



CITY OF ALBUQUERQUE
OFFICE OF ADMINISTRATIVE HEARINGS
ZONING HEARING EXAMINER
NOTIFICATION OF DECISION

THE TANAGER CO. & BLAUGRUND TRUST
(MYERS, OLIVER & PRICE, PC, AGENT)
request(s) a special exception to Section 14-
16-2-21(B) and 14-16-2-20(B)(5): a
CONDITIONAL USE to allow for proposed
retailing (furniture store and office) in an M-2
zone on all or a portion of Lot(s) 9-16, Block(s)
17, PARIS ADDN zoned M-2, located at 1500
- 1512 1ST ST NW (J-14)

Special Exception No:..... **09ZHE-80375**
Project No: **Project# 1008042**
Hearing Date: 11-17-09
Closing of Public Record: 11-17-09
Date of Decision: 11-25-09

STATEMENT OF FACTS: The applicant, The Tanager Company and Blaugrund Trust, request a conditional use to allow for proposed retailing (furniture store and office) in an M-2 zone. John Myers, agent for the applicant, testified that the items that will be sold are specialty architectural items. The proposed days and hours of operation will be Monday through Friday from 8:00 a.m. to 6:00 p.m. There will be two employees and approximately 5-10 customers per day. There is adequate on-street parking. All items will be displayed indoors. The yellow sign was posted. There was no opposition to this request at the hearing, nor is there any opposition noted in the file.

Based on all of the testimony and a review of the entire file, it is determined there is substantial evidence to make the following findings and conclusions:

FINDINGS AND CONCLUSIONS: I find that this request complies with Section 14.16.4.2.(C). 1., for the granting of a conditional use upon a finding that the proposed use will not cause injury to the neighborhood, adjacent property or the community, nor will it be damaged by surrounding structures. For reasons stated above, this request is approved.

DECISION: Approved.

The approval is subject to the submitted site plan, as required. Any substantial changes to the site plan, as determined by the Zoning Enforcement Division, shall require the scheduling of an additional Public Hearing.

If you wish to appeal this decision, you may do so by 5:00 p.m., on December 10, 2009 in the manner described below:

Appeal is to the Board of Appeals within 15 days of the decision. A filing fee of \$105.00 shall accompany each appeal application, as well as a written explanation outlining the reason for appeal and a copy of the ZHE decision. Appeals are taken at 600 2nd Street, Plaza Del Sol Building, Ground Level, Planning Application Counter located on the west

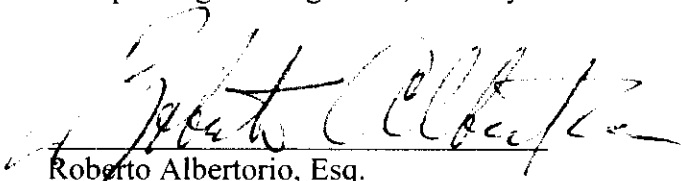
side of the lobby. **Please present this letter of notification when filing an appeal.** When an application is withdrawn, the fee shall not be refunded.

An appeal shall be heard by the Board of Appeals within 45 days of the appeal period and concluded within 75 days of the appeal period. The Planning Division shall give written notice of an appeal, together with a notice of the date, time and place of the hearing to the applicant, a representative of the opponents, if any are known, and the appellant.

Please note that pursuant to Section 14. 16. 4. 4. (B)., of the City of Albuquerque Comprehensive Zoning Code, you must demonstrate that you have legal standing to file an appeal as defined.

You will receive notice if any other person files an appeal. If there is no appeal, you can receive building permits any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. However, the Zoning Hearing Examiner may allow issuance of building permits if the public hearing produces no objection of any kind to the approval of an application. To receive this approval, the applicant agrees in writing to return the building permit or occupation tax number.

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of a special exception is secured. This decision does not constitute approval of plans for a building permit. If your application is approved, bring this decision with you when you apply for any related building permit or occupation tax number. Approval of a conditional use or a variance application is void after one year from date of approval if the rights and privileges are granted, thereby have not been executed or utilized.



Roberto Albertorio, Esq.
Zoning Hearing Examiner

cc: Zoning Enforcement
ZHE File
The Tanager Co. & Blaugrund Trust, PO Box 7817, 87194
John Myers, 1401 Central Avenue NW, 87111



APPLICATION FOR SPECIAL EXCEPTION CITY OF ALBUQUERQUE, PLANNING DEPARTMENT

Office of the Zoning Hearing Examiner
600 2nd Street, NW, Suite 300, 87102
505.924.3918

APPLICATION INFORMATION-PLEASE PRINT

Myers, Oliver & Price, P.C.

