



**Environmental  
Planning  
Commission**

**Agenda Number: 02**  
**Project Number: 2018-001200 (1011313)**  
**Case #s: RZ-2018-00005 & SI-2018-00012**  
**Hearing Date: August 09, 2018**

**Staff Report**

<b>Agent/Applicant</b>	McKown Belanger Associates (MBA)
<b>Requests</b>	<b>Sector Development Plan Map Amendment (zone change)</b>  <b>Site Development Plan for Building Permit (as-built)</b>
<b>Legal Description</b>	Lot 7, Block 12, Huning’s Highlands Addition
<b>Location</b>	On Edith Blvd. NE, between Tijeras Ave. NE and Copper Ave. NE (205 Edith Blvd. NE)
<b>Size</b>	Approximately 0.2 acre
<b>Existing Zoning</b>	SU-2/MR (Mixed Residential)
<b>Proposed Zoning</b>	SU-2/SU-1 for O-1 Permissive Uses

**Staff Recommendation**

**DENIAL of RZ-2018-00005, based on the Findings beginning on Page 18.**

**DENIAL of SI-2018-00012, based on the Findings beginning on Page 20.**

**Staff Planner**  
**Catalina Lehner-AICP, Senior Planner**

**Summary of Analysis**

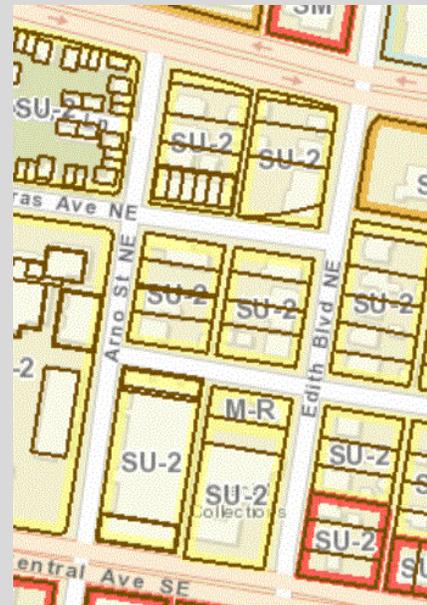
The proposal is for a sector development plan map amendment (zone change) to the Huning Highland Sector Development Plan (HHSDP) and an as-built site development plan for building permit.

The applicants recently purchased a remodeled home and opened an interior design firm. They state that they were unaware that the zoning did not allow an office until they received a Notice of Violation from the Code Enforcement Division. The applicant is requesting a zone change in order to continue to operate the business on the subject site.

The Broadway Central Corridors Partnership, the Huning Highland Historic District Association (HHHDA), and neighbors within 100 feet were notified as required. Three letters of opposition were received. These neighbors oppose the use of a home solely to operate a business and are concerned about setting a precedent. A facilitated meeting was not held because it was not requested.

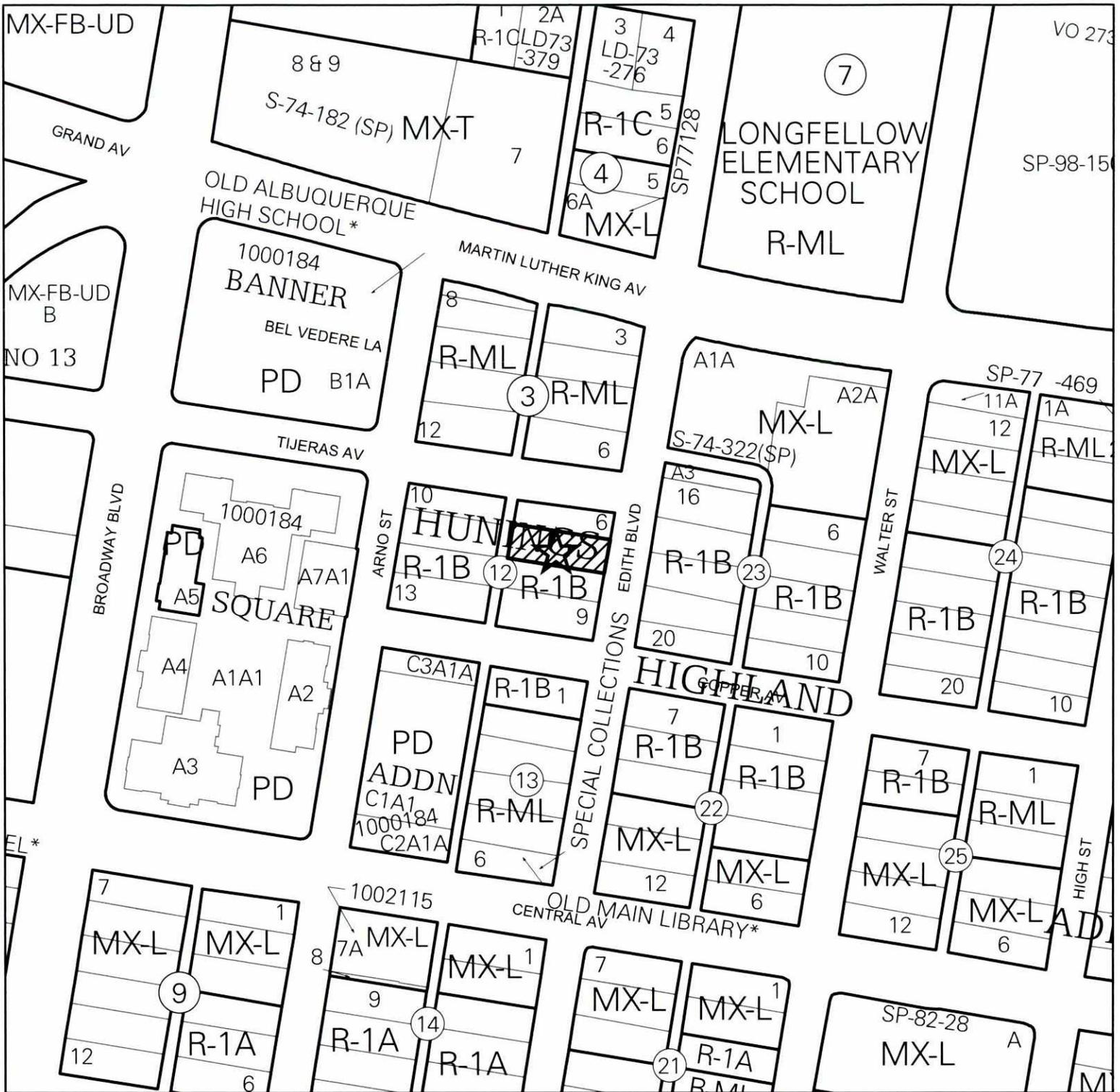
Staff finds that the zone change has not been adequately justified and recommends denial of the proposal.

*Note: This application was submitted prior to the May 17, 2018, the effective date of the Integrated Development Ordinance (IDO).*









## IDO ZONING MAP

Note: Gray shading indicates County.



1 inch = 200 feet

Project Number:  
2018-001200 (1011313)

Hearing Date:  
7/12/2018

Zone Map Page:  
K-14

Application Case Numbers:  
RZ-2018-00005 SI-2018-00012



## LAND USE MAP

Note: Gray shading indicates County.

### KEY to Land Use Abbreviations

- AGRI Agriculture
- COMM Commercial - Retail
- CMSV Commercial - Service
- DRNG Drainage
- MFG Manufacturing
- MULT Multi-Family or Group Home
- PARK Park, Recreation, or Open Space
- PRKG Parking
- PUBF Public Facility
- SF Single Family
- TRAN Transportation Facility
- VAC Vacant Land or Abandoned Buildings
- WH Warehousing & Storage



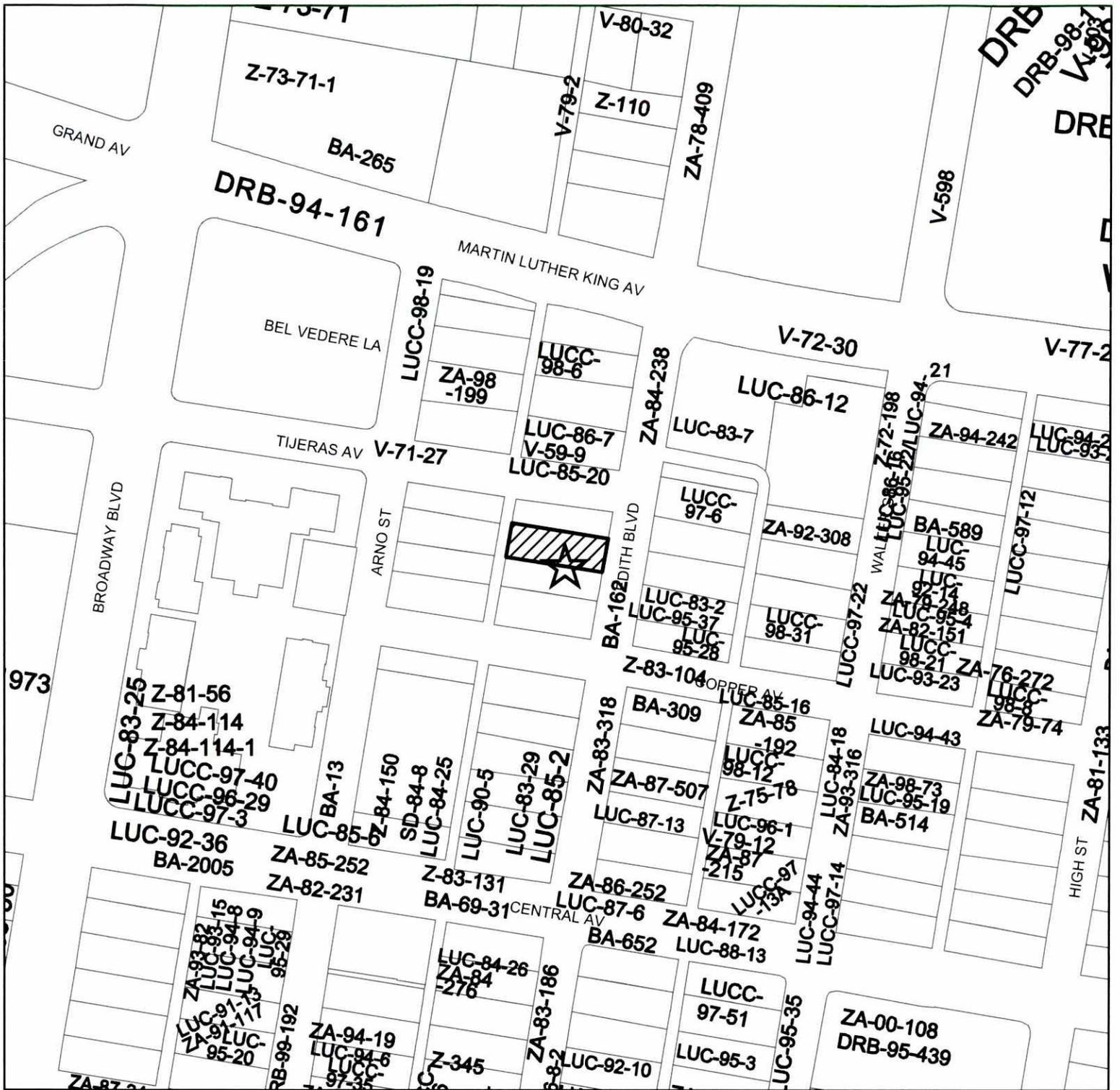
1 inch = 200 feet

Project Number:  
2018-001200 (1011313)

Hearing Date:  
7/12/2018

Zone Map Page:  
K-14

Application Case Numbers:  
RZ-2018-00005 SI-2018-00012



# HISTORY MAP

Note: Gray shading indicates County.



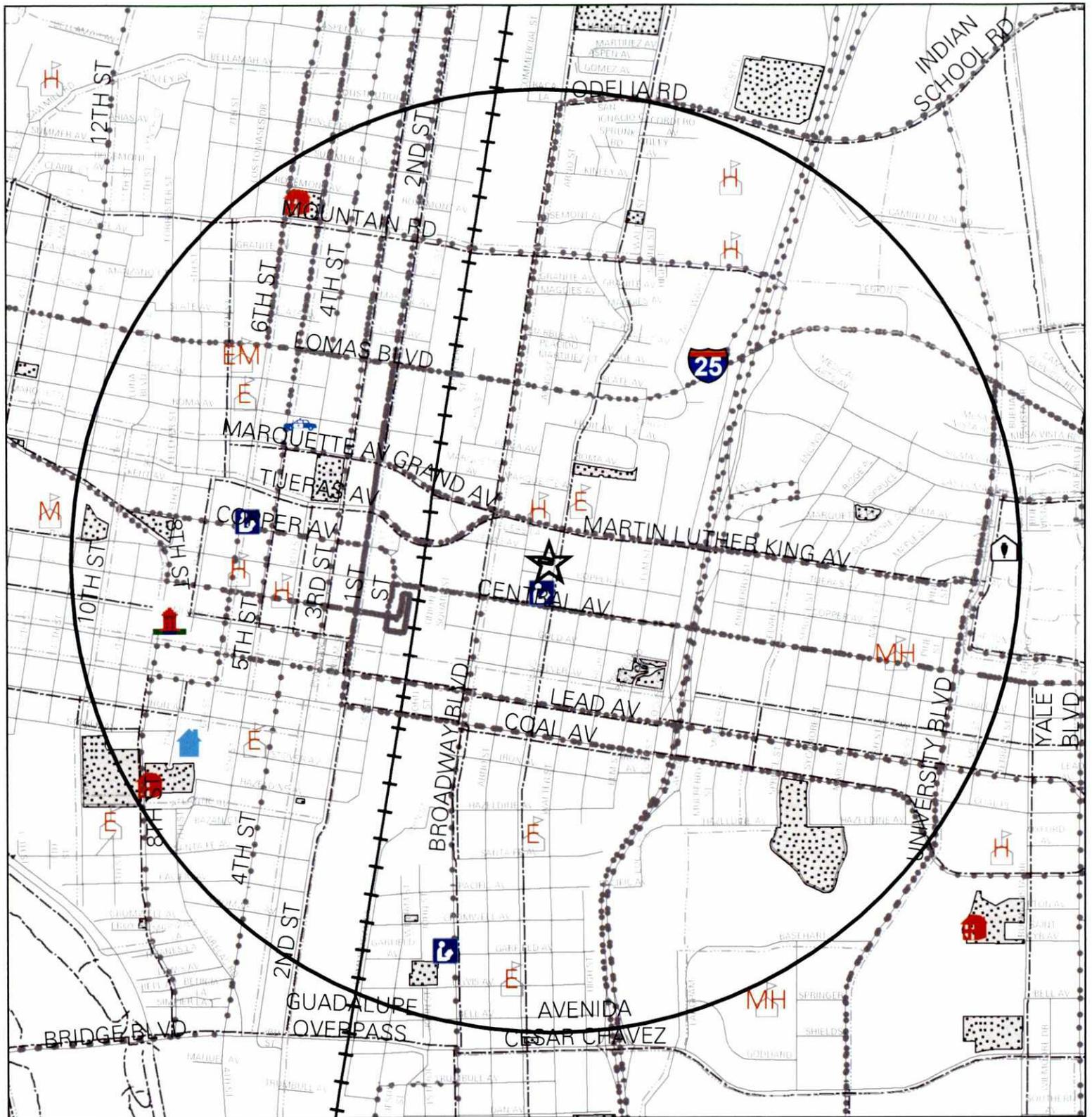
1 inch = 200 feet

Project Number:  
2018-001200 (1011313)

Hearing Date:  
7/12/2018

Zone Map Page:  
K-14

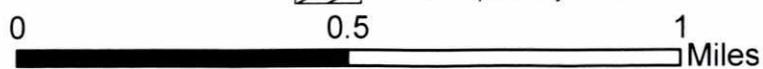
Application Case Numbers:  
RZ-2018-00005 SI-2018-00012



## Public Facilities Map with One-Mile Buffer



- |                      |                         |                          |                             |
|----------------------|-------------------------|--------------------------|-----------------------------|
| Community Center     | Fire                    | Public Schools           | Landfill Buffer (1000-feet) |
| Multi-Service Center | Police                  | Proposed Bike Facilities | Landfill designated by EHD  |
| Senior Center        | Sheriff                 | ABQ Bike Facilities      | Developed County Park       |
| Library              | Solid Waste             | ABQ Ride Routes          | Undeveloped County Park     |
| Museum               | Albuquerque City Limits |                          | Developed City Park         |
|                      |                         |                          | Undeveloped City Park       |



***Table of Contents***

I. Area Characteristics.....2  
II. Introduction.....2  
III. Zoning.....4  
IV. Analysis of Applicable Ordinances, Plans, and Policies.....6  
V. Sector Development Plan Map Amendment (zone change).....7  
VI. As-built Site Development Plan for Building Permit.....14  
VI. Agency and Neighborhood Concerns.....16  
VII. Conclusion.....17  
Findings and Recommendation.....18  
Attachments

**I. AREA CHARACTERISTICS**

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

	<i>Zoning</i>	<i>Comprehensive Plan Area Applicable Rank II &amp; III Plans</i>	<i>Land Use</i>
<i>Site</i>	SU-2/M-R (Mixed Residential) IDO: R1-B	Area of Consistency Huning Highland Sector Development Plan Huning Highland Historic Overlay Zone	Office
<i>North</i>	SU-2/M-R, SU-2/RO (Residential Office) IDO: R-ML	Area of Change Huning Highland Sector Development Plan Huning Highland Historic Overlay Zone	Single-family home, then office
<i>South</i>	SU-2/M-R (Mixed Residential) IDO: R-1B	Area of Consistency Huning Highland Sector Development Plan Huning Highland Historic Overlay Zone	Single-family home
<i>East</i>	SU-2/M-R (Mixed Residential) IDO: R1-B	Area of Consistency Huning Highland Sector Development Plan Huning Highland Historic Overlay Zone	Single-family home, duplex
<i>West</i>	SU-2/M-R (Mixed Residential) IDO: R1-B	Area of Change Huning Highland Sector Development Plan Huning Highland Historic Overlay Zone	Alley, single-family homes

**II. INTRODUCTION**

***Proposal***

This proposal is for a sector development plan map amendment (zone change) to the Huning Highland Sector Development Plan (HHS DP), and an as-built site development plan for building permit, for Lot 7, Block 12, Huning’s Highlands Addition, an approximately 0.2 acre site located on Edith Blvd. NE, between Tijeras Ave. NE and Copper Ave. NE (205 Edith Blvd. NE) (the “subject site”). The application was submitted on May 16, 2018, one day before the effective date of the Integrated Development Ordinance (IDO) (May 17, 2018), and therefore is being heard under the former zoning system.

The applicants recently purchased a remodeled home in this historic neighborhood and proceeded to open an interior design firm. The subject site is zoned SU-2/MR (Mixed Residential) pursuant to the HHS DP. The applicants state that they were unaware that the office use was not allowed in the SU-2/MR zone until they received a Notice of Violation (NOV) from the Code Enforcement Division. The applicant is requesting zoning of SU-2/SU-1 for O-1 Permissive Uses in order to continue operating the business on the subject site.

An associated, as-built site development plan for building permit, for the existing building on the subject site, is required pursuant to Zoning Code §14-16-2-22(A)(6), the Special Use Zone, because an SU-1 zone is requested.

### ***Environmental Planning Commission (EPC) Role***

The EPC is hearing this case because the EPC is required to hear all zone map amendment (zone change) cases, regardless of site size, in the City. The EPC is the final decision-making body unless the EPC decision is appealed [Ref: §14-16-2-22(A)(1)]. If so, an appeal would be heard by the Land Use Hearing Officer (LUHO). The request is a quasi-judicial matter.

### ***Context***

The subject site is on the western side of Edith Blvd. NE, between Tijeras Ave. NE and Copper Ave. NE. It is the second lot from the northern side of a small block that consists of four lots. This block is Arno St. NE lies to the west and Walter St. NE lies to the east. Dr. Martin Luther King, Jr. Ave. is a block north of the subject site and Central Ave. is a block south of the subject site. The subject site is located in the Huning Highland Historic District.

To the north is a single-family home zoned R1-B (formerly SU-2/MR). though the land use is listed as multi-family. Across Tijeras Ave. NE, to the north, is a multi-family style building that houses an office (zoned R-ML, formerly SU-2/RO, Residential Office).

To the west is an alley and single-family homes. To the east are single-family homes and a duplex. To the south are single-family homes, and then the City Special Collections Library. The buildings are typical of the historic, early 1900s period in which the subdivision developed. Central Ave. is little further south, within walking distance of the subject site.

### ***Comprehensive Plan***

The subject site is in an Area of Consistency, as are the lots to the south and the east. The lots to the north and west are in an Area of Change. The subject site is not in a designated Activity Center and is about a block and a half north of Central Ave., which is designated a Premium Transit Corridor, a Major Transit Corridor, and a Main Street Corridor. A Premium Transit station is within 660 feet (considered acceptable walking distance).

The Huning Highland Sector Development Plan (HHSDP) applies because the application was submitted before May 17, 2018, when it was rescinded upon adoption of the Integrated Development Ordinance (IDO). The subject site is within the boundaries of the Huning Highland Historic District and the Historic Overlay Zone (HOZ). The IDO contains a HOZ for Huning Highland (HOZ-4).

### ***History & Background***

The subject site is located in the historic Huning Highlands Neighborhood, which was platted in 1880. The Huning Highlands Sector Development Plan (HHSDP) contains a history of the larger Plan area (see p. 7). In 1959, when zoning was established for the first time in Albuquerque, much of the area was zoned for office use because planners at the time envisioned the expansion of office uses to the east of downtown. Prior to adoption of the 1977 Plan, the Huning Highland area was zoned O-1 and C-2 for office and commercial uses. However, the northeast heights continued to grow and expansion of areas near Downtown slowed down, so the Huning Highland area largely retained its residential character though it continued to decline.

