



## ***Environmental Planning Commission***

**Agenda Number: 5**  
**Project #: PR-2021-006278**  
**Case #: RZ-2021-00051**  
**Hearing Date: February 17, 2022**

### ***Staff Report***

<b><i>Agent</i></b>	Consensus Planning
<b><i>Applicant</i></b>	Stovall Paradise LLC and S&W Assisted Living LLC
<b><i>Request</i></b>	<b>Zoning Map Amendment – EPC</b>
<b><i>Legal Description</i></b>	Tract A-1 Plat of Tracts A-1, A-2, C-1 & T Paradise Hills Golf Course Subdivision
<b><i>Location</i></b>	10035 Country Club Lane NW, between Golf Course Rd. and Paradise Hills Golf Course
<b><i>Size</i></b>	Approximately 0.76 acre
<b><i>Existing Zoning</i></b>	NR-C
<b><i>Proposed Zoning</i></b>	R-ML

### ***Staff Recommendation***

***APPROVAL of RZ-2021-00051, based on the Findings beginning on p.21.***

***STAFF PLANNERS***  
***Megan Jones, Planner***  
***Leroy Duarte, Planner***

### ***Summary of Analysis***

The request is for a Zoning Map Amendment from NR-C to R-ML for an approximately 0.76-acre site. The request was deferred at the January hearing due to incomplete notification (signs).

The Zoning Map Amendment would facilitate re-development of the subject site in a manner that is generally consistent with the character of the surrounding community and the R-ML zoning nearby.

The applicant has adequately justified the request pursuant to the IDO zone change criteria in 14-16-6-7(G)(3). The proposed zoning would be more advantageous to the community overall because it furthers a preponderance of applicable Comprehensive Plan Goals and policies and there are no major conflicts.

The subject site is in an Area of Consistency. It is not in an Activity Center or along a corridor.

The applicant notified the Westside Coalition of Neighborhood Associations, the Paradise Hills Civic Association, and property owners as required. There is no known opposition.

Staff recommends approval.



***Table of Contents***

I. Introduction.....8

II. Analysis of Applicable Ordinances, Plans, and Policies.....10

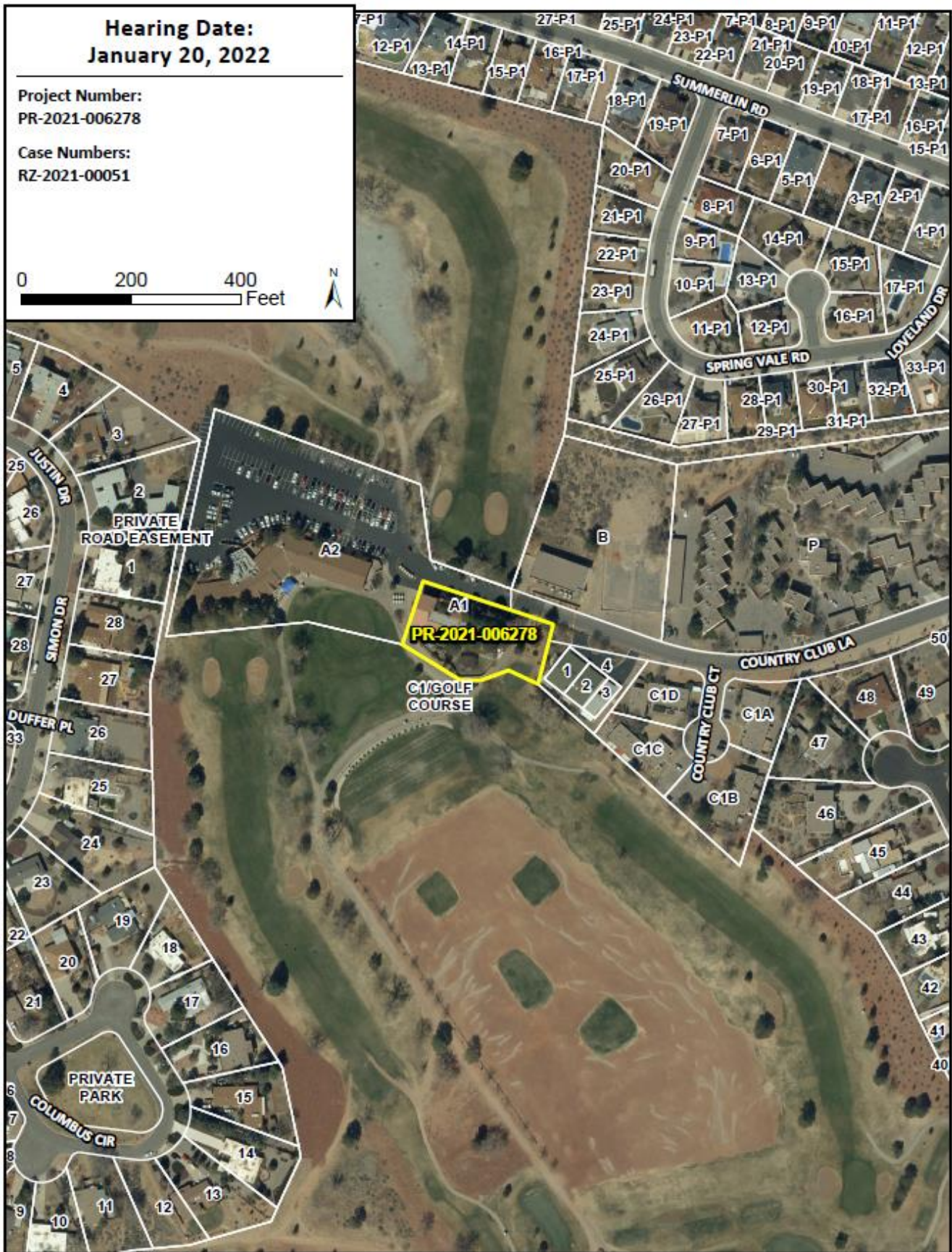
III. Agency and Neighborhood Concerns.....18

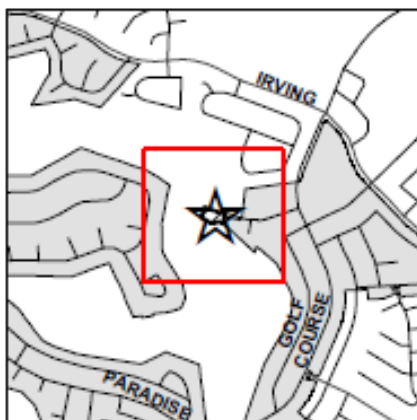
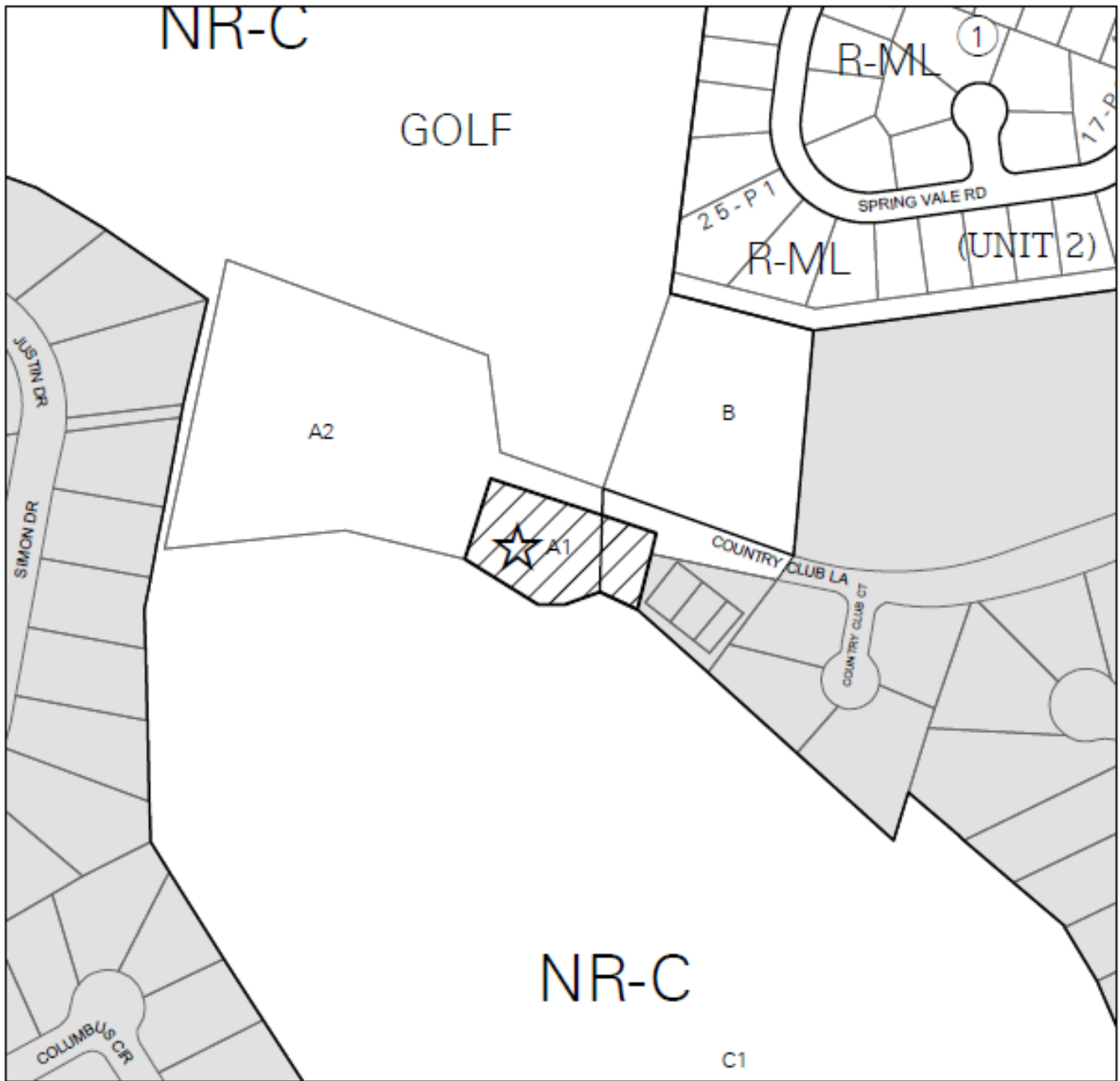
IV. Conclusion.....19

Findings and Recommendation.....20

Agency Comments.....26







### IDO ZONING MAP

Note: Gray shading  
Indicates County.



1 inch = 200 feet

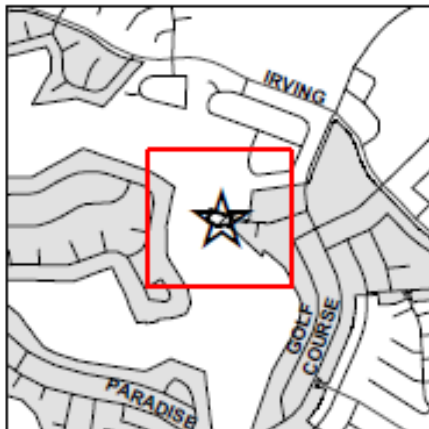
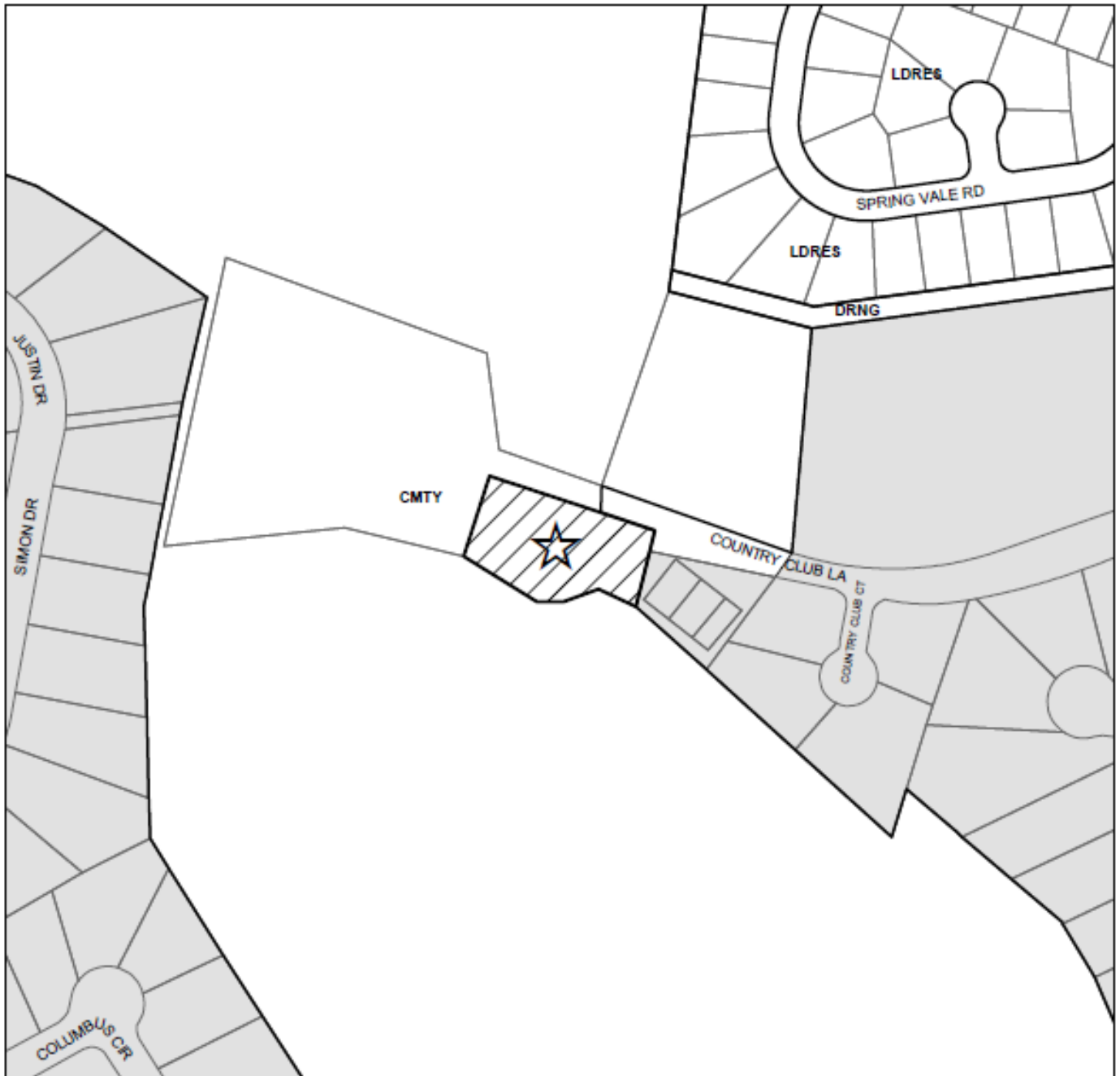
Hearing Date:  
1/20/2022

Project Number:  
PR-2021-006278

Case Numbers:  
RZ-2021-00051

Zone Atlas Page:  
B-12





**LAND USE MAP**

Note: Gray shading  
 Indicates County.

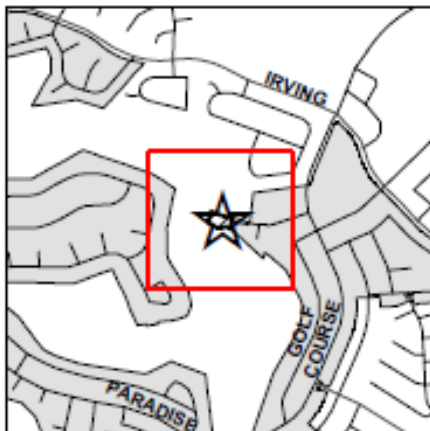
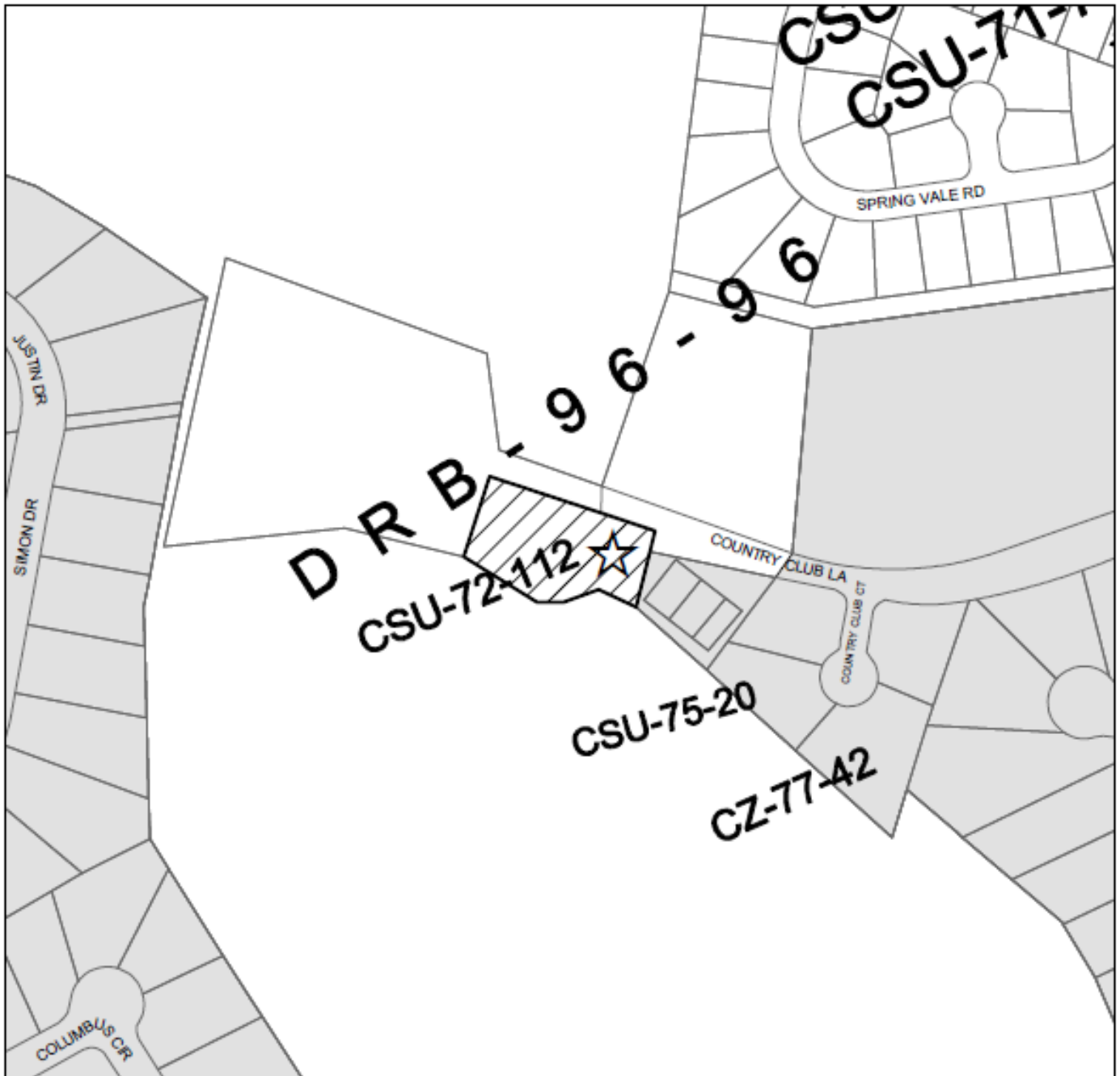
Key to Land Use Abbreviations	
LDRES   Low-density Residential	APRT   Airport
MULT   Multi-family	TRANS   Transportation
COMM   Commercial Retail	AGRI   Agriculture
CMSV   Commercial Services	PARK   Parks and Open Space
OFC   Office	DRNG   Drainage
IND   Industrial	VAC   Vacant
INSMED   Institutional / Medical	UTIL   Utilities
ED   Educational	CMTY   Community
	KAFB   Kirtland Air Force Base



1 inch = 200 feet

Hearing Date:  
 1/20/2022  
 Project Number:  
 PR-2021-006278  
 Case Numbers:  
 RZ-2021-00051

Zone Atlas Page:  
 B-12



### HISTORY MAP

Note: Gray shading  
Indicates County.

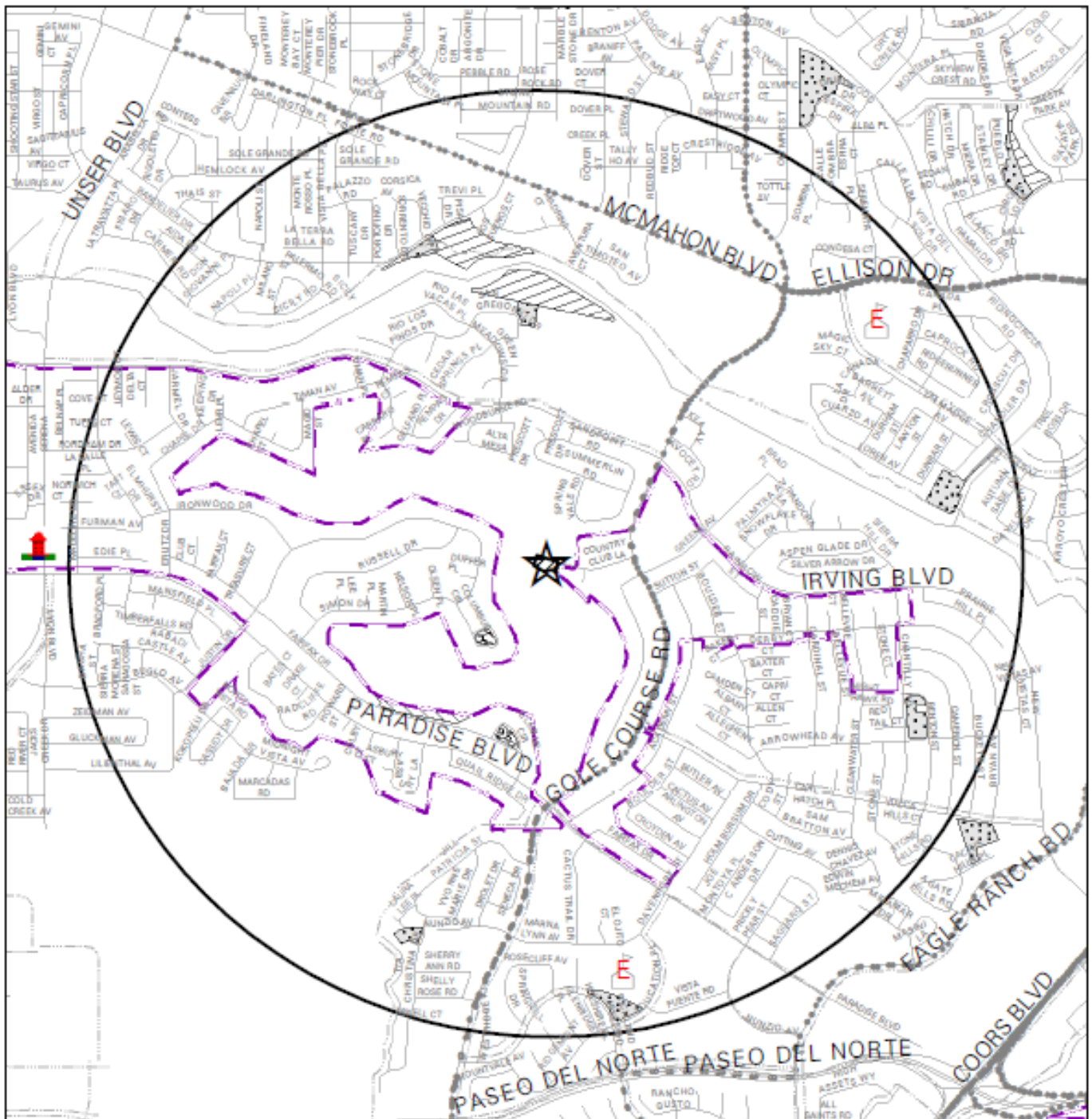


1 inch = 200 feet

Hearing Date:  
1/20/2022

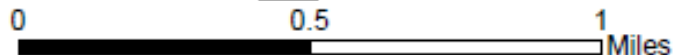
Project Number:  
PR-2021-006278  
Case Numbers:  
RZ-2021-00051

Zone Atlas Page:  
B-12



**Public Facilities Map with One-Mile Buffer**

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





**I. INTRODUCTION**

*Surrounding zoning, plan designations, and land uses:*

	<b>Zoning</b>	<b>Comprehensive Plan Area</b>	<b>Land Use</b>
<b>Site</b>	NR-C	Area of Consistency	Community (Vacant Inn-Bed and Breakfast)
<b>North</b>	NR-C	Area of Consistency	Community (Golf Course)
<b>South</b>	NR-C	Area of Consistency	Community (Golf Course)
<b>East</b>	Unincorporated County		Residential
<b>West</b>	NR-C	Area of Consistency	Community (Golf Course)

**Request**

The request is for a Zoning Map Amendment for an approximately 0.76-acre site legally described as Tract A-1 Plat of Tracts A-1, A-2, C-1 & T Paradise Hills Golf Course Subdivision and located at 10035 Country Club Lane NW, between Golf Course Rd. and Paradise Hills Golf Course, (“the subject site”). The subject site is currently zoned NR-C (Non-Residential – Commercial Zone District).

The applicant requests a Zoning Map Amendment from NR-C (Non-Residential – Commercial) to R-ML (Residential – Multi-Family Low Density). This would allow the subject site to develop in a manner that is generally consistent with the character of the surrounding residential uses and the R-ML zoned residential community to the north east of the subject site. The applicant states that the zone change would allow for future redevelopment of the existing, vacant, building on the subject site into an assisted living facility.

**EPC Role**

The EPC is hearing this case because the EPC is required to hear all zone change cases, regardless of the site size, in the City. The EPC is the final decision-making body unless the EPC decision is appealed. If so, the Land Use Hearing Officer (LUHO) would hear the appeal and make a recommendation to the City Council. The City Council would then make the final decision. The request is a quasi-judicial matter.

**Context**

The approximately 0.76-acre site is located at 10035 Country Club Lane NW, between Golf Course Road and Paradise Hills Golf Course.

The subject site is surrounded by the Paradise Hills Golf Course, which is zoned NR-C. Adjacent to the subject site to the north, south, and west is the Paradise Hills Golf Course. The properties to the East and directly adjacent to the subject site are in Unincorporated Bernalillo County with residential land uses. The single-family residential neighborhoods surrounding the golf course to the south, east and west are in unincorporated Bernalillo County and within the Paradise Hills special Zoning District. North and adjacent to the golf course is a single-family residential neighborhood, zoned R-ML.

