



**Environmental
Planning
Commission**

**Agenda Number: 09
Project Number: 1011436
Case #: 17EPC-40060
Hearing Date: December 14, 2017**

Staff Report

Agent/Applicant Richard Hanna and Stephen Caruso
Applicant Martin L. Williams
Request Zone Map Amendment
(Zone Change)
Legal Description Lot 48, Block 78, Snow Heights
Addition and the southerly 22 feet
vacated of Candelaria Rd. NE
Location On Candelaria Rd. NE, between
between Juan Tabo Blv d. NE and
Morris St. NE
(11,100 Candelaria Rd. NE)
Size Approximately 0.27 acre
Existing Zoning O-1
Proposed Zoning C-1

Staff Recommendation

**DEFERRAL of 17EPC-40060, at the
request of the applicant, for 30 days to the
January 11, 2018 hearing, based on the
Findings below.**

**Staff Planner
Catalina Lehner-AICP, Senior Planner**

Summary of Analysis

The request is for a zone change for an approx. 0.27 acre site, zoned O-1, located on Candelaria Rd. NE, just west of the intersection with Juan Tabo Blvd. NE. The subject site contains a building with five small office suites that was built in the 1970s.

The applicant wants to change the zoning because the office suites have been rented to small commercial businesses for many years, and also because of interest from a potential tenant (a dog wash business, which is not allowed in O-1).

The subject site is in an Area of Consistency as designated by the Comprehensive Plan. No sector development plans apply.

The affected neighborhood organization is the District 8 Coalition, which was notified as required. Notification to property owners is being re-done to ensure that all were notified.

The deferral is needed to strengthen the zone change justification and ensure complete notification.

Findings

1. The request is for a zone map amendment (zone change) from O-1 to C-1. The subject site contains an existing building with five small office suites.
2. The applicant is requesting a zone change because the office suites have been rented to small commercial businesses for many years, and also because of interest from a potential tenant.
3. The applicant is requesting a 30 day deferral to strengthen the zone change justification and to ensure that notification is complete.

Lehner, Catalina L.

From: Richard Hanna <rhanna@richardhanna.com>
Sent: Wednesday, November 29, 2017 1:24 PM
To: Lehner, Catalina L.
Subject: Re: agency comments

Yes please defer our hearing for 30 days. I'm traveling today so I can't talk with you until tomorrow.
Thanks
Richard

Sent from my iPhone

On Nov 29, 2017, at 10:10 AM, Lehner, Catalina L. <CLehner@cabq.gov> wrote:

Hi Richard,

Yes, I did receive the notifications to the District 8 contacts and those receipts matched the contact names, so no need to resend those. My concern is with the property owners notifications, since those return receipts are blank and I can't match mailing label to receipt to prove notification.

Notification is one of those legal things that, if done improperly, can un-do the whole case. That's why I'm requesting a re-notification and why I'm making sure that everything is done properly and so you don't run into unexpected snags now or down the road.

For the deferral, I need a separate email from you requesting a 30 day deferral. Also, this will give you additional time to work on the justification letter.
Please let me know if you have additional questions. Thank you.
-Catalina

From: rhanna@richardhanna.com [<mailto:rhanna@richardhanna.com>]
Sent: Tuesday, November 28, 2017 5:35 PM
To: Lehner, Catalina L.
Subject: RE: agency comments

Catalina,

I can certify that I have mailed all of these people that are on the list. For the two letters I sent for the district notices I did send those and I do have them filled out. I sent that to you with the letter last Wednesday and I can send that to you again. I will not be able to make the modifications to the letter by tomorrow noon so we want to defer until the January meeting. Let me know what paperwork we need to do for the deferral.

Thanks for your help!
Richard

From: Lehner, Catalina L. [<mailto:CLehner@cabq.gov>]
Sent: Tuesday, November 28, 2017 5:59 PM
To: Richard Hanna <rhanna@richardhanna.com>
Subject: RE: agency comments

Thanks. In going through the file, I noticed that there are 24 property owners required to be notified and 24 return receipts. However, the return receipts were not filled out and do not have the person's name on them. So there is no way to conclusively tell if someone was notified. Someone could say that they weren't notified, and based on what's in the file, I cannot prove that they were.

Do you have any other documentation that the people on the list match the return receipts? If not, please re-do the notification tomorrow, November 29, so that we have the 15 days required prior to the December 14 hearing. Otherwise, a deferral will be necessary.

I'll give you a call.

-Catalina

From: Richard Hanna [<mailto:rhanna@richardhanna.com>]

Sent: Tuesday, November 28, 2017 12:52 PM

To: Lehner, Catalina L.

Subject: RE: agency comments

No problem. With the blizzard of paper for each file it is understandable.

Richard Hanna, CCIM

Qualifying Broker Lic #9158

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<image001.jpg>

From: Lehner, Catalina L. [<mailto:CLEhner@cabq.gov>]

Sent: Tuesday, November 28, 2017 12:33 PM

To: Richard Hanna <rhanna@richardhanna.com>

Subject: RE: agency comments

Yes, I found it. Maybe his comment was meant for another case. Sorry about that.

From: Richard Hanna [<mailto:rhanna@richardhanna.com>]

Sent: Tuesday, November 28, 2017 9:57 AM

To: Lehner, Catalina L.

Subject: RE: agency comments

You should have the traffic already as this was signed when I submitted it.

Richard Hanna, CCIM

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<image001.jpg>

From: Lehner, Catalina L. [<mailto:CLehner@cabq.gov>]
Sent: Monday, November 27, 2017 3:26 PM
To: Richard Hanna <rhanna@richardhanna.com>
Subject: RE: agency comments

Hi Richard,

Thank you for submitting a revised version of the zone change justification letter. Attached is a memo with suggestions and tips of how to get it to meet the requirements of R270-1980. Some study will be needed. Please let me know if you have any questions. If you need more time, please also let me know that.

I spoke to an engineer in Transportation Development regarding his agency comment. You'll need to fill out the TIS (Traffic Impact Study) form and have him sign it. The form is available online. This is an application submittal requirement, but we can take care of it now.

-Catalina

From: Richard Hanna [<mailto:rhanna@richardhanna.com>]
Sent: Monday, November 27, 2017 2:17 PM
To: Lehner, Catalina L.
Subject: Re: agency comments

Thanks

Sent from my iPhone

On Nov 27, 2017, at 1:09 PM, Lehner, Catalina L. <CLehner@cabq.gov> wrote:

I'm going through it today. Almost done.

From: Richard Hanna [<mailto:rhanna@richardhanna.com>]
Sent: Monday, November 27, 2017 10:29 AM
To: Lehner, Catalina L.
Subject: RE: agency comments

Catalina,
What do you think of the last letter I sent on Wednesday?

Richard Hanna, CCIM
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Visit our website at www.AlbuquerqueOfficeLeasing.com
<image001.jpg>

From: Lehner, Catalina L. [<mailto:CLehner@cabq.gov>]
Sent: Wednesday, November 22, 2017 11:32 AM

To: Richard Hanna (rhanna@richardhanna.com) <rhanna@richardhanna.com>

Subject: agency comments

Hi Richard,

Attached are agency comments for Project #1011436. Please let me know if you have any questions.

Thank you.

-Catalina