



*Environmental
Planning
Commission*

*Agenda Number: 03
Project #: 2018-001501
Re-Zone #: RZ-2018-00029
Hearing Date: October 11, 2018*

Staff Report

| | |
|--------------------------|---|
| <i>Agent</i> | Strata Design, LLC |
| <i>Applicant</i> | Montaño Family Homes, LLC |
| <i>Request</i> | Zone Map Amendment (Zone Change) |
| <i>Legal Description</i> | All or a portion of Tract 6-A-2, Plat of Lots 6-A-1 and 6-A-2 North Fourth Street Homesites Addition |
| <i>Location</i> | 712 Montaño NW, between Villa Canela Ct., NW & 5 th St. NW |
| <i>Size</i> | 1.711 acres |
| <i>Existing Zoning</i> | R-A (Residential) |
| <i>Proposed Zoning</i> | R-1C zoning. (Single Family (Large Lot) |

Staff Recommendation

APPROVAL of
Project # 2018-001501
Re-Zone #: RZ-2018-00029

based on the Findings
within this report

*Staff Planner
Linda Rumpf*

Summary of Analysis

This is a request for a zone change from R-A to R-1C. The proposed R-1C furthers the goals and intentions of the Comprehensive Plan. A zone change from R-A to R-1C is consistent and compatible with adjacent R-1C zoning and addresses the previous R-A spot zone. The applicant reached out to neighborhood organizations, as well as property owners within 100 feet of the property as required. On August 28, 2018, Montaño Family Homes met with the zoning committee of the North Valley Neighborhood Coalition. Staff has not received any comments in support or opposition to the request.

The request meets the IDO's zone change criteria and staff recommends approval.

Map

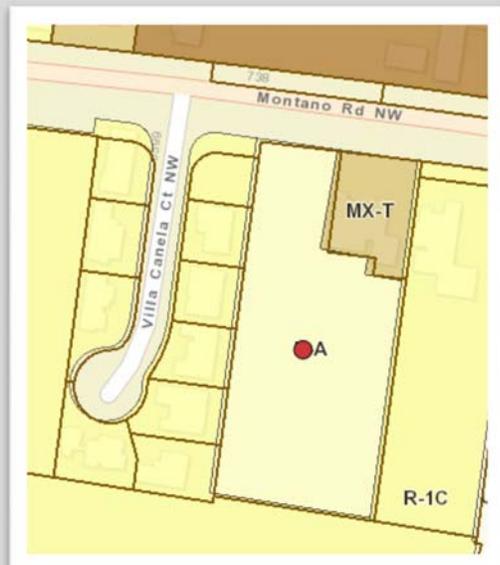
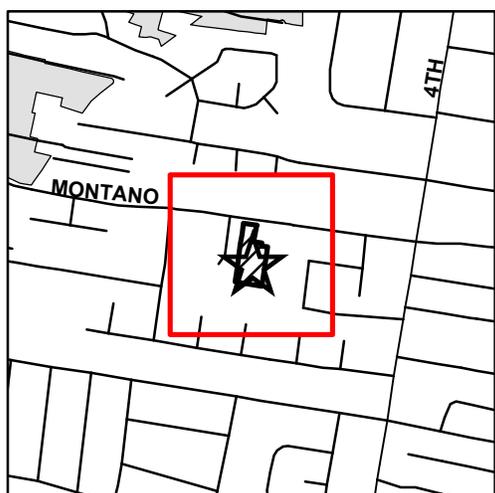
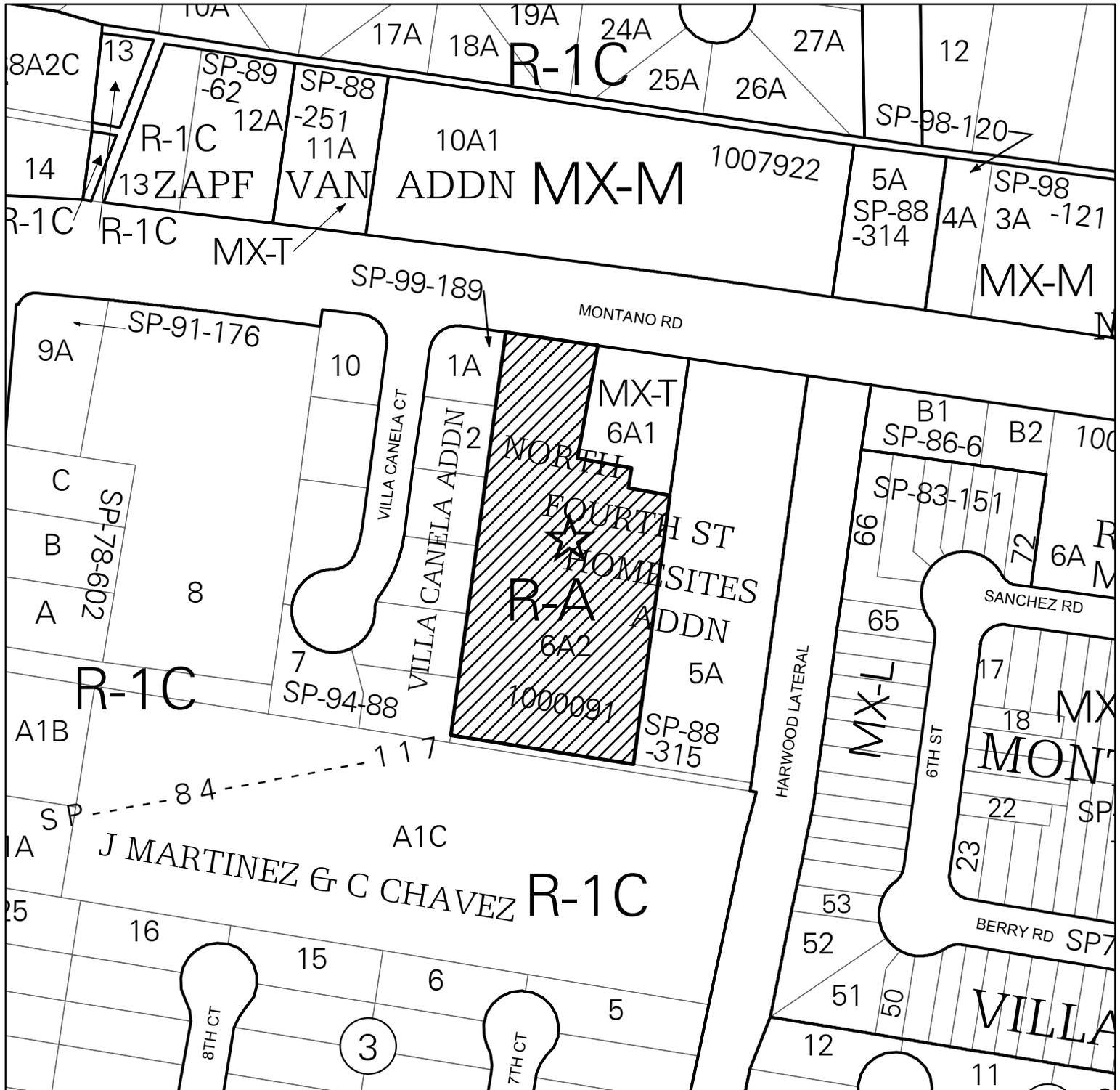


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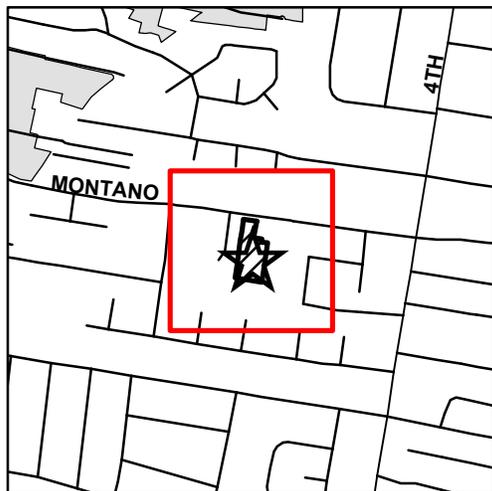
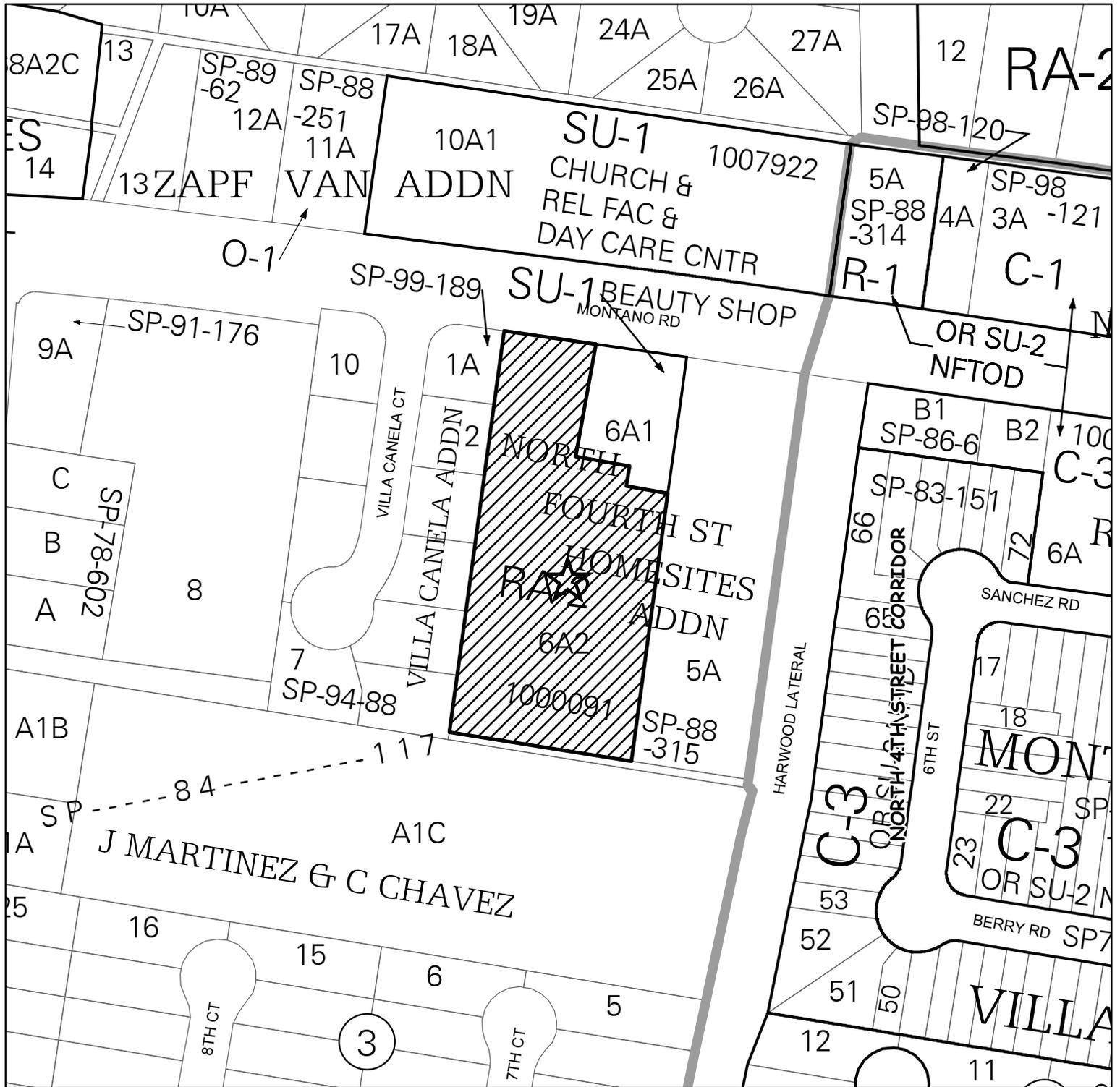
IDO ZONING MAP

Note: Gray shading indicates County.



1 inch = 150 feet

Hearing Date:
10/11/2018
Project Number:
PR-2018-001501 (1010023)
Case Numbers:
RZ-2018-00029
Zone Map Page:
F-14



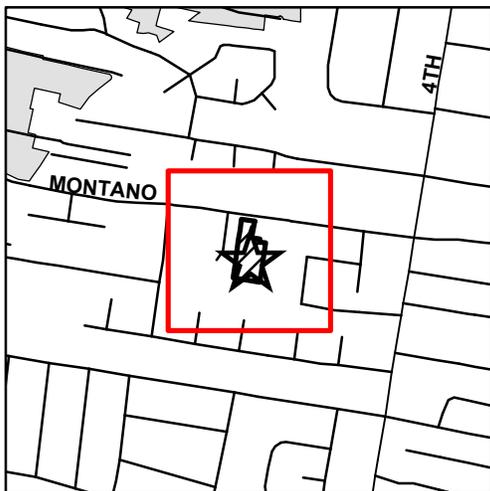
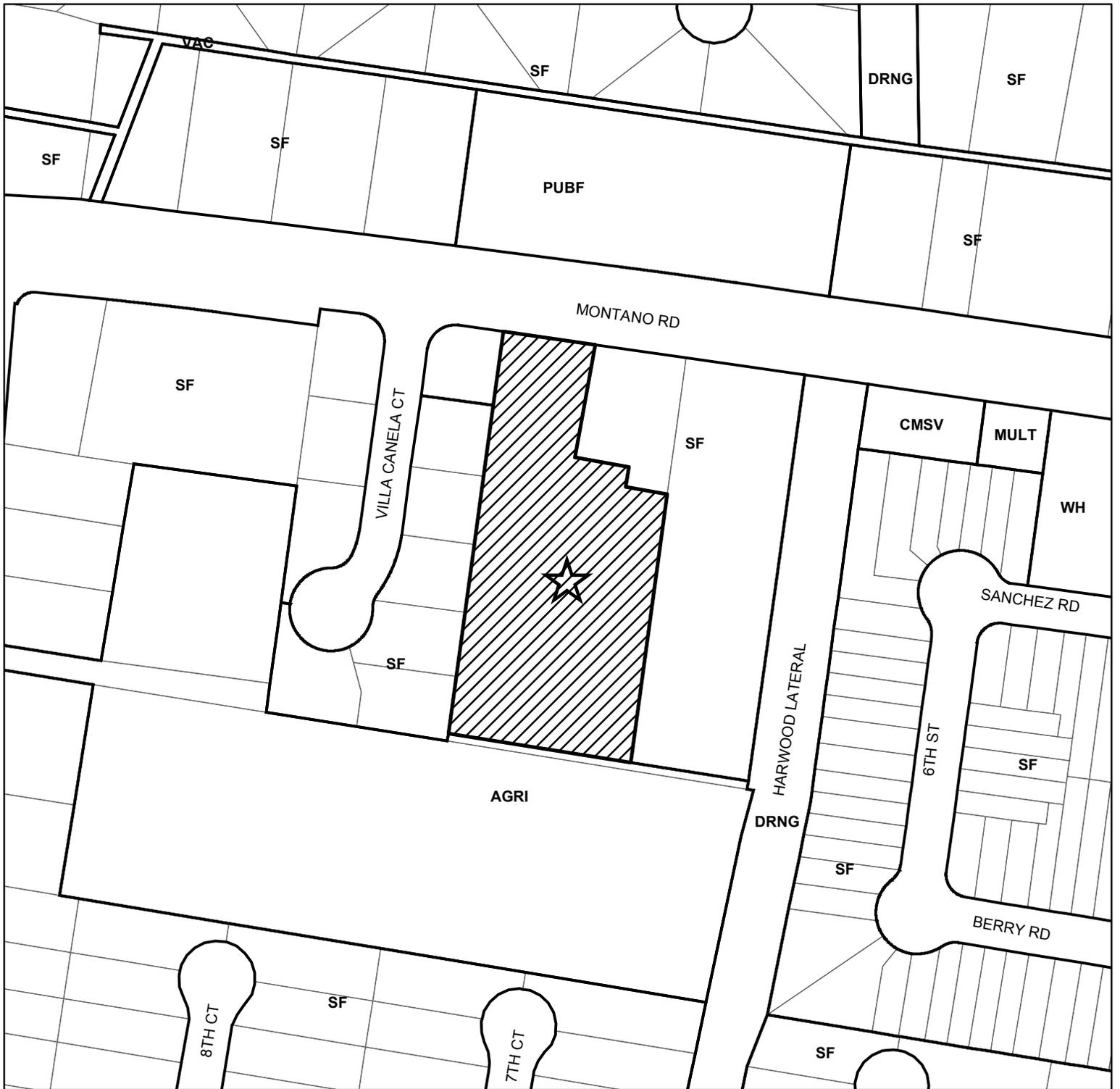
OLD ZONING MAP

Note: Gray shading indicates County.



1 inch = 150 feet

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LAND USE MAP

Note: Gray shading indicates County.

