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**PR-2023-009345, VA-2023-00294**

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Mayor Timothy M. Keller

# CITY OF ALBUQUERQUE

Albuquerque, New Mexico

## Planning Department

### INTER-OFFICE MEMORANDUM

February 21, 2024

**TO:** Dan Lewis, President, City Council

**FROM:** Alan Varela, Planning Director   
Alan Varela (Feb 21, 2024 09:25 MST)

**SUBJECT:** AC-24-1, PR-2023-009345, VA-2023-00294: Cadigan Law Firm, agent for Mountain Run Partners, LTD and QT South, LLC, appeals the Zoning Hearing Examiner's decision to deny a conditional use to allow heavy vehicle fueling in the NR-BP zone district located at 1701 12th Street NW.

### OVERVIEW

On November 21, 2023, QT South, LLC, agent for property owner Mountain Run Partners, LTD appeared before the Zoning Hearing Examiner ("ZHE") requesting a Conditional Use Approval to allow heavy vehicle fueling on Lot 78A, MRGCD Map 36, located at 1701 12th Street NW, zoned NR-BP (Non-residential Business Park).

The ZHE denied the Applicant's request on December 6, 2023 in a written decision accompanied by 14 findings.

The Appellant timely filed an appeal prior to the appeal deadline of December 21, 2023.

### BASIS FOR APPEAL

The Integrated Development Ordinance (IDO) §14-16-6-4(V)(4) outlines the applicable criteria for the appeal in determining whether the ZHE erred in its decision.

#### 6-4(V)(4) Criteria for Decision

The criteria for review of an appeal shall be whether the decision-making body or the prior appeal body made 1 of the following mistakes:

6-4(V)(4)(a) The decision-making body or the prior appeal body acted fraudulently, arbitrarily, or capriciously.

6-4(V)(4)(b) The decision being appealed is not supported by substantial evidence.

6-4(V)(4)(c) The decision-making body or the prior appeal body erred in applying the requirements of this IDO (or a plan, policy, or regulation referenced in the review and decision-making criteria for the type of decision being appealed).



## STAFF RESPONSE

The reasons for the appeal, excerpted from Appellant's letter, are listed in quotes below, with bulleted responses from the Planner for the ZHE.

**"The reasons for this appeal are as follows:**

- (a) The ZHE acted fraudulently, arbitrarily, or capriciously.**
- (b) The decision is not supported by substantial evidence.**
- (c) The ZHE erred in applying the requirements of this IDO."**

**Appellant claims and makes argument in his attached appeal letter that the project complies with IDO §14-16-6-6(A)(3) (Review and Decision Criteria – Conditional Use) and should be approved.**

In the December 6, 2023 Notification of Decision, the ZHE found, among others, the following:

- Finding #10: Applicant has not met the burden of providing evidence that establishes that the requested Conditional Use approval is consistent with the ABC Comp Plan, as amended. Specifically, POLICY 5.3.7 provides: *"Locally Unwanted Land Uses: Ensure that land uses that are objectionable to immediate neighbors but may be useful to society are located carefully and equitably to ensure that social assets are distributed evenly and social responsibilities are borne fairly across the Albuquerque area."* Opponents pointed out that the heavy vehicle fueling, nicotine retail, and liquor retail uses requested for the Subject Property are locally unwanted uses, and sufficient uses of these types already exist within the neighborhood. Siting additional uses of these types would inequitable concentrate such locally unwanted land uses in the vicinity of the Subject Property.
- Finding #11: Applicant has not met the burden of providing evidence that establishes that the requested Conditional Use approval will not create significant adverse impacts on adjacent properties, the surrounding neighborhood, or the larger community. Opponents pointed out that the proposed uses on the Subject Property would be in conflict with the City's Metropolitan Redevelopment Agency plans and other work toward developing trail systems, open space and other amenities in the area.
- Finding #12: Applicant has not met the burden of providing evidence that establishes that the requested Conditional Use approval will not create material adverse impacts on other land in the surrounding area, through increases in traffic congestion, parking congestion noise, or vibration without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts. Further, large vehicles exiting the site after heavy fueling or making commercial deliveries would either have to make an unsignalized left turn onto busy 12<sup>th</sup> Street or make a right turn onto 12th Street and toward a residential area where 12th Street narrows. The Application does not demonstrate how any of these negative impacts would be mitigated sufficiently.
- Finding #13: Because all prongs of the conditional use test must be satisfied and, as stated above, the Application failed to satisfy several prongs of the test, the Application must be denied.

/ Lorena Patten-Quintana /  
Lorena Patten-Quintana, ZHE Planner  
Office of the Zoning Hearing Examiner  
City of Albuquerque Planning Department








# AC-24-1 Memo-final

Final Audit Report

2024-02-21

Created:	2024-02-21
By:	Lucinda Montoya (lucindamontoya@cabq.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAoHpxYgg30KB4eikoY_t9oeyL6V6Qnvo2

## "AC-24-1 Memo-final" History

-  Document created by Lucinda Montoya (lucindamontoya@cabq.gov)  
2024-02-21 - 4:14:56 PM GMT
-  Document emailed to Alan Varela (avarela@cabq.gov) for signature  
2024-02-21 - 4:15:00 PM GMT
-  Email viewed by Alan Varela (avarela@cabq.gov)  
2024-02-21 - 4:23:03 PM GMT
-  Document e-signed by Alan Varela (avarela@cabq.gov)  
Signature Date: 2024-02-21 - 4:25:15 PM GMT - Time Source: server
-  Agreement completed.  
2024-02-21 - 4:25:15 PM GMT





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

Mountain Run Partners, LTD (Agent, QT South LLC) requests a conditional use to allow for a heavy vehicle fueling station in IDO zone NR-BP for Lot 78A, MRGCD Map 36, located at 1701 12<sup>TH</sup> ST NW, zoned NR-BP [Section 14-16-4-2]

Special Exception No: ..... **VA-2023-00294**  
Project No: ..... **Project#2023-009345**  
Hearing Date: ..... 11-21-23  
Closing of Public Record: ..... 11-21-23  
Date of Decision: ..... 12-06-23

On the 21st day of November, 2023, QT South, LLC, agent for property owner Mountain Run Partners, LTD (“Applicant”) appeared before the Zoning Hearing Examiner (“ZHE”) requesting a conditional use to allow for a heavy vehicle fueling station in IDO zone NR-BP (“Application”) upon the real property located at 1701 12<sup>TH</sup> ST NW (“Subject Property”). Below are the ZHE’s finding of fact and decision:

**FINDINGS:**

1. Applicant is requesting a conditional use to allow for a heavy vehicle fueling station in IDO zone NR-BP.
2. Applicant bears the burden of providing a sound justification for the required decision, based on substantial evidence, pursuant to IDO Section 14-16-6-4(E)(3).
3. Applicant bears the burden of showing compliance with required standards through analysis, illustrations, or other exhibits as necessary, pursuant to IDO Section 14-16-6-4(E)(4).
4. Applicant established that the proper “Notice of Hearing” signage was posted for the required time period.
5. Applicant established that all property owners and neighborhood association entitled to notice were notified of the Application.
6. The subject property is currently zoned NR-BP.
7. The Applicant has authority to pursue this Application.
8. The City of Albuquerque Code of Ordinances Section 14-16-6-6(A)(3) (Review and Decision Criteria– Conditional Use) reads: *“An application for a Conditional Use Approval shall be approved if it meets all of the following criteria:*
  - (a) It is consistent with the ABC Comp. Plan, as amended;*
  - (b) It complies with all applicable provisions of the IDO, including, but not limited to any 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 any prior permit or approval affecting the property, or there is a condition of approval that any Variances or Waivers needed to comply with any of these provisions must be approved or the Conditional Use Approval will be invalidated pursuant to Subsection (2)(c)2 above;*
  - (c) It will not create significant adverse impacts on adjacent properties, the surrounding neighborhood, or the larger community;*



- (d) *It will not create material adverse impacts on other land in the surrounding area, through increases in traffic congestion, parking congestion noise, or vibration without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts;*
  - (e) *On a project site with existing uses, it will not increase non- residential activity within 300 feet in any direction of a lot in any Residential zone district between the hours of 10:00 P.M. and 6:00 A.M.;*
  - (f) *It will not negatively impact pedestrian or transit connectivity without appropriate mitigation*
9. Applicant's agent appeared at the ZHE hearing on this matter and gave evidence in support of the Application.
  10. Applicant has not met the burden of providing evidence that establishes that the requested Conditional Use approval is consistent with the ABC Comp. Plan, as amended. Specifically, POLICY 5.3.7 provides: "*Locally Unwanted Land Uses: Ensure that land uses that are objectionable to immediate neighbors but may be useful to society are located carefully and equitably to ensure that social assets are distributed evenly and social responsibilities are borne fairly across the Albuquerque area.*" Opponents pointed out that the heavy vehicle fueling, nicotine retail, and liquor retail uses requested for the Subject Property are locally unwanted uses, and sufficient uses of these types already exist within the neighborhood. Siting additional uses of these types would inequitable concentrate such locally unwanted land uses in the vicinity of the Subject Property.
  11. Applicant has not met the burden of providing evidence that establishes that the requested Conditional Use approval will not create significant adverse impacts on adjacent properties, the surrounding neighborhood, or the larger community. Opponents pointed out that the proposed uses on the Subject Property would be in conflict with the City's Metropolitan Redevelopment Agency plans and other work toward developing trail systems, open space and other amenities in the area.
  12. Applicant has not met the burden of providing evidence that establishes that the requested Conditional Use approval will not create material adverse impacts on other land in the surrounding area, through increases in traffic congestion, parking congestion noise, or vibration without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts. Further, large vehicles exiting the site after heavy fueling or making commercial deliveries would either have to make an unsignalized left turn onto busy 12<sup>th</sup> Street or make a right turn onto 12<sup>th</sup> Street and toward a residential area where 12<sup>th</sup> Street narrows. The Application does not demonstrate how any of these negative impacts would be mitigated sufficiently.
  13. Because all prongs of the conditional use test must be satisfied and, as stated above, the Application failed to satisfy several prongs of the test, the Application must be denied.
  14. Out of considerations of administrative and quasi-judicial economy, the ZHE will not summarize any analysis of the remaining prongs of the variance test in this Notification of Decision.

DECISION:

DENIAL of a conditional use to allow for a heavy vehicle fueling station in IDO zone NR-BP.



APPEAL:

If you wish to appeal this decision, you must do so by December 21, 2023 pursuant to Section 14-16-6-4(V), of the Integrated Development Ordinance, you must demonstrate that you have legal standing to file an appeal as defined.

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

Mountain Run Partners, LTD (Agent, QT South LLC) requests a conditional use to allow for nicotine retail in an NR-BP zone for Lot 78A, MRGCD Map 36, located at 1701 12<sup>TH</sup> ST NW, zoned NR-BP [Section 14-16-4-2]

Special Exception No: ..... **VA-2023-00295**  
Project No: ..... **Project#2023-009345**  
Hearing Date: ..... 11-21-23  
Closing of Public Record: ..... 11-21-23  
Date of Decision: ..... 12-06-23

On the 21st day of November, 2023, QT South, LLC, agent for property owner Mountain Run Partners, LTD (“Applicant”) appeared before the Zoning Hearing Examiner (“ZHE”) requesting a conditional use to allow for nicotine retail in an NR-BP zone (“Application”) upon the real property located at 1701 12<sup>TH</sup> ST NW (“Subject Property”). Below are the ZHE’s finding of fact and decision:

**FINDINGS:**

1. Applicant is requesting a conditional use to allow for nicotine retail in an NR-BP zone.
2. Applicant bears the burden of providing a sound justification for the required decision, based on substantial evidence, pursuant to IDO Section 14-16-6-4(E)(3).
3. Applicant bears the burden of showing compliance with required standards through analysis, illustrations, or other exhibits as necessary, pursuant to IDO Section 14-16-6-4(E)(4).
4. Applicant established that the proper “Notice of Hearing” signage was posted for the required time period.
5. Applicant established that all property owners and neighborhood association entitled to notice were notified of the Application.
6. The subject property is currently zoned NR-BP.
7. The Applicant has authority to pursue this Application.
8. The City of Albuquerque Code of Ordinances Section 14-16-6-6(A)(3) (Review and Decision Criteria– Conditional Use) reads: “*An application for a Conditional Use Approval shall be approved if it meets all of the following criteria:*
  - (a) *It is consistent with the ABC Comp. Plan, as amended;*
  - (b) *It complies with all applicable provisions of the IDO, including, but not limited to any 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 any prior permit or approval affecting the property, or there is a condition of approval that any Variances or Waivers needed to comply with any of these provisions must be approved or the Conditional Use Approval will be invalidated pursuant to Subsection (2)(c)2 above;*
  - (c) *It will not create significant adverse impacts on adjacent properties, the surrounding neighborhood, or the larger community;*



- (d) *It will not create material adverse impacts on other land in the surrounding area, through increases in traffic congestion, parking congestion noise, or vibration without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts;*
  - (e) *On a project site with existing uses, it will not increase non- residential activity within 300 feet in any direction of a lot in any Residential zone district between the hours of 10:00 P.M. and 6:00 A.M.;*
  - (f) *It will not negatively impact pedestrian or transit connectivity without appropriate mitigation*
9. Applicant's agent appeared at the ZHE hearing on this matter and gave evidence in support of the Application.
  10. Applicant has not met the burden of providing evidence that establishes that the requested Conditional Use approval is consistent with the ABC Comp. Plan, as amended. Specifically, POLICY 5.3.7 provides: "*Locally Unwanted Land Uses: Ensure that land uses that are objectionable to immediate neighbors but may be useful to society are located carefully and equitably to ensure that social assets are distributed evenly and social responsibilities are borne fairly across the Albuquerque area.*" Opponents pointed out that the heavy vehicle fueling, nicotine retail, and liquor retail uses requested for the Subject Property are locally unwanted uses, and sufficient uses of these types already exist within the neighborhood. Siting additional uses of these types would inequitable concentrate such locally unwanted land uses in the vicinity of the Subject Property.
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  13. Because all prongs of the conditional use test must be satisfied and, as stated above, the Application failed to satisfy several prongs of the test, the Application must be denied.
  14. Out of considerations of administrative and quasi-judicial economy, the ZHE will not summarize any analysis of the remaining prongs of the variance test in this Notification of Decision.

#### DECISION:

DENIAL of a conditional use to allow for nicotine retail in an NR-BP zone.



APPEAL:

If you wish to appeal this decision, you must do so by December 21, 2023 pursuant to Section 14-16-6-4(V), of the Integrated Development Ordinance, you must demonstrate that you have legal standing to file an appeal as defined.

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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Zoning Hearing Examiner

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

Mountain Run Partners, LTD (Agent, QT South LLC) requests a conditional use to allow for liquor retail in an NR-BP zone for Lot 78A, MRGCD Map 36, located at 1701 12<sup>TH</sup> ST NW, zoned NR-BP [Section 14-16-4-2]

Special Exception No: ..... **VA-2023-00296**  
Project No: ..... **Project#2023-009345**  
Hearing Date: ..... 11-21-23  
Closing of Public Record: ..... 11-21-23  
Date of Decision: ..... 12-06-23

On the 21st day of November, 2023, QT South, LLC, agent for property owner Mountain Run Partners, LTD (“Applicant”) appeared before the Zoning Hearing Examiner (“ZHE”) requesting a conditional use to allow for liquor retail in an NR-BP zone (“Application”) upon the real property located at 1701 12<sup>TH</sup> ST NW (“Subject Property”). Below are the ZHE’s finding of fact and decision:

**FINDINGS:**

1. Applicant is requesting a conditional use to allow for liquor retail in an NR-BP zone.
2. Applicant bears the burden of providing a sound justification for the required decision, based on substantial evidence, pursuant to IDO Section 14-16-6-4(E)(3).
3. Applicant bears the burden of showing compliance with required standards through analysis, illustrations, or other exhibits as necessary, pursuant to IDO Section 14-16-6-4(E)(4).
4. Applicant established that the proper “Notice of Hearing” signage was posted for the required time period.
5. Applicant established that all property owners and neighborhood association entitled to notice were notified of the Application.
6. The subject property is currently zoned NR-BP.
7. The Applicant has authority to pursue this Application.
8. The City of Albuquerque Code of Ordinances Section 14-16-6-6(A)(3) (Review and Decision Criteria– Conditional Use) reads: “*An application for a Conditional Use Approval shall be approved if it meets all of the following criteria:*
  - (a) *It is consistent with the ABC Comp. Plan, as amended;*
  - (b) *It complies with all applicable provisions of the IDO, including, but not limited to any 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 any prior permit or approval affecting the property, or there is a condition of approval that any Variances or Waivers needed to comply with any of these provisions must be approved or the Conditional Use Approval will be invalidated pursuant to Subsection (2)(c)2 above;*
  - (c) *It will not create significant adverse impacts on adjacent properties, the surrounding neighborhood, or the larger community;*



- (d) *It will not create material adverse impacts on other land in the surrounding area, through increases in traffic congestion, parking congestion noise, or vibration without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts;*
  - (e) *On a project site with existing uses, it will not increase non- residential activity within 300 feet in any direction of a lot in any Residential zone district between the hours of 10:00 P.M. and 6:00 A.M.;*
  - (f) *It will not negatively impact pedestrian or transit connectivity without appropriate mitigation*
9. Applicant's agent appeared at the ZHE hearing on this matter and gave evidence in support of the Application.
  10. Applicant has not met the burden of providing evidence that establishes that the requested Conditional Use approval is consistent with the ABC Comp. Plan, as amended. Specifically, POLICY 5.3.7 provides: "*Locally Unwanted Land Uses: Ensure that land uses that are objectionable to immediate neighbors but may be useful to society are located carefully and equitably to ensure that social assets are distributed evenly and social responsibilities are borne fairly across the Albuquerque area.*" Opponents pointed out that the heavy vehicle fueling, nicotine retail, and liquor retail uses requested for the Subject Property are locally unwanted uses, and sufficient uses of these types already exist within the neighborhood. Siting additional uses of these types would inequitable concentrate such locally unwanted land uses in the vicinity of the Subject Property.
  11. Applicant has not met the burden of providing evidence that establishes that the requested Conditional Use approval will not create significant adverse impacts on adjacent properties, the surrounding neighborhood, or the larger community. Opponents pointed out that the proposed uses on the Subject Property would be in conflict with the City's Metropolitan Redevelopment Agency plans and other work toward developing trail systems, open space and other amenities in the area.
  12. Applicant has not met the burden of providing evidence that establishes that the requested Conditional Use approval will not create material adverse impacts on other land in the surrounding area, through increases in traffic congestion, parking congestion noise, or vibration without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts. Further, large vehicles exiting the site after heavy fueling or making commercial deliveries would either have to make an unsignalized left turn onto busy 12<sup>th</sup> Street or make a right turn onto 12<sup>th</sup> Street and toward a residential area where 12<sup>th</sup> Street narrows. The Application does not demonstrate how any of these negative impacts would be mitigated sufficiently.
  13. Because all prongs of the conditional use test must be satisfied and, as stated above, the Application failed to satisfy several prongs of the test, the Application must be denied.
  14. Out of considerations of administrative and quasi-judicial economy, the ZHE will not summarize any analysis of the remaining prongs of the variance test in this Notification of Decision.

#### DECISION:

DENIAL of a conditional use to allow for liquor retail in an NR-BP zone.



APPEAL:

If you wish to appeal this decision, you must do so by December 21, 2023 pursuant to Section 14-16-6-4(V), of the Integrated Development Ordinance, you must demonstrate that you have legal standing to file an appeal as defined.

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.



---

Robert Lucero, Esq.  
Zoning Hearing Examiner

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[mamitchell@pueblooftesuque.org](mailto:mamitchell@pueblooftesuque.org)  
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Martha Heard, 1107 11<sup>th</sup> ST NW, 87104  
Agiola Baco, 608 15<sup>th</sup> ST NW, 87104  
Eliza Frank, 1226 8<sup>th</sup> ST, 87102  
Mike Pondo, 611 Bellamah NW, 87102  
Melanie Lewis, 931 11<sup>th</sup> ST NW, 87102





Please check the appropriate box and refer to supplemental forms for submittal requirements. All fees must be paid at the time of application.

Administrative Decisions	Decisions Requiring a Public Meeting or Hearing	Policy Decisions
<input type="checkbox"/> Archaeological Certificate (Form P3)	<input type="checkbox"/> Site Plan – EPC including any Variances – EPC (Form P1)	<input type="checkbox"/> Adoption or Amendment of Comprehensive Plan or Facility Plan (Form Z)
<input type="checkbox"/> Historic Certificate of Appropriateness – Minor (Form L)	<input type="checkbox"/> Master Development Plan (Form P1)	<input type="checkbox"/> Adoption or Amendment of Historic Designation (Form L)
<input type="checkbox"/> Alternative Signage Plan (Form P3)	<input type="checkbox"/> Historic Certificate of Appropriateness – Major (Form L)	<input type="checkbox"/> Amendment of IDO Text (Form Z)
<input type="checkbox"/> Minor Amendment to Site Plan (Form P3)	<input type="checkbox"/> Demolition Outside of HPO (Form L)	<input type="checkbox"/> Annexation of Land (Form Z)
<input type="checkbox"/> WTF Approval (Form W1)	<input type="checkbox"/> Historic Design Standards and Guidelines (Form L)	<input type="checkbox"/> Amendment to Zoning Map – EPC (Form Z)
<input type="checkbox"/> Alternative Landscaping Plan (Form P3)	<input type="checkbox"/> Wireless Telecommunications Facility Waiver (Form W2)	<input type="checkbox"/> Amendment to Zoning Map – Council (Form Z)
		<b>Appeals</b>
		<input checked="" type="checkbox"/> Decision by EPC, DHO, LC, ZHE, or City Staff (Form A)

### APPLICATION INFORMATION

Applicant: Mountain Run Partners, LTD, QT South LLC		Phone: 210 332-4033
Address: 742 NW Loop 410 Suite 102		Email: dchamber@quicktrip.com
City: San Antonio	State: Texas	Zip: 78216
Professional/Agent (if any): Cadigan Law Firm, P.C. (Michael J. Cadigan)		Phone: 505 980 5623
Address: 600 Central Ave, SE		Email: cadigan@cadiganlaw.com
City: Albuquerque,	State: New Mexico	Zip: 87102
Proprietary Interest in Site: Agent/Attorney for Owner/Contract Owner		List all owners: Mountain Run Partners, LTD

### BRIEF DESCRIPTION OF REQUEST

Appeal of ZHE denial of Conditional Use for Heavy Fueling Use	VA 2023-00294
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### SITE INFORMATION (Accuracy of the existing legal description is crucial! Attach a separate sheet if necessary.)

Lot or Tract No.: 78A	Block:	Unit:
Subdivision/Addition:	MRGCD Map No.: 36	UPC Code:
Zone Atlas Page(s):	Existing Zoning: NR-BP	Proposed Zoning:
# of Existing Lots:	# of Proposed Lots:	Total Area of Site (acres):

### LOCATION OF PROPERTY BY STREETS

Site Address/Street: 1701 12th Street	Between:	and:
---------------------------------------	----------	------

### CASE HISTORY (List any current or prior project and case number(s) that may be relevant to your request.)

VA-2023-00294	
Signature:	Date: 12.19.23
Printed Name: MICHAEL J. CADIGAN	<input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent

### FOR OFFICIAL USE ONLY

Case Numbers	Action	Fees	Case Numbers	Action	Fees


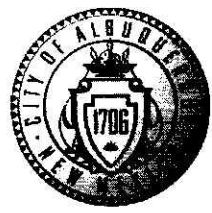
Meeting/Hearing Date:	Fee Total:
Staff Signature:	Date: Project #



**FORM A: Appeals**

**Complete applications for appeals will only be accepted within 15 consecutive days, excluding holidays, after the decision being appealed was made.**

- ☐ **APPEAL OF A DECISION OF CITY PLANNING STAFF (HISTORIC PRESERVATION PLANNER) ON A HISTORIC CERTIFICATE OF APPROPRIATENESS – MINOR TO THE LANDMARKS COMMISSION (LC)**
- ☐ **APPEAL OF A DECISION OF CITY PLANNING STAFF ON AN IMPACT FEE ASSESSMENT TO THE ENVIRONMENTAL PLANNING COMMISSION (EPC)**
- ☐ **APPEAL TO CITY COUNCIL THROUGH THE LAND USE HEARING OFFICER (LUHO)**
- ☒ Interpreter Needed for Hearing? No if yes, indicate language: \_\_\_\_\_
- ☒ A Single PDF file of the complete application including all documents being submitted must be emailed to [PLNDRS@cabq.gov](mailto:PLNDRS@cabq.gov) prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided on a CD. PDF shall be organized with the Development Review Application and this Form A at the front followed by the remaining documents in the order provided on this form.
- ☒ Project number of the case being appealed, if applicable: VA 2023 009345
- ☒ Application number of the case being appealed, if applicable: 2023 VA 00294
- ☒ Type of decision being appealed: THE Final Decision - Cond. Use
- ☒ Letter of authorization from the appellant if appeal is submitted by an agent
- ☒ Appellant's basis of standing in accordance with IDO Section 14-16-6-4(V)(2)
- ☒ Reason for the appeal identifying the section of the IDO, other City regulation, or condition attached to a decision that has not been interpreted or applied correctly, and further addressing the criteria in IDO Section 14-16-6-4(V)(4)
- ☒ Copy of the Official Notice of Decision regarding the matter being appealed

<b>I, the applicant or agent, acknowledge that if any required information is not submitted with this application, the application will not be scheduled for a public meeting or hearing, if required, or otherwise processed until it is complete.</b>	
Signature: 	Date: <u>12.19.23</u>
Printed Name: <u>MICHAEL J. LADIGAN</u>	<input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent
<b>FOR OFFICIAL USE ONLY</b>	
Case Numbers:	Project Number:
Staff Signature:	
Date:	




**LETTER OF AUTHORIZATION**

City of Albuquerque Planning Department  
600 2<sup>nd</sup> Street  
Albuquerque, New Mexico 87102

Mountain Run Partners, LTD authorizes Cadigan Law Firm, P.C. (Michael J. Cadigan) to act as its agent in connection with the appeal of VA-2023-00294, VA-2023-00295 and VA-2023-00296.

Mountain Run Partners, LTD

By  Date: 12/18/23  
Its Authorized Agent

QT South, LLC authorizes Cadigan Law Firm, P.C. (Michael J. Cadigan) to act as its agent in connection with the appeal of VA-2023-00294, VA-2023-00295 and VA-2023-00296.

QT South, LLC

By  Date: 12/18/2023  
Its Authorized Agent



**IN THE MATTER OF THE APPEAL OF NOTICES OF DECISION 2023-294, PROJECT  
NO VA 2023009345**

**REASONS FOR APPEAL**

Mountain Run Partners, LTD and QT South, LLC ("Appellants") submit these reasons for appeal in accordance with IDO Section 14-16-6-4(V)(3)(a).

**STANDING**

The applicants are the current owner and contract buyer of the site. Thus they have standing under IDO Section 14-16-6-4(V)(2)(a).

**REASONS FOR APPEAL**

The reasons for this appeal are as follows:

- (a) the ZHE acted fraudulently, arbitrarily or capriciously.
- (b) the decision is not supported by substantial evidence.
- (c) the ZHE erred in applying the requirements of the IDO

As further support, Appellant states:

IDO Section 14-16-6-6(A)(3) Review and Decision Criteria states: An application for a Conditional Use Approval **shall** be approved if it meets all of the following criteria. Each of the following criteria were met as shown in the application, supporting materials and facilitated meeting associated with this matter.

6-6(A)(3)(a) It is consistent with the adopted ABC Comp Plan, as amended.

The project is consistent with goals 5.1, 5.2, and 5.3 of the Albuquerque/Bernalillo County Comprehensive Plan. It is located in an underused infill lot where all utilities are currently in place and thus will maximize the efficient use of infrastructure. It is located on and near major transportation corridors where other similar uses are present. It is located away from residential uses and other uses inconsistent with the proposed uses and will support the public good. The project will provide goods and services, including groceries and passenger car fuel that are needed in the community as shown by market studies conducted by the Appellant.

6-6(A)(3)(b) It complies with all applicable provisions of this IDO, including but not limited to any 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, or there is a condition of approval that any Variances or Waivers needed to comply with any of these provisions must be approved or the Conditional Use Approval will be invalidated pursuant to Subsection (2)(c)2 above.



The project complies with IDO 14-16-4-3(D)(17) Heavy Vehicle and Equipment Sales, Rental, Fueling, and Repair. It has appropriate grading, stormwater, construction, screening and lighting under the IDO. It is not within 25 feet of any residential property.

6-6(A)(3)(c) It will not create significant adverse impacts on adjacent properties, the surrounding neighborhood, or the larger community.

Heavy Vehicle Fuel uses will not create significant adverse impacts on surrounding properties, the surrounding neighborhood or the larger community. The surrounding properties are vacant or all industrial / commercial uses, including motor vehicle repair, large home improvement retail, storage and UPS commercial courier companies. The facility will use a sophisticated alarm system and monitoring devices, video cameras and raised checkout for better visibility and windows will be clutter-free providing open visibility from the store to the fuel pumps and street. Thus it will not attract crime or vandalism and will not adversely affect the larger community. Loves and Four Winds Travel Center, which have similar uses, are nearby. There will be no overnight parking of heavy trucks (not sufficient space) or other customer vehicles. The facility will not have showers, a sit-down restaurant or other amenities common in truck stops. All underground storage tanks will be installed in compliance with New Mexico Environment Department regulations. There are no adjacent or nearby residential neighborhoods.

6-6(A)(3)(d) It will not create material adverse impacts on other land in the surrounding area through increases in traffic congestion, parking congestion, noise, or vibration without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts.

The facility will have two driveways to limit congestion on-site and on the local roads. While heavy fueling will be available, it is expected that private autos will make up 99 percent of customers and large semi-trucks 1 percent. The roadways in the area currently support both private, commercial and semi-truck traffic. All turns from the project are permitted and the Appellant has pledged to work with the City to mitigate any congestion or safety issues that may arise in the future.

6-6(A)(3)(e) On a project site with existing uses, it will not increase nonresidential activity within 300 feet in any direction of a lot in any Residential zone district between the hours of 10:00 P.M. and 6:00 A.M.

There are no existing uses on the site. It is vacant.

6-6(A)(3)(f) It will not negatively impact pedestrian or transit connectivity without appropriate mitigation.



The construction of this facility will not negatively impact pedestrian or transit connectivity. Sidewalks will be installed where there currently are none. No transit stops will be adversely affected.

The ZHE found that there was no evidence in the record that supported the above quoted elements of the IDO. This conclusion is not based on substantial evidence and the record contains facts showing that the conditional use should have been granted. The Appellant submitted materials with the application that showed that the criteria for conditional use were met. None of the opponents presented evidence to support their contention that the conditional use was not appropriate or to rebut the Appellant's showing.

As shown above, the application for conditional uses complied with all applicable standards and the IDO required that it be granted. Failing to approve under these circumstances was arbitrary, capricious and not in compliance with applicable law.

Wherefore, Appellant requests that the Notice of Decision be reversed and the Conditional Use application be granted.

CADIGAN LAW FIRM, P.C.

By 

Michael J. Cadigan  
Attorney for Appellant  
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Suite M  
Albuquerque, New Mexico 87102  
[cadigan@cadiganlaw.com](mailto:cadigan@cadiganlaw.com)  
505 980 5623





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

Mountain Run Partners, LTD (Agent, QT South LLC) requests a conditional use to allow for a heavy vehicle fueling station in IDO zone NR-BP for Lot 78A, MRGCD Map 36, located at 1701 12<sup>TH</sup> ST NW, zoned NR-BP [Section 14-16-4-2]

Special Exception No: ..... **VA-2023-00294**  
Project No: ..... **Project#2023-009345**  
Hearing Date: ..... 11-21-23  
Closing of Public Record: ..... 11-21-23  
Date of Decision: ..... 12-06-23

On the 21st day of November, 2023, QT South, LLC, agent for property owner Mountain Run Partners, LTD ("Applicant") appeared before the Zoning Hearing Examiner ("ZHE") requesting a conditional use to allow for a heavy vehicle fueling station in IDO zone NR-BP ("Application") upon the real property located at 1701 12<sup>TH</sup> ST NW ("Subject Property"). Below are the ZHE's finding of fact and decision:

**FINDINGS:**

1. Applicant is requesting a conditional use to allow for a heavy vehicle fueling station in IDO zone NR-BP.
2. Applicant bears the burden of providing a sound justification for the required decision, based on substantial evidence, pursuant to IDO Section 14-16-6-4(E)(3).
3. Applicant bears the burden of showing compliance with required standards through analysis, illustrations, or other exhibits as necessary, pursuant to IDO Section 14-16-6-4(E)(4).
4. Applicant established that the proper "Notice of Hearing" signage was posted for the required time period.
5. Applicant established that all property owners and neighborhood association entitled to notice were notified of the Application.
6. The subject property is currently zoned NR-BP.
7. The Applicant has authority to pursue this Application.
8. The City of Albuquerque Code of Ordinances Section 14-16-6-6(A)(3) (Review and Decision Criteria- Conditional Use) reads: *"An application for a Conditional Use Approval shall be approved if it meets all of the following criteria:*
  - (a) *It is consistent with the ABC Comp. Plan, as amended;*
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  - (c) *It will not create significant adverse impacts on adjacent properties, the surrounding neighborhood, or the larger community;*



- (d) *It will not create material adverse impacts on other land in the surrounding area, through increases in traffic congestion, parking congestion noise, or vibration without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts;*
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  - (f) *It will not negatively impact pedestrian or transit connectivity without appropriate mitigation*
9. Applicant's agent appeared at the ZHE hearing on this matter and gave evidence in support of the Application.
  10. Applicant has not met the burden of providing evidence that establishes that the requested Conditional Use approval is consistent with the ABC Comp. Plan, as amended. Specifically, POLICY 5.3.7 provides: "*Locally Unwanted Land Uses: Ensure that land uses that are objectionable to immediate neighbors but may be useful to society are located carefully and equitably to ensure that social assets are distributed evenly and social responsibilities are borne fairly across the Albuquerque area.*" Opponents pointed out that the heavy vehicle fueling, nicotine retail, and liquor retail uses requested for the Subject Property are locally unwanted uses, and sufficient uses of these types already exist within the neighborhood. Siting additional uses of these types would inequitable concentrate such locally unwanted land uses in the vicinity of the Subject Property.
  11. Applicant has not met the burden of providing evidence that establishes that the requested Conditional Use approval will not create significant adverse impacts on adjacent properties, the surrounding neighborhood, or the larger community. Opponents pointed out that the proposed uses on the Subject Property would be in conflict with the City's Metropolitan Redevelopment Agency plans and other work toward developing trail systems, open space and other amenities in the area.
  12. Applicant has not met the burden of providing evidence that establishes that the requested Conditional Use approval will not create material adverse impacts on other land in the surrounding area, through increases in traffic congestion, parking congestion noise, or vibration without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts. Further, large vehicles exiting the site after heavy fueling or making commercial deliveries would either have to make an unsignalized left turn onto busy 12<sup>th</sup> Street or make a right turn onto 12<sup>th</sup> Street and toward a residential area where 12<sup>th</sup> Street narrows. The Application does not demonstrate how any of these negative impacts would be mitigated sufficiently.
  13. Because all prongs of the conditional use test must be satisfied and, as stated above, the Application failed to satisfy several prongs of the test, the Application must be denied.
  14. Out of considerations of administrative and quasi-judicial economy, the ZHE will not summarize any analysis of the remaining prongs of the variance test in this Notification of Decision.

DECISION:

DENIAL of a conditional use to allow for a heavy vehicle fueling station in IDO zone NR-BP.



APPEAL:

If you wish to appeal this decision, you must do so by December 21, 2023 pursuant to Section 14-16-6-4(V), of the Integrated Development Ordinance, you must demonstrate that you have legal standing to file an appeal as defined.

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.



---

Robert Lucero, Esq.  
Zoning Hearing Examiner

cc:

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SCLT Board President <[SCLTboardpresident@sawmillclt.org](mailto:SCLTboardpresident@sawmillclt.org)>  
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Margaret M. Marino [executivedirector@sawmillclt.org](mailto:executivedirector@sawmillclt.org)  
Near North Valley Neighborhood Association [nearnorthvalleyna@gmail.com](mailto:nearnorthvalleyna@gmail.com)  
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Joanne Meehan, 611 15<sup>th</sup> ST NW, 87104  
Ricardo Guillermo, 1108 11<sup>th</sup> ST NW, 87104  
Martha Heard, 1107 11<sup>th</sup> ST NW, 87104  
Agiola Baco, 608 15<sup>th</sup> ST NW, 87104  
Eliza Frank, 1226 8<sup>th</sup> ST, 87102  
Mike Pondo, 611 Bellamah NW, 87102  
Melanie Lewis, 931 11<sup>th</sup> ST NW, 87102



# REQUEST FOR SPECIAL EXCEPTION

☐ Variance ☒ Conditional Use ☐ Other

Interpreter: ☐ Yes ☐ No

VA# VA-2023-00294

PR# PR-2023-009345

<b>Date: 07-13-2023</b>		<b>Received By: DPorquis</b>	
<b>Address of Request: 1701 12<sup>th</sup> St NW</b>			
City: Albuquerque		State: NM	Zip: 87104
Lot: 78A	Block: 0	Zone: NR-BP	Map pg. H-13
Subdivision: MRGCD Map 36		UPC# 101305948009140405	
<b>Property Owner(s): Mountain Run Partners, LTD</b>			
Mailing Address: 5850 Eubank Blvd NE, Suite B62			
City: Albuquerque		State: NM	Zip: 87111
Phone:		Email:	
<b>Agent: QT South LLC attn: Cathy Garland</b>			
Mailing Address: 742 NW Loop 410, Suite 102			
City: San Antonio		State: TX	Zip: 78216
Phone: 314-606-0147		Email: <a href="mailto:cgarland@quiktrip.com">cgarland@quiktrip.com</a>	
<b>Fee Total: \$265.20</b>			

## Completed Application Requirements:

- Copy of relevant IDO section
- Letter of authorization (if agent representation)
- Proof that neighborhood meeting requirements were met
- Proof that public notice requirements were met
- Photos (site and existing structures)
- Sketch plan
- Justification letter
- Sign posting
- Payment of fees

Approved for acceptance by: SF

Date: 10/3/23

Hearing Date: 11/21/23

ZONING OFFICIAL USE ONLY			
<b>Request for exception to IDO Section: 14-16-4-2 Table: 4-2-1 ref. 14-16-4-3(D)(17)</b>			
<b>Description of request: Conditional Use for Heavy vehicle fueling Station in IDO zone NR-BP</b>			
<input type="checkbox"/> Ownership verified on AGIS <input type="checkbox"/> Proof of ownership included <input type="checkbox"/> Letter of authorization included			
Case history number(s) from AGIS:			
APO:	CPO# 12	HPO#	VPO#
Wall variances not allowed in low-density residential development in these 2 areas per 5-7(D)(3)(e):			
1) CPO 3 and 2) Monte Vista / College View Historic Dist. - Mapped Area			
2) CPO-8 states walls no more than 3 feet high, but may request a variance			2 <sup>nd</sup> check Initials <b>CMT</b>



# REQUEST FOR SPECIAL EXCEPTION

☐ Variance ☒ Conditional Use ☐ Other

Interpreter: ☐ Yes ☐ No

VA# VA-2023-00295

PR# PR-2023-009345

<b>Date: 07-13-2023</b>		<b>Received By: DPorquis</b>	
<b>Address of Request: 1701 12<sup>th</sup> St NW</b>			
City: Albuquerque		State: NM	Zip: 87104
Lot: 78A	Block: 0	Zone: NR-BP	Map pg. H-13
Subdivision: MRGCD Map 36		UPC# 101305948009140405	
<b>Property Owner(s): Mountain Run Partners, LTD</b>			
Mailing Address: 5850 Eubank Blvd NE, Suite B62			
City: Albuquerque		State: NM	Zip: 87111
Phone:		Email:	
<b>Agent: QT South LLC attn: Cathy Garland</b>			
Mailing Address: 742 NW Loop 410, Suite 102			
City: San Antonio		State: TX	Zip: 78216
Phone: 314-606-0147		Email: <a href="mailto:cgarland@quiktrip.com">cgarland@quiktrip.com</a>	
<b>Fee Total: \$265.20</b>			

## Completed Application Requirements:

- Copy of relevant IDO section
- Letter of authorization (if agent representation)
- Proof that neighborhood meeting requirements were met
- Proof that public notice requirements were met
- Photos (site and existing structures)
- Sketch plan
- Justification letter
- Sign posting
- Payment of fees

**Approved for acceptance by: SF**

**Date: 10/3/23**

**Hearing Date: 11/21/23**

ZONING OFFICIAL USE ONLY			
<b>Request for exception to IDO Section: 14-16-4-2 Table: 4-2-1 ref. 14-16-4-3(D)(40)</b>			
<b>Description of request: Conditional Use for Nicotine Retail in NR-BP Zone.</b>			
<input type="checkbox"/> Ownership verified on AGIS <input type="checkbox"/> Proof of ownership included <input type="checkbox"/> Letter of authorization included			
Case history number(s) from AGIS:			
APO:	CPO# 12	HPO#	VPO#
Wall variances not allowed in low-density residential development in these 2 areas per 5-7(D)(3)(e):			
1) CPO 3 and 2) Monte Vista / College View Historic Dist. - Mapped Area			
2) CPO-8 states walls no more than 3 feet high, but may request a variance			2 <sup>nd</sup> check Initials <b>CMT</b>



# REQUEST FOR SPECIAL EXCEPTION

☐ Variance ☒ Conditional Use ☐ Other

Interpreter: ☐ Yes ☐ No

VA# VA-2023-00296

PR# PR-2023-009345

<b>Date: 07-14-2023</b>		<b>Received By: Concetta Trujillo</b>	
<b>Address of Request: 1701 12<sup>th</sup> St NW</b>			
City: Albuquerque		State: NM	Zip: 87104
Lot: 78A	Block: 0	Zone: NR-BP	Map pg. H-13
Subdivision: MRGCD Map 36		UPC# 101305948009140405	
<b>Property Owner(s): Mountain Run Partners, LTD</b>			
Mailing Address: 5850 Eubank Blvd NE, Suite B62			
City: Albuquerque		State: NM	Zip: 87111
Phone:		Email:	
<b>Agent: QT South LLC attn: Cathy Garland</b>			
Mailing Address: 742 NW Loop 410, Suite 102			
City: San Antonio		State: TX	Zip: 78216
Phone: 314-606-0147		Email: <a href="mailto:cgarland@quiktrip.com">cgarland@quiktrip.com</a>	
<b>Fee Total: \$265.20</b>			

## Completed Application Requirements:

- Copy of relevant IDO section
- Letter of authorization (if agent representation)
- Proof that neighborhood meeting requirements were met
- Proof that public notice requirements were met
- Photos (site and existing structures)
- Sketch plan
- Justification letter
- Sign posting
- Payment of fees

Approved for acceptance by: SF

Date: 10/3/23

Hearing Date: 11/21/23

ZONING OFFICIAL USE ONLY			
<b>Request for exception to IDO Section: 14-16-4-2 Table: 4-2-1 ref. 14-16-4-3(D)(40)</b>			
<b>Description of request: Conditional Use to allow for Liquor Retail in a NR-BP Zone.</b>			
<input type="checkbox"/> Ownership verified on AGIS <input type="checkbox"/> Proof of ownership included <input type="checkbox"/> Letter of authorization included			
Case history number(s) from AGIS:			
APO:	CPO# 12	HPO#	VPO#
Wall variances not allowed in low-density residential development in these 2 areas per 5-7(D)(3)(e):			
1) CPO 3 and 2) Monte Vista / College View Historic Dist. - Mapped Area			
2) CPO-8 states walls no more than 3 feet high, but may request a variance			2 <sup>nd</sup> check Initials <b>CMT</b>



**4-3(D)(16) Car Wash**

- 4-3(D)(16)(a) This use must comply with stormwater quality requirements found in the DPM.
- 4-3(D)(16)(b) A car wash building and any associated outdoor activities are prohibited within 50 feet in any direction of any Residential zone district or any lot containing a residential use in any Mixed-use zone district.
- 4-3(D)(16)(c) Within 330 feet in any direction of Major Public Open Space, this use shall require a Conditional Use Approval pursuant to Subsection 14-16-6-6(A).
- 4-3(D)(16)(d) Notwithstanding Subsection (c) above, this use is prohibited adjacent to Major Public Open Space.
- 4-3(D)(16)(e) A cumulative impacts analysis may be required at the time of application submittal for projects within the Railroad and Spur Small Area, pursuant to Subsections 14-16-5-2(F) (Cumulative Impacts) and 14-16-6-4(H) (Cumulative Impacts Analysis Requirements).
- 4-3(D)(16)(f) This use is prohibited in the following small areas as noted.
1. Downtown Neighborhood Area – CPO-3  
This use is prohibited in all zone districts.
  2. Sawmill/Wells Park – CPO-12  
This use is prohibited in the MX-L zone district.

**4-3(D)(17) Heavy Vehicle and Equipment Sales, Rental, Fueling, and Repair**

- 4-3(D)(17)(a) This use must comply with stormwater quality requirements found in the DPM.
- 4-3(D)(17)(b) The lot must be graded and surfaced pursuant to DPM standards and shall be maintained in a level and serviceable condition.
- 4-3(D)(17)(c) This use must be screened as required by Subsection 14-16-5-6(G)(4) (Outdoor Storage Areas for Vehicles, Equipment, and Materials). The Planning Director may require a taller wall, fence, or vegetative screen to provide an adequate buffer for an abutting Residential zone district or lot containing a residential use in any Mixed-use zone district from the reasonably anticipated visual or noise impacts of this use.
- 4-3(D)(17)(d) For fueling station canopies, all under-canopy lighting shall be recessed so that no light lens projects below the canopy ceiling. The canopy fascia shall not be internally illuminated.
- 4-3(D)(17)(e) Vehicle repair, servicing, and maintenance shall be conducted within fully enclosed portions of a building.
- 4-3(D)(17)(f) Any building that contains vehicle repair, servicing, and maintenance is prohibited within 25 feet in any direction of any Residential zone district or lot containing a residential use in any Mixed-use zone district.



- 4-3(D)(17)(g) If located within 330 feet of any Residential zone district, this use shall require a Conditional Use Approval pursuant to Subsections 14-16-5-2(F) and 14-16-6-6(A).
- 4-3(D)(17)(h) This use is prohibited within 330 feet in any direction of Major Public Open Space.
- 4-3(D)(17)(i) A cumulative impacts analysis may be required at the time of application submittal for projects within the Railroad and Spur Small Area, pursuant to Subsections 14-16-5-2(F) (Cumulative Impacts) and 14-16-6-4(H) (Cumulative Impacts Analysis Requirements).

#### **4-3(D)(18) Light Vehicle Fueling Station**

- 4-3(D)(18)(a) No inoperable vehicles shall be stored outside a building at any time.
- 4-3(D)(18)(b) This use must comply with stormwater quality requirements found in the DPM.
- 4-3(D)(18)(c) When this use is located on a corner lot with access from both streets, it shall have no more than 1 access point per frontage. When this use is located mid-block or with access from only one street, it shall have no more than 2 access points from that street.
- 4-3(D)(18)(d) Access points shall be located no closer than 20 feet from any adjacent property that is not under common ownership.
- 4-3(D)(18)(e) Site access from a paved alley connecting to a public street is allowed provided that the access points from the site to the alley shall be a minimum of 25 feet from the intersection of the alley and the street.
- 4-3(D)(18)(f) For fueling station canopies, all under-canopy lighting shall be recessed so that no light lens projects below the canopy ceiling. The canopy fascia shall not be internally illuminated.
- 4-3(D)(18)(g) If located adjacent to any Residential zone district, this use shall require a Conditional Use Approval pursuant to Subsection 14-16-6-6(A).
- 4-3(D)(18)(h) If located abutting or across an alley from any Residential zone district or lot containing a residential use in any Mixed-use zone district, an opaque wall, fence, or vegetative screen at least 6 feet high is required.
- 4-3(D)(18)(i) In the MX-L zone district, this use shall be located where vehicular access is only from a street designated as a collector, arterial, or interstate highway.
- 4-3(D)(18)(j) In the MX-M and higher zone districts, if located on a local street, this use is prohibited within 330 feet in any direction of a lot containing a residential use in any Residential or Mixed-use zone district.
- 4-3(D)(18)(k) This use is prohibited within 330 feet in any direction of Major Public Open Space.



**4-3(D)(40) Nicotine Retail**

4-3(D)(40)(a) Nicotine sales are allowed provided that the establishment complies with all New Mexico State law requirements, including but not limited to any required spacing from other uses or facilities.

4-3(D)(40)(b) If allowed as a conditional primary use in Table 4-2-1 (i.e. indicated as "C" in the table), this use is considered a primary use for the purposes of this IDO, regardless of the use, area, or purpose of any other primary uses on the same premises and shall meet all of the following requirements, except where it is allowed as a permissive accessory use pursuant to IDO Subsection (c) below.

1. This use is prohibited within 1,000 feet in any direction of a lot containing any other primary nicotine retail use.
2. If this use is within 500 feet in any direction of any Residential zone district or lot containing a residential use in any Mixed-use zone district, customer visits and deliveries are prohibited between 10:00 P.M. and 7:00 A.M.

4-3(D)(40)(c) In the MX-M, MX-H, and NR-C zone districts, this use does not require a Conditional Use Approval pursuant to Subsection 14-16-6-6(A) if accessory to general retail or a grocery store, in which case it is allowed as a permissive accessory use.

4-3(D)(40)(d) If allowed as an accessory use in Table 4-2-1 (i.e. indicated as either "A" or "CA" in the table), this use is prohibited unless accessory to and part of the same establishment as a general retail or grocery store use, in which case this use is limited to no more than 50 percent of the gross floor area.

4-3(D)(40)(e) In the MX-T and MX-L zone districts, this use is limited to 10,000 square feet of gross floor area.

**4-3(D)(41) Pawn Shop**

4-3(D)(41)(a) This use shall not be located within 1 mile in any direction of a lot containing any other pawn shop.

4-3(D)(41)(b) If a pawn shop use is abandoned, discontinued, or ceases continuous operation for more than 1 year, it shall not be reestablished at that location if it is within a 1 mile in any direction of a lot containing any other pawn shop.

**4-3(D)(42) Airport**

4-3(D)(42)(a) See Subsection 14-16-3-3(C) (Airport Protection Overlay Zone Use Regulations) for Use-specific Standards for private airport aircraft landing fields, airport runways, and taxiways.

4-3(D)(42)(b) A cumulative impacts analysis may be required at the time of application submittal for projects within the Railroad and Spur Small Area pursuant to Subsections 14-16-5-2(F) (Cumulative Impacts) and 14-16-6-4(H) (Cumulative Impacts Analysis Requirements).



# Part 14-16-4: Use Regulations

## 4-2: Allowable Uses

**Table 4-2-1: Allowable Uses**

P = Permissive Primary C = Conditional Primary A = Permissive Accessory CA = Conditional Accessory  
CV = Conditional if Structure Vacant for 5+ years T = Temporary CT = Conditional Temporary  
Blank Cell = Not Allowed

Zone District >>	Residential						Mixed-use				Non-residential								Use-specific Standards
	R-A	R-1	R-MC	R-T	R-ML	R-MH	MX-T	MX-L	MX-M	MX-H	NR-C	NR-BP	NR-LM	NR-GM	NR-SU	A	B	NR-PO	
University or college						CV	CV	C	P	P	P	P	CV	CV					
Vocational school						CV	P	P	P	P	P	P	P	P					
COMMERCIAL USES																			
Agriculture and Animal-related																			
Community garden	P	P	P	P	P	P	P	P	P	P	P	P	C	C		A	A	A	4-3(D)(1)
Equestrian facility	P																P	C	4-3(D)(2)
General agriculture	P											C	P	P			P	A	4-3(D)(3)
Kennel	C							C	C		P	P	P	P					4-3(D)(4)
Nursery	P								A		P	P	P	P		A	A		
Veterinary hospital	C						C	P	P	P	P	P	P	P					4-3(D)(5)
Other pet services	C						C	P	P	P	P	P	P	P					
Food, Beverage, and Indoor Entertainment																			
Adult entertainment												P	P	P					4-3(D)(6)
Auditorium or theater						A	A	A	P	P	P	P	P	P					4-3(D)(7)
Bar							C	C	P	P	P	P	P	P					4-3(D)(8)
Catering service									P	P	P	P	P	P					
Health club or gym			A		A	A	P	P	P	P	P	P	P	A					4-3(D)(9)
Mobile food truck court							C	P	P	P	P	P	P	C					4-3(D)(10)
Nightclub									P	P	P	P	P						4-3(D)(8)
Residential community amenity, indoor	P	P	P	P	P	P	P	P	P	P								C	4-3(D)(11)
Restaurant							C	P	P	P	P	P	P	P					4-3(D)(8)
Tap room or tasting room							C	C	P	P	P	P	P	P					4-3(D)(8)
Other indoor entertainment							C	P	P	P	P	P	P	P		P		C	4-3(D)(12)
Lodging																			
Bed and breakfast	A	CA			A	A	P	P											4-3(D)(13)
Campground or recreational vehicle park									C		P	P					A	C	4-3(D)(14)
Hotel or motel							P	P	P	P	P	P	P	P					4-3(D)(15)
Motor Vehicle-related																			
Car wash								P	P	P	P	P	P	P					4-3(D)(16)
Heavy vehicle and equipment sales, rental, fueling, and repair											P	C	P	P					4-3(D)(17)
Light vehicle fueling station								C	P	P	P	P	P	P					4-3(D)(18)
Light vehicle repair								P	P	P	P	P	P	P					4-3(D)(19)
Light vehicle sales and rental								C	P	P	P	P	P	P					4-3(D)(20)
Outdoor vehicle storage											C	C	P	P			A		4-3(D)(21)
Paid parking lot			A		A	A	C	P	P	A	P	P	P	P	A	A	A		4-3(D)(22)
Parking structure			A		A	A	CA	P	P	P	P	P	P	P	A				4-3(D)(22)
Offices and Services																			
Bank							P	P	P	P	P	P	P	CV					4-3(D)(23)



# Part 14-16-4: Use Regulations

## 4-2: Allowable Uses

**Table 4-2-1: Allowable Uses**

P = Permissive Primary C = Conditional Primary A = Permissive Accessory CA = Conditional Accessory  
CV = Conditional if Structure Vacant for 5+ years T = Temporary CT = Conditional Temporary  
Blank Cell = Not Allowed

Zone District >>	Residential						Mixed-use				Non-residential									Use-specific Standards
	R-A	R-1	R-MC	R-T	R-ML	R-MH	MX-T	MX-L	MX-M	MX-H	NR-C	NR-BP	NR-LM	NR-GM	NR-SU	A	B	NR-PO	C	
Blood services facility									C	C	C	P	P	P						
Club or event facility							C	P	P	P	P	P	P	CV		P	P		C	4-3(D)(24)
Commercial services								P	P	P	P	P	P	P						
Construction contractor facility and yard										C	P	P	P	P						4-3(D)(25)
Crematorium															P					
Medical or dental clinic							P	P	P	P	P	P	P	P						4-3(D)(26)
Mortuary								C	P	P	P	P	C		A					
Office							P	P	P	P	P	P	P	P						
Personal and business services, small							P	P	P	P	P	P	P	P						4-3(D)(27)
Personal and business services, large									P	P	P	P	P	P						4-3(D)(27)
Research or testing facility							P	P	P	P	P	P	P	P						4-3(D)(28)
Self-storage								C	C	P	P	P	P	P			A			4-3(D)(29)
<b>Outdoor Recreation and Entertainment</b>																				
Amphitheater										C	C	C	C	C	A	P	A	C		
Balloon Fiesta Park events and activities																P				4-3(D)(30)
Drive-in theater									C	C	C	C	C							4-3(D)(31)
Fairgrounds															P					
Residential community amenity, outdoor	P	P	P	P	P	P	P	P	P	P								A		
Stadium or racetrack															P	P				
Other outdoor entertainment	CA	CA	CA	CA	CA	CA	A	A	A	A	P	P	P	A		P		P		4-3(D)(32)
<b>Retail Sales</b>																				
Adult retail										P		P	P	P						4-3(D)(6)
Art gallery	CV	CV	C	P	P	P	P	P	P	P			P	A						4-3(D)(33)
Bakery goods or confectionery shop							C	P	P	P	P	P	P	P						
Building and home improvement materials store									C	C	P	P	P	C						4-3(D)(34)
Cannabis retail							P	P	P	P	P	P	A	A						4-3(D)(35)
Farmers' market	T		T	T	T	T	T	P	P	P	P	P	CV	CV		P	A	CA		4-3(D)(36)
General retail, small			A			A	P	P	P	P	P	P	P	P						4-3(D)(37)
General retail, medium									P	P	P	C	C							4-3(D)(37)
General retail, large									C	C	P	P								4-3(D)(37)
Grocery store								P	P	P	P		P	P						4-3(D)(38)
Liquor retail							C	A	C	C	C	C	C	C						4-3(D)(39)
Nicotine retail							CA	A	C	C	C	C	C	C						4-3(D)(40)
Pawn shop								C	P	P	P	P	P	P						4-3(D)(41)



**4-3(D)(37)(c) Size Limitations in Zone Districts**

1. In the MX-T zone district, this use shall not exceed 10,000 square feet of gross floor area.
2. In the MX-L zone district, this use is limited to establishments of no more than 30,000 square feet of gross floor area.

**4-3(D)(37)(d) Allowances on Certain Streets**

In the MX-T zone district, small general retail is allowed permissively on streets classified as collector, arterial, or interstate highway and conditionally on local streets, with the following exceptions.

1. If accessory to another primary use, the use is considered a permissive accessory use regardless of street classification.
2. In the Old Town – HPO-5, the use is allowed permissively regardless of street classification.

**4-3(D)(38) Grocery Store**

4-3(D)(38)(a) For grocery stores larger than 50,000 square feet of gross floor area, the Use-specific Standards in Subsection 14-16-4-3(D)(37)(b) (Large Retail Facilities) also apply.

4-3(D)(38)(b) In the MX-L zone district, this use is limited to establishments of no more than 30,000 square feet of gross floor area.

4-3(D)(38)(c) In the MX-M zone district, this use is limited to establishments of no more than 70,000 square feet of gross floor area.

**4-3(D)(39) Liquor Retail**

4-3(D)(39)(a) Alcohol sales for off-premises consumption are allowed provided that the establishment complies with all New Mexico State law requirements, including but not limited to any required spacing from other uses or facilities.

4-3(D)(39)(b) Alcohol sales for on-premises consumption are also allowed as an incidental activity provided that the establishment complies with all New Mexico State law requirements.

4-3(D)(39)(c) Notwithstanding other provisions in this Subsection 14-16-4-3(D)(39), this use requires a Conditional Use Approval pursuant to Subsection 14-16-6-6(A) when proposed within 500 feet of any Residential or NR-PO zone district or any group home use, as measured from the nearest edge of the building containing the use to the nearest Residential or NR-PO zone district or lot containing a group home.

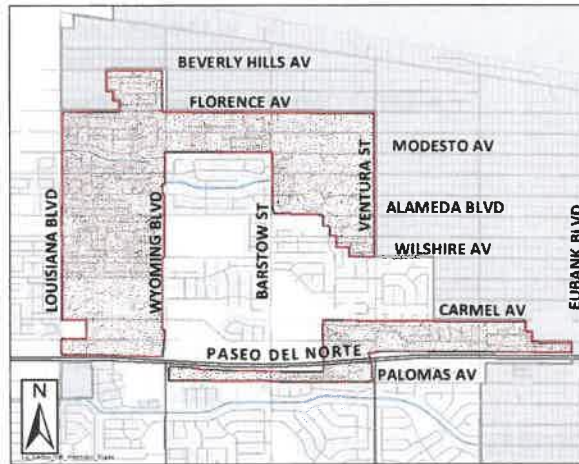
4-3(D)(39)(d) In the MX-T zone district, this use is limited to 10,000 square feet of gross floor area.

4-3(D)(39)(e) In the MX-L zone district, this use is prohibited, except in the following small areas, where it is allowed as accessory to a grocery store:

1. Downtown Neighborhood Area – CPO-3



2. East Downtown – CPO-4
3. East Downtown – HPO-1
4. La Cueva Small Area



5. North 4th Corridor – CPO-9
6. South Yale Small Area



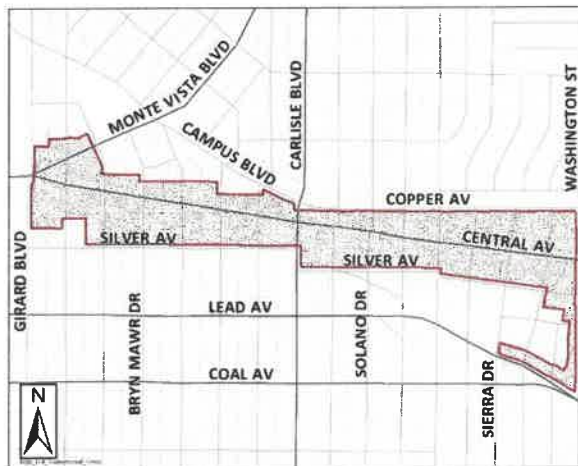
4-3(D)(39)(f) In the MX-M, MX-H, and NR-C zone districts, this use requires a Conditional Use Approval pursuant to Subsection 14-16-6-6(A) unless accessory to a grocery store, except in the following small areas, where it is prohibited unless accessory to a grocery store as noted:

1. Downtown Neighborhood Area – CPO-3
2. East Downtown – CPO-4
3. East Downtown – HPO-1
4. North 4th Corridor – CPO-9
5. South Yale Small Area





4-3(D)(39)(g) Nob Hill/Highland Small Area  
This use is prohibited in the following mapped small area.



4-3(D)(39)(h) University Neighborhoods Small Area  
This use is prohibited in the MX-M zone district in the following mapped small area unless associated with a grocery store west of University Boulevard.





**4-3(D)(40) Nicotine Retail**

- 4-3(D)(40)(a) Nicotine sales are allowed provided that the establishment complies with all New Mexico State law requirements, including but not limited to any required spacing from other uses or facilities.
- 4-3(D)(40)(b) If allowed as a conditional primary use in Table 4-2-1 (i.e. indicated as "C" in the table), this use is considered a primary use for the purposes of this IDO, regardless of the use, area, or purpose of any other primary uses on the same premises and shall meet all of the following requirements, except where it is allowed as a permissive accessory use pursuant to IDO Subsection (c) below.
1. This use is prohibited within 1,000 feet in any direction of a lot containing any other primary nicotine retail use.
  2. If this use is within 500 feet in any direction of any Residential zone district or lot containing a residential use in any Mixed-use zone district, customer visits and deliveries are prohibited between 10:00 P.M. and 7:00 A.M.
- 4-3(D)(40)(c) In the MX-M, MX-H, and NR-C zone districts, this use does not require a Conditional Use Approval pursuant to Subsection 14-16-6-6(A) if accessory to general retail or a grocery store, in which case it is allowed as a permissive accessory use.
- 4-3(D)(40)(d) If allowed as an accessory use in Table 4-2-1 (i.e. indicated as either "A" or "CA" in the table), this use is prohibited unless accessory to and part of the same establishment as a general retail or grocery store use, in which case this use is limited to no more than 50 percent of the gross floor area.
- 4-3(D)(40)(e) In the MX-T and MX-L zone districts, this use is limited to 10,000 square feet of gross floor area.

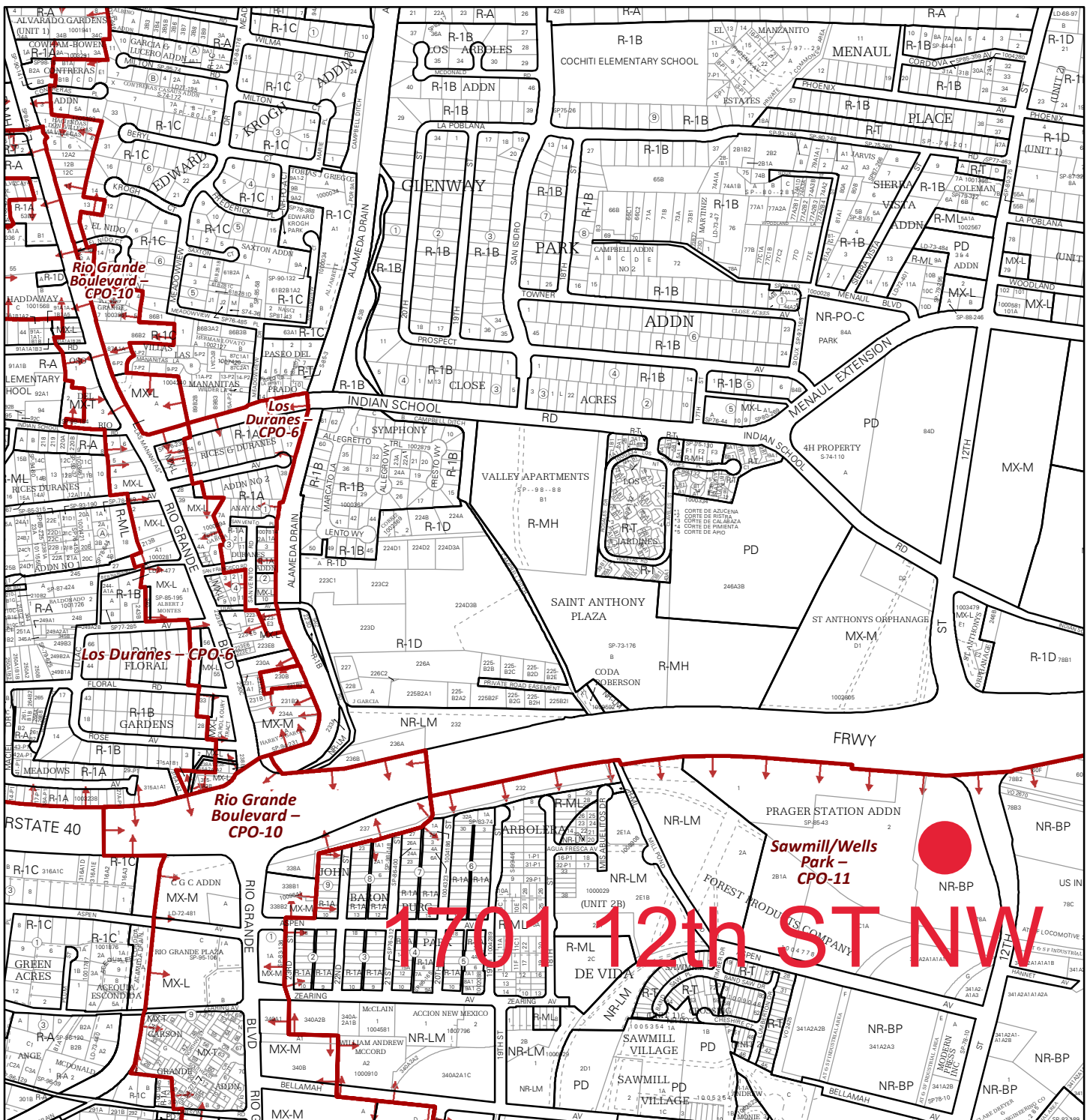
**4-3(D)(41) Pawn Shop**

- 4-3(D)(41)(a) This use shall not be located within 1 mile in any direction of a lot containing any other pawn shop.
- 4-3(D)(41)(b) If a pawn shop use is abandoned, discontinued, or ceases continuous operation for more than 1 year, it shall not be reestablished at that location if it is within a 1 mile in any direction of a lot containing any other pawn shop.

**4-3(D)(42) Airport**

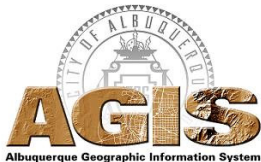
- 4-3(D)(42)(a) See Subsection 14-16-3-3(C) (Airport Protection Overlay Zone Use Regulations) for Use-specific Standards for private airport aircraft landing fields, airport runways, and taxiways.
- 4-3(D)(42)(b) A cumulative impacts analysis may be required at the time of application submittal for projects within the Railroad and Spur Small Area pursuant to Subsections 14-16-5-2(F) (Cumulative Impacts) and 14-16-6-4(H) (Cumulative Impacts Analysis Requirements).



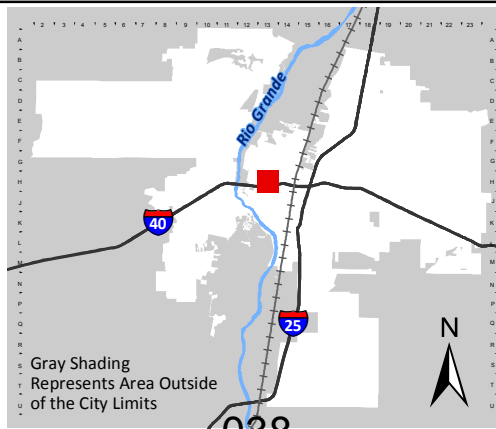


For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

# IDO Zone Atlas May 2018



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



Zone Atlas Page:  
**H-13-Z**

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

0 250 500 1,000 Feet



6/28/23

City of Albuquerque-Planning Department  
Plaza del Sol Building  
600 Second NW  
Albuquerque, NM 87102

RE: Letter of Authorization

Dear City of Albuquerque,

Please accept this Letter of Authorization as Mountain Run Partners, LTD's ("Owner") permission and authorization for QT South, LLC ("QT") to act on behalf of Owner for the purpose of applying for a Special Exception to the IDO section 4-3(D)17. This Letter of Authorization shall expire on the date which is when the Owner conveys Owner's property to QT or when the Contract for Purchase of Real Estate between Owner and QT is terminated.

For any questions, I can be reached at (505) 331-1312.

Thank you,

**Mountain Run Partners, LTD**

A handwritten signature in blue ink, appearing to be "Bret Blanchard", written over a horizontal line.

Bret Blanchard

General Counsel/Property Manager



## Sanchez, Suzanna A.

---

**From:** Carmona, Dalaina L.  
**Sent:** Tuesday, August 15, 2023 1:53 PM  
**To:** 'cgarland@quiktrip.com'  
**Cc:** Sanchez, Suzanna A.  
**Subject:** 1701 12th St NW Neighborhood Meeting Inquiry Sheet Submission  
**Attachments:** 7000 zone atlas.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

### PLEASE NOTE:

The neighborhood association contact information listed below is valid for 30 calendar days after today's date.

Dear Applicant:

Please find the neighborhood contact information listed below. Please make certain to read the information further down in this e-mail as it will help answer other questions you may have.

Association Name	First Name	Last Name	Email	Address Line 1	City
Near North Valley NA	Heather	Norfleet	nearnorthvalleyana@gmail.com	PO Box 6953	Albuquerque
Near North Valley NA	Joe	Sabatini	jsabatini423@gmail.com	3514 6th Street NW	Albuquerque
North Valley Coalition	Doyle	Kimbrough	newmexmba@aol.com	2327 Campbell Road NW	Albuquerque
North Valley Coalition	Peggy	Norton	peggynorton@yahoo.com	P.O. Box 70232	Albuquerque
Sawmill Area NA	Amanda	Browne	browne.amanda.jane@gmail.com	1314 Claire Court NW	Albuquerque
Sawmill Area NA	Mari	Kempton	mari.kempton@gmail.com	1305 Claire Court NW	Albuquerque
Wells Park NA	Mike	Prando	mprando@msn.com	611 Bellamah NW	Albuquerque
Wells Park NA	Doreen	McKnight	doreenmcknightnm@gmail.com	1426 7th Street NW	Albuquerque

The ONC does not have any jurisdiction over any other aspect of your application beyond this neighborhood contact information. We can't answer questions about sign postings, pre-construction meetings, permit status, site plans, buffers, or project plans, so we encourage you to contact the Planning Department at: 505-924-3857 Option #1, e-mail: [devhelp@cabq.gov](mailto:devhelp@cabq.gov), or visit: <https://www.cabq.gov/planning/online-planning-permitting-applications> with those types of questions.

Please note the following:

- You will need to e-mail each of the listed contacts and let them know that you are applying for an approval from the Planning Department for your project.



- Please use this online link to find the required forms you will need to submit your permit application.  
<https://www.cabq.gov/planning/urban-design-development/public-notice>.
- The Checklist form you need for notifying neighborhood associations can be found here:  
[https://documents.cabq.gov/planning/online-forms/PublicNotice/CABQ-Official\\_public\\_notice\\_form-2019.pdf](https://documents.cabq.gov/planning/online-forms/PublicNotice/CABQ-Official_public_notice_form-2019.pdf).
- The Administrative Decision form you need for notifying neighborhood associations can be found here:  
<https://documents.cabq.gov/planning/online-forms/PublicNotice/Emailed-Notice-Administrative-Print&Fill.pdf>
- Once you have e-mailed the listed contacts in each neighborhood, you will need to attach a copy of those e-mails AND a copy of this e-mail from the ONC to your application and submit it to the Planning Department for approval.

If your application requires you to offer a neighborhood meeting, you can click on this link to find required forms to use in your e-mail to the neighborhood association(s):

<http://www.cabq.gov/planning/urban-design-development/neighborhood-meeting-requirement-in-the-integrated-development-ordinance>

If your application requires a pre-application or pre-construction meeting, please plan on utilizing virtual platforms to the greatest extent possible and adhere to all current Public Health Orders and recommendations. The health and safety of the community is paramount.

If you have questions about what type of notification is required for your particular project or meetings that might be required, please click on the link below to see a table of different types of projects and what notification is required for each:

<https://ido.abc-zone.com/integrated-development-ordinance-ido?document=1&outline-name=6-1%20Procedures%20Summary%20Table>

Thank you.



*Dalaina L. Carmona*

Senior Administrative Assistant  
Office of Neighborhood Coordination  
Council Services Department  
1 Civic Plaza NW, Suite 9087, 9<sup>th</sup> Floor  
Albuquerque, NM 87102  
505-768-3334

[dlcarmona@cabq.gov](mailto:dlcarmona@cabq.gov) or [ONC@cabq.gov](mailto:ONC@cabq.gov)

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



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unless specifically provided under the New Mexico Inspection of Public Records Act. If you are not the intended recipient, please contact the sender and destroy all copies of this message.

**From:** webmaster@cabq.gov <webmaster@cabq.gov>  
**Sent:** Monday, August 14, 2023 11:49 AM  
**To:** Office of Neighborhood Coordination <cgarland@quiktrip.com>  
**Cc:** Office of Neighborhood Coordination <onc@cabq.gov>  
**Subject:** Neighborhood Meeting Inquiry Sheet Submission

**[EXTERNAL]** Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Neighborhood Meeting Inquiry For:

Zoning Hearing Examiner

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

Contact Name

Cathy Garland

Telephone Number

3146060147

Email Address

[cgarland@quiktrip.com](mailto:cgarland@quiktrip.com)

Company Name

QT South, LLC

Company Address

742 NW Loop 410, Suite 102

City

San Antonio

State

TX

ZIP

78216

Legal description of the subject site for this project:

Physical address of subject site:

1701 12th St NW

Subject site cross streets:

Interstate 40 and 12th St NW

Other subject site identifiers:

This site is located on the following zone atlas page:

H-13-Z

Captcha

x



## Sanchez, Suzanna A.

---

**From:** Garland, Cathy M <cgarland@quiktrip.com>  
**Sent:** Monday, August 14, 2023 12:24 PM  
**To:** nearnorthvalleyyna@gmail.com; jsabatini423@gmail.com; browne.amandajane@gmail.com; mari.kempton@gmail.com; mprando@msn.com; doreenmcknightnm@gmail.com; peggynorton@yahoo.com; newmexmba@aol.com  
**Cc:** Sanchez, Suzanna A.  
**Subject:** Proposed development at SWC I-40 and 12th St  
**Attachments:** NMR.pdf; Req for NM.pdf; 7000 NA letter.docx; 7000 site perspective.pdf  
  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Good afternoon,

My name is Cathy Garland and I am a Project Manager for QuikTrip. We are looking to develop the vacant corner of I-40 and 12<sup>th</sup> St. into a convenience store/gas station. This facility will also seek Special Exceptions to allow for Heavy Vehicle Fueling, Nicotine Retail Sales, and Liquor Retail Sales.

Please see the attached documents for more information regarding this project. I have included the Neighborhood Meeting Request packet, the Request for Neighborhood Meeting Letter, a brief letter to the Neighborhood Associations, and a site perspective that shows how the finished facility will look in the community. I will also be mailing all of these documents to each of you.

Please respond to this email within 15 days if you would like more information or if you seek to schedule a neighborhood meeting with QuikTrip. Feel free to reach out and offer your support of the project as well. I look forward to hearing from you!

Here is a link to our company website: [QuikTrip](https://www.quiktrip.com)



## REQUEST FOR NEIGHBORHOOD MEETING

Date: August 14, 2023

To Whom This May Concern:

I am requesting approval from the Zoning Hearing Examiner within the City of Albuquerque for a conditional use or variance to allow Nicotine Retail, Liquor Retail, and heavy vehicle fueling station as part of a light vehicle fueling station / convenience store (summary of request).

