



**Environmental
Planning
Commission**

**Agenda Number: 03
Project Number: 105206
Case #s: 17EPC-40054 & 40067
Hearing Date: February 08, 2018**

Staff Report

Agent/Applicant	Steve and Kara Grant
Requests	Sector Development Plan Map Amendment (zone change) Site Development Plan for Building Permit (as-built)
Legal Description	Lot 8 and the additional south seven feet and eight inches of Lot 7, Lot 9, and Lot 10, Block 24, Huning's Highlands Addition
Location	on High St. NE, between Central Ave. NE and Dr. Martin Luther King, Jr. Ave. NE (201, 207 & 209 High St. NE)
Size	Approximately 0.6 acre
Existing Zoning	SU-2/MR (Mixed Residential)
Proposed Zoning	SU-2/SU-1 for Bed and Breakfast to Include Special Events

Staff Recommendation

APPROVAL of 17EPC-40054, based on the Findings beginning on Page 17, and subject to the Condition of Approval on Page 20.

APPROVAL of 17EPC-40067, based on the Findings beginning on Page 20, and subject to the Conditions of Approval beginning on Page 23.

Staff Planner
Catalina Lehner-AICP, Senior Planner

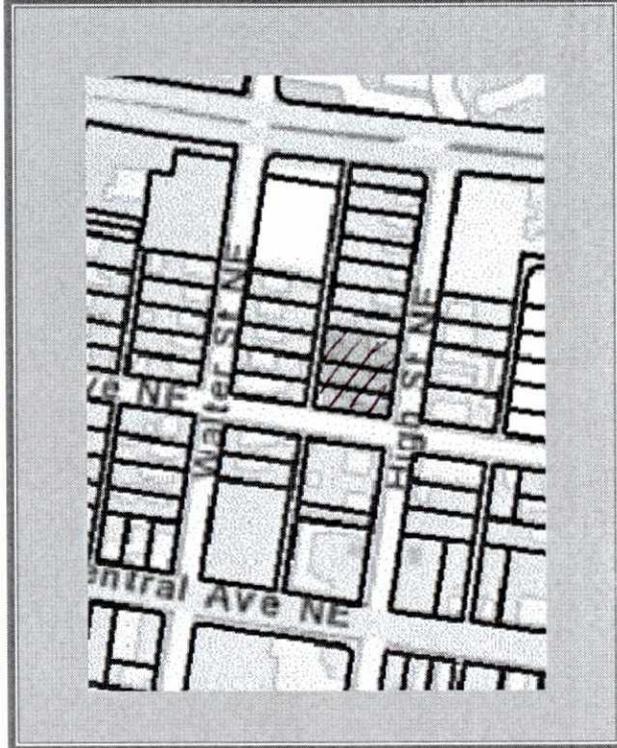
Summary of Analysis

The request is for a sector development plan map amendment (zone change) to the Huning Highland Sector Development Plan (HHSDP) and an as-built site development plan for building permit. A bed and breakfast operates on the subject site, where the applicants also reside.

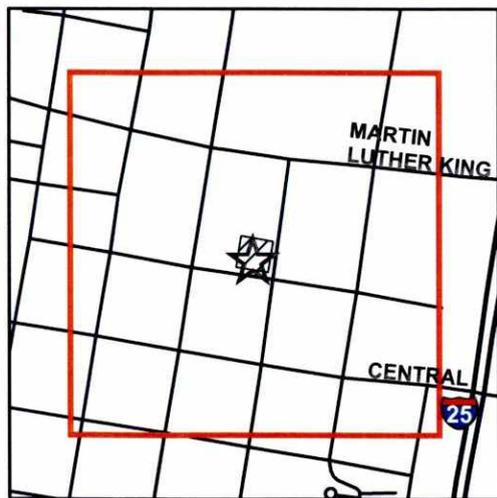
The applicant is requesting a zone change in order to continue to host special events, such as meetings and weddings. The case was deferred for 60 days to allow the applicant time to strengthen the justification, provide the as-built site development plan, and ensure proper notification. Notification has been completed.

The Broadway Central Corridors Partnership and the Huning Highland Historic District Association (HHHDA) were notified as required. Letters of support were received from the HHHDA, neighbors, and other businesses. A facilitated meeting was held on January 29, 2018 to discuss a neighbor's concerns, which is primarily noise.

Staff finds that the zone change has been adequately justified and recommends approval subject to conditions.







LAND USE MAP

Note: Grey shading indicates County.

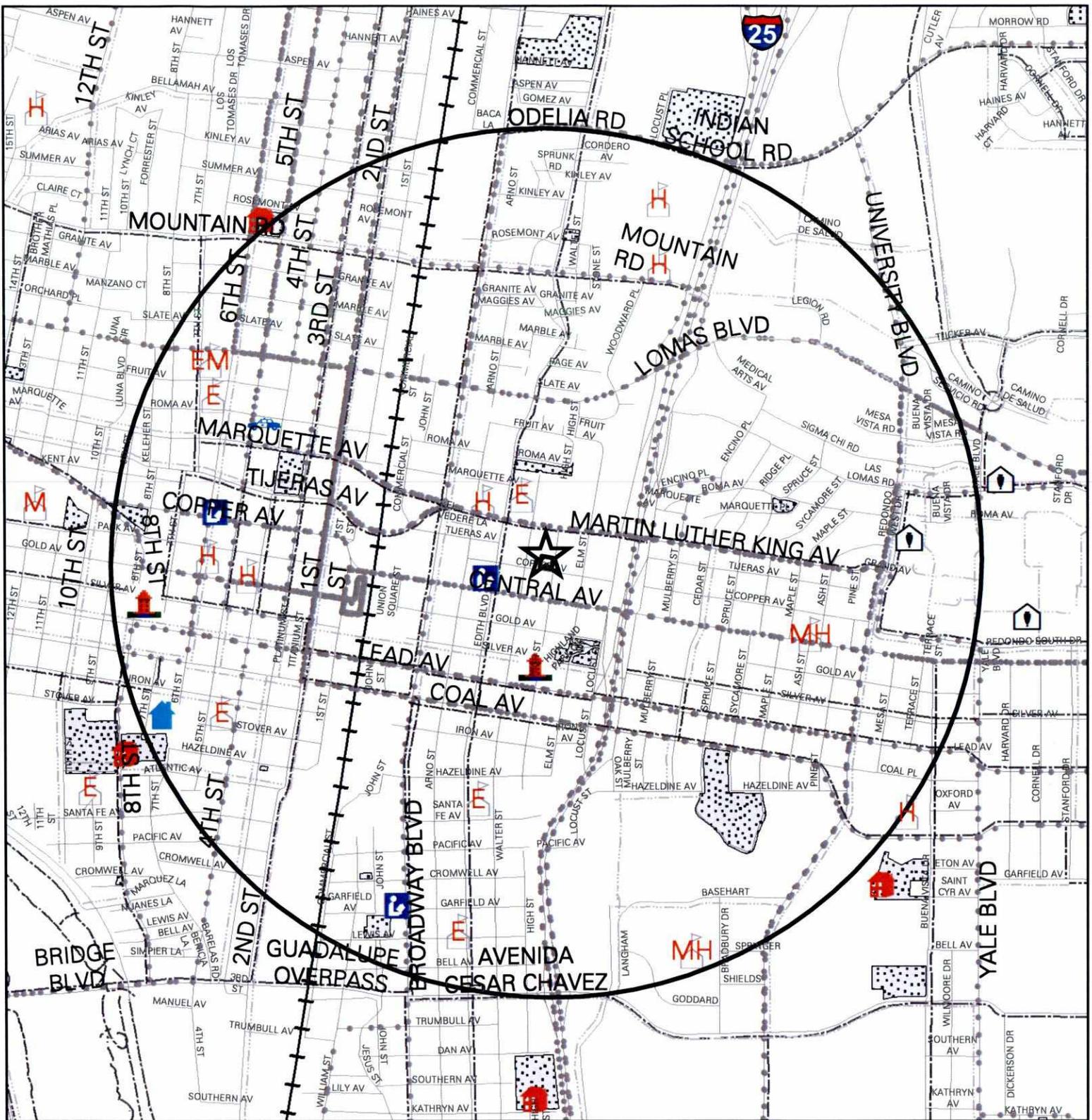
KEY to Land Use Abbreviations

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



1 inch = 200 feet

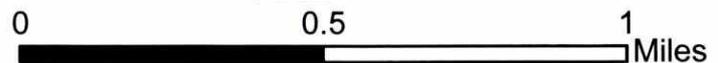
Project Number:
1005206
Hearing Date:
12/14/2017
Zone Map Page: K-14
Application Case Numbers:
17EPC-40054



Public Facilities Map with One-Mile Buffer



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



Project Number: 1005206

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I. AREA CHARACTERISTICS

Surrounding zoning, plan designations, and land uses:

	Zoning	Comprehensive Plan Area; Applicable Rank II & III Plans	Land Use
Site	SU-2/M-R (Mixed Residential)	Area of Change (Lot 8), Area of Consistency (Lots 9 and 10) Huning Highland Sector Development Plan Huning Highland Historic Overlay Zone	Bed and breakfast, single-family home
North	SU-2/M-R (Mixed Residential)	Area of Consistency Huning Highland Sector Development Plan Huning Highland Historic Overlay Zone	Single-family homes, MLK Jr. Ave., Lovelace Medical Center
South	SU-2/RO (Residential Office)	Area of Consistency Huning Highland Sector Development Plan Huning Highland Historic Overlay Zone	Large home (quadraplex)
East	SU-2/M-R (Mixed Residential)	Area of Change Huning Highland Sector Development Plan Huning Highland Historic Overlay Zone	Courtyard apartment building, single-family homes
West	SU-2/M-R (Mixed Residential)	Area of Consistency, Area of Change Huning Highland Sector Development Plan Huning Highland Historic Overlay Zone	Alley, single-family homes

II. INTRODUCTION

Request

This request is for a sector development plan map amendment (zone change) to the Huning Highland Sector Development Plan (HHSDP), and an as-built site development plan for building permit, for Lot 8 and the additional south seven feet and eight inches of Lot 7, Lot 9, and Lot 10, Block 24, Huning’s Highlands Addition, an approximately 0.6 acre site that comprises the northwest corner of Copper Ave. and High St. NE, between Central Ave. NE and Dr. Martin Luther King, Jr. Ave. NE (201, 207 & 209 High St. NE) (the “subject site”).

The applicants reside on the subject site and also operate a bed and breakfast (B&B). The subject site is zoned SU-2/MR (Mixed Residential) pursuant to the HHSDP. The applicants have been hosting special events, such as weddings, gatherings, and retreats. A concerned neighbor brought this to the attention of the Code Enforcement Division. A Notice of Violation (NOV) was issued because outdoor events are not allowed with the subject site’s current MR zoning. The applicants were advised to seek a zone change to SU-2/SU-1 for Bed and Breakfast to Include Special Events.

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

Environmental Planning Commission (EPC) Role

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

Context

The subject site, which consists of three lots, comprises the northwest corner of Copper Ave. and High St. (201, 207 & 209 High St. NE), between Dr. Martin Luther King, Jr. Ave. and Central Ave. The subject site is in the Huning Highland Historic District. To the north are single-family homes. To the west is an alley and single-family homes. To the east are single-family homes and a multi-family use (a historic courtyard apartment building). To the south is a large home that is really a quadruplex, single-family homes, and some commercial uses. The buildings are typical of the historic period in which the subdivision developed (the early 1900s). Central Ave. is further south, within short walking distance of the subject site.

The subject site is not located in a designated Activity Center. Two of the lots of the subject site are designed an Area of Consistency, and the other lot (the northern lot) is designated an Area of Change. The immediate area is somewhat of a checkerboard of lots that are designated Area of Consistency and Area of Change. The Huning Highland Sector Development Plan (HHSDP) applies. The subject site is within the boundaries of the Huning Highland Historic Design Overlay Zone.

History & Background

The subject site is located in the historic Huning Highlands Neighborhood. The Huning Highlands Sector Development Plan (HHSDP) contains a history of the larger Plan area (see p. 7). The HHSDP, adopted in January 1988 (Enactment No. 3-1988), superseded the previous neighborhood plan (the 1977 Plan). In 1980, the City Council designated the Huning Highlands Historic District as the first City Historic Overlay Zone to protect historic architecture and streetscapes (HHSDP, p. 8).

The applicant provided some historical details about the subject site (see attachment). One of the houses on the subject site (207 High St.) is known as the Heritage House and was built in 1907. Another house (209 High St.) is referred to as the "Spy House" because it's the location where an individual sold atomic bomb drawings to the Russians. The other structures served as boarding houses during the depression and also have interesting history.

The applicants purchased the property about 15 years ago and have operated the Bed and Breakfast (B&B) since 2006, upon receiving an approval for a conditional use on Lot 9 from the Zoning Hearing Examiner (ZHE) (Project #1005206/06ZHE-01482, see attachment). Staff was not able to find evidence that conditional uses were approved for the other two lots (Lot 8 and Lot 10).

Earlier in 2006, the applicants obtained a Certificate of Appropriateness from the Landmarks and Urban Conservation Commission (LUCC) to remove old shingles and replace them (Project #1002852/06LUCC-01331).

Prior to the applicant's owning the subject site, there were a couple of other approvals. In March 1998, the Lucc approved a Certificate of Appropriateness for modifications to the porch and door opening of the house at 201 High St. (LUCC-98-8). In October 1976, a height variance of three feet was approved in order to permit a six foot high fence at 201 High St. (ZA-76-272).

Transportation System

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

Transit & Bikeways

The subject site is a block north of Central Ave., which is a short walk from some of the most frequent transit service in the City. Albuquerque Ride Route #66- Central Ave., runs along Central Ave. and makes frequent stops. It offers service weekdays and weekends. Rapid Ride service, Routes #766 and #777, runs frequently along Central Ave. on weekdays and weekends, from early morning into the night. Albuquerque Ride Route #50-Airport, Yale, Downtown runs along Dr. Martin Luther King, Jr. Ave. and offers service weekdays and weekends.

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

Public Facilities/Community Services

A wide variety of public facilities, including 14 schools, 3 libraries, and a senior center, are within a one mile radius of the subject site.

⇒ For specifics, please refer to the Public Facilities Map (see attachment).

III. ZONING

Definitions- §14-16-1-5

BED AND BREAKFAST ESTABLISHMENT. A house with a permanent resident and a subordinate use of up to eight guest rooms which may be rented for short-term overnight lodging with breakfast served to overnight guests only; some or all guest rooms may be in accessory living quarters.

Existing Zoning

The subject site is zoned "SU-2/MR (Mixed Residential)" pursuant to the HHSDP, which established zoning for the area. The SU-2 Special Neighborhood Zone "allows a mixture of uses controlled by a sector development plan" (see Zoning Code §14-16-2-23).

Prior to adoption of the 1977 Plan, the Huning Highland area was zoned O-1 and C-2 for office and commercial uses. The subject site was zoned SU-2/MR (Mixed Residential) upon adoption of the 1977 Plan (HHSDP, p. 8-9). This zoning designation was carried over into the existing 1988 Plan.

The SU-2/MR zone corresponds to the R-1 zone of the Zoning Code, with exceptions (HHSDP, p. 31-32) regarding setbacks, conditional uses, bed and breakfast establishment, parking lot, and signage. A bed and breakfast establishment is allowed in the SU-2/MR zone as a conditional use, provided that:

- a. The owner is a permanent resident.
- b. There is one off-street parking space per rentable unit plus one space for the resident owner and each staff person.
- c. One guest room unit may be provided for the first 1000 square feet of heated floor area in the major structure; there may be up to five guest rooms per premises.
- d. Except for a sign as permitted in the zone, no change shall be made to the exterior appearance of the building which would indicate that a Bed & Breakfast is located in the building.
- e. A Site Development Plan showing parking entrances and exits and signage shall be approved by the Zoning Hearing Examiner.

The applicants obtained a conditional use in 2006 for Lot 9 (see History section of this report). The proposed zone change to SU-2/SU-1 for Bed and Breakfast to Include Special Events would change the subject site's zoning so that a conditional use would not be needed for Lots 8 and 10. The subject site's zoning would be site plan controlled through the SU-1 zone, but the SU-2 would be retained so the subject site would remain subject to the HHSDP.

Proposed Zoning

The applicant proposes the following zoning: SU-2/SU-1 for Bed and Breakfast to include Special Events. The applicants want to be able to host special events, such as weddings, retreats, or family gatherings, on the subject site, and would limit them in size to 50 people and the hours of 7 am to 10 pm via a private contract.

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

IV. ANALYSIS -ADOPTED ORDINANCES, PLANS, AND POLICIES

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

The subject site is located in an area that the 2017 Albuquerque/Bernalillo County Comprehensive Plan has designated an Area of Consistency. Applicable Goals and policies are listed below; when a Goal or policy is listed as not applicable, it's because the applicant included them in the zone change justification letter. Staff analysis is in ***bold italics***.

Chapter 5- Land Use

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

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

The proposal would generally contribute to a complete community in the sense that the use supports local business and opportunities for working and learning, and perhaps shopping and playing. Though tourists stay there, the events could provide an opportunity for residents as well. The proposal partially furthers Goal 5.2-Complete Communities.

The proposal would contribute to the distinct, historical community by providing a use that adds to the mix of uses in the neighborhood, which would be conveniently accessible from surrounding neighborhoods. The proposal furthers Policy 5.2.1- Land Uses.

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 Space.

Part of the subject site (Lot 8) is in an Area of Consistency and part is in an Area of Change (Lots 9 and 10). The proposal would contribute to protecting and enhancing the character of the existing, historic, mostly single-family neighborhood that is outside of a designed Center and Corridor because it would preserve the historic buildings and use them in a way that would promote their historic value without disrupting neighboring uses. The proposal furthers Policy 5.6.3-Areas of Consistency.

Policy 5.6.2-Areas of Change: Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.

Part of the subject site (Lot 8) is in an Area of Consistency and part is in an Area of Change (Lots 9 and 10). The proposal does not consist of growth or more intense development and the subject site is not located in a designated Center or along a Corridor. Though one lot is designated as an Area of Change, Policy 5.6.2 does not apply.

Staff suggests that the applicant request that the subject site (all three lots) be designated an Area of Consistency or an Area of Change because it functions as one site because it functions as one site that is not entirely residential.

Chapter 8- Economic Development

Goal 8.2-Entrepreneurship: Foster a culture of creativity and entrepreneurship and encourage private businesses to grow.

Policy 8.2.1 -Local Business: Emphasize local business development.

The proposal would encourage a private business to grow and would emphasize further development of a locally-owned business. Therefore, the proposal generally furthers Goal 8.2-Entrepreneurship and Policy 8.2.1 -Local Business.

Policy 8.1.4 -Leverage Assets: Enhance and market the region's unique characteristics internally and to outside businesses and individuals in order to compete with other regions.

The proposal would allow small outdoor events, which would be marketed based on the historic characteristics of the neighborhood, and would leverage the uniqueness of the neighborhood and proximity to Route 66 on a regional level. The proposal furthers Policy 8.1.4- Leverage Assets.

Chapter 11- Heritage Conservation

Goal 11.2-Historic Assets: Preserve and enhance significant historic districts and buildings to reflect our past as we move into the future and to strengthen our sense of identity.

Policy 11.2.2 -Historic Registration: Promote the preservation of historic buildings and districts determined to be of significant local, State, and/or National historical interest.

The proposal would help preserve historic buildings, which are in a designated City historic district, because it would promote the use and character of the historic buildings and thereby reinforce the identity of the neighborhood. Goal 11.2-Historic Assets, is furthered.

Specifically, the proposal would promote preservation and use of historic buildings in a significant and designated historic district, the Huning Highland Historic District, and help to promote them as an important part of the community. The proposal furthers Policy 11.2.2-Historic Registration.

B) HUNING HIGHLAND SECTOR DEVELOPMENT PLAN (RANK III)

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

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

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

The HHSDP contains one overarching Goal (see p.1) and eleven bulleted objectives (see p. 6). The following apply to the proposal:

Goal: The continued development of Huning Highlands into a viable residential and commercial area, building on its unique historic character and location.

Objective 1: to protect and enhance the unique residential character of the area.

Objective 7: to encourage and support local employment and local business development.

The proposal furthers the Goal of the HHSDP because it would facilitate the continued development and promotion of Huning Highlands as a viable residential and commercial area. The applicants reside on the subject site and operate the B&B use, which builds on the neighborhood's unique historic character and location.

The proposal furthers Objective 1 because it would help protect and enhance the unique residential character of the area by preserving the buildings and continuing to support their re-use. The proposal also furthers Objective 7 because it would encourage and support continued development of a local business.

V. SECTOR DEVELOPMENT PLAN MAP AMENDMENT

RESOLUTION 270-1980 (POLICIES FOR ZONE MAP AMENDMENTS)

Requirements

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

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

Justification & Analysis

The zone change justification letter analyzed here, received on January 29, 2018, is a response to Staff's request for a revised justification (see attachment). The subject site is currently zoned SU-2/M-R (Mixed Residential). A change of zone would constitute an amendment to the Huning Highland Sector Development Plan (HHSDP). The requested zoning is "SU-2/SU-1 for Bed and Breakfast to include special events". The reason for the request is to allow small outdoor events to continue to operate on the subject site. The applicants own the subject site and reside there.

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

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

The proposed zone change is consistent with the health, safety, morals, and general welfare of the City, especially the Huning Highland neighborhood. The zone change will allow for uses consistent with the visions of the local community, the Comprehensive Plan and the Huning Highland Sector Plan.

The addition of special events is consistent with: the health of the City because it will have limited hours and comply with the noise ordinance (see Section C for specifics); the safety of the City because events will be held in a private back yard (see Section C for specifics); the morals of the

City because the neighborhood scale will be maintained (see Section C for specifics); and the general welfare because it supports employment and offers a service (see Section C for specifics).

Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that a proposal furthers applicable Goals and policies from the Comprehensive Plan and other applicable plans, which the applicant has done in the response to Section C. It's also important to note that the proposed zone change, as a change to an SU-1 zone, is dependent upon an associated site development plan. The response to Section A is sufficient.

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

The subject site is part of the historic Huning Highland neighborhood, which is zoned as a historic neighborhood. The zoning has been vital to protecting the remaining homes and history of the area. The HHSDP recognizes B&Bs as a way to ensure economic vitality of larger homes and offers support for their adaptive re-use. The proposal contributes to stability of the neighborhood because it would add small events, which maintain the character and history of these culturally significant properties which were previously used as apartments and boarding homes.

The requested zoning is limited in scope and, because an SU-1 zone is requested, it is tied to an "as-built" site development plan for the subject site. No changes to what exists currently are proposed. A broader request to a zone with commercial uses or increased residential density, for example, could possibly affect land use stability in the area due to greater intensity of uses—though the homes have operated previously as apartments and boarding homes.

The specified use (outdoor events), which would have to be small-scale to be accommodated on the subject site, would be unlikely to adversely affect stability of land use and zoning in the area, which is characterized by stability. The applicant has demonstrated that the proposed zone change is justified. The response to Section B is sufficient.

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

Applicant's Relevant Citations: Land Use Goal 5.2 and Policy 5.2.1; Economic Development Policies 8.1.4 and 8.2.1; Heritage Conservation Goal 11.2 and Policy 11.2.2; Huning Highland Sector Development Plan (HHSDP) Goal and Objectives 1 and 7.

Land Use policy 5.5.5 pertains to properties in the County, so it does not apply. The subject site is in both an Area of Consistency and an Area of Change. The applicant discussed the concept of Area of Change, but did not cite Land Use Policy 5.6.2.

The applicant states that the proposal clearly facilitates applicable Goals and policies of the Comprehensive Plan and the HHSDP because it supports expansion of a local small business

and other related businesses nearby, contributes to redevelopment of an area, and is sensitive to the character of the historic district.

Though the test in Section C is whether or not there is “significant conflict” with an adopted element of the Comprehensive Plan or other City master plan such as a sector development plan, since the request is for an SU-1 zone, the more rigorous test of “clearly facilitates” found in Section I, applies. Staff finds the policy citations sufficient overall and concludes that the proposed zone change clearly facilitates realization of the Comprehensive Plan and applicable sector development plan (the HHSDP).

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

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

The requested zoning is inappropriate because a different category is more advantageous to the community, as indicated by the Comprehensive Plan and the HHSDP. The area is indicated in both plans as having very diverse uses; the proposal to accommodate special events on the subject site leverages the neighborhood’s unique historic and cultural attributes, and is within close proximity to Downtown.

The applicant cites (D)(3), that a different use category would be more advantageous to the community. The applicant has adequately demonstrated that the existing zoning is inappropriate and that the proposed, different zone category would be more advantageous to the community, based on the policy-based discussion in Section C. The proposal clearly facilitates applicable Goals and policies in the Comprehensive Plan and the HHSDP. The response to Section D is sufficient.

