City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

PLANNING DEPARTMENT

ALBUQUERQUE NEW MEXICO 1706

ALBUQUERQUE NM SEP 1 9'01

PB METER 7211571

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JOEL & NINA TAYLOR FNDN INC
5700 TAYLOR RANCH RD NW
ALBUQUERQUE, NM 87120

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JAYMEM ENTERPRISES LTD
7112 PAN AMERICAN FRWY NE
ALBUQUERQUE, NM 87109

87109+4229 10 293

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

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ALBUQUERQUE SEAL NEW MEXICO 1706

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8-30

Fold at line over top of envelope to the right of the return address.

CERTIFIED

P 805 654 700

MAIL

LADERA HEIGHTS
*Shari Lewis
P.O. Box 66328
Albuq., NM 87193

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I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

LADERA HEIGHTS
***Shari Lewis**
P.O. Box 66328
Albuq., NM 87193

4a. Article Number
P 805654700

4b. Service Type
☐ Registered ☐ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

5. Received By: *(Print Name)*

8. Addressee's Address *(Only if requested and fee is paid)*
EFC

6. Signature: *(Addressee or Agent)*
X

[redacted], December 1994

102595-98-B-0229 Domestic Return Receipt

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SARAGOSSA
PAULINE RAMOS
4440 CONDESA NW
Albuq., NM 87114

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1. ☐ Addressee's Address
2. ☐ Restricted Delivery

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3. Article Addressed to:

SARAGOSSA
PAULINE RAMOS
4440 CONDESA NW
Albuq., NM 87114

4a. Article Number
P 805 654 676

4b. Service Type
☐ Registered ☐ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

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6. Signature: *(Addressee or Agent)*
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8. Addressee's Address *(Only if requested and fee is paid)*
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City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

PLANNING DEPARTMENT

ALBUQUERQUE AUG 29 NM

PB METER 7211571 U.S. POST

LADERA HEIGHTS
Tena Prescott
3804 67th St. NW
Albuq., NM 87120

R+97
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3. Article Addressed to:

LADERA HEIGHTS
Tena Prescott
3804 67th St. NW
Albuq., NM 87120

4a. Article Number
P 865 654 699

4b. Service Type
☐ Registered ☐ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

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6. Signature: *(Addressee or Agent)*
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8. Addressee's Address *(Only if requested and fee is paid)*
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MAIL

RIVERFRONTE ESTATES
*GINGER CARMAN
1728 RUSTY RD. NW
Albuq., NM 87114

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3. Article Addressed to:

RIVERFRONTE ESTATES
***GINGER CARMAN**
1728 RUSTY RD. NW
Albuq., NM 87114

4a. Article Number
P806654712

4b. Service Type
☐ Registered ☐ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

5. Received By: *(Print Name)*

6. Signature: *(Addressee or Agent)*
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8. Addressee's Address *(Only if requested and fee is paid)*
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ALBUQUERQUE NM SEP 1 9 01

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U.S. POSTAGE

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ALBERT J. BLACK
P.O BOX 37109
ALBUQUERQUE, NM 87176

87176+7[illegible]

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City of Albuquerque

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MECHANICAL CONTRACTORS ASSN
6001 MARBLE NE
ALBUQUERQUE NM 87110

FDC

87110+863
87103/1293

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1706

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OCT 03 '01
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KINDERCARE REAL ESTATE CORP
2400 PRESIDENTS DR
MONTGOMERY AL 36116

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City of Albuquerque

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PLANNING DEPARTMENT

ALBUQUERQUE NM OCT 03 '01

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

Novella

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RETURN TO SENDER

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1706

City of Albuquerque

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PLANNING DEPARTMENT

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LA ORILLA GROUP LLC
112 VELARDE RD NW
ALBUQUERQUE NM 87107

87107/605
87103/1293

City of Albuquerque

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UNITED NM TRUST CO/TRUSTEE O
1516 SAN PEDRO NE
ALBUQUERQUE NM 87110

87110+67
87103/1293

City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

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OCT 03'01 NM

PB METER 7211571 0.34 U.S. POSTAGE

RETURNED TO SENDER

Box closed - No order

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BLACK ALBERT J & MARY I
PO BOX 37109
ALBUQUERQUE NM 87176

87176+7109
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P 805 654 674

MAIL

SANTA FE VILLAGE
BILL LENINGER
6708 GLEASON AVE. NW
Albuq., NM 87120

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I also wish to receive the following services (for an extra fee):

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3. Article Addressed to:

SANTA FE VILLAGE
BILL LENINGER
6708 GLEASON AVE. NW
Albuq., NM 87120

4a. Article Number
P8L 565467 4

4b. Service Type
☐ Registered ☐ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

5. Received By: *(Print Name)*

6. Signature: *(Addressee or Agent)*
X

8. Addressee's Address *(Only if requested and fee is paid)*
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PS Form **3811**, December 1994 102595-98-B-0229 Domestic Return Receipt

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[redacted]

City of Albuquerque

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ALBUQUERQUE NEW MEXICO 1706

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ALBUQUERQUE
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1706

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ALBUQUERQUE
OCT 03 '01
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UNITED NEW MEXICO BANK
PO BOX 1830
ALBUQUERQUE NM 87103

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AS ADDRESSED
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ORDER EXPIRED

87103+1830 20

EPC

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PLANNING DEPARTMENT

RETURN
TO SENDER

Russell

Richard Dobbs
9421 Coors NW
Albuq., NM 87120

87114+4007 11

City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

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TABET LUMBER INC ETAL #1397
4100 10TH ST
BENTONVILLE AR 72716

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COTTONWOOD CORNERS LLC
6500 WEST FREEWAY
FORT WORTH TX 76116

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

Date: October 22, 2001

City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

OFFICIAL NOTIFICATION OF DECISION

FILE: 01110-01244 (Project 1001445)

DESCRIPTION: recommends a zone map amendment to establish zoning for lands annexed into the City by the State Municipal Boundary Commission: SU-1 for C-2 Uses for Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch, Lot 1A, Riverwalk Marketplace, Lots A, B1, B2 and C, Paradise Hills IPTRN & Eagle Ranch TR2, and Unplatted/Sun Country Industries, Lot 3E1, Black Ranch and Lardner Tract, Lardner Tract; SU-1 for C-1 Uses and restaurant with liquor for on-premise consumption for Lot 13, Black Ranch, Partition of and Lots 1 and 2, Sawaya Addition; SU-1 for C-1 Uses for Lot 3A1, Black Ranch, and Lots 4 and 5, Black Ranch, Partition of, Lot 3D, Black Ranch, and Lot B, Sandia Upholstering Company; SU-1 for Church and Related Uses for Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church and Lot A1B, Taylor-Joel P; SU-1 for RA-1 and Wireless Telecommunications Facility for Lot A1, Taylor-Joel P, and Private Road Easement; SU-1 for RA-1 & processing, manufacturing, treatment and sale of herb products for Lot A2, Taylor-Joel P; SU-1 for Children's Home for ABQ Christian Home, ABQ Christian Children's Home; R-1 for Unplatted, Presley Co. of New Mexico; RA-1 for Lots 1, 2, 3 and 4, West Bank Estates and Lots A, B, C, Poole-Suzanne H; and SU-1 for Electric Utility Facility for Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station, located west of the Rio Grande, south of NM 528 and north of Western Trail and Namaste Road NW, and along Interstate 25 between Montaño Road NE and San Antonio Drive NE, containing approximately 140 acres. (A-13-14, B-13-14, C-13, E-12, E-17, F-11-12, F-16-17) Russell Brito, Staff Planner

On October 18, 2001, the Environmental Planning Commission voted to recommend approval to the City Council of 01110-01244, a zone map amendment to establish zoning for lands annexed into the City by the State Municipal Boundary Commission as follows with Findings and Conditions:

SU-1 for C-2 Uses for Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch, Lots A, B1, and B2, Paradise Hills IPTRN & Eagle Ranch TR2 and Lot 3E1, Black Ranch;

M-1 for Lot C, Paradise Hills IPTRN & Eagle Ranch TR2, Unplatted/Sun Country Industries, Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station, and Lardner Tract, Lardner Tract;

SU-1 for C-1 Uses and Restaurant with Liquor for On-premise Consumption for Lot 13, Black Ranch, Partition of;

C-2 for Lots 1 and 2, Sawaya Addition;

SU-1 for C-1 Uses for Lot 1A, Riverwalk Marketplace, Lot 3A1, Black Ranch, and Lots 4 and 5, Black Ranch, Partition of, Lot 3D, Black Ranch, and Lot B, Sandia Upholstering Company;

SU-1 for Church and Related Uses for Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church and Lot A1B, Taylor-Joel P;

SU-1 for RA-1 and Wireless Telecommunications Facility for Lot A1, Taylor-Joel P, and Private Road Easement;

SU-1 for RA-1 & Processing, Manufacturing, Treatment and Sale of Herb Products for Lot A2, Taylor-Joel P;

SU-1 for Children's Home and Wireless Telecommunications Facility for ABQ Christian Home, ABQ Christian Children's Home;

SU-1 for PRD for Unplatted, Presley Co. of New Mexico; and

RA-1 for Lots 1, 2, 3 and 4, West Bank Estates and Lots A and C, Poole-Suzanne H.

FINDINGS:

1. This is a request to establish zoning for approximately 134 acres of property annexed into the City by the State Municipal Boundary Commission located in the northwest area of the City, west of the Rio Grande and in the North I-25 area of the City.

2. The recommended zoning, which mirrors the previous County zoning, existing uses and approved or planned uses is:

   SU-1 for C-2 Uses for Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch, Lots A, B1, and B2, Paradise Hills IPTRN & Eagle Ranch TR2 and Lot 3E1, Black Ranch;

   M-1 for Lot C, Paradise Hills IPTRN & Eagle Ranch TR2, Unplatted/Sun Country Industries, Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station, and Lardner Tract, Lardner Tract;

SU-1 for C-1 Uses and Restaurant with Liquor for On-premise Consumption for Lot 13, Black Ranch, Partition of;

C-2 for Lots 1 and 2, Sawaya Addition;

SU-1 for C-1 Uses for Lot 1A, Riverwalk Marketplace, Lot 3A1, Black Ranch, and Lots 4 and 5, Black Ranch, Partition of, Lot 3D, Black Ranch, and Lot B, Sandia Upholstering Company;

SU-1 for Church and Related Uses for Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church and Lot A1B, Taylor-Joel P;

SU-1 for RA-1 and Wireless Telecommunications Facility for Lot A1, Taylor-Joel P, and Private Road Easement;

SU-1 for RA-1 & Processing, Manufacturing, Treatment and Sale of Herb Products for Lot A2, Taylor-Joel P;

SU-1 for Children's Home and Wireless Telecommunications Facility for ABQ Christian Home, ABQ Christian Children's Home;

SU-1 for PRD for Unplatted, Presley Co. of New Mexico; and

RA-1 for Lots 1, 2, 3 and 4, West Bank Estates and Lots A and C, Poole-Suzanne H.

3. The requested zoning furthers the applicable goal and policies of the *Comprehensive Plan* by creating the potential for 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.

4. The requested zoning, because it reflects the previous County zoning and/or any existing uses on the properties, does not conflict with any applicable Rank II or III plans, including the *West Side Strategic Plan*, the *Seven Bar Ranch Sector Development Plan* and the *Coors Corridor Plan.*

5. The requested zoning furthers the policies and requirements of *Resolution 270-1980*, specifically: the proposed change is not in significant conflict with adopted elements of the *Comprehensive Plan* or other City master plans (Section 1.C); the existing zoning is inappropriate because changed neighborhood or community conditions justify the change, namely the annexation of the properties by the State Municipal Boundary Commission (Section 1.D); and the permissive uses of the proposed zoning categories will not be harmful to adjacent property, the neighborhood or the community because they reflect the previous County zoning and/or any existing uses on the properties (Section 1.E).

6. The submitted "Exhibit A" contains all of the information required for and is acceptable as a site development plan for subdivision for Lot A2, Taylor – Joel P and corresponds to the recommended *SU-1 for RA-1 uses and the Processing, Manufacturing, Treatment and Sale of Herbal Products* zoning.

7. The submitted site plan for Lot 13, Black Ranch, Partition of contains all of the information required for and is acceptable as a site development plan for subdivision and corresponds to the recommended *SU-1 for C-1 Uses and Restaurant with Liquor for On-premise Consumption* zoning. It includes the specific conditions relating to building location, noise, lighting, etc. that were required by the County to mitigate the concerns of the adjoining neighbors. The submittal modifies the County conditions to comply with current City of Albuquerque policies. Additionally, the Calabacillas Pueblo archaeological site, located on the site and the adjoining site to the east, is adequately identified for preservation, additional archeological testing, and dedication to an appropriate agency.

CONDITIONS:

1. The submitted "Exhibit A" contains all of the information required for and is accepted as the site development plan for subdivision for Lot A2, Taylor – Joel P. Final sign-off the Development Review Board is required.

2. The submitted site plan for Lot 13, Black Ranch, Partition of contains all of the information required for and is accepted as the site development plan for subdivision. Final sign-off the Development Review Board is required.

Sincerely,

Russell Brito

For Robert R. McCabe, AIA, APA
Planning Director

RM/RB/nat

cc: Garcia/Kraemer&Associates, 200 Lomas NW, Suite 1111, Albuq. NM 87102
John Meyers, 1401 Central Avenue NW, Albuq. NM 87104
James Strozier, 924 Park Avenue SW, Albuq. NM 87102
Jeanne Christensen, 6337 Avenida la Costa NE, Albuq., NM 87109
Scott Lardner, 4741 Pan American Frwy NE, Albuq., NM 87109
Richard Dobbs, 9421 Coors NW, Albuq., NM 87120
Michelle Henrie, Rodey Law Firm, 201 3rd Street NW, Albuq., NM 87102
Patrick Trujillo, 520 Lomas NW, Albuq., NM 87102

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Albuquerque Environmental Planning Commission will hold a public hearing on Thursday, October 18, 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 00126 Project #1001032	The City of Albuquerque requests amendments to the Comprehensive, City Zoning Code Section 14-16-2-22, Special Use Zone, (B)(31), ROA 1994, a portion of the Zoning Code to allow for Wireless Telecommunication Facilities in conjunction with approved uses provided that certain requirements are met; amendment to Section 14-16-3-17 Wireless Telecommunications Regulations (A.) Setbacks (1.) a. b. c. (+d) and (15.) amendment to Horizontal Separation requirements for Free-standing Wireless Telecommunications Facilities. Cynthia Borrego-Archuleta, Staff Planner **(DEFERRED FROM AUGUST 16, 2001)**
01128 01231 Project #1001436	Insite Architecture + Development, agents for Desert Springs Church, request approval of a site development plan for building permit for Lot L-1, Vista Del Norte, zoned SU-1 for O-1, located on Osuna Road NE and Edith Boulevard, containing approximately 10.25 acres. (E-16) Lola Bird, Staff Planner
01110 01233 01138 01234 Project #1001438	Consensus Planning, Inc., agents for AMC Development Services request a zone map amendment from R-D for Office to R-D for 15 DU/Acre plus an amendment to the East Atrisco Sector Development Plan for portions of Tracts 350 and 351 and the entire Tract of 352, Town of Atrisco Grant, located on Ladera Drive NW between 72nd Street and Ouray Road NW, containing approximately 5.838 acres. (H-10) Loretta Naranjo-Lopez, Staff Planner
01128 01237 Project #1001440	Jack Harris, Architects, Inc., agents for Montano Development Company request approval of a site development plan for building permit for Tract D-3A, Hubbell Plaza, zoned SU-1 for Industrial, located on Coors Boulevard NW between Central Avenue and Bluewater Road NW, containing approximately .51 acre. (K-10) Loretta Naranjo-Lopez, Staff Planner

01110 01239
01138 01242
Project #1001442

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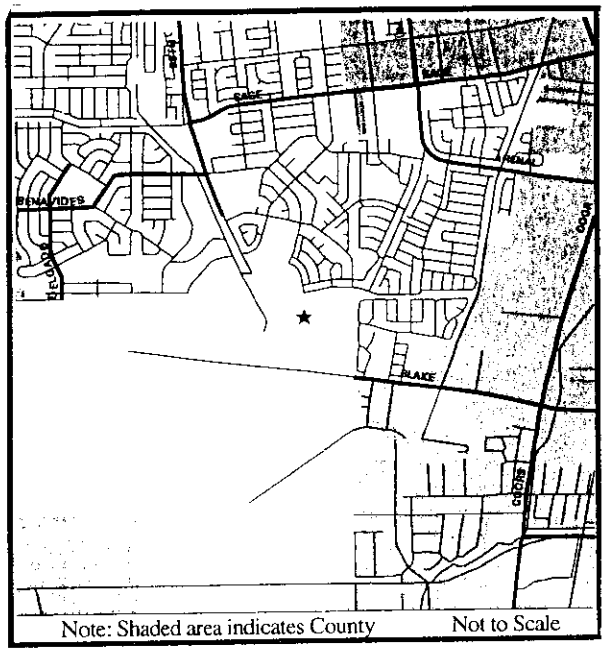

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Project #1001445

The City of Albuquerque requests a zone map amendment to establish zoning for lands annexed into the City by the State Municipal Boundary Commission: SU-1 for C-2 Uses for Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch, Lot 1A, Riverwalk Marketplace, Lots A, B1, B2 and C, Paradise Hills IPTRN & Eagle Ranch TR2, and Unplatted/Sun Country Industries, Lot 3E1, Black Ranch and Lardner Tract, Lardner Tract; SU-1 for C-1 Uses and restaurant with liquor for on-premise consumption for Lot 13, Black Ranch, Partition of and Lots 1 and 2, Sawaya Addition; SU-1 for C-1 Uses for Lot 3A1, Black Ranch, and Lots 4 and 5, Black Ranch, Partition of, Lot 3D, Black Ranch, and Lot B, Sandia Upholstering Company; SU-1 for Church and Related Uses for Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church and Lot A1B, Taylor-Joel P; SU-1 for RA-1 and Wireless Telecommunications Facility for Lot A1, Taylor-Joel P, and Private Road Easement; SU-1 for RA-1 & processing, manufacturing, treatment and sale of herb products for Lot A2, Taylor-Joel P; SU-1 for Children's Home for ABQ Christian Home, ABQ Christian Children's Home; R-1 for Unplatted, Presley Co. of New Mexico; RA-1 for Lots 1, 2, 3 and 4, West Bank Estates and Lots A, B, C, Poole-Suzanne H; and SU-1 for Electric Utility Facility for Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station, located west of the Rio Grande, south of NM 528 and north of Western Trail and Namaste Road NW, and along Interstate 25 between Montaño Road NE and San Antonio Drive NE, containing approximately 140 acres. (A-13-14, B-13-14, C-13, E-12, E-17, F-11-12, F-16-17) Russell Brito, Staff Planner

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Elizabeth Begay, Chairman
Environmental Planning Commission

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL OCTOBER 3, 2001.

APPROVED

Russell Brito, Senior Planner
Development Services Division, Planning Department

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01110 01239
01138 01242
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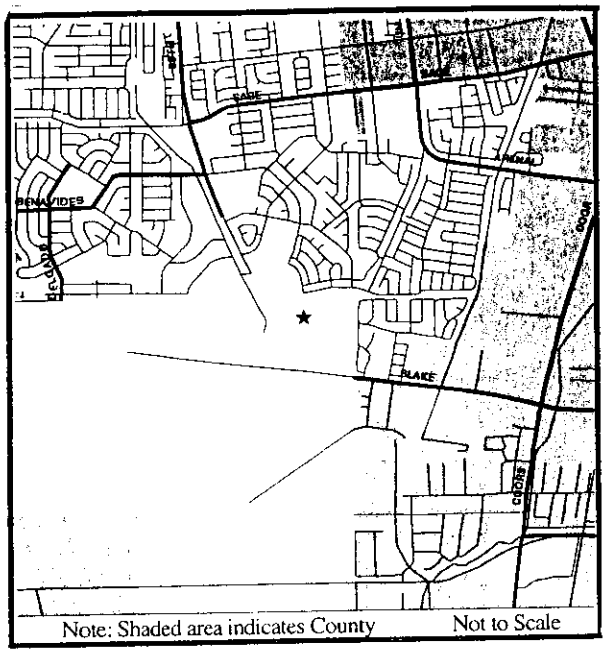

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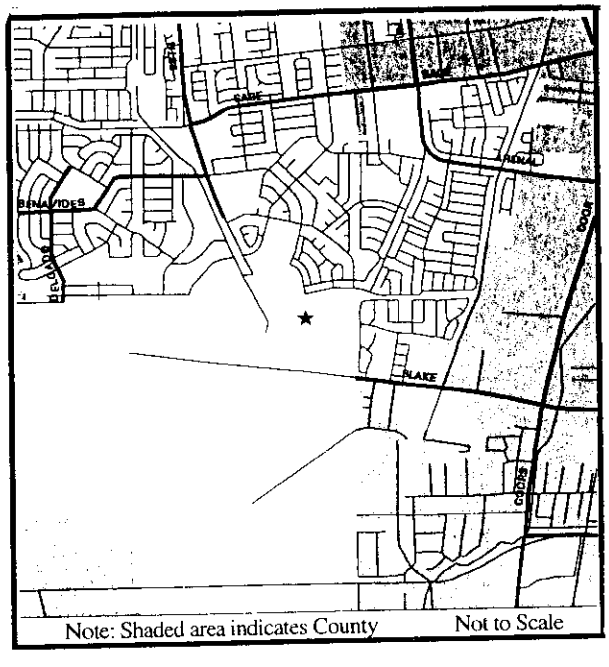

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Elizabeth Begay, Chairman
Environmental Planning Commission

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL OCTOBER 3, 2001.

APPROVED

Russell Brito, Senior Planner
Development Services Division, Planning Department

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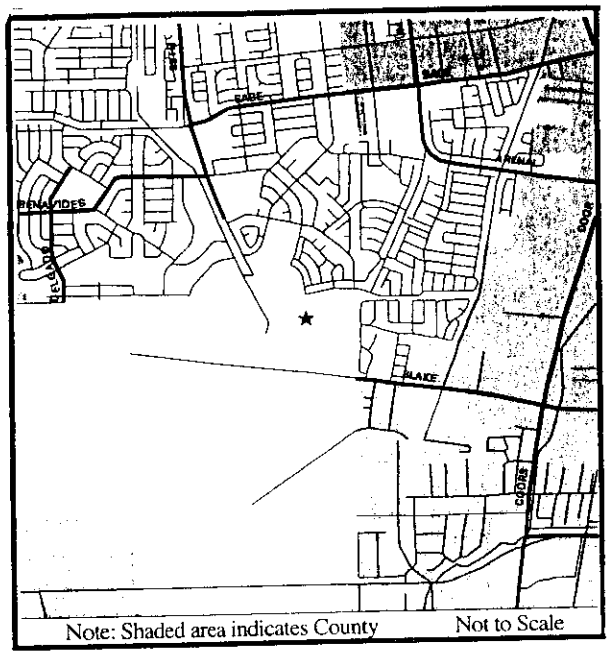

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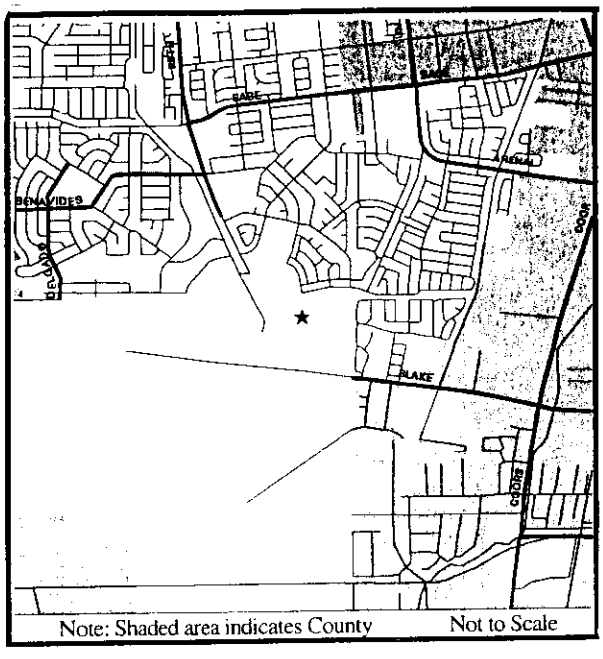

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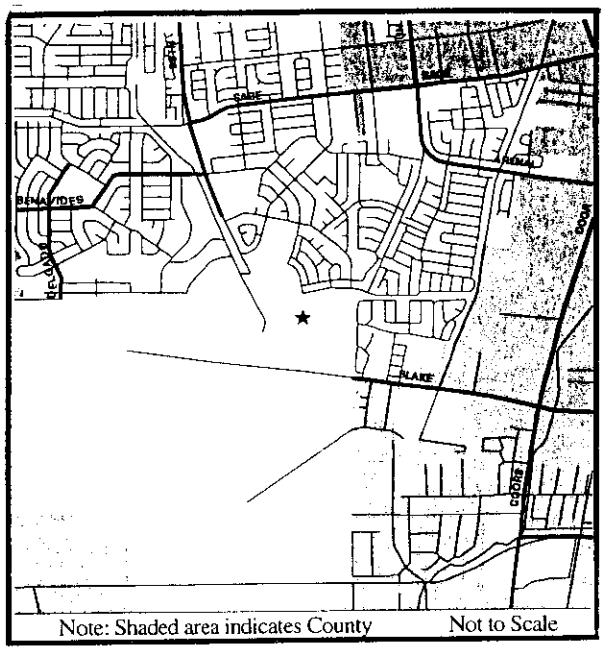

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Russell Brito, Senior Planner
Development Services Division, Planning Department

City of Albuquerque
P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

Date: 28 August 2001
To: Neighborhood Association Representatives
From: Russell Brito, City of Albuquerque Planning Department
RE: Establishment of Zoning for Lands Annexed to the City of Albuquerque by Order of the State Municipal Boundary Commission

The City of Albuquerque Planning Department is requesting establishment of zoning for approximately 140 acres of property that were annexed to the City by the State Municipal Boundary Commission on 7 August 2001. The requested zoning and a map of the property locations are attached to this memo. This request is proposed to be scheduled for the EPC hearing on 20 September 2001 for a recommendation to the City Council.

Background

The City petitioned the State Municipal Boundary Commission (the Commission) for annexation of approximately 140 acres of property pursuant to the State Statutes regarding annexation by municipalities via the Commission (NMSA 1978, § 3-7-11 to § 3-7-16).

On 7 August 2001, the Commission held a public hearing at the Albuquerque Convention Center to determine if the conditions set forth in §3-7-15 NMSA 1978 were met. The Commission heard testimony from the petitioner (the City), a few property owners and the Bernalillo County Manager and found that:

(1) All of the territories proposed to be annexed are contiguous to the City of Albuquerque.
(2) All of the territories proposed to be annexed may be provided with municipal services by the City of Albuquerque.

The Commission voted unanimously to order annexation of approximately 140 acres of property to the City of Albuquerque. **The Commission did not establish zoning. The City Council has final authority to establish zoning for the subject properties, hence this request for a recommendation from the Environmental Planning Commission to the City Council to establish specific zone categories that will adequately respond to the previous County zoning and the existing uses on the properties.**

The 140 acres of property are not all contiguous to each other, but are located in small groupings or as stand alone parcels, mostly on the west side of the Rio Grande in the Cottonwood/Seven Bar area. A few properties are located along Interstate 25 between Montaño Road and San Antonio Drive. For the most part, the City is proposing zoning that is congruent with the previous County zoning. The Planning Department is recommending a variety of zones for the individual parcels as outlined on the attached zoning matrix.

If you have any questions or comments, please do not hesitate to call me at 924-3337.

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

Legal Description(s)	Acreage	Bernalillo County Zoning	Current Use(s)	Requested City of Albuquerque Zoning
Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch	41.6 acres	A-1 w/ Special Use Permit for C-2 Uses	Commercial / Retail	SU-1 for C-2 Uses
Lot 1A, Riverwalk Marketplace	9.4 acres	A-1 w/ Special Use Permit for C-1 Uses	Vacant Building	SU-1 for C-2 Uses
Lot 13, Black Ranch, Partition of	3.0 acres	A-1 w/Special Use Permit for PDA	Undeveloped	SU-1 for C-1 Uses and restaurant with liquor for on-premise consumption
Lots A, B1, B2 and C, Paradise Hills IPTRN & Eagle Ranch TR2, and Unplatted/Sun Country Industries	10.3 acres	M-1	Commercial / Retail	SU-1 for C-2 Uses
Lot 3A1, Black Ranch, and Lots 4 and 5 Black Ranch, Partition of	2.2 acres	C-1, A-1	Gas Station and Undeveloped	SU-1 for C-1 Uses
Lot 3D, Black Ranch	0.86 acres	C-1 w/SU-Permit for Drive-in Restaurant	Developing Commercial	SU-1 for C-1 Uses
Lot 3E1, Black Ranch,	1.37 acres	C-2	Undeveloped	SU-1 for C-2 Uses
Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church	4.2 acres	C-1	Church	SU-1 for Church and Related Uses
Lot A1B, Taylor-Joel P	2.4 acres	A-1	Church	SU-1 for Church and Related Uses
Lot A1, Taylor – Joel P, and Private Road Easement	2.65 acres	A-1 w/SU-Permit for a Cellular Telephone Facility	Wireless Telecommunications Facility	SU-1 for RA-1 and Wireless Telecommunications Facility
Lot A2, Taylor – Joel P	1.3 acres	A-1	Residential & processing, manufacturing, treatment and sale of herb products	SU-1 for RA-1 & processing, manufacturing, treatment and sale of herb products

Legal Description(s)	Acreage	Bernalillo County Zoning	Current Use(s)	Requested City of Albuquerque Zoning
ABQ Christian Home, ABQ Christian Children's Home	3.81 acres	A-1 w/SU-Permit for a Children's Home	Children's Home	SU-1 for Children's Home
Unplatted, Presley Co. of New Mexico	11.7 acres	A-1	Undeveloped	R-1
Lots 1, 2, 3 and 4, West Bank Estates; and Lots A, B and C, Poole – Suzanne H	30.0 acres	A-1	Residential and Undeveloped	RA-1
Lots 1 and 2, Sawaya Addition	2.9 acres	C-1	Undeveloped	SU-1 for C-1 Uses
Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station	7.33 acres	A-1 and M-1	Electric Utility	SU-1 for Electric Utility Facility
Lardner Tract, Lardner Tract	3.25 acres	M-1	Commercial / Retail	SU-1 for C-2 Uses
Lot B, Sandia Upholstering Company	1.22 acres	M-1	Commercial / Retail	SU-1 for C-1 Uses

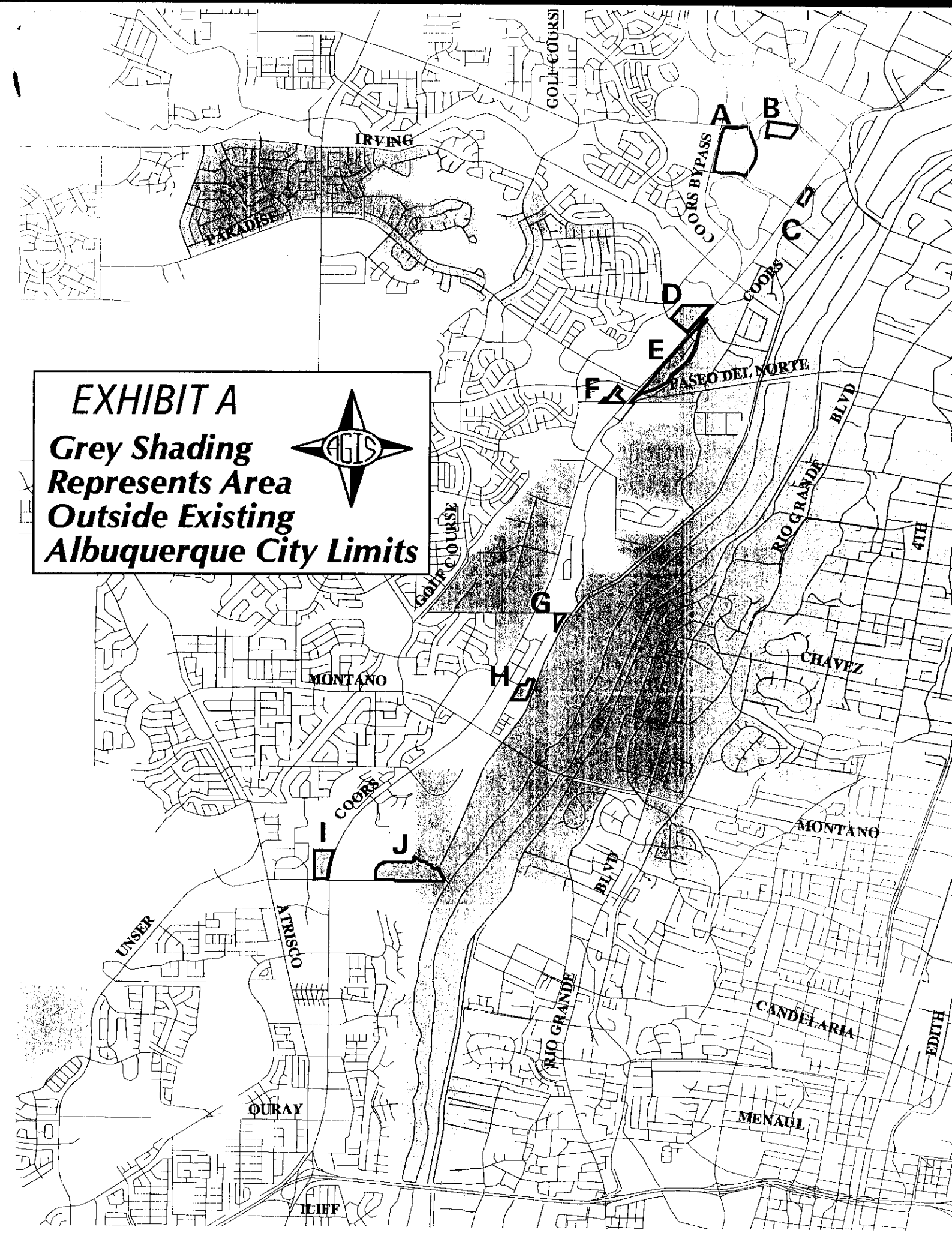
EXHIBIT A
Grey Shading Represents Area Outside Existing Albuquerque City Limits
AGIS
A
B
C
D
E
F
G
H
I
J
GOLF COURSE
IRVING
PARADISE
COORS BYPASS
COORS
PASEO DEL NORTE
BLVD
RIO GRANDE
4TH
CHAVEZ
MONTANO
UNSER
ATRISCO
CANDELARIA
EDITH
MENAUL
QURAY
ILIFF

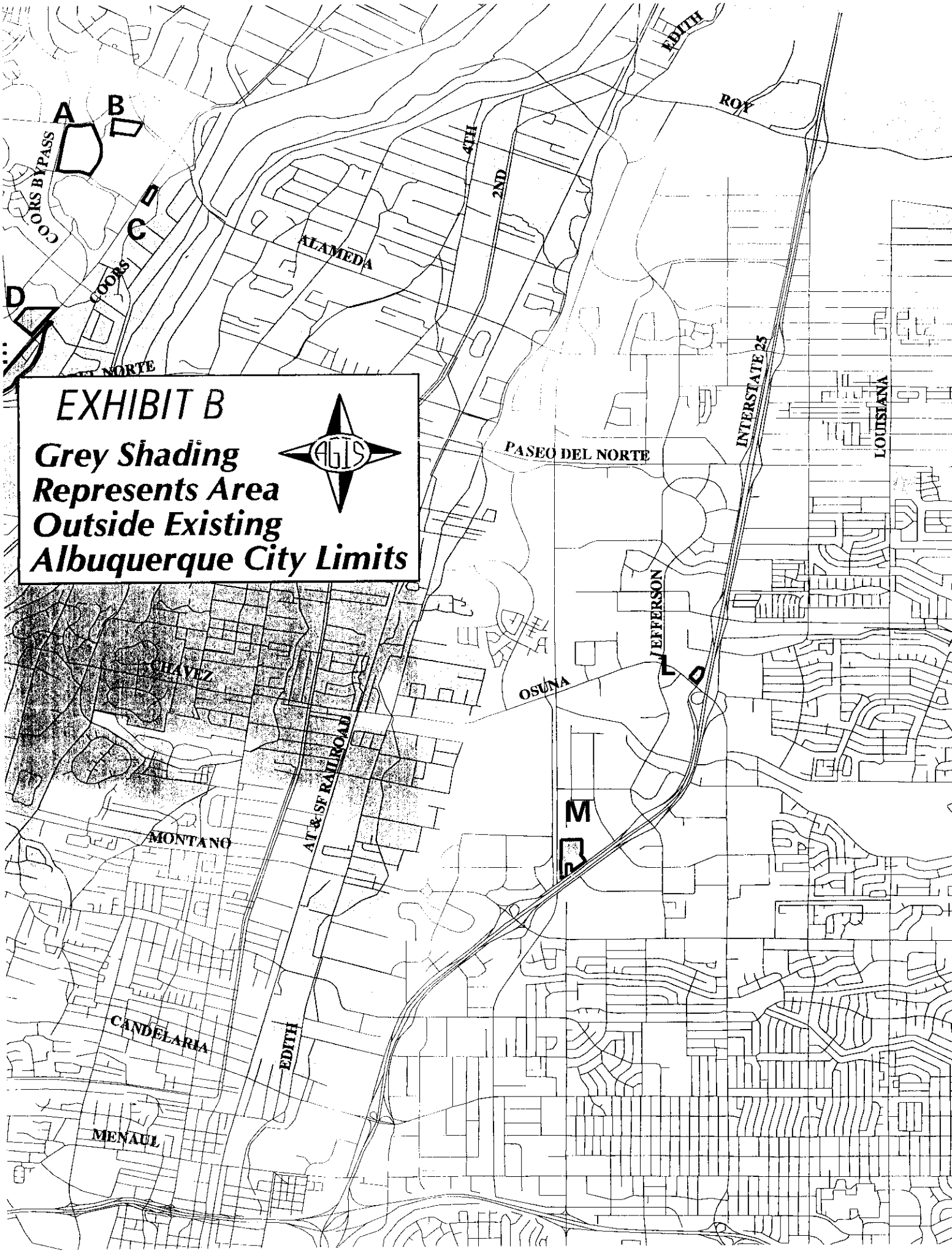
EXHIBIT B
Grey Shading Represents Area Outside Existing Albuquerque City Limits
AGIS
A
B
C
D
M
COORS BYPASS
COORS
ALAMEDA
4TH
2ND
EDITH
ROY
PASEO DEL NORTE
INTERSTATE 25
LOUISIANA
JEFFERSON
OSUNA
CHAVEZ
MONTANO
AT & SF RAILROAD
CANDELARIA
EDITH
MENAUL

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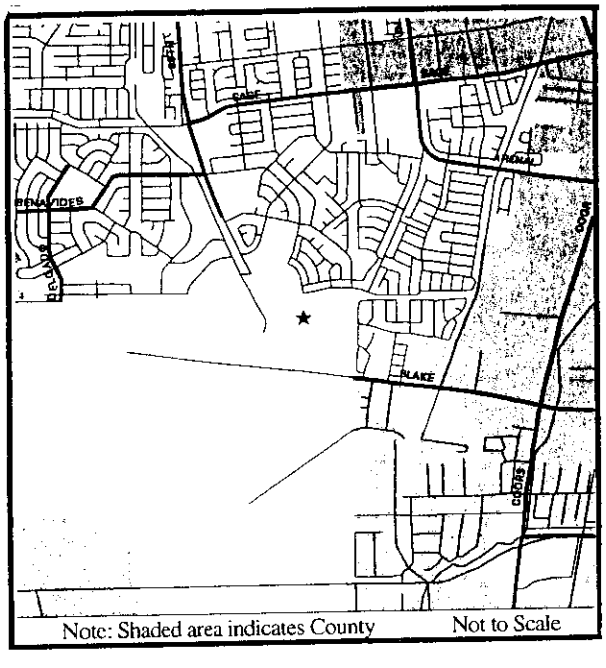
01221 00000 00126 Project #1001032	The City of Albuquerque requests amendments to the Comprehensive, City Zoning Code Section 14-16-2-22, Special Use Zone, (B)(31), ROA 1994, a portion of the Zoning Code to allow for Wireless Telecommunication Facilities in conjunction with approved uses provided that certain requirements are met; amendment to Section 14-16-3-17 Wireless Telecommunications Regulations (A.) Setbacks (1.) a. b. c. (+d) and (15.) amendment to Horizontal Separation requirements for Free-standing Wireless Telecommunications Facilities. Cynthia Borrego-Archuleta, Staff Planner **(DEFERRED FROM AUGUST 16, 2001)**
01128 01231 Project #1001436	Insite Architecture + Development, agents for Desert Springs Church, request approval of a site development plan for building permit for Lot L-1, Vista Del Norte, zoned SU-1 for O-1, located on Osuna Road NE and Edith Boulevard, containing approximately 10.25 acres. (E-16) Lola Bird, Staff Planner
01110 01233 01138 01234 Project #1001438	Consensus Planning, Inc., agents for AMC Development Services request a zone map amendment from R-D for Office to R-D for 15 DU/Acre plus an amendment to the East Atrisco Sector Development Plan for portions of Tracts 350 and 351 and the entire Tract of 352, Town of Atrisco Grant, located on Ladera Drive NW between 72nd Street and Ouray Road NW, containing approximately 5.838 acres. (H-10) Loretta Naranjo-Lopez, Staff Planner
01128 01237 Project #1001440	Jack Harris, Architects, Inc., agents for Montano Development Company request approval of a site development plan for building permit for Tract D-3A, Hubbell Plaza, zoned SU-1 for Industrial, located on Coors Boulevard NW between Central Avenue and Bluewater Road NW, containing approximately .51 acre. (K-10) Loretta Naranjo-Lopez, Staff Planner

01110 01239
01138 01242
Project #1001442

Delubino or Geneva Jinzo request a zone map amendment from C-2 to R-2 for Lot 18 and a portion of Lot Z, Block A, Lavaland Addition, located on Yucca Drive NW between 53rd and 57th Street NW, containing approximately 0.34 acre. (K-11) Loretta Naranjo-Lopez, Staff Planner

01110 01241
01138 01240
Project #1001443

Consensus Planning, Inc., agents for Curb Inc., request a zone map amendment from SU-1 for Mixed Use; R-LT to SU-1 for Mixed Use; R-T plus an amendment to the Rio Bravo Sector Development Plan for Parcels 5, 6, and portion of Parcel 4, El Rancho Grande 1, located on Gibson Boulevard SW between Unser Boulevard and Snow Vista Divrison Channel, containing approximately 43 acres. (M-9 & N-9) Deborah Stover, Staff Planner



01110 01244
Project #1001445

The City of Albuquerque requests a zone map amendment to establish zoning for lands annexed into the City by the State Municipal Boundary Commission: SU-1 for C-2 Uses for Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch, Lot 1A, Riverwalk Marketplace, Lots A, B1, B2 and C, Paradise Hills IPTRN & Eagle Ranch TR2, and Unplatted/Sun Country Industries, Lot 3E1, Black Ranch and Lardner Tract, Lardner Tract; SU-1 for C-1 Uses and restaurant with liquor for on-premise consumption for Lot 13, Black Ranch, Partition of and Lots 1 and 2, Sawaya Addition; SU-1 for C-1 Uses for Lot 3A1, Black Ranch, and Lots 4 and 5, Black Ranch, Partition of, Lot 3D, Black Ranch, and Lot B, Sandia Upholstering Company; SU-1 for Church and Related Uses for Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church and Lot A1B, Taylor-Joel P; SU-1 for RA-1 and Wireless Telecommunications Facility for Lot A1, Taylor-Joel P, and Private Road Easement; SU-1 for RA-1 & processing, manufacturing, treatment and sale of herb products for Lot A2, Taylor-Joel P; SU-1 for Children's Home for ABQ Christian Home, ABQ Christian Children's Home; R-1 for Unplatted, Presley Co. of New Mexico; RA-1 for Lots 1, 2, 3 and 4, West Bank Estates and Lots A, B, C, Poole-Suzanne H; and SU-1 for Electric Utility Facility for Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station, located west of the Rio Grande, south of NM 528 and north of Western Trail and Namaste Road NW, and along Interstate 25 between Montaño Road NE and San Antonio Drive NE, containing approximately 140 acres. (A-13-14, B-13-14, C-13, E-12, E-17, F-11-12, F-16-17) Russell Brito, Staff Planner

01110 01245
Project #1001446

Tierra West LLC, agents for David &b Rebecca Gonzales, request a zone map amendment from R-1 to C-1 for Lot 6-A-1, North Fourth Street Homesite Addition, located on Montano Road NW between Fourth Street NW and Villa Canela Court NW, containing approximately 0.322 acres. (F-14) Lola Bird, Staff Planner

01128 01246
Project #1000163

Dekker Perich Sabatini agents for Wells Fargo Bank NM, request approval of a site development plan for building permit Lot 2A, North Albuquerque Acres, La Cueva Town Center, located on Wyoming between Paseo del Norte and Carmel Avenue, containing approximately 1.51 acres. (C-19) Deborah Stover, Staff Planner

01110 01247
Project #1001447

Garcia/Kraemer & Associates, agents for Dr. Charles Walker request a zone map amendment from P to C-2 for a portion of Tract A1A2A, Carlisle Plaza Addition, located on Carlisle Boulevard between Candelaria Road and Alta Monte Drive, containing approximately 2.32 acres. (G-17) Lola Bird, Staff Planner

01128 01248 Project #1001448	Dekker Perich Sabatini agents for First Church of Religious Science, request approval of a site development plan for building permit for Tract B, Federal Plaza, zoned SU-1 for O-1 Uses, located on Homestead Road between San Mateo and Madeira, containing approximately 3.7191 acres. (G-18) Lola Bird, Staff Planner
01110 01249 Project #1001449	Tim House, agent for Zrite, Inc. request a zone map amendment from C-1 to C-2 for Lot 9, Block A, Unit 2, Kirtland Addition, located on the southeast corner of University and Gibson, containing approximately 3.0552 acres. (M-15) Loretta Naranjo-Lopez, Staff Planner
01128 01250 Project #1001450	Consensus Planning, Inc., agents for Curb Inc., request approval of a site development plan for subdivision purposes for Tract 12, El Rancho Grande I, zoned SU-1 for Mixed Use, located on Gibson Boulevard SW between Unser Boulevard SW and Snow Vista Diversion Channel, containing approximately 24.5 acres. (M-9 & N-9) Deborah Stover, Staff Planner
01128 01258 Project #1001452	Isaac Benton & Associates AIA, agents for Department of Family and Community Services request approval of a site development plan for building permit, zoned SU-1 for Park & Recreation Facility, located on Marquette & Pennsylvania between Lomas and Central, containing approximately 15 acres. (K-19) Deborah Stover, 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 OCTOBER 3, 2001.

APPROVED

Russell Brito, Senior Planner
Development Services Division, Planning Department

NOTICE OF PUBLIC HEARING

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01110 01249 Project #1001449	Tim House, agent for Zrite, Inc. request a zone map amendment from C-1 to C-2 for Lot 9, Block A, Unit 2, Kirtland Addition, located on the southeast corner of University and Gibson, containing approximately 3.0552 acres. (M-15) Loretta Naranjo-Lopez, Staff Planner
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Elizabeth Begay, Chairman
Environmental Planning Commission

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL OCTOBER 3, 2001.

APPROVED

Russell Brito, Senior Planner
Development Services Division, Planning Department

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

Date: October 22, 2001

City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

OFFICIAL NOTIFICATION OF DECISION

FILE: 01110-01244 (Project 1001445)

DESCRIPTION: recommends a zone map amendment to establish zoning for lands annexed into the City by the State Municipal Boundary Commission: SU-1 for C-2 Uses for Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch, Lot 1A, Riverwalk Marketplace, Lots A, B1, B2 and C, Paradise Hills IPTRN & Eagle Ranch TR2, and Unplatted/Sun Country Industries, Lot 3E1, Black Ranch and Lardner Tract, Lardner Tract; SU-1 for C-1 Uses and restaurant with liquor for on-premise consumption for Lot 13, Black Ranch, Partition of and Lots 1 and 2, Sawaya Addition; SU-1 for C-1 Uses for Lot 3A1, Black Ranch, and Lots 4 and 5, Black Ranch, Partition of, Lot 3D, Black Ranch, and Lot B, Sandia Upholstering Company; SU-1 for Church and Related Uses for Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church and Lot A1B, Taylor-Joel P; SU-1 for RA-1 and Wireless Telecommunications Facility for Lot A1, Taylor-Joel P, and Private Road Easement; SU-1 for RA-1 & processing, manufacturing, treatment and sale of herb products for Lot A2, Taylor-Joel P; SU-1 for Children's Home for ABQ Christian Home, ABQ Christian Children's Home; R-1 for Unplatted, Presley Co. of New Mexico; RA-1 for Lots 1, 2, 3 and 4, West Bank Estates and Lots A, B, C, Poole-Suzanne H; and SU-1 for Electric Utility Facility for Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station, located west of the Rio Grande, south of NM 528 and north of Western Trail and Namaste Road NW, and along Interstate 25 between Montaño Road NE and San Antonio Drive NE, containing approximately 140 acres. (A-13-14, B-13-14, C-13, E-12, E-17, F-11-12, F-16-17) Russell Brito, Staff Planner

On October 18, 2001, the Environmental Planning Commission voted to recommend approval to the City Council of 01110-01244, a zone map amendment to establish zoning for lands annexed into the City by the State Municipal Boundary Commission as follows with Findings and Conditions:

SU-1 for C-2 Uses for Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch, Lots A, B1, and B2, Paradise Hills IPTRN & Eagle Ranch TR2 and Lot 3E1, Black Ranch;

M-1 for Lot C, Paradise Hills IPTRN & Eagle Ranch TR2, Unplatted/Sun Country Industries, Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station, and Lardner Tract, Lardner Tract;

SU-1 for C-1 Uses and Restaurant with Liquor for On-premise Consumption for Lot 13, Black Ranch, Partition of;

C-2 for Lots 1 and 2, Sawaya Addition;

SU-1 for C-1 Uses for Lot 1A, Riverwalk Marketplace, Lot 3A1, Black Ranch, and Lots 4 and 5, Black Ranch, Partition of, Lot 3D, Black Ranch, and Lot B, Sandia Upholstering Company;

SU-1 for Church and Related Uses for Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church and Lot A1B, Taylor-Joel P;

SU-1 for RA-1 and Wireless Telecommunications Facility for Lot A1, Taylor-Joel P, and Private Road Easement;

SU-1 for RA-1 & Processing, Manufacturing, Treatment and Sale of Herb Products for Lot A2, Taylor-Joel P;

SU-1 for Children's Home and Wireless Telecommunications Facility for ABQ Christian Home, ABQ Christian Children's Home;

SU-1 for PRD for Unplatted, Presley Co. of New Mexico; and

RA-1 for Lots 1, 2, 3 and 4, West Bank Estates and Lots A and C, Poole-Suzanne H.

FINDINGS:

1. This is a request to establish zoning for approximately 134 acres of property annexed into the City by the State Municipal Boundary Commission located in the northwest area of the City, west of the Rio Grande and in the North I-25 area of the City.

2. The recommended zoning, which mirrors the previous County zoning, existing uses and approved or planned uses is:

   SU-1 for C-2 Uses for Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch, Lots A, B1, and B2, Paradise Hills IPTRN & Eagle Ranch TR2 and Lot 3E1, Black Ranch;

   M-1 for Lot C, Paradise Hills IPTRN & Eagle Ranch TR2, Unplatted/Sun Country Industries, Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station, and Lardner Tract, Lardner Tract;

SU-1 for C-1 Uses and Restaurant with Liquor for On-premise Consumption for Lot 13, Black Ranch, Partition of;

C-2 for Lots 1 and 2, Sawaya Addition;

SU-1 for C-1 Uses for Lot 1A, Riverwalk Marketplace, Lot 3A1, Black Ranch, and Lots 4 and 5, Black Ranch, Partition of, Lot 3D, Black Ranch, and Lot B, Sandia Upholstering Company;

SU-1 for Church and Related Uses for Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church and Lot A1B, Taylor-Joel P;

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SU-1 for PRD for Unplatted, Presley Co. of New Mexico; and

RA-1 for Lots 1, 2, 3 and 4, West Bank Estates and Lots A and C, Poole-Suzanne H.

3. The requested zoning furthers the applicable goal and policies of the *Comprehensive Plan* by creating the potential for 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.

4. The requested zoning, because it reflects the previous County zoning and/or any existing uses on the properties, does not conflict with any applicable Rank II or III plans, including the *West Side Strategic Plan*, the *Seven Bar Ranch Sector Development Plan* and the *Coors Corridor Plan*.

5. The requested zoning furthers the policies and requirements of *Resolution 270-1980*, specifically: the proposed change is not in significant conflict with adopted elements of the *Comprehensive Plan* or other City master plans (Section 1.C); the existing zoning is inappropriate because changed neighborhood or community conditions justify the change, namely the annexation of the properties by the State Municipal Boundary Commission (Section 1.D); and the permissive uses of the proposed zoning categories will not be harmful to adjacent property, the neighborhood or the community because they reflect the previous County zoning and/or any existing uses on the properties (Section 1.E).

6. The submitted "Exhibit A" contains all of the information required for and is acceptable as a site development plan for subdivision for Lot A2, Taylor – Joel P and corresponds to the recommended *SU-1 for RA-1 uses and the Processing, Manufacturing, Treatment and Sale of Herbal Products* zoning.

7. The submitted site plan for Lot 13, Black Ranch, Partition of contains all of the information required for and is acceptable as a site development plan for subdivision and corresponds to the recommended *SU-1 for C-1 Uses and Restaurant with Liquor for On-premise Consumption* zoning. It includes the specific conditions relating to building location, noise, lighting, etc. that were required by the County to mitigate the concerns of the adjoining neighbors. The submittal modifies the County conditions to comply with current City of Albuquerque policies. Additionally, the Calabacillas Pueblo archaeological site, located on the site and the adjoining site to the east, is adequately identified for preservation, additional archeological testing, and dedication to an appropriate agency.

CONDITIONS:

1. The submitted "Exhibit A" contains all of the information required for and is accepted as the site development plan for subdivision for Lot A2, Taylor – Joel P. Final sign-off the Development Review Board is required.

2. The submitted site plan for Lot 13, Black Ranch, Partition of contains all of the information required for and is accepted as the site development plan for subdivision. Final sign-off the Development Review Board is required.

Sincerely,

Russell Brito

for Robert R. McCabe, AIA, APA
Planning Director

RM/RB/nat

cc: Garcia/Kraemer&Associates, 200 Lomas NW, Suite 1111, Albuq. NM 87102
John Meyers, 1401 Central Avenue NW, Albuq. NM 87104
James Strozier, 924 Park Avenue SW, Albuq. NM 87102
Jeanne Christensen, 6337 Avenida la Costa NE, Albuq., NM 87109
Scott Lardner, 4741 Pan American Frwy NE, Albuq., NM 87109
Richard Dobbs, 9421 Coors NW, Albuq., NM 87120
Michelle Henrie, Rodey Law Firm, 201 3rd Street NW, Albuq., NM 87102
Patrick Trujillo, 520 Lomas NW, Albuq., NM 87102

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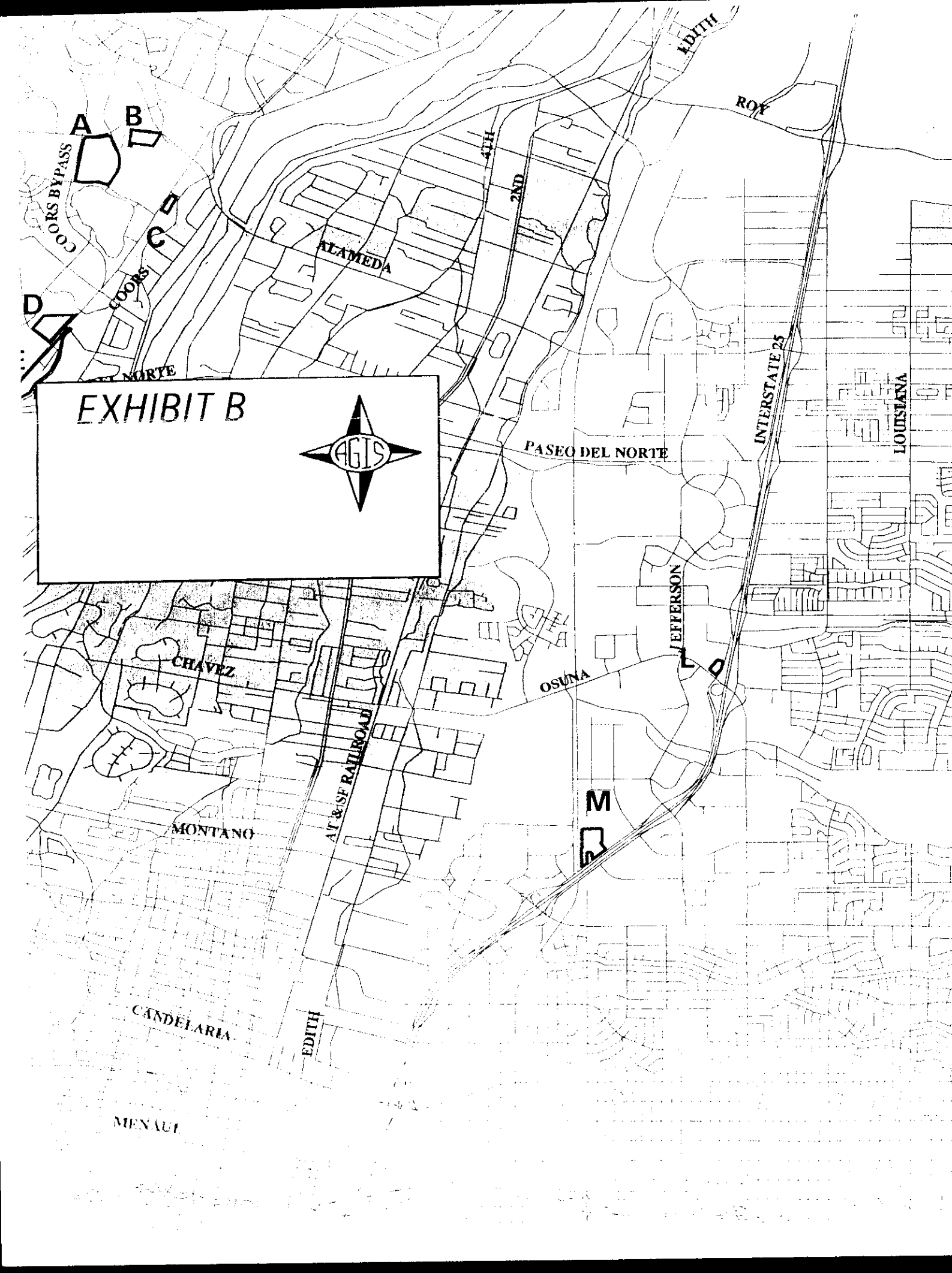
Details of these applications may be examined at the Development Services Division of the Planning Department, 3rd Level, Plaza Del Sol Building, 600 Second Street, NW between 10:00 a.m. and 12:00 and between 2:00 and 4:00 p.m., Monday through Friday, or you may call April Candelaria at 924-3886. INDIVIDUALS 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 OCTOBER 3, 2001.

APPROVED

Russell Brito, Senior Planner
Development Services Division, Planning Department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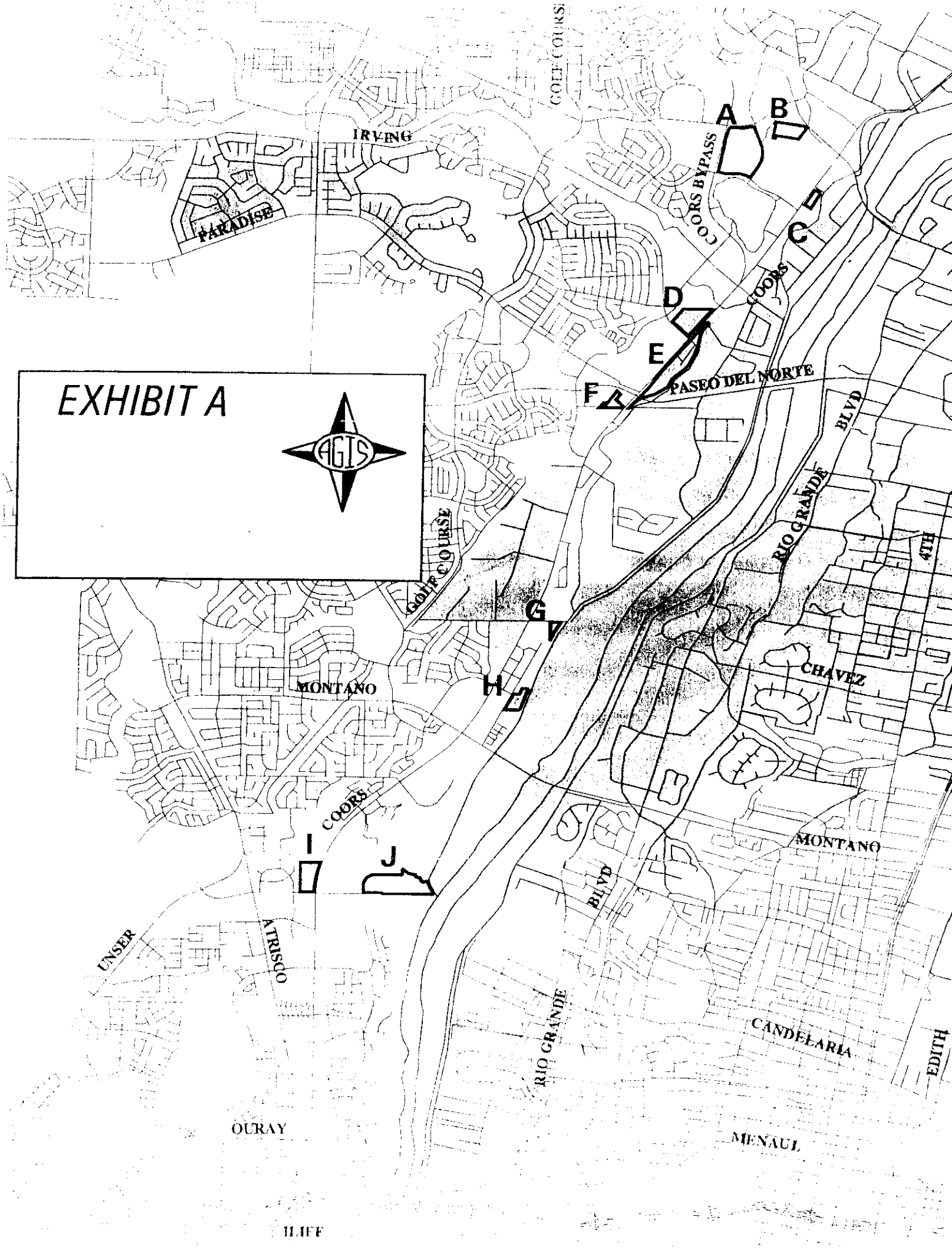
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City of Albuquerque
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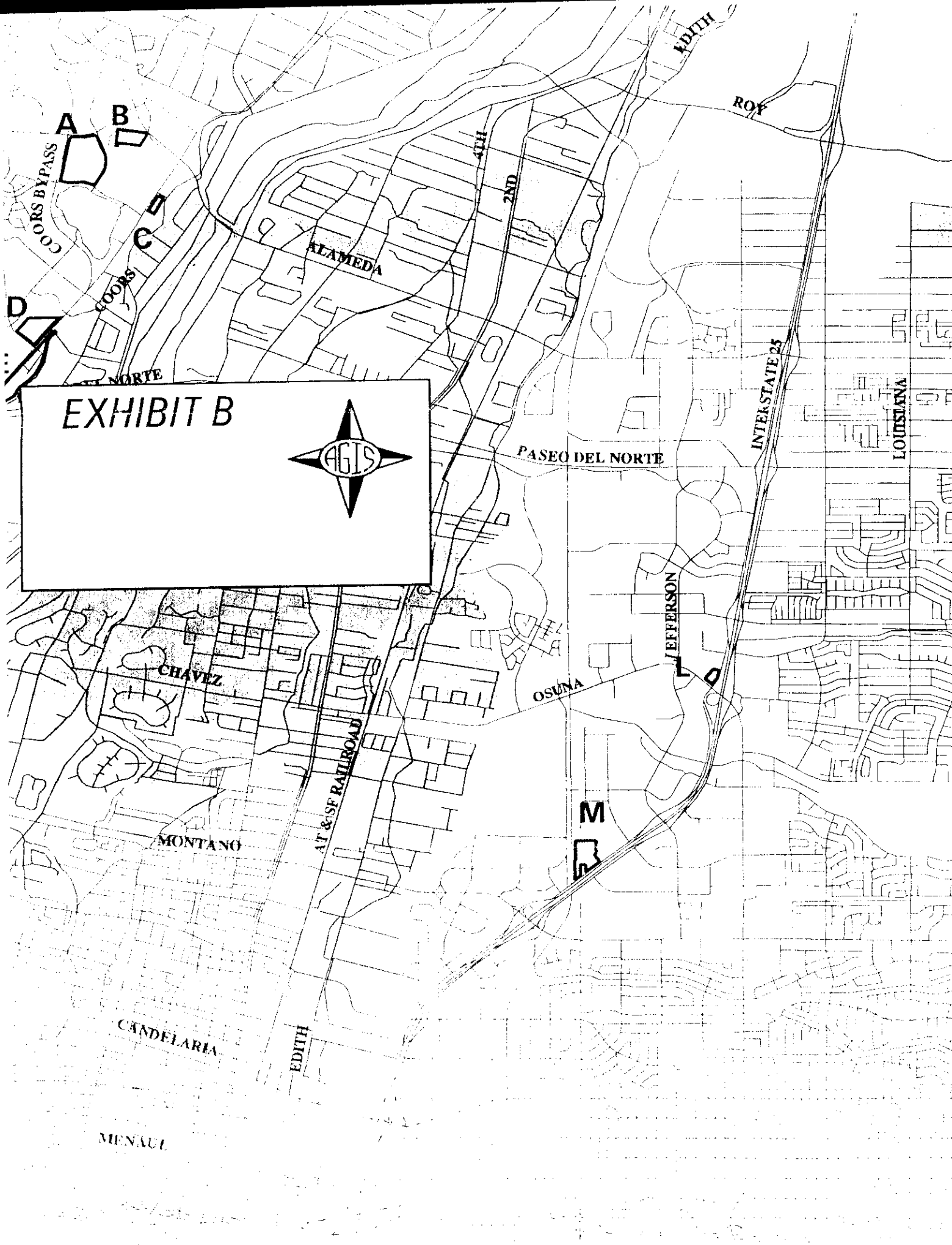
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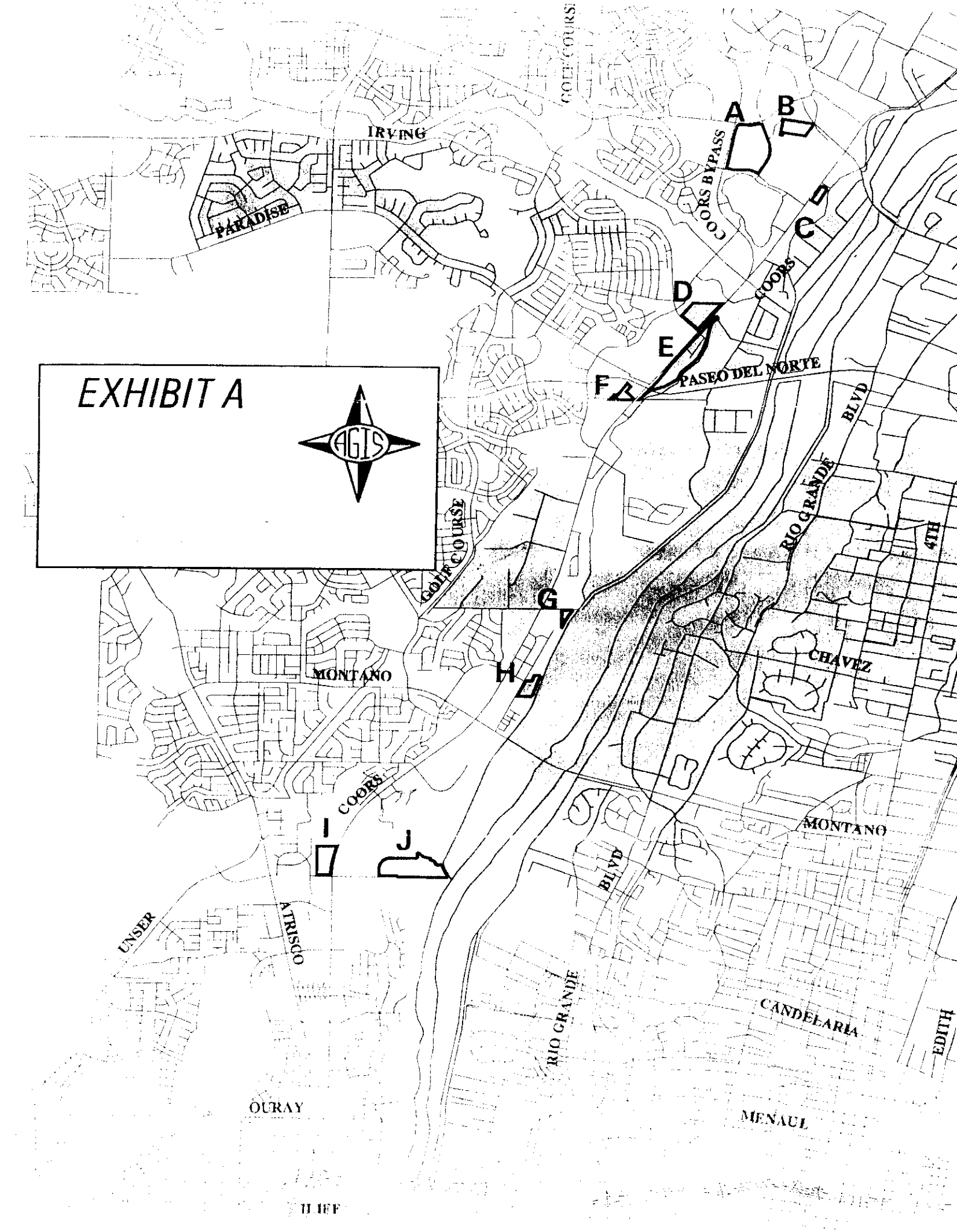
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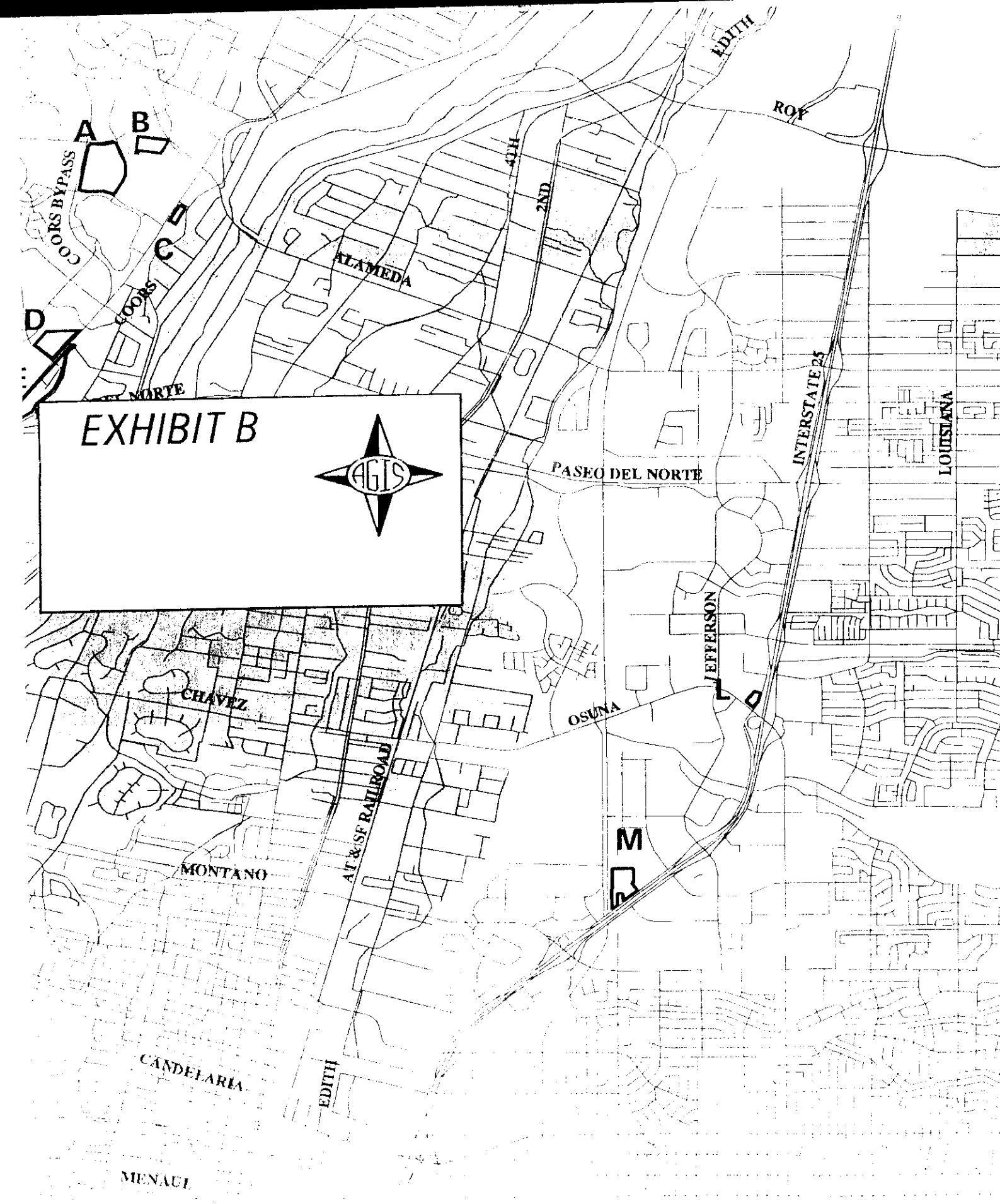
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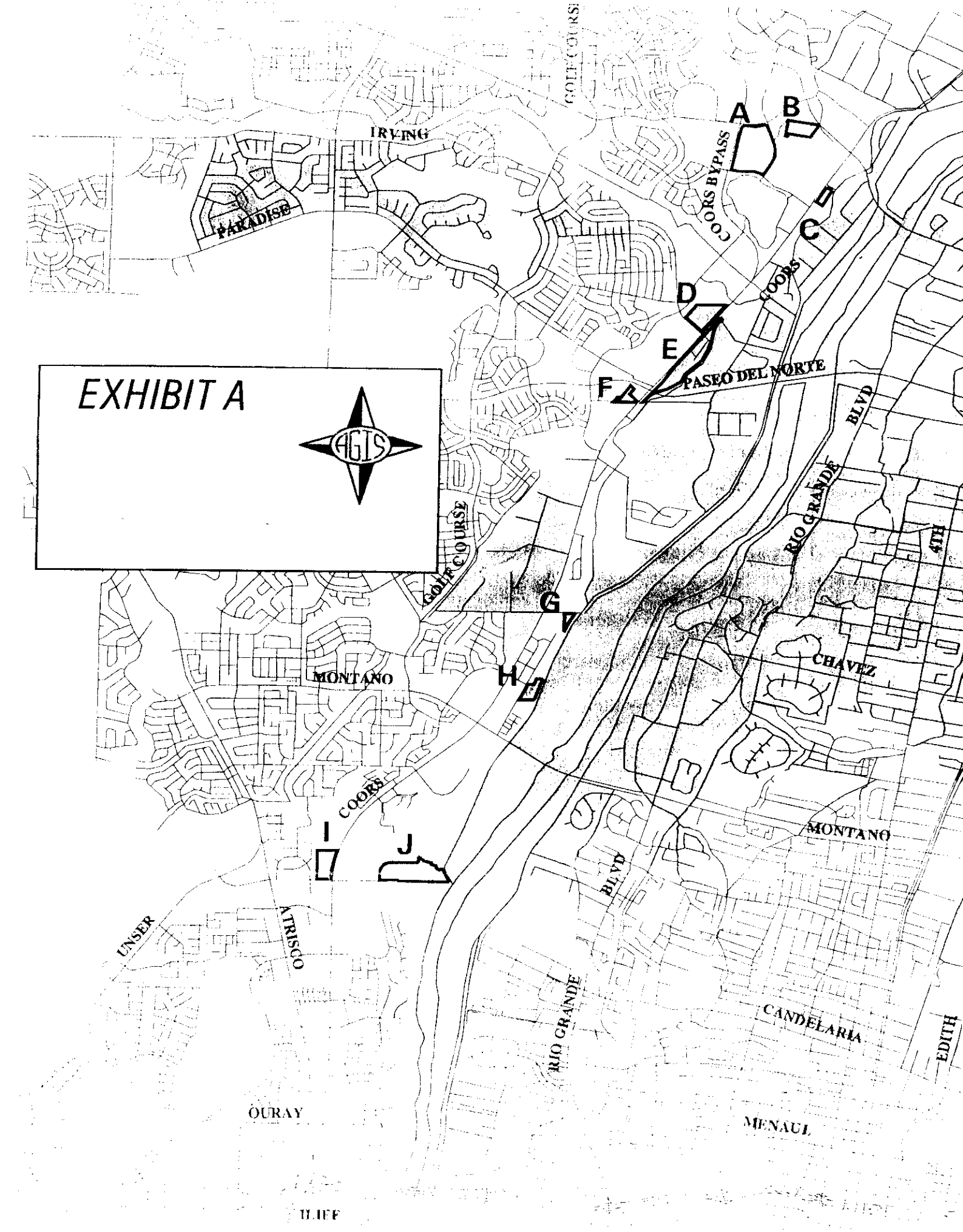
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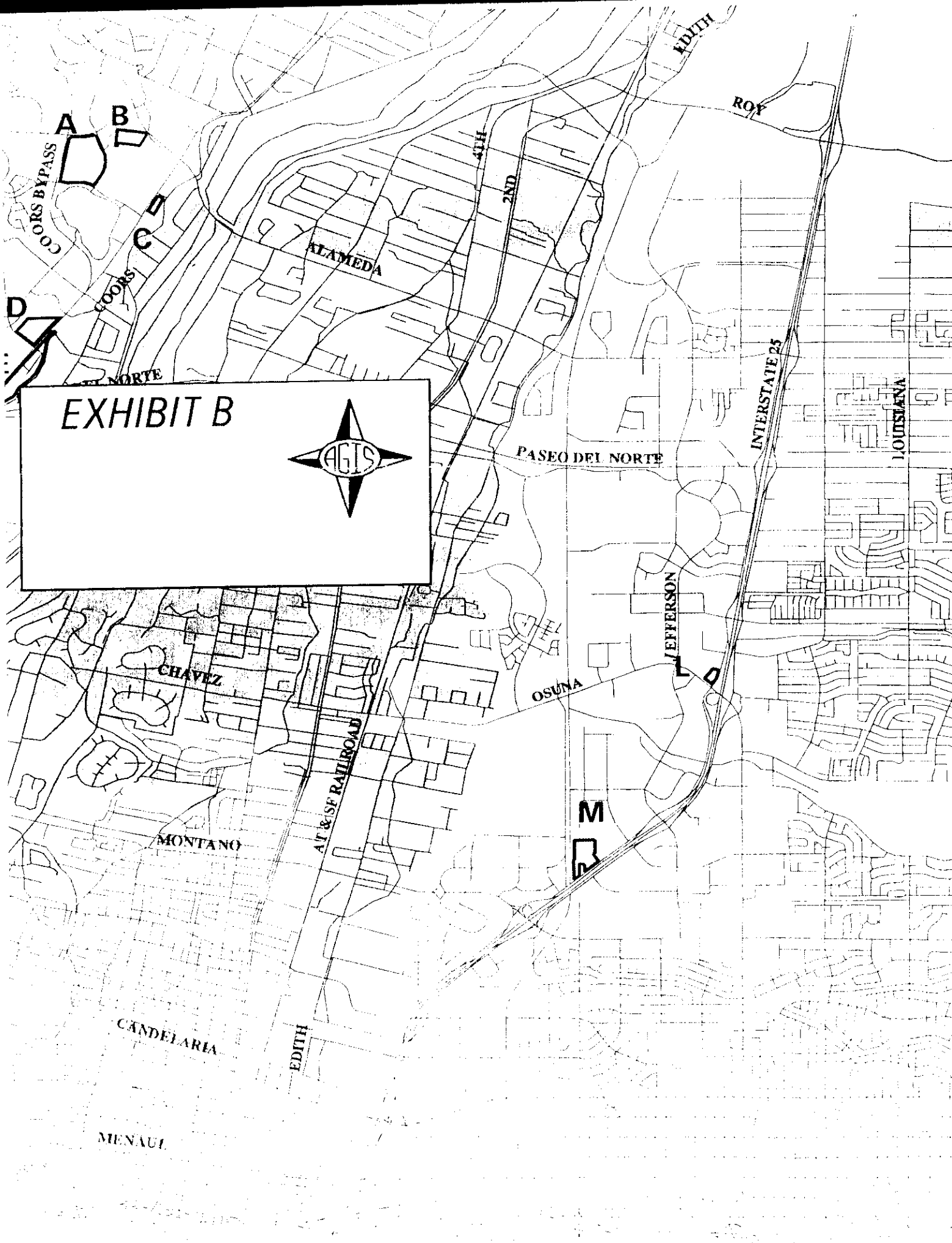
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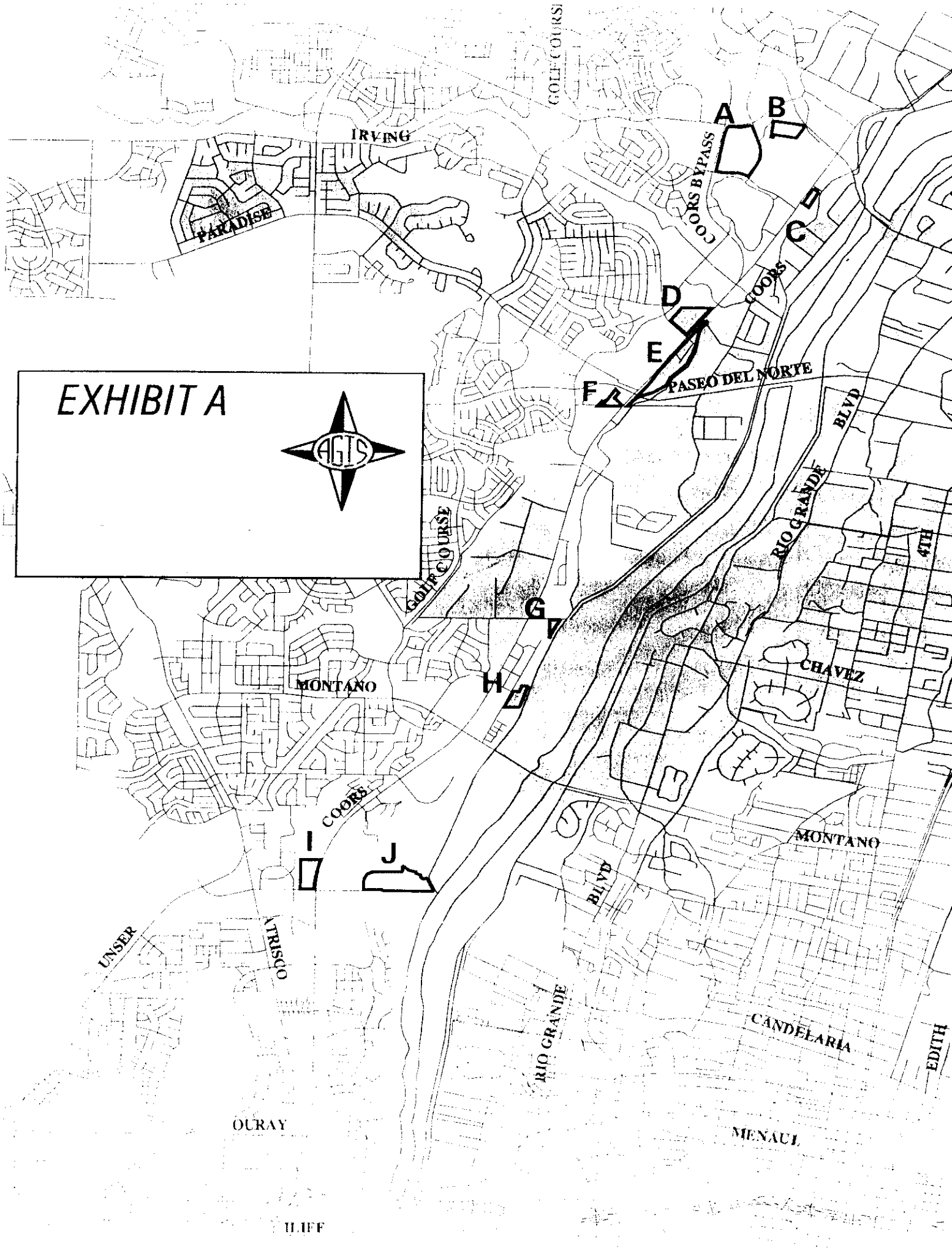
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City zoning that is congruent with the previous County zoning is proposed. The Planning Department is recommending a variety of zones for the individual parcels as outlined on the attached zoning matrix.

If you have any questions or comments about the recommended zoning or the zoning process, please do not hesitate to call me at 924-3337.

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

City of Albuquerque
P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

Date: 28 August 2001
To: Neighborhood Association Representatives
From: Russell Brito, City of Albuquerque Planning Department
RE: Establishment of Zoning for Lands Annexed to the City of Albuquerque by Order of the State Municipal Boundary Commission

The City of Albuquerque Planning Department is requesting establishment of zoning for approximately 140 acres of property that were annexed to the City by the State Municipal Boundary Commission on 7 August 2001. The requested zoning and a map of the property locations are attached to this memo. This request is proposed to be scheduled for the EPC hearing on 20 September 2001 for a recommendation to the City Council.

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Legal Description(s)	Acreage	Bernalillo County Zoning	Current Use(s)	Requested City of Albuquerque Zoning
Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch	41.6 acres	A-1 w/ Special Use Permit for C-2 Uses	Commercial / Retail	SU-1 for C-2 Uses
Lot 1A, Riverwalk Marketplace	9.4 acres	A-1 w/ Special Use Permit for C-1 Uses	Vacant Building	SU-1 for C-2 Uses
Lot 13, Black Ranch, Partition of	3.0 acres	A-1 w/Special Use Permit for PDA	Undeveloped	SU-1 for C-1 Uses and restaurant with liquor for on-premise consumption
Lots A, B1, B2 and C, Paradise Hills IPTRN & Eagle Ranch TR2, and Unplatted/Sun Country Industries	10.3 acres	M-1	Commercial / Retail	SU-1 for C-2 Uses
Lot 3A1, Black Ranch, and Lots 4 and 5 Black Ranch, Partition of	2.2 acres	C-1, A-1	Gas Station and Undeveloped	SU-1 for C-1 Uses
Lot 3D, Black Ranch	0.86 acres	C-1 w/SU-Permit for Drive-in Restaurant	Developing Commercial	SU-1 for C-1 Uses
Lot 3E1, Black Ranch,	1.37 acres	C-2	Undeveloped	SU-1 for C-2 Uses
Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church	4.2 acres	C-1	Church	SU-1 for Church and Related Uses
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Lot A1, Taylor – Joel P, and Private Road Easement	2.65 acres	A-1 w/SU-Permit for a Cellular Telephone Facility	Wireless Telecommunications Facility	SU-1 for RA-1 and Wireless Telecommunications Facility
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Lots 1, 2, 3 and 4, West Bank Estates; and Lots A, B and C, Poole – Suzanne H	30.0 acres	A-1	Residential and Undeveloped	RA-1
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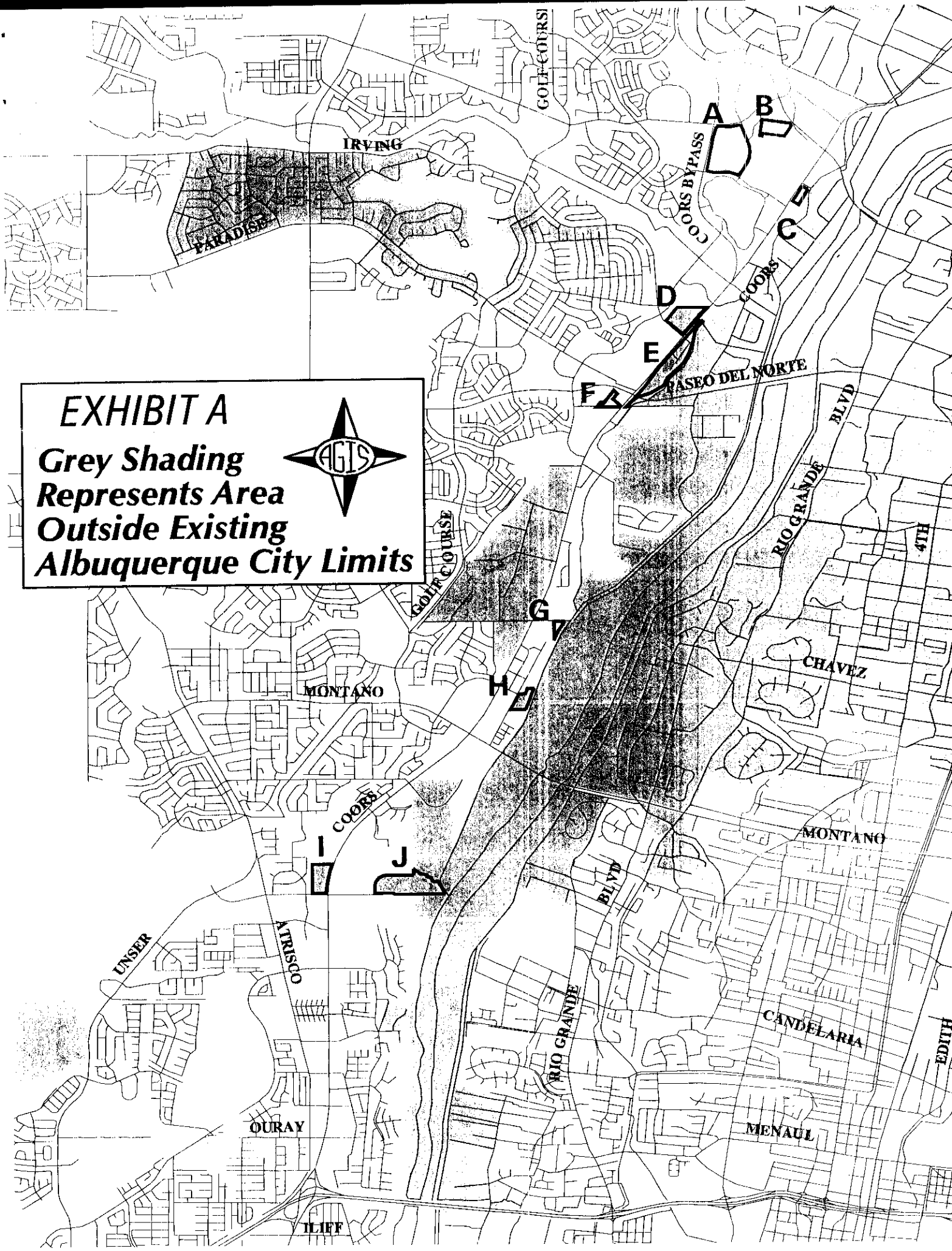
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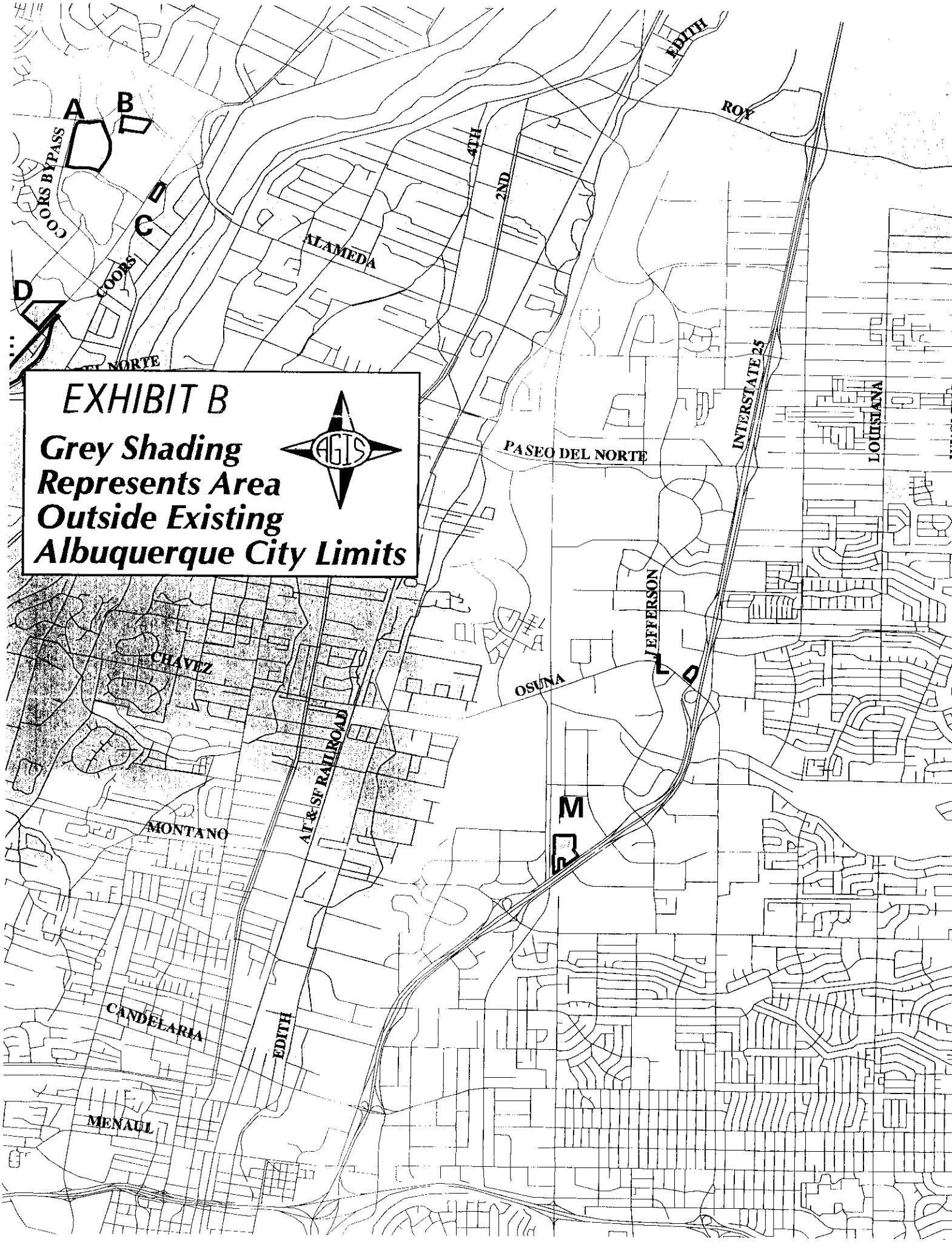
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INTERSTATE 25
LOUISIANA
JEFFERSON
OSUNA
CHAVEZ
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AT&SF RAILROAD
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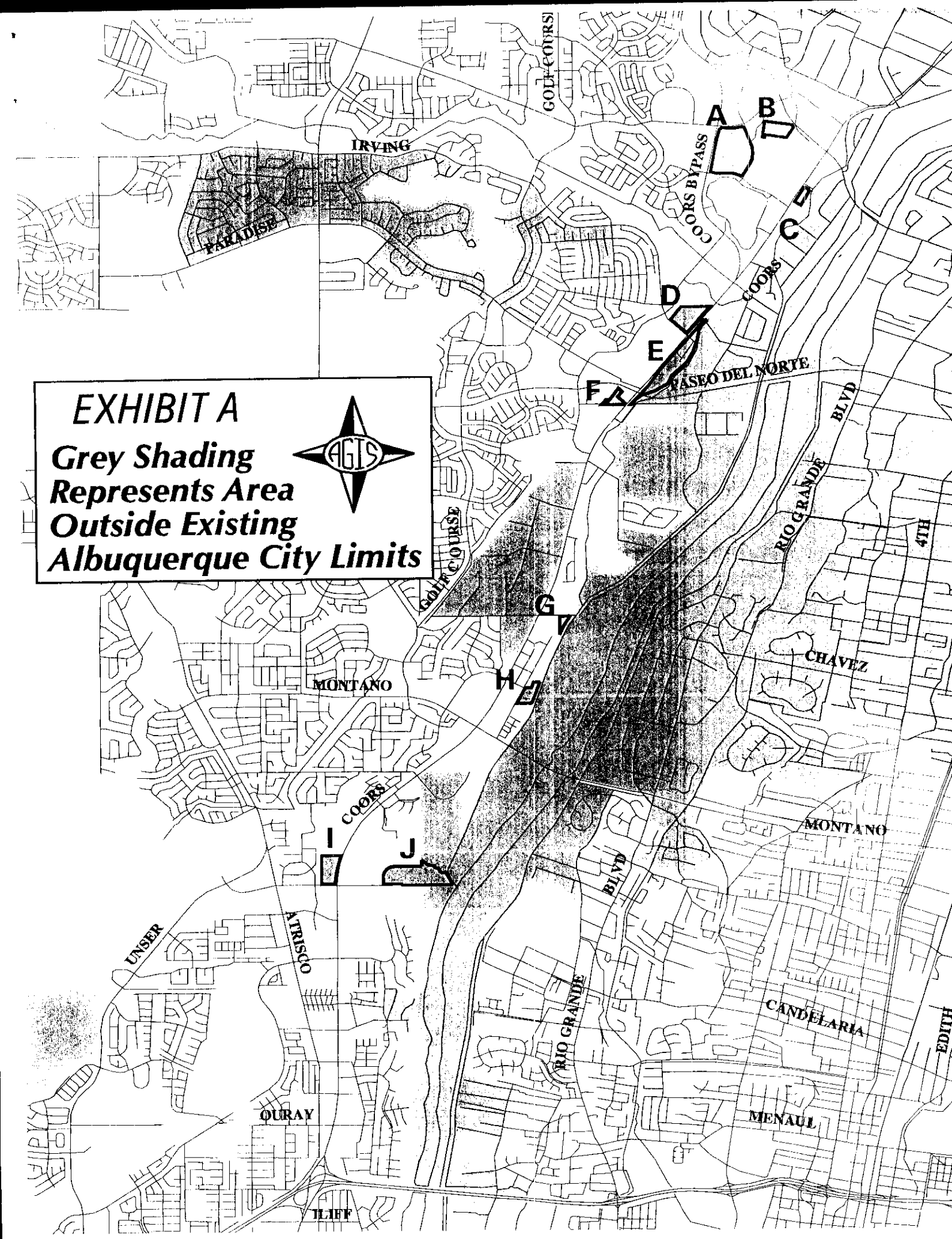
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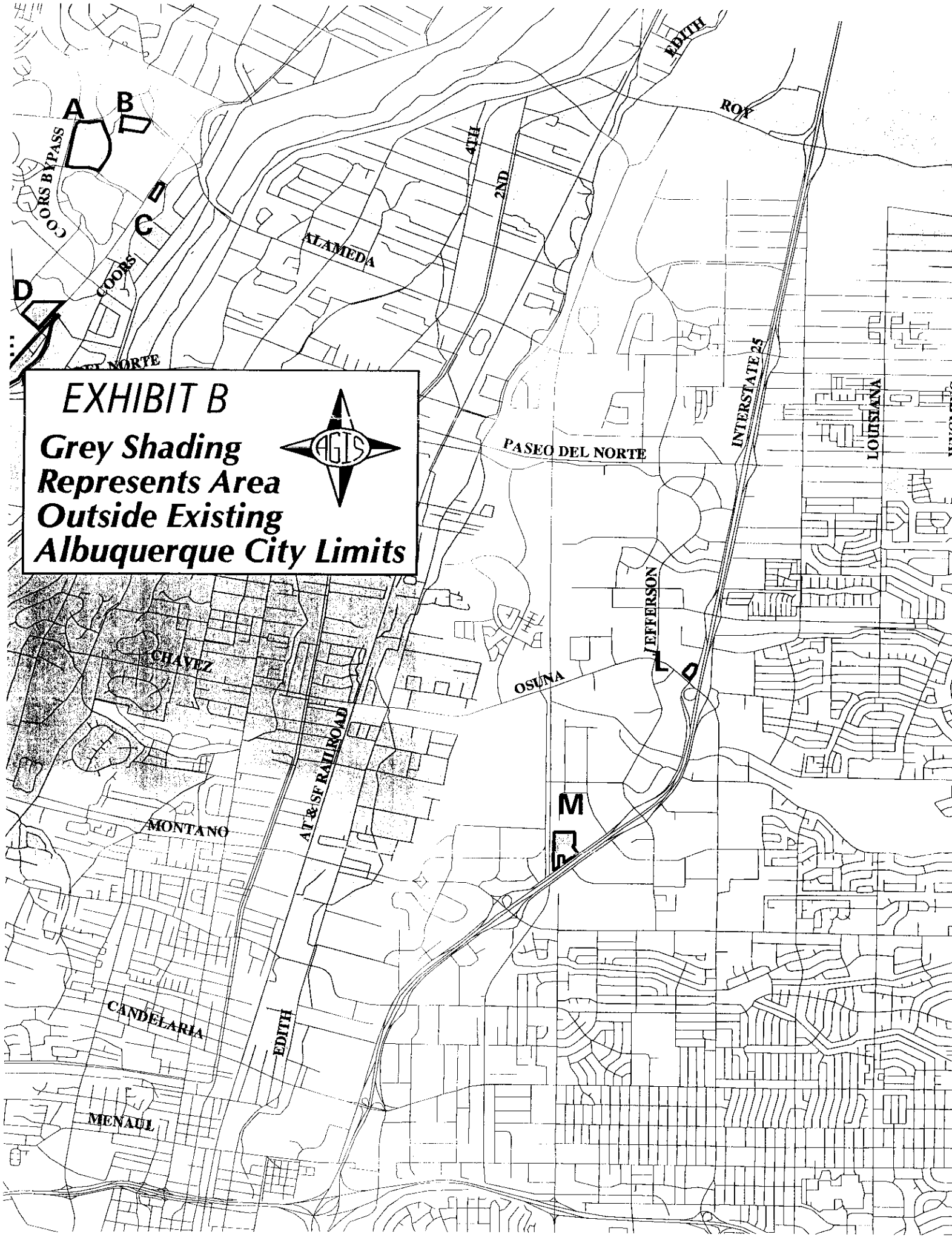
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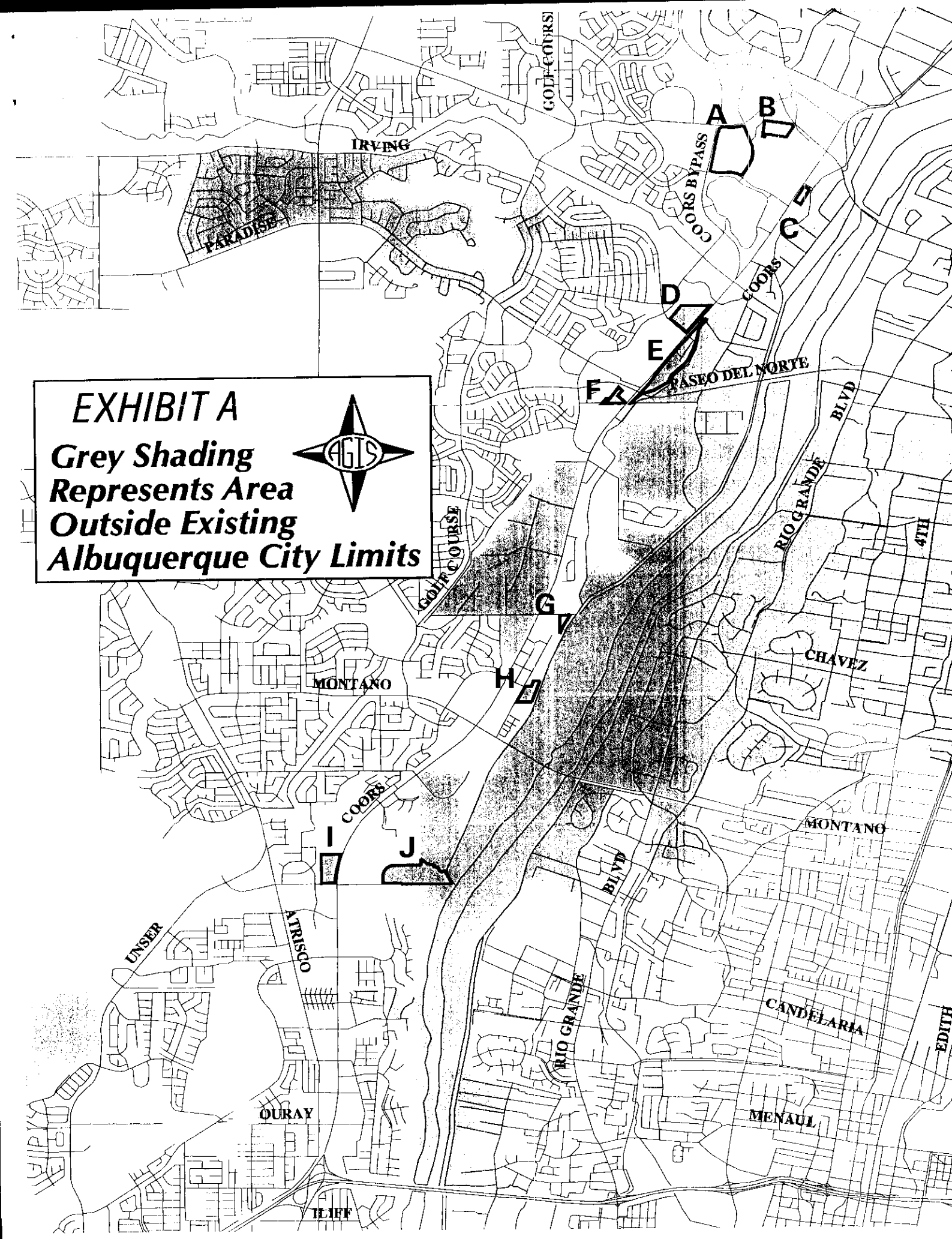
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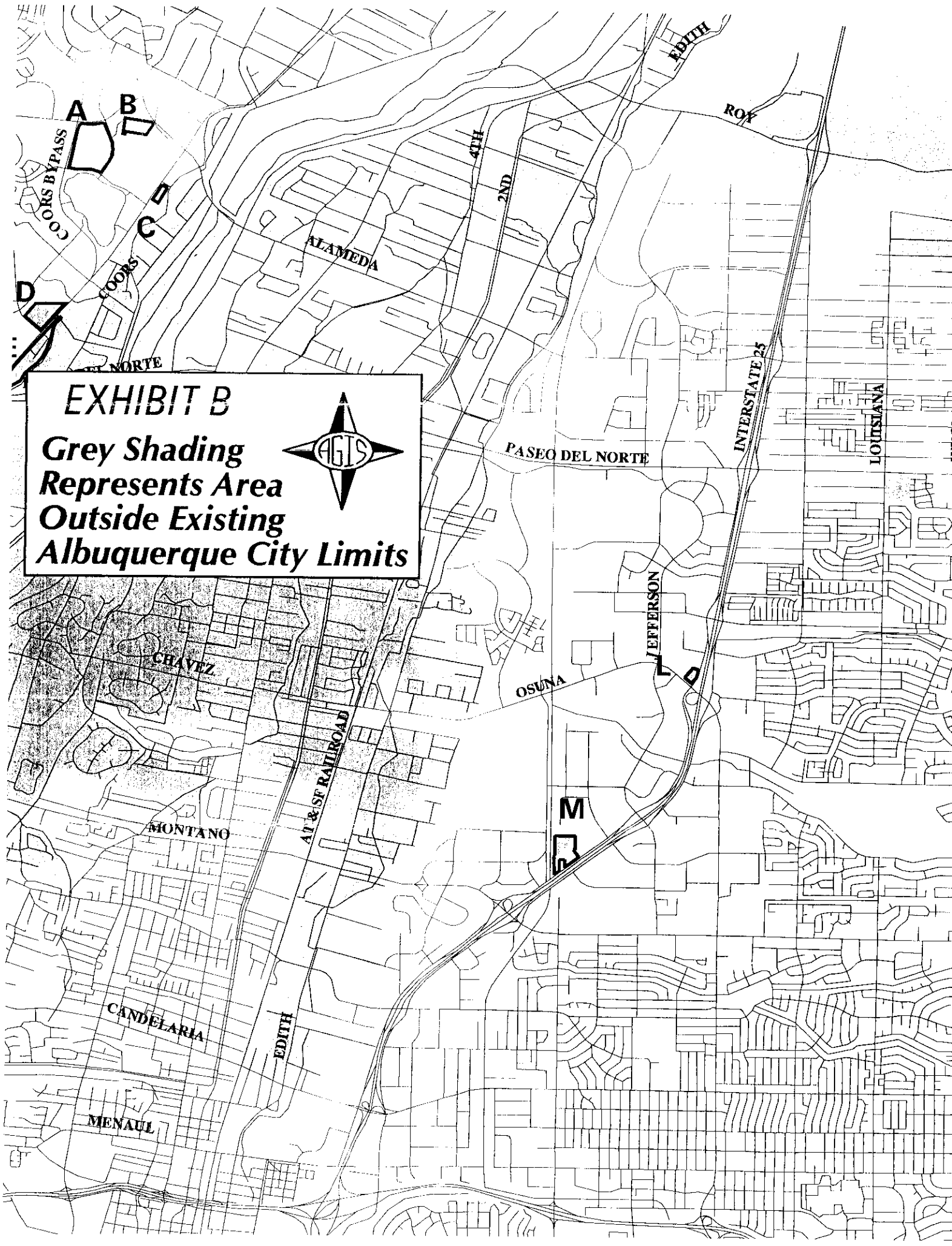
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LOUISIANA
JEFFERSON
OSUNA
CHAVEZ
MONTANO
AT & SF RAILROAD
CANDELARIA
EDITH
MENAUL

Property "A" – Cottonwood Corners

- The Home Depot 899-1290
  10200 Coors Blvd NW
  Albuquerque, NM 87114

- Wal-Mart Discount City 897-1228
  10224 Coors Blvd Bypass NW
  Albuquerque, NM 87114

- Walgreen's Drug Store 898-0971
  10236 Coors Blvd NW
  Albuquerque, NM 87114

- Staples – The Office Store 890-8822
  10242 Coors Blvd Bypass NW
  Albuquerque, NM 87114

- Petsmart 792-1772
  10248 Coors Blvd Bypass NW
  Albuquerque, NM 87114

- Keva Juice 792-0200
  10254 Coors Blvd NW
  Albuquerque, NM 87114

Property "B" – Riverwalk Marketplace

- -vacant building-
  10141 Coors Blvd NW
  Albuquerque, NM 87114

Property "D"

- Rowland Nurseries Inc 898-4833
  4349 Irving Blvd NW
  Albuquerque, NM 87114

- Our Place II 890-6890
  9401 Coors Blvd NW
  Albuquerque, NM 87114

- Kelly Liquors 897-9676
  9411 Coors Blvd NW
  Albuquerque, NM 87114

Property "E" – Black Ranch

- Cheveron Redi-Mart 890-3220
  9400 Coors Blvd NW
  Albuquerque, NM 87114

- Wells-Fargo Bank 922-1146
  9390 Coors Blvd NW
  Albuquerque, NM 87114

Property "J"

(R) 5001 Navajo [illegible]

- Parish Home Designs 833-9955
  (R) 4820 La Bienvenida Pl NW
  Albuquerque, NM 87120

Property "M"

- Rocky Mountain Stone Co 345-8518
  4741 Pan American Fwy NE
  Albuquerque, NM 87109

  [illegible]

- Big Eye 343-8655
  4849 Pan American Fwy NE
  Albuquerque, NM 87109

[illegible]

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STATE OF NEW MEXICO
MUNICIPAL BOUNDARY COMMISSION

In re the Petition by City of Albuquerque
to annex approximately 165 acres of property.

No. 01-01

ORDER OF ANNEXATION

This matter came to hearing before the Municipal Boundary Commission ("MBC") on August 7, 2001 at the Mesilla Room of the Albuquerque Convention Center in Albuquerque NM. After considering all the evidence, the Commission **FINDS**:

1. On June 7, 2001 the City of Albuquerque, by and through its mayor the Honorable Jim Baca, filed a Petition, (See Exhibit 1, attached hereto for reference) with the New Mexico Department of Finance and Administration, to Annex approximately 165 acres of land, more or less, located in the unincorporated area of Bernalillo county west of the Rio Grande, South of NM 528 and north of Interstate 40, and along Interstate 25 between Montano Road and San Antonio Drive. The properties consist of the several properties described in the attached petition for annexation. Id.
2. At the hearing concerning the petition for annexation held on August 7, 2001, the City of Albuquerque requested that certain properties listed in the petition for annexation be withdrawn from consideration by the MBC. The properties which were withdrawn from consideration by the City are described as follows:
   A. Lots 2, 3B, 3C, 3F1, 3G1, 3H, 3I, and 3 J of Black Ranch, containing 20 acres more or less.
   B. Lot 348, Town of Atrisco Grant, Unit 8, containing 5.5 acres more or less.

2. The Petition for annexation filed with the Department of Finance and Administration by the City of Albuquerque contains all necessary documents, signatures, surveys, and maps required by NMSA 1978 § 3-7-13.

3. The New Mexico Department of Finance and Administration Local Government Division published notice of the hearing in the Albuquerque Journal, a local newspaper of general circulation, once each week for four consecutive weeks, beginning June 28, 2001 and subsequently on July 3, July 10 and July 17, 2001.

4. Petitioner caused to be posted the same notice in six conspicuous places with public access within the City of Albuquerque.

5. The property Petitioner seeks to annex abuts and is contiguous to the current City limits of the City of Albuquerque.

6. Petitioner provided satisfactory evidence that it will be able to provide utility and public safety services to the property Petitioner seeks to annex.

Further, the Commission **CONCLUDES**:

9. Pursuant to NMSA 1978, Section 3-7-1 and 3-7-14(B), the Municipal Boundary Commission has jurisdiction to consider this matter.

10. Pursuant to Section 3-7-14(C), venue of the hearing was properly in the City of Albuquerque, New Mexico.

11. The notice of the annexation hearing complied fully with Section 3-7-14(B) and substantially with NMSA 1978, Section 3-1-2(J) (Repl. Pamp. 1995), though the latter statute does not apply to this annexation.

12. There is a preponderance of evidence demonstrating that Petitioner has the capacity to provide municipal services to the area Petitioner seeks to annex.

Accordingly, this Commission **ORDERS** that the properties described in the Petition for Annexation by the City of Albuquerque, as amended at the annexation hearing, hereby is, granted by vote of a quorum of the Commission.

DATED August 16, 2001.

By: Gerald Maestas, Chairman of the
New Mexico Municipal
Boundary Commission.

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1. On June 7, 2001 the City of Albuquerque, by and through its mayor the Honorable Jim Baca, filed a Petition, (See Exhibit 1, attached hereto for reference) with the New Mexico Department of Finance and Administration, to Annex approximately 165 acres of land, more or less, located in the unincorporated area of Bernalillo county west of the Rio Grande, South of NM 528 and north of Interstate 40, and along Interstate 25 between Montano Road and San Antonio Drive. The properties consist of the several properties described in the attached petition for annexation. Id.
2. At the hearing concerning the petition for annexation held on August 7, 2001, the City of Albuquerque requested that certain properties listed in the petition for annexation be withdrawn from consideration by the MBC. The properties which were withdrawn from consideration by the City are described as follows:
   A. Lots 2, 3B, 3C, 3F1, 3G1, 3H, 3I, and 3 J of Black Ranch, containing 20 acres more or less.
   B. Lot 348, Town of Atrisco Grant, Unit 8, containing 5.5 acres more or less.

2. The Petition for annexation filed with the Department of Finance and Administration by the City of Albuquerque contains all necessary documents, signatures, surveys, and maps required by NMSA 1978 § 3-7-13.

3. The New Mexico Department of Finance and Administration Local Government Division published notice of the hearing in the Albuquerque Journal, a local newspaper of general circulation, once each week for four consecutive weeks, beginning June 28, 2001 and subsequently on July 3, July 10 and July 17, 2001.

4. Petitioner caused to be posted the same notice in six conspicuous places with public access within the City of Albuquerque.

5. The property Petitioner seeks to annex abuts and is contiguous to the current City limits of the City of Albuquerque.

6. Petitioner provided satisfactory evidence that it will be able to provide utility and public safety services to the property Petitioner seeks to annex.

Further, the Commission **CONCLUDES**:

9. Pursuant to NMSA 1978, Section 3-7-1 and 3-7-14(B), the Municipal Boundary Commission has jurisdiction to consider this matter.

10. Pursuant to Section 3-7-14(C), venue of the hearing was properly in the City of Albuquerque, New Mexico.

11. The notice of the annexation hearing complied fully with Section 3-7-14(B) and substantially with NMSA 1978, Section 3-1-2(J) (Repl. Pamp. 1995), though the latter statute does not apply to this annexation.

12. There is a preponderance of evidence demonstrating that Petitioner has the capacity to provide municipal services to the area Petitioner seeks to annex.

Accordingly, this Commission **ORDERS** that the properties described in the Petition for Annexation by the City of Albuquerque, as amended at the annexation hearing, hereby is, granted by vote of a quorum of the Commission.

DATED August 16, 2001.

By: Gerald Maestas, Chairman of the
New Mexico Municipal
Boundary Commission.

FAX TRANSMITTAL
Planning Department
Advance Planning & Urban
Design Division
600 2nd St., NW, 3rd Floor
Albuquerque, NM 87102
Fax No. 505-924-3607
Office No. 505-924-3860

Fax Transmittal Cover Sheet

Date: 11/13-02 **Time:**

To: Eleene Kelly

Company Name: Wal Mart

Address:

Fax No.: 479 273 4432 **Telephone No.:** 479 273 4779

From: Christopher Hyer

Department/Division: Advance Planning

Telephone No.: 505 924 3927

Total No. of Pages: (including cover sheet) 12

Comments: Eileene, This should help. If you need clarification or have any questions, please call me

Christopher

COPY

ENDORSED
FILED IN MY OFFICE THIS
NOV 29 2001
CLERK DISTRICT COURT

PATRICK MAREZ

SECOND JUDICIAL DISTRICT COURT
COUNTY OF BERNALILLO
STATE OF NEW MEXICO

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF BERNALILLO,

Petitioner,

vs.

No. CV-2001-06283

STATE OF NEW MEXICO MUNICIPAL
BOUNDARY COMMISSION,

Respondent,

and

CITY OF ALBUQUERQUE, a municipal
corporation,

Interested Party.

STIPULATED ORDER TO STAY ENFORCEMENT AND IMPLEMENTATION OF ADMINISTRATIVE ORDER

THIS MATTER having come before the court upon agreement of the parties, the Court being fully informed of the premises FINDS:

1. The Court has jurisdiction over the parties and subject matter herein, the Attorney General's Office having made a Special Entry of Appearance on behalf of the State of New Mexico Municipal Boundary Commission.

2. In accordance with Rule 1-074 and 1-075, there is good cause to stay enforcement of the Administrative Order of Annexation No. 01-01 dated August 16, 2001 until June 30, 2002.

3. The parties agree that staying enforcement of Administrative Order of Annexation No. 01-01 until June 30, 2002, will allow Bernalillo County to utilize the tax revenue it anticipated receiving from the subject properties until the end of the fiscal year and allow for the smooth transition of services to the area.

THE COURT THEREFORE ORDERS:

1. That enforcement and implementation of Administrative Order of Annexation No. 01-01 is hereby stayed until June 30, 2002.

2. The County of Bernalillo shall continue to provide services to and receive gross receipts tax revenue from the areas proposed to be annexed by Administrative Order of Annexation No. 01-01 until June 30, 2002.

3. Effective July 1, 2002, the City of Albuquerque shall provide services to and receive gross receipts tax revenue from the areas proposed to be annexed by Administrative Order of Annexation No. 01-01.

4. Effective July 1, 2002, the County of Bernalillo shall dismiss this appeal and the areas proposed to be annexed by the implementation of Administrative Order of Annexation No. 01-01 shall be part of the City of Albuquerque.

5. The City of Albuquerque may proceed to establish zoning for the subject property.

WILLIAM F. LANG

THE HONORABLE WILLIAM F. LANG

SUBMITTED BY:

TITO D. CHAVEZ, COUNTY ATTORNEY

By_____
Patrick F. Trujillo
Bernalillo County Attorney
520 Lomas NW – 4th Floor
Albuquerque, NM 87102
(505) 314-0180

APPROVED:

STATE OF NEW MEXICO

By Telephonic approval given 11/29/01
Alvin Garcia
Office of the Attorney General
P.O. Box 1508
Santa Fe, NM 87504-1508
(505) 827-6070

CITY OF ALBUQUERQUE

By Telephonic approval given 11/28/01
David N. Suffling
P.O. Box 2248 Legal Department
Albuquerque, NM 87103-2248
(505) 768-4500

SECOND JUDICIAL DISTRICT COURT
COUNTY OF BERNALILLO
STATE OF NEW MEXICO

ENDORSED
FILED IN MY OFFICE THIS
JUL 1 8 2002
CLERK DISTRICT COURT

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF BERNALILLO,

Petitioner,

vs.

No. CV-2001-06283

STATE OF NEW MEXICO MUNICIPAL
BOUNDARY COMMISSION,

Respondent,

and

CITY OF ALBUQUERQUE, a municipal
corporation,

Interested Party.

STIPULATED ORDER OF DISMISSAL

This matter came before the Court upon stipulation of the parties, the Court being fully advised in this matter finds:

That pursuant to a Stipulated Order to Stay Enforcement and Implementation of Administrative Order filed November 29, 2001 the Petitioner agreed to dismiss this matter on July 1, 2002.

NOW THEREFORE IT IS HEREBY ORDERED, ADJUDGED AND DECREED that this action be dismissed with prejudice.

WILLIAM F. LANG

THE HONORABLE WILLIAM F. LANG

A	10242	COORS BLVD	BYP	NW
A	10248	COORS BLVD	BYP	NW
A	10254	COORS BLVD	BYP	NW
A	10200	COORS BLVD BYPASS		NW
A	10224	COORS BLVD BYPASS		NW
A	10236	COORS BLVD BYPASS		NW
B	10141	COORS	BLVD	NW
D	9401	COORS	BLVD	NW
D	9411	COORS	BLVD	NW
D	9421	COORS	BLVD	NW
D	4349	IRVING	BLVD	NW
E	9370	COORS	BLVD	NW
E	9380	COORS	BLVD	NW
E	9386	COORS	BLVD	NW
E	9390	COORS	BLVD	NW
E	9400	COORS	BLVD	NW
E	9368	VALLEY VIEW	DR	NW
E	9374	VALLEY VIEW	DR	NW
E	9378	VALLEY VIEW	DR	NW
E	9384	VALLEY VIEW	DR	NW
E	9388	VALLEY VIEW	DR	NW
F	4554	ALL SAINTS	RD	NW
F	4800	ALL SAINTS	RD	NW
F	4540	COORS	BLVD	NW
G	3100	LA ORILLA		NW
H	5700	WINTER HAVEN	RD	NW
H	6250	WINTER HAVEN	RD	NW
J	5008	LA BIENVENIDA	PL	NW
J	5001	NAMASTE	RD	NW
J	5005	NAMASTE	RD	NW
L	4451	OSUNA	RD	NE
L	4453	OSUNA	RD	NE
L	4459	OSUNA	RD	NE
L	6921	PAN AMERICAN	FRWY	NE
M	4741	PAN AMERICAN	FRWY	NE
M	4821	PAN AMERICAN	FRWY	NE
M	4849	PAN AMERICAN	FRWY	NE

A	PETSMART	10248	COORS BLV	BYP NW
D	ROWLAND NURSERIES INC	4349	IRVING	BLVD NW
D	KELLY LIQUORS	9411	COORS	BLVD NW
E	COTTONWOOD CHEVRON REDI-MART	9400	COORS	BLVD NW
E	WELLS FARGO BANK	9390	COORS	BLVD NW
F	ALL SAINTS LUTHERAN CHURCH	4800	ALL SAINTS	RD NW
F	ALL SAINTS LUTHERAN PRESCHOOL	4800	ALL SAINTS	RD NW
H	BY COINCIDENCE CO	6250	WINTER HAVEN	DR NW
H	ALBUQUERQUE CHRISTIAN CHILDREN	5700	WINTER HAVEN	DR NW
J	PARRISH HOME DESIGNS	4820	LA BIENVENIDA PL NW	
M	BIG EYE	4849	PAN AMERICAN	FRWY NE
M	ROCKY MOUNTAIN STONE CO	4741	PAN AMERICAN	FRWY NE

[redacted]

[redacted]

[redacted]

101406513526520306

WESTERN BANK
P.O. BOX 26144
ALBUQUERQUE, NM 87125

101406506507230110

ROBERT B. BRISCOE II
9832 BRISCOE RANCH TRAIL NW
ALBUQUERQUE, NM 87114

101406508412530111

DAVID J. CLARKE
9856 COORS RD NE
ALBUQUERQUE, NM 87114

101406511003430118

ROBERT J. BICKERSTAFF
9839 WINDMILL CT. NW
ALBUQUERQUE, NM 87114

101406513501930121

ROBERT J. ARAGON
9834 WINDMILL CT. NW
ALBUQUERQUE, NM 87114

101406512205930124

WILLIAM ROGER IMBT
9846 CITA ST. NW
ALBUQUERQUE, NM 87114

101406510510730127

RONALD & DONNA BOHANNAN
9851 CITA NW
ALBUQUERQUE. NM 87114

101406508305730130

EDWIN F & HOAK GONZALES
1511 WINDMILL CT. NW
ALBUQUERQUE, NM 87114

[redacted]

[redacted]

[redacted]

101406503910930103

MILLER FAMILY REAL ESTATES
5650 SOUTH STATE ST.
MURRAY, UT 84107

101406506708730106

ALTA B. BRISCOE
9838 BRISCOE RANCH TRAIL NW
ALBUQUERQUE, NM 87114

101406508003730116

TODD & MELANIE WATKINS
1510 WINDMILL CT. NW
ALBUQUERQUE, NM 87114

101406511001330119

JOHN E. & L CHRIS MANCINI
9833 WINDMILL CT. NW
ALBUQUERQUE, NM 87114

101406513403530122

SAMUEL C & SHARON S ESTRADA
2310 GUN CLUB RD SW
ALBUQUERQUE, NM 87105

101406512407730125

VANCE E. DUGGER
9850 CITA RD NW
ALBUQUERQUE, NM 87114

101406509708030128

WILLIAM W. & RIVERA DEATON
9847 CITA PL. NW
ALBUQUERQUE, NM 87107

101406501806230102

AMAFCA
2600 PROSPECT NW
ALBUQUERQUE. NM 87107

[redacted]

[redacted]

[redacted]

101406509820120314

BLACK DEVELOPMENT ONE LTD
2505 CLARK CARR LOOP SE
ALBUQUERQUE, NM 87106

101406505505730115

JUNE E. & RICHARD K. GROFF
5312 CHAPEL DR. NW
ALBUQUERQUE, NM 87114

101406509807830107

RICHARD C. SCHALK ETUX
3045 SOMBRA DEL RIO NW
ALBUQUERQUE, NM 87107

101406509502930117

MICHAEL E. DICKENSON
1506 WINDMILL CT. NW
ALBUQUEREQUE, NM 87114

101406512500330120

JANET E. KRAMER
9830 WINDMILL CT. NW
ALBUQUERQUE, NM 87114

101406513304730123

DANA C WOOD
9842 WINDMILL CT. NW
ALBUQUERQUE, NM 87107

101406512309730126

GRIGG T & HELEN E FOUNTAIN
P.O. BOX 2474
CORRALES, NM 87048

10146509606030129

TOMOTHY & GLENDA HIGHTOWER
5615 LA COLONIA NW
ALBUQUERQUE, NM 87120

101306551503640505

A. ROLF & MARY JANE BLACK
P.O. BOX 37109
ALBUQUERQUE, NM 87176

[redacted]

101306436235410409

SEVEN BAR LAND & CATTLE CO.
P.O. BOX 37109
ALBUQUERQUE, NM 87176

101306432535310415

[redacted]

101406402048020403

MARY McCORMICK
9509 DENEEN DR NW
ALBUQUERQUE, NM 87114

101406404143220201

YOUNG AMERICA ENTERPRISES
237 EUBANK BLVD NE
ALBUQUERQUE, NM 87123

101406405849820205

HARRIETT WESTMAN
10121 RIO GRANDE BLVD NW
ALBUQUERQUE, NM 87114

101406406645120208

STEPHEN A. GRIEGO
9509 KANDACE DR NW
ALBUQUERQUE, NM 87114

101406403241320302

JOE L. & SANDRA L. DRUZICH
P.O. BOX 14798
ALBUQUERQUE, NM 87191

101406409243720305

SYLVAIN SEGAL & MARLO PETERS
9506 KANDACE DR NW
ALBUQUERQUE, NM 87114

101406410948820308

ROBERT H & BOSHIER REA
9520 KANDACE DR NW
ALBUQUERQUE, NM 87114

[redacted]

103106436440410412

NORWEST BANK NEW MEXICO
P.O BOX 1081
ALBUQUERQUE, NM 87103

101406400844620401

HIGH KNOLL DEVELOPMENT CORP
P.O. BOX 3532
ALBUQUERQUE, NM 87190

101406402649620404

VENUS SANFORD
P.O. BOX 35627
ALBUQUERQUE, NM 87176

101406404746420203

YOUNG AMERICA ENTERPRISES
P.O. BOX 14798
ALBUQUERQUE, NM 87191

101406407848620206

GEORGE & LISSA THORNBURGH
721 MONTCLAIRE DR NE
ALBUQUERQUE, NM 87110

101306452041810501

DAVID & KAREN PERRY
7109 PRIMOSE NW
ALBUQUERQUE, NM 87120

101406406940420303

FRACIS X. GONZALES
401 SOLANO DR SE
ALBUQUERQUE, NM 87108

101406409845420306

WARREN D. & INGRID M. BAUR
9510 KANDACE DR NW
ALBUQUERQUE, NM 87114

101406410050320309

LORETTA GARDUNO
12400 TULAROSA TRAIL NE
ALBUQUERQUE, NM 87111

[redacted]

101406401446320402

ROBERT C & ROBERTA C PONTO
9505 DENEEN NW
ALBUQUERQUE, NM 87114

101406403351320405

CHRISTOPHER C MARTINEZ
9519 DENEEN DR NW
ALBUQUERQUE, NM 87114

101406405348120204

SOLIS BUILDERS, INC.
225-227 FLORI
ELIZABETH, NJ 07206

101406407246820207

RUSSELL L & SHIRLEY SHEETS
9515 KANDACE DR NW
ALBUQUERQUE, NM 87114

101406401141720301

MARK F. & JOANN P. McNEIL
1610 LYRIA RD NW
ALBUQUERQUE, NM 87114

101406408941920304

JOHN R. & DIANE VENTO
1058 CORONADO
CORRALES, NM 87048

101406410447120307

GUY P. & FRANCES O. RIORDAN
9514 KANDACE DR NW
ALBUQUERQUE, NM 87114

101406408451020310

DAVID R. HAWKINSON
1602 TRAVIS RD NW
ALBUQUERQUE, NM 87114

101406407052120311

M. ANDRE & KAREN V. RIOUX
P.O. BOX 53028
ALBUQUERQUE, NM 87153

[redacted]

101406405552620312

GILBERT & LORENA T. SANCHEZ
1610 TRAVIS RD NW
ALBUQUERQUE, NM 87114

[redacted]

101406404152820313

SAMMY M. & JANICE M. TORREZ
2635 PAJARITO RD SW
ALBUQUERQUE, NM 87105

[redacted]

101206109116220110

THE SIERRA CLUB FOUNDATION
85 SECOND STREET
SAN FRANCISCO, CA 94105

101005938134310201

CHARLES W. WILLIAM RVT
24444 LOUISIANA BLVD NE
ALBUQUERQUE, NM 87110

[redacted]

101206106137220135

RAY A. GRAHAM III
ONE WIND NW
ALBUQUERQUE, NM 87120

[redacted]

ACADEMY ACRES NORTH
ROBERTA LIPMAN
6503 MENDIUS NE
Albuq., NM 87109

ACADEMY ACRES NORTH
*IRENE MINKE
6504 DUNGAN NE
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ALAMEDA NORTH VALLEY
STEVE HALE
9339 GUADALUPE TRL. NW
Alameda, NM 87114

ALAMEDA NORTH VALLEY
ESTELLA MARTINEZ
140 RANCHITOS RD. NW
Alameda, NM 871141031

ALBAN HILLS
*JACK SCOTT
6417 CAMINO DEL ARREBOL NW
Albuq., NM 87120

ALBAN HILLS
BONNIE KELLEY
6417 CAMINO DEL ARREBOL NW
Albuq., NM 87120

BOSQUE DELL ACRES
David Neuman
1515 Erwin NW
Albuq., NM 87114

BOSQUE DELL ACRES
*Tom Schroeder
9731 Loretta Dr. NW
Albuq., NM 87114

BOYDS-LESLIE PARK
*GEORGE COLBY
6322 PRAIRIE AVE. NE
Albuq., NM 87109

COORS TRAIL
Tracy Cadigan
2705 Bosque del Sol NW
Albuq., NM 87120

COORS TRAIL
*Eric Cramer
2704 Bosque del Rio Ln. NW
Albuq., NM 87120

COTTONWOOD HEIGHTS
TAMMY SMITH
4404 LOREN NW
Albuq., NM 87114

COTTONWOOD HEIGHTS
GARY CLARKE
10309 DUNBAR ST. NW
Albuq., NM 87114

EAGLE RANCH
*FRED HAMPTON
9620 STONE ST. NW
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10128 Sierra Hills NW
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HODGIN
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5705 CARMEN RD. NW
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LA LUZ
*BENNETT KING
10 ARCO NW
Albuq., NM 87120

LA LUZ
RAE PERLS
15 TENNIS CT. NW
Albuq., NM 87120

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*RAY GRAHAM
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GARRY EUL
4223 NEW VISTAS CT. NW
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NEW VISTAS SUBDIVISION
TERANCE JAHNKE
4109 NEW VISTAS CT. NW
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PARADISE HILLS
MEREDITH HUGHES
9908 LAPAZ NW
Albuq., NM 87114

PARADISE HILLS
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10137 FURMAN NW
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4331 ROSECLIFF AVE. NW
Albuq., NM 87114

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9401 CACTUS TRAIL NW
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MELONIE MATTHEWS
3200 COORS RD. NW #K235
Albuq., NM 87120

QUAKER HEIGHTS
*MATTHEW BACA
5125 NORTHERN TRL. NW
Albuq., NM 87120

RIVERFRONTE ESTATES
GARY PLANTE
1692 PACE RD. NW
Albuq., NM 87114

RIVERFRONTE ESTATES
*GINGER CARMAN
1728 RUSTY RD. NW
Albuq., NM 87114

SAGECREST
*WILLIAM SILVA
5700 CACTUS FLOWER NW
Albuq., NM 87120

SAGECREST
BARBARA MUELLER
4904 ALBERTA LN. NW
Albuq., NM 87120

SALIDA DEL SOL
Minna M. Dimmick
10536 Calle Sombra Pl. NW
Albuq., NM 87114

SALIDA DEL SOL
*BILL FOLEY
4404 DRIFTWOOD DR. NW
Albuq., NM 87114

SANTA FE VILLAGE
*BRUCE C. BEACH
6021 CREGGS ST. NW
Albuq., NM 87120

SANTA FE VILLAGE
BILL LENINGER
6708 GLEASON AVE. NW
Albuq., NM 87120

SARAGOSSA
DEAN MURPHY
10404 VISTA DEL SOL NW
Albuq., NM 87114

SARAGOSSA
PAULINE RAMOS
4440 CONDESA NW
Albuq., NM 87114

SKY VIEW ACRES
*Deborah M. Steele
10629 Calle de Elena NW
Corrales, NM 87048

SKY VIEW ACRES
John Harvelle
c/o S.V.A.NA., P.O. Box 1653
Corrales, NM 87048

TAYLOR RANCH
JOLENE WOLFLEY
6804 STAGHORN DR. NW
Albuq., NM 871204806

TAYLOR RANCH
*VIRGINIA M. KLEBESADEL
4416 GOOSEBERRY RD. NW
Albuq., NM 87120

VINEYARD
John MacKenzie
416 Mission NE
Albuq., NM 87107

WINDMILL ESTATES
*Elaine K. Bickerstaff
9839 Windmill Ct. NW
Albuq., NM 87114

WINDMILL ESTATES
Ron Bohannan
9851 Cita Rd. NW
Albuq., NM 87114

Property "A" – Cottonwood Corners

- The Home Depot 899-1290
  10200 Coors Blvd NW
  Albuquerque, NM 87114

- Wal-Mart Discount City 897-1228
  10224 Coors Blvd Bypass NW
  Albuquerque, NM 87114

- Walgreen's Drug Store 898-0971
  10236 Coors Blvd NW
  Albuquerque, NM 87114

- Party City 890-8786
  10254 Coors Blvd. NW
  Albuquerque, NM 87114

- Mattress Smart 890-6762
  10260 Coors Blvd. Bypass, NW
  Albuquerque, NM 87114

- Staples – The Office Store 890-8822
  10242 Coors Blvd Bypass NW
  Albuquerque, NM 87114

- Petsmart 792-1772
  10248 Coors Blvd Bypass NW
  Albuquerque, NM 87114

- Keva Juice 792-0200
  10254 Coors Blvd NW
  Albuquerque, NM 87114

- Great Clips for Hair 899-7393
  10260 Coors Blvd. Bypass NW
  Albuquerque, NM 87114

- Starbucks 899-7835
  10254 Coors Blvd. Bypass NW
  Albuquerque, NM 87114

- The Men's Wearhouse 890-5667
  10260 Coors Blvd. Bypass NW
  Albuquerque, NM 87114

Property "B" – Riverwalk Marketplace

- -vacant building-
  10141 Coors Blvd NW
  Albuquerque, NM 87114

- -vacant land
  no address

Property "C"

- Westward Realty 792-3713

Property "D"

- Rowland Nurseries Inc 898-4833
  4349 Irving Blvd NW
  Albuquerque, NM 87114

- Taco Bell 898-7768
  9395 Coors Blvd. NW
  Albuquerque, NM 87114

- Our Place II 890-6890
  9401 Coors Blvd NW
  Albuquerque, NM 87114

- Kelly Liquors 897-9676
  9411 Coors Blvd NW
  Albuquerque, NM 87114

- Sun Country Plaza
  No address listing w/City Zoning (Address Verification)

- Value Land, Pre-owned Vehicles
  No address listing w/City Zoning (Address Verification)

- Vacant Land

Property "E" – Black Ranch

- West Wood Realty 792-3713

- Cummins Realty Estate 296-6388

- Jiffy Lube (being built)

- Burger King 898-9330
  9380 Coors NW

- Chevron Redi-Mart 890-3220
  9400 Coors Blvd NW
  Albuquerque, NM 87114

- Wells-Fargo Bank 922-1146
  9390 Coors Blvd NW
  Albuquerque, NM 87114

Property "F"

- Lutheran Church 898-3932
  4800 Old Saints NW

- Housing Development

- PNM

- Eagle Ridge (Residential) 975-5054

Property "G"

- 2 Private Houses
  3100 La Orilla NW (This is all the City Address Verification has listed)

- warehouse
  no address

Property "H" (Exhibit A) ?

