



CITY OF ALBUQUERQUE
Albuquerque, New Mexico
Office of the Mayor

Mayor Richard J. Berry

INTER-OFFICE MEMORANDUM

September 18, 2015

TO: Rey Garduño, President, City Council

FROM: Suzanne Lubar, Planning Department Director

Subject: Project# 1010551/15EPC-40039 & 40041 - the Environmental Planning Commission (EPC) forwards a Recommendation of Approval to the City Council of a zone change from R-T to SU-1 for Mobile Home Development and an associated as-built Site Development Plan for Building Permit for Tract 2A, Westgate Mobile Home Park, located on 98th St. SW, between Tower Rd. SW, and DeVargas Rd. SW, containing approximately 14.5 acres. Staff Planner: Catalina Lehner

Proposal

The proposal is for a sector development plan map amendment (zone change) to the Tower User Sector Development Plan (TUSDP) for Tract 2A, Westgate Mobile Home Park, an approximately 14.5 acre site that contains a portion of the existing Sage Mobile Home Park (the "subject site").

The applicant proposes to change the subject site's zoning from R-T to SU-1 for Mobile Home Park and correspondingly amend the Zone Map in the TUSDP. Since the requested zone is SU-1, a site development plan is required [Ref: §14-16-2-22(A)(1)]. The applicant has provided an "as built" site development plan.

Background & Purpose

The subject site, located on Albuquerque's SW mesa in the Westgate area, contains an existing mobile home park that was built in the 1970s. The applicant states that, due to non-conformance, Tract 2A (which is the only non-conforming tract of the three tracts comprising the mobile home park) must come into compliance by 2026. The proposal would allow the mobile home to remain by changing Tract 2A's zoning so that it allows the existing use, thereby remedying the non-conformance and facilitating the applicant's refinancing of the property.

EPC Role & Decision

The EPC is required to hear all zone change cases, regardless of site size, in the City. Because the subject site is greater than one block (10 acres) and the applicable sector development plan uses SU-2 zoning, the City Council is the approval authority and the EPC is a recommending body pursuant to Zoning Code §14-16-2-23(b)(2)(a) and §14-16-4-1(C)(15)(c).

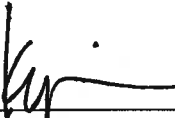
At its September 11th, 2015 hearing, the EPC voted 7-0 to forward a Recommendation of Approval of the zone change to the City Council.

Neighborhood & Public Input

The affected neighborhood organizations are the Route 66 West Neighborhood Association (NA), the South Valley Coalition of NAs, the South West Alliance of Neighbors (SWAN), and the Westside Coalition of NAs, which were notified as required. Property owners within 100 feet of the subject site were also notified as required. A facilitated meeting was neither recommended nor held. Staff received phone calls from a resident of the mobile home park and a nearby resident, but did not receive any written comments and is not aware of any opposition to the proposal.

Conclusion

The proposed zone change to SU-1 for Mobile Home Development would allow the existing mobile home development to remain. The EPC voted unanimously 7-0 to forward a Recommendation of Approval to the City Council.

Recommended:

Kym Dicome, Manager
Current Planning Section

TABLE OF CONTENTS
Project# 1010551 – 15EPC-40039/40041

PAGE(S)

EPC STAFF REPORT, September 10, 2015.....	1- 75
EPC OFFICIAL NOTIFICATION OF DECISION, September 10, 2015.....	76- 84
EPC MINUTES, September 10, 2015.....	85- 92
ADDITIONAL INFORMATION.....	93- 113



**Environmental
Planning
Commission**

**Agenda Number: 03
Project Number: 1010551
Case Numbers: 15EPC-40039/40041
September 10, 2015**

Staff Report

Agent	Matt Myers- Myers, McCready & Myers
Applicant	Deemer Properties, NM, LLC
Requests	Sector Development Plan Map Amendment (zone change) Site Development Plan for Building Permit
Legal Description	Tract 2A, Westgate Mobile Home Park
Location	on 98th St. SW, between Tower Rd. SW, and DeVargas Rd. SW
Size	Approximately 14.5 acres
Existing Zoning	R-T Residential zone
Proposed Zoning	SU-1 for Mobile Home Development

Staff Recommendation

That the EPC forward a recommendation of APPROVAL of 15EPC-40039, based on the Findings beginning on Page 18 and subject to the Condition of Approval on Page 21, to the City Council.

That the EPC forward a recommendation of APPROVAL of 15EPC-40041, based on the Findings beginning on Page 21 and subject to the Conditions of Approval beginning on Page 24, to the City Council.

**Staff Planner
Catalina Lehner-AICP, Senior Planner**

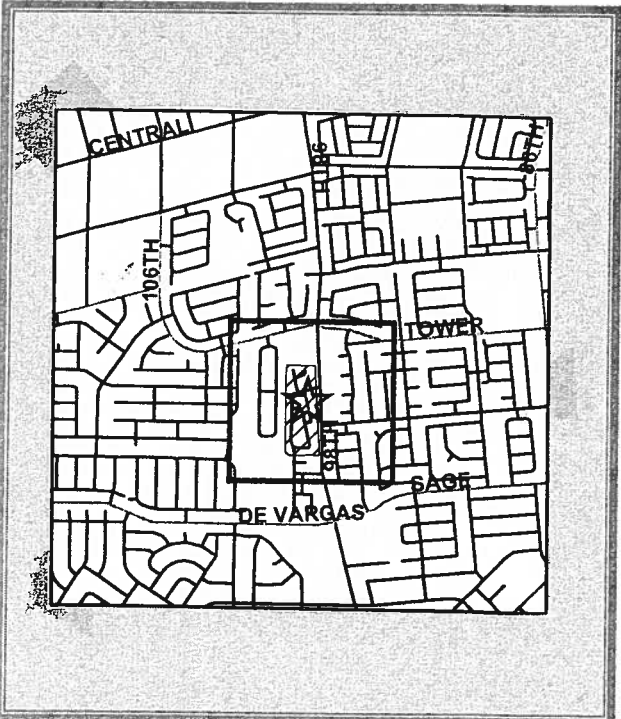
Summary of Analysis

This proposal is for a sector development plan map amendment (zone change) to the Tower/Unser Sector Development Plan (TUSDP) and an associated "as built" site development plan. A mobile home park occupies the subject site and the two tracts nearby.

The applicant requests a zone change to SU-1 for Mobile Home Development so that a portion of the existing mobile home park will be allowed to remain. Currently it's zoned R-T and not allowed. The request is adequately justified pursuant to R270-1980 and generally furthers applicable Goals and policies.

The affected neighborhood organizations and property owners were notified, as required. Staff received a phone call from a resident who had questions, but has not received any written comments and is unaware of any opposition as of this writing.

Staff recommends approval of the zone change and conditional approval of the as built site development plan.



City Departments and other interested agencies reviewed this application from 08/03/2015 to 08/14/2015. Agency comments used in the preparation of this report begin on Page 26.



Project #1010551



- Legend**
- Bernalillo County Parcels
 - Municipal Limits**
 - Corrales
 - Edgewood
 - Los Ranchos
 - Rio Rancho
 - Tijeras
 - UNINCORPORATED
 - World Street Map



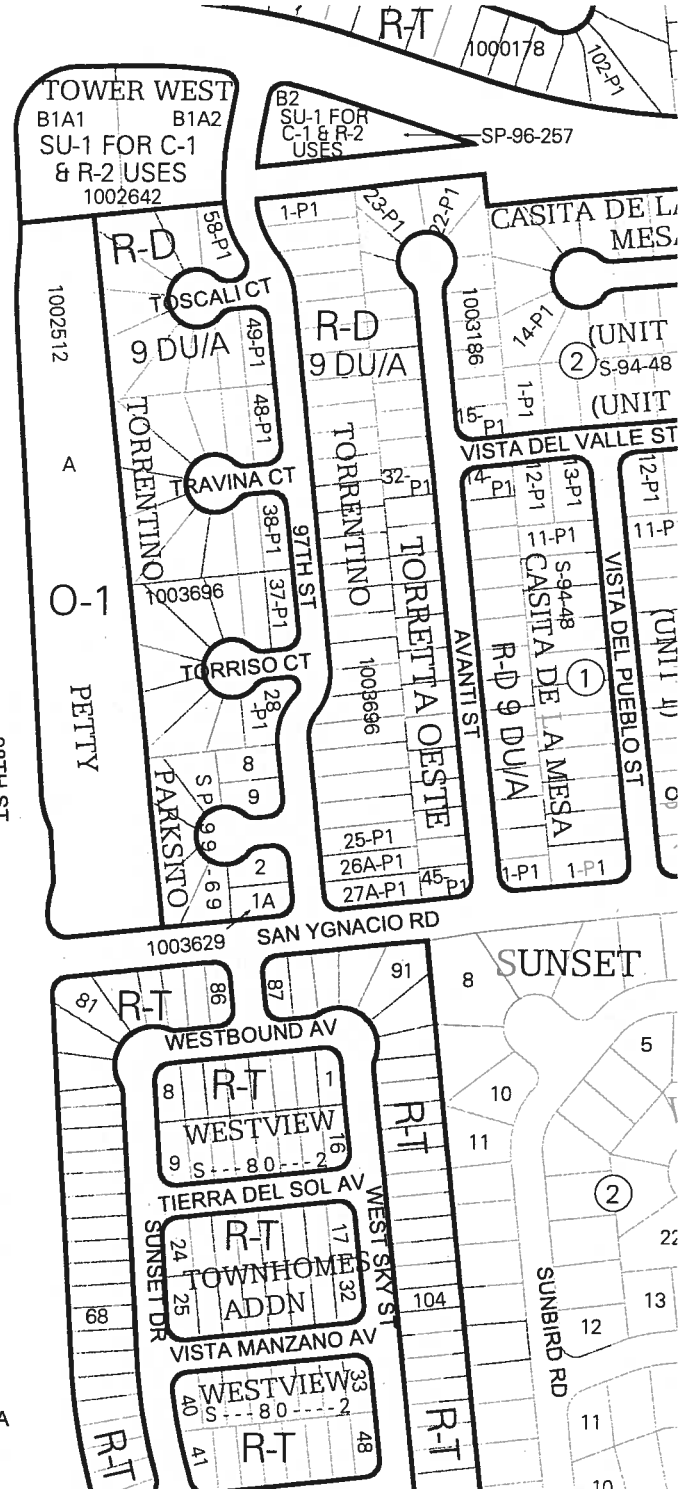
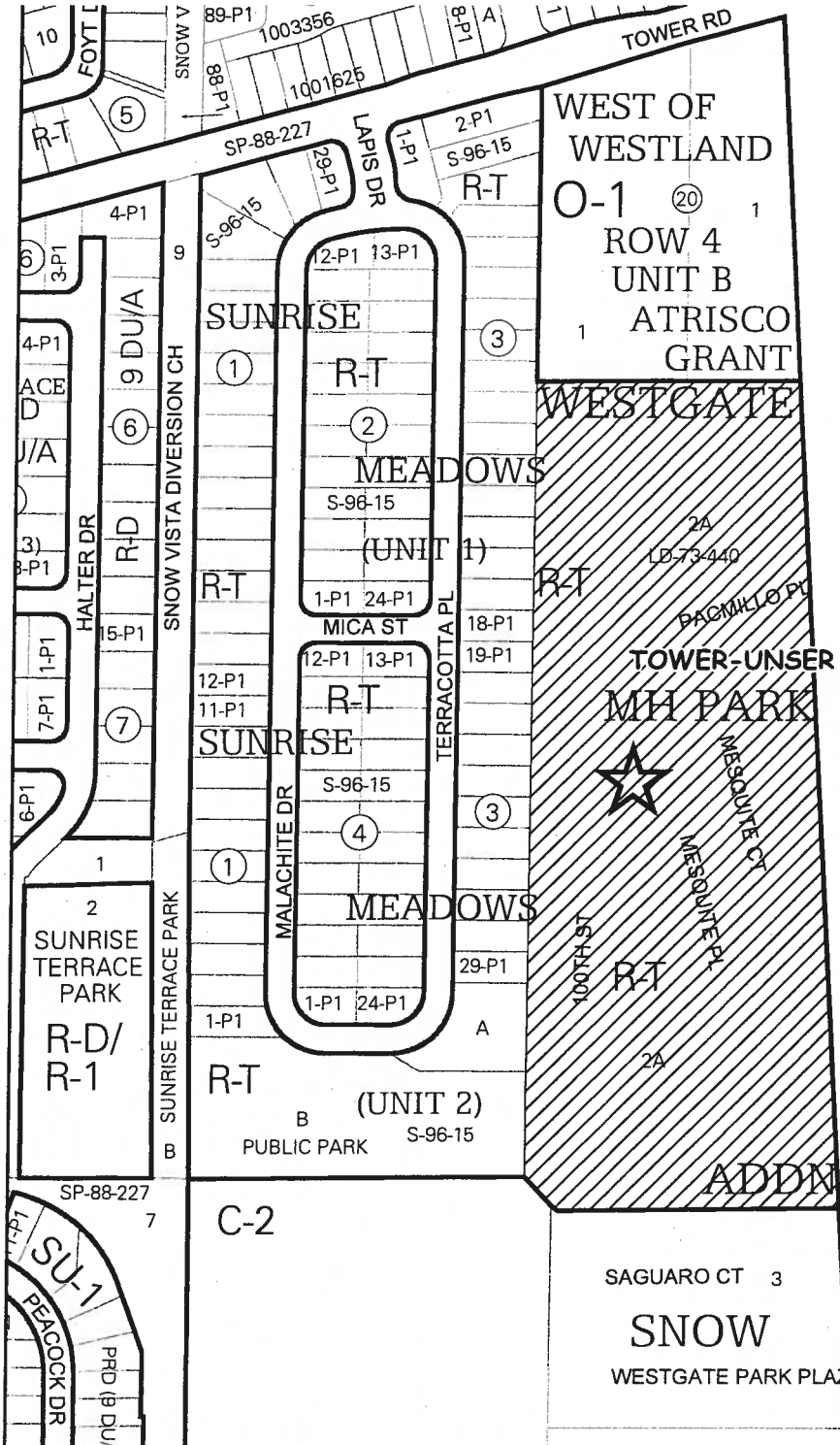
1: 5,730



WGS_1984_Web_Mercator_Auxiliary_Sphere
 9/2/2015
 © City of Albuquerque

This map is a user generated static output from www.cabq.gov/gis and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR LEGAL PURPOSES

Notes



ZONING MAP

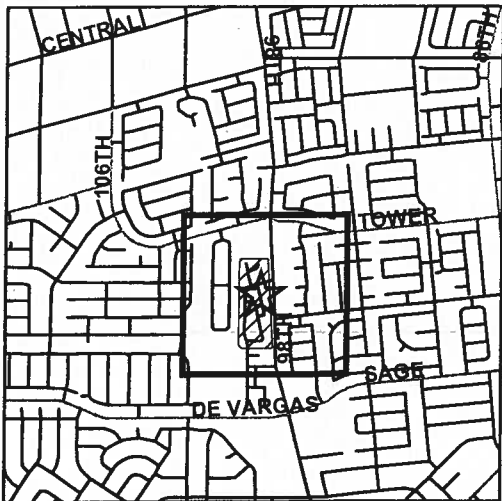
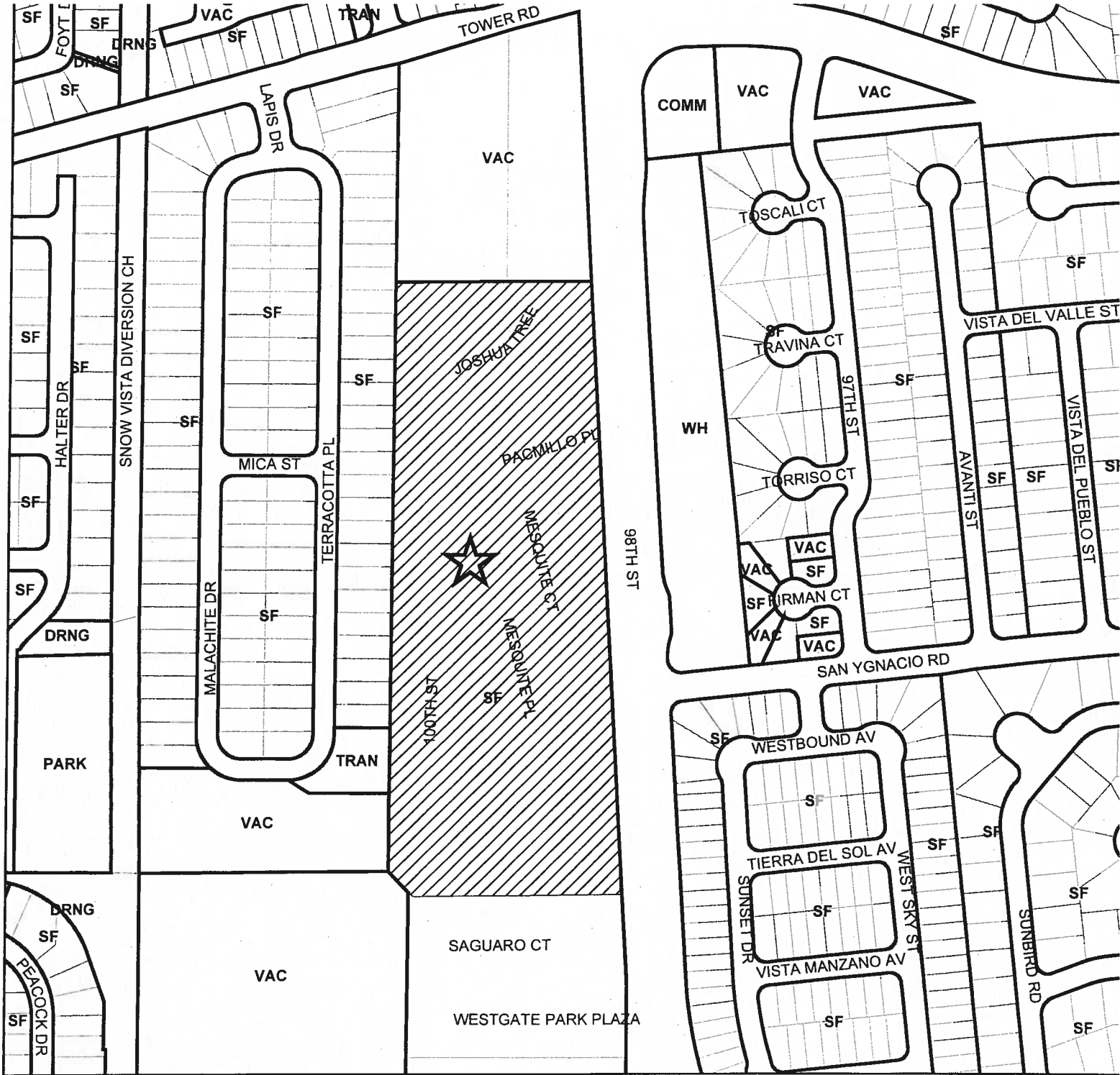
Note: Grey shading indicates County.



1 inch = 300 feet

Project Number:
1010551
Hearing Date:
9/10/2015
Zone Map Page: L-09
Additional Case Numbers:
15-40039 & 15-40041

3



LAND USE MAP

Note: Grey shading indicates County.

KEY to Land Use Abbreviations

- AGRI Agriculture
- COMM Commercial - Retail
- CMSV Commercial - Service
- DRNG Drainage
- MFG Manufacturing
- MULT Multi-Family or Group Home
- PARK Park, Recreation, or Open Space
- PRKG Parking
- PUBF Public Facility
- SF Single Family
- TRAN Transportation Facility
- VAC Vacant Land or Abandoned Buildings
- WH Warehousing & Storage

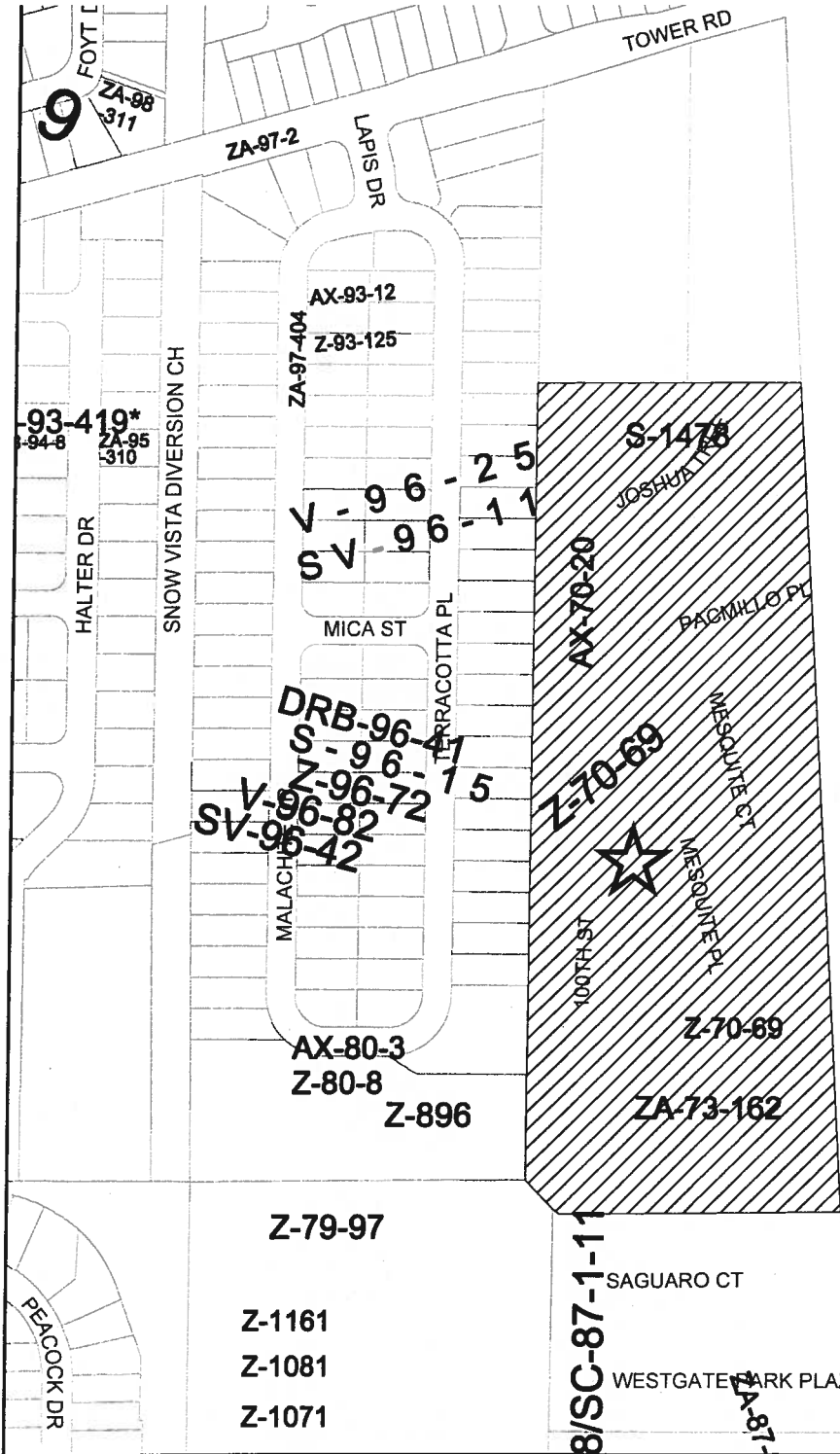


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HISTORY MAP

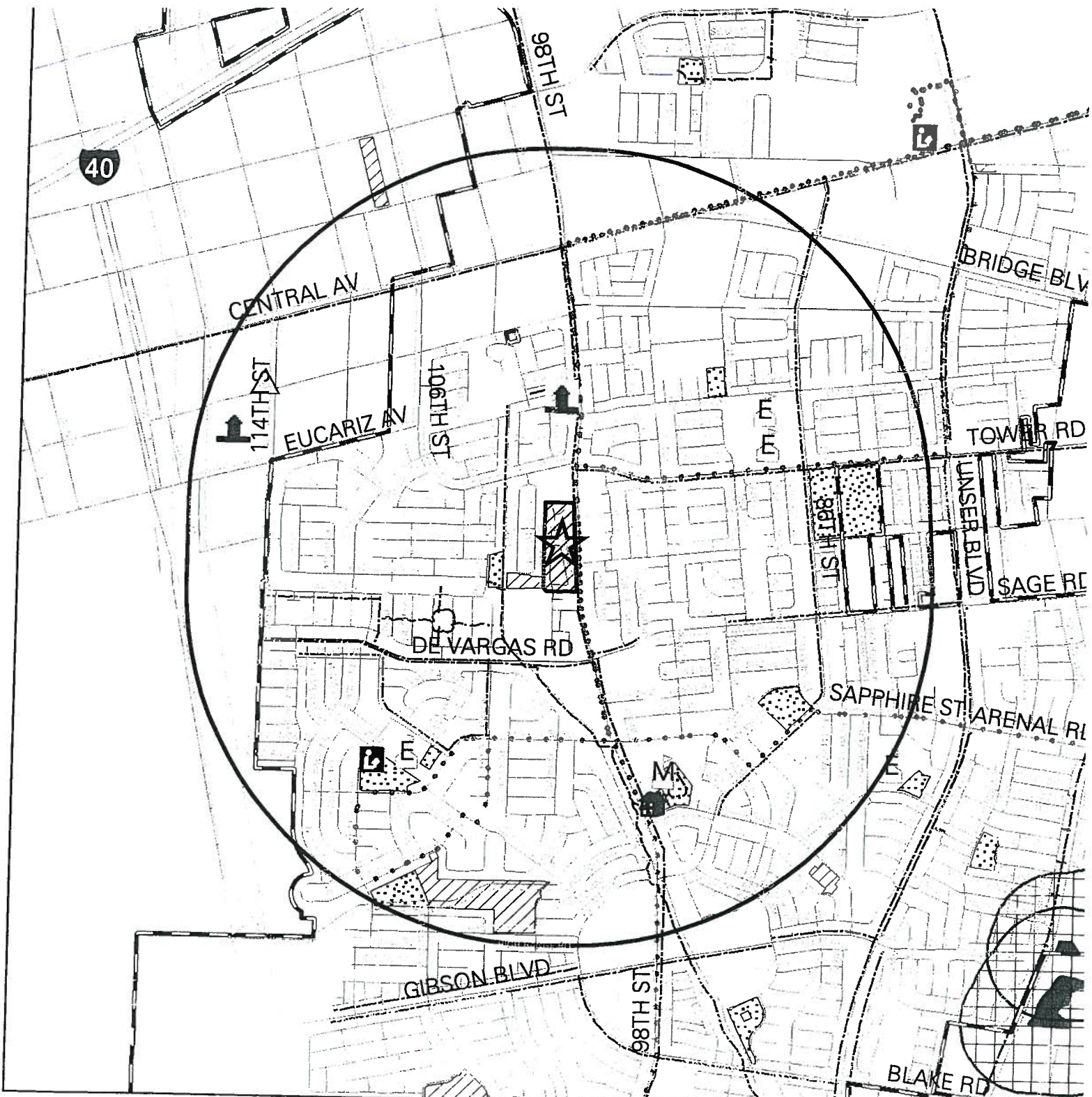
Note: Grey shading indicates County.



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5

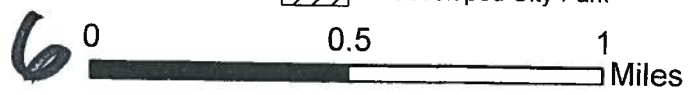


Public Facilities Map with One-Mile Buffer

- | | | | |
|----------------------|-------------------------|--------------------------|-----------------------------|
| COMMUNITY CENTER | FIRE | APS Schools | Landfill Buffer (1000 feet) |
| MULTI-SERVICE CENTER | POLICE | ABQ Ride Routes | Landfills designated by EHD |
| SENIOR CENTER | SHERIFF | ABQ Bike Facilities | Developed County Park |
| LIBRARY | SOLID WASTE | Proposed Bike Facilities | Undeveloped County Park |
| MUSEUM | Albuquerque City Limits | | Developed City Park |
| | | | Undeveloped City Park |



Project Number: 1010551



I. AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses:

	Zoning	Comprehensive Plan Area; Applicable Rank II & III Plans	Land Use
Site	R-T	Established Urban West Side Strategic Plan Southwest Area Plan Tower/Unser Sector Development Plan	Mobile Home Park
North	O-1	Developing Urban & Established Urban West Side Strategic Plan Southwest Area Plan Tower/Unser Sector Development Plan	Vacant
South	C-2	Established Urban West Side Strategic Plan Southwest Area Plan Tower/Unser Sector Development Plan	Mobile Home Park, day care, small neighborhood commercial uses
East	O-1, R-T	Developing Urban & Established Urban West Side Strategic Plan Southwest Area Plan Tower/Unser Sector Development Plan	Storage units, Single-family homes
West	R-T	Developing Urban & Established Urban West Side Strategic Plan Southwest Area Plan Tower/Unser Sector Development Plan	Single-family homes, vacant

II. INTRODUCTION

Proposal

The proposal is for a sector development plan map amendment (zone change) to the Tower Unser Sector Development Plan (TUSDP) for Tract 2A, Westgate Mobile Home Park, approximately 14.5 acre site that contains a portion of the existing Sage Mobile Home Park (the “subject site”). The applicant proposes to change the subject site’s zoning from R-T to SU-1 for Mobile Home Park and correspondingly amend the TUSDP.

Since the requested zone is SU-1, a site development plan is required [Ref: §14-16-2-22(A)(1)]. The applicant has provided an “as built” site development plan for the mobile home development, which includes the subject site.

Environmental Planning Commission (EPC) Role

The EPC is hearing this case because the EPC is required to hear all zone map amendment (zone change) cases, regardless of site size, in the City. Because the subject site is greater than one block (10 acres) and the applicable sector development plan uses SU-2 zoning, the City Council is the approval

authority and the EPC is a recommending body pursuant to Zoning Code §14-16-2-23(b)(2)(a) and §14-16-4-1(C)(15)(c). The proposal is a quasi-judicial matter.

An EPC recommendation cannot be appealed, though an aggrieved party can file a protest. A protest would be included in the record transmitted to the City Council. The City Council will make the final administrative decision.

Context

The subject site, which contains an existing mobile home park, is located on Albuquerque's SW mesa in the Westgate area. The area is characterized by predominantly single-family homes on small lots, with a few commercial uses along 98th St. To the north and south of the subject site is vacant land. To the immediate south is another tract of the existing mobile home park, and a smaller tract with a day-care facility and some small neighborhood commercial uses (ex. bakery, pizza place).

To the east is 98th St., across from which is a self-storage facility and single-family homes. To the west is another subdivision of single-family homes and some vacant land. Some commercial services are located to the south at the intersection of DeVargas/Sage and 98th St.

The subject site is not located in a designated Activity Center or Metropolitan Redevelopment Area (MRA).

History & Background

In May 1960, the City Planning Commission (CPC) approved a request for a master plan for "Hoffman City" (S-1082-MP-1), which included a lot of SW mesa land that was originally part of the Atrisco land grant. The original request was for 3,800 acres, but the acreage was reduced to 2,500. The applicant was Hoffman Homes. The master plan included homes, churches and schools. It appears that the master plan approval occurred prior to annexation of the portion of the area that includes the subject site, though records aren't entirely clear (there is a reference to Hoffman City from 1959).

It appears that the southern part of the mobile home park (Tracts 1 & 3) annexed in 1960 as part of a larger, approx. 75 acre annexation associated with the "Snow Vista Master Plan" (AX-29/Z-986, see attachments). The CPC heard the request in September and the City Council subsequently approved it. The Snow Construction Company had purchased the land and intended to develop a variety of uses and a street network to serve the area. The following zones were established: R-1, O-1, C-1, C-2 and M-2. Apparently, C-2 zoning for the southern portion of the mobile home park was established through this action.

It is unclear why the subject site, Tract 2-A, apparently was not included. In June 1966, the subject site was part of a platting action to define Tract 1 and Tract 2 of Snow Vista (S-1478, see attachment). In June 1970, the CPC heard a request for annexation and establishment of C-2 zoning on the subject site (Z-70-69/AX-70-20, see attachment). Interestingly, the Staff planner noted that a mobile home park is a conditional use in the A-1 zone, which is what the subject site was zoned at the time, and that a zone change was not necessary. However, the CPC and then the City Council approved the C-2 zoning. The mobile home park was constructed sometime in the early 1970s.

Upon adoption of the Tower/Unser Sector Development Plan (TUSDP) in August 1989 (Bill No. R-365/Enactment No. 129-1989), zoning for the approximately 14.5 acre subject site was established as R-T (see Figure 12- Recommended Zoning). Figure 6, Existing Zoning, shows the subject site zoned RA-2. The TUSDP does not explain why the R-T zoning category was chosen for the subject site; mobile homes are not allowed in the R-T zone and at that time the mobile home park would have existed for over 15 years. Since then, the SW mesa area has continued to develop and has become one of the fastest growing parts of the City.

