



COMPLETED 01/12/10 ~~St~~
DRB CASE ACTION LOG (PRELIMINARY/FINAL)
 REVISED 10/08/07

This sheet must accompany your plat or site plan to obtain delegated signatures. Return sheet with site plan/plat once comments are addressed.

DRB Application No.: 09DRB-70373 Project # 1007880
 Project Name: BRENTWOOD HILLS
 Agent: ARCH & PLAN LAND USE CONSULT. Phone No.:

Your request was approved on 12-16-09 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

TRANSPORTATION: - Exhibit with dimensions

UTILITIES:

CITY ENGINEER / AMAFCA:

PARKS / CIP:

PLANNING (Last to sign): . dxf file

Planning must record this plat. Please submit the following items:

- The original plat and a mylar copy for the County Clerk.
- Tax certificate from the County Treasurer.
- Recording fee (checks payable to the County Clerk). **RECORDED DATE:** _____
- Tax printout from the County Assessor.

- 3 copies of the approved site plan. Include all pages.**
- County Treasurer's signature must be obtained prior to the recording of the plat with the County Clerk.**
- Property Management's signature must be obtained prior to Planning Department's signature.**

~~AGIS DXF File approval required.~~
 ~~Copy of recorded plat for Planning.~~

Created On:

7880

DXF Electronic Approval Form

DRB Project Case #: 1007880

Subdivision Name: BRENTWOOD HILLS BLOCK 14 LOTS 1A1 & 2A1

Surveyor: ANTHONY L HARRIS

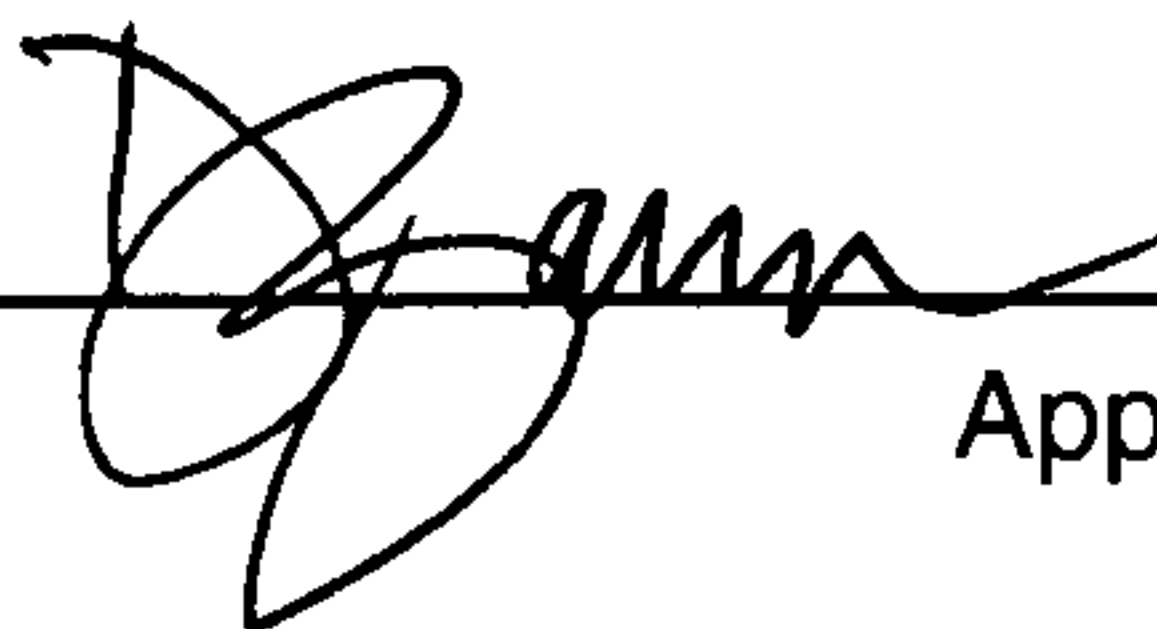
Contact Person: ANTHONY L HARRIS

Contact Information: 889-8056

DXF Received: 12/23/2009

Hard Copy Received: 12/23/2009

Coordinate System: Ground rotated to NMSP Grid


Approved

12-30-2009
Date

* The DXF file cannot be accepted (at this time) for the following reason(s):

AGIS Use Only
Copied fc 7880 to agiscov on 12/30/2009 Contact person notified on 12/30/2009



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1007880

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Starred

Chats

Sent Mail

Drafts

All Mail

Spam

Trash

Contacts

Sarah Gibson

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Personal

Receipts

Travel

Work

Edit labels

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Image Analysis for ArcGIS - www.IDL-ENVI.com/ENVIEX - Easy-to-use image analysis software intergr. Sponsored Link

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Project No. 1007880 Inbox

"Zamora, David M." <dmzamora@cabq.gov> show details 12/30/09 (5 days ago) Reply

New window

Print all

The .dxf file for Project No. 1007880 has been approved.

David M. Zamora
GIS Coordinator - AGIS
City of Albuquerque
Planning Department
924-3929 phone
924-3812 fax
www.cabq.gov/gis
dmzamora@cabq.gov

Spons

ITZ - Family/Fo
Games-Rides-M
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GIS Consulting
GIS Consulting &
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GIS Consultant)

About

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7880

DXF Electronic Approval Form

DRB Project Case #: 1007880

Subdivision Name: BRENTWOOD HILLS BLOCK 14 LOTS 1A1 & 2A1

Surveyor: ANTHONY L HARRIS

Contact Person: ANTHONY L HARRIS

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12.23.2009
Date

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REVISED 10/08/07

This sheet must accompany your plat or site plan to obtain delegated signatures. Return sheet with site plan/plat once comments are addressed.

DRB Application No.: 09DRB-70373 Project # 1007880
Project Name: BRENTWOOD HILLS
Agent: ARCH & PLAN LAND USE CONSULT. Phone No.:

Your request was approved on 12-16-09 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

TRANSPORTATION: - Exhibit with dimensions

UTILITIES:

CITY ENGINEER / AMAFCA:

PARKS / CIP:

PLANNING (Last to sign): . dxf file

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 - Tax printout from the County Assessor.
 - 3 copies of the approved site plan. Include all pages.**
 - County Treasurer's signature must be obtained prior to the recording of the plat with the County Clerk.**
 - Property Management's signature must be obtained prior to Planning Department's signature.**
 - AGIS DXF File approval required.**
 - Copy of recorded plat for Planning.**

Created On:

3. ~~Project# 10078807~~
09DRB-70373 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL
ARCH & PLAN LAND USE CONSUL agent(s) for MANZANO MEADOWS LLC request(s) the above action(s) for all or a portion of Lot(s) 1A & 2A, **BRENTWOOD HILLS** zoned 0-1 (1A) & P-R (2A), located on MENAUL NE BETWEEN TRAMWAY NE AND TOWNER NE containing approximately 0.424 acre(s). (H-22) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION FOR DIMENSIONAL EXHIBIT AND TO PLANNING FOR AGIS DXF FILE.**

4. **Project# 1008087**
09DRB-70372 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL
TIERRA WEST LLC agent(s) for PENN STATION PARTNERS I NM, LLC request(s) the above action(s) for all or a portion of Lot(s) 1 & 2, Block(s) 2, **SOMBA DEL MONTE ADDITION** zoned C-2, located on MENAUL BETWEEN PENNSYLVANIA AND RHODE ISLAND containing approximately 0.3785 acre(s). (H-19)**DEFERRED TO 12/23/09 AT THE AGENT'S REQUEST.**