PROFESSIONAL / AGENT NAME (FIRST, LAST)

1401 Central Avenue, NW

MAILING ADDRESS

Albuquerque, New Mexico

CITY

STATE

87111

ZIP CODE

TELEPHONE (INCLUDE AREA CODE)

(H) _____

(W) 505-247-9080

(C) _____

The Tanager Company & Blaugrund Trust

OWNER NAME (FIRST, LAST-IF ANY)

P.O. Box 7817

MAILING ADDRESS

Albuquerque, New Mexico

CITY

STATE

87194

ZIP CODE

(H) _____

(W) 505-247-2056

(C) _____

LEGAL DESCRIPTION OF PROPOSED SPECIAL EXCEPTION-PLEASE PRINT

1500 through 1512 First Street, NW

STREET ADDRESS OF SPECIAL EXCEPTION

87102

ZIP CODE

LOT

9-16

TRACT(S)

BLOCK(s)

SUBDIVISION / ADDITION / MRCB MAP NO.

1-014-058-324-387-11504

UNIFORM PROPERTY CODE

CRITERIA FOR DECISION-

I have been given the Criteria for Decision requirements.

EXPLANATION OF REQUEST-

On additional sheet(s) of paper, please state why you want this Special Exception, based on the Criteria for Decision Requirements.

DRAWINGS OF REQUEST-

ATTACH THREE (3) COPIES. Please follow instructions on the back of this form and attach the appropriate drawings.

TRAFFIC ENGINEERING REVIEW-

REQUIRED FOR ALL WALLS, FENCES, AND CARPORTS IN THE FRONT AND STREET SIDE YARD SETBACKS.

Initial Here

Call the Traffic Investigations Supervisor at 505.857.8885 for Site Plan Review. Delay of your case will result if you do not obtain comments from the Traffic Analysis Supervisor.

ACKNOWLEDGEMENT-

I hereby acknowledge that, to the best of my knowledge, this application is correct and complete and that I have received one or more signs that I have agreed to post and maintain as provided and where instructed. I understand that failure to properly post sign(s) is grounds for deferral of my case

SIGNATURE

ZHE 2009080375

DATE

10/12/09

ZONING ENFORCEMENT OFFICE INTERNAL USE ONLY

PROJECT #: 1008242

APPLICATION #: 09ZHE80375

APPLICATION FOR: (CHECK AS APPROPRIATE)

☒ (ZHE01) Conditional Use

☐ (ZHE02) Expansion of a NonConforming Use

☐ (ZHE03) NonConforming Use / Status Established Building

☐ (ZHE04) Variance:

☐ Distance ☐ Setback

☐ Height ☐ Parking

☐ Size ☐ Other

SECTION NO.

14-16-2-2(B)

REFERENCE SECTION NO:

14-16-2-20(B)(5)

(LEGAL AD) ACTION DESCRIPTION

A Conditional Use to allow for retailing and office use in a M-2 zone

SECTOR DEVELOPMENT AREA:

Treasury Division

ZONED:

M-2

ZONE MAP PAGE:

1-14

NO. OF SIGNS ISSUED:

2

POST SIGN(S) / STREET ADDRESS OF PROPOSED SPECIAL EXCEPTION

Roberta Shaw

DATE

10/12/2009

RECEIPT# 00121838-00121838

PERMIT# 2009080375

Trans Amt 441018/4571000 \$ 35.00

APR FEE (CMP) 441032/3424000 \$ 10.00

Conf (ZHE) 441006/5451000 \$ 100.00

ZHE Actions

OK

CHANGE

11-17-09

DATE OF PUBLIC HEARING

Revised: February 2009

CC: AMHX

TRANS 0032

FEE: \$145.00

TPS: 13

\$75.00

\$10.00

\$100.00

\$100.00

\$145.00

\$0.00

- | | | | |
|----|---|------------------|---|
| 4. | *IR* 09ZHE-80377 No Neighborhood and/or Homeowner Association(s) | Project# 1008044 | TERESA IBARRA request(s) a special exception to Section 14-16-2-9(B) and 14-16-2-6(B)(14): a CONDITIONAL USE to allow for a fence over 3' in height in the front yard setback area for an existing 5' high fence on all or a portion of Lot(s) 14, Block(s) 1, TAPIA MEADOWS zoned R-T, located at 1708 SIRIUS RD SW (L-12) |
| 5. | *IR* 09ZHE-80378 No Neighborhood and/or Homeowner Association(s) | Project# 1008044 | TERESA IBARRA request(s) a special exception to Section 14-16-2-6(B)(12) and 14-16-2-9(B): a CONDITIONAL USE to allow for an existing carport in the front yard setback area on all or a portion of Lot(s) 14, Block(s) 1, TAPIA MEADOWS zoned R-T, located at 1708 SIRIUS RD SW (L-12) |
| 6. | *IR* 09ZHE-80319 Stinson Tower NA (R), West Side Merchants Assoc. (R) | Project# 1007988 | IRMA VIDAL request(s) a special exception to Section 14-16-3-19(A)(2)(a): a CONDITIONAL USE to allow for a wall over 3' in height in the front yard setback area for a proposed 5' high block and wrought iron wall on all or a portion of Lot(s) 7, Block(s) 2, VALENCIA ESTATES zoned R-D 9 DU/AC, located at 704 LIBBY AVE SW (L-10) |
| 7. | *IR* 09ZHE-80374 No Neighborhood and/or Homeowner Association(s) | Project# 1008041 | ENRIQUE RODRIGUEZ request(s) a special exception to Section 14-16-2-6(B)(14): a CONDITIONAL USE to allow for a fence over 3' in height in the front yard setback area for an existing 6' high fence on all or a portion of Lot(s) 5, Block(s) 5, VALENCIA ESTATES zoned R-D 9 DU/AZ located at 7924 STEPHAN RD SW (L-10) |

