



### **DEVELOPMENT REVIEW APPLICATION**

Effective 7/18/23

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	dministrative Decisions Decisions Requiring a Public Meeting or Hearing			Policy Decisions				
☐ Archaeological Certificate (Form P3		☐ Site Plan – EPC including any Variances – EPC (Form P1)			☐ Add Plan o	☐ Adoption or Amendment of Comprehensive Plan or Facility Plan (Form Z)		
☐ Historic Certificate of Appropriatene (Form L)	ess – Minor	Maste	er Development Pla	n (Form P1)		option or Amendment of nation (Form L)	Historic	
☐ Alternative Signage Plan (Form P3)	,	Histo orm L		oropriateness – Major	□ Ame	endment of IDO Text (Fo	orm Z)	
XXMinor Amendment to Site Plan (	Form	Demo	olition Outside of HF	PO (Form L)	☐ Annexation of Land (Form Z)			
<del>P3)</del> □ WTF Approval <i>(Form W1)</i>		Histo	ric Design Standard	s and Guidelines (Form L)			– EPC (Form Z)	
☐ Alternative Landscaping Plan (Form		Wirel Form W		ations Facility Waiver	□ Ame	☐ Amendment to Zoning Map – Council (Form Z)		
					Appea	ls		
					□ Dec (Form	sision by EPC, DHO, LC A)	, ZHE, or City Staff	
APPLICATION INFORMATION	-				=			
Applicant:					Ph	one:		
Address:					Em	nail:		
City:				State:	Zip	:		
Professional/Agent (if any):					Phone:			
Address:					Email:			
City:				State:	Zip:			
Proprietary Interest in Site:				List all owners:				
BRIEF DESCRIPTION OF REQUEST								
Administrative Amendr	ment to an ex	kistin	g Site Developm	nent Plan to allow a 6 t	oot me	etal fence		
SITE INFORMATION (Accuracy of the	e existing lega	l desc	cription is crucial!	Attach a separate sheet if	necessa	nry.)		
Lot or Tract No.:			Block:			Unit:		
Subdivision/Addition:			MRGCD Map No.:			UPC Code:		
Zone Atlas Page(s):			Existing Zoning:			Proposed Zoning:		
# of Existing Lots:			# of Proposed Lots:			Total Area of Site (acres):		
LOCATION OF PROPERTY BY STREETS								
Site Address/Street: Between:					and:			
CASE HISTORY (List any current or	prior project a	nd cas	se number(s) that i	may be relevant to your re	quest.)			
Signature: Carl Garcia				Date:				
Printed Name:						Applicant or   Agent		
FOR OFFICIAL USE ONLY								
Case Numbers	Action		Fees	Case Numbers		Action	Fees	
Meeting/Hearing Date:				Fee Total:				
Staff Signature:				Date:	Pro	oject #		

FORM P3 Page 1 of 3

#### FORM P3: ADMINISTRATIVE DECISIONS AND MINOR AMENDMENTS

### \_ ARCHAEOLOGICAL CERTIFICATE

A Single PDF file of the complete application including all documents being submitted must be emailed to <a href="PLNDRS@cabq.gov">PLNDRS@cabq.gov</a> 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 to City Staff using other online resources such as Dropbox or FTP. The PDF shall be organized in the number order below.

1) Development Review application form completed, signed, and dated
2) Form P3 with all the submittal items checked/marked
3) Zone Atlas map with the entire site clearly outlined and labeled
4) Letter of authorization from the property owner if application is submitted by an agent
5) Archaeological Compliance Form with property information section completed
6) Only the information above is required unless the City Archaeologist determines that the application does not qualify for a Certificate of No Effect, in which case a treatment plan prepared by a qualified archaeologist that adequately mitigates any archeological impacts of the proposed development must be submitted and reviewed for a Certificate of Approval per the criteria in IDO Section 14-16-6-5(A)(3)(b)
_ MINOR AMENDMENT TO SITE PLAN – ADMIN, EPC, or DRB
A Single PDF file of the complete application including all documents being submitted must be emailed to <a href="https://example.com/PLNDRS@cabq.gov">PLNDRS@cabq.gov</a> 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 to City Staff using other online resources such as Dropbox or FTP. <a href="https://example.com/PTF.2666">The PDF shall be organized in the number order below.</a>
1) Development Review application form completed, signed, and dated
2) Form P3 with all the submittal items checked/marked
3) Zone Atlas map with the entire site clearly outlined and labeled
4) Letter of authorization from the property owner if application is submitted by an agent
5) Justification letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-4(Y)(2)
6) The approved Site Plan being amended
7) Copy of the Official Notice of Decision associated with the prior approval
8) The proposed Site Plan, with changes circled and noted  Refer to the Site Plan Checklist for information need on the proposed Site Plan  Minor Amendments be within the thresholds established in IDO Table 6-4-4. Any amendment beyond these thresholds is

considered a Major Amendment and must be processed through the original decision-making body for the request

FORM P3 Page 2 of 3

# \_ MINOR AMENDMENT TO SITE DEVELOPMENT PLAN APPROVED PRIOR TO THE EFFECTIVE DATE OF THE IDO

A Single PDF file of the complete application including all documents being submitted must be emailed to <a href="https://example.com/PLNDRS@cabq.gov">PLNDRS@cabq.gov</a> 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 to City Staff using other online resources such as Dropbox or FTP. The PDF shall be organized in the number order below.