5. **Project# 1007690**
09DRB-70341 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL
RHOMBUS CONSULTING agent(s) for RON ROMERO request(s) the above action(s) for all or a portion of Lot(s) 20-24, Block(s) Q, **ATLANTIC AND PACIFIC ADDITION**, zoned SU-2 FOR SU-1 BAKERY, located on ATLANTIC AVE SW BETWEEN 4TH ST SW AND 5TH ST SW containing approximately .2752 acre(s). (K-14) *[Deferred from 12/2/09, 12/9/09].* **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF FILE.**

NO ACTION IS TAKEN ON THESE CASES:APPLICANT - AGENT IS REQUIRED TO BE AT THE MEETING

6. **Project# 1007885**
09DRB-70375 SKETCH PLAT REVIEW
AND COMMENT
NATIONAL PARK SERVICE request(s) the above action(s) for all or a portion of **LAVA SHADOWS** zoned RD, located on UNSER BLVD NW AT WESTERN TRAIL BLVD NW (F-10)**THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**

7. **Project# 1008089**
09DRB-70376 SKETCH PLAT REVIEW
AND COMMENT
COMMUNITY SCIENCES CORP agent(s) for KCRW PROPERTIES, LLC request(s) the above action(s) for all or a portion of **VISTA DE LA LUZ SUBDIVISION, LA LUZ DEL OESTE SUBDIVISION**, zoned SU-1 PRD, located on COSTA MARESME DR NW BETWEEN SEVILLA AVE NW AND COORS BLVD NW containing approximately 4.2694 acre(s). (F-11) **THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**

8. Other Matters: None
ADJOURNED: 9:35

City of Albuquerque Planning Department
One Stop Shop – Development and Building Services

12/04/2009 Issued By: PLNSDH 62803

.....
Permit Number: 2009 070 373 **Category Code 910**

Application Number: 09DRB-70373, Minor - Preliminary/ Final Plat Approval

Address:

Location Description: MENAUL NE BETWEEN TRAMWAY NE AND TOWNER NE

Project Number: 1007880

Applicant

Manzano Meadows Llc

1336 Wyoming Blvd Ne Ste B
Albuquerque NM 87112

Agent / Contact

Arch & Plan Land Use Consul

Po Box 25911
Albuquerque NM 87125
980-8385

Application Fees

441018/4971000	Public Notification	
441032/3424000	Conflict Mgmt Fee	\$20.00
441006/4983000	DRB Actions	\$285.00
TOTAL:		\$305.00

City Of Albuquerque
Treasury Division

12/4/2009 10:29AM LOC: ANNX
WS# 007 TRANS# 0006
RECEIPT# 00124312-00124312
PERMIT# 2009070373 TRSCXG
Trans Amt \$305.00
Conflict Manag. Fee \$20.00
DRB Actions \$285.00
AM \$305.00
CHANGE \$0.00

Thank You

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

SUBDIVISION

- Major Subdivision action
- Minor Subdivision action
- Vacation
- Variance (Non-Zoning)

SITE DEVELOPMENT PLAN

- for Subdivision
- for Building Permit
- Administrative Amendment (AA)
- IP Master Development Plan
- Cert. of Appropriateness (LUCC)

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

Supplemental form

S Z ZONING & PLANNING

- Annexation
- County Submittal
- EPC Submittal
- Zone Map Amendment (Establish or Change Zoning)
- Sector Plan (Phase I, II, III)
- Amendment to Sector, Area, Facility or Comprehensive Plan
- Text Amendment (Zoning Code/Sub Regs)
- Street Name Change (Local & Collector)
- L A APPEAL / PROTEST of...**
 - Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2nd Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICATION INFORMATION:

Professional/Agent (if any): ARCH + PLAN LAND USE CONSL. PHONE: 505.900.8365
 ADDRESS: P.O. BOX 25911 FAX: 505.563.5501
 CITY: ALBUQUERQUE STATE NM ZIP 87125 E-MAIL: arch.plan@comcast.net

APPLICANT: MANZANO MEADOWS LLC PHONE: _____
 ADDRESS: 1336 WYOMING NE, SUITE B FAX: _____
 CITY: ALBUQUERQUE STATE NM ZIP 87112 E-MAIL: _____
 Proprietary interest in site: OWNER List all owners: _____

DESCRIPTION OF REQUEST: SHIFT LOT LINE 20 FEET SOUTH TO MATCH ZONING BOUNDARY

Is the applicant seeking incentives pursuant to the Family Housing Development Program? Yes. No.

SITE INFORMATION: ACCURACY OF THE EXISTING LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.

Lot or Tract No. 1A & 2A Block: 4 Unit: _____
 Subdiv/Addn/TBKA: BRENTWOOD HILLS
 Existing Zoning: O-1 (1A) & P-R (2A) Proposed zoning: - MRGCD Map No _____
 Zone Atlas page(s): H-22 UPC Code: 1-022-059-533-300-103-10

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX, Z, V, S, etc.):
EPC PROJECT # 1007880 & ZHE 80353

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? _____
 No. of existing lots: 2 No. of proposed lots: 2 Total area of site (acres): .424±
 LOCATION OF PROPERTY BY STREETS: On or Near: MENALL NE
 Between: TRAMWAY NE and MENARD TOWER NE
 Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-application Review Team Date of review: _____

SIGNATURE Derrick Archuleta DATE 12.4.09
 (Print) DERRICK ARCHULETA Applicant: Agent:

FOR OFFICIAL USE ONLY

Form revised 4/07

- INTERNAL ROUTING
- All checklists are complete
- All fees have been collected
- All case #s are assigned
- AGIS copy has been sent
- Case history #s are listed
- Site is within 1000ft of a landfill
- F.H.D.P. density bonus
- F.H.D.P. fee rebate

Application case numbers

09DRB 70373

Action

PAF
CME

S.F.

5(3)

Fees

\$ 285.00
\$ 20.00

Total

\$ 305.00

Hearing date

12/16/09

Sandy Handley
Planner signature / date 12/04/09

Project #

1007880

FORM S(3): SUBDIVISION - D.R.B. MEETING (UNADVERTISED) OR INTERNAL ROUTING

A Bulk Land Variance requires application on FORM-V in addition to application for subdivision on FORM-S.

SKETCH PLAT REVIEW AND COMMENT (DRB22) **Your attendance is required.**

- Scale drawing of the proposed subdivision plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- List any original and/or related file numbers on the cover application

EXTENSION OF MAJOR PRELIMINARY PLAT (DRB08) **Your attendance is required.**

- Preliminary Plat reduced to 8.5" x 11"
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Copy of DRB approved infrastructure list
- Copy of the LATEST Official DRB Notice of approval for Preliminary Plat Extension request
- List any original and/or related file numbers on the cover application

Extension of preliminary plat approval expires after one year.

MAJOR SUBDIVISION FINAL PLAT APPROVAL (DRB12) **Your attendance is required.**

- Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Signed & recorded Final Pre-Development Facilities Fee Agreement for Residential development only
- Design elevations & cross sections of perimeter walls **3 copies**
- Zone Atlas map with the entire property(ies) clearly outlined
- Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
- Copy of recorded SIA
- Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
- List any original and/or related file numbers on the cover application
- DXF file and hard copy of final plat data for AGIS is required.