Property owner Mountain Run Partners, LTD

Agent if applicable \_\_\_\_\_

Property Address 1701 12<sup>th</sup> St NW, Albuquerque, NM, 87104 (zip code).

This letter is an offer to meet with you to provide additional information. If you wish to meet, please respond within 15 days. If you do not want to meet, or you support the proposal, please let me know.

Thank you,

Applicant Name Cathy Garland

Email cgarland@guiktrip.com

Phone Number (314) 606-0147

The City may require the applicant to attend a City-sponsored facilitated meeting with the Neighborhood Associations whose boundaries include or are adjacent to the proposed project, based on the complexity and potential impacts of a proposed project. For more information, please contact the ZHE Administrative Assistant Suzie Sanchez at 505-924-3894 or [suzannasanchez@cabq.gov](mailto:suzannasanchez@cabq.gov).

Please note: "You may submit written comments to the Zoning Hearing Examiner up to 6 days before the hearing (5pm on the Wednesday before the hearing). Written comments received after that deadline will not be taken into consideration for this application.



[Note: Items with an asterisk (\*) are required.]

## Neighborhood Meeting Request for a Proposed Project in the City of Albuquerque

Date of Request\*: August 14, 2023

This request for a Neighborhood Meeting for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Neighborhood Association (NA)\*: Near North Valley, Sawmill Area, Wells Park,

Name of NA Representative\*: and North Valley Coalition

Email Address\* or Mailing Address\* of NA Representative<sup>1</sup>: ↳ please see last page for names + email addresses

The application is not yet submitted. If you would like to have a Neighborhood Meeting about this proposed project, please respond to this request within 15 days.<sup>2</sup>

Email address to respond yes or no: cgarland@quiktrip.com

The applicant may specify a Neighborhood Meeting date that must be at least 15 days from the Date of Request above, unless you agree to an earlier date.

Meeting Date / Time / Location:

\_\_\_\_\_

### Project Information Required by [IDO Subsection 14-16-6-4\(K\)\(1\)\(a\)](#)

1. Subject Property Address\* 1701 12<sup>th</sup> St NW Albuquerque, NM 87104  
Location Description 1-40 and 12<sup>th</sup> St
2. Property Owner\* Mountain Run Partners, LTD
3. Agent/Applicant\* [if applicable] QT South, LLC (Cathy Garland)
4. Application(s) Type\* per IDO [Table 6-1-1](#) [mark all that apply]
  - ☒ Conditional Use Approval
  - ☐ Permit \_\_\_\_\_ (Carport or Wall/Fence – Major)
  - ☐ Site Plan
  - ☐ Subdivision \_\_\_\_\_ (Minor or Major)

<sup>1</sup> Pursuant to [IDO Subsection 14-16-6-4\(K\)\(5\)\(a\)](#), email is sufficient if on file with the Office of Neighborhood Coordination. If no email address is on file for a particular NA representative, notice must be mailed to the mailing address on file for that representative.

<sup>2</sup> If no one replies to this request, the applicant may be submitted to the City to begin the review/decision process.



[Note: Items with an asterisk (\*) are required.]

- ☐ Vacation \_\_\_\_\_ (Easement/Private Way or Public Right-of-way)
- ☐ Variance
- ☐ Waiver
- ☐ Zoning Map Amendment
- ☐ Other: \_\_\_\_\_

Summary of project/request<sup>3\*</sup>:

Light Vehicle Fueling Station with convenience store  
with conditional use of nicotine, liquor & heavy vehicle fueling.

5. This type of application will be decided by<sup>\*</sup>: ☐ City Staff

OR at a public meeting or hearing by:

- ☒ Zoning Hearing Examiner (ZHE) ☐ Development Review Board (DRB)  
☐ Landmarks Commission (LC) ☐ Environmental Planning Commission (EPC)  
☐ City Council

6. Where more information about the project can be found<sup>4\*</sup>:

cgarland@quiktrip.com or (314) 606-0147  
Please also see quiktrip.com for more company information.

**Project Information Required for Mail/Email Notice by IDO Subsection 6-4(K)(1)(b):**

1. Zone Atlas Page(s)<sup>5</sup> H-13-2
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant<sup>\*</sup>: Attached to notice or provided via website noted above
3. The following exceptions to IDO standards will be requested for this project<sup>\*</sup>:
- ☐ Deviation(s) ☒ Variance(s) ☐ Waiver(s)

Explanation:

Signage is still being discussed, may require a variance  
for a second electronic sign

4. An offer of a Pre-submittal Neighborhood Meeting is required by Table 6-1-1<sup>\*</sup>: ☒ Yes ☐ No

<sup>3</sup> Attach additional information, as needed to explain the project/request. Note that information provided in this meeting request is conceptual and constitutes a draft intended to provide sufficient information for discussion of concerns and opportunities.

<sup>4</sup> Address (mailing or email), phone number, or website to be provided by the applicant

<sup>5</sup> Available online here: <http://data.cabq.gov/business/zoneatlas/>



[Note: Items with an asterisk (\*) are required.]

5. **For Site Plan Applications only\***, attach site plan showing, at a minimum:

- ☐ a. Location of proposed buildings and landscape areas.\*
- ☐ b. Access and circulation for vehicles and pedestrians.\*
- ☐ c. Maximum height of any proposed structures, with building elevations.\*
- ☐ d. **For residential development\***: Maximum number of proposed dwelling units.
- ☐ e. **For non-residential development\***:
  - ☐ Total gross floor area of proposed project.
  - ☐ Gross floor area for each proposed use.

**Additional Information:**

1. From the IDO Zoning Map<sup>6</sup>:

- a. Area of Property [typically in acres] 5.98 acres
- b. IDO Zone District NR-BP
- c. Overlay Zone(s) [if applicable] Sawmill/Wells Park CPD-12
- d. Center or Corridor Area [if applicable] \_\_\_\_\_

2. Current Land Use(s) [vacant, if none] vacant

**Useful Links**

**Integrated Development Ordinance (IDO):**

<https://ido.abc-zone.com/>

**IDO Interactive Map**

<https://tinyurl.com/IDOzoningmap>

Cc: \_\_\_\_\_ [Other Neighborhood Associations, if any]

Association Name	First Name	Last Name	Email	Address Line 1	City	State	Zip	Mobile Phone	Phone
Near North Valley NA	Heather	Norfleet	<a href="mailto:nearnorthvalleyna@gmail.com">nearnorthvalleyna@gmail.com</a>	PO Box 6953	Albuquerque	NM	87197	5056204368	
Near North Valley NA	Joe	Sabatini	<a href="mailto:jsabatini423@gmail.com">jsabatini423@gmail.com</a>	3514 6th Street NW	Albuquerque	NM	87107	5058507455	5053449212
Sawmill Area NA	Amanda	Browne	<a href="mailto:browne.amanda.jane@gmail.com">browne.amanda.jane@gmail.com</a>	1314 Claire Court NW	Albuquerque	NM	87104	6097600743	
Sawmill Area NA	Mari	Kempton	<a href="mailto:mari.kempton@gmail.com">mari.kempton@gmail.com</a>	1305 Claire Court NW	Albuquerque	NM	87104	6122260658	
Wells Park NA	Mike	Prando	<a href="mailto:mprando@msn.com">mprando@msn.com</a>	611 Bellamah NW	Albuquerque	NM	87102		5054536103
Wells Park NA	Doreen	McKnight	<a href="mailto:doreenmcknightnm@gmail.com">doreenmcknightnm@gmail.com</a>	1426 7th Street NW	Albuquerque	NM	87102		5056152937
North Valley Coalition	Peggy	Norton	<a href="mailto:peggynorton@yahoo.com">peggynorton@yahoo.com</a>	P.O. Box 70232	Albuquerque	NM	87197	5058509293	5053459567
North Valley Coalition	Doyle	Kimbrough	<a href="mailto:newmexmba@aol.com">newmexmba@aol.com</a>	2327 Campbell Road NW	Albuquerque	NM	87104	5052490938	5053441363

<sup>6</sup> Available here: <https://tinyurl.com/idozoningmap>

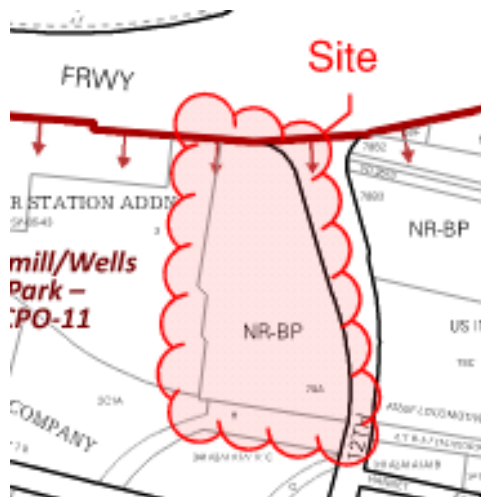




August 14, 2023

Dear Neighbor:

As a representative of QuikTrip (QT) Corporation, I have prepared and submitted a Request for Special Exceptions for a property located at the southwest corner of I-40 & 12<sup>th</sup> St. (see location map). The proposed Site is approximately 5.98 acres and is currently zoned NR-BP (Non-residential – Business Park). This Zone District allows for a light vehicle fueling station to be constructed with no exception required. QuikTrip is seeking Special Exceptions to allow for heavy vehicle fueling as well as nicotine and liquor retail sales.



Our development will provide a family oriented, clean and modern facility for the citizens of Albuquerque. We provide many of the items you will find in your larger grocery stores, with very similar pricing. QuikTrip takes great pride in our employees and our facilities. We build our quality facilities to last fifty years and we put in the time and care to ensure that they do. We have an in-house Facility Support team that maintains our stores daily. Our QT Facility Support team are called on to maintain everything from landscaping, coffee/cappuccino machines, paving, and all other aesthetic and mechanical features of the store. We also have very strict employee appearance and uniform policies and standards.





Our project achieves a very high level of site quality, exceptional architectural building design, and quality landscaping. The building represents the latest architectural design in the convenience store industry. A complete palate of building materials is available if needed. The most impactful upgrade to our facility is our innovative grab and go restaurant components, which we call QuikTrip Kitchens. Our restaurant features a vast and ever-expanding menu. We sell everything from BBQ tacos and sandwiches, to pizza, soft pretzels, grilled cheese and gourmet submarine sandwiches. We even sell delicious ice cream cones and shakes.

QuikTrip Corporation is known for their clean, quality appearance and operates over 1000 stores in 17 states. These stores all include:

- High-quality jobs:
  - Currently #21 on Forbes Top Privately Held Companies
  - Never laid off an employee in the history of the company
  - Fortune Magazine's list of the 100 Best Companies to Work For over the past 16 years
  - Our 27,000 employees are among the highest paid in the retail industry- 30% Above Industry Average
  - Great health, life, dental and vision benefits
  - 401(k), Profit Sharing and Employee Stock Option Plan (ESOP)
- Corporately Owned: No store is franchised. Each convenience store is its own profit center, and QT is responsible for all aspects of the business.
- Satisfaction Guaranteed: QT fuel is unconditionally guaranteed because our fuel is of the highest quality. QT will resolve any fuel related problems to the customer's satisfaction.
- Safe and secure facilities: QT security provides a sophisticated alarm system and monitoring devices, video cameras and raised checkout for better visibility and windows are clutter-free, providing open visibility from the store to the fuel pumps and street. Our security system puts most banks to shame.
- Every QuikTrip store is a designated "Safe Place", which is a national non-profit charitable organization that provides safety for troubled or threatened youth. QuikTrip also partners with



The United Way and Folds of Honor and several other charitable organizations throughout the country.

**We are asking for your feedback and ultimately support of our QuikTrip convenience store proposed at the SWC of I-40 & 12<sup>th</sup> St. QuikTrip will be a responsible neighbor and a contributing member of the Albuquerque community. QuikTrip is offering to hold a Neighborhood Meeting if one is requested by the City or any of the nearby Neighborhood Associations.**

**If you would like to give your support for the project or if you would like to request a Neighborhood Meeting, please reach out to Cathy Garland via email ([cgarland@quiktrip.com](mailto:cgarland@quiktrip.com)).**

**Thank you! We appreciate your time and willingness to provide your feedback on important neighborhood matters. Please contact QuikTrip Corporation representative Cathy Garland at 314.606.0147 with any questions or comments you may have.**



## Sanchez, Suzanna A.

---

**From:** Peggy Norton <peggynorton@yahoo.com>  
**Sent:** Monday, August 14, 2023 12:33 PM  
**To:** nearnorthvalleyna@gmail.com; jsabatini423@gmail.com; browne.amanda.jane@gmail.com; mari.kempton@gmail.com; mprando@msn.com; doreenmcknightnm@gmail.com; Garland, Cathy M; James Salazar  
**Cc:** Sanchez, Suzanna A.  
**Subject:** Re: Proposed development at SWC I-40 and 12th St  
**Attachments:** NMR.pdf; Req for NM.pdf; 7000 NA letter.docx; 7000 site perspective.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Hello, I am responding to add a recipient (James Salazar) and delete a current contact (Doyle Kimbrough). We recently had an annual meeting and have changes to our contact information.

Peggy Norton, President  
North Valley Coalition

On Monday, August 14, 2023 at 12:24:05 PM MDT, Garland, Cathy M <cgarland@quiktrip.com> wrote:

Good afternoon,

My name is Cathy Garland and I am a Project Manager for QuikTrip. We are looking to develop the vacant corner of I-40 and 12<sup>th</sup> St. into a convenience store/gas station. This facility will also seek Special Exceptions to allow for Heavy Vehicle Fueling, Nicotine Retail Sales, and Liquor Retail Sales.

Please see the attached documents for more information regarding this project. I have included the Neighborhood Meeting Request packet, the Request for Neighborhood Meeting Letter, a brief letter to the Neighborhood Associations, and a site perspective that shows how the finished facility will look in the community. I will also be mailing all of these documents to each of you.

Please respond to this email within 15 days if you would like more information or if you seek to schedule a neighborhood meeting with QuikTrip. Feel free to reach out and offer your support of the project as well. I look forward to hearing from you!



Here is a link to our company website: [QuikTrip](#)



Thank you for your time and consideration!



**Cathy Garland | Real Estate Project Manager**

cgarland@quiktrip.com

C: (314) 606-0147 O: (210) 332-4037 Ext:4819

742 NW Loop 410, Suite 102

San Antonio, TX 78216





Thank you for your time and consideration!



**Cathy Garland | Real Estate Project Manager**

cgarland@quiktrip.com

C: (314) 606-0147 O: (210) 332-4037 Ext:4819

742 NW Loop 410, Suite 102

San Antonio, TX 78216



## Sanchez, Suzanna A.

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**From:** Garland, Cathy M <cgarland@quiktrip.com>  
**Sent:** Monday, August 28, 2023 6:53 AM  
**To:** Peggy Norton; Sanchez, Suzanna A.  
**Cc:** browne.amanda.jane@gmail.com; Mari Kempton; Doreen McKnight; Mike Prando; Near North Valley Neighborhood Association; ZJoe Sabatini; Heather Norfleet; James Salazar; Margaret M. Marino; SCLT Board President  
**Subject:** RE: [External] Re: Quik Trip meeting request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Good morning Peggy,

I have received your request and will reach out to City staff today to arrange a neighborhood association meeting. QuikTrip prefers in person meetings as well, so I will try to arrange that. QuikTrip has requested the Special Exceptions listed in the packet, but no development application has been submitted. The Special Exception decision will determine the path forward for the project. I will reach out to you when I hear back from the Planning Department. In the meantime, feel free to reach out to me with any concerns.

Thank you,



**Cathy Garland | Real Estate Project Manager**

cgarland@quiktrip.com

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742 NW Loop 410, Suite 102

San Antonio, TX 78216

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**From:** Peggy Norton <peggynorton@yahoo.com>  
**Sent:** Saturday, August 26, 2023 12:22 PM  
**To:** Garland, Cathy M <cgarland@quiktrip.com>  
**Cc:** browne.amanda.jane@gmail.com; Mari Kempton <mari.kempton@gmail.com>; Doreen McKnight <doreenmcknightnm@gmail.com>; Mike Prando <mprando@msn.com>; Near North Valley Neighborhood Association <nearnorthvalleyyna@gmail.com>; ZJoe Sabatini <jsabatini423@gmail.com>; Heather Norfleet <hnorfleet009@gmail.com>; James Salazar <jasalazarnm@gmail.com>; Margaret M. Marino <executivedirector@sawmillclt.org>; SCLT Board President <scltboardpresident@sawmillclt.org>  
**Subject:** [External] Re: Quik Trip meeting request

[WARNING]: External Email

I should have asked for confirmation of receipt of this request.

Peggy Norton, President



## North Valley Coalition

On Saturday, August 26, 2023 at 11:20:26 AM MDT, Peggy Norton <[peggynorton@yahoo.com](mailto:peggynorton@yahoo.com)> wrote:

Hello Cathy Garland - I would like to submit a request for a neighborhood association meeting to hear about the proposed project at I-40 and 12th Street and provide a forum for questions. This request is being submitted on behalf of the North Valley Coalition, Sawmill Neighborhood Association, Wells Park Neighborhood Association, Near North Valley Neighborhood Association, and Sawmill Community Land Trust. Your initial packet stated that the application had not been submitted and I would like it confirmed by you that this is a pre-submittal meeting. I have read otherwise. I assume this will be a facilitated meeting and you will make arrangements with the City. My preference is to have this meeting in person - I find it difficult to discuss large diagrams and have dialogue via zoom. That being said, others may prefer zoom. Would it be possible to offer a hybrid meeting if that is the case?

Thank you.

Peggy Norton, President  
North Valley Coalition



**Sanchez, Suzanna A.**

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**From:** Philip Crump <phcrumpsf@gmail.com>  
**Sent:** Thursday, September 28, 2023 10:17 AM  
**Subject:** 1701 12th Street NW\_Meeting Report.docx  
**Attachments:** 1701 12th Street NW\_Meeting Report.docx; 1701 12th QT Cond Use criteria.docx; 1701 12th St NW Cond Use Justification ltr.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

All:

Attached please find the Report for the meeting held Wednesday evening regarding conditional use applications for a QT convenience store/fueling station.

In addition, there are two attachments--one depicts the criteria and responses for the conditional uses and the other a justification letter for those uses. A PDF of the entire PowerPoint presentation will be sent separately.

Please review the report carefully.

If there are significant errors of either Omission (something important said but left out) or Commission (something important misquoted), please let me know and I will issue correcting Amendments. Please note that the report is a summary of points raised and addressed. We facilitators strive for accuracy and readability--not a transcript.

Also, you may let the City know your impression of the meeting and the facilitator by completing and submitting one of the following evaluations:

<https://www.cabq.gov/legal/adr/land-use-facilitation/land-use-facilitation-program-applicant-survey>

or

<https://www.cabq.gov/legal/adr/land-use-facilitation/land-use-facilitation-program-participant-survey>

Thank you very much for your participation.

Respectfully,  
Philip Crump

[phcrumpsf@gmail.com](mailto:phcrumpsf@gmail.com)



**CITY OF ALBUQUERQUE**  
**LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT**  
**1701 12<sup>th</sup> Street NW—Conditional Uses (ZHE) Pre-application**

**Project #:** Pre-App; QT Store/Fueling station

**Property Description/Address:** 1701 12<sup>th</sup> Street NW

**Date Submitted:** 28 September 2023

**Submitted By:** Philip Crump

**Meeting Date/Time:** Tues 26 September 2023 5:30-7:30 pm

**Meeting Location:** Via Google Meet and in-person (Sawmill Lofts Rotunda, 1801 Bellamah Avenue NW)

**Facilitator:** Philip Crump

**Facilitator:** Tyson Hummel

**Applicant/Agent:** Mountain Run Partners LLC/ QT South LLC (Cathy Garland)

**Neighborhood Associations/Interested Parties:** Sawmill Community Land Trust, Indian Pueblo Cultural Center, Los Griegos NA, Near North Valley NA, North Valley Coalition, Rio Grande Blvd NA, Sawmill Area NA, Sawmill Townhouse Association, South Guadalupe Trail NA, Wells Park NA

**Background/Meeting Summary:**

This meeting was held as a hybrid (online and in-person) to review the Conditional Use application to the Zoning Hearing Examiner, for a currently vacant property at 1701 12<sup>th</sup> Street NW—the southwest corner of I-40 and 12th St NW. The property is zoned NR-BR and is in the Wells Park/Sawmill CPO-12. QuikTrip Corporation, as QT South LLC, seeks to construct a facility at that site. The Conditional uses—Heavy vehicle fueling station, Nicotine retail, and Liquor retail—would be for a convenience store/fueling station, though not a full truck stop.

The facility would operate 24/7 and include a convenience store with on-demand carryout food and drink service and providing both gasoline and diesel fueling. No electric vehicle (EV) charging facilities are anticipated at present. Liquor sales would be for off-premises use only; the types of alcohol sold have not been determined. With a PowerPoint presentation, the QT representative emphasized that much of what was shown is conceptual, pending approval of the conditional uses.

Concerns expressed by attendees included traffic flow and impact, store operations, heavy truck impacts, security, architectural design, and liquor sales.

**Outcome:** By the end of a lively meeting, many neighbors expressed opposition to what some considered to be a truck stop in the area.

**Meeting Specifics:**

**1) QT—facility and site**

a) QuikTrip Corporation [“QT”] was created in 1958 and is now headquartered in San Antonio, Texas.

i) QT is a privately-held convenience store corporation with over 1,000 stores in 17 states.

(1) It operates its own stores—there are no franchises.

(a) QuikTrip employs over 1,800 employees in warehouses, bakeries, and commissaries.

(i) There are an additional 1,400 administrative and technical employees.

(ii) Employees are paid higher than industry wages, with full benefits.

(iii) Typically there will be five fulltime staff on site at all times.

(2) QT employs “extra relief personnel” who go from store to store to cover people's time off.

(a) Fulltime employees have a lot of time off.

(i) They are offered sabbaticals after 25 years.

(3) In addition to fuel sales, the stores offer made-to-order food and drinks for carryout only.

(a) Donuts and the packaged pastries are made in a big warehouse facility and shipped.

(i) Food made on site is made to order for carryout.

(4) Each store generates an average of \$1.3 million in taxes.

(a) The corporation donates 5% of net profits to charitable groups.

(i) The corporation and employees donate to local organizations.

ii) Store design and employee training are uniform--to ensure consistent customer experiences.



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**1701 12<sup>th</sup> Street NW—Conditional Uses (ZHE) Pre-application**

- (1) For safety, store areas are monitored by camera.
  - (a) Emergency services can be contacted by the monitoring staff if needed.
  - (b) Every store is a Safe Place, allowing minors to come in, upon recognizing the yellow sign.
    - (i) Employees are trained to help the individuals, but not necessarily call police.
- b) The site is a vacant parcel at the southwest corner of 12<sup>th</sup> Street NW and the I-40 Frontage Road.
  - i) The site is zoned NR-BP (Non-Residential-Business Park) as is the surrounding area.
  - ii) Access is off 12<sup>th</sup> Street.
    - (1) The conceptual site plan shows gasoline pumps in front of the convenience store, with diesel pumps behind—to the west.
- c) Q: How many customers are served in a day?
  - i) A: The number varies a great deal by site; we will get more solid information later.
- d) Q: Are all stores open 24/7?
  - i) A: Yes.
- e) Q: Is there a 24/7 sit-down restaurant that serves alcohol? What types?
  - i) A: The in-house kitchens are 24/7, but are not sit-down. Restaurants.
    - (1) There are normally picnic tables outside; the stores are “grab and go.”
    - (2) Alcohol is served 24/7; the types have not been determined at this early stage.
      - (a) No on-premises consumption is allowed; no cocktail drinks.
- f) Q: How do you select a site?; Love’s and Four Winds Travel Center are nearby.
  - i) A: Even with competition, there is room for us.
    - (1) We cater to local truckers who want to be home for dinner at night, not over-the-road drivers.
- g) Q: Do you own the property?
  - i) A: If we get approval, then we want to purchase the property for development.
    - (1) Q: So if no conditional use approval, then you go away?
      - (a) A: If we have no heavy vehicle fueling, we will not put equipment there.
        - (i) We would need to have that heavy vehicle filling to make it work.

**2) The application**

- a) **NOTE: Attachment A--Criteria and responses for each of the uses--accompanies this Report. The Conditional Use Justification Letter is Attachment B.**
- b) QT is requesting three special exceptions to the IDO in this property zoned NR-BP—Heavy vehicle fueling, Nicotine retail sales and Liquor retail sales.
  - i) Heavy vehicle fueling is a conditional use in this area, while light vehicle fueling is permissive.
    - (1) Grading and other approvals are required for a building permit.
    - (2) Recessed canopy lighting is standard for all QT stores.
      - (a) There is light enough for security, but no over-lighting.
    - (3) There are no residential zones or major public open spaces within 330 feet.
    - (4) A cumulative impacts analysis may be required by the EPC.
      - (a) The QT representative said it likely will be required and they will conduct it if so.
        - (i) The Albuquerque requirement is slightly different from what other municipalities might require.
  - ii) Nicotine retail—cigarettes and chewing tobacco—is a usual convenience store offering.
    - (1) The store must comply with New Mexico state law requirements.
      - (a) Quick Trip employees are trained in Responsible Retailing and absolutely must follow the policy.
      - (b) No other lot has been identified as primary nicotine retail use within 1000 feet of the site and no residential within 500 feet.
  - iii) Liquor retail sales take place in most QT stores.
    - (a) The store would have to comply with New Mexico regulations, including licensure.
      - (i) QT is not actively pursuing an alcohol license at this point.



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- (b) QT operates over 1000 stores and almost all of them have alcohol.
    - (i) Exceptions are in such areas as dry counties.
    - (ii) QT is a quick stop wherever people are going--across country or across town.
  - (c) There are no residences or major public open spaces within 500 feet.
- c) Q: With cannabis being legal in New Mexico, does the site have any intention of distributing cannabis?
  - i) 100 percent not.

**3) Concern: Heavy trucks and impacts**

- a) Q: Will there be overnight parking for 18-wheelers?
  - i) A: No; there is just enough space for them to pull in, fill up and use the facility, and leave.
    - (1) There is no room for overnight parking.
    - (2) C: There are trucks in our neighborhood idling overnight.
- b) Q: Is there a set number of spaces that will be there for short term use?
  - i) A: The number is not known now—just what would fit the site.
- c) Q: What is the enforcement of no overnight parking?
  - i) A: There is no set policy.
    - (1) If a truck is there too long, employees would ask them to leave.
- d) C: We do not want a truck stop in our neighborhood.
  - i) A: QT stores are not truck stops—we are a convenience store; we call them travel centers.
    - (1) We want truckers to be able to fill up and get back on the road.
      - (a) We want neighbors to be able to come in and use the site.
    - (2) We do not sell truck parts, have a sit-down restaurant, or provide showers.
    - (3) We do have a truck scale as an amenity.
      - (a) High-flow diesel dispensers mean trucks can fill up safely and quickly.
- e) C: A neighbor expressed extreme disappointment in the idea of heavy fueling in the area.
  - i) "...Sawmill, Wells Park, downtown and many of our valley areas have been victims of massive environmental spills and issues through the years."
    - (1) Off-gassing at pumps releases benzene and other harmful products.
  - ii) A: We have heard these environmental concerns and have an Environmental Sustainability Report.

**4) Concern: Security**

- a) Q: Is there on-site security for the staff?
  - i) A: It is on a site by site basis.
    - (1) If warranted, we are quick to have security officers at the site, but do not automatically put them at every site.
    - (2) Having all that security--cameras and signs noting security--deters a lot of people from entering.
      - (a) A panic button automatically notifies security, who can then contact emergency services.
  - ii) The head of security for QT is ex-Secret Service.
    - (1) He looks at crime data and visits the site multiple times at different days and times of day to get a feel for the area and determine the needs.
- b) Q: Do you have any impact studies (pre- and post-construction) from existing sites to give an idea of crime impacts on the surrounding neighborhoods?
  - i) A: We are not aware of any such impacts.
    - (1) We have stores in all kinds of areas—rough areas and nice areas.
- c) Q: Are your employees authorized to confront shoplifters?
  - i) A: QuikTrip 100% values the safety of employees over any product in the store.
    - (1) We try to deter theft with store layout, cameras, audio.
      - (a) It is a cost of doing business, but safety is number one priority.



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**5) Concern: Traffic flow and impact**

- a) Q: Can you describe in more detail the ingress, egress, and general traffic flow for traffic on 12<sup>th</sup> Street, and then eastbound truck traffic I-40?
  - i) A: We will do a traffic impact study later, working with city traffic engineers and NM DOT.
    - (1) There probably will be some sort of mitigation that they will ask for..
    - (2) We have two proposed driveways so people can come in, go around the site, and not block other people coming in or out of the site.
- b) Q: Will those driveways be one-way or bi-directional?
  - i) A: That is up to the traffic engineer.
    - (1) Generally, we want full access.
      - (a) We would have trucks use the entrance farther from the highway.
- c) Q: Will you have a traffic signal for egress from the site?
  - i) A: We have not gotten that far yet; nothing has been proposed.
- d) There will be a sidewalk all along 12<sup>th</sup> Street.
  - i) There will be an accessible sidewalk entrance to the store area.
- e) Q: Can trucks enter and exit exclusively via the frontage road along the north side?
  - i) A: No, it is just an elevated exit ramp, not really a frontage road.
    - (1) We will work with the City and see what suggestions they have.
- f) Q: Will there be a traffic study of the eastbound frontage road and the ramp that goes to the Big I?
  - i) A: Yes. We will see what the trip generations are and what mitigation will be required.
- g) C: Trucks traveling south, east, or north have to use the 6th street on-ramp right now.
  - i) They slow everything down.
  - ii) A: The Traffic Impact Study will examine existing trips.
    - (1) We want cars as well as trucks to get in and out of our site.
    - (2) Looking at the data, there are probably about 1% trucks to 99% cars as potential customers.

**6) Additional Questions and comments**

- a) Q: What is the timeline?
  - i) A: We have to go before the ZHE and EPC.
    - (1) We have not yet submitted our application to the ZHE.
      - (a) We want to move ahead as quickly as possible, but not slap something together.
      - (b) City staff said EPC would be about six weeks after Special Exceptions are approved.
      - (c) It will probably be a month before the application is submitted.
        - (i) There are at least five things to be addressed in the application.
- b) Q: Do you hire local businesses?
  - i) A: “We hire locally, though I don't know about the construction process.”
    - (1) The QT construction team puts out bids and selects contractors.
- c) Q: What is your plan for the open area north of the developed site?
  - i) A: That is most likely for storm water detention, to filter out dirt and debris.
    - (1) There is technology to filter out any pollution from the runoff before it enters any system.
    - (2) The little area in the northwest corner is an easement allowing gated access to the substation.
- d) Q: What flexibility does your organization have to approve or implement local architectural styles?
  - i) Neighborhood associations work hard to get facilities to look something like the area.
    - (1) A: We always start with our nice looking standard brick store, to maintain the QT feel.
      - (a) Sometimes there is customization that we can do, if it is not cost-prohibitive, subject to corporate review.
- e) Q: Will there be an electric vehicle (EV) charging station?
  - i) A: It is not a functional business model yet, though we are constantly looking at it.
    - (1) They take too long to charge, while we want to get people on and off our site quicker.



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**1701 12<sup>th</sup> Street NW—Conditional Uses (ZHE) Pre-application**

- (a) Right now, they are very expensive and do not generate income.
- f) Q: What signage is planned—location and height? And will you ask for a variance for signage?
  - i) A: We plan to have one tall sign for the highway, per general commercial sign regulations—50 feet is allowed.
    - (1) If an LED price sign on 12th Street is considered an electronic sign, we would ask for a variance as a second electronic sign.
    - (a) We do not have flashing or revolving signs; we are sensitive to dark sky needs.
    - (b) All our LEDs do not put out more brightness than is required, and they are dimmable as well.

**Next Steps:** QuikTime will submit its application to the ZHE and--if the conditional uses are approved--next to EPC for site plan approval.

**ZHE Application Hearing Details:**

Zoning Hearing Examiner hearing is scheduled for Tuesday [date].

1. Hearing Time:
  - a. All meetings currently are held via Zoom, at <https://cabq.zoom.us/j/7044490999>
  - b. The ZHE will begin hearing applications at 9:00 a.m.
  - c. The actual time this application will be heard by the ZHE will depend on the applicant position on the ZHE schedule.
  - d. Written comments must be received by the prior Wednesday [date] and may be sent to: Suzanna Flores, ZHE administrative assistant, [suzannasanchez@cabq.gov](mailto:suzannasanchez@cabq.gov).
2. Hearing Process:
  - a. Comments from facilitated meetings are included in this Report, submitted to the ZHE.
  - b. ZHE references the facilitator Report in recommendations.
  - c. The ZHE will make a decision by 15 days after the hearing—[date]; parties have 15 days to appeal the decision.
3. Appeal Process
  - a. ZHE decisions can be appealed to City Council through the Land Use Hearing Officer.

**Names & Affiliations of In-person and online Attendees (and additional Interested Parties):**

Cathy Garland	QT South LLC, Real Estate Prop Mgr
Jamie Bierschbach	QT South LLC
Nicole Smith	Sawmill Community Land Trust, Pres
Margaret M. Marino	Sawmill Community Land Trust, ExDir
Michael Canfield	Indian Pueblo Cultural Ctr, Pres/CEO
David Lee	Downtown Abq News
Mary Beth Thorn	Los Griegos NA
Heather Norfleet	Near North Valley NA
Joe Sabatini	Near North Valley NA
Jose&Bernice Gutierrez	Near North Valley NA
Lorraine Olson	Near North Valley NA
Marit Tully	Near North Valley NA
Nancy Traylor	Near North Valley NA
Jodie Giannini	Near North Valley NA
Marth Beckett	Near North Valley NA
James Salazar	North Valley Coalition
Peggy Norton	North Valley Coalition
Oscar Simpson	North Valley Coalition
Karen Johns	Rio Grande Blvd NA



**CITY OF ALBUQUERQUE**  
**LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT**  
**1701 12<sup>th</sup> Street NW—Conditional Uses (ZHE) Pre-application**

Eleanor Walther	Rio Grande Blvd NA
David Michalski	Rio Grande Blvd NA
Amanda Browne	Sawmill Area NA
Mari Kempton	Sawmill Area NA
Joanne Cooper	Sawmill Area NA
Lisa Schneider	Sawmill Area NA
Maureen Thomson	Sawmill Area NA
Willie Johnson	Sawmill Area NA
Judith Edwards	Sawmill Area NA
Robert Reinke	Sawmill Townhouse Assoc.
Andy Apple	South Guadalupe Trail NA
James Salazar	South Guadalupe Trail NA
Michael Prando	Wells Park NA
Doreen McKnight	Wells Park NA
Hugh Hulse	Wells Park NA
Erin Foster	Wells Park NA
Sheila Murphy	Wells Park NA
Irene Monje	Wells Park NA
Kurt Christopher	Wells Park NA
Ethan Melvin	
Robert Nelson	
Julie Kutz	
Catherine Mexal	
Suzanna Flores	ZHE Administrative Assistant
Lorena Patten-Quintana	ZHE Planner
Tyson Hummell	CABQ ADR Coordinator
Philip Crump	Facilitator



**Sanchez, Suzanna A.**

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**From:** Philip Crump <phcrumpsf@gmail.com>  
**Sent:** Monday, October 2, 2023 7:37 AM  
**Subject:** 1701 12th Street NW Report Amendments.docx  
**Attachments:** 1701 12th Street NW Report Amendments.docx; 1701 12th St NW Cond Use Justification ltrs.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

All:

Attached please find Amendments (corrections) to the Purport from last Tuesday's meeting.

Also attached are the three letters of justification for the Conditional Use requests.

Respectfully,  
Philip Crump

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**PHILIP CRUMP, Mediator & Facilitator**

1301 Luisa Street Santa Fe, New Mexico 87505

[www.pcmediate.com](http://www.pcmediate.com) Txt/VM: (505) 989-8558



## APPENDIX B--Justification Letters (3)

### CONDITIONAL USE JUSTIFICATION LETTER

Zoning Hearing Examiner  
City of Albuquerque  
600 2<sup>nd</sup> Street NW, 3<sup>rd</sup> Floor  
Albuquerque, NM 87102

RE: Request for a Conditional Use to allow heavy vehicle fueling at QuikTrip 7000, 1701 12<sup>th</sup> NW.

- (a) It is consistent with the adopted ABD Comprehensive Plan **BECAUSE** QuikTrip is a positive addition to the community and will serve the Comprehensive Plan by building and maintaining a facility for the long term. QuikTrip offers excellent wages and benefits, gives back to the community, and focuses on sustainability. Our stores participate in the Safe Place program and have state of the art security.
- (b) It complies with all applicable provisions of this IDO, including but not limited to any Use-specific Standards applicable to the use in Section 14-16-4-3 **BECAUSE** this property is currently zoned NR-BP which allows for light vehicle fueling without a conditional use. The diesel bays at our store require a Conditional Use and will allow all vehicles to enjoy our facility.
- (c) It will not create significant adverse impacts on adjacent properties, the surrounding neighborhood, or the larger community **BECAUSE** this project site is in an industrial located on an interstate corridor. QuikTrip will improve the community by developing a lot that has been vacant for decades and replacing it with a sleek and modern facility. The average QuikTrip store creates 30 new jobs and the company promotes from within.
- (d) It will not create material adverse impacts on other land in the surrounding area through increases in traffic congestion, parking congestion, or vibration **BECAUSE** QuikTrip captures existing traffic rather than generating new trips and is consistent with the current nearby uses. QuikTrip uses strict design standards at all of their stores to ensure proper traffic circulation for all vehicles. Each site provides adequate parking and drive aisles to allow for easy ingress and egress.
- (e) On a project site with existing uses, it will not increase nonresidential activity within 300 feet in any direction of a lot in any Residential zone district between the hours of 10:00 P.M. and 6:00 A.M. **BECAUSE** there are no current uses on the project site.
- (f) It will not negatively impact pedestrian or transit connectivity **BECAUSE** the site is currently fenced off and not accessible to pedestrians. QuikTrip will improve the connectivity by opening up the site and making it accessible to all vehicle and pedestrian traffic.

Signature Cathy Garland

Date 8-18-23



## CONDITIONAL USE JUSTIFICATION LETTER

Zoning Hearing Examiner  
City of Albuquerque  
600 2<sup>nd</sup> Street NW, 3<sup>rd</sup> Floor  
Albuquerque, NM 87102

RE: Request for a Conditional Use to allow nicotine retail sales at QuikTrip 7000, 1701 12<sup>th</sup> NW.

- (a) It is consistent with the adopted ABD Comprehensive Plan **BECAUSE** QuikTrip is a positive addition to the community and will serve the Comprehensive Plan by building and maintaining a facility for the long term. QuikTrip offers excellent wages and benefits, gives back to the community, and focuses on sustainability. Our stores participate in the Safe Place program and have state of the art security.
- (b) It complies with all applicable provisions of this IDO, including but not limited to any Use-specific Standards applicable to the use in Section 14-16-4-3 **BECAUSE** in addition to following all state and federal laws, QuikTrip maintains a strict Responsible Retailing Policy at all of their 1000+ throughout the country.
- (c) It will not create significant adverse impacts on adjacent properties, the surrounding neighborhood, or the larger community **BECAUSE** this project site is in an industrial located on an interstate corridor. QuikTrip will improve the community by developing a lot that has been vacant for decades and replacing it with a sleek and modern facility. The average QuikTrip store creates 30 new jobs and the company promotes from within.
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Signature Cathy Garland

Date 8-18-23



## CONDITIONAL USE JUSTIFICATION LETTER

Zoning Hearing Examiner  
City of Albuquerque  
600 2<sup>nd</sup> Street NW, 3<sup>rd</sup> Floor  
Albuquerque, NM 87102

RE: Request for a Conditional Use to allow liquor retail sales at QuikTrip 7000, 1701 12<sup>th</sup> NW.

- (a) It is consistent with the adopted ABD Comprehensive Plan **BECAUSE** QuikTrip is a positive addition to the community and will serve the Comprehensive Plan by building and maintaining a facility for the long term. QuikTrip offers excellent wages and benefits, gives back to the community, and focuses on sustainability. Our stores participate in the Safe Place program and have state of the art security.
- (b) It complies with all applicable provisions of this IDO, including but not limited to any Use-specific Standards applicable to the use in Section 14-16-4-3 **BECAUSE** in addition to following all state and federal laws, QuikTrip maintains a strict Responsible Retailing Policy at all of their 1000+ throughout the country.
- (c) It will not create significant adverse impacts on adjacent properties, the surrounding neighborhood, or the larger community **BECAUSE** this project site is in an industrial located on an interstate corridor. QuikTrip will improve the community by developing a lot that has been vacant for decades and replacing it with a sleek and modern facility. The average QuikTrip store creates 30 new jobs and the company promotes from within.
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- (e) On a project site with existing uses, it will not increase nonresidential activity within 300 feet in any direction of a lot in any Residential zone district between the hours of 10:00 P.M. and 6:00 A.M. **BECAUSE** there are no current uses on the project site.
- (f) It will not negatively impact pedestrian or transit connectivity **BECAUSE** the site is currently fenced off and not accessible to pedestrians. QuikTrip will improve the connectivity by opening up the site and making it accessible to all vehicle and pedestrian traffic.

Signature Carry Garland

Date 8-18-23



**CITY OF ALBUQUERQUE**  
**AMENDMENT to Land Use Facilitated Meeting Report**  
**1701 12<sup>th</sup> Street NW—Conditional Uses (ZHE) Pre-application**

**Project:** Pre-App; QT Store/Fueling station, 1701 12<sup>th</sup> Street NW

**Meeting Date and Time:** Tues 26 September 2023 5:30-7:30 pm

**Date Submitted:** 2 October 2023

**Original Submission:** 28 September 2023

**Submitted By:** Philip Crump

**Facilitators:** Philip Crump, Tyson Hummel

*Corrections/changes/additions are shown in **BOLD**.*

**Note:** Attached three **Justification Letters** supplant the single letter attached to the Report.

**Background/Meeting Summary:**

The property is zoned ~~NR-BR~~ **NR-BP**...

**6. Additional Questions and comments**

- b.* Do you ~~hire~~ **work with** local businesses?



# Heavy Vehicle Fueling

## 4-3(D)(17) Heavy Vehicle and Equipment Sales, Rental, Fueling, and Repair

- 4-3(D)(17)(a) This use must comply with stormwater quality requirements found in the DPM.
- 4-3(D)(17)(b) The lot must be graded and surfaced pursuant to DPM standards and shall be maintained in a level and serviceable condition.
- 4-3(D)(17)(c) This use must be screened as required by Subsection 14-16-5-6(G)(4) (Outdoor Storage Areas for Vehicles, Equipment, and Materials). The Planning Director may require a taller wall, fence, or vegetative screen to provide an adequate buffer for an abutting Residential zone district or lot containing a residential use in any Mixed-use zone district from the reasonably anticipated visual or noise impacts of this use.
- 4-3(D)(17)(d) For fueling station canopies, all under-canopy lighting shall be recessed so that no light lens projects below the canopy ceiling. The canopy fascia shall not be internally illuminated.
- 4-3(D)(17)(e) Vehicle repair, servicing, and maintenance shall be conducted within fully enclosed portions of a building.
- 4-3(D)(17)(f) Any building that contains vehicle repair, servicing, and maintenance is prohibited within 25 feet in any direction of any Residential zone district or lot containing a residential use in any Mixed-use zone district.
- 4-3(D)(17)(g) If located within 330 feet of any Residential zone district, this use shall require a Conditional Use Approval pursuant to Subsections 14-16-5-2(E) and 14-16-6-6(A).
- 4-3(D)(17)(h) This use is prohibited within 330 feet in any direction of Major Public Open Space.
- 4-3(D)(17)(i) A cumulative impacts analysis may be required at the time of application submittal for projects within the Railroad and Spur Small Area, pursuant to Subsections 14-16-5-2(E) (Cumulative Impacts) and 14-16-6-4(H) (Cumulative Impacts Analysis Requirements).

- a) Site will be engineered to comply with all stormwater quality requirements
- b) Site will be graded and surfaced according to DPM standards
- c) Outdoor storage is not planned for this site
- d) Canopy lighting is recessed. The fascia is not internally illuminated.
- e) There is no vehicle repair, service, or maintenance planned for this site
- f) There is no vehicle repair, service, or maintenance planned for this site
- g) There are no Residential zone districts within 330 feet
- h) There are no Major Public Open Spaces within 330 feet
- i) Cumulative impacts analysis will be conducted if required by the EPC



# Nicotine Retail

## 4-3(D)(40) Nicotine Retail

4-3(D)(40)(a) Nicotine sales are allowed provided that the establishment complies with all New Mexico State law requirements, including but not limited to any required spacing from other uses or facilities.

4-3(D)(40)(b) If allowed as a conditional primary use in Table 4-2-1 (i.e. indicated as "C" in the table), this use is considered a primary use for the purposes of this IDO, regardless of the use, area, or purpose of any other primary uses on the same premises and shall meet all of the following requirements, except where it is allowed as a permissive accessory use pursuant to IDO Subsection (c) below.

1. This use is prohibited within 1,000 feet in any direction of a lot containing any other primary nicotine retail use.
2. If this use is within 500 feet in any direction of any Residential zone district or lot containing a residential use in any Mixed-use zone district, customer visits and deliveries are prohibited between 10:00 P.M. and 7:00 A.M.

4-3(D)(40)(c) In the MX-M, MX-H, and NR-C zone districts, this use does not require a Conditional Use Approval pursuant to Subsection 14-16-6-6(A) if accessory to general retail or a grocery store, in which case it is allowed as a permissive accessory use.

4-3(D)(40)(d) If allowed as an accessory use in Table 4-2-1 (i.e. indicated as either "A" or "CA" in the table), this use is prohibited unless accessory to and part of the same establishment as a general retail or grocery store use, in which case this use is limited to no more than 50 percent of the gross floor area.

4-3(D)(40)(e) In the MX-T and MX-L zone districts, this use is limited to 10,000 square feet of gross floor area.

- a) QuikTrip employees are trained in Responsible Retailing and must follow the policy. QuikTrip operates over 1000 stores in 17 states that sell nicotine and comply with all applicable laws.
- b) Nicotine sales are allowed as a conditional primary use in NR-BP
  1. No lot has been identified as primary nicotine retail use within 1000 feet of site
  2. Surrounding lots within 500 feet are not Residential
- c) This site is NR-BP. The general retail exception does not apply
- d) The allowable use table indicates "C"
- e) We are not in either of these districts



# Liquor Retail

## 4-3(D)(39) Liquor Retail

- 4-3(D)(39)(a) Alcohol sales for off-premises consumption are allowed provided that the establishment complies with all New Mexico State law requirements, including but not limited to any required spacing from other uses or facilities.
- 4-3(D)(39)(b) Alcohol sales for on-premises consumption are also allowed as an incidental activity provided that the establishment complies with all New Mexico State law requirements.
- 4-3(D)(39)(c) Notwithstanding other provisions in this Subsection 14-16-4-3(D)(39), this use requires a Conditional Use Approval pursuant to Subsection 14-16-6-6(A) when proposed within 500 feet of any Residential or NR-PO zone district or any group home use, as measured from the nearest edge of the building containing the use to the nearest Residential or NR-PO zone district or lot containing a group home.
- 4-3(D)(39)(d) In the MX-T zone district, this use is limited to 10,000 square feet of gross floor area.
- 4-3(D)(39)(e) In the MX-L zone district, this use is prohibited, except in the following small areas, where it is allowed as accessory to a grocery store:
- 4-3(D)(39)(f) In the MX-M, MX-H, and NR-C zone districts, this use requires a Conditional Use Approval pursuant to Subsection 14-16-6-6(A) unless accessory to a grocery store, except in the following small areas, where it is prohibited unless accessory to a grocery store as noted:
  - 4-3(D)(39)(g) Nob Hill/Highland Small Area  
This use is prohibited in the following mapped small area.
  - 4-3(D)(39)(h) University Neighborhoods Small Area  
This use is prohibited in the MX-M zone district in the following mapped small area unless associated with a grocery store west of University Boulevard.

- a) QuikTrip employees are trained in Responsible Retailing and must follow the policy. QuikTrip operates over 1000 stores in 17 states that sell alcohol and comply with all applicable laws.
- b) On-premises consumption is not planned for this site
- c) There are no Residential or NR-PO zone districts within 500 feet of the site
- d) We are not in the MX-T zone district
- e) We are not in the MX-L zone district
- f) We are not in any of these zone districts
- g) We are not in this Small Area
- h) We are not in this Small Area



## Attachment B: 1701 12th St NW Cond Use Justification letter

### CONDITIONAL USE JUSTIFICATION LETTER

Zoning Hearing Examiner  
City of Albuquerque  
600 2<sup>nd</sup> Street NW, 3<sup>rd</sup> Floor  
Albuquerque, NM 87102

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Signature

Cathy Guleand

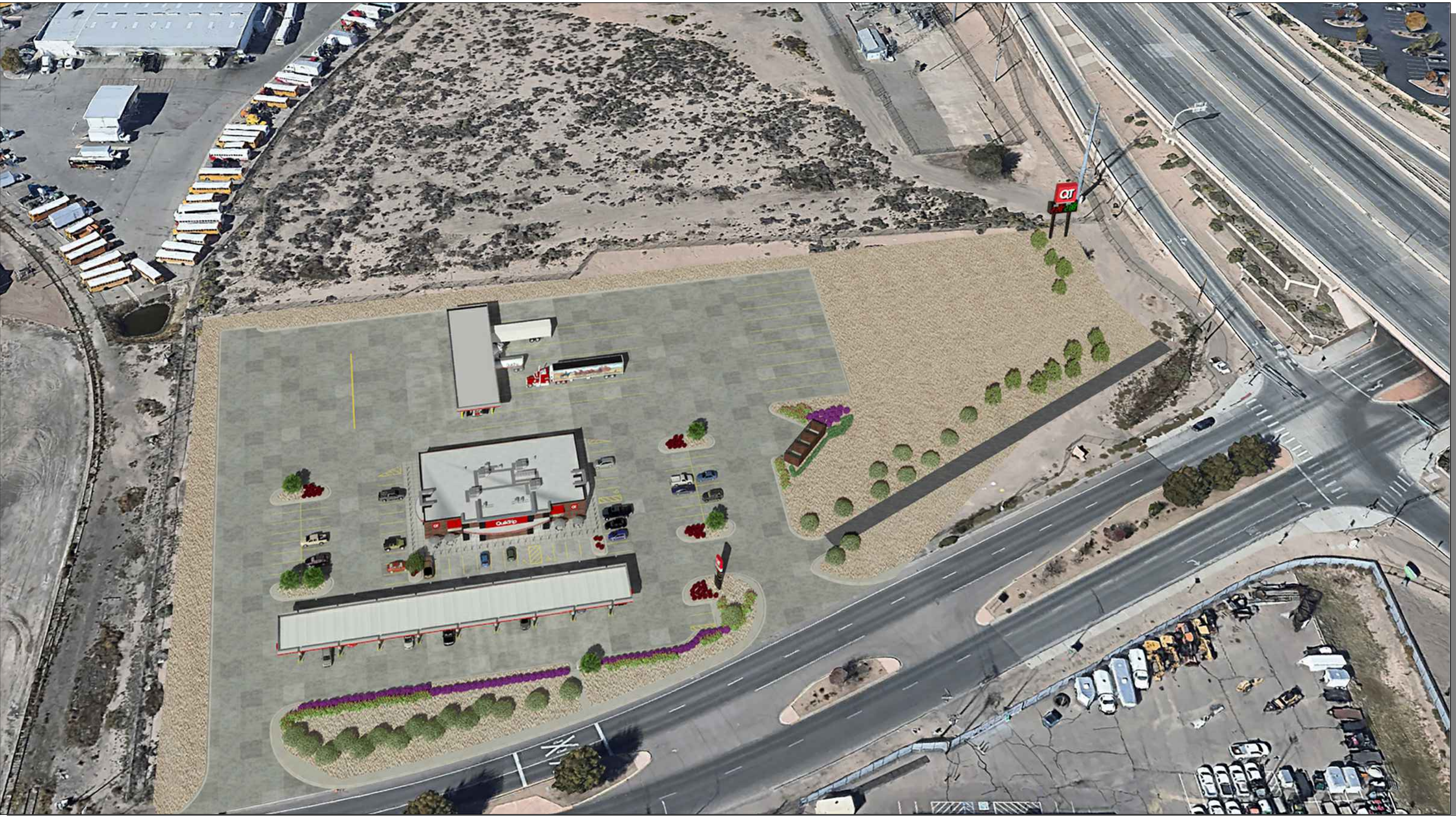
Date

8-18-23









Store 7000  
89-7000-PE00

Albuquerque, NM  
Date: 08.10.23 By: jk







**AMERICAN**  
1-877-933-6336  
AMERICANFENCE.COM

01  
DEER







## CONDITIONAL USE JUSTIFICATION LETTER

Zoning Hearing Examiner  
City of Albuquerque  
600 2<sup>nd</sup> Street NW, 3<sup>rd</sup> Floor  
Albuquerque, NM 87102

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Signature Cathy Garland

Date 8-18-23



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Date 8-18-23



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City of Albuquerque  
600 2<sup>nd</sup> Street NW, 3<sup>rd</sup> Floor  
Albuquerque, NM 87102

RE: Request for a Conditional Use to allow heavy vehicle fueling at QuikTrip 7000, 1701 12<sup>th</sup> NW.

- (a) It is consistent with the adopted ABD Comprehensive Plan **BECAUSE** QuikTrip is a positive addition to the community and will serve the Comprehensive Plan by building and maintaining a facility for the long term. QuikTrip offers excellent wages and benefits, gives back to the community, and focuses on sustainability. Our stores participate in the Safe Place program and have state of the art security.
- (b) It complies with all applicable provisions of this IDO, including but not limited to any Use-specific Standards applicable to the use in Section 14-16-4-3 **BECAUSE** this property is currently zoned NR-BP which allows for light vehicle fueling without a conditional use. The diesel bays at our store require a Conditional Use and will allow all vehicles to enjoy our facility.
- (c) It will not create significant adverse impacts on adjacent properties, the surrounding neighborhood, or the larger community **BECAUSE** this project site is in an industrial located on an interstate corridor. QuikTrip will improve the community by developing a lot that has been vacant for decades and replacing it with a sleek and modern facility. The average QuikTrip store creates 30 new jobs and the company promotes from within.
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Signature

*Cathy Garland*

Date

*8-18-23*





## **QT SPECIAL EXCEPTION REQUEST**

### **Statement of Purpose**

**Purpose:** The purpose of this submittal is to allow for the development of a 5.98-acre tract of land for the purpose of constructing a 8,292 SF convenience store with motor fuel and diesel fuel sales. The provisions of the NR-BP Zoning District and all other applicable regulations as stated in the City of Albuquerque's Integrated Development Ordinance shall govern this tract of land.

**Proposed Use:** The property is currently zoned NR-BP. QuikTrip is proposing to construct and operate a 8,292 SF 24-hour Convenience Store with motor fuel and diesel fuel sales. This would be a Conditional Primary Use according to the allowable uses found in Table 4-2-1. Page 168 of the IDO lists the Use-specific Standards that apply to this use 4-3(D)(17) Heavy Vehicle and Equipment Sales, Rental, Fueling, and Repair. QuikTrip will comply with these standards to allow heavy vehicle fueling at our facility.

Our development will provide a clean and modern facility for the citizens of Albuquerque. QuikTrip takes great pride in our employees and our stores. This is not a truck stop. We do not have showers or overnight parking. Our store allows trucks to fuel up, grab some quality food, and get back on the road. We build our facilities to last fifty years and we put in the time and care to ensure that they do. We have an in-house Facility Support team that maintains our stores daily. They are called on to maintain everything from landscaping, coffee/cappuccino machines,



paving, and all other aesthetic and mechanical features of the store. We also have very strict employee appearance and uniform policies and standards.

We believe that our application meets all City requirements and that the project achieves very high level of site quality, exceptional architectural building design, and quality landscaping. The building represents the latest architectural design in the convenience store industry. The most impactful upgrade to our facility is our innovative grab and go restaurant components, which we call QuikTrip Kitchens. Our restaurant features a vast and ever-expanding menu. We sell everything from BBQ sandwiches, to pizza, soft pretzel, grilled cheese and gourmet submarine sandwiches.

In closing, I would like to state that although our use requires a Special Exception, QuikTrip is not requesting any variance to the City of Albuquerque's Integrated Development Ordinance. I will be pleased to meet with you or your staff to discuss this matter as requested. Your consideration and support in these matters will be greatly appreciated. We stand ready to assist in your review.

**Best regards,**



**Cathy Garland | Real Estate Project Manager**

[cgarland@quiktrip.com](mailto:cgarland@quiktrip.com)

C: (314) 606-0147 O: (210) 332-4037 Ext:4819

742 NW Loop 410, Suite 102

San Antonio, TX 78216



## Sanchez, Suzanna A.

---

**From:** Hummell, Tyson  
**Sent:** Friday, September 29, 2023 11:17 AM  
**To:** 'phcrumpsf@gmail.com'; Sanchez, Suzanna A.  
**Subject:** FW: Pre-App; QT Store

Hi Phil,  
We received an online comment from the QT meeting. It was honest, but surprisingly positive. Hope you have a great Friday.  
Warmly,  
TRH

---

**From:** webmaster@cabq.gov <webmaster@cabq.gov>  
**Sent:** Thursday, September 28, 2023 12:23 PM  
**To:** Baca, Krista R. <kbaca@cabq.gov>  
**Cc:** Hummell, Tyson <thummell@cabq.gov>  
**Subject:** Pre-App; QT Store

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Project #  
Pre-App; QT Store  
Name of Facilitator  
Philip Crump  
Name of Second Facilitator  
Tyson Hummel  
Facilitation was:  
Somewhat faster  
Facilitation was:  
Somewhat less expensive  
a. Educate residents about your land use proposal?  
Yes  
b. Answer residents' questions about the proposal?  
Yes  
c. Identify and resolve potential issues?  
Yes  
d. Enhance communication and exchange of ideas between you and the residents?  
Yes  
4. Was a member of City Staff present at the facilitated meeting (Planner, Traffic Engineer, City Council Member, etc)?  
No  
If yes, was their presence helpful?  
No  
5. How satisfied are you with the overall outcome of the process?  
Neutral  
6. Did the facilitator have the appearance of impartiality without favoritism or bias?  
Yes  
7. Did the facilitator effectively handle any conflicts that arose?  
No  
8. Did the facilitator effectively manage time during the meeting?  
Yes  
9. Do you feel that all pertinent ideas were expressed in the final report?  
Yes  
10. Would you use the facilitation process in other Land Use Applications?  
Yes  
Comments



Many of the comments/questions strayed from the request at hand a few times.

Captcha

x





# CITY OF ALBUQUERQUE INVOICE

QT SOUTH LLC

742 NW LOOP 410, SUITE 102

Reference NO: VA-2023-00294

Customer NO: CU-190339307

Date	Description	Amount
10/03/23	2% Technology Fee	\$5.20
10/03/23	Application Fee	\$100.00
10/03/23	Facilitated Meeting Fee	\$50.00
10/03/23	Posted Sign Fee	\$10.00
10/03/23	Pre-Application Meeting Fee	\$50.00
10/03/23	Published Notice Fee	\$50.00

Due Date: **10/03/23**

Total due for this invoice:

**\$265.20**

Options to pay your Invoice:

1. Online with a credit card: <https://posse.cabq.gov/posse/pub/lms/Default.aspx>
2. In person: Plaza Del Sol, 600 2nd St. NW, Albuquerque, NM 87102

PLEASE RETURN THE BOTTOM PORTION OF THIS INVOICE NOTICE WITH PAYMENT



City of Albuquerque  
PO Box 1293  
Albuquerque, NM 87103

**Date:** 10/03/23  
**Amount Due:** **\$265.20**  
**Reference NO:** VA-2023-00294  
**Payment Code:** 130  
**Customer NO:** CU-190339307

QT SOUTH LLC  
742 NW LOOP 410, SUITE 102  
SAN ANTONIO, TX 78216



130 0000VA202300294001025667190339299000000000000002652CU190339307





# CITY OF ALBUQUERQUE INVOICE

QT SOUTH LLC

742 NW LOOP 410, SUITE 102

Reference NO: VA-2023-00295

Customer NO: CU-190339307

Date	Description	Amount
10/03/23	2% Technology Fee	\$5.20
10/03/23	Application Fee	\$100.00
10/03/23	Facilitated Meeting Fee	\$50.00
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City of Albuquerque  
PO Box 1293  
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742 NW LOOP 410, SUITE 102  
SAN ANTONIO, TX 78216



130 0000VA2023002950010256671903402800000000000000002652CU190339307





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QT SOUTH LLC  
742 NW LOOP 410, SUITE 102  
SAN ANTONIO, TX 78216



130 0000VA20230029600102566719034080100000000000002652CU190339307



# SIGN POSTING AGREEMENT

## REQUIREMENTS

### POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

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

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

1. LOCATION

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

2. NUMBER

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

3. PHYSICAL POSTING

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

4. TIME

Signs must be posted from November 6, 2023 To December 21, 2023

5. REMOVAL

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

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

Cathy Garland 10-5-23  
(Applicant or Agent) (Date)

I issued \_\_\_\_\_ signs for this application, 10/03/23, Suzie Flores  
(Date) (Staff Member)

PROJECT ADDRESS: 1701 12<sup>th</sup> St NW



**Mountain Run Partners, LTD (Agent, QT South LLC) requests a conditional use to allow for a heavy vehicle fueling station in IDO zone NR-BP for Lot 78A, MRGCD Map 36, located at 1701 12TH ST NW, zoned NR-BP [Section 14-16-4-2]**

**Ownership:** **Owner:** MOUNTAIN RUN PARTNERS LTD

**Zone District/Purpose:** NR-BP/The purpose of the NR-BP zone district is to accommodate a wide range of non-residential uses in campus-like settings to buffer potential impacts from surrounding uses and adjacent areas. Allowable uses include a wide variety of office, commercial, research, light industrial, office, distribution, showroom, processing, and institutional uses.

**Allowable Use:**

Heavy vehicle and equipment sales, rental, fueling, and repair											P	C	P	P					4-3(D)(17)
--	--	--	--	--	--	--	--	--	--	--	---	---	---	---	--	--	--	--	------------

**Applicable Comp Plan Designation(s):** Area of Change

**Applicable Overlay Zones:** CPO-12

**Applicable Use-Specific Standard(s):**

4-3(D)(17) Heavy Vehicle and Equipment Sales, Rental, Fueling, and Repair

4-3(D)(17)(a) This use must comply with stormwater quality requirements found in the DPM. 4-

3(D)(17)(b) The lot must be graded and surfaced pursuant to DPM standards and shall be maintained in a level and serviceable condition.

4-3(D)(17)(c) This use must be screened as required by Subsection 14-16-5- 6(G)(4) (Outdoor Storage Areas for Vehicles, Equipment, and Materials). The Planning Director may require a taller wall, fence, or vegetative screen to provide an adequate buffer for an abutting Residential zone district or lot containing a residential use in any Mixed-use zone district from the reasonably anticipated visual or noise impacts of this use.

4-3(D)(17)(d) For fueling station canopies, all under-canopy lighting shall be recessed so that no light lens projects below the canopy ceiling. The canopy fascia shall not be internally illuminated.

4-3(D)(17)(e) Vehicle repair, servicing, and maintenance shall be conducted within fully enclosed portions of a building.

4-3(D)(17)(f) Any building that contains vehicle repair, servicing, and maintenance is prohibited within 25 feet in any direction of any Residential zone district or lot containing a residential use in any Mixed-use zone district.

4-3(D)(17)(g) If located within 330 feet of any Residential zone district, this use shall require a Conditional Use Approval pursuant to Subsections 14-16-5-2(E) and 14-16-6-6(A). 4-

3(D)(17)(h) This use is prohibited within 330 feet in any direction of Major Public Open Space.



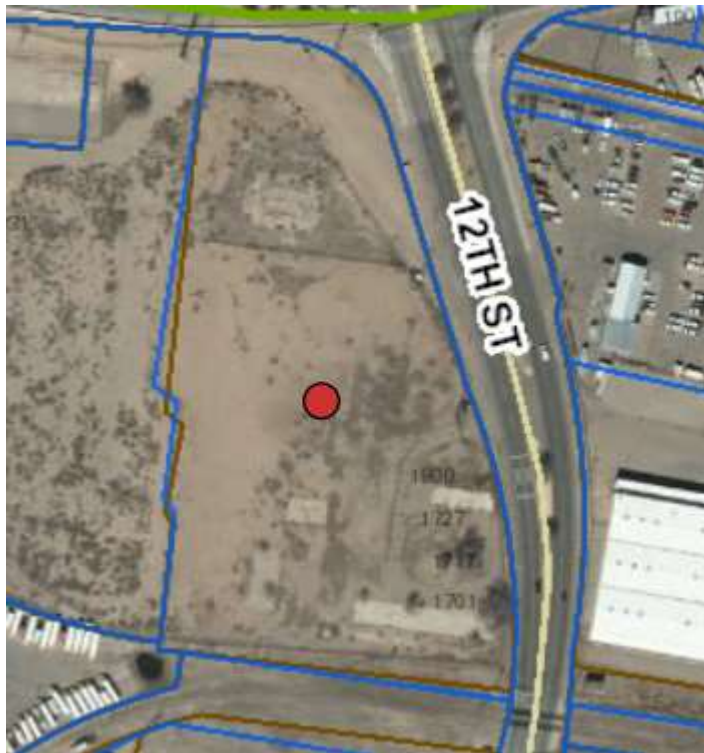
4-3(D)(17)(i) A cumulative impacts analysis may be required at the time of application submittal for projects within the Railroad and Spur Small Area, pursuant to Subsections 14-16-5-2(E) (Cumulative Impacts) and 14-16-6-4(H) (Cumulative Impacts Analysis Requirements).

**Applicable Dimensional/Development Standards:** n/a

**Prior Approval Conditions:** No prior special exceptions listed

**Traffic Recommendations:** No objection

**Planning Recommendation:** This matter should proceed to a public hearing where the Zoning Hearing Examiner will hear additional evidence and make a written decision pursuant to applicable provisions of Section 14-16-6-4.





**Mountain Run Partners, LTD (Agent, QT South LLC) requests a conditional use to allow for nicotine retail in an NR-BP zone for Lot 78A, MRGCD Map 36, located at 1701 12TH ST NW, zoned NR-BP [Section 14-16-4-2]**

**Ownership:** Owner: MOUNTAIN RUN PARTNERS LTD

**Zone District/Purpose:** NR-BP/The purpose of the NR-BP zone district is to accommodate a wide range of nonresidential uses in campuslike settings to buffer potential impacts from surrounding uses and adjacent areas. Allowable uses include a wide variety of office, commercial, research, light industrial, office, distribution, showroom, processing, and institutional uses.

**Allowable Use:**

Nicotine retail						CA	A	C	C	C	C	C	C				4-3(D)(40)
-----------------	--	--	--	--	--	----	---	---	---	---	---	---	---	--	--	--	------------

**Applicable Comp Plan Designation(s):** Area of Change

**Applicable Overlay Zones:** CPO-12

**Applicable Use-Specific Standard(s):**

4-3(D)(40) Nicotine Retail

4-3(D)(40)(a) Nicotine sales are allowed provided that the establishment complies with all New Mexico State law requirements, including but not limited to any required spacing from other uses or facilities.

4-3(D)(40)(b) If allowed as a conditional primary use in Table 4-2-1 (i.e. indicated as “C” in the table), this use is considered a primary use for the purposes of this IDO, regardless of the use, area, or purpose of any other primary uses on the same premises and shall meet all of the following requirements, except where it is allowed as a permissive accessory use pursuant to IDO Subsection (c) below.

1. This use is prohibited within 1,000 feet in any direction of a lot containing any other primary nicotine retail use.

2. If this use is within 500 feet in any direction of any Residential zone district or lot containing a residential use in any Mixed use zone district, customer visits and deliveries are prohibited between 10:00 P.M. and 7:00 A.M.

4-3(D)(40)(c) In the MX-M, MX-H, and NR-C zone districts, this use does not require a Conditional Use Approval pursuant to Subsection 14-16- 6-6(A) if accessory to general retail or a grocery store, in which case it is allowed as a permissive accessory use.

4-3(D)(40)(d) If allowed as an accessory use in Table 4-2-1 (i.e. indicated as either “A” or “CA” in the table), this use is prohibited unless accessory to and part of the same establishment as a general retail or grocery store use, in which case this use is limited to no more than 50 percent of the gross floor area.

4-3(D)(40)(e) In the MX-T and MX-L zone districts, this use is limited to 10,000 square feet of gross floor area.

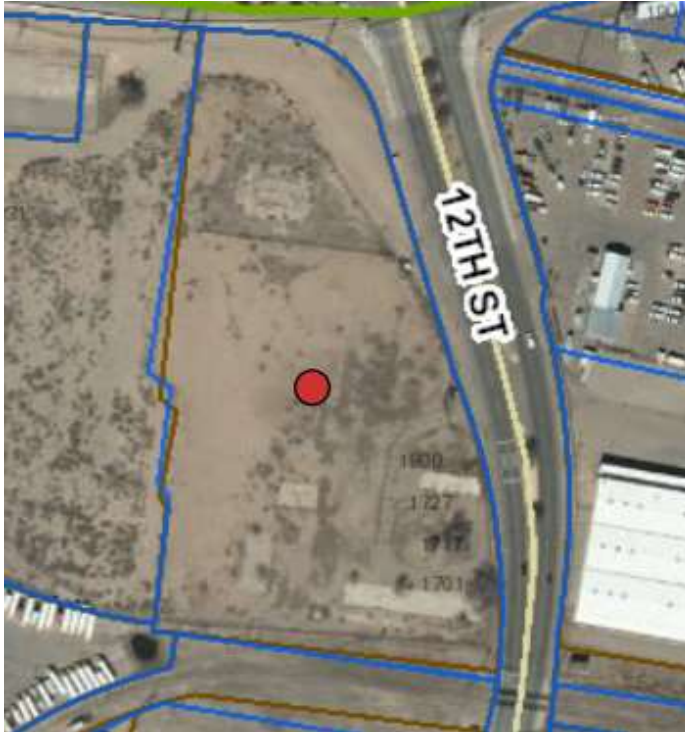


**Applicable Dimensional/Development Standards:** n/a

**Prior Approval Conditions:** No prior special exceptions listed

**Traffic Recommendations:** No objection

**Planning Recommendation:** This matter should proceed to a public hearing where the Zoning Hearing Examiner will hear additional evidence and make a written decision pursuant to applicable provisions of Section 14-16-6-4.





**Mountain Run Partners, LTD (Agent, QT South LLC) requests a conditional use to allow for liquor retail in an NR-BP zone for Lot 78A, MRGCD Map 36, located at 1701 12TH ST NW, zoned NR-BP [Section 14-16-4-2]**

**Ownership:** Owner: MOUNTAIN RUN PARTNERS LTD

**Zone District/Purpose:** NR-BP/The purpose of the NR-BP zone district is to accommodate a wide range of nonresidential uses in campuslike settings to buffer potential impacts from surrounding uses and adjacent areas. Allowable uses include a wide variety of office, commercial, research, light industrial, office, distribution, showroom, processing, and institutional uses.

**Allowable Use:**

Liquor retail							C	A	C	C	C	C	C	C	C	C	4-3(D)(39)
---------------	--	--	--	--	--	--	---	---	---	---	---	---	---	---	---	---	------------

**Applicable Comp Plan Designation(s):** Area of Change

**Applicable Overlay Zones:** CPO-12

**Applicable Use-Specific Standard(s):**

4-3(D)(40) Nicotine Retail

4-3(D)(40)(a) Nicotine sales are allowed provided that the establishment complies with all New Mexico State law requirements, including but not limited to any required spacing from other uses or facilities.

4-3(D)(40)(b) If allowed as a conditional primary use in Table 4-2-1 (i.e. indicated as “C” in the table), this use is considered a primary use for the purposes of this IDO, regardless of the use, area, or purpose of any other primary uses on the same premises and shall meet all of the following requirements, except where it is allowed as a permissive accessory use pursuant to IDO Subsection (c) below.

1. This use is prohibited within 1,000 feet in any direction of a lot containing any other primary nicotine retail use.

2. If this use is within 500 feet in any direction of any Residential zone district or lot containing a residential use in any Mixed use zone district, customer visits and deliveries are prohibited between 10:00 P.M. and 7:00 A.M.

4-3(D)(40)(c) In the MX-M, MX-H, and NR-C zone districts, this use does not require a Conditional Use Approval pursuant to Subsection 14-16-6-6(A) if accessory to general retail or a grocery store, in which case it is allowed as a permissive accessory use.

4-3(D)(40)(d) If allowed as an accessory use in Table 4-2-1 (i.e. indicated as either “A” or “CA” in the table), this use is prohibited unless accessory to and part of the same establishment as a general retail or grocery store use, in which case this use is limited to no more than 50 percent of the gross floor area.



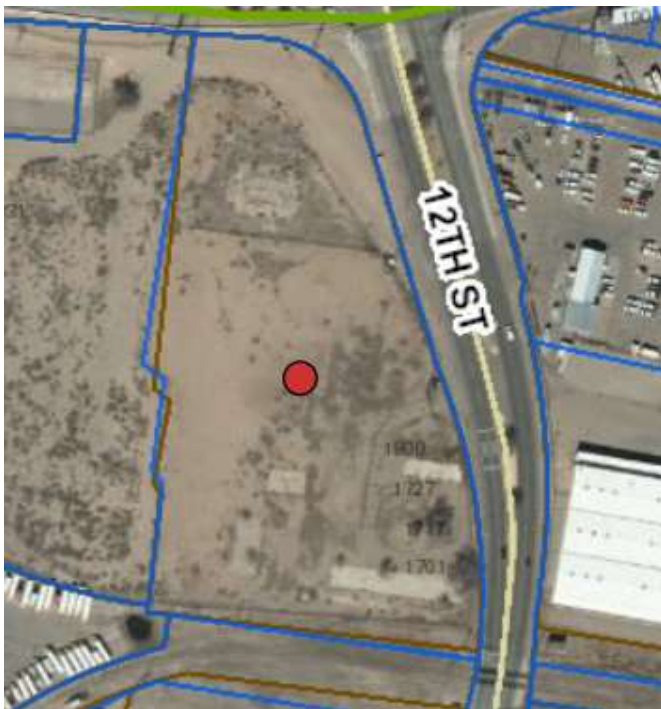
4-3(D)(40)(e) In the MX-T and MX-L zone districts, this use is limited to 10,000 square feet of gross floor area.

**Applicable Dimensional/Development Standards:** n/a

**Prior Approval Conditions:** No prior special exceptions listed

**Traffic Recommendations:** No objection

**Planning Recommendation:** This matter should proceed to a public hearing where the Zoning Hearing Examiner will hear additional evidence and make a written decision pursuant to applicable provisions of Section 14-16-6-4.





ANNING DEPARTMENT  
INTER-OFFICE MEMORANDUM

**November 7, 2023**

**To:** Lorena Patten-Quintana, ZHE Planner

**From:** Matt Grush, P.E. Senior Engineer

**Subject:** COMMENTS FOR THE ZHE HEARING OF November 21, 2023

The Transportation Development Review Services Section has reviewed the zone hearing requests, and submits the attached comments.

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**VA-2023-00294, -00295, -00296**

**PR-2023-009345**

**Address:** 1701 12<sup>th</sup> St NW

**Transportation Review:** **No objection**

After review of the provided application, Transportation has no objection to Conditional Use for Heavy vehicle fueling Station in IDO zone NR-BP, Conditional Use for Nicotine Retail in NR-BP Zone and Conditional Use to allow for Liquor Retail in a NR-BP Zone.



## Sanchez, Suzanna A.

**From:** Garland, Cathy M <cgarland@quiktrip.com>  
**Sent:** Friday, October 27, 2023 11:16 AM  
**To:** Sanchez, Suzanna A.  
**Subject:** RE: [External] ZHE Public Notice-1701 12th  
**Attachments:** Letter to Property Owners-NOV 2023 (003).docx; ABQ letter of intent.doc; 7000 zone atlas.jpg; 7000 site perspective.pdf; 1701 12th Street NW\_Meeting Report.docx

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Hello Suzie,

I have mailed the Letter to Property Owners to the addresses listed. One address was listed twice, so there were a total of 9 envelopes sent out. Each packet contained the letter, a summary of the request, the zone atlas page, a site rendering, and the report from the neighborhood meeting. Please let me know if you or the Zoning Hearing Examiner need anything else at this time.

