate in the community. Annexation of the subject site would further the goals of the West Side Strategic Plan by providing the potential for further job growth and development of the area.
- (E) The annexation request furthers Policy 4 of the land use and intensity of development section of the Coors Corridor Plan, which states "properties under county jurisdiction, which are now surrounded by City jurisdiction should be annexed as soon as possible".
- (F) This is a request is for establishment of SU-1 for C-1 Permissive Uses and Hotel not to Exceed 2-Stories in Height and Restaurants with Full-Service Liquor for Tracts 2A, 2B and 2C. A zoning designation of RO-1 is requested for Tract 2D. Establishment of C-1 zoning is requested for Tract 3B. Establishment of SU-1 for C-1 is requested for Tract 3C. Establishment of O-1 zoning is requested for Tracts 3F1, 3G1, 3H, 3I and 3J.
- (G) The subject request will meet all the requirements of *Resolution 270-1980* with the establishment of SU-1 for C-1 Permissive Uses and Hotel not to Exceed 2-Stories in Height and Restaurants with Full-Service Liquor, RO-1, C-1, SU-1 C-1, O-1 as these uses are more advantageous to the community than the existing zone category. In addition, the subject site meets the requirements of *Resolution 270-1980* under the changed



Mary Herrera

Bern. Co

ANEX

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community conditions as the *West Side Strategic Plan* and the Paseo del Norte bridge represent changed conditions in the area.

(H) The requested zoning meets the goals in the Albuquerque/Bernalillo County Comprehensive Plan by placing employment and service uses that are located to complements residential uses and sited to minimize adverse effects of noise, lighting, pollution and traffic on residential environments.

(I) The Coors Corridor Plan states that the "intensity of development shall be compatible with the roadway function, existing zoning or recommended land use, environmental concerns, and design guidelines." The proposed zoning categories are compatible with existing conditions in the area.

Section 4. SEVERABILITY CLAUSE. If any section, paragraph, sentence, clause, word or phrase of this ordinance is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this ordinance. The Council hereby declares that it would have passed this ordinance and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provisions being declared unconstitutional or otherwise invalid.

Section 5. EFFECTIVE DATE AND PUBLICATION. This ordinance shall become effective five or more days after publication in full when a copy of the ordinance and a plat of the territory hereby annexed is filed in the office of the County Clerk.



Mary Herrera

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R 15.00

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Page: 3 of 5

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Proposed annexation in



Map Scale: 1" = 600'

Map Printed July 24, 2001

- MUNICIPAL LIMITS
-  AREA PROPOSED FOR ANNEXATION
-  GRAY SHADING INDICATES COUNTY



Mary Herrera

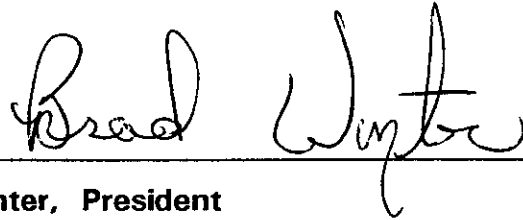
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Page: 4 of 4
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Abuquerque **G**eographic **I**nteractive **S**ystem
PLANNING DEPARTMENT
© Copyright 2001

1 PASSED AND ADOPTED THIS 19th DAY OF NOVEMBER, 2001
2 BY A VOTE OF: 9 FOR 0 AGAINST.

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10 

11
12 Brad Winter, President
13 City Council
14

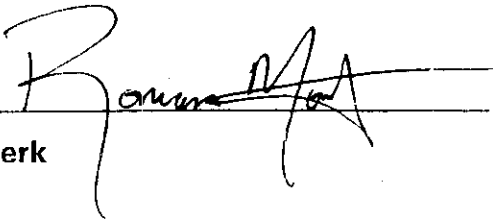
15
16
17 APPROVED THIS 30 DAY OF November, 2001 *Ray*

18
19 Bill No. O-133

20 

21
22 Jim Baca, Mayor
23 City of Albuquerque
24

25 ATTEST:

26 

27
28 *Asst* City Clerk
29
30
31
32



Mary Herrera

Bern. Co. ANEX

R 15.00

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Page: 5 of 5
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00-01-133

CITY OF ALBUQUERQUE

Albuquerque, New Mexico

Office of the Mayor

INTER-OFFICE MEMORANDUM

August 13, 2001

TO: Brad Winter, President, City Council

FROM: Jim Baca, Mayor

SUBJECT: 01114-00556/01110-00557/Project #1001206 The Environmental Planning Commission recommends approval of annexation and establishment of zoning for Tract 2A, 2B, 2C, 2D, 3F1, 3G1, 3H, 3I, 3J, 3B, 3C, Black Ranch; located on Coors Boulevard NW between Paseo del Norte and Irving Boulevard, containing approximately 19.23 acres. (C-13) Deborah Stover, Staff Planner.


On June 21, 2001 the Environmental Planning Commission voted to recommend approval of this request to the City Council for annexation and establishment of zoning for the above described 19.23 acres. The EPC found that the request is in conformance with annexation Resolution 54-1990 and other applicable plans, policies and ordinances. The land proposed for annexation is accessible to City utility services, suitable for urban intensity, convenient to street access, and contiguous to city boundaries. No extraordinary capital infrastructure expenditures by the City are required.

The request is for establishment of SU-1 for C-1 Permissive Uses and Hotel Not To Exceed Two-Stories in Height and Restaurants with Full-Service Liquor for Tracts 2A, 2B and 2C. A zoning designation of RO-1 is requested for Tract 2D. Establishment of C-1 zoning is requested for Tract 3B. Establishment of SU-1 C-1 is requested for Tract 3C. Establishment of O-1 zoning is requested for Tracts 3F1, 3G1, 3H, 3I and 3J. The existing County zoning is A-1 with the exception of Tract 3C which currently has County O-1 zoning. The EPC recommends establishment of the above zoning for the corresponding parcels.

The EPC recommends annexation and establishment of SU-1 for C-1 Permissive Uses and Hotel Not To Exceed Two-Stories in Height and Restaurants with Full-Service Liquor for Tracts 2A, 2B and 2C, RO-1 Tract 2D, C-1 for Tract 3B, SU-1 C-1 for Tract 3C, and O-1 for Tracts 3F1, 3G1, 3H, 3I and 3J.

Owners for Tract 3E1 and 3D have not formally requested annexation at this time, but have expressed interest in having their properties annexed with this request.

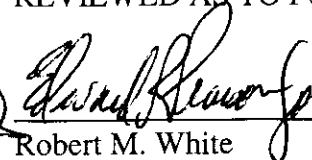
RECOMMENDED:


Robert R. McCabe, AIA, APA
Planning Director

date:

14 AUG 2001

REVIEWED AS TO FORM:


Robert M. White
City Attorney

date:

9-14-01

RECOMMENDED:

date:

Lawrence Rael
Chief Administrative Officer

Cover Analysis
01114-00556/01110-00557/Project #1001206

1. What is it?

A request for annexation and establishment of zoning of SU-1 for C-1 Permissive Uses and Hotel Not To Exceed Two-Stories in Height and Restaurants with Full-Service Liquor for Tracts 2A, 2B and 2C, RO-1 Tract 2D, C-1 for Tract 3B, SU-1 C-1 for Tract 3C, and O-1 for Tracts 3F1, 3G1, 3H, 3I and 3J totaling approximately 19.23 acres.

2. What will this piece of legislation do?

This legislation will approve the Annexation and Establishment of Zoning and allow City services to be provided to the property.

3. Why is the project needed?

The annexation is desired in order to benefit from City services.

4. How much will it cost and what is the funding source?

An attached Fiscal Impact memo discusses the fiscal impact of this action.

5. What will happen if the project is not approved?

If the annexation request is not approved, the proposed annexation will remain in the unincorporated County jurisdiction.

CITY of ALBUQUERQUE

FOURTEENTH COUNCIL

COUNCIL BILL NO. _____ ENACTMENT NO. _____

SPONSORED BY:

1 **ORDINANCE**

2 **ANNEXATION, 01114 00556, ANNEXING 19.23 ACRES MORE OR LESS,**
3 **LOCATED ON COORS BOULEVARD NW BETWEEN PASEO DEL NORTE AND**
4 **IRVING NW; AMENDING THE ZONE MAP TO ESTABLISH SU-1 FOR C-1**
5 **PERMISSIVE USES AND HOTEL NOT TO EXCEED 2-STORIES IN HEIGHT AND**
6 **RESTAURANTS WITH FULL-SERVICE LIQUOR FOR TRACTS 2A, 2B AND 2C, RO-**
7 **1 FOR TRACT 2D, C-1 FOR TRACT 3B, SU-1 C-1 FOR TRACT 3C, AND O-1 FOR**
8 **TRACTS 3F1, 3G1, 3H, 3I AND 3J, BLACK RANCH.**

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

11 **Section 1. AREA PROPOSED FOR ANNEXATION. The owner of the area**
12 **annexed hereby presented a properly signed petition to annex the following**
13 **territory: 18 acres, more or less, located on Coors Boulevard NW, between Paseo**
14 **del Norte and Irving NW; and more particularly described as follows:**

15 **A. Tracts 2A, 2B, 2C and 2D, 3B and 3C, and 3F1, 3G1, 3H, 3I and 3J,**
16 **Black Ranch.**

17 **B. All of the right-of-way adjoining the land described in A. of this**
18 **section to the extent it is not already in the City.**

19 **Section 2. ANNEXATION ACCEPTED. The petition and the area specified**
20 **in Section 1 above are accepted and the above territory is hereby annexed.**

21 **Section 3. ZONE MAP AMENDED. The annexation creates a changed**
22 **community condition that justifies the zoning. The zone map adopted by**
23 **Section 14-16-1-1 et. Seq. R.O. A. 1994 is hereby amended, established SU-1**
24 **for IP uses.**

25 **Section 4. FINDINGS ACCEPTED. The Council shall adopt the following**
26 **zone map amendment findings recommended by the Environmental Planning**
27 **Commission:**

- 1 (A) This is a request for approval of annexation of an approximately 19.23
2 acre site located on Coors Boulevard NW between Paseo del Norte and
3 Irving Boulevard; more particularly described as Tract 2A, 2B, 2C, 2D,
4 3F1, 3G1, 3H, 3I, 3J, 3B, and 3C, Black Ranch.
- 5 (B) The subject request meets the policies for annexation into the city as
6 outlined in *Resolution 54-1990* because it is contiguous to city
7 boundaries, accessible to service providers, and the site can be
8 provided with convenient street access. In addition, the area is suitable
9 for urban intensity as defined by its designation of Developing Urban in
10 the Albuquerque / Bernalillo County Comprehensive Plan.
- 11 (C) The subject request meets the *Comprehensive Plan's* goal for this area
12 to create a quality urban environment which perpetuates the tradition of
13 identifiable, individual but integrated communities within the
14 metropolitan area and which offers variety and maximum choice in
15 housing, transportation, work areas, and life styles, while creating a
16 visually pleasing built environment.
- 17 (D) The subject request meets the policies of the *West Side Strategic Plan*
18 by proposing annexation that will allow for urban style services that are
19 appropriate in the community. Annexation of the subject site would
20 further the goals of the West Side Strategic Plan by providing the
21 potential for further job growth and development of the area.
- 22 (E) The annexation request furthers Policy 4 of the land use and intensity of
23 development section of the Coors Corridor Plan, which states
24 "properties under county jurisdiction, which are now surrounded by
25 City jurisdiction should be annexed as soon as possible".
- 26 (F) This is a request is for establishment of SU-1 for C-1 Permissive Uses and
27 Hotel not to Exceed 2-Stories in Height and Restaurants with Full-Service
28 Liquor for Tracts 2A, 2B and 2C. A zoning designation of RO-1 is
29 requested for Tract 2D. Establishment of C-1 zoning is requested for Tract
30 3B. Establishment of SU-1 C-1 is requested for Tract 3C. Establishment of
31 O-1 zoning is requested for Tracts 3F1, 3G1, 3H, 3I and 3J.
- 32 (G) The subject request will meet all the requirements of *Resolution 270-*
33 *1980* with the establishment of SU-1 for C-1 Permissive Uses and Hotel

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1 not to Exceed 2-Stories in Height and Restaurants with Full-Service Liquor,
2 RO-1, C-1, SU-1 C-1, O-1 as these uses are more advantageous to the
3 community than the existing zone category. In addition, the subject site
4 meets the requirements of *Resolution 270-1980* under the changed
5 community conditions as the *West Side Strategic Plan* and the Paseo
6 del Norte bridge represent changed conditions in the area.

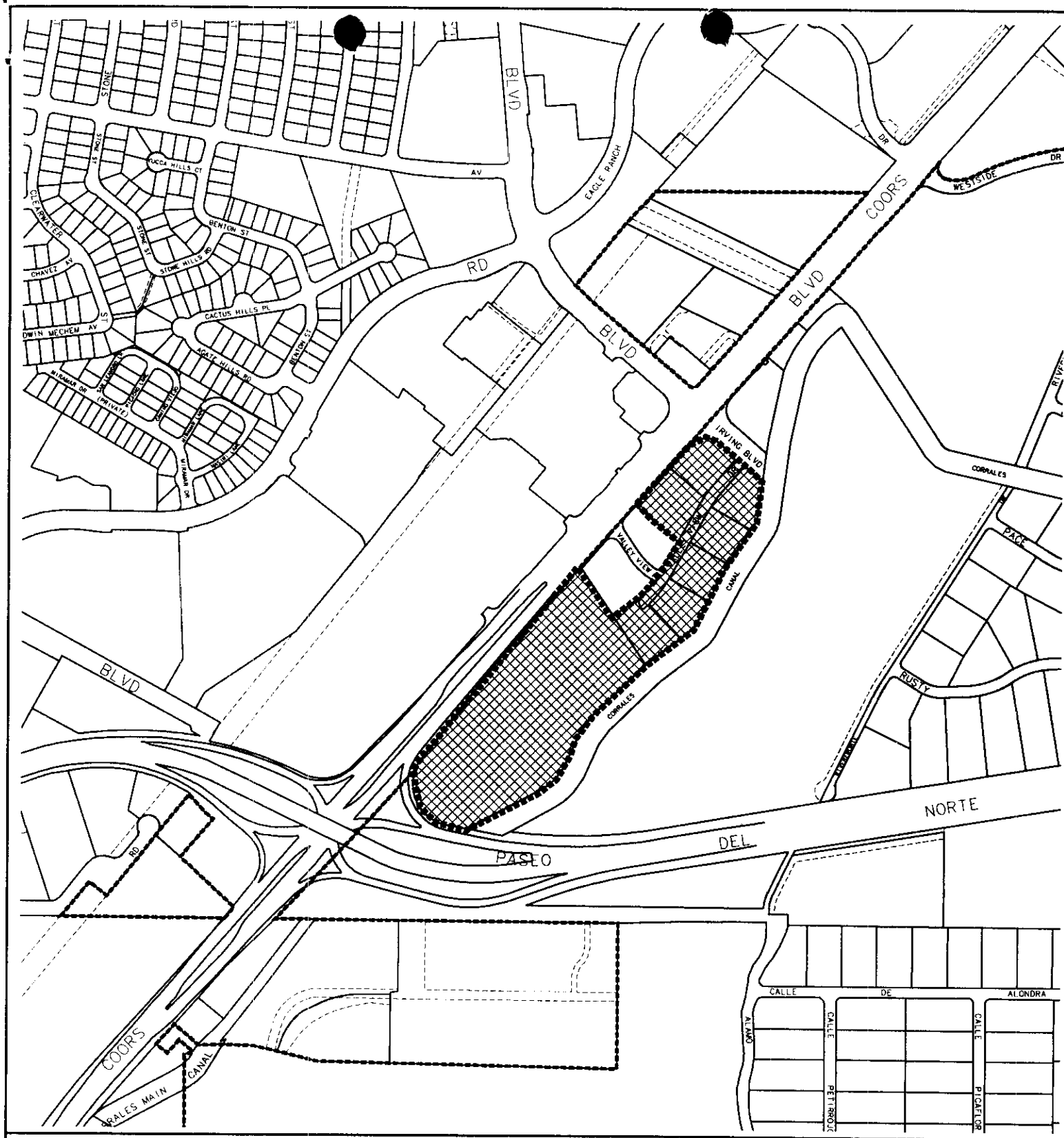
7 (H) The requested zoning meets the goals in the Albuquerque/Bernalillo
8 County Comprehensive Plan by placing employment and service uses
9 that are located to complements residential uses and sited to minimize
10 adverse effects of noise, lighting, pollution and traffic on residential
11 environments.

12 (I) The Coors Corridor Plan states that the “intensity of development shall
13 be compatible with the roadway function, existing zoning or
14 recommended land use, environmental concerns, and design
15 guidelines.” The proposed zoning categories are compatible with
16 existing conditions in the area.

17 Section 5. SEVERABILITY CLAUSE. If any section, paragraph, sentence,
18 clause, word or phrase of this ordinance is for any reason held to be invalid or
19 unenforceable by any court of competent jurisdiction, such decision shall not
20 affect the validity of the remaining provisions of this ordinance. The Council
21 hereby declares that it would have passed this ordinance and each section,
22 paragraph, sentence, clause, word or phrase thereof irrespective of any
23 provisions being declared unconstitutional or otherwise invalid.

24 Section 6. EFFECTIVE DATE AND PUBLICATION. This ordinance shall
25 become effective five or more days after publication in full when a copy of the
26 ordinance and a plat of the territory hereby annexed is filed in the office of the
27 County Clerk.

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Proposed annexation in Zone Map C-13



Map Scale: 1" = 600'

Map Printed July 24, 2001

- MUNICIPAL LIMITS
-  AREA PROPOSED FOR ANNEXATION
-  GRAY SHADING INDICATES COUNTY

FISCAL IMPACT ANALYSIS

TITLE: 01114-00556 R- _____ O- _____
Proj. # 1001206 FUND: 0110
 DEPT: Planning

- [] No measurable fiscal impact is anticipated, i.e., no impact on fund balance over and above existing appropriations.
- [] (If Applicable) The estimated fiscal impact (defined as impact over and above existing appropriations) of this legislation is as follows:

	<u>CURRENT YEAR*</u>	<u>NEXT YEAR*</u>
Base Salary/Wages	\$ _____	\$ _____
Fringe Benefits at _____ %	_____	_____
Subtotal Personnel	\$ _____	\$ _____
Operating Expenses	_____	_____
Property	_____	_____
Indirect Costs	_____	_____
Total	\$ _____	\$ _____
[] Estimated revenues not affected		
[] Estimated revenue impact	\$ _____	\$ _____

- * These estimates do not include any adjustment for inflation.
- * Range if not easily quantifiable.

Number of Positions _____

COMMENTS:

see attached

COMMENTS ON NON-MONETARY IMPACTS TO COMMUNITY/CITY GOVERNMENT:

PREPARED BY:

[Signature]
 FISCAL ANALYST

APPROVED:

[Signature] *[Signature]* *[Signature]* *[Signature]*
 DIRECTOR (date)

REVIEWED BY:

REVIEWED BY:

REVIEWED BY:

[Signature] *9/4/01* *[Signature]* *[Signature]*
 EXECUTIVE BUDGET ANALYST BUDGET OFFICER (date) CITY ECONOMIST

MEMORANDUM

DATE: 8/9/2001

TO: DEBORAH STOVER, PLANNER, DEVELOPMENT SERVICES

FROM: CHRISTOPHER HYER, ECONOMIST, ADVANCE PLANNING *CHA*

RE: FISCAL ANALYSIS, CASE # 01114 00000 00556/01110 00000 00557/01128 00000 00558

The fiscal impact resulting from the requested annexation, zone change and site plan approval was analyzed using *the City's FISCALS model*. The model *looks specifically at the costs to the City in providing the necessary infrastructure for new development*. It is important to remember that the fiscal impact analysis will only examine the direct costs and revenues to the City and will not take into account any of the indirect impacts, i.e., *it is not an over-all economic analysis*.

The FISCALS model does not calculate a tax revenue stream for business activity. GRT is only collected when a final sale of goods or services is made. Since consumers are assumed to make final purchases (not the commercial or industrial sector), FISCALS ties the generation of GRT to the residential land-use. Therefore, residential land-use creates a large revenue stream collected and placed in the general fund. Further, the GRT is large enough that it usually will completely offset the City's costs of providing infrastructure to residential areas. In fact, since all the GRT revenue derives from residential land-use, it is typically seen as generating revenue for the local government.

Secondary Revenue Generated by Businesses

It is important to recognize that the FISCALS model DOES NOT have a mechanism to calculate business revenues and thus, GRT collected by businesses that revenue to the City. Currently, the Albuquerque sales tax rate is 5.8125% which is a summation of the State's share, the local option, the transportation tax, etc. The effective tax rate (minus the administrative fees) that is the GRT percentage which goes into the General Fund is 2.028125%. This is 2.028125% of the gross revenues generated from final sales of goods and services – the effective gross receipts tax. An estimation of this revenue stream can be calculated for a business once the average annual gross sales are known.

However, it is difficult to estimate the *future* revenue stream generated from businesses and even more difficult to determine the future revenue stream from specific office/retail projects. Some of the reasons for this are:

1. It is difficult to determine the revenue stream generated from the business if it is not known what business will be located in new area;
2. Some businesses (such as manufacturing) generate little, if any, direct GRT from sales, but can have a substantial impact on GRT;
3. It is difficult to determine the size and success of the business – just how big their tax burden would be;
4. It is difficult to determine how much of the revenue stream generated is from “new” sales and how much is taken away from other existing/established

Created by Christopher Hyer
Using the FISCALS model

business operations that are already a part of City's General Fund revenue stream;

5. There may be a lag time for consumers to become aware the business is in operation;
6. Vacancy rates of a commercial center are typically 5% to 15% of the available total space.

Even though other benefits can be identified from business activity (perhaps new residents in the City), this analysis is only interested in the easily identifiable (direct) revenue stream destined for the general fund. From the determination of tax revenue collected (because of business activity) by the City, it will more or less balance the comparison from developing the site as commercial versus as residential. This calculation can be made from the estimated growth of either additional jobs or residents. The GRT generated from business operations will be estimated after the FISCALS model results are determined and added to the model's results.

Fiscal Impact Analysis of the Site

The site requested for consideration is approximately 19.23 acres and is surrounded by commercial uses (with a multi-family development to the south) and the Corrales Canal to the west. Zoning for the site is County A-1, O-1 and C-1 and the developer is requesting City zoning SU-1 for C-1 permissive uses and hotel, automobile sales and restaurants with full-service liquor plus C-1, O-1 and RO-1. The assumptions used in the FISCALS model for this analysis are as follows:

- The site is to be subdivided into various commercial uses, they are: Tracts 2A, 2B and 2C (5.85 acres) are to be zoned SU-1 for C-1 permissive uses (hotel, automobile sales and restaurant with liquor); Tract 2D (the AMAFCA detention pond area, 6.69 acres) will be RO-1; tract 3B (1.0 acre) C-1; Tract 3C (1.20 acres) is SU-1 for C-1 uses; Tracts 3B, 3F1, 3G1, 3H, 3I and 3J (4.49 acres) O-1; and the two tracts not initially included as part of this request but are now part of the annexation Tract 3E1 (1.37 acres) and 3D (0.86 acres) are C-2 and C-1 respectively;
- For calculation purposes in the model, it was assumed the hotel was 60,000 sq. ft., the restaurant was 6,000 sq. ft., C-1 lots use a .30 F.A.R. and gives 58,000 sq. ft of retail space and the O-1 lots use a .30 F.A.R. and gives 59,000 sq. ft. of office space.
- Site is contiguous to City limits on the east;
- Water and waste-water, drainage, transportation, transit and public safety are readily available to the site. Additional infrastructure costs are assumed to be the developer's responsibility (on site costs).
- The existing access at Irving will serve the point of ingress and egress which will have direct access to Coors Boulevard.

This site has the benefit of being located where the City's infrastructure already exists. Water and Sewer lines reside along Coors Boulevard and have already been extended onto the site. Valley View Road has been improved and intersects Coors Boulevard. These infrastructure elements are large cost items to the City when new developments are added into the service areas. Since this site has the benefit of these elements already in place, the City will not have to pay the expense to provide them. However, the cost of these elements will remain in the model run to show what the cost **would have been** if they had to be built. In essence, this project is

much like an infill development site where the City "saves" money from not having to build new infrastructure.

This is one of two important pieces that must be applied to the model's results for this project in order to complete the analysis. As expected, the model's results from the build-out of this site are negative. This is typically the case because the model ignores **indirect** costs and benefits (revenues) – as discussed above -- that give a more complete picture of the fiscal impact to the City.

From the model, the impact to the City would be a negative (\$330,262) over a 20-year period. However, capital costs for water, sewer and transportation could be taken out of the model's results (\$67,634, \$48,590 and \$668,181 respectively) and ***the net result from the development over 20-years would be a positive \$454,143.*** Other interesting results are the one time collection of construction GRT of \$116,889 and the positive addition to the General Fund of \$19,735 to the overall fiscal impact.

Business Tax Revenue Stream Determination

General assumptions can be used in determining how large (or small) the revenue stream from the new commercial businesses would be. Further, there are two different ways available in calculating GRT revenues for commercial properties. The first methodology is using the estimated number of new jobs, determined by the model, and multiplying by the per-capita GRT generated per annum. Multiplying this result by 20, for the 20-year projection, will give the total revenue figure for the estimated GRT generated from expenditures resulting from the project.

The second methodology would be acquiring the average gross revenue generated from probable businesses to be located in the specific project from the 1997 Economic Census. Multiply the effective tax rate by the average gross revenue generated per year and then multiply by the 20-year period. Both methodologies will be utilized for this analysis in order to give a broader perspective of the possible GRT revenue generated.

Analysis of the Project

For this project, the 59,000 sq. ft. designated for office space will result in an estimated 238 employees but probably a low business tax due to gross annual sales being small. For instance, the 1997 Census shows that an accounting office has \$380,000 of annual gross receipts. Using the 2.028125% GRT "multiplier", the City's General Fund would collect about \$7,700 annually. Likewise, for retail space (140 employees) an average retail company (Clothier, Furniture, Liquor, Pharmacy, etc.) would see annual sales of \$1,000,000. Using the business tax multiplier of 2.028125% here would give annual General Fund revenues of about \$20,300. It is hard to assume the square footage consumed by these businesses and just how representative these figures are for this particular market. Therefore, we could assume the collection of business taxes to be on a high of \$100,000 to \$125,000.

If we were to use the per-capita GRT generated per annum (\$264.10) and multiply it by the number of new jobs created (378) we find approximately \$100,000 of GRT would be generated each year. Multiplying this result by the 20-years (for the length of the estimated time period), about \$2 million of GRT would be generated from this project. Note that this estimate is about the same value that was determined using the 1997 Economic Census data.

This value for the generated GRT may be high when one takes into account the six caveats listed above as well as the fact that these numbers are representative of established businesses. A more conservative range for the business tax collection would be \$50,000 to \$60,000 annually (with full build out). Attention to the fact that this is not all "new" revenue is an important

piece in examining this possible revenue stream. New businesses must compete with existing businesses in the market for demand of their goods or services. This suggests that some of the market's demand will be taken from existing businesses and utilized for the new one. In essence, businesses compete with each other and thus, quantifying the "new" General Fund revenue generated vs. existing General Fund revenue is further complicated.

By using the conservative business tax collection of \$50,000 to \$60,000 annually, the 20-year cumulative range is \$1 million to \$1.2 million of General Fund revenue.

The Broader Picture of the Fiscal Impact to the City

The fiscal impact of a non-residential project can now be determined. For this project, the model results will be the starting point and are shown in the second column of the table below. Since the land the project is to be built on has many City services surrounding it, an adjustment to the model results can be made – this result is shown in the third column. If the estimated business tax collection were added to this figure, **the project would add an estimated \$1,454,143 to \$1,654,143 to the City's General Fund.** Though this number appears to be large, it does not account for the fact that all the *infrastructure is already in place* and thus, these costs have already been incurred. In other words, the City has already made the investment in this project and paid for it; the return from this investment is now being realized.

A table will help show the fiscal impacts from the model's results and the portion of the expected GRT generated from the commercial property.

	Model Results	Existing Infrastructure Expense	Business Tax Generated (GRT)
General Fund	\$19,735		\$1,000,000 to \$1,200,000
Capital Fund	-\$236,962	\$668,181	
Utility Fund	-\$113,035	\$116,224	
Overall 20-year fiscal impact	-\$330,262	\$454,143	\$1,454,143 to \$1,654,143

Note: The FISCALS model is regarded as only a tool to help provide input to analysis of various development projects. Decisions should be with its output as a reference, not a conclusion.

