



**Environmental
Planning
Commission**

**Agenda Number: 02
Project Number: 1010354
Case #: 15EPC-40005
March 12, 2015**

Staff Report

Agent	Bohannon Huston, Inc.
Applicant	Boxing Bear Brewing Company
Request	Sector Development Plan Map Amendment (Zone change)
Legal Description	Tract F-1A Las Tiendas de Corrales Center, Seven Bar Ranch
Location	On Corrales Road NW between Alameda Boulevard and Calle Cuervo Road
Size	Approximately 1.3 Acres
Existing Zoning	SU-1 for C-2 Uses
Proposed Zoning	SU-1 for C-2 Uses and Wholesaling of Beer and Wine

Staff Recommendation

APPROVAL of Case # 15EPC-40005 based on the Findings beginning on Page # 11.

**Staff Planner
Vicente M. Quevedo, Planner**

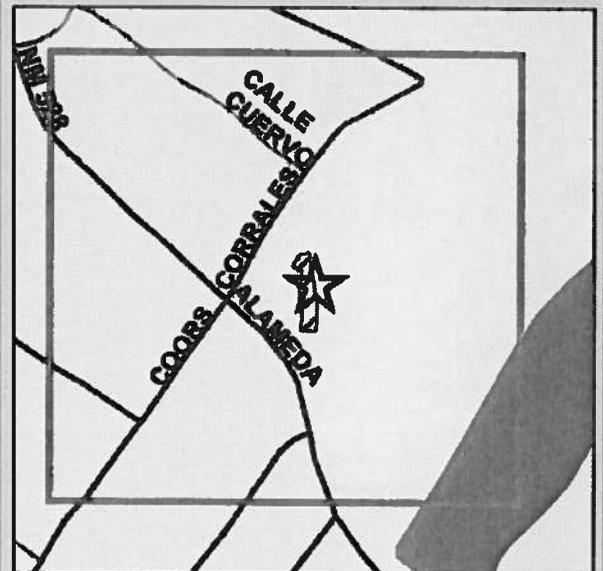
Summary of Analysis

The request is for a zone change from SU-1 for C-2 Uses to SU-1 for C-2 Uses and Wholesaling of Beer and Wine for Tract F-1A Las Tiendas de Corrales Center, Seven Bar Ranch.

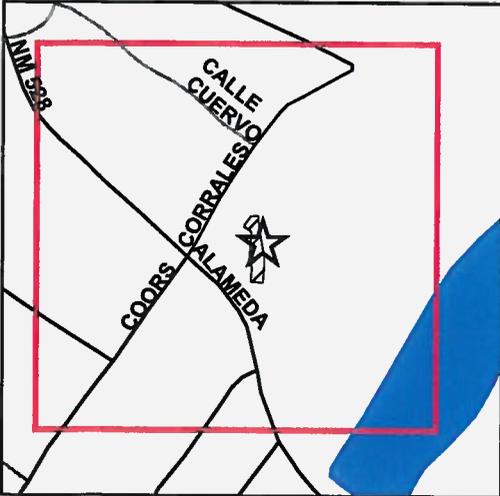
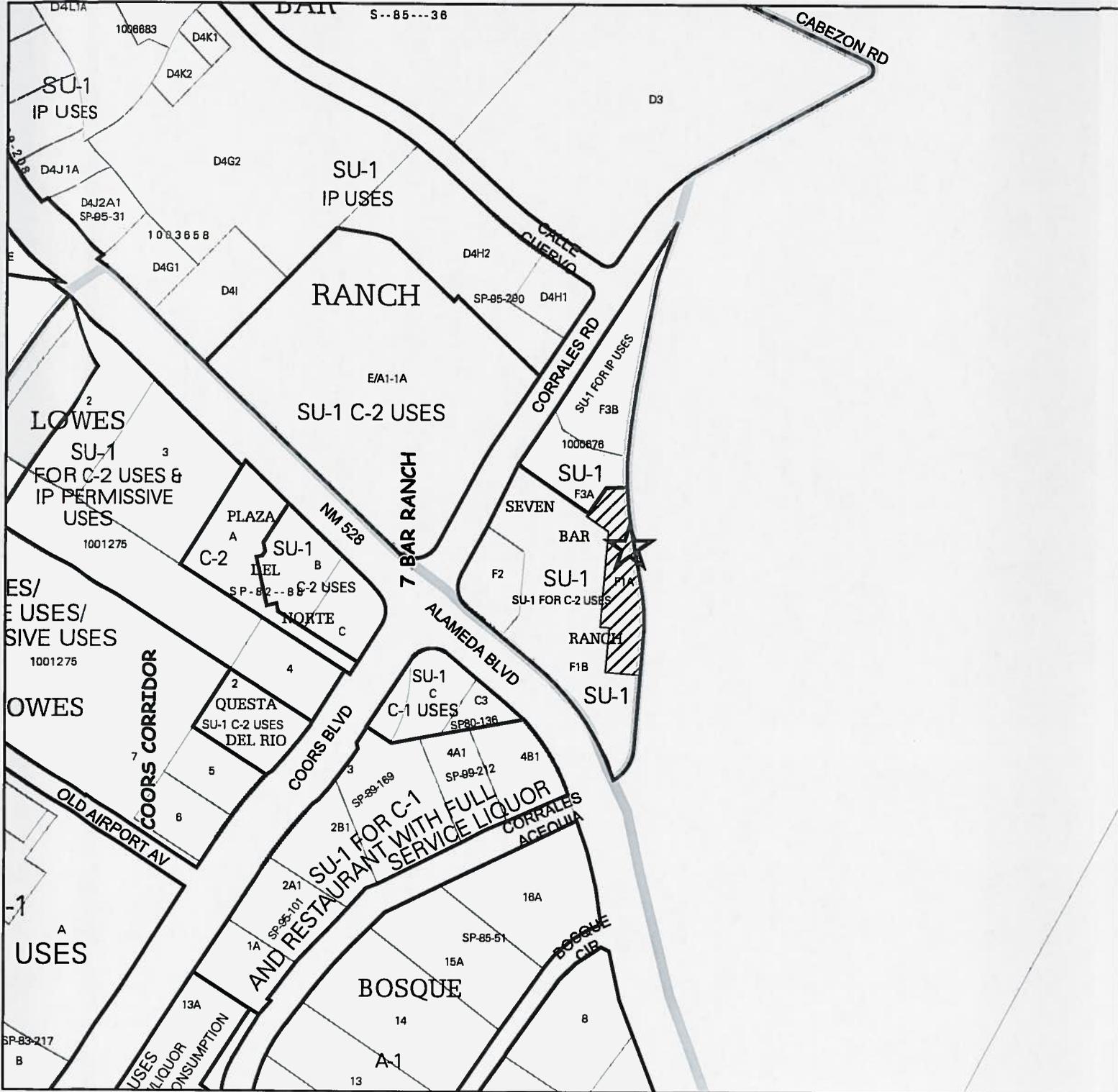
The subject site is located in the Developing Urban Area of the Comprehensive Plan as well as the Seven Bar Ranch Community as designated by the West Side Strategic Plan. An Existing Major Activity Center is located just southwest of the subject site.

The request to wholesale from the subject site is an appropriate use for the area and will not negatively impact any of the nearby residential areas.

The justification is based on the request being generally consistent with the requirements of R-270-1980. No facilitated meeting was recommended or held. The West Side Coalition of Neighborhood Associations was notified of this request. There is no known neighborhood opposition for this request.



City Departments and other interested agencies reviewed this application from 02/02/2015 to 02/13/2015
Agency comments used in the preparation of this report begin on Page # 17.



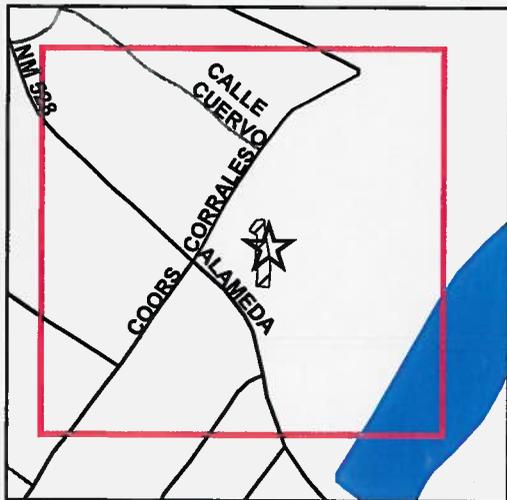
ZONING MAP

Note: Grey shading indicates County.



1 inch = 400 feet

Project Number:
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3-12-2015
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Additional Case Numbers:
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LAND USE MAP

Note: Grey shading indicates County.

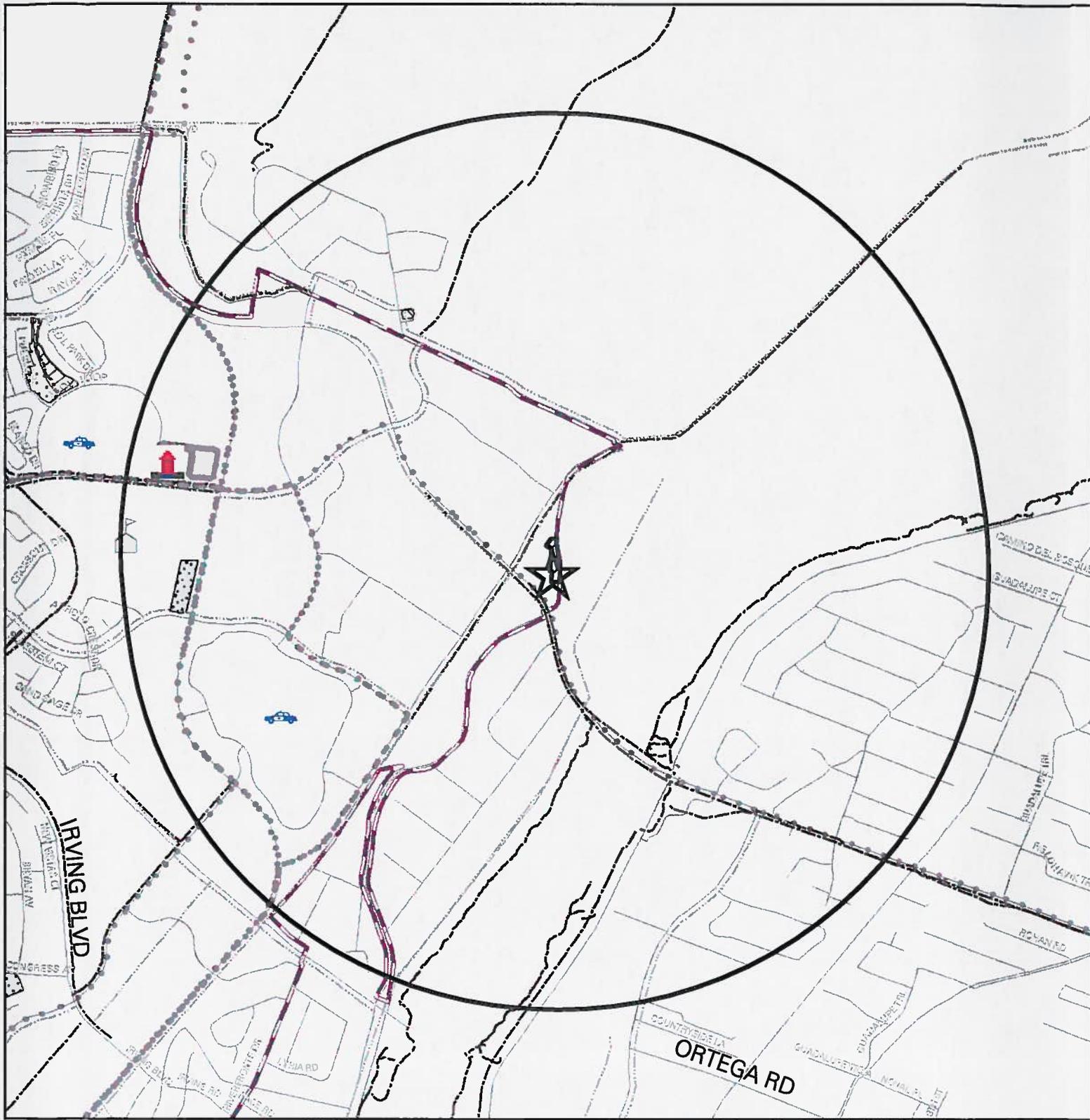
KEY to Land Use Abbreviations

- 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 = 400 feet

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Public Facilities Map with One-Mile Buffer



