

Z-83-44*

FEE PAYMENT

\$ 200 CHECK: CASH: DATE: _____

Account Drawn on: Fidelity Natl

Address: _____

Pay to the order of: Pracht Properties

Payee Name: A. Susan Crawford

Payee Address: P.O. Box 25485 Phone: 247-4900

RECEIPT OF THE ABOVE FEE IS HEREBY ACKNOWLEDGED.

Robert E. Landon, Treasurer
City of Albuquerque

Date: _____

Credit: 5266000
441006

Planning Division

Instruction on Use of Form:

Prepare one copy for Checks
Prepare in Triplicate for Cash
Cash Payments must be delivered in
Treasurer's Office by hand.
Send all copies of completed form and fee
City Treasurer (one copy will be returned
Planning File)

Revised March 25, 1983

RECEIVED
PLANNING DEPARTMENT

MAY 1 1983

PLEASE REFUND \$175.00 TO PRACHT PROPERTIES. THIS REQUEST
FOR A ZONE CHANGE HAS BEEN WITHDRAWN BY THE APPLICANT.
THANK YOU.

ALBUQUERQUE, N.M.

Yvonne T. Carmona
YVONNE T. CARMONA
EPC BOARD SECRETARY

BROWN & ASSOCIATES, INC.
REALTY SERVICES

Post Office Box 3671
Albuquerque, New Mexico 87190
Offices at: 3806 Carlisle Blvd. NE
(505) 883-1674

2-83-49
May 6, 1983

MDD Planning
City of Albuquerque
Post Office Box 1293
Albuquerque, New Mexico 87103

ATTN: Mr. Randy Trainer

RE: .2 - Rezone from C-1 to C-2 for Indian Plaza

Dear Mr. Trainer:

Please rescind our application for zone change made April 29, 1983, as referenced above, as the owner of the property does not wish to pursue this request at this time.

Very truly yours,

BROWN & ASSOCIATES, INC.

BY 

Ronald D. Brown
Agent for Pearl Properties

RDB/mm

**APPLICATION FOR ZONE MAP AMENDMENT
AND/OR DEVELOPMENT PLAN**

new
4-29-83

INSTRUCTIONS:

PRINT OR TYPE IN BLACK INK ONLY. Use additional sheets, if necessary. Thirty (30) copies (Annexation, forty copies) of all attachments must be submitted with the application and, after folding, shall not exceed 8 1/2 x 14 inches.

Applicant's Name: PEARL PROPERTIES requests

Zone Map Amendment Development Plan Review Annexation
Type of Plan

TRACTS A & C OF UNIT ONE OF INDIAN PLAZA
For Lot(s): _____ Block(s): _____ in Subdivision/Addition
Presently zoned C-1 and proposed to be zoned as R-2 located at:
Street Address (No., if any): 2101 - 2131 BLOCK CARISLE BLVD NE
Between _____ Street and _____ Street

Total Land Area Covered by Application: Acres 3.57 Square Feet _____
NORTHWEST CORNER OF INDIAN SCHOOL AND CARISLE BLVD NE

Number of DU's Proposed _____ DU's Per Gross Acre _____ DU's Per Net Acre _____

APPLICANT INFORMATION:

Applicant's Mailing Address: P.O. Box 25485 Phone: 247-4900
Zip Code: 87125

Applicant's Proprietary Interest in the Property: OWNER

Agent if any: BROWN, RONALD J. Phone: 883-1674
Mailing Address: 3800 CARISLE BLVD NE Zip Code: 87107
Signature of Applicant: [Signature] Date: _____

FOR PLANNING STAFF USE ONLY

Application Received By: [Signature] Date: 29 April 83

Fee: \$200 Paid: \$200 Method of Payment: ck

Cross-Ref.: AX- _____ Z- _____ S- _____ Other: _____

No. of Signs Issued: 2 ZHE or EPC? (circled)

1 Copy each to:
Research Analyst
Applicant
Graphics

Hearing Date: 16 June 83
Z-83-44
Case Number
Map Number: H-16

ZONE MAP AMENDMENT REASON FOR REQUEST FORM

Applicant must provide justification why the Zone Map should be amended.

The applicant's reason for request will be evaluated against the Policies for Zone Map Amendments. The following policy statements form the foundation for evaluation.

THE APPLICANT/AGENT, MUST PROVIDE A SOUND JUSTIFICATION FOR THE CHANGE OF ZONE. IT IS THE APPLICANT'S BURDEN, NOT THE CITY'S, TO SHOW WHY THE CHANGE SHOULD BE MADE.