John Blacik Zone

John Blacik Zone

John Blacik Zone

BUDGET SUMMARY		Base 2001	1 2002	2 2003	3 2004	4 2005	5 2006	6 2007	7 2008	8 2009	9 2010	10 2011	11 2012	12 2013	13 2014	14 2015	15 2016	16 2017	17 2018	18 2019	19 2020	20 2021
GENERAL FUND																						
Revenues		\$0.00	\$0.00	\$0.351	\$0.351	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1.689	\$2.336	\$2.336	\$2.336	\$2.336	\$2.336	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Gross Receipts Tax (Exp.)		\$0.00	\$0.351	\$0.351	\$0.351	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1.689	\$2.336	\$2.336	\$2.336	\$2.336	\$2.336	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Gross Receipts Tax (Const.)		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Operating Levy		\$0.00	\$0.608	\$1.217	\$1.825	\$2.433	\$3.042	\$3.650	\$4.258	\$4.866	\$5.474	\$6.082	\$6.690	\$7.298	\$7.906	\$8.514	\$9.122	\$9.730	\$10.338	\$10.946	\$11.554	\$12.162
Other Local Taxes		\$0.00	\$2.762	\$5.523	\$8.285	\$11.046	\$13.808	\$16.570	\$19.332	\$22.094	\$24.856	\$27.618	\$30.380	\$33.142	\$35.904	\$38.666	\$41.428	\$44.190	\$46.952	\$49.714	\$52.476	\$55.238
Misc. Other Revenues		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Program Revenues		\$0.00	\$0.102	\$0.204	\$0.306	\$0.407	\$0.509	\$0.611	\$0.713	\$0.815	\$0.917	\$1.019	\$1.121	\$1.223	\$1.325	\$1.427	\$1.529	\$1.631	\$1.733	\$1.835	\$1.937	\$2.039
Total General Fund Revenues		\$0.00	\$12.823	\$16.294	\$19.766	\$23.238	\$26.710	\$30.182	\$33.654	\$37.126	\$40.598	\$44.070	\$47.542	\$51.014	\$54.486	\$57.958	\$61.430	\$64.902	\$68.374	\$71.846	\$75.318	\$78.790
Expenditures		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
General Government		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Corrections		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Health Services		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Library		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Human Services		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Parks & Recreation		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Police		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Fire		\$0.00	\$2.376	\$4.752	\$7.128	\$9.504	\$11.880	\$14.256	\$16.632	\$19.008	\$21.384	\$23.760	\$26.136	\$28.512	\$30.888	\$33.264	\$35.640	\$38.016	\$40.392	\$42.768	\$45.144	\$47.520
Transportation		\$0.00	\$0.423	\$0.846	\$1.269	\$1.692	\$2.115	\$2.538	\$2.961	\$3.384	\$3.807	\$4.230	\$4.653	\$5.076	\$5.499	\$5.922	\$6.345	\$6.768	\$7.191	\$7.614	\$8.037	\$8.460
Transit		\$0.00	\$1.298	\$2.418	\$3.627	\$4.836	\$6.044	\$7.253	\$8.461	\$9.670	\$10.878	\$12.087	\$13.295	\$14.504	\$15.712	\$16.921	\$18.129	\$19.338	\$20.546	\$21.755	\$22.963	\$24.172
Storm Drainage		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total General Fund Expenditures		\$0.00	\$4.008	\$8.015	\$12.023	\$16.031	\$20.039	\$24.048	\$28.056	\$32.064	\$36.072	\$40.080	\$44.088	\$48.096	\$52.104	\$56.112	\$60.120	\$64.128	\$68.136	\$72.144	\$76.152	\$80.160
FISCAL SURPLUS/(DEFICIT)		\$0.00	\$8.815	\$8.279	\$7.743	\$7.207	\$6.671	\$6.135	\$5.599	\$5.063	\$4.527	\$3.991	\$3.455	\$2.919	\$2.383	\$1.847	\$1.311	\$0.775	\$0.239	\$0.703	\$1.167	\$1.631
Cumulative (millions)		\$0.00	\$0.009	\$0.017	\$0.025	\$0.032	\$0.039	\$0.047	\$0.055	\$0.062	\$0.068	\$0.074	\$0.079	\$0.086	\$0.092	\$0.098	\$0.104	\$0.110	\$0.116	\$0.122	\$0.128	\$0.134
CAPITAL FUND																						
Revenues		\$0.00	\$2.379	\$4.758	\$7.137	\$9.517	\$11.896	\$14.276	\$16.655	\$19.034	\$21.413	\$23.792	\$26.171	\$28.550	\$30.929	\$33.308	\$35.687	\$38.066	\$40.445	\$42.824	\$45.203	\$47.582
Debt Levy		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Park Development Fees		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Park Dedication Fees		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Capital Fund Revenues		\$0.00	\$2.379	\$4.758	\$7.137	\$9.517	\$11.896	\$14.276	\$16.655	\$19.034	\$21.413	\$23.792	\$26.171	\$28.550	\$30.929	\$33.308	\$35.687	\$38.066	\$40.445	\$42.824	\$45.203	\$47.582
Expenditures		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
General Government		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Library		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Human Services		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Parks & Recreation		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Police		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Fire		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Transportation		\$0.00	\$49.697	\$49.697	\$49.697	\$49.697	\$49.697	\$49.697	\$49.697	\$49.697	\$49.697	\$49.697	\$49.697	\$49.697	\$49.697	\$49.697	\$49.697	\$49.697	\$49.697	\$49.697	\$49.697	\$49.697
Transit		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Storm Drainage		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Capital Fund Expenditures		\$0.00	\$49.697	\$49.697	\$49.697	\$49.697	\$49.697	\$49.697	\$49.697	\$49.697	\$49.697	\$49.697	\$49.697	\$49.697	\$49.697	\$49.697	\$49.697	\$49.697	\$49.697	\$49.697	\$49.697	\$49.697
FISCAL SURPLUS/(DEFICIT)		\$0.00	(\$47.318)	(\$44.939)	(\$42.560)	(\$40.181)	(\$37.801)	(\$35.422)	(\$33.043)	(\$30.664)	(\$28.284)	(\$25.904)	(\$23.524)	(\$21.144)	(\$18.764)	(\$16.384)	(\$14.004)	(\$11.624)	(\$9.244)	(\$6.864)	(\$4.484)	(\$2.104)
Cumulative (millions)		\$0.00	(\$0.047)	(\$0.092)	(\$0.135)	(\$0.175)	(\$0.213)	(\$0.250)	(\$0.286)	(\$0.324)	(\$0.361)	(\$0.398)	(\$0.435)	(\$0.472)	(\$0.509)	(\$0.546)	(\$0.583)	(\$0.620)	(\$0.657)	(\$0.694)	(\$0.731)	(\$0.768)
UTILITY FUNDS																						
Revenues		\$0.00	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128
One-Time Water Operating		\$0.00	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128
Annual Water Operating		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Annual Sewer Operating		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Subtotal Operating Revenues		\$0.00	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128
Expenditures		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
One-Time Water UEC		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Annual Water UEC		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Annual Sewer Capital		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Subtotal Capital Expenditures		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Utility Fund Revenues		\$0.00	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128
Total Utility Fund Expenditures		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
FISCAL SURPLUS/(DEFICIT)		\$0.00	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128	\$0.128
Cumulative (millions)		\$0.00	\$0.001	\$0.002	\$0.003	\$0.004	\$0.005															

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Staff Report

Agent	Consensus Planning
Applicant	John Black
Requests	Annexation Establishment of Zoning Site Development Plan for Subdivision
Legal Description	Tracts 2, 3F1, 3C1, 3H, 3I, 3J & 3B, Black Ranch
Location	Coors Boulevard NW between Paseo del Norte and Irving
Size	Approximately 18 acres
Existing Zoning	County A-1, O-1 & C-1
Proposed Zoning	SU-1 for C-1 Permissive Uses and Hotel, Automobile Sales, and Restaurants with Full-Service Liquor, C-1, O-1 & RO-20

Staff Recommendation

That **APPROVAL** of 01114 00556, a request for annexation, be forwarded to the City Council, based on the findings on page 10.

That **APPROVAL** of 01110 00557, a request for establishment of zoning, be forwarded to the City Council, based on the findings on page 11, and subject to the conditions of approval on page 12.

APPROVAL of 01128 00558, a request for approval of a site development plan for subdivision, based on the findings on page 12, and subject to the conditions of approval on page 12.

Staff Planner

Deborah L. Stover, Planner

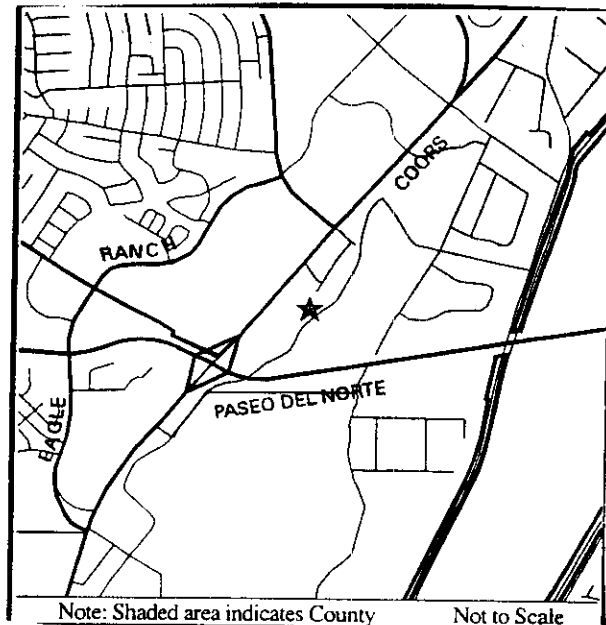
Summary of Analysis

This request is for a recommendation to City Council for annexation into the City and establishment of zoning for an 18-acre site located on Coors Boulevard NW between Paseo del Norte and Irving Boulevard. Also requested is approval of a site development plan for subdivision for the 18-acres. Although not part of this request, the owners of Tracts 3E1, 3D and 3C are currently in talks with City staff regarding inclusion in the annexation request.

The annexation and zone map amendment requests further the applicable Goals, policies and intents of the *Comprehensive Plan* and the *West Side Strategic Plan*.

The annexation request fulfills the policies of *Resolution 54-1990*. The zone map amendment (establishment of zoning) request fulfills the policies of *Resolution 270-1980*. The site plan for subdivision request fulfills the requirements set forth in the *Comprehensive Zoning Code*.

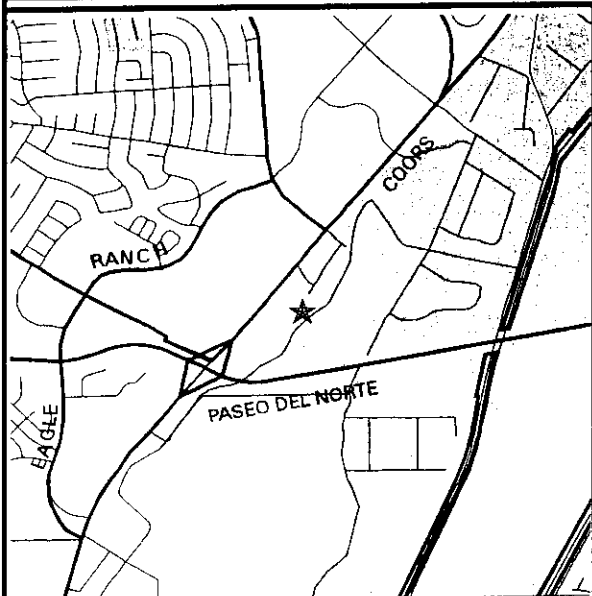
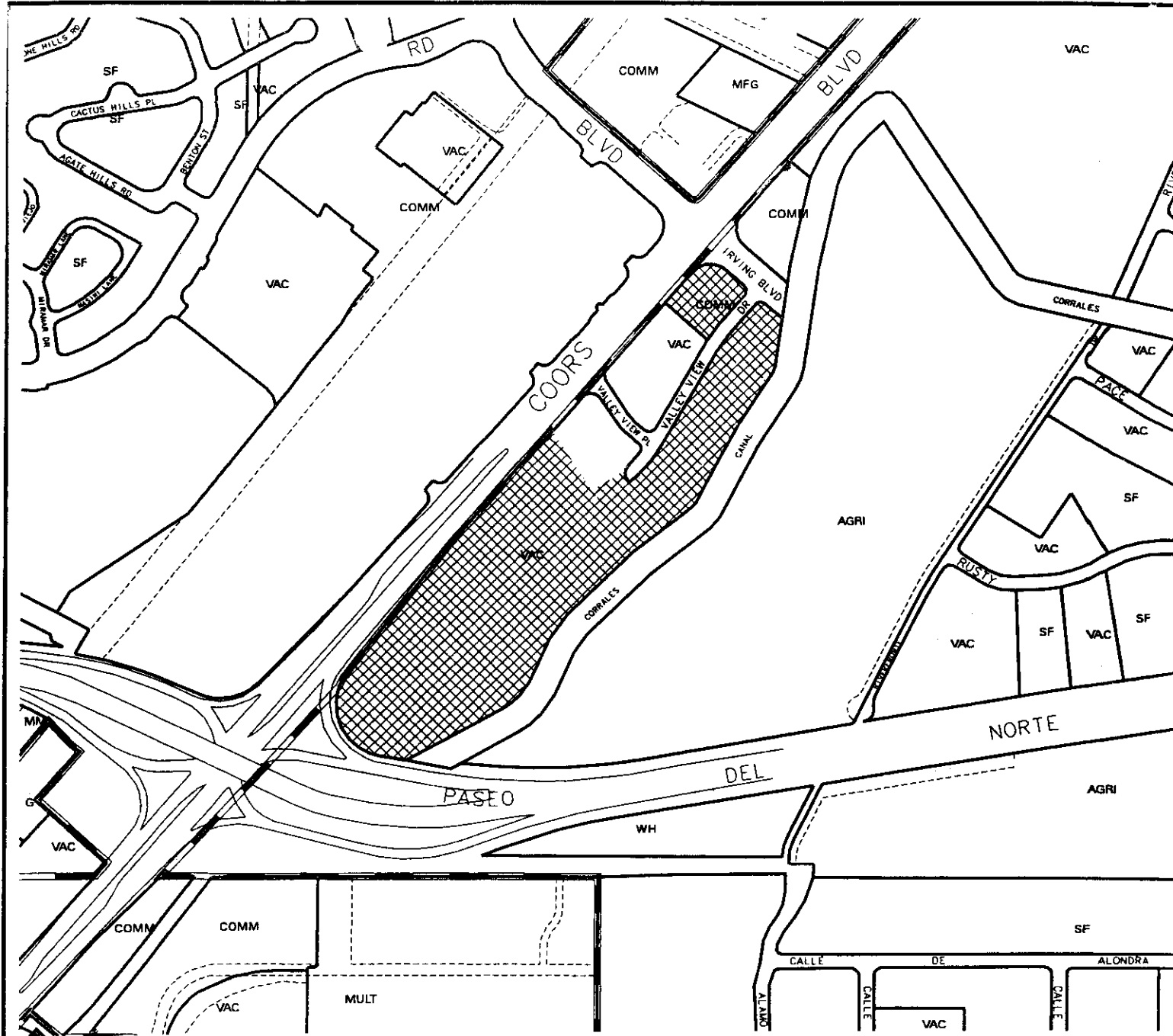
Staff recommends approval of this request.



Note: Shaded area indicates County

Not to Scale

City Departments and other interested agencies reviewed this application from 5/4/01 to 5/18/01.
Agency comments were used in the preparation of this report, and begin on page 14.



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"= 523'

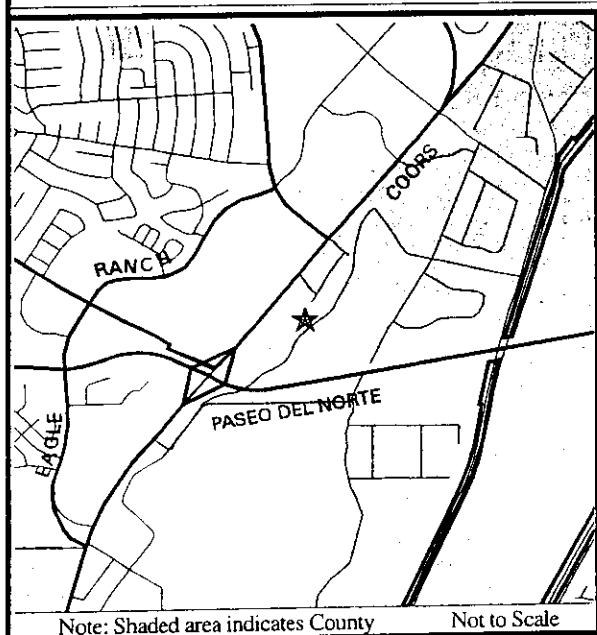
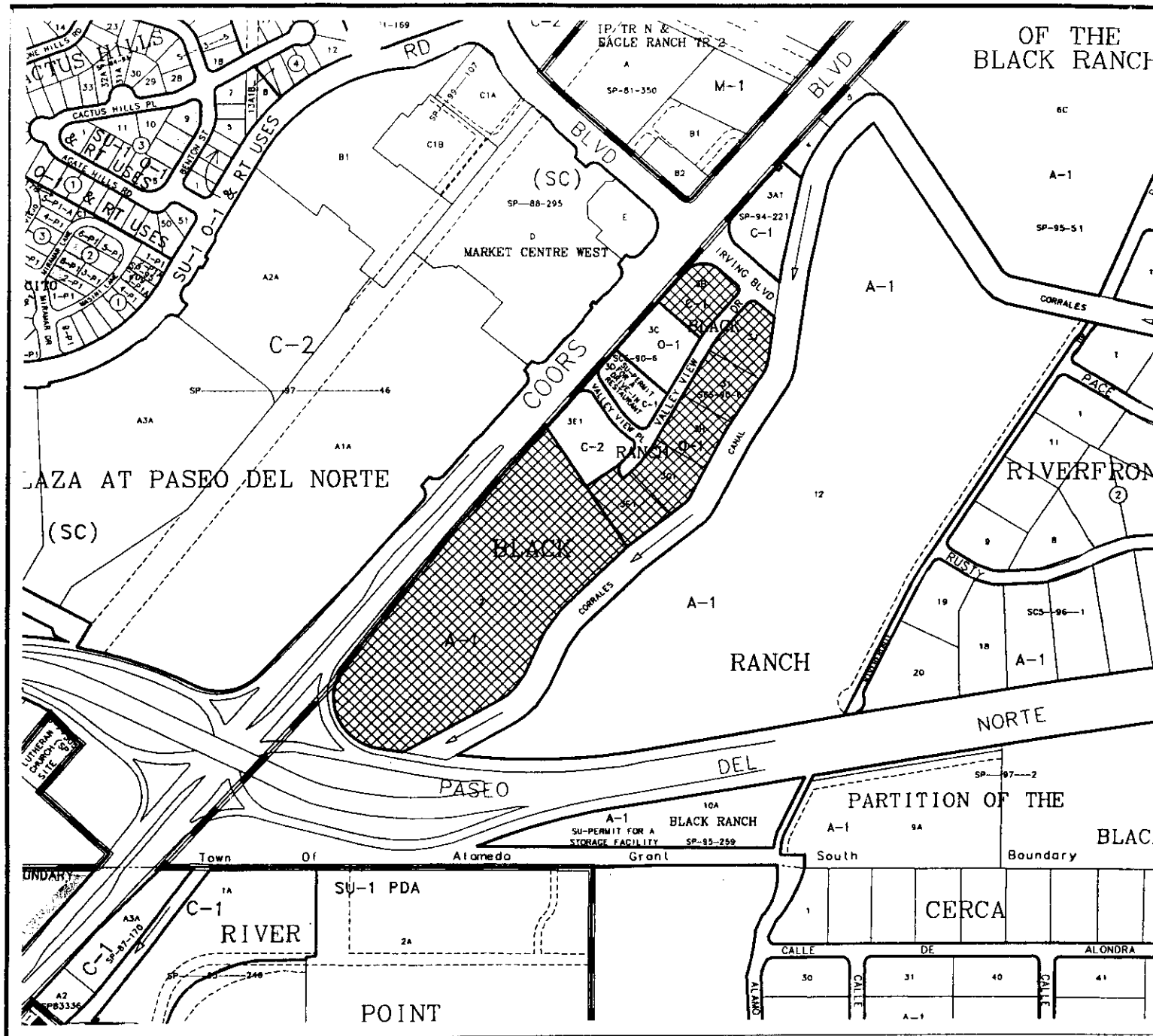
PROJECT NO.
1001206

HEARING DATE
06-21-01

MAP NO.
C-13

APPLICATION NO.

01114-00000-00556
 01110-00000-00557
 01128-00000-00558



ZONING MAP



Scale 1"= 523'

PROJECT NO.	1001206
HEARING DATE	06-21-01
MAP NO.	C-13
APPLICATION NO.	01114-00000-00556 01110-00000-00557 01128-00000-00558

Note: Shaded area indicates County Not to Scale

Development Services Report

SUMMARY OF REQUEST

Requests	Annexation Establishment of Zoning Site Development Plan for Subdivision
Location	Coors Boulevard NW between Paseo del Norte and Irving

AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses:

	Zoning	Comprehensive Plan Area; Applicable Rank II & III Plans	Land Use
Site	County A-1, O-1 & C-1	Developing Urban; West Side Strategic Plan; Coors Corridor Plan	Bank/Undeveloped
North	C-2 & M-1	Established Urban; West Side Strategic Plan; Coors Corridor Plan	Shopping Center/Commercial
South	ROW/SU-1 PDS/C-1	Developing Urban; West Side Strategic Plan; Coors Corridor Plan	Paseo del Norte ROW, Multi-family Housing, Commercial
East	Drainage/County A-1	Rural	Corrales Canal/Agriculture
West	C-2	Established Urban; West Side Strategic Plan, Coors Corridor Plan	Shopping Center

Background, History and Context

This is a request for annexation, establishment of zoning and approval of a site development plan for subdivision for 18-acres located on Coors Boulevard NW between Paseo del Norte and Irving Boulevard. The site is located on the east side of Coors Boulevard and sits in an unusual placement between a commercial/retail shopping center and medium density residential development to the west but low density housing and agricultural fields to the east. Land uses north of the site are commercial and south of the site is the Paseo del Norte/Coors Boulevard interchange. The Corrales Canal lies east of the site at the bottom of a steep bluff configuration. There is also an AMAFCA detention pond on the site.

APPLICABLE PLANS AND POLICIES

Albuquerque / Bernalillo County Comprehensive Plan

The subject site is located in the area designated Developing Urban by 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 as shown by the plan map 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 integrity of existing neighborhoods can be ensured.
- Policy i: Employment and service uses shall be located to complement residential uses 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 traffic 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 affects of traffic; livability and safety of established residential neighborhoods shall be protected in transportation and planning operations.
- Policy m: Urban and site design that maintains and enhances unique vistas and improves the quality of the visual environment shall be encouraged.

West Side Strategic Plan

The *West Side Strategic Plan* (WSSP) was adopted in 1997. The WSSP area is bounded by the Sandoval County line on the north, the Rio Puerco Escarpment on the west, a line south of Gun Club Road (the Atrisco Grant line) on the south, and the Rio Grande on the east for areas north of Central, and Coors Boulevard on the east for areas south of Central. It encompasses over 96,000 acres of land, or approximately 150 square miles. Specific boundaries are shown on the Plan Boundary map on p.2 in the WSSP.

The WSSP is based on a Community Concept that identified seven communities in the plan and established a community-based urban form which defines areas for low density and open spaces as well as nodes of higher density development to support services and transit. Each community is comprised of villages and the plan describes uses that should occur in core and adjacent areas of the Community and Village centers. The WSSP strives to create and encourage a multi-nodal pattern of low-density and high-density forms.

The subject site is located in the Paradise Community which has boundaries that extend to Paseo del Norte on the south and the Calabacillas Arroyo on the north. The Rio Grande comprises the eastern boundary while the western boundary is a line just west of the Ventana Ranch area. Unser Boulevard and Golf Course Road provide the major north/south access through the community. This community encompasses approximately 4,700 acres capable of supporting a population of approximately 21,700. The 1995 population of this community was approximately 8,126. Applicable policies include:

- **Policy 3.8:** The largest mix of land uses and the highest intensity shall develop in the Community Core Area and in Village Centers. Multi-family housing, public facilities, educational and employment facilities, and other non-single family residential uses are appropriate along with commercial services in these areas.

Coors Corridor Plan

The *Coors Corridor Plan* was adopted in 1984 and revised in 1989. The plan provides policy and guidelines for the design of Coors Boulevard and adjacent properties between Central Avenue and Alameda Boulevard NW/NM 528. Guidelines contained in the plan relate to traffic movement, signage, landscaping, setbacks, view preservation, architecture and other similar physical elements. Development of the subject property must conform to applicable guidelines contained within this plan. The proposal falls within Segment 3 of the *Coors Corridor Plan*. The following regulations relate to this request:

Issue 4, visual impressions and urban design overlay zone, include general policies, site planning and architecture policies, view preservation and signage policies.

Issue 4, site planning and architecture, Policy 6: Commercial sites, such as shopping centers, should be designed so that a portion of the building or buildings is located near the street perimeter and relates to the streetscape area along Coors Boulevard.

Resolution 54-1990 (Policies on Annexation to the City of Albuquerque)

This Resolution sets forth policies and requirements for annexation of territory to the City. Land to be annexed shall be generally contiguous to City boundaries, be accessible to service providers, and have provision for convenient street access to the City. The applicant must agree to timing of capital expenditures for any necessary major streets, water, sanitary sewer and other facilities. Additionally, the *Comprehensive Plan* area designation of a subject site corresponds to specific policies that must be met for approval of an annexation request.

As per the Zoning Code, a zone map amendment for the subject site must be filed and processed concurrently with an annexation action. The Environmental Planning Commission is charged with forwarding recommendations for the requests to the City Council.

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

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

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

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 Coors Boulevard as a Limited-Access Principal arterial.

The Long Range Roadway System designates Paseo del Norte as a Limited-Access Principal arterial.

ANALYSIS - Annexation

The property owners desire annexation into the City in order to benefit from City services other than water and sewer, which are now available from New Mexico Utilities. As per the policies of *Resolution 54-1990*, the subject land is contiguous to the City limits, has provision for convenient street access to the City and has reasonable boundaries. Utility and infrastructure requirements can be addressed at the Development Review Board at the time of platting, negating the need for a pre-annexation agreement.

The annexation request furthers the applicable Goals and policies of the *Comprehensive Plan* by allowing for an urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and choice in housing, transportation, work areas and life styles.

The annexation request furthers the applicable Goals and policies of the *West Side Strategic Plan* by proposing annexation that will allow for urban style services that are appropriate in the community.

Policy 4 of the land use and intensity of development section of the *Coors Corridor Plan* addresses annexation by stating that "properties under county jurisdiction, which are now surrounded by City jurisdiction, should be annexed as soon as possible." The annexation request furthers this policy.

ANALYSIS- Establishment of Zoning

The applicant is requesting zoning of SU-1 for C-1 Permissive Uses and Hotel, Automobile Sales, and Restaurant with Full-Service Liquor for a portion of the site and C-1, O-1 and RO-20 for the remainder. The site is proposed to be subdivided and Tract 2 would become Tracts 2A, 2B, 2C and 2D. The request is for these tracts (Tracts 2A, 2B and 2C) to be zoned with the SU-1 for C-1 designation. The AMAFCA ponding area is proposed to be zoned RO-20. Tract 3B is requesting the same zoning as exists on the site now which is County C-1. This is the current location of the existing Wells Fargo Bank. Tracts 3F1, 3C1, 3H, 3I and 3J all have County O-1 zoning currently and the request is for these parcels to continue with the O-1 designation. A

table with all the requested zoning designations proposed tract numbers and acreages is provided on the first page of the applicant's letter to the commission.

The applicant discusses the reasons for zoning in the submittal and provides a letter of justification. The applicant cites changed community conditions as justification for the requested zoning as required by Resolution 270-1980. In the letter of justification it is stated that significant changed conditions have affected the site making it a more appropriate location for commercial enterprises than residential and that the requested zoning is more advantageous to the health, safety and welfare of the local community. The letter from the applicant also states that the requested zoning will be more advantageous to the community since it will accommodate a variety of urban land uses necessary to serve the growing area. They also assert that the proposed zoning will allow for a better mix of uses that will contribute to a decrease of vehicular miles traveled in the area. The applicant cites numerous policies from the *Albuquerque/Bernalillo County Comprehensive Plan* and others that support the annexation and establishment of zoning for this site. The applicant states that the annexation request and simultaneous zone change will not be harmful to adjacent property, the neighborhood or the community and would instead give the neighborhood and community increased options when seeking such services.

While the requested zoning for this site seems reasonable, the *West Side Strategic Plan* does not address this area. Proposed amendments to the *West Side Strategic Plan* do not address this site either. The site seems to have been ignored by the plan and therefore it is uncertain as to what policies and plans may apply in this case. It is unclear as to whether this area was meant to develop with residential or commercial uses. For an analysis to be performed one must look to other plans for guidance in addressing the area as well as other portions of the *West Side Strategic Plan* that provide direction in the discussion. To analyze this request, the context of the surrounding areas must be taken into consideration as well as *Resolution 270-1980*, the *Albuquerque/Bernalillo County Comprehensive Plan*, the *West Side Strategic Plan (WSSP)*, and the *Coors Corridor Plan*.

The *Comprehensive Plan* lists two clear policies regarding this type of request. Policy i states that *employment and service uses shall be located to complement residential uses and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments*. This request respects and furthers this policy by providing an effective buffer for the residential development east of the site. Commercial uses would help minimize the effects of this busy, high-automobile usage area on these neighbors below the bluff. Due to the high volume of traffic at Paseo del Norte and Coors, one of the busiest interchanges in the city, any residential uses placed in this location which is generally surrounded by commercial uses, would suffer substantially from the effects of noise, lighting and pollution issues and traffic.

Policy k states that *land adjacent to arterial streets shall be planned to minimize harmful affects of traffic; livability and safety of established residential neighborhoods shall be protected in transportation and planning operations*. The proposal by the applicant attempts to minimize harmful effects on any residential neighbors by limiting uses to those allowed in C-1 zoning. While multi-family housing, public facilities, educational and employment facilities, and other

non-single family residential uses are cited in the *Comprehensive Plan* as appropriate in some areas along with commercial services in these areas, this site would better fit into that category of commercial uses. Additionally, if residential zoning were to be established on the site, any residential development that would occur at this site would need mitigation from noise, traffic, pollution and lighting from the surrounding uses. Traditional landscape buffers and setbacks may not be sufficient to mask noise from surrounding areas. In other words, if residential uses were proposed, this would not be a course of action that would minimize harmful effects of traffic on the development.

The WSSP does not prohibit commercial development outside of Activity Centers, nor does it encourage it. While the intent of the WSSP is not to have new commercial zoning outside of Activity Centers, any zoning other than commercial would be ill-considered. The fact that this section of the Coors/Paseo interchange was not addressed in the WSSP leaves the EPC to determine the appropriateness of any requested zoning for this area. Regardless of the lack of direction for this site within the WSSP, the area has developed as a commercial corridor. Several of the tracts within this request have county zoning for commercial and office uses. In fact, if the annexation into the city did not occur, these parcels could continue to develop as office and commercial within the county with the zoning already in place.

The *Coors Corridor Plan* states that "the intensity of development shall be compatible with the roadway function, existing zoning or recommended land use, environmental concerns, and design guidelines." The proposed zoning categories are compatible with existing conditions in the area. This site would be an anomaly if not zoned commercially. The surrounding land uses and zoning are primarily commercial. Roadway functions are compatible with commercial zoning. While citing this as a reason for continuing commercial zoning in this area this could become an argument for strip zoning in other places, strip zoning is effectively what has occurred along Coors Boulevard to this point and to impose anything other than commercial zoning would present an unfair burden to any development attempt.

While it is possible to locate residential uses on the subject site, it would seem an unlikely place for people to wish to live. The request for commercial uses is justified.

ANALYSIS- Site Development plan for Subdivision

Conformance to Adopted Plans, Policies, and Ordinances

This is a request for approval of a site development plan for subdivision for an approximately 5-acre site located on the east side of Coors Boulevard NW between Paseo del Norte and Irving Boulevard. The applicant proposes to create 4 lots, Tracts 2-A, 2-B, 2-C and 2-D. Proposed uses for Tract 2-A and 2-C are restaurants, automobile sales or retail. The proposed use for Tract 2-B is a hotel. Tract 2-D will continue the existing use as drainage facility.

The submitted site development plan provides a framework for future site development plan for building permit to follow within the guidelines of the *Coors Corridor Plan*.

The site plan meets all of the requirements of the Zoning Code by specifying all of the elements of a site development plan for subdivision. The site plan provides a scale of at least 1 inch to 100 feet, which covers at least one lot and specifies the site, proposed use, pedestrian and vehicular ingress and egress, internal circulation requirements and, for each lot, nonresidential uses' maximum floor area ratio. Design guidelines are also included for the site.

Site Plan Layout / Configuration

This submittal would create 4 tracts of land. All tracts would border Coors Boulevard with the exception of Tract 2-C and will contain hotel, restaurant, automobile sales, retail and drainage uses.

Vehicular Access, Circulation and Parking

There is one access point to the site from Valley View Drive. The site plan shows a 50-foot public right-of-way extension of this drive to the site and a 50-foot temporary access to the AMAFCA facility. There is also a proposed 20-foot AMAFCA right-of-way through Tract 2-B to provide access to the drainage area on Tract 2-D. No additional direct vehicular access shall be permitted to Coors pursuant to the *Coors Corridor Plan*.

Internal circulation will be developed with the existing and proposed rights-of-way.

Pedestrian and Bicycle Access and Circulation, Transit Access

Pedestrian connection to Coors Boulevard shall be through a new sidewalk along Valley View Drive. Design guidelines state that pedestrian links will be provided between parking areas and buildings with signage and contrasting textured paving materials. Crosswalks will be treated with visual and tactile distinction from the asphalt pavement. Trees will be provided along pathways at 30-foot on center in 5x5 foot planters. Pedestrian pathways will range in width but shall be no less than 6-feet wide.

Design Guidelines

A set of design guidelines has been submitted and includes information on Streetscape, Landscape, Setbacks, Site Planning/Architecture, Signage and Lighting. The guidelines are designed to provide a framework to assist developers and designers in understanding the objectives for development in Tracts 2-A, 2-B and 2-C.

Landscape buffers consisting primarily of evergreen trees are proposed for the site along with street trees. Notes pertaining to percentage of landscape to be provided as well as low water use plants and turf are included in the guidelines. A suggested plant palette that lists trees, street trees, shrubs, groundcover flowers and vines and ornamental and lawn grasses is supplied.

Architectural, signage and lighting standards have also been provided within the guidelines. Although no specific architectural style is proposed, the guidelines state that "design should demonstrate a high quality aesthetic character throughout the site". Signage and Lighting guidelines are generally in conformance with the City Comprehensive Zoning Ordinance. Outdoor lighting is not to exceed 20-feet. The illustrations show a "shoebox" type fixture that would prevent fugitive light from escaping the property line.

Some of the suggested guidelines not included with the request include off-street parking requirements and design for both automobiles and bicycles, street design, transit facilities such as benches, shelters and pedestrian connections, specific architectural design requirements like façade elements, massing, colors and materials, and pedestrian amenities such as walkways, plazas, and shade structures.

Concerns of Reviewing Agencies / Pre-Hearing Discussion

The applicant was present at the Pre-Hearing discussion.

Several agencies comment that the remaining contiguous parcels not included in the annexation request should be incorporated prior to approval. Staff sent letters to these property owners and ongoing conversations with the owners regarding their inclusion are taking place. Although the status of these talks is not final, it appears that some or all of the properties in question will be joining in the annexation request.

The Parks and Recreation Department is proposing a secondary trail in this location along the Corrales Main Canal. Upon platting, Parks requests the applicant to provide pedestrian and bicycle access to the Corrales Main Canal.

Neighborhood Concerns

Staff has received a letter from the Riverfronte Estates Neighborhood Association regarding this request. In summary, the letter requests that the EPC eliminate Automobile Sales from this request and that all zoning be SU-1 so that there is opportunity for site plan review prior to plan approval. The letter also states that there is no objection to a hotel if it is limited to two stories and no objection to food sales as long as there are no drive-through windows. The letter is included in the packet.