- Vacant Land
  No address

Property "H"

- La Casitas del Rio Development 899-5687
  (Homes of Enchantment)

Property "I"

- Vacant Land
  No address

Property "J"

- Parish Home Designs 833-9955 (Looked like a residence)
  4820 La Bienvenida Pl NW
  Albuquerque, NM 87120

- 5001 Namaste NW (Is a residence)

Property "K"

- Vantage Homes at Ladera Vista 975-5054

Property "L"

- Vacant Land

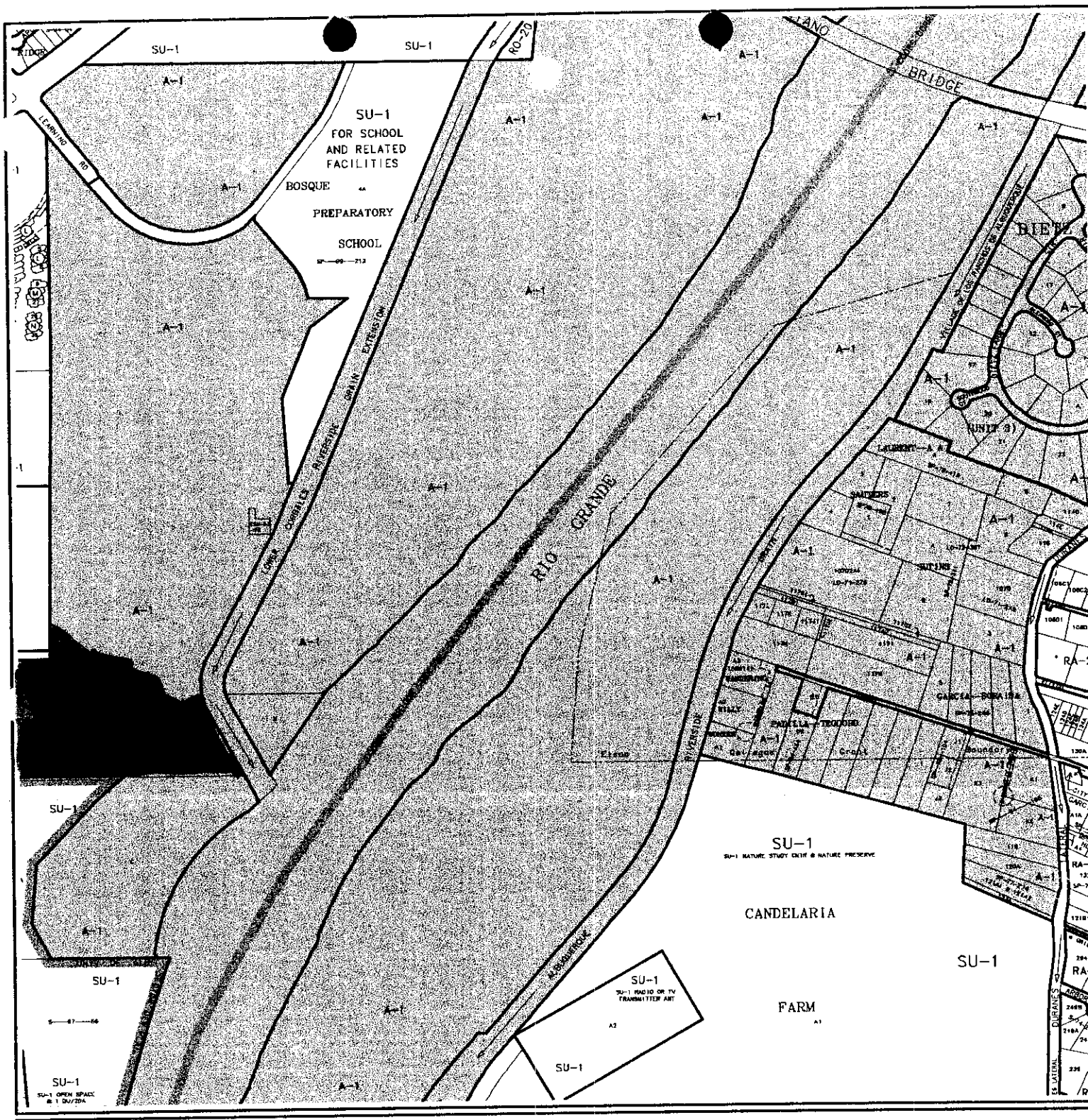
- Oasis Restaurant 884-2324
  4451 Osuna NE

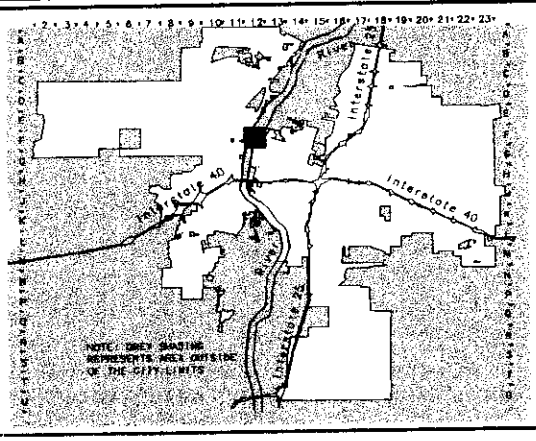
Property "M"

- Rocky Mountain Stone Co 345-8518
  4741 Pan American Fwy NE
  Albuquerque, NM 87109

- Big Eye 343-8655
  4849 Pan American Fwy NE
  Albuquerque, NM 87109

- PNM Power Plant





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Zone Atlas Page

F-12-Z

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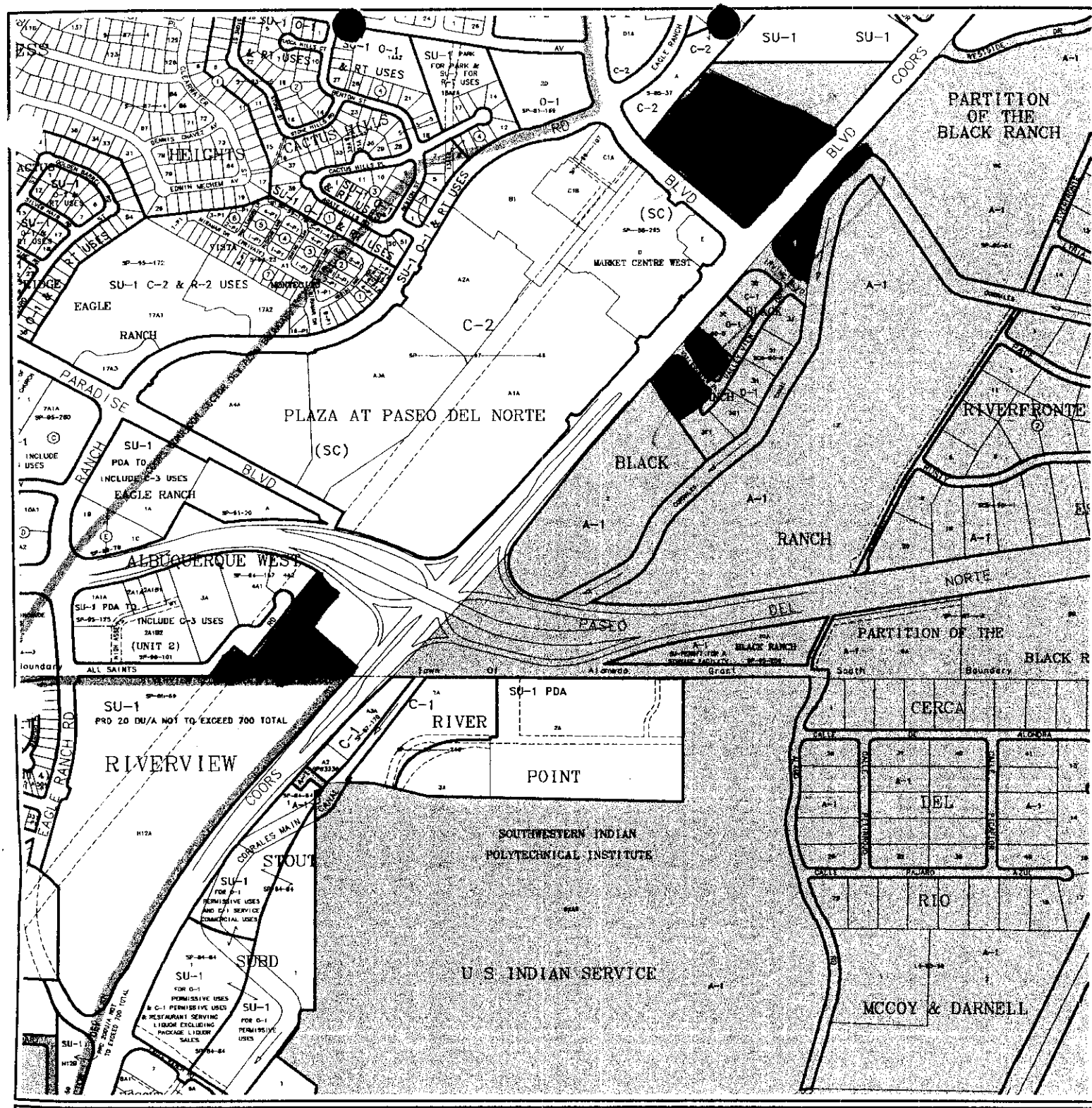

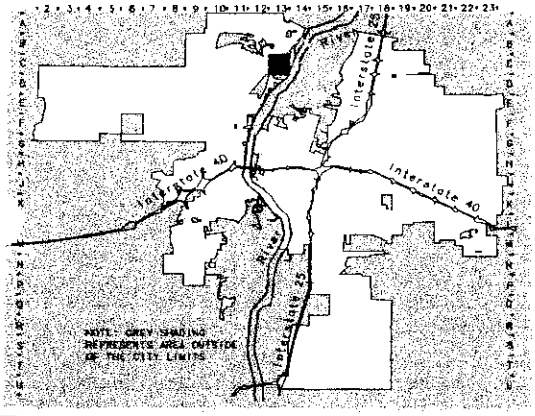

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Zone Atlas Page

C-13-Z

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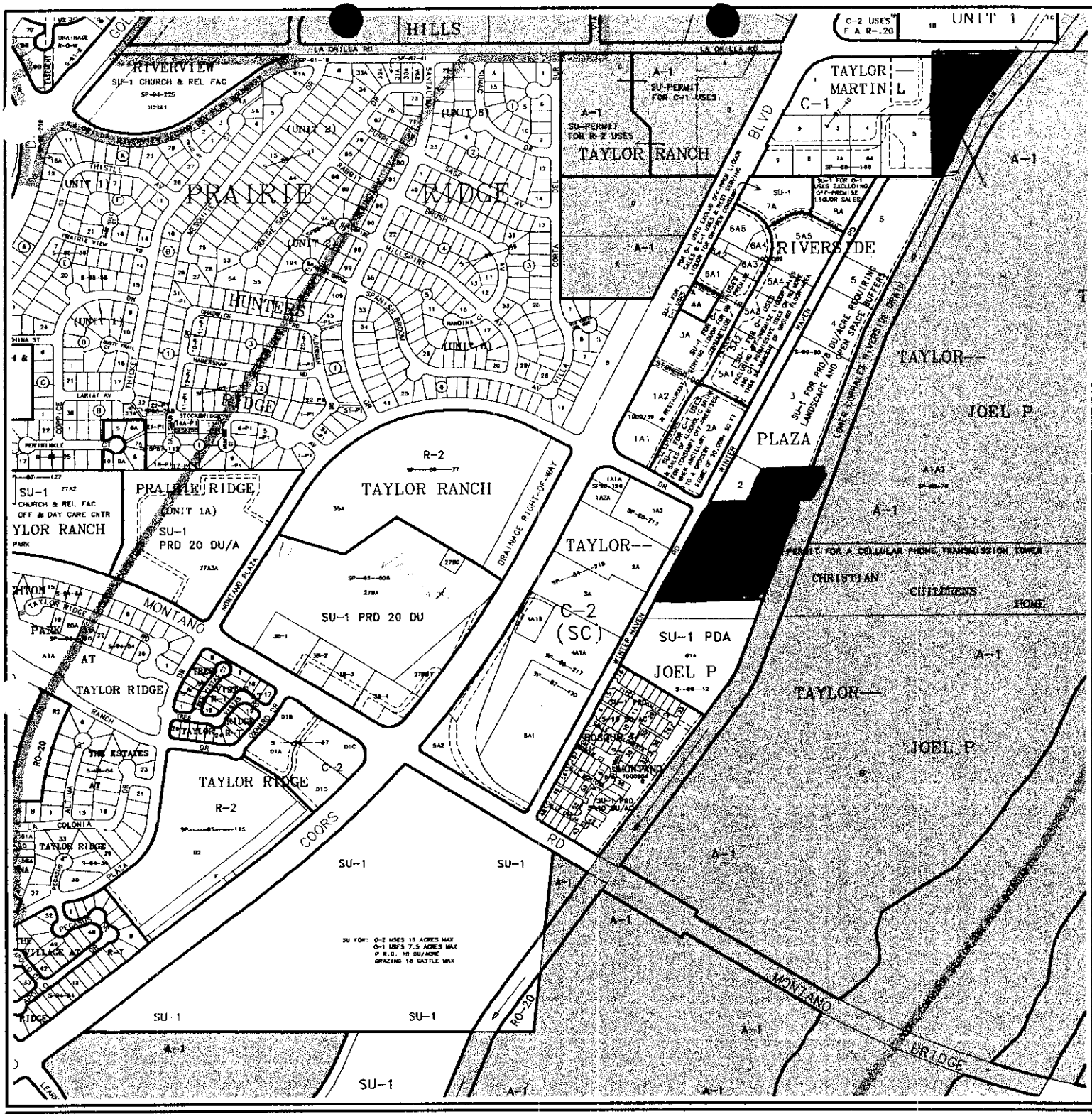

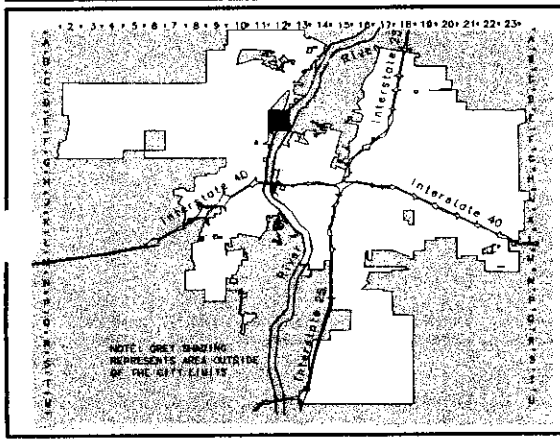

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Zone Atlas Page

E-12-Z

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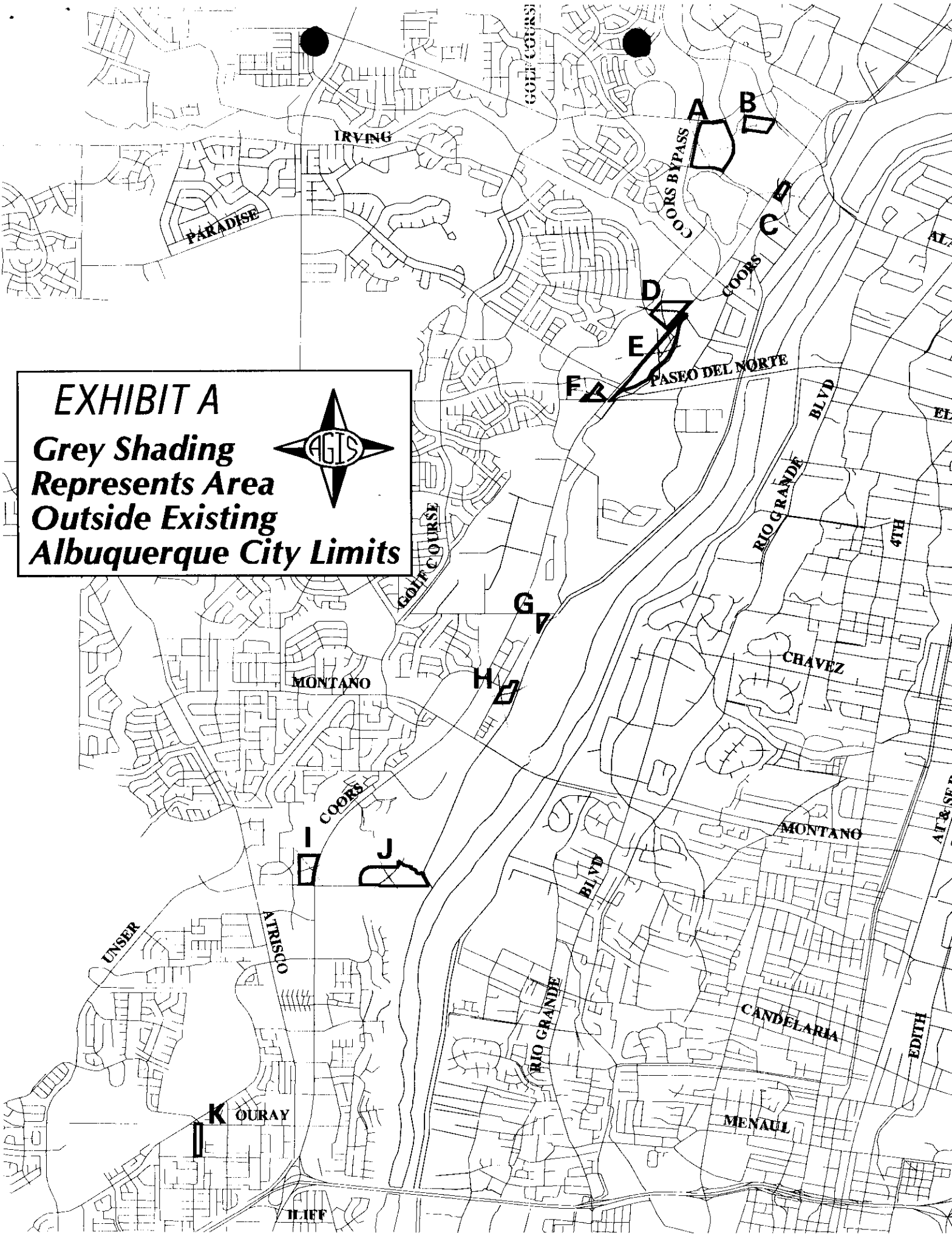
EXHIBIT A
Grey Shading Represents Area Outside Existing Albuquerque City Limits
AGIS
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GOLF COURSE
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PARADISE
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RIO GRANDE
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CHAVEZ
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CANDELARIA
EDITH
OURAY
MENAUL
ILIFF

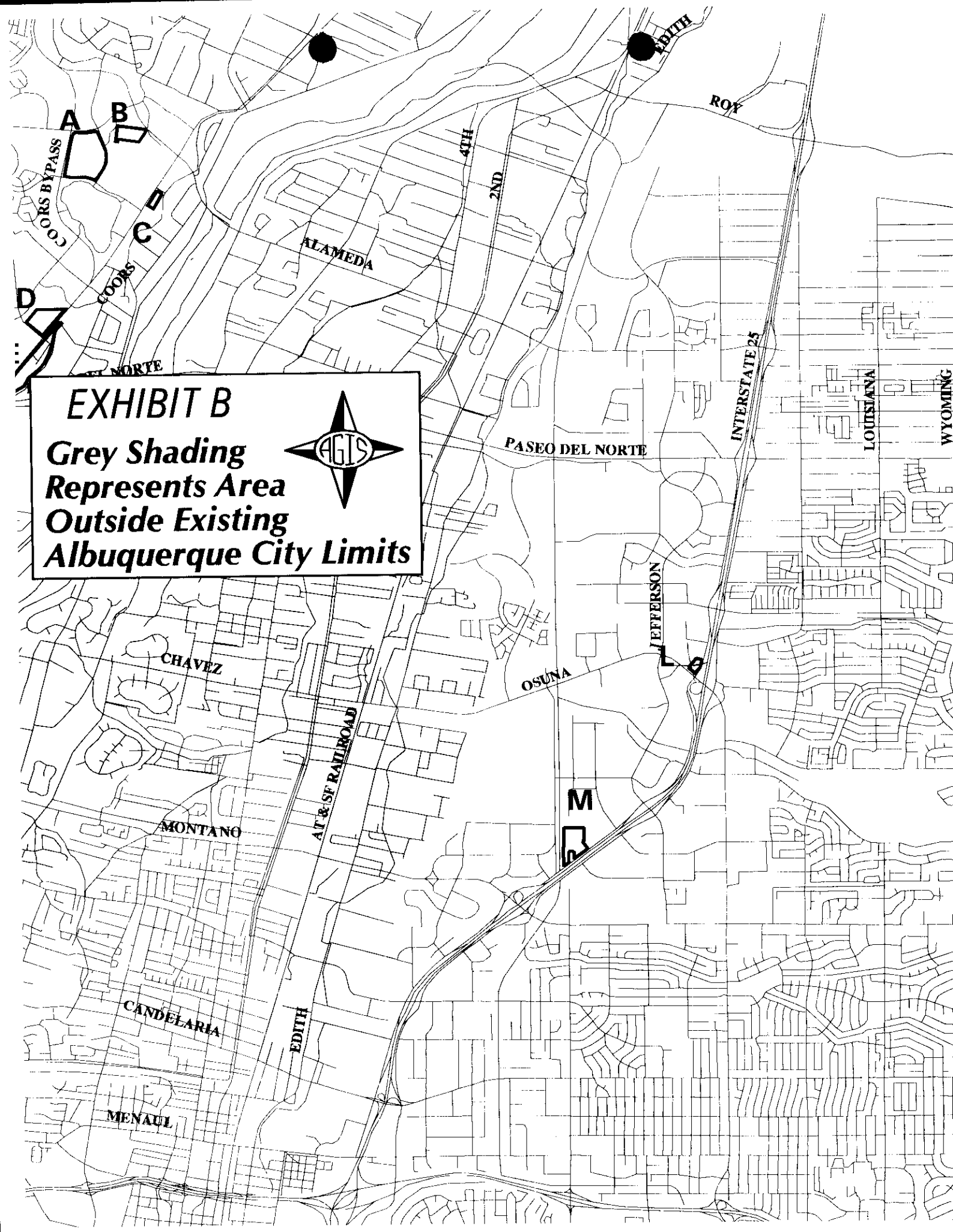
EXHIBIT B
Grey Shading Represents Area Outside Existing Albuquerque City Limits
AGIS
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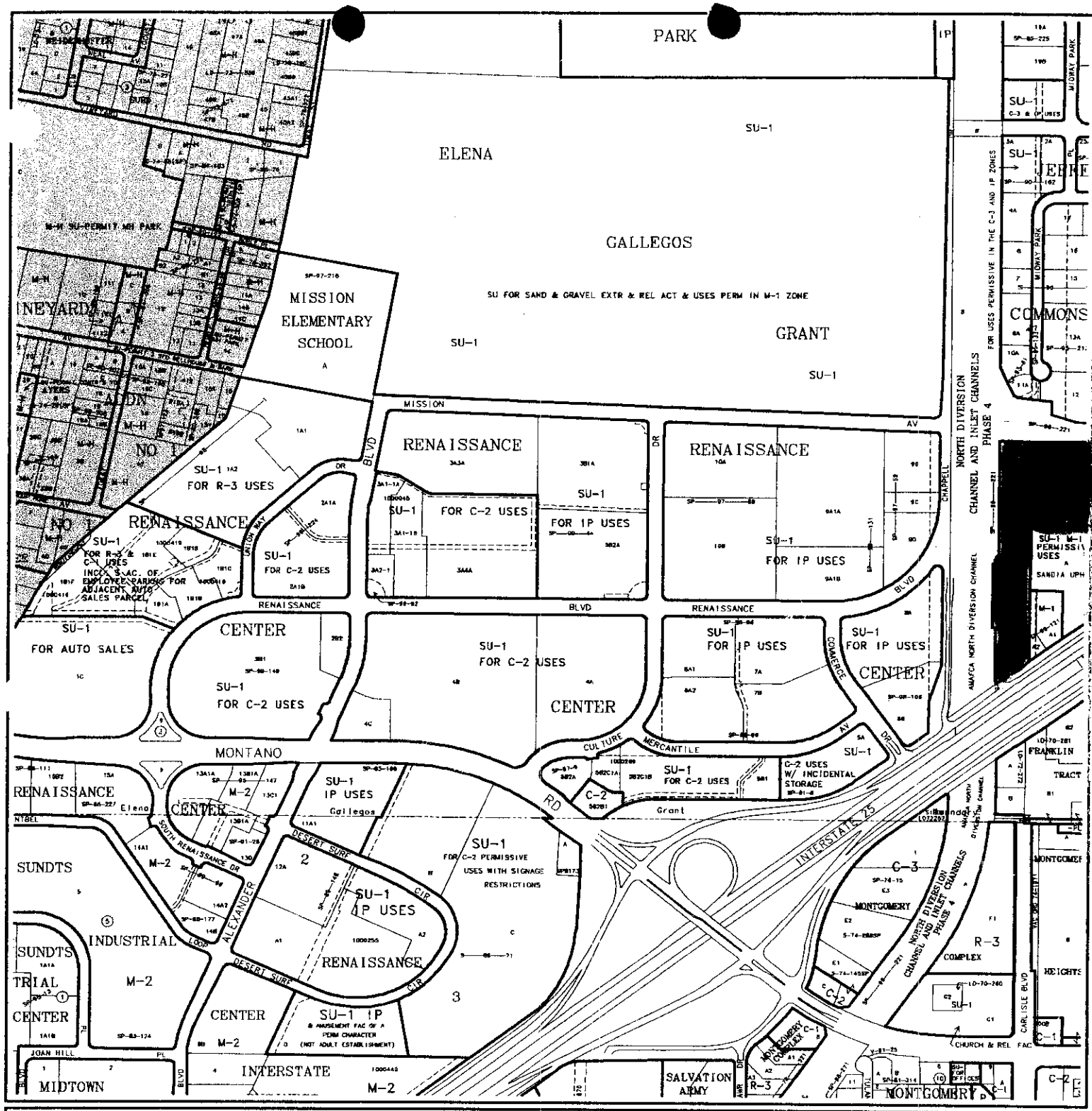
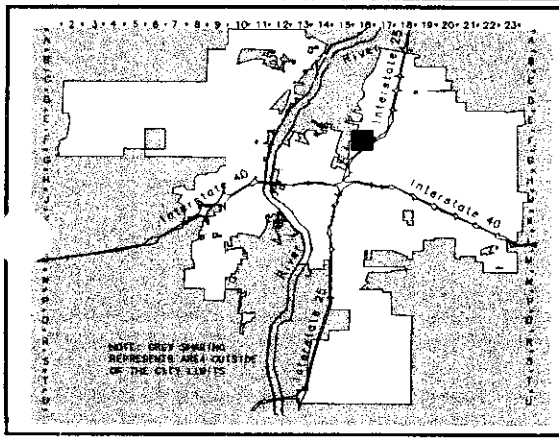
4TH
2ND
EDITH
ROY
PASEO DEL NORTE
INTERSTATE 25
LOUISIANA
WYOMING
JEFFERSON
OSUNA
CHAVEZ
MONTANO
A.T.&S.F. RAILROAD
CANDELARIA
EDITH
MENAUL





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Zone Atlas Page

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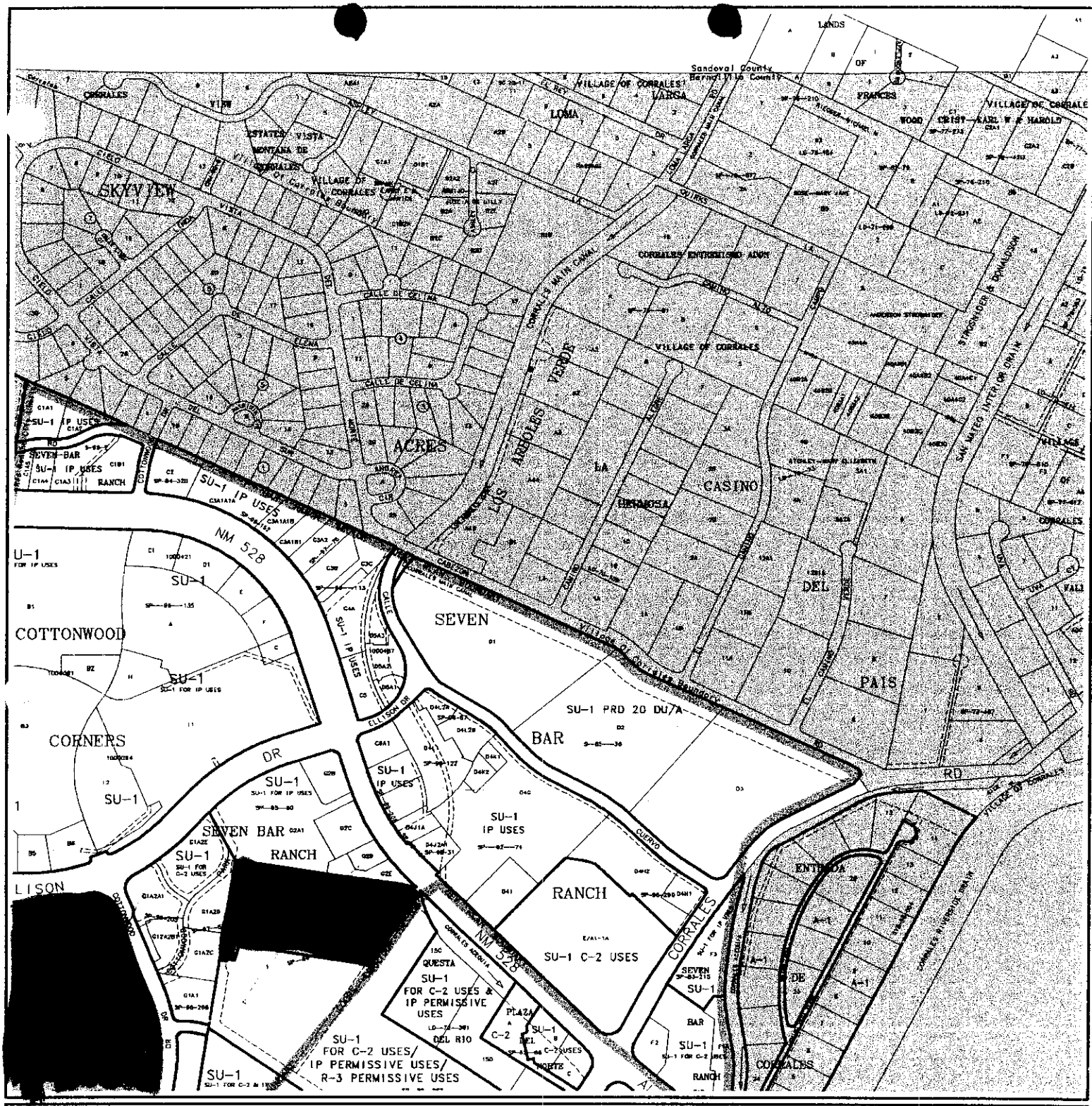

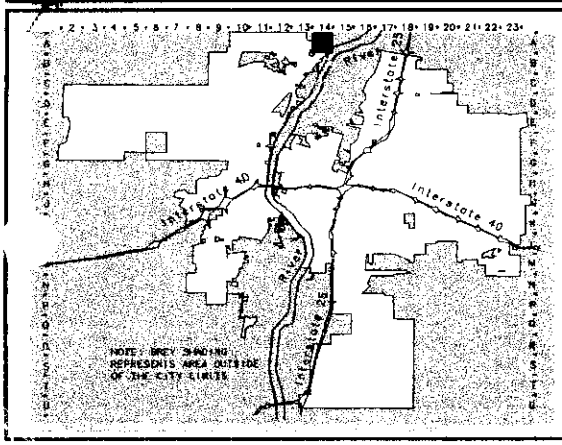

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A-14-Z

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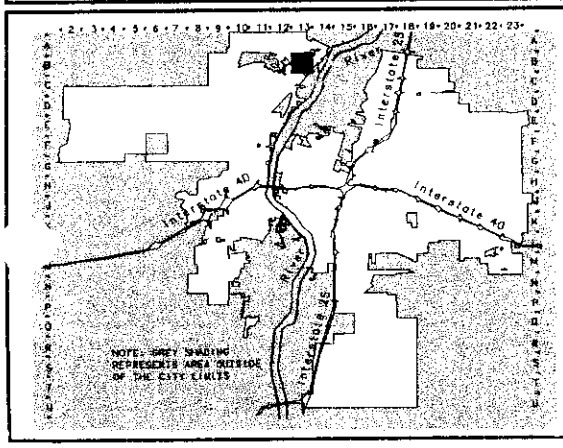

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Zone Atlas Page

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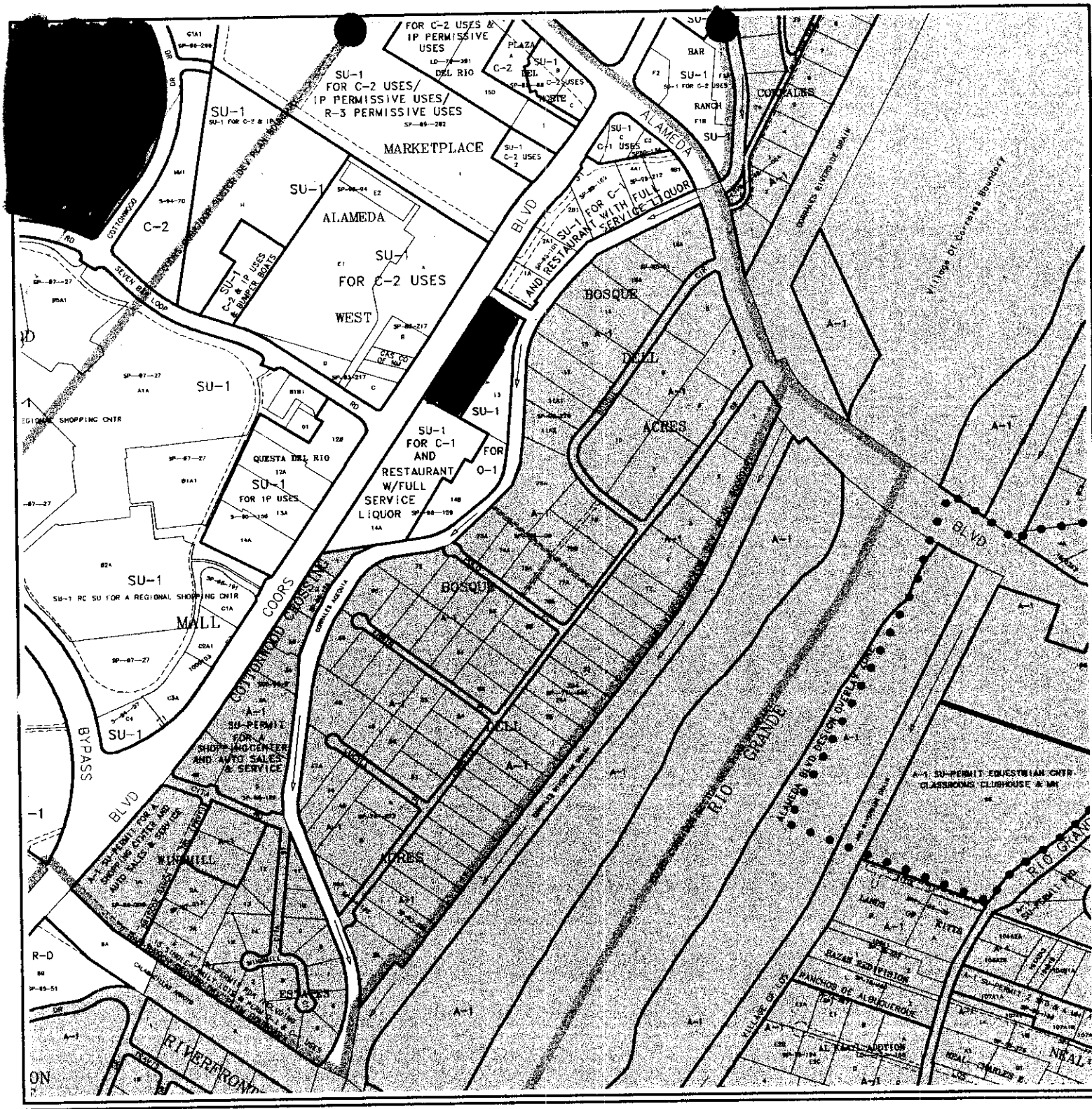

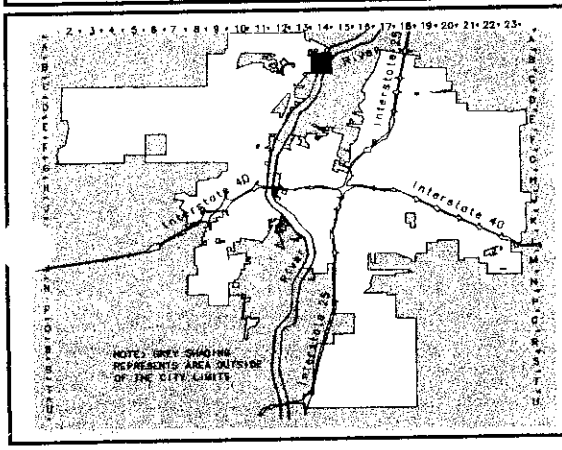

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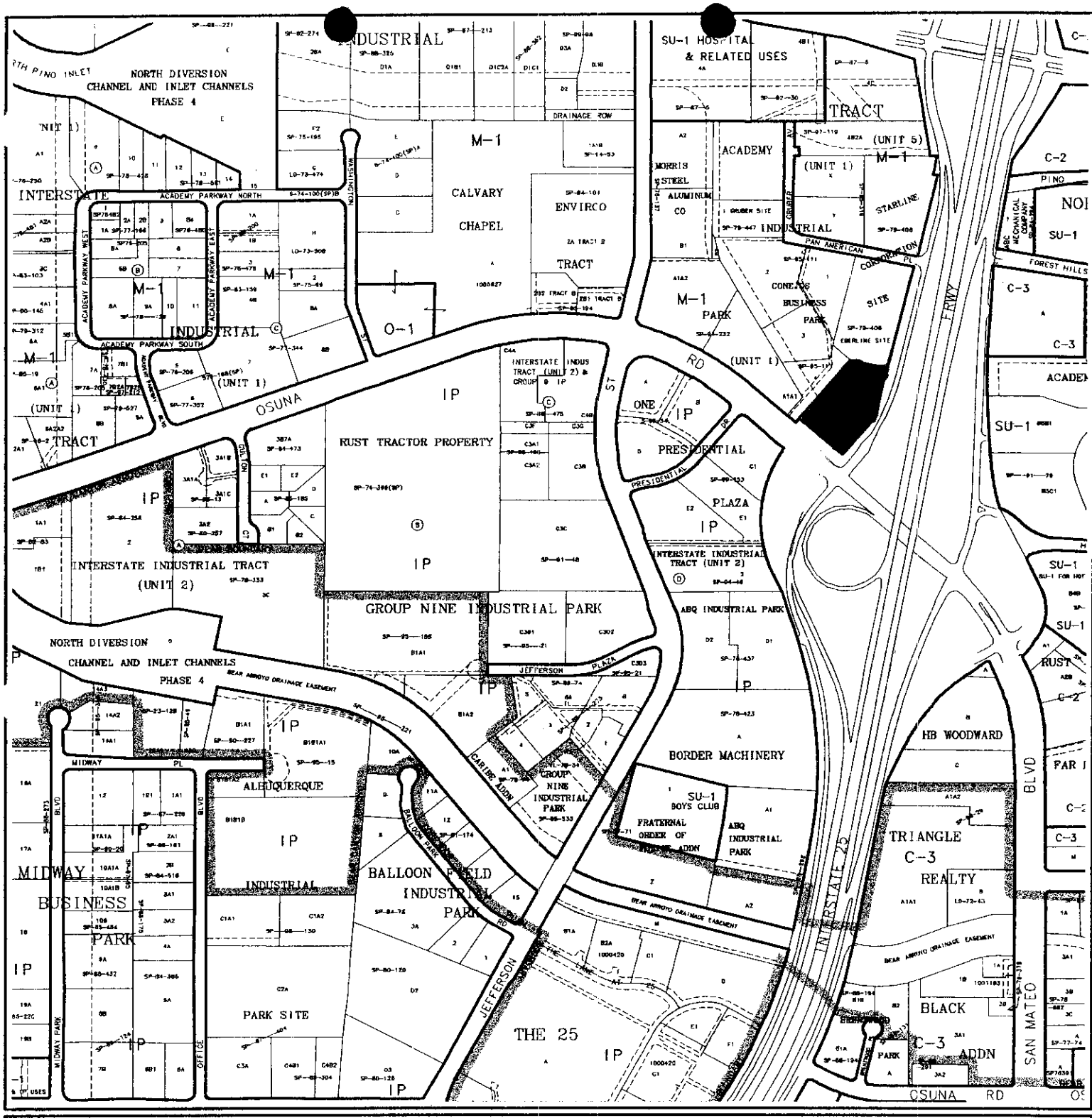

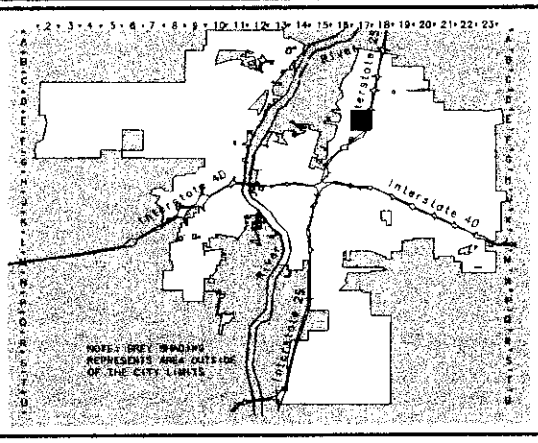

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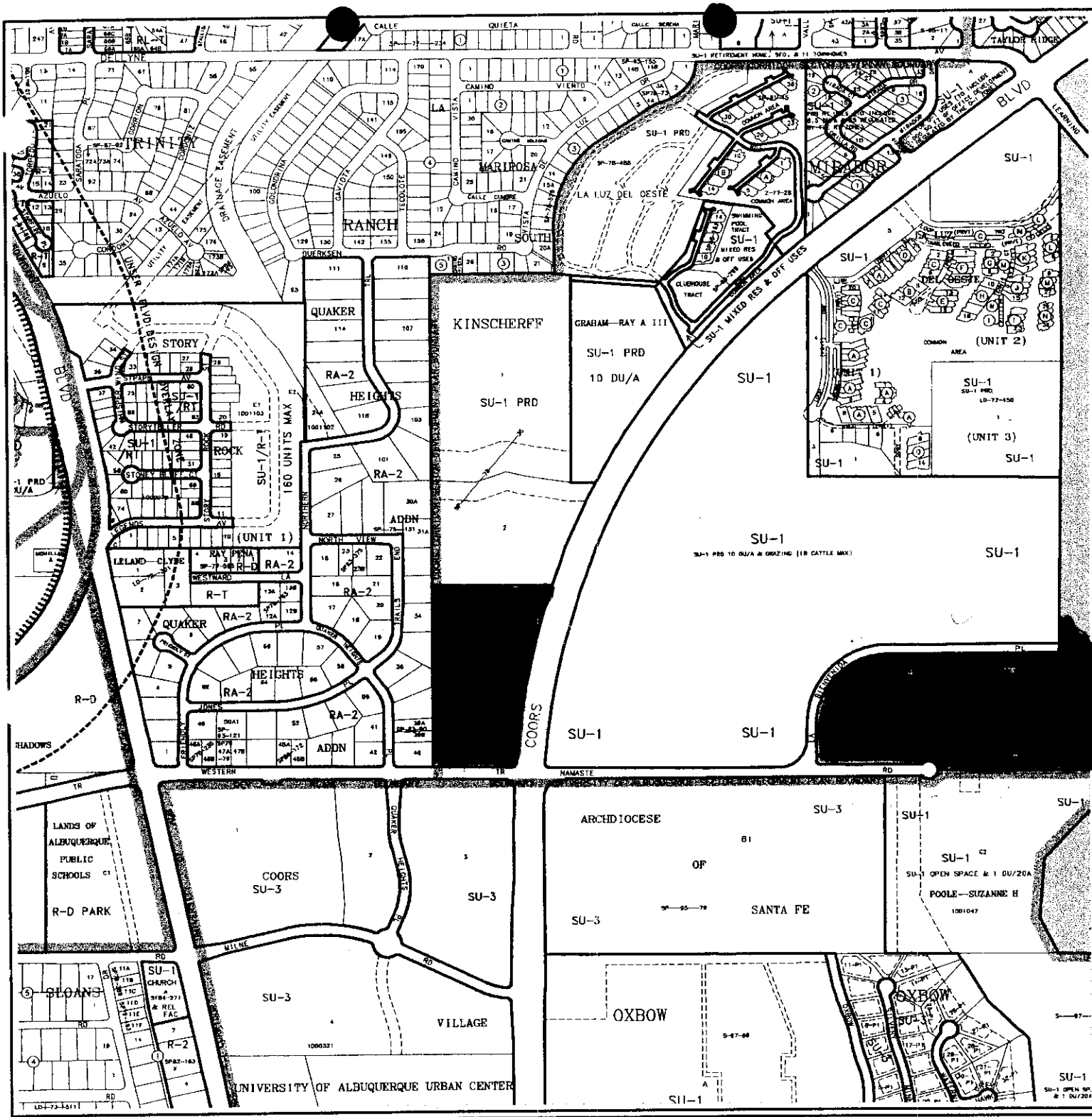

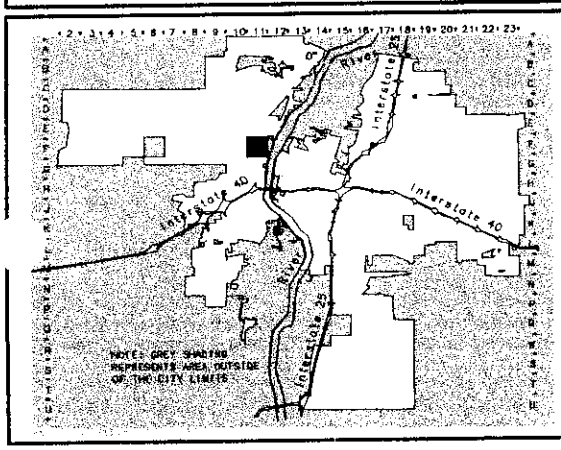

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Zone Atlas Page

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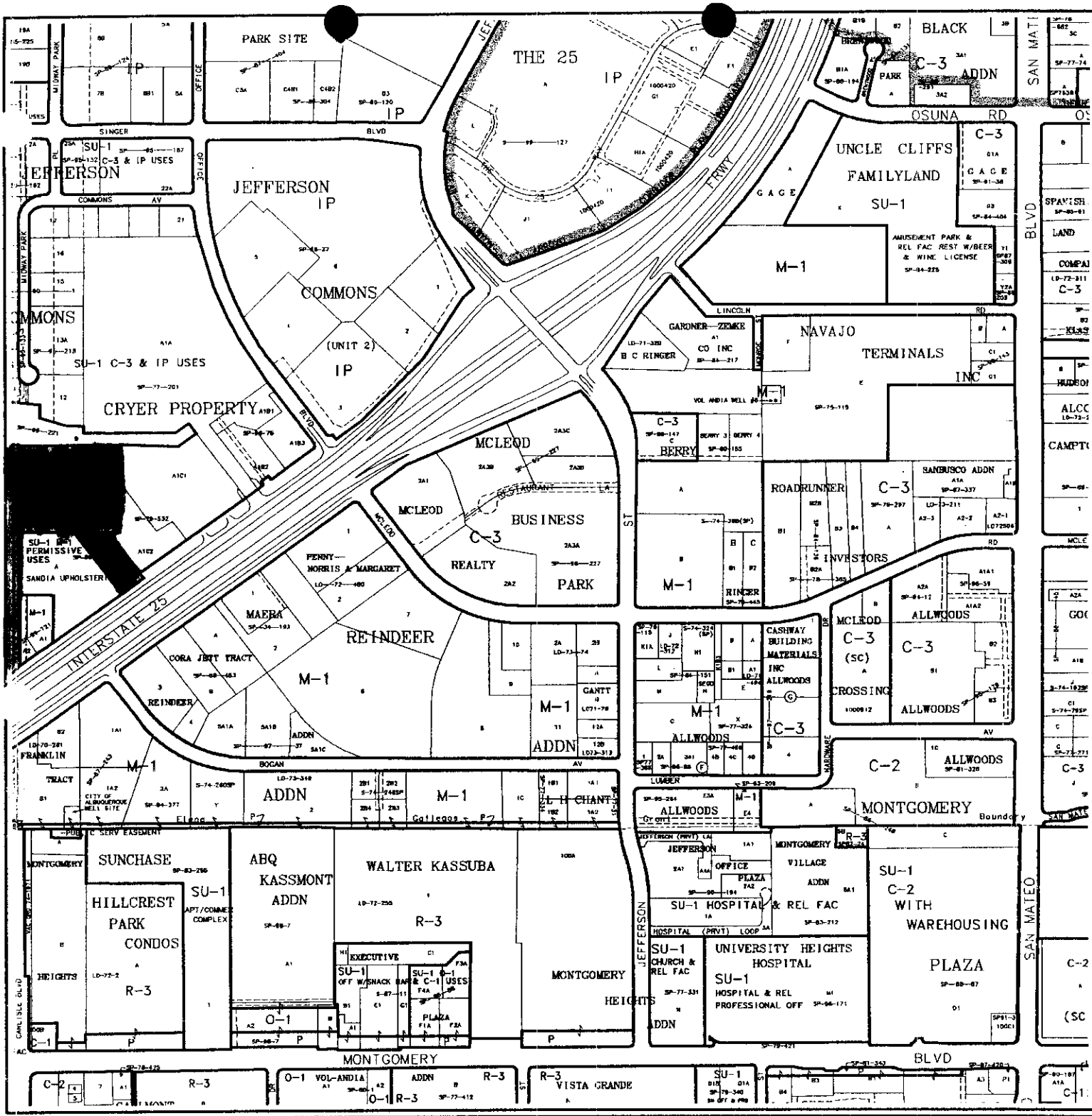

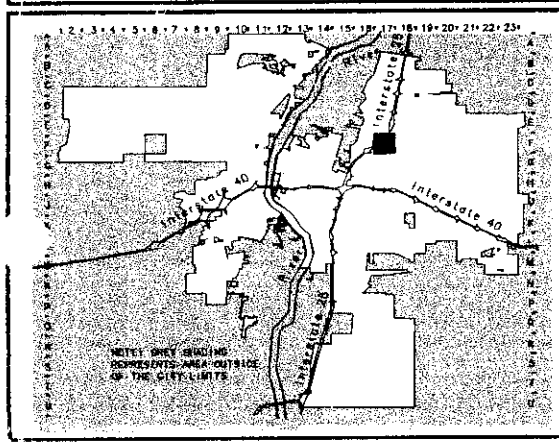

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F-17-Z

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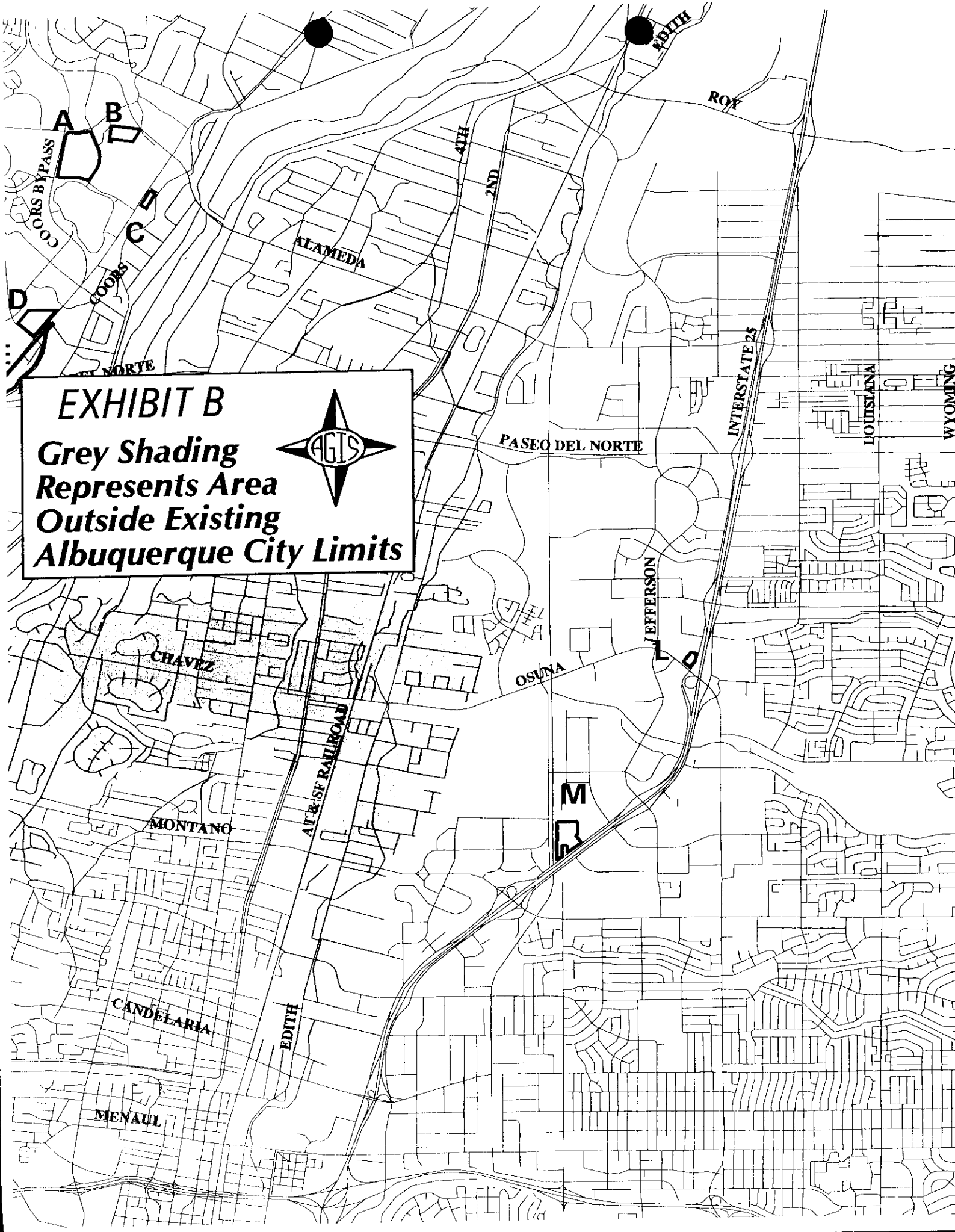
EXHIBIT B
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CHAVEZ
MONTANO
AT & SF RAILROAD
CANDELARIA
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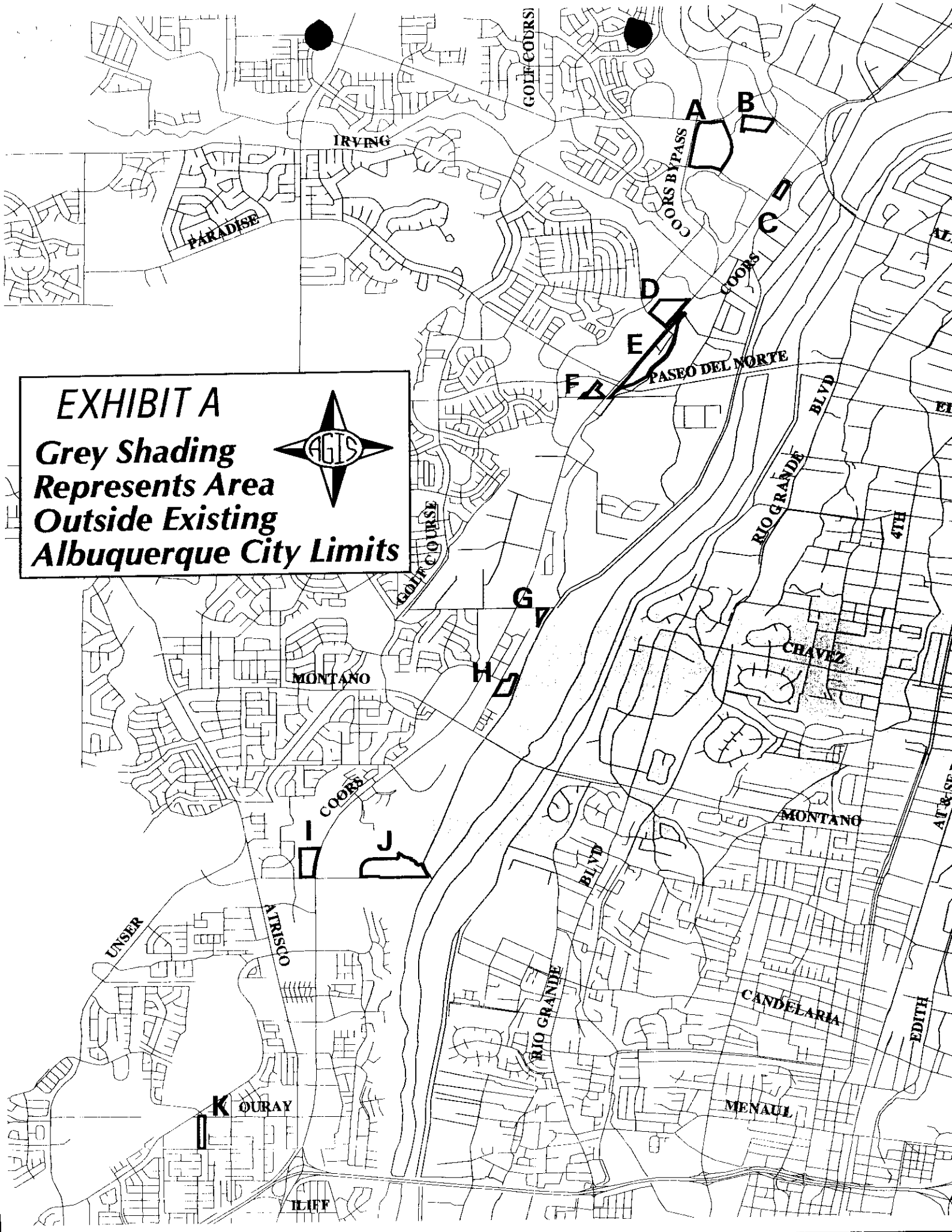
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BLVD
RIO GRANDE
4TH
CHAVEZ
MONTANO
UNSER
ATRISCO
CANDELARIA
EDITH
MENAUL
OURAY
ILIFF

O-02-16 Amending the Zone Map to Establish Zoning for 135 Acres Located West of the Rio Grande, South of NM 528 and North of Western Trail and Namaste Road NW (Cadigan, by request)

(Exhibit 28)

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

For: 9 - Council Members: Winter, Yntema, Gómez, V. Griego, E. Griego, Cadigan, Mayer, Payne and Cummins
Against: 0

O-02-21 Amending ROA 1994, Old Town Portal Market to Reflect New Old Town Vendor User Fees as Adopted in R-02-19 (V. Griego)

(Exhibit 29)

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

For: 9 - Council Members: Winter, Yntema, Gómez, V. Griego, E. Griego, Cadigan, Mayer, Payne and Cummins
Against: 0

R-01-355 Directing the Neighborhood Traffic Management Program Review Committee to Include an Appeal Process Consisting of a Citizens Appeal Board (Brasher)

Councillor Payne moved that this matter be Postponed scheduled for May 20, 2002. Seconded. The motion carried by the following vote:

For: 9 - Council Members: Winter, Yntema, Gómez, V. Griego, E. Griego, Cadigan, Mayer, Payne and Cummins
Against: 0

R-02-8 Authorizing Filing of Cooperative Agreement with U.S. Dept. of Transportation, National Highway Traffic Safety Administration; Providing an Appropriation to Albuquerque Police Department (Cadigan)

(Exhibit 30)

Councillor Cadigan moved that this matter be Not Passed. Seconded. The motion carried by the following vote:

For: 9 - Council Members: Winter, Yntema, Gómez, V. Griego, E. Griego, Cadigan, Mayer, Payne and Cummins
Against: 0

R-02-23 Appropriating Funds Needed for Technical Adjustments to F/S R-02-19 for FY 2002 for Certain Program Strategies (Cummins, by request)

(Exhibit 31)

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

For: 9 - Council Members: Winter, Yntema, Gómez, V. Griego, E. Griego, Cadigan, Mayer, Payne and Cummins
Against: 0

There being no further business, the meeting adjourned at 9:14 p.m.

CITY of ALBUQUERQUE
FIFTEENTH COUNCIL

COUNCIL BILL NO. O-02-16 ENACTMENT NO. 13-2002

SPONSORED BY: Michael Cadigan, by request

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1 ORDINANCE

2 AMENDING THE ZONE MAP TO ESTABLISH: M-1; C-2; RA-1; SU-1 FOR C-2
3 USES; SU-1 FOR C-1 USES AND RESTAURANT WITH LIQUOR FOR ON-
4 PREMISE CONSUMPTION; SU-1 FOR C-1 USES; SU-1 FOR CHURCH AND
5 RELATED USES; SU-1 FOR RA-1 AND WIRELESS COMMUNICATIONS
6 FACILITY; SU-1 FOR RA-1 AND PROCESSING, MANUFACTURING,
7 TREATMENT AND SALE OF HERB PRODUCTS; SU-1 FOR CHILDREN'S HOME
8 AND WIRELESS TELECOMMUNICATIONS FACILITY; AND SU-1 FOR PRD
9 MAXIMUM 8.5 DU/AC ZONING FOR APPROXIMATELY 135 ACRES MORE OR
10 LESS, LOCATED WEST OF THE RIO GRANDE, SOUTH OF NM 528 AND NORTH
11 OF WESTERN TRAIL AND NAMASTE ROAD NW AND ALONG INTERSTATE 25
12 BETWEEN MONTAÑO ROAD NE AND SAN ANTONIO DRIVE NE, ANNEXED BY
13 THE STATE OF NEW MEXICO MUNICIPAL BOUNDARY COMMISSION ON
14 AUGUST 16, 2001.
15 BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
16 ALBUQUERQUE:
17 Section 1. ZONE MAP AMENDED. The annexation creates a changed
18 community condition that justifies the zoning.
19 A. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A.
20 1994 is hereby amended, establishing SU-1 for C-2 Uses zoning for the
21 following areas: Lots M1A1, M1A2, M1A3 AND M1B, Seven Bar Ranch; Lots
22 A, B1 and B2, Paradise Hills IPTRN & Eagle Ranch TR2; and Lot 3E1, Black
23 Ranch.
24 B. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A.
25 1994 is hereby amended, establishing M-1 zoning for the following areas: Lot

C, Paradise Hills IPTRN & Eagle Ranch TR2; Unplatted/Sun Country Industries; Lots A, B and C, North Switching Station Addition; North Switching Station, North Switching Station; and Lardner Tract, Lardner Tract.

C. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing SU-1 for C-1 Uses and Restaurant with Liquor for On-Premise Consumption zoning for the following areas: Lot 13, Black Ranch, Partition of.

D. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing C-2 zoning for the following areas: Lots 1 and 2, Sawaya Addition.

E. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing SU-1 for C-1 Uses zoning for the following areas: Lot 1A, Riverwalk Marketplace; Lot 3A1, Black Ranch; Lots 4 and 5, Black Ranch, Partition of; Lot 3D, Black Ranch; and Lot B, Sandia Upholstering Company.

F. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing SU-1 for Church and Related Uses zoning for the following areas: Lutheran Church Site, Paradise Hills; and Unplatted, All Saints Lutheran Church; and Lot A1B, Taylor-Joel P.

G. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing SU-1 for RA-1 and Wireless Telecommunications Facility zoning for the following areas: Lot A1, Taylor-Joel P.; and Private Road Easement, Taylor-Joel P.

H. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing SU-1 for RA-1 & Processing, Manufacturing, Treatment and Sale of Herb Products zoning for the following areas: Lot A2, Taylor-Joel P.

I. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing SU-1 for Children's Home and Wireless Telecommunications Facility zoning for the following areas: ABQ Christian Home, ABQ Christian Children's Home.

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J. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing SU-1 for PRD zoning for the following areas: Unplatted, Presley Co. of New Mexico.

K. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing RA-1 zoning for the following areas: Lots 1, 2, 3 and 4, West Bank Estates; and Lots A and C, Poole-Suzanne H.

Section 2. FINDINGS AND CONDITIONS ACCEPTED. The Council adopts the following zone map amendment findings and conditions recommended by the Environmental Planning Commission:

A. This is a request to establish zoning for approximately 134 acres of property annexed into the City by the State Municipal Boundary Commission located in the northwest area of the City, west of the Rio Grande and in the North I-25 area of the City.

B. The recommended zoning, which mirrors the previous County zoning, existing uses and approved or planned uses is:

SU-1 for C-2 Uses for Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch, Lots A, B1, and B2, Paradise Hills IPTRN & Eagle Ranch TR2 and Lot 3E1, Black Ranch;

M-1 for Lot C, Paradise Hills IPTRN & Eagle Ranch TR2, Unplatted/Sun Country Industries, Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station, and Lardner Tract, Lardner Tract;

SU-1 for C-1 Uses and Restaurant with Liquor for On-premise Consumption for Lot 13, Black Ranch, Partition of;

C-2 for Lots 1 and 2, Sawaya Addition;

SU-1 for C-1 Uses for Lot 1A, Riverwalk Marketplace, Lot 3A1, Black Ranch, and Lots 4 and 5, Black Ranch, Partition of, Lot 3D, Black Ranch, and Lot B, Sandia Upholstering Company;

SU-1 for Church and Related Uses for Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church and Lot A1B, Taylor-Joel P;

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SU-1 for RA-1 and Wireless Telecommunications Facility for Lot A1, Taylor-Joel P, and Private Road Easement;

SU-1 for RA-1 & Processing, Manufacturing, Treatment and Sale of Herb Products for Lot A2, Taylor-Joel P;

SU-1 for Children's Home and Wireless Telecommunications Facility for ABQ Christian Home, ABQ Christian Children's Home;

SU-1 for PRD maximum 8.5 du/ac for Unplatted, Presley Co. of New Mexico; and

RA-1 for Lots 1, 2, 3 and 4, West Bank Estates and Lots A and C, Poole-Suzanne H.

C. The requested zoning furthers the applicable goal and policies of the *Comprehensive Plan* by creating the potential for 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 requested zoning, because it reflects the previous County zoning and/or any existing uses on the properties, does not conflict with any applicable Rank II or III plans, including the *West Side Strategic Plan*, the *Seven Bar Ranch Sector Development Plan* and the *Coors Corridor Plan*.

E. The requested zoning furthers the policies and requirements of *Resolution 270-1980*, specifically: the proposed change is not in significant conflict with adopted elements of the *Comprehensive Plan* or other City master plans (Section 1.C); the existing zoning is inappropriate because changed neighborhood or community conditions justify the change, namely the annexation of the properties by the State Municipal Boundary Commission (Section 1.D); and the permissive uses of the proposed zoning categories will not be harmful to adjacent property, the neighborhood or the community because they reflect the previous County zoning and/or any existing uses on the properties (Section 1.E).

F. The submitted "Exhibit A" contains all of the information required for and is acceptable as a site development plan for subdivision for Lot

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A2, Taylor – Joel P and corresponds to the recommended *SU-1 for RA-1 uses and the Processing, Manufacturing, Treatment and Sale of Herbal Products* zoning.

G. The submitted site plan for Lot 13, Black Ranch, Partition of contains all of the information required for and is acceptable as a site development plan for subdivision and corresponds to the recommended *SU-1 for C-1 Uses and Restaurant with Liquor for On-premise Consumption* zoning. It includes the specific conditions relating to building location, noise, lighting, etc. that were required by the County to mitigate the concerns of the adjoining neighbors. The submittal modifies the County conditions to comply with current City of Albuquerque policies. Additionally, the Calabacillas Pueblo archaeological site, located on the site and the adjoining site to the east, is adequately identified for preservation, additional archeological testing, and dedication to an appropriate agency.

H. The submitted "Exhibit A" contains all of the information required for and is accepted as the site development plan for subdivision for Lot A2, Taylor – Joel P. Final sign-off the Development Review Board is required.

I. The submitted site plan for Lot 13, Black Ranch, Partition of contains all of the information required for and is accepted as the site development plan for subdivision. Final sign-off the Development Review Board is required.

Section 3. 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 4. EFFECTIVE DATE AND PUBLICATION. This ordinance shall take effect five days after publication in full.

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PASSED AND ADOPTED THIS 18th DAY OF MARCH, 2002

BY A VOTE OF: 9 FOR 0 AGAINST.

Brad Winter

Brad Winter, President

City Council

APPROVED THIS 26 DAY OF March, 2002

Bill No. O-02-16

Martin Chávez, Mayor

City of Albuquerque

ATTEST:

City Clerk

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

April 16, 2002

City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

CERTIFICATE OF ZONING

FILE: 01110-01244/Proj. #1001445
(Council Bill #O-02-16, Enactment # 13-2002)
DATE OF FINAL ACTION: March 18, 2002

LEGAL DESCRIPTION: The City of Albuquerque requests a zone map amendment to establish zoning for lands annexed into the City by the State Municipal Boundary Commission: SU-1 for C-2 Uses for Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch, Lot 1A, Riverwalk Marketplace, Lots A, B1, B2 and C, Paradise Hills IPTRN & Eagle Ranch TR2, and Unplatted/Sun Country Industries, Lot 3E1, Black Ranch and Lardner Tract, Lardner Tract; SU-1 for C-1 Uses and restaurant with liquor for on-premise consumption for Lot 13, Black Ranch, Partition of and Lots 1 and 2, Sawaya Addition; SU-1 for C-1 Uses for Lot 3A1, Black Ranch, and Lots 4 and 5, Black Ranch, Partition of, Lot 3D, Black Ranch, and Lot B, Sandia Upholstering Company; SU-1 for Church and Related Uses for Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church and Lot A1B, Taylor-Joel P; SU-1 for RA-1 and Wireless Telecommunications Facility for Lot A1, Taylor-Joel P, and Private Road Easement; SU-1 for RA-1 & processing, manufacturing, treatment and sale of herb products for Lot A2, Taylor-Joel P; SU-1 for Children's Home for ABQ Christian Home, ABQ Christian Children's Home; R-1 for Unplatted, Presley Co. of New Mexico; RA-1 for Lots 1, 2, 3 and 4, West Bank Estates and Lots A, B, C, Poole-Suzanne H; and SU-1 for Electric Utility Facility for Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station, located west of the Rio Grande, south of NM 528 and north of Western Trail and Namaste Road NW, and along Interstate 25 between Montaño Road NE and San Antonio Drive NE, containing approximately 140 acres. (A-13-14, B-13-14, C-13, E-12, E-17, F-11-12, F-16-17) Russell Brito, Staff Planner

The City Council approved your request amend the zone map as it applies to the above-cited property. The possible appeal period having expired, the zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended as follows:

- SU-1 for C-2 Uses zoning for the following areas: Lots M1A1, M1A2, M1A3 AND M1B, Seven Bar Ranch; Lots A, B1 and B2, Paradise Hills IPTRN & Eagle Ranch TR2; and Lot 3E1, Black Ranch.

- M-1 zoning for the following areas: Lot C, Paradise Hills IPTRN & Eagle Ranch TR2; Unplatted/Sun Country Industries; Lots A, B and C, North Switching Station Addition; North Switching Station, North Switching Station; and Lardner Tract, Lardner Tract.

- SU-1 for C-1 Uses and Restaurant with Liquor for On-Premise Consumption zoning for the following areas: Lot 13, Black Ranch, Partition of.

- C-2 zoning for the following areas: Lots 1 and 2, Sawaya Addition.
- SU-1 for C-1 Uses zoning for the following areas: Lot 1A, Riverwalk Marketplace; Lot 3A1, Black Ranch; Lots 4 and 5, Black Ranch, Partition of; Lot 3D, Black Ranch; and Lot B, Sandia Upholstering Company.
- SU-1 for Church and Related Uses zoning for the following areas: Lutheran Church Site, Paradise Hills; and Unplatted, All Saints Lutheran Church; and Lot A1B, Taylor-Joel P.
- SU-1 for RA-1 and Wireless Telecommunications Facility zoning for the following areas: Lot A1, Taylor-Joel P.; and Private Road Easement, Taylor-Joel P.
- SU-1 for RA-1 & Processing, Manufacturing, Treatment and Sale of Herb Products zoning for the following areas: Lot A2, Taylor-Joel P.
- SU-1 for Children's Home and Wireless Telecommunications Facility zoning for the following areas: ABQ Christian Home, ABQ Christian Children's Home.
- SU-1 for PRD zoning for the following areas: Unplatted, Presley Co. of New Mexico.
- RA-1 zoning for the following areas: Lots 1, 2, 3 and 4, West Bank Estates; and Lots A and C, Poole-Suzanne H.

Successful applicants are reminded that other regulations of the City must by 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 Russell Brito

Victor J. Chavez
Planning Director

cc: Garcia/Kraemer & Associates, 200 Lomas NW, Suite 1111, Albuq. NM 87102
John Meyers, 1401 Central Avenue NW, Albuq. NM 87104
James Strozier, 924 Park Avenue SW, Albuq. NM 87102
Jeanne Christensen, 6337 Avenida la Costa NE, Albuq. NM 87109
Scott Lardner, 4741 Pan American Frwy NE, Albuq. NM 87109
Richard Dobbs, 9421 Coors NW, Albuq. NM 87120
Michelle Henrie, Rodey Law Firm, 201 3rd Street NW, Albuq. NM 87102
Patrick Trujillo, 520 Lomas NW, Albuq., NM 87102
Kyle Harwood, Jontz, Dawe, Gulley, Crowne, 500 Marquette, Ste. 1200, Albuq. NM 87102

CITY of ALBUQUERQUE
FIFTEENTH COUNCIL

COUNCIL BILL NO. O-02-16 ENACTMENT NO. 13-2002

SPONSORED BY: Michael Cadigan, by request

ORDINANCE

AMENDING THE ZONE MAP TO ESTABLISH: M-1; C-2; RA-1; SU-1 FOR C-2 USES; SU-1 FOR C-1 USES AND RESTAURANT WITH LIQUOR FOR ON-PREMISE CONSUMPTION; SU-1 FOR C-1 USES; SU-1 FOR CHURCH AND RELATED USES; SU-1 FOR RA-1 AND WIRELESS COMMUNICATIONS FACILITY; SU-1 FOR RA-1 AND PROCESSING, MANUFACTURING, TREATMENT AND SALE OF HERB PRODUCTS; SU-1 FOR CHILDREN'S HOME AND WIRELESS TELECOMMUNICATIONS FACILITY; AND SU-1 FOR PRD MAXIMUM 8.5 DU/AC ZONING FOR APPROXIMATELY 135 ACRES MORE OR LESS, LOCATED WEST OF THE RIO GRANDE, SOUTH OF NM 528 AND NORTH OF WESTERN TRAIL AND NAMASTE ROAD NW AND ALONG INTERSTATE 25 BETWEEN MONTAÑO ROAD NE AND SAN ANTONIO DRIVE NE, ANNEXED BY THE STATE OF NEW MEXICO MUNICIPAL BOUNDARY COMMISSION ON AUGUST 16, 2001.

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

Section 1. **ZONE MAP AMENDED.** The annexation creates a changed community condition that justifies the zoning.

A. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing SU-1 for C-2 Uses zoning for the following areas: Lots M1A1, M1A2, M1A3 AND M1B, Seven Bar Ranch; Lots A, B1 and B2, Paradise Hills IPTRN & Eagle Ranch TR2; and Lot 3E1, Black Ranch.

B. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing M-1 zoning for the following areas: Lot

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C, Paradise Hills IPTRN & Eagle Ranch TR2; Unplatted/Sun Country Industries; Lots A, B and C, North Switching Station Addition; North Switching Station, North Switching Station; and Lardner Tract, Lardner Tract.

C. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing SU-1 for C-1 Uses and Restaurant with Liquor for On-Premise Consumption zoning for the following areas: Lot 13, Black Ranch, Partition of.

D. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing C-2 zoning for the following areas: Lots 1 and 2, Sawaya Addition.

E. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing SU-1 for C-1 Uses zoning for the following areas: Lot 1A, Riverwalk Marketplace; Lot 3A1, Black Ranch; Lots 4 and 5, Black Ranch, Partition of; Lot 3D, Black Ranch; and Lot B, Sandia Upholstering Company.

F. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing SU-1 for Church and Related Uses zoning for the following areas: Lutheran Church Site, Paradise Hills; and Unplatted, All Saints Lutheran Church; and Lot A1B, Taylor-Joel P.

G. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing SU-1 for RA-1 and Wireless Telecommunications Facility zoning for the following areas: Lot A1, Taylor-Joel P.; and Private Road Easement, Taylor-Joel P.

H. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing SU-1 for RA-1 & Processing, Manufacturing, Treatment and Sale of Herb Products zoning for the following areas: Lot A2, Taylor-Joel P.

I. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing SU-1 for Children's Home and Wireless Telecommunications Facility zoning for the following areas: ABQ Christian Home, ABQ Christian Children's Home.

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J. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing SU-1 for PRD zoning for the following areas: Unplatted, Presley Co. of New Mexico.

K. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing RA-1 zoning for the following areas: Lots 1, 2, 3 and 4, West Bank Estates; and Lots A and C, Poole-Suzanne H.

Section 2. FINDINGS AND CONDITIONS ACCEPTED. The Council adopts the following zone map amendment findings and conditions recommended by the Environmental Planning Commission:

A. This is a request to establish zoning for approximately 134 acres of property annexed into the City by the State Municipal Boundary Commission located in the northwest area of the City, west of the Rio Grande and in the North I-25 area of the City.

B. The recommended zoning, which mirrors the previous County zoning, existing uses and approved or planned uses is:

SU-1 for C-2 Uses for Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch, Lots A, B1, and B2, Paradise Hills IPTRN & Eagle Ranch TR2 and Lot 3E1, Black Ranch;

M-1 for Lot C, Paradise Hills IPTRN & Eagle Ranch TR2, Unplatted/Sun Country Industries, Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station, and Lardner Tract, Lardner Tract;

SU-1 for C-1 Uses and Restaurant with Liquor for On-premise Consumption for Lot 13, Black Ranch, Partition of;

C-2 for Lots 1 and 2, Sawaya Addition;

SU-1 for C-1 Uses for Lot 1A, Riverwalk Marketplace, Lot 3A1, Black Ranch, and Lots 4 and 5, Black Ranch, Partition of, Lot 3D, Black Ranch, and Lot B, Sandia Upholstering Company;

SU-1 for Church and Related Uses for Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church and Lot A1B, Taylor-Joel P;

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SU-1 for RA-1 and Wireless Telecommunications Facility for Lot A1, Taylor-Joel P, and Private Road Easement;

SU-1 for RA-1 & Processing, Manufacturing, Treatment and Sale of Herb Products for Lot A2, Taylor-Joel P;

SU-1 for Children's Home and Wireless Telecommunications Facility for ABQ Christian Home, ABQ Christian Children's Home;

SU-1 for PRD maximum 8.5 du/ac for Unplatted, Presley Co. of New Mexico; and

RA-1 for Lots 1, 2, 3 and 4, West Bank Estates and Lots A and C, Poole-Suzanne H.

C. The requested zoning furthers the applicable goal and policies of the *Comprehensive Plan* by creating the potential for 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 requested zoning, because it reflects the previous County zoning and/or any existing uses on the properties, does not conflict with any applicable Rank II or III plans, including the *West Side Strategic Plan*, the *Seven Bar Ranch Sector Development Plan* and the *Coors Corridor Plan*.

E. The requested zoning furthers the policies and requirements of *Resolution 270-1980*, specifically: the proposed change is not in significant conflict with adopted elements of the *Comprehensive Plan* or other City master plans (Section 1.C); the existing zoning is inappropriate because changed neighborhood or community conditions justify the change, namely the annexation of the properties by the State Municipal Boundary Commission (Section 1.D); and the permissive uses of the proposed zoning categories will not be harmful to adjacent property, the neighborhood or the community because they reflect the previous County zoning and/or any existing uses on the properties (Section 1.E).

F. The submitted "Exhibit A" contains all of the information required for and is acceptable as a site development plan for subdivision for Lot

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A2, Taylor – Joel P and corresponds to the recommended *SU-1 for RA-1 uses and the Processing, Manufacturing, Treatment and Sale of Herbal Products* zoning.

G. The submitted site plan for Lot 13, Black Ranch, Partition of contains all of the information required for and is acceptable as a site development plan for subdivision and corresponds to the recommended *SU-1 for C-1 Uses and Restaurant with Liquor for On-premise Consumption* zoning. It includes the specific conditions relating to building location, noise, lighting, etc. that were required by the County to mitigate the concerns of the adjoining neighbors. The submittal modifies the County conditions to comply with current City of Albuquerque policies. Additionally, the Calabacillas Pueblo archaeological site, located on the site and the adjoining site to the east, is adequately identified for preservation, additional archeological testing, and dedication to an appropriate agency.

H. The submitted "Exhibit A" contains all of the information required for and is accepted as the site development plan for subdivision for Lot A2, Taylor – Joel P. Final sign-off the Development Review Board is required.

I. The submitted site plan for Lot 13, Black Ranch, Partition of contains all of the information required for and is accepted as the site development plan for subdivision. Final sign-off the Development Review Board is required.

Section 3. 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 4. EFFECTIVE DATE AND PUBLICATION. This ordinance shall take effect five days after publication in full.

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PASSED AND ADOPTED THIS 18th DAY OF MARCH, 2002
BY A VOTE OF: 9 FOR 0 AGAINST.

Brad Winter

Brad Winter, President
City Council

APPROVED THIS 26 DAY OF March, 2002

Bill No. O-02-16

Martin Chávez, Mayor
City of Albuquerque

ATTEST:

City Clerk

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City of Albuquerque
P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

January 24, 2003

To whom it may concern:

REF: 01110-01244/ Project # 1001445
(Council Bill No. O-02-16, Enactment No. 13-2002)

Enclosed is a copy of a new annexation that was approved by the State Municipal Boundary Commission on the above referenced case. **The subject properties are now eligible for City services**. The annexation and establishment of zoning is effective five (5) days after publication by title and general summary. The existing addresses within the annexed area are:

Addresses and corresponding UPC's:

Note: the letter preceding the addresses and UPC numbers correspond to the locations on the attached map.

A 10242 COORS BLVD BYPASS NW A 10248 COORS BLVD BYPASS NW A 10254 COORS BLVD BYPASS NW A 10260 COORS BLVD BYPASS NW A 10200 COORS BLVD BYPASS NW A 10224 COORS BLVD BYPASS NW A 10236 COORS BLVD BYPASS NW	A 101306550548110901 A 101306551542610902 A 101306648603940402 A 101306653000740401
B 10141 COORS BLVD NW	B 101406613006930105
No address yet assigned	C 101406522938020302
D 9395 COORS BLVD NW D 9401 COORS BLVD NW D 9411 COORS BLVD NW D 9421 COORS BLVD NW D 4349 IRVING BLVD NW	D 101306433548710315 D 101306435444710303 D 101306435745410314 D 101306436750310313CA D 101306437147410305 D 101306540600840306

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

E 9370 COORS BLVD NW E 9380 COORS BLVD NW E 9386 COORS BLVD NW E 9390 COORS BLVD NW E 9400 COORS BLVD NW E 9368 VALLEY VIEW DR NW E 9374 VALLEY VIEW DR NW E 9378 VALLEY VIEW DR NW E 9384 VALLEY VIEW DR NW E 9388 VALLEY VIEW DR NW	E 101306427426710401 E 101306431231110404 E 101306432535310415 E 101306433832710407 E 101306434036610414 E 101306434738510413 E 101306435133810408 E 101306436235410409 E 101306436440410412 E 101306437237110410 E 101306437838910411 E 101306438443110202 E 101306440043310203 E 101306441447110204
F 4554 ALL SAINTS RD NW F 4800 ALL SAINTS RD NW	F 101306409119930411CA F 101306410519830417 F 101306412920530416 F 101306413623630410
G 3100 LA ORILLA NW	G 101206248050510222
H 5700 WINTER HAVEN RD NW H 6250 WINTER HAVEN RD NW	H 101206234525210225 H 101206236527510219 H 101206237629910221
No address yet assigned	I 101106121920120337
J 4820 LA BIENVENIDA PL NW J 5001 NAMASTE RD NW	J 101106142516140201 J 101106148219040203 J 101106148715940132 J 101206106815830110
K 6800 HUERTO AV NW K 6804 HUERTO AV NW K 6808 HUERTO AV NW K 6812 HUERTO AV NW K 2300 POMELO PL NW K 2301 POMELO PL NW K 2304 POMELO PL NW K 2305 POMELO PL NW K 2308 POMELO PL NW K 2309 POMELO PL NW	K 101005938134310201

K 2312 POMELO PL NW K 2315 POMELO PL NW K 2316 POMELO PL NW K 2319 POMELO PL NW K 2320 POMELO PL NW K 2400 POMELO PL NW K 2401 POMELO PL NW K 2404 POMELO PL NW K 2405 POMELO PL NW K 2408 POMELO PL NW K 2409 POMELO PL NW K 2412 POMELO PL NW K 2415 POMELO PL NW K 2416 POMELO PL NW K 2419 POMELO PL NW K 2420 POMELO PL NW K 2423 POMELO PL NW K 2424 POMELO PL NW K 2427 POMELO PL NW K 2428 POMELO PL NW K 2431 POMELO PL NW K 2432 POMELO PL NW K 2435 POMELO PL NW K 2436 POMELO PL NW K 2439 POMELO PL NW K 2440 POMELO PL NW K 2443 POMELO PL NW K 2444 POMELO PL NW K 2447 POMELO PL NW	
L 4451 OSUNA RD NE L 4453 OSUNA RD NE L 4459 OSUNA RD NE L 6921 PAN AMERICAN FRWY NE	L 101706242035010224 L 101706243034510201 L 101706243846110202
M 4741 PAN AMERICAN FRWY NE M 4821 PAN AMERICAN FRWY NE M 4849 PAN AMERICAN FRWY NE	M 101606151724710304 M 101706102030020104CA M 101706102626120107 M 101706104727220106

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

Sincerely,

Crystal Ortega

Crystal Ortega
Administrative Assistant
City Planning Department

Enclosures (4)

2 maps – labeled Exhibit A and B
The State Municipal Boundary Commission's Order of Annexation
The City Council ordinance establishing zoning for the annexed properties

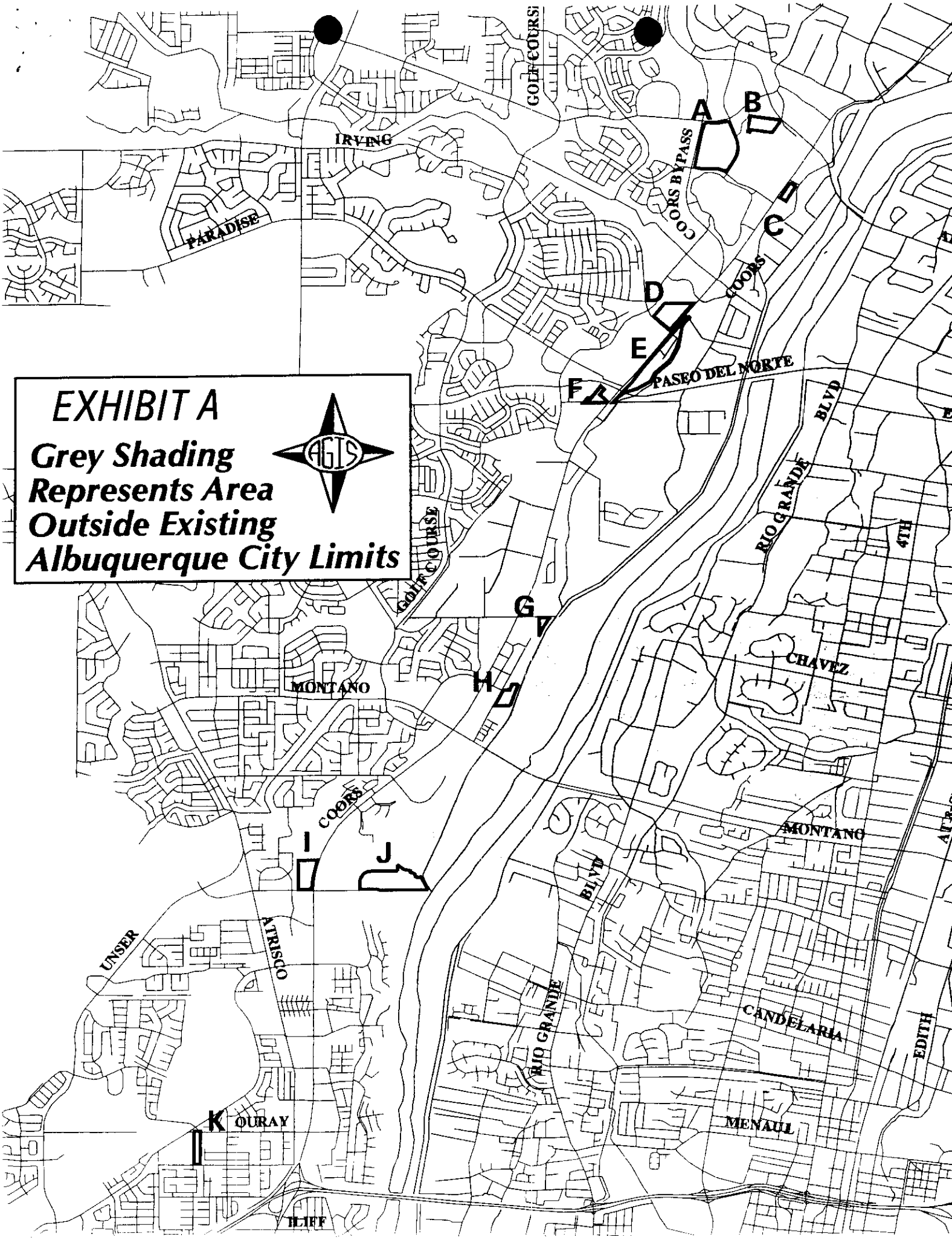
EXHIBIT A
Grey Shading Represents Area Outside Existing Albuquerque City Limits
AGIS
A
B
C
D
E
F
G
H
I
J
K
IRVING
PARADISE
COORS BYPASS
COORS
PASEO DEL NORTE
BLVD
RIO GRANDE
4TH
GOLF COURSE
MONTANO
CHAVEZ
UNSER
ATRISCO
CANDELARIA
EDITH
MENAUL
QURAY
ILIFF

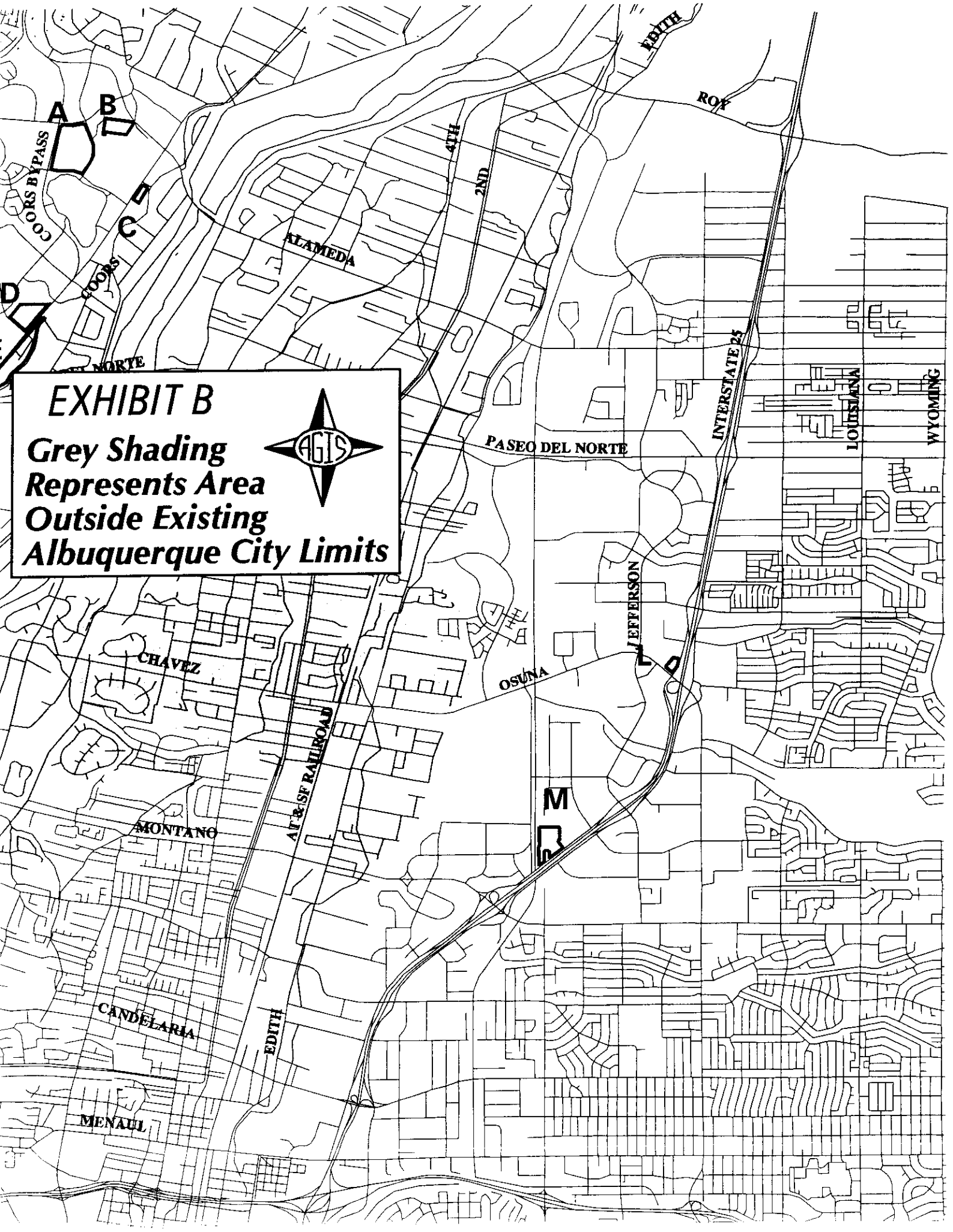
EXHIBIT B
Grey Shading Represents Area Outside Existing Albuquerque City Limits
AGIS
A
B
C
D
M
COORS BYPASS
COORS
ALAMEDA
4TH
2ND
EDITH
ROY
PASEO DEL NORTE
INTERSTATE 25
LOUISIANA
WYOMING
JEFFERSON
OSUNA
CHAVEZ
MONTANO
CANDELARIA
MENAUL
AT&SF RAILROAD

STATE OF NEW MEXICO
MUNICIPAL BOUNDARY COMMISSION

In re the Petition by City of Albuquerque
to annex approximately 165 acres of property.

No. 01-01

ORDER OF ANNEXATION

This matter came to hearing before the Municipal Boundary Commission ("MBC") on August 7, 2001 at the Mesilla Room of the Albuquerque Convention Center in Albuquerque NM. After considering all the evidence, the Commission FINDS:

1. On June 7, 2001 the City of Albuquerque, by and through its mayor the Honorable Jim Baca, filed a Petition, (See Exhibit 1, attached hereto for reference) with the New Mexico Department of Finance and Administration, to Annex approximately 165 acres of land, more or less, located in the unincorporated area of Bernalillo county west of the Rio Grande, South of NM 528 and north of Interstate 40, and along Interstate 25 between Montano Road and San Antonio Drive. The properties consist of the several properties described in the attached petition for annexation. Id.
2. At the hearing concerning the petition for annexation held on August 7, 2001, the City of Albuquerque requested that certain properties listed in the petition for annexation be withdrawn from consideration by the MBC. The properties which were withdrawn from consideration by the City are described as follows:

   A. Lots 2, 3B, 3C, 3F1, 3G1, 3H, 3I, and 3 J of Black Ranch, containing 20 acres more or less.
   B. Lot 348, Town of Atrisco Grant, Unit 8, containing 5.5 acres more or less.

2. The Petition for annexation filed with the Department of Finance and Administration by the City of Albuquerque contains all necessary documents, signatures, surveys, and maps required by NMSA 1978 § 3-7-13.

3. The New Mexico Department of Finance and Administration Local Government Division published notice of the hearing in the Albuquerque Journal, a local newspaper of general circulation, once each week for four consecutive weeks, beginning June 28, 2001 and subsequently on July 3, July 10 and July 17, 2001.

4. Petitioner caused to be posted the same notice in six conspicuous places with public access within the City of Albuquerque.

5. The property Petitioner seeks to annex abuts and is contiguous to the current City limits of the City of Albuquerque.

6. Petitioner provided satisfactory evidence that it will be able to provide utility and public safety services to the property Petitioner seeks to annex.

Further, the Commission **CONCLUDES**:

9. Pursuant to NMSA 1978, Section 3-7-1 and 3-7-14(B), the Municipal Boundary Commission has jurisdiction to consider this matter.

10. Pursuant to Section 3-7-14(C), venue of the hearing was properly in the City of Albuquerque, New Mexico.

11. The notice of the annexation hearing complied fully with Section 3-7-14(B) and substantially with NMSA 1978, Section 3-1-2(J) (Repl. Pamp. 1995), though the latter statute does not apply to this annexation.

12. There is a preponderance of evidence demonstrating that Petitioner has the capacity to provide municipal services to the area Petitioner seeks to annex.

Accordingly, this Commission **ORDERS** that the properties described in the Petition for Annexation by the City of Albuquerque, as amended at the annexation hearing, hereby is, granted by vote of a quorum of the Commission.

DATED August 16, 2001.

By: _____
Gerald Maestas, Chairman of the
New Mexico Municipal
Boundary Commission.

CITY of ALBUQUERQUE
FIFTEENTH COUNCIL

COUNCIL BILL NO. O-02-16 ENACTMENT NO. 13-2002

SPONSORED BY: Michael Cadigan, by request

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G. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing SU-1 for RA-1 and Wireless Telecommunications Facility zoning for the following areas: Lot A1, Taylor-Joel P.; and Private Road Easement, Taylor-Joel P.

H. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing SU-1 for RA-1 & Processing, Manufacturing, Treatment and Sale of Herb Products zoning for the following areas: Lot A2, Taylor-Joel P.

I. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing SU-1 for Children's Home and Wireless Telecommunications Facility zoning for the following areas: ABQ Christian Home, ABQ Christian Children's Home.

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J. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing SU-1 for PRD zoning for the following areas: Unplatted, Presley Co. of New Mexico.

K. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing RA-1 zoning for the following areas: Lots 1, 2, 3 and 4, West Bank Estates; and Lots A and C, Poole-Suzanne H.

Section 2. FINDINGS AND CONDITIONS ACCEPTED. The Council adopts the following zone map amendment findings and conditions recommended by the Environmental Planning Commission:

A. This is a request to establish zoning for approximately 134 acres of property annexed into the City by the State Municipal Boundary Commission located in the northwest area of the City, west of the Rio Grande and in the North I-25 area of the City.

B. The recommended zoning, which mirrors the previous County zoning, existing uses and approved or planned uses is:

SU-1 for C-2 Uses for Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch, Lots A, B1, and B2, Paradise Hills IPTRN & Eagle Ranch TR2 and Lot 3E1, Black Ranch;

M-1 for Lot C, Paradise Hills IPTRN & Eagle Ranch TR2, Unplatted/Sun Country Industries, Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station, and Lardner Tract, Lardner Tract;

SU-1 for C-1 Uses and Restaurant with Liquor for On-premise Consumption for Lot 13, Black Ranch, Partition of;

C-2 for Lots 1 and 2, Sawaya Addition;

SU-1 for C-1 Uses for Lot 1A, Riverwalk Marketplace, Lot 3A1, Black Ranch, and Lots 4 and 5, Black Ranch, Partition of, Lot 3D, Black Ranch, and Lot B, Sandia Upholstering Company;

SU-1 for Church and Related Uses for Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church and Lot A1B, Taylor-Joel P;

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SU-1 for RA-1 and Wireless Telecommunications Facility for Lot A1, Taylor-Joel P, and Private Road Easement;

SU-1 for RA-1 & Processing, Manufacturing, Treatment and Sale of Herb Products for Lot A2, Taylor-Joel P;

SU-1 for Children's Home and Wireless Telecommunications Facility for ABQ Christian Home, ABQ Christian Children's Home;

SU-1 for PRD maximum 8.5 du/ac for Unplatted, Presley Co. of New Mexico; and

RA-1 for Lots 1, 2, 3 and 4, West Bank Estates and Lots A and C, Poole-Suzanne H.

C. The requested zoning furthers the applicable goal and policies of the *Comprehensive Plan* by creating the potential for 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 requested zoning, because it reflects the previous County zoning and/or any existing uses on the properties, does not conflict with any applicable Rank II or III plans, including the *West Side Strategic Plan*, the *Seven Bar Ranch Sector Development Plan* and the *Coors Corridor Plan*.

E. The requested zoning furthers the policies and requirements of *Resolution 270-1980*, specifically: the proposed change is not in significant conflict with adopted elements of the *Comprehensive Plan* or other City master plans (Section 1.C); the existing zoning is inappropriate because changed neighborhood or community conditions justify the change, namely the annexation of the properties by the State Municipal Boundary Commission (Section 1.D); and the permissive uses of the proposed zoning categories will not be harmful to adjacent property, the neighborhood or the community because they reflect the previous County zoning and/or any existing uses on the properties (Section 1.E).

F. The submitted "Exhibit A" contains all of the information required for and is acceptable as a site development plan for subdivision for Lot

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A2, Taylor – Joel P and corresponds to the recommended *SU-1 for RA-1 uses and the Processing, Manufacturing, Treatment and Sale of Herbal Products* zoning.

G. The submitted site plan for Lot 13, Black Ranch, Partition of contains all of the information required for and is acceptable as a site development plan for subdivision and corresponds to the recommended *SU-1 for C-1 Uses and Restaurant with Liquor for On-premise Consumption* zoning. It includes the specific conditions relating to building location, noise, lighting, etc. that were required by the County to mitigate the concerns of the adjoining neighbors. The submittal modifies the County conditions to comply with current City of Albuquerque policies. Additionally, the Calabacillas Pueblo archaeological site, located on the site and the adjoining site to the east, is adequately identified for preservation, additional archeological testing, and dedication to an appropriate agency.

H. The submitted "Exhibit A" contains all of the information required for and is accepted as the site development plan for subdivision for Lot A2, Taylor – Joel P. Final sign-off the Development Review Board is required.

I. The submitted site plan for Lot 13, Black Ranch, Partition of contains all of the information required for and is accepted as the site development plan for subdivision. Final sign-off the Development Review Board is required.

Section 3. 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 4. EFFECTIVE DATE AND PUBLICATION. This ordinance shall take effect five days after publication in full.

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PASSED AND ADOPTED THIS 18th DAY OF MARCH, 2002

BY A VOTE OF: 9 FOR 0 AGAINST.

Brad Winter

Brad Winter, President

City Council

APPROVED THIS 26 DAY OF March, 2002

Bill No. O-02-16

Martin Chávez, Mayor

City of Albuquerque

ATTEST:

City Clerk

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City of Albuquerque
P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

NOTICE OF HEARING

February 13, 2002

City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

Council Bill O-02-16 (01110 01244/Project #1001445) The City of Albuquerque requests and the Environmental Planning Commission recommends a zone map amendment to establish zoning for lands annexed into the City by the State Municipal Boundary Commission: SU-1 for C-2 Uses for Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch, Lots A, B1, and B2, Paradise Hills IPTRN & Eagle Ranch TR2 and Lot 3E1, Black Ranch; M-1 for Lot C, Paradise Hills IPTRN & Eagle Ranch TR2, Unplatted/Sun Country Industries, Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station, and Lardner Tract, Lardner Tract; SU-1 for C-1 Uses and Restaurant with Liquor for On-premise Consumption for Lot 13, Black Ranch, Partition of; C-2 for Lots 1 and 2, Sawaya Addition; SU-1 for C-1 Uses for Lot 1A, Riverwalk Marketplace, Lot 3A1, Black Ranch, and Lots 4 and 5, Black Ranch, Partition of, Lot 3D, Black Ranch, and Lot B, Sandia Upholstering Company; SU-1 for Church and Related Uses for Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church and Lot A1B, Taylor-Joel P; SU-1 for RA-1 and Wireless Telecommunications Facility for Lot A1, Taylor-Joel P, and Private Road Easement; SU-1 for RA-1 & Processing, Manufacturing, Treatment and Sale of Herb Products for Lot A2, Taylor-Joel P; SU-1 for Children's Home and Wireless Telecommunications Facility for ABQ Christian Home, ABQ Christian Children's Home; SU-1 for PRD for Unplatted, Presley Co. of New Mexico; and RA-1 for Lots 1, 2, 3 and 4, West Bank Estates and Lots A and C, Poole-Suzanne H., located west of the Rio Grande, south of NM 528 and north of Western Trail and Namaste Road NW, and along Interstate 25 between Montaño Road NE and San Antonio Drive NE, containing approximately 140 acres. (A-13-14, B-13-14, C-13, E-12, E-17, F-11-12, F-16-17) Russell Brito, Staff Planner

The above case will be heard by the Land Use, Planning and Zoning Committee (LUPZ) of the City Council on **Wednesday, February 27, 2002.** 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

Crystal Ortega
Administrative Assistant

cc: Garcia/Kraemer & Associates, 200 Lomas NW, Suite 1111, Albuq. NM 87102
John Meyers, 1401 Central Avenue NW, Albuq. NM 87104
James Strozier, 924 Park Avenue SW, Albuq. NM 87102
Jeanne Christensen, 6337 Avenida la Costa NE, Albuq. NM 87109
Scott Lardner, 4741 Pan American Frwy NE, Albuq. NM 87109
Richard Dobbs, 9421 Coors NW, Albuq. NM 87120
Michelle Henrie, Rodey Law Firm, 201 3rd Street NW, Albuq. NM 87102
Patrick Trujillo, 520 Lomas NW, Albuq., NM 87102
Kyle Harwood, Jontz, Dawe, Gulley, Crowne, 500 Marquette, Ste. 1200, Albuq. NM 87102

CITY of ALBUQUERQUE
FIFTEENTH COUNCIL

COUNCIL BILL NO. O-02-16 ENACTMENT NO. _____

SPONSORED BY: Michael Cadigan, by request

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ORDINANCE

AMENDING THE ZONE MAP TO ESTABLISH: M-1; C-2; RA-1; SU-1 FOR C-2 USES; SU-1 FOR C-1 USES AND RESTAURANT WITH LIQUOR FOR ON-PREMISE CONSUMPTION; SU-1 FOR C-1 USES; SU-1 FOR CHURCH AND RELATED USES; SU-1 FOR RA-1 AND WIRELESS COMMUNICATIONS FACILITY; SU-1 FOR RA-1 AND PROCESSING, MANUFACTURING, TREATMENT AND SALE OF HERB PRODUCTS; SU-1 FOR CHILDREN'S HOME AND WIRELESS TELECOMMUNICATIONS FACILITY; AND SU-1 FOR PRD ZONING FOR APPROXIMATELY 135 ACRES MORE OR LESS, LOCATED WEST OF THE RIO GRANDE, SOUTH OF NM 528 AND NORTH OF WESTERN TRAIL AND NAMASTE ROAD NW AND ALONG INTERSTATE 25 BETWEEN MONTAÑO ROAD NE AND SAN ANTONIO DRIVE NE, ANNEXED BY THE STATE OF NEW MEXICO MUNICIPAL BOUNDARY COMMISSION ON AUGUST 16, 2001.

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

Section 1. ZONE MAP AMENDED. The annexation creates a changed community condition that justifies the zoning.

A. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing SU-1 for C-2 Uses zoning for the following areas: Lots M1A1, M1A2, M1A3 AND M1B, Seven Bar Ranch; Lots A, B1 and B2, Paradise Hills IPTRN & Eagle Ranch TR2; and Lot 3E1, Black Ranch.

B. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing M-1 zoning for the following areas: Lot C, Paradise Hills IPTRN & Eagle Ranch TR2; Unplatted/Sun Country Industries;

Lots A, B and C, North Switching Station Addition; North Switching Station, North Switching Station; and Lardner Tract, Lardner Tract.

C. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing SU-1 for C-1 Uses and Restaurant with Liquor for On-Premise Consumption zoning for the following areas: Lot 13, Black Ranch, Partition of.

D. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing C-2 zoning for the following areas: Lots 1 and 2, Sawaya Addition.

E. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing SU-1 for C-1 Uses zoning for the following areas: Lot 1A, Riverwalk Marketplace; Lot 3A1, Black Ranch; Lots 4 and 5, Black Ranch, Partition of; Lot 3D, Black Ranch; and Lot B, Sandia Upholstering Company.

F. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing SU-1 for Church and Related Uses zoning for the following areas: Lutheran Church Site, Paradise Hills; and Unplatted, All Saints Lutheran Church; and Lot A1B, Taylor-Joel P.

G. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing SU-1 for RA-1 and Wireless Telecommunications Facility zoning for the following areas: Lot A1, Taylor-Joel P.; and Private Road Easement, Taylor-Joel P.

H. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing SU-1 for RA-1 & Processing, Manufacturing, Treatment and Sale of Herb Products zoning for the following areas: Lot A2, Taylor-Joel P.

I. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing SU-1 for Children's Home and Wireless Telecommunications Facility zoning for the following areas: ABQ Christian Home, ABQ Christian Children's Home.

J. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing SU-1 for PRD zoning for the following areas: Unplatted, Presley Co. of New Mexico.

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K. The zone map adopted by Section 14-16-1-1 et. seq. R.O.A. 1994 is hereby amended, establishing RA-1 zoning for the following areas: Lots 1, 2, 3 and 4, West Bank Estates; and Lots A and C, Poole-Suzanne H.

Section 2. FINDINGS AND CONDITIONS ACCEPTED. The Council adopts the following zone map amendment findings and conditions recommended by the Environmental Planning Commission:

A. This is a request to establish zoning for approximately 134 acres of property annexed into the City by the State Municipal Boundary Commission located in the northwest area of the City, west of the Rio Grande and in the North I-25 area of the City.

B. The recommended zoning, which mirrors the previous County zoning, existing uses and approved or planned uses is:

SU-1 for C-2 Uses for Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch, Lots A, B1, and B2, Paradise Hills IPTRN & Eagle Ranch TR2 and Lot 3E1, Black Ranch;

M-1 for Lot C, Paradise Hills IPTRN & Eagle Ranch TR2, Unplatted/Sun Country Industries, Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station, and Lardner Tract, Lardner Tract;

SU-1 for C-1 Uses and Restaurant with Liquor for On-premise Consumption for Lot 13, Black Ranch, Partition of;

C-2 for Lots 1 and 2, Sawaya Addition;

SU-1 for C-1 Uses for Lot 1A, Riverwalk Marketplace, Lot 3A1, Black Ranch, and Lots 4 and 5, Black Ranch, Partition of, Lot 3D, Black Ranch, and Lot B, Sandia Upholstering Company;

SU-1 for Church and Related Uses for Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church and Lot A1B, Taylor-Joel P;

SU-1 for RA-1 and Wireless Telecommunications Facility for Lot A1, Taylor-Joel P, and Private Road Easement;

SU-1 for RA-1 & Processing, Manufacturing, Treatment and Sale of Herb Products for Lot A2, Taylor-Joel P;

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SU-1 for Children's Home and Wireless Telecommunications Facility for ABQ Christian Home, ABQ Christian Children's Home;

SU-1 for PRD for Unplatted, Presley Co. of New Mexico; and

RA-1 for Lots 1, 2, 3 and 4, West Bank Estates and Lots A an· C, Poole-Suzanne H.

C. The requested zoning furthers the applicable goal and policies of the *Comprehensive Plan* by creating the potential for 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 requested zoning, because it reflects the previous County zoning and/or any existing uses on the properties, does not conflict with any applicable Rank II or III plans, including the *West Side Strategic Plan*, the *Seven Bar Ranch Sector Development Plan* and the *Coors Corridor Plan.*

E. The requested zoning furthers the policies and requirements of *Resolution 270-1980*, specifically: the proposed change is not in significan. conflict with adopted elements of the *Comprehensive Plan* or other City master plans (Section 1.C); the existing zoning is inappropriate because changed neighborhood or community conditions justify the change, namely the annexation of the properties by the State Municipal Boundary Commission (Section 1.D); and the permissive uses of the proposed zoning categories will not be harmful to adjacent property, the neighborhood or the community because they reflect the previous County zoning and/or any existing uses on the properties (Section 1.E).

F. The submitted "Exhibit A" contains all of the information required for and is acceptable as a site development plan for subdivision for Lot A2, Taylor – Joel P and corresponds to the recommended *SU-1 for RA-1 uses and the Processing, Manufacturing, Treatment and Sale of Herbal Products* zoning.

G. The submitted site plan for Lot 13, Black Ranch, Partition of contains all of the information required for and is acceptable as a site development plan for subdivision and corresponds to the recommended *SU-1*

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for C-1 Uses and Restaurant with Liquor for On-premise Consumption zoning. It includes the specific conditions relating to building location, noise, lighting, etc. that were required by the County to mitigate the concerns of the adjoining neighbors. The submittal modifies the County conditions to comply with current City of Albuquerque policies. Additionally, the Calabacillas Pueblo archaeological site, located on the site and the adjoining site to the east, is adequately identified for preservation, additional archeological testing, and dedication to an appropriate agency.

H. The submitted "Exhibit A" contains all of the information required for and is accepted as the site development plan for subdivision for Lot A2, Taylor – Joel P. Final sign-off the Development Review Board is required.

I. The submitted site plan for Lot 13, Black Ranch, Partition of contains all of the information required for and is accepted as the site development plan for subdivision. Final sign-off the Development Review Board is required.

Section 3. 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 4. EFFECTIVE DATE AND PUBLICATION. This ordinance shall take effect five days after publication in full.

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CITY OF ALBUQUERQUE

Albuquerque, New Mexico

Office of the Mayor

Department

INTER-OFFICE MEMORANDUM January 3, 2002

TO: Brad Winter, President, City Council

FROM: Martin J. Chavez, Mayor

SUBJECT: **01110-01244/Project #1001445** The City of Albuquerque requests a zone map amendment to establish zoning for lands annexed into the City by the State Municipal Boundary Commission: SU-1 for C-2 Uses for Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch, Lot 1A, Riverwalk Marketplace, Lots A, B1, B2 and C, Paradise Hills IPTRN & Eagle Ranch TR2, and Unplatted/Sun Country Industries, Lot 3E1, Black Ranch and Lardner Tract, Lardner Tract; SU-1 for C-1 Uses and restaurant with liquor for on-premise consumption for Lot 13, Black Ranch, Partition of and Lots 1 and 2, Sawaya Addition; SU-1 for C-1 Uses for Lot 3A1, Black Ranch, and Lots 4 and 5, Black Ranch, Partition of, Lot 3D, Black Ranch, and Lot B, Sandia Upholstering Company; SU-1 for Church and Related Uses for Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church and Lot A1B, Taylor-Joel P; SU-1 for RA-1 and Wireless Telecommunications Facility for Lot A1, Taylor-Joel P, and Private Road Easement; SU-1 for RA-1 & processing, manufacturing, treatment and sale of herb products for Lot A2, Taylor-Joel P; SU-1 for Children's Home for ABQ Christian Home, ABQ Christian Children's Home; R-1 for Unplatted, Presley Co. of New Mexico; RA-1 for Lots 1, 2, 3 and 4, West Bank Estates and Lots A, B, C, Poole-Suzanne H; and SU-1 for Electric Utility Facility for Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station, located west of the Rio Grande, south of NM 528 and north of Western Trail and Namaste Road NW, and along Interstate 25 between Montaño Road NE and San Antonio Drive NE, containing approximately 140 acres. (A-13-14, B-13-14, C-13, E-12, E-17, F-11-12, F-16-17) Russell Brito, Staff Planner

The Environmental Planning Commission (EPC) heard this request and recommended zoning for all of the subject parcels to the City Council at their October 2001 public hearing. The State Municipal Boundary Commission (the Commission) ordered annexation of all the subject parcels to the City of Albuquerque on 7 August 2001. The City of Albuquerque petitioned the Commission for annexation of property pursuant to the State Statutes regarding annexation by municipalities via the Commission (NMSA 1978, § 3-7-11 to § 3-7-16).

The Commission's annexation order does not establish zoning for the sites. The City Council has the authority to establish zoning. The EPC recommended zoning mirrors the previous County zoning, existing uses and approved or planned uses. The EPC found that the requested zoning furthers the applicable goal and policies of the *Comprehensive Plan* and does not conflict with any Area or Sector Development Plans. The policies and requirements of *R-270-1980* are met, specifically that the annexation of the properties is a changed neighborhood and community condition that justifies the proposed zoning categories.

The Planning Department supports the EPC recommended zoning for the subject parcels.

RECOMMENDED BY: date: 1/7/02
Victor J. Chavez
Planning Director

REVIEWED AS TO LEGAL FORM: date: 1-29-02
Robert M. White
City Attorney

RECOMMENDED BY: date: 1/31/02
Jay J. Czar
Chief Administrative Officer

Cover Analysis
01110-01244/Project #1001445

1. **What is it?**

   Establishment of zoning for approximately 135 acres of property annexed to the City of Albuquerque by the State Municipal Boundary Commission.

2. **What will this piece of legislation do?**

   Establish zoning for the subject parcels that mirrors the previous County zoning, existing uses and approved or planned uses.

3. **Why is the project needed?**

   This legislation will establish zoning that will determine allowed uses for each of the subject parcels.

4. **How much will it cost and what is the funding source**

   City public safety services, City streets and City utilities currently serve the properties. Specific costs and benefits are outlined in the accompanying Fiscal Impact Analysis.

5. **What will happen if the project is not approved?**

   The subject parcels cannot remain "unzoned" and will revert to the City's default zoning category, R-1, which will severely restrict development potential and in turn, revenue generation for the City.

FISCAL IMPACT ANALYSIS

TITLE: 01110 01244 / Proj. 1001445 R- _____ O- _____

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:

	CURRENT YEAR*	NEXT YEAR*
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 quantifible.

Number of Positions _____ _____

COMMENTS:

See attached

COMMENTS ON NON-MONETARY IMPACTS TO COMMUNITY/CITY GOVERNMENT:

PREPARED BY: FISCAL ANALYST

APPROVED: DIRECTOR 1-29-02 (date)

REVIEWED BY: EXECUTIVE BUDGET ANALYST

REVIEWED BY: BUDGET OFFICER 1-29-02 (date)

REVIEWED BY: CITY ECONOMIST

MEMORANDUM

DATE: 1/25/2002

TO: RUSSELL BRITO, SENIOR PLANNER, DEVELOPMENT SERVICES

FROM: CHRISTOPHER HYER, ECONOMIST, ADVANCE PLANNING

RE: FISCAL ANALYSIS, CASE # 01110 00000 01244/ PROJECT # 1001445

This is a request for zoning of the parcels that were annexed to the City by the New Mexico Municipal Boundary Commission (NMMBC) on August 7, 2001. These are properties that were "islands" of County land within the City's limits and the property owners had not shown interest in applying for annexation into the City.

Several of the parcels are developed and have been operating under the County's zoning. Most of the recommended zoning is equivalent to the zoning from the previous county jurisdiction, but within the City's *Comprehensive Zoning Code.* The City has already been providing many of the necessary municipal services to these sites with the possible exception of public safety – County and City public safety units may both respond to a call as per the Joint Powers Agreement.

This request is more or less the final portion of bringing these properties into City jurisdiction – establishing the zoning. The NMMBC has already performed the annexation, but has left the zoning of these properties for the City. Fortunately, several of the properties are existing commercial operations which will add to the current annual Gross Receipts Tax (GRT) revenue stream. In addition, the property tax revenue stream will also benefit positively, but will be a smaller amount of revenue. The City will receive the additional revenues generated from these properties beginning on July 1, 2002.

From the analysis below, **approximately $1,872,064 is gained in GRT collection annually from currently operating businesses**. There would be an *estimated $190,057 of* ***potential*** *GRT* from the currently undeveloped properties, that is, once commercial establishments are built on these sites and start operating. Since all of these properties are considered "infill" sites, City infrastructure and services are established; large improvement expenditures have already been paid. The undeveloped properties also add a revenue benefit in that UEC's and hook-up fees will be collected when they are built out.

In addition to the annual GRT collected (and the UEC's and hook-up fees for the vacant properties), annual property tax revenue will be presented using values from the County Assessor for 2001. **Using the City's portion of the mil levy for non-residential property, the rate of 11.520, a total of $130,383 will be additional annual income from the annexation of these properties.** This is shown in Attachment B where the General Fund portion (2.544 of the 11.520) is estimated to be $28,792.85. The other portion of the 11.520 (8.976) goes to debt service and is estimated to be $101,589.87. **Adding this to the above GRT number brings the estimated total to $2,002,446.**

Since all the sites in this request are surrounded by City jurisdiction, City services have been provided each of the sites and are readily available. For undeveloped land, onsite costs are the developer's responsibility; the property owner would need to pay for hook-up to these services. The City will benefit from the collection of additional Gross Receipts Taxes (GRT) from commercial sites and from one-time GRT generation from the construction of undeveloped sites; any additional costs are negligible since they have already been incurred.

There are a total of 18 different "sites" or assemblages of property that are contained within this request. Of the 18, 14 sites are already built and utilized. Two of the developed sites have large

commercial operations on them and generate a substantial amount of GRT. The other developed sites have various land-uses including light commercial/office, a telecommunications facility, churches, residential areas and a non-profit children's home. The total acreage requested for similar land-uses are 77.4 acres for commercial activity, 41.7 acres for residential areas, 10 acres for utility and 10.4 for Church-related uses. The undeveloped sites have 41 acres of the requested residential zoning and approximately 27 acres of the requested commercial zoning.

The City has made an effort to request appropriate zoning for all these sites based on their current use or probable future use. As an example, the largest of these sites (41.6 acres) has a Wal-Mart Super Center, Home Depot, Walgreens, Petsmart and Staples on it with an estimated Annual gross income of $75,000,000 collectively. This contributes $1,516,406 of GRT revenue to the General Fund annually (using the effective rate of 2.021875%). As shown in the table below, County zoning was A-1 with SU-Permit for C-2 uses. The requested City zoning is SU-1 for C-2 uses. Attachment A (attached) lists out all sites included in this request, the County's zoning and the requested City zoning.

It would be appropriate to list out the current gain to the City from the inclusion of these properties to City jurisdiction. Properties that are undeveloped would be considered as "infill" properties and should have reduced City costs for providing services to them; not until the developer asks for site plan approval will a detailed analysis be appropriate. However, any development expenses would be on-site costs and the responsibility of the developer anyway.

1. **Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch – 41.6 acres.** As mentioned above, site is fully developed as Wal-Mart Super Center, Home Depot, Walgreens, Petsmart and Staples with an estimated annual gross income of $75,000,000. An estimated $1,516,406 of GRT revenue will go to the General Fund. Requested zoning is SU-1 for C-2.

2. **Lot 1A, River walk Marketplace – 9.4 acres.** Site is occupied by a 100,000 square foot vacant building for use as commercial site. At a conservative "sales per square foot" of $100, annual sales would be $10,000,000 with an estimated $202,186 of GRT revenue destined to the General Fund. Requested zoning is SU-1 for C-1.

3. **Lot 13, Black Ranch, Partition of – 3.0 acres.** Site is undeveloped with requested zoning of SU-1 for C-1. As a commercial site and using a .30 F.A.R., a 39,000 square foot building could be located here and using the conservative sales per square foot of $100, annual sales would be $3,900,000 with estimated GRT to the General Fund of $78,854 per year. Requested zoning is SU-1 for C-1 uses and restaurant with liquor for on-site consumption.

4. **Lots A, B1, B2 and C, Paradise Hills IPTRN & Eagle Ranch TR2, and Un-platted/Sun Country Industries – 10.3 acres.** This site is fully developed and is occupied by Kelly's Liquor's, Taco Bell and Our Place II (a bar/restaurant) with an estimated annual gross income of $2,000,000. An estimated $40,438 of GRT revenue will go to the General Fund. Requested zoning is SU-1 for C-2 for lots A, B1 and B2, Paradise Hills and Eagle Ranch TR2 and M-1 for lot C, Paradise Hills and the Un-platted/Sun Country Industries.

5. **Lot 3A1, Black Ranch, and Lots 4 and 5 Black Ranch, Partition of – 2.2 acres.** Site of a gas station with the rest of the site as undeveloped. The estimated gross income for the gas station is $1,890,500 per year which generates $38,224 of GRT revenue for the General Fund. Development of the vacant portion is unknown. Requested zoning is SU-1 for C-1.

6. **Lot 3D, Black Ranch – 0.86 acres.** Site is currently under construction for Burger King. Using an estimate for fast food establishments in Albuquerque, gross annual revenue is typically $2,000,000. This would generate $40,438 of GRT revenue for the General Fund per year. Requested zoning is SU-1 for C-1.

Created by Christopher Hyer

7. **Lot 3E1, Black Ranch – 1.37 acres.** The site is undeveloped, but using .30 F.A.R., an 18,000 square foot building may be located on it with a possible $1,800,000 gross annual revenue. This would generate $36,394 of GRT revenue per year for the General Fund. Requested zoning is SU-1 for C-2.

8. **Lutheran Church Site, Paradise Hills and Un-platted, All Saints Lutheran Church – 4.2 acres and**

9. **Lot A1B, Taylor-Joel P – 2.4 acres.** Both sites 8 and 9 have churches located on them and will not generate GRT revenue for the City and are not expected to cost the City for services. However, property tax and water, waste-water, solid waste, etc. fees will be collected for their respective enterprise funds. Requested zoning is SU-1 for church and related uses.

10. **Lot A1, Taylor – Joel P. and Private Road Easement – 2.65 acres.** There is currently a wireless telecommunications facility on this site and thus, will not generate GRT revenue for the City. Property tax and water, waste-water, solid waste, etc. fees will be collected for their respective enterprise funds. Requested zoning is SU-1 for RA-1 and wireless telecommunications facility.

11. **Lot A2, Taylor – Joel P. – 1.3 acres.** This site is a residence and an establishment for treatment and sale of herb products. Gross annual sales are not known but are probably quite small. If gross sales for products and services were $50,000 per year, GRT revenue generated would be $1,011 annually. Requested zoning is SU-1 for RA-1 and processing, manufacturing, treatment and sale of herbs.

12. **ABQ Christian Home, ABQ Christian Children's Home – 3.81 acres.** Site is the location of a non-profit children's home. Though no GRT revenue is collected, the City still benefits from collection of property tax and water, waste-water, solid waste, etc. fees for their respective enterprise funds. Requested zoning is SU-1 for children's home and wireless telecommunications facility.