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

The proposed zone change to include special events would not be harmful to adjacent property, the neighborhood, or the community. Instead, it would expand on the existing zoning with uses that are compatible with adjacent land uses and support the preservation of historically and culturally significant properties. The zoning proposed is reflective of the land use, scale, and character of adjacent properties. The events would be limited to 50 people, hours would be limited to 7 am to 10 pm, and parking would be provided through an agreement with the Presbyterian Church on Elm St.

The narrowly defined SU-2 for SU-1 zoning would allow only the specified B&B use as shown on the as-built site development plan, and the outdoor events. With an SU-1 zone, the zoning and the site development plan are inseparable. Other uses that could be considered harmful in the subject site’s setting would not be allowed. The response to Section E is sufficient.

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

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

Rezoning the properties would not require any major and unprogrammed capital expenditures by the City. All improvements or changes that may occur due to the rezone would be on the owners of the property.

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

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

The determining factor for the use change is not the cost of land or other economic considerations. The main motivation is to provide a venue in the community for small-scale special events, which is compatible with uses in the neighborhood and the character of the historic district.

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

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

The properties for the proposed rezone are not located on a collector or a major street.

The subject site is located on Copper Ave. and High St. NE. Both are designated as local streets. Also, the request is not for apartment, office, or commercial zoning. The response to Section H is sufficient.

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

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

The request for a zone change to include special events will be made three adjacent parcels and will clearly facilitate realization of the Comprehensive Plan and the Huning Highland Sector Development Plan through expansion of a local, small business and other nearby businesses, and contributes to the redevelopment of the area and the overall character of the historic district.

The SU-1 zone creates a spot zone by definition because it is tied to a site development plan for a given site, which is unique. However, a spot zone is required to be justifiable according to reason 1) or reason 2). The applicant has demonstrated in the response to Section C that the proposed zone change would clearly facilitate realization of the Comprehensive Plan and the SWPSDP (reason 1). The response to Section I is sufficient.

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

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

The requested zoning would not be classified as a strip zone because the surrounding properties are all MR zoned. As stated earlier, this will be a spot zone because of the need for the SU-1 for the three properties only.

The request would not result in a strip zone. Though the subject site could be considered a “strip of land along a street”, the zoning would not be commercial. Furthermore, the SU-1 zone is a spot zone by definition because it creates unique zoning that depends upon a site development plan. The response to Section J is sufficient.

Conclusion

Staff finds that the applicant has adequately justified the sector development plan map amendment (zone change) pursuant to R270-1980. The response to Section C provides a policy-based explanation of how the proposal clearly facilitates realization of applicable Goals and policies in the Comprehensive Plan and the Huning Highland Sector Development Plan (HHSDP)(Sections C and I), and supports the reasoning that a different zoning category would be more advantageous to the community (Section D). The remaining sections (A, B, E, F, G, H, and J) are sufficiently addressed. For these reasons, Staff recommends approval of the sector development plan map amendment (zone change) request.

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

A site development plan is required for a zone change to an SU-1 Zone pursuant to §14-16-2-22-(A)(1). Zoning Code §14-16-3-11 states, “...Site Development Plans are expected to meet the requirements of adopted city policies and procedures.” However, the HHSDP does not contain any General SU-2 Regulations, as do some sector development plans. Compliance with Zoning Code

requirements, enacted after the buildings were constructed, is triggered by a square footage addition of 200 sf or greater. However, no additional square footage is proposed.

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

Process

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

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

Site Plan Layout / Configuration

The subject site is consists of three lots at the northwestern corner of Copper Ave. and High St. NE, between Dr. Martin Luther King, Jr. Ave and Central Ave. There are existing, historic homes on each lot. The homes on Lots 8 and 9 front High St. and the home on Lot 10 fronts Copper Ave. There is an accessory building and garage on Lot 8 and Lot 10.

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

Vehicular Access, Circulation & Parking

Lot 8 and Lot 9 are accessed from High St. NE, and Lot 10 is accessed from Copper Ave. NE.

Parking: Because the requested zoning is SU-1, off-street parking is decided by the EPC pursuant to Zoning Code §14-16-2-22, Special Use Zone. The HHSDP specifies parking requirements for B&Bs on p. 32, as follows: "one off-street parking space per rentable unit plus one space for the resident owner and each staff person." There are 10 rooms and the owners, so 11 spaces are required. 12 spaces are provided. Seven on Lot 8, three on Lot 9, and two on Lot 10.

Bicycle parking is not required because the threshold is 5 or more dwelling units (4 are on site). Motorcycle spaces are not required for residential uses. Handicap spaces are not required because there is no increase in parking needed due to new construction or renovation [see Zoning Code §14-16-3-1, Off-Street Parking Regulations].

Provided parking needs to be shown. The applicants have a lease agreement for parking with First Presbyterian Church; this parking is used for events on the subject site. A note to indicate this is needed on the site plan. A Traffic Impact Study (TIS) was not required.

Pedestrian and Bicycle Access and Circulation, Transit Access

Pedestrian and bicycle access is available from both Copper Ave. and High St. NE. Access to transit is good, since the subject site is one block north of Central Ave., which has some of the most frequent transit service in the City.

Walls/Fences

The subject site is fenced with an approximately 3-foot picket fence that encloses the front yards of the homes. The height needs to be indicated on the site plan. A 6-foot cedar fence serves to fence off the back yards on each lot. A fence detail for both should be included.

Lighting and Security

Each of the dwellings has a porch light and some security lighting. There are no light poles.

Landscaping

The subject site is landscaped with a combination of xeric landscaping, some patches of turf grass, and mature elm and mulberry trees that characterize the neighborhood. Lot 8 has a turf grass area in the front, with various plantings (day lilies, ivy, etc.) and tea roses and a butterfly bush up against the house. Lot 9 has a turf area in the back yard, where the special events are held. In the front yard are lavender and rosemary bushes, with various small potted evergreens. A juniper species is between the sidewalk and the street. Lot 10 has mostly gravel and a birdbath, with some unidentified hedge-type shrubs.

All landscaping would remain. A note is needed on the landscaping plan that the landscaping is the responsibility of the property owner.

Landscape beds should be dimensioned and landscaping calculations provided for documentation purposes, although Zoning Code 14-16-3-10, Landscaping Regulations Applicable to Apartment and Non-Residential Development, does not apply because no building addition over 200 sf is proposed.

Grading & Drainage Plan

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

Utility Plans

The subject site is already served by utilities-water lines and sanitary sewer lines. Three water meters are shown along High St. NE. There is a fire hydrant on the SE corner of the subject site. If there are any easements, they should be shown and mentioned with a note.

Architecture & Design

The existing buildings typify the architectural style of the early 1900s, when the Huning Highland neighborhood was built. One of the homes was built in 1907 and another in 1912. No changes to the buildings are proposed. If any changes are desired in the future, the applicant will need to obtain a Certificate of Appropriateness from the Landmarks and Urban Conservation Commission (LUCC).

Two of the historic homes front High St. NE (Lot 8 and Lot 9) and the other fronts Copper Ave. (Lot 10). The applicants' residence is at the back of Lot 10. There are two garages at the back of the lots, and an unidentified brick building.

The homes are made of brick and finished with stucco and brick accents. The roofs are pitched and windows trimmed in the style of the era. Shingles were replaced on the roof of the home on Lot 8, with the permission of the LUCC. Colors used include light green, brick red, medium yellow, medium blue, and maroon. The site plan elevations are shown in black and white; a color and materials schedule (a table) is needed on each elevation sheet. Approximate height of the buildings should be mentioned.

Signage

There is a monument sign on Lot 9. The HHSDP establishes signage regulations for B&Bs via the SU-2/MR zone (see p. 32). The sign cannot exceed 6 feet tall or be illuminated. A sign detail (a photo) is provided. The sign complies, though its height should be listed.

VII. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies/Pre-Hearing Discussion

City Departments and other agencies reviewed this application from 11/06/'17 to 11/22/'17. Few comments were received. Transit Staff note that the subject site is proximate to the Central Avenue Premium Transit Corridor, and that it is well-served by Transit. Water Utility Authority Staff note that the subject site has been served since 2008.

Long Range Planning Staff note that the allowance of outdoor special events should have time and frequency limits attached to the requested SU-1 zone and the corresponding site development plan to protect the neighbors' enjoyment of their properties.

Note that, at the time of the agency commenting period, the proposal did not include the "as-built" site development plan. As part of the AA process, Staff from Transportation, Hydrology, and Utilities would have an opportunity comment. Agency comments begin on p. 26.

Neighborhood/Public

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

site, the notification needed to be re-done based on all three lots. This was accomplished during the deferral period.

A letter of support from the HHHDA was submitted, along with other letters of support from neighbors (see attachments). A neighbor who lives on Walter Street, behind the subject site, is opposed due to concern about noise, but did not submit his concerns in writing. His attorney has contacted Staff. The applicants have been aware of his concern for a while now, however.

A facilitated meeting was held on January 29, 2018 between the applicants and the concerned neighbor. The neighbor is concerned specifically about amplified sound coming from the subject site, especially when weddings are held, and would like to limit the number of weddings that the applicants host. As of this writing, the facilitated meeting report was not completed.

Staff has not received any phone calls or additional correspondence as of this writing.

VIII. CONCLUSION

This request is for a sector development plan map amendment (zone change) and an associated “as built” site development plan for building permit for an approximately 0.6 acre site that consists of three lots and comprises the northwest corner of Copper Ave. and High St., between Dr. Martin Luther King, Jr. Ave. and Central Ave. The subject site is within the boundaries of the Huning Highland Sector Development Plan (HHSDP) and is in the Huning Highland Historic District.

The applicant proposes to change the subject site’s zoning from “SU-2/MR (Mixed Residential)” to “SU-2/SU-1 for Bed and Breakfast to Include Special Events”. The zone change is needed to allow the applicants to host special events, such as weddings, gatherings, and retreats.

The sector development plan map amendment (zone change) has been adequately justified pursuant to R270-1980. Overall, the request generally furthers relevant Comprehensive Plan and HHSDP policies. Conditions of approval are needed to clarify the as-built site development plan for building permit.

The affected neighborhood organizations are the Broadway Central Corridors Partnership, Inc. and the Huning Highland Historic District Association, which were notified as required. Property owners within 100 feet of the subject site were also notified, as required. Letters of support were submitted. A neighbor who lives near the subject site is opposed due to concern about noise. A facilitated meeting was held on January 29, 2018.

Staff recommends approval of the zone change and the associated site development plan for building permit, with delegation of the EPC’s approval authority to Staff (administrative approval, or AA) for the as-built site development plan.

FINDINGS - 17EPC-40054, February 08, 2018- Sector Development Plan Map Amendment (Zone Change)

1. The subject request is for a site development plan for building permit for Lot 8 and the additional south seven feet and eight inches of Lot 7, Lot 9, and Lot 10, Block 24, Huning's Highlands Addition, an approximately 0.6 acre site located at the northwest corner of Copper Ave. and High St. NE, between Central Ave. NE and Dr. Martin Luther King, Jr. Ave. NE (the "subject site").
2. The subject request is accompanied by a request for an as-built site development plan for building permit (17EPC-40067).
3. The Comprehensive Plan designates Lot 9 and Lot 10 of the subject site as an Area of Consistency. Lot 8 is designated an Area of Change. The subject site is within the boundaries of the Huning Highland Sector Development Plan (HHS DP) and is in the Huning Highland Historic District designated by the City.
4. The Albuquerque/Bernalillo County Comprehensive Plan, the Huning Highlands Sector Development Plan (HHS DP) and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. The proposal furthers the following, applicable Land Use policies of the Comprehensive Plan:
 - A. Policy 5.2.1-Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

The proposal would contribute to the distinct, historical community by providing a use that adds to the mix of uses in the neighborhood, which would be conveniently accessible from surrounding neighborhoods.
 - B. 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 Space.

Part of the subject site (Lot 8) is in an Area of Consistency and part is in an Area of Change (Lots 9 and 10). The proposal would contribute to protecting and enhancing the character of the existing, historic, mostly single-family neighborhood that is outside of a designed Center and Corridor because it would preserve the historic buildings and use them in a way that would promote their historic value without disrupting neighboring uses.
6. The proposal furthers the following Economic Development policies of the Comprehensive Plan:
 - A. Goal 8.2-Entrepreneurship: Foster a culture of creativity and entrepreneurship and encourage private businesses to grow.
 - B. Policy 8.2.1 -Local Business: Emphasize local business development.

The proposal would encourage a private business to grow and would emphasize further development of a locally-owned business.

- C. Policy 8.1.4 -Leverage Assets: Enhance and market the region's unique characteristics internally and to outside businesses and individuals in order to compete with other regions.

The proposal would allow small outdoor events, which would be marketed based on the historic characteristics of the neighborhood, and would leverage the uniqueness of the neighborhood and proximity to Route 66 on a regional level.

7. The proposal furthers the following Comprehensive Plan Goal and policy regarding Heritage Conservation:

- A. Goal 11.2-Historic Assets: Preserve and enhance significant historic districts and buildings to reflect our past as we move into the future and to strengthen our sense of identity.

The proposal would help preserve historic buildings, which are in a designated City historic district, because it would promote the use and character of the historic buildings and thereby reinforce the identity of the neighborhood.

- B. Policy 11.2.2 -Historic Registration: Promote the preservation of historic buildings and districts determined to be of significant local, State, and/or National historical interest.

Specifically, the proposal would promote preservation and use of historic buildings in a significant and designated historic district, the Huning Highland Historic District, and help to promote them as an important part of the community.

8. The proposal furthers the Goal of the HHSDP and the following, applicable objectives:

- A. Goal: The continued development of Huning Highlands into a viable residential and commercial area, building on its unique historic character and location.

The proposal would facilitate the continued development and promotion of Huning Highlands as a viable residential and commercial area. The applicants reside on the subject site and operate the B&B use, which builds on the neighborhood's unique historic character and location.

- B. Objective 1: to protect and enhance the unique residential character of the area.

The proposal would help protect and enhance the unique residential character of the area by preserving the buildings and continuing to support their re-use.

- C. Objective 7: to encourage and support local employment and local business development.

The proposal would encourage and support continued development of a local business.

9. The applicant has adequately justified the sector development plan map amendment (zone change) request pursuant to Resolution 270-1980:
- A. Section A: The proposed zoning has been demonstrated to further applicable Goals and policies in the Comprehensive Plan and the Huning Highland Sector Development Plan (HHSDP). Therefore, the proposed sector development plan amendment is consistent with the health, safety, morals, and general welfare of the City.
 - B. Section B: The proposed zoning is limited in scope and, because an SU-1 zone is requested, it is tied to an “as-built” site development plan for the subject site. The uses allowed by the proposed zoning would be unlikely to adversely affect stability of land use and zoning and, as the applicant demonstrated, are justified pursuant to R270-1980.
 - C. Section C: Since the request is for an SU-1 zone, the “clearly facilitates” test (see Section I) applies and overrides the less rigorous “no significant conflict” test. The applicant has provided a policy-based discussion to demonstrate that the proposed zone change clearly facilitates realization of the Comprehensive Plan and the HHSDP.
 - D. Section D: The applicant has adequately demonstrated that a different use category would be more advantageous to the community (D)(3), and that the existing zoning is inappropriate. The proposed, different zone category is more advantageous to the community, based on the policy-based discussion in Section C, because the request clearly facilitates applicable Goals and policies.
 - E. Section E: The proposed SU-2/SU-1 zoning is narrow in scope and would allow only the specified bed and breakfast use as shown on the associated, as-built site development plan. The use, with outdoor events, would not harm the community, the neighborhood, or adjacent property. Other uses that could be considered harmful in the subject site’s setting would not be allowed.
 - F. Section F: The proposed zone change requires no capital expenditures by the City.
 - G. Section G: Economic considerations pertaining to the applicant are a factor in the zone change request, but they are not the determining factor.
 - H. Section H: Location on a collector or major street is not used as justification for this request.
 - I. Section I: The requested SU-1 zoning is a justifiable spot zone because the applicant has demonstrated, in the policy-based response to Section C, that the request will clearly facilitate realization of the Comprehensive Plan and the HHSDP.
 - J. Section 1J: The request is for a single lot and not a strip of land, and therefore would not result in a “strip zone”.

10. The applicant has adequately justified the sector development plan map amendment (zone change) pursuant to R270-1980. The response to Section C provides a policy-based explanation of how the proposal clearly facilitates realization of applicable Goals and policies in the Comprehensive Plan and the Huning Highland Sector Development Plan (HHS DP)(Sections C and I), and supports the reasoning that a different zoning category would be more advantageous to the community (Section D). The remaining sections (A, B, E, F, G, H, and J) are sufficiently addressed.
11. The affected neighborhood organizations are the Broadway Central Corridors Partnership, Inc. and the Huning Highland Historic District Association (HHDA), which the applicant notified as required. The applicant also notified property owners within 100 feet of the subject site, as required. A letter of support from the HHDA was submitted, along with other letters of support. A neighbor who lives near the subject site is opposed due to concern about noise, but did not provide a letter.
12. A facilitated meeting was held on January 29, 2018 between the applicants and the concerned neighbor. The neighbor is concerned specifically about amplified sound coming from the subject site, especially when weddings are held there, and would like to limit the number of weddings hosted. As of publication of the Staff report, the facilitated meeting report was not completed.

RECOMMENDATION - 17EPC-40054, February 08, 2018- Sector Development Plan Map Amendment (Zone Change)

APPROVAL of 17EPC-40054, a request for a sector development plan map amendment from SU-2 for M-R (Mixed Residential) to “SU-2 for SU-1 for Bed and Breakfast to include special events” for Lot 8 and the additional south seven feet and eight inches of Lot 7, Lot 9, and Lot 10, Block 24, Huning’s Highlands Addition, an approximately 0.6 acre site located at the northwest corner of Copper Ave. and High St. NE, based on the preceding Findings and subject to the following Condition of Approval.

CONDITION OF APPROVAL - 17EPC-40054, February 08, 2018–Sector Development Plan Map Amendment (Zone Change)

1. Final approval of the accompanying site development plan for building permit (17EPC-40067) is required. The EPC delegates its approval authority to the Planning Department through the administrative approval (AA) process. The applicant is required to apply for an AA rather than the Development Review Board (DRB).

FINDINGS -17EPC-40067, February 08, 2018-Site Development Plan for Building Permit (as-built)

1. The subject request is for a site development plan for building permit for Lot 8 and the additional south seven feet and eight inches of Lot 7, Lot 9, and Lot 10, Block 24, Huning’s Highlands Addition, an approximately 0.6 acre site located at the northwest corner of Copper Ave. and High St. NE, between Central Ave. NE and Dr. Martin Luther King, Jr. Ave. NE (the “subject site”).

2. The subject request is accompanied by a sector development plan map amendment (zone change) request (17EPC-40054). The sector development plan map amendment request is justified pursuant to R270-1980.
3. The Comprehensive Plan designates Lot 9 and Lot 10 of the subject site as an Area of Consistency. Lot 8 is designated an Area of Change. The subject site is within the boundaries of the Huning Highland Sector Development Plan (HHSDP) and is in the Huning Highland Historic District designated by the City.
4. The Albuquerque/Bernalillo County Comprehensive Plan, the Huning Highlands Sector Development Plan (HHSDP) and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. The proposal furthers the following, applicable Land Use policies of the Comprehensive Plan:
 - A. Policy 5.2.1-Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

The proposal would contribute to the distinct, historical community by providing a use that adds to the mix of uses in the neighborhood, which would be conveniently accessible from surrounding neighborhoods.
 - B. 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 Space.

Part of the subject site (Lot 8) is in an Area of Consistency and part is in an Area of Change (Lots 9 and 10). The proposal would contribute to protecting and enhancing the character of the existing, historic, mostly single-family neighborhood that is outside of a designed Center and Corridor because it would preserve the historic buildings and use them in a way that would promote their historic value without disrupting neighboring uses.
6. The proposal furthers the following Economic Development policies of the Comprehensive Plan:
 - A. Goal 8.2-Entrepreneurship: Foster a culture of creativity and entrepreneurship and encourage private businesses to grow.
 - B. Policy 8.2.1 -Local Business: Emphasize local business development.

The proposal would encourage a private business to grow and would emphasize further development of a locally-owned business.
 - C. Policy 8.1.4 -Leverage Assets: Enhance and market the region's unique characteristics internally and to outside businesses and individuals in order to compete with other regions.

The proposal would allow small outdoor events, which would be marketed based on the historic characteristics of the neighborhood, and would leverage the uniqueness of the neighborhood and proximity to Route 66 on a regional level.

7. The proposal furthers the following Comprehensive Plan Goal and policy regarding Heritage Conservation:
 - A. Goal 11.2-Historic Assets: Preserve and enhance significant historic districts and buildings to reflect our past as we move into the future and to strengthen our sense of identity.

The proposal would help preserve historic buildings, which are in a designated City historic district, because it would promote the use and character of the historic buildings and thereby reinforce the identity of the neighborhood.
 - B. Policy 11.2.2 -Historic Registration: Promote the preservation of historic buildings and districts determined to be of significant local, State, and/or National historical interest.

Specifically, the proposal would promote preservation and use of historic buildings in a significant and designated historic district, the Huning Highland Historic District, and help to promote them as an important part of the community.

8. The proposal furthers the Goal of the HHSDP and the following, applicable objectives:
 - A. Goal: The continued development of Huning Highlands into a viable residential and commercial area, building on its unique historic character and location.

The proposal would facilitate the continued development and promotion of Huning Highlands as a viable residential and commercial area. The applicants reside on the subject site and operate the B&B use, which builds on the neighborhood's unique historic character and location.
 - B. Objective 1: to protect and enhance the unique residential character of the area.

The proposal would help protect and enhance the unique residential character of the area by preserving the buildings and continuing to support their re-use.
 - C. Objective 7: to encourage and support local employment and local business development.

The proposal would encourage and support continued development of a local business.

9. The affected neighborhood organizations are the Broadway Central Corridors Partnership, Inc. and the Huning Highland Historic District Association (HHHDA), which the applicant notified as required. The applicant also notified property owners within 100 feet of the subject site, as required. A letter of support from the HHHDA was submitted, along with other letters of support. A neighbor who lives near the subject site is opposed due to concern about noise, but did not provide a letter.

10. A facilitated meeting was held on January 29, 2018 between the applicants and the concerned neighbor. The neighbor is concerned specifically about amplified sound coming from the subject site, especially when weddings are held there, and would like to limit the number of weddings hosted. As of publication of the Staff report, the facilitated meeting report was not completed.

RECOMMENDATION - 17EPC-40067, February 08, 2018

APPROVAL of 17EPC-40067, an As-built Site Development Plan for Building Permit for Lot 8 and the additional south seven feet and eight inches of Lot 7, Lot 9, and Lot 10, Block 24, Huning's Highlands Addition, an approximately 0.6 acre site located at the northwest corner of Copper Ave. and High St. NE, based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL -17EPC-40067, February 08, 2018- Site Development Plan for Building Permit

1. The EPC delegates final sign-off authority of this site development plan Staff through the administrative approval (AA) process. The applicant is required to apply for an AA instead of the Development Review Board (DRB) process. Staff is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met.

A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after final sign-off, may result in forfeiture of approvals.

2. Prior to final approval, the applicant shall meet with the Staff planner to ensure that conditions of approval are met. Evidence of this meeting shall be provided at the time of application.

3. Main Sheet- Notes:

- A. A note shall be added to indicate that the use shall comply with all applicable City ordinances including, but not limited to, the Noise Ordinance (Chapter 9, Article 9 ROA 1994).
- B. The site description (listed as site data) shall match the legal description.
- C. The note shall mention location in the Huning Highland Historic District.
- D. Add a note regarding refuse collection.

4. Main Sheet- Other:

- A. Specify what the "1 story brick" building is.
- B. Indicate any easements.
- C. Existing and proposed zoning shall be listed.
- D. The backyard area where special events are held shall be indicated.

5. Parking:

- A. Parking notes shall be clarified and reflect that the parking is pursuant to the HHSDP.
- B. Provide parking (12 spaces) shall be listed.

- C. A note shall be added to indicate that parking for events is provided through a private agreement with First Presbyterian Church or a successor.
6. Landscaping- General:
- A. Indicate the approximate square footage of landscaping beds.
 - B. Provide approximate landscaping calculations.
 - C. Add a note that landscape maintenance is the responsibility of the property owner.
7. Landscaping- Plant Palette:
- A. The evergreens shall be identified as a juniper species and a hedge plant (or more specific).
 - B. Rosemary shall be added to the plant palette.
 - C. Spanish Broom shall be removed and replaced with Lavender species.
 - D. Roses and a planting bed shall be added to the turf grass area on Lot 8.
8. Walls/Fences
- A. A detail for the picket fence and the cedar fence shall be provided.
 - B. Specify the height of the existing picket fence.
9. Elevations:
- A. Provide a schedule of colors and materials for each elevation sheet.
 - B. Add a note that no renovation or construction work is part of this site development plan.
10. Clarification:
- A. Label the site plan as "As-Built Site Development Plan for Building Permit".
 - B. The lots shall be labeled (Lot 8, Lot 9, Lot 10).
 - C. Switch out the standard signature block with a space for an AA stamp.
 - D. Remove the part of the first General Note regarding no change of use.
-
-

Catalina Lehner

**Catalina Lehner, AICP
Senior Planner**

Notice of Decision cc list

cc: Steven and Kara Grant, 201-209 High St. NE. ABQ, NM 87102
Broadway Central Corridors Partnership, Inc. Jim Maddox, 515 Central Ave. NE, ABQ, NM 87102
Broadway Central Corridors Partnership, Inc. Rob Dixon, P.O. Box 302, ABQ, NM 87102
Huning Highland Historic District Association, Bonnie Anderson, 522 Edith SE, ABQ, NM 87102
Huning Highland Historic District Association, Ann Carson, 416 Walter SE, ABQ, NM 87102
Dayan Hochman, Roybal-Mack & Cordova, 1121 4th St. NW, Ste. 10, ABQ, NM 87102
Larry Tucker, 210 Walter St. NE, ABQ, NM 87102

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

No adverse comments.