Thank you,



**Cathy Garland | Real Estate Project Manager**

cgarland@quiktrip.com

C: (314) 606-0147 O: (210) 332-4037 Ext:4819

742 NW Loop 410, Suite 102

San Antonio, TX 78216

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**From:** Sanchez, Suzanna A. <suzannasanchez@cabq.gov>  
**Sent:** Monday, October 16, 2023 2:17 PM  
**To:** Garland, Cathy M <cgarland@quiktrip.com>  
**Subject:** [External] ZHE Public Notice-1701 12th  
**Importance:** High

[WARNING]: External Email

Dear Applicant,

Below is a list of property owners within 100+ feet of the subject property. Please fill in and mail the attached, *Letter to Property Owners- November*. Also, please provide proof that the letters were sent. Proof can be either a receipt for postage stamps purchased or a photo of the addressed envelopes.

Owner	Complete Owner Address
ATSF RAILWAY C PROPERTY TAX DEPARTMENT	PO BOX 961089 FORT WORTH TX 76161-0089
AT & SF RAILWAY CO	SANTE FE BLDG RM 514 AMARILLO TX 79110
MOUNTAIN RUN PARTNERS LTD	5850 EUBANK BLVD NE SUITE B62 ALBUQUERQUE NM 87106-6132



PUBLIC SERVICE COMPANY OF NM	ALVARADO SQUARE ALBUQUERQUE NM 87158
LAUN-DRY SUPPLY COMPANY	3800 DURAZNO EL PASO TX 79905
AT & SF RAILWAY CO	SANTA FE BLDG RM 514 AMARILLO TX 79110
HUSLIG RACQUEL	PO BOX 444 PLACITAS NM 87043-0444
THUNDER ROAD ENTERPRISES LLC	1333 ASPEN AVE NW ALBUQUERQUE NM 87104
AMARILLO DIAMOND LTD	1825 LAKEWAY DR SUITE 700 LEWISVILLE TX 75057-6047
UNITED STATES OF AMERICA GENERAL SERVICES ADMINISTRATION	819 TAYLOR ST FORT WORTH TX 76102

Please forward me a copy of the letter and proof of notice by **Wednesday, November 15th.**

Lack of notice may result in a deferral.

Thank you,

*Suzie*



**SUZIE FLORES**

zhe administrative assistant

o 505.924.3894

e [suzannasanchez@cabq.gov](mailto:suzannasanchez@cabq.gov)

[cabq.gov/planning](http://cabq.gov/planning)



## Public Notice of Hearing

Date: 10/25/23

To Whom This May Concern:

I am requesting approval from the Zoning Hearing Examiner within the City of Albuquerque for a conditional use or variance to allow: heavy vehicle fueling, nicotine retail sales, and liquor retail sales (summary of request).

Property owner: Mountain Run Partners, LTD

Agent (If applicable): QT South, LLC attn: Cathy Garland

Property Address: 1701 12<sup>th</sup> St NW Albuquerque, NM, 87104 (zip code).

**A hearing will be held on November 21, 2023 beginning at 9:00AM via ZOOM. Please call 505- 924-3894 for details and updates regarding an in-person hearing. If an in-person hearing is available, it will occur in the Plaza Del Sol Hearing Room at 600 2ND Street NW-Basement Level.**

Join Zoom Meeting

<https://cabq.zoom.us/j/7044490999>

Meeting ID: 704 449 0999

One tap mobile

+16699006833,,7044490999# US (San Jose)

+12532158782,,7044490999# US (Tacoma)

Dial by your location

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

Find your local number: <https://cabq.zoom.us/j/7044490999>

Thank you,

Applicant's Name: Cathy Garland

Applicant's Number or Email Address: cgarland@quiktrip.com

For more information, please contact the ZHE Administrative Assistant Suzie Sanchez at 505- 924-3894 or [suzannasanchez@cabq.gov](mailto:suzannasanchez@cabq.gov).

Please note: "You may submit written comments to the Zoning Hearing Examiner up to 6 days before the hearing (5pm on the Wednesday before the hearing). Written comments received after that deadline may result in deferral. An agenda can be found at <http://www.cabq.gov/planning/boards-commissions/zoning-hearing-examiner/zhe-agendas-action-sheets-decisions>.



**OFFICIAL PUBLIC NOTIFICATION FORM  
FOR MAILED OR ELECTRONIC MAIL NOTICE  
CITY OF ALBUQUERQUE PLANNING DEPARTMENT**



**PART I - PROCESS**

Use [Table 6-1-1](#) in the Integrated Development Ordinance (IDO) to answer the following:

Application Type: VARIANCE OR CONDITIONAL USE

Decision-making Body: **Zoning Hearing Examiner**

Pre-Application meeting required: Yes No **X**

Neighborhood meeting required: **X** Yes No

Mailed Notice required: **X** Yes No

Electronic Mail required: Yes No **X**

Is this a Site Plan Application: Yes No **X** **Note: if yes, see second page**

**PART II – DETAILS OF REQUEST**

Address of property listed in application:

Name of property owner:

Name of applicant:

Date, time, and place of public meeting or hearing, if applicable:

**November 21, 2023 9:00AM via Zoom (Meeting ID# 704 449 0999)**

Address, phone number, or website for additional information:

[www.cabq.gov/zoninghearingexaminer](http://www.cabq.gov/zoninghearingexaminer) or 505-924-3894

**PART III - ATTACHMENTS REQUIRED WITH THIS NOTICE**

Zone Atlas page indicating subject property.

Drawings, elevations, or other illustrations of this request.

Summary of pre-submittal neighborhood meeting, if applicable.

Summary of request, including explanations of deviations, variances, or waivers.

**IMPORTANT: PUBLIC NOTICE MUST BE MADE IN A TIMELY MANNER PURSUANT TO [SUBSECTION 14-16-6-4\(K\)](#) OF THE INTEGRATED DEVELOPMENT ORDINANCE (IDO). PROOF OF NOTICE WITH ALL REQUIRED ATTACHMENTS MUST BE PRESENTED UPON APPLICATION.**

\*I certify that the information I have included here and sent in the required notice was complete, true, and accurate to the extent of my knowledge.

\_\_\_\_\_ (Applicant signature) \_\_\_\_\_ (Date)

**Note:** Providing incomplete information may require re-sending public notice. Providing false or misleading information is a violation of the IDO pursuant to IDO Subsection 14-16-6-9(B)(3) and may lead to a denial of your application.

CITY OF ALBUQUERQUE, PLANNING DEPARTMENT, 600 2<sup>ND</sup> ST. NW, ALBUQUERQUE, NM 87102 505.924.3860

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

Printed 11/1/2020



# CITY OF ALBUQUERQUE

## LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

### 1701 12<sup>th</sup> Street NW—Conditional Uses (ZHE) Pre-application

**Project #:** Pre-App; QT Store/Fueling station

**Property Description/Address:** 1701 12<sup>th</sup> Street NW

**Date Submitted:** 28 September 2023

**Submitted By:** Philip Crump

**Meeting Date/Time:** Tues 26 September 2023 5:30-7:30 pm

**Meeting Location:** Via Google Meet and in-person (Sawmill Lofts Rotunda, 1801 Bellamah Avenue NW)

**Facilitator:** Philip Crump

**Facilitator:** Tyson Hummel

**Applicant/Agent:** Mountain Run Partners LLC/ QT South LLC (Cathy Garland)

**Neighborhood Associations/Interested Parties:** Sawmill Community Land Trust, Indian Pueblo Cultural Center, Los Griegos NA, Near North Valley NA, North Valley Coalition, Rio Grande Blvd NA, Sawmill Area NA, Sawmill Townhouse Association, South Guadalupe Trail NA, Wells Park NA

#### **Background/Meeting Summary:**

This meeting was held as a hybrid (online and in-person) to review the Conditional Use application to the Zoning Hearing Examiner, for a currently vacant property at 1701 12<sup>th</sup> Street NW—the southwest corner of I-40 and 12th St NW. The property is zoned NR-BR and is in the Wells Park/Sawmill CPO-12. QuikTrip Corporation, as QT South LLC, seeks to construct a facility at that site. The Conditional uses—Heavy vehicle fueling station, Nicotine retail, and Liquor retail—would be for a convenience store/fueling station, though not a full truck stop.

The facility would operate 24/7 and include a convenience store with on-demand carryout food and drink service and providing both gasoline and diesel fueling. No electric vehicle (EV) charging facilities are anticipated at present. Liquor sales would be for off-premises use only; the types of alcohol sold have not been determined. With a PowerPoint presentation, the QT representative emphasized that much of what was shown is conceptual, pending approval of the conditional uses.

Concerns expressed by attendees included traffic flow and impact, store operations, heavy truck impacts, security, architectural design, and liquor sales.

**Outcome:** By the end of a lively meeting, many neighbors expressed opposition to what some considered to be a truck stop in the area.

#### **Meeting Specifics:**

##### **1) QT—facility and site**

a) QuikTrip Corporation [“QT”] was created in 1958 and is now headquartered in San Antonio, Texas.

i) QT is a privately-held convenience store corporation with over 1,000 stores in 17 states.

(1) It operates its own stores—there are no franchises.

(a) QuikTrip employs over 1,800 employees in warehouses, bakeries, and commissaries.

(i) There are an additional 1,400 administrative and technical employees.

(ii) Employees are paid higher than industry wages, with full benefits.

(iii) Typically there will be five fulltime staff on site at all times.

(2) QT employs “extra relief personnel” who go from store to store to cover people's time off.

(a) Fulltime employees have a lot of time off.

(i) They are offered sabbaticals after 25 years.

(3) In addition to fuel sales, the stores offer made-to-order food and drinks for carryout only.

(a) Donuts and the packaged pastries are made in a big warehouse facility and shipped.

(i) Food made on site is made to order for carryout.

(4) Each store generates an average of \$1.3 million in taxes.

(a) The corporation donates 5% of net profits to charitable groups.

(i) The corporation and employees donate to local organizations.

ii) Store design and employee training are uniform--to ensure consistent customer experiences.



**CITY OF ALBUQUERQUE**  
**LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT**  
**1701 12<sup>th</sup> Street NW—Conditional Uses (ZHE) Pre-application**

- (1) For safety, store areas are monitored by camera.
  - (a) Emergency services can be contacted by the monitoring staff if needed.
  - (b) Every store is a Safe Place, allowing minors to come in, upon recognizing the yellow sign.
    - (i) Employees are trained to help the individuals, but not necessarily call police.
- b) The site is a vacant parcel at the southwest corner of 12<sup>th</sup> Street NW and the I-40 Frontage Road.
  - i) The site is zoned NR-BP (Non-Residential-Business Park) as is the surrounding area.
  - ii) Access is off 12<sup>th</sup> Street.
    - (1) The conceptual site plan shows gasoline pumps in front of the convenience store, with diesel pumps behind—to the west.
- c) Q: How many customers are served in a day?
  - i) A: The number varies a great deal by site; we will get more solid information later.
- d) Q: Are all stores open 24/7?
  - i) A: Yes.
- e) Q: Is there a 24/7 sit-down restaurant that serves alcohol? What types?
  - i) A: The in-house kitchens are 24/7, but are not sit-down. Restaurants.
    - (1) There are normally picnic tables outside; the stores are “grab and go.”
    - (2) Alcohol is served 24/7; the types have not been determined at this early stage.
      - (a) No on-premises consumption is allowed; no cocktail drinks.
- f) Q: How do you select a site?; Love’s and Four Winds Travel Center are nearby.
  - i) A: Even with competition, there is room for us.
    - (1) We cater to local truckers who want to be home for dinner at night, not over-the-road drivers.
- g) Q: Do you own the property?
  - i) A: If we get approval, then we want to purchase the property for development.
    - (1) Q: So if no conditional use approval, then you go away?
      - (a) A: If we have no heavy vehicle fueling, we will not put equipment there.
        - (i) We would need to have that heavy vehicle filling to make it work.

**2) The application**

- a) **NOTE: Attachment A--Criteria and responses for each of the uses--accompanies this Report. The Conditional Use Justification Letter is Attachment B.**
- b) QT is requesting three special exceptions to the IDO in this property zoned NR-BP—Heavy vehicle fueling, Nicotine retail sales and Liquor retail sales.
  - i) Heavy vehicle fueling is a conditional use in this area, while light vehicle fueling is permissive.
    - (1) Grading and other approvals are required for a building permit.
    - (2) Recessed canopy lighting is standard for all QT stores.
      - (a) There is light enough for security, but no over-lighting.
    - (3) There are no residential zones or major public open spaces within 330 feet.
    - (4) A cumulative impacts analysis may be required by the EPC.
      - (a) The QT representative said it likely will be required and they will conduct it if so.
        - (i) The Albuquerque requirement is slightly different from what other municipalities might require.
  - ii) Nicotine retail—cigarettes and chewing tobacco--is a usual convenience store offering.
    - (1) The store must comply with New Mexico state law requirements.
      - (a) Quick Trip employees are trained in Responsible Retailing and absolutely must follow the policy.
      - (b) No other lot has been identified as primary nicotine retail use within 1000 feet of the site and no residential within 500 feet.
  - iii) Liquor retail sales take place in most QT stores.
    - (a) The store would have to comply with New Mexico regulations, including licensure.
      - (i) QT is not actively pursuing an alcohol license at this point.



**CITY OF ALBUQUERQUE**  
**LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT**  
**1701 12<sup>th</sup> Street NW—Conditional Uses (ZHE) Pre-application**

- (b) QT operates over 1000 stores and almost all of them have alcohol.
    - (i) Exceptions are in such areas as dry counties.
    - (ii) QT is a quick stop wherever people are going--across country or across town.
  - (c) There are no residences or major public open spaces within 500 feet.
- c) Q: With cannabis being legal in New Mexico, does the site have any intention of distributing cannabis?
  - i) 100 percent not.

**3) Concern: Heavy trucks and impacts**

- a) Q: Will there be overnight parking for 18-wheelers?
  - i) A: No; there is just enough space for them to pull in, fill up and use the facility, and leave.
    - (1) There is no room for overnight parking.
    - (2) C: There are trucks in our neighborhood idling overnight.
- b) Q: Is there a set number of spaces that will be there for short term use?
  - i) A: The number is not known now—just what would fit the site.
- c) Q: What is the enforcement of no overnight parking?
  - i) A: There is no set policy.
    - (1) If a truck is there too long, employees would ask them to leave.
- d) C: We do not want a truck stop in our neighborhood.
  - i) A: QT stores are not truck stops—we are a convenience store; we call them travel centers.
    - (1) We want truckers to be able to fill up and get back on the road.
      - (a) We want neighbors to be able to come in and use the site.
    - (2) We do not sell truck parts, have a sit-down restaurant, or provide showers.
    - (3) We do have a truck scale as an amenity.
      - (a) High-flow diesel dispensers mean trucks can fill up safely and quickly.
- e) C: A neighbor expressed extreme disappointment in the idea of heavy fueling in the area.
  - i) "...Sawmill, Wells Park, downtown and many of our valley areas have been victims of massive environmental spills and issues through the years."
    - (1) Off-gassing at pumps releases benzene and other harmful products.
  - ii) A: We have heard these environmental concerns and have an Environmental Sustainability Report.

**4) Concern: Security**

- a) Q: Is there on-site security for the staff?
  - i) A: It is on a site by site basis.
    - (1) If warranted, we are quick to have security officers at the site, but do not automatically put them at every site.
    - (2) Having all that security--cameras and signs noting security--deters a lot of people from entering.
      - (a) A panic button automatically notifies security, who can then contact emergency services.
  - ii) The head of security for QT is ex-Secret Service.
    - (1) He looks at crime data and visits the site multiple times at different days and times of day to get a feel for the area and determine the needs.
- b) Q: Do you have any impact studies (pre- and post-construction) from existing sites to give an idea of crime impacts on the surrounding neighborhoods?
  - i) A: We are not aware of any such impacts.
    - (1) We have stores in all kinds of areas—rough areas and nice areas.
- c) Q: Are your employees authorized to confront shoplifters?
  - i) A: QuikTrip 100% values the safety of employees over any product in the store.
    - (1) We try to deter theft with store layout, cameras, audio.
      - (a) It is a cost of doing business, but safety is number one priority.



**CITY OF ALBUQUERQUE**  
**LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT**  
**1701 12<sup>th</sup> Street NW—Conditional Uses (ZHE) Pre-application**

**5) Concern: Traffic flow and impact**

- a) Q: Can you describe in more detail the ingress, egress, and general traffic flow for traffic on 12<sup>th</sup> Street, and then eastbound truck traffic I-40?
  - i) A: We will do a traffic impact study later, working with city traffic engineers and NM DOT.
    - (1) There probably will be some sort of mitigation that they will ask for..
    - (2) We have two proposed driveways so people can come in, go around the site, and not block other people coming in or out of the site.
- b) Q: Will those driveways be one-way or bi-directional?
  - i) A: That is up to the traffic engineer.
    - (1) Generally, we want full access.
      - (a) We would have trucks use the entrance farther from the highway.
- c) Q: Will you have a traffic signal for egress from the site?
  - i) A: We have not gotten that far yet; nothing has been proposed.
- d) There will be a sidewalk all along 12<sup>th</sup> Street.
  - i) There will be an accessible sidewalk entrance to the store area.
- e) Q: Can trucks enter and exit exclusively via the frontage road along the north side?
  - i) A: No, it is just an elevated exit ramp, not really a frontage road.
    - (1) We will work with the City and see what suggestions they have.
- f) Q: Will there be a traffic study of the eastbound frontage road and the ramp that goes to the Big I?
  - i) A: Yes. We will see what the trip generations are and what mitigation will be required.
- g) C: Trucks traveling south, east, or north have to use the 6th street on-ramp right now.
  - i) They slow everything down.
  - ii) A: The Traffic Impact Study will examine existing trips.
    - (1) We want cars as well as trucks to get in and out of our site.
    - (2) Looking at the data, there are probably about 1% trucks to 99% cars as potential customers.

**6) Additional Questions and comments**

- a) Q: What is the timeline?
  - i) A: We have to go before the ZHE and EPC.
    - (1) We have not yet submitted our application to the ZHE.
      - (a) We want to move ahead as quickly as possible, but not slap something together.
      - (b) City staff said EPC would be about six weeks after Special Exceptions are approved.
      - (c) It will probably be a month before the application is submitted.
        - (i) There are at least five things to be addressed in the application.
- b) Q: Do you hire local businesses?
  - i) A: “We hire locally, though I don't know about the construction process.”
    - (1) The QT construction team puts out bids and selects contractors.
- c) Q: What is your plan for the open area north of the developed site?
  - i) A: That is most likely for storm water detention, to filter out dirt and debris.
    - (1) There is technology to filter out any pollution from the runoff before it enters any system.
    - (2) The little area in the northwest corner is an easement allowing gated access to the substation.
- d) Q: What flexibility does your organization have to approve or implement local architectural styles?
  - i) Neighborhood associations work hard to get facilities to look something like the area.
    - (1) A: We always start with our nice looking standard brick store, to maintain the QT feel.
      - (a) Sometimes there is customization that we can do, if it is not cost-prohibitive, subject to corporate review.
- e) Q: Will there be an electric vehicle (EV) charging station?
  - i) A: It is not a functional business model yet, though we are constantly looking at it.
    - (1) They take too long to charge, while we want to get people on and off our site quicker.



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- (a) Right now, they are very expensive and do not generate income.
- f) Q: What signage is planned—location and height? And will you ask for a variance for signage?
  - i) A: We plan to have one tall sign for the highway, per general commercial sign regulations—50 feet is allowed.
    - (1) If an LED price sign on 12th Street is considered an electronic sign, we would ask for a variance as a second electronic sign.
    - (a) We do not have flashing or revolving signs; we are sensitive to dark sky needs.
    - (b) All our LEDs do not put out more brightness than is required, and they are dimmable as well.

**Next Steps:** QuikTime will submit its application to the ZHE and--if the conditional uses are approved--next to EPC for site plan approval.

**ZHE Application Hearing Details:**

Zoning Hearing Examiner hearing is scheduled for Tuesday [date].

1. Hearing Time:
  - a. All meetings currently are held via Zoom, at <https://cabq.zoom.us/j/7044490999>
  - b. The ZHE will begin hearing applications at 9:00 a.m.
  - c. The actual time this application will be heard by the ZHE will depend on the applicant position on the ZHE schedule.
  - d. Written comments must be received by the prior Wednesday [date] and may be sent to: Suzanna Flores, ZHE administrative assistant, [suzannasanchez@cabq.gov](mailto:suzannasanchez@cabq.gov).
2. Hearing Process:
  - a. Comments from facilitated meetings are included in this Report, submitted to the ZHE.
  - b. ZHE references the facilitator Report in recommendations.
  - c. The ZHE will make a decision by 15 days after the hearing—[date]; parties have 15 days to appeal the decision.
3. Appeal Process
  - a. ZHE decisions can be appealed to City Council through the Land Use Hearing Officer.

**Names & Affiliations of In-person and online Attendees (and additional Interested Parties):**

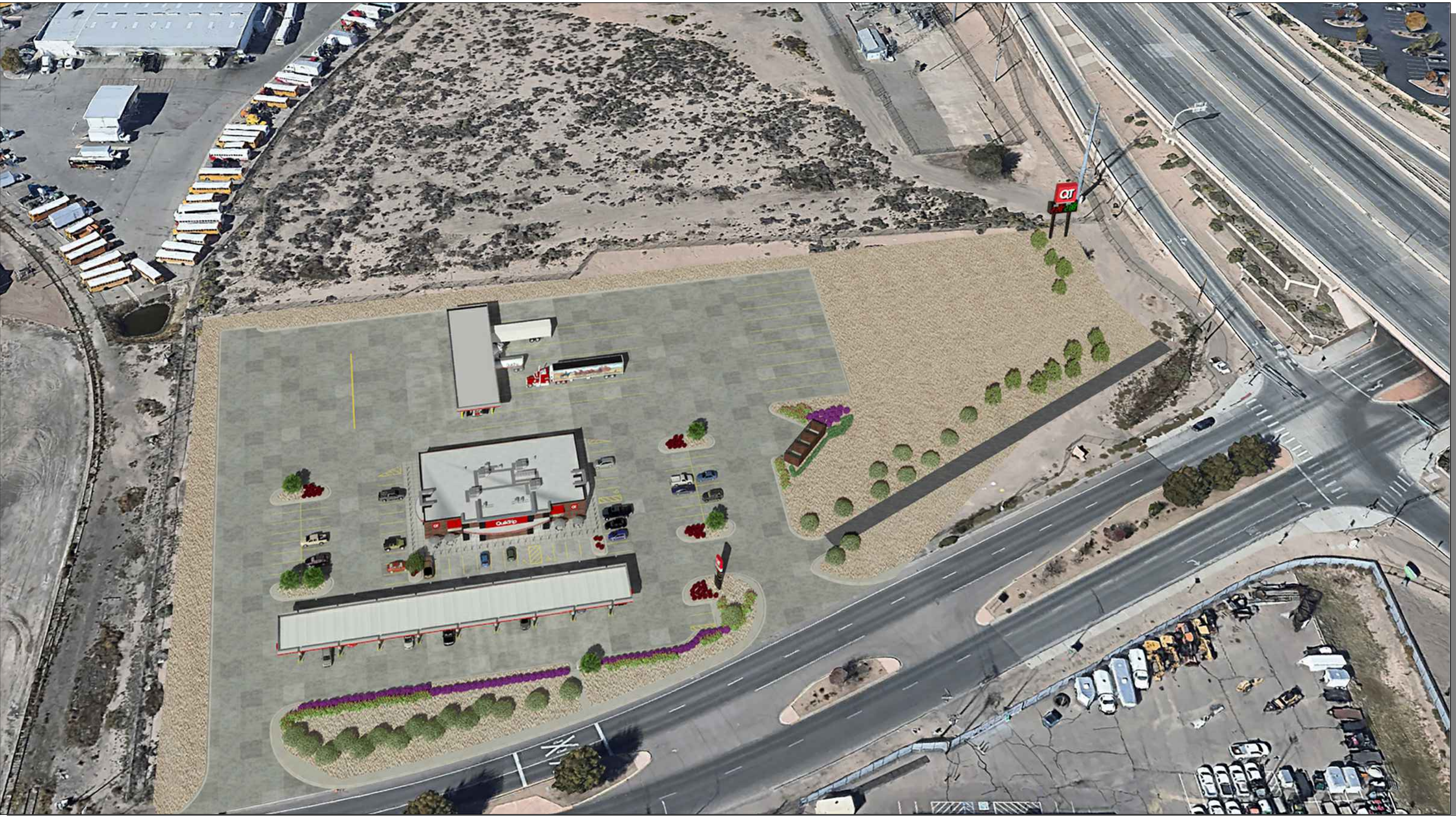
Cathy Garland	QT South LLC, Real Estate Prop Mgr
Jamie Bierschbach	QT South LLC
Nicole Smith	Sawmill Community Land Trust, Pres
Margaret M. Marino	Sawmill Community Land Trust, ExDir
Michael Canfield	Indian Pueblo Cultural Ctr, Pres/CEO
David Lee	Downtown Abq News
Mary Beth Thorn	Los Griegos NA
Heather Norfleet	Near North Valley NA
Joe Sabatini	Near North Valley NA
Jose&Bernice Gutierrez	Near North Valley NA
Lorraine Olson	Near North Valley NA
Marit Tully	Near North Valley NA
Nancy Traylor	Near North Valley NA
Jodie Giannini	Near North Valley NA
Marth Beckett	Near North Valley NA
James Salazar	North Valley Coalition
Peggy Norton	North Valley Coalition
Oscar Simpson	North Valley Coalition
Karen Johns	Rio Grande Blvd NA



**CITY OF ALBUQUERQUE**  
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Eleanor Walther	Rio Grande Blvd NA
David Michalski	Rio Grande Blvd NA
Amanda Browne	Sawmill Area NA
Mari Kempton	Sawmill Area NA
Joanne Cooper	Sawmill Area NA
Lisa Schneider	Sawmill Area NA
Maureen Thomson	Sawmill Area NA
Willie Johnson	Sawmill Area NA
Judith Edwards	Sawmill Area NA
Robert Reinke	Sawmill Townhouse Assoc.
Andy Apple	South Guadalupe Trail NA
James Salazar	South Guadalupe Trail NA
Michael Prando	Wells Park NA
Doreen McKnight	Wells Park NA
Hugh Hulse	Wells Park NA
Erin Foster	Wells Park NA
Sheila Murphy	Wells Park NA
Irene Monje	Wells Park NA
Kurt Christopher	Wells Park NA
Ethan Melvin	
Robert Nelson	
Julie Kutz	
Catherine Mexal	
Suzanna Flores	ZHE Administrative Assistant
Lorena Patten-Quintana	ZHE Planner
Tyson Hummell	CABQ ADR Coordinator
Philip Crump	Facilitator





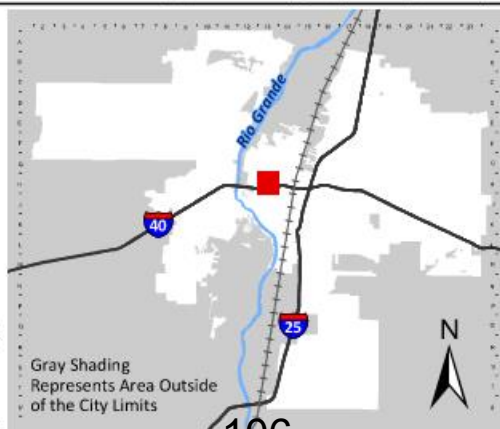
Store 7000  
89-7000-PE00

Albuquerque, NM  
Date: 08.10.23 105  
By: jk





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

Zone Atlas Page:  
**H-13-Z**

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





## QT SPECIAL EXCEPTION REQUESTS SUMMARY

**Purpose:** The purpose of this submittal is to allow for the development of a 5.98-acre tract of land for the purpose of constructing a 8,292 SF convenience store with motor fuel and diesel fuel sales. The provisions of the NR-BP Zoning District and all other applicable regulations as stated in the City of Albuquerque's Integrated Development Ordinance shall govern this tract of land.

**Proposed Use:** The property is currently zoned NR-BP. QuikTrip is proposing to construct and operate a 8,292 SF 24-hour Convenience Store with motor fuel and diesel fuel sales. This would be a Conditional Primary Use according to the allowable uses found in Table 4-2-1. Page 174 of the IDO lists the Use-specific Standards that apply to this use 4-3(D)(17) Heavy Vehicle and Equipment Sales, Rental, Fueling, and Repair. QuikTrip will comply with these standards to allow heavy vehicle fueling at our facility. The convenience store will also require special exceptions to allow for nicotine and liquor retail sales. The Nicotine Retail standards 4-3(D)(40) are on page 192 of the IDO and the Liquor Retail Standards 4-3(D)(39) are on page 189. QuikTrip sells these items at nearly all of our 1000+ locations and follows strict Responsible Retailing policies and complies with all State and Federal laws for these products.

Our development will provide a clean and modern facility for the citizens of Albuquerque. QuikTrip takes great pride in our employees and our stores. This is not a truck stop. We do not have showers or overnight parking. Our store allows trucks to fuel up, grab some quality food, and get back on the road. We build our facilities to last fifty years and we put in the time and care to ensure that they do. We have an in-house Facility Support team that maintains our stores



daily. They are called on to maintain everything from landscaping, coffee/cappuccino machines, paving, and all other aesthetic and mechanical features of the store. We also have very strict employee appearance and uniform policies and standards.

We believe that our application meets all City requirements and that the project achieves very high level of site quality, exceptional architectural building design, and quality landscaping. The building represents the latest architectural design in the convenience store industry. The most impactful upgrade to our facility is our innovative grab and go restaurant components, which we call QuikTrip Kitchens. Our restaurant features a vast and ever-expanding menu. We sell everything from BBQ sandwiches, to pizza, soft pretzel, grilled cheese and gourmet submarine sandwiches.

In closing, I would like to state that although our use requires Special Exceptions, QuikTrip is confident that our development is consistent with the City's Comprehensive Plan. The three special exceptions will allow us to construct a facility that will serve Albuquerque for years to come. Your consideration and support in these matters will be greatly appreciated.

**Best regards,**



**Cathy Garland | Real Estate Project Manager**

[cgarland@quiktrip.com](mailto:cgarland@quiktrip.com)

C: (314) 606-0147 O: (210) 332-4037 Ext:4819

742 NW Loop 410, Suite 102

San Antonio, TX 78216



## Sanchez, Suzanna A.

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**From:** Garland, Cathy M <cgarland@quiktrip.com>  
**Sent:** Monday, November 6, 2023 11:29 AM  
**To:** Sanchez, Suzanna A.  
**Subject:** RE: [External] RE: [External] ZHE Public Notice-1701 12th  
**Attachments:** IMG\_1327.jpg; IMG\_1329.jpg; IMG\_1328.jpg

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Good afternoon Suzie,

The signs have been posted on the property. We should be all set for the November 21 Hearing.

Thank you,



**Cathy Garland | Real Estate Project Manager**

cgarland@quiktrip.com

C: (314) 606-0147 O: (210) 332-4037 Ext:4819

742 NW Loop 410, Suite 102

San Antonio, TX 78216

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**From:** Sanchez, Suzanna A. <suzannasanchez@cabq.gov>  
**Sent:** Friday, October 27, 2023 12:52 PM  
**To:** Garland, Cathy M <cgarland@quiktrip.com>  
**Subject:** [External] RE: [External] ZHE Public Notice-1701 12th

[WARNING]: External Email

Received, thank you. The next thing to do would be to post the yellow notice sign on the property on 11/6.

Suzie

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**From:** Garland, Cathy M <cgarland@quiktrip.com>  
**Sent:** Friday, October 27, 2023 11:16 AM  
**To:** Sanchez, Suzanna A. <suzannasanchez@cabq.gov>  
**Subject:** RE: [External] ZHE Public Notice-1701 12th

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Hello Suzie,

I have mailed the Letter to Property Owners to the addresses listed. One address was listed twice, so there were a total of 9 envelopes sent out. Each packet contained the letter, a summary of the request, the zone atlas page, a site rendering, and the report from the neighborhood meeting. Please let me know if you or the Zoning Hearing Examiner need anything else at this time.



Thank you,



Cathy Garland | Real Estate Project Manager

[cgarland@quiktrip.com](mailto:cgarland@quiktrip.com)

C: (314) 606-0147 O: (210) 332-4037 Ext:4819

742 NW Loop 410, Suite 102

San Antonio, TX 78216

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**From:** Sanchez, Suzanna A. <[suzannasanchez@cabq.gov](mailto:suzannasanchez@cabq.gov)>

**Sent:** Monday, October 16, 2023 2:17 PM

**To:** Garland, Cathy M <[cgarland@quiktrip.com](mailto:cgarland@quiktrip.com)>

**Subject:** [External] ZHE Public Notice-1701 12th

**Importance:** High

**[WARNING]: External Email**

Dear Applicant,

Below is a list of property owners within 100+ feet of the subject property. Please fill in and mail the attached, *Letter to Property Owners- November*. Also, please provide proof that the letters were sent. Proof can be either a receipt for postage stamps purchased or a photo of the addressed envelopes.

Owner	Complete Owner Address
ATSF RAILWAY C PROPERTY TAX DEPARTMENT	PO BOX 961089 FORT WORTH TX 76161-0089
AT & SF RAILWAY CO	SANTE FE BLDG RM 514 AMARILLO TX 79110
MOUNTAIN RUN PARTNERS LTD	5850 EUBANK BLVD NE SUITE B62 ALBUQUERQUE NM 87106
PUBLIC SERVICE COMPANY OF NM	ALVARADO SQUARE ALBUQUERQUE NM 87158
LAUN-DRY SUPPLY COMPANY	3800 DURAZNO EL PASO TX 79905
AT & SF RAILWAY CO	SANTA FE BLDG RM 514 AMARILLO TX 79110
HUSLIG RACQUEL	PO BOX 444 PLACITAS NM 87043-0444
THUNDER ROAD ENTERPRISES LLC	1333 ASPEN AVE NW ALBUQUERQUE NM 87104
AMARILLO DIAMOND LTD	1825 LAKEWAY DR SUITE 700 LEWISVILLE TX 75057-6047
UNITED STATES OF AMERICA GENERAL SERVICES ADMINISTRATION	819 TAYLOR ST FORT WORTH TX 76102

Please forward me a copy of the letter and proof of notice by **Wednesday, November 15th**.

Lack of notice may result in a deferral.

Thank you,

*Suzie*





**SUZIE FLORES**

zhe administrative assistant

o 505.924.3894

e [suzannasanchez@cabq.gov](mailto:suzannasanchez@cabq.gov)

[cabq.gov/planning](http://cabq.gov/planning)









**SPECIAL EXCEPTION REQUEST**  
Property Address: 211 2nd St NW  
Property Owner: [illegible]  
Name of Applicant: [illegible]  
Name of Request: [illegible]  
A public hearing is required and will be held electronically via Zoom and/or in person in the Plaza Del Sol Meeting Room at 600 2nd St NW. Requested posting dates: [illegible] to [illegible] at 9:00 AM. For information, contact the City of Albuquerque Planning Department at 505/924-3854.

Sawmill  
Neighborhood Association  
SANA MEETS THIRD  
TUES 630 AT EXPLORA  
WELLS PARK  
Neighborhood Association

CAN  
6336  
CE.COM







**Sanchez, Suzanna A.**

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**From:** Catherine Mexal <cmexal@gmail.com>  
**Sent:** Wednesday, November 8, 2023 12:51 PM  
**To:** Sanchez, Suzanna A.  
**Cc:** Patten-Quintana, Lorena  
**Subject:** VA-2023-00294

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.  
Robert Lucero, Esq.:

The city, businesses and developers have historically dumped in and abused the Sawmill/Wells Park neighborhoods for decades. We suffer from ruined soil, air pollution and traffic overload with speeding. The QuikTrip development will only increase neighborhood traffic including by semis on residential streets and increase the air pollution from idling semis in spite of Cumulative Impact's mandates. The city has done nothing to mitigate the existing problems so, please, do not allow QuikTrip's big-rig fueling variance which will only magnify those problems.

Catherine Mexal  
Wells Park=



**Sanchez, Suzanna A.**

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**From:** Near North Valley Neighborhood Association <nearnorthvalleyna@gmail.com>  
**Sent:** Wednesday, November 15, 2023 11:39 AM  
**To:** Sanchez, Suzanna A.  
**Cc:** Doreen McKnight; Mike Prando; Joe Sabatini  
**Subject:** WPNA & NNVNA letter to ZHE re' QuikTrip -- Project# PR-2023-009345, VA-2023-00294, Heavy Vehicle Fueling  
**Attachments:** 11-15-23 WPNA & NNVNA letter to ZHE re Quiktrip.pdf

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Attached please find a joint letter from Wells Park Neighborhood Association and Near North Valley Neighborhood Association about QuikTrip's proposed conditional use for heavy vehicle fueling at 1701 12th Street NW, Project# PR-2023-009345, VA-2023-00294.

Please confirm that you have received this letter.

Thank you.



**Wells Park Neighborhood Association  
Near North Valley Neighborhood Association**

November 15, 2023

Robert Lucero, Esq.  
Zoning Hearing Examiner  
c/o Suzie Sanchez, ZHE Administrative Assistant, [suzannasanchez@cabq.gov](mailto:suzannasanchez@cabq.gov)

Re: Mountain Run Partners, LTD, QuikTrip, 1701 12<sup>th</sup> Street NW  
Project# PR-2023-009345  
VA-2023-00294 – Heavy Vehicle Fueling

Dear Mr. Lucero,

The Wells Park and Near North Valley Neighborhood Associations respectfully request that you deny QuikTrip’s request for a conditional use for heavy vehicle fueling at 1701 12<sup>th</sup> Street NW. The location of this proposed heavy vehicle fueling is an area of revitalization, along a narrow roadway bounded by residences immediately to the south and a City-recognized Activity Center to the north. These communities are seeking to reduce heavy vehicles in this area, due to the long-standing negative impacts they have caused, and are fighting for better and safer pedestrian and bicycle connections between 12<sup>th</sup> Street south of I-40 to 12th Street north of I-40—to connect neighborhoods to the cultural amenities, and restaurant and shopping opportunities on both sides of the freeway. Approval of a conditional use for heavy fueling at 1701 12<sup>th</sup> Street would effectively nullify these efforts. Allowing a heavy vehicle fueling station at this location would substantially increase semi-truck traffic from I-40 exiting onto 12<sup>th</sup> Street, an already overstrained street, increase the safety risk to pedestrians and bicyclists, and increase negative environmental impacts on a community already overburdened with its share of pollution—both current and historic.

Conditional Use Approval under the current Integrated Development Ordinance, effective July 27, 2023 (IDO), must meet the requirements set forth under 14-16-6-6(A). As detailed below, QuikTrip’s request for a heavy vehicle fueling station at 1701 12<sup>th</sup> Street NW does not meet the requirements of 6-6(A)(3)(a), (c), (d), and (f) and should be denied.

**I. 6-6(A)(3)(a) - Heavy Vehicle Fueling at this location is inconsistent with the ABC Comp Plan**

QuikTrip claims its request for a heavy vehicle fueling station is consistent with the 2017 Albuquerque & Bernalillo County Comprehensive Plan (Comp Plan) because it is a “positive addition to the community and will serve the Comprehensive plan by building and maintaining a



facility for the long term.” QuikTrip fails to provide any explanation or support for how a heavy vehicle fueling station is positive for the surrounding community. We fail to see how such a high impact, environmentally and health degrading use provides a long term, positive impact for our neighborhoods. QuikTrip further fails to explain and cites to no provision of the Comp Plan to support its proposition that maintaining a long-term truck stop at this location implements the goals described in the Comp Plan. QuikTrip explains that as a business it provides good wages and benefits, gives back to the community, and promotes sustainability. However, whether QuikTrip’s corporate business model serves its own employees well and contributes philanthropically, has nothing to do with whether it is appropriate for the City to allow QuikTrip a conditional use for heavy vehicle fueling at this location on 12<sup>th</sup> Street. The anticipated economic benefit of having a heavy vehicle fueling station at this location is not sufficient when considered alongside the air quality, traffic, noise, and other negative impacts this business will have on our community. Given the community's experience with the Love's Travel Stop at 6th Street and I-40, we can reasonably anticipate that over time, the QuikTrip will destabilize the surrounding area by attracting unacceptable behaviors and crime, and wearing down the roadways, medians, curbs, and other infrastructure.

In adopting the current Comp Plan, the City recognized it as a “regional plan for healthy growth, efficient transportation, infrastructure needs, and land use policies to ...better serve all demographics, support alternative transportation modes to the automobile and improve efforts to grow and develop in ways that are sustainable, respect and preserve natural and cultural resources and improve the quality of life for all citizens.” R-16-108, pp. 1-2 (emphasis added). The entire Comp Plan is built around a community- and value-based framework of Guiding Principles including:

**STRONG NEIGHBORHOODS** • Neighborhoods provide quality of life and remain distinct, vibrant places to live. • **Development in established neighborhoods matches existing character and promotes revitalization where desired.** • **Established neighborhoods are protected, preserved, and enhanced.**

**MOBILITY** • **Complete, walkable neighborhoods** with a range of housing and amenities **make non-auto transportation options safer and more accessible.**

**EQUITY** • Community Planning Area assessments in the City and Sector Planning in the County **identify existing conditions and use equity measures to prioritize revitalization.**

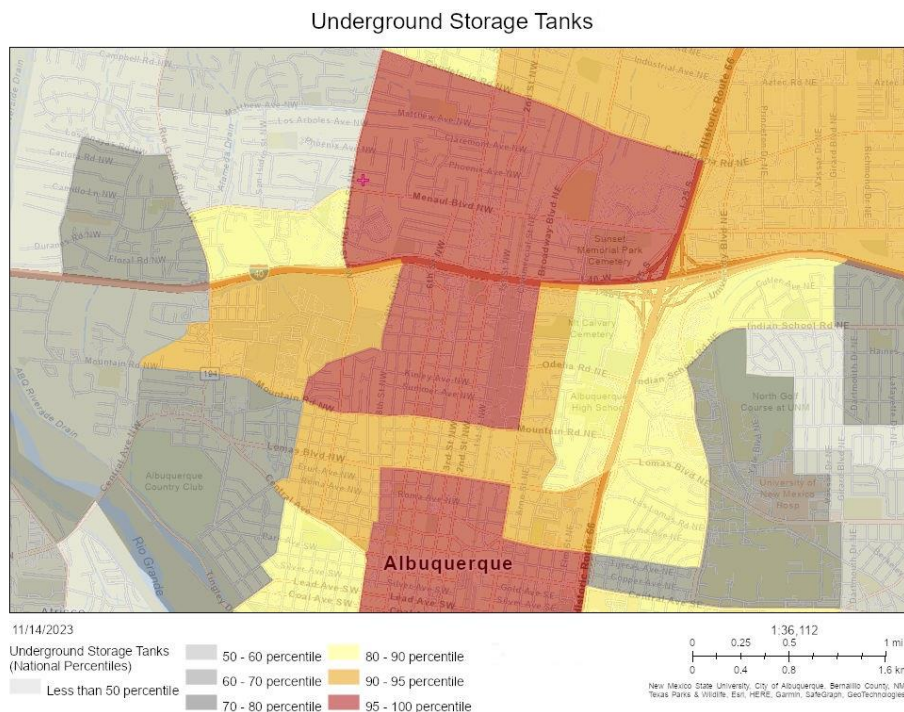
**SUSTAINABILITY** • Strong and vibrant neighborhoods foster social connections and encourage resource-sharing. • **Sustainable neighborhood design integrates green infrastructure.**



COMMUNITY HEALTH • **Healthy neighborhoods protect residents from hazards**, encourage physical activity, and foster positive social interactions. • A range of **amenities in neighborhoods reduces the need to drive**, increasing active transportation opportunities

2017 Comp. Plan, pp. 3-8 (emphasis added).

The construction of a heavy vehicle fueling station, or truck stop, at 1701 12<sup>th</sup> Street is not in line with these guiding principles. QuikTrip proposes to build a 24/7 truck stop with diesel fueling for semi-trucks within the neighborhoods of Sawmill, Wells Park, and Near North Valley—all older neighborhoods, long impacted by environmental pollution and degradation from commercial and industrial enterprises. From air particulate pollution from the former sawmill to the current Laun-Dry drycleaning solvent groundwater contamination plume originating directly across the Railroad Spur from the proposed development site to contamination from underground storage tanks, Sawmill, Wells Park, and Near North Valley residents have been disproportionately negatively impacted by polluting land uses. This map from the EPA's Environmental Justice Screening Tool (<https://ejscreen.epa.gov/mapper/>) illustrates the reach of underground storage tanks.



The Sawmill, Wells Park, and Near North Valley neighborhoods have also all been negatively impacted by the pollutants and noise from their decades-long proximity



to I-40.<sup>1</sup> Allowing a conditional use for heavy vehicle fueling in an already overburdened area does not support equitable development, does not promote sustainable neighborhood design or green infrastructure, poses health risks to residents, makes non-auto transportation options more dangerous and less accessible, and fails to protect, preserve or enhance Sawmill, Wells Park, and Near North Valley.

### **A. Comp Plan 4.1.3: Community Planning Areas**

The Comp Plan provides for the City to undertake extensive community engagement focused on area specific planning and development through periodic Community Planning Area (CPA) Assessments. The proposed location for QuikTrip's heavy vehicle fueling falls within the Central Albuquerque CPA. According to the Draft Assessment Report for the Central Albuquerque CPA, issued November 2023 (Draft CPA Report), the Central Albuquerque area contains some of the highest recorded temperatures in the City due to the heat island effect, and has a long history of noise and air pollution.<sup>2</sup> The Draft CPA Report further reveals that that during the area assessment, community members and stakeholders frequently expressed concern about industrial contamination and pollution, including air, water, soil, noise, and light pollution; raised a range of planning priorities for the CPA related to reducing pollution; and expressed strong support for green infrastructure and sustainable resource management.<sup>3</sup> A heavy vehicle fueling station is not in line with these community priorities for green and sustainable development, and would exacerbate concerns related to pollution. The Draft CPA Report also reveals that walkability and bike access were among the highest reported priorities for community members in the Central ABQ area.<sup>4</sup> Development of a heavy vehicle fueling station at 1701 12th Street, which would increase semi-truck and other vehicle traffic, is not in line with community priorities for a more walkable and bike-friendly environment, and poses an increased safety risk for non-motorists.<sup>5</sup>

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<sup>1</sup> According to the American Lung Association: "Living near a busy roadway exposes residents to a complex mixture of harmful pollutants that includes nitrogen oxides, particle pollution and VOCs coming from the tailpipes of cars, trucks and buses as well as from the wear of brakes and tires, the resuspension of roadside dust and the abrasion of the road surface itself. Although traffic pollution has an impact on air quality over a large area, people who live closest to highways and other busy roads are most likely to be affected. Long-term exposure to traffic-related air pollution is associated with asthma onset in children and adults, lower respiratory infection in children, and premature death." <https://www.lung.org/clean-air/outdoors/who-is-at-risk>

<sup>2</sup> Central ABQ CPA Draft Assessment Report, p. 51, [https://cpa.abq-zone.com/central-abq-cpa-draft-assessment-report?mc\\_cid=8444f2faa1&mc\\_eid=6d482cbc55](https://cpa.abq-zone.com/central-abq-cpa-draft-assessment-report?mc_cid=8444f2faa1&mc_eid=6d482cbc55); The Central ABQ area also has some of the highest recorded percentages of diesel particulate matter in the City. See AMPA Air Quality and Health Quality at <https://mrmpo.maps.arcgis.com/apps/insight/portfolio/index.html?appid=3721154423534a49b2ba2f0dfe1f7e5d>

<sup>3</sup> Central ABQ CPA Draft Assessment Report, p. 51, [https://cpa.abq-zone.com/central-abq-cpa-draft-assessment-report?mc\\_cid=8444f2faa1&mc\\_eid=6d482cbc55](https://cpa.abq-zone.com/central-abq-cpa-draft-assessment-report?mc_cid=8444f2faa1&mc_eid=6d482cbc55)

<sup>4</sup> Central ABQ CPA Draft Assessment Report, p. 58.

<sup>5</sup> Synthesis of Methods for Estimating Pedestrian and Bicyclist Exposure to Risk at Areawide Levels and on Specific Transportation Facilities; [https://safety.fhwa.dot.gov/ped\\_bike/tools\\_solve/fhwasa17041/ch5.cfm](https://safety.fhwa.dot.gov/ped_bike/tools_solve/fhwasa17041/ch5.cfm) ("Frequency of



Because the views and priorities expressed by community members for this CPA are in direct conflict with the development of a heavy vehicle fueling station, the approval of such a use is not supported by the Comp Plan.

## **B. Comp Plan 5.1: Land Use**

**Policy 5.1.6 (d) and (e)** provide that the City is to “[e]nsure that Activity Centers are pedestrian-friendly and provide convenient pedestrian connections to nearby residential areas” and “[p]rovide good connectivity via bicycle between Activity Centers and nearby residential areas and multi-use trails.” The closest Activity Center to Wells Park and Sawmill is located immediately north of I-40 on 12<sup>th</sup> Street at Avanyu Plaza. It includes restaurants, banking, retail shopping, and services at a neighborhood scale, and will soon include a branch of the area's only food cooperative. This Activity Center provides crucial, local amenities for the Wells Park and Sawmill areas, but safe pedestrian and cycling connections between this Activity Center from south of I-40 will be severely diminished with the placement of a semi-truck fueling station along that path. Pedestrians and cyclists would be forced to travel in front of a large, interstate gas station/truck stop and would be subject to a dramatic increase in safety hazards created by motorists and truckers entering and exiting the facility 24 hours a day, 7 days a week. This will equally affect those pedestrians and bicyclists traveling from north of I-40 to the small restaurant and shopping areas south of I-40 (at 12<sup>th</sup> and Mountain Road, and in the Sawmill area), and to the Old Town Activity Center. The 20-minute walk or short bike ride contemplated for people to reach nearby Activity Centers on either side of I-40 would no longer be safe. See 2017 Comp Plan, p. 3-4. Safe access to the I-40 Trail immediately south of I-40 and the City's new Albuquerque Rail Trail immediately south of the property would be compromised as well.

**Policy 5.1.11 (b) and (c)** provide that the City should “[p]rioritize improvements that increase pedestrian safety and convenience and make bicycle and transit options more viable” and “[e]ncourage lower auto traffic speeds and narrower traffic lanes to accommodate other modes of travel in more intense and active areas along the corridor.” Allowing a heavy vehicle fueling station on 12<sup>th</sup> Street would decrease non-motorist safety, and make it more difficult and less viable for pedestrians and cyclists to traverse 12<sup>th</sup> Street at I-40 as they would have to contend with semi-truck traffic in and out of the QuikTrip development, as well as an increase in semi-truck traffic exiting at the 12<sup>th</sup> Street offramp. While a reduction and narrowing of traffic lanes is already proposed for 12<sup>th</sup> Street near this property<sup>6</sup>, the addition of a truck stop will

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pedestrian crashes usually increases with traffic volume up to a certain threshold. This indicates that pedestrian or bicycle crashes are more likely to occur at intersections or segments with higher traffic volume since higher volume increases the potential conflict points between non-motorists and vehicles.”)

<sup>6</sup> 12th Street & Sawmill Road Roundabout & Road Diet Feasibility, <https://drive.google.com/file/d/17LNY84oMgYb4Ie1ArBKQCQ3b2UAJYKEL3/view?usp=sharing>



encourage denser traffic patterns with larger vehicles in a smaller space and have the opposite effect of accommodating non-auto travel. According to the EPA's Environmental Justice Screening Tool, this area is already listed in the 84<sup>th</sup> percentile for air quality and cancer risk, the 91<sup>st</sup> percentile for diesel particulate matter, and the 92<sup>nd</sup> percentile for superfund proximity.<sup>7</sup>

**Policy 5.3.7** provides that the City "[e]nsure that land uses that are objectionable to immediate neighbors but may be useful to society are located carefully and equitably to ensure that social assets are distributed evenly and social responsibilities are borne fairly across the Albuquerque area." There are already two gas stations and a heavy vehicle fueling station located a half a mile or less from QuikTrip's proposed truck stop. Allowing another heavy vehicle fueling station in this area does not provide for equitable distribution of these types of high impact, polluting, and regional amenities.

**Policy 5.5.5(f)** provides the City "[e]ncourage the location, intensity, and design of new development to respect existing neighborhood values, natural environmental conditions and carrying capacities." As noted above, community members were vocal through the CPA assessment process about valuing walkability, green infrastructure, and sustainable resource management, and about their concern with environmental pollution. The location of a heavy vehicle fueling station at 1701 12<sup>th</sup> Street does not respect known, existing neighborhood values nor does it recognize the carrying capacity of the surrounding area for another environmentally polluting industry development.

### **C. Comp Plan 8.1: Placemaking**

**Policy 8.1.2 and 8.1.2(a)** "[e]ncourage[s] economic development efforts that improve quality of life for new and existing residents" by "[m]aximiz[ing] opportunities for economic development that furthers social, cultural, and environmental goals." The development of a heavy vehicle fueling station on 12th Street undermines both these Comp Plan goals. A heavy vehicle fueling station hinders social, cultural, and environmental goals in this area. As noted repeatedly throughout this letter, the Central ABQ community made clear in the CPA assessment process that it is concerned with pollution and wants to see infrastructure and development that is positive for the environment. Heavy vehicle fueling is not development that is positive for the environment. QuikTrip claims in its justification letter that its proposed truck stop promotes sustainability, with no further support or explanation. A claim of sustainability is incompatible with a fuel that produces carbon and adds to climate change. Furthermore, QuikTrip made clear to the community during the September 26, 2023, facilitated meeting that in developing this

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<sup>7</sup> <https://ejscreen.epa.gov/mapper/>; 7/17/23 Long-awaited upgrades to Twelfth take on a new twist: Diverting trucks away from residential areas, <https://downtownalbuquerque.com/twelfth/>



property as a truck stop and gas station, it would not be providing any electric vehicle fueling stations—solely because including EV stations is cost prohibitive. With no plan to provide for electric vehicle charging or to utilize any renewable energy in its operation, QuikTrip has made clear it will not provide a healthy, positive long-term amenity to the neighborhood. Rather, it will continue the exploitation of poorer neighborhoods, already disproportionately impacted by environmental pollution.

Development priorities in this area around sustainability and a safe and healthy environment date back even further than the current CPA assessment to the 2005 Sawmill/Wells Park Metropolitan Redevelopment Area (Sawmill/WP MRA). The Sawmill/WP MRA was incorporated by reference in the Comp Plan<sup>8</sup> and reaffirmed the goals of the 1996 Sawmill Revitalization Study and the Sawmill/Wells Park Sector Plan, all of which involved extensive community and stakeholder input. One of the goals of the Sawmill/WP MRA is to provide for redevelopment in the Sawmill and Wells Park area that is small and local in scale, and “protects workers and residents from negative environmental impacts.”<sup>9</sup> Heavy vehicle fueling is a negative environmental impact that is clearly not in line with these priorities. Heavy vehicle fueling is a producer of noise and air pollution that pose a health and safety risk to nearby residents and workers.

**II. 6-6(A)(3)(c) – Heavy Vehicle Fueling at this location will create significant adverse impacts on adjacent properties, the surrounding neighborhood, and the larger community.**

QuikTrip claims its development of a heavy vehicle fueling station will not create significant adverse impacts to the surrounding neighborhood because the project site is in an industrial area located on an interstate corridor. QuikTrip fails to recognize the mixed- use nature and high-quality revitalization trajectory of the area. In the last ten years, major shifts have occurred in the types of land use and development occurring in Sawmill, Wells Park, and Near North Valley in an effort to encourage revitalization that promotes walkability, and a sense of local community. From the development and/or expansion of nearby local microbreweries (Ponderosa, Bow & Arrow,) and restaurants (Starbucks, Sixty-Six Acres, Laguna Burger, 12th Street Tavern, Indian Pueblo Kitchen, Kosmos, Golden Crown Panaderia, Cocina Azul, Slow Burn Coffee) to the location of schools (Native American Community Academy, Gordon Bernell Charter School at the Albuquerque Job Corps Center, Ace Leadership), and artisan/makerspaces (IPCC Entrepreneur Complex, Quelab Makerspace), Wells Park, Sawmill, and Near North Valley have moved in a positive way toward providing amenities that reduce the need to drive, foster a

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<sup>8</sup> Appendix J to Comp Plan

<sup>9</sup> Sawmill/Wells Park MRA Plan, p. 23, <https://documents.cabq.gov/planning/UDD/SawmillWellsParkMRA-Plan.pdf>



cohesive sense of place, encourage social connections, and provide for a healthier overall community—all in line with the Comp Plan guiding principles of strong neighborhoods, mobility, equity, and community health. The development of a regional 24/7 truck stop to serve interstate travelers does not support these principles and is directly contrary to the development trajectory for this area. Our communities along this area of I-40 existed long before the interstate cut through and disconnected them, and the significant adverse impact of interstate travel amenities, such as a truck stop, should not be discounted merely because of our proximity to I-40.

QuikTrip fails to address the significant adverse impacts to the surrounding neighborhoods from the semi-truck and other vehicle traffic in the area that would not otherwise be there but for its truck stop. There is a large body of research on the negative effects of air pollution on those living and working near gas stations caused by benzene and other harmful volatile organic compounds released from underground fueling tanks and at gas pumps. The adverse health effects of benzene include nausea, cancer, anemia, increased susceptibility to infections, and low birth weight.<sup>10</sup> According to the World Health Organization (WHO), as a human carcinogen there is no safe level for benzene exposure.<sup>11</sup> The WHO also recognizes that a person doesn't have to be standing at a gas station pump to be exposed. "Indoor concentrations [of benzene] are affected by outdoor levels owing to the exchange of indoor and outdoor air. Outdoor benzene concentrations are mainly due to traffic sources..." and "petrol stations."<sup>12</sup> A 2003 study conducted in France documented a significant relationship between childhood leukemia and living near a gas station.<sup>13</sup> There are homes within 600ft of this proposed heavy vehicle fueling station and three schools that are between 600 to 1000ft away.<sup>14</sup> The Comp Plan also recognizes that traffic congestion can impact air quality and "impact health through exposure to traffic noise, which can cause sleep disturbance, cardiovascular disease, elevated hormone levels, psychological problems, and even premature death."<sup>15</sup> While this proposed truck stop may not be the only source of benzene, other air pollutants, noise, and traffic in the area, the cumulative negative impacts of pollution on those living, working, and learning near this property should be considered when determining whether to approve new polluting developments.

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<sup>10</sup> <https://emergency.cdc.gov/agent/benzene/basics/facts.asp>

<sup>11</sup> <https://www.ncbi.nlm.nih.gov/books/NBK138708/>

<sup>12</sup> <https://www.ncbi.nlm.nih.gov/books/NBK138708/>

<sup>13</sup> <https://pubmed.ncbi.nlm.nih.gov/19213757/>

<sup>14</sup> Ace Leadership Academy, Native American Community Academy (NACA), and Gordon Bernell Charter School at the Albuquerque Job Corps Center.

<sup>15</sup> ABC Comp Plan 6-19, noting further that studies of children exposed to traffic noise "have identified cognitive impairment, worsened behavior, and diminished quality of life. Exposure to noise is one of the most common environmental exposures in the United States, and exposure to traffic noise is often high enough to be harmful to health."



We can reasonably expect that there will be air pollution, fumes, and noise from idling trucks at or near QuikTrip. When asked at the facilitated meeting about truckers parking on the site overnight or otherwise idling their engines, QuikTrip said the facility was not being designed for overnight stays—no showers, lockers—but acknowledged that the corporation had no written policy or guidelines to ensure truckers did not sleep overnight at the facility with idling engines. In fact, they stated that there was no way to enforce their rule of no overnight stays. The neighborhoods' lived experience with Love's Travel Stop at 6th and I-40 is that truckers will park, idle, and stay all night wherever they can find space to do so, including on private property.

Convenience stores and truck stops, particularly those open 24/7, are also likely to attract crime and other nuisances adversely impacting the area. Notably, QuikTrip locations in other cities have been the site of at least 7 shootings since August 2023.<sup>16</sup> This suggests that security at its facilities is insufficient to deter violent crime at its properties. QuikTrip touts its security as state of the art, but admits there is no onsite security—just cameras and regular employees. The neighborhoods' lived experience with ongoing crime at Love's Travel Stop would strongly suggest that cameras are totally insufficient. And, the free drinks and food that QuikTrip mentioned at the facilitated meeting it would be offering to police officers to encourage them to stop by, is no substitute for genuine security.

**III. 6-6(A)(3)(d) – Heavy Vehicle Fueling will create material adverse impacts on other land in the surrounding area through increases in traffic congestion, parking congestion, noise, or vibration without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts.**

There is no question that a truck stop will increase traffic congestion, noise, and vibration at the proposed site, and QuikTrip has failed to provide any explanation of how this will not impact the surrounding area in a materially adverse way. QuikTrip inexplicably argues that its truck stop gas station will capture “existing traffic rather than generating new trips.” QT Application, p. 39. This strange conclusion has no basis in the reality because by its very nature, a *new* truck stop development at this location—now vacant land—would result in semi-truck and other vehicle traffic on 12<sup>th</sup> Street that would not otherwise have been there but for the gas

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<sup>16</sup> 8/3/23 fatal shooting during robbery at Lansing, IL QuikTrip, <https://abc7chicago.com/lansing-shooting-robbery-man-shot-killed/13593886/>; 8/18/23 shooting of two teenagers at Charlotte, North Carolina QuikTrip, <https://www.wbtv.com/2023/10/18/2-seriously-hurt-shooting-northwest-charlotte-gas-station/>; 8/20/23 shooting at Des Moines, IA QuikTrip, <https://who13.com/news/metro-news/attempted-murder-arrest-made-in-shooting-outside-des-moines-quicktrip/>; 9/23/23 fatal shooting at Tucson, AZ QuikTrip, <https://www.kold.com/2023/09/24/one-dead-after-tucson-shooting/>; 9/28/23 double shooting at Dekalb County, GA QuikTrip, <https://www.wsbtv.com/news/local/dekalb-county/2-people-shot-dekalb-gas-station-1-serious-condition-police-say/EKQNB4LKTZACFJ5VMQSTPSBADM/>; 9/30/23 shooting at Hazelwood, MO QuikTrip leaves one dead and one injures, <https://www.ksdk.com/article/news/crime/quicktrip-deadly-shooting-hazelwood/63-b69cfb9d-05a5-42b9-a5f8-af19d0d949a5>; 10/7/23 QuikTrip security shoots and kills customer at Ferguson, MO QuikTrip <https://fox2now.com/news/missouri/ferguson-quicktrip-shooting-leaves-one-dead-security-guard-injured/>.



station, thus increasing the amount of traffic, noise, and vibrations in that area. What other kinds of trips or traffic are there but those that already “exist?” QuikTrip is proposing a destination, the sole purpose of which would be to encourage semi-truck traffic to purposefully exit onto 12<sup>th</sup> Street from the interstate. This is all at a time when the Sawmill and Wells Park communities have been actively trying to combat heavy vehicle traffic on 12<sup>th</sup> as it substantially and negatively impacts those who live on 12<sup>th</sup> Street between I-40 and Mountain Road NW. These neighbors have endured significant adverse impacts to their homes from vibrations caused by heavy vehicles, such as shifts in the foundations of their homes and items hung from their walls constantly falling, as well as noise and air pollution from traffic congestion along this corridor and from the interstate. It's important to note that, unlike other areas of the City, this area lacks freeway sound walls, making noise a bigger problem than in other areas.

QuikTrip also claims that the design of its stores ensures proper traffic circulation for all vehicles. This may be the case for the circulation of vehicles within its property, but it fails to address how vehicles entering and exiting the property will not materially and adversely affect traffic flow and congestion on 12<sup>th</sup> Street. Although I-40 provides an offramp to 12<sup>th</sup> Street, 12<sup>th</sup> Street south of I-40 is primarily residential with a speed limit of 30mph. While 12<sup>th</sup> Street is currently two lanes in either direction from I-40 to about a block south of the railroad spur, the City plans to soon reduce the number of lanes to one in either direction between Bellamah/Sawmill Rd north beyond the spur. As it stands today, northbound traffic on 12<sup>th</sup> Street backs up daily from the intersection at I-40 to well past the railroad spur. With a lane reduction in the near future, it can be presumed this back up will extend even further south into the residential portion of 12<sup>th</sup> Street. The addition of more vehicles attempting to exit the proposed QuikTrip property northbound—particularly semi-trucks—will exacerbate traffic congestion in this area, and thus further increase air pollution from idling vehicles and the environmental impact on those living and working along 12<sup>th</sup> Street.

With the addition of a regional heavy vehicle fueling station in the area, we can also reasonably predict the existing problems with the 6th Street eastbound on-ramp to I-40 to become worse. Semi-trucks and other vehicles traveling east on I-40 will likely use the 6th Street on-ramp to continue their journey after stopping at the proposed QuikTrip—it is the most direct and intuitive route to getting back on the freeway. The 6th Street on-ramp is unusually steep, short, and located very close to the Big I. Many semi-trucks from Love's Travel Stop at 6th and I-40 routinely have serious problems getting up the on-ramp and gaining sufficient speed to allow them to safely merge into eastbound I-40. Once merged, those semi-trucks must instantly choose one of three lane options to get them whichever direction (eastbound, northbound, or southbound) they need to go, all within the span of roughly 1/3 mile. The 6th Street on-ramp is also heavily trafficked by UPS trucks particularly during the morning rush hour. With commuters and other vehicles added in, there is a daily, dangerous bottleneck at the



6th Street on-ramp. There is no question that, with a regional truck stop at 12th and I-40, this traffic hazard will become worse.

**IV. 6-6(A)(3)(f) – Heavy Vehicle Fueling at this location will negatively impact pedestrian or transit connectivity without appropriate mitigation.**

With the volume of semi-trucks and other vehicles expected at the proposed QuikTrip on 12th Street, there will be a dramatic decline in the ability of pedestrians to safely walk through the area, and no mitigation will be sufficient. Every vehicle presents a potential conflict to a pedestrian. During the September facilitated meeting, QuikTrip made clear that in addition to truckers and other freeway customers, it intends to market to the neighborhoods, pulling traffic in from throughout the area. Vehicles will be coming and going in all directions, and at all times, and given New Mexico's historical disregard of pedestrians,<sup>17</sup> any pedestrian traveling north or south in the vicinity will be at risk.

No mitigation short of cutting hours or limiting marketing will reduce the number of potential conflicts between vehicles and pedestrians caused by a heavy vehicle fueling station at this location. While not a substitute for a detailed site plan, the site perspective provided to the community by QuikTrip lacks pedestrian amenities, including a landscape-buffered sidewalk. QuikTrip's statement that QuikTrip will "improve the connectivity by opening up the site and making it accessible to all vehicle and pedestrian traffic" (QuikTrip Application, p. 39), is not reassuring. QuikTrip provides no details for reducing conflicts between semi-trucks and other vehicles, and pedestrians, or for any other safety measures—either on-site or as vehicles come and go from the site, or as vehicles travel through the neighborhood.

At the same time, we expect the number of pedestrians in the area immediately adjacent to and along 1701 12th Street to increase significantly over the coming years. We already have some people walking north and south through the area to reach restaurants, shopping, services, and cultural amenities, and are working as a community on ways to make it easier for this type of pedestrian traffic in this area, not harder and less safe. With the City's new Albuquerque Rail Trail,<sup>18</sup> which will run along the spur that makes up the southern boundary of 1701 12<sup>th</sup> Street NW, and is designed specifically to draw in visitors and locals from throughout Albuquerque, the number of pedestrians will increase. Future designs are expected to draw pedestrians from the

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<sup>17</sup> 7/3/23 Study: New Mexico tops list of pedestrian deaths in 2022, <https://www.krqe.com/traffic-roads/study-new-mexico-tops-list-of-pedestrian-traffic-deaths-in-2022/>; 6/15/22 New Mexico is the most dangerous state for pedestrians, <https://www.koat.com/article/new-mexico-is-the-most-dangerous-state-for-pedestrians/40292728#>; 5/21/22 NM again deadliest state for pedestrians, [https://www.abqjournal.com/news/local/nm-again-deadliest-state-for-pedestrians/article\\_46fa0b7f-0b20-5e0d-8fd6-b5647b1d751a.html](https://www.abqjournal.com/news/local/nm-again-deadliest-state-for-pedestrians/article_46fa0b7f-0b20-5e0d-8fd6-b5647b1d751a.html)

<sup>18</sup> <https://www.cabq.gov/mra/rail-trail-1/albuquerque-rail-trail>



Sawmill Segment north to the Indian Pueblo Cultural Center. The proposed QuikTrip with its 24/7 stream of semi-trucks and other vehicles could not be in a worse location for pedestrians.

QuikTrip has not satisfied the requirements necessary for approval of a conditional use for Heavy Vehicle Fueling. QuikTrip fails to satisfy the requirements of 6-6(A)(3)(a), (c), (d), and (f). The 1701 12th Street NW location is not appropriate for a regional truck stop. The conditional use for Heavy Vehicle Fueling should be denied.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Doreen McKnight".

Doreen McKnight  
President, Wells Park Neighborhood Association  
[doreenmcknightnm@gmail.com](mailto:doreenmcknightnm@gmail.com)

A handwritten signature in black ink, appearing to read "Heather Norfleet".

Heather Norfleet  
President, Near North Valley Neighborhood Association  
[NearNorthValleyNA@gmail.com](mailto:NearNorthValleyNA@gmail.com)



**Sanchez, Suzanna A.**

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**From:** rsmith2167@comcast.net  
**Sent:** Wednesday, November 15, 2023 3:38 PM  
**To:** Sanchez, Suzanna A.  
**Cc:** Patten-Quintana, Lorena; SANA Board; greg.dufour@yahoo.com; debkarenmitchell@gmail.com  
**Subject:** VA-2023-00294, Proj. #PR-2023-009345  
**Attachments:** Quick Trip Opposition Letter 11-14-23.pdf

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Suzanna,

Attached please find our letter in opposition to Case # VA-2023-00294 Heavy Equipment Fueling Quick Trip Truck Stop at 12<sup>th</sup> & I-40.

Please let us know if you have any questions or need further information.

Thanks,

Ray & Sarah Smith  
1319 Claire Ct NW  
Albuquerque, NM 87104



Raymond J. & Sarah M. Smith  
1319 Claire Ct NW, Albuquerque, NM 87104  
505.263.1275  
[rsmith2167@comcast.net](mailto:rsmith2167@comcast.net)

November 15, 2023

Mr. Robert Lucero, Esq  
Zoning Hearing Examiner  
Planning Department  
City of Albuquerque  
By email: [suzannasanchez@cabq.gov](mailto:suzannasanchez@cabq.gov)

**Re: Neighborhood Opposition to Quick Trip Truck Stop  
VA-2023-00294, Proj. #PR-2023-009345**

Dear Mr. Lucero,

We are writing this letter as concerned residents and members of the Sawmill Area Neighborhood Association Board. We share the boards adamant opposition to the proposed Quik Trip Truck Stop at 12<sup>th</sup> Street & I-40.

As the board is providing a separate letter, this letter focuses on my opposition as a registered professional engineer in the state of New Mexico. I have practiced civil engineering in Albuquerque for the past 28 years. Based on my experience and observation of the project site and surrounding area, my biggest concern is with truck traffic in the area and access to and from the interstate.

As I'm sure you are aware, the project site has no direct access to I-40 for both westbound traffic leaving I-40 and eastbound traffic entering I-40. The access for these movements is via the frontage road at 6<sup>th</sup> street, approximately ½ mile to the east.

My daily commute takes me on 12<sup>th</sup> Street and I-40 to the Big I Interchange. From experience I can tell you that adding additional truck traffic to the I-40 frontage road, in both directions, will result in a dramatic increase in congestion and wait times at the signals at 12<sup>th</sup> & I-40.

At the very least, this project should be delayed until a detailed Traffic Impact Analysis is done. That study should look at both the 12<sup>th</sup> St & I-40 interchange as well as the access points at 6<sup>th</sup> street and the merge lanes on I-40 entering and exiting the Big I Interchange. The addition of truck traffic to the east bound merge to the Big I will make morning commutes incredibly difficult.

As residents we are fully in favor of development and economic growth in the area, as long as it is done right. We feel that the proposed location is the worst possible place for a truck stop, simply due to the traffic impacts. Not to mention all of the other concerns, which are detailed in the SANA Board's letter.

We appreciate your attention to this project and consideration of the concerns of residents in this historic neighborhood.

Sincerely,



Raymond J. Smith, P.E.



**Sanchez, Suzanna A.**

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**From:** Darcie DeFoe <DDeFoe@dreamspring.org>  
**Sent:** Thursday, November 9, 2023 9:45 AM  
**To:** Sanchez, Suzanna A.  
**Subject:** Citizens urge you to preserve and create livable, safe, clean Albuquerque neighborhoods.

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

November 9, 2023

Robert Lucero, Zoning Hearing Examiner  
City of Albuquerque Planning Department  
Plaza del Sol Building  
600 Second NW  
Albuquerque, NM 87102

Dear Mr. Lucero,

As a concerned citizen I'm writing to voice my disappointment in learning about the proposed QuikTrip 24-hour truck stop planned for the intersection of 12<sup>th</sup> Street and Interstate-40. The negative impact to households and small businesses nearby, and the negative impact to future potential for growth of vibrant, livable neighborhoods, and local businesses from entrepreneurs, is certain.

A truck stop in the middle of Albuquerque will add to air and noise pollution, increased traffic congestion, heightened potential for crime and transient activity. Additionally, this detracts from any forward movement on clean air and renewable energy initiatives that are being implemented.

Finally, I must note the City of Albuquerque's plan for the Rail Trail will follow along the southern border of this planned truck stop. A truck stop here would take away from the purpose of the trail which is to connect historic districts within the City so that residents and guests can easily access destination points. Instead, a truck stop intersecting the Rail Trail, with the amount of heavy vehicles and extra activity in this location, would be unsafe and unappealing for use.

We sincerely hope you take our concerns seriously and deny any special exemptions.

Sincerely,

**Darcie DeFoe** (She/Her)  
**Marketing & Brand Director**  
Direct: 505-273-8824 | Loans & Servicing: 1-800-508-7624  
[DreamSpring.org](https://www.dreamspring.org)



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**Sanchez, Suzanna A.**

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**From:** Maureen Thomson <mat@toast.net>  
**Sent:** Sunday, November 12, 2023 6:45 PM  
**To:** Sanchez, Suzanna A.  
**Subject:** case#VA-2023-00294,295,296; PR2023-009345

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Dear Robert Lucero,

**Reject Quik Trip's Proposal for Yet Another Truck Stop on I-40  
Quik Trip and Sawmill Area Neighborhood – A Marriage Headed for Divorce**

I am Maureen Thomson, and I live in the Sawmill Area Neighborhood Association. I am vehemently against the proposed Quik Trip Truck Stop project that would be built south of I-40 on 12<sup>th</sup> Street. All the neighborhoods surrounding that site have been working hard to clean up the area and create a walkable, vibrant neighborhood.

What we know about 24-hour truck stops is that they are unequivocally associated with higher crime rates including robberies, property crimes, shootings and hit and runs. They also are the source of both noise and air pollution, traffic congestion, visual pollution and decreased property values. None of these are in the interest of the neighbors who have invested time and money in their properties. A 24-hour truck stop is also the opposite of what Mayor Keller is planning for the Rail Trail, which will run near the proposed Quik Trip location. Not only will this development sell gas and have a convenience store, it also will sell both liquor and tobacco. We know that that combination will attract more homeless people, increase criminal activity and will impede any future developments in the area. The Sawmill District has undergone an impressive transformation, and this site is within the Sawmill Neighborhood. This parcel of land could be used for a similarly transformative project. A 24-hour truck stop is not transformative at all. It will be a nuisance, an eye sore and will drive progress the wrong way.

To the north is the equally transformative project that has been spearheaded by the Indian Pueblo Cultural Center. What was once blighted, is now one of the hottest spots in the metro.

I ask that the zoning hearing examiner do the right thing and reject this proposal. I also ask that Paul Blanchard, the owner of the land, work with the City and the neighborhoods to find the right buyer – not the first one that comes along.

I know this is a form letter, but it says all that I would want to say. I just want to add that I love this neighborhood, and hope we can keep this truck stop out along with all the damage and pollution and heartache it would cause.

Thank you, and sincerely,  
Maureen Thomson  
1320 Sawmill Rd. NW  
505-842 5081



## Sanchez, Suzanna A.

---

**From:** Susan Sewell <susan.s.sewell@gmail.com>  
**Sent:** Friday, October 27, 2023 10:18 AM  
**To:** Sanchez, Suzanna A.; Patten-Quintana, Lorena  
**Subject:** For Mr. Robert Lucero

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Regarding the proposed Quick Trip on 12th/I40

My name is Susan Sewell, I live in the Sawmill Area near 15th and Mountain. I am asking that the zoning committee reject the proposal to build a fueling station on the property at 12th and I40.

Traffic congestion on the on ramp to 1-40 is already very busy, adding 18 wheelers to the mix will exacerbate the situation. Everyone in my neighborhood uses 12th street to get in and out of the neighborhood to avoid taxing Rio Grande and Mountain near Old Town. I'm asking that you keep that in mind when you consider the proposal.