The HHSDP, adopted in January 1988 (Enactment No. 3-1988), superseded the previous neighborhood plan (the 1977 Plan). The subject site was zoned SU-2/MR (Mixed Residential) in both plans (see Zoning section of this report). Huning Highland became the City's first nationally registered Historic District in 1978. In 1980, the City Council designated the Huning Highlands Historic District as the first City Historic Overlay Zone (HOZ) to protect historic architecture and streetscapes (HHSDP, p. 8). The boundaries of the Historic District and the HOZ are the same, though these differ slightly from the sector plan boundaries (some commercial properties in the SE and NW corners of the area are not included with the historic designations). The subject site is within the boundaries of the HHSDP, the Historic District, and the HOZ.

The single family home on the subject site was built as part of the original neighborhood, which was platted in the 1880s. There are no relevant case history or case tracking numbers. The applicants recently purchased the property from a real estate agent, who had cleaned it up with the intention of flipping it. The applicants also made improvements to the property. However, certain non-historically appropriate changes were made to the historic home (ex. windows). Concerned neighbors contacted Historic Preservation Staff, who worked with the former and current property owners to ensure that the home maintains the historic qualities that characterize the HOZ.

### ***Transportation System***

The 2040 Long Range Roadway System (LRRS) map, produced by the Mid-Region Metropolitan Planning Organization (MRMPO), identifies the functional classifications of roadways. Copper Ave. NE, Arno St. NE, Tijeras Ave. NE, and Edith Blvd. NE (which the subject site fronts) are local streets. Dr. Martin Luther King, Jr. Ave. and Central Ave. are Community Principal Arterials.

### ***Transit & Bikeways***

The subject site is a between Central Ave. NE to the south and Dr. Martin Luther King, Jr. Ave. to the north. Some of the most frequent transit service in the City runs along Central Ave, which is about a block and a half south of the subject site. Albuquerque Ride Route #66- Central Ave., runs along Central Ave. and makes frequent stops. It offers service weekdays and weekends.

Rapid Ride service, Routes #766 and #777, runs frequently along Central Ave. on weekdays and weekends, from early morning into the night. The ART busses will run along Central Ave. when that system is operational. Albuquerque Ride Route #50-Airport, Yale, Downtown runs along Dr. Martin Luther King, Jr. Ave. and offers service weekdays and weekends.

A bike route runs along Edith Blvd. NE. Central Ave. has a bike lane at this location, north of the subject site.

### ***Public Facilities/Community Services***

Please refer to the Public Facilities Map (see attachment).

### **III. ZONING**

#### **Definitions- §14-16-1-5**

**HOME OCCUPATION.** An activity carried on for profit or for philanthropic purposes, where all or part of the activity takes place on a residentially-used lot and the activity is not being legally conducted as another permissive or conditional principal use.

**OFFICE.** A place where consulting, record keeping, the work of a professional person such as a physician or lawyer is done, or a headquarters of an enterprise or organization; the sale of on-premises goods is not included.

**ZONE, RESIDENTIAL.** The RO-1, RO-20, R-1, MH, R-T, R-LT, RG, R-2, R-3, RA-1, RA-2, RC, and RD zones; and the segments of the SU-1, SU-2, and SU-3 zones where the predominant use allowed in a subarea is residential.

#### **Existing Zoning**

The subject site is zoned “SU-2/MR (Mixed Residential)” pursuant to the Huning Highland Sector Development Plan (HHSDP), which established zoning for the area. The subject site was given this zoning designation upon adoption of the 1977 Plan (HHSDP, p. 8-9). The subject site’s zoning carried over into the existing 1988 Plan.

The SU-2 Special Neighborhood Zone “allows a mixture of uses controlled by a sector development plan” (see Zoning Code §14-16-2-23), in this case the HHSDP. The SU-2/MR zone corresponds to the R-1 zone of the Zoning Code, with exceptions (HHSDP, p. 31-32) regarding setbacks, conditional uses, bed and breakfast establishment, parking lot, and signage.

The R-1 zone (see Zoning Code §14-16-2-6) allows “house, one per lot” as the main permissive use, though other uses are allowed as accessory uses (ex. non-commercial accessory structure, garage sale, day care, home occupation, etc.). The interior design business is an office use, and office is not listed as permissive or conditional in the R-1 zone. The business cannot be considered a home occupation (see definition, above) because the subject site is not used as a residence.

#### **Proposed Zoning**

The applicant proposes the following zoning: SU-2/SU-1 for O-1 Uses. The applicants want to be able to operate their interior design business on the subject site. The proposed zoning would be site plan controlled by use of the SU-1 zone, but the SU-2 would be retained so the subject site would remain subject to the HHSDP.

The SU-1 Special Use zone (see Zoning Code §14-16-2-22) provides suitable sites for uses that are special, and for which the appropriateness of the use to a specific location depends upon the character of the site design. An associated site development plan is required with the SU-1 designation pursuant to subsection (A)(6) of the SU-1 zone (see Section VI of this report).

The O-1 zone (see Zoning Code §14-16-2-15) “provides sites suitable for office, service, institutional, and dwelling uses.” Some permissive uses in the O-1 zone are beauty shop, church, dwelling unit up

---

to 25% area of the premises, office, and parking lot. Some conditional uses are community residential program, dwelling units more than 25% area of the premises, retailing of food and drink. The requested designation of “O-1 Uses” means that both permissive and conditional O-1 uses would be allowed.

***The Integrated Development Ordinance (IDO) & Zoning***

The IDO became effective on May 17, 2018, which is after this application was filed. Therefore, the application is being evaluated under the regulations in place at the time of application submittal (the Zoning Code and the HHSDP) and not the new IDO.

For informational purposes, the subject site’s SU-2/M-R zoning would convert to R-1B under the IDO. The proposed zoning of SU-2/SU-1 for O-1 Permissive Uses would convert to MX-T under the IDO. The business would fall under the category “Personal and business services, small”, which is defined as establishments with less than 10,000 sf of area. The MX-T zone would also allow for a single-family home permissively, in case the applicants want to use the existing building as a home. If the SU-1 for O-1 Permissive Uses zoning is approved and converted to MX-T, then the site plan will continue to control development and uses pursuant to IDO Section 14-16-1-10(A).

**IV. ANALYSIS -ADOPTED ORDINANCES, PLANS, AND POLICIES**

***A) ALBUQUERQUE/BERNALILLO COUNTY COMPREHENSIVE PLAN (RANK I)***

The subject site is located in an area that the 2017 Albuquerque/Bernalillo County Comprehensive Plan has designated an Area of Consistency. The Goals and policies listed below are those cited by the applicant in the zone change justification letter (see attachment). Staff does not provide analysis or additional citations other than what the applicant provided because, pursuant to Section B of R270-1980, the burden is on the applicant to show why the zone change should be made.

*Chapter 4- Community Identity*

- Goal 4.1-Character
- Policy 4.1.1-Distinct Communities
- Goal 4.2- Process

*Chapter 5- Land Use*

- Policy 5.1.1-Desired Growth
- Policy 5.1.8-Premium Transit Corridors
- Policy 5.1.10-Major Transit Corridors
- Goal 5.2- Complete Communities
- Policy 5.2.1-Land Uses
- Policy 5.3.1-Infill Development
- Policy 5.3.2-Leapfrog Development
- Policy 5.4.1-Housing near Jobs
- Policy 5.6.3-Areas of Consistency
- Policy 5.6.2-Areas of Change

---

**B) HUNING HIGHLAND SECTOR DEVELOPMENT PLAN (RANK III)**

The Huning Highlands Sector Development Plan (HHSDP) generally encompasses properties between the following approximate boundaries: Dr. Martin Luther King, Jr. Ave. on the north, Coal Ave. on the south, Broadway Blvd. on the west, and Locust St. on the east. Specific boundaries are shown on p. 4.

The HHSDP was first adopted in 1977 (R4-1977, the 1977 Plan) and then was revised and adopted in 1988 (Bill No. R-336, Enactment No. 3-1988). Planning efforts began in 1985 to rewrite zoning language, clarify requirements and update existing conditions. Staff determined that a new Plan, rather than an amendment, was needed. The result is the existing 1988 HHSDP, the purpose of which was to review existing conditions and recommend amendments to the 1977 Plan. The HHSDP established zoning throughout the Plan area and used the SU-2 designation.

Two amendments were enacted in 2005. One established the SU-2/CRZ Corridor Revitalization Zone for lots fronting Central Ave. between Broadway Blvd. and lots fronting Broadway Blvd. between Central and Coal Aves. (Bill No. R-04-155, Enactment No. R-2005-033). The other amended this and the HOZ legislation to establish the Huning Highland-East Downtown Urban Conservation Overlay Zone and associated regulations. The subject site is not within either of these areas.

The HHSDP contains one overarching Goal (see p.1) and eleven bulleted objectives (see p. 6). However, none of these are cited in the applicant's justification.

**V. SECTOR DEVELOPMENT PLAN MAP AMENDMENT**

***RESOLUTION 270-1980 (POLICIES FOR ZONE MAP AMENDMENTS)***

Requirements

Resolution 270-1980 outlines policies and requirements for deciding zone map change applications. The applicant must provide sound justification for the proposed change and demonstrate that several tests have been met. The burden is on the applicant to show why a change should be made.

The applicant must demonstrate that the existing zoning is inappropriate because of one of three findings: 1) there was an error when the existing zone map pattern was created; or 2) changed neighborhood or community conditions justify the change; or 3) a different land use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan.

Justification & Analysis

The zone change justification letter analyzed here, received on July 27, 2018, is a response to Staff's request for a revised justification (see attachment). The subject site is currently zoned SU-2/M-R (Mixed Residential). A change of zone would constitute an amendment to the Huning Highland Sector Development Plan (HHSDP). The requested zoning is "SU-2/SU-1 for O-1 Permissive Uses". The reason for the request is to allow the interior design business to continue to operate on the subject site. The applicants own the subject site.

Text of R270-1980 is in regular text. The applicant's justification (summarized) is in *italics*. Staff's analysis follows in ***bold italics***.

---

A. "A proposed zone change must be found to be consistent with the health, safety, morals and general welfare of the City."

*The change requested herein is consistent with the health, safety, morals, and general welfare of the City because the request will further the outlined goals and policies of the comp Plan as demonstrated in Sections C and D of this request. The allowed uses under SU-1 for Permissive O-1 uses will not be harmful as demonstrated in Section E. MBA's employees will be at work when residents are away, thereby creating a presence and deterring crime. MBA's presence will not increase traffic and it has no exterior signage. Office uses are already present in the vicinity. MBA's request will clearly facilitate the applicable provisions of the Comp Plan.*

*Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that a request furthers (or clearly facilitates if the request is for SU-1 zoning) applicable Goals and policies from the Comprehensive Plan and other applicable plans (see Section C), which in this case is the Huning Highland Sector Development Plan (HHSDP). Also, since the proposed zone change is to an SU-1 zone, it is dependent upon an associated site development plan. The response to Section A is sufficient, but the applicant has not demonstrated that the request clearly facilitates realization of applicable Goals and policies in the response to Section C.*

B. "Stability of land use and zoning is desirable; therefore, the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the City to show why the change should not be made."

*The change to the zone map will actually support stability of land use and zoning rather than defeat it. It is critically important to understand that MBA only seeks a change to the zone map to match its existing use (and that of a number of neighbors), not to allow new or different uses. Furthermore, the property will be controlled by the accompanying site plan, and the commission will have the opportunity to approve particular uses among the list of permissive uses, rather than the entire list.*

*The requested zoning is limited in scope and, because an SU-1 zone is requested, it is tied to an "as-built" site development plan for the subject site that shows the existing building and site and indicates the proposed use as "interior design firm". No changes to what exists currently are proposed. Though another O-1 permissive use would be able to occupy the subject site, it would be constrained by the size of the building and the lot area and would have to be a small-scale operation.*

*A broader request to a zone with commercial uses or increased residential density, for example, could have a greater effect upon land use stability in the area because these uses are typically more intense than permissive uses in the O-1 zone.*

*The current use (interior design firm), specified on the site development plan, is unlikely to adversely affect stability of land use and zoning in the immediate area, which is characterized by a mix of single-family residential, multi-family residential, office, institutional, and*

---

*commercial uses. The response to Section B is sufficient, though the applicant has not adequately demonstrated that the proposed zone change is justified in the response to Section C.*

C: “A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other City master plans and amendments thereto including privately developed area plans which have been adopted by the City.”

*Applicant’s Relevant Citations: Community Identity Goal 4.1-Character; Policy 4.1.1-Distinct Communities; Land Use Policy 5.1.1-Desired Growth; 5.1.8-Premium Transit Corridors; Policy 5.1.10-Major Transit Corridors; Goal 5.2- Complete Communities; Policy 5.2.1-Land Uses; Policy 5.6.3-Areas of Consistency; Policy 5.6.2-Areas of Change.*

*Staff finds that the following citations do not apply: Goal 4.2- Process, Policy 5.3.1-Infill Development; Policy 5.3.2-Leapfrog Development; Policy 5.4.1-Housing near Jobs.*

*Goal 4.2 is about the community engagement process that will be part of the Community Planning Area (CPA) assessments and not applicable to this zone change request.*

*Policy 5.3.1 refers to infill development, but the request is not for development. Rather, it’s for re-using an already developed building and site.*

*Policy 5.3.2 refers to leapfrog development. The applicant does not explain how this zone change would discourage leapfrog development. It seems unlikely that the applicants would construct a new office building in an area not served by infrastructure and public facilities.*

*Policy 5.4.1 refers to encouraging higher density housing, and therefore discouraging single-family housing, near Employment Centers. The subject site is not in the Downtown Center or in a designated Employment Center.*

*The applicant states that the request clearly facilitates applicable Goals and policies of the Comprehensive Plan because the Comp Plan encourages mixed use areas, with compatible residential and non-residential uses within walking distance, and that barriers to high-quality infill should be removed. Furthermore, most of the neighborhood in the vicinity of the subject site is designated an Area of Change. A transition from residential properties to offices and other small operations has begun to occur organically, and the immediate area is characterized by a variety of uses such as offices and commercial uses.*

*Though the test in Section C is whether or not there is “significant conflict” with an adopted element of the Comprehensive Plan or other City master plan such as a sector development plan, since the request is for an SU-1 zone, the more rigorous test of “clearly facilitates” found in Section I, applies. Staff finds the additional Goals and policies from the Comprehensive Plan apply to the request, as do the Goal and some objectives in the HHSDP. The applicant’s policy citations are insufficient and the arguments are not sufficiently linked to Goals and policies to conclude that the request clearly facilitates realization of the Comprehensive Plan and the HHSDP. The Goal and objectives of the HHSDP were not addressed. The response to Section C is insufficient, so this test is not met.*

---

D. “The applicant must demonstrate that the existing zoning is in appropriate because:

- 1) there was an error when the existing zone map pattern was created, or
- 2) changed neighborhood or community conditions justify the change, or
- 3) a different use category is more advantageous to the community, as articulated in the comprehensive Plan or other City master plan, even though (1) and (2) above do not apply.”

*The existing zoning is inappropriate because neighborhood or community conditions have changed sufficiently to justify the zone map amendment and a change to the zone map is necessary to reflect current uses. One house on the same block is being used as a home office and two others have rental units.*

*The SU-1 zone for permissive O-1 uses would also be more advantageous to the community for the simple reason that leaving the existing zone map in place will require the City to either shut down a number of existing businesses or litigate the propriety of the map and its selective enforcement thereof.*

*There are a number of mixed-use areas in the sector that would allow MBA to continue operating its business at the current location. It appears that in many instances the zoning was chosen based on the use of the buildings. For example, the mixed-use area at 501 Central NE encompasses three buildings north of Central, but only two buildings in the next block to the east, four buildings in the next block, then three buildings in the next block. If these existing businesses are being grandfathered into an area that is otherwise zoned residential, the same should be done for MBAs location and its neighbors operating businesses in homes.*

*The applicant refers to (D)(2), that changed community conditions justify the proposed change. Over many years, change has occurred in the Huning Highland area, which was originally a residential subdivision. The area’s proximity to Downtown, and the fact that Central Avenue runs through it, have been forces for change over time. The HHSDP (1988, previously 1977) has responded to these changes by establishing various categories of SU-2 zoning in addition to MR (Mixed Residential), including SU-2 for RO (Residential Office) and SU-2 for NCR (Neighborhood Commercial Residential), to reflect the unique situation of Huning Highland. The zone map was amended in 2005 (R-2005-185) to add the SU-2 CRZ (Corridor Revitalization Zone) along Central Ave. and extending a few lots to the north and south.*

*Zone change requests pertain to a particular subject site and are evaluated based on that property’s particulars, not by comparing it to the situation of other properties. Even if such comparisons were used as a matter of practice, the applicant’s claims that the City would have to shut down existing businesses or litigate selective enforcement of the zone map would have to be substantiated.*

*For example, the applicant refers to the area around 501 Central Ave. NE, which is now a vacant lot, and that these businesses were “grandfathered” into an area that would otherwise be zoned residential. These properties are zoned SU-2 CRZ pursuant to the current plan and prior to 1987 were zoned SU-2 NCR pursuant to the 1977 HHSDP. Indeed at some point, commercial*

---

*uses developed on these properties and they were given zoning to reflect their existing land uses, but this is a very different situation than placing an office use in part of Block 12, which is zoned SU-2 MR for residential uses since at least 1987.*

*Furthermore, the block north of the subject site is zoned SU-2 RO, so the office use to the north is permissive. Any office uses to the south where SU-2 RO zoning is indicated are also permissive (see attachment). Though some uses near the subject site could be operating in conflict with their site's zoning, it's critical to check the zoning and see if the use is allowed. If a discrepancy is found between land use and zoning, it can be reported to the Code Enforcement Division for investigation and a possible enforcement.*

*The discussion does not include a nexus between changed community conditions and how they have affected the subject site and made a zone change warranted. The response to Section D is insufficient.*

E. "A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood or the community."

*None of the permissive uses in the SU-1 zone for permissive O-1 uses would be harmful to adjacent property, the neighborhood, or the community, but would further the City's policies and benefit the neighborhood. Dwelling units and offices are present throughout the neighborhood. Most of the permissive uses are simply not economically feasible for this location. Furthermore, the property will be controlled by the site plan accompanying the application. Declining to amend the zone map to allow existing uses to continue will require existing businesses and multi-tenant rentals to relocate and houses that have been converted to those uses to be reconstructed into residences, including the removal of a parking lot at a neighboring office.*

*The permissive uses in the O-1 zone would generally not be harmful to adjacent property, the neighborhood, or the community because, with an SU-2/SU-1 zone, the subject site would be site plan controlled. Future, major amendments would return to the EPC. Also, any operation would be limited due to the subject site's size (approximately 6,700 sf), including the present operation, which does not generate much traffic or noise and does not have signage.*

*Some neighbors have expressed concern that the proposed zone change would set a precedent of allowing an office use among residential uses, which they believe would be harmful. R270-1980 does not have a criterion that allows precedent to be used as an argument. It is important to remember that zone change requests are decided upon the merits and specifics of the particular case and how the request fulfills the requirements of R270-1980—not upon those of other properties in the area. The response to Section E is sufficient.*

F. "A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the City may be:

- 1) denied due to lack of capital funds, or

2) granted with the implicit understanding that the City is not bound to provide the capital improvements on any special schedule.”

*The zone change will not require capital expenditures by the City. MBA seeks the zone change to reflect current uses. Any capital expenditures required by the current use have been made.*

***The request would not require major or unprogrammed capital expenditures by the City. Infrastructure is in place. The response to Section F is sufficient.***

G. “The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.”

*MBA does not assert that the cost of land or other economic considerations should determine the outcome of its application.*

***Economic considerations are a factor, but the applicant is not using them as the determining factor for the request. The response to Section G is sufficient.***

H: “Location on a collector or major street is not in itself sufficient justification of apartment, office or commercial zoning.”

*MBA’s property is not located on a collector or major street and MBA does not assert that its location in itself is justification for its application.*

***The subject site fronts Edith Blvd. NE, a local street. Tijeras Ave. and Copper Ave. are designated as local streets in this location. The response to Section H is sufficient.***

I: “A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a ‘spot zone’. Such a change of zone may be approved only when:

- 1) the change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan, or
- 2) the area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones, because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic or special adverse land uses nearby, or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.”

*The application may appear to be a disfavored spot zone. In fact, the entire three-block area already appears to be both spot-zoned and zoned incorrectly. 301 Edith Blvd. NE is zoned SU-2 RO, but houses a law firm. 123 Edith Blvd. NE is zoned MR- the only property on the block that is so zoned. Half the block at the NE corner of Central and Arno is zoned SU-2 MR while the other half is SU-2 CRA. The pattern is repeated along each side of Central. In this neighborhood, spot zoning is the rule, not the exception. Nevertheless, as discussed in detail above, MBAs requested change will clearly facilitate realization of a number of the Comp Plan’s policies.*

---

*The request for SU-2/SU-1 for O-1 permissive uses would create a spot zone because the subject site is only one premise and it would be surrounded by SU-2/MR zoning. A three-block area would not meet the definition of spot zone. The property at 301 Edith Blvd. NE is part of a block of SU-2/RO zoning, in which an office is a permissive use. The property at 123 Edith Blvd. NE is zoned SU-2/MR but the rest of the block to the south is zoned SU-2/RO. Again, this zoning pattern was established by the HHSDP, as was the SU-2/CRZ (Corridor Revitalization Zone) along both sides of Central Ave. Though an examination of land use patterns is interesting, analysis of a zone change request is not comparative with other properties.*

*A spot zone can be justified provided that the applicant demonstrates that the request clearly facilitates realization of applicable Goals and policies. In this case, the response to Section B is sufficient (though in part irrelevant), but the applicant has not adequately demonstrated that the proposed zone change is justified in the response to Section C.*

J: “A zone change request which would give a zone different from surrounding zoning to a strip of land along a street is generally called ‘strip zoning’. Strip commercial zoning will be approved only where:

- 1) the change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan, and
- 2) the area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.”