- | | | | |
|----------------------|-------------------------|--------------------------|-----------------------------|
| COMMUNITY CENTER | FIRE | APS Schools | Landfill Buffer (1000 feet) |
| MULTI-SERVICE CENTER | POLICE | ABQ Ride Routes | Landfills designated by EHD |
| SENIOR CENTER | SHERIFF | ABQ Bike Facilities | Developed County Park |
| LIBRARY | SOLID WASTE | Proposed Bike Facilities | Undeveloped County Park |
| MUSEUM | Albuquerque City Limits | | Developed City Park |
| | | | Undeveloped City Park |

Project Number: 1010354



I. AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses:

	Zoning	Comprehensive Plan Area; Applicable Rank II & III Plans	Land Use
Site	SU-1 for C-2 Uses	Developing Urban, West Side Strategic Plan, Coors Corridor Plan, 7 Bar Ranch SDP	Commercial Retail
North	SU-1 for IP Uses	Same	Commercial Retail
South	SU-1 for C-1 Uses	Same	Commercial Retail
East	Corrales Acequia / Calabacillas Outlet	Corrales Acequia / Calabacillas Outlet	Corrales Acequia / Calabacillas Outlet
West	SU-1 for C-2 Uses	Same	Commercial Retail

II. INTRODUCTION

Proposal

This request is for a Zone Map Amendment (Zone Change) for an approximately 1.3 acre parcel on Tract F-1A Las Tiendas de Corrales Center, Seven Bar Ranch located on Corrales Rd. NW between Alameda Blvd. NW and Calle Cuervo Rd. NW. The subject site is currently zoned SU-1 for C-2 Uses. The proposed zoning is SU-1 for C-2 Uses and Wholesaling of Beer and Wine. The existing business currently transports its products to an off-site wholesale distributor, who then loads large delivery trucks that make numerous and frequent deliveries across the city. The applicant states that the ability to wholesale their products from the subject site will eliminate the need for additional delivery trips by an off-site wholesaler and in turn reduce the amount of vehicular traffic on the overall transportation network.

EPC Role

The EPC is hearing this case because the EPC has the authority 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) SU-1 Special Use Zone, and 14-16-4-1, Amendment Procedure]. If so, an appeal would go to the Land Use Hearing Officer (LUHO) who then makes a recommendation to City Council [Ref: § 14-16-4-4-(A)(2) Appeal]. This is a quasi-judicial matter.

History/Background

The existing SU-1 for C-2 Uses zoning for the subject site was established at the time of annexation approved by the Albuquerque City Council on June 22, 1981 (AX-79-28) as part of

the Seven-Bar Ranch Master Plan annexation action. The annexation comprised a total of 551 acres of land and consisted of additional various zoning designations.

The original site development plan for building permit for the Las Tiendas de Corrales Center that included the subject site was approved on February 17, 1983 (Z-79-146-1). Since this approval, the subject site has been in continuous commercial use.

The existing commercial business on the subject site was established on April 16, 2014 (Building Permit # 2014-90563). All of the tenant improvements for the existing business were internal modifications and as such, were not subject to EPC approval.

Context

The subject site is in the Developing Urban Area of the Comprehensive Plan and within the boundaries of the West Side Strategic Plan (WSSP), Coors Corridor Sector Development Plan (CCSDP) and Seven Bar Ranch Sector Development Plan (SBRSDP). The subject site is located within the Seven Bar Ranch Community designated in the WSSP which is bounded by the Calabacillas Arroyo and the County line, and between the Rio Grande and an area slightly west of the Rainbow Boulevard corridor.

Development has occurred within the Seven Bar Ranch Community since the 1970's and has long been a magnet for area residents seeking services. The Cottonwood Mall area is designated an Existing Major Activity Center per the Comprehensive Plan and is located within the Seven Bar Ranch Community Boundaries directly southwest of the subject site. The subject site is also part of the Las Tiendas de Corrales Center which is located within the area designated commercial by the SBRSDP. The center includes various commercial and office related businesses.

Transportation System

The Interim Long Range Roadway System (ILRRS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies the functional classifications of roadways.

The ILRRS designates Corrales Rd. as a Minor Arterial.

The ILRRS designates NM 528, Coors Blvd. and Alameda Blvd. as Principal Arterials.

Comprehensive Plan Corridor Designation

New Mexico State road 528 is an express corridor, which is "*dedicated to developing higher speeds with fewer interruptions to travel for the car and transit vehicles.*"

Trails/Bikeways

There are existing bicycle lanes along Coors Blvd., Alameda Blvd. and NM 528. The Paseo del Bosque Multi-Use Trail is located east of the subject site and connects to the existing bicycle lane along Alameda Blvd.

Transit

Adjacent and nearby routes: Route #98, Wyoming commuter route, passes the site on Alameda.

Public Facilities/Community Services

Please refer to the Public Facilities Map in the packet.

III. ANALYSIS

APPLICABLE ORDINANCES, PLANS AND POLICIES

Albuquerque Comprehensive Zoning Code

The subject site is currently zoned SU-1 for C-2 Uses. The C-2 zone provides suitable sites for offices, for most service and commercial activities, and for certain specified institutional uses. The current zoning allows for permissive and conditional uses listed within the C-2 zone.

The proposed zoning for the subject site is SU-1 for C-2 Uses and Wholesaling of Beer and Wine which would maintain the permissive and conditional uses currently associated with the subject site, but add the use of wholesaling beer and wine directly from the subject site.

Definitions

Special Use Zone (Zoning Code §14-16-2-22): This zone provides suitable sites for uses which are special because of infrequent occurrence, effect on surrounding property, safety, hazard, or other reasons, and in which the appropriateness of the use to a specific location is partly or entirely dependent on the character of the site design.

Albuquerque / Bernalillo County Comprehensive Plan (Rank 1)

Policy Citations are in Regular Text; Staff Analysis is in ***Bold Italics***

The subject site is located in the area designated Developing Urban by the Comprehensive Plan with a Goal to “*create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas and lifestyles, while creating a visually pleasing built environment*”. Applicable plan goals and policies include:

Policy II.B.5.d: The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, recreational concern.

While no new development is being proposed as part of this request, the proposed use associated with the request is appropriate for the commercial area that the subject site is located within. Therefore, the request generally furthers Policy II.B.5.d.

Policy II.B.5.i: Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

Las Tiendas de Corrales Center was located within a commercially zoned area according to the policies contained within the Seven Bar Ranch Sector Development Plan. The intent of this sector development plan sought to support policies contained within the Comprehensive

Plan to provide services while minimizing the adverse effects of noise, lighting, pollution and traffic on residential environments. Therefore, the request furthers Policy II.B.5.i.

Policy II.B.5.j: Where new commercial development occurs, it should generally be located in existing commercially zoned areas as follows:

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

The subject site is located within a small neighborhood-oriented center within reasonable distance of areas for walking or bicycling. The nearest residential development is located approximately 112 feet east of the subject site. The request will not change these conditions. Therefore, the request furthers Policy II.B.5.j.

Policy II.B.5.k: Land adjacent to arterial streets shall be planned to minimize harmful effects of traffic; livability and safety of established residential neighborhoods shall be protected in transportation planning and operation.

NM 528, Coors Blvd. and Alameda Blvd. are characterized as Principal Arterials. The existing Las Tiendas de Corrales Center was planned to provide needed services while at the same time protecting established neighborhoods from harmful effects of development. The request will not change these conditions. Therefore, the request furthers Policy II.B.5.k.

Environmental Protection and Heritage Conservation: The goal is to improve air quality to safeguard public health and enhance the quality of life. Applicable policies include:

Policy II.C.1.b: Automobile travel's adverse effects on air quality shall be reduced through a balanced land use/transportation system that promotes the efficient placement of housing, employment and services.

Policy II.C.1.e: Motor vehicle emissions and their adverse effects shall be minimized.

Policy II.C.1.i: Air quality considerations shall be integrated into zoning and land use decisions to prevent new air quality/land use conflicts.

Increases in automobile travel, motor vehicle emissions, and new air quality/land use conflicts will not be created by approval of the request. The request furthers the goal of Environmental Protection and Heritage Conservation, and furthers Policies II.C.1.b., e., and i.

Economic Development: The Goal is to achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals. Applicable policies include:

Policy II.D.6.a: New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs located convenient to areas of most need.

The additional use of wholesaling beer and wine from the existing local business on the subject site will add to the existing job types and increase employment opportunities on the West Side of Albuquerque. The request furthers Policy II.D.6.a.

Policy II.D.6.d: Tourism shall be promoted.

The current microbrewery trend within the City of Albuquerque is part of a larger initiative that was officially supported by the State of New Mexico Legislature during the 2014 legislative session. More specifically, Senator Tim Keller sponsored a Senate memorial whose intent is to bring a broader awareness to craft brewery businesses becoming a strong factor in promoting economic development and tourism in New Mexico. The request furthers Policy II.D.6.d.

West Side Strategic Plan (WSSP, Rank 2)

The WSSP was first adopted in 1997 and recently amended in 2002 to help promote development of Neighborhood and Community Activity Centers. The WSSP identifies 13 communities, each with a unique identity and comprised of smaller neighborhood clusters. The subject site is located within the Seven Bar Ranch Community designated in the WSSP which is bounded by the Calabacillas Arroyo and the County line, and between the Rio Grande and an area slightly west of the Rainbow Boulevard corridor. Applicable policies include:

Plan Objective 8:

Promote job opportunities and business growth in appropriate areas of the West Side.

The request will allow for local business growth and additional job opportunities that are appropriate for this section of the west side area. The request furthers WSSP Objective 8.

Policy 1.6: Large areas dedicated to employment uses shall be preserved on the West Side at Seven Bar Ranch, Atrisco Business Park, and Double Eagle II Airport. Additional employment center development is also encouraged. The City of Albuquerque and Bernalillo County economic development programs shall actively encourage employers to locate in these employment centers.

The request associated with the subject site preserves commercial uses and adds to the job possibilities on the west side. The request furthers WSSP Policy 1.6.

Policy 3.4: Several clusters of neighborhoods will develop within the Seven Bar Ranch Community. Each of these shall be served by a Neighborhood Center, so neighborhood commercial, public and quasi-judicial uses, and other uses appropriate for such Centers shall be encouraged. The lowest density single family residential development shall not occur within these Centers, but must have safe pedestrian and bicycle access to them.

The subject site is within the Las Tiendas de Corrales Center and contains commercial and other uses, excluding residential. The request preserves these uses and expands upon the

business opportunities for a locally established neighborhood scale business. The request furthers WSSP Policy 3.4.

Coors Corridor Sector Development Plan (CCSDP, Rank 3)

The CCSDP, a Rank 3 Plan, was adopted in 1984, and generally encompasses Coors Boulevard from Central Avenue south to Corrales Road/NM 528 on the north. The purpose of the CCSDP is to provide, "policy and guidelines for the design of Coors Blvd. as a limited access roadway to function efficiently as a major north-south arterial for the Northwest Mesa. The plan provides "policy and design guidelines for development within the corridor area which will integrate natural resources with development activities in order to achieve a balance between the built and natural environment." The corridor has been divided into four segments. The subject site is in Segment 4, between Coors Blvd. and Cabezon Rd./Cabezon Channel. There are no applicable policies in the CCSDP that relate to this request, because the request is based on consideration of an additional use to an existing commercial business, not the design or re-design of Coors Blvd.

However, the CCSDP does note the following relevant land use recommendation that is this request is consistent with: "Properties on the west and east side of Coors Blvd. in Segment 4 should be annexed into the city when developed and the 7-Bar sector plan should be expanded to include these properties in order to coordinate appropriate land uses".