### ***History***

In 1987, Tracts A and B, Paradise Hills Golf Course tract, and the adjacent street right of way were annexed into the City of Albuquerque. This annexation created SU-1 zoning for a Planned Development Area to include a Golf Course, Guest House, Related Facilities, and a total of up to 72 townhouse units for the land in 1.A. (Z-86-75). In 1992, a Site Development Plan was approved for an apartment building on the subject site, which is the existing building. In February of 1996, The DRB reviewed and approved a sketch plat, and final plat for the subject site known as, The Inn at Country Club Dr. NW, ~~at the time~~. Since then, the existing building has operated as the Inn Bed and Breakfast until it was recently closed.

Though not located in the City of Albuquerque or Bernalillo County jurisdictions, the Paradise Hills Special Zoning District (PHSZD) was created by the state legislature in 1978 through the zoning board act and ratified in August, 1982 and authorizes the Paradise Hills Zoning Commission to review and enforce all zoning matters within their jurisdiction. The residential neighborhoods to the south, east, and west of the subject site are located within the PHSZD and zoning regulations are not enforced or reviewed by the City of Albuquerque or Bernalillo County.

### ***Roadway System***

The Long-Range Roadway System (LRRS) map, produced by the Mid-Region Metropolitan Region Planning Organization (MRMPO), identifies the functional classification of roadways.

The LRRS map classifies Country Club Lane as a as a local street. Golf Course Road is classified as a minor arterial road.

### ***Comprehensive Plan Designations***

(The subject site is located in an Area of Consistency as designated by the Comprehensive Plan.)  
The subject site is not within a designated Activity Center or located on a designated Corridor. However, Golf Course Road, a Major Transit corridor, is within 0.05 of a mile from the subject site and is the connecting street to Country Club Lane.

### ***Comprehensive Plan Community Planning Area Designation***

The subject site is located within the area designated as the Northwest Mesa CPA by the Comprehensive Plan. The Northwest Mesa CPA is a predominantly residential community, adjacent to the volcanoes and volcanic Northwest Mesa Escarpment and overlooking the river and mountains. Coors Corridor provides many commercial opportunities. Corrales and Rio Rancho border this area to the north.

### ***Trails/Bikeways***

The Long-Range Bikeway System (LRBS) map, produced by the Mid-Region Metropolitan Planning Organization (MRMPO) identifies existing and proposed routes and trails. Currently, Country Club Lane does not contain any trails or bicycle lanes. However, there is an existing Bike Lane within 0.05 miles of the subject site, along Golf Course Road.

### ***Transit***

Currently no transit routes run along Country Club Lane. However, Bus Route 157/92 is within 0.06 of a mile from the subject site. The Route Montano Blvd.-Uptown-KAFB (157) runs north and south along Golf Course Rd. from Ellison Dr. NW to Montano Rd. NW, with a turnaround at the Northwest Transit Center on Ellison DR NW and Coors Bypass NW. There are parallel bus stops on either side

of Golf Course Rd. at Country Club Ln. The Route travels east/west on Montano Rd./Montgomery Blvd., to Louisiana Blvd. NE, and finally to Kirtland Air Force Base. There are numerous bus stops at connecting Routes.

Bus Route 157 runs Monday – Saturday at a peak frequency of 40 minutes, from 5:21 am – 10:22 pm. The Taylor Ranch Express (route 92) follows the same path as route 157 and runs Monday – Friday at a peak frequency of 30 minutes.

### ***Public Facilities/Community Services***

Please refer to the Public Facilities Map, which shows public facilities and community services located within one mile of the subject site.

## ***II. ANALYSIS of APPLICABLE ORDINANCES, PLANS, AND POLICIES***

### ***Integrated Development Ordinance (IDO)***

#### *Definitions*

Low-density Residential Development: Properties with residential development of any allowable land use in the Household Living category in Table 4-2-1 other than multi-family dwellings. Properties with small community residential facilities are also considered low-density residential development. Properties that include other uses accessory to residential primary uses are still considered low-density residential development for purposes of the IDO.

Zone District: One of the zone districts established by this IDO and the boundaries of such zone districts shown on the Official Zoning Map. Zoning regulations include the Use Regulations, Development Standards, and Administration and Enforcement provisions of this IDO.

Residential Zone District: Any zone district categorized as Residential in Part 14-16-2 of this IDO. For the purposes of any Use-specific Standard in Section 14-16-4-3, this includes any lot zoned Planned Development (PD) with a Site Plan approved prior to the adoption of this IDO that allows one or more residential uses and that is developed on lots with residential development that make up at least 50 percent of the site plan area.

### ***Zoning***

The subject site is currently zoned NR-C (Non-residential -- Commercial), IDO 14-16-2-5(A) which was assigned upon the adoption of the IDO. The purpose of the NR-C zone district is to accommodate medium-scale retail, office, commercial, and institutional uses, particularly where additional residential development is not appropriate or not desired because of a deficit of jobs or services in relation to housing units in the area. Primary land uses include a wide spectrum of retail and commercial uses intended to serve both neighborhood and area-wide needs, as well as some light industrial uses.

The request is to change the subject site's zoning into R-ML (Residential – Multi-family low density), IDO 14-16-2-3(E). The purpose of the R-ML zone district is to provide for a variety of low- to medium-density housing options. The primary land uses are townhouses, small-scale multi-family development, and some residential uses in the group living category as well as civic and institutional uses to serve the surrounding residential area.

Allowable uses are shown in Table 4-2-1 in the IDO.



***Albuquerque / Bernalillo County Comprehensive Plan (Rank 1)***

The subject site is located in an area that the 2017 Albuquerque/Bernalillo County Comprehensive Plan has designated an Area of Consistency. In Areas of Consistency, significant growth is unlikely or undesirable and any new development or redevelopment will need to be consistent with the established character of the surrounding context in order to reinforce the existing character of established neighborhoods.

In this case, the Goals and policies below were included by the applicant in the justification letter. Staff finds them all applicable, and adds policies denoted with a \* to the analysis. Applicable Goals and policies are listed below. Staff analysis follows in bold italic text.

*Chapter 4: Community Identity*

Goal 4.1 – Character: Enhance, protect, and preserve distinct communities.

***The requested zone change from NR-C to R-ML would enhance the area by allowing development consistent with the surrounding R-ML zoned, single-family residential community. The zone change would also protect the surrounding neighborhood by limiting the amount of more intense and higher density uses, therefore preserving the identity of the community. This request furthers Goal 4.1 Character.***

Policy 4.1.1 Distinct Communities: Encourage quality development that is consistent with the distinct character of communities.

***The subject site is within a community that could be considered distinct because it is surrounded by the Paradise Hills Special Zoning District. The subject site is intended to be redeveloped as an assisted living facility, which would replace a currently underutilized building, therefore allowing quality development according to IDO requirements. This development would be consistent with the surrounding multi-family and single-family community adjacent to the subject site and golf course. This request furthers Goal 4.1 Distinct communities.***

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.

***The request would protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development and character of building design by changing the zone from NR-C to R-ML. The requested zone would be more consistent with the multi-family and single-family residential neighborhood surrounding the subject site and adjacent golf course. The request would eliminate the possibility of a higher density use of the site and limit the uses to low-density residential development. The proposed R-ML zone is consistent with the surrounding zoning and development. By changing the zoning to reflect the surrounding neighborhoods current land uses, the identity of the neighborhood is protected. The request furthers Policy 4.1.2 – Identity and Design. \****

*Chapter 5: Land Use*

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

*The request would allow the applicant to facilitate redevelopment of the subject site that is surrounded by multi-family and single-family residential neighborhoods. Although the subject site is not in an Activity Center or along a Corridor, residents living on the subject site would have the opportunity to live, work, learn, shop and play together based on the amenities close in proximity to the subject site. The subject site is located adjacent to Paradise Hills Golf Course and within 0.06 of a mile from Golf Course Road, a Major Transit corridor with transit access. The request partially furthers Goal 5.2 – Complete Communities.*

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

*The request would allow development to occur with land uses that are similar to the surrounding community. Development of the subject site would allow a variety of low-density residential housing types in the area that already contain multi-family, single-family, and community uses. Any future development would be conveniently accessible to surrounding uses such as entertainment, retail, and recreational. The request partially furthers Policy 5.2.1 – Land Uses.*

Sub-policy (h): Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.

*The request would encourage development that is consistent with the surrounding residential development. The proposed redevelopment of the existing vacant building to a residential use would be compatible in form and scale with the immediate surrounding area. The request furthers sub-policy(h) 5.2.1 – Land Uses.*

Sub-policy(n): Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

*The request would result in a future proposed assisted living facility. The 0.76-acre lot is currently occupied by a vacant building in an area surrounded by residential and community uses. A future residential development would encourage productive use of the underutilized lot. The request furthers sub-policy(n) 5.2.1 – Land Uses. \**

Goal 5.3 – Efficient Development Patterns: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

*The request would promote efficient use of the under-utilized vacant building currently on the subject site. Future development would promote land use patterns that are similar to the surrounding Neighborhood, while also utilizing existing infrastructure that surrounds the site. The request furthers Goal 5.3 – Efficient Development Patterns.*

Policy 5.3.1 – Infill Development: Support additional growth in areas with existing infrastructure and public facilities.

*The subject site is surrounded by Paradise Hills Golf Course (zoned NR-C) and low-density residential development. Future development of the subject site would utilize existing infrastructure, including water and sewer, paved streets, and dry utilities. Access would be directly off of Country Club Lane. Country Club Lane has access to Golf Course Road, a major transit corridor with sidewalks and additional infrastructure. The request furthers Policy 5.3.1 – Infill Development.*

Policy 5.6.3- Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space.

*The request would protect and enhance the character of the existing single-family neighborhood by eliminating the opportunity to develop the subject site with higher density uses outside of a designated center. The request furthers Policy 5.6.3-Areas of Consistency.*

#### Chapter 9: Housing

Goal 9.1 Supply: Ensure a sufficient supply and range of high-quality housing types that meet current and future needs at a variety of price levels to ensure more balanced housing options.

*The request would ensure that the subject site is developed with a residential land use. The proposed future assisted living facility would add a new high-quality housing option to the area where these services are lacking. The request furthers Goal 9.1-Supply.*

Policy 9.1.1 -- Housing Options: Support the development, improvement, and conservation of housing for a variety of income levels and types of residents and households.

*The request would allow the underutilized subject site to be redeveloped into a residential use. The applicant is proposing future redevelopment of the existing building on the subject site into an assisted living facility for seniors and people needing specialized medical care. This request furthers Policy 9.1.1-Areas of consistency: Housing Options.*

Policy 9.2.1 – Compatibility: Encourage housing development that enhances neighborhood character, maintains compatibility with surrounding land uses, and responds to its development context – i.e. urban, suburban, or rural – with appropriate densities, site design, and relationship to the street.

*The request would ensure that future proposed development of the subject site would reinforce and strengthen the neighborhood characteristics and maintain appropriate densities through low density residential development that is consistent with the surrounding neighborhood and development context. The request furthers Policy 9.2.1-Compatibility. \**

#### ***Integrated Development Ordinance (IDO) 14-16-6-7(G)(3)-Review and Decision Criteria for Zone Map Amendments***

##### Requirements

The review and decision criteria outline policies and requirements for deciding zone change applications. The applicant must provide sound justification for the proposed change and demonstrate that several tests have been met. The burden is on the applicant to show why a change should be made.

The applicant must demonstrate that the existing zoning is inappropriate because of one of three findings: 1) there was an error when the existing zone district was applied to the property; or 2) there has been a significant change in neighborhood or community conditions affecting the site; or 3) a different zone district is more advantageous to the community as articulated by the Comprehensive Plan or other, applicable City plans.



Justification & Analysis

The Zone Map Amendment justification letter analyzed here, received on December 2, 2021 (revised December 22, 2021), is a response to Staff's request for a revised justification letter (see attachment). The subject site is currently zoned NR-C and undeveloped. The requested zoning is R-ML (Residential – Multi-family low-density). The reason for the request is to obtain zoning that would be consistent with the character of the area and surrounding residential uses and R-ML zoning to the north east of the subject site. The subject site is in an Area of Consistency.

The applicant believes that the proposed zoning map amendment (zone change) meets the zone change decision criteria in IDO 14-16-6-7(G)(3) as elaborated in the justification letter. The citation is from the IDO. The applicant's arguments are in *italics*. Staff analysis follows in plain text.

- A. Criterion 6-7(G)(3)(a) The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by furthering (and not being in conflict with) a preponderance of applicable Goals and Policies in the ABC Comp Plan, as amended, and other applicable plans adopted by the City.

*Applicant Response: The proposed zone change is consistent with the health, safety, and general welfare of the City by furthering a preponderance of applicable goals and policies in the ABC Comprehensive Plan, as amended, and other applicable plans adopted by the City. The following policy analysis demonstrates that the proposed zone change is advantageous to the surrounding neighborhood and the City as a whole by allowing a use that is consistent with surrounding residential uses; promotes infill and adaptive reuse of an existing vacant building; protects and enhances the character of an Area of Consistency; and provides an additional housing option in a residential area.*

Staff: Consistency with the City's health, safety, and general welfare is shown by demonstrating that the request furthers applicable Comprehensive Plan Goals and policies and does not significantly conflict with them.

Applicable Citations: Goal 4.1- Character, Policy 4.1.1 – Distinct Communities, Policy 4.1.2 - Identity and Design, Goal 5.2- Complete Communities, Policy 5.2.1 Land Uses, Sub-Policy(c), Sub-Policy(h), and Sub-policy(n), Goal 5.3 – Efficient Development Patterns, Policy 5.3.1 Infill Development, Policy 5.6.3 – Areas of Consistency, Goal 9.1 – Housing Supply, Policy 9.1.1 – Housing Supply, and Policy 9.2.1 Compatibility.

Non-applicable citations: none.

The applicant's policy-based response satisfactorily demonstrates that the request furthers a preponderance of applicable Goals and policies regarding character, identity, complete communities, land uses, efficient development patterns, infill development, city development areas and compatibility and does not present any significant conflicts with the Comprehensive Plan. Therefore, the request is consistent with the City's health, safety, and general welfare. The response to Criterion A is sufficient.

- B. Criterion 6-7(G)(3)(b) If the subject property is located partially or completely in an Area of Consistency (as shown in the ABC Comp Plan, as amended), the applicant has demonstrated that the new zone would clearly reinforce or strengthen the established character of the surrounding

Area of Consistency and would not permit development that is significantly different from that character. The applicant must also demonstrate that the existing zoning is inappropriate because it meets any of the following criteria:

1. There was typographical or clerical error when the existing zone district was applied to the property.
2. There has been a significant change in neighborhood or community conditions affecting the site that justifies this request.
3. A different zone district is more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

*Applicant Response: The proposed zone change to R-ML will reinforce the residential character of the area and will not permit development that will undermine the established character. By changing the zoning to R-ML, which matches the existing zoning to the northeast of the subject property, the property will be developed as a unique residential development to support individuals with medical needs. The R-ML zone is a low density residential with limited permissive uses.*

*The proposed zone change to R-ML meets Criterion #3 by being more advantageous to the community as articulated by the ABC Comprehensive Plan. The zone change will provide a unique housing option that will establish a residential zone with non-intensive uses in an Area of Consistency. Further, the zone change will protect and enhance the residential and community recreational land uses in the area.*

Staff: The subject site is located in an Area of Consistency. The applicant's response demonstrates that the request would be more advantageous to the community and clearly reinforce and strengthen the established character and development of the surrounding community and would not permit development that is significantly different through infill development, utilization of existing utilities and infrastructure and maintain the development patterns of existing homes north and east of the site. The response to Criterion B is sufficient.

- C. Criterion 6-7(G)(3)(c) If the subject property is located wholly in an Area of Change (as shown in the ABC Comp Plan, as amended) and the applicant has demonstrated that the existing zoning is inappropriate because it meets any of the following criteria:

*Applicant Response: This criterion does not apply. The subject property is entirely in an Area of Consistency.*

Staff: The subject site is located wholly in an Area of Consistency, so this criterion does not apply. The response to Criterion C is sufficient.

- D. Criterion 6-7(G)(3)(d) The requested zoning does not include permissive uses that would be harmful to adjacent property, the neighborhood, or the community, unless the Use-specific Standards in Section 16-16-0 associated with that use will adequately mitigate those harmful impacts.

*Applicant Response: The permissive uses in the requested R-ML zone will not be harmful to the adjacent property, neighborhood, or community. Table 2 (next page) provides a comparison of the permissive uses in the NR-C and R-ML zones.*

TABLE 2. IDO ZONING COMPARISON: NR-C VS. R-ML		
Use	NR-C	R-ML
Dwelling, single-family detached, mobile home, cluster development, cottage development, two-family detached (duplex), townhouse, multi-family	-	P
Dwelling, live work	CA	C
Group Living Category (except Group home, large)	-	P
Assisted living facility or nursing home	-	P
Community residential facility, small, medium	-	P
Dormitory	-	P
Group home small, medium	-	C
Adult or child day care facility	P	C
Community center or library	C	P
Museum	P	C
Sports Field	P	-
University or college	P	CV
Vocational school	P	-
Kennel	P	-
Veterinary hospital or other pet services	P	-
Other pet services	P	-
Auditorium or theater	P	-
Bar & Tap room or tasting room	P	-
Health club or gym	P	A
Catering service, Nightclub, Restaurant	P	-
Hotel or motel	P	-
Car wash	P	-
Light vehicle fueling station, sales and rental, & repair	P	-
Bank	P	-
Blood services facility	C	-
Club or event facility	P	-
Construction contractor facility and yard	P	-
Commercial services	P	-
Medical or dental clinic	P	-
Mortuary	P	-
Office or Personal and business services, small & large	P	-
Research or testing facility	P	-
Self-storage	P	-
Amphitheater	C	-
Other outdoor entertainment	P	-
Art gallery	P	-
Bakery goods or confectionery shop	P	-
Building and home improvement materials store	P	-
General retail, small; Cannabis retail; Farmer's market; and Grocery store	P	-
Liquor and Nicotine retail	C	-
Pawn shop	P	-
Helipad	A	-
Artisan manufacturing	P	-
Cannabis cultivation and Cannabis-derived products manufacturing	P	-
Light manufacturing	P	-

*As shown above, the proposed R-ML zone will eliminate many impactful permissive uses (P) from the site that are allowed in the NR-C zone, such as car wash, light vehicle fueling station, vehicle repair and sales, light manufacturing, cannabis cultivation, cannabis-derived products, manufacturing, etc. Several of the non-residential uses allowed in the R-ML zone are permitted only as an accessory use (A), conditional primary (C), or as a conditional if structure is vacant for 5 years or more (CV).*

Staff: The applicant provided the table above demonstrating the allowed uses on the property under the NR-C zone compared to the requested R-ML zone. The applicant compared the existing NR-C zoning and the proposed R-ML zoning. A NR-C zone district allows for a variety of impactful uses. If approved, the R-ML zone would eliminate many harmful uses that are currently permissive on the subject site to residential uses with few accessory and conditional uses. The request would create or facilitate consistency with the surrounding land uses in the area. The response to Criterion D is sufficient.

- E. Criterion 6-7(G)(3)(e) The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems meet any of the following requirements:
1. Have adequate capacity to serve the development made possible by the change of zone.
  2. Will have adequate capacity based on improvements for which the City has already approved and budgeted capital funds during the next calendar year.
  3. Will have adequate capacity when the applicant fulfills its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement (IIA).
  4. Will have adequate capacity when the City and the applicant have fulfilled their respective obligations under a City-approved Development Agreement between the City and the applicant.

*Applicant Response: As an existing building in an area with existing infrastructure capacity, this request for a zone change to allow for redevelopment of the site for assisted living meets Criteria #1. The redevelopment of the existing property will not require additional infrastructure beyond those that are already available on the site.*

Staff: The subject site has adequate capacity to serve the future development should this zone change be approved (requirement 1). Any additional infrastructure needed will be the responsibility of the applicant. The response to Criterion E is sufficient.

- F. Criterion 6-7(G)(3)(f) The applicant's justification for the Zoning Map Amendment is not completely based on the property's location on a major street.

*Applicant Response: The Applicants' justification for the Zoning Map Amendment request is not based on the property's location along a major street. The subject property is located on Country Club Lane, a local urban street. The closest major street is Golf Course Road, located approximately a half mile to the east.*

Staff: Country Club Lane is classified as a local urban street; therefore, the applicants Zone Map Amendment is not based on the property's location on a major street. Rather being based on reinforcing and strengthening the character and land uses of the surrounding community. The response to Criterion F is sufficient.

- G. Criterion 6-7(G)(3)(g) The applicant's justification is not based completely or predominantly on the cost of land or economic considerations.

*Applicant Response: The cost of land or other economic considerations are not the determining factor for this zone change request. The Applicants' have determined that the location of the property and the existing building provide a unique opportunity for an adaptive reuse project geared towards senior housing.*

Staff: The applicant has adequately demonstrated that requested zone change is not based on the cost of land or economic considerations and that the request furthers a preponderance of applicable Comprehensive Plan Goals and policies and does not conflict with them. The response to Criterion G is sufficient.

H. Criterion 6-7(G)(3)(h) The zone change does not apply a zone district different from surrounding zone districts to one small area or one premises (i.e. create a “spot zone”) or to a strip of land along a street (i.e. create a “strip zone”) unless the requested zoning will clearly facilitate implementation of the ABC Comp Plan, as amended, and at least one of the following applies:

1. The subject property is different from surrounding land because it can function as a transition between adjacent zone districts.
2. The subject property is not suitable for the uses allowed in any adjacent zone district due to topography, traffic, or special adverse land uses nearby.
3. The nature of structures already on the subject property makes it unsuitable for the uses allowed in any adjacent zone district.

*Applicant Response: This request for a zone change from NR-C to*

*R-ML does not create a spot zone on the subject property because the relatively large Paradise Greens subdivision to the northeast is also zoned R-ML and is across Irving Boulevard from another R-ML zoned property. The subject property is part of Paradise Hills Special Zoning District, an island within unincorporated Bernalillo County. The change of zoning to R-ML will therefore be consistent with nearby zoning within the City of Albuquerque and will allow similar uses to existing development in the area.*

Staff: The surrounding land uses are residential uses and the properties to the north east of the site are zoned R-ML. The R-ML zone would remain consistent with the surrounding area. The applicant has demonstrated that the request would not create a “spot zone”. The response to Criterion H is sufficient.

### **III. AGENCY & NEIGHBORHOOD CONCERNS**

#### ***Reviewing Agencies***

City departments and other agencies reviewed this application. Few agency comments were received.

The City of Albuquerque Solid Waste Department notes that should the zone change be approved; a trash enclosure is highly recommended to protect the public health and the dumpster on site will be screened from public view.

The City of Albuquerque Transit Department noted that this site and the other built facilities of the Country Club are totally isolated from the transit system and that pedestrian connection would be useful to the employees and to these new residents.

#### ***Neighborhood/Public***

Notification requirements are found in 14-16-6, in the Procedures Table 6-1-1 and are further explained in 14-16-6-4(K), Public Notice. The affected, registered Neighborhood Associations Westside Coalition of Neighborhood Association and the Paradise Hills Civic Association were notified as required. Property owners within 100 feet of the subject site were also notified as required (see attachments).



A pre-application neighborhood meeting was not held and a facilitated meeting was not requested. On February 8, 2022 Staff received a letter of opposition from Rodey Law Firm, representing the owners of the neighboring Paradise Hills Golf Course. The letter requests denial of the zoning map amendment based on potential detrimental impacts that the zone change could have on the Golf Course (see attached letter).

#### **V. CONCLUSION**

The request is for Zone Map Amendment (zone change) from NR-C to R-ML for Tract A-1 Plat of Tracts A-1, A-2, C-1 & T Paradise Hills Golf Course Subdivision. The subject site is approximately 0.76 of an acre and located at 10035 Country Club Lane NW, between Golf Course Rd. and Paradise Hills Golf Course (“the subject site”). The applicant wants to change the zoning so that they can redevelop the existing vacant building on the subject site into a proposed assisted living facility that would be generally consistent with the character and land uses of the surrounding neighborhood.

The Applicant has satisfactorily justified the zoning map amendment based upon the proposed zoning being generally more advantageous to the community than the current zoning, and because it would further a preponderance of applicable Goals and policies in the Comprehensive Plan.

The affected neighborhood organizations are the Westside Coalition of Neighborhood Association and the Paradise Hills Civic Association. Property owners within 100 feet of the subject site were also notified as required. Staff received a letter of opposition from the neighboring Paradise Hills Golf Course on February 8, 2022. General concerns include hours of operation, noise, landscape buffer issues and potential impacts that a residential development will have on a neighboring commercial use.

Staff recommends approval.

***FINDINGS – RZ-2021-00051, February 17, 2022 – Zoning Map Amendment***

1. The request is for a Zoning Map Amendment, for an approximately 0.76-acre site legally described as Tract A-1 Plat of Tracts A-1, A-2, C-1 & T Paradise Hills Golf Course Subdivision and located at 10035 Country Club Lane NW, between Golf Course Rd. and Paradise Hills Golf Course (“the subject site”).
2. The subject site is zoned NR-C (Non-residential -- Commercial). The applicant is requesting a zone change to R-ML (Residential – Multi-family low density) to facilitate future redevelopment of the subject site, which contains an existing building.
3. The subject site is in an Area of Consistency, and is not located in a designated Center or along a designated Corridor.
4. The Albuquerque/Bernalillo County Comprehensive Plan and the Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
5. The request is consistent with the following Comprehensive Plan Goals and Policies from Chapter 4: Community Identity

A. Goal 4.1 – Character: Enhance, protect, and preserve distinct communities.

The requested zone change from NR-C to R-ML would enhance the area by allowing development consistent with the surrounding R-ML zoned, single-family residential community. The zone change would also protect the surrounding neighborhood by limiting the amount of more intense and higher density uses, therefore preserving the identity of the community.

B. Policy 4.1.1 Distinct Communities: Encourage quality development that is consistent with the distinct character of communities.

The subject site is within a community that could be considered distinct because it is surrounded by the Paradise Hills Special Zoning District. The subject site is intended to be redeveloped as an assisted living facility, which would replace a currently underutilized building, therefore allowing quality development according to IDO requirements. This development would be consistent with the surrounding multi-family and single-family community adjacent to the subject site and golf course.