Long Range Roadway System

The Long Range Roadway System (LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies the functional classifications of roadways. 98th St. is designated as an Urban Principal Arterial. Gibson Blvd. and Blake Rd. are Urban Collectors. A bicycle path exists along 98th St. SW.

Transit

The subject site is well-served by Transit. ABQ Ride Route 198, 98th/Dennis Chavez, runs from Central Ave., down 98th St. and along Dennis Chavez Blvd. It offers service from the morning into the night on weekdays and on Saturdays and Sundays. ABQ Ride Route 54, Bridge/Westgate, offers similar service but not on Sundays. Two bus stops serve the subject site. One is just south of Tower Rd. The other, which includes a shelter, is near the southern entrance to the mobile home park.

Public Facilities/Community Services

Public facilities, such as a library and community center, are located within a mile of the subject site. There are also parks and schools (middle and elementary).

» For more information, please refer to the Public Facilities Map (see attachment).

III. ANALYSIS - Albuquerque Comprehensive Zoning Code

Definitions (Zoning Code §14-16-1-5)

MOBILE HOME. A movable or portable housing structure larger than 40 feet in body length, 8 feet in width, or 11 feet in overall height, designed for and occupied by no more than one family for living and sleeping purposes; it does not include structures built to the standards of the Building Code and other technical codes adopted in § 14-1-3, as of the date of the unit's construction.

MOBILE HOME DEVELOPMENT. An area developed or intended to be developed for occupancy by two or more mobile homes which are used for dwelling purposes. It includes areas known as mobile home parks, where lots or spaces are rented individually to residents; mobile home subdivisions, where lots are sold individually, usually to residents of the lots; or other forms of ownership.

NONCONFORMING USE. A use of a structure or land which does not conform to uses allowed under the regulations of this Article or to uses allowed under an applicable sector development plan and which was an allowed use at the time the use was first undertaken.

Zoning

Existing Zoning: The subject site is zoned R-T Residential zone. The R-T Zone “provides suitable sites for houses, townhouses, and uses incidental thereto in the Established and Central Urban areas” (see Zoning Code §14-16-2-9). The R-T zone allows “uses permissive in the R-1 zone” (Zoning Code §14-16-2-6) with four exceptions and townhouses. Conditional uses are those in the R-1 zone. However, the R-1 zone does not allow mobile homes so, therefore, the R-T zone does not allow mobile homes.

Because the zoning map of the Tower/Unser Sector Development Plan (TUSDP) would change as a result of the request, the request is referred to as a “sector development plan map amendment.”

The TUSDP shows the subject site’s recommended zoning as R-T (see Figure 12, p. 61) and existing zoning as RA-2 (see Figure 6, p. 25). Upon adoption of the TUSDP in 1989, the subject site’s zoning became R-T and the mobile home park became a non-conforming use (see also History section of this report).

Proposed Zoning: The applicant proposes the following zoning: “SU-1 for Mobile Home Development.” The SU-1 zone (see Zoning Code §14-16-2-22) provides suitable sites for uses that are special, and for which the appropriateness of the use to a specific location depends upon the character of the site design. The SU-1 designation requires an associated site development plan and is dependent upon it. The interdependence of the two would ensure that the zoning, limited to only the mobile home development use, allows only that use and what is shown on the site development plan.

Zoning Code §14-16-2-7, the MH Mobile Home zone, provides suitable sites for mobile home developments. This zone may be located only where other types of residential development of comparable densities would be considered appropriate.

Non-Conformance: The Non-Conformance Regulations (Zoning Code §14-16-3-4) state the following with respect to mobile homes:

- (7) *Except as otherwise provided for herein or pursuant to an applicable sector development plan a non-conforming use of land shall be made to conform within one year of the use becoming nonconforming.*
 - (a) *A nonconforming use of land consisting of a mobile home shall be made to conform within five years of becoming nonconforming.*
 - (b) *A nonconforming use of land and incidental structures consisting of a mobile home development may remain for the life of the fixtures, which shall never be more than 50 years but only if:*
 - 1. *The mobile home development does not cease operation for a continuous period of one year or more;*
 - 2. *Any private street system servicing the mobile homes is paved at least to a standard approved by the Planning Director and the Traffic Engineer according to the standards of § 14-14-4-6, Subdivision Regulations (even though there may be no new subdivision); and*
 - 3. *Mobile homes within the development are skirted with materials compatible with the siding of the mobile home or the unit is situated at ground level within two years of the mobile home development becoming non-conforming.*

4. *Additions to nonconforming mobile home developments shall conform to current zoning.*

Subsection (7)(b) applies to the subject site (Tract 2A). The existing mobile home park was built in the 1970s. The applicant states that, due to non-conformance, Tract 2A (which is the only non-conforming tract of the three tracts comprising the mobile home park) must come into compliance by 2026. Staff suggests that the site development plan reference the requirements above, since they will apply to Tract 2A (which is the majority of the existing mobile home park). However, the requirements tied to remedying non-conformance would not apply to Tracts 1 and 3, which are adjacent south of Tract 2A. Staff has a couple of thoughts: 1) that Tracts 1 and 3 be included in the zone change; or 2) that Tracts 1 and 3 be subject to a private agreement to ensure that they bring the existing mobile homes up to Code requirements, so that the development is uniform in quality.

IV. ANALYSIS -ADOPTED ORDINANCES, PLANS, AND POLICIES

A) ALBUQUERQUE/BERNALILLO COUNTY COMPREHENSIVE PLAN (RANK I)

The subject site is located in an area that the Albuquerque/Bernalillo County Comprehensive Plan has designated Established Urban. The Goal of Developing and Established Urban Areas is “to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas and life styles, while creating a visually pleasing built environment.”

The proposal would allow approximately 2/3 of the existing mobile home park to remain and no longer be a non-conforming use. In doing so, the Westgate community would continue to offer variety and maximum choice in housing and lifestyles. Site improvements required by the non-conformance regulations would help contribute to a visually pleasing built environment. The proposal generally furthers the Established Urban Goal.

Land Use Policies-Developing & Established Urban

Policy II.B.5a: The Developing Urban and Established Urban areas as shown by the Plan map shall allow a full range of urban land uses, resulting in an overall gross density up to 5 dwelling units per acre.

By allowing approximately 2/3 of the mobile home park to remain, the proposal would contribute to a full range of urban land uses in the area, which is characterized mainly by single-family residential uses (single-family homes). Policy II.B.5a-full range of urban land uses, is generally furthered.

Policy II.B.5o: Redevelopment and rehabilitation of older neighborhoods in the Established Urban Area shall be continued and strengthened.

Some improvements to the subject site would be required that would generally help rehabilitate this older area, though the subject site is only part of the neighborhood and Tract 2A is only part of the mobile home development. Policy II.B.5o-redevelopment of older neighborhoods, is partially furthered.

Community Identity & Urban Design

The Goal is to “create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment.”

Since the mobile home park has existed since the 1970s, it has become part of what defines the Westgate community. Allowing it to remain would ensure that variety and maximum choice in housing and lifestyles would continue to exist in this area, which is dominated by subdivisions of single-family homes. Site improvements would contribute to a pleasing built environment. The proposal furthers the Community Identity & Urban Design Goal.

Community Resource Management-Transportation and Transit

Goal: To develop corridors, both streets and adjacent land uses, that provide a balanced circulation system through efficient placement of employment and services, and encouragement of bicycling, walking, and use of transit/paratransit as alternatives to automobile travel, while providing sufficient roadway capacity to meet mobility and access needs.

Efforts to develop 98th St. as a transportation corridor have been made. There is a bus shelter near the subject site and bicycle lanes along 98th St. The subject site is well-served by two ABQ Ride routes. The proposal would allow residents to remain and continue to utilize available alternatives to automobile travel. However, the existing mobile home park (at approximately 6 DU/ac) is not the kind of higher density development that really supports transit and bicycling. The Transportation and Transit Goal is partially furthered.

Community Resource Management-Housing

Goal: to increase the supply of affordable housing; conserve and improve the quality of housing; ameliorate the problems of homelessness, overcrowding, and displacement of low income residents; and assure against discrimination in the provision of housing.

The proposal would allow approximately 2/3 of the mobile home park to remain, thereby preventing the displacement of low-income residents, maintaining the supply of affordable housing, and improving the quality of the existing housing by bringing existing dwellings up to Zone Code standards. The supply of affordable housing would not increase. In sum, the proposal furthers the Housing Goal.

Policy II.D.5a: The supply of affordable housing, shall be preserved and increased and the opportunity to obtain standard housing for a reasonable proportion of income assured.

The proposal would preserve the affordable housing that the mobile home park provides, and ensure that such housing (likely to be a more reasonable proportion of income for residents than other housing options) remains. The proposal furthers Housing Policy II.D.5a- affordable housing.

B) WEST SIDE STRATEGIC PLAN (WSSP) (RANK II)

The West Side Strategic Plan (WSSP) was first adopted in 1997 and amended several times since then (2002, 2005, 2008, 2009 and 2011). The WSSP area encompasses over 96,000 acres of land, or approximately 150 square miles. Specific boundaries are shown on p.2 of the Plan.

The first amendments, in 2002, included changes to policies and activity center boundaries. The *Southwest Albuquerque Strategic Action Plan (SWASAP)*, revised from the 1999 version, became part of the WSSP in 2009 (Enactment R-2009-035).

The WSSP identifies 13 communities in established areas of the West Side, each with a unique identity and comprised of smaller neighborhood clusters. The subject site is located in the Bridge/Westgate community, which lies within the following boundaries: Central Ave. on the north, Coors Blvd. on the east, the 118th St. corridor on the west, and Blake Rd. on the south (see p. 70).

Community Concept Policies

WSSP Policy 1.1: Thirteen distinct communities, as shown on the Community Plan Map and described individually in this Plan, shall constitute the existing and future urban form of the West Side. Communities shall develop with areas of higher density (in Community and Neighborhood Centers), surrounded by areas of lower density. Bernalillo County and the City of Albuquerque Planning Commissions shall require that high density and non-residential development occur within Community and Neighborhood Centers. Low density residential development (typical 3-5 du/acre subdivisions, or large lot rural subdivisions) shall not be approved within the Centers.

The subject site is located in the Bridge/Westgate community and is not within the boundaries of a designated Activity Center. The existing mobile home park, at approximately 5 DU/ac, is the type of lower-density residential development referred to above that is intended to be located outside designated Centers. The request generally furthers WSSP Policy 1.1.

WSSP Policy 2.5: When considering approval of subdivisions or site development plans for residential development or zone changes to residential or higher density residential, the City Planning Department shall consider whether local public schools have sufficient capacity to support the increased number of homes. If area schools are at or over their designed capacity, then the requested action should be denied unless the applicant demonstrates that the proposed action will create no net increase in enrollment for area schools (e.g. senior housing.)

The Planning Department is required to consider school capacity because the proposal is for a site development plan for a residential development. The proposal would not result in any new households because the development already exists. Rather, it would allow existing households to remain and therefore would not affect school capacity. APS comments that the proposal will have no adverse impacts. The proposal does not affect WSSP Policy 2.5-school capacity/residential development.

WSSP Policy 3.46: Promote densities consistent with those found in the Sector Development Plans for the Bridge/Westgate Community, with densities as high as 30 DU/ac within the designated Community Activity Centers and adjacent areas.

In the Zoning chapter, the Tower/Unser Sector Development Plan (TUSDP) states that “The residential zoning is supported by neighborhood commercial and office zoning located at major intersections...” and that single-family homes and multi-family uses up to 20 DU/ac are included. Though the proposal would not change existing residential density, it would be consistent with the densities referred to in the TUSDP. The mobile home development, at approximately 6 DU/ac, is located outside of a designated activity center and not at a major intersection where non-residential zoning is intended. The proposal furthers WSSP Policy 3.46.

C) SOUTHWEST ALBUQUERQUE STRATEGIC ACTION PLAN (SWASAP) (RANK II)

In March 2009, the City Council adopted the Southwest Albuquerque Strategic Action Plan (SWASAP) and made it a new chapter of the West Side Strategic Plan (WSSP), which was correspondingly amended (Bill No. R-08-169). The WSSP, which contains the SWASAP, applies to land within municipal boundaries. Bernalillo County did not adopt the SWASAP, so it does not apply to unincorporated lands.

The SWASAP replaced the Southwest Area Plan (SAP), first adopted in 1988 and subsequently amended in 1999, 2002 and 2009. Boundaries of the SWASAP are Paseo del Volcan on the west, Coors Blvd. on the east, Central Ave. on the north, and Dennis Chavez (Rio Bravo) Blvd. on the south.

The primary Goal of the SWASAP is for SW Albuquerque to become a complete community. The SWASAP contains projects and programs to help achieve this based on five interconnected goals (see below); each goal contains a subset of strategies to support and implement it. For example, the strategy of designating activity centers in key locations will help implement the goal of complete communities by providing convenient commercial and retail services to residents, who would then have the option to use alternative modes of transportation.

The five SWASAP goals are:

- Goal 1: Build complete neighborhoods and a network of activity centers to serve them
- Goal 2: Provide convenient public services
- Goal 3: Plan and build a complete interconnected system of public parks, trails and major public open space
- Goal 4: Increase and improve retail and commercial services, and
- Goal 5: Develop a complete multi-modal transportation network.

Goals 1 and 5 apply to the request. Staff finds the following:

Goal 1: Build complete neighborhoods and a network of activity centers to serve them (p. 321).

The general idea is the same as in the Comprehensive Plan— to cluster non-residential uses such as retail, offices, public facilities, and multi-family residences in designated Neighborhood and Community Activity Centers. Activity centers are intended to be pedestrian-friendly, accessible but not dominated by vehicles, and contain a mixture of uses and housing opportunities different from those in the interior of neighborhoods (i.e.- different than the typical single-family residential subdivision).

The proposal, which would facilitate part of the mobile park's continued existence, would help re-inforce the abovementioned idea by allowing a lower density residential use outside of the designated activity centers for the Bridge/Westgate community. The request generally furthers Goal 1.

Goal 5: Develop a complete multi-modal transportation network (p. 353).

One applicable objective is to have a well-connected network that allows people to easily walk, bicycle, drive or take a bus. The proposal would result in some of the City's lower-income residents being able to remain in their homes, which have access to two bus stops, and being able to continue to support the Transit system. Two transit lines serve the subject site. There is also a bike lane on 98th St. The proposal furthers Goal 5.

D) TOWER/UNSER SECTOR DEVELOPMENT PLAN (TUSDP) (RANK III)

First adopted in 1989 (Council Bill No. R-365, see attachment), the Tower/Unser Sector Development Plan (TUSDP) established basic zones (see Figures 12 and 13) and a design overlay zone (see Figure 14). It also established special zoning designations and used SU-2 zoning for some properties but not for others (see Section VI).

The TUSDP contains approximately 1,652 acres and generally encompasses properties between Sunset Road on the north, Sage Road on the south, the Powerline Channel on the west, and several lots east of Coors Boulevard on the east. Specific boundaries are shown on Figure 1. The design overlay zone applies to certain properties along Coors Blvd. because it references the Coors Corridor Plan (CCP, see p. 66b). At the time of adoption, most of the plan area was vacant land. The mobile home park, subject of this request, is referred to on p. vi.

The TUSDP is divided in to six sections, which discuss boundaries, ownership information, utilities, justification for zone categories, additional requirements (ex. design overlay zone) and appendices. There are eight Major Policy Recommendations (see Appendix C). Of these, Staff finds that none are relevant to the proposal. However, Policy Recommendation 2, "City Zone Categories in Response to Larger Region", is discussed in this report in Section III (Zoning).

V. SECTOR DEVELOPMENT PLAN MAP AMENDMENT

RESOLUTION 270-1980 (POLICIES FOR ZONE MAP AMENDMENTS)

Requirements

Resolution 270-1980 outlines policies and requirements for deciding zone map change applications. The applicant must provide sound justification for the proposed change and demonstrate that several tests have been met. The burden is on the applicant to show why a change should be made.

The applicant must demonstrate that the existing zoning is inappropriate because of one of three findings: 1) there was an error when the existing zone map pattern was created; or 2) changed neighborhood or community conditions justify the change; or 3) a different land use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan.

Justification & Analysis

The zone change justification letter analyzed here is dated August 28, 2015 (see attachment). The subject site is currently zoned R-T Residential zone. A change of zone would constitute an amendment to the map in the Tower/Unser Sector Development Plan (TUSDP). The requested zoning is SU-1 for Mobile Home Park. The reason for the request is to allow approximately 2/3 of the existing mobile home park to remain.

The applicant believes that the proposed sector development plan map amendment (zone change) conforms to R270-1980 as elaborated in the justification letter. Staff analysis is in **bold text**. The citation in quotes is from R270-1980.

1A. "A proposed zone change must be found to be consistent with the health, safety, morals and general welfare of the City."

Applicant (summarized): The request is consistent with the health, safety, morals and general welfare of the residents of the City. It will ensure that affordable housing continues to be available in this area; most housing in this area is relatively expensive compared to a mobile home. If the request is granted, it will ensure that the mobile home park remains, thereby meeting specific goals and policies set out by the City's governing body.

Staff: Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that a request furthers a preponderance of applicable Goals and policies from the Comprehensive Plan and other applicable plans, which the applicant has done in the response to Section 1.C. It's also important to note that the proposed zone change is limited to specified uses and, as a change to an SU-1 zone, is dependent upon an associated site development plan. The response to Section 1.A is sufficient.

1B. "Stability of land use and zoning is desirable; therefore, the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the City to show why the change should not be made."

Applicant (summarized): If the request is granted, it will ensure that the entire mobile home park will be allowed to remain, which will provide stability of land use and zoning in the area. It will also provide additional affordable housing. The mobile home park has been in place since the 70s. Although the other two tracts are zoned C-1, the request ensures that the entire park will continue to operate, which leads to stability of land use in the area.

Staff: Staff agrees that rezoning the subject site and allowing the mobile home park to remain would contribute to stability of land use in the area, especially since the mobile home park use has existed since the 1970s. Stability of zoning, however, is a little different. The request would change zoning for Tract 2A, a portion of the mobile home park. The mobile home park would have two types of zoning rather than one.

However, another factor is the limited scope of the requested zoning; a broader change to general commercial uses could destabilize land use in the area because it would allow all C-2 uses,

permissive and conditional. The specific use of a mobile home park would generally improve stability of zoning, however, by aligning the use with appropriate zoning category and removing the non-conforming status. The response to Section 1.B is sufficient.

1C: "A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other City master plans and amendments thereto including privately developed area plans which have been adopted by the City."

Applicant (summarized): The request will not be in significant conflict with, and will clearly facilitate, realization of the Comprehensive Plan, the Unser SDP, the WSSP and the SW Area Plan. The applicant has chosen to demonstrate that the request will "clearly facilitate" realization of the aforementioned plans in response to a recent LUHO opinion.

Citations: Relevant citations include the Comprehensive Plan- Developing and Established Urban Goal and Land Use policy II.B.5k, II.B.5m, II.B.5o and II.B.5p; the Housing Goal and Policy II.D.5a. WSSP intention re: density for Bridge/Westgate, General Goals 7 and 10; SWAP and TUSDP intentions regarding density and buffering.

Staff finds that these citations do not apply: Central Urban Goal and policies a and b (focuses on arts linkages); Land Use policy II.B.5d (applies to new development).

The policy citations are sufficient overall. The applicant explains that the proposed zone change, will allow the density objectives of the WSSP, SWAP and TUSDP to be achieved. The mobile home park's density of approximately 6 DU/ac is below the 9 DU/ac referred to in the SWAP and a little above the 5 DU/ac recommended in the WSSP. These are overall area densities, and allowing the mobile home park to remain would generally not compromise them. Staff finds that general consistency with applicable goals and policies can be demonstrated.

The test under Section 1C is whether or not there is "significant conflict" with an adopted element of the Comprehensive Plan or other City master plan such as a sector development plan. In this case, because the request is to an SU-1 zone, the higher standard of "clearly facilitates" found in Section 1I (spot zone test) applies. The applicant has demonstrated that the request would clearly facilitate applicable Goals, policies and intentions in the abovementioned Plans. The response to Section 1C is sufficient.

1D. "The applicant must demonstrate that the existing zoning is in appropriate because:

- 1) there was an error when the existing zone map pattern was created, or
- 2) changed neighborhood or community conditions justify the change, or
- 3) a different use category is more advantageous to the community, as articulated in the comprehensive Plan or other City master plan, even though (1) and (2) above do not apply."

Applicant (summarized): Though it's necessary to meet one of the above, the request satisfies two. There have been changed conditions, namely the preponderance of single-family homes in the area, which are relatively expensive compared to mobile homes. The request is also more advantageous to the community as set out in the response to Section C, above.

Staff: *The response refers to changed neighborhood conditions (2) and to a different use category being more advantageous to the community (3). Staff finds that the applicant has adequately demonstrated, by the policy-based discussion in Section 1C, that the proposed zoning would be more advantageous to the community overall than the current zoning.*

Regarding the changed neighborhood conditions, Staff finds the following: on one hand, neighborhood conditions with respect to the dominance of single-family homes have changed since the mobile home park was built in the 1970s. Very little development existed at that time. On the other hand, for several years now, practically the only development in the SW Mesa area has been single-family homes. That pattern has become the norm over time, so it hasn't really changed. However, since only one of the reasons is required to be substantiated, the response to Section 1.D is sufficient.

1E. "A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood or the community."

Applicant (summarized): The request will not allow any uses that would be harmful to adjacent property, the neighborhood or the community, as the only use allowed by the requested zoning would be the existing mobile home park. Improvements to the as-built environment will make the mobile home park more appealing to residents and adjacent property owners.

Staff: *The narrowly defined SU-1 zoning would allow the existing mobile home development use to continue to operate; this is the only use that would be allowed. Other uses that could be considered harmful in the subject site's setting, such as certain commercial or industrial uses, would be prohibited. The response to Section 1.E is sufficient.*

1F. "A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the City may be:

- 1) denied due to lack of capital funds, or
- 2) granted with the implicit understanding that the City is not bound to provide the capital improvements on any special schedule."

Applicant (summarized): The request would not require any major or unprogrammed capital expenditures by the City, as the mobile home park already exists.

Staff: *The request would not require major or unprogrammed capital expenditures by the City. The response to Section 1.F is sufficient.*

1G. "The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone."

Applicant: The cost of land or other economic considerations pertaining to the applicant is not the determining factor for the zone change. The determining factor is to continue to provide affordable housing and not put the residents onto the street. Nearly 100 families would be forced to find alternative housing.

Staff: *Economic considerations are clearly a factor, since the mobile home park would be foreclosed upon unless the use and the zoning align and financing can be secured. Staff agrees that the determining factor is continuing to provide affordable housing, which clearly facilitates a preponderance of applicable Goals and policies as demonstrated by the applicant in the response to Section 1C and Section 1J. The response to Section 1.G is sufficient.*

1H: "Location on a collector or major street is not in itself sufficient justification of apartment, office or commercial zoning."

Applicant: The request is not for apartment, office or commercial zoning.

Staff: *Staff agrees that the request is not for apartment, office or commercial zoning, although the subject site is located on a major street (98th St.). The SU-1 for Mobile Home Development zoning is very specific to Tract 2A of the existing mobile home park only. The response to Section 1.H is sufficient.*

1I: "A zone change request which would give a zone different from surrounding zoning to one small area, especially when only premise is involved, is generally called a 'spot zone'. Such a change of zone may be approved only when:

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

Applicant (summarized): Although the request would result in a spot zone, it is still allowed because the request will clearly facilitate realization of the Comprehensive Plan and other applicable planning documents. Please see the justification set out in Section C.

Staff: *Staff points out that whether or not a proposed zone change would result in a spot zone depends upon the zoning, not the land use, of the properties nearby. Land uses and zoning sometimes do not correspond, especially in older developed areas.*

The SU-1 zone creates a spot zone by definition; however, it is required to be a justifiable spot zone according to reason 1) or reason 2). The applicant has demonstrated in the response to Section 1.C that the proposed change would facilitate realization of the Comprehensive Plan and the HCRNSDP (1). The response to Section 1.I is sufficient.

1J: "A zone change request which would give a zone different from surrounding zoning to a strip of land along a street is generally called 'strip zoning'. Strip commercial zoning will be approved only where:

- 1) the change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan, and

2) the area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.”

Applicant (summarized): The request would result in an area of land along 98th St. to be zoned different than adjacent properties; however, the request clearly facilitates realization of the Comp Plan, the SW Area Plan, the WSSP and the Unser SDP as set out in Section C above.

Staff: Staff agrees that the request would not result in a strip zone and that the request clearly facilitates realization of applicable Goals and policies. However, Section 1J refers to “strip commercial” and the test is intended to ensure that strip commercial developments, if approved, are justifiable. The request is for a type of residential zoning, so Section 1J doesn’t apply. The response to Section 1.J is sufficient.

Staff Conclusion

Staff finds that the applicant has adequately justified the sector development plan map amendment (zone change) pursuant to R270-1980. The policy-based response to Section 1C demonstrates how the request clearly facilitates applicable Goals and policies in the Comprehensive Plan, The WSSP, the SWAP and the TUSDP (Section 1C). Staff recommends that a recommendation of approval of the sector development plan map amendment (zone change) be forwarded to the City Council.

VI. SITE DEVELOPMENT PLAN FOR BUILDING PERMIT- “AS BUILT” & PROCESS

A site development plan is required for a zone change to an SU-1 Zone pursuant to §14-16-2-22-(A)(1). Zoning Code §14-16-3-11 states, “...Site Development Plans are expected to meet the requirements of adopted city policies and procedures.”

The applicant has provided an “as built” site development plan (see attachment) and applied for a site development plan for building permit. This is standard procedure for existing “as built” on developed sites. Since an SU-1 zone is requested, Staff recommends clear documentation of what exists on the site so the site development plan won’t have to be amended later. In some instances, it is unclear what is “existing” and what is “proposed.”

Site Plan Layout / Configuration

The subject site is located adjacent west of 98th St., just south of Tower Rd. and north of DeVargas/Sage Rd. Though tracts are not clearly indicated on the site development plan, Staff counts 88 mobile homes on Tract 2-A (and 152 homes in the entire development).

Refuse Enclosure: Residential service trash carts are probably used. A note should be added for clarity.

Vehicular Access, Circulation & Parking

Access & Circulation: There are two entrances to the subject site, both on Tract 3 and both from 98th St. The mobile home park is served by an internal roadway network of streets and cul-de-sacs. Drive-aisles should be dimensioned on the site plan.

Parking: Because the requested zoning is SU-1, off-street parking is as decided by the EPC pursuant to Zoning Code §14-16-2-22, Special Use Zone. Subsection (A)(19) of Zoning Code §14-16-3-1, Off Street Parking Regulations, states that two spaces are required for each mobile home. Parking calculations for minimum required spaces need to be shown on the site development plan. It's unclear how many parking spaces there actually are at the mobile home park. A note stating the requirement should be added for clarity.

TIS: A Traffic Impact Study (TIS) was not required.

Pedestrian and Bicycle Access and Circulation, Transit Access

Pedestrian and bicycle access is possible from the two entrances on Tract 3, just south of the subject site. The subject site is well-served by two bus routes. Two bus stops serve the site. One is just south of Tower Rd. The other, which includes a shelter, is near the southern entrance to the mobile home park.

Walls/Fences

A wall exists along the length of the subject site and Tract 3 to the south. The wall should be labeled on Sheets 1 and 2 of the site plan. Walls also exist on the other sides of the mobile home park. No new walls are proposed.

Lighting and Security

It is unclear how the subject site is lit. Any light poles need to be indicated.

Landscaping

The proposed improvements to the subject site consist of landscaping. Mature street trees, and smaller trees to fill in gaps, exist along 98th St. SW. They appear to be in good condition, so Staff doesn't believe that they need to be replaced. However, the applicant intends to add more trees, though it is not clear where. The site development plan doesn't indicate which trees exist and which are proposed now. Fade-back and labeling can be used to distinguish which is which. If a tree is not shown, it need not be listed on the legend. Juniper is required to be "female only" pursuant to the Pollen Ordinance.

The four large areas internal to the subject site, under the power poles, are not landscaped. Re-vegetating them with a seed mixture of xeric/native grasses is proposed. Staff suggests some type of temporary fencing, in addition to the fencing around the base of the transmission poles, to keep people from stepping on these areas to allow the seeds to establish themselves.

Staff suggests moving the irrigation details and planting details (which are too small to read) to a new, second sheet. This way, the seeding mixture information could be placed with the landscaping plan rather than on Sheet 1.

Zoning Code §14-16-3-10(E)(1), the landscaping regulations, require total landscape area not less than 15% net lot area- though the General Regulations do not "kick in" unless there is a building addition of 200 sf or more.

Zoning Code §14-16-3-10(E)(4) requires buffer landscaping between non-residential and residential uses. However, this subsection applies when “a non-residential zone is developed after April 2, 1990 for a non-residential purpose” and it abuts a residential zone. Since the subject site was developed before then, (E)(4) doesn’t apply.

Grading & Drainage Plan- Existing

The Grading & Drainage plan exists and consists of two sheets. The first sheet shows the southern portion of the mobile home development and the second half shows the second portion. Since there is no drainage narrative, the applicant included a summary statement on Sheet 1 of the current proposal.

The revised drainage ordinance, which requires on-site collection of some run-off water, became effective on May 12, 2014. If determined necessary by the City Hydrologist, the grading and drainage plan may have to be updated.

Utility Plans

Information regarding existing easements is provided on Sheet 1 and on the two survey sheets. The subject site is heavily encumbered with easements. A 100 foot PNM easement runs north-south through the mobile home park, which has developed around it. Other PNM easements are in various locations.

Architecture & Design

The mobile homes are all existing and have been there for quite some time, so there is no typical elevation. Some are larger than others and some may have had additions built on over time. Staff suggests that such additions be inspected through the Building and Safety Division, if they have not been already.

The Non-Conformance Regulations (Zoning Code §14-16-3-4) require that mobile homes be skirted with materials compatible with the siding of the mobile home, or the unit is situated at ground level within two years of the mobile home development becoming non-conforming; and that additions to nonconforming mobile home developments conform to current zoning requirements. This applies to the subject site, Tract 2A. The mobile homes on Tract 3 are already conforming, so it wouldn’t apply. It’s up to the applicant to determine if these standards should apply to Tract 3 so all homes in the park are held to the same standard.

Signage

It’s unclear if there is any signage on the subject site, though there is a sign for the mobile home park on the tract to the south (“Rosewood Mobile Home Park”). Staff suggests adding a general note (new note 2.d).

VII. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies/Pre-Hearing Discussion

City Departments and other agencies reviewed this request from 08/03/2015 to 08/14/2015. Hydrology Staff commented regarding depressing landscape beds below grade and on-site storm water management. A pre-design meeting is available if needed. Transportation Planning Staff of

the Department of Municipal Development (DMD) note that 98th St. is a principal arterial and that it has bike lanes. PNM notes that two large transmission easements cross the subject site. Agency comments begin on p. 26.

Neighborhood/Public

The affected neighborhood organizations, as indicated by the Office of Neighborhood Coordination (ONC), are the Route 66 West Neighborhood Association (NA), the South Valley Coalition of NAs, the South West Alliance of Neighbors (SWAN), and the Westside Coalition of NAs, which the applicant notified as required. Property owners within 100 feet of the subject site were also notified as required. A facilitated meeting was neither recommended nor held.

Staff received a phone call from a resident who is also the vice president of the Route 66 West NA. She had questions about the proposal, zoning and the process. Staff has not received any additional calls or written comments as of this writing. Staff is not aware of any opposition as of this writing.

VIII. CONCLUSION

The proposal is for a sector development plan map amendment (zone change) to the Tower Unser Sector Development Plan (TUSDP) and an associated, "as built" site development plan for building permit for an approximately 14.5 acre site that contains a portion of the existing Sage Mobile Home Park (the "subject site"). The applicant proposes to change the subject site's zoning from R-T to SU-1 for Mobile Home Park and correspondingly amend the TUSDP.

Staff concludes that the applicant has adequately justified the zone change pursuant to R270-1980. Overall, the proposal furthers a preponderance of relevant Goals and policies. Conditions of approval are needed to clarify items on the associated site development plan.

The affected neighborhood organizations and property owners were notified as required. Staff received a phone call from a resident, also the vice president of the Route 66 West NA, who had some questions. Staff has not received any additional calls or written comments as of this writing, and is not aware of any opposition.

Staff recommends that the EPC forward a recommendation of approval of the sector development plan map amendment and the associated site development plan for building permit to the City Council. A few conditions are needed to provide clarification.