OLD BUSINESS:

- | | | | |
|---|--|------------------|--|
| 8. | 09ZHE-80141 Southeast Heights NA (R), Nob Hill NA (R) | Project# 1007778 | RICHARD WAGNER request(s) a special exception to Section 14-16-3-19(A)(2)(a): a VARIANCE 3' to the 3' wall height allowance for a proposed 6' high wall in the front yard setback area on all or a portion of Lot(s) 1, Block(s) 60, UNIVERSITY HEIGHTS zoned R-1, located at 502 BRYN MAWR DR SE (K-16) |
| 9. | 09ZHE-80268 San Jose NA (R) | Project# 1007928 | TWRB INC. (RICK BENNETT/RBA INC. AGENT) request(s) a special exception to Section Pg. 45 I. 1. a: a CONDITIONAL USE to allow for proposed apartments (60 units) in an M-1 zone on all or a portion of Lot(s) 1A1, LANDS OF RAYCO zoned SU-2, located at 423 WHEELER AVE SE (M-14) |
| 8/12/09 – Recommended for Facilitation – swinklepleck | | | |
| 8/12/09 – Assigned to Diane Grover - sbeaucaire | | | |
| 10. | 09ZHE-80306 Embudo Canyon NA (R), Monte Largo Hills NA (R) | Project# 1007973 | SKYVIEW CENTER (JOHN MYERS, AGENT) request(s) a special exception to Section 14-16-2-17(B)(15): a CONDITIONAL USE to allow for proposed retail sale of alcoholic drink for consumption off premises in a C-2 zone on all or a portion of Lot(s) 2, SPROUL SECURITY SUBDIVISION NO 2 zoned C-2 (SC), located at 1500 TRAMWAY BLVD NE (J-23) |

NEW BUSINESS:

- | | | | |
|-----|---|------------------|---|
| 11. | 09ZHE-80375 Wells Park NA (R), Barbara Montevideo Assoc. (R) | Project# 1008042 | THE TANAGER CO. & BLAUGRUND TRUST (MYERS, OLIVER & PRICE, PC, AGENT) request(s) a special exception to Section 14-16-2-21(B) and 14-16-2-20(B)(5): a CONDITIONAL USE to allow for proposed retailing (furniture store and office) in an M-2 zone on all or a portion of Lot(s) 9-16, Block(s) 17, PARIS ADDN zoned M-2, located at 1500 - 1512 1ST ST NW (J-14) |
|-----|---|------------------|---|

OR CURRENT RESIDENT
101405834538911406
CRIST EARL W JR & DOROTHY C
3004 COLONNADE NW
ALBUQUERQUE, NM 87107

OR CURRENT RESIDENT
101405834637911405
PIERCE LEBAR
7707 ELENA DR NE
ALBUQUERQUE, NM 87122

OR CURRENT RESIDENT
101405837039511507
SUNWEST BANK OF ALBUQ TRUST
FOR CE LS & LS BLAUGRUND
PO BOX 3685
ALBUQUERQUE, NM 87190

Project# 1008042
MYERS, OLIVER & PRICE PC
1401 CENTRAL AVE NW
ALBUQUERQUE, NM 87111

OR CURRENT RESIDENT
101405834035811105
JENKINS DOUGLAS M
PO BOX 27252
ALBUQUERQUE, NM 87125

OR CURRENT RESIDENT
101405836136311204
SM LLC
1424 1ST ST NW
ALBUQUERQUE, NM 87102

OR CURRENT RESIDENT
101405837241311506
TANAGER CO C/O MR LEE S BLAUGRUND
@ AMERICAN FURNITURE CO
PO BOX 3685
ALBUQUERQUE, NM 87190

Project# 1008042
THE TANGER CO & BLAUGRUND
TRUST
PO BOX 1817
ALBUQUERQUE, NM 87194

OR CURRENT RESIDENT
101405834236711110
ORTIZ DAVID
8901 GUTIERREZ NE
ALBUQUERQUE, NM 87111

OR CURRENT RESIDENT
101405841639911633
SPRINGER INDUSTRIAL CENTER LTD
1717 LOUISIANA BLVD NE 111
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT
101405836638711504
TANGER COMPANY
PO BOX 3685
ALBUQUERQUE, NM 87190

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

Meeting Date: November 17, 2009
Zone Atlas Page: J-14
Notification Radius: 100 Ft.