*MBA’s property is not a strip of land along a street, and its application does not request a strip zone.*

*The request would not result in a strip zone because the subject site is not a “strip of land along a street”. The response to Section J is sufficient.*

Conclusion

*Staff finds that the applicant has not adequately justified the sector development plan map amendment (zone change) pursuant to R270-1980, primarily due to the response to Section C. The policy citations are insufficient and the arguments are not sufficiently linked to Goals and policies to conclude that the request clearly facilitates realization of the Comprehensive Plan and the HHSDP. The Goal and objectives of the HHSDP were not addressed.*

*Without an adequate, policy-based response to Section C, the response to Section I (which requires that a spot zone be justified by demonstrating that the request clearly facilitates realization of applicable Goals and policies) cannot be sufficient. Similarly, the response to Section A depends upon an adequate policy-based response. Regarding Section D, the applicant has not adequately demonstrated that changed community conditions justify the proposed zoning. The remaining sections (B, E, F, G, and J) are sufficiently addressed. For these reasons, Staff recommends denial of the sector development plan map amendment (zone change) request.*

## **VI. SITE DEVELOPMENT PLAN FOR BUILDING PERMIT- “AS BUILT” & PROCESS**

A site development plan is required for a zone change to an SU-1 Zone pursuant to §14-16-2-22-(A)(1). Zoning Code §14-16-3-11 states, “...Site Development Plans are expected to meet the requirements of adopted city policies and procedures.” However, the HHSDP does not contain any General SU-2 Regulations, as do some sector development plans. Compliance with Zoning Code requirements, enacted after the buildings were constructed, is triggered by a square footage addition of 200 sf or greater. However, no additional square footage is proposed.

Since an SU-1 zone is requested, precise documentation of what exists on the site is very important for two reasons: 1) with an SU-1 zone, items not specified on the site development plan are not allowed; and 2) so the site development plan won’t have to be amended later. The applicant has provided an “as built” site development plan for building permit (see attachment), which Staff has reviewed.

### ***Process***

The site development plan is for an existing, “as built” site. Minor revisions are needed for clarification and documentation purposes. Staff has determined that it is not necessary for the site development plan to go to the Development Review Board (DRB). All infrastructure is already in place.

Staff requests that the EPC delegate its approval authority for the site development plan to Staff, so that the “as built” site development plan can be approved administratively. Staff will check the revised site development plan for compliance with the EPC’s conditions of approval. Routing to Staff from Transportation, Utilities, and Hydrology is a part of the administrative approval (AA) process. Comments from these Staff persons, if any, will be need to be addressed.

### ***Site Plan Layout / Configuration***

The subject site is located at the SW corner of Tijeras Rd. NE and Edith Blvd. NE. The entrance of the existing single-family home faces east. The driveway is along the subject site’s northern side. There is no garage. The home and front yard take up about half of the lot and the back yard takes up the other half.

*Refuse Enclosure:* The subject site is already set up for residential service.

### ***Vehicular Access, Circulation & Parking***

Access to the subject site is from Edith Blvd. NE via a driveway along the subject site’s northern side. The driveway serves as a parking area. On-street parking is also available on Edith Blvd. NE.

Minimum required parking for an office use is one space for every 200 sf of net leasable area on the ground floor. The building is approximately 1,200 sf, so 6 parking spaces are required. One handicap parking space, one bicycle parking space, and one motorcycle parking space are required.

Because the requested zoning is SU-1, however, off-street parking is decided by the EPC pursuant to Zoning Code §14-16-2-22, Special Use Zone. The EPC may approve less parking if it chooses.

The site plan indicates that 2 or 3 parking spaces can be accommodated in the back yard. On-street parking would also be available. A Traffic Impact Study (TIS) was not required.

***Pedestrian and Bicycle Access and Circulation, Transit Access***

Pedestrian and bicycle access is available from both Tijeras Ave. and Edith Blvd. NE. There is a pedestrian pathway from the sidewalk to the doorway. Access to transit is good and within walking distance. The subject site is a block and a half north of Central Ave., which is designated a Main Street Corridor and has some of the most frequent transit service in the City.

***Walls/Fences***

The subject site is not fenced in the front. There are three-foot, white picket fences on both sides of the subject site, and a six-foot white wooden fence along the rear property line that abuts the alley. There is a shorter, white wooden fence enclosing the patio area directly in back of the house. The fences are shown on the elevations sheet.

***Lighting and Security***

Lighting is provided by post lights at the gates. There are no light poles.

***Landscaping***

The subject site is landscaped in the front with a variety of xeric plants, including coneflower, grasses, lavender, nandina, and turpentine bush, with an Ash tree on each side of the pathway. One of the Ash trees existed prior to the applicant's purchase of the property.

The back is landscaped with lavender, artemesia, some turf, vitex, lantana, and marigolds. The property owners kept the mature Elm tree. All landscaping would remain.

Landscape beds should be dimensioned. The landscaping calculations need to be redone using the correct figure for net lot area, though it appears that the 15% requirement is met. However, Zoning Code 14-16-3-10, Landscaping Regulations Applicable to Apartment and Non-Residential Development, does not apply because no building addition over 200 sf is proposed.

***Grading & Drainage Plan***

The subject site is already developed and is flat. A grading & drainage plan was not included. If determined necessary by the City Hydrologist, a grading and drainage plan will be requested.

***Utility Plans***

The subject site is already served by utilities-water lines and sanitary sewer lines. If there are any easements, they should be shown and mentioned with a note.

***Architecture & Design***

The existing building mostly typifies the architectural style of the early 1900s, when the Huning Highland neighborhood was built. Some alterations (ex. the windows) have occurred, and Historic Preservation Staff have been involved. No changes to the building are proposed. If any changes are desired in the future, the applicant will need to obtain a Certificate of Appropriateness from the Landmarks and Urban Conservation Commission (LUCC).

The building is made of brick and has a front porch and a back deck. The roof is pitched and has a feature window on the front, consistent with the style of the era. Shingles were replaced and are tan. The patio and deck fencing is painted white. Approximate building height and colors and materials should be indicated.

***Signage***

There is no signage.

**VII. AGENCY & NEIGHBORHOOD CONCERNS**

***Reviewing Agencies/Pre-Hearing Discussion***

City Departments and other agencies reviewed this application from 07/06/'18 to 07/22/'18. Few comments were received. Transit Staff note that the subject site is proximate to the Central Avenue Premium Transit Corridor, and that it is well-served by Transit.

Long-Range Planning Staff note that the zoning pattern in this area establishes an island of R-1 uses surrounded by multi-family and neighborhood commercial uses, and that the Comprehensive Plan supports keeping single-family neighborhoods intact. The subject site's Area of Consistency designation reflects this intention.

Note that, at the time of the agency commenting period, the proposal did not include the "as-built" site development plan. As part of the AA process after EPC, Staff from Transportation, Hydrology, and Utilities would have an opportunity to comment. Agency comments begin on p. 23.

***Neighborhood/Public***

The affected neighborhood organizations are the Broadway Central Corridors Partnership, Inc. and the Huning Highland Historic District Association (HHHDA), which the applicant notified as required. The applicant also notified property owners within 100 feet of the subject site, as required.

Staff has received three letters of opposition. The HHHDA, at its June meeting, voted to oppose the request. They do not support the use of a home solely to operate a business, though generally they support residents who operate business out of their homes. The HHHDA is concerned about setting a precedent (see attachment).

Two neighbors also provided letters. The residents across the street (202 Edith Blvd. NE) are concerned that the zone change could lead to decay rather than improvement of the neighborhood and point out that they are retired and at home during the day so the business wouldn't improve neighborhood security (see attachment). The other letter is from a neighbor on the 100 block of Edith Blvd., who also believes that the business would not improve neighborhood security. She wants to protect the nature of the historic overlay district as a residential subdivision (see attachment).

A facilitated meeting was not held. Staff has not received any phone calls or additional correspondence as of this writing. The applicant's letter indicates that they are aware of some support for the request, but Staff doesn't have anything in writing.

**VIII. CONCLUSION**

This request is for a sector development plan map amendment (zone change) and an associated "as built" site development plan for building permit for an approximately 0.2 acre site located at 205 Edith Blvd. NE, between Tijeras Ave. NE and Copper Ave. NE. The subject site is within the boundaries of the Huning Highland Sector Development Plan (HHS DP), and is in the Huning Highland Historic District and the Historic Overlay Zone.

The applicant proposes to change the subject site's zoning from "SU-2/MR (Mixed Residential)" to "SU-2/SU-1 for O-1 Permissive Uses" in order to continue operating an interior design business. The applicants received a Notice of Violation (NOV) from the Code Enforcement Division.

The sector development plan map amendment (zone change) has not been adequately justified pursuant to R270-1980 because the response to Section C does not contain a sufficient policy-based demonstration that the request would clearly facilitate realization of applicable Goals and policies in the Comprehensive Plan and the HHS DP.

The affected neighborhood organizations are the Broadway Central Corridors Partnership, Inc. and the Huning Highland Historic District Association, which were notified as required. Property owners within 100 feet of the subject site were also notified, as required. Staff received three letters of opposition, from the Huning Highland Historic District Association (HHHDA) and two neighbors. A facilitated meeting was not held.

Staff recommends denial of the zone change and, therefore, the associated site development plan for building permit.

---

***FINDINGS – RZ-2018-0005, August 9, 2018- Sector Development Plan Map Amendment (Zone Change)***

1. The request is for a sector development plan map amendment (zone change) to the Huning Highland Sector Development Plan (HHS DP), and an as-built site development plan for building permit, for Lot 7, Block 12, Huning’s Highlands Addition, an approximately 0.2 acre site located on Edith Blvd. NE, between Tijeras Ave. NE and Copper Ave. NE (205 Edith Blvd. NE) (the “subject site”).
2. The applicant owns the subject site and proposes to change the subject site’s zoning from SU-2/MR (Mixed Residential) to SU-2/SU-1 for Permissive O-1 Uses to allow operation of an interior design firm to continue.
3. The subject request is accompanied by a request for an as-built site development plan for building permit (SI-2018-00012).
4. The Comprehensive Plan designates the subject site as an Area of Consistency. The subject site is within the boundaries of the Huning Highland Sector Development Plan (HHS DP) and is in the Huning Highland Historic District and the Historic Overlay Zone (HOZ).
5. The Albuquerque/Bernalillo County Comprehensive Plan, the Huning Highlands Sector Development Plan (HHS DP), and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
6. The applicant has not adequately justified the sector development plan map amendment (zone change) request pursuant to Resolution 270-1980:
  - A. Section A: Consistency with the City’s health, safety, morals and general welfare can be shown by demonstrating that the request clearly facilitates applicable Goals and policies from the Comprehensive Plan and the other applicable plans, the Huning Highland Sector Development Plan (HHS DP). The response to Section A is sufficient, but the applicant has not demonstrated that the request clearly facilitates realization of applicable Goals and policies in the response to Section C.
  - B. Section B: The proposed zoning is limited in scope and, because an SU-1 zone is requested, it is tied to an “as-built” site development plan for the subject site. The uses allowed by the proposed zoning would be unlikely to adversely affect stability of land use and zoning in the area because they would be limited, due the size of the historic building and the lot area, to small-scale operations.
  - C. Section C: Since the request is for an SU-1 zone, the “clearly facilitates” test (see Section I) applies and overrides the less rigorous “no significant conflict” test. The arguments are not sufficiently linked to Goals and policies to conclude that the request clearly facilitates

---

realization of the Comprehensive Plan and the HHSDP. Additional Goals and policies from the Comprehensive Plan, and the Goal and some objectives in the HHSDP, should be included.

- D. Section D: The applicant has not adequately demonstrated that changed community conditions (D)(2) justify the proposed zone change because the discussion does not include a nexus between changed community conditions and how they have affected the subject site and made a zone change warranted. Rather, the discussion focuses on other properties that may have a discrepancy between their zoning and land use, without substantiating the claims.
  - E. Section E: The permissive uses in the O-1 zone would generally not be harmful to adjacent property, the neighborhood, or the community. The subject site would be site plan controlled and major amendments would be required to return to the EPC. Any operation would be limited due to the subject site's size (approximately 6,700 sf), including the present operation, which does not generate much traffic or noise and does not have signage.
  - F. Section F: The proposed zone change requires no capital expenditures by the City. Infrastructure is in place.
  - G. Section G: Economic considerations pertaining to the applicant are a factor in the zone change request, but they are not the determining factor.
  - H. Section H: The subject site is not located on a collector or major street.
  - I. Section I: The request would create a spot zone because the subject site is only one premise and it would be surrounded by SU-2/MR zoning. A spot zone can be justified provided that the applicant demonstrates that the request clearly facilitates realization of applicable Goals and policies, which did not occur in the response to Section C.
  - J. Section J: The request is for a single lot and not for a strip of land along a street, and therefore would not result in a "strip zone".
7. The applicant has not adequately justified the zone change pursuant to R270-1980, primarily due to the response to Section C. The policy citations are insufficient and the arguments are not sufficiently linked to Goals and policies to conclude that the request clearly facilitates realization of the Comprehensive Plan and applicable sector development plan (the HHSDP). The Goal and objectives of the HHSDP were not addressed.

Without an adequate, policy-based response to Section C, the response to Section I cannot be sufficient. Similarly, the response to Section A depends upon an adequate policy-based response. Regarding Section D, the applicant has not adequately demonstrated that the existing zoning is inappropriate and that the proposed zone category would be more advantageous to the community, based on the policy-based discussion in Section C. The remaining sections (B, E, F, G, and J) are sufficiently addressed.

8. The affected neighborhood organizations are the Broadway Central Corridors Partnership, Inc. and the Huning Highland Historic District Association (HHHDA), which the applicant notified as required. The applicant also notified property owners within 100 feet of the subject site, as required.
9. Staff received three letters of opposition. The HHHDA, at its June meeting, voted to oppose the request. They do not support the use of a home solely to operate a business and are concerned about setting a precedent. Two neighbors also provided letters. The residents across the street (202 Edith Blvd. NE) are concerned that the request could lead to decay rather than improvement of the neighborhood and point out that the business wouldn't improve neighborhood security. The other letter is from a neighbor on the 100 block of Edith Blvd., who primarily wants to protect the nature of the historic overlay district as a residential subdivision.
10. Some neighbors have expressed concern that the proposed zone change would set a precedent of allowing an office use among residential uses, which they believe would be harmful. R270-1980 does not have a criterion that allows precedent to be used as an argument. Zone change requests are decided upon the merits and specifics of the particular case, not upon those of other properties in the area, and how the request fulfills the requirements of R270-1980.
11. A facilitated meeting was not held. Staff has not received any phone calls or additional correspondence as of this writing.

***RECOMMENDATION - RZ-2018-00005, August 9, 2018- Sector Development Plan Map Amendment (Zone Change)***

**DENIAL of RZ-2018-00005, a request for a sector development plan map amendment from SU-2 for M-R (Mixed Residential) to "SU-2 for SU-1 for O-1 Permissive Uses" for Lot 7, Block 12, Huning's Highlands Addition, an approximately 0.2 acre site located on Edith Blvd. NE, between Tijeras Ave. NE and Copper Ave. NE (205 Edith Blvd. NE), based on the preceding Findings.**

---

***FINDINGS - SI-2018-00012, August 9, 2018-Site Development Plan for Building Permit (as-built)***

1. The request is for a sector development plan map amendment (zone change) to the Huning Highland Sector Development Plan (HHS DP), and an as-built site development plan for building permit, for Lot 7, Block 12, Huning's Highlands Addition, an approximately 0.2 acre site located on Edith Blvd. NE, between Tijeras Ave. NE and Copper Ave. NE (205 Edith Blvd. NE) (the "subject site").
2. The subject request is accompanied by a sector development plan map amendment (zone change) request (RZ-2018-00005). The sector development plan map amendment request is not justified pursuant to R270-1980.

3. The Comprehensive Plan designates the subject site as an Area of Consistency. The subject site is within the boundaries of the Huning Highland Sector Development Plan (HHS DP) and is in the Huning Highland Historic District and the Historic Overlay Zone (HOZ).
4. The Albuquerque/Bernalillo County Comprehensive Plan, the Huning Highlands Sector Development Plan (HHS DP), and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. Pursuant to Zoning Code 14-16-2-22(A)(1), the SU-1 zone, a request for a zone change to an SU-1 zone must be accompanied by a site development plan. Because the zone change is not justified at this time, the associated site development plan is rendered unnecessary.
6. The affected neighborhood organizations are the Broadway Central Corridors Partnership, Inc. and the Huning Highland Historic District Association (HHHDA), which the applicant notified as required. The applicant also notified property owners within 100 feet of the subject site, as required.
7. Staff received three letters of opposition. The HHHDA, at its June meeting, voted to oppose the request. They do not support the use of a home solely to operate a business and are concerned about setting a precedent. Two neighbors also provided letters. The residents across the street (202 Edith Blvd. NE) are concerned that the request could lead to decay rather than improvement of the neighborhood and point out that the business wouldn't improve neighborhood security. The other letter is from a neighbor on the 100 block of Edith Blvd., who primarily wants to protect the nature of the historic overlay district as a residential subdivision.
8. A facilitated meeting was not held. Staff has not received any phone calls or additional correspondence as of this writing.

***RECOMMENDATION - SI-2018-00012, August 9, 2018***

**DENIAL of SI-2018-00012, an as-built Site Development Plan for Building Permit for Lot 7, Block 12, Huning's Highlands Addition, an approximately 0.2 acre site located on Edith Blvd. NE, between Tijeras Ave. NE and Copper Ave. NE (205 Edith Blvd. NE), based on the preceding Findings.**

---

***Catalina Lehner, AICP  
Senior Planner***

***Notice of Decision cc list***

cc: McKown Belanger Associates, 205 Edith Blvd. NE, ABQ, NM 87102  
Wade Jackson, Sutin, Thayer & Browne, 6100 Uptown Blvd. NE, Suite 400, ABQ, NM 87110  
Broadway Central Corridors Partn. Inc., Jim Maddox, 515 Central Ave. NE, ABQ, NM 87102  
Broadway Central Corridors Partn. Inc., Rob Dickson, P.O. Box 302, ABQ, NM 87103  
Huning Highland Historic Dist. Assoc., Ann Carson, 416 Walter St. SE, ABQ, NM 87102  
Huning Highland Historic Dist., Assoc., Bonnie Anderson, 321 High St. SE, ABQ, NM 87102  
Lauren Walker Austin, 121 Edith Blvd. NE, ABQ, NM 87102  
Bruce Redford and Dennis Crowley, 202 Edith Blvd. NE, ABQ, NM 87102  
Kevin Morrow [kmorrow@cabq.gov](mailto:kmorrow@cabq.gov)  
Kathy Berglund [kberglund@cabq.gov](mailto:kberglund@cabq.gov)

---

---

# CITY OF ALBUQUERQUE AGENCY COMMENTS

## PLANNING DEPARTMENT

### Zoning Enforcement

No adverse comments.

### Office of Neighborhood Coordination

### Long Range Planning

#### **Comments for Zone Map Amendment:**

This zoning on this property was established by the Huning Highland Sector Development Plan (SDP) in 1988. According to the SDP, SU-2/MR corresponds to R-1 in the Zoning Code with exceptions for front setback, accessory dwelling units, and conditional uses, which do not include office.

The SDP does include a zone SU-2/RO (Residential Office) that corresponds to R-2 with allowance for office uses in 50% of the floor area as a conditional use.

This property was not zoned SU-2/RO when it could have been. Nor were surrounding properties on the block. This block is surrounded by SU-2/MR zoning on all but the north side. The property to the north across Tijeras Ave. is zoned SU-2/RO.

The zoning pattern in this area establishes an island of R-1 uses surrounded by multi-family and neighborhood commercial uses. There are clearly pressures for this area to convert to the same uses that are more intense than the S-2/MR (R-1 equivalent) zone.

The Area of Change and Consistency map reflects this land use pattern and resulting pressure on the island of single-family uses.



In general, the Comprehensive Plan supports keeping single-family neighborhoods intact and discourages zone changes within single-family neighborhoods. It may be the case that in this area, the single-family neighborhood has already transitioned to other land uses, perhaps illegally, and the larger question is whether it is still desirable and advisable to maintain the island of single-family surrounded by other uses in Areas of Change.



***Comments for Site Plan for Building Permit:***

The Site Plan for Building Permit indicates one structure labeled “Residence.” The second page shows the interior layout with a living room, dining room, kitchen, three bedrooms and two bathrooms. This is consistent with maintaining the site with the SU-2/MR zoning and single-family residential uses. There is nothing in this Site Plan that indicates the zone, uses, building elevations and dimensions, or building height, all of which are required elements of a Site Development Plan for Building Permit.

Due to the inconsistency with what is shown on the requested Site Plan for Building Permit and the zone change request, and the deficient content included with the Site Plan for Building Permit, Long Range does not recommend approval of this request.

**CITY ENGINEER**

**Transportation Development**

No objection to the zone change request. Transportation Development Conditions:

1. Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed development site plan, as required by the Development Review Board (DRB).
2. Site plan shall comply and be in accordance with all applicable City of Albuquerque requirements, including the Development Process Manual and current ADA criteria.

**Hydrology Development**

**New Mexico Department of Transportation (NMDOT)**

NMDOT has no comment.

**DEPARTMENT of MUNICIPAL DEVELOPMENT**

**Transportation Planning**

No comment.