Conclusions

The site plan for subdivision meets the requirements as set forth in the City Comprehensive Zoning Code and provides guidelines for future design of the project. Staff recommends approval of this request.

FINDINGS – 01114 00556, June 21, 2001 - Annexation

1. This is a request for annexation of approximately 18 acres located on Coors Boulevard NW between Paseo del Norte and Irving Boulevard and described as Tracts 2, 3F1, 3C1, 3H, 3I, 3J and 3B, Black Ranch.
2. The subject request meets the requirements for annexation into the city because it is contiguous to City boundaries, accessible to service providers, and has convenient street access to the City.
3. The annexation request furthers the applicable Goals and policies of the *Albuquerque/Bernalillo County Comprehensive Plan* by allowing for an urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and choice in housing, transportation, work areas and life styles.
4. The area is suitable for urban intensity as defined by its designation of Developing Urban in the *Albuquerque/Bernalillo County Comprehensive Plan*.
5. The annexation request furthers the applicable Goals and policies of the *West Side Strategic Plan* by proposing annexation that will allow for urban style services that are appropriate in the community.
6. The annexation request furthers Policy 4 of the land use and intensity of development section of the *Coors Corridor Plan* which states that “properties under county jurisdiction, which are now surrounded by City jurisdiction, should be annexed as soon as possible

RECOMMENDATION – 01114 00556, June 21, 2001 - Annexation

That APPROVAL of 01114 00556, a request for annexation, for Tracts 2, 3F1, 3C1, 3H, 3I, 3J and 3B, Black Ranch, be recommended to City Council, based on the preceding Findings.

FINDINGS – 01110 00557, June 21, 2001 – Establishment of Zoning

1. This is a request for establishment of zoning for approximately 18 acres located on Coors Boulevard NW between Paseo del Norte and Irving Boulevard and described as Tracts 2, 3F1, 3C1, 3H, 3I, 3J and 3B, Black Ranch.
2. Zoning for parcels created by the accompanying site plan for subdivision is requested. SU-1 for C-1 Permissive Uses and Hotel, Automobile Sales and Restaurants with Full-Service Liquor is requested for Tracts 2A, 2B and 2C. A zoning designation of RO-20 is requested for Tract 2D. C-1 is requested for Tract 3B. O-1 is requested for Tracts 3F1, 3G1, 3H, 3I and 3J.
3. A plat showing clear and distinct boundaries of the newly created tracts should be submitted at DRB.
4. The subject site meets the requirements of 270-1980 under the changed community conditions finding. The West Side Strategic Plan and the Paseo del Norte bridge crossing present changed conditions in the area.
5. The requested zoning meets the goals in the *Albuquerque/Bernalillo County Comprehensive Plan* by placing employment and service uses that are located to complement residential uses and sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.
6. The *Coors Corridor Plan* states that “the intensity of development shall be compatible with the roadway function, existing zoning or recommended land use, environmental concerns, and design guidelines.” The proposed zoning categories are compatible with existing conditions in the area.

RECOMMENDATION - 01110 00557, June 21, 2001 – Establishment of Zoning

That APPROVAL of 01110 00557, a request for establishment of zoning for Tracts 2, 3F1, 3C1, 3H, 3I, 3J and 3B, Black Ranch, be recommended to City Council based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL - 01110 00557, June 21, 2001 – Establishment of Zoning

1. The site shall be replatted to show clear and distinct boundaries of the newly created tracts.

FINDINGS – 01128 00558, June 21, 2001 – Site Development Plan for Subdivision

1. This is a request for approval of a site development plan for subdivision for approximately 12.5 acres located on Coors Boulevard NW between Paseo del Norte and Irving Boulevard and described as Tract 2, Black Ranch.
2. A site plan for subdivision is required for approval of SU-1 zoning.
2. The site development plan for subdivision furthers the applicable goals and policies of the Comprehensive Plan by creating a framework for a quality urban environment that offers a choice in transportation, work areas and life styles.
3. The site development plan meets all of the requirements of the Zoning Code by specifying all of the elements of a site development plan for subdivision.
4. Design guidelines are incorporated into the site including an overall theme and land use concept, landscape design requirements, signage design requirements, and lighting design requirements.

RECOMMENDATION - 01128 00558, June 21, 2001 – Site Development Plan for Subdivision

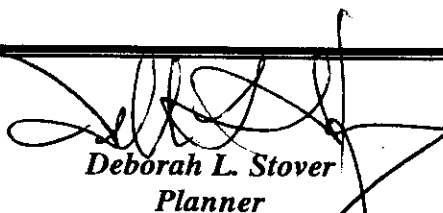
APPROVAL of 01128 00558, a request for site development plan for subdivision, for Tract 2, Black Ranch based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL - 01128 00558, June 21, 2001 – Site Development Plan for Subdivision

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

conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.

2. The site shall be replatted to create distinct lots that conform to or create the new zone boundary lines.
3. Design guidelines shall include off-street parking requirements and design (automobiles and bicycles), street design, transit facilities (benches, shelters, pedestrian connections), architectural design requirements (façade elements, massing, colors, materials), and pedestrian amenities (walkways, plazas, shade structures) that are consistent with EPC directives and intents.



Deborah L. Stover
Planner

cc: John Black, 3613 NM State Road 528 NW, Suite H, Albuquerque, NM 87114
Consensus Planning Ave. SW, Albuquerque, NM 87102
Audre Bonadea, Paradise Hills Civic Assoc., 10137 Furman NW, Albuquerque, NM 87114
Meredith Hughes, Paradise Hills Civic Assoc., 9908 La Paz NW, Albuquerque, NM 87114
Marlo Peters, Riverfronte Estates NA, Inc., 9506 Kandace Dr. NW, Albuquerque, NM 87114
Gary Plante, Riverfronte Estates NA, Inc., 1692 Pace Rd. NW, Albuquerque, NM 87114
Rick Lackey, Taylor Ranch NA, 2001 Carlisle NE, Albuquerque, NM 87110
Jerry Beck, Taylor Ranch NA, 8201 Golf Course Rd. NW, Suite D-3, Albuquerque, NM 87120
Mrs. Ginger Carman, 7201 Central Ave. NW, Albuquerque, NM 87121

Attachments

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Code Services

"Reviewed, no comment."

PUBLIC WORKS DEPARTMENT

Transportation Development Services:

No adverse comment on the proposed annexation and establishment of zoning. The remaining parcels adjacent to Coors Boulevard should be included in this request.

Utility Development:

Recommend denial. The applicant seeks to benefit from the services of the City, the effective and efficient delivery of which depends in part of reasonable and logical boundaries. By creating an island of incorporated land the requested action would be counterproductive making both City and County service delivery less efficient. The alternative to denial would be to create a more manageable boundary by including the rest of the subdivision, or at minimum all the land bounded by Coors, Paseo del Norte and the Corrales main: Lot 2 through 5. Water and sewer services are provided by NMUI.

Traffic Engineering Operations:

Prefer not to have the right-in/right-out, just the access at Irving onto Coors.

Hydrology:

The Hydrology Section has no objection to the annexation request. An approved conceptual grading and drainage plan is required for Site Plan sign-off by the City Engineer.

Transportation Planning:

The annexation should include adjoining portions of Irving Blvd., Paseo del Norte, and Valley View Drive. Written clarification is needed regarding automobile access to the AMAFCA pond.

FINDINGS:

- The Long Range Bikeway System map identifies proposed bike lanes on Coors Boulevard adjacent the subject development.
- Additional right-of-way on Coors Boulevard, as determined by the City Engineer in coordination with the City's Bicycle Planner, may be required to accommodate the needed bike lanes.
- Additional right-of-way may also be required for roadway operational improvements.

CONDITION of "Site Plan for Subdivision" approval.

- Dedication of additional right-of-way on Coors Boulevard the length of the entire annexed property, as required by the City Engineer in coordination with the City's Bicycle Planner, to provide for on-

street bicycle lanes and possible roadway operational improvements. This coordination and/or dedication should not be deferred

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

Environmental Services Division

An Air Quality Impact Assessment (AQIA), as required per the City Zoning Code Section 14-16-3-14, has been requested. The Environmental Health Department has not received an AQIA as of this time, and cannot formulate comments without this required study.

Prior to any earthmoving or surface alteration activities involving a parcel of 3/4 of an acre or more, a Surface Disturbance Permit must be obtained from the City's Environmental Health Department pursuant to Albuquerque/Bernalillo County Air Quality Control Board Regulation, Part 20. Revegetation or stabilization of disturbed areas can be coordinated as part of the permitting process. Call 768-1930.

NEIGHBORHOOD SERVICES

"Paradise Hills ®, Riverfronte Estates ® and Taylor Ranch (all recognized associations) were notified."

PARKS AND RECREATION

Planning and Design

No objection to the annexation or zoning request. The Trails & Bikeways Facility Plan proposes a secondary trail in this location along the Corrales Main Canal. Upon platting of these tracts, Parks & Recreation requests the applicant to provide pedestrian and bike access from the subdivision to the Corrales Main Canal.

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 requirements and ordinances."

FIRE DEPARTMENT/Planning

TRANSIT DEPARTMENT

"This site is with 300 feet of Routes 90 and 96."

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

ALBUQUERQUE METROPOLITAN FLOOD CONTROL AUTHORITY

1. The temporary drainage easement on Tract 2-D will not be required. Remove the language and replace with: "Interim temporary drainage facilities may be constructed within the AMAFCA right-of-way subject to approval from AMAFCA."
2. The 20-foot road deeded to AMAFCA, as shown in Tract 2-B, is actually part of Tract 2-D. The corrected acreages are: Tract 2-B = 2.9835 acres and Tract 2-D = 7.006 acres.

ALBUQUERQUE PUBLIC SCHOOLS

The request for annexation, establishment of zoning, and site plan for subdivision for tracts 2A, 2B, and 2C (18.0356 acres to be zoned SU-1, C-1, and O-1) of the **Black Ranch Development** located East of Coors NW just North of Paseo Del Norte Blvd NW will impact APS. This annexation will affect Petroglyph Elementary School, the New Monroe Middle School, and Cibola High School. The APS elementary/middle school facilities in the area continue to be upgraded and expanded. An elementary school (7-Bar) and middle school (Monroe) are slated to open (in this area) in the fall of 2001. Regardless of the recent and planned additions to existing educational facilities, the region's growth may well outpace the district's ability to construct new schools. As schools become overcrowded, boundary

changes, alternative schedules, transportation to less crowded schools, and/or combinations of the above strategies may be employed to relieve schools with large numbers of students.

MIDDLE RIO GRANDE COUNCIL OF GOVERNMENTS

The Long Range Roadway System designates Coors Boulevard as a limited access principal arterial which requires 156 feet of right-of-way. There is 150 feet of right-of-way existing, adequate right- of-way should be preserved for Coors. The Long Range Bikeway System proposes a bike lane on Coors. Development on these lots should facilitate the use of the adjacent bike lane

Ms. Elizabeth Begay – Chairman
Environment Planning Commission
600 Second Street NW, Suite 300
Albuquerque, New Mexico 87102

R.E. Northwest corner of Coors and Paseo del Norte
Case 2- 01114-00556 and 2- 01114-0057
Project 101206
Consensus Planning/ John Black

Dear Ms. Begay:

The Riverfronte Estates Neighborhood Association Inc. objects to the zoning proposed on the 18 acres, indicated in their letter to you of April 26, 2001. This property is adjacent to our residential subdivision and on a bluff that overlooks our properties. It is part of the properties included in our Neighborhood Association.

The Riverfronte Estates Neighborhood Association Inc. respectfully requests the Environment Planning Commission to consider SU-1 for C-1 for all properties and that no properties be zoned C-1 without the opportunity of the Association to review all development uses and proposals prior to approval. If the developer receives C-1 we will have only limited say on uses adjacent to our properties and within our Association boundaries.

We further request the SU-1 for C-1 uses preclude Automobile sales or Automobile dealerships. This property overlooks many of our resident's properties and Automobile sales/dealerships would prevent the quiet environment of their property, which they contemplated at the time they built their homes. Most of our homes are custom built for our residents. They believed they were building their last residence. The problems associated with this use would not be compatible with the surrounding neighborhood.

We further request the SU-1 for C-1 uses preclude "drive through" food service restaurants. We have no objection to "non-drive through" food service; however, we would request the primary business be food sales and liquor would be allowed only in conjunction with dining.

We do not object to hotel use if the hotel/motel is of limited height (no more than two stories). We would request input on the architectural design and that signage and lighting be restricted on the east side.

We are very concerned about the commercial uses allowed on this property as this property is on a bluff above our homes and all uses will impact all homes within our Association. The winds carry smells, trash and pollutants over our homes and lights, traffic and noise are exposed to all of our residents.

We have expressed these concerns with the representative of the developer in a two-hour meeting. None of our concerns were incorporated in the developer's submittal of April 26th. The meeting was at the request of the developer's representative and we attended in good faith.

Our recourse now lies in the hands of your committee and its members. We request your consideration of these issues that are of major importance to our member's enjoyment of their properties. We understand reasonable development is necessary we only request development does not occur in a manner that reduces the equality of life for the residents next to this property.

Respectfully,

Mrs. Ginger Carman

Mrs. Ginger Carman
President
Riverfronte Estates Neighborhood Association



PRESBYTERIAN
Healthcare Services

June 5, 2001

Deborah L. Stover
City of Albuquerque
Planning Department
PO Box 1293
Albuquerque, NM 87103

Dear Deborah:

As we discussed by phone yesterday, Presbyterian Healthcare Services is not opposed to Tract 3C on Coors Boulevard now being included in the annexation of it and surrounding properties into the City. We have not been more actively involved in the annexation because it is our intent to sell this property. However, given the annexation of the majority of the property east of Coors, we believe it would be in the new owner's best interest for Tract 3C to be annexed as well.

Thank you for bringing this matter to our attention.

Sincerely,

James R. Jeppson
Administrative Director

JRJ:jk

CC: Gene Walton
Ruthann Holm



Memorandum

To: Debbie Stover, Case Planner, City of Albuquerque
From: Karin Pitman, AIA *KMP*
Date: May 21, 2001
Re: Tracts 2/3, Black Ranch

Per our conversation earlier this week, we would like the City to investigate whether or not the owners of Tracts 3C, 3D, and 3E1 would be interested in annexing their properties into the City in conjunction with the annexation request we have already submitted on behalf of John Black.

Following is contact information for each tract:

Tract 3C:

Mr. James R. Jeppson, Administrative Director
Presbyterian Health Care Services
1224 Central Avenue SE
Albuquerque, NM 87125-6666
(505) 841-1234

Tract 3D:

Mr. Tom McCollum
11000 Bermuda Dunes NE
Albuquerque, NM 87111
(505) 292-5744

Tract 3E1:

Tim Cummins
Cummins and Associates
10400 Academy Road NE
Albuquerque, NM 87111
(505) 271-2800

Please contact me at 764-9801 if you have any additional questions.

c: John Black, West Wood Realty, 792-3735



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

May 31, 2001

Mr. Tim Cummins
Cummins and Associates
10400 Academy Road NE
Albuquerque, New Mexico 87111

RE: Annexation

Dear Mr. Cummins,

As you may know, application for annexation into the City of Albuquerque for approximately 18-acres adjacent to your property (Tract 3E1) on Coors Boulevard NW has been received by the City of Albuquerque and will be considered at the June 21, 2001 Environmental Planning Commission at 8:00 am.

It is usual for the applicant and/or City of Albuquerque to inquire as to interest in annexation with property owners adjacent to annexation requests. If Tract 3E1 is not annexed with this request, an "island" of county property will be created if the requested annexation is approved. You are under no obligation to annex your property, nor is this a request that you do so. We simply want your input as to your interest in annexing your property into City boundaries.

The address for the Planning Department is 600 2nd Street NW, 87102. I may be reached at 924-3940.

Sincerely,

Deborah L. Stover
City of Albuquerque, Planning Department

-26-



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

May 31, 2001

Mr. James Jeppson, Administrative Director
Presbyterian Health Care Services
1224 Central Avenue SE
Albuquerque, New Mexico 87125-6666

RE: Annexation

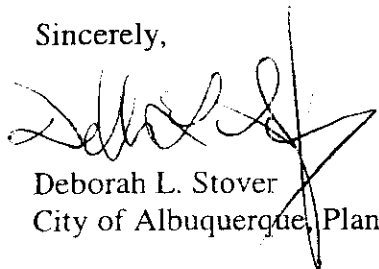
Dear Mr. Jeppson,

As you may know, application for annexation into the City of Albuquerque for approximately 18-acres adjacent to your property (Tract 3C) on Coors Boulevard NW has been received by the City of Albuquerque and will be considered at the June 21, 2001 Environmental Planning Commission at 8:00 am.

It is usual for the applicant and/or City of Albuquerque to inquire as to interest in annexation with property owners adjacent to annexation requests. If Tract 3C is not annexed with this request, an "island" of county property will be created if the requested annexation is approved. You are under no obligation to annex your property, nor is this a request that you do so. We simply want your input as to your interest in annexing your property into City boundaries.

The address for the Planning Department is 600 2nd Street NW, 87102. I may be reached at 924-3940.

Sincerely,



Deborah L. Stover
City of Albuquerque, Planning Department

-27-



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

May 31, 2001

Mr. Tom McCollum
11000 Bermuda Dunes NE
Albuquerque, New Mexico 87111

RE: Annexation

Dear Mr. McCollum,

As you may know, application for annexation into the City of Albuquerque for approximately 18-acres adjacent to your property (Tract 3D) on Coors Boulevard NW has been received by the City of Albuquerque and will be considered at the June 21, 2001 Environmental Planning Commission at 8:00 am.

It is usual for the applicant and/or City of Albuquerque to inquire as to interest in annexation with property owners adjacent to annexation requests. If Tract 3D is not annexed with this request, an "island" of county property will be created if the requested annexation is approved. You are under no obligation to annex your property, nor is this a request that you do so. We simply want your input as to your interest in annexing your property into City boundaries.

The address for the Planning Department is 600 2nd Street NW, 87102. I may be reached at 924-3940.

Sincerely,



Deborah L. Stover
City of Albuquerque, Planning Department

-28-



Memorandum

To: Ms. Ginger Carman, President and Mr. Gary Plante, Vice-President
Riverfronte Estates Neighborhood Association, 897-6875

From: Karin Pitman, AIA *KMP*

Date: May 22, 2001

Re: Tracts 2/3, Black Ranch Annexation request

Per my conversation with Gary Plante today, I am writing on behalf of Jim Strozier and John Black (who are both out of town today) to request an additional meeting with you and other neighborhood members on May 31st or sometime in early June, at your earliest convenience. We would greatly appreciate this opportunity to talk with you again and to see which of your issues can be resolved prior to the June EPC hearing.

Please call me at 764-9801 to schedule a meeting. Thank you.

c: Russell Brito, EPC, City of Albuquerque Planning Department, 924-3339
Debbie Stover, Case Planner, City of Albuquerque Planning Department, 924-3339
John Black, West Wood Realty, 792-3735

City of Albuquerque



DEVELOPMENT REVIEW APPLICATION

SUBDIVISION		Supplemental form	ZONING		Supplemental form
<input type="checkbox"/>	Major Subdivision Plat	S	<input checked="" type="checkbox"/>	Annexation & Zone Establishment	Z
<input type="checkbox"/>	Minor Subdivision Plat		<input type="checkbox"/>	Sector Plan	
<input type="checkbox"/>	Vacation	V	<input type="checkbox"/>	Zone Change	
<input type="checkbox"/>	Variance (Non-Zoning)		<input type="checkbox"/>	Text Amendment	
SITE DEVELOPMENT PLAN		P	<input type="checkbox"/>	Special Exception	E
<input checked="" type="checkbox"/>	...for Subdivision Purposes		APPEAL / PROTEST of...		A
<input type="checkbox"/>	...for Building Permit		Decision by: Planning Director		
<input type="checkbox"/>	IP Master Development Plan		or Staff, DRB, EPC, Zoning Board of		
<input type="checkbox"/>	Cert. of Appropriateness (LUCC)	L	Appeals, LUCC		

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2nd Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICANT INFORMATION:

NAME: John Black (See Attachment A) PHONE: 792-3713
 ADDRESS: 3613 NM State Road 528 NW, Suite H FAX: 792-3735
 CITY: Albuquerque STATE NM ZIP 87114 E-MAIL: jblack@cwrealty.com
 Proprietary interest in site: owner (See Attachment A)
 AGENT (if any): Consensus Planning PHONE: 764-9801
 ADDRESS: 924 Park Avenue SW FAX: 842-5495
 CITY: Albuquerque STATE NM ZIP 87102 E-MAIL: pitman@consensusplanning.com

DESCRIPTION OF REQUEST: Annexation, Establishment of Zoning, and Site Plan for Subdivision

SITE INFORMATION: ACCURACY OF THE LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.

Lot or Tract No. See Attachment A 293 Block: _____ Unit: _____
 Subdiv. / Addn. Black Ranch
 Current Zoning: County A-1, O-1, & C-1 Proposed zoning: City SU-1 for C-1, C-1, & O-1
 Zone Atlas page(s): C-13 No. of existing lots: 8 No. of proposed lots: 10
 Total area of site (acres): 18.0356 Density if applicable: dwellings per gross acre: n/a dwellings per net acre: n/a
 Within city limits? Yes No X, but site is within 5 miles of the city limits (DRB jurisdiction.) Within 1000FT of a landfill? no
 UPC No. See Attachment A 1013064338 32710407 MRGCD Map No. _____
 LOCATION OF PROPERTY BY STREETS: On or Near: Coors Boulevard NW
 Between: Paseo del Norte NW and Irving Boulevard NW

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB, AX, Z, V, S, etc.): County: ZA-94-65, CZ-90-10; City: AX-83-17, Z-83-93

Check-off if project was previously reviewed by ☒ Sketch Plat/Plan ☐ or Pre-application Review Team ☒. Date of review: 12/20/00

SIGNATURE [Signature] DATE 4/26/01
 (Print) James K. Strozier, AICP _____ Applicant ☒ Agent

FOR OFFICIAL USE ONLY

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input type="checkbox"/> All checklists are complete	<u>01114 - 00000 - 00556</u>	<u>ANNEX</u>	<u>Z</u>	\$
<input type="checkbox"/> All fees have been collected	<u>01110 - 00000 - 00557</u>	<u>Est. Z</u>	<u>Z</u>	\$
<input type="checkbox"/> All case #s are assigned	<u>01138 - 00000 - 00558</u>	<u>SDP</u>	<u>FD</u>	\$ <u>270.00</u>
<input type="checkbox"/> AGIS copy has been sent				\$
<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>4/21/01</u>		Total	\$ <u>270.00</u>

Z. Charz 4-26-01
 Planner signature / date

Project # 1001206

☒ ANNEXATION AND ESTABLISHMENT OF ZONING

- ☒ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
NOTE: The Zone Atlas must show that the site is in County jurisdiction, but is contiguous to City limits.

- ☒ Letter briefly describing, explaining, and justifying the request
☒ Letter of authorization from the property owner if application is submitted by an agent
☒ Property Boundary Survey prepared by a licensed professional surveyor
☒ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
☒ Sign Posting Agreement
☒ TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form

☒ Fee (see schedule)

- ☒ Any original and/or related file numbers are listed on the cover application
EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. Your attendance is required.

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

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

☐ AMENDMENT TO ZONE MAP (ZONE CHANGE)

- Application for sector development plan amendment (required only if site is within a sector plan's boundaries.)
 — Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 — Letter briefly describing, explaining, and justifying the request
 NOTE: Justifications must adhere to the policies contained in "Resolution 270-1980"
 — Letter of authorization from the property owner if application is submitted by an agent
 — Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 — Sign Posting Agreement
 — TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
 — Fee (see schedule)
 — Any original and/or related file numbers are listed on the cover application
 EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. Your attendance is required.

☐ AMENDMENT TO SECTOR DEVELOPMENT PLAN

- Proposed Amendment referenced to the materials in the sector plan being amended
 — Sector Plan to be amended with materials to be changed noted and marked
 — Zone Atlas map with the entire plan area precisely and clearly outlined and crosshatched (to be photocopied)
 — Letter briefly describing, explaining, and justifying the request
 — Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 — TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
 — Fee (see schedule)
 — Any original and/or related file numbers are listed on the cover application
 EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. Your attendance is required.

☐ AMENDMENT TO ZONING CODE OR SUBDIVISION REGULATIONS TEXT

- Amendment referenced to the sections of the Zone Code being amended
 — Sections of the Zone Code to be amended with text to be changed noted and marked
 — Letter briefly describing, explaining, and justifying the request
 — Fee (see schedule)
 — Any original and/or related file numbers are listed on the cover application
 EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. Your attendance is required.

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

James K. Strozier, AICP, Agent

Applicant name (print)

Applicant signature / date

Form revised September 2000



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

Application case numbers

01114-0000-0056
01110-0000-0058

Project #

Planner signature / date

1001306

☒ **SITE DEVELOPMENT PLAN FOR SUBDIVISION**

☐ **IP MASTER DEVELOPMENT PLAN**

- ☒ Scaled site plan and related drawings (folded to fit into an 8.5" by 14" pocket) 30 copies for EPC public hearings.
For IP master development plans, include general building and parking locations, and design requirements for buildings, landscaping, lighting, and signage.
 - ☒ Site plans and related drawings reduced to 8.5" x 11" format
 - ☒ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - ☒ Letter briefly describing, explaining, and justifying the request
 - ☒ Letter of authorization from the property owner if application is submitted by an agent (Petition for Annex.)
 - ☒ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - ☒ Sign Posting Agreement
 - ☒ 2 copies of the Conceptual Utility Layout Plan (mark one for Planning, one for Utility development)
 - ☒ TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form with required signatures
 - ☒ Fee (see schedule) \$270
 - ☒ Any original and/or related file numbers are listed on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

☐ **SITE DEVELOPMENT PLAN FOR BUILDING PERMIT**

☐ **SITE DEVELOPMENT PLAN FOR BUILDING PERMIT OF WIRELESS TELECOM FACILITY**

- Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) 30 copies for EPC public hearings.
 - Site Plan for Subdivision, if applicable, previously approved or simultaneously submitted. (Folded to fit into an 8.5" by 14" pocket.) 30 copies for EPC public hearings.
 - Site plans and related drawings reduced to 8.5" x 11" format
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Letter of authorization from the property owner if application is submitted by an agent
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - Sign Posting Agreement
 - Completed Site Plan for Building Permit Checklist
 - 2 copies of the Conceptual Utility Layout Plan (mark one for Planning, one for Utility development)
 - TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form with required signatures
 - Fee (see schedule)
 - Any original and/or related file numbers are listed on the cover application
- NOTE:** For wireless telecommunications facilities that are concealed and/or subject to site development plan review, the following materials are required in addition to those listed above for application submittal:
- Collocation evidence as described in Zoning Code §14-16-3-17(A)(5)
 - Notarized statement declaring # of antennas accommodated. Refer to §14-16-3-17(A)(10)(d)2
 - Letter of intent regarding shared use. Refer to §14-16-3-17(A)(10)(e)
 - Letter of description as above also addressing concealment issues, if relevant. Refer to §14-16-3-17(A)(12)(a)
 - Distance to nearest existing free standing tower and its owner's name if the proposed facility is also a free standing tower
 - Registered Engineer's stamp on the Site Development Plans
 - Office of Community & Neighborhood Coordination inquiry response as above based on ¼ mile radius
- EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

☐ **AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION**

☐ **AMENDED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT**

- Proposed amended Site Plan (folded to fit into an 8.5" by 14" pocket) 30 copies for EPC public hearings
 - DRB signed Site Plan being amended (folded to fit into an 8.5" by 14" pocket) 30 copies for EPC public hearings
 - DRB signed Site Plan for Subdivision, if applicable (required when amending SDP for Building Permit) 30 copies for EPC public hearings
 - Site plans and related drawings reduced to 8.5" x 11" format
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Letter of authorization from the property owner if application is submitted by an agent
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - Sign Posting Agreement
 - Completed Site Plan for Building Permit Checklist (not required for amendment of SDP for Subdivision)
 - TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form with required signatures
 - Fee (see schedule)
 - Any original and/or related file numbers are listed on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

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

James K. Strozier, AICP, Agent

Applicant name (print)

9/26/01

Applicant signature / date

Form revised September 2000



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

Application case numbers

0128-00001-00558

Project #

Planner signature / date

1061206

CITY OF ALBUQUERQUE

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

APPLICANT: John Black Date of request: 04/10/01 Zone atlas page(s): C-13
(See Attachment A)

CURRENT: Zoning County A-1/0.1/0.1 Legal Description -
 Lot or Tract # _____ Block # _____

Parcel Size (acres / sq.ft.) See attachment A

Subdivision Name _____

REQUESTED CITY ACTION(S): 17.9926 total

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:

No construction / development ☒
 New Construction ☐
 Expansion of existing development ☐

of units - _____
 Building Size - _____ (sq. ft.)

zoning to be established by annexation.

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 ☐

PWD, Dev. & Bldg. Services Div., Transportation Dev. Section - 2nd FL 600 2nd St. NW Plaza del Sol Bldg. 824-3991 or 3994

THRESHOLDS MET? YES ☒ NO ☐ Mitigating reasons for not requiring TIS: Previously studied: ☐

Notes: *TIS will be required prior to the application for Site Plan for*

building permit on any one of the parcels. SU-1 zoning is assumed.
 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 4/18/2001
 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] 4/24/00
 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 / / TRAFFIC ENGINEER DATE
 - FINALIZED / /
 AQIA - SUBMITTED / / ENVIRONMENTAL HEALTH DATE
 - FINALIZED / /

PETITION FOR ANNEXATION

INSTRUCTIONS: TYPE OR PRINT IN BLACK INK ONLY. Use additional sheets if necessary. Applicant must provide exhibit that accurately describes boundaries for a proposed annexation. Thirty (30) copies of any required attachment if exhibit is larger than 11x17, or One (1) copy is smaller than 11x17 must be submitted with this form. After folding, copies shall not exceed 8½ x14. Other attachments may include Site Plan or location map.

1. LEGAL DESCRIPTION OF AREA PROPOSED FOR ANNEXATION
Tracts 2A, 2B, 2C, 2D, 3B, 3F1, 3G1, 3H, 3I, 3J, Black Ranch
2. TOTAL ACREAGE OF AREA: 17.9926 acres
3. REASON FOR ANNEXATION: THIS STATEMENT SHOULD RELATE TO THE POLICIES FOR ANNEXATION FOR THE CITY OF ALBUQUERQUE

See Attached Page

4. CAPITAL SERVICES FOR MAJOR STREETS, WATER, SANITARY SEWER, AND STORM DRAINAGE:
THE APPLICANT(S) AND CITY AGREE THAT:
 - A. There will be a normal distribution of costs between special assessment districts and/or other funding sources.
 - B. The City shall provide its funding through normal Capital Improvements Program process, and that unless a project is specifically identifies in the Council Improvements Program, the timing of City funded installations of such services is indefinite and may require a substantial number of years.
 - C. In the absence of City funding for required projects, the land owner(s) or their that satisfies City policies and standards.
Any variations from the above shall be set forth by separate agreement.
See Zoning
5. Propose to establish Exhibit zoning; attach zone map amendment application.
6. AUTHORIZED AGENT: I (we) authorize Consensus Planning to act as my (our) agent on my (our) agent on my (our) behalf on all matters related to this petition for annexation and simultaneous establishment of zone: Attach authorizing document.

7. SIGNATURE(S):
 - A. OWNER Wells Fargo Bank New Mexico, NA PHONE 766-7301
MAILING ADDRESS See Below* ZIP CODE 87102
LEGAL DESCRIPTION OF PROPERTY OWNED: Tract 3B, Black Ranch
SIGNATURE [Signature] ACREAGE 1.0 acres
Gary Williams
 - B. OWNER _____ PHONE _____
MAILING ADDRESS _____ ZIP CODE _____
LEGAL DESCRIPTION OF PROPERTY OWNED _____
SIGNATURE _____ ACREAGE _____
 - C. (ATTACH ADDITIONAL SIGNATURES AS NECESSARY)
*Corporate Properties Group (MAC#S4500113)
200 Lomas Boulevard NW, 11th Floor

FOR OFFICE USE ONLY

PETITION ACCEPTED-BY: _____ DATE _____

EPC HEARING DATE _____

ANNEXATION CASE NO: AX- _____

ZONING CASE NO: Z- _____

PETITION FOR ANNEXATION

INSTRUCTIONS: TYPE OR PRINT IN BLACK INK ONLY. Use additional sheets if necessary. Applicant must provide exhibit that accurately describes boundaries for a proposed annexation. Thirty (30) copies of any required attachment if exhibit is larger than 11x17, or One (1) copy is smaller than 11x17 must be submitted with this form. After folding, copies shall not exceed 8½ x14. Other attachments may include Site Plan or location map.