13. **Un-platted, Presley Co. of New Mexico – 11.7 acres.** This site is undeveloped and requested zoning is SU-1 for PRD.

14. **Lots 1, 2, 3 and 4, West Bank Estates; and Lots A and C, Poole – Suzanne H. – 30.0 acres.** There are some homes (West Bank Estates) located on this site with a larger portion remaining undeveloped. Requested zoning is RA-1.

15. **Lots 1 and 2, Sawaya Addition – 2.9 acres.** The site is undeveloped, but using .30 F.A.R., 37,000 sq.ft. of commercial space may be located on it with a possible $3,700,000 gross annual revenue. This would generate $74,809 of GRT revenue per year for the General Fund. Requested zoning is C-2.

16. **Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station – 7.33 acres.** This is an electrical utility site for switching stations and therefore has no annual GRT revenue associated with it. Requested zoning is M-1.

17. **Lardner Tract, Lardner Tract – 3.25 acres.** Rocky Mountain Stone is located on this site. They sell both wholesale and retail stone pieces for homes improvement. Annual gross sales are proprietary and therefore any revenue figure will have to be guessed. If they were to sell $4 million annually, and $3 million was wholesale (no GRT generated), then $1 million would be used to determine the annual GRT revenue destined for the General Fund. This gross revenue amount would give the General Fund about $20,219 annually. Requested zoning is M-1.

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18. **Lot B, Sandia Upholstering Company – 1.22 acres.** This is a commercial retail site with The Big Eye adult amusement store located here. Current annual gross revenue is unknown, but $650,000 can be used for illustrative purposes; This would generate $13,142 annually of GRT revenue destined for the General Fund. Requested zoning is SU-1 for C-1.

Attachment A

Legal Description(s)	Acreage	Bernalillo County Zoning	Current Use(s)	EPC recommended City of Albuquerque Zoning
Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch	41.6 acres	A-1 w/ Special Use Permit for C-2 Uses	Commercial / Retail	SU-1 for C-2 Uses
Lot 1A, River walk Marketplace	9.4 acres	A-1 w/ Special Use Permit for C-1 Uses	Vacant Building	SU-1 for C-1 Uses
Lot 13, Black Ranch, Partition of	3.0 acres	A-1 w/Special Use Permit for PDA	Undeveloped	SU-1 for C-1 Uses and restaurant with liquor for on-premise consumption
Lots A, B1, B2 and C, Paradise Hills IPTRN & Eagle Ranch TR2, and Un-platted/Sun Country Industries	10.3 acres	M-1	Commercial / Retail	SU-1 for C-2 Uses for lots A, B1 and B2, Paradise Hills IPTRN & Eagle Ranch TR2, M-1 for lot C and Un-platted Sun Country Industries
Lot 3A1, Black Ranch, and Lots 4 and 5 Black Ranch, Partition of	2.2 acres	C-1, A-1	Gas Station and Undeveloped	SU-1 for C-1 Uses
Lot 3D, Black Ranch	0.86 acres	C-1 w/SU-Permit for Drive-in Restaurant	Developing Commercial	SU-1 for C-1 Uses
Lot 3E1, Black Ranch,	1.37 acres	C-2	Undeveloped	SU-1 for C-2 Uses
Lutheran Church Site, Paradise Hills and Un-platted, All Saints Lutheran Church	4.2 acres	C-1	Church	SU-1 for Church and Related Uses
Lot A1B, Taylor-Joel P	2.4 acres	A-1	Church	SU-1 for Church and Related Uses
Lot A1, Taylor – Joel P, and Private Road Easement	2.65 acres	A-1 w/SU-Permit for a Cellular Telephone Facility	Wireless Telecommunications Facility	SU-1 for RA-1 and Wireless Telecommunications Facility
Lot A2, Taylor – Joel P	1.3 acres	A-1	Residential & processing, manufacturing, treatment and sale of herb products	SU-1 for RA-1 & processing, manufacturing, treatment and sale of herb products

Created by Christopher Hyer

Legal Description(s)	Acreage	Bernalillo County Zoning	Current Use(s)	EPC recommended City of Albuquerque Zoning
ABQ Christian Home, ABQ Christian Children's Home	3.81 acres	A-1 w/SU-Permit for a Children's Home	Children's Home	SU-1 for Children's Home and wireless telecommunications facility
Un-platted, Presley Co. of New Mexico	11.7 acres	A-1	Undeveloped	SU-1 for PRD
Lots 1, 2, 3 and 4, West Bank Estates; and Lots A and C, Poole – Suzanne H	30.0 acres	A-1	Residential and Undeveloped	RA-1
Lots 1 and 2, Sawaya Addition	2.9 acres	C-1	Undeveloped	C-2
Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station	7.33 acres	A-1 and M-1	Electric Utility	M-1
Lardner Tract, Lardner Tract	3.25 acres	M-1	Manufacturing / Commercial / Retail	M-1
Lot B, Sandia Upholstering Company	1.22 acres	M-1	Commercial / Retail	SU-1 for C-1 Uses

Attachment B

Gain in Propterty Tax Portion to the City
Resulting from these properties being annexed

	UPC	ACRES	OWNER	TOTVALUE	TAXVALUE	General Fund Portion	Capital Fund Portion
1	101306653000740401	19.74	WAL-MART STORES EAST INC	$ 10,309,200	$ 3,436,056	$ 8,741.33	$ 30,842.04
1	101306648603940402	1.83	ANMW LLC	$ 1,911,000	$ 636,936	$ 1,620.37	$ 5,717.14
1	101306551542610902	8.79	PLAZA AT COTTONWOOD II LLC	$ 5,829,700	$ 1,943,039	$ 4,943.09	$ 17,440.72
1	101306550548110901	10.96	T G SUPER EXCHANGE CORP	$ 6,200,300	$ 2,066,560	$ 5,257.33	$ 18,54[illegible]
		41.32					
2	101406613006930105	9.38	TABET LUMBER CO INC	$ 4,458,100	$ 1,485,884	$ 3,780.09	$ 13,337.29
		9.38					
3	101406522938020302	2.95	GARDUNO DAVE & LORETTA	$ 555,700	$ 185,215	$ 471.19	$ 1,662.49
		2.95					
4	101306433548710315	4.04	ROWLAND MICHAEL PATRICK	$ 1,112,000	$ 370,629	$ 942.88	$ 3,326.77
4	101306437147410305	1.66	SPENCE DOUGLAS H & MAVIS JEA	$ 619,600	$ 206,513	$ 525.37	$ 1,853.66
4	101306435745410314	1.37	CHICAGO PRIME HOUSE LTD	$ 830,200	$ 276,705	$ 703.94	$ 2,483.70
4	101306435444710303	0.62	ALVARADO ROBERT L & LINDA G	$ 321,937	$ 107,301	$ 272.97	$ 963.13
		7.70					
5	101306441447110204	0.31	BLACK ALBERT J	$ 4,700	$ 1,567	$ 3.99	$ 14.07
5	101306438443110202	1.39	PRP INC	$ 425,300	$ 141,753	$ 360.62	$ 1,27[illegible]
		1.70					
6	101306434036610414	0.85	MCCOLLUM THOMAS E & GAY N &	$ 95,500	$ 31,830	$ 80.98	$ 285.71
		0.85					
7	101306432535310415	1.37	GUTIERREZ LARRY P & JANE H	$ 152,500	$ 50,828	$ 129.31	$ 456.23
		1.37					
8	101306413623630410	0.80	ALL SAINTS LUTHERAN CHURCH	$ 101,900	$ 33,963		
8	101306412920530416	2.22	ALL SAINTS LUTHERAN CHURCH	$ 245,000	$ 81,659		
8	101306410519830417	0.75	ALL SAINTS LUTHERAN CHURCH	$ 61,100	$ 20,365		
		3.76					
9	101206236527510219	1.79	ALBUQ CHRISTIAN CHILDRENS HC	$ 141,500	$ 47,162		

9	101206234525210225	3.38	ALB CHRISTIANS CHILDRENS HOM	$ 621,300	$ 207,080		
9	101206234523010236	0.00	ALB CHRISTIAN CHILDRENS HOME	$ 106,000	$ 35,330		
		5.17					
10	101206248050510222	2.34	JOEL & NINA TAYLOR FNDN INC	$ 549,900	$ 183,282		
		2.34					
11	101206237729710221	0.85	SHARRETT SHARON A	$ 270,900	$ 90,291		
11	101206236230110245	0.53	SHARRETT SHARON A	$ 20,800	$ 6,933		
		1.38					
13	9999999	11.67		$ -	$ -		
		11.67					
14	101706241836910223	0.01	SEAVEY FMLY LMTD PARTNERSHI	$ 254,600	$ 84,858	$ 215.88	$ 761.69
		0.01					
15	101706243846110202	1.93	ELLER MEDIA COMPANY	$ 247,400	$ 82,458	$ 209.77	$ 740.14
15	101706242634410201	0.90	ARROYO BOREALIS LTD CO	$ 22,100	$ 7,366	$ 18.74	$ 66.12
		2.83					
16	101706102030020104CA	7.32		$ -	$ -		
		7.32					
17	101606151724710304	3.23	LARDNER VINCENT JAMES JR ETU	$ 354,900	$ 118,288	$ 300.92	$ 1,061.75
		3.23					
18	101706104727220106	1.22	AVE INC	$ 218,000	$ 72,659	$ 184.84	$ 65[illegible]
		1.22					
						$ 28,792.85	**$ 101,589.87**

The Property Value data above is not a complete accounting because of some data issues.

1) There is some unmatched UPC numbers between the City's list and the County Assesor's list.

2) Not all properties have specific enough of legal description, only Section, Township, Range.

3) Some properties have City ownership and is not reflected in the database of the County Assesor's.

TABLE OF CONTENTS
01110-01244/Project #1001445

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CITY OF ALBUQUERQUE

EPC

ENVIRONMENTAL PLANNING COMMISSION

ALBUQUERQUE NEW MEXICO 1706

Agenda Number: 11
Case Number: 01110 01244
October 18, 2001

Staff Report

Agent	Planning Department
Applicant	City of Albuquerque
Request	**Establishment of Zoning**
Legal Description	See attached list, page 1
Location	West of the Rio Grande, south of NM 528 and north of Western Trail and Namaste Road NW; and along Interstate 25 between Montaño Road NE and San Antonio Drive NE
Size	Approximately 134 acres
Existing Zoning	Unzoned
Proposed Zoning	See attached list, page 1

Staff Recommendation

That APPROVAL of 01110 01244 be forwarded to the City Council, based on the findings on pages 9 - 10, and subject to the conditions of approval on page 11.

Staff Planner

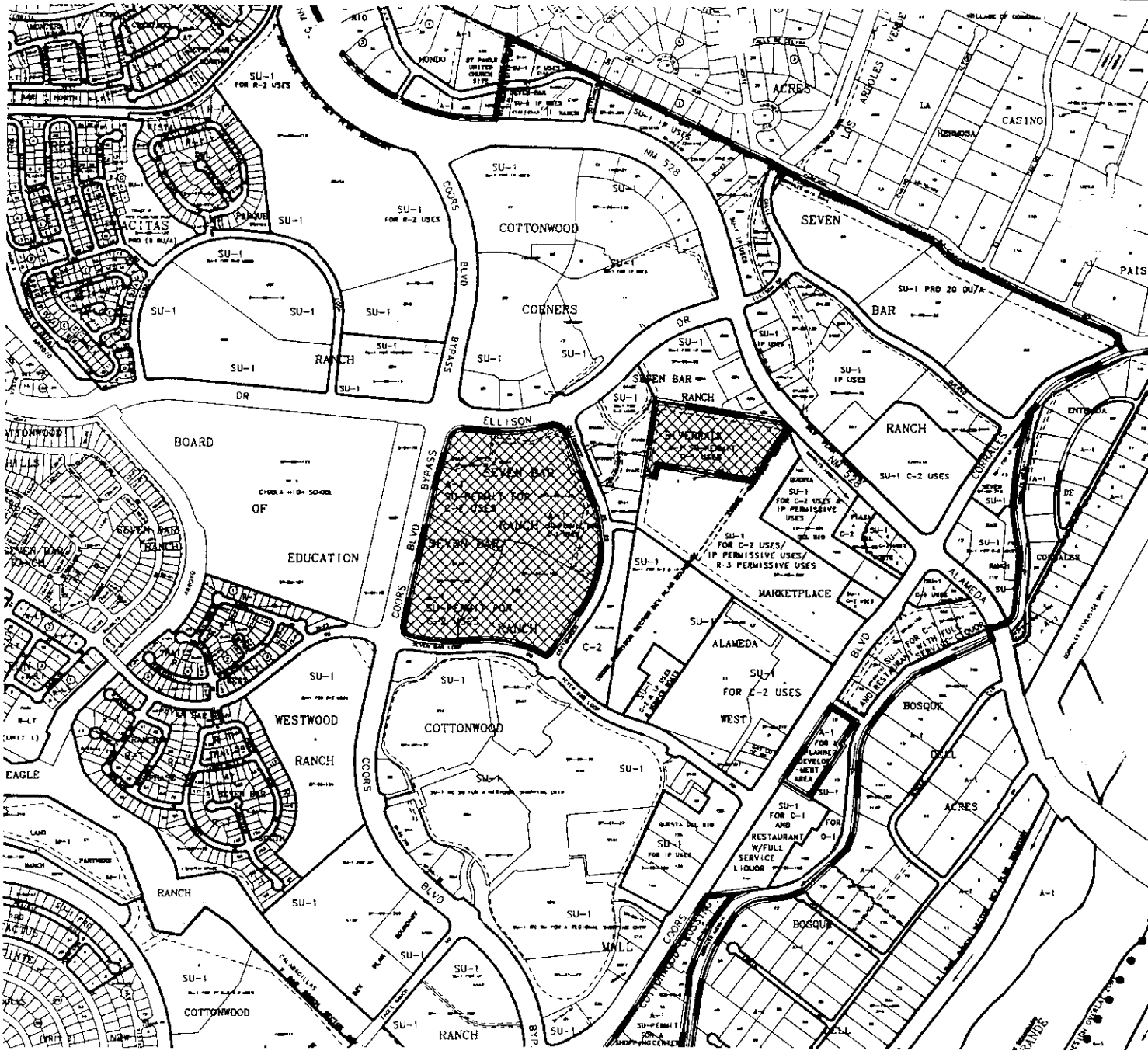
Russell Brito, Senior Planner

Summary of Analysis

The City of Albuquerque petitioned the State Municipal Boundary Commission (the Commission) for annexation of property pursuant to the State Statutes regarding annexation by municipalities via the Commission (NMSA 1978, § 3-7-11 to § 3-7-16). On 7 August 2001, the Commission held a public hearing at the Albuquerque Convention Center and voted unanimously to order annexation of approximately 140 acres of property to the City of Albuquerque.

The annexation order from the Commission does not establish zoning for the sites. The City Council has the authority to establish zoning, hence this request for a recommendation from the Environmental Planning Commission that mirrors the previous County zoning, existing uses and approved or planned uses. The requested zoning furthers the applicable goal and policies of the *Comprehensive Plan* and does not conflict with any Area or Sector Development Plans. The policies and requirements of *R-270-1980* are met, specifically that the annexation of the properties is a changed neighborhood and community condition that justifies the proposed zoning categories.

City Departments and other interested agencies reviewed this application from 7 September 2001 to 21 September 2001. Agency comments were used in the preparation of this report, and begin on page 13.



Note: Shaded area indicates County Not to Scale

ZONING MAP

-2-

AGIS

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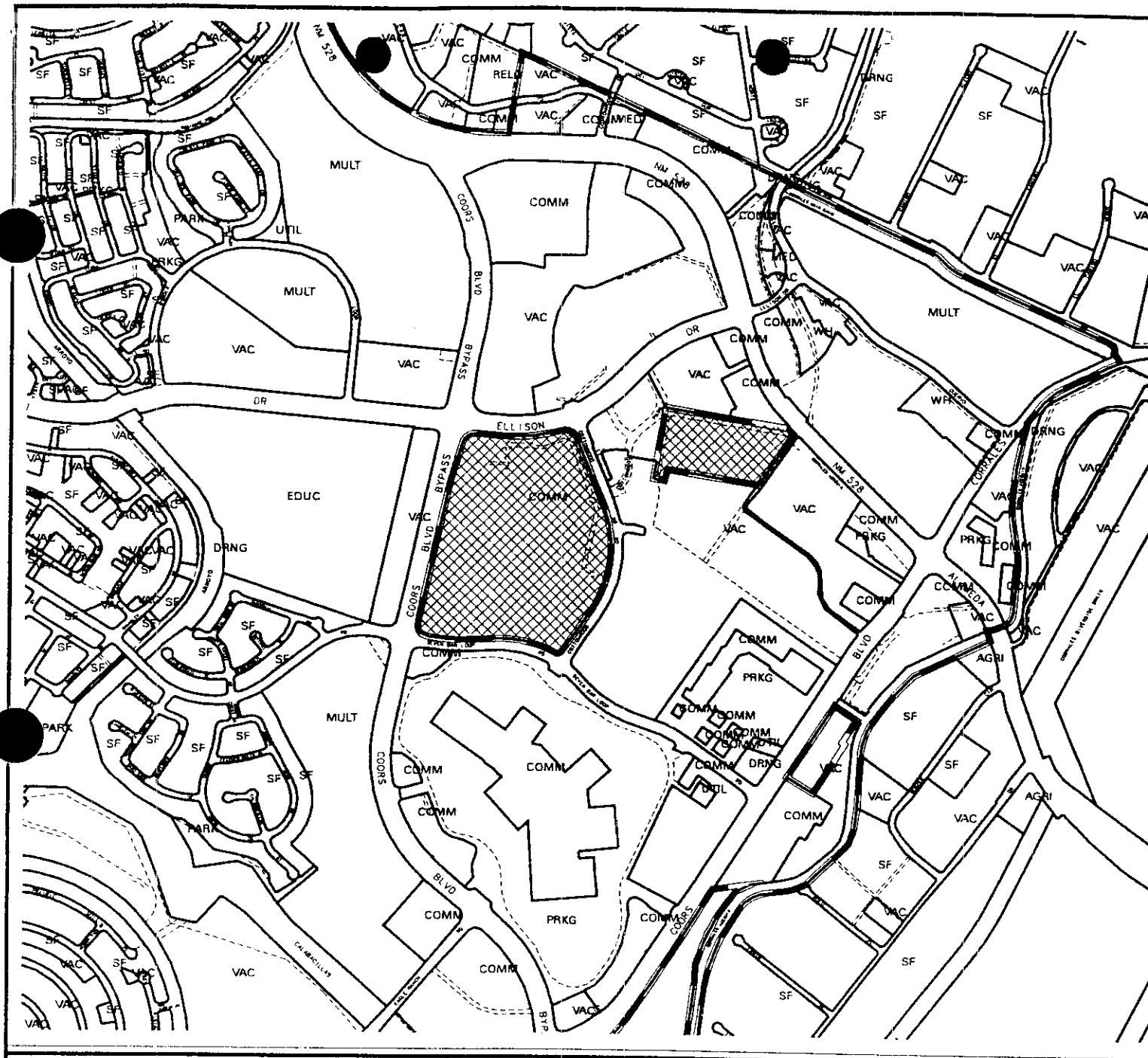
PROJECT
1001443

HEARING DATE
10-18-01

MAP NO.
A-13

APPLICATION NO.
01110-00000-0124



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

-3-

AGIS

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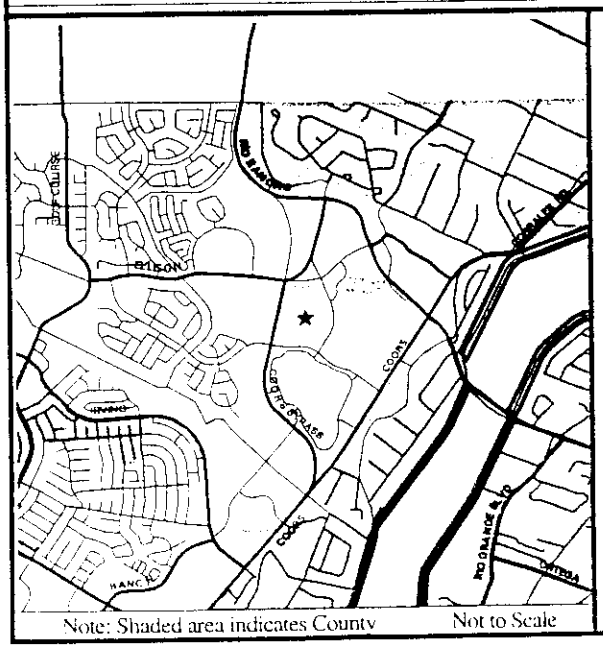
PROJECT NO.
1001445

HEARING DATE
10-18-01

MAP NO.
A-13

APPLICATION NO.
01110-00000-01244



Note: Shaded area indicates County

Not to Scale

HISTORY MAP

-4-

AGIS

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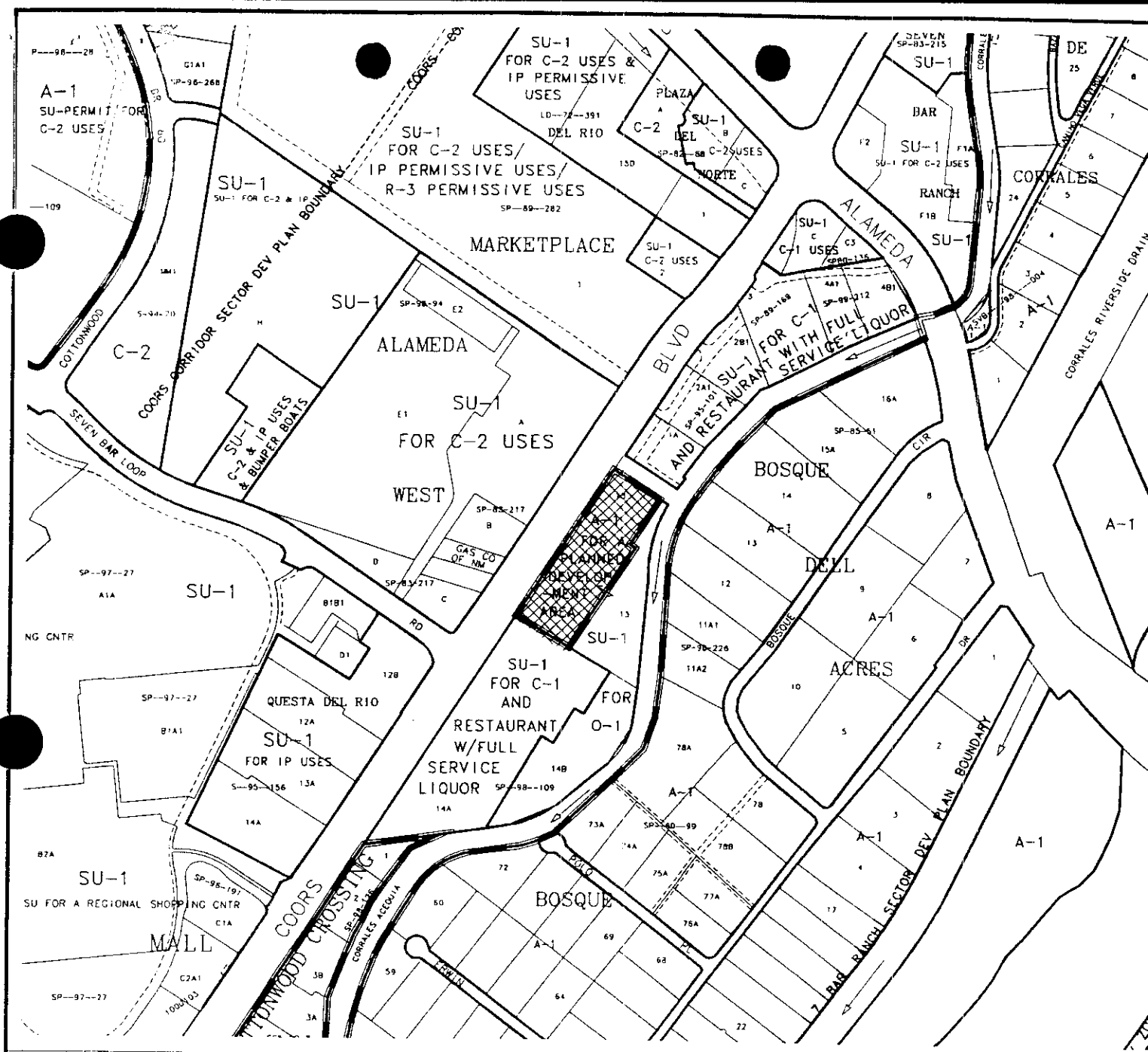
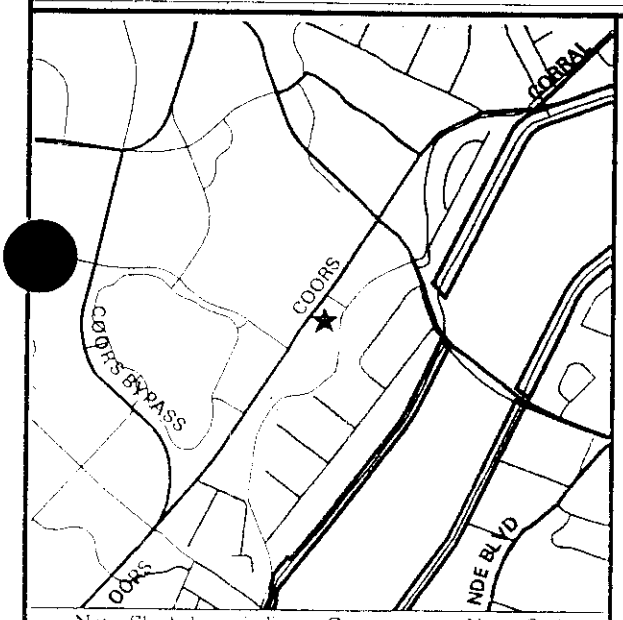
PROJECT
1001445

HEARING DATE
10-18-01

MAP NO.
A-13

APPLICATION NO.
01110-00000-0124





Note: Shaded area indicates County Not to Scale

ZONING MAP

AGIS

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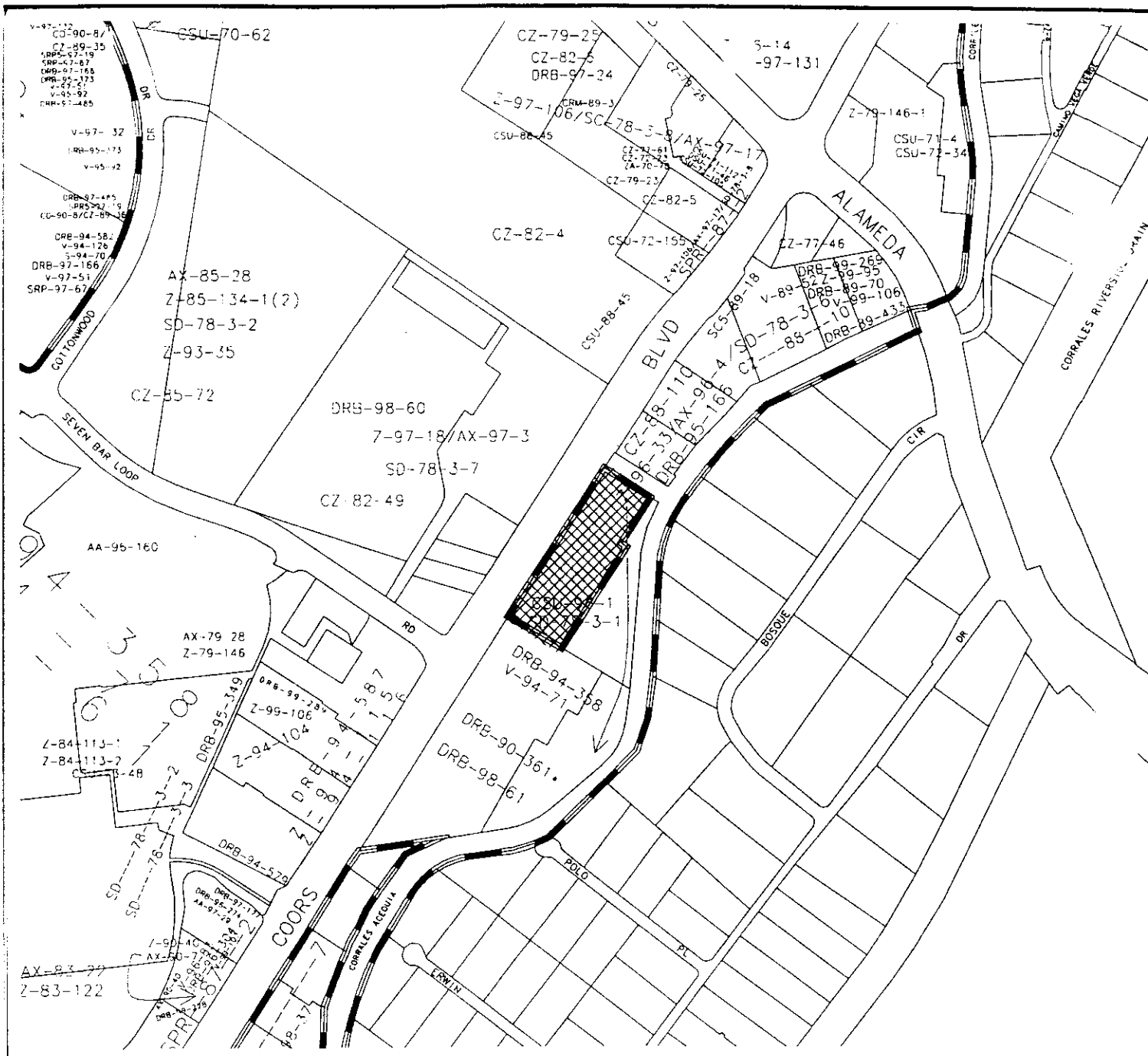
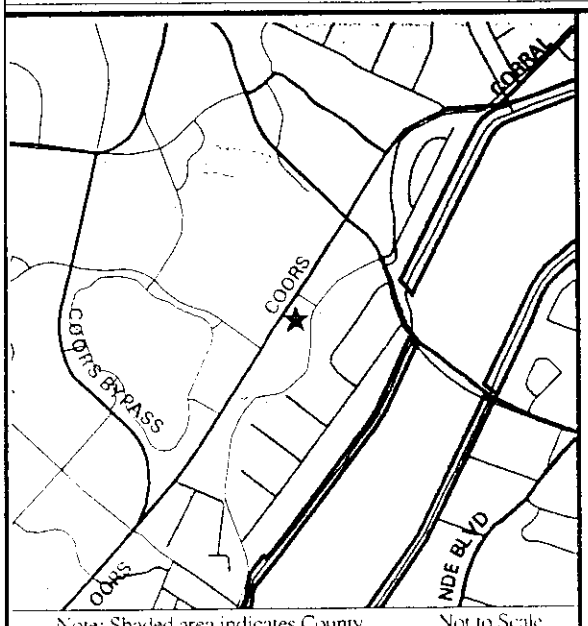
PROJECT NO.
1001445

HEARING DATE
10-18-01

MAP NO.
B-14

APPLICATION NO.
01110-00000-01244





Note: Shaded area indicates County

Not to Scale

HISTORY MAP

-6-

AGIS

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PROJECT

100144

HEARING DATE

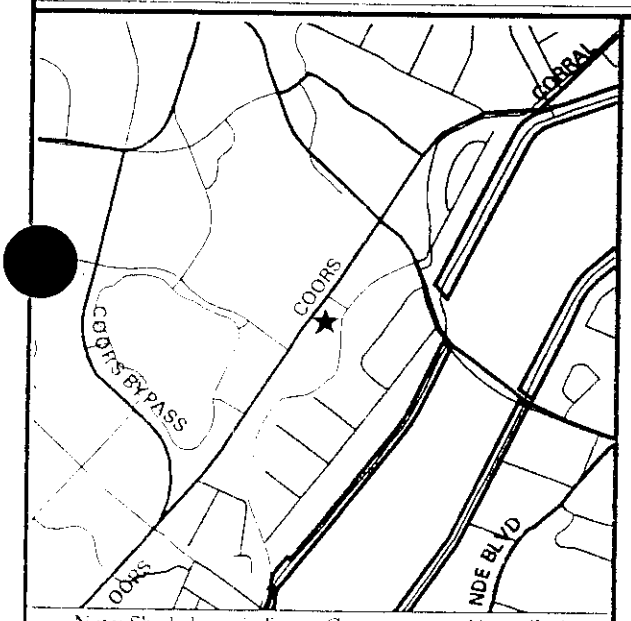
10-18-01

MAP NO.

B-14

APPLICATION NO.

01110-00000-01244



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PRKG Parking
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RELG Religious Facility
SF Single Family
TRAN Transportation Facility
UTIL Utility
VAC Vacant Land or Abandoned Bldgs
WH Warehousing & Storage

-7-

AGIS

Scale 1" = 530'

PROJECT NO.
1001445

HEARING DATE
10-18-01

MAP NO.
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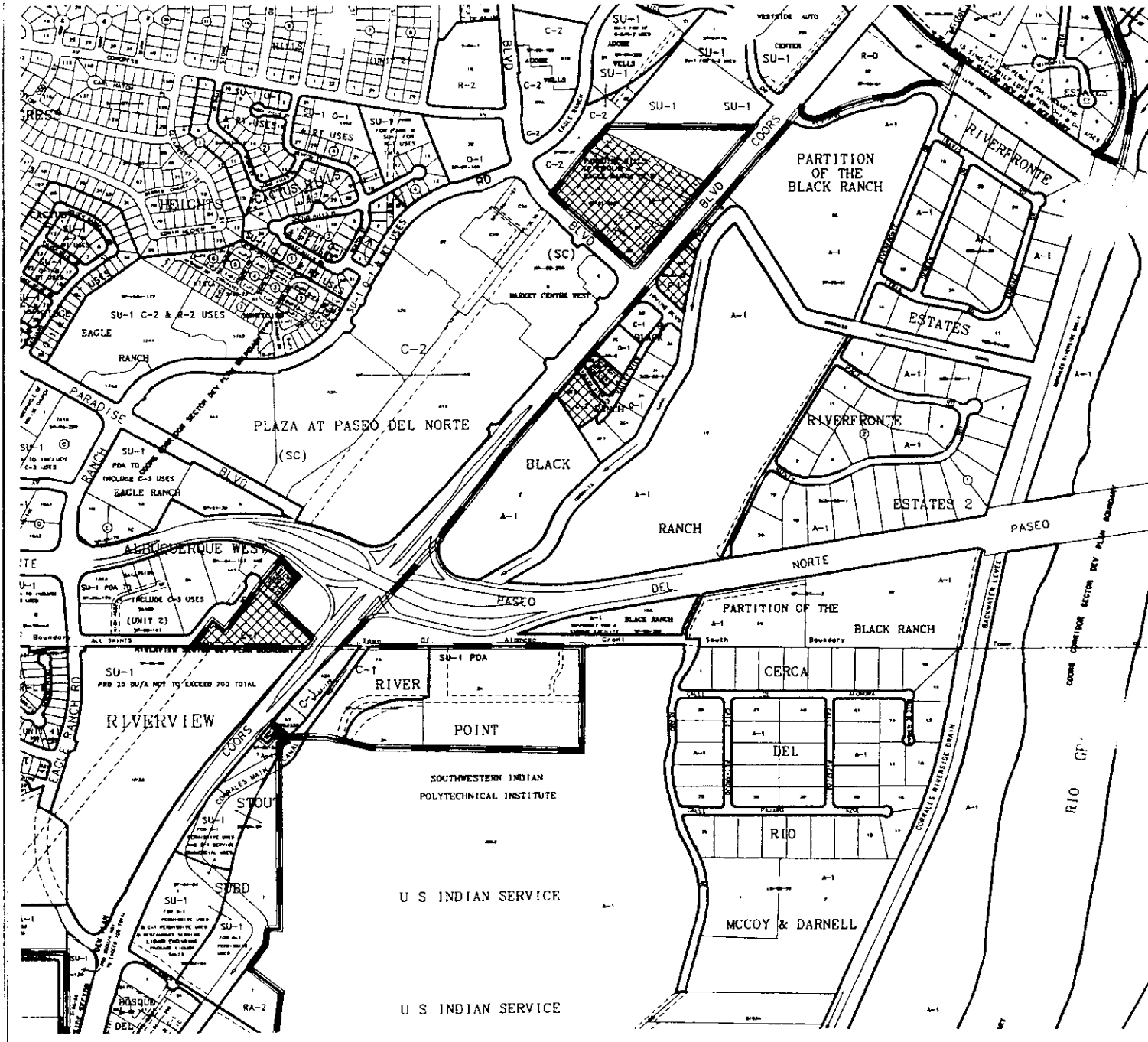
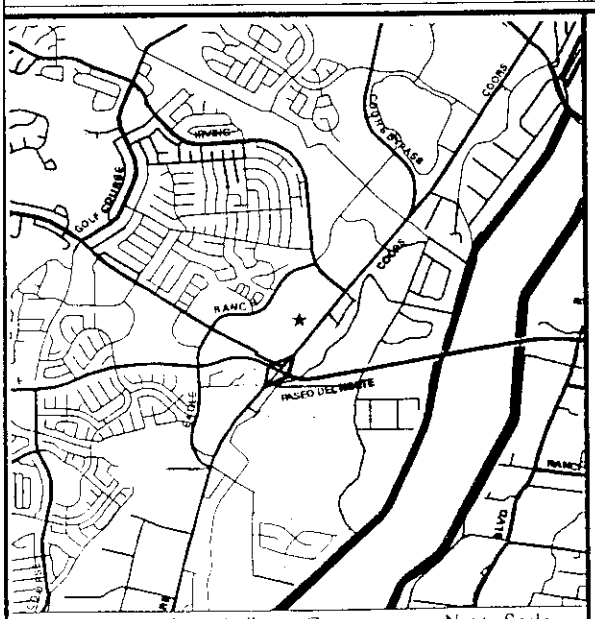
APPLICATION NO.
01110-00000-01244





Note: Shaded area indicates County

Not to Scale

ZONING MAP

-8-

AGIS

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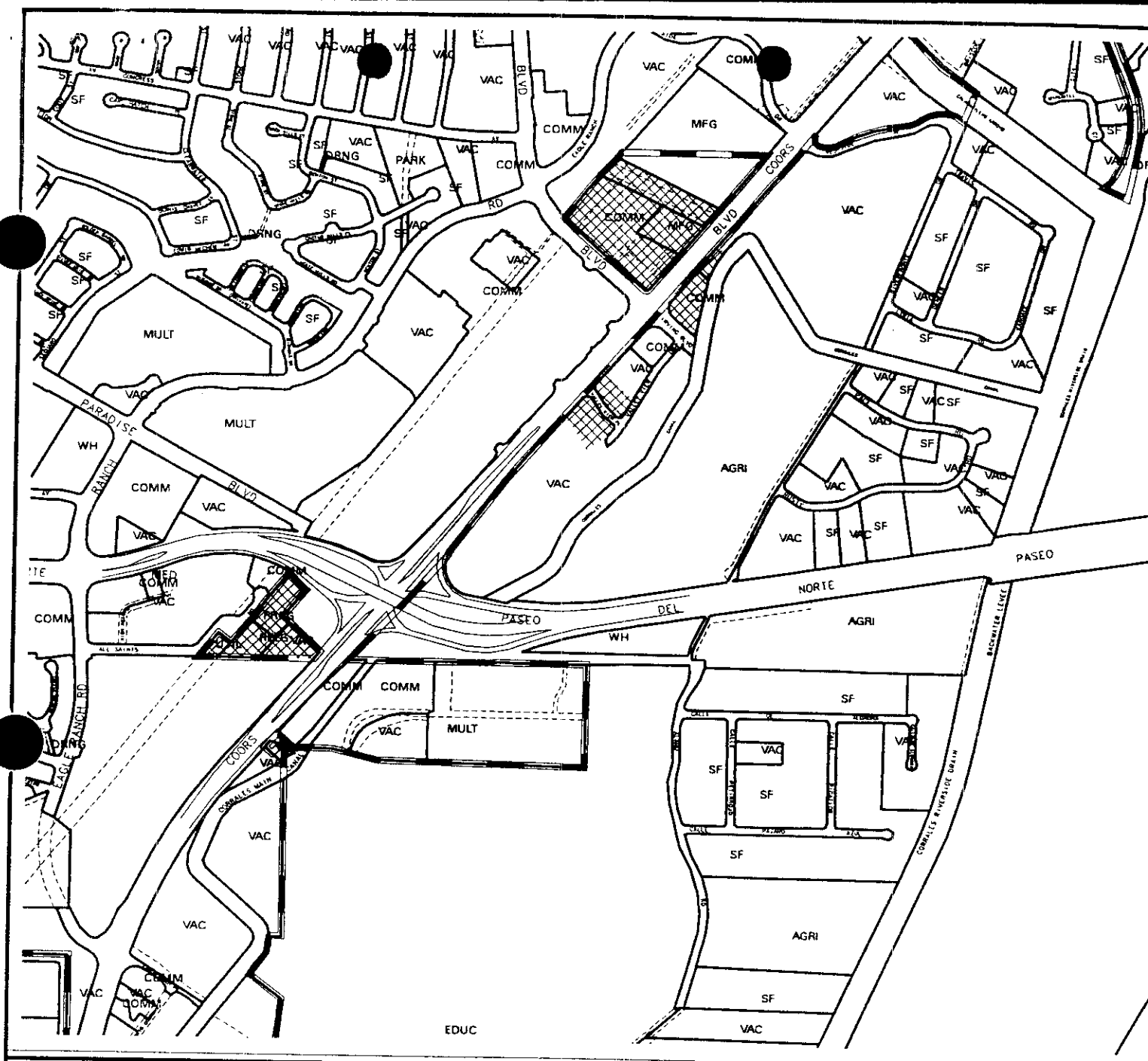
PROJECT
1001445

HEARING DATE
10-18-01

MAP NO.
C-13

APPLICATION NO.
01110-00000-0124



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- PRKG Parking
- PUBF Public Facility
- RELG Religious Facility
- SF Single Family
- TRAN Transportation Facility
- UTIL Utility
- VAC Vacant Land or Abandoned Bldgs
- WH Warehousing & Storage

AGIS

Scale 1" = 943'

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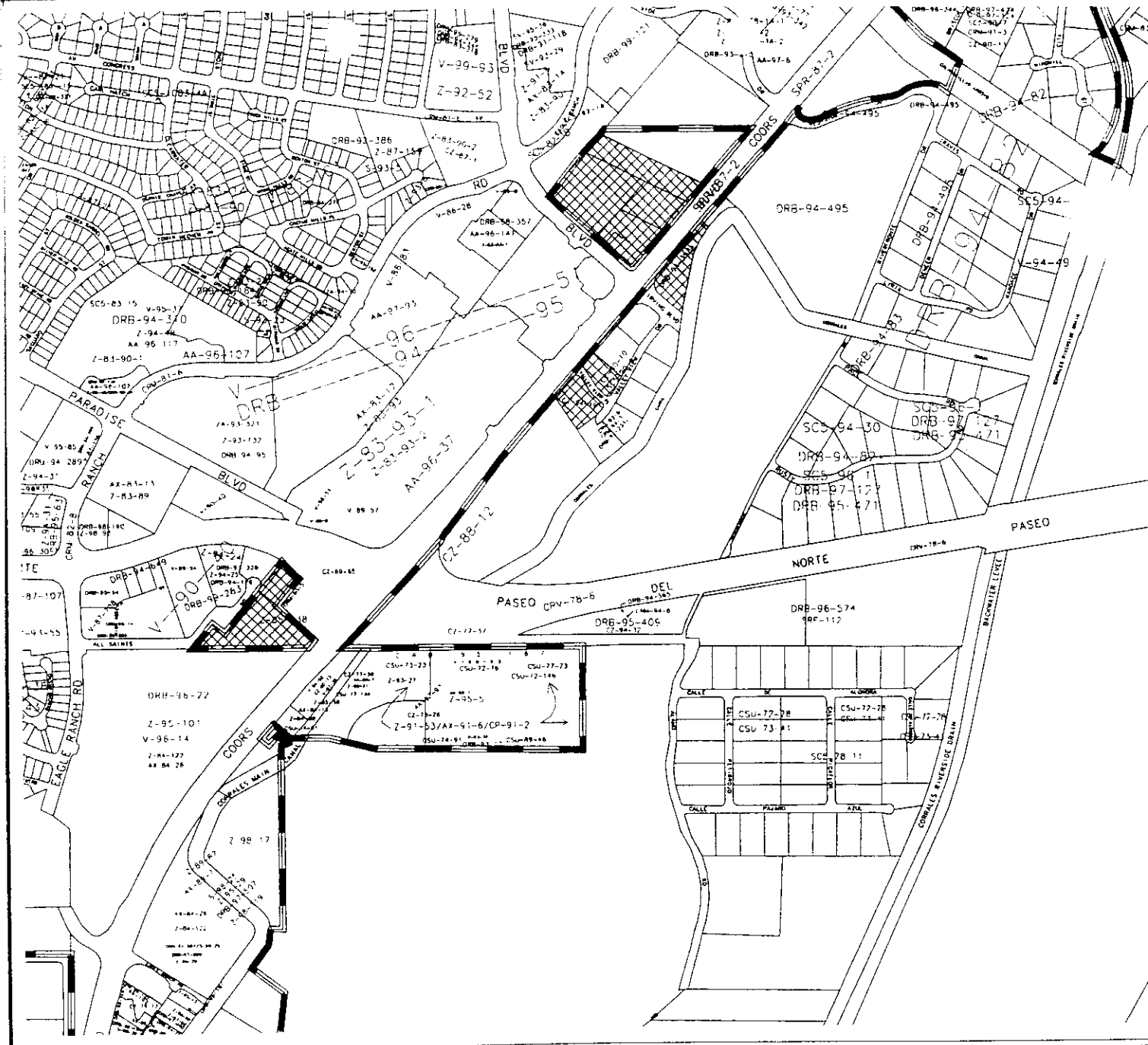

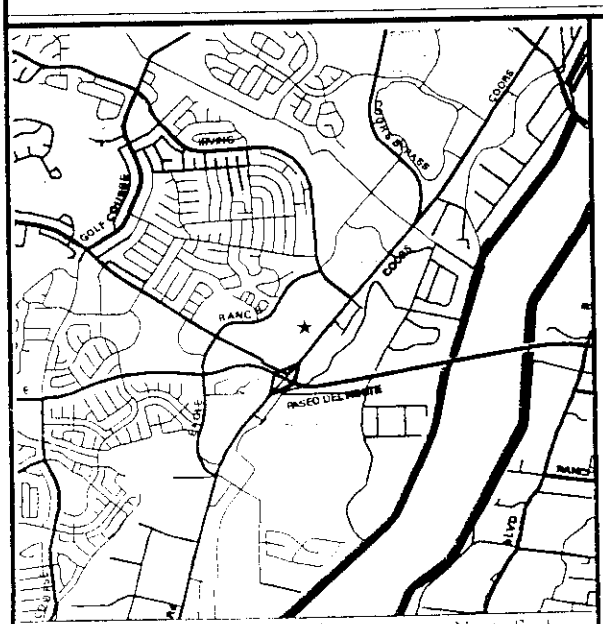

Note: Shaded area indicates County

Not to Scale

HISTORY MAP

AGIS

Scale 1" = 943'

PROJECT
100144

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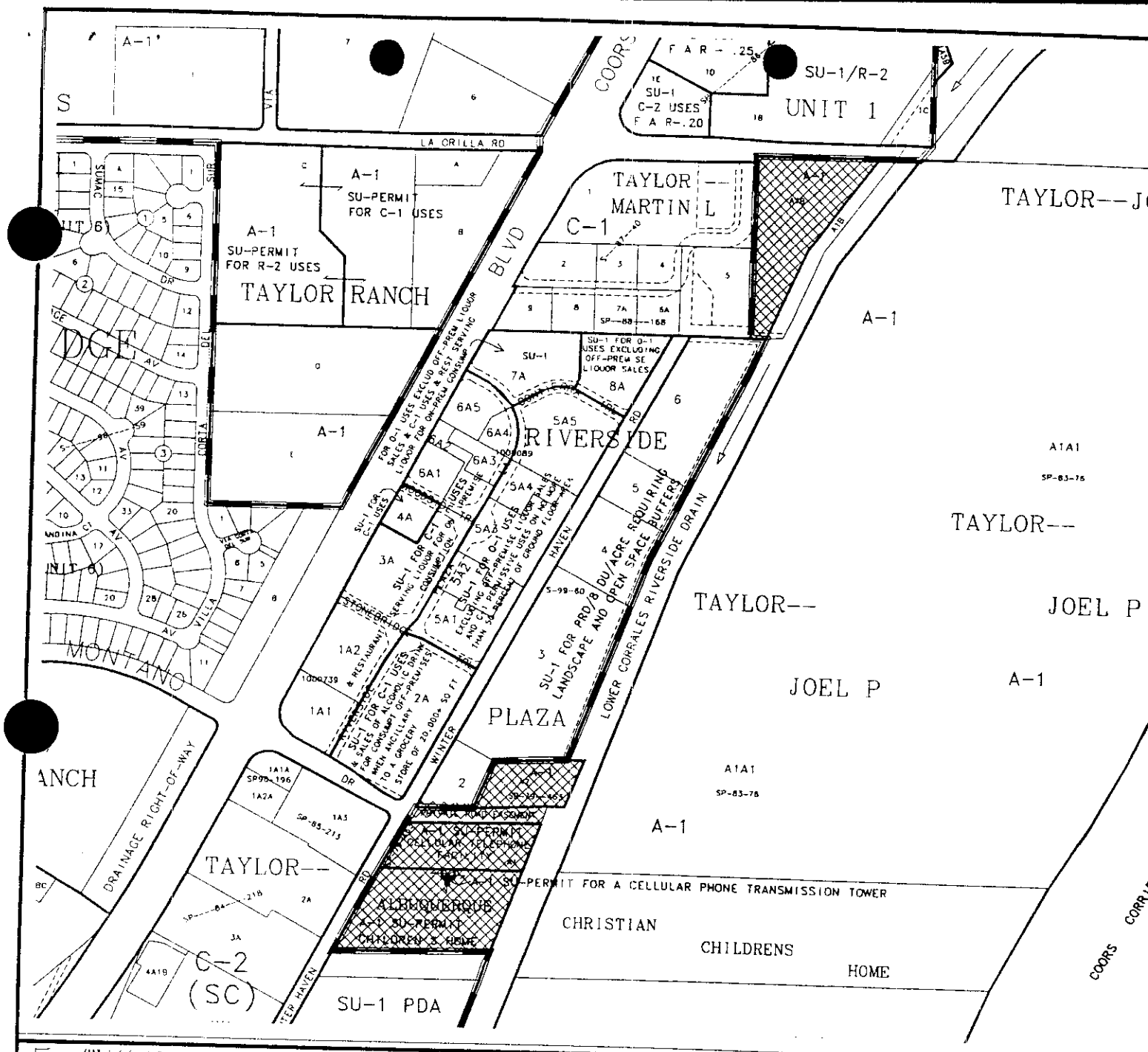
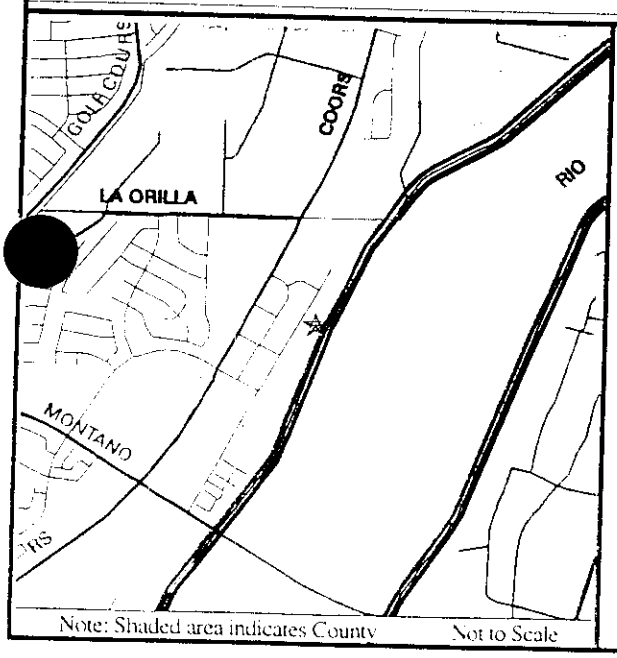
10-18-01

MAP NO.
C-13

APPLICATION NO.
01110-00000-0124





Note: Shaded area indicates County Not to Scale

ZONING MAP

AGIS

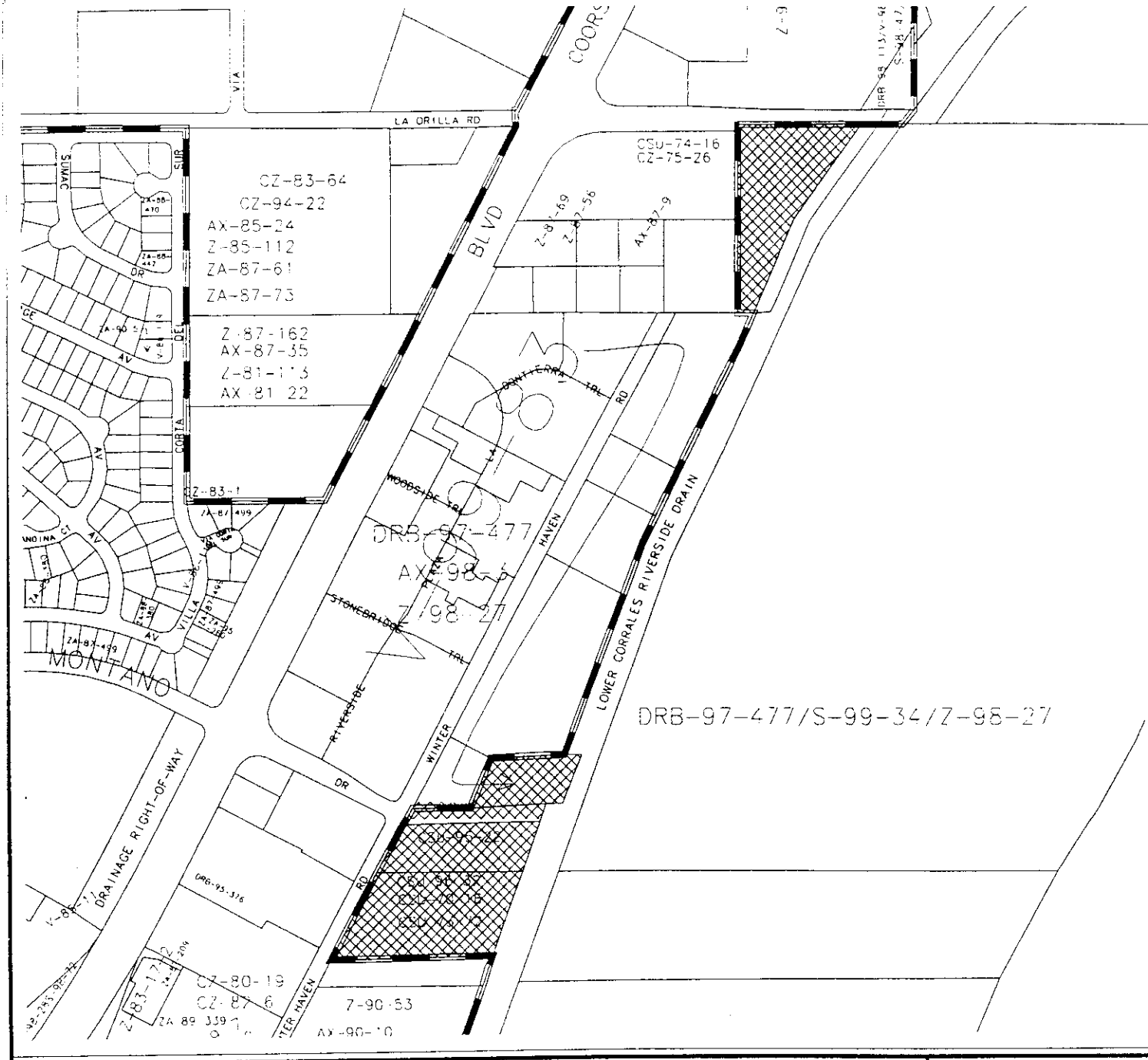
Scale 1" = 523'

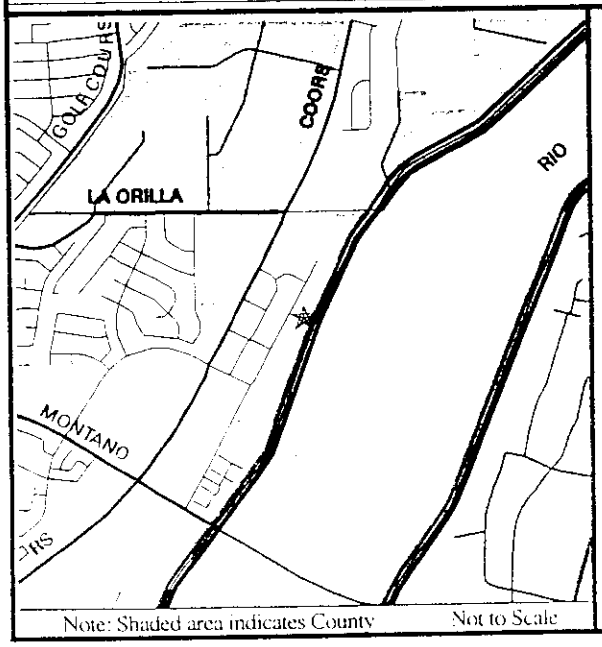
PROJECT NO.
1001445

HEARING DATE
10-18-01

MAP NO.
E-12

APPLICATION NO.
01110-00000-01244





Note: Shaded area indicates County

Not to Scale

HISTORY MAP

AGIS

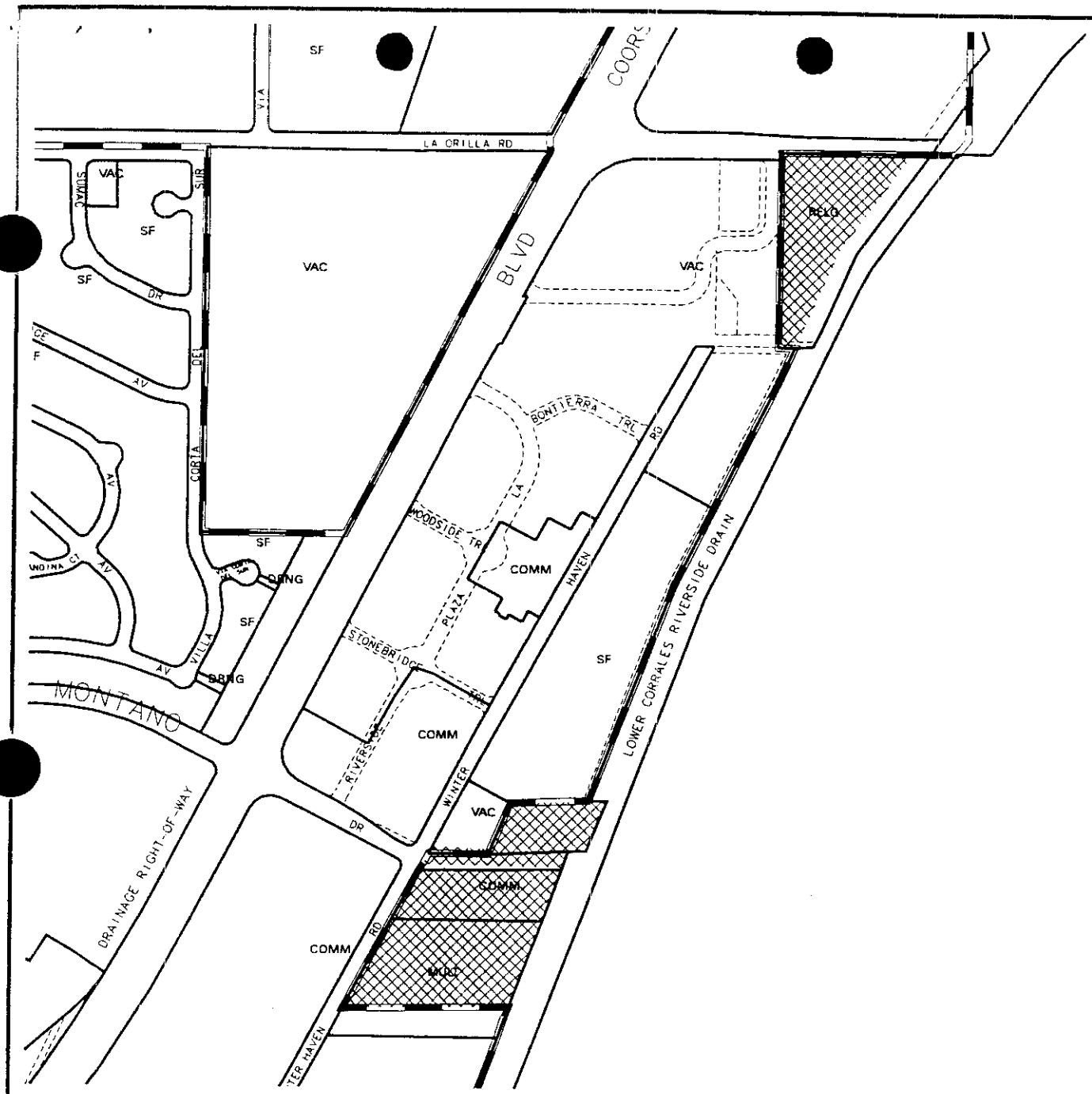
Scale 1" = 52[illegible]

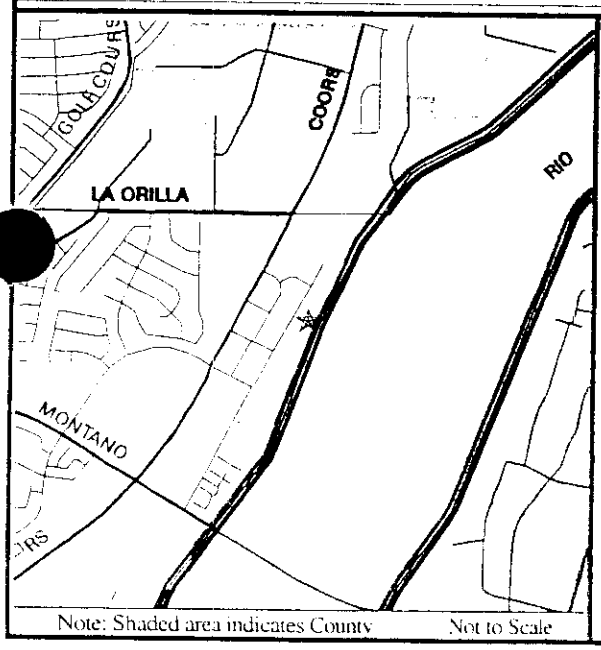
PROJECT
1001445

HEARING DATE
10-18-01

MAP NO.
E-12

APPLICATION NO.
01110-00000-0124





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

-13-

AGIS

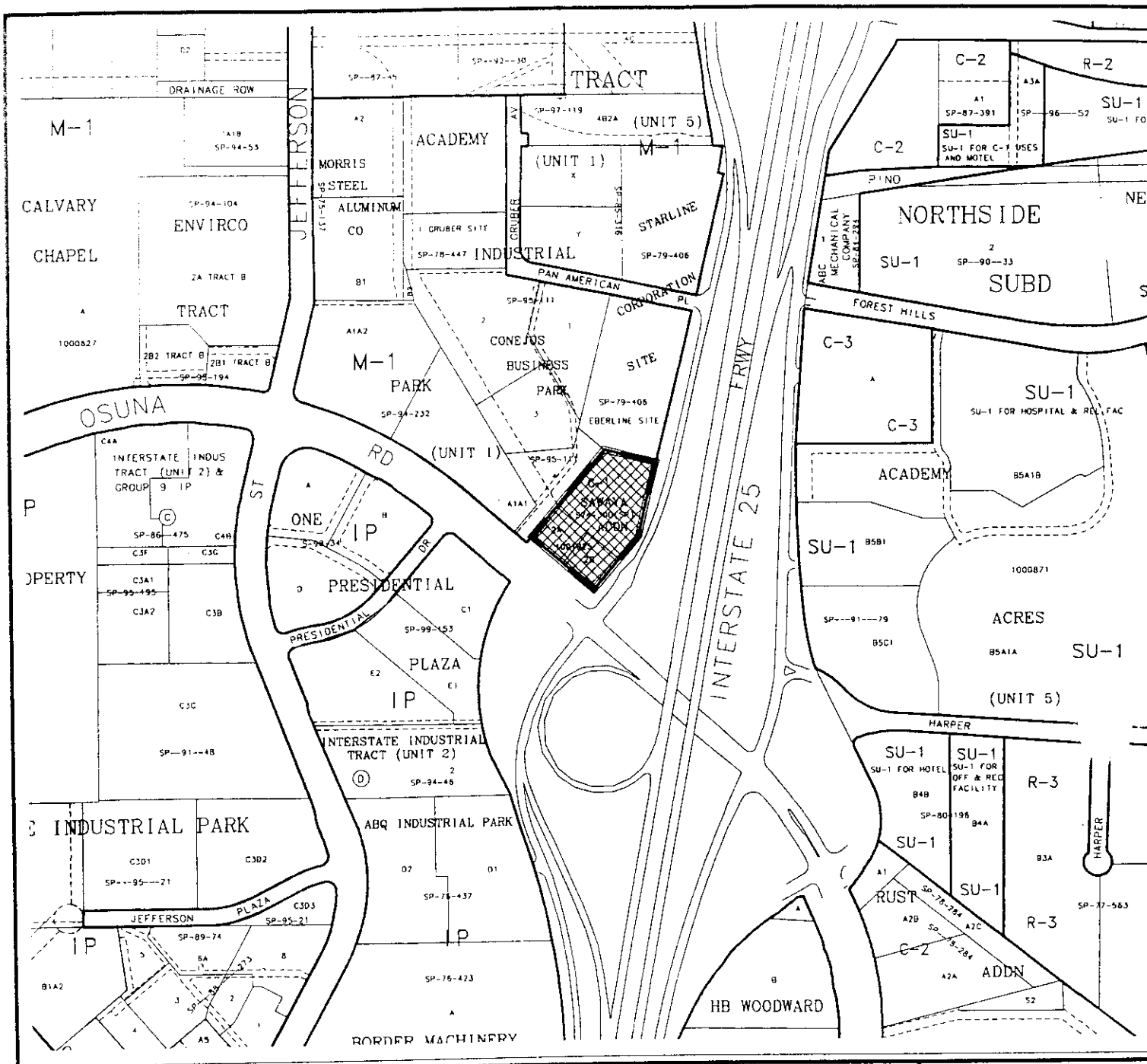
Scale 1" = 523'

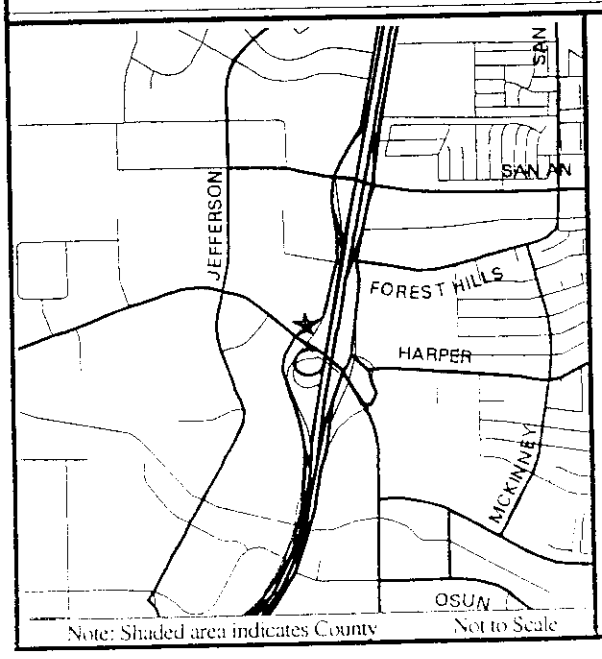
PROJECT NO.
1001445

HEARING DATE
10-18-01

MAP NO.
E-12

APPLICATION NO.
01110-00000-01244





Note: Shaded area indicates County

Not to Scale

ZONING MAP

AGIS

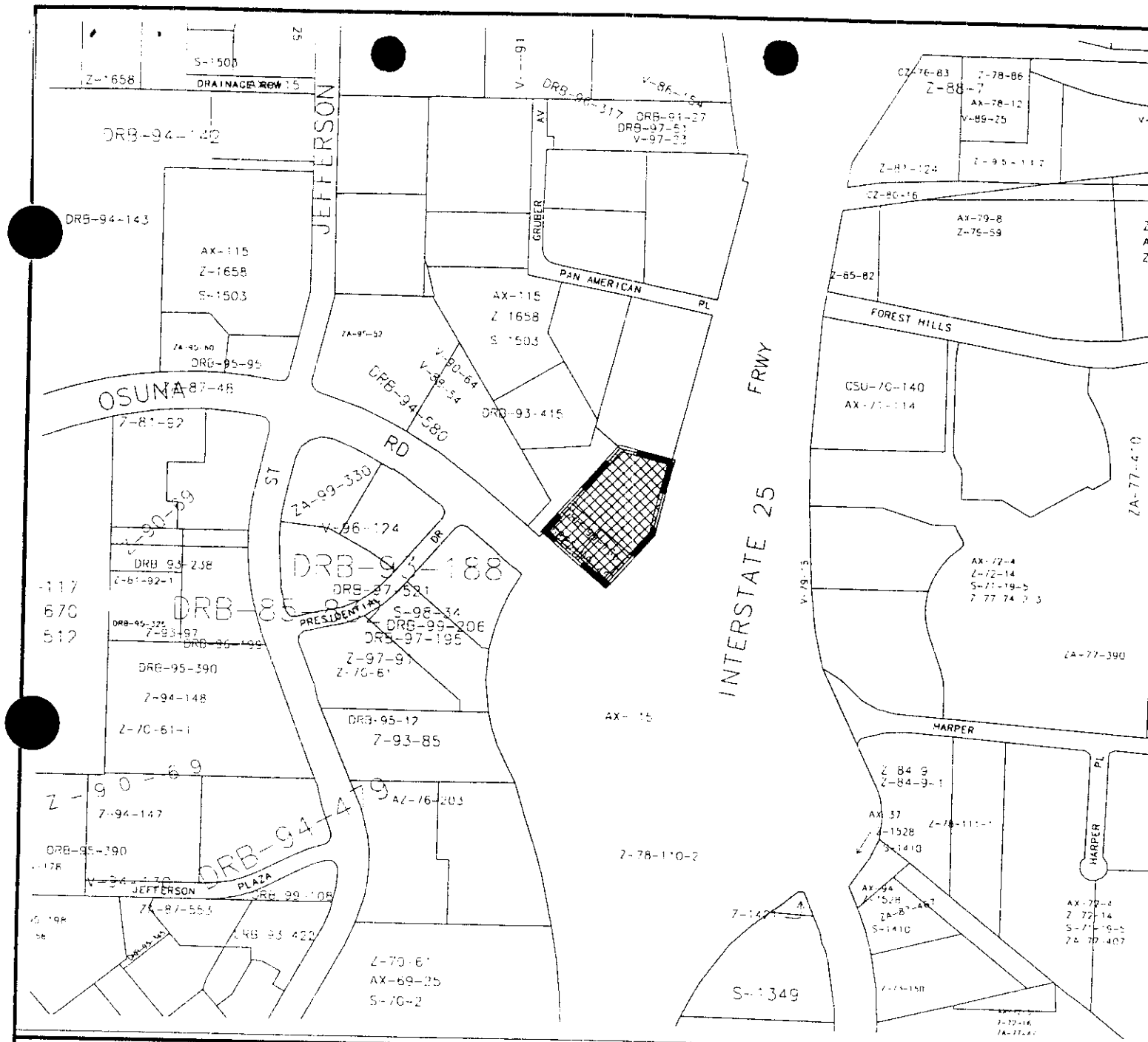
Scale 1" = 520'

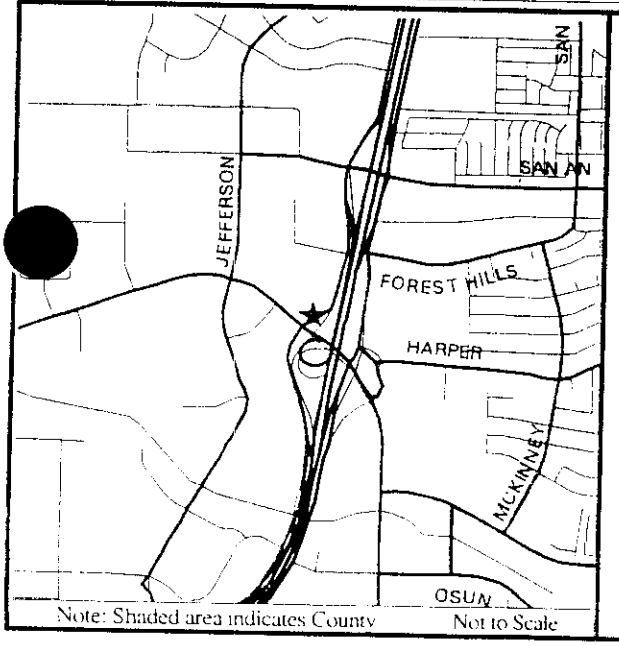
PROJECT
1001445

HEARING DATE
10-18-01

MAP NO.
E-17

APPLICATION NO.
01110-00000-0124





Note: Shaded area indicates County

Not to Scale

HISTORY MAP

AGIS

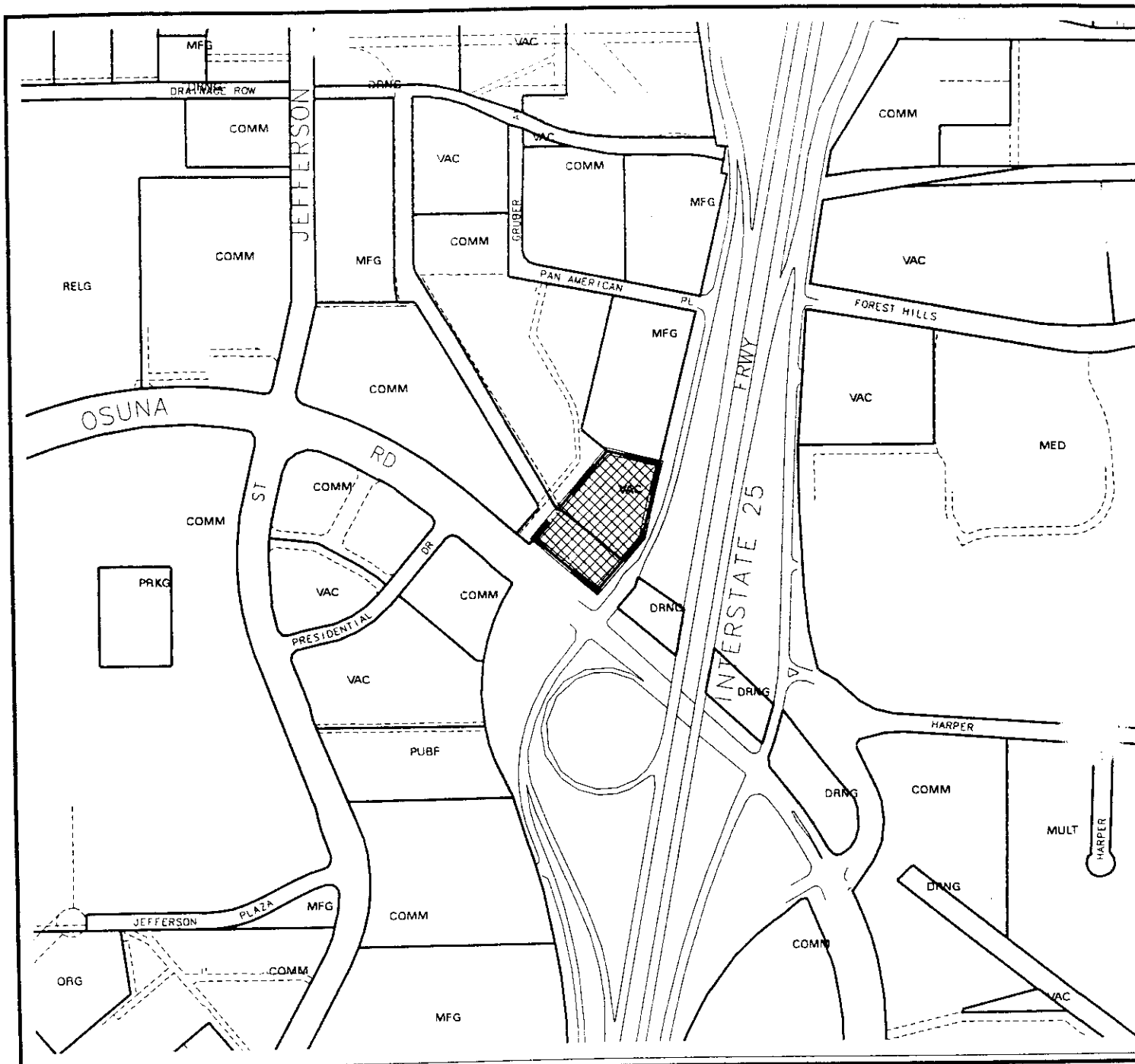
Scale 1"= 529'

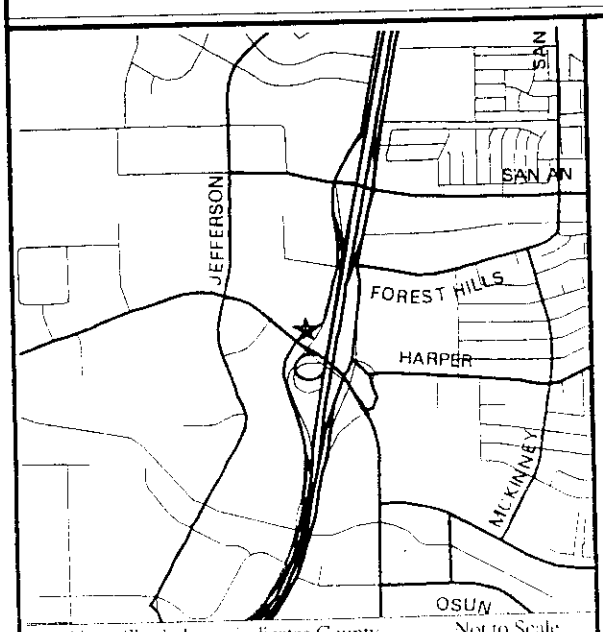
PROJECT NO.
1001445

HEARING DATE
10-18-01

MAP NO.
E-17

APPLICATION NO.
01110-00000-01244





Note: Shaded area indicates County

Not to Scale

LAND USE MAP

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PUBF Public Facility
RELG Religious Facility
SF Single Family
TRAN Transportation Facility
UTIL Utility
VAC Vacant Land or Abandoned Bldgs
WH Warehousing & Storage

-16-

AGIS

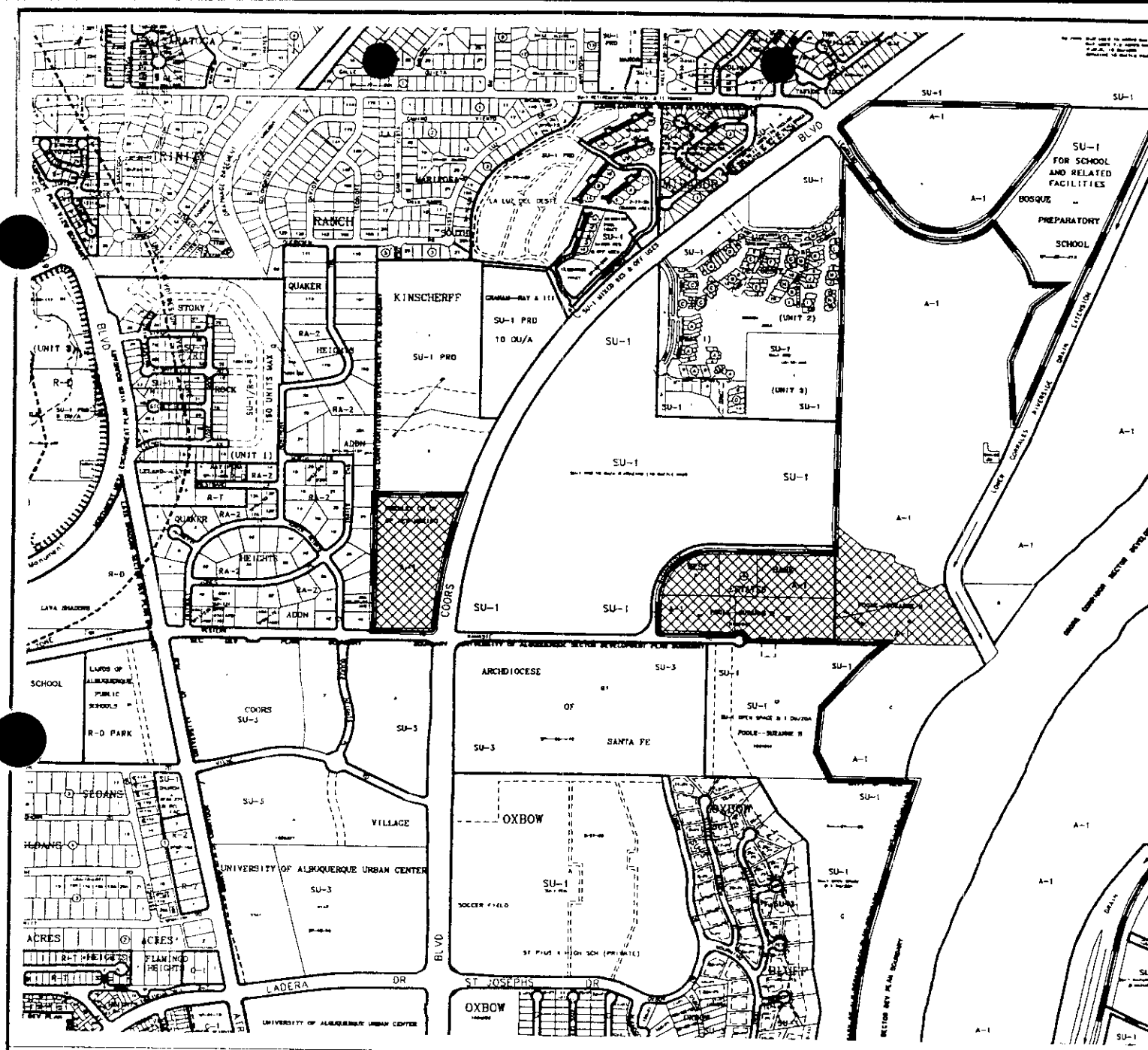
Scale 1" = [illegible]

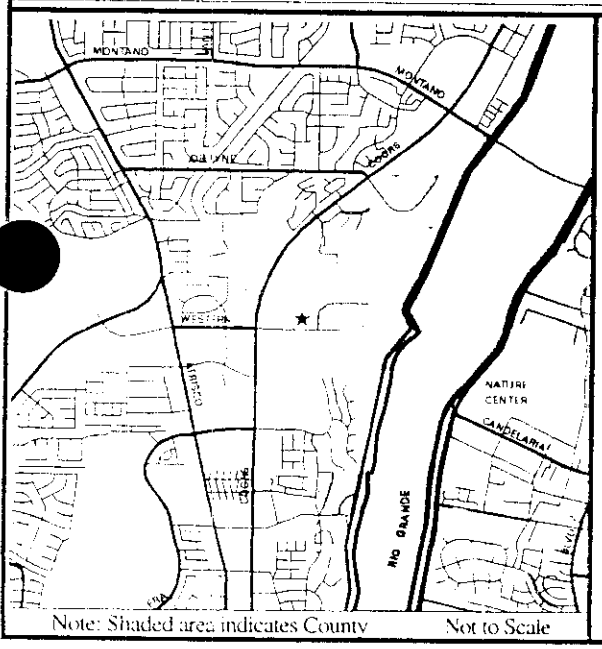
PROJEC
1001445

HEARING DATE
10-18-01

MAP NO.
E-17

APPLICATION NO.
01110-00000-012





Note: Shaded area indicates County Not to Scale

ZONING MAP

AGIS

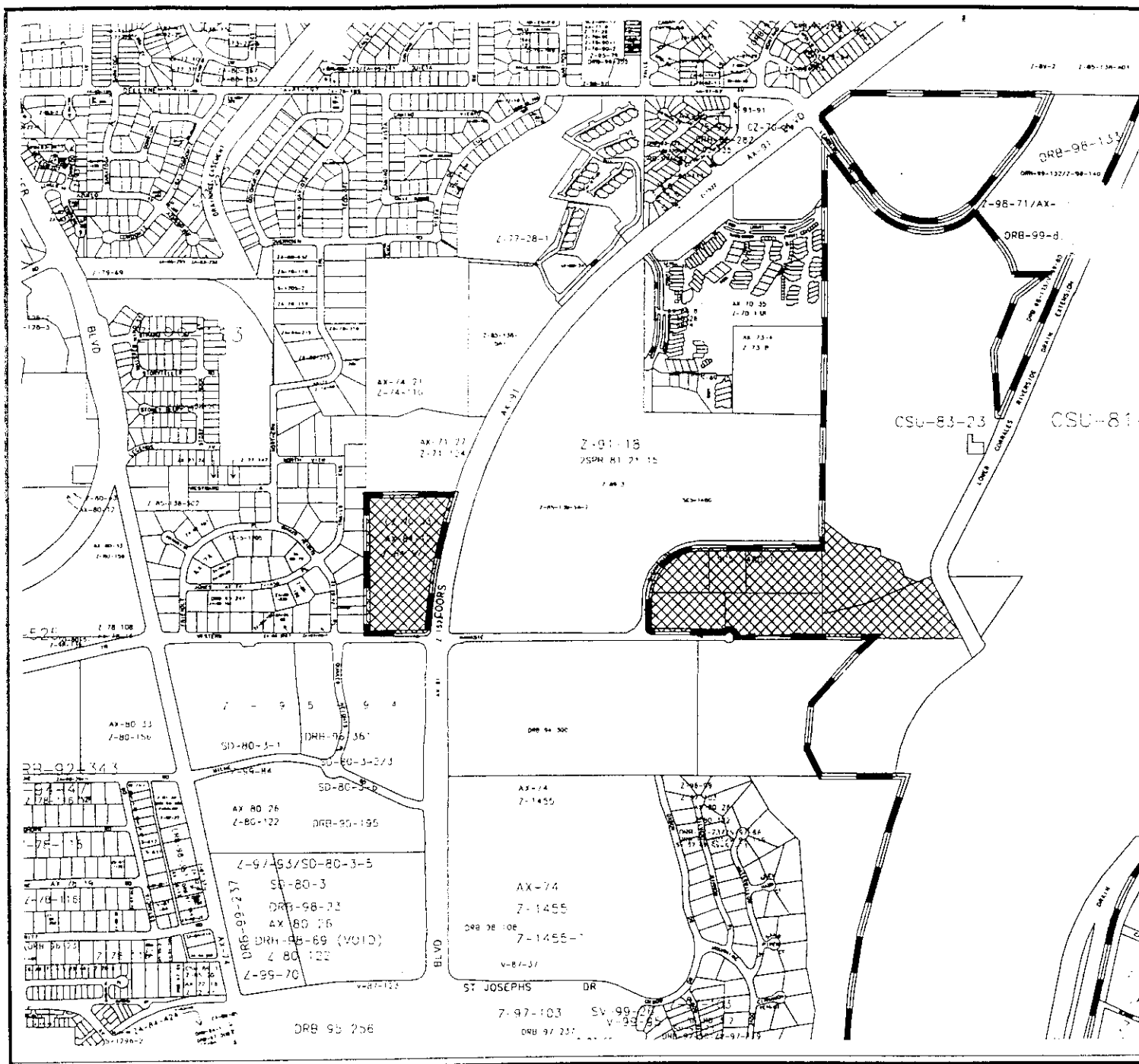
Scale 1" = 1036'

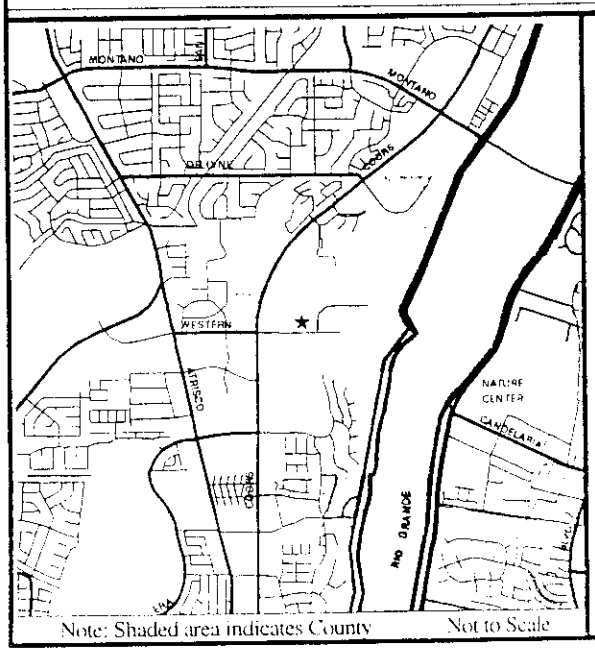
PROJECT NO.
1001445

HEARING DATE
10-18-01

MAP NO.
F-11

APPLICATION NO.
01110-00000-01244





Note: Shaded area indicates County

Not to Scale

HISTORY MAP

-18-

AGIS

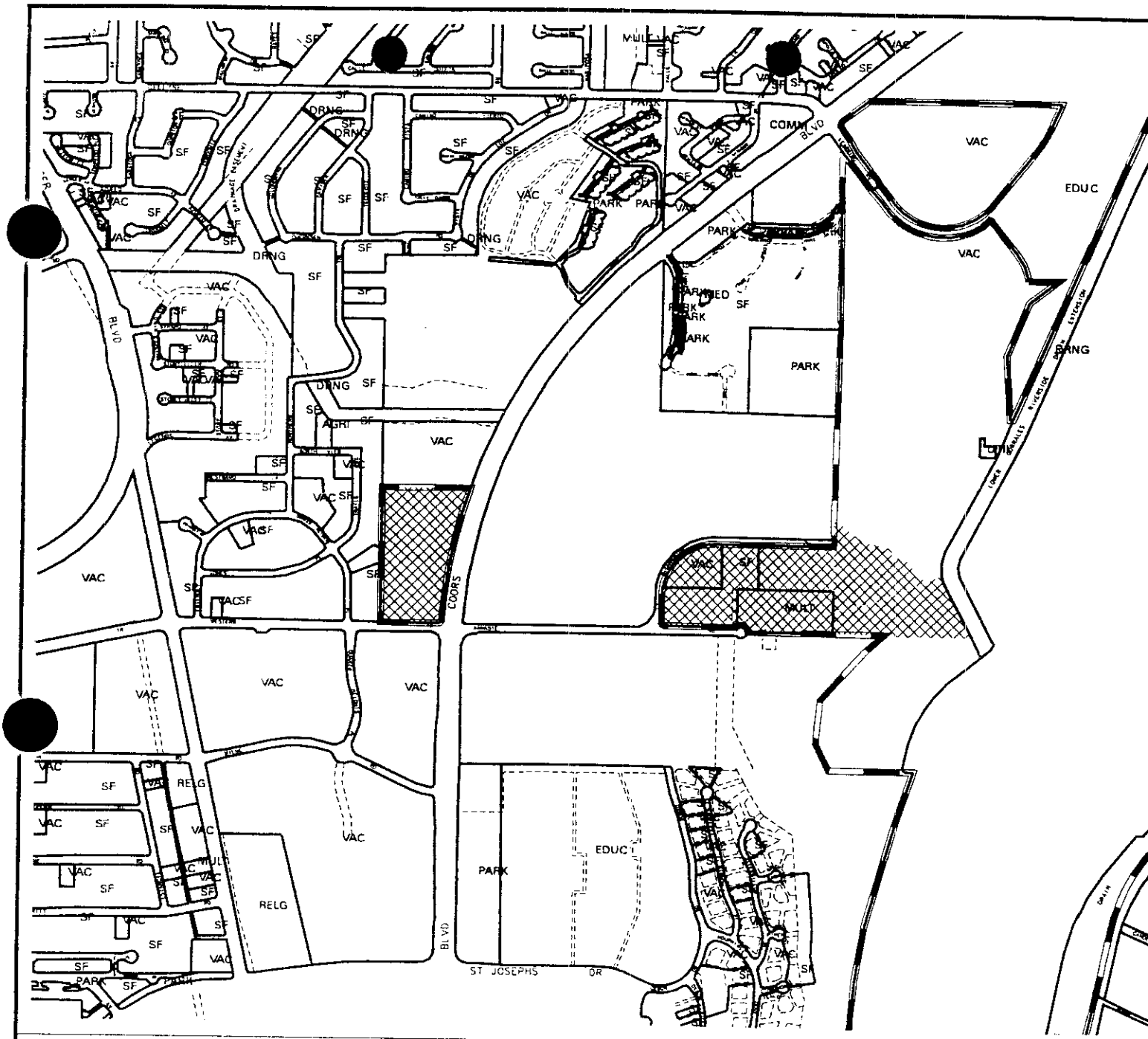
Scale 1"= 103'

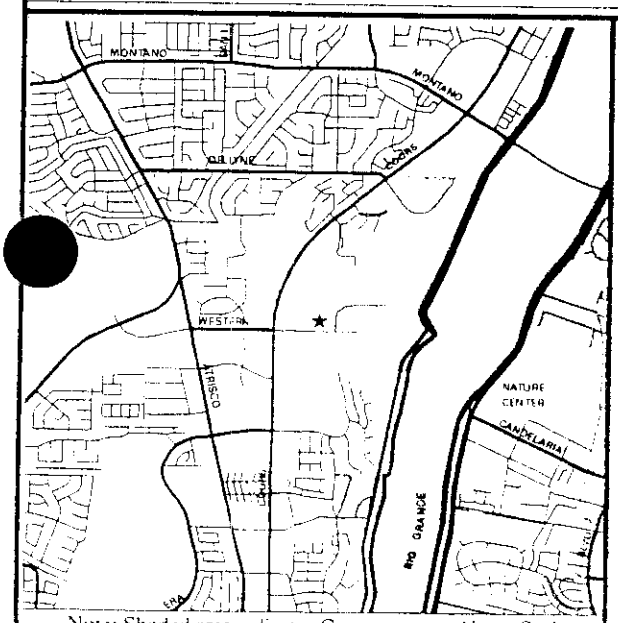
PROJECT
1001445

HEARING DATE
10-18-01

MAP NO.
F-11

APPLICATION NO.
01110-00000-0124





Note: Shaded area indicates County

Not to Scale

LAND USE MAP

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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

19

AGIS

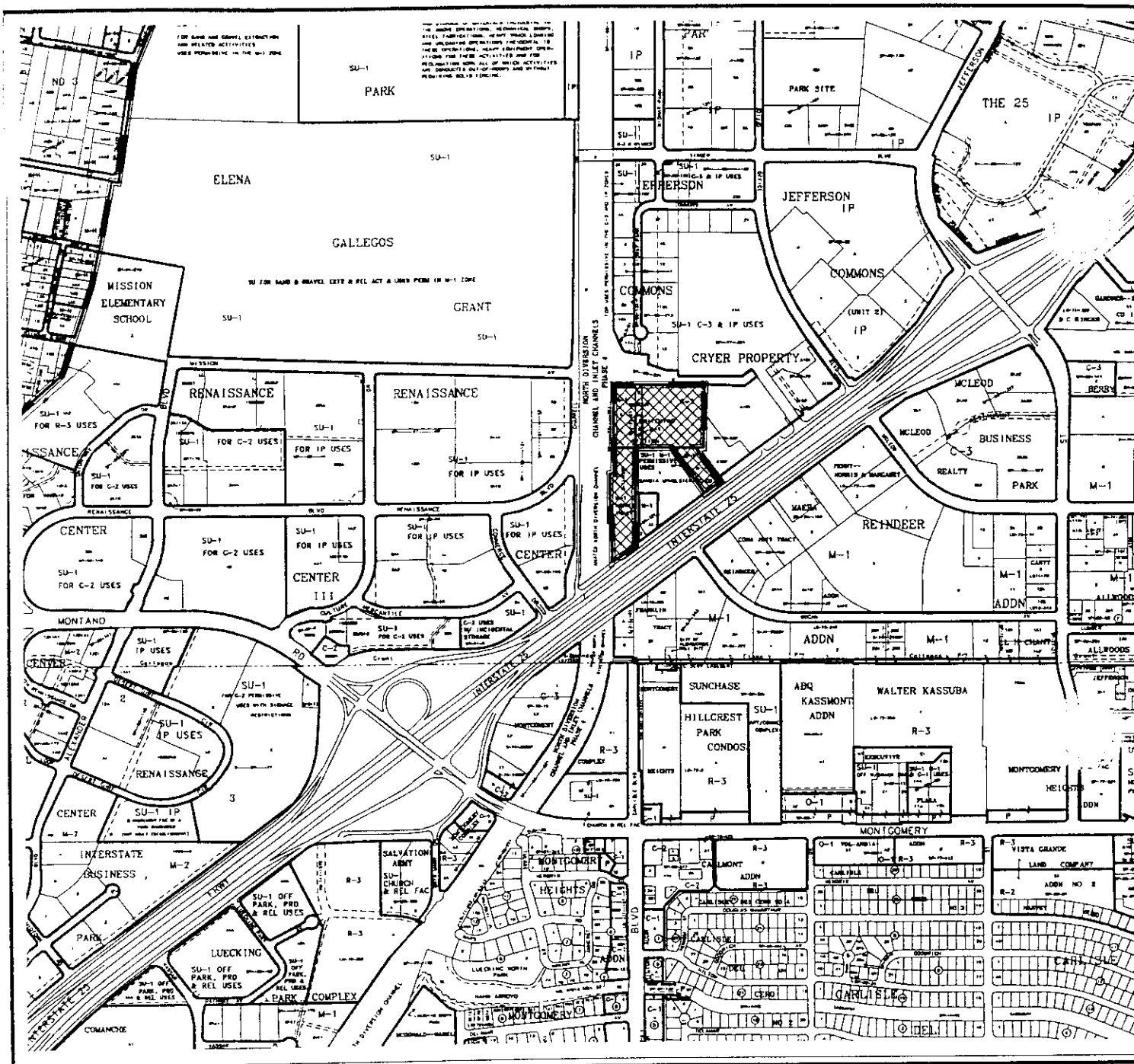
Scale 1"= 1036'

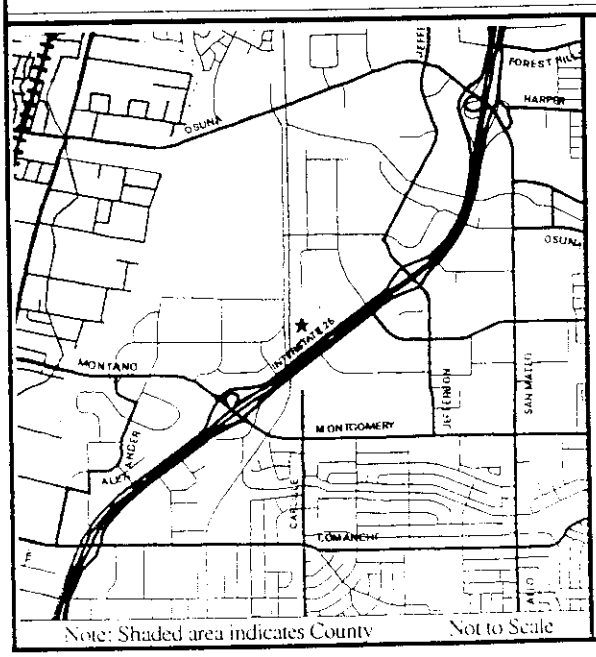
PROJECT NO.
1001445

HEARING DATE
10-18-01

MAP NO.
F-11

APPLICATION NO.
01110-00000-01244





Note: Shaded area indicates County

Not to Scale

ZONING MAP

AGIS

Scale 1"= [illegible]

PROJE[illegible]

10014-[illegible]

HEARING DATE

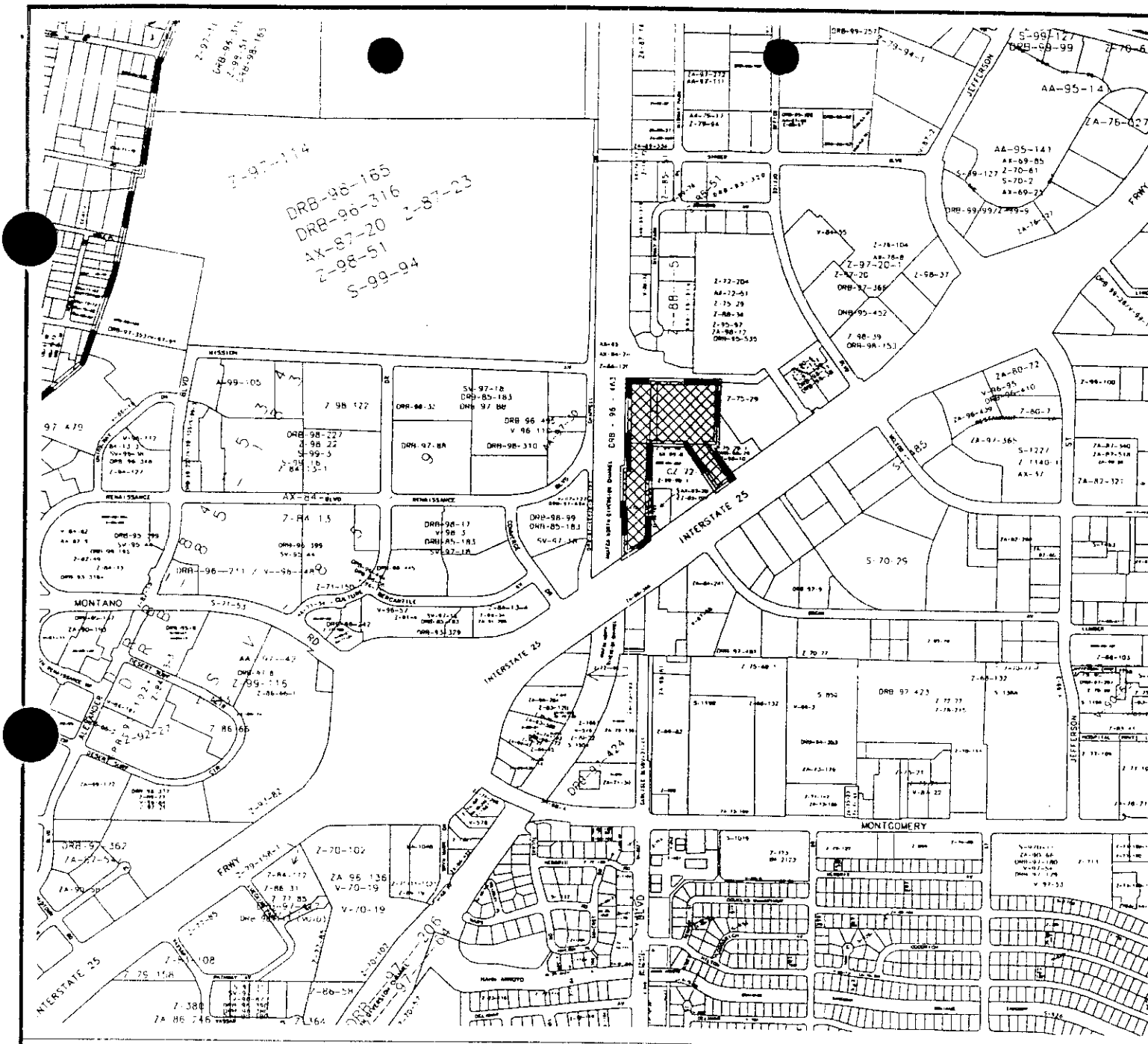
10-18-01

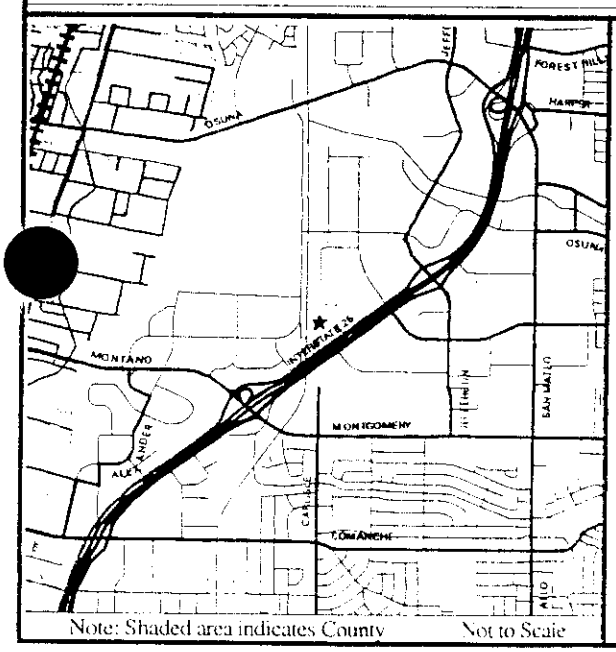
MAP NO.

F-16

APPLICATION NO.

01110-00000-012





Note: Shaded area indicates County Not to Scale

HISTORY MAP

AGIS

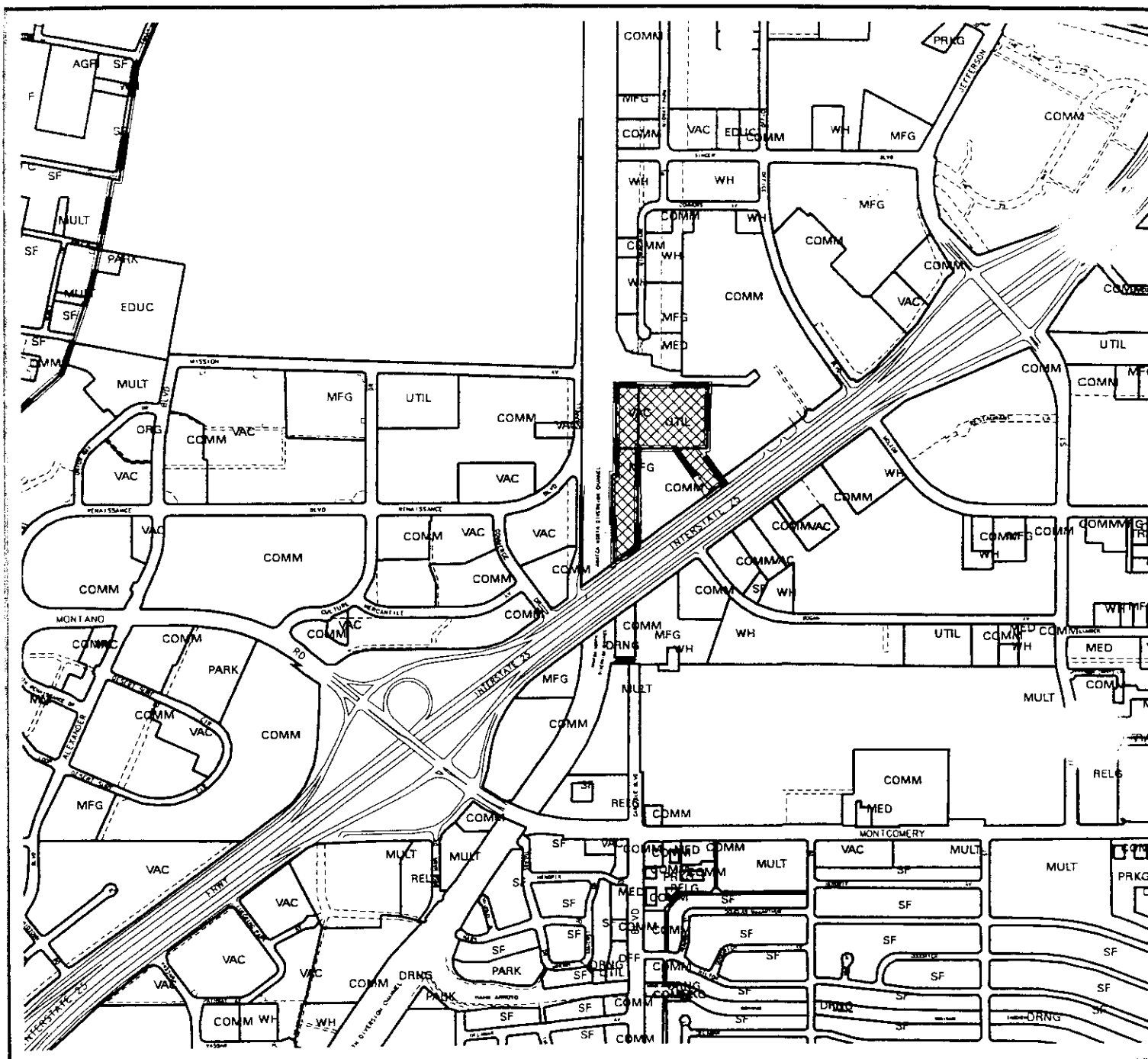
Scale 1" = 1085 '

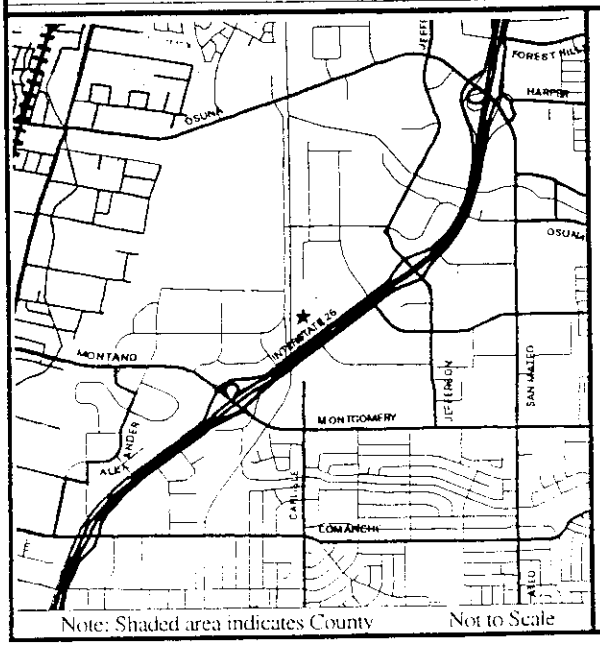
PROJECT NO.
1001445

HEARING DATE
10-18-01

MAP NO.
F-16

APPLICATION NO.
01110-00000-01244





Note: Shaded area indicates County

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LAND USE MAP

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RELG Religious Facility
SF Single Family
TRAN Transportation Facility
UTIL Utility
VAC Vacant Land or Abandoned Bldgs
WH Warehousing & Storage

-22-

AGIS

Scale 1"= [illegible]

PROJECT
1001445

HEARING DATE
10-18-01

MAP NO.
F-16

APPLICATION NO.
01110-00000-0124

Development Services Report

SUMMARY OF REQUEST

Request: Establishment of Zoning

Location: West of the Rio Grande, south of NM 528 and north of Western Trail and Namaste Road NW, and along Interstate 25 between Montano Road NE and San Antonio Drive NE

Recommended Zoning

SU-1 for C-2 Uses for Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch, Lots A, B1, B2 and C, Paradise Hills IPTRN & Eagle Ranch TR2, and Unplatted/Sun Country Industries, and Lot 3E1, Black Ranch;

SU-1 for C-3 Uses for Lardner Tract, Lardner Tract;

SU-1 for C-1 Uses and restaurant with liquor for on-premise consumption for Lot 13, Black Ranch, Partition of and Lots 1 and 2, Sawaya Addition;

SU-1 for C-1 Uses for Lot 1A, Riverwalk Marketplace, Lot 3A1, Black Ranch, and Lots 4 and 5, Black Ranch, Partition of, Lot 3D, Black Ranch, and Lot B, Sandia Upholstering Company;

SU-1 for Church and Related Uses for Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church and Lot A1B, Taylor-Joel P;

SU-1 for RA-1 and Wireless Telecommunications Facility for Lot A1, Taylor-Joel P, and Private Road Easement;

SU-1 for RA-1 & processing, manufacturing, treatment and sale of herb products for Lot A2, Taylor-Joel P;

SU-1 for Children's Home for ABQ Christian Home, ABQ Christian Children's Home;

R-1 for Unplatted, Presley Co. of New Mexico;

RA-1 for Lots 1, 2, 3 and 4, West Bank Estates and Lots A and C, Poole-Suzanne H; and

SU-1 for Electric Utility Facility for Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station

AREA CHARACTERISTICS AND ZONING HISTORY

Background, History and Context

The City of Albuquerque petitioned the State Municipal Boundary Commission (the Commission) for annexation of approximately 165 acres of property pursuant to the State Statutes regarding annexation by municipalities via the Commission (NMSA 1978, § 3-7-11 to § 3-7-16).

On 7 August 2001, the Commission held a public hearing at the Albuquerque Convention Center to determine if the conditions set forth in §3-7-15 NMSA 1978 were met. At the hearing, the City withdrew approximately 25 acres of property from the request because these properties had petitioned to annex into the City on their own through the City's annexation process. The Commission heard testimony from the petitioner (the City), a few property owners and the Bernalillo County Manager and found that:

(1) All of the territories proposed to be annexed are contiguous to the City of Albuquerque; and

(2) All of the territories proposed to be annexed may be provided with municipal services by the City of Albuquerque.

The Commission voted unanimously to order annexation of approximately 140 acres of property to the City of Albuquerque.

The Commission did not establish zoning. The City Council has final authority to establish zoning for the subject properties, hence this request for a recommendation from the Environmental Planning Commission to the City Council to establish specific zone categories that will adequately respond to the previous County zoning and the existing uses on the properties.

The 140 acres of property are not all contiguous to each other, but are located in small groupings or as stand alone parcels, mostly on the west side of the Rio Grande. A few properties are located along Interstate 25 between Montaño Road and San Antonio Drive. For the most part, the City is proposing zoning that is congruent with the previous County zoning. The Planning Department is recommending a variety of zones for the individual parcels as outlined on the attached zoning matrix.

APPLICABLE PLANS AND POLICIES

Albuquerque / Bernalillo County Comprehensive Plan

All of the subject sites are located in the areas designated **Established** or **Developing Urban** by the *Comprehensive Plan* with an identical Goal to "to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment." Applicable policies include:

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

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

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

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

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

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

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

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

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

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

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-r pattern of low-density and high-density forms.

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.

ANALYSIS

Conformance to Adopted Plans, Policies, and Ordinances

This is a request to establish zoning for approximately 140 acres of property annexed into the City by the State Municipal Boundary Commission located in the northwest area of the City, west of the Rio Grande and in the North I-25 area of the City.

The City of Albuquerque petitioned the State Municipal Boundary Commission for annexation of the subject properties pursuant to the State Statutes regarding annexation by municipalities via the Commission (NMSA 1978, § 3-7-11 to § 3-7-16). On 7 August 2001, the Commission held a public hearing at the Albuquerque Convention Center to determine if the conditions set forth in §3-7-15 NMSA 1978 were met. The Commission found that:

(1) All of the territories proposed to be annexed are contiguous to the City of Albuquerque; and

(2) All of the territories proposed to be annexed may be provided with municipal services by the City of Albuquerque.

The Commission voted unanimously to order annexation of approximately 140 acres of property to the City of Albuquerque. The Commission did not establish zoning. The City Council has final authority to establish zoning for the subject properties, hence this request for a recommendation from the Environmental Planning Commission to the City Council to establish specific zone categories that will adequately respond to the previous County zoning and the existing uses on the properties.

The Planning Department is recommending a variety of zones for the individual parcels as outlined on the attached zoning matrix. A majority of the zoning categories are SU-1 zones that will require future development and redevelopment to come before the Environmental Planning Commission for review and approval. The only "straight" zoning proposed is residential zoning for properties near the intersection of Coors Boulevard and Western Trail/Namaste NW.

The requested zoning furthers the applicable goal and policies of the *Comprehensive Plan* by creating the potential for 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.

The requested zoning, because it reflects the previous County zoning and/or any existing uses on the properties, does not conflict with any applicable Rank II or III plans, including the *West Side Strategic Plan*, the *Seven Bar Ranch Sector Development Plan* and the *Coors Corridor Plan*.

The requested zoning furthers the policies and requirements of *Resolution 270-1980*, specifically: the proposed change is not in significant conflict with adopted elements of the *Comprehensive Plan* or other City master plans (Section 1.C); the existing zoning is inappropriate because changed neighborhood or community conditions justify the change, namely the annexation of the properties by the State Municipal Boundary Commission (Section 1.D); and the permissive uses of the proposed zoning categories will not be harmful to adjacent

property, the neighborhood or the community because they reflect the previous County zoning and/or any existing uses on the properties (Section 1.E).

Special Circumstances

The Planning Department notified the property owners of record about the proposed zoning recommendations via mailed letters. Some owners were already aware of the annexation action before the Planning Department submitted this zoning request.

A few of the property owners and some agents have contacted the Planning Department and requested specialized zoning and/or special approbation for their clients' properties to reflect specific land uses that are either not apparent or were approved or progressing through the planning process while in the County. These properties with special circumstances include Lot 13, Black Ranch, Partition of, Lot A2, Taylor – Joel P, Lots 1 and 2, Sawaya Addition, and Lardner Tract, Lardner Tract.

Lot A2, Taylor – Joel P: The agent for this property owner contacted Planning Staff soon after the State Municipal Boundary Commission annexation hearing on 7 August 2001. They explain in a letter dated August 20, 2001 that their client "has a commercial herb garden which she anticipates will eventually result in the production of herbal products for sale to the public." Commercial agricultural activity is a permissive use in the RA-1 zone, but the "production of these products may require other materials in addition to the herbs grown on-site." Their requested *SU-1 for RA-1 uses and the Processing, Manufacturing, Treatment and Sale of Herbal Products* zoning appears to be a reasonable land use category for this site. The letter also requests that the attached "Exhibit A" be accepted as the approved site plan and that no further site plan requirement be imposed unless additional structures are proposed. Planning staff believes that the submitted exhibit contains all of the information required for and is acceptable as a site development plan for subdivision.

Lots 1 and 2, Sawaya Addition: The agent for the contract purchasers of a portion of this property explain in a letter to the Planning Department dated September 20, 2001 that the Oasis Restaurant is planning to relocate to this site form their present location on San Mateo NE. The restaurant has full alcoholic beverage dispenser's license and the owners wish to continue using it at the new location. The Planning Department is proposing a zoning category for this site that responds to this request: SU-1 for C-1 Uses and Restaurant with Liquor for On-Premise Consumption. There are no adjacent or nearby residential neighborhoods in the area that would be adversely affected by this expanded use category.

Lardner Tract, Lardner Tract: The owner of this property contacted the Planning Department directly by phone and enlightened staff that the existing uses on the site include the manufacturing of marble countertops as well as the storage and retail of stone products. Staff then consulted with the Zoning Code Services Division and it was determined that the C-3 zone would allow the current uses, including the manufacturing process. A revised zone category of *SU-1 for C-3 Uses* is proposed for this site, located in an established commercial, industrial and office area.

Lot 13, Black Ranch, Partition of: The owner of this property was in attendance at the State Municipal Boundary Commission annexation hearing on 7 August 2001 and immediately after requested that staff recommend a zone category that would reflect the approved use in the County, which is restaurant with liquor for on-premise consumption. The Planning Department is proposing a zoning category for this site that reflects this County approved use. The agent for the owner of this property requests in an undated letter that the County approved site development plan for building permit be accepted as the site development plan for subdivision in the City. This site has a protracted history in the County that stems from the original proposal for a restaurant with liquor in 1996. The approved use and site plan were appealed through District Court and the Court of Appeals where they were upheld. Planning staff believes that the submitted site plan contains all of the information required for and is acceptable as a site development plan for subdivision. It includes the specific conditions relating to building location, noise, lighting, etc. that were required by the County to mitigate the concerns of the adjoining neighbors. The submittal modifies the County conditions to comply with current City of Albuquerque policies. Additionally, the Calabacillas Pueblo archaeological site, located on the site and the adjoining site to the east, is adequately identified for preservation, additional archeological testing, and dedication to an appropriate agency.

Concerns of Reviewing Agencies / Pre-Hearing Discussion

The City Open Space Division states the following:

> "Regarding Lands of Suzanne H. Poole, please note that Lot B (approximately 6.65 acre) has already been annexed into the City of Albuquerque and zoned SU-1 for MPOS (Major Public Open Space).
>
> Regarding Lot 13, Partition of Black Ranch, the Environmental Planning Commission is reminded that the incorporated portion of Lot 13 and adjacent Lot 14B is the site of the Calabacillas Pueblo, having significant archaeological, cultural, and historic significance."

Planning staff has removed Lot B from the zoning recommendation. The issue of the Calabacillas Pueblo has been adequately addressed by the requested site development plan for subdivision request (see above section).

The Environmental Health Department brings up concerns of "upzoning" with certain properties. Planning staff believes that most of the proposed zoning categories are justified to reflect the previous County zoning, existing uses and approved or planned uses. The proposed zoning for Lot 1A, Riverwalk Marketplace has been altered from *SU-1 for C-2 Uses* to *SU-1 for C-1 Uses* to more accurately reflect the previous County SU-Permit for C-1 Uses.

Neighborhood Concerns

The Planning Department received one call from the Quaker Heights Neighborhood Association inquiring about the proposed zoning for the Unplatted, Presley Co. of New Mexico tract located at Coors Boulevard and Western Trail. The caller was satisfied with the proposed R-1 zoning for this site.

Conclusions

The annexation order from the State Municipal Boundary Commission for the subject properties does not establish zoning for the sites. The City Council has the authority to establish zoning, hence this request for a recommendation from the Environmental Planning Commission that mirrors the previous County zoning, existing uses and approved or planned uses. The requested zoning furthers the applicable goal and policies of the *Comprehensive Plan* and does not conflict with any Area or Sector Development Plans. The policies and requirements of *R-270-1980* are met, specifically that the annexation of the properties is a changed neighborhood and community condition that justifies the proposed zoning categories.

Bernalillo County has appealed the State Municipal Boundary Commission annexation order to District Court. The Planning Department does not discourage the EPC from making a zoning recommendation to the City Council because a final decision will be under the purview of the Council.

FINDINGS

1. This is a request to establish zoning for approximately 134 acres of property annexed into the City by the State Municipal Boundary Commission located in the northwest area of the City, west of the Rio Grande and in the North I-25 area of the City.

2. The requested zoning, which mirrors the previous County zoning, existing uses and approved or planned uses is:

   SU-1 for C-2 Uses for Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch, Lots A, B1, B2 and C, Paradise Hills IPTRN & Eagle Ranch TR2, and Unplatted/Sun Country Industries, and Lot 3E1, Black Ranch;

   SU-1 for C-3 Uses for Lardner Tract, Lardner Tract;

   SU-1 for C-1 Uses and restaurant with liquor for on-premise consumption for Lot 13, Black Ranch, Partition of and Lots 1 and 2, Sawaya Addition;

   SU-1 for C-1 Uses for Lot 1A, Riverwalk Marketplace, Lot 3A1, Black Ranch, and Lots 4 and 5, Black Ranch, Partition of, Lot 3D, Black Ranch, and Lot B, Sandia Upholstering Company;

   SU-1 for Church and Related Uses for Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church and Lot A1B, Taylor-Joel P;

   SU-1 for RA-1 and Wireless Telecommunications Facility for Lot A1, Taylor-Joel P, and Private Road Easement;

   SU-1 for RA-1 & processing, manufacturing, treatment and sale of herb products for Lot A2, Taylor-Joel P;

   SU-1 for Children's Home for ABQ Christian Home, ABQ Christian Children's Home;

   R-1 for Unplatted, Presley Co. of New Mexico;

   RA-1 for Lots 1, 2, 3 and 4, West Bank Estates and Lots A and C, Poole-Suzanne H; and SU-1 for Electric Utility Facility for Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station

3. The requested zoning furthers the applicable goal and policies of the *Comprehensive Plan* by creating the potential for 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.

4. The requested zoning, because it reflects the previous County zoning and/or any existing uses on the properties, does not conflict with any applicable Rank II or III plans, including the *West Side Strategic Plan*, the *Seven Bar Ranch Sector Development Plan* and the *Coors Corridor Plan*.

5. The requested zoning furthers the policies and requirements of *Resolution 270-1980*, specifically: the proposed change is not in significant conflict with adopted elements of the *Comprehensive Plan* or other City master plans (Section 1.C); the existing zoning is inappropriate because changed neighborhood or community conditions justify the change, namely the annexation of the properties by the State Municipal Boundary Commission (Section 1.D); and the permissive uses of the proposed zoning categories will not be harmful to adjacent property, the neighborhood or the community because they reflect the previous County zoning and/or any existing uses on the properties (Section 1.E).

6. The submitted "Exhibit A" contains all of the information required for and is acceptable as a site development plan for subdivision for Lot A2, Taylor – Joel P and corresponds to the recommended *SU-1 for RA-1 uses and the Processing, Manufacturing, Treatment and Sale of Herbal Products* zoning.

7. The submitted site plan for Lot 13, Black Ranch, Partition of contains all of the information required for and is acceptable as a site development plan for subdivision and corresponds to the recommended *SU-1 for C-1 Uses and Restaurant with Liquor for On-premise Consumption* zoning. It includes the specific conditions relating to building location, noise, lighting, etc. that were required by the County to mitigate the concerns of the adjoining neighbors. The submittal modifies the County conditions to comply with current City of Albuquerque policies. Additionally, the Calabacillas Pueblo archaeological site, located on the site and the adjoining site to the east, is adequately identified for preservation, additional archeological testing, and dedication to an appropriate agency.

RECOMMENDATION

That APPROVAL of 01110 01244,establishment of *SU-1 for C-2 Uses* for Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch, Lots A, B1, B2 and C, Paradise Hills IPTRN & Eagle Ranch TR2, and Unplatted/Sun Country Industries, and Lot 3E1, Black Ranch; *SU-1 for C-3 Uses* for Lardner Tract, Lardner Tract; *SU-1 for C-1 Uses and restaurant with liquor for on-premise consumption* for Lot 13, Black Ranch, Partition of and Lots 1 and 2, Sawaya Addition; *SU-1 for C-1 Uses* for Lot 1A, Riverwalk Marketplace, Lot 3A1, Black Ranch, and Lots 4 and 5, Black Ranch, Partition of, Lot 3D, Black Ranch, and Lot B, Sandia Upholstering Company; *SU-1 for Church and Related Uses* for Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church and Lot A1B, Taylor-Joel P; *SU-1 for RA-1 and Wireless Telecommunications Facility* for Lot A1, Taylor-Joel P, and Private Road Easement; *SU-1 for RA-1 & processing, manufacturing, treatment and sale of herb products* for Lot A2, Taylor-Joel P; *SU-1 for Children's Home* for ABQ Christian Home, ABQ Christian Children's Home; *R-1* for Unplatted, Presley Co. of New Mexico; *RA-1* for Lots 1, 2, 3 and 4, West Bank Estates and Lots A and C, Poole-Suzanne H; and *SU-1 for Electric Utility Facility* for Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station, be forwarded to the City Council, based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL

1. The submitted "Exhibit A" contains all of the information required for and is accepted as the site development plan for subdivision for Lot A2, Taylor – Joel P. Final sign-off the Development Review Board is required.

2. The submitted site plan for Lot 13, Black Ranch, Partition of contains all of the information required for and is accepted as the site development plan for subdivision. Final sign-off the Development Review Board is required.

Russell Brito
Senior Planner

cc: City of Albuquerque, P.O. Box 1293, Albuq. NM 87103
Garcia/Kraemer&Associates, 200 Lomas NW, Suite 1111, Albuq. NM 87102
John Meyers, 1401 Central Avenue NW, Albuq. NM 87104
James Strozier, 924 Park Avenue SW, Albuq. NM 87102

Attachments

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Code Services

"Reviewed, no comments."

PUBLIC WORKS DEPARTMENT

Transportation Development Services:
No adverse comments on the recommended zoning.

Utility Development:
No adverse comment.

Traffic Engineering Operations:
No comment received.

Hydrology:
Hydrology has no objection to the amendment to the Zone Map to establish zoning for subject lands.

Transportation Planning:
No objections to annexations, no recommendations regarding zoning. It appears that no right-of-way dedications for arterial streets are required at this time. A portion of one of the areas to be annexed was already recently annexed in a separate case.

RECOMMENDED CONDITIONS FROM CITY ENGINEER:
None.

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

Comment #1: It seems as if the annexation of the 140 acres, divided into 18 properties, is being treated as a single case. Perhaps this is appropriate from the point of view of annexation and when the zoning classification remains similar. However, comparable County-to-City zoning only applies to fifteen of the eighteen properties listed. Regarding the properties that are receiving a zone map amendment (Lot 1A Riverwalk Marketplace, Lot 13 Partition of Black Ranch, and Lots A, B1, B2 & C Paradise Hills IPTRN & Eagle Ranch TR2 & Unplatted/Sun Country Industries), it would be preferable to treat these as separate cases.

Comment #2: The last column of Attachment A lists "Requested City of Albuquerque Zoning". Regarding the eighteen legal property descriptions provided in the table, the City zoning classifications appear to be consistent with County zoning classifications for fifteen of the properties. Three properties are being "upzoned" from their County zoning. (Lot 1A Riverwalk Marketplace, Lot 13 Partition of Black Ranch, and Lots A, B1, B2 & C Paradise Hills IPTRN & Eagle Ranch TR2 & Unplatted/Sun

Country Industries). What are the reasons for the Planning Department's decision to "upzone" particular three properties?

Comment #3: The upzoning for Lot 1A Riverwalk Marketplace, Lot 13 Partition of Black Ranch, and Lots A, B1, B2 & C Paradise Hills IPTRN & Eagle Ranch TR2 & Unplatted/Sun Country Industries is a zone map amendment. Unlike the remaining fifteen properties for which the zoning (and associated land uses) will remain similar after the annexation, the three parcels mentioned above are likely to experience significant land use changes that may contribute to increased traffic generation* and worsened air quality for Albuquerque's already congested Northwest sector.

*The following demonstrates that traffic generation will increase for Lots A, B1, B2 and C Paradise Hills IPTRN & Eagle Ranch TR2 & Unplatted/Sun Country Industries with a zone change from M-1 to C-2. See the ITE Trip Generation Manual.

Assume a .25 FAR on a 10.3 acre site, which leaves 112, 167 square feet for a building.

Trip Generation Rates for Manufacturing (M-1): Average Weekday Vehicle Trip Ends per Acre (43,560 square feet): 38.882, or .893 Average Weekday Vehicle Trip Ends per 1000 sq. ft.

(112,167*.893)/1000=100.17 vehicle trip ends

Trip Generation Rates for Shopping Center (C-2): Average Weekday Vehicle Trip Ends per 1000 sq. ft GLA: 74.31 (112,167*74.31)/1000=8335.13 vehicle trip ends

Net increase in Average Weekday Vehicle Trip Ends: 8234.96

Comment #4: The example above shows how a zone map amendment can contribute to increased traffic, which is likely to worsen air quality in an already congested area. The impacts appear to be above the level required for a TIS; therefore it would be prudent to determine the transportation and air quality effects of the proposed zone map amendments. See City Zone Code § 14-16-3-14 for Air Quality Impact Regulations.

Environmental Services Division

No comments received.

NEIGHBORHOOD SERVICES

City Wide Notification.

PARKS AND RECREATION

Planning and Design
"No Adverse Comment."

OPEN SPACE DIVISION

Regarding Lands of Suzanne H. Poole, please note that Lot B (approximately 6.65 acre) has already been annexed into the City of Albuquerque and zoned SU-1 for MPOS (Major Public Open Space).

Regarding Lot 13, Partition of Black Ranch, the Environmental Planning Commission is reminded that the incorporated portion of Lot 13 and adjacent Lot 14B is the site of the Calabacillas Pueblo, having significant archaeological, cultural, and historic significance.

POLICE DEPARTMENT/Planning

No comments received.

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

"Approved."

FIRE DEPARTMENT/Planning

No comments received.

TRANSIT DEPARTMENT

"No Comment."

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

No comments received.

ALBUQUERQUE METROPOLITAN FLOOD CONTROL AUTHORITY

'No objection."

ALBUQUERQUE PUBLIC SCHOOLS

No adverse comments on request by the City of Albuquerque for a multiple zone map amendment to establish for lands annexed into the city by the State Municipal Land Commission. 165 acres located in the unincorporated area of Bernalillo County west of the Rio Grande River, south of NM 528 and north of interstate 40, and along interstate 25 between Montano road and San Antonio drive.

MIDDLE RIO GRANDE COUNCIL OF GOVERNMENTS

"No Adverse Comment."