**Traffic Engineering Operations (Department of Municipal Development)**

**Street Maintenance (Department of Municipal Development)**

**RECOMMENDED CONDITIONS FROM THE CITY ENGINEER:** none.

**WATER UTILITY AUTHORITY**

**Utility Services**

1. RZ-2018-00005 Sector Development Plan Map Amendment (Zone Change)
  - Identification: UPC – 101405744743512404
  - a. No adverse comment to the proposed amendment
2. SI-2018-00012 – Site Development Plan for Building Permit Amendment
  - a. The indicated building permit amendment does not appear to affect the buildings required fire flow for the building thus an availability statement is not necessary at this

---

time. Should the fire flow for the building change please request and availability statement. Requests can be made at the link below:

- i. [http://www.abcwua.org/Availability\\_Statements.aspx](http://www.abcwua.org/Availability_Statements.aspx)
- ii. Request shall include a City Fire Marshal approved Fire 1 Plan and a zone map showing the site location.

***ENVIRONMENTAL HEALTH DEPARTMENT***

***Air Quality Division***

***Environmental Services Division***

***PARKS AND RECREATION***

***Planning and Design***

***Open Space Division***

***City Forester***

***POLICE DEPARTMENT/Planning***

No comment on the zone change.

***SOLID WASTE MANAGEMENT DEPARTMENT***

***Refuse Division***- No comment

***FIRE DEPARTMENT/Planning***

***TRANSIT DEPARTMENT***

Site is very proximate to the Central Avenue Premium Transit Corridor. Not directly on a route, but is within 800 walking feet of the EDo ART station (Fixed Routes 766 and 777) and within 1200 feet in either direction from a Fixed Route 66 stop. No comment.

***COMMENTS FROM OTHER AGENCIES***

***BERNALILLO COUNTY***

***ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY***

AMAFCA has no objections.

***ALBUQUERQUE PUBLIC SCHOOLS***

This will have no adverse impact to the APS district.

***MID-REGION COUNCIL OF GOVERNMENTS***

MRMPO has no adverse comments.

**MIDDLE RIO GRANDE CONSERVANCY DISTRICT**

**PUBLIC SERVICE COMPANY OF NEW MEXICO**

PNM has no comments based on information provided to date.

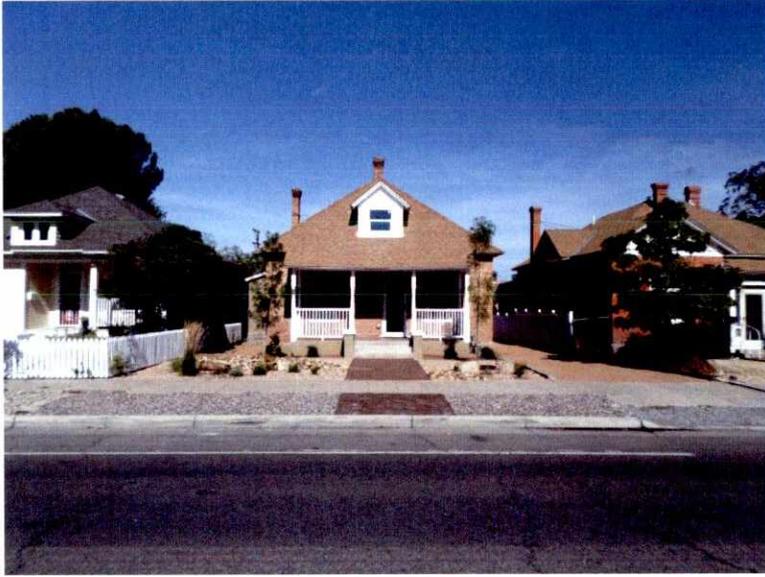


Figure 1: Looking W, at the subject site, from Edith Blvd. NE.

Figure 2: Looking W, at the subject site's driveway, from Edith Blvd. NE.



Figure 3: Looking S down the alley in back of the subject site. The white fence is on the subject site.

Figure 4: Looking S toward Copper and Central Aves., while standing on Edith Blvd. NE in front of the subject site.



Figure 5: Looking N, toward Dr. MLK, Jr. Ave., while standing on Edith Blvd. NE in front of the subject site.

Figure 6: Looking NW along Edith Blvd. NE. The third building is on the subject site.





Figure 7: The multi-family building (duplex) across the street from the subject site. The hospital building is on the background.

Figure 8: A building used as an office, at the NW corner of Edith Blvd. NE and Tijeras Ave. NE.

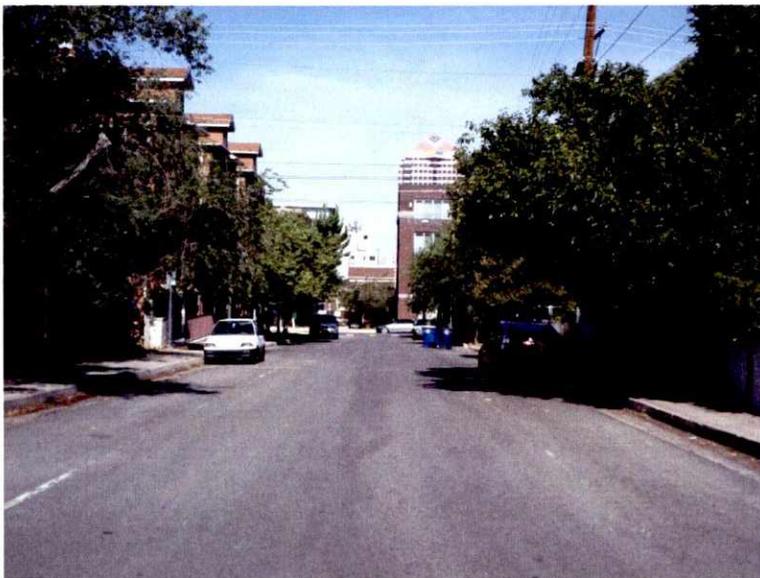
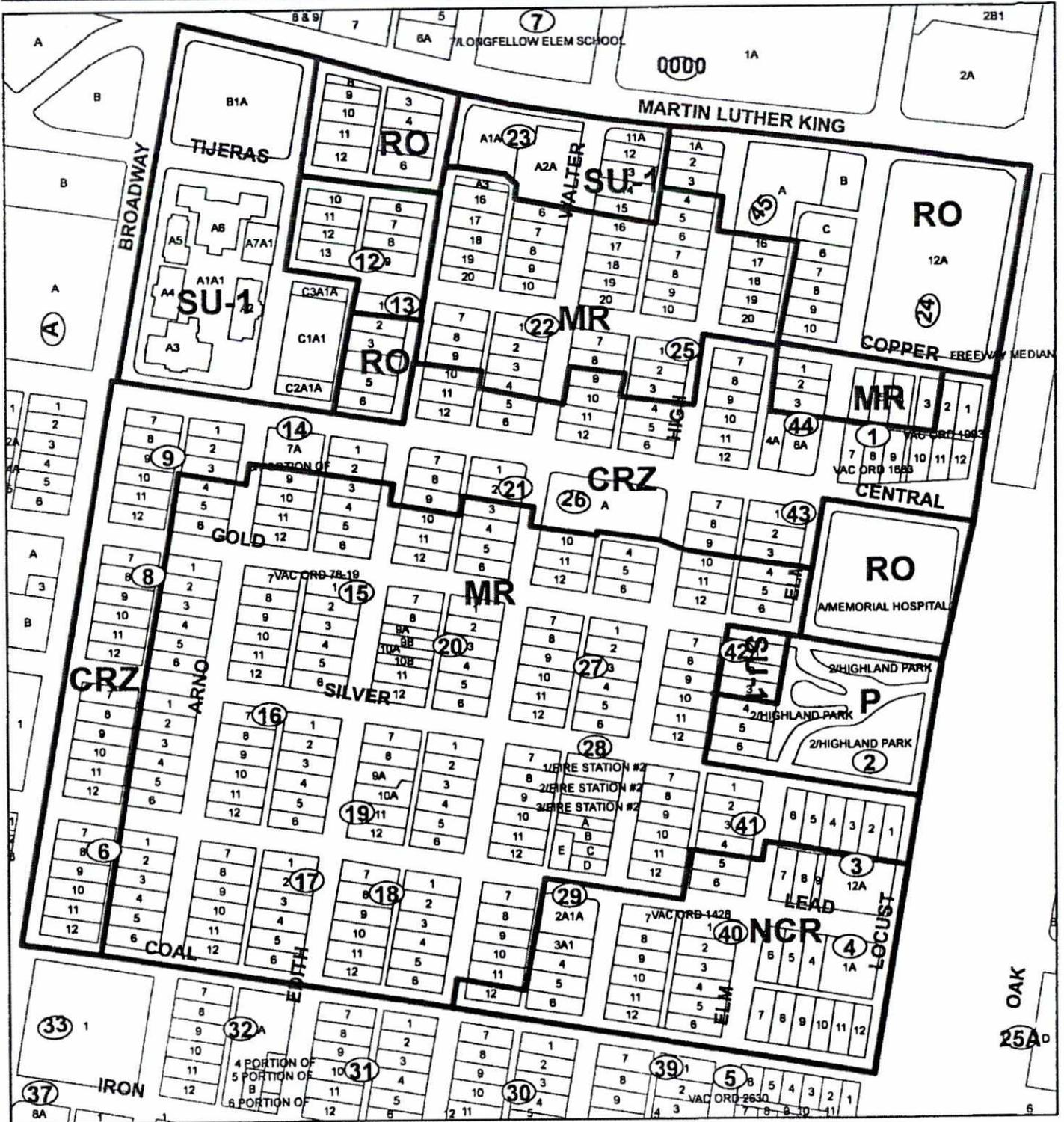


Figure 9: Looking W, along Tijeras Ave. NE, toward Downtown.

## ZONING

Please refer to the Zoning Code §14-16-2-22  
for specifics of the SU-1 zone

# Huning Highland Zoning Map (Resolution 2005-185)



- |   |   |
|---|---|
|  MR Mixed Residential Zone   |  NCR Neighborhood Commercial/ Residential Zone |
|  SU-1 Special Use Zone       |  CRZ Corridor Revitalization Zone              |
|  RO Residential/ Office Zone |  Block   |
|  Park                        |  Lots  |



The issues in this section were first identified at a series of public meetings to which all property owners, residents and merchants in Huning Highlands were invited. Following the meetings, Redevelopment Division staff grouped the problems raised into general issue categories (crime, zoning, commercial development, traffic, etc.) and submitted these to the Huning Highland task force for further discussion and identification of concerns which the Plan could address.

## **Zoning**

Redevelopment Division staff recommended clarifying some of the zoning language (see Appendix B for existing zoning language). Staff and the task force agreed that some changes in the existing zoning language and some re-zoning were needed to 1) reduce the potential for development which could adversely impact neighborhood residential quality, and 2) provide areawide regulations for parking uses in residential areas. The lack of a neighborhoodwide policy on parking uses was cited by the Environmental Planning Commission when it denied a request for a zone change to allow a parking lot on a residentially-zoned lot at Silver and Arno. A staff zoning concern was that the sign regulations in existing zoning allows signs which are incompatible with the historic character of the area and which differ from the Historic Overlay Zone Design Guideline sign regulations.

### **Issues Identified**

**MIXED RESIDENTIAL ZONE (SU-2/MR)** In the residentially zoned blocks, the current regulations do not address several problems which have become apparent during the past nine years.

- a) Conversions of garages and other non-living quarter accessory structures to dwelling units are allowed under a conditional use provision in the MR zone. Each such conversion destabilizes the area by creating multi-family densities in inappropriate structures.
- b) There are no criteria for granting conditional use permits for bed and breakfast establishments, which are allowed in this zone as boarding or lodging houses. The neighborhood is not protected from the parking and traffic impacts of B & B's. City environmental health regulations (Albuquerque Food Sanitation Ordinance, Chapter 6, Article 25) address all types of food service use, requiring B & B's to meet standards for full service restaurants. These requirements cannot be easily complied with in most residential situations, thus virtually eliminating a viable re-use for larger historic homes in residential areas.

- c) Conditional uses include R-2 development which could require demolition of historic buildings, would place more traffic on the residential streets, and increase off-street parking demands.
- d) Densities are based on density per acre which is difficult to interpret and enforce in a developed area.
- e) Rehabilitation of residentially zoned properties on Lead and Coal is slower than elsewhere in the area. The proximity of the structures to these streets makes stable low-density residential uses difficult to maintain. Nine properties in the MR zone along Coal and Lead are in substandard condition. An additional issue, however, was that commercial zoning on Lead would further split off the residential area between Lead and Coal from the residential area to the north.
- f) Some commercial properties on Broadway and Central now need additional off-street parking, which in many cases can only be found in adjacent residential areas. If commercial redevelopment increases, this need will also increase. Parking use, however, could have a severe negative impact on the residential quality of the area and require demolition of historic homes.
- g) Signs in this zone are regulated as under Residential R-1 zoning, which allows only a foot-square sign placed in a window. These existing regulations are too restrictive for allowed uses such as existing apartments and Bed and Breakfast establishments.

RESIDENTIAL/OFFICE ZONE (SU-2/RO) RO zoning in the Huning Highland Sector Plan area was written to allow limited commercial use in existing residential dwellings and to encourage appropriate (defined as "does not alter the residential character of the neighborhood") residential and office development.

- a) The issue with this zone is the need for a clearer definition of appropriate uses: several of the activities included as conditional uses in the Residential Office Zone, such as group training homes, medical supplies and services, restaurants and even some office uses, could generate traffic and noise which would adversely affect adjacent residential areas.
- b) Signs in this zone are controlled as under the Office O-1 zone in the City Comprehensive Zoning Code. This zone allows wall, canopy, free-standing and projecting on-premise signs which can be up to 75 square feet or 15 percent of the facade; these sizes could negatively impact the existing residential character of most of the areas zoned RO. The existing sign regulations in the Historic Overlay Zone Guidelines do not provide sufficient information to property owners wishing to place signs in the area. They control "all signs in areas zoned residential," but do not specify if the Residential Office zone falls in this category.

NEIGHBORHOOD COMMERCIAL/RESIDENTIAL ZONE (SU-2/NCR) Concerns regarding this zone were with its wording and with an area zoned NCR in the southeast corner of the neighborhood.

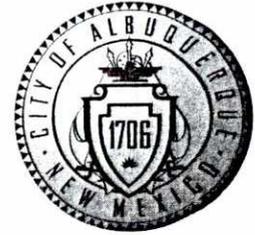
- a) The current Huning Highland Sector Development Plan states that the NCR zone corresponds to R-3 or medium density residential in the Comprehensive City Zoning Code. Since the NCR zone is located almost exclusively on principal arterials and the uses within these areas are predominantly commercial, the zone does not fit the character of the area zoned.
- b) The southeastern corner of the neighborhood (between Lead and Coal from the west side of High to Locust and including the southern half of the block north of Lead between Elm and Locust and the two lots at the southeast corner of the block between Lead and Silver, Elm and High) is currently zoned NCR. Land uses in this NCR pocket include single family, multi-family, institutional, office, service commercial, and the old Mead's bakery, now used as a bakery distribution center.

The Task Force was concerned that the western edge of this area on High Street, which is now residential, could develop with permissive NCR uses (hotel/motel, furniture store, car wash, auto supply store, automobile repair) that would negatively impact the adjacent residential area. The current NCR zoning does not reflect the differing land use potentials of properties on the freeway frontage and those in the interior of this area. Rezoning the currently residential area in the 400 block of High Street from NCR to MR to reflect its residential quality could be challenged by property owners as too severe.

- c) Signs allowed in the NCR zone are controlled by both the existing Huning Highland Sector Development Plan, the sections of the Comprehensive City Zoning Code referred to the Sector Development Plan and the Historic Overlay Zone guidelines, with the more stringent provisions prevailing. The zone in the City Comprehensive Zoning Code which corresponds to NCR is C-1 or Neighborhood Commercial. This allows free-standing or wall off-premise signs as large as 78 square feet and up to 18 feet high and free-standing and projecting on-premise signs up to 100 square feet or building mounted signs which take up 20 per cent of the building facade. Signs as large as this could overwhelm the historic buildings on the commercial streets. The existing sign regulations in the Historic Overlay Zone Guidelines do not provide sufficient information to property owners wishing to place signs in the area, and are too limiting for a commercial strip. Since this commercial development is historically valid in itself, as well as contributing to the overall well being of Huning Highlands, the Overlay Zone Guidelines should be amended to allow better guidance and more realistic sign coverage.

## HISTORY

# CITY OF ALBUQUERQUE



PLANNING DEPARTMENT  
URBAN DESIGN & DEVELOPMENT DIVISION  
600 2nd Street NW, 3rd Floor, 87102  
P.O. Box 1293, Albuquerque, NM 87103  
Office (505) 924-3860 Fax (505) 924-3339

## OFFICIAL NOTIFICATION OF DECISION

July 12, 2018

McKown Belanger Associates  
205 Edith Blvd. NE  
Albuquerque, NM 87102

**Project# 2018-001200 (1011313)**  
RZ-2018-00005- Sector Development Plan Map Amendment  
(Zone Change)  
SI-2018-00012 – Site Development Plan for Building Permit

### LEGAL DESCRIPTION:

Wade Jackson, Sutin Thayer & Browne, agent for McKown Belanger Associates, requests the above action for all or a portion of Lot 7, Block 12, Huning's Highland Addition, zoned SU-2/MR to SU2/SU-1 for O-1 uses, located at 205 Edith Blvd. NE, between Copper Ave. and Tijeras Ave. NE, containing approximately 0.2 acres. (K-14)  
Staff Planner: Catalina Lehner

PO Box 1293

On July 12, 2018 the Environmental Planning Commission (EPC) voted to DEFER Project 2018-001200/RZ-2018-00005, a Sector Development Plan Map Amendment (zone change) and SI-2018-00012, a Site Development Plan for Building Permit, for 30 days based on the following Findings:

1. The request is for a sector development plan map amendment (zone change) to the Huning Highland Sector Development Plan (HHS DP) and an as-built site development plan for building permit.
2. The applicants are requesting a 30 day deferral to the August 9, 2018 hearing in order to revise the zone change justification letter and the associated, as-built site development plan for building permit.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **JULY 27, 2017**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-4-4 of the Zoning Code. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's recommendation.

OFFICIAL NOTICE OF DECISION

Project #2018-001200

July 12, 2018

Page 2 of 2

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of the City Zoning Code must be complied with, even after approval of the referenced application(s).

ZONE MAP AMENDMENTS: Pursuant to Zoning Code Section 14-16-4-1(C)(16), a change to the zone map does not become official until the Certification of Zoning (CZ) is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

SITE DEVELOPMENT PLANS: Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped areas shall terminate automatically seven years after adoption or major amendment of the plan: within six months prior to the seven-year deadline, the property owners shall request in writing through the Planning Director that the Planning Commission extend the plan's life an additional five years. Additional design details will be required as a project proceeds through the Development Review Board and through the plan check of Building Permit submittals for construction. Planning staff may consider minor, reasonable changes that are consistent with an approved Site Development Plan so long as they can be shown to be in conformance with the original, approved intent.

Sincerely,

  
for David S. Campbell  
Planning Director

DSC/CL

cc: McKown Belanger Associates, 205 Edith Blvd. NE, ABQ, NM 87102  
Wade Jackson, 6100 Uptown Blvd. NE, Suite 400, ABQ, NM 87110  
Broadway Central Corridors Partn. Inc., Jim Maddox, 515 Central Ave. NE, ABQ, NM 87102  
Broadway Central Corridors Partn. Inc., Rob Dickson, P.O. Box 302, ABQ, NM 87103  
Huning Highland Historic Dist. Assoc., Ann Carson, 416 Walter SE, ABQ, NM 87102  
Huning Highland Historic Dist., Assoc., Bonnie Anderson, 321 High St. SE, ABQ, NM 87102  
Lauren Walker Austin, 121 Edith NE, ABQ, NM 87102  
Bruce Redford, 202 Edith NE, ABQ, NM 87102  
Kevin Morrow [kmorrow@cabq.gov](mailto:kmorrow@cabq.gov)  
Kathy Berglund [kberglund@cabq.gov](mailto:kberglund@cabq.gov)

APPLICATION INFORMATION



**Supplemental Form (SF)**

**SUBDIVISION**  
 Major subdivision action  
 Minor subdivision action  
 Vacation  
 Variance (Non-Zoning)

**SITE DEVELOPMENT PLAN**  
 for Subdivision  
 for Building Permit  
 Administrative Amendment (AA)  
 Administrative Approval (DRT, URT, etc.)  
 IP Master Development Plan  
 Cert. of Appropriateness (LUCC)

**STORM DRAINAGE (Form D)**  
 Storm Drainage Cost Allocation Plan

**ZONING & PLANNING**  
 Annexation  
 Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)  
 Adoption of Rank 2 or 3 Plan or similar  
 Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations

**D** Street Name Change (Local & Collector)

**L A APPEAL / PROTEST of...**  
 Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other

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 2<sup>nd</sup> Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

PDF copy of the completed application along with all the plans and documents being submitted must be emailed to (PLNDRS@cabq.gov) prior to processing this application. **(Zipped files and files over 9 Megabytes will not get delivered via email, Therefore, PDF files must be provided on a CD)**

**APPLICATION INFORMATION:**

Professional/Agent (if any): Wade Jackson PHONE: 505-883-3431  
 ADDRESS: 6100 Uptown Blvd NE Ste 408 FAX: \_\_\_\_\_  
 CITY: ABQ STATE NM ZIP 87110 E-MAIL: wlj@infotim.com  
 APPLICANT: McKinnis Belanger Associates PHONE: 505-243-2400  
 ADDRESS: 205 Edith NE FAX: \_\_\_\_\_  
 CITY: ABQ STATE NM ZIP 87102 E-MAIL: csherwood@mbcabq.com  
 Proprietary interest in site: Fee List all owners: Camille + Steve Sherwood

DESCRIPTION OF REQUEST: Zone Map Amendment

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

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

Lot or Tract No. 7 Block: 12 Unit: \_\_\_\_\_  
 Subdiv/Addn/TBKA: Huning's Highland Addition  
 Existing Zoning: SU-2 MR Proposed zoning: SU-2/SU-1 for O-1 Uses MRGCD Map No \_\_\_\_\_  
 Zone Atlas page(s): K-14 UPC Code: 1 014 057 447 435 12404

**CASE HISTORY:**

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

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill? N  
 No. of existing lots: 1 No. of proposed lots: 1 Total site area (acres): .2  
 LOCATION OF PROPERTY BY STREETS: On or Near: Edith  
 Between: Copper and Tijeras  
 Check if project was previously reviewed by: Sketch Plat/Plan  or Pre-application Review Team(PRT)  Review Date: \_\_\_\_\_

SIGNATURE Wade Jackson DATE 5/14/18  
 (Print Name) WADE L. JACKSON Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input type="checkbox"/> All checklists are complete	<u>RZ-2018-00005</u>	<u>ASDM</u>	_____	\$ <u>240.00</u>
<input type="checkbox"/> All fees have been collected	<u>SF-2018-00012</u>	<u>SBP</u>	_____	\$ <u>385.00</u>
<input type="checkbox"/> All case #s are assigned	_____	<u>CME</u>	_____	\$ <u>50.00</u>
<input type="checkbox"/> AGIS copy has been sent	_____	<u>ADV</u>	_____	\$ <u>75.00</u>
<input type="checkbox"/> Case history #s are listed	_____	_____	_____	\$ _____
<input type="checkbox"/> Site is within 1000ft of a landfill	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. density bonus	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. fee rebate	_____	_____	_____	\$ _____
	Hearing date <u>July 12, 2018</u>			Total <u>\$750.00</u>
	<u>5-16-18</u>			<u>PR 2018-001200</u>
	Staff signature & Date <u>[Signature]</u>	Project # <u>101313</u>		<u>PR-2018-001200</u>

FORM Z: ZONE CODE TEXT & MAP AMENDMENTS, PLAN APPROVALS & AMENDMENTS

ANNEXATION (EPC08)

- Application for zone map amendment including those submittal requirements (see below).
  - Annexation and establishment of zoning must be applied for simultaneously.
  - Petition for Annexation Form and necessary attachments
  - Zone Atlas map with the entire property(ies) clearly outlined and indicated
    - NOTE: The Zone Atlas must show that the site is in County jurisdiction, but is contiguous to City limits.
  - Letter describing, explaining, and justifying the request
    - NOTE: Justifications must adhere to the policies contained in "Resolution 54-1990"
  - Letter of authorization from the property owner if application is submitted by an agent
  - Board of County Commissioners (BCC) Notice of Decision
  - Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts
  - Sign Posting Agreement form
  - Traffic Impact Study (TIS) form
  - List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline. Your attendance is required.