Albuquerque already has 6 other truck stops within 10 miles of the proposed site. We have done an amazing job cleaning up Sawmill and the surrounding area, for you to consider plopping yet another distasteful truck stop that goes against what we've worked for. It will add more light and noise pollution to the area and ruin the aesthetics of what basically is the entrance to our neighborhood.

Furthermore, Quick Stop plans to sell tobacco and alcohol at this location. We already have high crime in our area because of the number of homeless people here accessing methadone clinics, free food and free healthcare. You can go to any of the six truck stops in Albuquerque that sell alcohol and tobacco and see the unsavory people hanging around. I don't want more of that in my neighborhood.

I appreciate your consideration of a resident's point of view before approving this eyesore.

Susan Sewell



## Sanchez, Suzanna A.

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**From:** corinne fay <corinne.fay@gmail.com>  
**Sent:** Tuesday, November 7, 2023 11:57 AM  
**To:** Sanchez, Suzanna A.; Patten-Quintana, Lorena  
**Subject:** Project #: PR-2023-009345 and conditional use case #s: VA-2023-00294 (heavy vehicle fueling); VA-2023-00295 (nicotine retail) and VA-2023-00296 (liquor retail)

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

To Robert Lucero, Suzanna Sanchez, and Lorena Patten-Quintana,

My name is Corinne Fay. I live at 1310 6th st NW, less than a mile from the proposed site of the QuikTrip location. I oppose issuing these conditional use permits due to concerns about the environment, traffic, and general human safety. All of the surrounding neighborhood associations as well as the Indian Pueblos Marketing oppose this project and so I urge the examiner to deny these permits.

Thank you,

Corinne Fay  
1310 6th St NW, Albuquerque, NM 87102  
(207)504-0398  
[corinne.fay@gmail.com](mailto:corinne.fay@gmail.com)



## Sanchez, Suzanna A.

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**From:** ari joseph <ari.posner@gmail.com>  
**Sent:** Monday, November 6, 2023 8:48 AM  
**To:** Sanchez, Suzanna A.; Patten-Quintana, Lorena  
**Subject:** QuikTrip Project #: PR-2023-009345 and conditional use case #: VA-2023-00294 (heavy vehicle fueling); VA-2023-00295 (nicotine retail) and VA-2023-00296 (liquor retail)

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Good morning,

I am writing in regards to the above referenced project and would like to make a couple of points.

1. Have you ever been to the Loves gas station on 6th and the freeway? We stopped going there, as there are so many vagrants you can't go there without getting approached for money and it feels unsafe.
2. Have you ever tried to go north on I40 from 12th St. at rush hour? Trucks trying to exit will never get out. At a minimum, the medians should be removed and another left turn lane should be added.
3. This area is already a magnet for vagrants and drug addicts. The lighting and security needs to be maximized, including the bike path and areas under the bridge.
4. Lastly, there should be improvements to pedestrian and bicycle access to the area.

As a neighbor in Wells Park, I use this area frequently. I tried to convince our association that if the improvements I listed are included, this development would be positive for the area. Without these requirements, this development would pose yet another attractive nuisance created by the city.

Thanks

--

Ari J. Posner, PhD  
Senior Physical Scientist  
US Bureau of Reclamation  
River Analysis Group  
Albuquerque, NM Area Office



## Sanchez, Suzanna A.

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**From:** J.J. Mancini <oldtownabqneighborhood@gmail.com>  
**Sent:** Wednesday, November 8, 2023 12:31 PM  
**To:** Sanchez, Suzanna A.; Patten-Quintana, Lorena  
**Subject:** QuikTrip Zoning Hearing - Historic Old Town Association  
**Attachments:** HOTA - QuickTrip Truck Stop.pdf

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Dear Robert Lucero, Suzanna Sanchez, and Lorena Patten-Quintana,

This is in reference to the following cases for the QuikTrip Truckstop:

- VA-2023-00294 (heavy vehicle fueling)
- VA-2023-00295 (nicotine retail)
- VA-2023-00296 (liquor retail)
- PR-2023-009345

Please see the attached letter from the *Board & Members of the Historic Old Town Association* and our concerns regarding this matter.

--

J.J. Mancini  
President  
**Historic Old Town Association**  
[president@albuquerqueoldtown.com](mailto:president@albuquerqueoldtown.com)  
[AlbuquerqueOldTown.com](http://AlbuquerqueOldTown.com)



# OLD TOWN ALBUQUERQUE

Dear Zoning Hearing Examiner,

The **Historic Old Town Association** stands firmly against the **Quik Trip Truck Stop** planned for south of I-40 on 12th Street. We've all worked hard to make our neighborhood cleaner, more vibrant, culturally significant, and friendlier for walking, and a truck stop doesn't fit with any of that at all.

Truck stops like this often bring more crime — thefts, property damage, and even violence — and also mean more noise, dirty air, and heavy traffic. They can make our property less valuable, too. This is the opposite of what we've been investing in.

Mayor Keller has great plans for the Rail Trail close by, and a 24-hour truck stop selling gas, snacks, liquor, and tobacco could attract problems like more homelessness and crime, which would stop good developments in the future.

Look at the Sawmill District — it's changed so much for the better, and this truck stop site is part of that neighborhood. We could do something amazing there, too. A truck stop is not it. It would be a big step back.

Just north of here, the Indian Pueblo Cultural Center has turned a neglected spot into one of the best places around. We want the same chance to keep making things better.

Look at Old Town — so much investment into the area over the past few years and Old Town is becoming the cultural and community heart of the City again. A truckstop down the road hinders all of these measures.

Please say no to the truck stop. And we ask Paul Blanchard, who owns the land, to please choose a buyer who helps the city and the neighborhood, which is not the current offer.

Thank you for considering what's best for our community.

On Monday, November 6th, 2023, the Historic Old Town Association board voted unanimously to stand against the Quik Trip Truck Stop. *We represent over one-hundred property owners, merchants, and residents within Old Town. Please feel the weight of the hundreds of additional people behind this letter.*

Sincerely,



On behalf of the Board & Members of the Historic Old Town Association  
J.J. Mancini  
President, Historic Old Town Association



## Sanchez, Suzanna A.

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**From:** Debra Mitchell <debkarenmitchell@gmail.com>  
**Sent:** Thursday, November 2, 2023 9:42 AM  
**To:** Sanchez, Suzanna A.  
**Subject:** Quick Trip Truck Stop  
**Attachments:** Quick Trip letter.rtf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Dear Suzanna,  
Please see my attached letter in opposition to the Quick Trip Truck Stop location.  
Thank you very much.  
Debra Mitchell



November 2, 2023

Dear Mr. Lucero,

I am writing to voice our opposition to the proposed Quick Trip Truck Stop project in the Sawmill Neighborhood at I-40 and 12th street.

My objections are many. I live at 1211Clarie Ct. NW which is just over one mile away. The Neighborhood Association and local business leaders have worked hard to create a vibrant and walkable neighborhood. If this 24 hour truck stop is built, there will be a great deal of traffic at an already congested intersection and this would add to an already busy 12th street. The increased noise, light and air pollution associated with large trucks will be a blight to the neighborhood. The existing IDO indicates the entire northeast area of this intersection is an activity center and is meant to support pedestrian friendly designs for services to the neighborhood. Also, Mayor Keller has proposed a Rail Trail in this area to create more cycling and walking opportunities for the community. This proposal is shocking to me, as there is already a truck stop at I-40 and 6th street. This truck stop is totally unnecessary and would negatively impact my community.

I am asking the zoning department to consider the impacts to the neighborhood and the people living there. Please act with thoughtfulness and reject this Quick Trip Truck Stop proposal.



Thank you very much,  
Debra Mitchell  
1211 Claire Ct. NW 87104



## Sanchez, Suzanna A.

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**From:** Samuel Hufnagel <samhuf@yahoo.com>  
**Sent:** Tuesday, November 7, 2023 9:02 PM  
**To:** Sanchez, Suzanna A.; Patten-Quintana, Lorena  
**Subject:** Community Member Request - Please Reject Quik Trip's Proposal for Yet Another Truck Stop on I-40 (Case Numbers: VA-2023-00294, VA-2023-00295, VA-2023-00296, and PR-2023-009345)

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

To Robert Lucero, Lorena Patten and Suzanna Sanchez,

Regarding case numbers: VA-2023-00294 (heavy vehicle fueling) VA-2023-00295 (nicotine retail) VA-2023-00296 (liquor retail), PR-2023-009345:

My name is Sam Hufnagel and I live in the Sawmill Neighborhood. I am staunchly against the proposed Quik Trip Truck Stop project that would be built south of I-40 on 12th Street. I live just a 2-minute drive from this location and I can tell you that it is an unnecessary and unwelcome addition to the neighborhood.

Zoning is one of the last check & balances left in this country to keep neighborhoods supportive of community life instead of being ruined by out-of-state company greed.

Our neighborhood is one of the foundational ones of this city, and it is slowly returning to being a hub of community, family life, local goods and local foods. A truck stop will not contribute to this and is completely unnecessary, as there are half a dozen other truck stops in the area.

What we know about 24-hour truck stops is that they are unequivocally associated with higher crime rates including robberies, property crimes, shootings and hit and runs. They also are the source of both noise and air pollution, traffic congestion, visual pollution and decreased property values. None of these are in the interest of citizens who live in the area.

This site has the potential to add to the potential growth of the neighborhood. It could be the location of a grocery store, a mixed use space for local business, or what I would hope for the most – affordable housing. A location like this could be a savior to our current housing crisis. Please don't let it become an out-of-state run gas station.

I ask that the zoning hearing examiner do the right thing and reject this proposal. I also ask that Paul Blanchard, the owner of the land, work with the City and the neighborhoods to find the right buyer – not the first one that comes along.

Thank you very much,  
-Sam Hufnagel 505-331-6836 samhuf@yahoo.com



## Sanchez, Suzanna A.

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**From:** Mike Canfield <MCanfield@indianpueblo.com>  
**Sent:** Tuesday, October 24, 2023 1:29 PM  
**To:** Sanchez, Suzanna A.  
**Cc:** Marianne Billy  
**Subject:** In Reference To: PR-2023-009345; VA-2023-00294, VA-2023-00295, VA-2023-00296  
**Attachments:** Letter to Robert Lucero from Mike Canfield-10.24.23.pdf  
  
**Importance:** High

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Good Afternoon,

I'm attaching a letter addressed to Mr. Robert Lucero, ZHE for the City of Albuquerque. This is my formal written comment opposing any request for special exemptions by QT South LLC - **PR-2023-009345; VA-2023-00294, VA-2023-00295, VA-2023-00296.**

I appreciate your attention in this matter. Please let me know if there's anything further needed from me. I also plan to join the November meeting via Zoom.

Mike Canfield  
President/CEO  
Indian Pueblo Cultural Center  
Indian Pueblos Marketing, Inc.  
2401 12<sup>th</sup> Street NW  
Albuquerque, NM 87104  
505-212-7037







October 24, 2023

Robert Lucero, Zoning Hearing Examiner  
City of Albuquerque Planning Department  
Plaza del Sol Building  
600 Second NW  
Albuquerque, NM 87102

**RE: In opposition to any special exemptions for QT South LLC (1701 12<sup>th</sup> St. NW, Albuquerque, NM 87104). PR-2023-009345; VA-2023-00294, VA-2023-00295, VA-2023-00296**

Dear Mr. Lucero,

The Indian Pueblo Cultural Center (IPCC) has been charged by our owners, the 19 Pueblo Communities of New Mexico, to revitalize the former campus of the Albuquerque Indian School which lies at intersection of 12<sup>th</sup> Street I-40. We have steadily and with much effort developed this area into a significant cultural corridor within the city. However, our work is not done, we still have property to develop and take seriously the mandate from our Pueblo communities to take what was the Albuquerque Indian School campus and reclaim it as a beacon for our people to signify resilience, hope, and opportunity here in the middle of Albuquerque.

Clearly, a 24-hour truck stop at this location is misaligned with this mission and will detract from the long-term development plan for the former Albuquerque Indian School campus. I must also mention that the IPCC is engaging in clean and smart energy like electric vehicle charging stations along with affordable housing options in this vicinity that will be focused on minority populations - two things that are of critical need within the city which I'm sure you're already aware of. Additionally, we are partners on the planning of the City's Rail Trail project that is right now projected to follow along the southern boundary of this truck stop location. A truck stop intersecting the planned Rail Trail route would not be safe for those who are utilizing it and take away from the Trail's intended purpose.

Along with the other impacts such as air and noise pollution, increased traffic congestion, heightened potential for crime and transient activity, Mr. Lucero, I must respectfully ask you to deny the special exemptions requested by this project.

I'm available for further discussion as necessary.

Sincerely,

Michael Canfield  
President and CEO  
Indian Pueblo Cultural Center  
Indian Pueblos Marketing, Inc.

Acoma  
Cochiti  
Isleta  
Jemez  
Laguna  
Nambé  
Ohkay Owingeh  
Picuris  
Pojoaque  
Sandia  
San Felipe  
San Ildefonso  
Santa Ana  
Santa Clara  
Santo Domingo  
Taos  
Tesuque  
Zia  
Zuni

2401 12th St. NW  
Albuquerque, NM 87104

866-855-7902

IndianPueblo.org



## Sanchez, Suzanna A.

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**From:** Cristina Rogers <cristina@barelas.net>  
**Sent:** Tuesday, November 7, 2023 1:18 PM  
**To:** Sanchez, Suzanna A.  
**Subject:** Letter of Opposition: VA-2023-00294-00295-00296, Project #PR-2023-09345  
**Attachments:** ZHE-QT.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Hola Suzie,

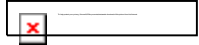
Please include my attached Letter of Opposition to the above-referenced Conditional Use request.

Hope you're having a great day, y

Mil gracias for all you do!

--

Cristina M. Rogers  
Executive Director  
m: 512.828.9774





LETTER OF OPPOSITION  
VA-2023-00294-00295-00296  
PROJECT #PR-2023-09345

7 November 2023

Robert Lucero, Esq.  
Zoning Hearing Examiner  
City of Albuquerque Planning Department  
Plaza del Sol Building  
600 Second NW  
Albuquerque, NM 87102

Dear Examiner Lucero,

I write to you as a concerned resident of Greater Downtown ABQ, who rarely intervenes in matters outside the neighborhood where I both live and work, and I do so in a personal capacity.

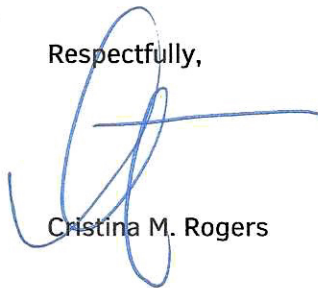
Applicant Mountain Run Partners, LTD (Agent, QT South LLC), seeks a Conditional Use permit for a heavy vehicle fueling station, and nicotine and liquor retail. Allowing heavy vehicle fueling at this location would directly contravene the priorities and intentions found in the ABQ Comprehensive Plan.

I echo the concerns cited by the surrounding neighborhood associations of Wells Park, Sawmill, Near North Valley, along with the Sawmill Land Trust, Near North Valley Coalition, and especially Indian Pueblos Marketing - and add that in a state with the highest pedestrian fatality rate in the nation, this project will only contribute to that gruesome statistic.

I urge you to deny Conditional Use for Project #PR-2023-09345.

Thank you, as always, for the careful consideration you give each application.

Respectfully,



Cristina M. Rogers



## Sanchez, Suzanna A.

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**From:** Marianne Billy <MBilly@indianpueblo.com>  
**Sent:** Thursday, October 26, 2023 8:51 AM  
**To:** Sanchez, Suzanna A.  
**Cc:** Teran Villa; mamitchell@pueblooftesuque.org  
**Subject:** PR-2023-009345; VA-2023-00294, VA-2023-00295, VA-2023-00296  
**Attachments:** RLucero ZHE-APCG-QuikTrip.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Good Morning Suzanna,

I've been asked to forward a letter addressed to Mr. Lucero from Chairman Mark Mitchell with the All Pueblo Council of Governors. Attached on the file is a resolution from the All Pueblo Council of Governors opposing the proposed Quik Trip truck stop at I-40 and 12<sup>th</sup> Street. Please let us know if you have any questions. Thank you.

### Marianne Billy

Special Projects Manager  
Indian Pueblo Cultural Center  
Indian Pueblos Marketing, Inc.  
(O) 505-212-7033  
(M) 505-688-4543

*It All Starts Here*

For a taste of what the  
IPCC Campus has to  
offer visitors and locals  
alike, *watch this  
dynamic new video.*







## All Pueblo Council of Governors

Officers:  
Mark Mitchell, Chairman  
Jerome Lucero, Vice-Chairman  
Governor Arden Kucate, Secretary

Acoma

October 25, 2023

Cochiti

Robert Lucero, Zoning Hearing Examiner  
City of Albuquerque Planning Department  
Plaza del Sol Building  
600 Second NW  
Albuquerque, NM 87102

Isleta

Jemez

Laguna

Dear Mr. Lucero,

Nambe

Ohkay Owingeh

As Chairman of the All Pueblo Council of Governors (APCG), I'm writing to voice our disappointment in learning about the proposed QuikTrip 24-hour truck stop planned for the intersection of 12<sup>th</sup> Street and Interstate-40. APCG is a 500-year-old organization and is comprised of twenty Pueblo Governors – all nineteen New Mexico Pueblos and Ysleta Del Sur located in El Paso, Texas.

Picuris

Pojoaque

As you may know, the land this project is targeting was once the home of the Albuquerque Indian School. Our Tribal leadership have spent many years through the efforts of the Indian Pueblo Cultural Center in revitalizing this area to align with and respect our Native American Culture. A 24-hour truck stop will have a significant negative impact on our progress and the local community in general. I'm attaching to this letter Resolution No. APCG 2023-14 which is a resolution passed by the Council opposing the special exemptions that the QuikTrip organization has requested as well as the overall development of a truck stop at this location. Within the Resolution, the Council has listed several reasons for their opposition.

Sandia

San Felipe

San Ildefonso

Santa Ana

We sincerely hope you take our concerns seriously and deny your approval of this project.

Santa Clara

Santo Domingo

Sincerely,

Taos

Tesuque

Mark Mitchell  
Chairman  
All Pueblo Council of Governors

Ysleta del Sur

Zia

Encl: Resolution No. APCG 2023-14

Zuni





All Pueblo  
Council of  
Governors

Officers:  
Mark Mitchell, Chairman  
Jerome Lucero, Vice-Chairman  
Governor Arden Kucate, Secretary

**Resolution**

Acoma

ALL PUEBLO COUNCIL OF GOVERNORS  
RESOLUTION NO. APCG 2023-14

Cochiti

**OPPOSING THE DEVELOPMENT OF A QUIKTRIP FUELING STATION AT  
1701 12<sup>TH</sup> STREET NW, ALBUQUERQUE, NM 87104**

Isleta

Jemez

**WHEREAS**, THE All Pueblo Council of Governors is comprised of the Pueblos of Acoma, Cochiti, Isleta, Jemez, Laguna, Nambe, Ohkay Owingeh, Picuris, Pojoaque, San Felipe, San Ildefonso, Sandia, Santa Ana, Santa Clara, Santo Domingo, Taos, Tesuque, Zia and Zuni, and one pueblo in Texas, Ysleta Del Sur, each having the sovereign authority to govern their own affairs; and

Laguna

Nambe

Ohkay Owingeh

**WHEREAS**, the purpose of the All Pueblo Council of Governors (APCG) is to advocate, foster, protect, and encourage the social, cultural and traditional well-being of the Pueblo Nations; and

Picuris

Pojoaque

**WHEREAS**, the Twenty Pueblos possess governmental authority and sovereignty over our lands, and sovereignty over the protection of our languages, cultures and traditions; and

Sandia

San Felipe

**WHEREAS**, the former land of the Federally run Albuquerque Indian School is now held in trust for Pueblos for the purpose of perpetuating Pueblo culture and economic development on behalf of the Pueblos; and

San Ildefonso

Santa Ana

**WHEREAS**, the development corporation, Indian Pueblos Marketing, Inc., charged with the development of the former Albuquerque Indian School property has created a destination locality and cultural corridor that celebrates Pueblo culture and history; and

Santa Clara

Santo Domingo

**WHEREAS**, a twenty-four hour truck stop is associated with higher incidents of crime, including but not limited to robberies and property crimes, and hit-and-run incidents; and

Taos

Tesuque

**WHEREAS**, a twenty-four hour truck stop is not conducive to the overall direction for development for this property and its surrounding areas as it will produce significant adverse impacts on the health, safety and well-being of the surrounding community, namely in the increase in noise pollution, air pollution, traffic congestion, visual pollution, and decreased property values; and

Ysleta del Sur

Zia

**WHEREAS**, the All Pueblo Council of Governors recognizes that there is great need for affordable housing options for Native Americans within the Albuquerque city limits; and

Zuni





# All Pueblo Council of Governors

Officers:  
Mark Mitchell, Chairman  
Jerome Lucero, Vice-Chairman  
Governor Arden Kucate, Secretary

**WHEREAS**, the area of the proposed truck stop, near a culturally relevant district, may prove to be an ideal site for housing options for urban Native Americans; and

**WHEREAS**, the Indian Pueblos Marketing, Inc. has already partnered with the City of Albuquerque to discuss feasibility and engage in technical assistance to explore the establishment of affordable housing.

**NOW, THEREFORE, BE IT RESOLVED** that the All Pueblo Council of Governors is opposed to the development of the QuikTrip Fueling Station at the address of 1701 12<sup>th</sup> Street NW, Albuquerque, NM 87104. Furthermore, we are opposed to the City of Albuquerque approving any Special Exception, including but not limited to heavy fueling, nicotine sales, and liquor sales, for Quik Trip at this location.

## CERTIFICATION


We, the undersigned officials of the All Pueblo Council of Governors hereby certify that the foregoing Resolution No. APCG 2023-14 was considered and adopted at a duly called council meeting held on 28th day of September 2023, and at which time a quorum was present and the same was approved by a vote of 18 in favor, 0 against, 0 abstain, and 2 absent.

## ALL PUEBLO COUNCIL OF GOVERNORS

By:

  
Mark Mitchell, APCG Chairman

ATTEST:

  
Governor Arden Kucate, APCG Secretary



**Sanchez, Suzanna A.**

---

**From:** jody latimer <jlatimer77@gmail.com>  
**Sent:** Saturday, November 11, 2023 7:43 AM  
**To:** Sanchez, Suzanna A.; Patten-Quintana, Lorena  
**Subject:** QuickTrip PR-2023-009345

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Dear Robert Lucero, Esq

I am opposed to the referenced project for several reasons. As a resident of Wells Park, I use 12th street on an almost daily basis and have several concerns.

VA-2023-00294: 12th street is already over congested and can not even handle the current truck traffic. Permitting semi-truck fueling will only increase the number of trucks trying to maneuver on this narrow street.

VA 2023-00296: Alcohol sales will only exacerbate the problem of homeless encampments under the overpass at 12th St and I-40.

Please deny this request.

Sincerely, Jody Latimer



## Sanchez, Suzanna A.

---

**From:** Benita Terrell <benita.terrell@earthlink.net>  
**Sent:** Tuesday, November 14, 2023 10:25 AM  
**To:** Sanchez, Suzanna A.  
**Subject:** Against QuikTrip at 12th & I-40

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.  
Please don't allow this project to go through. We don't need the traffic that it will bring off of I-40, and then back on again.

Sincerely,

Benita Terrell

> On Nov 13, 2023, at 3:30 PM, Sanchez, Suzanna A. <suzannasanchez@cabq.gov> wrote:  
>  
> Please forward any comments to me by 5PM on Wednesday, 11/15.  
>  
> Suzie  
>  
> -----Original Message-----  
> From: Benita Terrell <benita.terrell@earthlink.net>  
> Sent: Monday, November 13, 2023 12:14 PM  
> To: Sanchez, Suzanna A. <suzannasanchez@cabq.gov>  
> Subject: QuikTrip at 12th & I-40  
>  
> [EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.  
> Hello,  
>  
> I live in the Near North Valley. Can you please tell me where I can submit my objection to the potential QuikTrip at 12th and I-40? I'm unable to make the meeting.  
>  
> Thank you,  
>  
> Benita Terrell=  
>



## Sanchez, Suzanna A.

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**From:** Mari K <mari.kempton@gmail.com>  
**Sent:** Wednesday, November 15, 2023 8:51 AM  
**To:** Sanchez, Suzanna A.; Patten-Quintana, Lorena  
**Subject:** Comments on quiktrip application

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Good morning,

Please provide my comments to the board regarding the following applications:

- VA-2023-00294 (heavy vehicle fueling)
- VA-2023-00295 (nicotine retail)
- VA-2023-00296 (liquor retail),
- PR-2023-009345

I live in Sawmill neighborhood several blocks south of the proposed Quiktrip site. I have lived in the neighborhood for over 5 years and hope to stay many more. I am opposed to the proposed truck stop; I do not want to live near a truck stop because of the noise, pollution and traffic congestion it will cause. A truck stop is not a good fit for this neighborhood. Our neighborhood has a history of being polluted by industry and decades of organizing to clean up the mess. We are trying to ensure this remains an affordable neighborhood for families to live and for visitors to enjoy on foot. The last thing we need is an ugly commercial truck stop that will provide no benefit for people that actually live here, smell bad, cause traffic jams and noise and air pollution. I wouldn't shop there either since there's much better options close by for groceries, liquor and convenience items.

Thanks for reading my comment,

Mari Kempton  
1305 Claire Ct NW  
Albuquerque, NM 87104



## Sanchez, Suzanna A.

---

**From:** Marianne Billy <MBilly@indianpueblo.com>  
**Sent:** Monday, November 13, 2023 4:01 PM  
**To:** Sanchez, Suzanna A.  
**Cc:** rosette nacaschool.org  
**Subject:** PR-2023-009345; VA-2023-00294, VA-2023-00295, VA-2023-00296  
**Attachments:** NACA Letter.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Good Afternoon Suzie,

I'm sharing a letter on behalf of Mr. Zane Rosette, who is the Executive Director of the Native American Community Academy in reference to the Quik Trip development proposed for 12<sup>th</sup> Street and I-40. Thank you for your attention to this matter.

Have a good day!

### Marianne Billy

Special Projects Manager  
Indian Pueblo Cultural Center  
Indian Pueblos Marketing, Inc.  
(O) 505-212-7033  
(M) 505-688-4543

*It All Starts Here*

For a taste of what the IPCC Campus has to offer visitors and locals alike, *watch this dynamic new video.*







NATIVE AMERICAN COMMUNITY ACADEMY

# NACA

11/13/2023

Robert Lucero, Zoning Hearing Examiner  
City of Albuquerque Planning Department  
Plaza del Sol Building  
600 Second NW  
Albuquerque, NM 87102

Dear Mr. Lucero,

As Executive Director of Native American Community Academy (NACA), I'm writing to share our strong concern and disappointment in learning about the proposed QuikTrip 24-hour truck stop planned for the intersection of 12th Street and Interstate-40. The planned location for this truck stop is a mere 2,000 feet from our Indian School location. During morning drop-off and afternoon pick-up and not to mention our special events, the access roads to our school become very congested as it is. It's my concern that adding more traffic, especially heavy equipment and diesel trucks, would significantly add to the congestion and pose a safety concern for our students and their families who are trying to get to or go home from school. The Native American Community Academy is a tuition-free public charter school serving students in elementary, middle school, and high school. NACA's student body is diverse with many cultural and ethnic backgrounds represented, including students from more than 60 different tribes. NACA focuses on identity through culture and language, holistic wellness, community and family, and academic preparation. Our philosophy is grounded in both the Indigenous thought and rigorous approach to career-preparatory education.

We sincerely hope you take our concerns seriously and deny your approval of the special exemptions requested by this project.

Sincerely,

Zane Rosette  
Executive Director

rosette@nacaschool.org  
505-266-0992 Ext.1105  
www.nacaschool.org



**Sanchez, Suzanna A.**

---

**From:** Mary Thorn <losgriegosna2022@gmail.com>  
**Sent:** Tuesday, November 14, 2023 8:40 AM  
**To:** Sanchez, Suzanna A.  
**Subject:** PR-2023-009345/VA-2023-00294/00295/00296  
**Attachments:** quiktrip.zhe.letter.11.23.pdf

**[EXTERNAL]** Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Dear Mr. Lucero, Esq.,

Attached please find a letter from the Board of Directors of Los Griegos Neighborhood Association in opposition to the proposed Quik Trip development and the variances they have requested.

We stand in support of the North Valley Coalition, Sawmill Neighborhood Association, Near North Valley Neighborhood Association and the Wells Park Neighborhood Association in opposing this development.

Respectfully,  
Mary Beth Thorn-President LGNA



13 November 2023

Robert Lucero, ZHE  
c/o CABQ Planning Department  
600 Second Street NW  
Albuquerque NM 87107

RE: PR-2023-009345 / VA-2023-00294/00295/00296

Dear Mr. Lucero,

The Los Griegos Neighborhood Association (LGNA), though not eligible to be noticed, is a member of the North Valley Coalition, which was notified of these requests. We have a strong interest in working with our fellow North Valley Neighborhood Associations to ensure that new development is contextually appropriate and beneficial to existing residents and businesses.

The Near North Valley, Sawmill Area, and Wells Park Neighborhood Associations are all adjacent to the subject site and the areas they represent deserve new development that fits in with their existing context and desired quality of life. And because of the cohesiveness of the larger North Valley area, the North Valley Coalition of Neighborhood Associations represents the desires of residents and businesses to make sure that new development is respectful of the larger context of interconnected neighborhoods, streets, sidewalks, trails, and acequias.

The applicant cites that the “development will provide a family oriented, clean and modern facility for the citizens of Albuquerque.” But the site’s location, its description as a “travel center,” the Heavy Vehicle Fueling, Nicotine Retail Sales, and Liquor Retail Sales Conditional Uses requests, and a 24/7 operation is clearly intended to cater primarily to travelers and truckers using Interstate 40 (i.e. Truck Stop). Most of the families and citizens of Albuquerque will be at home after 8:00PM and in bed overnight and thus would not benefit from such a facility that operates 24/7.

The LGNA Board voted unanimously to oppose the requested conditional use requests. These three Conditional Use applications do not meet the review and decision criteria of IDO 6-6(A)(3):

- (a) The requests are NOT consistent with the adopted ABC Comp Plan, as amended:

**Goal 4.1 Character – Enhance, protect, and preserve distinct communities.**

The applicant’s semantic description of a truck stop as a “travel center” is belied by the requested use of Heavy Vehicle Fueling, Nicotine Retail Sales, and Liquor Retail Sales with the clear intent is to cater almost exclusively to travelers and truckers using Interstate 40. These Conditional Uses requests are proposed for a site where truck stops do not exist, and most vehicular traffic along 12<sup>th</sup> Street is local. The proposed project will draw travelers and truckers



from Interstate 40 and into the Near North Valley, Sawmill Area, Wells Park, and other North Valley neighborhoods.

**Policy 4.1.1 Distinct Communities: Encourage quality development that is consistent with the distinct character of communities.**

These requests for the Conditional Uses of Heavy Vehicle Fueling, Nicotine Retail Sales, and Liquor Retail Sales within a large truck stop catering to travelers and truckers using I-40 is not consistent with the distinct character of the Wells Park, Near North Valley, and Sawmill Area neighborhoods and the larger North Valley community. These uses may have an adverse affect on the emerging, walkable development around the Indian Pueblo Cultural Center north of Interstate 40.

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

These requests for the Conditional Uses of Heavy Vehicle Fueling, Nicotine Retail Sales, and Liquor Retail Sales do not protect the identity and cohesiveness of the Near North Valley, Sawmill Area, and Wells Park neighborhoods or the larger North Valley community. The scale and mix of the uses proposed for this truck stop development are not appropriate for the “citizens of Albuquerque” or the affected neighborhoods, but rather are intended to cater to travelers and truckers using Interstate 40.

**Policy 4.1.4 Neighborhoods: Enhance, protect, and preserve neighborhoods and traditional communities as key to our long-term health and vitality.**

These requests for Conditional Use of Heavy Vehicle Fueling, Nicotine Retail Sales, and Liquor Retail Sales within a large truck stop catering to travelers and truckers using I-40 do not respect existing neighborhood values of smaller scale, resident-focused businesses, developments, and services. A travel center is not the kind of transformative change that could benefit the Sawmill, Near North Valley, Wells Park, and other nearby neighborhoods that could actually benefit from revitalization via neighborhood-supportive developments and uses.

**Policy 5.3.7 Locally Unwanted Land Uses: Ensure that land uses that are objectionable to immediate neighbors but may be useful to society are located carefully and equitably to ensure that social assets are distributed evenly, and social responsibilities are borne fairly across the Albuquerque area.**

The 26 September 2023 Facilitated Neighborhood Meeting Report clearly details the several legitimate and reasonable concerns that the immediate, local neighborhoods of Sawmill, Near North Valley, Wells Park and other neighborhoods expressed about this unwanted land use. The proposed truck stop development on 12<sup>th</sup> Street, including the locally unwanted land uses of Heavy Vehicle Fueling, Nicotine Retail Sales, and Liquor Retail Sales, may be a desired use for travelers and truckers. But an existing truck stop is already located in the near vicinity at 6<sup>th</sup> Street and there is an adequate number of corner gas stations and locally owned restaurants to serve locals in the North Valley community. In fact, two gas stations recently closed at 12<sup>th</sup> Street and Candelaria Rd. due to the decreased neighborhood demand for this use in the area. This



type of truck stop use should be located elsewhere to distribute this “social responsibility” more fairly across the Albuquerque area.

**Goal 6.4 Public Health: Promote individual and community health through active transportation, noise mitigation, and air quality protections.**

**Policy 6.4.2 Air Quality: Reduce the adverse effects of automobile travel on air quality through coordinated land use and transportation that promote the efficient placement of housing, employment, and services and improve the viability of multi-modal transportation options.**

**Policy 6.4.3 Noise: Mitigate traffic noise along roadways using measures that represent balance between public expenditure and social, economic, and environmental values of the community.**

The proposed truck stop with Heavy Vehicle Fueling, Nicotine Retail Sales, and Liquor Retail Sales is a business based entirely on increasing traffic on 12<sup>th</sup> Street, a Collector street per the MRMPO Long Range Roadway System map. This type of intense use should be located on an Arterial street with better capacity for thousands of semi-trucks and travelers per day. Trucks and passenger vehicles that stop for fuel will have to turn off and then restart their diesel and gasoline engines, which emits dirtier exhaust and unburned fuel than when driving on the Interstate. The Near North Valley, Wells Park, Sawmill, and other surrounding neighborhoods will bear the burden of decreased air quality and increased noise caused by thousands of new, daily engine starts and stops. Furthermore, it was stated at the Facilitated Neighborhood Meeting that no electric vehicle (EV) charging stations are planned, contrary to the growing demand for EVs and corresponding infrastructure.

**Goal 7.2 Pedestrian-Accessible Design: Increase walkability in all environments, promote pedestrian-oriented development in urban contexts, and increase pedestrian safety in auto-oriented contexts.**

**Policy 7.2.1 Walkability: Ensure convenient and comfortable pedestrian travel.**

**Policy 7.2.2 Walkable Places: Promote high-quality pedestrian-oriented neighborhoods and districts as the essential building blocks of a sustainable region.**

Long haul truckers and travelers that would stop to patronize this proposed 24/7 truck stop for fuel and sustenance are more than likely not “citizens of Albuquerque.” Per its own design, description, and existence, a truck stop is not pedestrian-oriented, pedestrian-accessible, a walkable place, or any viable part of a walkable place. The proposed truck stop will not increase walkability, pedestrian safety, or help sustain the affected neighborhoods or the region.

**Goal 7.3 Sense of Place: Reinforce sense of place through context-sensitive design of development and streetscapes.**

**Policy 7.3.2 Community Character: Encourage design strategies that recognize and embrace the character differences that give communities their distinct identities and make them safe and attractive places.**

**Policy 7.3.3 Placemaking: Encourage efforts to establish and strengthen district identity within Centers, business districts, and neighborhoods.**

The proposed project, with Heavy Vehicle Fueling, Nicotine Retail Sales, and Liquor Retail Sales, is a facility that needs two things: an Interstate interchange and a very high traffic count. Its sense of place is intentionally anywhere and everywhere to appeal to the largest number of people with familiarity and predictability. These truck stop uses by default become the character



of the place without respecting or strengthening the existing neighborhoods and their community character.

**Goal 13.1 Climate Change: Promote resource-efficient growth and development to help mitigate global climate change and adopt to its local impacts.**

The proposed truck stop with Heavy Vehicle Fueling, Nicotine Retail Sales, and Liquor Retail Sales is a business based entirely on increasing traffic on 12<sup>th</sup> Street, a Collector street per the MRMPO Long Range Roadway System map. This business model is based on selling and burning more fossil fuels, directly contributing to not mitigating global climate change. Also relevant to this Goal, it was stated at the Facilitated Neighborhood Meeting that no electric vehicle (EV) charging stations are planned, contrary to the growing demand for EVs and corresponding infrastructure.

6-6(A)(3)

- (b) The applicant purports the development to not need any variances and that it complies with all applicable USSs, but the request for the Nicotine Retail Sales Conditional Use application does not appear to meet the requirements of USS 4-3(D)(40)(b) as the subject site is less than 1,000 feet from a lot containing another nicotine retail use (Walgreens at 2011 12<sup>th</sup> Street).





(c) Please see response to (a) above.

(d) Please see response to (a) above.

Conditional Use applications must meet all criteria of 6-6(A)(3). These requests do not. The LGNA, in solidarity with the Near North Valley, Sawmill Area, and Wells Park Neighborhood Associations, respectfully requests that you deny all three Conditional Use requests for 1701 12<sup>th</sup> Street NW.

Sincerely,

A handwritten signature in cursive script that reads "Mary Beth Thorn". The signature is written in dark ink and is positioned above the printed name and title.

Mary Beth Thorn

LGNA President



## Sanchez, Suzanna A.

---

**From:** Rhonda Cox <midwiferhonda@hotmail.com>  
**Sent:** Tuesday, November 14, 2023 4:34 PM  
**To:** Sanchez, Suzanna A.; Patten-Quintana, Lorena  
**Cc:** SANA Board  
**Subject:** Reject QuickTrip Proposal

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Reference case #'s: VA-2023-00294 (heavy vehicle fueling) VA-2023-00295 (nicotine retail) VA-2023-00296 (liquor retail), PR-2023-009345

I am Rhonda Cox, a homeowner for 20 years in my beloved Sawmill district. I have seen this neighborhood grow into a wonderful and desirable place to live. We have an opportunity to add to the culture and community of Sawmill at the property on the corner of I-40 on 12th Street. The proposed Quik Trip project does nothing to improve our very special Sawmill District and I am vehemently against it for the following reasons.

1. There are six truck stops within a 10-mile radius of the proposed site, rendering this proposed location redundant.
  - ☐ Love's at I-40 & 6<sup>th</sup> St. (less than a mile away)
  - ☐ Flying J Travel Center (westside of Albuquerque)
  - ☐ TA Travel Center (at the Big I)
  - ☐ Pilot Travel on Broadway in the South Valley
  - ☐ Rt. 66 Travel Center (westside of Albuquerque)
  - ☐ Isleta Travel Center (directly south of Albuquerque)
  - ☐ Another Love's Travel Stop (westside of Albuquerque)
2. The traffic congestion it will cause. During rush hour, the 12<sup>th</sup> St. entrance to I-40 is already backed up. Adding 18-wheelers and other vehicles into the area will exacerbate an already overly taxed and busy intersection.
3. Environmental impacts (air, light and noise pollution)
4. Safety – truck stops have higher than average incidents of crimes. In fact, in 2023 alone, there have been six shootings at other Quik Trip locations.
5. The IDO indicates the entire northeast area of this intersection is an activity center and it makes sense that this property should support the goals of that designation. An activity center is meant to incorporate pedestrian friendly design for mixed use and day-to-day services at a neighborhood scale. Trucks don't fit that description. 12<sup>th</sup> Street is not a commuter corridor. A goal is to reduce traffic speeds and have narrower lanes to allow for bicycles/ other modes of travel.



6. Interfering with the proposed Rail Trail. The Mayor and Governor are working hard to develop the Rail Trail, which will encourage more cycling and walking. This development is contrary to those goals.
7. Ruining the aesthetics of the area. 12<sup>th</sup> Street is the Gateway to the Sawmill and Wells Park Neighborhoods as well as Downtown Albuquerque. A truck stop is incongruent with the look and feel of the neighborhoods.
8. Both the Indian Pueblo Cultural Center (IPCC) and the All Indian Council of Governors are against the development. Since 1976, the IPCC has transformed the former Albuquerque Indian School campus from a dilapidated and vandalized area into a cultural and business corridor. The IPCC campus serves as a gateway to the 19 Pueblos of New Mexico while providing a thriving and diverse economic development hub in the heart of Albuquerque.

The parcel of land that is proposed for Quik Trip could be used for so many more meaningful developments that would serve not only the interests of the neighborhoods, but also the interests of the entire city. Other potential uses: affordable housing, mixed-use development, arts and cultural amenities. That land is located within the Sawmill District, and we would love to see similar developments on that parcel of land.

Please consider the very special area of Sawmill District in planning use for this space. I will support small local businesses that help make the area of the Indian Cultural Center a destination for shopping, and dining. The tourists are already in the area visiting the museums and other cultural attractions we have to offer, use this to make our community even more vibrant!

Thank you for hearing me out.

Rhonda Cox  
1516 Rosemont Ave NW  
ABQ, 87104

Sent from my iPhone



**Sanchez, Suzanna A.**

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**From:** David Stryker <davidwstryker@gmail.com>  
**Sent:** Wednesday, November 15, 2023 9:25 AM  
**To:** Sanchez, Suzanna A.  
**Subject:** Quick Trip  
**Attachments:** Quik Trip Zoning letter.pdf

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Please see attached.

Thank you

David W Stryker



[suzannasanchez@cabq.gov](mailto:suzannasanchez@cabq.gov)

lpatten-quintana@cabq.gov

November 13, 2023

Attention: Robert Lucero

RE: Quik Trip

Reference numbers:

VA-2023-00294

VA-2023-009345

VA-2023-00296

Sir;

I have several concerns about the proposed Quik Trip truck fueling station proposed for 12th Street just south of I-40.

First is its garish design. This looks to be a poorly thought-out design intended for Oklahoma, perhaps near a refinery on the outskirts of Tulsa, in the 1950's. It would have been ugly then and has not aged well. I cannot believe Albuquerque zoning would believe it appropriate as the first sight seen by visitors exiting I-40 en route to Sawmill area or downtown Albuquerque. The added light pollution, since the proposed facility is intended to be a 24hr facility with signs intended to attract freeway traffic as well as provide 'security' can only add to an ambience which is already oversaturated.

Second is the proposal to serve heavy diesel trucks. As you should know, diesel trucks are a source of a considerable amount of unregulated nano particles in their exhaust. These pollutants are capable of reaching the innermost parts of the lungs and can cause a variety of health problems. This in addition to the more obvious smoke and noise and roadway damage are a burden the neighborhood should not have to bear. Traffic on 12th Street is already beyond capacity and adding more, especially heavy truck traffic will only increase commuting time and stress for residents.

Third, the proposed facility would be yet another source of alcohol, sold to individuals who would likely be driving shortly after purchase and posing additional danger to residents and tourists in the area.

Fourth, the proposed facility would abutt the proposed 'Rail Trail', in which the city is investing considerable money in an attempt to make the downtown area more livable and enticing to tourism. Planting a 1950's style redundant paeon to pollution, visual, auditory, and environmental, could hardly be considered an amenity attracting users to the Rail Trail.



Fifth, there is evidence that 24 hour truck stops such as proposed may be associated with increased crime, vagrancy, gunfire, drug dealing and prostitution. This will in no way enhance the well being of the neighborhood or of the other businesses in the area which rely on tourism.

Sixth, the proposed facility can only hurt traffic, vehicular, bicycle, or pedestrian, attempting to access the development at the Indian Pueblo Cultural Center from the Sawmill neighborhood and tourism development, or Wells Park neighborhood. It would not in any way help 'connect' the neighborhoods. Generally truck are found outside of cities, with good reason.

Seventh, there is no mention of either hydrogen fueling or electric vehicle charging. Are we not in the 21st century? As proposed the facility seems not to support either the city or the state's forward vision.

I, along with many, many others in the Sawmill neighborhood, ask the zoning hearing examiner to do the right thing and reject this proposal. I would also ask that the city work with the present property owner to help find a use for the property that compliments, not detracts from, the area.

I thank you for your consideration;

Sincerely;

David W. Stryker

1500 15th St. NW

davidwstryker@gmail.com



## Sanchez, Suzanna A.

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**From:** SANA Board <sawmillneighbor@gmail.com>  
**Sent:** Wednesday, November 15, 2023 12:58 PM  
**To:** Sanchez, Suzanna A.; Patten-Quintana, Lorena  
**Subject:** QuikTrip (PR-2023-009345) Zoning Hearing Letter for Evidence  
**Attachments:** SANA ZHE Letter\_QuikTrip.pdf

**[EXTERNAL]** Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Dear Robert Lucero, Suzanna Sanchez, and Lorena Patten-Quintana,

This is in reference to the following cases for the QuikTrip Truckstop:

- VA-2023-00294 (heavy vehicle fueling)
- VA-2023-00295 (nicotine retail)
- VA-2023-00296 (liquor retail)
- PR-2023-009345

Please see the attached letter from the Sawmill Area Neighborhood Association Board.

Warmly,  
Amanda Browne  
SANA Vice President





November 14, 2023

Robert Lucer, Zoning Hearing Examiner  
c/o City of Albuquerque Planning Department  
600 Second Street NW  
Albuquerque, NM 87107  
Via email to [suzannasanchez@cabq.gov](mailto:suzannasanchez@cabq.gov) & [lpatten-quintana@cabq.gov](mailto:lpatten-quintana@cabq.gov)

**Re: PR-2023-00934 / VA-2023-00294, VA-2023-00295, VA-2023-00296**

Dear Mr. Lucero:

The Sawmill Area Neighborhood Association has heard several concerns and opposition from our members and other neighbors to the proposed variance requests for project reference PR-2023-00934. We are vehemently opposed to the Quik Trip Truck Stop plan for 12<sup>th</sup> and I-40. The land is within the Sawmill Neighborhood and is the gateway to both Wells Park and the Sawmill District. We have repeatedly engaged with the city to advocate for less truck traffic on 12<sup>th</sup> street over the past few years. There are already six truck stops within a 10-mile radius. This project is not only redundant, it poses a significant negative impact to our community.

First, in terms of traffic flow, the current configuration of the interchange would not work for truck traffic. An updated traffic study should be required before any approval is considered. Quik Trip claims it will capture “existing trips.” This is misleading as they are referring to trips on I-40, not 12<sup>th</sup> street. Traffic would still be diverted to 12<sup>th</sup> street, resulting in consequential traffic congestion and safety concerns. Trucks deviated from I-40 would create additional, problematic congestion at 12<sup>th</sup> and 6<sup>th</sup> streets due to access points for the interchange.

The northeast corner of the intersection has been specifically designated both an activity center—meaning we encourage walkability, bicyclists and to slow traffic down. Having 18-wheelers going in and out of our neighborhood at all hours of the day and night poses a threat to pedestrian safety and completely contradicts the City’s comprehensive plan for the area.

The Rail Trail will pass along the southern border of the property. The Sawmill segment is slated to break ground early next year. Having heavy truck traffic so close to the spur line and a trail that is meant to promote walkability, reduced carbon emissions, and increase green space poses another violation of the comprehensive plan for the area.

This leads to our concern about environmental impacts. Having heavy vehicle fueling tanks installed in the ground, as well as the increase in both the noise and air pollution contradict the findings of the recent Central Albuquerque Community Planning Area (CPA) Assessment. This



area has repeatedly suffered from industrial waste and contamination from the days of the sawmill to the Laun-dry wastewater issue across the street from the site in question. In the CPA Assessment, the community repeatedly called for more sustainable resource management and green infrastructure. Once again, the proposed heavy vehicle fueling use violates that plan.

Lastly, we are concerned about increased crime, which we don't need more of. It's a known fact that truck stops are notorious for criminal activity. In fact, Quik Trip has had six shootings in 2023 at various locations around the country.

Our community has been growing and developing as a destination neighborhood, known for walkability, vibrant local businesses, and safety. We are a family-friendly neighborhood, with several schools and parks in the area. The glaring traffic flow issues notwithstanding, having a corporate truck stop that does not promote local business, walkability, green space, sustainable resource management, or safety is a clear violation of the comprehensive community plan for the Sawmill Area.

Thank you for your consideration of this evidence.

Sincerely,

The Sawmill Area Neighborhood Association Board



**Sanchez, Suzanna A.**

---

**From:** Peggy Norton <peggynorton@yahoo.com>  
**Sent:** Wednesday, November 15, 2023 12:49 PM  
**To:** Sanchez, Suzanna A.; Patten-Quintana, Lorena  
**Subject:** comments - QuikTrip  
**Attachments:** quiktrip - nicotine conditional use comments.pdf; quiktrip - liquor conditional use comments.pdf; quiktrip - heavy vehicle fueling station.pdf; quiktrip - diesel particulate 221011\_abq-housing\_site-planning-analysis-report-\_d3.pdf

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Attached are comments from the North Valley Coalition for the QuikTrip Project. The 4th document (quiktrip - diesel) is part of the heavy vehicle fueling station comments. Please acknowledge receipt of these. Thank you.

Peggy Norton, President  
North Valley Coalition



# TOXICITY

## Diesel Particulate Matter

### What We’re Seeing

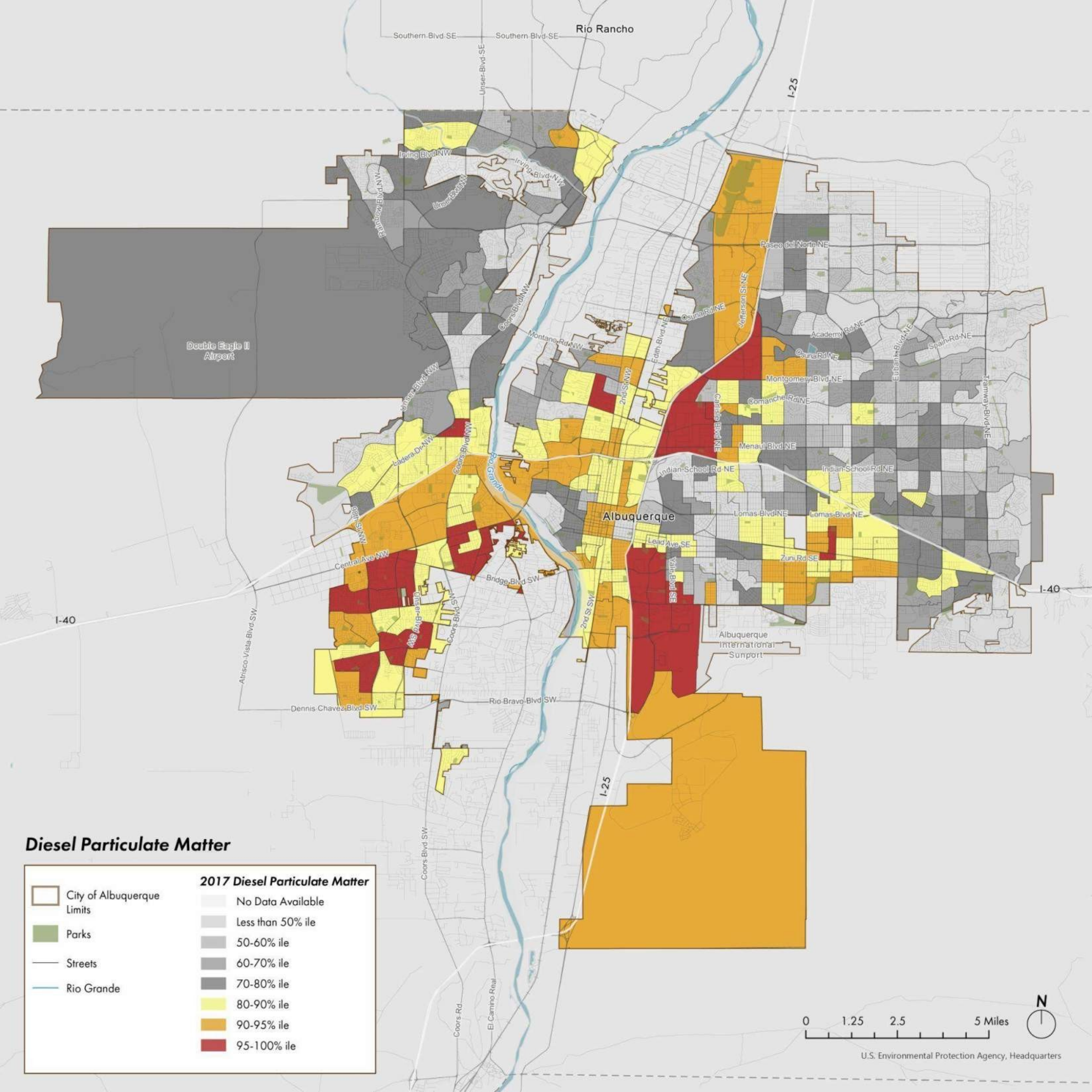
The following toxicity maps look at a series of data sets that are indicators of pollution sources and measurements putting residents at risk over long terms of proximity, including:

- Wastewater Discharge Indicator
- Underground Storage Tanks
- Hazardous Waste Proximity
- Superfund Proximity
- Air Toxics Respiratory Hazardous Index (HI)
- Air Toxins Cancer Risk
- Diesel Particulate Matter
- Particulate Matter 2.5

reas of highest toxicity are typically falling along major transit corridors such as Interstate 25, Interstate 40 on the westside of the city, and southern parts of the city

### Why it Matters

These toxicity maps indicate from an environmental justice perspective areas in the City that require increased attention and investment in order to improve quality of life and life expectancy for residents.





November 15, 2023

Re: VA 2023-00294 Conditional use for heavy vehicle fueling station  
PR 2023-009345

To: Zoning Hearing Examiner Robert Lucero

sent to: [suzannasanchez@cabq.gov](mailto:suzannasanchez@cabq.gov)  
[lpatten-quintana@cabq.gov](mailto:lpatten-quintana@cabq.gov)

The North Valley Coalition Board voted to oppose the application for conditional use of a heavy vehicle fueling station in the above proposed project. The Coalition Board has 14 neighborhood association representatives, one organization representative and 10 at-large representatives. Twelve of the associations are in the north valley of Albuquerque.

**According to 14-16-6-4(E)(3), the applicant bears the burden of providing a sound justification for the requested decision, based on substantial evidence.**

The conditional justification letter is identical for all 3 uses requested and addresses none of the individual issues of impacts/compliance of heavy vehicle refueling vs. liquor sales vs. nicotine sales. No citations from the Comprehensive Plan were included to justify compliance and the Zoning Hearing Examiner has not been provided the required information by the applicant to consider this request.

#### **Item (a) Conditional Use Justification Letter**

The use must be consistent with the adopted ABC Comp Plan.

**Goal 3.1 The Vision in the Comprehensive Plan** – Neighborhoods will be safer and easier places to walk through and between. The positive characteristics that contribute to their unique identities will be protected and enhanced. Multicultural heritage and cultures will continue to be recognized and celebrated as assets for revitalizing neighborhoods and building a diverse, vibrant local economy. **A heavy vehicle refueling station does not support this vision.**

Attempting to walk to the Activity Center surrounding the Indian Pueblo Cultural Center would be dangerous and uninviting due to the proposed semi-truck traffic crossing the sidewalk to access the site. A Rail Trail is an exciting vision of connectivity being planned by the City. This multi-use trail is planned from the Railyards, through Wells Park, spur to the Indian Pueblo Cultural Center and surrounding amenities, past the proposed site, to the Sawmill Area, museums and Old Town. A project that would enhance this vision could go in on this site and serve as the hub of this wheel. Having to compete with truck traffic will destroy the vision of this plan, which is already funded with approximately \$40 million. **Allowing a truck stop to be the hub of this wheel of unique sites, neighborhoods,**



**multicultural attractions is non-compliant with the vision of the Comprehensive Plan.**

This vision is reinforced in **goal 7.2 Urban Design** – Increase walkability in all environments, promote pedestrian-oriented development in urban contexts, and increase pedestrian safety in auto-oriented contexts.

**Goal 5.1.2.1 Coordinating Land use & Transportation to Create Great Places.**

This section states that land uses are most successful when coordinated with the streets that serve them. The section cites the Complete Streets Ordinance, which emphasizes investments to enhance transportation options and improve mobility for pedestrians, cyclist and transit uses. There is nothing in this section encouraging semi-truck use. This proposed project is not coordinated with 12<sup>th</sup> Street, it is only coordinated with I-40. It does nothing to enhance the function of 12<sup>th</sup> Street – it will dump semi-trucks onto the frontage roads and a couple blocks of 12<sup>th</sup> Street causing traffic congestion and emission of diesel fumes. Heavy vehicle fueling provides no positive uses to the surrounding neighborhoods or communities – it will pull new traffic from and to I-40. There are bike lanes north of I-40, and continuing south from there on a bicycle will result in unsafe conditions competing with trucks. Trucks aren't allowed on most of 12<sup>th</sup> Street and with good reason – the street is designed for local and/or residential traffic.

**Goal 5.3.7 Locally Unwanted Land Uses:** Ensure that land uses that are objectionable to immediate neighbors but may be useful to society are located carefully and equitably to ensure that social assets are distributed evenly and social responsibilities are borne fairly across the Albuquerque area. A truck stop with the traffic congestion, pollution, and open 24 hours would fit this objectionable but useful to society category. However, the use should be distributed evenly across the Albuquerque area. There is already a Love's truck stop at 6<sup>th</sup> Street and I-40, a mere 6 blocks away. Approving this use locates two truck stops within or adjacent to the southern boundary of Near North Valley Neighborhood Association and adjacent to the northern boundary of Wells Park Neighborhood Association. There are two other truck stops at Menaul and University, less than 2 miles away.

See [https://www.cabq.gov/office-of-equity-inclusion/documents/221011\\_abq-housing\\_site-planning-analysis-report-\\_d3.pdf](https://www.cabq.gov/office-of-equity-inclusion/documents/221011_abq-housing_site-planning-analysis-report-_d3.pdf)

I have included p. 68 to show diesel particulate matter is in the 90-95% percentile range on both sides of I-40 in this area. There is no responsible way to allow heavy vehicle refueling which would increase diesel particulate matter in this already heavily burdened area.

**Item (b) Conditional Use Justification Letter**



This item requires compliance with all applicable provisions of the IDO. The applicant states compliance with the use specific standards; however, most of the standards apply to site plan approval, not conditional use approval. A Responsible Retailing Policy, which the applicant maintains and uses for compliance justification, is not mentioned in the IDO.

The purpose of the Non-residential - Business Park zone district (NR-BP) is to accommodate a wide range of non-residential uses in **campus-like settings** to buffer potential impacts on surrounding uses and adjacent areas. There may be some NR-BP zoned sites that could accommodate and buffer the impacts of semi-trucks driving in and out of the site 24 hours a day, but this site cannot do that, due to its small size and limited number of access points (2). The IDO (14-16-2-5(B)(3)(a)) requires a minimum total contiguous area of 20 acres to rezone to NR-BP. If this site were larger, perhaps the buffer could be part of the plan and there would be other businesses to help provide a buffer. However, on this 5.98 acre site with only two access points, one convenience store building, and pumping stations, it is impossible to create a campus-like setting. The overhead view on p. 48 shows a few trees on site and along 12<sup>th</sup> Street. Primarily, it is asphalt for vehicles and gas/diesel pumps. While the applicant calls it a sleek and modern facility, a campus-like setting is not part of the design or use of the site. **Thus, a heavy vehicle fueling station on this site does not accomplish the campus-like setting required in the NR-BP zone and therefore, the IDO.**

#### **Item (d) Conditional Use Justification Letter**

The use will not create material adverse impacts through increases in traffic congestion, parking congestion, or vibration. We dispute the statement made by the applicant that QuikTrip captures existing traffic rather than generating new trips and is consistent with the current nearby uses. The applicant makes this statement to avoid addressing all the negative impacts from heavy vehicle fueling.

As the applicant states (p. 55): Our store allows trucks to fuel up, grab some quality food, and get back on the road. This is not existing traffic – it attracts trucks from the highway (trucks are not allowed on 12<sup>th</sup> Street except in the very small localized area) which will generate much more diesel particulate pollution in the area than if they were to just travel through on I-40. The applicant claims it is not a full service truck stop, but any ordinary person would consider it a truck stop, providing fuel, restrooms, food, liquor (conditional use), nicotine (conditional use), picnic tables.

According to the Union of Concerned Scientists  
(<https://www.ucsusa.org/resources/heavy-duty-vehicles-and-nox>):



Diesel engines emit a mixture of pollutants including:

- **Nitrogen Oxides (NO<sub>x</sub>).** Diesel-powered trucks are a major source of NO<sub>x</sub> emissions, especially in urban neighborhoods. NO<sub>x</sub> emissions are not only dangerous on their own, causing lung irritation and weakening the body's defense against infections, they also react with other pollutants in the presence of sunlight to form ground-level ozone.
- **Ground-level Ozone (O<sub>3</sub>).** Ozone high in the atmosphere protects us from harmful ultraviolet rays; at ground level, though, O<sub>3</sub> inflames and constricts airways, causing coughing and shortness of breath, aggravating asthma and other lung diseases. Long-term exposure can also lead to heart disease.
- **Particulate Matter (PM).** The soot-filled plumes of exhaust we see from vehicle tailpipes are made of high concentrations of PM. These microscopic particles can penetrate deep into the lungs, aggravating respiratory problems and posing serious threats to the immune system. Diesel PM from trucks contributes substantially to pollution-related cancer risk.

If the trucks traveled on I-40 at 65 mph, they are elevated above the neighborhoods and would travel for approximately 51 seconds between the 12<sup>th</sup> Street and 6<sup>th</sup> Street interstate access points. Instead, stopping at the proposed Quik Trip, these trucks will be **idling at ground level** for approximately 15 minutes to fuel up. The trucks will idle longer as the driver goes inside to purchase food, use the rest room, stretch legs, take a nap, etc. (Looking at the overhead picture (p.48), there is a lot of space allowing for truck parking.) Traveling on the frontage road at a slow rate of speed, stopping at traffic lights, waiting for a safe left turn egress from the site, will require much more than 51 seconds to get off and on the highway. A conservative estimate for total additional idling time (beyond just traveling through on I-40) would be at 45 minutes.

Many more particulates of pollution will be emitted into the air at ground level, affecting nearby communities, pedestrians, tourists, and two schools nearby – Ace Leadership School (within approximately 1200 feet) and the Native American Community Academy (within approximately 1500 feet).

The use is not consistent with nearby uses. There is a school zone on 12<sup>th</sup> Street just south of the access to the site. UPS has a facility to the southwest on Aspen, but it is fully enclosed. This is a quiet area after dark which is a stark contrast to a 24/7 truck stop with bright lights, constant traffic and noise. This area is a gateway to the Indian Pueblo Cultural Center (IPCC), a very popular tourist attraction which provides cultural education. It also provides facilities attracting nearby residents, which could likely be pedestrians. The IPCC has developed a cultural and business corridor in the Activity Center, designated in the Comprehensive Plan, providing a thriving and diverse economic development hub in the heart of Albuquerque.



The area is a gateway to the historic Wells Park and Sawmill area, as well. As noted above, there are plans for a multi-use Rail Trail connecting all these areas to the Railyards in downtown Albuquerque and this trail is planned for the south side of this project site, as well as allowing access to the IPCC. This truck stop will completely disrupt the goals of that plan. The goals would include connectivity by multi-modal access between neighborhoods, tourist attractions, and maybe provide just plain enjoyment – strollers, kids, dogs, walking with the family.

The project will cause traffic congestion and create unsafe conditions. There are only two access points, and if heavy vehicle fueling is allowed, cars and trucks will be using the same access points, as well as bicycles and pedestrians accessing the convenience center/restaurant/liquor store, sidewalks and roads. The applicant claims otherwise but has no plan for separating modalities and can't. Anyone leaving who wishes to continue on their trip on I-40 will have to turn left and cross 12<sup>th</sup> Street traffic. There are some nicely landscaped median areas that block that from happening. Trucks are not able to do U-turns. At evening rush hour, the traffic going north on 12<sup>th</sup> Street is backed up to the south, at least to the train tracks and even down to Bellamah.

For trucks to continue east on I-40, after crossing 12<sup>th</sup> Street, they must continue on the frontage road east to 6<sup>th</sup> Street. At that point, there is an upward inclined ramp trucks must travel, and are unable to build up to a merge speed. They then must move over two lanes to access I-40. For several hours in both the morning and evening, as well as other times, the lane leading to I-25 north is backed up past the 6<sup>th</sup> Street access ramp. This creates very dangerous conditions. Allowing heavy vehicle fueling and attracting trucks to this area will create traffic congestion and unsafe conditions for all vehicles. Almost all these truck trips will be new trips and the area cannot and should not have to accommodate the impacts of those trips.

**The applicant avoided addressing all these issues by stating the project captures existing trips, which is not true, according to their own business model and application.**

**In summary**, the applicant has not provided the substantial evidence required to approve the conditional use of heavy vehicle fueling. We have cited numerous goals of the Comprehensive Plan that are not met by this project (16-6-(A)(3)(a), demonstrated that the project does not accomplish the intent of NR-BP zoning (16-6-(A)(3)(b), analyzed negative impacts from traffic and diesel particulate pollution (16-6-(A)(3)(c and d), and discussed how it will negatively impact pedestrian and transit/multi-use connectivity (16-6-(A)(3)(f). We respectfully request that the conditional use of heavy vehicle fueling be denied.

Peggy Norton, President  
North Valley Coalition



November 15, 2023

Re: VA 2023-00296 conditional liquor retail  
PR 2023-009345

To: Zoning Hearing Examiner Robert Lucero

sent to: [suzannasanchez@cabq.gov](mailto:suzannasanchez@cabq.gov)  
[lpatten-quintana@cabq.gov](mailto:lpatten-quintana@cabq.gov)

The North Valley Coalition Board voted to oppose the application for conditional use of liquor retail for the above proposed project. The Coalition Board has 14 neighborhood association representatives, one organization representative and 10 at-large representatives. Twelve of the associations are in the north valley of Albuquerque.

**According to 14-16-6-4(E)(3), the applicant bears the burden of providing a sound justification for the requested decision, based on substantial evidence.** The conditional justification letter is identical for all 3 uses requested and addresses none of the individual issues of impacts/compliance of heavy vehicle refueling vs. liquor sales vs. nicotine sales. No citations from the Comprehensive Plan were included to justify compliance and confirm their statements. Therefore, the Zoning Hearing Examiner has not been provided the required information by the applicant to consider this request.

#### **Item (b) Conditional use Justification Letter**

The applicant states they follow Responsible Retailing as their only justification for IDO compliance, yet no citation is included, and this policy does not appear in the IDO. The applicant states also that they do not **plan** on-site consumption (p. 45), but nothing guarantees this because on-site consumption is a permissive use, and plans could change. The applicant is proud of their food and menu – why not a beer with pizza. Nothing in this request limits their ability to offer on-site consumption. **However, liquor retail is not permissive.** The purpose of the NR-BP zone district is to accommodate a wide range of non-residential uses in campus-like settings to buffer potential impacts on surrounding uses and adjacent areas (14-16-25(B)). A wide range of permissive uses include a restaurant, bar, tap room, tasting room, general retail, etc. (Table 4-2-1). **The fact that liquor retail is not permissive requires more careful scrutiny and justification for the approval of this conditional use.** This use seems a dangerous combination to have immediately off the highway with the expectation that people will get right back on the highway after completing business at the proposed project site. Buy a pizza and a six-pack and drive on down the road.

New Mexico has consistently been in the top 10 for vehicle deaths due to DWI. There will be no on-site security to monitor either alcohol use or theft. Per the applicant, there will be cameras sending images to a central headquarters, who will relay



information to a local security contractor who will go out to the site. That is a very naive plan that will not protect local citizens or the surrounding areas. Much has been written about the concerns and inability of the Albuquerque Police Department to address constant, blatant liquor theft at Walgreen's (as well as other places), and Albuquerque Police Department has warned stores about securing liquor and the need to provide their own security. Most commercial stores have at least one security person on site, and they are not open 24 hours a day like QuikTrip. The Indian Pueblo Cultural Center development has their own security substation. They are realistic in having a plan to deal with crime and situations as they arise. Crime and potential DWI are consequences of liquor retail and thus, it is not a positive addition to the community, as the applicant states. Careful scrutiny of this use and its consequences cannot justify approval of this application.

We respectfully request that the conditional use of liquor retail be denied.

Peggy Norton, President  
North Valley Coalition



November 15, 2023

Re: VA 2023-00295 conditional nicotine use  
PR 2023-009345

To: Zoning Hearing Examiner Robert Lucero

sent to: [suzannasanchez@cabq.gov](mailto:suzannasanchez@cabq.gov)  
[lpatten-quintana@cabq.gov](mailto:lpatten-quintana@cabq.gov)

The North Valley Coalition Board voted to oppose the application for conditional use of nicotine sales in the above proposed project. The Coalition Board has 14 neighborhood association representatives, one organization representative and 10 at-large representatives. Twelve of the associations are in the north valley of Albuquerque.

**According to 14-16-6-4(E)(3), the applicant bears the burden of providing a sound justification for the requested decision, based on substantial evidence.**

The conditional justification letter is identical for all 3 uses requested and addresses none of the individual issues of impacts/compliance of heavy vehicle refueling vs. liquor sales vs. nicotine sales. No citations from the Comprehensive Plan were included to justify compliance and confirm their statements. Therefore, the Zoning Hearing Examiner has not been provided the required information by the applicant to consider this request.

The National Institutes of Health ([www.nih.gov](http://www.nih.gov)) is the primary Federal agency for conducting and supporting medical research. It presents overwhelming information about the negative effects on the body from nicotine, as well as its addictive properties. There is substantial work also proving the harmful effects of second hand smoke. Usually, people who buy nicotine products smoke them, and thus, second hand smoke is a negative impact to the surrounding neighborhood and customers of the proposed project. Sales of this substance would not be considered a positive addition to the community, conflicting with the applicant's statement in their Conditional Use Justification Letter to prove compliance with the Comprehensive Plan.

**According to 14-16-6-4(E)(4), the applicant bears the burden of showing compliance with required standards through analysis, illustrations, or other exhibits as necessary. Analysis, illustrations, or other exhibits were not presented.**

**The project does not comply with the Integrated Development Ordinance (IDO).**

1. One justification offered by the applicant is maintenance of a strict Responsible Retailing Policy. No citation was submitted to indicate that that Policy requirement is in the IDO.



2. No evidence was submitted to justify their determination that no lot is closer than 1,000 feet. **I include a CABQ Agis map showing the distance to the Walgreen's lot is 862.95 feet.**

**I include further analysis to address 14-16-4-3-(D)(40)(b).**

If nicotine sales is allowed as a conditional use in Table 4-2-1, (indicated by "C"), it is considered a primary use and is prohibited within 1,000 feet in any direction of a lot containing any other primary nicotine retail use. Walgreen's, 2011 12<sup>th</sup> Street NW, is within 1,000 feet.

Walgreen's zone is MX-M and nicotine sales are conditional in that zone also, according to Table 4-2-1. Therefore nicotine sales are considered a primary use at that store. Because nicotine sales are a primary use at both the proposed QuikTrip and Walgreen's, the IDO does not allow sales at both locations since they are within 1,000 feet of each other.

As I stated earlier, the applicant submitted no evidence to justify their statement that no lot has been identified as primary nicotine retail use within 1000 feet of site (p. 44.) Per the definition in the IDO, Measurement of separation of uses:

"In all instances where the IDO requires a separation of uses, zone districts, lots, or buildings, such distance shall be measured in a geometrically straight line using a scaled map, or a survey if necessary. Such measurement shall be made without regard to any intervening structures, objects, uses, the street grid, landforms, waterways, or any other topographical features.

1. Unless specified otherwise in this IDO, this distance shall be measured from the nearest point on the nearest lot line of the lot containing the regulated use to the nearest point on the nearest lot line of the lot containing the use, or in the zone district, from which the regulated use is required to be separated."

The Bernalillo County Assessor map shows the Walgreen's lot to extend through all the parking east of the store. The map below shows the nearest points and the distance is 862.95 feet. **Therefore, nicotine retail use should not be permitted on the proposed project site according to the IDO.**

We respectfully ask that you deny this request for conditional use of nicotine retail sales.

Peggy Norton, President  
North Valley Coalition







## Sanchez, Suzanna A.

---

**From:** Margaret M. Marino <executivedirector@sawmillclt.org>  
**Sent:** Wednesday, November 15, 2023 4:49 PM  
**To:** Sanchez, Suzanna A.  
**Cc:** SCLT Board President  
**Subject:** Mountain Run Partners, LTD, QuikTrip, 1701 12th Street NW Project# PR-2023-009345  
VA-2023-00294 – Heavy Vehicle Fueling  
**Attachments:** Letter to Lucero re Quik Mart.pdf

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Please see the attached letter to Robert Lucero from the Sawmill Community Land Trust regarding the Mountain Run Partners, LTD, QuikTrip, 1701 12th Street NW Project# PR-2023-009345 VA-2023-00294 – Heavy Vehicle Fueling. Please make sure Mr. Lucero receives this letter.

Thank you!

Margaret Marino  
Executive Director  
Sawmill Community Land Trust  
[Executivedirector@sawmillclt.org](mailto:Executivedirector@sawmillclt.org)  
505-764-0359





## Sawmill Community Land Trust

990 18<sup>th</sup> Street NW 2<sup>nd</sup> Floor • Albuquerque, New Mexico 87104 • Phone 505-764-0359 • Fax 505-243-6756 •  
[www.SawmillCLT.org](http://www.SawmillCLT.org)

November 15, 2023

Robert Lucero, Esq.

Zoning Hearing Examiner

c/o Suzie Sanchez, ZHE Administrative Assistant, [suzannasanchez@cabq.gov](mailto:suzannasanchez@cabq.gov)

Re: Mountain Run Partners, LTD, QuikTrip, 1701 12th Street NW Project# PR-2023-009345 VA-2023-00294 – Heavy Vehicle Fueling

Dear Mr. Lucero:

I am writing on behalf of the Sawmill Community Land Trust and the Abolera de Vida neighborhood north of Old Town. For several months, our residents, tenants, and members have been very concerned about the possibility of yet another gas station/truck stop in the 12<sup>th</sup> Street corridor, an area that has seen a lot of positive community improvements in recent years.

We respectfully request that you deny Quik Trip's request for conditional use for heavy vehicle fueling at 1701 12<sup>th</sup> street, NW. The Indian Pueblo Cultural Center and the restaurants and public facilities are much better options for this area than a truck stop that will bring more heavy vehicles and traffic to the area, not to mention consumers of alcohol and tobacco and the litter and crime that often attracts.

This neighborhood and its surroundings have put up with enough regarding safety and crime in the area, homelessness tent cities, and unsafe street conditions. The addition of this truck stop will only serve to exacerbate the issues and make life for many lower income residents unbearable.

We are greatly supportive of the City of Albuquerque's recent efforts to introduce a rail trail and encourage Albuquerque's potential as a place to walk, hike, and bicycle. Progressive and futuristic thinking that anticipates the increasing need for environmental protection and a reduction in the use of fossil fuels. Albuquerque and the many neighborhood associations who have spoken out about this deserve better.

There are many corridors that have direct access to I-40, but this is not one of them. Must we saturate every corridor with truck stops and gas stations? Can't we leave some streets feeling like they belong in a community where someone would want to live and where many have lived for several generations?



Conditional Use Approval under the current Integrated Development Ordinance, effective July 27, 2023 (IDO), must meet the requirements set forth under 14-16-6-6(A). As detailed below, QuikTrip's request for a heavy vehicle fueling station at 1701 12th Street NW does not meet the requirements of 6-6(A)(3)(a), (c), (d), and (f) and should be denied. I. 6-6(A)(3)(a) - Heavy Vehicle Fueling at this location is inconsistent with the ABQ Comp Plan.

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Quilk Trip claims that their plans are consistent with the ABQ plan because the owners see themselves as a "positive addition to the community that will serve the...plan". They may see themselves that way, but the many communities who have responded to this use do not. They are the ones that will have to live with the fumes, traffic, litter, crime, and neighborhood degradation this type of venture creates.

On a personal note, I grew up in a neighborhood that had more than its share of gas stations, and bars, but many long-term residents. When I grew up it was still family-oriented, with schools, libraries, locally-operated businesses and restaurants. I recently had the opportunity to go back to that area. What I saw was devastating. This once-thriving community is no more than a slum with vacant buildings where there were thriving small businesses and national chains where there were comfortable homes, grocery stores, and parks. Please stop the kind of thinking that puts revenue ahead of the health of the community and the well-being of locals who had the faith to purchase homes and who have invested time and significant effort into making this the safe and pleasant neighborhood we all know it has the potential to be.