Seven Bar Ranch Sector Development Plan (SBRSDP, Rank 3)

The SBRSDP was first adopted in 1985, and revised in 2005 and 2007. The Plan generally encompasses properties bounded by Golf Course Road, the Calabacillas Arroyo, the Rio Grande, the Corrales Village limits and Westside Boulevard specific boundaries are shown on Exhibit 6 in the Plan. The main purpose of the Plan was to establish zoning and guide future development in the area. The plan does not contain specific design regulations, but encourages view preservation, natural landscaping and development reflective of southwestern style. Applicable plan goals include:

Goal A5: "The goal is to minimize transportation requirements through efficient placement of employment and services convenient to people, and to provide a balanced circulation system through encouragement of bicycling, walking, and use of mass transit as alternatives to automobile travel, while providing sufficient roadway capacity to meet mobility and access needs."

Goal B1: "The goal is the improvement of air quality in order to attain and maintain local and national ambient air quality standards."

Goal B1.a. "Automobile travel shall be reduced and travel by transit, bicycle, and walking encouraged as travel alternatives."

The additional use of wholesaling will minimize transportation requirements by reducing vehicle miles traveled from an efficiently located commercial business that is conveniently located near residential developments. Air quality will also be improved due a reduction in vehicle miles travelled. There are existing bicycle lanes along Coors Blvd., Alameda Blvd. and

NM 528. Adjacent and nearby bus routes include: Route #98, Wyoming commuter route, passes the site on Alameda. Therefore, the request furthers SBRSDP Goals A5, B1, and B1.a.

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

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

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

Analysis of Applicant's Justification

Note: Policy is in regular text; Applicant's justification is in *italics*; staff's analysis is 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 zone map amendment request is consistent with the health, safety, and morals of the City. Comprehensive Plan policies II.B.5.d., j.,k.,l. II.C.1.b., e., l, II.D.6.a. and b. support this statement. Adding a wholesaling operation to the existing restaurant will result in less vehicular travel by reducing the need to ship the product to an off-site location.

Staff agrees that the cited Comprehensive Plan policies support the statement that the request is consistent with the health, safety, and morals of the city.

- 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 proposed zone change will result in no change to the manner in which business is conducted at the property today. Stability is defined as "the state of continuing without change". Stability of land use will consequently be achieved.

Staff agrees that stability of land use will be maintained because approval of the requested zone change will simply add a use to the existing zoning which in turn will result in no change to the manner in which business is conducted.

- 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.

Refer to policy analysis section of staff report above.

- 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 (D)(1) or (D)(2) above do not apply.

The proposed zone change is more advantageous to the community because consolidating compatible and complimentary uses into one facility represents a needed public benefit because it reduces the need for additional transportation improvements, congestion on existing roadways and makes the transportation system safer because a smaller vehicle can be utilized to perform the wholesaling delivery activities.

Staff agrees that reducing congestion on existing roadways by decreasing additional vehicle trips/vehicle miles travelled within the City of Albuquerque represents a needed public benefit.

- 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.

The request would not be harmful to the adjacent property, neighborhood, or community because the proposed wholesaling use would result in operations identical to those which occur on the property today, resulting in no change in these conditions, and would not increase traffic, noise, light, or air pollution.

Staff agrees that the additional use of wholesaling will not be harmful to adjacent property, neighborhoods, or the community because it will not increase potentially harmful items such as traffic, noise, light, or air pollution.

- 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 map amendment would not require construction of any capital improvements.

Staff agrees that approval of the requested amendment will not require any capital improvements because the site is located in an area that already has sufficient infrastructure to serve the existing commercial activities.

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

The requested zone change is not due to economic considerations but instead to provide a compatible and complimentary use for the property.

Staff agrees that the cost of land or other economic considerations are not the sole determining factor for the change of zone.

- H. Location on a collector or major street is not in itself sufficient justification for apartment, office, or commercial zoning.

The request is not being made based solely on the sites location on a major roadway.

Staff agrees that the request is not being justified based solely on the sites location on a major roadway.

- 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 request will not result in a spot zone. The addition of "wholesaling" is simply an added use that is complimentary to the existing C-2 zoned business that is in operation today.

Staff agrees that the request will not result in a spot zone.

- 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 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.

The zone map amendment will not result in a "strip zone".

Staff agrees that the requested zone map amendment will not result in a strip zone.

IV. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies

Commenting agencies reviewed this request from February 2, 2015 to February 13, 2015. No adverse comments were submitted.

Neighborhood/Public

The Westside Coalition of Neighborhood Associations was notified of this request. A facilitated meeting was not recommended or held. There is no known neighborhood opposition to this request.

V. CONCLUSION

This is a request for a Sector Development Plan Map Amendment (Zone Change) for Tract F-1A Las Tiendas de Corrales Center, Seven Bar Ranch located on Corrales Road NW between Alameda Boulevard and Calle Cuervo Road and containing approximately 1.3 acres.

The subject site is located in the Developing Urban Area of the Comprehensive Plan as well as the Seven Bar Ranch Community as designated by the West Side Strategic Plan. An Existing Major Activity Center is located just southwest of the subject site.

The subject site is part of a larger specialty commercial center that occupies an approximately 9.02 acre site on the northeast corner of the Coors/Alameda intersection. The site is currently zoned SU-1 for C-2 Uses. The proposed zoning is SU-1 for C-2 Uses and Wholesaling of Beer and Wine.

The request to wholesale from the subject site is an appropriate use for the area and will not negatively impact any of the nearby residential areas. In addition, the ability to wholesale products directly from the subject site will eliminate the need for additional trips on the part of an off-site wholesaler and therefore reduce the amount of vehicular traffic on the overall transportation network.

Approval of the request will also support several Rank I, II, and III plan policies regarding supporting appropriate business expansion and improving air quality by reducing vehicle miles traveled. Following an analysis of the request and applicable plan goals and policies, staff finds that the applicant's written justification supports this statement.

The justification is also based on the request being generally consistent with the requirements of R-270-1980 as outlined in this staff report. No facilitated meeting was recommended or held. The West Side Coalition of Neighborhood Associations was notified of this request. There is no known neighborhood opposition for this request.

***FINDINGS - 15EPC-40005-March 12, 2015-Sector Development Plan Map Amendment
(Zone Change)***

1. This is a request for a Sector Development Plan Map Amendment (Zone Change) for Tract F-1A Las Tiendas de Corrales Center, Seven Bar Ranch located on Corrales Road NW between Alameda Boulevard and Calle Cuervo Road and containing approximately 1.3 acres.
2. The subject site is currently zoned SU-1 for C-2 Uses. The proposed zoning is SU-1 for C-2 Uses and Wholesaling of Beer and Wine which would allow the existing business to wholesale their products from the subject site.
3. The existing SU-1 for C-2 Uses zoning for the subject site was established at the time of annexation approved by the Albuquerque City Council on June 22, 1981 (AX-79-28) as part of the Seven-Bar Ranch Master Plan annexation action. The annexation comprised a total of 551 acres of land and consisted of additional various zoning designations.

The original site development plan for building permit for the Las Tiendas de Corrales Center that included the subject site was approved on February 17, 1983 (Z-79-146-1). Since this approval, the subject site has been in continuous commercial use. The existing commercial business on the subject site was established on April 16, 2014 (Building Permit # 2014-90563). All of the tenant improvements for the existing business were internal modifications and as such, were not subject to EPC approval.

4. The Albuquerque/Bernalillo County Comprehensive Plan, West Side Strategic Plan, Coors Corridor Sector Development Plan, Seven Bar Ranch Sector Development Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. The subject site is within the Developing Urban Area of the Comprehensive Plan. The request furthers the following applicable goals and policies of the Comprehensive Plan:

- A. Policy II.B.5.i: Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

Las Tiendas de Corrales Center was located within a commercially zoned area according to the policies contained within the Seven Bar Ranch Sector Development Plan. The intent of this sector development plan sought to support policies contained within the Comprehensive Plan to provide services while minimizing the adverse effects of noise, lighting, pollution and traffic on residential environments. Therefore, the request furthers Policy II.B.5.i.

- B. Policy II.B.5.j: Where new commercial development occurs, it should generally be located in existing commercially zoned areas as follows:
- In small neighborhood-oriented centers provided with pedestrian and bicycle access within reasonable distance of residential areas for walking or bicycling.
 - In larger area-wide shopping centers located at intersections of arterial streets and provided with access via mass transit; more than one shopping center should be allowed at an intersection only when transportation problems do not result.
 - In free-standing retailing and contiguous storefronts along streets in older neighborhoods.

The subject site is located within a small neighborhood-oriented center within reasonable distance of areas for walking or bicycling. The nearest residential development is located approximately 112 feet east of the subject site. The request will not change these conditions. Therefore, the request furthers Policy II.B.5.j.

- C. Policy II.B.5.k: Land adjacent to arterial streets shall be planned to minimize harmful effects of traffic; livability and safety of established residential neighborhoods shall be protected in transportation planning and operation.

NM 528, Coors Blvd. and Alameda Blvd. are characterized as Principal Arterials. The existing Las Tiendas de Corrales Center was planned to provide needed services while at the same time protecting established neighborhoods from harmful effects of development. The request will not change these conditions. Therefore, the request furthers Policy II.B.5.k.

- D. Environmental Protection and Heritage Conservation: The goal is to improve air quality to safeguard public health and enhance the quality of life. Applicable policies include:

Policy II.C.1.b: Automobile travel's adverse effects on air quality shall be reduced through a balanced land use/transportation system that promotes the efficient placement of housing, employment and services.

Policy II.C.1.e: Motor vehicle emissions and their adverse effects shall be minimized.

Policy II.C.1.i: Air quality considerations shall be integrated into zoning and land use decisions to prevent new air quality/land use conflicts.

Increases in automobile travel, motor vehicle emissions, and new air quality/land use conflicts will not be created by approval of the request. Therefore, the request furthers the goal of Environmental Protection and Heritage Conservation, and furthers Policies II.C.1.b., e., and i.

E. Economic Development: The Goal is to achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals. Applicable policies include:

Policy II.D.6.a: New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs located convenient to areas of most need.

The additional use of wholesaling beer and wine from the existing local business on the subject site will add to the existing job types and increase employment opportunities on the West Side of Albuquerque. The request furthers Policy II.D.6.a.

Policy II.D.6.d: Tourism shall be promoted.

The current microbrewery trend within the City of Albuquerque is part of a larger initiative that was officially supported by the State of New Mexico Legislature during the 2014 legislative session. More specifically, Senator Tim Keller sponsored a Senate memorial whose intent is to bring a broader awareness to craft brewery businesses becoming a strong factor in promoting economic development and tourism in New Mexico. The request furthers Policy II.D.6.d.

6. The request generally furthers the following applicable goals and policies of the Comprehensive Plan:

A. Policy II.B.5.d: The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, recreational concern.

While no new development is being proposed as part of this request, the proposed use associated with the request is appropriate for the commercial area that the subject site is located within. Therefore, the request generally furthers Policy II.B.5.d.

7. The request generally furthers the following applicable goals and policies of the West Side Strategic Plan (WSSP):

A. Plan Objective 8: Promote job opportunities and business growth in appropriate areas of the West Side.

The request will allow for local business growth and additional job opportunities that are appropriate for this section of the west side area. The request furthers WSSP Objective 8.

- B. Policy 1.6: Large areas dedicated to employment uses shall be preserved on the West Side at Seven Bar Ranch, Atrisco Business Park, and Double Eagle II Airport. Additional employment center development is also encouraged. The City of Albuquerque and Bernalillo County economic development programs shall actively encourage employers to locate in these employment centers.

The request associated with the subject site preserves commercial uses and adds to the job possibilities on the west side. The request furthers WSSP Policy 1.6.

- C. Policy 3.4: Several clusters of neighborhoods will develop within the Seven Bar Ranch Community. Each of these shall be served by a Neighborhood Center, so neighborhood commercial, public and quasi-judicial uses, and other uses appropriate for such Centers shall be encouraged. The lowest density single family residential development shall not occur within these Centers, but must have safe pedestrian and bicycle access to them.

The subject site is within the Las Tiendas de Corrales Center and contains commercial and other uses, excluding residential. The request preserves these uses and expands upon the business opportunities for a locally established neighborhood scale business. The request furthers WSSP Policy 3.4.