Office of Neighborhood Coordination

Long Range Planning

Any allowance of outdoor special events should have time and frequency limits attached to the requested SU-1 zone and the corresponding site development plan to protect the neighbors' enjoyment of their properties.

CITY ENGINEER

Transportation Development

No objection to the request. Note: site development plan would be reviewed as part of the AA process.

Hydrology Development

Note: site development plan would be reviewed as part of the AA process.

New Mexico Department of Transportation (NMDOT)

No comments.

DEPARTMENT of MUNICIPAL DEVELOPMENT

Transportation Planning

No comment.

Traffic Engineering Operations (Department of Municipal Development)

Street Maintenance (Department of Municipal Development)

RECOMMENDED CONDITIONS FROM THE CITY ENGINEER: none.

WATER UTILITY AUTHORITY

Utility Services

1. 17EPC-40054 Sector Development Plan Map Amendment
 - Identification: UPC – 101405752041812603
 - a. No adverse comment pertaining to the proposed amendment.
 - b. The site has been served since 2008.

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

Environmental Services Division

PARKS AND RECREATION

Planning and Design

Open Space Division

City Forester

POLICE DEPARTMENT/Planning

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division- No comment

FIRE DEPARTMENT/Planning

TRANSIT DEPARTMENT

Site is proximate to the Central Avenue Premium Transit Corridor. Not on a route, but it is proximate to the #12 and #92 Commuter Routes; to the Fixed Route 50 from Downtown to the Airport; the Fixed Route 66 on Central' and to the ART 766 and 777 routes which will commence service in the next 60 days. Nearest stop pair for the 12, 92, and 50 is between Walter and High on MLK; nearest stop on Central will be the Walter Street ART stop, 800 feet walking distance from the property.

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

No comments.

ALBUQUERQUE PUBLIC SCHOOLS

This will have no adverse impact to the APS district.

MID-REGION COUNCIL OF GOVERNMENTS

MRMPO has no adverse comments.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

PUBLIC SERVICE COMPANY OF NEW MEXICO

PNM has no comments based on information provided to date.

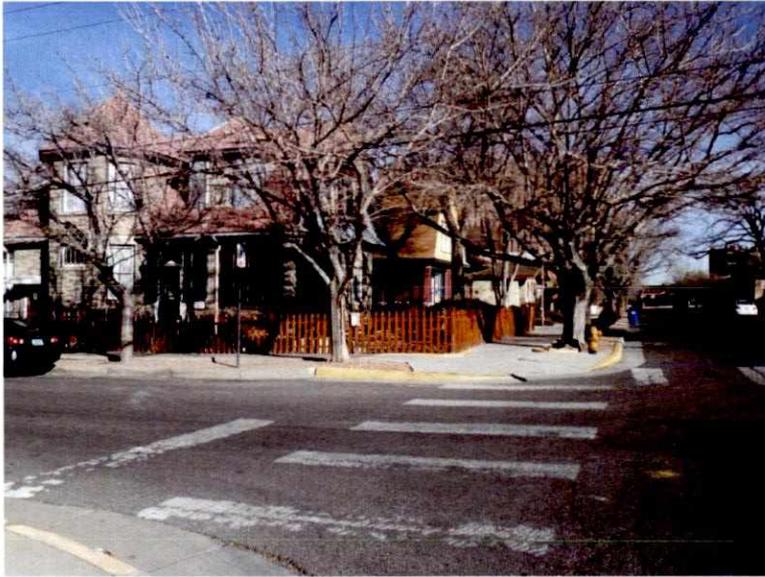


Figure 1: Looking NW, at the subject site, from the corner of Copper Ave. and High St. NE.

Figure 2: Looking SSW, at the subject site, while standing across High St. NE.

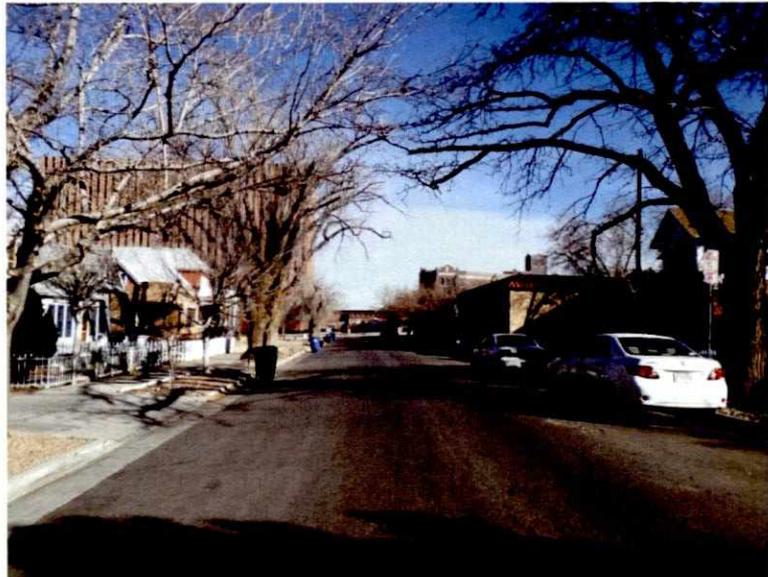


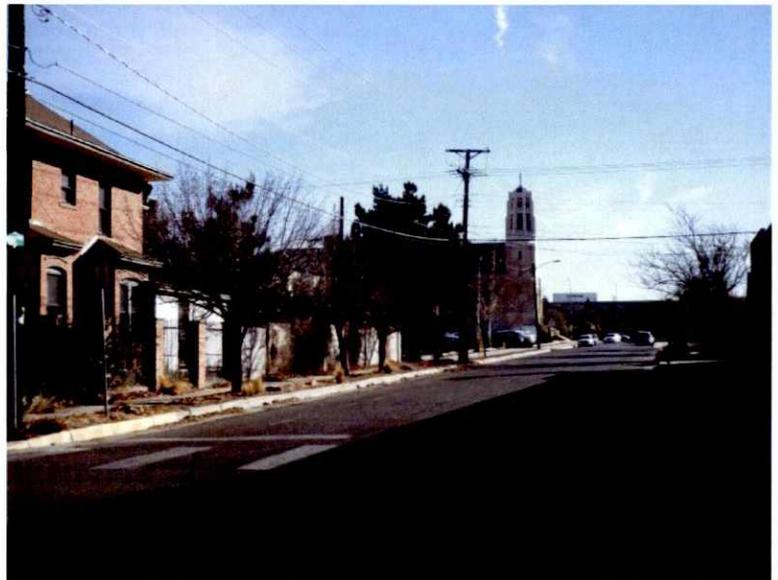
Figure 3: Looking N, while standing on High St. NE, in front of the subject site.

Figure 4: Looking S, down High St. NE, at Central Ave.



Figure 5: Looking E, at the courtyard apartment building, across High St. NE, from the subject site.

Figure 6: Looking E, along Copper Ave., at the church and I-25.



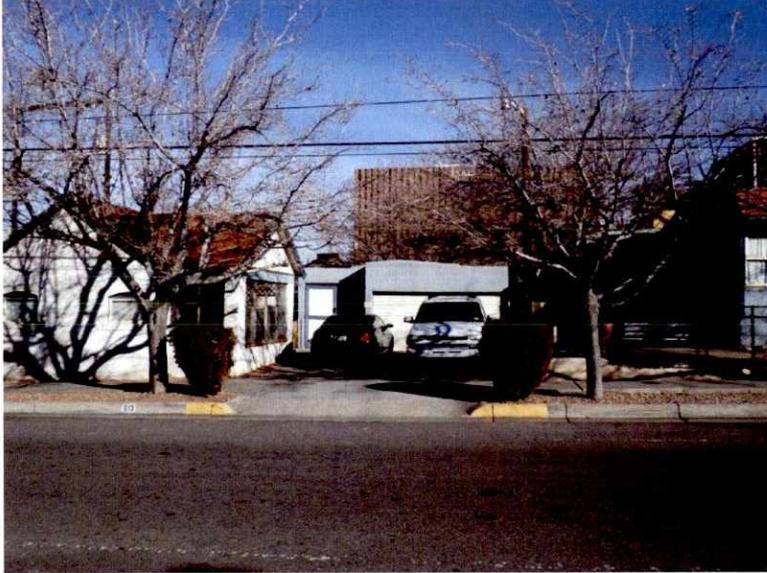


Figure 7: Looking N at the subject site, while standing across Copper Ave.

Figure 8: Looking N, at the alley that runs along the subject site's western side.

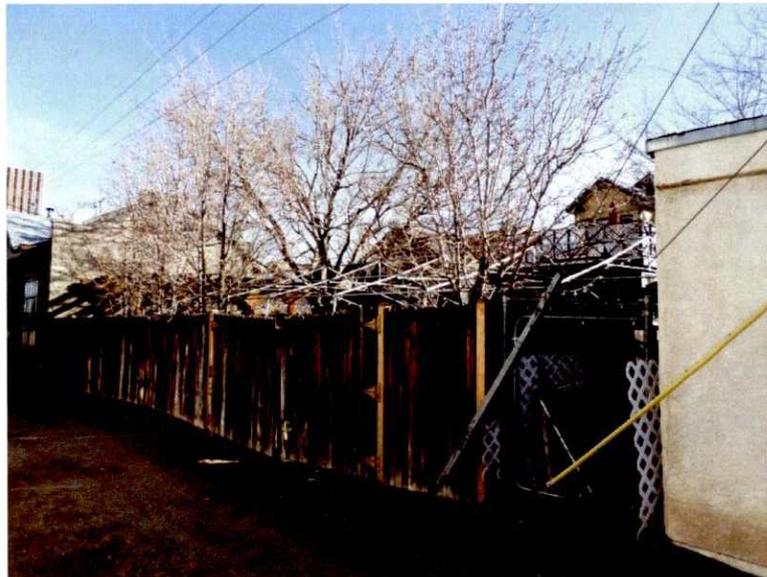
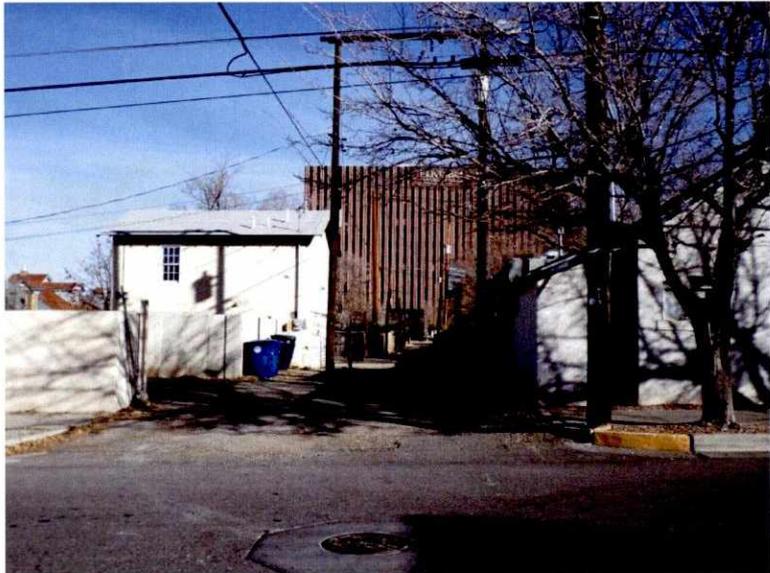


Figure 9: Looking NE, at the backyard of Lot 9 of the subject site, while standing in the alley.

HISTORY

CITY OF ALBUQUERQUE



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

OFFICIAL NOTIFICATION OF DECISION

December 15, 2017

Steven & Kara Grant
207-209 High St. NE
Albuquerque, NM 87102

Project# 1005206
17EPC-40054 Sector Development Plan Map Amendment
(zone change)
17EPC-40067 Site Development Plan for Building Permit

LEGAL DESCRIPTION:

The above action for Lot 8, Lot 9 and the additional south seven feet and eight inches of Lot 7, and Lot 10, Block 24, Huning's Highlands Addition, zoned SU-2/MR, to SU-2/SU-1 for Bed and Breakfast to include special events, located on High St. NE, between Central Ave. NE and Dr. Martin Luther King, Jr. Ave. NE, containing approximately 0.6 acre. (K-14)

Staff Planner: Catalina Lehner

PO Box 1293

Albuquerque NM 87103
On December 14, 2017 the Environmental Planning Commission (EPC) voted to DEFER Project 1005206/17EPC-40054, a Sector Development Plan Map Amendment (Zone Change) and 17EPC-40067, a Site Development Plan for Building Permit, for 60 days to the February 08, 2017 hearing based on the following Findings:

NM 87103

FINDINGS:

1. The request is for a sector development plan map amendment (zone change) to the Huning Highland Sector Development Plan (HHSDP) and an as-built site development plan for building permit.
2. A bed and breakfast operates on the subject site. The applicant is requesting a zone change in order to continue to host special events, such as meetings and weddings.
3. The applicant is requesting a 60 day deferral to strengthen the zone change justification, provide the required as-built site development plan, and ensure that notification is correct.

www.cabq.gov

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **DECEMBER 29, 2017**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-4-4 of the Zoning Code. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is

OFFICIAL NOTICE OF DECISION

Project #1005206

December 14, 2017

Page 2 of 2

required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's recommendation.

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

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

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

Sincerely,



~~For~~ Suzanne Lubar
Acting Planning Director

SL/CLL

- cc: Steven & Kara Grant, 207-209 High St. NE, ABQ, NM 87102
- Broadway Central Corri. Part. Inc. Jim Maddox, 515 Central Ave. NE, ABQ, NM 87102
- Broadway Central Corri. Part. Inc. Rob Dixon, P.O. Box 302, ABQ, NM 87102
- Huning Highland Hist. Dist. Assoc., Bonnie Anderson, 522 Edith SE, ABQ, NM 87102
- Huning Highland Hist. Dist. Assoc., Ann Carson, 416 Walter SE, ABQ, NM 87102
- Dayan Hochman, 1121 4th St. NW, Ste. 10, ABQ, NM 87102
- Larry Tucker, 210 Walter St. NE, ABQ, NM 87102



CITY OF ALBUQUERQUE
OFFICE OF THE ZONING HEARING EXAMINER
NOTIFICATION OF DECISION

STEVE & KARA GRANT request(s) a special exception to Huning Highland Sector Plan 1. A. B. 4. b.: a **CONDITIONAL USE** to allow for a proposed bed and breakfast establishment in a M-R zone on all or a portion of Lot(s) 9, Block(s) 24, Huning Highland Addition, zoned SU-2 and located at **207 HIGH ST NE (K-14)**

Special Exception No:..... **06ZHE - 01482**
Project No: **1005206**
Hearing Date: 11-28-06
Closing of Public Record: 11-28-06
Date of Decision: 12-11-08

STATEMENT OF FACTS: The applicants, Steve and Kara Grant, request a conditional use to allow for a proposed bed and breakfast establishment in a M/R zone. The applicants testified that the neighbors, as well as the Huning Castle Neighborhood Association, support this proposal. The applicant demonstrated that the proposed use will not be injurious to the surrounding properties, the neighborhood or the community. Signage on the building and parking on the premises will conform to the Zoning Ordinance. The yellow sign was posted. There was no opposition to this request at the hearing, nor is there any opposition noted in the file.

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

FINDINGS AND CONCLUSIONS: I find that this request complies with Section 14.16. 2. 6. (B). (12)., for the granting of a conditional use upon a finding that the proposed use will not cause injury to the neighborhood, adjacent property or the community, nor will it be damaged by surrounding structures. For reasons stated above, this request is approved.

DECISION: Approved.

If you wish to appeal this decision, you may do so within fifteen (15) days from the date of decision, above, in the manner described below:

Appeal is to the Board of Appeals within 15 days of the decision. A filing fee of \$55.00 shall accompany each appeal application, as well as a written explanation outlining the reason for appeal and a copy of the ZHE decision. Appeals are taken at 600 2nd Street, Plaza Del Sol Building, Ground Level, Planning Application Counter located on the west side of the lobby. **Please present this letter of notification when filing an appeal.** When an application is withdrawn, the fee shall not be refunded.

06ZHE - 01482 (continued)

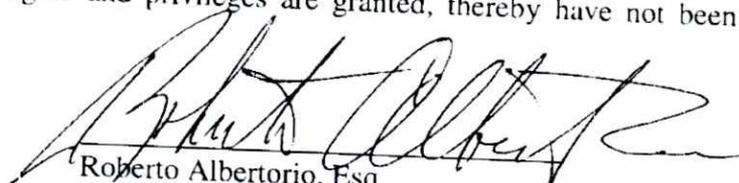
December 11, 2006

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

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

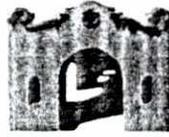
You will receive notice if any other person files an appeal. If there is no appeal, you can receive building permits any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. However, the Zoning Hearing Examiner may allow issuance of building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

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



Roberto Albertorio, Esq.
Zoning Hearing Examiner

cc: Zoning Enforcement (2)
ZHE File (2)
Steve & Kara Grant, 207 High St NE, 87102



Landmarks & Urban
Conservation Commission

CERTIFICATE OF APPROPRIATENESS

Staff Decision

City of Albuquerque, Planning Department
600 2nd Street NW-3rd Floor
Albuquerque, NM 87102
(505) 924-3883, FAX (505) 924-3339

06LUCC-01331/ Project #1002852/ LUCCS-06-35

DATE: September 11, 2006

GRANTED TO: Steve & Kara Grant
209 High Street NE
Albuquerque NM 87102
237-2866

LOCATION: 209 High Street NE, also described as Lot 8 Block 24, Huning's Highland Addition, containing a contributing building in the Huning Highland Historic Overlay Zone and zoned SU2/MR. (Zone Atlas Page K-14).

PROPOSAL: **Re-roof house, removal of existing shingle layers and replace with asphalt shingle.**

DECISION: Approved, based on the following findings:

FINDINGS:

1. This is a request for re-roofing at 209 High Street NE, Lot 8, Block 24, Huning Highland Addition, a contributing property within the Huning Highland Historic Overlay Zone (K-14-Z).
2. The project will remove old shingles to the wood, install new sheathing and felt, and install asphalt shingles.
3. The *Huning Highlands Historic Overlay Zone Design Guidelines* state that "the use of asphalt shingles for roofs is acceptable." The replacement shingle roofing will be similar to others approved by the LUCC and by staff, and will be compatible to the original materials used on this house. (*Huning Highland Historic Overlay Zone Design Guidelines, III.A.6.c and LUC Ordinance §14-12-8.B.2.*)
4. The *Huning Highlands Historic Overlay Zone Design Guidelines* state "renovation and rehabilitation of existing residential buildings shall keep original door, window, and roof shapes." Roof shape is unaltered by this proposal. (*Huning Highland Historic Overlay Zone Design Guidelines, III.B.1.e. and LUC Ordinance §14-12-8B.2.*)
5. The proposed work meets the criteria of the *Landmarks and Urban Conservation Ordinance Sections 14-12-8 B (1, 2, 4)* in that the architectural character of the structure or site will not be diminished by the proposal.

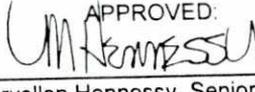
CONDITIONS:

1. This approval **does not include the removal or alteration of any existing chimneys, or other character defining architectural details.** (Huning Highland Historic Overlay Zone Design Guidelines, III.B.1.a. and LUC Ordinance §14-12-8.B.4.)

Any deviation from the information and/or conditions upon which this decision was made requires further Landmarks and Urban Conservation Commission review. Applicant is responsible for acquiring **any and all additional City of Albuquerque** department review and/or permits required for implementation of this project.

Failure to obtain the necessary permits for implementation of this proposal **within one (1) year voids** this Certificate of Appropriateness. However, failure to implement this proposal for the purpose of abating a code violation within the specified time issued by a Code Enforcement agency shall render the property owner subject to the penalty provisions of all applicable codes.

Appeal to the Landmarks and Urban Conservation Commission: Any person aggrieved with any determination of the Landmarks and Urban Conservation Commission staff acting under this ordinance may file an appeal to the Commission by submitting written application to the Planning Department within 15 days of this Staff Decision. The date the approval in question is issued is not included in the 15 day period for filing an appeal and if the fifteenth day falls on a Saturday, Sunday or holiday as listed in the City's Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. The Landmarks and Urban Conservation Commission may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed by its staff in the Staff Decision. If it decides that there is substantial reason to believe that all City plans, policies and ordinances have not been properly followed or are inadequate, the Commission shall hear the appeal.

APPROVED:

Maryellen Hennessy, Senior Planner
Landmarks and Urban Conservation Commission

CC: Zoning Code Enforcement Inspector, 600 2nd Street NW, 7th Floor, 87103
Erskine Maytorena, Huning Highland Historic District Assoc 201 Walter NE Albuquerque, NM 87102
Steve Grant, Huning Highland Historic District Assoc., 209 High St. NE, Albuquerque NM 87102



CERTIFICATE OF APPROPRIATENESS

Landmarks and Urban Conservation Commission

City of Albuquerque, Planning Department, 600 2nd Street NW-3rd Floor, Albuquerque, NM 87102
(505)924-3860, FAX (505)924-3339

03LUC-01282 / Project # 1002852 / LUCCS-03-25

DATE:

8/8, 2003

GRANTED TO:

Kara and Steve Grant
8904 Haines Avenue NE
Albuquerque, N.M. 87112
(505) 237-2866

LOCATION:

209 High Street NE, Lot 8, Block 24, Huning's Highland Addition, zoned SU-2/MR, a **contributing** property within the boundaries of the Huning's Highland Historic Overlay Zone (K-14-Z).

PROPOSAL:

New rear yard fence with rolling gate. Fence is to be cedar picket, steel supports for posts and gate will be covered with cedar. Two gates at main house will be wood picket gates. Rolling gate will be steel support frame covered in cedar pickets. Small concrete trench (6" wide) will be poured for rolling gate.

DECISION:

Approved, based on the following findings and subject to the following conditions:

FINDINGS:

1. This is a request for new rear yard fencing at 209 High Street SE, Lot 8, Block 24, Huning's Highland Addition, a **contributing** structure within the Huning's Highland Historic Overlay Zone.
2. This request includes side and rear yard fencing, with gates and fencing joining the main house. The rolling gate on the rear yard will be constructed of cedar.
3. The *Huning Highlands Historic Overlay Zone Design Guidelines* allow for fencing to be of appropriate materials, such as wood, stone, etc. A cedar picket fence meeting current Zoning regulations is an appropriate fence material and type. (*Huning Highland Historic Overlay Zone Design Guidelines, III.E.4.*)

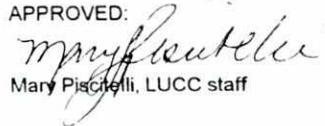
CONDITIONS:

1. **All steel structural members must be completely covered with cedar pickets so that no posts are visible from the street or alley. Rolling gate must be covered of the same cedar material so no steel structure is visible.** Applicant is responsible for acquiring any and all additional City of Albuquerque department reviews and/or permits required for implementation of this proposal. LUCC Staff must review any changes to the LUCC-approved plans due to permitting requirements that affects the exterior appearance of the property. The LUCC staff must stamp and final sign off of all building permit plan sets prior to permit issuance.
2. If applicant does not obtain the necessary permits for implementation of this proposal within one (1) year, this Certificate of Appropriateness is void. Not implementing an approved application for a Certificate of Appropriateness in a timely fashion, for the purpose of abating a code violation identified by a City of Albuquerque code enforcement agency, makes the property owner subject to the penalty provisions of all applicable codes.

If you or other parties wish to appeal this decision, you may do so by 8/23, 2003, 5:00 p.m., as described below. A filing fee is required.

Appeal to the Landmarks and Urban Conservation Commission: Any person aggrieved with any determination of the Landmarks and Urban Conservation Commission staff acting under this ordinance may file an appeal to the Commission by submitting written application to the Planning Department within 15 days of this Staff Decision. The date the approval in question is issued is not included in the 15 day period for filing an appeal and if the fifteenth day falls on a Saturday, Sunday or holiday as listed in the City's Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. The Landmarks and Urban Conservation Commission may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed by its staff in the Staff Decision. If it decides that there is substantial reason to believe that all City plans, policies and ordinances have not been properly followed or are inadequate, the Commission shall hear the appeal.