The City of Albuquerque has made it a priority to create strong, walkable neighborhoods with essential, affordable housing. This can't happen unless we make sure that all of Albuquerque's neighborhoods provide equitable access to moderate and lower-income residents—communities that can continue to thrive and not be abandoned to the kind of development that causes degradation over time. The future of our community depends on our protection and support.

The Sawmill Community Land Trust neighborhood residents were faced with industrial pollution and groundwater contamination more than thirty years ago. The residents were actively involved, and the result is a beautiful, affordable community in an attractive area that has sustained much of its character. You have the roots of that success now—smart active homeowners who are ready to put in the time and effort to make things better. Please listen to them.

Sincerely,



Margaret Marino  
Executive Director  
Sawmill Community Land Trust  
[Executivedirector@sawmillclt.org](mailto:Executivedirector@sawmillclt.org)  
505-764-0359



## Sanchez, Suzanna A.

**From:** Christine Turpen-Patton <cturpenpatton@primeres.com>  
**Sent:** Wednesday, November 15, 2023 5:38 PM  
**To:** Patten-Quintana, Lorena  
**Cc:** Sanchez, Suzanna A.  
**Subject:** : VA-2023-00294 (heavy vehicle fueling) VA-2023-00295 (nicotine retail) VA-2023-00296 (liquor retail), PR-2023-009345

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

We own two properties around the corner from the proposed site. The address is 1605 Band Saw NW Alb, NM 87104 and 1709 Bandsaw nw alb, NM 87104. . I feel this proposed fueling site would be a terrible site for that business. We already have a really bad problem with homeless and theft and this type of business will make it even worse with liquor sales and tobacco sales. I truly call 311 every day. I am totally against this proposal. Chrisitne

**Christine Turpen-Patton**  
Loan Originator NMLS #219567

 (505) 235-0688  
 (505) 456-4552  
 cturpenpatton@primeres.com



**APPLY NOW**

**Dina Tortorici**  
Loan Officer Assistant NMLS #527402

 (505) 331-0682  
 (505) 456-5089  
 dtortorici@primeres.com



  
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## Sanchez, Suzanna A.

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**From:** Lithgow, Ciaran R.  
**Sent:** Tuesday, November 21, 2023 2:18 PM  
**To:** Sanchez, Suzanna A.  
**Subject:** Project# PR-2023009345 / VA-2023-00295 - Sawmill/Wells Park Metropolitan Redevelopment Area Plan

Good afternoon Robert and Susanna,

I wanted to share the link to access the Sawmill/Wells Park Metropolitan Redevelopment Area Plan I referenced in my public comment today. To reiterate, the Metropolitan Redevelopment Agency believes that a heavy fueling station is in direct conflict with this adopted Rank 3 Plan. You can view the Plan here:

<http://documents.cabq.gov/planning/UDD/SawmillWellsParkMRA-Plan.pdf>

You can also view the proposed Albuquerque Rail Trail alignment here: <https://www.cabq.gov/mra/images/2023-7-mile-rail-trail-loop.jpeg>

More information on the Rail Trail (which has raised \$40M in funding for design and construction so far) can be found on our website: <https://www.cabq.gov/mra/rail-trail-1>

Thank you for your time,  
Ciaran



**CIARAN LITHGOW** (they/them)  
redevelopment project manager  
p 505.810.7499  
e [crlithgow@cabq.gov](mailto:crlithgow@cabq.gov)



# Sawmill/Wells Park Community Metropolitan Redevelopment Area Plan



Prepared for:  
Sawmill Community Land Trust  
and  
City of Albuquerque Planning Department

Prepared by:  
**Community**  
 **ByDesign**  
230 S. St. Francis Dr.  
Santa Fe, NM 87501  
505-983-8328

In association with:  
Calott + Gifford, Architects  
Southwest Planning and Marketing  
Terry Brown, PE, Transportation

August, 2005



**CITY of ALBUQUERQUE  
TENTH COUNCIL**COUNCIL BILL NO. R-371ENACTMENT NO. 164,1993

SPONSORED BY: Vincent E. Griego

**RESOLUTION**

1  
2 MAKING CERTAIN FINDINGS AND DETERMINATIONS PURSUANT TO THE  
3 METROPOLITAN REDEVELOPMENT CODE, DECLARING THE SAWMILL AREA  
4 TO BE SUFFERING FROM SLUM AND BLIGHT, AND DESIGNATING THE  
5 "SAWMILL METROPOLITAN REDEVELOPMENT AREA."

6 WHEREAS, the State of New Mexico has adopted 3-60A-1 to 3-360A-48  
7 NMSA 1978, the "Metropolitan Redevelopment Code", which grants  
8 municipalities certain powers; and

9 WHEREAS, the City of Albuquerque (the "City") and the Metropolitan  
10 Redevelopment Agency of the City (the "Agency"), and their employees and  
11 agents, have engaged in a study of slum and blighted conditions within the  
12 Sawmill area (bounded by Interstate 40, Rio Grande Boulevard NW, Mountain  
13 Road NW, and the eastern properties on Fifth Street NW), and have submitted  
14 their findings and recommendations concerning the proposed Sawmill  
15 Metropolitan Redevelopment Area to the City Council (the "Council"), which  
16 findings and recommendations are set forth in Exhibit A, attached hereto and  
17 incorporated herein by reference; and

18 WHEREAS, the Albuquerque Development Commission held a public  
19 hearing on August 17, 1993, took testimony from the public, and recommended  
20 to the Council the designation of the Sawmill Metropolitan Redevelopment Area  
21 as set forth in Exhibit B; and

22 WHEREAS, pursuant to Section 8 of the Metropolitan Redevelopment  
23 Code, the Council has caused to be published on September 25 and October 3,  
24 1993 in the Albuquerque Journal, a newspaper of general circulation in the  
25 proposed Metropolitan Redevelopment Area, a notice containing a general  
26 description of the area and the date, time, and place where the Council will hold



a public hearing to consider the adoption of this resolution and announcing that any interested party may appear and speak to the issue of the adoption of this resolution. The Council has also caused to be mailed a notice of this hearing to all property owners in the proposed Metropolitan Redevelopment Area; and

WHEREAS, the Council met on this 1st day of November, 1993 at the time and place designated in the notice, to hear and consider all comments of all interested parties on the issue of the adoption of this resolution; and

WHEREAS, the Council has considered the findings and determinations set forth in Exhibit A, attached hereto, and all comments made at the public hearing concerning the conditions which exist in the Sawmill Metropolitan Redevelopment Area, identified on Exhibit B, attached hereto.

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

Section 1. The Council hereby finds and determines that the Sawmill Redevelopment Area, as described above and as shown on the map which is Exhibit C of this resolution, is an area, by reason of the presence of a substantial number of deteriorated and deteriorating structures, unsafe conditions, deterioration of site and other improvements, lack of adequate housing facilities, obsolete and impractical planning and platting, low levels of commercial and industrial activity and redevelopment which substantially impairs and arrests the sound growth and economic health and well-being of the City and the Sawmill Metropolitan Redevelopment Area, constitutes an economic and social burden, is a menace to the public health, safety and welfare in its present condition and use, is a blighted area and is appropriate for one or more Metropolitan Redevelopment Projects.


Section 2. The Council hereby finds that the rehabilitation, conservation, development and redevelopment of and in the Sawmill Metropolitan Redevelopment Area is necessary in the interest of the public health, safety, and welfare of the residents of the City.

+ B

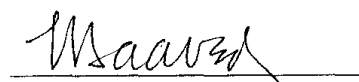


RESOLVED AND ADOPTED THIS 1st DAY OF November, 1993.

A VOTE OF 9 FOR AND 0 AGAINST.

  
Vincent E. Griego, President  
City Council

APPROVED THIS 15th DAY OF November, 1993.

  
Louis E. Saavedra, Mayor  
City of Albuquerque

TEST:  
  
City Clerk



# CITY of ALBUQUERQUE

## SEVENTEENTH COUNCIL

COUNCIL BILL NO. R-06-100 ENACTMENT NO. R-2006-076

SPONSORED BY: Debbie O'Malley

### RESOLUTION

ADOPTING THE SAWMILL/WELLS PARK METROPOLITAN REDEVELOPMENT AREA (MRA) PLAN; AND SPECIFICALLY INCLUDING THE ENTIRE SAWMILL/WELLS PARK FOR PURPOSES OF TAX INCREMENT FINANCING.

WHEREAS, the New Mexico Legislature has passed the Metropolitan Redevelopment Code (herein "Code"), Sections 3-60A-1 to 3-60A-48 NMSA 1978, which authorizes the City of Albuquerque, New Mexico ("City") to prepare metropolitan redevelopment plans and to undertake and carry out metropolitan redevelopment projects; and

WHEREAS, the City Council, the governing body of the City ("City Council"), after notice and a public hearing as required by Code, has duly passed and adopted Council Resolution No. F/S R-72, Enactment 82-2002, finding, among other things, that one or more slum areas or blighted areas exist in the City and that the rehabilitation, conservation, development, and redevelopment of the area designated as the Sawmill/Wells Park MRA is necessary in the interest of the public health, safety, morals and welfare of the residents of the City; and

WHEREAS, the Albuquerque Development Commission ("Commission"), which acts as the Metropolitan Redevelopment Commission under provisions of Section 14-8-4 R.O.A. 1994 at their meeting on September 28<sup>th</sup>, 2005, after notice, conducted a public hearing on the Sawmill/Wells Park MRA Plan and after the public hearing recommended approval of the Plan; and

WHEREAS, the following findings were presented to the Albuquerque Development Commission for the Sawmill/Wells Park MRA Plan; and

WHEREAS, the Plan will promote the local health, general welfare, safety, convenience and prosperity of the inhabitants of the City.



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

3 SECTION 1: The City Council, after having conducted a public hearing  
4 pursuant to the Code, adopts the Sawmill/Wells Park MRA Plan, as attached  
5 hereto and incorporated herein.

6 SECTION 2: The entire Sawmill/Wells Park MRA is specifically included for  
7 purposes of Tax Increment Financing. This area encompasses 504 acres and  
8 is bounded by I-40 to the north, Rio Grande Blvd. to the west, Mountain Rd. to  
9 the south and 4<sup>th</sup> and 5<sup>th</sup> Streets to the east.

10 SECTION 3: The City Council, after having conducted a public hearing  
11 pursuant to the Code, finds that:

12 A. The Plan proposes activities for the redevelopment of the  
13 Sawmill/Wells Park MRA that will aid in the elimination and  
14 prevention of slum and blight; and

15 B. The Plan does not require the relocation of any families and  
16 individuals from their dwellings and a method for providing  
17 relocation assistance is not needed; and

18 C. The Plan conforms to and complements the Albuquerque/Bernalillo  
19 County Comprehensive Plan; and

20 D. The Plan affords maximum opportunity consistent with the needs of  
21 the community for the rehabilitation for redevelopment of the  
22 Sawmill/Wells Park MRA by private enterprise or persons, and the  
23 objectives of the Plan justify the proposed activities as public  
24 purposes and needs.

25 SECTION 4: The City shall support efforts to establish development  
26 projects such as land banking activities and transit-related development  
27 programs intended to make the area more pedestrian friendly and mixed in  
28 income and use, thus affording the opportunity for locally-owned small  
29 businesses to establish themselves; the City shall also support community  
30 education activities that broaden the local knowledge base and invite  
31 members from outside the immediate area to take part in these community  
32 education activities.



1       SECTION 5: The City shall support these programs: in providing technical  
2 assistance to local committees interested in developing mixed-use, mixed-  
3 income housing programs, and by providing technical assistance to  
4 businesses within the Sawmill/Wells Park MRA for the purpose of obtaining  
5 funding for redevelopment activities, and providing guidance and technical  
6 assistance to businesses wishing to open, operate and/or expand with the  
7 Sawmill/Wells Park MRA.

8       SECTION 6: All resolutions, or parts thereof, in conflict with this  
9 Resolution are hereby repealed; this repealer shall not be construed to revive  
10 any resolution, or part thereof, heretofore repealed.

11       SECTION 7: SEVERABILITY CLAUSE. If any section paragraph, sentence,  
12 clause, word, or phrase of this resolution is for any reason held to be invalid  
13 or unenforceable by any court of competent jurisdiction, such decision shall  
14 not affect the validity of the remaining provisions of this resolution. The  
15 Council hereby declares that it would have passed this resolution and each  
16 section, paragraph, sentence, clause, word or phrase thereof irrespective of  
17 any provisions being declared unconstitutional or otherwise invalid.

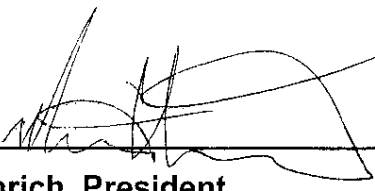
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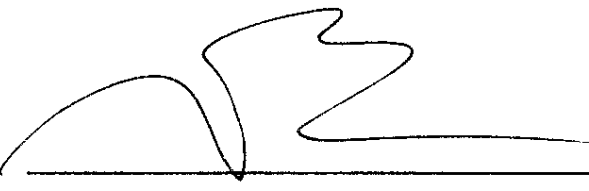
1 PASSED AND ADOPTED THIS 7th DAY OF August, 2006  
2 BY A VOTE OF: 7 FOR 0 AGAINST.

3  
4 Excused: Harris, Mayer  
5

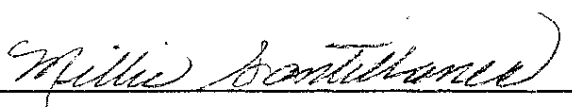
6  
7  
8   
9 Martin Heinrich, President  
10 City Council  
11

12  
13 APPROVED THIS 22nd DAY OF August, 2006  
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16 Bill No. R-06-100

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20 Martin J. Chavez, Mayor  
21 City of Albuquerque  
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26 ATTEST:

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29 City Clerk  
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# ACKNOWLEDGEMENTS

## Sawmill/Wells Park Metropolitan Redevelopment Area Plan

### City of Albuquerque

Mayor  
Martin Chavez

Councilors  
Debbie O'Malley  
Michael Gomez  
Eric Griego  
Brad Winter  
Michael Cardigan  
Martin Heinrich  
Sally Mayer  
Craig Loy  
Tina Cummins

Chief Administrative Officer  
James Lewis

Planning Department  
Richard Dineen, Director

Metropolitan Redevelopment Agency  
Cynthia Borrego, Manager  
Kim Calander, Project Manager

The Sawmill/Wells Park Metropolitan Redevelopment Area Plan was jointly developed by the Albuquerque Planning Department and the Sawmill Community Land Trust. A special thanks goes to the many volunteers who gave countless hours of their time in developing the Plan. Special mention goes to the following organizations: Sawmill Advisory Council, Wells Park Neighborhood Association, Arbolera de Vida Property Owners' Association, Sawmill Area Neighborhood Association, Harwood Art Center, and the Old Town Sheraton Hotel.

We also acknowledge the financial support of the City of Albuquerque and the Catholic Campaign for Human Development



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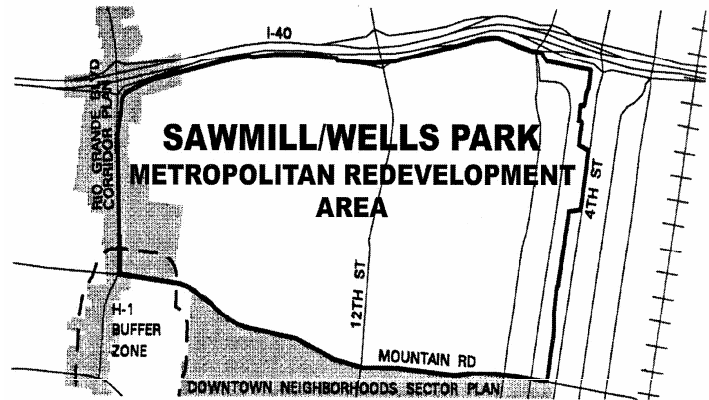


# I. INTRODUCTION

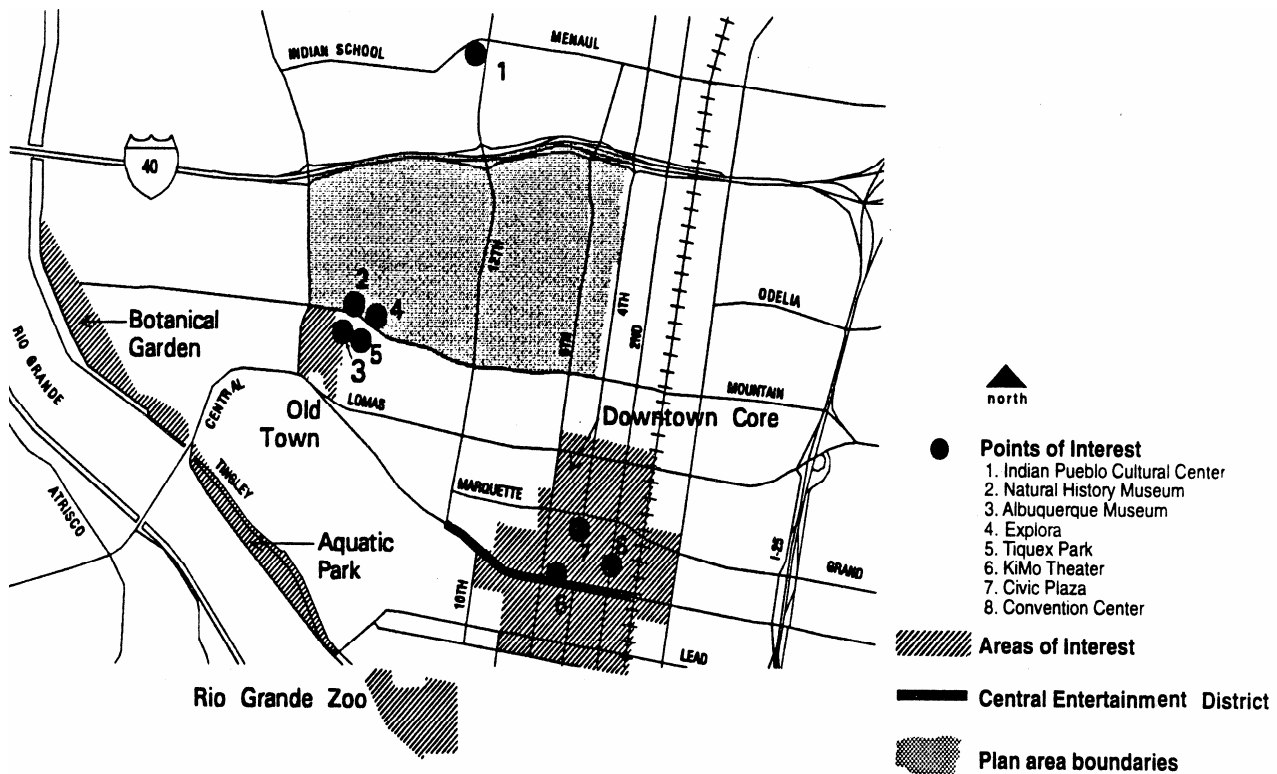
## A. Plan Purpose

The New Mexico Metropolitan Redevelopment Code (3-60A-1 to 3-60A-48 NMSA 1978) provides cities in New Mexico with the powers to correct conditions in areas or neighborhoods within municipalities which “substantially inflict or arrest the sound and orderly development” within the city. These powers can help reverse and area’s decline and stagnation; however, the City may only use these powers within designated Metropolitan Redevelopment Areas (MRA). Designation of an MRA is based on findings of “slum or blight” conditions, as defined in the Metropolitan Redevelopment Code (3-60S-8). The criteria set by the Code for a “blighted” area include physical and economic conditions.

The Sawmill/Wells Park Community Metropolitan Redevelopment Area (MRA) boundary was created in 1993, which as a designated blighted area, qualified it as appropriate for redevelopment projects under the City's Metropolitan Redevelopment Code. Metropolitan Redevelopment projects are activities designed to eliminate slums or blighted areas that conform to an approved plan for rehabilitation and conservation.



The Sawmill/Wells Park Community Metropolitan Redevelopment Area (MRA) Plan seeks to eliminate the problems created by blight and indicates the proposed activities to be carried out in the area including land acquisition, demolition, zoning and land uses, traffic controls, recreational and





# I. INTRODUCTION

community facilities, housing, commercial and industrial facilities and public transportation. The MRA Plan provides tax incentives that include a wide variety of mechanisms to encourage redevelopment through the use of public taxation tools. These often take the form of tax credits or tax deferrals. By crediting or deferring taxes to be paid on property, income, or sales, governments create incentives for businesses to act on redevelopment opportunities. Conversely, special tax programs can be used specifically to fund improvements in the area benefited by the tax. The City can take advantage of either option, but would choose the approach that would provide the best benefit. The powers afforded a city under the Metropolitan Redevelopment Code are numerous, but mainly consist of the power to acquire property (which is tax-exempt as long as the city owns it) by purchase or eminent domain, refurbish or replace it, and then lease or sell the new or remodeled property to a qualified developer in response to a request for proposals issued by the city. The city may issue tax-exempt revenue bonds or may employ tax increment financing to finance the redevelopment project.

## B. Planning Process and Intent

The preparation of the Sawmill/Wells Park MRA Plan was through a collaborative effort with the Sawmill Advisory Council, the Sawmill Community Land Trust, The Wells Park Neighborhood Association, Sawmill Area Neighborhood Association, Harwood Art Center, Albuquerque Public Schools, Arbolera de Vida Homeowners Association, the Downtown Neighborhood Association and the City of Albuquerque. The plan was developed through an extensive community-based process that was supported through quantitative data collection and analysis from a consulting team led by CommunityByDesign. The intent of the organizations involved in developing the MRA Plan is to revitalize the neighborhood, to create jobs, and maintain and enhance the affordable housing stock. It is about enhancing the life for the multi-generational working residents who can be easily priced out of the real estate and high skilled job market of the future. It also is about attracting investment and new and different people into the neighborhood. The dynamic interplay of these elements will determine the future of the neighborhoods and is a core focus of this plan.

## C. Area History

The Sawmill/Wells Park area has been shaped by over 600 years of rich multi-cultural history. The earliest permanent settlements were in the Old Town area by the Tiwa speaking people around 1350 AD. From 1706 to 1879, the Spaniards called this area the Province of Tiguex and farmed the area. Five historic periods comprise the area, starting with the Old Town settlement in 1706.

In the 1800's, houses were built along the irrigation ditches and major roads that are now called Mountain Road, Sawmill Road and Rio Grande Boulevard.



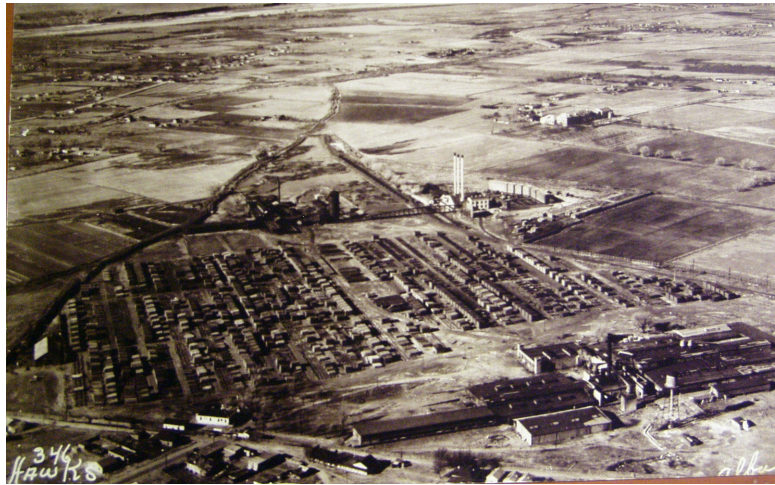
In 1903, the original Sawmill, the American Lumber Company and its railroad spur were surrounded by farmland. Mountain Road was the connection to the village of Carnuel in the Sandia Mountains, from where the trees were brought for milling. Most of the area's major housing subdivisions were built in the



# I. INTRODUCTION

1920's after World War I. Both housing and industrial areas replaced the area's farmland through the 1940s.

In the 1950's, Old Town began to commercialize and in the 1970s and 1980s brought restaurants, Old Town Sheraton, the Albuquerque Museum and the New Mexico Natural History Museum. More recently the Explora Science Center continues this trend of commercial and cultural development.



An excellent detailed overview of the history and architecture of the Sawmill/Wells Park area is described in the *Sawmill/Wells Park Sector Development Plan* (City of Albuquerque, 1996).

## D. Sawmill/Wells Park Community MRA Plan Priority Projects

The following is a summary of the priority redevelopment goals and associated projects that resulted from the Sawmill/Wells Park Community MRA planning process. These priority projects are intended to serve as catalysts toward achieving the goals identified in the MRA Plan, and to reverse the blighted physical and economic conditions defined in the 1993 MRA Designation Report. The full list of prioritized redevelopment projects and tasks to achieve them are identified in Chapter V, Section B. Implementation Matrix.

*Housing Goal: "Enhance the Sawmill/Wells Park area as a mixed-income community by providing a permanent mix of affordable and market-rate homes."*

- Create a land bank to buy rundown, vacant or rental property for rehabilitation/new construction of permanent affordable housing. Any city-supported housing should use a mixed-income model with at least 20% of the units as permanently affordable for families under 80% Area Median Income.

*Education Goal: "Foster a commitment to lifelong learning and provide opportunities for the celebration of cultural diversity for all community members."*

- Promote and support community-based education and cultural venues such as Documentation Learning Center, Farmers Market, and "Carnuel Road Parade", i.e., close the road for a day as an opportunity for neighborhood to take back the street.

*Infrastructure Goal: "Create a walkable and livable community."*

- Implement traffic improvements to 5<sup>th</sup> and 6<sup>th</sup> Streets such as converting them back to two way streets with on-street parking, bicycle lanes, and pedestrian/streetscape enhancements.

*Community Economic Development Goal: "Create community-scale work, business, and wealth-building activities."*

- Provide financial support and incentives, such as low interest loans, for businesses that are small, locally owned, and community controlled, such as a local plant nursery/greenhouse, or a community-supported agriculture (CSA) organization.
- Develop an Artisan Village on the abandoned Ponderosa Products mill building



## II. EXISTING CONDITIONS

### A. Existing Plans and Studies

The Sawmill/Wells Park area, located near Old Town Albuquerque and adjacent to the Downtown core, has had a number of plans and studies on the redevelopment of this area over the last thirty years. In 1978, the first *Sawmill Sector Development Plan* was completed, providing guidance on land uses and zoning to increase the compatibility of residential and industrial uses in the area.

In 1993, the *Sawmill Metropolitan Redevelopment Area Report* and boundary was approved, in compliance with the Redevelopment Code, finding that the area meets the criteria for the MRA designation due to its blighted physical and economic conditions. There are several physical and economic conditions that still exist today that are addressed in the MRA plan. These include a high percentage of neglected or dilapidated housing and commercial buildings, deterioration of site improvements such as sidewalks, street paving and vacant/underutilized land, substandard lots and subdivisions, and low-income/high unemployment. There has been improvement in the public health and environmental concerns that existed in 1993.

The City initiated two studies in the area, a revision to the 1978 Sector Plan, titled the *Sawmill/Wells Park Sector Development Plan*, and the *Sawmill Revitalization Strategy*. The *Sawmill Revitalization Strategy* was intended to serve as the MRA Plan for the area, although it only covered a portion of the total approved MRA boundary. This area was largely the industrial center of the area located south of I-40, east of 19th St alignment, north of Summer Ave. alignment, and west of 12th St. This Plan outlined a preferred final plan identifying a mix of commercial and industrial land uses for economic revitalization to the area. The Plan was completed in 1994 but was not adopted by the City.

The *Sawmill/Wells Park Sector Development Plan* identifies public project design guidelines and establishes zoning districts within the MRA boundary. The Sawmill Special Use zones are described and delineated in the next section on Land Use and Zoning. The *Sawmill/Wells Park Sector Development Plan* was approved in 1996 and has been amended in 2000 and 2002.

Additional existing plans that influence the Sawmill/Wells Park MRA include the *Downtown Neighborhood Association (DNA) Plan* that shares Mountain Road as a boundary to the north. The DNA is very concerned with Mountain Road and is interested in working with the Sawmill and Wells Park neighborhoods on this roadway. The *Old Town Redevelopment Plan* is also to the south and is a significant influence to this MRA plan. A new redevelopment planning effort is also being initiated along the 4th Street corridor, and the outcome of this effort will play an important role in achieving the goals of the Sawmill/Wells Park community vision. The integration of these plans and collaborative efforts of these neighborhoods to work together are critical to the successful outcome and shared futures of these areas.





## II. EXISTING CONDITIONS

### B. Land Use and Zoning

The Sawmill/Wells Park community has a rich and varied history, one that is largely unknown to many newcomers. It is a true mixed use area, providing agriculture, housing and employment opportunities all within its boundaries. Yet its history is that these land use mixes have occurred in a chaotic and environmentally-harmful way. Many of its unifying roots have been lost, such as the acequia system, and narrow streets are widened to carry regional traffic through existing neighborhoods. The industrial areas, once the livelihood for the area residents, have become dilapidated and created environmental and health hazards through air and water pollution. There has, however, been a resurgence of cleaner industry in the area, including wood products producer, coffee roaster, art and glass manufacturers, and most recently, a film and media studio is proposing to locate here.



There has also been renewed interest and investment in the Museums and in affordable housing in the area. The Explora Museum opened in 2001, and a Children's Museum opened in 2002 in temporary quarters. Explora finally moved into its own building in September, 2003. The Sawmill Community Land Trust, created in 1997 in collaboration with the City and Sawmill Advisory Council, has built 26 permanently affordable housing units in Arbloera de Vida, and is ready to break ground in 2005 on an additional 67 housing units and a 60 unit live/work project to be known as Sawmill Lofts.

Of the 504 acres within the MRA, approximately 20% of the area is vacant. These areas hold the greatest promise for the future of the area. The greatest challenge, though, lies with the approximately 40% of the area that needs to be redeveloped, either through rehabilitation of older housing stock or adaptive reuse/removal of defunct industrial warehouses and storage yards. Incentives for reinvestment, from both public and private sectors, in the redevelopment of the area are the focus of this Plan.

The *Sawmill/Wells Park Sector Development Plan* reassigned several of the City's conventional zoning designations, which did not function well for this area, to six new special use zoning districts for the area. These six districts come under the City's SU-2 Special Neighborhood Zone, which does not require Environmental Planning Commission development review, but do contain their own performance standards to ensure that certain guidelines and objectives are achieved. The following is a brief overview of the zoning districts for the MRA. A detailed explanation of the zones, their permitted uses and performance standards, is available for review in the Sector Development Plan. The Sawmill/Wells Park Sector Plan Zoning designations include:

<b>C-2</b>	<b>Community Commercial-</b> <ul style="list-style-type: none"><li>• general commercial and residential uses</li></ul>
<b>R-T</b>	<b>Residential Townhouse</b> <ul style="list-style-type: none"><li>• single family attached residential uses</li></ul>
<b>S-DR</b>	<b>Sawmill Developing Residential-</b> <ul style="list-style-type: none"><li>• single family residential, apartments and light commercial on collector streets</li></ul>
<b>S-I</b>	<b>Sawmill Industrial-</b> <ul style="list-style-type: none"><li>• light industrial and retail commercial on arterial streets (no new residential)</li></ul>



## II. EXISTING CONDITIONS

S-MI	<b>Sawmill Mixed Industrial-</b> <ul style="list-style-type: none"><li>• light industrial, retail commercial, and limited residence/work space</li></ul>
S-MRN	<b>Sawmill Mountain Rd Neighborhood-</b> <ul style="list-style-type: none"><li>• single family residential (attached/detached) on 3200 sf lots, neighborhood commercial</li></ul>
S-R	<b>Sawmill Residential-</b> <ul style="list-style-type: none"><li>• single family residential (attached/detached) on 3500 sf lots</li></ul>
SU-1	<b>Special Use –</b> <ul style="list-style-type: none"><li>• Museum district</li></ul>

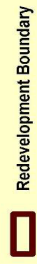
Experience to date with the zoning indicates that some amendments are needed in the Sector Plan to achieve the community's vision for the area. There is a need to amend some of the regulations in the Sector Plan to address zoning issues that are no longer applicable to the area as a result of land use and ownership changes. The recommendations in the MRA Plan for amending the Sector Plan zoning will require Environmental Planning Commission (EPC) approval.



**SAWMILL / WELLS PARK  
COMMUNITY  
METROPOLITAN REDEVELOPMENT  
AREA (MRA) PLAN**

**AERIAL 2003**

**LEGEND**



Redevelopment Boundary

Community  
ByDesign  
2013, St. Francis St.  
Sawmill, MA 01901  
508-986-8328



0 200 400 600 800 1,000  
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# SAWMILL / WELLS PARK COMMUNITY

## METROPOLITAN REDEVELOPMENT AREA (MRA) PLAN

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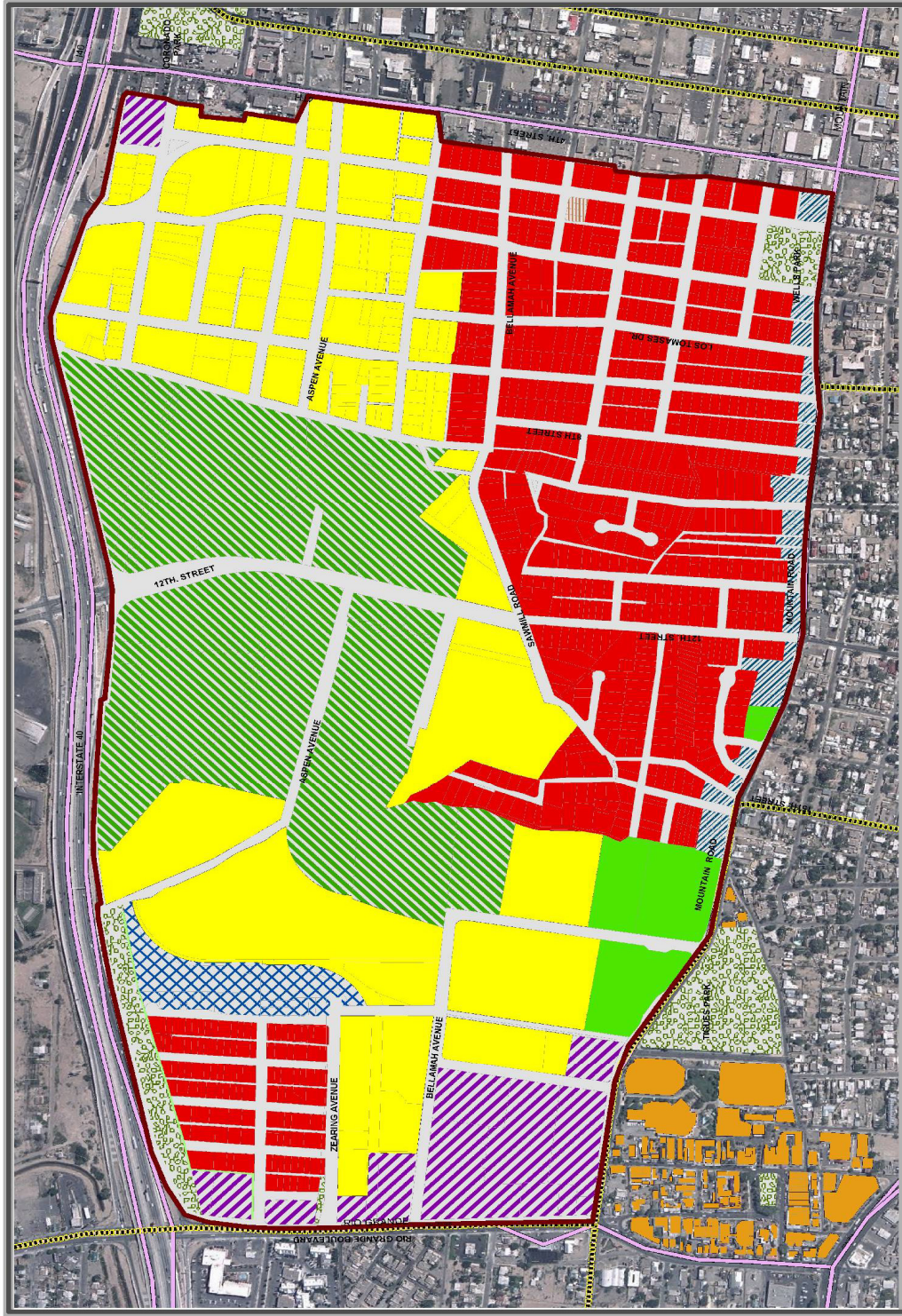
#### LEGEND

	Redevelopment Boundary
	City Parks
	Bike Route
	Major Routes
	Old Town
	C-2 :
	R-T :
	S-DR :
	S-I :
	S-MI :
	S-MRN :
	S-R :
	SU-1 :

Community  
ByDesign  
2005, St. James, TX  
75781-1001  
281-583-6328



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Feet



Data Source:  
City of Abilene GIS  
April, 2003



## II. EXISTING CONDITIONS

### C. Transportation

The Sawmill/Wells Park MRA is served by a number of local and regional streets. The 2002 Traffic Flow Map for the Greater Albuquerque Area prepared by the Mid-Region Council of Governments shows an Average Weekday Traffic Flow for each of the following streets in the MRA. Peak hour traffic flows would be approximately 25% higher than these averages.

12th St. between I-40 and Lomas carries approximately 11,500 vehicles per day.

Mountain Rd. near 12th St., as a two lane roadway, carries approximately 5,600 vehicles per day.

5th St., a two lane street that is one-way to the north, from Lomas Blvd. to I-40 carries approximately 7,000 to 10,300 vehicles per day, with more traffic occurring as 5th St. approaches I-40.

6th St., a two lane street that is one-way southbound, from Lomas Blvd. to I-40 carries approximately 6,000 to 7,000 vehicles per day.

Both 5th St. and 6th St. are one-way streets that serve essentially as a four lane major arterial through the existing Wells Park neighborhood. Both 5th St. and 6th St. are two-lane facilities with parallel parking on one side of the street. Both streets are sufficiently wide, however, to reconfigure as two-way streets where needed.

Interstate 40 is along the north boundary of the Plan area and provides excellent access to the area from the Rio Grande, 12th Street and 4th Street interchanges. The Interstate also creates a noise issue for the northern portions of the plan area, particularly the residential neighborhoods.

There are also designated bike routes which are on the perimeter of the area but do not traverse through it. These bike routes are along Rio Grande Blvd and along Mountain Road, west of 15th Street. There are transit routes along Rio Grande Blvd, 12th Street, Mountain Road, 5th St and 6th St with several bus stops along these streets. A rail spur also serves the area, with several tracks, some abandoned, traversing the area in the industrially-zoned properties. There is a proposal to utilize some of these existing tracks for a commuter rail line to the downtown and various destinations in the area.

There are streetscape improvements along the collector roadways of 5th St., 6th St. and Mountain Road, which has helped to mitigate for the volume of traffic that traverses through the neighborhoods, but there area still issues in the residential neighborhoods with traffic speed, lack of pedestrian facilities and east-west connectivity. There are opportunities on Bellamah and 18th St., Sawmill Road, 5th St., 6th St and Mountain Road for further improvements that will calm traffic, improve pedestrian walkability and the connectivity between neighborhoods.



## II. EXISTING CONDITIONS

### Demographics

The Sawmill/Wells Park population has been steadily declining since 1990. The 1990 Census population was 2,259 residents, compared with an estimated 2,045 residents in 2003, a decline of 214 residents. By 2008, Claritas projects the population will decrease to 1,948, a loss of an additional 98 residents (Table 1). The number of family households shows a projected decrease consistent with that of the decrease in population over the same period. Interestingly, the number of total households increased slightly from 1990 to 2000. This suggests that families moved out of the area and were replaced by households with fewer people.

It should be noted that the continued population decline projected by Claritas is based on trend analysis which cannot account for the potential effects of such things as the MRA plan, for example, which could help reverse the history of decline.

MRA Population						
	<i>MRA Population</i>	<i>Percent Change</i>	<i>MRA Households</i>	<i>Percent Change</i>	<i>Family Households</i>	<i>Percent Change</i>
1990 Census	2,259	...	879	...	553	...
2000 Census	2,099	-7.08	891	1.37	483	-12.66
2003 Estimate	2,045	-2.57	889	-0.22	474	-1.06
2008 Projection	1,948	-4.74	882	-0.79	457	-3.59
Source: Claritas, Inc. 2003						

Table 1 – Estimated 2003 MRA population

The majority of households (69 percent) in the MRA are one or two-person households (Table 2). This is consistent with the numbers in Table 1 that indicate a change in the MRA population from families to single heads-of-household.

MRA Household Size		
	<i>Number of Households</i>	<i>% of Households</i>
1 person	332	37.35
2 persons	282	31.72
3 persons	123	13.84
4 persons	88	9.90
5 persons	37	4.16
6 persons	19	2.14
7 or more persons	9	1.01
Source: Claritas, Inc. 2003		

Table 2 – Estimated 2003 MRA household size.



## II. EXISTING CONDITIONS

It is estimated that thirty-five percent of the residents in the MRA have not completed high school, compared to 14 percent for the City of Albuquerque. It is estimated that 20 percent of MRA residents have a Bachelor or higher degree compared to 36% for Albuquerque residents. (Table 3).

Educational Attainment				
	<i>MRA # of households</i>	<i>%</i>	<i>Albq. # of households</i>	<i>%</i>
Less than 9th grade	250	17.09%	16,797	5.59%
Some high school, no diploma	249	17.02%	24,494	8.15%
High school graduate (or GED)	358	24.47%	65,349	21.73%
Some college, no degree	249	17.02%	68,390	22.75%
Associate degree	59	4.03%	15,855	5.27%
Bachelor's degree	182	12.44%	59,791	19.89%
Master's & professional degrees	100	6.83%	49,998	16.63%
Doctorate degree	15	1.03%	N/A	N/A
Source: Claritas, Inc. 2003 & U.S. Census Bureau, 2002				

Table 3 – Estimated 2003 MRA resident educational attainment.

Approximately half of all MRA family households have less than \$35,000 per year in household income compared to 34% of all Albuquerque family households (Table 5). The estimated median MRA family household income is \$34,627. The Federal Register, published February, 2004, listed the government-recognized poverty standard for a two-person household as \$12,490. About twenty percent of the MRA households fall under that poverty level, while the City population is approximately at 13% below that level.

Household Income				
<i>Income</i>	<i>MRA # of households</i>	<i>%</i>	<i>Albq. # of households</i>	<i>%</i>
less than \$15,000	196	22.05%	30,179	15.72%
\$15,000-24,999	160	18.00%	29,895	15.57%
\$25,000-34,999	143	16.09%	23,396	12.19%
\$35,000-49,999	154	17.32%	28,464	14.83%
\$50,000-74,999	134	15.07%	36,876	19.21%
\$75,000-99,999	51	5.74%	19,757	10.29%
\$100,000-149,999	31	3.49%	18,095	9.43%
\$150,000-199,000	14	1.57%	3,808	1.98%
\$200,000 or greater	6	0.67%	1,506	0.78%
Source: Claritas, Inc. 2003 & U.S. Census Bureau, 2002				

Table 4 – Estimated 2003 MRA Household Income (includes both single and multiple person households.)



## II. EXISTING CONDITIONS

Family Household Income				
	MRA # of households	%	Albq. # of households	%
less than \$15,000	76	15.97%	10,919	9.17%
\$15,000-24,999	98	20.59%	16,934	14.22%
\$25,000-34,999	66	13.87%	12,574	10.56%
\$35,000-49,999	92	19.33%	17,220	14.46%
\$50,000-74,999	80	16.81%	25,774	21.64%
\$75,000-99,999	28	5.88%	15,827	13.29%
\$100,000-149,999	15	3.15%	15,247	12.80%
\$150,000-199,000	14	2.94%	3,363	2.82%
\$200,000 or greater	7	1.47%	1,260	1.06%
Source: Claritas, Inc. 2003 & U.S. Census Bureau, 2002				

Table 5 – Estimated 2003 MRA Family Household Income (includes two or more person households).

### MRA Resident Work Skills

The following is a list of work skills of Sawmill-Wells Park residents from *A Community Economic Development Project Evaluation Tool For The Sawmill Community Land Trust*, produced as part of a professional project for the University of New Mexico Community & Regional Planning Masters program in 1999. The skills were identified in a survey of the residents in the summer of 1999. Of 1,069 households, 170 households were surveyed. The results show that community residents have a broad cross section of skills that include:

- Tutoring/Teaching (12 residents)
- Computer Use (12 residents)
- Clerical (11 residents)
- Report writing (8 residents)
- Scheduling (8 residents)
- Customer Service (12 residents)
- Payroll (5 residents)
- Electrical Repairs (5 residents)
- Maintenance (5 residents)
- Manager (5 residents)
- Record Keeping (5 residents)
- Research (5 residents)
- Data Entry (5 residents)
- Healthcare Assistance (4 residents)
- Ordering (4 residents)
- Computer Programming (4 residents)
- Answering Phones (4 residents)
- Cleaning (4 residents)
- Business Management (4 residents)



## II. EXISTING CONDITIONS

A generalized classification of employment types reveals that sales and service positions accounted for half of all the jobs held by MRA residents in 2003. 13% of all MRA residents held professional or management positions compared to 43% of Albuquerque residents (Table 6).

Employment by Profession				
	<i>MRA # of households</i>	<i>%</i>	<i>Albq. # of households</i>	<i>%</i>
Service	236	30.41%	37,354	17.04%
Sales & Office	214	27.58%	55,104	25.13%
Professional, Management, Business, Financial	101	13.02%	95,498	43.55%
Prod., Trans. & Mat. Moving	127	16.37%	17,575	8.02%
Construction, Extraction & Maint.	98	12.63%	13,744	6.27%
Farming, Fishing & Forestry	0	0.00%	0	0.00%
Source: Claritas, Inc., 2003 & U.S. Census Bureau, 2002				

Table 6 – Estimated 2003 MRA resident employment by profession.



### III. COMMUNITY PARTICIPATION

#### The Community-based Planning Process

There were several opportunities for the community to be involved in developing the Sawmills/Wells Park Metropolitan Redevelopment Area (MRA) Plan. A Stakeholder Group of approximately 70 members comprised of residents, businesses, non-profit organizations, neighborhood associations, and City representatives met on a regular basis during the development of the MRA Plan. These meetings were open to the public and interested individuals were encouraged to attend.

A significant opportunity for the community to be involved in the planning process was to participate in a three day Community Workshop. This workshop was a hands-on opportunity to shape the future look and feel of the Sawmill/Wells Park community. This was an interactive workshop that was intended to inform, educate and provide a hands-on planning process for the community. The goal of the workshop was for both the community and the design team to share and learn from each other in order to create the best possible MRA Plan.

#### A. The Stakeholders Group

The Stakeholders Group was the direct connection for the planning team in understanding their issues, opportunities and vision of the Sawmill/Wells Park community. They were integral in providing direction and priorities during the planning process.

At one of the initial Stakeholders meetings, the planning team asked the Group to identify their issues, opportunities and vision for the area. These responses were sorted into the following categories for each of the three questions:



#### ISSUES

*"What don't you like about the Sawmill/Wells Park area or what would you like to see changed?"*

##### A. SOCIAL ISSUES

- Negative social services- need to have a balance and relocate some of the social facilities.
- Area used as a "dumping" area for businesses, homeless, manufacturing, etc that attract drug houses, causing poverty levels and crime

##### B. OUT MIGRATION

- Gentrification and high taxes causing families to move out of area – need to put a cap for low to moderate income residents.
- Preserve traditional neighborhood sense – need to keep some housing in area perpetually affordable.

##### C. LAND USE

- Lack mix of residential/local business. Redevelopment of industrial areas to have a mix of use – walkable, lively, vibrant and meet needs of residents.
- Identify & develop a plan to address substandard land uses and code violations.
- Zoning controls on what type of businesses are allowed into the community.
- Absentee landlords – with shoddy rental properties and/or drug houses.



### III. COMMUNITY PARTICIPATION

#### D. LACK OF INVOLVEMENT/FAMILY ORIENTATION

- Want more of a family oriented area – safety, more neighborhood feel, reduced blight, etc.
- Increased level of participation of residents presently a lack of vitality, energy

#### E. ENVIRONMENTAL

- Get rid of heavy industrial property users
- Identify & clean up of environmental pollution sites
- Trash in yards and on streets, level of disrepair of the area, chain link fences.

#### F. TRAFFIC/TRANSPORTATION

- Need slower speed limits, bumps, traffic lights, or signs
- Need safer neighborhood -friendly controls– speed humps, round-about, more stop signs.

#### OPPORTUNITIES

*“What three things do you like about the Sawmill/Wells Park area, or what would you not want to see changed? What is it that gives a sense of place to this community?”*

##### A. SENSE OF COMMUNITY

- Commitment of Neighborhood boards
- Strong sense of community already established, want to see this expanded to the greater community (area).
- It has heart = humbleness, truth, & optimism. It’s not cookie-cutter.

##### B. HISTORIC CHARACTER

- Old New Mexico character and historic culture
- Don’t change the home areas where folks have lived for generations.
- Historic buildings on Mountain Road and neighborhoods with historical buildings and character

##### C. PEDESTRIAN STREETScape

- Streetscapes (pedestrian scale building), walkability and accessibility
- Easy proximity & walking distance to a vibrant & growing downtown.
- Tree-lined streets with beautiful historic homes

##### D. DIVERSITY OF RESIDENTS, HOUSING, LAND USES

- Diversity of residents' background, ethnicity, business/residence, historic/modern, etc.
- Strong mix of diverse uses, i.e. residential, commercial, business, museums, parks, etc.
- Diverse architecture and housing styles
- Generations of families – history of people & community

#### VISION

*“What is it you would like to see in the future of the Sawmill/Wells Park community?”*

##### A. COMMUNITY DESIGN

- Infuse history into landscape – walkways, bike trails, & historic housing.
- Historic value to the community and emphasize historic nature of area
- Connectivity through walking corridors, diversity of streetscapes including public art, parks, greenways, mixed uses, and so forth.
- A safe environment for one to walk or bike in. Neighborhoods linked by walking or riding trails/thoroughfares.



### III. COMMUNITY PARTICIPATION

- Make Mountain Road an “Arts Byway” – public sculpture, mural on the old building at 11<sup>th</sup> & Mountain.
- Sustained community involvement (proactive)

#### B. ECONOMICS

- More Neighborhood services - grocery stores, etc. Good jobs and higher incomes for local and new residents.
- More community services – Businesses within the neighborhood, things for people (especially children) to do.
- Strong and viable community & business district. Bring back Ma & Pa businesses to the area.

#### C. COMMUNITY FORM/LAND USE

- Connections between Old Town/downtown – creative, transportation attractions for tourists and locals.
- Vitality, vibrancy, mix of households, local businesses.
- Good balance of new housing with old – a mixed income community without displacing current residents with artist shops, small business, art galleries, beautiful, clean neighborhoods.
- Visualize an attractive, safe neighborhood for families with children.

#### B. The Community Workshop

A significant effort in the planning process was to provide for a high level of community involvement in developing the MRA Plan. A significant step in achieving this involvement was a three day Community Workshop on March 25, 26, and 27 at the Sheraton Old Town Hotel. Each day of the workshop offered information and insights by those involved in the community as developers, non-profits, city agencies and departments or designers.

The first day was a series of interactive presentations by knowledgeable individuals on several topics that are relevant to creating the plan. Community participants were encouraged to ask questions and provide their insights on these topics.

The second day was additional interactive presentations on specific topics related to the Sawmill/Wells Park area. This will be followed by developing a Community Vision and Plan Goals that are agreed upon by everyone present. That evening the Design team presented land use programming and design elements.





### III. COMMUNITY PARTICIPATION

The third day, Saturday morning, began with breaking community participants into groups of Community Planning Teams to begin the process of identifying land uses and design elements within the planning area. Each of the three Community Planning Teams presented their ideas to the rest of the participants to identify the redevelopment ideas and projects from each Team's plan.



The Design team worked through the afternoon in preparing a Preferred MRA Plan that incorporated the community's ideas and aspirations, which was presented and discussed by the community in the evening.

#### **The Sawmill/Wells Park Community Vision**

This vision was developed by the Stakeholder Group and then reaffirmed at the Community workshop by the public. It is intended to serve as a foundation for the Metropolitan Redevelopment Area plan.

*"The Sawmill/Wells Park area is a diverse and traditional community with a rich heritage that seeks to be sustainable through preserving our history, creating a vibrant sense of neighborhood, supporting viable economic development and regenerating our environmental quality. Our neighborhood is a place where multi-generations of families can live, work and participate in the greater Albuquerque community."*



## IV. METROPOLITAN REDEVELOPMENT AREA PLAN

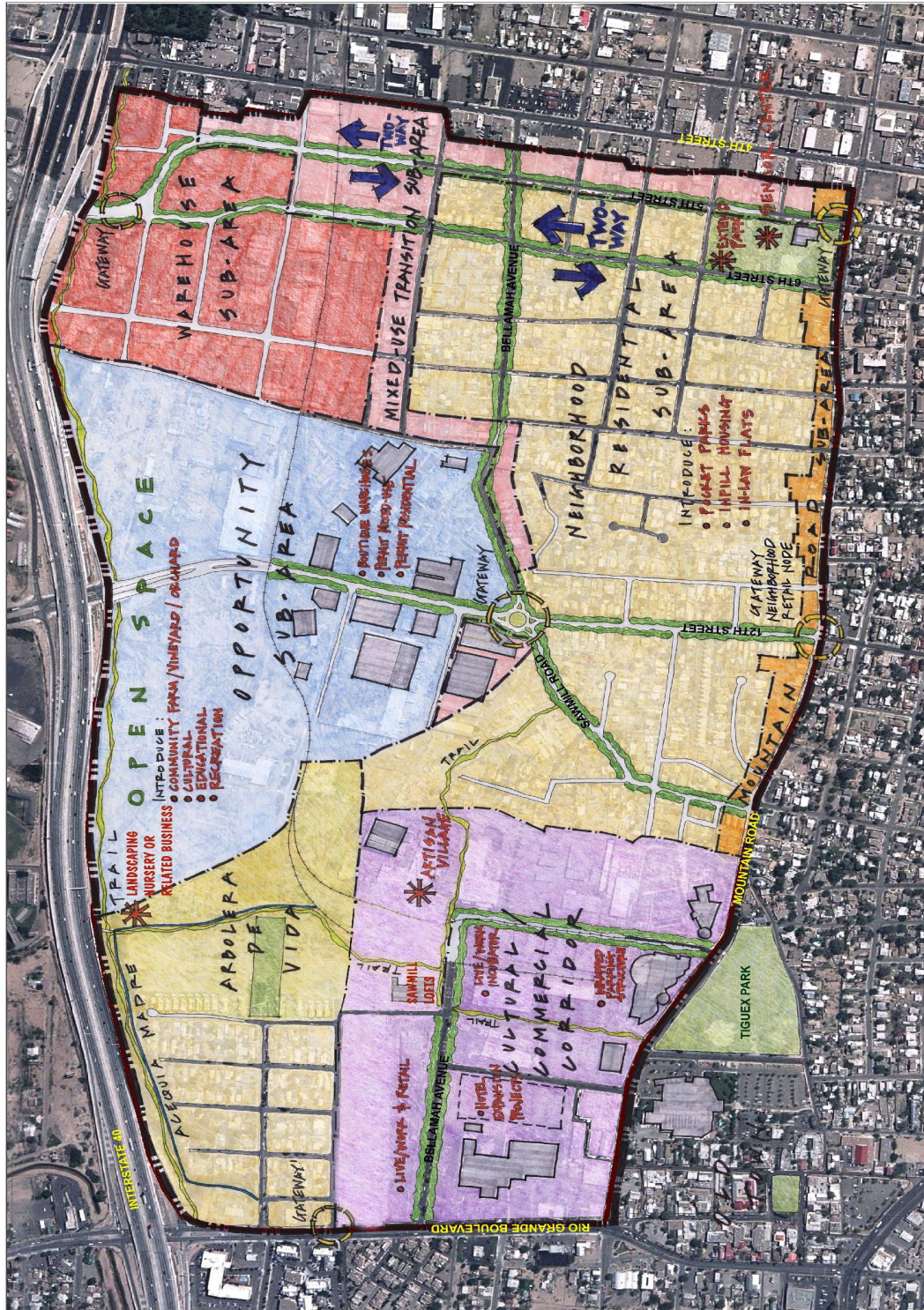
The Sawmill/Wells Park Community Metropolitan Redevelopment Area Plan is an implementation plan to upgrade and rehabilitate the area through a number of tools available under the State and City Redevelopment Code authority. This MRA Plan is organized based on the results of the community participation process that identified overall planning vision, goals and redevelopment projects for the entire area. The MRA was then examined in more detail through six redevelopment sub-areas that are based on existing neighborhoods and distinct land use characteristics.

The overall MRA Plan identifies a number of community consensus redevelopment projects that were common projects identified by community workshop participants in each of the three alternative MRA plans. These consensus projects generally traverse or influence the entire MRA Plan area. Within each of the six redevelopment subareas, a vision for redevelopment is identified, the impediments to redevelopment defined and redevelopment projects and tools for that sub-area are recommended.

Market research on the feasibility of various land uses was conducted in developing the Sawmill/Wells Park MRA Plan. A number of possible land uses were examined that would meet community needs, be compatible with the existing uses in the Sawmill-Wells Park community, and move the community in the right direction for the future. This market analysis took into account community input, analysis of considerable background data and plans, and expert opinion. The major findings from this research indicate the following:

- The Sawmill/Wells Park community is characterized by a historically declining population, an aging population, an aging housing stock, small household size, and relatively low incomes.
- Because of its proximity to Downtown, Old Town, and the museum row, the neighborhood offers significant opportunities for redevelopment.
- The area faces significant challenges related to small lots sizes, multiple ownerships, inappropriate juxtaposition of land uses, and blighted conditions.
- Redevelopment must be accomplished in an appropriate way to avoid either gentrification, on the one hand, or the concentration of undesirable uses, on the other.
- There is a high potential for an artisan village that could provide local workforce training, opportunities, locally-based entrepreneurial activities, increased tourism and economic development, and affordable live/work residences.
- There is a need for a mix of housing in the community, including affordable townhouses, courtyard housing, live/work housing, and apartments, that would be distributed on scattered sites throughout the community, rather than concentrated in any one area.
- It would be desirable to initiate some new projects in the northeast portion of Wells Park to provide a catalyst for redevelopment; this could include local-serving commercial on Fourth Street and “green” businesses within the interior.
- It is not recommended that a major office project be developed at this time; however, there is demand for high quality small-scale office space targeted at specific users.
- The construction of a new childcare facility should be pursued in the next two to three years as Phase II of Arbolera de Vida is developed and additional employers are recruited to the area as part of the implementation of the MRA plan.
- Although in the short term there is adequate community meeting space available, it is appropriate to develop a community facility with meeting space to accommodate the needs of Arbolera de Vida and associated non-profit organizations as Phase II is built out.





**SAWMILL / WELLS PARK  
COMMUNITY  
METROPOLITAN REDEVELOPMENT  
AREA (MIRA) PLAN**

**Proposed Redevelopment  
Projects**

**LEGEND**

	Redevelopment Boundary
	Subarea Plan Boundary
	Enhanced Streetscape/ Transportation
	Gateway Feature
	Community Facilities

Community  
ByDesign  
2015 S. Federal St.  
Suite 100, AZ 85001  
949-984-8328



0 200 400 600 800 1,000  
Feet

Data Source:  
City of Albuquerque GIS  
April, 2003



## IV. METROPOLITAN REDEVELOPMENT AREA PLAN



### Sawmill/Wells Park Community Metropolitan Redevelopment Area Plan

#### Community Vision:

*"The Sawmill/Wells Park area is a diverse and traditional community with a rich heritage that seeks to be sustainable through preserving our history, creating a vibrant sense of neighborhood, supporting viable economic development and regenerating our environmental quality. Our neighborhood is a place where multi-generations of families can live, work and participate in the greater Albuquerque community."*

#### Redevelopment Plan Goals:

Goals reaffirmed from the 1996 Sawmill Revitalization Study and the Sawmill/Wells Park Sector Plan include:

- A. Preserve a balance between housing which serves low income families and higher priced market rate units.
- B. Maintain a scale of new retail/office or other commercial that preserves the character of area, supports living wage jobs for local residents, promotes New Mexican-owned businesses and protects workers and residents from negative environmental impacts.
- C. Provide a permanent reserve of affordable housing for families at or below 80% of the median income of the area;
- D. Create a built environment that retains its physical integrity for future generations and preserves the natural attributes of the land and the cultural history of the community.
- E. Develop commercial and industrial space that benefits the community with job creation and needed services.
- F. Blend "old" and "new" into one unified neighborhood.
- G. Avoid negative impacts from new development on the existing residents.
- H. Empower residents to make decisions about their future.
- I. Ensure ecological sensitivity and energy efficiency.
- J. Conserve and build on community identity and historic character.
- K. Protect and improve existing residential neighborhoods.
- L. Prevent new environmental hazards, correct existing environmental problems and promote resource conservation.
- M. Increase and improve housing without displacing current residents.
- N. Improve circulation for people walking, bicycling, using public transportation and/or driving.
- O. Develop local recreational services for people living and working in and near the Sawmill Area.
- P. Promote programs to prevent crime.
- Q. Guide the future development of vacant land. Promote uses compatible with adjacent neighborhoods, the museums and historic Old Town.
- R. Support commercial and industrial revitalization, jobs and job training for local residents that do not conflict with other plan goals.
- S. Continue to improve city owned properties, public right of way and public infrastructure.



## IV. METROPOLITAN REDEVELOPMENT AREA PLAN

### Community Consensus on Overall Redevelopment Projects/Tools:

At the Community Workshop in March, three Community planning teams comprised of workshop participants each developed their own Redevelopment Plan that they presented to the entire group. There were common ideas and projects that were included in each of the three plans by the different teams. These common elements were identified at the workshop as consensus projects and are listed here as being of high value to the community:

- Construct the Acequia Madre Trail/Green way along south edge of I-40 corridor
- Utilize existing rail line to connect between east and west areas
- Create Gateway features at Zearing/Rio Grande Blvd., 12<sup>th</sup>/Mountain, 12<sup>th</sup>/Sawmill, and 5th/Mountain Rd.
- Rehabilitate the existing housing stock for mixed income residences
- Develop an Artisan Village on abandoned Ponderosa Products mill building
- Convert 5th St and 6th St back to 2-way traffic flow with on-street parking on one side, bicycle lanes, and pedestrian/streetscape improvements. Do not have 5th Street merge into 6th as it does now.
- Install a Roundabout at 12th and Sawmill
- Promote mixed income residential infill
- Provide for a safe Sawmill/Bellamah pedestrian connection
- Pursue the Wells Park park expansion or develop mixed income housing on block north of the Community Center
- Provide permanent affordable housing - any city-supported housing should use mixed-income model with at least 20% of the units as permanently affordable for families under 80% Area Median Income (AMI).
- Strengthen the north- south pedestrian connection to Tiguex Park
- Promote agricultural uses (community gardens, nursery, orchards) as a connection to historical roots of area
- Provide funding for Sawmill Rd/Bellamah/12th St streetscape improvements

### Metropolitan Redevelopment Sub-Areas Recommendations

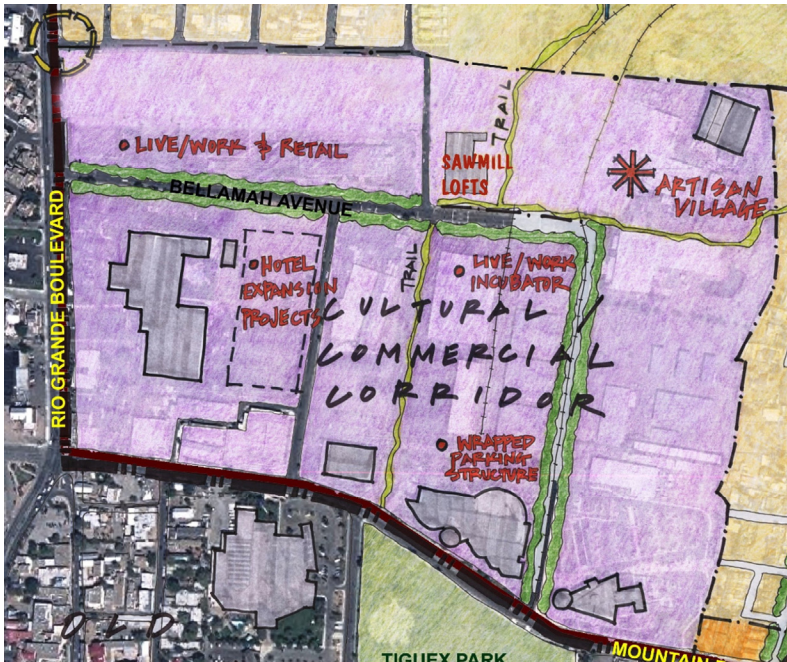
The following six MRA subareas represent distinct areas within the overall MRA that possess unique land use characteristics and existing neighborhoods. Consequently, the redevelopment of these areas will also involve unique approaches appropriate to the particular issues of that area.

The six subareas are defined as the Cultural/Commercial Corridor, the Mixed Use Transition, the Warehouse subarea, Neighborhood Residential, the Opportunity subarea and the Mountain Road subarea.

A Redevelopment Vision, Impediments to redevelopment and Redevelopment Projects/Tools are identified for each subarea.



## IV. METROPOLITAN REDEVELOPMENT AREA PLAN



### Cultural/Commercial Corridor Sub-area

#### Redevelopment Vision:

Promote a mix of uses that attracts locals and tourists alike through economic incentives for local manufacturers, artisans and business owners. Develop/retain dialogue between manufacturers, artisans and business owners and promote artwork and filmmaking production and education. Create a mentorship of local youth to carry on knowledge of the arts and craftsmanship

#### Impediments to Redevelopment:

- Zoning limitations
- Industrial uses/blighted properties

#### Redevelopment Projects/Tools:

- Create a Mixed Use Overlay zone that allows a variety of residential live/work, employment incubators, institutional/educational uses and tourism activities that also protects the existing neighborhood.
- Include in economic development proposals a training and workforce development component. These can include but not be limited to mentorship, after school educational programs, summer interns, on the job training. Local artisans and other small businesspersons should be provided training and technical assistance in business planning, marketing and other business success skills that will ready them for loans and wealth building.
- Include the Railroad as part of “string of pearls” – from Aspen Rd. to Ponderosa RR tracks.
- Support a city-built parking structure, wrapped with mixed use and mixed income residential, on former Georgia Pacific property.
- Promote a “Park Once” approach through strategic placement of lots, signage, shared use of lots, 24-hour lot use, etc.
- Provide streetscape improvements on Bellamah Rd. from 18<sup>th</sup> Street to Rio Grande, and all of 18<sup>th</sup> St.
- Do not extend Bellamah Rd. through Ponderosa Products to 12<sup>th</sup> Street. This may draw truck traffic through the cultural corridor between 12<sup>th</sup> Street and Rio Grande.
- Provide bike/pedestrian access route on 15<sup>th</sup> St. and on Sawmill Rd to the Arbolera de Vida Plaza.
- Include a pedestrian crossing at 18<sup>th</sup> St. and Mountain that is a pedestrian-activated light. The heaviest pedestrian traffic appears to be kids and students.
- Provide gallery space for commissioned public art display as part of public and private projects.
- Develop a shuttle system to connect Old Town/Museums/River Bosque and Botanical Gardens.



## IV. METROPOLITAN REDEVELOPMENT AREA PLAN



### Mixed-Use Transition Sub-area

#### Redevelopment Vision:

People will live and work in same building while protecting the integrity of residential areas and property values. Walkability to local retail and restaurants and work along tree-lined streets and sidewalks in an area that serves as a "Creative Corridor" for artists

#### Impediments to redevelopment:

- Lack of infrastructure capacity, e.g. water lines
- Traffic on 5<sup>th</sup> Street
- Blight
- Zoning restrictions

#### Redevelopment Projects/Tools:

- Promote Grass roots community action groups to implement adaptive reuse of buildings.
- Extend the 5<sup>th</sup> Street water line.
- Create Pocket parks, e.g. on Aspen.
- Provide landscaping and streetscape improvements.
- Create a Business Improvement District (BID) to assist businesses in providing maintenance and security.
- Screen/fence blighted properties.
- Provide incentives/funding for murals and public art projects.
- Xeriscape the yards of seniors in cooperation with the Xericouncil and UNM.



## IV. METROPOLITAN REDEVELOPMENT AREA PLAN



### Warehouse Sub-area

#### Redevelopment Vision:

This area will support live/work re-use in existing and new buildings and encourage that 20% of the housing units be permanently affordable for artisan studios and businesses. It will support locally-owned businesses producing living-wage jobs, and support co-op owned and worker owned businesses. The area will be aesthetically appealing and maintain the character of the area in a sustainable way by promoting creative and interesting reuses of large, old warehouses, encourage Green businesses, e.g. nursery and convert houses in far northeast to commercial use.

#### Impediments to Redevelopment:

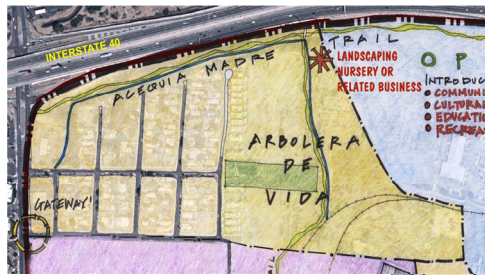
- Junkyards and abandoned properties
- Industrial zoning limitations
- Lack of infrastructure capacity

#### Redevelopment Projects/Tools:

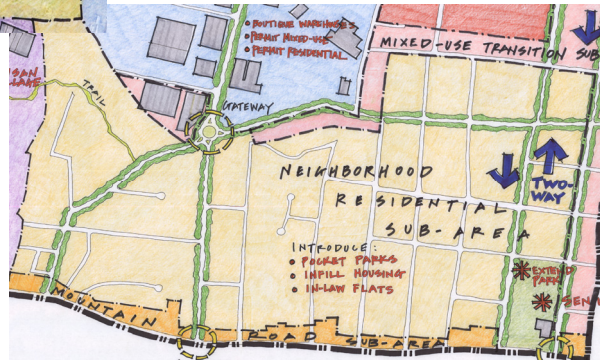
- Establish an Art or Technical school campus (like TVI)
- Provide funding for infrastructure improvements where needed to make supported uses feasible
- Provide safe and smooth rail crossings at 7<sup>th</sup> and 8<sup>th</sup> Streets
- Plant wildflowers, potted plants, and trees along tracks
- Encourage the City to buy residences in far northeast for reuse
- Develop a health club and/or office building west of the hotel in the far northeast (as a reuse for the residential property)
- Create pocket parks on empty lots
- Provide community activities/events to bring life into the area
- Encourage the City to clean up its property on 4th, 5th and 6th Streets



## IV. METROPOLITAN REDEVELOPMENT AREA PLAN



### Neighborhood Residential Sub-area (Wells Park, Sawmill CLT, and John Baron Burg)



#### Redevelopment Vision:

This subarea is to promote a safe environment for mixed-income families, owner-occupied housing and reinvestment in the area. It will include walkable streets for daytime and nighttime activities and family-oriented activities and education opportunities.

#### Impediments to Redevelopment:

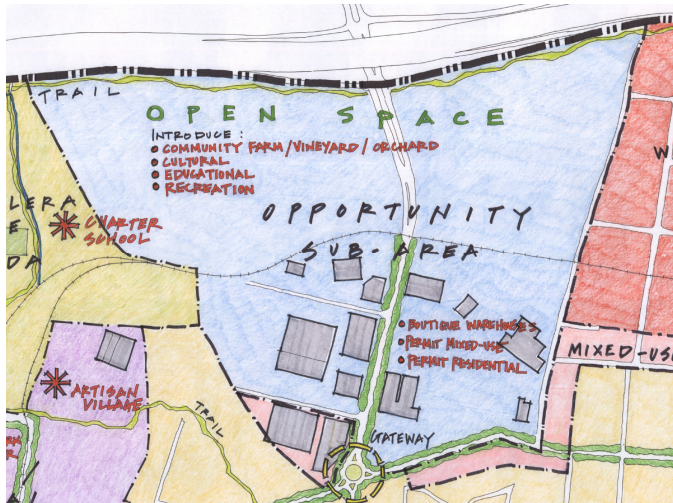
- Absentee landlords/property-owners
- Cluster of social service agencies attracting high numbers of transients
- Drug dealers and gang-activity
- Vacant properties and abandoned buildings

#### Redevelopment Projects/Tools:

- Limit municipal and federal subsidies to projects that provide permanently affordable housing, and community-controlled and community-supported businesses.
- Create program within SCLT to buy rundown, vacant or rental property for rehabilitation/new construction of permanent affordable housing
- Work with market rate infill developers to acquire vacant parcels for redevelopment while requiring 20% of units to be permanently affordable (Community Land Trust model)
- Develop Phase III of Arbolera de Vida to include:
  - Artisan Village
  - Office Space/Community meeting rooms
  - Senior Apartments
  - Child Care Center
  - Nursery/Greenhouse business



## IV. METROPOLITAN REDEVELOPMENT AREA PLAN



### Opportunity Sub-area

#### Redevelopment Vision:

Promote re-establishment of sustainable agricultural uses such as landscape nursery, orchard, community gardens, vineyards, botanical garden. This area will encourage mixed-use developments, including live/work residential, neighborhood-based commercial and light manufacturing uses. It is also envisioned to promote Green Industries, such as wind/solar products and generation and make the area aesthetically appealing

#### Impediments to Redevelopment:

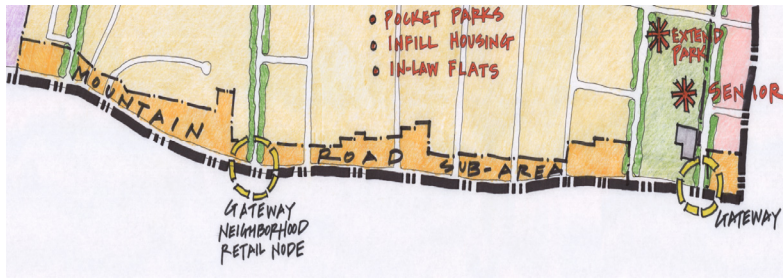
- Industrial zoning restrictions and land assembly/ownership difficulties
- Political and institutional will is lacking to stimulate change
- PNM substation and transfer station

#### Redevelopment Projects/Tools:

- Construct noise wall along I-40 between Rio Grande and 3rd St.
- See Cultural Corridor subarea regarding training and technical assistance tools.
- Provide financial support and incentives, such as low interest loans, for businesses that are small, locally owned, and community controlled (coops, worker owned, non-profits, etc).
- Amend zoning to allow S-MI without impediment of 250 ft. setback from S-I and without 50,000 sq.ft. lot size limitation; reduce 3rd floor setback requirement; and reduce work area square footage requirement to as low as 25% allowing up to 75%.
- Install 12th St Streetscape improvements.
- Research/acquire water rights for Acequia Madre.



## IV. METROPOLITAN REDEVELOPMENT AREA PLAN



### Mountain Road Sub-area

#### Redevelopment Vision:

Redevelop underutilized properties and sites as becoming neighborhood-serving (old Escuela site, restaurant at 15<sup>th</sup> & Mountain, 8<sup>th</sup> & Mountain, 12<sup>th</sup> & Mountain, 11<sup>th</sup> - 13<sup>th</sup> Streets.). Mountain Road will include traffic calming measures

such as bike lanes and pedestrian enhancements. Create a great street that serves as a gateway for neighborhood residential and neighborhood retail and promotes locally-owned neighborhood scale commercial. Develop a walkable street that is pedestrian-friendly and encourages seniors and kids/students to use.

