

PLANNING DEPARTMENT
ZONE CHANGE REQUEST

Z-555

CITY PLANNING COMMISSION

2-555

March 3, 1958

DISTRIBUTION

MSC MSP
 MCK JZ
 MLD SS
 MLD SK
 MLD Mr. Corland
 Cash File

ACTION

Regular Business:

Special Business:

Paul J. Muller, Chairman
 Vernon T. Jones
 Professor Herwin May
 Paul E. Haggan

H. S. Coblenz, Director
 H. D. Kelley, Chief Planner
 L. D. Jones, Associate Planner
 R. Larson, Associate Planner
 E. L. Caruthers, Assistant Planner
 S. Herbert, Secretary

1. Z-508 Deferred until CPC April 21, 1958.

ACTION: 1. L54 - Letter of Confirmation

Letters of Advice

Harry Morris

2. Z-509 CPC reaffirmed previous action.

ACTION: 1. L53 - Letter of Advice.
 2. Advertise CG 4-1-58.

Andy Strong

3. Z-500 Withdrawn by the applicant.

ACTION: 1. L52 - Letter of confirmation.

Harry Morris

4. Z-500 Denied.

ACTION: 1. L51 - Letter of Advice

R. D. Haggan & Mrs. Clark

5. Z-501 Denied.

ACTION: 1. L50 - Letters of Advice.

Mrs. Ulland & David Boyd, City.

6. Z-502 Approved.

ACTION: 1. L50 - Letter of Advice.

Pete Suran

7. Z-503 Zone change denied. (Appeal filed 2-4-58...#69)

ACTION: 1. N50 - Letter of Advice.

Mr. Lehr, CG

8. Study 100 Approved subject to conditions.
 Z-504

ACTION: 1. N50 - Letter of Advice.

Mr. Hanson & GE

9. Z-515, V-102, S-504 Approved.

ACTION: 1. L53 - Letter of Advice
 2. L54 - Zoning Ordinance - do not schedule for CG at this time.

Mattoucci & Carey

March 31, 1956

MEMORANDUM

MEMBERS PRESENT:

Mr. J. Volker, Chairman
 Mr. T. J. Jones
 Mr. G. W. Smith, City
 Mr. E. W. Rogers

STAFF PRESENT:

H. S. Jenkins, Director
 W. G. Kelley, Chief Planner
 L. E. Jones, Associate Planner
 Ken Larson, Associate Planner
 C. L. Griffiths, Assistant Planner
 S. J. Herbert, Secretary

1. Z-508 Harry G. Norton, agent for Southways and Mills and East S. Godfrey, Timpano (Previous addition. (Referrol))

This item was deferred at the request of both the applicant and the Planning Department.

2. IT RESOLVED, that Z-508 be deferred until the hearing of April 2, 1956.

Handled by Mr. Rogers
 Reviewed by Mr. Jones

Motion Carried

3. Z-509 John A. Ferr and Dorothy Ferr request change of zone from R-3 to O-1 for Lots 1, 2, 3, 4, 5, 6, Block 16 and Lots 1 thru 10, Block 17, Frederick A. Ferr Addition.

The Commission examined the new land use sketches and the Planning Department's supplementary report and confirmed their previous action. This matter will now be advertised for City Commission.

4. Z-510 Harry G. Norton, agent for Broad Service, Inc. (Referrol)

This item was withdrawn by the applicant.

5. Z-550 R. E. Wiggeman, agent for Realty Company, Inc., requests change of zone from R-1 to P-1 for lot 21 and from R-1 to O-1 for lot 22, Block 55, University Heights Addition.

Mr. Wiggeman appeared in favor of this change of zone. There were several opponents present who presented a petition to the Commission. Their position as stated was that they have a good residential area set up and wish to protect it. Their spokesman stated they are afraid of "accepting emeralds."

Mr. Wiggeman stated that he did not expect to extend commercial south, but wished to use the vacant lot for parking. He did not think he could use the lot with the apartment on it as a parking lot if it were left R-1.

After thorough discussion of this matter, the following action was made:

6. IT RESOLVED, that Z-550 be denied for the following reasons:

1. That establishment of a parking zone on Lot 21 would have an adverse effect on adjacent residential property and that exits to a parking area at this point would create traffic problems at the intersection of Silver and Carlisle due to topographical circumstances;

(continued)

7. Z-555 & Kelvin Lake requests change of zone on lots 1 thru 3 and lots B1 thru 50, Block 1 S-502 Mirasoles Addition, as follows: R-1 to R-1 for the easterly 40' more or less, lying immediately to the west of the westerly e/o/s line of Carlisle Blvd. 151; the next westerly 160' from R-1 and R-2 to R-2 and the remainder of the westerly portion of the area from R-2 to R-1.

A letter of protest was presented to the Chairman just before the meeting pointing out the possible relocation of Subaru Freeway.

Mr. Lake stated that the State has already purchased part of his property for the proposed freeway and doesn't feel that the proposed relocation should prevent him from getting this change of zone. He said there are some gentlemen from out of town who want to build on this land and it means a good deal of money to him.

Professor May stated that this case should be argued on its own merits and not on the problem of the State Highway Department.

There were two opponents present at the hearing. One gentleman owned lots on the west side of Ashcroft and felt this change could be detrimental to his property.

Professor May stated if this change were approved it would place the owners of lots to the west side of Ashcroft in an almost untenable position. In that area, due to topographical conditions, it could be developed for good residential property.

Mr. Lake stated that he bought this property in 1951 or 1952 for business purposes and at that time there were no residences in this area.

BE IT RESOLVED, that Z-555 be denied for the following reasons:

1. It would be detrimental to the residential property to the east which is developed with good homes;
2. Has been the policy of the Planning Commission in the past to develop the State intersections with R-1;
3. This change would constitute strip zoning.