- SDP PHASE I – DRB CONCEPTUAL PLAN REVIEW (DRBPH1) (Unadvertised)
- SDP PHASE II - EPC FINAL REVIEW & APPROVAL (EPC14) (Public Hearing)
- SDP PHASE II - DRB FINAL SIGN-OFF (DRBPH2) (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 clearly outlined and indicated
  - Letter describing, explaining, and justifying the request
  - Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts (for EPC public hearing only)
  - Traffic Impact Study (TIS) form (for EPC public hearing only)
  - Fee for EPC final approval only (see schedule)
  - List any original and/or related file numbers on the cover application
- Refer to the schedules for the dates, times and places of DRB and EPC hearings. Your attendance is required.

AMENDMENT TO ZONE MAP - ESTABLISHMENT OF ZONING OR ZONE CHANGE (EPC05)

- Zone Atlas map with the entire property clearly outlined and indicated
  - Letter describing, explaining, and justifying the request pursuant to Resolution 270-1980.
  - Letter of authorization from the property owner if application is submitted by an agent
  - Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts
  - Sign Posting Agreement form
  - Traffic Impact Study (TIS) form
  - Fee (see schedule)
  - List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline. Your attendance is required.

AMENDED TO SECTOR DEVELOPMENT MAP (EPC03)

AMENDMENT SECTOR DEVELOPMENT, AREA, FACILITY, OR COMPREHENSIVE PLAN (EPC04)

- Proposed Amendment referenced to the materials in the Plan being amended (text and/or map)
  - Plan to be amended with materials to be changed noted and marked
  - Zone Atlas map with the entire plan/amendment area clearly outlined
  - Letter of authorization from the property owner if application is submitted by an agent (map change only)
  - Letter describing, explaining, and justifying the request pursuant to Resolution 270-1980 (Sector Plan map change only)
  - Letter briefly describing, explaining, and justifying the request
  - Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts (for sector plans only)
  - Traffic Impact Study (TIS) form
  - Sign Posting Agreement
  - Fee (see schedule)
  - List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline. Your attendance is required.

AMENDMENT TO ZONING CODE OR SUBDIVISION REGULATORY TEXT (EPC07)

- Amendment referenced to the sections of the Zone Code/Subdivision Regulations being amended
  - Sections of the Zone Code/Subdivision Regulations to be amended with text to be changed noted and marked
  - Letter describing, explaining, and justifying the request
  - Fee (see schedule)
  - List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline. 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.

Wade L. Jackson  
Applicant name (print)  
W. L. Jackson  
Applicant signature & Date  
5/14/18



Revised: June 2011

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

Application case numbers  
RZ-2018 - 00005

W. L. Jackson  
Staff signature & Date  
5-16-18  
Project # 1011313

**FORM P(1): SITE DEVELOPMENT PLAN REVIEW – EPC PUBLIC HEARING**

**SITE DEVELOPMENT PLAN FOR SUBDIVISION (EPC16) Maximum Size: 24" x 36"**

**IP MASTER DEVELOPMENT PLAN (EPC11)**

- 5 acres or more and zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval
- Scaled Site Development Plan and related drawings (folded to fit into an 8.5" by 14" pocket) 15 copies.
  - For IP master development plans, include general building and parking locations, and design requirements for buildings, landscaping, lighting, and signage.
- Site Development Plans and related drawings reduced to 8.5" x 11" (1 copy)
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Letter of authorization from the property owner if application is submitted by an agent
- Office of Neighborhood Coordination inquiry response, notification letter, certified mail receipts
- Completed Site Development Plan for Subdivision and/or Building Permit Checklist
- Sign Posting Agreement
- Traffic Impact Study (TIS) form with required signature
- Fee (see schedule)
- List any original and/or related file numbers on the cover application

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

**SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (EPC15) Maximum Size: 24" x 36"**

**SITE DEVELOPMENT PLAN and/or WAIVER OF STANDARDS FOR WIRELESS TELECOM FACILITY (WTF) (EPC17) Maximum Size: 11" x 17"**

- 5 acres or more and zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval
- Scaled Site Development Plan and related drawings (folded to fit into an 8.5" by 14" pocket) 15 copies.
- Site Development Plan for Subdivision, if applicable, previously approved or simultaneously submitted. (Folded to fit into an 8.5" by 14" pocket.) 15 copies
- Site Development Plans and related drawings reduced to 8.5" x 11" (1 copy)
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing, explaining, and justifying the request
- Letter of authorization from the property owner if application is submitted by an agent
- Office of Neighborhood Coordination inquiry response, notification letter, certified mail receipts
- Sign Posting Agreement
- Completed Site Plan for Subdivision and/or Building Permit Checklist
- Traffic Impact Study (TIS) form with required signature
- Fee (see schedule)
- List any original and/or related file numbers on the cover application

NOTE: For waiver requests of a wireless regulation requirement, the following materials are required in addition to those listed above:

- Collocation evidence as described in Zoning Code §14-16-3-17(C)(2)
  - Notarized statement declaring number of antennas accommodated. Refer to §14-16-3-17(D)(1)(d)(ii)
  - Letter of intent regarding shared use. Refer to §14-16-3-17(A)(13)(e)
  - Affidavit explaining factual basis of engineering requirements. Refer to §14-16-3-17(D)(1)(d)(iii)
  - Distance to nearest existing free standing tower and its owner's name if the proposed facility is also a free standing tower §14-16-3-17(D)(1)(d)(v).
  - Registered engineer or architect's stamp on the Site Development Plans. Refer to §14-16-3-17(D)(1)(d)(iv)
  - Office of Neighborhood Coordination inquiry response based on ¼ mile radius, notification letter, certified mail receipts
  - Map showing 100 foot buffer (excluding ROW) around the site, list of property owners, certified mail receipts

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

**AMENDED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (EPC01) Maximum Size: 24" x 36"**

**AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION (EPC02)**

- Proposed amended Site Development Plan (folded to fit into an 8.5" by 14" pocket) 15 copies
- DRB signed Site Development Plan being amended (folded to fit into an 8.5" by 14" pocket) 15 copies
- DRB signed Site Development Plan for Subdivision, if applicable (required when amending SDP for Building Permit) 15 copies
- Site plans and related drawings reduced to 8.5" x 11" (1 copy)
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Letter of authorization from the property owner if application is submitted by an agent
- Office of Neighborhood Coordination inquiry response, notification letter, certified mail receipts
- Sign Posting Agreement
- Completed Site Development Plan for Building Permit Checklist (not required for SPS amendment)
- Traffic Impact Study (TIS) form with required signature
- Fee (see schedule)
- List any original and/or related file numbers on the cover application

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

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

\_\_\_\_\_ Applicant name (print)

\_\_\_\_\_ Applicant signature / date



Form revised August 2017

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

Application case numbers  
SI - 2018 - 00012

\_\_\_\_\_ 5-16-18  
Planner signature / date  
Project #: 1011313

Authorized Electronic Submittal, via email

May 2, 2018

Wade L. Jackson  
Sutin Thayer & Browne  
Post Office Box 1945  
Albuquerque, NM 87103-1945  
Phone: 505.883.3431 Email: [WJ@sutinfirm.com](mailto:WJ@sutinfirm.com)

Re: 205 Edith Boulevard, NE

Dear Mr. Jackson,

Sutin, Thayer & Browne, A Professional Corporation, represents McKown Belanger Associates and is authorized to submit an application for a zone map amendment on its behalf.

Thank you for your assistance with this matter. Please contact me if you have any questions.

Sincerely,

*C. Sherwood*

Camille Sherwood  
for **MBA** – McKown Belanger Associates



**MCKOWN  
BELANGER  
ASSOCIATES**

Interior Design  
Facility Management

*Design for  
the Space  
inside  
your Space!*

205 Edith Blvd. NE  
Albuquerque, NM  
87102

505-243-2400  
FAX 505-243-2129

[www.MBAabq.com](http://www.MBAabq.com)

# CITY OF ALBUQUERQUE

## TRAFFIC IMPACT STUDY (TIS) FORM

APPLICANT: McKown, Belanger Assoc. DATE OF REQUEST: 5/8/18 ZONE ATLAS PAGE(S): K-14-2

**CURRENT:**

ZONING SU-2 MR  
PARCEL SIZE (AC/SQ. FT.) .2 acres

**LEGAL DESCRIPTION:**

LOT OR TRACT # 7 BLOCK # 12  
SUBDIVISION NAME Hunting Highland Addl

**REQUESTED CITY ACTION(S):**

ANNEXATION [ ]

ZONE CHANGE [X]: From SU-2 MR To SU2/SU-1

SECTOR, AREA, FAC, COMP PLAN [ ]

AMENDMENT (Map/Text) [ ]

**SITE DEVELOPMENT PLAN:**

SUBDIVISION\* [ ] AMENDMENT [ ]

BUILDING PERMIT [ ] ACCESS PERMIT [ ]

BUILDING PURPOSES [ ] OTHER [ ]

\*includes platting actions

**PROPOSED DEVELOPMENT:**

NO CONSTRUCTION/DEVELOPMENT [X]

NEW CONSTRUCTION [ ]

EXPANSION OF EXISTING DEVELOPMENT [ ]

**GENERAL DESCRIPTION OF ACTION:**

# OF UNITS: 1

BUILDING SIZE: ~1400 (sq. ft.)

**Note:** changes made to development proposals / assumptions, from the information provided above, will result in a new TIS determination.

APPLICANT OR REPRESENTATIVE Walt Splan

DATE 5/8/18

(To be signed upon completion of processing by the Traffic Engineer)

Planning Department, Development & Building Services Division, Transportation Development Section -  
2<sup>ND</sup> Floor West, 600 2<sup>nd</sup> St. NW, Plaza del Sol Building, City, 87102, phone 924-3994

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

THRESHOLDS MET? YES [ ] NO [X] MITIGATING REASONS FOR NOT REQUIRING TIS: PREVIOUSLY STUDIED: [ ]

Notes:

If a TIS is required: a scoping meeting (as outlined in the development process manual) must be held to define the level of analysis needed and the parameters of the study. **Any subsequent changes to the development proposal identified above may require an update or new TIS.**

[Signature]  
TRAFFIC ENGINEER

5/9/18  
DATE

Required TIS **must be completed prior to applying to the EPC and/or the DRB.** 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 \_\_\_\_\_

**SUTIN THAYER & BROWNE**  
A PROFESSIONAL CORPORATION  
LAWYERS

IRWIN S. MOISE (1906-1984)  
LEWIS R. SUTIN (1908-1992)  
FRANKLIN JONES (1919-1994)  
RAYMOND W. SCHOWERS (1948-1995)  
GRAHAM BROWNE (1935-2003)  
NORMAN S. THAYER (1933-2018)

ROBERT G. HEYMAN (Of Counsel)  
DEREK V. LARSON (Of Counsel)

ANDREW J. BARANOWSKI  
ANNE P. BROWNE  
SUZANNE WOOD BRUCKNER

MARIA MONTOYA CHAVEZ  
KATHARINE C. DOWNEY  
EDUARDO A. DUFFY  
TINA MUSCARELLA GOOCH  
SUSAN M. HAPKA  
BRANA L. HARDWAY  
CHRISTOPHER A. HOLLAND  
WADE L. JACKSON  
ROBERT J. JOHNSTON  
JACQUELINE K. KAFKA  
CHRISTINA M. LOONEY  
STEVAN DOUGLAS LOONEY  
KEITH C. MIER

LYNN E. MOSTOLLER  
CHARLES J. PIECHOTA  
JAY D. ROSENBLUM  
FRANK C. SALAZAR  
JUSTIN R. SAWYER  
ANDREW J. SIMONS  
MARIPOSA PADILLA SIVAGE  
BENJAMIN E. THOMAS  
L. CURTIS VERNON

6100 UPTOWN BLVD NE, SUITE 400  
ALBUQUERQUE, NEW MEXICO 87110  
POST OFFICE BOX 1945  
ALBUQUERQUE, NEW MEXICO 87103  
505-883-2500  
FAX 505-888-6585

150 WASHINGTON AVE, SUITE 210  
SANTA FE, NEW MEXICO 87501  
POST OFFICE BOX 2187  
SANTA FE, NEW MEXICO 87504  
505-988-5521  
FAX 505-982-5297

WWW.SUTINFIRM.COM

July 27, 2018

**HAND DELIVERED**

Environmental Planning Commission  
City of Albuquerque  
600 2nd St. NW  
Albuquerque, NM 87102

Amendment to Zone Map for  
205 Edith Blvd. NE

Dear Commission Member:

The enclosed application seeks an amendment to the zone map on behalf of McKown, Belanger Associates ("MBA"), an Albuquerque interior design firm. This letter will address the issues identified in Resolution 270-1980 and the policies identified in the City of Albuquerque Comprehensive Plan ("Comp Plan").

Background

MBA purchased the house at 205 Edith Blvd. NE in November, 2017, after it had been renovated, and relocated its business to that location in late December. It was not until the weekend of April 14-15, 2018, when it received a Notice of Violation, that MBA learned that the house it had purchased was zoned for residential use only. The enclosed application seeks an amendment of the zone map from SU-2/MR to SU-2/SU-1 for O-1 permissive uses. *The application seeks to change the zone map to match existing uses, not to allow new or different uses.*

MBA is a commercial interior design firm with a staff of three that sells design services only. Its clients are primarily located outside of New Mexico, so its office has very little foot or vehicle traffic. Staff currently utilizes the house's driveway and off-street parking behind the house that is shielded from view behind a privacy fence. MBA chose to relocate to this location due to the historic nature and relative quiet of the neighborhood, as well as its mixed use environment, with restaurants and other business within walking distance of the site. Because of the firm's interest in the historical quality of the house and surrounding neighborhood, and the understanding of the need for maintaining the streetscape, MBA recently completed landscape renovations at the property. MBA's plans for landscaping and improving the property are residential in feel and were submitted to the City for approval.

July 27, 2018  
Page 2

To follow is the Resolution 270-1980 analysis to show how the requested zone map amendment will further the goals set forth in the Comp Plan and are consistent with the growth and development patterns desired by the City.

Section 1(A)

“A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the City.”

The change requested herein is consistent with the health, safety, morals, and general welfare of the City because the request will further the outlined goals and policies of the Comp Plan as demonstrated in Sections C and D of this request. The allowed uses under SU-1 for permissive O-1 uses will not be harmful to adjacent property, the neighborhood, or the community as demonstrated in Section E. MBA’s employees will be at work when residents of homes in the neighborhood are away at work, thereby creating a presence and deterring crime and loitering. Because its clientele is mostly outside of Albuquerque, MBA’s presence in the residential neighborhood will not increase traffic more than a residence would, and the building has no exterior signage to detract from the neighborhood feel. MBA’s office will not use utilities or generate waste in excess of the average household. The office will not require any changes to the existing infrastructure. The office uses MBA requests are already present in the vicinity, which support neighborhood scale and employment opportunities at this appropriate location. As will be discussed in detail below, MBA’s requested change will clearly facilitate the applicable provisions of the Comp Plan.

Section 1(B)

“Stability of land use and zoning is desirable; therefore, the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the City to show why the change should not be made.”

Ironically, the change to the zone map will actually support stability of land use and zoning rather than defeat it. As stated above, it is critically important to understand that MBA only seeks a change to the zone map to match its existing use (and that of a number of neighbors), not to allow new or different uses. The Planning Department itself, in its comments on MBA’s application, acknowledges that the property exists on an island of R-1 uses surrounded by multi-family and neighborhood commercial uses, and questions whether maintaining that island of residential zoning remains desirable.

Of course, the O-1 zone has a list of permissive uses, which will also ensure stability and limit negative impacts on surrounding residential properties. Furthermore, the property will be controlled by the accompanying site plan, so the Commission will have the opportunity to approve particular uses among that list of permissive uses, rather than the entire list. Declining to amend the zone map to allow existing uses to continue will require existing businesses and

July 27, 2018  
Page 3

multi-tenant rentals to relocate and houses that have been converted to those uses to be reconstructed into residences, including the removal of a parking lot at a neighboring office.

Section 1(C)

Because MBA's application seeks a "spot zone," as is discussed in detail below with regard to Section 1(I), the requirement of Section 1(C) that "[a] proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other City master plans" is superseded by the requirement of Section 1(I) that "the [zone] change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan. . . ."

MBA's requested change will clearly facilitate the applicable provisions of the Comp Plan. For many of the reasons discussed above, MBA's office would not fit in a traditional commercial area and MBA would likely have relocated to an outlying area rather than choosing the kind of mixed-use infill that the Comprehensive Plan advocates. *See* Comp Plan Section 5.1.1. Indeed, the Comp Plan encourages "mixed-use areas—those with compatible residential and non-residential uses within walking distance of each other. . . ." *Id.* One of its primary strategies for doing so to direct growth to Centers and Corridors. The vast majority of the neighborhood in which MBA's property is located is, as anyone who has visited recently can attest, an Area of Change. The transition from residential properties to offices and other small commercial operations began to occur organically. It is only natural for the zoning to follow suit. Section 5.1.2 of the Comp Plan provides that the City should remove barriers to high-quality infill, rather than create them through selective application of the zone map. In this way, approving the amendment to the zone map will help satisfy the following policies from Chapter 5 (Land Use) of the Comp Plan.

Policy 5.1.8: Premium Transit Corridors: Foster corridors that prioritize high-capacity, high-frequency transit service, with mixed-use, transit-oriented development within walking distance of transit stations.

MBA's property is within a Premium Transit Corridor, within which the City prioritizes mixed-used development. This Policy supports MBA's application.

Policy 5.1.10: Major Transit Corridors: Foster corridors that prioritize high-frequency transit service with pedestrian-oriented development.

Perhaps inadvertently, MBA's requested amendment will minimize negative impacts on the neighborhood by providing a transition between development along the Central Avenue Transit Corridor and abutting single-family residential uses. As will be discussed in more detail below, several blocks along Central Ave. seem to attempt to provide this buffer with zoning that allows commercial uses, but with no discernable pattern other than perhaps the existing uses of the buildings.

July 27, 2018

Page 4

Goal 5.2 Complete Communities: Foster communities where residents can live, work, learn, shop, and play together.

Policy 5.2.1, Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

MBA's request will foster a community where residents can live, work, and shop. According to the goals of its own Comp Plan, the City should support the continuing transition of residential properties to house offices.

Policy 5.3.1: Infill Development: Support additional growth in areas with existing infrastructure and public facilities.

To reiterate, MBA's application will allow infill development and avoid sprawl by allowing an existing business to relocate to an area with existing infrastructure and public facilities.

Policy 5.3.2: Leapfrog Development: Discourage growth in areas without existing infrastructure and public facilities.

By the same token, allowing MBA's to relocate to the Downtown area will keep it from finding a new location, likely at or near the urban edge for a number of reasons.

Policy 5.4.1: Housing near Jobs: Allow higher-density housing and discourage single-family housing near areas with concentrated employment.

Although MBA's application only seeks to amend the zone map to match existing uses, it will have the effect of discouraging single-family housing near areas with concentrated employment.