8. The request generally furthers the following applicable goals and policies of the Coors Corridor Sector Development Plan (CCSDP):

There are no applicable policies in the CCSDP that relate to this request because the request is based on adding an additional use to an existing commercial business, not the design or re-design of Coors Blvd.

However, the CCSDP does note the following relevant land use recommendation that this request is consistent with: "Properties on the west and east side of Coors Blvd. in Segment 4 should be annexed into the city when developed and the 7-Bar sector plan should be expanded to include these properties in order to coordinate appropriate land uses".

9. The request generally furthers the following applicable goals and policies of the Seven Bar Ranch Sector Development Plan (SBRSDP):

- A. Goal A5: The goal is to minimize transportation requirements through efficient placement of employment and services convenient to people, and to provide a balanced circulation system through encouragement of bicycling, walking, and use of mass transit as alternatives to automobile travel, while providing sufficient roadway capacity to meet mobility and access needs.
- B. Goal B1: The goal is the improvement of air quality in order to attain and maintain local and national ambient air quality standards.
- C. Goal B1.a. Automobile travel shall be reduced and travel be transit, bicycle, and walking encouraged as travel alternatives.

The additional use of wholesaling will minimize transportation requirements by reducing vehicle miles traveled from an efficiently located commercial business that is conveniently located near residential developments. Air quality will also be improved due a reduction in vehicle miles travelled. There are existing bicycle lanes along Coors Blvd., Alameda Blvd. and NM 528. Adjacent and nearby bus routes include: Route #98, Wyoming commuter route, passes the site on Alameda. Therefore, the request furthers SBRSDP Goals A5, B1, and B1.a.

10. The applicant has justified the zone change request pursuant to R-270-1980 as follows:
 - A. Staff agrees that the cited Comprehensive Plan policies support the statement that the request is consistent with the health, safety, and morals of the city.
 - B. Staff agrees that stability of land use will be maintained because approval of the requested zone change will simply add a use to the existing zoning which in turn will result in no change to the manner in which business is conducted.
 - C. The request is generally consistent with several goals and policies of the applicable plans (see Finding 5 - 9).
 - D. Staff agrees that reducing congestion on existing roadways by decreasing additional vehicle trips/vehicle miles travelled within the City of Albuquerque represents a needed public benefit.
 - E. Staff agrees that the additional use of wholesaling will not be harmful to adjacent property, neighborhoods, or the community because it will not increase potentially harmful items such as traffic, noise, light, or air pollution.
 - F. Staff agrees that approval of the requested amendment will not require any capital improvements because the site is located in an area that already has sufficient infrastructure to serve the existing commercial activities.
 - G. Staff agrees that the cost of land or other economic considerations are not the sole determining factor for the change of zone.
 - H. Staff agrees that the request is not being justified based solely on the sites location on a major roadway.
 - I. Staff agrees that the request will not result in a spot zone.
 - J. Staff agrees that the requested zone map amendment will not result in a strip zone.

11. The Westside Coalition of Neighborhood Associations was notified of this request. A facilitated meeting was not recommended or held. There is no known neighborhood opposition to this request.

**RECOMMENDATION - 15EPC-40005- March 12, 2015-Sector Development Plan Map Amendment
(Zone Change)**

APPROVAL of 15EPC-40005, a request for Sector Development Plan Map Amendment (Zone Change) for Tract F-1A Las Tiendas de Corrales Center, Seven Bar Ranch from SU-1 for C-2 Uses to SU-1 for C-2 Uses and Wholesaling of Beer and Wine, based on the preceding Findings.



**Vicente M. Quevedo
Planner**

Notice of Decision cc list:

Gerald C. Worrall, 1039 Pinatubo Pl. NW, Albuquerque, NM 87120

Harry Hendrickson, 10592 Rio Del Sole Ct. NW, Albuquerque, NM 87114

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

No comments received.

Office of Neighborhood Coordination

No Neighborhood and/or Homeowner Associations in the area. West Side Coalition of Neighborhood Associations was notified. No facilitated meeting recommended.

Long Range Planning

No comments received.

Metropolitan Redevelopment Agency

No comments received.

CITY ENGINEER & DEPARTMENT of MUNICIPAL DEVELOPMENT

Project # 1010354 Boxing Brewery Company (Corrales/Alameda)

15EPC-40005 Amendment to Sector Development Plan (Zone Change)

City Engineer/Transportation Development:

- No objection to the request.

DMD Transportation Planning:

- Per the Interim Long Range Roadway System Map, NM 528. Both of these roadways are on the state highway system which is administered by the New Mexico Department of Transportation. See DOT's comments. Per the Long Range Bikeway Systems Map, NM 528 and Corrales Road are supposed to contain striped bicycle lanes.

NMDOT:

- No objection to the request.

WATER UTILITY AUTHORITY

Utility Services

No comments received.

ENVIRONMENTAL HEALTH DEPARTMENT

PARKS AND RECREATION

Planning and Design

Reviewed, no adverse comments.

Open Space Division

Reviewed, no adverse comments.

City Forester

No comments received.

POLICE DEPARTMENT/Planning

No comments received.

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

Reviewed, no adverse comments.

FIRE DEPARTMENT/Planning

Reviewed, no adverse comments.

TRANSIT DEPARTMENT

Adjacent and nearby routes: Route #98, Wyoming commuter route, passes the site on Alameda.

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

No comments received.

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

Reviewed, no adverse comments.

ALBUQUERQUE PUBLIC SCHOOLS

This will have no adverse impacts to the APS District.

MID-REGION COUNCIL OF GOVERNMENTS

Reviewed, no adverse comments.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

No comments received.

PUBLIC SERVICE COMPANY OF NEW MEXICO

PNM has no comments based on the information provided to date.

R-270-1980

Policies for Zone Map Change Applications

The following policies for deciding zone map change applications pursuant to the Comprehensive City Zoning Code are hereby adopted:

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

(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.

(C) A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other city master plans and amendments there, to, including privately developed area plans which have been adopted by the city.

(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 (D)(1) or (D)(2) above do not apply.

(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.

(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.

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

(H) Location on a collector or major street is not in itself sufficient justification for apartment, office, or commercial zoning.

(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.

(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 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.

(Res. 270-1980, approved 12-30-80)

HISTORY

CITY of ALBUQUERQUE
FOURTH COUNCIL

COUNCIL BILL NO. 0-174 ENACTMENT NO. 67-1981 ¹¹

SPONSORED BY: Patrick J. Baca

ORDINANCE

1 ANNEXING PRIVATELY-OWNED PROPERTIES AND PUBLIC RIGHTS-OF-
2 WAY DESCRIBED IN THE SEVEN-BAR RANCH SUMMARY PLAT
3 GENERALLY BOUNDED BY PARADISE HILLS, THE
4 BERNALILLO/SANDOVAL COUNTY LINE, COORS ROAD AND
5 CALABACILLAS ARROYO TO THE CITY OF ALBUQUERQUE, NEW
6 MEXICO; AND AMENDING THE ZONE MAP OF THE CITY OF
7 ALBUQUERQUE.

8
9 WHEREAS, the owner of the area to be annexed and hereinbelow
10 described in this ordinance, which land is contiguous to the boundaries of the
11 City of Albuquerque, New Mexico, has heretofore presented a petition
12 properly signed, accompanied by a map of said contiguous territory,
13 petitioning the Governing Body of the City of Albuquerque, New Mexico, to
14 pass and adopt an ordinance annexing said land to the City; and

15 WHEREAS, the following additional findings are made:

- 16 1. This area is particularly appropriate for the range of urban
17 services which the City can provide.
- 18 2. The annexation of this area into the City is desirable.
- 19 3. Applicants have complied with applicable City policies
20 regarding land dedication for public facilities.
- 21 4. The applicants have agreed in writing to the timing of
22 capital expenditures for necessary major streets, water, sanitary sewer and
23 storm water handling facilities.
- 24 5. The land proposed for annexation does have provision for
25 convenient street access to the City.
- 26 6. The land proposed for annexation has reasonable boundaries.

AX-79-28

1 7. The City limits as extended will consist of platted lot lines
2 or public right-of-way lines.

3 8. The zoning approved by the Environmental Planning
4 Commission is consistent with the health, safety, and general welfare of this
5 City.

6 9. The entire area within the Seven-Bar Ranch Master Plan for
7 which zoning is sought is Established Urban as indicated in the
8 Albuquerque/Bernalillo County Comprehensive Plan.

9 10. The applicant has provided a sound justification for the zone
10 categories requested for the various parcels within the Seven-Bar Ranch
11 Master Plan.

12 11. The zoning approved is consistent with the comprehensive
13 plan, and the Northwest Mesa Area Plan, Council Memorial M-1-1981, as well
14 as other applicable City plans and policies.

15 12. The zoning approved is appropriate in light of changed
16 neighborhood and community conditions and because the use categories
17 proposed are more advantageous to the community than existing County
18 zoning.

19 13. The uses approved will not be harmful to adjacent property,
20 the neighborhood, or the community.

21 14. The zoning approved will not require any major and
22 unprogrammed capital expenditures by the City and is consistent with the
23 City's annexation policy.

24 15. The zoning approved does not constitute either spot or strip
25 zoning.

26 16. The case record in this matter, including but not limited to,
27 the Minutes of the hearings before the Environmental Planning Commission
28 and its deliberations, findings and motions are clear, unambiguous and
29 adequate.

30 17. Sector development planning and subsequent dedication of
31 rights-of-way, as required by the EPC, are needed before site development
32 plans are approved in this area.

33 BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE

1 CITY OF ALBUQUERQUE:

2 Section 1. The following described territory is hereby annexed to and
3 made a part of the City of Albuquerque for all purposes upon filing a copy of
4 this ordinance and map of the territory so annexed in the Office of the
5 County Clerk of Bernalillo County, New Mexico, and publication of this
6 ordinance according to law:

7 A. The Seven-Bar Ranch Summary Plat, as filed in the Office
8 of the County Clerk of Bernalillo County, New Mexico on June 8, 1981.

9 B. The public right-of-way for State Road 528 from the
10 Coors/Corrales intersection northwesterly to the Bernalillo County/Sandoval
11 County line.

12 C. The public right-of-way for Corrales Road (State Highway
13 46) from the Coors/Corrales intersection southeasterly to the Corrales
14 acequia.

15 D. The public right-of-way for Coors Road from the
16 Coors/Montano intersection northward to Cabezon Road.

17 Section 2. The zone map, adopted by Section 7-14-46.C. R.O. 1974 is
18 hereby amended as follows:

19 A. Establishment of SU-1 zoning as follows:

20 1. Special use for Planned Residential Development (2 to
21 6 dwelling units per acre) for Tracts A, B, C, D, E, G, and H of the Seven-Bar
22 Ranch Master Plan consisting of 305 acres.

23 2. Special Use for Planned Residential Development (7 to
24 12 dwelling units per acre) for Tracts F, I, and J of the Seven-Bar Ranch
25 Master Plan consisting of 126 acres.

26 3. Special Use for Employment/Office Park and Related
27 Uses for Tracts V and W of the Seven-Bar Ranch Master Plan consisting of 21
28 acres.

29 4. Special Use for Regional Shopping Center and Related
30 Uses for Tract T of the Seven-Bar Ranch Master Plan consisting of 50 acres.

31 5. Special Use for Neighborhood Shopping Center and
32 Related Uses for the Northwest corner of the Coors/Corrales intersection
33 consisting of 12 acres.

1 6. Special Use for Planned Development Area for O-1
2 Uses for each of 3 separate 3-acre tracts designated respectively as Tracts
3 U₁, U₂, and U₃ of the Seven-Bar Ranch Master Plan consisting of a total of 9
4 acres.

5 7. Special Use for C-2 Uses for Tract S of the Seven-Bar
6 Ranch master Plan consisting of 10 acres.

7 8. Special Use for Medical Office Park and Related Uses
8 for Tract P of the Seven-Bar Ranch Master Plan consisting of 9 acres.

9 9. Special Use for Public Facilities, Recreational Uses,
10 and Incidental Office, Service, and Retail Uses for Town Center tract
11 consisting of 6 acres.

12 10. Special Use for Drainage Channel and Greenbelt
13 Buffer Area for the tract north of Tracts T, U₁, and & U₂ consisting of 6
14 acres.