1. LEGAL DESCRIPTION OF AREA PROPOSED FOR ANNEXATION
Tracts 2A, 2B, 2C, 2D, 3B, 3F1, 3G1, 3H, 3I, 3J, Black Ranch
2. TOTAL ACREAGE OF AREA: 17.9926 acres
3. REASON FOR ANNEXATION: THIS STATEMENT SHOULD RELATE TO THE POLICIES FOR ANNEXATION FOR THE CITY OF ALBUQUERQUE

See Attached Page

4. CAPITAL SERVICES FOR MAJOR STREETS, WATER, SANITARY SEWER, AND STORM DRAINAGE:
THE APPLICANT(S) AND CITY AGREE THAT:
 - A. There will be a normal distribution of costs between special assessment districts and/or other funding sources.
 - B. The City shall provide its funding through normal Capital Improvements Program process, and that unless a project is specifically identifies in the Council Improvements Program, the timing of City funded installations of such services is indefinite and may require a substantial number of years.
 - C. In the absence of City funding for required projects, the land owner(s) or their that satisfies City policies and standards.
Any variations from the above shall be set forth by separate agreement.
See Zoning
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6. AUTHORIZED AGENT: I (we) authorize Consensus Planning to act as my (our) agent on my (our) agent on my (our) behalf on all matters related to this petition for annexation and simultaneous establishment of zone: Attach authorizing document.

7. SIGNATURE(S):

- A. OWNER Trusts of Albert J. and Mary J. PHONE 792-3713
MAILING ADDRESS 3613 NM 528 NW Ste. Black ZIP CODE 87114
LEGAL DESCRIPTION OF PROPERTY OWNED: Tracts 3F1, 3G1, 3H, 3I, 3J,
Black Ranch
SIGNATURE [Signature] ACREAGE 4.4 acres
John Black, Trustee
- B. OWNER _____ PHONE _____
MAILING ADDRESS _____ ZIP CODE _____
LEGAL DESCRIPTION OF PROPERTY OWNED _____
SIGNATURE _____ ACREAGE _____
- C. (ATTACH ADDITIONAL SIGNATURES AS NECESSARY)

FOR OFFICE USE ONLY

PETITION ACCEPTED BY: _____ DATE _____

EPC HEARING DATE _____

ANNEXATION CASE NO: AX- _____

ZONING CASE NO: Z- _____

3. REASON FOR ANNEXATION

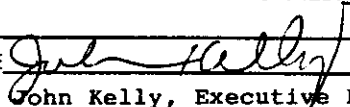
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See Zoning
5. Propose to establish Exhibit zoning; attach zone map amendment application.
6. AUTHORIZED AGENT: I (we) authorize Consensus Planning to act as my (our) agent on my (our) agent on my (our) behalf on all matters related to this petition for annexation and simultaneous establishment of zone. Attach authorizing document.
7. SIGNATURE(S):
 - A. OWNER AMAFCA PHONE 884-2215
MAILING ADDRESS 2600 Prospect Avenue NE ZIP CODE 87107
LEGAL DESCRIPTION OF PROPERTY OWNED: Tract 2D, Black Ranch

SIGNATURE  ACREAGE 6.7 acres
John Kelly, Executive Engineer
 - B. OWNER _____ PHONE _____
MAILING ADDRESS _____ ZIP CODE _____
LEGAL DESCRIPTION OF PROPERTY OWNED _____

SIGNATURE _____ ACREAGE _____
 - C. (ATTACH ADDITIONAL SIGNATURES AS NECESSARY)

FOR OFFICE USE ONLY

PETITION ACCEPTED BY: _____ DATE _____

EPC HEARING DATE _____

ANNEXATION CASE NO: AX- _____

ZONING CASE NO: Z- _____

3. REASON FOR ANNEXATION

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6. AUTHORIZED AGENT: I (we) authorize Consensus Planning to act as my (our) agent on my (our) agent on my (our) behalf on all matters related to this petition for annexation and simultaneous establishment of zone: Attach authorizing document.

7. SIGNATURE(S):
 - A. OWNER Black Development Two, LLC PHONE 792-3713
MAILING ADDRESS 3613 NM State Rd 528 NW Ste ZIP CODE 87114
LEGAL DESCRIPTION OF PROPERTY OWNED: H
Tracts 2A, 2B, 2C, Black Ranch
SIGNATURE [Signature] ACREAGE 5.8 acres
John Black, Manager
 - B. OWNER _____ PHONE _____
MAILING ADDRESS _____ ZIP CODE _____
LEGAL DESCRIPTION OF PROPERTY OWNED _____
SIGNATURE _____ ACREAGE _____
 - C. (ATTACH ADDITIONAL SIGNATURES AS NECESSARY)

FOR OFFICE USE ONLY

PETITION ACCEPTED BY: _____ DATE _____

EPC HEARING DATE _____

ANNEXATION CASE NO: AX- _____

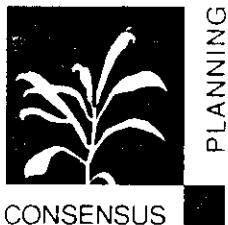
ZONING CASE NO: Z- _____

3. REASON FOR ANNEXATION

The parcels described are contiguous to the City of Albuquerque and contiguous to Coors Boulevard that is also within the City of Albuquerque. The property owners signing this petition desire the territory to be annexed into the in order to benefit from the services available from the City of Albuquerque, except for services now available from New Mexico Utilities (water and sewer). The territory to be annexed is adjacent to the Paradise and Seven Bar Communities of *the West Side Strategic Plan*, adjacent to the Paseo del Norte/Coors Community Center of the Proposed *West Side Strategic Plan Amendments* (which have been adopted by the Environmental Planning Commission but await City Council Introduction), and within Segment 3 north of the *Coors Corridor Plan*.

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CONSENSUS

Landscape Architecture
Urban Design
Planning Services

924 Park Avenue SW
Albuquerque, NM 87102

(505) 764-9801
Fax 842-5495
cp@consensusplanning.com
www.consensusplanning.com

PRINCIPALS

Karen R. Marcotte, AICP
James K. Stutzien, AICP
Christopher J. Green, ASLA

April 26, 2000

Ms. Elizabeth Begay, Chairman
Environmental Planning Commission
600 Second Street NW, Suite 300
Albuquerque, New Mexico 87102

Re: Northeast corner of Coors and Paseo del Norte

Dear Commissioner Begay:

The purpose of this letter is to provide the rationale and justification for the proposed Annexation, Establishment of Zoning, and Site Plan for Subdivision for several parcels of land located on the east side of Coors Boulevard just north of Paseo del Norte Boulevard. This request includes Tracts 2A, 2B, 2C, 2D, 3B, 3F1, 3G1, 3H, 3I, and 3J, a total of 17.9926 acres, as well as, the Site Plan for Subdivision of Tract 2 into Tracts 2A, 2B, 2C, and 2D. Acreages, existing zoning, and proposed zoning for each tract are as follow:

Tract	Acreage	Existing Zoning	Proposed Zoning
2A	1.7018 acres	County A-1	SU-1 (see below)
2B	3.0935 acres	County A-1	SU-1 (see below)
2C	1.0581 acres	County A-1	SU-1 (see below)
2D	6.6896 acres	County A-1	RO-20
3B	1.0 acres	County C-1	City C-1
3F1	0.9660 acres	County O-1	City O-1
3G1	0.8838 acres	County O-1	City O-1
3H	0.8838 acres	County O-1	City O-1
3I	0.8838 acres	County O-1	City O-1
3J	0.8752 acres	County O-1	City O-1

We have also been in contact with the property owners of Tracts 3C, 3D, and 3E1 and will continue to try to add those properties to this request. Proposed zoning for Tracts 2A, 2B and 2C is SU-1 for C-1 Permissive Uses and Hotel, Automobile Sales, and Restaurants with Full-Service Liquor. The subdivision of Tract 2 into Tracts 2A, 2B, 2C, and 2D is intended to provide for a separation of the AMAFCA detention pond (to be zoned RO-20); relocation of a road accessing the property to the east in order to avoid the detention pond; and to allow for a mixture of various retail establishments including hotel, automobile sales and restaurants with full-service liquor at this location. Proposed zoning at Tracts 3B, 3F1, 3G1, 3H, 3I, and 3J is intended to bring the tracts into the City with zoning similar to what now exists on each of these tracts. All of

these parcels, shown on the attached zone atlas page, C-13, lie within the Developing Urban area of the Comprehensive Plan, and are also governed by the *Coors Corridor Plan* and the *West Side Strategic Plan*. The proposed zoning is consistent with the health, safety and general welfare of the residents of the City.

- *The existing zoning is inappropriate because of changed neighborhood conditions and because a different land use category is more advantageous to the community, as articulated in the Comprehensive Plan and other land use plans adopted by the City as described below.*
- *Annexation of the parcels described here is contiguous to the City of Albuquerque as well as to Coors Boulevard, also within the City of Albuquerque.*
- *The property owners desire annexation in order to benefit from City services, except for services now available from New Mexico Utilities (water and sewer).*
- *The Subdivision of Tract 2 allows for the AMAFCA detention pond, the relocation of the access road, and the development of a mixed-use center including office, retail and dining establishments.*
- *Access to these properties is controlled and is limited to the right-in and right-out of Valley View Drive and full access at the existing traffic signal at Irving Boulevard.*

Site Characteristics

The site is located on the eastern edge of Coors Boulevard, which is within the City of Albuquerque. The existing development along Coors Boulevard in the vicinity of this site is a mixture of commercial uses. The property is bounded by Coors Road and two County parcels (C-2 to the south, and Special Use for a Specific Use for a Drive-In Restaurant to the north) to the west, C-2 to the north, the Corrales Main Canal to the east, and the Paseo del Norte interchange to the south. Across Coors Boulevard to the west is existing C-2 development primarily consisting of large format shopping facilities including Target and a movie theater. Across the Paseo del Norte interchange to the south is existing City C-1 zoning adjacent to Coors, and City SU-1 for PDA, both at Riverpoint. Across the Coors Main Canal to the east is Tract 12, Black Ranch, which is currently vacant, zoned County A-1, and also owned by the applicant and other family members. To the east of Tract 12 is the existing Riverfronte Estates subdivision.

Applicable Plans and Policies

City of Albuquerque Zoning Ordinance

This request is for a zone change from the current County A-1 to SU-1 for C-1 Permissive Uses and Hotel, Automobile Sales, and Restaurants with Full-Service Liquor; County A-1 to RO-20; County O-1 to City O-1; and County C-1 to City C-1. These zoning categories are appropriate for the subject parcels since, respectively, they allow for the appropriate scale of community

commercial uses, the AMAFCA detention pond, and maintain the intent of the current County zoning. The integrity of existing neighborhoods will be ensured, and the proposed zone amendment to allow future commercial development will complement adjacent land uses.

Albuquerque/Bernalillo County Comprehensive Plan

The *Albuquerque/Bernalillo County Comprehensive Plan* designates this area as Developing Urban. Goals and policies applicable to this request include:

Established and Developing Urban Area:

The Goal is to create a quality urban environment, which perpetuates the tradition of identifiable, individual, but integrated communities within the metropolitan area and which offers a variety and maximum choice in housing, transportation, work areas, and lifestyles, while creating a visually pleasing built environment.

Policy a

The Established and Developing Urban Areas as shown by the Plan Map shall allow a full range of urban land uses....

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 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.

Policy m

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

Transportation and Transit:

The Goal is to provide a balanced circulation system through efficient placement of employment and services, and encouragement of bicycling, walking, and use of transit/paratransit as alternatives to automobile travel, while providing sufficient roadway capacity to meet mobility and access needs.

Policy b

Compatible mixing and convenient placement of residential, commercial, manufacturing, and public service related land uses shall be encouraged where desirable and appropriate to lessen the need for intra-city motorized travel.

Policy c

To reduce travel needs and promote transit use, buildings and sites shall be designed and jointly used for multiple uses when efficient and feasible.

Possible Techniques include:

- 3) Encourage buildings in urban centers to incorporate a variety of activities.
- 4) Implement new zones or combinations of existing zones which encourage mixing of activities.

Policy p

Peak hour demands on the circulation system should be decreased.

Economic Development:

The Goal is to achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals.

Policy a

New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs located convenient to areas of most need.

Policy b

Development of local business enterprises as well as the recruitment of outside firms shall be emphasized.

Based upon these *Comprehensive Plan* goals and policies, this site adheres to and will help implement the *Comprehensive Plan* policies noted above in the following ways:

- *Development of commercial uses at this location is compatible with the adjacent development and provides for commercial service in an area where it will have little impact on nearby residential uses.*
- *Compatible commercial uses (such as restaurants and service commercial) at this location will serve those employed by adjacent office and commercial establishments.*
- *Commercial development adjacent to other office and commercial establishments will help reduce vehicle miles traveled to such uses thus reducing harmful impacts to air quality and noise generation.*
- *Consolidation of community commercial with other commercial and office uses in one area such as this with appropriate physical barriers decreases the impact of such uses on residential neighbors while providing needed services to residents.*
- *Location of community commercial at this site will contribute to decrease traffic and transportation in this developing urban area since local residents' employment will be served by these uses.*
- *Since local employment centers will be served by these uses during peak hours, demands on adjacent circulation systems will decrease.*

Coors Corridor Plan

Land use and intensity of development is the third of four major issues addressed in the *Coors Corridor Plan*. Policy Four of land use and intensity of development addresses annexation by stating that "properties under county jurisdiction, which are now surrounded by City jurisdiction, should be annexed into the City as soon as possible." The rationale behind this policy is that "continuity and consistency of appropriate public services and ordinances are essential to achieve orderly growth and cost effective services to the property owner."

The *Coors Corridor Plan* also states that the "intensity of development shall be compatible with the roadway function, existing zoning or recommended land use, environmental concerns, and design guidelines. The proposed zoning, SU-1 for C-1 Permissive Uses with Hotel, Automobile Sales and Restaurants with Full-Service Liquor is appropriate next to Coors Boulevard; RO-20 is appropriate for the AMAFCA detention pond; and O-1 and C-1 are appropriate to maintain the intent of the existing zoning once the parcels are annexed into the City from the County.

Based upon these *Coors Corridor Plan* goals and policies, this proposal adheres to and will help implement the Plan's policies noted above in the following ways:

- *Few commercial establishments are located on the east side of Coors within this stretch, and this request will increase the availability of commercial establishments on the east side of Coors.*

- *The streetscape will be compatible with local zoning standards.*
- *These community commercial uses are located on a major transportation service route.*

The *Coors Corridor Plan* proposed a Coors/Paradise Sector Plan that has never been completed, however, the development intensity of this site is compatible with the roadway function and the existing zoning and land uses.

West Side Strategic Plan

Policies applicable to this request include:

The location of this request is included in the "Paradise Community" as described by the Plan, and designated in the #1 priority zone for City service areas beginning in decades I and II (1995-2015) as referenced in the following policy:

Policy 4.2

The intent of this Plan is to allow adequate capacity, equitably and geographically distributed at all times, according to the strategy outlined above. Infrastructure, new facilities, and additional services shall be programmed consistent with the general intent of the phasing plan shown above (where the site is shown within the #1 priority zone).

Policy 4.9

It is important to promote and establish land uses and urban patterns whose design support bicycle and pedestrian travel, and public transportation, encourage ridership, enhance public mobility and promote alternatives to single occupant vehicle use.

Policy 4.11

The County of Bernalillo and the City of Albuquerque may elect to apply an incentive to developments on the West Side and throughout the City that are already served by infrastructure. These incentives, if applicable, will be so designated as Conditions of Approval at the time of public hearing for annexations, zone changes, site plans, or subdivisions.

Policy 4.12

An incentive to areas already served by infrastructure may include any one of the following: lower development impact fees, expedited plan approval processing, rebates for application fees or other charges, public/private cost-sharing of infrastructure, allowing shared parking or driveway facilities or joint utility taps, or other techniques approved by elected officials.

Based upon these *West Side Strategic Plan* policies, this site adheres to and will help implement the Plan policies noted above in the following ways:

- *The site is across the street from an identified Village Center (Paradise Village Center) where non-single family residential uses are entirely appropriate.*
- *A mixture of commercial uses, particularly uses which provide services to local employment areas, will support increased pedestrian travel and public transportation, enhancing public mobility and promoting alternatives to single occupant vehicle use.*
- *This site is served by existing infrastructure and therefore, eligible for incentives.*

Annexation (Resolution 54-1990)

Annexation for areas planned to be urban intensity will be met when the following policies are met:

- Section 1(a) "Compliance with City policy regarding land dedication for public facilities is assured."
- Section 1(b) "The applicant shall agree in writing to timing of capital expenditures for necessary major streets, water, sanitary sewer, and storm water handling facilities."
- Section 1(c) "The City may decline an annexation request if timing for provision of services cannot be assured and if it is determined that land owners must wait for basic utilities and facilities."
- Section 1(d) "Land annexed shall be to some extent contiguous to City limits..."
- Section 1(e) "Land to be annexed shall have provision for convenient street access to the City."
- Section 1(f) "Land to be annexed shall have reasonable boundaries so that providers of public services can determine with ease where the City boundary is located and so that public services can be delivered under appropriate service extension policies at reasonable operating and capital cost to the City."

These properties are contiguous to land within the City west of the property. Convenient street access is available from Coors Boulevard, and the site's proximity to land within the City indicates that service extension can be accommodated. Further, the tremendous growth taking place in northwest Albuquerque indicates that provision of services should be attainable within a reasonable period of time. The properties are within New Mexico Utilities service area for water and sewer services and are serviceable through existing lines.

Resolution 270-1980

The proposed City SU-1 for C-1 Permissive Uses and Hotel, Automobile Sales, and Restaurants with full-service liquor, RO-20, C-1, and O-1 zoning for these sites meets the requirements set forth in Resolution 270-1980 as follows:

- A. The annexation request and simultaneous zone change are consistent with the health, safety, and general welfare of the residents of the City. Few other commercial establishments are located on this stretch of Coors on the east side of the roadway and other zone categories are consistent with existing zoning.
- B. Stability of land use and zoning will be achieved through this annexation request since the area to the immediate west is within the City of Albuquerque. Property across Coors Boulevard is also zoned C-2 and has compatible land uses with what is envisioned to be developed on the subject site. As a Developing Urban area, these properties are appropriate for annexation since they can be serviced by City utilities and are located on an existing arterial.
- C. The annexation request and simultaneous zone amendment fulfills the policies outlined in the *Comprehensive Plan*, the *Coors Corridor Plan* and the *West Side Strategic Plan* since annexation is specifically called for and the establishment of City SU-1 for C-1 Permissive Uses and Hotels, Automobile Sales, and Restaurants with Full-Service Liquor, RO-20, C-1, and O-1 zoning is also consistent with these plans.
- D2. The existing zoning is County A-1 (C-1, and O-1) and is not appropriate due to the dynamic residential and commercial growth taking place on the West Side and in Rio Rancho. Changed conditions are present in this area due to the zone changes and development of a variety of adjacent commercial properties, and the associated transportation and infrastructure improvements.
- D3. The proposed zoning at this location is more advantageous to the community since it will accommodate a variety of urban land uses necessary to serve this growing area. The proposed zoning also allows for a better mix of uses that will contribute to a decrease of vehicular miles traveled in the area.
- E. The annexation request and simultaneous zone change will not be harmful to adjacent property, the neighborhood, or the community. On the contrary, annexation will enhance the adjacent property and give the neighborhood and community increased options when seeking much needed services.
- F. Private capital will be used for site development expenditures.
- G. The cost of land or other economic considerations are not the determining factor for the Annexation Request, simultaneous Zone Change and Site Plan for Subdivision.

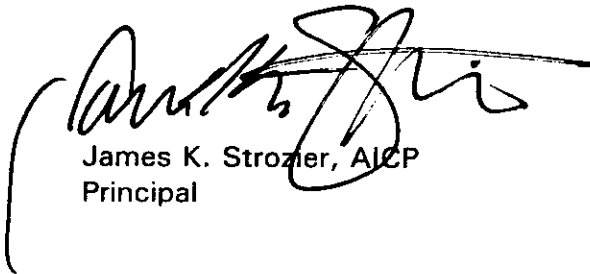
- H. The site's location next to Coors Boulevard is not the sole basis behind this request.
- I. The Annexation Request and Establishment of Zoning do not constitute spot zoning.
- J. The Annexation Request and Establishment of Zoning do not constitute strip zoning.

Conclusion

In conclusion, this request is supported by *the Albuquerque/Bernalillo County Comprehensive Plan*, the *Coors Corridor Plan*, the *West Side Strategic Plan*, and *Council Resolutions 270-1980* and *54-1990*. Primarily, the significant changed conditions listed here have affected this site making it a more appropriate location for City SU-1 for C-1 Permissive Uses and Hotel, Automobile Sales, and Restaurants with Full-Service Liquor; City RO-20; City C-1; and City O-1 zoning. As a secondary benefit, this zoning is more advantageous to the health, safety and welfare of the local community.

Based upon the justification provided above, the applicant respectfully requests approval of this Zoning, Annexation, and Site Plan for Subdivision Request for Tracts 2A, 2B, 2C, 2D, 3B, 3F1, 3G1, 3H, 3I, and 3J, Black Ranch.

Sincerely,



James K. Strozler, AICP
Principal

Attachment: Zone Atlas Page C-13

c: Project Team

“ATTACHMENT A”

*Karin Pitman, AIA, Consensus Planning
Zone Map C-13*

PARADISE HILLS CIVIC ASSOC. (R)

***Audre Bonadea**

10137 Furman NW/87114 897-9663 (h)

Meredith Hughes

9908 La Paz NW/87114 898-0909 (h)

RIVERFRONTE ESTATES N.A., INC. (R)

***Marlo Peters**

9506 Kandace Dr. NW/87114 890-9090 (h&w)

Gary Plante

1692 Pace Rd. NW/87114 897-6874 (h&w)

TAYLOR RANCH N.A. (R)

***Rick Lackey**

2001 Carlisle NE/87110 944-8418 (w)

Jerry Beck

8201 Golf Course Rd. NW, Suite D-3/87120 890-5478 (h) 792-0917 (w)

**LETTERS MUST BE SENT TO BOTH CONTACTS OF EACH
NEIGHBORHOOD ASSOCIATION.**

Ms. Elizabeth Begay – Chairman
Environment Planning Commission
600 Second Street NW, Suite 300
Albuquerque, New Mexico 87102

R.E. Northwest corner of Coors and Paseo del Norte
Case 2- 01114-00556 and 2- 01114-0057
Project 101206
Consensus Planning/ John Black

Dear Ms. Begay:

The Riverfronte Estates Neighborhood Association Inc. objects to the zoning proposed on the 18 acres, indicated in their letter to you of April 26, 2001. This property is adjacent to our residential subdivision and on a bluff that overlooks our properties. It is part of the properties included in our Neighborhood Association.

The Riverfronte Estates Neighborhood Association Inc. respectfully requests the Environment Planning Commission to consider SU-1 for C-1 for all properties and that no properties be zoned C-1 without the opportunity of the Association to review all development uses and proposals prior to approval. If the developer receives C-1 we will have only limited say on uses adjacent to our properties and within our Association boundaries.

We further request the SU-1 for C-1 uses preclude Automobile sales or Automobile dealerships. This property overlooks many of our resident's properties and Automobile sales/dealerships would prevent the quiet environment of their property, which they contemplated at the time they built their homes. Most of our homes are custom built for our residents. They believed they were building their last residence. The problems associated with this use would not be compatible with the surrounding neighborhood.

We further request the SU-1 for C-1 uses preclude "drive through" food service restaurants. We have no objection to "non-drive through" food service; however, we would request the primary business be food sales and liquor would be allowed only in conjunction with dining.

We do not object to hotel use if the hotel/motel is of limited height (no more than two stories). We would request input on the architectural design and that signage and lighting be restricted on the east side.

We are very concerned about the commercial uses allowed on this property as this property is on a bluff above our homes and all uses will impact all homes within our Association. The winds carry smells, trash and pollutants over our homes and lights, traffic and noise are exposed to all of our residents.

We have expressed these concerns with the representative of the developer in a two-hour meeting. None of our concerns were incorporated in the developer's submittal of April 26th. The meeting was at the request of the developer's representative and we attended in good faith.

Our recourse now lies in the hands of your committee and its members. We request your consideration of these issues that are of major importance to our member's enjoyment of their properties. We understand reasonable development is necessary we only request development does not occur in a manner that reduces the equality of life for the residents next to this property.

Respectfully,

Mrs. Ginger Carman

Mrs. Ginger Carman
President
Riverfront Estates Neighborhood Association

THE SITE. The site now consists of 1 existing lot containing approximately 5,804 sq. ft. Another lot will be added to create lots 2A, 2B and 2C.

PROPORTION AND VEHICULAR MOVEMENT: Pedestrian and vehicular ingress and egress shall be on Valley View drive and the future connection to Tract 12 to the west. No direct vehicular access shall be permitted from Coast Boulevard pursuant to the Coast Corridor Plan. Pedestrian connection to Coast Boulevard and the new sidewalk on Valley View shall be determined in accordance with Forest Design Guidelines (Sheet 2) and with the individual Site Plans for each future parcel.

INTERNAL CIRCULATION REQUIREMENTS: Internal circulation shall be developed in accordance with the existing and proposed rights-of-way, internal parking, drive aisle, and pedestrian facilities shall be in accordance with these Design Guidelines (Sheet 2) and pursuant to an approval Site Development Plan for Building Entrances.

BUILDING HEIGHTS AND SETBACKS: Pursuant to the Design Guidelines (Sheet 2).

MAXIMUM F.A.R.: Maximum F.A.R. shall be 36

LANDSCAPE PLAN: Conceptual Landscape Plans shall be developed in accordance with the individual Site Plans for Building Permit and consistent with the landscaping and screening requirements included in the Design Guidelines (Sheet 2).

Planning Director	Date
Transportation Development	Date
City Engineer/MMWFA	Date
Utility Development	Date
Parks and Recreation Department	Date

BLACK RANCH

Prepared by:
Consensus Planning, Inc.
3324 Park Avenue SW
Albuquerque, NM 87102



ATTACHMENT A: APPLICANT/SITE INFORMATION BY PARCEL

APPLICANT 1

APPLICANT INFORMATION

NAME: *Black Development Two, LLC (John Black, Mgr.)* PHONE: (505) 792-3713
ADDRESS: *3613 NM State Road 528 NW, Suite H* FAX: (505) 792-3735
CITY: *Albuquerque* STATE: *NM* ZIP: *87114* E: *jblack@wwwrealty.com*
Proprietary interest in site: *Owner, Tract 2A, 2B, 3F1, 3G1, 3H, 3I, 3J*

SITE INFORMATION

Legal Description	Acreage	Existing Zoning	UPC #
<i>Tract 2A, Black Ranch</i>	<i>1.7018 acres</i>	<i>County A-1</i>	<i>N/A</i>
<i>Tract 2B, Black Ranch</i>	<i>3.0935 acres</i>	<i>County A-1</i>	<i>N/A</i>
<i>Tract 2C, Black Ranch</i>	<i>1.0581 acres</i>	<i>County A-1</i>	<i>N/A</i>

Proposed Zoning: *See zoning exhibit*

Zone Atlas page(s): *C-13* No. of existing lots: *1** No of proposed lots: *3*

Total area of site (acres): *5.8534 acres (total)* Density: *N/A*

Within city limits? *No, but sites are within 5 miles of the city limits*

Within 1000FT of a landfill? *No*

UPC No. *See table above*

**Tracts 2A (above), 2B (above), 2C (above) and 2D (below) have been created from the original Tract 2*

APPLICANT 2

APPLICANT INFORMATION

NAME: *AMAFCA (John Kelly, Executive Engineer)* PHONE: (505) 884-2215
ADDRESS: *2600 Prospect Avenue NE* FAX: (505) 884-0214
CITY: *Albuquerque* STATE: *NM* ZIP: *87107* E: *c/o m_w_eckert@yahoo.com*
Proprietary interest in site: *Owner, Tract 2D*

SITE INFORMATION

Legal Description: *Tract 2D, Black Ranch*

Current Zoning: *County A-1* Proposed Zoning: *See zoning exhibit*

Zone Atlas page(s): *C-13* No. of existing lots: *0*** No of proposed lots: *1*

Total area of site (acres): *6.6896 acres* Density: *N/A*

Within city limits? *No, but site is within 5 miles of the city limits*

Within 1000FT of a landfill? *No*

UPC No. *N/A*

***This lot was created from the original Tract 2 accounted for above, see * above*

To: John Black, West Wood Realty

From: Karin M. Pitman, AIA *KMP*

Date: June 5, 2001

Re: Meeting with Riverfronte Estates Neighborhood Association Members

Per our meeting last night with Ginger Carman, Gary Plante, and Gilbert Jaramillo, following are the issues that the neighbors are looking to have addressed in our request for annexation. We made it clear to them that, if you agree to their terms, you would be looking for their agreement not to fight your request. If you agree with what is stated here, we will get back to them and they will convene a special meeting prior to the hearing on the 21st of June to determine if their Board can support the agreement and send a letter to that effect.

Please review the following and let us know if you think you can comply with these requests.

Lighting

- Change the maximum height limit to 16' from 20'.
- Require a maximum height of 12' for security lighting that remains on after 11pm and require that security lighting be directed towards the building.
- Stipulate lighting directed away from the neighborhood and fully shielded building mounted lighting.
- Add that PNM lights should be shielded (though we have no control of this, Gilbert works for PNM and can see that this happens).
- They would like you to consider making these same requirements for the five O-1 lots.

Signage

- Change maximum sign face size for each side of the individual monument signs to 32 SF (where one free-standing, two-sided sign is allowed for any one premise with street frontage of 100-feet or less, and no more than two free-standing, two-sided signs are allowed for any one premise with street frontage of 100-feet or more). FYI, our original Design Guidelines allowed a maximum of 75 SF per sign face.
- They would like to know if you have followed up with the business signs that are currently in violation along Coors.

Pollution

- Since it would be difficult to enforce "low level", the neighbors request that outdoor music be prohibited. This is an important issue to them.

- They would like some language about odors from restaurants and other businesses to insure that they will not be affected by discharge from businesses on these sites.
- They want to be assured that screening will be required at all trash and grease trap areas, and that these facilities will not be placed so as to cause smells to affect the neighborhood.
- They would like at least your verbal agreement to place a wall similar to that at the SU-1 site along the edge of the O-1 sites.

Zoning

- We made it clear that straight zoning was not negotiable, and reassured them that an SU designation has been requested for zoning that will be changed, allowing them an additional opportunity for review at the site plan stage.

Use Restrictions

- We stated that bars and clubs have already been restricted.
- They would like to restrict "high density construction", however, upon discussion with them, we learned that this really means restriction of uses that would generate large amounts of traffic and idling cars. Fast food/drive through restaurants are the key type of use that they see as problematic. Therefore, they would like your agreement to exclude such uses (even at Tract 2A).
- They would like to restrict hotels/motels to only 2 stories.
- They would like to restrict gas stations as well as auto dealerships or auto service/repair facilities.

Please call me once you have reviewed these items. Thanks.

Attachment: Copy of Neighborhood Issues List



WEST WOOD

Thursday, June 17, 2001

Karin Pitman
Consensus Planning
924 Park Avenue SW
Albuquerque, NM 87102

RE: Riverfronte Estates Neighborhood

Dear Karin:

I have reviewed your letter dated June 5, 2001 regarding the Riverfronte Neighborhood meeting you had on our behalf on the night of June 4th.