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1) Development Review application form completed, signed, and dated
2) Form P3 with all the submittal items checked/marked
3) Zone Atlas map with the entire site clearly outlined and labeled
4) Letter of authorization from the property owner if application is submitted by an agent
5) Justification letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-4(Z)(1)(a)
6) The approved Site Plan being amended
7) Copy of the Official Notice of Decision associated with the prior approval
8) The proposed Site Plan, with changes circled and noted  Refer to the Site Plan Checklist for information need on the proposed Site Plan  Minor Amendments be within the thresholds established in IDO Table 6-4-4. Any amendment beyond these thresholds is considered a Major Amendment and must be processed through the original decision-making body for the request
_ ACCELERATED EXPIRATION OF SITE PLAN
A Single PDF file of the complete application including all documents being submitted must be emailed to <a href="mailto:PLNDRS@cabq.gov">PLNDRS@cabq.gov</a> 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 to City Staff using other online resources such as Dropbox or FTP. <a href="mailto:The PDF shall be organized in the number order below">The PDF shall be organized in the number order below</a> .
1) Development Review application form completed, signed, and dated
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3) Zone Atlas map with the entire site clearly outlined and labeled
4) Letter of authorization from the property owner if application is submitted by an agent
5) Justification letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-5(C)(3)(b)

\_\_\_\_ 6) Site Plan to be Expired

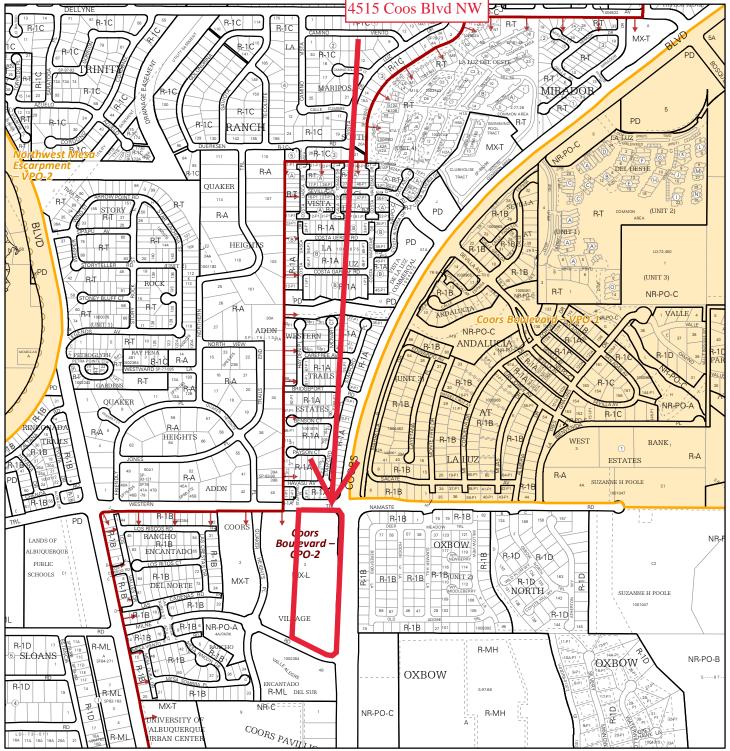
FORM P3 Page 3 of 3

### \_ ALTERNATIVE SIGNAGE PLAN

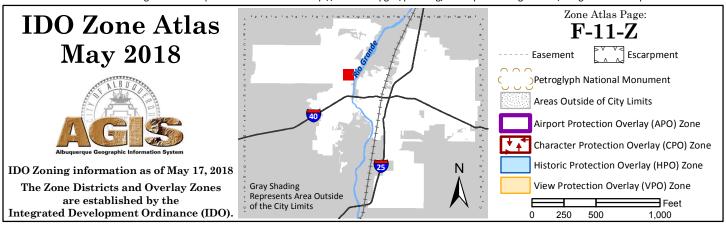
\_\_\_\_\_ 6) Landscape Plan

A Single PDF file of the complete application including all documents being submitted must be emailed to <a href="PLNDRS@cabq.gov">PLNDRS@cabq.gov</a> 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 to City Staff using other online resources such as Dropbox or FTP. The PDF shall be organized in the number order below.

1) Development Review application form completed, signed, and dated
2) Form P3 with all the submittal items checked/marked
3) Zone Atlas map with the entire site clearly outlined and labeled
4) Letter of authorization from the property owner if application is submitted by an agent
5) Proposed Alternative Signage Plan compliant with IDO Section 14-16-5-12(F)(5)
6) Justification letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-5(C)(3)(b)
7) Sign Posting Agreement
8) Required Content of Notice <u>at Submittal</u> per IDO Section 14-16-6-4(K)(1)
Office of Neighborhood Coordination notice inquiry response
Completed notification form(s), proof of additional information provided in accordance with IDO Section 6-4(K)(1)(b)
Proof of emailed notice to affected Neighborhood Association representatives
_ ALTERNATIVE LANDSCAPING PLAN
A Single PDF file of the complete application including all documents being submitted must be emailed to <a href="mailto:PLNDRS@cabq.gov">PLNDRS@cabq.gov</a> 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 to City Staff using other online resources such as Dropbox or FTP. The PDF shall be organized in the number order below.
1) Development Review application form completed, signed, and dated
2) Form P3 with all the submittal items checked/marked
3) Zone Atlas map with the entire site clearly outlined and labeled
4) Letter of authorization from the property owner if application is submitted by an agent
5) Justification letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-5-6(C)(16)