City of Albuquerque

DEVELOPMENT REVIEW APPLICATION

	Supplemental form
SUBDIVISION	S
____ Major Subdivision action	
____ Minor Subdivision action	
____ Vacation	V
____ Variance (Non-Zoning)	
SITE DEVELOPMENT PLAN	P
____ ...for Subdivision Purposes	
____ ...for Building Permit	
____ IP Master Development Plan	
____ Cert. of Appropriateness (LUCC)	L

	Supplemental form
ZONING	Z
____ Annexation & Zone Establishment	
____ Sector Plan	
X Zone Change	
____ Text Amendment	
____ Special Exception	E
APPEAL / PROTEST of...	A
____ Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals	

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: City of Albuquerque PHONE: 924-3860
ADDRESS: PO Box 1293 FAX: 924-3339
CITY: Albuquerque STATE NM ZIP 87103 E-MAIL:
Proprietary interest in site: Petitioner to State Municipal Boundary Commission
AGENT (if any): City of Albuquerque Planning Dept. PHONE: 924-3860
ADDRESS: 600 Second Street NW 3rd Floor FAX: 924-3339
CITY: Albuquerque STATE NM ZIP 87102 E-MAIL:
DESCRIPTION OF REQUEST: Establishment of zoning for properties annexed to the City by the State Municipal Boundary Commission

Is the applicant seeking incentives pursuant to the Family Housing Development Program? ___ Yes. X No.

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

Lot or Tract No. see attachment A Block: Unit:
Subdiv. / Addn.
Current Zoning: Proposed zoning:
Zone Atlas page(s): A-13-14, B-13-14, C-13, E-12, E-17, F-11-12, F-16-17 No. of existing lots: No. of proposed lots:
Total area of site (acres): appr. 140 Density if applicable: dwellings per gross acre: dwellings per net acre:
Within city limits? X Yes. No___, but site is within 5 miles of the city limits (DRB jurisdiction.) Within 1000FT of a landfill? No
UPC No. see attached MRGCD Map No.
LOCATION OF PROPERTY BY STREETS: On or Near:
Between: and

CASE HISTORY:
List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_,Z_, V_, S_, etc.):

Check-off if project was previously reviewed by Sketch Plat/Plan ☐, or Pre-application Review Team ☐. Date of review:

SIGNATURE Russell Brito DATE 30 Aug 2001
(Print) Russell Brito ___ Applicant X Agent

Form revised December 2000

FOR OFFICIAL USE ONLY

	Application case numbers	Action	S.F.	Fees
~~☐ INTERNAL ROUTING~~	01110 - 00000 - 01244	ZA Amend	Z	$ -0-
☒ All checklists are complete				$
~~☐ All fees have been collected~~				$
☒ All case #s are assigned				$
☒ AGIS copy has been sent				$
☒ Case history #s are listed				$
~~☐ Site is within 1000ft of a landfill~~				Total
~~☐ F.H.D.P. density bonus~~	Hearing date Oct. 18, '01			$ -0-
~~☐ F.H.D.P. fee rebate~~				

Planner signature / date

Project # 1001445

UPC NUMBERS

101406522938020302
101306550548110901
101306653000740401
101306551542610902
101206234525210225
101206236527510219
101206237729710221
101206238338810220
101206248050510222
101606151724710304
101706102030020104CA
101706104727220106
101106121920131009
101106142416040201
101106148816040132
101106149818940204
101106145518840203
101106142418740202
101206102518520106
101306648603940402
101306653000740401
101306551542610902
101306550548110901
101406613006930105
101406522938020302
101305436750310313
101306433548710315
101306437147410305
101306435745410314
101306435444710303
101306413623630410
101306412920520416
101306409119930411CA
101306441447110204
101306440043310203
101306438443110202
101306434036610414
101306432535310415
101706243846110202
101706242634410201

CITY OF ALBUQUE. .QUE

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

APPLICANT: City of Albuquerque Date of Request: 08/28/01 Zone Atlas Page(s): A-13-14, B-13-14, C-13, E-12, E-F-11-12, F-16-17

CURRENT:

Zoning See attachment 1. Parcel Size (acres/sq.ft.) _____

Legal Description:

Lot or Tract # _____ Block # _____

Subdivision Name _____

REQUESTED CITY ACTION(S):

Annexation [ ]
Sector Plan Amendment [ ]
Zone Map Amendment [X]
Other [ ]

Site Development Plan :
a.) Subdivision [ ] d. Building Permit [ ]
b.) Building Purposes [ ] e. Other [ ]
c.) Amendment [ ]

PROPOSED DEVELOPMENT:

No construction/development [X]
New construction [ ]
Expansion of existing development [ ]

GENERAL DESCRIPTION OF ACTION:[1]

Number of units _____
Building size _____ (sq. ft.) > N/A

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

Applicant or Agent for the Applicant Russell Butt Date 28 Aug 01

TRAFFIC IMPACT STUDY REQUIRED: DEFERRED YES [X] NO [ ] BORDERLINE [ ]

PUBLIC WORKS DEPT. Transportation Development Division 1st Floor/Plaza del Sol 924-3900

THRESHOLDS MET? YES [X] NO [ ] Previously studied [ ] Mitigating reasons for not requiring **TIS**:
Notes: DEFERRED UNTIL DEVELOPMENT OF INDIVIDUAL PARCELS OCCUR. NEW ZONING WILL BE SU-1 FOR C-1, C-2, ETC.

IF A T'S 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 updated or new TIS.**

TRAFFIC ENGINEER Tony Sgd DATE 8-28-01

AIR QUALITY IMPACT ASSESSMENT MAY BE REQUIRED

Section 14-16-3-14 of COA Comprehensive Zoning Code contains threshold requirements for air quality studies. Criteria and thresholds contained in the zoning code specify which land use or plan actions will require preparation of an AQIA. Please refer t this section in order to determine if your proposal merits study for air quality impacts. No AQIA is required if associated TIS show intersections functioning at level of service A, B or C.

IF AN AQIA IS REQUIRED: A scoping meeting must be held to define the level of analysis needed and the parameters of the study. The applicant should call 768-2638 or 768-2600 to insure that input is received from the AQD during the scoping of the companion TIS. Note that any subsequent changes to the development proposal identified above may require an updated or new AQIA.

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

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

Attachment 1, page 1

Legal Description(s)	Acreage	Bernalillo County Zoning	Current Use(s)	Requested City of Albuquerque Zoning
Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch	41.6 acres	A-1 w/ Special Use Permit for C-2 Uses	Commercial / Retail	SU-1 for C-2 Uses
Lot 1A, Riverwalk Marketplace	9.4 acres	A-1 w/ Special Use Permit for C-1 Uses	Vacant Building	SU-1 for C-1 Uses
Lot 13, Black Ranch, Partition of	3.0 acres	A-1 w/Special Use Permit for PDA	Undeveloped	SU-1 for C-1 Uses and restaurant with liquor for on-premise consumption
Lots A, B1, B2 and C, Paradise Hills IPTRN & Eagle Ranch TR2, and Unplatted/Sun Country Industries	10.3 acres	M-1	Commercial / Retail	SU-1 for C-2 Uses
Lot 3A1, Black Ranch, and Lots 4 and 5 Black Ranch, Partition of	2.2 acres	C-1, A-1	Gas Station and Undeveloped	SU-1 for C-1 Uses
Lot 3D, Black Ranch	0.86 acres	C-1 w/SU-Permit for Drive-in Restaurant	Developing Commercial	SU-1 for C-1 Uses
Lot 3E1, Black Ranch,	1.37 acres	C-2	Undeveloped	SU-1 for C-2 Uses
Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church	4.2 acres	C-1	Church	SU-1 for Church and Related Uses
Lot A1B, Taylor-Joel P	2.4 acres	A-1	Church	SU-1 for Church and Related Uses
Lot A1, Taylor – Joel P, and Private Road Easement	2.65 acres	A-1 w/SU-Permit for a Cellular Telephone Facility	Wireless Telecommunications Facility	SU-1 for RA-1 and Wireless Telecommunications Facility
Lot A2, Taylor – Joel P	1.3 acres	A-1	Residential & processing, manufacturing, treatment and sale of herb products	SU-1 for RA-1 & processing, manufacturing, treatment and sale of herb products

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Attachment 1, page 2

Legal Description(s)	Acreage	Bernalillo County Zoning	Current Use(s)	Requested City of Albuquerque Zoning
ABQ Christian Home, ABQ Christian Children's Home	3.81 acres	A-1 w/SU-Permit for a Children's Home	Children's Home	SU-1 for Children's Home
Unplatted, Presley Co. of New Mexico	11.7 acres	A-1	Undeveloped	R-1
Lots 1, 2, 3 and 4, West Bank Estates; and Lots A and C, Poole – Suzanne H	30.0 acres	A-1	Residential and Undeveloped	RA-1
Lots 1 and 2, Sawaya Addition	2.9 acres	C-1	Undeveloped	SU-1 for C-1 Uses and restaurant with liquor for on-premise consumption
Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station	7.33 acres	A-1 and M-1	Electric Utility	SU-1 for Electric Utility Facility
Lardner Tract, Lardner Tract	3.25 acres	M-1	Manufacturing / Commercial / Retail	SU-1 for C-3 Uses
Lot B, Sandia Upholstering Company	1.22 acres	M-1	Commercial / Retail	SU-1 for C-1 Uses

City of Albuquerque
P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

27 August 2001

Elizabeth Begay, Chair
Environmental Planning Commission
c/o Planning Department
PO Box 1293
Albuquerque NM 87103

RE: Establishment of Zoning for Lands Annexed to the City of Albuquerque by order of the State Municipal Boundary Commission

Dear Chair Begay,

Please accept this letter as justification of the multiple zoning requests for approximately 140 acres of property that were recently annexed to the City of Albuquerque (the City) by order of the State Municipal Boundary Commission (the Commission).

Background
The City petitioned the Commission for annexation of approximately 165 acres of property pursuant to the State Statutes regarding annexation by municipalities via the Commission (NMSA 1978, § 3-7-11 to § 3-7-16).

On 7 August 2001, the Commission held a public hearing at the Albuquerque Convention Center to determine if the conditions set forth in §3-7-15 NMSA 1978 were met. At the hearing, the City withdrew approximately 25 acres of property from the request because these properties had petitioned to annex into the City on their own through a different annexation process. The Commission heard testimony from the petitioner (the City), property owners and the Bernalillo County Manager and found that:

(1) All of the territories proposed to be annexed are contiguous to the City of Albuquerque.
(2) All of the territories proposed to be annexed may be provided with municipal services by the City of Albuquerque.

The Commission voted unanimously to order annexation of approximately 140 acres of property to the City of Albuquerque.

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

The Commission did not establish zoning. The City Council has final authority to establish zoning for the subject properties, hence this request for a recommendation from the Environmental Planning Commission to the City Council to establish specific zone categories that will adequately respond to the previous County zoning and the existing uses on the properties.

The 140 acres of property are not all contiguous to each other, but are located in small groupings or as stand alone parcels, mostly on the west side of the Rio Grande. A few properties are located along Interstate 25 between Montaño Road and San Antonio Drive. For the most part, the City is proposing zoning that is congruent with the previous County zoning. The Planning Department is recommending a variety of zones for the individual parcels as outlined on the attached zoning matrix.

This request is justified as per the policies of Resolution 270-1980, specifically because the annexation of the properties by the State Municipal Boundary Commission is a changed community condition.

Thank you for your consideration of this request for recommendation to the City Council.

Sincerely,

Russell Brito

Russell Brito, Senior Planner
Development Services Division
Planning Department

STATE OF NEW MEXICO
MUNICIPAL BOUNDARY COMMISSION

In re the Petition by City of Albuquerque
to annex approximately 165 acres of property.

No. 01-01

ORDER OF ANNEXATION

This matter came to hearing before the Municipal Boundary Commission ("MBC") on August 7, 2001 at the Mesilla Room of the Albuquerque Convention Center in Albuquerque NM. After considering all the evidence, the Commission **FINDS**:

1. On June 7, 2001 the City of Albuquerque, by and through its mayor the Honorable Jim Baca, filed a Petition, (See Exhibit 1, attached hereto for reference) with the New Mexico Department of Finance and Administration, to Annex approximately 165 acres of land, more or less, located in the unincorporated area of Bernalillo county west of the Rio Grande, South of NM 528 and north of Interstate 40, and along Interstate 25 between Montano Road and San Antonio Drive. The properties consist of the several properties described in the attached petition for annexation. Id.
2. At the hearing concerning the petition for annexation held on August 7, 2001, the City of Albuquerque requested that certain properties listed in the petition for annexation be withdrawn from consideration by the MBC. The properties which were withdrawn from consideration by the City are described as follows:
   A. Lots 2, 3B, 3C, 3F1, 3G1, 3H, 3I, and 3 J of Black Ranch, containing 20 acres more or less.
   B. Lot 348, Town of Atrisco Grant, Unit 8, containing 5.5 acres more or less.

2. The Petition for annexation filed with the Department of Finance and Administration by the City of Albuquerque contains all necessary documents, signatures, surveys and maps required by NMSA 1978 § 3-7-13.

3. The New Mexico Department of Finance and Administration Local Government Division published notice of the hearing in the Albuquerque Journal, a local newspaper of general circulation, once each week for four consecutive weeks, beginning June 28, 2001 and subsequently on July 3, July 10 and July 17, 2001.

4. Petitioner caused to be posted the same notice in six conspicuous places with public access within the City of Albuquerque.

5. The property Petitioner seeks to annex abuts and is contiguous to the current City limits of the City of Albuquerque.

6. Petitioner provided satisfactory evidence that it will be able to provide utility and public safety services to the property Petitioner seeks to annex.

Further, the Commission **CONCLUDES**:

9. Pursuant to NMSA 1978, Section 3-7-1 and 3-7-14(B), the Municipal Boundary Commission has jurisdiction to consider this matter.

10. Pursuant to Section 3-7-14(C), venue of the hearing was properly in the City of Albuquerque, New Mexico.

11. The notice of the annexation hearing complied fully with Section 3-7-14(B) and substantially with NMSA 1978, Section 3-1-2(J) (Repl. Pamp. 1995), though the latter statute does not apply to this annexation.

12. There is a preponderance of evidence demonstrating that Petitioner has the capacity to provide municipal services to the area Petitioner seeks to annex.

Accordingly, this Commission **ORDERS** that the properties described in the Petition for Annexation by the City of Albuquerque, as amended at the annexation hearing, hereby is, granted by vote of a quorum of the Commission.

DATED August 16, 2001.

By: Gerald Maestas
Gerald Maestas, Chairman of the
New Mexico Municipal
Boundary Commission.

BEFORE THE
MUNICIPAL BOUNDARY COMMISSION
STATE OF NEW MEXICO

CITY OF ALBUQUEREQUE No._____

Petitioner,

vs.

PROPERTY OWNERS, ETC.

Respondent.

PETITION FOR ANNEXATION
OF TERRITORY TO THE
CITY OF ALBUQUERQUE

CITY OF ALBUQUERQUE, a political subdivision of the State of New Mexico ("Petitioner"), hereby petitions the Municipal Boundary Commission to order annexation of the property described herein to the City of Albuquerque ("City"), pursuant to NMSA 1978, § 3-7-11 to § 3-7-16.

1. The territory to be annexed (the "Properties") consists of about 165 acres located in the unincorporated area of Bernalillo County west of the Rio Grande, south of NM 528 and north of Interstate 40, and along Interstate 45 between Montano Road and San Antonio Drive. The Properties consist of several parcels of land, as follows:

A. Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch, containing 41.6 acres more or less; and

B. Lot 1A, Riverwalk Marketplace, containing 9.4 acres more or less; and

C. Lot 13, Black Ranch, Partition of, containing 3.0 acres more or less; and

D. Lots A, B1, B2 and C, Paradise Hills IPTRN & Eagle Ranch TR2, and Unplatted/Sun Country Industries, containing 10.3 acres more or less; and

E. Lots 2, 3A1, 3B, 3C, 3D, 3E1, 3F1, 3G1, 3H, 3I, 3J, Black Ranch, and Lots 4 and 5 Black Ranch, Partition of, containing 25.5 acres more or less; and

F. Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church, containing 4.2 acres more or less; and

G. Lot A1B, Taylor-Joel P, containing 2.4 acres more or less; and

H. Lots A1 and A2, Taylor – Joel P, and Private Road Easement, and ABQ Christian Home, ABQ Christian Children's Home, containing 6.6 acres more or less; and

I. Unplatted, Presley Co. of New Mexico, containing 11.7 acres more or less; and

J. Lots 1, 2, 3 and 4, West Bank Estates; and Lots A, B and C, Poole – Suzanne H, containing 30 acres more or less; and

K. Lot 348, Town of Atrisco Grant, Unit 8, containing 5.5 acres more or less; and

L. Lots 1 and 2, Sawaya Addition, containing 2.9 acres more or less; and

M. Lots A, B and C, North Switching Station Addition; Lardner Tract, Lardner Tract; and Lot B, Sandia Upholstering Company, containing 11.8 acres more or less.

2. The maps attached hereto as Exhibits "A" and "B" depict the external boundaries of the Properties, and the relationships of the existing boundaries of the City to the Properties. There are no highways within the Properties.

3. The Properties are contiguous with the City boundaries as illustrated on Exhibits "A" and "B".

4. The property can be provided with municipal services by the City at this time or within a reasonable time, as follws:

City Service	When Available	How Available
Water	Immediately or within six months of annexation.	Connection to the City's existing water lines.
Sanitary Sewer	Immediately or within six months of annexation.	Connection to the City's existing sewer system.
Police	Upon Annexation	The Properties are all surrounded by the City of Albuquerque and existing police service and protection areas.
Fire & Ambulance	Upon Annexation	The Properties are all surrounded by the City of Albuquerque and existing fire service and protection areas.
Solid Waste	Upon Annexation	Once Property is annexed, collection by Solid Waste Management Department is required by the City's Refuse Ordinance.

The Properties are currently developed or able to develop immediately. City services to the lots and tracts of the Properties are either available immediately or will be available within a reasonable time.

Petitioner intends that the roads within or adjacent to the Property will be dedicated to the City. The City will have the responsibility of maintenance of dedicated roads.

Any other City services are immediately available or will be within a reasonable time. Electrical service, natural gas, telephone service and cable television service are presently available from private utility companies.

WHEREFORE, Petitioner respectfully requests that the Municipal Boundary Commission order the annexation of the Property to the City of Albuquerque.

Respectfully submitted,

CITY OF ALBUQUERQUE

By: _____
Mayor

And
By: _____
City Clerk

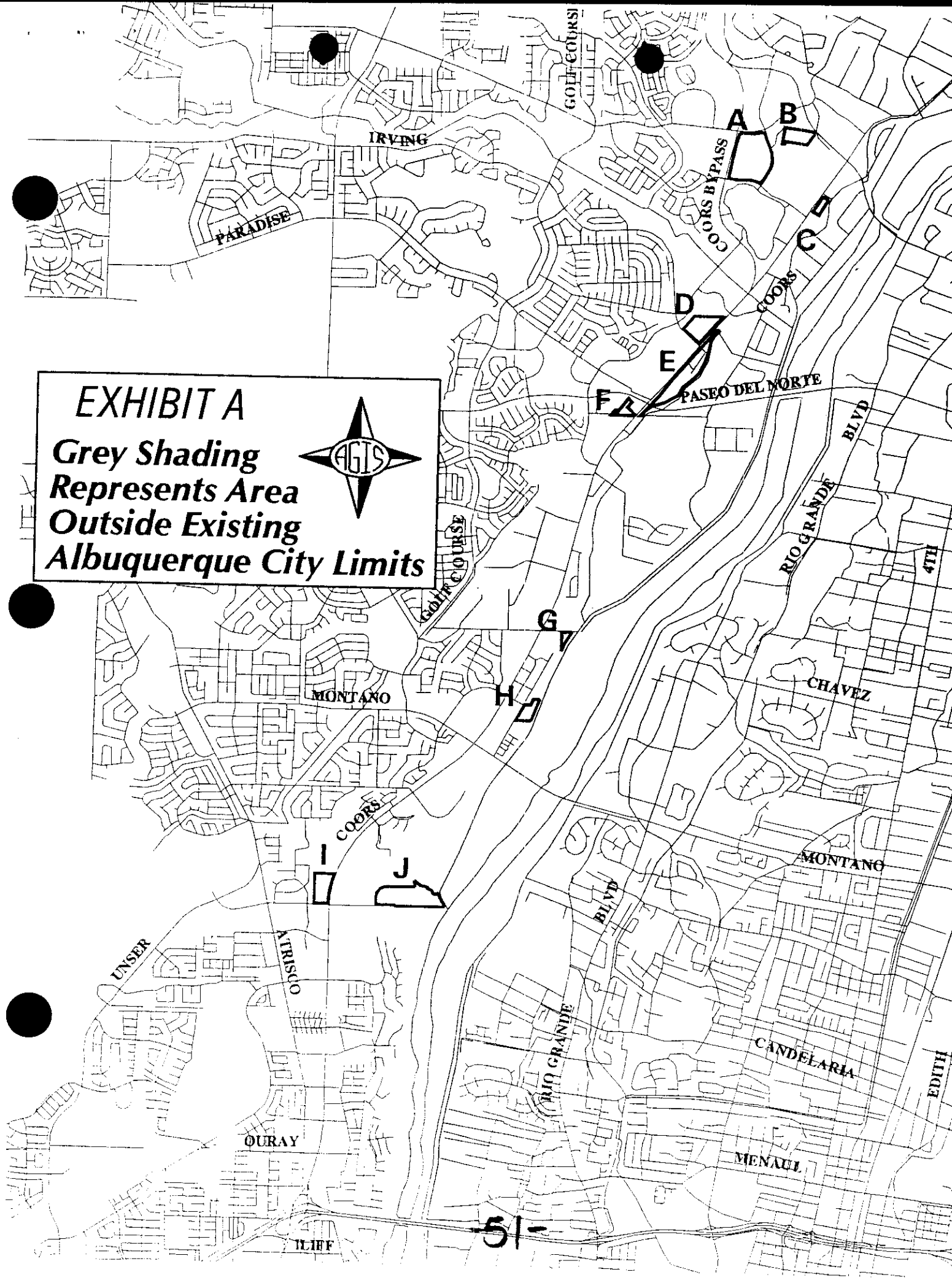
EXHIBIT A
Grey Shading Represents Area Outside Existing Albuquerque City Limits
AGIS
A
B
C
D
E
F
G
H
I
J
IRVING
PARADISE
GOLF COURSE
COORS BYPASS
COORS
PASEO DEL NORTE
RIO GRANDE
BLVD
4TH
CHAVEZ
MONTANO
UNSER
ATRISCO
CANDELARIA
EDITH
OURAY
MENAUL
ILIFF

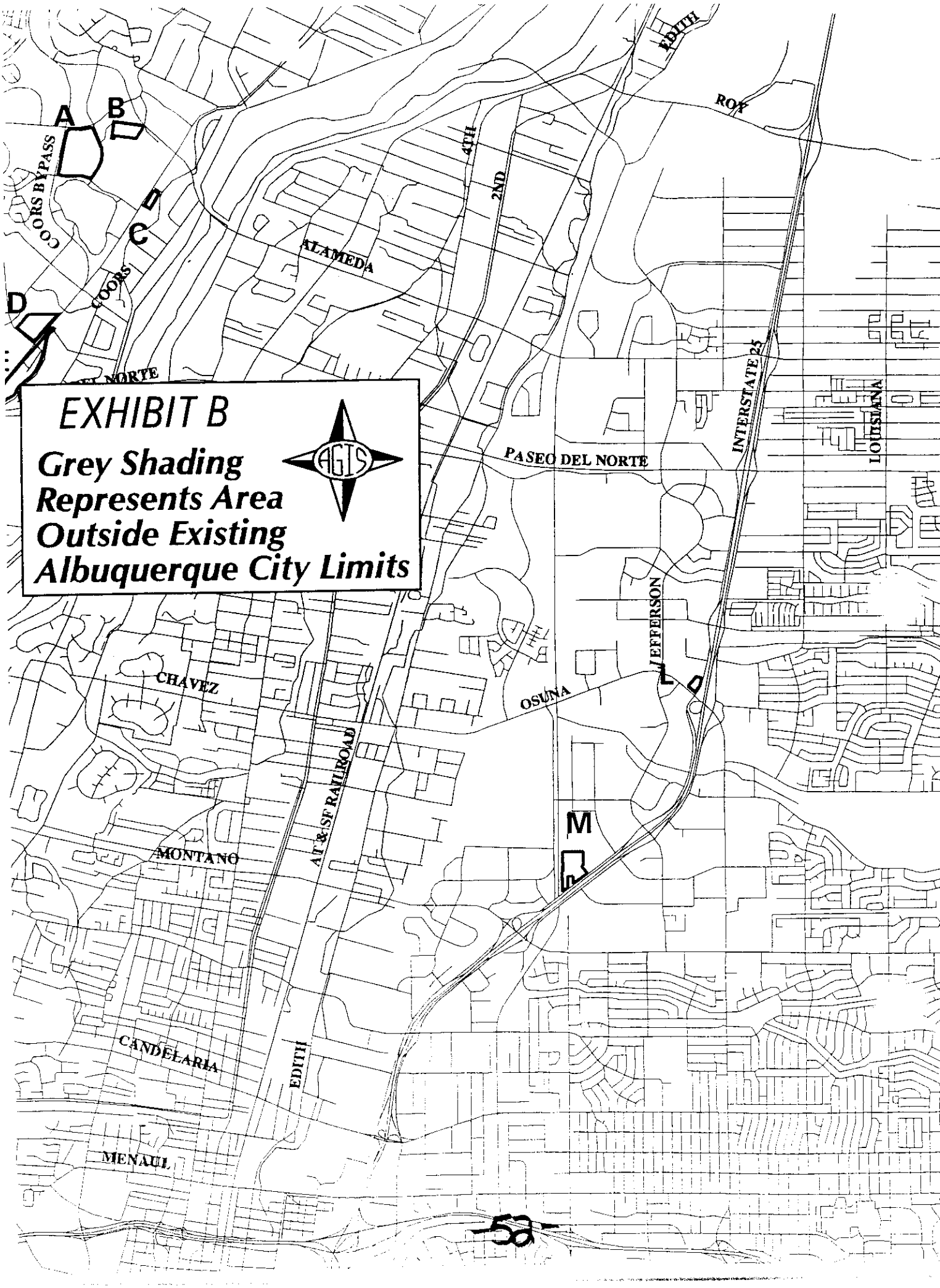
EXHIBIT B
Grey Shading Represents Area Outside Existing Albuquerque City Limits
AGIS
A
B
C
D
M
COORS BYPASS
COORS
ALAMEDA
4TH
2ND
EDITH
ROY
PASEO DEL NORTE
INTERSTATE 25
LOUISIANA
JEFFERSON
OSUNA
CHAVEZ
MONTANO
AT&SF RAILROAD
CANDELARIA
MENAUL

City of Albuquerque
P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

Date: 17 September 2001
To: Property Owners of Annexed Property
From: Russell Brito, City of Albuquerque Planning Department
RE: Establishment of Zoning for Lands Annexed to the City of Albuquerque by Order of the State Municipal Boundary Commission

The City of Albuquerque Planning Department is requesting establishment of zoning for approximately 140 acres of property that were annexed to the City by the State Municipal Boundary Commission on 7 August 2001. The requested zoning and a map of the property locations are attached to this memo. This request is scheduled for the Environmental Planning Commission hearing on 18 October 2001 for a recommendation to the City Council. The case number for the zoning request is 01110 01244.

Background

The City petitioned the State Municipal Boundary Commission (the Commission) for annexation of approximately 140 acres of property pursuant to the State Statutes regarding annexation by municipalities via the Commission (NMSA 1978, § 3-7-11 to § 3-7-16).

On 7 August 2001, the Commission held a public hearing at the Albuquerque Convention Center to determine if the conditions set forth in §3-7-15 NMSA 1978 were met. The Commission heard testimony from the petitioner (the City), a few property owners and the Bernalillo County Manager and found that:

(1) All of the territories to be annexed are contiguous to the City of Albuquerque.
(2) All of the territories to be annexed may be provided with municipal services by the City of Albuquerque.

The Commission voted unanimously to order annexation of approximately 140 acres of property to the City of Albuquerque. **The Commission did not establish zoning. The City Council has final authority to establish zoning for the subject properties, hence the request for a recommendation from the Environmental Planning Commission to the City Council to establish specific zone categories that will adequately respond to the previous County zoning and the existing uses on the properties.**

City zoning that is congruent with the previous County zoning is proposed. The Planning Department is recommending a variety of zones for the individual parcels as outlined on the attached zoning matrix.

If you have any questions or comments about the recommended zoning or the zoning process, please do not hesitate to call me at 924-3337.

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

City of Albuquerque
P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

Date: 28 August 2001
To: Neighborhood Association Representatives
From: Russell Brito, City of Albuquerque Planning Department
RE: Establishment of Zoning for Lands Annexed to the City of Albuquerque by Order of the State Municipal Boundary Commission

The City of Albuquerque Planning Department is requesting establishment of zoning for approximately 140 acres of property that were annexed to the City by the State Municipal Boundary Commission on 7 August 2001. The requested zoning and a map of the property locations are attached to this memo. This request is proposed to be scheduled for the EPC hearing on 20 September 2001 for a recommendation to the City Council.

Background
The City petitioned the State Municipal Boundary Commission (the Commission) for annexation of approximately 140 acres of property pursuant to the State Statutes regarding annexation by municipalities via the Commission (NMSA 1978, § 3-7-11 to § 3-7-16).

On 7 August 2001, the Commission held a public hearing at the Albuquerque Convention Center to determine if the conditions set forth in §3-7-15 NMSA 1978 were met. The Commission heard testimony from the petitioner (the City), a few property owners and the Bernalillo County Manager and found that:

(1) All of the territories proposed to be annexed are contiguous to the City of Albuquerque.
(2) All of the territories proposed to be annexed may be provided with municipal services by the City of Albuquerque.

The Commission voted unanimously to order annexation of approximately 140 acres of property to the City of Albuquerque. **The Commission did not establish zoning. The City Council has final authority to establish zoning for the subject properties, hence this request for a recommendation from the Environmental Planning Commission to the City Council to establish specific zone categories that will adequately respond to the previous County zoning and the existing uses on the properties.**

The 140 acres of property are not all contiguous to each other, but are located in small groupings or as stand alone parcels, mostly on the west side of the Rio Grande in the Cottonwood/Seven Bar area. A few properties are located along Interstate 25 between Montaño Road and San Antonio Drive. For the most part, the City is proposing zoning that is congruent with the previous County zoning. The Planning Department is recommending a variety of zones for the individual parcels as outlined on the attached zoning matrix.

If you have any questions or comments, please do not hesitate to call me at 924-3337.

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

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.

August 29, 2001

Russell Brito
COA/Planning Dept.
600 2nd Street NW, 3rd Floor/87102
Phone #: 924-3337 Fax #: 924-3339

Dear Russell:

Thank you for your inquiry of **August 29, 2001** requesting the names of Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed **LOTS M1A1, M1A2, M1A3 AND M1B, SEVEN BAR RANCH** zone map page(s) **A-B-13,14.**

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 or by fax at 924-3913.

Sincerely,

Dalaina L. Carmona

OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

planningrnaform(11/5/98)

NOTICE TO APPLICANTS

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LE

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 o 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 numb (if any), and name of the subdivision.
3. A physical description of the location, referenced to streets and existing land use
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 th 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 facilitie
5. The name, address and telephone number of the applicant and of the age any). In particular the name of an individual contact person will be helpful so ina neighborhood associations may contact someone with questions or comments.

* *

(below this line for OCNC use only)

Date of Inquiry: _____ Time Entered: _____ OCNC Rep. Initials: DC

"ATTACHMENT A"

Russell Brito
COA/Planning Dept.
Zone Map – A-B-13,14

COTTONWOOD HEIGHTS N.A. (R)
***Gary Clarke** *e-mail:* gsclarkenm@yahoo.com
10309 Dunbar St. NW/87114 898-9376 (h)
Tammy Smith *e-mail:* msmithtam@aol.com
4404 Loren NW/87114 890-8154 (h)

Council District: 5
County District: 1
Police Beat: 114/WS
Zone Map #: A-B-12-13
Community Id Dist.: Westside

EAGLE RIDGE N.A.
***Nancy Jenkins**
4513 Palmyra NW/87114 898-8128 (h) 938-8965 (w)
Robert Friedrichs
10128 Sierra Hills NW/87114 897-7487 (h)

Council District: 5
County District: 1
Police Beat: 114/WS/Z-A
Zone Map #: B-12
Community Id Dist.: Westside

HORIZON HILLS N.A. (R)
***Julia M. Wilson** *e-mail:* JWmist@aol.com
5705 Carmen Rd. NW/87114 899-4030 (h)
Jolinda J. Balmer *e-mail:* balmerj@juno.com
10590 Vista Bella Pl. NW/87114 898-9076 (h)

Council District: 5&County
County District: 1
Police Beat: 111,113/WS/Z-A
Zone Map #: A-11-12
Community Id Dist.: Westside

PARADISE HILLS CIVIC ASSOC. (R)
***Audre Bonadea**
10137 Furman NW/87114 897-9663 (h)
Meredith Hughes *e-mail:* hughes@foodmuseum.com
9908 La Paz NW/87114 898-0909 (h)

Council District: 5&County
County District: 1
Police Beat: 113-114,116-118/WS/Z-A
Zone Map #: A-C-9-13
Community Id Dist.: Westside

SALIDA DEL SOL H.O.A.
***Bill Foley**
4404 Driftwood NW/87114 897-2739 (h)
Minna M. Dimmick
10536 Calle Sombra Pl. NW/87114 898-7042 (h)

Council District: 5
County District: 1
Police Beat: 112/WS/Z-A
Zone Map #: A-12-13
Community Id Dist.: Westside

SARAGOSSA N.A. (R)
Pauline Ramos
4440 Condesa Ct. NW/87114 890-4909 (h)
Dean Murphy
10404 Vista Del Sol Dr. NW/87114 898-4811 (h)

Council District: 5
County District: 1
Police Beat: 112/WS/Z-A
Zone Map #: A-12-13
Community ID Dist: Westside

SKY VIEW ACRES N.A.
Deborah M. Steele
10629 Calle de Elena NW/Corrales, NM 87048 898-9393 (h) 898-8142 (w)
John Harvelle
c/o S.V.A.N.A, P.O. Box 1653/Corrales, NM 87048 897-6381 (h)

Council District: County
County District: 1
Police Beat:
Zone Map #: A-14
Community ID Dist:

City of Albuquerque

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August 29, 2001

Russell Brito
COA/Planning Dept.
600 2nd Street NW, 3rd Floor/87102
Phone #: 924-3337 Fax #: 924-3339

Dear Russell:

Thank you for your inquiry of **August 29, 2001** requesting the names of Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed **LOT 1A, RIVERWALK MARKETPLACE** zone map page(s) **A-14.**

Our records indicate that the Recognized Neighborhood Association(s) affected by this prop 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 or by fax at 924-3913.

Sincerely,

Dalaina L. Carmona
OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

planningrnaform(11/5/98)

NOTICE TO APPLICANTS

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTER

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 o 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 numb (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 th main shopping center entrance off Montgomery Blvd.").
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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 tha neighborhood associations may contact someone with questions or comments.

* *

(below this line for OCNC use only)

Date of Inquiry: ____________ Time Entered: ____________ OCNC Rep. Initials: DC

"ATTACHMENT A"

Russell Brito
COA/Planning Dept.
Zone Map – A-14

COTTONWOOD HEIGHTS N.A. (R)
***Gary Clarke** *e-mail:* gsclarkenm@yahoo.com
10309 Dunbar St. NW/87114 898-9376 (h)
Tammy Smith *e-mail:* msmithtam@aol.com
4404 Loren NW/87114 890-8154 (h)

Council District: 5
County District: 1
Police Beat: 114/WS
Zone Map #: A-B-12-13
Community Id Dist.: Westside

EAGLE RIDGE N.A.
***Nancy Jenkins**
4513 Palmyra NW/87114 898-8128 (h) 938-8965 (w)
Robert Friedrichs
10128 Sierra Hills NW/87114 897-7487 (h)

Council District: 5
County District: 1
Police Beat: 114/WS/Z-A
Zone Map #: B-12
Community Id Dist.: Westside

HORIZON HILLS N.A. (R)
***Julia M. Wilson** *e-mail:* JWmist@aol.com
5705 Carmen Rd. NW/87114 899-4030 (h)
Jolinda J. Balmer *e-mail:* balmerj@juno.com
10590 Vista Bella Pl. NW/87114 898-9076 (h)

Council District: 5&County
County District: 1
Police Beat: 111,113/WS/Z-A
Zone Map #: A-11-12
Community Id Dist.: Westside

PARADISE HILLS CIVIC ASSOC. (R)
***Audre Bonadea**
10137 Furman NW/87114 897-9663 (h)
Meredith Hughes *e-mail:* hughes@foodmuseum.com
9908 La Paz NW/87114 898-0909 (h)

Council District: 5&County
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SALIDA DEL SOL H.O.A.
***Bill Foley**
4404 Driftwood NW/87114 897-2739 (h)
Minna M. Dimmick
10536 Calle Sombra Pl. NW/87114 898-7042 (h)

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Pauline Ramos
4440 Condesa Ct. NW/87114 890-4909 (h)
Dean Murphy
10404 Vista Del Sol Dr. NW/87114 898-4811 (h)

Council District: 5
County District: 1
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SKY VIEW ACRES N.A.
***Deborah M. Steele**
10629 Calle de Elena NW/Corrales, NM 87048 898-9393 (h) 898-8142 (w)
John Harvelle
c/o S.V.A.N.A, P.O. Box 1653/Corrales, NM 87048 897-6381 (h)

Council District: County
County District: 1
Police Beat:
Zone Map #: A-14
Community ID Dist:

City of Albuquerque

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August 29, 2001

Russell Brito
COA/Planning Dept.
600 2nd Street NW, 3rd Floor/87102
Phone #: 924-3337 Fax #: 924-3339

Dear Russell:

Thank you for your inquiry of **August 29, 2001** requesting the names of Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed **LOT 13, BLACK RANCH, PARTITION OF LOTS A, B1, B2 AND C, PARADISE HILLS IPTRN & EAGLE RANCH TR2, AND UNPLATTED/SUN COUNTRY INDUSTRIES** zone map page(s) **B-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 or by fax at 924-3913.

Sincerely,

Dalaina L. Carmona
OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

planningmaform(11/5/98)

NOTICE TO APPLICANTS

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LET

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   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 faciliti
5. The name, address and telephone number of the applicant and of the age any). In particular the name of an individual contact person will be helpful neighborhood associations may contact someone with questions or comments.

* *

(below this line for OCNC use only)

Date of Inquiry: _____ Time Entered: _____ OCNC Rep. Initials: DC

"ATTACHMENT A"

Russell Brito
COA/Planning Dept.
Zone Map – B-C-13

BOSQUE DELL ACRES N.A.
***Tom Schroeder** *e-mail:* schroeder@swmls.com
9731 Loretta Dr. NW/87114 890-9137 (h) 924-2118 (w)
David Neuman *e-mail:* afcc@thuntek.net
1515 Erwin NW/87114 792-8633 (h)

Council District: County
County District: 1
Police Beat:
Zone Map #: B-14
Community Id Dist.: Westside

EAGLE RANCH N.A. (R)
***Fred Hampton** *e-mail:* abqhampton@aol.com
9620 Stone St. NW/87114 890-5159 (h&w)
Jason Vargas *e-mail:* vargasj@surjree.com
4625 Carl Hatch Pl. NW/87114 899-9755 (h)

Council District: 5&County
County District: 1
Police Beat: 119/WS/Z-A
Zone Map #: B-C-12-13
Community Id Dist.: Westside

EAGLE RIDGE N.A.
***Nancy Jenkins**
4513 Palmyra NW/87114 898-8128 (h) 938-8965 (w)
Robert Friedrichs
10128 Sierra Hills NW/87114 897-7487 (h)

Council District: 5
County District: 1
Police Beat: 114/WS/Z-A
Zone Map #: B-12
Community Id Dist.: Westside

NEW VISTAS SUBDIVISION HOA
Garry Eul
4223 New Vistas Ct. NW/87114 792-1663(h) 828-5288 (w)
Terance Jahnke
4109 New Vistas Ct. NW/87114 897-2580 (h) 256-6755 (w)

Council District: 5
County District: 1
Police Beat: 117/WS
Zone Map #: B-13
Community Id Dist.: Westside

PARADISE HILLS CIVIC ASSOC. (R)
***Audre Bonadea**
10137 Furman NW/87114 897-9663 (h)
Meredith Hughes *e-mail:* hughes@foodmuseum.com
9908 La Paz NW/87114 898-0909 (h)

Council District: 5&County
County District: 1
Police Beat: 113-114,116-118/WS/Z-A
Zone Map #: A-C-9-13
Community Id Dist.: Westside

RIVERFRONTE ESTATES N.A., INC. (R)
***Ginger Carman** *e-mail:* RGAACaarman@aol.com
1728 Rusty Rd. NW/87114 792-7444 (h)
Gary Plante *e-mail:* gpsouthwest@aol.com
1692 Pace Rd. NW/87114 235-2020 (h)

Council District: 5&County
County District: 1
Police Beat:
Zone Map #: B-C-13-14
Community Id Dist.: Westside

WINDMILL ESTATES AREA N.A.
Elaine K. Bickerstaff
9839 Windmill Ct. NW/87114 898-5529 (h)
Ron Bohannan
9851 Cita Rd. NW/87114 898-4525 (h) 883-7592 (w)

Council District: County
County District: 1
Police Beat:
Zone Map: B-13-14
Community ID Dist: Westside

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 office. It is your responsibility provide current information – outdated information may result in a deferral of your case.

August 29, 2001

Russell Brito
COA/Planning Dept.
600 2nd Street NW, 3rd Floor/87102
Phone #: 924-3337 Fax #: 924-3339

Dear Russell:

Thank you for your inquiry of **August 29, 2001** requesting the names of Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed **LOT 3A1, BLACK RANCH, LOTS 4 AND 5 BLACK RANCH, PARTITION OF LOT 3D, BLACK RANCH, LOT 3E1, BLACK RANCH** zone map page(s) **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 or by fax at 924-3913.

Sincerely,

Dalaina L. Carmona
OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

planningmaform(11/5/98)

NOTICE TO APPLICANTS

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTER

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 o 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 numb (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").
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* *

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Date of Inquiry: _____ Time Entered: _____ OCNC Rep. Initials: DC

"ATTACHMENT A"

Russell Brito
COA/Planning Dept.
Zone Map – C-13

ALBAN HILLS N.A.
***Jack Scott** *e-mail:* jakalyn@uswest.net
6417 Camino Del Arrebol NW/87120 898-5009 (h)
Bonnie Kelley *e-mail:* bonnie3928@aol.com
6417 Camino Del Arrebol NW/87120 898-8201 (h)

Council District: 5&County
County District: 1
Police Beat: 121,122/WS/Z-A
Zone Map #: C-E-11-14
Community Id Dist.: Westside

COORS TRAIL N.A. (R)
James Timmons *e-mail:* jimjanenm@earthlink.net
2715 Pueblo Grande Trl. NW/87120 890-8471 (h)
Tracy Cadigan *e-mail:* cadigan@flash.net
2705 Bosque del Sol Ln. NW/87120 890-4967 (h&w)

Council District: 5&County
County District: 1
Police Beat: 121/WS/Z-A
Zone Map #: D-12-13
Community Id Dist.: Westside

EAGLE RANCH N.A. (R)
***Fred Hampton** *e-mail:* abqhampton@aol.com
9620 Stone St. NW/87114 890-5159 (h&w)
Jason Vargas *e-mail:* vargasj@surjree.com
4625 Carl Hatch Pl. NW/87114 899-9755 (h)

Council District: 5&County
County District: 1
Police Beat: 119/WS/Z-A
Zone Map #: B-C-12-13
Community Id Dist.: Westside

PARADISE HILLS CIVIC ASSOC. (R)
***Audre Bonadea**
10137 Furman NW/87114 897-9663 (h)
Meredith Hughes *e-mail:* hughes@foodmuseum.com
9908 La Paz NW/87114 898-0909 (h)

Council District: 5&County
County District: 1
Police Beat: 113-114,116-118/WS/Z-A
Zone Map #: A-C-9-13
Community Id Dist.: Westside

PIEDRAS MARCADAS N.A. (R)
***Ron Salvato** *e-mail:* justtoys@msn.com
9401 Cactus Tr. NW/87114 792-0475 (h) 897-8299 (w)
W. Steve Gallegos
4331 Rosecliff Ave. NW/87114

Council District: 5
County District: 1
Police Beat: 119/WS/Z-A
Zone Map #: C-12
Community Id Dist.: Westside

RIVERFRONTE ESTATES N.A., INC. (R)
***Ginger Carman** *e-mail:* RGAACaarman@aol.com
1728 Rusty Rd. NW/87114 792-7444 (h)
Gary Plante *e-mail:* gpsouthwest@aol.com
1692 Pace Rd. NW/87114 235-2020 (h)

Council District: 5&County
County District: 1
Police Beat:
Zone Map #: B-C-13-14
Community Id Dist.: Westside

TAYLOR RANCH N.A. (R)
***Virginia M. Klebesadel** *e-mail:* vmkinabq@aol.com
4416 Gooseberry Rd. NW/87120 898-9173 (h)
Jolene Wolfley *e-mail:* jostler-wolfley@hotmail.com
6804 Staghorn Dr. NW/87120-4806 890-9414 (h)
E-mail: TRNAnews@aol.com

Council District: 5
County District: 1
Police Beat: 119,121,122,124-127/WS/Z-A
Zone Map: C-F-11-14
Community ID Dist: Westside

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.

August 29, 2001

Russell Brito
COA/Planning Dept.
600 2nd Street NW, 3rd Floor/87102
Phone #: 924-3337 Fax #: 924-3339

Dear Russell:

Thank you for your inquiry of **August 29, 2001** requesting the names of Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed **LUTHERAN CHURCH SITE, PARADISE HILLS AND UNPLATTED, ALL SAINTS LUTHERAN CHURCH** zone map page(s) **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 or by fax at 924-3913.

Sincerely,

Dalaina L. Carmona

OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

planningrnaform(11/5/98)

NOTICE TO APPLICANTS

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LET

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"ATTACHMENT A"

Russell Brito
COA/Planning Dept.
Zone Map – C-13

ALBAN HILLS N.A.
***Jack Scott** *e-mail:* jakalyn@uswest.net
6417 Camino Del Arrebol NW/87120 898-5009 (h)
Bonnie Kelley *e-mail:* bonnie3928@aol.com
6417 Camino Del Arrebol NW/87120 898-8201 (h)

Council District: 5&County
County District: 1
Police Beat: 121,122/WS/Z-A
Zone Map #: C-E-11-14
Community Id Dist.: Westside

COORS TRAIL N.A. (R)
James Timmons *e-mail:* jimjanenm@earthlink.net
2715 Pueblo Grande Trl. NW/87120 890-8471 (h)
Tracy Cadigan *e-mail:* cadigan@flash.net
2705 Bosque del Sol Ln. NW/87120 890-4967 (h&w)

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County District: 1
Police Beat: 121/WS/Z-A
Zone Map #: D-12-13
Community Id Dist.: Westside

EAGLE RANCH N.A. (R)
***Fred Hampton** *e-mail:* abqhampton@aol.com
9620 Stone St. NW/87114 890-5159 (h&w)
Jason Vargas *e-mail:* vargasj@surjree.com
4625 Carl Hatch Pl. NW/87114 899-9755 (h)

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County District: 1
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Zone Map #: B-C-12-13
Community Id Dist.: Westside

PARADISE HILLS CIVIC ASSOC. (R)
***Audre Bonadea**
10137 Furman NW/87114 897-9663 (h)
Meredith Hughes *e-mail:* hughes@foodmuseum.com
9908 La Paz NW/87114 898-0909 (h)

Council District: 5&County
County District: 1
Police Beat: 113-114,116-118/WS/Z-A
Zone Map #: A-C-9-13
Community Id Dist.: Westside

PIEDRAS MARCADAS N.A. (R)
***Ron Salvato** *e-mail:* justtoys@msn.com
9401 Cactus Tr. NW/87114 792-0475 (h) 897-8299 (w)
W. Steve Gallegos
4331 Rosecliff Ave. NW/87114

Council District: 5
County District: 1
Police Beat: 119/WS/Z-A
Zone Map #: C-12
Community Id Dist.: Westside

RIVERFRONTE ESTATES N.A., INC. (R)
***Ginger Carman** *e-mail:* RGAACaarman@aol.com
1728 Rusty Rd. NW/87114 792-7444 (h)
Gary Plante *e-mail:* gpsouthwest@aol.com
1692 Pace Rd. NW/87114 235-2020 (h)

Council District: 5&County
County District: 1
Police Beat:
Zone Map #: B-C-13-14
Community Id Dist.: Westside

TAYLOR RANCH N.A. (R)
***Virginia M. Klebesadel** *e-mail:* vmkinabq@aol.com
4416 Gooseberry Rd. NW/87120 898-9173 (h)
Jolene Wolfley *e-mail:* jostler-wolfley@hotmail.com
6804 Staghorn Dr. NW/87120-4806 890-9414 (h)
E-mail: TRNAnews@aol.com

Council District: 5
County District: 1
Police Beat: 119,121,122,124-127/WS/Z-A
Zone Map: C-F-11-14
Community ID Dist: Westside

City of Albuquerque

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August 29, 2001

Russell Brito
COA/Planning Dept.
600 2nd Street NW, 3rd Floor/87102
Phone #: 924-3337 Fax #: 924-3339

Dear Russell:

Thank you for your inquiry of **August 29, 2001** requesting the names of Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed **LOTS 1 AND 2, SAWAYA ADDITION** zone map page(s) **E-17.**

Our records indicate that the Recognized Neighborhood Association(s) affected by this propc 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 or by fax at 924-3913.

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Dalaina L. Carmona
OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

planningrnaform(11/5/98)

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* *

(below this line for OCNC use only)

Date of Inquiry: _____ Time Entered: _____ OCNC Rep. Initials: DC

"ATTACHMENT A"

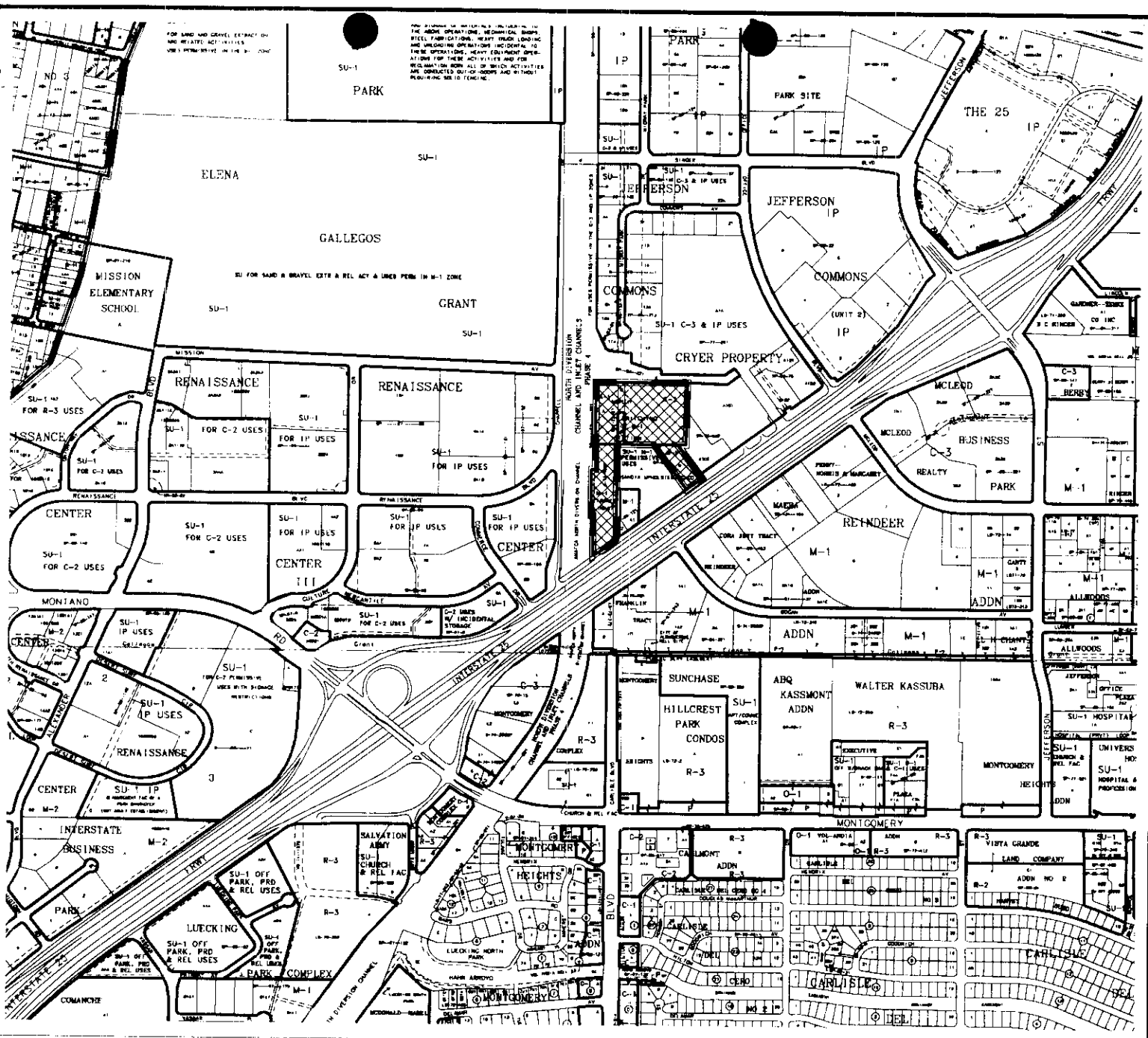
Russell Brito
COA/Planning Dept.
Zone Map – E-17

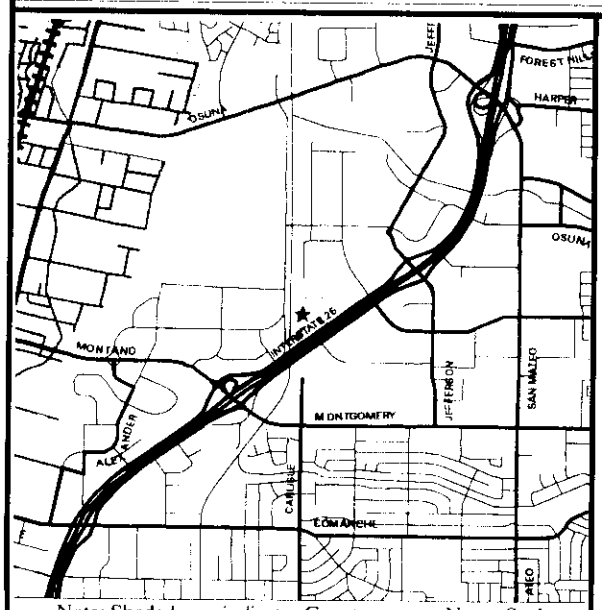
ACADEMY ACRES NORTH N.A. (R)
***Irene Minke**
6504 Dungan NE/87109 828-9810 (h)
Roberta Lipman
6503 Mendius NE/87109 821-2599 (h)

Council District: 4
County District: 4
Police Beat: 432/NE
Zone Map #: E-18-19
Community Id Dist.: North ABQ.

ALAMEDA NORTH VALLEY N.A. (R)
Steve Hale *e-mail:* HaleSun@aol.com
9339 Guadalupe Trail NW, Alameda, NM 87114-1719 897-1566 (h) 321-5539 (w)
Estella Martinez *e-mail:* yogishoney@hotmail.com
140 Ranchitos Rd. NW, Alameda, NM 87114-1031 898-2294 (h) 980-9586 (w)

Council District: 2&County
County District: 1
Police Beat: 243,244/VA
Zone Map #: A-E-14-17
Community Id Dist.: N. Valley





Note: Shaded area indicates County

Not to Scale

ZONING MAP

AGIS

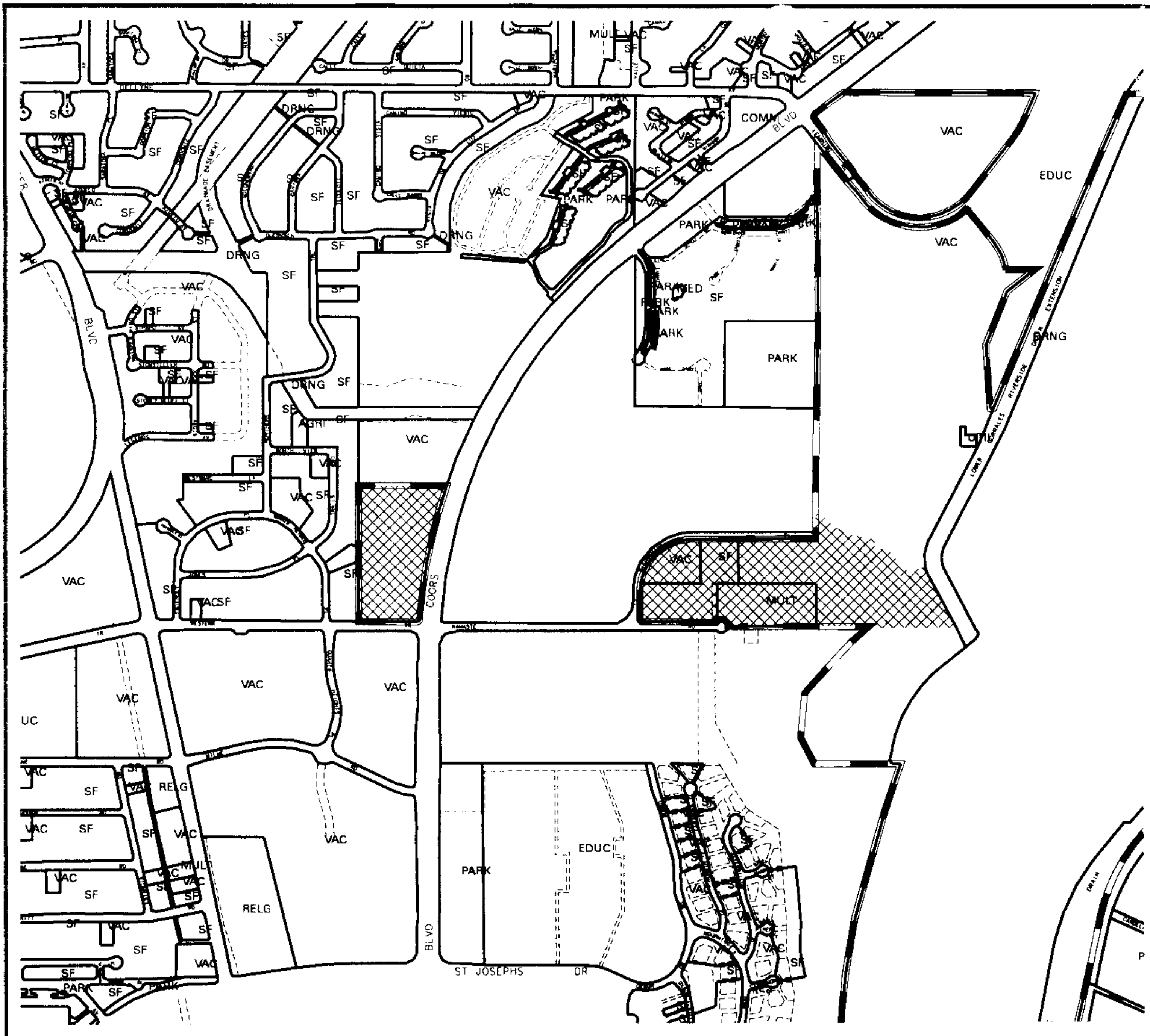
Scale 1"= 1085 '

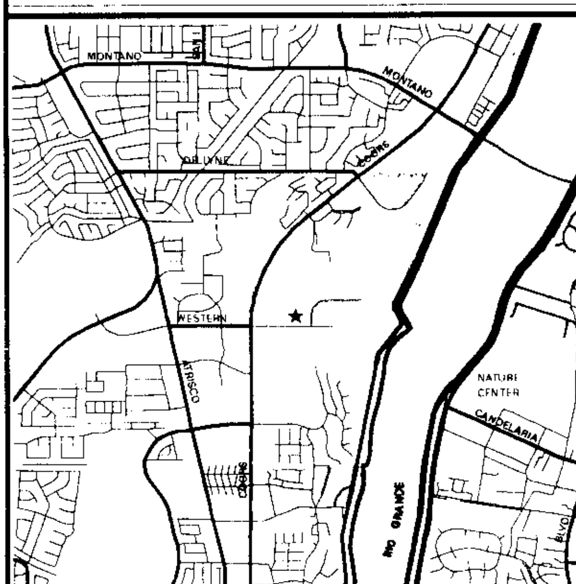
PROJECT NO.
1001445

HEARING DATE
10-18-01

MAP NO.
F-16

APPLICATION NO.
01110-00000-01244





Note: Shaded area indicates County

Not to Scale

LAND USE MAP

KEY to Land Use Abbreviations

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

AGIS

Scale 1" = 1036 '

PROJECT NO.
1001445

HEARING DATE
10-18-01

MAP NO.
F-11

APPLICATION NO.
01110-00000-01244

App#_____
Proj#_____

PROPERTY OWNERSHIP / LEGAL LIST

Date:_____

Page 1 Of 1

Zone Atlas Page	Zone Atlas #	Grid Location	Parcel Sequence	Name & Address			
F-14	1016061	517-247	103-04	✓ 1016061	518-140	403	09 ✓
F-17	1017061	020-300	201-04CA	✓ "NO OWNERSHIP"	424-161	401	20 ✓
		047-272	06	✓	458-183	407	15 ✓
		024-261	07	✓	451-221		10 ✓
		008-234	05	✓	464-284	102	35 ✓
		040-274	14	✓	466-304		30 ✓
		083-309	12	✓	464-326		25 ✓
		072-392	10	✓	305-427	101	53CA ✓
		081-358	07	✓	457-479		12 ✓
		081-391	06	✓	532-362	104	01 ✓
		077-196	309-03	✓	521-349		02 ✓
		092-211	43	✓	520-399		03 ✓
		107-200	44	✓	499-383		04 ✓
		128-233	34	✓			
		122-250	33	✓			
		049-181	301-57	✓			
		024-107	54	✓			
		023-142	52	✓			
F-14	1016061	518-150	403-11	✓			

1016061 *** THIS UPC CODE HAS NO MASTER RECORD ON FILE

101606151724710304 LEGAL: LARD NER TRACT SEC 34 T11N R3E CONT 3.227 ACRES LAND USE:
PROPERTY ADDR: 00000 4741 PAN AMERICAN FWY NE
OWNER NAME: LARDNER VINCENT JAMES JR ETUX
OWNER ADDR: 00000 PO BOX 6608 ALBUQUERQUE NM 87197

101706102030020104CA LEGAL: LAND USE:
PROPERTY ADDR: 00000
OWNER NAME:
OWNER ADDR: 00000

[illegible]06104727220106 LEGAL: TR B PLA T OF LANDS OF SANDIA UPHOLSTERING COMPANY LAND USE:
PROPERTY ADDR: 00000 4849 PAN AMERICAN FWY NE
OWNER NAME: FRILOT DONALD J &
OWNER ADDR: 01902 HOFFMAN DR NE ALBUQUERQUE NM 87110

101706102626120107 LEGAL: TR A PLA T OF LANDS OF SANDIA UPHOLSTERING COMPANY LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: MILAKOVICH ANNA R & J B
OWNER ADDR: 11113 ORR NE ALBUQUERQUE NM 87111

101706100823620105 LEGAL: LAND S OF JOSEPH MILAKOVICH WITHIN THE ELENA GALLEG LAND USE:
PROPERTY ADDR: 00000 4801 FRONTAGE RD
OWNER NAME: MILAKOVICH JOSEPH ETUX
OWNER ADDR: 11113 ORR NE ALBUQUERQUE NM 87111

101706106027620114 LEGAL: TR A -1-C -2 REPLAT OF TR A-1-C CRYER PROPERTY CONT LAND USE:
PROPERTY ADDR: 00000 4855 FRONTAGE RD NE
OWNER NAME: CUMMINGS JOHN & BETTY &
OWNER ADDR: 09616 ST ANDREWS CT NE ALBUQUERQUE NM 87111

101706108330920112 LEGAL: TR A -1-C -1 EXC POR OUT TO PARCEL B VINEYARD INLET LAND USE:
PROPERTY ADDR: 00000 4865 PAN AMERICAN NE
OWNER NAME: MOTORPLEX REAL ESTATE LTD CO
OWNER ADDR: 04865 PAN AMERICAN FRWY NE ALBUQUERQUE NM 87109

101706107239220110 LEGAL: TRAC T A- 1-A REPLAT OF TRACT A-1 OF THE CRYER PROPE LAND USE:
PROPERTY ADDR: 00000 4901 PAN AMERICAN FWY NE
OWNER NAME: B C H LAND COMPANY
OWNER ADDR: 00150 PELICAN WAY SAN RAFAEL CA 94901

101706102135820127 LEGAL: LOT 12 P LAT OF JEFFERSON COMMONS BEING A REPL OF T LAND USE:

PROPERTY ADDR: 00000 5500 MIDWAY PARK
OWNER NAME: POWERLINE PARK
OWNER ADDR: 00000 PO DRAWER AA ALBUQUERQUE NM 87103

101706102139120126 LEGAL: LT 1 3-A PLAT OF LT 13-A JEFFERSON COMMONS BEING A LAND USE:
PROPERTY ADDR: 00000 5520 MIDWAY PARK PL NE
OWNER NAME: CHANT GEORGE A & JUDITH W
OWNER ADDR: 08701 LA SALA DEL SUR NE ALBUQUERQUE NM 87111

101706107719630903 LEGAL: TR 3 REI NDEER ADDN LAND USE:
PROPERTY ADDR: 00000 4840 PAN AMERICAN FWY NE
OWNER NAME: BOGAN ROBERT T JR ETUX
OWNER ADDR: 01034 PUEBLO SOLANO NW ALBUQUERQUE NM 87107

101706109221130943 LEGAL: LOT B PL AT OF LOTS A & B CORA JETT TRACT BEING A R LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: BOGAN ROBERT T & BARBARA J
OWNER ADDR: 01034 PUEBLO SOLANO NW ALBUQUERQUE NM 87107

101706110722230944 LEGAL: LOT A PL AT OF LOTS A & B CORA JETT TRACT BEING A R LAND USE:
PROPERTY ADDR: 00000 4860 PAN AMERICAN NE
OWNER NAME: GOODMAN MURRAY E & DOROTHY J
OWNER ADDR: 00000 PO BOX 13289 PHOENIX AZ 85002

101706112823330934 LEGAL: *2 M AERA SUBD CONT 1.754 AC LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: GREEN TRACY TRUSTEE UNDER THE
OWNER ADDR: 01521 SAGEBRUSH TR SE ALBUQUERQUE NM 87123

101706112225030933 LEGAL: *1 M AERA SUBD CONT 1.435 AC LAND USE:
PROPERTY ADDR: 00000 4900 PAN AMERICAN NE
OWNER NAME: GREEN SAM & MAE
OWNER ADDR: 01521 SAGEBRUSH TR SE ALBUQUERQUE NM 87123

101706104918130157 LEGAL: LOT 1-A- 1 REINDEER ADDN BEING A REPLAT OF LOT 1-A LAND USE:
PROPERTY ADDR: 00000 4830 BOGAN AVE NE
OWNER NAME: GUBBELS FAMILY LIMITED PARTNER
OWNER ADDR: 02818 LAS CRUCES NE ALBUQUERQUE NM 87110

101706102416730156 LEGAL: TR B -2 F RANKLIN TRACT LAND USE:
PROPERTY ADDR: 00000 4820 PAN AMERICAN HWY NE
OWNER NAME: HIEPTAS GERALD M & CATHERINE M
OWNER ADDR: 03104 VISTA DEL SUR NW ALBUQUERQUE NM 87120

101706102314230152 LEGAL: TR B -1 F RANKLIN TRACT LAND USE:
PROPERTY ADDR: 00000 4800 PAN AMERICAN HWY
OWNER NAME: ERICKSON DONALD W ETUX ETAL
OWNER ADDR: 04309 ALTURA NE ALBUQUERQUE NM 87110

101606151815640311 LEGAL: TRAC T A REDIVISION OF VAN HOWE PARCEL IN SECTION 3 LAND USE:
PROPERTY ADDR: 00000 4810 PAN AMERICAN FWY NE
OWNER NAME: FALKENTHAL WILLIAM & ELEANOR
OWNER ADDR: 00000 APDO 84-83340 BAHIA KINO, SON MX

101606151814040309 LEGAL: TRAC T B REDIVISION OF VAN HOWE PARCEL IN SECTION 3 LAND USE:
PROPERTY ADDR: 00000 4810 PAN AMERICAN NE
OWNER NAME: FALKENTHAL WILLIAM & ELEANOR

OWNER ADDR: 00000 APDO 84-83340 BAHIA KINO, SON MX

101606142416140120 LEGAL: TRAC T 5- A PLAT OF TRS 5-A & 5-B RENAISSANCE CENTER LAND USE:
PROPERTY ADDR: 00000 1550 MERCANTILE AVE NE
OWNER NAME: HOUSE OF CARPETS INC
OWNER ADDR: 10533 PRESTWICK NE ALBUQUERQUE NM 87111

101606145818340715 LEGAL: TR 8 -B P LAT OF TRACTS 8-A AND 8-B RENAISSANCE CENT LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: SUBURBAN CONSTRUCTION INC
OWNER ADDR: 00300 GALLERIA PKWY ATLANTA GA 30339

101606145122140710 LEGAL: TR 8 -A P LAT OF TRACTS 8-A AND 8-B RENAISSANCE CENT LAND USE:
PROPERTY ADDR: 00000 COMMERCE DR NE
OWNER NAME: UNITED NM TRUST CO/TRUSTEE OF
OWNER ADDR: 01516 SAN PEDRO NE ALBUQUERQUE NM 87110

101606146428410235 LEGAL: TRAC T 9- D PLAT OF TRACTS 9-A, 9-B, 9-C AND 9-D OF LAND USE:
PROPERTY ADDR: 00000 4901 RENAISSANCE BLV NE
OWNER NAME: MECHANICAL CONTRACTORS ASSN OF
OWNER ADDR: 06001 MARBLE NE ALBUQUERQUE NM 87110

101606146630410230 LEGAL: TRAC T 9- C PLAT OF TRACTS 9-A, 9-B, 9-C AND 9-D OF LAND USE:
PROPERTY ADDR: 00000 CENTURY DR NE
OWNER NAME: UNITED NM TRUST CO/TRUSTEE OF
OWNER ADDR: 01516 SAN PEDRO NE ALBUQUERQUE NM 87110

101606146632610225 LEGAL: TRAC T 9- B PLAT OF TRACTS 9-A, 9-B, 9-C AND 9-D OF LAND USE:
PROPERTY ADDR: 00000 4921 CHAPPELL NE
OWNER NAME: DISTRIBUTION MANAGEMENT CORP
OWNER ADDR: 00000 PO BOX 94150 ALBUQUERQUE NM 87199

101606130542710153CA LEGAL: LAND USE:
PROPERTY ADDR: 00000
OWNER NAME:
OWNER ADDR: 00000

101606145747910112 LEGAL: TR I N NE OF NE OF SEC 34 T11N R3E EXC POR OUT TO A LAND USE:
PROPERTY ADDR: 00000 CHAPPELL
OWNER NAME: ALBUQUERQUE GRAVEL PRODUCTS CO
OWNER ADDR: 03200 SAN FERNANDO RD LOS ANGELES CA 90065

101606153236210401 LEGAL: LOT 11A PLAT OF LOT 10A AND LOT 11A JEFFERSON COMM LAND USE:
PROPERTY ADDR: 00000 5501 MIDWAY PARK
OWNER NAME: CHANT GEORGE A AND JUDITH W
OWNER ADDR: 08701 LA SALA DEL SUR NW ALBUQUERQUE NM 87111

101606152136910402 LEGAL: LOT 10A PLAT OF LOT 10A AND LOT 11A JEFFERSON COMM LAND USE:
PROPERTY ADDR: 00000 5511 MIDWAY PARK NE
OWNER NAME: CHANT GEORGE A AND JUDITH W
OWNER ADDR: 08701 LA SALA DEL SUR NW ALBUQUERQUE NM 87111

101606152039910403 LEGAL: LOT 8-A PLAT OF LT 8-A JEFFERSON COMMONS BEING A R LAND USE:
PROPERTY ADDR: 00000 COMMONS
OWNER NAME: CHANT GEORGE A & JUDITH W

OWNER ADDR: 08701 LA SALA DEL SUR NW ALBUQUERQUE NM 87111

101606149938310404 LEGAL: PARC EL B AMAFCA NORTH DIVERSION CHANNEL & INLET CH LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: A M A F C A
OWNER ADDR: 02600 PROSPECT NE ALBUQUERQUE NM 87110

101606151724710304

LARDNER VINCENT JAMES JR ETUX
PO BOX 6608
ALBUQUERQUE NM 87197

101706100823620105

MILAKOVICH JOSEPH ETUX
11113 ORR NE
ALBUQUERQUE NM 87111

10170610723922011 0

B C H LAND COMPANY
150 PELICAN WAY
SAN RAFAEL CA 94901

101706107719630903

BOGAN ROBERT T JR ETUX
1034 PUEBLO SOLANO NW
ALBUQUERQUE NM 87107

101706112823330934

GREEN TRACY TRUSTEE UNDER THE
1521 SAGEBRUSH TR SE
ALBUQUERQUE NM 87123

101706102416730156

HIEPTAS GERALD M & CATHERINE
3104 VISTA DEL SUR NW
ALBUQUERQUE NM 87120

101606142416140120

HOUSE OF CARPETS INC
10533 PRESTWICK NE
ALBUQUERQUE NM 87111

101606146428410235

MECHANICAL CONTRACTORS ASSN
6001 MARBLE NE
ALBUQUERQUE NM 87110

101606149938310404

A M A F C A
2600 PROSPECT NE
ALBUQUERQUE NM 87110

101706104727220106

FRILOT DONALD J &
1902 HOFFMAN DR NE
ALBUQUERQUE NM 87110

101706106027620114

CUMMINGS JOHN & BETTY &
9616 ST ANDREWS CT NE
ALBUQUERQUE NM 87111

101706102135820127

POWERLINE PARK
PO DRAWER AA
ALBUQUERQUE NM 87103

101706109221130943

BOGAN ROBERT T & BARBARA J
1034 PUEBLO SOLANO NW
ALBUQUERQUE NM 87107

101706112225030933

GREEN SAM & MAE
1521 SAGEBRUSH TR SE
ALBUQUERQUE NM 87123

101706102314230152

ERICKSON DONALD W ETUX ETAL
4309 ALTURA NE
ALBUQUERQUE NM 87110

101606145818340715

SUBURBAN CONSTRUCTION INC
300 GALLERIA PKWY
ATLANTA GA 30339

101606146632610225

DISTRIBUTION MANAGEMENT CORP
PO BOX 94150
ALBUQUERQUE NM 87199

101706102626120107

MILAKOVICH ANNA R & J B
11113 ORR NE
ALBUQUERQUE NM 87111

101706108330920112

MOTORPLEX REAL ESTATE LTD CO
4865 PAN AMERICAN FRWY NE
ALBUQUERQUE NM 87109

101706102139120126

CHANT GEORGE A & JUDITH W
8701 LA SALA DEL SUR NE
ALBUQUERQUE NM 87111

101706110722230944

GOODMAN MURRAY E & DOROTHY
PO BOX 13289
PHOENIX AZ 85002

101706104918130157

GUBBELS FAMILY LIMITED PARTNE
2818 LAS CRUCES NE
ALBUQUERQUE NM 87110

101606151815640311

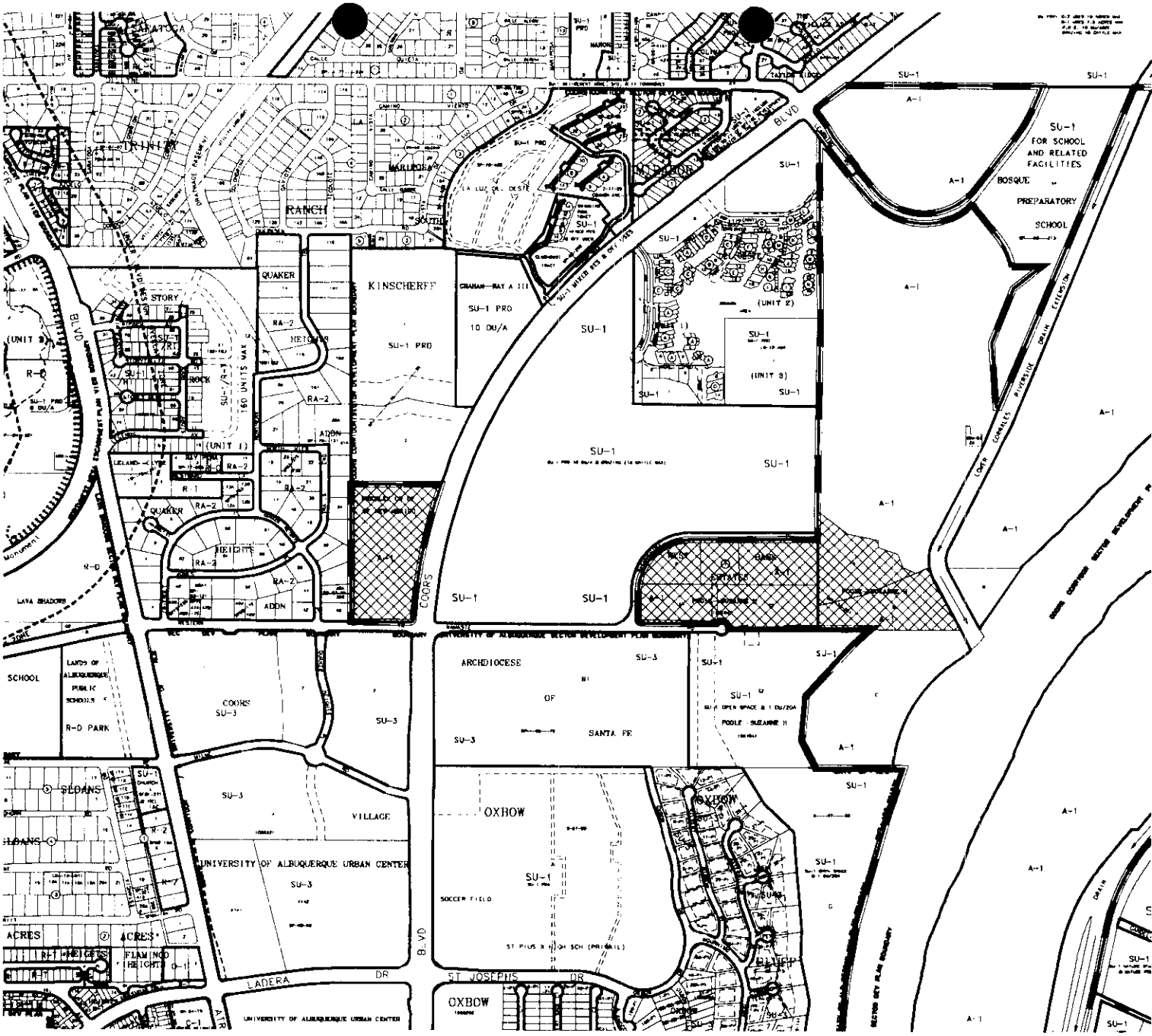
FALKENTHAL WILLIAM & ELEANOR
APDO 84-83340
BAHIA KINO, SON MX

101606145122140710

UNITED NM TRUST CO/TRUSTEE OF
1516 SAN PEDRO NE
ALBUQUERQUE NM 87110

101606145747910112

ALBUQUERQUE GRAVEL PRODUCTS
3200 SAN FERNANDO RD
LOS ANGELES CA 90065



Note: Shaded area indicates County

Not to Scale

ZONING MAP

AGIS

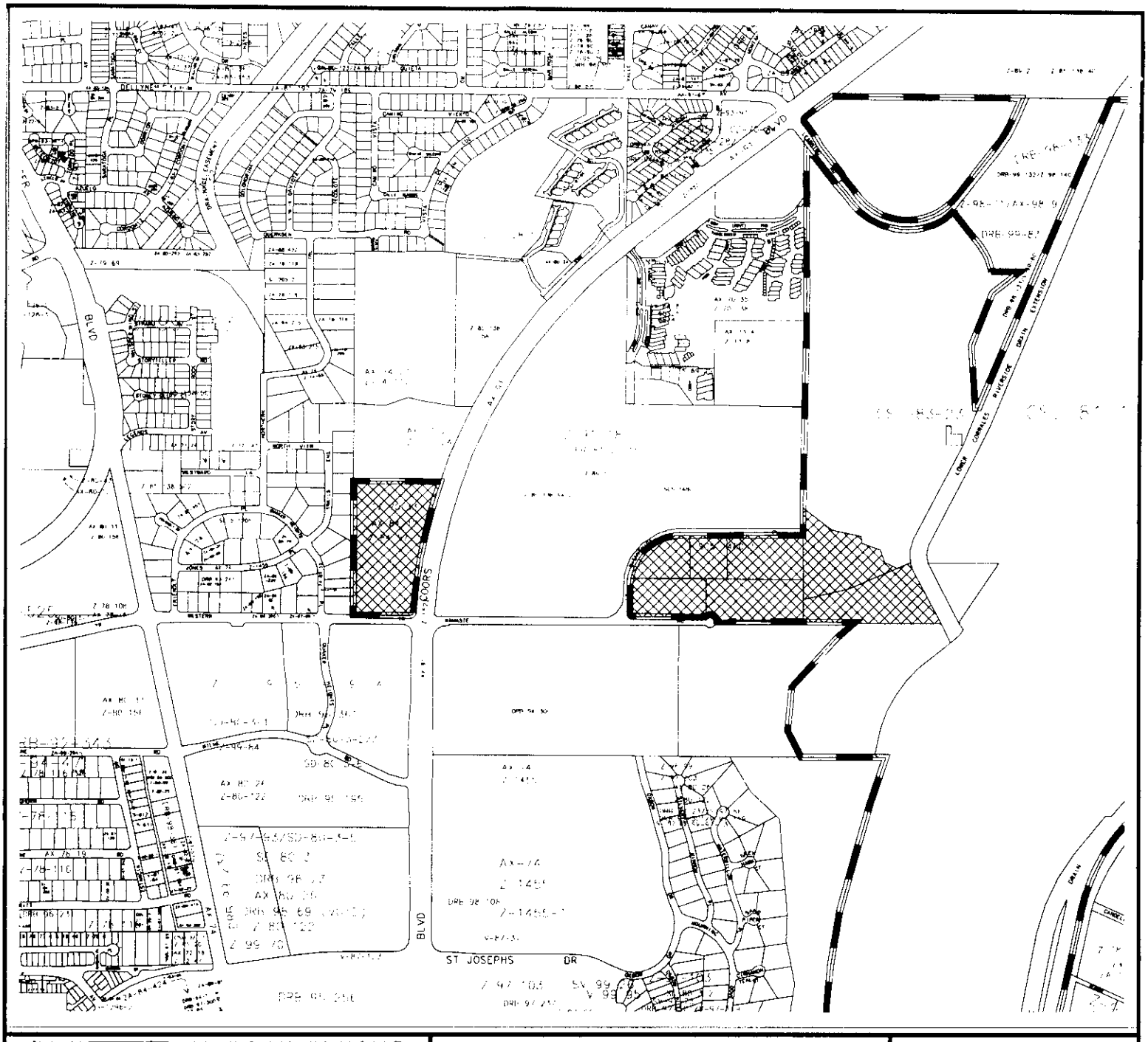
Scale 1"= 1036 '

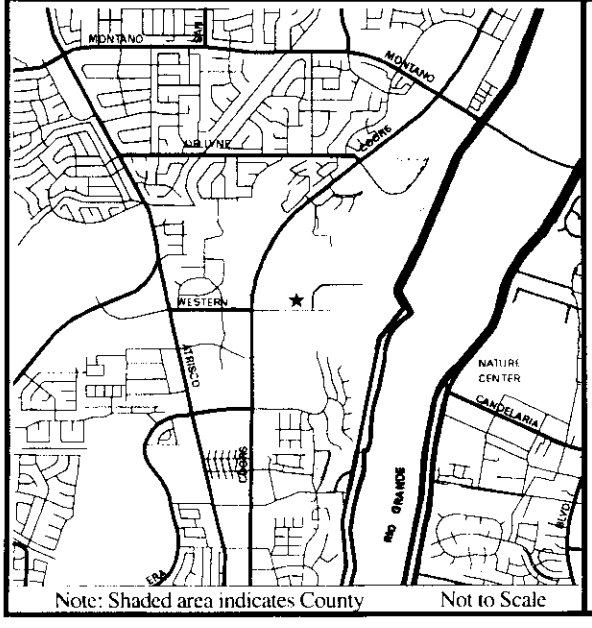
PROJECT NO.
1001445

HEARING DATE
10-18-01

MAP NO.
F-11

APPLICATION NO.
01110-00000-01244





Note: Shaded area indicates County Not to Scale

HISTORY MAP

AGIS

Scale 1" = 1036'

PROJECT NO.
1001445

HEARING DATE
10-18-01

MAP NO.
F-11

APPLICATION NO.
01110-00000-01244

PROPERTY OWNERSHIP / LEGAL LIST

App#_____
Proj#_____

Date:_____

Page 1 Of 1

Zone Atlas Page	Zone Atlas #	Grid Location	Parcel Sequence	Name & Address				
F-11	101061	219-201	310-09	✓ mp	101061	165-249	309	03 ✓
		235-204	203 108	✓ mp		169-261		04 ✓ mp
		187-158	01	✓		150-081	310	05 ✓
		187-166	36	✓		488-160	401	32 ✓ mp
		187-173	35	✓		424-160	402	01 ✓ mp
		187-183	34	✓		424-187		02 ✓ mp
		181-196	33	✓ mp		455-188		03 ✓ mp
		175-204	32	✓ mp		498-189		04 ✓ mp
		188-217	31	✓	101261	091-162	201	10 ✓
		189-231	30	✓		025-185		06 ✓ mp
		189-247	29	✓		121-300		33 ✓ mp
		189-262	28	✓	101061	483-095	401	16 ✓ mp
		191-277	27	✓		350-095		15 ✓
		164-157	305-07	✓		324-201		24 ✓ mp
		165-172	08	✓ mp		~~482-254~~		~~02~~
		162-187	09	✓				
		147-205	306 06	✓				
		166-219	309-01	✓				
		167-237	02	✓				

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1011061            ***  THIS UPC CODE HAS NO MASTER RECORD ON FILE

101106121920131009 LEGAL: POR  E1/2  NE1/4 SW1/4 T11N R2E SEC 35 CONT 12.240 A  LAND USE:
                   PROPERTY ADDR: 00000    N/A
                      OWNER NAME: FRISCO JOINT VENTURE
                      OWNER ADDR: 00000          PO BOX 3685 S            ALBUQUERQUE     NM   87190

101106123527420308 LEGAL: TRAC T 2  SUMMARY PLAT KINSCHERFF LANDS T11N R2E SEC  LAND USE:
                   PROPERTY ADDR: 00000    N/A
                      OWNER NAME: FRISCO JOINT VENTURE
                      OWNER ADDR: 00000          PO BOX 3685 S            ALBUQUERQUE     NM   87190

 06118715820301    LEGAL: * 04 0 QU AKER HEIGHTS ADDN                          LAND USE:
                   PROPERTY ADDR: 00000   4600 QUAKER HEIGHTS PL NW
                      OWNER NAME: LUJAN DAVID & GERALDINE
                      OWNER ADDR: 04617   SNAPDRAGON                RD NW ALBUQUERQUE     NM   87120

101106118716620336 LEGAL: *39- B SU MMARY PLAT SHOWING LTS 39-A & 39-B (A REPL  LAND USE:
                   PROPERTY ADDR: 00000   4606 QUAKER HEIGHTS PL NW
                      OWNER NAME: MAESTAS MIKE & SUE ANN
                      OWNER ADDR: 04606   QUAKER HEIGHTS            PL NW ALBUQUERQUE     NM   87120

101106118717320335 LEGAL: *39- A SU MMARY PLAT SHOWING LTS 39-A & 39-B (A REPL  LAND USE:
                   PROPERTY ADDR: 00000   4608 QUAKER HEIGHTS PL NW
                      OWNER NAME: ALLEN GEORGIA T
                      OWNER ADDR: 04608   QUAKER                       NW ALBUQUERQUE     NM   87120

101106118718320334 LEGAL: * 03 8 QU AKER HEIGHTS ADDITION                      LAND USE:
                   PROPERTY ADDR: 00000   4610 QUAKER HEIGHTS PL NW
                      OWNER NAME: HERRERA SAM D & TRACY SUE
                      OWNER ADDR: 04610   QUAKER HEIGHTS            PL NW ALBUQUERQUE     NM   87120

101106118619620333 LEGAL: * 03 7 QU AKER HEIGHTS ADDN                          LAND USE:
                   PROPERTY ADDR: 00000   4620 QUAKER HEIGHTS PL NW
                      OWNER NAME: TEUPELL ALBERT R &
                      OWNER ADDR: 04620   QUAKER HEIGHTS               NW ALBUQUERQUE     NM   87120

101106117820420332 LEGAL: * 03 6 QU AKER HEIGHTS ADDN                          LAND USE:
                   PROPERTY ADDR: 00000   4620 QUAKER HEIGHTS PL NW
                      OWNER NAME: TEUPELL ALBERT R &
                      OWNER ADDR: 04620   QUAKER HEIGHTS               NW ALBUQUERQUE     NM   87120

101106118821720331 LEGAL: * 03 5 QU AKER HEIGHTS ADDN                          LAND USE:
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PROPERTY ADDR: 00000 4706 TRAILS END NW
OWNER NAME: MASCARENAS ERNESTO L
OWNER ADDR: 04706 TRAILS END NW ALBUQUERQUE NM 87120

101106118923120330 LEGAL: * 03 4 QU AKER HEIGHTS ADDN LAND USE:
PROPERTY ADDR: 00000 4714 TRAILS END NW
OWNER NAME: JOHNSON CHARLES V
OWNER ADDR: 04714 TRAILS END ST NW ALBUQUERQUE NM 87120

101106118924720329 LEGAL: * 03 3 QU AKER HEIGHTS ADDN LAND USE:
PROPERTY ADDR: 00000 4722 TRAILS END RD NW
OWNER NAME: CREEL WILLIAM R & LILLIAN M
OWNER ADDR: 04722 TRAILS END RD NW ALBUQUERQUE NM 87120

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101106118926220328  LEGAL: * 03 2 QU AKER HEIGHTS ADDN                        LAND USE:
                    PROPERTY ADDR: 00000   4730 TRAILS END  NW
                       OWNER NAME: HENDRIX JAMES ETUX
                       OWNER ADDR: 04730   TRAILS END                  NW ALBUQUERQUE     NM   87120

101106119127720327  LEGAL: *31A  QUA KER HEIGHTS REPLAT OF LOTS 30 & 31         LAND USE:
                    PROPERTY ADDR: 00000   4736 TRAILS END  NW
                       OWNER NAME: HOLLADAY APRIL S
                       OWNER ADDR: 04736   TRAILS END                  NW ALBUQUERQUE     NM   87120

101106116415730507  LEGAL: * 04 2 QU AKER HEIGHTS ADDN                        LAND USE:
                    PROPERTY ADDR: 00000   4601 QUAKER HEIGHTS  NW
                       OWNER NAME: LEYBA ERNEST E & CATHERINE U
                       OWNER ADDR: 04601   QUAKER HEIGHTS              NW ALBUQUERQUE     NM   87105

101106116517230508  LEGAL: * 04 1 QU AKER HEIGHTS ADDN                        LAND USE:
                    PROPERTY ADDR: 00000   4605 QUAKER HEIGHTS PL NW
                       OWNER NAME: MONTOYA LOUIS
                       OWNER ADDR: 00000          PO BOX 6231             ALBUQUERQUE     NM   87197

101106116218730509  LEGAL: * 05 5 QU AKER HEIGHTS ADDN                        LAND USE:
                    PROPERTY ADDR: 00000   5800 JONES PL NW
                       OWNER NAME: GROOM TONY K & JANET B
                       OWNER ADDR: 05800   JONES                    PL NW ALBUQUERQUE     NM   87120

101106114720530606  LEGAL: * 05 6 QU AKER HEIGHTS ADD                         LAND USE:
                    PROPERTY ADDR: 00000   5801 JONES PL NW
                       OWNER NAME: NAZZARETT DANIEL M ETUX
                       OWNER ADDR: 05801   JONES                    PL NW ALBUQUERQUE     NM   87120

101106116621930901  LEGAL: LT 1 9 QU AKER HEIGHTS ADDN CONT 0.7460 AC M/L OR 32  LAND USE:
                    PROPERTY ADDR: 00000   4700 QUAKER HEIGHTS PL NW
                       OWNER NAME: SOTO SOLOMON
                       OWNER ADDR: 07200   MONTGOMERY                  NE ALBUQUERQUE     NM   87109

101106116723730902  LEGAL: * 02 0 QU AKER HEIGHTS ADDN                        LAND USE:
                    PROPERTY ADDR: 00000   4713 TRAILS END  NW
                       OWNER NAME: FARFAN RICARDO
                       OWNER ADDR: 00000          PO BOX 353              CORRALES        NM   87048