Moved by Mr. Higgins

Seconded by Professor May

Motion Carried

8. Study 150 & 2-555 Rerouting and lanes, alternatives for Surface Park and others, request for reversion to the City of Albuquerque for Tracts 20-A, 20-B and 20-C. BEING Map 151. Also all the right-of-way for Los Arroyos Road NW and for Lucerna Road NW contiguous to the northernly and easterly boundaries of the area in request; further proposed establishment of A-1 zone in this area.

After brief discussion the following motion was made:

BE IT RESOLVED, that Study 150 and Z-555 be recommended to the City Commission for approval subject to the following conditions:

1. That right-of-way be dedicated for the streets in this area which when measured from the center line of existing right-of-way, meet the requirements set forth by the City Engineer and acceptable to the Traffic Engineer. This will require about

(continued)

VIA CERTIFIED MAIL

6-555, 9-902
Appeal #69

March 5, 1958

Mr. Melvin Lahr
930 11th Street NW
Albuquerque, New Mexico

Dear Mr. Lahr:

The Planning Commission at its meeting of Monday, March 3, 1958, recommended denial of your zone change request as follows:

C-1 to P-1 for the easterly 40', more or less, lying immediately to the west of the westerly r/w line of Carlisle Boulevard NE; the next westerly 160' from C-1 and R-2 to C-2 and the remainder of the westerly portion of the area from R-2 to P-1 being Lots 1 through 9 and Lots 31 through 40, Block 1, Miraceros Addition;

for the reasons that a zone change would be detrimental to residential property to the west and the down grading to C-2 would constitute a form of strip zoning.

You are advised formally that you may lodge an appeal within ten days from the date of this decision for subsequent hearing by the City Commission.

This morning you visited this Department and presented your appeal No. 69, which will be advertised for City Commission hearing March 25, 1958. It is further understood that your attorney at law, Mr. Luis C. Injan, will present a supporting statement of the reasons for appealing this decision for denial.

Yours sincerely,

H. S. Coblenz
Director of Planning

HSC:mr

cc: Mr. Luis C. Injan

Mr. A. P. Garland

Received
3558
City Clerk

Form appeal - 1

File No. 7-555

Appeal No. 69

CITY COMMISSION
CITY OF ALBUQUERQUE

FILE TWELVE (12) COMBLS OF APPEAL FORM.

This appeal must be filed with the City Clerk within ten (10) days of the date of the letter of advice received from the Planning Department. All inquiries should thereafter be addressed to that Department, U.S.G. Building, 222-B Tijeras, N.M. Telephone numbers 3-0426 and 7-1531, Extension 57. The appeal will be advertised for hearing fifteen (15) days prior to a City Commission meeting for which the item is scheduled.

AN INCOMPLETE APPLICATION WILL NOT BE ACCEPTED.

A. Name of Appellant: Delvin Lehr Telephone Number: AL 6-6544
Mailing Address: Box 3037 N. Albuquerque
My Agent (if any) is: Louis C. Lujan, Sales Bldg. Telephone Number: Ch 7-0126
Appeal to be filed by: Delvin Lehr Appeal filed with City Clerk: _____

B. Type of Original Application:
I appeal the decision of the (~~Board of Adjustment~~) as (proponent) of applica-
(Planning Commission) as (~~opponent~~)
tion File No. 555, requesting: Variance / Conditional Use /
~~Interpretation /~~ Zone Change / ~~Variance~~.

Request: Lots 1 through 9, 31 through 40, Block 1, Miraceros Addn. as follows: S-1 to F-1 for easterly 40' more or less, next westerly 160' from S-1 and S-2 to S-2 and the remainder of the westerly portion of the area from S-2 to F-1. CR: 3-902

C. Reason for Appeal. (Is entire or only part of original decision appealed?)

See attached sheet

D. Signature of Appellant: Delvin A Lehr Date: March 4 58
of Agent (if authorized)

and I certify that the information given above is correct to the best of my knowledge.

E. OFFICE USE ONLY

This appeal has been correctly filed and stamped by the City Clerk within ten (10) days of the date of the written decision.

Application examined by: _____ Date: _____

NOTICE OF PUBLIC HEARING
CITY COMMISSION

TO WHOM IT MAY CONCERN:

Notice is hereby given that the City Commission will hold a Public Hearing on Tuesday, March 25, 1958, at 7:30 p.m., in the City Commission Room, City Hall, Second and Tijeras, for the purpose of considering the following cases. Inquiries on these cases should be addressed to the Planning Department, 222-B Tijeras NE, telephone CH 7-1531, extension 281.

V-167 Ross Beyer Engineering Company, agent for Western Home Incorporated, requests the vacation of Wash Drive SE between the southerly right of way of San Jacinto Ave. and the northerly boundary of Sandia Base, U. S. Government Lands, as proposed subdivision for Western Home Inc., S-828, on file in the Planning Department. Located about two blocks to the west of Wyoming SE immediately north of Sandia Base.

Appeal 69

Z-555 Melvin Lehr through his agent, Louis Lujan, appeals the decision given by the City Planning Commission on March 5, 1958, which denied the following request: change of zone on Lots 1 thru 9 and Lots 31 thru 40, Block 1, Miradores Addition to the City of Albuquerque, as follows: C-1 to R-1 for the easterly 40', more or less, lying immediately to the west of the westerly right of way line of Carlisle Blvd. NE; the next westerly 160' from C-1 and R-2 to C-2 and the remainder of the westerly portion of the area from R-2 to R-1. This request was made in accordance with the proposed replat of the above mentioned lots on the southerly one-half, more or less, of Block 1; located between Carlisle Blvd. NE immediately to the north of Indian School Road NE. (Cross References: Z-447 and S-802)

Z-534(r)

The City Planning Department recommends amending the text of Zoning Ordinance 1082 as follows:

Section 19. Appeal to the City Commission from the Determination of the Board of Adjustment.

- A. The determination of the Board of Adjustment shall be final unless a written appeal is lodged with the City Clerk within ten (10) days from the date of the written determination of the Board of Adjustment.
- B. Twelve copies of the written notice of appeal shall be filed with the City Clerk on appropriate forms and shall set forth specifically wherein the Board of Adjustment erred in its determination.