MINOR SUBDIVISION PRELIMINARY/FINAL PLAT APPROVAL (DRB16) **Your attendance is required.**

- ~~N/A~~ 5 Acres or more: Certificate of No Effect or Approval
- Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies** for unadvertised meetings ensure property owner's and City Surveyor's signatures are on the plat prior to submittal
- ~~N/A~~ Signed & recorded Final Pre-Development Facilities Fee Agreement for Residential development only
- ~~N/A~~ Design elevations and cross sections of perimeter walls (11" by 17" maximum) **3 copies**
- Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
- Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
- Fee (see schedule)
- List any original and/or related file numbers on the cover application
- Infrastructure list if required (**verify with DRB Engineer**)
- DXF file and hard copy of final plat data for AGIS is required.

AMENDMENT TO PRELIMINARY PLAT (with minor changes) (DRB03) **Your attendance is required.**

PLEASE NOTE: There are no clear distinctions between significant and minor changes with regard to subdivision amendments. Significant changes are those deemed by the DRB to require public notice and public hearing.

- Proposed Amended Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
- List any original and/or related file numbers on the cover application

Amended preliminary plat approval expires after one year

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

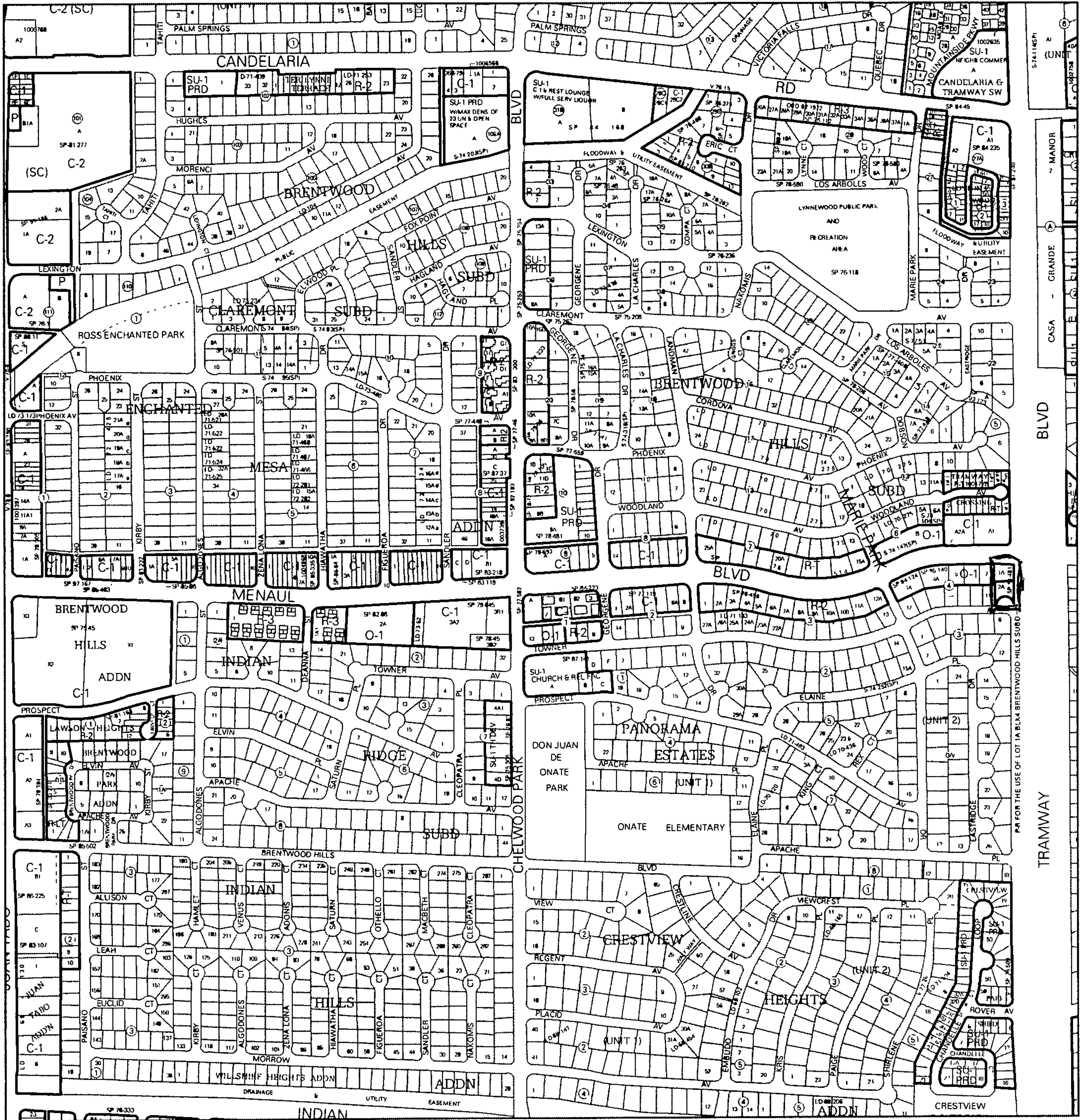
Paul Droege
Applicant name (print)
Paul Droege 12/4/09
Applicant signature / date




- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

Application case numbers
04DRB - 70373

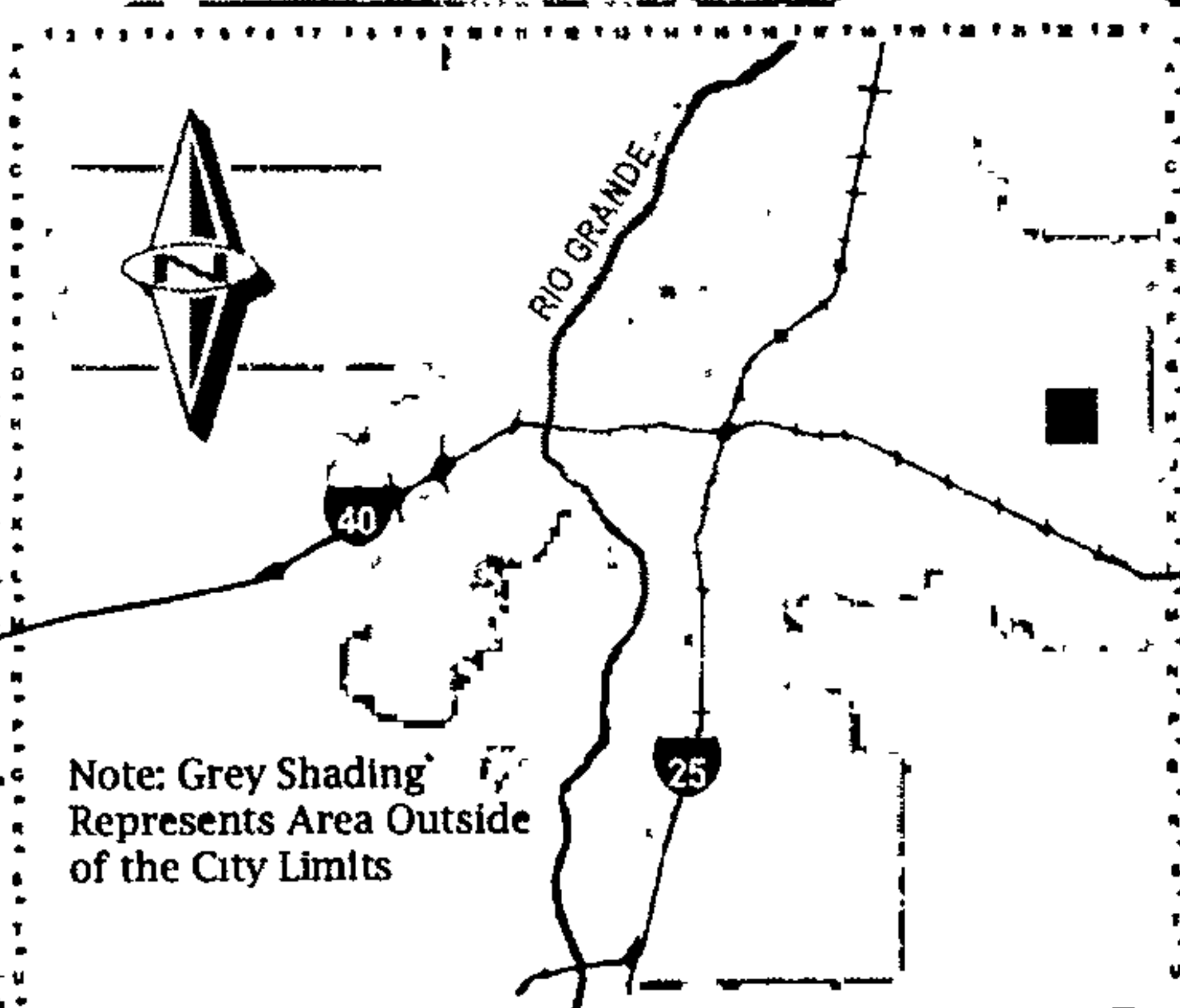
Form revised October 2007
Sandy Handley 12/04/09
Planner signature / date
Project # 100 7880