C. 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.

The request would protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development and character of building design by changing the zone from NR-C to R-ML. The requested zone would be more consistent with the surrounding multi-family and single-family residential neighborhood surrounding the subject site and adjacent golf course. The request would eliminate the possibility of a higher density use of the site and limit the uses to low-density residential development. The proposed R-ML zone is consistent with the surrounding zoning and development. By changing the zoning to reflect the surrounding neighborhoods current land uses, the identity of the neighborhood is protected.

6. The request furthers the following, additional polices from Comprehensive Plan Chapter 5: Land Use.

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

The request would allow the applicant to facilitate redevelopment of the subject site that is surrounded by multi-family and single-family residential neighborhoods. Although the subject site is not in an Activity Center or along a Corridor, residents living on the subject site would have the opportunity to live, work, learn, shop and play together based on the amenities close in proximity to the subject site. The subject site is located adjacent to Paradise Hills Golf Course and within 0.06 of a mile from Golf Course Road, a Major Transit corridor with transit access.

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

The request would allow development to occur with land uses that are similar to the surrounding community. Development of the subject site would allow a variety of low-density residential housing types in the area that already contain multi-family, single-family, and community uses. Any future development would be conveniently accessible to surrounding uses such as entertainment, retail, and recreational.

- C. Sub-policy(h) 5.2.1 – Land Uses: Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.

The request would encourage development that is consistent with the surrounding area. The proposed redevelopment of the existing vacant building to a residential use will be compatible in form and scale to the immediate surrounding area.

- D. Sub-policy(n) 5.2.1 – Land Uses: Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

The request would result in a future proposed assisted living facility. The 0.76-acre lot is currently occupied by a vacant building in an area that is surrounded by residential and community uses. A future residential development would encourage productive use of the underutilized lot.

7. The request furthers the following, additional polices regarding efficient development patterns from Comprehensive Plan Chapter 5: Land Use.

- A. Goal 5.3 Efficient Development Patterns: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

The request would promote efficient use by providing the opportunity in which multi-family residential uses would become permissive. Future development would promote land use patterns that are similar to the surrounding Neighborhood, while also utilizing existing infrastructure that surrounds the site.

- B. Policy 5.3.1 – Infill Development: Support additional growth in areas with existing infrastructure and public facilities.

The subject site is surrounded by Paradise Hills Golf Course (zoned NR-C) and low-density residential development. Future development of the subject site would utilize existing infrastructure, including water and sewer, paved streets, and dry utilities. Access to the subject site would be directly off of Country Club Lane. Country Club Lane has access to Golf Course Road, a major transit corridor with sidewalks and additional infrastructure.

8. The request furthers the following, additional polices regarding City Development Areas from Comprehensive Plan Chapter 5: Land Use.

- A. Policy 5.6.3- Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space.

The request would protect and enhance the character of the existing single-family neighborhood by eliminating the opportunity to develop the subject site with higher density uses outside of a designated center.

9. The request furthers the following Comprehensive Plan Goal from Chapter 9: Housing:

- A. Goal 9.1 Supply: Ensure a sufficient supply and range of high-quality housing types that meet current and future needs at a variety of price levels to ensure more balanced housing options.

The request would ensure that the subject site is developed with a residential land use. The proposed future assisted living facility would add a new high-quality housing option to the area where these services are lacking.

- B. Policy 9.1.1 -- Housing Options: Support the development, improvement, and conservation of housing for a variety of income levels and types of residents and households.

The request would allow the underutilized subject site to be redeveloped into a residential use. The applicant is proposing future redevelopment of the existing building on the subject site into an assisted living facility for seniors and people needing specialized medical care.

- C. Goal 9.2.1 --Compatibility: Encourage housing development that enhances neighborhood character, maintains compatibility with surrounding land uses, and responds to its development context – i.e. urban, suburban, or rural – with appropriate densities, site design, and relationship to the street.

The request would ensure that future proposed development of the subject site would reinforce and strengthen the neighborhood characteristics and maintain appropriate densities through low density residential development that is consistent with the surrounding neighborhood and development context.

10. The applicant has adequately justified the request pursuant to the Integrated Development Ordinance (IDO) Section 14-16-6-7(G)(3)-Review and Decision Criteria for Zoning Map Amendments, as follows:

- A. Criterion A: Consistency with the City’s health, safety, morals and general welfare is shown by demonstrating that a request furthers applicable Comprehensive Plan Goals and policies

(and other plans if applicable) and does not significantly conflict with them. The applicant's policy-based response demonstrates that the request furthers a preponderance of applicable Goals and policies regarding character, identity and design, complete communities, land uses, infill development, city development areas, areas of consistency, and compatibility. Therefore, the request is consistent with the City's health, safety, morals and general welfare.

- B. Criterion B: The subject site is located in an Area of Consistency. The applicant's response demonstrates that the request would further a preponderance of applicable Comprehensive Plan Goals and policies and therefore would be more advantageous to the community than the current zoning.
  - C. Criterion C: This criterion does not apply because the subject site is not located in an Area of Change, either wholly or in part.
  - D. Criterion D: The applicant compared the existing NR-C zoning and the proposed R-ML zoning and discussed that impactful higher density uses would be eliminated. An R-ML zone eliminates many impactful uses that are currently permissive on the subject site to residential uses with few accessory and conditional uses. Since the surrounding land is zoned for residential and community uses, uses that would become permissive already exist in the current zoning and are not considered to be detrimental in this setting.
  - E. Criterion E: The subject site is an infill site that is adequately served by existing infrastructure and therefore meets requirement 1.
  - F. Criterion F: The request is not based on the property's location on a major street. The request reinforces and strengthens the character of the area in accordance with the Comprehensive Plan.
  - G. Criterion G: The applicant has adequately demonstrated that requested zone change is not based on the cost of land or economic considerations and that the request furthers a preponderance of applicable Comprehensive Plan Goals and policies and does not conflict with them.
  - H. Criterion H: The applicant has demonstrated the requested zone will match with the existing zoning of the surrounding area and therefore would not create a "spot zone".
- 11. The affected, registered neighborhood organizations, the Westside Coalition of Neighborhood Association and the Paradise Hills Civic Association, were notified as required. Property owners within 100 feet of the subject site were also notified as required.
  - 12. A pre-application neighborhood meeting was not held. A facilitated meeting was not requested
  - 13. On February 8, 2022 Staff received a letter of opposition from Rodey Law Firm, representing the owners of the neighboring Paradise Hills Golf Course. The letter requests denial of the zoning map amendment based on potential detrimental impacts that the zone change could have on the Golf Course. General concerns include hours of operation, noise, landscape buffer issues and potential impacts that a residential development will have on a neighboring commercial use.



**RECOMMENDATION – PR-2021-006278, RZ-2021-00051, February 17, 2022**

**APPROVAL of Project#2021-006278, Case#RZ-2021-00051, a zone change from NR-C to R-ML, for Tract A-1 Plat of Tracts A-1, A-2, C-1 & T Paradise Hills Golf Course Subdivision and located at 10035 Country Club Lane NW, between Golf Course Rd. and Paradise Hills Golf Course, approximately 0.76 acre, based on the preceding findings.**

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**Megan Jones  
Current Planner**



**Leroy Duarte  
Current Planner**

**Notice of Decision CC list:**

Consensus Planning, Jacqueline Fishman, [fishman@consensusplanning.com](mailto:fishman@consensusplanning.com)  
Stovall Paradise LLC and S&W Assisted Living LLC, [esanchez0809@hotmail.com](mailto:esanchez0809@hotmail.com)  
Westside Coalition of Neighborhood Associations, Elizabeth Haley, [ekhaley@comcast.net](mailto:ekhaley@comcast.net)  
Westside Coalition of Neighborhood Associations, Rene Horvath, [aboard111@gmail.com](mailto:aboard111@gmail.com)  
Paradise Hills Civic Association, Tom Anderson, [ta\\_a@msn.com](mailto:ta_a@msn.com)  
Paradise Hills Civic Association, Maria Warren, [samralphroxy@yahoo.com](mailto:samralphroxy@yahoo.com)  
Legal, [kmorrow@cabq.gov](mailto:kmorrow@cabq.gov)  
EPC file

## ***CITY OF ALBUQUERQUE AGENCY COMMENTS***

### ***PLANNING DEPARTMENT***

#### ***Zoning / Code Enforcement***

#### ***Long Range Planning***

#### ***Metropolitan Redevelopment***

#### ***Transportation Development Review Services***

No adverse comments to zone change.

### ***CITY ENGINEER***

#### ***Hydrology***

#### ***Transportation Development Services***

### ***MUNICIPAL DEVELOPMENT DEPARTMENT (DMD) TRANSPORTATION***

No adverse comments to zone change.

### ***POLICE DEPARTMENT/PLANNING***

### ***SOLID WASTE MANAGEMENT DEPARTMENT***

Project #2021-006278 RZ-2021-00051– Zoning Map Amendment (Zone Change)—Where will the tenants of the assisted living facility dispose of their trash. Should the zone change be approved, a trash enclosure is highly recommended to protect the public health and the dumpster on site will be screened from public view.

### ***TRANSIT DEPARTMENT***

This site and the other built facilities of the Country Club are totally isolated from the transit system – separated from Golf Course by 1000 feet of “street” that isn’t even legally a street.

Surely some form of pedestrian connection would be useful to the employees and to these new residents.

### ***PARKS AND RECREATION***

### ***ABC WATER UTILITY AUTHORITY (ABCWUA)***

1.RZ-2021-000051

a. No adverse comment to zone changes.

b. For information only:

- i. Intention to develop the site for a residential subdivision. Please request an Availability Statement for the site as soon as development is known. The request can be made at the link: <https://www.abcwua.org/info-for-builders-availability-statements/>. Please include a utility plan with the request/

### ***ALBUQUERQUE PUBLIC SCHOOLS***

### ***ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL (AMAFCA)***

**COUNTY OF BERNALILLO**

**MID-REGION COUNCIL OF GOVERNMENTS (MRCOG)**

**MID-REGION METROPOLITAN PLANNING ORGANIZATION(MRMPO)**

MRMPO has no adverse comments.

**PUBLIC SERVICE COMPANY OF NEW MEXICO**

**NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT)**

**MIDDLE RIO GRANDE CONSERVANCY DISTRICT**

**PNM GAS COMPANY**

**PETROGLYPH NATIONAL MONUMENT**

**AVIATION DEPARTMENT**

**KIRTLAND AIR FORCE BASE**



Figure 1: Looking south at the subject across Country Club Lane.

Figure 2: Required Sign Posting located at the subject site on the abutting street, Country Club Lane.



Figure 3: Looking NE at the golf course and R-ML residential while standing on the north edge of the subject site.



**Figure 4:** Looking west while standing on the subject site at the Paradise Hills country club.

**Figure 5:** Looking south while standing on the southern edge of the subject site at Paradise Hills golf course



**Figure 6:** Looking east while standing on the eastern edge of the subject site at unincorporated residential.





**Figure 7:** alley on the eastern edge of the subject site for drive access to the golf course.

**Figure 8:** looking at the back (southern side) of the subject site from the SE edge. Existing courtyard.



## HISTORY

# APPLICATION TO THE DEVELOPMENT REVIEW BOARD

APPLICATION FOR: (CHECK APPLICABLE REQUEST; MORE THAN ONE CATEGORY CAN BE CHECKED)

<p><u>Minor Subdivision</u></p> <p><input type="checkbox"/> Sketch Plat Review and Comment</p> <p><input checked="" type="checkbox"/> Preliminary Plat and Final Plat - (City Surveyor Approval <u>Required</u>)</p> <p><input type="checkbox"/> Lot Split( " " " )</p> <p><u>Vacation (See No. 2)</u></p> <p><input type="checkbox"/> Public Right-of-Way</p> <p><input type="checkbox"/> Public Easement</p> <p><input type="checkbox"/> Private Easement</p>	<p><u>Major Subdivision (See No. 3)</u></p> <p><input type="checkbox"/> Sketch Plat Review and Comment</p> <p><input type="checkbox"/> Preliminary Plat Approval</p> <p><input type="checkbox"/> Final Plat Approval</p> <p><u>Site Development Plan (See No. 4)</u></p> <p><input type="checkbox"/> Review and Comment</p> <p><input type="checkbox"/> Final Sign Off for EPC</p> <p><input type="checkbox"/> Approval (DRB only--attach checklist)</p> <p><input type="checkbox"/> Amended Plan</p>	<p><u>Subdivision Variance (See No. 5)</u></p> <p><input type="checkbox"/> Subdivision Design Standards</p> <p><input type="checkbox"/> Improvements Guarantee (Bulk Land)</p> <p><input type="checkbox"/> Sidewalk Variance</p> <p><u>Other (See No. 6)</u></p> <p><input type="checkbox"/> Amended Infrastructure List</p> <p><input type="checkbox"/> SIA Extension</p> <p><input type="checkbox"/> Sector Plan Review or <input type="checkbox"/> Sign Off</p>
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PRINT OR TYPE IN BLACK INK ONLY. Use additional sheets as necessary. The completed application must be submitted in person to the Planning Division by the applicant or agent. Fees are required at the time of application for Vacations, Site Development Plan Approvals (DRB only), and Preliminary Plat for Major Subdivisions. All attachments must be submitted with the application and, after folding, shall not exceed 8 1/2 x 14 inches. INACCURATE APPLICATIONS WILL DELAY HEARING OR DECISION DATE. For additional information, contact the Planning Division at (505) 768-3860.

**APPLICANT INFORMATION**

APPLICANT NAME: Milo Hurst Telephone Number: 702-252-0911

Mailing Address: NEVADA STAR, INC, 5485 W. FLAMINGO SUITE 100

City: LAS VEGAS, NEVADA State: \_\_\_\_\_ Zip Code: 89103

Applicant's Proprietary Interest in the Property: OWNER

Has a List of Owners Been Provided?  Yes  No (This is Required for Preliminary Plat Application)

AGENT (if Any): CLINT SHERBILL ASSOC. Telephone Number: 256-7364

Mailing Address: 730 SAN MATEO

City: ALB. State: N.M. Zip Code: 87108

SIGNED (Applicant or Agent): Clint Sherbill (Print) CLINT SHERBILL

**SITE INFORMATION**

(a) Property is:  within the City Limits of Albuquerque or  Outside the City Limits of Albuquerque, but within five (5) miles (this is the extent of Development Review Board jurisdiction)

(b) Present Zoning: SU1 Proposed Zoning (Complete Only if Zone Change Request is Anticipated): SU1

(c) Existing Buildings?  Yes  No - If yes, a Site Sketch is required (show buildings, setbacks, and parking on separate sheet); If yes, Address(s) (required): A= 101 206 521 831 030 910 C= 101 206 527 0316 3090

(d) Number of Lots Existing: 3 Number Proposed: 4 Total Land Area Covered by Request: (Acres) .76 A ±

(e) Present Legal Description of the Property: Lot/Tract No.(s): TRA, B, C, & COUNTRY CLUB LANE NW Block/Map No.(s) \_\_\_\_\_  
Subdivision/Addition: PARADISE HILLS GOLF COURSE

(f) Location of Property by Streets - Located on (or near): GOLF COURSE Rd NW between PARADISE BLV. NW and Irving

(g) Uniform Property Code (18 Digit Number Issued by County Assessor): \_\_\_\_\_

**VACATION ONLY:** Give reason for request on separate sheet. Sketch/state exactly what is being vacated. Give reasons why vacation should be granted as per Subdivision Ordinance requirements. A copy of the document that created the areas to be vacated is required.

**SUBDIVISION ONLY:** An Infrastructure List and a completed checklist from the Development Process Manual (DPM) is required for Major Subdivision/Preliminary Plat application. Attach any variances or easements granted for this property which affects platting if applicable. Attach zoning action, Notifications of Decision, or Zone Change Request if applicable.

**SITE DEVELOPMENT PLAN ONLY:** For final sign off for EPC, Notification of Decision is required. For amended plan, list changes to previous plan.

**SUBDIVISION VARIANCE REQUEST:** Include letter of request for improvements guarantee (Bulk Land). Other information as required per the Development Process Manual (DPM) and Subdivision Ordinance. For Sidewalk Variance, sketch location and state reason for variance.

**AMENDED INFRASTRUCTURE LIST, ETC:** Describe and show changes to approved Infrastructure List. For Subdivision Improvement Agreement (SIA) Extension, attach previous DRB approvals (Infrastructure List, Notice of Decision, reduced plat or plan).

**SUPPLEMENTAL INFORMATION**

(a) List Cross References to Environmental Planning Commission cases (Z- ) if Applicable: \_\_\_\_\_

(b) List Cross References to Development Review Board cases (DRB- ) if Applicable: \_\_\_\_\_

(c) List Any Variance Granted (ZA- ) if Applicable Case No.: \_\_\_\_\_ City \_\_\_\_\_ County \_\_\_\_\_

**PLANNING DIVISION INTERNAL USE ONLY**

Application & Fees Accepted By: Walt Gorb Date: 3-5-96

Advertised Case?  Yes  No If Yes, Number of Signs Issued: 0 Fee(s): \$ 0.00

Map Number: B-11

Hearing Date: 3-12-96

DRB - 96-96

DRB-96-96

# APPLICATION TO THE DEVELOPMENT REVIEW BOARD

APPLICATION FOR: (CHECK APPLICABLE REQUEST; MORE THAN ONE CATEGORY CAN BE CHECKED)

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Mailing Address: 730 SAN ANTONIO

City: ALB. State: N.M. Zip Code: 87108

SIGNED (Applicant or Agent): Clint Sherill (Print) CLINT SHERILL

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(b) Present Zoning: SU1 Proposed Zoning (Complete Only if Zone Change Request is Anticipated): SU1

(c) Existing Buildings?  Yes  No - If yes, a Site Sketch is required (show buildings, setbacks, and parking on separate sheet); If yes, Address(es) (required): A= 101 206 521 831 030 910 C= 101206 527 0316 3090

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Subdivision/Addition: PARADISE HILLS GOLF COURSE

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(g) Uniform Property Code (18 Digit Number Issued by County Assessor): 101 206 521 831 030 910

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**SUBDIVISION ONLY:** An Infrastructure List and a completed checklist from the Development Process Manual (DPM) is required for Major Subdivision/Preliminary Plat application. Attach any variances or easements granted for this property which affects platting if applicable. Attach zoning action, Notifications of Decision, or Zone Change Request if applicable.

**SITE DEVELOPMENT PLAN ONLY:** For final sign off for EPC, Notification of Decision is required. For amended plan, list changes to previous plan.

**SUBDIVISION VARIANCE REQUEST:** Include letter of request for improvements guarantee (Bulk Land). Other information as required per the Development Process Manual (DPM) and Subdivision Ordinance. For Sidewalk Variance, sketch location and state reason for variance.

**AMENDED INFRASTRUCTURE LIST, ETC:** Describe and show changes to approved Infrastructure List. For Subdivision Improvement Agreement (SIA) Extension, attach previous DRB approvals (Infrastructure List, Notice of Decision, reduced plat or plan).

**SUPPLEMENTAL INFORMATION**

(a) List Cross References to Environmental Planning Commission cases (Z- ) if Applicable: \_\_\_\_\_

(b) List Cross References to Development Review Board cases (DRB- ) if Applicable: \_\_\_\_\_

(c) List Any Variance Granted (ZA- ) if Applicable Case No.: \_\_\_\_\_ City \_\_\_\_\_ County \_\_\_\_\_

\*\*\*\*\* PLANNING DIVISION INTERNAL USE ONLY \*\*\*\*\*

Application & Fees Accepted By: [Signature] Date: 2-13-96

Advertised Case?  Yes  No If Yes, Number of Signs Issued: 0 Fee(s): \$ 0

Map Number: B-11

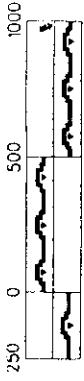
Hearing Date: 2-20-96

S: \_\_\_\_\_

V: \_\_\_\_\_

DRB - 96-96

SCALE IN FEET



1" = 500'

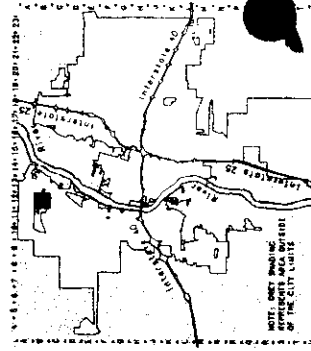


CITY OF  
ALBUQUERQUE

Approved: **G. Lopez** Mayor  
S. Jarama City Engineer

© Copyright 1993

Map Amended through March 14, 1995



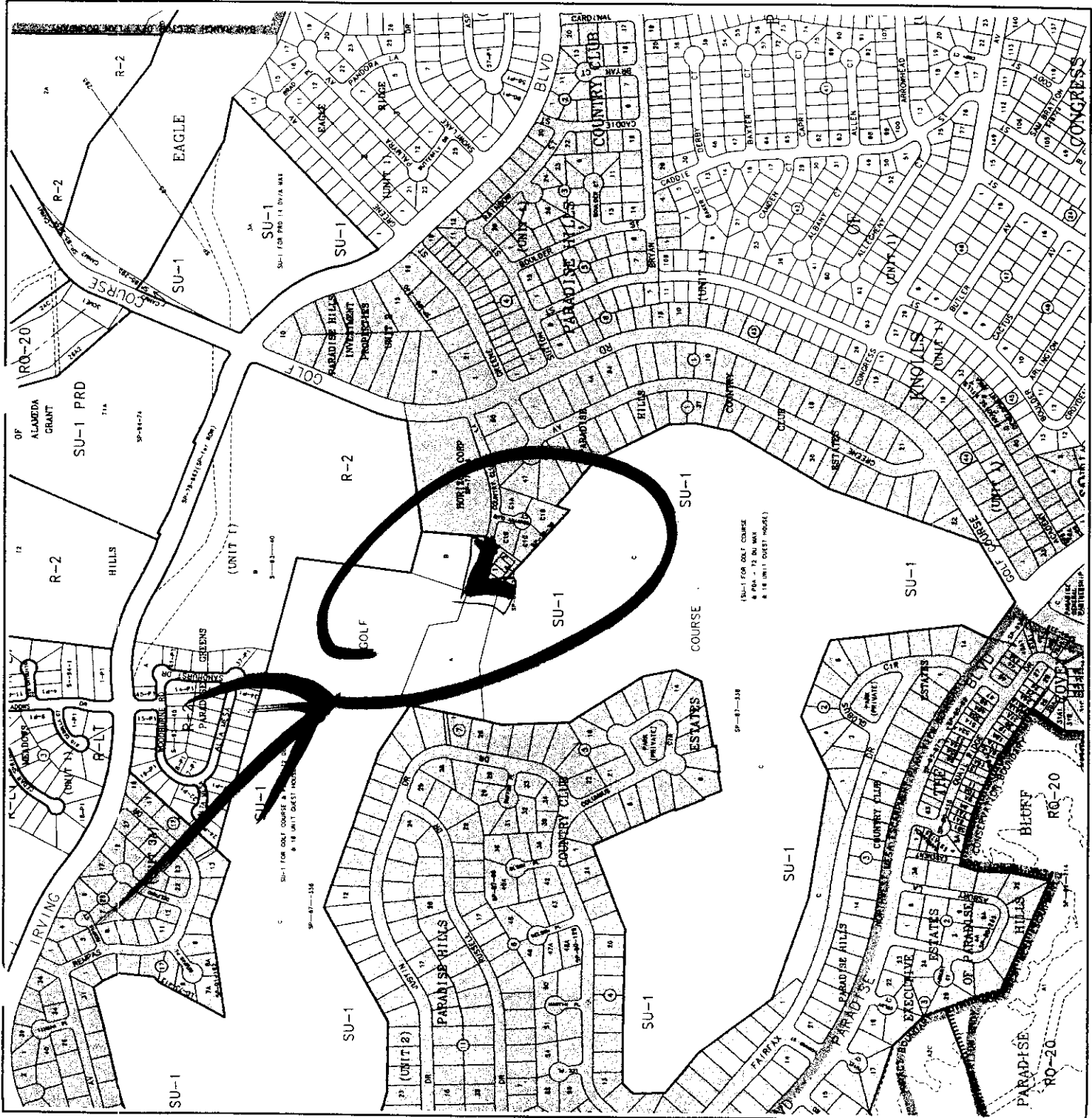
NOTE: THIS MAP SHOWS  
PROPERTY AND SURFACE  
OF THE CITY LIMITS

LEGAL DESCRIPTION

T11N  
R2E  
SEC 12

UNIFORM PROPERTY CODE  
1-012-006

**B-12-Z**



(SU-1 FOR GOLF COURSE  
# PER - 72 DU MAX  
# 18 UNIT GOLF COURSE)

(SU-1 FOR GOLF COURSE  
# PER - 72 DU MAX  
# 18 UNIT GOLF COURSE)

(SU-1 FOR GOLF COURSE  
# PER - 72 DU MAX  
# 18 UNIT GOLF COURSE)



DEVELOPMENT REVIEW BOARD--SPEED MEMO  
CITY OF ALBUQUERQUE  
PUBLIC WORKS DEPARTMENT/ENGINEERING GROUP

DRB CASE NO.: DRB-96-96;

AGENDA ITEM NO.: 19

SUBJECT:

       (01) Sketch Plat                    <sup>2</sup>        (02) Bulk Land Variance                           (03) Sidewalk Variance  
  X   (04) Preliminary Plat                      (05) S. Dev. for Subd.                           (06) S. Dev. for B.P.  
       (07) Vacation                      X   (08) Final Plat                           (09) Infrastructure List  
       (10) Sector Plan                        (11) Other \_\_\_\_\_

ACTION REQUESTED:           REV/CMT;   X   APP;           SIGN-OFF;           EXTN;           AMEND

ENGINEERING COMMENTS:

1. See DRB minutes/speed memo dated February 20, 1996 for comments.
2. No objection to the bulk land request and preliminary plat approval. Final plat approval can be delegated for the approved drainage report requirement.

