



**Phase II IDO Zoning Conversion – June 2018 through May 2019  
Request and Agreement Form**

City Council adopted Resolution 18-29 directing the Planning Department to provide a process for property owners to opt in to a follow-up, voluntary process for a legislative zoning conversion if their property meets any of the following criteria:

1. **Nonconforming Use:** The existing use on the property was allowed when the use began but is not allowed in the IDO zone district, and a zoning conversion could remedy the nonconformity by converting to an appropriate zone that allows the use.
2. **Voluntary Downzone:** The property is in an Area of Consistency, and the zoning conversion would result in a voluntary downzone to a less intense zone (e.g. R-T to R-1) that allows the existing use and is compatible with the site and the area.
3. **Floating Zone Line:** The property has two or more zones on one lot, and the zoning conversion would result in selecting the most appropriate single zone to match platted lot lines.
4. **Prior Special Use Zoning:** The property was formerly zoned R-D or a Special Use zone (SU-1, SU-2, or SU-3) and is currently vacant, and the zoning conversion would result in a more appropriate IDO zone district for the site.
5. **Size Thresholds:** The property is zoned NR-BP but is less than 20 acres or the property is zoned PD but is less than 2 acres or greater than 20 acres (i.e. the property is nonconforming as to lot size), and the zoning conversion would result in a more appropriate IDO zone district that is compatible with the site and the area and meets size thresholds, if applicable.

**Request**

Owner's First Name: Scott Owner's Last Name: Schiabor

Owner's Mailing Address (if different from the property below):  
Success Land Holdings, LLC

Street Address: PO Box 91417 City: Albuquerque Zip Code: 87199

Owner's Phone: (505) 828-9900 Owner's Email: trace@scottpatrickhomes.com

*(If there are multiple owners of the property, please attach a list of all owners and their mailing and email addresses and provide signatures from each owner on separate copies of page 2 of this form.)*

Agent (if any): Consensus Planning, Inc.

Agent's Phone: (505) 764-9801 Agent's Email: cp@consensusplanning.com

Street Address for Property to Be Converted: N/A 118TH ST SW

Zip Code: 87121

Legal Description / UPC Code (if known): 100805434722140105,  
Tract A1A, Anderson Heights Unit 4

Current Zone: PD Requested Zone: R-1A

Zoning Conversion Criteria (list ALL the criteria numbers above that apply): #4 and #5

Existing Land Use(s): Vacant



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**Agreement**

By signing below, you are acknowledging ALL of the following:

1. You are a legal owner of the property and have the authority to opt in to this zoning conversion process.
2. You are voluntarily opting in to the follow-up zoning conversion process specified in Resolution 18-29, and you accept the terms and procedures for this process. You understand that the City will submit your property as part of a package of requested zoning conversions if it meets the criteria in that resolution.
3. You understand that changing the zoning designation for your property will impact the allowable uses on the property.
4. You understand that this zoning conversion may impact the value of the property and that the City is not responsible for any change in value related to this zoning conversion.
5. You understand that the City will analyze the existing use(s), lot size, previous and current zoning, and surrounding zoning to evaluate the requested zoning conversion and that the City may recommend a conversion to a different zone that is more appropriate based on these factors.
6. You will receive mailed notice from the City confirming the requested zoning conversion or the recommendation for a different conversion, the criteria for zoning conversion, existing land use on the property, and the likely submittal date into the City's review and decision process. You will need to confirm receipt of the letter and your participation in the zoning conversion process within 10 business days by email or mail.
7. You understand that the requested zoning conversions will be reviewed by the Environmental Planning Commission and then the City Council's Land Use, Planning, and Zoning Committee, which will each make a recommendation to the City Council, and that the City Council will make the final decision.
8. You understand that each of these review and decision steps will include a public hearing, at which you and others can make comments, although your attendance is not required.
9. You understand that the City cannot guarantee the outcome of the review and decision process for this legislative zoning conversion.
10. You are aware that you have the right to seek counsel or hire an agent to use throughout the review and decision process.
11. You are aware that you can withdraw the property from this legislative zoning conversion process at any time before the City Council takes a final action.
12. You are aware that you can submit a Zoning Map Amendment for the property at any time through a separate, quasi-judicial process required by the Integrated Development Ordinance, including but not limited to, a full analysis of how the request meets the review and decision criteria in Subsection 6-7(F)(3) or 6-7(G)(3), as applicable.

Date: 4/26/19

Property Owner Name (Please Print): Success Land Holdings LLC, Scott Schiabor, Mbr/Mgr

Property Owner Signature: \_\_\_\_\_