MBA's application will not be contrary to any of Comp Plan's policies. The Planning Department's comments on MBA's application indicate that Policy 5.6.3 indicates that the character of the existing single-family neighborhood should be protected and enhanced because MBA's property is located within an Area of Consistency. But this Policy simply cannot apply in the way the Planning Department suggests. As the map on the first page of the Agency Comments shows, five-eighths of the block on which MBA's property sits is an Area of Change. *This includes the houses next door and directly behind MBA's.* Three of eight houses on the block does not constitute a "single-family neighborhood," particularly where some of the other five buildings already house the sorts of O-1 uses MBA seeks. The character of three single-family homes cannot be protected and enhanced under Policy 5.6.3 where higher-density housing and mixed-use development are encouraged at the house next door under Policy 5.6.2. Where the Comp Plan defines the "areas" of consistency and change as a single home, those designations are meaningless because the policies attached to each of them compete with the other.

July 27, 2018

Page 5

Granting MBA's application will help deter sprawl. It will encourage development where adequate infrastructure and community services exist and in an area with a highly connected street grid and frequent transit service. MBA's use will be very low-impact, however, thereby minimizing the negative impacts of development on existing residential uses with respect to noise, stormwater runoff, contaminants, lighting, air quality, and traffic. Granting the application would clearly facilitate the goals and policies of the Comp Plan.

The Huning Highland Sector Development Plan calls for SU-2 zoning where other available zones do not promote conservation of special neighborhood characteristics or where the land should develop with a mixture of uses which need careful control and coordination. Goal 4.1 of the Comp Plan is similar to the first of these goals, and clearly supports MBA's application. Pursuant to Goal 4.1, the City is to "encourage quality development that is consistent with the distinct character of communities." MBA's requested change will have no impact on the special neighborhood characteristics. Its site plan-controlled use will not include exterior signage or customer parking. This application constitutes the careful control and coordination of mixed uses required by the Sector Development Plan. Approval of the application, considering the absence of opposition from neighbors, satisfies the goals and objectives of the plan.

Similarly, Goal 4.2 supports MBA's application. It calls for the City to "engage communities to identify and plan for their distinct character needs." Not a single member of the community has opposed MBA's application, and several have stopped by the location to discuss it and express support. Denying the application on the grounds that the Planning Department feels the character of the existing single-family neighborhood should be protected and enhanced, for example, would be directly contrary to Goal 4.2.

Section 1(D)

"The applicant must demonstrate that the existing zoning is inappropriate because:

- (1) there was an error when the existing zone map pattern was created, or
- (2) changed neighborhood or community conditions justify the change, or
- (3) a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan, even though (1) and (2) above do not apply."

The existing zoning is inappropriate because neighborhood or community conditions have changed sufficiently to justify the zone map amendment and a change to the zone map is necessary to reflect current uses. One house on the same block as MBA is being used as a home office and two others comprise multiple rental units. A house in the block directly north of MBA is being used as offices (a law office, no less). The house directly across the street to the east is being used to film a television series, and is a tourist attraction that invites vehicle and pedestrian traffic far in excess of any of the aforementioned businesses. The changed neighborhood and

July 27, 2018

Page 6

community conditions therefore justify the change to the zone map. The SU-1 zone for permissive O-1 uses would also be more advantageous to the community for the simple reason that leaving the existing zone map in place will require the City to either shut down a number of existing businesses or litigate the propriety of the map and its selective enforcement thereof.

The entire Huning Highland sector is currently zoned SU. If other homes in the area have a variance or other exception allowing them to serve solely as commercial endeavors and not residences or home businesses, MBA should have the opportunity to obtain the same variance. If they do not, the City should consider re-zoning the entire block. At least half of the houses on the block, which will be continue to be zoned as single-family residential under the IDO, comprise businesses or multiple rental units. The City will therefore have to shut down or relocate those businesses.

There are a number of mixed-use areas in the sector that would allow MBA to continue operating its business at its current location. Indeed, it appears that in many instances the zoning was chosen based on the use of the buildings, and not the other way around. For example, the mixed-use area at 501 Central NE encompasses three buildings to the north of Central, but only two buildings in the next block to the east, four buildings in the next block, then three buildings again in the next block. If these existing businesses are being "grandfathered" into an area that would otherwise be zoned residential, the same should be done for MBA's location and its neighbors that are operating businesses in homes.

#### Section 1(E)

"A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood or the community."

For the reasons discussed above, none of the permissive uses in the SU-1 zone for permissive O-1 uses would be harmful to the adjacent property, the neighborhood, or community. They would, in fact, further the City's own policies and benefit the neighborhood. Dwelling units and offices are present throughout the neighborhood. Incidental uses with such a building and a residential program would be perfectly consistent with the existing uses. A beauty or barber shop, a club (without a liquor license), a medical supply facility, a photocopy or photography studio, or a radio or television studio or antenna would not differ materially from the residential and commercial uses currently located within the neighborhood and could offer residents services for which they are not required to travel. Most of the permissive uses are simply not economically feasible for this location, such as a church, an institution, park-and-ride facilities, a parking lot, a public utility structure, an on-premise sign, a storage structure or equipment yard, and a wireless telecommunications facility.

Furthermore, the property will be controlled by the site plan accompanying the application, so the Commission will have the opportunity to approve particular uses among that list of permissive uses, rather than the entire list. Declining to amend the zone map to allow existing uses to continue will require existing businesses and multi-tenant rentals to relocate and houses

July 27, 2018  
Page 7

that have been converted to those uses to be reconstructed into residences, including the removal of a parking lot at a neighboring office.

Section 1(F)

“A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the City may be:

- (1) denied due to lack of capital funds, or
- (2) granted with the implicit understanding that the City is not bound to provide the capital improvements on any special schedule.”

The zone change will not require capital expenditures by the City. At the risk of redundancy, MBA seeks the zone map amendment to reflect current uses, not to allow new or different ones. Any capital expenditures required by the current land use have been made.

Section 1(G)

“The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.”

MBA does not assert that the cost of land or other economic considerations should determine the outcome of its application.

Section 1(H)

“Location on a collector or major street is not in itself sufficient justification of apartment, office or commercial zoning.”

MBA’s property is not located on a collector or major street and MBA does not assert that its location is itself justification for its application.

Section 1(I)

“A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a “spot zone.” Such a change of zone may be approved only when:

- (1) the change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan, or
- (2) the area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic,

July 27, 2018  
Page 8

or special adverse land uses nearby; or because the nature of structures already on the premises make the site unsuitable for the uses allowed in any adjacent zone.”

The application may appear to be a disfavored spot zone. In fact, the entire three-block area already appears to be both spot-zoned and zoned incorrectly. 301 Edith Blvd. NE is zoned SU-2 RO, but houses a law firm. 123 Edith Blvd. NE is zoned M-R, the only property on the block that is so zoned. The building to the south at 423 Central Ave. NE is zoned SU-2 RO, while the building at the northeast corner of Central and Arno is zoned SU-2 SU-1 PUD. Half of the block at the northeast corner of Central and Edith is zoned SU-2 MR while the other half is SU-2 CRZ. The block to the east includes the same combination of zoning, but with different numbers of buildings in each zone. That pattern is repeated along each side of Central. In this neighborhood, spot zoning is the rule, not the exception.

Nevertheless, as discussed in detail above, MBA’s requested change will clearly facilitate realization of a number of the Comp Plan’s policies.

Section 1(J)

“A zone change request which would give a zone different from surrounding zoning to a strip of land along a street is generally called “strip zoning.” Strip commercial zoning will only be approved where: (1) the change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area plan, and (2) the area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.”

MBA’s property is not a strip of land along a street, and its application does not request a strip zone.

Finally, the equity of the situation demands that MBA’s application be granted. The City has not enforced the existing zone map that prohibits several neighboring properties from operating businesses and multi-tenant rentals. Enforcing the zone map will force MBA to relocate its office, renovate the building back into a residence, and then sell the house, all while ignoring the zoning and building code violations engaged in by MBA’s neighbors.

SUTIN THAYER & BROWNE  
A PROFESSIONAL CORPORATION  
LAWYERS

July 26, 2018  
Page 9

Very truly yours,

SUTIN, THAYER & BROWNE  
A Professional Corporation

By   
Wade L. Jackson  
Albuquerque Office

WLJ:cxa  
4622910\_2

## Lehner, Catalina L.

---

**From:** Wade L. Jackson <WLJ@SUTINFIRM.COM>  
**Sent:** Thursday, July 26, 2018 10:40 AM  
**To:** Lehner, Catalina L.  
**Cc:** Camille Sherwood; Janis Miller; Stephen Brittenham; Chana Adams  
**Subject:** 205 Edith NE

Catalina,

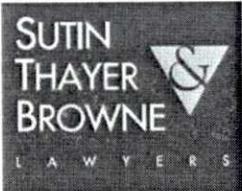
Thank you for your time this morning. I would like to clarify that MBA is seeking a change from SU-2/MR to SU-2/SU-1 for O-1 permissive uses only.

Can you please let us know how many copies of the site plan you will need? Thank you.

### Wade L. Jackson

Post Office Box 1945  
Albuquerque, NM 87103-1945  
Telephone 505.883.3431  
Fax 505.855.9514  
[WLJ@sutinfirm.com](mailto:WLJ@sutinfirm.com)

<https://ddei3-0-ctp.trendmicro.com:443/wis/clicktime/v1/query?url=www.sutinfirm.com&umid=ED3094C8-71E9-A305-ADB4-59794848DD10&auth=f0ebcd052f61e7a39dc93191e8a01d02608499af-839e57c87165e0e2050c32e29db1652109571d88>  
[Biography](#)



This electronic message transmission contains information from the law firm of Sutin, Thayer & Browne A Professional Corporation and is confidential or privileged. The information is intended to be for the use of the individual or entity named above. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you have received this electronic transmission in error, please notify us by telephone (505-883-2500) immediately.

=====  
This message has been analyzed by Deep Discovery Email Inspector.

# Albuquerque Planning Department

## PERMITS AND BUILDING SERVICES



COMMISSION

Category Code **930**  
**2018 050 036**

Date: 7/26/2018  
Office: ANNEX Cashier: TRSRMS  
Batch: 9451 Tran #: 34

0005 & SI-2018-00012, EPC Deferral Fee

LUCC

3:24 PM Station ID  
Office ANNEX  
Receipt #: 00510123  
Permit: 2018050036  
Trans Amt: \$110.00

Agent / Contact  
LAWRENCE ARMIJO

1BA

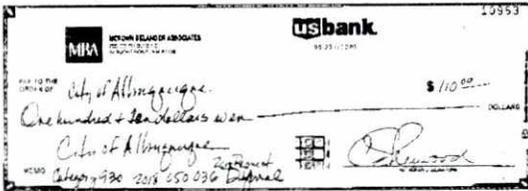
659-5476  
LAWRENCEARMJO4@GMAIL.COM

0906 LUCC Actions \$110.00

Payment Total: \$110.00

Transaction Total: \$110.00  
Check Tendered: \$110.00

Checks presented:



\$110.00  
TOTAL: \$110.00

Thank you for your payment.  
Have a nice day!

City of Albuquerque Treasury  
Date: 7/26/2018 Office: ANNEX  
Stat ID: Cashier: TRSRMS  
Batch: 9451 Tran #: 34  
Permit: 2018050036  
Receipt Num: 00510123  
Payment Total: \$110.00  
0906 LUCC Actions  
Check Tendered: \$110.00

NOTIFICATION &  
NEIGHBORHOOD INFORMATION

**SUTIN THAYER & BROWNE**  
A PROFESSIONAL CORPORATION  
LAWYERS

IRWIN S. MOISE (1906-1984)  
LEWIS R. SUTIN (1908-1992)  
FRANKLIN JONES (1919-1994)  
RAYMOND W. SCHOWERS (1948-1995)  
GRAHAM BROWNE (1935-2003)  
NORMAN S. THAYER (1933-2018)

ROBERT G. HEYMAN (Of Counsel)  
DEREK V. LARSON (Of Counsel)

ANDREW J. BARANOWSKI  
ANNE P. BROWNE  
SUZANNE WOOD BRUCKNER

MARIA MONTOYA CHAVEZ  
KATHARINE C. DOWNEY  
EDUARDO A. DUFFY  
TINA MUSCARELLA GOOCH  
SUSAN M. HAPKA  
BRANA L. HARDWAY  
CHRISTOPHER A. HOLLAND  
WADE L. JACKSON  
ROBERT J. JOHNSTON  
JACQUELINE K. KAFKA  
CHRISTINA M. LOONEY  
STEVAN DOUGLAS LOONEY  
KEITH C. MIER

LYNN E. MOSTOLLER  
CHARLES J. PIECHOTA  
JAY D. ROSENBLUM  
FRANK C. SALAZAR  
JUSTIN R. SAWYER  
ANDREW J. SIMONS  
MARIPOSA PADILLA SIVAGE  
BENJAMIN E. THOMAS  
L. CURTIS VERNON

6100 UPTOWN BLVD NE, SUITE 400  
ALBUQUERQUE, NEW MEXICO 87110  
POST OFFICE BOX 1945  
ALBUQUERQUE, NEW MEXICO 87103  
505-883-2500  
FAX 505-888-6585

150 WASHINGTON AVE, SUITE 210  
SANTA FE, NEW MEXICO 87501  
POST OFFICE BOX 2187  
SANTA FE, NEW MEXICO 87504  
505-988-5521  
FAX 505-982-5297

WWW.SUTINFIRM.COM

May 10, 2018

**VIA CERTIFIED MAIL**

Bonnie Anderson  
Huning Highland Historic District Association  
321 High St. SE  
Albuquerque, NM 87102

Amendment to Zone Map for  
205 Edith Blvd. NE

Dear Ms. Anderson:

This firm represents McKown, Belanger Associates (“MBA”), an Albuquerque commercial interior design firm with a staff of three. MBA purchased the house at 205 Edith Blvd. NE in November, 2017, and relocated its business to that location in late December. MBA’s clients are primarily located out of state, so its office has very little foot or vehicle traffic and no exterior signage.

It was not until the weekend of April 14-15, 2018, when it received a Notice of Violation, that MBA learned that the house it had purchased was zoned for residential use only. MBA is therefore applying to the City of Albuquerque for an amendment to the zone map from the existing zoning of SU-2 to SU-1. *The application seeks to change the zone map to match existing uses, not to allow new or different uses.*

Staff currently utilizes the driveway and curbside parking in front of the house, but MBA is installing new landscaping that will allow for all parking to be off-street behind the house and behind a privacy fence that will block the parking from view from the street. MBA chose to relocate to this location due to the historic nature and relative quiet of the neighborhood. Because of the firm’s interest in the historical quality of the house and surrounding area, and the understanding of the need for maintaining the streetscape, plans for landscaping and improving the property are residential in feel and have been submitted to the City for approval.

The requested change is consistent with the health, safety, morals, and general welfare of the City, and in fact benefit them. MBA’s employees will be at work when residents of homes in the neighborhood are away at work, thereby creating a presence and deterring crime and loitering. Because its clientele is mostly outside of Albuquerque, MBA’s presence in the area will not

SUTIN THAYER & BROWNE  
A PROFESSIONAL CORPORATION  
LAWYERS

Bonnie Anderson  
May 10, 2018  
Page 2

increase traffic, and the building has no exterior signage to detract from the neighborhood feel. MBA's office will not use utilities or generate waste in excess of the average household. The office will not require any changes to the existing infrastructure.

As is detailed in MBA's application, the requested change does not conflict with the City's Comprehensive Plan or the current uses of adjacent properties. The zone change will not require capital expenditures by the City. Because MBA seeks the zone map amendment to reflect current uses, any capital expenditures required by the current land use have been made.

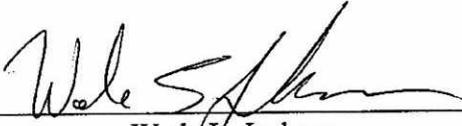
I welcome your input, as the consent of the owners of neighboring properties is important to the City's approval of MBA's application. The City of Albuquerque Environmental Planning Commission will hold a hearing on MBA's application on July 12, 2018 at 8:30 a.m. in the Plaza del Sol hearing room at 600 2<sup>nd</sup> St. NW. The legal description of the property is

Lot 7, Block 12, Huning's Highland Addition to the City of Albuquerque, New Mexico, as the same is shown and designated on the map of said addition filed in the Office of the Probate Clerk and Ex-Officio Recorder of Bernalillo County, New Mexico, on May 12<sup>th</sup>, 1887.

Affected Neighborhood Associations and Homeowner Associations may request a Facilitated Meeting regarding this project by contacting the Alternative Dispute Resolution (ADR) Program by email at [striplett@cabq.gov](mailto:striplett@cabq.gov) or by phone at (505) 768-4712 or (505) 768-4660.

Very truly yours,

SUTIN, THAYER & BROWNE  
A Professional Corporation

By   
Wade L. Jackson  
Albuquerque Office

WLJ:cxa  
4629779

## Wade L. Jackson

---

**From:** Quevedo, Vicente M. <vquevedo@cabq.gov>  
**Sent:** Tuesday, May 08, 2018 2:04 PM  
**To:** Wade L. Jackson  
**Subject:** Notification Inquiry\_205 Edith\_EPC  
**Attachments:** Page\_K-14-Z.PDF; Notification Inquiry\_205 Edith\_EPC.xlsx; INSTRUCTION SHEET FOR APPLICANTS.pdf

Wade,

Good afternoon. See list of affected associations below and attached related to your upcoming EPC submittal. Please also review the attached instruction sheet.

Association Name	First Name	Last Name	Email	Address
Broadway Central Corridors Partnership Incorporated	Jim	Maddox	jim@maddoxrealtors.com	515 C NE
Broadway Central Corridors Partnership Incorporated	Rob	Dickson	rob@abqhigh.com	PO Bo
Huning Highland Historic District Association	Ann	Carson	a.louisa.carson@gmail.com	416 W
Huning Highland Historic District Association	Bonnie	Anderson	andersonbonnie505@gmail.com	321 H

Respectfully,

**Vicente M. Quevedo, MCRP**  
Neighborhood Liaison  
Office of Neighborhood Coordination  
City of Albuquerque – City Council  
(505) 768-3332

Website: [www.cabq.gov/neighborhoods](http://www.cabq.gov/neighborhoods)



Confidentiality Notice: This e-mail, including all attachments is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited unless specifically provided under the New Mexico Inspection of Public Records Act. If you are not the intended recipient, please contact the sender and destroy all copies of this message.

**From:** webmaster=cabq.gov@mailgun.org [mailto:webmaster=cabq.gov@mailgun.org] **On Behalf Of** webmaster@cabq.gov  
**Sent:** Tuesday, May 08, 2018 9:12 AM  
**To:** Office of Neighborhood Coordination <onc@cabq.gov>  
**Subject:** Notification Inquiry Sheet Submission

Notification Inquiry For:

Environmental Planning Commission Submittal

If you selected "Other" in the question above, please describe what you are seeking a Notification Inquiry for below:

Contact Name

Wade Jackson

Company Name

Sutin, Thayer & Browne

Address

6100 Uptown Blvd. NE Suite 400

City

Albuquerque

State

NM

ZIP

87110

Telephone Number

5058833431

Email Address

[wlj@sutinfirm.com](mailto:wlj@sutinfirm.com)

Anticipated Date of Public Hearing (if applicable):

July

Describe the legal description of the subject site for this project:

Lot 7 in Block 12 of the Huning's Highland Addition.

Located on/between (physical address, street name or other identifying mark):

205 Edith NE

This site is located on the following zone atlas page:

K-14

=====  
This message has been analyzed by Deep Discovery Email Inspector.

## Wade L. Jackson

---

**From:** Delgado, Geraldine C. <gdelgado@cabq.gov>  
**Sent:** Tuesday, May 08, 2018 9:45 AM  
**To:** Wade L. Jackson  
**Subject:** Buffer map  
**Attachments:** 205 Edith NE - 8.5 x 11 Landscape.pdf; 205 Edith NE - Labels.csv; 205 Edith NE - Labels.docx

Good morning Wade,

Here is the buffer map information you requested. If you have any question please feel free to give me a call.