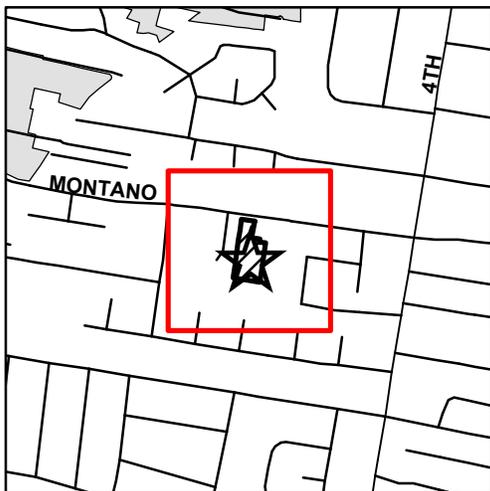
KEY to Land Use Abbreviations

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



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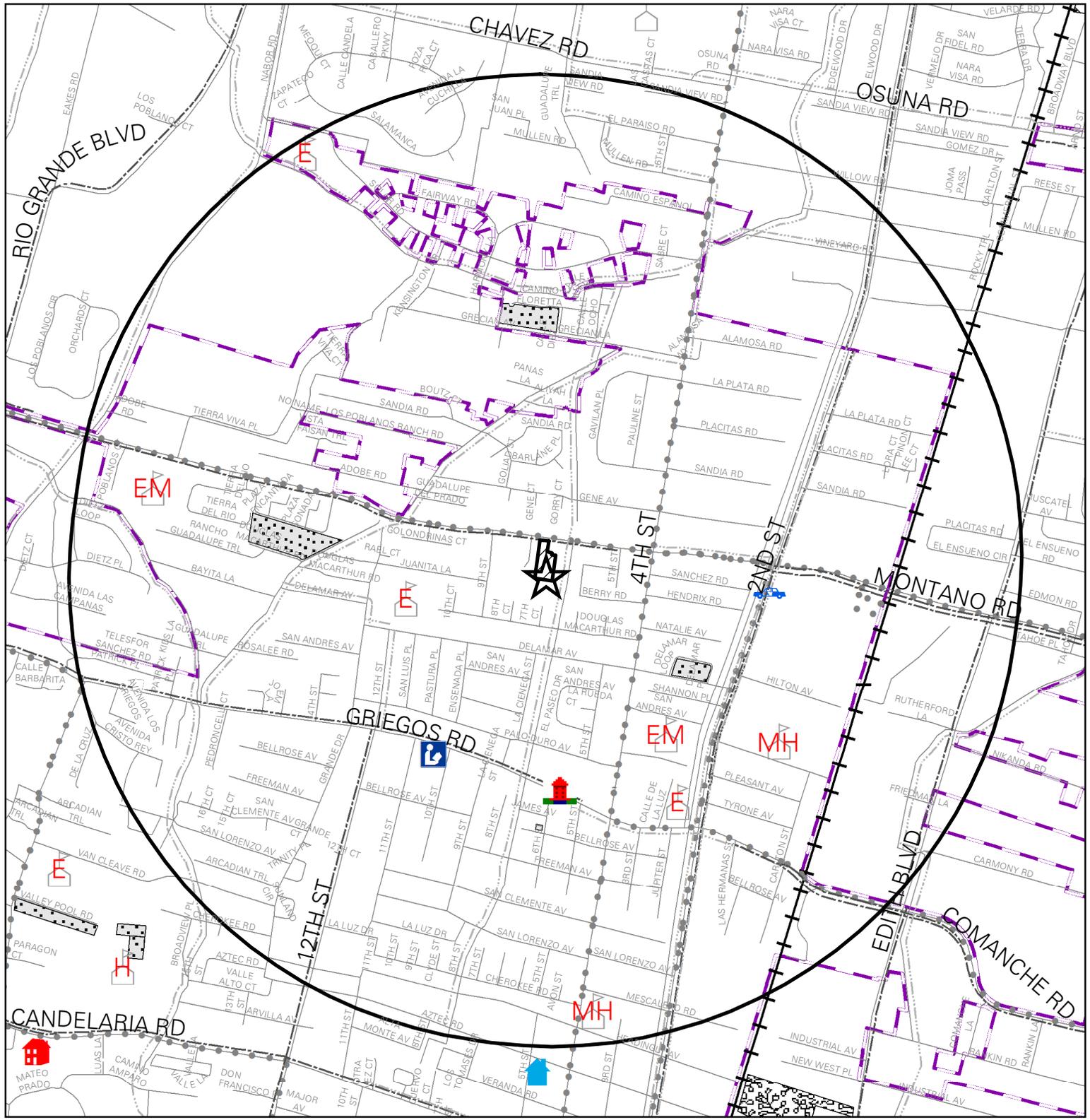
HISTORY MAP

Note: Gray shading indicates County.



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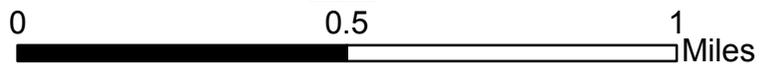


Public Facilities Map with One-Mile Buffer



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

Project Number: PR-2018-001501 (1010023)



INTRODUCTION

Surrounding zoning, plan designations, and land uses:

| | Zoning | Comprehensive Plan Area | Land Use |
|--------------|---------------|--------------------------------|---|
| Site | R-A | Area of Consistency | Undeveloped |
| North | MX-T & MX-M | Area of Consistency | Retail, services, and religious institution |
| South | R-1C | Area of Consistency | Undeveloped |
| East | R-1C | Area of Consistency | Single-family residential |
| West | R-1C | Area of Consistency | Single-family residential |

Proposal

This is a request for TRACT 6-A-2 PLAT OF LOTS 6-A-1 AND 6-A-2 NORTH FOURTH STREET HOMESITES ADDN CONT to be considered for a Zoning Map Amendment from R-A (Rural and Agricultural District) to R-1C (Single-Family Zone District). The property is one (1) lot, consisting of 1.711 acres. The applicant, Montañó Properties, LLC wishes to build a cluster development on the site, consisting of six (6) to seven (7) single-family homes with two (2) to three (3) small homes or casitas. The intention is for the families of five siblings to live in the single-family homes with the additional homes and casitas to be available for in-laws as desired. Presently, the R-A zoning would allow for no more than six (6) single-family homes. The applicant states that this amount of housing does not meet the family’s needs, does not make the project economically viable, nor match the adjacent property density or land use. In addition, the applicant notes the R-A zone permits equestrian and agricultural uses that are undesirable and incompatible with the surrounding R-1C zoning.

EPC Role

The EPC has final review and decision authority for this request per the Integrated Development Ordinance section 14-16-6-7 (F), due to the size of the subject tracts (less than 10 acres of land located wholly or partially in an Area of Consistency). It is EPC’s responsibility is to use the policies from the 2017 Albuquerque & Bernalillo County Comprehensive Plan to make a decision. This case is a quasi-judicial matter.

History/Background

The site is currently undeveloped. Previously, the parcel in question was platted for nine parcels and zoned R-1. Historical Zone Atlas maps indicate that in 2000, the parcel was zoned R-1 and then in 2001, the property was zoned R-A (see attached zone maps). The parcel is currently under contract by Montañó Properties, LLC, a local family business that is interested in developing a cluster development for their own families' residences.

GIS records show that this property was changed from R-1 to RA-2 on October 27, 2000 (Z-99-133). See attached zone certification.

Context

The surrounding parcels to the west, south, and east are zoned R-1C. The parcels to the west have been developed as single-family homes accessed from Montañó Road via cul-du-sac. The parcel to the north is zoned MX-T and across Montañó to the north, the parcels are zoned MX-M. These lots support neighborhood services and St. Michael's and All Angels church and school. Within 100' feet of the site, a large development is zoned R-T and consists of townhouses.

Roadway System

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

- Montañó Rd NW is functionally classified as a Principal Arterial in the project area.
- Montañó Rd NW is an Intelligent Transportation System (ITS) Priority Corridor.

Comprehensive Plan Corridor Designation

The Comprehensive Plan identifies Montañó Boulevard as a Major Transit Corridor. A change in zone from R-A to R-1 could increase density along a transit corridor in an appropriate and context sensitive manner.

Trails/Bikeways

- Montañó Rd NW is identified in the Long Range Bikeway System to include an existing bike lane in the project area.

Transit

- Transit Corridor - On the Montañó Road Major Transit Corridor and proximate to the North Fourth Street Multi-Modal Corridor.
- Transit Route - Fixed Route 57 runs east -west along Montañó and Fixed Route 10 runs north-south on 4th Street. The combination creates excellent access to the rest of the transit system.
- Current Service/Stops - Both routes have stop pairs at the 4th Street/Montañó Road intersection about 1/4 mile to the east.

Public Facilities/Community Services

Please refer to the Public Facilities Map in the packet for a complete listing of public facilities and community services located within one mile of the subject site.

ANALYSIS

Albuquerque Zoning Code – Integrated Development Ordinance (IDO)

The application for this request was submitted subsequent to the effective date on May 17, 2018 of the Integrated Development Ordinance, which replaced the City’s Zoning Code, and is therefore subject to its regulations.

Historical Zoning

Previously, the parcel in question was platted for nine parcels and zoned R-1. Historical Zone Atlas maps indicate that in 2000, the parcel was zoned R-1 and in 2001, the property was zoned R-A (see attached zone maps). The parcel is currently under contract by Montaña Properties, a local family business that is interested in developing a cluster development for their own families’ residences.

Current Zoning

The current zoning is R-A (Rural and Agricultural District). The surrounding parcels to the west, south, and east are zoned R-1C. The parcel to the north is zoned MX-T and across Montaña to the north, the parcels are zoned MX-M.

The R-1 zone district surrounding the site provides for neighborhoods of single-family homes on individual lots with a variety of lot sizes and dimensions. Primary land uses include single-family detached homes on individual lots, with limited civic and institutional uses to serve the surrounding residential area. The existing R-A zoning allows single-family residential as permissive, but with a larger minimum lot size.

Proposed Zoning

The request for the subject is for a zone change from R-A to R-1C. The current zoning allows 6 lots, and R-1C would allow up to eight (8) 7000 sq./ft. lots. Agricultural uses are severely limited in the R-1C zones.

Albuquerque / Bernalillo County Comprehensive Plan

Note: Applicant’s justifications are in *italics* and indented; and staff’s analyses are in plain text and indented.

The subject site is located in an Area of Consistency as designated by the Comprehensive Plan with has policies to protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space. Applicable policies include:

GOAL 4.1. Character: Enhance, protect, and preserve distinct communities.

POLICY 4.1.2: Identity and Design: Protect the identity and cohesiveness of the neighborhoods by ensuring the appropriate scale and location of development, mix of uses and character of building design.

Because a change from R-A to R-1C is consistent with adjacent and abutting R-1C zoning, the proposed zone change contributes to the stability of land use and zoning within the area. The proposed Zone Map Amendment to R-1C is consistent and in keeping with both the adjacent and abutting land use and zoning which maintains and reinforces the character of the neighborhood.

The request furthers Goal 4.1 and Policy 4.1.2 because a change from R-A to R-1C is consistent with adjacent and abutting R-1C zoning, the proposed zone change contributes to the stability of land use and zoning within the area. The context surrounding the site is R-1C, with a single lot of MX-T to the north/east. Across Montañó Blvd. the zoning is MX-M. Abutting land uses are single family with a beauty salon on the MX-T parcel. Across Montañó Blvd is St. Michael's and All Angels church. The proposed Zone Map Amendment to R-1C is consistent and in keeping with both the adjacent and abutting land use and zoning which maintains and reinforces the character of the neighborhood.

GOAL 5.1. Centers & Corridors. Grow as a community of strong Centers connected by a multi-modal network of Corridors.

POLICY 5.1.1: Desired Growth: Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.

Because Montañó Boulevard is designated as a Major Transit Corridor, a change in zoning from R-A to R-1 would contribute to the sustainable development pattern of the area by reinforcing the adjacent R-1 land use and enabling additional growth capture through a higher density zone along a designated Major Transit Corridor.

The request furthers Goal 5.1 and Policy 5.1.1 because Montañó Boulevard is designated by the Comprehensive Plan as a Major Transit Corridor and a change in zoning from R-A to R-1C will contribute to a sustainable development pattern of the area by reinforcing the adjacent R-1C land use and enabling additional growth with a higher density zone along a designated Major Transit Corridor.

GOAL 5.3. Efficient Development Patterns. Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

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

Because the site in question is in an area with existing infrastructure, increasing the zoning from R-A to R-1 in this area supports additional infill development.

The request furthers Goal 5.3 and Policy 5.3.1 because the site in question is in an area with existing infrastructure. A zone change from R-A to R-1C in this area supports additional infill development.

GOAL 5.3. Efficient Development Patterns. Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

POLICY 5.3.3: Compact Development: Encourage development that clusters buildings and uses in order to provide landscaped open space and/or plazas and courtyards.

Because enabling a cluster development at a higher density development offsets the costs of dedicating 30% of the land area as common space, a zone change to R-1 encourages compact development.

The request furthers Goal 5.3 and Policy 5.3.3 because higher density development and allows for clustering of buildings and common open space where infrastructure and services and already available.

GOAL 5.6. City Development Areas. Encourage and direct growth to Areas of Change where it is expected and desired and ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

POLICY 5.6.3: Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks and Major Public Open Spaces.

Because the proposed zone is consistent and in keeping with adjacent and abutting residential land use, the proposed zone change will protect and enhance the character of the surrounding neighborhoods. The zone change allows for the expansion of single-family neighborhood development in the area at the same density and intensity as abutting and adjacent properties.

The request furthers Goal 5.6 and Policy 5.6.3 because the proposed zone is consistent and in keeping with adjacent and abutting residential land use, the proposed zone change will protect and enhance the character of the surrounding area. The zone change allows for the expansion of single-family neighborhood development at the same density and intensity as abutting and adjacent properties in this Area of Consistency.

GOAL 9.1. Supply - Ensure a sufficient supply and range of high-quality housing types that meet current and future needs at a variety of price levels to ensure more balanced housing options.

POLICY 9.1.1: Housing Options: Support the development, improvement, and conservation of housing for a variety of income levels and types of residents and households.

Because the North Valley has a long tradition of clustered housing and family compounds, the R-1C zone would promote the creation of a cluster development by allowing for a density that would offset cost of the required 30% land area dedication while maintaining the density of the adjacent and abutting neighborhoods.

The request furthers Goal 9.1 and Policy 9.1.1 because the R-1C zone allows the creation of housing options, including a cluster development, while maintaining the density of the adjacent and abutting neighborhoods. The zone change to R-1C is in keeping with stabilizing land use and expanding housing options by allowing an increase in dwelling units on the property to match the density of abutting properties and the neighborhood.

GOAL 9.2. Sustainable Design. Promote housing design that is sustainable and compatible with the natural and built environments.

POLICY 9.2.1: Compatibility: Encourage housing development that enhances neighborhood character, maintains compatibility with surrounding land uses, and responds to its development context – i.e. urban, suburban, or rural – with appropriate densities, site design and relationship to the street.

Because the proposed zone change matches the surrounding and abutting densities and requires the same setbacks and lot sizes, it would allow development that is consistent with the recent development to west and the neighborhood to the south. R-A is a rural zone.

The request furthers Goal 9.2 and Policy 9.2.1 because the proposed zone change is compatible with the surrounding densities and requires the same setbacks and lot sizes. R-1C would allow development that is consistent with the recent development to the west and the neighborhood to the south. R-A is a rural zone with minimum lot sizes of 10,890 sq. ft. and deep setbacks that are appropriate for agricultural and equestrian uses. R-1C is a more compact and suburban development form with a higher allowable density more similar to the abutting development on 7,000 sq. ft. minimum lots. Adjacent, existing single family homes will be enhanced by the requested R-1C zoning.

GOAL 6.1. Land Use – Transportation Integration

Plan, develop, operate, and maintain a transportation system to support the planned character of existing and future land uses.

POLICY 6.1.2: Transit-Oriented Development: Prioritize transit-supportive density, uses, and building design along Transit Corridors.

Because the Comprehensive Plan identifies Montañó Boulevard as a Major Transit Corridor, a change in zone from R-A to R-1 increases allowable density along a transit corridor in an appropriate and context sensitive manner.

The request furthers Goal 6.1 and Policy 6.1.2 because the Comprehensive Plan identifies Montañó Boulevard as a Major Transit Corridor, a change in zone from R-A to R-1 increases allowable density along a transit corridor in an appropriate and context sensitive manner that can better support and be supported by the transit system.

Criteria for Zone Map Change Applications and Analysis of Applicant's Justification

Pursuant to section 14-16-6-7(F)(3) of the Integrated Development Ordinance, Review and Decision Criteria, "An application for a Zoning Map Amendment shall be approved if it meets all of the following criteria".

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.

Note: Applicant's justifications are in *italics* and indented; and staff's analyses are in plain text and indented.

- A. The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by furthering (and not being in conflict with) a preponderance of applicable Goals and Policies in the ABC Comp Plan, as amended, and other applicable plans adopted by the City.

The proposed zone change from R-A to R-1C is consistent with the health, safety, morals, and welfare of the city. The zone change will allow for uses consistent with the visions of the local community, Albuquerque's Comprehensive Plan by ensuring development on the site is consistent in lot type and use with the abutting parcels zoned and developed R-1C Single Family Zone Districts.

The applicant's response is sufficient.

- B. If the proposed amendment is located wholly or partially in an Area of Consistency (as shown in the ABC Comp Plan, as amended), the applicant has demonstrated that the new zone would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and would not permit development that is significantly different from that character. The applicant must also demonstrate that the existing zoning is inappropriate because it meets any of the following criteria:

1. There was typographical or clerical error when the existing zone district was applied to the property.
2. There has been a significant change in neighborhood or community conditions affecting the site.
3. A different zone district is more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

The proposed Zone Map Amendment is located wholly in an Area of Consistency (as shown in the ABC Comp Plan, as amended). The proposed zone reinforces the established character of the surrounding Area of Consistency and does not permit development that is significantly different from that character.

The applicant's response is sufficient. The proposed R1-C zone is more advantageous to the community as articulated by the Comp Plan, its Vision, Goals, and Policies. See previous sections for that analysis.

C. *Area of Change. This criteria is non-applicable because the proposed amendment is located wholly in an Area of Consistency as shown in the ABC Comp Plan, as amended.*

The applicant’s response is sufficient.