APPROVED:



Mary Piscitelli, LUCC staff

xc: Andrew Garcia, Zoning Enforcement Services Inspector, Plaza del Sol-600 2nd Street NW, 7th Fl.
Steve Chavez, Residential Code Services Manager, Plaza del Sol-600 2nd Street NW, 4th Fl.
Bill Hoch, HHNA, 205 Highland Park Circle SE, 87102
Charles Incendio, HHHDA, 201 High St. NE, 87102

NOTIFICATION OF DECISION
CERTIFICATE OF APPROPRIATENESS
Landmarks and Urban Conservation Commission
City of Albuquerque, Planning Department, 600 2nd St., NW, Albuquerque, NM 87103

March 13, 1998

Charles Incendio
201 High NE
Albuquerque, NM 87102

LUCC-98-8 Charles Incendio requests a retroactive Certificate of Appropriateness for modifications at the residential property located at 201 High Street NE, Lot 10, Block 24, Huning Highland Addition, a Significant building in the Huning Highland Historic Overlay Zone, Zoned SU-2/MR, Map K-14-Z.

This is to inform you that on March 12, 1998, the Landmarks and Urban Conservation Commission (LUCC) took the following action regarding this matter the LUCC granted:

Approval based on Staff Findings 1-2.

STAFF FINDINGS:

1. The porch wall uses exposed materials compatible with historic construction in the district.
2. The original door opening is maintained and a shiny, metallic appearance is avoided.

RELEVANT ORDINANCES, DESIGN GUIDELINES AND POLICIES:

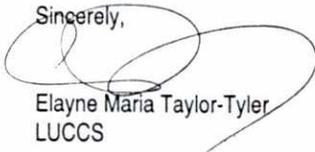
14-12-8(A), 14-12-8(B)(1), H.H.H.O.Z.D.G.-III.A., H.H.H.O.Z.D.G.-III.B.(1)(e).

If you wish to appeal this decision, you may do so by March 27, 1998, in the manner described below. A filing fee of \$50.00 is required.

Appeal to City Council. Any person aggrieved with any determination of the Landmarks and Urban Conservation Commission acting under this ordinance may file an appeal to the City Council by submitting written application to the Planning Department within 15 days of the Landmarks and Urban Conservation Commission's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday, or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. The City Council may decline to hear the appeal if it finds that all City plans, policies, and ordinances have been properly followed. If it decides that there is substantial reason to believe that all City plans, policies, and ordinances have not been properly followed or are inadequate, it shall hear the appeal.

Any deviation from the information and/or conditions upon which this decision was made requires further Landmarks and Urban Conservation Commission review. Successful applicants are reminded that other regulations of the City must be complied with, even after approval of the referenced application(s). Approval of this case does not constitute approval of plans for a building permit. **You must bring two copies of your plans to Landmarks and Urban Conservation Commission Staff for signature before submitting them to Zoning and the Building & Safety Division for building permit.** A building permit must be issued within one year of the date of approval. Failure to obtain a building permit within one year voids the Certificate of Appropriateness.

Sincerely,


Elayne Maria Taylor-Tyler
LUCCS

cc: Bill Hoch, Huning Highland Neighborhood Assn., 205 Highland Park Circle SE, 87102
George and Deborah Emeny, Huning Highland Neighborhood Assn., 202 High NE, 87102

OFFICIAL NOTICE

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
Box 1293, Albuquerque, NM 87103

Date October 19, 1976

Fred J. Walker
201 High St., N.E.
Albuquerque, NM 87102

NOTIFICATION OF DECISION
ON A ZONING SPECIAL EXCEPTION

File ZA-76-272
Location: 201 High St., N.E.

Your application for special exception under the Comprehensive Zoning Ordinance was considered at the Zoning Administrator's hearing on October 5, 1976. The following decision was made:

FINDINGS: This neighborhood contains a wide variety of conflicting land uses. The subject lot, until recently zoned O-1, has now been rezoned SU-2 residential (with a 10 ft. front and corner side setback); the SU-2 regulations, still under consideration, have so far failed to set special wall regulations for these areas. The character of the neighborhood is sufficiently exceptional to justify the requested variance; the variance should make the property more suitable for family living, an objective of the sector development plan. The requested variance will not be injurious to the neighborhood or appropriate use of adjoining property.

DECISION: A three foot height variance is approved to permit a six foot fence in the required front and side yard setback areas, on the conditions that no fence over three feet be closer than 11 feet from the junction of sidewalks and driveways or in the clear sight triangle.

If you wish to appeal this decision, you may do so by November 3, 1976 in the manner described below, as excerpted from the Zoning Ordinance of the City of Albuquerque.

1. **Jurisdiction.** Appeal of special exception decisions by the Zoning Administrator is to the Planning Commission. Appeal of decisions by the Planning Commission is to the City Commission.
2. **Application.** A decision by the Zoning Administrator or the Planning Commission is final unless appeal is initiated by application to the City on prescribed forms within fifteen days of the decision. A building permit dependent on a case shall not be issued until an appeal is decided, or the time for filing the appeal has expired without an appeal being filed.
3. **Acceptance.** The City Commission may decline to accept an appeal if it finds that all adopted City plans, policies, and ordinances have been properly followed. If it decides that there is a substantial question that all such City plans, policies, and ordinances have not been properly followed or are not adequate, it shall accept the appeal. The Planning Commission shall accept all appeal cases sent to it.
4. **Fee.** A filing fee of \$25 must accompany each appeal application. When an application is withdrawn the application fee shall not be refunded.
5. **Hearing and Decision.** An appeal, if accepted, shall be decided within sixty days of its filing. Decision shall be following a public hearing. Public notice of an appeal must be given by legal advertisement in a newspaper of general circulation in the City of Albuquerque at least fifteen days before the hearing. The Planning Department must give written notice of an appeal, together with a notice of the date, time, and place of hearing to the applicant, a representative of the opponents, if any are known, and the appellant.

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of the Zoning Administrator is secured. Approval of this case does not constitute approval of plans for a building permit. If your application is approved, bring this letter when you come to City Hall, 400 Marquette NW, to secure any related building permit. You should take two copies of your plans to the Building & Inspection Division to initiate such a permit.

Approval of a conditional use or variance application is void after one year from date of approval if the rights and privileges granted thereby have not been executed or utilized.

Sincerely,

DAP:ps

BHB-02


Zoning Administrator

ZA

Letter of
Advice

OFFICIAL NOTICE

DECISION ON A REQUESTED SPECIAL EXCEPTION

As provided by the Comprehensive City Zoning Code,
Chapter 7, Article XIV, Revised Ordinances of Albuquerque, NM, 1974

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
P.O. Box 1293, Albuquerque, NM 87103

Fred J. Walker requests a variance on Lot 10, Block 24, Huning Highland Addition, zoned SU-2/Mixed Residential and located 201 High Street, NE.

Decision No.:	ZA-79-74
Hearing Date:	March 21, 1979
Decision Date:	March 30, 1979

DECISION: A three foot height variance is approved to allow a six foot fence in the required corner side setback area on the conditions that (1) no fence over three feet high is closer than eleven feet from the junction of the public sidewalk and the driveway and (2) no fence over three feet high is located in the front yard (east of the house). A height variance in the front yard setback is denied.
See attached Findings.

If you wish to appeal this decision, you may do so by April 16, 1979 in the manner described below, as excerpted from Section 45 of the Comprehensive City Zoning Code.

Jurisdiction. Appeal is to the Planning Commission.

Application. A special exception decision is final unless appeal is initiated by application to the City on prescribed forms within 15 days of the decision.

Fee. A filing fee to \$40 shall accompany each appeal application. When an application is withdrawn the fee shall not be refunded.

Hearing and Decision. An appeal shall be heard within 60 days of its filing. The decision shall be following a public hearing. This hearing shall review carefully the previous decisions on the matter. The Planning Department shall give written notice of an appeal, together with a notice of the date, time, and place of hearing to the applicant, a representative of the opponents, if any are known, and the appellant.

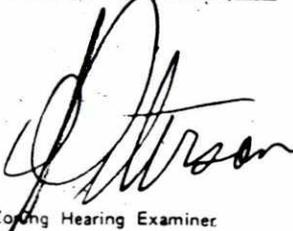
The above decision is not final and building permits dependent on it will not normally be issued until an appeal is decided or the time for filing the appeal has expired without an appeal being filed. However, if public hearing produces no objection of any kind to approval of an application, which application is approved, the Hearing Examiner may allow issuance of a building permit before 15 days. To receive this approval, the applicant agrees in writing to return related building permits if an appeal is duly filed.

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of a special exception is secured. This decision does not constitute approval of plans for a building permit. If your application is approved, bring this decision when you apply for any related building permit or occupation tax number.

Approval of a conditional use or variance application is void after one year from date of approval if the rights and privileges granted thereby have not been executed or utilized.

DAP/cac

cc: Ervin Addy, 123 High SE
Dan Luna, 420 Edith SE


Zoning Hearing Examiner

FINDINGS FOR ZA-79-74

FINDINGS: This neighborhood contains some conflicting land uses. The subject lot, until two and one-half years ago zoned O-1, is now zoned SU-2/Mixed Residential. That zone category has a ten foot front and corner side setback requirement (there is a residence front yard adjacent to the west).

In 1976 Mr. Walker requested and received a variance (ZA-76-272) for a fence such as he has erected; however, the erected fence is not set back eleven feet at the driveway as was required under that approval. In 1976 the SU-2 regulations were not settled. At the time of the variance decision Planning staff was intending to propose higher front walls as a standard in this area. It appeared that due to the semi-institutional uses and liquor establishments in the immediate area, the fence was justified to make the property more suitable for family living, an objective of the sector development plan.

Since that time the Planning Commission, with the concurrence of staff, decided that high front walls are not appropriate for this area. This decision was reached with knowledge that there are many pre-1976 fences at front lot lines and well over three feet in height. They are legally nonconforming. These facts were understood by the Planning Commission. Their existence cannot be exceptional physical conditions suitable to justify a front yard fence variance. The appearance of a six foot chain link fence in the required front setback area is inappropriate to the historic character of the area which the City and many neighborhood residents are not trying to reinforce.

The New Mexico Department of Corrections halfway house which was next door to this site in 1976 is now gone. Other negative influences are diminishing.

The small size of the rear yard is sufficiently exceptional to justify a side setback variance, but it does not now justify a front yard fence. The appearance of the side yard will be justified only if there is no fence in the front yard over three feet high.

A side setback variance will not be injurious to the neighborhood or appropriate use of adjacent property and is consistent with the intent and purposes of the Zoning Code and Comprehensive Plan.

A large, stylized handwritten signature in black ink, located in the lower right quadrant of the page. The signature is cursive and appears to be a single name, possibly 'J.P.' or similar, written in a fluid, overlapping style.

ZONING

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

APPENDIX B

ENACTMENT 270-1980

ADOPTING POLICIES FOR ZONE MAP CHANGE APPLICATIONS AND APPEALS OF ENVIRONMENTAL PLANNING COMMISSION DECISIONS; SUPERSEDING CITY COUNCIL RESOLUTIONS 217-1975 AND 182-1978 RELATING TO ZONE CHANGE APPLICATIONS AND APPEALS.

WHEREAS, the usefulness of the Comprehensive City Zoning Code in implementing the City's Comprehensive Plan and promoting health, safety, morals, and general welfare is enhanced by a reasonable flexibility in order to deal reasonably with changes in the physical, economic, and sociological aspects of the city; and

WHEREAS, certain general policies for consideration of zone map changes and other zoning regulation changes should be recognized as determinative.

BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:

Section 1. The following policies for deciding zone map change applications pursuant to the Comprehensive City Zoning Code are hereby adopted:

- A. A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the City.
- B. Stability of land use and zoning is desirable; therefore, the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the City to show why the change should not be made.
- C. A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other City master plans and amendments thereto including privately developed area plans which have been adopted by the City.
- D. The applicant must demonstrate that the existing zoning is inappropriate because;
 - (1) there was an error when the existing zone map pattern was created, or
 - (2) changed neighborhood or community conditions justify the change, or
 - (3) a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan, even though (1) or (2) above do not apply.
- E. A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood or the community.
- F. A proposed zone change which, to be utilized through land development, requires major and un-programmed capital expenditures by the City may be;
 - (1) denied due to lack of capital funds, or

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

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

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

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

(1) the change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan, or

(2) the area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises make the site unsuitable for the uses allowed in any adjacent zone.

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

(1) the change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan, and

(2) the area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

Section 2. City Council Resolutions 217-1975 and 182-1978 adopting policies for zone map change applications and appeals of (the) Environmental Planning Commission are hereby superseded.

CITY of ALBUQUERQUE
SEVENTH COUNCIL

COUNCIL BILL NO. R-336 ENACTMENT NO. B-1988

SPONSORED BY: Steve D. Gallegos

RESOLUTION

ADOPTING THE HUNING HIGHLANDS SECTOR DEVELOPMENT PLAN; SUPERCEDING THE SIMILARLY NAMED PLAN ADOPTED BY RESOLUTION 4-1977; REPEALING THE SIGN PORTION OF THE HUNING HIGHLAND HISTORIC OVERLAY ZONE GUIDELINES.

WHEREAS, the Council, the Governing Body of the City of Albuquerque, has the authority to adopt plans for the physical development of areas within the platting jurisdiction of the City authorized by statute, Section 3-19-5 NMSA 1978, and by its home rule powers; and

WHEREAS, the Council recognizes the need for sector development plans to guide the City of Albuquerque and other agencies and individuals to ensure orderly redevelopment and effective utilization of funds; and

WHEREAS, Huning Highlands as shown on the attached maps and described in the attached text, is a designated Community Development Area; and

WHEREAS, the Huning Highlands Sector Development Plan, Resolution 4-1977, was originally adopted in 1977 and substantial changes in the plan are necessary; and

WHEREAS, subsequent amendments, Resolution No. 2-1979, Resolution No. 223-1984, Resolution No. 127-1984 amended the Huning Highland Sector Development Plan of 1978; and

WHEREAS, the Huning Highlands Sector Development Plan has been developed with the assistance of area residents, property owners, business people, and institutions; and

WHEREAS, recent community meetings in Huning Highlands indicated

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1 significant concern for neighborhood issues, including clarity of
2 language, zoning, traffic, parking, commercial revitalization,
3 crime, population turnover, and historic preservation; and

4 WHEREAS, the Environmental Planning Commission, in its advisory
5 role on all matters related to planning, zoning and environmental
6 protection, has approved and recommended the adoption of the Huning
7 Highlands Sector Development Plan; and

8 WHEREAS, the Landmarks and Urban Conservation Commission, the
9 body mandated to oversee the Huning Highland Historic Overlay zone,
10 has approved and recommended the changes to the Huning Highland
11 Historic Overlay Zone Guidelines.

12 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
13 ALBUQUERQUE:

14 Section 1. The Huning Highlands Sector Development Plan is
15 hereby adopted as a Rank Three Plan, attached hereto and made a part
16 hereof, and as a guide to partial implementation of
17 Albuquerque/Bernalillo County Comprehensive Plan, the administration
18 of the U.S. Housing and Community Development Act of 1974 funds, and
19 the investment of other public and private funds. The Huning
20 Highlands Sector Development Plan adopted by Resolution 4-1977 and
21 the amendments thereof adopted by Resolution No. 2-1979, Resolution
22 No. 223-1984 and Resolution No. 127-1984 are hereby superceded by
23 the 1987 Huning Highlands Sector Development Plan.

24 Section 2. All redevelopment activities within the area,
25 including housing rehabilitation, land acquisition, and public
26 improvements, shall be guided by the attached Huning Highlands
27 Sector Development Plan.

28 Section 3. The Huning Highlands Sector Development Plan shall
29 guide City actions and regulations with respect to City actions
30 regarding future land use, landscaping and building requirements,
31 and design guidelines.

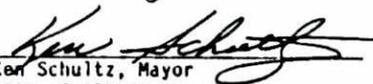
32 Section 4. Section III.F, Signage, is repealed from the Huning
33 Highland Historic Overlay Zone Guidelines, which guidelines were

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[Bracketed Material] - Deletion

1 adopted by Council Resolution 132-1980.
2 PASSED AND ADOPTED THIS 30th DAY OF November,
3 1987.
4 BY A VOTE OF 9 FOR AND 0 AGAINST.

5
6 
7 Patrick J. Baca, President
City Council

8
9 APPROVED THIS 5th DAY OF January, 1988.

10
11 
12 Ken Schultz, Mayor
City of Albuquerque

13
14 ATTEST:

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17 City Clerk

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This Huning Highland Sector Development Plan replaces the 1977 Huning Highland Sector Development Plan and all amendments to the 1977 Plan which were adopted prior to the adoption of this Plan. Because the earlier land use categories have been substantially rewritten for greater clarity, and because this Plan sets forth action on a number of issues which have emerged since the adoption of the 1977 Plan, a new Plan is clearer and more appropriate than amendments to the 1977 Plan would have been.

1. Zoning

A. Land Use

The Huning Highland Sector Plan Area is zoned SU-2, the Special Neighborhood Zone, which allows a mixture of uses controlled by a Sector Development Plan as described in Section 31 of the Comprehensive City Zoning Code. SU-2 zoning is appropriate for areas where other available zones do not promote conservation of special neighborhood characteristics, or where the land should develop with a mixture of uses which need careful control and coordination, or where there are factors that impair the sound growth and economic health of the area as regulated by zoning. The Huning Highland Sector Development Plan Area meets the first and second criteria. Within the overall SU-2 zone, separate zoning categories are established as shown on Map 9, and are regulated as follows.

The MIXED RESIDENTIAL zone (SU-2/MR) category corresponds to the R-1 Residential Zone in the Comprehensive City Zoning Code with the following exceptions:

A. Setback - Front Yard

1. The minimum front yard setback is 10 feet except the setback for a garage or carport is 20 feet.

B. Conditional Uses

1. Dwelling units in an accessory structure, provided the structure was originally constructed as a residence and provided lot size, open space and landscaping requirements in the Townhouse (RT) zone in the Comprehensive City Zoning Code are met.
2. Uses in the Residential Townhouse (RT) Zone in the Comprehensive City Zoning Code are allowed; development must meet all requirements in the RT zone.
3. Apartments and churches or other places of worship, legally existing as of the adoption of this Plan, are to be treated as approved conditional uses.

4. Bed and Breakfast establishments* provided
 - a. The owner is a permanent resident;
 - b. There is one off-street parking space per rentable unit plus one space for the resident owner and each staff person;
 - c. One guest room unit may be provided for the first 1000 square feet of heated floor area in the major structure on a lot and one for every additional 400 square feet of heated floor area in the major structure; there may be up to five guest rooms per premises;
 - d. Except for a sign as permitted in this zone, no change shall be made to the exterior appearance of the building which would indicate that a Bed & Breakfast is located in the building;
 - e. A Site Development Plan showing parking entrances and exits and signage shall be approved by the Zoning Hearing Examiner.

5. Parking lot, provided:
 - a. The property abuts properties zoned Neighborhood Commercial Residential (SU2/NCR) on at least one side.
 - b. The property is vacant or includes a non-contributing building in the Huning Highland National Register Historic District.
 - c. A Site Development Plan has been approved by the Zoning Hearing Examiner which includes an area equal to at least ten percent of the off-street parking area (including related driveways) devoted to landscaping; at least 50% of required landscaping shall be located on or within five feet of the public right-of-way if the location and types of plants and other materials are compatible with utility lines, sidewalks and the safe use of the streets. Parking standards given in Section 40. A. 5. of the Comprehensive City Zoning Code shall be met.
 - d. Parking off alleys for activities off site can be provided on any MR-zoned lot adjacent to the NCR zone if no demolition of contributing buildings in the Huning Highland Overlay Zone is required and parking space standards as listed for parking lots in the Office (O-1) section of the Comprehensive City Zoning Code are met.

6. One non-illuminated free-standing or wall sign not to exceed six square feet in area may be approved, where needed, for approved conditional uses.

*BED AND BREAKFAST means a dwelling unit divided into at least one but not more than five guest rooms where lodging is provided for compensation and where breakfast is provided.

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

Zoning

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

Issues Identified

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

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

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

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

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

APPLICATION INFORMATION



Supplemental Form (SF)

SUBDIVISION

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

SITE DEVELOPMENT PLAN

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

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

- Annexation
- Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
- Adoption of Rank 2 or 3 Plan or similar
- Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
- Street Name Change (Local & Collector)
- L A APPEAL / PROTEST of...**
 - Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2nd Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICATION INFORMATION:

Professional/Agent (if any): _____ PHONE: _____
 ADDRESS: _____ FAX: _____
 CITY: _____ STATE _____ ZIP _____ E-MAIL: _____
 APPLICANT: STEVEN & KARA GRANT PHONE: 505-238-0308
 ADDRESS: 207-209 HIGH ST. NE FAX: 505-238-9881
 CITY: ALBUQUERQUE STATE NM ZIP 87102 E-MAIL: SKGRANTS@GMAIL.COM
 Proprietary interest in site: _____ List all owners: _____

DESCRIPTION OF REQUEST: SPECIAL REQUEST TO OFFICIALLY ALLOW CURRENT BED 4 BREAKFAST (DOWNTOWN HISTORIC) TO HOST SMALL OUTDOOR SPECIAL EVENTS.
 Is the applicant seeking incentives pursuant to the Family Housing Development Program? Yes. No.

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

Lot or Tract No. _____ Block: 24 Unit: 9
 Subdiv/Addn/TBKA: HUNNINGS HIGHLAND/EDO
 Existing Zoning: SU-2/MR Proposed zoning: SU-2 = BED 4 BREAKFAST MRGCD Map No. to include special events
 Zone Atlas page(s): K-14 UPC Code: FACILITY ID: FA0072120

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_Z_V_S_, etc.): 1005206
(Prior Approval 10/2006)

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? NO
 No. of existing lots: 3 No. of proposed lots: _____ Total site area (acres): _____
 LOCATION OF PROPERTY BY STREETS: On or Near: HIGH & COPPER NE (1 BLOCK N. OF CENTRAL)
 Between: CENTRAL/MLK and I-25 & BROADWAY
 Check if project was previously reviewed by: Sketch Plat/Plan or Pre-application Review Team (PRT) Review Date: _____

SIGNATURE

[Signature] DATE 10/12/17
 (Print Name) STEVEN GRANT Applicant: Agent:

FOR OFFICIAL USE ONLY

Revised: 11/2014

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input type="checkbox"/> All checklists are complete	<u>17EPC - 40054</u>			<u>\$240.00</u>
<input type="checkbox"/> All fees have been collected		<u>CME</u>		<u>\$50.00</u>
<input type="checkbox"/> All case #s are assigned		<u>ADV</u>		<u>\$75.00</u>
<input type="checkbox"/> AGIS copy has been sent				\$
<input type="checkbox"/> Case history #s are listed				\$
<input type="checkbox"/> Site is within 1000ft of a landfill				\$
<input type="checkbox"/> F.H.D.P. density bonus				Total
<input type="checkbox"/> F.H.D.P. fee rebate				<u>\$365.00</u>

Hearing date Dec. 14, 2017

[Signature]
 Staff signature & Date 10-16-17

Project # 1005206

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

ANNEXATION (EPC08)

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

- SDP PHASE I - DRB CONCEPTUAL PLAN REVIEW (DRBPH1)** (Unadvertised)
 - SDP PHASE II - EPC FINAL REVIEW & APPROVAL (EPC14)** (Public Hearing)
 - SDP PHASE II - DRB FINAL SIGN-OFF (DRBPH2)** (Unadvertised)
 - Copy of findings from required pre-application meeting (needed for the DRB conceptual plan review only)
 - Proposed Sector Plan (30 copies for EPC, 6 copies for DRB)
 - Zone Atlas map with the entire plan area clearly outlined and indicated
 - Letter describing, explaining, and justifying the request
 - Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts (for EPC public hearing only)
 - Traffic Impact Study (TIS) form (for EPC public hearing only)
 - Fee for EPC final approval only (see schedule)
 - List any original and/or related file numbers on the cover application
- Refer to the schedules for the dates, times and places of DRB and EPC hearings.* Your attendance is required.

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

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

AMENDED TO SECTOR DEVELOPMENT MAP (EPC03)

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

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

AMENDMENT TO ZONING CODE OR SUBDIVISION REGULATORY TEXT (EPC07)

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

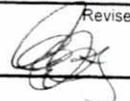
I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.


