



Global Zoning

PRELIMINARY ZONING COMPLIANCE REPORT

Apple Tree Shopping Center
123 Subject Street
Albuquerque, NM 87101

Prepared for:

ABC Capital

Dated: September 29, 2015

Global Zoning Job #: 123456

Client Reference #: 123456

Prepared by: Cassie Phelps, Global Zoning LLC
Cassie.phelps@globalzoning.com, 405-659-6878

Property Summary:

Property Name:	Apple Tree Shopping Center
Property Address:	123 Subject Street
Property Jurisdiction	City of Albuquerque, NM
Property Size:	5.0 Acres or 217,800 Square Feet ±
Number of Buildings:	2 Buildings
Building Size:	50,225 Square Feet
Number of Existing Units	10 Tenants
Current Zoning of Property:	“B-1” Business District
Current Zoning Ordinance:	The current Zoning Ordinance amended through, 1-30-2015 is attached.

Permitted Use Analysis:

Current Use:	Retail Shopping Center including: Retail, Personal Service, Restaurant and Office
Is the use Permitted in this District:	Yes, all uses are permitted under Section 12-34.

Outstanding Code Violation Search Results:

Outstanding Zoning Code Violations:	Yes, per confirmation from Laura Walker, Planning Director, there is currently one outstanding Zoning Code Violation on file regarding a non-permitted sign. The violation was cited on 1/1/2015 and there is a potential \$50/day fine.
Outstanding Fire Code Violations:	No, per confirmation from Mark Wright, Fire Marshall, there are currently no outstanding Fire Code Violations on file.
Outstanding Building Code Violations:	No, per confirmation from Joe Smith, Building Official, there are currently no outstanding Building Code Violations on file.

Certificates of Occupancy:

No, the following tenants: Papa's Pizza, Nancy's Salon, and 510 Fitness do not have Certificates of Occupancy on file with the City of Albuquerque, NM. However, per confirmation from Joe Smith, Building Official, the absence of a Certificate of Occupancy is due to record keeping procedures and is not considered a violation. This will not give rise to any enforcement action. All remaining Certificates of Occupancy are attached at this time.

Pending Road Projects/Condemnation Plans:

There are currently no pending Road Projects on file with the City of Albuquerque or New Mexico DOT that are proposed to impact the Right of Ways adjacent to the subject Property.

Site Requirements:

	Required	Provided	Conformance
Minimum Lot Size:	10,000 Square Feet (Section 12-1)	40,482 Square Feet	Legal Conforming
Minimum Lot Width/ Frontage and Depth:	100 Feet Lot Width (Section 12-1)	25 Feet	Legal Nonconforming, see Page 6
Maximum Density:	50% Building Coverage (Section 12-1)	45.52% +/-	Legal Conforming
Maximum Building Height:	50 Feet (Section 12-5)	22 Feet	Legal Conforming

Setback Requirements:

	Required	Provided	Conformance
Front/Street Setback:	25 Feet (Section 12-3)	102 Feet +	Legal Conforming
Side Setback:	15 Feet (Section 12-3)	85 Feet +	Legal Conforming
Rear Setback:	35 Feet (Section 12-3)	41 Feet +	Legal Conforming

Parking Requirements:

Minimum Number of Parking Spaces Required:	1 Parking Space per 200 Square Feet (Section 12-8) (50,225 Square Feet ÷ 200 Square Feet = <u>251.125 Parking Spaces</u>)
Maximum Number of Parking Spaces Allowed:	No Maximum (Section 12-8)
Existing Parking Count:	327 Parking Spaces
ADA Requirements:	Although the Zoning Code does not require Handicap parking, the ADA Guidelines require 7 of the existing 327 Parking Spaces to be Handicap. There are currently 12 Handicap Parking Spaces on site.
Parking Conformance:	Legal Conforming

Conformance Status:

Use:	The Use of the Property as a Retail Shopping Center is Legal Conforming
Property/Improvements:	The Property is Legal Nonconforming, due to changes in the Zoning Code subsequent to development, per Laura Peter, Planning Director. See attached email.
Deficiencies:	1) The Lot Width is deficient 75 Feet
Legal Nonconforming Use Reconstruction Clause:	Not Applicable as the Use is Legal Conforming
Legal Nonconforming Building Reconstruction Clause:	Section 12-14 of the City of Albuquerque Zoning Code states "Restoration of Damaged Buildings. A nonconforming building or structure which is damaged or partially destroyed by fire, flood, wind, earthquake or other calamity or act of God or the public enemy, to the extent of not more than 50 percent of its replacement cost at the time of such damage, may be restored to what existed at the time of such damage. Destruction to the extent of more than 50% will require compliance with the current requirements."

Additional Notes:

None

Survey/Appraisal Contact:

New Mexico Surveying

123 Surveying Street

Albuquerque, NM

505.555.1235

Dated: 1-1-2015 and last revised

10-1-2015

Municipal Contact:

Laura Peter

Planning Director

City of Albuquerque, NM

505.555.1234