D. The zone change does not include permissive uses that would be harmful to adjacent property, the neighborhood, or the community, unless the Use-specific Standards in Section 16-16-4-3 associated with that use will adequately mitigate those harmful impacts.

Because the proposed zone R-1C is the same zone as the abutting properties, the neighborhood to the south and is less intense than the zones across the street, it does not include permissive uses that would be harmful to adjacent property, the neighborhood, or the community, see summary table below.

The applicant’s response is sufficient.

| Summary Table of differences of Allowable Uses between R-A and R-1 | | |
|---|------------|-----------------------|
| <i>Use</i> | <i>R-A</i> | <i>R-1</i> |
| Community Center or Library | C | P |
| Equestrian Facility | P | Not Permitted |
| General Agriculture | P | Not Permitted |
| Kennel | C | Not Permitted |
| Nursery | P | Not Permitted |
| Veterinary Hospital | C | Not Permitted |
| Other Pet Services | C | Not Permitted |
| Bed and Breakfast | A | Conditional Accessory |
| Farmers Market | T | Not Permitted |
| Outdoor Animal Run | A | Not Permitted |
| | | |
| C=Conditional Use* | | |
| P=Permissive Use | | |
| A=Accessory Use | | |
| T=Temporary Use | | |
| | | |
| *Conditional Use requires public hearing. | | |

- E. The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems meet 1 of the following requirements:
1. Have adequate capacity to serve the development made possible by the change of zone.
 2. Will have adequate capacity based on improvements for which the City has already approved and budgeted capital funds during the next calendar year.
 3. Will have adequate capacity when the applicant fulfills its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement.
 4. Will have adequate capacity when the City and the applicant have fulfilled their respective obligations under a City- approved Development Agreement between the City and the applicant.

Because the site is located in a developed area of Albuquerque, it meets the requirements of the above number 1 "Have adequate capacity to serve the development made possible by the change of zone." The City's existing infrastructure has adequate capacity to serve the development made possible by the change of zone.

The applicant's response is sufficient.

- F. The applicant's justification for the requested zone change is not completely based on the property's location on a major street.

Because the proposed zone request is based on the desire to amend a prior spot zone to a zone congruent with abutting parcels to support a cluster development, and to remove potentially incompatible land uses from existing and future single family development, it is not due to its location on a major street. Montañó Road is classified by NMDOT and the Long Range Roadway system 2040 as a Principal Arterial. The Comprehensive Plan identifies Montañó Road as a Major Transit Corridor. The policies of the Comprehensive Plan support increases in infill development in areas with existing infrastructure and along Major Transit Corridors.

The zone request will reverse a prior spot zone to a zone congruent with abutting parcels to support appropriate development, and to remove potentially incompatible land uses from existing and future single family development; it is not due to its location on a major street.

- G. The applicant's justification is not based completely or predominantly on the cost of land or economic considerations.

Because the proposed zone request is based on the desire for a zone congruent with abutting parcels to support a higher density cluster development and to remove potential harmful land uses adjacent to single family uses, it is not based on the cost of land or economic considerations.

While economic considerations are always a factor with regard to development proposals, they are not the determining factor. The applicant has sufficiently shown that the request for a zone congruent with abutting parcels to support a higher density

cluster development and to remove potential harmful land uses adjacent to single family uses is the predominate justification.

H. The zone change does not apply a zone district different from surrounding zone districts to one small area or one premises (i.e. create a "spot zone") or to a strip of land along a street (i.e. create a "strip zone") unless the change will clearly facilitate implementation of the ABC Comp Plan, as amended, and at least one of the following applies:

1. The area of the zone change is different from surrounding land because it can function as a transition between adjacent zone districts.
2. The site is not suitable for the uses allowed in any adjacent zone district due to topography, traffic, or special adverse land uses nearby.
3. The nature of structures already on the premises makes it unsuitable for the uses allowed in any adjacent zone district.

Because the zone change request is for a zone that is the same as abutting and adjacent zones, the proposed zone change does not create a "spot zone" or strip zone. The zoning on the site prior to 2001 was R-1, the zone change to R-A created a spot zone. The proposed Zone Map amendment from R-A back to R-1 is a request for the site to be made consistent with surrounding zone districts.

The zone change request reverses the prior spot zone.

AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies/Pre-Hearing Discussion

Prior to application, Montañó Family Homes, LLC reached out to the North Valley Neighborhood Coalition and Los Poblanos Neighborhood Association. On August 28, 2018, Montañó Family Homes met with the zoning committee of the NV Neighborhood Coalition, attended by Peggy Norton, President, and Doyle Kimbraugh and Jonathan Siegel, at Siegel Designs studio. They discussed the family's intention to build 6-7 homes on the property, with three or more of the family's own households on the property and family's desire to preserve the existing fruit trees.

Neighborhood/Public

There was no opposition to the proposed zone change from the North Valley Neighborhood Coalition. Los Poblanos Neighborhood association responded via email that they appreciated being informed and had no questions at this time. 4 letters were returned with no comment. All correspondence is included in submittal packet.

CONCLUSION

This request for a zone change from R-A to R-1C is consistent with the health, safety, and general welfare of the City, furthers (and is not being in conflict with) a preponderance of applicable Goals and Policies in the ABC Comp Plan, as amended, and other applicable plans adopted by the City. The proposed R-1 zone is in keeping with the goals and intentions of the North Valley and the Comprehensive Plan. A zone change from R-A to R-1C is consistent and compatible with adjacent and abutting R-1C zoning and rectifies the previous R-A spot zone. The proposed R-1C zone allows for development consistent and compatible in building placement, density and land use consistent adjacent and abutting development. By allowing an increase in single family density, it supports affordable housing choices, and increased opportunities for infill development along a major transit corridor and in an area with existing infrastructure. In addition, the requested zone change removes potentially harmful and incompatible agricultural and equestrian uses from existing residential areas within very close proximity to the site, as well as future residential development on the parcel in question.

By enabling a higher density, cluster development, the proposed R-1C zone allows for the conservation of larger areas of land for the continuation of wild life habitats, migratory patterns and the preservation of the agricultural character of the North Valley while increasing the housing opportunities in the area. The proposed family compound along a Major Transit Corridor at a density consistent with surrounding properties would provide an opportunity for a traditional residential form historically found in the North Valley. This furthers the Comprehensive Plan's goal of providing a diversity of housing options that are affordable.

FINDINGS, Zone Map Amendment (Zone Change)

Project #: 2018-001501, Re-Zone #: RZ-2018-00029

1. This is a request for a zone map amendment for all or a portion of Tract 6-A-2, Plat of Lots 6-A-1 and 6-A-2 North Fourth Street Homesites Addition , located at 712 Montañó NW, between Villa Canela Ct., NW & 5th St. NW and containing approximately 1.711 acres
2. The request is to change the exiting zone from R-A (Rural and Agricultural District) to R-1C (Single-Family Zone District).
3. The existing R-1 zone was established PRIOR to the Integrated Development Ordinance (IDO), effective May 17, 2018. City Council legislatively established rules to convert zones from the City's Comprehensive Zoning Code, last amended in 2014 to the newly adopted IDO zones.
4. The Albuquerque/Bernalillo County Comprehensive Plan, the City of Albuquerque Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
5. The subject site is within an Area of Consistency as designated by the Comprehensive Plan and the following policies apply:
 - a. The request furthers Goal 4.1 and Policy 4.1.2 because a change from R-A to R-1C is consistent with adjacent and abutting R-1C zoning, the proposed zone change contributes to the stability of land use and zoning within the area. The context surrounding the site is R-1C, with a single lot of MX-T to the north/east. Across Montañó Blvd. the zoning is MX-M. Abutting land uses are single family with a beauty salon on the MX-T parcel. Across Montañó Blvd is St. Michael's and All Angels church. The proposed Zone Map Amendment to R-1C is consistent and in keeping with both the adjacent and abutting land use and zoning which maintains and reinforces the character of the neighborhood.
 - b. The request furthers Goal 5.1 and Policy 5.1.1 because Montañó Boulevard is designated by the Comprehensive Plan as a Major Transit Corridor, a change in zoning from R-A to R-1C will contribute to a sustainable development pattern of the area by reinforcing the adjacent R-1C land use and enabling additional growth with a higher density zone along a designated Major Transit Corridor.
 - c. The request furthers Goal 5.3 and Policy 5.3.1 because the site in question is in an area with existing infrastructure. A zone change from R-A to R-1C in this area supports additional infill development.
 - d. The request furthers Goal 5.3 and Policy 5.3.3 because higher density development and allows for clustering of buildings and common open space where infrastructure and services and already available.
 - e. The request furthers Goal 5.6 and Policy 5.6.3 because the proposed zone is consistent and in keeping with adjacent and abutting residential land use, the proposed zone change will protect and enhance the character of the surrounding area. The zone change allows for the expansion of single-family neighborhood development at the same density and intensity as abutting and adjacent properties in this Area of Consistency.

- f. The request furthers Goal 9.1 and Policy 9.1.1 because the R-1C zone allows the creation of housing options, including a cluster development, while maintaining the density of the adjacent and abutting neighborhoods. The zone change to R-1C is in keeping with stabilizing land use and expanding housing options by allowing an increase in dwelling units on the property to match the density of abutting properties and the neighborhood.
 - g. The request furthers Policy 9.2.1 because the proposed zone change matches the surrounding and abutting densities and requires the same setbacks and lot sizes, it would allow development that is consistent with the recent development to the west and the neighborhood to the south. R-A is a rural zone. It assumes lot sizes of a minimum of 10,890 sq. ft. with deep 20' minimum front, 25' minimum rear setbacks and 10' minimum side yard setbacks. This development pattern allows for larger distance between homes and separation between homes while permitting agricultural and equestrian uses. R-1C is a more compact and suburban development form with a higher allowable density that may not be compatible with some uses permitted in R-A. Because abutting zoning is R-1C, the development to the west has front and rear minimum setbacks of 15' and side setbacks of 5' on 7,000 sq. ft. minimum lots. Adjacent, existing single family homes within less than 15' of the property, as well as future homes developed on the site, could be subject to the ill effects of agricultural and equestrian uses.
 - h. The request furthers Policy 6.1.2 because the Comprehensive Plan identifies Montañó Boulevard as a Major Transit Corridor, a change in zone from R-A to R-1 increases allowable density along a transit corridor in an appropriate and context sensitive manner.
6. Pursuant to section 14-16-6-7(F)(3) of the Integrated Development Ordinance, Review and Decision Criteria, "An application for a Zoning Map Amendment shall be approved if it meets all of the following criteria".
- a. The proposed zone change from R-A to R-1C is consistent with the health, safety, morals, and welfare of the city. The zone change will allow for uses consistent with the visions of the local community, Albuquerque's Comprehensive Plan by ensuring development on the site is consistent in lot type and use with the abutting parcels zoned and developed R-1C Single Family Zone Districts.
 - b. The proposed Zone Map Amendment is located wholly in an Area of Consistency as shown in the ABC Comp Plan, as amended. The proposed zone reinforces the established character of the surrounding Area of Consistency and does not permit development that is significantly different from that character.
 - c. Area of Change. This criteria is non-applicable because the proposed amendment is located wholly in an Area of Consistency as shown in the ABC Comp Plan, as amended.
 - d. The proposed zone R-1C is the same zone as the abutting properties, the neighborhood to the south and is less intense than the zones to the north, it does not include permissive uses that would be harmful to adjacent property, the neighborhood, or the community.
 - e. The site is located in a developed area of Albuquerque. The City's existing infrastructure has adequate capacity to serve the development made possible by the change of zone.
 - f. The proposed zone request is based on the desire to change a prior spot zone to a zone congruent with abutting parcels to support a cluster development, and to remove

potentially incompatible land uses from existing and future single family development; it is not completely based on the property's location on a major street. The Comprehensive Plan identifies Montañó Road as a Major Transit Corridor. The policies of the Comprehensive Plan support increases in infill development in areas with existing infrastructure and along Major Transit Corridors.

- g. The proposed zone request is based on the desire for a zone congruent with abutting parcels to support a higher density cluster development and to remove potentially incompatible land uses adjacent to single family uses; it is not based completely or predominately on the cost of land or economic considerations.
- h. The zone change request is for a zone that is the same as abutting and adjacent zones, the proposed zone change does not create a "spot zone" or "strip zone". The zoning on the site prior to 2001 was R-1, the zone change to R-A created a spot zone. This proposed Zone Map amendment from R-A to R-1C will make the sites consistent with surrounding properties.

- 7. There is no known opposition to the proposed zone change.

RECOMMENDATION

APPROVAL of Project #: 2018-001501, Re-Zone #: RZ-2018-00029, a request for Zone Amendment for (All or a portion of Tract 6-A-2, Plat of Lots 6-A-1 and 6-A-2 North Fourth Street Homesites Addition), based on the preceding Findings.

***Linda Rumpf
Planner***

Notice of Decision cc list:

List will be finalized subsequent to the EPC hearing on xxx.

AGENCY COMMENTS

PLANNING DEPARTMENT

Long Range Planning

This site is a small island of R-A surrounded by R-1C, abutting an MX-T property to the east, and adjacent to MX-M to the north.

While the ABC Comprehensive Plan generally encourages the preservation of agricultural uses in the North Valley, the R-A zone still allows single-family as permissive. The latest trends show that more people are choosing to living in rural areas, so housing options are needed that can accommodate more people while still respecting and enhancing the rural feel of the area. Cluster development, as the property owner indicated interest in during the PRT, may be a good option to serve this purpose. The site is within an Area of Consistency, and R-1C seems consistent with the immediately surrounding area.

CITY ENGINEER

No response

DEPARTMENT of MUNICIPAL DEVELOPMENT (DMD)

Transportation section – no comment

WATER UTILITY AUTHORITY

- No adverse comments to the proposed Zone Change
- Coordinate with the Water Authority New Services Department if service is desired for this lot.

POLICE DEPARTMENT/Planning

No response

SOLID WASTE MANAGEMENT DEPARTMENT

No response

TRANSIT DEPARTMENT

No comments

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

AMAFCA has no objections to this case.

NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT)

No response

ALBUQUERQUE PUBLIC SCHOOLS

APS Case Comments: The request for a zone change from R-A to R-1C, to increase building density for the construction of a residential development, has the potential to directly

impacting the Albuquerque Public Schools. This residential development will have impacts on MacArthur Elementary School, Taft Middle School, and Valley High School.

- i. Residential Units: 7
- ii. Est. Elementary School Students: 2
- iii. Est. Middle School Students: 1
- iv. Est. High School Students: 1
- v. Est. Total # of Students from Project: 4

*The estimated number of students from the proposed project is based on an average student generation rate for the entire APS district.

School Capacity

| School | 2017-2018 40th Day Enrollment | Facility Capacity | Space Available |
|-----------------------------|---|------------------------------|----------------------------|
| MacArthur Elementary School | 247 | 405 | 158 |
| Taft Middle School | 380 | 600 | 220 |
| Valley High School | 1098 | 1800 | 702 |

MID-REGION COUNCIL OF GOVERNMENTS

MRMPO has no adverse comments.

PUBLIC SERVICE COMPANY OF NEW MEXICO

No response

Photos



712 Montaño, standing on sidewalk looking at site - southbound



712 Montaño, entrance to the property - southbound



712 Montañó



Beauty Salon adjacent / east of property



Villa Canela Ct., adjacent / west of property



Rear View, Douglas MacArthur at 7th Ct. (hard to see). This backs up to the rectangular lot between this and the subject site.

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

Sarita Perla
6101 Sequoia NW
Albuq. NM 87120

October 27, 2000

CERTIFICATION OF ZONING

FILE: Z-99-133

DATE OF FINAL ACTION: December 16, 1999

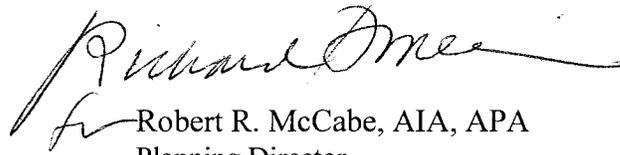
LEGAL DESCRIPTION: For a portion of lot 6A,
North Fourth St. Homesites Addition, located on
Montano Road NW between 4th Street and 9th
Street, containing approximately 1.7 acres. (F-
14) Debbie Stover, Staff Planner

THE POSSIBLE APPEAL PERIOD HAVING EXPIRED, THE ZONING ON THE ABOVE CITED PROPERTY IS
NOW CHANGED AS FOLLOWS:

FROM R-1 TO RA-2

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of the zoning is secured. Approval of this case does not constitute approval of plans for a building permit. SU-1 zoning requires site development plan approval prior to submittal of plans to the building & Inspection Division of the City to initiate a building permit..