15 11. This zoning enactment is and site development plans
16 subsequently approved hereunder shall be consistent with Council Memorial
17 M-1-1981.

18 12. No SU-1 site development plan shall be approved in
19 the area of this annexation except in accordance with an adopted sector
20 development plan covering at least the area herein annexed.

21 13. Tracts referenced herein are those shown on the "7-
22 Bar Ranch Master Plan" which is attached hereto and made a part hereof.

23 Section 3. Effective Date and Publication. This ordinance shall
24 become effective five days after publication in full.

25 Section 4. Severability Clause. If any section, subsection, sentence,
26 clause, word or phrase of this ordinance is for any reason held to be
27 unconstitutional or otherwise invalid by any court of competent jurisdiction
28 such decision shall not affect the validity of the remaining portions of this
29 ordinance. The City Council, the Governing Body of the City of Albuquerque,
30 hereby declares that it would have passed this ordinance and each section,
31 subsection, sentence, clause, word, or phrase thereof irrespective of any one
32 or more sections, subsections, sentences, clauses, words, or phrases being
33 declared unconstitutional or otherwise invalid.

1 PASSED AND ADOPTED THIS 22nd day of June, 1981.

2 BY A VOTE OF 9 FOR AND 0 AGAINST.

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Marion M. Cottrell

Marion M. Cottrell, President
City Council

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11 APPROVED this 21st day of July, 1981.

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David Rusk

David Rusk, Mayor
City of Albuquerque

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29 ATTEST:

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Pat A. Bell

32

33 City Clerk/Recorder

1. This plan shows the site for the proposed Las Tiendas de Corrales Center. The site is bounded by Cooks Blvd. to the north, McDonald's to the south, and the existing Corrales Center to the east. The site is approximately 1.17 acres in area.

2. The proposed development consists of a two-story office building with a total area of approximately 100,000 square feet. The building will be constructed on a 0.5-acre portion of the site. The remaining 0.67 acres will be used for parking and landscaping.

3. The proposed building will be constructed in accordance with the City of Albuquerque Building Code. The building will have a maximum height of 35 feet. The building will be set back from the Cooks Blvd. frontage by 10 feet.

4. The proposed parking area will consist of 100 parking spaces. The parking spaces will be located on the east side of the site, adjacent to the existing Corrales Center.

5. The proposed landscaping will consist of trees and shrubs. The landscaping will be located around the perimeter of the site.

6. The proposed development will be constructed in two phases. Phase 1 will consist of the construction of the office building. Phase 2 will consist of the construction of the parking area and landscaping.

7. The proposed development will be constructed in accordance with the City of Albuquerque Comprehensive Zoning Ordinance. The proposed development is consistent with the Comprehensive Zoning Ordinance.

8. The proposed development will be constructed in accordance with the City of Albuquerque Subdivision Ordinance. The proposed development is consistent with the Subdivision Ordinance.

9. The proposed development will be constructed in accordance with the City of Albuquerque Environmental Code. The proposed development is consistent with the Environmental Code.

10. The proposed development will be constructed in accordance with the City of Albuquerque Health and Safety Code. The proposed development is consistent with the Health and Safety Code.

11. The proposed development will be constructed in accordance with the City of Albuquerque Fire Code. The proposed development is consistent with the Fire Code.

12. The proposed development will be constructed in accordance with the City of Albuquerque Electrical Code. The proposed development is consistent with the Electrical Code.

13. The proposed development will be constructed in accordance with the City of Albuquerque Mechanical Code. The proposed development is consistent with the Mechanical Code.

14. The proposed development will be constructed in accordance with the City of Albuquerque Plumbing Code. The proposed development is consistent with the Plumbing Code.

15. The proposed development will be constructed in accordance with the City of Albuquerque Gas Code. The proposed development is consistent with the Gas Code.

16. The proposed development will be constructed in accordance with the City of Albuquerque Energy Code. The proposed development is consistent with the Energy Code.

17. The proposed development will be constructed in accordance with the City of Albuquerque Accessibility Code. The proposed development is consistent with the Accessibility Code.

18. The proposed development will be constructed in accordance with the City of Albuquerque Sign Code. The proposed development is consistent with the Sign Code.

19. The proposed development will be constructed in accordance with the City of Albuquerque Tree Ordinance. The proposed development is consistent with the Tree Ordinance.

20. The proposed development will be constructed in accordance with the City of Albuquerque Street Use Ordinance. The proposed development is consistent with the Street Use Ordinance.

21. The proposed development will be constructed in accordance with the City of Albuquerque Public Works Code. The proposed development is consistent with the Public Works Code.

22. The proposed development will be constructed in accordance with the City of Albuquerque Public Safety Code. The proposed development is consistent with the Public Safety Code.

23. The proposed development will be constructed in accordance with the City of Albuquerque Public Health Code. The proposed development is consistent with the Public Health Code.

24. The proposed development will be constructed in accordance with the City of Albuquerque Public Welfare Code. The proposed development is consistent with the Public Welfare Code.

25. The proposed development will be constructed in accordance with the City of Albuquerque Public Utility Code. The proposed development is consistent with the Public Utility Code.

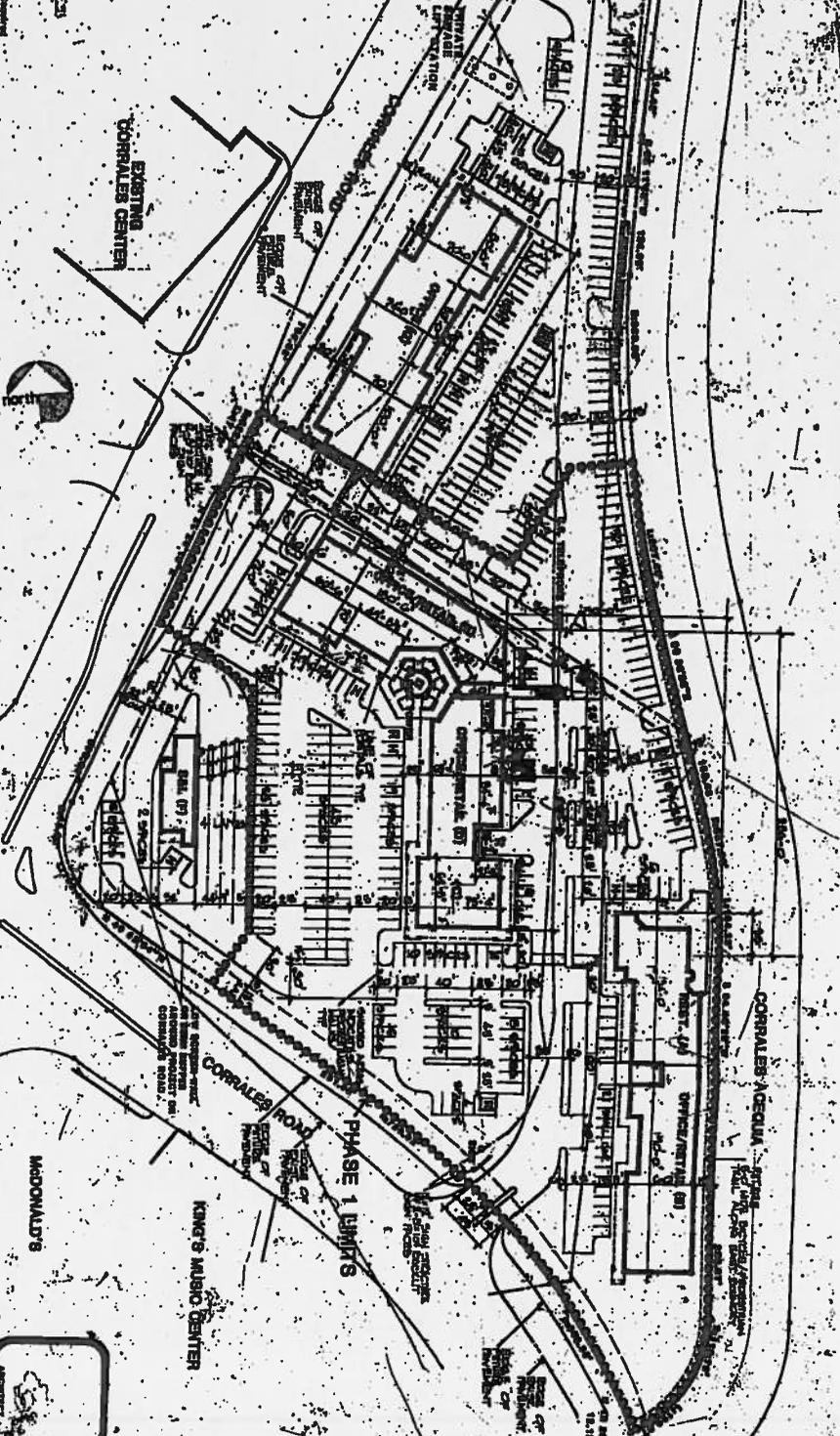
26. The proposed development will be constructed in accordance with the City of Albuquerque Public Works Code. The proposed development is consistent with the Public Works Code.

27. The proposed development will be constructed in accordance with the City of Albuquerque Public Safety Code. The proposed development is consistent with the Public Safety Code.

28. The proposed development will be constructed in accordance with the City of Albuquerque Public Health Code. The proposed development is consistent with the Public Health Code.

29. The proposed development will be constructed in accordance with the City of Albuquerque Public Welfare Code. The proposed development is consistent with the Public Welfare Code.

30. The proposed development will be constructed in accordance with the City of Albuquerque Public Utility Code. The proposed development is consistent with the Public Utility Code.



SITE DEVELOPMENT PLAN

Prepared by: [Name]

Date: [Date]

LAS TIENDAS DE CORRALES CENTER

Albuquerque, New Mexico
 VOGT & BYRNES, P.A. 1647 University Blvd. N.E., Albuquerque, New Mexico 87102 (505) 848-1526

2-79-146-



REVIEWED SET FOR D.A.M. FINAL APPROVAL - JUNE 1, 1983

ZONING

Refer to Section 14-16-2-22 of the Zoning Code for specifics regarding the SU-1 Special Use Zone and Section 14-16-2-17 for specifics regarding the C-2 Community Commercial Zone.

APPLICATION INFORMATION



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

Supplemental Form (SF)

S Z ZONING & PLANNING

- Annexation
 - V X** Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
 - P** 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 2nd Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICATION INFORMATION:

Professional/Agent (if any): Bohannan Huston, Inc. PHONE: (505) 823-1000
 ADDRESS: 7500 Jefferson Street, Courtyard 1 FAX: (505) 798-7988
 CITY: Albuquerque STATE NM ZIP 87108 E-MAIL: pwymr@bhinc.com
 APPLICANT: Boxing Bear Brewing Company PHONE: (505) 897-2327
 ADDRESS: 10200 Corrales Road NW FAX: _____
 CITY: Albuquerque STATE NM ZIP 87114 E-MAIL: info@boxingbearbrewing.com
 Proprietary interest in site: Brew Pub Owner List all owners: Quail Run Ventures, LLC/Georgia Ventures, LLC/Corrales Ventures, LLC

DESCRIPTION OF REQUEST: Sector Development Plan Amendment / 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. F1-A Block: _____ Unit: _____
 Subdiv/Addn/TBKA: Seven Bar Ranch
 Existing Zoning: SU-1 for C2 uses Proposed zoning: SU-1 for C2 uses and wholesaling of Beer and Wine MRGCD Map No. _____
 Zone Atlas page(s): A-14-Z UPC Code: 10140853152510404

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_Z_, V_, S_, etc.): Z-79-148-1, 1000676, 1001367

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? No
 No. of existing lots: 1 No. of proposed lots: 1 Total site area (acres): 1.2244
 LOCATION OF PROPERTY BY STREETS: On or Near: Corrales Road NW (10200)
 Between: Alameda Blvd. and Calle Cuervo Road
 Check if project was previously reviewed by: Sketch Plat/Plan or Pre-application Review Team(PRT) Review Date: 4-15-14

SIGNATURE Paul M. Wymor DATE 1/29/15
 (Print Name) PAUL M. WYMER Applicant: Agent:

FOR OFFICIAL USE ONLY

	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> INTERNAL ROUTING	<u>15 EPC - 40005</u>	<u>ASP</u>		<u>\$425.00</u>
<input checked="" type="checkbox"/> All checklists are complete		<u>CMF</u>		<u>\$50.00</u>
<input checked="" type="checkbox"/> All fees have been collected		<u>ADV</u>		<u>\$75.00</u>
<input checked="" type="checkbox"/> All case #s are assigned				\$
<input checked="" type="checkbox"/> AGIS copy has been sent				\$
<input checked="" 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. 16% rebate				\$
	Hearing date <u>March 12, 2015</u>			Total <u>\$550.00</u>
	<u>1-29-15</u>	Project # <u>1010354</u>		
	Staff signature & Date			

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.