RESOLUTION:

APPROVED <sup>402</sup>       ; DENIED       ; DEFERRED       ; COMMENTS PROVIDED       ; WITHDRAWN         
SIGNED-OFF: (SP-SUBD) (FP) (SP-BP) (SECT-PLN) BY: (WUD) (CE) (TRANS) (PRKS) (PLNG)  
DELEGATED: (SP-SUBD) (FP) (SP-BP) (SECT-PLN) TO: (WUD) (CE) (TRANS) (PRKS) (PLNG)  
FOR: \_\_\_\_\_

SIGNED: Fred J. Aguirre, P.E.  
City Engineer/AMAFCA Designee

DATE: March 12, 1996

**DEVELOPMENT REVIEW BOARD**  
**TRANSPORTATION DEVELOPMENT**  
**Standard Comment Sheet**

DRB-96-096                      Item No. 30                      Zone Atlas B-11,12

DATE ON AGENDA 2-20-96

INFRASTRUCTURE REQUIRED (?)YES ( )NO

CROSS REFERENCE: \_\_\_\_\_  
\_\_\_\_\_

**TYPE OF APPROVAL REQUESTED:**

- (x) SKETCH PLAT ( ) PRELIMINARY PLAT ( ) FINAL PLAT
- ( ) SITE PLAN REVIEW AND COMMENT ( ) SITE PLAN FOR SUBDIVISION
- ( ) SITE PLAN FOR BUILDING PERMIT

No.	Comment
1	What is proposed?
2	Adequate access easements need to be generated with this platting action.
3	Final plat should be drawn on 18"x 24" sheets.

If you have any questions or comments please call Richard Dourte at 768-2680. Meeting notes:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SPEED-MEMO

PLANNING DIVISION

CITY OF ALBUQUERQUE

TO: #19 MARCH 12 1976  
SUBJECT: DPB-96-96

INSTRUCTIONS:  
Pink: retained by sender  
Yellow: retained by recipient  
White: returned to sender

MESSAGE:

REPLY:

① page 4, need to add responsibility statement for the maintenance of access/parking.

② since tract B is not part of this plat. The access easement/parking easement must be created <sup>THAN</sup> a separate document or include in this replat.

Date Requested by

SIGNED *Ken / Tomie* DATE *3/14/76*

SIGNED \_\_\_\_\_ DATE \_\_\_\_\_

SPEED-MEMO

PLANNING DIVISION

CITY OF ALBUQUERQUE

TO: #30 February 20, 1976  
 SUBJECT: DRB-76-76

INSTRUCTIONS:  
 Pink: retained by sender  
 Yellow: retained by recipient  
 White: returned to sender

MESSAGE:

REPLY:

① What is being proposed? To create Parcel A-1?

② This is an SU-1 zoned site & there an approved site plan on file?

③ What does the note on page 4 mean? Was that on the original approval?

④ How will the parking be handled between the Country Club & the inn? Shared parking + access easements should

be on the plat.

⑤ By creating Parcel A-1, isn't the property w/ Country Club Lane? Who is responsible for the maintenance? Who will own that? Must be an access easement for Parcel A-1 & portion Tract A if it (CC Road) is a private road.

⑥ Portion of Tract A (Country Club) will need a new designation.

⑦ Why doesn't the cover sheet give AC of new parcel? & Tract A include A-1? (page 4)

Date Requested by  
 SIGNED *Ken [Signature]* DATE 2/19/76

SIGNED \_\_\_\_\_ DATE \_\_\_\_\_

# SPEED MEMO

PUBLIC WORKS DEPARTMENT  
UTILITY DEVELOPMENT DIVISION  
WATER & LIQUID WASTE SECTION

## DEVELOPMENT REVIEW BOARD CITY OF ALBUQUERQUE

D.R.B. CASE NO.: 96-96

SPECIAL INSTRUCTIONS: # 30

SUBJECT: Tracts A, B & C  
and Country Club Lane

Sketch Plat  
Review & Comment

ZONE ATLAS PAGE: B-11/12

COMMENT: 1. The property is situated within New Mexico  
Utilities, Inc. (NMUT) franchise area.

2. NMUT must sign the plat. Need to add  
City Std Utility Note V to the plat. See  
attached.

3. The notes on "Utilities" must be revised  
to indicate service from NMUT not  
the City of Albuq.

2-20-96 Comments given

SIGNED: Robert W. Kane

DATE: 2-20-96

DATE:  
11/16/21  
SCALE:  
1" = 40'  
CREW:  
JW/IP  
DRAWN BY:  
CL  
JOB NO.:  
212266

**CSI-CARTESIAN  
SURVEYS INC.**  
P.O. BOX 44414 RIO RANCHO, N.M. 87174  
Phone (505) 896-3050 Fax (505) 891-0244

**IMPROVEMENT LOCATION REPORT  
TRACT A-1,  
PARADISE HILLS GOLF COURSE  
CITY OF ALBUQUERQUE  
BERNALILLO COUNTY, NEW MEXICO**

- NOTE:**
1. BASED UPON SCALING, THIS PROPERTY LIES WITHIN FLOOD ZONE X WHICH IS DEFINED AS AN AREA AN AREA OF MINIMAL FLOOD HAZARD. AS DETERMINED BY F.E.M.A. AND SHOWN ON THE FLOOD INSURANCE RATE MAP DATED SEPTEMBER 26, 2008, MAP NO. 35001C0108G.
  2. THIS LOT IS SUBJECT TO THE CONDITIONS OF TITLE AFFECTING THE INSURED PREMISES AS CONTAINED ON THE NOTES ON THE RECORDED PLAT.
  3. **THIS REPORT IS NOT FOR USE BY A PROPERTY OWNER FOR ANY PURPOSE. THIS IS NOT A BOUNDARY SURVEY AND MAY NOT BE SUFFICIENT FOR THE SURVEY EXCEPTION FROM AN OWNER'S TITLE POLICY. IT MAY OR MAY NOT REVEAL ENCROACHMENTS, OVERLAPS, CONFLICTS IN BOUNDARY LINES, SHORTAGES IN AREA, OR OTHER MATTERS WHICH WOULD BE DISCLOSED BY AN ACCURATE BOUNDARY SURVEY.**
  4. PROPERTY IS SUBJECT TO AN EASEMENT AS STATED IN EXCEPTION 21, BLANKET IN NATURE.

**SEE SHEET TWO FOR DRAWING**



*Brian J. Martinez*  
N.M.R.P.S. No. 18374

**LEGAL DESCRIPTION**

TRACT "A-1", OF THE PLAT OF TRACTS, A-1,A-2,C-1 AND T, PARADISE HILLS GOLF COURSE, WITHIN PROJECTED SECTIONS 11 AND 12, T11N, R2E, N.M.P.M, BERNALILLO COUNTY, NEW MEXICO, AS THE SAME IS SHOWN AND DESIGNATED ON THE SAID PLAT FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY ,NEW MEXICO ON MAY 17, 1996 IN BOOK 96C PAGE 202, AS DOCUMENT NO. 96055677, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS IN AND OVER TRACT "T" OF SAID ADDITION.

This is to certify:  
To Title Company: FIDELITY NATIONAL TITLE ; To Underwriter: FIDELITY NATIONAL TITLE INSURANCE COMPANY

To Lender: NEW MEXICO BANK AND TRUST that on NOVEMBER 16TH, 2021, I, Brian J. Martinez, N.M.R.P.S. No. 18374, made an inspection of the premises situated at TRACT A-1, PARADISE HILLS GOLF COURSE BERNALILLO County, New Mexico briefly described as (Address if applicable): 10035 COUNTRY CLUB LANE N.W.

Plat Reference: Bearings, distances and/or curve data are taken from the following plat (include filing information if plat is filed).  
SEE LEGAL DESCRIPTION

NOTE: The error of closure is less than one foot of error for every 10,000 feet along the perimeter of the legal description provided. Easements shown hereon are as listed in the Title Commitment No. 109548 provided by the Title Company. Improvement location is based on previous property surveys. No monuments were set. This tract is subject to all easements, restrictions, and reservations of record which pertain. This report is not to be relied on for the establishment of fences, buildings or other future improvements.

**'THIS IS NOT A BOUNDARY SURVEY FOR USE BY A PROPERTY OWNER FOR ANY PURPOSE' (THIS INCLUDES BUILDING PERMITS)**

I further certify as to the existence of the following at the time of my last inspection:

1. Evidence of rights of way, old highways or abandoned roads, lanes, trails or driveways, sewer, drains, water, gas, or oil pipe lines on or crossing said premises (show location , if none visible, so indicate): ●
2. Springs, streams, rivers, ponds, or lakes located, bordering on or through said premises: ●
3. Evidence of cemeteries or family burial grounds located on said premises (show location): ●
4. Overhead utility poles, anchors, pedestals, wires or lines overhanging or crossing said premises and serving other properties (show location): ●
5. Joint driveways or walkways, joint garages, party walls or rights of support, steps or roofs in common or joint garages: ●
6. Apparent encroachments. If the building, projections or cornices thereof, or signs affixed thereto, fences or other indications of occupancy appear to encroach upon or overhang adjoining property, or the like appear to encroach upon or overhang inspected premises, specify all such (show location): ●
7. Specific physical evidence of boundary lines on all sides: SEE ABOVE SKETCH
8. Is the property improved? (If structure appears to encroach on adjoiners show approximate distances): YES
9. Indications of recent building construction, alterations or repairs: SEE ABOVE SKETCH
10. Approximate distance of structure from at least two lot lines must be shown. SEE ABOVE SKETCH

● NOT APPLICABLE, UNLESS INDICATED OTHERWISE ON THE ABOVE SKETCH  
setback and setback violations are not shown hereon















DATE:  
11/16/21  
SCALE:  
1" = 40'  
CREW:  
JW/IP  
DRAWN BY:  
CL  
JOB NO.:  
212266

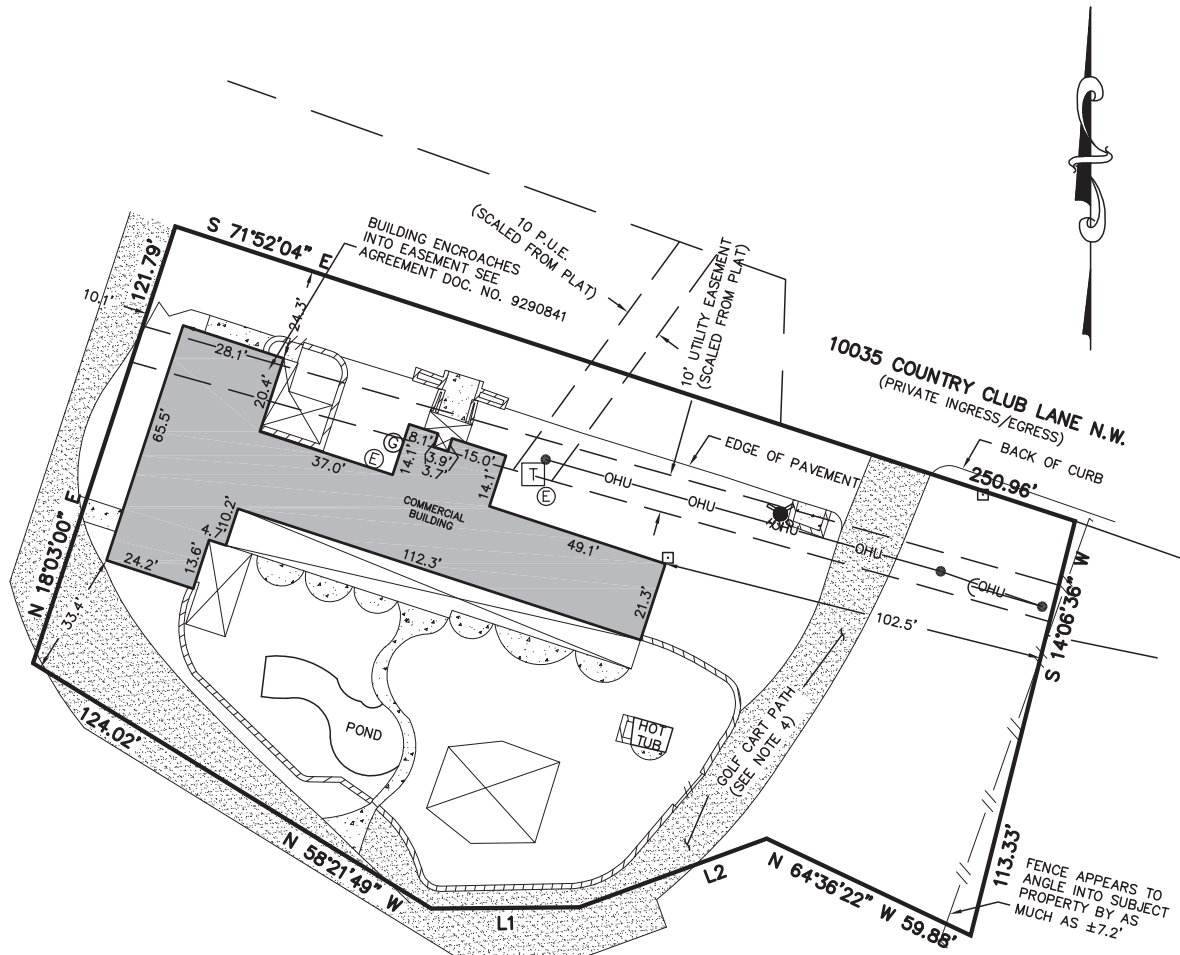
# CSI-CARTESIAN SURVEYS INC.

P.O. BOX 44414 RIO RANCHO, N.M. 87174  
Phone (505) 896-3050 Fax (505) 891-0244

## IMPROVEMENT LOCATION REPORT TRACT A-1, PARADISE HILLS GOLF COURSE CITY OF ALBUQUERQUE BERNALILLO COUNTY, NEW MEXICO

### LEGEND

-  COVERED AREA
-  CONCRETE
-  BLOCK WALL
-  WOOD FENCE
-  UTILITY POLE
-  OVERHEAD UTILITY LINE
-  ANCHOR
-  ELECTRIC METER
-  UTILITY PEDESTAL
-  TRANSFORMER
-  GAS METER
-  FIRE HYDRANT



Line Table		
Line #	Direction	Length (ft)
L1	S 89°33'13" W	39.18'
L2	S 69°53'43" W	52.96'

## ZONING

Please refer to Subsection 14-16-2-5(B) for the  
NR-BP (Non-residential - Business Park) ZoneDistrict

## APPLICANT INFORMATION



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 checked="" type="checkbox"/> Amendment to Zoning Map – EPC (Form Z)
	<input type="checkbox"/> Wireless Telecommunications Facility Waiver (Form W2)	<input type="checkbox"/> Amendment to Zoning Map – Council (Form Z)
		<b>Appeals</b>
		<input type="checkbox"/> Decision by EPC, LC, ZHE, or City Staff (Form A)

### APPLICATION INFORMATION

Applicant: Stovall Paradise LLC and S&W Assisted Living LLC.		Phone: (505) 506-5229
Address: 2429 Dietz Farm Road		Email: esanchez0809@hotmail.com
City: Los Ranchos	State: NM	Zip: 87107
Professional/Agent (if any): Jacqueline Fishman, AICP, Principal, Consensus Planning, Inc.		Phone: (505) 764-9801
Address: 302 8th Street, NW		Email: fishman@consensusplanning.com
City: Albuquerque,	State: NM	Zip: 87102
Proprietary Interest in Site: Owners	List <u>all</u> owners: Stovall Paradise LLC and S&W Assisted Living LLC.	

### BRIEF DESCRIPTION OF REQUEST

Zone Map Amendment from NR-C to R-ML.

### SITE INFORMATION (Accuracy of the existing legal description is crucial! Attach a separate sheet if necessary.)

Lot or Tract No.: A1	Block: 0000	Unit:
Subdivision/Addition: Paradise Hills Golf Course	MRGCD Map No.:	UPC Code: 101206524229530909
Zone Atlas Page(s): B-12-Z	Existing Zoning: NR-C	Proposed Zoning: R-ML
# of Existing Lots: 1	# of Proposed Lots: N/A	Total Area of Site (acres): .76 acres

### LOCATION OF PROPERTY BY STREETS

Site Address/Street: 10035 Country Club Lane, NW    Between: Golf Course Road    and: Simon Drive

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

Z-86-75/AX-86-12

Signature:	Date: December 2, 2021
Printed Name: Jacqueline Fishman, AICP, Principal	<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 Z: Policy Decisions**

**Please refer to the EPC hearing schedule for public hearing dates and deadlines. Your attendance is required.**

A single PDF file of the complete application including all plans and 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.

**INFORMATION REQUIRED FOR ALL POLICY DECISIONS (Except where noted)**

- No Interpreter Needed for Hearing? \_\_\_\_\_ if yes, indicate language: \_\_\_\_\_
- Proof of Pre-Application Meeting with City staff per IDO Section 14-16-6-4(B)
- Letter of authorization from the property owner if application is submitted by an agent
- Traffic Impact Study (TIS) form (*not required for Amendment to IDO Text*)
- Zone Atlas map with the entire site/plan amendment area clearly outlined and labeled (*not required for Amendment to IDO Text*) NOTE: For Annexation of Land, the Zone Atlas must show that the site is contiguous to City limits.

**ADOPTION OR AMENDMENT OF COMPREHENSIVE PLAN**

**ADOPTION OR AMENDMENT OF FACILITY PLAN**

- \_\_\_ Plan, or part of plan, to be amended with changes noted and marked
- \_\_\_ Letter describing, explaining, and justifying the request per the criteria in IDO Sections 14-16-6-7(A)(3) or 14-16-6-7(B)(3), as applicable
- \_\_\_ Required notices with content per IDO Section 14-16-6-4(K)(6)
  - \_\_\_ Office of Neighborhood Coordination notice inquiry response, notifying letter, and proof of first class mailing
  - \_\_\_ Proof of emailed notice to affected Neighborhood Association representatives
  - \_\_\_ Buffer map and list of property owners within 100 feet (excluding public rights-of-way), notifying letter, and proof of first class mailing

**AMENDMENT TO IDO TEXT**

- \_\_\_ Section(s) of the Integrated Development Ordinance to be amended with changes noted and marked
- \_\_\_ Justification letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-7(D)(3)
- \_\_\_ Required notices with content per IDO Section 14-16-6-4(K)(6)
  - \_\_\_ Office of Neighborhood Coordination notice inquiry response, notifying letter, and proof of first class mailing
  - \_\_\_ Buffer map and list of property owners within 100 feet (excluding public rights-of-way), notifying letter, and proof of first class mailing

**ZONING MAP AMENDMENT – EPC**

**ZONING MAP AMENDMENT – COUNCIL**

- Proof of Neighborhood Meeting per IDO Section 14-16-6-4(C)
- Letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-7(F)(3) or Section 14-16-6-7(G)(3), as applicable
- Required notices with content per IDO Section 14-16-6-4(K)(6)
  - Office of Neighborhood Coordination notice inquiry response, notifying letter, and proof of first class mailing
  - Proof of emailed notice to affected Neighborhood Association representatives
  - Buffer map and list of property owners within 100 feet (excluding public rights-of-way), notifying letter, and proof of first class mailing
- Sign Posting Agreement

**ANNEXATION OF LAND**

- \_\_\_ Application for Zoning Map Amendment *Establishment of zoning must be applied for simultaneously with Annexation of Land.*
- \_\_\_ Petition for Annexation Form and necessary attachments
- \_\_\_ Letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-7(E)(3)
- \_\_\_ Board of County Commissioners (BCC) Notice of Decision

<p><i>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.</i></p>	
<p>Signature: </p>	<p>Date: December 2, 2021</p>
<p>Printed Name: Jackie Fishman, AICP, Principal, Consensus Planning, Inc.</p>	<p><input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent</p>
<p><b>FOR OFFICIAL USE ONLY</b></p>	
<p>Project Number: _____</p>	<p>Case Numbers _____</p>
<p>_____</p>	<p style="text-align: center;">-</p>
<p>_____</p>	<p style="text-align: center;">-</p>
<p>_____</p>	<p style="text-align: center;">-</p>
<p>Staff Signature: _____</p>	
<p>Date: _____</p>	

City of Albuquerque  
Planning Department  
600 Second Street NW  
Albuquerque, New Mexico 87102

RE: Application for Zone Map Amendment, 10035 Country Club Lane, NW

To Whom it May Concern:

The purpose of this letter is to authorize Consensus Planning to act as agent for a Zone Map Amendment and all related entitlement applications for the property located at 10035 County Club Lane, NW. Stovall LLC and S&W Assisted Living LLC are the owners of this property. *Stovall Paradise LLC*

Sincerely,

*Atstall*  
*Walla 12/1/21*  
*gbe*

*Acknowledged before me Veronica Villa  
on December 1, 2021*



OFFICIAL SEAL  
VERONICA VILLA  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: *2/9/24*



**Return To:**  
Fidelity National Title Insurance Company  
8500 Menaul Blvd NE, Suite B-150  
Albuquerque, NM 87112

GF No.: SP000109548

### WARRANTY DEED

The Inn at Paradise Partnership, a New Mexico General Partnership

for consideration paid, grant to

Stovall Paradise, LLC, a New Mexico limited liability company, as to an undivided 60% interest, and S&W Assisted Living, LLC, a New Mexico limited liability company, as to an undivided 40% interest

whose address is 832 Solar Rd NW, Albuquerque, NM 87107

the following described real estate in Bernalillo County, New Mexico:

Tract "A-1", of the Plat of Tracts, A-1, A-2, C-1 and T, Paradise Hills Golf Course, within Projected Sections 11 and 12, T11N, R2E, N.M.P.M., Bernalillo County, New Mexico, as the same is shown and designated on the said Plat filed in the office of the County Clerk of Bernalillo County, New Mexico on May 17, 1996 in Book 96C Page 202, as Document No. 96055677, Together with the Right of Ingress and Egress In and over Tract "T" of Said Addition.

with warranty covenants.

SUBJECT TO Patent, reservations, restrictions, and easements of record and to taxes for the year 2022, and subsequent years.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: 12-1-21

The Inn at Paradise Partnership, a New Mexico General Partnership

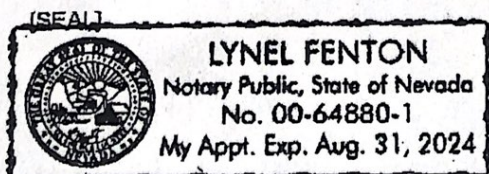
BY: Milo C Hurst  
Milo C Hurst, President of  
Nevada Star, Incorporated, as General  
Manager of The Inn at Paradise  
Partnership, a New Mexico General  
Partnership

State of NEVADA  
County of CLARK

This instrument was acknowledged before me on this 1st day of December, 2021, by Milo C Hurst, President of Nevada Star, Incorporated, as General Manager of The Inn at Paradise Partnership, a New Mexico General Partnership.

Lynel Fenton

Notary Public  
My Commission Expires:





# City of Albuquerque

Planning Department  
Development Review Services Division

## Traffic Scoping Form (REV 07/2020)

**Project Title:** Zone Map Amendment Request, 10035 County Club Ln. NW

Building Permit #: N/A Hydrology File #: N/A

Zone Atlas Page: B-12 DRB#: N/A EPC#: N/A Work Order#: N/A

Legal Description: Trail A-1 Plat of Tracts A-1, A-2, C-1 & T Paradise Hills Golf Course containing 0.7560 Acres M/L OR 32,921 Square feet M/L

Development Street Address: 10035 Country Club Ln. NW

**Applicant:** Applicants: Liz Sanchez, Daniel Warren, and Anna Stovall / Agent: Consensus Planning Contact: Charlene Johnson

Address: 302 Eighth Street NW

Phone#: 505-764-9801 Fax#: \_\_\_\_\_

E-mail: johnson@consensusplanning.com

### Development Information

Build out/Implementation Year: N/A Current/Proposed Zoning: NR-C / RM-L

Project Type: New: ( ) Change of Use: ( ) Same Use/Unchanged: ( ) Same Use/Increased Activity: ( )

Change of Zoning: (✓)

Proposed Use (mark all that apply): Residential: (✓) Office: ( ) Retail: ( ) Mixed-Use: ( )

Describe development and Uses:

Use of existing bed and breakfast building as an assisted living facility.

Days and Hours of Operation (if known): 24 hours

### Facility

Building Size (sq. ft.): Approximately 5,347 square feet.

Number of Residential Units: TBD

Number of Commercial Units: N/A

### Traffic Considerations

ITE Trip Generation Land Use Code \_\_\_\_\_

ITE Land Use #620  
Nursing Home  
AM peak 5 trips  
PM peak 5 trips

Expected Number of Daily Visitors/Patrons (if known):\* N/A

Expected Number of Employees (if known):\* N/A

Expected Number of Delivery Trucks/Buses per Day (if known):\* N/A

Trip Generations during PM/AM Peak Hour (if known):\* N/A

Driveway(s) Located on: Street Name No driveway. Country Club Lane dead-ends into the parking lot.

Adjacent Roadway(s) Posted Speed: Street Name Golf Course Road Posted Speed 35 mph  
Street Name Posted Speed

*\* If these values are not known, assumptions will be made by City staff. Depending on the assumptions, a full TIS may be required.)*

**Roadway Information (adjacent to site)**

Comprehensive Plan Corridor Designation/Functional Classification: Golf Course Road - Major Transit Corridor  
(arterial, collector, local, main street)

Comprehensive Plan Center Designation: None  
(urban center, employment center, activity center, etc.)

Jurisdiction of roadway (NMDOT, City, County): City

Adjacent Roadway(s) Traffic Volume: Golf Course Road - 21,512 daily Volume-to-Capacity Ratio (v/c): \_\_\_\_\_  
(if applicable)

Adjacent Transit Service(s): Bus Routes: 92 and 157 Nearest Transit Stop(s): Approximately half a mile to east on Golf Course Rd.

Is site within 660 feet of Premium Transit?: No

Current/Proposed Bicycle Infrastructure: Bike lane on Golf Course Rd.  
(bike lanes, trails)

Current/Proposed Sidewalk Infrastructure: None

**Relevant Web-sites for Filling out Roadway Information:**

City GIS Information: <http://www.cabq.gov/gis/advanced-map-viewer>

Comprehensive Plan Corridor/Designation: See GIS map.

Road Corridor Classification: <https://www.mrcog-nm.gov/DocumentCenter/View/1920/Long-Range-Roadway-System-LRRS-PDF?bidId=>

Traffic Volume and V/C Ratio: <https://www.mrcog-nm.gov/285/Traffic-Counts> and <https://public.mrcog-nm.gov/taqa/>

Bikeways: [http://documents.cabq.gov/planning/adopted-longrange-plans/BTFP/Final/BTFP%20FINAL\\_Jun25.pdf](http://documents.cabq.gov/planning/adopted-longrange-plans/BTFP/Final/BTFP%20FINAL_Jun25.pdf) (Map Pages 75 to 81)

**TIS Determination**

**Note:** Changes made to development proposals / assumptions, from the information provided above, will result in a new TIS determination.