For more current information and more details visit: <http://www.cabq.gov/gis>






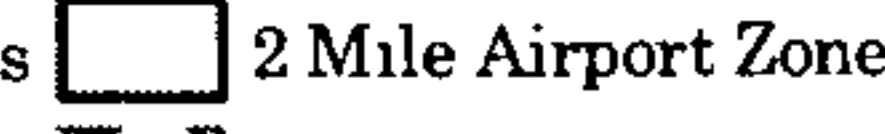

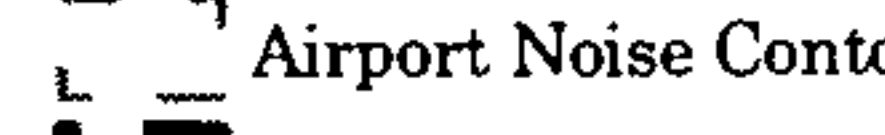

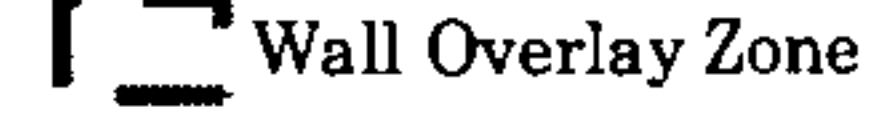
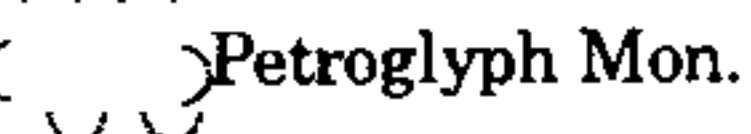
Map amended through: 6/5/2009




Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
H-22-Z

Selected Symbols

	SECTOR PLANS		Escarpment
	Design Overlay Zones		2 Mile Airport Zone
	City Historic Zones		Airport Noise Contours
	H-1 Buffer Zone		Wall Overlay Zone
	Petroglyph Mon.		



0 750 1,500 Feet

ARCH+PLAN LAND USE CONSULTANTS, LLC

6565 AMERICAS PARKWAY NE, SUITE 200 ALBUQUERQUE NM 87110
P. 505.980.8365 F. 505.508.5022
E. ARCH.PLAN@COMCAST.NET W. WWW.ARCHPLAN.ORG

December 4, 2009

Mr. Jack Cloud, Chair
Development Review Board
City of Albuquerque Planning Department
600 Second Street NW
Albuquerque NM 87102

Dear Chair Cloud and members of the Development Review Board:

ARCH+PLAN Land Use Consultants LLC, agent for Manzano Meadows LLC respectfully request approval of a subdivision for Tracts 1-A and 2-A, Block 4 of the Brentwood Hills Subdivision. The address is 12514 Menaul Boulevard NW on the southwest corner of Menaul Boulevard and Tramway Boulevard. The applicant would like to relocate the parcel boundary 20 feet south to accommodate a new addition to an existing building. The application consists of two parcels, Tract 1-A which is zoned O-1 (Office) and Tract 2-A which is zoned P-R (Parking Reserve). Both tracts have historically been under one ownership and function in that manner with the P-R zoned parcel supporting parking for the O-1 zoned parcel since 1993. The total acreage of both tracts is 0.424± acres.

Design Power Associates (DPA) has been part of the Albuquerque business community since 1991 and is seeking to relocate to this location. The company is engaged in the sale of electrical power equipment and related services. Specifically, DPA sells products that improve energy control and management, reduce energy waste and enhance or enable the use of renewable and alternative sources of electrical energy. They also feature many products that provide substantial improvements in the safety of electrical power infrastructure. DPA enhances the Albuquerque community by encouraging and enabling businesses and institutions to save and reduce electrical power waste, thereby decreasing those entities' environmental impact while simultaneously enhancing their economic viability. Additionally, the safety improvements in DPA products reduce hazards posed by electrical power, thereby improving the overall safety and quality of life where those products are used.

Serving primarily commercial, industrial and utility customers, DPA sells customized, technically complex made-to-order power equipment that typically is at the heart of their client's facility and critical to its efficiency and productivity. Key customers of DPA have included both Sandia and Los Alamos National Laboratories, Emcore, Intel, the City of Albuquerque, the National Enrichment Facility, the University of New Mexico, PNM, Kirtland Air Force Base, plus many other notable businesses and institutions.

The application is not requesting an additional parcel, just to relocate the existing lot line. The relocation of the O-1 zoning boundary 20 feet south into the P-R zoned parcel was approved on November 19, 2009 by the Environmental Planning Commission (Project #1007880). It is intended to correspond with a new lot line which will accommodate required setbacks for the new addition to the existing building.

The shifting of the lot line doesn't anticipate any adverse effects since the uses will continue to remain office thereby maintaining stability of zoning and land uses in the immediate area.

