



**Environmental
Planning
Commission**

Agenda Number: 4
Project #: PR-2019-002682
Case #s: RZ-2019-00049, SI-2019-00266
Hearing Date: February 13, 2019

Supplemental Staff Report

Agent	Self
Applicant	Richard Dobbs, QMD, LLC
Request	Zone Map Amendment (zone change) Site Plan-EPC
Legal Description	Tract A, Summary Plat of Tract N, Paradise Hills Industrial Park, and a portion of Tract 2 of Eagle Ranch, and a portion of a 100' PNM Easement
Location	between Eagle Ranch Rd. NW and Coors Blvd. NW (4349 Irving Blvd. NW)
Size	Approximately 4 acres
Existing Zoning	MX-M (mixed-use medium)
Proposed Zoning	PD (planned development)

Staff Recommendation

WITHDRAWAL of RZ-2019-00049 and SI-2019-00266, at the applicant's request.

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

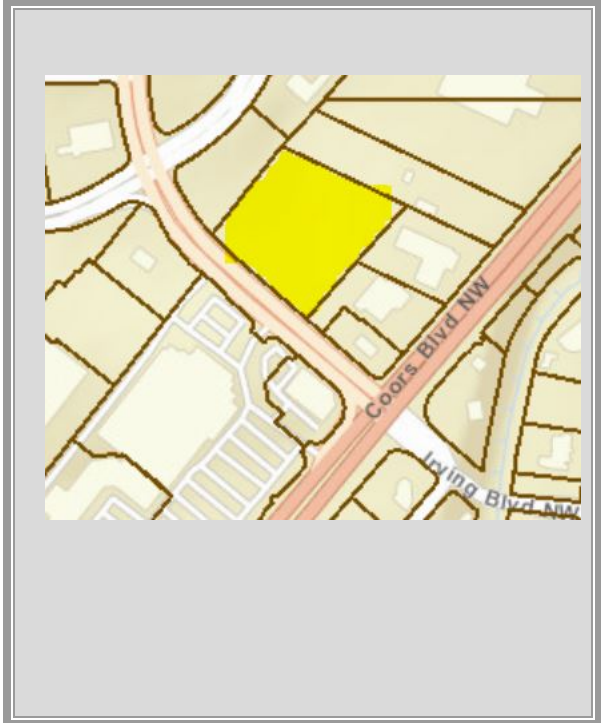
Summary of Analysis

The request is for a zone change and an associated site plan for an approximately 4 acre site known as the old Rowland's site. The applicant wants PD zoning to allow a permanent, outdoor market.

The request was deferred at the September 12, 2019 EPC hearing for 30 days and deferred at the November 14, 2019 hearing EPC hearing for 90 days. The required notification was incomplete and the zone change justification needed to be strengthened.

The applicant is requesting withdrawal of the zone change case. He is considering constructing a building so the proposed activities can be conducted indoors, which would render the zone change unnecessary, and other options for the subject site.

Staff recommends withdrawal of the case as requested by the applicant.



Lehner, Catalina L.

From: Nicolina Nicthe-Pharr <nicolina@banner-sales.com>
Sent: Thursday, February 06, 2020 9:59 AM
To: Lehner, Catalina L.
Cc: Brito, Russell D.; richard@banner-sales.com
Subject: RE: FW: EPC case 2019-002682, Irving Village

Good Morning Catalina;

Sorry for the delay in the response. We have so much going on and consuming our time. I spoke with Richard with regard to Irvin Village and at this time, we have decided to withdraw the case. This will allow Irving Village some time to regroup and strategize its best approach on how to proceed.

Thank you for your assistance in this matter.

Sincerely,

Nicolina Nicthe-Pharr
For Richard Dobbs
Irving Village

Subject:FW: EPC case 2019-002682, Irving Village
Date:Wed, 29 Jan 2020 18:22:48 +0000
From:Lehner, Catalina L. <CLehner@cabq.gov>
To:Richard@banner-sales.com <Richard@banner-sales.com>, 'accounting@banner-sales.com'
<accounting@banner-sales.com>
CC:Brito, Russell D. <RBrito@cabq.gov>

Hello Richard and Nicolina.

I hope things are going well. I haven't heard from you regarding the above-referenced case before the Environmental Planning Commission (EPC). I wrote to you on December 10, 2019 and January 3, 2020 asking how you would like to proceed and did not receive a response. Furthermore, I have not received any of the materials requested (redone notification, revised zone change justification, and updated site plan) in the second deficiency memo dated October 9, 2019.

I'm checking in again to see how you would like to proceed. The EPC granted the 90-day deferral as requested back in November. In order to go forward, if you choose to, the deferral fee will need to be paid [ref: IDO 14-16-6-4(G)].

If you would like to withdraw the case, you may do so by replying to this email. Without something in writing from you, the case cannot be withdrawn. There's also the option of requesting another deferral, though I cannot say if the EPC would grant it or not since the case has already been deferred for 90 days.

If I do not hear from you, then unfortunately I will have to analyze the case based on information received last September. (Note: if a zone change is denied, you would have to wait a year before applying again). Please let me know by the close of business this Friday, January 31, what you would like to do. Thank you.

CATALINA LEHNER
senior planner
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From: Lehner, Catalina L.
Sent: Friday, January 03, 2020 11:44 AM
To: 'accounting@banner-sales.com'; Richard@banner-sales.com
Cc: Brito, Russell D.
Subject: FW: EPC case 2019-002682, Irving Village

Hello and Happy New Year!

I'm checking in to see how you would like to proceed with the above-referenced EPC case scheduled for Thursday, February 13, 2020, after the EPC granted the 90 day deferral as requested.

Three items are needed: re-notification that complies with IDO requirements in Section 6-4(K), p. 345, a revised zone change justification, and an updated site plan. I haven't heard from you regarding these items.

To meet deadlines for the February EPC hearing, the re-notification should have occurred by December 26, 2019.

Here is our calendar, for reference:
<http://documents.cabq.gov/planning/environmental-planning-commission/EPC%20External%20Calendar%202020-F.pdf>

Please let me know at your earliest convenience if you would like to request another deferral. Thank you.

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From: Lehner, Catalina L.
Sent: Monday, November 18, 2019 10:28 AM
To: 'accounting@banner-sales.com'
Cc: Richard@banner-sales.com; Brito, Russell D.
Subject: EPC case 2019-002682, Irving Village

Good Morning, Richard and Nicolina.

Attached please find an invoice for the requested deferral of your EPC case.

As required by the IDO, there is a fee of \$110 for anyone who wants to defer their case.
The EPC granted the three-month deferral, so the new hearing date will be Thursday, February 13, 2020.

Thank you.



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