(Continued)

CITY COMMISSION
March 25, 1958
4-555 Appeal 69

March 6, 1958

City Commission
City Hall
Albuquerque, New Mexico

Reference: File 4555
Appeal No. 69

Gentlemen:

This letter together with the attachments is for the purpose of explaining the reason for the appeal from the decision of the City Planning Commission by Melvin Lehr.

On April 1, 1957, Melvin A. Lehr applied to the City Planning Commission for a zone change from C-1 to C-3 on Lots 32 through 40 of Block 1 of Miracerras Addition to the City of Albuquerque which is a part of the same block covered by the present appeal. Lots 32 through 40 all face Carlisle Avenue as shown by the plat of Block 1. On May 6, 1957, Mr. Lehr appeared at the meeting of the City Planning Commission in favor of the zone change and the Planning Commission heard him and considered the question. It passed a resolution recommending to the City Commission that a zone change be made to C-2 rather than C-3 for the reasons expressed in the said resolution all as appearing in the minutes of said meeting, a copy of which is attached hereto.

It will be noted that the resolution passed by the City Planning Commission was based on two points; (1) that there was a need of additional C-2 land in the general area of Carlisle and Indian School Road because existing C-3 land had been purchased for highway rights of way, and (2) the proximity of the property to the proposed freeway and its interchange at Carlisle Boulevard, which would become major arterials, and that the property would probably be best developed with uses permitted in a C-2 zone. The City Commission took up the recommendation of the Planning Commission at its meeting of May 23, 1957, a copy of the minutes of which meeting is attached hereto and is self-explanatory.

The City Commission, after considering the above request for zone change and recommendation of the City Planning Commission, had H. G. Ervin, Administrative Assistant, write a letter to Mr. Paul Vollmer, Chairman of the Planning Commission, a copy of which is attached hereto as an exhibit. Pursuant

CITY COMMISSION
March 25, 1958
Z-555 Appeal 69

March 6, 1958

to that letter, Mr. Lehr made up a quitclaim deed to the City of Albuquerque for an alley which was approved as to form by the City Attorney and as to description by the City Engineer. However, this deed was never executed or delivered because Mr. Lehr abandoned his plans for a contemplated business at the Carlisle Boulevard location.

Again, this year Mr. Lehr applied for the following zone changes: From C-1 to P-1 on the Easterly 40 feet of the block lying immediately west of the Easterly right-of-way line of Carlisle Boulevard; from C-1 and U-2 to C-2 on the 160 feet immediately west of the West strip and from R-2 to P-1 on Lots 1 through 9 and the back portion of Lots 32 through 40 in the said Block 1.


The City Planning Commission met on March 3, 1958, and after hearing Mr. Lehr for and also a protest against the said zone changes, denied the application, as shown in the minutes of said meeting, a copy of which is attached hereto.

On March 5, 1958, Mr. H. S. Coblentz wrote to Mr. Lehr advising him of the decision of the Planning Commission denying the zone change request for the reasons stated in said letter, a copy of which is attached hereto for your ready reference.

The City Planning Commission recommended a zoning change on Lots 32 through 40 in Block 1 from C-1 to C-2 less than a year before this last meeting and thereby placed their stamp of approval on a C-2 zoning for the area. Mr. Lehr was depending on that decision when he applied for the changes which were denied at the March 3, 1958, meeting. It is our contention that there is at least a moral obligation to grant the change to C-2 zoning because there has been practically no change in the area between May of 1957 and the present time.

We should like the opportunity to develop this idea at the March 25, 1958, meeting of the City Commission.

Respectfully submitted,


Louis C. Lujan
Attorney for Appellant
1004 Sierra Building
Albuquerque, New Mexico

COPY OF COPY

April 1, 1957

Planning Commission,
City of Albuquerque,
Albuquerque, New Mexico

Dear Sirs:

I request zone change because:

Due to the Highway Department acquiring my property on Menaul Blvd., N.E., as indicated on the attached Plat, I will be forced to move to a new location. Since I am not going to receive sufficient compensation from the Highway Department to enable me to acquire a new location suitable to my needs within this particular area, and since I own lots Nos. 32 to 40 inclusive on Carlisle on which I have a building presently occupied by Green's Sanitary Specialties, and inasmuch as there is so much G-3 property on Menaul being done away with, I feel that the G-3 zoning of the Carlisle area would be of the utmost benefit, not only to me, but for the future needs of the city.

Furthermore, at the time I purchased the property on Carlisle there was no zoning restriction on same. My present building was erected on Menaul because I felt the location was more of a manufacturing and commercial area, and I intended in the future to erect nice business buildings on the lots on Carlisle. At the time I did not know that the Highway was going to take the Menaul property.

Thank you for your consideration of this application.

Very truly yours,

Melvin A. Lehr

300

R-1 to P-1
R-1 to C-2
Melvin Lahr

Z-555

CR: Z-447
Study 142

See attached or
State in file - Grand Platting Lots
1 thru 9 + 32 thru 40 Block, Miraceros
Add.
5-9-62 Proposed Plat

3-3-58

Z-447 EA 389

CPC 112

Addition to Z-447
Haines Park Add.
9 19

20
Miraceros Add.

3 1

2

3

9

10

11

26

27

28

29

30

31

~~32~~

~~33~~

~~34~~

~~35~~

~~36~~

~~37~~

~~38~~



CITY COMMISSION
March 25, 1958
E-555, Appeal 69

Minutes of May 6, 1957 of the City Planning Commission

Members present: Mr. Paul Volkmar, Mr. Dale Bellamah, Prof. Marvin May, and Mr. Walker Jones.

Mr. Lehr appeared in favor of the zone change. Mr. Lehr owns the entire block. He discussed at some length the nature of the operation which he proposes in this area. It was generally agreed by the Commission, the staff, Mr. Willig, that his operation could be conducted on a C-2 zone.