101106116524930903  LEGAL: * 02 1 QU AKER HEIGHTS ADDN                        LAND USE:
                    PROPERTY ADDR: 00000   4719 TRAILS END ST NW
                       OWNER NAME: NICKLAY DENNIS C & THERESA  A
```

OWNER ADDR: 04719 TRAILS END ST NW ALBUQUERQUE NM 87120

101106116926130904 LEGAL: * 02 2 QU AKER HEIGHTS ADDN LAND USE:
PROPERTY ADDR: 00000 TRAILS END NW
OWNER NAME: MONTOYA LOUIS
OWNER ADDR: 00000 PO BOX 6231 ALBUQUERQUE NM 87197

101106115008131005 LEGAL: TRAC T A- 1-A, A PORTION OF THE UNIVERSITY OF ALBUQU LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: RIO PUERCO II LLC
OWNER ADDR: 17875 VON KARMAN IRVINE CA 92614

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101106148816040132  LEGAL: TRAC T C  LANDS OF SUZANNE H POOLE CONT 4.957 AC      LAND USE:
                    PROPERTY ADDR: 00000   5001 WEST BANK RD NW
                       OWNER NAME: POOLE SUZANNE H TRUSTEE OF
                       OWNER ADDR: 05001   NAMASTE                  RD NW ALBUQUERQUE     NM   87120

101106142416040201  LEGAL: * 00 4 00 1WEST B WEST BANK ESTATES                  LAND USE:
                    PROPERTY ADDR: 00000    N/A
                       OWNER NAME: POOLE SUZANNE H TRUSTEE OF
                       OWNER ADDR: 05001   NAMASTE                  RD NW ALBUQUERQUE     NM   87120

101106142418740202  LEGAL: * 00 3 00 1WEST BANK ESTATES                         LAND USE:
                    PROPERTY ADDR: 00000    N/A
                       OWNER NAME: POOLE SUZANNE H TRUSTEE OF
                       OWNER ADDR: 05001   NAMASTE                  RD NW ALBUQUERQUE     NM   87120

101106145518840203  LEGAL: * 00 2 00 1WEST BANK ESTATES                         LAND USE:
                    PROPERTY ADDR: 00000   5008 LA BIENVENIDA PL NW
                       OWNER NAME: POOLE SUZANNE H TRUSTEE OF
                       OWNER ADDR: 05001   NAMASTE                  RD NW ALBUQUERQUE     NM   87120

101106149818940204  LEGAL: * 00 1 00 1WEST BANK ESTATES                         LAND USE:
                    PROPERTY ADDR: 00000   5000 LA BIENVENIDA PL NW
                       OWNER NAME: POOLE SUZANNE H TRUSTEE OF
                       OWNER ADDR: 05001   NAMASTE                  RD NW ALBUQUERQUE     NM   87120

101206109116220110  LEGAL: TRAC T B1  LANDS OF SUZANNE H POOLE CONT 9.825 AC     LAND USE:
                    PROPERTY ADDR: 00000    ELFEGO RD NW
                       OWNER NAME: THE SIERRA CLUB FOUNDATION
                       OWNER ADDR: 00085   SECOND                   ST    SAN FRANCISCO   CA   94105

101206102518520106  LEGAL: TRAC T A1  LANDS OF SUZANNE H POOLE CONT 5.719 AC     LAND USE:
                    PROPERTY ADDR: 00000    ELFEGO RD NW
                       OWNER NAME: POOLE SUZANNE H TRUSTEE OF
                       OWNER ADDR: 05001   NAMASTE                  RD NW ALBUQUERQUE     NM   87120

101206112130020133  LEGAL: TR O F LA ND WITHIN S1/2 NW, N1/2 SW, SEC 36 T11N R2  LAND USE:
                    PROPERTY ADDR: 00000    N/A
                       OWNER NAME: GRAHAM RAY A III
                       OWNER ADDR: 00000          ONE WIND NW             ALBUQUERQUE     NM   87120

101106148309540116  LEGAL: TR O F LA ND WITHIN SE SE SEC 35 T11N R2E CONT 21.2   LAND USE:
                    PROPERTY ADDR: 00000    N/A
                       OWNER NAME: BOARD OF EDUCATION
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OWNER ADDR: 00000 PO BOX 25704 ALBUQUERQUE NM 87125

101106135609540115 LEGAL: TR B -1 P LAT OF TRS B-1 & B-2 ARCHDIOCESE OF SANTA LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: ROMAN CATHOLIC CHURCH
OWNER ADDR: 04000 ST JOSEPH PL NW ALBUQUERQUE NM 87120

101106132420140126 LEGAL: TR I N NW 1/4 SE1/4 CONT 29.440 AC LAND USE:
PROPERTY ADDR: 00000 STATE HIGHWAY 448
OWNER NAME: GRAHAM III RAY A
OWNER ADDR: 00000 ONE WIND NW ALBUQUERQUE NM 87120

101106121920131009

FRISCO JOINT VENTURE
PO BOX 3685 S
ALBUQUERQUE NM 87190

101106118717320335

ALLEN GEORGIA T
4608 QUAKER NW
ALBUQUERQUE NM 87120

101106118821720331

MASCARENAS ERNESTO L
4706 TRAILS END NW
ALBUQUERQUE NM 87120

101106118926220328

HENDRIX JAMES ETUX
4730 TRAILS END NW
ALBUQUERQUE NM 87120

101106116517230508

MONTOYA LOUIS
PO BOX 6231
ALBUQUERQUE NM 87197

101106116621930901

SOTO SOLOMON
7200 MONTGOMERY NE
ALBUQUERQUE NM 87109

101106115008131005

RIO PUERCO II LLC
17875 VON KARMAN
IRVINE CA 92614

101106135609540115

ROMAN CATHOLIC CHURCH
4000 ST JOSEPH PL NW
ALBUQUERQUE NM 87120

101106118715820301

LUJAN DAVID & GERALDINE
4617 SNAPDRAGON RD NW
ALBUQUERQUE NM 87120

101106118718320334

HERRERA SAM D & TRACY SUE
4610 QUAKER HEIGHTS PL NW
ALBUQUERQUE NM 87120

101106118923120330

JOHNSON CHARLES V
4714 TRAILS END ST NW
ALBUQUERQUE NM 87120

101106119127720327

HOLLADAY APRIL S
4736 TRAILS END NW
ALBUQUERQUE NM 87120

101106116218730509

GROOM TONY K & JANET B
5800 JONES PL NW
ALBUQUERQUE NM 87120

101106116723730902

FARFAN RICARDO
PO BOX 353
CORRALES NM 87048

101106148816040132

POOLE SUZANNE H TRUSTEE OF
5001 NAMASTE RD NW
ALBUQUERQUE NM 87120

101106118716620336

MAESTAS MIKE & SUE ANN
4606 QUAKER HEIGHTS PL NW
ALBUQUERQUE NM 87120

101106118619620333

TEUPELL ALBERT R &
4620 QUAKER HEIGHTS NW
ALBUQUERQUE NM 87120

101106118924720329

CREEL WILLIAM R & LILLIAN M
4722 TRAILS END RD NW
ALBUQUERQUE NM 87120

101106116415730507

LEYBA ERNEST E & CATHERINE U
4601 QUAKER HEIGHTS NW
ALBUQUERQUE NM 87105

101106114720530606

NAZZARETT DANIEL M ETUX
5801 JONES PL NW
ALBUQUERQUE NM 87120

101106116524930903

NICKLAY DENNIS C & THERESA A
4719 TRAILS END ST NW
ALBUQUERQUE NM 87120

101206112130020133

GRAHAM RAY A III
ONE WIND NW
ALBUQUERQUE NM 87120

City of Albuquerque

DEVELOPMENT REVIEW APPLICATION

	Supplemental form
SUBDIVISION	S
____ Major Subdivision action	
____ Minor Subdivision action	
____ Vacation	V
____ Variance (Non-Zoning)	
SITE DEVELOPMENT PLAN	P
____ ...for Subdivision Purposes	
____ ...for Building Permit	
____ IP Master Development Plan	
____ Cert. of Appropriateness (LUCC)	L

	Supplemental form
ZONING	Z
____ Annexation & Zone Establishment	
____ Sector Plan	
X Zone Change	
____ Text Amendment	
____ Special Exception	E
APPEAL / PROTEST of...	A
____ Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals	

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: City of Albuquerque PHONE: 924-3860
ADDRESS: PO Box 1293 FAX: 924-3339
CITY: Albuquerque STATE NM ZIP 87103 E-MAIL:
Proprietary interest in site: Petitioner to State Municipal Boundary Commission
AGENT (if any): City of Albuquerque Planning Dept. PHONE: 924-3860
ADDRESS: 600 Second Street NW 3rd Floor FAX: 924-3339
CITY: Albuquerque STATE NM ZIP 87102 E-MAIL:

DESCRIPTION OF REQUEST: Establishment of zoning for properties annexed to the City by the State Municipal Boundary Commission

Is the applicant seeking incentives pursuant to the Family Housing Development Program? ___ Yes. X No.

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

Lot or Tract No. see attachment A Block: Unit:
Subdiv. / Addn.
Current Zoning: Proposed zoning:
Zone Atlas page(s): A-13-14, B-13-14, C-13, E-12, E-17, F-11-12, F-16-17 No. of existing lots: No. of proposed lots:
Total area of site (acres): appr. 140 Density if applicable: dwellings per gross acre: dwellings per net acre:
Within city limits? X Yes. No___, but site is within 5 miles of the city limits (DRB jurisdiction.) Within 1000FT of a landfill? No
UPC No. see attached MRGCD Map No.
LOCATION OF PROPERTY BY STREETS: On or Near:
Between: and

CASE HISTORY:
List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_,Z_, V_, S_, etc.):

Check-off if project was previously reviewed by Sketch Plat/Plan ☐, or Pre-application Review Team ☐. Date of review:

SIGNATURE Russell Brito DATE 30 Aug 2001
(Print) Russell Brito ___ Applicant X Agent

Form revised December 2000

FOR OFFICIAL USE ONLY

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

Application case numbers	Action	S.F.	Fees
01110 - 00000 - 01244	ZA Amend	Z	$ -0-
			$
			$
			$
			$
			Total $ -0-

Hearing date Oct. 18, '01

Planner signature / date Aug 30 '01

Project # 1001445

KST 9/5/01

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)**

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

Russell Brito
Applicant name (print)

Russell Brito 30 Aug 2001
Applicant signature / date

Form revised December 2000

☒ Checklists complete
☒ ~~Fees collected~~
☒ Case #s assigned
☒ Related #s listed

Application case numbers
01110 - 00000 - 01244
____ - ____ - ____
____ - ____ - ____

Planner signature / date

Project # 1001445

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 Oct. 3, '01 to Oct. 18, '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.

City of Alba. _____
(Applicant or Agent) (Date)

I issued _____ signs for this application. Aug 30, '01 _____
(Date) (Staff Member)

Rev. 11/8/90

CASE NUMBER 1001445
01110-00000-01244

ENVIRONMENTAL PLANNING COMMISSION

A G E N D A

Thursday, October 18, 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 | **Susan Johnson**
Mick McMahan | **Larry Chavez**
Camilla Serrano | **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 August 16, 2001.

2. 01221 00000 00126
   Project #1001032

   The City of Albuquerque requests amendments to the Comprehensive, City Zoning Code Section 14-16-2-22, Special Use Zone, (B)(31), ROA 1994, a portion of the Zoning Code to allow for Wireless Telecommunication Facilities in conjunction with approved uses provided that certain requirements are met; amendment to Section 14-16-3-17 Wireless Telecommunications Regulations (A.) Setbacks (1.) a. b. c. (+d) and (15.) amendment to Horizontal Separation requirements for Free-standing Wireless Telecommunications Facilities. Cynthia Borrego-Archuleta, Staff Planner **(DEFERRED FROM AUGUST 16, 2001)**

13. 01128 01246
Project #1000163

Dekker Perich Sabatini agents for Wells Fargo Bank NM, request approval of a site development plan for building permit Lot 2A, North Albuquerque Acres, La Cueva Town Center, located on Wyoming between Paseo del Norte and Carmel Avenue, containing approximately 1.51 acres. (C-19) Deborah Stover, Staff Planner

14. 01110 01247
Project #1001447

Garcia/Kraemer & Associates, agents for Dr. Charles Walker request a zone map amendment from P to C-2 for a portion of Tract A1A2A, Carlisle Plaza Addition, located on Carlisle Boulevard between Candelaria Road and Alta Monte Drive, containing approximately 2.32 acres. (G-17) Lola Bird, Staff Planner

15. 01128 01258
Project #1001452

Isaac Benton & Associates AIA, agents for Department of Family and Community Services request approval of a site development plan for building permit, zoned SU-1 for Park & Recreation Facility, located on Marquette & Pennsylvania between Lomas and Central, containing approximately 15 acres. (K-19) Deborah Stover, Staff Planner

16. 01128 01248
Project #1001448

Dekker Perich Sabatini agents for First Church of Religious Science, request approval of a site development plan for building permit for Tract B, Federal Plaza, zoned SU-1 for O-1 Uses, located on Homestead Road between San Mateo and Madeira, containing approximately 3.7191 acres. (G-18) Lola Bird, Staff Planner

17. 01110 01249
Project #1001449

Tim House, agent for Zrite, Inc. request a zone map amendment from C-1 to C-2 for Lot 9, Block A, Unit 2, Kirtland Addition, located on the southeast corner of University and Gibson, containing approximately 3.0552 acres. (M-15) Loretta Naranjo-Lopez, Staff Planner

18. Other Matters.

19. Adjourn.

CITY OF ALBUQUERQUE

EPC

ENVIRONMENTAL PLANNING COMMISSION

ALBUQUERQUE NEW MEXICO

Agenda Number: 11
Case Number: 01110 01244
October 18, 2001

Staff Report

Agent	Planning Department
Applicant	City of Albuquerque
Request	**Establishment of Zoning**
Legal Description	See attached list, page 1
Location	West of the Rio Grande, south of NM 528 and north of Western Trail and Namaste Road NW; and along Interstate 25 between Montaño Road NE and San Antonio Drive NE
Size	Approximately 134 acres
Existing Zoning	Unzoned
Proposed Zoning	See attached list, page 1

Staff Recommendation

That APPROVAL of 01110 01244 be forwarded to the City Council, based on the findings on pages 9 - 10, and subject to the conditions of approval on page 11.

Staff Planner

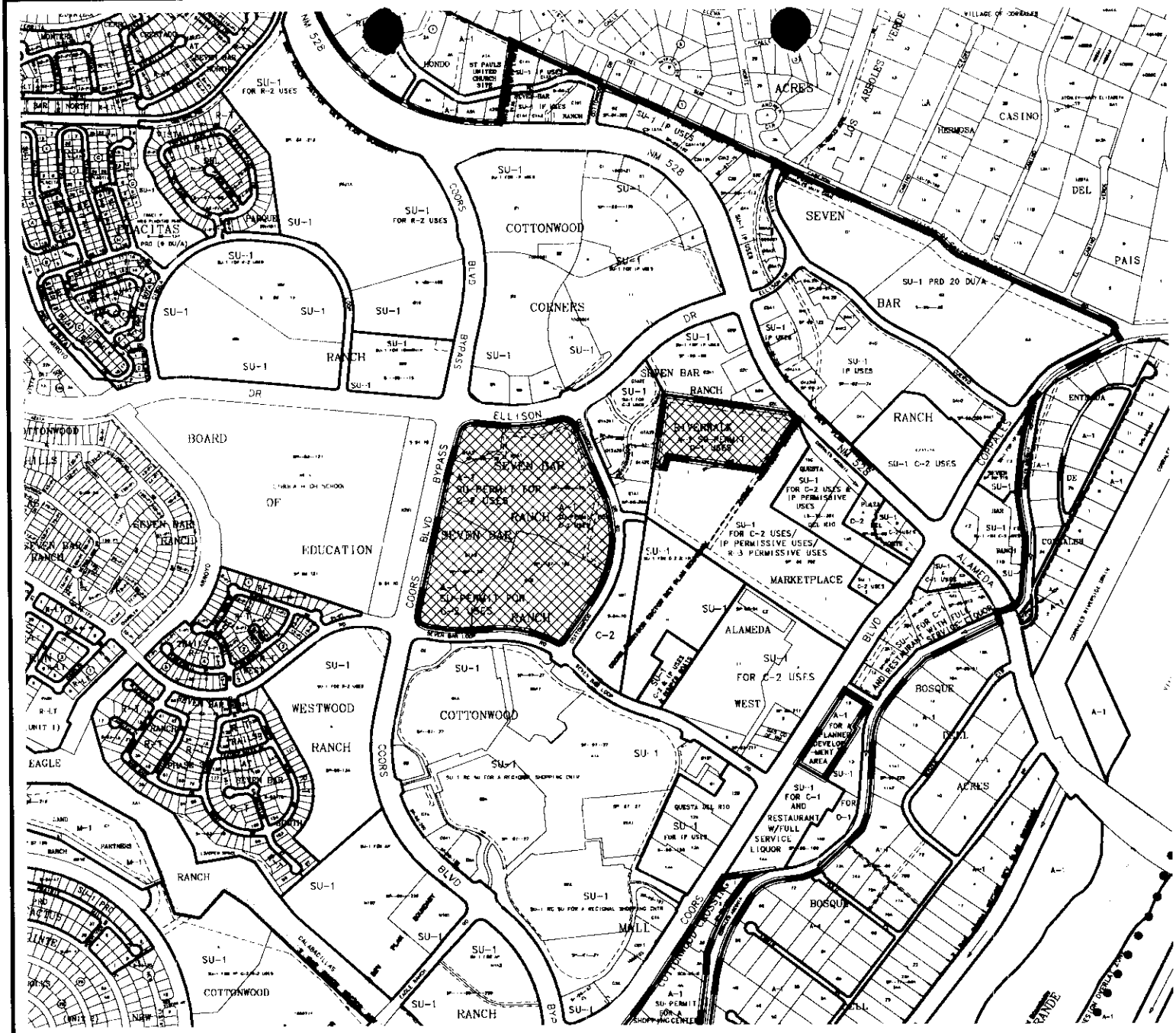
Russell Brito, Senior Planner

Summary of Analysis

The City of Albuquerque petitioned the State Municipal Boundary Commission (the Commission) for annexation of property pursuant to the State Statutes regarding annexation by municipalities via the Commission (NMSA 1978, § 3-7-11 to § 3-7-16). On 7 August 2001, the Commission held a public hearing at the Albuquerque Convention Center and voted unanimously to order annexation of approximately 140 acres of property to the City of Albuquerque.

The annexation order from the Commission does not establish zoning for the sites. The City Council has the authority to establish zoning, hence this request for a recommendation from the Environmental Planning Commission that mirrors the previous County zoning, existing uses and approved or planned uses. The requested zoning furthers the applicable goal and policies of the *Comprehensive Plan* and does not conflict with any Area or Sector Development Plans. The policies and requirements of *R-270-1980* are met, specifically that the annexation of the properties is a changed neighborhood and community condition that justifies the proposed zoning categories.

City Departments and other interested agencies reviewed this application from 7 September 2001 to 21 September 2001. Agency comments were used in the preparation of this report, and begin on page 13.



Note: Shaded area indicates County Not to Scale

ZONING MAP

AGIS

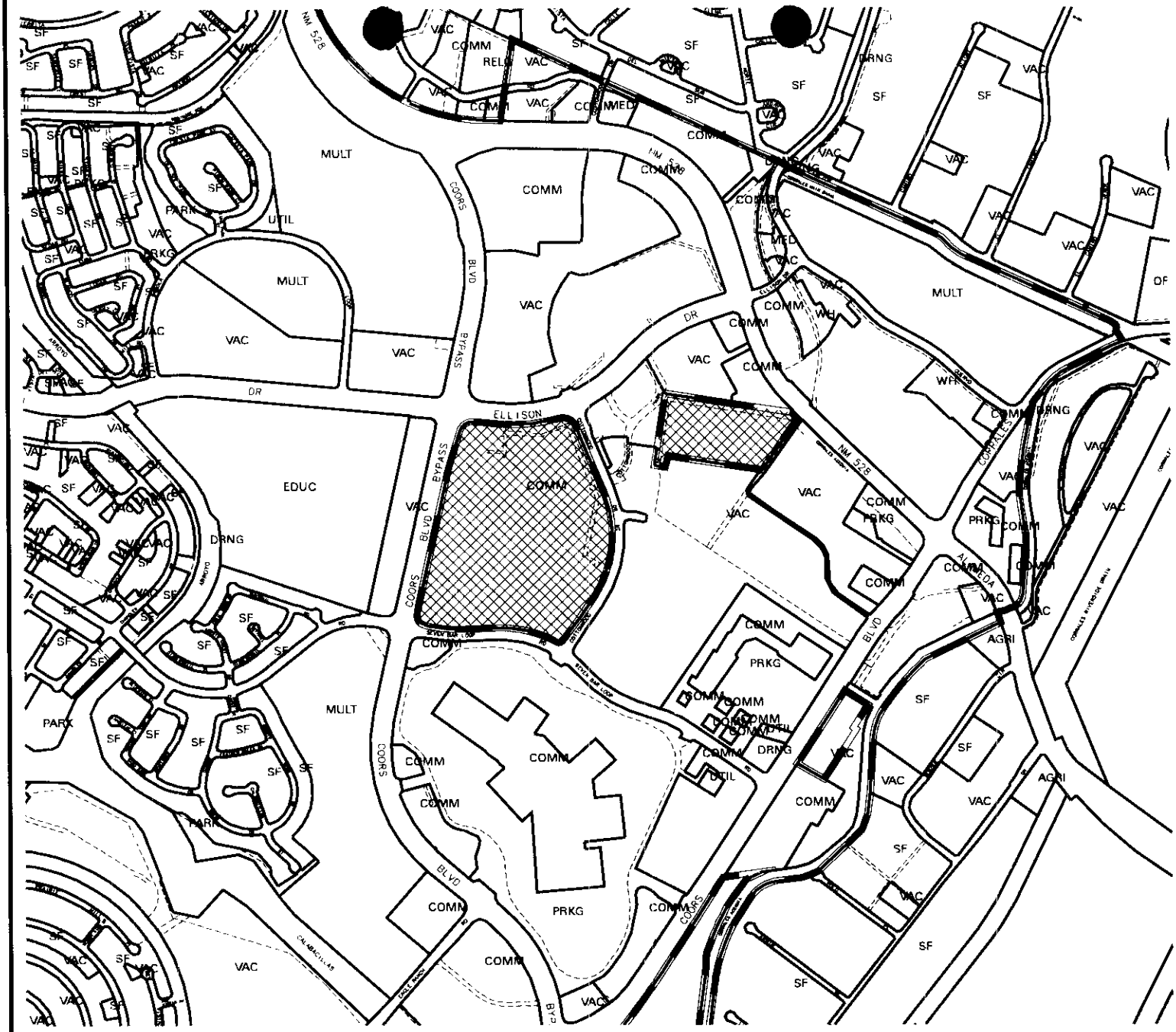
Scale 1" = 1075 '

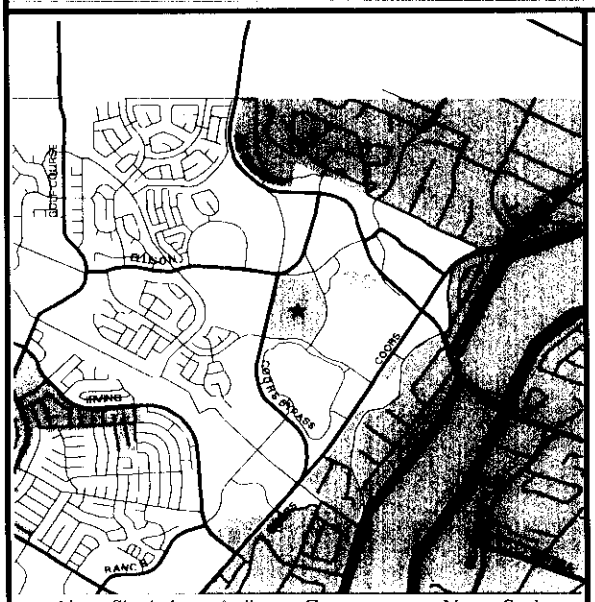
PROJECT NO.
1001445

HEARING DATE
10-18-01

MAP NO.
A-13

APPLICATION NO.
01110-00000-01244





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
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WH Warehousing & Storage

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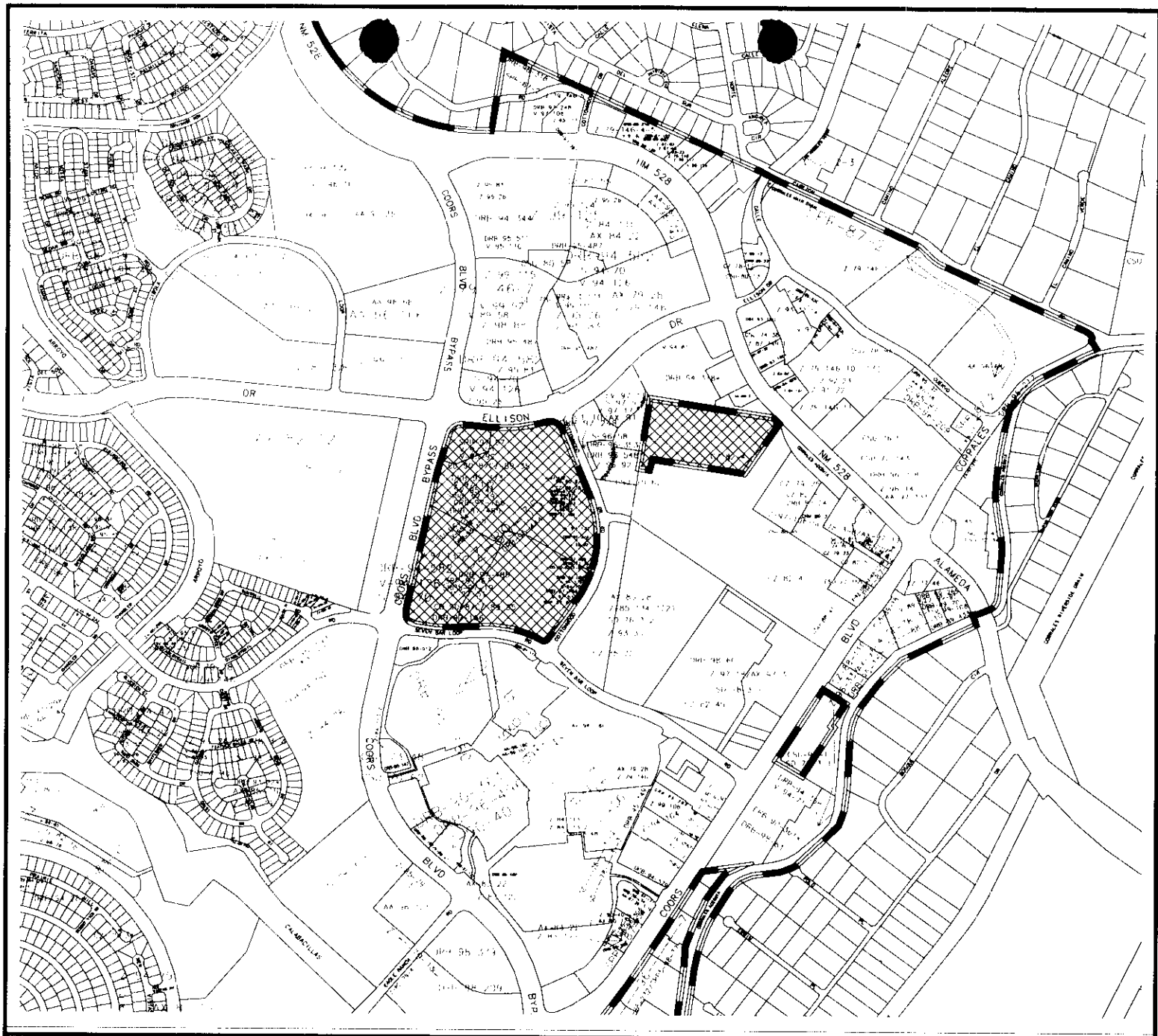

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HISTORY MAP

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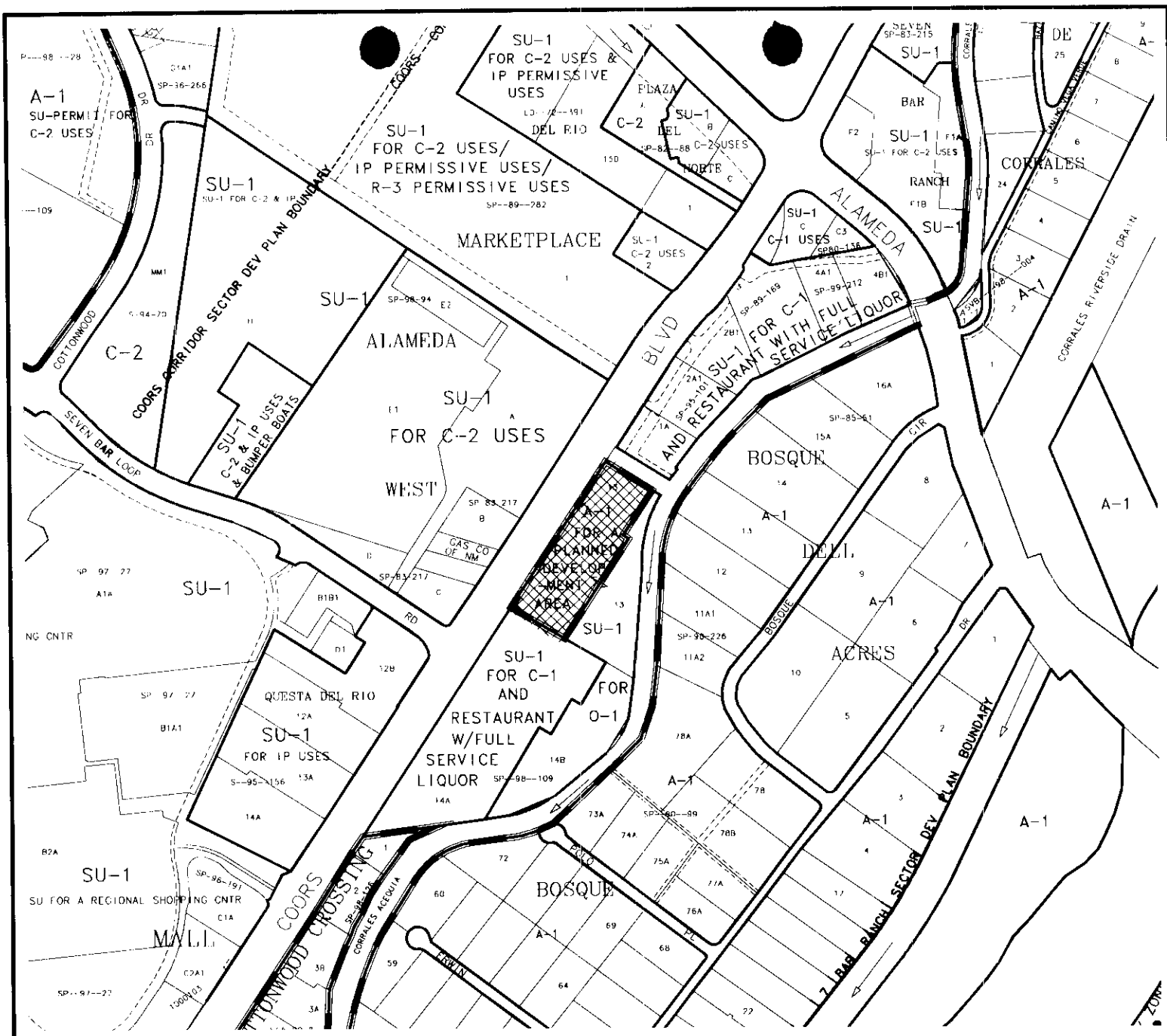
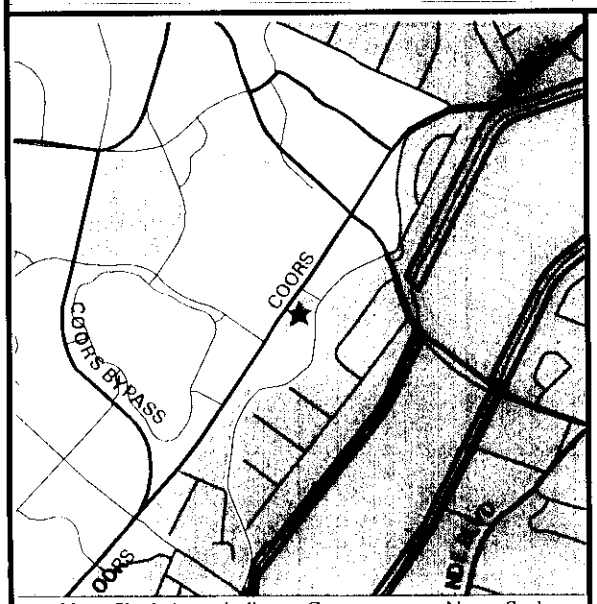




Note: Shaded area indicates County

Not to Scale

ZONING MAP

AGIS

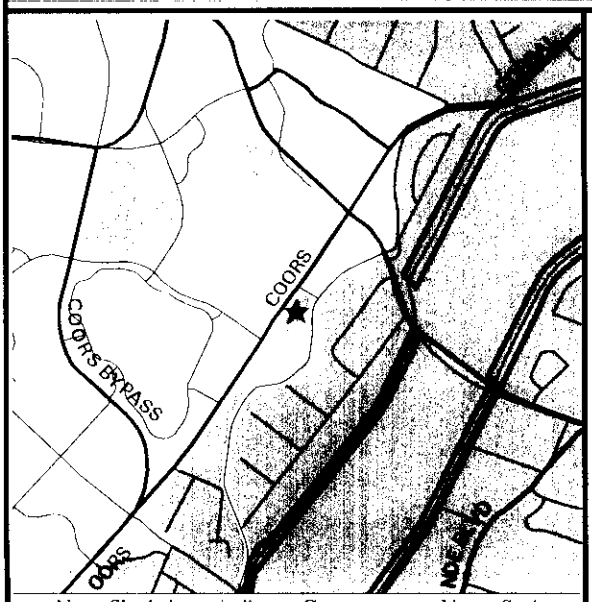
Scale 1" = 530 '

PROJECT NO.
1001445

HEARING DATE
10-18-01

MAP NO.
B-14

APPLICATION NO.
01110-00000-01244



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AGIS

Scale 1"= 530'

PROJECT NO.
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HEARING DATE
10-18-01

MAP NO.
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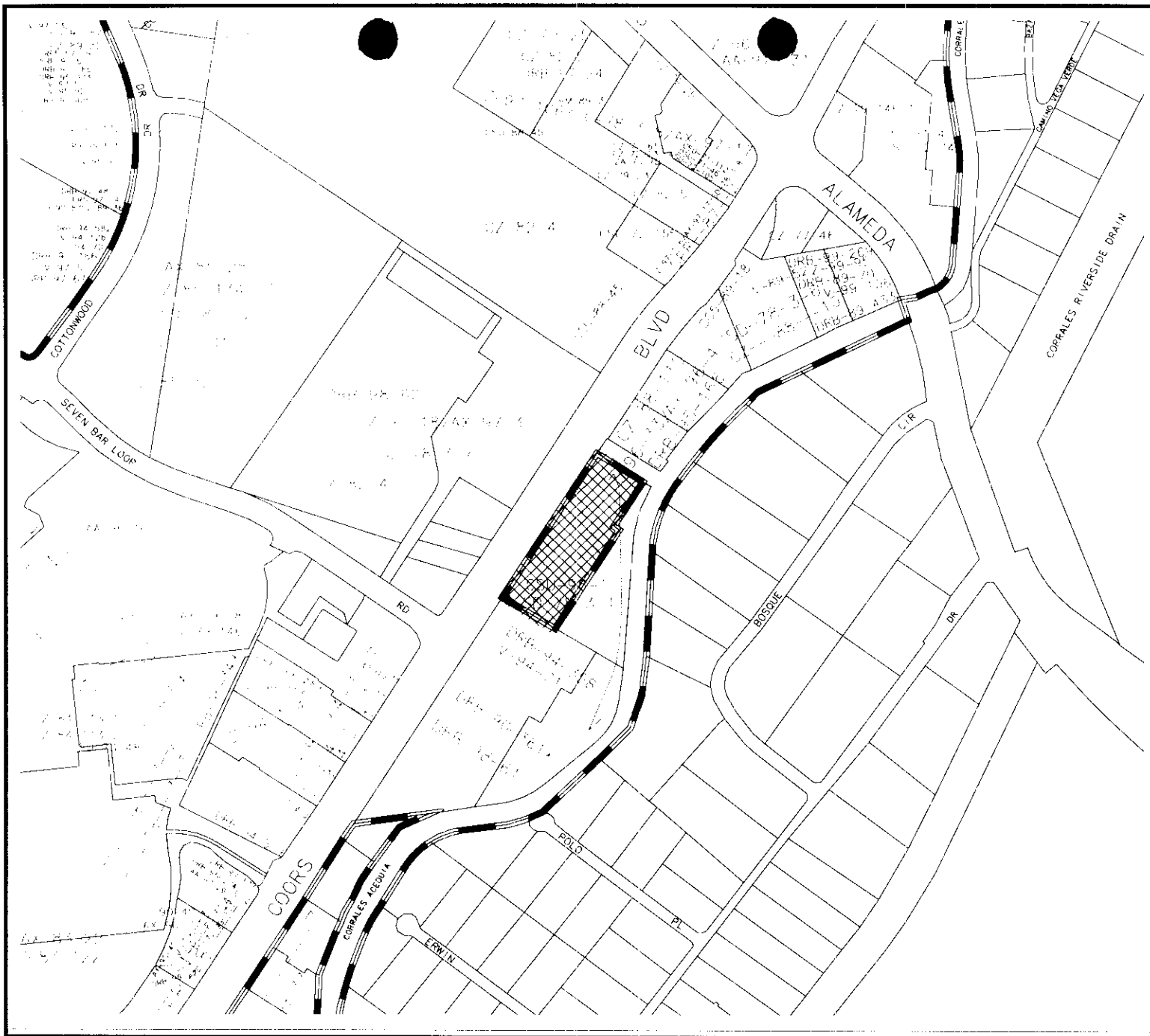
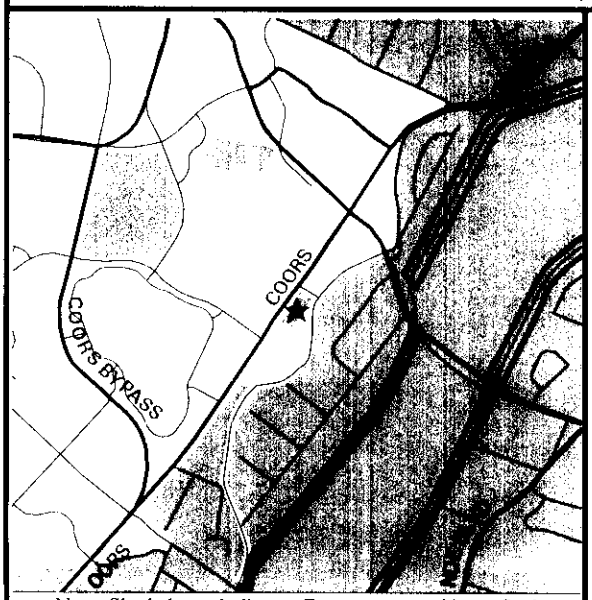
01110-00000-01244





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HISTORY MAP

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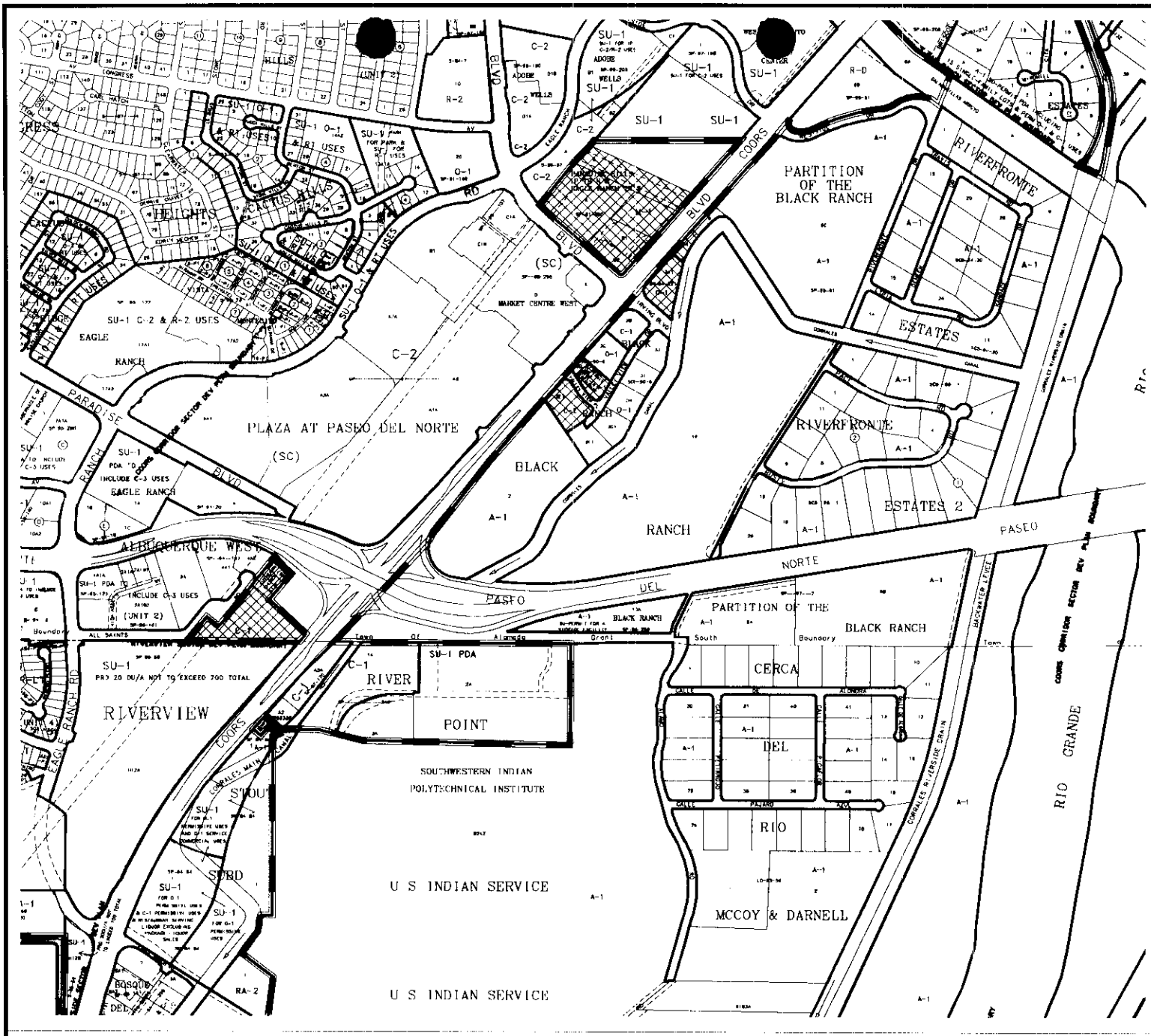


Note: Shaded area indicates County Not to Scale

ZONING MAP

AGIS

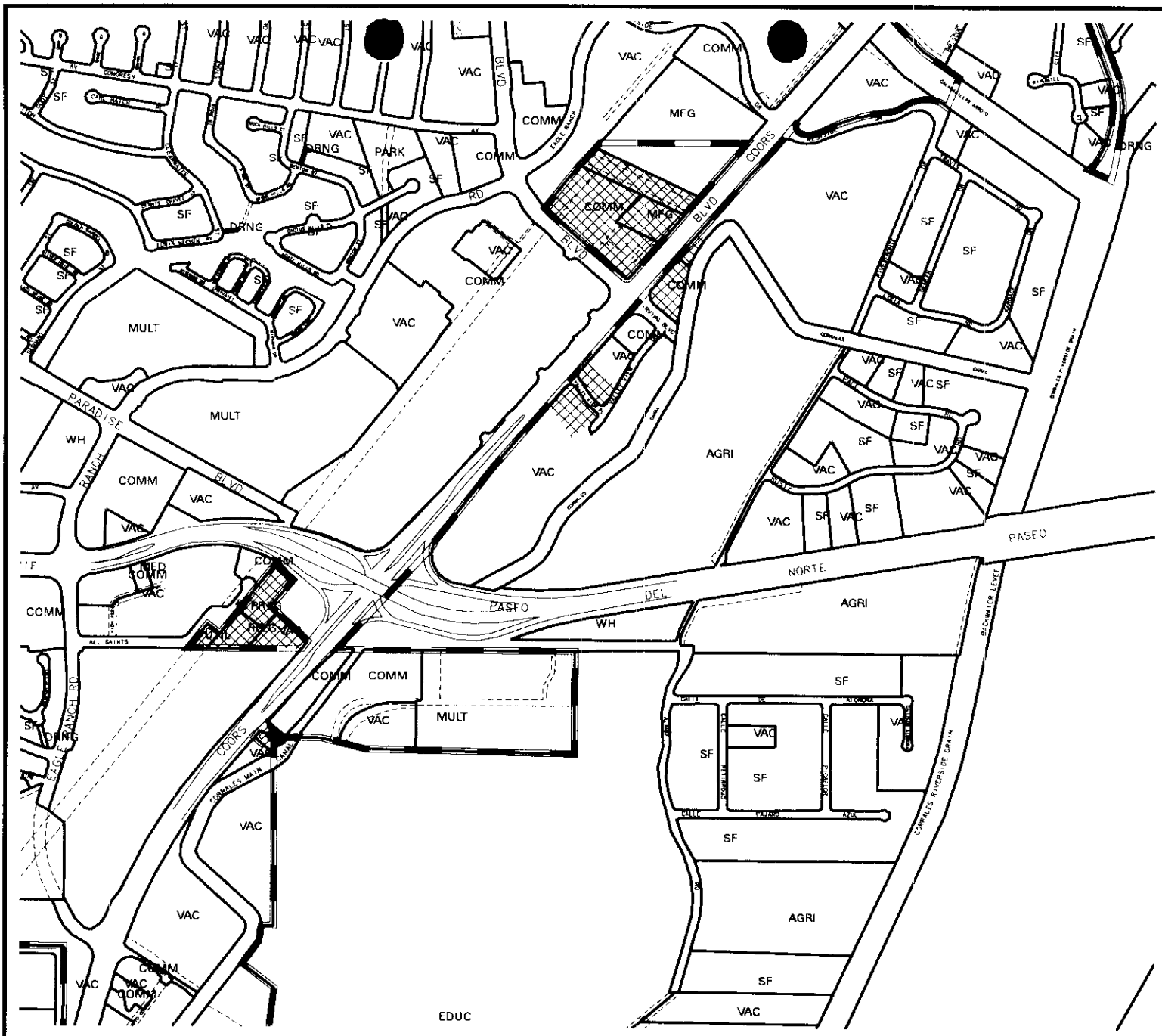
Scale 1"= 943 '

PROJECT NO.
1001445

HEARING DATE
10-18-01

MAP NO.
C-13

APPLICATION NO.
01110-00000-01244



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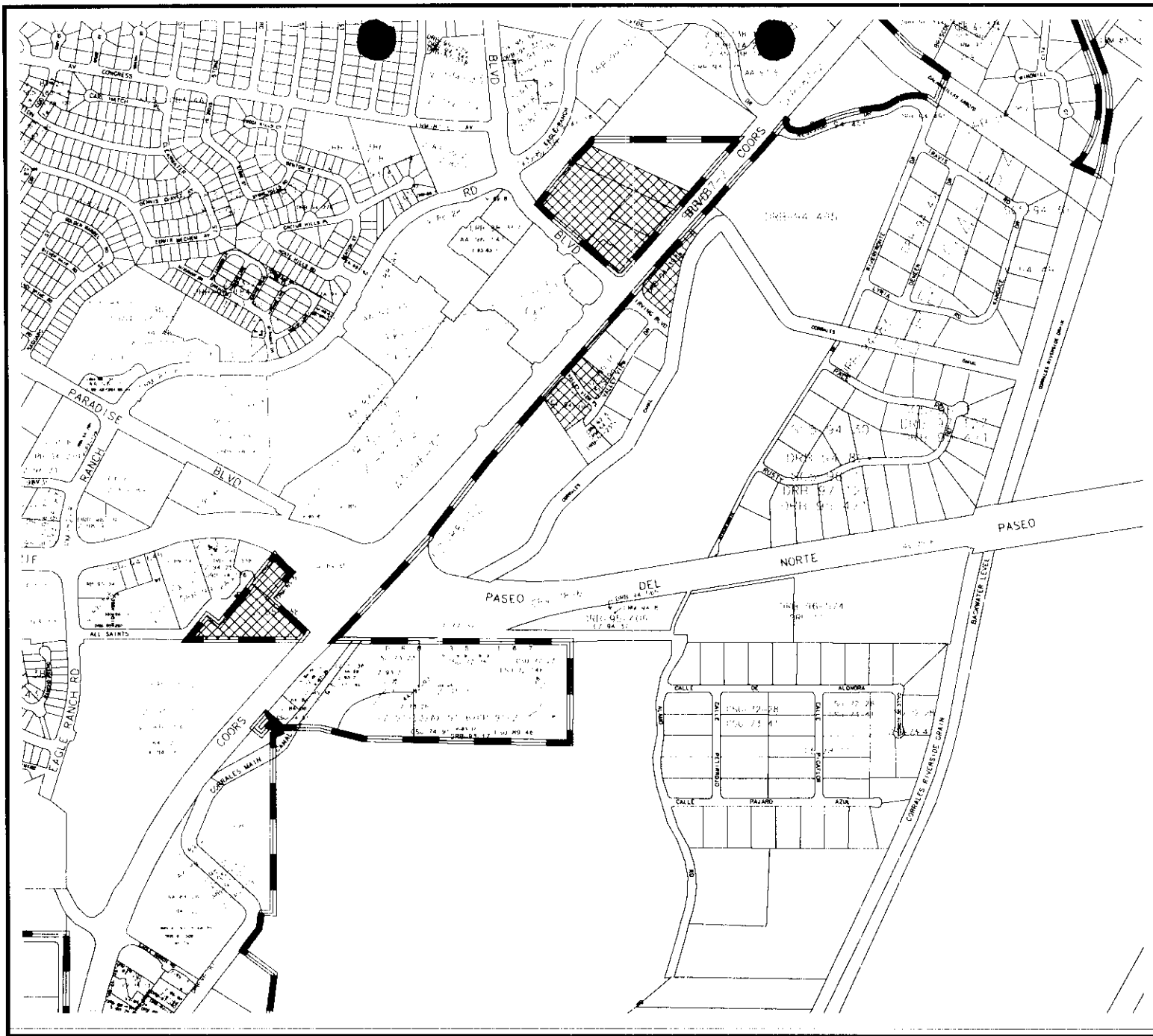

Note: Shaded area indicates County Not to Scale

HISTORY MAP

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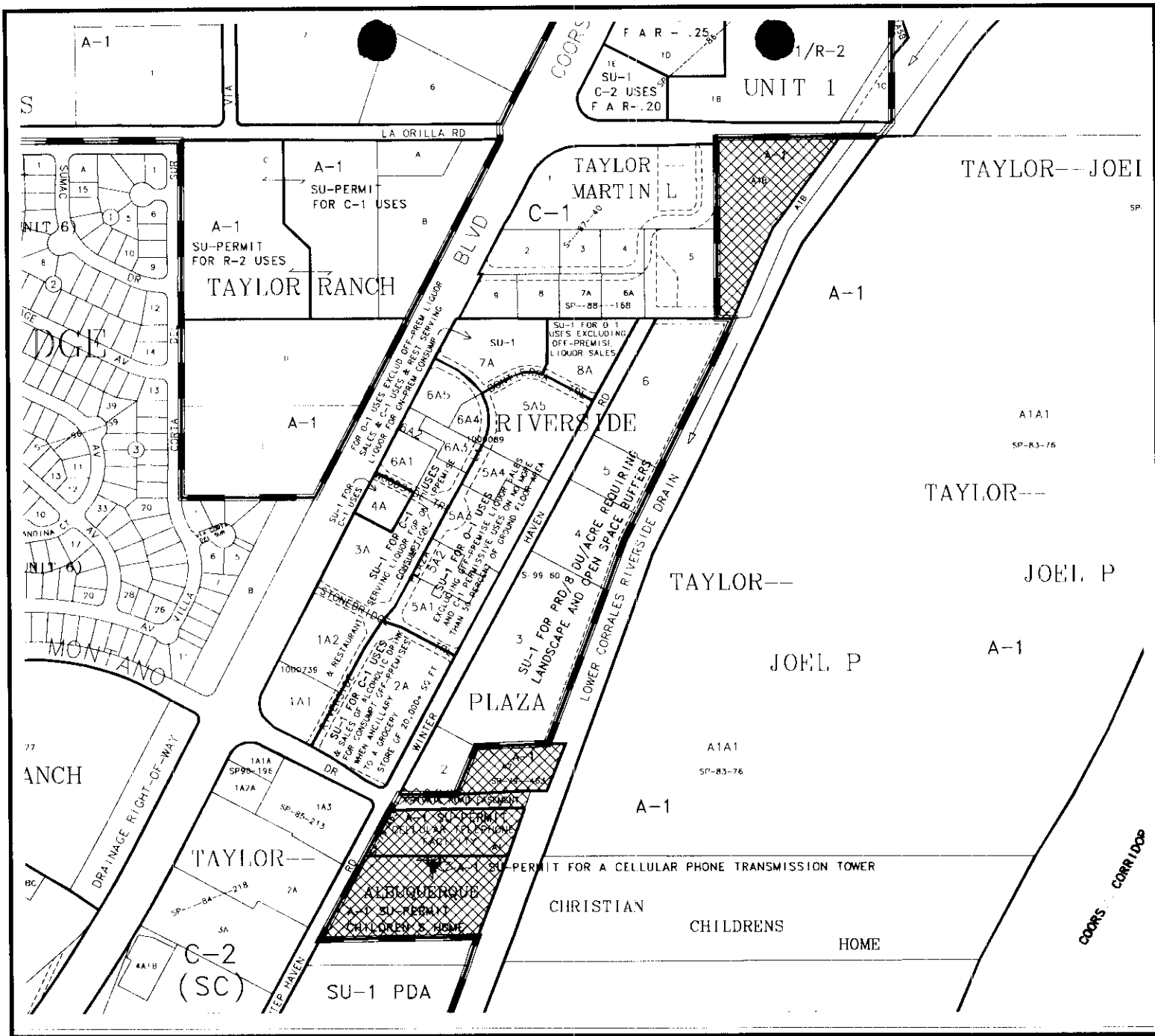


Note: Shaded area indicates County Not to Scale

ZONING MAP

AGIS

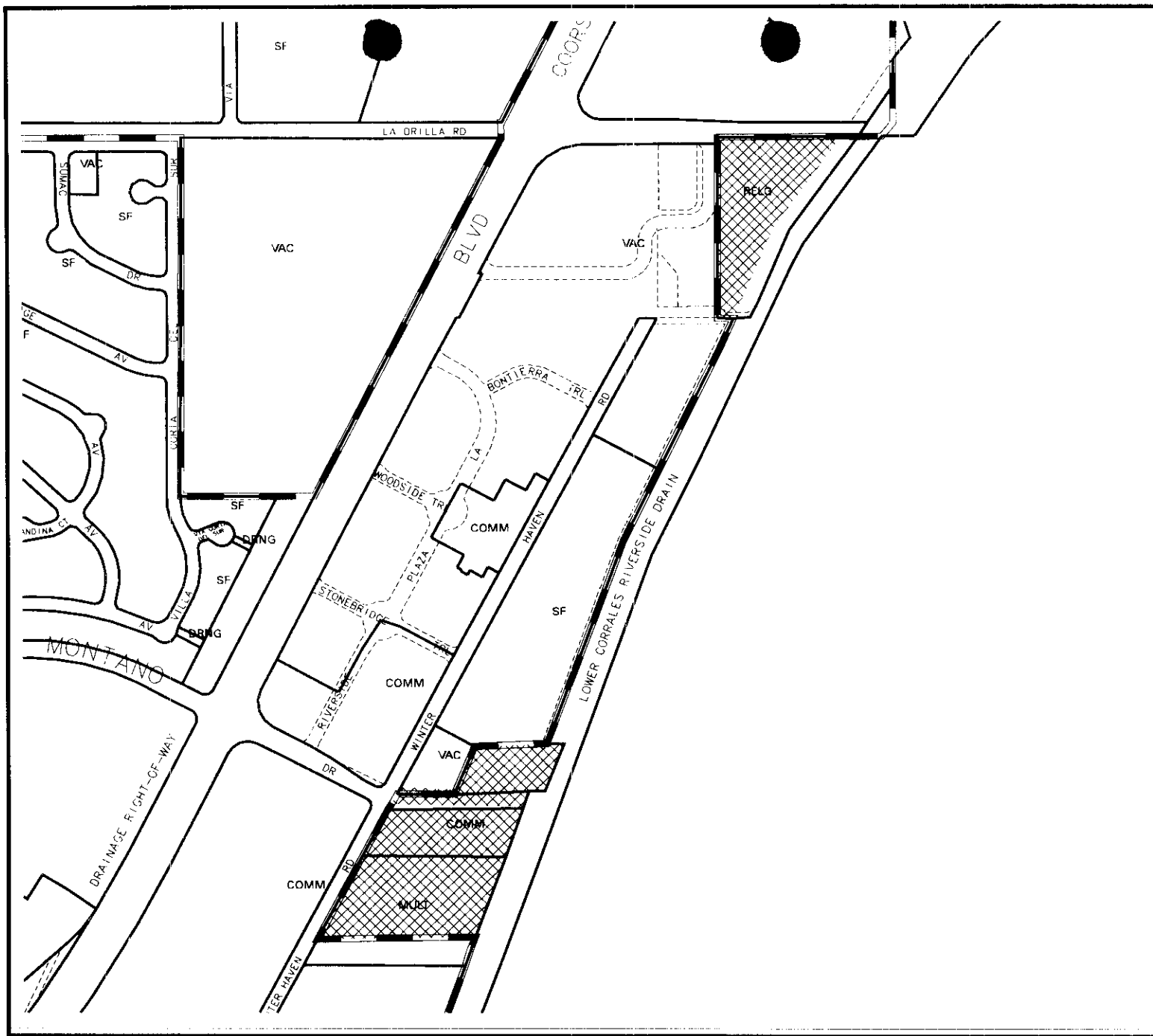
Scale 1"= 523 '

PROJECT NO.
1001445

HEARING DATE
10-18-01

MAP NO.
E-12

APPLICATION NO.
01110-00000-01244



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AGIS

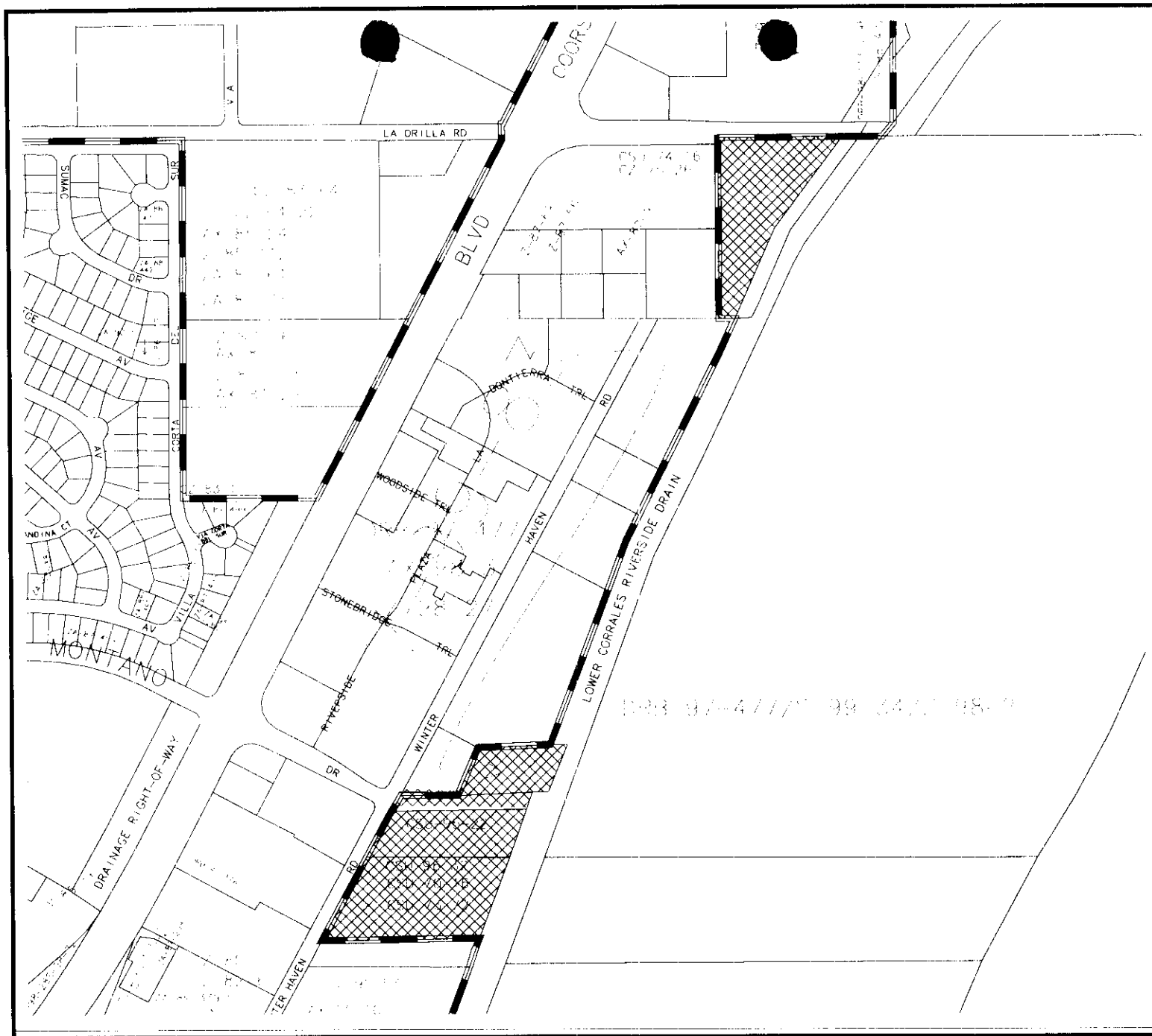
Scale 1" = 523 '

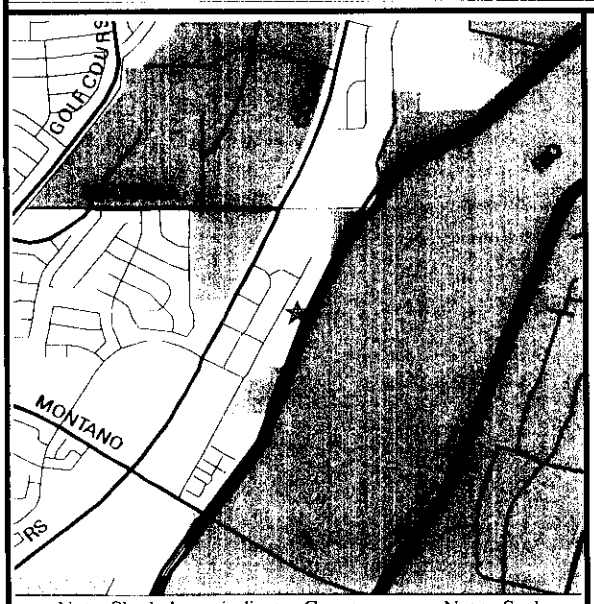
PROJECT NO.
1001445

HEARING DATE
10-18-01

MAP NO.
E-12

APPLICATION NO.
01110-00000-01244





Note: Shaded area indicates County Not to Scale

HISTORY MAP

AGIS

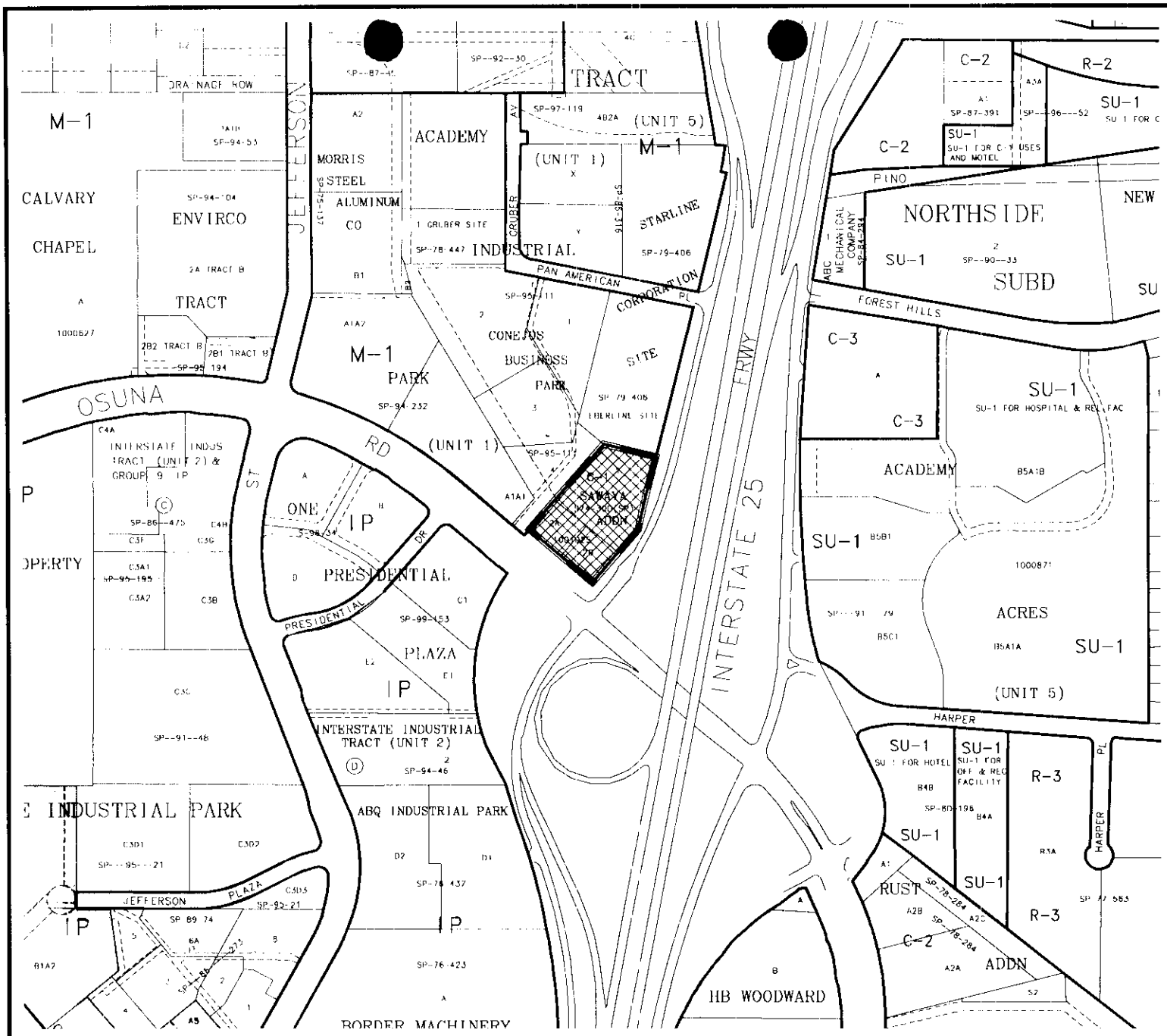
Scale 1"= 523 '

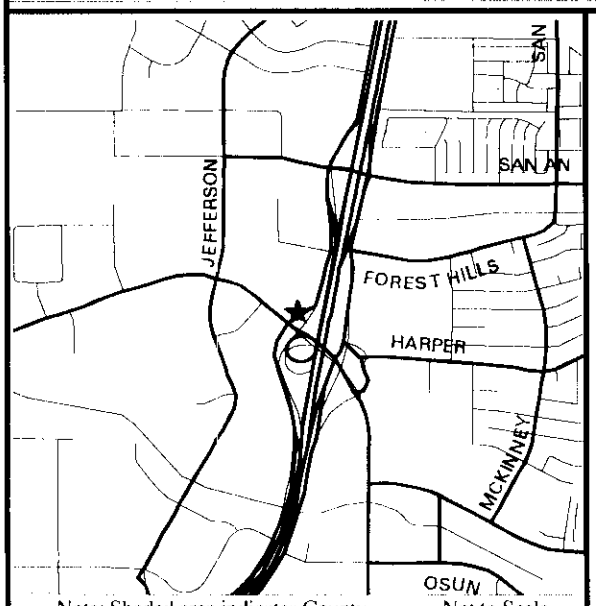
PROJECT NO.
1001445

HEARING DATE
10-18-01

MAP NO.
E-12

APPLICATION NO.
01110-00000-01244





Note: Shaded area indicates County

Not to Scale

ZONING MAP

AGIS

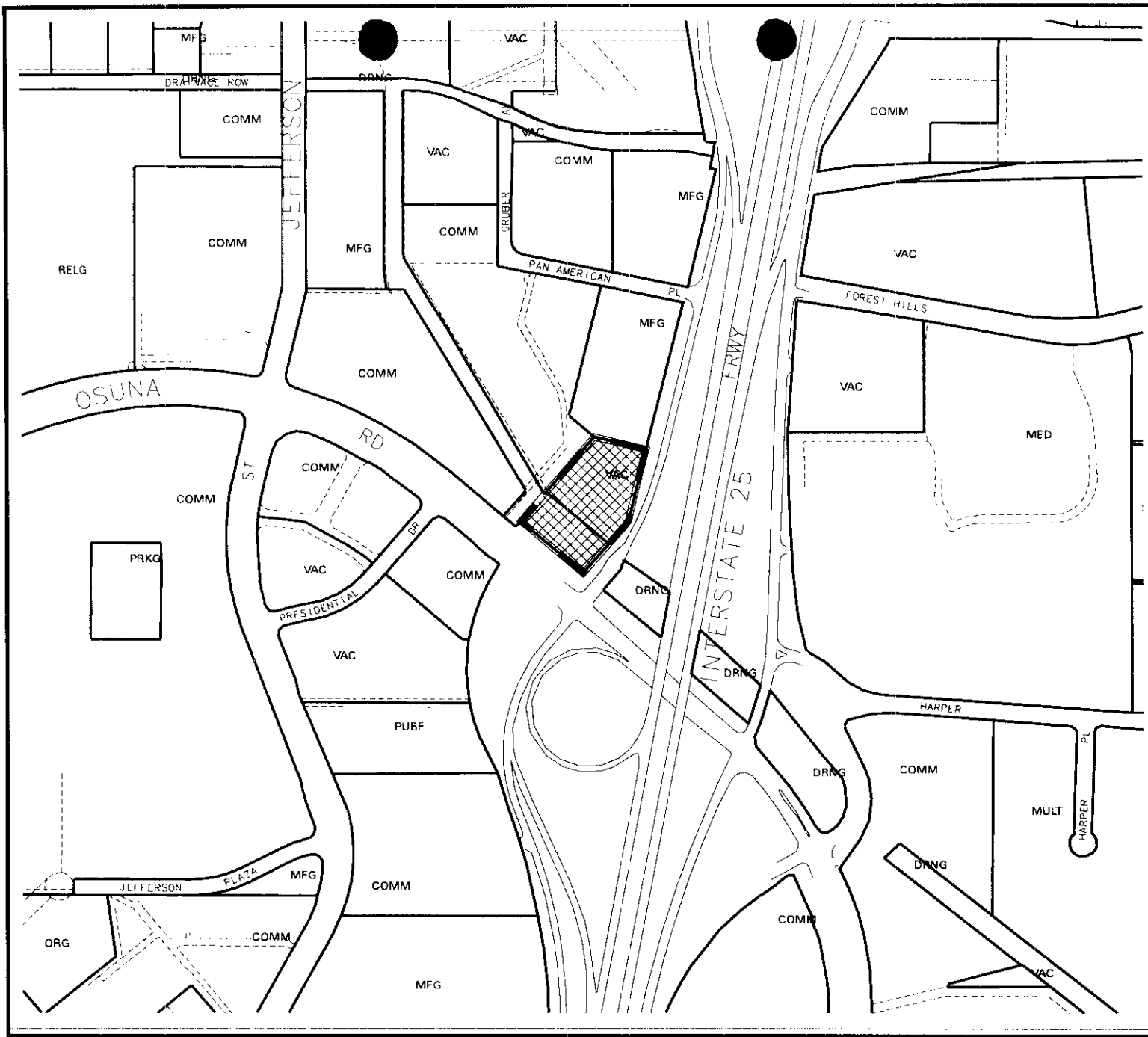
Scale 1" = 529'

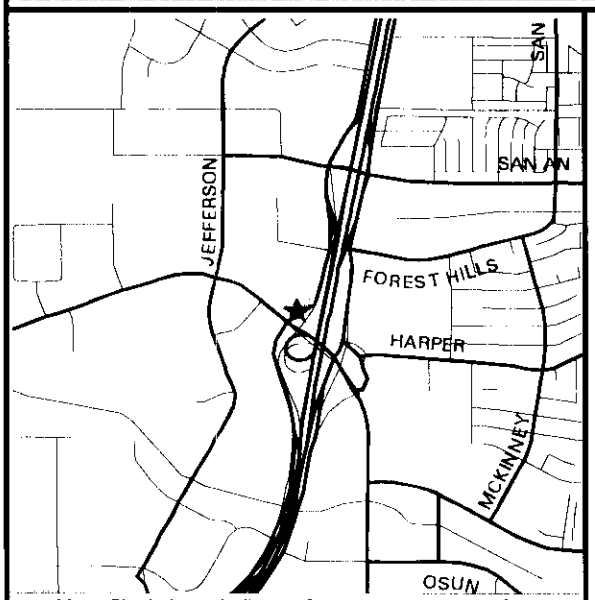
PROJECT NO.
1001445

HEARING DATE
10-18-01

MAP NO.
E-17

APPLICATION NO.
01110-00000-01244





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
W/H Warehousing & Storage

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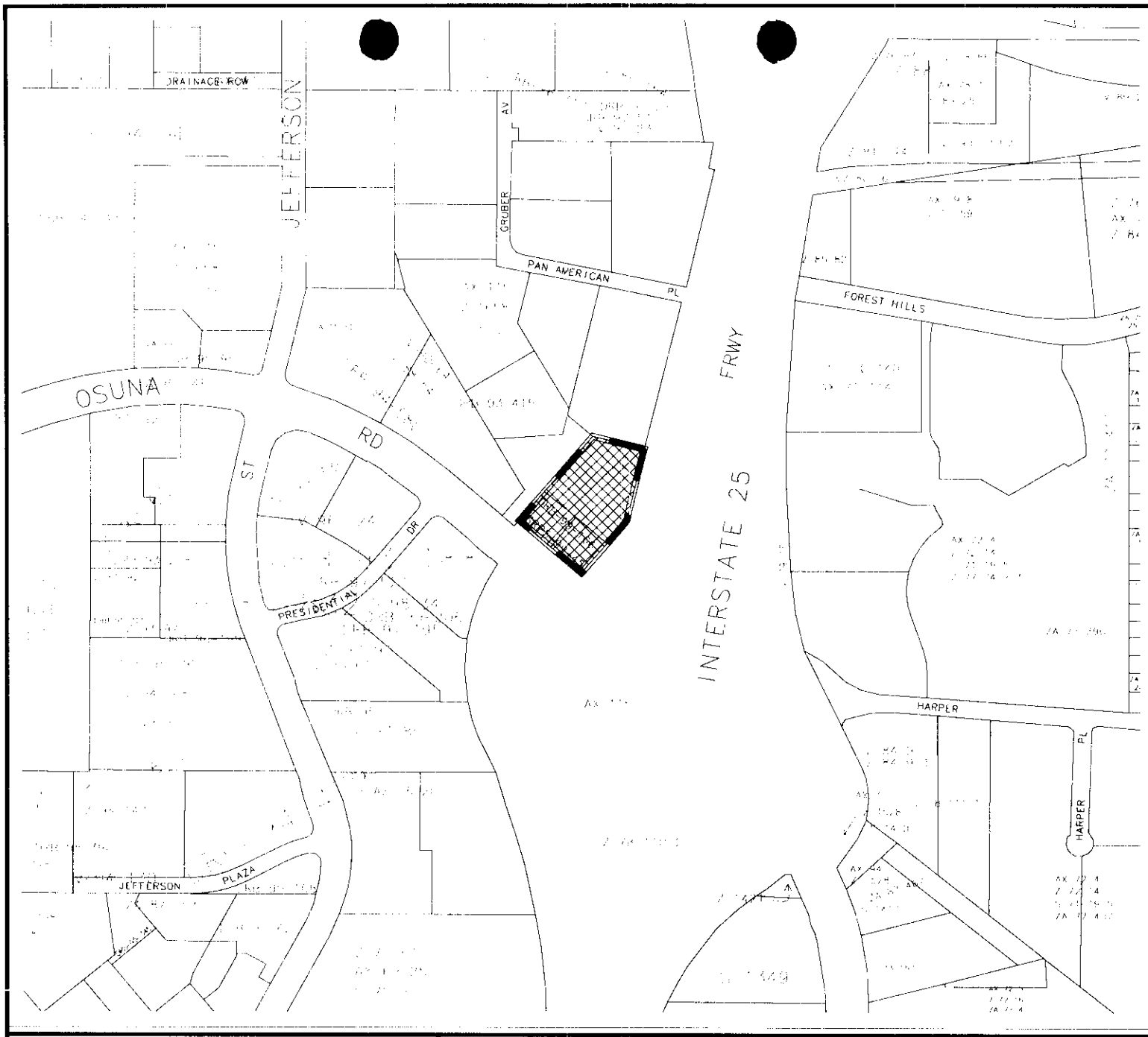

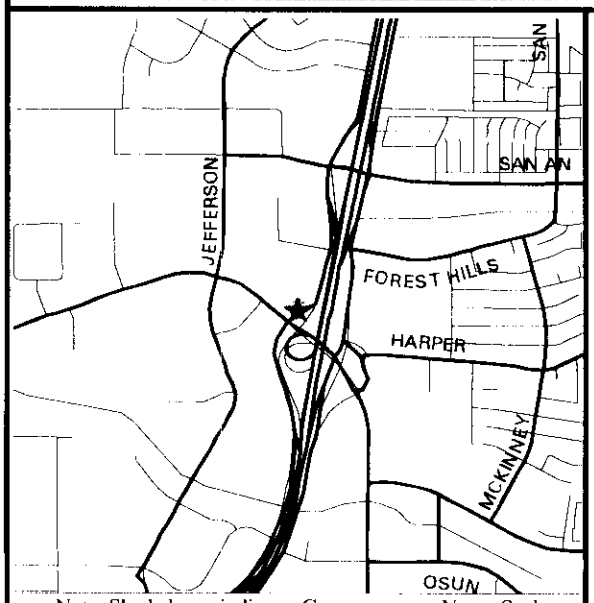

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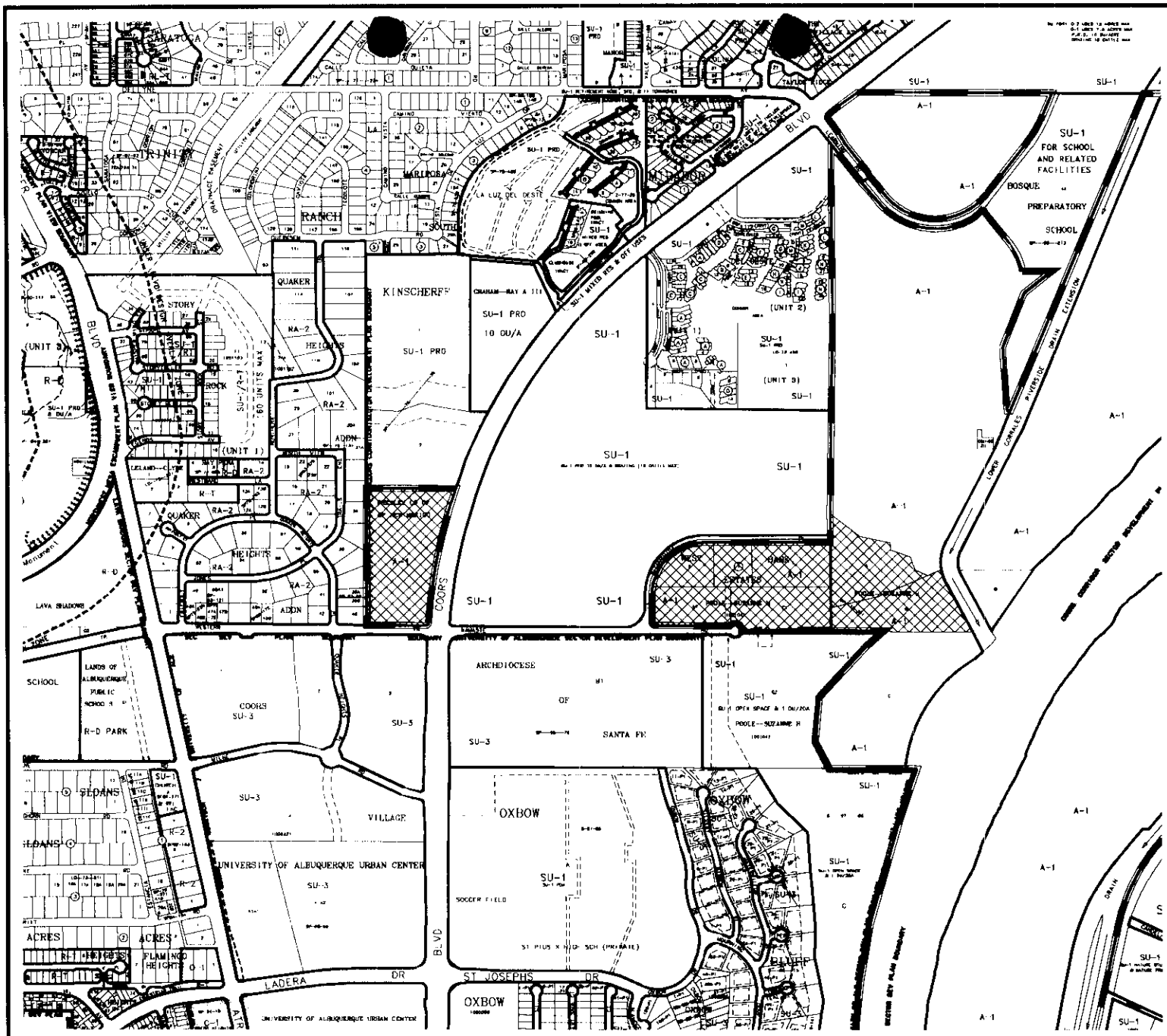
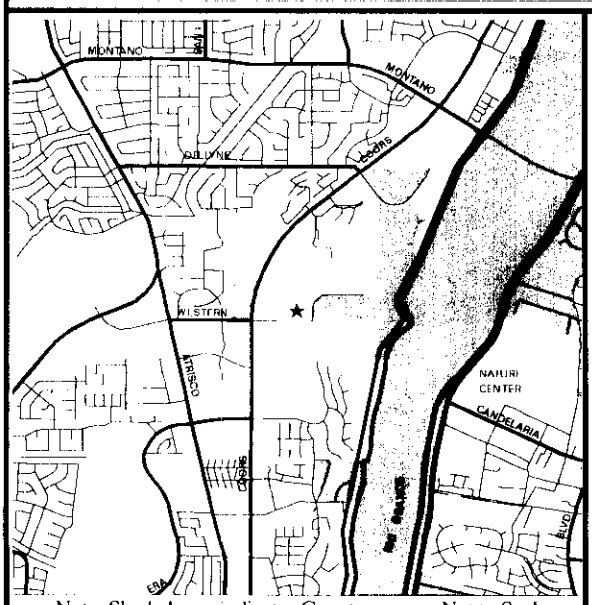




Note: Shaded area indicates County Not to Scale

ZONING MAP

AGIS

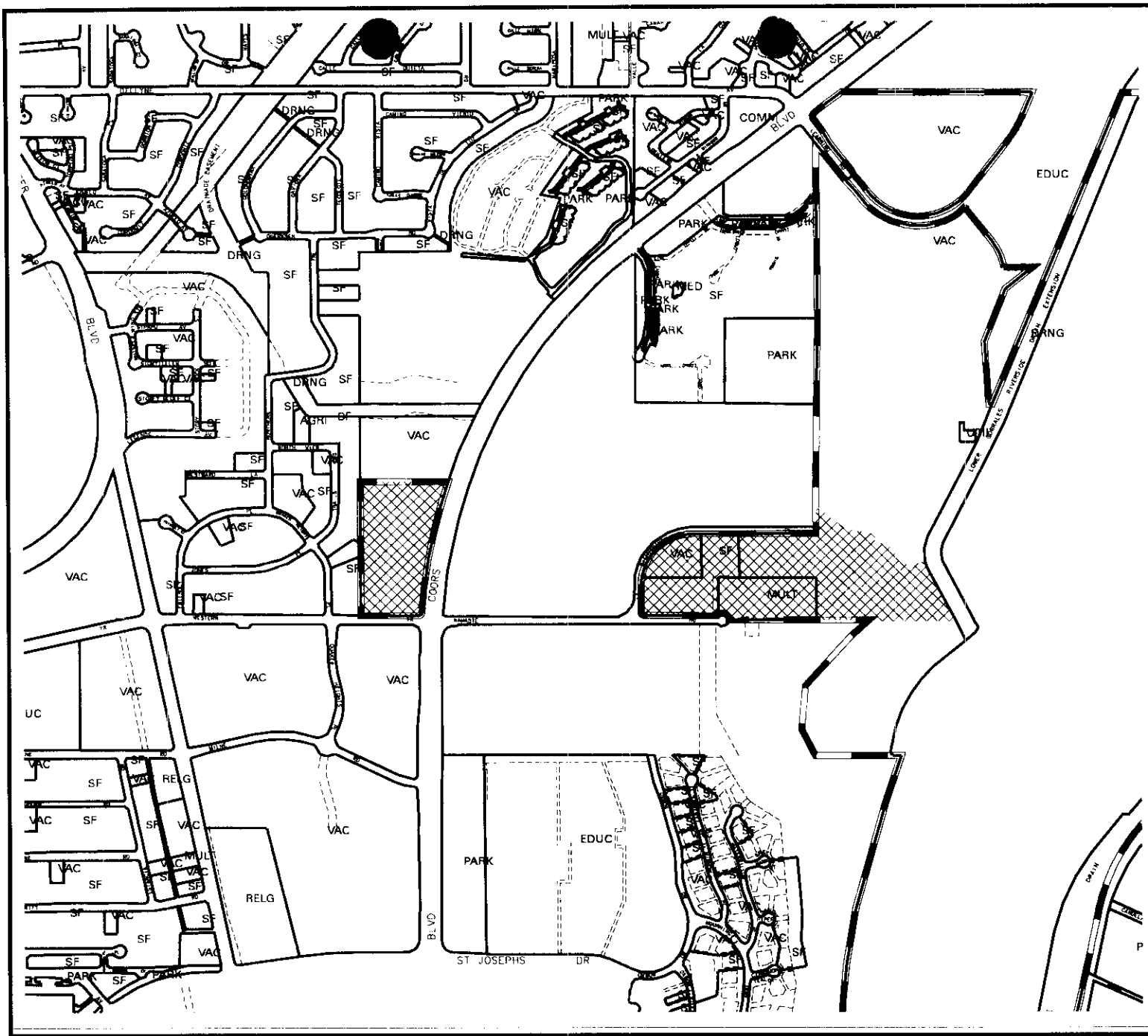
Scale 1" = 1036 '

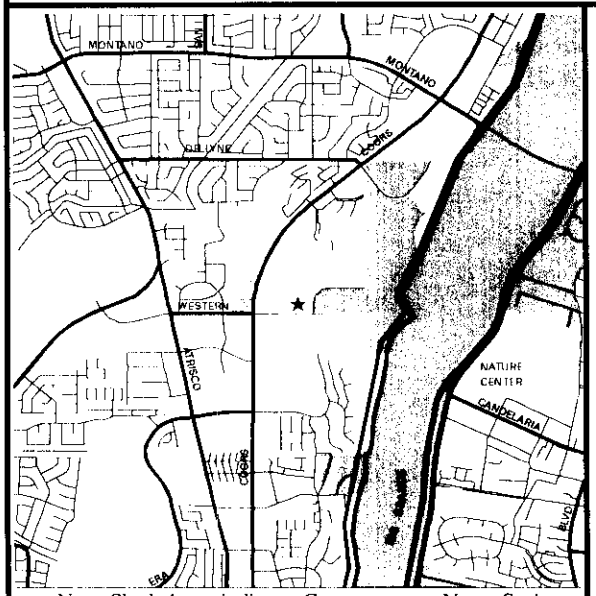
PROJECT NO.
1001445

HEARING DATE
10-18-01

MAP NO.
F-11

APPLICATION NO.
01110-00000-01244





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PRKG Parking
PUBF Public Facility
RELG Religious Facility
SF Single Family
TRAN Transportation Facility
UTIL Utility
VAC Vacant Land or Abandoned Bldgs
WH Warehousing & Storage

AGIS

Scale 1" = 1036 '

PROJECT NO.
1001445

HEARING DATE
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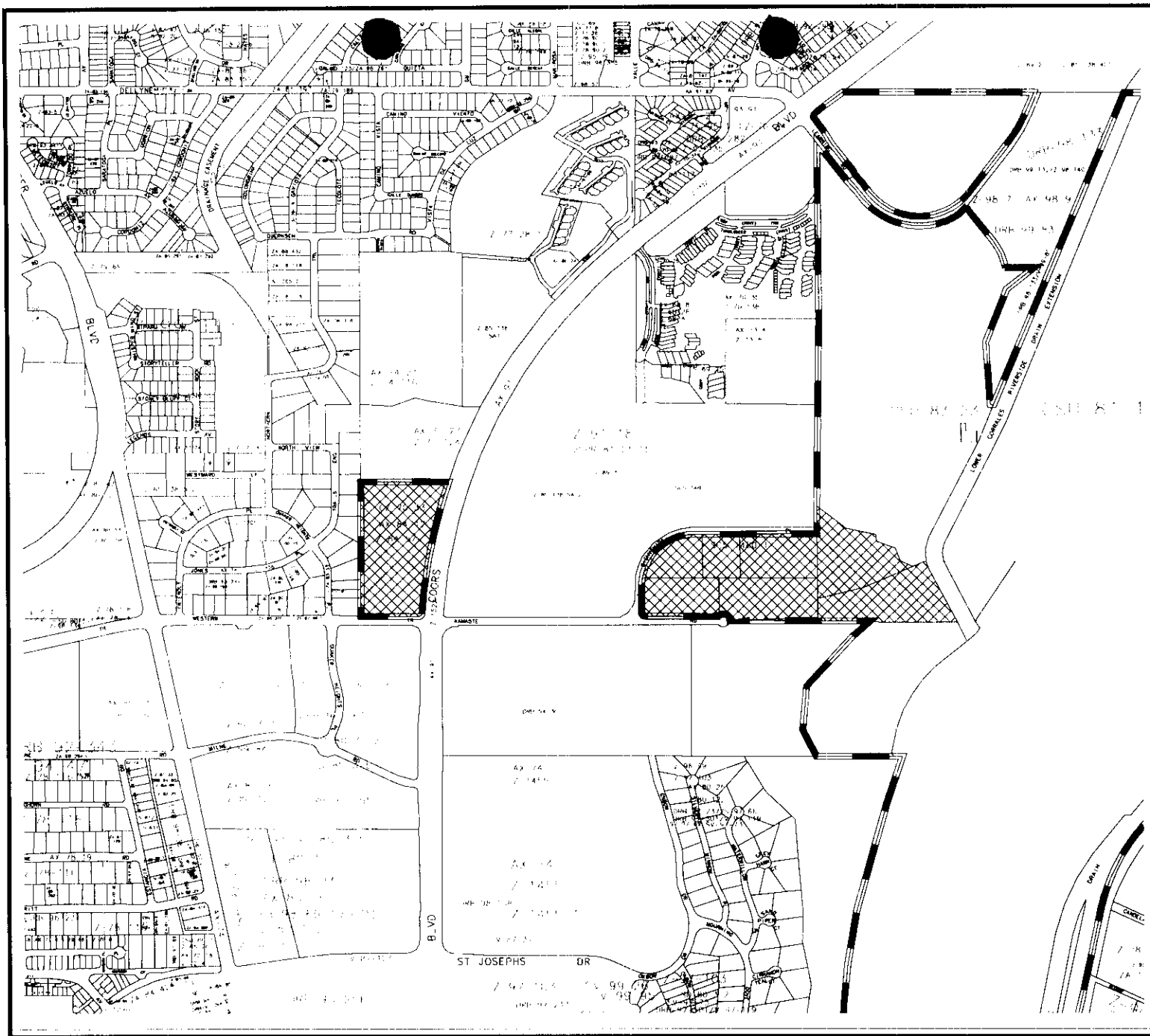
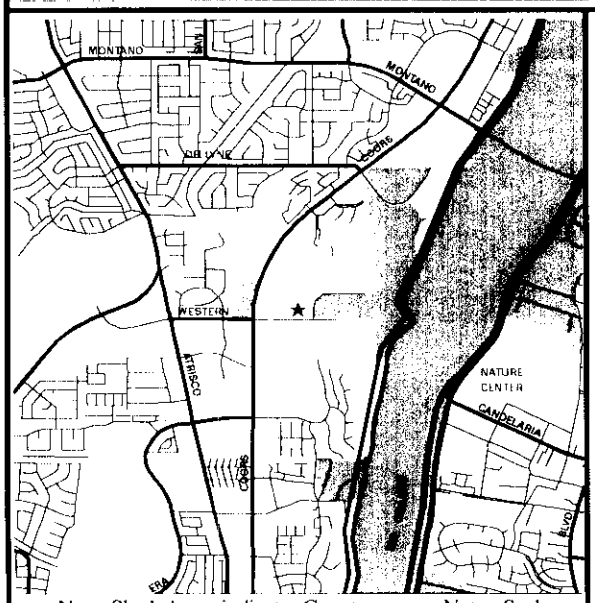
MAP NO.
F-11

APPLICATION NO.
01110-00000-01244





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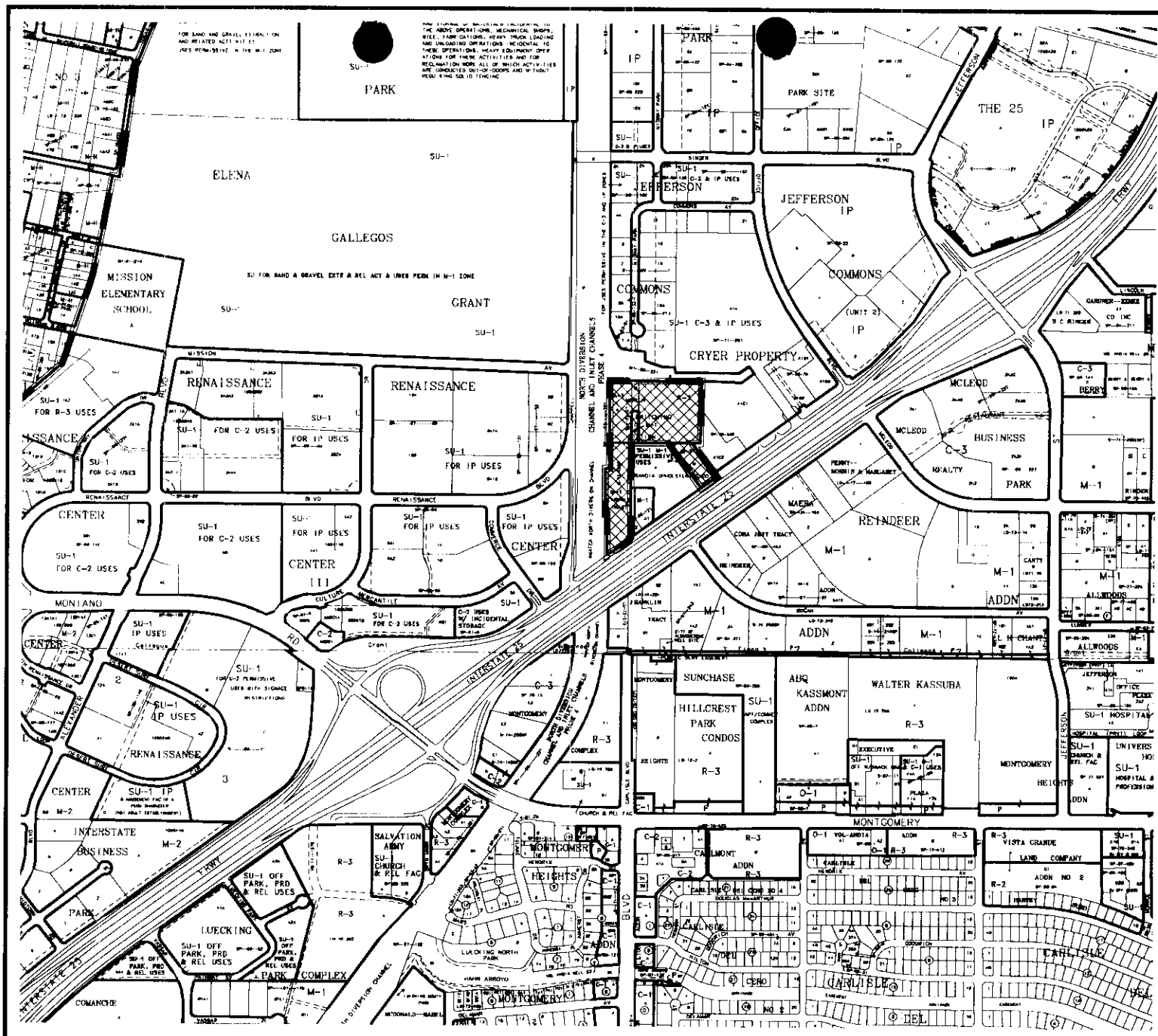
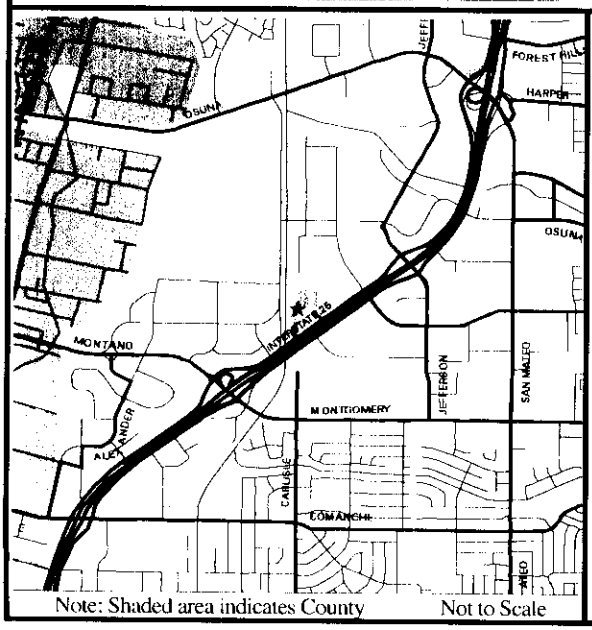




Note: Shaded area indicates County

Not to Scale

ZONING MAP

AGIS

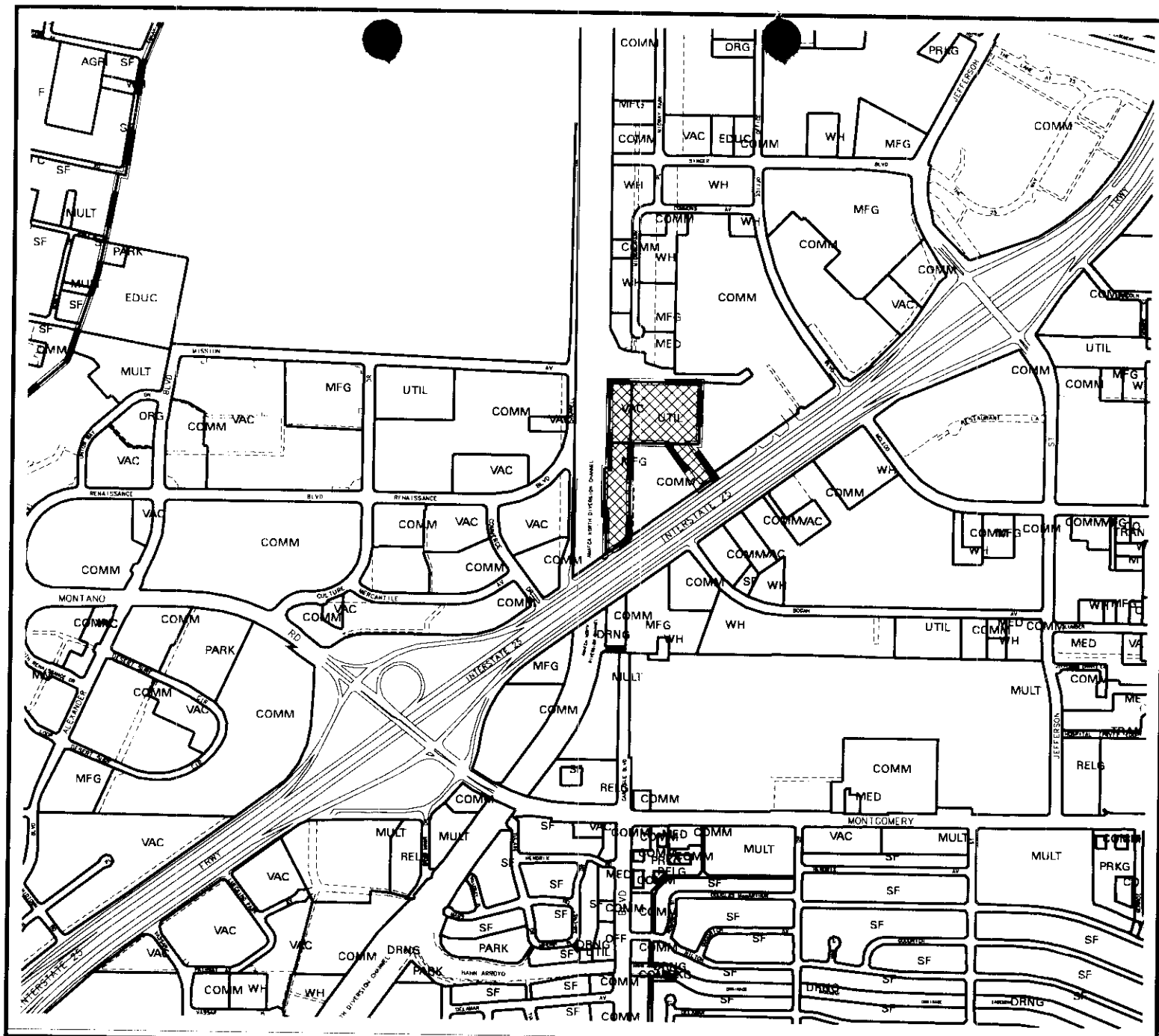
Scale 1" = 1085 '

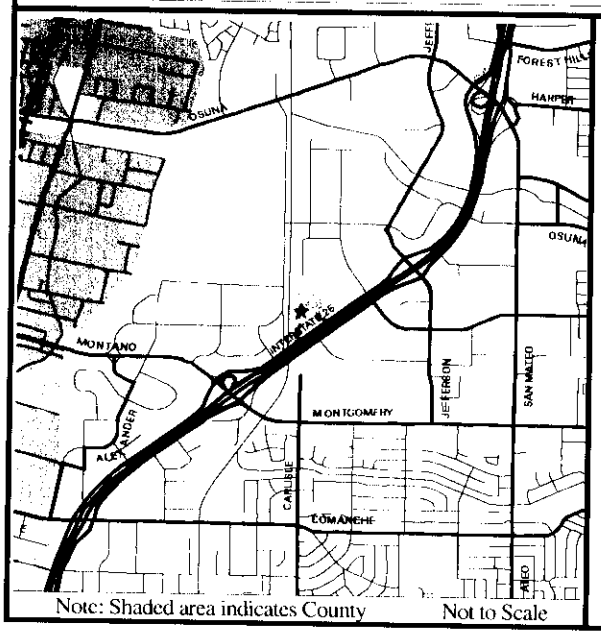
PROJECT NO.
1001445

HEARING DATE
10-18-01

MAP NO.
F-16

APPLICATION NO.
01110-00000-01244





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AGIS

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HEARING DATE
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MAP NO.
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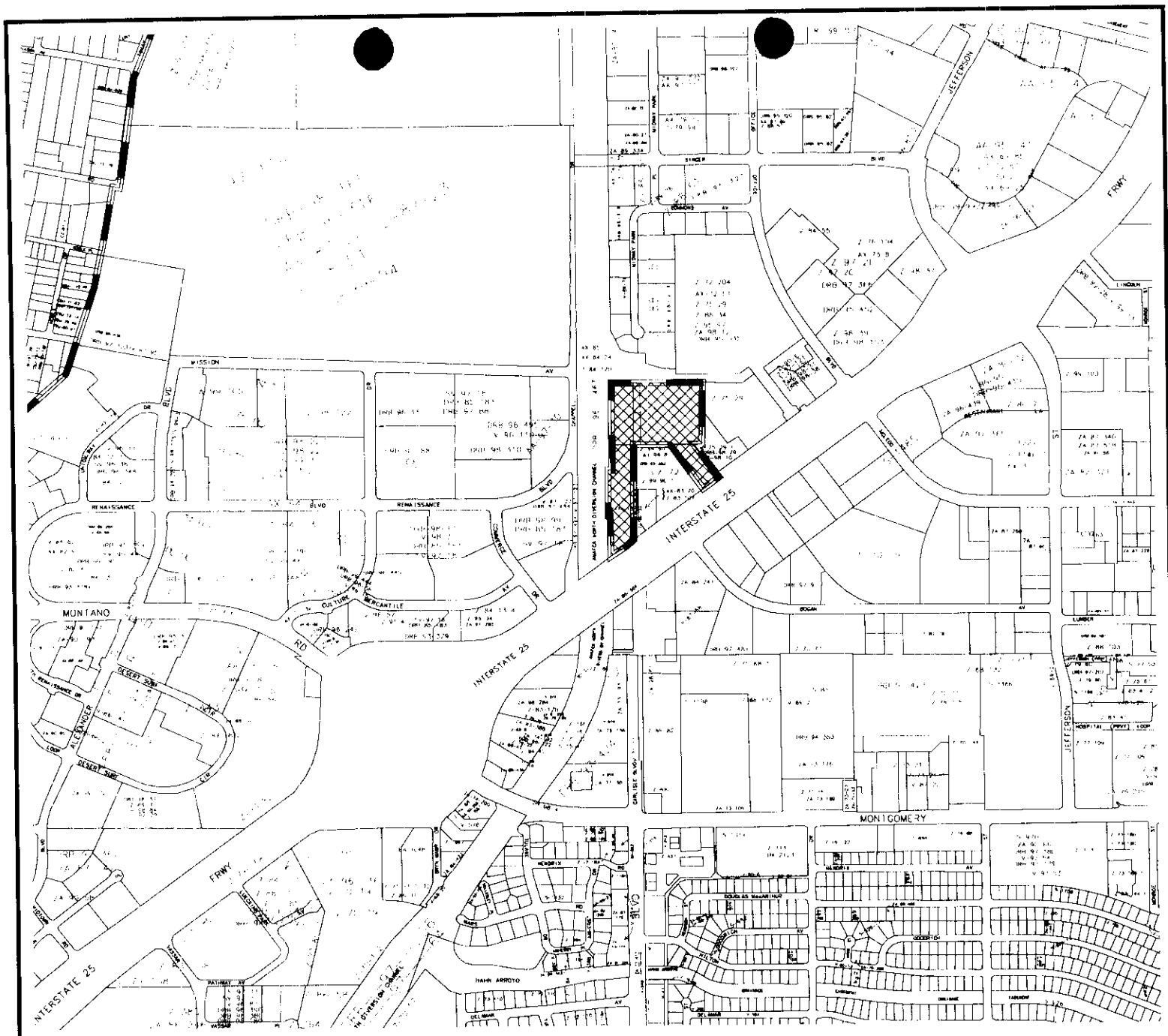
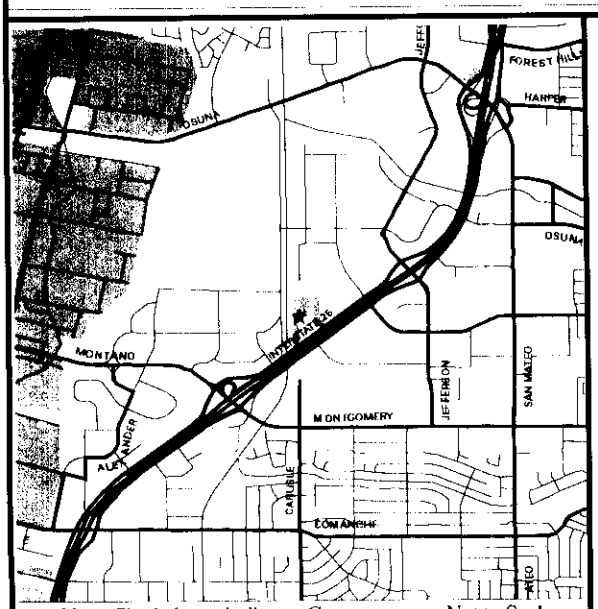
APPLICATION NO.
01110-00000-01244





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HISTORY MAP

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PROJECT NO.
1001445

HEARING DATE
10-18-01

MAP NO.
F-16

APPLICATION NO.
01110-00000-01244

Development Services Report

SUMMARY OF REQUEST

Request	*Establishment of Zoning*
Location	West of the Rio Grande, south of NM 528 and north of Western Trail and Namaste Road NW; and along Interstate 25 between Montaño Road NE and San Antonio Drive NE

Recommended Zoning

SU-1 for C-2 Uses for Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch, Lots A, B1, B2 and C, Paradise Hills IPTRN & Eagle Ranch TR2, and Unplatted/Sun Country Industries, and Lot 3E1, Black Ranch;

SU-1 for C-3 Uses for Lardner Tract, Lardner Tract;

SU-1 for C-1 Uses and restaurant with liquor for on-premise consumption for Lot 13, Black Ranch, Partition of and Lots 1 and 2, Sawaya Addition;

SU-1 for C-1 Uses for Lot 1A, Riverwalk Marketplace, Lot 3A1, Black Ranch, and Lots 4 and 5, Black Ranch, Partition of, Lot 3D, Black Ranch, and Lot B, Sandia Upholstering Company;

SU-1 for Church and Related Uses for Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church and Lot A1B, Taylor-Joel P;

SU-1 for RA-1 and Wireless Telecommunications Facility for Lot A1, Taylor-Joel P, and Private Road Easement;

SU-1 for RA-1 & processing, manufacturing, treatment and sale of herb products for Lot A2, Taylor-Joel P;

SU-1 for Children's Home for ABQ Christian Home, ABQ Christian Children's Home;

R-1 for Unplatted, Presley Co. of New Mexico;

RA-1 for Lots 1, 2, 3 and 4, West Bank Estates and Lots A and C, Poole-Suzanne H; and

SU-1 for Electric Utility Facility for Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station

AREA CHARACTERISTICS AND ZONING HISTORY

Background, History and Context

The City of Albuquerque petitioned the State Municipal Boundary Commission (the Commission) for annexation of approximately 165 acres of property pursuant to the State Statutes regarding annexation by municipalities via the Commission (NMSA 1978, § 3-7-11 to § 3-7-16).

On 7 August 2001, the Commission held a public hearing at the Albuquerque Convention Center to determine if the conditions set forth in §3-7-15 NMSA 1978 were met. At the hearing, the City withdrew approximately 25 acres of property from the request because these properties had petitioned to annex into the City on their own through the City's annexation process. The Commission heard testimony from the petitioner (the City), a few property owners and the Bernalillo County Manager and found that:

(1) All of the territories proposed to be annexed are contiguous to the City of Albuquerque; and

(2) All of the territories proposed to be annexed may be provided with municipal services by the City of Albuquerque.

The Commission voted unanimously to order annexation of approximately 140 acres of property to the City of Albuquerque.

The Commission did not establish zoning. The City Council has final authority to establish zoning for the subject properties, hence this request for a recommendation from the Environmental Planning Commission to the City Council to establish specific zone categories that will adequately respond to the previous County zoning and the existing uses on the properties.

The 140 acres of property are not all contiguous to each other, but are located in small groupings or as stand alone parcels, mostly on the west side of the Rio Grande. A few properties are located along Interstate 25 between Montaño Road and San Antonio Drive. For the most part, the City is proposing zoning that is congruent with the previous County zoning. The Planning Department is recommending a variety of zones for the individual parcels as outlined on the attached zoning matrix.

APPLICABLE PLANS AND POLICIES

Albuquerque / Bernalillo County Comprehensive Plan

All of the subject sites are located in the areas designated **Established** or **Developing Urban** by the *Comprehensive Plan* with an identical Goal to "to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment." Applicable policies include:

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

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

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

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

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

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

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

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

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

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

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.

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.

ANALYSIS

Conformance to Adopted Plans, Policies, and Ordinances

This is a request to establish zoning for approximately 140 acres of property annexed into the City by the State Municipal Boundary Commission located in the northwest area of the City, west of the Rio Grande and in the North I-25 area of the City.

The City of Albuquerque petitioned the State Municipal Boundary Commission for annexation of the subject properties pursuant to the State Statutes regarding annexation by municipalities via the Commission (NMSA 1978, § 3-7-11 to § 3-7-16). On 7 August 2001, the Commission held a public hearing at the Albuquerque Convention Center to determine if the conditions set forth in §3-7-15 NMSA 1978 were met. The Commission found that:

(1) All of the territories proposed to be annexed are contiguous to the City of Albuquerque; and

(2) All of the territories proposed to be annexed may be provided with municipal services by the City of Albuquerque.

The Commission voted unanimously to order annexation of approximately 140 acres of property to the City of Albuquerque. The Commission did not establish zoning. The City Council has final authority to establish zoning for the subject properties, hence this request for a recommendation from the Environmental Planning Commission to the City Council to establish specific zone categories that will adequately respond to the previous County zoning and the existing uses on the properties.

The Planning Department is recommending a variety of zones for the individual parcels as outlined on the attached zoning matrix. A majority of the zoning categories are SU-1 zones that will require future development and redevelopment to come before the Environmental Planning Commission for review and approval. The only "straight" zoning proposed is residential zoning for properties near the intersection of Coors Boulevard and Western Trail/Namaste NW.

The requested zoning furthers the applicable goal and policies of the *Comprehensive Plan* by creating the potential for 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.

The requested zoning, because it reflects the previous County zoning and/or any existing uses on the properties, does not conflict with any applicable Rank II or III plans, including the *West Side Strategic Plan*, the *Seven Bar Ranch Sector Development Plan* and the *Coors Corridor Plan.*

The requested zoning furthers the policies and requirements of *Resolution 270-1980*, specifically: the proposed change is not in significant conflict with adopted elements of the *Comprehensive Plan* or other City master plans (Section 1.C); the existing zoning is inappropriate because changed neighborhood or community conditions justify the change, namely the annexation of the properties by the State Municipal Boundary Commission (Section 1.D); and the permissive uses of the proposed zoning categories will not be harmful to adjacent

property, the neighborhood or the community because they reflect the previous County zoning and/or any existing uses on the properties (Section 1.E).

Special Circumstances

The Planning Department notified the property owners of record about the proposed zoning recommendations via mailed letters. Some owners were already aware of the annexation action before the Planning Department submitted this zoning request.

A few of the property owners and some agents have contacted the Planning Department and requested specialized zoning and/or special approbation for their clients' properties to reflect specific land uses that are either not apparent or were approved or progressing through the planning process while in the County. These properties with special circumstances include Lot 13, Black Ranch, Partition of, Lot A2, Taylor – Joel P, Lots 1 and 2, Sawaya Addition, and Lardner Tract, Lardner Tract.

Lot A2, Taylor – Joel P: The agent for this property owner contacted Planning Staff soon after the State Municipal Boundary Commission annexation hearing on 7 August 2001. They explain in a letter dated August 20, 2001 that their client "has a commercial herb garden which she anticipates will eventually result in the production of herbal products for sale to the public." Commercial agricultural activity is a permissive use in the RA-1 zone, but the "production of these products may require other materials in addition to the herbs grown on-site." Their requested *SU-1 for RA-1 uses and the Processing, Manufacturing, Treatment and Sale of Herbal Products* zoning appears to be a reasonable land use category for this site. The letter also requests that the attached "Exhibit A" be accepted as the approved site plan and that no further site plan requirement be imposed unless additional structures are proposed. Planning staff believes that the submitted exhibit contains all of the information required for and is acceptable as a site development plan for subdivision.

Lots 1 and 2, Sawaya Addition: The agent for the contract purchasers of a portion of this property explain in a letter to the Planning Department dated September 20, 2001 that the Oasis Restaurant is planning to relocate to this site form their present location on San Mateo NE. The restaurant has full alcoholic beverage dispenser's license and the owners wish to continue using it at the new location. The Planning Department is proposing a zoning category for this site that responds to this request: SU-1 for C-1 Uses and Restaurant with Liquor for On-Premise Consumption. There are no adjacent or nearby residential neighborhoods in the area that would be adversely affected by this expanded use category.

Lardner Tract, Lardner Tract: The owner of this property contacted the Planning Department directly by phone and enlightened staff that the existing uses on the site include the manufacturing of marble countertops as well as the storage and retail of stone products. Staff then consulted with the Zoning Code Services Division and it was determined that the C-3 zone would allow the current uses, including the manufacturing process. A revised zone category of *SU-1 for C-3 Uses* is proposed for this site, located in an established commercial, industrial and office area.

Lot 13, Black Ranch, Partition of: The owner of this property was in attendance at the State Municipal Boundary Commission annexation hearing on 7 August 2001 and immediately after requested that staff recommend a zone category that would reflect the approved use in the County, which is restaurant with liquor for on-premise consumption. The Planning Department is proposing a zoning category for this site that reflects this County approved use. The agent for the owner of this property requests in an undated letter that the County approved site development plan for building permit be accepted as the site development plan for subdivision in the City. This site has a protracted history in the County that stems from the original proposal for a restaurant with liquor in 1996. The approved use and site plan were appealed through District Court and the Court of Appeals where they were upheld. Planning staff believes that the submitted site plan contains all of the information required for and is acceptable as a site development plan for subdivision. It includes the specific conditions relating to building location, noise, lighting, etc. that were required by the County to mitigate the concerns of the adjoining neighbors. The submittal modifies the County conditions to comply with current City of Albuquerque policies. Additionally, the Calabacillas Pueblo archaeological site, located on the site and the adjoining site to the east, is adequately identified for preservation, additional archeological testing, and dedication to an appropriate agency.

Concerns of Reviewing Agencies / Pre-Hearing Discussion

The City Open Space Division states the following:

> "Regarding Lands of Suzanne H. Poole, please note that Lot B (approximately 6.65 acre) has already been annexed into the City of Albuquerque and zoned SU-1 for MPOS (Major Public Open Space).
>
> Regarding Lot 13, Partition of Black Ranch, the Environmental Planning Commission is reminded that the incorporated portion of Lot 13 and adjacent Lot 14B is the site of the Calabacillas Pueblo, having significant archaeological, cultural, and historic significance."

Planning staff has removed Lot B from the zoning recommendation. The issue of the Calabacillas Pueblo has been adequately addressed by the requested site development plan for subdivision request (see above section).

The Environmental Health Department brings up concerns of "upzoning" with certain properties. Planning staff believes that most of the proposed zoning categories are justified to reflect the previous County zoning, existing uses and approved or planned uses. The proposed zoning for Lot 1A, Riverwalk Marketplace has been altered from *SU-1 for C-2 Uses* to *SU-1 for C-1 Uses* to more accurately reflect the previous County SU-Permit for C-1 Uses.

Neighborhood Concerns

The Planning Department received one call from the Quaker Heights Neighborhood Association inquiring about the proposed zoning for the Unplatted, Presley Co. of New Mexico tract located at Coors Boulevard and Western Trail. The caller was satisfied with the proposed R-1 zoning for this site.

Conclusions

The annexation order from the State Municipal Boundary Commission for the subject properties does not establish zoning for the sites. The City Council has the authority to establish zoning, hence this request for a recommendation from the Environmental Planning Commission that mirrors the previous County zoning, existing uses and approved or planned uses. The requested zoning furthers the applicable goal and policies of the *Comprehensive Plan* and does not conflict with any Area or Sector Development Plans. The policies and requirements of *R-270-1980* are met, specifically that the annexation of the properties is a changed neighborhood and community condition that justifies the proposed zoning categories.

Bernalillo County has appealed the State Municipal Boundary Commission annexation order to District Court. The Planning Department does not discourage the EPC from making a zoning recommendation to the City Council because a final decision will be under the purview of the Council.

FINDINGS

1. This is a request to establish zoning for approximately 134 acres of property annexed into the City by the State Municipal Boundary Commission located in the northwest area of the City, west of the Rio Grande and in the North I-25 area of the City.

2. The requested zoning, which mirrors the previous County zoning, existing uses and approved or planned uses is:

   SU-1 for C-2 Uses for Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch, Lots A, B1, B2 and C, Paradise Hills IPTRN & Eagle Ranch TR2, and Unplatted/Sun Country Industries, and Lot 3E1, Black Ranch;

   SU-1 for C-3 Uses for Lardner Tract, Lardner Tract;

   SU-1 for C-1 Uses and restaurant with liquor for on-premise consumption for Lot 13, Black Ranch, Partition of and Lots 1 and 2, Sawaya Addition;

   SU-1 for C-1 Uses for Lot 1A, Riverwalk Marketplace, Lot 3A1, Black Ranch, and Lots 4 and 5, Black Ranch, Partition of, Lot 3D, Black Ranch, and Lot B, Sandia Upholstering Company;

   SU-1 for Church and Related Uses for Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church and Lot A1B, Taylor-Joel P;

   SU-1 for RA-1 and Wireless Telecommunications Facility for Lot A1, Taylor-Joel P, and Private Road Easement;

   SU-1 for RA-1 & processing, manufacturing, treatment and sale of herb products for Lot A2, Taylor-Joel P;

   SU-1 for Children's Home for ABQ Christian Home, ABQ Christian Children's Home;

   R-1 for Unplatted, Presley Co. of New Mexico;

   RA-1 for Lots 1, 2, 3 and 4, West Bank Estates and Lots A and C, Poole-Suzanne H; and SU-1 for Electric Utility Facility for Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station

3. The requested zoning furthers the applicable goal and policies of the *Comprehensive Plan* by creating the potential for 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.

4. The requested zoning, because it reflects the previous County zoning and/or any existing uses on the properties, does not conflict with any applicable Rank II or III plans, including the *West Side Strategic Plan*, the *Seven Bar Ranch Sector Development Plan* and the *Coors Corridor Plan.*

5. The requested zoning furthers the policies and requirements of *Resolution 270-1980*, specifically: the proposed change is not in significant conflict with adopted elements of the *Comprehensive Plan* or other City master plans (Section 1.C); the existing zoning is inappropriate because changed neighborhood or community conditions justify the change, namely the annexation of the properties by the State Municipal Boundary Commission (Section 1.D); and the permissive uses of the proposed zoning categories will not be harmful to adjacent property, the neighborhood or the community because they reflect the previous County zoning and/or any existing uses on the properties (Section 1.E).

6. The submitted "Exhibit A" contains all of the information required for and is acceptable as a site development plan for subdivision for Lot A2, Taylor – Joel P and corresponds to the recommended *SU-1 for RA-1 uses and the Processing, Manufacturing, Treatment and Sale of Herbal Products* zoning.

7. The submitted site plan for Lot 13, Black Ranch, Partition of contains all of the information required for and is acceptable as a site development plan for subdivision and corresponds to the recommended *SU-1 for C-1 Uses and Restaurant with Liquor for On-premise Consumption* zoning. It includes the specific conditions relating to building location, noise, lighting, etc. that were required by the County to mitigate the concerns of the adjoining neighbors. The submittal modifies the County conditions to comply with current City of Albuquerque policies. Additionally, the Calabacillas Pueblo archaeological site, located on the site and the adjoining site to the east, is adequately identified for preservation, additional archeological testing, and dedication to an appropriate agency.

RECOMMENDATION

That APPROVAL of 01110 01244,establishment of *SU-1 for C-2 Uses* for Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch, Lots A, B1, B2 and C, Paradise Hills IPTRN & Eagle Ranch TR2, and Unplatted/Sun Country Industries, and Lot 3E1, Black Ranch; *SU-1 for C-3 Uses* for Lardner Tract, Lardner Tract; *SU-1 for C-1 Uses and restaurant with liquor for on-premise consumption* for Lot 13, Black Ranch, Partition of and Lots 1 and 2, Sawaya Addition; *SU-1 for C-1 Uses* for Lot 1A, Riverwalk Marketplace, Lot 3A1, Black Ranch, and Lots 4 and 5, Black Ranch, Partition of, Lot 3D, Black Ranch, and Lot B, Sandia Upholstering Company; *SU-1 for Church and Related Uses* for Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church and Lot A1B, Taylor-Joel P; *SU-1 for RA-1 and Wireless Telecommunications Facility* for Lot A1, Taylor-Joel P, and Private Road Easement; *SU-1 for RA-1 & processing, manufacturing, treatment and sale of herb products* for Lot A2, Taylor-Joel P; *SU-1 for Children's Home* for ABQ Christian Home, ABQ Christian Children's Home; *R-1* for Unplatted, Presley Co. of New Mexico; *RA-1* for Lots 1, 2, 3 and 4, West Bank Estates and Lots A and C, Poole-Suzanne H; and *SU-1 for Electric Utility Facility* for Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station, be forwarded to the City Council, based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL

1. The submitted "Exhibit A" contains all of the information required for and is accepted as the site development plan for subdivision for Lot A2, Taylor – Joel P. Final sign-off the Development Review Board is required.

2. The submitted site plan for Lot 13, Black Ranch, Partition of contains all of the information required for and is accepted as the site development plan for subdivision. Final sign-off the Development Review Board is required.

Russell Brito
Senior Planner

cc: City of Albuquerque, P.O. Box 1293, Albuq. NM 87103
Garcia/Kraemer&Associates, 200 Lomas NW, Suite 1111, Albuq. NM 87102
John Meyers, 1401 Central Avenue NW, Albuq. NM 87104
James Strozier, 924 Park Avenue SW, Albuq. NM 87102

Attachments

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Code Services

"Reviewed, no comments."

PUBLIC WORKS DEPARTMENT

Transportation Development Services:
No adverse comments on the recommended zoning.

Utility Development:
No adverse comment.

Traffic Engineering Operations:
No comment received.

Hydrology:
Hydrology has no objection to the amendment to the Zone Map to establish zoning for subject lands.

Transportation Planning:
No objections to annexations, no recommendations regarding zoning. It appears that no right-of-way dedications for arterial streets are required at this time. A portion of one of the areas to be annexed was already recently annexed in a separate case.

RECOMMENDED CONDITIONS FROM CITY ENGINEER:
None.

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

Comment #1: It seems as if the annexation of the 140 acres, divided into 18 properties, is being treated as a single case. Perhaps this is appropriate from the point of view of annexation and when the zoning classification remains similar. However, comparable County-to-City zoning only applies to fifteen of the eighteen properties listed. Regarding the properties that are receiving a zone map amendment (Lot 1A Riverwalk Marketplace, Lot 13 Partition of Black Ranch, and Lots A, B1, B2 & C Paradise Hills IPTRN & Eagle Ranch TR2 & Unplatted/Sun Country Industries), it would be preferable to treat these as separate cases.

Comment #2: The last column of Attachment A lists "Requested City of Albuquerque Zoning". Regarding the eighteen legal property descriptions provided in the table, the City zoning classifications appear to be consistent with County zoning classifications for fifteen of the properties. Three properties are being "upzoned" from their County zoning. (Lot 1A Riverwalk Marketplace, Lot 13 Partition of Black Ranch, and Lots A, B1, B2 & C Paradise Hills IPTRN & Eagle Ranch TR2 & Unplatted/Sun

Country Industries). What are the reasons for the Planning Department's decision to "upzone" these particular three properties?

Comment #3: The upzoning for Lot 1A Riverwalk Marketplace, Lot 13 Partition of Black Ranch, and Lots A, B1, B2 & C Paradise Hills IPTRN & Eagle Ranch TR2 & Unplatted/Sun Country Industries is a zone map amendment. Unlike the remaining fifteen properties for which the zoning (and associated land uses) will remain similar after the annexation, the three parcels mentioned above are likely to experience significant land use changes that may contribute to increased traffic generation* and worsened air quality for Albuquerque's already congested Northwest sector.

*The following demonstrates that traffic generation will increase for Lots A, B1, B2 and C Paradise Hills IPTRN & Eagle Ranch TR2 & Unplatted/Sun Country Industries with a zone change from M-1 to C-2. See the ITE Trip Generation Manual.

Assume a .25 FAR on a 10.3 acre site, which leaves 112, 167 square feet for a building.

Trip Generation Rates for Manufacturing (M-1): Average Weekday Vehicle Trip Ends per Acre (43,560 square feet): 38.882, or .893 Average Weekday Vehicle Trip Ends per 1000 sq. ft.

(112,167*.893)/1000=100.17 vehicle trip ends

Trip Generation Rates for Shopping Center (C-2): Average Weekday Vehicle Trip Ends per 1000 sq. ft GLA: 74.31 (112,167*74.31)/1000=8335.13 vehicle trip ends

Net increase in Average Weekday Vehicle Trip Ends: 8234.96

Comment #4: The example above shows how a zone map amendment can contribute to increased traffic, which is likely to worsen air quality in an already congested area. The impacts appear to be above the level required for a TIS; therefore it would be prudent to determine the transportation and air quality effects of the proposed zone map amendments. See City Zone Code § 14-16-3-14 for Air Quality Impact Regulations.

Environmental Services Division

No comments received.

NEIGHBORHOOD SERVICES

City Wide Notification.

PARKS AND RECREATION

Planning and Design
"No Adverse Comment."

OPEN SPACE DIVISION

Regarding Lands of Suzanne H. Poole, please note that Lot B (approximately 6.65 acre) has already been annexed into the City of Albuquerque and zoned SU-1 for MPOS (Major Public Open Space).

Regarding Lot 13, Partition of Black Ranch, the Environmental Planning Commission is reminded that the incorporated portion of Lot 13 and adjacent Lot 14B is the site of the Calabacillas Pueblo, having significant archaeological, cultural, and historic significance.

POLICE DEPARTMENT/Planning

No comments received.

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

"Approved."

FIRE DEPARTMENT/Planning

No comments received.

TRANSIT DEPARTMENT

"No Comment."

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

No comments received.

ALBUQUERQUE METROPOLITAN FLOOD CONTROL AUTHORITY

'No objection."

ALBUQUERQUE PUBLIC SCHOOLS

No adverse comments on request by the City of Albuquerque for a multiple zone map amendment to establish for lands annexed into the city by the State Municipal Land Commission. 165 acres located in the unincorporated area of Bernalillo County west of the Rio Grande River, south of NM 528 and north of interstate 40, and along interstate 25 between Montano road and San Antonio drive.

MIDDLE RIO GRANDE COUNCIL OF GOVERNMENTS

"No Adverse Comment."

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

App#	01110-00000-01244
Proj#	1001445
Other#	

Meeting Date: Oct. 18, 2001

Zone Atlas Page: _____

Notification Radius: 100 Ft.

Cross Reference and Location: _____

Applicant: City of Albuquerque

Address: P.O. Box 1293, Albuq., NM 87103

Agent: City of Albuquerque - Planning Dept.

Address: 600 2nd St NW, 3rd Floor, 87102

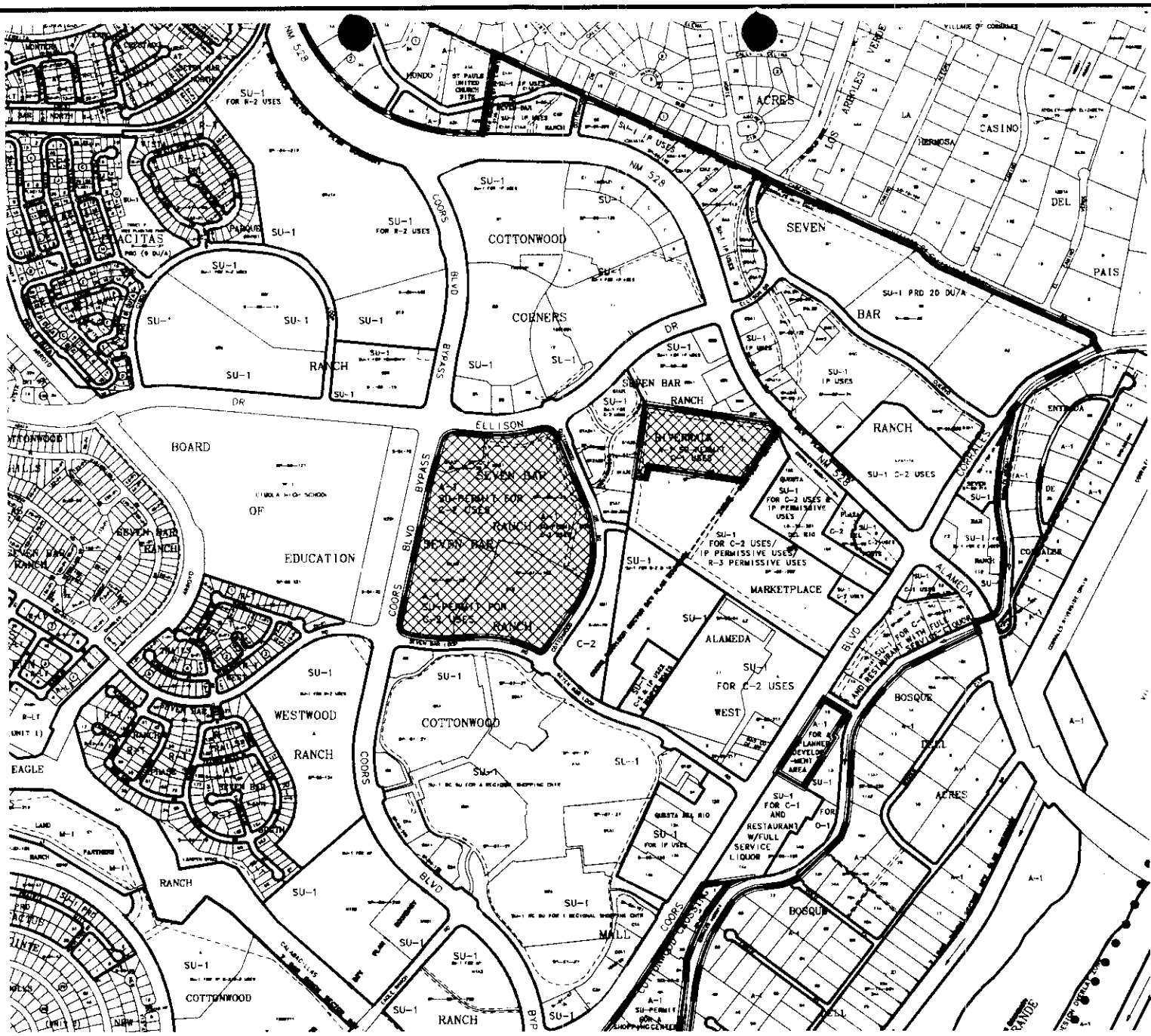
SPECIAL INSTRUCTIONS

Zone Atlas Pages: A-13 & A-14, B-13 & B-14, C-13, E-12, E-13, F-11 & F-12, F-16 & F-17

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

Date Mailed: 10/3/01

Signature: Kise Ishikai



Note: Shaded area indicates County Not to Scale

ZONING MAP

AGIS

Scale 1" = 1075 '

PROJECT NO.
1001445

HEARING DATE
10-18-01

MAP NO.
A-13

APPLICATION NO.
01110-00000-01244

City of Albuquerque
P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

Date: 28 August 2001
To: Neighborhood Association Representatives
From: Russell Brito, City of Albuquerque Planning Department
RE: Establishment of Zoning for Lands Annexed to the City of Albuquerque by Order of the State Municipal Boundary Commission

The City of Albuquerque Planning Department is requesting establishment of zoning for approximately 140 acres of property that were annexed to the City by the State Municipal Boundary Commission on 7 August 2001. The requested zoning and a map of the property locations are attached to this memo. This request is proposed to be scheduled for the EPC hearing on 20 September 2001 for a recommendation to the City Council.

Background

The City petitioned the State Municipal Boundary Commission (the Commission) for annexation of approximately 140 acres of property pursuant to the State Statutes regarding annexation by municipalities via the Commission (NMSA 1978, § 3-7-11 to § 3-7-16).

On 7 August 2001, the Commission held a public hearing at the Albuquerque Convention Center to determine if the conditions set forth in §3-7-15 NMSA 1978 were met. The Commission heard testimony from the petitioner (the City), a few property owners and the Bernalillo County Manager and found that:

(1) All of the territories proposed to be annexed are contiguous to the City of Albuquerque.
(2) All of the territories proposed to be annexed may be provided with municipal services by the City of Albuquerque.

The Commission voted unanimously to order annexation of approximately 140 acres of property to the City of Albuquerque. **The Commission did not establish zoning. The City Council has final authority to establish zoning for the subject properties, hence this request for a recommendation from the Environmental Planning Commission to the City Council to establish specific zone categories that will adequately respond to the previous County zoning and the existing uses on the properties.**

The 140 acres of property are not all contiguous to each other, but are located in small groupings or as stand alone parcels, mostly on the west side of the Rio Grande in the Cottonwood/Seven Bar area. A few properties are located along Interstate 25 between Montaño Road and San Antonio Drive. For the most part, the City is proposing zoning that is congruent with the previous County zoning. The Planning Department is recommending a variety of zones for the individual parcels as outlined on the attached zoning matrix.

If you have any questions or comments, please do not hesitate to call me at 924-3337.

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

App#_____
Proj#_____

PROPERTY OWNERSHIP / LEGAL LIST

Date:_____

Zone Atlas Page	Zone Atlas #	Grid Location	Parcel Sequence	Name & Address				
A-13	1013066	530-007	404-01	✓	1014066	407-165	302	01 ✓
		486-039	02	✓		230-083	401	15 ✓
B-13	1013065	505-481	105-01	✓		218-072		16 ✓
		515-426	02	✓		207-123		19 ✓
A-14	1014066	130-069	301-05	✓		234-123		10 ✓
		048-022	23	✓		198-123		14 ✓
		055-042	31	✓		185-117		07 ✓
		038-049	30	✓		182-130		06 ✓
		061-071	32	✓		177-146		05 ✓
		032-076	22	✓		193-155		11 ✓
		054-098	33	✓	1013066	523-183	405	01 ✓
		112-126	21	✓		429-093	402	15 ✓
		138-143	26	✓		422-115		17 ✓
		147-116	27	✓		339-040	401	20 ✓
		159-100	28	✓	1013065	141-376	201	28 ✓
		159-091	29	✓		383-483	102	80 ✓
		140-000	18	✓		369-383	101	24 ✓
		194-005	14	✓		441-478	106	03 ✓
		205-049	25	✓	1014065	051-300	201	01 ✓

App#_____
Proj#_____

PROPERTY OWNERSHIP / LEGAL LIST

Date:_____

Zone Atlas Page	Zone Atlas #	Grid Location	Parcel Sequence	Name & Address			
B-13	1013065	521-402	166-08	✓			
		465-394	02	✓			
B-14	1014065	051-340	901-01	✓ MB			
		060-478	902-07	✓ MB			
		164-464	08	✓			

```
1013066            ***  THIS UPC CODE HAS NO MASTER RECORD ON FILE

101306653000740401 LEGAL: TRAC T M1 A1 PLAT OF TRACTS M-1-A-1, M-1-A-2, & M-1-  LAND USE:
                   PROPERTY ADDR: 00000   10224 COORS BY PASS  NW
                      OWNER NAME: WAL-MART STORES EAST INC
                      OWNER ADDR: 00702   8TH                      ST SW BENTONVILLE     AR   72716

101306648603940402 LEGAL: TRAC T M1 A2 PLAT OF TRACTS M-1-A-1, M-1-A-2, & M-1-  LAND USE:
                   PROPERTY ADDR: 00000   10236 COORS BY PASS BLV N
                      OWNER NAME: ANMW LLC
                      OWNER ADDR: 00300   WILMOT                   RD    DEERFIELD       IL   60015

[illegible]06550548110901 LEGAL: TRAC T M1 B PLAT OF TRACTS M-1-A & M-1-B SEVEN-BAR R  LAND USE:
                   PROPERTY ADDR: 00000   10200 COORS BLV NW
                      OWNER NAME: T G SUPER EXCHANGE CORP
                      OWNER ADDR: 02000   STATE NATIONAL PLAZA            EL PASO         TX   79901

101306551542610902 LEGAL: TRAC T M1 A3 PLAT OF TRACTS M-1-A-1, M-1-A-2, & M-1-  LAND USE:
                   PROPERTY ADDR: 00000    N/A
                      OWNER NAME: T G SUPER EXCHANGE CORP
                      OWNER ADDR: 02000   STATE NATIONAL PLAZA            EL PASO         TX   79901

101406613006930105 LEGAL: LOT  1A P LAT MAP FOR RIVERWALK MARKETPLACE CONT 9.4  LAND USE:
                   PROPERTY ADDR: 00000   10141 STATE HWY 528
                      OWNER NAME: TABET LUMBER INC ETAL #1397
                      OWNER ADDR: 04100   10TH                     ST    BENTONVILLE     AR   72716

101406604802230123 LEGAL: TR G 1A1  OF TRS G-1A-1 & G-1A-2 SEVEN-BAR RANCH CON  LAND USE:
                   PROPERTY ADDR: 00000    N/A
                      OWNER NAME: BLACK ALBERT J & MARY J
                      OWNER ADDR: 00000          PO BOX 37109             ALBUQUERQUE     NM   87176

101406605504230131 LEGAL: TR G 1A2C  TRACTS G-1A-2A THRU G-1A-2E SEVEN BAR RAN  LAND USE:
                   PROPERTY ADDR: 00000   10300 COTTONWOOD PARK  NW
                      OWNER NAME: BLACK ALBERT J & MARY J
                      OWNER ADDR: 00000          PO BOX 37109             ALBUQUERQUE     NM   87176

101406603804930130 LEGAL: TR G 1A2B 1 PLAT OF TRS G1A2A1 & G1A2B1 SEVEN        LAND USE:
                   PROPERTY ADDR: 00000   10301 COTTONWOOD PARK  NW
                      OWNER NAME: ARTSON PROPERTIES LLC
                      OWNER ADDR: 05004   SAN MATEO                   NE ALBUQUERQUE     NM   87109