Sincerely,


Robert R. McCabe, AIA, APA
Planning Director

BM/ac
cc: Zoning
Neal Weinberg/AGIS

ZONE MAP CHANGE VERIFICATION

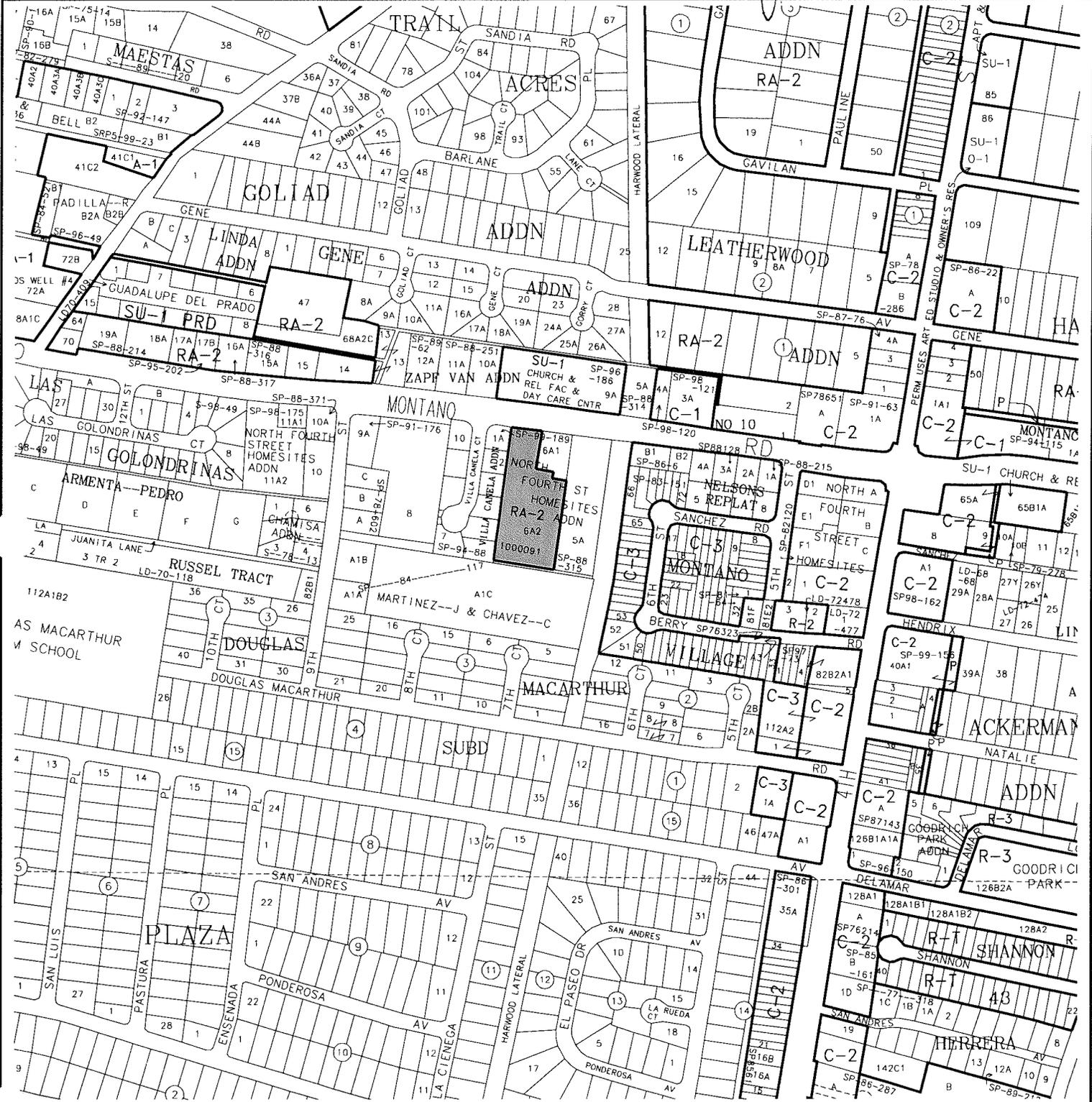
FILE No.:
Z-99-133

[Handwritten Signature]

11-3000

APPROVED

DATE



APPLICATION
INFORMATION

Form Z: Policy Decisions

Please refer to the EPC hearing schedule for public hearing dates and deadlines. Your attendance is required.

A single PDF file of the complete application including all plans and documents being submitted must be emailed to PLNDRS@cabq.gov prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided on a CD.

INFORMATION REQUIRED FOR ALL POLICY DECISIONS (Except where noted)

- Interpreter Needed for Hearing? if yes, indicate language: _____
- Proof of Pre-Application Meeting with City staff per IDO Section 14-16-6-4(B)
- Letter of authorization from the property owner if application is submitted by an agent
- Traffic Impact Study (TIS) form (not required for Amendment to IDO Text)
- Zone Atlas map with the entire site/plan amendment area clearly outlined and labeled (not required for Amendment to IDO Text) NOTE: For Annexation of Land, the Zone Atlas must show that the site is contiguous to City limits.

ADOPTION OR AMENDMENT OF COMPREHENSIVE PLAN

ADOPTION OR AMENDMENT OF FACILITY PLAN

- Plan, or part of plan, to be amended with changes noted and marked
- Letter describing, explaining, and justifying the request per the criteria in IDO Sections 14-16-6-7(A)(3) or 14-16-6-7(B)(3), as applicable
- Required notices with content per IDO Section 14-16-6-4(K)(6)
 - Office of Neighborhood Coordination notice inquiry response, notifying letter, and proof of first class mailing
 - Proof of emailed notice to affected Neighborhood Association representatives
 - Buffer map and list of property owners within 100 feet (excluding public rights-of-way), notifying letter, and proof of first class mailing

AMENDMENT TO IDO TEXT

- Section(s) of the Integrated Development Ordinance to be amended with changes noted and marked
- Justification letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-7(D)(3)
- Required notices with content per IDO Section 14-16-6-4(K)(6)
 - Office of Neighborhood Coordination notice inquiry response, notifying letter, and proof of first class mailing
 - Buffer map and list of property owners within 100 feet (excluding public rights-of-way), notifying letter, and proof of first class mailing

ZONING MAP AMENDMENT – EPC

ZONING MAP AMENDMENT – COUNCIL

- Proof of Neighborhood Meeting per IDO Section 14-16-6-4(C)
- Letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-7(F)(3) or Section 14-16-6-7(G)(3), as applicable
- Required notices with content per IDO Section 14-16-6-4(K)(6)
 - Office of Neighborhood Coordination notice inquiry response, notifying letter, and proof of first class mailing
 - Proof of emailed notice to affected Neighborhood Association representatives
 - Buffer map and list of property owners within 100 feet (excluding public rights-of-way), notifying letter, and proof of ~~first~~ *certified* class mailing
- Sign Posting Agreement

ANNEXATION OF LAND

- Application for Zoning Map Amendment Establishment of zoning must be applied for simultaneously with Annexation of Land.
- Petition for Annexation Form and necessary attachments
- Letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-7(E)(3)
- Board of County Commissioners (BCC) Notice of Decision

I, the applicant or agent, acknowledge that if any required information is not submitted with this application, the application will not be scheduled for a public meeting or hearing, if required, or otherwise processed until it is complete.

| | |
|--|---|
| Signature:  | Date: August 27, 2018 |
| Printed Name: Michelle Negrette | <input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent |
| FOR OFFICIAL USE ONLY | |
| Project Number: | Case Numbers |
| | - |
| | - |
| | - |
| Staff Signature: |  |
| Date: | |

PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 18-216 Date: July 30, 2018 Time: 1PM

Address: 712 Montano NW

AGENCY REPRESENTATIVES AT MEETING:

Planning: Maggi Coe

Code Enforcement: Ricardo Vialpando

Fire Marshall: _____

Transportation: Morgan Madandar

Other: _____

PRT DISCUSSIONS ARE FOR INFORMATIONAL PURPOSES ONLY!

THEY ARE NON-BINDING AND DO NOT CONSTITUTE ANY KIND OF APPROVAL..

Additional research may be necessary to determine the exact type of application and/or process needed. Factors unknown at this time and/or thought of as minor could become significant as the case progresses.

REQUEST: Residential Development, cluster dev. w/ zone change

SITE INFORMATION:

Zone: RA Size: 1.7

Use: Housing Overlay Zone: _____

Comp Plan Area Of: Consistency Comp Plan Corridor: Major Transit - Montano

Comp Plan Center: - MPOS or Sensitive Lands: _____

Parking: see table 5-5-1 MR Area: -

Landscaping: see section 5-6 Street Trees: -

Use Specific Standards: Section 4-B(B)(2) Cluster Dev 4-3(B)(1) single Fam

Dimensional Standards: Table 5-1-1

*Neighborhood Organization/s: _____

*This is preliminary information only. Neighborhood Organization information is only accurate when obtained from the Office of Neighborhood Coordination (ONC) at www.cabq.gov/neighborhoods/resources.

PROCESS:

Type of Action: Plat, zone change, conditional use

Review and Approval Body: EPC - zone change Is this PRT a requirement? for EPC
ZHE - conditional use ZHE
DRB - Platting

PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# _____ Date: _____ Time: _____

Address: _____

NOTES:

Cluster Development would be allowed on the site with up to 6 units see 4-3(B)(2) for requirements.

A zone change to R-1C maybe possible. The request must meet the criteria in 6-7(F)(3), Zone Map Amendment EPC. The request must address 6-7(F)(3)(b). R-1C requires 7,000 square foot lots

a subdivision of land minus through the Development Review Board would be required to create new lots or major infrastructure of streets

An Accessory Dwelling Unit without a kitchen is a conditional use and requires approval from the Zoning Hearing Examiner, see 6-6-A(3).

A second kitchen within a dwelling is allowed

see Section 6-1-1 for notice requirements - these will vary depending on the process you go through.

will need to pave first 25 feet of private road

check with Fire Marshall for layout comments
will need water availability

6-7(F) ZONING MAP AMENDMENT – EPC

All applicable provisions of Section 14-16-6-4 (General Procedures) apply unless specifically modified by the provisions of this Subsection 14-16-6-7(F).

6-7(F)(1) Applicability

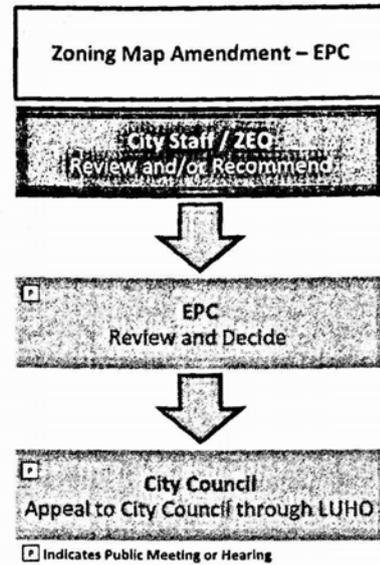
6-7(F)(1)(a) This Subsection 14-16-6-7(F) applies to any application:

1. That would amend the Official Zoning Map to change less than 10 gross acres of land located wholly or partially in an Area of Consistency (as shown in the ABC Comp Plan, as amended) or less than 20 gross acres of land in any zone district located entirely in an Area of Change (as shown in the ABC Comp Plan, as amended) to a different zone district.
2. That does not create or amend any text or map of any Overlay zone.

6-7(F)(1)(b) An application to amend the Official Zoning Map by any entity other than the City may not be submitted within 12 consecutive months after the date of final action by the City denying or approving (with or without conditions) a prior application to amend the Official Zoning Map with the same requested change.

6-7(F)(2) Procedure

- 6-7(F)(2)(a) The City Planning Department staff shall review the application and forward a recommendation to the EPC pursuant to all applicable provisions of Section 14-16-6-4 (General Procedures).
- 6-7(F)(2)(b) If the application is for a zone change to an MX-FB, NR-SU, or PD zone district, the associated Site Plan – EPC shall be reviewed and decided simultaneously pursuant to all applicable provisions of Section 14-16-6-6(H) (Site Plan – EPC). A denial of either requested action shall result in the denial of all associated requests.
- 6-7(F)(2)(c) The EPC shall conduct a public hearing on the application and shall make a decision on the application pursuant to all applicable provisions of Section 14-16-6-4 (General Procedures).
- 6-7(F)(2)(d) The City shall provide a zoning certificate to the applicant that documents the new zone district designation.
- 6-7(F)(2)(e) A final decision by EPC can be protested pursuant to Subsection 14-16-6-7(G)(1)(c), in which case, the application shall proceed through the process set forth in Subsection 14-16-6-7(G)(2)(h) (Procedure).



6-7(F)(3) Review and Decision Criteria

An application for a Zoning Map Amendment shall be approved if it meets all of the following criteria:

- 6-7(F)(3)(a) The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by furthering (and not being in conflict with) a preponderance of applicable Goals and Policies in the ABC Comp Plan, as amended, and other applicable plans adopted by the City.
- 6-7(F)(3)(b) If the proposed amendment is located wholly or partially in an Area of Consistency (as shown in the ABC Comp Plan, as amended), the applicant has demonstrated that the new zone would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and would not permit development that is significantly different from that character. The applicant must also demonstrate that the existing zoning is inappropriate because it meets any of the following criteria:
1. There was typographical or clerical error when the existing zone district was applied to the property.
 2. There has been a significant change in neighborhood or community conditions affecting the site.
 3. A different zone district is more advantageous to the community as articulated by the ABC Com Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).
- 6-7(F)(3)(c) If the proposed amendment is located wholly in an Area of Change (as shown in the ABC Comp Plan, as amended) and the applicant has demonstrated that the existing zoning is inappropriate because it meets at least one of the following criteria:
1. There was typographical or clerical error when the existing zone district was applied to the property.
 2. There has been a significant change in neighborhood or community conditions affecting the site that justifies this request.
 3. A different zone district is more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).
- 6-7(F)(3)(d) The zone change does not include permissive uses that would be harmful to adjacent property, the neighborhood, or the community, unless the Use-specific Standards in Section 16-16-4-3 associated with that use will adequately mitigate those harmful impacts.

July 16, 2018

Re: Assigning agent for Re-zoning TRACT 6-A-2 PLAT OF LOTS 6-A-1 AND 6-A-2 NORTH
FOURTHSTREET HOMESITES ADDN CONT 1.7110 AC

To Whom it May Concern:

This correspondence shall serve as notice that we, Tim Nisly and Nathan Troyer, as owners of Montano Family Homes, LLC, a fully authorized agent of the referenced property located at 712 Montano Road NW, hereby appoint Michelle Negrette and Strata Design, LLC as our authorized agents in the matters related to rezoning the property. Montano Family Homes, LLC is authorized to appoint additional agents to assist in this process

Sincerely,



Nathan Troyer



Tim Nisly

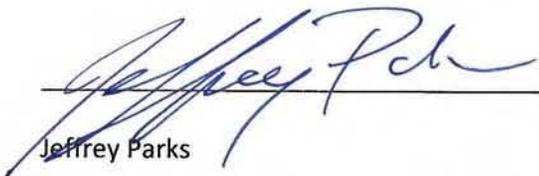
712 Montano Letter of Agent Authorization

To Whom it May Concern:

I, Jeffrey Parks, as representative of the Sarita R Perla Irrevocable Trust, do provide Montano Family Homes, LLC, and their managers Nathan Troyer and Tim Nisly full authorization to serve as my agent for all matters related to the rezone, replat, and development of 712 Montano NW, Albuquerque, NM

87107 ^{TN} 9/2

Signed,



Jeffrey Parks

7/23/18
Dated

Successor Trustee of the Sarita R Perla Irrevocable Trust

CITY OF ALBUQUERQUE
TRAFFIC IMPACT STUDY (TIS) FORM

APPLICANT: Michelle Negrete DATE OF REQUEST: / / ZONE ATLAS PAGE(S): F-14

CURRENT:
ZONING R-A
PARCEL SIZE (AC/SQ. FT.) 1.7 acres

LEGAL DESCRIPTION:
LOT OR TRACT # 6-A-2 BLOCK #
SUBDIVISION NAME NORTH FORTH STREET ADD.

REQUESTED CITY ACTION(S):
ANNEXATION []
ZONE CHANGE From R-A To R-1C
SECTOR, AREA, FAC, COMP PLAN []
AMENDMENT (Map/Text) []

SITE DEVELOPMENT PLAN:
SUBDIVISION* [] AMENDMENT []
BUILDING PERMIT [] ACCESS PERMIT []
BUILDING PURPOSES [] OTHER []
*includes platting actions

PROPOSED DEVELOPMENT:
NO CONSTRUCTION/DEVELOPMENT []
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 Aug 23, 2018
(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: As site develops, resubmit TIS Form to determine if TIS required.

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

8/23/18
DATE

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

TIS -SUBMITTED / / TRAFFIC ENGINEER DATE / /
-FINALIZED / /

From: Office of Neighborhood Coordination onc@cabq.gov
Subject: FW: Neighborhood Meeting Inquiry_712 Montano NW_EPC
Date: August 27, 2018 at 3:24 PM
To: mnegrett@mac.com



Michelle,

For your records. Thanks.

Respectfully,

Vicente M. Quevedo, MCRP

Neighborhood Liaison
Office of Neighborhood Coordination
City of Albuquerque – City Council
(505) 768-3332

Website: www.cabq.gov/neighborhoods



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From: Carmona, Dalaina L.
Sent: Wednesday, August 22, 2018 1:11 PM
To: troyerhomesllc@gmail.com
Subject: Neighborhood Meeting Inquiry_712 Montano NW_EPC

Hi Nathan,

Thank you for the call back in regards to the correct address of 712 Montano NW for your request.

See list of applicable associations below and attached related to your scheduling of a Neighborhood Meeting. Please also review the attached instruction sheet.

| Association Name | First Name | Last Name | Email | Address Line 1 | City | State | Zip | Mobile Phone | Phone |
|------------------------|------------|-----------|--|-------------------------|-------------|-------|-------|--------------|------------|
| North Valley Coalition | Peggy | Norton | peggynorton@yahoo.com | P.O. Box 70232 | Albuquerque | NM | 87197 | 5058509293 | 5053459567 |
| North Valley Coalition | Doyle | Kimbrough | newmexmba@aol.com | 2327 Campbell Road NW | Albuquerque | NM | 87104 | | 5052490938 |
| Los Poblanos NA | Don | Newman | don.newman@mac.com | 5723 Guadalupe Trail NW | Albuquerque | NM | 87107 | | 5053443900 |
| Los Poblanos NA | Karon | Boutz | kjboutz@gmail.com | 1007 Sandia Road NW | Albuquerque | NM | 87107 | | 5053456002 |

Have a wonderful day!