PAUL M. WYMER
[Signature]
Applicant name (print)
Applicant signature & Date
1/29/15



- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- Application case numbers
15EPC-40005

Revised: June 2011
[Signature]
Staff signature & Date
1-29-15
Project # 1010354

CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) FORM

APPLICANT: BOXING BEAR BREWING CO. DATE OF REQUEST: 1/29/15 ZONE ATLAS PAGE(S): A-14-2

CURRENT:

ZONING SU-1 FOR C2 USES
PARCEL SIZE (AC/SQ. FT.) 1.2244 AC.

LEGAL DESCRIPTION:

LOT OR TRACT # F-1A BLOCK # _____
SUBDIVISION NAME SEVEN BAR RANCH

REQUESTED CITY ACTION(S):

ANNEXATION [] SU-1 FOR SU-1 FOR SITE DEVELOPMENT PLAN:
ZONE CHANGE : From C2 USES To C2 USES SUBDIVISION* [] AMENDMENT []
SECTOR, AREA, FAC, COMP PLAN AND WHOLESALE BUILDING PERMIT [] ACCESS PERMIT []
AMENDMENT (Map/Text) OF BEER AND WINE BUILDING PURPOSES [] OTHER []

*includes platting actions

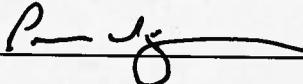
PROPOSED DEVELOPMENT:

NO CONSTRUCTION/DEVELOPMENT
NEW CONSTRUCTION []
EXPANSION OF EXISTING DEVELOPMENT []

GENERAL DESCRIPTION OF ACTION:

OF UNITS: _____
BUILDING SIZE: _____ (sq. ft.)

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

APPLICANT OR REPRESENTATIVE  DATE 1/29/15

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

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

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

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

Notes:

No new building or change to site.

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.**


TRAFFIC ENGINEER

1/29/15
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 _____

Las Tiendas Center

January 28, 2015

RE: Zone Map Amendment: Tract F1-A, Seven Bar Ranch

To whom it may concern,

I hereby authorize Bohannon Huston, Inc. staff to act as my agent in all matters associated with the Zone Map Amendment request for the subject property.

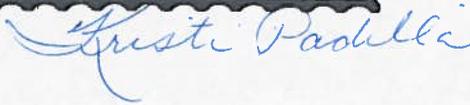
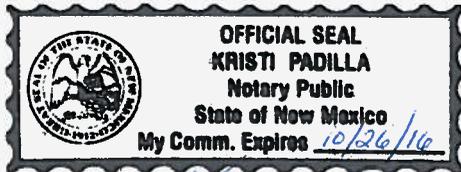
Sincerely,



Greg L. Foltz

Authorized Representative

Quail Run Ventures, LLC / Georgia Ventures, LLC / Corrales Ventures, LLC



February 11, 2015

Mr. Peter Nicholls
Chair
Environmental Planning Commission
City of Albuquerque
PO Box 1293
Albuquerque, NM 87103

Re: Sector Development Plan/Zone Map Amendment Request: Tract F-1A,
Seven Bar Ranch

Dear Chairman Nicholls,

The purpose of this letter is to provide a description of, and justification for a Sector Development Plan/Zone Map Amendment for the subject property which is located at 10200 Corrales Rd. NW, at the northeast corner of Alameda and Corrales Rd. The business that is associated with this request is the Boxing Bear Brewing Company. The property is currently zoned SU-1 for C-2 Uses and is a part of the Seven Bar Sector Development Plan area. The proposed zoning is SU-1 for C-2 uses *and wholesaling of beer and wine products, including growlers.*

Because wholesaling is first listed as a permissive use in the C-3 zone, and because the owners of the Boxing Bear Brewing Company wish to wholesale their products from this site, this zone map amendment request is being pursued. Properties abutting the site are zoned SU-1 for C-2 uses (west and south; Las Tiendas De Corrales Shopping Center), SU-1 for IP Uses (north), and Village of Corrales controlled residential property (east). South of the property and across Alameda Blvd., properties are zone SU-1 for C-1 uses (McDonalds, Ann Matthews Bridal), and SU-1 for C-1 and Restaurant with Full Service Liquor (Cottonwood Professional Shopping Center).

Applicable portions of the Seven Bar Sector Development Plan, which are proposed to be amended as a part of this request, include Exhibit 3, Land Use map, and Exhibit 4, which details parcel land use and zoning. These exhibits are included, as modified, and as required by submittal form Z.

I. **The following Ordinances, Plans, and Policies are applicable to this request:**

A. **Albuquerque Bernalillo County Comprehensive Plan Section II, Goals and Policies:**

Land Use, Section II. B:

The site is located in the Developing Urban area of town as designated by the Comprehensive Plan. The goal of development within the Developing Urban Area is to create a quality urban environment, which offers variety and maximum choice in housing, transportation, work areas, and life styles while creating a visually pleasing built environment. The existing restaurant and brew pub is located in a long established shopping center (Las Tiendas De Corrales) which has an attractive territorial

architectural style. Incorporating a wholesale component to the business will add another type of work/employment opportunity to it. See also paragraph 9 (Policy II. D. 6a) below.

(1) Policy II. B.5d: The location, intensity, and design of new development shall respect existing neighborhood value.

The subject business is located primarily in an area abutted by other businesses. The exception to this is a Village of Corrales residential development located east of the site and separated by an existing irrigation channel. This residential development was constructed after the shopping center was built. The proposed Zone Map Amendment will not change the architectural design of the building. Similarly, no additional vehicular traffic will result from the change. Currently, the business receives deliveries and also exports product to other facilities where wholesaling is permissive. This traffic occurs on the west side of the building approximately centered on it (see attached plan view exhibit and photographs). If approved, the zone change will have no impact on the intensity of the business activity as compared to existing conditions.

(2) Policy II. B. 5l: Employment and service uses shall be located to complement residential areas and shall be cited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

As discussed in the paragraph above, no change to the building style or vehicular traffic will occur as a result of this zone change. The Las Tiendas shopping center is a small neighborhood center providing shopping opportunities within walking and biking distance to the 27 residential homes on the north side of Alameda and many more south of this road. An apartment complex is also located north and west of the property on Calle Cuervo Rd. The closest residential structure to this business is approximately 112' east of the rear of the existing building and approximately 208' from the service area (straight line measurement). Delivery vehicles come and go from the site on the opposite side of the building, out of site of the residential properties, resulting in little or no impact to the neighborhood east of the property. Measurements discussed above are as calculated using Google Earth.

(3) Policy II. B. 5j: Where new commercial development occurs, it should generally be located in existing commercially zoned areas as follows; in small neighborhood-oriented centers provided with pedestrian and bicycle access within reasonable distance to residential areas for walking or bicycling.

The subject restaurant is an existing business in an existing commercially zoned and developed property fronting Alameda Blvd., a major arterial. As discussed above, it exists in a neighborhood oriented shopping center within walking or biking distance to approximately 27 residents on the north side of Alameda and many more on the south side. An apartment complex is also located north and west of the property on Calle Cuervo Rd. The proposed zone change will not change these conditions.

- (4) Policy II. B. 5k: Land adjacent to arterial streets shall be planned to minimize harmful effects of traffic; livability and safety of established residential neighborhoods shall be protected in transportation and operation.**

Changes to traffic patterns serving the restaurant if this zone change is approved will not occur. No additional traffic will impact the nearby neighborhoods. Vehicular traffic will continue to arrive and leave the shopping center from either Alameda Blvd. or Corrales Road.

- (5) Policy II. B. 5l: Quality and Innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate to the Plan area.**

The existing building and its complimentary shopping center structures are built in an attractive territorial architectural style. The existing buildings have already undergone a review and approval process in 1983 (Site Development Plan) to ensure compatibility with City Plans, Ordinances, and Policies. No change will be made to the appearance of the building, if the zone change is approved.

Environmental Protection, Section IIC

The goal is to improve air quality to safeguard public health and enhance the quality of life.

The following policies are applicable to this request for the stated reasons:

- (6) Policy II. C. 1b: Automobile travel's adverse effects on air quality shall be reduced through a balanced land use/transportation system that promotes the efficient placement of housing, employment, and services.**

The following discussion is consistent with the "Possible Techniques" listed as a part of Policy II. C.1.b.

As discussed above, no additional traffic will impact the nearby neighborhoods. Vehicular traffic will continue to arrive and leave the shopping center from either Alameda Blvd. or Corrales Road. Wholesale operations occurring at the site will actually reduce the quantity of vehicular traffic on the transportation network by eliminating the need of additional trips to move the product to a location where wholesaling is permissive. Instead, deliveries will occur singularly to the end user. This is consistent with "Possible Technique" 1 because the result is a better coordination between transportation and land use facility planning.

Related to this fact is the added benefit of better control of delivery timing than results on a City-wide basis today. The current requirement to move the product off-site to a wholesale distributor results in that business loading large delivery trucks and making numerous and frequent deliveries across the City, as convenient to their schedule and

typically, regardless of traffic congestion and/or disturbance of adjoining properties. The subject zone map amendment, if approved, would allow for the wholesale delivery of a significantly smaller quantity of beer and wine (including growlers) requiring a much smaller, more fuel efficient, and quieter delivery vehicle. Similarly, delivery schedules could be monitored to insure minimal or no impact to the residential neighborhood and/or other commercial properties.

- (7) Policy II. C. 1e: Motor vehicle emissions and their adverse effects shall be minimized.**
- (8) Policy II. C. 1l.: Air quality considerations shall be integrated into zoning and land use decisions to prevent new air quality/land use conflicts.**

These policies will be enhanced with the approval of this request. As discussed above, fewer trips will result by allowing a wholesaling operation from this existing business. Better timing of deliveries will allow for off-peak delivery schedules. Delivery of a smaller quantity of product will result in the ability to use a more energy efficient vehicle with less emissions and a smaller carbon footprint than a large truck.

Economic Development, Section IID

- (9) Policy II.D. 6a: New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs located convenient to areas of most need.**

Adding the ability to wholesale beer and wine (including Growlers) from this existing restaurant and brew pub will create additional employment opportunities for this business. These opportunities will add to the existing job types at the business, thereby, increasing employment opportunities with different skillset requirements. The initial job creation estimate is 2-4 staff, including a Sales manager, a Sales representative, delivery staff, and maintenance staff.

- (10) Policy II. D. 6b: Tourism shall be promoted.**

The brew pub industry has experienced a recent surge of popularity and growth in the Albuquerque Metropolitan area. The existing restaurant and brew pub is an example of this business type which tends to promote tourism by providing additional opportunities for experiencing the industry. Approving the zone map amendment to allow wholesaling will result in added exposure of this product to other facilities, and an expansion of an existing business.

B. Seven Bar Sector Development Plan; Planning Policies and Goals:

The Policies and Goals section of the Seven Bar Sector Development Plan (SBRSDP) discusses planning policies and goals of the Northwest Mesa Area Plan and Comprehensive Plan. A note also adds: "The following is a summary of key goals and

their counterparts in the Seven-Bar Sector Plan.” Referenced following this text are goals which mimic those discussed above including:

- (1) Goal A5: “The goal is to minimize transportation requirements through efficient placement of employment and services convenient to people....”**
- (2) Goal B1: “The goal is the improvement of air quality in order to attain and maintain local and national ambient air quality standards...”**

As discussed in the Comprehensive Plan paragraphs above, the proposed zone map amendment will achieve these goals by reducing the quantity of vehicular travel by placing a wholesale service in a location that is compatible and complementary to the primary purpose of the existing business.