Traffic Impact Study (TIS) Required: Yes [ ] No

Thresholds Met? Yes [ ] No

Mitigating Reasons for Not Requiring TIS: \_\_\_\_\_ Previously Studied: [ ]

Notes:

*M. P. E.*

9/29/2021

TRAFFIC ENGINEER

DATE

**Submittal**

The Scoping Form must be submitted as part of a Traffic Circulation Layout submittal, DRB application for site plan approval, or EPC application. See the Development Process Manual Chapter 7.4 for additional information.

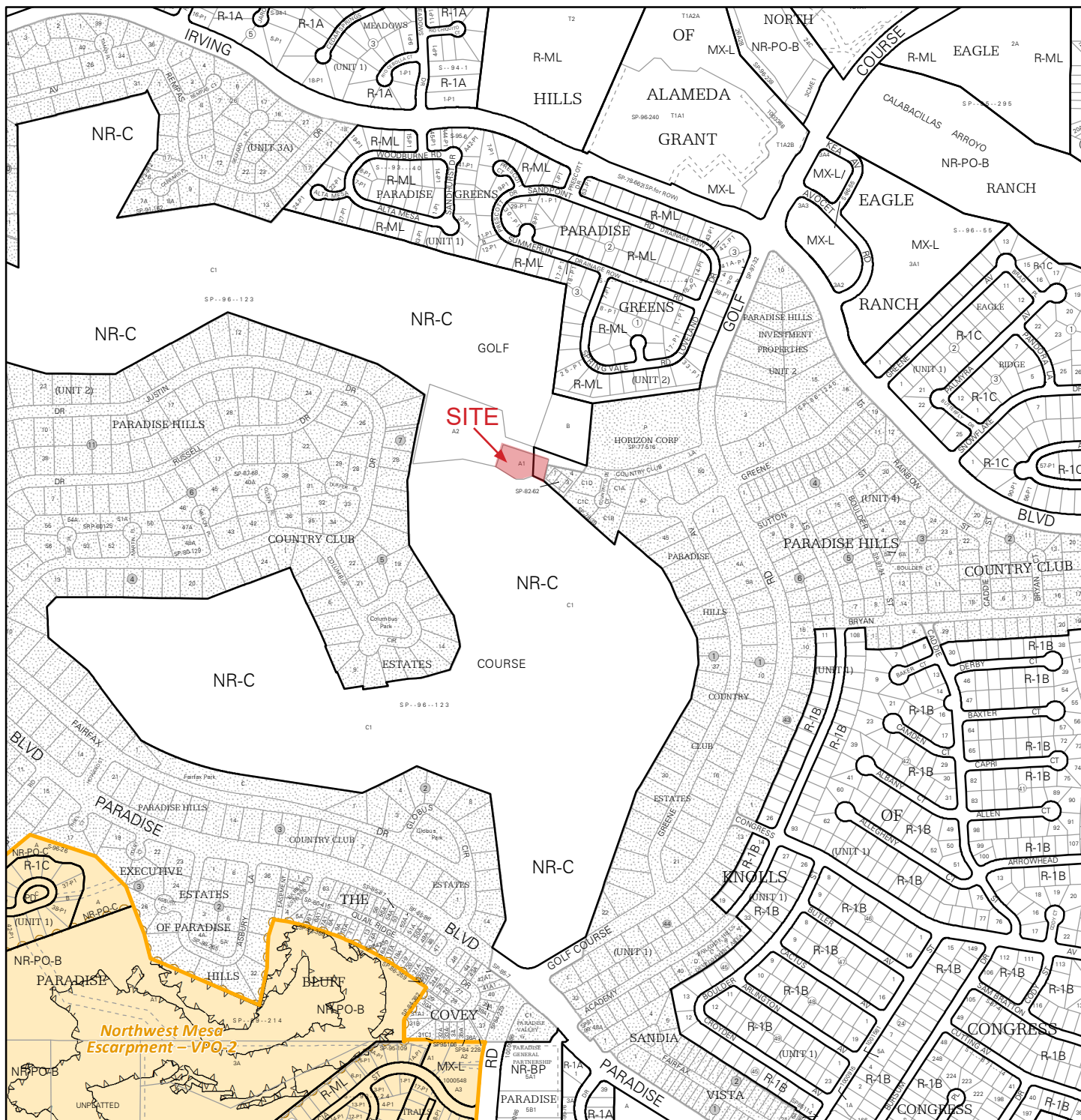
Submit by email to [plndrs@cabq.gov](mailto:plndrs@cabq.gov) and to the City Traffic Engineer [mgrush@cabq.gov](mailto:mgrush@cabq.gov). Call 924-3362 for information.

### Site Plan/Traffic Scoping Checklist

Site plan, building size in sq. ft. (show new, existing, remodel), to include the following items as applicable:


1. Access -- location and width of driveways
2. Sidewalks (Check DPM and IDO for sidewalk requirements. Also, Centers have wider sidewalk requirements.)
3. Bike Lanes (check for designated bike routes, long range bikeway system) ([\*check MRCOG Bikeways and Trails in the 2040 MTP map\*](#))
4. Location of nearby multi-use trails, if applicable ([\*check MRCOG Bikeways and Trails in the 2040 MTP map\*](#))
5. Location of nearby transit stops, transit stop amenities (eg. bench, shelter). Note if site is within 660 feet of premium transit.
6. Adjacent roadway(s) configuration (number of lanes, lane widths, turn bays, medians, etc.)
7. Distance from access point(s) to nearest adjacent driveways/intersections.
8. Note if site is within a Center and more specifically if it is within an Urban Center.
9. Note if site is adjacent to a Main Street.
10. Identify traffic volumes on adjacent roadway per MRCOG information. If site generates more than 100 vehicles per hour, identify volume to capacity (v/c) ratio on this form.



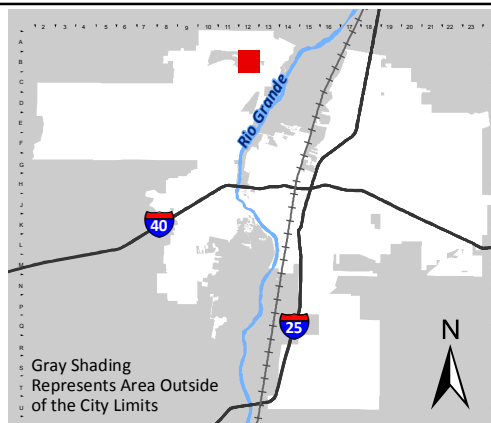


For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

## 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).



Gray Shading  
Represents Area Outside  
of the City Limits

Zone Atlas Page:  
**B-12-Z**

- Easement
- 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

Escarpment

Petroglyph National Monument

Feet  
0 250 500 1,000



December 22, 2021 (revises December 2, 2021 letter)

Tim MacEachen, Chair  
Environmental Planning Commission  
City of Albuquerque  
600 Second Street NW  
Albuquerque, New Mexico 87102

RE: Zoning Map Amendment; 10035 Country Club Lane, NW.

Landscape Architecture  
Urban Design  
Planning Services

302 Eighth St. NW  
Albuquerque, NM 87102

(505) 764-9801  
Fax 842-5495  
cp@consensusplanning.com  
www.consensusplanning.com

Dear Mr. Chairman:

The purpose of this letter is to provide justification for a Zoning Map Amendment on behalf of Stovall Paradise, LLC. and S&W Assisted Living, LLC. (Applicants) by responding to the criteria specified in the Integrated Development Ordinance (IDO) *Section 14-16-6-7(F)(3)*. The property is located at 10035 Country Club Lane, NW. The legal description of the subject property is *Tract A-1 Plat of Tracts A-1, A-2, C-1 & T Paradise Hills Golf Course containing 0.7560 acres more or less or 32,921 square feet more or less.*



*Subject property outlined in red.*

**LAND USE CONTEXT AND PROJECT SUMMARY**

The subject property is approximately .75 acres in size and zoned NR-C. It contains an existing two-story building with a private courtyard that was recently used as a bed and breakfast and is adjacent to the Paradise Hills Golf Course. The Applicants are requesting a zone change for the subject property to R-ML that will allow for an assisted living facility. The previous zoning prior to IDO adoption was SU-1 for Golf Course and PDA-72 DU Max and 16 Unit Guest House.

**PRINCIPALS**

James K. Strozier, FAICP  
Christopher J. Green, PLA,  
ASLA, LEED AP  
Jacqueline Fishman, AICP





*Entrance facing north to the existing building on the subject property.*



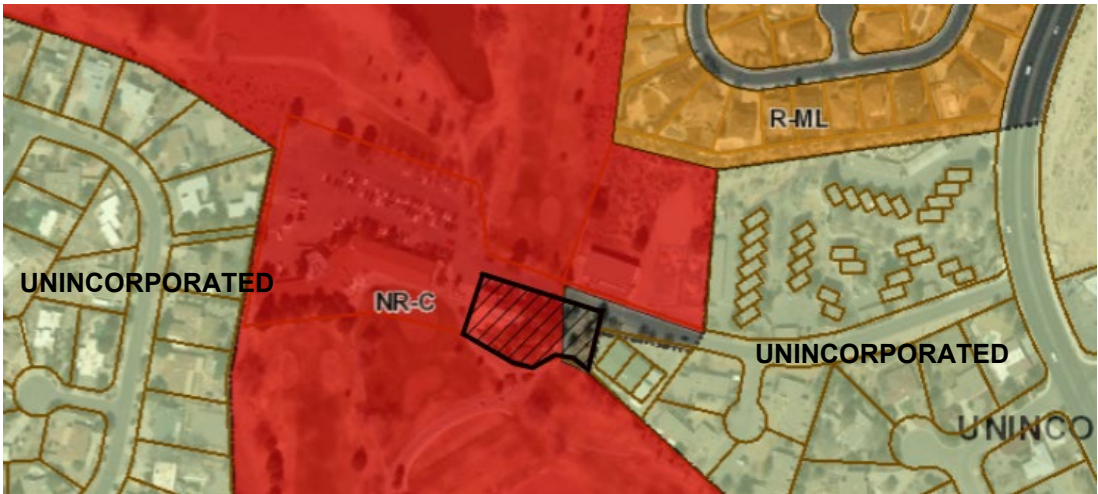
*Private courtyard on the south side of the existing building.*



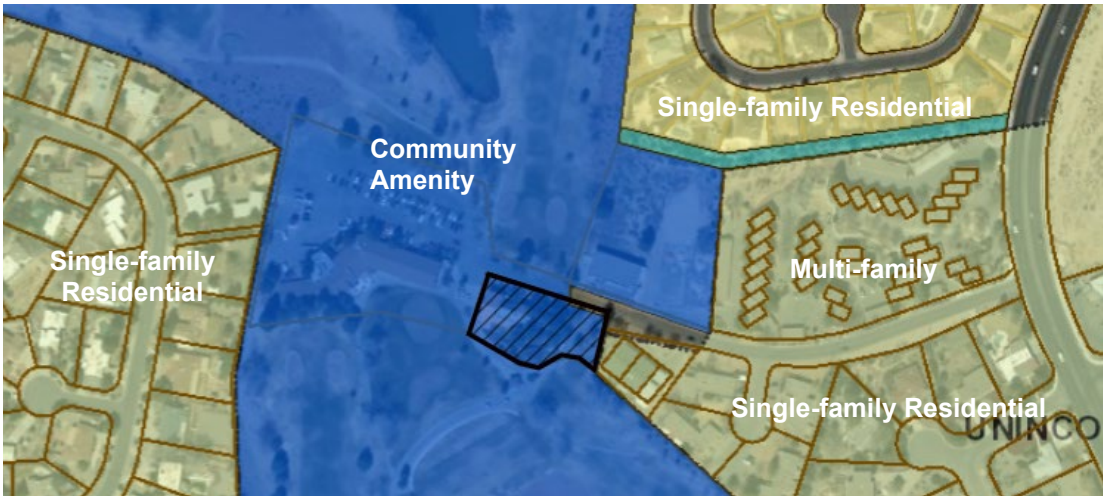
*Paradise Hills Golf Course to the north of the subject property.*

The subject property is within the Northwest Mesa Planning Area and in an Area of Consistency, as designated in the ABC Comprehensive Plan. Golf Course Road, located east of the subject property, is designated as a Major Transit corridor.

Surrounding the subject property to the north, south, and west is the Paradise Hills Golf Course, a "community amenity", zoned NR-C. To the east and west are multi-family residential developments consisting of townhouses and apartments and single-family subdivisions located within the Paradise Hills Special Zoning District. To the northeast adjacent to the Paradise Hills Golf Course is the Paradise Greens subdivision, a single-family subdivision zoned R-ML.



Surrounding Zoning.



Surrounding Land Use.

TABLE 1. SURROUNDING ZONING & LAND USE		
<b>NORTH</b>	NR-C, R-ML	Community Amenity (Golf Course), Single-family residential
<b>EAST</b>	N/A	Multi-family, Single-family residential
<b>SOUTH</b>	NR-C	Community Amenity (Golf Course)
<b>WEST</b>	NR-C, N/A	Community Amenity (Golf Course), Single-family Residential





## HISTORY

On March 30, 1987, the City of Albuquerque approved an annexation for Tracts A and B, Land Division Map S-74-233-SP, and a tract of land known as the Paradise Hills Golf Course and adjacent street right-of-way (AX-86-12). The annexation included the establishment of a SU-1 for a Planned Development Area to include a Golf Course, Guest House, Related Facilities, and a total of up to 72 townhouse units for the land in 1.A. (Z-86-75). A Site Development Plan approved in 1992 shows the existing building containing apartments. The current request for zone map amendment is therefore generally consistent with the pre-IDO residential use approved in 1987.

## REQUEST

The Applicants are requesting a zone change from NR-C to R-ML, which will allow redevelopment of an underutilized existing building and property for an assisted living residential facility. As shown in this justification letter, the Applicants believe that the R-ML zone will provide more land-use stability and will benefit the surrounding neighborhood by allowing seniors to age in place. This request is supported by Comprehensive Plan goals and policies and meets the requirements for a Zoning Map Amendment – EPC per *IDO Section 14-16-6-7(G)* as described below.

## ZONING MAP AMENDMENT JUSTIFICATION

This request for a Zoning Map Amendment complies with the criteria outlined in *Section 14-16-6-7(G)(3)* of the Integrated Development Ordinance (IDO) as follows:

**6-7(G)(3)(a)** *The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by furthering (and not being in conflict with) a preponderance of applicable Goals and Policies in the ABC Comp Plan, as amended, and other applicable plans adopted by the City.*

**Applicant Response:** The proposed zone change is consistent with the health, safety, and general welfare of the City by furthering a preponderance of applicable goals and policies in the ABC Comprehensive Plan, as amended, and other applicable plans adopted by the City. The following policy analysis demonstrates that the proposed zone change is advantageous to the surrounding neighborhood and the City as a whole by allowing a use that is consistent with surrounding residential uses; promotes infill and adaptive reuse of an existing vacant building; protects and enhances the character of an Area of Consistency; and provides an additional housing option in a residential area.

**Goal 4.1 Character:** *Enhance, protect, and preserve distinct communities.*

**Applicant Response:** The requested zone change from NR-C to R-ML furthers this goal by limiting the types of uses on the site to residential and community uses, which will enhance, preserve, and protect the residential and community uses of the surrounding neighborhoods and the community recreational use of the golf course. The NR-C zone contains a host of permissive land uses that would not be

appropriate in this location. The pre-IDO zoning (SU-1 for Golf Course and PDA-72 DU max and 16-unit Guest House) allowed residential uses on the subject property. The zone change from NR-C to RM-L will reinstate residential use on the property approved in 1987.

**Policy 4.1.1 Distinct Communities:** *Encourage quality development that is consistent with the distinct character of communities.*

**Applicant Response:** The requested zone map amendment from NR-C to R-ML furthers this policy by encouraging development that is consistent with the distinct character of the Paradise Hills community. The surrounding neighborhood is residential, and this parcel would be consistent with and strengthen the existing residential character. To the east and west, surrounding development is a mix of multi-family and single-family residential. The use of the subject property as an assisted living facility will complement the existing development in these neighborhoods. The requested zone change is consistent with the R-ML zone of the Paradise Greens subdivision to the northeast.



*Adjacent duplex development to the east.*



*Multi-family apartments to the east.*



*Paradise Greens subdivision to the northeast, zoned R-ML.*

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

**Applicant Response:** The proposed zone change furthers this goal by allowing for the redevelopment of a vacant property that would allow seniors to age in place within an existing neighborhood by providing living quarters, personalized assistance, shuttle services to doctor appointments and shopping, dining, outdoor amenities, etc., in addition to the outdoor recreation and landscape amenities provided in the adjacent golf course. The subject property is located near Golf



Course Road, which provides access to a variety of commercial retail and services where residents can shop with shuttle services provided by the operator of the assisted living facility.

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

**Applicant Response:** The proposed zone change will further this policy for creating healthy, sustainable, and distinct communities by allowing a different type of housing in an area that contains a mix of residential densities and recreational facilities. The assisted living project will be conveniently accessible since it is located just over a half mile west of Golf Course Road and is easily accessible from Country Club Lane.

**Goal 5.3 Efficient Development Patterns:** *Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.*

**Applicant Response:** The zone change request will further this goal by redeveloping a vacant property with existing infrastructure including water and sewer services, paved streets, sidewalks along Golf Course Road, and dry utilities. The zone change will promote the efficient use of land by the adaptive reuse a long vacant existing building into a residential use. It supports the public good by providing essential residential housing and services to seniors and others with special medical needs.

**Policy 5.6.3. Infill Development:** *Support additional growth in areas with existing infrastructure and public facilities.*

**Applicant Response:** The zone change request will further Policy 5.3.1 by supporting the adaptive reuse of the existing building, which is surrounded by other development and has access to existing infrastructure. An Improvement Location Report (*see attachment*) for the subject property completed in 2021 shows that the site is served with water, sewer, and dry utilities (electric and gas) that extend from Country Club Lane to the subject property. Country Club Lane is a paved public street that connects to Golf Course Road, a four-lane arterial with sidewalks and median breaks.

Public park facilities near the subject property include Paradise Meadows Park and Open Space (.5 miles) and Ventana Ranch Park (2.5 miles). Public schools in the area include Seven Bar Elementary School (.08 miles), Paradise Hills Community Center and Park (1.5 miles), Cibola High School (1.26 miles), Paradise Skies Elementary School (1.6 miles).

**Sub-policy (h):** *Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.*

**Applicant Response:** Sub-policy h will be furthered by the zone change by facilitating the redevelopment of an existing vacant building. The redevelopment of the building with assisted living residential is compatible with form and scale of the



area's residential development. The current NR-C zone currently allows many uses that are incompatible with area neighborhoods and could erode the area's character.

**Policy 5.6.3. Areas of Consistency:** *Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space.*

**Applicant Response:** The subject property is within an Area of Consistency. The requested zone change to R-ML will protect and enhance the character of the existing residential area by allowing uses that are consistent with the single-family and multi-family development in the area. The R-ML zone allows for virtually all of the IDO "Household Living" sub-categories, including single-family detached, townhouse, and multi-family.

**Goal 9.1 Supply:** *Ensure a sufficient supply and range of high-quality housing types that meet current and future needs at a variety of price levels to ensure more balanced housing options.*

**Applicant Response:** The proposed zone change will further this goal by allowing a high-quality housing option for individuals currently in need of assisted living services in an area lacking those services. This proposed project will add a unique housing option to the area, balancing out the housing options. It is consistent with the pre-IDO zoning of PDA-72 maximum and 16-unit guest house, which allowed for residential use.

**Policy 9.1.1. Areas of Consistency Housing Options:** *Support the development, improvement, and conservation of housing for a variety of income levels and types of residents and households.*

**Applicant Response:** The zone change request to R-ML will support the redevelopment of the subject property into an assisted living facility, which will add to the variety of housing options and provide safe and secure housing for individuals with medical needs. Redevelopment of the existing Inn at Paradise building into housing is a creative reuse and will add to the diversity of residential uses in the area.

Based on the responses to these goals and policies, the request satisfies the requirements of Criterion A. The proposed zone change will preserve the existing character of the area, provides a lower intensity zone in an Area of Consistency, adds to the variety of housing options, and will support the redevelopment of an infill site with access to public infrastructure.

**6-7(G)(3)(b):** *If the subject property is located partially or completely in an Area of Consistency (as shown in the ABC Comp Plan, as amended), the applicant has demonstrated that the new zone would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and would not permit development that is significantly different from that character. The applicant must also demonstrate that the existing zoning is inappropriate because it meets any of the following criteria:*

1. *There was typographical or clerical error when the existing zone district was applied to the property.*
2. *There has been a significant change in neighborhood or community conditions affecting the site that justifies this request.*
3. *A different zone district is more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).*

**Applicant Response:** The proposed zone change to R-ML will reinforce the residential character of the area and will not permit development that will undermine the established character. By changing the zoning to R-ML, which matches the existing zoning to the northeast of the subject property, the property will be developed as a unique residential development to support individuals with medical needs. The R-ML zone is a low density residential with limited permissive uses.

The proposed zone change to R-ML meets Criterion #3 by being more advantageous to the community as articulated by the ABC Comprehensive Plan. The zone change will provide a unique housing option that will establish a residential zone with non-intensive uses in an Area of Consistency. Further, the zone change will protect and enhance the residential and community recreational land uses in the area.

**6-7(G)(3)(c):** *If the subject property is located wholly in an Area of Change (as shown in the ABC Comp Plan, as amended) and the applicant has demonstrated that the existing zoning is inappropriate because it meets any of the following criteria:*

**Applicant Response:** This criterion does not apply. The subject property is entirely in an Area of Consistency.

**6-7(G)(3)(d):** *The requested zoning does not include permissive uses that would be harmful to adjacent property, the neighborhood, or the community, unless the Use-specific Standards in Section 16-16-0 associated with that use will adequately mitigate those harmful impacts.*

**Applicant Response:** The permissive uses in the requested R-ML zone will not be harmful to the adjacent property, neighborhood, or community. Table 2 (*next page*) provides a comparison of the permissive uses in the NR-C and R-ML zones.





**TABLE 2. IDO ZONING COMPARISON: NR-C VS. R-ML**

Use	NR-C	R-ML
Dwelling, single-family detached, mobile home, cluster development, cottage development, two-family detached (duplex), townhouse, multi-family	-	P
Dwelling, live work	CA	C
Group Living Category (except Group home, large)	-	P
Assisted living facility or nursing home	-	P
Community residential facility, small, medium	-	P
Dormitory	-	P
Group home small, medium	-	C
Adult or child day care facility	P	C
Community center or library	C	P
Museum	P	C
Sports Field	P	-
University or college	P	CV
Vocational school	P	-
Kennel	P	-
Veterinary hospital or other pet services	P	-
Other pet services	P	-
Auditorium or theater	P	-
Bar & Tap room or tasting room	P	-
Health club or gym	P	A
Catering service, Nightclub, Restaurant	P	-
Hotel or motel	P	-
Car wash	P	-
Light vehicle fueling station, sales and rental, & repair	P	-
Bank	P	-
Blood services facility	C	-
Club or event facility	P	-
Construction contractor facility and yard	P	-
Commercial services	P	-
Medical or dental clinic	P	-
Mortuary	P	-
Office or Personal and business services, small & large	P	-
Research or testing facility	P	-
Self-storage	P	-
Amphitheater	C	-
Other outdoor entertainment	P	-
Art gallery	P	-
Bakery goods or confectionery shop	P	-
Building and home improvement materials store	P	-
General retail, small; Cannabis retail; Farmer's market; and Grocery store	P	-
Liquor and Nicotine retail	C	-
Pawn shop	P	-
Helipad	A	-
Artisan manufacturing	P	-
Cannabis cultivation and Cannabis-derived products manufacturing	P	-
Light manufacturing	P	-

As shown above, the proposed R-ML zone will eliminate many impactful permissive uses (P) from the site that are allowed in the NR-C zone, such as car wash, light vehicle fueling station, vehicle repair and sales, light manufacturing, cannabis cultivation, cannabis-derived products, manufacturing, etc. Several of the non-residential uses allowed in the R-ML zone are permitted only as an accessory use (A), conditional primary (C), or as a conditional if structure is vacant for 5 years or more (CV).

**6-7(G)(3)(e):** *The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems meet any of the following requirements:*

1. *Have adequate capacity to serve the development made possible by the change of zone.*
2. *Will have adequate capacity based on improvements for which the City has already approved and budgeted capital funds during the next calendar year.*
3. *Will have adequate capacity when the applicant fulfills its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement (IIA).*
4. *Will have adequate capacity when the City and the applicant have fulfilled their respective obligations under a City-approved Development Agreement between the City and the applicant.*

**Applicant Response:** As an existing building in an area with existing infrastructure capacity, this request for a zone change to allow for redevelopment of the site for assisted living meets Criteria #1. The redevelopment of the existing property will not require additional infrastructure beyond those that are already available on the site.

**6-7(G)(3)(f):** *The Applicant's justification for the Zoning Map Amendment is not completely based on the property's location on a major street.*

**Applicant Response:** The Applicants' justification for the Zoning Map Amendment request is not based on the property's location along a major street. The subject property is located on Country Club Lane, a local urban street. The closest major street is Golf Course Road, located approximately a half mile to the east.

**6-7(G)(3)(g):** *The applicant's justification is not based completely or predominantly on the cost of land or economic considerations.*

**Applicant Response:** The cost of land or other economic considerations are not the determining factor for this zone change request. The Applicants' have determined that the location of the property and the existing building provide a unique opportunity for an adaptive reuse project geared towards senior housing.

**6-7(G)(3)(h):** *The zone change does not apply a zone district different from surrounding zone districts to one small area or one premises (i.e. create a "spot zone") or to a strip of land along a street (i.e. create a "strip zone") unless the requested*



*zoning will clearly facilitate implementation of the ABC Comp Plan, as amended, and at least one of the following applies:*

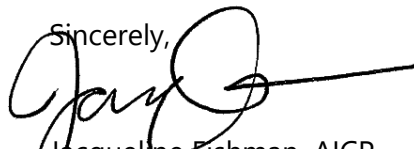
- 1. The subject property is different from surrounding land because it can function as a transition between adjacent zone districts.*
- 2. The subject property is not suitable for the uses allowed in any adjacent zone district due to topography, traffic, or special adverse land uses nearby.*
- 3. The nature of structures already on the subject property makes it unsuitable for the uses allowed in any adjacent zone district.*

**Applicant Response:** This request for a zone change from NR-C to R-ML does not create a spot zone on the subject property because the relatively large Paradise Greens subdivision to the northeast is also zoned R-ML and is across Irving Boulevard from another R-ML zoned property. The subject property is part of Paradise Hills Special Zoning District, an island within unincorporated Bernalillo County. The change of zoning to R-ML will therefore be consistent with nearby zoning within the City of Albuquerque and will allow similar uses to existing development in the area.