The Commission expressed the belief that the changing character of the traffic situation indicates that Carlisle and Indian School Roads should both be considered primary arterials. On this basis, C-2 at that intersection would be justified.

BE IT RESOLVED, that E-547 be recommended to the City Commission for approval as a change of zone to C-2 for the following reasons:

1. There is a need for additional C-2 land in this general area. This need has been brought about by the purchase of existing C-3 land for highway right-of-way.
2. The proximity of this property to the proposed Freeway and the interchange at Carlisle Blvd., which will become major arterials, indicates that this property may be best developed with uses permitted in a C-2 zone.

Note: The City Planning Commission recommends change to C-2 rather than C-3 as requested in the application.

BE IT FURTHER RESOLVED, that the Planning Staff be directed to study and report on the possibilities of the creation of additional C-2 land between subject property and the Freeway right-of-way.

Moved by Prof. May
Seconded by Mr. Jones

Motion carried.

Planning Department comments: as above.

H. S. Goblentz
Director of Planning

HSC:eba

COPY of copy

May 31, 1957

Mr. Paul Vollmar, Chairman
Albuquerque Planning Commission
3423 Central, N.E.
Albuquerque, New Mexico

Dear Mr. Vollmar:

At its regular meeting on May 26th, 1957, the Albuquerque City Commission considered 2-447, a request for a zone change for Lots 32 through 40, Block 1, Miraceros Addition from C-1 to C-2.

In considering this zone change, the Commission noted that there was no allowance made for an alley in rear of the requested zone change. The applicant stated that there was a side service road in front of his property facing on Carlisle Boulevard. In checking our right-of-way map for Carlisle Boulevard, we find that there is no specific public right-of-way dedicated for a side service road. Carlisle is on the 1957-58 Arterial improvement plan for a width of 100 ft. right-of-way and 36 ft. of paving divided.

The City Commission requested that the City Manager refer this requested zone change back to the Planning Commission for further study regarding an alley abutting the zone change.

Yours truly,

H. G. Arvien
Administrative Assistant

GHV/lrs

cc. H. C. Goblentz
Planning Department

Minutes, CPC, March 3, 1958, members present,
Messrs. Vollmar, Jones, May, and Heggen.

- 7. Z-555 & Melvin Lehr requests change of zone on Lots 1 thru 9 and S-902 Lots 31 thru 40, Block 1, Miraceros Addition, as follows: C-1 to P-1 for the easterly 40' more or less, lying immediately to the west of the westerly r/o/w line of Carlisle Blvd. NE; the next westerly 160' from C-1 and R-2 to C-2 and the remainder of the westerly portion of the area from R-2 to P-1.

A letter of protest was presented to the Chairman just before the meeting pointing out the possible relocation of Embudo Freeway.

Mr. Lehr stated that the State has already purchased part of his property for the proposed freeway and doesn't feel that the proposed relocation should prevent him from getting this change of zone. He said there are some gentlemen from out of town who want to build on this land and it means a good deal of money to him.

Professor May stated that this case should be argued on its own merits and not on the problems of the State Highway Department.

There were two opponents present at the hearing. One gentleman owned lots on the west side of Amherst and felt this change would be detrimental to his property.

Professor May stated if this change were approved it would place the owners of Lots on the west side of Amherst in an almost untenable position. In that area, due to topographical conditions, it could be developed for good residential property.

Mr. Lehr stated that he bought this property in 1951 or 1952 for business purposes and at that time there were no residences in this area.

BE IT RESOLVED, that Z-555 be denied for the following reasons:

- 1. It would be detrimental to the residential property to the east which is developed with good homes;
- 2. Has been the policy of the Planning Commission in the past to develop two minor Intersections with C-1;
- 3. This change would constitute strip zoning.

Moved by Mr. Heggen
Seconded by Professor May

Motion Carried.

COPY OF COPY

VIA CERTIFIED MAIL

CITY COMMISSION

March 25 1958

Z-555, S-902

Appeal #69

March 5, 1958

Mr. Melvin Lahr
930 11th Street NW
Albuquerque, New Mexico

Dear Mr. Lahr:

The Planning Commission at its meeting of Monday, March 3, 1958, recommended denial of your zone change request as follows:

C-1 to P-1 for the easterly 40', more or less, lying immediately to the west of the westerly r/w line of Carlisle Boulevard NE; the next westerly 160' from C-1 and R-2 to C-2 and the remainder of the westerly portion of the area from R-2 to P-1 being Lots 1 through 9 and Lots 31 through 40, Block 1, Miraceros Addition;

for the reasons that a zone change would be detrimental to residential property to the west and the down grading to C-2 would constitute a form of strip zoning.

You are advised formally that you may lodge an appeal within ten days from the date of this decision for subsequent hearing by the City Commission.

This morning you visited this Department and presented your appeal No. 69, which will be advertised for City Commission hearing March 25, 1958. It is further understood that your attorney at law, Mr. Luis C. Lujan, will present a supporting statement of the reasons for appealing this decision for denial.

Yours sincerely,

H. S. Coblenz
Director of Planning

HSC:mr

cc: Mr. Luis C. Lujan

Mr. A. P. Gerland

History:

At the meeting of May 6, 1957, the Planning Commission considered request for change of zone from C-1 to C-3 for Lots 32 thru 40 (Z-447), which lots are included in the present request. At that time the Planning Commission recommended approval for change from C-1 to C-2. Also at that hearing, the applicant proposed a 32' service road along the rear of Lots 1 thru 9 which would run from Indian School Road to Ashcroft.

On May 28, 1957, the City Commission considered this matter and was not in agreement with the proposed service road and set forth that a public alley should be dedicated instead of the private road. Also at that time, there was some discussion as to the planned right-of-way for a side service road on Carlisle contiguous to Lots 32 thru 40; however, on the 57-58 Arterial Improvement Plan, Carlisle is to be paved to a width of 88' on a right-of-way width of 100'. This would take the right-of-way from Carlisle and a major part of the right-of-way of the side service road. The City Commission sent the zone change back to the Planning Department for further study regarding an alley abutting the zone change.