FINDINGS - 15EPC-40039, September 10, 2015- Sector Development Plan Map Amendment (zone change)

1. The subject request is for a sector development plan map amendment (zone change) to the Tower Unser Sector Development Plan (TUSDP) for Tract 2A, Westgate Mobile Home Park, an approximately 14.5 acre site that contains a portion of the existing Sage Mobile Home Park (the "subject site"). The subject site is located adjacent west of 98th St. SW, between Tower Rd. and DeVargas/Sage Rd.
2. The sector development plan map amendment request is for a change from the R-T Residential Zone to SU-1 for Mobile Home Development, which would allow the existing mobile home development to remain. Mobile homes are not allowed in the R-T zone. The other tracts of the mobile home park, Tracts 1 and 3, are zoned C-2. Mobile homes are allowed in the C-2 zone, so the zone change is only needed for Tract 2A.
3. The subject request is accompanied by an as-built site development plan for building permit (15EPC-40041) as required pursuant to the SU-1 Zone, §14-16-2-22(A)(1).
4. Because the subject site is greater than 10 acres and the applicable sector development plan uses SU-2 zoning, the City Council is the approval authority and the Environmental Planning Commission (EPC) is a recommending body pursuant to Zoning Code §14-16-2-23(b)(2)(a) and §14-16-4-1(C)(15)(c). This is a quasi-judicial matter.
5. The Albuquerque/Bernalillo County Comprehensive Plan, the Westside Strategic Plan, the Southwest Area Plan, the TUSDP and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
6. The proposal furthers and partially furthers the following, relevant Land Use Policies in the Comprehensive Plan:
 - A. Policy II.B.5a-full range of urban land uses. By allowing approximately 2/3 of the mobile home park to remain, the proposal would contribute to a full range of urban land uses in the area, which is characterized mainly by single-family residential uses (single-family homes).
 - B. Policy II.B.5o-redevelopment of older neighborhoods. Some improvements to the subject site would be required that would generally help rehabilitate this older area, though the subject site is only part of the neighborhood and Tract 2A is only part of the mobile home development.
7. The proposal furthers the Housing Goal and the following, applicable Housing Policy:
 - A. Goal: Approximately 2/3 of the mobile home park would remain, thereby preventing displacement of low-income residents, maintaining affordable housing supply, and improving the quality of existing housing by bringing the dwellings up to Zone Code standards.

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- B. Policy II.D.5a- II.D.5a-supply of affordable housing. The proposal would preserve the affordable housing that the mobile home park provides, and ensure that such housing (likely to be a more reasonable proportion of income for residents than other housing options) remains.
8. The proposal generally furthers the Community Identity & Urban Design Goal. Since the mobile home park has existed since the 1970s, it has become part of what defines the Westgate community. Allowing it to remain would ensure that variety and maximum choice in housing and lifestyles would continue to exist in this area, which is dominated by subdivisions of single-family homes. Site improvements would contribute to a pleasing built environment.
9. The proposal furthers the following, applicable West Side Strategic Plan policies:
- A. WSSP Policy 1.1. The subject site is located in the Bridge/Westgate community and is not within the boundaries of a designated Activity Center. The existing mobile home park, at approximately 5 DU/ac, is the type of lower-density residential development referred to above that is intended to be located outside designated Centers.
- B. WSSP Policy 3.46. Though the proposal would not change existing residential density, it would be consistent with the densities referred to in the TUSDP. The mobile home development, at approximately 6 DU/ac, is located outside of a designated activity center and not at a major intersection where non-residential zoning is intended.
10. The Planning Department is required to consider school capacity because the proposal is for a site development plan for a residential development. The proposal would not result in any new households because the development already exists. Rather, it would allow existing households to remain and therefore would not affect school capacity. APS comments that the proposal will have no adverse impacts. The proposal does not affect WSSP Policy 2.5-school capacity/residential development.
11. The proposal generally furthers Goal 1 and Goal 5 of the Southwest Area Plan:
- Goal 1. The proposal would facilitate part of the mobile park's continued existence and allow a lower density residential use outside the designated activity centers. Activity centers are intended to be pedestrian-friendly, accessible but not dominated by vehicles, and contain a mixture of uses and housing opportunities different from those in the interior of neighborhoods (i.e.- different than the typical single-family residential subdivision).
- Goal 5. The proposal would result in some of the City's lower-income residents being able to remain in their homes, which have access to two bus stops and bicycle lanes, and being able to continue to support the Transit system. Two transit lines serve the subject site. There is also a bike lane on 98th St.
12. The TUSDP is divided in to six sections, which discuss boundaries, ownership information, utilities, justification for zone categories, additional requirements (ex. design overlay zone) and appendices.

There are eight Major Policy Recommendations (see Appendix C). Of these, Staff finds that none are relevant to the proposal.

13. The applicant has adequately justified the sector development plan map amendment (zone change) request pursuant to Resolution 270-1980:
- A. Section 1A: Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that a request furthers a preponderance of applicable Goals and policies from the Comprehensive Plan and other applicable plans, which the applicant has done in the response to Section 1.C. Also, the proposed zone change is limited to one specified use and, as a change to an SU-1 zone, is dependent upon an associated site development plan.
 - B. Section 1B: Rezoning the subject site to allow the mobile home park to remain would contribute to stability of land use in the area, especially since the mobile home park use has existed since the 1970s. The specific use of a mobile home park would generally improve stability of zoning by aligning the use with appropriate zoning category and removing the non-conforming status.
 - C. Section 1C: Because the request is for an SU-1 zone, the higher standard of "clearly facilitates" found in Section 1I (spot zone test) applies. The applicant has demonstrated that the request would clearly facilitate applicable Goals, policies and intentions in the WSSP, the SWAP and the TUSDP.
 - D. Section 1D: The applicant has adequately demonstrated, by the policy-based discussion in Section 1C, that the proposed zoning would be more advantageous to the community overall than the current zoning.
 - E. Section 1E: The narrowly defined SU-1 zoning would allow only the existing mobile home development use. Other uses that could be considered harmful in the subject site's setting, such as certain commercial or industrial uses, would be prohibited.
 - F. Section 1F: The proposed zone change requires no capital expenditures by the City.
 - G. Section 1G: Economic considerations are a factor. However, the determining factor is continuing to provide affordable housing, which clearly facilitates a preponderance of applicable Goals and policies as demonstrated by the applicant in the response to Section 1C and Section 1J.
 - H. Section 1H: Though the subject site is located on a major street (98th St.), the request is not for apartment, office or commercial zoning.
 - I. Section 1I: The requested SU-1 zoning is a justifiable spot zone in this case because it has been demonstrated that the request will clearly facilitate realization of applicable Goals and policies in the Comprehensive Plan, the WSSP, the SWAP and the TUSDP.

J. Section 1J: Though the request would cause an area of land along a street to be zoned differently from surrounding land, the request is not for commercial zoning and therefore would not result in a strip zone.

14. The applicant has adequately justified the sector development plan map amendment (zone change) pursuant to R270-1980. The response to Section 1C provides a policy-based explanation of how the request clearly facilitates applicable Goals and policies in the Comprehensive Plan, the WSSP, the SWAP and the TUSDP, and supports the reasoning that a different zoning category would be more advantageous to the community (Section 1D). The remaining sections (1A, 1B, 1E-1J) are sufficiently addressed.

15. The affected neighborhood organizations are the Route 66 West Neighborhood Association (NA), the South Valley Coalition of NAs, the South West Alliance of Neighbors (SWAN), and the Westside Coalition of NAs, which the applicant notified as required. Property owners within 100 feet of the subject site were also notified as required. Staff received a phone call from a resident who had questions about the request, zoning and the process. Staff has not received any additional calls or written comments as of this writing, and is not aware of any opposition to the request.

RECOMMENDATION - 15EPC-40039, September 10, 2015

That the EPC forward a recommendation of APPROVAL of 15EPC-40039, a request for a sector development plan map amendment from R-T Residential Zone to SU-1 for Mobile Home Park for Tract 2A, Westgate Mobile Home Park, an approximately 14.5 acre site that contains a portion of the existing Sage Mobile Home Park, located adjacent west of 98th St. SW, between Tower Rd. and DeVargas/Sage Rd., to the City Council based on the preceding Findings and subject to the following Condition of Approval.

CONDITION OF APPROVAL -15EPC-40039, September 10, 2015–Sector Development Plan Map Amendment

1. Final approval of the accompanying site development plan for subdivision (15EPC-40018) by the Development Review Board (DRB) is required and shall occur within the time period specified in Zoning Code §14-16-4-1(C)(16)(b), Amendment Procedure.

FINDINGS -15EPC-40041, September 10, 2015–As Built Site Development Plan for Building Permit

1. The subject request is for an as built site development plan for building permit for Tract 2A, Westgate Mobile Home Park, an approximately 14.5 acre site that contains a portion of the existing Sage Mobile Home Park (the “subject site”). The subject site is located adjacent west of 98th St. SW, between Tower Rd. and DeVargas/Sage Rd.

2. The subject request is accompanied by a sector development plan map amendment (zone change) request to the Tower/Unser Sector Development Plan (TUSDP) (15EPC-40039). The sector development plan map amendment request is justified pursuant to R270-1980.
3. The Albuquerque/Bernalillo County Comprehensive Plan, the Westside Strategic Plan, the Southwest Area Plan, the TUSDP and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
4. The proposal furthers and partially furthers the following, relevant Land Use Policies in the Comprehensive Plan:
 - A. Policy II.B.5a-full range of urban land uses. By allowing approximately 2/3 of the mobile home park to remain, the proposal would contribute to a full range of urban land uses in the area, which is characterized mainly by single-family residential uses (single-family homes).
 - B. Policy II.B.5o-redevelopment of older neighborhoods. Some improvements to the subject site would be required that would generally help rehabilitate this older area, though the subject site is only part of the neighborhood and Tract 2A is only part of the mobile home development.
5. The proposal furthers the Housing Goal and the following, applicable Housing Policy:
 - A. Goal: Approximately 2/3 of the mobile home park would remain, thereby preventing displacement of low-income residents, maintaining affordable housing supply, and improving the quality of existing housing by bringing the dwellings up to Zone Code standards.
 - B. Policy II.D.5a- II.D.5a-supply of affordable housing. The proposal would preserve the affordable housing that the mobile home park provides, and ensure that such housing (likely to be a more reasonable proportion of income for residents than other housing options) remains.
6. The proposal generally furthers the Community Identity & Urban Design Goal. Since the mobile home park has existed since the 1970s, it has become part of what defines the Westgate community. Allowing it to remain would ensure that variety and maximum choice in housing and lifestyles would continue to exist in this area, which is dominated by subdivisions of single-family homes. Site improvements would contribute to a pleasing built environment.
7. The proposal furthers the following, applicable West Side Strategic Plan policies:
 - A. WSSP Policy 1.1. The subject site is located in the Bridge/Westgate community and is not within the boundaries of a designated Activity Center. The existing mobile home park, at approximately 5 DU/ac, is the type of lower-density residential development referred to above that is intended to be located outside designated Centers.
 - B. WSSP Policy 3.46. Though the proposal would not change existing residential density, it would be consistent with the densities referred to in the TUSDP. The mobile home development, at

approximately 6 DU/ac, is located outside of a designated activity center and not at a major intersection where non-residential zoning is intended.

8. The Planning Department is required to consider school capacity because the proposal is for a site development plan for a residential development. The proposal would not result in any new households because the development already exists. Rather, it would allow existing households to remain and therefore would not affect school capacity. APS comments that the proposal will have no adverse impacts. The proposal does not affect WSSP Policy 2.5-school capacity/residential development.
9. The proposal generally furthers Goal 1 and Goal 5 of the Southwest Area Plan:
 - A. Goal 1. The proposal would facilitate part of the mobile park's continued existence and allow a lower density residential use outside the designated activity centers. Activity centers are intended to be pedestrian-friendly, accessible but not dominated by vehicles, and contain a mixture of uses and housing opportunities different from those in the interior of neighborhoods (i.e.- different than the typical single-family residential subdivision).
 - B. Goal 5. The proposal would result in some of the City's lower-income residents being able to remain in their homes, which have access to two bus stops and bicycle lanes, and being able to continue to support the Transit system. Two transit lines serve the subject site. There is also a bike lane on 98th St.
10. The TUSDP is divided in to six sections, which discuss boundaries, ownership information, utilities, justification for zone categories, additional requirements (ex. design overlay zone) and appendices. There are eight Major Policy Recommendations (see Appendix C). Of these, Staff finds that none are relevant to the proposal.
11. Conditions of approval are needed to clarify the site development plan. Since the associated request for SU-1 zoning (15EPC-40039) is site plan dependent, accuracy is important.
12. The affected neighborhood organizations are the Route 66 West Neighborhood Association (NA), the South Valley Coalition of NAs, the South West Alliance of Neighbors (SWAN), and the Westside Coalition of NAs, which the applicant notified as required. Property owners within 100 feet of the subject site were also notified as required. Staff received a phone call from a resident who had questions about the request, zoning and the process. Staff has not received any additional calls or written comments as of this writing, and is not aware of any opposition to the request.

RECOMMENDATION - 15EPC-40041, September 10, 2015

That the EPC forward a recommendation of APPROVAL of 15EPC-40041, a Site Development Plan for Building Permit for Tract 2A, Westgate Mobile Home Park, zoned R-T Residential zone, an approximately 14.5 acre site that contains a portion of the existing Sage Mobile Home Park,

located adjacent west of 98th St. SW, between Tower Rd. and DeVargas/Sage Rd., to the City Council based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL -15EPC-40041, September 10, 2015- As Built Site Development Plan for Building Permit

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the Staff planner to ensure that all conditions of approval are met.
3. Main Sheet- substance:
 - A. Add a brief narrative to B. Proposed Development, to explain the scope of work.
 - B. State the parking requirement for a mobile home park (add to Note 2c).
 - C. Add a note to address refuse service.
 - D. Indicate the location of any signage and describe the signage (new note under 2).
 - E. Show locations of any lighting.
4. Main Sheet- clarification:
 - A. Add a note to explain that the Site Development Plan for Building Permit is an “as-built” based on the May 2015 survey.
 - B. Label the Grading & Drainage Plan as “existing”.
 - C. Label the existing perimeter wall along 98th St.
5. Landscaping Plan:
 - A. Clearly distinguish which trees are existing and which trees are proposed.
 - B. Trees not used shall be removed from the palette.
 - C. Juniper shall be replaced or labeled “female only” (Pollen Ordinance).
 - D. Place landscaping items on the landscaping sheet, and irrigation and planting details on another landscape sheet (sheet LS2).

6. Conditions from PNM:

- A. Two existing overhead 115kV electric transmission lines bisect the subject property and one existing distribution line parallels the northern boundary. The applicant is responsible to abide by any conditions or terms of the transmission rights-of-way and distribution easements.
 - B. Any increase in the existing grade on the property near or within the transmission rights-of-way or distribution easement, including the pond areas, must be reviewed by PNM in order to ensure that adequate safety clearances are maintained.
 - C. Fences shall be grounded by applicant on the existing chain-link fence within proximity of the transmission line to reduce the risk of nuisance shocks. Locations be to be determined by PNM.
 - D. PNM must have 24/7 access to its transmission line facilities within the transmission right-of-way and must have the ability to drive PNM vehicles within the entire transmission right-of-way.
-

Catalina Lehner

**Catalina Lehner, AICP
Senior Planner**

Notice of Decision cc list

cc: Cherise Quezada, 10304 Paso Fino Pl. SW, Abq., NM 87121
Barbara Lucero, 757 98th St. SW, Sp. #6, Abq., NM 87121
Rod Mahoney, 1838 Sadora Rd. SW, Abq., NM 87105
Marcia Fernandez, 2401 Violet SW, Abq., NM 87105
Johnny Pena, 6525 Sunset Gardens SW, Abq., NM 87121
Jerry Gallegos, 417 65th St. SW, Abq., NM 87121
Jerry Worrall, 1039 Pinatubo Pl. NW, Abq., NM 87120
Harry Hendricksen, 10592 Rio Del Sole Ct., Abq., NM 87114

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Code Services- No comments received

Office of Neighborhood Coordination

Route 66 West NA, South Valley Coalition of NAs, South West Alliance of Neighbors (SWAN), Westside Coalition of NAs

Long Range Planning

This request may provide needed jobs and services to the SW Mesa and help to alleviate the jobs-to-housing imbalance of the area.

CITY ENGINEER

Transportation Development

No objection to the request.

Hydrology Development

- Beyond 10' of a structure, all landscape beds to be depressed below grade. Within 10', runoff shall be directed away from the structure.
- All new development projects shall manage the runoff from precipitation which occurs during the 90th Percentile Storm Events, referred to as the "first flush." The Site Plan/Drainage Plan must indicate all areas and mechanisms intended to capture the first flush. For volume calculations, the 90th Percentile storm event is 0.44 inches. For Land Treatment D the initial abstraction is 0.1", therefore the first flush volume should be based on $0.44'' - 0.1'' = 0.34''$ and only consider the impervious areas.
 - State how the first flush will be managed and supporting calculations
 - State the area of Land Treatment D on the plan
- The applicant may request a pre-design meeting with the Hydrology Section. First submit a Conceptual Grading and Drainage plan, and indicate on the DTIS sheet (**in large bold letters at the top**) that a pre-design conference is requested (DTIS sheet is the information sheet required for all Hydrology and Transportation submittals). The reviewer will contact the applicant to set up a meeting.
 - The engineer should research the Master Drainage Plan and/or adjacent sites – essentially practice due diligence prior to meeting. Conceptual Grading and Drainage plans should reference the master drainage plan or other sources that indicate the intended drainage for that area. **The applicant should provide excerpts from the supporting documents and/or grading plans.**
 - Final Drainage Reports should have an appendix with all supporting documentation
- When determining allowable discharge from a site
 - If a Master Drainage Report planned an allowable discharge for a site, determine if the basis for that discharge is still valid or if conditions have since changed.

- If discharging to the street, determine if the street has capacity. Also determine if the storm drain has capacity.
- If discharging to the back of inlets, determine if doing so will still provide capacity for the discharge from the street
- When determining inlet capacity using the orifice equation, the area for a single grate should be 3.84 sq. ft.

New Mexico Department of Transportation (NMDOT)

NMDOT has no comments.

DEPARTMENT of MUNICIPAL DEVELOPMENT

Transportation Planning

- Per MRCOG's 2040 Long Range Roadway System Map, 98th St. is a Community Principal Arterial. Per MRCOG's 2040 Long Range Bikeway System Map, 98th St. contains existing bicycle lanes across the frontage of this property.

Traffic Engineering Operations (Department of Municipal Development)

- No comments received.

Street Maintenance (Department of Municipal Development)

- No comments received.

RECOMMENDED CONDITIONS FROM THE CITY ENGINEER:

Conditions of approval shall include: none.

WATER UTILITY AUTHORITY

Utility Services

No adverse comments as property is currently being serviced for both water and sanitary sewer.

ENVIRONMENTAL HEALTH DEPARTMENT- No comments received

Air Quality Division- No comments received.

Environmental Services Division-No comments received.

PARKS AND RECREATION

Planning and Design- No adverse comments. Bike lanes are existing on 98th Street.

Open Space Division- OSD has reviewed and has no adverse comments.

City Forester- No comments received

POLICE DEPARTMENT/Planning

This project is in the Southwest Area Command. No Crime Prevention or CPTED comments concerning the proposed *Amendment To Zone Map or Site Development For Building Permit* request at this time.

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division- Do not hinder any existing refuse collection service.

FIRE DEPARTMENT/Planning- No comments received.

TRANSIT DEPARTMENT- No comments received.

Project # 1010551 15EPC-40039 AMNDT TO ZONE MAP (ESTB ZONING/ZONE CHG) 15EPC-40041 SITE DEVELOPMENT - BUILDING PERMIT FOR ALL OR PORTION OF TRACT(S) 2A, WESTGATE MOBILE HOME PARK ZONED TR LOCATED ON 98 TH ST SW BETWEEN TOWER RD SW AND DEVARGAS SW CONTAINING APPROX 11 ACRES. (SU-1/C-2 FOR CONDITIONAL AND PERMISSIVE USES)	Adjacent and nearby routes	Route #198, 98 th – Dennis Chavez route, pass the site on 98 th Street.
	Adjacent bus stops	There is an existing bus stop with a bus shelter adjacent to the property.
	Site plan requirements	None
	Large site TDM suggestions	None.
	Other information	None

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY- No comments received.

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

Reviewed, no comment.

ALBUQUERQUE PUBLIC SCHOOLS

Project #1010551 15EPC-40039 AMNDT TO ZONE MAP (ESTB ZONING/ZONE CHG) 15EPC-40041 SITE DEVELOPMENT-BUILDG PRMT	Westgate Mobile Home Park , Tract 2A, is located on 98 th St SW between Tower Rd SW and Devargas SW. The owner of the above property requests a Zone Change from RT to SU-1/C-2 for conditional uses, as well as approval of a Site Development Plan for Building Permit to allow for an existing mobile home park. This will have no adverse impacts to the APS district.
---	--

MID-REGION COUNCIL OF GOVERNMENTS

MRMPO has no adverse comments. For informational purposes, 98th Street is functionally classified as an Existing Urban Principal Arterial between Dennis Chavez Boulevard and I-40.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT- No comments received.

PUBLIC SERVICE COMPANY OF NEW MEXICO

1. Two existing overhead 115kV electric transmission lines bisect the subject property and one existing distribution line parallels the northern boundary. The applicant is responsible to abide by any conditions or terms of the transmission rights-of-way and distribution easements.
2. Any increase in the existing grade on the property near or within the transmission rights-of-way or distribution easement, including the pond areas, must be reviewed by PNM in order to ensure that adequate safety clearances are maintained.
3. Fences shall be grounded by applicant on the existing chain-link fence within proximity of the transmission line to reduce the risk of nuisance shocks. Locations be to be determined by PNM.
4. PNM must have 24/7 access to its transmission line facilities within the transmission right-of-way and must have the ability to drive PNM vehicles within the entire transmission right-of-way.
5. PNM requires additional coordination with the applicant as the project develops.

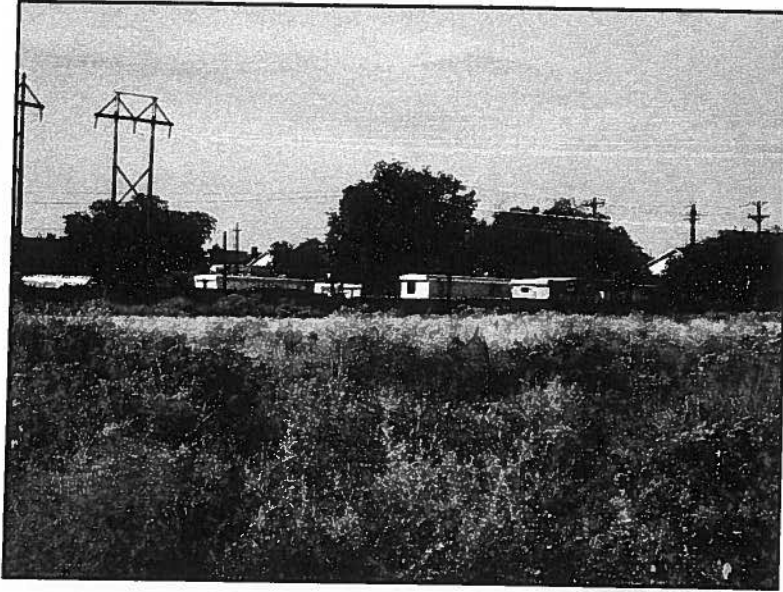


Figure 1: Looking SW at the subject site, from 98th St. near the transit shelter.

Figure 2: Looking NW, up 98th St., from near the entrance to the mobile home development.

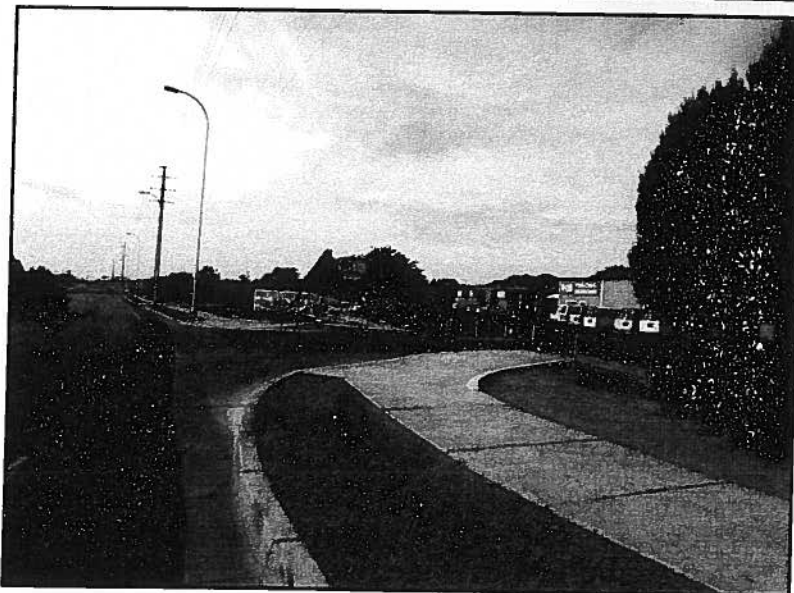
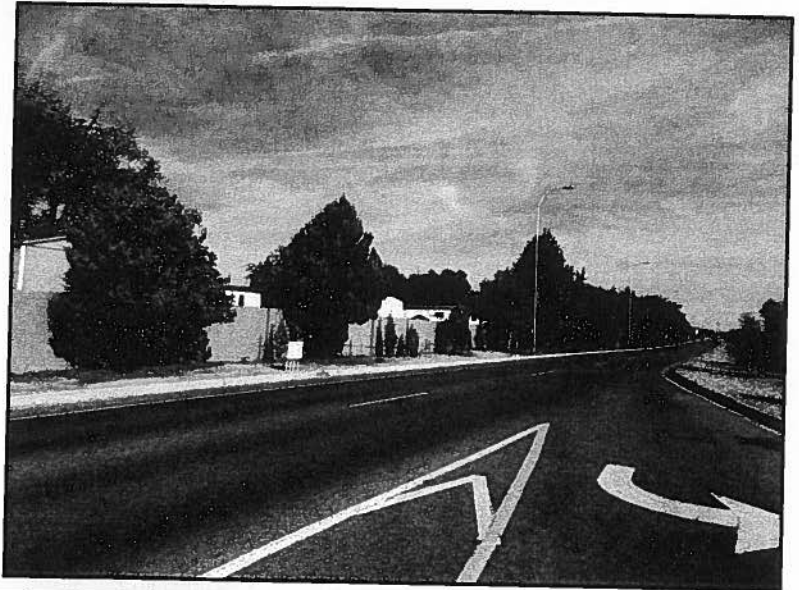


Figure 3: The entrance to the mobile home development, adjacent south to the subject site.

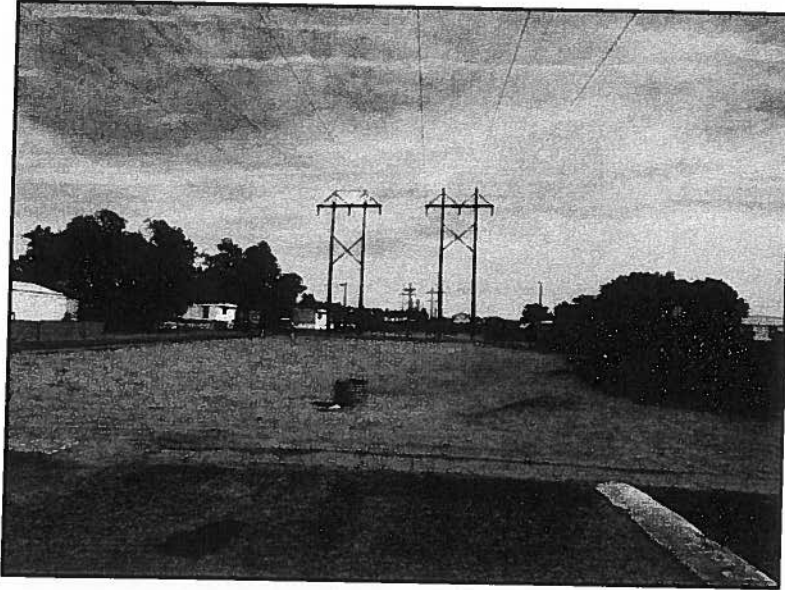


Figure 4: The transmission line easement that runs through the development.

Figure 5: Existing, mature street trees along 98th St., and smaller trees in the gaps.

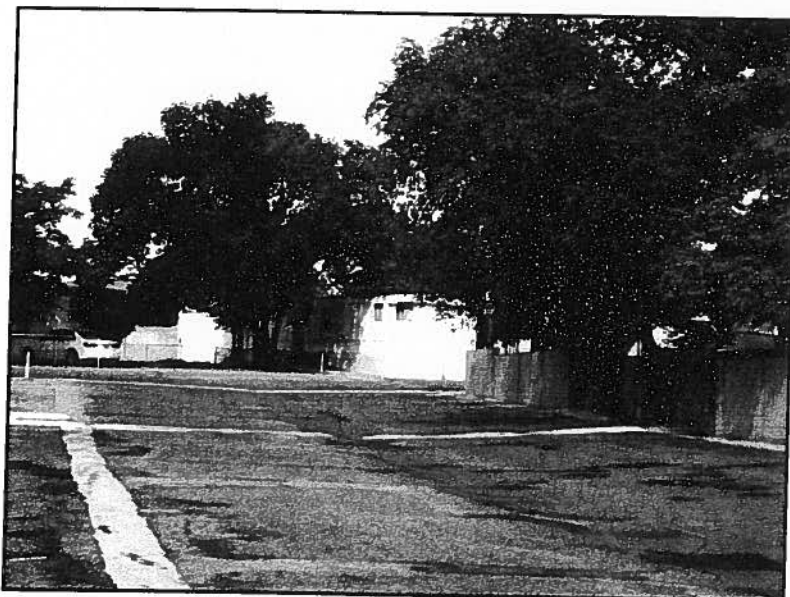
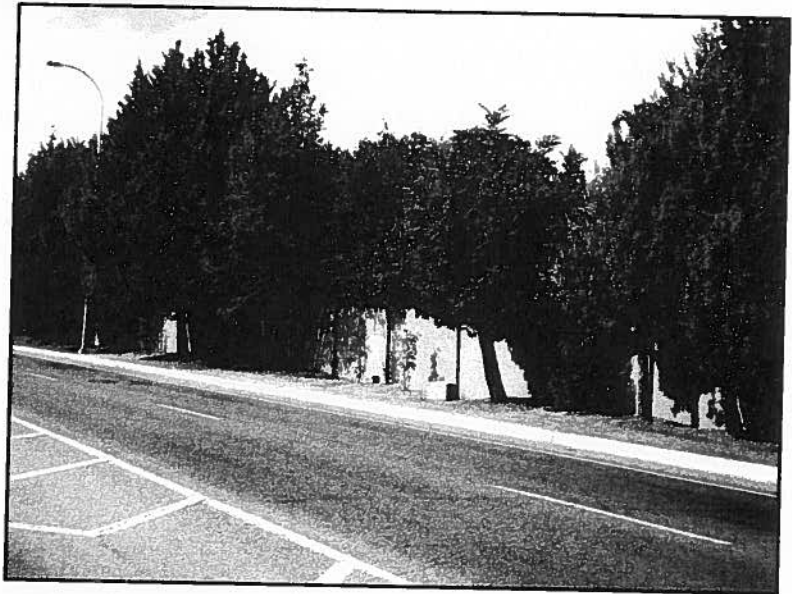


Figure 6: Near the entrance to the mobile home development. The mobile homes are all this older style.

HISTORY

CITY of ALBUQUERQUE
EIGHTH COUNCIL

COUNCIL BILL NO. R-365 ENACTMENT NO. 129-1989

SPONSORED BY: Steve D. Gallegos

RESOLUTION

1
2 ADOPTING THE TOWER/UNSER SECTOR DEVELOPMENT PLAN AS A RANK 3
3 SECTOR DEVELOPMENT PLAN, AND AMENDING THE ZONE MAP AS TO BASIC
4 ZONES, ALL AS SPECIFIED IN THE TOWER/UNSER SECTOR DEVELOPMENT
5 PLAN.

6 WHEREAS, the Council, the Governing Body of the City of
7 Albuquerque, has the authority to adopt plans for physical
8 development within the planning and platting jurisdiction of
9 the City as authorized by New Mexico Statutes and by the City
10 Charter as allowed under home rule provisions of the
11 Constitution of the State of New Mexico; and

12 WHEREAS, the Council recognizes the need for sector
13 development plans to guide the city, county, other agencies,
14 property owners and other individuals to ensure orderly
15 development and effective utilization of resources; and

16 WHEREAS, the Lower/Unser Sector Development Plan has been
17 prepared with the assistance of neighborhood groups, property
18 owners and the official planning bodies having jurisdiction
19 over the plan area in accordance with the interests and needs
20 of the area residents and property owners as expressed through
21 public meetings; and

22 WHEREAS, the Planning Division has prepared a sector
23 development plan to guide future development of the plan area
24 by addressing requirements for public services, land use, and
25 zoning; and

26 WHEREAS, on February 23, 1989, the Environmental Planning

Underscored Material - New
Bracketed Material - Deletion

Underscored Material - New
[Bracketed Material] - Deletion

1 Commission recommended that the zone map be amended consistent
2 with the Tower/Unser Sector Development Plan, with findings
3 which included that the plan required further editing; editing
4 as to categories for rezoning has been accomplished by the plan
5 hereby adopted; and

6 WHEREAS, the Environmental Planning Commission, in its
7 advisory role on all matters related to planning, zoning and
8 environmental protection approved and recommended the adoption
9 of the Tower/Unser Sector Development Plan at a public hearing
10 on February 23, 1989, finding the plan consistent with the
11 provisions of the Albuquerque/Bernalillo County Comprehensive
12 Plan, and other adopted City plans and policies; and

13 WHEREAS, in the portions of this plan now outside the
14 municipal limits the proposed land use regulations will go into
15 effect only upon annexation, which annexation will constitute a
16 change of conditions sufficient to justify the altered land use
17 controls which are specified; and

18 WHEREAS, this plan is a thoughtful, comprehensive response
19 to the development issues of the plan area, and the plan and
20 the nature of the new zoning justify a revision of zoning
21 requirements even without changed neighborhood conditions.