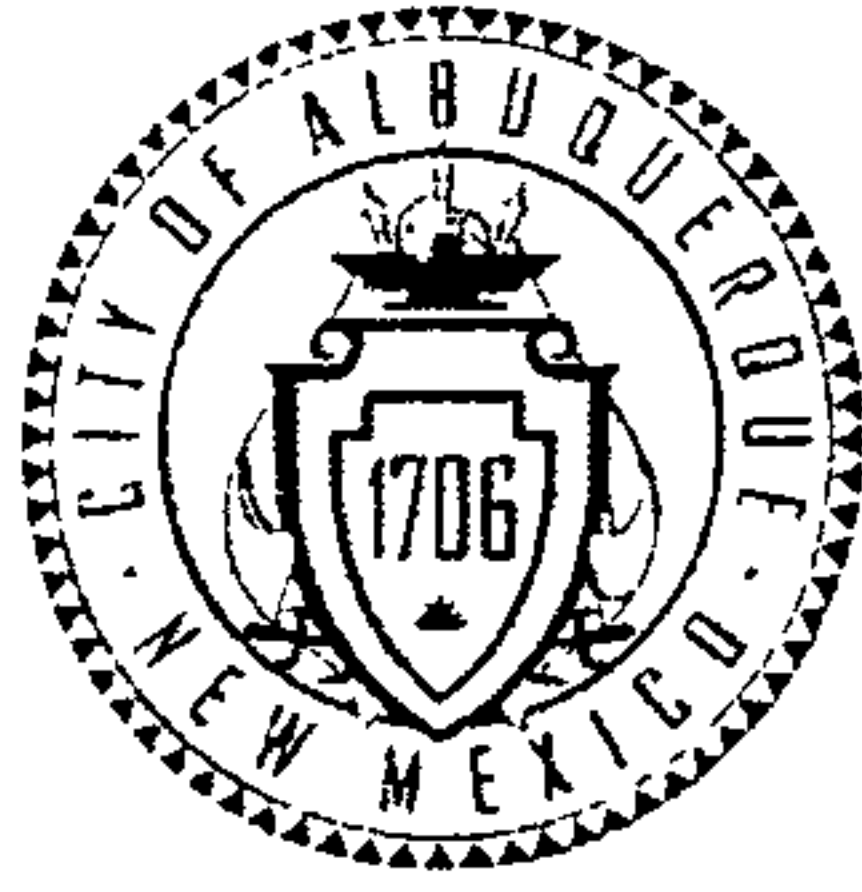
The property currently contains an office building which was historically built as a single family residence. The applicant would like to redesign the floor plan to function more as an office building rather than a converted single family residence. The desired redesign includes additional square footage which would cross the existing property line and zoning boundary.

We appreciate your consideration of this request.

Sincerely,

A handwritten signature in black ink that reads "Derrick Archuleta". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Derrick Archuleta



City of Albuquerque
Planning Department
Current Planning Division
P.O. Box 1293
Albuquerque, New Mexico 87103

Date: November 20, 2009

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project # 1007880**
09EPC-40058 AMNDT TO ZONE MAP (ESTB
ZONING/ZONE CHG)

Manzano Meadows LLC
1336 Wyoming NE
Suite B
Albuquerque, NM 87112

LEGAL DESCRIPTION: ARCH & PLAN
LAND USE CONSULTANTS agents for
MANZANO MEADOWS LLC request the above
action for all or a portion of lots 1-A & 2-A, block
4, BRENTWOOD HILLS zoned O-1 (1-A) and
P-R (2-A) to SAME located on SW CORNER OF
MENAUL BLVD NE AND TRAMWAY NE
containing approximately .424 acre(s). (H-22)
Carol Toffaleti, Staff Planner

On November 19, 2009 the Environmental Planning Commission voted to APPROVE Project 1007880 / 09EPC-40058, a zone map amendment for all or a portion of lots 1-A & 2-A, block 4, BRENTWOOD HILLS zoned O-1 (1-A) and P-R (2-A), based on the following Findings and subject to the following Condition:

FINDINGS:

1. The request is to shift the zoning boundary between Tract 1-A, zoned O-1, and Tract 2-A, zoned P-R, in Block 4, Brentwood Hills Subdivision, a site of approximately 0.41 acres, located on the southwest corner of Menaul and Tramway Blvd. NE. The boundary between the two zones would shift 20' south of, and parallel to, its current location.
2. The applicant is relocating from another site in the Northeast Heights, to allow for expansion of their business supplying equipment to companies and institutions for controlling energy use and improving electrical safety. Sales are primarily over the phone and internet, and the orders are drop-shipped by various suppliers to clients' premises.
3. The site is in the Established Urban Area of the Comprehensive Plan and adjacent to Menaul Blvd., an Enhanced Transit Corridor, and to Tramway Blvd., an Express Corridor.

The request will maintain the existing zoning designations and only slightly change the proportion of land uses on the site, which will not destabilize land use and zoning in the area. The applicant has adequately justified the change.

- C. A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other city master plans and amendments there, to, including privately developed area plans which have been adopted by the city.

The request does not conflict with applicable goals and policies of the Comprehensive Plan, as cited and discussed by the applicant, including: Established Urban Area goal and policies II.B.5.d and k, the Transportation and Transit goal and Economic Development policies II.D.6.a and b.

- D. The applicant must demonstrate that the existing zoning is inappropriate because:

1. There was an error when the existing zone map pattern was created; or
2. Changed neighborhood or community conditions justify the change; or
3. A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other city master plan, even though (D)(1) or (D)(2) above do not apply.

The zone change is more advantageous to the community under 3., as articulated in the goals and policies of the Comprehensive Plan cited in Section C. It maintains the zoning that is already familiar to the area, but also allows a business to expand and create new jobs on a site with multi-modal access. The economic benefits can accrue to the community without adversely affecting the adjacent residential environment.

- E. A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the community.

The request does not change the zoning designations, and therefore the permissive uses on the site, which have been in place since the early 1990s. The site is also on a corner lot and only abuts one R-1 property. The request will extend the O-1 zone along 20 ft of this property, which should not be harmful to it and the wider neighborhood.

- F. A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the city may be:

1. Denied due to lack of capital funds; or
2. Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule.

The proposed expansion of the O-1 zone will not require capital expenditures by the City, as the site is already adequately served by the existing infrastructure.

- G. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

Economic considerations are not the determining factor for the change.

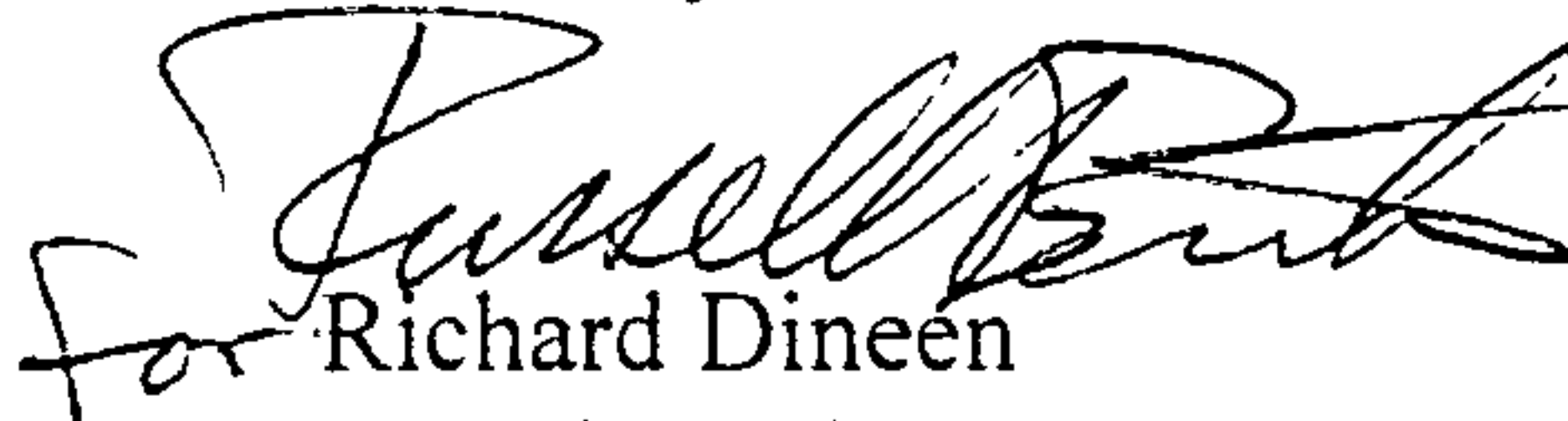
Appeal to the City Council: Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department within 15 days of the Planning Commission's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If they decide that all City plans, policies and ordinances have not been properly followed, they shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

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Deferral requests by the applicant for map amendments and site development plans are subject to a \$110 fee per item (Zoning Code Section 14-16-4-1(B)). Failure of the applicant to pay such fees and provide proof of payment prior to the date the case(s) are deferred to may result in further deferral of the item(s) until the required fee(s) are paid.