Until the time the applicant came in with his new proposal, the Department had received no indication of dedication of an alley as set forth above.

Planning Department Comments:

Since the original application and subsequent hearing by the City Commission, a new development has taken place; the proposed relocation of Coronado Freeway south of the present center line. Under the present plan, the right-of-way for the Carlisle - Coronado Freeway will be just north of the zone change request. Since the proposed alignment is 8 or 900 feet south of the present center line, it could be assumed that the intersection would also be moved south. For this reason, it is recommended that consideration of this zone change be deferred for six months.

H. S. Goblentz
Director of Planning

Z-555

ACTION SHEET

City Commission, 3-25-58

Staff Present: MSC

Distribution: MSC, WDK, BJ, RGP, JL, EC, KL, JV, SS, CJ, Files, Garland

Item

- 7 Appeal 69, Z-555; CC not enthusiastic about creating parking area section on Amberst. Suggests taking it to the Planning Commission with the proposal for decreasing the depth of the R-2 area, creating wider frontage on lots and so in effect giving more C depth. Create large parking area of south end of commercial frontage and implementing C-2. Goes to CPC April 7 and CC complete April 15.
- 8 Z-550 (P) Slight changes discussed at pre meeting. To be sent back to CC for reading next week.
- 9 Appeal No. 60, Z-500. Request for deferral granted. To be heard April 15, 1958.

2-555

DISTRIBUTION:

KSC GI
WOK SS
LBJ SH
KNL JZ
GLC JYT
RGP EACH FILE
Gerland Burton

CITY PLANNING COMMISSION

April 7, 1958

ACTION

Members Present:

P. J. Vollmer, Chairman
R. J. Nordhaus, Vice Chairman
Mrs. Brown
Prof. May
P. E. Haggess
N. Aterid

Staff Present:

H. S. Coblenz, Director
W. D. Kelley, Chief Planner
K. W. Larson, Associate Planner
G. L. Carruthers, Associate Planner
S. J. Kerbert, Secretary

YP-23A (continued)

LETTERS OF ADVICE

survey and design work along this route as quickly as possible in order that social and economic confusion shall be held to a minimum." (No! Didn't think I could do it, did you?)

9. Z-35(11) Deferred to the hearing of April 21.
10. Z-555
S-902 Granted tentative approval to S-902 subject to action favorable to the proponent on Z-555. The Commission reviewed its previous action and upheld it.
11. Y-108 Approved

ACTION: 1. Letter of Advice - KI

12. Y-109 The Planning Department assessed the responsibility of the applicant and withdrew this request.
13. S1-164
Z-348 The staff was directed to advertise this matter for a public hearing.
14. S-905 1) General development plan granted tentative approval in principle; 2) Final approval granted S-905; 3) Preliminary and final approval granted on S-905 A.

ACTION: 1. Letter of Advice - SE

15. S-912 Approved in principle.

ACTION: 1. Letter of Advice - GC

16. S-916 Final approval granted.

ACTION: 1. Letter of Advice - GC

17. S-917 Final approval granted.

ACTION: 1. Letter of Advice - GC

18. A-4 Approved.
19. Subdivision rules and procedures deferred.

Meeting adjourned at 1:20 A.M.

Z-555

April 9, 1958

Mr. Louis C. Lujan
Attorney at Law
Simms Building
Albuquerque, New Mexico

Dear Mr. Lujan:

At its regular meeting of April 9, 1958, the City Planning Commission reviewed its action of March 3, at the request of the City Commission and unanimously reaffirmed its previous action.

Mr. Lahr's appeal to the Planning Commission's denial will be heard by the City Commission at its meeting of April 15, 1958. Should you have any further questions, please do not hesitate to contact us.

Yours sincerely,

H. S. Coblenz
Director

HSC:sjh

cc: Mr. Lahr
Building Department

CITY PLANNING COMMISSION

April 7, 1958

UNAPPROVED DRAFT

Members Present:

Paul J. Volmar, Chairman
Robert J. Sardone, Vice Chairman
Mrs. Joann Brown
Professor Marvin May
Paul E. Hoggan
Michael Alario

Staff Present:

H. B. Oshwitz, Director
N. D. Kelley, Chief Planner
S. L. Oshwitz, Associate Planner
K. W. Larson, Associate Planner
S. J. Webster, Secretary

PLANNING COMMISSION
CITY OF ALBUQUERQUE



| | |
|--------------|-------|
| Z | _____ |
| Map | _____ |
| Census Tract | _____ |

FILE TWO (2) COPIES OF APPLICATION.

Make the application as either (1) owner, (2) lessee, (3) tenant, or (4) interested party.

Before you fill in this application, please read the attached "HOW TO MAKE AN APPLICATION."

AN INCOMPLETE APPLICATION WILL NOT BE ACCEPTED.

If you have any questions, please ask the person who takes the application from you for the answer.

If this application is approved by the City Planning Commission, it will be advertised for hearing by the City Commission at least fifteen (15) days prior to a City Commission hearing. Upon approval by the City Commission for a change to the Zoning Ordinance or Zone Map, the ordinance will be published in "El Independiente" and will become effective.

PRINT CLEARLY OR TYPE

A. Name of Applicant: _____ Telephone Number: _____
* State which: (1) _____, (2) _____, (3) _____, (4) _____
(Names of other persons should be listed at end of application.)
By Agent (if any) is: _____ Telephone Number: _____
Mailing Address: _____
Date of application: _____ Date received in Planning Dept. _____

B. Legal description of property: Lot _____, Block _____,
Flat _____
Location of property is on _____ between _____
and _____ near _____. I obtained the property on
_____ and was built on _____.
mo. day yr. mo. day yr.

At that time the deed restrictions (if any) stated that I was required to comply with the following and the deed restrictions expire on:

(YOU MAY ATTACH EXACT COPY OF SUCH RESTRICTIONS IF NECESSARY.)