IN ADDITION, THE COST OF LAND OR OTHER ECONOMIC CONSIDERATIONS OF THE APPLICANT WILL NOT BE THE DETERMINING FACTOR FOR A CHANGE OF ZONE.

LOCATION ON A MAJOR STREET IS NOT IN ITSELF SUFFICIENT JUSTIFICATION FOR APARTMENT, OFFICE, OR COMMERCIAL ZONING.

Assistance in completing the reason for request may be obtained by scheduling a pre-application discussion. Failure to state your reasons constitutes an unacceptable application. (Use additional sheet, if necessary)

Case Number

BROWN & ASSOCIATES, INC.
REALTY SERVICES

Post Office Box 3671
Albuquerque, New Mexico 87190
Offices at: 3800 Carlisle Blvd. NE
(505) 883-1674

April 29, 1983

Mr. Gene Mares, Senior Planner
MDD Planning
City of Albuquerque
Post Office Box 1293
Albuquerque, New Mexico 87103

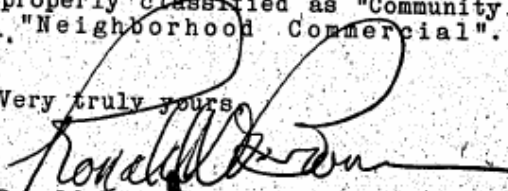
Re: Zone Change from C-1 to C-2
Indian Plaza Shopping Center
Albuquerque, New Mexico

Dear Mr. Mares:

The referenced zone change is requested for two reasons: One, a request for a remodel permit to provide a new Nautilus Fitness Center within this center has been rejected as a use violation of the existing zoning code. Previously, on March 21, 1980, a building permit for a Nautilus Fitness Center at 2109 Carlisle Blvd., N.E., was issued under the existing C-1 zoning code. The Fitness Center has been in operation since April 1980, and has a current City Business License #43987. A relocation to the north portion of the facilities is now requested. Because a health club (as opposed to a health gymnasium) is not addressed in the City Zoning Ordinance, this use currently would fall into the "catch-all" provision of Section 22.A, Paragraph 10, and would require C-2 zoning.

The second reason for the request of this zone change is that, although the C-1 zoning classification was appropriate when this property was developed in 1960, it is no longer appropriate. Interstate 40 has been constructed subsequent to 1960, changing the character of this property, and its most appropriate uses. This property, as would be true of any commercial property on a major arterial street immediately off an Interstate Highway entrance/exit, should be more properly classified as "Community Commercial" rather than "Neighborhood Commercial".

Very truly yours,


Ronald D. Brown
Agent for Pearl Properties

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the Comprehensive City Zoning Code are responsible for the posting and maintaining of one or more signs on the property which the application describes. Vacations of public right-of-way (if the way has been in use) also require signs. Waterproofed signs will be provided to you at the time you submit your application. If you mail in your application, you must still stop at the Planning Division to pick up the sign.

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Planning Division at a charge of \$1.75 each.

1. LOCATION:

- a. The sign shall be conspicuously located. It shall be located within twenty feet of the public sidewalk (or edge of public street). Staff may indicate a specific location.
- b. The face of the sign shall be parallel to the street, and the bottom of the sign shall be two to seven feet from the ground.
- c. No barrier shall prevent a person from coming within five feet of the sign in order to read it.

2. NUMBER:

- a. One sign shall be posted on each paved street frontage. Signs may be required on unpaved street frontages.
- b. If the land does not abut a public street, then in addition to a sign placed on the property a sign shall be placed on and at the edge of the public right-of-way of the nearest paved City street. Such a sign must direct readers toward the subject property by an arrow and an indication of distance.

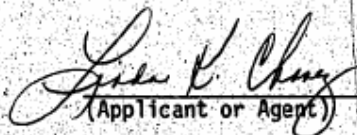
3. PHYSICAL POSTING:

- a. A heavy stake with two crossbars or a full plywood backing works best to keep the sign in place, especially during high winds.
- b. Large headed nails or staples are best for attaching signs to a post or backing; the sign tears out less easily.

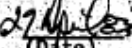
4. REMOVAL:

- a. The sign is not to be removed before the initial hearing on the request.
- b. The sign should be removed within five days after the initial hearing.

I have read this sheet and discussed it with the Planning Division staff. I understand (a) my obligation to keep the sign(s) posted for 15 days and (b) where the sign(s) is to be located. I am being given a copy of this sheet.


(Applicant or Agent)

4-19-83
(Date)

I issued 2 sign(s) for this application 
(Date) (Staff Member)



120

C