Dalaina L. Carmona

Senior Administrative Assistant
Office of Neighborhood Coordination
Council Services Department
1 Civic Plaza NW, Suite 9087, 9th Floor
Albuquerque, NM 87102
505-768-3334
dcarmona@cabq.gov or ONC@cabq.gov
Website: www.cabq.gov/neighborhoods



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From: webmaster=cabq.gov@mailgun.org [<mailto:webmaster=cabq.gov@mailgun.org>] **On Behalf Of** ISD WebMaster
Sent: Tuesday, August 21, 2018 11:20 AM
To: Office of Neighborhood Coordination <onc@cabq.gov>
Subject: Neighborhood Meeting Inquiry Sheet Submission

Neighborhood Meeting Inquiry For:

Environmental Planning Commission

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

We are planning on rezoning property.

Contact Name

Nathan Troyer

Telephone Number

5053856736

Email Address

troyerhomesllc@gmail.com

Company Name

Montano Family Homes LLC

Company Address

1926 Indian School Rd. NW, Troyer Homes LLC

City

Albuquerque

State

NM

ZIP

87104

Legal description of the subject site for this project:

TRACT 6-A-2 PLAT OF LOTS 6-A-1 AND 6-A-2 NORTH FOURTHSTREET HOMESITES ADDN CONT 1.7110 AC

Physical address of subject site:

1926 Indian School Rd. NW

Subject site cross streets:

Troyer Homes LLC

Other subject site identifiers:

This site is located on the following zone atlas page:

F14

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



Neighborhood
Meetin...PC.xls





For more details about the Integrated Development Ordinance visit: <http://www.cabo.gov/planning/codes-policies-regulations/integrated-development-ordinance>



City of Albuquerque
Office of Neighborhood Coordination
One Civic Plaza
P.O. Box 1293
Albuquerque, NM 87103

Neighborhood Meeting Request to Applicable Associations

For those types of applications where TABLE 6-1-1 of the Integrated Development Ordinance requires a meeting with a neighborhood, the applicant shall offer at least 1 meeting to all Recognized and Non-recognized Neighborhood Associations whose boundaries include or are adjacent to the subject project site before filing the application. In such cases, project applications will not be accepted until a neighborhood meeting has been held or the requirements for a reasonable attempt have been met (see the Integrated Development Ordinance (IDO) Subsection 14-16-6.4 (C)(3)).

Each required Neighborhood Meeting Notice shall include (per IDO Subsection 14-16-6.4(5)):

1. The address of the property listed in the application;
2. The name of the property owner;
3. The name of the applicant;
4. Applicant mailing address;
5. Applicant telephone number and/or email address;
6. A short summary of the approval being requested;
7. Website where additional information about the project can be obtained, if applicable.

Neighborhood Meeting Notice Checklist

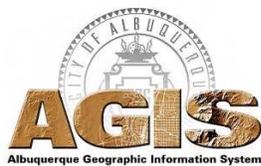
The following information must be included for **each** application packet submitted to the City of Albuquerque Planning Department.

- A copy of ONC's "Neighborhood Meeting Notice Email" outlining any applicable associations
- Proof that the meeting occurred, including:
 - A sign-in sheet of attendance, meeting location, date, and time; summary of discussion, including concerns raised, areas of agreement and disagreement, and next steps identified, if any;
 - Identification of any design accommodations that may have been made as a result of the meeting.
- If the concerns raised at the meeting have not been accommodated, the applicant must identify the site or project constraints that limit the ability to address those concerns.
- See Subsection 14-16-6.4(C) of the IDO for more details regarding Neighborhood Meetings via the following weblink: <https://www.cabq.gov>.

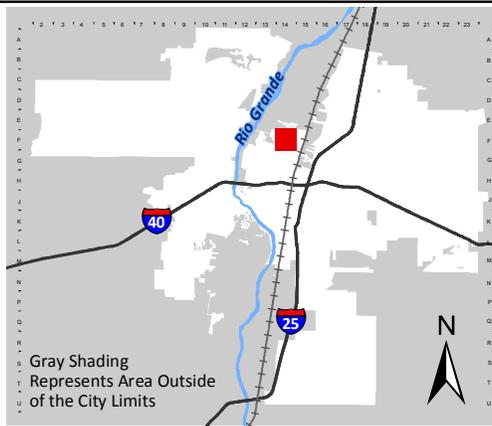


For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

IDO Zone Atlas May 2018



IDO Zoning information as of May 17, 2018
The Zone Districts and Overlay Zones
are established by the
Integrated Development Ordinance (IDO).



Zone Atlas Page:
F-14-Z

- Easement
- Escarpment
- Petroglyph National Monument
- Areas Outside of City Limits
- Airport Protection Overlay (APO) Zone
- Character Protection Overlay (CPO) Zone
- Historic Protection Overlay (HPO) Zone
- View Protection Overlay (VPO) Zone

0 250 500 1,000 Feet

| Association Name | First Name | Last Name | Email |
|-------------------------|-------------------|------------------|-----------------------|
| North Valley Coalition | Peggy | Norton | peggynorton@yahoo.com |
| North Valley Coalition | Doyle | Kimbrough | newmexmba@aol.com |
| Los Poblanos NA | Don | Newman | don.newman@mac.com |
| Los Poblanos NA | Karon | Boutz | kjboutz@gmail.com |

| Address Line 1 | City | State | Zip | Mobile Phone | Phone |
|-------------------------|-------------|--------------|------------|---------------------|--------------|
| P.O. Box 70232 | Albuquerque | NM | 87197 | 5058509293 | 5053459567 |
| 2327 Campbell Road NW | Albuquerque | NM | 87104 | | 5052490938 |
| 5723 Guadalupe Trail NW | Albuquerque | NM | 87107 | | 5053443900 |
| 1007 Sandia Road NW | Albuquerque | NM | 87107 | | 5053456002 |



Tim Nisly <tnisly@gmail.com>

712 Montano Rezone

Tim Nisly <tnisly@gmail.com>

Tue, Jul 31, 2018 at 9:21 AM

To: don newman <don.newman@mac.com>

Cc: Michelle Negrette <mnegrett@mac.com>, Nathan Troyer <troyerhomesllc@gmail.com>

My apologies, Don, you'll get a notice when the EPC (Environmental Planning Commission) meeting is scheduled. The Development Review Board is for a different process.

-Tim

On Tue, Jul 31, 2018 at 9:00 AM, Tim Nisly <tnisly@gmail.com> wrote:

Thank you, Don. You'll get another notice when the formal meeting with the Development Review Board is scheduled.

Meantime, we'll keep you posted as our plans develop. And for now we won't schedule a formal meeting with Los Poblanos Neighborhood Association.

-Tim

On Mon, Jul 30, 2018 at 9:06 PM, don newman <don.newman@mac.com> wrote:

Tim, Keep us posted, if we have concerns we then could meet with city.

Don

On Jul 30, 2018, at 8:33 PM, Tim Nisly <tnisly@gmail.com> wrote:

Good afternoon!

Great to talk to you last week, Don. We're moving forward with the design, and will keep you posted as that gets built out.

The city has asked us to confirm whether or not you all would like a formal meeting. Is that something you'd like to set up? Either way, just let us know and we're happy to oblige. Thanks!

-Tim

On Mon, Jul 23, 2018 at 8:32 AM Tim Nisly <tnisly@gmail.com> wrote:

Good morning, Don and Karon!

My name is Tim Nisly. I used to be active in the NNVA, but I'm not sure if our paths have crossed. My brother-in-law, Nathan Troyer, and I are working on re-zoning the 712 Montano property to build homes for my ourselves and a few others, and the first step in that process is to let you all know what we're doing.

Attached is a letter that explains this a bit more.

Thank you!

-Tim

8/24/2018

Gmail - 712 Montano Rezone

Tim Nisly
505.750.8466
tnisly@gmail.com

The sender has requested a read receipt. If you do not wish to provide one, [click here](#).

July 19, 2018

To the Los Poblanos Neighborhood Association:

My name is Tim Nisly. My brother-in-law, Nathan Troyer, and I are the agents for the property located at 712 Montano NW, Albuquerque, NM, 87102.

I am requesting approval from the Zoning Hearing Examiner within the City of Albuquerque for a zone change to allow us to change the zoning on 712 Montano from R-A to R-1C to match the surrounding area and allow us to build homes for ourselves, our family, and possibly to sell to other families.

If the neighborhood association would like to meet about this project, we'd be happy to do so. By ordinance, just let us know by Friday, August 7th, and we'd be happy to meet, share our plans, and answer any questions you might have.

Thank you,

A handwritten signature in black ink, appearing to read 'Tim Nisly', with a stylized flourish at the end.

Tim Nisly

Tnisly@gmail.com

505.328.8848

For more information, please contact the ZHE Administrative Assistant Suzie Sanchez at 505-924-3894 or suzannasanchez@cabq.gov.

August 22, 2018

To the North Valley Neighborhood Coalition:

My name is Tim Nisly. My brother-in-law, Nathan Troyer, and I are the agents for the property located at 712 Montano NW, Albuquerque, NM, 87102.

I am requesting approval from the Zoning Hearing Examiner within the City of Albuquerque for a zone change to allow us to change the zoning on 712 Montano from R-A to R-1C to match the surrounding area and allow us to build homes for ourselves, our family, and possibly to sell to other families.

If the neighborhood association would like to meet about this project, we'd be happy to do so. By ordinance, just let us know by Wednesday, August 29th, and we'd be happy to meet, share our plans, and answer any questions you might have.

Thank you!

Tim Nisly

Tnisly@gmail.com

505.328.8848

For more information, please contact the ZHE Administrative Assistant Suzie Sanchez at 505-924-3894 or suzannasanchez@cabq.gov.



Tim Nisly <tnisly@gmail.com>

Rezone Notification

Tim Nisly <tnisly@gmail.com>

Mon, Aug 27, 2018 at 8:29 PM

To: Doyle Kimbrough <newmexmba@aol.com>

Cc: peggynorton@yahoo.com, Nathan Troyer <ntroyer@gmail.com>, Michelle Negrette <mnegrett@mac.com>

I'd be happy to come to that. Nathan and Michelle are both out of town, but I'm good to speak for the group. If there's a time that works for you all from 10 - 4, that'd be best for me. I'm pretty flexible Wednesday as well if that's better for you.

Appreciate it!

-Tim

On Mon, Aug 27, 2018 at 8:12 PM Doyle Kimbrough <newmexmba@aol.com> wrote:

Jonathan Siegel has offered his office for a meeting tomorrow or Thursday afternoons. Can all of you make it? Jonathan says anytime up until 7:30 PM would be fine.

The address is 1006 Park SW

Thanks,

Doyle

On Aug 22, 2018 5:16 PM, Tim Nisly <tnisly@gmail.com> wrote:

Good morning, Peggy and Doyle!

My name is Tim Nisly. I used to be active in the NNVA, but I'm not sure if our paths have crossed. My brother-in-law, Nathan Troyer, and I are working on rezoning the 712 Montano property to build homes for my ourselves and a few others, and the first step in that process is to let you all know what we're doing.

Attached is a letter that explains this a bit more.

Thank you!

-Tim

Tim Nisly
505.750.8466
tnisly@gmail.com



Tim Nisly <tnisly@gmail.com>

712 Montano NW

Peggy Norton <peggynorton@yahoo.com>

Tue, Aug 28, 2018 at 9:39 AM

Reply-To: Peggy Norton <peggynorton@yahoo.com>

To: "jonathan@siegeldesignarchitects.com" <jonathan@siegeldesignarchitects.com>, Doyle Kimbrough <newmexmba@aol.com>

Cc: Michelle Negrette <mnegrett@mac.com>, Tim Nisly <tim@101prop.com>, Nathan Troyer <troyerhomesllc@gmail.com>, Catherine Mexal <cmexal@gmail.com>

I'll be there. I have invited Pat Martinez and Peggy Gilbert - will let you know if they will attend.

Peggy Norton, President
North Valley Coalition

On Tuesday, August 28, 2018 9:19 AM, Jonathan Siegel <jonathan@siegeldesignarchitects.com> wrote:

This will work fine for me.

We are 1 block south of Central and a few doors west of 10th St.

Jonathan Siegel, AIA
Siegel Design Architects, LLC
1006 Park Avenue SW
Albuquerque, New Mexico 87102
505-243-4501
505-243-4504 fax
www.siegeldesignarchitects.com

On 8/28/2018 9:13 AM, Doyle Kimbrough wrote:

Shall we meet at Jonathan's office at 2:00 this afternoon? His address is: [1006 Park SW](#).

Please RSVP as I am having email/laptop problems this morning.

Jonathan: could you let Peggy know? I can't bring up her email address. She will also bring a neighbor who is interested.

Thanks,

Doyle

On Aug 28, 2018 8:46 AM, Jonathan Siegel <jonathan@siegeldesignarchitects.com> wrote:

Nice to hear from you, Michelle -

We will be taking this up with a newly formed North Valley Coalition Zoning Committee.

It's a bit of a test case for us as a group and perhaps for the City as well.

Jonathan Siegel, AIA
Siegel Design Architects, LLC
1006 Park Avenue SW
Albuquerque, New Mexico 87102
505-243-4501
505-243-4504 fax
www.siegeldesignarchitects.com

On 8/27/2018 10:18 PM, Michelle Negrette wrote:

Hi Jonathan,

Hope all is well with you! I have the wonderful opportunity to work with a great family, lead by Tim Nisly and Nathan Troyer, who are interested in developing the 1.7 acre parcel across from St. Michaels and All Angels into a cluster community for their families. Our first step is a zone change, from R-A back to the previous R-1 zoning. They need to have a higher density in order to justify the dedication of 30% of the property to open space and to build houses for the families of 5 siblings and parents and in-laws. They have a deep respect for the valley and are interested in preserving as much of the established trees on the site and the wooded areas. I believe Tim has reached out for a meeting with the NV neighborhood coalition this week.

Unfortunately, I am unable to attend, as I am in Carlsbad this week for some work with the NM MainStreet program. I did want to reach out to you, since I won't be able to make the meeting, to let you know that I am working with them and am happy to answer any questions.

Kind regards as always,

Michelle Negrette
Strata Design, LLC
505.710.4221

| MEETING SIGN-IN SHEET | | | |
|-----------------------|-------------------------------------|----------------------|--------------|
| Project: | 712 Montano Re-zone | Meeting Date: | 8/28/18 |
| | Meeting with North Valley Coalition | Place/Room: | 1006 Park SW |

| Name | Affiliation | Phone | E-Mail |
|-----------------|-----------------------|----------|-------------------------|
| Doyle Kimbrough | CMPS NVC ① | 249-0938 | newmexmba@aol.com |
| Jonthzn Siegel | NVC | 2434501 | jsiegel@swcp.com |
| Maribeth Troyer | Medicare Prop | 306-0567 | maribeth.troy@gmail.com |
| Tim Nishy | Tim Nishy | 328-8848 | |
| Peggy Norton | NVC President | 345-9575 | peggynorton@yahoo.com |
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① zoning committee of North Valley Coalition

NVC Montano Family Homes Meeting

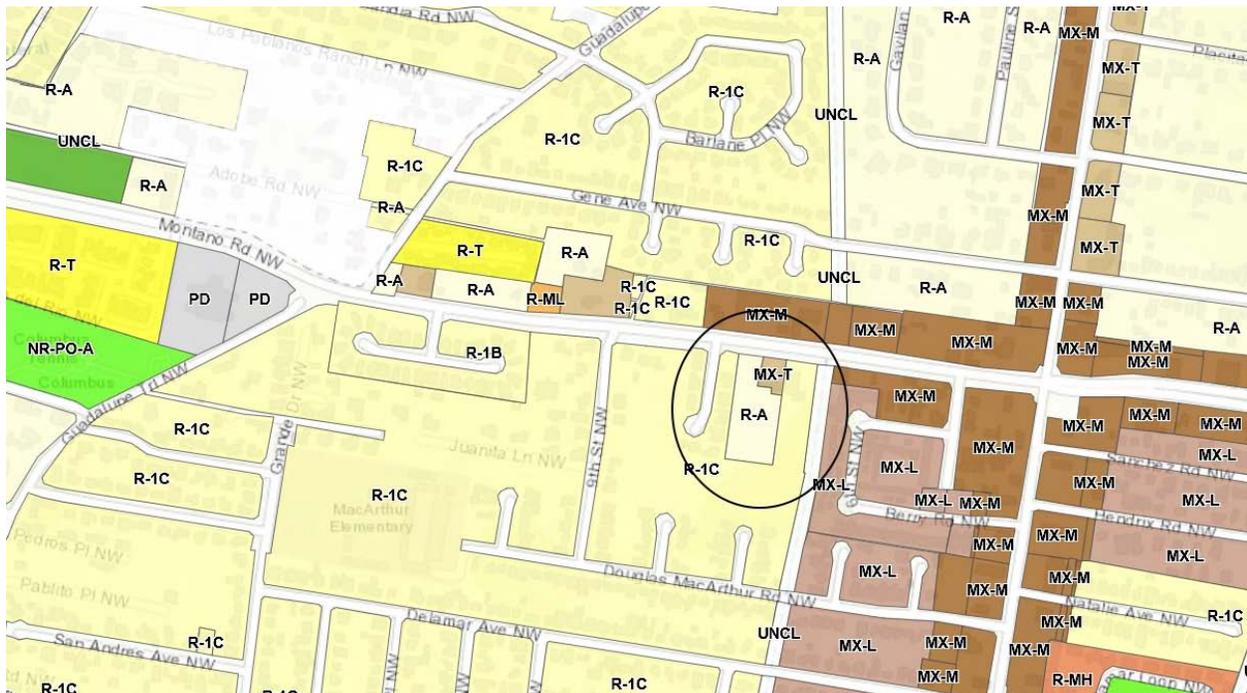
August 28, 2018

The North Valley Coalition, represented by Peggy Norton, president, and Doyle Kimbraugh and Jonathan Spiegel of the NVC Zoning Committee, met with Montano Family Homes, represented by Maribeth Troyer and Tim Nisly and discussed the zone change, site layout, lot sizes, and the IDO zoning code.