Project# 1008042
App# 09ZHE-80375

Cross Reference and Location: 1500 – 1512 1ST ST NW 87102 / LOTS 9-16 BLK 17 OF
PARIS ADDITION

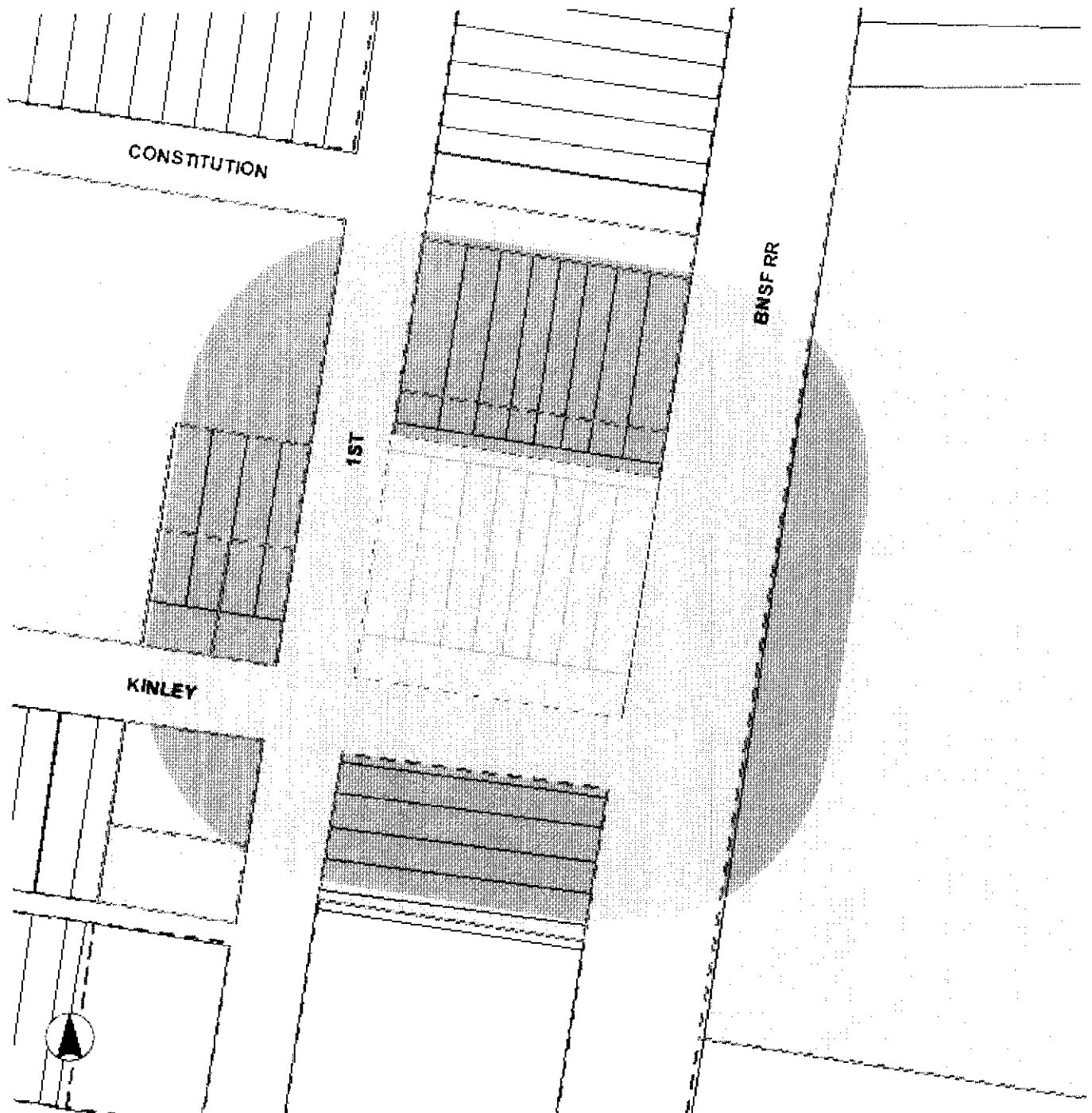
Applicant: THE TANAGER COMPANY & BLAUGRUND TRUST
PO BOX 7817
ALBUQUERQUE, NM 87194