22 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY
23 OF ALBUQUERQUE:

24 Section 1. The Tower/Unser Sector Development Plan,
25 attached hereto is hereby adopted as a Rank 3 Sector
26 Development Plan. All development and improvement activities
27 within the plan area shall be guided by this plan.

28 Section 2. The zone map of the Zoning Code, Article 7-14
29 R.O. 1974, is hereby amended as specified by the attached
30 Tower/Unser Sector Development Plan, specifically as shown in
31 Figures 12 and 13 as to basic zones and Figure 14 as to the DO
32 Design Overlay Zone.

33 Section 3. The proposed transportation improvements as

Underscored Material - New
[Bracketed Material] - Deletion

1 detailed on page 26 and shown on Figure 9 of the attached plan
2 are hereby adopted.

3 Section 4. The policy recommendations in Appendix C of the
4 attached plan are hereby recommended for consideration by all
5 City Departments for timely inclusion in the Capital
6 Implementation Program and, when appropriate in Special
7 Assessment Districts.

8 PASSED AND ADOPTED THIS 7th DAY OF AUGUST, 1989.
9 BY A VOTE OF 8 FOR AND 0 AGAINST.

10 AND 1 ABSTAIN.
11 Yes: 8
12 Abstain: Baca

13
14 
15 Steve D. Gallegos, President
16 City Council

17
18 APPROVED THIS 31st DAY OF August, 1989.

19
20
21 
22 Ken Schultz, Mayor
23 City of Albuquerque

24 ATTEST:
25 
26 City Clerk

27
28
29
30
31
32
33 7485-1

OFFICIAL NOTICE

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
Box 1283, Albuquerque, NM 87103

Date: October 19, 1973

J & O Investment
2424 Candelaria, NE
Albuquerque, New Mexico 87107

NOTIFICATION OF DECISION ON A ZONING SPECIAL EXCEPTION

File ZA-73-162
Location: 801 98th St. SW

Your application for special exception under the Comprehensive Zoning Ordinance was considered at the Zoning Administrator's hearing on October 16, 1973. The following decision was made:

Findings: This A-1 zoned area, part of which is now being annexed, is already occupied by a trailer court; another part of the trailer court is zoned C-2 and C-3. Available fire hydrants are inadequate to protect the mobile homes. The requested Conditional Use to allow retention of the portion of the trailer court will not be injurious to the neighborhood or appropriate use of adjoining property.

Decision: The requested Conditional Use is approved, on the condition that a fire permit is installed where the trailer court's second most northerly east-west road intersects the east edge of the Public Service Company right of way.

If you wish to appeal this decision, you may do so by November 6, 1973 in the manner described below, as excerpted from the Zoning Ordinance of the City of Albuquerque.

1. Jurisdiction. Appeal of special exception decisions by the Zoning Administrator is to the Planning Commission. Appeal of decisions by the Planning Commission is to the City Commission.
2. Application. A decision by the Zoning Administrator or the Planning Commission is final unless appeal is initiated by application to the City on prescribed forms within fifteen days of the decision. A building permit dependent on a case shall not be issued until an appeal is decided, or the time for filing the appeal has expired without an appeal being filed.
3. Acceptance. The City Commission may decline to accept an appeal if it finds that all adopted City plans, policies, and ordinances have been properly followed. If it decides that there is a substantial question that all such City plans, policies, and ordinances have not been properly followed or are not adequate, it shall accept the appeal. The Planning Commission shall accept all appeal cases sent to it.
4. Fee. A filing fee of \$25 must accompany each appeal application. When an application is withdrawn the application fee shall not be refunded.
5. Hearing and Decision. An appeal, if accepted, shall be heard within sixty days of its filing. Decision shall be following a public hearing. Public notice of an appeal must be given by legal advertisement in a newspaper of general circulation in the City of Albuquerque at least fifteen days before the hearing. The Planning Department must give written notice of an appeal, together with a notice of the date, time, and place of hearing to the applicant, a representative of the opponents, if any are known, and the applicant.

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of the Zoning Administrator is secured. Approval of this case does not constitute approval of plans for a building permit. If your application is approved, bring this letter when you come to City Hall, 400 Marquette NW, to secure any related building permit. You should take two copies of your plans to the Building & Inspection Division to initiate such a permit.

Approval of a conditional use or variance application is void after one year from date of approval if the rights and privileges granted thereby have not been executed or utilized.

Sincerely,


Zoning Administrator

ZA

Letter of
Advice

DAP:pe

BHB-02

41

PLANNING DEPARTMENT
CITY OF ALBUQUERQUE

Box 1293

Zip Code: 87103

Telephone 243-8861

Date: June 18, 1970
File: AX-70-20
Z-70-69

Mr. J. W. Battis
P.O. Box 11571
City 87112

The Planning Commission made the following recommendation at its meeting of **June 15, 1970**

BE IT RESOLVED THAT AX-70-20, and Z-70-69 as amended to request establishment of A-1 zoning for the portion of Tract 2 presently outside the City Limits, and a change of zone from R-1 to A-1 for that portion of the subject land lying between Tracts 2 & 3, all in Snow Vista Addition, be recommended to the City Commission for approval because the annexation conforms with the City's Adopted Annexation Policies, and the zoning will be compatible with the surrounding land use.

Should you wish to appeal this decision, you may do so by the manner described below.

Appeals Appeal of any decision by the Planning Commission may be submitted in writing to the City Commission.

If a written appeal is signed by the owners of twenty per cent (20%) or more either of the area of the lots or lands included in such proposed change, or of those immediately adjacent within one hundred (100) feet of the area proposed for change, disregarding public ways, such change on the Zone Map shall require the concurring vote of at least four (4) members of the City Commission.

(1) Written notice of appeal shall be filed with the Planning Director.

(2) Public notice of any appeal shall be given by legal advertisement in the manner prescribed for a change to the text of this ordinance. The Planning Director shall give written notice of any appeal together with notice of hearing date to the applicant, a representative of opponents, if any, and the appellant. The appeal shall be presented to the City Commission within three (3) months after the date of filing. Once the appeal is presented to the City Commission any request for delay in hearing the appeal shall be acted upon at a regular City Commission meeting.

If the application has been recommended for approval, it will be heard by the City Commission after proper advertisement Monday, **July 13, 1970** at City Hall, 400 Marquette, N.W.

GLC:now

Yours sincerely,

cc: **Sandia Savings & Loan Assoc.**
P.O. Box 587, City 87103

RUBEN D. RAMIREZ
Planning Director

By **George L. Carruthers, Chief**
Current Planning Division

Z
Letter of
Advice

472

ZONING

For specifics of the SU-1 zone, please refer to Zoning Code §14-16-2-22.

For the C-2 zone, please refer to Zoning Code §14-16-2-17.

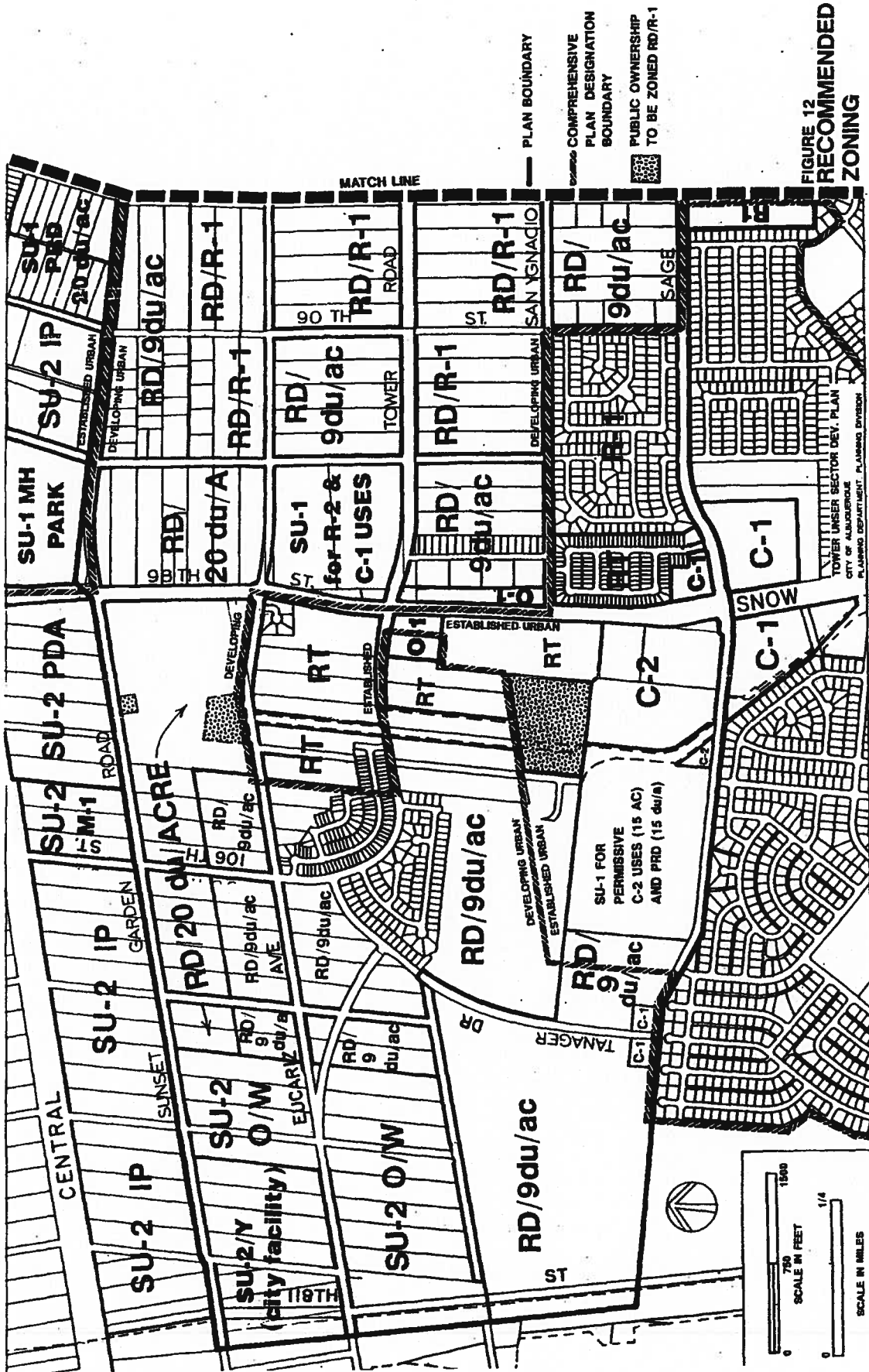


FIGURE 12
RECOMMENDED
ZONING

APPLICATION INFORMATION



Supplemental Form (SF)

SUBDIVISION	S	Z	ZONING & PLANNING
<input type="checkbox"/> Major subdivision action			<input type="checkbox"/> Annexation
<input type="checkbox"/> Minor subdivision action			
<input type="checkbox"/> Vacation	V	XX	<input checked="" type="checkbox"/> Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
<input type="checkbox"/> Variance (Non-Zoning)			<input type="checkbox"/> Adoption of Rank 2 or 3 Plan or similar
SITE DEVELOPMENT PLAN	P		<input type="checkbox"/> Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
<input checked="" type="checkbox"/> for Subdivision			
<input type="checkbox"/> for Building Permit Existing			
<input type="checkbox"/> Administrative Amendment (AA)			
<input type="checkbox"/> Administrative Approval (DRT, URT, etc.)			
<input type="checkbox"/> IP Master Development Plan	D		<input type="checkbox"/> Street Name Change (Local & Collector)
<input type="checkbox"/> Cert. of Appropriateness (LUCC)	L	A	APPEAL / PROTEST of...
STORM DRAINAGE (Form D)			<input type="checkbox"/> Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other
<input type="checkbox"/> Storm Drainage Cost Allocation Plan			

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2nd Street NW, Albuquerque, NM 87102.

Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICATION INFORMATION: J. Matt Myers, Esq.
 Professional/Agent (if any): Myers, McCready & Myers, P.C. PHONE: 505-247-9080
 ADDRESS: 1401 Central Avenue, NW FAX: 505-247-9109
 CITY: Albuquerque STATE NM ZIP 87104 E-MAIL: mmyers@moplaw.com
 APPLICANT: Deemer Properties NM, LLC PHONE: 408-842-1700
 ADDRESS: 2455 Roop Road FAX: _____
 CITY: Gilroy STATE CA ZIP 95020 E-MAIL: dmr2455@outlook.com
 Proprietary interest in site: Owner List all owners: _____

DESCRIPTION OF REQUEST: Zone change from RT to SU-1 for C-2 Conditional and permissive uses and approval of existing ALTA As-Built Survey as the site plan

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

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

Lot or Tract No. Tract 2A Block: _____ Unit: _____
 Subdiv/Addn/TBKA: Westgate Mobile Home Park
 Existing Zoning: RT Proposed zoning: SU-1/C-2 for MRGCD Map No. _____
 Zone Atlas page(s): L-9 UPC Code: 100905607904730103 conditional and permissive uses

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_Z_, V_, S_, etc.): _____
ZA-73-162, Z-73-162, Z-97-38 and SD-87-11

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? No
 No. of existing lots: 95 No. of proposed lots: 95 Total site area (acres): 11 acres approximately
 LOCATION OF PROPERTY BY STREETS: On or Near: 98th Street, SW
 Between: Tower Road and DeVargas
 Check if project was previously reviewed by: Sketch Plat/Plan or Pre-application Review Team(PRT) Review Date: June 9, 2015

SIGNATURE: [Signature] DATE: July 2015
 (Print Name) J Matt Myers Applicant: Agent:

FOR OFFICIAL USE ONLY

Revised: 11/2014

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>15EPC - 40039</u>	<u>A2M</u>	_____	<u>\$ 295.00</u>
<input checked="" type="checkbox"/> All fees have been collected	<u>15EPC - 40041</u>	<u>SEP</u>	_____	<u>\$ 955.00</u>
<input checked="" type="checkbox"/> All case #s are assigned	_____	<u>ADV</u>	_____	<u>\$ 75.00</u>
<input checked="" type="checkbox"/> AGIS copy has been sent	_____	<u>CMF</u>	_____	<u>\$ 30.00</u>
<input checked="" type="checkbox"/> Case history #s are listed	_____	_____	_____	_____
<input type="checkbox"/> Site is within 1000ft of a landfill	_____	_____	_____	_____
<input type="checkbox"/> F.H.D.P. density bonus	_____	_____	_____	_____
<input type="checkbox"/> F.H.D.P. fee rebate	_____	_____	_____	_____
	Hearing date			Total
	<u>September 10, 2015</u>			<u>\$ 305.00</u>

[Signature] 7-30-15 Project # 1010551
 Staff signature & Date 46

FORM Z: ZONE CODE TEXT & MAP AMENDMENTS, PLAN APPROVALS & AMENDMENTS

ANNEXATION (EPC08)

- Application for zone map amendment including those submittal requirements (see below).
Annexation and establishment of zoning must be applied for simultaneously.
 - Petition for Annexation Form and necessary attachments
 - Zone Atlas map with the entire property(ies) clearly outlined and indicated
NOTE: The Zone Atlas must show that the site is in County jurisdiction, but is contiguous to City limits.
 - Letter describing, explaining, and justifying the request
NOTE: Justifications must adhere to the policies contained in "Resolution 54-1990"
 - Letter of authorization from the property owner if application is submitted by an agent
 - Board of County Commissioners (BCC) Notice of Decision
 - Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts
 - Sign Posting Agreement form
 - Traffic Impact Study (TIS) form
 - List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline.* Your attendance is required.

- SDP PHASE I - DRB CONCEPTUAL PLAN REVIEW (DRBPH1)** (Unadvertised)
- SDP PHASE II - EPC FINAL REVIEW & APPROVAL (EPC14)** (Public Hearing)
- SDP PHASE II - DRB FINAL SIGN-OFF (DRBPH2)** (Unadvertised)

- Copy of findings from required pre-application meeting (needed for the DRB conceptual plan review only)
 - Proposed Sector Plan (30 copies for EPC, 6 copies for DRB)
 - Zone Atlas map with the entire plan area clearly outlined and indicated
 - Letter describing, explaining, and justifying the request
 - Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts (for EPC public hearing only)
 - Traffic Impact Study (TIS) form (for EPC public hearing only)
 - Fee for EPC final approval only (see schedule)
 - List any original and/or related file numbers on the cover application
- Refer to the schedules for the dates, times and places of DRB and EPC hearings.* Your attendance is required.

AMENDMENT TO ZONE MAP - ESTABLISHMENT OF ZONING OR ZONE CHANGE (EPC05)

- Zone Atlas map with the entire property clearly outlined and indicated
 - Letter describing, explaining, and justifying the request pursuant to Resolution 270-1980.
 - Letter of authorization from the property owner if application is submitted by an agent
 - Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts
 - Sign Posting Agreement form
 - Traffic Impact Study (TIS) form
 - Fee (see schedule)
 - List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline.* Your attendance is required.

AMENDED TO SECTOR DEVELOPMENT MAP (EPC03)

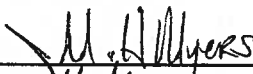
AMENDMENT SECTOR DEVELOPMENT, AREA, FACILITY, OR COMPREHENSIVE PLAN (EPC04)

- Proposed Amendment referenced to the materials in the Plan being amended (text and/or map)
 - Plan to be amended with materials to be changed noted and marked
 - Zone Atlas map with the entire plan/amendment area clearly outlined
 - Letter of authorization from the property owner if application is submitted by an agent (map change only)
 - Letter describing, explaining, and justifying the request pursuant to Resolution 270-1980 (Sector Plan map change only)
 - Letter briefly describing, explaining, and justifying the request
 - Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts (for sector plans only)
 - Traffic Impact Study (TIS) form
 - Sign Posting Agreement
 - Fee (see schedule)
 - List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline.* Your attendance is required.

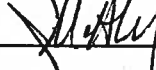
AMENDMENT TO ZONING CODE OR SUBDIVISION REGULATORY TEXT (EPC07)

- Amendment referenced to the sections of the Zone Code/Subdivision Regulations being amended
 - Sections of the Zone Code/Subdivision Regulations to be amended with text to be changed noted and marked
 - Letter describing, explaining, and justifying the request
 - Fee (see schedule)
 - List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline.* Your attendance is required.

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



Applicant name (print)




Applicant signature & Date



Revised: June 2011

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

Application case numbers
BEPC 40035



Staff signature & Date

Project # 1010551

FORM P(1): SITE DEVELOPMENT PLAN REVIEW – E.P.C. PUBLIC HEARING

SITE DEVELOPMENT PLAN FOR SUBDIVISION (EPC16) Maximum Size: 24" x 36"

- IP MASTER DEVELOPMENT PLAN (EPC11)**
- ___ 5 Acres or more & zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval
 - ___ Scaled Site Plan and related drawings (folded to fit into an 8.5" by 14" pocket) **20 copies.**
For IP master development plans, include general building and parking locations, and design requirements for buildings, landscaping, lighting, and signage.
 - ___ Site plans and related drawings reduced to 8.5" x 11" format (**1 copy**)
 - ___ Zone Atlas map with the entire property(ies) clearly outlined
 - ___ Letter briefly describing, explaining, and justifying the request
 - ___ Letter of authorization from the property owner if application is submitted by an agent
 - ___ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - ___ Completed Site Plan for Subdivision and/or Building Permit Checklist
 - ___ Sign Posting Agreement
 - ___ Traffic Impact Study (TIS) form with required signature
 - ___ Fee (see schedule)
 - ___ List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline. Your attendance is required.**

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (EPC15) Maximum Size: 24" x 36"

SITE DEVELOPMENT PLAN and/or WAIVER OF STANDARDS FOR WIRELESS TELECOM FACILITY (WTF) (EPC17)

- 5 Acres or more & zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval
- Site Plan and related drawings (folded to fit into an 8.5" by 14" pocket) **20 copies.**
- Site Plan for Subdivision, if applicable, previously approved or simultaneously submitted.
(Folded to fit into an 8.5" by 14" pocket.) **20 copies**
- Site Plans and related drawings reduced to 8.5" x 11" format (**1 copy**)
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing, explaining, and justifying the request
- Letter of authorization from the property owner if application is submitted by an agent
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- Completed Site Plan for Subdivision and/or Building Permit Checklist
- Traffic Impact Study (TIS) form with required signature
- Fee (see schedule)
- List any original and/or related file numbers on the cover application

NOTE: For wireless telecom facilities, requests for waivers of requirements, the following materials are required in addition to those listed above for application submittal:

- ___ Collocation evidence as described in Zoning Code §14-16-3-17(A)(6)
 - ___ Notarized statement declaring number of antennas accommodated. Refer to §14-16-3-17(A)(13)(d)(2)
 - ___ Letter of intent regarding shared use. Refer to §14-16-3-17(A)(13)(e)
 - ___ Affidavit explaining factual basis of engineering requirements. Refer to §14-16-3-17(A)(13)(d)(3)
 - ___ Distance to nearest existing free standing tower and its owner's name if the proposed facility is also a free standing tower §14-16-3-17(A)(17)
 - ___ Registered engineer or architect's stamp on the Site Development Plans
 - ___ Office of Community & Neighborhood Coordination inquiry response as above based on ¼ mile radius
- EPC hearings are approximately 7 weeks after the filing deadline. Your attendance is required.**

AMENDED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (EPC01) Maximum Size: 24" x 36"

AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION (EPC02)

- ___ Proposed amended Site Plan (folded to fit into an 8.5" by 14" pocket) **20 copies**
 - ___ DRB signed Site Plan being amended (folded to fit into an 8.5" by 14" pocket) **20 copies**
 - ___ DRB signed Site Plan for Subdivision, if applicable (required when amending SDP for Building Permit) **20 copies**
 - ___ Site plans and related drawings reduced to 8.5" x 11" format (**1 copy**)
 - ___ Zone Atlas map with the entire property(ies) clearly outlined
 - ___ Letter briefly describing, explaining, and justifying the request
 - ___ Letter of authorization from the property owner if application is submitted by an agent
 - ___ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - ___ Sign Posting Agreement
 - ___ Completed Site Plan for Building Permit Checklist (not required for amendment of SDP for Subdivision)
 - ___ Traffic Impact Study (TIS) form with required signature
 - ___ Fee (see schedule)
 - ___ List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline. Your attendance is required.**

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

Applicant name (print)

Applicant signature / date



Form revised November 2010

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

Application case numbers
15EPC 40041

Planner signature / date
Project #: 1010551

48

DEEMER PROPERTIES NM, LLC
2455 Koop Road
Gilroy, California 95020
408-842-1700

July 29, 2015

Hand Delivered
City of Albuquerque
Planning Department
600 Second Street, NW
Suite 200
Albuquerque, New Mexico 87103

Re: 757 98TH Street, SW
Tract 2A Westgate Mobile Home Park

Ladies and Gentlemen:

The undersigned is the owner of the above referenced property, the subject of a zone change from RT to SU-1 for C-2 conditional and permissive uses, and approval of a site plan for the existing mobile home park. Myers, McCready & Myers, P.C. (J. Matt Myers) is hereby authorized to act as our agent in our application to the Environmental Planning Commission and is further authorized to remain as our agent through any appeals process.

DEEMER PROPERTIES NM, LLC

By: James R. Deemer
James R. Deemer
Manager

H:\Deemer, Jim\Zone change\authorizationlr.doc

CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) FORM

APPLICANT: Deemer Properties NM LLC DATE OF REQUEST: 7/29/15 ZONE ATLAS PAGE(S): L-9

CURRENT: ZONING RT LEGAL DESCRIPTION: LOT OR TRACT # 2A BLOCK # _____
PARCEL SIZE (AC/SQ. FT.) 11 acres SUBDIVISION NAME Westgate Mobile Home Park

REQUESTED CITY ACTION(S):

ANNEXATION []

ZONE CHANGE []: From RT To SU-1/C-2

SECTOR, AREA, FAC, COMP PLAN []

AMENDMENT (Map/Text) []

SITE DEVELOPMENT PLAN:

SUBDIVISION* [] AMENDMENT []

BUILDING PERMIT [] ACCESS PERMIT []

BUILDING PURPOSES [] OTHER [X]

*includes platting actions

Approval of ALTA As-Built Survey as site plan

PROPOSED DEVELOPMENT:

NO CONSTRUCTION/DEVELOPMENT [X]

NEW CONSTRUCTION []

EXPANSION OF EXISTING DEVELOPMENT []

GENERAL DESCRIPTION OF ACTION:

OF UNITS: 94 existing mobile home spaces

BUILDING SIZE: _____ (sq. ft.)

Note: changes made to development proposals / assumptions, from the information provided above, will result in a new TIS determination.

APPLICANT OR REPRESENTATIVE  J. Matt Myers DATE July 29, 2015

(To be signed upon completion of processing by the Traffic Engineer)

Planning Department, Development & Building Services Division, Transportation Development Section -
2ND Floor West, 600 2ND St. NW, Plaza del Sol Building, City, 87102, phone 924-3994

TRAFFIC IMPACT STUDY (TIS) REQUIRED: YES [] NO [X] BORDERLINE []

THRESHOLDS MET? YES [] NO [X] MITIGATING REASONS FOR NOT REQUIRING TIS: PREVIOUSLY STUDIED: []
Notes:

If a TIS is required: a scoping meeting (as outlined in the development process manual) must be held to define the level of analysis needed and the parameters of the study. Any subsequent changes to the development proposal identified above may require an update or new TIS.


TRAFFIC ENGINEER

7-29-15
DATE

Required TIS must be completed prior to applying to the EPC and/or the DRB. Arrangements must be made prior to submittal if a variance to this procedure is requested and noted on this form, otherwise the application may not be accepted or deferred if the arrangements are not complied with.

TIS -SUBMITTED / /
-FINALIZED / /

TRAFFIC ENGINEER _____

DATE _____

Revised January 20, 2011

50

AMENDED AND RESTATED REASONS FOR REQUEST

City Project No. 1010551/Deemer Properties/Westgate MHP

August 28, 2015

THIS AMENDED AND RESTATED REASONS FOR REQUEST IS BEING MADE IN RESPONSE TO COMMENTS RECEIVED BY CITY STAFF. THIS AMENDED AND RESTATED REASONS FOR REQUEST IS INTENDED TO TAKE THE PLACE OF THE PREVIOUS REASONS FOR REQUEST FILED ON JULY 30, 2015.

A FEW POINTS TO BEGIN:

- 1) We have decided to amend the requested zoning. Therefore, we will be requesting that Tract 2A be zoned SU-1 for Mobile Home Development, as opposed to SU-1/C-2 for Permissive and Conditional Uses. We have done this to make it very clear that the intention of the Applicant is to keep the MH Park intact and functioning. The Applicant wants to make it very clear that he intends to keep the MH Park in place, thereby providing affordable housing to the City's residents, thereby avoiding a situation where the MH Park residents are kicked out of their homes;
- 2) The MH Park has been in operation since the 1970's.
- s. The Applicant hopes to continue to operate the MH Park for another 50 years; and
- 3) This zone change is necessary because the portion of the MH Park that is located on Tract 2A is considered a non-conforming use and the City has determined that the non-conforming use has to come into compliance by August, 2026. The Applicant has attempted to refinance the MH Park and cannot refinance the MH Park because of the non-conforming status of Tract 2A. Accordingly, the Applicant will lose the MH Park to foreclosure if he is unable to rezone Tract 2A. Of course, that is not sole reason for the Request. The main reason for the Request is to allow the residents of the MH Park to continue to have homes, specifically affordable homes.

IN ADDITION TO THE AFOREMENTIONED CLARIFICATIONS, THIS AMENDED AND RESTATED REASONS FOR REQUEST IS BEING SUBMITTED IN ORDER TO BETTER ADDRESS RESOLUTION 270-1980 AND TO REFLECT THE FACT THAT THE APPLICANT IS NOW REQUESTING SU-1 FOR MOBILE HOME DEVELOPMENT

This request is being made by Myers, McCready & Myers (J. Matt Myers), as the agent for Deemer Properties NM, LLC ("Applicant"). The Applicant is the owner of the Westgate Mobile Home Park (the "MH Park"). The MH Park is comprised of three separate tracts. This application only concerns Tract 2A of the Westgate Mobile Home Subdivision ("Tract 2A"), whose address is 757 98th Street.

The Applicant hereby requests that Tract 2A be rezoned from R-T to SU-1 for Mobile Home Development (the "Request"). In order to better understand the Request it is important to understand the history of the MH Park and its zoning history.

The MH Park has been in existence since the early 1970s. The Applicant purchased the MH Park approximately 10 years ago. The total acreage of the MH Park is approximately 24 acres; however, two of the three tracts of land that comprise the MH Park are already zoned C-2, with a conditional use to allow a mobile home park. Accordingly, the Request is only in regards to Tract 2A, as it is the only tract of the three tracts that doesn't allow a mobile home park. Along those lines, even if the Request is denied, there will continue to be a mobile home park on the other two tracts of land, which really supports granting this Request, as it would be a real shame if 2/3 of the residents of the MH Park had to relocate, while 1/3 were able to stay.

It should be pointed out that the mobile homes are actually owned by the residents. The Applicant only rents out the space where the residents "park" their mobile homes. That is an important fact because it is very expensive to move a mobile home, up to \$4,000.00, and that is a fee that the majority of the residents could simply not afford. Furthermore, most of the other mobile home parks in the City will not accept mobile homes that are greater than 10 years old. Unfortunately, the majority of the mobile homes in the MH Park are greater than 10 years old; therefore, even if the residents could afford to move the mobile homes, they likely would not be able to find a mobile home park that would accept them.

Tract 2A is approximately 11 acres and contains approximately 95 of the 153 mobile homes sites that make up the entire MH Park. The other two parcels of land that comprise the MH Park, Tract 1 and Tract 3, Snow Vista Addition, are not a part of this application as those two tracts are already zoned C-2, with a conditional use to allow a mobile home park.

Unfortunately for the Applicant, as well as the occupants of the 95 mobile homes that are located on Tract 2A, the R-T zone does not allow mobile homes as a permissive use and therefore the mobile homes that are located on Tract 2A are considered non-conforming and must come into compliance by August, 2026. The result of that non-conforming zoning is that approximately 2/3 of the existing MH Park will have to be demolished by August, 2026, which will result in approximately 100 families losing their homes. If the Applicant is unable to rezone Tract 2A, the amount of affordable housing in Albuquerque will be reduced.

The other catalyst for this application is the fact that the Applicant was in the process of refinancing the MH Park when it discovered that Tract 2A's zoning was non-conforming and would have to come into conformance by August, 2026. As a result of that discovery, the Applicant's lender informed him that it would not be able to refinance that MH Park, which will now result in Mr. Deemer losing the MH Park to foreclosure. At this point, Mr. Deemer is attempting to work with his lender but the lender has already notified Mr. Deemer that it will be moving forward with foreclosure unless he is able to refinance the MH Park. In order to refinance, he has to rezone the Property. We understand that Mr. Deemer's financial crisis cannot be the sole justification for this Request; however, we believe the pending foreclosure, coupled with the other justifications contained herein, should satisfy the EPC that this Request should be granted.

As set out herein, the Request is justified pursuant to Resolution 270-1980 and the Request clearly facilitates realization of the goals and policies contained in the applicable planning documents, including the Albuquerque/Bernalillo Comprehensive Plan (the "Comp. Plan"), the Tower/Unser Sector Development Plan (the "Unser SDP"), the West Side Strategic Plan ("WSSP") and the Southwest Area Plan (the "SW Area Plan").

As part of this application, the Applicant is submitting a landscaping plan, which will greatly improve the Property's aesthetics, resulting in a more appealing environment for both the residents of the MH Park as well as the surrounding community and neighbors. As shown on the landscaping plan, the Applicant will spend tens of thousands of dollars to plant additional trees on the Property and to plant native grasses in the currently dirt filled drainage ponds.