The underlying zone was R-A at one time, spot zoned in 2000 from R-1. With current zoning the property allows 5 units, and R-1C would allow for 7000sq/ft units.

Notes:

- NVC appreciated the meeting, and noted that the applicant has been forthcoming and responsive.
- Los Poblanos and adjacent neighbors have been notified
- Applicant intends to have 3 or more family households on the property
- Applicant intends to build 6-7 houses on the property
- Applicant shared map of surrounding zoning (below) showing the R-1C nature of the surrounding properties
- Lot is in an area of consistency
- The number of stories on the houses is undecided
- Applicant has discussed saving fruit and cottonwood trees with neighbors



August 30, 2018

To Whom it May Concern,

This is a request for TRACT 6-A-2 PLAT OF LOTS 6-A-1 AND 6-A-2 NORTH FOURTH STREET HOMESITES ADDN CONT to be considered for a Zoning Map Amendment from R-A (Rural and Agricultural District) to R-1C (Single-Family Zone District). The property is one (1) lot, consisting of 1.75 acres. The client, Montano Properties, LLC wishes to build a cluster development on the site, consisting of six (6) to seven (7) single-family homes with two (2) to three (3) small homes or casitas. It is the intention, for the families of five siblings to live in the single-family homes with the additional homes and casitas to be available for in-laws as desired. Presently, the R-A zoning would allow for no more than six (6) single-family homes. This amount of housing does not meet the family's needs, does not make the project economically viable, nor match the adjacent property density or land use. In addition, the R-A zone permits equestrian and agricultural uses that are undesirable and incompatible with R-1 zoning.

Surrounding Context

The surrounding parcels to the west, south, and east are zoned R-1C. The parcels to the west have been developed as single-family homes accessed via cul-du-sac. The parcel to the north is zoned MX-T and across Montano to the north, the parcels are zoned MX-M. These lots support neighborhood services and St. Michael's and All Angels church and school. Within 100' feet of the site, a large development is zoned R-T and consists of townhouses.

Site History

The site is currently undeveloped. Previously, the parcel in question was platted for nine parcels and zoned R-1. Historical Zone Atlas maps indicate that in 2000, the parcel was zoned R-1 and in 2001, the property was zoned R-A (see attached zone maps). The parcel is currently under contract by Montano Properties, LLC, a local family business that is interested in developing a cluster development for their own family's residences.

Neighborhood Association Meetings

Prior to application, Montano Family Homes, LLC reached out to the North Valley Neighborhood Coalition and Los Poblanos Neighborhood Association. On August 28, 2018, Montano Family Homes met with the zoning committee of the NV Neighborhood Coalition, attended by Peggy Norton, President, and Doyle Kimbraugh and Jonathan Siegel, at Siegel Designs studio. They discussed the family's intention to build 6-7 homes on the property, with three or more of the family's own households on the property and family's desire to preserve the existing fruit trees. There was no opposition to the proposed zone change from the North Valley Neighborhood Coalition. Los Poblanos Neighborhood association responded via email that they appreciated being informed and had no questions at this time. All correspondence is included in submittal packet.

SECTOR DEVELOPMENT PLAN MAP AMENDMENT

Response to Section 6-7(F)(3) Review and Decision Criteria

The following narratives will provide evidence that the proposed rezoning of properties TRACT 6-A-2 PLAT OF LOTS 6-A-1 AND 6-A-2 NORTH FOURTH STREET HOMESITES ADDN CONT are considered in accordance with the recently adopted City of Albuquerque Comprehensive Plan. This request is in compliance with Section 6-7(F)(3) of the Integrated Development Ordinance as follows:

A. The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by furthering (and not being in conflict with) a

preponderance of applicable Goals and Policies in the ABC Comp Plan, as amended, and other applicable plans adopted by the City.

Applicant's Response:

The proposed zone change from R-A to R-1C is consistent with the health, safety, morals, and welfare of the city. The zone change will allow for uses consistent with the visions of the local community, Albuquerque's Comprehensive Plan by ensuring development on the site is consistent in lot type and use with the abutting parcels zoned and developed R-1C Single Family Zone Districts.

Policy 4.1.2 Identity and Design: Protect the identity and cohesiveness of the neighborhoods by ensuring the appropriate scale and location of development, mix of uses and character of building design.

Because a change from R-A to R-1C is consistent with adjacent and abutting R-1C zoning, the proposed zone change contributes to the stability of land use and zoning within the area. The context surrounding the site is R-1C, with a single lot of MX-T to the north/east. Across Montano Blvd. the zoning is MX-M. Abutting land uses are single family with a beauty salon on the MX-T parcel. Across Montano Blvd is St. Michael's and All Angels church. The proposed Zone Map Amendment to R-1C is consistent and in keeping with both the adjacent and abutting land use and zoning which maintains and reinforces the character of the neighborhood.

Policy 5.1.1 Desired Growth: Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.

Because Montano Boulevard is designated by the Comprehensive Plan as a Major Transit Corridor, a change in zoning from R-A to R-1 would contribute to the sustainable development pattern of the area by reinforcing the adjacent R-1 land use and enabling additional growth capture through a higher density zone along a designated Major Transit Corridor.

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

Because the site in question is in an area with existing infrastructure, increasing the zoning from R-A to R-1 in this area supports additional infill development.

Policy 5.3.3 Compact Development: Encourage development that clusters buildings and uses in order to provide landscaped open space and/or plazas and courtyards.

Because enabling a cluster development at a higher density development offsets the costs of dedicating 30% of the land area as common space, a zone change to R-1 encourages compact development.

Policy 5.6.3 Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks and Major Public Open Spaces.

Because the proposed zone is consistent and in keeping with adjacent and abutting residential land use, the proposed zone change will protect and enhance the character of the surrounding neighborhoods. The zone change allows for the expansion of single-family neighborhood development in the area at the same density and intensity as abutting and adjacent properties.

Policy 9.1.1 Housing Options: Support the development, improvement, and conservation of housing for a variety of income levels and types of residents and households.

Because the North Valley has a long tradition of clustered housing and family compounds, the R-1C zone would promote the creation of a cluster development by allowing for a density that would offset cost of the required 30% land area dedication while maintaining the density of the adjacent and abutting neighborhoods. The zone change to R-1 is in keeping with stabilizing land use and expanding affordable housing by allowing an increase in dwelling units on the property to match the density of abutting properties and adjacent neighborhoods.

Policy 9.2.1 Compatibility: Encourage housing development that enhances neighborhood character, maintains compatibility with surrounding land uses, and responds to its development context – i.e. urban, suburban, or rural – with appropriate densities, site design and relationship to the street.

Because the proposed zone change matches the surrounding and abutting densities and requires the same setbacks and lot sizes, it would allow development that is consistent with the recent development to west and the neighborhood to the south. R-A is a rural zone. It assumes lot sizes of a minimum of 10,890 sqft with deep 20' minimum front, 25' minimum rear setbacks and 10' minimum side yard setbacks. This development pattern allows for larger distance between homes and separation between homes while permitting agricultural and equestrian uses. R-1C is a more compact and suburban development form with a higher allowable density that may not be compatible with some uses permitted in R-A. Because abutting zoning is R-1C, the development to the west has front and rear minimum setbacks of 15' and side setbacks of 5' on 7,000 sqft minimum lots. Adjacent, existing single family homes within less than 15' of the property, as well as future homes developed on the site, could be subject to the ill affects of agricultural and equestrian uses.

Policy 6.1.2 Transit-Oriented Development: Prioritize transit-supportive density, uses, and building design along Transit Corridors.

Because the Comprehensive Plan identifies Montano Boulevard as a Major Transit Corridor, a change in zone from R-A to R-1 increases allowable density along a transit corridor in an appropriate and context sensitive manner.

Summary Conclusion

This request for a zone change from R-A to R-1C is consistent with the health, safety, and general welfare of the City, furthers (and is not in conflict with) a preponderance of applicable Goals and Policies in the ABC Comp Plan, as amended, and other applicable plans adopted by the City. The proposed R-1 zone is in keeping with the goals and intentions of the North Valley and the Comprehensive Plan. A zone change from R-A to R-1C is consistent and compatible with adjacent and abutting R-1C zoning and rectifies the previous R-A spot zone. The proposed R-1C zone allows for development consistent and compatible in building placement, density and land use consistent adjacent and abutting development. By allowing an increase in single family density, it supports affordable housing choices, and increased opportunities for infill development along a major transit corridor and in an area with existing infrastructure. In addition, the requested zone change removes potentially harmful and incompatible agricultural and equestrian uses from existing residential areas within very close proximity to the site, as well as future residential development on the parcel in question.

By enabling a higher density, cluster development, the proposed R-1C zone allows for the conservation of larger areas of land for the continuation of wild life habitats, migratory patterns and the preservation of the agricultural character of the North Valley while increasing the housing opportunities in the area. The proposed family compound along a Major Transit Corridor at a density consistent with surrounding properties would provide an opportunity for a traditional

residential form historically found in the North Valley. This furthers the Comprehensive Plan's goal of providing a diversity of housing options that are affordable.

B. If the proposed amendment is located wholly or partially in an Area of Consistency (as shown in the ABC Comp Plan, as amended), the applicant has demonstrated that the new zone would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and would not permit development that is significantly different from that character. The applicant must also demonstrate that the existing zoning is inappropriate because it meets any of the following criteria:

- 1. There was typographical or clerical error when the existing zone district was applied to the property.**
- 2. There has been a significant change in neighborhood or community conditions affecting the site.**
- 3. A different zone district is more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).**

Applicant's Response: The proposed Zone Map Amendment is located wholly in an Area of Consistency (as shown in the ABC Comp Plan, as amended). The proposed zone reinforces the established character of the surrounding Area of Consistency and does not permit development that is significantly different from that character.

The existing zoning R-A zoning is inappropriate because it meets the following two criteria:

- 1. There has been a significant change in neighborhood or community conditions affecting the site.* The parcel to the west has been developed with eight (8) single-family homes, several of which have received a variance for setback reductions. In addition, the City has recently adopted the Integrated Development Ordinance, which sets out a four-tiered structure for R-1 development densities that respond to contextual conditions. This structure allows for an application for R-1 zoning which has appropriate density limits to support the surrounding character. The proposed zone change to R-1C is consistent with the abutting and adjacent zoning of R-1C and respects this change in community conditions.
2. A different zone district is more advantageous to the community as articulated by the ABC Comp Plan, as amended. The proposed zone land use is consistent with adjacent and abutting land uses, development, density and intensity and connectivity. The current R-A zone allows for agricultural uses, including general agriculture and equestrian facilities that may create dust, odor, noise and other undesirable activities for adjacent homes that may sit less fifteen (15) feet away from the property.

C. If the proposed amendment is located wholly in an Area of Change (as shown in the ABC Comp Plan, as amended) and the applicant has demonstrated that the existing zoning is inappropriate because it meets at least one of the following criteria:

- 1. There was typographical or clerical error when the existing zone district was applied to the property.**
- 2. There has been a significant change in the neighborhood or community conditions affecting the site.**

3. A different zone district is more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

This criteria is not applicable because the property in question is located wholly in an Area of Consistency as shown in the ABC Comp Plan, as amended.

D. The zone change does not include permissive uses that would be harmful to adjacent property, the neighborhood, or the community, unless the Use-specific Standards in Section 16-16-4-3 associated with that use will adequately mitigate those harmful impacts.

Because the proposed zone R-1C is the same zone as the abutting properties, the neighborhood to the south and is less intense than the zones across the street, it does not include permissive uses that would be harmful to adjacent property, the neighborhood, or the community, see summary table below.

| Summary Table of differences of Allowable Uses between R-A and R-1 | | |
|---|------------|-----------------------|
| <i>Use</i> | <i>R-A</i> | <i>R-1</i> |
| Community Center or Library | C | P |
| Equestrian Facility | P | Not Permitted |
| General Agriculture | P | Not Permitted |
| Kennel | C | Not Permitted |
| Nursery | P | Not Permitted |
| Veterinary Hospital | C | Not Permitted |
| Other Pet Services | C | Not Permitted |
| Bed and Breakfast | A | Conditional Accessory |
| Farmers Market | T | Not Permitted |
| Outdoor Animal Run | A | Not Permitted |
| | | |
| C=Conditional Use* | | |
| P=Permissive Use | | |
| A=Accessory Use | | |
| T=Temporary Use | | |
| | | |
| *Conditional Use requires public hearing. | | |

Uses permissive in R-1C are consistent with the existing R-A, except that the existing zoning allows for the following additional uses; Equestrian Facility, General Agriculture, and Nursery. These additional existing uses, which would cease to be allowed with the requested R-1C, are may not be compatible with the adjacent existing single-family housing, as they may create noise, odor and chemicals to be introduced in close proximity to a primarily residential setting. Conditional uses in R-1C are consistent with R-A, except that R-1C permits a Community Center or Library. This use is typically a municipal development, and Montano Properties tends to develop the property as a private residential property. R-A has Conditional Uses not permissive in R-1C; Kennel, Veterinary Hospital, and Other Pet Services that may not be compatible with the adjacent R-1C properties.

As evident in this comparison, a change from R-A to R-1C would eliminate permissive uses that may be harmful to the adjacent property, the neighborhood or community, while allowing uses compatible with abutting land uses.

E. The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems meet 1 of the following requirements:

1. **Have adequate capacity to serve the development made possible by the change of zone.**
2. **Will have adequate capacity based on improvements for which the City has already approved and budgeted capital funds during the next calendar year.**
3. **Will have adequate capacity when the applicant fulfills its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement.**
4. **Will have adequate capacity when the City and the applicant have fulfilled their respective obligations under a City- approved Development Agreement between the City and the applicant.**

Because the site is located in a developed area of Albuquerque, it meets the requirements of the above number 1 **“Have adequate capacity to serve the development made possible by the change of zone.”** The City’s existing infrastructure has adequate capacity to serve the development made possible by the change of zone. The zone change request was well below the requirement for a Traffic Impact Study (TIS), see included TIS form. Any on site infrastructure costs will be born by the developer.

F. The applicant’s justification for the requested zone change is not completely based on the property’s location on a major street.

Because the proposed zone request is based on the desire to amend a prior spot zone to a zone congruent with abutting parcels to support a cluster development, and to remove potentially incompatible land uses from existing and future single family development, it is not due to its location on a major street. Montano Road is classified by NMDOT and the Long Range Roadway system 2040 as a Principal Arterial. The Comprehensive Plan identifies Montano Road as a Major Transit Corridor. The policies of the Comprehensive Plan support increases in infill development in areas with existing infrastructure and along Major Transit Corridors.

G. The applicant’s justification is not based completely or predominantly on the cost of land or economic considerations.

Because the proposed zone request is based on the desire for a zone congruent with abutting parcels to support a higher density cluster development and to remove potential harmful land uses adjacent to single family uses, it is not based on the cost of land or economic considerations.

H. The zone change does not apply a zone district different from surrounding zone districts to one small area or one premises (i.e. create a “spot zone”) or to a strip of land along a street (i.e. create a “strip zone”) unless the change will clearly facilitate implementation of the ABC Comp Plan, as amended, and at least one of the following applies:

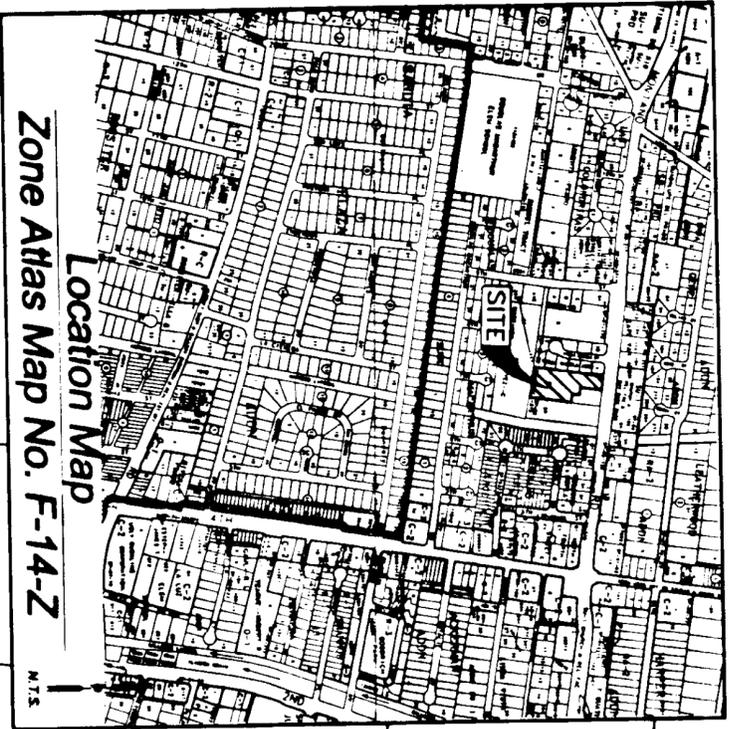
1. **The area of the zone change is different from surrounding land because it can function as a transition between adjacent zone districts.**
2. **The site is not suitable for the uses allowed in any adjacent zone district due to topography, traffic, or special adverse land uses nearby.**
3. **The nature of structures already on the premises makes it unsuitable for the uses allowed in any adjacent zone district.**

Because the zone change request is for a zone that is the same as abutting and adjacent zones, the proposed zone change does not create a “spot zone” or strip zone. The zoning on the site prior to 2001 was R-1, the zone change to R-A created a spot zone. The proposed Zone Map

amendment from R-A back to R-1 is a request for the site to be made **consistent** with surrounding zone districts.