Agent: MYERS, OLIVER & PRICE, PC
1401 CENTRAL AVE NW
ALBUQUERQUE, NM 87194

Special Instructions:

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

Date Mailed: NOVEMBER 2, 2009
Signature: ERIN TREMLIN



R e c	UPC CODE	OWNER	OWNER ADDRESS	OW NER CIT Y	OW NER STA TE	PR OP ERTY CL AS S	TAX DI ST RICT	LEGAL	AC RE S
1	10140 58416 39911 633	SPRINGER INDUSTRI AL CENTER LTD	1717 LO UISIANA BLVD N E 111	ALB UQU ERQ UE	N M	87 11 0	C A1 A M	PARCEL 1AA1A PLAT OF PARCELS 1-A-A-1- A AND A-1-A-1- A LANDSOF SPRINGER CORPORATION CONT 9.98 7 AC	9.3 74 08 13 8
2	10140 58340 35811 105	JENKINS DOUGLAS M	PO BOX 27252	ALB UQU ERQ UE	N M	87 12 5	C A1 A M	*B 013SUMMARY PLAT OF THE PROPERTY OF WA LTER D & FAY W DALLY OF LOTS 9 THRU 12 B	0.1 44 46 84 2
3	10140 58338 39311 403	CRIST EARL W JR ET UX	3004 CO LONNAD E NW	ALB UQU ERQ UE	N M	87 10 7	C A1 A M	* A 12 OF SUMMARY PLAT OF LT A OF BLK 12 PAR IS ADDN (BEING A REPL OF LTS 1 THRU 20 TOGET HER WITH VAC EW ALLEY & VAC POR KINLEY AV NW) CONT 1.9196 AC	1.9 77 09 03 1
4	10140 58346 37911 405	PIERCE LEB A F	7707 EL ENA DR NE	ALB UQU ERQ UE	N M	87 12 2	C A1 A M	* 023 012PARIS ADD S 53 FT E5FT L22 & S53FT L23 &24	0.1 00 56 72 7
5	10140 58372 41311 506	TANAGER CO C/O M R LEE S BLAUGRUN D @ AMERICAN FUR NITURE CO	PO BOX 3685	ALB UQU ERQ UE	N M	87 19 0	C A1 A M	S'LY 30 FT OF VAC CONST. AVE ORD # 164- 1971 CONT 6725.18 SF	0.1 54 35 90 3
6	10140 58366 38711 504	TANGER COMPANY	PO BOX 3685	ALB UQU ERQ UE	N M	87 19 0	C A1 A M	THE S/2 OF LT 7 ALL OF LTS 8, 9, 10, 11 & 12 BLK 1 7 PARIS ADDN & A 40 FT TR OF LAND ADJOINING LT 12 ON THE SOUTH CONT 35,500 SQ FT M/L	0.8 61 64 89 1
7	10140 58371 40311 508	TANAGER CO C/O M R LEE S BLAUGRUN D @ AMERICAN FUR NITURE CO	PO BOX 3685	ALB UQU ERQ UE	N M	87 19 0	C A1 A M	LTS 1 THRU 5 BLK 17 CONT 23,889.21 SF	0.5 48 45 05 3
8	10140 58370 39511 507	SUNWEST BANK OF ALBUQ TRUST FOR CE LS & LS BLAUGR UND	PO BOX 3685	ALB UQU ERQ UE	N M	87 19 0	C A1 A M	LT 6 AND N'LY 1/2 LT 7 BLK 17 CONT 7,326.20 FT	0.1 68 18 2
9	10140 58340 38011 404	PIERCE LEB A F	7707 EL ENA DR NE	ALB UQU ERQ UE	N M	87 12 2	C A1 A M	012S53FT OF LOT 21 & S53FT OF W20FT OF LOT 2 2 BK12 ALSO A 40FTX45FT STRIP ADJ	0.1 11 31 41 6
10	10140 58345 38911 406	CRIST EARL W JR & DOROTHY C	3004 CO LONNAD E NW	ALB UQU ERQ UE	N M	87 10 7	C A1 A M	* 021 012PARIS ADD N 89 FT L 21THRU 24	0.1 90 76 99 8
11	10140 58342 36711 110	ORTIZ DAVID	8901 GU TIERRE Z NE	ALB UQU ERQ UE	N M	87 11 1	C A1 A M	*A 013SUMMARY PLAT OF THE PROPERTY OF WA LTER D & FAY W DALLY OF LOTS 9 THRU 12 B	0.1 94 27 27 2
12	10140 58361 36311	SM LLC	1424 1S T ST NW	ALB UQU ERQ	N M	87 10 2	C A1 A M	LOTS 1 THRU 4 & LOT 5 EXCEPT SOUTH 1.43'FT B LK 18 PARIS ADDCONT 24714 SO FT OR 0.567 A M/ L	0.5 38 70