#### Impediments to Redevelopment:

- Need to review existing zoning to refine permitted uses under MRN/C-1 zoning
- Parking requirements – require parking on adjacent lots which promote vacant/underutilized lots along street.
- Speed- too fast (posted at 25 mph but not enforced, so need design features to slow traffic).
- No parking along street

#### Redevelopment Projects/Tools:

- Construct Streetscape improvements as incentive for private re-investment in blighted buildings.
- Promote and support community-based venues such as Flea Market, Farmers Market, and "Carnuel Road Parade"- close the road for a day as opportunity for neighborhood to take back the street.
- Install pictorial markers identifying community sites of importance/history
- Waive development fees and expedite plan review for "visionary" projects that are consistent with MRA Plan
- Install on-street parking and bulb-outs at corners
- Construct traffic calming improvements, e.g., narrow travel lanes, bike lanes, etc.
- Design and install pedestrian-crossings, signs and lights
- Provide incentives and support for community-supported/based retail for affordability (non-profit initiatives and incentives to private sector)



## IV. METROPOLITAN REDEVELOPMENT AREA PLAN

### Redevelopment Project Priorities

At a Stakeholder Group meeting in September, 2004 the participants reviewed the Redevelopment projects/tools that were identified above for each sub-area. After reviewing and revising the recommended projects, they were asked to prioritize the redevelopment projects most important, or are a critical need, to them for improving the economic and neighborhood conditions in the plan area. The prioritization was accomplished by each participant placing their total of eight adhesive dots on large sheets that listed the consensus projects and the Subarea projects. They had to make choices between the sixty-five redevelopment projects/tools listed and identify the eight redevelopment projects most important to them. The following redevelopment projects/tools are listed in the order of highest number of dot votes and then are combined with the remaining consensus projects list that was developed at the community workshop:

1. Implement traffic improvements to 5<sup>th</sup> and 6<sup>th</sup> Streets such as converting them back to two-way streets with on-street parking, bicycle lanes, and pedestrian/streetscape enhancements.
2. Create incentives to promote agricultural uses (community gardens, nursery, orchards, etc.) as a connection to historical roots of area.
3. Create a land bank to buy rundown, vacant or rental property for rehabilitation/new construction of permanent affordable housing. Any city-supported housing should use mixed-income model with at least 20% of the units as permanently affordable for families under 80% Area Median Income (AMI).
4. Provide financial support and incentives, such as low interest loans, for businesses that are small, locally owned, and community controlled (coops, worker owned, non-profits, etc).
5. Extend 5th Street water line.
6. Promote and support community-based venues such as Flea Market, Farmers Market, and "Carnuel Road Parade", i.e., close the road for a day as an opportunity for neighborhood to take back the street.
7. Develop an Artisan Village at the abandoned Ponderosa Products mill building .
8. Utilize existing rail line to connect between east and west areas
9. Develop Gateway features at Zearing/Rio Grande Blvd., 12<sup>th</sup>/Mountain, 12<sup>th</sup>/Sawmill, and 5th/Mountain Rd.
10. Install a Roundabout at 12th and Sawmill.
11. Install pedestrian safety improvements at the Sawmill/Bellamah pedestrian connection.
12. Pursue the Wells Park park expansion or develop mixed income housing on block north of the Community Center.
13. Strengthen the north-south pedestrian connection to Tiguex Park.
14. Secure funding for Sawmill Rd/Bellamah/12th St streetscape improvements.



## V. FUNDING SOURCES/IMPLEMENTATION TOOLS

### A. Funding Sources

A number of funding sources from local, State and Federal agencies have been identified as potential opportunities to finance the implementation of the Sawmill/Wells Park Community MRA Plan. These funding sources have been matched to the MRA Plan priority projects in an Implementation Matrix at the end of this chapter.

#### A. Public/Non-profit/Private partnerships

There are a number of opportunities for partnerships to occur between these various entities. Partnerships hold the highest potential for redevelopment opportunities to occur in the Sawmill/Wells Park area. The City can provide incentives through public financing, land holdings, or eminent domain authority, to serve as incentive/collateral for groups such as the NM Community Development Loan Fund, Accion; Wesstcorp, Small Business Association, Sawmill Community Land Trust, and private developers.

#### B. New Mexico Community Development Loan Fund

The New Mexico Community Development Loan Fund is a private, non-profit organization that provides loans, training and technical assistance to business owners and non-profit organizations. Their services support the efforts of low-income individuals and communities to achieve self-reliance and control over their economic destinies. Loans to new and existing small businesses for such needs as equipment, inventory, building renovations and operating capital. They provide loans to non-profits for such needs as bridge financing against awarded private and public contracts, capital improvements and equipment, and loans to non-profits that develop affordable housing.

#### C. Tax Increment Financing Districts

Tax increment financing is created through a local government's property tax assessments. The incremental difference in tax is used to finance the improvement within the district. In NM, tax increment financing is enabled in forms through the Metropolitan Redevelopment Code, Enterprise Zone Act and the Urban Development Law. The City of Albuquerque uses tax increment financing within its designated Metropolitan Redevelopment Areas. (MRA). Creating a TIF District of the entire Sawmill/Wells Park MRA could be beneficial, although additional research and analysis is needed due to the large geographical size and diversity of uses. However, given the low tax base in the area, it would be advantageous if both City and County would participate with their mil levies

#### D. Capital Improvement Plan

The City of Albuquerque's Capital Improvement Program (CIP) is to enhance the physical and cultural development of the City by implementing the Albuquerque/ Bernalillo County Comprehensive Plan and other adopted plans and policies. Through a multi-year schedule of public physical improvements, CIP administers approved Capital Expenditures for systematically acquiring, constructing, replacing, upgrading and rehabilitating Albuquerque's built environment. In practice, the CIP develops, and sometimes directly implements, diverse projects and improvements to public safety and rehabilitation of aging infrastructure such as roads, drainage systems and the water and wastewater network ,public art projects, libraries, museums, athletic facilities, parks and trails, and Senior, Community and Multiservice Centers.

#### E. Industrial Revenue Bonds (IRB)

An IRB is a form of tax-exempt municipal bond issued by a state or local government entity to finance the acquisition, construction or equipping of a facility. IRB tax-exempt financing for manufacturing projects has been restored under the federal Revenue Reconciliation Act of 1993 on a permanent basis. Today IRBs continue to provide companies with an important alternative to conventional financing of manufacturing projects. Cities, public agencies, development authorities, and similar entities can issue tax-exempt, private-



## V. FUNDING SOURCES/IMPLEMENTATION TOOLS

activity, industrial revenue bonds for manufacturing projects. All issuances are subject to state-wide volume caps. Some states offer umbrella programs to finance several smaller projects from a single issue; this is the case in Albuquerque, where revenue bonds could promote local economic development through encouraging local businesses and hiring a higher wage local work force as a priority.

### F. Transportation and Equity Act for the 21st Century (TEA-21)

Federal TEA-21 Enhancement funds, in excess of \$200 billion, is allocated to integrate transportation projects with environmental and community revitalization goals over a period of six years. TEA-21 funds are applicable beyond highways, road and transit maintenance -- funds may also be used for relevant environmental restoration, pollution abatement, historic preservation, trails, bike paths and pedestrian infrastructure including aesthetic enhancements.

Below is a list of the most common sources of financing that are utilized for brownfield redevelopment projects.

### G. Federal Financing Programs:

#### Loans

#### a. EDA's Title IX

EDA's Title IX program deals with two types of problems: "sudden and severe" economic dislocations (SSED), such as plant closings; and long-term economic deterioration (LTED) of the local economic base. SSED grants are used to prepare an adjustment strategy or carry out projects that will save jobs or create new ones for dislocated workers. By approaching SSED creatively, local officials could link Title IX resources to a number of financing needs present at brownfield locations, especially at sites where a long-time industrial operation has just shut down. LTED grants typically are made to establish or recapitalize locally-managed revolving loan funds that support business development; these funds are designed to overcome specific capital markets gaps and encourage business activity. EDA's participation in revolving loan funds through the Title IX program, has been especially effective at retaining small companies in distressed areas; such funds could be designed to play a prominent role in helping companies set up or maintain operations at brownfield sites.

#### b. HUD funds for local CDBG loans and "floats"

Community Development Block Grants are used to finance locally determined activities and can include coping with contamination and financing site preparation or infrastructure development. Eligible activities include planning for redevelopment, site acquisition, environmental site assessment, site clearance, demolition, rehabilitation, contamination removal and construction. Also, when a grant recipient can show that previously awarded CDBG funds will not be needed in the near term, it may tap its block grant account on an interim basis, using a "float" to obtain short-term, low interest financing for projects that create jobs. Money borrowed from grants in this way may pay for the purchase of land, buildings and equipment, site and structural rehabilitation (including environmental remediation) or new construction.

#### c. EPA revolving loan funds

The Albuquerque and Bernalillo County Brownfields Cleanup Revolving Loan Fund Pilot (BCRLF) is administered through a Coalition of City of Albuquerque and Bernalillo County. The Albuquerque Development Services is designated as lead agency and the New Mexico Community Development Loan Fund acts as fund manager. The Albuquerque and Bernalillo Count BCRLF was awarded \$1 million in May of 2000. Use of BCRLF monies is restricted to brownfield properties that have been determined to have an actual release or substantial threat of release of a hazardous substance. These loans are used for the environmental cleanup of the properties.



## V. FUNDING SOURCES/IMPLEMENTATION TOOLS

### d. SBA Microloans

These loans are administered through responsible nonprofit groups, such as local economic development organizations or state finance authorities that are selected and approved by the SBA. The SBA loans the money to the nonprofit organization which then pools the funds with local money and administers direct loans to small businesses. SBA microloans are administered much like a line of credit and are intended for the purchase of machinery and equipment, furniture and fixtures, inventory, supplies and working capital. The funds are intended to be dispersed with close monitoring of the recipient and a self-employment training program may accompany the loan. The maximum maturity for a microloan is six years. The average loan size is \$10,000. The loan cannot be used to pay existing debts. They can be used to capitalize a brownfield revolving loan fund.

### e. SBA's Section 504 development company debentures

Small businesses can receive long-term capital for fixed assets from SBA-certified local development companies who issue notes backed by SBA. These resources can support up to 40 percent of a project's total costs, up to \$750,000. A private financial institution must provide 50 percent of the project financing, but has first claim on collateral. The remaining 10 percent of funding must be obtained from the developer, a non-federal economic development program, or owner equity.

### Loan Guarantees

#### f. HUD Section 108 loan guarantees

Under Section 108, state and local governments receiving CDBGs can receive federally guaranteed loans, often at lower interest rates, to cover the cost of multi-year development projects too large for single year financing with CDBG funding. City or state applicants can pledge up to five times their annual CDBG grants as collateral. States can also pledge their own CDBG allocation on behalf of their small cities.

#### g. SBA's Section 7(a) and Low-Doc programs

Under Section 7(a), SBA will guarantee up to 90 percent of private loans of less than \$155,000 to small businesses and up to 85 percent of loans between \$155,000 and \$500,000. The Low-Doc Program offers SBA-backing of 90 percent and a streamlined application, review, and approval process for guarantees of loans of less than \$100,000.

### Grants

#### h. HUD's Brownfield Economic Development Initiative (BEDI)

HUD awards competitive BEDI grants to local and state governments in conjunction with Section 108 loan commitments. These grants may be used to provide additional security for the Section 108 loan, for project costs, or to reduce the interest rate. Brownfields EDI grants are targeted specifically to brownfields projects and must be used to improve the viability of projects financed with new Section 108 commitments.

#### i. HUD's CDBG Grants

The CDBG program, one of the nation's largest Federal grant programs, is administered by the Department of Housing and Urban Development to promote the revitalization of neighborhoods and the expansion of affordable housing and economic opportunities. This includes activities that support the redevelopment of properties in distressed areas if such activity supports the mission of the program. CDBG is a "bricks and mortar" program, with the rehabilitation of affordable housing traditionally being the largest single use of CDBG funds.



## V. FUNDING SOURCES/IMPLEMENTATION TOOLS

### j. EDA Title I and Title IX

Grants are available to governments and nonprofit organizations in distressed areas to fund improvements in infrastructure and public facilities, including industrial parks.

### k. Army Corps of Engineers (cost-shared services)

The Corps is a partner with the Environmental Protection Agency and other federal agencies in helping communities prevent, assess, safely clean up, and sustainably reuse Brownfields. The Corps can lend its engineering and design services at low to no cost.

### Equity capital

#### l. SBA's Small Business Investment Companies

Licensed and regulated by the SBA, SBIC's are privately owned and managed investment firms that make capital available to small businesses through investments or loans. They use their own funds plus funds obtained at favorable rates with SBA guaranties and/or by selling their preferred stock to the SBA.

### Tax incentives and tax-exempt financing

#### m. Historic Rehabilitation Tax Credits

Investors can receive a credit against their total income taken for the year in which a rehabilitated building is put into service. Rehabilitation of certified historic structures qualifies for a credit equal to 20 percent of the cost of the work; rehabilitation work on non-historic structures built before 1936 qualifies for ten percent.

#### n. New Markets Tax Credits (NMTC)

The NMTC Program permits taxpayers to receive a credit against Federal income taxes for making qualified equity investments in designated Community Development Entities (CDEs). Substantially all of the qualified equity investment must in turn be used by the CDE to provide investments in low-income communities. The credit provided to the investor totals 39% of the cost of the investment and is claimed over a seven-year credit allowance period. In each of the first three years, the investor receives a credit equal to five percent of the total amount paid for the stock or capital interest at the time of purchase. For the final four years, the value of the credit is six percent annually. Investors may not redeem their investments in CDEs prior to the conclusion of the seven-year period.

#### o. Low-income Housing Tax Credits (LIHTC)

Ten year credit for owners of newly constructed or renovated rental housing that set aside a percentage for low-income individuals for a minimum of 15 years. The amount of the credit varies for new construction and renovation. The project must receive allocation of New Mexico State's annual credit ceiling or use multi-family housing tax-exempt bonds that receive allocation of New Mexico State's bond volume cap. Allocations are made on the basis of the New Mexico State Qualified Allocation Plan.



## V. FUNDING SOURCES/IMPLEMENTATION TOOLS

### B. IMPLEMENTATION MATRIX

The following Implementation Matrix identifies the preliminary costs, responsible agency for implementation, and the potential funding sources for each of the highest priority redevelopment projects identified by the Stakeholders Group and community workshop participants. The Implementation Matrix is the work plan developed by a committee of community leaders representing the community groups in the Metropolitan Redevelopment Plan Area. The work plan will be implemented by the five Committees organized to pursue each of the five goals of the Plan, including Housing, Community Education, Infrastructure, Economic Development and Implementation.

The funding sources identified in the matrix are based on a diversity of sources, with some of these sources using "gap" financing initially from the City or private sources. For example, the Tax Increment Financing District will be a funding source once it becomes viable over time. The TIF assumes City and County participation with a 3% growth per year. These funds will be used to support the soft programs such as staffing, and will provide funding for activities such as (1) coordination/management (SCLT recipient); (2) Housing (SCLT recipient); Community Education (SCLT recipient as pass-through to other organizations implementing the Education work-plan). General Obligation Bonds are primarily for infrastructure improvements, such as street and parks. The Land banking proposal for mixed income housing and rehabilitation is proposed as a match funding source, with the City providing \$2.5 million and private foundations providing \$2.5 million. The Community Economic Development funding will be sought from private sources, with \$10,000 being initially needed for planning purposes



## V. FUNDING SOURCES/IMPLEMENTATION TOOLS

### Sawmill/Wells Park Metropolitan Redevelopment Plan Implementation Matrix

\*Items of preference

GOALS	TASKS	RESPONSIBLE ORGANIZATION	COST TO IMPLEMENT	FUNDING SOURCE	TIMEFRAME
<b>Manage MRA Plan</b>					
	*Hire intern to manage MRA Plan	Sawmill Community Land Trust	\$15,000 (annual)	TIF (SCLT will fund until TIF funds available)	Nov/05-ongoing
	*1. Pursue TIF funding for local projects	Implementation Committee			Nov/05
<b>Enhance the Sawmill/Wells Park District as a Mixed-Income Community</b>					
Housing: Provide a permanent mix of affordable and market-rate homes	*Form Housing Committee to address vacant and underutilized properties in Sawmill/Wells Park	Implementation Committee	\$30,000 (annual)	TIF (SCLT will fund until TIF funds available)	Oct/05-ongoing
	1. Conduct survey of all vacant and derelict property within neighborhood	Housing Committee	\$10,000	City/Private Foundation	Oct/05-Dec/05
	2. Locate funding sources to assist in the purchase, rehabilitation, and/or development of targeted properties	Housing Committee			Oct/05-Dec/05
	3. Develop proposal for public/private land banking opportunities	Housing Committee	\$5mm	City/Private Foundations	Nov/05-Feb/06
	4. Locate and enlist aid of lending institutions that will lend on "fixer-upper" properties	Housing Committee			Oct/05-Feb/06
	5. Develop program with Harwood Art Center to Create Affordable Live/Work spaces at the Center	Housing Committee			Dec/05-Feb/06



## V. FUNDING SOURCES/IMPLEMENTATION TOOLS

GOALS	TASKS	RESPONSIBLE ORGANIZATION	COST TO IMPLEMENT	FUNDING SOURCE	TIMEFRAME
Zoning: Strengthen and redefine zoning and design guidelines in support of Sector Development Plan and MRA Plan objectives	1. Consider revising the Sawmill/Wells Park Sector Plan to strengthen neighborhood design guidelines	Housing Committee			Oct/05-Mar/06
	2. Consider revising the Sawmill/Wells Park Sector Plan to: (a) eliminate 250' setbacks between S-MI and S-I, (b) permit larger lot sizes than 50,000 sq.ft., (c) reduce 3rd floor setback requirements, (d) reduce work area requirements in live/work units to 25%, and (e) allow live/work at the former Ponderosa Products site	Housing Committee			Oct/05-Mar/06
	3. Review zoning on 5th St, 6th St. and Mountain Rds. to allow broader development to include neighborhood-serving retail, office and residential	Implementation Committee			Jul/06-Dec/06
<b>Community Education: Foster a commitment to lifelong learning and provide opportunities for the celebration of cultural diversity for all community members</b>					
	*Form Community Education Committee	Implementation Committee	\$30,000 (annual)	TIF	Oct/05-ongoing
	1. Review all Community Education options, i.e. museums, schools, Documentation Learning Center, Sawmill Studios, Carnuel Parade and Fiesta, local flea market, farmers market, etc.	Community Education Committee			Oct/05-Apr/06



## V. FUNDING SOURCES/IMPLEMENTATION TOOLS

GOALS	TASKS	RESPONSIBLE ORGANIZATION	COST TO IMPLEMENT	FUNDING SOURCE	TIMEFRAME
	2. Locate funding necessary to carry-out Community Education Plan	Community Education Committee			Oct/05-Apr/06
	3. Develop a community resources directory	Community Education Committee			Mar/06-Jun/06
<b>Create a walkable and livable community</b>					
Infrastructure	*Form Infrastructure Committee to address Infrastructure/Open Space issues	Implementation Committee			Apr/06-ongoing
	*1. Pursue \$2mm in GO Bonds for neighborhood Road and Streetscape improvements	Implementation Committee & Infrastructure Committee	\$2mm	GO Bonds	Oct/05-Dec/05
	2. Convert 5th and 6th St. to two-way traffic flow with on-street parking on one side, bicycle lanes, and pedestrian/streetscape improvements, or implement other traffic calming measures	Infrastructure Committee	\$800,000	GO Bonds	2006-2010
	3. Install a roundabout at 12th and Sawmill	Infrastructure Committee	\$800,000	GO Bonds/TEA-21	2006-2010
	4. Improve Mountain Rd. to allow for bike lanes, walking paths, landscaping, signage	Infrastructure Committee	\$300,000	GO Bonds/TEA-21	2006-2010
	5. Improve streetscape on Bellamah Rd. and 18th Street	Infrastructure Committee	\$100,000	GO Bond/TEA-21	2006-2010
	6. Add a fire hydrant at corner of Mountain Rd. and 15th St.	Infrastructure Committee	\$20,000	City CIP	2006-2010
	7. Extend 5th St. waterline	Infrastructure Committee	\$20,000	City CIP	2006-2010



## V. FUNDING SOURCES/IMPLEMENTATION TOOLS

GOALS	TASKS	RESPONSIBLE ORGANIZATION	COST TO IMPLEMENT	FUNDING SOURCE	TIMEFRAME
	8. Improve streetscape on 12th St. north of Sawmill Rd.	Infrastructure Committee	\$100,000	GO Bond/TEA-21	2006-2010
	9. Create design/art theme for Sector	Infrastructure Committee			2006-2010
	10. Improve streetscape on Rio Grande Blvd. north of Mountain Rd.	Infrastructure Committee	\$100,000	GO Bond/TEA-21	2006-2010
	11. Improve streetscape on Bellamah and Sawmill Rds.	Infrastructure Committee	\$100,000	GO Bond/TEA-21	2006-2010
Parks/Trails/Open Space	*1. Pursue \$1mm in GO Bonds for Parks, trails and neighborhood open space improvements	Infrastructure Committee	\$1mm	GO Bonds	Oct/05-Dec/05
	2. Support development of Dog Park at Coronado Park	Infrastructure Committee			2006-2010
	3. Support development of Skate Park at Coronado Park	Infrastructure Committee			2006-2010
	4. Improve pedestrian connections to Tiguex Park	Infrastructure Committee			2006-2010
	5. Create community garden spaces	Infrastructure Committee			2006-2010
	6. Create community trails system that utilizes acequias, local businesses, parks and lesser-travelled streets	Infrastructure Committee			2006-2010
	7. Identify potential properties for open space/parks creation	Infrastructure Committee			2006-2010



## V. FUNDING SOURCES/IMPLEMENTATION TOOLS

GOALS	TASKS	RESPONSIBLE ORGANIZATION	COST TO IMPLEMENT	FUNDING SOURCE	TIMEFRAME
Community Economic Development: Create Community-scale work, business, and wealth-building activities	*Form Community Economic Development Committee	Implementation Committee			Oct/05-ongoing
	1. Write Economic Development Plan	Economic Development Committee	\$10,000	City/Private Foundations	Oct/05-Oct/06
	2. Locate funding for carrying-out Economic Development Plan	Economic Development Committee			Mar/06-Oct/06
	3. Identify lending institutions interested in working with small, locally-owned and local-serving businesses	Economic Development Committee			Mar/06-Oct/06
	4. Support creation of new, and expansion of existing community-owned and controlled businesses in sector	Economic Development Committee			2006-ongoing
	5. Support development of local plant nursery and greenhouse business	Economic Development Committee			2006-2007
	6. Limit Industrial Revenue Bond property tax abatement to 75% with remaining 25% dedicated to Sawmill/Wells Park TIF district and limit it to a 20-year term	Economic Development Committee			Oct/05-Mar/05



## VI. APPENDIX

- A. Community Workshop Agenda
- B. Community Workshop Summary
- C. Three Alternative MRA Plans created by workshop participants
- D. Preferred MRA Plan prepared at workshop
- E. Sawmill/Wells Park Community Market Study



## VI. APPENDIX

### Sawmill/Wells Park Metropolitan Redevelopment Area Plan

#### Community Workshop Schedule

March 25, 26 and 27, 2004

Location: Sheraton Old Town, Weaver Meeting Room (*enter from north parking lot*)

#### Thursday, March 25

\*5:00 p.m.

##### Open House

- On-going Exhibits: • Base Maps of Existing Conditions
- Photographs: aerials, historical, neighborhood, etc
- On-going Stations: • Issues
- Opportunities
- Visions
- Community Vision Statement

5:45 p.m.

##### Welcome

\*6:00-9:00 p.m.

##### Interactive Workshop Presentations (30 minutes each)

- 6:00 p.m.: History of Place
- 6:30 p.m.: Transportation and Parking
- 7:00 p.m.: Streets and Streetscapes
- 7:30 p.m.: Urban Design and Placemaking
- 8:00 p.m.: Downtown/Old Town
- 8:30 p.m.: Financing & Development

#### Friday, March 26

\*6:00 p.m.

##### Interactive Workshop Presentations (continued)

- 6:00 p.m.: Market Assessment
- 6:30 p.m.: Land Uses/Building Types: • Residential and Live/Work
- Office/Commercial/Retail
- Warehouse/Studio
- Open Space/Parks/Acequias

\*7:30 p.m.

##### Community Vision and MRA Plan Goals

- Sawmill Advisory Council
- Sawmill Community Land Trust

8:30 p.m.

##### Design Team working on Site and Development Programming

9:00 - 10:00 p.m.

- Design Team Working on Design Elements: • Streets and Walkability
- Building-types
  - Community form

#### Saturday, March 27

\*9:00 a.m. - 12:00 p.m.

##### Community Planning Teams working on Alternative Conceptual MRA Plans

\*12:00 - 1:00 p.m.

##### Presentations by Community Planning Teams of Alternative MRA Plans

1:00 - 6:00 p.m.

##### Design Team working on Preferred MRA Plan

\*6:00 - 7:00 p.m.

##### Presentation of Preferred MRA Plan / Question & Answer dialogue



## VI. APPENDIX

### Sawmill/Wells Park MRA Community Workshop Old Town Sheraton Hotel Thursday, March 25, 2004

Charlie- what is a MRA?

- MRA definition = 'slum and blighted are'
  - Step #1 done = declaring area
  - Step #2 done = sector plan
  - Step #3 = currently in process → develop a MRA Plan- identify "projects"

Jessie and Stan: History of area

- Ponderosa products (PP) = impetus for Sawmill CDC & CLT
  - '80's PP recycle plant = lots of smoke
  - pre ERA regulations = build-up of urea-formaldehyde in ground
  - mid 80's = Debbie & Max moved to form SAC, backbone of current SCLT
  - trying to figure out who to ask for clean-up of contamination was change of SAC
    - went to council to change zoning = due to 'takings' land law could not change zoning
    - Sawmill CLT formed to purchase property to prevent further industrial development

John – CoA Planning

- RR – rail mode – idea of 'string of pearls'
  - Feasibility of light rail or electric rail (1927 went out of business due to dispute with city)
  - Connecting City attractions: Old Town / Hispanic Cultural Center / Barrellas (?) / airport / balloon festival
  - Would need to take into consideration several rail modes
  - alternatives analysis – City currently studying
    - in EIS phase = assessing recommendations
    - if feasible, city can tap into fuel taxes for funding
  - potentially looking at current spur line as north portion of 'strand'
  - ❖ west of river = great deal of population growth
    - may become main trunk line through this neighborhood
    - will have benefit to community and City – City's reconfiguration of bringing jobs and people to the area
  - re-alignment of track, in short term, for benefit of industry and spurs are existing → potential for new tracks to become something else in the future
  - ? demand of rail by industry: RR can enter into contract and some commodities better for them than others = if move lumber out of this area, need to find another area to accommodate [lumber prefers direct RR access]

Dave – CoA DOT

- In residential areas typical problems:
  - Parking
    - Establishing permit parking areas
    - Establishing no parking or limited parking
  - Typical single family residence = 10 trips/day
    - Some find this traffic to be excessive
    - Neighbors speed through
  - Neighborhood traffic management programs
    1. Speed
      - Speed humps (can drive over @ 50 mph)
      - Average 25 mph
      - 80% of speed = 29 mph is average over residential streets
      - data collection on streets:
        - identify speeds 28-29 mp
        - humps affect emergency response time
        - there was legislation in NM to do away with speed humps throughout state
    2. Cut through traffic = getting from one major street to another = mitigations:



## VI. APPENDIX

- 30% of traffic pattern on that street
  - diagonal diverters ← drawback → diverts traffic to adjacent street
  - data collection on streets:
    - identify speeds 28-29 mph
    - humps affect emergency response time
    - there was legislation in NM to do away with speed humps throughout state
- 5<sup>th</sup> St. problem: data shows no difference in speed change
  - comment: problem with data collection method = done during weekend
  - 5<sup>th</sup>/6<sup>th</sup> considered major street in City plan
    - ? can this be changed? – City would need to evaluate traffic affect on City-wide basis → need transportation analysis
    - roundabouts take a lot of room to implement
- 12<sup>th</sup> St.
  - gets used as a major street = but is residential all the way
  - cut-through traffic when 5<sup>th</sup>/6<sup>th</sup> backed up
  - 12<sup>th</sup> is defined as a major street – but slightly different in classification
  - unless City sets a reasonable speed limit → no one will pay attention
- problem in Sawmill/Well Park area = presence of industry and large trucks shaking roads and adjacent homes: neighborhood feels they should not be penalized to move the industrial traffic
  - downtown seeking to calm and slow down traffic
- 19<sup>th</sup> St (N of Aspen/Zerion) = residential, but used as cut-through → concerned for safety of children
- Need provision for light rail/trolley/walkways – fuel crisis will force us into this; need to be pro-active now

### Chris – Urban Design

- Need to invite neighbors – this is your place
- Great spaces:
  - Have a sense of place – you know where you are
  - Connected to surrounding environment
  - Maintain memory - history
    - Buildings: style & materials
    - Place founded for a reason
    - In this area: NE area attracting interest for development
    - Has a center/knoll/focus area where people identify with = imaginable (street can serve that purpose)

### Cynthia & Kim – CoA Finance & Community/Dev. Services

- Generated \$\$'s from downtown area: from MRA's created: choose projects that can be catalysts and attract other investors
  - Examples 2 MRA's:
    - Alb. HS area
    - Highland Central – CoA purchased old DeAnza Motor Lodge
  - One have MRA – easier to attract other funds
    - State grants
    - Bonds (gross receipts)
    - Other federal funds
  - Need to do projects specific to plan
    - Old Santa Barbara school – state historic preservation funds (Martinez Plan)
    - Number of ways to put projects together
  - 4<sup>th</sup> St. N or Lomas – hear there is \$\$'s available
    - how can community find out \$\$ amount allocated
    - council person looking for potential study \$\$'s → may have potential \$\$'s available from Comm. Service & Dev. Dept. (not planning)
- zoning classifications = would be helpful to know how progressive City is
  - sector plan did create some innovative zoning; but doesn't mean existing zoning is right



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### Sawmill/Wells Park MRA Workshop Old Town Sheraton Hotel Friday, March 26, 2004

Rob: EDO Charette

- Charette: 4-7 day process
  - Zoning ordinance
  - Broadway-Central Corridor Assoc.
  - Team of professionals
  - Need people: invite/get the word out – pr = banner/radio/door hangers
- Principles (look at best practices)
  - Peds 1<sup>st</sup>
  - Park once & walk
  - Variety of housing
  - Traditional housing w/ mixed use = vertical as well as horizontal
  - Beautiful public spaces
  - Great transit
- Why a charette
  - Need to change zoning to make catalyst project possible
  - Citizen involvement
  - Master Plan close to charette results
  - Respect historic structures → guides new development
- Currently
  - High crime/high traffic/vacant land
  - Would like to slow traffic but keep volume moving by
  - Same success – Alb. HS conversion
- Plan : 20 year plan / 100 new housing / 30,000 sf retail
  - 3 zoning districts = 1 page
  - retail = 5 min. walk to retails from surrounding neighborhood / limiting types of retail to prevent excessive competition / empty stores
- 2 round-abouts (Central/Broadway) : rapid transit
  - Central = allowed ; temp median w/ landscape
  - On-street parking
- 5 steps of implementation
  - adoption
  - MRA
  - Public improvement district (TIF)
  - Financing of private projects
  - Main street retail District (mixed use)
    - ⇒ If Highland built-out = will gave 3000 more residents
    - ⇒ Problem w/ downtown = highest & best use turned out to be parking lots
- Look for 5 catalytic projects = involve many hands (do not look for 1 major developer only)

Bruce: market research & study

- Look at different land uses & reality check on what market can support
- Overview/demographics
  - population has been declining (9% over 13 years)
  - Aging population (median = 40; older than anything in Alb)
  - Not large families
  - Traffic count on arterials
  - Good access to I-40
  - Rail access
  - Tradition neighborhood feel/diversity
- Challenges
  - Small lots
  - Blighted areas



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- Potential for gentrification spill-over from downtown
- Potentials
  - Artisan village (Ponderosa Bldg – 29,000 sf)
    - Furniture/pottery/jewelry
    - Can purchase land at lower value – help w/ lower rents
    - Break-up building – provide several studios
    - Potential occupation w/in 3 years
    - Incubator space-dependent on what is happening w/ rest of Alb.
  - Housing
    - Appropriate housing – affordable + mixed
    - Scattered housing of mix rent & ownership
    - Strong townhouse & condo's = can develop on sm. Lots
    - 4-plex/8-plex
    - live/work could be interesting – not much in Alb – but potential: unproven marketing in Alb.; mixed-industrial zoning allows live-work residential
    - senior housing - not large demand in this area
    - rehab – w/ older houses, will always have need
    - day-care – not huge need @ this time; existing facilities can accommodate
    - glut of office space
- NE node
  - Projects to stimulate area
  - Demand for office/warehouse/live-work
  - 2 types:
    - along 4<sup>th</sup> street = gateway shopping (N of Aspen Rd)
    - grocery store/video/what else
  - interior area of NE = “green” industry – i.e., nursery; temp use till land value goes up
  - Recommendations: artisan village / housing
  - Future: community center
  - Large challenge – areas S of I-40 [traffic noise/pollution]
  - Would like to see some sort of retail that goes toward rehab (i.e., home dept) will stimulate rehab of area by owners
  - Creative professionals” – great opportunity in NW corridor

Michael = warehouse

- Throw ideas out = what to do to strengthen community
- Look at urban living = some form of multi-family housing
- Location/proximity
- Obstacles & zoning p [parking. Shopping building. streetscape incentives
- Mixed-use:
  - Suburban plan = uses separated zoning →
  - Has to connect pieces
- Streetscape = helps reinforce promoting ped environment
  - Walkable/social gathering
  - Eyes on the street = helps reinforce promoting ped. Environment
- Housing types – not homogenous
  - Diversity (townhouse/live-work/courtyard/mid-rise (flat)
  - New or old construction (ability to re-use some of industrial area – in some cases may be hazardous- look at adaptive re-use
  - Building layout – places for people to come together
  - Architectural considerations: construction / day-lighting
  - Project Old Alb. HS gym → converting to lofts

Sean: Residential elements

- Live work & how applies to Alb
- 3 types
  - home occupations
  - live-work = emphasis residential



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- proximity
  - live with = same
  - live near = separated by vertical or horizontal
  - live by – walk short distance
- typical users:
  - are there any kinds of business you don't want
  - lowest intensity = home occupation
  - house w/ garage & studio/office over garage
  - issues: zoning/market demand
  - small live-work (central/10<sup>th</sup>)
    - helpful to have some traffic for commercial
    - evolved through time & started as residential = now office
- 4<sup>th</sup>/Coal project – dense but looks like houses
  - need to have amenities – café
  - scale small than Rob's
- urban scale live work
- How deep is pocket for these types of products and can wells park compete in this market
- challenges:
  - zoning/regulations
  - neighborhood concerns
  - market competition – need niche

### Tom – building types

- FAR = gross area of building to lot
- Density = # of dwelling units/acre
- Townhomes = front/back setback; no side; Alb. can string 8 together

### Dory – Open Space/public areas/acequias

- Sustainable development for SM area as a whole
- Perception: high crime → create walkable spaces – eliminate these perceptions
- Originally there were farm fields – old Alb. acequia still active
- Sawmill area – N → through E end → Sawmill loft area → Tequez park area
- Tequez designed to make more accessible on museum side
- Mountain Rd area is a cultural corridor
- ? expanding Wells park to N (Walker property?)

### SAC - Martinez

- SAC borne out of issues of pollution & health
- Moved into ed. & ec. dev.
- Gentrification issues & displacement – ↑ land values & ↑ property taxes (67% ownership in area)

### SCLT – Ken

- Impacts of fringe growth to existing and infill neighborhoods- allocation of resources to edge creates decaying core.
- Put SCLT community goals forward as part for everyone
  - Idea of community
  - Idea of ecological sensitivity
  - Put forward
    - Adopt SCLT model to preserve land
    - Fund a residential rehab
    - Create overlay zone



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### Sawmill/Wells Park MRA Workshop Old Town Sheraton Hotel Saturday, March 27, 2004

#### Path Patrol: Lorraine/Ricardo

- Orange-residences
- Character
  - Tiquez Park
  - Garcias
  - NM Coffee Co.
  - Walking trails
  - Old Town Plaza
  - Bike path = Mountain/off Mountain
- Make community better
  - Connect E –W via bike path N & S perimeter
  - Portion of Mt. – paths not delineated
  - Increase active lifestyle = walking / bike
    - Passing thru community
  - Industrial separation
    - Areas for bikes only
  - Gateway = (NW) gas station area public art
    - 12<sup>th</sup> St / I-40
    - 5<sup>th</sup> / Bellamah
    - 12<sup>th</sup> / Mountain
  - Tiquez Park connect to future development
  - Market / farmer's Market – couple of areas in E & W
  - Bike trail by I-40 = enhance – green industry
  - Safe places for youth's (i.e. skateboarding / Teen Center)
    - P & M area
  - Education = charter school
    - Tie in w/ artisan village (history continuity)
  - Light rail connection E-W-Alb (String of Pearls)
  - Civic component school artisan village connection
  - Rehab of existing homes = scatter sites
    - Potential trigger w/ Lowe's & Albertson N of I-40]
  - Shade = landscape important
    - 5<sup>th</sup> / 6<sup>th</sup> landscape – 2-way traffic calming (on-street parking)
    - landscape under power lines
  - Artisan between 5<sup>th</sup> / 6<sup>th</sup>
  - Expand Wells Park N of W.P. (city needs to support & purchase)

#### Heart of Matter: Emma/Cynthia

- Connections important (different communities)
  - Greenway = I-40
- Bike trail along existing trail = connect E-W
- Control traffic in NW area = Gateway 12<sup>th</sup> / Mt.
- Areas for green space
- Need for affordable / market price housing = mix good /ok
  - Senior accessible design
- Rehab existing housing
- Live-work
  - Buffer between residential
  - Furniture/pottery/jewelry industrial character
  - N industrial area – redefine “industrial”potential live-work
  - Create live-work zone
- Support artisan village
- Greenway needs to occur 1<sup>st</sup> (S of I-40)



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- Performance standard for live-work
- Emphasis safe streets program
  - Bike / ped
- Investigate tracks to trails
- 2-way traffic 5<sup>th</sup>/6<sup>th</sup> slow down
- concept of education strong – help charter school
- ? concern = volume of traffic entering neighborhoods
  - node @ 12<sup>th</sup> / Bellamah = S of node will experience cut through
- round-about at 12<sup>th</sup>/ Bellamah

### Los Zapatistas = Jessie

- Acequia Madre – green way go into nature center
  - Seniors & youths working together to create greenway
  - Continue I-40 / Coronado ( Coronado Park – history of community use; 2 parks (2<sup>nd</sup> / 3<sup>rd</sup>; create dog park; take back park – create skate park)
- History = farming/orchard
  - 12<sup>th</sup> off I-40 = Wheels museum (trains/gas station)
  - Potential vineyards
- Old Town area – affect Wells Park
  - Limited housing – reserve as much residential as possible (may have SCLT buy and run); mixed income
- Tiquez Park – need to give more input into re-design
- 12<sup>th</sup> Street
  - yellow = traffic congestion / movement / speed
- 5<sup>th</sup> / 6<sup>th</sup> – slow traffic move to 2<sup>nd</sup> / 3<sup>rd</sup>
  - Walkable/social gathering
- Not against homeless – need to be responsible
  - 4<sup>th</sup> St. = not much left (mom + pop stores left)
  - Asking St. Marks to be responsible & help
  - Working to get Coronado Park back to community
  - Eliminate social services & attract business
- Gateways
  - I-40/ 12<sup>th</sup>
  - 12<sup>th</sup> / Sawmill = round-about
  - 12<sup>th</sup> / Mountain
  - 5<sup>th</sup> / Mountain
- Pocket Parks [uniqueness of Wells Park]
  - Buy empty land = lots 42’-50’ x 100’-150’
  - Create parks
  - Regulate mixed-income
- Walkways
  - Acequia Madre
  - Bring Wells Park w/ Sawmill
  - Sawmill/Bellamah connection to Sawmill 15<sup>th</sup> Mt. Rd museums
- Live-work along Bellamah
  - E side 5<sup>th</sup> 4<sup>th</sup> = live-work
  - Limit types of business on 4<sup>th</sup>
  - 5<sup>th</sup> – 5<sup>th</sup> buffer [w/ tax incentives for business] to residential
  - New business = 5<sup>th</sup> / Haynes – live-work; old Alb. Chem. – nursery
- Wells Park Community Center

### Discussion

- Fed land (RR) issues but lack mechanism for control (need to address & interface – SCLT – has been interfacing for 8 years)
- Environmentally friendly
  - walkability
  - green spaces



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- live-work

### Common Elements / Themes

- Green way @ of I-40 (Acequia Madre)
- Utilize existing rail line connect E-W – options if possible
- Gateway 12<sup>th</sup> / Mountain & 12<sup>th</sup> / Sawmill
- Rehab existing housings
- Artisan Village (Ponderosa)
- 5<sup>th</sup> – 6<sup>th</sup> = 2-way traffic (calm streets) [address by moving to 2<sup>nd</sup> / 3<sup>rd</sup> ]
- roundabouts @ 12<sup>th</sup> / Sawmill
- Mixed income residential infill
- Sawmill / Bellamah ped connection some connection between E – W
- Wells Park expansion
- Permanent affordability
- N- S connect to Tiquez
- Warehouse District (NE)
- Use of ag as connection history
- Tiquez Old Town connection
- Charter school & connect (education in general)
- 4<sup>th</sup> social service are is an issue (cancer)

### Evening Summary

- Recap of a.m. session
- Work-in-progress
- Commons:
  - Traffic
  - Linkages
  - Location of user's trails
  - Green spaces
  - Gateways
- Skate park = in Coronado Park / expanded Wells Park park (if WPP expanded)
- Mountain Rd. = has been improved by City
  - This plan currently shows Mt. Gateway @ 12<sup>th</sup>
  - N side – no sidewalks problem w/ R.O.W. & historic adobe structures/homes – had to give up bike lane
  - Encourage retail along Mountain (cannot show much more enhancement due to limitations)
- Expansion of Wells Park Park
  - Acquisition
  - Expanded facility
  - Rehab fire station

### Debbie (Councilmember)

- More interest from development community of this area
- Challenges how community connects
- Mall situation N of Tiquez Park (school busses) – parking issue
- Soccer field (\$1 mil set aside = ? looking into where it went)
- Comment: give thought to closing down streets to put in rail – example Buffalo N.Y. – killed business & never revived
  - Portland – just opposite = business thrived w/ implementation of light rail
  - It can work – just need to think about how going about doing it

### Dede (Rep)

- Funds devoted to 4<sup>th</sup> looking @ 5<sup>th</sup> / 6<sup>th</sup> funding
- Would like to see integration of 4<sup>th</sup> St. in this plan
- Aware of lot of people living & working in area
- State office of film – interest in old Ponderosa property
  - Could be hub of area (\$21 m. in Santa Fe for film institute)
  - Rail spur great interest



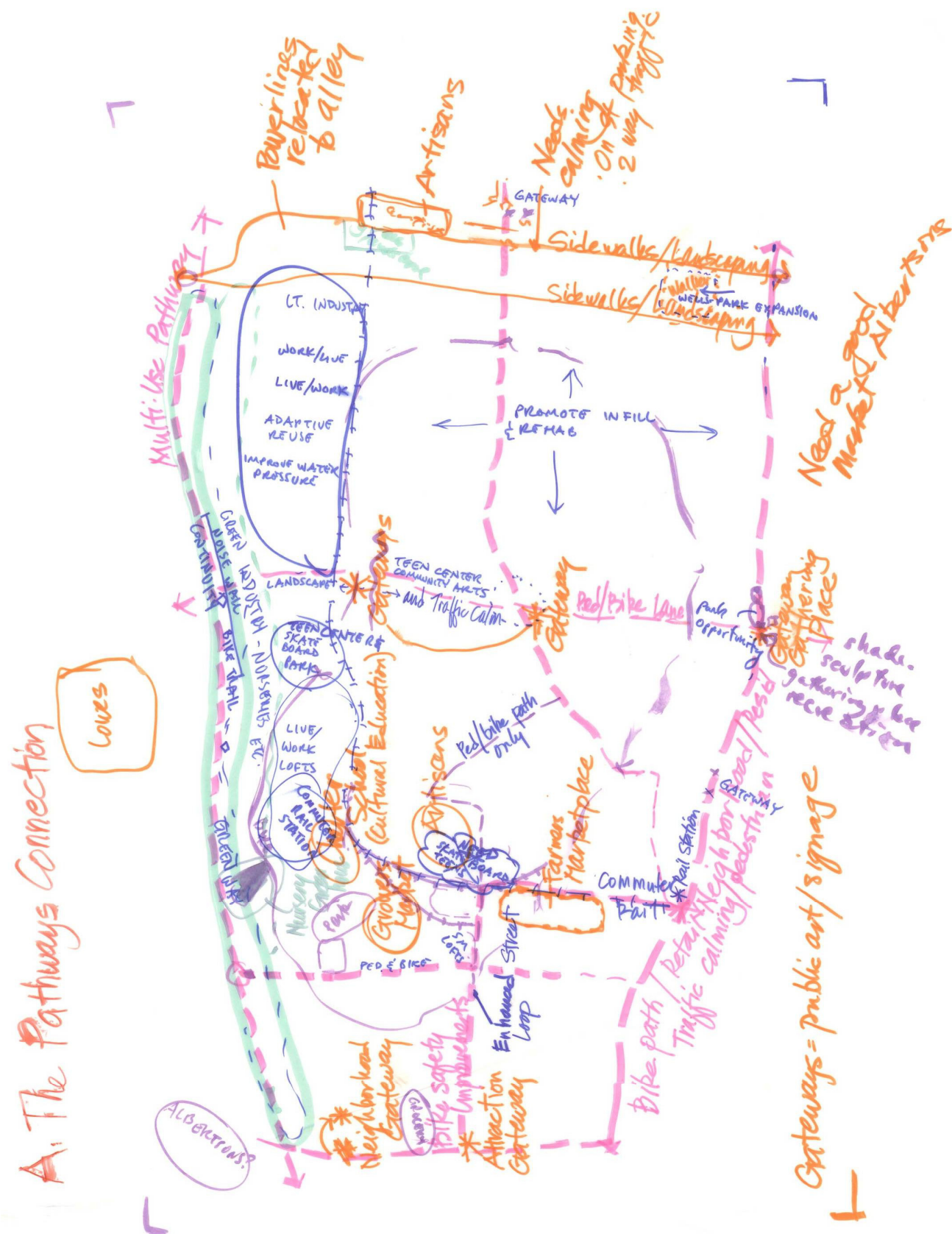
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### General comments:

- Need to get word out regarding re-doing Tiquez Park – needs connection between Park & surrounding area
- Rio Grande / Mt. Rd – Chavez Elementary School – cross Rio Grande to get to Explora = ?? \$\$'s for cat walk (some feel it breaks neighborhood)
- Pursuits of agricultural interest
  - Issue of water rights
  - Winery / orchards
- Addition of Wheels Museum – some reason to go up into N area
  - Can use temp. use as step to future development
  - Opportunity for children learning
- UK model : gov. did initial investment – turn over to local gov. [\$\$ provided for some infrastructure improvement]
- GSA property interest in N12<sup>th</sup> by folks redeveloping Old Indian School
- Rehab program : neighbor/community needs to work together to move this forward would like to see SCLT to assist with this

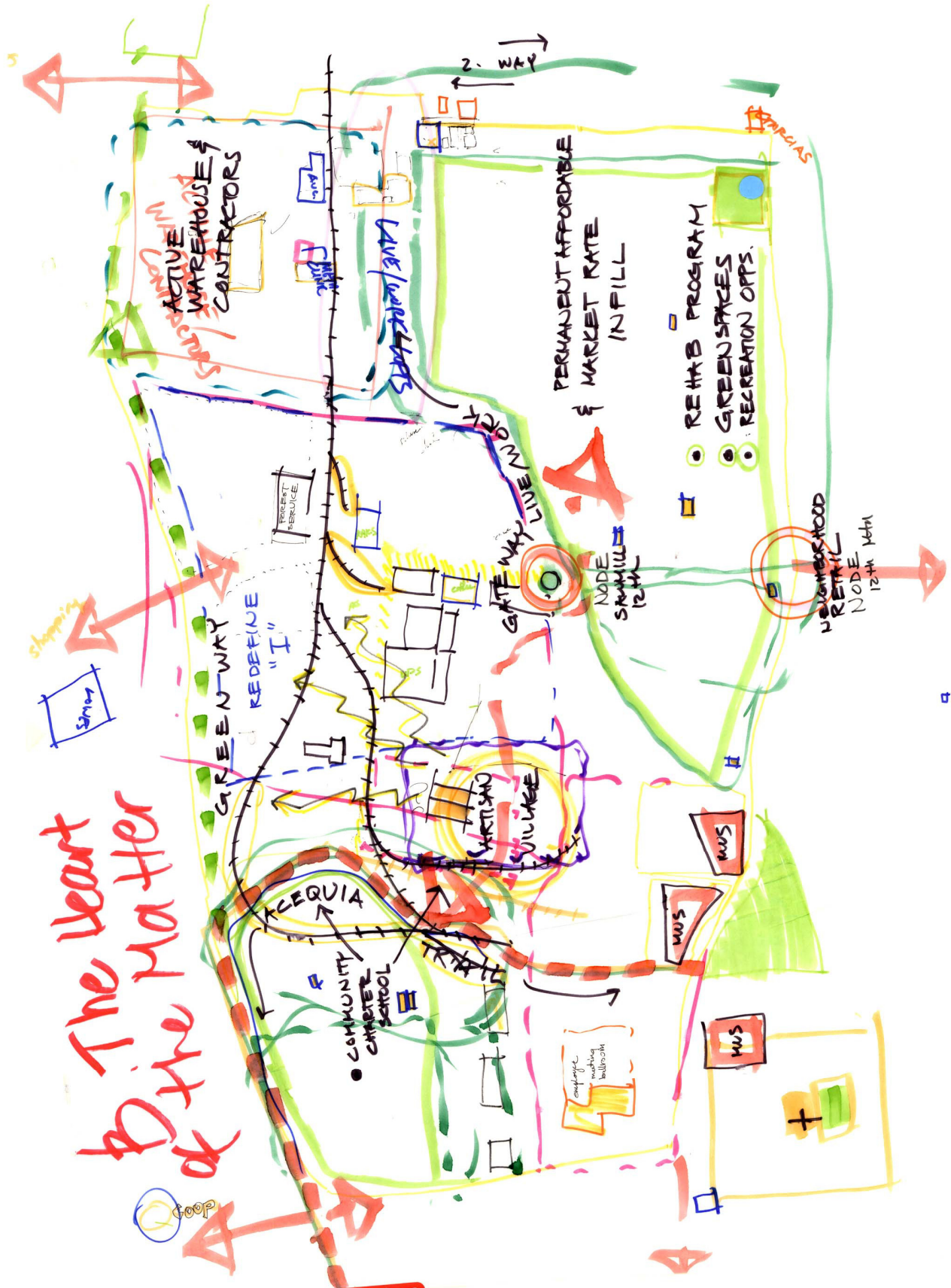


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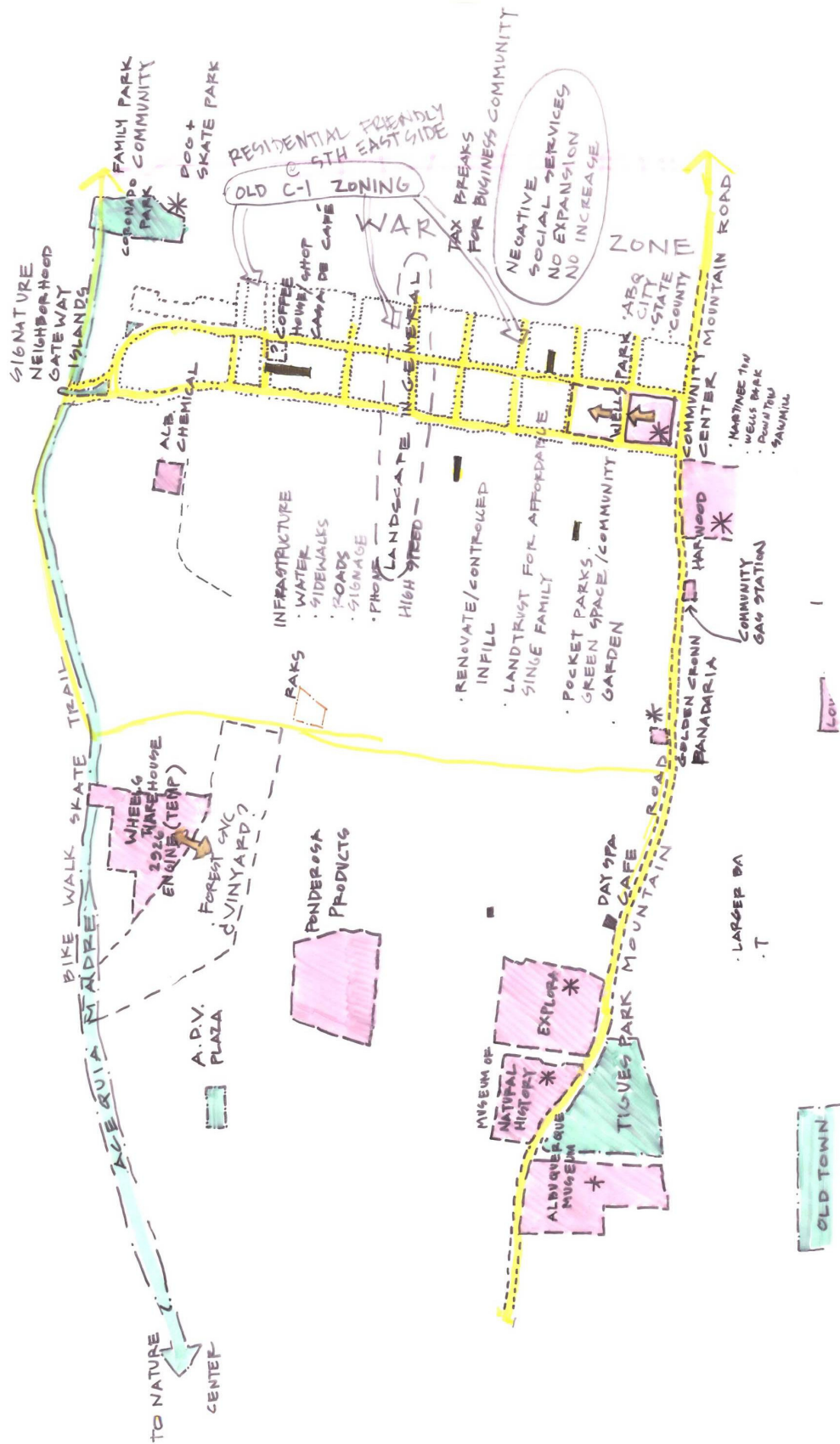
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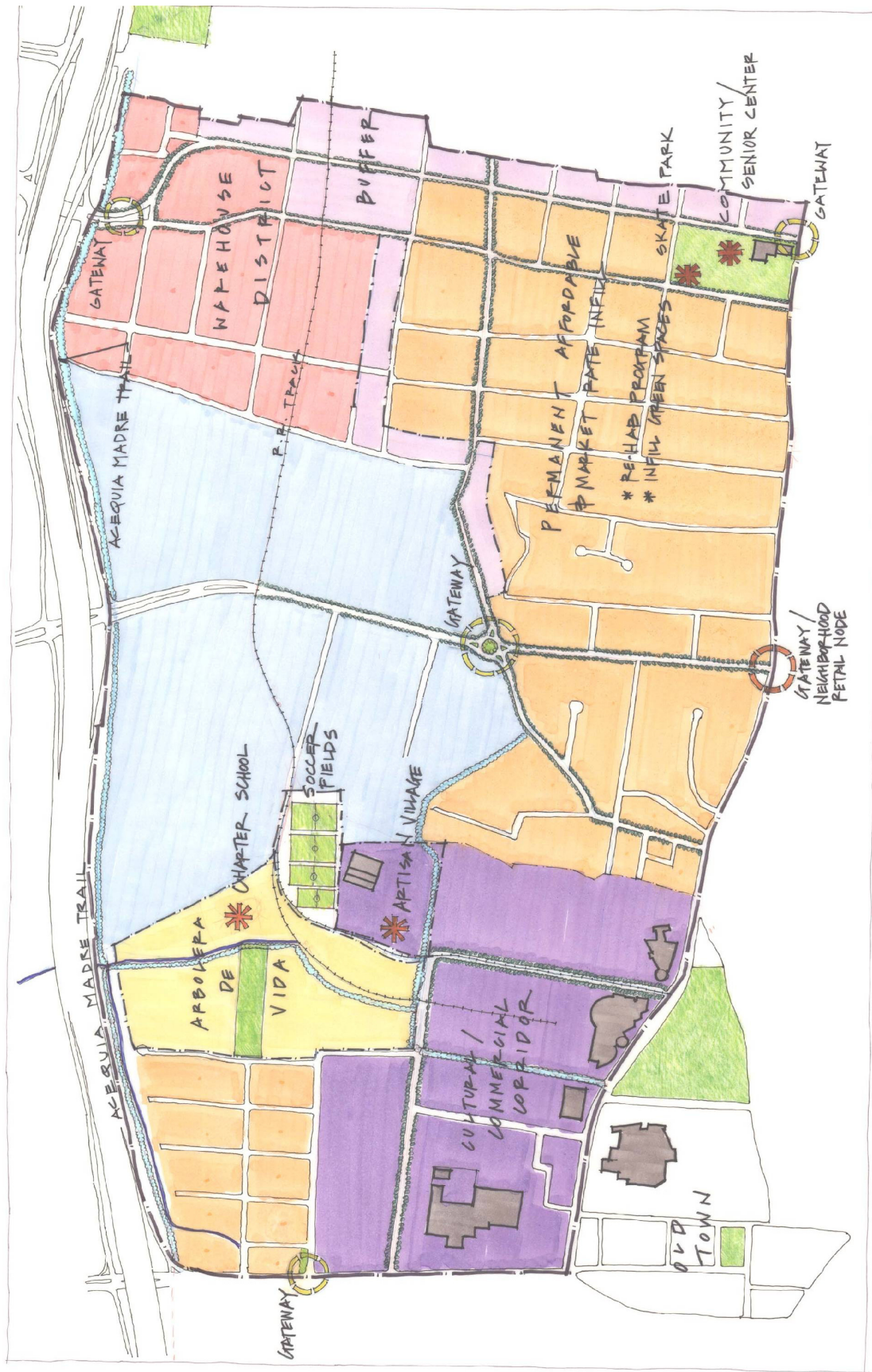
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C. Los Zapatastas





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## *Sawmill/Wells Park Community Market Study*

*Prepared for:*  
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*April 2004*



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### Introduction

This study is intended to focus on the market for specific types of development that have been identified for the Sawmill-Wells Park area. To determine the feasibility of developing such projects, we gathered data from many sources. These include:

1. Input at public meetings regarding the community's wants and needs, as well as the community's resources and capacities,
2. One-on-one interviews with area residents and stakeholders, such as property owners, area businesses, and organizations in the Sawmill-Wells Park area,
3. Census and other data for the neighborhood, the city of Albuquerque, and the nation,
4. A survey of related plans and documents (see resource list),
5. Claritas, Inc. economic and demographic profiles, estimates, and projections.

The specific projects examined are:

1. Artisan village in the Sawmill neighborhood
2. Office space in the Sawmill neighborhood
3. Sawmill community facilities
4. Child care facility in the Sawmill neighborhood
5. Housing in Sawmill and Wells Park
6. Mixed-use node in the northeast part of Wells Park

### Albuquerque Overview

Albuquerque has an overall cost-of-living index similar to other cities in the Southwest (Albuquerque COL index = 101) and Albuquerque's transportation and utility costs are significantly lower than the national average (94.4% and 94.9% of the national average, respectively).

The reasonable cost of living coupled with amenities and features that make living in Albuquerque attractive – such as quality-of-life, nearby outdoor recreational opportunities, and many restaurants and cultural activities – have contributed to recent job growth that is higher than the national average (1.6



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percent in Albuquerque versus 1.3 percent for the nation), and is projected to remain so until at least 2010 (projected growth of 21.4 percent in Albuquerque versus 15.1 percent for the nation over the next six years). Albuquerque's stable economy and better-than-average job growth, coupled with low interest rates, have helped drive demand in both the residential and commercial real estate markets in the City. According to Realty Times, residential sales in Albuquerque and surrounding areas have shifted from a strong buyer's market to a more neutral market. They noted that homes priced at market value now sell within 60 to 90 days, compared to 180 days just two years ago.

### **Sawmill and Wells Park Demographics**

The Sawmill-Wells Park population has been steadily declining for more than a decade. The 1990 Census population was 2,259 residents, compared with an estimated 2,045 residents in 2003, a decline of 214 residents. By 2008, Claritas projects the population will decrease to 1,948, a loss of an additional 98 residents (Table 1). The number of family households shows a projected decrease consistent with that of the decrease in population over the same period. Interestingly, the number of total households increased slightly from 1990 to 2000. This suggests that families moved out of the area and were replaced by households with fewer people.

It should be noted that the continued population decline projected by Claritas is based on trend analysis which cannot account for the potential effects of such things as the MRA plan, for example, which could help reverse the history of decline.



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<b>MRA Population</b>						
	<i><b>MRA Population</b></i>	<i><b>Percent Change</b></i>	<i><b>MRA Households</b></i>	<i><b>Percent Change</b></i>	<i><b>Family Households</b></i>	<i><b>Percent Change</b></i>
1990 Census	2,259	...	879	...	553	...
2000 Census	2,099	-7.08	891	1.37	483	-12.66
2003 Estimate	2,045	-2.57	889	-0.22	474	-1.06
2008 Projection	1,948	-4.74	882	-0.79	457	-3.59
Source: Claritas, Inc. 2003						

Table 1 – Estimated 2003 MRA population

The majority of households (69 percent) in the MRA are one or two-person households (Table 2). This is consistent with the numbers in Table 1 that indicate a change in the MRA population from families to single heads-of-household.

<b>MRA Household Size</b>		
	<i><b>Number</b></i>	<i><b>%</b></i>
1 person	332	37.35
2 persons	282	31.72
3 persons	123	13.84
4 persons	88	9.90
5 persons	37	4.16
6 persons	19	2.14
7 or more persons	9	1.01
Source: Claritas, Inc. 2003		

Table 2 – Estimated 2003 MRA household size.

It is estimated that thirty-five percent of the residents in the MRA have not completed high school, compared to 14 percent for the City of Albuquerque. It is estimated that 20 percent of MRA residents have a Bachelor or higher degree (Table 3).



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Educational Attainment				
	<i>MRA</i>	%	<i>Albq.</i>	%
Less than 9th grade	250	17.09%	16,797	5.59%
Some high school, no diploma	249	17.02%	24,494	8.15%
High school graduate (or GED)	358	24.47%	65,349	21.73%
Some college, no degree	249	17.02%	68,390	22.75%
Associate degree	59	4.03%	15,855	5.27%
Bachelor's degree	182	12.44%	59,791	19.89%
Master's & professional degrees	100	6.83%	49,998	16.63%
Doctorate degree	15	1.03%	N/A	N/A
Source: Claritas, Inc. 2003 & U.S. Census Bureau, 2002				

Table 3 – Estimated 2003 MRA resident educational attainment.

Approximately half of all MRA family households have less than \$35,000 per year in household income (Table 5). The estimated median MRA family household income is \$34,627. The Federal Register, published February, 2004, listed the government-recognized poverty standard for a two-person household as \$12,490. About twenty percent of the MRA households fall under that level.

Household Income				
Income	<i>MRA</i>	%	<i>Albq.</i>	%
less than \$15,000	196	22.05%	30,179	15.72%
\$15,000-24,999	160	18.00%	29,895	15.57%
\$25,000-34,999	143	16.09%	23,396	12.19%
\$35,000-49,999	154	17.32%	28,464	14.83%
\$50,000-74,999	134	15.07%	36,876	19.21%
\$75,000-99,999	51	5.74%	19,757	10.29%
\$100,000-149,999	31	3.49%	18,095	9.43%
\$150,000-199,000	14	1.57%	3,808	1.98%
\$200,000 or greater	6	0.67%	1,506	0.78%
Source: Claritas, Inc. 2003 & U.S. Census Bureau, 2002				

Table 4 – Estimated 2003 MRA household income.



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Family Household Income				
Income	MRA	%	Albq.	%
less than \$15,000	76	15.97%	10,919	9.17%
\$15,000-24,999	98	20.59%	16,934	14.22%
\$25,000-34,999	66	13.87%	12,574	10.56%
\$35,000-49,999	92	19.33%	17,220	14.46%
\$50,000-74,999	80	16.81%	25,774	21.64%
\$75,000-99,999	28	5.88%	15,827	13.29%
\$100,000-149,999	15	3.15%	15,247	12.80%
\$150,000-199,000	14	2.94%	3,363	2.82%
\$200,000 or greater	7	1.47%	1,260	1.06%
Source: Claritas, Inc. 2003 & U.S. Census Bureau, 2002				

Table 5 – Estimated 2003 MRA Family household income.

### MRA Resident Work Skills

The following is a list of work skills of Sawmill-Wells Park residents from *A Community Economic Development Project Evaluation Tool For The Sawmill Community Land Trust*, produced as part of a professional project for the University of New Mexico Community & Regional Planning Masters program in 1999. The skills were identified in a survey of the residents in the summer of 1999. Of 1,069 households, 170 households were surveyed. The results show that community residents have a broad cross section of skills that include:

- Tutoring/Teaching (12 residents)
- Computer Use (12 residents)
- Clerical (11 residents)
- Report writing (8 residents)
- Scheduling (8 residents)
- Customer Service (12 residents)
- Payroll (5 residents)
- Electrical Repairs (5 residents)
- Maintenance (5 residents)
- Manager (5 residents)
- Record Keeping (5 residents)
- Research (5 residents)
- Data Entry (5 residents)
- Healthcare Assistance (4 residents)
- Ordering (4 residents)



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- Computer Programming (4 residents)
- Answering Phones (4 residents)
- Cleaning (4 residents)
- Business Management (4 residents)

A generalized classification of employment types reveals that sales and service positions accounted for half of all the jobs held by MRA residents in 2003. Less than a quarter of MRA residents held professional or management positions (Table 4).

<b>Employment by Profession</b>				
	<b>MRA</b>	<b>%</b>	<b>Albq.</b>	<b>%</b>
Service	236	30.41%	37,354	17.04%
Sales & Office	214	27.58%	55,104	25.13%
Professional, Management, Business, Financial	101	13.02%	95,498	43.55%
Prod., Trans. & Mat. Moving	127	16.37%	17,575	8.02%
Construction, Extraction & Maint.	98	12.63%	13,744	6.27%
Farming, Fishing & Forestry	0	0.00%	0	0.00%
Source: Claritas, Inc., 2003 & U.S. Census Bureau, 2002				

Table 6 – Estimated 2003 MRA resident employment by profession.

This plan examines the market potential for specific types of development, particularly projects associated with redevelopment in the Sawmill area. The types of development examined in this report were identified through previous studies, public input at community meetings, and discussions with residents and stakeholders in the Sawmill-Wells Park area. The specific projects are:

1. Artisan village in the Sawmill neighborhood
2. Office space in the Sawmill neighborhood
3. Sawmill community facilities
4. Child care facility in the Sawmill neighborhood
5. Housing in Sawmill and Wells Park
6. Mixed-use node in the northeast part of Wells Park

### Market for Office Space



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With the Sawmill Community Land Trust needing permanent office space for its staff, the Trust is considering building offices that can accommodate their needs and also provide affordable office space to for nonprofit corporations or small businesses.

The average rental rate for Class A office space in Albuquerque's central business district (Downtown) in 2003 was \$18.10 per square foot. Class A space outside of the Downtown area rented for a slightly higher average rate of \$19.50. The rate for Class B space was \$14.20 per square foot in the Downtown area and \$14.99 per square foot in outlying areas.

\$300 million worth of redevelopment projects in Downtown Albuquerque have recently added 259,000 square feet of new office space to the area. This new space, coupled with 120,000 square feet of existing office space being vacated in Downtown by the FBI and Special Trustee for the Department of Interior, means there is projected to be 541,000 square feet of vacant office space in the central business district alone, and a total of 2.1 million square feet of total vacant office space in the Albuquerque metro area in 2004. This represents an office vacancy rate of almost 19 percent in the central business district and a 16.5 percent overall office vacancy rate in the Albuquerque market. In addition, Albuquerque's white collar job growth, jobs typically associated with the need for offices, has been flat for the past several years.

Construction of office space, if undertaken, should be highly targeted. For example, Sawmill could position itself to offer charitable organizations office space at reduced rates to create a charitable organization cluster. The Arts Alliance offered office rental space for arts-oriented charitable organizations several years ago. When the Arts Alliance moved to a new location on San Mateo, they were no longer able to offer offices. It does, however, have plans to offer office rental space to such organizations again in the future.

Attracting this type of tenant to the Sawmill-Wells Park area, given that there is currently a high office vacancy rate in Albuquerque, would require providing incentives such as rental rates below market rate or particular services and features such as a common conference room, reception desk and fax, similar to an incubator setup, for example.



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There is also the potential to attract law and other professional offices that currently occupy houses in neighborhoods around Downtown, particularly now that construction of the new courthouses on Lomas, south of the Sawmill-Wells Park area, have been completed. Attracting this type of tenant would require providing office facilities sized and arranged appropriately to accommodate their needs. The area is potentially attractive to such tenants because it is reasonably close to government facilities located in Downtown, as well as being within walking distance of amenities such as a Starbucks coffee shop, restaurants, and the Sheraton Old Town hotel. Bringing professional offices into the area could provide well-paying jobs for some neighborhood residents and help to support services such as daycare that would benefit the community. Additionally, tenants that are able to pay market rate rent could help subsidize rent for other offices for nonprofit charitable organizations. However, building offices that bring in professionals from outside the neighborhood is counter to the expressed desires of many area residents who fear gentrification and the encroachment of Downtown business development.

Downtown Albuquerque is in the middle of a building boom and a large amount of office space is available or coming on line. Given the current soft market for office space in the Downtown area and Albuquerque in general, we do not recommend pursuing the construction of office space at this time. Development efforts should be focused on projects that offer greater benefit to the Sawmill community. Office space targeted at a specific market segment that would complement other businesses in the Sawmill area, or address the needs of the Sawmill Community Land Trust, is feasible but should be part of a later phase of the area's redevelopment efforts.

### **Potential for Community Facilities**

There are many community meeting spaces close to or within the Sawmill-Wells Park neighborhood. These include spaces in the museums on Mountain Road, the Wells Park Community Center, the Harwood Art Center and the Albuquerque Friends meeting house on Fourth Street. The following are several area organizations that offer space for meetings and community functions. The list gives an idea of the types of spaces that are available and the associated rental rates at Explora, the Atomic Museum and the Harwood Art Center.



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Room	Sq. Ft.	Occupancy	# of Staff	Rental Rate(3 hours)	Additional hours rate
Community Room	903	61	1	\$375.00	\$125.00
Theater	13,057	134	2	\$450.00	\$150.00
West Deck	19,767	444	3	\$1,500.00	\$500.00
East Deck	17,845	316	3	\$1,500.00	\$500.00
Dark Lab					
Classroom	14,302	38	1	\$300.00	\$100.00
Intel Classrooms					
(2)	13,375	72	2	\$600.00	\$200.00
Intel Classroom (1)	12,837	36	1	\$300.00	\$100.00
Classroom Patio	18,580	378	3	\$1,350.00	\$450.00
Exhibit Patio	14,733	108	2	\$450.00	\$150.00
Lobby	1,759	118	2	\$450.00	\$150.00
West Gallery	3,693	129	3	\$750.00	\$250.00
South Gallery	13,114	372	3	\$900.00	\$300.00
North Gallery	15,960	319	3	\$900.00	\$300.00
Upper Gallery	13,114	257	3	\$900.00	\$300.00
First Floor			6	\$1,950.00	\$650.00
Entire Public Building					
& Grounds	40,572	2782	10	\$3,000.00	\$1,000.00

### *Atomic Museum*

- \$800 per 3 hour facility rental
- Reception up to 400 people
- Seated dinners up to 75 people
- PA system, microphone, and audio visual equipment
- Stage and theater
- Tented events can also accommodate additional people outside.

### *Harwood Art Center*

- Performance stage and theater in basement
- Dance floor in basement
- Meeting space available up to approximately 100 people
- \$15 per hour for meeting space rental (sometimes free)

As the above lists demonstrate, the facilities in the area can provide a wide array of meeting spaces. They can accommodate small meetings, stage performances, dinners, and large events up to 400 plus attendees. A New Mexico-style chapel is even available for weddings at the Sheraton Old Town hotel adjacent to the



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Sawmill community. Meeting space is available for free at both the Harwood Art Center and the community center, although both of these facilities do not serve the Sawmill area very well because they are not within walking distance.

A new community facility in the Sawmill area would be redundant unless it could serve a distinct need not already met with the other facilities in the area. Given the proposed artisan village concept and the Arbolera de Vida residential development, a new community facility in the Sawmill area could serve as an all-weather community center for Sawmill residents when inclement weather precludes the use of the Arbolera de Vida plaza. In addition, such a facility should be designed to be used for receptions and showings, and other functions that cannot be appropriately accommodated in the rental spaces in the artisan village and live-work units. Such a facility would need to comfortably hold from 10 to 100 people and be appropriately sited to be useful to both the businesses and the residents of Sawmill. At a minimum, such a facility should have:

- Entry/Vestibule – approximately 60 to 75 sf
- Reception area – approximately 100 to 150 sf
- Multipurpose room – approximately 900 to 1500 sf
- Food prep/kitchen area – approximately 150 to 180 sf
- Restrooms – approximately 450 to 500 sf
- Storage space – approximately 100 to 150 sf

This would result in a facility that is roughly 1,700 to 2,500 square feet. Additionally, there would need to be adequate parking for visitors that come from outside the neighborhood, and it should be in a prominent place and highly visible so it is easy to both locate and identify. The community center should be located where it is accessible to Arbolera de Vida residents and close to live-work units, yet easily accessible to visitors. An ideal location is on the western edge of the Arbolera de Vida development, near the terminus of Zearing Avenue.

Such a facility could function as a point of initial interaction between visitors and Sawmill community residents and businesses, as well as serving community meeting space needs. Such a facility would be an ideal location for the Sawmill Community Land Trust offices, as it would be visible and accessible to both Sawmill residents and visitors.



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We recommend creating a small community center based on the space needs described above. However, given the current facilities available to Sawmill-Wells Park residents, we do not see an urgent need for additional meeting space at this time. We anticipate the need for the suggested 1,700-2,500 square foot community facility after build-out of additional phases of Arbolera de Vida and other Sawmill projects bring more residents into the Sawmill area.

### **Market for Child Care Center**

There were estimated to be 261 family-with-children households and 123 preschool-aged children in the MRA in 2003 (Exhibit 1). Looking beyond the MRA boundaries at the greater area bordered by Interstate 25 on the east, the Rio Grande on the west, Lomas Blvd. on the south, and Menaul Blvd. on the north, there were an estimated 874 family-with-children households and 782 preschool-aged children in 2003. Based on Claritas consumer buying power estimates within those boundaries, area residents have the capacity to spend \$721,000 per year for child care services, or about \$60,000 per month.



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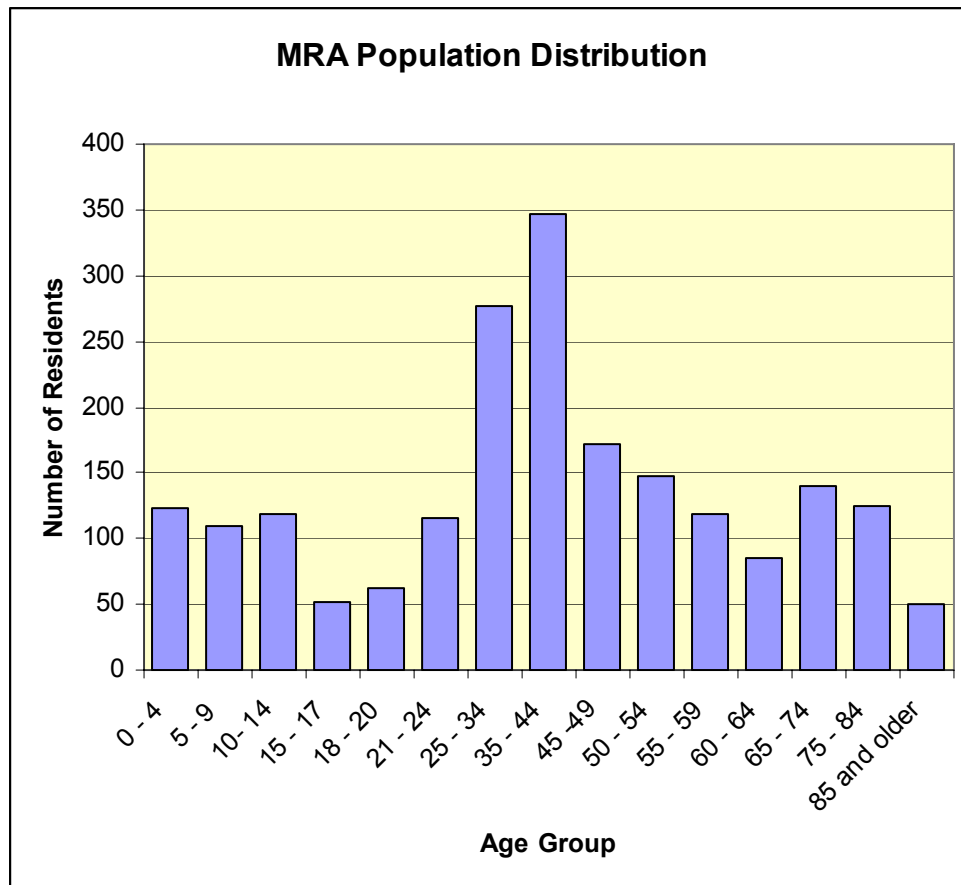


Exhibit 1 – Estimated 2003 MRA population distribution

Exhibit 2 shows MRA households types according to the number of households above and below the poverty line. MRA families with single female heads of household have the highest likelihood of living below the poverty line. Nearly half of families with single female heads of household (33 families) in the MRA lived below the poverty line in 2003. Nationally, the average is closer to one quarter for this segment.