### **CONCLUSION**

The request for a Zoning Map Amendment from NR-C to R-ML is justified based on the policy analysis presented in this letter. The zone change from NR-C to R-ML will be more advantageous for the community because it will allow for redevelopment of the property as a residential use. The R-ML zone will eliminate many harmful uses permitted in the NR-C zone at an infill site within an area characterized by single-family and multi-family residential development. The redevelopment of the subject property for assisted living purposes will expand housing choices in the area, enhance the neighborhood character, and be consistent with the pre-IDO zoning, which allowed the residential use on the subject property.

On behalf of the Applicants, we respectfully request that the Environmental Planning Commission approve this request based on the information provided. Thank you for your consideration.

Sincerely,  
  
Jacqueline Fishman, AICP  
Principal

STAFF INFORMATION

December, 2021

TO: Jackie Fishman, Consensus Planning  
FROM: Megan Jones, Current Planner  
City of Albuquerque Planning Department  
TEL: (505) 924-3935  
RE: Project #2021-006278/RZ-2021-00051, Paradise Hills Zone Change

---

I've completed a first review of the proposed zoning map amendment (zone change). I would like to discuss the request and have a few questions. I am available to answer questions about the process and requirements. Please provide the following:

⇒ A revised zoning change justification letter pursuant to the zone change criteria (one copy) by:

**12 pm on Wednesday, December 29, 2021.**

Note: If you have difficulty with this deadline, please let me know.

1) Introduction:

- A. Though I've done my best for this review, additional items may arise as the case progresses. If so, I will inform you immediately.
- B. This is what I have for the legal description: Tract A-1 Plat of Tracts A-1, A-2, C-1 & T Paradise Hills Golf Course containing 0.7560 acres more or less or 32,921 SF more or less, Located at 10035 Country Club Lane, NW, between Golf Course Rd. and Simon Dr., approximately .76 acres (B-12-Z). Is this correct?
- C. It is my understanding that this request is for a Zone Map Amendment to R-ML (Residential – Multi Family Low Density Zone District) to allow for an assisted living facility in the future. The existing building will be redeveloped and changes will only be made to the interior, but this is to be determined at a future date and not a part of this Zone Change request. Let's focus on how the R-ML zone will benefit the surrounding community and not what a future land use MAY be, since there are several options.
- D. Can you give further information about the plans for an assisted living facility if you have them and how it would benefit the surrounding community per the IDO definition of an assisted living facility? If you don't have future plans, that is okay.

2) Process:

- A. Information regarding the EPC process, including the calendar and current Staff reports, can be found at:  
<http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission>
- B. Timelines and EPC calendar: the EPC public hearing for December is the 16<sup>th</sup>. Final staff reports will be available one week prior, on December 9<sup>th</sup>.

- C. Note that, if a zone change request is denied, you cannot reapply again for one year.
- D. Agency comments will be distributed as staff receives them. I will email you a copy of the comments.

### 3) Notification & Neighborhood Issues:

*Notification requirements for a zone change are explained in Section 14-16-6-4(K), Public Notice (IDO, p. 378). The required notification consists of: i) an emailed letter to neighborhood representatives indicated by the ONC, and ii) a mailed letter (first-class) to property owners within 100 feet of the subject site.*

- A. It appears that notification offering the pre-application facilitated meeting is complete.
- B. It looks like a pre-application facilitated meeting was not requested. Is that correct? Did anyone respond and say “no thanks”?
- D. The notification to property owners also appears complete. Thank you for providing photos of the certified mail receipts and a list of the neighbors within a 100’ buffer.
- E. The sign posting agreement specifies the sign posting period as January 5, 2021 to February 4, 2022.
- F. Have any neighborhood representatives or members of the public contacted you so far?

### 4) Project Letter:

- A. In general, the project letter is good.
- B. Can you provide additional History of the subject site? Since you mention that the surrounding area is in the Paradise Hills Special Zoning District, can you elaborate on this in the context of the subject site. Explain how the site is/might be affected by it or if it ever was in the past?

### 5) Zone Map Amendment (zone change)- Overview:

- A. The task in a zone change justification is to choose applicable Goals and policies from the Comprehensive Plan and demonstrate how the request furthers (makes a reality) each applicable Goal and policy. Furthering is shown by providing explanations using “because” statements and tailoring the response to match the wording of the Goal or policy.
- B. Please elaborate more on the following goals/policies that align with zone map request:
- C. Goal 4.1 Character – You state that the zone change will reinstate one of the intended uses of the golf course property per pre-IDO zoning (assisted living facility?). Can you please elaborate on this?
- D. Goal 5.2 Complete Communities - please elaborate more on how this property would allow seniors to age in place and if this is to be an assisted living facility how they will access services along Golf Course Rd. How does this foster a community where the residents can live, work, learn, shop, and play?

E. For policy 5.6.3 infill Development – Can you give information on existing infrastructure on Country Club Lane as well?

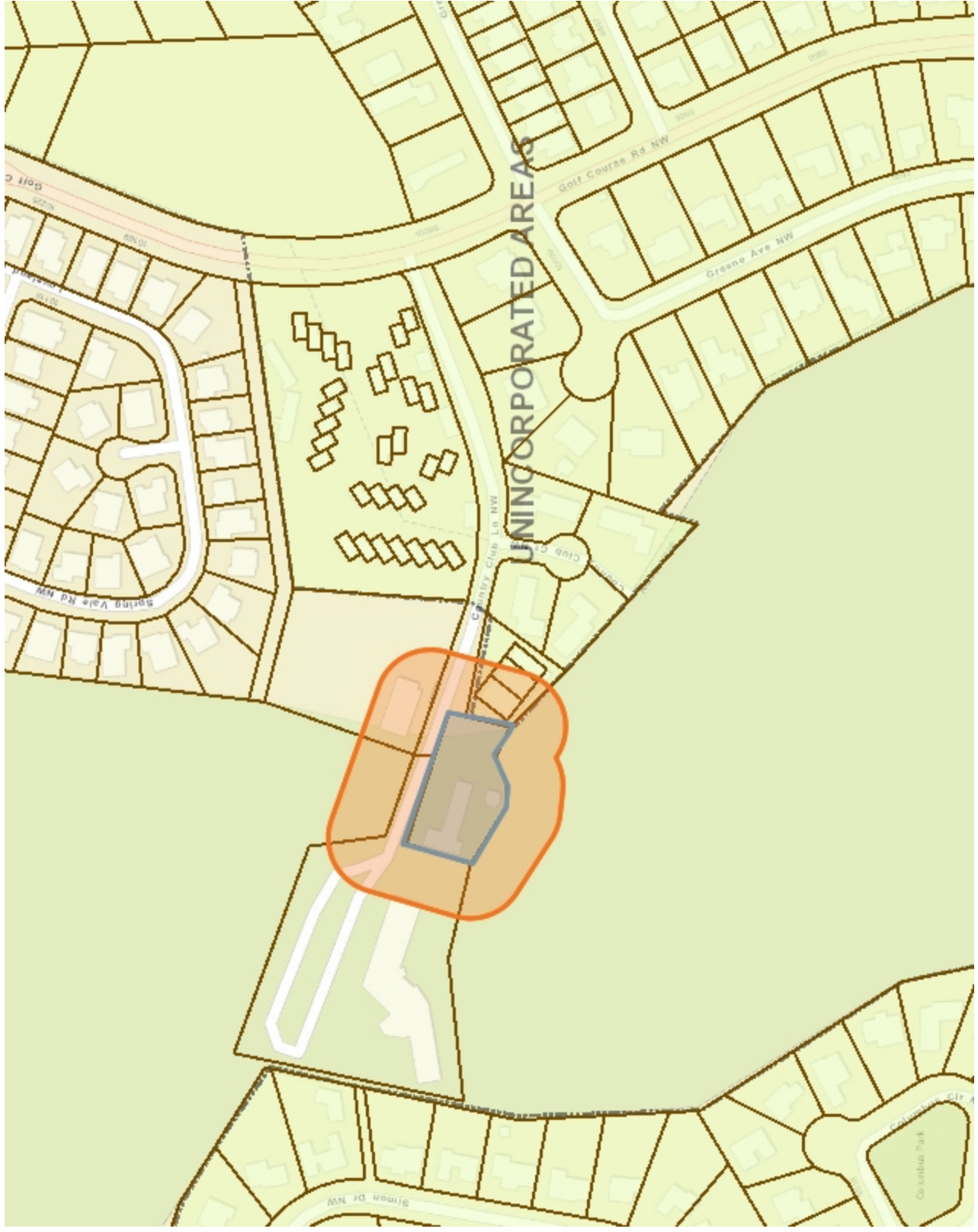


## NOTIFICATION



# 10035 Country Club Lane 100-Ft. Buffer

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



Notes

The City of Albuquerque ("City") provides the data on this website as a service to the public. The City makes no warranty, representation, or guaranty as to the content, accuracy, timeliness, or completeness of any of the data provided at this website. Please visit <http://www.cabq.gov/abq-data/abq-data-disclaimer-1> for more information.

**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

534 Feet

0 267 534

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
 1: 3,204  
 © City of Albuquerque  
 11/30/2021

**100-foot Buffer Addresses: 10035 Country Club Lane**

<b>Owner</b>	<b>Owner Address</b>	<b>Owner Address 2</b>
ROMERO VINCENT E	10000 COUNTRY CLUB LN NW APT 1	ALBUQUERQUE NM 87114-4202
HEETER DAVID & DEBORAH A	9701 GOLF COURSE RD NW	ALBUQUERQUE NM 87114
OLEARY EDWARD T & JULIA A	10000 COUNTRY CLUB LN NW APT 2	ALBUQUERQUE NM 87114-4262
24 LLC	10035 COUNTRY CLUB LN NW	ALBUQUERQUE NM 87114-4201
24 LLC	10035 COUNTRY CLUB LN NW	ALBUQUERQUE NM 87114-4201
24 LLC	10035 COUNTRY CLUB LN NW	ALBUQUERQUE NM 87114-4201
ROMERO VINCENT E	10000 COUNTRY CLUB LN NW APT 1	ALBUQUERQUE NM 87114-4202
INN AT PARADISE PARTNERSHIP	PO BOX 61740	BOULDER CITY NV 89006-1740
24 LLC	10035 COUNTRY CLUB LN NW	ALBUQUERQUE NM 87114-4201



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: Zone map amendment from NR-C to R-ML.
Decision-making Body: Environmental Planning Commission (EPC)
Pre-Application meeting required: [X] Yes [ ] No
Neighborhood meeting required: [X] Yes [ ] No
Mailed Notice required: [X] Yes [ ] No
Electronic Mail required: [X] Yes [ ] No
Is this a Site Plan Application: [ ] Yes [X] No Note: if yes, see second page
PART II - DETAILS OF REQUEST
Address of property listed in application: 10035 Country Club Lane NW
Name of property owner: Stovall Paradise LLC and S&W Assisted Living LLC.
Name of applicant: Stovall Paradise LLC and S&W Assisted Living LLC. / Agent: Jackie Fishman, AICP
Date, time, and place of public meeting or hearing, if applicable:
Thursday, January 20, 2022, 8:30 A.M. on Zoom Remote Meetings
Address, phone number, or website for additional information:
Jacqueline Fishman, AICP, Principal, Consensus Planning - (505) 764-9801 fishman@consensusplanning.com
PART III - ATTACHMENTS REQUIRED WITH THIS NOTICE
[X] Zone Atlas page indicating subject property.
N/A Drawings, elevations, or other illustrations of this request.
N/A Summary of pre-submittal neighborhood meeting, if applicable.
[X] 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.

[Signature] (Applicant signature) December 2, 2021 (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.



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



**PART IV – ATTACHMENTS REQUIRED FOR SITE PLAN APPLICATIONS ONLY**

Provide a site plan that shows, at a minimum, the following:

N/Aa. Location of proposed buildings and landscape areas.

N/Ab. Access and circulation for vehicles and pedestrians.

N/Ac. Maximum height of any proposed structures, with building elevations.

N/Ad. For residential development: Maximum number of proposed dwelling units.

N/Ae. For non-residential development:

- Total gross floor area of proposed project.
- Gross floor area for each proposed use.

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

## Public Notice of a Proposed Project in the City of Albuquerque for Policy Decisions Mailed to a Property Owner

Date of Notice\*: December 2, 2021

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

Property Owner within 100 feet\*: \_\_\_\_\_

Mailing Address\*: \_\_\_\_\_

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

1. Subject Property Address\* 10035 Country Club Lane, NW  
Location Description Inn at Paradise, located adjacent to the Paradise Hills Golf Course.
2. Property Owner\* Stovall Paradise LLC and S&W Assisted Living LLC.
3. Agent/Applicant\* [if applicable] Agent: Consensus Planning, Inc. / Applicant: Stovall Paradise LLC, S&W Assisted Living LLC.
4. Application(s) Type\* per IDO [Table 6-1-1](#) [mark all that apply]

Zoning Map Amendment

Other: \_\_\_\_\_

Summary of project/request<sup>1\*</sup>:

Zone map amendment from Non-residential-Commercial (NR-C) to Residential-Multi-family Low Density (R-ML).

The Applicant proposes to redevelop the existing Inn at Paradise building as an assisted living facility.

5. This application will be decided at a public hearing by\*:

Environmental Planning Commission (EPC)

City Council

This application will be first reviewed and recommended by:

Environmental Planning Commission (EPC)

Landmarks Commission (LC)

Not applicable (Zoning Map Amendment – EPC only)

Date/Time\*: Thursday, January 20, 2022. Begins at 8:30 A.M.

Location\*<sup>2</sup>: Online meeting via Zoom unless otherwise noted by the EPC.

<sup>1</sup> Attach additional information, as needed to explain the project/request.

<sup>2</sup> Physical address or Zoom link

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

Agenda/meeting materials: <http://www.cabq.gov/planning/boards-commissions>

To contact staff, email [devhelp@cabq.gov](mailto:devhelp@cabq.gov) or call the Planning Department at 505-924-3860.

6. Where more information about the project can be found\*<sup>3</sup>:

Please contact Jackie Fishman, [fishman@consensusplanning.com](mailto:fishman@consensusplanning.com) or Charlene Johnson, [johnson@consensusplanning.com](mailto:johnson@consensusplanning.com) or at (505) 764-9801

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

1. Zone Atlas Page(s)\*<sup>4</sup> B-12-Z
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant\*: Attached to notice or provided via website noted above
3. The following exceptions to IDO standards have been requested for this project\*:
  - Deviation(s)
  - Variance(s)
  - Waiver(s)

Explanation\*:

No deviations, variances, or waivers are anticipated with the Zoning Map Amendment.

4. A Pre-submittal Neighborhood Meeting was required by [Table 6-1-1](#):  Yes  No

Summary of the Pre-submittal Neighborhood Meeting, if one occurred:

None was requested by Neighborhood Associations.

<sup>3</sup> Address (mailing or email), phone number, or website to be provided by the applicant

<sup>4</sup> Available online here: <http://data.cabq.gov/business/zoneatlas/>



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

**Additional Information:**

From the IDO Zoning Map<sup>5</sup>:

1. Area of Property [typically in acres] .76 acres
  2. IDO Zone District NR-C
  3. Overlay Zone(s) [if applicable] None
  4. Center or Corridor Area [if applicable] None
- Current Land Use(s) [vacant, if none] Vacant
- 

**NOTE:** For Zoning Map Amendment – EPC only, pursuant to [IDO Subsection 14-16-6-4\(L\)](#), property owners within 330 feet and Neighborhood Associations within 660 feet may request a post-submittal facilitated meeting. If requested at least 15 calendar days before the public hearing date noted above, the facilitated meeting will be required. To request a facilitated meeting regarding this project, contact the Planning Department at [devhelp@cabq.gov](mailto:devhelp@cabq.gov) or 505-924-3955.

**Useful Links**

**Integrated Development Ordinance (IDO):**

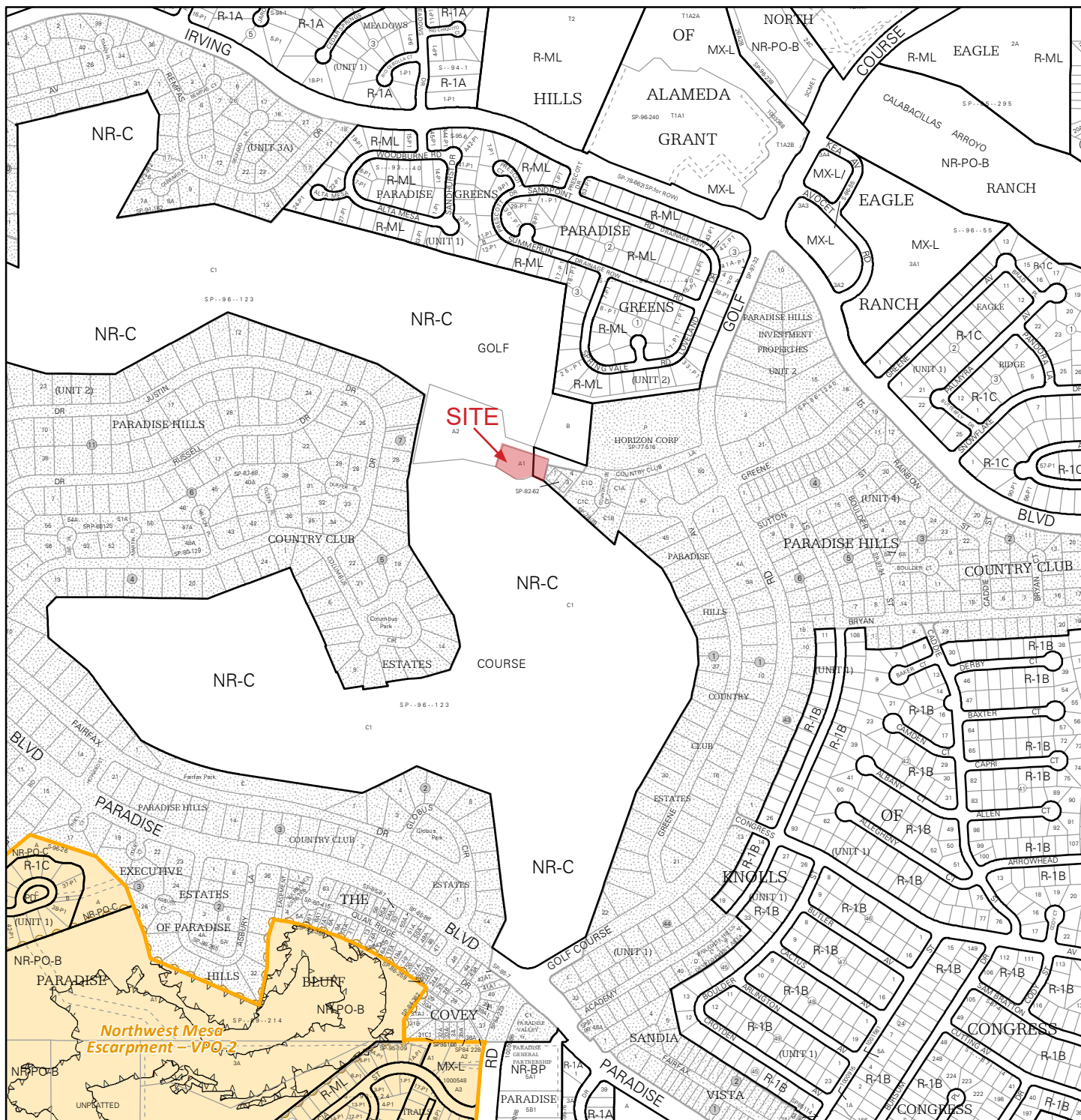
<https://ido.abc-zone.com/>

**IDO Interactive Map**

<https://tinyurl.com/IDOzoningmap>


---

<sup>5</sup> Available here: <https://tinurl.com/idozoningmap>

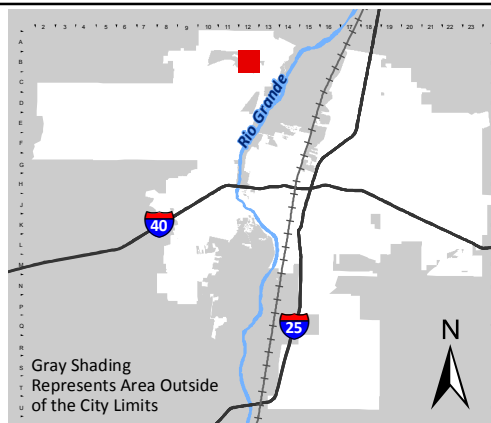


For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

## 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).



Gray Shading Represents Area Outside of the City Limits

Zone Atlas Page:  
**B-12-Z**

- Easement
- 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

Escarpment

Petroglyph National Monument

Feet  
0 250 500 1,000



7020 1810 0000 8282 1509

**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
*Domestic Mail Only*

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

Albuquerque, NM 87114

**OFFICIAL USE**

Certified Mail Fee	\$3.75
Extra Services & Fees (check box, add fee as appropriate)	\$3.05
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.58
Total Postage and Fees	\$7.38

Sent To: KEETER DAVID & DEBORAH A  
 Street and Apt. No.: 9701 GOLF COURSE RD NW  
 City, State, ZIP+4®: ALBUQUERQUE NM 87114

Postmark Here 2021  
 12/02/2021

PS Form 3800, April 2013 PSN 7530-02-000-9071

7020 1810 0000 8282 1479

**U.S. Postal Service™**  
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For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

Albuquerque, NM 87114

**OFFICIAL USE**

Certified Mail Fee	\$3.75
Extra Services & Fees (check box, add fee as appropriate)	\$3.05
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.58
Total Postage and Fees	\$7.38

Sent To: OLEARY EDWARD T & JULIA A  
 Street and Apt. No.: 10000 COUNTRY CLUB LN NW APT 2  
 City, State, ZIP+4®: ALBUQUERQUE NM 87114-4262

Postmark Here 2021  
 12/02/2021

PS Form 3800, April 2013 PSN 7530-02-000-9071

7020 1810 0000 8282 1486

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*Domestic Mail Only*

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

Albuquerque, NM 87114

**OFFICIAL USE**

Certified Mail Fee	\$3.75
Extra Services & Fees (check box, add fee as appropriate)	\$3.05
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.58
Total Postage and Fees	\$7.38

Sent To: ROMERO VINCENT E  
 Street and Apt. No., or: 10000 COUNTRY CLUB LN NW APT 1  
 City, State, ZIP+4®: ALBUQUERQUE NM 87114-4202

Postmark Here 2021  
 12/02/2021

PS Form 3800, April 2013 PSN 7530-02-000-9071

7020 1810 0000 8282 1462

**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
*Domestic Mail Only*

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

Albuquerque, NM 87114

**OFFICIAL USE**

Certified Mail Fee	\$3.75
Extra Services & Fees (check box, add fee as appropriate)	\$3.05
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.58
Total Postage and Fees	\$7.38

Sent To: 24 LLC  
 Street and Apt. No.: 10035 COUNTRY CLUB LN NW  
 City, State, ZIP+4®: ALBUQUERQUE NM 87114-4201

Postmark Here 2021  
 12/02/2021

PS Form 3800, April 2013 PSN 7530-02-000-9071

7020 1810 0000 8282 1493

**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
*Domestic Mail Only*

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

Boulder City, NV 89006

**OFFICIAL USE**

Certified Mail Fee	\$3.75
Extra Services & Fees (check box, add fee as appropriate)	\$3.05
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.58
Total Postage and Fees	\$7.38

Sent To: INN AT PARADISE PARTNERSHIP  
 Street and Apt. No.: PO BOX 61740  
 City, State, ZIP+4®: BOULDER CITY NV 89006-1740

Postmark Here 2021  
 12/02/2021

PS Form 3800, April 2013 PSN 7530-02-000-9071

**From:** [Charlene Johnson](#)  
**To:** [ekhaley@comcast.net](mailto:ekhaley@comcast.net); [aboard111@gmail.com](mailto:aboard111@gmail.com); [ta\\_a@msn.com](mailto:ta_a@msn.com); [samralphroxy@yahoo.com](mailto:samralphroxy@yahoo.com)  
**Cc:** [Jackie Fishman](#)  
**Subject:** RE: Paradise NH notification  
**Date:** Thursday, December 2, 2021 9:29:00 AM  
**Attachments:** [NA Public Notification Packet - 10035 Country Club Lane.pdf](#)  
[Site Photos - Inn at Paradise.pdf](#)

---

Dear Neighbors,

This email is notification that Consensus Planning is submitting an application for a Zone Map Amendment to the City of Albuquerque Environmental Planning Commission (EPC) on behalf of the property owners, Stovall Paradise, LLC. and S&W Assisted Living, LLC. The property is located at 10035 Country Club Lane NW adjacent to the Paradise Hills Golf Course. The facility recently functioned as a bed and breakfast.

The subject property is legally described as *Tract A-1 Plat of Tracts A-1, A-2, C-1 & T Paradise Hills Golf Course Containing 0.7560 Acres more or less or 32,921 square feet more or less*. The Applicant is requesting to change the zoning of the property from NR-C to RM-L to allow for an assisted living facility. Any changes to the existing structure will be internal to the building.

This item will be heard on January 20, 2021 starting at 8:30 AM. The hearing will be heard via Zoom unless otherwise noted by the EPC. You can access the zoom link and agendas on the EPC website: <https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>.

Pursuant to *IDO Subsection 14-16-6-4(L)*, property owners within 330 feet and Neighborhood Associations within 660 feet may request a post-submittal facilitated. The meeting must be requested 15 days before the public hearing date noted above. To request a facilitated meeting for this request, contact the Planning Department at [devhelp@cabq.gov](mailto:devhelp@cabq.gov) or (505) 924-3955.

If you have questions regarding this item, please do not hesitate to contact myself or Jackie Fishman at [fishman@consensusplanning.com](mailto:fishman@consensusplanning.com) or by phone at (505) 764-9801.

Attachments: Neighborhood Public Notification Packet and photos of the building and site.