101406606107130132 LEGAL: TR G 1A2D  TRACTS G-1A-2A THRU G-1A-2E SEVEN BAR RAN  LAND USE:
```

PROPERTY ADDR: 00000 10320 COTTONWOOD PARK NW
OWNER NAME: BLACK ALBERT J & MARY J
OWNER ADDR: 00000 PO BOX 37109 ALBUQUERQUE NM 87176

101406603207630122 LEGAL: TR G 1A2A PLAT OF TRS G1A2A1 & G1A2B1 SEVEN LAND USE:
PROPERTY ADDR: 00000 10331 COTTONWOOD PARK NW
OWNER NAME: ARTSON PROPERTIES LLC
OWNER ADDR: 05004 SAN MATEO NE ALBUQUERQUE NM 87109

101406605409830133 LEGAL: TR G 1A2E TRACTS G-1A-2A THRU G-1A-2E SEVEN BAR RAN LAND USE:
PROPERTY ADDR: 00000 10341 COTTONWOOD PARK NW
OWNER NAME: SANDIA LABORATORY FED CREDIT U
OWNER ADDR: 03707 JUAN TABO NE ALBUQUERQUE NM 87111

101406611212630121 LEGAL: TR G -2A- 1 TR G-2A-1 SEVEN-BAR RANCH (BEING A REPL LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: BLACK ALBERT J & MARY JANE RVT
OWNER ADDR: 00000 PO BOX 37109 ALBUQUERQUE NM 87176

101406613814330126 LEGAL: TR G -2B PLAT OF TRS G-2A, G-2B, G-2C, G-2D & G-2E LAND USE:
PROPERTY ADDR: 00000 3622 NM STATE HWY 528
OWNER NAME: PHILLIPS PETROLEUM COMPANY
OWNER ADDR: 00000 PO BOX 358 BORGER TX 79008

101406614711630127 LEGAL: TR G -2C PLAT OF TRS G-2A, G-2B, G-2C, G-2D & G-2E LAND USE:
PROPERTY ADDR: 00000 3620 NM STATE HWY 528
OWNER NAME: APPLEBEE'S OF NEW MEXICO INC
OWNER ADDR: 00000 PO BOX 816368 DALLAS TX 75381

101406615910030128 LEGAL: TR G -2D PLAT OF TRS G-2A, G-2B, G-2C, G-2D & G-2E LAND USE:
PROPERTY ADDR: 00000 3616 NM STATE HWY 528
OWNER NAME: A & S FOOTHILLS LLC
OWNER ADDR: 00917 SWAN RD N TUCSON AZ 85711

101406615909130129 LEGAL: TR G -2E PLAT OF TRS G-2A, G-2B, G-2C, G-2D & G-2E LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: TSAY JENG Y & TUYET
OWNER ADDR: 10301 LA PAZ NW ALBUQUERQUE NM 87114

101406614002030118 LEGAL: LOT 1 PL AT MAP FOR RIVERWALK MARKETPLACE CONT 26.8 LAND USE:
PROPERTY ADDR: 00000 10151 COORS RD NW
OWNER NAME: TABET LUMBER INC ETAL
OWNER ADDR: 00606 BACA AV BELEN NM 87002

101406619402530114 LEGAL: *15C QUE STA DEL RIO SUBD REPLAT OF LOT 15B QUESTA LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: REMBE ARMIN M MD TRUSTEE
OWNER ADDR: 04022 RIO GRANDE BL NW ALBUQUERQUE NM 87107

101406620504930125 LEGAL: THAT POR OF THE CORRALES MAIN CANAL LYING NORTH OF LAND USE:
PROPERTY ADDR: 00000
OWNER NAME: REMBE ARMIN & PENNY
OWNER ADDR: 04022 H RIO GRANDE NW ALBUQUERQUE NM 87107

101406606716830201 LEGAL: TR I OF TRS A THRU I COTTON WOOD CORNERS (BEING A LAND USE:
PROPERTY ADDR: 00000 3731 ELLISON BLV NW
OWNER NAME: COTTONWOOD CORNERS LLC

OWNER ADDR: 06500 WEST FREEWAY FORT WORTH TX 76116

101406623008340115 LEGAL: TRAC T D- 4-I BENEFITTED PLAT OF TRS D4G THRU D4L SE LAND USE:
PROPERTY ADDR: 00000 3401 HWY 528 BLV NW
OWNER NAME: RUTTER & WILBANKS CORP
OWNER ADDR: 00000 PO BOX 3186 MIDLAND TX 79702

101406621807240116 LEGAL: TRAC T D- 4-I UNBENEFITTED PLAT OF TRS D4G THRU D4L LAND USE:
PROPERTY ADDR: 00000 RIO RANCHO BLV
OWNER NAME: RUTTER & WILBANKS CORPORATION
OWNER ADDR: 00000 PO BOX 3186 MIDLAND TX 79702

101406620712340119 LEGAL: TRAC T D- 4-G UNBENEFITTED PLAT OF TRS D4G THRU D4L LAND USE:
PROPERTY ADDR: 00000 RIO RANCHO BLV
OWNER NAME: H B N M REALTY CORP
OWNER ADDR: 03345 MICHELSON DR IRVINE CA 92715

101406623412340110 LEGAL: TRAC T D- 4-G BENEFITTED PLAT OF TRS D4G THRU D4L SE LAND USE:
PROPERTY ADDR: 00000 3400 CALLE CUERVO NW
OWNER NAME: H B N M REALTY CORP
OWNER ADDR: 03345 MICHELSON DR IRVINE CA 92715

101406619810340114 LEGAL: TR D -4-J -2A-1 PLAT OF TR D-4-J-2A-1 SEVEN-BAR RANC LAND USE:
PROPERTY ADDR: 00000 3531 HWY 528
OWNER NAME: CAPTEC NET LEASE REALTY INC
OWNER ADDR: 00024 FRANK LLOYD WRIGHT DR ANN ARBOR MI 48166

101406618511740107 LEGAL: TR D -4-J -1A TRS D4J1A AND D4J2A SEVEN-BAR RANCH (B LAND USE:
PROPERTY ADDR: 00000 3601 RI RANCHO RD NW
OWNER NAME: ZIP LUBE INC
OWNER ADDR: 00000 PO BOX 91960 ALBUQUERQUE NM 87199

101406618213040106 LEGAL: TR C -6A- 3 TRS C-6A-1 THRU C-6A-4 SEVEN BAR RANCH (LAND USE:
PROPERTY ADDR: 00000 3603 RIO RANCHO BLV NW
OWNER NAME: GIANT INDUSTRIES
OWNER ADDR: 00000 PO BOX 12999 SCOTTSDALE AZ 85267

101406617714640105 LEGAL: TR C -6A- 2 TRS C-6A-1 THRU C-6A-4 SEVEN BAR RANCH (LAND USE:
PROPERTY ADDR: 00000 3615 RIO RANCHO BLV NW
OWNER NAME: SEVEN BAR LAND/CATTLE CO ETAL
OWNER ADDR: 10200 CORRALES RD NW ALBUQUERQUE NM 87048

101406619315540111 LEGAL: TRAC T D- 4-L-1 (UNBENEFITTED) PLAT OF TRACTS D-4-L- LAND USE:
PROPERTY ADDR: 00000 10340 ELLISON DR NW
OWNER NAME: SUSA PARTNERSHIP L P
OWNER ADDR: 10440 LITTLE PATUXENT PK COLUMBIA MD 21044

101306652318340501 LEGAL: TR B OF TRS A THRU I COTTON WOOD CORNERS (BEING A LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: NEW MEXICO VENTURES INC
OWNER ADDR: 10200 CORRALES RD NW ALBUQUERQUE NM 87114

101306642909340215 LEGAL: TR B -12 PLAT OF TRS B-9 THRU B-12 SEVEN BAR RANCH LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: CITY OF ALBUQUERQUE

OWNER ADDR: 00000 PO BOX 1293 ALBUQUERQUE NM 87103

101306642211840217 LEGAL: TRAC T B- 9D TRS B-9D THRU B-9K (BEING A REPL OF TR LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: CITY OF ALBUQUERQUE
OWNER ADDR: 00000 PO BOX 1293 ALBUQUERQUE NM 87103

101306633904040120 LEGAL: TR O NE A NNEXATION & DEDICATION PLAT OF CIBOLA H S LAND USE:
PROPERTY ADDR: 00000 1510 ELLISON DR NW
OWNER NAME: BOARD OF EDUCATION
OWNER ADDR: 00000 PO BOX 25704 ALBUQUERQUE NM 87125

101306514137620128 LEGAL: LT 1 3-P1 BLK 1 PLAT OF HUNTERS RUN SUBDIVISION - U LAND USE:
PROPERTY ADDR: 00000 10304 DUNBAR ST NW
OWNER NAME: BOROVIK THERESA A
OWNER ADDR: 10304 DUNBAR ST NW ALBUQUERQUE NM 87114

101306538348310280 LEGAL: LT 2 4-P1 BLK 1 PLAT OF TRAILS WEST SUB'D CONT 0.41 LAND USE:
PROPERTY ADDR: 00000 3801 SUNTRAIL RD NW
OWNER NAME: O'BOYLE DAVID J & HUGHES
OWNER ADDR: 03801 SUNTRAIL DR NW ALBUQUERQUE NM 87114

101306536938310126 LEGAL: TR A , PL AT OF TR A WESTWOOD RANCH CONT. 21.6412 (A LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: C W R RESIDENTIAL LTD
OWNER ADDR: 10001 COORS BY PASS ALBUQUERQUE NM 87114

101306544142810603 LEGAL: TR C -9 R EPL OF TRS H-1 & H-2 SEVEN BAR RANCH NOW C LAND USE:
PROPERTY ADDR: 00000 10050 COORS NW
OWNER NAME: SIMON PROPERTY GROUP LTD
OWNER ADDR: 00000 PO BOX 7033 INDIANAPOLIS IN 76207

101406505136020101 LEGAL: TR A 1A P LAT OF TRACTS A-1-A, B-1-A-1, B-1-B-1, B-2 LAND USE:
PROPERTY ADDR: 00000 10000 COORS BLV NW
OWNER NAME: SIMON PROPERTY GROUP LTD
OWNER ADDR: 00000 PO BOX 7033 INDIANAPOLIS IN 76207

101306552140210608 LEGAL: TR B 5A1 PLAT OF TRACTS A-1-A, B-1-A-1, B-1-B-1, B- LAND USE:
PROPERTY ADDR: 00000 10000 COORS BY PASS NW
OWNER NAME: MERVYN'S
OWNER ADDR: 00777 NICOLLET MALL MINNEAPOLIS MN 55402

101306546539410602 LEGAL: TR B 4A P LAT OF TRACTS A-1-A, B-1-A-1, B-1-B-1, B-2 LAND USE:
PROPERTY ADDR: 00000 10000 COORS BY PASS NW
OWNER NAME: THE MAY DEPARTMENT STORES
OWNER ADDR: 00611 OLIVE ST ST LOUIS MO 63101

101406505136020101 LEGAL: TR A 1A P LAT OF TRACTS A-1-A, B-1-A-1, B-1-B-1, B-2 LAND USE:
PROPERTY ADDR: 00000 10000 COORS BLV NW
OWNER NAME: SIMON PROPERTY GROUP LTD
OWNER ADDR: 00000 PO BOX 7033 INDIANAPOLIS IN 76207

101406506747820207 LEGAL: TR M M-1 PLAT OF TRS O-1A-1, O-2A-1, G-1A, MM-1, M- LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: SEVEN BAR PARTNERS

OWNER ADDR: 10200 CORRALES RD NW ALBUQUERQUE NM 87114

101406510446420208 LEGAL: A TR OF LAND WITHIN THE W1/2 OF THE NW1/4 SEC 8 T1 LAND USE:
PROPERTY ADDR: 00000 7 BAR LOOP RD NW
OWNER NAME: NORTH COORS GROUP PARTNERSHIP
OWNER ADDR: 00000 PO BOX 93656 ALBUQUERQUE NM 87199

101306653000740401

WAL-MART STORES EAST INC
702 8TH ST SW
BENTONVILLE AR 72716

101406613006930105

TABET LUMBER INC ETAL #1397
4100 10TH ST
BENTONVILLE AR 72716

101406605409830133

SANDIA LABORATORY FED CREDIT
3707 JUAN TABO NE
ALBUQUERQUE NM 87111

101406615910030128

A & S FOOTHILLS LLC
917 SWAN RD N
TUCSON AZ 85711

101406619402530114

REMBE ARMIN M MD TRUSTEE
4022 RIO GRANDE BL NW
ALBUQUERQUE NM 87107

101406620712340119

H B N M REALTY CORP
3345 MICHELSON DR
IRVINE CA 92715

101406618213040106

GIANT INDUSTRIES
PO BOX 12999
SCOTTSDALE AZ 85267

101306652318340501

NEW MEXICO VENTURES INC
10200 CORRALES RD NW
ALBUQUERQUE NM 87114

101306538348310280

O'BOYLE DAVID J & HUGHES
3801 SUNTRAIL DR NW
ALBUQUERQUE NM 87114

101306552140210608

MERVYN'S
777 NICOLLET MALL
MINNEAPOLIS MN 55402

101306648603940402

ANMW LLC
300 WILMOT RD
DEERFIELD IL 60015

101406604802230123

BLACK ALBERT J & MARY J
PO BOX 37109
ALBUQUERQUE NM 87176

101406613814330126

PHILLIPS PETROLEUM COMPANY
PO BOX 358
BORGER TX 79008

101406615909130129

TSAY JENG Y & TUYET
10301 LA PAZ NW
ALBUQUERQUE NM 87114

101406606716830201

COTTONWOOD CORNERS LLC
6500 WEST FREEWAY
FORT WORTH TX 76116

101406619810340114

CAPTEC NET LEASE REALTY INC
24 FRANK LLOYD WRIGH DR
ANN ARBOR MI 48166

101406617714640105

SEVEN BAR LAND/CATTLE CO ETAL
10200 CORRALES RD NW
ALBUQUERQUE NM 87048

101306633904040120

BOARD OF EDUCATION
PO BOX 25704
ALBUQUERQUE NM 87125

101306536938310126

C W R RESIDENTIAL LTD
10001 COORS BY PASS
ALBUQUERQUE NM 87114

101306546539410602

THE MAY DEPARTMENT STORES
611 OLIVE ST
ST LOUIS MO 63101

101306550548110901

T G SUPER EXCHANGE CORP
2000 STATE NATIONAL PL
EL PASO TX 79901

101406603804930130

ARTSON PROPERTIES LLC
5004 SAN MATEO NE
ALBUQUERQUE NM 87109

101406614711630127

APPLEBEE'S OF NEW MEXICO INC
PO BOX 816368
DALLAS TX 75381

101406614002030118

TABET LUMBER INC ETAL
606 BACA AV
BELEN NM 87002

101406623008340115

RUTTER & WILBANKS CORP
PO BOX 3186
MIDLAND TX 79702

101406618511740107

ZIP LUBE INC
PO BOX 91960
ALBUQUERQUE NM 87199

101406619315540111

SUSA PARTNERSHIP L P
10440 LITTLE PATUXENT PK
COLUMBIA MD 21044

101306514137620128

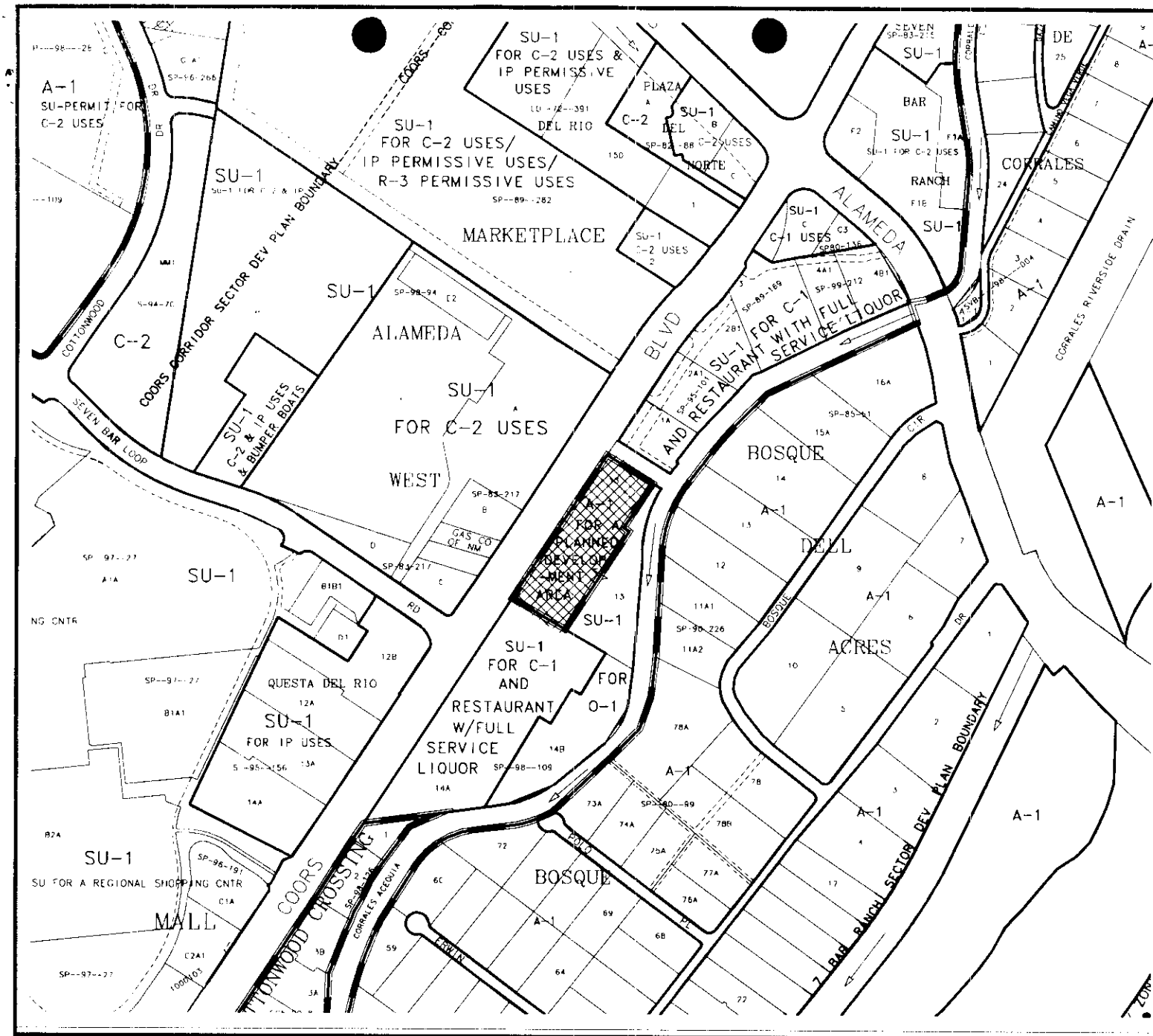
BOROVIK THERESA A
10304 DUNBAR ST NW
ALBUQUERQUE NM 87114

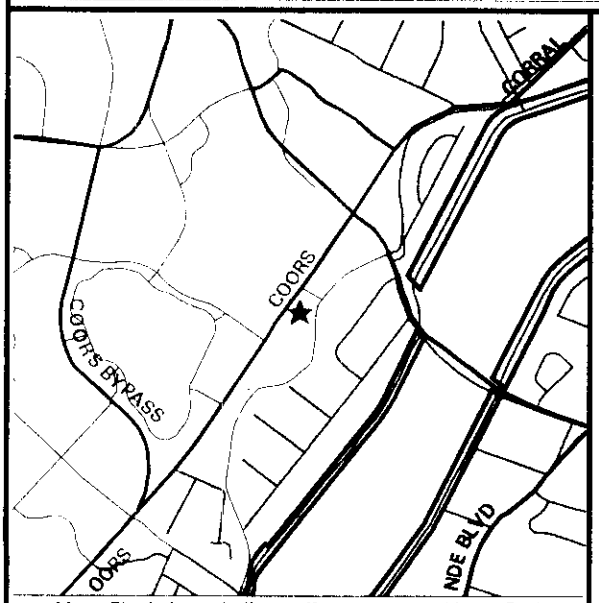
101306544142810603

SIMON PROPERTY GROUP LTD
PO BOX 7033
INDIANAPOLIS IN 76207

101406510446420208

NORTH COORS GROUP PARTNERSHI
PO BOX 93656
ALBUQUERQUE NM 87199





Note: Shaded area indicates County

Not to Scale

ZONING MAP

AGIS

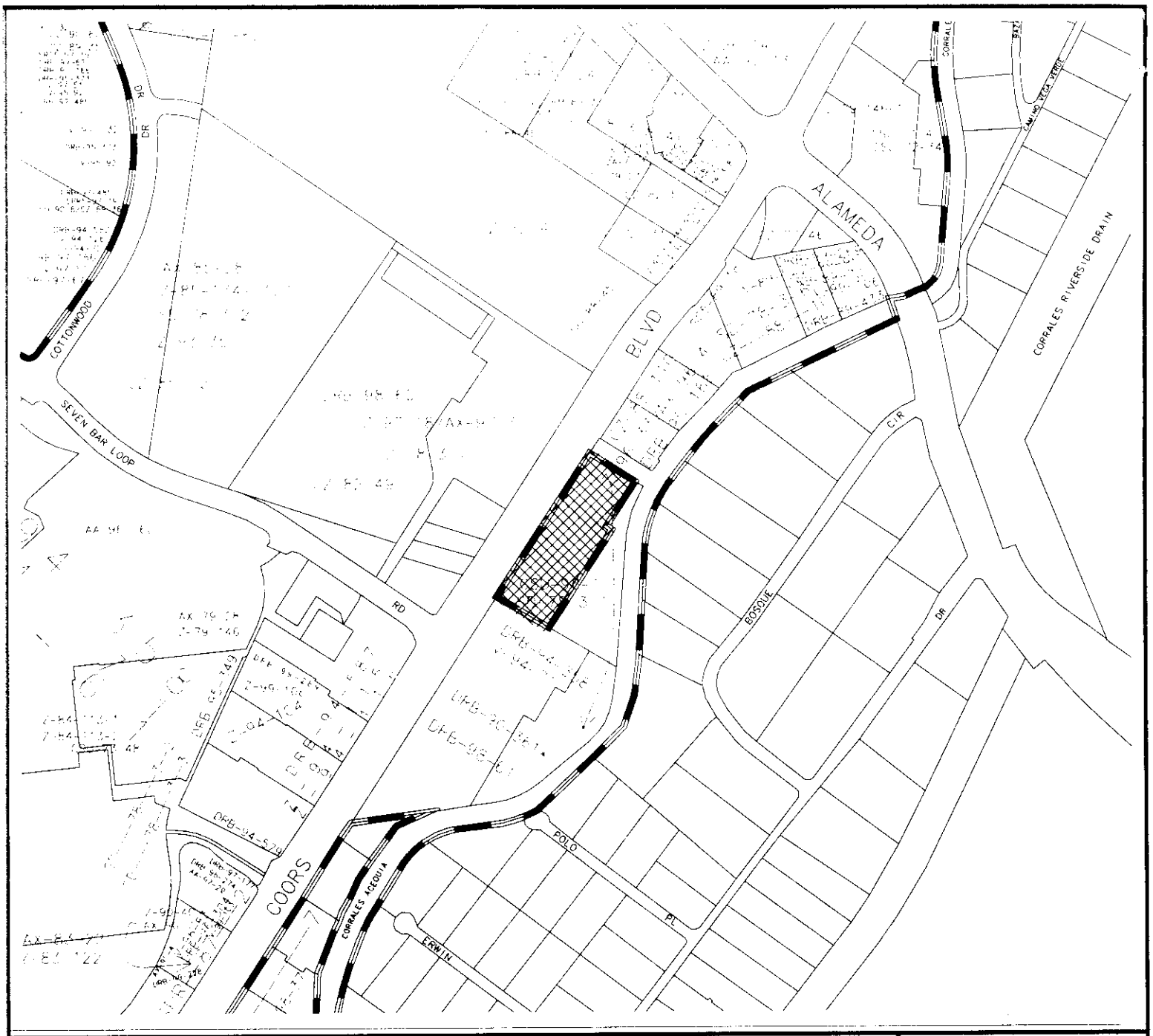
Scale 1"= 530'

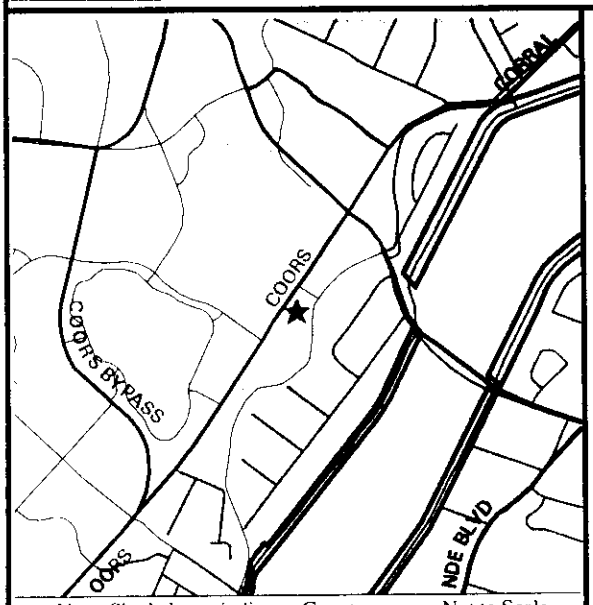
PROJECT NO.
1001445

HEARING DATE
10-18-01

MAP NO.
B-14

APPLICATION NO.
01110-00000-01244





Note: Shaded area indicates County

Not to Scale

HISTORY MAP

AGIS

Scale 1"= 530'

PROJECT NO.
1001445

HEARING DATE
10-18-01

MAP NO.
B-14

APPLICATION NO.
01110-00000-01244

App#_____
Proj#_____

PROPERTY OWNERSHIP / LEGAL LIST

Date:_____

Zone Atlas Page	Zone Atlas #	Grid Location	Parcel Sequence	Name & Address			
B-14	1014065	229-380	203-02	✓			
		190-318	01	✓ mf			
		224-313	03	✓ mf			
		250-420	103-08	✓			
		260-434	10	✓			
		248-301	102-14	✓			
		258-333	15	✓			
		262-349	18	✓			
		264-373	09	✓			
		274-389	10	✓			
		280-416	11	✓			
		144-331	201-10	✓ mf			
		162-357	202-25	✓ mf			
		174-376	11CA	✓ "No Ownership"			
		177-385	12	✓ mf			
		185-414	13	✓			
A-14	1014066	140-020	301-18	✓			

1014065 *** THIS UPC CODE HAS NO MASTER RECORD ON FILE

101406522938020302 LEGAL: TR 1 3 PA RTITION OF THE BLACK RANCH WITHIN MRGCD MA LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: GARDUNO DAVE & LORETTA
OWNER ADDR: 10555 MONTGOMERY BL NE ALBUQUERQUE NM 87111

101406519031820301 LEGAL: TRAC T 14 -A TRACTS 14-A AND 14-B BLACK RANCH CONT 6 LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: BLACK ALBERT J
OWNER ADDR: 00000 PO BOX 37109 ALBUQUERQUE NM 87176

06522431320303 LEGAL: TRAC T 14 -B TRACTS 14-A AND 14-B BLACK RANCH CONT 2 LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: BLACK ALBERT J
OWNER ADDR: 00000 PO BOX 37109 ALBUQUERQUE NM 87176

101406525042010308 LEGAL: LT 1 A PL AT OF LTS 1A, 2A-1 & 2B-1 NE POR OF BLACK LAND USE:
PROPERTY ADDR: 00000 10126 COORS RD NW
OWNER NAME: INTERSTELLAR CARTOON CORP
OWNER ADDR: 00411 CENTRAL AV NW ALBUQUERQUE NM 87102

101406526043410310 LEGAL: LT 2 A-1 PLAT OF LTS 1A, 2A-1 & 2B-1 NE POR OF BLAC LAND USE:
PROPERTY ADDR: 00000 10126 COORS NW
OWNER NAME: GARDEN FRESH RESTAURANT CORP
OWNER ADDR: 17180 BERNARDO CENTER DR SAN DIEGO CA 92128

101406524830110214 LEGAL: TR 7 8A B OSQUE DELL ACRES BEING A REPL OF TR 11 & T LAND USE:
PROPERTY ADDR: 00000 10039 BOSQUE CIR NW
OWNER NAME: DECATUR EDWARD N & SHARON B
OWNER ADDR: 10039 BOSQUE CI NW ALBUQUERQUE NM 87114

101406525833310215 LEGAL: TR 1 1A-2 PLAT OF TRS 11A-1 & 11A-2 BOSQUE DELL ACR LAND USE:
PROPERTY ADDR: 00000 10077 BOSQUE CIR NW
OWNER NAME: TEWES NEIL & DIANE
OWNER ADDR: 10077 BOSQUE CI NW ALBUQUERQUE NM 87114

101406526234910208 LEGAL: TR 1 1A-1 PLAT OF TRS 11A-1 & 11A-2 BOSQUE DELL ACR LAND USE:
PROPERTY ADDR: 00000 10101 BOSQUE CIR NW
OWNER NAME: BOWLIN RUSSELL TODD & BEVERLY
OWNER ADDR: 10101 BOSQUE CIRCLE ALBUQUERQUE NM 87114

101406526437310209 LEGAL: * 01 2 BO SQUE DELL ACRES SUB LAND USE:

PROPERTY ADDR: 00000 BOSQUE CIR NW
OWNER NAME: VASQUEZ DOROTHY
OWNER ADDR: 10113 BOSQUE CI NW ALBUQUERQUE NM 87114

101406527438910210 LEGAL: * 01 3 BO SQUE DELL ACRES SUB LAND USE:
PROPERTY ADDR: 00000 10125 BOSQUE NW
OWNER NAME: KLIMAJ STEFAN & TAMARA
OWNER ADDR: 10125 BOSQUE CIRCLE NW ALBUQUERQUE NM 87114

101406528640610211 LEGAL: * 01 4 BO SQUE DELL ACRES SUB LAND USE:
PROPERTY ADDR: 00000 BOSQUE CIR NW
OWNER NAME: LING RAY D & HAZEL M TRUSTEES
OWNER ADDR: 10138 BOSQUE CI NW ALBUQUERQUE NM 87114

101406514433120110 LEGAL: LT 1 2-B OF LTS 12-A, 12-B, 13-A & 14-A QUESTA DEL LAND USE:
PROPERTY ADDR: 00000 COORS
OWNER NAME: BLACK ALBERT J &
OWNER ADDR: 00000 PO BOX 37109 ALBUQUERQUE NM 87176

101406516235720225 LEGAL: TR C ALA MEDA WEST CONT 0.8642 AC M/L OR 37,645 SF LAND USE:
PROPERTY ADDR: 00000 COORS NW
OWNER NAME: STRATEGIC NEW MEXICO PARTNERS
OWNER ADDR: 10200 CORRALES RD NW ALBUQUERQUE NM 87114

101406517437620211CA LEGAL: LAND USE:
PROPERTY ADDR: 00000
OWNER NAME:
OWNER ADDR: 00000

101406517738520212 LEGAL: TR B ALA MEDA WEST CONT 0.8790 AC LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: STRATEGIC NEW MEXICO PARTNERS
OWNER ADDR: 10200 CORRALES RD NW ALBUQUERQUE NM 87114

101406518541420213 LEGAL: TR A ALA MEDA WEST CONT 6.0979 AC LAND USE:
PROPERTY ADDR: 00000 10131 COORS RD NW
OWNER NAME: ALAMEDA WEST LTD
OWNER ADDR: 00000 PO BOX 27447 SALT LAKE CITY UT 84127

101406614002030118 LEGAL: LOT 1 PL AT MAP FOR RIVERWALK MARKETPLACE CONT 26.8 LAND USE:
PROPERTY ADDR: 00000 10151 COORS RD NW
OWNER NAME: TABET LUMBER INC ETAL
OWNER ADDR: 00606 BACA AV BELEN NM 87002

101406522938020302

GARDUNO DAVE & LORETTA
10555 MONTGOMERY BL NE
ALBUQUERQUE NM 87111

101406524830110214

DECATUR EDWARD N & SHARON B
10039 BOSQUE CI NW
ALBUQUERQUE NM 87114

101406526437310209

VASQUEZ DOROTHY
10113 BOSQUE CI NW
ALBUQUERQUE NM 87114

101406516235720225

STRATEGIC NEW MEXICO PARTNERS
10200 CORRALES RD NW
ALBUQUERQUE NM 87114

101406525042010308

INTERSTELLAR CARTOON CORP
411 CENTRAL AV NW
ALBUQUERQUE NM 87102

101406525833310215

TEWES NEIL & DIANE
10077 BOSQUE CI NW
ALBUQUERQUE NM 87114

101406527438910210

KLIMAJ STEFAN & TAMARA
10125 BOSQUE CIRCLE NW
ALBUQUERQUE NM 87114

101406518541420213

ALAMEDA WEST LTD
PO BOX 27447
SALT LAKE CITY UT 84127

101406526043410310

GARDEN FRESH RESTAURANT CO
17180 BERNARDO CENTER DR
SAN DIEGO CA 92128

101406526234910208

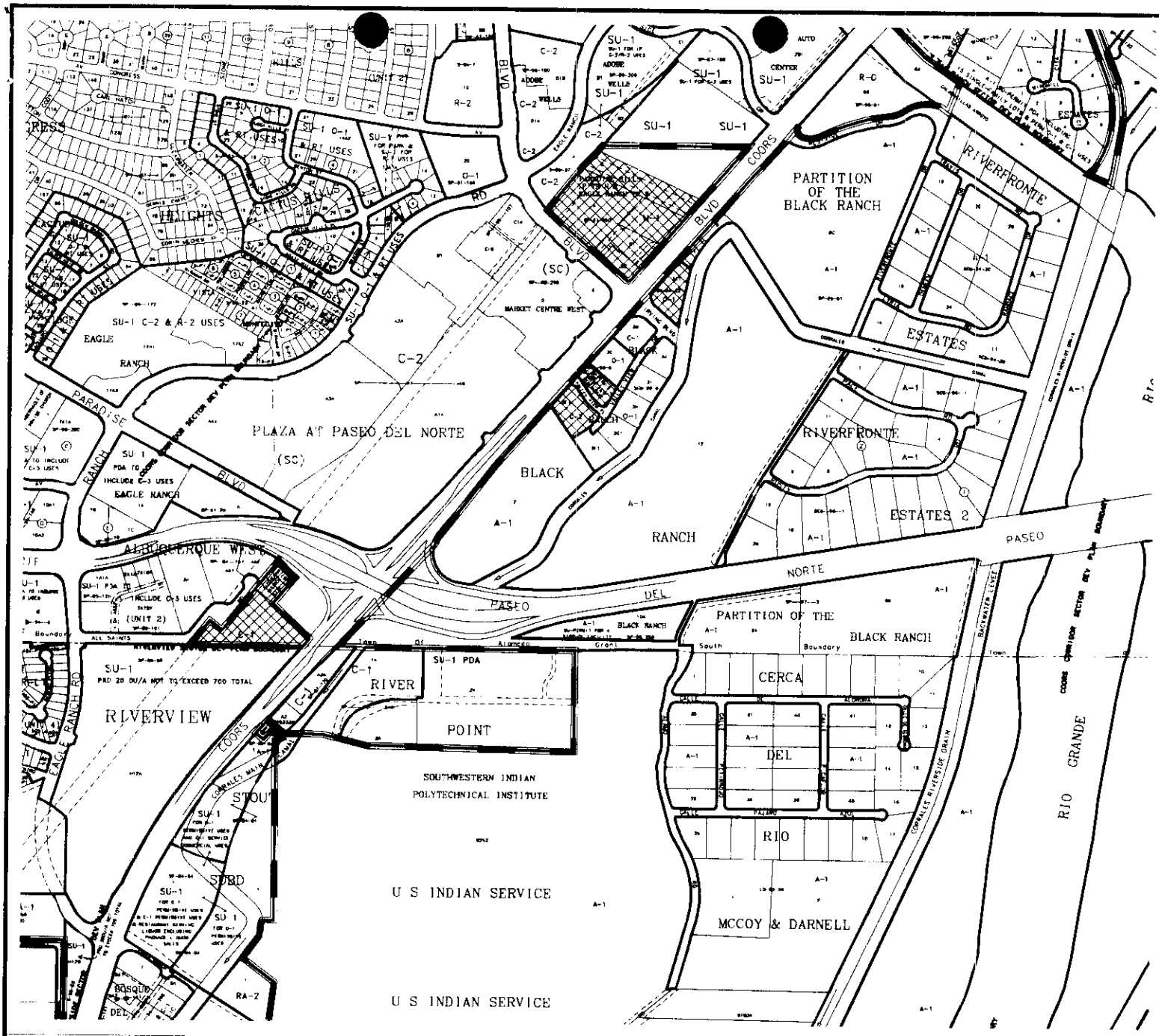
BOWLIN RUSSELL TODD & BEVERI
10101 BOSQUE CIRCLE
ALBUQUERQUE NM 87114

101406528640610211

LING RAY D & HAZEL M TRUSTEES
10138 BOSQUE CI NW
ALBUQUERQUE NM 87114

101406614002030118

TABET LUMBER INC ETAL
606 BACA AV
BELEN NM 87002



Note: Shaded area indicates County Not to Scale

ZONING MAP

AGIS

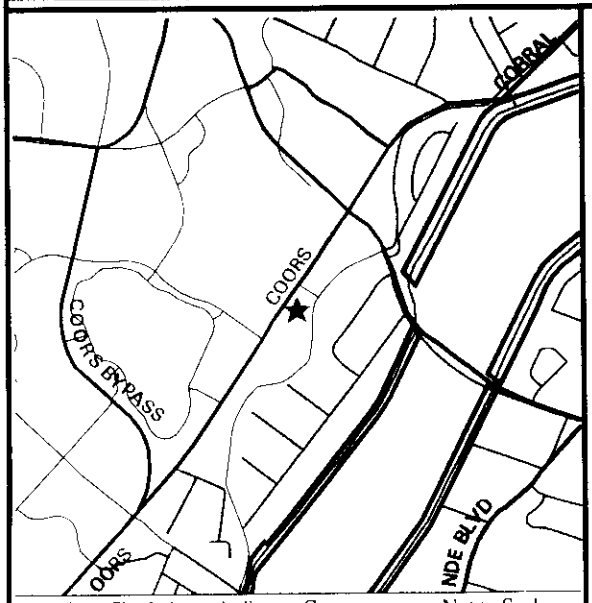
Scale 1"= 943 '

PROJECT NO.
1001445

HEARING DATE
10-18-01

MAP NO.
C-13

APPLICATION NO.
01110-00000-01244



Note: Shaded area indicates County

Not to Scale

LAND USE MAP

KEY to Land Use Abbreviations

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

AGIS

Scale 1" = 530 '

PROJECT NO.
1001445

HEARING DATE
10-18-01

MAP NO.
B-14

APPLICATION NO.
01110-00000-01244

App#_____
Proj#_____

PROPERTY OWNERSHIP / LEGAL LIST

Date:_____

Zone Atlas Page	Zone Atlas #	Grid Location	Parcel Sequence	Name & Address				
C-13	1013064	354-447	103-03	✓	1013064	304-404	104	12 ✓
		357-454	14	✓		347-385		13 ✓
		371-474	05	✓		405-327	101	02 ✓
		347-503	13	✓		384-431	102	02 ✓
		335-487	15	✓		400-433		03 ✓
		323-518	20	✓		414-471		04 ✓
		301-478	102-13	✓		485-470		06 ✓
		336-443	14	✓	1013065	403-610	403	05 ✓
		280-470	12	✓		354-044		42 ✓
		230-450	11	✓		303-013	404	41 ✓
		254-519	202-32	✓		304-043		42 ✓
		237-341	202-10	✓	1013064	129-205	304	16 ✓
		340-366	104-14	✓		105-198		17 ✓
		325-353	15	✓		091-199		11C4 ✓
		338-327	07	✓		136-234		10 ✓
		351-338	08	✓		119-242	305	05 ✓
		362-354	09	✓		097-234		04 ✓
		372-371	10	✓		074-225		03 ✓
		378-389	11	✓		040-207		02 ✓

App#_____
Proj#_____

PROPERTY OWNERSHIP / LEGAL LIST

Date:_____

Zone Atlas Page	Zone Atlas #	Grid Location	Parcel Sequence	Name & Address			
C-13	10B064	018-224	309-01	✓			
		036-229	06	✓			
		045-230	07	✓			
		053-172	304-06	✓			
		107-287	103-04	✓			
		091-345	102-17	✓			
		103-351	16	✓			
		165-171	302-02	✓			
		140-143	03	✓			
		190-163	303-04	✓			
		044-218	203-22	✓			

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

101306435444710303 LEGAL: TRAC T B- 2 OF REPL TR B TR N PARADISE HILLS INDUSTR 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 HILLS INDUSTR 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

[illegible]06437147410305 LEGAL: T11N R3E SEC 18 1.90 AC LAND USE:
PROPERTY ADDR: 00000 9421 COORS RD NW
OWNER NAME: SPENCE DOUGLAS H & MAVIS JEAN
OWNER ADDR: 10809 CORONADO NE ALBUQUERQUE NM 87122

101306436750310313 LEGAL: TR C - S UMMARY PLAT TR N PARADISE HILLS INDUSTRIAL LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: PUBLIC SERVICE COMPANY OF
OWNER ADDR: 00000 ALVARADO SQUA ALBUQUERQUE NM 87158

101306433548710315 LEGAL: TR A - S UMMARY PLAT TR N PARADISE HILLS INDUSTRIAL LAND USE:
PROPERTY ADDR: 00000 4349 IRVING BLV NW
OWNER NAME: ROWLAND MICHAEL PATRICK
OWNER ADDR: 05500 KIM RD RIO RANCHO NM 87124

101306432351810320 LEGAL: TR A SUB D PLAT MAP FOR ADOBE WELLS SUBD CONT 2.977 LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: ADOBE WELLS LTD LIABILITY CO
OWNER ADDR: 00500 COPPER SQUARE NW ALBUQUERQUE NM 87102

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

101306428047020212 LEGAL: TRAC T C1 PLAT FOR THE PLAZA AT PASEO DEL NORTE TRA LAND USE:

PROPERTY ADDR: 00000 9358 EAGLE RANCH RD NW
OWNER NAME: MARKET CENTER WEST PTNS
OWNER ADDR: 00330 GARFIELD ST SANTA FE NM 87501

101306423045620211 LEGAL: TR B 1 PL AT FOR THE PLAZA AT PASEO DEL NORTE TRACTS LAND USE:
PROPERTY ADDR: 00000 9350 EAGLE RANCH NW
OWNER NAME: MARKET CENTER WEST PTNS
OWNER ADDR: 00330 GARFIELD ST SANTA FE NM 87501

101306425451921232 LEGAL: TR 2 -D S UMMARY PLAT OF POR OF TRS 2 & 3 EAGLE RANC LAND USE:
PROPERTY ADDR: 00000 9461 EAGLE RANCH RD NW
OWNER NAME: STATE FARM MUTUAL AUTO INS CO
OWNER ADDR: 00000 ONE STATE FAR BLOOMINGTON IL 61701

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

101306434036610414 LEGAL: TRAC T 3D BLACK RANCH (BEING A REPLAT OF TR 3 BLACK LAND USE:
PROPERTY ADDR: 00000 9380 COORS BLV NW
OWNER NAME: PRESBYTERIAN HEALTHCARE
OWNER ADDR: 00000 PO BOX 26666 ALBUQUERQUE NM 87125

101306432535310415 LEGAL: TRAC T 3E -1 BLACK RANCH TRS 3E-1 3F-1 & 3G-1 (BEING LAND USE:
PROPERTY ADDR: 00000 9370 VALLEY VIEW DR NW
OWNER NAME: GUTIERREZ LARRY P & JANE H
OWNER ADDR: 03313 GIRARD NE ALBUQUERQUE NM 87107

101306433832710407 LEGAL: TRAC T 3F -1 BLACK RANCH TRS 3E-1 3F-1 & 3G-1 (BEING LAND USE:
PROPERTY ADDR: 00000 9368 COORS BLV NW
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 NW
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 NW
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 NW
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 NW
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 NW
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 NW
OWNER NAME: PSG LTD PTNS
OWNER ADDR: 00000 PO BOX 25845 ALBUQUERQUE NM 87125

101306440043310203 LEGAL: TR 4 PAR TITION OF THE BLACK RANCH MRGCD MAP 25 CON LAND USE:
PROPERTY ADDR: 00000 COORS BLV NW
OWNER NAME: BLACK W E TRUSTEE ETAL
OWNER ADDR: 02505 CLARK CARR LP SE ALBUQUERQUE NM 87106

101306441447110204 LEGAL: TR 5 PAR TITION OF THE BLACK RANCH MRGCD MAP 25 CON LAND USE:
PROPERTY ADDR: 00000 COORS BLV NW
OWNER NAME: BLACK ALBERT J
OWNER ADDR: 00000 PO BOX 37109 ALBUQUERQUE NM 87176

101306448547010206 LEGAL: TR 6 -C T RS 6-A, 6-B & 6-C PARTITION OF THE BLACK R LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: BLACK A ROLF & MARY JANE
OWNER ADDR: 00000 PO BOX 37109 ALBUQUERQUE NM 87176

101306540301040305 LEGAL: LAND USE:
PROPERTY ADDR: 00000
OWNER NAME:
OWNER ADDR: 00000

101306535604440342 LEGAL: TR B SUB D PLAT MAP FOR ADOBE WELLS SUBD CONT 5.895 LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: ADOBE WELLS LTD LIABILITY CO
OWNER ADDR: 00500 COPPER SQUARE NW ALBUQUERQUE NM 87102

101306530301340441 LEGAL: TR D -1-A PLAT OF TR D-1-A & TR D-1-B ADOBE WELLS S LAND USE:
PROPERTY ADDR: 00000 4410 IRVING NW
OWNER NAME: ALBUQUERQUE US EMPLOYEES
OWNER ADDR: 00000 PO BOX 129 ALBUQUERQUE NM 87103

101306530404340442 LEGAL: TR D -1-B PLAT OF TR D-1-A & TR D-1-B ADOBE WELLS S LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: SPARTON TECHNOLOGY INC
OWNER ADDR: 04901 ROCKAWAY BL NE RIO RANCHO NM 87124

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

101306410519830417 LEGAL: T11N R3E SEC 18 TRACT IN N OF SW CONT 0.623 AC LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: ALL SAINTS LUTHERAN CHURCH
OWNER ADDR: 04800 ALL SAINTS RD ALBUQUERQUE NM 87114

101306409119930411CA LEGAL: LAND USE:
PROPERTY ADDR: 00000
OWNER NAME:
OWNER ADDR: 00000

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

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

101306409723630904 LEGAL: LT 4 -A-1 PLAT OF ALBUQUERQUE WEST UNIT 2 LT 4-A-1 LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: HIGH ASSETS LAND COMPANY LTD
OWNER ADDR: 00000 PO BOX 14708 ALBUQUERQUE NM 87191

101306407622530903 LEGAL: LOT 3-A ALBUQUERQUE WEST UNIT TWO CORRECTED PLAT O LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: HIGH ASSETS LAND CO
OWNER ADDR: 00000 PO BOX 14708 ALBUQUERQUE NM 87191

101306404020730902 LEGAL: LT 2 -A-1 -B-2 PLAT FOR ALBUQUERQUE WEST UNIT 2 LT 2 LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: HIGH ASSETS LAND CO
OWNER ADDR: 00000 PO BOX 14708 ALBUQUERQUE NM 87191

101306401822430901 LEGAL: TR 1 -A-1 -A PLAT FOR TRS 1-A-1-A & 2-A-1 ALBUQUERQU LAND USE:
PROPERTY ADDR: 00000 9111 HIGH ASSETS WAY
OWNER NAME: KINDERCARE REAL ESTATE CORP
OWNER ADDR: 02400 PRESIDENTS DR MONTGOMERY AL 36116

101306403622930906 LEGAL: TR 2 -A-1 -A PLAT FOR ALBUQUERQUE WEST UNIT TWO TRS LAND USE:
PROPERTY ADDR: 00000 9121 HIGH ASSETS WY NW
OWNER NAME: DILLON KENNETH S
OWNER ADDR: 09121 HIGH ASSETS WAY NW ALBUQUERQUE NM 87120

101306404523030907 LEGAL: LT 2 -A-1 -B-1 PLAT FOR ALBUQUERQUE WEST UNIT 2 LT 2 LAND USE:
PROPERTY ADDR: 00000 9131 HIGH ASSETS WAY NW
OWNER NAME: HIGH ASSETS LAND CO
OWNER ADDR: 00000 PO BOX 14708 ALBUQUERQUE NM 87191

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

101306410728720304 LEGAL: TRAC T A ALBUQUERQUE WEST UNIT 2 CORRECTED PLAT OF LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: HIGH ASSETS LAND CO
OWNER ADDR: 00000 PO BOX 14708 ALBUQUERQUE NM 87191

101306409134520217 LEGAL: TR A 4A P LAT FOR THE PLAZA AT PASEO DEL NORTE TRACT LAND USE:
PROPERTY ADDR: 00000 9250 EAGLE RANCH NW
OWNER NAME: 9270 EAGLE RANCH ROAD INC
OWNER ADDR: 00000 PO BOX 802206 DALLAS TX 75380

101306416335020216 LEGAL: TR A 3A P LAT FOR THE PLAZA AT PASEO DEL NORTE TRACT LAND USE:
PROPERTY ADDR: 00000 9270 EAGLE RANCH NW
OWNER NAME: 9270 EAGLE RANCH RD INC
OWNER ADDR: 00000 PO BOX 802206 DALLAS TX 75380

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

101306414014330203 LEGAL: *A-2 REP L OF TR A OF THUNDERBIRD PARTNERSHIP CONT LAND USE:
PROPERTY ADDR: 00000 9160 COORS BLV NW
OWNER NAME: COORS PYRAMID L L C
OWNER ADDR: 00761 SOUTH MILLER FARMINGTON NM 87401

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

101306404429820322 LEGAL: TR 1 -A E AGLE RANCH REPL OF TR 1 OF EAGLE RANCH CON LAND USE:
PROPERTY ADDR: 00000 4580 PARADISE BLV NW
OWNER NAME: 4580 PARADISE BLVD ASSOICIATES
OWNER ADDR: 00330 GARFIELD ST SANTA FE NM 87501

101306435444710303

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

101306436750310313

PUBLIC SERVICE COMPANY OF
ALVARADO SQUARE
ALBUQUERQUE NM 87158

101306430142820213

DAYTON HUDSON CORPORATION
777 NICOLLET MALL
MINNEAPOLIS MN 55402

101306425451921232

STATE FARM MUTUAL AUTO INS CO
ONE STATE FAR
BLOOMINGTON IL 61701

101306432535310415

GUTIERREZ LARRY P & JANE H
3313 GIRARD NE
ALBUQUERQUE NM 87107

101306438443110202

PSG LTD PTNS
PO BOX 25845
ALBUQUERQUE NM 87125

101306530404340442

SPARTON TECHNOLOGY INC
4901 ROCKAWAY BL NE
RIO RANCHO NM 87124

101306409723630904

HIGH ASSETS LAND COMPANY LTD
PO BOX 14708
ALBUQUERQUE NM 87191

101306405312230406

MANN WILLIAM F ETAL
PO BOX 1519
ALBUQUERQUE NM 87103

101306414014330203

COORS PYRAMID L L C
761 SOUTH MILLER
FARMINGTON NM 87401

101306435745410314

CHICAGO PRIME HOUSE LTD
PO BOX 15742
RIO RANCHO NM 87174

101306433548710315

ROWLAND MICHAEL PATRICK
5500 KIM RD
RIO RANCHO NM 87124

101306433644320214

PASEO DEL NORTE PLAZA
5215 PHOENIX NE
ALBUQUERQUE NM 87110

101306423734120210

PRICE REIT INC
145 SOUTH FAIRFAX AV
LOS ANGELES CA 90036

101306436235410409

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

101306440043310203

BLACK W E TRUSTEE ETAL
2505 CLARK CARR LP SE
ALBUQUERQUE NM 87106

101306412920530416

ALL SAINTS LUTHERAN CHURCH
4800 ALL SAINTS RD
ALBUQUERQUE NM 87114

101306401822430901

KINDERCARE REAL ESTATE CORP
2400 PRESIDENTS DR
MONTGOMERY AL 36116

101306409134520217

9270 EAGLE RANCH ROAD INC
PO BOX 802206
DALLAS TX 75380

101306419016330304

NEW MEXICO SPORTS & WELLNESS
4100 PROSPECT NE
ALBUQUERQUE NM 87110

101306437147410305

SPENCE DOUGLAS H & MAVIS JEA
10809 CORONADO NE
ALBUQUERQUE NM 87122

101306432351810320

ADOBE WELLS LTD LIABILITY CO
500 COPPER SQUARE NW
ALBUQUERQUE NM 87102

101306428047020212

MARKET CENTER WEST PTNS
330 GARFIELD ST
SANTA FE NM 87501

101306434036610414

PRESBYTERIAN HEALTHCARE
PO BOX 26666
ALBUQUERQUE NM 87125

101306436440410412

NORWEST BANK NEW MEXICO
PO BOX 1081
ALBUQUERQUE NM 87103

101306530301340441

ALBUQUERQUE US EMPLOYEES
PO BOX 129
ALBUQUERQUE NM 87103

101306411924230905

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

101306403622930906

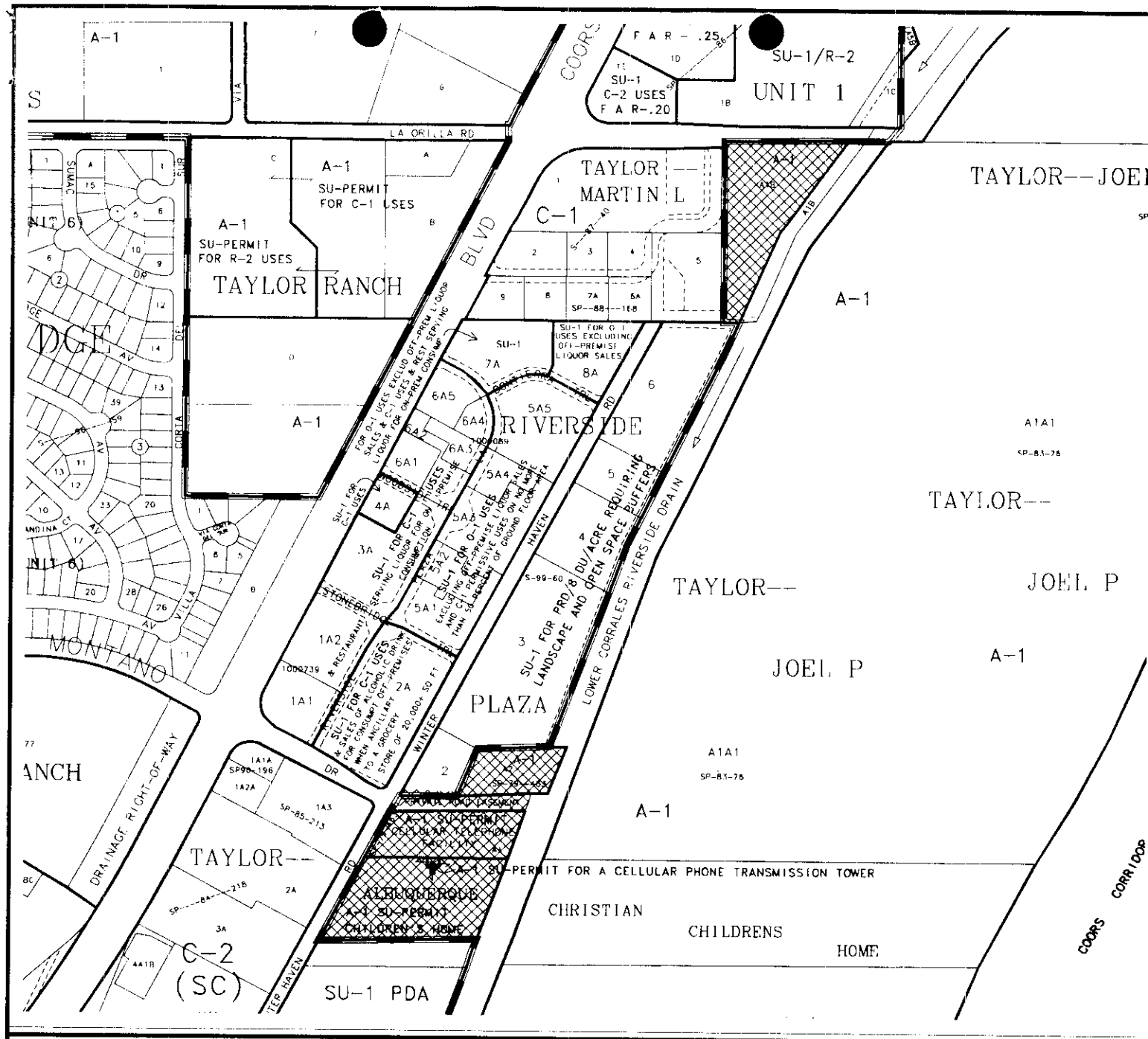
DILLON KENNETH S
9121 HIGH ASSETS WAY NW
ALBUQUERQUE NM 87120

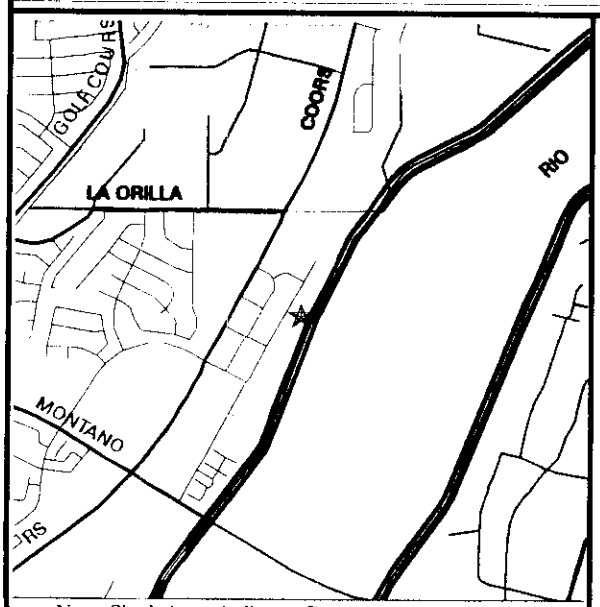
101306416517130202

NORWEST BANK NM TRUSTEE
PO BOX 1968
ALBUQUERQUE NM 87103

101306404429820322

4580 PARADISE BLVD ASSOICIATE
330 GARFIELD ST
SANTA FE NM 87501





Note: Shaded area indicates County Not to Scale

ZONING MAP

AGIS

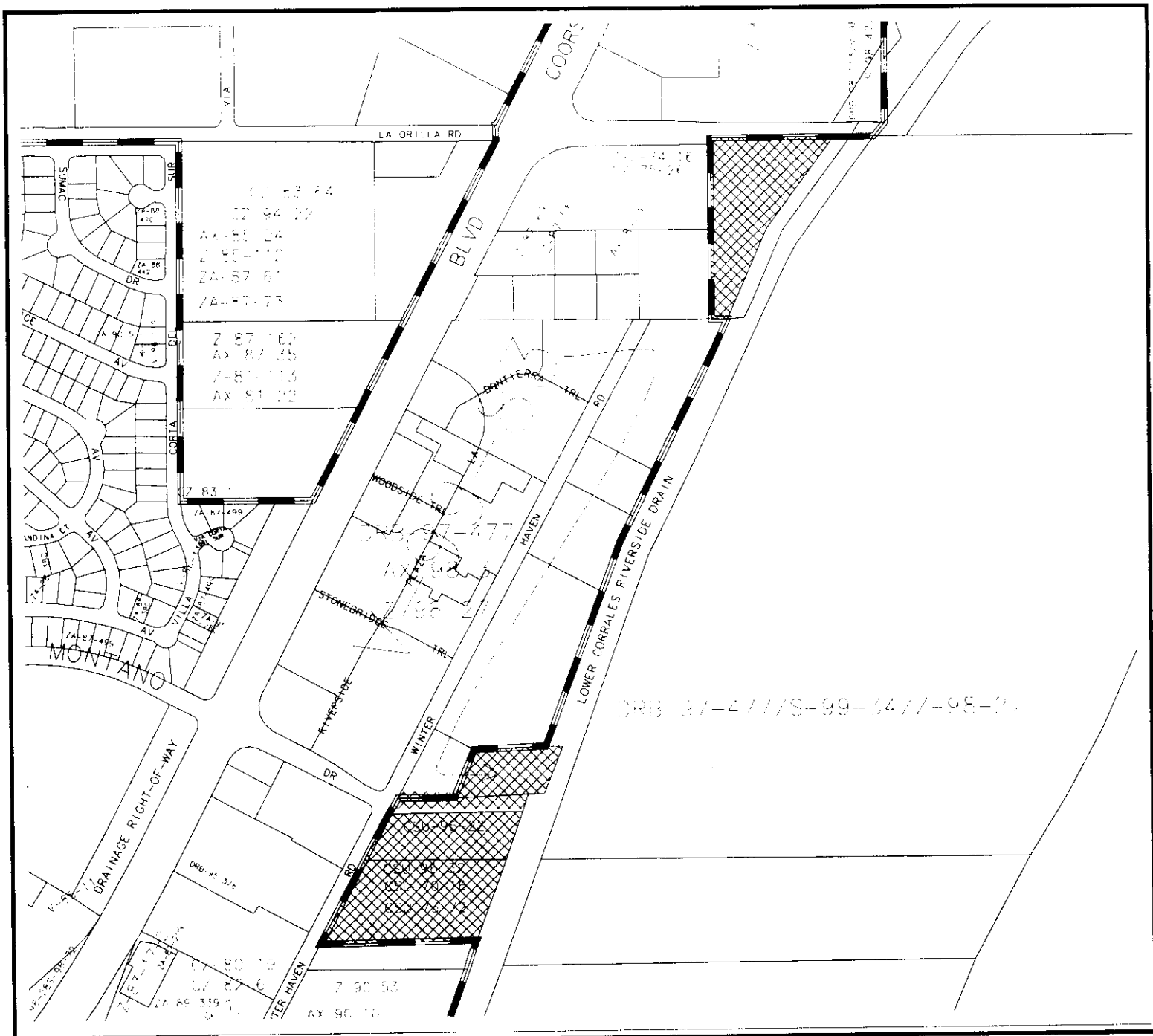
Scale 1" = 523'

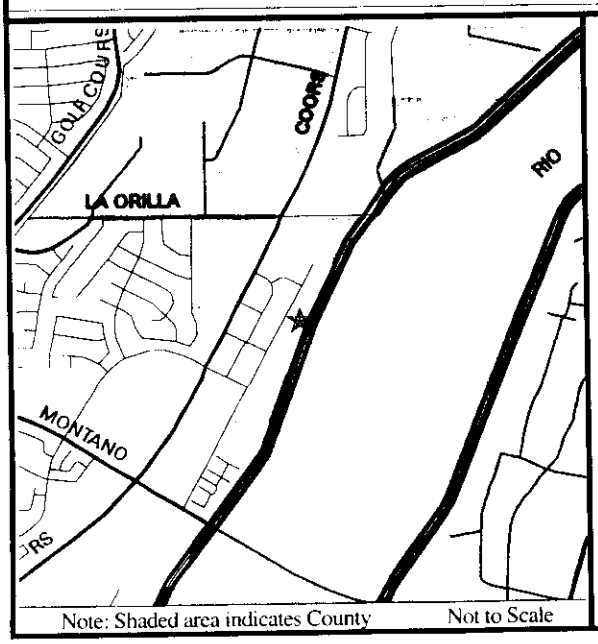
PROJECT NO.
1001445

HEARING DATE
10-18-01

MAP NO.
E-12

APPLICATION NO.
01110-00000-01244





Note: Shaded area indicates County

Not to Scale

HISTORY MAP

AGIS

Scale 1"= 523 '

PROJECT NO.
1001445

HEARING DATE
10-18-01

MAP NO.
E-12

APPLICATION NO.
01110-00000-01244

App#_____
Proj#_____

PROPERTY OWNERSHIP / LEGAL LIST

Date:_____

Page 1 Of 1

Zone Atlas Page	Zone Atlas #	Grid Location	Parcel Sequence	Name & Address				
E-12	1012012	480-505	102-22	✓ mp	1012012	471-246	401	20 ✓
		429-512	14	✓		399-135		10 ✓
		445-479	15	✓	1612013	428-026	403	05 ✓ mp
		427-487	32	✓ mp		491-030		09 ✓ mp
		427-470	31	✓ mp		524-018		07 ✓ mp
		514-498	10	✓ mp		444-040		10 ✓ mp
		500-385	40	✓ mp				
		383-388	20	✓ mp				
		424-407	24	✓ mp				
		377-297	102-21	✓				
		383-388	10	✓ mp				
		365-275	19	✓ mp				
		345-252	25	✓ mp				
		345-230	36	✓ mp				
		330-190	35	✓ mp				
		254-206	402-01	✓ mp				
		281-238	03	✓ mp				
		295-202	04	✓				
		313-283	05	✓ mp				

```
1012062            ***  THIS UPC CODE HAS NO MASTER RECORD ON FILE

101206248050510222 LEGAL: TR A -1-B  SUMMARY PLAT SHOWING TRS A-1-A & A-1-B OF  LAND USE:
                   PROPERTY ADDR: 00000   3100 LA ORILLA
                      OWNER NAME: JOEL & NINA TAYLOR FNDN INC
                      OWNER ADDR: 05700   TAYLOR RANCH              RD    ALBUQUERQUE     NM   87120

101206242951210214 LEGAL: LT 1  PLA T OF LTS 1-9 (FMLY TRS A-1-A & A-2-B) LAND  LAND USE:
                   PROPERTY ADDR: 00000    N/A
                      OWNER NAME: LA ORILLA GROUP LLC
                      OWNER ADDR: 00112   VELARDE                    RD NW ALBUQUERQUE     NM   87107

[illegible]06244947910215 LEGAL: LT 5  PLA T OF LTS 1-9 (FMLY TRS A-1-A & A-2-B) LAND  LAND USE:
                   PROPERTY ADDR: 00000    N/A
                      OWNER NAME: NM EDUCATOR FEDERAL CREDIT
                      OWNER ADDR: 06501   INDIAN SCHOOL             RD NE ALBUQUERQUE     NM   87110

101206242748710232 LEGAL: LT 4  PLA T OF LTS 1-9 (FMLY TRS A-1-A & A-2-B) LAND  LAND USE:
                   PROPERTY ADDR: 00000    N/A
                      OWNER NAME: UNITED NEW MEXICO BANK
                      OWNER ADDR: 00000          PO BOX 1830              ALBUQUERQUE     NM   87103

101206242747010231 LEGAL: LT 6 -A P LAT OF LTS 7A & 6A LANDS OF MARTIN L TAYLO  LAND USE:
                   PROPERTY ADDR: 00000    N/A
                      OWNER NAME: UNITED NEW MEXICO BANK
                      OWNER ADDR: 00000          PO BOX 1830              ALBUQUERQUE     NM   87103

101206251449810210 LEGAL: NELY  POR  OF TR A-1-A-1 LANDS OF JOEL P TAYLOR CONT  LAND USE:
                   PROPERTY ADDR: 00000    N/A
                      OWNER NAME: JOEL & NINA TAYLOR FNDN INC
                      OWNER ADDR: 05700   TAYLOR RANCH              RD    ALBUQUERQUE     NM   87120

101206250038510240 LEGAL: SELY  POR  OF TR A-1-A-1 LANDS OF JOEL P TAYLOR CONT  LAND USE:
                   PROPERTY ADDR: 00000    N/A
                      OWNER NAME: JOEL & NINA TAYLOR FNDN INC
                      OWNER ADDR: 05700   TAYLOR RANCH              RD    ALBUQUERQUE     NM   87120

101206238338810220 LEGAL: TRAC T A1 A1 EXCEPT SOUTHEASTERLY PORTION WEST OF AN  LAND USE:
                   PROPERTY ADDR: 00000   6260 COORS RD NW
                      OWNER NAME: TAYLOR JOEL P ETUX
                      OWNER ADDR: 00000          PO BOX 1968              ALBUQUERQUE     NM   87103