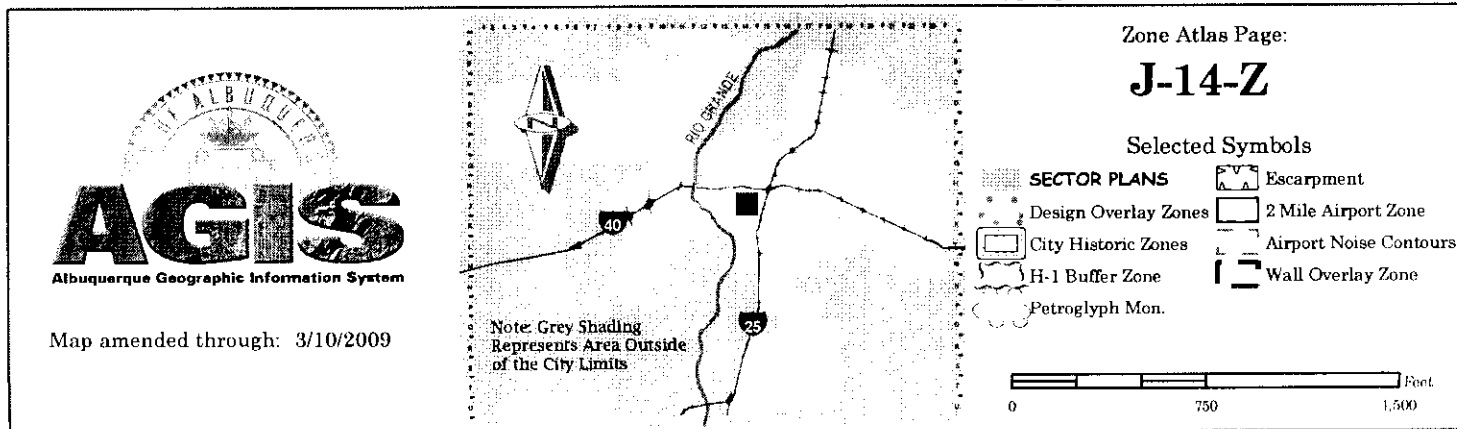
NAME

APPLICATION # 09ZHE-80375

[illegible]



For more current information and more details visit: <http://www.cabq.gov/gis>



REASONS FOR REQUEST

The property the subject of this request is located at 1500-1512 First Street NW, Albuquerque, New Mexico and is legally described as follows (the "Property"):

1500 through 1510 First Street, NW:

South half of Lot 7, all of Lots 8-12, Block 17 Paris Addition and a 40 foot tract of land adjoining Lot 12 on the south, City of Albuquerque, Bernalillo County, State of New Mexico

1512 First Street, NW:

Lot 6 and the North half of Lot 7, Block 17, Paris Addition, City of Albuquerque, Bernalillo County, State of New Mexico

The Property is owned by the Tanager Company, a New Mexico general partnership and The Blaugrund Trust (jointly referred to as "Tanager"). Tanager is owned by members of the Blaugrund family. The Blaugrund family, or entities owned by the Blaugrund family, has owned the Property since the building was constructed on the Property circa 1955 (the "Building"). The Building has a 6,560 ft² basement, a $\pm 43,000$ ft² first floor, and a $\pm 10,033$ ft² mezzanine.

The Blaugrund family was the owner of the American Furniture and Jackson Furniture stores. The Building was used for both of these stores, Jackson Furniture and American Furniture. The Building consists of a basement of approximately $\pm 6,560$ ft² which was used for warehouse space for the furniture stores. The first floor of $\pm 43,000$ ft² which was used as retail space for the sale of furniture by these furniture stores. The Building has a mezzanine of approximately $\pm 10,033$ ft² which was used for warehouse space for the furniture stores.

Currently $\pm 14,000$ ft² of the first floor of the Building are being used for evidence storage by the Albuquerque Police Department. ("APD"). The remainder of the Building is vacant.

The proposed use of the Building is as follows:

1. Continued storage use by APD of $\pm 14,000$ ft² of the first floor of the Building;
2. Storage or warehousing in the $\pm 6,560$ ft² basement and the $\pm 10,033$ ft² mezzanine of the Building;
3. $\pm 2,028$ ft² of the first floor of the Building for two offices; and
4. $\pm 3,000$ ft² of the first floor of the Building for warehousing for the retail sales, and

5. ±21,000 ft² of the first floor for retail sales of architectural items, such as antique doors and windows.