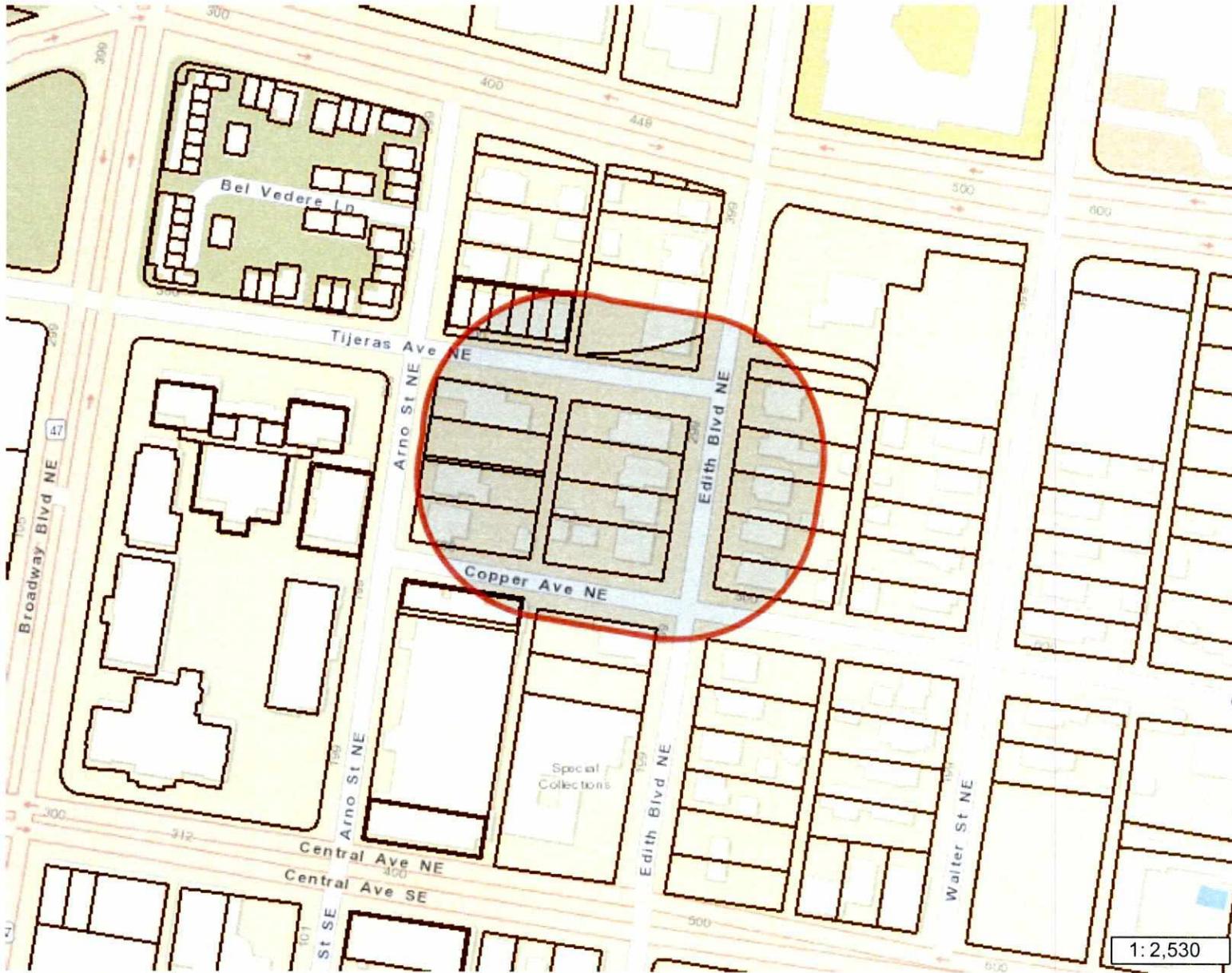
Thank you,

*Geraldine Delgado*

Senior Office Assistant  
Planning Department  
600 2<sup>nd</sup> St NW  
Albuquerque, NM 87102  
505-924-3860  
[gdelgado@cabq.gov](mailto:gdelgado@cabq.gov)



# 205 Edith NE



## Legend

- Bernalillo County Parcels
- Municipal Limits**
  - Corrales
  - Edgewood
  - Los Ranchos
  - Rio Rancho
  - Tijeras
  - UNINCORPORATED
- World Street Map

## Notes

Buffer: 165ft  
 ROW: Edith 65ft.

0.1 0 0.03 0.1 Miles

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
 5/8/2018 © City of Albuquerque

This map is a user generated static output from [www.cabq.gov/gis](http://www.cabq.gov/gis) and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR LEGAL PURPOSES

UPC	Owner	Owner Adc	Owner Adc	SITUS Addi	SITUS Addi	Legal Desc	Property C	Acres
10140574	CHAVEZ C/	400 COPPE	ALBUQUEF	400 COPPE		UNIT 102 C R		0
10140574	WRAY JOH 65	1316 PC	KAMUELA	400 COPPE		UNIT 103 C R		0
10140574	BRIGGS LIZ	1600 MILL	AUBURN C	400 COPPE		UNIT 104 C R		0
10140574	WISE DAVIE	305 SOLAN	ALBUQUEF	400 COPPE		UNIT 105 C R		0
10140574	MURO MIC	6890 JASPI	ALTA LOM.	400 COPPE		UNIT 106 C R		0
10140574	GOLDBERG	1000 N RA	ARLINGTON	400 COPPE		UNIT 201 C R		0
10140574	ROYBAL LC	305 MORN	ALBUQUEF	400 COPPE		UNIT 202 C R		0
10140574	SEVERA W	400 COPPE	ALBUQUEF	400 COPPE		UNIT 203 C R		0
10140574	EAGLE WIL	400 COPPE	ALBUQUEF	400 COPPE		UNIT 301 C R		0
10140574	LUND CAR	400 COPPE	ALBUQUEF	400 COPPE		UNIT 302 C R		0
10140574	PRATER LC	400 COPPE	ALBUQUEF	400 COPPE		UNIT 303 C R		0
10140574	MULLER PI	400 COPPE	ALBUQUEF	400 COPPE		UNIT 101 C R		0
10140574	BLACKMOI	131 HARRC	CARMEL IN	403 TIJERA	ALBUQUEF	UNIT 403 T R		0
10140574	WOODALL PO	BOX 80	ARROYO SI	405 TIJERA	ALBUQUEF	UNIT 405 T R		0
10140574	FRITZSCHE	6715 GUAI	ALBUQUEF	407 TIJERA	ALBUQUEF	UNIT 407 T R		0
10140574	OTHART CI	409 TIJERA	ALBUQUEF	403 TIJERA	ALBUQUEF	UNIT 409 T R		0
10140574	FAITH RIC	411 TIJERA	ALBUQUEF	411 TIJERA	ALBUQUEF	UNIT 411 T R		0
1.01E+17	OTWAY AN	202 EDITH	ALBUQUEF	306 ARNO	ALBUQUEF *11	BLK 3 I R		0.1664
1.01E+17	JAB RE INV	7112 CASA	ALBUQUEF	205 EDITH	ALBUQUEF * 007	012 F R		0.1607
1.01E+17	AUSTIN LA	121 EDITH	ALBUQUEF	121 EDITH	ALBUQUEF * 001	013 F R		0.1639
1.01E+17	J & J HOLD	11601 RAN	ALBUQUEF	401 TIJERA	ALBUQUEF LT 12	BLK 3 R		0.1664
1.01E+17	OKUNOR S	916 LOMA	ALBUQUEF	206 ARNO	ALBUQUEF * 012	012 F R		0.1552
1.01E+17	KOPAN M/	4117 MAC	ALBUQUEF	200 ARNO	ALBUQUEF * 013	012 F R		0.1607
1.01E+17	GALLEGOS	5 APPLEW	ALBUQUEF	208 EDITH	ALBUQUEF * 016	023 F R		0.1607
1.01E+17	SIMPSON I	203 EDITH	ALBUQUEF	203 EDITH	ALBUQUEF * 008	012 F R		0.1607
1.01E+17	EDITH PAR	301 EDITH	ALBUQUEF	N/A	ALBUQUEF SE	POR OF V		0.0367
1.01E+17	SIEBE KELL	124 ARNO	ALBUQUEF	206 EDITH	ALBUQUEF * 017	023 F R		0.1607
1.01E+17	HANRATTY	635 CHAVE	ALBUQUEF	ARNO ST	ALBUQUEF * 011	012 F V		0.0285
1.01E+17	EDITH PAR	301 EDITH	ALBUQUEF	301 EDITH	ALBUQUEF LOTS	5 & 6 C		0.3214
1.01E+17	EDO PROP	201 ARNO	ALBUQUEF	ARNO ST	ALBUQUEF * 011	012 F V		0.1286
1.01E+17	REDFORD I	202 EDITH	ALBUQUEF	202 EDITH	ALBUQUEF * 019	023 F R		0.1607
1.01E+17	ALBUQUEF	400 COPPE	ALBUQUEF	400 COPPE	ALBUQUEF TR	C-3A-1- R		0.1227
1.01E+17	SALGADO I	5011 SAN	ALBUQUEF	204 EDITH	ALBUQUEF * 018	023 F R		0.1607
1.01E+17	FIRST NATI	PO BOX 51	SAN RAMC	500 MART	ALBUQUEF	PARCEL A- C		0.822
1.01E+17	SPARE MA	201 EDITH	ALBUQUEF	201 EDITH	ALBUQUEF * 009	012 F R		0.1532
1.01E+17	FIRST NATI	PO BOX 51	SAN RAMC	500 MART	ALBUQUEF	PARCEL A- V		0.0627
1.01E+17	EDO PROP	201 ARNO	ALBUQUEF	214 ARNO	ALBUQUEF * 010	012 F R		0.1449
1.01E+17	DALLAGIA	PO BOX 26	ALBUQUEF	209 EDITH	ALBUQUEF * 006	012 F R		0.1607
1.01E+17	WANSA M.	200 EDITH	ALBUQUEF	200 EDITH	ALBUQUEF * 020	023 F R		0.1607

CHAVEZ CAMILLE E  
400 COPPER AVE NE APT 102  
ALBUQUERQUE NM 87102-3446

WRAY JOHN A CO TR WRAY RVT  
65 1316 POMAIIKAI PL  
KAMUELA HI 96743

BRIGGS LIZZ  
1600 MILLERTOWN RD  
AUBURN CA 95603

VISE DAVID R  
305 SOLANO DR NE  
ALBUQUERQUE NM 87108

MURO MICHAEL & JULIE SHOUGH  
6890 JASPER ST  
ALTA LOMA CA 91701

GOLDBERG LINDA B & MICHAEL L  
1000 N RANDOLPH ST  
ARLINGTON VA 22201-5627

ROYBAL LORI & ROMERO DAVE  
TRUSTEES CHRISTOPHER BACA  
GIFTING TRUST  
305 MORNINGSIDE DR NE  
ALBUQUERQUE NM 87108

SEVERA WILLIAM M  
400 COPPER AVE NE APT #203  
ALBUQUERQUE NM 87102-3446

EAGLE WILLIAM  
400 COPPER AVE NE UNIT 301  
ALBUQUERQUE NM 87102

LUND CARL M TRUSTEE CARL M LUND  
RVT  
400 COPPER AVE NE APT 302  
ALBUQUERQUE NM 87102-3446

PRATER LORI A  
400 COPPER AVE NE APT 303  
ALBUQUERQUE NM 87102-3446

MULLER PHILLIP  
400 COPPER AVE NE UNIT 101  
ALBUQUERQUE NM 87102

BLACKMON JEFFREY & KATHLEEN  
131 HARROWGATE DR  
CARMEL IN 46033

WOODALL JONATHAN PATRICK &  
CARMEN J H  
PO BOX 808  
ARROYO SECO NM 87514-0808

FRITZSCHE ELIZABETH H  
6715 GUADALUPE TRL NW  
ALBUQUERQUE NM 87107

OTHART CHRISTINE M  
409 TIJERAS AVE NE  
ALBUQUERQUE NM 87102

FAITH RICHARD A & SIMMONS  
KRISTEN D  
411 TIJERAS AVE NE UNIT 411  
ALBUQUERQUE NM 87102

OTWAY ANATOL  
202 EDITH BLVD SE  
ALBUQUERQUE NM 87102

JAB RE INVESTMENTS LLC C/O  
SHERWOOD STEVE F & CAMILLE L  
7112 CASA ELENA DR NE  
ALBUQUERQUE NM 87113-1154

AUSTIN LAUREN L WARNER  
121 EDITH BLVD NE  
ALBUQUERQUE NM 87102

J & J HOLDINGS LLC  
11601 RANCHITOS RD NE  
ALBUQUERQUE NM 87122-2397

OKUNOR SHIAME C/O THE LEBECK CO  
LLC  
916 LOMAS BLVD NW  
ALBUQUERQUE NM 87102-1954

KOPAN MARIA  
4117 MACKLAND AVE NE  
ALBUQUERQUE NM 87110-7713

GALLEGOS MEDINA MARIA DANETTE  
5 APPLEWOOD LN NW  
ALBUQUERQUE NM 87107

SIMPSON DAVID M  
203 EDITH BLVD NE  
ALBUQUERQUE NM 87102-3525

EDITH PARTNERSHIP  
301 EDITH BLVD NE  
ALBUQUERQUE NM 87102

SIEBE KELLY M  
124 ARNO ST SE  
ALBUQUERQUE NM 87102-3511

HANRATTY PATRICK H  
635 CHAVEZ RD NW  
ALBUQUERQUE NM 87107-5820

EDITH PARTNERSHIP  
301 EDITH BLVD NE  
ALBUQUERQUE NM 87102-3505

EDO PROPERTIES LLC  
201 ARNO ST NE APT 404  
ALBUQUERQUE NM 87102-4479

REDFORD BRUCE B & CROWLEY  
DENNIS  
202 EDITH BLVD NE  
ALBUQUERQUE NM 87102-3526

ALBUQUERQUE LOFT DEVELOPERS LLC  
400 COPPER AVE NE  
ALBUQUERQUE NM 87102

SALGADO KATHERINE L ETAL  
5011 SAN ADAN AVE NW  
ALBUQUERQUE NM 87120

FIRST NATL BANK/CITY OF  
ALBUQUERQUE BANK OF THE WEST BR  
281  
PO BOX 5155  
SAN RAMON CA 94583-5155

SPARE MARY KEELING  
201 EDITH BLVD NE  
ALBUQUERQUE NM 87102-3525

FIRST NATL BANK/CITY OF  
ALBUQUERQUE BANK OF THE WEST BR  
281  
PO BOX 5155  
SAN RAMON CA 94583-5155

EDO PROPERTIES LLC  
201 ARNO ST NE APT 404  
ALBUQUERQUE NM 87102-4479

DALLAGIACOMA OLIVIO  
PO BOX 26125  
ALBUQUERQUE NM 87125-6125

WANSA MARK D & DOLORES D CO-  
TRUSTEES WANSA RVT  
200 EDITH BLVD NE  
ALBUQUERQUE NM 87102-3526

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

CHAVEZ CAMILLE E  
400 COPPER AVE NE APT 102  
ALBUQUERQUE NM 87102-3446



9590 9402 2017 6123 9661 26

2. Article Number (Transfer from service label)

7005 1160 0001 1253 4785

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

**X** Agent Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

BLACKMON JEFFREY & KATHLEEN  
131 HARROWGATE DR  
CARMEL IN 46033



9590 9402 3133 7166 3189 07

2. Article Number (Transfer from service label)

7005 1160 0001 1253 4808

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

**X** Agent Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

ROYBAL LORI & ROMERO DAVE TRUSTEES  
CHRISTOPHER BACA GIFTING TRUST  
305 MORNINGSIDE DR NE  
ALBUQUERQUE NM 87108



9590 9402 3133 7166 3188 91

2. Article Number (Transfer from service label)

7005 1160 0001 1253 4792

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

**X** Agent Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

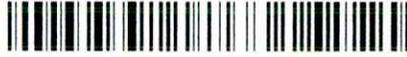
Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

KOPAN MARIA  
 4117 MACKLAND AVE NE  
 ALBUQUERQUE NM 87110-7713



9590 9402 3133 7166 3189 21

2. Article Number (Transfer from service label)

7005 1160 0001 1253 4822

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

GALLEGOS MEDINA MARIA DANETTE  
 5 APPLEWOOD LN NW  
 ALBUQUERQUE NM 87107



9590 9402 3133 7166 3189 14

2. Article Number (Transfer from service label)

7005 1160 0001 1253 4815

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

EDITH PARTNERSHIP  
 391 EDITH BLVD NE  
 ALBUQUERQUE NM 87102



9590 9402 3133 7166 3189 38

2. Article Number (Transfer from service label)

7005 1160 0001 1253 4839

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

HANRATTY PATRICK H  
635 CHAVEZ RD NW  
ALBUQUERQUE NM 87107-5820



9590 9402 2017 6123 9660 89

2. Article Number (Transfer from service label)

7005 1160 0001 1253 4174

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

**X**

- 
- Agent
- 
- 
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

 D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type

- 
- Adult Signature
- 
- 
- Adult Signature Restricted Delivery
- 
- 
- Certified Mail®
- 
- 
- Certified Mail Restricted Delivery
- 
- 
- Collect on Delivery
- 
- 
- Collect on Delivery Restricted Delivery
- 
- 
- Insured Mail
- 
- 
- Insured Mail Restricted Delivery (over \$500)

- 
- Priority Mail Express®
- 
- 
- Registered Mail™
- 
- 
- Registered Mail Restricted Delivery
- 
- 
- Return Receipt for Merchandise
- 
- 
- Signature Confirmation™
- 
- 
- Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

PRATER LORI A  
400 COPPER AVE NE APT 303  
ALBUQUERQUE NM 87102-3446



9590 9402 2017 6123 9661 19

2. Article Number (Transfer from service label)

7005 1160 0001 1253 4235

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

**X**

- 
- Agent
- 
- 
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

 D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type

- 
- Adult Signature
- 
- 
- Adult Signature Restricted Delivery
- 
- 
- Certified Mail®
- 
- 
- Certified Mail Restricted Delivery
- 
- 
- Collect on Delivery
- 
- 
- Collect on Delivery Restricted Delivery
- 
- 
- Insured Mail
- 
- 
- Insured Mail Restricted Delivery (over \$500)

- 
- Priority Mail Express®
- 
- 
- Registered Mail™
- 
- 
- Registered Mail Restricted Delivery
- 
- 
- Return Receipt for Merchandise
- 
- 
- Signature Confirmation™
- 
- 
- Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

WRAY JOHN A CO TR WRAY RVT  
65 1316 POMAIKAI PL  
KAMUELA HI 96743



9590 9402 2017 6123 9660 72

2. Article Number (Transfer from service label)

7005 1160 0001 1253 4167

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

**X**

- 
- Agent
- 
- 
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

 D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type

- 
- Adult Signature
- 
- 
- Adult Signature Restricted Delivery
- 
- 
- Certified Mail®
- 
- 
- Certified Mail Restricted Delivery
- 
- 
- Collect on Delivery
- 
- 
- Collect on Delivery Restricted Delivery
- 
- 
- Insured Mail
- 
- 
- Insured Mail Restricted Delivery (over \$500)

- 
- Priority Mail Express®
- 
- 
- Registered Mail™
- 
- 
- Registered Mail Restricted Delivery
- 
- 
- Return Receipt for Merchandise
- 
- 
- Signature Confirmation™
- 
- 
- Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> <input type="checkbox"/> Addressee
1. Article Addressed to:  NURO MICHAEL & JULIE SHOUGH 6890 JASPER ST ALTA LOMA CA 91701   9590 9402 2017 6123 9660 58	B. Received by (Printed Name) C. Date of Delivery  D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No
2. Article Number (Transfer from service label) 7005 1160 0001 1253 4853	3. Service Type <input type="checkbox"/> Priority Mail Express® <input checked="" type="checkbox"/> Adult Signature <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Certified Mail Restricted Delivery <input checked="" type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)

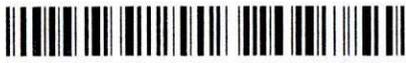
PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> <input type="checkbox"/> Addressee
1. Article Addressed to:  LUND CARL M TRUSTEE CARL M LUND R 400 COPPER AVE NE APT 302 ALBUQUERQUE NM 87102-3446   9590 9402 2017 6123 9660 96	B. Received by (Printed Name) C. Date of Delivery  D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No
2. Article Number (Transfer from service label) 7005 1160 0001 1253 4860	3. Service Type <input type="checkbox"/> Priority Mail Express® <input checked="" type="checkbox"/> Adult Signature <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Certified Mail Restricted Delivery <input checked="" type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> <input type="checkbox"/> Addressee
1. Article Addressed to:  OTHART CHRISTINE M 409 TIJERAS AVE NE ALBUQUERQUE NM 87102   9590 9402 2017 6123 9660 41	B. Received by (Printed Name) C. Date of Delivery  D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No
2. Article Number (Transfer from service label) 7005 1160 0001 1253 4877	3. Service Type <input type="checkbox"/> Priority Mail Express® <input checked="" type="checkbox"/> Adult Signature <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Certified Mail Restricted Delivery <input checked="" type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

WISE DAVID R  
305 SOLANO DR NE  
ALBUQUERQUE NM 87108



9590 9402 2017 6123 9670 00

2. Article Number (Transfer from service label)  
7005 1160 0001 1253 4891

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
**X**  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

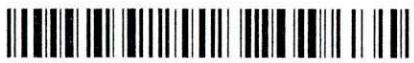
3. Service Type
- Adult Signature
  - Adult Signature Restricted Delivery
  - Certified Mail®
  - Certified Mail Restricted Delivery
  - Collect on Delivery
  - Collect on Delivery Restricted Delivery
  - Insured Mail
  - Insured Mail Restricted Delivery (over \$500)
  - Priority Mail Express®
  - Registered Mail™
  - Registered Mail Restricted Delivery
  - Return Receipt for Merchandise
  - Signature Confirmation™
  - Signature Confirmation Restricted Delivery

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

SEVERA WILLIAM M  
400 COPPER AVE NE APT #203  
ALBUQUERQUE NM 87102-3446



9590 9402 2017 6123 9660 65

2. Article Number (Transfer from service label)  
7005 1160 0001 1253 4884

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
**X**  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

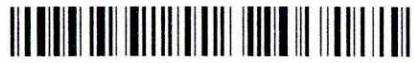
3. Service Type
- Adult Signature
  - Adult Signature Restricted Delivery
  - Certified Mail®
  - Certified Mail Restricted Delivery
  - Collect on Delivery
  - Collect on Delivery Restricted Delivery
  - Insured Mail
  - Insured Mail Restricted Delivery (over \$500)
  - Priority Mail Express®
  - Registered Mail™
  - Registered Mail Restricted Delivery
  - Return Receipt for Merchandise
  - Signature Confirmation™
  - Signature Confirmation Restricted Delivery

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

EAGLE WILLIAM  
400 COPPER AVE NE UNIT 301  
ALBUQUERQUE NM 87102



9590 9402 2017 6123 9670 17

2. Article Number (Transfer from service label)  
7005 1160 0001 1253 4907

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
**X**  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

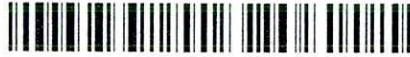
3. Service Type
- Adult Signature
  - Adult Signature Restricted Delivery
  - Certified Mail®
  - Certified Mail Restricted Delivery
  - Collect on Delivery
  - Collect on Delivery Restricted Delivery
  - Insured Mail
  - Insured Mail Restricted Delivery (over \$500)
  - Priority Mail Express®
  - Registered Mail™
  - Registered Mail Restricted Delivery
  - Return Receipt for Merchandise
  - Signature Confirmation™
  - Signature Confirmation Restricted Delivery