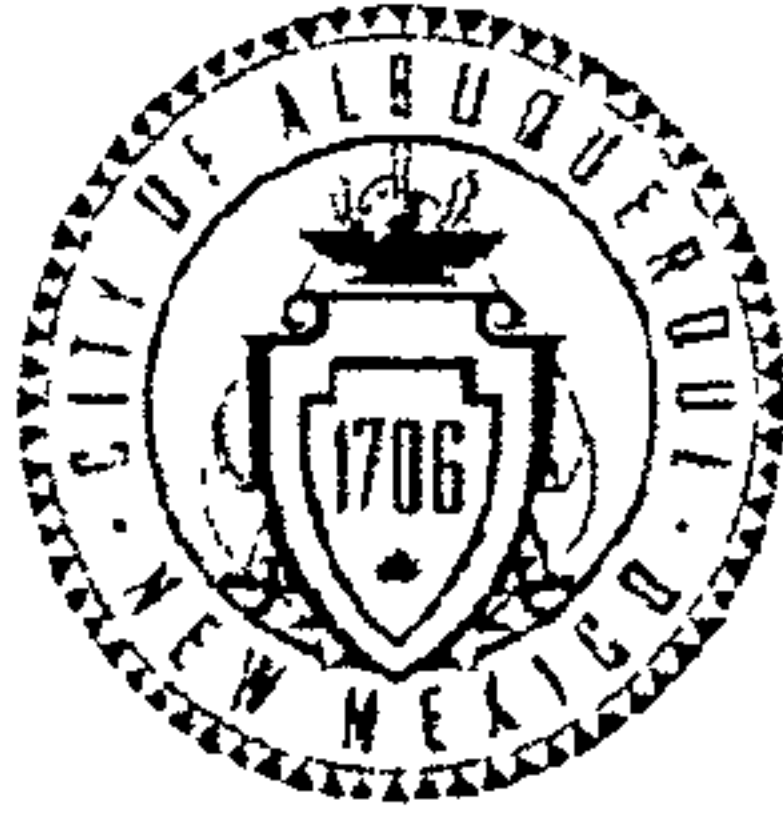
Successful applicants should be aware of the termination provisions for Site Development Plans specified in Section 14-16-3-11 of the Comprehensive Zoning Code. Generally plan approval is terminated 7 years after approval by the EPC.

Sincerely,


For Richard Dineen
Planning Director

RD/ /ma

cc: Arch & Plan Use Consultants, P.O. Box 25911, Albuquerque, NM 87125
Craig Colter, Cibola N.A., 2523 Callejon NE, Albuquerque, NM 87112
Randy Noah, Cibola N.A., 2808 Palo Alto NE, Albuquerque, NM 87112
David Waymire, Onate N.A., 1901 Shirlane NE, Albuquerque, NM 87112
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Don Couchman, District 8 Coalition of N.A.'s, 6441 Concordia NE, Albuquerque, NM 87111
Carole Pigaty, District 8 Coalition of N.A.'s, 7005 Sky Valley Way NE, Albuquerque, NM 87111



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

MANZANO MEADOWS, LLC (ARCH & PLAN
LAND USE CONSULTANTS, AGENT)
request(s) a special exception to Section 14-
16-2-27(A) and 14-16-2-26(B): a
CONDITIONAL USE to allow for a proposed
parking structure in a P-R zone on all or a
portion of Lot(s) 2A, Block(s) 4, BRENTWOOD
HILLS zoned P-R, located at 12514 MENAUL
BLVD NE (H22)

Special Exception No:..... **09ZHE-80353**
Project No:..... **Project# 1008024**
Hearing Date: 11-17-09
Closing of Public Record: 11-17-09
Date of Decision: 11-30-09

STATEMENT OF FACTS: The applicant, Manzano Meadows LLC, requests a conditional use to allow for a proposed parking structure in a P-R zone. Derrick Archuleta, agent for the applicant, testified that if approved a 960 square foot parking garage to accommodate employee parking would be built. The yellow sign was posted. There was no opposition to this request at the hearing, nor is there any opposition noted in the file.

Based on all of the testimony and a review of the entire file, it is determined there is substantial evidence to make the following findings and conclusions:

FINDINGS AND CONCLUSIONS: I find that this request complies with Section 14.16.4.2.(C).1., for the granting of a conditional use upon a finding that the proposed use will not cause injury to the neighborhood, adjacent property or the community, nor will it be damaged by surrounding structures. For reasons stated above, this request is approved.

DECISION: Approved.

The approval is subject to the submitted site plan, as required. Any substantial changes to the site plan, as determined by the Zoning Enforcement Division, shall require the scheduling of an additional Public Hearing.

If you wish to appeal this decision, you may do so by 5:00 p.m., on December 15, 2009 in the manner described below:

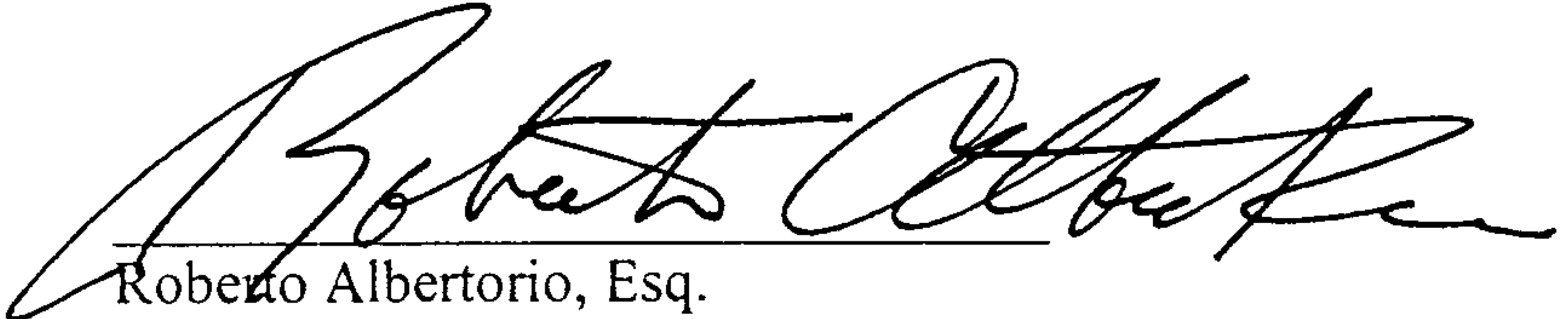
Appeal is to the Board of Appeals within 15 days of the decision. A filing fee of \$105.00 shall accompany each appeal application, as well as a written explanation outlining the reason for appeal and a copy of the ZHE decision. Appeals are taken at 600 2nd Street, Plaza Del Sol Building, Ground Level, Planning Application Counter located on the west side of the lobby. **Please present this letter of notification when filing an appeal.** When an application is withdrawn, the fee shall not be refunded.

An appeal shall be heard by the Board of Appeals within 45 days of the appeal period and concluded within 75 days of the appeal period. The Planning Division shall give written notice of an appeal, together with a notice of the date, time and place of the hearing to the applicant, a representative of the opponents, if any are known, and the appellant.