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





Planning & Zoning Process Specialists

# AGENT AUTHORIZATION FORM

Subject Address: 4313 Coors Blvd NW,				
City: Albuquerque	State:	NM	Zip	87120
Lot(s): 3B1	Block:	0000		
Subdivision: Coors Village		<del>,</del>		
UPC: 101106122809531302		59-1		
Legal Description: TR 3-B-1 PLAT OF LOTS	3-A-1 AND	3-B-1-CO	ORS VILL	AGECONT
6.8038 AC		n i		
Pl .				
Description of request: Major/Minor Site Dev	. Plan Amend	ment, Var	iance and	fence permit
I/We, the property owner(s) of the subject proper Land Use Consulting LLC – Carl Garcia and/or regarding all matters relating to this application, this application is true and accurate to the best of Owner(s) Address (if differs from above):	representative I/We certify	es to act or that all inf	n my/our	behalf
City:	State _		Zip	
Property Owner 1: Zack Hellica				
Phone: 505-563-6634				
Email: zherrera@phsors				
Property Owner 2:			2	
Phone:				
Email:				
Signature 1: 37 h		Γ	Date:	5/10/2029
Signature 2:		Ι	Date:	



### Planning & Zoning Process Specialists

Zoning Enforcement Officer 600 2<sup>nd</sup> Street NW Albuquerque, NM 87102

On behalf of my clients, Presbyterian Healthcare Services, I respectfully request an Administrative Amendment to an existing Site Development Plan to allow a six-foot metal fence surrounding a portion of the parking lot for employees.

Site Information:

Address: 4501 COORS BLVD NW

**Lot:** 3B1 **Block:** 0000

**Subdivision: COORS VILLAGE** 

**IDO Zone District:** MX-M

**UPC:** 101106122809531302

Owner: PRESBYTERIAN HEALTHCARE SERVICES

Owner Address: PO BOX 26666 ALBUQUERQUE NM 87125-6666 Situs Address: 4515 COORS BLVD NW ALBUQUERQUE NM 87120

Legal Description: TR 3-B-1 PLAT OF LOTS 3-A-1 AND 3-B-1 COORS VILLAGECONT

6.8038 AC **Acres:** 6.8038

Coors Boulevard - CPO-2

**Application Date:** 09/13/2018

POSSE Project Number: PR-2018-001511

POSSE Case Number: SD-2018-00084

**Legacy Project Number:** 1000032, 1007282, 1001624

Specific Case Type: Subdivision

Case Subtype: Subdivision of Land - Major Preliminary Plat Approval

**Application Date:** 10/31/2018

POSSE Project Number: PR-2018-001584



### Planning & Zoning Process Specialists

POSSE Case Number: RZ-2018-00047

**Legacy Project Number:** 1000032, 1007282, 1001624

Specific Case Type: Zone Map Amendment

Case Subtype: Amendment to Official Zoning Map - Council

**Application Date:** 01/14/2019

POSSE Project Number: PR-2018-001584

POSSE Case Number: SI-2019-00015

**Legacy Project Number:** 

Specific Case Type: Site Development Plan

Case Subtype: DRB Final Signoff of Master Development Plan or Site Plan - EPC

**Application Date:** 02/11/2019

POSSE Project Number: PR-2018-001584

POSSE Case Number: SI-2019-00043

**Legacy Project Number:** 100032, 1007282,1001624

**Specific Case Type:** Site Development Plan

Case Subtype: DRB Final Signoff of Master Development Plan or Site Plan - EPC

**Application Date:** 10/31/2018

POSSE Project Number: PR-2018-001584

POSSE Case Number: SI-2018-00221

**Legacy Project Number:** 1000032,1007282,1001624

**Specific Case Type:** Site Development Plan

**Case Subtype:** Site Plan – EPC



### Planning & Zoning Process Specialists

**Application Date:** 07/23/2019

POSSE Project Number: PR-2019-002667

POSSE Case Number: SI-2019-00249

**Legacy Project Number:** 

Specific Case Type: Site Development Plan

Case Subtype: Site Plan - EPC

**Application Date:** 07/23/2019

POSSE Project Number: PR-2019-002667

POSSE Case Number: VA-2019-00239

**Legacy Project Number:** 

**Specific Case Type:** Zoning Special Exception

Case Subtype: Variance - EPC

**Application Date:** 02/23/2020

POSSE Project Number: PR-2018-001511

POSSE Case Number: SD-2020-00056

**Legacy Project Number:** 1000032,1007282,1001624

Specific Case Type: Subdivision

Case Subtype: Subdivision of Land - Minor Preliminary / Final Plat Approval

**Application Date:** 02/23/2020

POSSE Project Number: PR-2018-001511

POSSE Case Number: SD-2020-00057

**Legacy Project Number:** 1000032,1007282,1001624

**Specific Case Type:** Vacation



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Case Subtype: Vacation of Private Easement