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

EDO PROPERTIES LLC  
 201 ARNO ST NE APT 404  
 ALBUQUERQUE NM 87102-4479



9590 9402 2017 6123 9669 28

2. Article Number (Transfer from service label)

7005 1160 0001 1253 4990

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

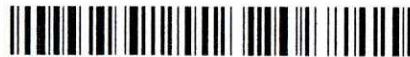
Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

OTWAY ANATOL  
 202 EDITH BLVD SE  
 ALBUQUERQUE NM 87102



9590 9402 2017 6123 9669 04

2. Article Number (Transfer from service label)

7005 1160 0001 1253 4419

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

OKUNOR SHIAME C/O THE  
 LEBECK CO LLC  
 916 LOMAS BLVD NW  
 ALBUQUERQUE NM 87102-1954



9590 9402 2017 6123 9669 35

2. Article Number (Transfer from service label)

7005 1160 0001 1253 4983

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 FIRST NATL BANK/CITY OF ALBUQUER  
 BANK OF THE WEST  
 BF 281  
 PO BOX 5155  
 SAN RAMON CA 94583-5155



9590 9402 2017 6123 9661 33

2. Article Number (Transfer from service label)  
 7005 1160 0001 1253 4310

PS Form 3811, July 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature  Agent  
 Addressee  
**X**
- B. Received by (Printed Name) C. Date of Delivery
- D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  Priority Mail Express®  
 Registered Mail™  
 Adult Signature  Registered Mail Restricted Delivery  
 Adult Signature Restricted Delivery  Return Receipt for Merchandise  
 Certified Mail®  Signature Confirmation™  
 Certified Mail Restricted Delivery  Signature Confirmation Restricted Delivery  
 Collect on Delivery  
 Collect on Delivery Restricted Delivery  
 Insured Mail  
 Insured Mail Restricted Delivery (over \$500)

Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 REDFORD BRUCE B & CROWLEY DEN  
 202 EDITH BLVD NE  
 ALBUQUERQUE NM 87102-3526



9590 9402 3133 7166 3189 90

2. Article Number (Transfer from service label)  
 7005 1160 0001 1253 4303

PS Form 3811, July 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature  Agent  
 Addressee  
**X**
- B. Received by (Printed Name) C. Date of Delivery
- D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  Priority Mail Express®  
 Registered Mail™  
 Adult Signature  Registered Mail Restricted Delivery  
 Certified Mail®  Return Receipt for Merchandise  
 Certified Mail Restricted Delivery  Signature Confirmation™  
 Collect on Delivery  Signature Confirmation Restricted Delivery  
 Collect on Delivery Restricted Delivery  
 Insured Mail  
 Insured Mail Restricted Delivery (over \$500)

Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 FRITZSCHE ELIZABETH H  
 6715 GUADALUPE TRL NW  
 ALBUQUERQUE NM 87107



9590 9402 3133 7166 3189 52

2. Article Number (Transfer from service label)  
 7005 1160 0001 1253 4433

PS Form 3811, July 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature  Agent  
 Addressee  
**X**
- B. Received by (Printed Name) C. Date of Delivery
- D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  Priority Mail Express®  
 Registered Mail™  
 Adult Signature  Registered Mail Restricted Delivery  
 Certified Mail®  Return Receipt for Merchandise  
 Certified Mail Restricted Delivery  Signature Confirmation™  
 Collect on Delivery  Signature Confirmation Restricted Delivery  
 Collect on Delivery Restricted Delivery  
 Insured Mail  
 Insured Mail Restricted Delivery (over \$500)

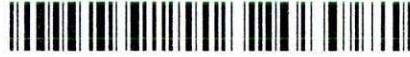
Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Bonnie Anderson  
 Huning Highland Historic District Association  
 321 High Street NE  
 Albuquerque, NM 87102



9590 9402 2017 6123 9661 88

2. Article Number (Transfer from service label)

7015 1520 0001 8122 1598

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jim Maddox  
 Broadway Central Corridors Partnership Inc  
 515 Central Ave NE  
 Albuquerque, NM 87102



9590 9402 2394 6249 1020 22

2. Article Number (Transfer from service label)

7015 1520 0001 8122 1604

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Ann Carson  
 Huning Highland Historic District Association  
 416 Walter SE  
 Albuquerque, NM 87102



9590 9402 2017 6123 9668 98

2. Article Number (Transfer from service label)

7015 1520 0001 8122 1611

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

3. Service Type  Priority Mail Express®  
 Registered Mail™  
 Adult Signature  Registered Mail Restricted Delivery  
 Adult Signature Restricted Delivery  Registered Mail Restricted Delivery  
 Certified Mail®  Return Receipt for Merchandise  
 Certified Mail Restricted Delivery  Signature Confirmation™  
 Collect on Delivery  Signature Confirmation Restricted Delivery  
 Collect on Delivery Restricted Delivery  Signature Confirmation Restricted Delivery  
 Insured Mail  
 Insured Mail Restricted Delivery (over \$500)

**SENDER: COMPLETE THIS SECTION** | **COMPLETE THIS SECTION ON DELIVERY**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

A. Signature  Agent  
 Addressee  
**X**

B. Received by (*Printed Name*) | C. Date of Delivery

1. Article Addressed to:  
  
 Rob Dickson  
 Broadway Central Corridors Partnership Inc  
 PO Box 302  
 Albuquerque, NM 87103

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No



9590 9402 2017 6123 9668 74

2. Article Number (*Transfer from service label*)  
 7015 1520 0001 8122 1628

3. Service Type  Priority Mail Express®  
 Registered Mail™  
 Adult Signature  Registered Mail Restricted Delivery  
 Adult Signature Restricted Delivery  Registered Mail Restricted Delivery  
 Certified Mail®  Return Receipt for Merchandise  
 Certified Mail Restricted Delivery  Signature Confirmation™  
 Collect on Delivery  Signature Confirmation Restricted Delivery  
 Collect on Delivery Restricted Delivery  Signature Confirmation Restricted Delivery (over \$500)  
 Insured Mail  
 Insured Mail Restricted Delivery (over \$500)

PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION** | **COMPLETE THIS SECTION ON DELIVERY**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

A. Signature  Agent  
 Addressee  
**X**

B. Received by (*Printed Name*) | C. Date of Delivery

1. Article Addressed to:  
  
 Albuquerque Loft Developers LLC  
 400 Copper Avenue NE  
 Albuquerque, NM 87102

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No



9590 9402 2394 6249 1010 94

2. Article Number (*Transfer from service label*)  
 7015 1520 0001 8122 1826

3. Service Type  Priority Mail Express®  
 Registered Mail™  
 Adult Signature  Registered Mail Restricted Delivery  
 Adult Signature Restricted Delivery  Registered Mail Restricted Delivery  
 Certified Mail®  Return Receipt for Merchandise  
 Certified Mail Restricted Delivery  Signature Confirmation™  
 Collect on Delivery  Signature Confirmation Restricted Delivery  
 Collect on Delivery Restricted Delivery  Signature Confirmation Restricted Delivery (over \$500)  
 Insured Mail  
 Insured Mail Restricted Delivery (over \$500)

PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION** | **COMPLETE THIS SECTION ON DELIVERY**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

A. Signature  Agent  
 Addressee  
**X**

B. Received by (*Printed Name*) | C. Date of Delivery

1. Article Addressed to:  
  
 Mary Keeling Spare  
 201 Edith Blvd NE  
 Albuquerque, NM 87102-3525

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No



9590 9402 2394 6249 1020 15

2. Article Number (*Transfer from service label*)  
 7016 3010 0001 0630 9661

3. Service Type  Priority Mail Express®  
 Registered Mail™  
 Adult Signature  Registered Mail Restricted Delivery  
 Adult Signature Restricted Delivery  Registered Mail Restricted Delivery  
 Certified Mail®  Return Receipt for Merchandise  
 Certified Mail Restricted Delivery  Signature Confirmation™  
 Collect on Delivery  Signature Confirmation Restricted Delivery  
 Collect on Delivery Restricted Delivery  Signature Confirmation Restricted Delivery (over \$500)  
 Insured Mail  
 Insured Mail Restricted Delivery (over \$500)

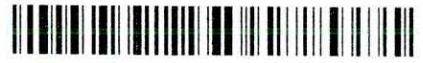
PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

SIEBE KELLY M  
124 ARNO ST SE  
ALBUQUERQUE NM 87102-3511



9590 9402 2394 6249 1009 98

2. Article Number (Transfer from service label)  
7005 1160 0001 1253 4327

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

<input checked="" type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™
<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery
<input type="checkbox"/> Certified Mail Restricted Delivery	<input checked="" type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Insured Mail	
<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	

PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

AUSTIN LAUREN L WARNER  
121 EDITH BLVD NE  
ALBUQUERQUE NM 87102



9590 9402 2394 6249 1010 87

2. Article Number (Transfer from service label)  
7015 1520 0001 8122 1819

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

<input checked="" type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™
<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery
<input type="checkbox"/> Certified Mail Restricted Delivery	<input checked="" type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Insured Mail	
<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	

PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

FAITH RICHARD A & SIMMONS KRISTEN D  
411 TIJERAS AVE NE UNIT 411  
ALBUQUERQUE NM 87102



9590 9402 2394 6249 1010 01

2. Article Number (Transfer from service label)  
7015 1520 0001 8122 1796

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

<input checked="" type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™
<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery
<input type="checkbox"/> Certified Mail Restricted Delivery	<input checked="" type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Insured Mail	
<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	

PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 STIMPSON DAVID M  
 203 EDITH BLVD NE  
 ALBUQUERQUE NM 87102-3525



9590 9402 2017 6123 9669 42

2. Article Number (Transfer from service label)  
 7005 1160 0001 1253 4976

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 X  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  
 Adult Signature  Priority Mail Express®  
 Adult Signature Restricted Delivery  Registered Mail™  
 Certified Mail®  Registered Mail Restricted Delivery  
 Certified Mail Restricted Delivery  Return Receipt for Merchandise  
 Collect on Delivery  Signature Confirmation™  
 Collect on Delivery Restricted Delivery  Signature Confirmation Restricted Delivery  
 Insured Mail  
 Insured Mail Restricted Delivery (over \$500)

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 MULLER PHILLIP  
 400 COPPER AVE NE UNIT 101  
 ALBUQUERQUE NM 87102



9590 9402 2017 6123 9668 81

2. Article Number (Transfer from service label)  
 7005 1160 0001 1253 4426

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 X  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  
 Adult Signature  Priority Mail Express®  
 Adult Signature Restricted Delivery  Registered Mail™  
 Certified Mail®  Registered Mail Restricted Delivery  
 Certified Mail Restricted Delivery  Return Receipt for Merchandise  
 Collect on Delivery  Signature Confirmation™  
 Collect on Delivery Restricted Delivery  Signature Confirmation Restricted Delivery  
 Insured Mail  
 Insured Mail Restricted Delivery (over \$500)

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 J & J HOLDINGS LLC  
 11601 RANCHITOS RD NE  
 ALBUQUERQUE NM 87122-2397



9590 9402 2017 6123 9669 11

2. Article Number (Transfer from service label)  
 7005 1160 0001 1253 4402

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 X  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  
 Adult Signature  Priority Mail Express®  
 Adult Signature Restricted Delivery  Registered Mail™  
 Certified Mail®  Registered Mail Restricted Delivery  
 Certified Mail Restricted Delivery  Return Receipt for Merchandise  
 Collect on Delivery  Signature Confirmation™  
 Collect on Delivery Restricted Delivery  Signature Confirmation Restricted Delivery  
 Insured Mail  
 Insured Mail Restricted Delivery (over \$500)

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

GOLDBERG LINDA B & MICHAEL L  
1000 N RANDOLPH ST  
ARLINGTON VA 22201-5627



9590 9402 2017 6123 9669 59

2. Article Number (Transfer from service label)  
7005 1160 0001 1253 4969

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  Addressee

**X**

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type
- Adult Signature
  - Adult Signature Restricted Delivery
  - Certified Mail®
  - Certified Mail Restricted Delivery
  - Collect on Delivery
  - Collect on Delivery Restricted Delivery
  - Insured Mail
  - Insured Mail Restricted Delivery (over \$500)
  - Priority Mail Express®
  - Registered Mail™
  - Registered Mail Restricted Delivery
  - Return Receipt for Merchandise
  - Signature Confirmation™
  - Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

BRIGGS LIZZ  
1600 MILLERTOWN RD  
AUBURN CA 95603



9590 9402 2017 6123 9669 66

2. Article Number (Transfer from service label)  
7005 1160 0001 1253 4952

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  Addressee

**X**

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type
- Adult Signature
  - Adult Signature Restricted Delivery
  - Certified Mail®
  - Certified Mail Restricted Delivery
  - Collect on Delivery
  - Collect on Delivery Restricted Delivery
  - Insured Mail
  - Insured Mail Restricted Delivery (over \$500)
  - Priority Mail Express®
  - Registered Mail™
  - Registered Mail Restricted Delivery
  - Return Receipt for Merchandise
  - Signature Confirmation™
  - Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

WANSA MARK D & DOLORES D CO-TRUSTEES  
WANSA RVT  
200 EDITH BLVD NE  
ALBUQUERQUE NM 87102-3526



9590 9402 2017 6123 9669 97

2. Article Number (Transfer from service label)  
7005 1160 0001 1253 4945

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  Addressee

**X**

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type
- Adult Signature
  - Adult Signature Restricted Delivery
  - Certified Mail®
  - Certified Mail Restricted Delivery
  - Collect on Delivery
  - Collect on Delivery Restricted Delivery
  - Insured Mail
  - Insured Mail Restricted Delivery (over \$500)
  - Priority Mail Express®
  - Registered Mail™
  - Registered Mail Restricted Delivery
  - Return Receipt for Merchandise
  - Signature Confirmation™
  - Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

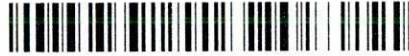
Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

WOODALL JONATHAN PATRICK & CARMEN J H  
 PO BOX 808  
 ARROYO SECO NM 87514-0808



9590 9402 2017 6123 9669 73

2. Article Number (Transfer from service label)

7005 1160 0001 1253 4938

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  Priority Mail Express®  
 Adult Signature  Registered Mail™  
 Adult Signature Restricted Delivery  Registered Mail Restricted Delivery  
 Certified Mail®  Return Receipt for Merchandise  
 Certified Mail Restricted Delivery  Signature Confirmation™  
 Collect on Delivery  Signature Confirmation Restricted Delivery  
 Collect on Delivery Restricted Delivery  
 Insured Mail  
 Insured Mail Restricted Delivery (over \$500)

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

SALGADO KATHERINE L ETAL  
 5011 SAN ADAN AVE NW  
 ALBUQUERQUE NM 87120



9590 9402 2017 6123 9660 34

2. Article Number (Transfer from service label)

7005 1160 0001 1253 4914

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  Priority Mail Express®  
 Adult Signature  Registered Mail™  
 Adult Signature Restricted Delivery  Registered Mail Restricted Delivery  
 Certified Mail®  Return Receipt for Merchandise  
 Certified Mail Restricted Delivery  Signature Confirmation™  
 Collect on Delivery  Signature Confirmation Restricted Delivery  
 Collect on Delivery Restricted Delivery  
 Insured Mail  
 Insured Mail Restricted Delivery (over \$500)

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

DALLAGIACOMA OLIVIO  
 PO BOX 26125  
 ALBUQUERQUE NM 87125-6125



9590 9402 2017 6123 9669 80

2. Article Number (Transfer from service label)

7005 1160 0001 1253 4921

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  Priority Mail Express®  
 Adult Signature  Registered Mail™  
 Adult Signature Restricted Delivery  Registered Mail Restricted Delivery  
 Certified Mail®  Return Receipt for Merchandise  
 Certified Mail Restricted Delivery  Signature Confirmation™  
 Collect on Delivery  Signature Confirmation Restricted Delivery  
 Collect on Delivery Restricted Delivery  
 Insured Mail  
 Insured Mail Restricted Delivery (over \$500)

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

JAB RE INVESTMENTS LLC C/O  
SHERWOOD STEVE F & CAMILLE  
L  
7112 CASA ELENA DR NE  
ALBUQUERQUE NM 87113-1154



9590 9402 3133 7166 3189 45

2. Article Number (Transfer from service label)

7005 1160 0001 1253 4846

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Received 6/15/18



# HUNING

HIGHLANDS

HISTORIC Est. 1880 DISTRICT

June 14, 2018

Environmental Planning Commission  
Plaza Del Sol Building  
600 2<sup>nd</sup> St. NW  
ABQ, NM

The Board of Huning Highlands Historic District Association voted at our monthly meeting on June 6, 2018, to oppose the request for a zoning amendment from the owners of 205 Edith Blvd. NE. The house they bought is zoned for residential use only and they are now using that house to operate a business without any resident. The Board has supported residents who want to operate a business out of their home, but we do not support the use of a home solely to operate a business. No matter how low impact that business may be on the neighborhood, we do not want to set a precedent.

Sincerely,

A handwritten signature in blue ink that reads "Bonnie Anderson". The signature is fluid and cursive, with the first name being more prominent.

Bonnie Anderson  
President, HHHDA  
321 High St. SE, ABQ, 87102  
andersonbonnie505@gmail.com

14 June 2018

Ms. Catalina Lehner  
EPC, City of Albuquerque Planning Department  
600 2<sup>nd</sup> Street NW, 3<sup>rd</sup> Floor  
Albuquerque, NM 87102

Dear Ms. Lehner:

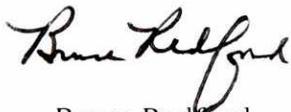
We are writing in opposition to the request for a zoning amendment that you have received from the owners of 205 Edith Boulevard NE. The owners' arguments, as set forth by their lawyer, are unpersuasive at best and fallacious at worst.

The owners claim that, when they purchased the property, they were unaware of the zoning regulations governing the neighborhood. This claim suggests, at the very least, a lack of due diligence: ignorance of the law has never been a valid excuse for breaking the law. In addition, we find the claim disingenuous—witness the fact that the owners moved swiftly to create a *fait accompli* by converting the back garden into a parking lot and by redesigning the front garden. It is not irrelevant to note that the firm they employed violated a city regulation stipulating that work of this kind not begin before 7 AM.

As the owners and residents of 202 Edith NE, directly across the street from 205, we are proof that the owners' second claim is unpersuasive. They argue that they will be improving security by running a daytime business while most people are away at work. This is in fact not the case: both of us are retired and therefore we live at home. Indeed the majority of those in the immediate neighborhood are either retired, semi-retired, or doing freelance work from home. It is customers coming and going from the owners' establishment who pose a risk to security—not absent residents.

Finally, as architectural historians whose areas of expertise include the making and unmaking of American cities, we know that amendments of this kind often lead to the decay rather than the improvement of inner-city neighborhoods. Huning Highlands has fought hard to maintain its historic, residential character. It would be a great shame to erode the protections that have preserved one of Albuquerque's most attractive districts.

Sincerely,



Bruce Redford



Dennis Crowley

June 13, 2018

Ms. Catalina Lehner  
EPC  
City of Albuquerque Planning Department  
600 2nd Street NW  
3rd Floor  
Albuquerque, New Mexico 87102

RECEIVED  
JUN 14 2018  
BY: G. Delgado 10:09am

Re: EPC 2018-0012

Dear Ms. Lehner,

I am a neighbor of 205 Edith Blvd. NE living at 121/123 Edith NE.

I am in opposition of allowing an amendment to the Zone Map for 205 Edith NE for multiple reasons. This is a residential block in the Huning Highland Historic District and to allow commercial use for one home in the middle of a residential block creates a spot zone and certainly creates a precedent that is detrimental to the nature of the entire Historic Protected Huning Highland Addition neighborhood.

In response to the letter sent to the neighbors by the applicant's attorneys Sutin, Thayer, and Brown, I have several comments to question their justifications to allow an Amendment to Zoning:

1. It is stated that while McKown, Belanger Associates purchased the property in November 2017 and they were not aware of the zoning violation until April 14-15, 2018. It is obvious that all the homes in the block are residential not commercial. Their attorneys even refer to the property as a home. The buyers and their Realtor are responsible for reasonable Due Diligence prior to purchasing a property to know the zoning and the restrictions of the zoning. Ignorance or disregard of the zoning code isn't a valid excuse to violate the code and the Huning Highland Sector Plan. Nor should ignorance or disregard be used to justify a zone change.
2. The argument that the presence of a business is consistent with the safety of the neighborhood and that their presence contributes in a positive manner since they are present during the day when people are at work is ridiculous. It only proves to discredit this statement. Many of the neighbors are at retirement age and are at home during the day. Personally, I have never seen any associate of McKown, Belanger nor have they made any effort to introduce themselves to me nor to any of the neighbors to my knowledge. Nor have they engaged in any neighborhood activity including attending Neighborhood Meetings since they moved in the December 2017. Their contribution to the safety of the neighborhood is non-existent to the best of my knowledge.
3. The landscaping mentioned in the letter from Sutin, Thayer, and Brown as a justification is immaterial and is a deceptive comment. The front landscaping was started during the first week of June 2018 and continues as of today. This is considerably after notification that the applicant was in violation of the zoning code and the delivery of the letter from their attorneys. I can only assume that it was done to give the impression that they are financially committed to the property but timing is everything. In any case, landscaping is not a factor to the basic question of a zoning violation.

I thank you for taking the time to read this letter and hope that my concerns will be taken into serious consideration in the matter. It is imperative that we protect the nature of our beautiful historic overlay district as the first residential subdivision of Albuquerque for future generations.

Lauren Austin, Vice-Chairman of the Landmark Commission  
121 Edith Blvd. NE  
Albuquerque, New Mexico 87102

505-459-2844

SITE DEVELOPMENT PLAN REDUCTIONS