The Property is currently zoned M-2. The warehousing uses are permissive in the M-2 zone pursuant to Section 14-16-2-21(A)(1), which provides that uses which are permissive in the M-1 zone are permissive in the M-2 zone, Section 14-16-2-20(A)(1), which provides that uses first listed as permissive in the C-3 zone are permissive in the M-1 zone, and Section 14-16-2-18(A)(2)(k), which provides that warehousing is a permissive use in the C-3 zone. All citations contained herein are to the Albuquerque Comprehensive Zoning Code.

The office uses are permissive in the M-2 zone pursuant to Section 14-16-2-21(A)(1), which provides that uses permissive in the M-1 zone are permissive in the M-2 zone, Section 14-16-2-20(A)(2), which provides that uses permissive in the IP zone are permissive in the M-1 zone, and Section 14-16-2-19(A)(13), which provides that offices are a permissive use in the IP zone.

Retail sales use are a conditional use in the M-2 zone pursuant to Section 14-16-2-21(B)(1), which provides that conditional uses in the M-1 zone are conditional in the M-2 zone, and Section 14-16-2-20(B)(5) which provides that retailing is a conditional use in the M-1 zone.

Therefore, pursuant to Section 14-16-4-2, Tanager requests a conditional use for the retail sales of architectural items at the Property. As grounds for this request, Tanager would show that the use of the Property for the retail sales of architectural items will not be injurious to the adjacent property, the neighborhood, or the community and will not be significantly damaged by surrounding structures or activities.

The retail sales are for a very limited category of merchandise, and it is anticipated that it will have a very minimal number of customers visiting the Property. It is anticipated that the retail sales will have no more than two (2) employees present at any time, and that the retail sales will generate between five (5) and ten (10) customers per day.

Section 14-16-13-1 provides that for buildings constructed before October 22, 1965, properties "need supply such parking only to the extent on-premises ground space as available". There is currently no ground space available for on street parking at the Property. Section 14-16-3-1(E)(3) provides that a new use for a building shall not be approved if it would create or increase a deficit in off street parking. The amount of proposed retail sales at the Building is not a "new use of the Building", as the Property was previously used for retail sales." Furthermore, the area of the proposed retail sales and the level of intensity of the retail sales is less than the area of the Building and the intensity of the retail sales to which the Property was previously put to use.

On street parking is permitted on First Street. There is space for the parking of ±12 vehicles on First Street adjacent to the Property.

In consideration of the character of the retail sales, and the customer traffic which it will generate, the retail sales will have no greater impact on the adjoining properties, the neighborhood, or the community than would M-2 permissive uses of the Property.

Attachments:

1. Three (3) copies of an aerial photograph showing the Property and the Building ;
2. Three (3) copies of a site plan of the Property; and
3. Three (3) copies of the floor plan of the Building.

H:\TANAGER\first street property\Conditional Use Request\Reason for Request.doc

October 12, 2009

Hand Delivered

City of Albuquerque
Zoning Department
600 Second Street, NW
Suite 200
Albuquerque, New Mexico 87103

Re: 1500 through 1510 First Street, NW legally described as:

South half of Lot 7, all of Lots 8-12, Block 17 Paris Addition and a 40 foot tract of land adjoining Lot 12 on the south, City of Albuquerque, Bernalillo County, State of New Mexico

1512 First Street, NW legally described as:

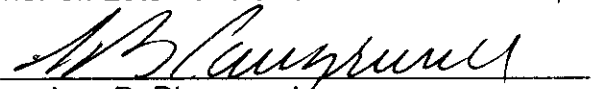
Lot 6 and the North half of Lot 7, Block 17, Paris Addition, City of Albuquerque, Bernalillo County, State of New Mexico


Ladies and Gentlemen:

The undersigned are the owners of the above referenced Property, the subject of a conditional use permit for retail sales of architectural items, such as antique doors and windows. Myers, Oliver & Price, P.C. (John A. Myers) is hereby authorized to act as their agent in its application before the Zoning Hearing Examiner, and is further authorized to remain as their agent through any appeals process, if any.

THE TANAGER COMPANY, a New Mexico
general partnership, General Partner
Owner of: Lots 1500 thru 1510 First Street, NW

By:


Lee B. Blaugrund


Lee S. Blaugrund, as successor trustee of the
Blaugrund's Children Trust UTA October 6, 1969,
As Restatement of Trust Agreement dated August
16, 1982, as amended
Owner of Lot 1512 First Street, NW

(B) Conditional Uses.

- (1) Uses conditional in the M-1 zone, except not any Community residential program nor any dwelling unit other than caretaker or watchman premises on the premises of the commercial or industrial use.
- (2) Distillation of bones.
- (3) Fat rendering.
- (4) Manufacture of the following:
 - (a) Cement, lime, gypsum, plaster of Paris.
 - (b) Explosives.
 - (c) Fertilizer.
 - (d) Glue.
 - (e) Products not elsewhere listed.
- (5) Slaughter of animals
- (6) Tannery, curing of rawhides.
- (7) Wool pulling or scouring.