Applicant name (print)
STEVEN GRANT 10/13/17
Applicant signature & Date



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

Application case numbers
17 EPC - 40054

Revised: June 2011
 10-16-17
Staff signature & Date
Project # 1005206

FORM P(1): SITE DEVELOPMENT PLAN REVIEW – E.P.C. PUBLIC HEARING

- SITE DEVELOPMENT PLAN FOR SUBDIVISION (EPC16) Maximum Size: 24" x 36"**
 - IP MASTER DEVELOPMENT PLAN (EPC11)**
 - ___ 5 Acres or more & zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval
 - ___ Scaled Site Plan and related drawings (folded to fit into an 8.5" by 14" pocket) **20 copies**.
For IP master development plans, include general building and parking locations, and design requirements for buildings, landscaping, lighting, and signage.
 - ___ Site plans and related drawings reduced to 8.5" x 11" format **(1 copy)**
 - ___ Zone Atlas map with the entire property(ies) clearly outlined
 - ___ Letter briefly describing, explaining, and justifying the request
 - ___ Letter of authorization from the property owner if application is submitted by an agent
 - ___ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - ___ Completed Site Plan for Subdivision and/or Building Permit Checklist
 - ___ Sign Posting Agreement
 - ___ Traffic Impact Study (TIS) form with required signature
 - ___ Fee (see schedule)
 - ___ List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline. Your attendance is required.**

- SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (EPC15) Maximum Size: 24" x 36"**
- SITE DEVELOPMENT PLAN and/or WAIVER OF STANDARDS FOR WIRELESS TELECOM FACILITY (WTF) (EPC17)**
 - ___ 5 Acres or more & zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval
 - ___ Site Plan and related drawings (folded to fit into an 8.5" by 14" pocket) **20 copies**.
 - ___ Site Plan for Subdivision, if applicable, previously approved or simultaneously submitted.
(Folded to fit into an 8.5" by 14" pocket.) **20 copies**
 - ___ Site Plans and related drawings reduced to 8.5" x 11" format **(1 copy)**
 - ___ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - ___ Letter briefly describing, explaining, and justifying the request
 - ___ Letter of authorization from the property owner if application is submitted by an agent
 - ___ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - ___ Sign Posting Agreement
 - ___ Completed Site Plan for Subdivision and/or Building Permit Checklist
 - ___ Traffic Impact Study (TIS) form with required signature
 - ___ Fee (see schedule)
 - ___ List any original and/or related file numbers on the cover application

NOTE: For wireless telecom facilities, requests for waivers of requirements, the following materials are required in addition to those listed above for application submittal:

 - ___ Collocation evidence as described in Zoning Code §14-16-3-17(A)(6)
 - ___ Notarized statement declaring number of antennas accommodated. Refer to §14-16-3-17(A)(13)(d)(2)
 - ___ Letter of intent regarding shared use. Refer to §14-16-3-17(A)(13)(e)
 - ___ Affidavit explaining factual basis of engineering requirements. Refer to §14-16-3-17(A)(13)(d)(3)
 - ___ Distance to nearest existing free standing tower and its owner's name if the proposed facility is also a free standing tower §14-16-3-17(A)(17)
 - ___ Registered engineer or architect's stamp on the Site Development Plans
 - ___ Office of Community & Neighborhood Coordination inquiry response as above **based on ¼ mile radius**

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

- AMENDED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (EPC01) Maximum Size: 24" x 36"**
- AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION (EPC02)**
 - ___ Proposed amended Site Plan (folded to fit into an 8.5" by 14" pocket) **20 copies**
 - ___ DRB signed Site Plan being amended (folded to fit into an 8.5" by 14" pocket) **20 copies**
 - ___ DRB signed Site Plan for Subdivision, if applicable (required when amending SDP for Building Permit) **20 copies**
 - ___ Site plans and related drawings reduced to 8.5" x 11" format **(1 copy)**
 - ___ Zone Atlas map with the entire property(ies) clearly outlined
 - ___ Letter briefly describing, explaining, and justifying the request
 - ___ Letter of authorization from the property owner if application is submitted by an agent
 - ___ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - ___ Sign Posting Agreement
 - ___ Completed Site Plan for Building Permit Checklist (not required for amendment of SDP for Subdivision)
 - ___ Traffic Impact Study (TIS) form with required signature
 - ___ Fee (see schedule)
 - ___ List any original and/or related file numbers on the cover application

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

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

 _____
Applicant name (print)

Applicant signature / date



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

Application case numbers
17 - EPC - 40067

Form revised November 2010

 11-15-17
Planner signature / date
Project #: 10015206

CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) FORM

APPLICANT: STEVE & KARA GRANT DATE OF REQUEST: 10/11/17 ZONE ATLAS PAGE(S): K-14

CURRENT:

ZONING SU-2/M-R
PARCEL SIZE (AC/SQ. FT.) _____

LEGAL DESCRIPTION:

LOT OR TRACT # 9 BLOCK # 24
SUBDIVISION NAME HUNING HIGHLAND

REQUESTED CITY ACTION(S):

ANNEXATION []

ZONE CHANGE []: From SU-2/M-R To SU2/SU1

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: 2400 (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 10/11/17

(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:

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.**

Logan Pat
TRAFFIC ENGINEER

10-12-17
DATE

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

TIS -SUBMITTED / /
-FINALIZED / /

TRAFFIC ENGINEER _____

DATE _____

Steve & Kara Grant
Downtown Historic Bed & Breakfast
207-209 High St. NE
Albuquerque, NM 87102
info@bbabq.com
505-238-0308 or 505-238-9881

Date: 1.12.18
Re: Application Letter Re-Zone from SU2/MR to SU1

To Whom It May Concern:

We are writing this letter as a small business owner in the Historic Huning Highland Neighborhood District to request a zone change for our current status of Approved Conditional Use for a Bed and Breakfast business SU-2 MR (Mixed Residential) to a SU-1(Special Use for Bed and Breakfast to include Special Outdoor Events). We have been the owner of three historic homes in this neighborhood for over fifteen years now. The legal description of the properties are: Lot 8, Lot 9 and the additional south seven feet and eight inches of Lot 7, and lot 10, Block 24 of the Huning Highlands Addition. Our time and investment here we feel has brought an increase value in the neighborhood not only for ourselves and our business but to others in the neighborhood as well as the city. We love this neighborhood and the rich history of it and have not only chosen to have a business in it but also to live here to raise our family.

This neighborhood was recognized as a historic neighborhood in 1979 to protect the rich history of the area and the historic value it brings to the city of Albuquerque. This is one of the many things we love about being a part of this neighborhood. It is also why we have purchased multiple properties here and have chosen to restore each one back to its original beauty. In the process of restoring the homes we were inspired to share these beautiful homes with others by opening them as a bed and breakfast. This was something that we were able to do because of being in line with the Huning Highland Sector Plan that clearly supports and actively approves a Bed and Breakfast operation.

Since starting this business over 10 years ago we have been fortunate to be one of Albuquerque's premier Bed & Breakfast experiences for both local and out of state visitors. We are consistently highly ranked in the top position with TripAdvisor, Yelp, Google and Facebook. We've hosted thousands of guests seeing Albuquerque for the first time and have helped compliment our great city as a destination when traveling. Being that our exposure has rapidly increased over this time frame we have had more inquiries for both indoor & outdoor events because of the beauty not only of the property inside but the landscape as well. Therefore we have allowed certain interested parties to host their wedding day, corporate retreat, team meeting, reunions, etc. We felt this was a win/win not only for us but the citizens of Albuquerque as well as the city. This it not only gave the public different Albuquerque event area options and choices but lead to additional tax revenue and positive exposure for the city.

However in November 2017 it was brought to our attention that we needed to apply for a new zoning classification to continue officially allowing any and all outdoor events. Therefore, in

order to comply with the city's request we are applying for this zone change that would move us from our current status of SU-2/MR to an SU-1 status.

If approved there will be a limited number of events, especially outdoor events. As well as a strict limit on the number of people attending any event. These limits will be important to us to make sure limited traffic preserves the property and grounds as well as to be aware of our immediate local neighborhood surroundings and to comply with any and all city regulations. However the accommodation segment of our business is and will continue to be our main source of revenue.

I would like to thank you in advance for reviewing and considering our proposal. We feel that our proposed zone change is in perfect alignment and consistent with important city concerns and future objectives. I hope that you also feel the same and hope that all the attached information in regard to our request helps you have a better understanding of why we are applying for this zone change.

Sincerely,
Steve & Kara Grant

This is a request that Lot 8, Lot 9 and the additional south seven feet and eight inches of Lot 7, and Lot 10, Block 24 of the Huning Highlands additions be considered for a Zoning change from SU-2 MR (Mixed Residential, Huning Highlands Sector Development Plan) with an Approved Conditional Use for Bed and Breakfast to SU-2/SU-1 (Special Use for Bed and Breakfast to include Special Events). The properties have been private residences for 15 years and a private business as a bed and breakfast for 11+ years. Since beginning the business in 2006, the Bed and Breakfast has had continued community and neighborhood support. The homes have been meticulously restored for the use as a bed and breakfast, and have been graciously opened and shared with the community for historic tours, private events. The neighbors have felt that the improvements to these three properties have increased the value of their properties as well as the value of the neighborhood (see attached letters of support from neighbors).

Recently, we were made aware that the properties are in need of an SU-1 Zone to continue to make the unique, historically and culturally significant properties available to host private events, such as weddings, family celebrations and business retreats. Therefore, we are requesting a rezone from SU-1 MR to SU-1/SU-2 for Bed and Breakfast to include Special Events, so that the community of Albuquerque can continue to enjoy these properties for other future special events, as well as, be available for those outside of Albuquerque to learn about the history and uniqueness of the downtown area.

Below you will find justification for this rezone as well as support of this use from the Huning Highland Sector Plan and the Comprehensive City Zoning.

SECTOR DEVELOPMENT PLAN MAP AMENDMENT

Response to Resolutions 270-1980

The following narratives will provide evidence that the proposed rezoning of properties Lot 8, Lot 9 and the additional south seven feet and eight inches of Lot 7, and Lot 10, Block 24 of the Huning Highlands additions are considered in accordance with the recently adopted City of Albuquerque Comprehensive Plan and the Huning Highland Sector Development Plan. This request is in compliance with Resolution 270-1980 as follows:

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

Applicant's Response:

The proposed zone change from SU-1 M-R to SU-1/SU-2 For Bed and Breakfast to include Special Events is consistent with the health, safety, morals, and welfare of the city, especially in the Huning Highland neighborhood. The zone change will allow for uses consistent with the visions of the local community, Albuquerque's Comprehensive Plan and the Huning Highland Sector Plan. The development will offer employment opportunities, special event opportunities, overnight lodging and the historic preservation of culturally significant properties. The site will serve the local neighborhood, as well as the visitors around the globe.

The proposed addition of Special Events to the existing Approved Conditional Use for Special Events is consistent with the **health** of the city. All events hosted on the property are subject to the already approved Environmental Health regulations in place for the Bed and Breakfast use. All outdoor events on the property will be concluded prior to 10:00 PM and will be limited to decibels determined by the noise ordinance. Parking for all events will be located off-street through a pre-arranged agreement with the Presbyterian Church. Please refer to Section C for examples of the zone change contributing to the of specific Comprehensive Plan policies.

The proposed addition of Special Events is consistent with the safety of the city. The property is fully enclosed and secured. All special events would be hosted in the private rear yard of the facility and not visible from the street. Please refer to Section C for examples of the zone change contributing to the preponderance of specific Comprehensive Plan policies.

The proposal is aligned with the **morals** of the city. The development maintains the existing neighborhood scale and will offer an event venue for private events, such as weddings and family celebrations in addition to providing overnight accommodations. In addition, this zoning proposal is a result of genuine conversations with and support from the surrounding neighbors to arrive at a zoning approach that works for everyone now, and in the future. Please refer to Section C for examples of the zone change contributing to specific Comprehensive Plan policies.

The development contributes to the **general welfare** within the community by offering employment opportunities, basic services such as overnight accommodations and hospitality services, an event venue and community access to cultural significant properties within the area. Please refer to Section C for examples of the zone change contributing to the preponderance of specific Comprehensive Plan policies.

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

Applicant's Response: The properties in question are part of the historic Huning Highland Neighborhood. This particular neighborhood was one of Albuquerque's first subdivisions platted in 1880. That being said, this is one of Albuquerque's first neighborhoods with many beautiful historic homes and a historic mixture of uses. It was in 1979 the city also recognized the importance of the history of this neighborhood by zoning it as a historic neighborhood. This protective zoning has been vital in making sure that the remaining homes and history of this area are protected. The Huning Highland Sector Development Plan recognizes Bed and Breakfast use as a means of ensuring the economic vitality of larger historic homes in the neighborhood. In addition, the City has a section in the Comprehensive Plan exclusively for Heritage Conservation which recognizes the unique contribution that historical properties offer and supports strategies to ensure their adaptive re-use.

The proposed zoning change contributes to the stability of land use and zoning within the area. The context of the development borders a mixture of residential and commercial uses in a historic neighborhood. Adjacent land uses include single and multi-family residential, motels, restaurants, and retail. The properties, in question, consists of three restored historical homes that have been utilized as a Bed and Breakfast since 2006 with prior use as apartments and boarding homes. The proposed rezoning is an expansion of the existing Approved Conditional Use for Bed and Breakfast use in order to permit for small neighborhood events, such as historic home tours and weddings and family celebrations which maintain the original character and history of these culturally significant properties. The proposed SU-2/SU-1 for Bed and Breakfast to include Special Events zone increases opportunities for community use of and access to historic structures.

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

The proposed rezoning is not in conflict with adopted elements of the Comprehensive Plan or the Huning Highlands Sector Development Plan. The subject site is located in an Area of Change. The zone change request is consistent with the Comprehensive plan intent to make Areas of Change the focus of new urban-scale development that benefit job creation and expanded housing options. As part of an Areas of Change, the requested zone change fosters additional residents, services, and jobs and can be accommodated in locations ready for new development by through the provision of compatible and supportive hospitality and event space. These uses are limited in the area and help to encourage new development in an area where economic growth is desired by providing much needed options for event venues and accommodations in the downtown area. The following section demonstrates how the proposed zone change clearly facilitates applicable goals and policies from the 2017 Comprehensive Plan and the Huning Highland Sector Development plan.

HERITAGE CONSERVATION

Goal 11.2 Historic Assets

Preserve and enhance significant historic districts and buildings to reflect our past as we move into the future and to strengthen our sense of identity.

Policy 11.2.2

Historic Registration: Promote the preservation of historic buildings and districts determined to be of significant local, State, and /or National historical interest.

- 1. Preserve and maintain historically significant buildings and spaces.***
- 2. Recognize historic buildings and districts as vital elements of the community.***
- 3. Encourage the adaptive reuse of historic structures as a strategy to preserve character and encourage reinvestment.***

Applicant Response: The properties in question are considered to be significant (201 and 207 High Street) and contributing (209 High Street) properties in the Huning Highland Historic Overlay District and are Registered Cultural Properties of the State of New Mexico. Due to the nature of being a historic neighborhood and a Registered Cultural Property, opportunities to preserve and enhance this historic district are very important. However, preserving the historical character of older buildings and move into the future is a something that is at times very difficult to balance.

The properties in question are a beautiful statement of the history of this area from the early 1900's. One house was built between 1906 and 1912. Another, referred to as the "Spy House," is the location where David Greenglass sold atomic bomb drawings to the Russians in 1945 and eventually lead to the demise of Ethel and Julius Rosenberg. The "Spy House" has been featured many times in the newspaper as well as several book publications. The other properties served as boarding houses during the depression and have interesting history behind them as well. This rich history has drawn many visitors to these houses. Small tours, including out of state, school and historic groups, have visited the properties to share the history. The SU-1 rezone supports the preservation and enhancement of historic districts and buildings by permitting families and small groups of visitors to use the facilities for cultural events and activities. By allowing Special Event Uses on the property, community members and visitors have a greater opportunity to share and participate in an understanding of the area history and identity.

LAND USE

Goal 5.2 Complete Communities

Foster communities where residents can live, work, learn, shop and play together.

POLICY 5.2.1

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

1. a) Encourage development and redevelopment that brings goods, services, and amenities within walking and biking distance of neighborhoods and promotes good access for all residents. [ABC]
2. b) Encourage development that offers choice in transportation, work areas, and lifestyles. [ABC]
3. c) Maintain the characteristics of distinct communities through zoning and design standards that are consistent with long- established residential development patterns. [ABC]
4. d) Encourage development that broadens housing options to meet a range of incomes and lifestyles. [ABC]
5. e) Create healthy, sustainable communities with a mix of uses that are conveniently accessible from surrounding neighborhoods. [ABC]

Policy 5.5.5

Developing and established Urban Areas: Create a quality urban environment that perpetuates the tradition of identifiable, individual, compact, but integrated area and

that offers variety and maximum choice in housing, transportation, work areas, and lifestyles, while creating a visually pleasing built environment.

Applicant Response: The request for the zone change to accommodate Special Events to the existing Bed and Breakfast use supports the Complete Communities goal of creating a healthy community with a mix of uses for the surrounding neighborhood. The proposed use provides an event venue within the community and enables access for neighbors and visitors to experience a culturally and historically significant property. The Special Event use contributes to the distinction of the community and provides a unique opportunity to share in history of the area. These uses contribute to a quality urban environment that is identifiable and provides choice in housing, transportation, work areas and lifestyles.

ECONOMIC DEVELOPMENT

Policy 8.1.1

Diverse Places: Foster a range of interesting places and contexts with different development intensities, densities, uses, and building scale to encourage economic development opportunities.

Policy 8.1.4

Leverage Assets: Enhance and market the region's unique characteristics internally and to outside businesses and individuals in order to compete with other regions.

a. Encourage development that leverages the history and character of special places, such as Route 66 and Old Town.

Policy 8.2.1

Local Business: Emphasize local business development.

Applicant Response: The proposed SU-1/SU-2 for Bed and Breakfast to include Special Events zone change will support “fostering a range of interesting places” and “encourage economic development.” Special Event and Bed and Breakfast use will help the city by attracting more people to the Huning Highland area as a unique, historic and beautiful place stay overnight or to host personal events for either family, corporate or business retreats. The properties currently attract families, business or out of town guests who come to stay and enjoy the downtown area and local character. The requested zone change will foster a range of interesting places by enabling a small scale and culturally significant private event venue that will support a range of economic development opportunities.

Located on properties a block from Historic Route 66 and within the Huning Highland Historic District, the proposed zone change to SU-1/SU-2 for Bed and Breakfast to include Special Events encourages development that leverages the history and character of special places. The contribution the Spy House has had to national history and the adjacent buildings to the character of the historic district can further be leveraged beyond overnight accommodations through the addition of Special Events to further contribute to

the redevelopment and reinvestment of the neighborhood. The addition of this use enables the accommodation of requests from outside businesses for receptions and group gatherings on the property, creating a unique group and meeting space competitive with historical venues in other regions.

In addition, the addition of Special Events to the existing Approved Conditional Use for Bed and Breakfast will allow more opportunities for private businesses to grow. The bed and breakfast currently partners with restaurants and business in the neighborhood to provide services and goods for guests. The addition of a Special Event use will allow for additional collaborations with and demand for local businesses to provide event related services and support.

HUNING HIGHLAND SECTOR PLAN

GOAL

“The goal of the Huning Highland Sector Plan is the continued development of Huning Highlands into a viable residential and commercial area, building on its unique historic character and location.”

Objectives

To protect and enhance the unique residential character of the area.

To encourage and support local employment and local business development.

Applicant Response: The zone change to SU-2/SU-1 for Bed and Breakfast to include Special Events specifically protects and enhances the unique residential character of the area by leveraging three historical properties for local employment and business development and builds upon an existing local business to meet local demands for a special event venue. In addition, the zone change to SU-2/SU-1 for Bed and Breakfast to include Special Events is consistent with the Huning Highland Sector Development Plan which identifies Bed and Breakfast uses as vital opportunities to support larger historic homes. The properties currently comply with each of the following specific sector development plan requirements regarding a Bed and Breakfast establishment in a MR designated zone:

- a. The owner is a permanent resident.
- b. There is one off-street parking space per rentable unity plus one space for the resident owner and each staff person.
- c. One guest room unit may be provided for the first 1000 square feet of heated floor area in the major structure; there may be up to five guest rooms per premises.
- d. Except for a sign as permitted in the zone, no change shall be made to the exterior appearance of the building which would indicate that a Bed & Breakfast is located in the building.
- e. A Site Development Plan showing parking entrances and exits and signage shall be approved by the Zoning Hearing Examiner.

The SU-1/SU-2 for Bed and Breakfast to include Special Events clearly facilitates the applicable goals and policies of the 2017 Comprehensive Plan and the Huning Highland Sector Development Plan through the expansion of a local, small business and other nearby businesses, and contributes to redevelopment of an area with a use that is sensitive to neighborhood needs and the overall character of the historic district.

The Special Events addition to the existing Approved Conditional Use for Bed and Breakfast recognizes the vital role these properties play to the historic character of the neighborhood by providing an opportunity to leverage a historical asset for community reinvestment and allows the community and visitors additional opportunities to experience the historic past of Albuquerque long into the future.

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

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

Applicant's Response: The existing zoning is inappropriate because a different category is more advantageous to the community, and is indicated by the Comprehensive Plan and the Huning Highland Sector Development Plan. The properties are situated in the middle of an established urban area, on a block with a mix of MR (Mixed Residential), RO (Residential/Office) and SU-1 for Bank Drive-thru uses and the properties directly across Copper Avenue are designated CRZ (Community Residential) in the EDo Sector Development Plan. The area is indicated in both the City Comprehensive and Sector Development plans as having very diverse uses. The proposed zone change to accommodate special events on the property expands upon the existing Bed and Breakfast use to leverage the unique cultural and historical attributes of the properties, meets community demands for a small intimate event venue within close proximity to downtown and is in keeping with the Comprehensive plan goal for the area of creating a very diverse community of mixed uses.

The proposed zone change to SU-1/SU-2 Bed and Breakfast to include Special Events would be more advantageous to the community by providing an additional opportunity to encourage the mixed use and diversity of the area by combining the uniqueness of a neighborhood with a business compatible with the long established development pattern of the neighborhood. The proposed zoning will provide redevelopment that brings hospitality services and an event venue within walking distance of residential neighborhoods and downtown commercial, hospital and business uses. The properties in question are within a one block walking distance of the new ART stop at Walter Avenue, promoting choice in transportation, work areas and lifestyles. It maintains the characteristics of the unique historic Huning Highland neighborhood by engaging in a Bed and Breakfast use, which is noted in the Huning Highland Sector Development Plan as "viable re-use for larger historic homes in residential areas." All of the above Land

Use Policies from the City Comprehensive Plan and the Sector Development Plan are support for why a different zone category is more advantageous to the community.

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

Applicant Response: The proposed request for a zone change to SU-2/SU-1 for Bed and Breakfast to include Special Events would not be harmful to adjacent property, the neighborhood or the community. Instead, the proposed zoning expands on the existing zoning with uses that are not only compatible, but also ensure the economic vitality of an historic property in a neighborhood with economic instability in a manner that is not only compatible with adjacent land uses, but also supports the preservation of historically and culturally significant properties. The zoning proposed in this application is reflective of the land use, scale, and character of those on the immediately adjacent properties.

The properties are currently zoned SU-2/MR with an Approved Conditional Use for Bed and Breakfast. The requested zone change for SU-2/SU-1 for Bed and Breakfast to include Special Events requests a additional use of private events on the properties for up to 50 people. This will not affect the parking of the neighbors around the property because an agreement is in place with the Presbyterian Church on Elm and Copper to share the large parking lot with the bed and breakfast for any and all additional parking needs that any events or guests may have. This parking lot is owned by the church and used as their overflow parking lot. In addition, all events will respect the needs of neighboring properties by limiting outdoor activities to the hours of 7 a.m. to 10 p.m. (These terms will be incorporated into all signed agreements made between the owners and persons wanting to host an event prior to any event).

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

1. Denied due to lack of capital funds, or
2. Granted with the implicit understanding that the City is not bound to provide the capital improvements on any special schedule.

Applicant's Response: Rezoning the properties in question would not require any major and unprogrammed capital expenditures by the City. The City is not bound to provide the capital improvements on any special schedule. All improvements or changes that may occur due to this rezone of SU-1 would be on the owners of the property.

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

Applicant's Response: The determining factor for the use change is not the cost of land or other economic considerations. The main motivation for the zone change is to provide

a venue in the community for small-scale special events and family celebrations, a use which is compatible with the existing Approved Conditional Use, the adjacent uses in the neighborhood and the character of the historic district.

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

Applicant's Response: The properties for proposed rezone are not located on a collector or major street.

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

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

Applicant's Response: The request for a zone change from SU-1 MR with an Approved Conditional Use for a Bed and Breakfast to a SU-1/SU-2 for Bed and Breakfast to include Special Events will be made to three adjacent parcels and will clearly facilitate the realization of the Comprehensive Plan and the Huning Highland Sector plan as follows:

The three historic properties in question are currently in an MR zone with an Approved Conditional Use for Bed and Breakfast on a block with a mixture of zones and land uses, including Mixed Residential, Residential Office and SU-1 for Drive-up Bank. Properties across the street are zoned for Commercial Residential Uses, Mixed Residential and SU-1 for Hospital Uses. This mixture of uses is consistent with the Huning Highland Sector Plan goal of a viable residential and commercial area. The request for SU-1/SU-2 for Bed and Breakfast to include Special Events maintains the existing Approved Conditional use while enable a space for community events and meetings during specified hours. This use furthers the goal of a viable residential and commercial area and leverages the unique historic character of these properties and the Huning Highland Neighborhood.