**Application Date:** 09/26/2019

POSSE Project Number: PR-2019-002923

POSSE Case Number: SI-2019-00340

**Legacy Project Number:** 

**Specific Case Type:** Site Development Plan

Case Subtype: Minor Amendment of Site Plan - EPC or Site Plan - DRB

**Application Date:** 03/05/2020

POSSE Project Number: PR-2018-001584

POSSE Case Number: SI-2020-00056

**Legacy Project Number:** 

Specific Case Type: Site Development Plan

Case Subtype: Minor Amendment of Site Plan - EPC or Site Plan - DRB

**Application Date:** 09/06/2018

POSSE Project Number: PR-2018-001584

POSSE Case Number: SI-2018-00132

**Legacy Project Number:** 

**Specific Case Type:** Site Development Plan

Case Subtype: Site Plan - DRB

**Application Date:** 03/27/2024

POSSE Project Number: PR-2018-001584

POSSE Case Number: PS-2024-00069



### Planning & Zoning Process Specialists

**Legacy Project Number:** 

Specific Case Type: Presubmittal

Case Subtype: DRB Sketch Plat/Plan Review and Comment

**Case Number:** 1000032

**AA Case:** 

**DRB Case:** Y

**EPC Case:** Y



Planning & Zoning Process Specialists





### Planning & Zoning Process Specialists





This request does meet the requirements of the IDO, 6-4(X)(2)(a) A minor amendment must meet all of the following criteria.

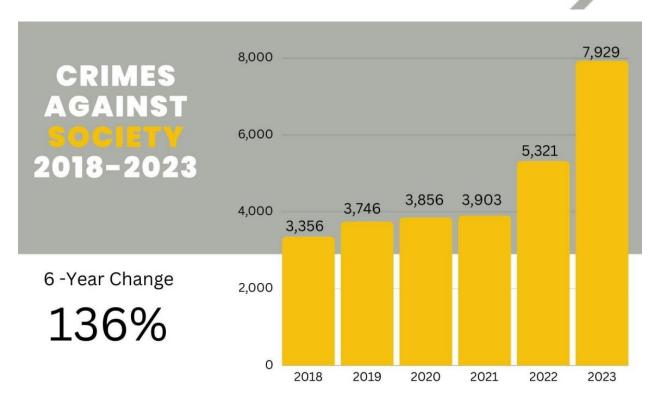
1. The amendment is necessary because of site conditions or user requirements that were not known, and could not reasonably have been known, at the time the City approved the approval that is proposed to be amended, and that were not created by the actions of the owner of the property.



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# CRIME STATS 2023

ALBUQUERQUE POLICE DEPARTMENT



**Response:** Crime in Albuquerque has been on the rise for several years according to APD Stats shown above. Crime along Coors Blvd. from Central to Montano has also increased since this Presbyterian facility was built. For the safety of employees who work long hours, we are requesting to erect a 6 foot metal fence.



### Planning & Zoning Process Specialists

2. The amendment does not increase or decrease the dimension of any standard beyond the thresholds allowed as minor amendments pursuant to Table 6-4-4 (cumulative of any earlier deviations or amendments).

**Response:** This request does comply with the thresholds in Table 6-4-4.

Any addition or revision that would otherwise be decided as a Permit – Sign, Permit – Wall or Fence – Minor, or Site Plan – Administrative

Any amount that meets requirements specified in the approved Permit or Site Plan or, if the Permit or Site Plan is silent, the IDO

A Variance was obtained to allow a six-foot metal fence for safety reasons. Therefore, the permit to be obtained will be a Permit Wall or Fence Minor.

3. The amendment does not decrease the total amount of open space in the development and does not reduce the size of any open space abutting a lot containing a residential use.

**Response:** This request does not reduce the amount of open space in the development or abutting lot containing a residential use. Please see attached Site Development Plan.

4. The amendment does not reduce any building setback adjacent to development containing residential uses by any amount.

**Response:** This section does not apply to this project.

5. The amendment does not increase the maximum number of residential dwelling units in the development from that shown in the existing permit, approval, or plan. If the property is located in a DT-UC-MS-PT area, the amendment does not decrease the required number of residential dwelling units in the development from that shown in the existing permit, approval, or plan.

**Response:** This section does not apply to this project.

6. The amendment does not adjust a building design standard unless doing so improves the perception of building quality, variety, durability, and articulation when viewed from adjacent streets and abutting properties.

**Response:** This section does not apply to this project. Please see attached Site Development Plan.



### Planning & Zoning Process Specialists

7. The amendment does not reduce the amount of total landscaping installed on the subject property or the amount of screening or buffering required on portions of the site abutting any property containing residential dwelling units and does not waive or weaken any other landscaping or buffering requirement unless the ZEO determines that alternative building design elements included in the amendment improve the visual quality and screening and buffering effect of landscaping as viewed from adjacent streets and public areas.

**Response:** This section does not apply to this project. Please see attached Site Development Plan.

8. The amendment does not increase the traffic accessing the subject property from local streets and does not increase or decrease the number of through streets, sidewalks, trails, or trail connections passing through the property or connecting to or designed to connect to abutting properties.

**Response:** This section does not apply to this project. Please see attached Site Development Plan.

9. The amendment does not require major public infrastructure, significant changes to access to the subject property, or a traffic impact study, which would warrant additional review by the original decision-making body.

**Response:** This section does not apply to this project. Please see attached Site Development Plan.

10. The amendment does not change a specific condition attached by a decision-making body listed in Table 6-1-1 to a prior development permit, approval, or plan for or including the subject property. For example, a specific condition attached to a prior approval requiring additional buffering to mitigate development impacts shall not be removed through a minor amendment process.

**Response:** This section does not apply to this project. Please see attached Site Development Plan.



### Planning & Zoning Process Specialists

11. The amendment does not affect a property in an Overlay zone as regulated pursuant to Part 14-16-3, in which case amendments may be granted per the original approval process for the Site Plan governing the site.