This is also consistent with statements made in the SBRSDP, noting that the plan proposes: “the location of major commercial, institutional, and employment centers in immediate proximity to a wide diversity of housing densities and types. This should minimize automobile travel, encourage a heterogeneous community appealing to a broad spectrum of desires, and hence, should lead to a relatively self-sufficient “community within a community.” The self-sufficiency statement will be achieved by approval of the subject request by adding an important service to this “community within a community” that currently does not exist at this site.

Finally, the SBRSDP notes that “this project plan seeks to effectively meet the growing demand for jobs and housing in the area and to harmonize effectively with City policies, goals, and planning programs.” The demand for jobs statement in this paragraph will be achieved with the approval of this request.

II. Justification for the Zone Map Amendment Resolution 270-1980:

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

The zone map amendment request is consistent with the health, safety, and morals of the City. Comprehensive Plan policies, referenced in section 1 above, support this statement. Specifically, policies II B 5d, II B 5i, II B 5j, II B 5k, II B 5l, II C 1b, II.C.1.e, II.C.1f, II D 6a, and II D 6b. and the reasons noted therein provide specific definition of how the health, safety, morals, and general welfare of the City and its citizens are protected. Adding a wholesaling operation to the existing restaurant will result in less vehicular travel by reducing the need to ship the product to an off-site location which allows wholesale product distribution. This reduction in vehicular traffic results in a safer transportation network while also reducing the quantity of pollution created and fuel consumed. Delivery vehicles will come and go as they do today, hidden from impact to the residential neighborhood east of the building.

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.

As discussed elsewhere in this letter, the proposed zone change will result in no change to the manner in which business is conducted at the property today. Stability is defined as "the state of continuing without change." Stability of land use will consequently, be achieved. Other benefits will include those discussed in the paragraph above. The proposed change is only for wholesaling of the products produced on site. No additional wholesaling is requested, thereby insuring future changes inconsistent with the operation of the restaurant and brewery will not occur.

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.

Section A above discusses the requests conformance to the applicable Comprehensive Plan and Seven Bar Ranch Sector Development Plan policies.

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

- (1) There was an error when the existing zoning map pattern was created;
or**
- (2) Changed neighborhood or community conditions justify the changes;
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 4a. and 4b. do not apply.**

The proposed zone change is more advantageous to the community as articulated by Comprehensive Plan Policies II B 5d, II B 5i, II B 5j, II B 5k, II B 5l, II C 1b, II.C.1.e, II.C.1f, II D 6a, and II D 6b as discussed in section 1, at the top of this document. Other advantages to this zone map amendment are discussed above and include improved safety and air quality to the residents of the area and the City as a whole. Eliminating duplicate vehicle miles traveled also reduces the quantity of fuel consumed. Consolidating compatible and complimentary uses into one facility is also advantageous to the community for these same reasons and represents a needed benefit to the public. This public need focuses importantly on the health benefits of the residents, reducing the need for added transportation improvements, reducing congestion on existing roadways, and making the transportation system safer by reducing the size of vehicle performing the wholesaling deliveries.

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.

This request, if approved, would not be harmful to the adjacent property, neighborhood, or community. Factors which would typically be considered harmful to nearby neighborhoods include an increase in traffic, noise, light, and air pollution. Specific to wholesaling operations, these factors could negatively impact the neighborhood if the proposed operation resulted in an increase in vehicle trips, an increase in vehicle delivery sizes, and/or an increase in loading and unloading activities resulting in added noise. The proposed wholesaling use would result in operations identical to those which occur on the property today, resulting in no change in these conditions as they impact the neighborhood. Loading and unloading of supplies and product would occur on the opposite side of the building from the nearby community, which is separated from the property by an irrigation channel and vegetation. No additional lighting is proposed to be added to support this use.

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 map amendment, if approved, would not require the construction of any capital improvements. The site is located in an area of town that has sufficient infrastructure to serve the existing development.

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

The requested change of zone is not due to economic considerations but instead to provide a compatible and complimentary use for the property.

H. Location on a collector or major street is not, in and of itself justification for apartment, office, or commercial zoning.

This letter lists many reasons for justifying the Zone Map Amendment and describes why they are applicable to the Albuquerque Bernalillo County Comprehensive Plan. These reasons include many that are not related to the sites location on a major roadway.

- 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 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,**

Mr. Peter Nicholls
City of Albuquerque
February 11, 2015
Page 8

- (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.**

Changing the zone of the subject site will not result in it becoming a "spot zone." The zone designation of SU-1 for C-2 uses is identical to the adjacent properties in the shopping center. The addition of "wholesaling" is simply an added use that is complementary to the existing C-2 business that is operating today

- 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.**

The subject zone map amendment will not result in a "strip zone."

Please review the information contained herein, and let me know if you need additional information to consider this request. Please schedule the request to be heard at the March 12, 2015 EPC hearing.

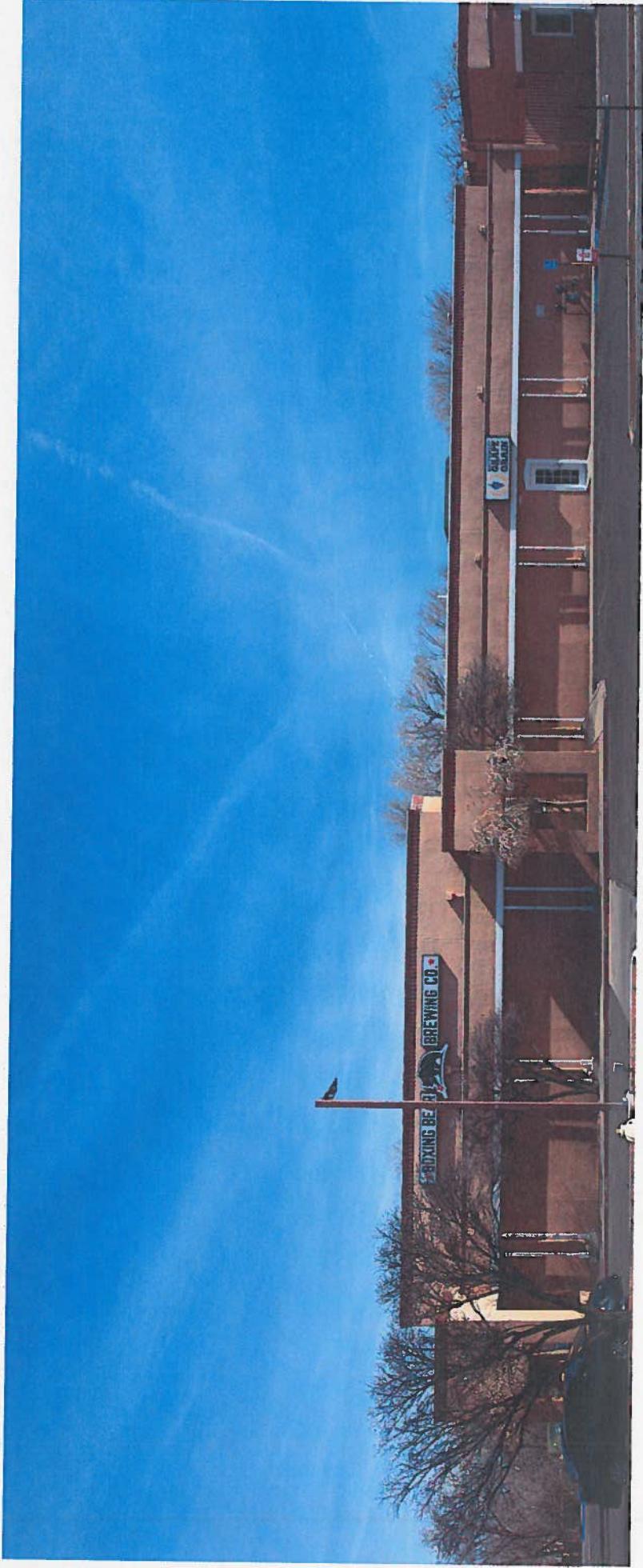
Sincerely,



Paul M. Wymer, AIA, AICP
Project Manager
Community Development & Planning

PWM/jcm
Enclosures

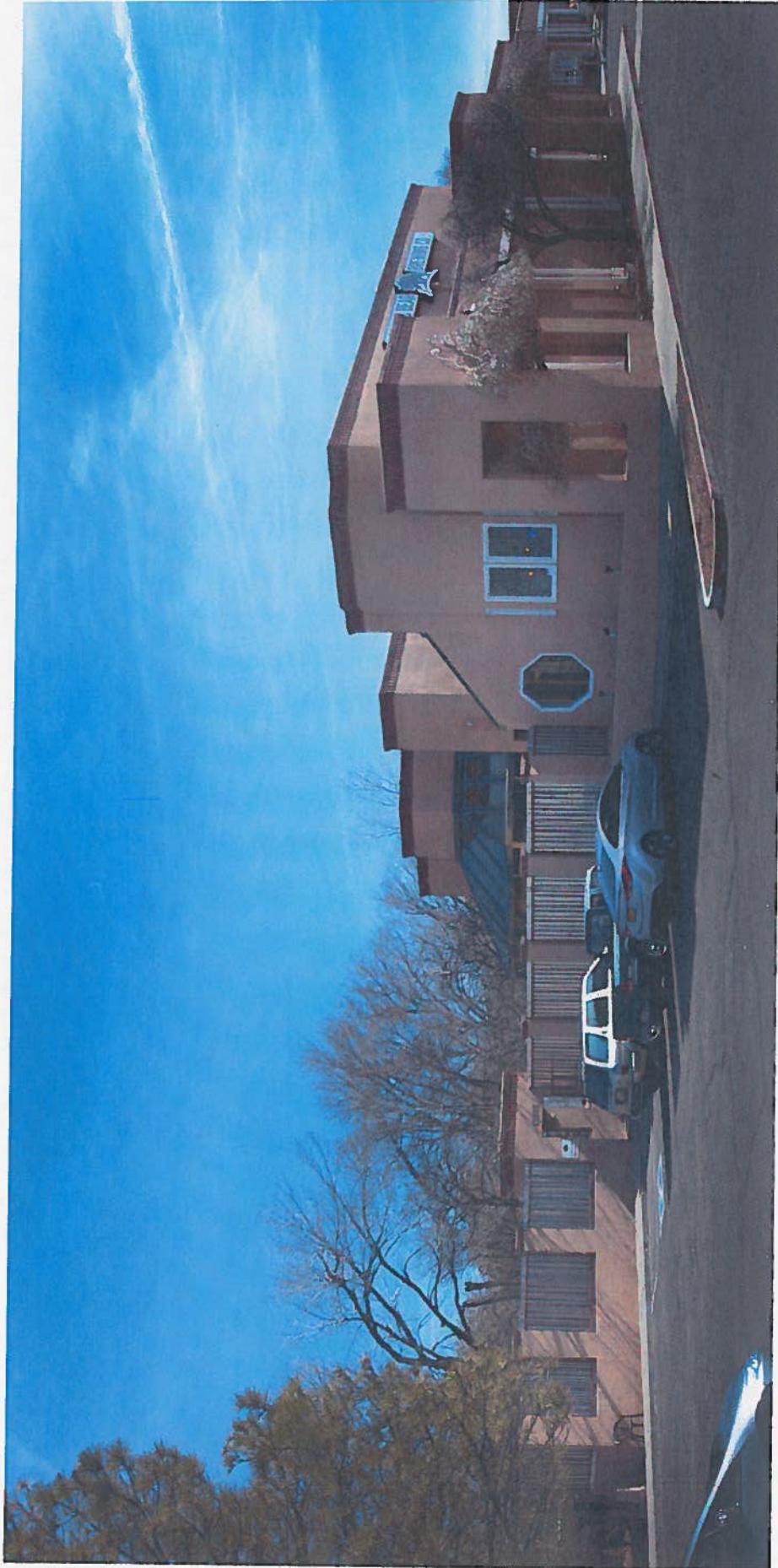
cc: Mr. Kevin Davis (w/enclosures)
Mr. Davis Kim (w/enclosures)