The SU-1 rezone to allow the addition of Special Event uses supports the Comprehensive policy of using the property for a wide variety of uses which are accessible from surrounding neighborhoods, adjacent business community and within one block of the new ART station. The properties provide a visually pleasing environment for guests as well as neighbors to enjoy the historic character of early Albuquerque. All uses on the property comply with all city ordinances in regard to noise, lighting and pollution. All guests on the property are informed of a strict noise policy of 10 pm. A shared parking

FIRST PRESBYTERIAN CHURCH- Albuquerque, New Mexico

LEASE

This LEASE, dated October 19, 2017, between **THE FIRST PRESBYTERIAN CHURCH (U.S.A.) OF ALBUQUERQUE, NM**, a New Mexico non-profit corporation ("Landlord") having an office at 215 Locust Avenue, N.E., Albuquerque, New Mexico 87102, and **DOWNTOWN HISTORIC BED AND BREAKFAST**, (Heritage House, LLC) located at 207 and 209 High Street NE, Albuquerque, NM 87102 ("Tenant").

WITNESSETH:

WHEREAS, Tenant and Landlord wish to enter into a lease for parking space in the area indicated by Exhibit A.

NOW, THEREFORE, Landlord and Tenant, in consideration of the foregoing premises and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby agree as follows:

1, Terms of Lease.

Landlord and Tenant agree that this Lease, effective as of October 19, 2017:

a. Initial Term: The term of this Lease shall commence on October 19, 2017 (the "Effective Date"), and shall continue until December 31, 2023, (the "Initial Term").

b. Possession and Use:

The Lessee may use the premises only for parking lot purposes without prior approval from Lessor and conform with applicable laws. Parking will not be permitted in adjacent church parking areas. During Easter, Christmas Eve and Christmas church services, when the church parking lot (s) is or are full, the Lessor may use unoccupied parking places on the leased premises at the sole risk of the Lessor. For other religious days or holidays, Lessor will request approval from the Lessee. Appropriate provisions will be made for this parking in any sublease agreement

c. Rent: Lessor agrees to grant the use for the said premises at no charge.

2. Merger; No Oral.

All negotiations, considerations, representations and understandings between the parties with respect to the Lease are incorporated herein. This lease may not be amended, modified, or otherwise changed without the mutual agreement in writing of the parties hereto.

3. Duplicate Originals; Counterparts.

This Lease may be executed in any number of duplicate originals and each duplicate original shall be deemed to be an original. This Lease may be executed in several counterparts, each of which counterparts shall be deemed an original instrument.

4. Liability for Use of Premises:

Whereby not otherwise specifically excepted in this lease, Lessee covenants and agrees that Lessor shall be free from liability and claim for damages by reason of any injury to any person or persons, including Lessee, or property of any kind whatsoever, and to whomsoever belonging, including Lessee's, from cause or causes whatsoever while in, upon or in any way connected with the premises during the term of this Lease or any extension thereof, or any occupancy hereunder. Lessee hereby covenants and agrees to indemnify and save harmless Lessor from all liability, loss, costs and obligations on account or arising out of any such injuries or losses, however occurring. Lessor agrees that Lessee shall have the right to contest the validity or any and all such claims and defend, settle and compromise any and all such claims of any kind or character and by whomsoever claimed, in the name of Lessor, as Lessee may deem necessary, provided: however, that the expenses thereof shall be paid by Lessee.

5. Insurance:

Lessee agrees that during the term of this Lease or any extension or renewal hereof, there will be maintained in force an Insurance Policy Rider listing the Lessor as "additionally Insured" which will name Lessor and Lessee or any Assignee or Sub-lessee of Lessee as insured against all liability resulting from injury occurring to persons or property in or about the premises, the liability under such insurance to be not less than \$300,000.00 for anyone person injured, \$500,000.00 for anyone accident, and \$100,000.00 for property damage.

6. Condemnation:

If, during the term of this Lease, the entire premises shall be taken as a result of the exercise of the power of eminent domain, this Lease shall terminate and both the Lessor and Lessee shall appear or intervene in the judicial proceedings in which such power is asserted and award shall be apportioned between Lessor and Lessee as the Court shall determine. In the event of a partial taking, rent shall be abated in proportion to the Lessee's loss of beneficial use as a result of such taking, or in the opinion of Lessee such taking shall materially intervene with the peaceful or profitable occupation of the demised premises, the Lessee may, at its option, wholly terminate this Lease by giving notice to Lessor of its intention to do so.

7. Easement and Dedication for Utilities and Streets:

Lessor agrees, at the request of Lessee, to grant such easements as may be necessary to enable the premises to be adequately served by gas, electricity, water, sewer and telephone utilities, and to dedicate public use such proportions of the premises as may be required by any government authority for streets, alleys, parkways or other use.

8. Lessor's Access to Premises:

Lessor, or their agent or nominee, shall at all reasonable times have access to the premises for the purpose of examining or inspecting the condition thereof, to exhibit the premises to prospective purchasers, to determine if Lessee is performing the covenants and agreements of this Lease, and to post such reasonable notices as Lessor may desire protect the rights of Lessor.

It is further agreed that the lease terms are for Monday through Saturday and that Lessor shall have right to use on Sundays and Religious Holidays.

9. Title Evidence:

Lessor hereby warrants that they hold good and merchantable title to the premises, free and clear of all easements, conditions, restrictions, liens and encumbrances.

10. Default of Lessee and Remedies of Lessor:

If anyone of the following events (herein called "events of default") shall occur:

- A. Lessee shall neglect or fail to pay any installment of the rent herein reserved at the time and in the manner herein provided;
- B. Lessee shall breach or become in default under any provision, covenant or condition of this Lease;
- C. Lessee shall file a voluntary petition in bankruptcy or shall be adjudicated a bankrupt or insolvent, or shall file any petition or answer seeking any reorganization, arrangement, composition, readjustment, liquidation, dissolution or similar relief under the present or future federal bankruptcy act or any other present or future applicable federal state or other statute or law, or shall seek or consent to or acquiesce in the appointment of any trustee, receiver or liquidator of Lessee or of all or any substantial part of its properties or of all or any substantial part of its properties or of the premises;

11. Option to Extend Term and Increase Rental:

The term of this Lease may be extended, at the option of the Lessee. Lessee shall notify Lessor in writing of its intention to extend the term of the Lease, such notification to be in the hands of Lessor at lease ninety (90) days prior to the expiration of the original term, or any succeeding agreed upon term. Failure to notify the Lessor as prescribed hereinabove shall cause the Lease to become null and void at the end of the then leased term, or the extended term, and the Lessee shall have no further rights thereunder. Any option period which is exercised shall be subject to the terms and conditions contained in this Lease except the monthly rental.

12. Effectiveness.

This Lease shall become effective only upon execution and delivery thereof by Landlord and Tenant.

13. Exhibit A.

The premises shall include:

The following parcel which shall be used primarily by the Lessee:

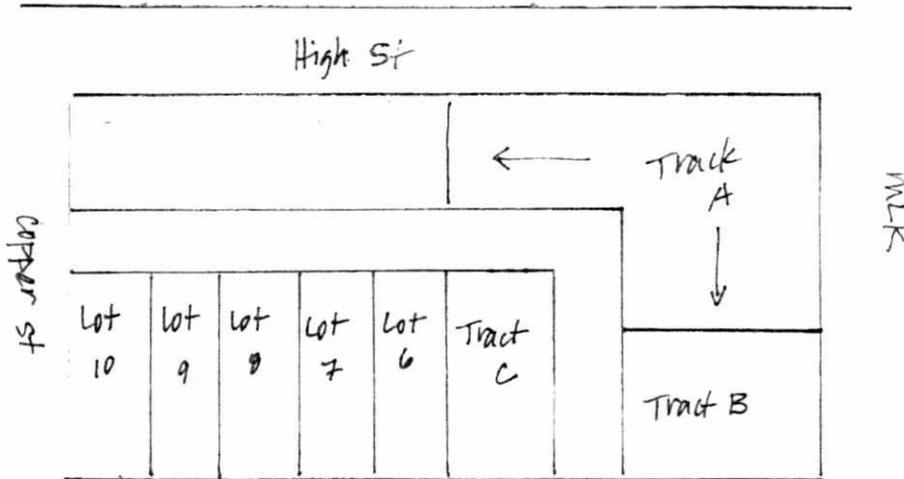
TR C OF PLAT SHOWING TRS A, B, & C
BLK 45 HUNING HIGHLAND ADDN
CONT 10,603 SQ FT +/-

and

LOT NUMBERED 6
BLK 45 HUNING HIGHLAND ADDN

And the following parcels which shall be used primarily by the Lessor:

LOTS NUMBERED 7, 8, 9 AND 10
BLK 45 HUNING HIGHLAND ADDN



(drawing not to scale)

PRE-APPLICATION REVIEW TEAM (PRT) MEETING

PA# 17-103 Date: 8.1.2017 Time: 1:00 PM

Address: 201, 201, 209 HIGH STREET NE

1. AGENCY REPRESENTATIVES PRESENT AT MEETING

Planning: Kym Dicome Other: _____
Code Enforcement: Ben McIntosh Other: VINCE MONTANO
Fire Marshall: Antonio Chinchilla Eric Gonzales
Transportation: MAURA AUMAWI

2. TYPE OF APPLICATION ANTICIPATED / APPROVAL AUTHORITY

- Zone Map Amendment EPC Approval City Council Approval
- Sector Dev. Plan Amendment EPC Approval City Council Approval
- Site Dev. Plan for Subdivision EPC Approval DRB Approval Admin Approval
- Site Dev. Plan for Bldg. Permit EPC Approval DRB Approval Admin Approval
- Other _____

3. SUMMARY OF PRT DISCUSSION:

Current Zoning: SU. 2 MP
Proposed Use/Zone: SU. 2/SU. 1 FOR BED + BREAKFAST AND SPECIAL EVENTS?
Applicable Plans: _____
Applicable Design Regulations: _____
Previously approved site plans/project #s: _____
Requirements for application: (R-270-1980, Notification, as-built drawings, TIS, Check Lists, Other) _____

Handouts Given:

- Zone Map Amendment Process R-270-1980 AA Process EPC Schedule

Additional Notes:

EXISTING B + B WHICH CARRIES OUT SPECIAL EVENTS WHICH IS A VIOLATION OF THE EXISTING ZONING.

WILL REQUIRE A ZONE CHANGE TO SU. 1 FOR B+B AND EVENT CENTER.

MUST USE THE GOALS + POLICIES OF NEW COMP PLAN TO JUSTIFY THE REQUEST. 270. 1980.

*****Please Note:** PRT DISCUSSIONS ARE FOR INFORMATIONAL PURPOSES ONLY: THEY ARE NON-BINDING AND DO NOT CONSTITUTE ANY KIND OF APPROVAL. Statements regarding Zoning are not Certificates of Zoning. **Additional research may be necessary to determine the exact type of application and/or process needed. It is possible that factors unknown at this time and/or thought of as minor could become significant as the case progresses.**

JUSTIFICATION: ZONE CHANGE. = ^{SPECIAL} EVENTS + BED + BREAKFAST.
EPC → 6 WEEKS. 2 THURSDAY.
SUBMITAL.

- HANDOUT. SUMMARY OF LAND USE PROCEDURES.
- MAY BE RESTRICTIONS SUCH AS # PEOPLE/# EVENTS.
- CASE TRACKING #s. - PULL FEES.
- USE 2017 COMP PLAN
- P. 270. 1980 → TEST FOR ZONE CHANGE.
- APPEAL - AFTER 15 DAYS OF EPC
- GET NA SUPPORT. SUBMIT W/ APPLICATION.
 - P. 270. 1980
 - ZONE MAP AMENDMENT
 - APPLICATION PACKET (WEBSITE)

POSSIBLE ISSUES: > TRAFFIC, PARKING + ALCOHOL SALES

NOTIFICATION &
NEIGHBORHOOD INFORMATION

From: Downtown Historic B&B info@bbabq.com 
Subject: Re: Notification Inquiry_207 High St. NE_EPC
Date: October 12, 2017 at 1:01 PM
To: Carmona, Dalaina L. dcarmona@cabq.gov



Hey Dalaina, thanks again for sending that info below.
 Now I have another question. As per the zoning application I'm doing one the items says the following:

“Office of Neighborhood Coordination (ONC) inquiry response from, notification letters, certified mail receipts”

Is what you sent me via this email the actual inquiry response from OR is there something else I need to do?

Is there a certain notification form letter I need to be using or simply write my own letter and keep copy for application?

Thanks.....S

Steve & Kara Grant

Downtown Historic Bed & Breakfast

505-842-0223 | 505-238-9881 (Kara) 505-238-0308(Steve) |
info@bbabq.com | <http://www.downtownhistoric.com/> |
 201 High St. NE / Albuquerque, NM 87102



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On Oct 11, 2017, at 4:50 PM, Carmona, Dalaina L. <dcarmona@cabq.gov> wrote:

Steve,

Good morning. See list of affected associations and coalitions below and attached related to your upcoming EPC submittal. Please also review the attached instructions sheet as we have added some updated information. Thank you.

Association Name	First Name	Last Name	Email	Address Line 1	City	State	Zip	Mobile Phone	Phone
Broadway Central Corridors Partnership Incorporated	Jim	Maddox	jim@maddoxrealtors.com	515 Central Avenue NE	Albuquerque	NM	87102	5052594656	5057640400
Broadway Central Corridors Partnership Incorporated	Rob	Dickson	rob@abqhigh.com	PO Box 302	Albuquerque	NM	87103	5055155066	
Huning Highland Historic District Association	Bonnie	Anderson		522 Edith SE	Albuquerque	NM	87102		
Huning Highland Historic District Association	Ann	Carson		416 Walter SE	Albuquerque	NM	87102		

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

dicarmona@cabq.gov or UNC@cabq.gov
www.cabq.gov/neighborhoods
<image001.gif><image002.png><image003.png>

From: webmaster=cabq.gov@mailgun.org [mailto:webmaster=cabq.gov@mailgun.org] On Behalf Of webmaster@cabq.gov
Sent: Wednesday, October 11, 2017 3:27 PM
To: Office of Neighborhood Coordination <onc@cabq.gov>
Subject: Notification Inquiry Sheet Submission

Notification Inquiry For:

Environmental Planning Commission Submittal

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

Contact Name

Steve Grant

Company Name

Address

207 J High St, NE

City

Albuquerque

State

NM

ZIP

87102

Telephone Number

505-258-0308

Email Address

skgrants@gmail.com

Anticipated Date of Public Hearing (if applicable):

12.14.2017

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

Block 24.1 of 9

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

207 High St, NE, Albuquerque, NM 87102

This site is located on the following Zone atlas page:

k-14

<INSTRUCTION SHEET FOR APPLICANTS.PDF><Notification Inquiry 207 High St. NE EPC.xls>

**Steve & Kara Grant - "Downtown Historic Bed & Breakfast"
207 High St. NE - Albuquerque, NM 87102**

**Rob Dickson
Broadway Central Corridors Partnership Inc.
P.O. Box 302 - Albuquerque, NM 87103**

**Re: 207-209 High St. NE (NW Corner of High & Copper NE)
Block:24 Unit:8/9 Zone Atlas: K-14
Huning Highland Neighborhood
Public EPC Hearing Date/Time: Dec. 14th, 2017 @ 8:30AM
Location: 600 2nd St. NW - Basement Hearing Room - ABQ. NM 87102**

Hello Rob, I do hope this letter finds you doing very well. The reason for me reaching out to you is to simply let you and others know that since running a very successful bed and breakfast over the last 11 years it's now time make apply for a new zone change. We are currently approved for SU2/MR, which has worked so far. However it's come to our attention that becoming approved for SU1 makes more sense for our business model. The reason for the proposed request change is to allow us to become officially a place for the occasional small outdoor/indoor event throughout each year. As you already know we run a great little B&B business, in-fact thousands of guests have come to enjoy who we are, see our great city and this has been reflected in the wonderful positive online reviews. This in-turn only brings positive exposure to our wonderful neighborhood community, a true win-win. Hoping this all makes perfect sense, but please reach out to us directly if you have any concerns, questions, etc. Lastly Kara and I would really appreciate it if you save the date and be available for the hearing, this will only help EPC Board make the right decision.

Affected Neighborhood Associations and Homeowner Associations may request a Facilitated Meeting regarding this project by contacting the Alternative Dispute Resolution (ADR) Program by email at striplett@cabq.gov, by phone at (505) 768-4712 or (505) 768-4660. A facilitated meeting request must be received by ADR by: Nov. 13th, 2017

Sincerely, Steven Grant - 505-238-0308

10.13.2017



**Steve & Kara Grant - "Downtown Historic Bed & Breakfast"
207 High St. NE - Albuquerque, NM 87102**

Jim Maddox

**Broadway Central Corridors Partnership Inc.
515 Central Ave. NE - Albuquerque, NM 87102**

**Re: 207-209 High St. NE (NW Corner of High & Copper NE)
Block:24 Unit:8/9 Zone Atlas: K-14
Huning Highland Neighborhood
Public EPC Hearing Date/Time: Dec. 14th, 2017 @ 8:30AM
Location: 600 2nd St. NW - Basement Hearing Room - ABQ. NM 87102**

Hello Jim, I do hope this letter finds you doing very well. The reason for me reaching out to you is to simply let you and others know that since running a very successful bed and breakfast over the last 11 years it's now time make apply for a new zone change. We are currently approved for SU2/MR, which has worked so far. However it's come to our attention that becoming approved for SU1 makes more sense for our business model. The reason for the proposed request change is to allow us to become officially a place for the occasional small outdoor/indoor event throughout each year. As you already know we run a great little B&B business, in-fact thousands of guests have come to enjoy who we are, see our great city and this has been reflected in the wonderful positive online reviews. This in-turn only brings positive exposure to our wonderful neighborhood community, a true win-win. Hoping this all makes perfect sense, but please reach out to us directly if you have any concerns, questions, etc. Lastly Kara and I would really appreciate it if you save the date and be available for the hearing, this will only help EPC Board make the right decision.

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Sincerely, Steven Grant - 505-238-0308

10.13.2017



**Steve & Kara Grant - "Downtown Historic Bed & Breakfast"
207 High St. NE - Albuquerque, NM 87102**

**Bonnie Anderson
Huning Highland Historic District Assoc.
522 Edith SE - Albuquerque, NM 87102**

**Re: 207-209 High St. NE (NW Corner of High & Copper NE)
Block:24 Unit:8/9 Zone Atlas: K-14
Huning Highland Neighborhood
Public EPC Hearing Date/Time: Dec. 14th, 2017 @ 8:30AM
Location: 600 2nd St. NW - Basement Hearing Room - ABQ. NM 87102**

Hello Bonnie, I do hope this letter finds you doing very well. The reason for me reaching out to you is to simply let you and others know that since running a very successful bed and breakfast over the last 11 years it's now time make apply for a new zone change. We are currently approved for SU2/MR, which has worked so far. However it's come to our attention that becoming approved for SU1 makes more sense for our business model. The reason for the proposed request change is to allow us to become officially a place for the occasional small outdoor/indoor event throughout each year. As you already know we run a great little B&B business, in-fact thousands of guests have come to enjoy who we are, see our great city and this has been reflected in the wonderful positive online reviews. This in-turn only brings positive exposure to our wonderful neighborhood community, a true win-win. Hoping this all makes perfect sense, but please reach out to us directly if you have any concerns, questions, etc. Lastly Kara and I would really appreciate it if you save the date and be available for the hearing, this will only help EPC Board make the right decision.

Affected Neighborhood Associations and Homeowner Associations may request a Facilitated Meeting regarding this project by contacting the Alternative Dispute Resolution (ADR) Program by email at striplett@cabq.gov, by phone at (505) 768-4712 or (505) 768-4660. A facilitated meeting request must be received by ADR by: Nov. 13th, 2017

Sincerely, Steven Grant - 505-238-0308

10.13.2017



**Steve & Kara Grant - "Downtown Historic Bed & Breakfast"
207 High St. NE - Albuquerque, NM 87102**

**Ann Carson
Huning Highland Historic District Assoc.
416 Walter SE - Albuquerque, NM 87102**

**Re: 207-209 High St. NE (NW Corner of High & Copper NE)
Block:24 Unit:8/9 Zone Atlas: K-14
Huning Highland Neighborhood
Public EPC Hearing Date/Time: Dec. 14th, 2017 @ 8:30AM
Location: 600 2nd St. NW - Basement Hearing Room - ABQ. NM 87102**

Hello Ann, I do hope this letter finds you doing very well. The reason for me reaching out to you is to simply let you and others know that since running a very successful bed and breakfast over the last 11 years it's now time make apply for a new zone change. We are currently approved for SU2/MR, which has worked so far. However it's come to our attention that becoming approved for SU1 makes more sense for our business model. The reason for the proposed request change is to allow us to become officially a place for the occasional small outdoor/indoor event throughout each year. As you already know we run a great little B&B business, in-fact thousands of guests have come to enjoy who we are, see our great city and this has been reflected in the wonderful positive online reviews. This in-turn only brings positive exposure to our wonderful neighborhood community, a true win-win. Hoping this all makes perfect sense, but please reach out to us directly if you have any concerns, questions, etc. Lastly Kara and I would really appreciate it if you save the date and be available for the hearing, this will only help EPC Board make the right decision.

Affected Neighborhood Associations and Homeowner Associations may request a Facilitated Meeting regarding this project by contacting the Alternative Dispute Resolution (ADR) Program by email at striplett@cabq.gov, by phone at (505) 768-4712 or (505) 768-4660. A facilitated meeting request must be received by ADR by: Nov. 13th, 2017

Sincerely, Steven Grant - 505-238-0308

10.13.2017



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<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	\$0.49
Total Postage and Fees	\$6.59

Postmark Here: **OCT 13 2017**

Sent To: **BONNIE ANDERSON**
Street and Apt. No., or PO Box No.: **522 EDITH SE**
City, State, ZIP+4®: **ABQ, NM 87102**

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<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.49
Total Postage and Fees	\$6.59

Postmark Here: **OCT 13 2017**

Sent To: **JIM MADDOX**
Street and Apt. No., or PO Box No.: **515 CENTRAL AVE NE**
City, State, ZIP+4®: **ABQ, NM 87102**

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<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.49
Total Postage and Fees	\$6.59

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Sent To: **CARSON**
Street and Apt. No., or PO Box No.: **416 WALTER ST. SE**
City, State, ZIP+4®: **ABQ, NM 87102**

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<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
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<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.49
Total Postage and Fees	\$6.59

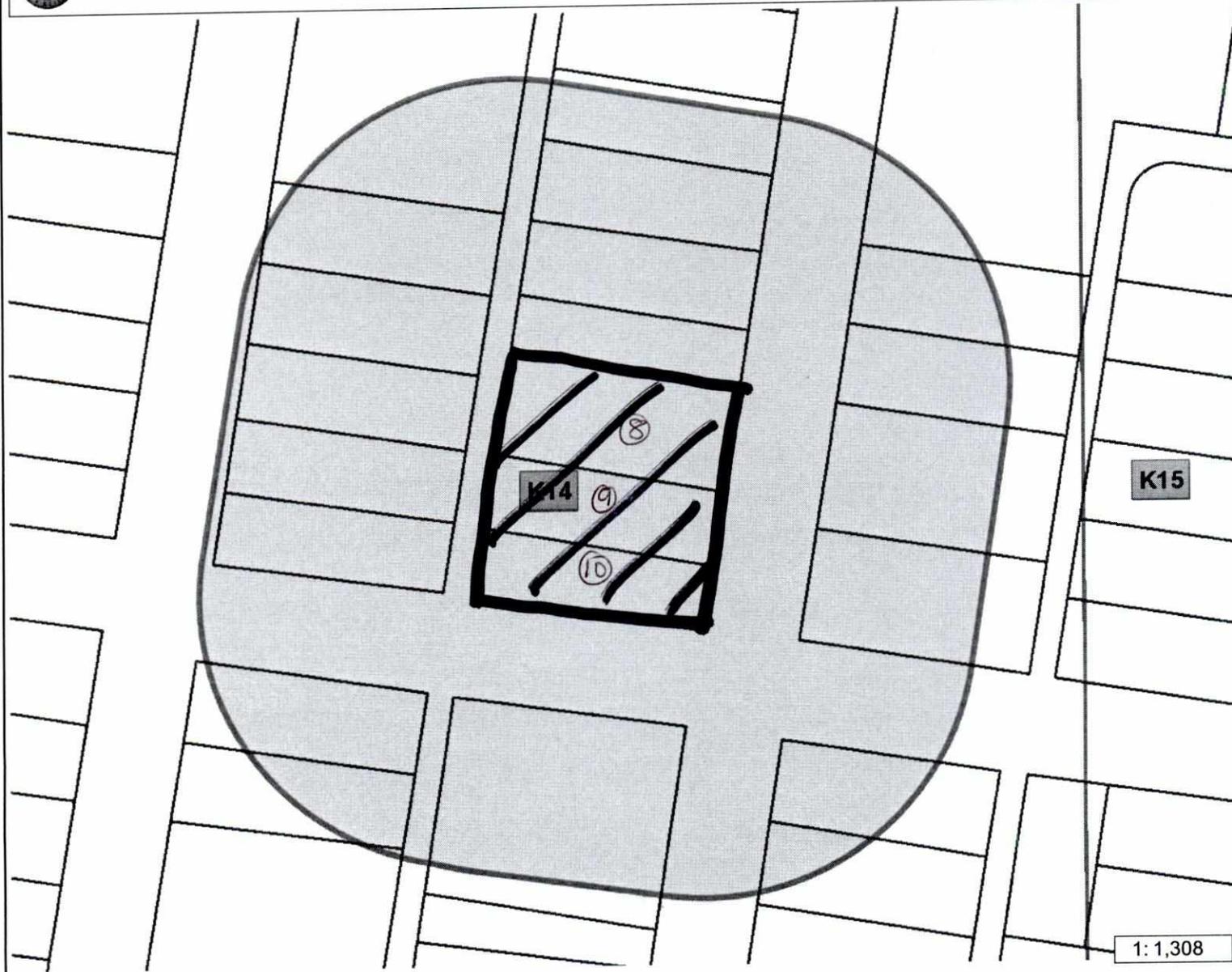
Postmark Here: **OCT 13 2017**

Sent To: **ROB DICKSON**
Street and Apt. No., or PO Box No.: **P.O. Box 302**
City, State, ZIP+4®: **ABQ NM 87103**

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201, 207, 209 High St.