101206242440710224 LEGAL: A TR  OF  LAND SITUATE WITHIN TR A-1-A-1 LANDS OF JO  LAND USE:
```

PROPERTY ADDR: 00000 6282 WINTERHAVEN RD NW
OWNER NAME: BRENNAN WILLIAM T & BENITA
OWNER ADDR: 00000 PO BOX 675 CORRALES NM 87048

101206237729710221 LEGAL: TR " A-2" SUMMARY PLAT SHOWING TRS "A-1" & "A-2" OF LAND USE:
PROPERTY ADDR: 00000 6250 WINTERHAVEN RD NW
OWNER NAME: SHARRETT SHARON A
OWNER ADDR: 02043 NORTH SEDGWICK CHICAGO IL 60614

101206238338810220 LEGAL: TRAC T A1 A1 EXCEPT SOUTHEASTERLY PORTION WEST OF AN LAND USE:
PROPERTY ADDR: 00000 6260 COORS RD NW
OWNER NAME: TAYLOR JOEL P ETUX
OWNER ADDR: 00000 PO BOX 1968 ALBUQUERQUE NM 87103

101206236527510219 LEGAL: SELY POR OF TR A-1-A-1 LANDS OF JOEL P TAYLOR CONT LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: ALBUQ CHRISTIAN CHILDRENS HOME
OWNER ADDR: 05700 WINTER HAVEN RD NW ALBUQUERQUE NM 87120

101206234525210225 LEGAL: TR I N NW /4 SE/4 SEC 25 T11N R2E EXC SLY PORT N OR LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: ALB CHRISTIANS CHILDRENS HOME
OWNER ADDR: 01701 GOLD AV SE ALBUQUERQUE NM 87106

101206234523010236 LEGAL: THE SLY PORT OF TR OF LAND IN NW/4 SE/4 SEC 25 T11 LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: ALB CHRISTIAN CHILDRENS HOME
OWNER ADDR: 01701 GOLD AV SE ALBUQUERQUE NM 87106

101206233019010235 LEGAL: TRAC T B- 1A, TRACTS B-1A AND B-1B LANDS OF JOEL P T LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: ALBUQUERQUE CHRISTIAN CHILDREN
OWNER ADDR: 05700 WINTERHAVEN NW ALBUQUERQUE NM 87120

101206225420640201 LEGAL: PARC EL 4 -A-1-A PLAT OF PARCELS 4A1A & 4A1B LANDS O LAND USE:
PROPERTY ADDR: 00000 6100 COORS RD NW
OWNER NAME: TAYLOR JOEL P ETUX ETAL
OWNER ADDR: 00000 PO BOX 1968 ALBUQUERQUE NM 87103

101206228123840203 LEGAL: PARC EL 3 -A SUMMARY REPLAT SHOWING PARCELS 1-A, 2-A LAND USE:
PROPERTY ADDR: 00000 6200 COORS RD NW
OWNER NAME: TAYLOR JOEL P ETUX
OWNER ADDR: 00000 PO BOX 1968 ALBUQUERQUE NM 87103

101206229526240204 LEGAL: PARC EL 2 -A SUMMARY REPLAT SHOWING PARCELS 1-A, 2-A LAND USE:
PROPERTY ADDR: 00000 6200 COORS NW
OWNER NAME: TAYLOR JOEL P ETUX
OWNER ADDR: 00000 PO BOX 20 BOISE ID 83726

101206231328340205 LEGAL: PARC EL 1 -A-3 REPL SHOWING PARCELS 1-A-1, 1-A-2 & 1 LAND USE:
PROPERTY ADDR: 00000 6200 COORS NW
OWNER NAME: TAYLOR JOEL P ETUX ETAL
OWNER ADDR: 00000 PO BOX 1968 ALBUQUERQUE NM 87103

101206247124640120 LEGAL: T11N R2E SEC 25 TRACT OF LAND IN E1/2 SEC 25 T11N LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: ALB CHRISTIAN CHILDRENS HOME

OWNER ADDR: 05700 TAYLOR RANCH RD NW ALBUQUERQUE NM 87120

101206239913540110 LEGAL: THE ELY PORT OF TR "B" LDS OF JOEL P TAYLOR EXC SL LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: CITY OF ALBUQUERQUE
OWNER ADDR: 00000 PO BOX 1293 ALBUQUERQUE NM 87103

101206342802640308 LEGAL: TR 1 -E B LK 15 (SECOND CORRECTED REPLAT OF LT 1 & A LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: COORS EIGHT PACK
OWNER ADDR: 06605 UPTOWN BL NE ALBUQUERQUE NM 87110

101206349103040309 LEGAL: TR 1 -B B LK 15 (SECOND CORRECTED REPLAT OF LT 1 & A LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: COORS EIGHT PACK
OWNER ADDR: 06605 UPTOWN BL NE ALBUQUERQUE NM 87110

101206352601840307 LEGAL: TR 1 -C B LK 15 (SECOND CORRECTED REPLAT OF LT 1 & A LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: COORS EIGHT PACK
OWNER ADDR: 06605 UPTOWN BL NE ALBUQUERQUE NM 87110

101206344404040310 LEGAL: TR 1 -D B LK 15 (SECOND CORRECTED REPLAT OF LT 1 & A LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: COORS EIGHT PACK
OWNER ADDR: 06605 UPTOWN BL NE ALBUQUERQUE NM 87110

101206248050510222

JOEL & NINA TAYLOR FNDN INC
5700 TAYLOR RANCH RD
ALBUQUERQUE NM 87120

101206242748710232

UNITED NEW MEXICO BANK
PO BOX 1830
ALBUQUERQUE NM 87103

101206237729710221

SHARRETT SHARON A
2043 NORTH SEDGWICK
CHICAGO IL 60614

101206229526240204

TAYLOR JOEL P ETUX
PO BOX 20
BOISE ID 83726

101206242951210214

LA ORILLA GROUP LLC
112 VELARDE RD NW
ALBUQUERQUE NM 87107

101206238338810220

TAYLOR JOEL P ETUX
PO BOX 1968
ALBUQUERQUE NM 87103

101206236527510219

ALBUQ CHRISTIAN CHILDRENS HOM
5700 WINTER HAVEN RD NW
ALBUQUERQUE NM 87120

101206342802640308

COORS EIGHT PACK
6605 UPTOWN BL NE
ALBUQUERQUE NM 87110

101206244947910215

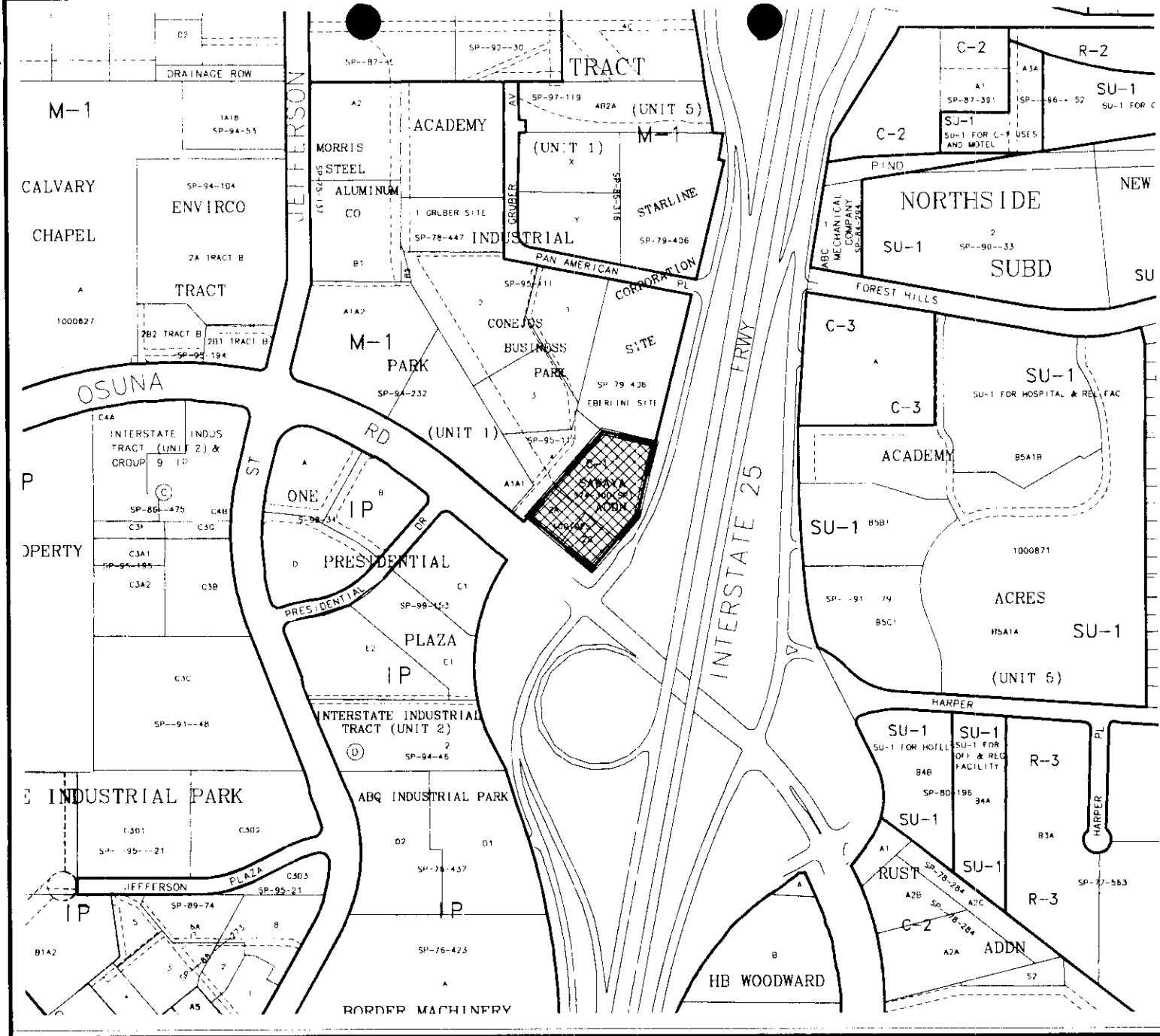
NM EDUCATOR FEDERAL CREDIT
6501 INDIAN SCHOOL RD NE
ALBUQUERQUE NM 87110

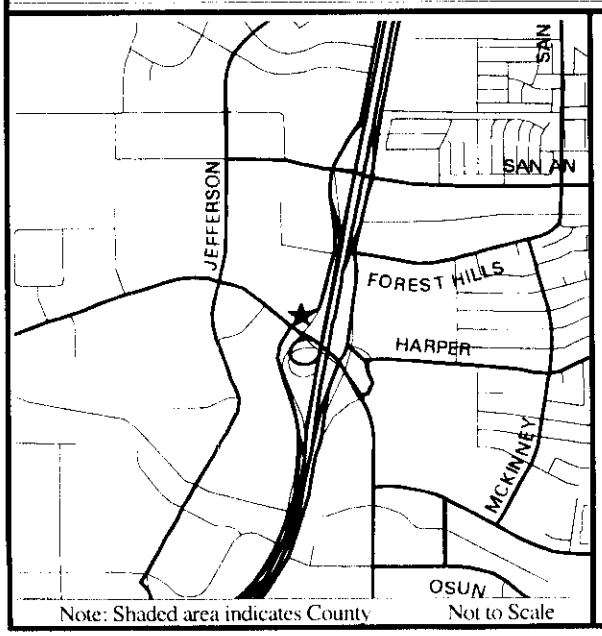
101206242440710224

BRENNAN WILLIAM T & BENITA
PO BOX 675
CORRALES NM 87048

101206234525210225

ALB CHRISTIANS CHILDRENS HOM
1701 GOLD AV SE
ALBUQUERQUE NM 87106





Note: Shaded area indicates County

Not to Scale

ZONING MAP

AGIS

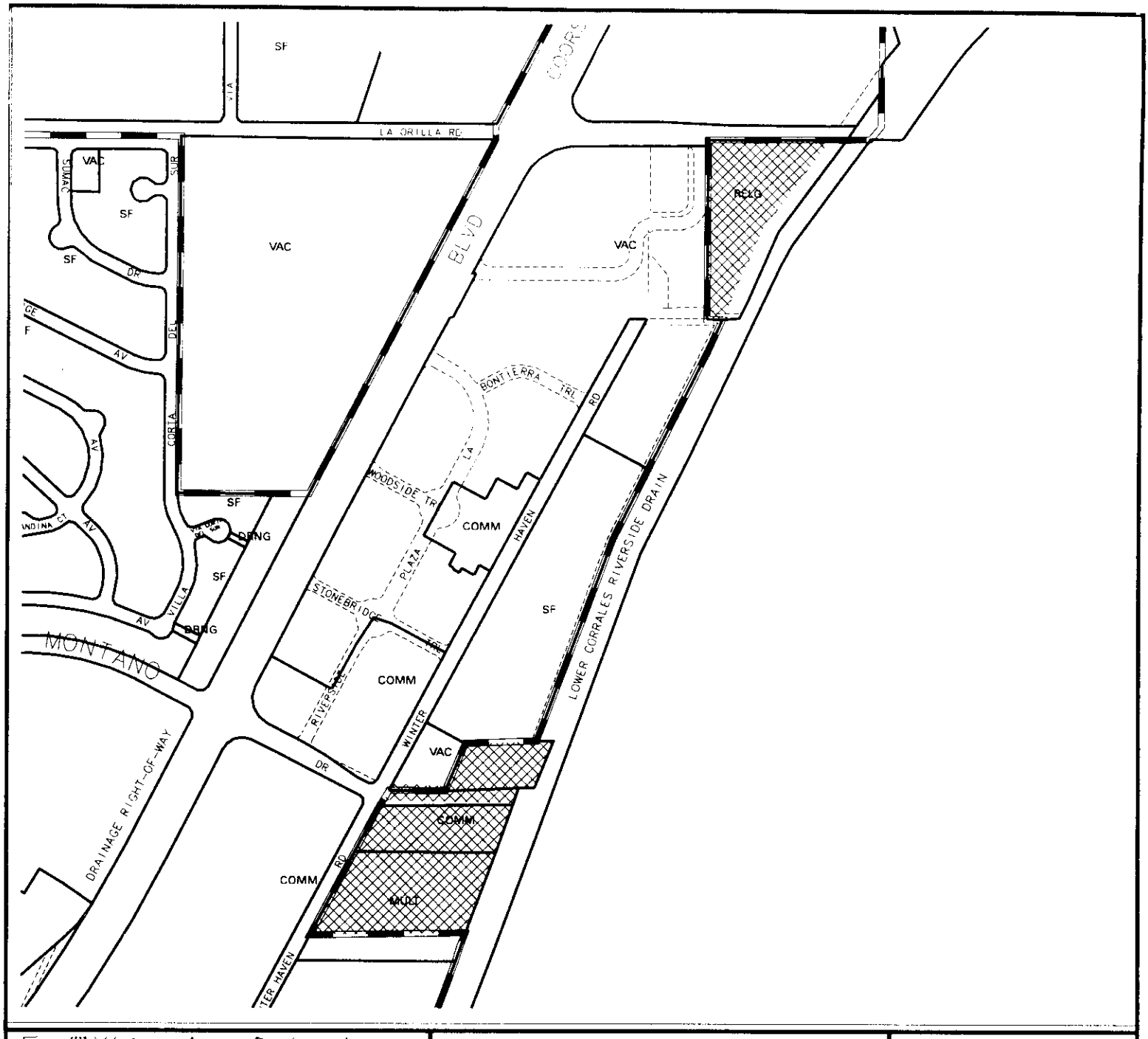
Scale 1" = 529 '

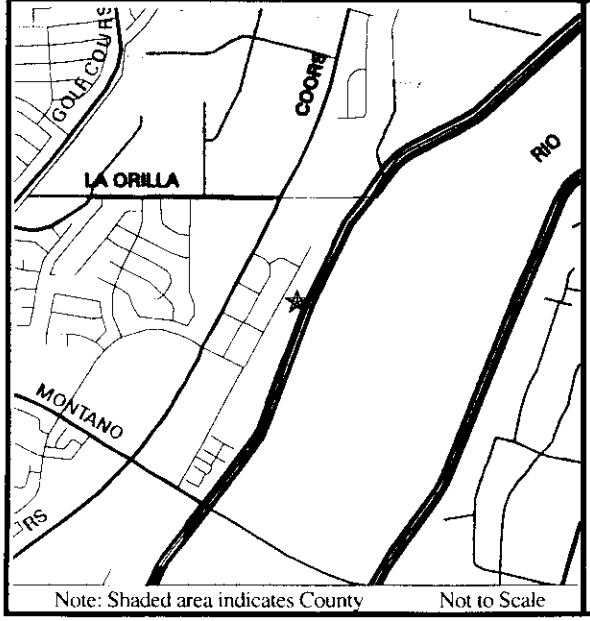
PROJECT NO.
1001445

HEARING DATE
10-18-01

MAP NO.
E-17

APPLICATION NO.
01110-00000-01244





Note: Shaded area indicates County Not to Scale

LAND USE MAP

KEY to Land Use Abbreviations

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

AGIS

Scale 1"= 523'

PROJECT NO.
1001445

HEARING DATE
10-18-01

MAP NO.
E-12

APPLICATION NO.
01110-00000-01244

App#_____
Proj#_____

PROPERTY OWNERSHIP / LEGAL LIST

Date:_____

Page 1 Of 1

Zone Atlas Page	Zone Atlas #	Grid Location	Parcel Sequence	Name & Address			
E-17	1018062	426-344	102-01	✓ 1018062	016-217	303	26 ✓
		438-461	02	✓	006-225		31 ✓
		418-369	23	✓	017-253		37 ✓
		384-380	20	✓			
		409-392	22	✓ mf			
		423-419	21	✓ mf			
		451-401	24	✓			
		352-305	401-25	✓ mf			
		380-333	27	✓ mf			
		343-217	26	✓			
		324-226	08	✓			
		496-186	402-14	✓			
		505-211	15	✓			
		326-338	103-01	✓ mf			
		350-358	05	✓			
E-18	1018062	106-315	202-10	✓ mf			
		103-346	05	✓ mf			
		064-362	01	✓ mf			
		011-469	32	✓ mf			

1017062 *** THIS UPC CODE HAS NO MASTER RECORD ON FILE

101706242634410201 LEGAL: TR 2 SAW AYA ADDN CONT 1.0 AC LAND USE:
PROPERTY ADDR: 00000 4451 OSUNA RD NE
OWNER NAME: ARROYO BOREALIS LTD CO
OWNER ADDR: 07600 PAN AMERICAN FW NE ALBUQUERQUE NM 87109

101706243846110202 LEGAL: TR 1 SAW AYA ADDN CONT 2.0 AC LAND USE:
PROPERTY ADDR: 00000 6921 PAN AMERICAN FWY NE
OWNER NAME: JAYMEM ENTERPRISES LIMITED
OWNER ADDR: 07112 PAN AMERICAN FR NE ALBUQUERQUE NM 87109

[illegible]06241836910223 LEGAL: TR 4 PLA T OF TRS 1, 2, 3 & 4 CONEJOS BUSINESS PARK LAND USE:
PROPERTY ADDR: 00000 4501 OSUNA RD NW
OWNER NAME: SEAVEY FMLY LMTD PARTNERSHIP
OWNER ADDR: 00057 ROCK POINT PL NE ALBUQUERQUE NM 87122

101706238438010220 LEGAL: TR A -1-A -1 PLAT OF TR A-1-A-1 & TR A-1-A-2 UNIT 1 LAND USE:
PROPERTY ADDR: 00000 4441 OSUNA RD NE
OWNER NAME: PTR HOMESTEAD VILLAGE
OWNER ADDR: 07777 MARKET CENTER AV EL PASO TX 79912

101706240939210222 LEGAL: TR 3 PLA T OF TRS 1, 2, 3 & 4 CONEJOS BUSINESS PARK LAND USE:
PROPERTY ADDR: 00000 4511 OSUNA RD NW
OWNER NAME: VISTA HILLS PARTNERS
OWNER ADDR: 00057 ROCK POINT PL NE ALBUQUERQUE NM 87122

101706242341910221 LEGAL: TR 1 PLA T OF TRS 1, 2, 3 & 4 CONEJOS BUSINESS PARK LAND USE:
PROPERTY ADDR: 00000 4531 PAN AMERICAN PL NE
OWNER NAME: VISTA HILLS PARTNERS
OWNER ADDR: 00057 ROCK POINT PL NE ALBUQUERQUE NM 87122

101706245140110226 LEGAL: PORT OF ACADAMY INDUST PK UNIT 1 CONT 4.0 AC LAND USE:
PROPERTY ADDR: 00000 7021 PAN AMEICAN FRY NE
OWNER NAME: PAN AMERICAN VENTURE
OWNER ADDR: 05635 JEFFERSON ST NE ALBUQUERQUE NM 87109

101706235230540125 LEGAL: LT E PLA T OF ONE PRESIDENTIAL PLAZA (REPL OF LT 1 LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: HAGEN LAND DEVELOPMENT LLC
OWNER ADDR: 01589 HIGHWAY 7 MINNEAPOLIS MN 55305

101706238033340127 LEGAL: LT C PLA T OF ONE PRESIDENTIAL PLAZA (REPL OF LT 1 LAND USE:

PROPERTY ADDR: 00000 N/A
OWNER NAME: HAGEN LAND DEVELOPMENT LLC
OWNER ADDR: 01589 HIGHWAY 7 MINNEAPOLIS MN 55305

101706236326740126 LEGAL: LT 2 BLK D PLAT OF LT 1 & LT 2 BLK D UNIT 2 INTERS LAND USE:
PROPERTY ADDR: 00000 6200 JEFFERSON ST NE
OWNER NAME: HPI/GSA-1A LLC
OWNER ADDR: 00227 WEST TRADE ST CHARLOTTE NC 28202

101706237422640108 LEGAL: LTS D-1 AND D-2 2ND AMENDED REPL OF LT D ALBUQUERQ LAND USE:
PROPERTY ADDR: 00000 6104 JEFFERSON NE
OWNER NAME: I & J INVESTMENTS
OWNER ADDR: 00000 PO BOX 30007 ALBUQUERQUE NM 87190

101706249618640214 LEGAL: LAND S OF H B WOODWARD & SOUTHWESTERN CONST CO TR B LAND USE:
PROPERTY ADDR: 00000 6401 SAN MATEO NE
OWNER NAME: SANDIA FOUNDATION
OWNER ADDR: 00700 LOMAS BL NE ALBUQUERQUE NM 87102

101706250521140215 LEGAL: TR A LAN DS OF H B WOODWARD & SOUTHWESTERN CONST CO LAND USE:
PROPERTY ADDR: 00000 6821 SAN MATEO BLV NE
OWNER NAME: TEXACO REFINING & MARKETING
OWNER ADDR: 00000 PO BOX 7813 UNIVERSAL CITY CA 91618

101706232633810301 LEGAL: LT D PLA T OF ONE PRESIDENTIAL PLAZA (REPL OF LT 1 LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: HAGEN LAND DEVELOPMENT LLC
OWNER ADDR: 01589 HIGHWAY 7 MINNEAPOLIS MN 55305

101706235035810305 LEGAL: LT B PLA T OF ONE PRESIDENTIAL PLAZA (REPL OF LT 1 LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: CHARTER BANK
OWNER ADDR: 02130 EUBANK BL NE ALBUQUERQUE NM 87112

101806200631520210 LEGAL: TRAC T B- 5-C-1 PLAT OF TRS B5A1, B5B1, B5C1 AND B5C LAND USE:
PROPERTY ADDR: 00000 OSUNA
OWNER NAME: PRESBYTERIAN HEALTHCARE SERV
OWNER ADDR: 00000 PO BOX 26666 ALBUQUERQUE NM 87125

101806200334620205 LEGAL: TRAC T B- 5-B-1 PLAT OF TRS B5A1, B5B1, B5C1 AND B5C LAND USE:
PROPERTY ADDR: 00000 6100 PAN AMERICAN FWY NE
OWNER NAME: PRESBYTERIAN PROPERTIES INC
OWNER ADDR: 00000 PO BOX 26666 ALBUQUERQUE NM 87125

101806206436220201 LEGAL: TRAC T B- 5-A-1 PLAT OF TRS B5A1, B5B1, B5C1 AND B5C LAND USE:
PROPERTY ADDR: 00000 5900 FOREST HILLS DR NE
OWNER NAME: PRESBYTERIAN HEALTHCARE SERV
OWNER ADDR: 00000 PO BOX 26666 ALBUQUERQUE NM 87125

101806201140920232 LEGAL: TR A ACA DEMY ACRES SUBD UNIT 5 CONT 4.73 AC LAND USE:
PROPERTY ADDR: 00000 6200 PAN AMERICAN FWY NE
OWNER NAME: PRESBYTERIAN HEALTHCARE
OWNER ADDR: 00000 PO BOX 26666 ALBUQUERQUE NM 87125

101806201621730326 LEGAL: TRAC T A- 2-B SUMMARY PLAT TRACT 'A-2' OF RUST ADDN LAND USE:
PROPERTY ADDR: 00000 6500 SAN MATEO NE
OWNER NAME: TACO CABANA OF EL PASO INC

OWNER ADDR: 00006 CALLE ROSA PLACITAS NM 87043

101806200622530331 LEGAL: NORT H PO RT OF TR 2 LAND OF JACK RUST CONT 0.798 AC LAND USE:
PROPERTY ADDR: 00000 6828 SAN MATEO NE
OWNER NAME: RIO GRANDE OIL CO OF BERN CO
OWNER ADDR: 00000 PO BOX 25564 ALBUQUERQUE NM 87125

101806201725330337 LEGAL: TRAC T B- 4B A SUMMARY REPLAT OF TRACT B-4 ACADEMY A LAND USE:
PROPERTY ADDR: 00000 6000 PAN AMERICAN FWY NE
OWNER NAME: 6000 PAN AMERICAN INC
OWNER ADDR: 01950 STEMMONS FRWY 5008 DALLAS TX 75201

101706242634410201

ARROYO BOREALIS LTD CO
7600 PAN AMERICAN FW NE
ALBUQUERQUE NM 87109

101706238438010220

PTR HOMESTEAD VILLAGE
7777 MARKET CENTER AV
EL PASO TX 79912

101706235230540125

HAGEN LAND DEVELOPMENT LLC
1589 HIGHWAY 7
MINNEAPOLIS MN 55305

101706249618640214

SANDIA FOUNDATION
700 LOMAS BL NE
ALBUQUERQUE NM 87102

101806201621730326

TACO CABANA OF EL PASO INC
6 CALLE ROSA
PLACITAS NM 87043

101706243846110202

JAYMEM ENTERPRISES LIMITED
7112 PAN AMERICAN FR NE
ALBUQUERQUE NM 87109

101706240939210222

VISTA HILLS PARTNERS
57 ROCK POINT PL NE
ALBUQUERQUE NM 87122

101706236326740126

HPI/GSA-1A LLC
227 WEST TRADE ST
CHARLOTTE NC 28202

101706250521140215

TEXACO REFINING & MARKETING
PO BOX 7813
UNIVERSAL CITY CA 91618

101806200622530331

RIO GRANDE OIL CO OF BERN CO
PO BOX 25564
ALBUQUERQUE NM 87125

101706241836910223

SEAVEY FMLY LMTD PARTNERSHI
57 ROCK POINT PL NE
ALBUQUERQUE NM 87122

101706245140110226

PAN AMERICAN VENTURE
5635 JEFFERSON ST NE
ALBUQUERQUE NM 87109

101706237422640108

I & J INVESTMENTS
PO BOX 30007
ALBUQUERQUE NM 87190

101706235035810305

CHARTER BANK
2130 EUBANK BL NE
ALBUQUERQUE NM 87112

101806201725330337

6000 PAN AMERICAN INC
1950 STEMMONS FRWY 5008
DALLAS TX 75201

City of Albuquerque

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August 29, 2001

Russell Brito
COA/Planning Dept.
600 2nd Street NW, 3rd Floor/87102
Phone #: 924-3337 Fax #: 924-3339

Dear Russell:

Thank you for your inquiry of **August 29, 2001** requesting the names of Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed **LOTS 1,2,3 AND 4, WEST BANK ESTATES, AND LOTS A,B AND C, POOLE-SUZANNE H** zone map page(s) **F-11,12.**

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 or by fax at 924-3913.

Sincerely,

Dalaina L. Carmona

OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

planningrnaform(11/5/98)

NOTICE TO APPLICANTS

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETT

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 numbe (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 th 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 facilitie
5. The name, address and telephone number of the applicant and of the agen any). In particular the name of an individual contact person will be helpful s a neighborhood associations may contact someone with questions or comments.

* *

(below this line for OCNC use only)

Date of Inquiry: _____ Time Entered: _____ OCNC Rep. Initials: DC

"ATTACHMENT A"

Russell Brito
COA/Planning Dept.
Zone Map – F-11,12

LA LUZ DEL SOL N.A. (R)
***Ray Graham** *e-mail:* onewest@aol.com
One Wind NW/87120 898-5600 (message)
Ed Swenson
One Wind NW/87120 898-5600 (message)

Council District: 5
County District: 1
Police Beat: 129/WS/Z-A
Zone Map #: F-11
Community Id Dist.: Westside

LA LUZ LANDOWNERS ASSOC. (R)
***Bennett King**
10 Arco NW/87120 792-0118 (h)
Rae Perls
15 Tennis Court NW/87120 898-8833 (h)

Council District: 5
County District: 1
Police Beat: 129/WS/Z-A
Zone Map #: F-11
Community Id Dist.: Westside

LADERA HEIGHTS N.A.
***Shari Lewis**
P.O. Box 66328/87193 247-4800 (w) 301-5995 (cell)
Tena Prescott
3804 67th St. NW/87120 839-5072 (h)

Council District: 5
County District: 1
Police Beat: 131,134,136/WS/Z-C
Zone Map #: G-F-10-11
Community Id Dist.: Westside

QUAKER HEIGHTS N.A. (R)
***Matthew Baca** *e-mail:* baca@unm.edu
5125 Northern Trail NW/87120 352-9428 (h) 246-6418 (w)
Melonie Matthews *e-mail:* Mel2me@juno.com
3200 Coors Rd. NW #K235/87120 352-5645 (h) 836-2810 (w)

Council District: 5
County District: 1
Police Beat: 129/WS
Zone Map #: F-10-11
Community Id Dist.: Westside

SANTA FE VILLAGE N.A. (R)
***Bruce Beach** *email:* lkbbcb@thontek.net
6021 Creggs NW/87120 897-3674 (h) 342-3331 (w)
Bill Leninger *e-mail:* turner66@earthlink.net
6708 Gleason Ave. NW/87120 899-8797 (h)
Website: http://www.sfvna.org **E-mail:** sfvna@egroups.com

Council District: 5
County District: 1
Police Beat: 124/WS/Z-A
Zone Map #: E-F-10
Community ID Dist: Westside

TAYLOR RANCH N.A. (R)
***Virginia M. Klebesadel** *e-mail:* vmkinabq@aol.com
4416 Gooseberry Rd. NW/87120 898-9173 (h)
Jolene Wolfley *e-mail:* jostler-wolfley@hotmail.com
6804 Staghorn Dr. NW/87120-4806 890-9414 (h)
E-mail: TRNAnews@aol.com

Council District: 5
County District: 1
Police Beat: 119,121,122,124-127/WS/Z-A
Zone Map: C-F-11-14
Community ID Dist: Westside

City of Albuquerque

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August 29, 2001

Russell Brito
COA/Planning Dept.
600 2nd Street NW, 3rd Floor/87102
Phone #: 924-3337 Fax #: 924-3339

Dear Russell:

Thank you for your inquiry of **August 29, 2001** requesting the names of Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed **LOTS A,B AND C, NORTH SWITCHING STATION ADDITION, LARDNER TRACT, LOT B, SANDIA UPHOLSTERING COMPANY** zone map page(s) **F-16,17.**

Our records indicate that the Recognized Neighborhood Association(s) affected by this propo 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 or by fax at 924-3913.

Sincerely,

Dalaina L. Carmona
OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

planningrnaform(11/5/98)

NOTICE TO APPLICANTS

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

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   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: ________ Time Entered: ________ OCNC Rep. Initials: DC

"ATTACHMENT A"

Russell Brito
COA/Planning Dept.
Zone Map – F-16,17

HODGIN N.A. (R)
***Mary Lou Spells** *e-mail:* jnspells@e-mail.msn.com
4109 San Andres NE/87110 883-0069 (h)
Jennifer S. Klatt *e-mail:* abaklatt@swcp.com
4205 San Andres NE/87110 830-4708 (h)
Website: www.geocities.com/abqhna

Council District: 2
County District: 3
Police Beat: 413/NE
Zone Map #: F-G-17
Community Id Dist.: Mid-Hgts.

MONTGOMERY HEIGHTS N.A. (R)
***Bob Swartwood**
3517 Hendrix Rd. NE/87107 881-3151 (h)
Karen Schueler
3504 Delamar NE/87107 889-0103 (h)

Council District: 2
County District: 3
Police Beat: 413/NE
Zone Map #: G-16
Community Id Dist.: N. Valley

VINEYARD N.A.
John MacKenzie
416 Mission NE/87107 345-7645 (h) 345-2010 (w)

Council District: 2&County
County District: 1&3
Police Beat: 242/VA
Zone Map: F-15-16
Community ID Dist: N. Valle

City of Albuquerque

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August 29, 2001

Russell Brito
COA/Planning Dept.
600 2nd Street NW, 3rd Floor/87102
Phone #: 924-3337 Fax #: 924-3339

Dear Russell:

Thank you for your inquiry of **August 29, 2001** requesting the names of Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed **LOT A1B, A1, A2 AND PRIVATE ROAD EASEMENT OF TAYLOR-JOEL P. AND ABQ CHRISTIAN CHILDREN'S HOME** zone map page(s) **E-12.**

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

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Sincerely,

Dalaina L. Carmona

OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

planningrnaform(11/5/98)

NOTICE TO APPLICANTS

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

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5. The name, address and telephone number of the applicant and of the agen any). In particular the name of an individual contact person will be helpful s neighborhood associations may contact someone with questions or comments.

* *

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Date of Inquiry: _____ Time Entered: _____ OCNC Rep. Initials: DC

"ATTACHMENT A"

Russell Brito
COA/Planning Dept.
Zone Map – E-12

ALBAN HILLS N.A.
***Jack Scott** *e-mail:* jakalyn@uswest.net
6417 Camino Del Arrebol NW/87120 898-5009 (h)
Bonnie Kelley *e-mail:* bonnie3928@aol.com
6417 Camino Del Arrebol NW/87120 898-8201 (h)

Council District: 5&County
County District: 1
Police Beat: 121,122/WS/Z-A
Zone Map #: C-E-11-14
Community Id Dist.: Westside

LA LUZ DEL SOL N.A. (R)
***Ray Graham** *e-mail:* onewest@aol.com
One Wind NW/87120 898-5600 (message)
Ed Swenson
One Wind NW/87120 898-5600 (message)

Council District: 5
County District: 1
Police Beat: 129/WS/Z-A
Zone Map #: F-11
Community Id Dist.: Westside

SAGECREST H.O.A.
***William Silva**
5700 Cactus Flower NW/87120 899-8561 (h)
Barbara Mueller
4904 Alberta Ln. NW/87120 898-7755 (h)

Council District: 5
County District: 1
Police Beat: 128/WS/Z-A
Zone Map #: E-11
Community Id Dist.: Westside

TAYLOR RANCH N.A. (R)
***Virginia M. Klebesadel** *e-mail:* vmkinabq@aol.com
4416 Gooseberry Rd. NW/87120 898-9173 (h)
Jolene Wolfley *e-mail:* jostler-wolfley@hotmail.com
6804 Staghorn Dr. NW/87120-4806 890-9414 (h)
E-mail: TRNAnews@aol.com

Council District: 5
County District: 1
Police Beat: 119,121,122,124-127/WS/Z-A
Zone Map: C-F-11-14
Community ID Dist: Westside

City of Albuquerque

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August 29, 2001

Russell Brito
COA/Planning Dept.
600 2nd Street NW, 3rd Floor/87102
Phone #: 924-3337 Fax #: 924-3339

Dear Russell:

Thank you for your inquiry of **August 29, 2001** requesting the names of Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed **UNPLATTED, PRESLEY CO. OF NEW MEXICO** zone map page(s) **B-14.**

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

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Sincerely,

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OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

planningrnaform(11/5/98)

NOTICE TO APPLICANTS

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTER

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: ________ Time Entered: ________, OCNC Rep. Initials: DC

"ATTACHMENT A"

Russell Brito
COA/Planning Dept.
Zone Map – B-14

BOSQUE DELL ACRES N.A.
***Tom Schroeder** *e-mail:* schroeder@swmls.com
9731 Loretta Dr. NW/87114 890-9137 (h) 924-2118 (w)
David Neuman *e-mail:* afcc@thuntek.net
1515 Erwin NW/87114 792-8633 (h)

Council District: County
County District: 1
Police Beat:
Zone Map #: B-14
Community Id Dist.: Westside

RIVERFRONTE ESTATES N.A., INC. (R)
***Ginger Carman** *e-mail:* RGAACaarman@aol.com
1728 Rusty Rd. NW/87114 792-7444 (h)
Gary Plante *e-mail:* gpsouthwest@aol.com
1692 Pace Rd. NW/87114 235-2020 (h)

Council District: 5&County
County District: 1
Police Beat:
Zone Map #: B-C-13-14
Community Id Dist.: Westside

WINDMILL ESTATES AREA N.A.
***Elaine K. Bickerstaff**
9839 Windmill Ct. NW/87114 898-5529 (h)
Ron Bohannan
9851 Cita Rd. NW/87114 898-4525 (h) 883-7592 (w)

Council District: County
County District: 1
Police Beat:
Zone Map: B-13-14
Community ID Dist: Westside

GARCIA/KRAEMER&ASSOCIATES

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

August 20, 2001

Richard Dineen, Manager
Development Services Division
Planning Department
City of Albuquerque

HAND DELIVERED

RE: Establishment of Zoning
Tract A-2 and a portion of Tract A-1
Lands of Joel P. Taylor

Dear Mr. Dineen:

The purpose of this letter is to request establishment of appropriate zoning for the subject property. This property was annexed by the Municipal Boundaries Commission on August 7, 2001. The EPC has scheduled a public hearing to consider the establishment of zoning on September 20, 2001.

This firm represents Dr. Harrith Hasson and Sharon Sharrett, the owners of Tract A-2 and a portion of Tract A-1, Lands of Joel P. Taylor. The primary use of this property is single-family residential. However, Ms. Sharrett has a commercial herb garden which she anticipates will eventually result in the production of herbal products for sale to the public. The production of these products may require other materials in addition to the herbs grown on-site. The ultimate activity will remain a relatively small "cottage industry". The Zoning Code classifies it as a manufacturing activity requiring at least C-2 zoning.

In addition, the owner anticipates that a small greenhouse will be constructed on the site. No additions to the existing structures are proposed. All of the activities are to be conducted within the existing accessory structure except, of course, the garden and greenhouse. Attached is Exhibit A which reflects the existing structures on the site and the small proposed greenhouse. Although it appears that the uses envisioned as described above could be uses that are permitted in the RA-1 zone, the fact that some manufacturing will take place is of concern and, therefore, we request that the property be zoned SU-1 for RA-1 uses (permissive and conditional) and the processing, manufacturing , treatment and sale of herbal products.

We also request that the SU-1 zoning be established with the following conditions:

1. That attached Exhibit A shall be the approved site plan. No further requirement for a site development plan be imposed unless additional structures are proposed in the future.

Please call us if you have any questions or need additional information.

Sincerely,

PHIL GARCIA
PG/tdl

#97010196ml

PLAT OF SURVEY OF TRACT A-2

AND A PORTION OF TRACT "A-1"

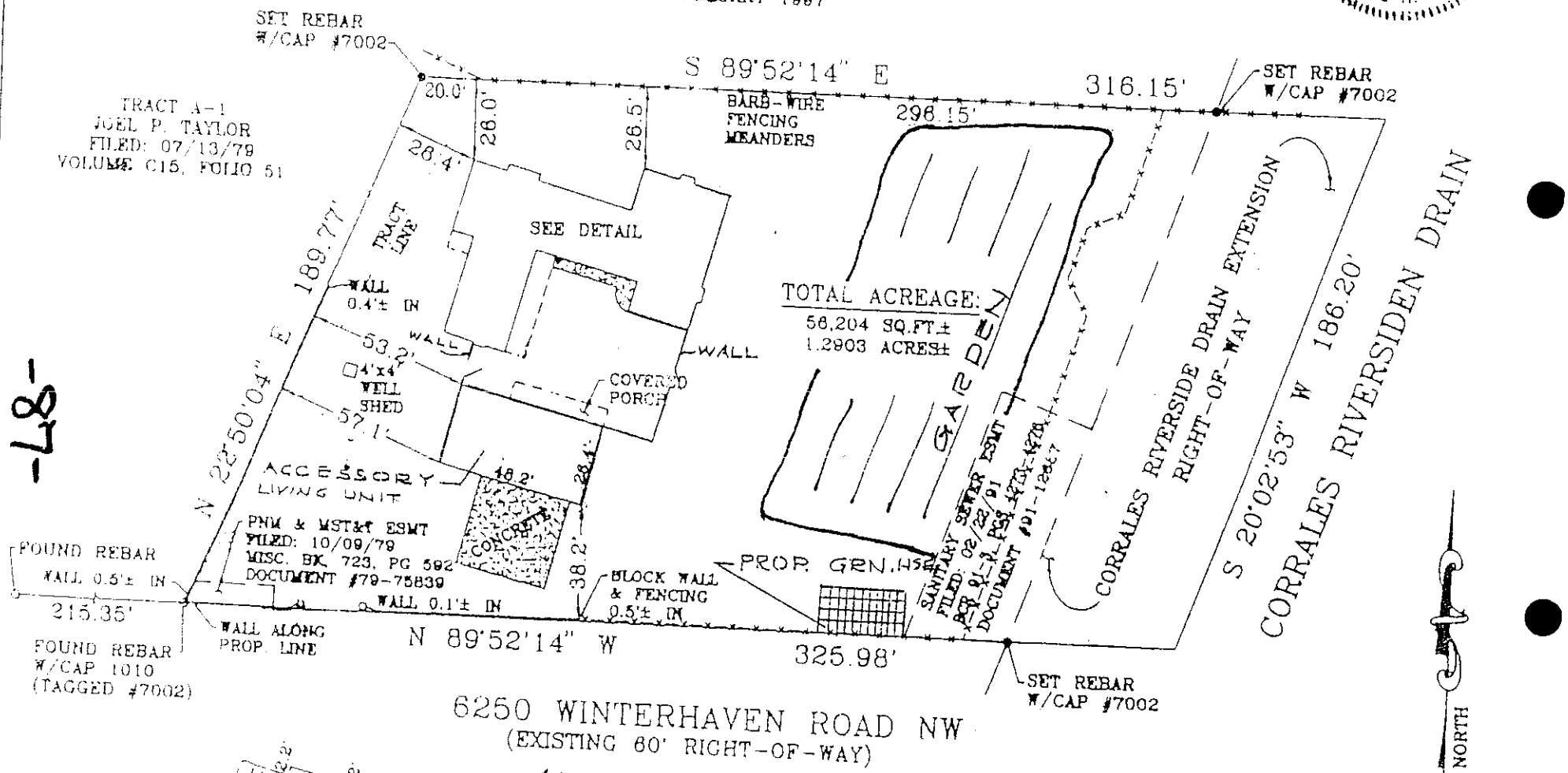
JOEL P. TAYLOR

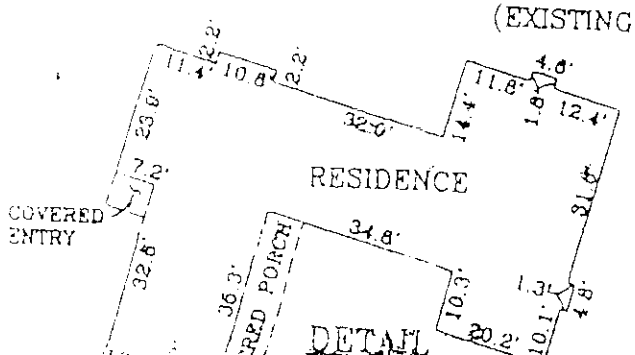
ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO

FEBRUARY 1997

EXHIBIT A

REGISTERED PROFESSIONAL SURVEYOR NEW MEXICO 7002 DOUGLAS H. SMITH





GRAPHIC SCALE

(IN FEET)

1 inch = 50 ft.

LS30-21B

NOTE: BEARINGS AND DISTANCES ARE BASED UPON

-87-

MYERS, OLIVER & PRICE, P.C.
LAWYERS
1401 CENTRAL AVENUE, N.W.
ALBUQUERQUE, NEW MEXICO 87104

JOHN A. MYERS
SCOTT OLIVER*
CHARLES P. PRICE III
KEVIN J. McCREADY
HOPE MEAD WYNN

*ALSO LICENSED IN TEXAS

TELEPHONE
(505)247-9080

FACSIMILE
(505)247-9109

e-mail: jmyers@moplaw.com

September 20, 2001

Via Facsimile 924-3339
Russell Brito, Planner
City Planning Dept.

Re: Lot 2A, Sawaya Addition

Dear Russell:

This office represents Jeannie Christensen, and her husband, Barry Schuster. On October 20, 2000, Ms. Christensen contracted to purchase the westerly one-half (½) of what was then Lot 2 of the Sawaya Addition. To facilitate this sale, Lot 2 has been replatted into Lots 2A and 2B of the Sawaya Addition. Additionally, a structure covering a portion of the arroyo traversing this property has been approved by the City and is under construction. The closing of the purchase of Lot 2A is scheduled for September 24, 2001.

Ms. Christensen and Mr. Schuster are the owners of the Oasis Restaurant, which is presently located at 5400 San Mateo Boulevard NE, Albuquerque, New Mexico 87109. The Oasis Restaurant has been in operation for 19 years. The Restaurant has a full alcoholic beverage dispenser's licence.

Lot 2A is being purchased to accommodate the relocation of the Oasis Restaurant. It will be a modest size restaurant as a result of the constraints of Lot 2A, principally the large arroyo crossing through the middle of this Lot.

As a result of the recent annexation of Lot 2A, it is my understanding that you are going to process a zoning request. You have advised me that the City intends to request SU-1 for C-1 uses for this Lot. We request that the proposed zoning be modified to either be SU-1 for C-2 uses or to include sale of alcoholic beverages for on site consumption. This will accommodate the relocation of the Oasis Restaurant to this site.

The properties surrounding the Sawaya Addition, west of the freeway, are all zoned either M-1 or I-P for a substantial distance. There are no residential properties in the vicinity of the Sawaya Addition. This is an appropriate location for the uses which we request.

Please call if you need additional information or would like to discuss this matter further. Thank you.

Sincerely,

Myers, Oliver & Price, P.C.

By: _____
John A. Myers

JAM/mnh

cc: Jeannie Christensen (via facsimile)
Barry Schuster (via facsimile)

CONSENSUS

Ms. Elizabeth Begay, Chair
Environmental Planning Commission
600 W 2nd Street
Albuquerque, NM 87102

Re: Establishment of Zoning for Tract 13, Black Ranch Project #1001445, Application #01110-01244, Zone Map B-14

Dear Chairman Begay:

The purpose of this letter is to request the Environmental Planning Commission's review and recommendation for approval of a Site Plan for Subdivision for Tract 13, Black Ranch. This request is made on behalf of Tortilla, Inc. This property has been annexed into the City of Albuquerque by the State of New Mexico Municipal Boundary Commission (No. 01-01, August 16, 2001) and City Planning staff has recommended SU-1 for C-1 uses with restaurants with liquor for on-site consumption. The property owner is in agreement with the proposed zoning, but would request that the EPC consider the attached Site Plan for Subdivision based upon the following:

1. The Special Use Permit and Site Plan were approved by the Bernalillo County Commission on February 27, 1996 (See attached Amended Notification of Decision CO-96-1/CSU-96-1 March 8, 1996).

2. The District Court affirmed the County's approval (see attached final order filed November 19, 1996)

3. The District Court denied the Motion for Reconsideration (see attached Memorandum Order filed December 10, 1996).

4. The Court of Appeals affirmed the District Courts decision (see attached Memorandum Opinion filed April 3, 1998).

5. The Court of Appeals denied a requested Motion for Rehearing (see attached Order filed May 4, 1998).

6. The Petition for Writ of Certiorari was denied by the Supreme Court of the of the State of New Mexico (see attached order dated June 16, 1998).

A portion of the property (which includes the archaeological site) was annexed in 1997 (City Council Bill # F/S O-81, Enactment #25-1997 July 7, 1997) and was zoned SU-1 for O-1. The requested action on the Site Plan for Subdivision

covers the formerly annexed portion of the property, as well as, the portion covered by the current annexation order.

The Site Plan for Subdivision that accompanies this request addresses several critical issues, summarized as follows:

1. The Calabacillas Pueblo archaeological site is located on this property and is identified for preservation, additional archeological testing, and dedication to an appropriate agency.

2. Due to the archaeological site and the exceptionality of the property, a variance to the Coors Corridor Plan was approved by the County and is identified on the proposed Site Plan for Subdivision.

3. Specific conditions relating to building location, noise, lighting, etc. were required by the County and are included as a part of the Site Plan for Subdivision to mitigate concerns by the adjoining neighbors.

4. Our current proposal modifies the County conditions to comply with City of Albuquerque policies.

Thank you for your consideration of this request, and I look forward to presenting this case to you and the rest of the EPC at your October hearing.

Sincerely,

James K. Strozier, AICP
Principal

Attachments: BCC Notice of Decision
District Court Affirmation
District Court Denial of Request for Reconsideration
Court of Appeals Affirmation
Court of Appeals Denial of Request for Rehearing
Supreme Court of New Mexico's Denial of the Writ of Certiorari

c: EPC Members
Mr. Russell Brito, City Planning
Dr. Matt Schmader, City Open Space
Mr. Joe David Montaño, City Transportation
Mr. Ed Boles, City Planning
Mr. John Johnstone, Tortilla, Inc.
Mr. Dennis Jontz, Eastham, Johnson, and Jontz, P.C.

Exhibit 1

County of Bernalillo

State of New Mexico

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

BOARD OF COUNTY COMMISSIONERS
ALBERT "AL" VALDEZ, CHAIRMAN
DISTRICT 2
KEN SANCHEZ, VICE CHAIR
DISTRICT 1
EUGENE M. GILBERT, MEMBER
DISTRICT 3
BARBARA J. SEWARD, MEMBER
DISTRICT 4
LES HOUSTON, MEMBER
DISTRICT 5
JUAN R. VIGIL, COUNTY MANAGER

DAVID K. ANDERSON, ASSE
JUDY D. WOODWARD, CLERK
THOMAS J. MESCALL, PROBATE JUDGE
JOE BOWDICH, SHERIFF
H. R. FINE, TREASURER

AMENDED
NOTIFICATION OF DECISION
BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

March 8, 1996

C.J. and Dorothy Vasquez
10113 Bosque Circle NW
Albuquerque, NM 87114

Subject: FILE No.: CO-96-1/CSU-96-1

PROPERTY: TRACT 13, NORTHEAST PORTION OF BLACK RANCH, LOCATED EAST OF COORS BOULEVARD NW BETWEEN SEVEN BAR LOOP AND ALAMEDA BOULEVARD NW, CONTAINING APPROXIMATELY 5.51 ACRES.

FINAL ACTION: APPROVED A SPECIAL USE PERMIT FOR PLANNED DEVELOPMENT AREA

At the February 27, 1996 public hearing, the Bernalillo County Board of County Commissioners DENIED your appeal of the Bernalillo Planning Commission's APPROVAL of a Special Use Permit for Planned Development Area, for Tract 13, northeast portion of Black Ranch, located east of Coors Boulevard NW between Seven Bar Loop and Alameda Boulevard NW Tract 13, northeast portion of Black Ranch, located east of Coors Boulevard NW between Seven Bar Loop and Alameda Boulevard NW, containing approximately 5.51 acres, based on the following Findings and subject to the following Conditions.

FINDINGS:

1. The Seven Bar Ranch Sector Plan has been amended several times and the original concept of light industrial and office park development in conjunction with the original mall has not been realized. The area has been developed into the regional retail, service commercial, and restaurant node for the West Side of Albuquerque and Rio Rancho.

2. The request is consistent with Resolution 116-86 recognizing the changed neighborhood conditions, location on Coors Boulevard, a major arterial, and the consistency of land uses to the north and west of the property.

3. The site plan is conceptual and includes sufficient detail to demonstrate that the project can be developed to accommodate the neighborhood's concern relative to screening headlights, visual screening, and location of the restaurant buildings more than 500 feet to the nearest house.

4. The requested variances to the Coors Corridor Plan will assist in mitigating potential impacts to the adjacent neighborhood and in preserving the Calabacillas Pueblo Archaeological Site.

5. Special design consideration relative to the archaeological site, neighborhood concerns, the existing gas line easement, and the Corrales Main Canal create a hardship for this property, and support the requested variance to the Coors Corridor Plan which will allow a reduction of the landscaped setback from 35 feet to 20 feet and allowance to build the two restaurants to a maximum of 30 feet.

6. The proposed agreement between Gardunos and the Archaeological Conservancy will be a true public/private partnership to assure the preservation of this important resource permanently at no cost to Bernalillo County.

CONDITIONS:

1. A detailed site plan shall be submitted to staff within 90 days including architectural elevations and landscaping consistent with the Coors Corridor Plan with the exception of the setback. The site plan shall show a

combination of landscaping, berm, and walls to a height of six feet to provide a buffer for the neighborhood. The landscaping shall include a mixture of large and small evergreens to provide for visual screening in the winter months as well as xeriscaping and cottonwoods. The landscaping and walls shall be contiguous on the east side of the site.

2. No outdoor music or paging shall be permitted and the use must comply with County Noise Ordinance.

3. A plat establishing the Pueblo site shall be required and the site shall be dedicated to the Archaeological Conservancy.

4. A plat establishing necessary cross access easements shall be required for the tract to the south in order to provide access to the Seven Bar Loop and Coors Boulevard Intersection.

5. Gated access shall be provided to the archaeological site.

6. Patio dining and viewing areas on the east side of the restaurant shall be limited and enclosed to protect the privacy of residents to the east.

7. Lighting shall be site specific. Lighting on the east side of the parking area shall be sensitive to, and shielded from, adjacent residences and limited in height.

8. Alcohol is to be served with the expectation of subsequent or concurrent meal service only as regulated by the State of New Mexico under a full service liquor license for restaurants.

9. This site plan is for approval of a phase I consisting of one restaurant and an office. Additional parking will be required for subsequent phases.

10. A complete grading and drainage plan shall be submitted for approval by AMAFCA and County Public Works.

11. A traffic impact analysis shall be submitted to County Public Works for approval.

Exhibit 2

SECOND JUDICIAL DISTRICT COURT
COUNTY OF BERNALILLO
STATE OF NEW MEXICO

ENDORSED
FILED IN MY OFFICE

NOV 19 1996

CLERK DISTRICT COURT

No. CV 96-03090 ADM

DOROTHY VASQUEZ, C.J. VASQUEZ,
and BOSQUE DELL ACRES
NEIGHBORHOOD ASSOCIATION,

Petitioners,

v.

BOARD OF COUNTY COMMISSIONERS
OF BERNALILLO COUNTY,

Respondent,

and

CONSENSUS PLANNING, INC.,
agent for TORTILLA INC., and
TORTILLA, INC.

Interested Parties.

FINAL ORDER

THIS MATTER came before the Court for hearing on October 22 1996 on Petitioners' Verified Petition for Review of Zonin Decision and for Writ of Certiorari, filed March 28, 1996. Th Court, having reviewed the record and having heard the argument o counsel and being otherwise fully advised in the premises, FINDS

A. The February 27, 1996 decision of Respondent, Board o County Commissioners of Bernalillo County, was reasonable and wa not fraudulent, arbitrary, or capricious;

B. The February 27, 1996 decision of Respondent was supporte by substantial evidence;

11082-00400/NSCH/A81244

C. Respondent acted within the scope of its author 1

reaching its February 27, 1996 decision; and

D. Respondent's action was in accordance with the law.

IT IS THEREFORE ORDERED that the February 27, 1996 decision o

Respondent, Board of Country Commissioners of Bernalillo County, b

and hereby is affirmed.

DIANE DAL SANTO
The Honorable Diane Dal Santo
District Court Judge

APPROVED:

KEMP, SMITH, DUNCAN & HAMMOND, P.C.

By _____
Dennis E. Jontz
Attorneys for Interested Parties
500 Marquette NW, Suite 1200
P.O. Box 1276
Albuquerque, New Mexico 87103
(505) 247-2315

Telephonic Approval 11/7/96
Patrick Trujillo
Bernalillo County Attorney
Attorney for Respondent
One Civic Plaza, 10th floor
Albuquerque, New Mexico 87102
(505) 768-4073

APPROVED AS TO FORM:

Hessel Yntema
Hessel E. Yntema, III
Attorney for Petitioners
215 Gold SW, Suite 201
Albuquerque, New Mexico 87103
(505) 843-9565

Exhibit 3

SECOND JUDICIAL DISTICT COURT
COUNTY OF BERNALILLO
STATE OF NEW MEXICO

ENDORSED
FILED IN MY OFFICE
DEC 1 8 1998
DISTRICT COURT

No. CV96-03090

DOROTHY VASQUEZ, C. J. VASQUEZ,
and BOSQUE DELL ACRES NEIGHBORHOOD
ASSOCIATION,
Plaintiff,

vs.

BOARD OF COUNTY COMMISSIONERS
BERNALILLO COUNTY,
Respondent,

and

CONSENSUS PLANNING, INC., agent for
TORTILLA, INC., and TORTILLA, INC,
Interested Parties.

MEMORANDUM ORDER

THIS MATTER COMING BEFORE the Court upon Plaintiff's Motion for Reconsideration, and the Court having reviewed the material submitted in connection with this motion,

FINDS tht the Motion is not well taken.

IT IS THEREFORE ORDERED that said motion is summarily denied.

DIANE DAL SANTO
DISTRICT JUDGE

Exhibit 4

APR 1998

IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO

DOROTHY VASQUEZ, C.J. VASQUEZ, and
BOSQUE DELL ACRES NEIGHBORHOOD
ASSOCIATION,

Petitioners-Appellants,

vs.

No. 18,06

BOARD OF COUNTY COMMISSIONERS OF
BERNALILLO COUNTY,

Respondent-Appellee,

and

CONSENSUS PLANNING, INC., agent for
TORTILLA INC., and TORTILLA, INC.,

Interested Parties.

COURT OF APPEALS OF NEW MEXICO
FILED
APR 3 1998
Patricia R. Wallace

APPEAL FROM THE DISTRICT COURT OF BERNALILLO COUNTY
Diane Dal Santo, District Judge

Hessel E. Yntema, III
Oman, Gentry & Yntema, P.A.
Albuquerque, New Mexico — Attorneys for Petitioners-Appellants

Patrick F. Trujillo
Assistant County Attorney
Albuquerque, New Mexico — Attorney for Respondent-Appellee

Dennis E. Jontz
Bruce E. Castle
Charlotte Lamont
Kemp, Smith, Duncan & Hammond, P.C.
Albuquerque, New Mexico — Attorneys for Interested Parties

MEMORANDUM OPINION

WECHSLER, Judge.

Appellants appeal from a district court order affirming a decision of the Board of County Commissioners of Bernalillo County (Board) granting Interested Parties' application for a special use

KEMP, SMITH, DUNCAN & HAMMOND, P.C.

permit for a certain tract of land. On appeal, Appellants ass that (1) all of their arguments being raised with this Court ha been preserved for our review; (2) compliance with Bernalil County Resolution 116-86 (Resolution 116-86) was a mandato precondition to issuance of the special use permit; (Interested Parties did not show that the existing zoning w inappropriate; (4) Interested Parties did not show sufficie changed conditions; (5) the Board's decision will be harmful the neighborhood; (6) the Board lacked authority to issue tl special use permit under the "planned development area" provision (7) the Board lacked authority to grant variances to the Coor Corridor Plan; (8) the decision conflicts with the Seven Bar Ranc Sector Plan and the Coors Corridor Plan (Seven Bar/Coors Plans) and (9) several findings of the Board are not supported b substantial evidence. We affirm.

<u>Pending Motions</u>

There are two motions currently pending in this appeal First, Interested Parties have filed a motion to strike certain issues being raised on appeal. Because we conclude that it is not necessary to dispose of any issues on preservation grounds, we hereby deny the motion to strike. Second, we have held in abeyance Appellants' motion for partial dismissal of appeal and remand, based on developments outside of the record filed July 11, 1997. We hereby deny this motion as well, because we agree with Interested Parties that the partial annexation of the property does not invalidate any of the conditions imposed under the

special use permit.

Factual Summary

This appeal involves a parcel of land in Bernalillo County (County) approximately 5.51 acres in size. Interested Parties filed a special use application with the County in November 1995, seeking to change the designation of the property from "A-1 with a Special Use Permit for O-1 (office) uses" to "Special Use for Planned Development Area (SU-PDA)." Among other things, Interested Parties claimed that changed conditions justified granting the application and that unusual circumstances, namely the presence of an important archaeological site on the property, made SU-PDA the appropriate use category. Appellants raised numerous objections, primarily focusing on alleged inconsistencies between the requested change, Resolution 116-86, and the Seven Bar/Coors Plans.

The County Planning Commission (CPC) held a hearing on January 3, 1996. The CPC granted the special use permit, subject to multiple conditions. On March 8, 1996, the issue came before the Board, which approved the special use permit, subject to fourteen conditions. As indicated by both the Board's findings and conditions, preservation of the archaeological site was a central consideration in the Board's decision. The district court affirmed the Board's decision after conducting a review pursuant to Rule 1-074 NMRA 1998.

Standard of Review

We review the Board's decision under the same standard that

governs district court review of zoning actions. See Downt Neighborhoods Ass'n v. City of Albuquerque, 109 N.M. 186, 189, P.2d 962, 965 (Ct. App. 1989). This standard is set forth in R 1-074(Q) as follows:

> Q. **Scope of Review.** The district court may reverse the decision of the agency if:
>
> (1) the agency acted fraudulently, arbitrarily or capriciously;
>
> (2) based upon the whole record on appeal, the decision of the agency is not supported by substantial evidence;
>
> (3) the action of the agency was outside the scope of authority of the agency; or
>
> (4) the action of the agency was otherwise not in accordance with law.

In considering the above factors, we look at the evidence in t light most favorable to the administrative decision. See S Pedro Mining Corp. v. Board of County Comm'rs, 121 N.M. 194, 20 909 P.2d 754, 763 (Ct. App. 1995).

Preservation

At our request, the parties have briefed the preservatic issue. Appellants argue that they may raise all of their issue on appeal. Relying on Dick v. City of Portales, 118 N.M. 541 543, 883 P.2d 127, 129 (1994), they contend that forma preservation is not required in administrative proceedings. The argue that to impose such a requirement would change the nature o zoning hearings from their present informal character, int something more akin to a trial. Additionally, Appellants maintai that issues relating to "scope of authority" do not need to be

preserved because the reviewing courts are specifically requir to consider them under Rule 1-074(Q)(3).

In response, Interested Parties and the County claim th Appellants' reading of the preservation holding in Dick is over broad. Further, they assert that Dick has been superseded by t formal preservation requirements set forth in Rule 1-074(K)(2 Interested Parties also contend that some issues that may hav been preserved at the administrative level were subsequent abandoned in the district court and are deemed waived for purpose of this appeal. Cf. State v. Gutierrez, 121 N.M. 191, 192-93, 9 P.2d 751, 752-53 (Ct. App. 1995) (discussing failure to preserv issue at district court level in an on-the-record appeal)

Although we appreciate the parties' efforts to brie chi issue for us, we conclude that the interplay between Rule 1-07 and the scope and viability of the preservation holding in Dick i a matter that we do not need to reach in this case. As explaine below, we affirm the issues being raised in this appeal on th merits, and we therefore do not find it necessary to dispose o any issues on lack of preservation grounds.

Compliance with Resolution 116-86, Seven Bar/Coors Plans

Initially, we note that the district court took judicia notice of the Comprehensive Zoning Ordinance Bernalillo Count (Zoning Ordinance), with Appendix A entitled Resolution 36 Although it declined to have the record supplemented with the ful text of the Seven Bar/Coors Plans, there are enough portions o these plans that were already in the record to allow for thei

consideration.

The bulk of the issues raised in this appeal conc Appellants' view that the Board's decision is in contravention Resolution 116-86 and the Seven Bar/Coors Plans. As a thresho matter, however, it is necessary for us to determine whether the documents had the full force and effect of law, or were mere general statements of policy that were not binding on the Boar With respect to Resolution 116-86, Appellants note that it attached as Appendix A to the Zoning Ordinance and that we shou give it the same legally-binding status as the resolutio discussed in our recent opinion in West Old Town Neighborhoo Ass'n v. City of Albuquerque, 1996-NMCA-107, ¶¶ 12, 13, 122 N.M 495, 927 P.2d 529. In response, Interested Parties and the Count argue that Resolution 116-86 simply lays out general polic considerations and formal procedures are set forth in the Zonin Ordinance. They contend that unlike West Old Town Neighborhoo Association, there was no evidence that Resolution 116-86 met al of the formalities of an ordinance.

Our review of the record does not support Appellants' clai that we are dealing with a resolution analogous to the one discussed in West Old Town Neighborhood Association. In contrast to that case, in which there was evidence that the resolution satisfied the procedural formalities for enacting an ordinance, see id. ¶ 13, Appellants only refer to the belief by County staff that they needed to comply with the resolution. We also note that the Board's findings indicate that it understood that its decision

should be consistent with Resolution 116-86. However, th decision by County staff and the Board to adhere to general .c guidelines does not transform policy into law. Such policies d not have the force of law unless they satisfy procedura formalities. See NMSA 1978, § 3-21-14 (1981); see generally Eugene McQuillin, The Law of Municipal Corporations § 15.02, at 6 (Beth A. Buday & Victoria A. Braucher, 3d ed. rev. vol. 1996) ("Of course, where the requisites and formalities for passing ar ordinance are not observed, a resolution does not have the effect of an ordinance."). Appellants do not argue and the record does not indicate that Resolution 116-86 satisfied these formalities.

With respect to the two plans at issue, Appellants appar ly concede that the Seven Bar Ranch Sector Plan has not been ad ed. Although they claim that the Coors Corridor Development Plan has been adopted, they provide no evidentiary support that any such adoption satisfied procedural formalities that would give the plan legal force under the analysis discussed in West Old Town Neighborhood Association. Because our review is limited to questions of law, see Downtown Neighborhoods Ass'n, 109 N.M. at 189, 783 P.2d at 965, and nothing in the record indicates that Resolution 116-86 and the Seven Bar/Coors Plans were adopted as law, we need not consider Appellant's arguments pertaining to Resolution 116-86 and the Seven Bar/Coors Plans.

Authority to Issue the Special Use Permit

The County granted the special use permit at issue in this case pursuant to the provisions of Zoning Ordinance Section

18.B.23, which sets forth one of many categories dee appropriate for a special use permit:

> Planned development area, including residential areas or mixtures of residential and commercial developments, provided the minimum lot area is 5 acres where, due to unusual circumstances, such as topographic conditions, lot configuration, or other similar conditions, special use, height, area, setback, or other regulations may be imposed.

Appellants argue that the Board's reliance on SU-PDA is "end run" around appropriate zoning provisions. Specificall they claim that the designated uses of the property, which th characterize as "straightforward restaurant and office uses," not fit within the definition of a planned development area Instead, they argue that rezoning was required under one several commercial categories or under Section 18.B.32, the catch all special use provision, which requires substantial neighborhoo support.

In support of their argument, Appellants cite Burroughs v Board of County Comm'rs, 88 N.M. 303, 305-07, 540 P.2d 233, 235-3 (1975), which concluded that an overnight campground did not fit within the County's planned development area provision. Appellants claim that the two restaurants at issue in this case are analogous to an overnight campground. However, Burroughs is distinguishable from the present case because the phrase "planned development area" as used in the predecessor to Section 18.B.23 was not accompanied with any additional language that clarified what the County intended to include in that category. See id. at 306, 540 P.2d at 236 (Supreme Court, deciding that term "planned

development area" was not an "all-inclusive catchall category" interpreted it with reference to ordinance as a whole rath[illegible] [illegible]ar reference to any limiting terminology or definition). Burroughs applied the zoning authority strictly and concluded that the planned development area or trailer court exceptions authorized by the special use permit did not encompass overnight campground. See id. at 307-08, 540 P.2d at 237-38.

In contrast to Burroughs, Section 18.B.23 defines a minimum lot size and, most critical to our analysis, requires "unusual circumstances" that justify excepting the property from standard zoning regulation. In this case, our review of the record makes it clear that the "unusual circumstances" consisted of the presence of the Calabacillas Pueblo archaeological site o[illegible] [illegible]he property and the joint effort between the County, Interested Parties, and the Archaeological Conservancy to protect the site. Indeed, the Board specifically noted that the proposed agreement to protect the site constituted "a true public/private partnership to assure the preservation of this important resource permanently at no cost to Bernalillo County." Protection and maintenance of the site were also the subject of numerous conditions attached to the special use permit. This type of flexibility in zoning is precisely why most zoning authorities have promulgated special use ordinances. See 3 Anderson's American Law of Zoning § 21.[illegible] [illegible]t 693-94 (Kenneth H. Young, 4th ed. 1996).

Appellants further claim that the site could have been protected under the Cultural Properties Act, NMSA 1978, §§ 18-6-1

to -17 (1969, as amended through 1994). While this specifically recognizes agreements with private landowners a method for preserving cultural sites, see § 18-6-10(C), it d not mandate protection of the site. Therefore the property st posed an unusual zoning challenge for the Board.

Rezoning/Variance Arguments

Although Appellants primarily raise these arguments under t assumption that Resolution 116-86 was legally binding on t Board, they raise numerous arguments directed at the tradition requirements that must be met before property may be rezoned granted variances. Generally, a property may not be rezon unless there is substantial evidence presented that change conditions justify amending an existing zoning ordinance. Se Miller v. City of Albuquerque, 89 N.M. 503, 506, 554 P.2d 665, 66 (1976). However, a permit issued pursuant to a zoning authority' special use ordinance is not considered a rezoning of th property. See 3 Anderson's American Law of Zoning, supra, § 21.04 at 699 ("A special permit . . . does not, in any sense, effect a amendment of the zoning ordinance."); see also 83 Am. Jur. 2d Zoning and Planning § 963 (1992) (discussing special use permits)

In West Old Town Neighborhood Association, we applied rezoning analysis to a special use designation. See 1996-NMCA-107, ¶ 21. However, there is a critical distinction with the present case: the particular special use category in West Old Town Neighborhood Association was not permitted and we specifically noted that in order for the City of Albuquerque to

allow the special use, the governing zoning ordinance needed to b amended. See id. ¶¶ 22, 23. Here, the property was alre th subject of a special use designation and, in light of ou determination that the Seven Bar/Coors Plans did not have the sam legal effect of the sector plan at issue in West Old Tow Neighborhood Association, the County did not need to amend th plans or conduct a formal rezoning analysis.

Likewise, permits issued pursuant to a governing special use ordinance are not considered variances, since they are, in effect, contemplated uses. See Burroughs, 88 N.M. at 305, 540 P.2d at 235; see also 3 Anderson's American Law of Zoning, supra, § 21.02, at 695. In this case, the setback provision and the "unspecified variances" relate to the preservation of the archaeological site and other conditions imposed under the special use permit. As noted above, the County adopted the special use ordinance specifically for these purposes and, therefore, we must defer to the Board's determination that the issuance of the permit was consistent with the County's policy objectives.

Conclusion

For the reasons discussed above, we affirm.

IT IS SO ORDERED.

JAMES J. WECHSLER, Judge

WE CONCUR:

THOMAS A. DONNELLY, Judge

MICHAEL D. BUSTAMANTE, Judge

Exhibit 5

IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO

EASTHAM JOHNSON

MAY 05 '98

MONNHEIMER JONTZ

DOROTHY VASQUEZ, C.J. VASQUEZ, and BOSQUE DELL ACRES NEIGHBORHOOD ASSOCIATION,

Petitioners-Appellants,

vs.

BOARD OF COUNTY COMMISSIONERS OF BERNALILLO COUNTY,

Respondent-Appellee,

and

CONSENSUS PLANNING, INC., agent for TORTILLA INC., and TORTILLA, INC.,

Interested Parties.

/

Ct. App. No. 18,067
Dist. Ct. No. CV-96-03090-ADM

James J. Wechsler
Presiding Judge

Thomas A. Donnelly
Michael D. Bustamante
Judges

FILED
98 MAY -4 AM 11:22
COURT OF APPEALS
STATE OF NEW MEXICO
P.R. WALLACE, CLERK

ORDER

Appellants having filed a motion for rehearing which has been considered by the Court,

IT IS ORDERED that the motion for rehearing be denied.

James J. Wechsler
Presiding Judge

EASTHAM JOHNSON MONNHEIMER & JONTZ
CC: Tortilla DATE:
CC: Perner DATE:
CC: Wm Keleher DATE:
Art Beach

Exhibit 6

IN THE SUPREME COURT OF THE STATE OF NEW MEXICO
Tuesday, June 16, 1998

NO. 25,174

DOROTHY VASQUEZ, C. J. VASQUEZ, and
BOSQUE DELL ACRES NEIGHBORHOOD ASSOCIATION,

Plaintiffs-Petitioners,

vs.

BOARD OF COUNTY COMMISSIONERS OF BERNALILLO COUNTY,

Defendant-Respondent,

and

CONSENSUS PLANNING, INC., agent for
TORTILLA INC., and TORTILLA, INC.,

Interested Parties.

ORDER

This matter coming on for consideration by the Court upon petition for writ of certiorari, and the Court having considered said petition, and being sufficiently advised;

NOW, THEREFORE, IT IS ORDERED that petition for writ of certiorari is **denied** in Court of Appeals number 18067.

ATTEST: A True Copy

KATHLEEN JO GIBSON
CLERK OF THE SUPREME COURT

By _____
Chief Deputy

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

Date: October 22, 2001

City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

OFFICIAL NOTIFICATION OF DECISION

FILE: 01110-01244 (Project 1001445)

DESCRIPTION: recommends a zone map amendment to establish zoning for lands annexed into the City by the State Municipal Boundary Commission: SU-1 for C-2 Uses for Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch, Lot 1A, Riverwalk Marketplace, Lots A, B1, B2 and C, Paradise Hills IPTRN & Eagle Ranch TR2, and Unplatted/Sun Country Industries, Lot 3E1, Black Ra and Lardner Tract, Lardner Tract; SU-1 for C-1 Uses restaurant with liquor for on-premise consumption for Lot 13, Black Ranch, Partition of and Lots 1 and 2, Sawaya Addition; SU-1 for C-1 Uses for Lot 3A1, Black Ranch, and Lots 4 and 5, Black Ranch, Partition of, Lot 3D, Black Ranch, and Lot B, Sandia Upholstering Company; SU-1 for Church and Related Uses for Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church and Lot A1B, Taylor-Joel P; SU-1 for RA-1 and Wireless Telecommunications Facility for Lot A1, Taylor-Joel P, and Private Road Easement; SU-1 for RA-1 & processing, manufacturing, treatment and sale of herb products for Lot A2, Taylor-Joel P; SU-1 for Children's Home for ABQ Christian Home, ABQ Christian Children's Home; R-1 for Unplatted, Presley Co. of New Mexico; RA-1 for Lots 1, 2, 3 and 4, West Bank Estates and Lots A, B, C, Poole-Suzanne H; and SU-1 for Electric Utility Facility for Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station, located west of the Rio Grande, south of NM 528 and north of Western Trail and Namaste Road NW, and along Interstate 25 between Montaño Road NE and San Antonio Drive NE, containing approximately 140 acres. (A-13-14, B-13-14, C-13, E-12, E-17, F-11-12, F-16-17) Russell Brito, Staff Planner

On October 18, 2001, the Environmental Planning Commission voted to recommend approval to the City Council of 01110-01244, a zone map amendment to establish zoning for lands annexed into the City by the State Municipal Boundary Commission as follows with Findings and Conditions:

SU-1 for C-2 Uses for Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch, Lots A, B1, and B2, Paradise Hills IPTRN & Eagle Ranch TR2 and Lot 3E1, Black Ranch;

M-1 for Lot C, Paradise Hills IPTRN & Eagle Ranch TR2, Unplatted/Sun Country Industries, Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station, and Lardner Tract, Lardner Tract;

SU-1 for C-1 Uses and Restaurant with Liquor for On-premise Consumption for Lot 13, Black Ranch, Partition of;

C-2 for Lots 1 and 2, Sawaya Addition;

SU-1 for C-1 Uses for Lot 1A, Riverwalk Marketplace, Lot 3A1, Black Ranch, and Lots 4 and 5, Black Ranch, Partition of, Lot 3D, Black Ranch, and Lot B, Sandia Upholstering Company;

SU-1 for Church and Related Uses for Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church and Lot A1B, Taylor-Joel P;

SU-1 for RA-1 and Wireless Telecommunications Facility for Lot A1, Taylor-Joel P, and Private Road Easement;

SU-1 for RA-1 & Processing, Manufacturing, Treatment and Sale of Herb Products for Lot A2, Taylor-Joel P;

SU-1 for Children's Home and Wireless Telecommunications Facility for ABQ Christian Home, ABQ Christian Children's Home;

SU-1 for PRD for Unplatted, Presley Co. of New Mexico; and

RA-1 for Lots 1, 2, 3 and 4, West Bank Estates and Lots A and C, Poole-Suzanne H.

FINDINGS:

1. This is a request to establish zoning for approximately 134 acres of property annexed into the City by the State Municipal Boundary Commission located in the northwest area of the City, west of the Rio Grande and in the North I-25 area of the City.

2. The recommended zoning, which mirrors the previous County zoning, existing uses and approved or planned uses is:

   SU-1 for C-2 Uses for Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch, Lots A, B1, and B2, Paradise Hills IPTRN & Eagle Ranch TR2 and Lot 3E1, Black Ranch;

   M-1 for Lot C, Paradise Hills IPTRN & Eagle Ranch TR2, Unplatted/Sun Country Industries, Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station, and Lardner Tract, Lardner Tract;

SU-1 for C-1 Uses and Restaurant with Liquor for On-premise Consumption for Lot 13, Blac Ranch, Partition of;

C-2 for Lots 1 and 2, Sawaya Addition;

SU-1 for C-1 Uses for Lot 1A, Riverwalk Marketplace, Lot 3A1, Black Ranch, and Lots 4 and 5, Black Ranch, Partition of, Lot 3D, Black Ranch, and Lot B, Sandia Upholstering Company;

SU-1 for Church and Related Uses for Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church and Lot A1B, Taylor-Joel P;

SU-1 for RA-1 and Wireless Telecommunications Facility for Lot A1, Taylor-Joel P, and Private Road Easement;

SU-1 for RA-1 & Processing, Manufacturing, Treatment and Sale of Herb Products for Lot A2, Taylor-Joel P;

SU-1 for Children's Home and Wireless Telecommunications Facility for ABQ Christian Home, ABQ Christian Children's Home;

SU-1 for PRD for Unplatted, Presley Co. of New Mexico; and

RA-1 for Lots 1, 2, 3 and 4, West Bank Estates and Lots A and C, Poole-Suzanne H.

3. The requested zoning furthers the applicable goal and policies of the *Comprehensive Plan* by creating the potential for 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.

4. The requested zoning, because it reflects the previous County zoning and/or any existing uses on the properties, does not conflict with any applicable Rank II or III plans, including the *West Side Strategic Plan*, the *Seven Bar Ranch Sector Development Plan* and the *Coors Corridor Plan*.

5. The requested zoning furthers the policies and requirements of *Resolution 270-1980*, specifically: the proposed change is not in significant conflict with adopted elements of the *Comprehensive Plan* or other City master plans (Section 1.C); the existing zoning is inappropriate because chan neighborhood or community conditions justify the change, namely the annexation of the propert[illegible] by the State Municipal Boundary Commission (Section 1.D); and the permissive uses of the proposed zoning categories will not be harmful to adjacent property, the neighborhood or the community because they reflect the previous County zoning and/or any existing uses on the properties (Section 1.E).

6. The submitted "Exhibit A" contains all of the information required for and is acceptable as a site development plan for subdivision for Lot A2, Taylor – Joel P and corresponds to the recommended *SU-1 for RA-1 uses and the Processing, Manufacturing, Treatment and Sale of Herbal Products* zoning.

7. The submitted site plan for Lot 13, Black Ranch, Partition of contains all of the information required for and is acceptable as a site development plan for subdivision and corresponds to the recommended *SU-1 for C-1 Uses and Restaurant with Liquor for On-premise Consumption* zoning. It includes the specific conditions relating to building location, noise, lighting, etc. that were required by the County to mitigate the concerns of the adjoining neighbors. The submittal modifies the County conditions to comply with current City of Albuquerque policies. Additionally, the Calabacillas Pueblo archaeological site, located on the site and the adjoining site to the east, is adequately identified for preservation, additional archeological testing, and dedication to an appropriate agency.

CONDITIONS:

1. The submitted "Exhibit A" contains all of the information required for and is accepted as the site development plan for subdivision for Lot A2, Taylor – Joel P. Final sign-off the Development Review Board is required.

2. The submitted site plan for Lot 13, Black Ranch, Partition of contains all of the information required for and is accepted as the site development plan for subdivision. Final sign-off the Development Review Board is required.

Sincerely,

Russell Brito

for Robert R. McCabe, AIA, APA
Planning Director

RM/RB/nat

cc: Garcia/Kraemer&Associates, 200 Lomas NW, Suite 1111, Albuq. NM 87102
John Meyers, 1401 Central Avenue NW, Albuq. NM 87104
James Strozier, 924 Park Avenue SW, Albuq. NM 87102
Jeanne Christensen, 6337 Avenida la Costa NE, Albuq., NM 87109
Scott Lardner, 4741 Pan American Frwy NE, Albuq., NM 87109
Richard Dobbs, 9421 Coors NW, Albuq., NM 87120
Michelle Henrie, Rodey Law Firm, 201 3rd Street NW, Albuq., NM 87102
Patrick Trujillo, 520 Lomas NW, Albuq., NM 87102

7. Establishment of this zoning will create a justified "spot zone." The change will facilitate realization of the *Comprehensive Plan* and the *West Mesa Sector Development Plan* and will act as a transition zone from the commercial uses on Central Avenue to the residential areas to the north.

MOVED BY COMMISSIONER SERRANO
SECONDED BY COMMISSIONER McMAHAN

MOTION CARRIED UNANIMOUSLY

11. 01110 01244
Project #1001445

The City of Albuquerque requests a zone map amendment to establish zoning for lands annexed into the City by the State Municipal Boundary Commission: SU-1 for C-2 Uses for Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch, Lot 1A, Riverwalk Marketplace, Lots A, B1, B2 and C, Paradise Hills IPTRN & Eagle Ranch TR2, and Unplatted/Sun Country Industries, Lot 3E1, Black Ranch and Lardner Tract, Lardner Tract; SU-1 for C-1 Uses and restaurant with liquor for on-premise consumption for Lot 13, Black Ranch, Partition of and Lots 1 and 2, Sawaya Addition; SU-1 for C-1 Uses for Lot 3A1, Black Ranch, and Lots 4 and 5, Black Ranch, Partition of, Lot 3D, Black Ranch, and Lot B, Sandia Upholstering Company; SU-1 for Church and Related Uses for Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church and Lot A1B, Taylor-Joel P; SU-1 for RA-1 and Wireless Telecommunications Facility for [illegible] A1, Taylor-Joel P, and Private Road Easement; SU-1 for RA-1 & processing, manufacturing, treatment and sale of herb products for Lot A2, Taylor-Joel P; SU-1 for Children's Home for ABQ Christian Home, ABQ Christian Children's Home; R-1 for Unplatted, Presley Co. of New Mexico; RA-1 for Lots 1, 2, 3 and 4, West Bank Estates and Lots A, B, C, Poole-Suzanne H; and SU-1 for Electric Utility Facility for Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station, located west of the Rio Grande, south of NM 528 and north of Western Trail and Namaste Road NW, and along Interstate 25 between Montaño Road NE and San Antonio Drive NE, containing approximately 140 acres. (A-13-14, B-13-14, C-13, E-12, E-17, F-11-12, F-16-17) Russell Brito, Staff Planner

STAFF PRESENT:

Russell Brito, Senior Planner

PERSONS SPEAKING IN FAVOR OF THE REQUEST:

Jeanne Christensen, 6337 Avenida la Costa. NE
Bill Kraemer, Garcia/Kraemer&Associates, 200 Lomas NW, Suite 1111
James Strozier, 924 Park Avenue, SW
John Meyers, 1401 Central Avenue, NW

PERSONS WHO SPOKE IN OPPOSITION TO THE REQUEST:

Scott Lardner, 4741 Pan American Frwy., NE
Richard Dobbs, 9421 Coors, NW
Michelle Henrie, Rodey Law Firm, 201 3rd Street, NW
Patrick Trujillo, 520 Lomas, NW

CHAIR BEGAY: Once again, back on agenda item 11.

MR. BRITO: Madam Chair, Commissioners, agenda item 11, case 01110-01244. This is a request by the City Planning Department for establishment of zoning for approximately 134 acres of land located mostly on the West Side, with a few parcels in the North I-25 corridor area. All of these properties were annexed into the City by the State Municipal Boundary Commission. The City of Albuquerque petitioned the State Municipal Boundary Commission for annexation of the properties, as allowed by state statute. The State Municipal Boundary Commission held a hearing on August 7, 2001 to determine whether the two criteria to order annexation of the properties were met. Those criteria are that the properties are contiguous to existing city limits and that the city can provide municipal services. At the hearing the State Municipal Boundary Commission found that all the properties were contiguous to existing city limits and that the city can provide municipal services. The order of annexation has been sent to the City Council, but no zoning. The State Municipal Boundary Commission does not establish zoning, that is the purview of the City Council. So, the Planning Department is submitting this recommendation to the Planning Commission for your recommendation to the City Council.

Essentially, what the Planning Department attempts to do with this request is to recommend zoning that is congruent to what existed in the County, or in some cases, reflects the existing uses on the site. In your staff report there is a zoning matrix labeled attachment 1, page 1 and page 2, it is located right after the TIS/AQIA form about a third of the way into the packet. This lists all of the legal descriptions of the properties, their acreages, the former Bernalillo County zoning, what the current use is and what the proposed city zoning is. For the most part, it was a matter of a visual survey of the properties to determine what the existing use was to make sure that corresponded to the zoning that was in the county and what was being proposed by us. There were a few properties where a visual survey didn't give us all the information we needed. Luckily we did send out notices to the properties owners explaining the process and the situation the properties were in and we asked them to contact us if they had any questions about the process, about the zoning, or if they had any concerns about what was being recommended. We did get contacted by some property owners, specifically on page 2 of that zoning matrix, the Lardner tract, zoned M-1 in the County, that site is the Rocky Mountain Stone Company. On our initial survey of the site it appeared it was just commercial retail of stone and rock products and we were unaware that they actually do some manufacturing of countertops there. The owner called us, alerted us to the fact and we adjusted our zoning recommendation from SU-1 for C-2 uses to SU-1 for C-2 uses, which will allow that manufacturing process to continue.

The Open Space Division also let us know that Lot B, Suzanne H. Poole Subdivision, which is listed on page 2, was already part of the city and had been zoned SU-1 for Major Public Open Space as part of the Ray Graham annexation that occurred some months ago. That was an oversight on our part and we removed that from this recommendation. The agent for Lot A2, Joel P. Taylor Subdivision, which is at the bottom of page 1 of that zoning matrix, contacted the Planning Department and asked for an expanded

zoning category that went beyond the recommended RA1. They let us know that the owner of that property grows herbs and is planning on concocting some herbal products for sale and they asked us to expand the zoning category to include processing manufacturing treatment and sale of herb products. We felt that t additional use attached to RA1, which does allow commercial agriculture, would have very little impact the surrounding neighborhood and we amended our recommendation to include that.

The owners of lots 1 and 2, Sawaya Addition, which is located at Osuna and the freeway, contacted the Planning Department and asked us to expand our recommended SU-1 for C-1 uses zoning to include restaurant with liquor for on premise consumption. It appears that there has been a deal in the works to move the Oasis restaurant from its present location on San Mateo to this location on Osuna and the freeway. They have a full liquor license currently and they wish to continue serving liquor at their new location. Looking at the map there aren't any nearby or adjacent neighborhoods that would be adversely affected by a restaurant use at this location, so we adjusted the zoning to reflect that.

Finally, on the first page of the matrix, the third property down, lot 13 Black Ranch, Partition of, the applicant contacted the Planning Department and asked that our recommended SU-1 for C-1 uses also be expanded to include restaurant with liquor for on premise consumption. There was a site development plan approved in the county for two restaurant sites in this location. It was supposed to be the west side Gardunos location, there was much controversy associated with this site about its possible detrimental effects on the neighborhood to the east across the Corrales Drain. A site plan was worked out in the coun that addressed those concerns. That special use permit and the site plan were appealed to the Bernalillo County Commission where the site plan and the special use permit were upheld, then appealed to District Court where they were again upheld. Then again appealed to the Court of Appeals, where it was upheld again. Then the State Supreme Court declined to hear the case. They asked that that approved county site plan for building permit be accepted as the site plan in the city. Staff reviewed it, we felt that the layout was adequate, that the provisions made to accommodate the concerns of the neighbors across the Corrales Drain, were adequate. We felt that the design guidelines, which have been updated to reflect current EPC policy, is adequate and we are recommending that that be accepted as the site plan for subdivision. Meaning that they will have to come back before the Commission for site plan for building permit review and approval at a future time.

That also reminds me that the same thing has occurred with lot A2, Joel P. Taylor Subdivision, with the processing/manufacturing treatment and sale of herbs. I am sorry, I forgot to mention that. They have also submitted a site plan that they asked to be the site plan for building permit. Staff believes that it is adequate for site plan for subdivision purposes. It does include all of the elements required by the zoning code for site plan for subdivision. But, we feel a site plan for building permit should come back before this body before review and approval.

With that, we are recommending approval of this zoning request to be sent to the City Council, even th Bernalillo County has appealed the State Municipal Boundary Commission order, to District Court. Bu Planning staff feels that the Planning Commission can recommend zoning to the City Council and so the City Council can have that recommendation in hand and they can act on it as soon as possible, as soon as the appeal is resolved, so that the properties do not remain quote/unquote unzoned for an undue period of time.

CHAIR BEGAY: Thank you Russell. Any questions? Commissioner Schwartz.

COMMISSIONER SCHWARTZ: Thank you Madam Chair. The lot A1, Joel Taylor and private road easement, which it shows as having a current County A1 with a special use permit for cellular telephone . . . . is that all of those towers? Is that on this piece? You know there is an area down there that is like three towers. For some reason I was thinking one or more of the towers was on the Albuquerque Christian Home property. Mr. Schmader, I think he is familiar with that area down there, maybe he knows. The permit . . . I mean we don't have it because apparently the permit . . . we did not pick up from the County that there is a permit there. Commissioner McMahan seems to think that is the case also.

MR. BRITO: Madam Chair, Commissioner Schwartz, it was my impression that there was a cellular telephone facility only on lot A1. The existence of one on the Christian home properties . . . .

COMMISSIONER SCHWARTZ: There's three down there, I think, in close proximity. So my question is are all three of those on the Joel Taylor?

COMMISSIONER MCMAHAN: Madam Chair, if I may, the zoning map in the staff report shows that there is . . . on the children's home an SU permit for a cellular phone and then on the land on the property immediately north which is . . . I guess the A1 land of Joel Taylor, also has one. I am not sure where the third one is. But, it looks like those guys are down there and there is three of them. We can't get them painted blue or reduced in height or anything?

MR. BRITO: Madam Chair, Commissioner, I apologize for that oversight. With this information the recommendation for Albuquerque Christian Home, Albuquerque Christian Children's Home Subdivision, should be amended from SU-1 for children's home to SU-1 for children's home and wireless telecommunications facility, to make sure that that use can continue in that location.

COMMISSIONER MCMAHAN: If we happen to leave that off, would the use go away?

COMMISSIONER SCHWARTZ: No, because what we did this morning would boot it out.

COMMISSIONER MCMAHAN: But they would have to come back and we could argue with them about it.

CHAIR BEGAY: Those children need that income Mick. (laughter)

MR. BRITO: One thing I don't want to do is deprive that facility of income.

CHAIR BEGAY: Okay, and the third tower that is out there . . . that we think is out there is in limbo anyway, right?

MR. BRITO: Madam Chair, my belief is that the third facility, which isn't immediately apparent on the zone map must be included on one of those two sites and not on the herb products site, since they did not specifically ask for a WTF.

CHAIR BEGAY: Okay, thank you Russell. Do we have any other questions for Mr. Brito? Thank you. We will go to public comment now.

MS. TRUJILLO: Jean Christensen.

MR. MYERS: No, its not her. My name is John Myers and I am here on behalf of Ms. Christensen. Her property . . . .

CHAIR BEGAY: Mr. Myers, can you raise your right hand please and swear to tell the truth.

MR. MYERS: I swear. Ms. Christensen's property is lot 2A of the Sawaya Addition, located at the northwest corner of Osuna . . . . Ms. Christensen and her husband Barry Schuster, have recently purchased lot 2A. It is a ½ acre site out of that larger site. It is the western, or southwester portion of the property. Ms. Christensen and her husband own the Oasis restaurant. They have recently purchased this property . . . . about a year and a half process to buy it to move their restaurant. The Planning Department has accommodated our request to adjust their recommendation to allow to go from SU-1 for C-1 recommendation to a recommendation of SU-1 for C-1 and full service restaurant and liquor, and we appreciate that. But, we have another problem and we ask for another accommodation. The Oasis, their present lease on their restaurant space it is over at the first of July of next year. Their landlord has made it clear to them that they will not extend their lease. They need to begin construction on their new site by the first of the year. They were surprised by the fact that the Municipal Boundary Commission annexation came in the middle of their acquisition of the property. Going through this procedure, we anticipate that the final zoning will get to the City Council, probably in January, maybe December, but probably January. If the property is zoned SU-1, they will then need to start the process of a minimum 2 month process to come back to the Planning Commission for site development plan approval and they risk losing their restaurant because of the unfortunate fact of getting stuck in this zoning annexation and zoning proceeding.

So what we ask of the Commission is that they recommend to the City Council that this property be zoned C-2, without a special use designation, which will permit them to immediately begin . . . go to a building permit following the zoning. We have talked to David Steele. David Steele has indicated that he would accommodate them by beginning review of their plans prior to the final City Council action. But he would not do that and could not do that if there was a site plan approval process that had not been completed. So, if you have questions, I realize I have gone beyond my two minute period. But it is extremely important to these owners that this issue is addressed. If it might, on one other property . . . . . this one I want to hurry up.

CHAIR BEGAY: Are you starting your two minutes over again for another property?

MR. MYERS: Can I do that?

CHAIR BEGAY: Sure.

MR. MYERS: Thank you. The other property which I wanted to talk about was the property that is located at the northwest corner of Coors Trail and Coors Boulevard. That is proposed for R-1 zoning and the same property owners owns that property as well as the parcel that is immediately to the north. The property immediately to the north is zoned SU-1 for PRD and we think it might make sense to have all of that property have the same zoning. We are really not prepared to convince you of that today and what we would ask with respect to that item, if the Commission would defer consideration of the zoning on that portion. Again, it is the northwest corner of Coors Trail and Coors. The property owners. Frisco Venture. Again, they own that property as well as the . . . .

CHAIR BEGAY: I don't think it is on our . . . it is not listed here.

MR. MYERS: Western Trail, I am sorry.

CHAIR BEGAY: Western Trail, oh, okay.

MR. MYERS: I am sorry. I don't know how to use this machine up here, but here is a picture that shows the property in orange that is the subject of the annexation and zoning and the property in yellow is the remaining property that is owned by the same entity. On that we would suggest maybe a 60 day deferral.

CHAIR BEGAY: This is just a recommendation to City Council anyway, right?

MR. MYERS: Right, but we still think it would make more sense for us to present to you a zoning request that maybe you could consider.

CHAIR BEGAY: I don't think that is going to be necessary. We will just change it here.

MR. MYERS: Do you have any questions for me?

CHAIR BEGAY: Do we have questions for Mr. Myers? Thank you sir. Oh, I am sorry, Mr. Briscoe.

COMMISSIONER BRISCOE: Thank you. The Oasis restaurant, are they preparing plans for submittal to the County, if the County wins?

MR. MYERS: Were they prepared?

COMMISSIONER BRISCOE: Are they being prepared?

MR. MYERS: Well, they are being prepared to submit to the City because they are annexed now, so we have lost the opportunity to go to the County.

COMMISSIONER BRISCOE: Right.

MR. MYERS: So we are in never never land right now.

COMMISSIONER BRISCOE: I guess what I am trying to suggest is that perhaps you are anyway, if the County is appealing the annexation.

MR. MYERS: I am sorry, say that again.

COMMISSIONER BRISCOE: If the County is appealing the annexation there may be questionable anyway.

MR. MYERS: I don't think so. I don't think the County is . . . I see Mr. Trujillo is here, he may have a different opinion, but I don't think the County's appeal of the annexation would stay the decision of the Municipal Boundary Commission. So, I think unless the appellate court says to the contrary, I think we are in the city.

COMMISSIONER BRISCOE: Just curious, thank you.

CHAIR BEGAY: Any other questions for Mr. Myers? Thank you.

MR. MYERS: Ms. Christensen is here and I maybe have used up all of her minutes, but if you have questions for her she would be pleased to respond. Thank you.

CHAIR BEGAY: Thank you Mr. Myers. Does anybody have questions for Ms. Christensen? Thank you.

MS. CHRISTENSEN: Madam Chairman, I would like to say that even though Mr. Myers came to represent me, I felt it necessary to come here today.

CHAIR BEGAY: Wait, wait, wait, you did sign up to speak didn't you?

MS. CHRISTENSEN: Yes I did.

CHAIR BEGAY: Well, you can . . . please come to the podium, we will swear you in and you give your name and address. Do you swear to tell the truth?

MS. CHRISTENSEN: My name is Jean Christensen, I swear to tell the truth. My address is 6337 Aven Lacosta NE, 87109.

CHAIR BEGAY: Thank you. You have two minutes Ms. Christensen.

MS. CHRISTENSEN: I really don't need two minutes. I just wanted to tell you that my husband and I consider this the whole rest of our lives. We have been working two years of purchasing this property. Anything that you can do or any advice that you can give us or any way that you can help us that we can move our restaurant onto this piece of property and just continue on like the President has asked us to do, I would be grateful.

CHAIR BEGAY: Thank you.

MS. TRUJILLO: Bill Kraemer.

MR. KRAEMER: I am Bill Kraemer. I swear to tell the truth.

CHAIR BEGAY: Thank you.

MR. KRAEMER: It is tough to follow that pitch. I am here today representing Dr. Hassan and Sharon Sherrod, who are the owners of tract . . . lot A2, Taylor Joel P., and we concur with the staff's recommendation of zoning and we appreciate staff for meeting with us and for accommodating the provisions for what Sharon and her husband are doing on the property. We urge your support.

CHAIR BEGAY: Thank you. Any questions?

COMMISSIONER MCMAHAN: Mr. Kraemer, what kind of herbs are growing out there? (laughter)

CHAIR BEGAY: What they do in the County may not be legal in the City.

COMMISSIONER MCMAHAN: I know, I did not ask the staff planner because he might not know, but since Mr. Kraemer is representing the owner I thought he might know. Is it oregano or something?

MR. KRAEMER: No, it is medicinal herbs. Sharon Sherrod is a holistic healer and she grows certain medicinal herbs and they are not herbamala, which some of my friends have been known to grow, but . . . (laughter). They are herbs that she sells for medicinal products for ointments and things like echinacea. I don't actually know if she grows echinacea, but medicinal herbs.

COMMISSIONER MCMAHAN: That's fine. Thank you. Thank you Madam Chair.

CHAIR BEGAY: Thank you. Next.

MS. TRUJILLO: Jim Strozier.

MR. STROZIER: Madam Chair, I swear to tell the truth. 924 Park Ave. I am here today on behalf of Tortilla Inc. and Dave Garduno and John Johnstone, with regards to the portion of tract 13 of the Black Ranch that was part of this Boundary Commission action. We are here to say that we support the staff's recommendation of zoning, we appreciate staff working with us to get the revisions that we needed to make to the County site plan that was done for that tract and turn it into something that they could support as a site plan for subdivision. We think this is important, as you will see from the letter that I sent with the attachments, that this case went through quite a lengthy process. As a result of that, certain issues got resolved and they were important. One, being the Calabacillas Pueblo archaeological site being located on, primarily, on this tract. There were specific conditions relative to that, the preservation to that site and dedication to an appropriate public agency. There was also a variance to the Coors Corridor Plan with regard to the 35 foot setback that was part of that site plan, that we don't want to lose, that enabled us to push those buildings further away from the neighborhood and also accommodate the archaeological site. There were specific conditions that were dealt with relative to noise, lighting, specific site design stuff that we go through on many of the City site plans. We have adjusted those conditions to make them city-fied, if you will, so instead of saying the County noise ordinance, it says City noise ordinance. Things like that, we have made those changes, gotten that in and once again, we appreciate the staff working with us and we concur with their recommendation that you recommend to City Council that they approve that site plan as a site plan for subdivision, so that site plans for building permit will still be required. But, this way we don't lose some of those really key issues that went through a long process to get resolved.

I would be happy to answer any questions that you have. Otherwise, thank you very much.

CHAIR BEGAY: Questions for Mr. Strozier? Thank you.

MS. TRUJILLO: Scott Lardner.

MR. LARDNER: My name is Scott Lardner, I swear to tell the truth. My address is 6112 Rocksburg Ct. NE, 87111. I am here on behalf of Rocky Mountain Stone. My father Vince Lardner, who owns that property. . . . we want to bring it . . . make you aware of what we are doing out at Rocky Mountain Stone. That property has been zoned M-1 in the County. What has been proposed is SU-1/C-3, I believe. We are

concerned primarily, that the new zoning that we would be able to continue what we are doing. What we plan to continue to do out there is not going to be a problem. Under the definition of M-1 zoning for the City, that covers heavy commercial and light manufacturing. Heavy commercial includes loaders, fork large delivery trucks, semi-truck loading and unloading and wholesale sales. Which, every one of those things is what we do at Rocky Mountain Stone. It also includes light manufacturing, which includes . . . we have large saws, edge finishing machines, we have a waterjet cutting machine, we do job cutting for glass manufacturers, for signmakers, we cut metals, plastics, all sorts of different things. I think that in the spirit of what the City Council has tasked this Commission to do is to take the current zoning that is in the County and make it the same in the City. That is my understanding of what you have been tasked to do. I would ask that the Commission consider changing that zoning from and SU-1/C-3, to an M-1 zoning. So that it matches exactly what is . . . what it is zoned right now in the County. That's basically what I want to bring to your attention.

CHAIR BEGAY: Any questions for Mr. Lardner? Commissioner McMahan.

COMMISSIONER MCMAHAN: Thank you Madam Chair. Mr. Lardner, did I misunderstand you? You said you would rather have the M-1 zone than the SU-1 for C-3?

MR. LARDNER: You know, that's . . . in reading everything, that is what I would rather have, yes.

COMMISSIONER MCMAHAN: Fine, thank you very much. Thank you Madam Chair.

MR. LARDNER: Can I add one other thing? The tract, the last tract on that list of tracts, SU-1 for electric utility facility, lots A, B, & C, we purchased those three lots from PNM about four or five years ago. That is contiguous with the Lardner tract, so we would like to see those three lots have the same zoning as the Lardner tract. As a note, the zoning for the two properties to the east of our property, those are zoned M-1 as well.

CHAIR BEGAY: And those are in the City?

MR. LARDNER: I believe they were annexed into the City about a year and a half two years ago.

CHAIR BEGAY: Yes, I think so. Thank you. Russell, did you hear that about the switching station? Okay great.

MS. TRUJILLO: Richard Dobbs.

MR. DOBBS: Good afternoon, my name is Richard Dobbs. I swear to tell the truth. My office is at 135 E Pueblo NW, 87114. I too was caught by surprise, I purchased lot C, Paradise Hills, Eagle Ranch, Trac unplotted Sun Country Industries, which is 9421. It is M-1. It is a manufacturing facility and has been since it was built. I came to the hearing on August 7th, not knowing . . . . I didn't even get the notice, it was forwarded to me by the previous owners, otherwise I would have sent you a notice. We own 9421 Coors NW, which is a manufacturing facility at the present time and would like it to remain M-1. That is all I've got to say.

CHAIR BEGAY: Commissioner Serrano.

COMMISSIONER SERRANO: Mr. Dobbs, on the attachment, it shows it as lots A, B1, B2 and C. You are just speaking to just lot C?

MR. DOBBS: Yes, C, because right next door is Irving and Coors and then you have on the corner, I believe, the Taco Bell and behind it you have got Our Place II Restaurant and Lounge and next to that you have got the Kelly's Liquor, we are behind that, or north of that.

COMMISSIONER SERRANO: You are here just on C?

MR. DOBBS: Just on C.

CHAIR BEGAY: Okay, any other questions? Thank you sir.

MS. TRUJILLO: Michelle Henry.

MS. HENRIE: Good afternoon Commissioners. I am Michelle Henrie from the Rodey Law Firm, I swear to tell the truth. Our address is 201 3rd Street NW. I am here on behalf of Arroyo . . . . **(inaudible, mic was turned off)**. . . .the property owner is Arroyo Borrellas LLC, and the property that we own is part of the Sawaya Addition. It is the same tract that Mr. Myers and Ms. Christensen were talking about. Basically, we are asking for the same thing, although for different reasons. What we would like to do is instead of the SU-2 for C-1 uses allowing on premise liquor consumption, which is a very cumbersome thing . . . . we have two points. One is we think the SU-1 is unnecessary. The reason why is when I go to the definition of SU-1, definitions are kind of boring but I want to read this to you. "The zone SU-1 is for uses which are special because of infrequent occurrence, affect on surrounding property, safety hazard, or other reasons, and in which the appropriateness of the use to a specific location is partly or entirely dependent on the character of the site design." I think in this case the SU-1 doesn't fit for a few reasons. First, if you look at the surrounding property that is on that side of the interstate, we are pretty much right up next to the interstate and then as you go further west there is the intersection of Osuna and Jefferson. All of that property is zoned M-1 or else IP, and they are both more intense uses than a C-1 for a commercial zone C-2, whatever it is that we ask for, or whatever it is that you allow us. Basically, the point of an SU, as I understand it, is to shield surrounding property owners from uses on our property. In fact, we wouldn't be shielded or protected from uses on our neighbors property. It doesn't seem to fit to us, so we would like to ask for a removal of the SU-1. We think if our neighbors don't have to go through the special use process, we are not sure why we would have to for a location that is filled with restaurants and gas stations and other things that seem to be very commercial in nature or more intense.

The second think we would like to ask for is rather than the C-1 use allowing on premise liquor consumption, it's the same thing again Mr. Myers asked for, is a C-2. Our reasons are different though, we believe that a C-2 is more compatible with the existing uses on the property than a C-1. My clients property has a couple of large off premise advertising signs on it and under the County C-1 zoning, those signs are allowed to have . . . the face of the sign is allowed to have a square footage of up to 400 feet. Now, under the City C-1, the size of the face is reduced to only 72 square feet. That is a pretty big reduction and my client has two signs on that property and they do derive income for them. We think that the City C-2 zoning is more compatible. The face size of the signs under C-2 are either 300 feet or 672 feet, depending on where they are located. So, because of the reasons we have stated we think that although the annexation does trigger a change in circumstances, we think that straight C-2 zoning is more compatible with existing uses and better reflects the County zoning. Thank you.

COMMISSIONER SCHWARTZ: Question.

CHAIR BEGAY: Commissioner Schwartz.

COMMISSIONER SCHWARTZ: So the only reason I heard you state was signage?

MS. HENRIE: For the C-2, that is correct.

COMMISSIONER SCHWARTZ: So, I mean if it were to be SU-1 for C-1 with C-2 signage restrictions . . . .

MS. HENRIE: Well, I think we still don't like the SU-1, of course, like everybody else.

COMMISSIONER SCHWARTZ: Okay, but signage is your issue?

MS. HENRIE: The signage is the reason we would prefer straight C-2.

COMMISSIONER SCHWARTZ: Thank you.

MS. HENRIE: Thank you.

CHAIR BEGAY: Commissioner Serrano.

COMMISSIONER SERRANO: I just have a question because I am trying to make some notations here. Which lot . . . .because I know in that addition we have lots 1 and 2, and now I am confused as to which one the Oasis is on and which one yours is on.

MS. HENRIE: Well, actually lot 2 . . . . there is two pieces to it, it doesn't show on your map. We have one part of it and Mr. Myers client has just purchased the other part.

COMMISSIONER SERRANO: So, it's . . . .(inaudible) . . . . that you are talking about . . .

COMMISSIONER SCHWARTZ: There is a 2A and a 2B.

COMMISSIONER SERRANO: Oh, I got it.

CHAIR BEGAY: 2A and 2B.

COMMISSIONER SERRANO: So, you don't know if it's A or B, but it's one of the . . .

MS. HENRIE: A or B.

COMMISSIONER SERRANO: Thank you.

MS. HENRIE: Thank you.

MS. TRUJILLO: Patrick Trujillo.

CHAIR BEGAY: You need to raise your right hand and swear to tell the truth.

MR. TRUJILLO: I swear to tell the truth.

CHAIR BEGAY: Okay, thank you. Name and address for the record.

MR. TRUJILLO: My name is Patrick Trujillo with the Bernalillo County Attorney's office and the address is 520 Lomas NW. Well, in looking at your sign up sheet I was looking for a place for staff but there wasn't any so I signed opposition, because I couldn't find another place to sign. In reading the report, one of the things that we just wanted to inform the EPC of is that there was an appeal and Mr. Brito brought that up in his opening statement, so that probably our biggest goal in being here. Basically, the County has taken an unusual step for the County of actually appealing an annexation of the Boundary Commission. We are confident that a court is going to set aside that annexation, I won't go into the reasons why. If that does happen, we are concerned that if the zoning is changed on this property . . . . and that appeal could go on for a very long time. Rule 74 sets out certain time limits, none of which are quick, so we could be out a year or two before we finally resolve this thing. The concern is that the zoning will be changed on this site to something other than what the County has it zoned for and then we have to deal with it later, after the zoning has already been changed.

So, we believe it is premature to move ahead with changing the zoning on the site. With the understanding of course that this is just a recommendation, this can go on to the next level and we will probably make the same pitch there if it does move on. But, one of the Commissioners . . . Commissioner Briscoe brought up what is the effect of the appeal, is there an automatic stay . . I think I agree, as I so often do, with John is that there is no automatic stay, but Rule 74, which is the rule we are laboring under, does allow the County to ask for a stay. I am in the midst of seeking permission to do that, to get a stay of that enforcement. But, let's just deal with the status quo and what is the zoning on the site now. As pointed out in the staff report, the Boundary Commission met on August 7, so we are about 2 months out, so whatever state the property has been in for the last two months, would be the state that it would be in should you delay it for some period of time, or should City Council delay it. Anyway, that's all I've got and I am proud to have cut it down to less than John's statement. I will stand for any questions.

CHAIR BEGAY: Commissioner McMahan.

COMMISSIONER MCMAHAN: Thank you Madam Chair. Mr. Trujillo, can you put a probability figure on the County winning the lawsuit?

MR. TRUJILLO: No.

COMMISSIONER MCMAHAN: Okay, that is a fair answer. Thank you, thank you Madam Chair.

CHAIR BEGAY: Commissioner Briscoe.

COMMISSIONER BRISCOE: What would be your advises for the owners of the Oasis restaurant? They want to be under construction very quickly.

MR. TRUJILLO: I am sorry, I didn't hear you.

COMMISSIONER BRISCOE: What would be your advice for the owner of the Oasis restaurant that wa:: to be under construction very quickly?

MR. TRUJILLO: I would advise them to seek the best counsel they could, which would probably be John Myers. (laughter)

CHAIR BEGAY: Any other questions for Mr. Trujillo? Thank you sir. That is it. Okay, Russell do you have any closing comments? Considering we have a request for zoning that you did not recommend?

MR. BRITO: Madam Chair, Commissioners, what we have heard today from property owners and agents for some changes to the recommended zoning, at this time staff feels that the changes that are proposed by applicants not be addressed at this time to keep this process moving up to the City Council. If the Planning Commission did want to consider those alterations that the property owners are suggesting, a deferral might be necessary to write up additional staff analysis. But, at this time, staff feels that getting this recommendation up to the City Council as soon as possible would benefit the process if the court action is resolved quickly. If it resolved in the City's favor, then the City Council would have to act very quickly to establish zoning for these properties.

CHAIR BEGAY: Commissioner Schwartz.

COMMISSIONER SCHWARTZ: Thank you Madam Chair. I don't know if this is true, but let's just say that in general, each of these people have asked for a zoning that is more intensive than what you have proposed . . . does that mean it would have to be re-advertised?

MR. BRITO: That is correct. Either we could defer it and keep it at this EPC level and re-advertise it, or if you recommended more intense zoning we could re-advertise it on the way up. This could bring about some opposition from adjacent property owners. The one instance I can think of is for the unplatted Presley Company New Mexico site along Coors and Western Trail, the Quaker Heights Neighborhood Association did call when we sent out neighborhood notification for this case, and they were very concerned about what was going to be recommended for that site on the corner. When I told them that we were recommending the default R-1 zone for the property, they seemed very relieved. They had some concerns about higher density development or commercial development occurring adjacent to their neighborhood. So, I think that they are keeping track of this case as it goes through the process and they might raise some objections if the Planning Commission recommends something that wasn't advertised for the case.

CHAIR BEGAY: Well that piece of property is not being asked to be zoned anything but R-1, right? There was nobody here . . .

COMMISSIONER SCHWARTZ: No, they wanted to go SU-1 for PRD.

CHAIR BEGAY: Oh, SU-1 for PRD.

COMMISSIONER SCHWARTZ: Because the have the piece of property right to the north . . . .

CHAIR BEGAY: Okay, all right, I missed that.

COMMISSIONER SERRANO: It was my understanding though that he said that he would address that, he would come back to have that rezoned at a later time. Did I miss something? Is that correct? I am sorry . . .

MR. MYERS: Yes Commissioner, I suggested that the Commissioner defer consideration of that request until we were really in a better position to discuss it before this Commission, rather than go ahead and ask you to annex it, to zone or recommend zoning corresponding to the adjoining zoning.

COMMISSIONER SERRANO: Having said . . . . Mr. Brito, that would take care of . . . I am just trying to think about this because there is a lot of changes here and I don't know that I am really comfortable with all of them but I want to work through this. Of the ones that went through for change and came before us today and wanted a different zoning than what you recommended, were any of those for more intense uses? That is what I am looking for. Oh, I guess there was, this lot C was an M-1, right?

CHAIR BEGAY: M-1.

COMMISSIONER SERRANO: And also the Lardner tract went to M-1, so those two would have to be re-advertised, if for no other reason then those particular two would have to be re-advertised?

MR. BRITO: Madam Chair, Commissioner Serrano, yes that is correct, as well as the Sawaya Addition lots. They are asking for a more intense C-2 zone category. If we did re-advertise, we are going to re-advertise the whole group of them.

COMMISSIONER BRISCOE: Why, why can't we just go forward today with the ones that are not asking for upgrades?

MR. DINEEN: Madam Chair, Commissioner, we have advertised this as one case, I believe, we do have some more intense uses than was advertised. We can re-advertise on the way to the Council and let people know . . . I think it is a little hard for us to split this out since we have one case number. It would be rather awkward to do that, so I don't think it would be an advantage to do that. We could defer and re-advertise and re-notice so that people are then aware of the requested zoning, we could send it on and re-advertise and those people would be apprised of the new zoning when it got to City Council Land Use Planning and Zoning.

CHAIR BEGAY: That's right, that is the best way.

MR. DINEEN: That is the way we . . . there are some advantages to that. The disadvantage may be that at the City Council people will show up there and say they didn't know what the Planning Commission action was and they weren't present and so on. That may be problematic in another way if there are neighborhoods that show up and we have rushed it through. Our concern is that if the court case is settled, we would like to have this step completed, but it may . . . I am not sure the court case will be settled that quickly. Although, Patrick said that they may ask for a stay and I guess if we give them 30 days, maybe they will move on the stay before it gets to you and then it will stop everything anyway.

CHAIR BEGAY: Right.

MR. DINEEN: Although, they have not done the stay yet and they knew about this hearing, so I don't know if Patrick is just . . . if Patrick is real serious about that or not. He may be, I am sure Patrick is a pre-- serious guy. So those are kind of the sets we see, but I don't think we want to pull one out and do it separately.

CHAIR BEGAY: Okay. I would just assume move it forward with whatever we can and take each one individually and the people who have asked for that zoning we can say yes or no right now and send it on.

COMMISSIONER BRISCOE: Is there any advantage at all of waiting . . . (INAUDIBLE) . . . . to let staff kind of organize some of the comments today . . . (INAUDIBLE) . . . .to send forward?

MR. DINEEN: Madam Chair, I think we could do a shorter term add but two weeks is probably too short term to really notice people and get them really noticed and get them an opportunity. . . of course the other thing is if this goes forward as is, the applicants could make their case for why the zoning should be intensified at City Council. But, we would have it advertised so that we wouldn't have to defer in order to re-advertise the more intense zoning. But, those are two issues . . . I don't think two weeks is enough time for us. So, if you do want to defer we would probably need a 30 day deferral on it, or longer.

COMMISSIONER BRISCOE: My suggestion wasn't that, my suggestion was simply to formulate a game plan, if you will, to have a couple of weeks for you to formulate a game plan or a suggestions.

MR. DINEEN: Oh, I see, just to give us a chance to re-discuss the issue. I see, that would be another way to do it.

CHAIR BEGAY: Commissioner Schwartz.

COMMISSIONER SCHWARTZ: Thank you. Mr. Brito, the people we heard from today, had they been in touch with you previously?

MR. BRITO: Madam Chair, Commissioner, going through the list on the zoning matrix, on page 1, lot C Paradise Hills, unplatted Sun Country Industries . . . the property owner did approach staff at the State Municipal Boundary Commission hearing on August 7. But we had not heard anything from them since that time. Apparently, there is a change in ownership so the owner of record on the County Assesor's records, which we used, does not appear to be up to date. Those records sometimes aren't updated for 6 months or longer. On page 2 of the matrix, the unplatted Presley Company New Mexico property that Mr. Myers is representing, today was the first we heard of that request for SU-1 for PRD. The same thing with Sawaya Addition, I think it was mentioned previously to staff, but no formal request for the C-2 . . . .

COMMISSIONER SCHWARTZ: The reason I ask is . . . I mean, on some of these you have obviously been in . . . had discussion with the owners and have managed to work out and accommodate their needs, and I just wondered if these had been presented to you and rejected or are they just coming in now for the first time and I don't know where they have been.

MR. BRITO: I would say most of them are new requests today, but we are willing to work with the property owners to make sure that adequate zoning is provided for their property and for their use.

COMMISSIONER SCHWARTZ: Okay, thanks.

CHAIR BEGAY: Russell, I have a question for you while you are up there anyway. It seems to me like you just put SU-1 in front of everything, is there a reason why?

MR. BRITO: Madam Chair, there a few reasons for that. Of course, one of them is that many of these sites are located in areas that are adjacent to neighborhoods. We want to make sure that the design of any development on them adequately reflects their location and does not adversely affect any adjacent properties. Another reason is if we had recommended straight zoning for the majority of the properties, we would have had to have done a traffic impact study. Recommending SU-1 zoning defers a traffic impact study until development occurs.

CHAIR BEGAY: So then the developer pays for it and the City does not?

MR. BRITO: They might have to if a traffic impact study is warranted. Right now, if straight zoning is requested by the City, more than likely a TIS would be required regardless. With an SU-1 designation there is some discretion on the part of Public Works Department to decide whether a traffic impact study is required or not, depending on the intensity of the development.

CHAIR BEGAY: Okay. Thank you.

UNIDENTIFIED SPEAKER: Madam Chair, may I say something or would I be completely out of line.

CHAIR BEGAY: No, I am sorry, you cannot say anything now.

UNIDENTIFIED SPEAKER: May I send you a letter?

CHAIR BEGAY: We will see what happens in a minute okay, and we'll see if we get a letter back. All right, do we have any more questions for anybody before we close the floor? We are going to close the floor. Commissioner Serrano.

FLOOR CLOSED

COMMISSIONER SERRANO: Thank you Madam Chairman. My inclination, I think, is to move this along to City Council with the adjustment to the requested zoning that we have heard. I guess my feeling is that the people that showed up here today were either smart enough or knew enough about the system to be here today to request some kind of a different zoning and I think if we re-advertise it and we defer it, we are going to end up at the next meeting with the rest of them here saying that they want to change it. I would just . . . I cannot see any reason not to move this along to City Council and let them re-advertise before it gets there and they can hear that at the Council level.

CHAIR BEGAY: Good. Any other comments? Are you going to make that in a form of a motion?

COMMISSIONER SERRANO: Certainly. I am prepared to make a motion. In the matter of 01110-01244, this is going to establish zoning . . a recommendation be forwarded to City Council. I am actually going to refer to the chart maybe, as opposed to the language in staff report, simply because that is where I made my notes. Do I need to read all of these, or do you have them?

MR. BRITO: Madam Chair, Commissioner Serrano, I have made note of all of the requested changes. If you are agreeable to the property owners request, we can make sure that they are reflected in the recommendation to Council.

COMMISSIONER SERRANO: That would be fine. I will let you insert that proper language as requested by the property owners based on findings 1 through 7, but finding 2 amended to make those reflections, and on Conditions 1 and 2.

CHAIR BEGAY: We have a motion on the floor.

COMMISSIONER BRISCOE: Second.

CHAIR BEGAY: A motion and a second. All those in favor? Opposed? Motion passes unanimously.

FINAL ACTION TAKEN

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to recommend approval to the City Council of 01110-01244, a zone map amendment to establish zoning for lands annexed into the City by the State Municipal Boundary Commission as follows with Findings and Conditions:

SU-1 for C-2 Uses for Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch, Lots A, B1, and E, Paradise Hills IPTRN & Eagle Ranch TR2 and Lot 3E1, Black Ranch;

M-1 for Lot C, Paradise Hills IPTRN & Eagle Ranch TR2, Unplatted/Sun Country Industries, Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station, and Lardner Tract, Lardner Tract;

SU-1 for C-1 Uses and Restaurant with Liquor for On-premise Consumption for Lot 13, Black Ranch, Partition of;

C-2 for Lots 1 and 2, Sawaya Addition;

SU-1 for C-1 Uses for Lot 1A, Riverwalk Marketplace, Lot 3A1, Black Ranch, and Lots 4 and 5, Black Ranch, Partition of, Lot 3D, Black Ranch, and Lot B, Sandia Upholstering Company;

SU-1 for Church and Related Uses for Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church and Lot A1B, Taylor-Joel P;

SU-1 for RA-1 and Wireless Telecommunications Facility for Lot A1, Taylor-Joel P, and Private Road Easement;

SU-1 for RA-1 & Processing, Manufacturing, Treatment and Sale of Herb Products for Lot A2, Taylor-Joel P;

SU-1 for Children's Home and Wireless Telecommunications Facility for ABQ Christian Home, ABQ Christian Children's Home;

SU-1 for PRD for Unplatted, Presley Co. of New Mexico; and

RA-1 for Lots 1, 2, 3 and 4, West Bank Estates and Lots A and C, Poole-Suzanne H.

FINDINGS:

1. This is a request to establish zoning for approximately 134 acres of property annexed into the City by the State Municipal Boundary Commission located in the northwest area of the City, west of the Rio Grande and in the North I-25 area of the City.

2. The recommended zoning, which mirrors the previous County zoning, existing uses and approved or planned uses is:

   SU-1 for C-2 Uses for Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch, Lots A, B1, and B2, Paradise Hills IPTRN & Eagle Ranch TR2 and Lot 3E1, Black Ranch;
   M-1 for Lot C, Paradise Hills IPTRN & Eagle Ranch TR2, Unplatted/Sun Country Industries, Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station, and Lardner Tract, Lardner Tract;
   SU-1 for C-1 Uses and Restaurant with Liquor for On-premise Consumption for Lot 13, Black Ranch, Partition of;
   C-2 for Lots 1 and 2, Sawaya Addition;
   SU-1 for C-1 Uses for Lot 1A, Riverwalk Marketplace, Lot 3A1, Black Ranch, and Lots 4 and 5, Black Ranch, Partition of, Lot 3D, Black Ranch, and Lot B, Sandia Upholstering Company;
   SU-1 for Church and Related Uses for Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church and Lot A1B, Taylor-Joel P;
   SU-1 for RA-1 and Wireless Telecommunications Facility for Lot A1, Taylor-Joel P, and Private Road Easement;
   SU-1 for RA-1 & Processing, Manufacturing, Treatment and Sale of Herb Products for Lot A2, Taylor-Joel P;
   SU-1 for Children's Home and Wireless Telecommunications Facility for ABQ Christian Home, ABQ Christian Children's Home;
   SU-1 for PRD for Unplatted, Presley Co. of New Mexico; and
   RA-1 for Lots 1, 2, 3 and 4, West Bank Estates and Lots A and C, Poole-Suzanne H.

3. The requested zoning furthers the applicable goal and policies of the *Comprehensive Plan* by creating the potential for 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.

4. The requested zoning, because it reflects the previous County zoning and/or any existing uses on the properties, does not conflict with any applicable Rank II or III plans, including the *West Side Strategic Plan*, the *Seven Bar Ranch Sector Development Plan* and the *Coors Corridor Plan*.

5. The requested zoning furthers the policies and requirements of *Resolution 270-1980*, specifically: the proposed change is not in significant conflict with adopted elements of the *Comprehensive Plan* or other City master plans (Section 1.C); the existing zoning is inappropriate because changed neighborhood or community conditions justify the change, namely the annexation of the properties by the State Municipal Boundary Commission (Section 1.D); and the permissive uses of the proposed zoning categories will not be harmful to adjacent property, the neighborhood or the community because they reflect the previous County zoning and/or any existing uses on the properties (Section 1.E).

6. The submitted "Exhibit A" contains all of the information required for and is acceptable as a site development plan for subdivision for Lot A2, Taylor – Joel P and corresponds to the recommended *1 for RA-1 uses and the Processing, Manufacturing, Treatment and Sale of Herbal Products* zoning.

7. The submitted site plan for Lot 13, Black Ranch, Partition of contains all of the information required for and is acceptable as a site development plan for subdivision and corresponds to the recommended *SU-1 for C-1 Uses and Restaurant with Liquor for On-premise Consumption* zoning. It includes the specific conditions relating to building location, noise, lighting, etc. that were required by the County to mitigate the concerns of the adjoining neighbors. The submittal modifies the County conditions to comply with current City of Albuquerque policies. Additionally, the Calabacillas Pueblo archaeological site, located on the site and the adjoining site to the east, is adequately identified for preservation, additional archeological testing, and dedication to an appropriate agency.

CONDITIONS:

1. The submitted "Exhibit A" contains all of the information required for and is accepted as the site development plan for subdivision for Lot A2, Taylor – Joel P. Final sign-off the Development Review Board is required.

2. The submitted site plan for Lot 13, Black Ranch, Partition of contains all of the information required and is accepted as the site development plan for subdivision. Final sign-off the Development Review Board is required.

MOVED BY COMMISSIONER SERRANO
SECONDED BY COMMISSIONER BRISCOE MOTION CARRIED UNANIMOUSLY

12. 01110 01245
Project #1001446

Tierra West LLC, agents for David &b Rebecca Gonzales, request a zone map amendment from R-1 to C-1 for Lot 6-A-1, North Fourth Street Homesite Addition, located on Montano Road NW between Fourth Street NW and Villa Canela Court NW, containing approximately 0.322 acres. (F-14) Lola Bird, Staff Planner

STAFF PRESENT:

Lola Bird, Planner

PERSONS WHO SPOKE IN FAVOR OF THE REQUEST:

Ron Bohannan, agent, 8509 Jefferson. NE
David Gonzales, 914 Montano, NW

7. Establishment of this zoning will create a justified "spot zone." The change will facilitate realization of the *Comprehensive Plan* and the *West Mesa Sector Development Plan* and will act as a transition zone from the commercial uses on Central Avenue to the residential areas to the north.

MOVED BY COMMISSIONER SERRANO
SECONDED BY COMMISSIONER McMAHAN MOTION CARRIED UNANIMOUSLY

[redacted]

The City of Albuquerque requests a zone map amendment to establish zoning for lands annexed into the City by the State Municipal Boundary Commission: SU-1 for C-2 Uses for Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch, Lot 1A, Riverwalk Marketplace, Lots A, B1, B2 and C, Paradise Hills IPTRN & Eagle Ranch TR2, and Unplatted/Sun Country Industries, Lot 3E1, Black Ranch and Lardner Tract, Lardner Tract; SU-1 for C-1 Uses and restaurant with liquor for on-premise consumption for Lot 13, Black Ranch, Partition of and Lots 1 and 2, Sawaya Addition; SU-1 for C-1 Uses for Lot 3A1, Black Ranch, and Lots 4 and 5, Black Ranch, Partition of, Lot 3D, Black Ranch, and Lot B, Sandia Upholstering Company; SU-1 for Church and Related Uses for Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church and Lot A1B, Taylor-Joel P; SU-1 for RA-1 and Wireless Telecommunications Facility for Lot A1, Taylor-Joel P, and Private Road Easement; SU-1 for RA-1 & processing, manufacturing, treatment and sale of herb products for Lot A2, Taylor-Joel P; SU-1 for Children's Home for ABQ Christian Home, ABQ Christian Children's Home; R-1 for Unplatted, Presley Co. of New Mexico; RA-1 for Lots 1, 2, 3 and 4, West Bank Estates and Lots A, B, C, Poole-Suzanne H; and SU-1 for Electric Utility Facility for Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station, located west of the Rio Grande, south of NM 528 and north of Western Trail and Namaste Road NW, and along Interstate 25 between Montaño Road NE and San Antonio Drive NE, containing approximately 140 acres. (A-13-14, B-13-14, C-13, E-12, E-17, F-11-12, F-16-17) Russell Brito, Staff Planner

STAFF PRESENT:

Russell Brito, Senior Planner

PERSONS SPEAKING IN FAVOR OF THE REQUEST:

Jeanne Christensen, 6337 Avenida la Costa, NE
Bill Kraemer, Garcia/Kraemer&Associates, 200 Lomas NW, Suite 1111
James Strozier, 924 Park Avenue, SW
John Meyers, 1401 Central Avenue, NW

PERSONS WHO SPOKE IN OPPOSITION TO THE REQUEST:

Scott Lardner, 4741 Pan American Frwy., NE
Richard Dobbs, 9421 Coors, NW
Michelle Henrie, Rodey Law Firm, 201 3rd Street, NW
Patrick Trujillo, 520 Lomas, NW

CHAIR BEGAY: Once again, back on agenda item 11.

MR. BRITO: Madam Chair, Commissioners, agenda item 11, case 01110-01244. This is a request by the City Planning Department for establishment of zoning for approximately 134 acres of land located mostly on the West Side, with a few parcels in the North I-25 corridor area. All of these properties were annexed into the City by the State Municipal Boundary Commission. The City of Albuquerque petitioned the State Municipal Boundary Commission for annexation of the properties, as allowed by state statute. The State Municipal Boundary Commission held a hearing on August 7, 2001 to determine whether the two criteria to order annexation of the properties were met. Those criteria are that the properties are contiguous to existing city limits and that the city can provide municipal services. At the hearing the State Municipal Boundary Commission found that all the properties were contiguous to existing city limits and that the city can provide municipal services. The order of annexation has been sent to the City Council, but no zoning. The State Municipal Boundary Commission does not establish zoning, that is the purview of the City Council. So, the Planning Department is submitting this recommendation to the Planning Commission for your recommendation to the City Council.

Essentially, what the Planning Department attempts to do with this request is to recommend zoning that is congruent to what existed in the County, or in some cases, reflects the existing uses on the site. In your staff report there is a zoning matrix labeled attachment 1, page 1 and page 2, it is located right after the TIS/AQIA form about a third of the way into the packet. This lists all of the legal descriptions of the properties, their acreages, the former Bernalillo County zoning, what the current use is and what the proposed city zoning is. For the most part, it was a matter of a visual survey of the properties to determine what the existing use was to make sure that corresponded to the zoning that was in the county and what was being proposed by us. There were a few properties where a visual survey didn't give us all the information we needed. Luckily we did send out notices to the properties owners explaining the process and the situation the properties were in and we asked them to contact us if they had any questions about the process, about the zoning, or if they had any concerns about what was being recommended. We did get contacted by some property owners, specifically on page 2 of that zoning matrix, the Lardner tract, zoned M-1 in the County, that site is the Rocky Mountain Stone Company. On our initial survey of the site it appeared it was just commercial retail of stone and rock products and we were unaware that they actually do some manufacturing of countertops there. The owner called us, alerted us to the fact and we adjusted our zoning recommendation from SU-1 for C-2 uses to SU-1 for C-2 uses, which will allow that manufacturing process to continue.

The Open Space Division also let us know that Lot B, Suzanne H. Poole Subdivision, which is listed on page 2, was already part of the city and had been zoned SU-1 for Major Public Open Space as part of the Ray Graham annexation that occurred some months ago. That was an oversight on our part and we removed that from this recommendation. The agent for Lot A2, Joel P. Taylor Subdivision, which is at the bottom of page 1 of that zoning matrix, contacted the Planning Department and asked for an expanded

zoning category that went beyond the recommended RA1. They let us know that the owner of that property grows herbs and is planning on concocting some herbal products for sale and they asked us to expand the zoning category to include processing manufacturing treatment and sale of herb products. We felt that that additional use attached to RA1, which does allow commercial agriculture, would have very little impact on the surrounding neighborhood and we amended our recommendation to include that.

The owners of lots 1 and 2, Sawaya Addition, which is located at Osuna and the freeway, contacted the Planning Department and asked us to expand our recommended SU-1 for C-1 uses zoning to include restaurant with liquor for on premise consumption. It appears that there has been a deal in the works to move the Oasis restaurant from its present location on San Mateo to this location on Osuna and the freeway. They have a full liquor license currently and they wish to continue serving liquor at their new location. Looking at the map there aren't any nearby or adjacent neighborhoods that would be adversely affected by a restaurant use at this location, so we adjusted the zoning to reflect that.

Finally, on the first page of the matrix, the third property down, lot 13 Black Ranch, Partition of, the applicant contacted the Planning Department and asked that our recommended SU-1 for C-1 uses also be expanded to include restaurant with liquor for on premise consumption. There was a site development plan approved in the county for two restaurant sites in this location. It was supposed to be the west side Gardunos location, there was much controversy associated with this site about its possible detrimental effects on the neighborhood to the east across the Corrales Drain. A site plan was worked out in the county that addressed those concerns. That special use permit and the site plan were appealed to the Bernalillo County Commission where the site plan and the special use permit were upheld, then appealed to District Court where they were again upheld. Then again appealed to the Court of Appeals, where it was upheld again. Then the State Supreme Court declined to hear the case. They asked that that approved county site plan for building permit be accepted as the site plan in the city. Staff reviewed it, we felt that the layout was adequate, that the provisions made to accommodate the concerns of the neighbors across the Corrales Drain, were adequate. We felt that the design guidelines, which have been updated to reflect current EPC policy, is adequate and we are recommending that that be accepted as the site plan for subdivision. Meaning that they will have to come back before the Commission for site plan for building permit review and approval at a future time.

That also reminds me that the same thing has occurred with lot A2, Joel P. Taylor Subdivision, with the processing/manufacturing treatment and sale of herbs. I am sorry, I forgot to mention that. They have also submitted a site plan that they asked to be the site plan for building permit. Staff believes that it is adequate for site plan for subdivision purposes. It does include all of the elements required by the zoning code for site plan for subdivision. But, we feel a site plan for building permit should come back before this body before review and approval.

With that, we are recommending approval of this zoning request to be sent to the City Council, even though Bernalillo County has appealed the State Municipal Boundary Commission order, to District Court. But, Planning staff feels that the Planning Commission can recommend zoning to the City Council and so the City Council can have that recommendation in hand and they can act on it as soon as possible, as soon as the appeal is resolved, so that the properties do not remain quote/unquote unzoned for an undue period of time.

CHAIR BEGAY: Thank you Russell. Any questions? Commissioner Schwartz.

COMMISSIONER SCHWARTZ: Thank you Madam Chair. The lot A1, Joel Taylor and private road easement, which it shows as having a current County A1 with a special use permit for cellular telephone . . . . is that all of those towers? Is that on this piece? You know there is an area down there that is like three towers. For some reason I was thinking one or more of the towers was on the Albuquerque Christian Home property. Mr. Schmader, I think he is familiar with that area down there, maybe he knows. The permit . . . I mean we don't have it because apparently the permit . . . we did not pick up from the County that there is a permit there. Commissioner McMahan seems to think that is the case also.

MR. BRITO: Madam Chair, Commissioner Schwartz, it was my impression that there was a cellular telephone facility only on lot A1. The existence of one on the Christian home properties . . . .

COMMISSIONER SCHWARTZ: There's three down there, I think, in close proximity. So my question is are all three of those on the Joel Taylor?

COMMISSIONER MCMAHAN: Madam Chair, if I may, the zoning map in the staff report shows that there is . . . on the children's home an SU permit for a cellular phone and then on the land on the property immediately north which is . . . I guess the A1 land of Joel Taylor, also has one. I am not sure where the third one is. But, it looks like those guys are down there and there is three of them. We can't get them painted blue or reduced in height or anything?

MR. BRITO: Madam Chair, Commissioner, I apologize for that oversight. With this information the recommendation for Albuquerque Christian Home, Albuquerque Christian Children's Home Subdivision, should be amended from SU-1 for children's home to SU-1 for children's home and wireless telecommunications facility, to make sure that that use can continue in that location.

COMMISSIONER MCMAHAN: If we happen to leave that off, would the use go away?

COMMISSIONER SCHWARTZ: No, because what we did this morning would boot it out.

COMMISSIONER MCMAHAN: But they would have to come back and we could argue with them about it.

CHAIR BEGAY: Those children need that income Mick. (laughter)

MR. BRITO: One thing I don't want to do is deprive that facility of income.

CHAIR BEGAY: Okay, and the third tower that is out there . . . that we think is out there is in limbo anyway, right?

MR. BRITO: Madam Chair, my belief is that the third facility, which isn't immediately apparent on the zone map must be included on one of those two sites and not on the herb products site, since they did not specifically ask for a WTF.

CHAIR BEGAY: Okay, thank you Russell. Do we have any other questions for Mr. Brito? Thank you. We will go to public comment now.

MS. TRUJILLO: Jean Christensen.

MR. MYERS: No, its not her. My name is John Myers and I am here on behalf of Ms. Christensen. Her property . . . .

CHAIR BEGAY: Mr. Myers, can you raise your right hand please and swear to tell the truth.

MR. MYERS: I swear. Ms. Christensen's property is lot 2A of the Sawaya Addition, located at the northwest corner of Osuna . . . . Ms. Christensen and her husband Barry Schuster, have recently purchased lot 2A. It is a ½ acre site out of that larger site. It is the western, or southwester portion of the property. Ms. Christensen and her husband own the Oasis restaurant. They have recently purchased this property . . . . about a year and a half process to buy it to move their restaurant. The Planning Department has accommodated our request to adjust their recommendation to allow to go from SU-1 for C-1 recommendation to a recommendation of SU-1 for C-1 and full service restaurant and liquor, and we appreciate that. But, we have another problem and we ask for another accommodation. The Oasis, their present lease on their restaurant space it is over at the first of July of next year. Their landlord has made it clear to them that they will not extend their lease. They need to begin construction on their new site by the first of the year. They were surprised by the fact that the Municipal Boundary Commission annexation came in the middle of their acquisition of the property. Going through this procedure, we anticipate that the final zoning will get to the City Council, probably in January, maybe December, but probably January. If the property is zoned SU-1, they will then need to start the process of a minimum 2 month process to come back to the Planning Commission for site development plan approval and they risk losing their restaurant because of the unfortunate fact of getting stuck in this zoning annexation and zoning proceeding.

So what we ask of the Commission is that they recommend to the City Council that this property be zoned C-2, without a special use designation, which will permit them to immediately begin . . . go to a building permit following the zoning. We have talked to David Steele. David Steele has indicated that he would accommodate them by beginning review of their plans prior to the final City Council action. But he would not do that and could not do that if there was a site plan approval process that had not been completed. So, if you have questions, I realize I have gone beyond my two minute period. But it is extremely important to these owners that this issue is addressed. If it might, on one other property . . . . . this one I want to hurry up.

CHAIR BEGAY: Are you starting your two minutes over again for another property?

MR. MYERS: Can I do that?

CHAIR BEGAY: Sure.

MR. MYERS: Thank you. The other property which I wanted to talk about was the property that is located at the northwest corner of Coors Trail and Coors Boulevard. That is proposed for R-1 zoning and the same property owners owns that property as well as the parcel that is immediately to the north. The property immediately to the north is zoned SU-1 for PRD and we think it might make sense to have all of that property have the same zoning. We are really not prepared to convince you of that today and what we would ask with respect to that item, if the Commission would defer consideration of the zoning on that portion. Again, it is the northwest corner of Coors Trail and Coors. The property owners, Frisco Venture. Again, they own that property as well as the . . . .

CHAIR BEGAY: I don't think it is on our . . . it is not listed here.

MR. MYERS: Western Trail, I am sorry.

CHAIR BEGAY: Western Trail, oh, okay.

MR. MYERS: I am sorry. I don't know how to use this machine up here, but here is a picture that shows the property in orange that is the subject of the annexation and zoning and the property in yellow is the remaining property that is owned by the same entity. On that we would suggest maybe a 60 day deferral.

CHAIR BEGAY: This is just a recommendation to City Council anyway, right?

MR. MYERS: Right, but we still think it would make more sense for us to present to you a zoning request that maybe you could consider.

CHAIR BEGAY: I don't think that is going to be necessary. We will just change it here.

MR. MYERS: Do you have any questions for me?

CHAIR BEGAY: Do we have questions for Mr. Myers? Thank you sir. Oh, I am sorry, Mr. Briscoe.

COMMISSIONER BRISCOE: Thank you. The Oasis restaurant, are they preparing plans for submittal to the County, if the County wins?

MR. MYERS: Were they prepared?

COMMISSIONER BRISCOE: Are they being prepared?

MR. MYERS: Well, they are being prepared to submit to the City because they are annexed now, so we have lost the opportunity to go to the County.

COMMISSIONER BRISCOE: Right.

MR. MYERS: So we are in never never land right now.

COMMISSIONER BRISCOE: I guess what I am trying to suggest is that perhaps you are anyway, if the County is appealing the annexation.

MR. MYERS: I am sorry, say that again.

COMMISSIONER BRISCOE: If the County is appealing the annexation there may be questionable anyway.

MR. MYERS: I don't think so. I don't think the County is . . . I see Mr. Trujillo is here, he may have a different opinion, but I don't think the County's appeal of the annexation would stay the decision of the Municipal Boundary Commission. So, I think unless the appellate court says to the contrary, I think we are in the city.

COMMISSIONER BRISCOE: Just curious, thank you.

CHAIR BEGAY: Any other questions for Mr. Myers? Thank you.

MR. MYERS: Ms. Christensen is here and I maybe have used up all of her minutes, but if you have questions for her she would be pleased to respond. Thank you.

CHAIR BEGAY: Thank you Mr. Myers. Does anybody have questions for Ms. Christensen? Thank you.

MS. CHRISTENSEN: Madam Chairman, I would like to say that even though Mr. Myers came to represent me, I felt it necessary to come here today.

CHAIR BEGAY: Wait, wait, wait, you did sign up to speak didn't you?

MS. CHRISTENSEN: Yes I did.

CHAIR BEGAY: Well, you can . . . please come to the podium, we will swear you in and you give your name and address. Do you swear to tell the truth?

MS. CHRISTENSEN: My name is Jean Christensen, I swear to tell the truth. My address is 6337 Avenida Lacosta NE, 87109.

CHAIR BEGAY: Thank you. You have two minutes Ms. Christensen.

MS. CHRISTENSEN: I really don't need two minutes. I just wanted to tell you that my husband and I consider this the whole rest of our lives. We have been working two years of purchasing this property. Anything that you can do or any advice that you can give us or any way that you can help us that we can move our restaurant onto this piece of property and just continue on like the President has asked us to do, I would be grateful.

CHAIR BEGAY: Thank you.

MS. TRUJILLO: Bill Kraemer.

MR. KRAEMER: I am Bill Kraemer. I swear to tell the truth.

CHAIR BEGAY: Thank you.

MR. KRAEMER: It is tough to follow that pitch. I am here today representing Dr. Hassan and Sharon Sherrod, who are the owners of tract . . . lot A2, Taylor Joel P., and we concur with the staff's recommendation of zoning and we appreciate staff for meeting with us and for accommodating the provisions for what Sharon and her husband are doing on the property. We urge your support.

CHAIR BEGAY: Thank you. Any questions?

COMMISSIONER MCMAHAN: Mr. Kraemer, what kind of herbs are growing out there? (laughter)

CHAIR BEGAY: What they do in the County may not be legal in the City.

COMMISSIONER MCMAHAN: I know, I did not ask the staff planner because he might not know, but since Mr. Kraemer is representing the owner I thought he might know. Is it oregano or something?

MR. KRAEMER: No, it is medicinal herbs. Sharon Sherrod is a holistic healer and she grows certain medicinal herbs and they are not herbamala, which some of my friends have been known to grow, but . . . (laughter). They are herbs that she sells for medicinal products for ointments and things like echinacea. I don't actually know if she grows echinacea, but medicinal herbs.

COMMISSIONER MCMAHAN: That's fine. Thank you. Thank you Madam Chair.

CHAIR BEGAY: Thank you. Next.

MS. TRUJILLO: Jim Strozier.

MR. STROZIER: Madam Chair, I swear to tell the truth. 924 Park Ave. I am here today on behalf of Tortilla Inc. and Dave Garduno and John Johnstone, with regards to the portion of tract 13 of the Black Ranch that was part of this Boundary Commission action. We are here to say that we support the staff's recommendation of zoning, we appreciate staff working with us to get the revisions that we needed to make to the County site plan that was done for that tract and turn it into something that they could support as a site plan for subdivision. We think this is important, as you will see from the letter that I sent with the attachments, that this case went through quite a lengthy process. As a result of that, certain issues got resolved and they were important. One, being the Calabacillas Pueblo archaeological site being located on, primarily, on this tract. There were specific conditions relative to that, the preservation to that site and dedication to an appropriate public agency. There was also a variance to the Coors Corridor Plan with regard to the 35 foot setback that was part of that site plan, that we don't want to lose, that enabled us to push those buildings further away from the neighborhood and also accommodate the archaeological site. There were specific conditions that were dealt with relative to noise, lighting, specific site design stuff that we go through on many of the City site plans. We have adjusted those conditions to make them city-fied, if you will, so instead of saying the County noise ordinance, it says City noise ordinance. Things like that, we have made those changes, gotten that in and once again, we appreciate the staff working with us and we concur with their recommendation that you recommend to City Council that they approve that site plan as a site plan for subdivision, so that site plans for building permit will still be required. But, this way we don't lose some of those really key issues that went through a long process to get resolved.

I would be happy to answer any questions that you have. Otherwise, thank you very much.

CHAIR BEGAY: Questions for Mr. Strozier? Thank you.

MS. TRUJILLO: Scott Lardner.

MR. LARDNER: My name is Scott Lardner, I swear to tell the truth. My address is 6112 Rocksburg Ct. NE, 87111. I am here on behalf of Rocky Mountain Stone. My father Vince Lardner, who owns that property. . . . we want to bring it . . . make you aware of what we are doing out at Rocky Mountain Stone. That property has been zoned M-1 in the County. What has been proposed is SU-1/C-3, I believe. We are

concerned primarily, that the new zoning that we would be able to continue what we are doing. What we plan to continue to do out there is not going to be a problem. Under the definition of M-1 zoning for the City, that covers heavy commercial and light manufacturing. Heavy commercial includes loaders, fork lifts, large delivery trucks, semi-truck loading and unloading and wholesale sales. Which, every one of those things is what we do at Rocky Mountain Stone. It also includes light manufacturing, which includes . . . we have large saws, edge finishing machines, we have a waterjet cutting machine, we do job cutting for glass manufacturers, for signmakers, we cut metals, plastics, all sorts of different things. I think that in the spirit of what the City Council has tasked this Commission to do is to take the current zoning that is in the County and make it the same in the City. That is my understanding of what you have been tasked to do. I would ask that the Commission consider changing that zoning from and SU-1/C-3, to an M-1 zoning. So that it matches exactly what is . . . what it is zoned right now in the County. That's basically what I want to bring to your attention.

CHAIR BEGAY: Any questions for Mr. Lardner? Commissioner McMahan.

COMMISSIONER MCMAHAN: Thank you Madam Chair. Mr. Lardner, did I misunderstand you? You said you would rather have the M-1 zone than the SU-1 for C-3?

MR. LARDNER: You know, that's . . . in reading everything, that is what I would rather have, yes.

COMMISSIONER MCMAHAN: Fine, thank you very much. Thank you Madam Chair.

MR. LARDNER: Can I add one other thing? The tract, the last tract on that list of tracts, SU-1 for electric utility facility, lots A, B, & C, we purchased those three lots from PNM about four or five years ago. That is contiguous with the Lardner tract, so we would like to see those three lots have the same zoning as the Lardner tract. As a note, the zoning for the two properties to the east of our property, those are zoned M-1 as well.

CHAIR BEGAY: And those are in the City?

MR. LARDNER: I believe they were annexed into the City about a year and a half two years ago.

CHAIR BEGAY: Yes, I think so. Thank you. Russell, did you hear that about the switching station? Okay great.

MS. TRUJILLO: Richard Dobbs.

MR. DOBBS: Good afternoon, my name is Richard Dobbs. I swear to tell the truth. My office is at 135 El Pueblo NW, 87114. I too was caught by surprise, I purchased lot C, Paradise Hills, Eagle Ranch, Tract unplotted Sun Country Industries, which is 9421. It is M-1. It is a manufacturing facility and has been since it was built. I came to the hearing on August 7th, not knowing . . . . I didn't even get the notice, it was forwarded to me by the previous owners, otherwise I would have sent you a notice. We own 9421 Coors NW, which is a manufacturing facility at the present time and would like it to remain M-1. That is all I've got to say.

CHAIR BEGAY: Commissioner Serrano.

COMMISSIONER SERRANO: Mr. Dobbs, on the attachment, it shows it as lots A, B1, B2 and C. You are just speaking to just lot C?

MR. DOBBS: Yes, C, because right next door is Irving and Coors and then you have on the corner, I believe, the Taco Bell and behind it you have got Our Place II Restaurant and Lounge and next to that you have got the Kelly's Liquor, we are behind that, or north of that.

COMMISSIONER SERRANO: You are here just on C?

MR. DOBBS: Just on C.

CHAIR BEGAY: Okay, any other questions? Thank you sir.

MS. TRUJILLO: Michelle Henry.

MS. HENRIE: Good afternoon Commissioners. I am Michelle Henrie from the Rodey Law Firm, I swear to tell the truth. Our address is 201 3rd Street NW. I am here on behalf of Arroyo . . . . **(inaudible, mic was turned off)**. . . .the property owner is Arroyo Borrellas LLC, and the property that we own is part of the Sawaya Addition. It is the same tract that Mr. Myers and Ms. Christensen were talking about. Basically, we are asking for the same thing, although for different reasons. What we would like to do is instead of the SU-2 for C-1 uses allowing on premise liquor consumption, which is a very cumbersome thing . . . . we have two points. One is we think the SU-1 is unnecessary. The reason why is when I go to the definition of SU-1, definitions are kind of boring but I want to read this to you. "The zone SU-1 is for uses which are special because of infrequent occurrence, affect on surrounding property, safety hazard, or other reasons, and in which the appropriateness of the use to a specific location is partly or entirely dependent on the character of the site design." I think in this case the SU-1 doesn't fit for a few reasons. First, if you look at the surrounding property that is on that side of the interstate, we are pretty much right up next to the interstate and then as you go further west there is the intersection of Osuna and Jefferson. All of that property is zoned M-1 or else IP, and they are both more intense uses than a C-1 for a commercial zone C-2, whatever it is that we ask for, or whatever it is that you allow us. Basically, the point of an SU, as I understand it, is to shield surrounding property owners from uses on our property. In fact, we wouldn't be shielded or protected from uses on our neighbors property. It doesn't seem to fit to us, so we would like to ask for a removal of the SU-1. We think if our neighbors don't have to go through the special use process, we are not sure why we would have to for a location that is filled with restaurants and gas stations and other things that seem to be very commercial in nature or more intense.

The second think we would like to ask for is rather than the C-1 use allowing on premise liquor consumption, it's the same thing again Mr. Myers asked for, is a C-2. Our reasons are different though, we believe that a C-2 is more compatible with the existing uses on the property than a C-1. My clients property has a couple of large off premise advertising signs on it and under the County C-1 zoning, those signs are allowed to have . . . the face of the sign is allowed to have a square footage of up to 400 feet. Now, under the City C-1, the size of the face is reduced to only 72 square feet. That is a pretty big reduction and my client has two signs on that property and they do derive income for them. We think that the City C-2 zoning is more compatible. The face size of the signs under C-2 are either 300 feet or 672 feet, depending on where they are located. So, because of the reasons we have stated we think that although the annexation does trigger a change in circumstances, we think that straight C-2 zoning is more compatible with existing uses and better reflects the County zoning. Thank you.

COMMISSIONER SCHWARTZ: Question.

CHAIR BEGAY: Commissioner Schwartz.

COMMISSIONER SCHWARTZ: So the only reason I heard you state was signage?

MS. HENRIE: For the C-2, that is correct.

COMMISSIONER SCHWARTZ: So, I mean if it were to be SU-1 for C-1 with C-2 signage restrictions . . . .

MS. HENRIE: Well, I think we still don't like the SU-1, of course, like everybody else.

COMMISSIONER SCHWARTZ: Okay, but signage is your issue?

MS. HENRIE: The signage is the reason we would prefer straight C-2.

COMMISSIONER SCHWARTZ: Thank you.

MS. HENRIE: Thank you.

CHAIR BEGAY: Commissioner Serrano.

COMMISSIONER SERRANO: I just have a question because I am trying to make some notations here. Which lot . . . .because I know in that addition we have lots 1 and 2, and now I am confused as to which one the Oasis is on and which one yours is on.

MS. HENRIE: Well, actually lot 2 . . . . there is two pieces to it, it doesn't show on your map. We have one part of it and Mr. Myers client has just purchased the other part.

COMMISSIONER SERRANO: So, it's . . . .(inaudible) . . . . that you are talking about . . .

COMMISSIONER SCHWARTZ: There is a 2A and a 2B.

COMMISSIONER SERRANO: Oh, I got it.

CHAIR BEGAY: 2A and 2B.

COMMISSIONER SERRANO: So, you don't know if it's A or B, but it's one of the . . .

MS. HENRIE: A or B.

COMMISSIONER SERRANO: Thank you.

MS. HENRIE: Thank you.

MS. TRUJILLO: Patrick Trujillo.

CHAIR BEGAY: You need to raise your right hand and swear to tell the truth.

MR. TRUJILLO: I swear to tell the truth.

CHAIR BEGAY: Okay, thank you. Name and address for the record.

MR. TRUJILLO: My name is Patrick Trujillo with the Bernalillo County Attorney's office and the address is 520 Lomas NW. Well, in looking at your sign up sheet I was looking for a place for staff but there wasn't any so I signed opposition, because I couldn't find another place to sign. In reading the report, one of the things that we just wanted to inform the EPC of is that there was an appeal and Mr. Brito brought that up in his opening statement, so that probably our biggest goal in being here. Basically, the County has taken an unusual step for the County of actually appealing an annexation of the Boundary Commission. We are confident that a court is going to set aside that annexation, I won't go into the reasons why. If that does happen, we are concerned that if the zoning is changed on this property . . . . and that appeal could go on for a very long time. Rule 74 sets out certain time limits, none of which are quick, so we could be out a year or two before we finally resolve this thing. The concern is that the zoning will be changed on this site to something other than what the County has it zoned for and then we have to deal with it later, after the zoning has already been changed.

So, we believe it is premature to move ahead with changing the zoning on the site. With the understanding of course that this is just a recommendation, this can go on to the next level and we will probably make the same pitch there if it does move on. But, one of the Commissioners . . . Commissioner Briscoe brought up what is the effect of the appeal, is there an automatic stay . . I think I agree, as I so often do, with John is that there is no automatic stay, but Rule 74, which is the rule we are laboring under, does allow the County to ask for a stay. I am in the midst of seeking permission to do that, to get a stay of that enforcement. But, let's just deal with the status quo and what is the zoning on the site now. As pointed out in the staff report, the Boundary Commission met on August 7, so we are about 2 months out, so whatever state the property has been in for the last two months, would be the state that it would be in should you delay it for some period of time, or should City Council delay it. Anyway, that's all I've got and I am proud to have cut it down to less than John's statement. I will stand for any questions.

CHAIR BEGAY: Commissioner McMahan.

COMMISSIONER MCMAHAN: Thank you Madam Chair. Mr. Trujillo, can you put a probability figure on the County winning the lawsuit?

MR. TRUJILLO: No.

COMMISSIONER MCMAHAN: Okay, that is a fair answer. Thank you, thank you Madam Chair.

CHAIR BEGAY: Commissioner Briscoe.

COMMISSIONER BRISCOE: What would be your advises for the owners of the Oasis restaurant? They want to be under construction very quickly.

MR. TRUJILLO: I am sorry, I didn't hear you.

COMMISSIONER BRISCOE: What would be your advice for the owner of the Oasis restaurant that wants to be under construction very quickly?

MR. TRUJILLO: I would advise them to seek the best counsel they could, which would probably be John Myers. (laughter)

CHAIR BEGAY: Any other questions for Mr. Trujillo? Thank you sir. That is it. Okay, Russell do you have any closing comments? Considering we have a request for zoning that you did not recommend?

MR. BRITO: Madam Chair, Commissioners, what we have heard today from property owners and agents for some changes to the recommended zoning, at this time staff feels that the changes that are proposed by applicants not be addressed at this time to keep this process moving up to the City Council. If the Planning Commission did want to consider those alterations that the property owners are suggesting, a deferral might be necessary to write up additional staff analysis. But, at this time, staff feels that getting this recommendation up to the City Council as soon as possible would benefit the process if the court action is resolved quickly. If it resolved in the City's favor, then the City Council would have to act very quickly to establish zoning for these properties.

CHAIR BEGAY: Commissioner Schwartz.

COMMISSIONER SCHWARTZ: Thank you Madam Chair. I don't know if this is true, but let's just say that in general, each of these people have asked for a zoning that is more intensive than what you have proposed . . . does that mean it would have to be re-advertised?

MR. BRITO: That is correct. Either we could defer it and keep it at this EPC level and re-advertise it, or if you recommended more intense zoning we could re-advertise it on the way up. This could bring about some opposition from adjacent property owners. The one instance I can think of is for the unplatted Presley Company New Mexico site along Coors and Western Trail, the Quaker Heights Neighborhood Association did call when we sent out neighborhood notification for this case, and they were very concerned about what was going to be recommended for that site on the corner. When I told them that we were recommending the default R-1 zone for the property, they seemed very relieved. They had some concerns about higher density development or commercial development occurring adjacent to their neighborhood. So, I think that they are keeping track of this case as it goes through the process and they might raise some objections if the Planning Commission recommends something that wasn't advertised for the case.

CHAIR BEGAY: Well that piece of property is not being asked to be zoned anything but R-1, right? There was nobody here . . .

COMMISSIONER SCHWARTZ: No, they wanted to go SU-1 for PRD.

CHAIR BEGAY: Oh, SU-1 for PRD.

COMMISSIONER SCHWARTZ: Because the have the piece of property right to the north . . . .

CHAIR BEGAY: Okay, all right, I missed that.

COMMISSIONER SERRANO: It was my understanding though that he said that he would address that, he would come back to have that rezoned at a later time. Did I miss something? Is that correct? I am sorry . . .

MR. MYERS: Yes Commissioner, I suggested that the Commissioner defer consideration of that request until we were really in a better position to discuss it before this Commission, rather than go ahead and ask you to annex it, to zone or recommend zoning corresponding to the adjoining zoning.

COMMISSIONER SERRANO: Having said . . . . Mr. Brito, that would take care of . . . I am just trying to think about this because there is a lot of changes here and I don't know that I am really comfortable with all of them but I want to work through this. Of the ones that went through for change and came before us today and wanted a different zoning than what you recommended, were any of those for more intense uses? That is what I am looking for. Oh, I guess there was, this lot C was an M-1, right?

CHAIR BEGAY: M-1.

COMMISSIONER SERRANO: And also the Lardner tract went to M-1, so those two would have to be re-advertised, if for no other reason then those particular two would have to be re-advertised?

MR. BRITO: Madam Chair, Commissioner Serrano, yes that is correct, as well as the Sawaya Addition lots. They are asking for a more intense C-2 zone category. If we did re-advertise, we are going to re-advertise the whole group of them.

COMMISSIONER BRISCOE: Why, why can't we just go forward today with the ones that are not asking for upgrades?

MR. DINEEN: Madam Chair, Commissioner, we have advertised this as one case, I believe, we do have some more intense uses than was advertised. We can re-advertise on the way to the Council and let people know . . . I think it is a little hard for us to split this out since we have one case number. It would be rather awkward to do that, so I don't think it would be an advantage to do that. We could defer and re-advertise and re-notice so that people are then aware of the requested zoning, we could send it on and re-advertise and those people would be apprised of the new zoning when it got to City Council Land Use Planning and Zoning.

CHAIR BEGAY: That's right, that is the best way.

MR. DINEEN: That is the way we . . . there are some advantages to that. The disadvantage may be that at the City Council people will show up there and say they didn't know what the Planning Commission action was and they weren't present and so on. That may be problematic in another way if there are neighborhoods that show up and we have rushed it through. Our concern is that if the court case is settled, we would like to have this step completed, but it may . . . I am not sure the court case will be settled that quickly. Although, Patrick said that they may ask for a stay and I guess if we give them 30 days, maybe they will move on the stay before it gets to you and then it will stop everything anyway.

CHAIR BEGAY: Right.

MR. DINEEN: Although, they have not done the stay yet and they knew about this hearing, so I don't know if Patrick is just . . . if Patrick is real serious about that or not. He may be, I am sure Patrick is a pretty serious guy. So those are kind of the sets we see, but I don't think we want to pull one out and do it separately.

CHAIR BEGAY: Okay. I would just assume move it forward with whatever we can and take each one individually and the people who have asked for that zoning we can say yes or no right now and send it on.

COMMISSIONER BRISCOE: Is there any advantage at all of waiting . . . (INAUDIBLE) . . . . to let staff kind of organize some of the comments today . . . (INAUDIBLE) . . . .to send forward?

MR. DINEEN: Madam Chair, I think we could do a shorter term add but two weeks is probably too short term to really notice people and get them really noticed and get them an opportunity. . . of course the other thing is if this goes forward as is, the applicants could make their case for why the zoning should be intensified at City Council. But, we would have it advertised so that we wouldn't have to defer in order to re-advertise the more intense zoning. But, those are two issues . . . I don't think two weeks is enough time for us. So, if you do want to defer we would probably need a 30 day deferral on it, or longer.

COMMISSIONER BRISCOE: My suggestion wasn't that, my suggestion was simply to formulate a game plan, if you will, to have a couple of weeks for you to formulate a game plan or a suggestions.

MR. DINEEN: Oh, I see, just to give us a chance to re-discuss the issue. I see, that would be another way to do it.

CHAIR BEGAY: Commissioner Schwartz.

COMMISSIONER SCHWARTZ: Thank you. Mr. Brito, the people we heard from today, had they been in touch with you previously?

MR. BRITO: Madam Chair, Commissioner, going through the list on the zoning matrix, on page 1, lot C Paradise Hills, unplatted Sun Country Industries . . . the property owner did approach staff at the State Municipal Boundary Commission hearing on August 7. But we had not heard anything from them since that time. Apparently, there is a change in ownership so the owner of record on the County Assesor's records, which we used, does not appear to be up to date. Those records sometimes aren't updated for 6 months or longer. On page 2 of the matrix, the unplatted Presley Company New Mexico property that Mr. Myers is representing, today was the first we heard of that request for SU-1 for PRD. The same thing with Sawaya Addition, I think it was mentioned previously to staff, but no formal request for the C-2 . . . .

COMMISSIONER SCHWARTZ: The reason I ask is . . . I mean, on some of these you have obviously been in . . . had discussion with the owners and have managed to work out and accommodate their needs, and I just wondered if these had been presented to you and rejected or are they just coming in now for the first time and I don't know where they have been.

MR. BRITO: I would say most of them are new requests today, but we are willing to work with the property owners to make sure that adequate zoning is provided for their property and for their use.

COMMISSIONER SCHWARTZ: Okay, thanks.

CHAIR BEGAY: Russell, I have a question for you while you are up there anyway. It seems to me like you just put SU-1 in front of everything, is there a reason why?

MR. BRITO: Madam Chair, there a few reasons for that. Of course, one of them is that many of these sites are located in areas that are adjacent to neighborhoods. We want to make sure that the design of any development on them adequately reflects their location and does not adversely affect any adjacent properties. Another reason is if we had recommended straight zoning for the majority of the properties, we would have had to have done a traffic impact study. Recommending SU-1 zoning defers a traffic impact study until development occurs.

CHAIR BEGAY: So then the developer pays for it and the City does not?

MR. BRITO: They might have to if a traffic impact study is warranted. Right now, if straight zoning is requested by the City, more than likely a TIS would be required regardless. With an SU-1 designation there is some discretion on the part of Public Works Department to decide whether a traffic impact study is required or not, depending on the intensity of the development.

CHAIR BEGAY: Okay. Thank you.

UNIDENTIFIED SPEAKER: Madam Chair, may I say something or would I be completely out of line.

CHAIR BEGAY: No, I am sorry, you cannot say anything now.

UNIDENTIFIED SPEAKER: May I send you a letter?

CHAIR BEGAY: We will see what happens in a minute okay, and we'll see if we get a letter back. All right, do we have any more questions for anybody before we close the floor? We are going to close the floor. Commissioner Serrano.

FLOOR CLOSED

COMMISSIONER SERRANO: Thank you Madam Chairman. My inclination, I think, is to move this along to City Council with the adjustment to the requested zoning that we have heard. I guess my feeling is that the people that showed up here today were either smart enough or knew enough about the system to be here today to request some kind of a different zoning and I think if we re-advertise it and we defer it, we are going to end up at the next meeting with the rest of them here saying that they want to change it. I would just . . . I cannot see any reason not to move this along to City Council and let them re-advertise before it gets there and they can hear that at the Council level.

CHAIR BEGAY: Good. Any other comments? Are you going to make that in a form of a motion?

COMMISSIONER SERRANO: Certainly. I am prepared to make a motion. In the matter of 01110-01244, this is going to establish zoning . . a recommendation be forwarded to City Council. I am actually going to refer to the chart maybe, as opposed to the language in staff report, simply because that is where I made my notes. Do I need to read all of these, or do you have them?

MR. BRITO: Madam Chair, Commissioner Serrano, I have made note of all of the requested changes. If you are agreeable to the property owners request, we can make sure that they are reflected in the recommendation to Council.

COMMISSIONER SERRANO: That would be fine. I will let you insert that proper language as requested by the property owners based on findings 1 through 7, but finding 2 amended to make those reflections, and on Conditions 1 and 2.

CHAIR BEGAY: We have a motion on the floor.

COMMISSIONER BRISCOE: Second.

CHAIR BEGAY: A motion and a second. All those in favor? Opposed? Motion passes unanimously.

FINAL ACTION TAKEN

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to recommend approval to the City Council of 01110-01244, a zone map amendment to establish zoning for lands annexed into the City by the State Municipal Boundary Commission as follows with Findings and Conditions:

SU-1 for C-2 Uses for Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch, Lots A, B1, and B2, Paradise Hills IPTRN & Eagle Ranch TR2 and Lot 3E1, Black Ranch;

M-1 for Lot C, Paradise Hills IPTRN & Eagle Ranch TR2, Unplatted/Sun Country Industries, Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station, and Lardner Tract, Lardner Tract;

SU-1 for C-1 Uses and Restaurant with Liquor for On-premise Consumption for Lot 13, Black Ranch, Partition of;

C-2 for Lots 1 and 2, Sawaya Addition;

SU-1 for C-1 Uses for Lot 1A, Riverwalk Marketplace, Lot 3A1, Black Ranch, and Lots 4 and 5, Black Ranch, Partition of, Lot 3D, Black Ranch, and Lot B, Sandia Upholstering Company;

SU-1 for Church and Related Uses for Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church and Lot A1B, Taylor-Joel P;

SU-1 for RA-1 and Wireless Telecommunications Facility for Lot A1, Taylor-Joel P, and Private Road Easement;

SU-1 for RA-1 & Processing, Manufacturing, Treatment and Sale of Herb Products for Lot A2, Taylor-Joel P;

SU-1 for Children's Home and Wireless Telecommunications Facility for ABQ Christian Home, ABQ Christian Children's Home;

SU-1 for PRD for Unplatted, Presley Co. of New Mexico; and

RA-1 for Lots 1, 2, 3 and 4, West Bank Estates and Lots A and C, Poole-Suzanne H.

FINDINGS:

1. This is a request to establish zoning for approximately 134 acres of property annexed into the City by the State Municipal Boundary Commission located in the northwest area of the City, west of the Rio Grande and in the North I-25 area of the City.

2. The recommended zoning, which mirrors the previous County zoning, existing uses and approved or planned uses is:

   SU-1 for C-2 Uses for Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch, Lots A, B1, and B2, Paradise Hills IPTRN & Eagle Ranch TR2 and Lot 3E1, Black Ranch;
   M-1 for Lot C, Paradise Hills IPTRN & Eagle Ranch TR2, Unplatted/Sun Country Industries, Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station, and Lardner Tract, Lardner Tract;
   SU-1 for C-1 Uses and Restaurant with Liquor for On-premise Consumption for Lot 13, Black Ranch, Partition of;
   C-2 for Lots 1 and 2, Sawaya Addition;
   SU-1 for C-1 Uses for Lot 1A, Riverwalk Marketplace, Lot 3A1, Black Ranch, and Lots 4 and 5, Black Ranch, Partition of, Lot 3D, Black Ranch, and Lot B, Sandia Upholstering Company;
   SU-1 for Church and Related Uses for Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church and Lot A1B, Taylor-Joel P;
   SU-1 for RA-1 and Wireless Telecommunications Facility for Lot A1, Taylor-Joel P, and Private Road Easement;
   SU-1 for RA-1 & Processing, Manufacturing, Treatment and Sale of Herb Products for Lot A2, Taylor-Joel P;
   SU-1 for Children's Home and Wireless Telecommunications Facility for ABQ Christian Home, ABQ Christian Children's Home;
   SU-1 for PRD for Unplatted, Presley Co. of New Mexico; and
   RA-1 for Lots 1, 2, 3 and 4, West Bank Estates and Lots A and C, Poole-Suzanne H.

3. The requested zoning furthers the applicable goal and policies of the *Comprehensive Plan* by creating the potential for 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.

4. The requested zoning, because it reflects the previous County zoning and/or any existing uses on the properties, does not conflict with any applicable Rank II or III plans, including the *West Side Strategic Plan*, the *Seven Bar Ranch Sector Development Plan* and the *Coors Corridor Plan*.

5. The requested zoning furthers the policies and requirements of *Resolution 270-1980*, specifically: the proposed change is not in significant conflict with adopted elements of the *Comprehensive Plan* or other City master plans (Section 1.C); the existing zoning is inappropriate because changed neighborhood or community conditions justify the change, namely the annexation of the properties by the State Municipal Boundary Commission (Section 1.D); and the permissive uses of the proposed zoning categories will not be harmful to adjacent property, the neighborhood or the community because they reflect the previous County zoning and/or any existing uses on the properties (Section 1.E).

6. The submitted "Exhibit A" contains all of the information required for and is acceptable as a site development plan for subdivision for Lot A2, Taylor – Joel P and corresponds to the recommended *SU-1 for RA-1 uses and the Processing, Manufacturing, Treatment and Sale of Herbal Products* zoning.

7. The submitted site plan for Lot 13, Black Ranch, Partition of contains all of the information required for and is acceptable as a site development plan for subdivision and corresponds to the recommended *SU-1 for C-1 Uses and Restaurant with Liquor for On-premise Consumption* zoning. It includes the specific conditions relating to building location, noise, lighting, etc. that were required by the County to mitigate the concerns of the adjoining neighbors. The submittal modifies the County conditions to comply with current City of Albuquerque policies. Additionally, the Calabacillas Pueblo archaeological site, located on the site and the adjoining site to the east, is adequately identified for preservation, additional archeological testing, and dedication to an appropriate agency.

CONDITIONS:

1. The submitted "Exhibit A" contains all of the information required for and is accepted as the site development plan for subdivision for Lot A2, Taylor – Joel P. Final sign-off the Development Review Board is required.

2. The submitted site plan for Lot 13, Black Ranch, Partition of contains all of the information required for and is accepted as the site development plan for subdivision. Final sign-off the Development Review Board is required.

MOVED BY COMMISSIONER SERRANO
SECONDED BY COMMISSIONER BRISCOE — MOTION CARRIED UNANIMOUSLY

02 01110 01245
Project #1001446

Tierra West LLC, agents for David &b Rebecca Gonzales, request a zone map amendment from R-1 to C-1 for Lot 6-A-1, North Fourth Street Homesite Addition, located on Montano Road NW between Fourth Street NW and Villa Canela Court NW, containing approximately 0.322 acres. (F-14) Lola Bird, Staff Planner

STAFF PRESENT:

Lola Bird, Planner

PERSONS WHO SPOKE IN FAVOR OF THE REQUEST:

Ron Bohannan, agent, 8509 Jefferson, NE
David Gonzales, 914 Montano, NW

"ATTACHMENT A"

Russell Brito
COA/Planning Dept.
Zone Map – B-14

BOSQUE DELL ACRES N.A.
***Tom Schroeder** *e-mail:* schroeder@swmls.com
9731 Loretta Dr. NW/87114 890-9137 (h) 924-2118 (w)
David Neuman *e-mail:* afcc@thuntek.net
1515 Erwin NW/87114 792-8633 (h)

Council District: County
County District: 1
Police Beat:
Zone Map #: B-14
Community Id Dist.: Westside

RIVERFRONTE ESTATES N.A., INC. (R)
***Ginger Carman** *e-mail:* RGAACaarman@aol.com
1728 Rusty Rd. NW/87114 792-7444 (h)
Gary Plante *e-mail:* gpsouthwest@aol.com
1692 Pace Rd. NW/87114 235-2020 (h)

Council District: 5&County
County District: 1
Police Beat:
Zone Map #: B-C-13-14
Community Id Dist.: Westside

WINDMILL ESTATES AREA N.A.
***Elaine K. Bickerstaff**
9839 Windmill Ct. NW/87114 898-5529 (h)
Ron Bohannan
9851 Cita Rd. NW/87114 898-4525 (h) 883-7592 (w)

Council District: County
County District: 1
Police Beat:
Zone Map: B-13-14
Community ID Dist: Westside

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: 8-24-01 Time Entered: 3:00pm OCNC Rep. Initials: DC

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.

August 29, 2001

Russell Brito
COA/Planning Dept.
600 2nd Street NW, 3rd Floor/87102
Phone #: 924-3337 Fax #: 924-3339

Dear Russell:

Thank you for your inquiry of **August 29, 2001** requesting the names of Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed **UNPLATTED, PRESLEY CO. OF NEW MEXICO** zone map page(s) **B-14.**

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 or by fax at 924-3913.

Sincerely,

Dalaina L. Carmona

OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

planningrnaform(11/5/98)

"ATTACHMENT A"

Russell Brito
COA/Planning Dept.
Zone Map – E-12

ALBAN HILLS N.A.
***Jack Scott** *e-mail:* jakalyn@uswest.net
6417 Camino Del Arrebol NW/87120 898-5009 (h)
Bonnie Kelley *e-mail:* bonnie3928@aol.com
6417 Camino Del Arrebol NW/87120 898-8201 (h)

Council District: 5&County
County District: 1
Police Beat: 121,122/WS/Z-A
Zone Map #: C-E-11-14
Community Id Dist.: Westside

LA LUZ DEL SOL N.A. (R)
***Ray Graham** *e-mail:* onewest@aol.com
One Wind NW/87120 898-5600 (message)
Ed Swenson
One Wind NW/87120 898-5600 (message)

Council District: 5
County District: 1
Police Beat: 129/WS/Z-A
Zone Map #: F-11
Community Id Dist.: Westside

SAGECREST H.O.A.
***William Silva**
5700 Cactus Flower NW/87120 899-8561 (h)
Barbara Mueller
4904 Alberta Ln. NW/87120 898-7755 (h)

Council District: 5
County District: 1
Police Beat: 128/WS/Z-A
Zone Map #: E-11
Community Id Dist.: Westside

TAYLOR RANCH N.A. (R)
***Virginia M. Klebesadel** *e-mail:* vmkinabq@aol.com
4416 Gooseberry Rd. NW/87120 898-9173 (h)
Jolene Wolfley *e-mail:* jostler-wolfley@hotmail.com
6804 Staghorn Dr. NW/87120-4806 890-9414 (h)
E-mail: TRNAnews@aol.com

Council District: 5
County District: 1
Police Beat: 119,121,122,124-127/WS/Z-A
Zone Map: C-F-11-14
Community ID Dist: Westside

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.

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   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: 9-21-11 Time Entered: 3 (pm) OCNC Rep. Initials: DC

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.

August 29, 2001

Russell Brito
COA/Planning Dept.
600 2nd Street NW, 3rd Floor/87102
Phone #: 924-3337 Fax #: 924-3339

Dear Russell:

Thank you for your inquiry of **August 29, 2001** requesting the names of Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed **LOT A1B, A1, A2 AND PRIVATE ROAD EASEMENT OF TAYLOR-JOEL P. AND ABQ CHRISTIAN CHILDREN'S HOME** zone map page(s) **E-12.**

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 or by fax at 924-3913.

Sincerely,

Dalaina L. Carmona

OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

planningrnaform(11/5/98)

"ATTACHMENT A"

Russell Brito
COA/Planning Dept.
Zone Map – F-16,17

HODGIN N.A. (R)
***Mary Lou Spells** *e-mail:* jnspells@e-mail.msn.com
4109 San Andres NE/87110 883-0069 (h)
Jennifer S. Klatt *e-mail:* abaklatt@swcp.com
4205 San Andres NE/87110 830-4708 (h)
Website: www.geocities.com/abqhna

Council District: 2
County District: 3
Police Beat: 413/NE
Zone Map #: F-G-17
Community Id Dist.: Mid-Hgts.

MONTGOMERY HEIGHTS N.A. (R)
***Bob Swartwood**
3517 Hendrix Rd. NE/87107 881-3151 (h)
Karen Schueler
3504 Delamar NE/87107 889-0103 (h)

Council District: 2
County District: 3
Police Beat: 413/NE
Zone Map #: G-16
Community Id Dist.: N. Valley

VINEYARD N.A.
John MacKenzie
416 Mission NE/87107 345-7645 (h) 345-2010 (w)

Council District: 2&County
County District: 1&3
Police Beat: 242/VA
Zone Map: F-15-16
Community ID Dist: N. Valley

NOTICE TO APPLICANTS

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

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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: 8-3-21 Time Entered: 3:00pm OCNC Rep. Initials: DC

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.

August 29, 2001

Russell Brito
COA/Planning Dept.
600 2nd Street NW, 3rd Floor/87102
Phone #: 924-3337 Fax #: 924-3339

Dear Russell:

Thank you for your inquiry of **August 29, 2001** requesting the names of Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed **LOTS A,B AND C, NORTH SWITCHING STATION ADDITION, LARDNER TRACT, LOT B, SANDIA UPHOLSTERING COMPANY** zone map page(s) **F-16,17.**

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 or by fax at 924-3913.

Sincerely,

Dalaina L. Carmona

OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

planningrnaform(11/5/98)

"ATTACHMENT A"

Russell Brito
COA/Planning Dept.
Zone Map – F-11,12

LA LUZ DEL SOL N.A. (R)
***Ray Graham** *e-mail:* onewest@aol.com
One Wind NW/87120 898-5600 (message)
Ed Swenson
One Wind NW/87120 898-5600 (message)

Council District: 5
County District: 1
Police Beat: 129/WS/Z-A
Zone Map #: F-11
Community Id Dist.: Westside

LA LUZ LANDOWNERS ASSOC. (R)
***Bennett King**
10 Arco NW/87120 792-0118 (h)
Rae Perls
15 Tennis Court NW/87120 898-8833 (h)

Council District: 5
County District: 1
Police Beat: 129/WS/Z-A
Zone Map #: F-11
Community Id Dist.: Westside

LADERA HEIGHTS N.A.
***Shari Lewis**
P.O. Box 66328/87193 247-4800 (w) 301-5995 (cell)
Tena Prescott
3804 67th St. NW/87120 839-5072 (h)

Council District: 5
County District: 1
Police Beat: 131,134,136/WS/Z-C
Zone Map #: G-F-10-11
Community Id Dist.: Westside

QUAKER HEIGHTS N.A. (R)
***Matthew Baca** *e-mail:* baca@unm.edu
5125 Northern Trail NW/87120 352-9428 (h) 246-6418 (w)
Melonie Matthews *e-mail:* Mel2me@juno.com
3200 Coors Rd. NW #K235/87120 352-5645 (h) 836-2810 (w)

Council District: 5
County District: 1
Police Beat: 129/WS
Zone Map #: F-10-11
Community Id Dist.: Westside

SANTA FE VILLAGE N.A. (R)
***Bruce Beach** *email:* lkbbcb@thontek.net
6021 Creggs NW/87120 897-3674 (h) 342-3331 (w)
Bill Leninger *e-mail:* turner66@earthlink.net
6708 Gleason Ave. NW/87120 899-8797 (h)
Website: http://www.sfvna.org **E-mail:** sfvna@egroups.com

Council District: 5
County District: 1
Police Beat: 124/WS/Z-A
Zone Map #: E-F-10
Community ID Dist: Westside

TAYLOR RANCH N.A. (R)
***Virginia M. Klebesadel** *e-mail:* vmkinabq@aol.com
4416 Gooseberry Rd. NW/87120 898-9173 (h)
Jolene Wolfley *e-mail:* jostler-wolfley@hotmail.com
6804 Staghorn Dr. NW/87120-4806 890-9414 (h)
E-mail: TRNAnews@aol.com

Council District: 5
County District: 1
Police Beat: 119,121,122,124-127/WS/Z-A
Zone Map: C-F-11-14
Community ID Dist: Westside

NOTICE TO APPLICANTS

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

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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: 8-29-6 Time Entered: 8:[illegible] am OCNC Rep. Initials: DC

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.

August 29, 2001

Russell Brito
COA/Planning Dept.
600 2nd Street NW, 3rd Floor/87102
Phone #: 924-3337 Fax #: 924-3339

Dear Russell:

Thank you for your inquiry of **August 29, 2001** requesting the names of Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed **LOTS 1,2,3 AND 4, WEST BANK ESTATES, AND LOTS A,B AND C, POOLE-SUZANNE H** zone map page(s) **F-11,12.**

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

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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 or by fax at 924-3913.

Sincerely,

Dalaina L. Carmona

OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

planningrnaform(11/5/98)

"ATTACHMENT A"

Russell Brito
COA/Planning Dept.
Zone Map – E-17

ACADEMY ACRES NORTH N.A. (R)
***Irene Minke**
6504 Dungan NE/87109 828-9810 (h)
Roberta Lipman
6503 Mendius NE/87109 821-2599 (h)

Council District: 4
County District: 4
Police Beat: 432/NE
Zone Map #: E-18-19
Community Id Dist.: North ABQ.

ALAMEDA NORTH VALLEY N.A. (R)
Steve Hale *e-mail:* HaleSun@aol.com
9339 Guadalupe Trail NW, Alameda, NM 87114-1719 897-1566 (h) 321-5539 (w)
Estella Martinez *e-mail:* yogishoney@hotmail.com
140 Ranchitos Rd. NW, Alameda, NM 87114-1031 898-2294 (h) 980-9586 (w)

Council District: 2&County
County District: 1
Police Beat: 243,244/VA
Zone Map #: A-E-14-17
Community Id Dist.: N. Valley

NOTICE TO APPLICANTS

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* *

(below this line for OCNC use only)

Date of Inquiry: 8 [illegible] Time Entered: [illegible] OCNC Rep. Initials: DC

City of Albuquerque

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August 29, 2001

Russell Brito