**Response:** This section does not apply to this project. Please see attached Site Development Plan.

- 12. The amendment does not approve any land use that was not authorized by the permit or approval or that is not allowed by right on the subject property.
- 13. The amendment does not expand a nonconformity as regulated per Section 14-16-6-8 (Nonconformities).

**Response:** This section does not apply to this project. Please see attached Site Development Plan.

Based on the fact that this request meets all the requirements of the IDO, 6-4(X)(2)(a), I respectfully request that this Administrative Amendment be approved.

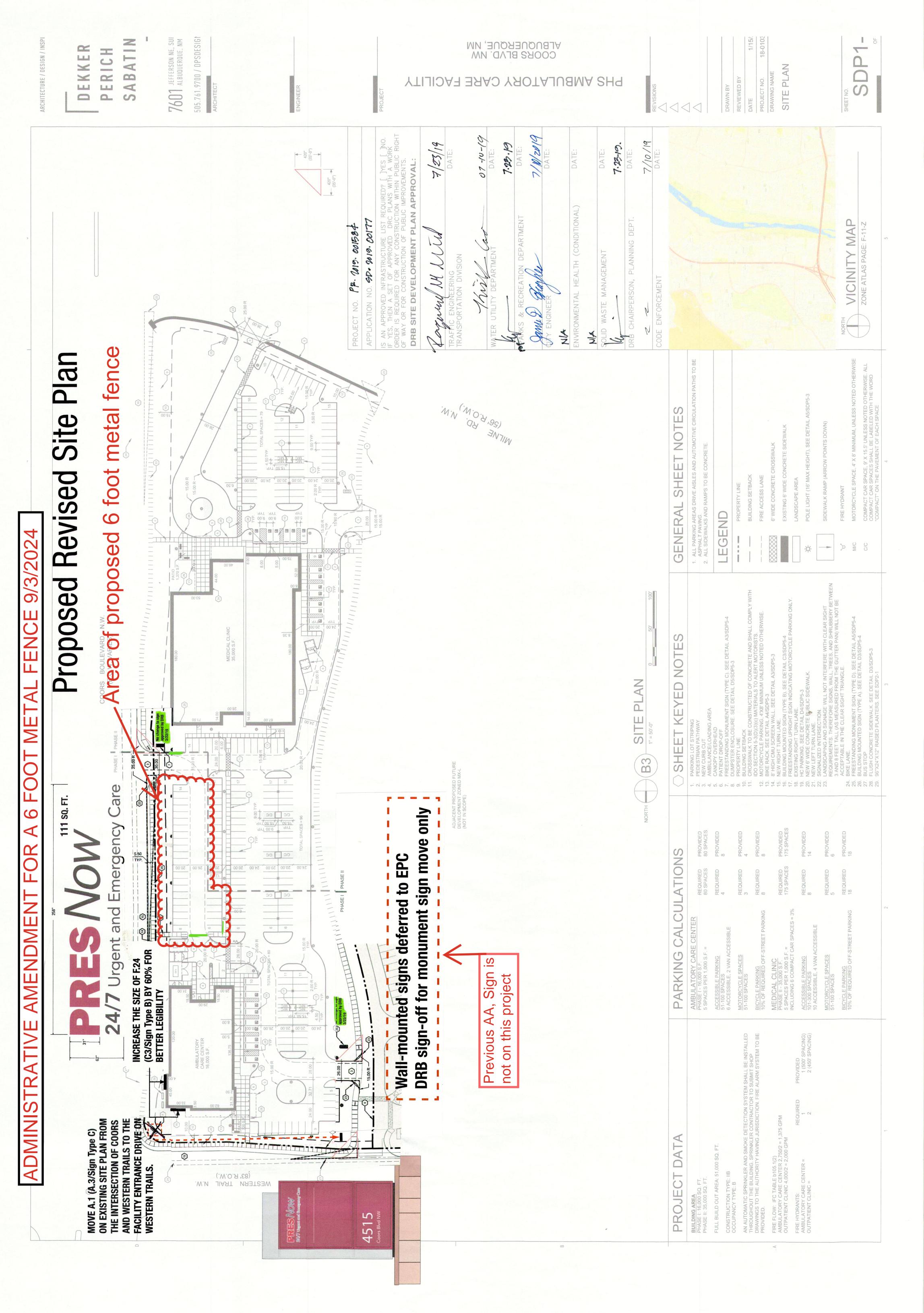
Respectfully submitted,

# Carl Garcia

Carl Garcia

ABQ Land Use Consulting LLC

505-306-6289



PLANNING DEPARTMENT
DEVELOPMENT SERVICES DIVISION
600 2nd Street NW, Ground Floor, 87102
P.O. Box 1293, Albuquerque, NM 87103
Office (505) 924-3946

### OFFICIAL NOTIFICATION OF DECISION

January 25, 2019

Presbyterian Healthcare Services Real Estate PO BOX 26666 ABQ, NM 87125 Project# PR-2018-001584
Application# SI-2019-00015
Final Sign off of EPC Approved Site Plan

### **LEGAL DESCRIPTION:**

All or a portion of TRACT 3, Plat of Tracts 1 thru 4, COORS VILLAGE SUBDIVISION, zoned MX-M, located at 4500 QUAKER HEIGHTS PL NW, containing approximately 6.84 acres (F-11)

On January 23, 2019, the Development Review Board (DRB) held a public meeting concerning the above referenced application and approved the request, with delegation to Planning and Transportation to address minor issues, based on the following Findings:

- 1. This is a site plan for a 16,000 square foot emergency care facility and and a 35,000 square foot outpatient clinic.
- 2. The staff planner stated that all of the EPC conditions were met.
- 3. As part of the EPC approval, the round-a-bout shown in the approval of 1000032, 08-EPC- 40030 was removed.
- 4. The applicant met the notification requirements of the IDO.
- 5. An infrasturucture list was approved and signed off by the DRB with this action.