Please note that pursuant to Section 14.16.4.4.(B), of the City of Albuquerque Comprehensive Zoning Code, you must demonstrate that you have legal standing to file an appeal as defined.

You will receive notice if any other person files an appeal. If there is no appeal, you can receive building permits any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. However, the Zoning Hearing Examiner may allow issuance of building permits if the public hearing produces no objection of any kind to the approval of an application. To receive this approval, the applicant agrees in writing to return the building permit or occupation tax number.

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of a special exception is secured. This decision does not constitute approval of plans for a building permit. If your application is approved, bring this decision with you when you apply for any related building permit or occupation tax number. Approval of a conditional use or a variance application is void after one year from date of approval if the rights and privileges are granted, thereby have not been executed or utilized.



Roberto Albertorio, Esq.
Zoning Hearing Examiner

cc: Zoning Enforcement
ZHE File

Manzano Meadows, LLC, Paul Droege, 1336 Wyoming NE, Ste. B, 87112
Derick Archuleta, Arch & Plan Land Use Consultants, P.O. Box 25911, 87125



City of Albuquerque
Planning Department
Current Planning Division
P.O. Box 1293
Albuquerque, New Mexico 87103

Date: November 20, 2009

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project # 1007880**
09EPC-40058 AMNDT TO ZONE MAP (ESTB
ZONING/ZONE CHG)

Manzano Meadows LLC
1336 Wyoming NE
Suite B
Albuquerque, NM 87112

LEGAL DESCRIPTION: ARCH & PLAN
LAND USE CONSULTANTS agents for
MANZANO MEADOWS LLC request the above
action for all or a portion of lots 1-A & 2-A, block
4, BRENTWOOD HILLS zoned O-1 (1-A) and
P-R (2-A) to SAME located on SW CORNER OF
MENAUL BLVD NE AND TRAMWAY NE
containing approximately .424 acre(s). (H-22)
Carol Toffaleti, Staff Planner

On November 19, 2009 the Environmental Planning Commission voted to APPROVE Project 1007880 / 09EPC-40058, a zone map amendment for all or a portion of lots 1-A & 2-A, block 4, BRENTWOOD HILLS zoned O-1 (1-A) and P-R (2-A), based on the following Findings and subject to the following Condition:

FINDINGS:

1. The request is to shift the zoning boundary between Tract 1-A, zoned O-1, and Tract 2-A, zoned P-R, in Block 4, Brentwood Hills Subdivision, a site of approximately 0.41 acres, located on the southwest corner of Menaul and Tramway Blvd. NE. The boundary between the two zones would shift 20' south of, and parallel to, its current location.
2. The applicant is relocating from another site in the Northeast Heights, to allow for expansion of their business supplying equipment to companies and institutions for controlling energy use and improving electrical safety. Sales are primarily over the phone and internet, and the orders are drop-shipped by various suppliers to clients' premises.
3. The site is in the Established Urban Area of the Comprehensive Plan and adjacent to Menaul Blvd., an Enhanced Transit Corridor, and to Tramway Blvd., an Express Corridor.

4. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. A request by the same applicant for a conditional use to allow a parking structure on Tract 2-A was heard by the Zoning Hearing Examiner on November 17, 2009 (#1008024, 09ZHE-80353). The parking structure would enclose three existing parking spaces and include bicycle and motorcycle parking. The approval or non-approval of the parking structure will have no bearing on this case.
6. The amended P-R zone on Tract 1-B would continue to provide off-street parking for Tract 1-A zoned O-1, as per the original zone map amendment (Z-93-30, 4/15/1993).
7. The current proposal is accompanied by an illustrative site plan for informational purposes only. When the applicant applies for a building permit for the future building addition, the Planning Department will verify the development's compliance with applicable zoning regulations, including off-street parking and landscaping.
8. The request is consistent with the following goals and policies of the Comprehensive Plan:
 - a. It creates a minor change in the proportion of O-1 and P-R uses on the site and does not affect existing buffers, which respects neighborhood values and will not adversely affect the adjacent residential environment (Established Urban Area Policies II.B.5.d. and i.)
 - b. It maintains the livability and safety of the established residential neighborhood to the south and southwest, because it does not change the existing office use on the site and vehicular access from the arterial, Menaul Blvd. (Established Urban Area Policy II.B.5.k.)
 - c. It reinforces the efficient placement of employment relative to the circulation system, including the transit and trail network, and supports the creation of additional jobs adjacent to an Enhanced Transit Corridor (Transportation and Transit Goal and Policy II.D.4.b.)
 - d. It enables a local business enterprise to grow and create new job opportunities, without significantly changing the existing proportion of land uses or the layout of development on the site (Economic Development Goal and policies II.D.6.a and b.)
9. The zone map amendment is justified per R-270-1980:
 - A. A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the city.

The proposed southward shift of the boundary between the existing O-1 and P-R zones is compatible with surrounding land uses and does not place a burden on public facilities and services.

- B. Stability of land use and zoning is desirable; therefore the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the city to show why the change should not be made.

The request will maintain the existing zoning designations and only slightly change the proportion of land uses on the site, which will not destabilize land use and zoning in the area. The applicant has adequately justified the change.

- C. A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other city master plans and amendments there, to, including privately developed area plans which have been adopted by the city.

The request does not conflict with applicable goals and policies of the Comprehensive Plan, as cited and discussed by the applicant, including: Established Urban Area goal and policies II.B.5.d and k, the Transportation and Transit goal and Economic Development policies II.D.6.a and b.

- D. The applicant must demonstrate that the existing zoning is inappropriate because:
1. There was an error when the existing zone map pattern was created; or
 2. Changed neighborhood or community conditions justify the change; or
 3. A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other city master plan, even though (D)(1) or (D)(2) above do not apply.

The zone change is more advantageous to the community under 3., as articulated in the goals and policies of the Comprehensive Plan cited in Section C. It maintains the zoning that is already familiar to the area, but also allows a business to expand and create new jobs on a site with multi-modal access. The economic benefits can accrue to the community without adversely affecting the adjacent residential environment.

- E. A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the community.

The request does not change the zoning designations, and therefore the permissive uses on the site, which have been in place since the early 1990s. The site is also on a corner lot and only abuts one R-1 property. The request will extend the O-1 zone along 20 ft of this property, which should not be harmful to it and the wider neighborhood.

- F. A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the city may be:

1. Denied due to lack of capital funds; or
2. Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule.

The proposed expansion of the O-1 zone will not require capital expenditures by the City, as the site is already adequately served by the existing infrastructure.

- G. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

Economic considerations are not the determining factor for the change.

- H. Location on a collector or major street is not in itself sufficient justification for apartment, office, or commercial zoning.

The site is located on two major streets, but this is not the primary reason for the zoning request. The O-1 zone already exists and the proposed use is not dependent on customers accessing the office.

- I. A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:

1. The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

The change does not constitute a spot zone, as it only shifts the boundary between two existing zones, O-1 and P-R. The P-R zone may be considered a spot zone, but it already exists and was approved to support the O-1 zone and protect the adjoining residential environment.

- J. A zone change request, which would give a zone different from surrounding zoning to a strip of land along a street is generally called "strip zoning." Strip commercial zoning will be approved only where:

1. The change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan; and
2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

The request does not alter the existing zoning in the area. The site anchors the east end of a strip of O-1 zoning along the south side of Menaul Blvd. It will continue to function as a transition between the residential zone and two major streets, Menaul and Tramway.