COA/Planning Dept.
600 2nd Street NW, 3rd Floor/87102
Phone #: 924-3337 Fax #: 924-3339

Dear Russell:

Thank you for your inquiry of **August 29, 2001** requesting the names of Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed **LOTS 1 AND 2, SAWAYA ADDITION** zone map page(s) **E-17.**

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

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Sincerely,

Dalaina L. Carmona

OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

planningrnaform(11/5/98)

"ATTACHMENT A"

Russell Brito
COA/Planning Dept.
Zone Map – C-13

ALBAN HILLS N.A.
***Jack Scott** *e-mail:* jakalyn@uswest.net
6417 Camino Del Arrebol NW/87120 898-5009 (h)
Bonnie Kelley *e-mail:* bonnie3928@aol.com
6417 Camino Del Arrebol NW/87120 898-8201 (h)

Council District: 5&County
County District: 1
Police Beat: 121,122/WS/Z-A
Zone Map #: C-E-11-14
Community Id Dist.: Westside

COORS TRAIL N.A. (R)
James Timmons *e-mail:* jimjanenm@earthlink.net
2715 Pueblo Grande Trl. NW/87120 890-8471 (h)
Tracy Cadigan *e-mail:* cadigan@flash.net
2705 Bosque del Sol Ln. NW/87120 890-4967 (h&w)

Council District: 5&County
County District: 1
Police Beat: 121/WS/Z-A
Zone Map #: D-12-13
Community Id Dist.: Westside

EAGLE RANCH N.A. (R)
***Fred Hampton** *e-mail:* abqhampton@aol.com
9620 Stone St. NW/87114 890-5159 (h&w)
Jason Vargas *e-mail:* vargasj@surjree.com
4625 Carl Hatch Pl. NW/87114 899-9755 (h)

Council District: 5&County
County District: 1
Police Beat: 119/WS/Z-A
Zone Map #: B-C-12-13
Community Id Dist.: Westside

PARADISE HILLS CIVIC ASSOC. (R)
***Audre Bonadea**
10137 Furman NW/87114 897-9663 (h)
Meredith Hughes *e-mail:* hughes@foodmuseum.com
9908 La Paz NW/87114 898-0909 (h)

Council District: 5&County
County District: 1
Police Beat: 113-114,116-118/WS/Z-A
Zone Map #: A-C-9-13
Community Id Dist.: Westside

PIEDRAS MARCADAS N.A. (R)
***Ron Salvato** *e-mail:* justtoys@msn.com
9401 Cactus Tr. NW/87114 792-0475 (h) 897-8299 (w)
W. Steve Gallegos
4331 Rosecliff Ave. NW/87114

Council District: 5
County District: 1
Police Beat: 119/WS/Z-A
Zone Map #: C-12
Community Id Dist.: Westside

RIVERFRONTE ESTATES N.A., INC. (R)
***Ginger Carman** *e-mail:* RGAACaarman@aol.com
1728 Rusty Rd. NW/87114 792-7444 (h)
Gary Plante *e-mail:* gpsouthwest@aol.com
1692 Pace Rd. NW/87114 235-2020 (h)

Council District: 5&County
County District: 1
Police Beat:
Zone Map #: B-C-13-14
Community Id Dist.: Westside

TAYLOR RANCH N.A. (R)
***Virginia M. Klebesadel** *e-mail:* vmkinabq@aol.com
4416 Gooseberry Rd. NW/87120 898-9173 (h)
Jolene Wolfley *e-mail:* jostler-wolfley@hotmail.com
6804 Staghorn Dr. NW/87120-4806 890-9414 (h)
E-mail: TRNAnews@aol.com

Council District: 5
County District: 1
Police Beat: 119,121,122,124-127/WS/Z-A
Zone Map: C-F-11-14
Community ID Dist: Westside

NOTICE TO APPLICANTS

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

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5. The name, address and telephone number of the applicant and of the agent (if any). In particular the name of an individual contact person will be helpful so that neighborhood associations may contact someone with questions or comments.

* *

(below this line for OCNC use only)

Date of Inquiry: 5/21/1 Time Entered: 3:00pm OCNC Rep. Initials: DC

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.

August 29, 2001

Russell Brito
COA/Planning Dept.
600 2nd Street NW, 3rd Floor/87102
Phone #: 924-3337 Fax #: 924-3339

Dear Russell:

Thank you for your inquiry of **August 29, 2001** requesting the names of Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed **LUTHERAN CHURCH SITE, PARADISE HILLS AND UNPLATTED, ALL SAINTS LUTHERAN CHURCH** zone map page(s) **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 or by fax at 924-3913.

Sincerely,

Dalaina L. Carmona

OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

planningrnaform(11/5/98)

"ATTACHMENT A"

Russell Brito
COA/Planning Dept.
Zone Map – C-13

ALBAN HILLS N.A.
***Jack Scott** *e-mail:* jakalyn@uswest.net
6417 Camino Del Arrebol NW/87120 898-5009 (h)
Bonnie Kelley *e-mail:* bonnie3928@aol.com
6417 Camino Del Arrebol NW/87120 898-8201 (h)

Council District: 5&County
County District: 1
Police Beat: 121,122/WS/Z-A
Zone Map #: C-E-11-14
Community Id Dist.: Westside

COORS TRAIL N.A. (R)
James Timmons *e-mail:* jimjanenm@earthlink.net
2715 Pueblo Grande Trl. NW/87120 890-8471 (h)
Tracy Cadigan *e-mail:* cadigan@flash.net
2705 Bosque del Sol Ln. NW/87120 890-4967 (h&w)

Council District: 5&County
County District: 1
Police Beat: 121/WS/Z-A
Zone Map #: D-12-13
Community Id Dist.: Westside

EAGLE RANCH N.A. (R)
***Fred Hampton** *e-mail:* abqhampton@aol.com
9620 Stone St. NW/87114 890-5159 (h&w)
Jason Vargas *e-mail:* vargasj@surjree.com
4625 Carl Hatch Pl. NW/87114 899-9755 (h)

Council District: 5&County
County District: 1
Police Beat: 119/WS/Z-A
Zone Map #: B-C-12-13
Community Id Dist.: Westside

PARADISE HILLS CIVIC ASSOC. (R)
***Audre Bonadea**
10137 Furman NW/87114 897-9663 (h)
Meredith Hughes *e-mail:* hughes@foodmuseum.com
9908 La Paz NW/87114 898-0909 (h)

Council District: 5&County
County District: 1
Police Beat: 113-114,116-118/WS/Z-A
Zone Map #: A-C-9-13
Community Id Dist.: Westside

PIEDRAS MARCADAS N.A. (R)
***Ron Salvato** *e-mail:* justtoys@msn.com
9401 Cactus Tr. NW/87114 792-0475 (h) 897-8299 (w)
W. Steve Gallegos
4331 Rosecliff Ave. NW/87114

Council District: 5
County District: 1
Police Beat: 119/WS/Z-A
Zone Map #: C-12
Community Id Dist.: Westside

RIVERFRONTE ESTATES N.A., INC. (R)
***Ginger Carman** *e-mail:* RGAACaarman@aol.com
1728 Rusty Rd. NW/87114 792-7444 (h)
Gary Plante *e-mail:* gpsouthwest@aol.com
1692 Pace Rd. NW/87114 235-2020 (h)

Council District: 5&County
County District: 1
Police Beat:
Zone Map #: B-C-13-14
Community Id Dist.: Westside

TAYLOR RANCH N.A. (R)
***Virginia M. Klebesadel** *e-mail:* vmkinabq@aol.com
4416 Gooseberry Rd. NW/87120 898-9173 (h)
Jolene Wolfley *e-mail:* jostler-wolfley@hotmail.com
6804 Staghorn Dr. NW/87120-4806 890-9414 (h)
E-mail: TRNAnews@aol.com

Council District: 5
County District: 1
Police Beat: 119,121,122,124-127/WS/Z-A
Zone Map: C-F-11-14
Community ID Dist: Westside

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.
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   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: 8-29-01 Time Entered: 3:00pm OCNC Rep. Initials: DC

City of Albuquerque

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August 29, 2001

Russell Brito
COA/Planning Dept.
600 2nd Street NW, 3rd Floor/87102
Phone #: 924-3337 Fax #: 924-3339

Dear Russell:

Thank you for your inquiry of **August 29, 2001** requesting the names of Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed **LOT 3A1, BLACK RANCH, LOTS 4 AND 5 BLACK RANCH, PARTITION OF LOT 3D, BLACK RANCH, LOT 3E1, BLACK RANCH** zone map page(s) **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 or by fax at 924-3913.

Sincerely,

Dalaina L. Carmona

OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

planningrnaform(11/5/98)

"ATTACHMENT A"

Russell Brito
COA/Planning Dept.
Zone Map – B-C-13

BOSQUE DELL ACRES N.A.
***Tom Schroeder** *e-mail:* schroeder@swmls.com
9731 Loretta Dr. NW/87114 890-9137 (h) 924-2118 (w)
David Neuman *e-mail:* afcc@thuntek.net
1515 Erwin NW/87114 792-8633 (h)

Council District: County
County District: 1
Police Beat:
Zone Map #: B-14
Community Id Dist.: Westside

EAGLE RANCH N.A. (R)
***Fred Hampton** *e-mail:* abqhampton@aol.com
9620 Stone St. NW/87114 890-5159 (h&w)
Jason Vargas *e-mail:* vargasj@surjree.com
4625 Carl Hatch Pl. NW/87114 899-9755 (h)

Council District: 5&County
County District: 1
Police Beat: 119/WS/Z-A
Zone Map #: B-C-12-13
Community Id Dist.: Westside

EAGLE RIDGE N.A.
***Nancy Jenkins**
4513 Palmyra NW/87114 898-8128 (h) 938-8965 (w)
Robert Friedrichs
10128 Sierra Hills NW/87114 897-7487 (h)

Council District: 5
County District: 1
Police Beat: 114/WS/Z-A
Zone Map #: B-12
Community Id Dist.: Westside

NEW VISTAS SUBDIVISION HOA
Garry Eul
4223 New Vistas Ct. NW/87114 792-1663(h) 828-5288 (w)
Terance Jahnke
4109 New Vistas Ct. NW/87114 897-2580 (h) 256-6755 (w)

Council District: 5
County District: 1
Police Beat: 117/WS
Zone Map #: B-13
Community Id Dist.: Westside

PARADISE HILLS CIVIC ASSOC. (R)
***Audre Bonadea**
10137 Furman NW/87114 897-9663 (h)
Meredith Hughes *e-mail:* hughes@foodmuseum.com
9908 La Paz NW/87114 898-0909 (h)

Council District: 5&County
County District: 1
Police Beat: 113-114,116-118/WS/Z-A
Zone Map #: A-C-9-13
Community Id Dist.: Westside

RIVERFRONTE ESTATES N.A., INC. (R)
***Ginger Carman** *e-mail:* RGAACaarman@aol.com
1728 Rusty Rd. NW/87114 792-7444 (h)
Gary Plante *e-mail:* gpsouthwest@aol.com
1692 Pace Rd. NW/87114 235-2020 (h)

Council District: 5&County
County District: 1
Police Beat:
Zone Map #: B-C-13-14
Community Id Dist.: Westside

WINDMILL ESTATES AREA N.A.
***Elaine K. Bickerstaff**
9839 Windmill Ct. NW/87114 898-5529 (h)
Ron Bohannan
9851 Cita Rd. NW/87114 898-4525 (h) 883-7592 (w)

Council District: County
County District: 1
Police Beat:
Zone Map: B-13-14
Community ID Dist: Westside

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.

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1. The street address of the subject property.
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   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: 8 April Time Entered: 3:00 pm OCNC Rep. Initials: DC

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.

August 29, 2001

Russell Brito
COA/Planning Dept.
600 2nd Street NW, 3rd Floor/87102
Phone #: 924-3337 Fax #: 924-3339

Dear Russell:

Thank you for your inquiry of **August 29, 2001** requesting the names of Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed **LOT 13, BLACK RANCH, PARTITION OF LOTS A, B1, B2 AND C, PARADISE HILLS IPTRN & EAGLE RANCH TR2, AND UNPLATTED/SUN COUNTRY INDUSTRIES** zone map page(s) **B-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 or by fax at 924-3913.

Sincerely,

Dalaina L. Carmona

OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

planningrnaform(11/5/98)

"ATTACHMENT A"

Russell Brito
COA/Planning Dept.
Zone Map – A-14

COTTONWOOD HEIGHTS N.A. (R)
***Gary Clarke** *e-mail:* gsclarkenm@yahoo.com
10309 Dunbar St. NW/87114 898-9376 (h)
Tammy Smith *e-mail:* msmithtam@aol.com
4404 Loren NW/87114 890-8154 (h)

Council District: 5
County District: 1
Police Beat: 114/WS
Zone Map #: A-B-12-13
Community Id Dist.: Westside

EAGLE RIDGE N.A.
***Nancy Jenkins**
4513 Palmyra NW/87114 898-8128 (h) 938-8965 (w)
Robert Friedrichs
10128 Sierra Hills NW/87114 897-7487 (h)

Council District: 5
County District: 1
Police Beat: 114/WS/Z-A
Zone Map #: B-12
Community Id Dist.: Westside

HORIZON HILLS N.A. (R)
***Julia M. Wilson** *e-mail:* JWmist@aol.com
5705 Carmen Rd. NW/87114 899-4030 (h)
Jolinda J. Balmer *e-mail:* balmerj@juno.com
10590 Vista Bella Pl. NW/87114 898-9076 (h)

Council District: 5&County
County District: 1
Police Beat: 111,113/WS/Z-A
Zone Map #: A-11-12
Community Id Dist.: Westside

PARADISE HILLS CIVIC ASSOC. (R)
***Audre Bonadea**
10137 Furman NW/87114 897-9663 (h)
Meredith Hughes *e-mail:* hughes@foodmuseum.com
9908 La Paz NW/87114 898-0909 (h)

Council District: 5&County
County District: 1
Police Beat: 113-114,116-118/WS/Z-A
Zone Map #: A-C-9-13
Community Id Dist.: Westside

SALIDA DEL SOL H.O.A.
***Bill Foley**
4404 Driftwood NW/87114 897-2739 (h)
Minna M. Dimmick
10536 Calle Sombra Pl. NW/87114 898-7042 (h)

Council District: 5
County District: 1
Police Beat: 112/WS/Z-A
Zone Map #: A-12-13
Community Id Dist.: Westside

SARAGOSSA N.A. (R)
Pauline Ramos
4440 Condesa Ct. NW/87114 890-4909 (h)
Dean Murphy
10404 Vista Del Sol Dr. NW/87114 898-4811 (h)

Council District: 5
County District: 1
Police Beat: 112/WS/Z-A
Zone Map #: A-12-13
Community ID Dist: Westside

SKY VIEW ACRES N.A.
***Deborah M. Steele**
10629 Calle de Elena NW/Corrales, NM 87048 898-9393 (h) 898-8142 (w)
John Harvelle
c/o S.V.A.N.A, P.O. Box 1653/Corrales, NM 87048 897-6381 (h)

Council District: County
County District: 1
Police Beat:
Zone Map #: A-14
Community ID Dist:

NOTICE TO APPLICANTS

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

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   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: 8-29-01 Time Entered: 8:00 am OCNC Rep. Initials: DC

City of Albuquerque

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August 29, 2001

Russell Brito
COA/Planning Dept.
600 2nd Street NW, 3rd Floor/87102
Phone #: 924-3337 Fax #: 924-3339

Dear Russell:

Thank you for your inquiry of **August 29, 2001** requesting the names of Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed **LOT 1A, RIVERWALK MARKETPLACE** zone map page(s) **A-14.**

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.

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Sincerely,

Dalaina L. Carmona
OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

planningrnaform(11/5/98)

"ATTACHMENT A"

Russell Brito
COA/Planning Dept.
Zone Map – A-B-13,14

COTTONWOOD HEIGHTS N.A. (R)
***Gary Clarke** *e-mail:* gsclarkenm@yahoo.com
10309 Dunbar St. NW/87114 898-9376 (h)
Tammy Smith *e-mail:* msmithtam@aol.com
4404 Loren NW/87114 890-8154 (h)

Council District: 5
County District: 1
Police Beat: 114/WS
Zone Map #: A-B-12-13
Community Id Dist.: Westside

EAGLE RIDGE N.A.
***Nancy Jenkins**
4513 Palmyra NW/87114 898-8128 (h) 938-8965 (w)
Robert Friedrichs
10128 Sierra Hills NW/87114 897-7487 (h)

Council District: 5
County District: 1
Police Beat: 114/WS/Z-A
Zone Map #: B-12
Community Id Dist.: Westside

HORIZON HILLS N.A. (R)
***Julia M. Wilson** *e-mail:* JWmist@aol.com
5705 Carmen Rd. NW/87114 899-4030 (h)
Jolinda J. Balmer *e-mail:* balmerj@juno.com
10590 Vista Bella Pl. NW/87114 898-9076 (h)

Council District: 5&County
County District: 1
Police Beat: 111,113/WS/Z-A
Zone Map #: A-11-12
Community Id Dist.: Westside

PARADISE HILLS CIVIC ASSOC. (R)
***Audre Bonadea**
10137 Furman NW/87114 897-9663 (h)
Meredith Hughes *e-mail:* hughes@foodmuseum.com
9908 La Paz NW/87114 898-0909 (h)

Council District: 5&County
County District: 1
Police Beat: 113-114,116-118/WS/Z-A
Zone Map #: A-C-9-13
Community Id Dist.: Westside

SALIDA DEL SOL H.O.A.
***Bill Foley**
4404 Driftwood NW/87114 897-2739 (h)
Minna M. Dimmick
10536 Calle Sombra Pl. NW/87114 898-7042 (h)

Council District: 5
County District: 1
Police Beat: 112/WS/Z-A
Zone Map #: A-12-13
Community Id Dist.: Westside

SARAGOSSA N.A. (R)
Pauline Ramos
4440 Condesa Ct. NW/87114 890-4909 (h)
Dean Murphy
10404 Vista Del Sol Dr. NW/87114 898-4811 (h)

Council District: 5
County District: 1
Police Beat: 112/WS/Z-A
Zone Map #: A-12-13
Community ID Dist: Westside

SKY VIEW ACRES N.A.
***Deborah M. Steele**
10629 Calle de Elena NW/Corrales, NM 87048 898-9393 (h) 898-8142 (w)
John Harvelle
c/o S.V.A.N.A, P.O. Box 1653/Corrales, NM 87048 897-6381 (h)

Council District: County
County District: 1
Police Beat:
Zone Map #: A-14
Community ID Dist:

NOTICE TO APPLICANTS

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

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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: 8/9/11 Time Entered: 3:06pm OCNC Rep. Initials: DC

City of Albuquerque

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August 29, 2001

Russell Brito
COA/Planning Dept.
600 2nd Street NW, 3rd Floor/87102
Phone #: 924-3337 Fax #: 924-3339

Dear Russell:

Thank you for your inquiry of **August 29, 2001** requesting the names of Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed **LOTS M1A1, M1A2, M1A3 AND M1B, SEVEN BAR RANCH** zone map page(s) **A-B-13,14.**

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.

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Sincerely,

Dalaina L. Carmona
OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

planningrnaform(11/5/98)

City of Albuquerque
P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

Date: 28 August 2001
To: Neighborhood Association Representatives
From: Russell Brito, City of Albuquerque Planning Department
RE: Establishment of Zoning for Lands Annexed to the City of Albuquerque by Order of the State Municipal Boundary Commission

The City of Albuquerque Planning Department is requesting establishment of zoning for approximately 140 acres of property that were annexed to the City by the State Municipal Boundary Commission on 7 August 2001. The requested zoning and a map of the property locations are attached to this memo. This request is proposed to be scheduled for the EPC hearing on 20 September 2001 for a recommendation to the City Council.

Background
The City petitioned the State Municipal Boundary Commission (the Commission) for annexation of approximately 140 acres of property pursuant to the State Statutes regarding annexation by municipalities via the Commission (NMSA 1978, § 3-7-11 to § 3-7-16).

On 7 August 2001, the Commission held a public hearing at the Albuquerque Convention Center to determine if the conditions set forth in §3-7-15 NMSA 1978 were met. The Commission heard testimony from the petitioner (the City), a few property owners and the Bernalillo County Manager and found that:

(1) All of the territories proposed to be annexed are contiguous to the City of Albuquerque.
(2) All of the territories proposed to be annexed may be provided with municipal services by the City of Albuquerque.

The Commission voted unanimously to order annexation of approximately 140 acres of property to the City of Albuquerque. **The Commission did not establish zoning. The City Council has final authority to establish zoning for the subject properties, hence this request for a recommendation from the Environmental Planning Commission to the City Council to establish specific zone categories that will adequately respond to the previous County zoning and the existing uses on the properties.**

The 140 acres of property are not all contiguous to each other, but are located in small groupings or as stand alone parcels, mostly on the west side of the Rio Grande in the Cottonwood/Seven Bar area. A few properties are located along Interstate 25 between Montaño Road and San Antonio Drive. For the most part, the City is proposing zoning that is congruent with the previous County zoning. The Planning Department is recommending a variety of zones for the individual parcels as outlined on the attached zoning matrix.

If you have any questions or comments, please do not hesitate to call me at 924-3337.

	Legal Description(s)	Acreage	Bernalillo County Zoning	Current Use(s)	EPC recommended City of Albuquerque Zoning
H	ABQ Christian Home, ABQ Christian Children's Home	3.81 acres	A-1 w/SU-Permit for a Children's Home	Children's Home	SU-1 for Children's Home and wireless telecommunications facility
I	Un-platted, Presley Co. of New Mexico	11.7 acres	A-1	Undeveloped	SU-1 for PRD
J	Lots 1, 2, 3 and 4, West Bank Estates; and Lots A and C, Poole – Suzanne H	30.0 acres	A-1	Residential and Undeveloped	RA-1
L	Lots 1 and 2, Sawaya Addition	2.9 acres	C-1	Undeveloped	C-2
M	Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station	7.33 acres	A-1 and M-1	Electric Utility	M-1
M	Lardner Tract, Lardner Tract	3.25 acres	M-1	Manufacturing / Commercial / Retail	M-1
M	Lot B, Sandia Upholstering Company	1.22 acres	M-1	Commercial / Retail	SU-1 for C-1 Uses

Created by Christopher Hyer

Attachment A

	Legal Description(s)	Acreage	Bernalillo County Zoning	Current Use(s)	EPC recommended City of Albuquerque Zoning
A	Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch	41.6 acres	A-1 w/ Special Use Permit for C-2 Uses	Commercial / Retail	SU-1 for C-2 Uses
B	Lot 1A, River walk Marketplace	9.4 acres	A-1 w/ Special Use Permit for C-1 Uses	Vacant Building	SU-1 for C-1 Uses
C	Lot 13, Black Ranch, Partition of	3.0 acres	A-1 w/Special Use Permit for PDA	Undeveloped	SU-1 for C-1 Uses and restaurant with liquor for on-premise consumption
D	Lots A, B1, B2 and C, Paradise Hills IPTRN & Eagle Ranch TR2, and Un-platted/Sun Country Industries	10.3 acres	M-1	Commercial / Retail	SU-1 for C-2 Uses for lots A, B1 and B2, Paradise Hills IPTRN & Eagle Ranch TR2, M-1 for lot C and Un-platted Sun Country Industries
E	Lot 3A1, Black Ranch, and Lots 4 and 5 Black Ranch, Partition of	2.2 acres	C-1, A-1	Gas Station and Undeveloped	SU-1 for C-1 Uses
E	Lot 3D, Black Ranch	0.86 acres	C-1 w/SU-Permit for Drive-in Restaurant	Developing Commercial	SU-1 for C-1 Uses
E	Lot 3E1, Black Ranch,	1.37 acres	C-2	Undeveloped	SU-1 for C-2 Uses
F	Lutheran Church Site, Paradise Hills and Un-platted, All Saints Lutheran Church	4.2 acres	C-1	Church	SU-1 for Church and Related Uses
G	Lot A1B, Taylor-Joel P	2.4 acres	A-1	Church	SU-1 for Church and Related Uses
H	Lot A1, Taylor – Joel P, and Private Road Easement	2.65 acres	A-1 w/SU-Permit for a Cellular Telephone Facility	Wireless Telecommunications Facility	SU-1 for RA-1 and Wireless Telecommunications Facility
H	Lot A2, Taylor – Joel P	1.3 acres	A-1	Residential & processing, manufacturing, treatment and sale of herb products	SU-1 for RA-1 & processing, manufacturing, treatment and sale of herb products

Created by Christopher Hyer

City of Albuquerque
P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

Date: 17 September 2001
To: Property Owners of Annexed Property
From: Russell Brito, City of Albuquerque Planning Department
RE: Establishment of Zoning for Lands Annexed to the City of Albuquerque by Order of the State Municipal Boundary Commission

The City of Albuquerque Planning Department is requesting establishment of zoning for approximately 140 acres of property that were annexed to the City by the State Municipal Boundary Commission on 7 August 2001. The requested zoning and a map of the property locations are attached to this memo. This request is scheduled for the Environmental Planning Commission hearing on 18 October 2001 for a recommendation to the City Council. The case number for the zoning request is 01110 01244.

Background

The City petitioned the State Municipal Boundary Commission (the Commission) for annexation of approximately 140 acres of property pursuant to the State Statutes regarding annexation by municipalities via the Commission (NMSA 1978, § 3-7-11 to § 3-7-16).

On 7 August 2001, the Commission held a public hearing at the Albuquerque Convention Center to determine if the conditions set forth in §3-7-15 NMSA 1978 were met. The Commission heard testimony from the petitioner (the City), a few property owners and the Bernalillo County Manager and found that:

(1) All of the territories to be annexed are contiguous to the City of Albuquerque.
(2) All of the territories to be annexed may be provided with municipal services by the City of Albuquerque.

The Commission voted unanimously to order annexation of approximately 140 acres of property to the City of Albuquerque. **The Commission did not establish zoning. The City Council has final authority to establish zoning for the subject properties, hence the request for a recommendation from the Environmental Planning Commission to the City Council to establish specific zone categories that will adequately respond to the previous County zoning and the existing uses on the properties.**

City zoning that is congruent with the previous County zoning is proposed. The Planning Department is recommending a variety of zones for the individual parcels as outlined on the attached zoning matrix.

If you have any questions or comments about the recommended zoning or the zoning process, please do not hesitate to call me at 924-3337.

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

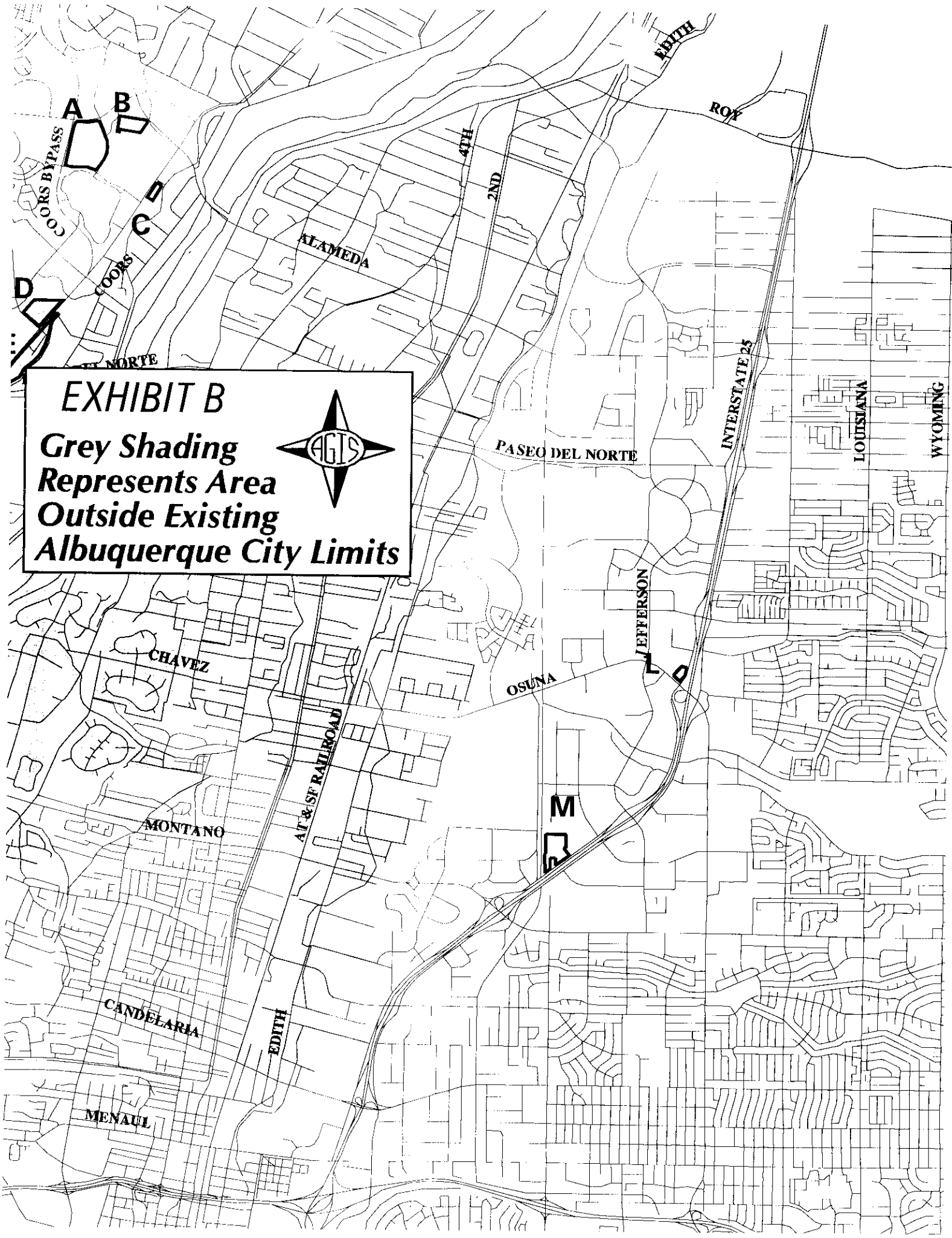
EXHIBIT B
Grey Shading Represents Area Outside Existing Albuquerque City Limits
AGIS
A
B
C
D
M
COORS BYPASS
COORS
ALAMEDA
4TH
2ND
EDITH
ROY
PASEO DEL NORTE
INTERSTATE 25
LOUISIANA
WYOMING
JEFFERSON
OSUNA
CHAVEZ
MONTANO
CANDELARIA
MENAUL
AT&SF RAILROAD

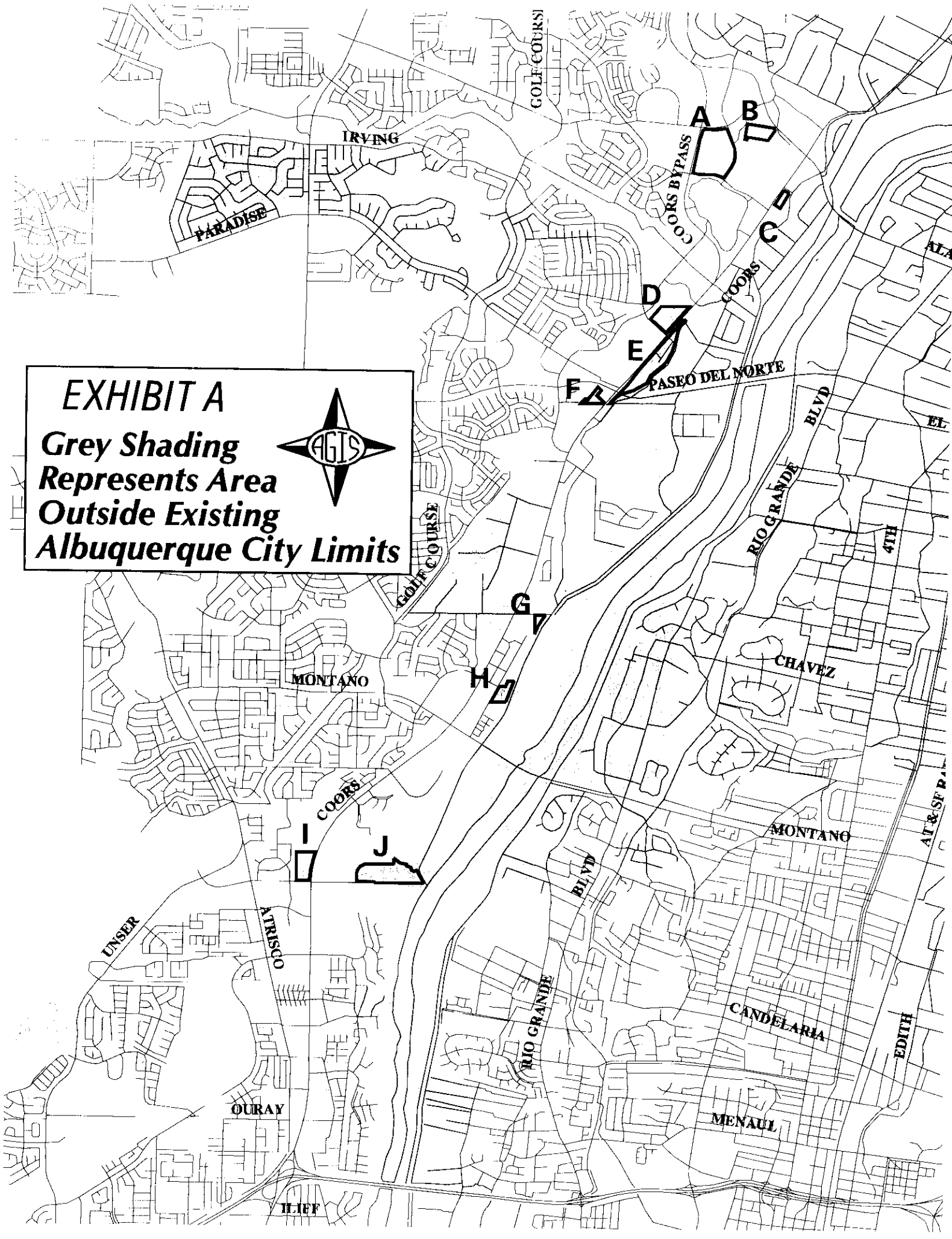
EXHIBIT A
Grey Shading Represents Area Outside Existing Albuquerque City Limits
AGIS
A
B
C
D
E
F
G
H
I
J
IRVING
PARADISE
COORS BYPASS
COORS
PASEO DEL NORTE
RIO GRANDE
BLVD
GOLF COURSE
MONTANO
CHAVEZ
4TH
UNSER
ATRISCO
CANDELARIA
EDITH
OURAY
MENAUL
ILIFF

Attachment 1, page 2

Legal Description(s)	Acreage	Bernalillo County Zoning	Current Use(s)	Requested City of Albuquerque Zoning
ABQ Christian Home, ABQ Christian Children's Home	3.81 acres	A-1 w/SU-Permit for a Children's Home	Children's Home	SU-1 for Children's Home
Unplatted, Presley Co. of New Mexico	11.7 acres	A-1	Undeveloped	R-1
Lots 1, 2, 3 and 4, West Bank Estates; and Lots A and C, Poole – Suzanne H	30.0 acres	A-1	Residential and Undeveloped	RA-1
Lots 1 and 2, Sawaya Addition	2.9 acres	C-1	Undeveloped	SU-1 for C-1 Uses and restaurant with liquor for on-premise consumption
Lots A, B and C, North Switching Station Addition and North Switching Station, North Switching Station	7.33 acres	A-1 and M-1	Electric Utility	SU-1 for Electric Utility Facility
Lardner Tract, Lardner Tract	3.25 acres	M-1	Manufacturing / Commercial / Retail	SU-1 for C-3 Uses
Lot B, Sandia Upholstering Company	1.22 acres	M-1	Commercial / Retail	SU-1 for C-1 Uses

Attachment 1, page 1

Legal Description(s)	Acreage	Bernalillo County Zoning	Current Use(s)	Requested City of Albuquerque Zoning
Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch	41.6 acres	A-1 w/ Special Use Permit for C-2 Uses	Commercial / Retail	SU-1 for C-2 Uses
Lot 1A, Riverwalk Marketplace	9.4 acres	A-1 w/ Special Use Permit for C-1 Uses	Vacant Building	SU-1 for C-1 Uses
Lot 13, Black Ranch, Partition of	3.0 acres	A-1 w/Special Use Permit for PDA	Undeveloped	SU-1 for C-1 Uses and restaurant with liquor for on-premise consumption
Lots A, B1, B2 and C, Paradise Hills IPTRN & Eagle Ranch TR2, and Unplatted/Sun Country Industries	10.3 acres	M-1	Commercial / Retail	SU-1 for C-2 Uses
Lot 3A1, Black Ranch, and Lots 4 and 5 Black Ranch, Partition of	2.2 acres	C-1, A-1	Gas Station and Undeveloped	SU-1 for C-1 Uses
Lot 3D, Black Ranch	0.86 acres	C-1 w/SU-Permit for Drive-in Restaurant	Developing Commercial	SU-1 for C-1 Uses
Lot 3E1, Black Ranch,	1.37 acres	C-2	Undeveloped	SU-1 for C-2 Uses
Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church	4.2 acres	C-1	Church	SU-1 for Church and Related Uses
Lot A1B, Taylor-Joel P	2.4 acres	A-1	Church	SU-1 for Church and Related Uses
Lot A1, Taylor – Joel P, and Private Road Easement	2.65 acres	A-1 w/SU-Permit for a Cellular Telephone Facility	Wireless Telecommunications Facility	SU-1 for RA-1 and Wireless Telecommunications Facility
Lot A2, Taylor – Joel P	1.3 acres	A-1	Residential & processing, manufacturing, treatment and sale of herb products	SU-1 for RA-1 & processing, manufacturing, treatment and sale of herb products

Any other City services are immediately available or will be within a reasonable time. Electrical service, natural gas, telephone service and cable television service are presently available from private utility companies.

WHEREFORE, Petitioner respectfully requests that the Municipal Boundary Commission order the annexation of the Property to the City of Albuquerque.

Respectfully submitted,

CITY OF ALBUQUERQUE

By: Jim Baca
Mayor

And
By: Marie Baca Archuleta
City Clerk

I. Unplatted, Presley Co. of New Mexico, containing 11.7 acres more or less; and

J. Lots 1, 2, 3 and 4, West Bank Estates; and Lots A, B and C, Poole – Suzanne H, containing 30 acres more or less; and

K. Lot 348, Town of Atrisco Grant, Unit 8, containing 5.5 acres more or less; and

L. Lots 1 and 2, Sawaya Addition, containing 2.9 acres more or less; and

M. Lots A, B and C, North Switching Station Addition; Lardner Tract, Lardner Tract; and Lot B, Sandia Upholstering Company, containing 11.8 acres more or less.

2. The maps attached hereto as Exhibits "A" and "B" depict the external boundaries of the Properties, and the relationships of the existing boundaries of the City to the Properties. There are no highways within the Properties.

3. The Properties are contiguous with the City boundaries as illustrated on Exhibits "A" and "B".

4. The property can be provided with municipal services by the City at this time or within a reasonable time, as follws:

City Service	When Available	How Available
Water	Immediately or within six months of annexation.	Connection to the City's existing water lines.
Sanitary Sewer	Immediately or within six months of annexation.	Connection to the City's existing sewer system.
Police	Upon Annexation	The Properties are all surrounded by the City of Albuquerque and existing police service and protection areas.
Fire & Ambulance	Upon Annexation	The Properties are all surrounded by the City of Albuquerque and existing fire service and protection areas.
Solid Waste	Upon Annexation	Once Property is annexed, collection by Solid Waste Management Department is required by the City's Refuse Ordinance.

The Properties are currently developed or able to develop immediately. City services to the lots and tracts of the Properties are either available immediately or will be available within a reasonable time.

Petitioner intends that the roads within or adjacent to the Property will be dedicated to the City. The City will have the responsibility of maintenance of dedicated roads.

BEFORE THE
MUNICIPAL BOUNDARY COMMISSION
STATE OF NEW MEXICO

CITY OF ALBUQUEREQUE No._____

Petitioner,

vs.

PROPERTY OWNERS, ETC.

Respondent.

PETITION FOR ANNEXATION
OF TERRITORY TO THE
CITY OF ALBUQUERQUE

CITY OF ALBUQUERQUE, a political subdivision of the State of New Mexico ("Petitioner"), hereby petitions the Municipal Boundary Commission to order annexation of the property described herein to the City of Albuquerque ("City"), pursuant to NMSA 1978, § 3-7-11 to § 3-7-16.

1. The territory to be annexed (the "Properties") consists of about 165 acres located in the unincorporated area of Bernalillo County west of the Rio Grande, south of NM 528 and north of Interstate 40, and along Interstate 45 between Montano Road and San Antonio Drive. The Properties consist of several parcels of land, as follows:

A. Lots M1A1, M1A2, M1A3 and M1B, Seven Bar Ranch, containing 41.6 acres more or less; and

B. Lot 1A, Riverwalk Marketplace, containing 9.4 acres more or less; and

C. Lot 13, Black Ranch, Partition of, containing 3.0 acres more or less; and

D. Lots A, B1, B2 and C, Paradise Hills IPTRN & Eagle Ranch TR2, and Unplatted/Sun Country Industries, containing 10.3 acres more or less; and

E. Lots 2, 3A1, 3B, 3C, 3D, 3E1, 3F1, 3G1, 3H, 3I, 3J, Black Ranch, and Lots 4 and 5 Black Ranch, Partition of, containing 25.5 acres more or less; and

F. Lutheran Church Site, Paradise Hills and Unplatted, All Saints Lutheran Church, containing 4.2 acres more or less; and

G. Lot A1B, Taylor-Joel P, containing 2.4 acres more or less; and

H. Lots A1 and A2, Taylor – Joel P, and Private Road Easement, and ABQ Christian Home, ABQ Christian Children's Home, containing 6.6 acres more or less; and

Accordingly, this Commission **ORDERS** that the properties described in the Petition for Annexation by the City of Albuquerque, as amended at the annexation hearing, hereby is, granted by vote of a quorum of the Commission.

DATED August 16, 2001.

By: Gerald Maestas, Chairman of the
New Mexico Municipal
Boundary Commission.

2. The Petition for annexation filed with the Department of Finance and Administration by the City of Albuquerque contains all necessary documents, signatures, surveys, and maps required by NMSA 1978 § 3-7-13.

3. The New Mexico Department of Finance and Administration Local Government Division published notice of the hearing in the Albuquerque Journal, a local newspaper of general circulation, once each week for four consecutive weeks, beginning June 28, 2001 and subsequently on July 3, July 10 and July 17, 2001.

4. Petitioner caused to be posted the same notice in six conspicuous places with public access within the City of Albuquerque.

5. The property Petitioner seeks to annex abuts and is contiguous to the current City limits of the City of Albuquerque.

6. Petitioner provided satisfactory evidence that it will be able to provide utility and public safety services to the property Petitioner seeks to annex.

Further, the Commission **CONCLUDES**:

9. Pursuant to NMSA 1978, Section 3-7-1 and 3-7-14(B), the Municipal Boundary Commission has jurisdiction to consider this matter.

10. Pursuant to Section 3-7-14(C), venue of the hearing was properly in the City of Albuquerque, New Mexico.

11. The notice of the annexation hearing complied fully with Section 3-7-14(B) and substantially with NMSA 1978, Section 3-1-2(J) (Repl. Pamp. 1995), though the latter statute does not apply to this annexation.

12. There is a preponderance of evidence demonstrating that Petitioner has the capacity to provide municipal services to the area Petitioner seeks to annex.

STATE OF NEW MEXICO
MUNICIPAL BOUNDARY COMMISSION

In re the Petition by City of Albuquerque
to annex approximately 165 acres of property.

No. 01-01

ORDER OF ANNEXATION

This matter came to hearing before the Municipal Boundary Commission ("MBC") on August 7, 2001 at the Mesilla Room of the Albuquerque Convention Center in Albuquerque NM. After considering all the evidence, the Commission **FINDS**:

1. On June 7, 2001 the City of Albuquerque, by and through its mayor the Honorable Jim Baca, filed a Petition, (See Exhibit 1, attached hereto for reference) with the New Mexico Department of Finance and Administration, to Annex approximately 165 acres of land, more or less, located in the unincorporated area of Bernalillo county west of the Rio Grande, South of NM 528 and north of Interstate 40, and along Interstate 25 between Montano Road and San Antonio Drive. The properties consist of the several properties described in the attached petition for annexation. Id.
2. At the hearing concerning the petition for annexation held on August 7, 2001, the City of Albuquerque requested that certain properties listed in the petition for annexation be withdrawn from consideration by the MBC. The properties which were withdrawn from consideration by the City are described as follows:

    A. Lots 2, 3B, 3C, 3F1, 3G1, 3H, 3I, and 3 J of Black Ranch, containing 20 acres more or less.
    B. Lot 348, Town of Atrisco Grant, Unit 8, containing 5.5 acres more or less.

The Commission did not establish zoning. The City Council has final authority to establish zoning for the subject properties, hence this request for a recommendation from the Environmental Planning Commission to the City Council to establish specific zone categories that will adequately respond to the previous County zoning and the existing uses on the properties.

The 140 acres of property are not all contiguous to each other, but are located in small groupings or as stand alone parcels, mostly on the west side of the Rio Grande. A few properties are located along Interstate 25 between Montaño Road and San Antonio Drive. For the most part, the City is proposing zoning that is congruent with the previous County zoning. The Planning Department is recommending a variety of zones for the individual parcels as outlined on the attached zoning matrix.

This request is justified as per the policies of Resolution 270-1980, specifically because the annexation of the properties by the State Municipal Boundary Commission is a changed community condition.

Thank you for your consideration of this request for recommendation to the City Council.

Sincerely,

Russell Brito, Senior Planner
Development Services Division
Planning Department

City of Albuquerque
P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

27 August 2001

Elizabeth Begay, Chair
Environmental Planning Commission
c/o Planning Department
PO Box 1293
Albuquerque NM 87103

RE: Establishment of Zoning for Lands Annexed to the City of Albuquerque by order of the State Municipal Boundary Commission

Dear Chair Begay,

Please accept this letter as justification of the multiple zoning requests for approximately 140 acres of property that were recently annexed to the City of Albuquerque (the City) by order of the State Municipal Boundary Commission (the Commission).

Background
The City petitioned the Commission for annexation of approximately 165 acres of property pursuant to the State Statutes regarding annexation by municipalities via the Commission (NMSA 1978, § 3-7-11 to § 3-7-16).

On 7 August 2001, the Commission held a public hearing at the Albuquerque Convention Center to determine if the conditions set forth in §3-7-15 NMSA 1978 were met. At the hearing, the City withdrew approximately 25 acres of property from the request because these properties had petitioned to annex into the City on their own through a different annexation process. The Commission heard testimony from the petitioner (the City), property owners and the Bernalillo County Manager and found that:

(1) All of the territories proposed to be annexed are contiguous to the City of Albuquerque.
(2) All of the territories proposed to be annexed may be provided with municipal services by the City of Albuquerque.

The Commission voted unanimously to order annexation of approximately 140 acres of property to the City of Albuquerque.

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

:ITY OF ALBUQUERQ E

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

APPLICANT: City of Albuquerque **Date of Request:** 08/28/01 **Zone Atlas Page(s):** A-13-14, B-13-14, C-13, E-12, E-17, F-11-12, F-16-17

CURRENT:

Zoning see attachment 1.

Parcel Size (acres/sq.ft.) _____

Legal Description:

Lot or Tract # _____ Block # _____

Subdivision Name _____

REQUESTED CITY ACTION(S):

Annexation [ ]
Sector Plan Amendment [ ]
Zone Map Amendment [X]
Other [ ]

Site Development Plan :
a.) Subdivision [ ] d. Building Permit [ ]
b.) Building Purposes [ ] e. Other [ ]
c.) Amendment [ ]

PROPOSED DEVELOPMENT:

No construction/development [X]
New construction [ ]
Expansion of existing development [ ]

GENERAL DESCRIPTION OF ACTION:[1]

Number of units _____
Building size _____ (sq. ft.) N/A

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

Applicant or Agent for the Applicant Russell Brito Date 28 Aug '01

TRAFFIC IMPACT STUDY REQUIRED: YES [X] DEFERRED NO [ ] BORDERLINE [ ]

PUBLIC WORKS DEPT. Transportation Development Division 1st Floor/Plaza del Sol 924-3900

THRESHOLDS MET? YES [X] NO [ ] Previously studied [ ] Mitigating reasons for not requiring **TIS**:
Notes: DEFERRED UNTIL DEVELOPMENT OF INDIVIDUAL PARCELS OCCUR. NEW ZONING WILL BE SU-1 FOR C-1, C-2, ETC.

IF A T'S 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 updated or new TIS.**

TRAFFIC ENGINEER Tony Tagl DATE 8-28-01

AIR QUALITY IMPACT ASSESSMENT MAY BE REQUIRED

Section 14-16-3-14 of COA Comprehensive Zoning Code contains threshold requirements for air quality studies. Criteria and thresholds contained in the zoning code specify which land use or plan actions will require preparation of an AQIA. Please refer to this section in order to determine if your proposal merits study for air quality impacts. No AQIA is required if associated TIS shows intersections functioning at level of service A, B or C.

IF AN AQIA IS REQUIRED: A scoping meeting must be held to define the level of analysis needed and the parameters of the study. The applicant should call 768-2638 or 768-2600 to insure that input is received from the AQD during the scoping of the companion TIS. Note that any subsequent changes to the development proposal identified above may require an updated or new AQIA.

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

TIS - SUBMITTED __/__/__ _____ _____

- FINALIZED __/__/__ TRAFFIC ENGINEER DATE

May, 2001

UPC NUMBERS

101406522938020302
101306550548110901
101306653000740401
101306551542610902
101206234525210225
101206236527510219
101206237729710221
101206238338810220
101206248050510222
101606151724710304
101706102030020104CA
101706104727220106
101106121920131009
101106142416040201
101106148816040132
101106149818940204
101106145518840203
101106142418740202
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101306551542610902
101306550548110901
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101406522938020302
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101306440043310203
101306438443110202
101306434036610414
101306432535310415
101706243846110202
101706242634410201

GARCIA/KRAEMER&ASSOCIATES

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

August 20, 2001

Richard Dineen, Manager
Development Services Division
Planning Department
City of Albuquerque

HAND DELIVERED

RE: Establishment of Zoning
Tract A-2 and a portion of Tract A-1
Lands of Joel P. Taylor

Dear Mr. Dineen:

The purpose of this letter is to request establishment of appropriate zoning for the subject property. This property was annexed by the Municipal Boundaries Commission on August 7, 2001. The EPC has scheduled a public hearing to consider the establishment of zoning on September 20, 2001.

This firm represents Dr. Harrith Hasson and Sharon Sharrett, the owners of Tract A-2 and a portion of Tract A-1, Lands of Joel P. Taylor. The primary use of this property is single-family residential. However, Ms. Sharrett has a commercial herb garden which she anticipates will eventually result in the production of herbal products for sale to the public. The production of these products may require other materials in addition to the herbs grown on-site. The ultimate activity will remain a relatively small "cottage industry". The Zoning Code classifies it as a manufacturing activity requiring at least C-2 zoning.

In addition, the owner anticipates that a small greenhouse will be constructed on the site. No additions to the existing structures are proposed. All of the activities are to be conducted within the existing accessory structure except, of course, the garden and greenhouse. Attached is Exhibit A which reflects the existing structures on the site and the small proposed greenhouse. Although it appears that the uses envisioned as described above could be uses that are permitted in the RA-1 zone, the fact that some manufacturing will take place is of concern and, therefore, we request that the property be zoned SU-1 for RA-1 uses (permissive and conditional) and the processing, manufacturing , treatment and sale of herbal products.

We also request that the SU-1 zoning be established with the following conditions:

1. That attached Exhibit A shall be the approved site plan. No further requirement for a site development plan be imposed unless additional structures are proposed in the future.

Please call us if you have any questions or need additional information.

Sincerely,

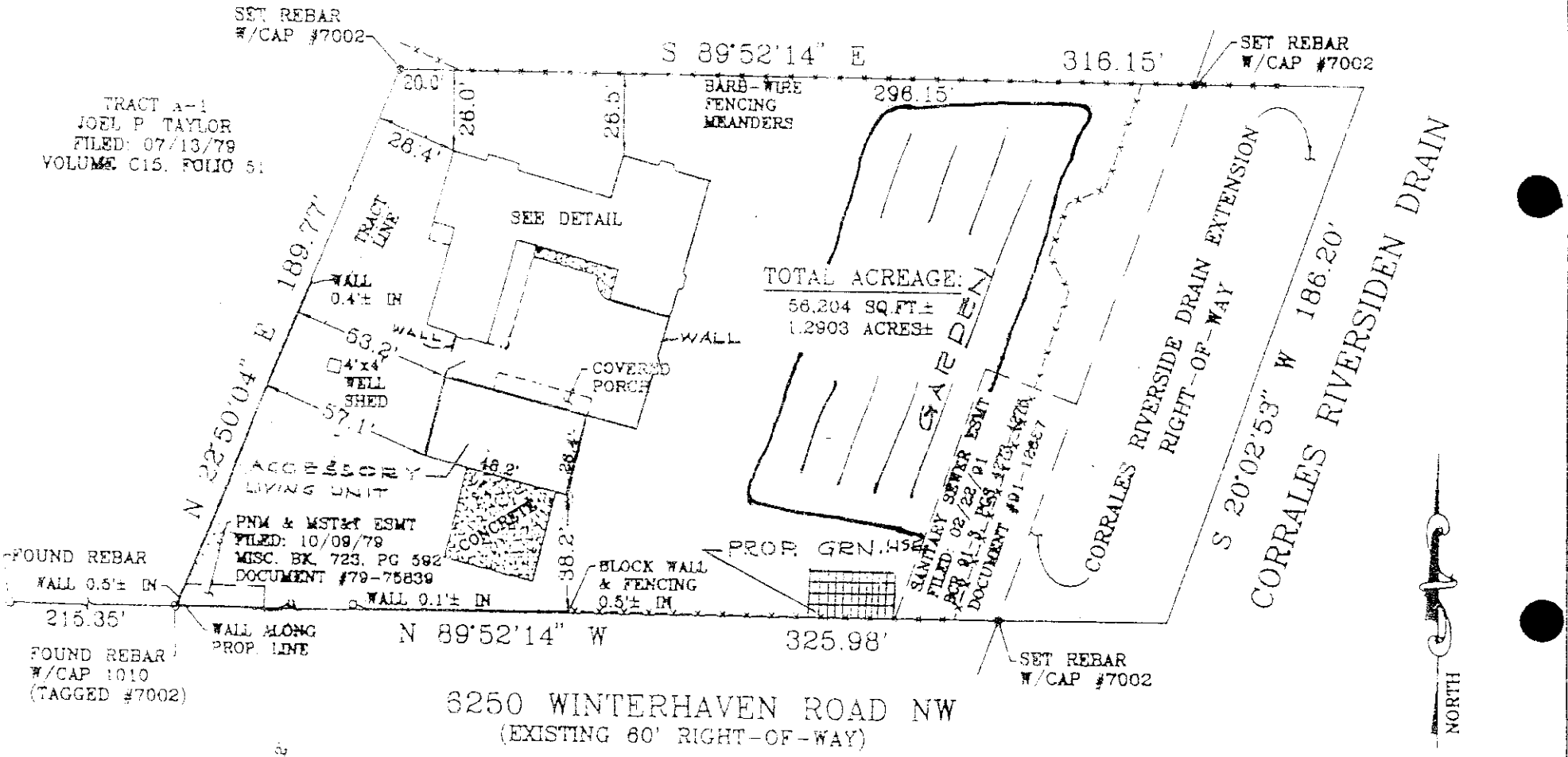
PHIL GARCIA
PG/tdl

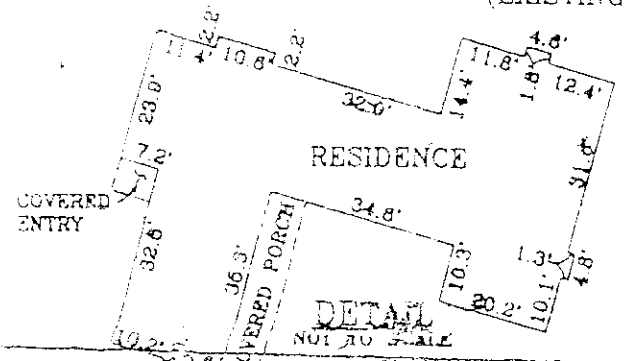
SHARRETT, HASSON
STEWART TITLE LTD.
#97010196m!

PLAT OF SURVEY
OF
TRACT A-2
AND A PORTION OF TRACT "A-1"
JOEL P. TAYLOR
ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO
FEBRUARY 1997

EXHIBIT A

REGISTERED PROFESSIONAL SURVEYOR
NEW MEXICO
7002
DOUGLAS H. SMITH





GRAPHIC SCALE
(IN FEET)
1 inch = 60 ft.
LS30-21B

NOTE: BEARINGS AND DISTANCES ARE BASED UPON PLAT ENTITLED "SUMMARY PLAT SHOWING TRACTS "A-1" AND "A-2" OF THE PLAT OF LANDS OF JOEL P. TAYLOR" PLAT FILED JULY 13, 1979, BY [illegible]

MYERS, OLIVER & PRICE, P.C.
LAWYERS
1401 CENTRAL AVENUE, N.W.
ALBUQUERQUE, NEW MEXICO 87104

JOHN A. MYERS
SCOTT OLIVER*
CHARLES P. PRICE III
KEVIN J. McCREADY
HOPE MEAD WYNN

*ALSO LICENSED IN TEXAS

TELEPHONE
(505)247-9080

FACSIMILE
(505)247-9109

e-mail: jmyers@moplaw.com

September 20, 2001

Via Facsimile 924-3339
Russell Brito, Planner
City Planning Dept.

Re: Lot 2A, Sawaya Addition

Dear Russell:

This office represents Jeannie Christensen, and her husband, Barry Schuster. On October 20, 2000, Ms. Christensen contracted to purchase the westerly one-half (½) of what was then Lot 2 of the Sawaya Addition. To facilitate this sale, Lot 2 has been replatted into Lots 2A and 2B of the Sawaya Addition. Additionally, a structure covering a portion of the arroyo traversing this property has been approved by the City and is under construction. The closing of the purchase of Lot 2A is scheduled for September 24, 2001.

Ms. Christensen and Mr. Schuster are the owners of the Oasis Restaurant, which is presently located at 5400 San Mateo Boulevard NE, Albuquerque, New Mexico 87109. The Oasis Restaurant has been in operation for 19 years. The Restaurant has a full alcoholic beverage dispenser's licence.

Lot 2A is being purchased to accommodate the relocation of the Oasis Restaurant. It will be a modest size restaurant as a result of the constraints of Lot 2A, principally the large arroyo crossing through the middle of this Lot.

As a result of the recent annexation of Lot 2A, it is my understanding that you are going to process a zoning request. You have advised me that the City intends to request SU-1 for C-1 uses for this Lot. We request that the proposed zoning be modified to either be SU-1 for C-2 uses or to include sale of alcoholic beverages for on site consumption. This will accommodate the relocation of the Oasis Restaurant to this site.

The properties surrounding the Sawaya Addition, west of the freeway, are all zoned either M-1 or I-P for a substantial distance. There are no residential properties in the vicinity of the Sawaya Addition. This is an appropriate location for the uses which we request.

Please call if you need additional information or would like to discuss this matter further. Thank you.

Sincerely,

Myers, Oliver & Price, P.C.

By:_____
John A. Myers

JAM/mnh

cc: Jeannie Christensen (via facsimile)
Barry Schuster (via facsimile)

Ms. Elizabeth Begay, Chair
Environmental Planning Commission
600 W 2nd Street
Albuquerque, NM 87102

Re: Establishment of Zoning for Tract 13, Black Ranch Project #1001445, Application #01110-01244, Zone Map B-14

Dear Chairman Begay:

The purpose of this letter is to request the Environmental Planning Commission's review and recommendation for approval of a Site Plan for Subdivision for Tract 13, Black Ranch. This request is made on behalf of Tortilla, Inc. This property has been annexed into the City of Albuquerque by the State of New Mexico Municipal Boundary Commission (No. 01-01, August 16, 2001) and City Planning staff has recommended SU-1 for C-1 uses with restaurants with liquor for on-site consumption. The property owner is in agreement with the proposed zoning, but would request that the EPC consider the attached Site Plan for Subdivision based upon the following:

1. The Special Use Permit and Site Plan were approved by the Bernalillo County Commission on February 27, 1996 (See attached Amended Notification of Decision CO-96-1/CSU-96-1 March 8, 1996).

2. The District Court affirmed the County's approval (see attached final order filed November 19, 1996)

3. The District Court denied the Motion for Reconsideration (see attached Memorandum Order filed December 10, 1996).

4. The Court of Appeals affirmed the District Courts decision (see attached Memorandum Opinion filed April 3, 1998).

5. The Court of Appeals denied a requested Motion for Rehearing (see attached Order filed May 4, 1998).

6. The Petition for Writ of Certiorari was denied by the Supreme Court of the of the State of New Mexico (see attached order dated June 16, 1998).

A portion of the property (which includes the archaeological site) was annexed in 1997 (City Council Bill # F/S O-81, Enactment #25-1997 July 7, 1997) and was zoned SU-1 for O-1. The requested action on the Site Plan for Subdivision

covers the formerly annexed portion of the property, as well as, the portion covered by the current annexation order.

The Site Plan for Subdivision that accompanies this request addresses several critical issues, summarized as follows:

1. The Calabacillas Pueblo archaeological site is located on this property and is identified for preservation, additional archeological testing, and dedication to an appropriate agency.

2. Due to the archaeological site and the exceptionality of the property, a variance to the Coors Corridor Plan was approved by the County and is identified on the proposed Site Plan for Subdivision.

3. Specific conditions relating to building location, noise, lighting, etc. were required by the County and are included as a part of the Site Plan for Subdivision to mitigate concerns by the adjoining neighbors.

4. Our current proposal modifies the County conditions to comply with City of Albuquerque policies.

Thank you for your consideration of this request, and I look forward to presenting this case to you and the rest of the EPC at your October hearing.

Sincerely,

James K. Strozier, AICP
Principal

Attachments: BCC Notice of Decision
District Court Affirmation
District Court Denial of Request for Reconsideration
Court of Appeals Affirmation
Court of Appeals Denial of Request for Rehearing
Supreme Court of New Mexico's Denial of the Writ of Certiorari

c: EPC Members
Mr. Russell Brito, City Planning
Dr. Matt Schmader, City Open Space
Mr. Joe David Montaño, City Transportation
Mr. Ed Boles, City Planning
Mr. John Johnstone, Tortilla, Inc.
Mr. Dennis Jontz, Eastham, Johnson, and Jontz, P.C.

Exhibit 1

County of Bernalillo

State of New Mexico

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

BOARD OF COUNTY COMMISSIONERS
ALBERT "AL" VALDEZ, CHAIRMAN
DISTRICT 2
KEN SANCHEZ, VICE CHAIR
DISTRICT 1
EUGENE M. GILBERT, MEMBER
DISTRICT 3
BARBARA J. SEWARD, MEMBER
DISTRICT 4
LES HOUSTON, MEMBER
DISTRICT 5
JUAN R. VIGIL, COUNTY MANAGER

DAVID K. ANDERSON, ASSESSOR
JUDY D. WOODWARD, CLERK
THOMAS J. MESCALL, PROBATE JUDGE
JOE BOWDICH, SHERIFF
H. R. FINE, TREASURER

AMENDED
NOTIFICATION OF DECISION
BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

March 8, 1996

C.J. and Dorothy Vasquez
10113 Bosque Circle NW
Albuquerque, NM 87114

Subject: **FILE No.:** **CO-96-1/CSU-96-1**

PROPERTY: TRACT 13, NORTHEAST PORTION OF BLACK RANCH, LOCATED EAST OF COORS BOULEVARD NW BETWEEN SEVEN BAR LOOP AND ALAMEDA BOULEVARD NW, CONTAINING APPROXIMATELY 5.51 ACRES.

FINAL ACTION: APPROVED A SPECIAL USE PERMIT FOR PLANNED DEVELOPMENT AREA

At the February 27, 1996 public hearing, the Bernalillo County Board of County Commissioners DENIED your appeal of the Bernalillo Planning Commission's APPROVAL of a Special Use Permit for Planned Development Area, for Tract 13, northeast portion of Black Ranch, located east of Coors Boulevard NW between Seven Bar Loop and Alameda Boulevard NW Tract 13, northeast portion of Black Ranch, located east of Coors Boulevard NW between Seven Bar Loop and Alameda Boulevard NW, containing approximately 5.51 acres, based on the following Findings and subject to the following Conditions.

FINDINGS:

1. The Seven Bar Ranch Sector Plan has been amended several times and the original concept of light industrial and office park development in conjunction with the original mall has not been realized. The area has been developed into the regional retail, service commercial, and restaurant node for the West Side of Albuquerque and Rio Rancho.

2. The request is consistent with Resolution 116-86 recognizing the changed neighborhood conditions, location on Coors Boulevard, a major arterial, and the consistency of land uses to the north and west of the property.

3. The site plan is conceptual and includes sufficient detail to demonstrate that the project can be developed to accommodate the neighborhood's concern relative to screening headlights, visual screening, and location of the restaurant buildings more than 500 feet to the nearest house.

4. The requested variances to the Coors Corridor Plan will assist in mitigating potential impacts to the adjacent neighborhood and in preserving the Calabacillas Pueblo Archaeological Site.

5. Special design consideration relative to the archaeological site, neighborhood concerns, the existing gas line easement, and the Corrales Main Canal create a hardship for this property, and support the requested variance to the Coors Corridor Plan which will allow a reduction of the landscaped setback from 35 feet to 20 feet and allowance to build the two restaurants to a maximum of 30 feet.

6. The proposed agreement between Gardunos and the Archaeological Conservancy will be a true public/private partnership to assure the preservation of this important resource permanently at no cost to Bernalillo County.

CONDITIONS:

1. A detailed site plan shall be submitted to staff within 90 days including architectural elevations and landscaping consistent with the Coors Corridor Plan with the exception of the setback. The site plan shall show a

combination of landscaping, berm, and walls to a height of six feet to provide a buffer for the neighborhood. The landscaping shall include a mixture of large and small evergreens to provide for visual screening in the winter months as well as xeriscaping and cottonwoods. The landscaping and walls shall be contiguous on the east side of the site.

2. No outdoor music or paging shall be permitted and the use must comply with County Noise Ordinance.

3. A plat establishing the Pueblo site shall be required and the site shall be dedicated to the Archaeological Conservancy.

4. A plat establishing necessary cross access easements shall be required for the tract to the south in order to provide access to the Seven Bar Loop and Coors Boulevard Intersection.

5. Gated access shall be provided to the archaeological site.

6. Patio dining and viewing areas on the east side of the restaurant shall be limited and enclosed to protect the privacy of residents to the east.

7. Lighting shall be site specific. Lighting on the east side of the parking area shall be sensitive to, and shielded from, adjacent residences and limited in height.

8. Alcohol is to be served with the expectation of subsequent or concurrent meal service only as regulated by the State of New Mexico under a full service liquor license for restaurants.

9. This site plan is for approval of a phase I consisting of one restaurant and an office. Additional parking will be required for subsequent phases.

10. A complete grading and drainage plan shall be submitted for approval by AMAFCA and County Public Works.

11. A traffic impact analysis shall be submitted to County Public Works for approval.

Exhibit 2

SECOND JUDICIAL DISTRICT COURT
COUNTY OF BERNALILLO
STATE OF NEW MEXICO

ENDORSED
FILED IN MY OFFICE
NOV 19 1996
CLERK DISTRICT COURT

No. CV 96-03090 ADM

DOROTHY VASQUEZ, C.J. VASQUEZ,
and BOSQUE DELL ACRES
NEIGHBORHOOD ASSOCIATION,

Petitioners,

v.

BOARD OF COUNTY COMMISSIONERS
OF BERNALILLO COUNTY,

Respondent,

and

CONSENSUS PLANNING, INC.,
agent for TORTILLA INC., and
TORTILLA, INC.

Interested Parties.

FINAL ORDER

THIS MATTER came before the Court for hearing on October 22, 1996 on Petitioners' Verified Petition for Review of Zoning Decision and for Writ of Certiorari, filed March 28, 1996. The Court, having reviewed the record and having heard the argument of counsel and being otherwise fully advised in the premises, FINDS:

A. The February 27, 1996 decision of Respondent, Board of County Commissioners of Bernalillo County, was reasonable and was not fraudulent, arbitrary, or capricious;

B. The February 27, 1996 decision of Respondent was supported by substantial evidence;

C. Respondent acted within the scope of its authority in reaching its February 27, 1996 decision; and

D. Respondent's action was in accordance with the law.

IT IS THEREFORE ORDERED that the February 27, 1996 decision of Respondent, Board of Country Commissioners of Bernalillo County, be and hereby is affirmed.

DIANE DAL SANTO
The Honorable Diane Dal Santo
District Court Judge

APPROVED:

KEMP, SMITH, DUNCAN & HAMMOND, P.C.

By _____
Dennis E. Jontz
Attorneys for Interested Parties
500 Marquette NW, Suite 1200
P.O. Box 1276
Albuquerque, New Mexico 87103
(505) 247-2315

Telephonic Approval 11/7/96
Patrick Trujillo
Bernalillo County Attorney
Attorney for Respondent
One Civic Plaza, 10th floor
Albuquerque, New Mexico 87102
(505) 768-4073

APPROVED AS TO FORM:

Hessel Yntema
Hessel E. Yntema, III
Attorney for Petitioners
215 Gold SW, Suite 201
Albuquerque, New Mexico 87103
(505) 843-9565

Exhibit 3

SECOND JUDICIAL DISTICT COURT
COUNTY OF BERNALILLO
STATE OF NEW MEXICO

ENDORSED
FILED IN MY OFFICE THIS
DEC 1 8 1996
CLERK DISTRICT COURT

No. CV96-03090

DOROTHY VASQUEZ, C. J. VASQUEZ,
and BOSQUE DELL ACRES NEIGHBORHOOD
ASSOCIATION,
Plaintiff,

vs.

BOARD OF COUNTY COMMISSIONERS
BERNALILLO COUNTY,
Respondent,

and

CONSENSUS PLANNING, INC., agent for
TORTILLA, INC., and TORTILLA, INC,
Interested Parties.

MEMORANDUM ORDER

THIS MATTER COMING BEFORE the Court upon Plaintiff's Motion for Reconsideration, and the Court having reviewed the material submitted in connection with this motion,

FINDS tht the Motion is not well taken.

IT IS THEREFORE ORDERED that said motion is summarily denied.

Diane Dal Santo

DIANE DAL SANTO
DISTRICT JUDGE

Exhibit 4

APR 03 1998

IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO

DOROTHY VASQUEZ, C.J. VASQUEZ, and BOSQUE DELL ACRES NEIGHBORHOOD ASSOCIATION,

Petitioners-Appellants,

vs.

No. 18,067

BOARD OF COUNTY COMMISSIONERS OF BERNALILLO COUNTY,

Respondent-Appellee,

and

CONSENSUS PLANNING, INC., agent for TORTILLA INC., and TORTILLA, INC.,

Interested Parties.

COURT OF APPEALS OF NEW MEXICO
FILED
APR 3 1998
Patricia A. Wallace

APPEAL FROM THE DISTRICT COURT OF BERNALILLO COUNTY
Diane Dal Santo, District Judge

Hessel E. Yntema, III
Oman, Gentry & Yntema, P.A.
Albuquerque, New Mexico — Attorneys for Petitioners-Appellants

Patrick F. Trujillo
Assistant County Attorney
Albuquerque, New Mexico — Attorney for Respondent-Appellee

Dennis E. Jontz
Bruce E. Castle
Charlotte Lamont
Kemp, Smith, Duncan & Hammond, P.C.
Albuquerque, New Mexico — Attorneys for Interested Parties

MEMORANDUM OPINION

WECHSLER, Judge.

Appellants appeal from a district court order affirming a decision of the Board of County Commissioners of Bernalillo County (Board) granting Interested Parties' application for a special use

KEMP, SMITH, DUNCAN & HAMMOND, P.C.

permit for a certain tract of land. On appeal, Appellants assert that (1) all of their arguments being raised with this Court have been preserved for our review; (2) compliance with Bernalillo County Resolution 116-86 (Resolution 116-86) was a mandatory precondition to issuance of the special use permit; (3) Interested Parties did not show that the existing zoning was inappropriate; (4) Interested Parties did not show sufficient changed conditions; (5) the Board's decision will be harmful to the neighborhood; (6) the Board lacked authority to issue the special use permit under the "planned development area" provision; (7) the Board lacked authority to grant variances to the Coors Corridor Plan; (8) the decision conflicts with the Seven Bar Ranch Sector Plan and the Coors Corridor Plan (Seven Bar/Coors Plans); and (9) several findings of the Board are not supported by substantial evidence. We affirm.

Pending Motions

There are two motions currently pending in this appeal. First, Interested Parties have filed a motion to strike certain issues being raised on appeal. Because we conclude that it is not necessary to dispose of any issues on preservation grounds, we hereby deny the motion to strike. Second, we have held in abeyance Appellants' motion for partial dismissal of appeal and remand, based on developments outside of the record filed July 11, 1997. We hereby deny this motion as well, because we agree with Interested Parties that the partial annexation of the property does not invalidate any of the conditions imposed under the

special use permit.

Factual Summary

This appeal involves a parcel of land in Bernalillo County (County) approximately 5.51 acres in size. Interested Parties filed a special use application with the County in November 1995, seeking to change the designation of the property from "A-1 with a Special Use Permit for O-1 (office) uses" to "Special Use for Planned Development Area (SU-PDA)." Among other things, Interested Parties claimed that changed conditions justified granting the application and that unusual circumstances, namely the presence of an important archaeological site on the property, made SU-PDA the appropriate use category. Appellants raised numerous objections, primarily focusing on alleged inconsistencies between the requested change, Resolution 116-86, and the Seven Bar/Coors Plans.

The County Planning Commission (CPC) held a hearing on January 3, 1996. The CPC granted the special use permit, subject to multiple conditions. On March 8, 1996, the issue came before the Board, which approved the special use permit, subject to fourteen conditions. As indicated by both the Board's findings and conditions, preservation of the archaeological site was a central consideration in the Board's decision. The district court affirmed the Board's decision after conducting a review pursuant to Rule 1-074 NMRA 1998.

Standard of Review

We review the Board's decision under the same standard that

governs district court review of zoning actions. See Downtown Neighborhoods Ass'n v. City of Albuquerque, 109 N.M. 186, 189, 783 P.2d 962, 965 (Ct. App. 1989). This standard is set forth in Rule 1-074(Q) as follows:

> Q. **Scope of Review.** The district court may reverse the decision of the agency if:
>
> (1) the agency acted fraudulently, arbitrarily or capriciously;
>
> (2) based upon the whole record on appeal, the decision of the agency is not supported by substantial evidence;
>
> (3) the action of the agency was outside the scope of authority of the agency; or
>
> (4) the action of the agency was otherwise not in accordance with law.

In considering the above factors, we look at the evidence in the light most favorable to the administrative decision. See San Pedro Mining Corp. v. Board of County Comm'rs, 121 N.M. 194, 203, 909 P.2d 754, 763 (Ct. App. 1995).

Preservation

At our request, the parties have briefed the preservation issue. Appellants argue that they may raise all of their issues on appeal. Relying on Dick v. City of Portales, 118 N.M. 541, 543, 883 P.2d 127, 129 (1994), they contend that formal preservation is not required in administrative proceedings. They argue that to impose such a requirement would change the nature of zoning hearings from their present informal character, into something more akin to a trial. Additionally, Appellants maintain that issues relating to "scope of authority" do not need to be

preserved because the reviewing courts are specifically required to consider them under Rule 1-074(Q)(3).

In response, Interested Parties and the County claim that Appellants' reading of the preservation holding in Dick is overly broad. Further, they assert that Dick has been superseded by the formal preservation requirements set forth in Rule 1-074(K)(2). Interested Parties also contend that some issues that may have been preserved at the administrative level were subsequently abandoned in the district court and are deemed waived for purposes of this appeal. Cf. State v. Gutierrez, 121 N.M. 191, 192-93, 909 P.2d 751, 752-53 (Ct. App. 1995) (discussing failure to preserve issue at district court level in an on-the-record appeal).

Although we appreciate the parties' efforts to brief this issue for us, we conclude that the interplay between Rule 1-074 and the scope and viability of the preservation holding in Dick is a matter that we do not need to reach in this case. As explained below, we affirm the issues being raised in this appeal on the merits, and we therefore do not find it necessary to dispose of any issues on lack of preservation grounds.

Compliance with Resolution 116-86, Seven Bar/Coors Plans

Initially, we note that the district court took judicial notice of the Comprehensive Zoning Ordinance Bernalillo County (Zoning Ordinance), with Appendix A entitled Resolution 116-86. Although it declined to have the record supplemented with the full text of the Seven Bar/Coors Plans, there are enough portions of these plans that were already in the record to allow for their

consideration.

The bulk of the issues raised in this appeal concern Appellants' view that the Board's decision is in contravention of Resolution 116-86 and the Seven Bar/Coors Plans. As a threshold matter, however, it is necessary for us to determine whether these documents had the full force and effect of law, or were merely general statements of policy that were not binding on the Board. With respect to Resolution 116-86, Appellants note that it is attached as Appendix A to the Zoning Ordinance and that we should give it the same legally-binding status as the resolution discussed in our recent opinion in West Old Town Neighborhood Ass'n v. City of Albuquerque, 1996-NMCA-107, ¶¶ 12, 13, 122 N.M. 495, 927 P.2d 529. In response, Interested Parties and the County argue that Resolution 116-86 simply lays out general policy considerations and formal procedures are set forth in the Zoning Ordinance. They contend that unlike West Old Town Neighborhood Association, there was no evidence that Resolution 116-86 met all of the formalities of an ordinance.

Our review of the record does not support Appellants' claim that we are dealing with a resolution analogous to the one discussed in West Old Town Neighborhood Association. In contrast to that case, in which there was evidence that the resolution satisfied the procedural formalities for enacting an ordinance, see id. ¶ 13, Appellants only refer to the belief by County staff that they needed to comply with the resolution. We also note that the Board's findings indicate that it understood that its decision

should be consistent with Resolution 116-86. However, the decision by County staff and the Board to adhere to general policy guidelines does not transform policy into law. Such policies do not have the force of law unless they satisfy procedural formalities. See NMSA 1978, § 3-21-14 (1981); see generally 5 Eugene McQuillin, The Law of Municipal Corporations § 15.02, at 60 (Beth A. Buday & Victoria A. Braucher, 3d ed. rev. vol. 1996) ("Of course, where the requisites and formalities for passing an ordinance are not observed, a resolution does not have the effect of an ordinance."). Appellants do not argue and the record does not indicate that Resolution 116-86 satisfied these formalities.

With respect to the two plans at issue, Appellants apparently concede that the Seven Bar Ranch Sector Plan has not been adopted. Although they claim that the Coors Corridor Development Plan has been adopted, they provide no evidentiary support that any such adoption satisfied procedural formalities that would give the plan legal force under the analysis discussed in West Old Town Neighborhood Association. Because our review is limited to questions of law, see Downtown Neighborhoods Ass'n, 109 N.M. at 189, 783 P.2d at 965, and nothing in the record indicates that Resolution 116-86 and the Seven Bar/Coors Plans were adopted as law, we need not consider Appellant's arguments pertaining to Resolution 116-86 and the Seven Bar/Coors Plans.

Authority to Issue the Special Use Permit

The County granted the special use permit at issue in this case pursuant to the provisions of Zoning Ordinance Section

18.B.23, which sets forth one of many categories deemed appropriate for a special use permit:

> Planned development area, including residential areas or mixtures of residential and commercial developments, provided the minimum lot area is 5 acres where, due to unusual circumstances, such as topographic conditions, lot configuration, or other similar conditions, special use, height, area, setback, or other regulations may be imposed.

Appellants argue that the Board's reliance on SU-PDA is an "end run" around appropriate zoning provisions. Specifically, they claim that the designated uses of the property, which they characterize as "straightforward restaurant and office uses," do not fit within the definition of a planned development area. Instead, they argue that rezoning was required under one of several commercial categories or under Section 18.B.32, the catch-all special use provision, which requires substantial neighborhood support.

In support of their argument, Appellants cite Burroughs v. Board of County Comm'rs, 88 N.M. 303, 305-07, 540 P.2d 233, 235-37 (1975), which concluded that an overnight campground did not fit within the County's planned development area provision. Appellants claim that the two restaurants at issue in this case are analogous to an overnight campground. However, Burroughs is distinguishable from the present case because the phrase "planned development area" as used in the predecessor to Section 18.B.23 was not accompanied with any additional language that clarified what the County intended to include in that category. See id. at 306, 540 P.2d at 236 (Supreme Court, deciding that term "planned

development area" was not an "all-inclusive catchall category" interpreted it with reference to ordinance as a whole rather than reference to any limiting terminology or definition). Burroughs applied the zoning authority strictly and concluded that the planned development area or trailer court exceptions authorized by the special use permit did not encompass overnight campground. See id. at 307-08, 540 P.2d at 237-38.

In contrast to Burroughs, Section 18.B.23 defines a minimum lot size and, most critical to our analysis, requires "unusual circumstances" that justify excepting the property from standard zoning regulation. In this case, our review of the record makes it clear that the "unusual circumstances" consisted of the presence of the Calabacillas Pueblo archaeological site on the property and the joint effort between the County, Interested Parties, and the Archaeological Conservancy to protect the site. Indeed, the Board specifically noted that the proposed agreement to protect the site constituted "a true public/private partnership to assure the preservation of this important resource permanently at no cost to Bernalillo County." Protection and maintenance of the site were also the subject of numerous conditions attached to the special use permit. This type of flexibility in zoning is precisely why most zoning authorities have promulgated special use ordinances. See 3 Anderson's American Law of Zoning § 21.01, at 693-94 (Kenneth H. Young, 4th ed. 1996).

Appellants further claim that the site could have been protected under the Cultural Properties Act, NMSA 1978, §§ 18-6-1

to -17 (1969, as amended through 1994). While this Act specifically recognizes agreements with private landowners as a method for preserving cultural sites, see § 18-6-10(C), it does not mandate protection of the site. Therefore the property still posed an unusual zoning challenge for the Board.

Rezoning/Variance Arguments

Although Appellants primarily raise these arguments under the assumption that Resolution 116-86 was legally binding on the Board, they raise numerous arguments directed at the traditional requirements that must be met before property may be rezoned or granted variances. Generally, a property may not be rezoned unless there is substantial evidence presented that changed conditions justify amending an existing zoning ordinance. See Miller v. City of Albuquerque, 89 N.M. 503, 506, 554 P.2d 665, 668 (1976). However, a permit issued pursuant to a zoning authority's special use ordinance is not considered a rezoning of the property. See 3 Anderson's American Law of Zoning, supra, § 21.04, at 699 ("A special permit . . . does not, in any sense, effect an amendment of the zoning ordinance."); see also 83 Am. Jur. 2d Zoning and Planning § 963 (1992) (discussing special use permits).

In West Old Town Neighborhood Association, we applied rezoning analysis to a special use designation. See 1996-NMCA-107, ¶ 21. However, there is a critical distinction with the present case: the particular special use category in West Old Town Neighborhood Association was not permitted and we specifically noted that in order for the City of Albuquerque to

allow the special use, the governing zoning ordinance needed to be amended. See id. ¶¶ 22, 23. Here, the property was already the subject of a special use designation and, in light of our determination that the Seven Bar/Coors Plans did not have the same legal effect of the sector plan at issue in West Old Town Neighborhood Association, the County did not need to amend the plans or conduct a formal rezoning analysis.

Likewise, permits issued pursuant to a governing special use ordinance are not considered variances, since they are, in effect, contemplated uses. See Burroughs, 88 N.M. at 305, 540 P.2d at 235; see also 3 Anderson's American Law of Zoning, supra, § 21.02, at 695. In this case, the setback provision and other "unspecified variances" relate to the preservation of the archaeological site and other conditions imposed under the special use permit. As noted above, the County adopted the special use ordinance specifically for these purposes and, therefore, we must defer to the Board's determination that the issuance of the permit was consistent with the County's policy objectives.

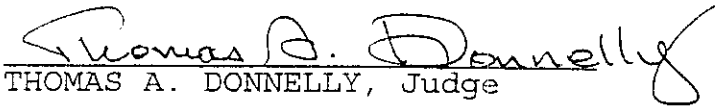
Conclusion

For the reasons discussed above, we affirm.

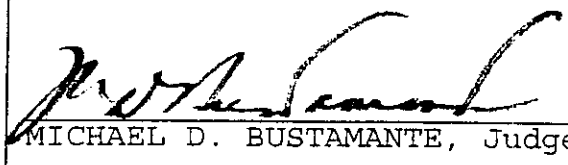
IT IS SO ORDERED.

JAMES J. WECHSLER, Judge

WE CONCUR:



THOMAS A. DONNELLY, Judge



MICHAEL D. BUSTAMANTE, Judge

Exhibit 5

IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO

EASTHAM JOHNSON

MAY 05 '98

MONNHEIMER JONTZ

DOROTHY VASQUEZ, C.J. VASQUEZ, and BOSQUE DELL ACRES NEIGHBORHOOD ASSOCIATION,

Petitioners-Appellants,

vs.

BOARD OF COUNTY COMMISSIONERS OF BERNALILLO COUNTY,

Respondent-Appellee,

and

CONSENSUS PLANNING, INC., agent for TORTILLA INC., and TORTILLA, INC.,

Interested Parties.

/

Ct. App. No. 18,067
Dist. Ct. No. CV-96-03090-ADM

James J. Wechsler
Presiding Judge

Thomas A. Donnelly
Michael D. Bustamante
Judges

FILED
98 MAY -4 AM 11:22
COURT OF APPEALS
STATE OF NEW MEXICO
P.R. WALLACE, CLERK

ORDER

Appellants having filed a motion for rehearing which has been considered by the Court,

IT IS ORDERED that the motion for rehearing be denied.

James J. Wechsler
Presiding Judge

EASTHAM JOHNSON MONNHEIMER & JONTZ
CC: Tortilla DATE:
CC: Perner DATE:
CC: Wm Keleher DATE:
Art Beach

Exhibit 6

IN THE SUPREME COURT OF THE STATE OF NEW MEXICO
Tuesday, June 16, 1998

NO. 25,174

DOROTHY VASQUEZ, C. J. VASQUEZ, and BOSQUE DELL ACRES NEIGHBORHOOD ASSOCIATION,

Plaintiffs-Petitioners,

vs.

BOARD OF COUNTY COMMISSIONERS OF BERNALILLO COUNTY,

Defendant-Respondent,

and

CONSENSUS PLANNING, INC., agent for TORTILLA INC., and TORTILLA, INC.,

Interested Parties.

ORDER

This matter coming on for consideration by the Court upon petition for writ of certiorari, and the Court having considered said petition, and being sufficiently advised;

NOW, THEREFORE, IT IS ORDERED that petition for writ of certiorari is **denied** in Court of Appeals number **18067.**

ATTEST: A True Copy

KATHLEEN JO GIBSON
CLERK OF THE SUPREME COURT

By _____
Chief Deputy

CONSENSUS

Ms. Elizabeth Begay, Chair
Environmental Planning Commission
600 W 2nd Street
Albuquerque, NM 87102

Re: Establishment of Zoning for Tract 13, Black Ranch Project #1001445, Application #01110-01244, Zone Map B-14

Dear Chairman Begay:

The purpose of this letter is to request the Environmental Planning Commission's review and recommendation for approval of a Site Plan for Subdivision for Tract 13, Black Ranch. This request is made on behalf of Tortilla, Inc. This property has been annexed into the City of Albuquerque by the State of New Mexico Municipal Boundary Commission (No. 01-01, August 16, 2001) and City Planning staff has recommended SU-1 for C-1 uses with restaurants with liquor for on-site consumption. The property owner is in agreement with the proposed zoning, but would request that the EPC consider the attached Site Plan for Subdivision based upon the following:

1. The Special Use Permit and Site Plan were approved by the Bernalillo County Commission on February 27, 1996 (See attached Amended Notification of Decision CO-96-1/CSU-96-1 March 8, 1996).

2. The District Court affirmed the County's approval (see attached final order filed November 19, 1996)

3. The District Court denied the Motion for Reconsideration (see attached Memorandum Order filed December 10, 1996).

4. The Court of Appeals affirmed the District Courts decision (see attached Memorandum Opinion filed April 3, 1998).

5. The Court of Appeals denied a requested Motion for Rehearing (see attached Order filed May 4, 1998).

6. The Petition for Writ of Certiorari was denied by the Supreme Court of the of the State of New Mexico (see attached order dated June 16, 1998).

A portion of the property (which includes the archaeological site) was annexed in 1997 (City Council Bill # F/S O-81, Enactment #25-1997 July 7, 1997) and was zoned SU-1 for O-1. The requested action on the Site Plan for Subdivision

covers the formerly annexed portion of the property, as well as, the portion covered by the current annexation order.

The Site Plan for Subdivision that accompanies this request addresses several critical issues, summarized as follows:

1. The Calabacillas Pueblo archaeological site is located on this property and is identified for preservation, additional archeological testing, and dedication to an appropriate agency.

2. Due to the archaeological site and the exceptionality of the property, a variance to the Coors Corridor Plan was approved by the County and is identified on the proposed Site Plan for Subdivision.

3. Specific conditions relating to building location, noise, lighting, etc. were required by the County and are included as a part of the Site Plan for Subdivision to mitigate concerns by the adjoining neighbors.

4. Our current proposal modifies the County conditions to comply with City of Albuquerque policies.

Thank you for your consideration of this request, and I look forward to presenting this case to you and the rest of the EPC at your October hearing.

Sincerely,

James K. Strozier, AICP
Principal

Attachments: BCC Notice of Decision
District Court Affirmation
District Court Denial of Request for Reconsideration
Court of Appeals Affirmation
Court of Appeals Denial of Request for Rehearing
Supreme Court of New Mexico's Denial of the Writ of Certiorari

c: EPC Members
Mr. Russell Brito, City Planning
Dr. Matt Schmader, City Open Space
Mr. Joe David Montaño, City Transportation
Mr. Ed Boles, City Planning
Mr. John Johnstone, Tortilla, Inc.
Mr. Dennis Jontz, Eastham, Johnson, and Jontz, P.C.

Exhibit 1

BOARD OF COUNTY COMMISSIONERS
ALBERT "AL" VALDEZ, CHAIRMAN
DISTRICT 2
KEN SANCHEZ, VICE CHAIR
DISTRICT 1
EUGENE M. GILBERT, MEMBER
DISTRICT 3
BARBARA J. SEWARD, MEMBER
DISTRICT 4
LES HOUSTON, MEMBER
DISTRICT 5
JUAN R. VIGIL, COUNTY MANAGER

County of Bernalillo

State of New Mexico

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

DAVID K. ANDERSON, ASSESSOR
JUDY D. WOODWARD, CLERK
THOMAS J. MESCALL, PROBATE JUDGE
JOE BOWDICH, SHERIFF
H. R. FINE, TREASURER

AMENDED
NOTIFICATION OF DECISION
BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

March 8, 1996

C.J. and Dorothy Vasquez
10113 Bosque Circle NW
Albuquerque, NM 87114

Subject: FILE No.: CO-96-1/CSU-96-1

PROPERTY: TRACT 13, NORTHEAST PORTION OF BLACK RANCH, LOCATED EAST OF COORS BOULEVARD NW BETWEEN SEVEN BAR LOOP AND ALAMEDA BOULEVARD NW, CONTAINING APPROXIMATELY 5.51 ACRES.

FINAL ACTION: APPROVED A SPECIAL USE PERMIT FOR PLANNED DEVELOPMENT AREA

At the February 27, 1996 public hearing, the Bernalillo County Board of County Commissioners DENIED your appeal of the Bernalillo Planning Commission's APPROVAL of a Special Use Permit for Planned Development Area, for Tract 13, northeast portion of Black Ranch, located east of Coors Boulevard NW between Seven Bar Loop and Alameda Boulevard NW Tract 13, northeast portion of Black Ranch, located east of Coors Boulevard NW between Seven Bar Loop and Alameda Boulevard NW, containing approximately 5.51 acres, based on the following Findings and subject to the following Conditions.

FINDINGS:

1. The Seven Bar Ranch Sector Plan has been amended several times and the original concept of light industrial and office park development in conjunction with the original mall has not been realized. The area has been developed into the regional retail, service commercial, and restaurant node for the West Side of Albuquerque and Rio Rancho.

2. The request is consistent with Resolution 116-86 recognizing the changed neighborhood conditions, location on Coors Boulevard, a major arterial, and the consistency of land uses to the north and west of the property.

3. The site plan is conceptual and includes sufficient detail to demonstrate that the project can be developed to accommodate the neighborhood's concern relative to screening headlights, visual screening, and location of the restaurant buildings more than 500 feet to the nearest house.

4. The requested variances to the Coors Corridor Plan will assist in mitigating potential impacts to the adjacent neighborhood and in preserving the Calabacillas Pueblo Archaeological Site.

5. Special design consideration relative to the archaeological site, neighborhood concerns, the existing gas line easement, and the Corrales Main Canal create a hardship for this property, and support the requested variance to the Coors Corridor Plan which will allow a reduction of the landscaped setback from 35 feet to 20 feet and allowance to build the two restaurants to a maximum of 30 feet.

6. The proposed agreement between Gardunos and the Archaeological Conservancy will be a true public/private partnership to assure the preservation of this important resource permanently at no cost to Bernalillo County.

CONDITIONS:

1. A detailed site plan shall be submitted to staff within 90 days including architectural elevations and landscaping consistent with the Coors Corridor Plan with the exception of the setback. The site plan shall show a

combination of landscaping, berm, and walls to a height of six feet to provide a buffer for the neighborhood. The landscaping shall include a mixture of large and small evergreens to provide for visual screening in the winter months as well as xeriscaping and cottonwoods. The landscaping and walls shall be contiguous on the east side of the site.

2. No outdoor music or paging shall be permitted and the use must comply with County Noise Ordinance.

3. A plat establishing the Pueblo site shall be required and the site shall be dedicated to the Archaeological Conservancy.

4. A plat establishing necessary cross access easements shall be required for the tract to the south in order to provide access to the Seven Bar Loop and Coors Boulevard Intersection.

5. Gated access shall be provided to the archaeological site.

6. Patio dining and viewing areas on the east side of the restaurant shall be limited and enclosed to protect the privacy of residents to the east.

7. Lighting shall be site specific. Lighting on the east side of the parking area shall be sensitive to, and shielded from, adjacent residences and limited in height.

8. Alcohol is to be served with the expectation of subsequent or concurrent meal service only as regulated by the State of New Mexico under a full service liquor license for restaurants.

9. This site plan is for approval of a phase I consisting of one restaurant and an office. Additional parking will be required for subsequent phases.

10. A complete grading and drainage plan shall be submitted for approval by AMAFCA and County Public Works.

11. A traffic impact analysis shall be submitted to County Public Works for approval.

Exhibit 2

SECOND JUDICIAL DISTRICT COURT
COUNTY OF BERNALILLO
STATE OF NEW MEXICO

ENDORSED
FILED IN MY OFFICE
NOV 19 1996
CLERK DISTRICT COURT

No. CV 96-03090 ADM

DOROTHY VASQUEZ, C.J. VASQUEZ,
and BOSQUE DELL ACRES
NEIGHBORHOOD ASSOCIATION,

Petitioners,

v.

BOARD OF COUNTY COMMISSIONERS
OF BERNALILLO COUNTY,

Respondent,

and

CONSENSUS PLANNING, INC.,
agent for TORTILLA INC., and
TORTILLA, INC.

Interested Parties.

FINAL ORDER

THIS MATTER came before the Court for hearing on October 22, 1996 on Petitioners' Verified Petition for Review of Zoning Decision and for Writ of Certiorari, filed March 28, 1996. The Court, having reviewed the record and having heard the argument of counsel and being otherwise fully advised in the premises, FINDS:

A. The February 27, 1996 decision of Respondent, Board of County Commissioners of Bernalillo County, was reasonable and was not fraudulent, arbitrary, or capricious;

B. The February 27, 1996 decision of Respondent was supported by substantial evidence;

C. Respondent acted within the scope of its authority in reaching its February 27, 1996 decision; and

D. Respondent's action was in accordance with the law.

IT IS THEREFORE ORDERED that the February 27, 1996 decision of Respondent, Board of Country Commissioners of Bernalillo County, be and hereby is affirmed.

DIANE DAL SANTO
The Honorable Diane Dal Santo
District Court Judge

APPROVED:

KEMP, SMITH, DUNCAN & HAMMOND, P.C.

By
Dennis E. Jontz
Attorneys for Interested Parties
500 Marquette NW, Suite 1200
P.O. Box 1276
Albuquerque, New Mexico 87103
(505) 247-2315

Telephonic Approval 11/7/96
Patrick Trujillo
Bernalillo County Attorney
Attorney for Respondent
One Civic Plaza, 10th floor
Albuquerque, New Mexico 87102
(505) 768-4073

APPROVED AS TO FORM:

Hessel Yntema
Hessel E. Yntema, III
Attorney for Petitioners
215 Gold SW, Suite 201
Albuquerque, New Mexico 87103
(505) 843-9565

Exhibit 3

SECOND JUDICIAL DISTICT COURT
COUNTY OF BERNALILLO
STATE OF NEW MEXICO

ENDORSED
FILED IN MY OFFICE THIS
DEC 7 8 1996
DISTRICT COURT

No. CV96-03090

DOROTHY VASQUEZ, C. J. VASQUEZ,
and BOSQUE DELL ACRES NEIGHBORHOOD
ASSOCIATION,
Plaintiff,

vs.

BOARD OF COUNTY COMMISSIONERS
BERNALILLO COUNTY,
Respondent,

and

CONSENSUS PLANNING, INC., agent for
TORTILLA, INC., and TORTILLA, INC,
Interested Parties.

MEMORANDUM ORDER

THIS MATTER COMING BEFORE the Court upon Plaintiff's Motion for Reconsideration, and the Court having reviewed the material submitted in connection with this motion,

FINDS tht the Motion is not well taken.

IT IS THEREFORE ORDERED that said motion is summarily denied.

DIANE DAL SANTO
DISTRICT JUDGE

Exhibit 4

APR 1998

IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO

DOROTHY VASQUEZ, C.J. VASQUEZ, and BOSQUE DELL ACRES NEIGHBORHOOD ASSOCIATION,

Petitioners-Appellants,

vs.

BOARD OF COUNTY COMMISSIONERS OF BERNALILLO COUNTY,

Respondent-Appellee,

and

CONSENSUS PLANNING, INC., agent for TORTILLA INC., and TORTILLA, INC.,

Interested Parties.

COURT OF APPEALS OF NEW MEXICO
FILED
APR 3 1998
Patricia A. Wallace

No. 18,067

APPEAL FROM THE DISTRICT COURT OF BERNALILLO COUNTY
Diane Dal Santo, District Judge

Hessel E. Yntema, III
Oman, Gentry & Yntema, P.A.
Albuquerque, New Mexico — Attorneys for Petitioners-Appellants

Patrick F. Trujillo
Assistant County Attorney
Albuquerque, New Mexico — Attorney for Respondent-Appellee

Dennis E. Jontz
Bruce E. Castle
Charlotte Lamont
Kemp, Smith, Duncan & Hammond, P.C.
Albuquerque, New Mexico — Attorneys for Interested Parties

MEMORANDUM OPINION

WECHSLER, Judge.

Appellants appeal from a district court order affirming a decision of the Board of County Commissioners of Bernalillo County (Board) granting Interested Parties' application for a special use

KEMP, SMITH, DUNCAN & HAMMOND, P.C.

permit for a certain tract of land. On appeal, Appellants assert that (1) all of their arguments being raised with this Court have been preserved for our review; (2) compliance with Bernalillo County Resolution 116-86 (Resolution 116-86) was a mandatory precondition to issuance of the special use permit; (3) Interested Parties did not show that the existing zoning was inappropriate; (4) Interested Parties did not show sufficient changed conditions; (5) the Board's decision will be harmful to the neighborhood; (6) the Board lacked authority to issue the special use permit under the "planned development area" provision; (7) the Board lacked authority to grant variances to the Coors Corridor Plan; (8) the decision conflicts with the Seven Bar Ranch Sector Plan and the Coors Corridor Plan (Seven Bar/Coors Plans); and (9) several findings of the Board are not supported by substantial evidence. We affirm.

Pending Motions

There are two motions currently pending in this appeal. First, Interested Parties have filed a motion to strike certain issues being raised on appeal. Because we conclude that it is not necessary to dispose of any issues on preservation grounds, we hereby deny the motion to strike. Second, we have held in abeyance Appellants' motion for partial dismissal of appeal and remand, based on developments outside of the record filed July 11, 1997. We hereby deny this motion as well, because we agree with Interested Parties that the partial annexation of the property does not invalidate any of the conditions imposed under the

special use permit.

Factual Summary

This appeal involves a parcel of land in Bernalillo County (County) approximately 5.51 acres in size. Interested Parties filed a special use application with the County in November 1995, seeking to change the designation of the property from "A-1 with a Special Use Permit for O-1 (office) uses" to "Special Use for Planned Development Area (SU-PDA)." Among other things, Interested Parties claimed that changed conditions justified granting the application and that unusual circumstances, namely the presence of an important archaeological site on the property, made SU-PDA the appropriate use category. Appellants raised numerous objections, primarily focusing on alleged inconsistencies between the requested change, Resolution 116-86, and the Seven Bar/Coors Plans.

The County Planning Commission (CPC) held a hearing on January 3, 1996. The CPC granted the special use permit, subject to multiple conditions. On March 8, 1996, the issue came before the Board, which approved the special use permit, subject to fourteen conditions. As indicated by both the Board's findings and conditions, preservation of the archaeological site was a central consideration in the Board's decision. The district court affirmed the Board's decision after conducting a review pursuant to Rule 1-074 NMRA 1998.

Standard of Review

We review the Board's decision under the same standard that

governs district court review of zoning actions. See Downtown Neighborhoods Ass'n v. City of Albuquerque, 109 N.M. 186, 189, 783 P.2d 962, 965 (Ct. App. 1989). This standard is set forth in Rule 1-074(Q) as follows:

> Q. **Scope of Review.** The district court may reverse the decision of the agency if:
>
> (1) the agency acted fraudulently, arbitrarily or capriciously;
>
> (2) based upon the whole record on appeal, the decision of the agency is not supported by substantial evidence;
>
> (3) the action of the agency was outside the scope of authority of the agency; or
>
> (4) the action of the agency was otherwise not in accordance with law.

In considering the above factors, we look at the evidence in the light most favorable to the administrative decision. See San Pedro Mining Corp. v. Board of County Comm'rs, 121 N.M. 194, 203, 909 P.2d 754, 763 (Ct. App. 1995).

Preservation

At our request, the parties have briefed the preservation issue. Appellants argue that they may raise all of their issues on appeal. Relying on Dick v. City of Portales, 118 N.M. 541, 543, 883 P.2d 127, 129 (1994), they contend that formal preservation is not required in administrative proceedings. They argue that to impose such a requirement would change the nature of zoning hearings from their present informal character, into something more akin to a trial. Additionally, Appellants maintain that issues relating to "scope of authority" do not need to be

preserved because the reviewing courts are specifically required to consider them under Rule 1-074(Q)(3).

In response, Interested Parties and the County claim that Appellants' reading of the preservation holding in Dick is overly broad. Further, they assert that Dick has been superseded by the formal preservation requirements set forth in Rule 1-074(K)(2). Interested Parties also contend that some issues that may have been preserved at the administrative level were subsequently abandoned in the district court and are deemed waived for purposes of this appeal. Cf. State v. Gutierrez, 121 N.M. 191, 192-93, 909 P.2d 751, 752-53 (Ct. App. 1995) (discussing failure to preserve issue at district court level in an on-the-record appeal).

Although we appreciate the parties' efforts to brief this issue for us, we conclude that the interplay between Rule 1-074 and the scope and viability of the preservation holding in Dick is a matter that we do not need to reach in this case. As explained below, we affirm the issues being raised in this appeal on the merits, and we therefore do not find it necessary to dispose of any issues on lack of preservation grounds.

Compliance with Resolution 116-86, Seven Bar/Coors Plans

Initially, we note that the district court took judicial notice of the Comprehensive Zoning Ordinance Bernalillo County (Zoning Ordinance), with Appendix A entitled Resolution 116-86. Although it declined to have the record supplemented with the full text of the Seven Bar/Coors Plans, there are enough portions of these plans that were already in the record to allow for their

consideration.

The bulk of the issues raised in this appeal concern Appellants' view that the Board's decision is in contravention of Resolution 116-86 and the Seven Bar/Coors Plans. As a threshold matter, however, it is necessary for us to determine whether these documents had the full force and effect of law, or were merely general statements of policy that were not binding on the Board. With respect to Resolution 116-86, Appellants note that it is attached as Appendix A to the Zoning Ordinance and that we should give it the same legally-binding status as the resolution discussed in our recent opinion in West Old Town Neighborhood Ass'n v. City of Albuquerque, 1996-NMCA-107, ¶¶ 12, 13, 122 N.M. 495, 927 P.2d 529. In response, Interested Parties and the County argue that Resolution 116-86 simply lays out general policy considerations and formal procedures are set forth in the Zoning Ordinance. They contend that unlike West Old Town Neighborhood Association, there was no evidence that Resolution 116-86 met all of the formalities of an ordinance.

Our review of the record does not support Appellants' claim that we are dealing with a resolution analogous to the one discussed in West Old Town Neighborhood Association. In contrast to that case, in which there was evidence that the resolution satisfied the procedural formalities for enacting an ordinance, see id. ¶ 13, Appellants only refer to the belief by County staff that they needed to comply with the resolution. We also note that the Board's findings indicate that it understood that its decision

should be consistent with Resolution 116-86. However, the decision by County staff and the Board to adhere to general policy guidelines does not transform policy into law. Such policies do not have the force of law unless they satisfy procedural formalities. See NMSA 1978, § 3-21-14 (1981); see generally 5 Eugene McQuillin, The Law of Municipal Corporations § 15.02, at 60 (Beth A. Buday & Victoria A. Braucher, 3d ed. rev. vol. 1996) ("Of course, where the requisites and formalities for passing an ordinance are not observed, a resolution does not have the effect of an ordinance."). Appellants do not argue and the record does not indicate that Resolution 116-86 satisfied these formalities.

With respect to the two plans at issue, Appellants apparently concede that the Seven Bar Ranch Sector Plan has not been adopted. Although they claim that the Coors Corridor Development Plan has been adopted, they provide no evidentiary support that any such adoption satisfied procedural formalities that would give the plan legal force under the analysis discussed in West Old Town Neighborhood Association. Because our review is limited to questions of law, see Downtown Neighborhoods Ass'n, 109 N.M. at 189, 783 P.2d at 965, and nothing in the record indicates that Resolution 116-86 and the Seven Bar/Coors Plans were adopted as law, we need not consider Appellant's arguments pertaining to Resolution 116-86 and the Seven Bar/Coors Plans.

Authority to Issue the Special Use Permit

The County granted the special use permit at issue in this case pursuant to the provisions of Zoning Ordinance Section

18.B.23, which sets forth one of many categories deemed appropriate for a special use permit:

> Planned development area, including residential areas or mixtures of residential and commercial developments, provided the minimum lot area is 5 acres where, due to unusual circumstances, such as topographic conditions, lot configuration, or other similar conditions, special use, height, area, setback, or other regulations may be imposed.

Appellants argue that the Board's reliance on SU-PDA is an "end run" around appropriate zoning provisions. Specifically, they claim that the designated uses of the property, which they characterize as "straightforward restaurant and office uses," do not fit within the definition of a planned development area. Instead, they argue that rezoning was required under one of several commercial categories or under Section 18.B.32, the catch-all special use provision, which requires substantial neighborhood support.

In support of their argument, Appellants cite Burroughs v. Board of County Comm'rs, 88 N.M. 303, 305-07, 540 P.2d 233, 235-37 (1975), which concluded that an overnight campground did not fit within the County's planned development area provision. Appellants claim that the two restaurants at issue in this case are analogous to an overnight campground. However, Burroughs is distinguishable from the present case because the phrase "planned development area" as used in the predecessor to Section 18.B.23 was not accompanied with any additional language that clarified what the County intended to include in that category. See id. at 306, 540 P.2d at 236 (Supreme Court, deciding that term "planned

development area" was not an "all-inclusive catchall category" interpreted it with reference to ordinance as a whole rather than reference to any limiting terminology or definition). Burroughs applied the zoning authority strictly and concluded that the planned development area or trailer court exceptions authorized by the special use permit did not encompass overnight campground. See id. at 307-08, 540 P.2d at 237-38.

In contrast to Burroughs, Section 18.B.23 defines a minimum lot size and, most critical to our analysis, requires "unusual circumstances" that justify excepting the property from standard zoning regulation. In this case, our review of the record makes it clear that the "unusual circumstances" consisted of the presence of the Calabacillas Pueblo archaeological site on the property and the joint effort between the County, Interested Parties, and the Archaeological Conservancy to protect the site. Indeed, the Board specifically noted that the proposed agreement to protect the site constituted "a true public/private partnership to assure the preservation of this important resource permanently at no cost to Bernalillo County." Protection and maintenance of the site were also the subject of numerous conditions attached to the special use permit. This type of flexibility in zoning is precisely why most zoning authorities have promulgated special use ordinances. See 3 Anderson's American Law of Zoning § 21.01, at 693-94 (Kenneth H. Young, 4th ed. 1996).

Appellants further claim that the site could have been protected under the Cultural Properties Act, NMSA 1978, §§ 18-6-1

to -17 (1969, as amended through 1994). While this Act specifically recognizes agreements with private landowners as a method for preserving cultural sites, see § 18-6-10(C), it does not mandate protection of the site. Therefore the property still posed an unusual zoning challenge for the Board.

Rezoning/Variance Arguments

Although Appellants primarily raise these arguments under the assumption that Resolution 116-86 was legally binding on the Board, they raise numerous arguments directed at the traditional requirements that must be met before property may be rezoned or granted variances. Generally, a property may not be rezoned unless there is substantial evidence presented that changed conditions justify amending an existing zoning ordinance. See Miller v. City of Albuquerque, 89 N.M. 503, 506, 554 P.2d 665, 668 (1976). However, a permit issued pursuant to a zoning authority's special use ordinance is not considered a rezoning of the property. See 3 Anderson's American Law of Zoning, supra, § 21.04, at 699 ("A special permit . . . does not, in any sense, effect an amendment of the zoning ordinance."); see also 83 Am. Jur. 2d Zoning and Planning § 963 (1992) (discussing special use permits).

In West Old Town Neighborhood Association, we applied rezoning analysis to a special use designation. See 1996-NMCA-107, ¶ 21. However, there is a critical distinction with the present case: the particular special use category in West Old Town Neighborhood Association was not permitted and we specifically noted that in order for the City of Albuquerque to

allow the special use, the governing zoning ordinance needed to be amended. See id. ¶¶ 22, 23. Here, the property was already the subject of a special use designation and, in light of our determination that the Seven Bar/Coors Plans did not have the same legal effect of the sector plan at issue in West Old Town Neighborhood Association, the County did not need to amend the plans or conduct a formal rezoning analysis.

Likewise, permits issued pursuant to a governing special use ordinance are not considered variances, since they are, in effect, contemplated uses. See Burroughs, 88 N.M. at 305, 540 P.2d at 235; see also 3 Anderson's American Law of Zoning, supra, § 21.02, at 695. In this case, the setback provision and other "unspecified variances" relate to the preservation of the archaeological site and other conditions imposed under the special use permit. As noted above, the County adopted the special use ordinance specifically for these purposes and, therefore, we must defer to the Board's determination that the issuance of the permit was consistent with the County's policy objectives.

Conclusion

For the reasons discussed above, we affirm.

IT IS SO ORDERED.

JAMES J. WECHSLER, Judge

WE CONCUR:

THOMAS A. DONNELLY, Judge

MICHAEL D. BUSTAMANTE, Judge

Exhibit 5

IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO

EASTHAM JOHNSON
MAY 05 '98
MONNHEIMER JONTZ

DOROTHY VASQUEZ, C.J. VASQUEZ, and BOSQUE DELL ACRES NEIGHBORHOOD ASSOCIATION,

Petitioners-Appellants,

vs.

BOARD OF COUNTY COMMISSIONERS OF BERNALILLO COUNTY,

Respondent-Appellee,

and

CONSENSUS PLANNING, INC., agent for TORTILLA INC., and TORTILLA, INC.,

Interested Parties.

Ct. App. No. 18,067
Dist. Ct. No. CV-96-03090-ADM

James J. Wechsler
Presiding Judge

Thomas A. Donnelly
Michael D. Bustamante
Judges

FILED
98 MAY -4 AM 11:22
COURT OF APPEALS
STATE OF NEW MEXICO
P.R. WALLACE, CLERK

ORDER

Appellants having filed a motion for rehearing which has been considered by the Court,

IT IS ORDERED that the motion for rehearing be denied.

James J. Wechsler
Presiding Judge

EASTHAM JOHNSON MONNHEIMER & JONTZ
CC: Tortilla DATE:
CC: Perner DATE:
CC: Wm Keleher DATE:
Art Beach

Exhibit 6

IN THE SUPREME COURT OF THE STATE OF NEW MEXICO
Tuesday, June 16, 1998

NO. 25,174

DOROTHY VASQUEZ, C. J. VASQUEZ, and BOSQUE DELL ACRES NEIGHBORHOOD ASSOCIATION,

Plaintiffs-Petitioners,

vs.

BOARD OF COUNTY COMMISSIONERS OF BERNALILLO COUNTY,

Defendant-Respondent,

and

CONSENSUS PLANNING, INC., agent for TORTILLA INC., and TORTILLA, INC.,

Interested Parties.

ORDER

This matter coming on for consideration by the Court upon petition for writ of certiorari, and the Court having considered said petition, and being sufficiently advised;

NOW, THEREFORE, IT IS ORDERED that petition for writ of certiorari is **denied** in Court of Appeals number **18067.**

ATTEST: A True Copy

KATHLEEN JO GIBSON
CLERK OF THE SUPREME COURT

By _____
Chief Deputy

P 805 654 724

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

UNITED STATES POSTAL SERVICE

COORS TRAIL
***Eric Cramer**
2704 Bosque del Rio Ln. NW
Albuq., NM 87120

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see [illegible])

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address [illegible] the article at a post office service window or [illegible]

2. If you do not want this receipt postmarked, stick the gummed stub to the right [illegible] the article, [illegible] retain the receipt, and mail the article.

3. If you want a return receipt, [illegible] the certified mail number and your name and address [illegible] the article by [illegible] the back of article. Endorse [illegible] the number.

[illegible] the number.

[illegible] applicable blocks in [illegible]

[illegible] Make Inquiry

U.S.G.P.O. 1990-[illegible]

PS Form 3800, June 1990 (Reverse)

P 805 654 725

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail

COTTONWOOD HEIGHTS
TAMMY SMITH
4404 LOREN NW
Albuq., NM 87114

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front)

[illegible] you want this receipt postmarked, stick the gummed stub to the right of the return address [illegible] receipt [illegible] present the article at a post office service window or hand it [illegible] carrier (no extra charge).

[illegible] not want [illegible] marked, stick the gummed stub to the right [illegible] retain the receipt, and mail the article.

[illegible] the certified mail number and your name and address [illegible] attach it to the front of the article by means of the gummed [illegible] the back of article. Endorse front of article **RETURN** [illegible]

[illegible] delivery [illegible] addressee, or to an authorized agent [illegible] the front of the article.

[illegible] the appropriate spaces on the front of this [illegible] unlimited blocks in item [illegible] of Form 3811.

[illegible] case inquiry.

U.S.G.P.O. 1990-270-[illegible]

PS Form **3800**, June 1990 (Reverse)

P 305 654 726

Certified Mail Receipt
No Insurance Coverage Provided

COTTONWOOD HEIGHTS
GARY CLARKE
10309 DUNBAR ST. NW
Albuq., NM 87114

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see [illegible])

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address. Having the receipt attached and [illegible] the article at a post office service window or hand it to your rural carrier (no extra charge).

2. If you do not want this receipt [illegible] stick the gummed stub to the right of the return address of the article [illegible] the receipt, and mail the article.

3. If you want a return receipt, write the certified mail number and your name and address [illegible] return receipt card, Form 3811, and attach it to the front of the article by means of the gummed [illegible] space permits. Otherwise [illegible] front of article. **RETURN RECEIPT REQUESTED** [illegible]

4. If you want delivery restricted [illegible] to an authorized agent of the addressee [illegible] **RESTRICTED DELIVERY** [illegible]

[illegible] appropriate spaces on the front of this receipt [illegible] Form 3811.

[illegible] U.S.G.P.O. 1990-2 [illegible]

PS Form 3800, June 1990 (Reverse)

P 805 654 727

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail

EAGLE RANCH
***FRED HAMPTON**
9620 STONE ST. NW
Albuq., NM 87114

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see [illegible])

1. If you want this receipt postmarked, stick the gummed stub to the right of the [illegible] receipt attached and present the article at a post office service [illegible]

2. If you do not want this receipt postmarked, stick the gummed stub to the [illegible] article [illegible] stain the receipt and mail the article.

3. If you want a return receipt, write the certified mail number and your name [illegible] to the right of the article by means of the [illegible]

4. If you were delivery restricted to the addressee, or to an authorized [illegible] the right of the article.

5. [illegible] the appropriate space [illegible] stock [illegible]

[illegible]

P 805 654 728

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail

EAGLE RANCH
JASON VARGAS
4625 CARL HATCH PL. NW
Albuq., NM 87114

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see [illegible])

1. If you want this [illegible] the [illegible] to the right of the [illegible] [illegible] a post office service [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] U.S.G.P.O. 1990 [illegible]

[illegible] 1990 [illegible]

P 805 654 729

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail

EAGLE RIDGE
Robert Friedrichs
10128 Sierra Hills NW
Albuq., NM 87114

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see [illegible])

[illegible] if you want this receipt postmarked, stick the gummed stub to the right of the [illegible] [illegible] post office service window [illegible]

[illegible] if you do not want this receipt postmarked, stick the gummed stub to the [illegible] [illegible] receipt and mail the article.

[illegible] receipt [illegible] certified mail number and your name [illegible] [illegible] the front of the article [illegible] [illegible] Endorse [illegible] [illegible]

[illegible] want delivery restricted to the addressee [illegible] authorized [illegible] [illegible]

[illegible] the appropriate spaces on the front [illegible] [illegible]

[illegible] U.S.G.P.O. [illegible]

PS Form **3800**, June 1990 (Reverse)

P 805 654 730

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail

EAGLE RIDGE
***Nancy Jenkins**
4513 Palymyra NW
Albuq., NM 87114

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address [illegible] the receipt attached to [illegible] the article at a post office service window or hand it to [illegible] (no extra charge)

2. If you do not want this receipt postmarked, stick the gummed stub to the right of the [illegible] retain the receipt, and mail the article

3. If you want a return receipt, write the certified mail number and your name and address [illegible] and attach it to the front of the article by means of the gummed [illegible] back of article. Endorse front of article **RETURN** [illegible] number.

4. [illegible] delivery restricted to the addressee, or to an authorized agent of the addressee [illegible] the front of the article

5. [illegible] the appropriate spaces on the front of this receipt [illegible] applicable blocks in item 1 of Form 3811

[illegible] make inquiry.

U.S.G.P.O. 1990-270 [illegible]

PS Form **3800**, June 1990 *(Reverse)*

P 805 654 716

Certified Mail Receipt

No Insurance Coverage Provided

HODGIN
***MARY LOU SPELLS**
4109 SAN ANDRES NE
Albuq., NM 87110

PO, State & ZIP Code

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

3800 June 1990

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front)

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and [illegible] article at a post office service window or hand [illegible] your rural carrier (no extra charge).

2. If you do not want this receipt [illegible] stick the gummed stub to the right of the [illegible] address on the article, [illegible] the receipt, and mail the article.

3. If you want a return receipt [illegible] filled mail number and your name and address [illegible] return receipt card, Form 3811, and [illegible] to the front of the article by means of the gummed [illegible] permits. Otherwise [illegible] back of article. Endorse front of article **RETURN RECEIPT REQUESTED** [illegible]

4. If you want delivery restricted [illegible] authorized [illegible] the address [illegible] **RESTRICTED DELIVERY** [illegible] of the article.

5. [illegible] for the [illegible] appropriate spaces on the front of this receipt. [illegible] Form 3811.

[illegible] U.S.G.P.O. 1990-270-[illegible]

PS Form **3800**, June 1990 (Reverse)

P 805 654 692

Certified Mail Receipt

No Insurance Coverage Provided

Do not use for International Mail

HODGIN
JENNIFER KLATT
4205 SAN ANDRES NE
Albuq., NM 87110

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see [illegible])

1. If you want this receipt postmarked, stick the gummed stub to the right of the [illegible] receipt attached and present the article at a post office service window [illegible] extra charge.

2. If you do not want this receipt postmarked, stick the gummed stub [illegible] article, date, detach and retain the receipt, and mail the article.

3. If you want a return receipt, write the certified mail number and your [illegible] form 3811, and attach it to the front of the article by means [illegible] Otherwise, [illegible] pack of article. [illegible] RESTRICTED [illegible] number.

4. If you want delivery restricted to the addressee, or to an authorized [illegible] RESTRICTED DELIVERY [illegible] article.

5. [illegible] the service requested in the appropriate spaces [illegible] applicable blocks [illegible]

6. [illegible] inquiry. [illegible]

[illegible] 3110 [illegible] 1990 (Reverse)

P 805 654 693

Certified Mail Receipt

No Insurance Coverage Provided

Do not use for International Mail

HORIZON HILLS
JOLINDA J. BALMER
10590 VISTA BELLA PL. NW
Albuq., NM 87114

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND SPECIAL FEE FOR ANY SELECTED OPTIONAL SERVICES (SEE [illegible])

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] U.S. G.P.O. 1990-[illegible]

PS Form 3800, June 1990 (Reverse)

P 805 654 694

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail

HORIZON HILLS
*JULIA M. WILSON
5705 CARMEN RD. NW
Albuq., NM 87114

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see [illegible])

1. If you want this receipt postmarked, stick the gummed stub to the right of the return [illegible] at a post office service window or [illegible]

2. If you do not want this receipt postmarked, stick the gummed stub to the right [illegible] the receipt and mail the article.

3. If you want a return receipt [illegible] the certified mail number and your name and address [illegible] to the front of the article by means of the [illegible] the back of article [illegible] RETURN [illegible] number.

4. [illegible] addressee, or to an authorized agent [illegible] article.

5. [illegible] the appropriate spaces on the front [illegible] applicable blocks in item [illegible] of Form 3800.

[illegible] industry

U.S.G.P.O. 1990-2 [illegible]

PS Form 3800, June 1990 (Reverse)

P 805 654 695

Certified Mail Receipt

No Insurance Coverage Provided

Do not use for International Mail

LA LUZ

***BENNETT KING**

10 ARCO NW

Albuq., NM 87120

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).

1. If you want this receipt post-marked, stick the gummed stub to the right of the return address [illegible] the article at a post office service window or hand it to your [illegible] order [illegible].

2. [illegible] post-marked, stick the gummed stub to the right of [illegible] retain the receipt, and mail the article.

3. [illegible] certified mail number and your name and address [illegible] and attach it to the front of the article by means of the gummed [illegible] the back of article. Endorse front of article **RETURN** [illegible] the number.

[illegible] addressee [illegible] authorized agent [illegible] **RESTRICTED DELIVERY** on the front of the article.

[illegible] the appropriate spaces on the front of this [illegible] applicable blocks in item 1 of Form 3811.

[illegible] make inquiry.

U.S.G.P.O. 1990 [illegible]

PS Form **3800**, June 1990 *(Reverse)*

P 805 654 696

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail

LA LUZ
RAE PERLS
15 TENNIS CT. NW
Albuq., NM 87120

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see [illegible])

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address, making the receipt attached [illegible] the article at a post office service window, or [illegible] your rural carrier (no extra charge).

2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, [illegible] retain the receipt, and mail the article.

3. If you want a return receipt with the certified mail number and your name and address [illegible] return receipt card, Form 3811, and [illegible] to the front of the article by means of the gummed ends if space permits. Otherwise [illegible] back of article [illegible] of article **RETURN RECEIPT REQUESTED** [illegible] the number.

4. If you want delivery restricted [illegible] addressee or to an authorized agent [illegible] **RESTRICTED DELIVERY** [illegible] the front of the article.

5. [illegible] appropriate spaces on the front of this receipt [illegible] applicable blocks in item [illegible] Form 3811.

[illegible] make inquiry.

J.S.G.P.O. 1990-2[illegible]

PS Form **3800**, June 1990 *(Reverse)*

P 805 654 647

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

UNITED STATES

LA LUZ DEL SOL
***RAY GRAHAM**
ONE WIND NW
Albuq., NM 87120

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES [illegible]

1. If you want this receipt postmarked, stick the gummed stub to the right of the [illegible] receipt attached [illegible] article at a post office service window [illegible]

2. If you do not want this receipt postmarked, stick the gummed stub [illegible] article, [illegible] retain the receipt, and mail the article.

3. If you want a return receipt, write the certified mail number and your [illegible] form [illegible] attach it to the front of the article by [illegible] the back of article [illegible] number.

4. If you want delivery restricted to the addressee [illegible] authorized [illegible] the front of the article.

5. [illegible] the appropriate spaces on the front [illegible] applicable blocks in item [illegible] of form 3811.

6. [illegible] mailing [illegible]

[illegible] 50 (Reverse)

P 805 654 698

Certified Mail Receipt

No Insurance Coverage Provided

For delivery information visit our website at www.usps.com

LA LUZ DEL SOL
E.A. SWENSON
ONE WIND NW
Albuq., NM 87120

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see [illegible])

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address [illegible]

2. [illegible]

3. [illegible]

4. [illegible]

5. [illegible]

6. [illegible]

PS Form 3800, [illegible] (See reverse)

P 805 654 699

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

UNITED STATES

LADERA HEIGHTS
Tena Prescott
3804 67th St. NW
Albuq., NM 87120

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see [illegible])

[illegible] If you want this receipt postmarked, stick the gummed stub to the right of the [illegible] [illegible] receipt [illegible] the article at a post office service window, or [illegible] [illegible] carrier [illegible] charge.

[illegible] you do not want this receipt postmarked, stick the gummed stub [illegible] [illegible] the article [illegible] retain the receipt, and [illegible] the article.

[illegible] receipt [illegible] certified mail number and your name and address [illegible] [illegible] form so [illegible] to the front of the article by means of the gummed [illegible] [illegible] the back of [illegible] [illegible] [illegible] number.

[illegible] you want delivery [illegible] addressee [illegible] authorized [illegible] [illegible] [illegible] the [illegible] of the article.

[illegible] the [illegible] in the appropriate spaces on the front [illegible] [illegible] requested [illegible] applicable blocks in item 1 of Form 3811.

[illegible] inquiry.

U.S.G.P.O. 1990 [illegible]

PS Form **3800**, June 1990 (Reverse)

P 805 654 700

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail

LADERA HEIGHTS
***Shari Lewis**
P.O. Box 66328
Albuq., NM 87193

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
Total Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front)

1. If you want the receipt postmarked, stick the gummed stub to the right of the return address. [illegible] the receipt attached and present the article at a post office service window or hand it to your mail carrier (an extra charge).

2. If you do not want the receipt postmarked, stick the gummed stub to the right of the return address [illegible] to claim the receipt, and mail the article.

3. [illegible] receipt, write the certified mail number and your name and address on [illegible] and attach it to the front of the article by means of the gummed [illegible] Back of article. Endorse front of article **RETURN RECEIPT REQUESTED** [illegible] number.

4. [illegible] delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.

5. [illegible] appropriate spaces on the front of this receipt [illegible] applicable blocks in Item 1 of Form 3811.

[illegible] inquiry.

U.S.G.P.O. 1990-270-153

PS Form **3800** June 1990 *(Reverse)*

P 805 654 701

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail

MONTGOMERY HEIGHTS
*ROBERT SWARTWOOD
3517 HENDRIX RD. NE
Albuq., NM 87107

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$
Postmark or Date	

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front)

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address, leaving the receipt attached and present the article at a post office service window or hand it to your mail carrier [illegible] charge.

2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.

3. If you want a return receipt, write the certified mail number and your name and address on the return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, attach it to the back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.

4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, [illegible] **RESTRICTED DELIVERY** on the front of the article.

5. [illegible] for the services requested in the appropriate spaces on the front of this receipt [illegible] requested [illegible] applicable blocks in item 1 of Form 3811.

[illegible] case inquiry

(U.S.G.P.O. 1990-270 [illegible])

PS Form **3800**, June 1990 (Reverse)

P 805 654 702

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

UNITED STATES

MONTGOMERY HEIGHTS
KAREN SCHUELER
3504 DELAMAR NE
Albuq., NM 87107

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see [illegible])

1. If you want this receipt postmarked, stick the gummed stub to the right of the [illegible] leaving the receipt attached and present the article at a post office service window [illegible] your rural carrier (no extra charge).

2. If you do not want this receipt postmarked, stick the gummed stub to the [illegible] the article, date, detach and retain the receipt, and mail the article.

3. If you want a return receipt, write the certified mail number and your [illegible] [illegible] form [illegible] and attach it to the front of the article by means [illegible] [illegible] permits. Otherwise, stuck on the back of article. Endorse [illegible] [illegible] **REQUESTED** adjacent to the number.

4. If you want delivery restricted to the addressee, or to an authorized agent [illegible] **RESTRICTED DELIVERY** on the front of the article.

5. [illegible] the services requested in the appropriate spaces on the [illegible] [illegible] requested, check the applicable blocks in item 1 of Form 3811.

6. [illegible] make inquiry.

U.S.G.P.O. [illegible]

P 805 654 703

UNITED STATES

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

NEW VISTAS SUBDIVISION
GARRY EUL
4223 NEW VISTAS CT. NW
ALBUQ., NM 87114

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

PS Form 3800, June 1985

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front)

[illegible]

3800, June 1990 (Reverse)

P 805 654 704

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail

NEW VISTAS SUBDIVISION
TERANCE JAHNKE
4109 NEW VISTAS CT. NW
ALBUQ., NM 87114

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom Date & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address, fold the receipt attached to the article at a post office service window, or hand it to [illegible] (and extra charge).

2. If you do not want this receipt postmarked, stick the gummed stub to the right [illegible] the receipt, and mail the article.

3. If you want a return receipt, write the certified mail number and your name and [illegible] to the front of the article by means of the [illegible] article. Choose from the article [illegible]

4. [illegible] will delivery restricted to the addressee, or to an authorized [illegible] the front of the article.

5. [illegible] the appropriate spaces on the [illegible] applicable blocks in item 1 of Form 3800.

[illegible] mass inquiry.

U.S.G.P.O. 1990-[illegible]

PS Form 3800, June 1990 (Reverse)

P 805 654 705

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail

PARADISE HILLS
MEREDITH HUGHES
9908 LAPAZ NW
Albuq., NM 87114

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front)

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address [illegible] receipt attached and present the article at a post office service window or hand it to [illegible] charge).

[illegible] if you do not want this receipt postmarked, stick the gummed stub to the right of the return [illegible] retain the receipt, and mail the article.

[illegible] a return receipt, write the certified mail number and your name and address [illegible] attach it to the front of the article by means of the gummed [illegible] the back of article. Endorse front of article **RETURN** [illegible] to the number.

[illegible] want delivery restricted to the addressee, or to an authorized agent of the [illegible] **RESTRICTED DELIVERY** on the front of the article.

[illegible] in the appropriate spaces on the front of this receipt [illegible] applicable blocks in item 1 of Form 3811.

[illegible] you make inquiry.

U.S.G.P.O. 1990-270-153

PS Form 3800, June 1990 (Reverse)

P 805 654 706

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail

PARADISE HILLS
***AUDRE BONADEA**
10137 FURMAN NW
Albuq., NM 87114

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front)

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier (no extra charge).

2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, and [illegible] retain the receipt, and mail the article.

3. If you want a return receipt, write the certified mail number and your name and address [illegible] Form 3811 [illegible] to the front of the article by means of the gummed [illegible] space [illegible] Otherwise [illegible] [illegible]

4. If you want delivery [illegible] addressee [illegible] authorized [illegible] [illegible]

5. [illegible] appropriate spaces on the front of this receipt [illegible] blocks in [illegible] of Form 3811.

[illegible] U.S.G.P.O. 1990-270-[illegible]

U.S. [illegible] 3800, June 1990 (Reverse)

P 805 654 707

Certified Mail Receipt

No Insurance Coverage Provided

Do not use for International Mail

(See Reverse)

PIEDRAS MARCADAS

W. STEVE GALLEGOS

4331 ROSECLIFF AVE. NW

Albuq., NM 87114

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES [illegible]

[illegible] you want this receipt postmarked, stick the gummed stub to the right of the [illegible] [illegible] the article at a post office service [illegible]

[illegible] this receipt postmarked, stick the gummed stub to the [illegible] [illegible] the receipt, and mail the article.

[illegible] return receipt [illegible] certified mail number and your name [illegible] [illegible] to the front of the article by [illegible] [illegible] the back of article. [illegible] number.

[illegible] delivery restricted to the addressee [illegible] authorized [illegible] [illegible] the front of the article.

[illegible] in the appropriate spaces on the [illegible] [illegible] applicable blocks in item [illegible] of form [illegible]

[illegible] make inquiry. U.S.G.P.O. [illegible]

[illegible] 30 (Reverse)

P 805 654 708

UNITED STATES

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

PIEDRAS MARCADAS
*RON SALVATO
9401 CACTUS TRAIL NW
Albuq., NM 87114

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE
CERTIFIED MAIL FEE AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (SEE [illegible]

1. If you want this receipt [illegible] for guaranteed delivery [illegible] article at a post office [illegible]

2. [illegible]

3. [illegible]

4. [illegible]

5. [illegible]

PS Form 3800, [illegible]

P 805 654 709

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail

QUAKER HEIGHTS
MELONIE MATTHEWS
3200 COORS RD. NW #K235
Albuq., NM 87120

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return [illegible] leaving the receipt attached [illegible] article at a post office service window or [illegible] you [illegible] charge.

2. If you [illegible] the receipt [illegible] stick the gummed stub to the [illegible] receipt, and mail the article.

3. If you want [illegible] certified mail number and your [illegible] to the front of the article [illegible] back of article [illegible] front of article [illegible]

4. If you want delivery restricted to the addressee, or to an authorized agent [illegible] the front of the article.

5. [illegible] appropriate spaces on the [illegible] applicable blocks in item 1 of Form 3800.

[illegible] make inquiry.

U.S.G.P.O. 1990 [illegible]

PS Form 3800, June 1990 (Reverse)

P 805 654 710

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail

QUAKER HEIGHTS
***MATTHEW BACA**
5125 NORTHERN TRL. NW
Albuq., NM 87120

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom Date & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front)

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address [illegible] the article at a post office service window or hand it to [illegible]

2. [illegible] not want this receipt postmarked, stick the gummed stub to the right of the return [illegible] retain the receipt, and mail the article

3. [illegible] receipt [illegible] the certified mail number and your name and address [illegible] to the front of the article by means of the [illegible] to the back of article. Enclose front of article **RETURN** [illegible] the number.

4. [illegible] want delivery restricted to the addressee, or to an authorized agent [illegible] the front of the article

5. [illegible] the appropriate spaces on the front of this receipt [illegible] applicable blocks in item [illegible] of Form 3811

[illegible] U.S.G.P.O. 1990-270 153

PS Form **3800**, June 1990 *(Reverse)*

P 805 654 711

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

UNITED STATES

RIVERFRONTE ESTATES
GARY PLANTE
1692 PACE RD. NW
Albuq., NM 87114

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

PS Form 3800, June 1990

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address, leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier (no extra charge).

2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and return the receipt, and mail the article.

3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, attach to the back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.

4. If you want delivery restricted to the addressee, or to an authorized agent, [illegible] **RESTRICTED DELIVERY** on the front of the article.

5. [illegible] for the [illegible] the appropriate spaces on the front of this receipt [illegible] is required [illegible] the applicable blocks in Item 1 of Form 3811.

[illegible] Make inquiry

U.S.G.P.O. 1990-270-153

PS Form **3800**, June 1990 *(Reverse)*

P 805 654 712

UNITED STATES

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

RIVERFRONTE ESTATES
***GINGER CARMAN**
1728 RUSTY RD. NW
Albuq., NM 87114

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES [illegible]

1. If you want this receipt postmarked, stick the gummed stub to the [illegible] the receipt attached and present the article at a post office service [illegible] [illegible] carrier (no extra charge).

2. If you do not want this receipt postmarked, stick the gummed stub to the [illegible] [illegible] the article, date, [illegible] and retain the receipt, and mail the article.

3. If you want a return receipt, write the certified mail number and your [illegible] [illegible] receipt card, Form 3811, and attach it to the front of the article by [illegible] [illegible] permits. Otherwise, affix to the back of article. Endorse [illegible] [illegible] **REGISTERED** [illegible] to the number.

4. [illegible] delivery restricted to the addressee, or to an authorized [illegible] [illegible] **RESTRICTED DELIVERY** [illegible] front of the article.

5. [illegible] the service [illegible] in the appropriate spaces on the [illegible] [illegible] applicable blocks in item [illegible] of Form 3811.

[illegible] make inquiry. U.S.G.P.O. [illegible]

[illegible] 1990 (Reverse)

P 805 654 713

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

UNITED STATES

SAGECREST
*WILLIAM SILVA
5700 CACTUS FLOWER NW
Albuq., NM 87120

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES [illegible]

[illegible]

[illegible] 3800, [illegible] 1990 (Reverse)

P 805 654 714

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail

SAGECREST
BARBARA MUELLER
4904 ALBERTA LN. NW
Albuq., NM 87120

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address, leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier (no extra charge).

2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.

3. If you want a return receipt, write a certified mail number and your name and address on a return receipt card, in the lower left of the reverse side, attach it to the article, and mail the article.

4. If you want delivery restricted to the addressee, or to an authorized agent, write "RESTRICTED DELIVERY" on the front of the article.

5. For additional services, complete the appropriate spaces on the back of this receipt, and attach additional labels or letters, as needed.

See Reverse for Important Information

U.S. G.P.O. 1990-[illegible]

PS Form 3800, June 1990 (Reverse)

P 805 654 715

UNITED STATES POSTAL SERVICE

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

SALIDA DEL SOL
Minna M. Dimmick
10536 Calle Sombra Pl. NW
Albuq., NM 87114

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front)

[illegible] If you want this receipt postmarked, stick the gummed stub to the right of the return address [illegible] the article at a post office service window or hand it to [illegible]

[illegible] If you do not want this receipt postmarked, stick the gummed stub to the right of the return [illegible] and retain the receipt, and mail the article.

[illegible] receipt write the certified mail number and your name and address [illegible] attach it to the front of the article by means of the gummed [illegible] to the back of article. Endorse front of article **RETURN RECEIPT REQUESTED** [illegible] to the number.

[illegible] want delivery restricted to the addressee, or to an authorized agent of the [illegible] **RESTRICTED DELIVERY** on the front of the article.

[illegible] for the service(s) requested in the appropriate spaces on the front of this [illegible] applicable blocks in item [illegible] of form 3811.

[illegible] (see reverse)

U.S.G.P.O. 1990 [illegible]

PS Form **3800**, June 1990 *(Reverse)*

P 805 654 672

UNITED STATES

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

SALIDA DEL SOL
***BILL FOLEY**
4404 DRIFTWOOD DR. NW
Albuq., NM 87114

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES [illegible]

1. If you want this receipt postmarked, stick the gummed stub to the right of the [illegible] [illegible] the article at a post office service [illegible] [illegible]

2. If you do not want this receipt postmarked, stick the gummed stub to the [illegible] [illegible] return the receipt, and mail [illegible]

3. If you want a return receipt, write the certified mail number and your [illegible] [illegible] to the front of the article [illegible] [illegible] back to article [illegible] [illegible]

4. If you want delivery restricted to the addressee, or to an authorized [illegible] [illegible] on the front of the article.

5. [illegible] of the services [illegible] in the appropriate spaces on the [illegible] [illegible] applicable blocks [illegible]

[illegible] U.S.G.P.O. [illegible]

P 805 654 673

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail

SANTA FE VILLAGE
*BRUCE C. BEACH
6021 CREGGS ST. NW
Albuq., NM 87120

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (See Reverse)

- If you want the receipt [illegible] guaranteed fee to be paid [illegible] address, [illegible] the place to a post office [illegible] your name [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] 1990 (Reverse)

P 805 654 674

Certified Mail Receipt

No Insurance Coverage Provided

Do not use for International Mail

SANTA FE VILLAGE
BILL LENINGER
6708 GLEASON AVE. NW
Albuq., NM 87120

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the [illegible] address, leaving the receipt attached and present the article at a post office service window or hand it [illegible] a [illegible] (no extra charge).

2. If you do not want this receipt postmarked, stick the gummed stub to the right [illegible] article, [illegible] detach and retain the receipt, and mail the article.

3. If you want a return receipt, write the certified mail number and your name and address [illegible] to the front of the article by means of the [illegible] space permits. Otherwise, [illegible] the back of article. [illegible] number.

4. [illegible] delivery restricted to the addressee, or to an authorized [illegible] on the front of the article.

5. [illegible] the appropriate spaces on the [illegible] applicable blocks in item 1 of Form [illegible]

[illegible] inquiry. U.S.G.P.O. 1990-270-[illegible]

PS Form 3800, June 1990 (Reverse)

P 805 654 675

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

SARAGOSSA
DEAN MURPHY
10404 VISTA DEL SOL NW
Albuq., NM 87114

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address [illegible] and post it the article at a post office service window or hand it to [illegible]

2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return [illegible] and retain the receipt, and mail the article.

3. If you want a return receipt, write the certified mail number and your name and address [illegible] and attach it to the front of the article by means of the gummed [illegible] to the back of article, endorse front of article **RETURN** [illegible] adjacent to the number.

4. [illegible] delivery restricted to the addressee, or to an authorized agent of the [illegible] **RESTRICTED DELIVERY** on the front of the article.

5. [illegible] in the appropriate spaces on the front of this receipt [illegible] applicable blocks in item 1 of Form 3811.

[illegible] make inquiry

U.S.G.P.O. 1990-270-157

PS Form **3800**, June 1990 *(Reverse)*

P 805 654 676

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail

SARAGOSSA
PAULINE RAMOS
4440 CONDESA NW
Albuq., NM 87114

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

PS Form 3800, June 1990

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).

1. If you want this receipt [illegible] the gummed stub to the right of the return address leaving the receipt attached [illegible] article at a post office service window or hand it to your [illegible] carrier (no extra charge).

2. If you do not want this receipt [illegible] stick the gummed stub to the right of the return address of the article, date, detach [illegible] mail the receipt, and mail the article.

3. If you want a return receipt [illegible] certified mail number and your name and address [illegible] receipt card, Form 3811, [illegible] in the front of the article by means of the gummed [illegible] space permits. Otherwise, [illegible] the back of article. [illegible] **RETURN RECEIPT REQUESTED** [illegible]

4. If you want delivery restricted to the addressee, or to an authorized [illegible] **RESTRICTED DELIVERY** [illegible] front of the article.

[illegible] appropriate spaces on the front of [illegible] applicable blocks in item 1 of Form 3811.

[illegible] U.S.G.P.O. 1990-273-[illegible]

PS Form 3800, [illegible] 1990 (Reverse)

P 805 654 677

Certified Mail Receipt

No Insurance Coverage Provided

Do not use for International Mail

(See Reverse)

UNITED STATES

SKY VIEW ACRES

***Deborah M. Steele**

10629 Calle de Elena NW

Corrales, NM 87048

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see [illegible])

1. If you want this receipt postmarked, stick the gummed stub to the right of the [illegible] [illegible] the article at a post office service [illegible]

2. If you do not want this receipt postmarked, stick the gummed stub to the [illegible] [illegible] retain the receipt, and mail the article.

3. If you want a return receipt, write the certified mail number and your [illegible] [illegible] to the front of the article [illegible] [illegible] number.

4. If you want delivery restricted to the addressee, or to an authorized [illegible] [illegible] of the article.

5. [illegible] appropriate spaces [illegible] [illegible] applicable blocks [illegible]

[illegible]

P 805 654 678

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

UNITED STATES POSTAL SERVICE

SKY VIEW ACRES
John Harvelle
c/o S.V.A.NA., P.O. Box 1653
Corrales, NM 87048

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

3800 June 1990

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES

1. If you want this receipt ... the gummed stub to the right of the return address ...

... 90 (Reverse)

P 805 654 679

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

UNITED STATES

TAYLOR RANCH
JOLENE WOLFLEY
6804 STAGHORN DR. NW
Albuq., NM 871204806

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address [illegible] receipt [illegible] the article at a post office service window or hand it to [illegible]

2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address [illegible] the receipt and mail the article.

3. If you want a return receipt, write the certified mail number and your [illegible] the front of the article [illegible] back of article [illegible] number.

4. [illegible] delivery restricted to the addressee, or to an authorized [illegible] the front of the article.

5. [illegible] the appropriate space [illegible] applicable blocks [illegible]

[illegible] inquiry [illegible] 1990 [illegible]

PS Form 3800 [illegible] 1990 (Reverse)

P 805 654 680

Certified Mail Receipt

No Insurance Coverage Provided

Do not use for International Mail

TAYLOR RANCH

***VIRGINIA M. KLEBESADEL**

4416 GOOSEBERRY RD. NW

Albuq., NM 87120

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).

[illegible] If you want this receipt postmarked, stick the gummed stub to the right of the return address [illegible] article at a post office service window or hand it to [illegible]

[illegible] receipt postmarked, stick the gummed stub to the right of the return [illegible] the receipt and mail the article.

[illegible] receipt, write the certified mail number and your name and address [illegible] to the front of the article by means of the gummed [illegible] the stick of article. Endorse front of article **RETURN** [illegible]

[illegible] to the addressee, or to an authorized agent of the [illegible] on the front of the article.

[illegible] the appropriate spaces on the front of this receipt [illegible] the applicable blocks in item [illegible] of Form 3811.

[illegible] Will make inquiry

U.S.G.P.O. 1990-270-153

PS Form 3800, June 1990 (Reverse)

P 805 654 681

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

UNITED STATES POSTAL SERVICE

WINDMILL ESTATES
Ron Bohannan
9851 Cita Rd. NW
Albuq., NM 87114

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$
Postmark or Date	

PS Form 3800, June 1990

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front)

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address [illegible] receipt attached and [illegible] the article [illegible] a post office [illegible] window [illegible] to your [illegible] carrier [illegible] charge.

2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address on the article, date, [illegible] retain the receipt and [illegible] the article.

3. If you want a return receipt [illegible] the certified mail number and your name and address [illegible] Form 3811, and attach it to the front of the article by means of the gummed [illegible] permits. Other [illegible] the back of [illegible] **RETURN RECEIPT REQUESTED** [illegible] number.

4. If you want delivery restricted to the addressee, [illegible] **RESTRICTED DELIVERY** [illegible]

5. [illegible] the appropriate spaces on the [illegible] requested [illegible] applicable blocks [illegible] Form 3811.

[illegible] U.S. GPO 1990-[illegible]

PS Form 3800, June 1990 (Reverse)

P 805 654 682

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

UNITED STATES POSTAL SERVICE

VINEYARD
John MacKenzie
416 Mission NE
Albuq., NM 87107

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (See reverse)

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address [illegible] attach it to the article at a post office service window [illegible] extra charge).

2. If you do not want this receipt postmarked, stick the gummed stub [illegible] article, date, detach and retain the receipt, and mail the [illegible]

3. If you want this receipt with the certified mail number and your [illegible] form 3811, and attach it to the front of the article by [illegible] otherwise, affix to the back of article [illegible] to the number.

[illegible] delivery restricted to the addressee or to an authorized [illegible] RESTRICTED DELIVERY on the front of the article.

[illegible] the service requested in the appropriate space on the [illegible] applicable blocks in item 4 of form 3811.

[illegible] make inquiry [illegible]

P 805 654 683

Certified Mail Receipt

No Insurance Coverage Provided

Do not use for International Mail

WINDMILL ESTATES
***Elaine K. Bickerstaff**
9839 Windmill Ct. NW
Albuq., NM 87114

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$
Postmark or Date	

PS Form 3800, June 1990

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE
CERTIFIED MAIL [illegible] FOR ANY SELECTED OPTIONAL [illegible]

1. If you want this [illegible] to the [illegible]

2. [illegible] the receipt, and [illegible]

3. [illegible]

4. [illegible]

5. [illegible]

6. [illegible]

[illegible] 1990 (Reverse)

P 805 654 717

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

ALAMEDA NORTH VALLEY
ESTELLA MARTINEZ
140 RANCHITOS RD. NW
Alameda, NM 871141031

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES [illegible]

1. If you want this receipt postmarked, stick the gummed stub to the right [illegible] receipt attached and present the article at a post office service [illegible] your [illegible] carrier (no extra charge)

2. If you do not want this receipt postmarked, stick the gummed stub [illegible] the article, date, [illegible] and retain the receipt, and mail the article

3. [illegible] receipt [illegible] the certified mail number and your [illegible] the front of the article [illegible] Otherwise [illegible] number.

4. [illegible] delivery restricted to the addressee [illegible] authorized [illegible]

5. [illegible] appropriate spaces [illegible] blocks [illegible] Form [illegible]

[illegible] more inquiry. U.S.G.P.O. [illegible]

[illegible] (Reverse)

P 805 654 718

Certified Mail Receipt

No Insurance Coverage Provided

ALBAN HILLS
*JACK SCOTT
6417 CAMINO DEL ARREBOL NW
Albuq., NM 87120

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS [illegible] ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, [illegible] FOR ANY SELECTED OPTIONAL SERVICES (see [illegible])

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] 1990

[illegible] 3800, June 1990 (Reverse)

P 805 654 719

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail

ALBAN HILLS
BONNIE KELLEY
6417 CAMINO DEL ARREBOL NW
Albuq., NM 87120

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front)

1. If you want this receipt postmarked, stick the gummed stub to the right of the return [illegible] leaving the receipt attached [illegible] the article at a post office service window or hand it [illegible] your mail carrier (no extra charge)

2. If you do not want this receipt postmarked, stick the gummed stub to the right [illegible] the article [illegible] retain the receipt and mail the article

3. If you want a return receipt [illegible] certified mail number and your name and address [illegible] to the front of the article [illegible] the gummed [illegible] back of article [illegible]

4. If you want delivery restricted to the addressee, or to an authorized agent [illegible] the article.

5. [illegible] appropriate spaces on the front [illegible] item of Form 3811

[illegible] U.S.G.P.O. 1993-[illegible]

PS Form 3800, June 1990 (Reverse)

P 805 654 720

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail

BOSQUE DELL ACRES
David Neuman
1515 Erwin NW
Albuq., NM 87114

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front)

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address [illegible] article at a post office service window or hand it to [illegible] charge!

2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return [illegible] and retain the receipt, and mail the article.

3. [illegible] the certified mail number and your name and address [illegible] to the front of the article by means of the gummed [illegible] the back of article [illegible] **RETURN** [illegible]

4. [illegible] delivery restricted to the addressee, or to an authorized agent of the addressee [illegible] **RESTRICTED DELIVERY** on the front of the article.

5. [illegible] the appropriate spaces on the front of this receipt [illegible] Form 3811.

[illegible] U.S.G.P.O. 1990-[illegible]

PS Form **3800**, June 1990 *(Reverse)*

P 805 654 721

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail

BOSQUE DELL ACRES
***Tom Schroeder**
9731 Loretta Dr. NW
Albuq., NM 87114

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front)

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address, leaving the receipt attached and [illegible] the article at a post office service window or hand it to your rural carrier (no extra charge).

2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.

3. If you want a return receipt [illegible] certified mail number and your name and address [illegible] receipt card, Form 3811, [illegible] to the front of the article by means of the gummed [illegible] permits. Otherwise, [illegible] the back of [illegible] adjacent from an article **RETURN RECEIPT REQUESTED** [illegible] the number.

4. If you want delivery restricted [illegible] addressee [illegible] to an authorized agent of the [illegible] **RESTRICTED DELIVERY** [illegible] the front of the article.

5. [illegible] for the [illegible] the appropriate spaces on the front of this receipt [illegible] Form 3811.

[illegible] inquiry

U.S.G.P.O. 1990-2 [illegible]

PS Form 3800, June 1990 (Reverse)

P 805 654 722

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail

BOYDS-LESLIE PARK
***GEORGE COLBY**
6322 PRAIRIE AVE. NE
Albuq., NM 87109

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom Date, & Address of Delivery	
TOTAL Postage & Fees	$

Postmark or Date

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES [illegible]

1. If you want this receipt postmarked, stick the gummed stub to the right of the return [illegible] article at a post office service [illegible]

2. [illegible] receipt postmarked, stick the gummed stub to the [illegible] the receipt, and mail the article.

3. [illegible] receipt [illegible] certified mail number and your [illegible] to the front of the article or [illegible] back of article [illegible]

[illegible] delivery restricted to the addressee, [illegible] authorized [illegible] on the front of the article.

[illegible] in the appropriate spaces on the [illegible] blocks [illegible] item 1 of form 381[illegible]

[illegible] U.S.G.P.O. 1990-[illegible]

[illegible] 1990 (Reverse)

P 805 654 668

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

UNITED STATES

ACADEMY ACRES NORTH
ROBERTA LIPMAN
6503 MENDIUS NE
Albuq., NM 87109

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$
Postmark or Date	

PS Form 3800, June 1990

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).

1. If you want this receipt postmarked [illegible] address leaving the receipt attached and presenting [illegible] your rural carrier, no extra charge.

2. If you do not want this receipt postmarked [illegible] address of the article, date [illegible]

3. If you want a return receipt, write the [illegible] address [illegible] return receipt card, Form 3811, and attach it [illegible] ends if space permits. Otherwise, affix to the back of article [illegible] front of article. **RETURN RECEIPT REQUESTED** adjacent to the number.

4. If you want delivery restricted to the addressee [illegible] addressee endorse **RESTRICTED DELIVERY** [illegible] front of the [illegible]

5. Enter fees in the services requested in the appropriate [illegible] the front [illegible] receipt. If return receipt is requested, check the applicable blocks in item [illegible] Form 3811.

6. Save this receipt and present it if you make inquiry.

[illegible] C.R.C. 1990-27-[illegible]

PS Form **3800**, June 1990 (Reverse)

P 805 654 669

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail

ACADEMY ACRES NORTH
***IRENE MINKE**
6504 DUNGAN NE
Albuq., NM 87109

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$
Postmark or Date	

PS Form **3800**, June 1990

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier (no extra charge).

2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.

3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to the back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.

4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.

5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.

6. Save this receipt and present it if you make inquiry.

U.S.G.P.O. 1990-270-153

PS Form **3800**, June 1990 (Reverse)

P 805 654 670

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

UNITED STATES POSTAL SERVICE

ALAMEDA NORTH VALLEY
STEVE HALE
9339 GUADALUPE TRL. NW
Alameda, NM 87114

	$
Postage Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$
Postmark or Date	

PS Form 3800, June 1985

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier (no extra charge).

2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.

3. If you want a return receipt, write the certified mail number and your name and address on a "Return receipt card" Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to the back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.

4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.

5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.

6. Save this receipt and present it if you make inquiry.

U.S.G.P.O. 1990-270-153

PS Form **3800**, June 1990 *(Reverse)*

P 805 654 723

Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail

COORS TRAIL
Tracy Cadigan
2705 Bosque del Sol NW
Albuq., NM 87120

Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	$
Postmark or Date	

PS Form **3800**, June 1990

STICK POSTAGE STAMPS TO ARTICLE [illegible] CLASS POSTAGE
CERTIFIED MAIL FEE, AND CHARGES [illegible] SERVICES (see front)

1. If you want this receipt postmarked [illegible] address leaving the receipt attached and [illegible] your rural carrier (no extra charge)

2. If you do not want [illegible] address of the article, date, [illegible] article

3. If you want a return receipt [illegible] return receipt card (form 3811) and [illegible] gummed ends if space permits. Otherwise, affix [illegible] **RETURN RECEIPT REQUESTED** adjacent to the number

4. If you want delivery restricted to the addressee [illegible] endorse **RESTRICTED DELIVERY** on the front of the [illegible]

5. Enter fees for the services requested in the appropriate [illegible] receipt. If return receipt is requested, check the applicable blocks [illegible] 3811

6. Save this receipt and present it if you make inquiry

U.S.G.P.O. 1990 270-153

PS Form 3800, June 1990 (Reverse)

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

BOSQUE DELL ACRES
***Tom Schroeder**
9731 Loretta Dr. NW
Albuq., NM 87114

4a. Article Number: P86[illegible]

4b. Service Type:

- ☐ Registered
- ☐ Express Mail
- ☐ Insured
- ☐ Return Receipt for Merchandise
- ☐ COD

7. Date of Delivery: 9-5-01

5. Received By: *(Print Name)*

6. Signature: *(Addressee or Agent)*

X [signature]

8. Addressee's Address *(Only if requested and fee is paid)*

EPC

PS Form **3811**, December 1994 102595-98-B-0229 Domestic Return Receipt

Thank you for using Return Receipt Service

UNITED STATES POSTAL SERVICE

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

City of Albuquerque
Planning Department
P.O. Box 1293
Albuquerque, NM 87103

Is your **RETURN ADDRESS** completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the back of the mailpiece, or on the front if space permits.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will provide you the name of the person delivered to and the date delivered.

I also wish to receive the following services (for an extra fee):

☐ [illegible]

☐ [illegible]

☐ [illegible]

3. Article Addressed to:

ALBAN HILLS
BONNIE KELLEY
6417 CAMINO DEL ARREBOL NW
Albuq., NM 87120

4a. Article Number: [illegible]

4b. Service Type:
☐ Registered
☐ Express Mail
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

5. Received By: *(Print Name)* Lynne Scott

6. Signature: *(Addressee or Agent)*
X Lynne Scott

8. Addressee's Address *(Only if requested and fee is paid)*
EPC

PS Form **3811**, December 1994 102595-98-B-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE

ALBUQUERQUE NM 87
PM
2001

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

City of Albuquerque
Planning Department
P.O. Box 1293
Albuquerque, NM 87103

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse side [illegible] card to you.
- [illegible] permit.
- Write "Return Receipt Requested" on the [illegible]
- The Return Receipt will [illegible] delivered.

I also wish to receive the following services (for an extra fee):

[illegible]

3. Article Addressed to:

ALBAN HILLS
*JACK SCOTT
6417 CAMINO DEL ARREBOL NW
Albuq., NM 87120

4a. Article Number: [illegible]

4b. Service Type:

- Registered
- Express Mail
- Return Receipt for Merchandise
- [illegible] COD

7. Date of Delivery: [illegible]

5. Received By: (Print Name) LYNNE SCOTT

6. Signature: (Addressee or Agent)

X Lynne C. Scott

8. Addressee's Address (Only if requested and fee is paid)

EPC

PS Form 3811, December 1994 102595-98-B-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

City of Albuquerque
Planning Department
P.O. Box 1293
Albuquerque, NM 87103

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Address and Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to

SKY VIEW ACRES
John Harvelle
c/o S.V.A.NA., P.O. Box 1653
Corrales, NM 87048

4a. Article Number

[illegible]

4b. Service Type

☐ Registered ☐ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

5. Received By: *(Print Name)*

Kathryn T Wiggins

6. Signature: *(Addressee or Agent)*

X Kathryn T Wiggins

8. Addressee's Address *(Only if requested and fee is paid)*

EPC

PS Form **3811**, December 1994 102595-98-B-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

City of Albuquerque
Planning Department
P.O. Box 1293
Albuquerque, NM 87103

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- [illegible]
- [illegible]
- The Return [illegible] delivered.

I also wish to receive the following services (for an extra fee):

[illegible]

3. Article Addressed to

COORS TRAIL
*Eric Cramer
2704 Bosque del Rio Ln. NW
Albuq., NM 87120

4a. Article Number

[illegible]

4b. Service Type

☐ Registered ☐ Insured
☐ Express Mail ☐ COD
☐ Return Receipt for Merchandise

7. Date of Delivery

9/4/01

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X [signature]

8. Addressee's Address (Only if requested and fee is paid)

EPC

PS Form 3811, December 1994 Domestic Return Receipt

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Permit No. G-10

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City of Albuquerque
Planning Department
P.O. Box 1293
Albuquerque, NM 87103

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the article, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt fee will provide you with proof of delivery and the date delivered.

I also wish to receive the following services (for an extra fee):

1. Addressee's Address
2. Restricted Delivery

3. Article Addressed to

EAGLE RANCH
*FRED HAMPTON
9620 STONE ST. NW
Albuq., NM 87114

4a. Article Number

4b. Service Type

☐ Registered
☐ Express Mail
☐ Insured
☐ Return Receipt for Merchandise
☐ COD

7. Date of Delivery

5. Received By: (Print Name)

JANE HAMPTON

6. Signature: (Addressee or Agent)

X Jane Hampton

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994 102595-94-B-0229 Domestic Return Receipt

UNITED STATES POSTAL SERVICE

ALBUQUERQUE NM 87103
PM
2001

First-Class Mail
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USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

City of Albuquerque
Planning Department
P.O. Box 1293
Albuquerque, NM 87103

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this [illegible] the [illegible] space [illegible]
- [illegible]
- The Return Receipt will [illegible] the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. [illegible]

Consult [illegible]

3. Article Addressed to:

COTTONWOOD HEIGHTS
TAMMY SMITH
4404 LOREN NW
Albuq., NM 87114

4a. Article Number

4b. Service Type

☐ Registered

☐ Express Mail

☐ Return Receipt for Merchandise

7. Date of Delivery

5. Received By: (Print Name)

Tammy M. Smith

6. Signature: (Addressee or Agent)

x Tammy M. Smith

8. Addressee's Address (Only if requested and fee is paid)

EPC

PS Form **3811**, December 1994 102595-98-B-0229 Domestic Return Receipt

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USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

City of Albuquerque
Planning Department
P.O. Box 1293
Albuquerque, NM 87103

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. [illegible]
2. [illegible]

5. Article Addressed to:

ALAMEDA NORTH VALLEY
ESTELLA MARTINEZ
140 RANCHITOS RD. NW
Alameda, NM 871141031

4a. Article Number

[illegible]

4b. Service Type

☐ Registered
☐ Express Mail
☐ Insured
☐ COD
☐ Return Receipt for Merchandise

7. Date of Delivery

8.30.01

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

EPC

6. Signature: (Addressee or Agent)

X Estella Martinez

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USPS
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City of Albuquerque
Planning Department
P.O. Box 1293
Albuquerque, NM 87103

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SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt fee will provide you the name of the person delivered to and the date of delivery.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

3. Article Addressed to:

MONTGOMERY HEIGHTS
KAREN SCHUELER
3504 DELAMAR NE
Albuq., NM 87107

4a. Article Number
P 5[illegible]

4b. Service Type
☐ Registered ☐ Insured
☐ Express Mail ☐ Certified
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery
2/30/01

5. Received By: (Print Name)
KAREN Schueler

6. Signature: (Addressee or Agent)
X Karen K. Schueler

8. Addressee's Address (Only if requested and fee is paid)
EPC

PS Form **3811**, December 1994 102595-99-B-0223 Domestic Return Receipt

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USPS
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City of Albuquerque
Planning Department
P.O. Box 1293
Albuquerque, NM 87103

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery
3. ☐ Return Receipt for Merchandise

3. Article Addressed to:

SALIDA DEL SOL
Minna M. Dimmick
10536 Calle Sombra Pl. NW
Albuq., NM 87114

4a. Article Number

4b. Service Type

☐ Registered
☐ Express Mail
☐ Return Receipt for Merchandise

7. Date of Delivery

5. Received By: *(Print Name)*

8. Addressee's Address *(Only if requested and fee is paid)*

ETC

6. Signature: *(Addressee or Agent)*

X Minna M. Dimmick

PS Form **3811**, December 1994 102595-93-B 0229 Domestic Return Receipt

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE

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Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

City of Albuquerque
Planning Department
P.O. Box 1293
Albuquerque, NM 87103

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" [illegible]
- The Return Receipt [illegible] delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ [illegible]
2. ☐ [illegible]

[illegible]

3. Article Addressed to:

ACADEMY ACRES NORTH
***IRENE MINKE**
6504 DUNGAN NE
Albuq., NM 87109

4a. Article Number: P 8[illegible]-1667

4b. Service Type:

☐ Registered ☐ [illegible]
☐ Express Mail ☐ [illegible]
☐ Return Receipt for Merchandise ☐ [illegible]

7. Date of Delivery: 8/30/01

5. Received By: *(Print Name)* CHARLES MINKE

8. Addressee's Address *(Only if requested and fee is paid)*: EPC

6. Signature: *(Addressee or Agent)* X Charles R Minke

PS Form **3811**, December 1994 102595-98-B-0229 Domestic Return Receipt

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UNITED STATES POSTAL SERVICE

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USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

City of Albuquerque
Planning Department
P.O. Box 1293
Albuquerque, NM 87103

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services
- Complete items 3, 4a, and 4b
- Print your name and address on the reverse of this form so that we can return this card to you
- Attach this form to the front of the mailpiece, or on the back if [illegible]
- Write "Return Receipt Requested" [illegible]
- The Return Receipt will show to whom the article was delivered and the date delivered

I also wish to receive the following services (for an extra fee)

☐ Addressee's Address

☐ Restricted Delivery

☐ [illegible]

3. Article Addressed to:

PIEDRAS MARCADAS
*RON SALVATO
9401 CACTUS TRAIL NW
Albuq., NM 87114

4a. Article Number

[illegible]

4b. Service Type

☐ Registered ☐ [illegible]

☐ Express Mail ☐ [illegible]

☐ Return Receipt for Merchandise ☐ [illegible]

7. Date of Delivery

8/30/2001

5. Received By: (Print Name)

Ron Salvato

8. Addressee's Address (Only if requested and fee is paid)

EFC

6. Signature: (Addressee or Agent)

X

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City of Albuquerque
Planning Department
P.O. Box 1293
Albuquerque, NM 87103

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SENDER:

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- Complete items 3, 4a, and 4b.
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- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

EAGLE RANCH
JASON VARGAS
4625 CARL HATCH PL. NW
Albuq., NM 87114

4a. Article Number: P 8C 565 1725

4b. Service Type:
☐ Registered ☐ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery: 8/30/01

5. Received By: (Print Name) Kathleen Vargas

6. Signature: (Addressee or Agent) X Kathleen Vargas

8. Addressee's Address (Only if requested and fee is paid): EPC

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City of Albuquerque
Planning Department
P.O. Box 1293
Albuquerque, NM 87103

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- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

BOYDS-LESLIE PARK
***GEORGE COLBY**
6322 PRAIRIE AVE. NE
Albuq., NM 87109

4a. Article Number: P8[illegible]

4b. Service Type:

☐ Registered ☐ Insured
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery: 11/01

5. Received By: (Print Name) GEORGE W. COLBY

6. Signature: (Addressee or Agent) *George W. Colby

8. Addressee's Address (Only if requested and fee is paid): EFC

PS Form 3811, December 1994 102595-98-B-0229 Domestic Return Receipt

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City of Albuquerque
Planning Department
P.O. Box 1293
Albuquerque, NM 87103

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- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

HODGIN
JENNIFER KLATT
4205 SAN ANDRES NE
Albuq., NM 87110

4a. Article Number
P 805 674 [illegible]

4b. Service Type
☐ Registered ☐ Insured
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery
9/8/94

5. Received By: *(Print Name)*

8. Addressee's Address *(Only if requested and fee is paid)*
EFC

6. Signature *(Addressee or Agent)*
X Jennifer S Klatt

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UNITED STATES POSTAL SERVICE

ALBUQUERQUE NM 87103
PM
2001

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• Print your name, address, and ZIP Code in this box •

[illegible]
[illegible] Department
P.O. Box 1293
Albuquerque, NM 87103

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- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt" [illegible] to show the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee).

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

SARAGOSSA
DEAN MURPHY
10404 VISTA DEL SOL NW
Albuq., NM 87114

4a. Article Number: [illegible]

4b. Service Type

- ☐ Registered
- ☒ [illegible]
- ☐ Express Mail
- ☐ Insured
- ☐ Return Receipt for Merchandise
- ☐ COD

7. Date of Delivery: 8/30/01

5. Received By: *(Print Name)*

8. Addressee's Address *(Only if requested and fee is paid)*

EPC

6. Signature: *(Addressee or Agent)*

X [signature]

PS Form **3811**, December 1994 102595-98-B-0229 Domestic Return Receipt

Thank you for using Return Receipt Service

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USPS
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City of Albuquerque
Planning Department
P.O. Box 1293
Albuquerque, NM 87103

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- Attach this card to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

EAGLE RIDGE
Robert Friedrichs
10128 Sierra Hills NW
Albuq., NM 87114

4a. Article Number
P 356 [illegible]

4b. Service Type
☐ Registered
☐ Express Mail
☐ Insured
☐ Return Receipt for Merchandise
☐ COD

7. Date of Delivery
8-30-01

5. Received By: (Print Name)
Kelly Friedrichs

6. Signature: (Addressee or Agent)
X Kelly Friedrichs

8. Addressee's Address (Only if requested and fee is paid)
EPC

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City of Albuquerque
Planning Department
P.O. Box 1293
Albuquerque, NM 87103

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- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

3. Article Addressed to.

SAGECREST
*WILLIAM SILVA
5700 CACTUS FLOWER NW
Albuq., NM 87120

4a. Article Number

[illegible]

4b. Service Type

☐ Registered ☐ Insured
☐ Express Mail ☐ Certified
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

8-30

5. Received By. *(Print Name)*

6. Signature: *(Addressee or Agent)*

X [signature]

8. Addressee's Address *(Only if requested and fee is paid)*

EPC

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Is your RETURN ADDRESS completed on the reverse side?

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• Print your name, address, and ZIP Code in this box •

City of Albuquerque
Planning Department
P.O. Box 1293
Albuquerque, NM 87103

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

SANTA FE VILLAGE
*BRUCE C. BEACH
6021 CREGGS ST. NW
Albuq., NM 87120

4a. Article Number

[illegible]

4b. Service Type

☐ Registered ☐ Insured
☐ Express Mail ☐ Certified
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

8/20/1[illegible]

5. Received By: (Print Name)

Leslie K Beach

6. Signature: (Addressee or Agent)

X Leslie K. Beach

8. Addressee's Address (Only if requested and fee is paid)

EC

PS Form **3811**, December 1994 102595-98-B-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE

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USPS
Permit No. G-10

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City of Albuquerque
Planning Department
P.O. Box 1293
Albuquerque, NM 87103

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "*Return Receipt Requested*" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

VINEYARD
John MacKenzie
416 Mission NE
Albuq., NM 87107

4a. Article Number
P 805 654 681

4b. Service Type

☐ Registered ☐ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

5. Received By: (*Print Name*)
John MacKenzie

6. Signature: (*Addressee or Agent*)
X J. Mac

8. Addressee's Address (*Only if requested and fee is paid*)
EPC

PS Form **3811**, December 1994 102595-98-B-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

City of Albuquerque
Planning Department
P.O. Box 1293
Albuquerque, NM 87103

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SENDER:

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- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will provide you the name of the person delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

LA LUZ DEL SOL
***RAY GRAHAM**
ONE WIND NW
Albuq., NM 87120

4a. Article Number

[illegible]

4b. Service Type

☐ Registered ☐ [illegible]
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

5. Received By: *(Print Name)*

Jake Sanchez

6. Signature: *(Addressee or Agent)*

X [signature]

8. Addressee's Address *(Only if requested and fee is paid)*

EPC

PS Form **3811**, December 1994 102595-98-B-0229 Domestic Return Receipt

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UNITED STATES POSTAL SERVICE

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USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

City of Albuquerque
Planning Department
P.O. Box 1293
Albuquerque, NM 87103

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services
- Complete items 3, 4a, and 4b
- Print your name and address [illegible] card to you.
- Attach this form [illegible] of the mailpiece [illegible] permit
- Write "Return Receipt Requested" [illegible]
- The Return Receipt will [illegible] delivered

I also wish to receive the following services (for an extra fee):

☐ Addressee's Address

[illegible]

3. Article Addressed to:

EAGLE RIDGE
***Nancy Jenkins**
4513 Palymyra NW
Albuq., NM 87114

4a. Article Number

[illegible]

4b. Service Type

☐ Registered
☐ Express Mail
☐ Return Receipt for Merchandise

7. Date of Delivery

5. Received By (Print Name)

NANCY JENKINS

6. Signature (Addressee or Agent)

X Nancy Jenkins

8. Addressee's Address (Only if requested and fee is paid)

EFC

PS Form **3811**, December 1994

102595-98-B-0229 Domestic Return Receipt

UNITED STATES POSTAL SERVICE

ALBUQUERQUE NM 87102
PM
2001

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

City of Albuquerque
Planning Department
P.O. Box 1293
Albuquerque, NM 87103

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SENDER:

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- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form, so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered, and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

RIVERFRONTE ESTATES
GARY PLANTE
1692 PACE RD. NW
Albuq., NM 87114

4a. Article Number
PSC5654711

4b. Service Type
☐ Registered ☐ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery
5/31/01

5. Received By: *(Print Name)*

8. Addressee's Address *(Only if requested and fee is paid)*
EPC

6. Signature: *(Addressee or Agent)*
X [signature]

PS Form **3811**, December 1994 102595-98-B-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE

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USPS
Permit No. G-10

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Planning Department
P.O. Box 1293
Albuquerque, NM 87103

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- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will provide you with the name of the person delivered to and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ [illegible]
2. ☐ [illegible]
3. ☐ [illegible]

3. Article Addressed to:

SAGECREST
BARBARA MUELLER
4904 ALBERTA LN. NW
Albuq., NM 87120

4a. Article Number:

P [illegible]

4b. Service Type:

☐ Registered ☐ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery:

8-30

5. Received By (Print Name)

6. Signature: (Addressee or Agent)

X Barbara Mueller

8. Addressee's Address (Only if requested and fee is paid)

EFC

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USPS
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Planning Department
P.O. Box 1293
Albuquerque, NM 87103

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- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach [illegible] to the [illegible] permit.
- [illegible]
- [illegible] delivered.

I also wish to receive the following services (for an extra fee):

[illegible]

3. Article Addressed to:

LA LUZ DEL SOL
E.A. SWENSON
ONE WIND NW
Albuq., NM 87120

4a. Article Number: [illegible]

4b. Service Type:

- ☐ Registered
- ☐ Express Mail
- ☐ Return Receipt for Merchandise
- ☐ [illegible]

7. Date of Delivery:

5. Received By: *(Print Name)*

Jake Sanchez

6. Signature: *(Addressee or Agent)*

X [signature]

8. Addressee's Address: *(Only if requested and fee is paid)*

EPC

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- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. Addressee's Address
2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

SKY VIEW ACRES
*Deborah M. Steele
10629 Calle de Elena NW
Corrales, NM 87048

4a. Article Number:

[illegible]

4b. Service Type:

- ☐ Registered
- ☐ Insured
- ☐ Express Mail
- ☐ Certified
- ☐ Return Receipt for Merchandise
- ☐ COD

7. Date of Delivery: 9/4/01

5. Received By: (Print Name) Deborah M. Steele

6. Signature: (Addressee or Agent) Deborah M. Steele

8. Addressee's Address (Only if requested and fee is paid)

EPC

Thank you for using Return Receipt Service.

PS Form **3811**, December 1994 102595-98-B-0229 Domestic Return Receipt

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USPS
Permit No. G-10

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Albuquerque, NM 87103

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- Complete items 3, 4a, and 4b.
- Print your name and address [illegible] card to you.
- Attach [illegible] to the [illegible] or the [illegible] permit.
- [illegible] Receipt Requested [illegible]
- [illegible] delivered.

I also wish to receive the following services (for an extra fee):

☐ [illegible]

☐ [illegible]

3. Article Addressed to

LA LUZ
*BENNETT KING
10 ARCO NW
Albuq., NM 87120

4a. Article Number

[illegible]

4b. Service Type

☐ Registered ☐ [illegible]
☐ Express Mail ☐ [illegible]
☐ Return Receipt for Merchandise ☐ [illegible]

7. Date of Delivery

9-4-01

5. Received By (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

EPC

6. Signature: (Addressee or Agent)

X Bennett King

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- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece [illegible] permit.
- [illegible]
- [illegible] delivered.

I also wish to receive the following services (for an extra fee):

[illegible]

3. Article Addressed to

LA LUZ
RAE PERLS
15 TENNIS CT. NW
Albuq., NM 87120

4a. Article Number

[illegible]

4b. Service Type

- [illegible] Registered
- [illegible] Express Mail
- [illegible] Return Receipt for Merchandise
- [illegible] Date of Delivery

[illegible]

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X [illegible]

8. Addressee's Address (Only if requested and fee is paid)

[illegible]

PS Form **3811**, December 1994 102595-98-B-0229 Domestic Return Receipt

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- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will provide you with proof of delivery and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

COTTONWOOD HEIGHTS
GARY CLARKE
10309 DUNBAR ST. NW
Albuq., NM 87114

4a. Article Number: P [illegible]

4b. Service Type:

☐ Registered ☐ Insured
☐ Express Mail ☐ COD
☐ Return Receipt for Merchandise

7. Date of Delivery:

5. Received By: *(Print Name)*

6. Signature: *(Addressee or Agent)*

Susan Clarke

8. Addressee's Address *(Only if requested and fee is paid)*

ER

PS Form **3811**, December 1994 102595-94-B-0224 Domestic Return Receipt

Thank you for using Return Receipt Service.