### Conditions:

- 1. Final sign off is delegated to Planning to check for utility signatures, the DXF file and to check for Infrastructure Improvements Agreement.
- 2. The applicant will obtain final sign off from Planning by **February 6, 2019** or the case may be scheduled for the next DRB hearing and could be denied per the DRB Rules of Procedure.

<u>APPEAL</u>: If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **FEBRUARY 7, 2019.** The date of the DRB's decision is not included in the 15-day period for filing an appeal,

Official Notice of Decision Project # PR-2018-001584, SI-2019-00015 January 25, 2019 Page 2 of 2

and if the 15<sup>th</sup> day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-6-4(U) of the Integrated Development Ordinance (IDO). A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed.

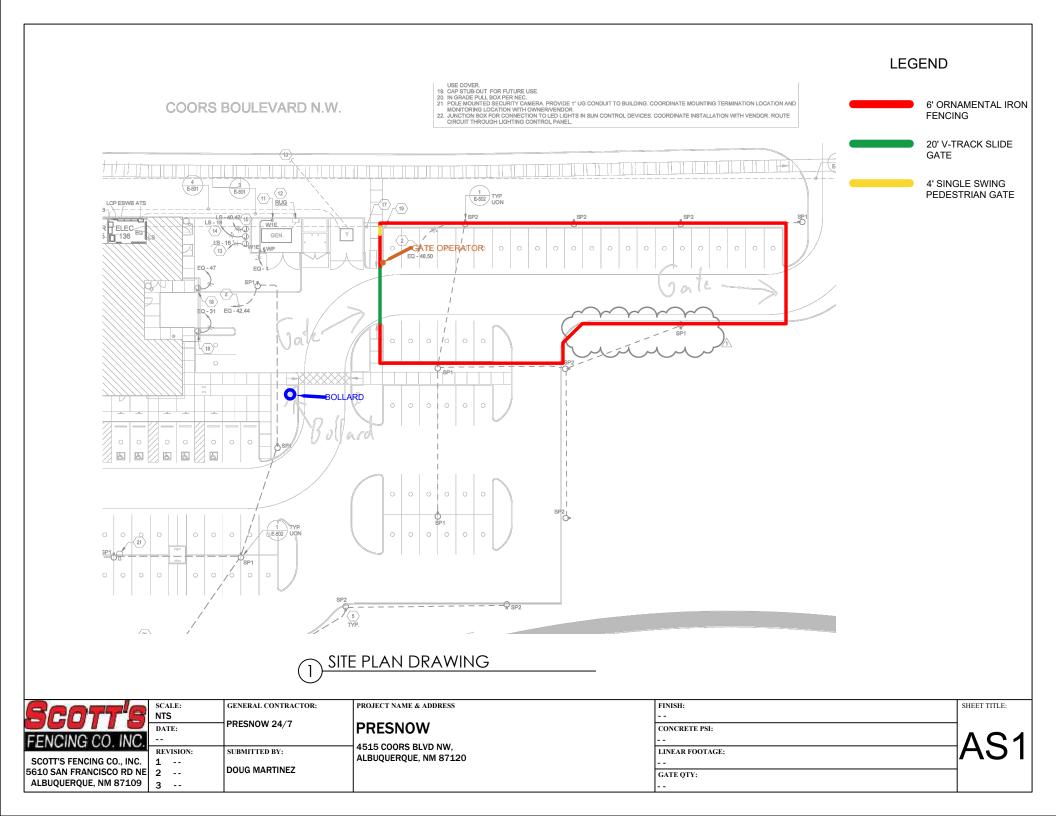
You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Applicants submitting for building permit prior to the completion of the appeal period do so at their own risk. Successful applicants are reminded that there may be other City regulations of the IDO that must be complied with, even after approval of the referenced application(s).