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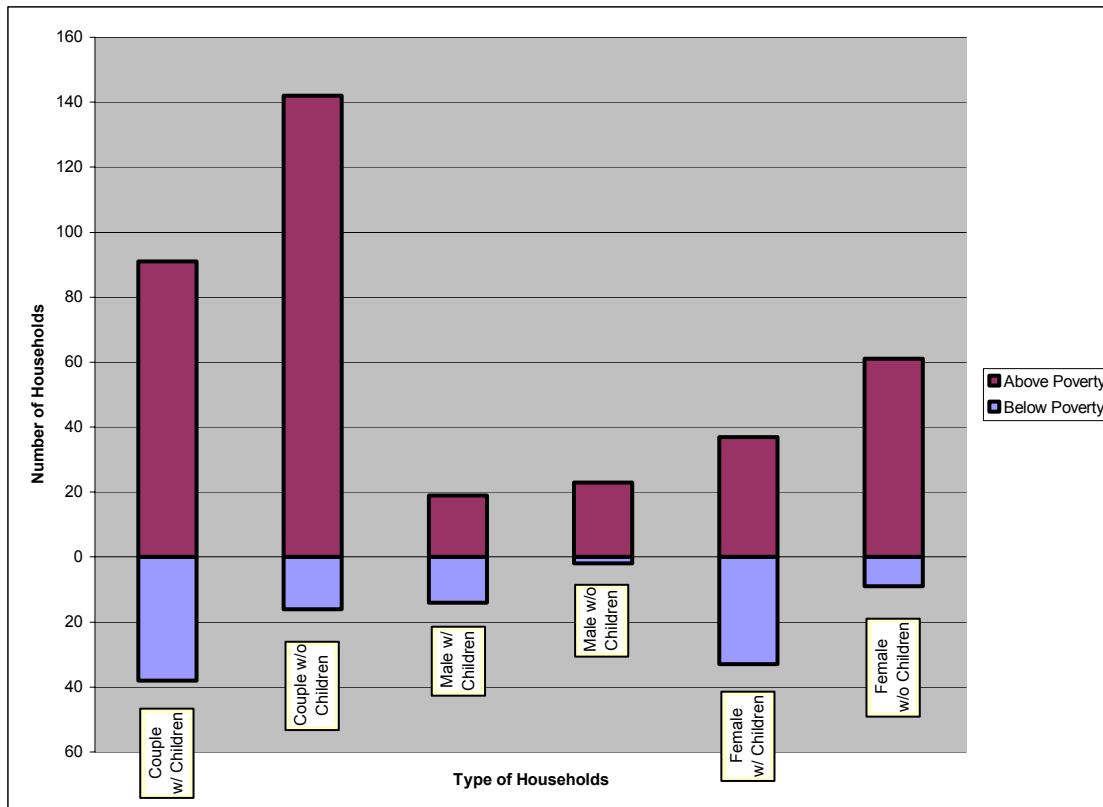


Exhibit 2 – Number of MRA families above and below poverty level by family type.

There are several childcare facilities in and around the Sawmill-Wells Park neighborhood. The following is not a comprehensive list of area childcare facilities, but is representative of the services provided and the rates charged:

### ***Downtown Childcare Centers***

There are two Downtown Childcare Centers near the Sawmill-Wells Park neighborhood. The center located at 1503 Sixth Street, NW is within the MRA and the center located at 1105 Candelaria, NW is within a short driving distance to the north. Downtown Childcare Centers provide Early Childhood Education programs. The facilities are State-approved, meaning that parents that are either students or work full time and make 150 percent of poverty level or less in income are eligible for financial assistance through the New Mexico Children Youth & Families Department. Downtown Childcare Centers accept children from as young as six weeks old up to children of school age, and provide care from two days per week up to full-week programs, as well as before- and after-school programs. In addition, they have a van for field trips and some limited playground equipment in a small outdoor yard.



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The programs and rates are:

Age 6 to 24 weeks	(4-5 days/week)	\$130/week
Age 24-60 months	(4-5 days/week)	\$110/week
	(3 days/week)	\$90/week
	(2 days/week)	\$60/week
Kindergarten	(4-5 days/week)	\$85/week
Before/After School	(4-5 days/week)	\$65/week
School-age APS out-of-school		\$110/week

The typical Student:Teacher ratio is 12:1. They have up to four teachers available at each facility. This means that each facility could have up to 48 children enrolled, or 96 children between the two facilities. The Sixth Street location currently (Spring 2004) has twenty children enrolled, although they typically only have around 12 children at the facility on any given day. There is similar enrollment at the Candelaria facility. There is currently no waiting list at either facility.

### *Albuquerque Preschool Cooperative (606 Candelaria)*

Unlike the Downtown Childcare Centers, the Albuquerque Preschool Co-op is run, as its name suggests, as a cooperative. They require that parents volunteer a certain amount of time each month helping out in the classroom or participating in activities with the children. They offer programs for pre-school children, referred to as the two-year-old program, comprised of children up to three years old, and a program for kindergarten-age children (ages three to five).

Two year old program – half day only

Tue. – Thur. from 8:30 – Noon.

Monday-Wednesday-Friday 8:30 – Noon

Three to Five Year Old programs

Tue. – Thur. from 8:30- Noon or 12:30 to 4:00

Mon. - Wed.-Fri. from 8:30- Noon or 12:30 to 4:00

Both the Two-Year-Old program and the Three-to-Five-Year-Old program cost \$129 per month for the Tuesday-Thursday option and \$193 per month for the Monday-Wednesday-Friday option.



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They can accommodate a maximum of 10 children on Tuesday-Thursday in each program during each time period and a maximum of 12 children on Monday-Wednesday-Friday in each program during each time period. There are currently (Spring 2004) no openings in the Two-Year-Old program and they are taking registrations for the Fall 2004.

### *Escuela del Sol Montessori (11147<sup>th</sup> Street)*

Escuela del Sol Montessori is a not-for-profit school located south of Mountain Road on Seventh Street. It has toddler through Sixth grade (18 months through 12 years old) child care and education programs, as well as an art program at the Harwood Art Center located on the grounds of the school. 2004 enrollment is approximately 190 students.

#### Programs:

*Toddler* – Ages 18 months to 3 years. Student:Teacher ratio is 5:1. Cost is \$7,000 per year.

*Preschool* – Ages 3 to 6 years. Student:Teacher ratio is 12:1. Cost is \$6,600 per year.

*Elementary* – Ages 6 to 12 years. Student:Teacher ratio is 11:1. Cost is \$7,700 per year.

The teachers are AMS, AMI, NCME, and State-certified. Escuela del Sol Montessori has a short admissions waiting list, although they makes every attempt to accept all who apply. The school offers tuition assistance based on need.

Approximately thirty-seven percent of family households in the MRA make \$25,000 per year or less. A family household making \$25,000 or less might spend up to twenty percent of their yearly income on childcare costs, based on the local program fees for area childcare and child education programs. This figure highlights the fact that economic development efforts intended to employ MRA residents within the neighborhood need to consider residents' childcare needs and their income levels. Specifically, employing single parents will not simply require having childcare in the neighborhood; it will also need to be affordable, considering the number of both single-parent and two-parent households that are at or below the poverty line (Exhibit 2).

Providing daycare in conjunction with redevelopment efforts in the Sawmill-Wells Park MRA is important as an amenity that could help attract both businesses and employable residents to the area.



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Reduced-rate childcare could be offered to income-qualified Sawmill-Wells Park residents and full-market-rate childcare services would be provided to artisan village tenants, office tenants, and other outside residents to help subsidize the low-cost care.

Although we believe it is important to offer convenient and affordable childcare services for Sawmill-Wells Park residents as part of an overall economic development program, constructing a specific facility should be delayed to coincide with later development projects so more clients would be served within the neighborhood. Providing childcare services would assist in economic development efforts by potentially allowing current residents a low-cost childcare option, as well as providing an amenity to entice future businesses and new residents to locate in the neighborhood.



### Market for Artisan Village

Based on earlier plans and public input, one of the suggested redevelopment options for the industrial area in the Sawmill-Wells Park neighborhood is to create an artisan village. This development would potentially offer manufacturing, retail, office/warehouse, and studio space. The probable site for the artisan village is an abandoned industrial site, referred to as the Ponderosa Products property, adjacent to Sawmill's Arbolera de Vida development. The site currently has 109,000 square feet of warehouse space that will be leased out on an interim basis while the artisan village is in the planning stages. Ultimately, the vision for the site includes approximately 60 live-work rental units, 36 live-work ownership units, a 29,000 square foot artisan manufacturing center and showroom, and a plaza. Offering a mix of rental and ownership units in the development is important. The Grubb & Ellis 2004 Real Estate Forecast for the Albuquerque market states *"The hot product type for general industrial users is office warehouse condominiums. With historically low interest rates fueling demand, many smaller users, below 15,000 square feet, are seeking ownership opportunities in condominium settings."* While the office warehouse condominium product type is not directly comparable to the products that will be offered in the artisan village, they are similar, suggesting that there will be demand for a mix of ownership and rental units. This is also our experience in Santa Fe, where the live-work market is more mature.

The manufacturing center should have a mix of large and small rental units. Final sizing of the units will be based on the identified needs of potential tenants, but we recommend small units in the 150 to 500 square foot range and large units in the 800 to 1,200 square foot range. We recommend rental rates in the range of \$4 per square foot for large units to between \$10 and \$15 per square foot for small units. This pricing is based on the fact that the small units will need a larger percentage of the total space to be highly finished, with less raw warehouse/production square footage. Pricing will be determined, in part, by the features included and the degree of finish required for the units.

As a comparison, art studio space, combined with either retail space or living space, in the Albuquerque-Santa Fe area typically leases for between \$12 and \$20 per square foot, depending on the degree of finish of the unit and its features.



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A business plan should be developed for the artisan village to determine specific space needs, facility features, and rental rates, along with an operating plan that lays out how the facility will be marketed and run. This could entail anything from requiring tenants to be completely self-sufficient to providing a commissioned sales staff and packing and shipping services.

One of the features often mentioned as very desirable for artist studio space is natural lighting. Diffused natural lighting provided by skylights is a common feature in artist studios. Other features that are important include:

- Garage door access to the lower floor to move bulky items in and out
- Adjustable lighting with full-spectrum bulbs
- High ceilings
- Separate access for clients and artists
- Good ventilation in the studio/work area
- Flexible work space
- Industrial sink

There are several aspects of the Sawmill-Wells Park community, including its location and physical infrastructure, which makes it unique and gives it an advantage in attracting certain types of businesses to the area:

1. The Sawmill-Wells Park neighborhood is located near the cultural and artistic center of Albuquerque and is adjacent to Old Town, the largest year-round tourist market in the City.
2. The Sawmill-Wells Park neighborhood has numerous redevelopment opportunities due to the large number of vacant properties and derelict industrial sites in the area.
3. There are several studios and lofts that rent space and provide facilities to artists and craftspeople in close proximity to Sawmill-Wells Park. These include the Harwood Art Center just south of Wells Park, and the Fort 105 and Fort 508 Studios several blocks farther south in the Downtown area.
4. The location offers good visibility from both Rio Grande Blvd. and Mountain Road.



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In addition to these factors, the roads bordering the community have relatively high traffic counts. According to the Mid-Region Council of Governments, 2002 average weekday traffic counts for streets around the Sawmill-Wells Park area are:

- 5100 to 7,800 vehicles per day on Mountain Road between Fourth and Twelfth Streets with increasing volume from east to west.
- 11,500 vehicles per day on Twelfth Street between Mountain Road and Interstate 40.
- 6,700 vehicles per day on Mountain Road between Twelfth Street and Rio Grande Boulevard.
- 30,400 vehicles per day on Rio Grande Boulevard between Mountain Road and Interstate 40.

Considering the area's close proximity to tourism-generators such as Old Town and the area's multiple museums, coupled with the fact that there are artists' studios nearby, suggests that redeveloping this area to appeal to artisans and craftspeople who want to move into small-scale commercial production and retail is ideal. In addition to the artists currently in the various community rental studios, Albuquerque has a large number of small manufacturing companies that make wood cabinetry and furniture, doors, iron home security fixtures and grills, and other low-volume products that typically incorporate artistic detailing and customization.

The Albuquerque-based Next Generation Economy, Inc., commonly referred to as Next Gen, focuses on economic development based on the idea of industry clusters. One of the clusters Next Gen has identified as economically viable, given the area's assets, is the artisan manufacturing cluster. The artisan manufacturing cluster, state-wide, is composed of more than 400 companies, according to Next Gen. In terms of employment, this includes 3,800 employees in furniture manufacturing, 5,170 employees in pottery/glass manufacturing, and 6,890 employees in jewelry manufacturing.

Some of the North American Industry Classification System (NAICS) codes for businesses that are considered part of the artisan manufacturing cluster include:

3114 – Specialty Food Manufacturing

3452 – Cut and Sew Apparel Manufacturing

31599 – Apparel Accessories and Other Apparel Manufacturing

32191 – Mill Work (including wood window & door manufacturing)



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32711 – Pottery & Ceramics Manufacturing

33152 – Nonferrous Metal Foundries

33232 – Ornamental & Architectural Metal Products Manufacturing

33711 – Wood Kitchen Cabinet & Countertop Manufacturing

33991 – Jewelry & Silverware Manufacturing

Factors that are important to small to mid-size manufacturing operations such as these are:

- 1) A building that allows businesses to have manufacturing space, shipping and receiving capabilities, retail/showroom space, and offices all in one facility,
- 2) Easy customer access,
- 3) Easy accessibility for trucks including access to the building, easily navigable streets, and proximity to transportation routes such as an Interstate,
- 4) Affordable rent

The benefits that the Sawmill-Wells Park area can offer these manufacturers are:

1. Close proximity to Albuquerque's Old Town, redeveloping Downtown and arts districts,
2. Availability of well-developed shipping infrastructure, including convenient Interstate access.
3. Rail access

Typically, the businesses that would work best in an artisan village manufacturing center are artisans and small manufacturers with one to five employees and gross annual sales up to \$250,000.

A project similar to the proposed Sawmill artisan village manufacturing center concept (although less production oriented), called the ***Santa Fe Market***, is expected to open in late spring of 2004 in Santa Fe at 149 East Alameda.

### ***Santa Fe Market:***

- 12,000 square foot former rug and furniture store
- studio and retail space for artists
- open 9 a.m. to 7 p.m. six days a week (closed Tuesday)



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- close proximity to the Santa Fe Plaza
- 22 indoor rental spaces
- \$485 - \$2,200 per month indoor space rental
- 22 covered outdoor courtyard rental spaces
- \$590 per month covered courtyard space rental
- additional 18 short-term outdoor rental spaces
- integrated restaurant with seating for 50
- Renter artists must spend at least 25 percent of the markets' operating hours in their space
- 15-person staff will sell artists' work on commission
- Packing and shipping, and marketing handled in-house
- 15 percent fee on all items the artists sell, used to operate the facility

Commercial art studios near Sawmill-Wells Park could be ideal places to develop relationships with artists and artisans who could eventually move into the artisan village when they need more space or want to expand into a more retail-oriented setting. Sawmill's close proximity to several artist studio facilities, as well as the Old Town tourist market, makes the area ideal for an artisan village. Three studios in the area offer the following:

***Harwood Art Center*** at 1114 7<sup>th</sup> Street (7<sup>th</sup> Street and Mountain Road)

- 45 artist studio spaces
- \$125 to \$300 per month studio rental rate
- 3 main-floor galleries to show work
- \$175 to \$300 per month main floor gallery rent rate
- 2 second floor galleries
- \$50 per month second floor gallery rental rate
- performance stage and theater in basement
- dance floor in basement
- meeting space available up to approx 100 people
- \$15 per hour for meeting space rental (sometimes free)



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### ***Fort 105 & Fort 508 Studios*** on 3<sup>rd</sup> at Central Avenue and Central Avenue at 5<sup>th</sup>

The Fort Studios are clusters of artists' studios in two commercial buildings in Downtown Albuquerque. Unlike the Harwood Art Center, Fort Studios is a purely commercial venture. The mission of Fort is to promote art and provide a venue for artists to sell it. Although the studios are not offered on a per-square-foot basis, the rents are typical of office space in the Downtown area, around \$1.17 per square foot per month. The studio spaces range in size from approximately 150 square feet to over 600 square feet. The two Fort locations offer artists and others of the so-called "creative class":

- 24-hour-accessible workspace
- Small-sized studio space - \$115 to \$175 per month
- Large-sized studio space for \$725 per month

All the studio space at Fort 105 is leased, and Fort 508 has only one large studio space remaining. Fort 105 studios are occupied by:

- 4 photographers
- 3 painters
- 2 musicians
- 2 jewelry makers

Fort 508 studios are occupied by:

- 1 painter
- 2 architects
- 1 architectural CAD designer
- 1 charcoal drawing artist
- 1 furniture refinisher
- 1 music teacher

In addition to the small-scale artisan spaces, the general location, accessibility, and proximity to tourist markets of the Sawmill area is also appealing to slightly larger manufacturing businesses, such as Southwestern furniture manufactures, for example. One such manufacturer currently operates from a 10,400 square foot facility in Southwest Albuquerque. The company uses 1,500 square feet of the building for office and showroom space, and the remaining space is used for manufacturing, shipping, and



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warehousing. The business has seven full-time employees and two part-time employees, with approximate gross annual sales of \$500,000. About ten percent of their sales are from exporting to Canada.

Their current facility is rented for \$3.60 per square foot. The owner indicated he would be very interested in relocating because he needs more space. Ideally he would need a facility that has about 15,000 square feet, about 12,000 of which needs to be manufacturing space. He suggested that moving close to Old Town is appealing to him. However, he noted that a competitor that moved to the Old Town Area on Rio Grande, just west of the Sawmill community, soon went out of business, most probably because rent was too high.

We recommend the artisan village as a high priority redevelopment project. Numerous factors noted above make this a unique and potentially very successful project, and it accomplishes redevelopment objects of the Sawmill-Wells Park area. It is important to offer:

1. Outdoor storage space for the facility, although not necessarily for each tenant
2. 24-hour-accessibility
3. Easy accessibility for trucks including access to the building and easily navigable streets
4. Affordable rent in the \$4 to \$15 range, depending on the size of the space.
5. Garage door or large door access to move bulky items in and out
6. Natural light in the work spaces
7. High ceilings

### **Housing Market Overview**

According to a report by the U.S. Department of Housing & Urban Development, during the mid- and late-1990s, housing demand in the Albuquerque area supported production of an average of 4,800 single-family homes per year. In contrast, multifamily production peaked at nearly 2,000 units in 1995 but plummeted to slightly more than 100 units by 2000. Multifamily starts picked up in 2001 and 2002, but the pace of construction in this sector remains well below that of the mid-1990s. Housing starts in the Albuquerque area in the fourth quarter of 2003 showed a continued decline compared with starts from the same period in 2002. This trend is contrary to the national trend.



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Home sales prices vary considerably among Albuquerque neighborhoods. Median prices range from less than \$100,000 in the Southwest metropolitan area to more than \$500,000 in the Far Northeast Heights area.

The proposed Mesa Del Sol master-planned community south of the Albuquerque International Sunport will offer affordable housing to several thousand families. West Mesa, near the large suburban area of Rio Rancho, is the most rapidly growing area of the metropolitan region due to the variety of recently-built homes available at affordable prices for entry-level homebuyers.

In 2001, 8,000 single-family homes were sold in the Albuquerque market, compared with 6,700 homes just one year before. By 2003, single family home sales reached a record 10,000. At any given time, between 2,000 and 4,000 homes are listed for sale in the Albuquerque area. City-wide, attached patio homes/townhouses and condominiums comprise approximately 10 percent of all listings and sales. The average sales price of a condominium was approximately \$106,000 in 2003. Low interest rates, first-time homebuyer programs, and a wide variety of entry-level and affordable homeownership opportunities are supporting the strong demand for housing sales. A significant number of renter households moving to homeownership have dampened demand for rentals, and the market responded by cutting back on new rental projects.

Housing statistics for the Sawmill-Wells Park neighborhoods show that the housing in the area is generally very old (Table 7). The median age of housing units in the MRA is nearly sixty years.



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<b>Housing Units by Year Built</b>				
	<b>MRA</b>	<b>%</b>	<b>Albq.</b>	<b>%</b>
1999 to present	6	0.60%	11,759	5.60%
1995-1998	29	2.92%	21,526	10.26%
1990-1994	31	3.12%	15,790	7.52%
1980-1988	67	6.75%	34,389	16.38%
1970-1979	54	5.44%	45,834	21.84%
1960-1969	81	8.16%	25,045	11.93%
1950-1959	131	13.19%	31,539	15.03%
1940-1949	196	19.74%	18,990	9.05%
1939 or earlier	400	40.28%	5,026	2.39%
Source: Claritas, Inc., 2003 & U.S. Census Bureau, 2002				

Table 7 – quantity of MRA housing units by the year they were built.

The majority of the housing stock is single family detached, comprising nearly 78 percent of all housing in the area (Table 7).

<b>Housing Units by Units in Structure</b>				
	<b>MRA</b>	<b>%</b>	<b>Albq.</b>	<b>%</b>
1 unit attached	113	11.38%	14,550	6.93%
1 unit detached	771	77.64%	120,459	57.39%
2 units	41	4.13%	2,463	1.17%
3 to 19 units	46	4.63%	39,681	18.90%
20 to 49 units	10	1.01%	19,916	9.49%
50 or more units	3	0.30%	5,716	2.72%
Mobile home or trailer	10	1.01%	6,586	3.14%
Boat, RV, van, etc.	0	0.00%	527	0.25%
Source: Claritas, Inc., 2003 & U.S. Census Bureau, 2002				

Table 8 –quantity of MRA housing units by the number of units per structure.

A recent sampling of prices of houses currently on the market in the in the MRA area show two bedroom/one bath homes in the \$80,000 – \$90,000 range, three bedroom/two bath homes in the \$90,000-\$110,000 range, and larger homes up to \$180,000.



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It is estimated that approximately 60 percent of all houses in the MRA were valued at between \$80,000 and \$150,000 in 2003 (Table 9). Roughly the same percentage of houses in the Albuquerque metro area were estimated to be valued at \$150,000 or less in 2002, according to the U.S. Census Bureau estimates (Table 10)

Owner-Occupied Housing Values		
	<i>Number</i>	<i>%</i>
Less than \$20,000	7	1.34
\$20,000-39,999	2	0.38
\$40,000-59,999	32	6.12
\$60,000-79,999	81	15.49
\$80,000-99,999	134	25.62
\$100,000-149,999	179	34.23
\$150,000-199,999	56	10.71
\$200,000-299,999	30	5.74
\$300,000 or higher	0	0.00
Source: Claritas, Inc. 2003		

Table 9 – The value of owner-occupied houses in the MRA.

Owner-Occupied Housing Values		
	<i>Albq.</i>	<i>%</i>
Less than \$50,000	789	0.78%
\$50,000-99,999	21,065	20.74%
\$100,000-149,999	40,458	39.83%
\$150,000-199,999	21,374	21.04%
\$200,000-299,999	13,566	13.36%
\$300,000-499,999	3,790	3.73%
\$500,000-999,999	531	0.52%
\$1,000,000 or higher	0	0.00%
Source: U.S. Census Bureau, 2002		

Table 10 – The value of owner-occupied houses in Albuquerque.

### Market for Live-Work

Live work is becoming increasingly popular in the Santa Fe and Albuquerque markets.



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New live-work projects continue to be developed in Albuquerque as well. Construction will start in April on the Silver Lofts, being developed by Infill Solutions, in Downtown. Units range in size from 1,058 square feet to 1,658 square feet and sell in the \$200 per square foot range.

Live-work units are commonly offered in the 1,000 to 1,500 square foot size range, often in loft configuration. A typical 1,200 square foot live-work loft might have 800 square feet of lower floor space and 400 square feet of upper floor space and rent for \$1.04 per square foot, or \$1,212 month. Lofts in the Santa Fe market sell in the range of \$225,000 to \$800,000. Prices are roughly comparable in the Albuquerque market, although the variability in amenities, location, new construction versus reuse, and other aspects make a direct comparison difficult. For example, the lofts at Eighth and Silver in Downtown Albuquerque are projected to sell for around \$200 per square foot. A unit in The Lofts at 3600 Cerrillos in Santa Fe (of comparable size to the Silver lofts) had a resale of \$156 per square foot in 2003. The Lofts in Santa Fe at Marquez Place sell new in the range of \$235 per square foot to nearly \$300 per square foot. This is in a prime location which brings a higher market value, and construction delays also ran up the cost of the project.

A true loft, or hard loft, is a conversion of a factory or warehouse, of either concrete construction, or "mill" construction of exposed brick and original wood posts, beams and floors. Ceilings are typically over ten feet high, giving a loft the feeling of spaciousness. Larger windows and an open floor plan layout are also common. These types of live-work spaces are typically favored by younger people in their twenties and thirties and by creatives such as artists.

We believe there will be high demand for live-work space in Albuquerque for at least the next five years. Although live-work is a relatively new product type in Albuquerque, we expect that, based on the experiences in other redeveloping cities across the county, there is pent up demand in the local market. Live-work is one type of housing common to New Urbanism, and other facets of New Urbanism have shown acceptance and generated interest in the Downtown and Central Avenue corridor redevelopment efforts. In fact, several live-work projects have been developed or are in the process of being developed



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in and around the Downtown area, such as the previously-mentioned lofts on Silver and the Gold Avenue Lofts that will be on Gold, between First and Second Streets.

Live-work introduces a new element into an area's economic development potential, allowing small and diverse businesses to be incorporated into the fabric of a community in an unobtrusive and beneficial way. Live-work is a very important element in the development of any mixed-use community. We believe live-work should be a priority in the Sawmill Wells-Park area as a means of providing unique housing options and localized economic development opportunities to current residents and as a means of attracting new residents to the area.

### **Market for Senior Housing**

The gap between senior housing availability and senior housing demand in Bernalillo County is projected to be between 1,127 and 1,381 units by 2004, according to projections by Claritas and The University of New Mexico's Bureau of Business and Economic Research. The gap between supply and demand has been steadily increasing over the past five years.

According to demographic data, there are estimated to be 400 residents aged 60 or older living in the MRA (Exhibit 2). It is estimated that over 200 people living in the MRA will reach retirement age in the next ten years.

According to the 2000 Albuquerque Senior Housing Study produced for Encino Housing

- Nationally, the majority of seniors live in their own home, while only ten percent of the senior population lives in age-restricted housing. Assuming the same percentages hold true for the Sawmill-Wells Park MRA, that would suggest that about 40 residents age 60 or over might choose senior housing options if they were offered.
- Nationally, the demand for senior housing comes primarily from older seniors, whose average age ranges from 75 to 83 years old. There are currently estimated to be about 125 residents living in the MRA in this age range.



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- It is projected that the Northwest area of Bernalillo County will experience some of the fastest growth in senior population in the County, although much of this growth is expected to be in the far northwest, close to the city of Rio Rancho.
- Approximately 13 percent of the seniors residing in Bernalillo County live below the poverty line. This would account for 52 residents age 60 or over in the Sawmill-Wells Park MRA. Since twenty percent of MRA residents fall under the poverty line, this figure is probably conservative.

If we apply the ten percent estimate for the number of seniors nationally who live in senior housing with the statistic that suggests older seniors are more likely to live in senior housing, there are an estimated thirteen MRA residents ( $125 \times .1$ ) that might live in senior housing. This does not take into account seniors in nearby communities or other parts of the County that might consider living in senior housing in the Sawmill-Wells Park area.

There are other senior housing developments in the vicinity, including:



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### Encino Terrace

Located at 609 Encino Place NE, this senior apartment housing has 153 residents. It is government-subsidized and offers residents, transportation, building security, a library, and religious activities. Residents have a central dining room for meals, and the management provides building maintenance, a laundry service, group exercise programs, and an emergency call system.

### Albuquerque Grand Senior Apartments

Located at 1501 Tijeras Avenue NE, this facility provides central dining for the residents, as well as housekeeping services, building security, a library, religious activities, and an exercise program. The entrance fee is \$200 in addition to the monthly rate.

The number of seniors in the Sawmill-Wells Park neighborhood does not suggest that there is enough demand within the immediate neighborhood to support additional senior-specific housing beyond the 18 units planned in the Sawmill community. Those units will be developed by Encino Housing on a .9328 acre tract (Tract 7 of the Sawmill Master Plan). We believe the needs of the senior community can best be accommodated by ensuring that there is both affordable housing available and that there is a mixture of housing, such as townhouses and apartments for elderly residents who are unable or uninterested in maintaining a single-family detached house any longer. At this time, we do not recommend pursuing the construction of additional senior-specific housing beyond the 18 units planned for the Sawmill community.

### Market for Multi-Family Housing

The Albuquerque rental market emerged from a five-year slump in 2001. A surge in rental production during the period from 1994 to 1997 pushed the vacancy rate above eight percent in 1996 and into double digits by 1998. The subsequent major cutback in rental production in the late 1990s facilitated gradual improvement in the rental market, returning the occupancy rate to 94.3 percent by September 2002. The overall occupancy rate by the fourth quarter of 2003 had declined to 90 percent. This overall average masks considerable variation in occupancy depending on the age of the property. Occupancy rates in newer units are as high as 95 percent or more, but older properties have problems maintaining occupancy



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rates in the mid- to high 80-percent range. The lower occupancy rate in older properties is primarily due to competition from newer affordable tax-credit properties.

The Apartment Association of New Mexico's 4<sup>th</sup> Quarter 2003 Comprehensive Apartment Market Survey shows that apartments in the 87102 zip code consistently have 90 percent or above occupancy. The 87102 zip code includes a large portion of Wells Park and, as a whole, contained a representative cross-section of the types of housing that are found in the Wells Park neighborhood. Part of the Wells Park and Sawmill neighborhoods are in the 87104 zip code; however, we felt it was not as representative of the Sawmill-Wells Park area because it includes several up-scale neighborhoods near the Rio Grande that are significantly different from the Sawmill-Wells Park neighborhoods.

The rental rates for all apartments from efficiencies to three bedroom apartments are consistently lower than similar-sized apartments in other parts of Albuquerque. The average rental rate per square foot in the 87102 zip code in 2003 was \$0.93 for an efficiency, between \$0.70 and \$0.80 for two bedrooms, and \$0.42 for three bedroom apartments.

There are a variety of physical design options for providing low income housing in the Sawmill-Wells Park MRA. The narrow-lot single family homes recently constructed by the Sawmill Community Land Trust provide sustainable low cost housing to area residents. Other options for providing low-cost housing include types that are more common to the broader housing market, such as apartments and townhouses.

The SU-2 Special Neighborhood Zone designation in the Sawmill-Wells Park Sector Plan establishes neighborhood-specific zoning for the MRA. The revised zoning potentially makes the construction of townhouses and multi-family housing such as apartments more difficult.

Other multi-Family housing options include building multi-family compounds, either attached or detached housing, situated around a central courtyard. Examples of courtyard housing are common in some of the older areas of Santa Fe and Albuquerque. The courtyard housing type is appropriate for historic Albuquerque neighborhoods such as Wells Park. It represents a type of multi-family housing that could be both acceptable and appropriate for the neighborhood. In fact, a group of compact "casitas" arranged in a courtyard configuration is found adjacent to Wells Park, on the south side of Mountain Road



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west of Seventh Street. The structures are scaled appropriately for the neighborhood, and offer a space-efficient configuration that gives economies similar to other multi-family housing types. The zoning code for the Sawmill-Wells Park neighborhoods would have to be modified to allow this type housing.

There is reluctance among some members of the community to have additional multifamily housing in the area. The primary concern of neighborhood residents is a concentration of low-income people. Residents want a balanced mix of incomes so their neighborhood does not become a “dumping ground” for those who cannot afford to live in nearby areas that are experiencing gentrification. Despite this concern, we believe there is a need for a greater diversity of housing types in the Sawmill-Wells Park neighborhood. Multifamily housing will offer affordable housing options to low income residents. Apartments or courtyard complexes of small housing units would also offer young adults housing options not currently available to them. Young adults typically do not move straight into single family detached housing. The population profile (Exhibit 1) shows a significant dip in the 15-24 year old demographic. Lack of jobs is one factor in this, but residents of that age need appropriate housing as well. In addition, area seniors would benefit from having other housing options that offer affordability and reduce the burden of upkeep. Although live-work and senior-specific housing will provide much-needed living options, we believe providing a more comprehensive array of housing options would greatly benefit the Sawmill-Wells Park neighborhood. Small scatter-site developments of appropriately-scaled courtyard housing, townhouses, or small apartment complexes interspersed throughout the Sawmill-Wells Park neighborhood would be a valuable asset to the community.

### **Northeast Area Mixed-Use Node**

The northeast area of the Wells Park neighborhood, roughly defined for the purpose of discussion as west of Fourth Street, north of Aspen Road, East of Twelfth Street and south of Interstate 40, is largely warehouses, industrial properties and vacant land. Wells Park community members expressed particular interest in redevelopment of at least part of this area to improve the look of the neighborhood, reduce blight and crime, create uses beneficial to neighborhood residents, and balance the predominance of industrial uses.



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The purpose of identifying specific development projects to implement in the northeast part of the Wells Park neighborhood is primarily to suggest a project or projects that will serve as a catalyst for further redevelopment of that area of Wells Park.

Southwest Planning & Marketing recommends development of a “green business” such as a commercial greenhouse in the interior of the northeast area and a retail development project on the eastern edge of the Wells Park neighborhood that borders Fourth Street.

Specifically, the community should examine the possibility of working with the City of Albuquerque to redevelop the City-owned property north of Aspen Road between Fourth and Fifth Streets (Block 1 of the Ives Addition, lots 1-15). Either the southern portion of the property or the complete site could be used to build a commercial center and eastern “gateway” into the Wells Park neighborhood. This would also serve as a buffer from less desirable uses located to the east.

The City-owned site location is ideal for retail stores that both serve Wells Park residents and capitalize on the high traffic volumes on Fourth Street. According to a 2002 Mid-Region Council of Governments traffic study, on a typical weekday, an average of 12,400 vehicles traveled Fourth Street north of Mountain Road.

Such a development should have a mixture of retail stores that can provide basic products and services not currently available to Wells Park residents in their immediate area.

The following is a list of business services needed according to a survey of Sawmill-Wells Park residents in 1999. This was part of the survey that was presented in *A Community Economic Development Project Evaluation Tool For The Sawmill Community Land Trust*, produced as part of a professional project for the University of New Mexico Community & Regional Planning Masters program in 1999.

Community residents indicated that they would like to see the following businesses in or near their community:

- Fruit and Vegetable Market (77 responses)
- Large Grocery (72 responses)



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- Movie Theater (52 responses)
- Hardware Store (50 responses)
- Small Grocery (40 responses)
- Bookstore (40 responses)
- Restaurants (37 responses)
- Bakery/Butcher/Fish Market (36 responses)
- Dry Cleaner (30 responses)
- Clothing Store (25 responses)
- Large Department Store (23 responses)
- Flower Store (21 responses)
- Drug Store (18 responses)
- Gardening/Landscaping (17 responses)
- Laundry (16 responses)
- Shoe Store (12 responses)
- Beauty Salon (12 responses)
- Auto Repair (11 responses)
- Barbershop (11 responses)
- Copy/Printing Shop (11 responses)
- Computer Store (9 responses)
- Gift/Jewelry Store (9 responses)
- Business Supply Store (5 responses)
- Accountant/CPA (2 responses)
- Lawyer/Attorney (1 responses)

Of the identified businesses, a fruit and vegetable market or small grocery, a dry cleaner/laundry, a drug store, a bookstore, a barber shop, or a video rental store are businesses that would be best suited for a center at that location. A grocery store similar to the Grocery Emporium on Girard south of Indian School would be an ideal anchor.

At several of the neighborhood public meetings, residents suggested that they would also like to see businesses such as a commercial greenhouse, vineyard, or tree nursery developed in the interior of the northeast section of the neighborhood. (During the community workshop, a potential developer of a nursery came forward and identified a potential site for his business.) Similar responses were given in the 1990 survey. An example of this type of business is Bernardo Beach Native Plant Farm on Arno Street south Candalaria. It is a nursery specializing in native and desert adapted plants. The nursery employs four people. This type of business would provide needed economic development, it would balance yet still be compatible with the other industrial uses in the area, and it would provide an “amenity” of sorts to



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community residents in terms of adding green space. If appropriately sited, such a business or businesses would provide a buffer between more intense industrial uses and residential areas.

In addition to private nurseries, there are organizations such as Tree New Mexico that distributes 70,000 tree seedlings to communities and organization throughout New Mexico and parts of Arizona each spring. The seedlings, which include at least a dozen different species, are grown at various nurseries (wood products industry, state-run, and private) throughout the country. In the fall, Tree New Mexico distributes containerized trees grown at a Regional Grow-Out Site. It might be possible to partner with such an organization to create a distribution or grow-out site in the Sawmill-Wells Park area.



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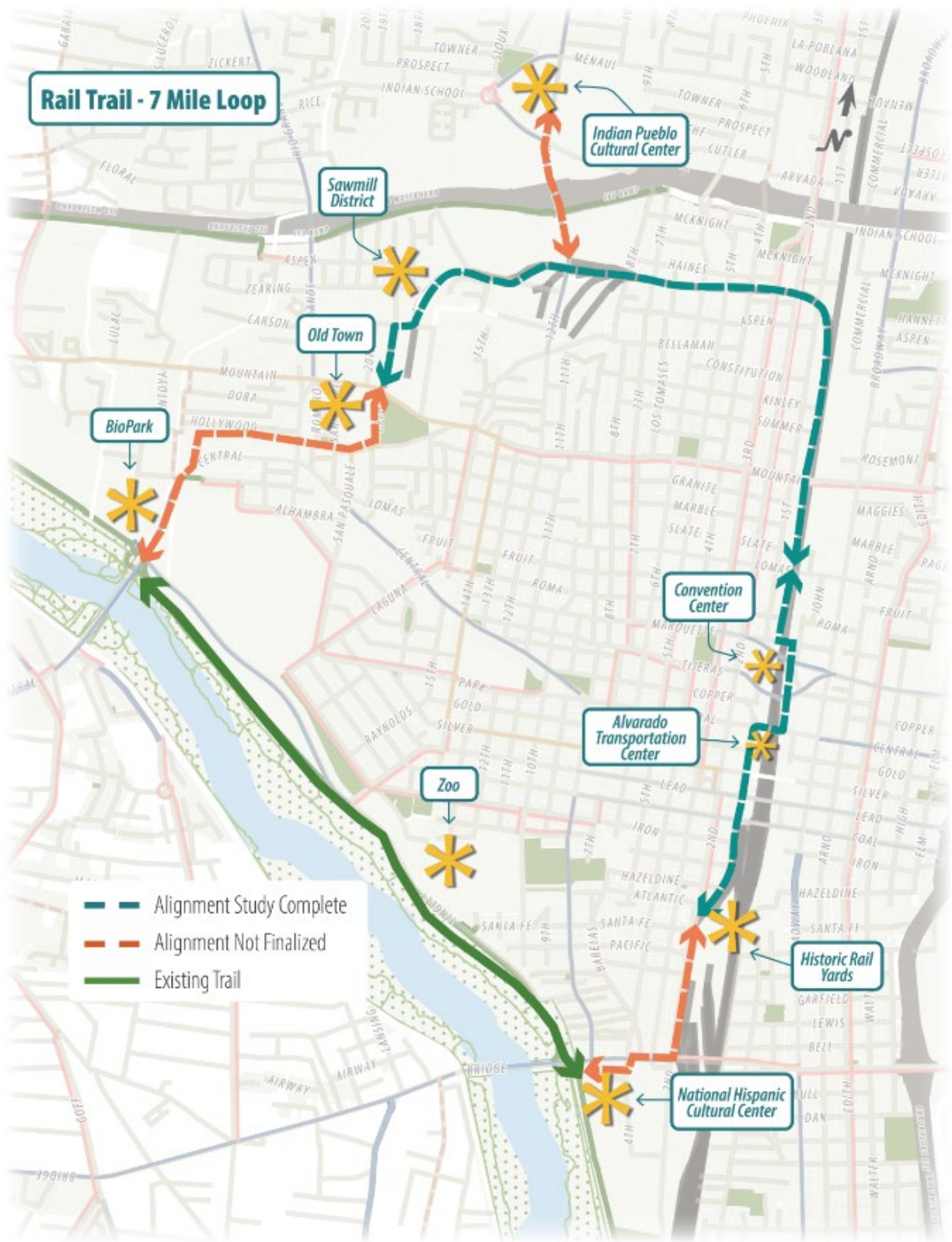


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### Contacts

Albuquerque Art Business Association.  
Albuquerque Childcare Assistance Program, New Mexico Children, Youth & Families Division.  
Rebecca Baldonado, Arbolera de Vida community.  
Ken Balizer, Sawmill Community Land Trust.  
Jim Chynoweth, Maestas Ward & Associates Real Estate  
James Cox, Artistry of Iron, Inc.  
Roger Cox, Roger Cox & Associates.  
Liz Ernst, Explora Science Museum.  
Donna Fletcher, Downtown Childcare Centers.  
Ron Grazier, Contemporary Southwest by Grazier, LTD.  
Barbara Gregus, Re/Max Elite Realtors.  
Michael Halsey, Downtown Albuquerque development consultant.  
Jim Hofsis, Old Town Merchants Association.  
Jim Long, Sheraton Old Town hotel.  
Susan McAllister, Harwood Arts Center.  
Jon McConville, Fort 105 and Fort 508 Studios.  
Joe Quintana, Middle Region Council of Governments.  
Jim Rogers, architect and commercial property owner.  
Naomi Romero, National Atomic Museum.  
Aaron Roth, North Forth Street Camino Real Merchants Association and ARCA.  
Fred and Jessie Sais, Wells Park Neighborhood Association.  
Chris Sandoval, Artisans of the Desert, Inc.  
Paul Tatter, Explora Science Museum.  
Nick Thompson, Roger Cox & Associates.  
Friedje vanGils, Executive Director of Escuela del Sol Montessori  
Michelle Weeks-Price, Arts Alliance Albuquerque.  
Ann, Albuquerque Preschool Cooperative.







## Sanchez, Suzanna A.

---

**From:** Garland, Cathy M <cgarland@quiktrip.com>  
**Sent:** Monday, November 27, 2023 3:10 PM  
**To:** Sanchez, Suzanna A.  
**Subject:** RE: [External] RE: QuikTrip Evidence for 11-21 ZHE meeting  
**Attachments:** ZHE presentation pdf.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Suzie,

I saved it as a PDF, so it should be small enough to send via email now. Please let me know if this works.

Thank you,



**Cathy Garland | Real Estate Project Manager**

cgarland@quiktrip.com

C: (314) 606-0147 O: (210) 332-4037 Ext:4819

742 NW Loop 410, Suite 102

San Antonio, TX 78216

---

**From:** Sanchez, Suzanna A. <suzannasanchez@cabq.gov>  
**Sent:** Monday, November 27, 2023 1:23 PM  
**To:** Garland, Cathy M <cgarland@quiktrip.com>  
**Subject:** [External] RE: QuikTrip Evidence for 11-21 ZHE meeting

[WARNING]: External Email

Good morning,

I am not able to open the link. It is asking for a log in.

Suzie

---

**From:** Garland, Cathy M <cgarland@quiktrip.com>  
**Sent:** Wednesday, November 22, 2023 5:09 PM  
**To:** Sanchez, Suzanna A. <suzannasanchez@cabq.gov>  
**Subject:** QuikTrip Evidence for 11-21 ZHE meeting

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Good evening Suzie,



I want to thank you and the rest of the staff for being so patient and professional yesterday. Here is the requested presentation. The last three slides were not shared during the meeting, but are already in the public record from the neighborhood meeting. I just moved them to the end of the presentation when I added the new slides. Please verify that you were able to download the file.

<https://quiktrip.sharefile.com/d-s886ad39b2c7a4fd193e09836ebf9d75b>

Thanks again,



**Cathy Garland | Real Estate Project Manager**

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742 NW Loop 410, Suite 102

San Antonio, TX 78216





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***MORE THAN  
A GAS STATION.***



## Who is QuikTrip?

QuikTrip (also known as QT) was founded in 1958. We are a privately-held convenience store corporation with over 1000 stores in 17 states.





the details set us apart

QuikTrip operates every store (no franchises), and that guarantees you will have the same great experience every time you come to QuikTrip.





---

made-fresh-to-order



In 2010, QuikTrip moved into the fresh food business, by adding state of the art made-to-order food and drinks.

---



## an **asset** to our neighbors

The maintenance and upkeep of our stores is a high priority. We employ over 200 technicians to make repairs 24 hours a day.

Our centralized IT department keeps our technology ahead of the curve.





**GasBuddy**



## Texas' top-rated gas station restroom not Buc-ee's, GasBuddy says

10/22/2017 8:25am CDT

Location's beloved Buc-ee's was beat out on GasBuddy's recent analysis of the top-rated gas station restrooms in every state.

Via, Oklahoma-based QuikTrip — also known as QT — came out on top in Texas, the only state in which Buc-ee's currently operates.

QuikTrip needed to have at least 20 locations in a state to be considered in the analysis, which was conducted using data collected from March 2016 through April 2017. QT has more than 130 locations in the Dallas-Fort Worth area, according to its website, and Buc-ee's currently has 32 locations in Texas.

QT was the top-rated gas station restroom in nine states, GasBuddy found. That was the highest number of any company in the analysis.

Today's customers expect more than a key attached to a hubcap or a sign informing visitors that restrooms are for "paying customers only," Frank Beard, convenience store and retail trends analyst at GasBuddy, said in a May 18 press release. "As someone who has visited more than 1,000 convenience stores in 24 states, I've seen that many leading convenience stores have already separated themselves from the competition by making restroom quality a priority."

Buc-ee's is often lauded for the restrooms at its chain of wildly popular convenience stores and travel centers. Many of the locations are around 50,000 square feet and have more than 100 fuel pumps.

Most recently, the company announced its first locations outside of Texas would be in Dayton Beach and Fort Myers, Florida.

In the Houston area, Buc-ee's is building its first Katy location, which is expected to open this fall, in addition to a 56,000-square-foot building and 120 fuel dispensers, that location will feature a 255-foot-long car wash. Buc-ee's is calling it the longest car wash in the world.

Buc-ee's opened its first location in Lake Jackson in 1982, where it's partially based. The company moved parts of its headquarters to Pearland in 2015.

Eric Palomelli  
Senior Editor  
QuikTrip Business Journal



FILE PHOTO: Buc-ee's is the best gas station restroom in Texas, according to GasBuddy's recent analysis of the top-rated gas station restrooms in every state.





willing and able



Each store generates an average of \$1.3 million in annual and local state taxes. Moreover, QuikTrip donates 5% of our annual net profits to charitable organizations.





## our most valued asset

The contributions of our hard-working, dedicated employees are rewarded with the **best wages** in the industry, **great benefits**, and **promotions** from within.

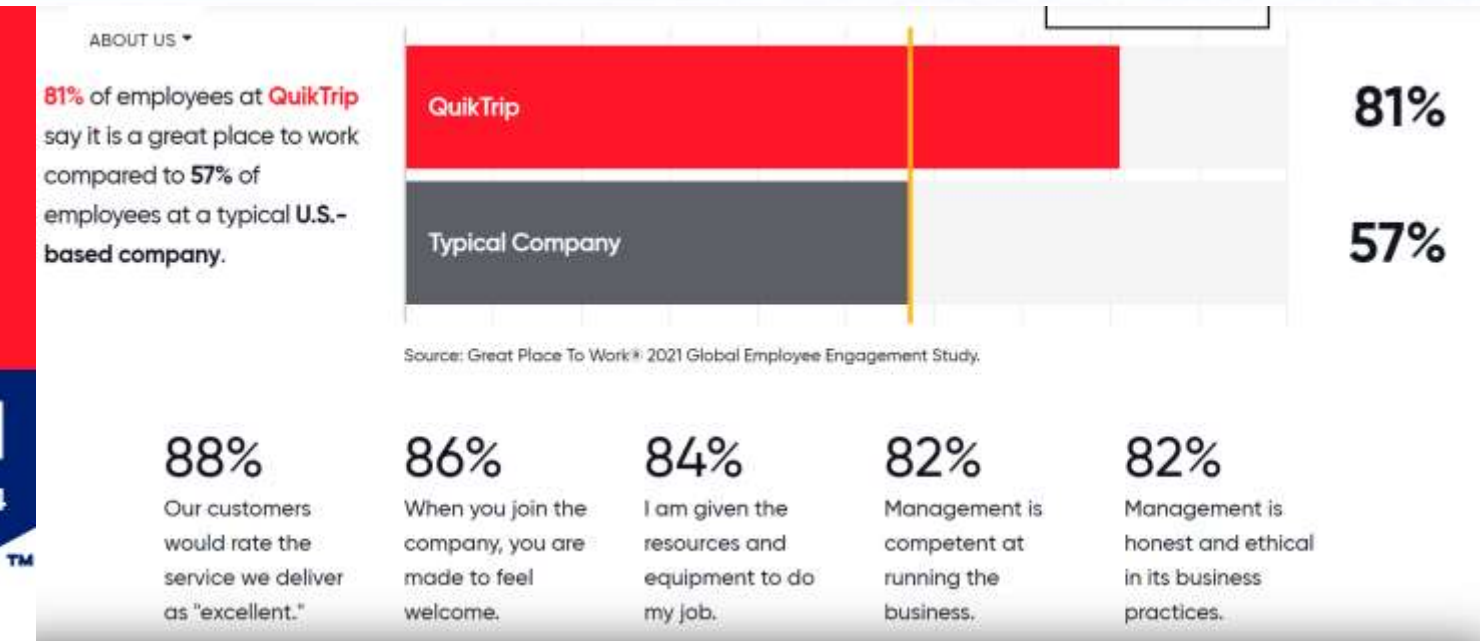




**Great  
Place  
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**Certified**  
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<https://www.greatplacetowork.com/certified-company/1000407>

**#5 in Grocery and  
Convenience Stores**



[Most Trustworthy Companies in America 2023 \(newsweek.com\)](https://www.newsweek.com/most-trustworthy-companies-2023)



## committed to security



Providing a great work environment, serving our customers and being a welcome community partner starts with exceptional security. Each store has multiple alarm points and digital video surveillance that is monitored 24/7 from our centralized, high-tech Security Operations Center.

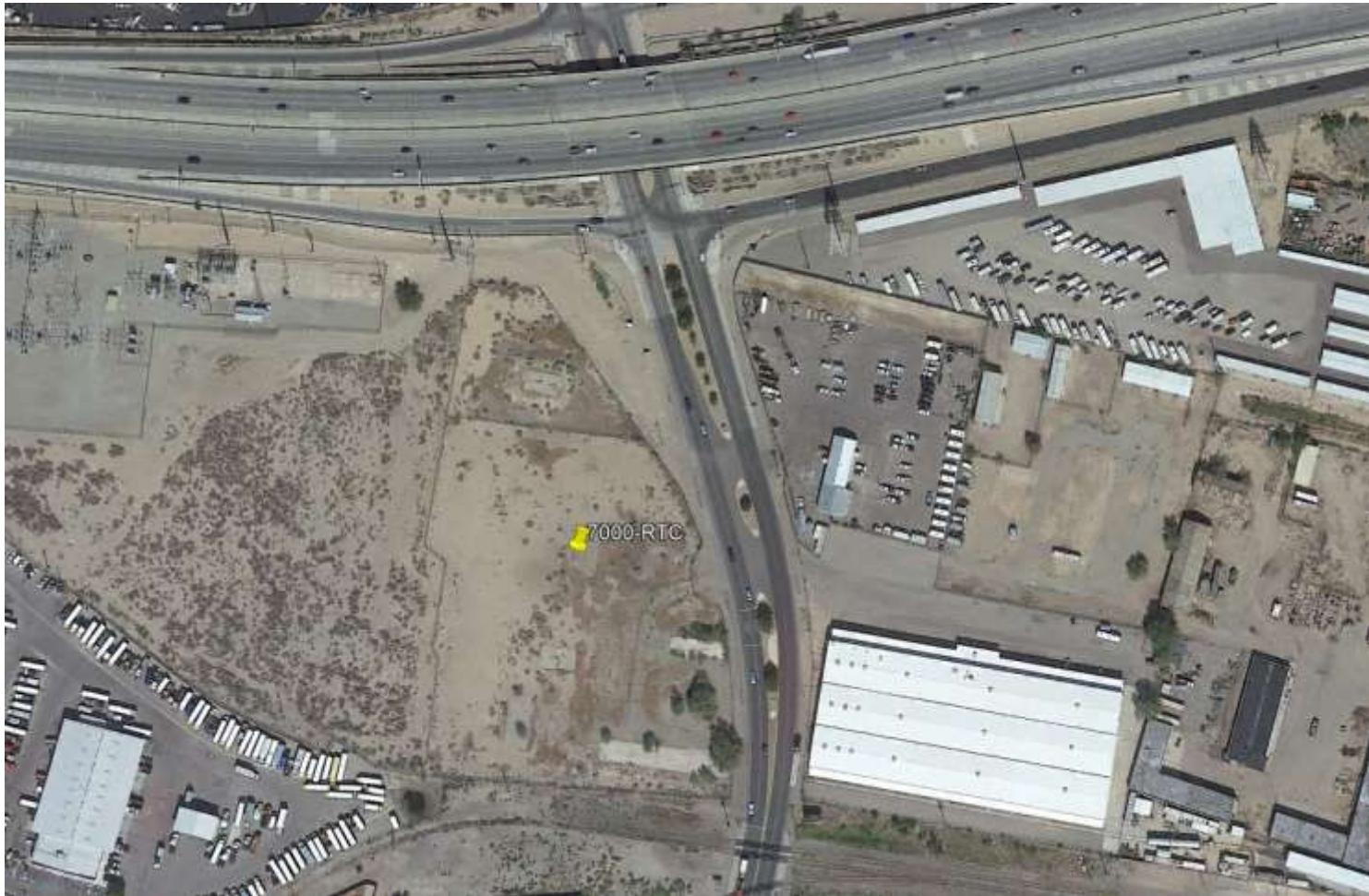
**“QuikTrip’s commitment to the safety of their employees and customers is not only well known by the community, it is deeply appreciated by every deputy in Tulsa County”**

**-Tulsa County Sheriff’s Department**



# Proposed Location

SW Corner of I-40 and 12<sup>th</sup> St NW





# Current Conditions









# **Request for Special Exception**

- **Site is along a commuter corridor in an Area of Change**
  - **Commuter corridor uses should be more auto oriented**
  - **Better access to good and services from home and work**
- **High quality infill as encouraged in Comprehensive Plan**
  - **Use is compatible in form and scale to the immediately surrounding development**
  - **Productive use of vacant lots and expanding employment opportunities**
  - **Discourages sprawl**



# Comprehensive Plan

- **5.1.1 h)** encourage all new development, especially in designated centers and corridors
- **5.1.1 i)** locate industrial development in Employment Centers or in existing industrial zones within the I-25 and I-40 corridors
- **5.1.12 a)** allow auto oriented, single-use development among commuter corridors
- **5.2.1 a)** encourage development and redevelopment that brings goods, services, and amenities within walking and biking distances of neighborhoods
- **5.2.1 h)** encourage infill development that adds complimentary uses and is compatible in form and scale to the immediately surrounding development
- **5.2.1 n)** encourage more productive use of vacant lots
- **5.6.2 b)** encourage development that expands employment opportunities in areas of change
- **6.2.8 b)** on commuter corridors and other auto oriented arterials, provide convenient access to auto-oriented uses



# Heavy Vehicle Fueling

## 4-3(D)(17) Heavy Vehicle and Equipment Sales, Rental, Fueling, and Repair

- 4-3(D)(17)(a) This use must comply with stormwater quality requirements found in the DPM.
- 4-3(D)(17)(b) The lot must be graded and surfaced pursuant to DPM standards and shall be maintained in a level and serviceable condition.
- 4-3(D)(17)(c) This use must be screened as required by Subsection 14-16-5-6(G)(4) (Outdoor Storage Areas for Vehicles, Equipment, and Materials). The Planning Director may require a taller wall, fence, or vegetative screen to provide an adequate buffer for an abutting Residential zone district or lot containing a residential use in any Mixed-use zone district from the reasonably anticipated visual or noise impacts of this use.
- 4-3(D)(17)(d) For fueling station canopies, all under-canopy lighting shall be recessed so that no light lens projects below the canopy ceiling. The canopy fascia shall not be internally illuminated.
- 4-3(D)(17)(e) Vehicle repair, servicing, and maintenance shall be conducted within fully enclosed portions of a building.
- 4-3(D)(17)(f) Any building that contains vehicle repair, servicing, and maintenance is prohibited within 25 feet in any direction of any Residential zone district or lot containing a residential use in any Mixed-use zone district.
- 4-3(D)(17)(g) If located within 330 feet of any Residential zone district, this use shall require a Conditional Use Approval pursuant to Subsections 14-16-5-2(E) and 14-16-6-6(A).
- 4-3(D)(17)(h) This use is prohibited within 330 feet in any direction of Major Public Open Space.
- 4-3(D)(17)(i) A cumulative impacts analysis may be required at the time of application submittal for projects within the Railroad and Spur Small Area, pursuant to Subsections 14-16-5-2(E) (Cumulative Impacts) and 14-16-6-4(H) (Cumulative Impacts Analysis Requirements).

- a) Site will be engineered to comply with all stormwater quality requirements
- b) Site will be graded and surfaced according to DPM standards
- c) Outdoor storage is not planned for this site
- d) Canopy lighting is recessed. The fascia is not internally illuminated.
- e) There is no vehicle repair, service, or maintenance planned for this site
- f) There is no vehicle repair, service, or maintenance planned for this site
- g) There are no Residential zone districts within 330 feet
- h) There are no Major Public Open Spaces within 330 feet
- i) Cumulative impacts analysis will be conducted if required by the EPC



# Nicotine Retail

## 4-3(D)(40) Nicotine Retail

4-3(D)(40)(a) Nicotine sales are allowed provided that the establishment complies with all New Mexico State law requirements, including but not limited to any required spacing from other uses or facilities.

4-3(D)(40)(b) If allowed as a conditional primary use in Table 4-2-1 (i.e. indicated as "C" in the table), this use is considered a primary use for the purposes of this IDO, regardless of the use, area, or purpose of any other primary uses on the same premises and shall meet all of the following requirements, except where it is allowed as a permissive accessory use pursuant to IDO Subsection (c) below.

1. This use is prohibited within 1,000 feet in any direction of a lot containing any other **primary** nicotine retail use.
2. If this use is within 500 feet in any direction of any Residential zone district or lot containing a residential use in any Mixed-use zone district, customer visits and deliveries are prohibited between 10:00 P.M. and 7:00 A.M.

4-3(D)(40)(c) In the MX-M, MX-H, and NR-C zone districts, this use does not require a Conditional Use Approval pursuant to Subsection 14-16-6-6(A) if accessory to general retail or a grocery store, in which case it is allowed as a permissive accessory use.

4-3(D)(40)(d) If allowed as an accessory use in Table 4-2-1 (i.e. indicated as either "A" or "CA" in the table), this use is prohibited unless accessory to and part of the same establishment as a general retail or grocery store use, in which case this use is limited to no more than 50 percent of the gross floor area.

4-3(D)(40)(e) In the MX-T and MX-L zone districts, this use is limited to 10,000 square feet of gross floor area.

- a) QuikTrip employees are trained in Responsible Retailing and must follow the policy. QuikTrip operates over 1000 stores in 17 states that sell nicotine and comply with all applicable laws.
- b) Nicotine sales are allowed as a conditional primary use in NR-BP
  1. No lot has been identified as **primary** nicotine retail use within 1000 feet of site
  2. Surrounding lots within 500 feet are not Residential
- c) This site is NR-BP. The general retail exception does not apply
- d) The allowable use table indicates "C"
- e) We are not in either of these districts



# Liquor Retail

## 4-3(D)(39) Liquor Retail

- 4-3(D)(39)(a) Alcohol sales for off-premises consumption are allowed provided that the establishment complies with all New Mexico State law requirements, including but not limited to any required spacing from other uses or facilities.
- 4-3(D)(39)(b) Alcohol sales for on-premises consumption are also allowed as an incidental activity provided that the establishment complies with all New Mexico State law requirements.
- 4-3(D)(39)(c) Notwithstanding other provisions in this Subsection 14-16-4-3(D)(39), this use requires a Conditional Use Approval pursuant to Subsection 14-16-6-6(A) when proposed within 500 feet of any Residential or NR-PO zone district or any group home use, as measured from the nearest edge of the building containing the use to the nearest Residential or NR-PO zone district or lot containing a group home.
- 4-3(D)(39)(d) In the MX-T zone district, this use is limited to 10,000 square feet of gross floor area.
- 4-3(D)(39)(e) In the MX-L zone district, this use is prohibited, except in the following small areas, where it is allowed as accessory to a grocery store:
- 4-3(D)(39)(f) In the MX-M, MX-H, and NR-C zone districts, this use requires a Conditional Use Approval pursuant to Subsection 14-16-6-6(A) unless accessory to a grocery store, except in the following small areas, where it is prohibited unless accessory to a grocery store as noted:
- 4-3(D)(39)(g) Nob Hill/Highland Small Area  
This use is prohibited in the following mapped small area.
- 4-3(D)(39)(h) University Neighborhoods Small Area  
This use is prohibited in the MX-M zone district in the following mapped small area unless associated with a grocery store west of University Boulevard.

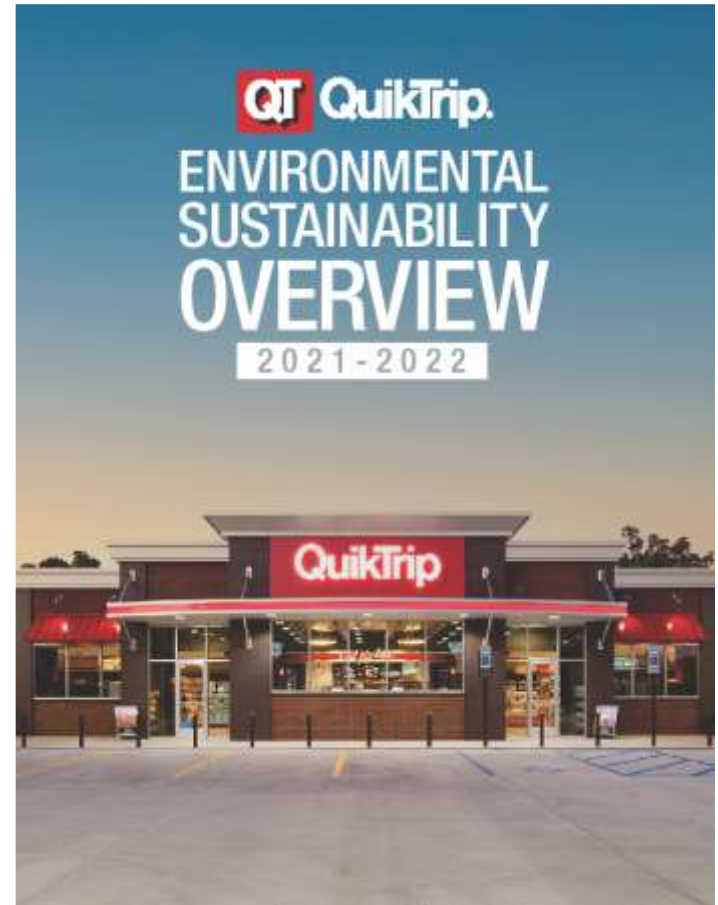
- a) QuikTrip employees are trained in Responsible Retailing and must follow the policy. QuikTrip operates over 1000 stores in 17 states that sell alcohol and comply with all applicable laws.
- b) On-premises consumption is not planned for this site
- c) There are no Residential or NR-PO zone districts within 500 feet of the site
- d) We are not in the MX-T zone district
- e) We are not in the MX-L zone district
- f) We are not in any of these zone districts
- g) We are not in this Small Area
- h) We are not in this Small Area



# Supplemental Material Available



Exposure Assessment  
Pamphlet



QT Environmental Sustainability  
Report 2<sup>nd</sup> Edition



**Thank you for your time and  
consideration.**



Line Path Polygon Circle 3D path 3D polygon

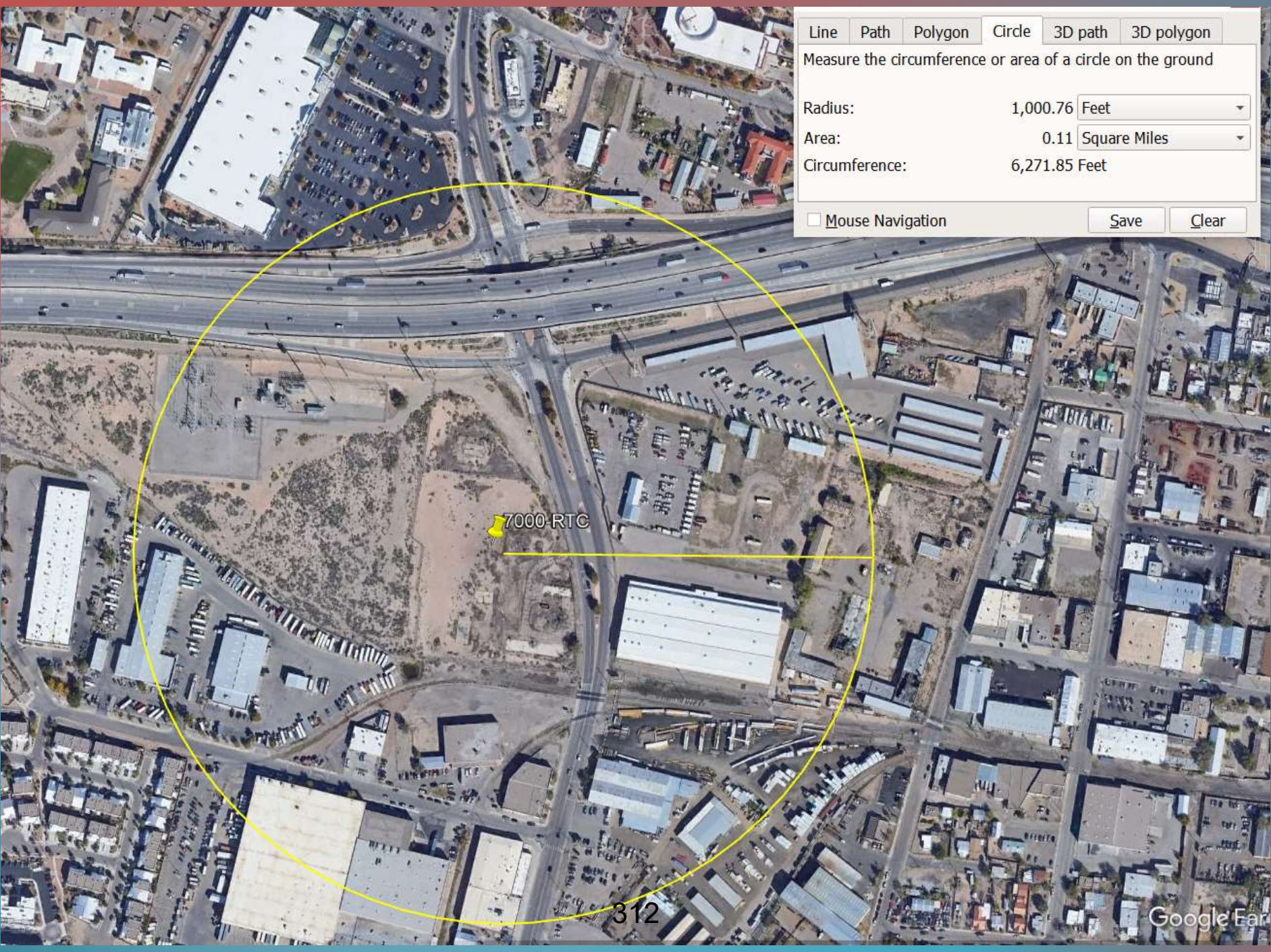
Measure the circumference or area of a circle on the ground

Radius: 1,000.76 Feet

Area: 0.11 Square Miles

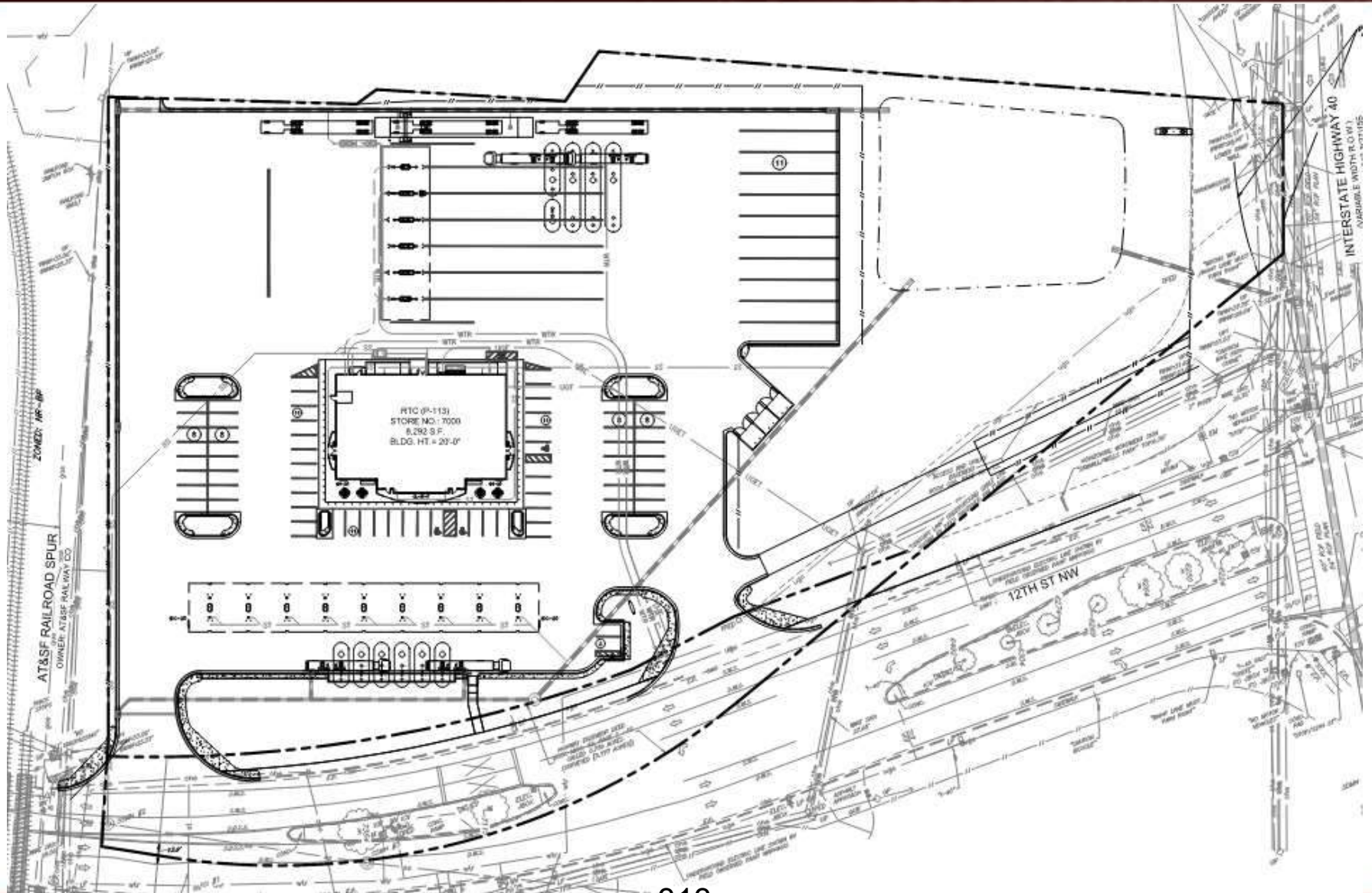
Circumference: 6,271.85 Feet

☐ Mouse Navigation Save Clear





# Conceptual Site Plan





# Conditional Use Approval

## Part 14-16-6: Administration and Enforcement

### 6-6: Decisions Requiring a Public Hearing

6-6(A): Conditional Use Approval

6-6(A)(3): Review and Decision Criteria

#### **6-6(A)(3) Review and Decision Criteria**

An application for a Conditional Use Approval shall be approved if it meets all of the following criteria.

- 6-6(A)(3)(a) It is consistent with the adopted ABC Comp Plan, as amended.
- 6-6(A)(3)(b) It complies with all applicable provisions of this IDO, including but not limited to any 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, or there is a condition of approval that any Variances or Waivers needed to comply with any of these provisions must be approved or the Conditional Use Approval will be invalidated pursuant to Subsection (2)(c)2 above.
- 6-6(A)(3)(c) It will not create significant adverse impacts on adjacent properties, the surrounding neighborhood, or the larger community.
- 6-6(A)(3)(d) It will not create material adverse impacts on other land in the surrounding area through increases in traffic congestion, parking congestion, noise, or vibration without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts.
- 6-6(A)(3)(e) On a project site with existing uses, it will not increase non-residential activity within 300 feet in any direction of a lot in any Residential zone district between the hours of 10:00 P.M. and 6:00 A.M.
- 6-6(A)(3)(f) It will not negatively impact pedestrian or transit connectivity without appropriate mitigation.





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

Mountain Run Partners, LTD (Agent, QT South LLC) requests a conditional use to allow for a heavy vehicle fueling station in IDO zone NR-BP for Lot 78A, MRGCD Map 36, located at 1701 12<sup>TH</sup> ST NW, zoned NR-BP [Section 14-16-4-2]

Special Exception No: ..... **VA-2023-00294**  
Project No: ..... **Project#2023-009345**  
Hearing Date: ..... 11-21-23  
Closing of Public Record: ..... 11-21-23  
Date of Decision: ..... 12-06-23

On the 21st day of November, 2023, QT South, LLC, agent for property owner Mountain Run Partners, LTD (“Applicant”) appeared before the Zoning Hearing Examiner (“ZHE”) requesting a conditional use to allow for a heavy vehicle fueling station in IDO zone NR-BP (“Application”) upon the real property located at 1701 12<sup>TH</sup> ST NW (“Subject Property”). Below are the ZHE’s finding of fact and decision:

**FINDINGS:**

1. Applicant is requesting a conditional use to allow for a heavy vehicle fueling station in IDO zone NR-BP.
2. Applicant bears the burden of providing a sound justification for the required decision, based on substantial evidence, pursuant to IDO Section 14-16-6-4(E)(3).
3. Applicant bears the burden of showing compliance with required standards through analysis, illustrations, or other exhibits as necessary, pursuant to IDO Section 14-16-6-4(E)(4).
4. Applicant established that the proper “Notice of Hearing” signage was posted for the required time period.
5. Applicant established that all property owners and neighborhood association entitled to notice were notified of the Application.
6. The subject property is currently zoned NR-BP.
7. The Applicant has authority to pursue this Application.
8. The City of Albuquerque Code of Ordinances Section 14-16-6-6(A)(3) (Review and Decision Criteria– Conditional Use) reads: *“An application for a Conditional Use Approval shall be approved if it meets all of the following criteria:*
  - (a) It is consistent with the ABC Comp. Plan, as amended;*
  - (b) It complies with all applicable provisions of the IDO, including, but not limited to any 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 any prior permit or approval affecting the property, or there is a condition of approval that any Variances or Waivers needed to comply with any of these provisions must be approved or the Conditional Use Approval will be invalidated pursuant to Subsection (2)(c)2 above;*
  - (c) It will not create significant adverse impacts on adjacent properties, the surrounding neighborhood, or the larger community;*



- (d) *It will not create material adverse impacts on other land in the surrounding area, through increases in traffic congestion, parking congestion noise, or vibration without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts;*
  - (e) *On a project site with existing uses, it will not increase non- residential activity within 300 feet in any direction of a lot in any Residential zone district between the hours of 10:00 P.M. and 6:00 A.M.;*
  - (f) *It will not negatively impact pedestrian or transit connectivity without appropriate mitigation*
9. Applicant's agent appeared at the ZHE hearing on this matter and gave evidence in support of the Application.
  10. Applicant has not met the burden of providing evidence that establishes that the requested Conditional Use approval is consistent with the ABC Comp. Plan, as amended. Specifically, POLICY 5.3.7 provides: *"Locally Unwanted Land Uses: Ensure that land uses that are objectionable to immediate neighbors but may be useful to society are located carefully and equitably to ensure that social assets are distributed evenly and social responsibilities are borne fairly across the Albuquerque area."* Opponents pointed out that the heavy vehicle fueling, nicotine retail, and liquor retail uses requested for the Subject Property are locally unwanted uses, and sufficient uses of these types already exist within the neighborhood. Siting additional uses of these types would inequitable concentrate such locally unwanted land uses in the vicinity of the Subject Property.
  11. Applicant has not met the burden of providing evidence that establishes that the requested Conditional Use approval will not create significant adverse impacts on adjacent properties, the surrounding neighborhood, or the larger community. Opponents pointed out that the proposed uses on the Subject Property would be in conflict with the City's Metropolitan Redevelopment Agency plans and other work toward developing trail systems, open space and other amenities in the area.
  12. Applicant has not met the burden of providing evidence that establishes that the requested Conditional Use approval will not create material adverse impacts on other land in the surrounding area, through increases in traffic congestion, parking congestion noise, or vibration without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts. Further, large vehicles exiting the site after heavy fueling or making commercial deliveries would either have to make an unsignalized left turn onto busy 12<sup>th</sup> Street or make a right turn onto 12<sup>th</sup> Street and toward a residential area where 12<sup>th</sup> Street narrows. The Application does not demonstrate how any of these negative impacts would be mitigated sufficiently.
  13. Because all prongs of the conditional use test must be satisfied and, as stated above, the Application failed to satisfy several prongs of the test, the Application must be denied.
  14. Out of considerations of administrative and quasi-judicial economy, the ZHE will not summarize any analysis of the remaining prongs of the variance test in this Notification of Decision.