2000013598
 Page 1 of 1
 82/19/2000 09:28R
 82-26855 Pg.23

Boundary Survey Plat for
Santia R. Perla Revocable Trust
 Lot 6-A-2
**North Fourth Street
 Homesites Addition**
 Albuquerque, Bernalillo County, New Mexico
 January 2000

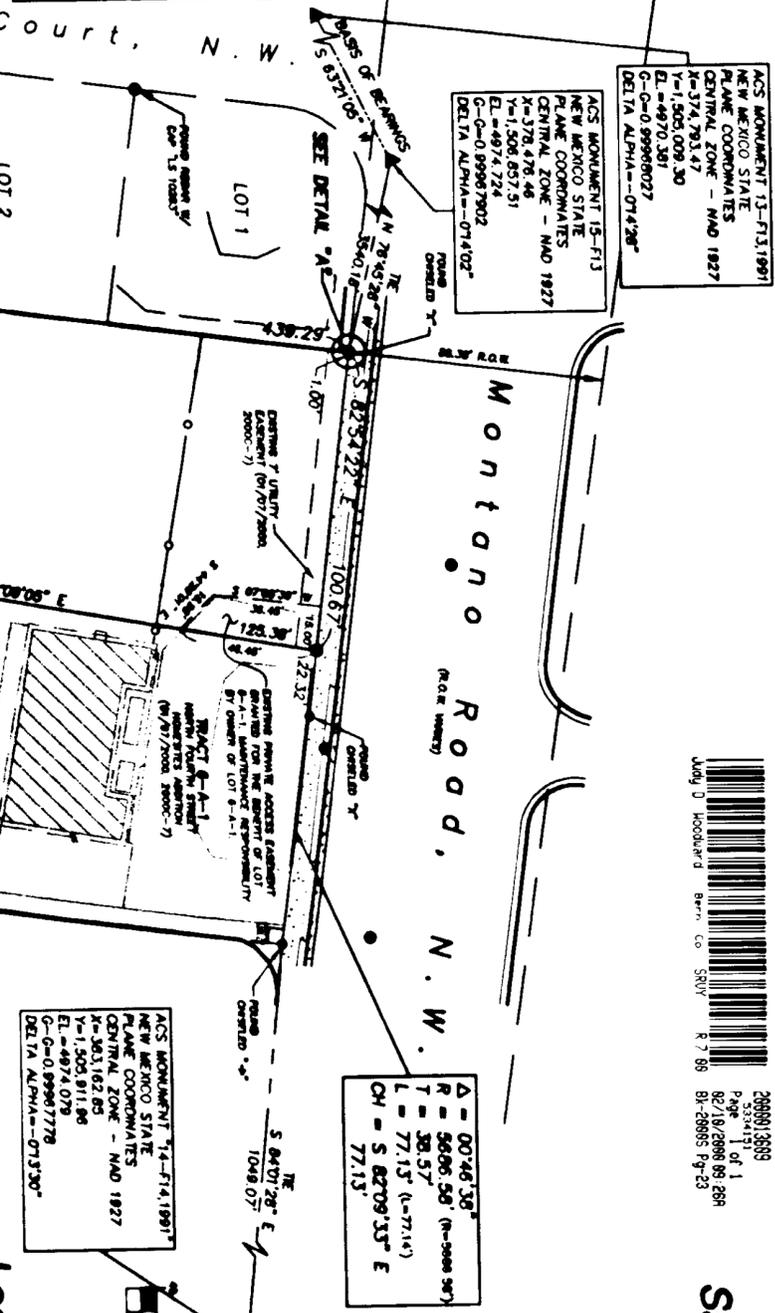


ACS MONUMENT 13-F13.1991
 NEW MEXICO STATE
 PLANE COORDINATES
 CENTRAL ZONE - NAD 1927
 N=374,783.47
 E=1,505,009.30
 G=0.00000027
 DELTA ALPHA=074298"

ACS MONUMENT 15-F13
 NEW MEXICO STATE
 PLANE COORDINATES
 CENTRAL ZONE - NAD 1927
 N=378,478.48
 E=1,508,057.51
 G=0.00000027
 DELTA ALPHA=074402"

Δ = 00°46'38"
 R = 5606.56' (R=5606.56)
 T = 38.57'
 L = 77.15' (L=77.15)
 CH = S 82°09'35" E
 77.15'

ACS MONUMENT 14-F14.1991
 NEW MEXICO STATE
 PLANE COORDINATES
 CENTRAL ZONE - NAD 1927
 N=383,162.83
 E=1,505,811.86
 G=0.00000027
 DELTA ALPHA=073730"



Legend

- DENOTES FOUND REBAR WITH CAP "S 11993"
- UNLESS OTHERWISE NOTED
- WATER METER
- WELL
- LIGHT POLE
- SANITARY SEWER MANHOLE
- STORM SEWER MANHOLE
- UTILITY PEDESTAL
- TRANSDUCER
- BLOCK WALL
- WOOD FENCE
- CHAIN LINK FENCE
- WIRE FENCE

Surveyor's Certificate

I, LARRY W. MEDLAND, A REGISTERED PROFESSIONAL NEW MEXICO LAND SURVEYOR DO HEREBY CERTIFY THAT A BOUNDARY SURVEY OF THE REAL PROPERTY SHOWN HEREON WAS CONDUCTED IN ACCORDANCE WITH THE STANDARDS FOR THE PRACTICE OF SURVEYING IN THE STATE OF NEW MEXICO AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SURVEY AND PLAT DO NOT VIOLATE ANY ORDINANCES OF THE CITY OF ALBUQUERQUE, NEW MEXICO SUBDIVISION ORDINANCE. THE REQUIREMENTS OF THE CITY OF ALBUQUERQUE, NEW MEXICO SUBDIVISION SURVEY AND IS NOT INTENDED TO SUBDIVIDE AND EXISTING PARCELS OR SUBDIVISION AS DEFINED IN PLAT OF AN EXISTING TRACT AND IS NOT A LAND DIVISION OR SUBDIVISION AS NOTED AND ALL THE NEW MEXICO SUBDIVISION ACT. NO ENCROACHMENTS EXIST EXCEPT AS NOTED AND ALL ENCROACHMENTS ARE SHOWN IN THEIR CORRECT LOCATION RELATIVE TO RECORD BOUNDARIES AS LOCATED BY THIS SURVEY.

Larry W. Medland
 Larry W. Medland
 Surveyor
 N.M.S. No. 11993



PRECISION SURVEYS, INC.

8414-D JEFFERSON ST., N.E. PHONE: 808 898 8700
 ALBUQUERQUE, NEW MEXICO 87113 FAX: 808 898 7800

Legal Description

LOT 6-A-2 (6-A-2) NORTH FOURTH STREET HOMESITES ADDITION, BEING A REPLAT OF LOT 6-A-1 OF SAID ADDITION, ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, AS THE SAME IS SHOWN AND DESIGNATED ON SAID REPLAT, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY ON JANUARY 7, 2000, IN VOLUME 2000C, FOLIO 7, CONTAINING 1.7108 ACRES MORE OR LESS.

Notes

1. FIELD SURVEY PERFORMED ON MARCH 2, 1999, FIELD VERIFIED JANUARY 8, 1999.
2. ALL BEARINGS AND DISTANCES, NEW STATE PLANE CENTRAL ZONE (NAD 1927).
3. ALL DISTANCES ARE GROUND DISTANCES. U.S. SURVEY FOOT.
4. THIS PROPERTY LIES WITHIN PROJECTED SECTION 32, TOWNSHIP 11 NORTH, RANGE 3 EAST, NEW MEXICO PRINCIPAL MERIDIAN, ELENA GALLEGOS GRANT, BERNALILLO COUNTY, NEW MEXICO.
5. PLAT SHOWS ALL EASEMENTS OF RECORD.
6. AS TO THE TITLE MATTERS SHOWN HEREON, PRECISION SURVEYS, INC. HAS RELIED SOLELY ON THE TITLE COMMITMENT PREPARED BY ALBUQUERQUE TITLE COMPANY, INC. COMMITMENT NUMBER 178744W, DATED NOVEMBER 9, 1999 PRECISION SURVEYS, INC. MAKES NO STATEMENT AS TO THE ACCURACY OR COMPLETENESS OF THE SUBJECT TITLE REPORT.
7. UPC # 1-014-081-317-280-1-18-14.
8. MEASURED BEARINGS AND DISTANCES MATCH PLAT FILED (01/07/2000, 2000C-7).

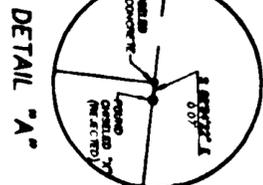
Owner's Affidavit

THE PURPOSE OF THIS SURVEY IS TO DEFINE THE BOUNDARY OF THE REAL PROPERTY SHOWN HEREON. THIS PLAT IS A SURVEY OF AN ENTIRE TRACT OF LANDS AS IT PREVIOUSLY EXISTED AND THEREFORE IS NOT A LAND DIVISION, A SUBDIVISION, A CREATION OF A NEW LOT, OR A RECOMBINATION OF MORE THAN ONE TRACT.

Santia R. Perla
 Santia R. Perla Revocable Trust
 1/14/2000
 DATE

NON-RECORDED EASEMENT AS PER AMENDED PLAT OF NORTH FOURTH STREET HOMESITES ADDITION (2/11/78, C2-113)

INDEXING INFORMATION FOR COUNTY CLERK
 OWNER: SANTIJA R. PERLA REVOCABLE TRUST
 SECTION 32, TOWNSHIP 11 N, RANGE 3 E
 SUBDIVISION NORTH 4TH STREET HOMESITES



VACANT LAND
 TRACT 6-A-2
 AREA = 74,522 sq. ft.
 1.7108 acres

LOT 5A
 NORTH FOURTH STREET
 HOMESITES ADDITION
 (11/01/78, C37-159)

LOT 6-1-C
 LANDS OF JOHN MARTINEZ
 & CONRAD CHAVEZ
 (3/15/84, B20-142)

SOUTH BOUNDARY
 VILLA CANELA ADDITION

LOT 1-A-1-C
 LANDS OF JOHN MARTINEZ
 & CONRAD CHAVEZ
 (3/15/84, B20-142)

NORTH BOUNDARY
 LOT 1-A-1-C



Single family development in adjacent subdivision to the west. (Looking South)



Single family development in adjacent subdivision to the west. (Looking North)



Single family development to west. View from 712 Montano Rd property. Note proximity to adjacent homes.



St. Michael's Church across Montano Blvd.



Day Spa, abutting property to the north and east along Montano.



2000 zone
Atlas shows
R-1 Zoning



2001 zone
Atlas shows
R-A Zoning

From: Quevedo, Vicente M. vquevedo@cabq.gov
Subject: Public Notice Inquiry_712 Montano NW_EPC
Date: August 27, 2018 at 3:31 PM
To: tnisly@gmail.com
Cc: mnegrett@mac.com



Tim & Michelle,

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

| Association Name | First Name | Last Name | Email | Address Line 1 | City | State | Zip | Mobile Phone | Phone |
|------------------------|------------|-----------|----------------------|-------------------------|-------------|-------|-------|--------------|------------|
| North Valley Coalition | Peggy | Norton | peggnorton@yahoo.com | P.O. Box 70232 | Albuquerque | NM | 87197 | 5058509293 | 5053459567 |
| North Valley Coalition | Doyle | Kimbrough | newmexmba@aol.com | 2327 Campbell Road NW | Albuquerque | NM | 87104 | | 5052490938 |
| Los Poblanos NA | Don | Newman | don.newman@mac.com | 5723 Guadalupe Trail NW | Albuquerque | NM | 87107 | | 5053443900 |
| Los Poblanos NA | Karon | Boutz | kjboutz@gmail.com | 1007 Sandia Road NW | Albuquerque | NM | 87107 | | 5053456002 |

Respectfully,

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

Website: www.cabq.gov/neighborhoods



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From: webmaster=cabq.gov@mailgun.org [mailto:webmaster=cabq.gov@mailgun.org] **On Behalf Of** ISD WebMaster
Sent: Monday, August 27, 2018 1:26 PM
To: Office of Neighborhood Coordination <onc@cabq.gov>
Subject: Neighborhood Meeting Inquiry Sheet Submission

Neighborhood Meeting Inquiry For:
Environmental Planning Commission
If you selected "Other" in the question above, please describe what you are seeking a Neighborhood Meeting Inquiry for below:

Contact Name
Tim Nisly
Telephone Number
5053288848
Email Address
tnisly@gmail.com
Company Name
Company Address
607 Atlantic Ave SW
City
Albuquerque
State
NM
ZIP
87102

Legal description of the subject site for this project:
TRACT 6-A-2 PLAT OF LOTS 6-A-1 AND 6-A-2 NORTH FOURTHSTREET HOMESITES ADDN CONT 1.7110 AC
Physical address of subject site:
607 Atlantic Ave SW
Subject site cross streets:
4th and Montano
Other subject site identifiers:
This site is located on the following zone atlas page:
F14

=====

This message has been analyzed by Deep Discovery Email Inspector.



Public Notice to Applicable Associations

Prior to filing an application with the Planning Department, all applicants requesting approval through the Environmental Planning Commission (EPC), Development Review Board (DRB), Landmarks Commission (LC),

City Staff approval of a Wireless Telecommunications Facility (WTF), Site Plan, Sign Permits, or Wall/Fence Permit are required to notify any applicable neighborhood and/or homeowner associations via email, first class mail, or certified mail as specified in Table 6-1-1 of the Integrated Development Ordinance (IDO) (<http://www.ci.cedar-rapids.io>).

Each request Public Notice shall include the following per IDO Subsection 14-16-1 (K)(ii):

1. The address of the property listed in the application;
2. The name of the property owner and/or applicant;
3. Applicant mailing address;
4. Applicant telephone number and/or email address;
5. A short summary of the approval being requested;
6. Whether a public hearing will be required. If so, the date, time, and place of the public hearing;
7. Website where additional information about the project can be obtained, if applicable;
8. Facilitated Meetings - All notification letters must include the following text:

Anyone may request and the City may require an applicant to attend a City-sponsored facilitated meeting with Neighborhood Associations based on the consideration potential impacts of a proposed project (IDO Section 14-16-1-4(D)). Visit <http://www.ci.cedar-rapids.io/development/neighborhood-associations/facilitated-meetings> for complete information. As you are directed the Facilitated Meetings Criteria. If you wish to request a Facilitated Meeting regarding the project, contact the Planning Department at www.ci.cedar-rapids.io or 563.324.3433.

Public Notice Checklist

For all decisions requiring Mailed or Electronic Mail notice per Table 6-1-1 in the IDO the following information must be included in each application submitted to the Planning Department.

1. DNCA "Public Notice Reply Email" including any applicable Neighborhood and/or Homeowner Association(s).
2. Copies of Letters and/or Emails sent to any applicable Neighborhood and/or Homeowner Association(s).
3. Copies of certified receipts, if required, mailed to any applicable Neighborhood and/or Homeowner Association(s).

Any questions, please feel free to contact our office at (563) 785-3334 or DNCA@cedar-rapids.io.

Thank you for your cooperation in this matter.

City of Cedar Rapids | 2018 | 1000 East 1st Street, Cedar Rapids, IA 52402



For more details about the Integrated Development Ordinance visit: <http://www.ci.cedar-rapids.io/development/neighborhood-associations/facilitated-meetings>

IDO Zone Atlas
May 2018

IDO Zone Atlas is as of May 17, 2018.
The Zone Atlas is a living document.
Any changes will be made to the
Integrated Development Ordinance (IDO).

City of Cedar Rapids
F-14-Z

- Neighborhood
- Residential
- Neighborhood Commercial
- Neighborhood Office
- Neighborhood Office/Professional
- Neighborhood Office/Professional/Community
- Neighborhood Office/Professional/Community/Community
- Neighborhood Office/Professional/Community/Community/Community
- Neighborhood Office/Professional/Community/Community/Community/Community

Public Notice to Applicable Associations

Prior to filing an application with the Planning Department, all applicants requesting approvals through the Environmental Planning Commission (EPC), Development Review Board (DRB), Landmarks Commission (LC), City Staff approval of a Wireless Telecommunication Facility (WTF), Site Plan, Sign Permit, or Wall/Fence Permit are required to notify any applicable neighborhood and/or homeowner associations via email, first class mail, or certified mail as specified in Table 6-1-1 of the Integrated Development Ordinance (IDO) (<https://www.abc-zone.com/>).

Each required Public Notice shall include the following per IDO Subsection 14-16-6-(K)(6):

1. The address of the property listed in the application;
2. The name of the property owner and/or applicant;
3. Applicant mailing address;
4. Applicant telephone number and/or email address;
5. A short summary of the approval being requested;
6. Whether a public hearing will be required. If so, the date, time, and place of the public hearing;
7. Website where additional information about the project can be obtained, if applicable.
8. Facilitated Meetings – All notification letters must include the following text:

Anyone may request and the City may require an applicant to attend a City-sponsored facilitated meeting with Neighborhood Associations, based on the complexity and potential impacts of a proposed project (IDO Section 14-16-6-4(D)). Visit: <https://www.cabq.gov/planning/urban-design-development/facilitated-meetings-for-proposed-development/> to view and download the Facilitated Meetings Criteria. If you wish to request a Facilitated Meeting regarding this project, contact the Planning Department at devhelp@cabq.gov or 505.924.3955.