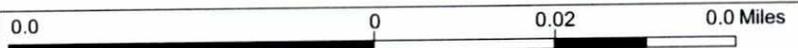
Legend

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

Subject site
 Lot #

Notes

Buffer: 165ft.
 ROW: 65ft.



WGS_1984_Web_Mercator_Auxiliary_Sphere
 11/16/2017 © City of Albuquerque

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

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Renovation based on all 3 lots

renotification - 2 additional property owners

TUCKER LARRY
210 WALTER ST NE
ALBUQUERQUE NM 87102-3504

WILSON JASON M
711 ARNO ST SE
ALBUQUERQUE NM 87102

HILGENDORF ROBERT & LING TONG
1824 CAMINO CORRALES
SANTA FE NM 87505-7503

TOWN CENTER LAND LLC
202 CENTRAL AVE SE
ALBUQUERQUE NM 87102

VTR LOVELACE MC & REHAB LLC
353 N CLARK ST SUITE 3300
CHICAGO IL 60654

KING GLENN AARON
214 WALTER ST NE
ALBUQUERQUE NM 87102-3504

COE THOMAS E & ALLISON
116 WALTER NE
ALBUQUERQUE NM 87102

PERINA ANSON & BEVERLY A
521 N TAFT HILL RD
FORT COLLINS CO 80521-1536

WADE RICHARD C
218 WALTER ST NE
ALBUQUERQUE NM 87102-3504

HMCH LLC
11641 WOODMAR LN NE
ALBUQUERQUE NM 87111-6518

CHFG ALBUQUERQUE LLC
101 LA RUE FRANCE RD SUITE 100
LAFAYETTE LA 70508-3138

GRIEGO EVA TRUSTEE EVA GRIEGO
FAMILY TRUST
215 HIGH ST NE
ALBUQUERQUE NM 87102-3624

BRYANT RICHARD & PATRICIA L
202 HIGH ST NE
ALBUQUERQUE NM 87102-3625

GRANT STEVEN A & KARA J
207 HIGH ST NE
ALBUQUERQUE NM 87102

GRANT STEVE & KARA
209 HIGH ST NE
ALBUQUERQUE NM 87102-3624

BEILUE SAM
204 WALTER ST NE
ALBUQUERQUE NM 87102-3504

PINKU INC
701 CENTRAL AVE NE
ALBUQUERQUE NM 87102-3603

HILGENDORF ROBERT N
310 MCKENZIE ST
SANTA FE NM 87501

MADDALEN INEZ TRUSTEE MADDALEN
RVT
121 HIGH ST NE
ALBUQUERQUE NM 87102-3623

CHARNAS SUZY MCKEE
212 HIGH ST NE
ALBUQUERQUE NM 87120-3625

GRANT STEVEN & KARA
201 HIGH ST NE
ALBUQUERQUE NM 87102-3624

PINKU INC
701 CENTRAL AVE NE
ALBUQUERQUE NM 87102-3603

DELGADO FERNANDO & DAY CHARLES
DAVID
200 WALTER ST NE
ALBUQUERQUE NM 87102

ONDICH STEPHEN A & HEIDI A
PO BOX K
ALBUQUERQUE NM 87103

○ new parties required to be notified.

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<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	01/12/2018
<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	\$0.49	
Total Postage and Fees	\$6.59	

Sent To **TOWN CENTER LAND, LLC**
 Street and Apt. No., or PO Box No. **202 CENTRAL AVE SE**
 City, State, ZIP+4® **ALBUQUERQUE, NM 87102**

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

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LAFAYETTE, LA 70508

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Extra Services & Fees (check box, add fee as appropriate)	\$2.75	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	01/12/2018
<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	\$0.49	
Total Postage and Fees	\$6.59	

Sent To **CHFC ALBUQUERQUE, LLC**
 Street and Apt. No., or PO Box No. **101 LA RUE FRANE RD., SUITE 100**
 City, State, ZIP+4® **LAFAYETTE, LA 70508-3138**

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

original notification - property owners list

WILSON JASON M
711 ARNO ST SE
ALBUQUERQUE NM 87102

HILGENDORF ROBERT & LING TONG
1824 CAMINO CORRALES
SANTA FE NM 87505-7503

VTR LOVELACE MC & REHAB LLC
353 N CLARK ST SUITE 3300
CHICAGO IL 60654

KING GLENN AARON
214 WALTER ST NE
ALBUQUERQUE NM 87102-3504

COE THOMAS E & ALLISON
116 WALTER NE
ALBUQUERQUE NM 87102

PERINA ANSON & BEVERLY A
521 N TAFT HILL RD
FORT COLLINS CO 80521-1536

WADE RICHARD C
218 WALTER ST NE
ALBUQUERQUE NM 87102-3504

HMCH LLC
11641 WOODMAR LN NE
ALBUQUERQUE NM 87111-6518

GRIEGO EVA TRUSTEE EVA GRIEGO FAMILY
TRUST
215 HIGH ST NE
ALBUQUERQUE NM 87102-3624

BRYANT RICHARD & PATRICIA L
202 HIGH ST NE
ALBUQUERQUE NM 87102-3625

GRANT STEVEN A & KARA J
207 HIGH ST NE
ALBUQUERQUE NM 87102

GRANT STEVE & KARA
209 HIGH ST NE
ALBUQUERQUE NM 87102-3624

BEILUE SAM
204 WALTER ST NE
ALBUQUERQUE NM 87102-3504

PINKU INC
701 CENTRAL AVE NE
ALBUQUERQUE NM 87102-3603

MADDALEN INEZ TRUSTEE MADDALEN RVT
121 HIGH ST NE
ALBUQUERQUE NM 87102-3623

CHARNAS SUZY MCKEE
212 HIGH ST NE
ALBUQUERQUE NM 87120-3625

GRANT STEVEN & KARA
201 HIGH ST NE
ALBUQUERQUE NM 87102-3624

PINKU INC
701 CENTRAL AVE NE
ALBUQUERQUE NM 87102-3603

DELGADO FERNANDO & DAY CHARLES DAVID
200 WALTER ST NE
ALBUQUERQUE NM 87102

ONDICH STEPHEN A & HEIDI A
PO BOX K
ALBUQUERQUE NM 87103

Tucker Larry
210 Walter St. NE
Albuquerque, NM 87102

-typical-

Steve & Kara Grant - "Downtown Historic Bed & Breakfast"
www.downtownhistoric.com
207 High St. NE - Albuquerque, NM 87102

Jason Wilson
711 Arno St. SE
Albuquerque, NM 87102

Re: 207-209 High St. NE (NW Corner of High & Copper NE)
Block:24 Unit:8/9 Zone Atlas: K-14 - Huning Highland Neighborhood
Public EPC Hearing Date/Time: Dec. 14th, 2017 @ 8:30AM
Location: 600 2nd St. NW - Basement Hearing Room - ABQ. NM 87102

Hello Jason, we hope this letter finds you doing well. We are writing this letter first to thank you for your neighborhood support not only to us personally as a family but to our business as well. It has been such a privilege to be a part of this historic neighborhood. It has been a great place to live to watch our children grown up as well as our business grow to be one of the number bed and breakfasts in Albuquerque. We love the many activities the historic society puts together to make others aware of the history and unique aspects of this neighborhood something we value and feel needs to be protected. In fact, we feel what we have been able to create with our bed and breakfast is a great addition to the historical aspect of this area. It has made not only those in Albuquerque, but others all over the world aware of this amazing neighborhood and has accentuated some of Albuquerque's most unique historic features. This obviously brings only positive exposure to our wonderful neighborhood community and city.

Since opening the bed and breakfast we occasionally have offered the property for small outdoor events to the community (always under 50 guests & ending no later than 10pm) as well as operating as a bed and breakfast. However, recently it's been brought to our attention that we are in need of a zoning correction to continue running the business in this same format. Therefore in order to comply with the city request we are applying for a new zone change that would move us from our current SU2/MR to a SU1 status.

Thank you for your understanding and support. Please reach out to us directly if you have any concerns, need further clarification or questions.

Sincerely, Steven & Kara Grant
505-238-0308 or 505-238-9881
info@bbabq.com



11/1/17

Note: Affected Neighborhood Associations and Homeowner Associations may request a Facilitated Meeting regarding this project by contacting the Alternative Dispute Resolution (ADR) Program by email at striplett@cabq.gov, by phone at (505) 768-4712 or (505) 768-4660. A facilitated meeting request must be received by ADR by: Nov. 13th, 2017

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701 CENTRAL AVE NE
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<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.49	
Total Postage and Fees	\$6.59	

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 Street and Apt. No., or PO Box No.
11641 WOODMAN LN. NE
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Postage	\$0.49	
Total Postage and Fees	\$6.59	

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<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.49	
Total Postage and Fees	\$6.59	

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 Street and Apt. No., or PO Box No.
204 WALTER ST. NE
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<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.49	
Total Postage and Fees	\$6.59	

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 Street and Apt. No., or PO Box No.
215 HIGH ST. NE
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<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.49	
Total Postage and Fees	\$6.59	

Sent To **STEPHEN ONDICH**
 Street and Apt. No., or PO Box No.
P.O. BOX K
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<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.49	
Total Postage and Fees	\$6.59	
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<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.49	
Total Postage and Fees	\$6.59	
Sent To SUZY CHARNAS Street and Apt. No., or PO Box No. 212 HIGH ST. NE City, State, ZIP+4® ABQ, NM 87102		

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<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.49	
Total Postage and Fees	\$6.59	
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Postage	\$0.49	
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<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 \$0.49

Total Postage and Fees \$6.59

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Street and Apt. No., or PO Box No.
521 N. TAFT HILL RD.
City, State, ZIP+4®
FORT COLLINS, CO 80521

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<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.49

Total Postage and Fees \$6.59

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Sent To **THOMAS COE**
Street and Apt. No., or PO Box No.
116 WALTER NE
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ALBUQUERQUE, NM 87102

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<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.49

Total Postage and Fees \$6.59

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Sent To **JASON WILSON**
Street and Apt. No., or PO Box No.
711 ARNO ST SE
City, State, ZIP+4®
ALBUQUERQUE, NM 87102

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<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 \$0.49

Total Postage and Fees \$6.59

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Street and Apt. No., or PO Box No.
353 N. CLARK ST, SUITE 300
City, State, ZIP+4®
CHICAGO, IL 60654

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<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 \$0.49

Total Postage and Fees \$6.59

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Sent To **ROBERT HILGENDORF**
Street and Apt. No., or PO Box No.
1824 CAMINO CARRALES
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SANTA FE, NM 87505

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and Love, P.A.

Kristelle Siarza
Siarza Social Digital

Yancy Sturgeon
Hotel Parq Central

November 3, 2017

Zoning Hearing Examiner
600 2nd Street NW
Albuquerque, NM 87102

Ladies and Gentlemen:

The EDo Neighborhood Association Board of Directors supports the zoning change request of Downtown Historic Bed & Breakfast for their properties at 207-209 High Street NE in the Huning Highland/EDo neighborhood. The request would change the zoning from SU-2/MR to SU-1.

Steve and Kara Grant and their family have been great neighbors, and we truly appreciate them and their lodging guests, for preserving and activating those lovely historic homes in our railroad-era neighborhood that is continuing its renaissance.

Thank you for considering our views.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Maddox', is written over a horizontal line.

Jim Maddox, President
For the Board



HUNING

HIGHLANDS

HISTORIC Est. 1880 DISTRICT

November 1, 2017

Zoning Hearing Examiner
600 2nd Street
Albuquerque, NM

We understand that Steve and Kara Grant, owners of the bed and breakfast business at 207-209 High Street NE, are applying for permission to rezone their property from SU-2/MR to SU-1.

The Board of Directors of the HHHDA fully support their proposal to change the zoning for this property, which we see as a benefit to our neighborhood.

Please feel free to contact us with any questions.

Sincerely,

Bonnie Anderson
President, HHHDA
522 Edith SE, ABQ, 87102
andersonbonnie505@gmail.com

**Cleve and Lynn Bryant
202 High St NE
Albuquerque, NM 87102**

October 31, 2017

Re: Downtown Historic B&B
Steve and Kara Grant
207 & 209 High St NE

To Whom It May Concern:

Our property is located just across the street from the Grant's "Downtown Historic B&B" business. It's been great having them for neighbors. We have watched them restore each of these houses and then turn them into premier Bed & Breakfast properties, preserving the history and character of each house and sharing them with the community. They have been excellent neighbors and have contributed to both our neighborhood and the Albuquerque economy in very positive ways.

Besides the usual B&B traffic they also hold events such as weddings and meetings. These are always great events. The parking is taken care of so that it does not impose on the neighborhood parking and the noise and traffic are no more than one would expect living in the city. Music is never loud and always ends by 10 PM. We live directly across the street and have not ever had a problem with any of the guests or visitors to the B&B in the 10 years they have been in operation.

The Grant's and their business enterprise have been very welcome, wonderful neighbors and we are very happy to let others know what they have added to our street. We encourage others to come and experience these historic homes and see what can be done to preserve the historic significance of our Albuquerque neighborhoods and see what being a good neighbor really means.

Sincerely,

Cleve & Lynn Bryant
505-688-7234 & 505-688-7238

A handwritten signature in black ink, appearing to read "C. Bryant". The signature is stylized and written in a cursive-like font.

**Inez Maddalen
121 High St. NE
Albuquerque, NM 87102**

October 25, 2017

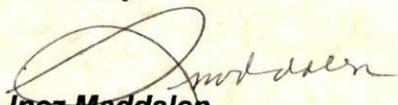
**Re: Downtown Historic B&B/Steve & Kara Grant
201,207,209 High St. NE**

To Whom it May Concern:

I live and have other properties directly South (across the street) of the Grants home and business. Over the last 15 years I've known the Grant family and during this time been able to watch their family grow and see them start and run a successful business.

Their Bed & Breakfast has been a great compliment to the neighborhood over the last 10 years. In addition to hosting guests throughout the years, I've notice they have also done the occasional wedding or other types of outdoor events. Whenever they have some sort of outdoor event they are always very respectful of parking, music/PA noise, ending at a respectful time and anything else related anything else related to that particular event. They have been delightful neighbors and wish them much more success!

Sincerely,


**Inez Maddalen
(505) 453-0171**

**Sam Beilue
204 Walter NE
Albuquerque, NM 87102**

October 25, 2017

**Re: Downtown Historic B&B/Steve & Kara Grant
207 High St. NE**

To Whom it May Concern:

My property is located directly across the alley from the backyard of the subject property (207 High St. NE) which is apart of the Downtown Historic B&B business. The backyard area is where they have done an occasional outdoor event and during the last 10 years it has never been an issue me. The distance between their backyard space and mine is about 30+ feet. Whenever there's been an outdoor event (which is not too often) they are always very respectful of music/PA noise volume and ending at a respectful time, it seems like any past evening events normally shut down by 9 or 10PM. All is quiet after that.

The Bed & Breakfast has been a great addition to the neighborhood over the last 10 years. They have been great neighbors! I wish them and the B&B much success in the future.

Sincerely,



**Sam Beilue
(505) 918-6384**

*Eva Griego
215 High St. NE
Albuquerque, NM 87102*

October 24, 2017

*Re: Downtown Historic Be&B/Steve & Kara Grant
207 & 209 High St. NE*

To Whom it May Concern:

My home is located directly North of 207/209 High St. NE which is the Grant's "Downtown Historic Be&B" business. It's been wonderful watching them raise their kids, purchase each home, restore each house and then turn it into a Bed and Breakfast business. Along with the normal guests throughout each week we've also noticed some outdoor guest events, but even when this is happening it's not disturbing at all at my home. And when it's over, it's really over.

I love Steve and Kara as neighbors and their Bed & Breakfast operation in our neighborhood and wish them much more success in the future.

*Thank You,
*

*Eva Griego
(505) 242-3303*

**Jason Wilson
219 High St. NE
Albuquerque, NM 87102**

October 24, 2017

**Re: Downtown Historic B&B/Steve & Kara Grant
207 & 209 High St. NE**

To Whom it May Concern:

Our property is located just one house North of 209 High St. NE which is the Grant's "Downtown Historic B&B" business. We've enjoyed having them as neighbors, seeing the restoration of each house take place and then turning it into a B&B business. It looks like they keep pretty busy with the normal guest activity throughout each month. Additionally and every once in awhile we'll sometimes notice what looks to be some sort of either an outdoor or indoor event at the B&B. However whenever that takes place they have it very well controlled, making it pleasant and non-disruptive to our daily home routine. It's really great having this Bed & Breakfast in our neighborhood.

Regards,



**Jason Wilson
(505) 400-1879**

From: **C. David Day** cdavidday@terradesigns.org
Subject: Re: Grant/Downtown Historic B&B Support Letter
Date: October 30, 2017 at 9:58 PM
To: Grant Steve & Kara info@bbabq.com
Cc: Delgado Fernando fernando@fernandodelgadophotography.com



Steve - feel free to print out or email...we made some small edits.

David Day & Fernando Delgado
200 Walter NE
Albuquerque, NM 87102

October 23, 2017

Re: Downtown Historic B&B/Steve & Kara Grant
201,207 & 209 High St. NE

To Whom it May Concern:

Our property is located just across the alley (West) from the immediate backyard of 207 High St. NE which is the Grant's Downtown Historic B&B business. The backyard area is where they have produced an a few outdoor events during the years they've been open. We've never had any concerns and this has never been an issue us. The close distance between their backyard space and ours is only about 40+ feet. Whenever there's been an outdoor event they are always very respectful of music/PA noise volume, parking control and ending at a respectful time which is no later than 10PM.

We absolutely love having the Bed & Breakfast as an addition to the Huning Highland Neighborhood. We have engaged the B & B for some events for ourselves as well. The B & B has been great for the neighborhood and the city of ABQ by giving others an opportunity to come stay and experience what these historic homes and walkable neighborhoods are all about. Steve, Kara, and the B&B have been great neighbors!

Sincerely,

David Day & Fernando Delgado
(505) 515-1333 or (505) 377-0551

c. david day

terra designs l.l.c.

505.515.1333
cdavidday@terradesigns.org



FIRST PRESBYTERIAN CHURCH

Albuquerque, New Mexico

October 19, 2017

To Whom it May Concern:

For the past 10 years we have had an outstanding relationship with our neighbors at Downtown Historic Bed and Breakfast (Heritage House, LLC) who has a business at 207 High St NE in Albuquerque New Mexico

The Downtown Historic Bed and Breakfast is part of the Huning Highland Neighborhood and have always complied with the Neighborhood Association policies. We are pleased to also have a working relationship in providing much needed parking for their guest and events held at their place of business.

Sincerely

Carolyn Rhodes
Church Administrator



CITY OF ALBUQUERQUE

LAND USE FACILITATION PROGRAM PROJECT 1005206 MEETING REPORT

Project #: 1005206 17EPC-40054
Property: 207, 209 High Street NE
Hearing Date: 8 February 2018
Staff Planner: Catalina Lehner

Date Submitted: 31 January 2018
Submitted By: David Gold

Meeting Date/Time: 29 January 2018 6-7:15 pm
Meeting Location: Preservation Station, 601 Coal SE @ Walter
Facilitator: Philip Crump
Co-facilitator: David Gold

Parties:

Applicant: Kara and Steve Grant

Neighborhood Associations/Interested Parties: Huning Highlands Historic District NA (HHHDNA)

Background/Meeting summary:

The applicants wish to rezone from SU-2/MR to SU-1 for a bed and breakfast that can hold special events. The purpose is to hold special events. They applicants are currently holding special events but was told by code enforcement that they are out of compliance with the zoning code and plans.

Their neighbor in the back across the alley objects to the noise and other aspects of some of the special events. There is disagreement about the number of objectionable events that take place, and the impact of the events. He objects to the zoning request.

While there were significant disagreements on the issues, the discussions among the participants were civil.

Outcome:

Areas of agreement:

- *Noise is an issue.*

Unresolved issues and concerns:

- *How to fix the noise.*
- *The number of events that are taking place.*

Meeting specifics:

1) **Overview of application**

- a. The Applicant wishes to rezone from SU-2/MR to SU-1 bed and breakfast with special events.
- b. They understand from staff that this will allow them to hold special events.
- c. They currently hold special events like weddings, corporate and city events.
- d. They were told by code enforcement that they are out of compliance with their zoning, and need to rezone.
 - i. They were not clear which specific code or plan they were not in compliance with, and specifically why the zoning change is necessary.
- e. They bought the Heritage House in 2006 and the Spy House in 2008.

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LAND USE FACILITATION PROGRAM PROJECT 1005206 MEETING REPORT

- f. They have put in over \$300,000 to improve the properties.
- g. They got permits immediately; they pointed out that other people operate AirBnB without permits.
- h. They said they try to be good neighbors.

2) **Concerns of Neighbor**

- a. The neighbor who lives across the alley behind the applicants' property has several concerns.
 - i. He is concerned by the noise of weddings and feels he does not have the full use of his property.
 - ii. He would like to be notified if they are going to have a noisy event so he can make alternate plans.
 - iii. He is also concerned about parking and blocking the alley by service vehicles.

3) **Noise Concerns**

- a. The neighbor said the noise makes it impossible to use his backyard when the applicants are having wedding events.
 - i. He feels the bass from the speakers on his front porch, and does not believe the applicant's sound is at an appropriate level for a residential neighborhood.
 - ii. He stated that the noise is clearly audible to his neighbors across the street, and is audible blocks away on Edith Street.
- b. The applicants reported that they tried to reduce the noise, but apparently their efforts are insufficient for their neighbor.
 - i. They moved the speakers so they faced their house, instead of the neighbors.
 - 1. It was pointed out that the sound could be reflecting off the house, and could actually be worse.
 - ii. They used their Iphone as a sound meter and tried various locations.
 - 1. The applicant did not remember specific readings but thought they were in compliance with their permit.
 - 2. It was pointed out that their phone may not be calibrated, and they could compare it to a City noise meter to calibrate it.

4) **Frequency of Events and Lack of Notice**

- a. The applicants and their neighbor disagree on the frequency of noisy events.
- b. The applicants stated that they had 4 weddings this year and 4 last year.
- c. They stated that the other events had some low level background music, but were mostly just people talking. These included corporate and city events.
- d. The neighbor stated that there were definitely more noisy events than 4 per year.
- e. The neighbor also asked that he be notified of when events were scheduled to take place, so he can avoid scheduling events in his backyard.
- f. The applicants stated they have no more than 4 weddings / year and that they are concerned about wear and tear on their property from such events.

5) **Parking and Blocking the Alley**

- a. The neighbor was also concerned about parking and blocking the alley.
 - i. These concerns were less important than the noise and lack of notice.
- b. The applicants stated that they had an overflow parking agreement with the nearby Presbyterian church, so on-street parking should not be an issue.

CITY OF ALBUQUERQUE

LAND USE FACILITATION PROGRAM PROJECT 1005206 MEETING REPORT

- c. They also stated that the only use of the alley occurred when Garcia's drops off tables and chairs for an event. This typically takes 20 minutes.
 - i. All other catering deliveries are done in the front of the house.