I have discussed with my family partners the proposed restrictions outlined in your letter. We have the following responses:

1. The lighting restrictions are acceptable as proposed. We will, as well, agree to place these on the existing Tract 3 lots we own subject to our ability to keep these existing lots in this present zoning and annexation application.
2. If we have too much opposition on the rezoning of Tract 2 and the annexation of Tract 3, or face any threat of legal challenges relative to this application, then we may have to drop our Tract 3 lots out of this application and leave these lots in the County "as is".
3. We would agree to reduce the "sign area" on each side of a monument sign to 50 square feet instead of a 75 square foot area as currently proposed. With the volume of traffic on Coors and Paseo del Norte, we need an adequately sized sign for people to safely read from these busy highways. We are proceeding to call and or write sign violators on our properties on Coors because these signs are too numerous and interfere with the marketing of our property. However, some of these signs are in the highway right-of-way and the owners of these signs need pressure from the State Highway Department to remove these illegal signs. A call or letter from the Riverfronte Subdivision to the District 5 State Highway Department might help us with that issue.
4. We will agree with the proposed "no outdoor music" request. Our existing residential-agricultural zoned land is much closer to this potential problem than the existing Riverfronte Subdivision and this is a concern of ours, too.
5. We feel the existing City ordinances on odors will be reasonably enforced if this becomes an issue. We currently are not aware of any of the many restaurants we have put into business in the Cottonwood Mall area creating any unusual odor problems. With the gas and diesel fuel fumes from the existing cars and trucks on Coors and Paseo, we highly doubt a restaurant operating within City codes could create any perceivable odor to our adjacent non-commercial land much less to the Riverfronte Subdivision area which is over 700 feet away from our land at its closest point. We are not proposing any industrial uses in our zoning application either.
6. We agree to and have requested Special Use for commercial zoning. We want to have input on future design compliance with our zoning request as the most affected adjacent non-commercial landowner between Riverfronte and the property in question. We will want to closely monitor how these properties are actually developed by the end users.

3613 NM STATE ROAD 528 NW, SUITE H • ALBUQUERQUE, NEW MEXICO 87114
505-792-3713 FAX 505-792-3735

Web Address: www.wwrealty.com E-mail: hollins@wwrealty.com

7. We will agree to require construction of a 6' wall on our existing Tract 3 lots that are on the east side of Valleyview Drive. We will also add this requirement to Tract 2 as a part of this present annexation petition.
8. We will want the right to have restaurant and fast food uses on Tract 2A, fronting on Coors Blvd. in Tract 2. We are already adjacent to several fast food zoned properties on Coors in Tract 3. We do not see the minor amount of traffic generated by these potential uses compared to the traffic existing on Coors and Paseo del Norte, not to mention the future increase in traffic on these facilities, as any significant air quality issue in this area. This land is located essentially at a freeway interchange and is not a desirable location for residential or other low density uses. We do want to keep the quality of the businesses to be located on this property as high as possible because of our vested interest in non-commercial land east of this property and feel positive that we can through deed restrictions, City codes, and the Special Use zoning enforcement. We can solve any operational problems that may arise from the commercial use of this land.
9. We would agree to limit any hotel use to two stories. That will help our other property, too.
10. We will agree to a restriction of no gas stations on most of our Tract 2 land. We do want to reserve the right to have a one-acre service station (without auto repair) site on Tract 2A, adjacent to Lot 3-E-1. This lot is probably not visible to the Riverfronte Subdivision, especially once the grading is done and the walls on the east boundary of Tract 2 are built.
11. We will agree to no auto dealership, auto repair, or auto sales. We do reserve the right to sell auto parts (without a repair station). Again, we want good clean commercial uses.

Our Aunt, Mrs. Briscoe, lives immediately adjacent to the Larry Miller Auto Dealership and the Academy Furniture Factory Outlet Store on Coors. She told me last week she is very happy with those businesses as neighbors. They are quiet businesses and cause her "no problems at all".

We worked on both those projects with Consensus Planning when they were zoned and we made sure the design elements regarding noise, lighting, landscaping and screen walls were at a high standard to be compatible with our Aunt's home as well as others nearby. In land planning, it has been proven to us it is more important "how you develop than what you develop". There are residential uses that could be put on this land that would be more of a concern to us than high-end businesses.

We appreciate the Riverfronte Neighborhood concerns. A lot of their concerns are reasonable and we appreciate their input. If any additional design concerns or ideas arise from their group, we would like to hear about them, as they may be mutually beneficial.

Sincerely,


John F. Black
Owner

Memorandum

To: Gary Plante, Riverfronte Estates Neighborhood Association, 897-6875
From: James K. Strozier, AICP, Principal
Date: June 18, 2001
Re: Tract 2/3 Annexation Request

Karin Pitman conveyed your request for additional compromises to John Black this morning. She stated that you were hoping for the following additional concessions: limitation to just one "fast food" business on Tract 2A, the exclusion of outdoor dining areas, and an agreement to provide additional equipment if the smells of such and establishment are found to be offensive. John Black was not willing to make these additional concessions. He has already offered to make the following concessions for his family's properties in return for your complete support of this annexation request (detailed in our earlier memo to John dated June 5 in response to your list of requests, John's response dated June 7, and your recent phone conversation with Karin Pitman):

- Additional lighting restrictions (both at Tract 2 and the straight-zoned Tract 3 parcels)
- Reduction of signage areas
- Prohibition of outdoor music and paging
- Special Use zoning to allow for additional neighborhood review prior to development
- Construction of a 6' wall adjacent to the Corrales Main Canal at both Tracts 2 and 3 (where Tract 3 has straight zoning)
- Limitation of hotel uses to two stories
- Limitation of gas station uses to just 1.7-acres of the request (less than 10%), and located on Coors Boulevard where it is not contiguous to residential zoning
- Exclusion of auto dealers, auto repairs, and auto sales uses

John had stated that he would be willing to make the above concessions if you would agree to fully support his request by the time of the hearing on Thursday. However, since such agreement has not been reached, and you have continued to request additional concessions, we are planning to enter the hearing on Thursday with our request as it was originally submitted to the EPC (without the above concessions).

As was stated before, the Black family owns residential (County A-1) land between your property and the area included within this request. As such, they stand to lose as much or more than you do if this development is less than desirable; however, they have no objections to the original submittal. In addition, the Black family has not requested any restrictions of the uses allowable in Riverfronte Estates, which stand to affect their adjacent property.

Please contact me at 764-9801 if you have any questions or require any additional information.

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

COUNSELORS AND ATTORNEYS AT LAW

ALBUQUERQUE PLAZA

201 THIRD STREET NW, SUITE 2200
ALBUQUERQUE, NEW MEXICO 87102

P.O. BOX 1888
ALBUQUERQUE, NEW MEXICO 87103

TELEPHONE (505) 765-5900

FACSIMILE (505) 768-7395

Direct Number:
768-7224

E-Mail Address: sbfox@rodey.com

SUSAN B. FOX

July 20, 2001

VIA HAND-DELIVERY

Ms. Debbie Stover, EPC Case Planner
City of Albuquerque Planning Department
600 Second Street, NW - Suite 300
Albuquerque, NM 87102

Re: **Tract 3C, Black Ranch/Annexation**

Dear Debbie:

Per our conversation, I am hand-delivering to you the following documents pertaining to Tract 3C, Black Ranch and its annexation and zoning request:

1. Petition for Annexation;
2. Development Review Application and Supplemental Form "Z;"
3. Letter in support of zone change;
4. Zone Atlas Page C-13-Z; and
5. Authorization letter.

It is my understanding from you that, with respect to most of the items listed on Form Z under "Annexation and Establishment of Zoning," the items already submitted in conjunction with the Black Development annexation petition will be sufficient. Please let me know if you require anything further.

Very truly yours,

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

By:

Susan B. Fox

SBF/ssb
Enclosures

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PETITION FOR ANNEXATION

INSTRUCTIONS: TYPE OR PRINT IN BLACK INK ONLY. Use additional sheets if necessary. Applicant must provide exhibit that accurately describes boundaries for a proposed annexation. Thirty (30) copies of any required attachment if exhibit is larger than 11x17, or One (1) copy is smaller than 11x17 must be submitted with this form. After folding, copies shall not exceed 8 1/2 x14. Other attachments may include Site Plan or location map.

1. LEGAL DESCRIPTION OF AREA PROPOSED FOR ANNEXATION Tract 3C, Black Ranch
2. TOTAL ACREAGE OF AREA: 1.2 acres
3. REASON FOR ANNEXATION: THIS STATEMENT SHOULD RELATE TO THE POLICIES FOR ANNEXATION FOR THE CITY OF ALBUQUERQUE

See attached Page

4. CAPITAL SERVICES FOR MAJOR STREETS, WATER, SANITARY SEWER, AND STORM DRAINAGE:
THE APPLICANT(S) AND CITY AGREE THAT:
 - A. There will be a normal distribution of costs between special assessment districts and/or other funding sources.
 - B. The City shall provide its funding through normal Capital Improvements Program process, and that unless a project is specifically identifies in the Council Improvements Program, the timing of City funded installations of such services is indefinite and may require a substantial number of years.
 - C. In the absence of City funding for required projects, the land owner(s) or their that satisfies City policies and standards.
Any variations from the above shall be set forth by separate agreement.
5. Propose to establish SU-1 for C-1 zoning; attach zone map amendment application.
6. AUTHORIZED AGENT: I (we) authorize Rodex Law Firm to act as my (our) agent on my (our) behalf on all matters related to this petition for annexation and simultaneous establishment of zone. Attach authorizing document.
7. SIGNATURE(S):
 - A. OWNER Presbyterian Health Care Services PHONE 841-1953
MAILING ADDRESS 1224 Central Avenue SE ZIP CODE 87125
LEGAL DESCRIPTION OF PROPERTY OWNED: Tract 3C, Black Ranch
SIGNATURE James R. Jeppson ACREAGE 1.2 acres
James R. Jeppson, Administrative Director
 - B. OWNER _____ PHONE _____
MAILING ADDRESS _____ ZIP CODE _____
LEGAL DESCRIPTION OF PROPERTY OWNED _____
SIGNATURE _____ ACREAGE _____
 - C. (ATTACH ADDITIONAL SIGNATURES AS NECESSARY)

FOR OFFICE USE ONLY

PETITION ACCEPTED-BY: _____ DATE _____

EPC HEARING DATE _____

ANNEXATION CASE NO: AX- _____

ZONING CASE NO: Z- _____

3. REASON FOR ANNEXATION

The parcel described is contiguous to the City of Albuquerque. The property owner signing this petition desires the territory to be annexed into the in order to benefit from the services available from the City of Albuquerque, except for services now available from New Mexico Utilities (water and sewer). The territory to be annexed is adjacent to the Paradise and Seven Bar Communities of *the West Side Strategic Plan*, adjacent to the Paseo del Norte/Coors Community Center of the Proposed *West Side Strategic Plan Amendments* (which have been adopted by the Environmental Planning Commission but await City Council Introduction), and within Segment 3 north of the *Coors Corridor Plan*.

City of Albuquerque



DEVELOPMENT REVIEW APPLICATION

Supplemental form		Supplemental form	
SUBDIVISION	S	ZONING	Z
<input type="checkbox"/> Major Subdivision action		<input checked="" type="checkbox"/> Annexation & Zone Establishment	
<input type="checkbox"/> Minor Subdivision action		<input type="checkbox"/> Sector Plan	
<input type="checkbox"/> Vacation	V	<input type="checkbox"/> Zone Change	
<input type="checkbox"/> Variance (Non-Zoning)		<input type="checkbox"/> Text Amendment	
		<input type="checkbox"/> Special Exception	E
SITE DEVELOPMENT PLAN	P	APPEAL / PROTEST of...	A
<input type="checkbox"/> ...for Subdivision Purposes		<input type="checkbox"/> Decision by: DRB, EPC,	
<input type="checkbox"/> ...for Building Permit		<input type="checkbox"/> LUCC, Planning Director or Staff,	
<input type="checkbox"/> IP Master Development Plan		<input type="checkbox"/> ZHE, Zoning Board of Appeals	
<input type="checkbox"/> Cert. of Appropriateness (LUCC) L			

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2nd Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICANT INFORMATION:

NAME: Presbyterian Healthcare Services PHONE: 841-1953
 ADDRESS: P.O. Box 26666 FAX: _____
 CITY: Albuquerque STATE NM ZIP 87125-6666 E-MAIL: ---
 Proprietary interest in site: Owner
 AGENT (if any): Susan B. Fox PHONE: 768-7224
 ADDRESS: P.O. Box 1888 FAX: 768-7395
 CITY: Albuquerque STATE NM ZIP 87103-1888 E-MAIL: sbfox@rodey.com

DESCRIPTION OF REQUEST: Annexation and establishment of SU-1 for C-1 zoning on 1.2 acre
property currently zoned County O-1

Is the applicant seeking incentives pursuant to the Family Housing Development Program? ☐ Yes ☒ No.

SITE INFORMATION: ACCURACY OF THE LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.

Lot or Tract No. Tract 3C Block: --- Unit: ---
 Subdiv. / Addn. Black Ranch
 Current Zoning: County O-1 Proposed zoning: SU-1 for C-1 uses
 Zone Atlas page(s): C-13 No. of existing lots: 1 No. of proposed lots: 1
 Total area of site (acres): 1.2 acres Density if applicable: dwellings per gross acre: --- dwellings per net acre: ---
 Within city limits? ☐ Yes ☒ No, but site is within 5 miles of the city limits (DRB jurisdiction.) Within 1000FT of a landfill? ☐ Yes ☒ No
 UPC No. _____ MRGCD Map No. _____
 LOCATION OF PROPERTY BY STREETS: On or Near: Coors Boulevard
 Between: Paseo del Norte and Irving Boulevard

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB, AX, Z, V, S, etc.):
0111400556/0111000557

Check-off if project was previously reviewed by Sketch Plat/Plan ☐ or Pre-application Review Team ☐ Date of review: _____

SIGNATURE [Signature] DATE 7-20-01
 (Print) SUSAN FOX ☐ Applicant ☒ Agent

FOR OFFICIAL USE ONLY

Form revised December 2000

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input type="checkbox"/> All checklists are complete	_____	_____	_____	\$ _____
<input type="checkbox"/> All fees have been collected	_____	_____	_____	\$ _____
<input type="checkbox"/> All case #s are assigned	_____	_____	_____	\$ _____
<input type="checkbox"/> AGIS copy has been sent	_____	_____	_____	\$ _____
<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				Total
<input type="checkbox"/> F.H.D.P. fee rebate	Hearing date _____			\$ _____

Project # _____

Planner signature / date _____

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FORM Z: ZONE MAP AMENDMENT AND ZONING CODE TEXT AMENDMENT

☒ ANNEXATION AND ESTABLISHMENT OF ZONING

- ☒ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
NOTE: The Zone Atlas must show that the site is in County jurisdiction, but is contiguous to City limits.
 - ☒ Letter briefly describing, explaining, and justifying the request
 - ☒ Letter of authorization from the property owner if application is submitted by an agent
 - ☒ Property Boundary Survey prepared by a licensed professional surveyor
 - ☐ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - ☐ Sign Posting Agreement
 - ☐ TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
 - ☐ Fee (see schedule)
 - ☐ Any original and/or related file numbers are listed on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. Your attendance is required.

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

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

☐ AMENDMENT TO ZONE MAP (ZONE CHANGE)

- ☐ Application for sector development plan amendment (required only if site is within a sector plan's boundaries.)
 - ☐ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - ☐ Letter briefly describing, explaining, and justifying the request
 - ☐ NOTE: Justifications must adhere to the policies contained in "Resolution 270-1980"
 - ☐ Letter of authorization from the property owner if application is submitted by an agent
 - ☐ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - ☐ Sign Posting Agreement
 - ☐ TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
 - ☐ Fee (see schedule)
 - ☐ Any original and/or related file numbers are listed on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. Your attendance is required.

☐ AMENDMENT TO SECTOR DEVELOPMENT PLAN

- ☐ Proposed Amendment referenced to the materials in the sector plan being amended
 - ☐ Sector Plan to be amended with materials to be changed noted and marked
 - ☐ Zone Atlas map with the entire plan area precisely and clearly outlined and crosshatched (to be photocopied)
 - ☐ Letter briefly describing, explaining, and justifying the request
 - ☐ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - ☐ TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
 - ☐ Fee (see schedule)
 - ☐ Any original and/or related file numbers are listed on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. Your attendance is required.

☐ AMENDMENT TO ZONING CODE OR SUBDIVISION REGULATIONS TEXT

- ☐ Amendment referenced to the sections of the Zone Code being amended
 - ☐ Sections of the Zone Code to be amended with text to be changed noted and marked
 - ☐ Letter briefly describing, explaining, and justifying the request
 - ☐ Fee (see schedule)
 - ☐ Any original and/or related file numbers are listed on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. Your attendance is required.

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

Applicant name (print) _____
 Applicant signature / date _____
 Form revised December 2000



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

Application case numbers

Planner signature / date

Project #

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

COUNSELORS AND ATTORNEYS AT LAW

ALBUQUERQUE PLAZA

201 THIRD STREET NW, SUITE 2200
ALBUQUERQUE, NEW MEXICO 87102

P.O. BOX 1888
ALBUQUERQUE, NEW MEXICO 87103

TELEPHONE (505) 765-5900

FACSIMILE (505) 768-7395

Direct Number:
768-7224

E-Mail Address: sbfox@rodey.com

SUSAN B. FOX

July 17, 2001

Brad Winter, City Council President
One Civic Plaza NW
City Council, Room 9087
Albuquerque, NM 87102

Re: **Tract 3C, Black Ranch**

Dear Mr. Winter:

This firm represents Presbyterian Healthcare Services ("PHS") which owns Tract 3C, Black Ranch. The purpose of this letter is to provide an explanation and justification for PHS' annexation and zoning request.

In June 2001, PHS was contacted by the City Planning Department regarding inclusion in an annexation request which had been filed by Black Development Two, LLC for properties adjacent to Tract 3C. PHS agreed that Tract 3C could be included in the annexation request if Tract 3C could receive C-1 zoning as part of the annexation. See letter dated June 18, 2001 to Debbie Stover, City Planning, attached hereto as Exhibit A. On June 21, 2001, at a public hearing on the matter, the Environmental Planning Commission recommended that Tract 3C be annexed into the City with a zoning designation of SU-1 for C-1 uses.

The SU-1 for C-1 designation is appropriate for Tract 3C for the reasons stated in my June 18, 2001 letter and for many of the same reasons stated by Black Development Two, LLC in its letter of justification, which are incorporated herein by reference. Tract 3C currently is the subject of letters of intent from two potential purchasers, Wells Fargo Bank and Jiffy Lube, which bank and oil change service uses are permissible under the C-1 zoning category and which services will benefit and pose no harm to the neighborhood or the community. Moreover, SU-1 for C-1 zoning is in keeping with the surrounding properties' zoning designations along Coors Boulevard. This proposed

-66-

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

Brad Winter, City Council President
July 17, 2001
Page 2

zoning designation has the support of the EPC and the Planning Department, and we ask that the City Council approve the EPC's June 21 recommendation.

Very truly yours,

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

By:


Susan B. Fox

SBF/ssb

Enclosure

cc(w/enc.): Debbie Stover, Case Planner

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

COUNSELORS AND ATTORNEYS AT LAW

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SUSAN B. FOX

Direct Number:
768-7224

E-Mail Address: sbfox@rodey.com

June 18, 2001

Ms. Debbie Stover, EPC Case Planner
City of Albuquerque Planning Department
600 Second Street, NW - Suite 300
Albuquerque, NM 87102

VIA FACSIMILE

COPY

Re: **Tract 3C, Black Ranch/Annexation**

Dear Ms. Stover:

This firm represents Presbyterian Healthcare Services ("PHS") with respect to the above-referenced property. Recently, PHS received your letter inviting PHS to be included with John Black's current request for annexation and establishment of zoning for Tracts 2/3, Black Ranch. In response, PHS sent you a letter dated June 5, 2001 agreeing to be included in the annexation request; however, at that time, PHS did not understand that, without a specific zone change request in conjunction with the annexation, its current County O-1 property would automatically be receiving City O-1 zoning, and that, once so zoned, such zoning would not be able to be changed for a minimum of one year.

To clarify PHS' position on the annexation request, PHS will join in the annexation request provided that C-1 zoning be established for PHS' property. We believe that this zone change request complies with the requirements of R270-1980 in that the PHS property is surrounded by existing C-1 commercial zoning on the north and south sides of the property. Moreover, both the annexation of the properties surrounding Tract 3C, as well as the extension of Paseo del Norte, constitute changed community conditions which justify the zone change to C-1 in conjunction with the annexation. If city C-1 zoning is not established pursuant to the annexation request, we withdraw our support for the annexation and would prefer to remain in the County.

If you have any additional questions, you can contact me at 768-7224, or James Jeppson at Presbyterian Healthcare Services 841-1953.

Very truly yours,

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

By:

Susan B. Fox

SBF/ssb

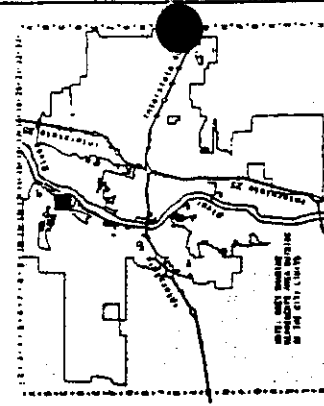
-68-



CITY OF
Albuquerque
Albuquerque
PLANNING DEPARTMENT
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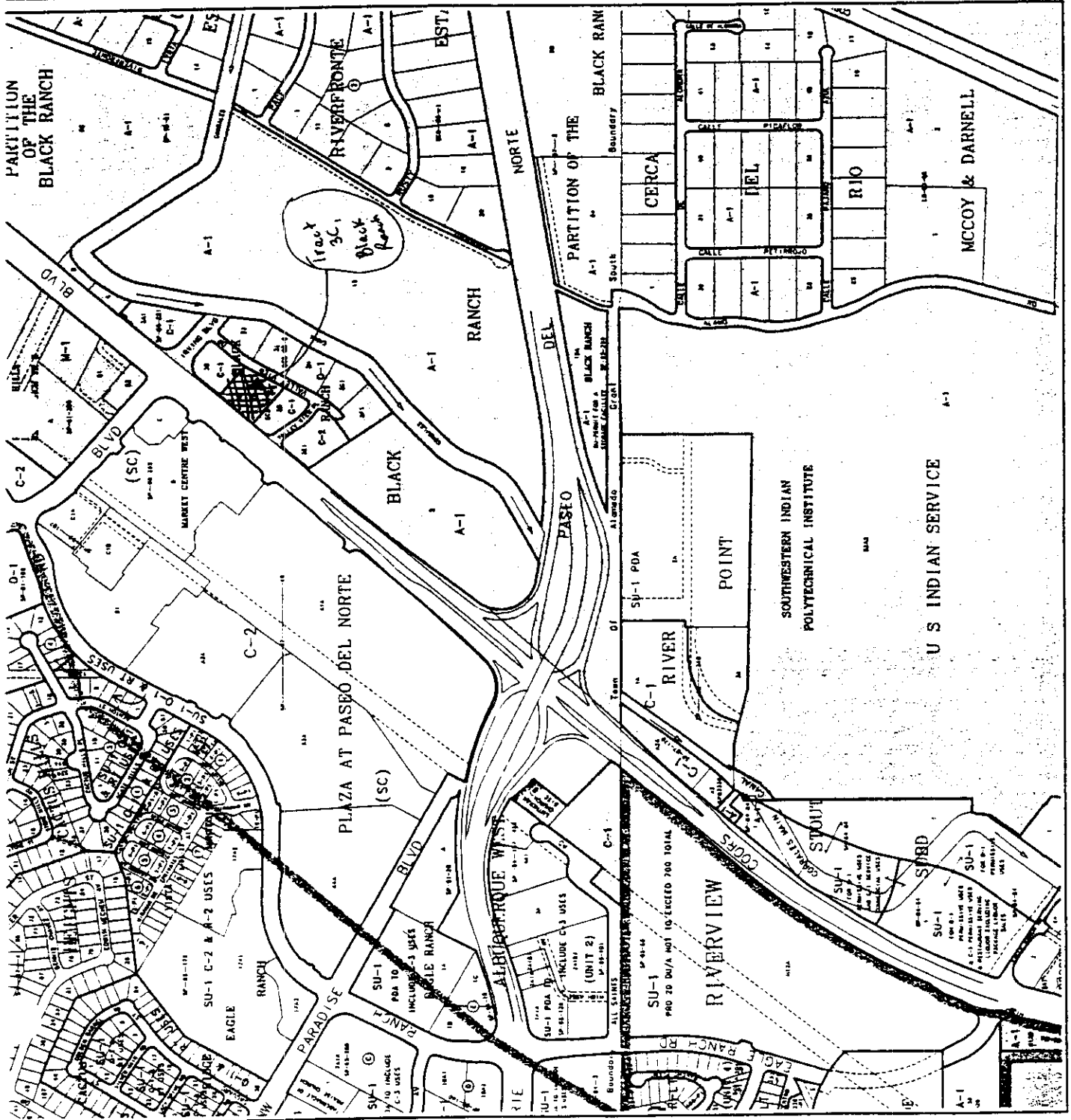


GRAPHIC SCALE IN FEET



Zone Atlas Page C-13-Z

Map Amended through
December 20, 1999

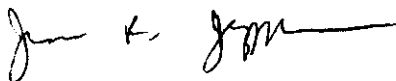


July 19, 2001

TO WHOM IT MAY CONCERN:

The firm of Rodey, Dickason, Sloan, Akin & Robb, P.A. is hereby authorized to act on behalf of Presbyterian Healthcare Services in regard to the annexation and zone change of Tract 3C, Black Ranch.

Very Truly Yours,



James R. Jeppson
Administrative Director

cc: Gene Walton
Susan Fox
Ruthann Holm

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

Date: June 22, 2001

OFFICIAL NOTIFICATION OF DECISION

John Black
3613 NM State Road 528 NW
Suite H
Albuq. NM 87114

FILE: 01114 00556/01110 00557/01128 00558
LEGAL DESCRIPTION: for Tract 2A, 2B, 2C,
2D, 3F1, 3G1, 3H, 3I, 3J, 3B, 3C, Black Ranch,
located on Coors Boulevard NW between Paseo
del Norte and Irving Boulevard, containing
approximately 18.0356. (C-13) Deborah Stover,
Staff Planner

On June 21, 2001, the Environmental Planning Commission voted to recommend approval to the City Council of 01114 00556, a request for annexation, for Tracts 2, 3F1, 3C1, 3H, 3I, 3J and 3B, 3C, Black Ranch, based on the following Findings:

FINDINGS:

1. This is a request for annexation of approximately 18 acres located on Coors Boulevard NW between Paseo del Norte and Irving Boulevard and described as Tracts 2, 3F1, 3C1, 3H, 3I, 3J and 3B, 3C, Black Ranch.
2. The subject request meets the requirements for annexation into the city because it is contiguous to City boundaries, accessible to service providers, and has convenient street access to the City.
3. The annexation request furthers the applicable Goals and policies of the *Albuquerque/Bernalillo County Comprehensive Plan* by allowing for an urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and choice in housing, transportation, work areas and life styles.
4. The area is suitable for urban intensity as defined by its designation of Developing Urban in the *Albuquerque/Bernalillo County Comprehensive Plan*.
5. The annexation request furthers the applicable Goals and policies of the *West Side Strategic Plan* by proposing annexation that will allow for urban style services that are appropriate in the community.

6. The annexation request furthers Policy 4 of the land use and intensity of development section of the *Coors Corridor Plan* which states that "properties under county jurisdiction, which are now surrounded by City jurisdiction, should be annexed as soon as possible.

On June 21, 2001, the Environmental Planning Commission voted to recommend approval to the City Council of 01110 00557, a request for establishment of zoning for Tracts 3F1, 3C1, 3H, 3I, 3J, 3B, 3C, Black Ranch SU-1 for C-1 Permissive Uses and Hotel not to exceed 2 stories in height, and Restaurants with Full-Service Liquor is requested for Tracts 2A, 2B and 2C, a zoning designation of RO-1 for Tract 2D, C-1 for Tract 3B, C-1 for Tract 3B, and SU-1 for C-1 for Tract 3C and O-1 for Tracts 3F1, 3G1, 3H, 3I and 3J, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for establishment of zoning for approximately 18 acres located on Coors Boulevard NW between Paseo del Norte and Irving Boulevard and described as Tracts 2, 3F1, 3C1, 3H, 3I, 3J and 3B, 3C, Black Ranch.
2. Zoning for parcels created by the accompanying site plan for subdivision is requested. SU-1 for C-1 Permissive Uses and Hotel not to exceed 2 stories in height and Restaurants with Full-Service Liquor is requested for Tracts 2A, 2B and 2C. A zoning designation of RO-1 is requested for Tract 2D. C-1 is requested for Tract 3B. O-1 is requested for Tracts 3F1, 3G1, 3H, 3I and 3J. SU-1 C-1 for Tract 3C.
3. A plat showing clear and distinct boundaries of the newly created tracts should be submitted at DRB.
4. The subject site meets the requirements of 270-1980 under the changed community conditions finding. The West Side Strategic Plan and the Paseo del Norte bridge crossing present changed conditions in the area.
5. The requested zoning meets the goals in the *Albuquerque/Bernalillo County Comprehensive Plan* by placing employment and service uses that are located to complement residential uses and sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.
6. The *Coors Corridor Plan* states that "the intensity of development shall be compatible with the roadway function, existing zoning or recommended land use, environmental concerns, and design guidelines." The proposed zoning categories are compatible with existing conditions in the area.

CONDITIONS:

1. The site shall be replatted to show clear and distinct boundaries of the newly created tracts.

On June 21, 2001, the Environmental Planning Commission voted to recommend approval to the City Council of 01128 00558, a request for site development plan for subdivision, for Tract 2, Black Ranch based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for approval of a site development plan for subdivision for approximately 12.5 acres located on Coors Boulevard NW between Paseo del Norte and Irving Boulevard and described as Tract 2, Black Ranch.
2. A site plan for subdivision is required for approval of SU-1 zoning.
3. The site development plan for subdivision furthers the applicable goals and policies of the Comprehensive Plan by creating a framework for a quality urban environment that offers a choice in transportation, work areas and life styles.
4. The site development plan meets all of the requirements of the Zoning Code by specifying all of the elements of a site development plan for subdivision.
5. Design guidelines are incorporated into the site including an overall theme and land use concept, landscape design requirements, signage design requirements, and lighting design requirements.

CONDITIONS:

1. The submittal of this site plan to the DRB shall meet all EPC conditions. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. The site shall be replatted to create distinct lots that conform to or create the new zone boundary lines.

3. Design guidelines shall include off-street parking requirements and design (automobiles and bicycles), street design, transit facilities (benches, shelters, pedestrian connections), architectural design requirements (façade elements, massing, colors, materials), and pedestrian amenities (walkways, plazas, shade structures) that are consistent with EPC directives and intents.
4. Lighting:
 - a. The height of lighting fixtures is maximum height of 16 feet.
 - b. 12 feet maximum height for any security language remains on after 11:00 p.m. and it be directed towards the building and no to the neighborhood.
 - c. All lighting on the site shall be fully shielded, cutoff lighting (shoebox) to minimize fugitive lighting and the bulbs shall not extend past the housing.
5. The maximum sign area on each monument sign shall be 50 square feet on each face.
6. No outdoor loud speakers and paging systems are allowed.
7. All parking surfaces facing streets shall be screened with a minimum a 30 inch wall or landscape berm so that parking grills and headlights are shielded from the right-of-way.
8. There shall be a minimum 6-foot high, solid wall along the eastern edge of the subject site.

IF YOU WISH TO APPEAL THIS DECISION, YOU MUST DO SO BY **JULY 6, 2001** 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.

OFFICIAL NOTICE OF DECISION
JUNE 21, 2001
01114 00556/01110 00557/01128 00558
PAGE 5

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//ac

cc: Consensus Planning Ave. SW, Albuquerque, NM 87102
Audre Bonadea, Paradise Hills Civic Assoc., 10137 Furman NW, Albuquerque, NM 87114
Meredith Hughes, Paradise Hills Civic Assoc., 9908 La Paz NW, Albuquerque, NM 87114
Marlo Peters, Riverfronte Estates NA, Inc., 9506 Kandace Dr. NW, Albuquerque, NM 87114
Gary Plante, Riverfronte Estates NA, Inc., 1692 Pace Rd. NW, Albuquerque, NM 87114
Rick Lackey, Taylor Ranch NA, 2001 Carlisle NE, Albuquerque, NM 87110
Jerry Beck, Taylor Ranch NA, 8201 Golf Course Rd. NW, Suite D-3, Albuquerque, NM 87120
Mrs. Ginger Carman, 7201 Central Ave. NW, Albuquerque, NM 87121
Sylvain Segal, 6201 Uptown Blvd. NE, Albuquerque, NM 87110
Ginger Carman, 1728 Rusty Rd. NW, Albuquerque, NM 87114
Susan Fox, P.O. Box 1888, Albuquerque, NM 87102
John Marach, 3613 NM State Highway 528, Albuquerque, NM 87114

Lola Bird, Planning Department
Kevin Curran, Legal Department

PERSON PRESENT TO SPEAK IN FAVOR OF THIS REQUEST:

William Kraemer, 200 Lomas NE

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

MS. BIRD: Reiterated comments made in the staff report in which deferral was recommended.