#### DECISION:

DENIAL of a conditional use to allow for a heavy vehicle fueling station in IDO zone NR-BP.



APPEAL:

If you wish to appeal this decision, you must do so by December 21, 2023 pursuant to Section 14-16-6-4(V), of the Integrated Development Ordinance, you must demonstrate that you have legal standing to file an appeal as defined.

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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Zoning Hearing Examiner

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

Mountain Run Partners, LTD (Agent, QT South LLC) requests a conditional use to allow for nicotine retail in an NR-BP zone for Lot 78A, MRGCD Map 36, located at 1701 12<sup>TH</sup> ST NW, zoned NR-BP [Section 14-16-4-2]

Special Exception No: ..... **VA-2023-00295**  
Project No: ..... **Project#2023-009345**  
Hearing Date: ..... 11-21-23  
Closing of Public Record: ..... 11-21-23  
Date of Decision: ..... 12-06-23

On the 21st day of November, 2023, QT South, LLC, agent for property owner Mountain Run Partners, LTD (“Applicant”) appeared before the Zoning Hearing Examiner (“ZHE”) requesting a conditional use to allow for nicotine retail in an NR-BP zone (“Application”) upon the real property located at 1701 12<sup>TH</sup> ST NW (“Subject Property”). Below are the ZHE’s finding of fact and decision:

**FINDINGS:**

1. Applicant is requesting a conditional use to allow for nicotine retail in an NR-BP zone.
2. Applicant bears the burden of providing a sound justification for the required decision, based on substantial evidence, pursuant to IDO Section 14-16-6-4(E)(3).
3. Applicant bears the burden of showing compliance with required standards through analysis, illustrations, or other exhibits as necessary, pursuant to IDO Section 14-16-6-4(E)(4).
4. Applicant established that the proper “Notice of Hearing” signage was posted for the required time period.
5. Applicant established that all property owners and neighborhood association entitled to notice were notified of the Application.
6. The subject property is currently zoned NR-BP.
7. The Applicant has authority to pursue this Application.
8. The City of Albuquerque Code of Ordinances Section 14-16-6-6(A)(3) (Review and Decision Criteria– Conditional Use) reads: “*An application for a Conditional Use Approval shall be approved if it meets all of the following criteria:*
  - (a) *It is consistent with the ABC Comp. Plan, as amended;*
  - (b) *It complies with all applicable provisions of the IDO, including, but not limited to any 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 any prior permit or approval affecting the property, or there is a condition of approval that any Variances or Waivers needed to comply with any of these provisions must be approved or the Conditional Use Approval will be invalidated pursuant to Subsection (2)(c)2 above;*
  - (c) *It will not create significant adverse impacts on adjacent properties, the surrounding neighborhood, or the larger community;*



- (d) *It will not create material adverse impacts on other land in the surrounding area, through increases in traffic congestion, parking congestion noise, or vibration without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts;*
  - (e) *On a project site with existing uses, it will not increase non- residential activity within 300 feet in any direction of a lot in any Residential zone district between the hours of 10:00 P.M. and 6:00 A.M.;*
  - (f) *It will not negatively impact pedestrian or transit connectivity without appropriate mitigation*
9. Applicant's agent appeared at the ZHE hearing on this matter and gave evidence in support of the Application.
  10. Applicant has not met the burden of providing evidence that establishes that the requested Conditional Use approval is consistent with the ABC Comp. Plan, as amended. Specifically, POLICY 5.3.7 provides: "*Locally Unwanted Land Uses: Ensure that land uses that are objectionable to immediate neighbors but may be useful to society are located carefully and equitably to ensure that social assets are distributed evenly and social responsibilities are borne fairly across the Albuquerque area.*" Opponents pointed out that the heavy vehicle fueling, nicotine retail, and liquor retail uses requested for the Subject Property are locally unwanted uses, and sufficient uses of these types already exist within the neighborhood. Siting additional uses of these types would inequitable concentrate such locally unwanted land uses in the vicinity of the Subject Property.
  11. Applicant has not met the burden of providing evidence that establishes that the requested Conditional Use approval will not create significant adverse impacts on adjacent properties, the surrounding neighborhood, or the larger community. Opponents pointed out that the proposed uses on the Subject Property would be in conflict with the City's Metropolitan Redevelopment Agency plans and other work toward developing trail systems, open space and other amenities in the area.
  12. Applicant has not met the burden of providing evidence that establishes that the requested Conditional Use approval will not create material adverse impacts on other land in the surrounding area, through increases in traffic congestion, parking congestion noise, or vibration without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts. Further, large vehicles exiting the site after heavy fueling or making commercial deliveries would either have to make an unsignalized left turn onto busy 12<sup>th</sup> Street or make a right turn onto 12<sup>th</sup> Street and toward a residential area where 12<sup>th</sup> Street narrows. The Application does not demonstrate how any of these negative impacts would be mitigated sufficiently.
  13. Because all prongs of the conditional use test must be satisfied and, as stated above, the Application failed to satisfy several prongs of the test, the Application must be denied.
  14. Out of considerations of administrative and quasi-judicial economy, the ZHE will not summarize any analysis of the remaining prongs of the variance test in this Notification of Decision.

#### DECISION:

DENIAL of a conditional use to allow for nicotine retail in an NR-BP zone.



APPEAL:

If you wish to appeal this decision, you must do so by December 21, 2023 pursuant to Section 14-16-6-4(V), of the Integrated Development Ordinance, you must demonstrate that you have legal standing to file an appeal as defined.

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

Mountain Run Partners, LTD (Agent, QT South LLC) requests a conditional use to allow for liquor retail in an NR-BP zone for Lot 78A, MRGCD Map 36, located at 1701 12<sup>TH</sup> ST NW, zoned NR-BP [Section 14-16-4-2]

Special Exception No: ..... **VA-2023-00296**  
Project No: ..... **Project#2023-009345**  
Hearing Date: ..... 11-21-23  
Closing of Public Record: ..... 11-21-23  
Date of Decision: ..... 12-06-23

On the 21st day of November, 2023, QT South, LLC, agent for property owner Mountain Run Partners, LTD (“Applicant”) appeared before the Zoning Hearing Examiner (“ZHE”) requesting a conditional use to allow for liquor retail in an NR-BP zone (“Application”) upon the real property located at 1701 12<sup>TH</sup> ST NW (“Subject Property”). Below are the ZHE’s finding of fact and decision:

**FINDINGS:**

1. Applicant is requesting a conditional use to allow for liquor retail in an NR-BP zone.
2. Applicant bears the burden of providing a sound justification for the required decision, based on substantial evidence, pursuant to IDO Section 14-16-6-4(E)(3).
3. Applicant bears the burden of showing compliance with required standards through analysis, illustrations, or other exhibits as necessary, pursuant to IDO Section 14-16-6-4(E)(4).
4. Applicant established that the proper “Notice of Hearing” signage was posted for the required time period.
5. Applicant established that all property owners and neighborhood association entitled to notice were notified of the Application.
6. The subject property is currently zoned NR-BP.
7. The Applicant has authority to pursue this Application.
8. The City of Albuquerque Code of Ordinances Section 14-16-6-6(A)(3) (Review and Decision Criteria– Conditional Use) reads: “*An application for a Conditional Use Approval shall be approved if it meets all of the following criteria:*
  - (a) *It is consistent with the ABC Comp. Plan, as amended;*
  - (b) *It complies with all applicable provisions of the IDO, including, but not limited to any 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 any prior permit or approval affecting the property, or there is a condition of approval that any Variances or Waivers needed to comply with any of these provisions must be approved or the Conditional Use Approval will be invalidated pursuant to Subsection (2)(c)2 above;*
  - (c) *It will not create significant adverse impacts on adjacent properties, the surrounding neighborhood, or the larger community;*



- (d) *It will not create material adverse impacts on other land in the surrounding area, through increases in traffic congestion, parking congestion noise, or vibration without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts;*
  - (e) *On a project site with existing uses, it will not increase non- residential activity within 300 feet in any direction of a lot in any Residential zone district between the hours of 10:00 P.M. and 6:00 A.M.;*
  - (f) *It will not negatively impact pedestrian or transit connectivity without appropriate mitigation*
9. Applicant's agent appeared at the ZHE hearing on this matter and gave evidence in support of the Application.
  10. Applicant has not met the burden of providing evidence that establishes that the requested Conditional Use approval is consistent with the ABC Comp. Plan, as amended. Specifically, POLICY 5.3.7 provides: "*Locally Unwanted Land Uses: Ensure that land uses that are objectionable to immediate neighbors but may be useful to society are located carefully and equitably to ensure that social assets are distributed evenly and social responsibilities are borne fairly across the Albuquerque area.*" Opponents pointed out that the heavy vehicle fueling, nicotine retail, and liquor retail uses requested for the Subject Property are locally unwanted uses, and sufficient uses of these types already exist within the neighborhood. Siting additional uses of these types would inequitable concentrate such locally unwanted land uses in the vicinity of the Subject Property.
  11. Applicant has not met the burden of providing evidence that establishes that the requested Conditional Use approval will not create significant adverse impacts on adjacent properties, the surrounding neighborhood, or the larger community. Opponents pointed out that the proposed uses on the Subject Property would be in conflict with the City's Metropolitan Redevelopment Agency plans and other work toward developing trail systems, open space and other amenities in the area.
  12. Applicant has not met the burden of providing evidence that establishes that the requested Conditional Use approval will not create material adverse impacts on other land in the surrounding area, through increases in traffic congestion, parking congestion noise, or vibration without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts. Further, large vehicles exiting the site after heavy fueling or making commercial deliveries would either have to make an unsignalized left turn onto busy 12<sup>th</sup> Street or make a right turn onto 12<sup>th</sup> Street and toward a residential area where 12<sup>th</sup> Street narrows. The Application does not demonstrate how any of these negative impacts would be mitigated sufficiently.
  13. Because all prongs of the conditional use test must be satisfied and, as stated above, the Application failed to satisfy several prongs of the test, the Application must be denied.
  14. Out of considerations of administrative and quasi-judicial economy, the ZHE will not summarize any analysis of the remaining prongs of the variance test in this Notification of Decision.

DECISION:

DENIAL of a conditional use to allow for liquor retail in an NR-BP zone.



APPEAL:

If you wish to appeal this decision, you must do so by December 21, 2023 pursuant to Section 14-16-6-4(V), of the Integrated Development Ordinance, you must demonstrate that you have legal standing to file an appeal as defined.

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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Robert Lucero, Esq.  
Zoning Hearing Examiner

cc:

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Mike Pondo, 611 Bellamah NW, 87102  
Melanie Lewis, 931 11<sup>th</sup> ST NW, 87102





**Hearing on Special Exceptions  
to the Integrated Development Ordinance**

**MINUTES**

**November 15, 2023**

**600 2<sup>nd</sup> St NW, Albuquerque, NM 87102**

**CITY STAFF PRESENT:**

**Robert Lucero – Zoning Hearing Examiner**

**Lorena Patten-Quintana – ZHE Planner, Planning Department**

**Suzie Sanchez-Flores – Hearing Monitor**



ZHE: Next are three agenda items that will be heard together. Agenda items 39, 40 and 41. Those are VA-2023-00294-00295 and -00296. All listed under project number, PR-2023-009345. Mountain Run Partners Ltd. through agent QT South, LLC request a conditional use to allow for a heavy vehicle fueling station in IDO zone NR-BP for Lot 78A, MRGCD Map 36 located at 1701 12<sup>TH</sup> ST NW. Again, zoned NR-BP. The same applicant and agent request a conditional use to allow for nicotine retail at the same site, same zoning and the same applicant and agent request a conditional use to allow for liquor retail at the same site, same zoning. Do we have the applicant or agent here today?

C. GARLAND: Yes, I'm here.

ZHE: Thank you. Would you please state your full name and mailing address for the record?

C. GARLAND: Yes, my name is Cathy Garland. My mailing address is 742 Northwest Loop 410 Suite 102 San Antonio, TX, 78216.

ZHE: Thank you and please raise your right hand. Do you affirm under penalty of perjury that your testimony today will be true?

C. GARLAND: Yes.

ZHE: Thank you, go ahead.

C. GARLAND: Okay, I would also like to share my screen real quick.

ZHE: Sure.

C. GARLAND: So, my name Cathy Garland and I am here as a real estate project manager with Quick Trip. I want to kind of introduce what Quick Trip is and why we are asking for this special exception. So, QT was founded in Tulsa, Oklahoma in 1958. We have expanded to over 1,000 stores in 17 states. Our slogan is as you can see here is "More than a gas station."

ZHE: I can't see your screenshare.

C. GARLAND: I'm sorry. I apologize you guys, I am not used to Zoom. That was my mistake. Okay.

ZHE: There we go.

C. GARLAND: I apologize for that. So, we are more than a gas station. I am going to skip to the next slide here. I already did that one... All of our stores are corporately owned which helps ensure a quality consistent experience every time you shop. Quick Trip stores feature a kitchen facility with fresh made to order options in addition to grab and go items that are available. They are a great option for commuters and families. We even have an app that lets customers order ahead and we offer curbside service if you do not want to get out of your car. We offer a variety of items like cold brew coffee, pizza, subs, tacos, a really wide range of stuff so, you don't have to go to another establishment to get your food if you are on the go. Quick Trip really values the areas that they operate in. We like to consider ourselves an asset to the neighbors. Quick Trip always innovating



and reinvesting in its facilities. We don't just build a store and walk away. Our facilities support employees perform preventative maintenance and any necessary repairs very quickly so we can get everything operational again. Maintaining and upgrading our facilities is one of our biggest expenses. It is actually second to wages. For our company another great service to the community is our clean restrooms. We take a lot of pride in our stores and you can see that in all the states where we have major markets. We rank as the cleanest restroom facilities so that is something that is always useful if you are on the go. You really want to stop by and you want to know that you are going to have a clean restroom experience inside a clean facility. Quick Trip also believes in giving back to the communities that they serve. Every store is a safe place location which gets minors help if they need if they can't go to the police or if they find themselves in a dangerous situation all employees are trained on how to get them the assistance that they need. We partner with Folds of Honor and one of our biggest partners is the United Way and the United Way works with local charities in every community that we operate. We actually received a groundbreaker award from the United Way in 2022. We also just announced last week, \$3m in grants to Phoenix area nonprofits to help keep their area safer and stronger and some of that was done with United Way Partners and other nonprofits we have been partnering with. What really sets Quick Trip apart though is how they care about their employees. Quick Trip trains, promotes from within to provide all employees an opportunity to grow and succeed. I actually started as a part-time clerk 23 years ago with the company never thinking it would be a career. Here I am, I worked my way up in the store and now, I'm working to grow the company across the country. I stayed because it takes such good care of us. In addition to health benefits and wages, Quick Trip offers 401K, tuition reimbursement, stock ownership programs. They want to make sure the employees are taken care of and that they are in it for the long term. Just real quick, some of the accolades that Quick Trip receives, we are a certified great place to work, we have been on the Fortune best place to work list, we are constantly on Forbes top privately held companies, and just this year in Newsweek we were ranked the #5 most trustworthy grocery and convenient store in the retail category. Quick Trip really take a lot of pride in all of their facilities and what they do, who they are, because they want to make sure not only is the customer taken care of but their employees are as well. Another way that they take care of employees and customers alike is their commitment to security. Our security is considered to be as good as or better than most banks. Law enforcement departments all across the country thank us for how much we are committed to security, we can provide them with footage if they need anything. We work really closely with law enforcement. We have alarms, video, audio surveillance, throughout the site not just in the store. We have pinhole cameras at every single-entry point. Employees can wear alarms that they can press if they are in a dangerous situation. All of our cameras are monitored by our security center that offers 24/7 surveillance and they can actually dispatch law enforcement or emergency services, if needed. I am going to talk about our proposed location and our proposed use and why we're here. You can see that our site right here, this pin is the site of our proposed development. It is adjacent to an electric substation and up against I-40. This lot has been vacant for over 20 years and is surrounded by commercial and industrial uses. Here is what the site looks like now. It is abandoned, it is fenced off, there is overgrowth, trash, there are no services, no sidewalks, no ADA compliance at all along this section of 12<sup>th</sup> street and here is what we are proposing to put there instead. You can see how our use will



fit with these surroundings. This is a conceptual site plan showing the diesel bays in the back, passenger fueling in the front, and our normal general retail use right here in the middle. This is kind of an addition to our standard business model of the c-store and passenger fueling. This addition here allows all vehicles in the area to fill up and use our services and not just passenger vehicles. We really want everyone to be able to come on, fill up, get something to eat and drink, and then get back on the road. We are not a truck stop. These are travel centers, they are meant for people commuting going about their daily lives. The heavy vehicle fueling really is for those trucks and buses that you see existing today. We don't have any of the typical truck amenities, we don't have lounges, showers, a sit-down restaurant, there is no long-term parking. There is no one else in ABQ like us right now. This exception will just allow everyone to enjoy our facility and services including passengers and everything right there. The special exception, we feel this is a good use of this land. Its very important to encourage mixed-use area to better promote access to goods and services from home and work. It is also necessary to encourage high quality development and redevelopment. Particularly in areas of change. High quality affordable infill opportunities tend to be rare and Quick Trip is offering one of those to the City of ABQ with this use. This Comprehensive Plan slide shows how we do meet the Comp Plan and why we comply with the criteria for special exception approval. Encourages all new development, especially in designated centers and corridors. Locate industrial development in employment centers or existing industrial zone within the I-25 and I-40 corridors. Allow auto oriented single use development among commuter corridors. Encourage development and redevelopment that brings goods, services, and amenities within walking and biking distances of neighborhoods. Encourage infill development that adds complimentary uses and is compatible in form and scale to the immediately surrounding development. Encourage more productive use of vacant lots. Encourage development that expands employment opportunities in areas of change and on commuter corridors and other auto oriented arterials. Provide convenient uses to auto oriented uses. This is the use-specific requirements for heavy vehicle fueling and we will comply with all of these as stated in the application. The top two requirements require engineers to work on that facility and to comply with storm water quality and the DPM Standards and we do partner with our engineers who will be able to assist with that. There is no outdoor storage planned for this site. Our canopy lighting is recessed and the fascia is not internally illuminated. The other parts do not apply to our use. There is no vehicle repair, service, or maintenance planned. There are no residential zone districts within 330 feet, we are not up against a major public open space and the cumulative impact analysis does affect our site, but we can not go to that step until we get our specific or special use approved. The nicotine retail is actually considered an accessory use with the general retail which is what we normally would be without our additional diesel in the back so we are applying for this as well. Quick Trip are trained in responsible retailing. It is a very strict policy that results in termination if employees do not follow it. It goes above and beyond most state laws. Quick Trip operates in over 17 states and complies with all state and federal laws and we would do so here as well. Nicotine sales are allowed as an additional primary use in NR-BP. It does have to be 1000 feet away from a primary nicotine site which we are. The surrounding lots within 500 feet are not residential and the other C, D, and E do not apply to our specific location. Liquor retail is very similar, the same responsible retailing policy applies. Our licensing department is very familiar with complying with all laws of any state



and federal laws and one other thing to note is liquor is controlled in New Mexico they are a quota state so liquor licenses are not just assumed they are not automatic but our typical business model does include liquor retail and so we are asking for that as well. There will be no on premises consumption, this is not a bar, there is no restaurant, it is simply for people on their way home, on their way to a party, whatever events they have for the day, taking it home with them. And then we are not in the Nob Hill/Highland small area, or the University neighborhood small area, and we are not in any of these zones where there are more restrictions. I do have some supplemental material to address some of the concerns that have been brought up at the neighborhood meeting. In evidence provided to Suzie, I can provide these to the Zoning Hearing Examiner upon request. I do have certain pages available as well, but you know we have been in business since 1958. We have worked in numerous communities across the country. We have heard a lot of these concerns and we want to be a really good partner with everybody. We live and work in these same communities where these stores are. Our employees are going to be there. We want to take care of our employees. I've explained how valuable employees are to Quick Trip. We don't want them exposed to anything negative either. We have addressed concerns, we have heard concerns about environmental impacts, air pollution, and we have found there is no negative effect from our use. This is an almost identical layout that they did this study at. Partnered with an outside firm to do this study. We are committed to being good responsible company and that involves environmental sustainability. We have actually redeveloped former superfund sites; we are good at mitigation. We will come in and do the dirty work required to improve areas that otherwise would sit vacant because no one else can really go there. I thank you for your time and consideration.

ZHE: Thank you, Ms. Garland. If you would please, the slides that you showed on screen, email those to Suzie Sanchez by this Friday we will include them in the record. Don't send anything you have not shown on screen. We can only admit after the deadline only things you have shown on screen. Is there anything else you would like to add before I call for other comments?

C. GARLAND: I just want to say I know that there are some people with concerns and we look forward to getting our special exceptions approved and then we can get really into the details of how this development will be a positive impact and how we will mitigate those concerns. But we do have to get to get our special exception approved.

ZHE: Thank you. All right. I am going to go ahead start the public comment section. I see we have several participants with the hand raised. So, Ms. Garland after the public comment section you will have the opportunity to respond. I see Ciaran Lithgow. Are you there?

CL: Hi there, yes, I am here. Can you hear me alright?

ZHE: Yes, would you please state your full name and mailing address for the record.

CL: My name is Ciaran Lithgow. My mailing address is 100 Arno NE Suite C, ABQ, NM, 87102.

ZHE: Thank you and please raise your right hand. Do you affirm under penalty of perjury that your testimony today will be true?

CL: I do.



ZHE: Thank you. Are you speaking on your own behalf or on behalf of a neighborhood association or other entity?

CL: I am speaking on behalf of the Metropolitan Redevelopment Agency which is a division of the City of ABQ.

ZHE: Thank you. Go ahead.

CL: Good afternoon, Examiner. Thank you for hearing our case. So, as I said, I am a redevelopment project manager representing the city's metropolitan redevelopment agency. The Metropolitan Redevelopment Agency helps guide private investment into underserved economically struggling portions of our city. We establish redevelopment plans based on community stakeholder developer and landowner input. These neighborhood specific plans lay out a vision for the future of development in the applicable redevelopment area. And, Metropolitan Redevelopment plans are considered a rank 3 plan per City Ordinance. The proposed heavy fueling station is in direct conflict with the adopted Sawmill, Wells Park Redevelopment Area Plan which governs this parcel. So, the plan identifies several goals for redevelopment and among those data goals are quote, "Preventing new environmental hazards, correcting existing environmental problems and promoting resource conservation. And, guiding future development of vacant land with a focus on promoting uses compatible with adjacent neighborhoods, museums and Historic Old Town". The plan identified a wide range of preferred uses for this exact stretch of vacant land which included neighborhood based commercial residential open space, light manufacturing or green energy uses. A trail was also called out as a key infrastructure improvement that could enhance the local connectivity and circulation between Sawmill and Wells Park. So, in the spirit of this plan, the Metropolitan Redevelopment agency has been planning the Albuquerque Rail Trail, which is a seven-mile Urban pedestrian and cyclist trail that connects Wells Park, Sawmill, Old Town, Downtown. The trail alignment is directly adjacent to the site of this proposed heavy fueling station. The Rail Trail plan also includes improvements to 12<sup>th</sup> Street which would reduce lane sizes and add on street bicycle infrastructure to connect the Rail Trail to the Indian Pueblo Cultural Center on the other side of the freeway. Our research into other cities shows that following the installation of these Urban Train facilities, these areas experience a significant increase in bike and pedestrian traffic and high frequency of large freight truck movement is really unsafe for pedestrians and cyclists and would be detrimental to the success of the Rail Trail. So, in conclusion, this is not an appropriate location for a heavy fueling station for many reasons including being in direct conflict within an adopted rank 3 plan. This use would be detrimental to the users of the trail and nearby residents exposing them to high volumes of heavy freight traffic, pollution, and introducing the potential hazard of new pollutants to the soil. The Sawmill and Wells Park neighborhoods have had a long history of environmental contaminants threatening their health and livelihood and they should not be exposed to additional hazards. As the agency responsible for ensuring the implementation of these plans. The Metropolitan Redevelopment Agency opposes the requested variance.

ZHE: Thank you, just a quick question. So, does the MRA oppose the nicotine retail or the liquor retail or only the heavy fueling application?



C. LITHGOW: Particularly the heavy fueling application. But, generally, I understand that this is - - that a typical gas station would be an allowable use. But, in spirit, we also oppose a gas station at this location given turning movements that would conflict with bicycle and pedestrian facilities that we intend to add to 12<sup>th</sup> Street. As Ms. Garland pointed out, there's currently a lack of good pedestrian and cyclists infrastructure on 12<sup>th</sup> Street but that is something that the City is attempting to address and create more connectivity across the freeway.

ZHE: Thank you. All right. Let's see, I see Doreen McKnight with a hand raised. Are you there?

D. MCKNIGHT: Yes, I'm here.

ZHE: Thank you. Would you please state your full name and mailing address for the record?

D. MCKNIGHT: Doreen McKnight, 1426 7<sup>TH</sup> ST.

ZHE: And, are you speaking on your own behalf or on behalf of a neighborhood association?

D. MCKNIGHT: I'm speaking on behalf of the Wells Park Neighborhood Association.

ZHE: Thank you and I'll just note for the record that you've already been sworn in today on a prior matter. Go ahead.

D. MCKNIGHT: Thank you. The Wells Park Neighborhood Association opposes the three conditional uses requested by the applicant and we ask that you deny all three. I don't want to reiterate everything that's already been said in written and public comments but, I would like to note that we appreciate MRA folks being here. And, the statements that they have made, they are similar to ours in their opposition. We also share the view of the Sawmill Land Trust, The Sawmill Area Neighborhood Association, the 19 Pueblos and all other neighborhood associations opposing this request. I would also note just for the record, it's deeply concerning to me, on behalf of the neighborhood association that we had a facilitated meeting regarding these requests back in September and specifically requested that the applicant provide justification and citations to the Comprehensive Plan about why these conditional uses are in line with the goals of the Comprehensive Plan. And, we did not receive any detailed information on that. And, much of the information that was provided by Ms. Garland during her presentation a few minutes ago, we've heard for the very first time. And so, it's a little bit unfair for us to be able to address their position and their statements with that, in respect to the Comprehensive Plan. However, as it stands for heavy vehicle fueling. The few things I wanted to note is, you know, this use is really not needed in an area where there are three other gas stations within less than half a mile of this location including a truck stop. So, that includes, Love's at 6<sup>th</sup> and I-40, the Four-Winds Gas Station a block away to the north and the Chevron on the frontage road, a block to the east. This truck stop provides no positive gain for the local community and neighborhoods. It is designed specifically and explicitly to serve the interstate travelers and truckers. Neighbors who live down the street from this location obviously do not need access to heavy vehicle fueling and they do not even need access even to a convenience store or gas station as they have numerous other options nearby including the Walgreens. Quick Trip has asserted to us, it will be capturing existing trips and therefore not add to traffic but of course, this doesn't really make any sense because what they



mean by existing trips is existing traffic traveling by on I-40 but to capture those trips, those trucks would have to exit I-40 on to 12<sup>th</sup> ST thus significantly adding to traffic exiting on 12<sup>th</sup> Street and existing on 12<sup>th</sup> Street that would not otherwise be there. This proposed use is not in line with Community or City goals for the area along 12<sup>th</sup> Street where the property is located. As Cirian noted, this is an area of redevelopment geared toward local neighborhood scaled development. The communities known goals for the corridor also include increasing safety and walkability and decreasing pollution as noted by numerous community members and Central Albuquerque and Community members and a Central Albuquerque Draft Community Planning Area Report that just came out and is cited in our written comments. That CPA report was designed specifically to gather community input for the City to direct development in line with community goals and it also backs up what the MRA for this area put forth many years prior to that. Development of this property should support the goals of the Comp Plan and increase pedestrian friendly designs and development and a neighborhood scale and this development does not support these goals laid out in our letter. Just adding sidewalks as Ms. Garland noted, alone is not a pedestrian friendly design. Adding sidewalks to this quadrant of 12<sup>th</sup> Street, it's good to know the City is still working on that but it's part of efforts pushed by the Wells Park Neighborhood Association through a resolution passed by the City Council back in 2018, to add sidewalks and lighting where missing in our area. So, this is already something that we're working on and we don't need a truck stop development there to get sidewalks. People do not want to bike and walk in front of a truck stop. Sawmill and Wells Park have been working for a long time to reduce truck traffic on 12<sup>th</sup> Street and address other traffic congestion issues on this stretch. Councilor Benton has already obtained funds and preliminary designs have been completed for a road diet on this portion of 12<sup>th</sup> Street to reduce the lanes from two in each direction to one in each direction and adding a semi-trucks trying to turn left out of this property will significantly and negatively impact traffic and the ability of neighbors who live on 12<sup>th</sup> Street off of Bellamah and off of Aspen to access their homes and access the local amenities that the Pueblo Development Activity Center immediately north of I-40. This increase in semis on 12<sup>th</sup> will also increase danger to pedestrian and cyclists from these neighborhoods who want to access this court or an activity center without driving. Crossing in front of a truck stop with semi-trucks entering and exiting 24 hours a day, 7 days a week significantly increases the potential for negative encounters between pedestrian cyclists and truck traffic. There are really no alternative designs for a heavy vehicle fueling station that can mitigate these concerns at this particular site because ingress and egress from the site cannot be made from the frontage road and only on 12<sup>th</sup>. As, Cirian noted, it'll also significantly interfere with the City's multi-million dollar proposed Rail Trail that runs along the southern border of the proposed property. We are also very concerned about this use significantly adding to air and other pollution from fueling and idling semi-trucks. In a community that's already long impacted by polluting industry. As somewhat noted by Cirian but, I'll be more specific, there's already a giant groundwater contamination, plume directly adjacent to this lot that we've been dealing with for many years. Regarding air pollution, I know Quick Trip has claimed that truckers cannot stay overnight at this site.

HEARING MONITOR: Excuse me Robert, the time limit is up.

ZHE: Suzie, was that for all three applications or is that just a 5 minute?



HEARING MONITOR: It was a 5 minute.

ZHE: Okay. I think what we ought to do, given that there are three applications, we'll give the time limit per application. So, essentially 15-minute time limit for neighborhood association and 6 minute for other public commenters.

D. MCKNIGHT: Thank you, I appreciate that. You know, Quick Trip has asserted that they're not going to allow truckers to stay overnight at the site. That's not a true truck stop for that reason which I think, presumably, they think will mitigate idling truck pollution but they've also stated to the neighborhoods during our facility meeting that they have no policy or a way to enforce that rule that truckers not stay overnight. And, there's no way to enforce truckers idling in their vehicles for long periods of time during the day. There are no other 24/7 businesses in this area. You know, there are commercial, older commercial and industrial uses just in this one area but historically and at the heart of it, 12<sup>th</sup> Street is a residential corridor. Ms. Garland also states that Quick Trip promotes sustainability but they've provided no evidence whatsoever how this heavy vehicle fueling station will promote sustainability. They told the neighbors that they wouldn't even have electrical, electric vehicle fueling stations there because it just wasn't economically viable. I will just note briefly that as far as the nicotine resale conditional use, we oppose that as well. It doesn't meet the thousand-foot buffer from the property line to the property line at Walgreens, which is also a primary use nicotine retailer. So, we oppose that one and we think that it does not meet the IDO distance requirements. And, we also oppose the alcohol retail conditional use and agree with all comments made by the North Valley Coalition on that request. Thank you.

ZHE: Thank you, Ms. McKnight. Let's see, I see Peggy Norton with a hand raised, are you there?

P. NORTON: Yes, I am.

ZHE: Thank you. Would you please state your full name and mailing address for the record?

P. NORTON: My name is Peggy Norton. My address is 3810 11<sup>th</sup> Street NW and I represent the North Valley Coalition.

ZHE: Thank you. Please raise your right hand and do you affirm under penalty of perjury that your testimony today will be true?

P. NORTON: Yes, I do.

ZHE: Thank you, go ahead.

P. NORTON: Okay. I appreciate that I have 15 minutes. I won't take that long because I was hoping I'd be able to address each individual request and so, my comments are set up that way. Just for some general comments, the North Valley Coalition represents 14 neighborhood associations, 12 are in the North Valley of the City of Albuquerque. And, according to the IDO, the applicant bears the burden of providing a sound justification for the requested decision based on substantial evidence. I agree with Doreen that this evidence was mostly just presented today. The conditional justification letter is identical for all 3 uses requested and address none of the individual impacts of heavy vehicle fueling versus liquor sales versus nicotine sales. No citations



were included, although they were just included a few minutes ago. A responsible retailing policy is nice for their corporate structure but it is not in the IDO and does not prove IDO compliance. Therefore, the Zoning Hearing Examiner has not been provided the required information by the applicant to consider this request. Nicotine use, the applicant's statement that this would be a positive addition to the community and therefore, it complies with the Comprehensive Plan is false. The National Institute of Health present overwhelming evidence about the negative effects on the body from nicotine as well as its addictive properties. There is also substantial evidence proving the harmful effects of secondhand smoke. The applicant bears the burden of showing compliance with required standards through analysis, illustrations or other exhibits as necessary. None of these were presented in the application. The project does not comply with the Integrated Development Ordinance. One, just - - Oh, I already addressed the retail policy - - But, no evidence was submitted to justify their determination that no lot is closer than a thousand feet. I included a map, and a CABQ AGIS map showing the distance to the Walgreens lot is 862.95 feet. The IDO states its from lot line to lot line using the nearest points. This is a primary use for both Walgreens and this is because the IDO states that if something is conditional, if nicotine use is conditional, it is considered primary. And, the Walgreens it's zoned MX-M, which nicotine retail is, is conditional. So, therefore, it's primary. So, you have two primary uses within a thousand feet, so it does not comply with the Comprehensive Plan. As far as liquor retail, liquor retail, the applicant states they follow the responsible retailing is their only justification for IDO compliance. The applicant states also, that they do not plan on-site consumption but nothing guarantees this. Permissive uses in NR-BP including a restaurant, bar, a taproom, tasting room. The fact that liquor retail is not permissive requires more careful scrutiny and justification for the approval of this conditional use. No justification was submitted by the applicant. This use seems a dangerous combination to immediately have off the highway. People can eat and drink in their cars and trucks or eat and drink and drive on down the road after refueling. New Mexico has consistently been in the top 10 for vehicle deaths due to DWI. There is no planned on-site security to monitor either alcohol use or theft. That is a very naïve plan. That will not protect local citizens or the surrounding areas. Most commercial stores have at least one security person on-site and they are not open 24 hours a day like Quick Trip. Albuquerque Police Department has warned stores about securing liquor and the need to provide their own security. The Indian Pueblo Cultural Center Development has their own security substation. They are realistic in having a plan to deal with crime and situations as they arise. Crime and potential DWI or consequences of liquor retail and thus, it is not a positive addition to the community as the applicant states. There are numerous nearby retail outlets selling alcohol with careful scrutiny of this use and its consequences. The applicant cannot justify approval of this application. We respectfully request that the conditional use of liquor be denied. Heavy vehicle fueling, criteria A of conditional use approval: a heavy vehicle fueling station does not support the vision of the Comprehensive Plan and the numerous goals that accomplish that vision that neighborhoods will be safer and easier places to walk through and between. The positive characteristics that contribute to their unique identities will be protected and enhanced. Multicultural heritage and cultures will continue to be recognized and celebrated as assets for revitalizing neighborhoods and building a diverse vibrant local economy. Association letters cited numerous goals of the Comp Plan that are met by this project. And, I referenced the Rail Trail. I



was pleased to see the MRA Lithgow person mentioning that because that's an important feature. And, this project could be the Hub of that Trail. You know, going up to the Cultural Center, down to Downtown, this could be a Hub project. Goal 5.3.7 in particular of the Comprehensive Plan ensures that objectionable but necessary land uses are located fairly across the Albuquerque area. There is already a Love's, a Love's Truck Stop, it's 6<sup>th</sup> Street and I-40. I'm here, 6 blocks away. Approving this use locates two truck stops within or adjacent to two neighborhood associations. I submitted documentation showing diesel particulate matter is in the 90 to 95 percentile range on both sides of I-40, in this particular area. Criteria B, requires compliance with all applicable provisions of the IDO. However, most use-specific standards, which the applicant referred to affect site plan approval not, conditional use approval. The purpose of the Non-Residential Business Park Zone District is to accommodate a wide range of non-residential uses in campus like settings to buffer potential impacts on surrounding uses and adjacent areas, accommodate and buffer the impacts of semi-trucks driving in and out of the site 24 hours a day. Due to its small size and limited number of access points, too. The IDO requires a minimum total contiguous area of 20 acres to rezone to NR-BP. This site is primarily asphalt for vehicles and gas diesel pumps and does not comply with the IDO. Criteria D, which is also partly C. We dispute this statement made by the applicant that Quick Trip, "Captures existing traffic and is consistent with the current nearby uses." The applicant states, "Our store allows trucks to fuel up, grab some quality food and get back on the road." This use attracts trucks from the highway, generating much more diesel particulate pollution in the area. Diesel engines are making a mixture of pollutants including nitrogen, oxides, ground level ozone particulate matter. Trucks traveling on I-40 at 60-65 miles an hour are elevated above the neighborhood and would travel for approximately 51 seconds between 12<sup>th</sup> Street and 6<sup>th</sup> Street interstate access points. Stopping at the proposed Quick Trip, these trucks will be idling at ground level for a consecutive estimate of 45 minutes. Many more particulates, pollution will be emitted at ground level. The use is not consistent with nearby uses. There is a school zone on 12<sup>th</sup> Street, just south of this site. UPS has a fully enclosed facility. This is a quiet area after dark, a stark contrast to a 24/7 truck stop with bright lights, constant traffic and noise. It is a gateway to the historic neighborhood in the Indian Pueblo Cultural Center in [inaudible] Plaza. The project will cause traffic congestion and create unsafe conditions. There are only two access points and that cannot allow separation of modalities. Only one point can be used for egress by trucks. Anyone leaving who wishes to continue on I-40 will have to cross 12<sup>th</sup> Street traffic which often backs up at rush hours. For trucks to continue east of I-40, they proceed to an incline ramp and are unable to build up to a safe, merge speed to move over two lanes to access I-40, east. The lane leading to I-25 north is often backed up. Allowing heavy vehicle fueling will create traffic congestion and unsafe conditions for all vehicle. In summary, the applicant has not provided the substantial evidence required to approve the conditional use of heavy vehicle fueling. Numerous goals of the Comprehensive Plan have been cited that are not met by this project. The project does not accomplish the intent of NR-BP zoning in the IDO. We analyze the negative impacts from travel and diesel particulate pollution and discussed how it will negatively impact pedestrian and transit multi-use connectivity. Four of the six reviewed criteria for conditional use approval are not met. We respectfully request that the conditional use of heavy vehicle fueling be denied. Thank you for your time.



ZHE: Thank you, Ms. Norton. Let's see, I see Marit Tully with a hand raised, are you there? Hello?

M. TULLY: Yes, I'm here.

ZHE: Oh good, thank you.

M. TULLY: Sorry.

ZHE: Would you please state your full name and mailing address for the record?

M. TULLY: Sure. Good afternoon, my name is Marit Tully and my address is 1107 La Poblana NW. I'm speaking on behalf of the Near North Valley Neighborhood Association. I won't use my 15 minutes either.

ZHE: Thank you.

M. TULLY: Our neighborhood association.

ZHE: Thank you. Let's get you sworn in.

M. TULLY: Oh, I'm sorry. Got it.

ZHE: Would you please raise your right hand and do you affirm under penalty of perjury that your testimony today will be true?

M. TULLY: Yes.

ZHE: Thank you, go ahead.

M. TULLY: All right, thank you. Our neighborhood association adamantly opposes the three conditional uses requested by Mountain Run Partners and asks that the ZHE deny all three. After participating in the facilitated meeting, reviewing and researching the proposed project, asking for comments and input from the broader community, our Board unanimously voted to oppose this project at our monthly meeting in October. We share the view of New Mexico's 19 Pueblos, the Sawmill Community Land Trust and at least four of our sister neighborhood associations that this cookie cutter corporate truck stop as planned, would be a detriment to the neighborhood. It flies in the face of decades of community advocacy and efforts to make a walkable, bikeable, safe and vibrant home for our families. We submitted a joint letter with the Wells Park Neighborhood Association detailing how the conditional uses for heavy vehicle fueling does not satisfy the IDO requirements for conditional uses and we endorse the comments made here today by the Wells Park and the North Valley Coalition. To add to those comments. There are projects completed and in the works that make clear that the City has the same vision in mind for the 12<sup>th</sup> Street area, as the neighborhood. The City's 12<sup>th</sup> and Menaul Great Street Improvement Project completed during the pandemic, costing hundreds of thousands of dollars added roundabouts, wide buffered sidewalks, bike lanes, street trees and other landscaping. And, has made the area just north of the freeway highly walkable, safe and supportive of quality economic revitalization. As, Doreen said, south of the freeway, Councilor Benton has plans in the works to slow and reduce traffic, laying the ground work for improvements for pedestrian and bicyclists. As the Metropolitan



Redevelopment Agency Representative said, also, south of the freeway, the City will start construction soon on the Sawmill stretch of Albuquerque Rail Trail, an effort to link cultural sites, including the Indian Pueblo Cultural Center to the north. This pedestrian bike trail is meant to be a premier civic space attracting people from all over the City as well as tourists. The 12 Street Corridor is not the place for a regional truck stop operating 27/7. The representative from Quick Stop did make the point, that you know, nobody wanted this property. Well, you know, that not to be true. And, we know that there are more appropriate uses for this property, affordable housing for one would be a more appropriate use. The applicant's justification says that the truck stop will be consistent with the nearby uses. This area does have some industrial uses but it is not an industrial area. It is an area with many uses including family homes, schools and local businesses. One set of homes is just over 500 feet away and the Sawmill Apartments are within walking distance. There's a charter school a couple blocks away which is, according to this morning's Downtown Albuquerque News is on the verge of a major expansion hoping to add a hundred or more students. And, the businesses that are in this area are not generating customers and traffic 24/7. With respect to the site plan, that's part of the application, which is much more detailed than the conceptual site plan that was shown earlier. We note that while the Quick folks say overnight stays won't be allowed, looking at the site plan, you can see they've provided a dozen truck parking spaces on site. Based on our ongoing experience with truckers using the Love's Travel Stop, a few blocks away on 6<sup>th</sup> Street, overnight stays either on site or nearby are a given and that means fumes and noise based on our experience with Love's. It means also attracting drug dealing and prostitution. Also, looking at the applicant's one size fits all site plan. It's plain that no consideration has been given to pedestrians or aesthetics. The minimal sidewalk is not set back from the street or buffered and there's minimal token landscaping. With respect to the conditional use for liquor retail sales. The applicant says that like the fuel sales, alcohol sales will be 24/7 but will not be for on-premise consumption. This will have a predictable impact on our community by increasing vagrancy and theft and drunk driving. Quick Trip security as we understand it, from the facilitated meeting, consists of cameras and calls for help. No on-site security is planned at this point, nor are employees expected to intervene. As we know firsthand, this level of security is inadequate to address the problems that will arise from 24/7 alcohol sales at a truck stop. On behalf of the families and individuals that call this area home, we urge you to deny the applicant's requests for conditional uses. Common sense and a consideration for our community and its efforts to support a bikeable, walkable, cultural and retail corridor along 12<sup>th</sup> Street call for denial. A truck stop doesn't fit here. Thank you.

ZHE: Thank you for your comments, Ms. Tully. Let's see. I see Amanda Brown with a hand raised. Are you there?

AMANDA BROWN: Yes. Thank you.

ZHE: Thank you. Would you please state your full name and mailing address for the record?

AMANDA BROWN: Yes, my name is Amanda Brown and I live at 1314 Claire Court NW.



ZHE: Thank you and are you speaking on your own behalf, or on behalf of a neighborhood association?

AMANDA BROWN: On behalf of the Sawmill Area Neighborhood Association.

ZHE: Thank you. Please raise your right hand. Do you affirm under penalty of perjury that your testimony today will be true?

AMANDA BROWN: I do.

ZHE: Thank you. Go ahead.

AMANDA BROWN: Yeah. I also will not take up the full 15 minutes and what I would like to do - - So, the Sawmill Area Neighborhood Association is also unanimously opposed to this project and all three variance requests. I won't - - I - - We all, we agree with all of the statements that have been made and submitted by our fellow neighborhood associations in the 19 Pueblos, including the comments today as well as the comments by Ciaran Lithgow from MRA, as well. What I would like to reiterate, is especially the pedestrian safety and community safety concerns. Those are primary for us as well as traffic. AS Leadership High school is the school that Marit Tully was referencing that is within a few blocks of this proposed site. And, we know that there are other interested buyers in this site as well, and so the idea that there's, that there's no competition or that you know, there's no interest is more a matter of a question, the question of preferences on the part of whoever owns the land. The other thing that I want to identify and reiterate, especially in alignment with the Comprehensive Plan, is this idea of community identity. The sign that welcomes people to Wells Park and Sawmill Area Neighborhood Associations is on this land. And so, the idea that a truck stop is going to be operating 24/7 would go in there in that space that has traditionally been the place where we would welcome. And, when we have all these other ideas and proposed uses and plans in the works with the City through Councilor Benton, through the MRA, through the CPA Assessment, all these other things that are in the works. It does not align with, with community identity in any way especially, because it is not a state corporation that prioritizes its corporate identity, over community identity. So, there are many aspects that we've labeled and identified within our written statements, and it has already been shared today. So, I won't belabor the points already made, but do want to be on the record that Sawmill Area Neighborhood Association, and all the residents that we represent are in full agreement with what has been shared today so far in terms of testimony, and what has been submitted by other neighborhood associations. Thank you.

ZHE: Thank you, Ms. Brown. Let's see, I see Joanne Meehan with a hand raised. Are you there?

J. MEEHAN: I am hold on a second.

ZHE: Thank you. Please state your full name and mailing address for the record.

J. MEEHAN: Joanne Meehan, spelled M-E-E-H-A-N 611 15th Street NW, Albuquerque 87104.



ZHE: Thank you and please raise your right hand and do you affirm under penalty of perjury that your testimony today will be true?

J. MEEHAN: I do.

ZHE: Thank you, go ahead.

J. MEEHAN: I'm just here representing myself as an area resident and I couldn't possibly add a point in opposition to this application or any of the variances requested. The other people that have spoken have I think covered everything but I want to say I'm fully opposed to this. What was I think, viewed as a 6-acre wasteland. I think the neighborhoods moved on, the cities moved on with rail trail plans and this piece of land can be something so much better than another place to gas up. So, that's all I have to say. Thank you.

ZHE: Thank you. Let's see, I see a Ricardo Guillermo with a hand raised. Are you there?

R. GUILLERMO: Yes, I am here.

ZHE: Thank you, sir. Can you please state your full name and mailing address for the record?

R. GUILLERMO: Ricardo Guillermo, 1108 11th Street NW, Albuquerque, NM 87104.

ZHE: Thank you and please raise your right hand. Do you affirm under penalty of perjury that your testimony today will be true?

R. GUILLERMO: Yes, I do.

ZHE: Thank you, sir go ahead.

R. GUILLERMO: Yes, I'm speaking on behalf of myself as a resident. I live within 3,000 square, 3,000 feet of I-40 in Wells Park and it's about 2,200 feet or so from the property where they want to put in the fueling station. We have a number of fueling stations for trucks nearby, Love's and others as people have indicated earlier. We also have a fueling station on the outskirts of Albuquerque and I think any truck who wants to refuel can use the existing fueling stations. There's one on Menaul, as well, off I-40. I think that the aspect of all this proposed development will conform with the Comprehensive Plan is a little skewed. I think what, what was presented as promoting sustainability and improving a community is false. This is my belief as an individual. I can hear I-40 from where I live 3,000 feet away from I-40. On a wet day in particularly you can hear the tires and you can, you can hear the engines. The birds are competing with the sounds. If the winds are blowing, not from the north but from the south, there's less sound of course and then you can hear the birds more clearly. During the early days of the pandemic, it was incredibly silent and you could hear the birds here. What's being proposed here of vehicles pulling off to refuel on 12th Street, a place that we're trying to improve access for pedestrians and bicycles, I think is, is the wrong choice for our community. There are houses within 1,000 feet. I live 2,000 feet from this place. I used to smell the aromas



coming from a coffee roaster that was on that strip of 12 Street, that industrial stretch and that would be more appropriate use. Housing would be a more appropriate use. A cultural establishment would be a more appropriate use. We have the Pueblo Cultural Center. We have all of these major cultural centers in our neighborhood, such as the Albuquerque Museum, Explora, The Natural History Museum. All these incredible developments. New housing within 1,000 feet of this development. Now, you're going to bring him trucks 1/3 closer to me; idling for 15 minutes, 45 minutes, maybe overnight. There's no restrictions with respect to security for how long trucks will be idling on this location. I know I will be impacted in terms of my health in particular matter. We need trees to bring oxygen inside our community. We need fueling stations for electric vehicles. We don't need diesel fueling stations in the center of our community. This is a central area and they can - - Trucks going on I 40 they can go west or east and find an appropriate place to fuel. This is the wrong place. We're trying to build something here that is sustainable with respect to a community. This area has been subject to so much pollution. The Sawmill Land Trust was established to fight pollution. This is going to bring more noise in a particular matter, more ozone, more pollution, more carbon into our air. I suffer from asthma. I am, I am sure that this will have a greater detrimental effect for me than does I-40 because of what they're calling, captured trips, captured travelers. It's, it's the wrong thing to do. They've not indicated anything about how we're gonna capture the carbon. We need zero carbon being emitted from the site. They are not proposing how they gonna do that. That would be sustainable carbon capture, electric vehicle fueling stations. The presentation today about how it's starting to conform with the Comprehensive Plan is, is, it's erroneous. Let me say it, if, if not intentionally misleading. I am opposed to this development. I don't think that nicotine is a healthy thing nor a sustainable thing. It's a leading cause of cancer and death in the United States. Liquor retail, there are already resources for retail less than 1,000 feet away. Heavy vehicle fueling stations should be not as well because it does nothing to improve the quality of life of the residents of my neighborhood in Wells Park nor Sawmill, nor the other neighborhoods that apply to this development. And therefore, I am incredibly opposed to this development, and I hope that something wonderful comes as a result of the denial that is sure to come because it's does not conform with anything that we, as citizens of Albuquerque need or desire.

R. GUILLERMO: Thank you.

ZHE: Thank you, Mr. Guillermo. Let's see, I see a Brett with a hand raised. Are you there?

B. BLANCHARD: Unmute. Can you hear me?

ZHE: Yes, thank you. Would you please state your full name and mailing address for the record?

B. BLANCHARD: Bret Blanchard, 5850 Eubank Blvd. NE, Suite B 62, 87111.

ZHE: Thank you. Please raise your right hand. Do you affirm under penalty of perjury that your testimony today will be true?

B. BLANCHARD: Yes.



ZHE: Thank you, sir. Go ahead.

B. BLANCHARD: Thank you very much for the time. I'm here today as a representative, on behalf of the owner of the underlying property, QuikTrip is the applicant and so, wanted to sort of chime in a little bit to kind of give a little bit of history and where we're at. The owner of the property acquired this property right, basically right before the great recession in 2008. And, has had it since then so, about 15 years same owner owns the underlined property where the Love's sits, about 1,000 feet to the north and actually has an interest in other property in the immediate vicinity. And, so over those 15 years, while there's been other interest in the property even some of the owner, wanting to potentially do some of his own development, the owner is a very seasoned developer and has done all types housing, commercial, retail, industrial various types at this juncture. The most feasible that has come up is this one, is QuikTrip. Now, I think it's being a little bit under-played of the industrial manufacturing characteristic of the immediate vicinity. I mean to sort of reiterate what Ms. Garland had mentioned, you have I-40 to the north you have a prager station from, operated by PNM. To the west, that PNM is potentially going to expand due to needs to make it even larger. You have a, a truck facility that sells trucks to the north west. You have a large customer, UPS customer warehouse. You have other industrial/manufacturing to the south east. You have a Rak's lumberyard that does heavy commercial business and provides a lot of material for contractors throughout the State of New Mexico, and then you have other, directly to the east, you have other storage in manufacturing. And, you know, really the fact of the matter is, is the characteristic of immediate area has an impact of the type of users, and the type of development of a particular property. And so, while we've had, while there has been other opportunities, this one, and the years that the owners had it has been; one, the most feasible and two, based on our communication with Quick Trip and what they're proposing and how they operate you know, the owner does have other property in the immediate vicinity that he doesn't want any loss of value or detrimental activities or uses going on that could affect what is already currently going down with what he's doing. And so, and I also want to, you know, I understand this rail trail and it's new but to make decisions based off that one, it's not even completely done. I mean, there's a hearing on December 14th about design standards and other stuff so, I think it's a little premature until that project has been completed. However, I don't see it being incompatible either with that use, if it's done to the design standards. And finally, I would just like to mention that if I understand correctly, and Ms. Garley can maybe chime in, a gas station is actually allowed in the zone. Right? Obviously, the nicotine and alcohol is one thing, but the heavy fueling is a conditional use. When you remove that heavy fueling, a gas station is a permissive use that we wouldn't even have to be here if that's all that was being pursued. So, it is a zone that was recognized that a gas station is a permissive use for that zone at that property. So, with that, so, obviously we request that he uses be granted and I stand for any questions.

ZHE: Thank you, very much. I appreciate your presentation.

B. BLANCHARD: Thank you.

ZHE: Let's see, I see Sylvia Ramos-Cruz with a hand raised. Are you there?



S. RAMOS-CRUZ: Yes, I am.

ZHE: Thank you and would you please state your full name and mailing address for the record?

S. RAMOS-CRUZ: I'm Sylvia Ramos Cruz. My mailing address is PO Box 7398, Albuquerque 87194.

ZHE: Thank you. Please raise your right hand and do you affirm under penalty of perjury that your testimony today will be true?

S. RAMOS-CRUZ: I do.

ZHE: Thank you, go ahead.

S. RAMOS-CRUZ: Yes, I am a member of The Board of the Historic Old Town Association. Our Board voted unanimously to uphold to oppose this project for many of the reasons that have already been stated, and I will not reiterate. On a personal basis, my husband and I live in historical Old Town and consider the proposed area as part of our extended neighborhood. We get our vaccines at Walgreens, get our plants at Lowe's. Go get a sandwich at Domino's and I plan to buy our groceries at the La Montanita Co-Op when it opens at Rio Grande Plaza. We don't believe the proposed truck stop will be a neighbor that will enhance the neighborhood. So, for those reasons, we oppose the project also. Thank you.

ZHE: Thank you. I see Martha Heard with a hand raised. Are you there?

M. HEARD: Yes, I'm here.

ZHE: Thank you and would you please state your full name and mailing address for the record?

M. HEARD: Martha Heard 1107 11th Street NW., Albuquerque 87- -

ZHE: Go ahead. Would you please re-state that? Sounds like someone interrupted you there.

M. HEARD: Martha Heard, 1107 11th Street NW, 87104.

ZHE: Thank you. Please raise your right hand and do you affirm under penalty of perjury that your testimony today will be true?

M. HEARD: Yes.

ZHE: Thank you, go ahead.

M. HEARD: Well, it's been very interesting hearing the pros and cons. I am a member of the Wells Park Neighborhood Association but I'm speaking for myself today. I appreciate all the comments that have been made by Doreen and Marit and Peggy and everybody. They really sum up what I think but I just like to add my own little perspective. I've lived in the neighborhood for



over 30 years and I'm an elderly citizen and I love to walk. I've actually done one of the Janes Walks for this neighborhood. I promote walking and biking. Maybe I'm not doing it so much anymore but I promote it for all the young people. And, some of those young people, I see often. That's the ACE Leadership School that's right there and they are expanding so, they're gonna be even closer to this. That's what I read it in Downtown Albuquerque News today but I'm also very concerned that I've noticed - - I've been aware of this and neighborhood the fight against pollution that was so dominant in the 70's and 80's and beginning of the 90's. It was a big thing and we have a mural that says, we're Una Buenas Salud and its Sauna Y Buenas, and that's to have health. We won't have health if we have more pollution and that's something that we've been very concerned about because we're a little lower that we get more pollution and I'm very sensitive to that but, I'm not the only one. I think we need to think of that. We've mentioned of course the negative problems not only of pollution but alcohol and smoking, etc. I think we need to really, and we need to think more of electric vehicle and what we could do to help the climate. I think to look more forward, we need to think. We want to make this a friendly walkable, neighborhood. It's historic. It adds a lot to Albuquerque. It does bring tourism. We get people coming here now to our bakery, to our coffee shop. It's a neighborhood that's changing. It's bringing in a lot of young people who will be walking and riding their bikes and so I think we need to think of how to promote this neighborhood and not how to make it more industrial. I think it's interesting to note that the frontage road is called Indian School. If you look on the map, this is where the Indian School was and they probably had to sell so, I don't know the whole issue on why they had to sell the land. We can think about how we might like to honor their past and their contributions to society also. So, I hope that this application is denied and that we can go forward in a very progressive way for all the neighborhoods around me. Thank you.

ZHE: Thank you, Ms. Heard. And let's see, I see Oscar Simpson with a hand raised. Are you there?

O. SIMPSON: Yes, sir. I'm here.

ZHE: Oh, thank you sir. Would you please state your full name and mailing address for the record?

O. SIMPSON: Oscar Simpson, 3320 12th Street Northwest, Albuquerque, New Mexico.

ZHE: Thank you, sir. Please raise your right hand. Do you affirm under penalty of perjury that your testimony today will be true?

O. SIMPSON: Yes, I do.

ZHE: Thank you sir, go ahead.

O. SIMPSON: On my behalf, I am a member also of The Near North Valley Neighborhood Association and associated with the North Valley Coalition as a treasure. So, I've lived in this and I reside - - I've been resided in my residence for over 30 years and am very familiar with the neighborhood. I grew up in New Mexico and Albuquerque, and very familiar with a North



Valley and trying to clean up and redevelopment and develop a more cohesive environment that's suitable to a larger audience and that's friendly with climate change and the impacts. I fully support the comments that the near North Valley Neighborhood Association submitted, the Wells Park Association submitted and the North Valley Coalition supported. Now, on behalf of the Conservation Chair, on behalf of Rio Grande Indivisible, which is a social conservation organization with 100 members that primarily live in the valley and will be affected by this facility. We also support the comments submitted by Wells Park Neighborhood Association, Near North Valley Neighborhood Association and North Valley Coalition. And, I won't repeat but basically the truck stop will be a negative impact. I as a bicyclist and other pedestrians who utilize 12th St., and the future Rail Trail and connecting. This facility will be a degradation and a health hazard especially when you consider the off off-ramp it and on-ramping off of I 40 in both east and west directions during high peak hours. It creates a significant health risk as far as accidents and increasing the accidents. Especially from going on, on a 6th Street in route to I-40 going east. That is a significant bottleneck both morning and evening traffic. It is a, it's basically, it should be re-designed and have better access for getting traffic on and off either that or should be shut down. So, for those reasons, simplified to simply say, we support the past comments. Thank you very much.

ZHE: Thank you, Mr. Simpson. Let's see, I see is it, Agiola? Are you there?

A.BEJKO: Yes, I am. Can you hear me?

ZHE: Yes, thank you. Would you please take your full name and mailing address for the record?

A.BEJKO: Of course. So, my name is Agiola Bejko and I am at 608 15th St. NW., Albuquerque, NM 87104.

ZHE: Thank you. Please raise your right hand, do you affirm under penalty of perjury that your testimony today will be true?

A.BEJKO: Yes, I do.

ZHE: Go ahead.

A.BEJKO: Okay. So, I completely agree with all the parties that oppose the three requests from the Mountain Run Partners, LTD, specifically the heavy vehicle fueling station, nicotine retail and the liquor retail. A key consideration for me, living in the neighborhood and so close to where this vacant land is specifically that the proximity to Old Town and all the residents in the neighborhood. I am confident that we can do something great with these 6 acres of land that will be, that will add value to Old Town and have a more beautiful purpose that is appropriate for the area. One that compliments you know, the Pueblo Cultural Center that is right by there. The Montanita Co-Op that is under construction and all of that. So, I oppose and agree with the, all the parties that opposed this you know, from happening.

ZHE: Thank you for your testimony.



A.BEJKO: Thank you so much for the opportunity.

ZHE: Let's see, I see Alyssa's iPad or Eliza's iPad. Are you there?

E. FRANK: Yes, thank you. Sorry, my computer crashed as we got to this item. So, I'm on an iPad.

ZHE: No worries.

E. FRANK: So...

ZHE: Would you please state your full name and mailing address for the record?

E. FRANK: Yes, it's Eliza, E-L-I-Z-A, Frank, F-R-A-N-K. I live at 1226 8th St. NW. 87102 and

ZHE: Thank you.

E. FRANK: I live near this intersection and pass through it regularly because everybody.

ZHE: Let's get you sworn in.

E. FRANK: Oh yes sir.

ZHE: Can you please raise your right hand and do you affirm under penalty of perjury that your testimony today will be true?

E. FRANK: Yes, sir.

ZHE: Thank you, go ahead.

E. FRANK: So, I live near this intersection and I pass through regularly. I grew up in Albuquerque but I've only been in this neighborhood for 10 years. And, you know, I'm very familiar with the area because growing up in New Mexico, Albuquerque. And, we came down to Old Town, we came down to the zoo. Really 12th Street is one of only three main corridors off I-40 to get to Downtown, Old Town, all that. I regret not getting to submit my comments in writing but me like a lot of my neighbors just learned about this because of my word of mouth last week and not in time to do that. So, I greatly appreciate that the neighborhood associations in the City have been able to keep an eye on this thing. I was kind of struck by how tone-deaf Quick Trip's request was some especially in light of hearing that they have spoken to folks about the issues. I believe Quick Trip has taken over the 7-11 property there at 12th and Lomas and so, they do have a retail establishment that sells liquor there. But granted, it is not like a fueling station, but I am very opposed to a large through you know, travel center right on that property. Yes, as they showed in the pictures and as we all fully know, going by it, this neighborhood, you know, that stretch, there's no sidewalks. It's not pedestrian, it's not bicycle, it's not even always you know, vehicle friendly. You're having to watch for pedestrians trying to cross and go under



I- 40. Our tremendous homeless population has pitched tents against that fence. And, I know it's not a perfect thing and there is a lot of industry in our neighborhood. You know, it is the site of the former Sawmill with its legacy. I live on 8th street. I have the Railroad Museum. I have businesses. We're, - - It's like much of Albuquerque. We know residents are right next to property and I understand that Mountain Run wants to get the best return for the property but they bought it on the site of an Old Sawmill so, there's gonna be issues. And, I'm not aware of IDO's and all that sort of stuff but it certainly don't feel like it's in keeping with what we would like to have in the neighborhood. And, and, again just even the mechanics of so few entrances and exit ramps there on I-40 and how hard it is for us to just drive you know the frontage road traffic is already pretty bad when I come off 8th trying to get onto the eastbound I-40. I have to wait for tons of vehicles coming off that ramp at very high speeds for 6th street. You know, it's only two lanes wide and, and then everybody bottlenecks at that 6th Street entrance ramp right into the Big I, right into the intersection of those two things. And, I mean most people I know take 12th Street or take Menaul or take Indian School because they don't want to drive through the Big I. And so, it'll certainly exacerbate that problem. I just wanna you know, I do - - So many excellent points have been made even though I missed some of them when my computer crashed but I just wanted to add that you know, I'm not on the neighborhood association. A lot of us, I don't know if there was a sign posted on the fence about this variance request or not but I go by regularly and I did not even notice a sign about this meeting and so we kind of found out by accident and so I just wanted to support all the work folks are doing about. Yes, I understand they want to they wanna sell to a valid real feasible option but I don't feel like this is an option that is very good for any of our neighborhoods in the area and right next I-40. We've got enough that we're dealing with.

ZHE: Thank you. Thank you for your comments.

E. FRANK: Thank you.

ZHE: I see Mike with a hand raised. Are you there?

M. PRONDO: Yes, I am.

ZHE: Thank you and would you please state your full name and mailing address for the record?

M. PRONDO: Mike Prondo, 611 Bellamah Northwest.

ZHE: Thank you, sir. Please raise your right hand and do you affirm under penalty of perjury that your testimony today will be true?

M. PRONDO: Yes, I do.

ZHE: Go ahead.

M. PRONDO: Okay, so a lot of our, my biggest concern is the, is the traffic. I mean everybody's covered every little detail, so well. I mean if you just look at conditional use approval under the current Integrated Development Ordinance effective July 27, 23' must meet requirements set



forth under 14– 16–6–6(a), Quick Trip request for heavy vehicle fueling station at 1701 12 Street does not meet those requirements of 6–6(a)(3)(a)(c) d and f. So, these are basically the biggest reasons to deny this. The biggest other reasons that I see is it if you're familiar with where they're talking their exit for the tractor trailers are probably going to be on the south side of the property around the railroad track. All you have to do is of course a lot of people who want this don't live in the area. All you got to do is travel north on 12th towards the freeway. Once you get to that railroad track before you get there, the traffic is backed up. So, one of the questions is how do they even get out of the station? I mean, okay, so we I think I'll tell you how. What they're gonna do is, they're going to actually take an exit, go south on 12th Street, then, what they're gonna do is they're gonna run to a Bellamah where the street is narrowed from 2 lane to 1. By the way, that day when I was going to a facilitated a meeting for Quick Trip, a guy on a motorcycle got hit. It's really accident prone. We've really been working with the city Council they've done a lot of work since I believe 2018 to really work on the traffic on this part and we have a lot of issues with that. The other issue that people really, really need to recognize is, it's not 12<sup>th</sup> Street. What's gonna happen if you could have trucks exiting going west on the 6th Street exit, take a left down 6th Street take a right on Bellamah. I know, cause I live there. I see tractor trailer after tractor trailer after tractor trailer going down the street. So, where they go they go? They go down 12<sup>th</sup> Street. They go down that road. So, if people are starting to go south on 12th Street and now you have nowhere to go but to turn off Bellamah. Then, it's just going to constantly cause traffic especially, for the neighborhood and during the meeting with QuikTrip, the facilitated meeting, a lot of the neighbors in the neighborhood said that's their issue. Is - - There so much pollution through the tractor trailers who park in idle. So, that's a big problem. The other problem that people really got to recognize and they brought up several times to different people is, that all you need to do - - I enter - - I go down 6<sup>th</sup> Street every day go on the 6<sup>th</sup> Street ramp, East. Okay, so anybody coming from the west side knows it's already backed up to Rio Grande trying to get on the two lanes to either go south on I-25, go north on I-25 or try to fight your traffic through to go east on I-40. So even though everybody's covered everything else little thing, every detail, these are really things that are personal to everybody in the neighborhood. We don't wanna increase traffic and then in the area. Plus, another thing, there was a representative talking about a lot of businesses and stuff like that do trucks and heavy trucking. They don't, they're not there 24 hours. They shut down at five. Rack's doesn't stay open till midnight or two in the morning. It just doesn't work that way. So, the biggest issue for me has always been the traffic in the area. It's not gonna get any better it's going to get worse. Pollutions gonna increase. You have one vehicle, two vehicles is twice as much. You guys get the point here. When you have tractor-trailers the same thing. We don't have tractor-trailers exit out 12th Street a lot. This is going to massively increase truck traffic and getting back to the exit where a truck exits on their property that they showed you. There is no exit that they're gonna be able to get through 12th Street traffic going north. So, these are some things that really gotta be recognizing and realized that, sometimes even though the individual or corporation who doesn't live in the neighborhood thinks, this is the best place for them; sometimes it's a good idea to listen community who sees it's not the best thing. And, I guarantee you one thing, because of some of the stuff that's happened, I'm guessing this could probably be denied. But, you're going to see Quick Trip again. They're a company. They're going to find another location. You'll see them again. This just isn't the location but, thank you for your time.



ZHE: Thank you for your testimony, sir. Okay, let's see. I thought I saw David Stryker. Are you there?

D. STRYKER: Yes, I'm here. Sorry. Yeah.

ZHE: Would you please state your full name and mailing address for the record.?

D. STRYKER: Sorry. David Stryker, 1500 15<sup>th</sup> Street NW, Albuquerque, 87104.

ZHE: Thank you, sir. Please raise your right hand and do you affirm under penalty of perjury that your testimony today will be true?

D. STRYKER: Yes, I do.

ZHE: Thank you. Go ahead.

D. STRYKER: Okay. I would just like to echo what Mike says. I have to exit through Bellamah from where we live. Traffic is bad. I can't see how these folks are going to leave this truck stop except by turning right and then having to come to Bellamah taking a left where traffic is terrible. If the City wanted to put a traffic light there for the truck stop, that might help. But, I don't think that's going to happen. I basically, echo all other comments. The two other questions; one is the presenter never mentioned, either charging stations for electric vehicles or hydrogen. And, I'm wondering if Quick Stop has any plans for that or are they just stuck in the petroleum business? The other thing is, I do appreciate their photos that the present owners neglect of the property and would recommend that the person who spoke for the owner talk to them about picking up their litter. Thank you and I'm done.

ZHE: Thank you, Mr. Stryker. Okay. Let's see, I don't see anyone else indicating they'd like to speak. But again, for everyone in participation, we're on agenda items 39 through 41 of the public comment portion. If you've not yet spoken and would like to provide public comment, please raise your hand. I see Agiola with a hand raised but since she's already spoken, we need to keep moving with the hearing. Is there anyone who's not yet spoken and would like to provide public comment on agenda items 39, 40 and 41. Last call for public comment on agenda items 39, 40 and 41. Okay, Ms. Garland, are you there? Oh wait. I'm sorry. It looks like there is a new speaker, Melanie Lewis, I believe.

M. LEWIS: Hello, this is Melanie Lewis. I reside at 931 11<sup>th</sup> ST NW.

ZHE: Thank you, please raise your right hand and do you affirm under penalty of perjury that your testimony today will be true?

M. LEWIS: Yes.

ZHE: Thank you, go ahead.

M. LEWIS: I don't have anything additional to add. I think that the speakers covered just everything that I could possibly think of and more. And, I would just like to say that, I strongly oppose for all of those reasons that they listed. I am part of the Downtown Neighborhood



Association so, I don't believe that we were notified of this but my - - We live right at 11<sup>th</sup> and Mountain and so, we use 12<sup>th</sup> Street all the time. And, I just would like to say that I can't think of anything positive that this would bring to any of our neighborhoods and residents in this area. Thank you.

ZHE: Thank you for your comments. All right. Let's see. Last call for any new public comment on agenda items 39, 40 and 41. Okay, Ms. Garland, are you there?

C. GARLAND: Yes, I am.

ZHE: Oh good. Thank you. Go ahead if you would like to respond to the public comments.

C. GARLAND: Of course. I do appreciate everyone's time and comments. A lot of it was echoed from the neighborhood meeting. You know, we do hear all of these concerns. Again, we're in 17 states. We've developed over a thousand stores. We are very familiar with working with communities and neighbors to make our use compatible with their visions for their communities. We absolutely feel that our use is compatible with this area; the existing national retailers that are nearby, the existing industrial uses, the proximity to the interstate. It really does fit in well with what we provide. I realize the concerns about access, heavy fueling and the truckers. You know, those trucks are already there. And, some of the things that are kind of getting missed in this is the quality establishment that we provide for the passenger vehicles and the services inside, the quality of the employees, the facility and all that. We're really a reputable employer. We're a great company. So, we do provide a lot of positives to the community and the neighborhoods that we serve as well. You know, we agree, it's a great site and it can be a welcome addition to the Central Albuquerque area. You know, there's no connectivity or walkability along this stretch of I - - 12<sup>th</sup> Street as it is today. There's no sidewalks on either side. We will absolutely comply with the DPM, work to provide sidewalks, all the, all the required buffers and all that is required in the DPM and the IDO. Once we get to the site plan stage of the development process. You know, we're gonna work to improve connectivity. The Rail Trail, we were aware of that and we can absolutely work with that. People using the Trail can stop in, use our restrooms, buy water, snacks for the trails. That's really not something that would prevent the Rail Trail from coming, is our use being there. We can actually work with them and make it better, even. And, as Brett mentioned, a gas station is allowed by right in this zoning district. So, it is a compatible use with the zoning that's established. Like I said, we're just adding on in the back so, all the vehicles passing by the site can use it, not just the cars. So, that's why the special use is being requested. It's to service everybody in the area. It kind of unites the area a little bit more you know, as their saying that it's neighborhoods backed up to industrial backed up to retail. And this, gas station convenience store would allow everyone to use it so, it would actually kind of unite all of those uses together. And, so, that's kind of a unique opportunity because the site has been vacant for so long. You know, someone mentioned the alcohol sales, those are only available from 7AM to midnight per New Mexico Law. It would not be 24/7. You know, the trucks are already passing by the site. Yes, some people will be exiting off the interstate but that's what exits are for. You know, we perform traffic studies at every site we develop. It's a requirement of the development process. We work with traffic engineers. We work with the City Planning Department, City



Traffic Engineers, the Department of Transportation if necessary. You know, we've had to come up with some creative mitigation efforts at some of our sites. We really are standing at the ready to work with you know, the MRA, who was not at the meeting but we would love to work with them. We definitely are used to working with communities. Like we mentioned earlier, we're there for the long term. So, it does serve the community because this sites been vacant for 20 years. We're not going to build a store and it's going to be vacant in another ten. You know, we've been in business since 1958 and we've never laid off a single employee. That's not what we do. Someone else mentioned taking over a 7/11 property. This will be our first four-way into the City of Albuquerque. We carefully selected this site. We were really excited to come into the City, grow our brand. It's already all along most of I-40. You know, we're very popular in Arizona, Phoenix/Tucson area, all over Texas, now. And so, this would kind of connect all of that and really provide a consistent experience for travelers but also, the local citizens. I worked in the stores for 20 plus years and my favorite part about it was the regular customers, those would not necessarily be the trucks that everyone is so concerned about. That's you know, the mom coming in, dropping her kids off to school in the morning, she gets her morning coffee and they get all excited for a donut. Or, the people getting out of - - The students getting out of school love coming into Quick Trip, getting a frozen drink. You know, you'd started to learn customers by their name. I saw kids grow up. We really are a valuable asset to the community. The heavy vehicle fueling, the traffic, the pollution, those are concerns that we can absolutely work with the community to alleviate their concerns. Thank you.

ZHE: Thank you. I appreciate your responses and I think I mentioned this but, just to be sure, any slide that you showed on the screen, please be sure to email that to Suzie Sanchez by this Friday so, we can include it in the record. And, I'd like to thank you for your presentation and I'd like to thank all the participants from the public, from the neighborhood associations, from the City. You've definitely given me a lot to consider and so, I will do my best to apply the IDO and applicable laws to the facts in the record. I'll issue the written decision in 15 days. Thank you, everybody.

C. GARLAND: Thank you.

ZHE: Thank concludes agenda items 39, 40 and 41.



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## NOTICE OF APPEAL

December 26, 2023

### TO WHOM IT MAY CONCERN:

The Planning Department received an appeal on December 22, 2023. You will receive a Notice of Hearing as to when the appeal will be heard by the **Land Use Hearing Officer**. If you have any questions regarding the appeal please contact Ernesto Alfredo Salas, Sr. Planning Administrative Assistant at (505) 924-3370.

***Please refer to the enclosed excerpt from the City Council Rules of Procedure for Land Use Hearing Officer Rules of Procedure and Qualifications for any questions you may have regarding the Land Use Hearing Officer rules of procedure.***

Any questions you might have regarding Land Use Hearing Officer policy or procedures that are not answered in the enclosed rules can be answered by Mandi Hinojos, Clerk to the Council, (505) 768-3100.

**CITY COUNCIL APPEAL NUMBER: AC-24-1, AC-24-2, AC-24-3**  
**PLANNING DEPARTMENT CASE FILE NUMBER:**  
**PR-2023-009345, VA-2023-00369, VA-2023-00370, VA-2023-00371**  
**VA-2023-00294, VA-2023-00295, VA-2023-00296**

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