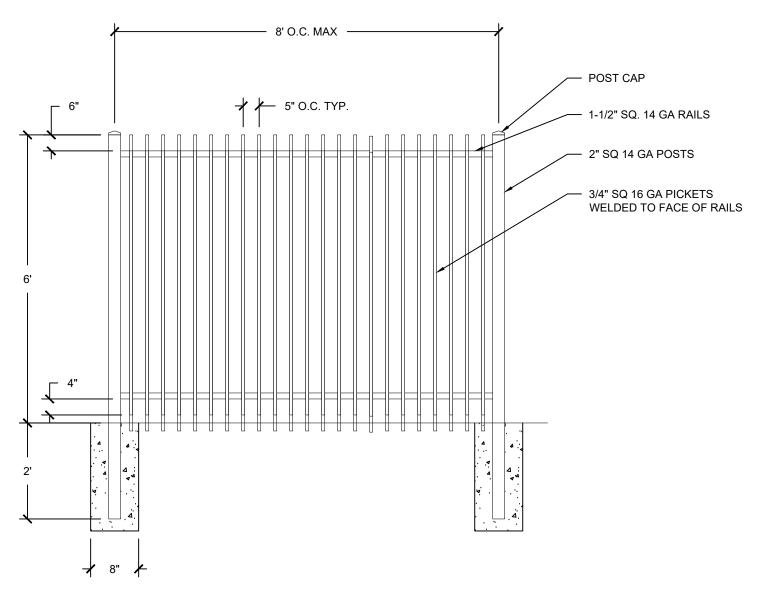
Sincerely,

Kym Dicome DRB Chair

KD/mg

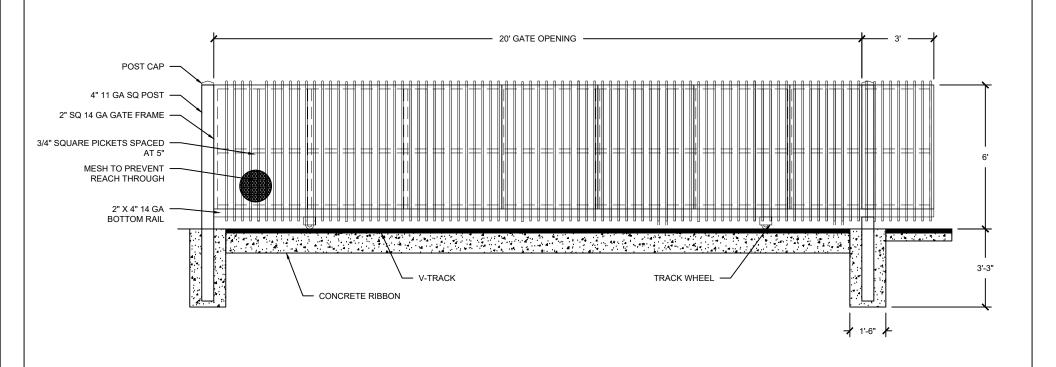
DPS Chris Gunning DPS 7601 Jefferson NE suite 100 ABQ ,NM 87109





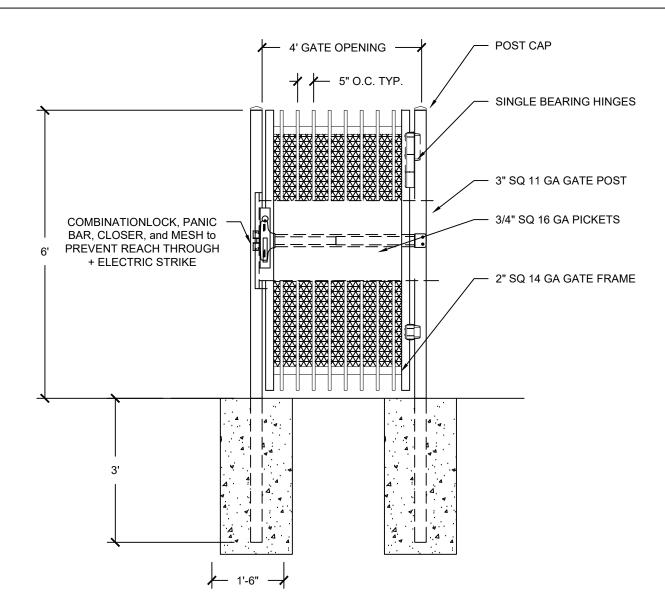
# ORNAMENTAL IRON FENCE ON GRADE

SCALE: NTS	GENERAL CONTRACTOR:		FINISH: PRIMED & PAINTED - COLOR TBD	SHEET TITLE:
FENCING CO. INC.  SCOTT'S FENCING CO., INC. 5610 SAN FRANCISCO RD NE 2	PRESNOW 24/7  SUBMITTED BY:  DOUG MARTINEZ	PRESNOW  4515 COORS BLVD NW, ALBUQUERQUE, NM 87120	CONCRETE PSI: 3000  LINEAR FOOTAGE: 502  GATE OTY:	A1
ALBUQUERQUE, NM 87109 3				



# 20' WIDE V-TRACK SLIDE GATE

SCALE:	GENERAL CONTRACTOR:	PROJECT NAME & ADDRESS	FINISH:	SHEET TITLE:
NTS	PRESNOW 24/7		COLOR TBD	
DATE:	PRESNOW 24/ I	PRESNOW	CONCRETE PSI:	A 🔿
FENCING CO. INC.		4515 COORS BLVD NW.	3000 PSI	$\perp$ $\wedge$ $\uparrow$
REVISION:	SUBMITTED BY:	ALBUQUERQUE, NM 87120	LINEAR FOOTAGE:	
SCOTT'S FENCING CO., INC. 1	DOUG MARTINEZ	ALBOQUENQUE, NIN 87 120		] <b>/ \</b>
5610 SAN FRANCISCO RD NE 2	DOUG WARTINEZ		GATE QTY:	
ALBUQUERQUE, NM 87109 3			1	



# ORNAMENTAL IRON SINGLE SWING PED GATE

Bentt's	NTS		PROJECT NAME & ADDRESS	FINISH: PRIMED AND PAINTED - COLOR TBD	SHEET TITLE:
FENCING CO. INC.	DATE:  REVISION:	SUBMITTED BY:	1 112011011	CONCRETE PSI: 3000 PSI LINEAR FOOTAGE:	<b>A</b> 3
5610 SAN FRANCISCO RD NE ALBUQUERQUE, NM 87109	2	DOUG MARTINEZ		GATE QTY:	