FINAL ACTION TAKEN

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to defer 01128 00486/01128 00487 to the Environmental Planning Commission Public Hearing on August 16, 2001.

MOVED BY COMMISSIONER SERRANO

SECONDED BY COMMISSIONER McMAHAN

MOTION CARRIED UNANIMOUSLY

11. 01114 00556 Consensus Planning, Inc., agents for John Black request annexation
01110 00557 and establishment of SU-1 for C-1, C-1 & O-1 Zoning plus approval of
01128 00558 site development for subdivision purposes for Tract 2A, 2B, 2C, 2D,
Project #1001206 3F1, 3G1, 3H, 3I, 3J, 3B, Black Ranch, located on Coors Boulevard
NW between Paseo del Norte and Irving Boulevard, containing
approximately 18.0356. (C-13) Deborah Stover, Staff Planner
**(RECOMMENDED APPROVAL TO THE CITY COUNCIL OF
ANNEXATION AND ESTABLISHMENT OF ZONING.)**

STAFF PRESENT:

Debbie Stover, Planning Department
Russell Brito, Planning Department
Joe David Montano, Public Works Department
Don Newton, Office of Community and Neighborhood Coordination

PERSON PRESENT TO SPEAK IN FAVOR OF THIS REQUEST:

Jim Strozier, 924 Park Ave. SW, 87102
John Black
Susan Fox, P.O. Box 1888

PERSONS PRESENT TO SPEAK IN OPPOSITION OF THIS REQUEST:

Silvan Seagull, 6201 Uptown Boulevard NE, 87110
Ginger Carmen, 1728 Rusty Road NW, 87114

MS. STOVER: Madam Chair, Commissioner's, this is item 13 case 01114-00556 a request for annexation, 01110-00557 a request for establishment of zoning and 01128-00558 a request for approval of a site development plan for subdivision, for tracts 2, 3F1, 3C1, 3H, 3I, 3J and 3B, Black Ranch, totaling approximately 18 acres. The site is located on Coors Boulevard northwest between Paseo del Norte and Irving Boulevard, and although there are three parcels that were not included in this request, staff has been in talks with and continues to talk to the owners of tracts 3E1, 3D and 3C, regarding inclusion in the annexation request. I hope you received a letter faxed on Tuesday from the attorneys for tract 3C, they submitted a letter stating that they would like to be included in the annexation and requesting C-1 zoning. Although, it is not mentioned in the report and it's not in the request, these properties can be added to the annexation request by review by City Council and we are hoping to do the same with the other two properties in question.

Staff believes that this annexation and establishment of zoning request furthers the goals of the Comprehensive Plan and the West Side Strategic Plan. There was a lengthy discussion in the staff report regarding its exclusion from the West Side Strategic Plan and reliance on other plans to consider this request. The request does comply with the Coors Corridor Plan, which states that properties under County jurisdiction that are surrounded by City jurisdiction should be annexed as soon as possible. They have also included design guidelines with the site plan for subdivision and they do meet the requirements of the City Zone Code. Staff did receive one letter from the Riverfront Estates Neighborhood Association, which is included in the staff report. Other meetings, or at least one other meeting has occurred between the applicant and this neighborhood association since that letter was written. I would like the applicant to speak to that. Staff is recommending approval of this request.

CHAIR BEGAY: Thank you Debbie, any questions? Commissioner Schwartz.

COMMISSIONER SCHWARTZ: Thank you madam chair. The request is for the same zoning over the entire area, right? I mean not the other lots that we are talking about in the annexation . . . but everything on here is the same zoning?

MS. STOVER: Yes.

COMMISSIONER SCHWARTZ: So, we could end up with three car dealerships?

MS. STOVER: That is correct . . . or three hotels, or . . .

COMMISSIONER SCHWARTZ: How do we put . . . do we have any of this that is RO-20 zoning?

MS. STOVER: I am sorry.

COMMISSIONER SCHWARTZ: We are doing RO-20 zoning on the AMAFCA piece, is that part of this?

MS. STOVER: Yes.

COMMISSIONER SCHWARTZ: Okay, how do we do RO-20 on a piece that is not 20 acres? I thought the minimum size for RO-20 was 20 acres.

MS. STOVER: I don't have a good answer for that right now, I need to look at something.

COMMISSIONER SCHWARTZ: I understand it pretty much limits what can be done there, but from a technical point of view I don't

MS. STOVER: Right, I understand your question. I am not sure what the answer is.

COMMISSIONER SCHWARTZ: I guess that is all I have right now.

CHAIR BEGAY: Commissioner Briscoe.

COMMISSIONER BRISCOE: My questions I think have to do with my own confusion. The . . . which is always the case I guess. The size of the parcel is approximately 18 acres but the site plan shows I think 6 acres. So, obviously that's zoned . . . (INAUDIBLE) . . . small part. How do we have a sense of what else is planned, or do we?

MS. STOVER: How do you have a sense of what else is planned? Well, let me just see if I can . . . I am not exactly sure what your questions is. But, the site plan for subdivision is addressing that one small portion. The rest of it would be zoned, I believe it is O-1, which would . . . the office uses and so forth. C-1 on the corner, which is where a bank is currently existing so it is already there. Then the southern portion that is proposed to be RO-20 would be the AMAFCA usage. So, it is only that small portion that is shown on the site plan for subdivision that would have the SU-1 uses for hotel, auto sales . . .

COMMISSIONER BRISCOE: Okay, so the only part of this request that is for the C-1 is where the existing bank . . . or . . . and the parcel that was added today?

MS. STOVER: That is correct. The portion that is within the proposed subdivision is SU-1 for the certain uses.

COMMISSIONER BRISCOE: Okay. The neighborhood comments on this were concerns about the potential from the glare from a potential car dealership. Now, frankly those seem like very legitimate concerns and I am not sure that they are being addressed in the package here.

MS. STOVER: If I could, I would like the applicant to speak to that.

COMMISSIONER BRISCOE: Good, okay, thank you.

CHAIR BEGAY: Commissioner Gara did you have a question.

COMMISSIONER GARA: I guess that entire parcel is all in the County at the present time, with the exception of the three lots that did not request annexation. We are annexing it all, and that subdivision, that County subdivision on the existing developed area remains in tact I presume. So, the only thing we are subdividing then is the acreage to the south and I guess . . . why would not the AMAFCA lot be part of the subdivision request?

MS. STOVER: It is part of the subdivision.

COMMISSIONER GARA: (INAUDIBLE, mic was not turned on) . . .

MS. STOVER: It is being subdivided. It is part of the . . . it is being subdivided. The whole thing right now is one tract and it is being subdivided so that the southern portion is the AMAFCA portion.

COMMISSIONER GARA: Then this drawing is misleading and we will talk about it with the applicant.

MS. STOVER: Okay.

CHAIR BEGAY: Any other questions of Ms. Stover? Commissioner Schwartz.

COMMISSIONER SCHWARTZ: The piece, I guess it is 3E1, it is currently zoned C-2?

MS. STOVER: Yes, the piece in the County that is not included.

COMMISSIONER SCHWARTZ: That is going to leave that in the County?

MS. STOVER: This request will leave three pieces in the County, except that those three people are all in talks with the City and it looks favorable that they will be included in this request.

COMMISSIONER SCHWARTZ: All right, so they are not . . . none of those three are included?

MS. STOVER: That is correct.

COMMISSIONER GARA: One has requested the . . . (INAUDIBLE, mic was not on)

COMMISSIONER SCHWARTZ: They had previously requested, but then they stipulated only if they get a zone change.

COMMISSIONER BRISCOE: Which lot got added today?

MS. STOVER: I am sorry.

COMMISSIONER BRISCOE: Which lot got added today?

MS. STOVER: 3C.

CHAIR BEGAY: Any other questions for Ms. Stover? Thank you. All those here to speak in this case, please rise. Raise your right hand, do you swear to tell the truth? Thank you. Mr. Strozier, you know the routine.

MR. STROZIER: Yes ma'am, Madam Chair, members of the Commissioner, my name is Jim Strozier, 924 Park Ave. SW, 87102. I am here today representing the Black Family regarding an annexation, establishment of zoning and concurrent site plan for subdivision for approximately 18 acres in northwest Albuquerque. The annexation and establishment of zoning request includes Black Ranch Tracts 2A, 2B, 2C, 2D, which are those covered by the site plan for subdivision. 3B, 3F1, 3D1, 3H, 3I, and 3J, the site plan for subdivision, as I mentioned, refers to the four tracts that we are proposing to create. One thing I would like to point out is that what is shown on the screen is tract 2, the AMAFCA portion has already been subdivided, it is in AMAFCA's ownership now. So, the site plan for subdivision only is referring to that portion that is owned by the Black Family. So the AMAFCA portion . . . and in looking with staff at the Zoning Code, it appears that we would be best . . . we were just trying to make sure that we zoned the AMAFCA parcel so that it was clear that it was to be open. But, as Commissioner Schwartz has pointed out, it doesn't meet the acreage requirement. RO-1 is the next zone down in intensity, which allows one-acre minimum lot size and it is for agricultural and open uses. So, that would seem to be appropriate and I think we should amend that request for the AMAFCA portion for RO-1 instead of RO-20.

We have been in contact with, and I know the City has been in contact with the owners of tracts 3C, 3D, and 3E1. Susan Fox is here to speak on behalf of Presbyterian, which owns tract 3C, and she will address those issues relative to that tract. Tract 3D is currently being developed as a Burger King. It went through the Extraterritorial Commission and Authority and received approval. They are currently under review for their building permit. So, that was site planned controlled, there is a special use permit that went through that body. Tract 3E1, as was mentioned, is currently vacant and zoned for straight County C-2 zoning. I believe Ms. Stover discussed where they are in the process of discussions with the City. These parcels that we are requesting today are contiguous to the City of Albuquerque boundaries. They are adjacent to Coors Boulevard, the property owners have signed this petition and they desire to be annexed into the City for the purpose mainly of getting City services, with the exception of water and sewer, which are provided by New Mexico utilities for this area. The petitioners include John Black Development II, LLC, the trusts of Albert J. and Mary J. Black, AMAFCA, and Wells Fargo Bank. Subdivision of tract 2 and of tracts 2A thru D is intended to provide separation of the AMAFCA detention pond to be zoned RO-1, and relocation of the road accessing the property to the east to avoid the detention pond allow for a mixture of various retail establishments including hotel, automobile sales,

restaurants with full service liquor at this location. Proposed zonings for tracts 3B, 3F1, 3G1, 3H, 3I, and 3J are intended to bring those tracts into the City with zoning similar to what now exists on these tracts in the County. Basically, all of the lots on the backside of this property, which are 3F1 thru 3J there, along the canal, are all currently zoned County O-1 and we are requesting City O-1 for those tracts. The tract 3B, which is there at the corner of Irving and Coors, is currently developed. It is zoned County C-1 and that tract is developed as the existing bank, Wells Fargo Bank, and it would be proposed to be annexed and zoned City C-1. I think that sets the stage here for where we are.

The proposed zoning for tract 2, which is really the one that we are proposing to change from its existing zoning, is consistent with the health, safety, and general welfare of the residents of the City, and we are making this request on the basis of changed community conditions and that we feel that a different land use category is more advantageous to the community. That side is currently zoned County A-1. Some of the changed conditions include: the Paseo del Norte interchange, which is adjacent to this property, access restrictions on Coors Boulevard and the Coors Corridor Plan. The access to this area has been determined based on decisions providing for a right-in/right-out and the existing access permit at Valleyview Drive, which is right there in between tract 3E1 and 3D. That is limited to right-in/right-out and the signalized intersection at Irving. The other thing is . . . as you will notice in the site plan for subdivision, we provide for an access to the area below on the other side of the canal, the area to the east. When Riverfront Estates went through the subdivision and platting process, one of the conditions that was required as part of that was provision of a secondary access. They currently access their property . . . you can't see that on this . . . I got another exhibit that shows a little bit larger area. The current access down to the subdivision is this road right here, which comes down and provides access. That is the only access right now to Riverfront Estates and part of the approval was a requirement for a secondary access that would be provided, basically, through tract 2 . . . now as part of the proposal, and we have accommodated that. The original thought was that it would basically go through the AMAFCA detention pond and we have redesigned it so that it does not do that. There is a significant grade change in that area.

One of the other changed conditions in the area is the change of two commercial zoning and development of commercial uses on lands adjacent to this property west and north. Those are zoned City C-2, County C-1, County C-2, and they basically . . . again, this area immediately across Coors to the west, this is the Target center with the movie theater. That is zoned City C-2. The new auto dealership, the Melloy dealership, is on this tract right here. This is the Westside dealership, the Calabacillas arroyo is here to the right and of course you get into all the Cottonwood Mall activity just right here. This location right here is the existing Chevron, that is not a part of this request. This is the Wells Fargo Bank, this is the Burger King that is under construction . . . just to kind of set the stage for what's been going on around this property.

The West Side Strategic Plan also came in to be . . . which addresses a number of issues that affect the property. We feel the proposed zoning of tract 2 will be beneficial to the community, will accommodate a variety of urban land uses necessary to serve the growing area, with the addition of neighborhood commercial uses. Proposed neighborhood

commercial zoning will allow for a better mix of uses and contribute to providing some of these services in close proximity to, once again, this area that has been growing quite rapidly out in the northwest portion of the City. Territory to be annexed is adjacent to the Paradise and Seven Bar communities to the West Side Strategic Plan, adjacent to the Paseo del Norte/Coors Community Center and the proposed West Side Strategic Plan amendments, which were just introduced to City Council finally this week, within the segment three of the Coors Corridor Plan.

We have held two meetings with the members of the Riverfront Estates Neighborhood Association, and there has been a lot of dialogue and communication back and forth. As part of those meetings, and since those meetings, the dialogue about land uses and specific restrictions . . . Mr. Black has offered to make extensive concessions in return for the neighborhood support for this request and unfortunately we are not there in terms of an agreement between the neighborhood and our request. Our request generally proposes uses that are similar to or of less impact to those already existing within the area. Uses that can already be found in the area include gas station, convenience store, restaurants, including fast food, several car dealerships and various other retail establishments. In fact, some of the proposed uses that they have objected to are already closer to, or in the proximity to the neighborhood, without the types of restrictions that we are proposing. We have prepared this aerial photo with . . . let's see, can you go back to this one . . . we have added some dimensions just so you get a sense of where the neighborhood is relative to what is going on. Up along Coors, this is the distance up to the existing dealership, the Westside dealership on Coors, approximately 1,000 feet. The new Melloy dealership is about 1,225 feet from the neighborhood. The Chevron gas station and convenience store in this area, basically . . . and the bank at the intersection of Irving, they are approximately 1,100 feet. The corner of tract 2, the area that we are proposing for the SU-1/C-1 zoning, is approximately 1,000 feet to the existing Riverfront Estates neighborhood, basically to that very southern tip of the neighborhood there.

As illustrated in this map, this development is not something happening in the outlying area, but is continued development of an area already serving as an activity center in the heart of an existing community. We believe the type of zoning and development proposed here will have little, if any, negative impact on the adjacent residential zoning. Corrales canal lies directly east of the site at the bottom of a steep bluff configuration. Furthermore, the Black Family owns the residential land east of the Corrales Canal, between this property and Riverfront Estates, approximately 60 acres that is in between these two. The Black Family is very concerned about the types of uses and design requirements, since they stand to be affected as much or more than other properties in the area. We are in agreement with the staff report and all the findings and conditions. We appreciate the work done by Ms. Stover on this project, in contacting the other property owners, and the extensive amount of research that she put in to her report. We believe that this proposal is consistent with the adopted plans and policies, including the Comprehensive Plan, West Side Strategic Plan, Coors Corridor Plan, R-270 and R-70. We believe that they new development in this section of town provides an opportunity for many shared benefits to residents and businesses in the area. We respectfully ask that you approve our request in accordance with the findings and conditions in the staff report.

With me today is John Black, and as I mentioned, the representative for the other tract that is asking to join is here and she can speak to their issues separately. I would be happy to answer any questions that you might have.

CHAIR BEGAY: Do we have questions for Mr. Strozier? Commissioner Briscoe.

COMMISSIONER BRISCOE: The property on the east side of the Corrales Canal that is owned by the same . . . well, by the principal landowner here, becomes a great kind of unknown to me. It seems to me like the appropriate planning activity would have included both sides. That that is kind of a little left over island of land, that that should have, perhaps not the same level of planning, but some level of planning about how that land could potentially be used as well.

MR. STROZIER: Well, Madam Chair, Commissioner Briscoe, that property is currently in the County

COMMISSIONER BRISCOE: It all is.

MR. STROZIER: It all is, that is correct at this time, and currently zoned A-1, as is tract 2. The intent is, of the property owner, is not to annex that property, certainly at this time and so it would remain . . . and that's a similar zoning in the development that Riverfront Estates took place under, was the existing County A-1 zoning. So, right now that is the only thing that is allowed to happen on that property and there is no intent to change that at this time, or desire to bring it into the City.

COMMISSIONER BRISCOE: The lot 3F-1, from the graphic that is up on the board now, that shows an existing dead end road to get access to 3F-1. Now, your site development plan here shows that road extending through. I don't see anything at all about any easement to allow that to happen. Can you talk about that?

MR. STROZIER: Madam Chair, Commissioner Briscoe, that road currently . . . right now what you see there today is a temporary situation. That road is platted all the way to the property line. Currently it is being used as a temporary detention pond. So, that pond will move down to the AMAFCA property, basically. That is part of the the right of way exists.

COMMISSIONER BRISCOE: Okay, that is the issue. That is all I have.

CHAIR BEGAY: Thank you. Commissioner Schwartz.

COMMISSIONER SCHWARTZ: Thank you, right now . . . can we go back to Mr. Strozier? Access to the residential is up Coors a way, right?

MR. STROZIER: Yes, this road

COMMISSIONER SCHWARTZ: I guess there is some kind of crossing on the canal right down near Paseo, or no?

MR. STROZIER: Right here?

COMMISSIONER SCHWARTZ: Well, not on Paseo . . . I mean on the property?

MR. STROZIER: No, there is currently no crossing of the canal from these properties heading east. Irving dead-ends

COMMISSIONER SCHWARTZ: I was over there the other day and one of Mr. Black's livestock truck was coming up and I couldn't quite see where the road

MR. STROZIER: The way they get there today for the agricultural, for the ranch, is they go down along the canal on the frontage road and they get across. There is a little turnaround right at Paseo. They can get across at that point.

COMMISSIONER SCHWARTZ: Okay, so there is some

MR. STROZIER: Yes, there is not really a full road. It is

COMMISSIONER SCHWARTZ: So, they are going to have to construct some kind of a bridge then?

MR. STROZIER: Yes. The original idea was that road, that Valleyview Drive would be extended and come down and come across the property. But, that puts it right through the middle of the new pond that AMAFCA is going to be building and so we did some fairly detailed analysis with Easterling Wilson . . . did that work looking at the grades. One of the problems is there is quite a bluff.

COMMISSIONER SCHWARTZ: Okay, let me . . . is that why, I mean when you look at it from one side, Irving seems like the natural place to is that why . . .

MR. STROZIER: That is correct. The reason that we are heading south

COMMISSIONER SCHWARTZ: Because of . . (INAUDIBLE) . . . elevation change there is so much greater at Irving than

MR. STROZIER: Yes, as you head south the elevation change gets less and we got to a point where it was, basically acceptable, to bring . . . from Irving down, my understanding from the engineer, is to bring Irving straight down across the canal. By the time you get back down to grade you are all the way up the neighborhood, you are almost down here.

COMMISSIONER SCHWARTZ: Oh, okay. You probably know that southeast corner of the current detention pond, the fenced area is apparently quite a party spot.

MR. STROZIER: I was hoping that the development of that property may

COMMISSIONER SCHWARTZ: Of both singles and case goods.

MR. STROZIER: Not limited only to singles and 40's?

COMMISSIONER SCHWARTZ: Not limited only to singles, and there are some bags that indicate where it is coming from.

COMMISSIONER MCMAHAN: Is that what you were doing there?

COMMISSIONER SCHWARTZ: I was inspecting the site.

COMMISSIONER GARA: Yeah, but it was midnight.

COMMISSIONER SCHWARTZ: Well, I wanted to get those lighting conditions.

MR. STROZIER: One of the existing land uses is, of course, in the area that I neglected to point out on the map, it is right here. This is Kelly's liquor and that is the Taco Bell there on that caddy corner.

COMMISSIONER SCHWARTZ: Okay, thank you.

CHAIR BEGAY: Any more questions? Thank you Mr. Strozier.

MR. STROZIER: Thank you.

CHAIR BEGAY: Mr. Briscoe has a question for staff?

COMMISSIONER BRISCOE: Well, of Mr. Montano. It seems to me on this project, that we should be asking this developer to bridge across the Corrales main canal, that they are at the point where this touches, why are we not asking them to extend the road on across the canal there a little bit? Maybe even tying it back in to the residential property, it seems like a natural to me.

MR. MONTANO: Madam Chair, Commissioner Briscoe, at this point there is no development being requested on the east side of the canal and the neighborhood who is currently existing below there does not want any connection from that area. At this point, we would prefer to wait until some determination is made on how that property would develop, if indeed there will be a need to make that connection across and whoever develops that land below, will be the person providing the structure. We have the right of way available, if it is needed, but it would not be developed until such point in time that something occurs on the east side of the channel.

COMMISSIONER BRISCOE: Right, okay, in that case it seems to me like you are kind of giving in to a near dead end situation here with the road that comes back in to this

subdivision. Nor are you all concerned about getting emergency vehicles in and out and all that sort of important things?

MR. MONTANO: Which subdivision are you talking about? The area above on the east?

COMMISSIONER BRISCOE: If this road does not go on, then the road ends here, okay.

MR. MONTANO: We have a cul de sac at the

COMMISSIONER BRISCOE: Right, we have a cul de sac . . . cul de sac here and some distance back up before it goes up to the small Valleyview place and Outback on the

MR. MONTANO: Which is right-in/right-out only.

COMMISSIONER BRISCOE: Right. You have reviewed all of this and are comfortable with this plan?

MR. MONTANO: It is a typical development in an area as such where we have a strip area of development and a common roadway to serve those areas. The other situation that you see like that is a little further south at Eagle Ranch Road and Caminito Coors, it is a similar situation. They have a right turn in also off of Coors and there is an extension that goes a little further south to the area where the new bicycle shop is and Bob's Burgers. It is very typical in this area.

COMMISSINER BRISCOE: Okay, thank you.

CHAIR BEGAY: Any other questions? April.

MS. CANDELARIA: Silvan Seagull.

MR. SEAGULL: Madam Chairman, members of the Commission, my name is Silvan Seagull, I am an attorney. My address is 6201 Uptown Boulevard NE 87110. With your permission Madam Chairman, I would like to distribute to each of the members of the board, some correspondence, which we have had with the applicant and the developer, so that I may refer to it later on in my remarks.

CHAIR BEGAY: Hold on. Do we want to accept it?

COMMISSIONER GARA: How many pages is it?

MR. SEAGULL: (INAUDIBLE, did not speak into mic or mic was off)

CHAIR BEGAY: Is that okay? All right. In the future Mr. Seagull, any paperwork that you want to have us look at, needs to be in the secretary's hands by 4 o'clock on Tuesday.

MS. CANDELARIA: 9 o'clock.

CHAIR BEGAY: 9 o'clock on Tuesday morning.

MR. SEAGULL: Unfortunately . . . (INAUDIBLE, did not speak into mic or mic was off).

CHAIR BEGAY: Well, then in the future they will not be accepted.

MR. SEAGULL: I understand. I don't ask you to look at that at the moment. I am here as the attorney and representative for the Riverfront Estates Neighborhood Association, which is the association that includes . . . the territory of the association includes not only the Riverfront Estates Development, which is pictured on the screen over to the right side of the development, which is the subject matter of this area. This is Riverfront Estates up here and there are about 30 homes in there right now. They are bounded on the south by Paseo, on the east by the Rio Grande, on the north by the Calabacillas Arroyo, and on the west by the private property of John Black or the family. In any event, they are very jealous of their environment, so when they became apprised of the fact that this application was made, they sought the opportunity to discuss with the developer upon receipt of notice, possibly some restrictions on the use, which was proposed. Those restrictions are summarized in part by the letter addressed to John Black, which is dated June 5 from Karin Pitman, which is the first of the three letters that are here. I don't intend to go through them, but in essence those are substantially the requests that were made.

A response was received, which is the second letter, from John Black to Karin Pitman, in which, and I have taken the liberty of underlining some of the most pertinent portions of the letter in which Mr. Black said we can do these things and will be glad to do them and some of the things we can't do, so we are not able to and therefore won't. Following that letter, an oral request was made by one of the representatives of the association, saying okay well if you can't do all that we ask how about some of these modified requests. Those modified requests are summarized in the third letter addressed to that individual, Gary Plant from James Strozier, they are underlined in the first paragraph . . . the things which the association felt . . . well, if we can't have everything we requested in the beginning, maybe we can talk about these things. I am appalled at the response, which is in this letter. Mr. Black . . . we were advised by Mr. Strozier that, as you can see in the second paragraph from the bottom, since such agreement has not been reached and you have continued to request additional concessions we are planning to enter the hearing on Thursday with our request as it was originally submitted to the EPC without the above concessions. Now, is that what the ordinance, which required notice to be given to the neighborhood association contemplated, just a blanket stone walling of a neighborhood association and instead of negotiating and trying to work out a plan so that the neighborhood association could back this application, just saying nope, now we are not going to give you anything because you are not satisfied with what we are willing to give you. That is such a callous attitude that I just found myself astounded to believe that a developer or his agent would engage in this kind of tactic. Then the last insult is contained in the last sentence of that letter, which I have underlined. Where he says in addition, the Black Family has not requested any restrictions of the uses allowable in Riverfront Estates, which stands to affect their adjacent property. That is kind of a slap in the face when you say something like that. There has never been a discussion or a thought

of requiring anybody in Riverfront Estates to consider changes in the covenants, which affect the estates.

The point that I am trying to make is that the whole process which was contemplated by ordinance of discussions between . . . good faith discussion between neighborhood associations and developers has been forded here by this kind of response. Not only are they not willing to make the concessions which are contained in the second letter, but they are not even willing to talk anymore. So, that the remark made by one of the prior speakers that unfortunately we haven't come to some agreement, is really a minimal description of what really happened. They broke up all discussions, so there was no further discussion possible.

My suggestions, I have two: one, grant the application subject, not only to the restrictions to which they agreed in the second letter, but subject to the other restrictions to which they did not agree in the third letter. Then, the association will not have any reason for complaint. The second suggestion that I would make in the alternative, is that you continue this hearing for 60 days and require the applicant to enter into some good faith negotiations with the neighborhood association so that these problems can be resolved and hopefully an agreement can be reached so there won't be any opposition. But, the manner in which the applicant has treated the neighborhood association is a sham and I don't think that this application, in its present form, should be granted unless all of the restrictions that I have requested are included, or until there has been another opportunity granted to the applicant to have good faith discussions with the neighborhood association.

CHAIR BEGAY: Any questions for Mr. Seagull? Commissioner Schwartz.

COMMISSIONER SCHWARTZ: I have a question for Mr. Seagull, but first I have a question for Mr. Newton. Mr. Newton, Riverfront Estates was identified as a neighborhood . . . I guess this is actually within Riverfront Estates?

MR. NEWTON: Yes, it is.

COMMISSIONER SCHWARTZ: All right, so under the City policy, they were entitled to a facilitated meeting?

MR. NEWTON: Yes.

COMMISSIONER SCHWARTZ: Okay, thank you. Mr. Seagull, myself, Commissioner Begay and I think possibly at that time Commissioner Gara and Commissioner McMahan . . . on the ELUC, we heard the application for the Burger King . . . the same kind of rancor, perhaps, existed at that time between the neighborhood association and the developer. Why wasn't there a facilitated meeting? This neighborhood association has a history already, why didn't they have the facilitate meeting? Why did they just try to resolve it themselves when they know that the last time there were these similar kind of problems?

MR. SEAGULL: Well, we tried.

COMMISSIONER SCHWARTZ: What do you mean you tried? You tried to have a facilitated meeting and the City refused to arrange it?

MR. SEAGULL: No, no, we didn't try that.

COMMISSIONER SCHWARTZ: Okay, why not?

MR. SEAGULL: We tried without the offices of the City to negotiate.

COMMISSIONER SCHWARTZ: Okay, that's my questions, why? Why? I mean I remember this from the last time and there was a lot of . . . not real friendly between the two parties and I remember that hearing across the street and the last thing that was said at that hearing was to try for these two groups to work out their differences, because we knew there was going to be additional development of Mr. Black's property and there will continue to be development of Mr. Black's property. I don't understand why you didn't go to a facilitated meeting, because I really think that had there been a facilitated meeting that you would carry a little more weight than what we have here already.

MR. SEAGULL: I appeared to us that a good faith negotiation was being in progress and that was as far as I know, but I will allow someone else . . . if I am permitted to do so, the former president of the association to respond directly to that. But, it appeared to the members of the board of directors that negotiations were proceeding fine and why should it become necessary to go to a facilitated meeting. I would suggest, however, that Ms. Peters is probably . . . would probably be able to answer that question better than I could. The point is . . . the fact is that we would like to engage in good faith negotiations with the developer, so that we can come in and say we approve.

CHAIR BEGAY: You don't get to approve it, I am sorry Mr. Seagull.

MR. SEAGULL: We don't approve, of course, we do not object to the application would be the better way to put it.

CHAIR BEGAY: It would be nice if you could come in here and say that you don't object. If you do come in and say that you object, we will take that into consideration. But, it does not mean that the development can't go forward. We are the final say.

MR. SEAGULL: I understand that, I understand that.

CHAIR BEGAY: Thank you.

MR. SEAGULL: I'd like to let Ms. Peters, who is a former president of the association, address the Commission for a moment.

CHAIR BEGAY: Hold on, Mr. Newton do you have something to add. Maybe you can help us out.

MR. NEWTON: Madam Chair, my name is Don Newton with the Office of Neighborhood Coordination. Back in April, the City's legal department ran out of funds for facilitated meetings, maybe the Commission does not know that, but yearly that happens. They run out of the money, they allocate x amount of dollars in their budget to do facilitation and mediation. It seems consistently each year, about April they have no funds for facilitated meetings.

CHAIR BEGAY: If it happens every year, why don't they plan

MR. NEWTON: Madam Chair, maybe I am stepping way out of bounds here, but I would appreciate personally from our office, maybe the chair writing a letter to Mr. White at the legal department asking for an increase so this does not happen. Because it is really difficult for the development community and the neighborhoods when we run out of money. Mr. Strozier was aware of this, so there was a good faith effort promised to our office that they would it is his past history of working very closely with the neighborhoods. We will have funds here in a couple weeks, new budget July 1.

CHAIR BEGAY: Okay, thank you Mr. Newton. Are we going to public comment now?

MS. CARMEN: I am part of the neighborhood association.

CHAIR BEGAY: We are going to public comment then, okay.

MS. CANDELARIA: Ginger Carmen.

MS. CARMEN: That's me. Madam Chair, Commission members, my name is Ginger Carmen. I am president of Riverfront Estates Neighborhood Association, 1728 Rusty Road NW 87114. I represent the neighborhood as we currently now have between 29 and 32 homes, some of them are still under construction. We feel that we have a voice as a neighborhood association and we want to be a neighborhood association that is known to work with the developers. I read your staff report and I noticed that on page, I believe it's on page 1 after the maps, that when it talks about the area characteristics and the zoning history, that in the east zoning area in the Comprehensive Plan, the land uses . . . Riverfront Estates is not even listed in that. We feel like we are . . . that we have something to say. We met in good faith with the Consensus Planning department and talked with them on several occasions, basically two occasions to be specific, and they came to us, asked us what we thought, we met, we met with our board, we came up with something, we gave that back when they requested another meeting, we told them what we would like. They lead us to believe, on both of our meetings that we were operating in good faith. They agreed with us to the separate different issues as to the car lots. We have some definite concerns, because some of the most of the acres are . . . most of the parcels that we are talking about, the houses sit on acre lots and some lots are 1.5, very view . . . I think there is only a couple of them that are 2 acre lots.

