



CITY OF ALBUQUERQUE  
OFFICE OF ADMINISTRATIVE HEARINGS  
ZONING HEARING EXAMINER  
NOTIFICATION OF DECISION

Almaz Enterprise LLC requests a conditional use to allow outdoor vehicle storage for Lot 2-A, Atrisco Business Park, Unit 2, located on 7001 Bluewater RD NW, zoned NR-BP [Section 14-16-4-2-1]

Special Exception No:.....**VA-2018-00034**  
Project No: .....**Project#2018-001301**  
Hearing Date: .....08-21-18  
Closing of Public Record: .....08-21-18  
Date of Decision: .....09-05-18

On the 21st day of August, 2018, Ed Wray, agent for property owner Almaz Enterprise LLC (“Applicant”) appeared before the Zoning Hearing Examiner (“ZHE”) requesting a conditional use to allow outdoor vehicle storage (“Application”) upon the real property located at 7001 Bluewater RD NW (“Subject Property”). Below are the ZHE’s findings of fact and decision:

FINDINGS:

1. Applicant is requesting a conditional use to allow outdoor vehicle storage.
2. The City of Albuquerque Code of Ordinances Section 14-16-4-2(C)(1) (Special Exceptions – Conditional Use) reads: “*A conditional use shall be approved if and only if, in the circumstances of the particular case and under conditions imposed, the use proposed:*
  - (a) *Will not be injurious to the adjacent property, the neighborhood, or the community;*
  - (b) *Will not be significantly damaged by surrounding structures or activities.*
3. The Applicant bears the burden of ensuring there is evidence in the record supporting a finding that the above criteria are met under Section 14-16-4-2(C).
4. Ed Wray, agent for owner, appeared and gave evidence in support of the application.
5. All property owners within 100 feet of the subject property and affected neighborhood associations were notified of the application.
6. A letter from Ted Trujillo, President of the Los Volcanes Neighborhood Association in support of the application was submitted.
7. No person appeared in opposition to the application.
8. The application is relying on a coordinated zoning standard, which is consistent with the ABC Comp Plan and its stated policy.
9. There is no residential zoning adjacent to the subject property.
10. The proposed use complies with all applicable provisions of the IDO, including Use-Specific Standards applicable to the use in Section 14-16-4-3; the DPM; other adopted City regulations; and any conditions specifically applied to development of the property in a prior permit or approval affecting the property.
11. All adjacent properties are industrial in nature and in similar use.
12. The proposed use will be contained within a 6 foot tall wall surrounding the subject property and is not visible from the surrounding neighborhood.

13. The proposed use, stationary parked vehicles, will not increase traffic congestion, parking congestion or vibration in the surrounding area.
14. There is no residential zoning within 330 feet of the subject property.
15. There is no pedestrian traffic and no transit connectivity that would be impacted by the proposed use.
16. The ZHE finds that in the proposed use will not be injurious to the adjacent property, the neighborhood, or the community as required by Section 14-16-4-2(C)(1)(a).
17. The ZHE finds that in the proposed use will not be significantly damaged by surrounding structures or activities as required by Section 14-16-4-2(C)(1)(b).
18. The ZHE finds that the proper "Notice of Hearing" signage was posted for the required time period as required by Section 14-16-4-2(B)(4).
19. The ZHE finds that the Applicant has authority to pursue this Application.

DECISION:

APPROVAL of a conditional use to allow outdoor vehicle storage.

If you wish to appeal this decision, you must do so by September 20, 2018 in the manner described below. A non-refundable filing fee will be calculated at the Planning Department's Land Development Coordination counter and is required at the time the Appeal is filed.

Appeal is to be filed within 15 days of the decision. Appeals are taken at 600 2nd Street, Plaza Del Sol Building, Ground Level, on the west side of the lobby.  
**Please present this letter of notification when filing an appeal.**

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.



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Stan Harada, Esq.  
Zoning Hearing Examiner

cc: Zoning Enforcement  
ZHE File  
Almaz Enterprise LLC, 10316 Cedar Springs Pl NW, 87114  
Ed Wray, 8200 Carmel Ave NE, 87122