I (have) (have not) made this application before. If you have, when was it made?
_____. What was the previous application number? Z _____
(date)

C. Zoning change requested on the property mentioned above:

FROM _____ Zone
TO _____ Zone.

(over)

a street. He stated he would not vote for the proposed park either as a public or a private park.

Mr. Fairburn stated that one of the things lacking in Albuquerque is a body of water and that they are trying to create the illusion of water by the unusual shape of this park. He agreed that the park does have limited access, and that it would be available to everyone. He said it was for the holders' through to develop the park and deed it to the City, and that after development, the City would maintain it.

Mr. Volmer said the commercial lots were not deep enough and residential lots could not be forced into commercial. He stated further that the City Planning Commission is there to try to help with those problems and to suggest zoning changes which will make their plan more workable. They have 120' of strip commercial zoning in the corner and some single family residences are proposed to run the rest of the commercial. Mr. Volmer stated that he is by no means against commercial zoning, but this should be arranged so as to permit adequate off-street parking and to make the dwellings more desirable by backing them into the commercial. He did not feel that the Commission could be doing the subdividers a service by approving this plan in its present state.

After considerable discussion, the Commission suggested that the interested parties contact the Planning Department to try and work out the problems involved. The Chairman was instructed to inquire into the philosophy of the City's park policy to see whether this park could be developed and maintained as the subdividers propose.

BE IT RESOLVED, that 2-580 and 2-505 be referred to the meeting of April 21, 1958

Moved by Professor Kay
Seconded by Mrs. Brown

Motion Carried

- 10. 2-505 Reconsideration of var zone change request and location on Lots 1 thru 5 and 6-909 31 thru 40, Block 1, Mirasolres Addition.

Mr. Coblenz gave a brief history of this matter as it came before the City Commission. The City Commission referred the matter back to the Planning Commission for reconsideration at its meeting of April 7, 1958.

The Planning Commission discussed its previous reasons for denying the application and the Chairman stated that the Commission had a pattern of trying to control G-2 uses to the major intersections; approval of G-2 here would be deliberately backing policy uses into subdepth residential property.

BE IT RESOLVED, that the Planning Commission, having reviewed its previous action on 2-555, reaffirms its position. Should the City Commission agree to adopt the ordinance amending the zoning ordinance, then the plot will have been considered to have received preliminary and final approval.

Moved by Mr. Haggel
Seconded by Professor Kay

Motion Carried

- 11. 4-150 Gas Analysis requests the location of a line of poles the southern right-of-way line of Lane NE and the northern right-of-way line of Road NE said right-of-way being sixty feet in width.

CITY COMMISSION
April 19, 1933
2-595
Commission Ordinance

COMMISSION ORDINANCE NO. 1335

AN ORDINANCE AMENDING THE FRONT YARD OF THE CITY OF ALBUQUERQUE IN
CASE OF ORDINANCE 1187 (THE NO. 1187 OF 1911) WHICH ORDINANCE PROVIDED
FOR A FRONT YARD AS FOLLOWS:

BE IT ORDAINED BY THE CITY COMMISSION, CITY OF ALBUQUERQUE, AS FOLLOWS:

Section 1. That the said ordinance be amended in all other portions
of Commission Ordinance 1187 to read as amended by making
the following amendments:

From 2-4 and 3-1 to 3-2 for the northerly 200 feet, more
or less, of the westerly 150 feet of the easterly 150
feet.

And from 3-1 to 3-1 for the northerly 40 feet of the northerly
200 feet, more or less, and the northerly 200 feet of the
easterly 150 feet, more or less; all in Tract A, of White
Map of lots 1 to 6 and 33 to 46, inclusive, in Block
2 of Mirasol Addition to the City of Albuquerque.

Section 2. This ordinance is hereby declared to be an emergency measure
of the greatest public use. It is Mirasol to
become effective immediately upon its passage and all actions
as provided by law.

APPROVED: _____ MAYOR AND APPROVED THIS _____ DAY OF _____ 1933.

Chairman of City Commission and
Staff Clerk of the City of
Albuquerque.

City Clerk

Not published / Plat was not recorded.
Null & void by Ord 1493 & map.

PLANNING DEPARTMENT
City of Albuquerque

CITY COMMISSION
April 15, 1958
Z-555; S-902, Appeal 69

Comments:

The Planning Commission considered the suggestion discussed at the City Commission meeting of March 25 and unanimously reaffirmed its previous decision not to recommend approval for this zone change. However, if the City Commission were to uphold the appellant and grant the zone change, then the Planning Commission would approve the plat. Preliminary approval was given to the plat conditional upon such zone change at the meeting of Monday, April 7.

A ordinance has been prepared which reflected the proposed replat and it is suggested that, should the ordinance be approved, that it not be published until the plat is recorded in the Court House. (Ordinance attached)

H. S. Goblentz
Director of Planning

ACTION SHEET

CITY COMMISSION

April 15, 1958

Staff Present: BJ, SH, KL,

Item

- 2 Appeal No. 60, 7-500, Harry Morris; Beverly Wood Addition; deferred to the meeting of April 29, 1958.
- 3 V-167; S-056, Ross Boyer, Western Homes, Inc., deferred until the meeting of April 29, 1958.
- 4 (a) S-916, approved.
(b) S-917, approved.
- 5 Appeal No. 69, 7-555; appeal granted. First motion to uphold ordinance did not carry; vote 2 to 2; Next motion for appeal carried. Ordinance 1335; Ordinance to be withheld until plat has final approval and is recorded.

- 6 TP-23-A--Only approval given was that the Commission felt that an alternate route south of Manantial was probably a better location for the freeway than the one presently aligned. Traffic Engineer suggested that any definite approval be deferred until a study could be made of the impact of the new alignment on the present and future street system of Albuquerque, especially the downtown area and that the Commission employ an agency to make such study; however, the Commission did not go along with the idea of employing an outside agency.