(C) Height.

- (1) Structure height up to 36 feet is permitted at any legal location. To protect solar access, a structure over 36 feet high shall fall within a 45° angle plane drawn from the horizontal at the mean grade of the northern boundary of the premises.
- (2) Exceptions to the above are provided in § 14-16-3-3 of this Zoning Code and for sign height, as provided in the C-2 zone.

(D) Lot Size. No requirements.**(E) Setback.** Setback shall be as provided in the O-1 zone.**(F) Off-Street Parking.** Off-street parking must be provided as set forth in § 14-16-3-1 of this Zoning Code.**(G)** An air quality impact review and assessment may be required. See § 14-16-3-14 of this Zoning Code.**(H) Large Retail Facility Regulations.** Any site containing a Large Retail Facility, as defined in §14-16-1-5 of the Zoning Code, is subject to special development regulations. The Large Retail Facility Regulations are provided in §14-16-3-2 of the Zoning Code. ('74 Code, § 7-14-26) (Ord. 80-1975; Am. Ord. 41-1987; Am. Ord. 12-1990; Am. Ord. 066-2005; Am. Ord. 23-2007)

and which must be solid when it faces or abuts land not zoned C-2, C-3, M-1, or M-2:

- (a) Concrete or cement products manufacturing, batching plant, processing of stone.
- (b) Gravel, sand, or dirt removal, stockpiling, processing, or distribution.
- (c) Truck terminal, tractor, trailer, or truck storage, including maintenance facilities.

(B)

Conditional Uses.

- (1) If so approved, the following uses may be conducted in an area not completely enclosed by a wall or fence:
 - (a) Air separation plant not otherwise allowed as a permissive use.
 - (h) Animal raising, other than those animals which are permissive in this section.
 - (c) Building material storage or sales.
 - (d) Concrete or cement products manufacturing, batching plant, processing of stone.
 - (e) Contractor's equipment storage, or contractor's plant.
 - (f) Feed or fuel storage or sales.
 - (g) Gravel, sand, or dirt removal activity, stockpiling, processing, or distribution.
 - (h) Rental, sales, display, and repair of operative contractor's and heavy farm equipment.
 - (i) Salvage yard for storage and sale of used material provided the yard is enclosed on all sides by a solid wall or fence at least six feet high.
 - (j) Truck terminal, tractor, trailer, or truck storage, including maintenance facilities.
- (2) Community residential corrections program: up to 15 client residents, provided that the standards of § 14-16-3-12 of this Zoning Code are met.
- (3) Community residential program for substance abusers with up to 15 client residents, provided that the standards of § 14-16-3-12 of this Zoning Code are met.
- (4) Public utility structure which is not permissive.
- (5) Retailing which is not permissive, provided retailing shall not include the sale of alcoholic drink for consumption off premises within 500 feet of a pre-elementary, elementary or secondary school, a religious institution, a residential zone, a city owned park or city owned major public open space if the alcoholic drink is in a broken package or in the following package except the retailing of alcoholic drink, for on or off premise consumption, within 500 feet of a Community Residential Program or Hospital for Treatment of Substance Abusers, is prohibited pursuant to § 14-16-3-12(A)(11) ROA 1994 and further provided that such sales shall not include:

ZONE GRID

No Features found.

OWNERSHIP

Rec	UPC CODE	OWNER	OWNER ADDRESS	OWNER CITY	OWNER STATE	OWNER ZIPCODE	PROPERTY CLASS	TAX DISTRICT	LEGAL
1	101405836638711504	TANGER COMPANY	PO BOX 3685	ALBUQUERQUE	NM	87190	C	A1AM	THE S/2 OF LT 7 ALL OF LTS 8, 9, 10, 11 & 12 BLK 17 PARIS ADDN & A 40 FT TR OF LA

ZONING

Rec	ZONING	DESCRIPTION
1	M-2	

ZONE GRID

Rec	ZONE ATLAS GRID
1	J14

PARCELS

Rec	NUMBER	NAME	DESIGNATION	QUADRANT	LOT	BLOCK	SUBDIVISION	PIN
1	1500	1ST	ST	NW	9	17	PARIS ADDN	ABQ113419

ZONE GRID

No Features found.

ZONE GRID

No Features found.

NEIGHBORHOODS

Rec	COASDE.AGIS.NEIGHBORHOODASSOCIATIONS.ASSOCIATIONNAME	COASDE.AGIS.NEIGHBORHOODASSOCIATIONS.ASSOCIATIONSTATUS
1	WELLS PARK	R

ZONE GRID

No Features found.

COUNCIL

Rec	COUNCILOR NAME	COUNCIL DISTRICT
1	BENTON	3

ZIPCODES

Rec	ZIPCODE
1	87102

ZONE GRID

No Features found.