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

Presbyterian Healthcare Services (Agent ABQ Land Use Consulting LLC- Carl Garcia) requests a Variance of 3 ft to the allowed 3ft wall height in front and street side yards for Lot 3B1, Block 0000, Coors Village, located at 4515 Coors Blvd NW, zoned MX-M 14-16-5-7(D)(1)

 Special Exception No: ....
 VA-2024-00188

 Project No: .....
 PR-2024-010501

 Hearing Date: .....
 07-16-24

 Closing of Public Record: Date of Decision: .....
 07-31-24

On the 16<sup>th</sup> day of July, 2024, ABQ Land Use Consulting LLC- Carl Garcia, agent for property owner, Presbyterian Healthcare Services ("Applicant") appeared before the Zoning Hearing Examiner ("ZHE") requesting a variance of 3 ft to the allowed 3ft wall height in front and street side yards ("Application") upon the real property located at 4515 Coors Blvd NW ("Subject Property"). Below are the ZHE's finding of fact and decision:

### FINDINGS:

- 1. Applicant is requesting a variance of 3ft wall height in front and street side yards.
- 2. The ZHE finds that the Applicant has authority to pursue this Application.
- 3. All property owners within 100 feet and affected neighborhood association(s) were notified.
- 4. The ZHE finds that the proper "Notice of Hearing" signage was posted for the required time period as required by Section 14-16-6-4(K)(3).
- 5. The City of Albuquerque Integrated Development Ordinance ("IDO"), Section 14-16-6-6(O)(3)(a) (Variance-Review and Decision Criteria) reads: "... an application for a Variance-ZHE shall be approved if it meets all of the following criteria:
  - 1. There are special circumstances applicable to a single lot that are not self-imposed and that do not apply generally to other property in the same zone district and vicinity, including but not limited to size, shape, topography, location, surroundings, physical characteristics, natural forces, or by government actions for which no compensation was paid. Such special circumstances of the lot either create an extraordinary hardship in the form of a substantial and unjustified limitation on the reasonable use or economic return on the property, or practical difficulties result from strict compliance with the minimum standards.
  - 2. The Variance will not be materially contrary to the public safety, health, or welfare.
  - 3. The Variance does not cause significant material adverse impacts on surrounding properties or infrastructure improvements in the vicinity.
  - 4. The Variance will not materially undermine the intent and purpose of this IDO, the applicable zone district, or any applicable Overlay Zone.
  - 5. The Variance approved is the minimum necessary to avoid extraordinary hardship or practical difficulties."

- 6. Applicant bears the burden of providing a sound justification for the requested decision, based on substantial evidence, pursuant to IDO Section 14-16-6-4(E)(3).
- 7. Applicant bears the burden of providing a sound justification for the requested decision, based on substantial evidence, pursuant to IDO Section 14-16-6-4(E)(3).
- 8. The applicant bears the burden of showing compliance with required standards through analysis, illustrations, or other exhibits as necessary, pursuant to IDO Section 14-16-6-4(E)(4).
- 9. Applicant appeared and gave evidence in support of the application.
- 10. The subject property is currently zoned R-ML.
- 11. Based on evidence submitted by or on behalf of Applicant, it appears that there are special circumstances applicable to the Subject Property that are not self-imposed and that do not apply generally to other property in the same zone and vicinity such as size, shape, topography, location, surroundings, or physical characteristics created by natural forces or government action for which no compensation was paid, as required by Section 14-16-6-6(N)(3)(a)(1). Specifically, the unique layout of the property in relation to existing structures and infrastructure creates special circumstances that result in practical difficulties in complying strictly with IDO requirements without the requested variance.
- 12. Based on evidence submitted by or on behalf of Applicant, the variance will not be contrary to the public safety, health and welfare of the community as required by Section 14-16-6-6(N)(3)(a)(2). Specifically, Applicant stated that no negative impacts would result.
- 13. Based on evidence submitted by or on behalf of Applicant, the variance will not cause significant adverse material impacts on surrounding properties or infrastructure improvements in the vicinity as required by Section 14-16-6-6(N)(3)(a)(3). Specifically, Applicant stated that it would help keep the neighborhood safe because the protection of the proposed wall would be more secure.
- 14. Based on evidence submitted by or on behalf of Applicant, the variance will not materially undermine the intent and purpose of the IDO or applicable zone district as required by Section 14-16-6-6(N)(3)(a)(4). Applicant intends to comply with all IDO requirements.
- 15. Based on evidence submitted by or on behalf of Applicant, the variance is the minimum necessary to avoid extraordinary hardship or practical difficulties as required by Section 14-16-6-6(N)(3)(a)(5). Specifically, Applicant testified that any lesser variance would be impracticable.
- 16. The City Traffic Engineer submitted a report stating no objection to the Application.

### DECISION:

APPROVAL of a variance of 3ft wall height in front and street side yards.

### APPEAL:

If you wish to appeal this decision, you must do so by August 15, 2024 pursuant to Section 14-16-6-4(V), of the Integrated Development Ordinance, you must demonstrate that you have legal standing to file an appeal as defined.

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of a special exception is secured. This decision does not constitute approval of plans for a building permit. If your application is approved, bring this decision with you when

you apply for any related building permit or occupation tax number. Approval of a conditional use or a variance application is void after one year from date of approval if the rights and privileges are granted, thereby have not been executed, or utilized.

Robert Lucero, Esq.

Zoning Hearing Examiner

Voket Lucy's

cc:

ZHE File
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