Briefly, the motion covered these points--(1) That the Highway Department be urged to set a definite alignment for the alternate route as soon as possible, after holding a public hearing in Albuquerque.
(2) Complete the study mentioned above (City Engineering and Planning Department) concerning impact of the alternate route on Albuquerque.

Note: The Commissioners implied that the Planning Dept. should play an important role in this project and this Dept. will probably receive a letter along this line from the City Manager within the next few days.

Bernie Jones

CITY PLANNING DEPARTMENT
OFFICE OF PUBLIC HEARINGS

Albany, New York, 12212, 7:30 P.M.
City Commission Room, City Hall
Grand and Niagara Avenues 27

TO WHOM IT MAY CONCERN

Notice is hereby given that the City Planning Commission will hold a Public Hearing on Friday, March 3, 1966, at 7:30 P.M. in the City Commission Room, City Hall, Grand and Niagara, for the purpose of considering the following matters:

The following requests have been made for zone changes, variances and other considerations. Under the Zoning Ordinance, the Planning Commission must inform all property owners whose zones appear on the current Zoning Map within a 200 foot radius of the property for which a zone change is requested and a 500 foot radius of the property for which a variance is requested.

PLEASE PRINT NAME, ADDRESS AND PHONE NUMBER OF ALL APPLICANTS IN THIS SPACE AND SIGNATURE OF APPLICANT IN SPACE BELOW.

THIS IS YOUR CHANCE TO MAKE YOUR COMMENTS KNOWN TO THE CITY PLANNING COMMISSION. PLEASE ATTEND THE HEARING IN PERSON OR BY APPOINTING AN ATTORNEY TO REPRESENT YOU. YOUR COMMENTS WILL BE RECORDED AND WILL BE A PART OF THE RECORD FOR THE HEARING.

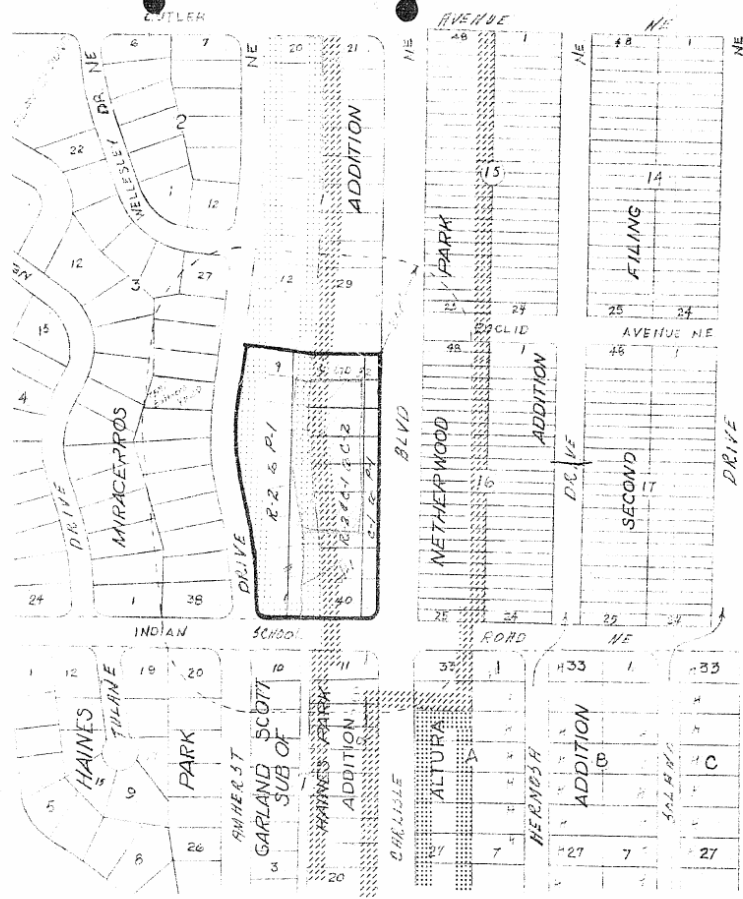
For a Zoning application which is of interest to you is marked by a "hand." All applications which applications may be addressed to the Planning Department, 222-8 11th Street, Albany, NY 12212, extension 262.

Z-507 P. G. Suran, agent for the Realty Company, Inc., requests change of zone from R-1 to C-1 for Lot 21 and from R-1 to C-1 for Lot 22, Block 55, University Heights Addition to the City of Albuquerque, located on the east side of Carlisle Blvd. SE between Silver and Oak Avenues SE.

Z-508 Alton B. Leland and others request change of zone from R-1 to C-2 for Blocks 15, 16, 21, 22 and the westerly one-half of Blocks 17 and 18, East Central Business Addition, located between Olive Road, Lynn Avenue, Jane Road and Burial Road NE, near Central Avenue NE.

Z-509 P. G. Suran requests change of zone from R-1 to C-2 for Lot 23, Block 5, West Park Addition to the City of Albuquerque, located on Alhambra St. SW to the west

Z-510 Helvia Lahr requests change of zone on Lots 1 thru 9 and Lots 31 thru 40, Block 1, Miracoras Addition to the City of Albuquerque, as follows: C-1 to R-1 for the easterly 40', more or less, lying immediately to the east of the westerly e/w line of Carlisle Blvd. NE; the next westerly 100' from C-1 and C-2 to C-2 and the remainder of the westerly portion of the area from R-2 to R-1. This request is made in accordance with the proposed report of the above mentioned lots on the southerly one-half, more or less, of Block 1, located between Carlisle Blvd. NE immediately to the north of Indian School Road NE. (Proposed report, Z-508, can be seen in the office of the Planning Department.) CR: R-117



- ZONES**
- R-1
 - R-2
 - R-3
 - C-1
 - STUDY AREA
- APPROX. 3.9 ACRES

REF.
2-5-54
A-11

- KEY**
- # Single Family House
 - # General Business office service
 - # Service Station
 - # Dump