6) **Concerns of Other Attendee**

- a. Another attendee was concerned about what the law is that governs outdoor events.
- b. He apparently has outdoor events has assumed he was within the law. His business is not a bed and breakfast.
- c. The facilitators recommended he seek answers from City planning staff.
- d. He also stated that the area was not residential, but mixed use residential, so these types of activities should be allowed.

7) **Attempts at Resolution**

- a. The neighbor offered the applicants to have a maximum of 4 weddings/year and that he would receive notification. He felt he could live with that amount.
- b. The applicants asked the neighbor if it was the noise or number of events he was concerned with, and if there were no noise, if the events would bother him. He stated that the noise was his main concern, but he didn't see a way to reduce it to a point where it wouldn't bother him.
- c. The applicants stated that they felt uncomfortable limiting themselves to a fixed number of weddings, or noisy events, per year at this time. They stated that even though they had 4 for the last two years, they could envision up to 2 in May, June, September, and 3 in October in any given year.
- d. The applicants stated they would talk to a sound engineer in their church and try to come up with a way to lower the sound the neighbor experienced.
- e. The neighbor offered to work with the applicant to test the sound levels.
- f. Despite the civil discussion of possible resolutions, no firm agreements were reached.

Next steps: Possible continued discussions.

Application Hearing Details: EPC Hearing is scheduled for 8 February 2018

1. Hearing Time:
 - a. The Commission will begin hearing applications at 8:30 a.m.
 - b. The actual time this application will be heard by the Commission will depend on the applicant's position on the Commission's schedule
2. Hearing Process:
 - a. Comments from facilitated meetings will go into a report which goes to the City Planner.
 - b. City Planner includes facilitator report in recommendations.
 - c. The Commission will make a decision and parties have 15 days to appeal the decision.
3. Resident Participation at Hearing:

Written comments must be received no later than **9:00 am Monday 5 February 2018** and may be sent to:
Catalina Lehner clehner@cabq.gov (505) 924-3935 600 2nd St., 3rd floor, Albuquerque, NM, 87102
OR
Karen Hudson, Chair, EPC, c/o Planning Department, 600 2nd St., 3rd floor, Albuquerque, NM, 87102

Attendees and Affiliations:

Kara Grant

Applicant

Steve Grant

Applicant

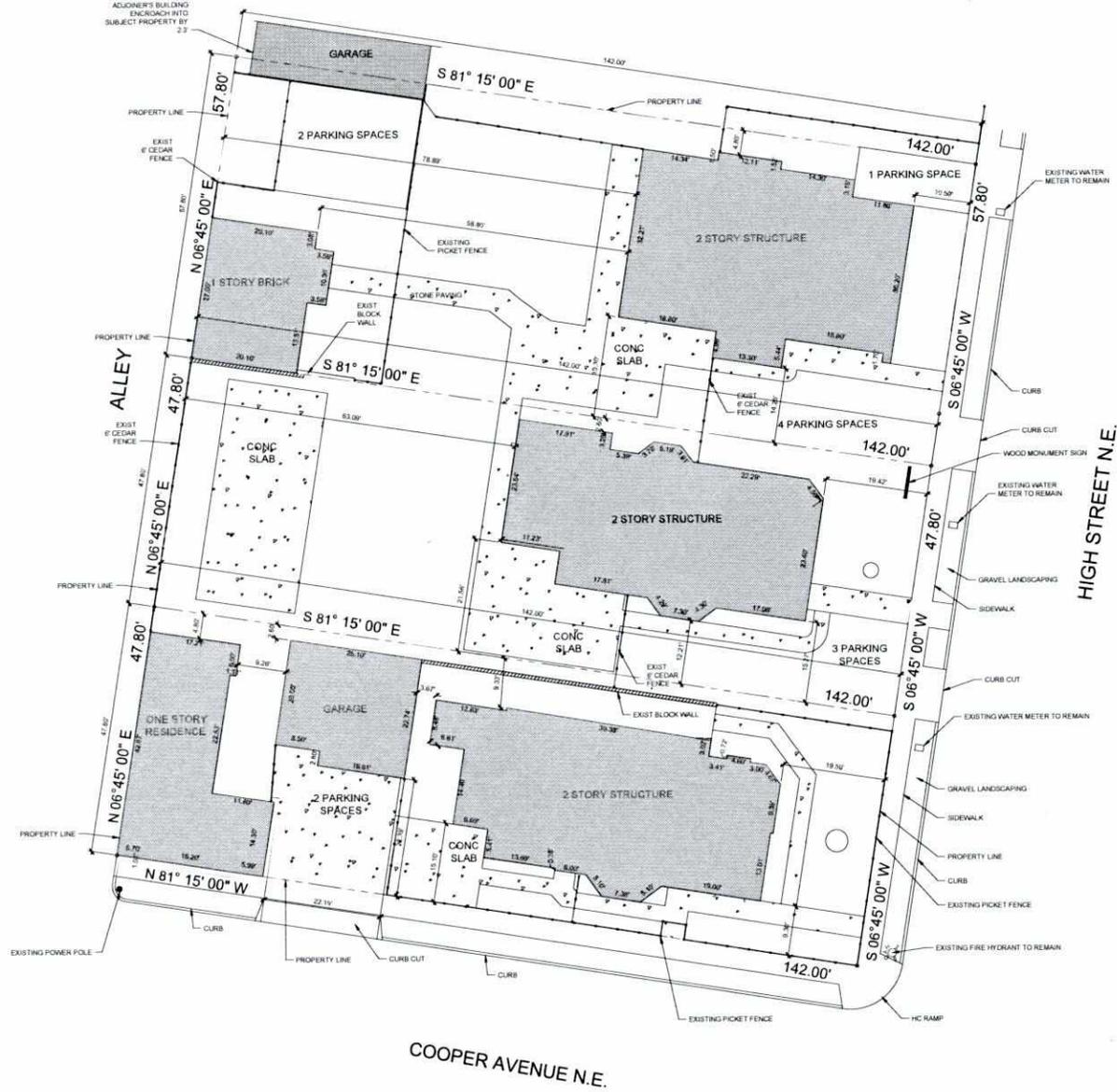
CITY OF ALBUQUERQUE

LAND USE FACILITATION PROGRAM PROJECT 1005206 MEETING REPORT

Larry Tucker	Neighbor
Dayan Hochman	Att'y for Mr Tucker
Ann Carson	HHHDNA
Sam Kochansky	HHHDNA

SITE DEVELOPMENT PLAN REDUCTIONS

ADJACENT BUILDING ENCRUSH INTO SUBJECT PROPERTY BY 2.5'



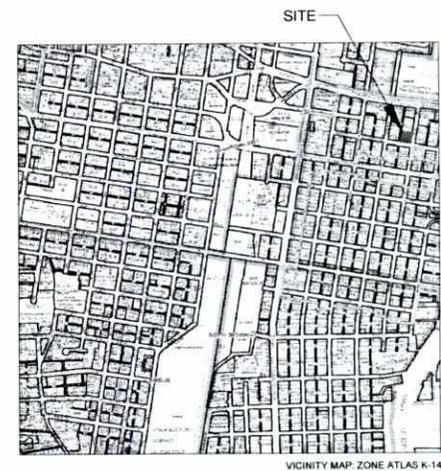
COOPER AVENUE N.E.

HIGH STREET N.E.

SITE PLAN



- GENERAL NOTES
1. THE REQUEST IS FOR ZONE CHANGE ONLY. NO CONSTRUCTION WORK OR CHANGE IN USE IS REQUESTED.
 2. ALL STRUCTURES ERRECTED PRIOR TO 1960.
 3. PARKING SPACES EXISTING TO REMAIN.
 4. EXISTING SITE LIGHTING IS PORCH LIGHTS MOUNTED AT DOORS. STRUCTURES EXEMPT FROM PARKING, CONSTRUCTED PRIOR TO 1960.
- BED AND BREAKFAST: 1 SPACE FOR OWNER, 1 PER ROOM.
 10 ROOMS = 10 SPACES + 1 OWNER SPACE
 PARKING PROVIDED = 11 SPACES



VICINITY MAP: ZONE ATLAS K-14

SITE DATA: LOTS 8 & 9 A 10 BLOCK 24 HUNING HIGHLAND SUBDIVISION
 PROPOSED USAGE: EXISTING USE BED & BREAKFAST
 ZONING: SU-2
 ZONE ATLAS PAGE: K14
 HUNING HIGHLAND SECTOR PLAN

TOTAL SITE AREA: LOT 8 = 8,298 SF
 LOT 9 = 6,786 SF
 LOT 10 = 6,786 SF
 TOTAL = 21,780 SF

BUILDING = LOT 8 = 1,733 SF
 500 SF (ENCROACHMENT)
 LOT 9 = 1,621 SF
 LOT 10 = 1,750 SF
 548 SF
 967 SF
 TOTAL = 3,859 SF

PARKING / DRIVES = (PERVIOUS & IMPERVIOUS) LOT 8 = 1,545 SF
 LOT 9 = 624 SF
 LOT 10 = 523 SF
 TOTAL = 2,692 SF

SIDEWALKS / SLABS = LOT 8 = 1,094 SF
 LOT 9 = 1,655 SF
 LOT 10 = 670 SF
 TOTAL = 3,424 SF

LANDSCAPING = LOT 8 = 3,156 SF
 LOT 9 = 2,086 SF
 LOT 10 = 2,414 SF
 TOTAL = 8,456 SF

PROJECT NUMBER _____
 APPLICATION NUMBER _____

This plan is consistent with the specific Site Development Plan approved by the Environmental Planning Commission (EPC), dated _____ and the Findings and Conditions in the Official Replatation of Division are attached.

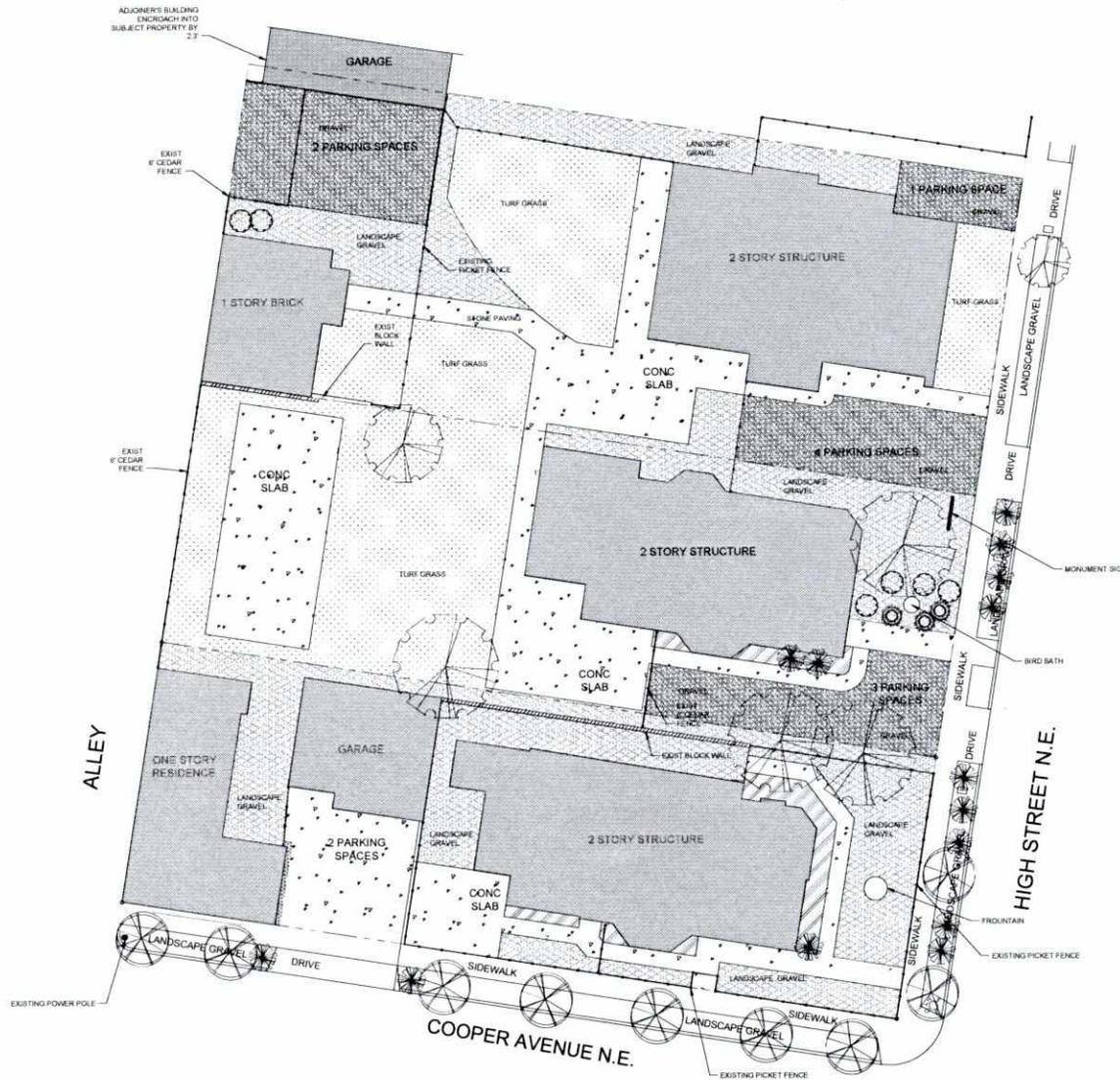
Is and Infrastructure List required? Yes No. If Yes, then a set of approved DRB plans with a work order is required for any construction within Public Right-of-Way or for construction of DRB SITE DEVELOPMENT PLAN SIGNOFF APPROVAL.

Traffic Engineer - Transportation Division	Date
Water Utility Department	Date
Parks & Recreation Department	Date
City Engineer	Date
Environmental Health	Date
Solid Waste Management	Date
DRB Chairperson - Planning Department	Date
Environmental Health, if necessary	

DOWNTOWN HISTORIC BED & BREAKFAST
 201, 207, 209 HIGH ST NE
 ALBUQUERQUE, NM 87102

DRAWING FILE		SITE PLAN	
DESIGNED	PROJECT NO	SCALE	DRAWING NO
DRAWN			
CHECKED			
REVISIONS			
DATE	1/27/18		1 of 1

- GENERAL NOTES:
1. ALL PLANTING AREAS NOT COVERED IN TURF HAS A GROUND TOPPING OF CRUSHED ROCK, RIVER ROCK, OR OTHER SIMILAR MATERIAL WHICH EXTENDS COMPLETELY UNDER THE PLANT MATERIAL. HOWEVER THESE MATERIALS SHALL NOT BE USED AS FOCAL LANDSCAPE.
 2. IT IS THE INTENT OF THIS PLAN TO COMPLY WITH THE CITY OF ALBUQUERQUE WATER CONSERVATION, LANDSCAPING AND WATER WASTE ORDINANCE PLANTING RESTRICTION APPROACH.
 3. APPROVAL OF THIS PLAN DOES NOT CONSTITUTE OR IMPLY EXEMPTION FROM WATER WASTE PROVISIONS OF THE WATER CONSERVATION, LANDSCAPING AND WATER WASTE ORDINANCE. WATER MANAGEMENT IS THE SOLE RESPONSIBILITY OF THE PROPERTY OWNER.
 4. ALL LANDSCAPING IS EXISTING. NO NEW PLANTING INTENDED AS PART OF THIS PLAN.



PLANTING LEGEND

SYMBOL	QTY	BOTANICAL NAME	COMMON NAME	SIZE/SPEC
TREES				
	5	EXISTING TO REMAIN	ELM	20' +
	9	EXISTING TO REMAIN	MULBERRY	20' +
SHRUBS				
	6	EXISTING TO REMAIN	SAGE	
	14	EXISTING TO REMAIN	EVERGREEN UNIDENTIFIED	
	3	EXISTING TO REMAIN	SPANISH BROOM	
WILDFLOWERS				
			PLANTING BED, MULTIPLE PLANT TYPES	

LANDSCAPE PLAN



DOWNTOWN HISTORIC BED & BREAKFAST
201, 207, 209 HIGH ST NE
ALBUQUERQUE, NM 87102

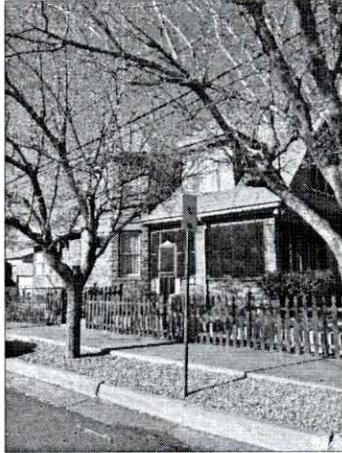
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DESIGNED	PROJECT NO.
DRAWN	SCALE
CHECKED	DRAWING NO.
DATE	

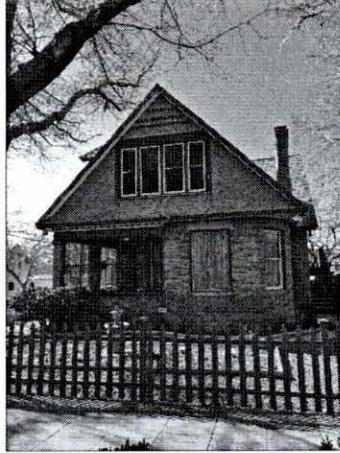
DATE: 1/27/18

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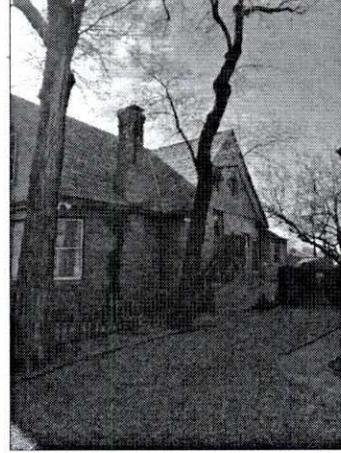
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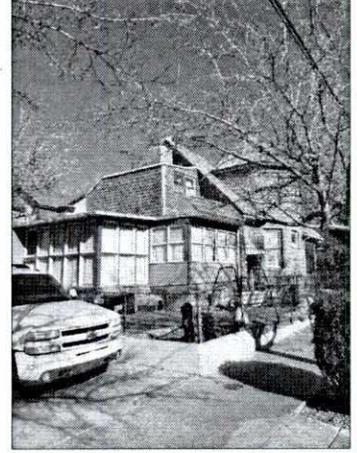
SIDE - SOUTH (COPPER STREET)



FRONT - EAST (HIGH STREET)



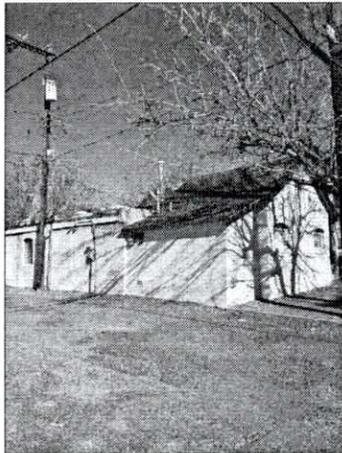
SIDE - NORTH



BACK - WEST (ALLEY)

MAIN BUILDING ELEVATIONS

SCALE: NTS



SIDE - WEST (ALLEY)



FRONT - SOUTH (COPPER STREET)



SIDE - NORTH

ACCESSORY BUILDING ELEVATIONS

SCALE: NTS

DOWNTOWN HISTORIC BED & BREAKFAST 201, 207, 209 HIGH ST NE ALBUQUERQUE, NM 87102			
DRAWING TITLE 201 HIGH STREET ELEVATIONS			
SHEET NO.	DESIGNED	PROJECT NO.	
	DRAWN	SCALE	
	CHECKED	DRAWING NO.	3
	DATE		
	DATE 1/27/18		



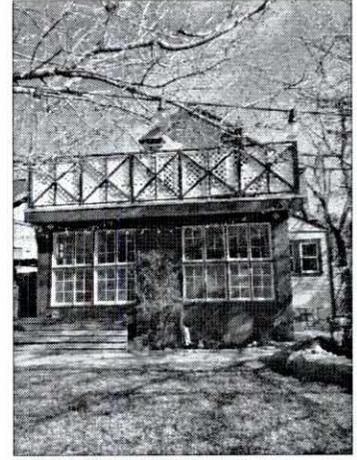
SIDE - SOUTH



FRONT - EAST (HIGH STREET)



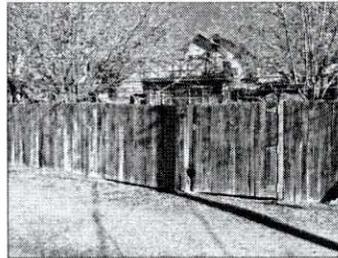
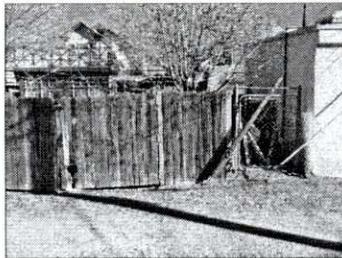
SIDE - NORTH



BACK - WEST (ALLEY)

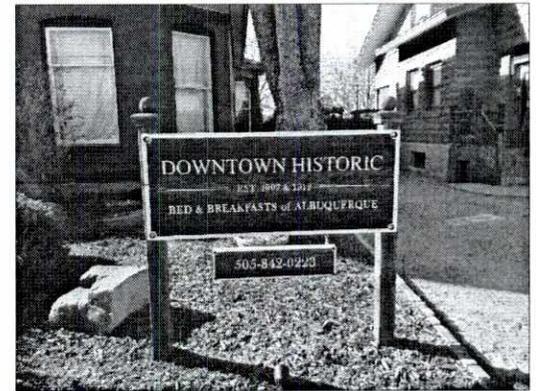
MAIN BUILDING ELEVATIONS

SCALE: NTS



ALLEY ELEVATIONS

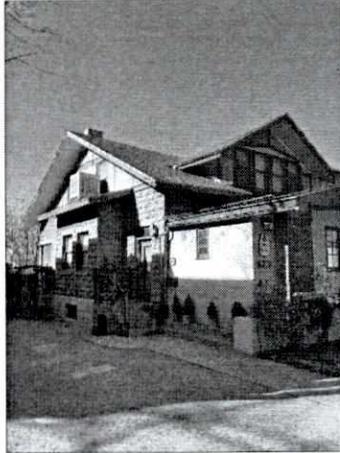
SCALE: NTS



MONUMENT SIGN

SCALE: NTS

DOWNTOWN HISTORIC BED & BREAKFAST		
201, 207, 209 HIGH ST NE		
ALBUQUERQUE, NM 87102		
PROJECT TITLE		
207 HIGH STREET ELEVATIONS		
DATE	DRAWN	PROJECT NO.
		SCALE
REVISIONS	DRAWING NO.	
DATE 1/27/18		4



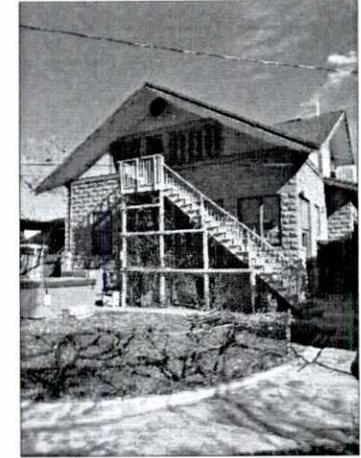
SIDE - SOUTH



FRONT - EAST (HIGH STREET)



SIDE - NORTH



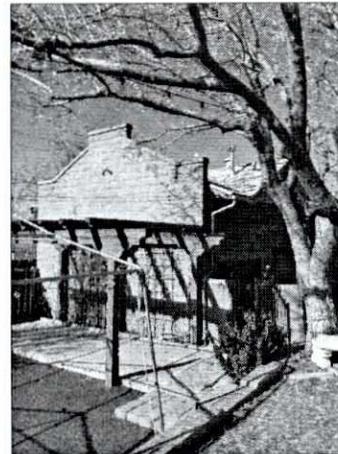
BACK - WEST (ALLEY)

MAIN BUILDING ELEVATIONS

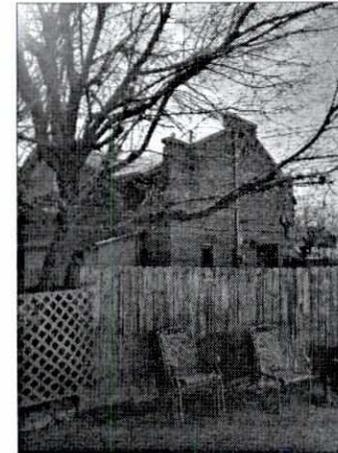
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SIDE - WEST (ALLEY)



SIDE - SOUTH



FRONT - EAST

ACCESSORY BUILDING ELEVATIONS

SCALE: NTS

DOWNTOWN HISTORIC BED & BREAKFAST 201, 207, 209 HIGH ST NE ALBUQUERQUE, NM 87102			
PROJECT TITLE 209 HIGH STREET ELEVATIONS			
SHEET NO.	DESIGNED	PROJECT NO.	
	DRAWN	SCALE	
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	DATE 1/27/18		