Sincerely,

**Charlene Johnson, Planner**  
**Consensus Planning, Inc.**  
302 Eighth Street NW  
Albuquerque, NM 87102  
505 764.9801  
[johnson@consensusplanning.com](mailto:johnson@consensusplanning.com)



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: Zone map amendment from NR-C to R-ML.
Decision-making Body: Environmental Planning Commission (EPC)
Pre-Application meeting required: [X] Yes [ ] No
Neighborhood meeting required: [X] Yes [ ] No
Mailed Notice required: [X] Yes [ ] No
Electronic Mail required: [X] Yes [ ] No
Is this a Site Plan Application: [ ] Yes [X] No Note: if yes, see second page
PART II - DETAILS OF REQUEST
Address of property listed in application: 10035 Country Club Lane NW
Name of property owner: Stovall Paradise LLC and S&W Assisted Living LLC.
Name of applicant: Stovall Paradise LLC and S&W Assisted Living LLC. / Agent: Jackie Fishman, AICP
Date, time, and place of public meeting or hearing, if applicable:
Thursday, January 20, 2022, 8:30 A.M. on Zoom Remote Meetings
Address, phone number, or website for additional information:
Jacqueline Fishman, AICP, Principal, Consensus Planning - (505) 764-9801 fishman@consensusplanning.com
PART III - ATTACHMENTS REQUIRED WITH THIS NOTICE
[X] Zone Atlas page indicating subject property.
N/A Drawings, elevations, or other illustrations of this request.
N/A Summary of pre-submittal neighborhood meeting, if applicable.
[X] 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.

[Handwritten Signature] (Applicant signature) December 2, 2021 (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.



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



**PART IV – ATTACHMENTS REQUIRED FOR SITE PLAN APPLICATIONS ONLY**

Provide a site plan that shows, at a minimum, the following:

N/Aa. Location of proposed buildings and landscape areas.

N/Ab. Access and circulation for vehicles and pedestrians.

N/Ac. Maximum height of any proposed structures, with building elevations.

N/Ad. For residential development: Maximum number of proposed dwelling units.

N/Ae. For non-residential development:

- Total gross floor area of proposed project.
- Gross floor area for each proposed use.



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

## Public Notice of a Proposed Project in the City of Albuquerque for Policy Decisions Mailed/Emailed to a Neighborhood Association

Date of Notice\*: December 2, 2021

This notice of an application 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)\*: See Neighborhood Inquiry Form attached.

Name of NA Representative\*: See Neighborhood Inquiry Form attached.

Email Address\* or Mailing Address\* of NA Representative<sup>1</sup>: See Neighborhood Inquiry Form attached.

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

1. Subject Property Address\* 10035 Country Club Lane, NW  
Location Description Inn at Paradise, located adjacent to the Paradise Hills Golf Course.
2. Property Owner\* Stovall Paradise LLC and S&W Assisted Living LLC.
3. Agent/Applicant\* *[if applicable]* Agent: Consensus Planning, Inc. / Applicant: Stovall Paradise LLC, S&W Assisted Living LLC
4. Application(s) Type\* per IDO [Table 6-1-1](#) *[mark all that apply]*

Zoning Map Amendment

Other: \_\_\_\_\_

Summary of project/request<sup>2</sup>\*: \_\_\_\_\_

Zone map amendment from Non-residential-Commercial (NR-C) to Residential-Multi-family Low Density (R-ML).

The Applicant proposes to redevelop the existing Inn at Paradise building as an assisted living facility.

5. This application will be decided at a public hearing by\*:

Environmental Planning Commission (EPC)

City Council

This application will be first reviewed and recommended by:

Environmental Planning Commission (EPC)

Landmarks Commission (LC)

Not applicable (Zoning Map Amendment – EPC only)

<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> Attach additional information, as needed to explain the project/request.

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

Date/Time\*: Thursday, January 20, 2022. Begins at 8:30 AM

Location\*<sup>3</sup>: Online meeting via Zoom unless otherwise noted by the EPC.

Agenda/meeting materials: <http://www.cabq.gov/planning/boards-commissions>

To contact staff, email [devhelp@cabq.gov](mailto:devhelp@cabq.gov) or call the Planning Department at 505-924-3860.

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

Please contact Jackie Fishman, [fishman@consensusplanning.com](mailto:fishman@consensusplanning.com) or Charlene Johnson, [johnson@consensusplanning.com](mailto:johnson@consensusplanning.com) or (505) 764-9801

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

1. Zone Atlas Page(s)\*<sup>5</sup> B-12-Z

2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant\*: Attached to notice or provided via website noted above

3. The following exceptions to IDO standards have been requested for this project\*:

- Deviation(s)
- Variance(s)
- Waiver(s)

Explanation\*:

None requested.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. A Pre-submittal Neighborhood Meeting was required by [Table 6-1-1](#):  Yes  No

Summary of the Pre-submittal Neighborhood Meeting, if one occurred:

None requested by Neighborhood Associations.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

**Additional Information [Optional]:**

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

- 1. Area of Property [typically in acres] .76 acres total
  - 2. IDO Zone District NR-C
  - 3. Overlay Zone(s) [if applicable] None
  - 4. Center or Corridor Area [if applicable] None
- Current Land Use(s) [vacant, if none] Vacant
- 

**NOTE:** For Zoning Map Amendment – EPC only, pursuant to [IDO Subsection 14-16-6-4\(L\)](#), property owners within 330 feet and Neighborhood Associations within 660 feet may request a post-submittal facilitated meeting. If requested at least 15 calendar days before the public hearing date noted above, the facilitated meeting will be required. To request a facilitated meeting regarding this project, contact the Planning Department at [devhelp@cabq.gov](mailto:devhelp@cabq.gov) or 505-924-3955.

**Useful Links**

**Integrated Development Ordinance (IDO):**

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

**IDO Interactive Map**

<https://tinyurl.com/IDOzoningmap>

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

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

**From:** [Carmona, Dalaina L.](#)  
**To:** [Charlene Johnson](#)  
**Subject:** 10035 Country Club Ln., NW Public Notice Inquiry  
**Date:** Monday, November 29, 2021 2:34:45 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image006.png](#)  
[Zone Atlas Highlighted B-12-Z.PDF](#)

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	State	Zip	Mobile Phone	Phone
Westside Coalition of Neighborhood Associations	Elizabeth	Haley	ekhaley@comcast.net	6005 Chaparral Circle NW	Albuquerque	NM	87114	5054074381	
Westside Coalition of Neighborhood Associations	Rene	Horvath	aboard111@gmail.com	5515 Palomino Drive NW	Albuquerque	NM	87120		5058982114
Paradise Hills Civic Association	Tom	Anderson	ta_a@msn.com	10013 Plunkett Drive NW	Albuquerque	NM	87114	5053040106	5058972593
Paradise Hills Civic Association	Maria	Warren	samralphroxy@yahoo.com	5020 Russell Drive NW	Albuquerque	NM	87114	5054402240	

**PLEASE NOTE:** 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.

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: <https://www.cabq.gov/planning/urban-design-development/public-notice>. 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>

Thanks,



*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  
[dcarmona@cabq.gov](mailto:dcarmona@cabq.gov) or [ONC@cabq.gov](mailto:ONC@cabq.gov)  
 Website: [www.cabq.gov/neighborhoods](http://www.cabq.gov/neighborhoods)



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**From:** [webmaster=cabq.gov@mailgun.org](mailto:webmaster=cabq.gov@mailgun.org) [mailto:[webmaster=cabq.gov@mailgun.org](mailto:webmaster=cabq.gov@mailgun.org)] **On Behalf Of** [webmaster@cabq.gov](mailto:webmaster@cabq.gov)  
**Sent:** Monday, November 29, 2021 10:30 AM  
**To:** Office of Neighborhood Coordination <[cjohnson@consensusplanning.com](mailto:cjohnson@consensusplanning.com)>  
**Cc:** Office of Neighborhood Coordination <[onc@cabq.gov](mailto:onc@cabq.gov)>  
**Subject:** Public Notice Inquiry Sheet Submission

Public Notice Inquiry For:

Environmental Planning Commission

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

Contact Name

Charlene Johnson

Telephone Number

5057649801

Email Address

[johnson@consensusplanning.com](mailto:johnson@consensusplanning.com)

Company Name

Consensus Planning

Company Address

302 8th Street NW, 3rd Street and Lomas, Universe St. and Paseo del Norte Blvd.

City

Albuquerque

State

NM

ZIP

87102

Legal description of the subject site for this project:

TR A-1 PLAT OF TRS A-1, A-2, C-1 & T PARADISE HILLS GOLF COURSE CONT 0.7560 AC M/L OR 32,921 SF M/L

Physical address of subject site:

10035 Country Club Ln., NW

Subject site cross streets:

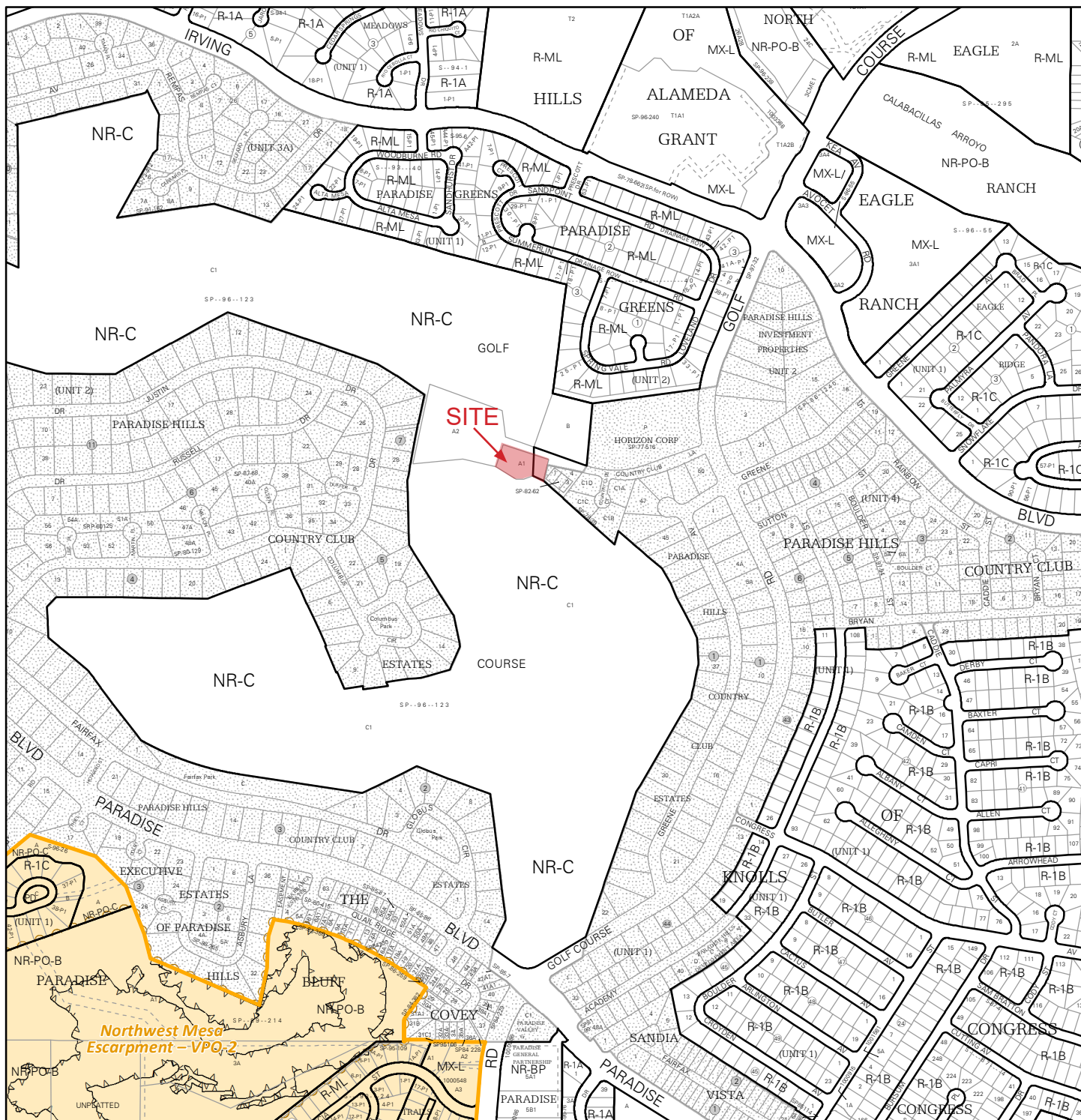
Country Club Lane and Golf Course Road

Other subject site identifiers:

Property is in the of Paradise Hills Golf Course

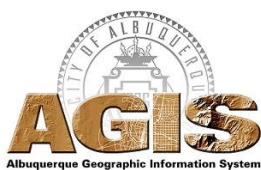
This site is located on the following zone atlas page:

B-12-Z

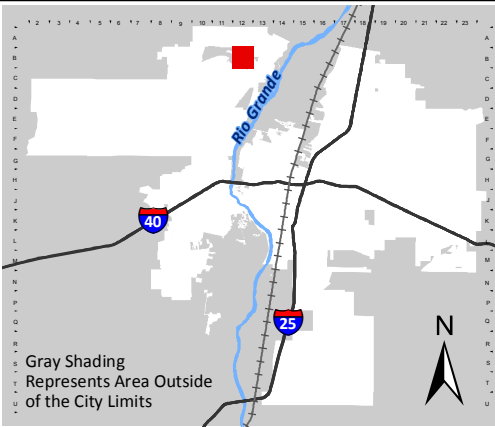


For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

# IDO Zone Atlas May 2018



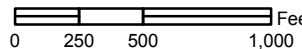
IDO Zoning information as of May 17, 2018  
The Zone Districts and Overlay Zones  
are established by the  
Integrated Development Ordinance (IDO).



Zone Atlas Page:  
**B-12-Z**

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

Escarpment





# 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 \_\_\_\_\_ To \_\_\_\_\_

#### 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.

\_\_\_\_\_  
(Applicant or Agent)

\_\_\_\_\_  
(Date)

I issued \_\_\_\_\_ signs for this application, \_\_\_\_\_, \_\_\_\_\_  
(Date) (Staff Member)

**PROJECT NUMBER:** \_\_\_\_\_

PRE-APPLICATION MEETING

## PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 21-188 Date: 09/14/21 Time: N/A (sent via email to )

Address: 7400 Menaul Blvd. NE

### **AGENCY REPRESENTATIVES**

Planning: Catalina Lehner ([clehner@cabq.gov](mailto:clehner@cabq.gov)) James Aranda ([imaranda@cabq.gov](mailto:imaranda@cabq.gov))

Zoning/Code Enforcement: Carl Garcia ([cagarcia@cabq.gov](mailto:cagarcia@cabq.gov))

Fire Marshal: Antonio Chinchilla ([achinchilla@cabq.gov](mailto:achinchilla@cabq.gov)) or call 505-924-3611 (if needed)

Transportation: Jeanne Wolfenbarger ([jwolfenbarger@cabq.gov](mailto:jwolfenbarger@cabq.gov))

Hydrology: Ernest Armijo, P.E. ([earmijo@cabq.gov](mailto:earmijo@cabq.gov))

Solid Waste: Herman Gallegos ([hgallegos@cabq.gov](mailto:hgallegos@cabq.gov))

Water Authority: David Gutierrez - [dggutierrez@abcwua.org](mailto:dggutierrez@abcwua.org) or call 505.289.3307; 505.241.9630

### **PRT DISCUSSIONS ARE FOR INFORMATIONAL PURPOSES ONLY!**

**THEY ARE NON-BINDING AND DO NOT CONSTITUTE ANY KIND OF APPROVAL.**

*Additional research may be necessary to determine the exact type of application and/or process needed.  
Factors unknown at this time and/or thought of as minor could become significant as the case progresses.*

**REQUEST:** New ground up 2-story corporate headquarters for Goodwill Industries. Retail at bottom level and offices on second floor. (+/- 30,000 sq. ft.)

### **SITE INFORMATION:**

Zone: MX-M

Size: Approx. 2.36 acres

Use: Mixed-Use Moderate Intensity

Overlay zone: N/A

Comp Plan Area of: Change

Comp Plan Corridor: Menaul Multi-modal

Comp Plan Center: N/A

MPOS or Sensitive Lands: N/A

Parking: 14-16 5-5

MR Area: Mid Heights

Landscaping: 14-16 5-6

Street Trees: 14-16 5-6(D)(1)

Use Specific Standards: Allowable Uses, Table 4-2-1

Dimensional Standards: Table 5-1-2: Mixed-use Zone District Dimensional Standards

\*Neighborhood Organization/s: ABQ Park NA, District 7 Coalition of Neighborhood Associations.

*\*This is preliminary information only. Neighborhood Organization information is only accurate when obtained from the Office of Neighborhood Coordination (ONC) at [www.cabq.gov/neighborhoods.resources](http://www.cabq.gov/neighborhoods.resources).*

### **PROCESS:**

Type of Action: 6-4(Z) Major Amendment of Pre-IDO Approvals

Review and Approval Body: EPC Is this a PRT requirement? (Table 6-1-1)

## PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 21-188 Date: 09/14/21 Time: N/A (sent via email)

Address: 7400 Menaul Blvd. NE

### **NOTES:**

See the **Integrated Development Ordinance**

<https://documents.cabq.gov/planning/IDO/IDO-2019-Effective-2020-11-02.pdf>

### **Download Forms & Applications**

<https://www.cabq.gov/planning/online-forms>

### **New Public Notice Forms**

We have created forms for all email/mailed public notice and for Pre-submittal Neighborhood Meetings. Please complete these forms for public notice:

- Neighborhood Meeting - <http://www.cabq.gov/planning/urban-design-development/neighborhood-meeting-requirement-in-the-integrated-development-ordinance>
- Public Notice - <http://www.cabq.gov/planning/urban-design-development/public-notice>

### **Records requests**

To request a site plan and/or Notice of Decision, please use ABQ Records web page:

<https://www.cabq.gov/clerk/public-records>

Please include the site's address and the Case Tracking #s (see Zoning Comments) in your request.

### **Requests to Inspect Public Records**

Any person may submit their request to inspect public records to the Office of the City Clerk by clicking on the following link to request records using our ABQ Records portal. <https://cabq.nextrequest.com/>

This enables us to respond to requests in the order in which they are received. Plus, it's a better way to share large files.

### **File Submittal**

For Administrative Amendments, DRB, EPC, hydrology and traffic submittals, e-mail electronic files to [PLNDRS@cabq.gov](mailto:PLNDRS@cabq.gov). For questions about an application submittal or the submittal process itself, please contact Jay Rodenbeck at [jrodenbeck@cabq.gov](mailto:jrodenbeck@cabq.gov) and/or to Maggie Gould at [mgould@cabq.gov](mailto:mgould@cabq.gov).

For other questions, please contact the Planning representative at the top of the PRT Notes.

For Building Safety Plan Review, contact Building Safety at 924-3963. Website:

<https://www.cabq.gov/planning/building-safety-permits>

# PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 21-188 Date: 09/14/21 Time: N/A (sent via email)

Address: 7400 Menaul Blvd. NE

## **PRT 21-188**

### **PROPERTY INFORMATION**

- Address: 7400 Menaul Blvd NE
- Lot: A1B Block: 16 & 17
- Subdivision: Zuni Addition
- Type: Change
- Calculated GIS Acres: 2.36
- IDO Zoning: **MX-M**
- Old Zoning Designation: SU-1
- Old Zoning Description: C-2 Permissive uses
- Old Zoning Category: Commercial

### **CASE HISTORY**

- 1007099
- PR-2020-004021

### **ALLOWABLE USE(S)**

- General Retail (Medium) -Permissive Use

### **USE SPECIFIC STANDARDS**

- 4-3(D)(37)

### **DEFINITIONS**

- **Retail-** See General Retail.
- **General Retail-** An establishment providing for the retail sale of general merchandise or food to the general public for direct use and not for wholesale; including but not limited to sale of general merchandise, clothing and other apparel, flowers and household plants that are not grown on-site, dry goods, convenience and specialty foods, hardware and similar consumer goods, cannabis for medical consumption pursuant to Sections 26-2B-1 to 26-2B-10 NMSA 1978 (the Lynn and Eric Compassionate Use Act), or other retail sales not listed as a separate use in Table 4-2-1. See also Adult Retail, Building and Home Improvement Materials Store, Large Retail Facility, Liquor Retail, and Grocery Store. General retail is divided into 3 categories based on the size of the establishment or use (not the size of the structure):
  1. General Retail, Small: An establishment with no more than 25,000 square feet of gross floor area.
  2. General Retail, Medium: An establishment of more than 25,000 square feet of gross floor area and no more than 50,000 square feet of gross floor area.
  3. General Retail, Large: An establishment of more than 50,000 square feet of gross floor area. See also Large Retail Facility.

## PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 21-188 Date: 09/14/21 Time: N/A (sent via email)

Address: 7400 Menaul Blvd. NE

### DEVELOPMENT STANDARDS

- N/A

### APPLICANT'S QUESTIONS

- EPC will be the approving body to amend site plan
- Pre-IDO approvals supersedes IDO

### PROCESS

6-4(Z) Major Amendments of Pre-IDO Approvals

*As always, if you have specific questions pertaining to zoning and/or development standards you are encouraged to reach out to the zoning counter at (505) 924-3857 option 1.*

### Transportation Development Comments

***PRT 21-188 (7400 Menaul NE, case #2009C091)***

#### ***Information for Site Development – Transportation Development***

*For additional information contact Jeanne Wolfenbarger (924-3991)*

#### ***General Comments below (If applicable to development):***

##### ***Curb Cuts***

- ***Follow DPM guidelines for commercial curb cuts.***

##### ***Clear Sight Triangle at Access Points and Intersections***

- ***Clear sight triangle (See attached hand-outs.) Nothing opaque should be in the triangle.***

##### ***Private Site and Parking Lot Design***

- ***Follow DPM and IDO Guidelines for Site and Parking Lot Design. Current ADA standards must be followed including required number of handicapped parking spaces and drive aisles, ADA access to public right-of-way, and ADA access to on-site buildings.***
- ***See the Traffic Circulation Layout (TCL) Checklist. A TCL is required for any change or addition to a building > 500 sq. ft. or if the parking or circulation is changed. (This includes a repaving of parking lot.) Drawing must be stamped by a registered engineer or architect.***
- ***When developing a parking lot layout, include all dimensioning for construction purposes. Also include all curb, curb ramp and signage details.***
- ***Demonstrate queuing capacity when needed in situations such as for drive-thru facilities. It is imperative to demonstrate that the queuing will not block accessways to the site or cause vehicles to back into the main roadway. Also, provide necessary one-way signage and pavement markings.***
- ***Parking Calculations must be provided and per the requirements in the IDO. Number of vehicular spaces, motorcycle spaces, and bicycle spaces shall be specified and follow IDO requirements.***



## PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 21-188 Date: 09/14/21 Time: N/A (sent via email)

Address: 7400 Menaul Blvd. NE

- **Shared access/parking agreement is required if access/parking is shared with parking lot adjacent to site. (This can be established on a plat if submittal of a plat is required or by an agreement.)**
- Existing driveways that are not being used are required to be removed and replaced with standard curb and sidewalk to match existing.

### **Traffic Studies**

- **See the Traffic Impact Study (TIS) thresholds. In general, a minimum combination of 100 vehicles entering and exiting in the peak hour warrants a Traffic Impact Study. Visit with Traffic Engineer for determination, and fill out a TIS Form that states whether one is warranted. In some cases, a trip generation may be requested for determination.**

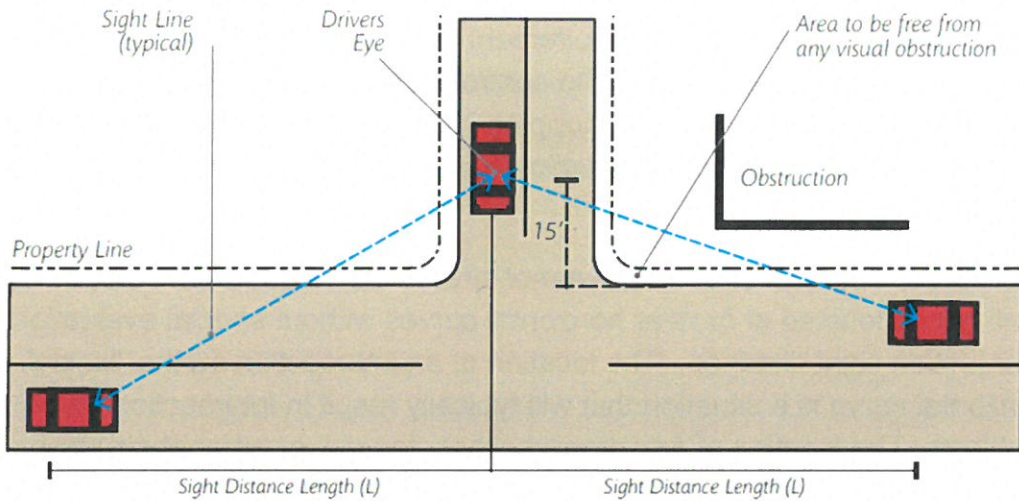
### **Platting and Public Infrastructure Requirements for Roadways**

- When submitting to DRB, all public roadway improvements that are required shall be shown on an infrastructure list. Public improvements must be included on a public work order set of drawings.
- All public roadway facilities must be within public right-of-way including the entire width of the public sidewalk, all public curb ramps, overhead utilities, traffic signals and lighting, etc.
- **Curb and sidewalk are required along entire frontage of property. Follow IDO/DPM for specific width requirements.**
- For any private access easements on plats, all beneficiaries and maintenance responsibilities must be listed.