We have some concerns regarding noise pollution. We get a lot of noise pollution from the paging systems on the car lots as they exist now. We have a wind flow pattern that seems to

flow down, so everything that comes off of Irving we seem to get, as far as dust. So, we were concerned about any fast food restaurants, anything that goes up the hill flows down into our neighborhood. We were also concerned . . . currently we do not have a deceleration lane, a way to get into our neighborhoods, so people coming off of Paseo are merging in, they are coming heading north as we are turning on to Westside Drive into our development. I don't know how many times . . . there are those of us who live down there that feel like we are about ready to be rear ended in trying to get down in that area. We are concerned about the amount of traffic flowing onto Coors from Paseo heading north to the mall and to some of the other areas that are trying to exist off at Valleyview Drive at the rate of speed that most people do. We are concerned that there is the traffic that might mean that there is a . . . require extensive traffic management. We are not against Mr. Black nor the development of what he would like to do. All of us enjoy the conveniences that occur and everybody likes just to run up the hill and take part in Target, or Taco Bell . . . I don't but. Any of those areas up there . . . we are most willing to work with him. However, we would like some of our concessions as to car lots, being that it bring end to the paging systems that seem to flow down. We were concerned about fast food restaurants and the idling of cars in there and the traffic that comes down. But, we are more than willing and would request that you would consider a deferment so that we could meet and come to a decision so that we will not waste your time or Mr. Black's time. Thank you for your consideration.

CHAIR BEGAY: Thank you. Any questions? Thank you. Next.

MS. CANDELARIA: Susan Fox.

MS. FOX: Madam Chair, Commissioners, I am Susan Fox, P.O. Box 1888, Albuquerque. I am here representing Presbyterian Healthcare Services where the . . . (INAUDIBLE) . . . here today. We currently own tract 3C, which is appropriately sandwiched in between tract 3B and 3D fronting onto Coors Boulevard. We are here requesting, or actually, acquiescing in this annexation request provided, as our letter states, we receive C-1 zoning or if more palatable SU-1 for C-1 uses zoning. We believe that this request is within the parameters of R-270-1980. There is a nice progression actually, as you head down toward Riverfront Estates starting at the C-2 property across Coors from us, Coors Boulevard . . . the C-1 property just west of Valleyview, O-1 behind us, the Corrales drain, the A-1 property before you reach the Riverfront Estates property. We think that is a pretty nice progression and a very good buffer. We, PHS, recently entered into or received two letters of intent for . . . to purchase this property. The Wells Fargo Bank, currently located on tract 3B, proposes to purchase a portion of this property and do a lot line extension for an expansion of their banking facility. The other letter of intent is from Jiffy Lube, and they would propose to do a Jiffy Lube on that particular . . . on the rest of that tract. Again, we are currently zoned County O-1, sandwiched in between County C-1. We merely request that we be in line with the other zoning at this point, which is both C-1 on both our north and south sides. I stand for any questions.

CHAIR BEGAY: Any questions for Ms. Fox? Thank you.

MS. CANDELARIA: John Black.

MR. BLACK: Unless the Planning Commission has questions of me, I'll just defer to our agent, I am available, okay.

CHAIR BEGAY: Mr. Briscoe.

COMMISSIONER BRISCOE: Would you be opposed to doing some additional land planning? I realize that is an expensive proposal and all.

CHAIR BEGAY: Hold on, can you wait please. Somebody needs to turn their phone off.

UNIDENTIFIED SPEAKER: It's not . . . it is an oxygen tank.

CHAIR BEGAY: Thank you. Don't turn that one off.

COMMISSIONER BRISCOE: It seems to me like there are a lot of questions that are left unanswered here because of the . . . well the land is shown as agricultural between the residential area and this relatively high level of commercial development property that's proposed. I don't know . . . it just seems like that would be a reasonable request, is to ask that you do the planning for both sides of the canal.

MR. BLACK: There are two reasons, well actually three. Number one, we don't ever intend to annex that into the City, at least the current owners. The current family owners are different than the owners of tract 2, it is not the same ownership. The third thing is we are heavily dependent on that farm to support our existing ranch. For certain times of the year we move some of our cattle down there and graze and we use that as a vital part of our other ranch when we don't have the proper amount of grass on the other property. So, we are still actively ranching and farming and have no desires to subject ourselves to the perils of the tax assessor if we go in and plan and subdivide that property before we are ready to sell it.

COMMISSIONER BRISCOE: Would you be willing to say that that's going to remain agricultural for a long period of time?

MR. BLACK: Well, we can say that it's going to remain for at least two years, because we have commitments that extend that far. At this point in time I am not able on behalf of those other owners . . . I am one of many owners in that other piece. I own half of this current piece, so just to tell you there is a dramatic difference in ownership there. But, I know the other owners . . . I can't sign up for them, but I can tell you that they are obligated by other contracts to at least keep that property and agriculture used for the next two years and possibly a lot longer, I don't know. But it is a different piece of land entirely from a lot of different respects. The access is not such, even with this new road someday going into it. It will not be such that it can be developed in very intense commercial or industrial or non-residential uses. It is a very different piece of property.

COMMISSIONER BRISCOE: Okay, thank you.

CHAIR BEGAY: That's it? Okay, thank you. I have a question for Joe David. Mr. Montano, you heard the representatives from the neighborhood association requesting a d-cel lane. What are the possibilities of that? The d-cel lane, I believe it is so you can get off the road before you are turning down into the way they access their properties down there.

COMMISSIONER GARA: That's not part of this case.

CHAIR BEGAY: I just want him to answer the question for them.

COMMISSIONER GARA: Oh.

CHAIR BEGAY: What would be the trigger mechanism for that to happen?

MR. MONTANO: Madam Chair, currently, that would be a right-in/right-out location according to the Coors Corridor Plan and a d-cel lane would be required for that configuration. When we went in and put in the six lanes, I believe we used a shoulder that was being used previously for the sixth lane. There should be some room over on the edge to provide for a shoulder and a bike lane, if I recall correctly. So, they effectively have a d-cel lane there already, from my recollection. I have not been out there to specifically look for that but there should be some additional asphalt beyond the outer lane so that you can pull off and slow down.

CHAIR BEGAY: So then it might just be a matter of striping.

MR. MONTANO: Yes, that's probably what it would be.

CHAIR BEGAY: If it were to be built, with curb and gutter and all that stuff, it would happen at the time when that property was developed?

MR. MONTANO: Yes, that would be one of the first things that we would look at, is how that intersection would be redesigned to comply with the Coors Corridor Plan.

CHAIR BEGAY: Okay, thank you.

MR. MONTANO: Now, there could be a possibility at some point in time that a left turn would be permissive in one direction only, like we have in other segments of Coors. So they may not be totally closed off, but it would not be a full intersection like you see today.

CHAIR BEGAY: Okay.

COMMISSIONER GARA: Are you talking about Valleyview or the next one up?

MR. MONTANO: The one above.

COMMISSIONER GARA: Okay.

MR. MONTANO: The one north of Irving. The principal entrance to the subdivision is below.

COMMISSIONER GARA: Okay.

CHAIR BEGAY: Okay, thank you. Any questions for anybody else? Commissioner Chavez.

COMMISSIONER CHAVEZ: I would like to go back to Mr. Seagull's comments for just a minute, if I can. Both a comment and a question of Mr. Strozier. The Commissioner, even today, on several occasions has strongly encouraged cooperation and communication with the neighbors by the developers. I think the applicant, and particularly the agent, have a history. I think it is appropriate to point out . . . a history of bending over backwards to have that kind of communication. So, I think they have gone in the right direction. I think it's also important to recognize, however, that it's not expected and certainly not required that there be complete agreement on all issues. If there is not then we all take it into account in our decision making process. With that, Mr. Strozier, I wonder if you could take briefly and recap the efforts that you have had with the neighbors to communicate and cooperate.

MR. STROZIER: I appreciate that, Madam Chair, Commissioner Chavez. We met with the neighborhood association board prior to submitting our request to the City. At that time, it was really kind of a fact-finding mission to see what their concerns were, let them know where we were headed. It had not been . . . we hadn't finalized anything, we were in the process of getting ready to put the submittal together. We had that meeting . . . it was, I'd say, a good meeting. We then prepared our submittal. One of the things I think that . . . and we have been clear about this from day one with the neighborhood association, was that Mr. Black was really looking for . . . trying to reach a compromise with them on what his proposal was and getting their support. So, we went . . . all of this was done in that spirit, but being very clear that what was expected of them is if compromises were made on Mr. Black's behalf, in terms of his request and concessions, that their responsibility in that was to be in agreement with those things. That's kind of the rules, if you will, that we went into that dialogue with . . . was to try and reach an agreement and so that was kind of the . . . part of that whole situation. One of the things that we request . . . okay, never mind. We went in, we submitted our application to the City, we sent them several copies of our full submittal and then we found out from the staff that they had sent a letter, which is contained in your packet. That was not copied to us, it was sent directly to the City. We got a copy of that letter, we called them and we said, you know we would like to meet again and go through this information. We let Ms. Stover know that we were going to have a meeting, she wasn't able to attend that meeting. But we met again, and we went through . . . and I believe that while . . . I guess we would object to these being entered into the record at the last minute, we had a meeting and we went through their request point by point. We summarized those in a memorandum to Mr. Black. Once again, it was a very amicable meeting. However, I must say that on several occasions throughout this whole process it was kind of . . . said that if we don't get what we want then we are going to fight it, we are going to sue. So that was on the table, and this is not something, as you pointed out, that's new in this dialogue. We have been there before. So, we outlined all of those requested changes, Mr. Black then sent a response. We transmitted all of this in writing to the neighborhood association . . . a copy of our memo to Mr. Black and a copy of his letter back saying out of that laundry list of things,

what he felt he could do and not do. So, then we were looking for and we requested on several occasions a response back in writing. This whole thing of . . . we kept getting verbal requests saying well, is Mr. Black willing to compromise some more.

The compromise was only happening one way, we were never getting any kind of . . . well, we are okay with this with those design restrictions. It only was that way. So, then we were told that we needed to get back to them a firm answer by 5 o'clock on June 18th. So that's why we said, the premise when we started all this was we tried to come to an agreement if you . . . Mr. Black would be willing to make certain concessions and agree to those provided that you support the request. We never got back that commitment for support. So, basically the memo on the 18th when we given the deadline by them, was if we are going to go to court anyways, if there is going to be a fight, then we are going to go in and ask for what we think is appropriate, which is our original request. So, that was . . . it wasn't meant as a that's it, we are not talking anymore.

COMMISSIONER CHAVEZ: That's fine. The reason I asked the question is that you didn't have the opportunity for the facilitated meeting, and so I just wanted to probe a little deeper into the details of how much communication and a cooperative effort there had been . . .

MR. STROZIER: A lot of communication.

COMMISSIONER CHAVEZ: It sounds like it. I would just reiterate Commissioner Serrano's suggestion . . . there is always still room for improvement, both with the neighborhoods and the developers that some sort of summary brought with the case wrapping up or summarizing communication and cooperative efforts, is really helpful to us. We really do want to take those concerns into consideration and make sure that we understand them. Particularly, if there are glitches like the facilitated meetings and so forth. I think it is worthwhile to have spent this little extra time to probe into that because it's quite important and we certainly encourage it. Like I say, I think there has been a history of cooperation and I think that's appropriate to bring to the Commission's attention and to the audience.

MR. STROZIER: Our goal is still to have agreement.

COMMISSIONER SCHWARTZ: I live nearby this site and one thing is the area could use a hotel, there is very little opportunities if you live here, to put out of town guests up, other than there is a B & B nearby and the Inn at Paradise Hills Golf Course. I would say that my primary concern when I looked at this, had to do with the auto dealership, I wasn't happy about the fact that we are bringing auto dealerships south of Irving. When I look at this and thinking about the neighborhood over here . . . especially concerned that the dealership might end up on tract 2C, which would have a lot of lighting. When I am looking at this material here and I see that one of the concessions was no auto dealerships. In fact, I am looking at this whole thing of concessions and I have to say that in the time I have been here, this is a lot better than what a lot of other people have been able to get . . . a lot longer things. I don't live in the neighborhood there, Riverfront, I think I would have been inclined to get on the phone and just say I accept. There is a lot of concessions here. Then we come back . . . I want to point out, first of all that Commissioner Briscoe about the A-1, I think I understand

what you are talking about. We had a case here not too long ago south of Montano, Mr. Graham's property, there was a similar kind of consideration about some A-1 County property that he did not include in a request and we dropped it. We didn't really press it that hard.

Some of these additional requests here . . . exclusion of outdoor dining areas. We have been sitting here for the past year twisting people's arms to include patio dining and offering them parking bonuses for patio dining, so that request is kind of contrary to what the policy of this Commission is. So, I guess my question would be how much, if any, of what's in the letter of June 7 would you agree to today?

MR. STROZIER: Well, I think that our commitment stands where we left it, that we put those offers on the table. It just . . . it's a little bit frustrating on our side if without recognition from the other side that we have made those concessions, that's really where we are. I think that that offer is certainly on the table. I guess I just . . . on the issue of outdoor dining, and I did point this out, one of our meetings was the reason that the Burger King had to go through the special use permit process in the ELUA was because of a glitch in the County's Zoning Ordinance that does not allow outdoor dining with a drive-thru restaurant, unless you put a six foot wall around it, so that was why we had to go through that effort on behalf of tract 3B.

CHAIR BEGAY: Thank you. Commissioner Serrano.

COMMISSIONER SERRANO: Thank you Madam Chair. While we were talking . . . I guess I just want to follow up on Commissioner Schwartz's comments. I went through Ms. Carmen's letter to the EPC and kind of just did a check, underline and a checklist what the concerns were versus what at one time had been agreed to, assuming that what's in this June 18 memorandum is correct . . . what had been agreed to. It seems to me that the applicant agreed . . . I agree with you . . . to an awful lot of things and it seems to be the real major concessions, when you are talking about exclusion of auto dealers, I think auto repairs, auto sale uses and those kinds of things, I think that those are big concessions. It also appeared to me that there really wasn't a lot in the letter that you didn't agree to. If you did a tally sheet, there seem to be more on the yes we agree to then the no we don't. I guess I just want to follow up on that, I agree . . . you are correct.

CHAIR BEGAY: Any other comments? Questions? I would like to say that in regards to the lighting, we heard the case at the Albertson's up on Academy and their application packet had some really cool lighting in it that was really diffused a lot that went into the outlying areas. I would encourage you to take a look at that.

MR. STROZIER: Yes, Madam Chair, I was here during that dialogue and I made a mental note. I heard Commissioner Briscoe's questions and comments related to that and I made a note to try and get a copy of that because that and certainly this area, the Chevron . . . the existing Chevron is not the best example of that issue and we certainly are always striving to come up with the best lighting regulations. So I will take a look at that.

CHAIR BEGAY: Great, thank you.

MS. CARMEN: Madam Chair, Commissioners. Commissioner Chavez, I would like to address what you had to say regarding . . . I guess there was a comment about that we will sue and we'll fight . . . you know, sue is an ugly word. I believe that if you are going to say something that you ought to put it in writing. We have not put anything in writing. To my knowledge, coming from my mouth, I never said that we would sue as representative of the Riverfront Estates Neighborhood Association. So, I would like to stand on that, that we did not say that. As far as Commissioner Serrano, I agree with you, I think that they made some wonderful concessions. We just went back and asked them if they would consider a couple of things. We did ask them, however, when we met with Consensus Planning they were lovely people to work with, I have to say that . . . very polite. I can even say I had them in my home . . . very nice. Both . . . this couple was very, very nice to us and very articulate in what they wanted, and lead us to believe that during the time that they were talking to us that when we requested some of these things, yes we agree with you, yes we agree with you. Having been novices in this and not being paid for our position and having them as representatives of the developer and being paid by the developer, we were lead to believe that what they were agreeing with us . . . we just said okay you agree with us when there were certain things that they did. We did ask them, however, if they would let us know by 5 o'clock on the 18th. That was not meant to be a threat, it was simply we need to know so that we can notify and have plenty of time between the 18th and today, the 21st, to give us ample time to allow a vote from our board, as well as any support or non-support from our members, our paid members, of our neighborhood association. That is why we requested the time of the 18th. When we received this letter and it appeared, unless I am reading it wrong, that we were not . . . an agreement had not been reached. That was not necessarily true. They did not come back and tell us about the concessions until we received this letter on the 18th, so we weren't able to get back with them. Like I said, we want to work with them. We don't want to . . . we are standing here wanting to work, we don't want . . . no we don't want . . . we would prefer not to have a car sales. We live across from two car sales that receive the paging. No amount of bothering the County and calling the non-emergency number to tell them that we're receiving the paging system, works. I think that is a complete waste of our County's time when they can track down criminals instead.

As to some of these other issues, we think that a hotel is limited to two stories instead of some huge monstrosity, is good clean industry. We realize that with the Balloon Fiesta and especially being that it is closer on our side of town, will bring revenue and we are interested in that. As to the lighting restrictions, we just simply wanted the lighting restrictions so that it doesn't spill over. A member of our board also works for PNM and had some excellent suggestions and they were talking lighting back and forth, so we didn't have a problem with that. As far as the outdoor patio dining, we did agree to the outdoor music. We just simply said that if you are going to have outdoor dining, please do not have the outdoor music. Right across the street from Coors and across from Riverfront Estates, we can hear Our Place II that sits close to the corner of Coors and Irving. There is a Taco Bell there and right next door is Our Place II and right next to that is Kelly's Liquor. There are many times at night that we can hear clearly the outdoor dining music all the way from that road. We were just simply requesting that if there were going to be outdoor dining, that they would not have the music and the paging. That was it. So, I agree with you that what you stated is that the concessions are correct, you bet they are. We would like these. We don't particularly want

to see a Jiffy Lube there just because of the oil smell, but we like these concessions and we want to work with them. We did not have time for litigation plus I was newly elected and I didn't have time, okay. So, I just ask that you would consider our request also, and we do, we stand as an association more than willing to work with Mr. Black and his associates. Thank you.

CHAIR BEGAY: Thank you. Ms. Fox.

MS. FOX: Just briefly Madam Chair and Commissioners, in response to Commissioner Schwartz's questions to Mr. Strozier regarding the June 7th concessions that Mr. Black was willing to make. Just for the record for . . . on the part of PHS in tract 3, we can live with all these concessions with the exception of the construction of a 6-foot wall adjacent to the Corrales main canal, which doesn't make sense, as we are not adjacent to the canal. Also, we cannot agree to the exclusion of auto repair for the Jiffy Lube services. I want to point out that Jiffy Lube is highly regulated and it's actually a very clean industry and there is no oil smell coming off of those properties. Thank you very much.

CHAIR BEGAY: Thank you Ms. Fox. Ms. Stover, do you have anything in closing to say? Mr. Strozier, quick closing.

MR. STROZIER: Thank you Madam Chair, I will try and address just a couple of points here. I guess it sounds like we are in . . . we are closer to agreement than the representative that we dealt with most on the phone was Mr. Gary Plant from the neighborhood. I have to say that while Ms. Carmen . . . she never did say they were going to fight this to the end, or sue Mr. Black. However, Mr. Plant stated on several occasions to myself, Ms. Pitman, and Mr. Black that they would be raising money for the legal fight. I just want to make sure that . . . she didn't say it.

COMMISSIONER GARA: We are not here for who said what . . . he said she said.

MR. STROZIER: With regard to the deceleration lane at their access point. One of the things that we had to deal with that as part of the Burger King, that same issue at Valleyview Drive. Our recollection, collectively, is that probably the same thing happened up there to the north, that there was a deceleration lane originally constructed, probably with both of those access points on the Coors when the widening came in. Basically, they widened over the deceleration lane and didn't put it back. The Highway Department has agreed to work with Mr. Black and the property owners there in this entire area to replace the deceleration lane there at Valleyview Drive, and I would suggest that that may be the appropriate discussion for them to have with the Highway Department regarding their access. So, with that we would request your support. Once again, I think if we are indeed in agreement with the concessions that we have brought forth to the neighborhood and that they are in agreement with those, we would love that, let's proceed ahead. I would be happy to answer any other questions that you might have at this time. We think that the design restrictions that we have put in place relative to the tract 2 would be a great protection. One of the things that we talked . . . we worked on the project north of the Calabacillas, which includes the Larry Miller used auto sales and the Cottonwood crossing development. That was really kind of our model for some

of the issues, because we worked very closely with the two neighborhood associations up there with regard to that development. It came out very well and there is no paging at that . . . at the Larry Miller facility and we have very strict lighting and signage regulations up there. So, that's kind of the model and I believe the neighborhood is very happy with that project and they've been collectively good neighbors with each other.

CHAIR BEGAY: Thank you Mr. Strozier. Commissioner Gara.

COMMISSIONER GARA: Did I miss the screen wall or burning on the parking area that would front Coors?

MR. STROZIER: If that's not in there, then we would be more than happy to add that.

COMMISSIONER GARA: Thank you. I did not see it.

MR. STROZIER: I will look. We usually . . . we have been trying to get that in everything, but if we missed it we will put it in.

CHAIR BEGAY: Thank you. Okay, we are going to close the floor. Entertain comments or a motion. Commissioner McMahan.

COMMISSIONER MCMAHAN: I would just like to comment. These things that go back and forth between the neighborhoods and the developers and we get sort of in the middle of them. We hear some comments and I would like to characterize Mr. Seagull's comments simply as being a little petulant. I am really disappointed in that. Process of negotiation is yes, give and take. As Mr. Strozier pointed out, it seemed like from what we have heard, it was all one sided, and to say that one side did not cooperate with the other I think is wrong and I am really disappointed that it got to this. I understand how it got there but I think we can make a decision based on what we have heard today. Thank you very much.

CHAIR BEGAY: Any other comments? Motion? Commissioner Gara.

COMMISSIONER GARA: In the matter of 01114-00556, annexation of tracts 2, 3F1, 3C1, 3H, 3I, 3J, and 3B, Black Ranch, we recommend approval to the City Council based on findings 1 – 6.

COMMISSIONER MCMAHAN: Second.

CHAIR BEGAY: A motion and a second on the floor for annexation. All those in favor?

COMMISSIONER SERRANO: I had a question.

CHAIR BEGAY: Okay.

COMMISSIONER SERRANO: But, I want to ask my question anyway. My question relates to tract 3C and PHS' request that they not be annexed, I mean unless the zoning goes

through and with the concessions there appears to be a conflict in the concessions that the developer has made with regard to auto repairs and auto sales and those types of things. That is not consistent, I don't think, with what they want and my question is does tract 3C . . . do we want to include tract 3C, or do we want to pull that out because of the concessions. They appear to be in conflict.

COMMISSIONER GARA: That is tract 3C1.

COMMISSIONER SERRANO: Oh, is it 3C1?

COMMISSIONER GARA: (Inaudible).

COMMISSIONER SERRANO: Well, I don't know.

CHAIR BEGAY: Is that the PHS tract?

COMMISSIONER SERRANO: I think it is the PHS tract.

COMMISSIONER GARA: But it is included in this annexation request.

COMMISSIONER SERRANO: Right, but their letter specifically states that they don't want it to be a part of it unless their zoning is there. But if we have these concessions over here . . .

COMMISSIONER GARA: But at this point in time all we are doing is recommending to the City Council. If they don't get the zoning they want, they can pull that property out of the annexation request before it gets to Council for hearing, is what I believe.

COMMISSIONER SERRANO: Okay, that is what I wanted clarification on, is that correct that it can be pulled?

CHAIR BEGAY: We are just voting on the annexation now, the establishment of zoning comes later.

COMMISSIONER SERRANO: I understand that and to me . . .

COMMISSIONER GARA: Anytime between now and City Council, they can withdraw that property from the annexation request.

COMMISSIONER SERRANO: Okay, thank you.

CHAIR BEGAY: We could also make a motion for annexation on that piece specifically and give them what they want, that is an option too. We made the motion. I am going to ask for a reclarification of all those in favor of annexation. Unanimous, okay thank you.

COMMISSIONER GARA: Madam Chair, in the matter of establishment of zoning, I want to go through this a little slower please and go through the responses in the request to make sure we cover what we want to cover. It is an SU request, so that has been agreed to. What is the . . . staff, what is the height limitation in the Coors Corridor Design Overlay Zone, as far as height restrictions on the east side of Coors? Will that preclude anything taller than a two story hotel?

MR. STROZIER: Madam Chair, Commissioner Gara, I believe since it is tied to the elevation . . . it varies because it is tied to the crest and the elevation at Coors. If you sink a building down, drop it down off of Coors . . . so, I am not sure that the height . . . it's a height regulation as it relates to Coors Boulevard and the Coors Corridor Plan, as opposed to an absolute height of a structure. So, it is difficult to answer it that it allows . . . does or doesn't allow two or three stories. It depends on how you site the building and whether or not you . . . and how it relates to the crest and the elevation of Coors, but we have agreed to two story on that.

COMMISSIONER GARA: But, I am trying to figure out how we do that as far as any zoning issues concerned. The only way we have done it in the past, that I can remember, is we would change zoning to SU-1 for C-1 use . . . the different uses, permissive uses. I guess hotel, I guess, has no greater than two story.

MR. STROZIER: That would be fine.

COMMISSIONER GARA: Okay. That becomes part of the zoning then.

CHAIR BEGAY: So you want to add that to number 2? No greater than two story.

COMMISSIONER GARA: Yes, we would add that . . . no greater than two story hotels, no greater than two story.

COMMISSIONER MCMAHAN: (inaudible, mic is not turned on)

COMMISSIONER GARA: Why are you uncomfortable with it, I have no idea.

COMMISSIONER MCMAHAN: (inaudible, mic is not turned on)

COMMISSIONER GARA: Well, you are going to have a conflict all along Coors then, because of the view corridor.

CHAIR BEGAY: Yes, and it is an overlay zone?

COMMISSIONER GARA: Yes.

CHAIR BEGAY: So it has to be complied with?

COMMISSIONER GARA: Yes. Staff, in the future we need to have the zoning that is requested as part of the findings, so I don't have to keep looking back and forth to the front page and the page that I am trying to go on. If we have the complete listing of the zones that are being request, then it makes it easier to review.

COMMISSIONER SCHWARTZ: Finding two, page 11?

CHAIR BEGAY: Yes. So we are taking out automobile sales

COMMISSIONER SCHWARTZ: Hotels not to exceed two stories.

COMMISSIONER GARA: This needs to be . . . in my opinion, it needs to be part of the motion, not a finding, okay. That is why I need to put it in there. We talked about RO-1, is that correct?

CHAIR BEGAY: Yes.

COMMISSIONER JOHNSON: (inaudible, mic is not turned on)

COMMISSIONER GARA: I don't see a zoning for 3C in here, so that would be C-1 also?

COMMISSIONER SERRANO: (inaudible, mic is not turned on)

COMMISSIONER GARA: 3B is the corner, and that is an existing building which is the bank, correct?

CHAIR BEGAY: Yes.

COMMISSIONER GARA: And that is straight C-1, and then straight O-1 for 3F1, 3G1, 3H, I and J. Okay. Now, on the 3C, I assume staff, that under C-1 zone, a Jiffy Lube could be done. In the matter of 01110-00557, request for establishment of zoning for tracts 2, 3F1, 3C1, 3H, 3I, 3J, 3B, Black Ranch, SU-1 for C-1 permissive uses and hotel not to exceed two stories in height and restaurant with full service liquor for tract 2A, 2B and 2C. Zoning designation of RO-1 for tract 2D. C-1 for tract 3B and SU-1 for C-1 for tract 3C and O-1 for tracts 3F1, 3G1, 3H, 3I, and 3J, based upon findings 1-6 in our packet. I will modify finding two by adding the C-1 permissive uses and hotel not to exceed two stories in height, deleting automobile sales, changing RO-20 to RO-1 and adding SU-1/C-1 for tract 3C.

CHAIR BEGAY: Okay. Do we have a second?

COMMISSIONER BRISCOE: Second.

CHAIR BEGAY: Motion and second on the floor, all those in favor? Opposed? Motion passes unanimously.

COMMISSIONER GARA: Now with regards to subdivision, we have lighting restrictions changing the maximum height from 20 feet to 16 feet. Maximum of 12 feet for security lights will remain on after 11 pm and directed towards the building. Directed that . . . lighting be directed away from the neighborhood and fully show the building . . . INAUDIBLE . . . lights. I don't know how we can control and I agree . . . I don't know how we can control PNM lights. Let's see, what else on lighting.

CHAIR BEGAY: Sign restrictions?

COMMISSIONER GARA: I am just looking for lighting right now, that's all the lighting?

COMMISSIONER BRISCOE: (inaudible, mic was not turned on)

CHAIR BEGAY: Fully shielded?

COMMISSIONER GARA: Yes. So we will have a condition number 4, which will be the lighting language. That would be that the height of lighting fixtures is . . . the maximum height is 16 feet and 12 feet maximum height for any security lights that remain on after 11 pm and it be directed towards the building and not towards the neighborhood. It is 4a and 4b. 4c, we have specific language that we have used many times, staff do you know what that is off hand about fully shielded, horizontal bound directed, or whatever the case may be, lighting?

MR. BRITO: Madam Chair, Commissioner Gara, that wording is all lighting on the site shall be fully shielded, cut-off lighting (ie. Shoebox) to minimize fugitive lighting.

COMMISSIONER GARA: And the bulb shall not extend past the . . .

MR. BRITO: And the bulb shall not extend past the housing.

COMMISSIONER GARA: Okay, that will be item number C under lighting 4c. Then we will go to item number 5, which would be signage. Sign area maximum on each monument sign of 50 square feet. What else on signs? That is the only thing I see. Okay, so that is five. Six we have done before, the loudspeakers and paging systems and what do you call them? Not allowing those to . . . no outdoor loudspeakers and paging systems, number six.

CHAIR BEGAY: The City has their new noise ordinance too. I have to keep saying that . . . that they think they can enforce.

COMMISSIONER GARA: Okay. Pollution . . . the noise ordinance will kick in there. Odors . . . I don't know that we can . . . that is not a land use issue. All these . . . all the SU-1 for C-1 uses would require site plan review, so they have to come back before the Planning Commission and at that time if the dumpster areas and other refuse areas are not enclosed and screened, they will be required to do so. That is typically what the Planning Commission looks for. But most of the people know that when they come here they have to have that. I had number seven which would be that all parking surfaces, whether its for automobile . . . we are not doing automobile sales . . . all parking surfaces facing major arterials shall be

screened with a 30 inch wall over landscape berm so that the parking grills are shielded from the right of way. Do you have better language than that Mr. Brito? Feel free to jump in. That is all I see. A 6-foot high solid wall on existing tract 3 lots are on the east side of Valleyview Drive and also along those lots along tract 2. I guess that is along the Corrales main canal. That is number 8. Is that all?

COMMISSIONER SCHWARTZ: Number 10?

COMMISSIONER GARA: Number 9?

COMMISSIONER SCHWARTZ: Their number 10.

CHAIR BEGAY: Whose number 10?

COMMISSIONER SCHWARTZ: In the letter.

COMMISSIONER GARA: Which letter?

CHAIR BEGAY: The Westwood letter.

COMMISSIONER SCHWARTZ: Number 10, which would limit gas station to a maximum of one acre on tract 2A.

COMMISSIONER GARA: I don't know how we can limit that.

CHAIR BEGAY: Yeah, that would be hard.

COMMISSIONER GARA: I would assume 2A would be the most logical place for that since it is on

COMMISSIONER SCHWARTZ: Well, actually . . .

COMMISSIONER GARA: I don't know that there is a logical place for it.

COMMISSIONER SCHWARTZ: Yeah, because you don't really have an access

COMMISSIONER GARA: You don't have a corner. I don't know that I am worried about gas stations going in the other lots. Anything else?

CHAIR BEGAY: Mr. Strozier, you are jumping up and down . . .

MR. STROZIER: I am hopping on my seat. Just to be clear, on the wall on the eastern property line, or on the edge of the Corrales main canal, what may be better . . . Mr. Black and I were talking about, there may be a situation where the developed property . . . the most appropriate place for the wall is not necessarily on the property line, but on the edge of the developed portion . . . the eastern edge of the developed portion of the lot, because there

may be a situation where it then drops in grade and we don't want to get to the DRB and say no the wall has to go down there, when the appropriate place for it to do any good, is at the edge of the developed portion.