Public Notice Checklist

For all decisions requiring Mailed or Electronic Mail notice per Table 6-1-1 in the IDO the following information must be included for each application submitted to the Planning Department.

1. ONC's "Public Notice Inquiry Email" outlining any applicable Neighborhood and/or Homeowner Associations.
2. Copies of Letters and/or Emails sent to any applicable Neighborhood and/or Homeowner Associations.
3. Copies of certified receipts, if required, mailed to any applicable Neighborhood and/or Homeowner Associations.

Any questions, please feel free to contact our office at (505) 768-3334 or ONC@cabq.gov.

Thank you for your cooperation on this matter.



For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

IDO Zone Atlas May 2018

IDO Zoning information as of May 17, 2018
The Zone Districts and Overlay Zones
are established by the
Integrated Development Ordinance (IDO).

Zone Atlas Page:
F-14-Z

- Easement
- Areas Outside of City Limits
- Airport Protection Overlay (APO) Zone
- Character Protection Overlay (CPO) Zone
- Historic Protection Overlay (HPO) Zone
- View Protection Overlay (VPO) Zone

Escarpment

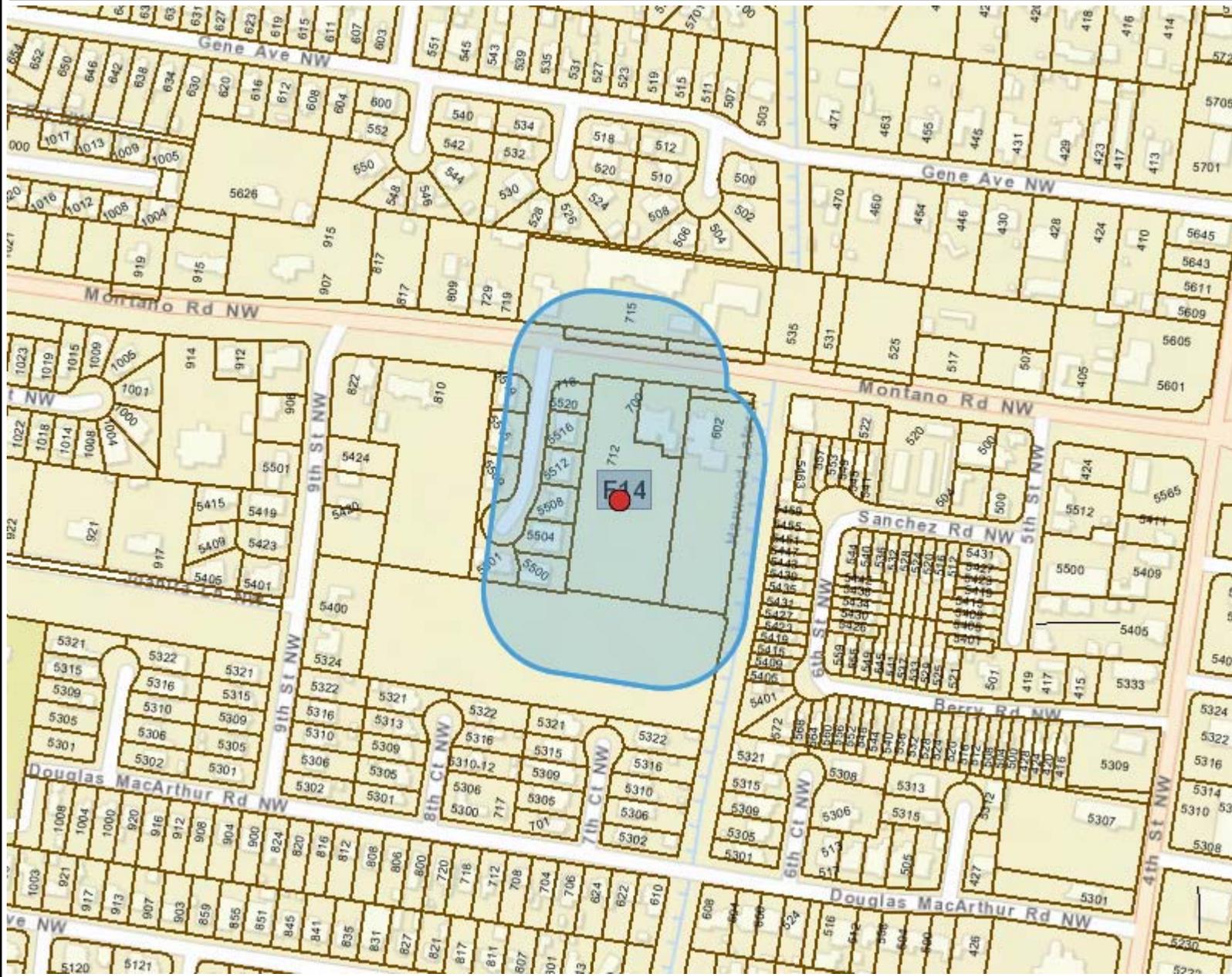
- Petroglyph National Monument

Gray Shading
Represents Area Outside
of the City Limits

0 250 500 1,000 Feet



712 Montano Rd. NW

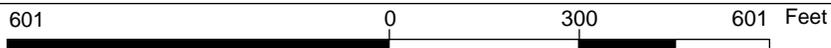


Legend

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

Notes

Buffer: 170ft.
ROW: Montano 70ft.



WGS_1984_Web_Mercator_Auxiliary_Sphere
8/23/2018 © City of Albuquerque

1: 3,606

The City of Albuquerque ("City") provides the data on this website as a service to the public. The City makes no warranty, representation, or guaranty as to the content, accuracy, timeliness, or completeness of any of the data provided at this website. Please visit <http://www.cabq.gov/abq-data/abq-data-disclaimer-1> for more information.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

HERRERA GILBERT V
5501 VILLA CANELA CT NW
ALBUQUERQUE NM 87107

KENNEDY JOHN W & GEORGIANA M
TRUSTEES KENNEDY RVL
602 MONTANO RD NW
ALBUQUERQUE NM 87107-5227

GUTIERREZ FRED D ETUX
5400 9TH ST NW
ALBUQUERQUE NM 87107

DELOACH NELSE
4109 ESTANCIA DR NW
ALBUQUERQUE NM 87120

SENA JOE & MARIA E LUJAN-SENA
5515 VILLA CANELA CT NW
ALBUQUERQUE NM 87107

PERLA SARITA R TRUSTEE PERLA LVT
C/O JEFFREY PARKS
PO BOX 25312
ALBUQUERQUE NM 87125-5312

CHAVEZ LEONARD-DAVID
5509 VILLA CANELA CT NW
ALBUQUERQUE NM 87107

CITY OF ALBUQUERQUE
PO BOX 2248
ALBUQUERQUE NM 87103-2248

SANDOVAL HENRY & ROSLIN
5516 VILLA CANELA CT NW
ALBUQUERQUE NM 87107

CITY OF ALBUQUERQUE
PO BOX 1293
ALBUQUERQUE NM 87103-2248

SIERRA CHRISTINE MARIE
5500 VILLA CANELA CT NW
ALBUQUERQUE NM 87107

FERNANDEZ RONALD A & ROSE S
TRUSTEES FERNANDEZ FAMILY TRUST
5504 VILLA CANELA CT NW
ALBUQUERQUE NM 87107-5226

DRESSLER ANN LOUISE & WILLMARTH
SUSAN J WILLMARTH MICHAEL R &
WOLFE MARY LYNNE
5508 VILLA CANELA CT NW
ALBUQUERQUE NM 87107-5266

CITY OF ALBUQUERQUE
PO BOX 1293
ALBUQUERQUE NM 87103-2248

MYERS KIP & LORI R
1000 QUAIL CT NW
ALBUQUERQUE NM 87114

STOCKTON SANDRA
5519 VILLA CANELA CT NW
ALBUQUERQUE NM 87107

ST MICHAELS EPISCOPAL CHURCH
601 MONTANO RD NW
ALBUQUERQUE NM 87107-5226

MORIARTY LINDA C TRUSTEE
MORIARTY RVT
5512 VILLA CANELA CT NW
ALBUQUERQUE NM 87107-5266

Notice to Neighborhood Associations and Property Owners

August 27, 2018

I am the registered agent for the property located at 712 Montano NW, Albuquerque, NM, 87107. I am requesting approval from the Environmental Planning Commission within the City of Albuquerque to re-zone the property at 712 Montano NW from R-A to R-1C. My family and I are interested in building homes for ourselves and others on this property, and we'd like to put the land back to its pre-2000 R-1 zoning so we can do that.

A public hearing will be held at 8:30am on October 11th, 2018, beginning at 8:30am at the Plaza Del Sol Hearing Room, Basement Level on 600 Second Street, NW in Albuquerque, NM.

Please feel free to contact me for more details.

Tim Nisly

tnisly@gmail.com

607 Atlantic Ave SW, ABQ, NM 87102

505.328.8848

From the City:

Anyone may request and the City may require an applicant to attend a City-sponsored facilitated meeting with Neighborhood Associations, based on the complexity and potential impacts of a proposed project (IDO Section 14-16-6-4(D)). Visit: <https://www.cabq.gov/planning/urban-design-development/facilitated-meetings-for-proposed-development/> to view and download the Facilitated Meetings Criteria. If you wish to request a Facilitated Meeting regarding this project, contact the Planning Department at devhelp@cabq.gov or 505.924.3955.

**U.S. Postal Service™
CERTIFIED MAIL® RECEIPT**
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

ALBUQUERQUE, NM 87107

| | |
|--|--------|
| Certified Mail Fee | \$3.45 |
| Extra Services & Fees (check box, add fee as appropriate) | \$0.00 |
| <input type="checkbox"/> Return Receipt (hardcopy) | \$0.00 |
| <input type="checkbox"/> Return Receipt (electronic) | \$0.00 |
| <input type="checkbox"/> Certified Mail Restricted Delivery | \$0.00 |
| <input type="checkbox"/> Adult Signature Required | \$0.00 |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$0.00 |



| | |
|------------------------|--------|
| Postage | \$0.50 |
| Total Postage and Fees | \$3.95 |

Sent To
Street and Apt. No., or PO Box No.
City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7018 0680 0002 0562 5419

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ALBUQUERQUE, NM 87107

| | |
|--|--------|
| Certified Mail Fee | \$3.45 |
| Extra Services & Fees (check box, add fee as appropriate) | \$0.00 |
| <input type="checkbox"/> Return Receipt (hardcopy) | \$0.00 |
| <input type="checkbox"/> Return Receipt (electronic) | \$0.00 |
| <input type="checkbox"/> Certified Mail Restricted Delivery | \$0.00 |
| <input type="checkbox"/> Adult Signature Required | \$0.00 |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$0.00 |



| | |
|------------------------|--------|
| Postage | \$0.50 |
| Total Postage and Fees | \$3.95 |

Sent To
Street and Apt. No., or PO Box No.
City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instruction

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ALBUQUERQUE, NM 87107

| | |
|--|--------|
| Certified Mail Fee | \$3.45 |
| Extra Services & Fees (check box, add fee as appropriate) | \$0.00 |
| <input type="checkbox"/> Return Receipt (hardcopy) | \$0.00 |
| <input type="checkbox"/> Return Receipt (electronic) | \$0.00 |
| <input type="checkbox"/> Certified Mail Restricted Delivery | \$0.00 |
| <input type="checkbox"/> Adult Signature Required | \$0.00 |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$0.00 |



| | |
|------------------------|--------|
| Postage | \$0.50 |
| Total Postage and Fees | \$3.95 |

Sent To
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City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7018 0680 0002 0562 5396

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For delivery information, visit our website at www.usps.com®.

ALBUQUERQUE, NM 87104

| | |
|--|--------|
| Certified Mail Fee | \$3.45 |
| Extra Services & Fees (check box, add fee as appropriate) | \$0.00 |
| <input type="checkbox"/> Return Receipt (hardcopy) | \$0.00 |
| <input type="checkbox"/> Return Receipt (electronic) | \$0.00 |
| <input type="checkbox"/> Certified Mail Restricted Delivery | \$0.00 |
| <input type="checkbox"/> Adult Signature Required | \$0.00 |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$0.00 |



| | |
|------------------------|--------|
| Postage | \$0.50 |
| Total Postage and Fees | \$3.95 |

Sent To
Street and Apt. No., or PO Box No.
City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instruction

**U.S. Postal Service™
CERTIFIED MAIL® RECEIPT**
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

ALBUQUERQUE, NM 87197

| | |
|--|--------|
| Certified Mail Fee | \$3.45 |
| Extra Services & Fees (check box, add fee as appropriate) | \$0.00 |
| <input type="checkbox"/> Return Receipt (hardcopy) | \$0.00 |
| <input type="checkbox"/> Return Receipt (electronic) | \$0.00 |
| <input type="checkbox"/> Certified Mail Restricted Delivery | \$0.00 |
| <input type="checkbox"/> Adult Signature Required | \$0.00 |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$0.00 |



| | |
|------------------------|--------|
| Postage | \$0.50 |
| Total Postage and Fees | \$3.95 |

Sent To
Street and Apt. No., or PO Box No.
City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

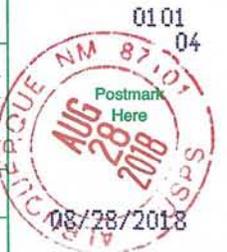
7018 0680 0002 0562 5372

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ALBUQUERQUE, NM 87107

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|--|--------|
| Certified Mail Fee | \$3.45 |
| Extra Services & Fees (check box, add fee as appropriate) | \$0.00 |
| <input type="checkbox"/> Return Receipt (hardcopy) | \$0.00 |
| <input type="checkbox"/> Return Receipt (electronic) | \$0.00 |
| <input type="checkbox"/> Certified Mail Restricted Delivery | \$0.00 |
| <input type="checkbox"/> Adult Signature Required | \$0.00 |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$0.00 |



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|------------------------|--------|
| Postage | \$0.50 |
| Total Postage and Fees | \$3.95 |

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| Extra Services & Fees (check box, add fee as appropriate) | \$0.00 |
| <input type="checkbox"/> Return Receipt (hardcopy) | \$0.00 |
| <input type="checkbox"/> Return Receipt (electronic) | \$0.00 |
| <input type="checkbox"/> Certified Mail Restricted Delivery | \$0.00 |
| <input type="checkbox"/> Adult Signature Required | \$0.00 |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$0.00 |

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| Postage | \$0.50 |
| Total Postage and Fees | \$3.95 |

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| <input type="checkbox"/> Return Receipt (electronic) | \$0.00 |
| <input type="checkbox"/> Certified Mail Restricted Delivery | \$0.00 |
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| Postage | \$0.50 |
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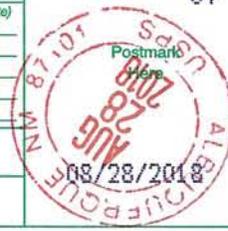
ALBUQUERQUE, NM 87107

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| Postage | \$0.50 |
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| <input type="checkbox"/> Adult Signature Restricted Delivery | \$0.00 |

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Sent To
Street and Apt. No., or PO Box No.
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SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the City Zoning Code or Subdivision Ordinance are responsible for the posting and maintaining of one or more signs on the property which the application describes. Vacations of public rights-of-way (if the way has been in use) also require signs. Waterproof signs are provided at the time of application. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign.

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Development Services Front Counter at a charge of \$3.75 each.

1. LOCATION

- A. The sign shall be conspicuously located. It shall be located within twenty feet of the public sidewalk (or edge of public street). Staff may indicate a specific location.
- B. The face of the sign shall be parallel to the street, and the bottom of the sign shall be at least two feet from the ground.
- C. No barrier shall prevent a person from coming within five feet of the sign to read it.

2. NUMBER

- A. One sign shall be posted on each paved street frontage. Signs may be required on unpaved street frontages.
- B. If the land does not abut a public street, then, in addition to a sign placed on the property, a sign shall be placed on and at the edge of the public right-of-way of the nearest paved City street. Such a sign must direct readers toward the subject property by an arrow and an indication of distance.

3. PHYSICAL POSTING

- A. A heavy stake with two crossbars or a full plywood backing works best to keep the sign in place, especially during high winds.
- B. Large headed nails or staples are best for attaching signs to a post or backing; the sign tears out less easily.

4. TIME

Signs must be posted from _____ To _____

5. REMOVAL

- A. The sign is not to be removed before the initial hearing on the request.
- B. The sign should be removed within five (5) days after the initial hearing.

I have read this sheet and discussed it with the Development Services Front Counter Staff. I understand (A) my obligation to keep the sign(s) posted for (15) days and (B) where the sign(s) are to be located. I am being given a copy of this sheet.

(Applicant or Agent)

(Date)

I issued _____ signs for this application, _____, _____
(Date) (Staff Member)

PROJECT NUMBER: _____

Rumpf, Linda

From: Michelle Negrette <mnegrett@mac.com>
Sent: Tuesday, October 02, 2018 2:54 PM
To: Rumpf, Linda
Subject: Fwd: Returned letters

Michelle Negrette
505.710.4221

Begin forwarded message:

From: Tim Nisly <tnisly@gmail.com>
Date: October 2, 2018 at 11:08:10 AM MDT
To: Michelle Negrette <mnegrett@mac.com>, troyerhomesllc@gmail.com
Subject: Returned letters

CERTIFIED MAIL

ALBUQUERQUE, NM 800
28 AUG '18
PR 2 L



7018 0680 0002 0562 5327



1000



87107

U.S. POSTAGE PAID
FCM LETTER
ALBUQUERQUE, NM
87101
AUG 28, 18
AMOUNT

\$3.95

R2305K136792-04

Av SU
102

Received these in the mail today.

-Tim

Sent from my iPhone - excuse the brevity.