The Request is unique in that the requested zoning is to allow a use that is already in existence. The Applicant decided to seek SU-1 for Mobile Home Development for several reasons: 1) it will allow the MH Park to continue to exist, and will allow Mr. Deemer to hopefully refinance the MH Park so that he doesn't have to displace any of the residents of the MH Park; and 2) it will allow the residents of the MH Park to feel comfortable in the fact that they will not be forced to find alternative affordable housing in the City, especially since affordable housing is in short supply.

What follows is a justification of the Request as seen through the requirements contained in Resolution 270-1980. Resolution 270-1980 is in italics and the response to each of the requirements is in bold:

A. A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the City.

The Request is consistent with the health, safety, morals and general welfare of the City. If granted, the Request will ensure that there continues to be affordable housing in this area of the City. While it is true that there is a surplus of housing in this area of the City; unfortunately, the majority of the housing is in the form of single family detached homes. Single family detached homes are expensive as compared to the cost of renting a space for a mobile home.

It is important to note that the Albuquerque City Council actually passed an ordinance, which was codified as Sec. 14-16-3-21 of the City's Zoning Code, which made it very clear that the City Council urged preservation of mobile home parks, as mobile home parks provide safe, affordable housing for the City's residents. Sec. 14-16-3-21(B) of the Zoning Code, Mobile Home Resident Notification, states:

Findings and public policy: The City Council finds that one of the Albuquerque/Bernalillo County Comprehensive Plan's goals is to increase the City's supply of affordable housing, ameliorate the problems of homelessness and displacement, and ensure that residents have safe, decent and affordably priced housing in stable neighborhoods. The Council further finds that mobile home developments play a vital role in meeting the City's affordable housing needs through the furnishing of low cost,

stable housing environments. Therefore, it is the City's policy to minimize the hardships and disruptions associated with displacing mobile home residents.

If the Request is granted, it will ensure that the MH Park remains, thereby meeting specific goals and policies set out by the City's governing body. Additionally, if the Request is granted, it will result in the proposed landscaping plan being implemented, which will result in a better environment for the residents of the MH Park as well as more pleasing, both visually and physically, environment for the community as a whole. The City Council clearly recognized the need for mobile home parks within the City limits.

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

As set out above, if the Request is granted it will ensure that the entire MH Park will be allowed to remain, which will provide stability of land use in the area. It will also provide additional affordable housing for the residents of the City. The MH Park has been in place since the early 1970s. The MH Park was providing affordable housing for the City's residents before the majority of this area of the City was even developed. It would be a shame to allow newer residents to move into this area and force out the people who occupied the space first. Although the other two tracts that comprise the MH Park are zoned C-2, by requesting SU-1 for Mobile Home Development for Tract 2A, it essentially ensures that the entire MH Park will continue to operate for the foreseeable future, which leads to stability of land use in the area.

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

The Request will not be in significant conflict with, and will clearly facilitate realization of, the Comp. Plan, the Unser SDP, the WSSP and the SW Area Plan. The Applicant has chosen to demonstrate that the Request will clearly facilitate realization of the aforementioned plans, as opposed to demonstrating that the Request will not be in significant conflict with said plans, in response to the fact that the City's Land Use Hearing Office has recently determined that when a zone change request is considered a spot zone the applicant must demonstrate that the Request not only "does not conflict with", but "clearly facilitates realization" of, the applicable planning documents. Accordingly, the following analysis, which will be cross-referenced several times herein, demonstrates how the Request clearly facilitates realization of the applicable planning documents, as follows:

THE COMP. PLAN:

The Property is located in the Established Urban area of the Comp. Plan. The Comp. Plan, Sec. II(B)(5), states that the Goal in the Established Urban areas is to "create a quality urban

environment which perpetuates the tradition of identifiable, but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas and lifestyles, while creating a visually pleasing built environment.”

Allowing the MH Park to remain in place furthers the Goal for the Established Urban areas by providing a maximum choice in housing, specifically, affordable housing. The fact that the Request includes a landscaping plan will result in the MH Park becoming a more pleasing built environment.

Sec. II(B)(5) Policy k of the Comp. Plan states: “Land adjacent to arterial streets shall be planned to minimize harmful effects of traffic; livability and safety of established residential neighborhoods shall be protected in transportation planning and operation.”

This policy will be furthered by the Request, as the landscaping surrounding the Property will be improved, thereby reducing the harmful effects of traffic on the residents of the MH Park. Additionally, there is a wall that runs the entire length of the MH Park, running parallel to 98th Street. The wall, coupled with the trees, will minimize the harmful effects of 98th Street. Additionally, as shown on the landscaping plan submitted as a part of the site development plan, the Applicant will be seeding large areas of the Property with native grasses, which should draw the residents focus away from 98th Street.

Sec. II(B)(5) Policy Policy m states that “Urban and site design which maintains and enhances unique vistas and improves the quality of the visual environment shall be encouraged.”

The Request, if granted, will greatly improve the visual environment for the residents of the MH Park. As shown on the landscaping plan, the Applicant will seed the large drainage ponds that are located on the Property, with native grasses. The ponds are currently dirt, so if the Request is granted, it will result in a much nicer environment for the residents. In addition to the seeding of the drainage ponds, the Applicant will plant many new trees.

Sec. II(B)(5) Policy o states “Redevelopment and rehabilitation of older neighborhoods in the Established Urban Area shall be continued and strengthened.”

As stated in the introduction section of this justification, the MH Park has been in existence since the early 1970’s. In fact, the MH Park has been around longer than almost all of the adjacent single family home developments. If the Request is granted it will result in a rehabilitation of the MH Park which has been an integral part of this area of the City for nearly 50 years. If the Request is granted, the Applicant will spend tens of thousands of dollars to improve appearance of the MH Park for both the residents and the adjacent community members.

Sec. II(B)(5) Policy p states “Cost-effective redevelopment techniques shall be developed and utilized.”

If the Request is granted, the private developer will spend thousands of dollars improving the visual environment along 98th Street and also the visual environment for the residents of the MH Park. The City will not have to spend any money and a private developer will beautify the west side of 98th Street.

Sec. II(D)(5) of the Comp. Plan, regarding Housing, states that the Goal is “to increase the supply of affordable housing; conserve and improve the quality of housing; ameliorate the problems of homelessness, overcrowding, and displacement of low income residents; and assure against discrimination in the provision of housing.”

The Request, if granted, will definitely further this goal. It is clear that the aforementioned language is also found in Sec. 14-16-3-21(B) of the Zoning Code. The City Council has made it very clear that mobile home parks play an integral role in providing affordable housing to the City’s residents. The MH Park provides an opportunity for those citizens who might not otherwise be able to afford to have a roof over their head, which is a very important function.

Sec. II(D)(5) of the Comp. Plan, Policy a, states: “The supply of affordable housing shall be preserved and increased and the opportunity to obtain standard housing for a reasonable proportion of income assured.”

If the Request is granted it will further the goal of providing affordable housing for a reasonable proportion of income.

THE TOWER/UNSER SECTOR DEVELOPMENT PLAN:

The Property is located within the boundaries of the Unser SDP. The Unser SDP rezoned the Property from RA-2 to R-T based on the premise that it would allow for a buffer between the more intense C-2 zone and the adjacent single family residential housing. That is accomplished by granting the Request.

The goal of the zone change is to allow the MH Park to remain, thereby continuing to provide affordable housing to the West Side’s residents.

Section IV(A)(2) of the Unser SDP states that the justification for the current zoning of the Property, R-T, was because it would “[provide] buffering from more intense uses.”

If granted, the Request will provide buffering from more intense uses, as the Applicant plans to keep the MH Park in its entirety.

One of the major goals of the Unser SDP is to provide for pockets in the City where residents can live, shop and play without having to cross over the river to the City’s East Side. If the Request is granted it will ensure that the residents of the MH Park will continue to be able to walk to the commercial development that is located on the SE corner of 98th Street and Sage. The Request will allow the residents of the MH Park, who may not be able to afford a vehicle, to continue to be able to access to stores that sell food, clothing and other retail items,

by foot. It is unusual for residents of the West Side to be able to walk to buy their groceries; however, the residents of the MH Park have that luxury, which, again, is especially important as many of the MH Park's residents may not be able to afford a vehicle.

SOUTHWEST AREA PLAN:

The Property falls within the SW Area Plan. Sec. 3 of the SW Area Plan addresses Land Uses. The SW Area Plan designates 5 residential areas. The Property is located in Residential Area #5, which area "contains the highest proposed densities for the plan area. Up to 9 dwelling units per net acre could be accommodated without significant adverse impact on the environment or the existing neighborhoods." The approximate density of the entire MH Park is 6.29 dwelling units per acre, which is well below 9 du/acre. Taking into consideration only Tract 2A, the density per acre is approximately 8.6 dwelling units per acre, which is closer to the upper reaches recommended by the SW Area Plan; however, it is still within the recommended density.

In addition to meeting the density recommendations of the SW Area Plan, the Request furthers Policy 8 contained in Sec. 3 of the SW Area Plan, which policy states that "between higher and lower intensity land uses and in areas adjacent to arterials, there shall be land uses which act as transition to avoid adjacent incompatible land uses."

The Property is adjacent to a principal arterial, 98th Street, and the MH Park acts as a buffer between that arterial, and the other commercially zoned properties found at the intersection of 98th Street and Sage, and the less intense single family homes that are located to the west of the MH Park.

WEST SIDE STRATEGIC PLAN:

The Property is located within the boundaries of the Bridge/Westgate Community as defined in the WSSP and growth is encouraged in that Community. Policy 3.47 of the WSSP, when discussing the Bridge/Westgate Community, states that there should be established "5 dwelling units per acre minimums for most of the [Bridge/Westgate] Community." In this case, the Request will further that density recommendation.

On Page 15 of the WSSP are the stated "Plan Goals". The Request will further many of those goals, including:

#7) The planning effort must be broadly inclusive, sensitive to many ideas and cultures, and give the West Side a greater role in determining its own destiny and establishing its own vision of the future.

The Request is really all about providing affordable housing to those members of society who might otherwise be without a home. Although some members of society frown upon mobile home parks, they are a necessary, and affordable, means of

56

providing families with safe, comfortable living environments. If this Request is granted, it will inherently acknowledge that mobile home parks are an integral part of the City.

#10) The Plan should create a framework to build a community where its citizens can live, work, shop, play, and learn together while protecting the unique quality of life and natural and cultural resources for West Side residents.

The Request, if granted, will allow the MH Park to continue to operate, thereby preserving a unique community on the City's West Side. The MH Park allows residents to live close to the recently developed commercial center on 98th Street, located caddy-corner to the Property. The residents of the MH Park can walk to those commercial sites, thereby reducing the amount of traffic in this area of the City.

BACK TO RESOLUTION 270-1980:

D. The applicant must demonstrate that the existing zoning is inappropriate because (1) there was an error when the existing zone map pattern was created or (2) changed neighborhood or community conditions justify the change, or (3) a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City Master Plan, even though (1) or (2) above do not apply.

Although it is only necessary to meet one of the aforementioned requirements, this Request satisfies two of the available criteria, as follows:

There have been changed neighborhood or community conditions that justify the Request, and it is also clear that a different use category is more advantageous to the community, as articulated in the Comp. Plan, the Unser SDP, the WSSP and the SW Area Plan, as follows:

The changed conditions in this area of the City is the preponderance of single family, detached homes. Unfortunately, that type of housing is very expensive as compared to renting a mobile home space. While there have been thousands of single family homes constructed on the West Side, there has been very little affordable housing, and because of that changed condition, it justifies rezoning Tract 2A to allow a mobile home park. It is our position that were the City to have adopted the Unser SDP at this time it would have zoned the Property consistent with the other portion of the MH Park, thereby allowing the entire MH Park to remain in perpetuity.

In addition to the changed neighborhood conditions, the Request is also more advantageous to the community, as set out in response to Sec. C above, wherein it is demonstrated that the Request furthers the goals of the applicable planning documents.

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

The Request will not allow any uses which would be harmful to the adjacent property, the neighborhood or the community, as the only use allowed by the requested zoning will be the existing MH Park. The Request will allow Albuquerque residents continued access to very affordable housing. Additionally, the required landscaping plan will improve the as-built environment for the residents of the MH Park, as well as make the MH Park more appealing to adjacent property owners.

F. A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the City may be (1) denied due to lack of capital funds, or (2) granted with the implicit understanding that the City is not bound to provide the capital improvements on any special schedule.

The Request would not require any major or unprogrammed capital expenditures by the City, as the MH Park currently exists.

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

The cost of land or other economic considerations pertaining to the Applicant is not the determining factor for the zone change. The determining factor for the zone change is to continue to provide affordable housing to the residents in this area of the City and to avoid putting almost 2/3 of the residents of the MH Park out on the street. So, the main reason for the Request is not financial; however, the fact that Mr. Deemer will likely lose the MH Park if he is unable to rezone the Property is certainly a factor to be considered. Mr. Deemer put the majority of his retirement savings into the purchase of the MH Park, and if he is unable to rezone Tract 2A he will certainly lose the MH Park to foreclosure, and he and his wife will be in a very bad place financially. That is simply one factor to take into consideration, as is the fact that there will be almost 100 families who will be forced to find alternative housing, which is quite difficult in the current economic climate.

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

The Request is not for apartment, office or commercial zoning.

I. A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only where (1) the change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan, or (2) the area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of

structures already on the premises makes it unsuitable for the uses allowed in any adjacent zone.

Although the Request would result in a spot zone, it is still allowed because the Request will facilitate realization of the Comp. Plan, the SW Area Plan, the WSSP and the Unser SDP as set in Sec. C above. The "clearly facilitates realization" of test was specifically addressed in light of a recent ruling by the City's Land Use Hearing Office in another case where the requested zoning resulted in a spot zone. Please see the justification set out in Sec. C above to demonstrate how the Request clearly facilitates realization of the Comp. Plan and the other applicable planning documents.

J. A zone change request which would give a zone different from surrounding zoning to a strip of land along a street is generally called "strip zoning." Strip commercial will be approved only where (1) the change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan, and (2) the area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

The Request would result in the area of land located along 98th Street to be zoned different than the adjacent properties; however, the Request clearly facilitates realization of the Comp. Plan, the SW Area Plan, the WSSP and the Unser SDP as set out in Sec. C above.

CONCLUSION:

For all of the reasons set out herein, the Applicant respectfully requests that the EPC grant its Request to rezone Tract 2A from R-T to SU-1 for Mobile Home Development. In conjunction with the Request, the Applicant intends to provide additional landscaping along the entire portion of the MH Park that fronts 98th Street. The Applicant also intends to plant native grasses in the existing drainage ponds located on the entire MH Park, not just on Tract 2A. If the Request is granted it will ensure that affordable housing continues to be available in all areas of the City. The City Council recognized the importance of mobile home parks and by granting this Request those residents of the City who cannot afford to live in a single family detached home can still find a comfortable, safe place to live on the City's West Side.

MYERS, McCREADY & MYERS, P.C.

By: _____
J. Matt Myers

Dated: August 28, 2015

PRE-APPLICATION REVIEW TEAM (PRT) MEETING

PA# 15- 090

Date: 6-9-2015

Time: 2:15 PM

1. AGENCY REPRESENTATIVES PRESENT AT MEETING

- Planning: Kym Dicome Other: _____
- Transportation: Gary Sandoval Other: _____
- Code Enforcement: Ben McIntosh Other: _____
- Fire Marshall: Antonio Chinchilla Other: _____

2. TYPE OF APPLICATION ANTICIPATED / APPROVAL AUTHORITY

- Zone Map Amendment EPC Approval City Council Approval
- Sector Dev. Plan Amendment EPC Approval City Council Approval
- Site Dev. Plan for Subdivision EPC Approval DRB Approval Admin Approval
- Site Dev. Plan for Bldg. Permit EPC Approval DRB Approval Admin Approval
- Other _____

3. SUMMARY OF PRT DISCUSSION:

Current Zoning: FT

Applicable Plans: _____

Applicable Design Regulations: _____

Other Applicable Regulations: _____

Previously approved site plans/project #s: _____

Proposed Use/Zone: Many options see notes

Requirements for application: (R-270-1980, Notification, as-built drawings, TIS, Check Lists, Other)

Handouts Given:

- Zone Map Amendment Process
- R-270-1980
- AA Process
- EPC Schedule

Further input needed: (Sketch Plat Review @ DRB, DRT, ZEO, ONC, pre-application facilitated meeting, other) _____

Additional Notes:

Total Mobile Home Park acreage = 24 acres. 11 acres zoned R-T w/ ~~conditional~~ which is legally non-conforming until 2026. 13 acres zoned C-2 w/ conditional use. Applicant is considering a zone change from

4. SIGN & DATE TO VERIFY ATTENDANCE & RECEIPT OF THIS SUMMARY.

[Signature]
PRT CHAIR

[Signature]
APPLICANT OR AGENT

***Please Note: PRT DISCUSSIONS ARE FOR INFORMATIONAL PURPOSES ONLY: THEY ARE NON-BINDING AND DO NOT CONSTITUTE ANY KIND OF APPROVAL. Statements regarding Zoning are not Certificates of Zoning. Additional research may necessary to determine the exact type of application and/or process needed. It is possible that factors unknown at this time and/or thought of as minor could become significant as the case progresses.

R.T to SV-1 PRD which allows SF, TH, Apartments, associated structure + home occupations or regulated by R-1 zone.

~~Why not in zone~~ The application also states proposed zoning as SV-1/PDA which is described in Tomer/Unser Plan. (allows 165 units ^{15 max} _{11 ac})
Either request ~~request~~ a site d. plan w/ minimum of subdivision requirements. See SPS checklist. Can use an as-built

but still must address issues to ensure compliance. EPC can request addition site amenities to be added such as landscaping, parking, their discretion.

X { If requesting SV-1 PRD, must address all the issues listed for the site plan - such as architecture, bldg setbacks, placement of mechanical units etc. 14.16.2.22(B)(25) a-d.

Staff recommends ~~approval~~ C-2 (SP) or SV-1 for MH ^{development} (SP) ~~uses~~ (CONDITIONAL USE 14.16.2.17 ZHE (BXII))

MTG - SV-1 FOR C-2₁ (PERMISSIVE + CONDITIONAL) THEN DOES NOT REQUIRE A CONDITIONAL USES BUT REQUIRES A SITE PLAN. IF ANY CHANGES TO USE, A NEW/REVISED SITE PLAN.
IF WORSE COMES TO SV-1 FOR MOBILE HOME DEVELOPMENT (DEFINITION IN ZCODE)

Res. 270-1980 - ZONE CHANGE.

NOTIFICATION &
NEIGHBORHOOD INFORMATION



City of Albuquerque
P.O. Box 1293, Albuquerque, NM 87103

July 28, 2015

Karen Lee Ward
Myers, McCready & Myers, P.C.
1401 Central Ave. NW/87104
Phone: 505-247-9080/ Fax: 505-247-9109
E-mail: karfman@moplaw.com

PLEASE NOTE: The Neighborhood Association information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter - you will need to get an updated letter from our office. It is your responsibility to provide current information - outdated information may result in a deferral of your case.

Dear Karen:

Thank you for your inquiry of July 28, 2015 requesting the names of ALL Neighborhood and/or Homeowners Associations who would be affected under the provisions of O-92 by your proposed project at (EPC SUBMITTAL) TRACT 2-A, WESTGATE MOBILE HOME PARK LOCATED ON 98TH STREET BETWEEN TOWER ROAD AND DEVARGAS ROAD zone map L-9.

Our records indicate that the ALL Neighborhood and/or Homeowners Associations affected by this proposal and the contact names are as follows:

SEE ATTACHMENT "A" FOR THE NAMES OF THE NA/HOA'S THAT NEED TO BE CONTACTED IN REGARDS TO THIS PLANNING SUBMITTAL – please attach this letter and "Attachment A" to your Application Packet ALONG with copies of the letters and certified mail receipts to the NA/HOA's.

Please note that according to O-92 you are required to notify each of these contact persons by **certified mail, return receipt requested, before** the Planning Department will accept your application filing. **IMPORTANT! Failure of adequate notification may result in your Application Hearing being deferred for 30 days.** If you have any questions about the information provided, please contact me at (505) 924-3906 or via an e-mail message at dcarmona@cabq.gov or by fax at (505) 924-3913.

Sincerely,

Dalaina Carmona

Senior Administrative Assistant
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

LETTERS MUST BE SENT TO BOTH CONTACTS OF EACH NEIGHBORHOOD ASSOCIATION.

ATTACHMENT "A"

July 28, 2015

Karen Lee Ward
Myers, McCready & Myers, P.C.
1401 Central Ave. NW/87104
Phone: 505-247-9080/ Fax: 505-247-9109
E-mail: karfman@moplaw.com

ROUTE 66 WEST N.A. (RTW) "R"

*Cherise Quezada
10304 Paso Fino Pl. SW/87121
Barbara Lucero
757 98th St. SW, Sp. #6/87121

NEIGHBORHOOD COALITIONS**SOUTH VALLEY COALITION OF NEIGHBORHOOD ASSOCIATIONS**

*Rod Mahoney, 1838 Sadora Rd. SW/87105
Marcia Fernandez, 2401 Violet SW/87105

SOUTH WEST ALLIANCE OF NEIGHBORS (SWAN)

*Johnny Pena, 6525 Sunset Gardens SW/87121
Jerry Gallegos, 417 65th St. SW/87121

WESTSIDE COALITION OF N.A.'S

*Gerald C. (Jerry) Worrall, 1039 Pinatubo Pl. NW/87120
Harry Hendriksen, 10592 Rio Del Sole Ct. NW/87114-2701

MYERS, McCREADY & MYERS, P.C.
LAWYERS
1401 CENTRAL AVENUE, N.W., SUITE B
ALBUQUERQUE, NEW MEXICO 87104

JOHN A. MYERS
KEVIN J. McCREADY
J. MATT MYERS

TELEPHONE
(505)247-9080
FACSIMILE
(505)247-9109

FLOYD D. WILSON, *Of Counsel*

e-mail: jmyers@moplaw.com
e-mail: kmccready@moplaw.com
e-mail: mmyers@moplaw.com

July 30, 2015

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
Cherise Quezada
Route 66 West N.A.
10304 Paso Fino Place, SW
Albuquerque, New Mexico 87121

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
Marcia Fernandez
South Valley Coalition of Neighborhood
Assoc.
2401 Violet, SW
Albuquerque, New Mexico 87105

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
Jerry Gallegos
South West Alliance of Neighbors
417 65th Street, NW
Albuquerque, New Mexico 87121

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
Harry Hendriksen
Westside Coalition of N.A.
10592 Rio del Sole Court, NW
Albuquerque, New Mexico 87114

Re: **Westgate Mobile Home Park**
757 98th Street, SW

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
Rod Mahoney
South Valley Coalition of Neighborhood
Assoc.
1838 Sadora Road, NW
Albuquerque, New Mexico 87105
CERTIFIED MAIL
RETURN RECEIPT REQUESTED
Johnny Pena
South West Alliance of Neighbors
6525 Sunset Gardens, SW
Albuquerque, New Mexico 87105

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
Gerald C. Worrall
Westside Coalition of N.A.
1039 Pinatubo Place, NW
Albuquerque, New Mexico 87120

65

Ladies and Gentlemen:

This firm represents Deemer Properties NM, LLC ("Deemer"), the owner of the Westgate Mobile Home Park (the "MH Park"). The MH Park is located at 757 98th Street and has been in operation since approximately 1970. The MH Park is comprised of three tracts of land. Two of the three tracts of land are zoned C-2 and have a conditional use which allows for mobile home parks. However, one of the tracts, Tract 2A, is zoned R-T, which does not allow mobile home parks. As such, the mobile homes that are located on Tract 2A are considered non-conforming uses and will have to become a conforming use by August, 2026.

Tract 2A is approximately 11 acres and contains 95 mobile homes. The other two tracts contain approximately 13 acres and 58 mobile homes.

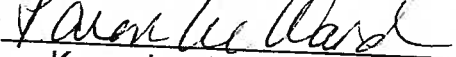
Because of the zoning discrepancy, Deemer is filing an application with the City of Albuquerque to rezone Tract 2A from RT to SU-1/For C-2 Conditional and Permissive Uses in order to allow the entire MH Park to continue to exist past August, 2026. Deemer is not requesting any additional mobile home spaces. As part of the request Deemer intends to add some additional landscaping to the MH Park.

A copy of Deemer's application, along with a site plan and landscaping plan, is enclosed for your review. Deemer's application will be heard by the City's Environmental Planning Commission on September 10, 2015.

Thank you and please contact this office if you should have any questions. We look forward to answering any questions you may have.

Sincerely,

MYERS, McCREADY & MYERS, P.C.

By: 

Karen Lee Ward

Legal Assistant

/klw

Enclosures

cc: Deemer Properties NM, LLC

H:\Deemer, Jim\Zone change\Neighborhood Ltr2.docx

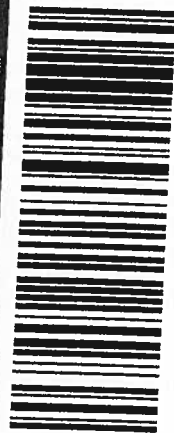
- typical

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>X</p> <p>B. Received by (Printed Name) C. Date of Delivery</p>
<p>1. Article Addressed to:</p> <p><i>Cherise Quezada Route 66 West N.A. 10304 Paso Fino Pl. SW AEB. NM 87121</i></p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p>7013 2630 0000 3887 2299</p>

PS Form 3811, July 2013

Domestic Return Receipt

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE
CERTIFIED MAIL™



7013 2630 0000 3887 2299
 7013 2630 0000 3887 2299

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)											
For delivery information visit our website at www.usps.com											
OFFICIAL USE											
<table border="1"> <tr><td>Postage</td><td>\$</td></tr> <tr><td>Certified Fee</td><td></td></tr> <tr><td>Return Receipt Fee (Endorsement Required)</td><td></td></tr> <tr><td>Restricted Delivery Fee (Endorsement Required)</td><td></td></tr> <tr><td>Total Postage & Fees</td><td>\$</td></tr> </table>	Postage	\$	Certified Fee		Return Receipt Fee (Endorsement Required)		Restricted Delivery Fee (Endorsement Required)		Total Postage & Fees	\$	<p>Postmark Here</p> <p><i>7/29/15</i></p>
Postage	\$										
Certified Fee											
Return Receipt Fee (Endorsement Required)											
Restricted Delivery Fee (Endorsement Required)											
Total Postage & Fees	\$										
<p>Sent to <i>Cherise Quezada</i></p> <p>Street, Apt. No., or PO Box No.</p> <p>City, State, ZIP+4</p>											
<p>PS Form 3800, August 2006 See Reverse for Instructions</p>											

SITE PLAN



THE HILLTOP
 LANDSCAPE ARCHITECTS & CONSULTANTS
 9010 S. DEWEESE DRIVE
 ALBUQUERQUE, NM 87124
 TEL: (505) 264-2400
 FAX: (505) 264-2401
 WWW: THEHILLTOP.COM



LANDSCAPE PLAN
 90th St. Mobile Home Park
 Albuquerque, NM

DATE: 10/20/11
 DESIGNER: J. H. HILLTOP
 CHECKED BY: J. H. HILLTOP

90th St. Mobile Home Park
 90th St. Mobile Home Park
 90th St. Mobile Home Park

LANDSCAPE LEGEND

SYMBOL	DESCRIPTION
[Symbol]	1" DIAMETER TREE
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[Symbol]	96" DIAMETER TREE
[Symbol]	98" DIAMETER TREE
[Symbol]	100" DIAMETER TREE



SCALE: 1" = 40'-0"

LANDSCAPE NOTES:
 1. All plantings shall be installed in accordance with the City of Albuquerque Land Use Ordinance and the City of Albuquerque Land Use Ordinance.
 2. All plantings shall be installed in accordance with the City of Albuquerque Land Use Ordinance and the City of Albuquerque Land Use Ordinance.
 3. All plantings shall be installed in accordance with the City of Albuquerque Land Use Ordinance and the City of Albuquerque Land Use Ordinance.
 4. All plantings shall be installed in accordance with the City of Albuquerque Land Use Ordinance and the City of Albuquerque Land Use Ordinance.
 5. All plantings shall be installed in accordance with the City of Albuquerque Land Use Ordinance and the City of Albuquerque Land Use Ordinance.

PERGO MODEL 168
PERGO MODEL 168

PERGO MODEL 168
PERGO MODEL 168

PERGO MODEL 168
PERGO MODEL 168

PERGO MODEL 168
PERGO MODEL 168

70

DATE	1/11/11
REVISION	
DESIGN BY	

98th St Mobile Home Park
 98th and De Vargas Rd, SW
 Albuquerque, NM

The Hubcap
 1700 Lomas Blvd NE
 Albuquerque, NM 87104
 Tel: (505) 938-8800
 Fax: (505) 938-1131
 dh@thehubcap.com

Over Representative
 1700 Lomas Blvd NE
 Albuquerque, NM 87104
 Tel: (505) 541-8800
 Fax: (505) 541-8800
 info@overplanning.com

DATE	
PROJECT NO.	11-11-11
DATE	11-11-11
PROJECT	98th St Mobile Home Park
SHEET #	A
TOTAL # SHEETS	1

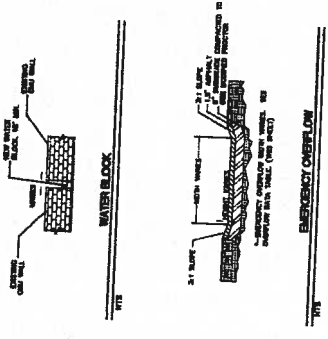
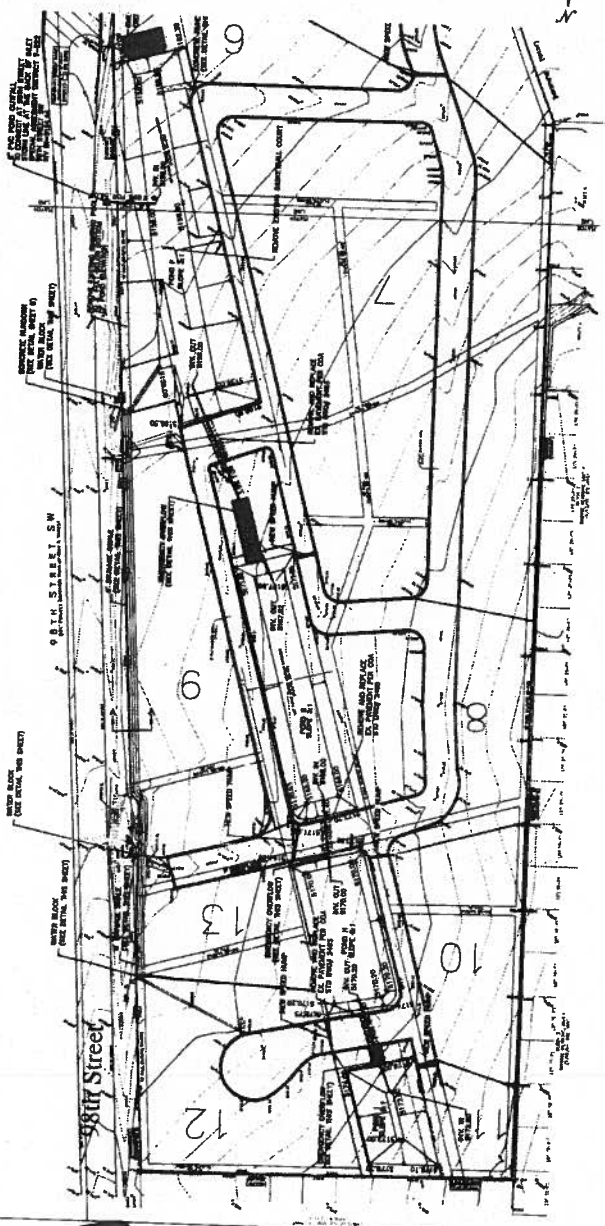
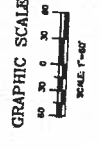
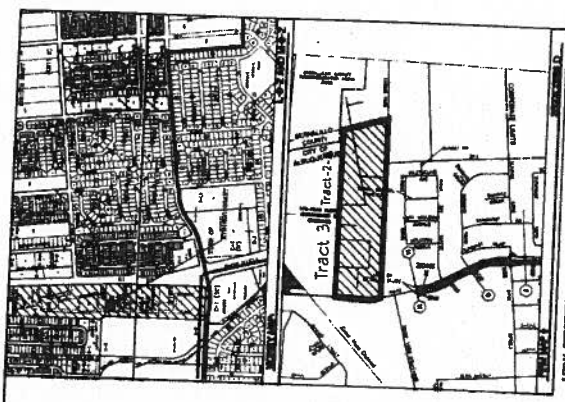
SAGE MOBILE HOME PARK GRADING AND DRAINAGE PLAN

TERESA BRESIT, LLC
 1400 UNIVERSITY AVE. N.W. SUITE 1013
 ALBUQUERQUE, NM 87102-1013
 TEL: 505-263-5100

SEAL: [Professional Seal]

DATE: 11/11/11

- LEGEND**
- EXISTING 30" MANHOLE
 - EXISTING METER
 - EXISTING VALVE W/BOX
 - EXISTING FIRE HYDRANT
 - EXISTING AIR RELEASE VALVE
 - EXISTING REDUCER
 - EXISTING SANITARY SEWER LINE
 - EXISTING WATER LINE
 - EXISTING CURB & GUTTER
 - BOUNDARY LINE
 - easement
 - PROPOSED SIDEWALK



EMERGENCY OVERFLOW TABLE

NO.	LOCATION	DEPTH	DIAMETER	INLET	OUTLET
1	LOT 10	18"	18"	18"	18"
2	LOT 11	18"	18"	18"	18"
3	LOT 12	18"	18"	18"	18"
4	LOT 13	18"	18"	18"	18"

EMERGENCY OVERFLOW TABLE

1. ALL EMERGENCY OVERFLOW TABLES SHALL BE CONFORMED WITH 11-10-1000 NMAC.

2. ALL EMERGENCY OVERFLOW TABLES SHALL BE CONFORMED WITH 11-10-1000 NMAC.

3. ALL EMERGENCY OVERFLOW TABLES SHALL BE CONFORMED WITH 11-10-1000 NMAC.

4. ALL EMERGENCY OVERFLOW TABLES SHALL BE CONFORMED WITH 11-10-1000 NMAC.

5. ALL EMERGENCY OVERFLOW TABLES SHALL BE CONFORMED WITH 11-10-1000 NMAC.

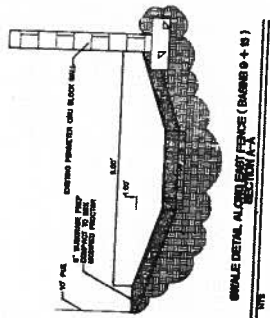
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7. ALL EMERGENCY OVERFLOW TABLES SHALL BE CONFORMED WITH 11-10-1000 NMAC.