10. Property-owners within 100 ft. of the site, the Cibola and Oñate Neighborhood Associations (NAs) and the District 8 Coalition of NAs were notified. A letter of support was received from the Oñate NA. There is no known opposition to the request.

CONDITION:

1. A replat within 6 months, to align the lot line between Tracts 1-A and 1-B with the new zone boundary.

APPEAL: IF YOU WISH TO APPEAL A FINAL DECISION, YOU MUST DO SO BY DECEMBER 4, 2009 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED.

Appeal to the City Council: Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department within 15 days of the Planning Commission's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If they decide that all City plans, policies and ordinances have not been properly followed, they shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

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Sincerely,

Richard Dineen
Planning Director

RD/ /ma

cc: Arch & Plan Use Consultants, P.O. Box 25911, Albuquerque, NM 87125
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Carole Pigaty, District 8 Coalition of N.A.'s, 7005 Sky Valley Way NE, Albuquerque, NM 87111

PARKING CALCULATIONS:

Net Leasable Areas:
 Ground Floor Area = 2449 sf
 Original = 1444 sf
 Addition = 950 sf
 Upper Floor Area = 1228 sf
 Original = 1228 sf

Parking Required =
 Ground Floor = 2449 sf / 200 = 12.20
 Upper Floor = 1240 sf / 300 = 4.0
 Total required spaces = 16

Spaces Provided = 16 spaces
 MC = Motorcycle Spaces - 2 provided

LANDSCAPING CALCULATIONS:

Total Lot Area = 18,473 sf (4236ac)
 Buildings Footprint = 3457 sf
 Net Lot Area = 14,986 sf

Landscape Area Required
 = 14,986 * .15
 = 2,248 sf

Landscape Area Provided =
 = 6,711 sf

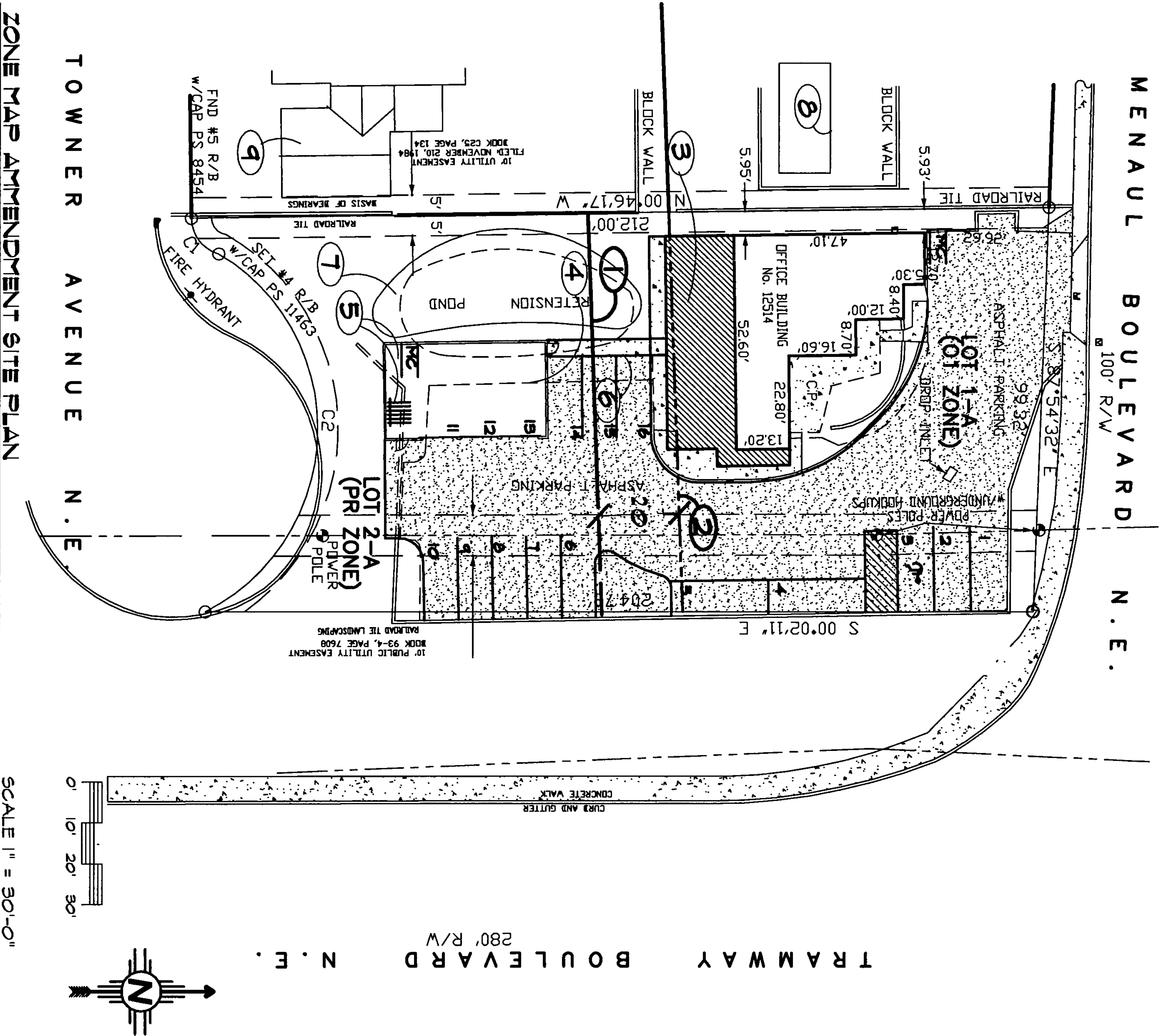
KEYED NOTES:

- 1 PROPOSED LOT RELOCATED 20' SOUTH
- 2 EXISTING LOT LOT
- 3 PROPOSED BUILDING ADDITION
- 4 PROPOSED 3 CAR PARKING GARAGE TO MATCH EXISTING BUILDING IN DESIGN, CONSTRUCTION, AND FINISH.
- 5 SECURE BICYCLE / MOTORCYCLE PARKING SPACES
- 6 ENLARGED ASPHALT PARKING AREA
- 7 RECONFIGURED PONDING AREA
- 8 EXISTING ADJACENT CELL TOWER
- 9 ADJACENT RESIDENCE GARAGE

GENERAL NOTES:

CONFIGURATIONS, EXTENTS, AND LOCATIONS OF ADDITION AND GARAGE ARE PRESENTED AS INFORMATIONAL ONLY RELATIVE TO THIS PROPOSED ZONE MAP AMENDMENT AND ARE SUBJECT TO CHANGE AND REFINEMENT.

FINAL CONFIGURATIONS, EXTENTS, AND LOCATIONS SHALL BE PROVIDED AT TIME OF BUILDING PERMIT PLAN REVIEW SUBMISSION AND SHALL CONFORM TO ZONING REQUIREMENTS OF THE RESPECTIVE ZONES OF THE PROPERTY.



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Zone Atlas Amendment Plan

DESIGNED POWER OFFICES
 12514 MENAUL BLVD, NE
 ALBUQUERQUE, NM 87112

job no: 09-007
 drafter: jdh
 checked: CHK
 date: 11/10/09

CORE, Ltd
 Architecture

5924 ANAHEIM AVE., NE SUITE A
 ALBUQUERQUE, NM 87113
 P: 505-796-0894
 F: 505-796-0896

A-1.0