**Any private structures that are located within public right-of-way such as fences and walls shall either be removed or else a revocable permit with the City is required in which an annual fee is paid per year, based on square footage of the encroachment.**

If you would have additional questions or would like to schedule a follow-up Zoom meeting please contact Diego Ewell at [dewell@cabq.gov](mailto:dewell@cabq.gov)

**Figure 3.9.5-2 Intersection Sight Distance**



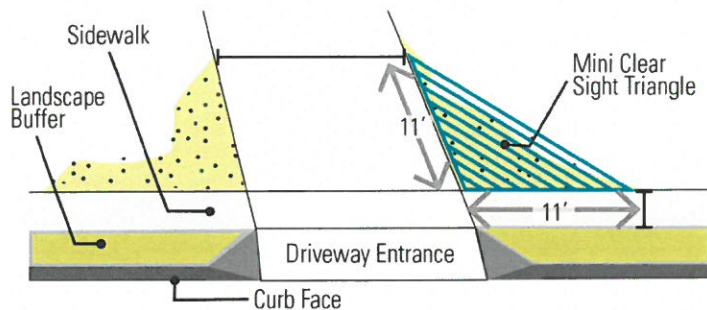
**Table 3.9.5-2 Minimum Intersection Sight Distance**

Speed Limit (mph)	Minimum Intersection Sight Distance (ft)					
	2 Lane Undivided		3 Lane Undivided or 2 Lane Divided w/ 12' Median		4 Lane Undivided	
	Left Turn	Right Turn	Left Turn	Right Turn	Left Turn	Right Turn
20	230	200	240	200	250	200
25	280	240	300	240	320	240
30	340	290	360	290	380	290
35	390	340	420	340	440	340
40	450	390	480	390	500	390
45	500	430	530	430	570	430
50	560	480	590	480	630	480

#### 3.9.5.4 Mini Clear Sight Triangle

Driveways need to maintain the mini sight triangle as shown in Figure 3.9.5-3. This triangle starts at the sidewalk and measures 11 feet on a side.

**Figure 3.9.5-3 Mini Clear Sight Triangle**



#### 3.9.5.5 Visibility for Site Entrances and Driveways

Site entrances and driveways shall be designed to preserve the clear sight triangle free of visual obstruction as described in section 3.9.5.3 and 3.9.5.4 above.

#### 3.9.5.6 Sight Distance Note

The following note is required in all site plans: Landscaping, signage, walls, fences, trees, and shrubbery between three (3') and eight feet (8') tall (as measured from the gutter pan) are not allowed within the clear sight triangle.

#### 3.9.5.7 Objects Permitted in the Clear Sight Triangle

Objects, that may be located in the sight triangle, include, but are not limited to, hydrants, utility poles, utility junction boxes, and traffic control devices provided these objects are located to minimize visual obstruction. Objects under eight inches (8") wide may be allowed.

## HISTORY

ZONING

Please refer to IDO Section 14-16-2-3(B) for the R1-D Zone District

## APPLICANT INFORMATION



## STAFF INFORMATION

## NOTIFICATION

## FACILITATED MEETING REPORT

## LETTERS

## SITE PLAN REDUCTIONS

RODEY, DICKASON, SLOAN, AKIN & ROBB, P. A.

ATTORNEYS AT LAW

201 THIRD STREET NW, SUITE 2200  
ALBUQUERQUE, NEW MEXICO 87102

P.O. BOX 1888  
ALBUQUERQUE, NEW MEXICO 87103  
WWW.RODEY.COM

TELEPHONE (505) 765-5900  
FACSIMILE (505) 768-7395

February 7, 2022

BRUCE HALL  
JOHN P. SALAZAR  
CATHERINE T. GOLDBERG  
EDWARD RICCO  
W. MARK MOWERY  
CHARLES K. PURCELL  
ANDREW G. SCHULTZ  
SCOTT D. GORDON  
NELSON FRANSE  
THERESA W. PARRISH  
PAUL R. KOLLER  
CHARLES J. VIGIL  
THOMAS L. STAHL  
DAVID W. BUNTING  
LESLIE MCCARTHY APODACA  
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SUNNY J. NIXON  
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R. TRACY SPROULS  
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JOCelyn C. DRENNAN  
MICHAEL J. BRESCIA  
KURT B. GILBERT  
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JUSTIN A. HORWITZ  
SANDRA L. BEERLE  
VALERIE REIGHARD DENTON  
BRENDA M. SAIZ  
CHARLES R. HUGHSON  
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MICHAEL E. KAEMPER  
MARGOT A. HEFLICK  
KRYSTLE A. THOMAS  
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DENISE M. CHANEZ  
PERRY E. BENDICKSEN III  
DAVID P. BUCHHOLTZ  
CRISTINA ADAMS  
TYLER M. CUFF  
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MELANIE B. STAMBAUGH  
DEBORA E. RAMIREZ  
LUIS G. CARRASCO  
JUAN M. MARGUEZ  
JENICA L. JACOBI  
ABIGAIL M. YATES  
PATRICK A. CORONEL  
PAOLA V. JAIME  
NOELL E. SAUER  
PETER M. KELTON

OF COUNSEL  
ROBERT M. ST. JOHN  
MARK K. ADAMS  
JOHN P. BURTON  
RICHARD C. MINZNER  
HENRY M. BOHNHOFF  
DEWITT M. MORGAN  
ALAN HALL  
CHARLES A. SEIBERT III  
CYNTHIA A. LOEHR  
MATTHEW M. BECK

BERNARD S. RODEY (1856-1927)  
PEARCE C. RODEY (1889-1958)  
DON L. DICKASON (1906-1999)  
WILLIAM A. SLOAN (1910-1993)  
JACKSON G. AKIN (1919-2010)  
JOHN D. ROBB (1924-2014)

SANTA FE OFFICE  
119 EAST MARCY STREET, SUITE 200  
SANTA FE, NEW MEXICO 87501-2046  
P.O. BOX 1357  
SANTA FE, NEW MEXICO 87504-1357  
TELEPHONE (505) 954-3900  
FACSIMILE (505) 954-3942

WRITER'S DIRECT NUMBER  
(505) 768-7222

JJACOBI@RODEY.COM

**VIA ELECTRONIC MAIL**

Tim MacEachen, Chair & Commissioners  
Environmental Planning Commission  
City of Albuquerque  
600 2<sup>nd</sup> St. NW  
Albuquerque, NM 87102  
[planningdepartment@cabq.gov](mailto:planningdepartment@cabq.gov)

RE: Project# PR-2021-6278 RZ-2021-00051 (Zone Map Amendment for 10035  
Country Club Lane NW)

Dear Chair MacEachen and Commissioners:

This firm represents 24, LLC, the owner and operator of the Paradise Hills Golf Course, the immediate neighbor of the above-referenced applicant property. These two properties are closely located and related, even sharing the same address. The application and its justification for a zone map amendment ("ZMA") completely ignores my client's commercial property, resulting in an incomplete and inaccurate analysis.

As an initial matter, this letter constitutes a protest pursuant to Section 3-21-6 NMSA (1978) and Section 6-7(H)(1)(b) of the IDO. 24, LLC owns all of the property bordering the subject site to the west, north, and south of the property, as further described on **Exhibit A** attached hereto. This constitutes 75%-90% of the property surrounding the subject site, easily enough to satisfy the 20% threshold. As a result, this request for ZMA is a matter for City Council action. The EPC becomes a recommending body.

The applicant's justification letter is misleading about the character of the area around the property, describing the Paradise Hills Golf Course as a "community amenity" and implying that its NR-C zone is irrelevant or a mistake. In fact, the Paradise Hills Golf Course is a thriving commercial enterprise, including golf, retail, restaurant, bar, and special events. The subject property is located behind the Paradise Hills entryway monuments, and the existing buildings are



Environmental Planning Commission  
February 7, 2020  
Page 2

separated by only a narrow driveway. The subject property is located immediately adjacent and in the midst of my client's busy commercial, liquor-licensed premises. Once the true conditions are analyzed, it is clear that the requested ZMA is inappropriate and should be denied.

*6-7(G)(3)(a) The Proposed zone change is consistent with the health, safety, and general welfare of the City as shown by furthering (and not being in conflict with) a preponderance of applicable Goals and Policies in the ABC Comp Plan, as amended, and other applicable plans adopted by the City.*

The applicant has cherry-picked certain goals and policies and analyzed them as though the neighborhood is entirely commercial, and the Paradise Hills Golf Course is open space rather than a busy commercial enterprise. In fact, multi-family like the R-ML proposed in this matter should be located in urban or activity centers per Policy 5.1.1, not immediately adjacent to a bar and restaurant and a quarter mile from a corridor, also in violation of Policy 5.4.2(f). The proposed zoning, which must be evaluated on its scope of permitted uses, not just the use the applicants say they intend to pursue, is in direct opposition to the policies regarding the jobs-housing imbalance school capacity for the westside of the City. See Goal 5.4 and Policies 5.3.5 and 5.4.2. This change does not reinforce the character and intensity for this neighborhood, as provided in Goal 5.6. This is seen by examining the policies set forth in Policy 5.6.3, which caution changing non-residential areas (the subject site, currently commercially zoned, is bounded by more than 75% commercial uses, not residential) without considering potential impact on land use compatibility with abutting properties, employment opportunities, and historic development patterns. As discussed more below, the proposed ZMA is harmful and incompatible with the commercial uses already existing and surrounding the subject property.

*Policy 5.1.1 Desired Growth: Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.*

*d) Encourage the development of multi-unit, multi-story apartments and mixed-use residential buildings in Downtown, Urban Centers, and Activity Centers to increase housing density and expand housing options and affordability*

*Goal 5.4 Jobs-Housing Balance. Balance jobs and housing by encouraging residential growth near employment across the region and prioritizing job growth west of the Rio Grande.*

*Goal 5.6 City Development Areas. Encourage and direct growth to Areas of Change where it is expected and desired and ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.*

*Policy 5.3.5 School Capacity: Discourage zone changes from non-residential to residential or mixed-use zones when affected public schools have insufficient*

Environmental Planning Commission

February 7, 2020

Page 3

*capacity to support the anticipated increase of students based on proposed dwelling units.*

*Policy 5.4.2 West Side Jobs: Foster employment opportunities on the West Side.*

*Policy 5.6.3 Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space.*

*b) Ensure that development reinforces the scale, intensity, and setbacks of the immediately surrounding context.*

*e) In areas with predominantly non-residential uses, carefully consider zone changes from non-residential to mixed use or residential zones for potential impact on land use compatibility with abutting properties, employment opportunities, and historic development patterns.*

*f) Limit the location of higher-density housing and mixed-use development to areas within ¼ mile of transit stations and within 660 feet of arterials and Corridors as an appropriate transition to single-family neighborhoods.*

*6-7(G)(3)(b) If the subject property is located partially or completely in an Area of Consistency (as shown in the ABC Comp Plan, as amended), the applicant has demonstrated that the new zone would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and would not permit development that is significantly different from that character. The applicant must also demonstrate that the existing zoning is inappropriate because it meets any of the following criteria:*

- 1. There was a typographical or clerical error when the existing zone district was applied to the property.*
- 2. There has been a significant change in neighborhood or community conditions affecting the site.*
- 3. A different zone district is more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).*

The applicant attempts to use the third prong to justify the zone change. But again, the analysis completely ignores the impact to the largest and most significant neighbor. The New Mexico Supreme Court has also been skeptical of this justification, and has added a subtest for its use. “The proof in such a case would have to show, at a minimum, that ‘(1) there is a public need for a change of the kind in question, and (2) that need will be best served by changing the classification of the particular piece of property in question as compared with other available property.’” Albuquerque Commons Partnership v. City Council, 2008-NMSC-025 ¶ 30. The applicant has not shown a need for more multifamily housing, particularly on the westside.

Environmental Planning Commission

February 7, 2020

Page 4

Given the jobs-housing imbalance, there is no reason to think that this property is more suitable for this use compared to other available property.

*6-7(G)(3)(d) The requested zoning does not include permissive uses that would be harmful to adjacent property, the neighborhood, or the community, unless the Use-specific Standards in Section 16-16-0 associated with that use will adequately mitigate those harmful impacts.*

The applicant just assumes that since residential uses are generally considered less intense, this ZMA will not be harmful to the adjacent property. This ignores the context in this case, where the subject property is surrounded like a peninsula by a commercial operation. The properties are already built out in close proximity, with only a narrow driveway separating them. The requested ZMA is incompatible with and harmful to the Paradise Hills Golf Course.

The portion of the golf course immediately adjacent to the subject property 1) involves frequent movement of golf courses from their storage and maintenance facility to the course for use; 2) contains a restaurant and busy sports bar with an outdoor patio and long hours of operation and frequent, loud activities; and 3) hosts special events, including live music and outdoor activities. These activities have been compatible with the long-standing use of the subject property as a small hotel catering to guests interested in using the golf course. But it is not compatible with permanent housing, particularly elderly residents, who may be disturbed by the constant activity and nighttime and early morning noise.

More than general incompatibility, the ZMA actually changes the regulations applicable to the Paradise Hills Golf Course, placing additional limits and burdens on the existing business as a result of moving residential uses so close to the commercial operations center of the golf course. For example, the City's noise ordinance regulates the amount of noise the golf course can produce by taking into account both the zoning of the golf course and the zoning of the adjacent property. Currently, noise measured from the bar and restaurant to the subject property is considered commercial source and commercial receptor, allowing 65 and 60 decibels to be received on the subject property during the day and night, respectively. Section 9-9-4 Revised Ordinance of Albuquerque ("ROA"), attached hereto as **Exhibit B**. However, if the ZMA were approved, the receptor property would become residential, reducing the allowed noise to 60 and 55 decibels outdoors and 55 and 50 indoors. *Id.* (table for A-weighted measurements). This is a substantial impact on an active bar and restaurant, particularly for Friday and Saturday night activities, which are a critical component of this business type. My client recently replaced its fleet of golf carts, opting for a Drive Quietech model to minimize noise. However, those vehicles still have a 60.5 decibel engine noise. See **Exhibit C**. Sixty or more of these vehicles will travel around the perimeter of the subject property daily as part of normal golf course operations, making it likely impossible to comply with the changed noise standards the ZMA would impose. In the event of any new construction or significant renovations, my client would also be required to install significant landscaping buffer with trees, shrubs, and perhaps even a

Environmental Planning Commission  
February 7, 2020  
Page 5

wall, which is not particularly feasible given the closeness of the existing businesses and driveway located between them. IDO Section 5-6(E)(3). See pictures attached as **Exhibit D**.

These are only a sampling of the additional restrictions that could be placed on my client's property as a result of a ZMA bringing residential uses so close to its commercial center. The ZMA would unfairly restrict and place additional burdens on the closest neighboring property, which surrounds more than 75% of the subject property's perimeter. As such, the ZMA is not appropriate or justified under the applicable criteria.

*6-7(G)(3)(g) The applicant's justification is not based completely or predominantly on the cost of land or economic considerations.*

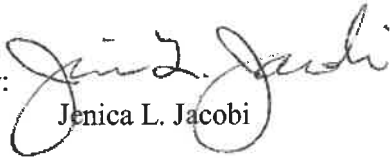
The subject property is already developed and has operated as a small hotel, consistent with its current NR-C zoning, since the 1960s. This use has been compatible with the golf course and surrounding neighborhood during this time. The only recent change has been the coronavirus pandemic, which has had a significant impact on the hotel industry, including apparently this site. However, this temporary economic issue does not justify a complete about-face on the type of uses appropriate for this property.

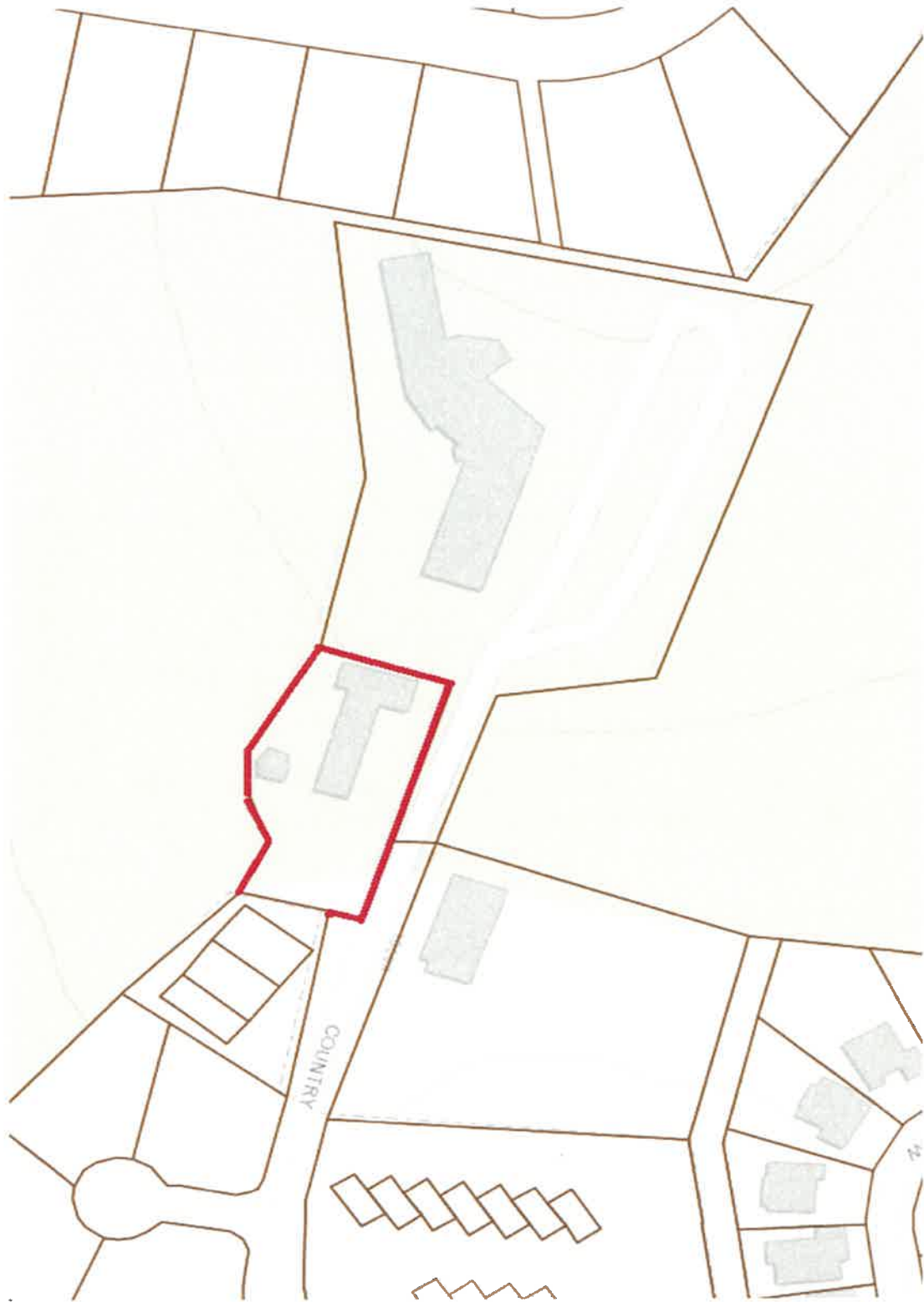
We appreciate your careful review and recommendation in this matter. We urge you to recommend denial of the ZMA request.

Sincerely,

RODEY, DICKASON, SLOAN, AKIN & ROBB, P.A.

By:

  
Jenica L. Jacobi



**EXHIBIT A**

physiological effect on humans, including excessive sound as defined and regulated by this article.

**NOISE-SENSITIVE PROPERTY.** Property containing an occupied: dwelling unit or units, school, hospital, religious institution, child-care facility, or adult-care facility or other facility similar in nature.

**PERSISTENTLY OR CONTINUOUSLY.** A 10-minute period during which any sound is discerned and that sound exceeds the applicable sound limits in each of the ten one-minute intervals of such period. In the case of animal noise, it means a 10-minute period during which animal noise is discerned in each of the ten one-minute intervals therein.

**PERSON.** A person, firm, association, copartnership, joint venture, corporation, or any other entity, public or private in nature.

**PUBLIC PREMISES.** All real property, including appurtenances thereon, owned or controlled by any governmental entity and includes, without limitation, rights-of-way, streets, highways, sidewalks, alleys, parks, and waterways.

**RECEPTOR PREMISES.** The premises (residential, commercial, downtown arts and entertainment focus area, industrial/manufacturing, or public) as listed in Table 1 receiving noise emitted from the source premises after crossing one or more property lines.

**REFERENCE PRESSURE.** The reference pressure for all sound level measurements shall be 20 micropascals (20 $\mu$ Pa). This shall be further defined as 0 dB(A).

**RESIDENTIAL, OFFICE/COMMERCIAL, INDUSTRIAL/MANUFACTURING.** These terms shall be as used in the Integrated Development Ordinance (Chapter 14, Article 16), and when used to describe a receptor or source premises, the terms refer to the particular zoning classification of the receptor or source premises and not the actual use of such premises.

**SOUND.** Sound is anything perceptible by human beings through the sense of hearing. The description of sound may include any characteristic of such sound, including duration, intensity, and frequency.

**SOUND AMPLIFYING EQUIPMENT.** Any machine or device for the sound amplification of the human voice, music, or any other sound. "Sound amplifying equipment" shall not include warning devices on authorized emergency vehicles or horns or other warning devices on any motor vehicles used only for traffic safety purposes.

**SOUND LEVEL.** A logarithmic measure called the decibel. It may make use of various frequency weighting networks, such as A or C-weighted, as specified by ANSI. When sound level is used without further description, A-weighting of sound level may be assumed.

**SOURCE PREMISES.** The premises (residential, commercial, downtown arts and entertainment focus area, industrial/manufacturing, or public) as listed in Table 1 that is emitting noise that is crossing one or more property lines and impacting the receptor premises.

**STRUCTURE.** For the purposes of the Noise Control Ordinance, structure shall mean the outer shell of a building, typically consisting of exterior walls covered by a roof.

('74 Code, § 6-22-2) (Ord. 21- 1975; Am. Ord. 30-1981; Am. Ord. 9-2001; Am. Ord. 5-2002; Am. Ord. 2017-002; Am. Ord. 2017-025)

### § 9-9-3 DECIBEL MEASUREMENT CRITERIA.

Unless otherwise indicated, any decibel (dB) measurement made pursuant to the provisions of this article shall be based on the reference sound pressure and measured with an approved sound-level meter. Reference sound pressure will be measured as LAeq for A-Weighted and LCEq for C-Weighted.

(A) Except as provided in division (C) below, Residential, Commercial, Downtown Arts and Entertainment Focus Area, and Industrial/Manufacturing properties are to be measured from inside the Structure located on the receptor premises. Any indoor noise measurements for compliance purposes should be taken in a location which could be reasonably assumed to affect one or more persons. For residential receptor premises, inside noise level measurements are performed in sleeping or living areas with windows opened to approximately 25% of their maximum in residences without mechanical ventilation and with windows closed for residences with mechanical ventilation.

(B) Public premises are to be measured at a reasonable distance from walls or similar large reflecting surfaces and with the approved sound-level meter protected from the effects of wind and other extraneous sounds by the use of screens when appropriate.

(C) In the case where the receptor premises is located in a residential zoning district and the source premises is located in a commercial or industrial/ manufacturing zoning district, measurements shall be measured outside within 25 feet from any side of the residential structure which is nearest to the source premises.

('74 Code, § 6-22-3) (Ord. 21- 1975; Am. Ord. 9-2001; Am. Ord. 2017-002)

### § 9-9-4 GENERAL NOISE.

(A) Except as otherwise provided in this article, no person shall make or continue, cause to be made or continued, or allow to be made or continued, any sound that persistently or continuously results in an exceedance of the following sound level limits using an approved sound-level meter measuring decibels on the A-Weighted scale.

Table 1 (A-Weighted measurements in decibels (dB))

<i>Receptor Premises</i>						
<i>Numbers indicate decibel (dB) levels</i>	<i>Residential</i>		<i>Commercial and Downtown Arts and Entertainment Focus Area</i>		<i>Industrial/ Manufacturing and Public Premises</i>	
	<i>Daytime</i>	<i>Nighttime</i>	<i>Daytime</i>	<i>Nighttime</i>	<i>Daytime</i>	<i>Nighttime</i>
Residential	55	50	65	60	75	70
Commercial and Downtown Arts and Entertainment Focus Area	55 (indoor ) 60 (outdoor)	50 (indoor ) 55 (outdoor)	65	60	75	70
Industrial/Manufacturing and Public Premises	55 (indoor ) 60 (outdoor)	50 (indoor ) 55 (outdoor)	65	60	75	70

(B) Except as otherwise provided in this article, no person shall make or continue, cause to be made or continued, or allow to be made or continued, any sound that persistently or continuously results in an exceedance of the following sound level limits using an approved sound-level meter measuring decibels on the C-Weighted scale.

Table 2 (C-Weighted measurements in decibels (dB))

<i>Receptor Premises</i>						
<i>Numbers indicate decibel (dB) levels</i>	<i>Residential</i>		<i>Commercial and Downtown Arts and Entertainment Focus Area</i>		<i>Industrial/ Manufacturing and Public Premises</i>	
	<i>Daytime</i>	<i>Nighttime</i>	<i>Daytime</i>	<i>Nighttime</i>	<i>Daytime</i>	<i>Nighttime</i>
Residential	60	55	70	65	80	75
Commercial and Downtown Arts and Entertainment Focus Area	60 (indoor ) 65 (outdoor)	55 (indoor ) 60 (outdoor)	70	65	80	75
Industrial/Manufacturing and Public Premises	60 (indoor ) 65 (outdoor)	55 (indoor ) 60 (outdoor)	70	65	80	75

(C) No person shall allow an animal in his possession or control to persistently or continuously bark, howl or make noise common to its species, or otherwise to disturb the peace and quiet of the inhabitants of the city, or otherwise endanger the health and welfare of the inhabitants of the city. This provision shall not apply to public zoos and approved and properly zoned animal shelters as defined in the Humane and Ethical Animal Rules and Treatment Ordinance.

(D) Except for work authorized by a governmental body or agency, no person shall, on or within 500 feet of any noise-sensitive property, operate or cause to be operated any equipment used in construction, repair, alteration, excavation, grading or demolition work on buildings, structures, streets, alleys or appurtenances thereto:

(1) With sound-control devices less effective than those provided on the original equipment; and without using noise mitigation measures.

(2) On Sundays or holidays or between 10:00 p.m. and 6:00 a.m., without first obtaining a Temporary Construction Noise Permit as described in § 9-9-5.

(74 Code, § 6-22-14) (Ord. 21- 1975; Am. Ord. 30-1981; Am. Ord. 9-2001; Am. Ord. 2017-002)

**§ 9-9-5 TEMPORARY PERMITS FOR AMPLIFIED SOUND OR CONSTRUCTION NOISE.**

(A) The Mayor may grant a temporary permit which allows non-compliance with the limitations prescribed in this article for the purpose of amplified sound or construction noise activities of short duration.

(B) Permits shall be granted upon application, at no cost to applicant, provided an initial evaluation indicates that the permit will not result in a condition injurious to health or safety.



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- ✓ 64.7 dB



**EXHIBIT D**