8. ALL EMERGENCY OVERFLOW TABLES SHALL BE CONFORMED WITH 11-10-1000 NMAC.

9. ALL EMERGENCY OVERFLOW TABLES SHALL BE CONFORMED WITH 11-10-1000 NMAC.

10. ALL EMERGENCY OVERFLOW TABLES SHALL BE CONFORMED WITH 11-10-1000 NMAC.



DATE	10/17/09
PROJECT	SAGE MOBILE HOME PARK
SHEET #	B
DATE	10/17/09
PROJECT	SAGE MOBILE HOME PARK
SHEET #	B
DATE	10/17/09
PROJECT	SAGE MOBILE HOME PARK
SHEET #	B

98th St Mobile Home Park
98th and DeWags Rd, SW
Albuquerque, NM

Grading and Drainage Plan

ROUGH GRADING APPROVAL

DATE: 10/17/09

PROJECT: SAGE MOBILE HOME PARK

DATE: 10/17/09

PROJECTING: SAGE MOBILE HOME PARK

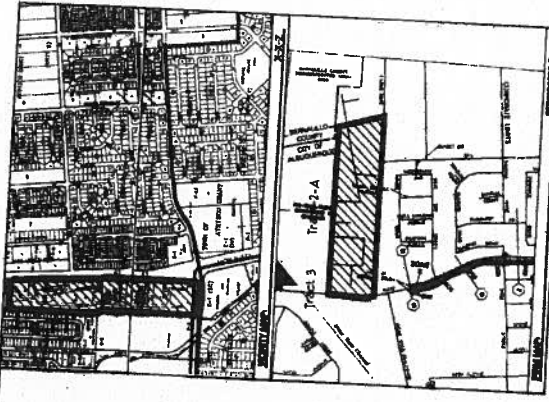
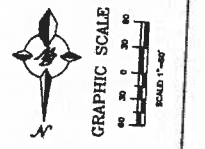
SHEET # B

DATE: 10/17/09

PROJECT: SAGE MOBILE HOME PARK

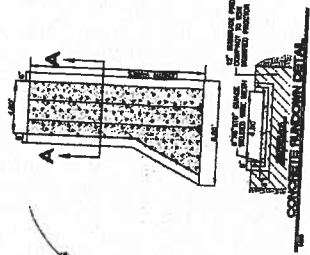
DATE: 10/17/09

PROJECT: SAGE MOBILE HOME PARK

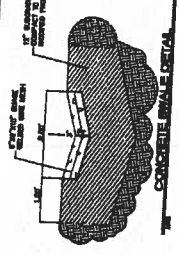
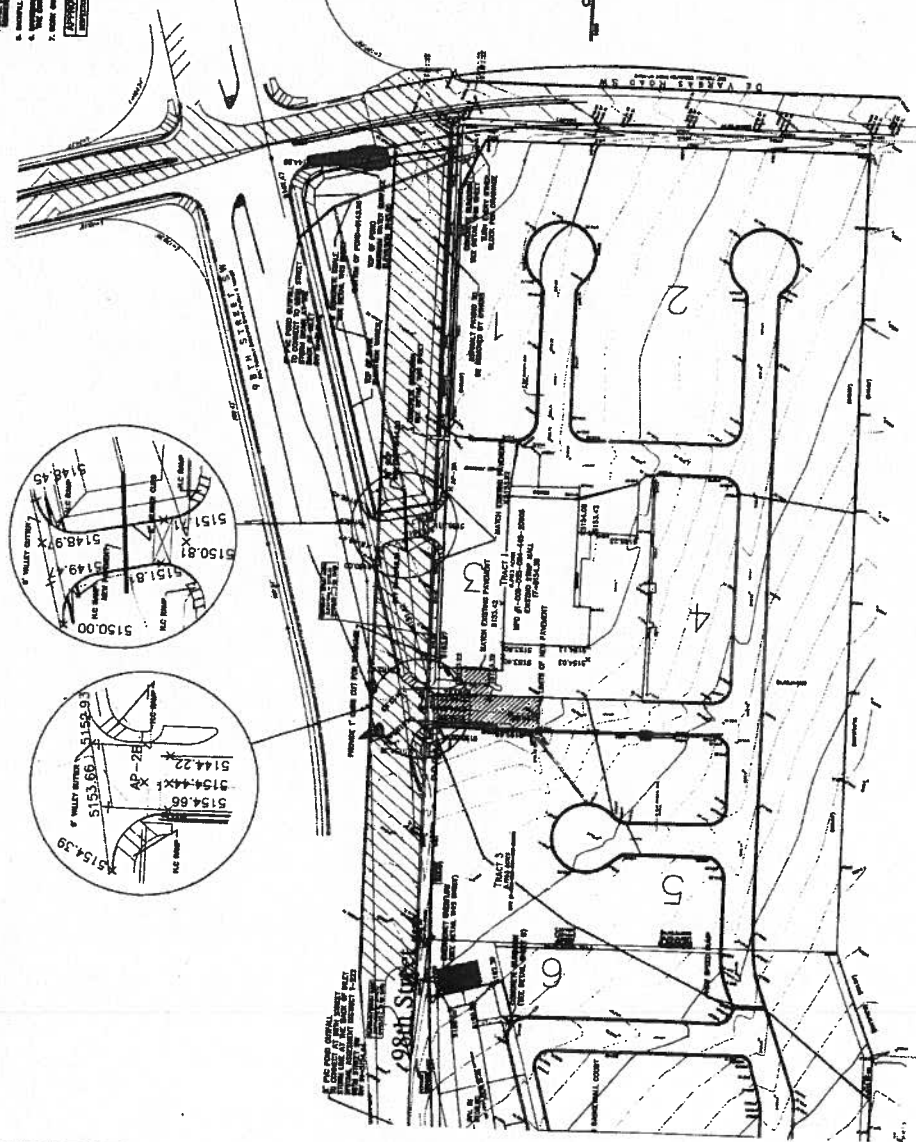


1. THE TOP OF THE MOBILE HOME SHALL BE A MINIMUM OF TEN FEET FROM THE CENTERLINE OF EXISTING UTILITY WALLS, INCLUDING REMOVAL OF EXISTING RECES.
2. FOUNDATION SHALL BE CONCRETE ON GRADE.
3. ALL CONCRETE TO BE 4000 PSI.
4. ALL NOTES TO BE RECONSTRUCTED (TO BE CHECKED BY OWNER)

- LEGEND**
- EXISTING EXTERIOR SEWER LINE
 - EXISTING WATER LINE
 - EXISTING GAS & BUTTER
 - BOUNDARY LINE
 - PROPOSED EXTERIOR
 - PROPOSED ELEVATION
 - EXISTING ELEVATION



NO.	DESCRIPTION	DATE
1	REVISION	
2	REVISION	
3	REVISION	
4	REVISION	
5	REVISION	
6	REVISION	
7	REVISION	
8	REVISION	
9	REVISION	
10	REVISION	

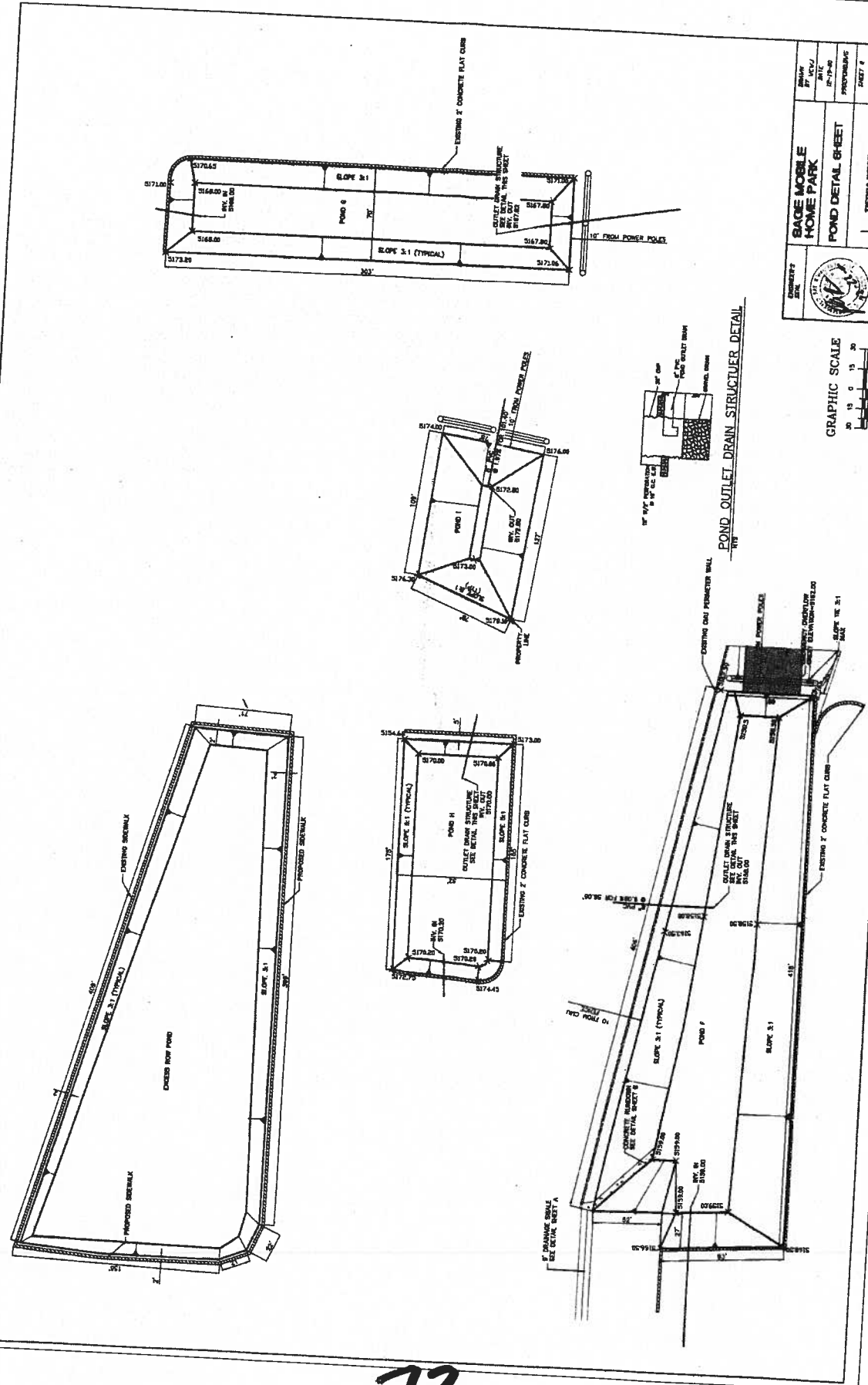
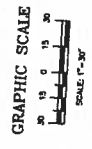


27

REVISION #	
DATE	
DESCRIPTION	

SAKE MOBILE HOME PARK
POND DETAIL SHEET

PROJECT # 11113
 SHEET # C
 DATE 11/14/10
 DRAWN BY [unintelligible]
 CHECKED BY [unintelligible]



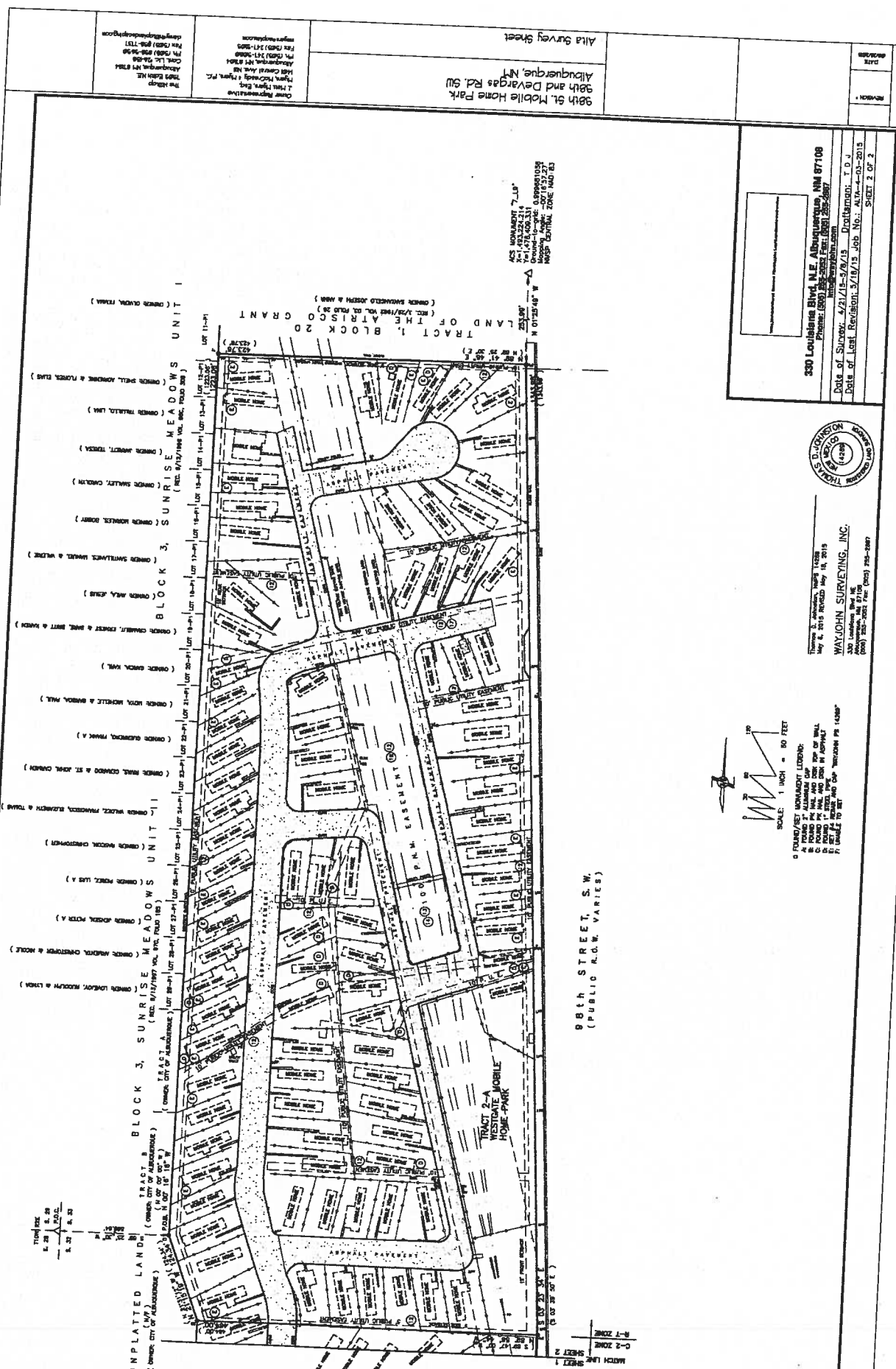
98th St. Mobile Home Park
 Albuquerque, NM

Grading and Drainage Ponds

13

ALTA/ACSM LAND TITLE SURVEY

52



L-5

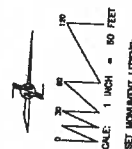
SHEET 1 OF 2

DATE

3300 Louisiana Blvd. N.E. Albuquerque, NM 87108
 Phone: (505) 243-8800
 Fax: (505) 243-8801
 Website: www.wayjohn.com



Wayjohn Surveying, Inc.
 3300 Louisiana Blvd. N.E.
 Albuquerque, NM 87108
 (505) 243-8800 Fax: (505) 243-8801



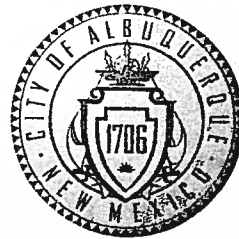
- 0 FOUND/SET MONUMENT/LEADER
- A FOUND 3" ALUMINUM CAP
- B FOUND 1" ALUMINUM CAP
- C FOUND 1" ALUMINUM CAP AND ONE TOP OF WALL
- D FOUND 1" ALUMINUM CAP AND ONE TOP OF WALL
- E FOUND 1" ALUMINUM CAP AND ONE TOP OF WALL
- F FOUND 1" ALUMINUM CAP AND ONE TOP OF WALL
- G FOUND 1" ALUMINUM CAP AND ONE TOP OF WALL
- H FOUND 1" ALUMINUM CAP AND ONE TOP OF WALL
- I FOUND 1" ALUMINUM CAP AND ONE TOP OF WALL
- J FOUND 1" ALUMINUM CAP AND ONE TOP OF WALL
- K FOUND 1" ALUMINUM CAP AND ONE TOP OF WALL
- L FOUND 1" ALUMINUM CAP AND ONE TOP OF WALL
- M FOUND 1" ALUMINUM CAP AND ONE TOP OF WALL
- N FOUND 1" ALUMINUM CAP AND ONE TOP OF WALL
- O FOUND 1" ALUMINUM CAP AND ONE TOP OF WALL
- P FOUND 1" ALUMINUM CAP AND ONE TOP OF WALL
- Q FOUND 1" ALUMINUM CAP AND ONE TOP OF WALL
- R FOUND 1" ALUMINUM CAP AND ONE TOP OF WALL
- S FOUND 1" ALUMINUM CAP AND ONE TOP OF WALL
- T FOUND 1" ALUMINUM CAP AND ONE TOP OF WALL
- U FOUND 1" ALUMINUM CAP AND ONE TOP OF WALL
- V FOUND 1" ALUMINUM CAP AND ONE TOP OF WALL
- W FOUND 1" ALUMINUM CAP AND ONE TOP OF WALL
- X FOUND 1" ALUMINUM CAP AND ONE TOP OF WALL
- Y FOUND 1" ALUMINUM CAP AND ONE TOP OF WALL
- Z FOUND 1" ALUMINUM CAP AND ONE TOP OF WALL

Owner Representative
 2 First Street, East
 Albuquerque, NM 87108
 Phone: (505) 243-8800
 Fax: (505) 243-8801
 Website: www.wayjohn.com

The Survey
 2 First Street, East
 Albuquerque, NM 87108
 Phone: (505) 243-8800
 Fax: (505) 243-8801
 Website: www.wayjohn.com

Alta Survey Sheet
 Albuquerque, N.M.
 98th and De Vargas Rd. SW

CITY OF ALBUQUERQUE



PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
600 2nd Street NW, 3rd Floor, 87102
P.O. Box 1293, Albuquerque, NM 87103
Office (505) 924-3860 Fax (505) 924-3339

OFFICIAL NOTIFICATION OF DECISION

September 11, 2015

Deemer Properties NM, LLC
2455 Roop Road
Gilroy, CA 95020

Project# 1010551
15EPC-40039 Zone Map Amendment
(Zone Change)
15EPC-40041 Site Development Plan
For Building Permit

LEGAL DESCRIPTION:

For Tract 2A, Westgate Mobile Home Park, zoned R-T to SU-1 for C-2 Conditional and Permissive Uses, located on 98th St. SW, between Tower Rd. SW, and DeVargas Rd. SW, containing approximately 14.5 acres. (L-9)
Staff Planner: Catalina Lehner

PO Box 1293

On September 10, 2015, the Environmental Planning Commission (EPC) voted to forward a recommendation of APPROVAL of Project #1010551/15EPC-40039, a Zone Map Amendment, and 15EPC-40041, an as-built Site Development Plan for Building Permit, based on the following findings and subject to the following conditions for recommendation of approval:

FINDINGS- 15EPC-40039:

New Mexico 87103

www.cabq.gov

1. The subject request is for a sector development plan map amendment (zone change) to the Tower User Sector Development Plan (TUSDP) for Tract 2A, Westgate Mobile Home Park, an approximately 14.5 acre site that contains a portion of the existing Sage Mobile Home Park (the "subject site"). The subject site is located adjacent west of 98th St. SW, between Tower Rd. and DeVargas/Sage Rd.
2. The sector development plan map amendment request is for a change from the R-T Residential Zone to SU-1 for Mobile Home Development, which would allow the existing mobile home development to remain. Mobile homes are not allowed in the R-T zone. The other tracts of the mobile home park, Tracts 1 and 3, are zoned C-2. Mobile homes are allowed in the C-2 zone, so the zone change is only needed for Tract 2A.
3. The subject request is accompanied by an as-built site development plan for building permit (15EPC-40041) as required pursuant to the SU-1 Zone, §14-16-2-22(A)(1).
4. Because the subject site is greater than 10 acres and the applicable sector development plan uses SU-2 zoning, the City Council is the approval authority and the Environmental Planning Commission (EPC) is a recommending body pursuant to Zoning Code §14-16-2-23(b)(2)(a) and

OFFICIAL NOTICE OF DECISION

Project #1010551

September 10, 2015

Page 2 of 9

- §14-16-4-1(C)(15)(c). This is a quasi-judicial matter.
5. The Albuquerque/Bernalillo County Comprehensive Plan, the Westside Strategic Plan, the Southwest Area Plan, the TUSDP and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
 6. The proposal furthers and partially furthers the following, relevant Land Use Policies in the Comprehensive Plan:
 - A. Policy II.B.5a-full range of urban land uses. By allowing approximately 2/3 of the mobile home park to remain, the proposal would contribute to a full range of urban land uses in the area, which is characterized mainly by single-family residential uses (single-family homes).
 - B. Policy II.B.5o-redevelopment of older neighborhoods. Some improvements to the subject site would be required that would generally help rehabilitate this older area, though the subject site is only part of the neighborhood and Tract 2A is only part of the mobile home development.
 7. The proposal furthers the Housing Goal and the following, applicable Housing Policy:
 - A. Goal: Approximately 2/3 of the mobile home park would remain, thereby preventing displacement of low-income residents, maintaining affordable housing supply, and improving the quality of existing housing by bringing the dwellings up to Zone Code standards.
 - B. Policy II.D.5a- II.D.5a-supply of affordable housing. The proposal would preserve the affordable housing that the mobile home park provides, and ensure that such housing (likely to be a more reasonable proportion of income for residents than other housing options) remains.
 8. The proposal generally furthers the Community Identity & Urban Design Goal. Since the mobile home park has existed since the 1970s, it has become part of what defines the Westgate community. Allowing it to remain would ensure that variety and maximum choice in housing and lifestyles would continue to exist in this area, which is dominated by subdivisions of single-family homes. Site improvements would contribute to a pleasing built environment.
 9. The proposal furthers the following, applicable West Side Strategic Plan policies:
 - A. WSSP Policy 1.1. The subject site is located in the Bridge/Westgate community and is not within the boundaries of a designated Activity Center. The existing mobile home park, at approximately 5 DU/ac, is the type of lower-density residential development referred to above that is intended to be located outside designated Centers.
 - B. WSSP Policy 3.46. Though the proposal would not change existing residential density, it would be consistent with the densities referred to in the TUSDP. The mobile home development, at approximately 6 DU/ac, is located outside of a designated activity center and not at a major intersection where non-residential zoning is intended.

OFFICIAL NOTICE OF DECISION

Project #1010551

September 10, 2015

Page 3 of 9

10. The Planning Department is required to consider school capacity because the proposal is for a site development plan for a residential development. The proposal would not result in any new households because the development already exists. Rather, it would allow existing households to remain and therefore would not affect school capacity. APS comments that the proposal will have no adverse impacts. The proposal does not affect WSSP Policy 2.5-school capacity/residential development.
11. The proposal generally furthers Goal 1 and Goal 5 of the Southwest Area Plan:
 - A. Goal 1. The proposal would facilitate part of the mobile park's continued existence and allow a lower density residential use outside the designated activity centers. Activity centers are intended to be pedestrian-friendly, accessible but not dominated by vehicles, and contain a mixture of uses and housing opportunities different from those in the interior of neighborhoods (i.e.- different than the typical single-family residential subdivision).
 - B. Goal 5. The proposal would result in some of the City's lower-income residents being able to remain in their homes, which have access to two bus stops and bicycle lanes, and being able to continue to support the Transit system. Two transit lines serve the subject site. There is also a bike lane on 98th St.
12. The TUSDP is divided in to six sections, which discuss boundaries, ownership information, utilities, justification for zone categories, additional requirements (ex. design overlay zone) and appendices. There are eight Major Policy Recommendations (see Appendix C). Of these, Staff finds that none are relevant to the proposal.
13. The applicant has adequately justified the sector development plan map amendment (zone change) request pursuant to Resolution 270-1980:
 - A. Section 1A: Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that a request furthers a preponderance of applicable Goals and policies from the Comprehensive Plan and other applicable plans, which the applicant has done in the response to Section 1.C. Also, the proposed zone change is limited to one specified use and, as a change to an SU-1 zone, is dependent upon an associated site development plan.
 - B. Section 1B: Rezoning the subject site to allow the mobile home park to remain would contribute to stability of land use in the area, especially since the mobile home park use has existed since the 1970s. The specific use of a mobile home park would generally improve stability of zoning by aligning the use with appropriate zoning category and removing the non-conforming status.
 - C. Section 1C: Because the request is for an SU-1 zone, the higher standard of "clearly facilitates" found in Section 1I (spot zone test) applies. The applicant has demonstrated that the request would clearly facilitate applicable Goals, policies and intentions in the WSSP, the SWAP and the TUSDP.

OFFICIAL NOTICE OF DECISION

Project #1010551

September 10, 2015

Page 4 of 9

- D. Section 1D: The applicant has adequately demonstrated, by the policy-based discussion in Section 1C, that the proposed zoning would be more advantageous to the community overall than the current zoning.
- E. Section 1E: The narrowly defined SU-1 zoning would allow only the existing mobile home development use. Other uses that could be considered harmful in the subject site's setting, such as certain commercial or industrial uses, would be prohibited.
- F. Section 1F: The proposed zone change requires no capital expenditures by the City.
- G. Section 1G: Economic considerations are a factor. However, the determining factor is continuing to provide affordable housing, which clearly facilitates a preponderance of applicable Goals and policies as demonstrated by the applicant in the response to Section 1C and Section 1J.
- H. Section 1H: Though the subject site is located on a major street (98th St.), the request is not for apartment, office or commercial zoning.
- I. Section 1I: The requested SU-1 zoning is a justifiable spot zone in this case because it has been demonstrated that the request will clearly facilitate realization of applicable Goals and policies in the Comprehensive Plan, the WSSP, the SWAP and the TUSDP.
- J. Section 1J: Though the request would cause an area of land along a street to be zoned differently from surrounding land, the request is not for commercial zoning and therefore would not result in a strip zone.
14. The applicant has adequately justified the sector development plan map amendment (zone change) pursuant to R270-1980. The response to Section 1C provides a policy-based explanation of how the request clearly facilitates applicable Goals and policies in the Comprehensive Plan, the WSSP, the SWAP and the TUSDP, and supports the reasoning that a different zoning category would be more advantageous to the community (Section 1D). The remaining sections (1A, 1B, 1E-1J) are sufficiently addressed.
15. The affected neighborhood organizations are the Route 66 West Neighborhood Association (NA), the South Valley Coalition of NAs, the South West Alliance of Neighbors (SWAN), and the Westside Coalition of NAs, which the applicant notified as required. Property owners within 100 feet of the subject site were also notified as required. Staff received a phone call from two residents who had questions about the request, zoning and the process. Staff has not received any written comments as of this writing, and is not aware of any opposition to the request.

CONDITION- 15EPC-40039:

1. Final approval of the accompanying site development plan for subdivision (15EPC-40018) by the Development Review Board (DRB) is required and shall occur within the time period specified in Zoning Code §14-16-4-1(C)(16)(b), Amendment Procedure.

OFFICIAL NOTICE OF DECISION

Project #1010551

September 10, 2015

Page 5 of 9

FINDINGS -15EPC-40041:

1. The subject request is for an as built site development plan for building permit for Tract 2A, Westgate Mobile Home Park, an approximately 14.5 acre site that contains a portion of the existing Sage Mobile Home Park (the "subject site"). The subject site is located adjacent west of 98th St. SW, between Tower Rd. and DeVargas/Sage Rd.
2. The subject request is accompanied by a sector development plan map amendment (zone change) request to the Tower/Unser Sector Development Plan (TUSDP) (15EPC-40039). The sector development plan map amendment request is justified pursuant to R270-1980.
3. The Albuquerque/Bernalillo County Comprehensive Plan, the Westside Strategic Plan, the Southwest Area Plan, the TUSDP and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
4. The proposal furthers and partially furthers the following, relevant Land Use Policies in the Comprehensive Plan:
 - A. Policy II.B.5a-full range of urban land uses. By allowing approximately 2/3 of the mobile home park to remain, the proposal would contribute to a full range of urban land uses in the area, which is characterized mainly by single-family residential uses (single-family homes).
 - B. Policy II.B.5o-redevelopment of older neighborhoods. Some improvements to the subject site would be required that would generally help rehabilitate this older area, though the subject site is only part of the neighborhood and Tract 2A is only part of the mobile home development.
5. The proposal furthers the Housing Goal and the following, applicable Housing Policy:
 - A. Goal: Approximately 2/3 of the mobile home park would remain, thereby preventing displacement of low-income residents, maintaining affordable housing supply, and improving the quality of existing housing by bringing the dwellings up to Zone Code standards.
 - B. Policy II.D.5a- II.D.5a-supply of affordable housing. The proposal would preserve the affordable housing that the mobile home park provides, and ensure that such housing (likely to be a more reasonable proportion of income for residents than other housing options) remains.
6. The proposal generally furthers the Community Identity & Urban Design Goal. Since the mobile home park has existed since the 1970s, it has become part of what defines the Westgate community. Allowing it to remain would ensure that variety and maximum choice in housing and lifestyles would continue to exist in this area, which is dominated by subdivisions of single-family homes. Site improvements would contribute to a pleasing built environment.
7. The proposal furthers the following, applicable West Side Strategic Plan policies:
 - A. WSSP Policy 1.1. The subject site is located in the Bridge/Westgate community and is not within the boundaries of a designated Activity Center. The existing mobile home park, at

OFFICIAL NOTICE OF DECISION

Project #1010551

September 10, 2015

Page 6 of 9

approximately 5 DU/ac, is the type of lower-density residential development referred to above that is intended to be located outside designated Centers.

- B. WSSP Policy 3.46. Though the proposal would not change existing residential density, it would be consistent with the densities referred to in the TUSDP. The mobile home development, at approximately 6 DU/ac, is located outside of a designated activity center and not at a major intersection where non-residential zoning is intended.
8. The Planning Department is required to consider school capacity because the proposal is for a site development plan for a residential development. The proposal would not result in any new households because the development already exists. Rather, it would allow existing households to remain and therefore would not affect school capacity. APS comments that the proposal will have no adverse impacts. The proposal does not affect WSSP Policy 2.5-school capacity/residential development.
9. The proposal generally furthers Goal 1 and Goal 5 of the Southwest Area Plan:
- A. Goal 1. The proposal would facilitate part of the mobile park's continued existence and allow a lower density residential use outside the designated activity centers. Activity centers are intended to be pedestrian-friendly, accessible but not dominated by vehicles, and contain a mixture of uses and housing opportunities different from those in the interior of neighborhoods (i.e.- different than the typical single-family residential subdivision).
- B. Goal 5. The proposal would result in some of the City's lower-income residents being able to remain in their homes, which have access to two bus stops and bicycle lanes, and being able to continue to support the Transit system. Two transit lines serve the subject site. There is also a bike lane on 98th St.
10. The TUSDP is divided in to six sections, which discuss boundaries, ownership information, utilities, justification for zone categories, additional requirements (ex. design overlay zone) and appendices. There are eight Major Policy Recommendations (see Appendix C). Of these, Staff finds that none are relevant to the proposal.
11. Conditions of approval are needed to clarify the site development plan. Since the associated request for SU-1 zoning (15EPC-40039) is site plan dependent, accuracy is important.
12. The affected neighborhood organizations are the Route 66 West Neighborhood Association (NA), the South Valley Coalition of NAs, the South West Alliance of Neighbors (SWAN), and the Westside Coalition of NAs, which the applicant notified as required. Property owners within 100 feet of the subject site were also notified as required. Staff received a phone call from two residents who had questions about the request, zoning and the process. Staff has not received any written comments as of this writing, and is not aware of any opposition to the request.

