



City of Albuquerque

Planning Department

Timothy M. Keller, Mayor

Interoffice Memorandum

May 31, 2018

To: Michelle Gricius, GIS Manager, Planning Department

From: Carrie Barkhurst, Planner, Planning Department *CB*

Subject: IDO Zone Conversion, 1606 Old Town Road NW

The property owner submitted the attached Zoning Certification for 1606 Old Town Rd. NW, indicating that the property is permissively allowed to have residential and office uses, along with an approved conditional use for an accessory dwelling unit.

This Zoning Certification determination supports the property owner's request for this site to convert to MX-L, according to the conversion rules for the S-2/DNA-MUL zone and the criteria for this zone in the Downtown Neighborhood Area Sector Development Plan.

Please revise this property to convert to MX-L instead of R-T.

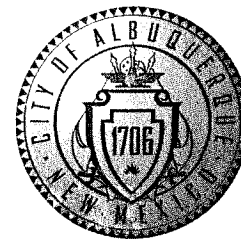
Attachments:

1. Zoning Certification, October 17, 2017
2. Excerpt from the Downtown Neighborhood Area SDP DNA-MUL zone

CITY OF ALBUQUERQUE

CODE ENFORCEMENT DIVISION

Plaza Del Sol Building, Suite 500
600 2nd Street NW
Albuquerque, New Mexico 87102



Richard J. Berry, Mayor

October 17, 2017

Richard Schalk
1606 Old Town Rd. NW
Albuquerque, New Mexico 87104

Re: Amended Zoning Certification for 1606 Old Town Rd. NW -the "property."

To whom it may concern:

This letter will certify that according to the map on file in this office on this date, the referenced property, legally described as LT 29-A LAND OF MANDEVILLE AND ACKERS PLAT OF LT 3-A, BLK 8 CHACON ADDITION, Albuquerque, Bernalillo County, New Mexico, is zoned SU-2 DNA-MUL Mixed Use Light.

PO Box 1293

Albuquerque

NM 87103


www.cabq.gov

The use of the property for residential/office are permissive uses in this zone. There are variances to wall height and setbacks as well as an approved conditional use for an accessory living quarters. Please refer to case ZA-77-312 and ZA-77-312-1 for information regarding the special exceptions. The property is located within the boundaries of the Downtown Neighborhood Area Sector Development Plan.

The property has been inspected and was found to comply with the applicable provisions of the Comprehensive City Zoning Code.

If you have any questions, please contact me at (505) 924-3301 or by email at agarcia@cabq.gov.

Sincerely,


Andrew Garcia
Code Compliance Manager

FOR

C: richard@richardschalk.com

MIXED USE LIGHT ZONE - SU-2/DNA-MUL

The intent of the SU-2/DNA-MUL Zone is to recognize the unique mixed use character along Mountain Road and to complement the adjacent Sawmill neighborhood to the north. The MUL zone is designed to ensure that new development serves the neighborhood with low-impact, neighborhood-oriented commercial and medium-density residential uses. Property zoned SU-2/DNA-MUL that falls within an Historic Overlay Zone shall also comply with the HO Zone design guideline requirements.

A. Permissive Uses

1. Uses Permissive in the R-G zone with the following EXCEPTIONS:
 - a. Townhouse shall be as regulated in the SU-2/DNA-TH zone, as specified in this Plan.
 - b. Single-family detached houses shall be as regulated in the SU-2/DNA-SF Zone, as specified in this Plan.
 - c. There is no maximum floor area ratio.
2. The following non-residential uses are permissive provided certain conditions listed under A.3 are met:
 - a. Museum.
 - b. School, including uses or activities in a tent, if the uses or activities are listed elsewhere in this section, provided:
 - 1) The tent may not be erected for more than seven days at a time and may not be erected more than three times per year on a given premises; and
 - 2) There is sufficient paved off-street parking available on the premises to meet the parking requirements for all uses on the premises, including the activity in the tent. The Zoning Enforcement Officer shall approve the site plan for the tent, which shall demonstrate adequate parking and vehicle circulation, prior to erection of the tent; and
 - 3) There are toilet facilities on the premises available to the users of the tent; and
 - 4) The City Fire Marshal or his authorized representative gives prior approval of the tent as meeting the requirements of Chapter 14, Article 2, Fire Code.
 - c. Office, except bail bond office is a conditional use.
 - d. Retail sales of food and drink for consumption on or off-premises subject to the following restrictions:
 - 1) There shall be no drive-up service windows.
 - 2) Alcoholic drink may be sold only under a restaurant license for the sale of beer and wine, as provided by Section 60-6A-4 NMSA 1978.
 - 3) Outdoor restaurant seating is allowed along the Mountain Road and Sixth Street frontages only.
 - e. Retail Sales of the following goods, plus incidental retailing of re-

SECTION 6:
ZONING REGULATIONS
SU-2/DNA-MUL

lated goods and incidental service or repair, provided there is no outdoor storage or activity except parking.

- 1) Arts and crafts objects, supplies, plus their incidental creation - artist studios.
 - 2) Books, magazines, newspapers, stationery, except adult material.
 - 3) Cosmetics, notions, hobby supplies.
 - 4) Flowers and plants.
 - 5) Jewelry.
 - 6) Clothing and shoes.
- f. Services, provided there is no outdoor storage or activity, except parking.
- 1) Barber, beauty.
 - 2) Day care center.
 - 3) Dry cleaning station (no processing).
 - 4) Instruction in music, dance, fine arts, or crafts.
 - 5) Interior decorating.
 - 6) Photography.
 - 7) Tailoring, dressmaking, shoe repairing.
3. Non-residential uses as listed under A.2. above are permissive provided any one of the following conditions are met:
- a. A minimum of 50% of the total acreage of premises along individual block faces and within the same block as the subject lot contains existing legal non-residential uses; or
 - b. The subject property contains a building that had a non-residential use for a minimum of 10 of the past 50 years; or
 - c. The building on the subject property was originally built for commercial uses.

B. Prohibited Uses

1. Alcoholic drink sales for consumption off-premises.
2. Commercial parking lots.

C. Conditional Uses

Conditional Uses shall comply with §14-16-4-2 Special Exceptions in the Comprehensive City Zoning Code. The following uses are the only conditional uses allowed in the SU-2/DNA-MUL zone:

1. Non-residential uses that face a local street, provided that either of the following conditions is met:
 - a. The subject property contains a building that had a non-residential use for a minimum of 10 of the past 50 years; or
 - b. The building on the subject property was originally built for commercial uses.
2. Institution.
 - a. Church or other place of worship, including incidental recreational and educational facilities.
 - b. Library.