SUBJECT PROPERTY

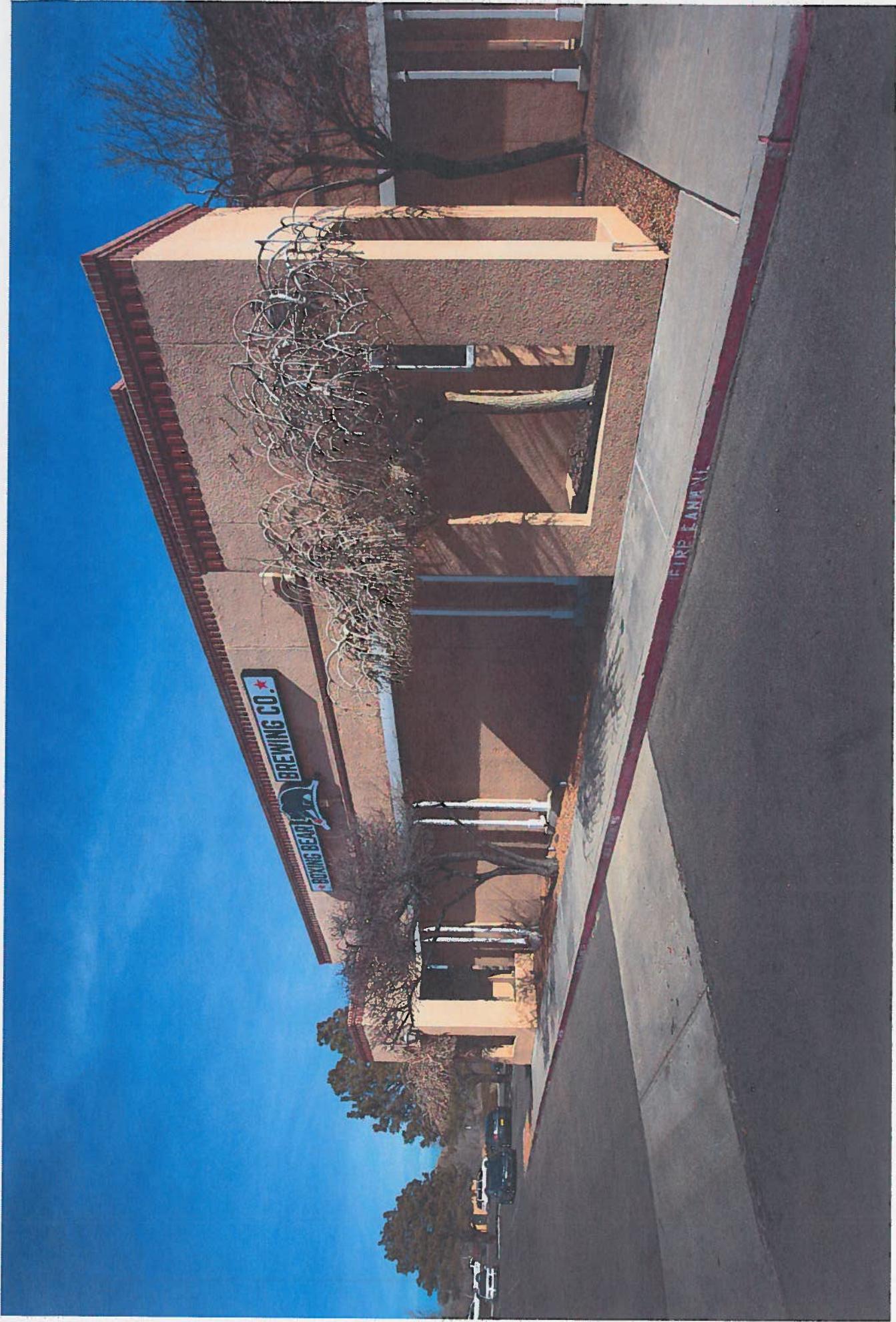
WEST ELEVATION

Delivery area with gate.



SUBJECT PROPERTY

10200 Corrales Rd. Tract F-1A Seven Bar Ranch



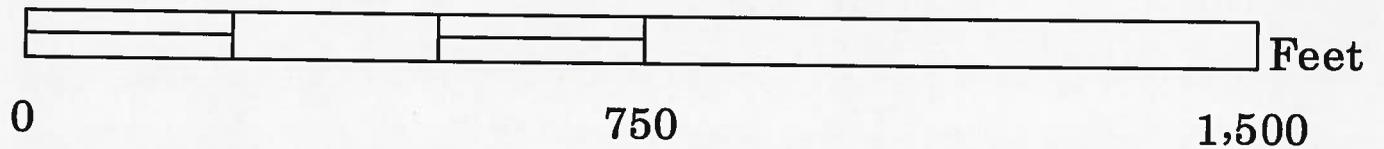
SUBJECT PROPERTY

10200 Corrales Rd. Tract F-1A Seven Bar Ranch



Zone Atlas Page:

A-14-Z



NOTIFICATION &
NEIGHBORHOOD INFORMATION



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

January 26, 2015

Paul Wymer
Bohannon Huston, Inc.
7500 Jefferson St./87109
Phone: 505-823-1000 Fax: 505-798-7988
E-mail: pwymmer@bhinc.com

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

Dear Paul:

Thank you for your inquiry of January 26, 2015 requesting the names of ALL Neighborhood and/or Homeowners Associations who would be affected under the provisions of O-92 by your proposed project at (EPC SUBMITTAL) TRACT F1-A, SEVEN BAR RANCH LOCATED ON CORRALES ROAD (10200), BETWEEN ALAMEDA AND CALLE CUERVO zone map A-14.

Our records indicate that the ALL Neighborhood and/or Homeowners Associations affected by this proposal and the contact names are as follows:

SEE ATTACHMENT "A" FOR THE NAMES OF THE NA/HOA'S THAT NEED TO BE CONTACTED IN REGARDS TO THIS PLANNING SUBMITTAL – please attach this letter and "Attachment A" to your Application Packet ALONG with copies of the letters and certified mail receipts to the NA/HOA's.

Please note that according to O-92 you are required to notify each of these contact persons by **certified mail, return receipt requested, before** the Planning Department will accept your application filing. **IMPORTANT! Failure of adequate notification may result in your Application Hearing being deferred for 30 days.** If you have any questions about the information provided, please contact me at (505) 924-3906 or via an e-mail message at dlcarmona@cabq.gov or by fax at (505) 924-3913.

Sincerely,

Dalaina Carmona

Senior Administrative Assistant
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

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

!!!Notice to Applicants!!!

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

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

WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

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

Information from the Office of Neighborhood Coordination

The following information should always be in each application packet that you submit for an EPC or DRB application. Listed below is a "Checklist" of the items needed.

- ONC's "Official" Letter to the applicant (if there are associations). A copy must be submitted with application packet -OR-**
- The ONC "Official" Letter (if there are no associations). A copy must be submitted with application packet.**
- Copies of Letters to Neighborhood Associations (if there are associations). A copy must be submitted with application packet.**
- Copies of the certified receipts to Neighborhood Associations (if there are associations). A copy must be submitted with application packet.**

Just a reminder - Our ONC "Official" Letter is only valid for a one (1) month period and if you haven't submitted your application by this date, you will need to get an updated letter from our office.

Any questions, please feel free to contact Dalaina at 924-3906 or via an e-mail message at dlcarmona@cabq.gov.

Thank you for your cooperation on this matter.

(below this line for ONC use only)

Date of Inquiry: 1/26/14 Time Entered: 9:45 a.m. ONC Rep. Initials: DC

ATTACHMENT "A"

January 26, 2015

Paul Wymer

Bohannon Huston, Inc.

7500 Jefferson St./87109

Phone: 505-823-1000 Fax: 505-798-7988

E-mail: pwymmer@bhinc.com

NEIGHBORHOOD COALITIONS

WESTSIDE COALITION OF N.A.'S

***Gerald C. (Jerry) Worrall**, 1039 Pinatubo Pl. NW/87120 839-0893 (h) 933-1919 (c)

e-mail: jfworrall@comcast.net

Harry Hendriksen, 10592 Rio Del Sole Ct. NW/87114-2701 890-3481 (h) 221-4003 (c)

e-mail: hlhen@comcast.net

Bohannon Huston

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voice: 505.823.1000
facsimile: 505.798.7988
toll free: 800.877.5332

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

January 28, 2015

Gerald C. (Jerry) Worrall
1039 Pinatubo Pl., NW
Albuquerque, New Mexico 87120

Re: Sector Development Plan Amendment/Zone Map Amendment: Tract F1-A, Seven Bar Ranch (Boxing Bear Restaurant and Brew Pub).

Dear Mr. Worrall:

The City of Albuquerque's Office of Neighborhood Coordination has informed us that you are a representative of the Westside Coalition of Neighborhood Associations.

This letter is to advise you that Bohannon Huston, Inc., acting as agent for the Boxing Bear Restaurant and Brew Pub, is requesting the subject requests associated with the existing business. Specifically, this request is to amend the Seven Bar Sector Development Plan and the site's zoning from its current "SU-1 for C-2 Uses" to "SU-1 for C-2 uses and wholesaling of beer and wine." These changes will require review and approval by the City of Albuquerque Environmental Planning Commission (EPC).

Please feel free to contact me if you have any questions regarding this matter or need information as to the date and time of the public hearing.

Sincerely,



Paul M. Wymer, A.I.A./A.I.C.P.
Senior Project Manager
Community Development & Planning

PMW/jcm

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**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

January 28, 2015

Harry Hendriksen
10592 Rio Del Sole Ct. NW
Albuquerque, New Mexico 87114-2701

Re: Sector Development Plan Amendment/Zone Map Amendment: Tract F1-A, Seven Bar Ranch (Boxing Bear Restaurant and Brew Pub).

Dear Mr. Hendriksen:

The City of Albuquerque's Office of Neighborhood Coordination has informed us that you are a representative of the Westside Coalition of Neighborhood Associations.

This letter is to advise you that Bohannon Huston, Inc., acting as agent for the Boxing Bear Restaurant and Brew Pub, is requesting the subject requests associated with the existing business. Specifically, this request is to amend the Seven Bar Sector Development Plan and the site's zoning from its current "SU-1 for C-2 Uses" to "SU-1 for C-2 uses and wholesaling of beer and wine." These changes will require review and approval by the City of Albuquerque Environmental Planning Commission (EPC).

Please feel free to contact me if you have any questions regarding this matter or need information as to the date and time of the public hearing.

Sincerely,



Paul M. Wymer, A.I.A./A.I.C.P.
Senior Project Manager
Community Development & Planning

PMW/jcm

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 or PO Box No. **10592 Rio Del Sole Ct. NW**
 City, State, ZIP+4
ALBUQUERQUE, NM 87114-2701

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HARRY HENDRIKSEN
10592 RIO DEL SOLE CT NW
ALBUQUERQUE, NM 87114-
2701

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Harry Hendriksen
10592 Rio Del Sole Ct. NW
Albuquerque, NM 87114-2701

Bohannon **Huston**
 Courtyard 1
 7500 Jefferson St. NE
 Albuquerque, NM
 87109-4335

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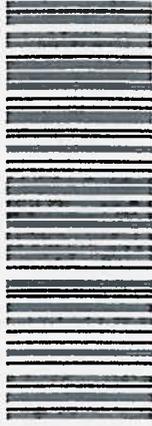
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Sent to **GERALD C. (JERRY) WORRAIL**
 Street, Apt. No., or PO Box No. **1039 PINATUBO PL. NW**
 City, State, ZIP+4 **ALBUQUERQUE NM 87120**

PS Form 3800, August 2006

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Gerald C. (Jerry) Worrail
 1039 Pinatubo Pl., NW
 Albuquerque, NM 87120

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1. Article Addressed to:

GERALD C. (JERRY) WORRAIL
1039 PINATUBO PL NW
ALBUQUERQUE, NH
87120

2. Article Number

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- C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

Bohannon **Huston**

Courtyard 1

7500 Jefferson St. NE

Albuquerque, NM

87109-4335

7010 1870 0000 2738 8444

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Sent To
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 or PO Box No. **GEORGE C. (JERRY) WELP**
 City, State, ZIP+4[®] **1039 RIVARDO PL. NW**
ALBUQUERQUE NM 87120

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