**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT**

| | | |
|---------------|--------------|------------------|
| Plot: 7-1-55 | Date: 4-1-55 | Scale: 1" = 200' |
| Zoning: SBE | Date: 5-1-55 | Source: CFC-112 |
| Land Use: SBE | Date: 5-1-55 | |
| Checked: BJ | Date: 5-1-55 | |

Legal Description:
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40
BLOCK 1, MIRACERROS ADD

Title:
Zoning Change { R-1 to R-1
R-2 to R-2
R-3 to R-1

| | |
|---------------------------------|--------------------|
| Applicant or Agent: MELVIN LAHR | File Number: E-555 |
| Hearing Date: 3-25-55 | |

Z-555 Melvin Lahr requests change of zone on Lots 1 thru 9 and lots 31 thru 40, Block 1, Miraceros Addition, as follows: C-1 to F-1 for the easterly 40', more or less, lying immediately to the west of the westerly r/o/w line of Carlisle Blvd. NE; the next westerly 160' from C-1 and R-2 to R-2 and the remainder of the westerly portion of the area from R-2 to F-1. This request is made in accordance with the proposed replat of the above mentioned lots on the southerly one-half, more or less, of Block 1, located between Carlisle Blvd. NE immediately to the north of Indian School Road NE.

Map Sheet 7

Map Sheet 112

Area: Approximately 4 Acres

Area for Request:

This request is made in accordance with the proposed replat of the lots on the southerly one-half, more or less, of Block 1, located between Carlisle Blvd. NE immediately to the north of Indian School Road NE.

Remarks:

1. Report
2. Approval

Notes:

Subject property is vacant with the exception of a sanitary supply business on lot 32 and a service station and insurance office on the southwest corner of Carlisle and Indian School Road. The area to the east, north and west is vacant with the exception of a builder's storage yard along the west side of Ashcroft immediately to the west of the area in request. There is some residential development about 500' to the northwest.

Other:

East one-half of subject property C-1 and west one-half, R-2. In this vicinity on both sides of Carlisle, present zoning is C-1 and R-3. Other area outside commercial is R-1.

Other Agencies/Departments

Requested 2-12-58

1. Land Board - No Comment (2-20-58)
2. Building Department - No Comment. (2-17-58)
3. Traffic Engineer -
4. State Highway Dept. - It appears that the northerly limits of the area in question would be some 900' - 1000' south of the center line of the alignment under study for the east-west freeway, and the zone change is unlikely to have any effect on our plans or design. (2-21-58)

History

At the meeting of May 6, 1957, the Planning Commission considered request for change of zone from C-1 to C-3 for Lots 32 thru 40 (Z-467), which lots are included in the present request. At that time the Planning Commission recommended approval for change from C-1 to C-2. Also at that hearing, the applicant proposed a 32' service road along the rear of Lots 1 thru 9 which would run from Indian School Road to Ashurst.

On May 20, 1957, the City Commission considered this matter and was not in agreement with the proposed service road and set forth that a public alley should be dedicated instead of the private road. Also at that time, there was some discussion as to the planned right-of-way for a side service road on Carlisle contiguous to Lots 32 thru 40; however, on the 37-38 Arterial Improvement Plan, Carlisle is to be paved to a width of 66' on a right-of-way width of 100'. This would take the right-of-way from Carlisle and a major part of the right-of-way of the side service road. The City Commission sent the zone change back to the Planning Department for further study regarding an alley abutting the zone change.

Until the time the applicant came in with his new proposal, the Department had received no indication of dedication of an alley as set forth above.

Recommendation of the Planning Department:

Since the original application and subsequent hearing by the City Commission, a new development has taken place; the proposed relocation of Coronado Freeway south of the present center line. Under the present plan, the right-of-way for the Carlisle - Coronado Freeway will be just north of the zone change request. Since the proposed alignment is 8 or 200 feet south of the present center line, it could be assumed that the intersection would also be moved south. For this reason, it is recommended that consideration of this zone change be deferred for six months.

M. S. Goblentz
M. S. Goblentz
Director

VSC:sjh

New Mexico Building Branch

ASSOCIATED GENERAL CONTRACTORS OF AMERICA

POST OFFICE BOX 426 - 530 JEFFERSON ST., NE
ALBUQUERQUE, NEW MEXICO

SKILL RESPONSIBILITY INTEGRITY



March 3, 1958



Mr. Paul J. Vollmer, Chairman
City Planning Commission
Second and Tijeras NW
Albuquerque, New Mexico

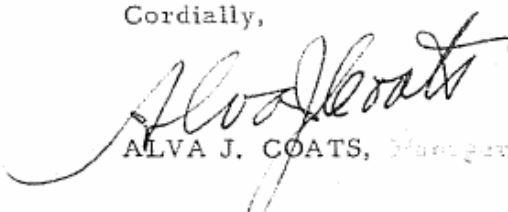
This is a protest relative to Melvin Lahr's request for a zone change relating to Lots 1 through 9 and 31 through 40, Block 1, Miraceros Addition to the City of Albuquerque. This appears as item Z 555 in your recent announcement to affected property owners.

Since I am a co-owner of 48 Lots, some in Block 1 and others in adjoining blocks of this addition, I object to Mr. Lahr's request for zone changes. Many reasons for this objection could be advanced, however, I will confine myself to two:

1. The lots immediately west of Lots 1 through 9 are zoned R-1. It's my belief that those would be damaged by a change from R-2 to P-1 in Lots 1 through 9.

2. It is premature to consider any zone changes in this general area for the reason that the State Highway Commission has not yet definitely announced the location of the Embudo Freeway. According to latest reports it would appear that Embudo Freeway would be moved south of Menaul and instead will be located in part within Miraceros Addition. This change in location if it does come about, may make zone changes in the Miraceros Addition desirable. It would be my recommendation, Mr. Vollmer, that action on Mr. Lahr's petition be deferred until such time as re-zoning of Miraceros Addition by possible freeway location may be studied in its' effect on the whole addition.

Cordially,


ALVA J. COATS, Manager

AJC/wc