CONDITIONS-15EPC-40041:

1. The EPC delegates final sign-off authority of this site development plan to the Development

OFFICIAL NOTICE OF DECISION

Project #1010551

September 10, 2015

Page 7 of 9

- Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the Staff planner to ensure that all conditions of approval are met.
 3. Main Sheet- substance:
 - A. Add a brief narrative to B. Proposed Development, to explain the scope of work.
 - B. State the parking requirement for a mobile home park (add to Note 2c).
 - C. Add a note to address refuse service.
 - D. Indicate the location of any signage and describe the signage (new note under 2).
 - E. Show locations of any lighting.
 4. Main Sheet- clarification:
 - A. Add a note to explain that the Site Development Plan for Building Permit is an “as-built” based on the May 2015 survey.
 - B. Label the Grading & Drainage Plan as “existing”.
 - C. Label the existing perimeter wall along 98th St.
 5. Landscaping Plan:
 - A. The existing street trees along 98th St. shall be clearly and accurately shown.
 - B. Trees not used shall be removed from the palette.
 - C. A note shall be added to indicate that existing trees will remain.
 - D. Place landscaping items on the landscaping sheet, and irrigation and planting details on another landscape sheet (sheet LS2).
 6. Conditions from PNM:
 - A. Two existing overhead 115kV electric transmission lines bisect the subject property and one existing distribution line parallels the northern boundary. The applicant is responsible to abide by any conditions or terms of the transmission rights-of-way and distribution easements.
 - B. Any increase in the existing grade on the property near or within the transmission rights-of-way or distribution easement, including the pond areas, must be reviewed by PNM in order to ensure that adequate safety clearances are maintained.

OFFICIAL NOTICE OF DECISION

Project #1010551

September 10, 2015

Page 8 of 9

- C. Fences shall be grounded by applicant on the existing chain-link fence within proximity of the transmission line to reduce the risk of nuisance shocks. Locations be to be determined by PNM.
- D. PNM must have 24/7 access to its transmission line facilities within the transmission right-of-way and must have the ability to drive PNM vehicles within the entire transmission right-of-way.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **SEPTEMBER 25, 2015**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15th 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 14-16-4-4 of the Zoning Code. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's decision.

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. Successful applicants are reminded that other regulations of the City Zoning Code must be complied with, even after approval of the referenced application(s).

ZONE MAP AMENDMENTS: Pursuant to Zoning Code Section 14-16-4-1(C)(16), a change to the zone map does not become official until the Certification of Zoning (CZ) is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

SITE DEVELOPMENT PLANS: Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped areas shall terminate automatically seven years after adoption or major amendment of the plan: within six months prior to the seven-year deadline, the property owners shall request in writing through the Planning Director that the Planning Commission extend the plan's life an additional five years. Additional design details will be required as a project proceeds through the Development Review Board and through the plan check of Building Permit submittals for construction. Planning staff may consider minor, reasonable changes that are consistent with an approved Site Development Plan so long as they can be shown to be in conformance with the original, approved intent.

DEFERRAL FEES: Pursuant to Zoning Code Section 14-16-4-1(B), deferral at the request of the applicant is subject to a \$110.00 fee per case.


OFFICIAL NOTICE OF DECISION

Project #1010551

September 10, 2015

Page 9 of 9

Sincerely,


for Suzanne Lubar
Planning Director

SL/CLL

cc: Deemer Properties NM, LLC, 2455 Roop Road, Gilroy CA, 95020
Myers, McCreedy & Myers, Attn: Matt Myers, Esq, 1401 Central Ave. NW, ABQ, NM 87104
Cherise Quezada, Route 66 West NA, 10304 Paso Fino Pl. SW, ABQ, NM 87121
Barbara Lucero, Route 66 West NA, 757 98th St. SW, Sp. #6, ABQ, NM 87121
Rod Mahoney, South Valley Coalition of Neighborhood Assoc., 1838 Sadora Rd. SW, ABQ, NM 87105
Marcia Fernandez, South Valley Coalition of Neighborhood Assoc., 2401 Violet SW, ABQ, NM 87105
Johnny Pena, SWAN, 6525 Sunset Gardens SW, ABQ, NM 87121
Jerry Gallegos, SWAN, 417 65th St. SW, ABQ, NM 87121
Gerald C. Worrall, Westside Coalition of NAs, 1039 Pinatubo Pl. NW, ABQ, NM 87120
Harry Hendriksen, Westside Coalition of NAs, 10592 Rio Del Sole Ct, ABQ, NM 87114-2701

recommendation of approval to the City Council based on findings and conditions. The motion carried by the following vote:

For: 7 Nicholls, Hudson, Mullen, Gonzalez, McCoy, Peck and Beserra

A motion was made by Commissioner Mullen and Seconded by Commissioner Beserra that matter 15EPC-40037 be approved based on findings and conditions. The motion carried by the following vote:

For: 7 Nicholls, Hudson, Mullen, Gonzalez, McCoy, Peck and Beserra

A motion was made by Commissioner Mullen and Seconded by Commissioner Peck that matter 15EPC-40038 be approved based on findings and conditions. The motion carried by the following vote:

For: 7 Nicholls, Hudson, Mullen, Gonzalez, McCoy, Peck and Beserra

3. Project# 1010551
15EPC-40039 Zone Map Amendment
(Zone Change)
15EPC-40041 Site Development Plan
For Building Permit

Myers, McCready & Myers, PC, agents for Deemer Properties NM, LLC, requests the above actions for Tract 2A, Westgate Mobile Home Park, zoned R-T to SU-1 for C-2 Conditional and Permissive Uses, located on 98th St. SW, between Tower Rd. SW, and DeVargas Rd. SW, containing approximately 14.5 acres. (L-9)
Staff Planner: Catalina Lehner

A motion was made by Commissioner Hudson and Seconded by Commissioner McCoy that matter 15EPC-40039 & 15EPC-40041 be forwarded with a recommendation of approval to the City Council based on findings and conditions. The motions carried by the following vote:

For: 7 - Nicholls, Hudson, Mullen, Gonzalez, McCoy, Peck and Beserra

SEE ATTACHED TRANSCRIPT FOR MINUTES

4. Project# 1003478
15EPC-40040 Site Development Plan for
Building Permit

~~Dekker/Perich/Sabatini, agent for CURB INC requests the above action for all or a portion of Tract 8, (Previously Tract A), Unit 5, (previously Unit 4) Avalon Subdivision, zoned~~

85

CHAIR NICHOLLS: Move on to agenda item #3. Ms. Lehner, you're holding up ok?

MS. LEHNER: Thank you.

CHAIR NICHOLLS: Ok, cause I believe you still have two more - - no one more to bat, a little bit later. All right, welcome back.

MS. LEHNER: Thank you. Mr. Chair and Commissioners this is agenda item #3, its Project #1010551, 15EPC-40039 & 40041.

The proposal is for a Sector Development Plan Map Amendment, or Zone Change, and an associated as Built Site Development Plan for Building Permit for an approximately 14 acre site located on 98th St. SW, in the Westgate area. Part of a Mobile Home Development exists on the subject site the rest of the development is on a tract adjacent south.

Because the Zone Change is for an area over a block in size and the applicable sector development plan uses SU-2 Zoning, the proposal must be transmitted to the City Council. The EPC is a recommending body.

The subject site is zoned R-T pursuant to the Tower/Unser Sector Development Plan. Though the R-T zone does not allow mobile homes the applicant proposes to change the zoning to SU-1 for Mobile Home Development, so that the existing Mobile Home Park can remain. The Mobile Home Park was built in the 1970s and, pursuant to Non-Conformance Regulations, which are §14-16-3-4 of the Zoning Code, a Mobile Home Development is required to come into conformance within 50 years.

The subject site is located in the Established Urban Area of the Comprehensive Plan. The Westside Strategic Plan, the South West Strategic Action Plan, and the Tower/Unser Sector Development Plan apply. Staff finds that the request furthers applicable goals and policies and that the zone change is adequately justified pursuant to R270-1980, because the proposal clearly facilitates applicable goals and policies.

The affected neighborhood organizations are the Route 66 West Neighborhood Association, South Valley Coalition of Neighborhood Associations, the South West Alliance of Neighbors, and the Westside Coalition, which the applicant notified as required. Property owners within 100 feet of the subject site were also notified as required. A facilitated meeting was neither recommended nor held.

Staff received phone calls from two residents who had questions about the proposal. Staff has not received any written comments as of this writing, and is unaware of any opposition.

Regarding Project #1010551, 15EPC-40039 & 40041, Staff recommends approval. When we discuss the findings and conditions for recommendation of approval, I have a few minor changes and with that I stand for questions.

CHAIR NICHOLLS: Ms. Lehner, I have one and I apologize I should have spotted this earlier. What I have on the agenda is a change from RT to SU-1 for C-2 Conditional and Permissive uses. The staff report listed, as I think you just explained it, as SU-1 for Mobile Home Development. What was the notice given? Was it as in the agenda?

MS. LEHNER: Mr. Chair, Commissioners in the course of discussing and working with the applicant on this site the requested zoning was changed to SU-1 for Mobile Home Development. However, what was advertised was SU-1 for C-2 Uses, which is a more intensive zoning category.



CHAIR NICHOLLS: And so, this is a less intense use, so I'm just trying to make sure we don't need to re-advertise or anything like that. I just want to be sure, that's all. Ok. Go ahead, Counsel.

MR. WHITCOMB: Mr. Chair I believe that the advertisement of that would have given the more intense zoning so...

CHAIR NICHOLLS: Ok. Just want to be sure that we're not putting ourselves in a jeopardy situation here. Ok questions for Ms. Lehner? Commissioner Beserra?

COMMISSIONER BESERRA: Yes. Thank you very much, Mr. Chair. I saw a really glaring issue here that I wanted some clarification on; and that is on page 12, it looks like 1g or Ig or lg, I'm not sure and then it carries over to page 13. It says, "A staff recommends or this is staff recommended; economic considerations are clearly a factor, since the Mobile Home Park would be foreclosed upon unless the use and the zoning align and financing can be secured". Can you explain that to me?

MS. LEHNER: Mr. Chair, Commissioner Beserra. Of course the agent can give you more details on those particular - - the particular circumstances, but what I can speak to is 1G of R-270-1980 and what it means. It says that "The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone". And what that means is that there can be all kinds of factors, but the economic one cannot be the determining factor for a change of zone. In this case, because there is a preponderance of applicable goals and policies that have been shown to clearly facilitate realization of these goals and policies, let me rephrase that. In this case the policy based demonstration shows that the request clearly facilitates realization of applicable goals and policies in the Comprehensive Plan, the Westside Plan and there applicable plans, so because of that that is the determining factor for the reason of zone. Yes, economic considerations are a consideration, but they are not the determining factor, in my opinion. Although the agent can certainly elaborate more on those concerns if you would like.

COMMISSIONER BESERRA: I'd like to hear more. Thank you.

MS. LEHNER: Thank you.

CHAIR NICHOLLS: Anything else Commissioner's? Thank you Ms. Lehner. Let's go ahead and hear from the applicant. And welcome back sir. We've already sworn you in, so I can give you 10 minutes.

MR. MYERS: Great. Again, Matt Myers here on behalf of the applicant, which is Deemer Properties and with me here today is...

CHAIR NICHOLLS: Yes, it's all right.

MR. MYERS: is Jim Deemer, who along with his wife, are the members of Deemer Properties. As Ms. Lehner said, we are here today to request a zone change from RT to SU-1 for Mobile Home Development with the Associated Site Development Plan for Building Permit for an as built, because again the Mobile Home Park is existing. It's been there since the 70's. I'd like too, I think it's appropriate probably to address Commissioner Beserra's question now, because it really ties into the whole reason we're here.

The Mobile Home Park in total is 24 acres. The tract we are here for today, tract 2-A is zoned RT. Accordingly, the Mobile Home Park is a non-conforming use on tract 2-A. Tract 2-A has to come into conformance in August 2026. My client, Deemer Properties, the loan that he obtained on the property has

matured, so he went to refinance the property. When he went to refinance the property he went you know, through the entire process; they were about to close and the lender said, "Wait, we've discovered that the tract 2-A is non-conforming; accordingly, it can no longer be a Mobile Home Park after 2026, so we will not lend you money," ok, because they're concerned about if they take the Park back, if they foreclose it, then they're with a Park that can no longer be a Park after 2026. So, essentially Mr. Deemer has gone to three different banks to try to refinance tract 2-A. None of them will refinance it, because of the non-conforming issue. So, I hope that answers your question and, but again, I want to be very clear. We are not - - that is not the sole reason for this, certainly that is a factor and that's a very important factor to Mr. Deemer and his wife as this is their retirement. But really what I think this gets back to is we are providing - - the Mobile Home Park provides on tract 2-A, roughly 95 Mobile Home Parks. And Mobile Home Parks really provide affordable housing for some of those people in our society who may not otherwise be able to afford homes. I mean it's simply a fact.

And I specifically would like to address the - - the City Council, in fact, passed an Ordinance, which was codified as section 14-16-3-21 of the Zoning Code and it discussed Mobile Home Parks. And here is exactly what the City Council said. "The City Council finds that one of the Albuquerque Bernalillo County Comprehensive Plans, Goals is to increase the city's supply of affordable housing, ameliorate the problems of homeless men and displacement and ensure that residents have safe, decent and affordably priced housing and stable neighborhoods". The Council further finds that Mobile Home Developments play a vital role in meeting the city's affordable housing needs through the furnishing of low cost, stable housing environments. It is therefore, the city's policy to minimize the hardships and disruptions associated with displacing Mobile Home Residence." That is what we are really shooting for here. We do not want to displace roughly a hundred families if we are unable to re-zone this property, which would be the result if we are unable to re-zone the property.

So, I also then want to say we agree with the staff report, we agree to the conditions contained in the staff report and the findings contained in the staff report.

I would like to say if we are successful in re-zoning tract 2-A, Mr. Deemer will then landscape. There's an existing 100 foot wide PNM access that kind of goes through the property. You can see it there it's currently dirt ponds and as part of this request we would re-seed that with native grasses, so all of that would be re-seeded, so it would no longer just be dirt. And there would be additional trees planted along 98th Street, there's some existing trees, mature trees there that we would keep and then we would fill in some of the gaps, as shown on the landscaping plan.

And so, again I think Catalina's already addressed how we satisfy Resolution 270-1980, and I do believe that the request is more advantageous to the community as articulated in the applicable Planning documents and I got into all of those in my reasons for request. So, with that I think I will stand for questions if you have any questions on this request?

CHAIR NICHOLLS: Just bear with me. Commissioners any questions? So this in reality does not affect the lower tract at all. That's a conforming use?

MR. MYERS: Correct. Yes, I should have addressed that. The two tracts on the North are zoned C-2 with a conditional use to allow for Mobile Home Parks, so that is an existing conforming use on those tracts.

CHAIR NICHOLLS: Ok.

MR. MYERS: Perhaps, Mr. Deemer would like to add something? Yes, so Mr. Deemer points out that if we are unsuccessful here on re-zoning this, then really what would happen is the entire Mobile Home Park would

be removed, because the Mobile Home Park shares gas, shares electricity and it would result in most likely all going away and then the bank coming in or whoever the bank finds to buy the property in developing it in accordance with the allowed zoning.

CHAIR NICHOLLS: And how many more properties are to the south of the subject site?

MR. MYERS: It's roughly; I would say another 50 families, roughly...54 sites (inaudible)

CHAIR NICHOLLS: Ok, yeah. And where the little hand is on that that's the Daycare facility?

MR. MYERS: That's correct, yes.

CHAIR NICHOLLS: I did do a courtesy site visit on this particular project just because I don't know the area that well and I do understand fully what non-conforming uses are, because we've dealt with them before when I was on the Board of Appeals. I'm fairly comfortable with understanding that. Commissioners, any other questions for the applicant? Ok. Ms. Henry is there any one signed up from the public?

MS. HENRY: No, sir.

CHAIR NICHOLLS: Thank you. Then Mr. Myers if you'd just come back up. In closing do you have anything for us?

MR. MYERS: I have nothing else to add at this time, Commissioner.

CHAIR NICHOLLS: Ok. Thank you and Ms. Lehner do you have anything for us in closing?

MS. LEHNER: Mr. Chair, Commissioners I don't have anything in particular in closing; it did occur to me that the whole thing could be SU-1 for Mobile Home Park. But really that's not the remedy that they need, because the other one already has a conditional use that allows the Park. Then I thought about that as well, but with this case really what they need to do is fix that RT, which I believe was given in the Sector Plan, as far as I can tell from the history.

So, I would also like to go over a couple of minor changes to finding 15 and also...

CHAIR NICHOLLS: Which page are you on, Ms. Lehner?

MS. LEHNER: Page 21 of the Staff Report, please and that would be sentence 3, to be changed as follows; so the last sentence should read that, 'Staff received a phone call from two residence who had questions about the request, zoning and the process. Staff has not received any written comments as of this writing and is not aware of any opposition to the request.'

CHAIR NICHOLLS: Anything else for us?

MS. LEHNER: And the next one would be; it's the same finding, but it's on page 23, and it's as finding number 12, so the same modifications would apply to that, because it's regarding public and notification.

So then the next thing I have is its on page 24 of your staff report, condition number 5, regarding the landscaping plan. And I've been working with the applicant on this and he has taken a look at my proposed revisions and these are as follows; 5b and 5d are to be retained and 5a and 5c to be stricken and re-written as

follows; 5a would say ‘The existing street trees along 98th Street shall be clearly and accurately shown.’ And ‘c’ to read as follows; ‘a note shall be added to indicate that existing trees will remain.’

CHAIR NICHOLLS: Anything else?

MS. LEHNER: That is all.

CHAIR NICHOLLS: Thank you, Ms. Lehner. I’d like to go back to the applicant for just a moment, because I have one further question. When Mr. Deemer went to the bank the issue was with the subject site?

MR. MYERS: Correct.

CHAIR NICHOLLS: Ok. Is he actually applying for loans for the whole of the property?

MR. MYERS: That’s correct.

CHAIR NICHOLLS: Ok, I just wanted to be absolutely sure on that, because it sort of gives me a different perspective on where I’m going. Thank you, sir. Let’s go ahead...I’m sorry Commissioner Hudson.

COMMISSIONER HUDSON: Thank you, Mr. Chair. Mr. Myers, I’m just curious and it was Ms. Lehner who brought it up, but has it been considered to re-zone the entire parcel to be SU-1 for Mobile Home Development for clarity?

MR. MYERS: No, we considered it, but we thought that, you know, years and years down the road if there’s an existing C-2 there that allows the homes we thought that would be appropriate to stay there right on the corner, but in reality no, we were just concerned with Tract A.

COMMISSIONER HUDSON: Ok thank you.

MR. MYERS: And I would like to mention briefly, the reason that the residents, if the Park is closed and we can’t rezone it the residents can’t just simply take their Mobile Homes and take them somewhere else. Newer Mobile Home Parks only accept Mobile Homes that are less than 10 years old and the majority, if not every single one of the homes at this Park are significantly older than 10 years old. So, it would be near impossible for them to find another Mobile Home Park to store their, you know, to live at.

CHAIR NICHOLLS: I guess that begs the question if some of these can’t last the course would they be replaced with newer Mobile Homes? What would be the issue there? Again...

MR. MYERS: I think they can last the course they just wouldn’t be accepted at the other Parks, because they are over 10 years old.

CHAIR NICHOLLS: Got cha, thank you. Any other questions? Hearing none let’s go ahead and close the floor. Commissioner’s? Go ahead Commissioner Beserra.

COMMISSIONER BESERRA: Thank you, Mr. Chair. I kind of struggled with this - - this particular case, because for one I certainly don’t want to be part of relocating or displacing these individuals. I think we’ve got a lot of Mobile Homes here, but they’ve been there since 1970 and I believe that this is a community that’s established for many many years. I’m concerned also that it’s gonna also create a hardship for the displaced families as well, so with that I’m inclined to support this. Thank you.

CHAIR NICHOLLS: Commissioner McCoy.

COMMISSIONER MCCOY: I'm gonna support the recommendation on this for any number of reasons. The displacement of a number of affordable housing units would be completely unacceptable and even though we may not have enough documentation it appears that there've been mistakes made in the past with the re-zoning and the sector plan that should not affect in today's financing environment a much more cautious lender. And I don't believe that the justifications provided run afoul of 270-1980, because I believe it is simply an adjunct fact that this needs to be done to clean up previous issues. So, I'm going to support the appropriate action to have this move forward.

CHAIR NICHOLLS: Anyone else? I too am more than willing to support this proposal. I think it's absolutely necessary, as Mr. Myers pointed out, affordable housing is an issue in the city and rightly so. You know I'm quite sure that many of the tenants here have been there for a significant time to think that they might have to be displaced, because of not approving such an action non-conforming use, I think would not be appropriate for this commission, so I certainly am going to support this project. Anyone else? Commissioner Hudson, go ahead.

COMMISSIONER HUDSON: I am prepared to make a motion if my fellow commissioners are ready to do so?

CHAIR NICHOLLS: I believe we are, go ahead Commissioner Hudson.

COMMISSIONER HUDSON: Thank you, Mr. Chair. In the case of project 1010551, case #15-EPC-40039. I move approval to forward a recommendation to the City Council, based on findings 1 through 15, with number 15 amended as read into the record. And condition of approval number 1.

COMMISSIONER MCCOY: Second.

CHAIR NICHOLLS: Motion by Commissioner Hudson. A second by Commissioner McCoy. Any discussion on the motion? Hearing none, those in favor say "Aye" and raise your hand.

ALL COMMISSIONERS: Aye.

CHAIR NICHOLLS: Those against say "No" and raise your hand. Motion carries unanimously. Commissioner Hudson?

COMMISSIONER HUDSON: Thank you, Mr. Chair. In the case of project 1010551, case #15-EPC-40041, Site Development Plan for Building Permit. I move recommendation of approval to the City Council, based on findings 1 through 12, 12 being amended as read into the record. And conditions of approval 1 through 4. Number 5 being amended. 5a being amended as read into the record. 5c being amended as read into the record and number 6.

CHAIR NICHOLLS: A second?

COMMISSIONER MCCOY: Second.

CHAIR NICHOLLS: And a second. Motion by Commissioner Hudson. Seconded by Commissioner McCoy. Any discussion on the motion? Hearing none, those in favor say "Aye" and raise your hand.

ALL COMMISSIONERS: “Aye”.

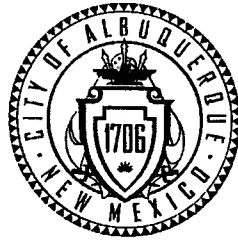
CHAIR NICHOLLS: Those against say “No” and raise your hand. Motion carries unanimously. Thank you.

MR. DEEMER: I just want to say one thing. I’m Jim Deemer, the owner of the Mobile Home Park.

CHAIR NICHOLLS: Yes.

MR. DEEMER: And I thank you. And I want to speak in behalf of 90 families, they thank you.

CHAIR NICHOLLS: Thank you, sir.



**ENVIRONMENTAL PLANNING COMMISSION
AGENDA**

**Thursday, September 10, 2015
8:30 a.m.**

**Plaza Del Sol Hearing Room, Lower Level
600 2nd Street NW**

MEMBERS

**Peter Nicholls, Chair
Karen Hudson, Vice-Chair**

**Maia Mullen
Bill McCoy
James Peck**

**Moises Gonzalez
Derek Bohannon
Victor Beserra**

NOTE: A LUNCH BREAK AND/OR DINNER BREAK WILL BE ANNOUNCED AS NECESSARY

Agenda items will be heard in the order specified unless changes are approved by the EPC at the beginning of the hearing; deferral and withdrawal requests (by applicants) are also reviewed at the beginning of the hearing. Applications with no known opposition that are supported by the Planning Department are scheduled at the beginning of the agenda; these cases are noted with an asterisk (*). Applications deferred from a previous hearing are normally scheduled at the end of the agenda.

There is no set time for cases to be heard. However, interested parties can monitor the progress of the hearing by calling the Planning Department at 924-3860. All parties wishing to address the Commission must sign-in with the Commission Secretary at the front table prior to the case being heard. Please be prepared to provide brief and concise testimony to the Commission if you intend to speak. **In the interest of time, presentation times are limited as follows, unless otherwise granted by the Commission Chair: Staff – 5 minutes; Applicant – 10 minutes; Public speakers – 2 minutes each. An authorized representative of a recognized neighborhood association or other organization may be granted additional time if requested. Applicants and members of the public with legal standing have a right to cross-examine other persons speaking per Rule B.12 of the EPC Rules of Conduct.**

All written materials – including petitions, legal analysis and other documents – should ordinarily be submitted at least 10 days prior to the public hearing, ensuring presentation at the EPC Study Session. The EPC strongly discourages submission of written material at the public hearing. Except in extraordinary circumstances, the EPC will not consider written materials submitted at the hearing. In the event the EPC believes that newly submitted material may influence its final decision, the application may be deferred to a subsequent hearing.

NOTE: ANY AGENDA ITEMS NOT HEARD BY 8:30 P.M. MAY BE DEFERRED TO ANOTHER HEARING DATE AS DETERMINED BY THE PLANNING COMMISSION.

13

Call to Order:

- A. Pledge of Allegiance
- B. Announcement of Changes and/or Additions to the Agenda
- C. Approval of Amended Agenda
- D. Swearing in of City Staff

1. Project# 1009178

15EPC-40035 Site Development Plan for Subdivision

Myers, McCready & Myers, PC, agents for RTR, LLC requests the above action for Lots 1-P1 thru 39-P1, Tiburon Heights Subdivision, zoned SU-2/VCLL, located on Petirrojo Rd. NW, between Kimmick Dr. NW and Compass Dr. NW, containing approximately 8 acres. (D-10)

Staff Planner: Catalina Lehner

2. Project# 1010536

15EPC-40034 Sector Development Plan Map Amendment (Zone Change)
15EPC-40036 Text Amendment to Sector Development Plan
15EPC-40037 Site Development Plan for Building Permit
15EPC-40038 Site Development Plan for Subdivision

Consensus Planning, agent for City of Albuquerque Parks and Recreation Department, requests the above actions for all or a portion of Parcels C-2-A, C-3-A and C-3-C, Westland North, zoned SU-2 for Town Center Village to SU-2/SU-1 for Regional Sports Complex, located south of Arroyo Vista Boulevard, north of Ladera Drive and east of 118th Street, containing approximately 81.35 acres. (J-7, J-8)

Staff Planner: Vicente Quevedo

3. Project# 1010551

15EPC-40039 Zone Map Amendment (Zone Change)
15EPC-40041 Site Development Plan For Building Permit

Myers, McCready & Myers, PC, agents for Deemer Properties NM, LLC, requests the above actions for Tract 2A, Westgate Mobile Home Park, zoned R-T to SU-1 for C-2 Conditional and Permissive Uses, located on 98th St. SW, between Tower Rd. SW, and DeVargas Rd. SW, containing approximately 14.5 acres. (L-9)

Staff Planner: Catalina Lehner

4. Project# 1003478

15EPC-40040 Site Development Plan for Building Permit

Dekker/Perich/Sabatini, agent for CURB INC requests the above action for all or a portion of Tract 8, (Previously Tract A), Unit 5, (previously Unit 4) Avalon Subdivision, zoned SU-1 for R-2 Uses, located on 90TH Street NW, between Bluewater Road NW and Los Volcanes Road NW, containing approximately 10 acres. (K-9)

Staff Planner: Maggie Gould

5. Project# 1010520

15EPC-40023 Sector Development Plan Map Amendment (Zone Change)

DAC Zoning & Land Use Services, agent for Abbas Akhil, requests the above action for Fire Station Site #19, City of Albuquerque, zoned SU-2/O-1 to R-D 7 DU/acre, located on Louisiana Blvd. NE, between Wilshire Ave. NE and Signal Ave. NE, containing approximately 1.5 acres. (C-19)

Staff Planner: Catalina Lehner

(CONTINUED FROM THE AUGUST 13, 2015 HEARING)

6. Project# 1010521
15EPC-40024 Sector Development Plan Map
Amendment (Zone Change)

DAC Zoning & Land Use Services, agent for Shakeel Rizvi dba Nazish LLC, requests the above action for Lot 12, Block 3, Tract 2, Unit 3, North Albuquerque Acres, zoned SU-2/O-1 to R-D 6 DU/acre, located on Oakland Ave. NE, between Eagle Rock Ave. NE and Alameda Blvd. NE, containing approximately 1 acre. (C-19)

Staff Planner: Catalina Lehner

(DEFERRED FROM THE AUGUST 13, 2015 HEARING)

7. Project# 1010550
15EPC-40032 Site Development Plan for
Subdivision

Tierra West LLC, agent for W & M Company, requests the above action for all or a portion of Tract A-1 Redivision of Tract A (now comprising Tracts A1 & A2), Los Pastores Shopping Center, zoned C-2, located on Wyoming Blvd. NE, between Montgomery Blvd. NE and Osuna Rd. NE, containing approximately 5.8 acres. (F-19)

Staff Planner: Vicente Quevedo

8. Project# 1000420
15EPC-40033 Zone Map Amendment
(Zone Change)
15EPC-40044 Site Development Plan for
Building Permit Amendment

Answers Inc. agent for Panera Bread, LLC requests the above actions for all or a portion of Tract K-1-A Plat of Tracts J-1-A-1, J-1-B-1 & K-1-A The 25, zoned IP to SU-1 IP Uses to include a Restaurant with Drive Thru, located on The 25 Way NE between The 25 Way NE and Jefferson St. NE, containing approximately 2 acres. (F-17)

Staff Planner: Maggie Gould

9. Project# 1005517
15EPC-40021 Site Plan for Subdivision

Tierra West LLC, agent for Argus Jefferson Partners, LLC, requests the above action for Lots 2-A-1 and 2-A-2, Tract B, Plat of Lots 2-A-1 and 2-A-2, Envirco Tract (being a replat of Lot 2-A, Tract B), zoned M-1, located on Jefferson Street NE, between Osuna Road NE and Ellison Street NE, containing approximately 7.2 acres. (E-17)

Staff Planner: Catalina Lehner

(DEFERRED FROM THE AUGUST 13, 2015 HEARING)

10. OTHER MATTERS:

A. Approval of August 13, 2015 Action Summary/Minutes

B. **Project #1003450**, 15EPC-40029 - APD SE Substation. Request to reschedule the continuance from the November 12, 2015 EPC Hearing to the October 8, 2015 EPC hearing.

11. ADJOURNED:

as



NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Albuquerque Environmental Planning Commission will hold a **Public Hearing on Thursday, September 10, 2015 @ 8:30 a.m.**, in the Plaza del Sol Hearing Room, Lower Level Plaza del Sol building, 600 2nd St. NW, Albuquerque, NM to consider the following items:

Distribution of the Planning Department's staff reports regarding the following items will occur at a **City Distribution Session on Wednesday, September 3, 2015 at 3:00 p.m.**, in the Plaza del Sol Hearing Room, Lower Level, Plaza del Sol Building, 600 2nd St. NW, Albuquerque, NM.