COMMISSIONER GARA: Okay, that was number 8? Was that number 8?

CHAIR BEGAY: Yes.

COMMISSIONER GARA: Would you modify it accordingly Ms. Stover.

MR. SEAGULL: There were two more in the letter to which they have agreed and one was . . .

CHAIR BEGAY: Mr. Seagull you need to sit down.

MR. SEAGULL: Well, I just wanted to call the Commission's attention to the auto dealership. . . .

CHAIR BEGAY: No, you need to sit down, you have not been recognized. We will get to it. We are going through the letters now.

COMMISSIONER GARA: That is all I see. I am looking at the June 5th memo, I am looking at the June 7th memo

CHAIR BEGAY: Okay, do we have a second?

COMMISSIONER CHAVEZ: Second.

CHAIR BEGAY: A motion and a second on the floor, all those in favor, opposed? Motion passes unanimously. Do we want to take a break? We are going to take a 10 minute break until 4 o'clock.

FINAL ACTION TAKEN

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to recommend approval to the City Council of 01114 00556, a request for annexation, for Tracts 2, 3F1, 3C1, 3H, 3I, 3J and 3B, 3C, Black Ranch, based on the following Findings:

FINDINGS:

1. This is a request for annexation of approximately 18 acres located on Coors Boulevard NW between Paseo del Norte and Irving Boulevard and described as Tracts 2, 3F1, 3C1, 3H, 3I, 3J and 3B, 3C, Black Ranch.

2. The subject request meets the requirements for annexation into the city because it is contiguous to City boundaries, accessible to service providers, and has convenient street access to the City.
3. The annexation request furthers the applicable Goals and policies of the *Albuquerque/Bernalillo County Comprehensive Plan* by allowing for an urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and choice in housing, transportation, work areas and life styles.
4. The area is suitable for urban intensity as defined by its designation of Developing Urban in the *Albuquerque/Bernalillo County Comprehensive Plan*.
5. The annexation request furthers the applicable Goals and policies of the *West Side Strategic Plan* by proposing annexation that will allow for urban style services that are appropriate in the community.
6. The annexation request furthers Policy 4 of the land use and intensity of development section of the *Coors Corridor Plan* which states that "properties under county jurisdiction, which are now surrounded by City jurisdiction, should be annexed as soon as possible.

MOVED BY COMMISSIONER GARA

SECONDED BY COMMISSIONER MCMAHAN

MOTION CARRIED UNANIMOUSLY

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to recommend approval to the City Council of 01110 00557, a request for establishment of zoning for Tracts 3F1, 3C1, 3H, 3I, 3J, 3B, 3C, Black Ranch SU-1 for C-1 Permissive Uses and Hotel not to exceed 2 stories in height, and Restaurants with Full-Service Liquor is requested for Tracts 2A, 2B and 2C, a zoning designation of RO-1 for Tract 2D, C-1 for Tract 3B, C-1 for Tract 3B, and SU-1 for C-1 for Tract 3C and O-1 for Tracts 3F1, 3G1, 3H, 3I and 3J, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for establishment of zoning for approximately 18 acres located on Coors Boulevard NW between Paseo del Norte and Irving Boulevard and described as Tracts 2, 3F1, 3C1, 3H, 3I, 3J and 3B, 3C, Black Ranch.

2. Zoning for parcels created by the accompanying site plan for subdivision is requested. SU-1 for C-1 Permissive Uses and Hotel not to exceed 2 stories in height and Restaurants with Full-Service Liquor is requested for Tracts 2A, 2B and 2C. A zoning designation of RO-1 is requested for Tract 2D. C-1 is requested for Tract 3B. O-1 is requested for Tracts 3F1, 3G1, 3H, 3I and 3J. SU-1 C-1 for Tract 3C.
3. A plat showing clear and distinct boundaries of the newly created tracts should be submitted at DRB.
4. The subject site meets the requirements of 270-1980 under the changed community conditions finding. The West Side Strategic Plan and the Paseo del Norte bridge crossing present changed conditions in the area.
5. The requested zoning meets the goals in the *Albuquerque/Bernalillo County Comprehensive Plan* by placing employment and service uses that are located to complement residential uses and sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.
6. The *Coors Corridor Plan* states that "the intensity of development shall be compatible with the roadway function, existing zoning or recommended land use, environmental concerns, and design guidelines." The proposed zoning categories are compatible with existing conditions in the area.

CONDITIONS:

1. The site shall be replatted to show clear and distinct boundaries of the newly created tracts.

MOVED BY COMMISSIONER GARA

SECONDED BY COMMISSIONER BRISCOE

MOTION CARRIED UNANIMOUSLY

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to recommend approval to the City Council of 01128 00558, a request for site development plan for subdivision, for Tract 2, Black Ranch based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for approval of a site development plan for subdivision for approximately 12.5 acres located on Coors Boulevard NW between Paseo del Norte and Irving Boulevard and described as Tract 2, Black Ranch.

2. A site plan for subdivision is required for approval of SU-1 zoning.
3. The site development plan for subdivision furthers the applicable goals and policies of the Comprehensive Plan by creating a framework for a quality urban environment that offers a choice in transportation, work areas and life styles.
4. The site development plan meets all of the requirements of the Zoning Code by specifying all of the elements of a site development plan for subdivision.
5. Design guidelines are incorporated into the site including an overall theme and land use concept, landscape design requirements, signage design requirements, and lighting design requirements.

CONDITIONS:

1. The submittal of this site plan to the DRB shall meet all EPC conditions. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. The site shall be replatted to create distinct lots that conform to or create the new zone boundary lines.
3. Design guidelines shall include off-street parking requirements and design (automobiles and bicycles), street design, transit facilities (benches, shelters, pedestrian connections), architectural design requirements (façade elements, massing, colors, materials), and pedestrian amenities (walkways, plazas, shade structures) that are consistent with EPC directives and intents.
4. Lighting:
 - a. The height of lighting fixtures is maximum height of 16 feet.
 - b. 12 feet maximum height for any security language remains on after 11:00 p.m. and it be directed towards the building and no to the neighborhood.
 - c. All lighting on the site shall be fully shielded, cutoff lighting (shoebox) to minimize fugitive lighting and the bulbs shall not extend past the housing.
5. The maximum sign area on each monument sign shall be 50 square feet on each face.
6. No outdoor loud speakers and paging systems are allowed.
7. All parking surfaces facing streets shall be screened with a minimum a 30 inch wall or landscape berm so that parking grills and headlights are shielded from the right-of-way.

8. There shall be a minimum 6-foot high, solid wall along the eastern edge of the subject site.

MOVED BY COMMISSIONER GARA
SECONDED BY COMMISSIONER CHAVEZ

MOTION CARRIED UNANIMOUSLY

~~12 01110 00542 Richard Hall, agent for DePonte Investments requests an amendment
01138 00543 to the North Interstate 25 Sector Development Plan plus a zone map
Project # 1000682 amendment from SU-2/IP to SU-2/C-2 for Lots 1-10, Block 29, North
Albuquerque Acres, located on Alameda Boulevard NE between San
Pedro Drive and Louisiana Boulevard, containing approximately 8.7
acres. (C-18) Loretta Naranjo-Lopez, Staff Planner (APPROVED~~

STAFF PRESENT:

Loretta Naranjo-Lopez, Planning Department

PERSON PRESENT TO SPEAK IN FAVOR OF THIS REQUEST:

Brent DePonte, 6301 Indian School Rd. NE

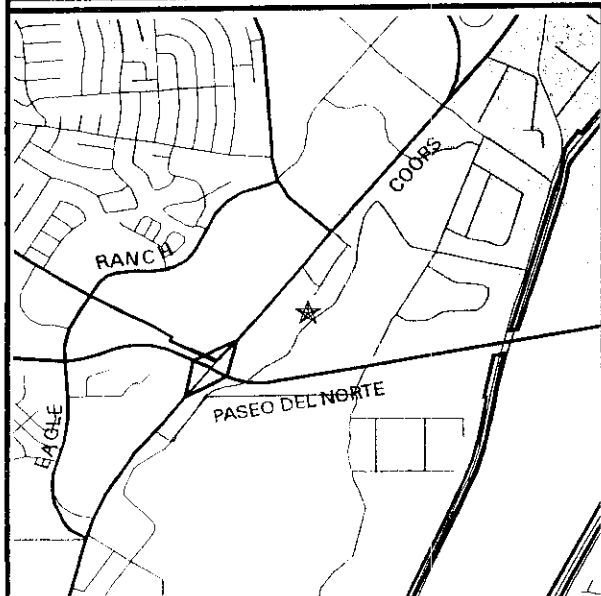
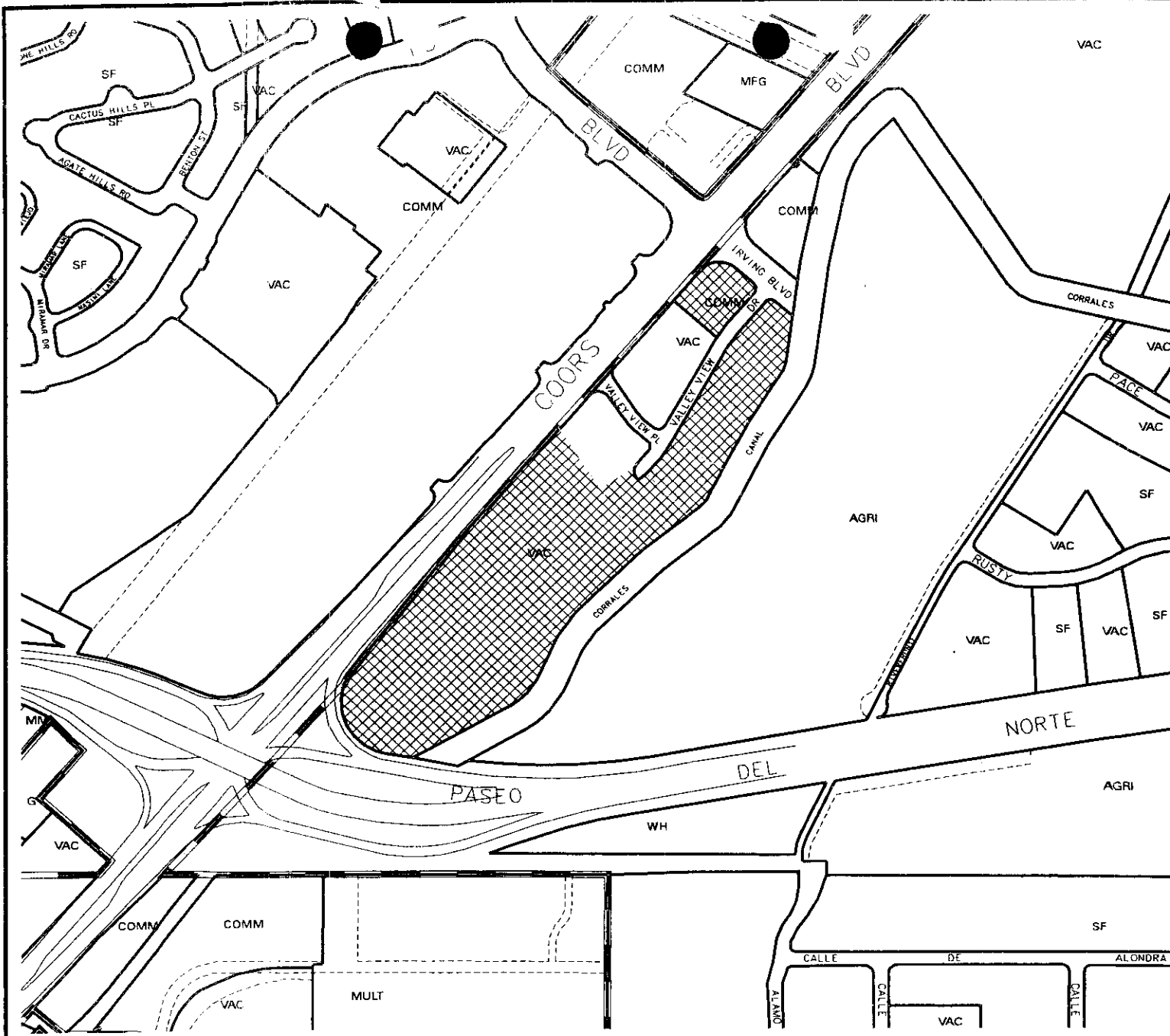
PERSON PRESENT TO SPEAK IN OPPOSITION OF THIS REQUEST:

William Kraemer, 200 Lomas NW

MS. NARANJO-LOPEZ: Reiterated comments made in the staff report in which approval was recommended for both the zone map amendment and amendment to the North I-25 Sector Development Plan.

FINAL ACTION TAKEN

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to approve 01138 00543, a request for an amendment to the North I-25 Sector Development Plan, changing the zone map designation from SU-2/IP to SU-2/SU-1 for C-2 Uses, for Lots 1-10, Block 29, Tract A, Unit B, North Albuquerque Acres, located on Alameda Boulevard NE, between San Pedro Drive and Louisiana Boulevard NE, based on the following Findings:



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"= 523 '

PROJECT NO.
1001206

HEARING DATE
06-21-01

MAP NO.
C-13

APPLICATION NO.
01114-00000-0055
01110-00000-0055
01128-00000-0055



NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Albuquerque Environmental Planning Commission will hold a public hearing on Thursday, June 21, 2001 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]

- | | |
|--|---|
| 01221 00000 00136
Project #1001032 | The City of Albuquerque request an amendment to the Comprehensive, City Zoning Code Section 14-16-3-17, (A.)(3.)(C.) adding criteria for antennas mounted on existing vertical structures. Cynthia Borrego-Archuleta, Staff Planner |
| 01128 00421
Project # 1000085 | Jon Marcotte, Kent Hanaway Architect, agents for Albertsons, Inc., request approval of a site development plan for building permit for Lot M-1-A, Tanoan Properties, zoned SU-1 for C-1, located on Academy Road NE between Tramway Blvd and Tennyson Street, containing approximately 9.94 acres. (E-22) Lola Bird, Staff Planner |
| 01128 00486
01128 00487
Project #1001042 | Garcia/Kraemer & Associates, agents for Pete and Sandra Vigil request approval of a site development plan for building permit plus approval of a site development plan for building for a wireless telecommunication facility for Lot 8 and the west 1/2 of lot 9, Block 20, Tract 3, North Albuquerque Acres, zoned SU-2 / Mixed Uses, located on Holly Avenue NE between Ventura Street and Holbrook Street, containing approximately 1.32 acres. (C-20) Lola Bird, Staff Planner |
| 01110 00540
01138 00541
Project #1001201 | Boleslo Romero, agent for Carl Landspecht requests an amendment to the University Neighborhoods Sector Development Plan plus a zone map amendment from SU-2 / DR to SU-2 / RC for Lots 13-17, Block 25, University Heights Addition, located on Girard Boulevard SE between Central Avenue and Silver Avenue, containing approximately 0.8 acre. (K-16) Lola Bird, Staff Planner |

<p>01110 00542 01138 00543 Project # 1000682</p>	<p>Richard Hall, agent for DePonte Investments requests an amendment to the North Interstate 25 Sector Development Plan plus a zone map amendment from SU-2/IP to SU-2/C-2 for Lots 1-10, Block 29, North Albuquerque Acres, located on Alameda Boulevard NE between San Pedro Drive and Louisiana Boulevard, containing approximately 8.7 acres. (C-18) Loretta Naranjo-Lopez, Staff Planner</p>
<p>01225 00551 Project #1001146</p>	<p>The City of Albuquerque, Public Works Department requests an amendment to portions of the Comprehensive Zoning Code, amending Chapter 14, Article 16, ROA 1994. (City Wide) Mary Hardison, Staff Planner</p>
<p>01110 00552 Project #1001135</p>	<p>Consensus Planning, Inc., agents for Felix Rabadi requests a zone map amendment from SU-1 for PRD to R-LT for Tract A-2B, Paradise Bluff, located on Justin Drive NW between Paradise Boulevard and Buglo Avenue, containing approximately 13.0 acres. (B-11) Deborah Stover, Staff Planner</p>
<p>01110 00554 Project #1001205</p>	<p>Consensus Planning, Inc., agents for Paradise Ridge LLC request a zone map amendment from SU-1 for PRD to R-LT for Lots A-1 and A-2A, located on Paradise Boulevard NW between Lyon Boulevard and Justin Drive, containing approximately 21.5 acres. (B-11) Deborah Stover, Staff Planner</p>
<p>01114 00556 01110 00557 01128 00558 Project #1001206</p>	<p>Consensus Planning, Inc., agents for John Black request annexation and establishment of SU-1 for C-1, C-1 & O-1 Zoning plus approval of site development for subdivision purposes for Tract 2A, 2B, 2C, 2D, 3F1, 3G1, 3H, 3I, 3J, 3B, Black Ranch, located on Coors Boulevard NW between Paseo del Norte and Irving Boulevard, containing approximately 18.0356. (C-13) Deborah Stover, Staff Planner</p>
<p>01114 00560 01110 00561 Project #1001208</p>	<p>Ross Howard Co., agent for Ricardo and Guadalupe Gutierrez requests annexation and establishment of R-1 zoning, for Tract D-1, Lands of the Heirs of Aurelia Gutierrez, located at the northwest corner of Sandia Road NW and Guadalupe Trail NW between Montano Road and Grecian Avenue NW, containing approximately 1.58 acres. (F-14) Loretta Naranjo-Lopez, Staff Planner</p>
<p>01128 00562 Project #1001209</p>	<p>Mark Goodwin & Associates, agents for Clifford Capital Fund, Inc., requests approval of a site development plan for subdivision purposes for Lands of Ben E. Traub, Lands of Raymond R. Van Wye and Tracts A-2 & C-2 of the Land of Albuquerque Public Schools, zoned SU-1 for C-1 and SU-1 for Residential @ 12-14 du/ac, located on Western Trial NW between Unser Boulevard and Atrisco Drive, containing approximately 11.6 acres. (F-10 & F-11) Loretta Naranjo-Lopez, Staff Planner</p>

01128 00563 Tierra West LLC, agents for Whataco, Inc., request approval of a site
01128 00564 development plan for subdivision purposes plus approval of a site
Project #1000163 development plan for building permit for Lot 4, Block 19, La Cueva Town
Center, zoned SU-1 for C-2, located on Wyoming Boulevard NE between and
Paseo del Norte and Carmel Avenue, containing approximately 1.5 acres. (C-
19) Deborah Stover, Staff Planner

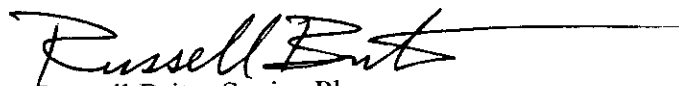
01110 00565 Glenn Parry, agent for SEED request a zone map amendment from SU-1
01128 00566 for Church and Related Uses to SU-1 for O-1 plus approval of a site
Project #1001210 development plan for Lot A, Block 8, Palisades Addition, located on Atrisco
Drive NW between Interstate 40 and Iliff Road, containing approximately 1.23
acres. (H-11) Lola Bird, 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.

Elizabeth Begay, Chairman
Environmental Planning Commission

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL JUNE 6, 2001.

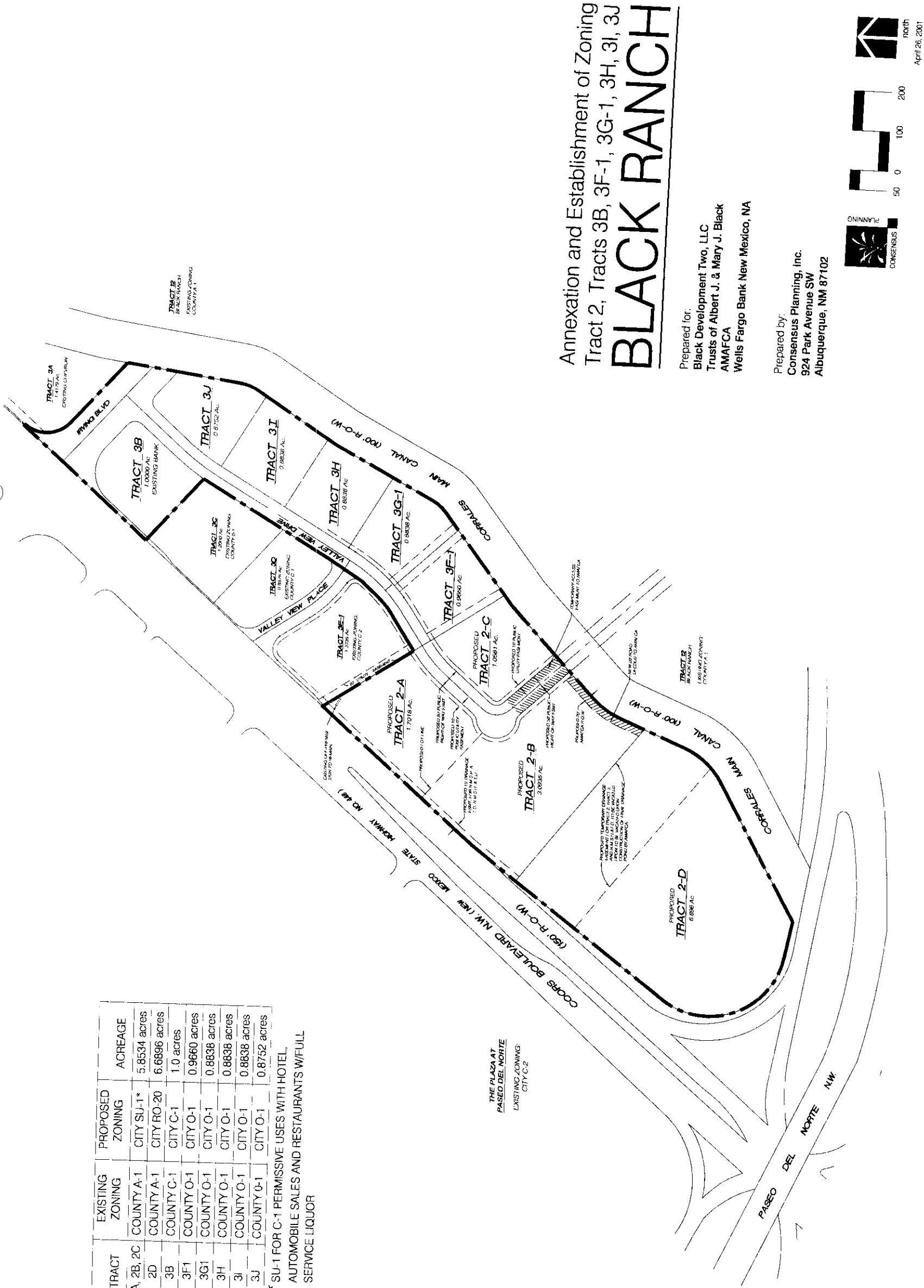
APPROVED



Russell Brito, Senior Planner
Development Services Division, Planning Department

TRACT	EXISTING ZONING	PROPOSED ZONING	ACREAGE
2A, 2B, 2C	COUNTY A-1	CITY SU-1*	5.8534 acres
2D	COUNTY A-1	CITY RO-20	6.6896 acres
3B	COUNTY C-1	CITY C-1	1.0 acres
3F-1	COUNTY O-1	CITY O-1	0.9660 acres
3G1	COUNTY O-1	CITY O-1	0.8838 acres
3H	COUNTY O-1	CITY O-1	0.8838 acres
3I	COUNTY O-1	CITY O-1	0.8838 acres
3J	COUNTY O-1	CITY O-1	0.8838 acres
3J	COUNTY O-1	CITY O-1	0.8752 acres

* SU-1 FOR C-1 PERMISSIVE USES WITH HOTEL,
AUTOMOBILE SALES AND RESTAURANTS W/FULL
SERVICE LIQUOR



Annexation and Establishment of Zoning Tract 2, Tracts 3B, 3F-1, 3G-1, 3H, 3I, 3J BLACK RANCH

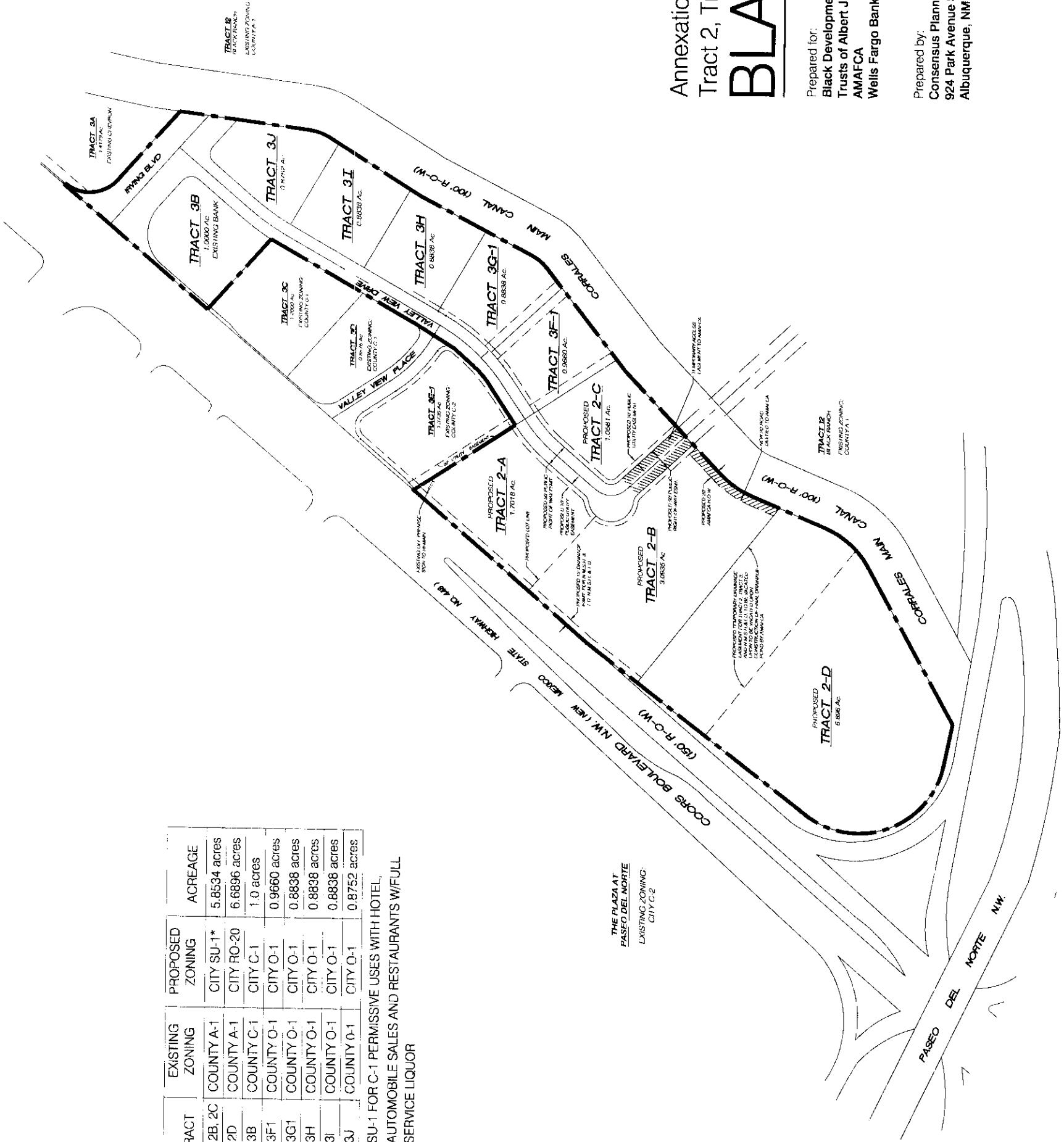
Prepared for:
Black Development Two, LLC
Trusts of Albert J. & Mary J. Black
AMAFCA
Wells Fargo Bank New Mexico, NA

Prepared by:
Consensus Planning, Inc.
924 Park Avenue SW
Albuquerque, NM 87102



TRACT	EXISTING ZONING	PROPOSED ZONING	ACREAGE
2A, 2B, 2C	COUNTY A-1	CITY SU-1*	5.8534 acres
2D	COUNTY A-1	CITY RO-20	5.6896 acres
3B	COUNTY C-1	CITY C-1	1.0 acres
3F-1	COUNTY O-1	CITY O-1	0.9660 acres
3G-1	COUNTY O-1	CITY O-1	0.8838 acres
3H	COUNTY O-1	CITY O-1	0.8838 acres
3I	COUNTY O-1	CITY O-1	0.8838 acres
3J	COUNTY O-1	CITY O-1	0.8752 acres

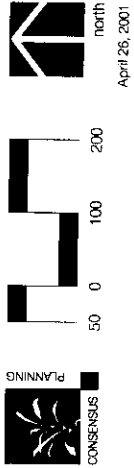
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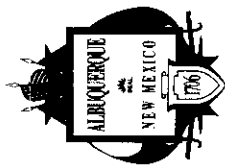


Annexation and Establishment of Zoning Tract 2, Tracts 3B, 3F-1, 3G-1, 3H, 3I, 3J BLACK RANCH

Prepared for:
Black Development Two, LLC
Trusts of Albert J. & Mary J. Black
AMAFCA
Wells Fargo Bank New Mexico, NA

Prepared by:
Consensus Planning, Inc.
924 Park Avenue SW
Albuquerque, NM 87102





City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

PLANNING DEPARTMENT

EPC

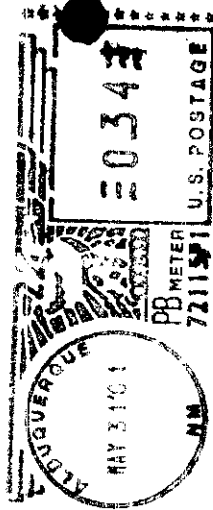


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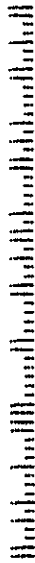
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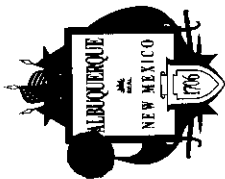
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ALBUQUERQUE NM 87176



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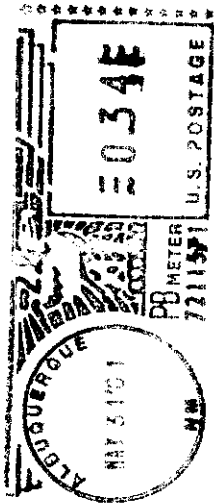


City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

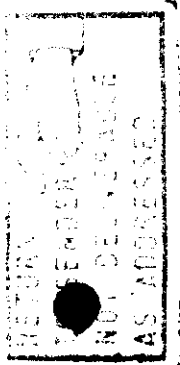
PLANNING DEPARTMENT

EPC

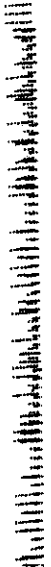


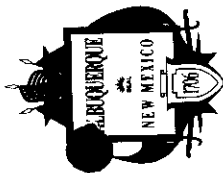
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SAN MIGUEL DEL BOSQUE
7000 CENTRAL PARK WAY
ATLANTA GA 30328



3032848719323253



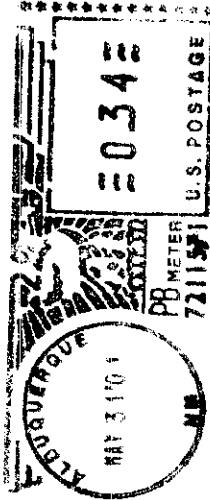


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EPC

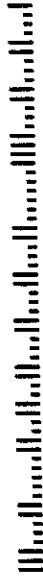


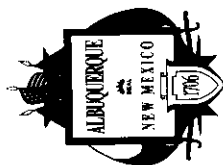
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DEVONSHIRE ADOBE LTD (THE)
5300 EUBANK NE
ALBUQUERQUE NM 87111

DEV0300 871112010 IN 13 06/05/01
RETURN TO SENDER
NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER

871111763 17





City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

PLANNING DEPARTMENT

EPC



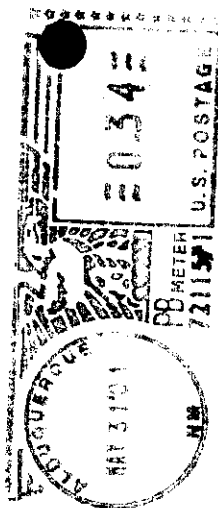
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BLACK ALBERT J ETUX

PO BOX 37109

ALBUQUERQUE NM 87176



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