Project# 1000420

15EPC-40033 Zone Map Amendment
(Zone Change)

15EPC-40044 Site Development Plan for
Building Permit Amendment

Answers Inc. agent for Panera Bread, LLC requests the above actions for all or a portion of Tract K-1-A Plat of Tracts A-1, J-1-B-1 & K-1-A The 25, zoned IP to SU-1 IP Use include a Restaurant with Drive Thru, located on The 25 Way NE between The 25 Way NE and Jefferson St. NE, contain approximately 2 acres. (F-17)
Staff Planner: Maggie Gould

Project# 1003478

15EPC-40040 Site Development Plan for
Building Permit

Dekker/Perich/Sabatini, agent for CURB INC requests above action for all or a portion of Tract 8, (Previously Tract A), Unit 5, (previously Unit 4) Avalon Subdivision, zoned SU-1 for R-2 Uses, located on 90TH Street NW, between Bluewater Road NW and Los Volcanes Road NW, contain approximately 10 acres. (K-9)
Staff Planner: Maggie Gould

Project# 1009178

15EPC-40035 Site Development Plan for
Subdivision

Myers, McCreedy & Myers, PC, agents for RTR, LLC requests the above action for Lots 1-P1 thru 39-P1, Tibu Heights Subdivision, zoned SU-2/VCLL, located on Petrin Rd. NW, between Kimmick Dr. NW and Compass Dr. NW containing approximately 8 acres. (D-10)
Staff Planner: Catalina Lehner

Project# 1010550
15EPC-40032 Site Development Plan for
Subdivision

Tierra West LLC, agent for W & M Company, requests the above action for all or a portion of Tract A-1 Redivision Tract A (now comprising Tracts A1 & A2), Los Pasto Shopping Center, zoned C-2, located on Wyoming Blvd. N between Montgomery Blvd. NE and Osuna Rd. N containing approximately 5.8 acres. (F-19)
Staff Planner: Vicente Quevedo

Project# 1010551
15EPC-40039 Zone Map Amendment
(Zone Change)
15EPC-40041 Site Development Plan
For Building Permit

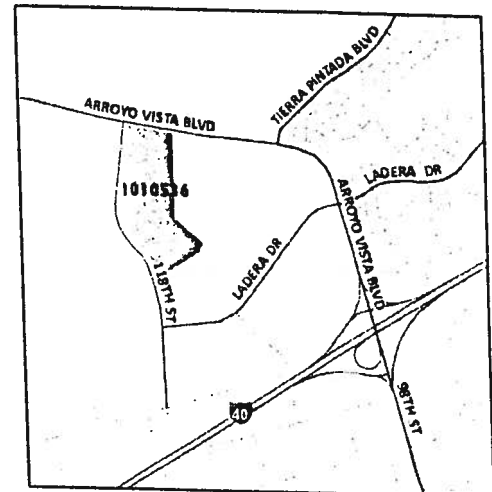
Myers, McCready & Myers, PC, agents for Deemer Property NM, LLC, requests the above actions for Tract 2A, Westgate Mobile Home Park, zoned R-T to SU-1 for C-2 Conditional and Permissive Uses, located on 98th St. SW, between Tom Rd. SW, and DeVargas Rd. SW, containing approximately 14.5 acres. (L-9)
Staff Planner: Catalina Lehner

Project# 1010521
15EPC-40024 Sector Development Plan Map
Amendment (Zone Change)

DAC Zoning & Land Use Services, agent for Shakeel Raza dba Nazish LLC, requests the above action for Lot 12, Block 3, Tract 2, Unit 3, North Albuquerque Acres, zoned SU-2/ to R-D 6 DU/acre, located on Oakland Ave. NE, between Eagle Rock Ave. NE and Alameda Blvd. NE, containing approximately 1 acre. (C-19)
Staff Planner: Catalina Lehner

Project# 1010536
15EPC-40034 Sector Development Plan Map
Amendment (Zone Change)
15EPC-40036 Text Amendment to Sector
Development Plan
15EPC-40037 Site Development Plan for
Building Permit
15EPC-40038 Site Development Plan for
Subdivision

Consensus Planning, agent for City of Albuquerque Parks Recreation Department, requests the above actions for all or a portion of Parcels C-2-A, C-3-A and C-3-C, Westland North zoned SU-2 for Town Center Village to SU-2/SU-1 Regional Sports Complex, located south of Arroyo Vista Boulevard, north of Ladera Drive and east of 118th St containing approximately 81.35 acres. (J-7, J-8)
Staff Planner: Vicente Quevedo



Details of these applications may be examined at the Planning Department, 3rd Level, Plaza Del Sol Building, 600 Second Street NW, between 8:00 a.m. and 5:00 p.m., Monday through Friday, or you may call 924-3860. INDIVIDUALS WITH DISABILITIES who need special assistance to participate at the public hearing should call 924-3860.

Peter Nicholls, Chair
Environmental Planning Commission

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL AUGUST 19, 2015.

APPROVED



Kym Dicome
Urban Design & Development
Planning Department



**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT**

INTER-OFFICE MEMORANDUM

TO: ENVIRONMENTAL HEALTH – Paul Olson
LEGAL DEPARTMENT – Tyson Hummell
PARKS & RECREATION:
PARK DESIGN – Carol Dumont
OPEN SPACE DIVISION – Sarah Browne
CITY FORRESTER – Joran Viers
PLANNING:
LONG RANGE PLANNING – Carrie Barkhurst
METROPOLITAN REDEVELOPMENT – Rebecca Velarde
HYDROLOGY – Rita Harmon
NEIGHBORHOOD COORDINATION – Stephani Winklepleck
TRANSPORTATION DEV. SERVICES – Gary Sandoval
ZONING – Ben McIntosh
ABC WATER UTILITY AUTHORITY – Kris Cadena
POLICE DEPARTMENT – Steve Sink
FIRE DEPARTMENT – Antonio Chinchilla
SOLID WASTE MANAGEMENT DEPARTMENT – Michael Anaya
TRANSPORTATION PLANNING – John MacKenzie
TRANSIT DEPARTMENT – Shabih Rizvi
ALBUQUERQUE PUBLIC SCHOOLS – April Winters
AMAFCA – Lynn Mazur
COUNTY OF BERNALILLO – Nano Chavez
MID-REGION COUNCIL OF GOVERNMENTS – Maida Rubin
MIDDLE RIO GRANDE CONSERVANCY DISTRICT – Subhas Shah
NM DEPARTMENT OF TRANSPORTATION – Nancy Perea
NM GAS COMPANY –
PETROGLYPH NATIONAL MONUMENT – Diane Souder
PUBLIC SERVICE COMPANY OF NEW MEXICO – Laurie Moye

FROM: Russell Brito, Urban Design and Development Division, Planning Department

SUBJECT: ENVIRONMENTAL PLANNING COMMISSION CASE DISTRIBUTION

Attached are the legal descriptions, applications, and related materials for the cases scheduled for public hearing before the Environmental Planning Commission on **September 10, 2015**.

Please remember that all agency comments are due NO LATER THAN August 14, 2015.

COMMENTS TO: Maggie Gould (mgould@cabq.gov)
Vicente Quevedo (vquevedo@cabq.gov)
Catalina Lehner (clehner@cabq.gov)

Project# 1000420

15EPC-40033 AMNDT TO ZONE MAP
(ESTB ZONING/ZONE CHG)
15EPC-40044 SITE DEVELOPMENT -
BUILDG PRMT AMEND

ANSWERS INC agent(s) for PANERA BREAD, LLC request(s) the above action(s) for all or a portion of lot(s) K-1-A, zoned IP to SU-1 IP USES TO INCLUDE A RESTAURANT WITH DRIVE THRU located on THE 25 WAY NE BETWEEN THE 25 WAY NE AND JEFFERSON ST NE containing approximately 1.99 acre(s). (F-17)
Staff Planner: Maggie Gould

Project# 1000599

15EPC-40034 AMNDT TO ZONE MAP
(ESTB ZONING/ZONE CHG)
15EPC-40036 AMEND SECTOR
DEVELOPMENT PLAN MAP
15EPC-40037 SITE DEVELOPMENT -
SUBDIVISION
15EPC-40038 SITE DEVELOPMENT -
BUILDG PRMT

CONSENSUS PLANNING agent(s) for CITY OF ALBUQUERQUE PARKS AND RECREATION DEPARTMENT request(s) the above action(s) for all or a portion of lot(s) C-2-A, C-3-C, C-3-A, WESTLAND NORTH zoned SU-2 FOR TOWN CENTER VILLAGE to SU-2/SU-1 FOR REGIONAL SPORTS COMPLEX located on ARROYO VISTA BETWEEN HIGH MESA AND TIERRA PINTADA containing approximately 81.3 acre(s). (J-7 & 8)
Staff Planner: Vicente Quevedo

Project# 1003478

15EPC-40040 SITE DEVELOPMENT -
BUILDG PRMT

DEKKER PERICH SABATINI agent(s) for CURB INC request(s) the above action(s) for all or a portion of tract(s) 8 PREVIOUSLY TRACT A, AVALON SBD Unit(s) 5 PREVIOUSLY UNIT 4 zoned SU-1 FOR R-2 USES located on 90TH BETWEEN BLUEWATER AND LOS VOLCANES containing approximately 9.98 acre(s). (K-9)
Staff Planner: Maggie Gould

Project# 1009178

15EPC-40035 SITE DEVELOPMENT -
SUBDIVISION

J MATT MYERS, ESQ MYERS, MCCREADY & MYERS, PC agent(s) for RTR, LLC request(s) the above action(s) for all or a portion of lot(s) 1-P1 - 39-P1, TIBURON HEIGHTS SUBDIVISION zoned SU-2/VCLL located on PETIRROJO RD NW BETWEEN UNSER BLVD NW AND URRACA RD NW containing approximately 7.9143 acre(s). (D-10)
Staff Planner: Catalina Lehner

Project# 1010532

15EPC-40031 AMNDT TO ZONE MAP
(ESTB ZONING/ZONE CHG)

TI DESIGN SERVICES agent(s) for ZAHIR SHARIFE request(s) the above action(s) for all or a portion of lot(s) 1-5, block(s) 2, CITY REALTY COS 1ST ADDITION - NORTH 4TH ST CORRIDOR zoned C-2 OR SU-2 NFTOD/R-1 to

C-2 located on 4TH ST NW AND PHOENIX AVE
containing approximately .42 acre(s). (H-14)
Staff Planner: Catalina Lehner

Project# 1010550
15EPC-40032 SITE DEVELOPMENT -
SUBDIVISION

TIERRA WEST LLC agent(s) for W & M COMPANY
request(s) the above action(s) for all or a portion of tract(s)
A-1 REDIVISION OF TR A (NOW COMPRISING TRS A1
& A2), LOS PASTORES SHOPPING CENTER zoned C-2
located on WYOMING AND MONTGOMERY containing
approximately 5.7722 acre(s). (F-19)
Staff Planner: Vicente Quevedo

Project# 1010551
15EPC-40039 AMNDT TO ZONE MAP
(ESTB ZONING/ZONE CHG)
15EPC-40041 SITE DEVELOPMENT -
BUILDG PRMT

MYERS, MCCREADY & MYERS, PC agent(s) for
DEEMER PROPERTIES NM, LLC request(s) the above
action(s) for all or a portion of tract(s) 2A, WESTGATE
MOBILE HOME PARK zoned RT located on 98TH ST SW
BETWEEN TOWER RD SW AND DEVARGAS SW
containing approximately 11 acre(s). (SU-1/C-2 FOR
CONDITIONAL AND PERMISSIVE USES)
Staff Planner: Catalina Lehner

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Rod Mahoney
South Valley Coalition
1838 Sadora Rd. NW
Alb. NM 87105

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Certified Mail®
- Registered
- Insured Mail
- Priority Mail Express™
- Return Receipt for Merchandise
- Collect on Delivery

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Transfer from serv.) 7013 2630 0000 3887 2268

PS Form 3811, July 2013

Domestic Return Receipt

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CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

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OFFICIAL USE

Postage	\$	Postmark Here 7/29/15
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To Rod Mahoney
Street, Apt. No., or PO Box No.
City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

7013 2630 0000 3887 2268

102

SENDER. COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature X <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (<i>Printed Name</i>) C. Date of Delivery</p>
<p>1. Article Addressed to:</p> <p><i>Marcia Ferrandez South Valley Coalition 2401 Violet SW Apt. NM 87105</i></p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery</p> <p>4. Restricted Delivery? (<i>Extra Fee</i>) <input type="checkbox"/> Yes</p>
<p>2. Article Number (<i>Transfer from service label</i>)</p>	<p>7013 2630 0000 3887 2282</p>

PS Form 3811, July 2013

Domestic Return Receipt

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.
CERTIFIED MAIL™



7013 2630 0000 3887 2282
7013 2630 0000 3887 2282

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)											
For delivery information visit our website at www.usps.com											
OFFICIAL USE											
<table border="1"> <tr> <td>Postage</td> <td>\$</td> </tr> <tr> <td>Certified Fee</td> <td></td> </tr> <tr> <td>Return Receipt Fee (Endorsement Required)</td> <td></td> </tr> <tr> <td>Restricted Delivery Fee (Endorsement Required)</td> <td></td> </tr> <tr> <td>Total Postage & Fees</td> <td>\$</td> </tr> </table>	Postage	\$	Certified Fee		Return Receipt Fee (Endorsement Required)		Restricted Delivery Fee (Endorsement Required)		Total Postage & Fees	\$	<p>Postmark Here</p> <p><i>7/29/15</i></p>
Postage	\$										
Certified Fee											
Return Receipt Fee (Endorsement Required)											
Restricted Delivery Fee (Endorsement Required)											
Total Postage & Fees	\$										
<p>Sent To <i>Marcia Ferrandez</i></p> <p>Street, Apt. No.; or PO Box No.</p> <p>City, State, ZIP+4</p>											
PS Form 3800, August 2006	See Reverse for Instructions										

103

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

*Harry Hendrikson
Westside Coalition
10592 Rio del Sol Ct
aeb. NM 87114 NW*

2. Article Number
(Transfer from service tag)

7013 2630 0000 3887 2305

PS Form 3811, July 2013

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Certified Mail® Priority Mail Express™
 Registered Return Receipt for Merchandise
 Insured Mail Collect on Delivery

4. Restricted Delivery? (Extra Fee)

Yes

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.
CERTIFIED MAIL™



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7013 2630 0000 3887 2305

U.S. Postal Service™

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Postage \$

Certified Fee

Return Receipt Fee
(Endorsement Required)

Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees \$

Postmark
Here

7/29/15

Sent To

Harry Hendrikson
Street, Apt. No.,
or PO Box No.
City, State, ZIP+4

PS Form 3800, August 2006

See Reverse for Instructions

1041

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee X
1. Article Addressed to: <i>Johnny Pena</i> <i>SW Alliance of Neighbors</i> <i>6525 Sunset Gardens SW</i> <i>oeb. NM 87105</i>	B. Received by (Printed Name) C. Date of Delivery
2. Article Number (Transfer from service label)	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No
PS Form 3811, July 2013	3. Service Type <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery
Domestic Return Receipt	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes
7013 2630 0000 3887 2312	

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CERTIFIED MAIL™



7013 2630 0000 3887 2312
 7013 2630 0000 3887 2312

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Postage \$	Postmark Here
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	
Sent To <i>Johnny Pena</i> Street, Apt. No., or PO Box No. City, State, ZIP+4	
PS Form 3800, August 2006 See Reverse for Instructions	

105

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature X <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to: <i>Derald Worrall Westside Coalition 1039 Piratubo Pl. NW AEB-NM 87120</i>	B. Received by (Printed Name)	C. Date of Delivery
2. Article Number (Transfer from service label)	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
PS Form 3811, July 2013	3. Service Type <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
	7013 2630 0000 3887 2329	
	Domestic Return Receipt	

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For delivery information visit our website at www.usps.com											
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<table border="1"> <tr> <td>Postage</td> <td>\$</td> </tr> <tr> <td>Certified Fee</td> <td></td> </tr> <tr> <td>Return Receipt Fee (Endorsement Required)</td> <td></td> </tr> <tr> <td>Restricted Delivery Fee (Endorsement Required)</td> <td></td> </tr> <tr> <td>Total Postage & Fees</td> <td>\$</td> </tr> </table>	Postage	\$	Certified Fee		Return Receipt Fee (Endorsement Required)		Restricted Delivery Fee (Endorsement Required)		Total Postage & Fees	\$	Postmark Here
Postage	\$										
Certified Fee											
Return Receipt Fee (Endorsement Required)											
Restricted Delivery Fee (Endorsement Required)											
Total Postage & Fees	\$										
Sent To <i>Derald Worrall</i> Street, Apt. No., or PO Box No. City, State, ZIP+4											
PS Form 3800, August 2006 See Reverse for Instructions											

SENDER: COMPLETE THIS SECTION

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
Jerry Gallegos
5W Millionaires
Neighbors
417 65th St. NW
Alb. NM 87121

2. Article Number
 (Transfer from s **7013 2630 0000 3887 2275**)

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Agent
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail® Priority Mail Express™
 Registered Return Receipt for Merchandise
 Insured Mail Collect on Delivery

4. Restricted Delivery? (Extra Fee) Yes

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Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here

Sent To *Jerry Gallegos*
 Street, Apt. No., or PO Box No.
 City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
PROPERTY OWNERSHIP LIST**

Meeting Date: Thursday, September 10th, 2015 **1010551**
Zone Atlas Page: L-09-Z
Notification Radius: Neighborhood Associations
100ft plus r.o.w

Cross Reference and Location: Located on or near 98th St. SW between Tower and DeVargas

Applicant: Deemer Properties NM, LLC
2455 Roop Road
Gilroy CA 95020

Agent: J Matt Myers, Esq.
1401 Central Ave. NW
Albuquerque, NM 87104

Special Instructions:

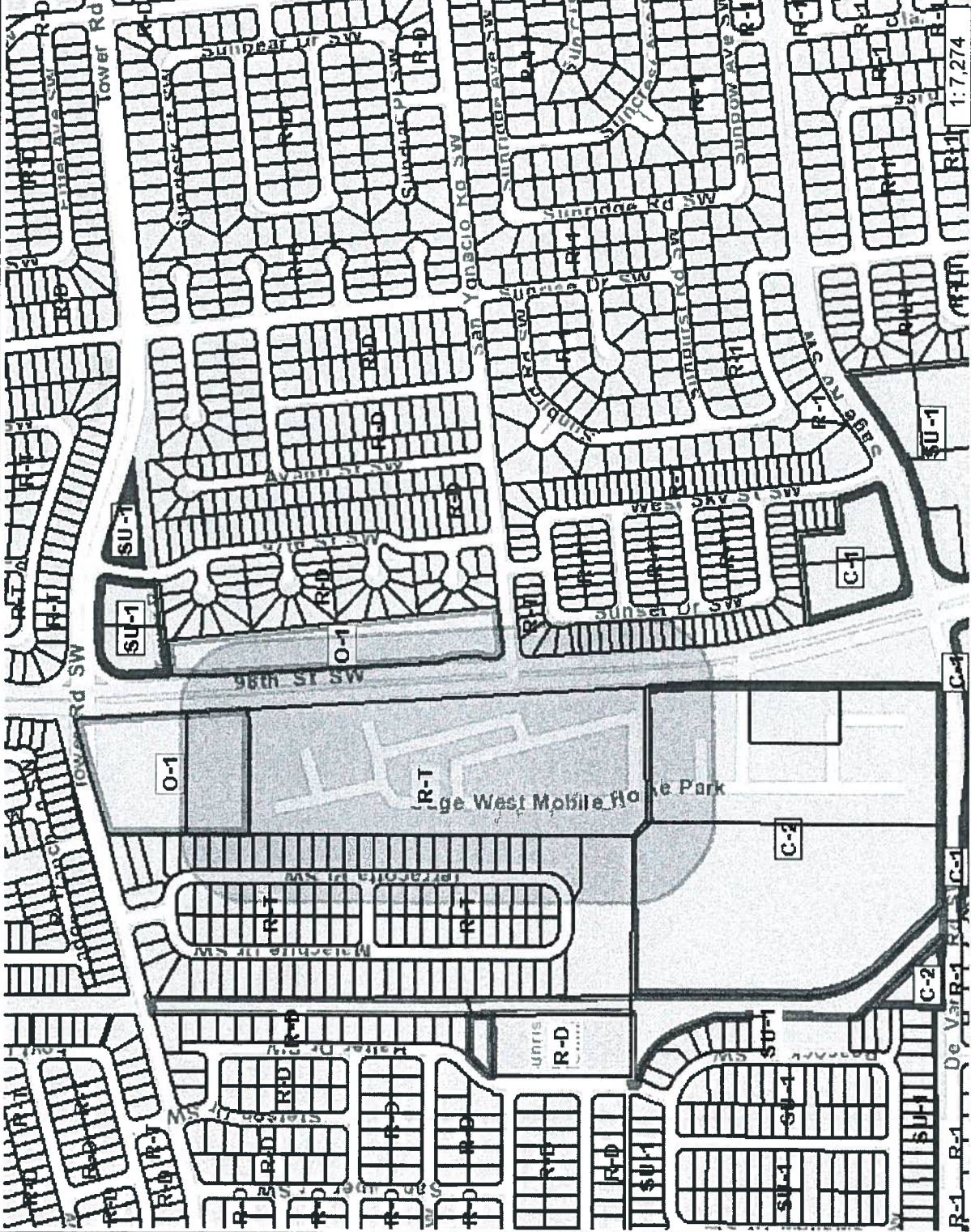
**Notice must be mailed from the
City 15 day's prior to the meeting.**

Date Mailed: 8/18/15

Signature: 

108

City of Albuquerque



Legend

- Bernillo County Parcels
- <all other values>
- RESIDENTIAL
- COMMERCIAL
- OFFICE
- INDUSTRIAL / WHOLESALE / MAINT
- INSTITUTIONAL / GOVERNMENT
- UTILITIES / TRANSPORTATION
- OPEN SPACE / RECREATION / AIR
- RESIDENTIAL / AGRICULTURAL
- NOT CLASSIFIED
- Municipal Limits
- Corrales
- Edgewood
- Los Ranchos
- Rio Rancho
- Tijeras
- UNINCORPORATED
- World Street Map

Notes

Project#1010551

This map is a user generated static output from www.cabq.gov/gis and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION



1,212
 WGS_1984_Web_Mercator_Auxiliary_Sphere
 8/14/2015
 © City of Albuquerque

109

Project# 1010550
15EPC-40032 Site Development Plan for
Subdivision

Tierra West LLC, agent for W & M Company, requests the above action for all or a portion of Tract A-1 Redivision Tract A (now comprising Tracts A1 & A2), Los Pastor Shopping Center, zoned C-2, located on Wyoming Blvd. N between Montgomery Blvd. NE and Osuna Rd. N containing approximately 5.8 acres. (F-19)
Staff Planner: Vicente Quevedo

Project# 1010551
15EPC-40039 Zone Map Amendment
(Zone Change)
15EPC-40041 Site Development Plan
For Building Permit

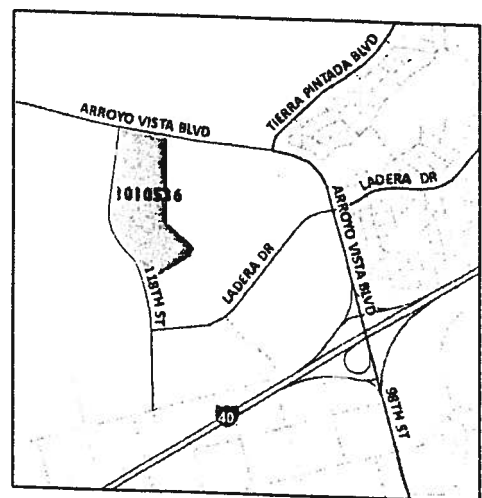
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Staff Planner: Catalina Lehner

Project# 1010521
15EPC-40024 Sector Development Plan Map
Amendment (Zone Change)

DAC Zoning & Land Use Services, agent for Shakeel Rizvi dba Nazish LLC, requests the above action for Lot 12, Block 3, Tract 2, Unit 3, North Albuquerque Acres, zoned SU-2/O-1 to R-D 6 DU/acre, located on Oakland Ave. NE, between Eagle Rock Ave. NE and Alameda Blvd. NE, containing approximately 1 acre. (C-19)
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Project# 1010536
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Amendment (Zone Change)
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15EPC-40037 Site Development Plan for
Building Permit
15EPC-40038 Site Development Plan for
Subdivision

Consensus Planning, agent for City of Albuquerque Parks and Recreation Department, requests the above actions for all or a portion of Parcels C-2-A, C-3-A and C-3-C, Westland North zoned SU-2 for Town Center Village to SU-2/SU-1 for Regional Sports Complex, located south of Arroyo Vista Boulevard, north of Ladera Drive and east of 118th Street containing approximately 81.35 acres. (J-7, J-8)
Staff Planner: Vicente Quevedo



110

LAYSON JEFFREY B
823 SUNSET DR SW
ALBUQUERQUE NM 87121

CORNELL CONNIE M
819 SUNSET DR SW
ALBUQUERQUE NM 87121

GARCIA KARL
804 TERRACOTTA PL SW
ALBUQUERQUE NM 87121

HERNANDEZ ALICIA DANIELLE
2118 WALTER ST SE
ALBUQUERQUE NM 87102

ARMENTA CHRISTOPHER M & NICOLE B
836 TERRACOTTA PL SW
ALBUQUERQUE NM 87121

POPE HOWARD GUY & MARIA DEL
ROSARIO
809 SUNSET DR SW
ALBUQUERQUE NM 87121-8806

GARCIA JOYCE J
809 TERRACOTTA PL SW
ALBUQUERQUE NM 87121

SMALLEY CAROLYN J
760 TERRACOTTA PL SW
ALBUQUERQUE NM 87121

SANTILLANES MANUEL & VALERIE
768 TERRACOTTA PL SW
ALBUQUERQUE NM 87121

GUTIERREZ STEVEN F & ELIZABETH
MEGAN
759 TERRACOTTA PL SW
ALBUQUERQUE NM 87121

JACKSON ROLAND E
724 TERRACOTTA PL SW
ALBUQUERQUE NM 87121-9507

CHAVEZ LORRAINE L
739 TERRACOTTA PL SW
ALBUQUERQUE NM 87121

SANDOVAL JOE M & MARY ANN
TRUSTEES OF THE JOE M & MARY ANN
SANDOVAL RVT
8808 LAS CAMAS NE
ALBUQUERQUE NM 87111

DOMINGUEZ JOE R & BETTY J TRUSTEES
DOMINGUEZ LVT
9213 SNOWRIDGE CT NE
ALBUQUERQUE NM 87111

D & K SELF-STORAGE LLC
5100 LOS POBLANOS LN NW
ALBUQUERQUE NM 87107

AVILA JESUS R
772 TERRACOTTA PL SW
ALBUQUERQUE NM 87121

MANRIQUEZ SAUL & CARMEN
805 SUNSET DR SW
ALBUQUERQUE NM 87121

SANTIAGO MIGUEL & POMALES LUZ
831 TERRACOTTA PL SW
ALBUQUERQUE NM 87121

DOUGLAS HENRY L JR
835 TERRACOTTA BLVD SW
ALBUQUERQUE NM 87121

BEARD KATHLEEN
811 TERRACOTTA PL SW
ALBUQUERQUE NM 87121

NAJERA ANNIE M & MARIO
847 SUNSET DR SW
ALBUQUERQUE NM 87105

JUNGBLUTH SAM & SHIRLEY
5200 GUADALUPE TRL NW
ALBUQUERQUE NM 87107

GONZALEZ HORTENCIA
835 SUNSET DR SW
ALBUQUERQUE NM 87121

VALDEZ FRANCISCO & DE VALDEZ
ELIZABETH R & VALDEZ TOMAS F
820 TERRACOTTA PL SW
ALBUQUERQUE NM 87121

PEREZ ABRAHAM & LILIA S
823 TERRACOTTA PL SW
ALBUQUERQUE NM 87121

MARTINEZ STEPHANIE J
857 SUNSET DR SW
ALBUQUERQUE NM 87121

CORNELL GLORIA A
839 SUNSET DR SW
ALBUQUERQUE NM 87121-8807

SANTANGELO JOSEPH AND ANNA
TRUSTEES OF SANTANGELO RVT
12409 CORONADO NE
ALBUQUERQUE NM 87122

FLORES YVONNE R
827 SUNSET DR SW
ALBUQUERQUE NM 87121

PADILLA RONNIE M & JULIANA T
732 TERRACOTTA PL SW
ALBUQUERQUE NM 87121-9507

SCRIP THOMAS M & CRISOLITA M
13140 BLACKSTONE RD NE
ALBUQUERQUE NM 87111

WERLEY JACK T & BERNICE E
736 TERRACOTTA SW
ALBUQUERQUE NM 87121

MOYA MICHELLE & BARBOA PAUL JR
808 TERRACOTTA PL SW
ALBUQUERQUE NM 87121

DEEMER PROPERTIES NM LLC
2455 ROOP RD
GILROY CA 95020

SANTANGELO JOSEPH & ANNA
TRUSTEES SANTANGELO RVT
12409 CORONADO NE
ALBUQUERQUE NM 87122

SORENSEN NEILS T
731 TERRACOTTA PL SW
ALBUQUERQUE NM 87121

EWELL LYNNETTE A
801 TERRACOTTA PL SW
ALBUQUERQUE NM 87121

SHUCAVAGE ERIC
763 TERRACOTTA PL SW
ALBUQUERQUE NM 87121

STONER EDWARD D JR
805 TERRACOTTA PL SW
ALBUQUERQUE NM 87105

HANCOCK JOHN V III
747 TERRACOTTA PL SW
ALBUQUERQUE NM 87121

CITY OF ALBUQUERQUE
PO BOX 1293
ALBUQUERQUE NM 87103

PORTILLO CONCEPCION M
843 TERRACOTTA PL SW
ALBUQUERQUE NM 87121

BOYD MARGARITA J & ADRON C
740 TERRACOTTA PL SW
ALBUQUERQUE NM 87121

CERVANTES JUAN C & EVA HILDA
767 TERRACOTTA PL SW
ALBUQUERQUE NM 87121

BUBERNAK DAVID & HENRIETTA
853 SUNSET DR SW
ALBUQUERQUE NM 87121-8807

FAKKEMA SUSAN M
728 TERRACOTTA PL SW
ALBUQUERQUE NM 87121-9507

PEREZ LUIS A
828 TERRACOTTA PL SW
ALBUQUERQUE NM 87121

GUERRERO FRANK A
812 TERRACOTTA PL SW
ALBUQUERQUE NM 87121

TRUJILLO LINA M TRUSTEE TRUJILLO RV
752 TERRACOTTA PL SW
ALBUQUERQUE NM 87121

REQUA JEAN D & JUDY
743 TERRACOTTA PL SW
ALBUQUERQUE NM 87121

JARRETT TERESA L
10416 RIDGECIRCLE DR NW
ALBUQUERQUE NM 87114-5639

SHELL ADRIENNE & FLORES ELIAS A
PO BOX 70123
ALBUQUERQUE NM 87197

MARTINEZ CALVIN L & BRENDA
755 TERRACOTTA PL SW
ALBUQUERQUE NM 87121

PRIETO-RUIZ RENE
847 MALACHITE DR SW
ALBUQUERQUE NM 87121

MAURICIO MARCO
843 SUNSET DR SW
ALBUQUERQUE NM 87121-8807

LOVEJOY RUDOLPH J & LYNDA M
840 TERRACOTTA PL SW
ALBUQUERQUE NM 87121

WILLHITE STEVEN R JR
9741 WESTBOUND AVE SW
ALBUQUERQUE NM 87121

CRAMBLIT ERNEST J JR % BARE BRITT V
& KAREN L
800 TERRA COTTA PL SW
ALBUQUERQUE NM 87121

OLVERA FEMMA M
744 TERRACOTTA PL SW
ALBUQUERQUE NM 87121

SAUCEDO RIGOBERTO
1525 LARKIN LN SW
ALBUQUERQUE NM 87105

GONZALES MICHELE
815 TERRACOTTA PL SW
ALBUQUERQUE NM 87121

JENSEN PETER & A LIAN C/O MAESTAS
RENEE C
832 TERRACOTTA PL SW
ALBUQUERQUE NM 87121

RASCON CHRISTOPHER
824 TERRACOTTA PL SW
ALBUQUERQUE NM 87121-9529

MOLINA SAMUEL V JR & MOLINA
SAMUEL G SR & AVELINA V
727 TERRACOTTA PL SW
ALBUQUERQUE NM 87121-9508

CURLEY EVONNE
751 TERRACOTTA PL SW
ALBUQUERQUE NM 87121

HARRY HENDRIKSEN
10592 RIO DEL SOLE CT NW
ALBUQUERQUE NM 87114-2701

MORALES BOBBY JR
764 TERRACOTTA PL SW
ALBUQUERQUE NM 87121

KNAPP PATRICK F & ROSAURA V
827 TERRACOTTA PL SW
ALBUQUERQUE NM 87121

DEEMER PROPERTIES NM LLC
2455 ROOP RD
GILROY CA 95020

RIVAS JUAN GERARDO & ST JOHN
CARMEN
816 TERRACOTTA PL SW
ALBUQUERQUE NM 87121

MAESTAS RUDY C & FAUSTINA P
819 TERRACOTTA PL SW
ALBUQUERQUE NM 87121-9544

MYERS, MCCREADY, & MYERS
J MATT MYERS
1401 CENTRAL AVE NW
ALBUQUERQUE NM 87104

CHERISE QUEZADA
10304 PASO FINO PL SW
ALBUQUERQUE NM 87121

BARBARA LUCERO
757 98TH ST SW, SP #6
ALBUQUERQUE NM 87121

ROD MAHONEY
1838 SADORA RD SW
ALBUQUERQUE NM 87105

MARCIA FERNANDEZ
2401 VIOLET SW
ALBUQUERQUE NM 87105

JOHNNY PENA
6525 SUNSET GARDENS SW
ALBUQUERQUE NM 87121

JERRY GALLEGOS
417 65TH ST SW
ALBUQUERQUE NM 87121

GERALD C (JERRY) WORRALL
1039 PINATUBO PL NW
ALBUQUERQUE NM 87120

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