



*Planning & Zoning Commission*  
of the  
Village of Los Ranchos de Albuquerque

## **AGENDA**

**November 12, 2019 Regular Meeting**  
**7:00 p.m. Warren J. Gray Hall**

**Commission:**

Chairman Jeff Phillips  
Vice Chair Sandra Pacheco  
Secretary Lynn Eby  
Commissioner Al Park  
Commissioner Gil Benavides  
Commissioner Drew Seavey  
Commissioner Dan Gay

**Staff:**

Tim McDonough - Director, Acting Administrator  
Tiffany Justice - Planner  
Jennifer Schilling – Admin. Assistant  
Nann Winter – Village Attorney

### **1. CALL TO ORDER**

- A. Roll Call
- B. Approval of the Agenda

### **2. PUBLIC COMMENT PERIOD**

Residents may address the Planning and Zoning Commission to comment on issues, problems, or successes on **topics that do not appear elsewhere on the agenda.** Audience members will be given an opportunity to comment on agenda items as they come up. **Speakers must register with Village Staff prior to the beginning of the meeting.**

### **3. CONSENT AGENDA**

All matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- A. **Approval of the minutes** – October 8, 2019 regular meeting.

### **4. PUBLIC HEARINGS & APPLICATIONS**

- A. **SDP 19-03** A request by Tom White for a preliminary review and recommendation to the Board of Trustees of a Commercial Site Development Plan for a redevelopment in the Fourth Street Corridor and Character Area. The property is located at 8225 Fourth Street NW and is legally known as Lot 1 of Busch Addition, a tract of land lying and situated within Section 16, T. 11 N., R. 3 E., N.M.P.M., Village of Los Ranchos de Albuquerque, Bernalillo County, New Mexico, filed in the Office of the County Clerk of Bernalillo County on August 1, 1972. The property contains 0.500 acres more or less.

B. **SDP 19-04** A request by Amanda Thais for a preliminary review and recommendation to the Board of Trustees of a Commercial Site Development Plan for a development in the Fourth Street Corridor and Character Area. The property is located at 8830 Fourth Street NW and is legally known as a certain tract of land designated as Tract 102A-1, Middle Rio Grande Conservancy District Map No. 24 situated in Projected Section 16, Township 11 North, Range 3 East, N.M.P.M., as projected into the Alameda Grant, Bernalillo County, New Mexico. The property contains 0.5356 acres more or less.

5. **OLD BUSINESS**

*There is no Old Business*

6. **NEW BUSINESS**

*There is no New Business*

7. **REPORTS**

A. Planning Department Report

8. **COMMISSIONER'S INFORMAL DISCUSSION**

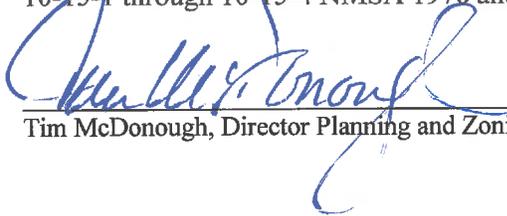
9. **ADJOURNMENT**

A COPY OF THE AGENDA MAY BE OBTAINED AT THE VILLAGE OFFICE, 6718 RIO GRANDE BLVD. NW, DURING REGULAR BUSINESS HOURS OF 8:00 AM – 5:00 PM. THE PLANNING DEPARTMENT HOURS ARE FROM 8:00 AM TO NOON, AND BY APPOINTMENT FROM NOON UNTIL 5:00 PM.

**THE NEXT REGULAR MEETING WILL BE HELD TUESDAY DECEMBER 10, 2019**

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Village Clerk at 505-344-6582 at least one week prior to the meeting or as soon as possible.

I certify that notice of the Public Meeting has been given in compliance with the Open Meetings Act, Section 10-15-1 through 10-15-4 NMSA 1978 and Open Meetings Resolution 2019-1-P&Z.

  
\_\_\_\_\_  
Tim McDonough, Director Planning and Zoning

10/23/2019  
Date

**1. CALL TO ORDER- Chairman Phillips**

**A. ROLL CALL**

**COMMISSIONER PARK  
COMMISSIONER BENAVIDES  
COMMISSIONER EBY  
COMMISSIONER PACHECO  
COMMISSIONER PHILLIPS  
COMMISSIONER SEAVEY  
COMMISSIONER GAY**

**B. APPROVAL OF THE AGENDA**

## 2. PUBLIC COMMENT PERIOD

Residents may address the Planning and Zoning Commission to comment on issues, problems, or successes on topics that do not appear elsewhere on the agenda. Audience members will be given an opportunity to comment on agenda items as they come up. Speakers must register with Village Staff prior to the beginning of the meeting. If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Village Clerk at 505-344-6582 at least one week prior to the meeting or as soon as possible.

### **3. CONSENT AGENDA**

**All matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.**

- A. Approval of minutes– October 8, 2019 regular meeting.**



*Planning & Zoning Commission*  
of the  
Village of Los Ranchos de Albuquerque

**MINUTES**  
**October 8, 2019**

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**Commissioners Present:**

Chairman Jeff Phillips  
Vice Chair Sandra Pacheco  
Secretary Lynn Eby  
Commissioner Al Park  
Commissioner Gil Benavides  
Commissioner Drew Seavey  
Commissioner Dan Gay

**Staff Present:**

Tim McDonough - Director, Acting Administrator  
Jennifer Schilling – Admin. Assistant, Scribe  
Nann Winter – Village Attorney

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**1. CALL TO ORDER**

The regular meeting of the Planning & Zoning Commission was called to order at 7:00 p.m., October 8, 2019 at the Warren J. Gray Hall, by Chairman Jeff Phillips. A quorum was present. The agenda was approved.

**2. PUBLIC COMMENT**

There were no speakers for the Public Comment period.

**3. CONSENT AGENDA**

**A. Approval of the Consent Agenda**

1. Minutes of the September 10, 2019 Planning & Zoning Regular Meeting

**Commissioner Eby** made a correction on page 3; line 27.

**Motion:** Commissioner Park made a motion to approve the minutes as amended.

**Second:** Commissioner Benavides seconded the motion.

**Vote:** The motion carried unanimously (7-0).

**4. PUBLIC HEARINGS & APPLICATIONS**

**Attorney Winter** swore in all those who would be speaking before the Commission.

- A. V 19-07** A request by Jon and Graciela Drake for a Variance from §9.2.7(E)(2)(a) 2. The minimum side setback shall be fifteen (15) feet to allow encroachment of a structure into the setback area for a property in the A-1 Zone of the North Rio Grande Character Area. The property is located at 1104 Green Valley Road NW and is legally known as the easterly portion of Tract 202-C-3-B-2 Middle Rio Grande Conservancy District Map No. 29, a certain tract of land situate in Section 20 and 29, T. 11 N., R. 3 E., N.M.P.M., Bernalillo County, New Mexico. The property contains 0.44 acres more or less.

**Resident Speakers for the Discussion:**

*In order of presentation*

**SPEAKER:**

Jon Drake, 1104 Green Valley Rd. 87107  
Graciela Drake, 1104 Green Valley Rd. 87107

**POSITION:**

Applicant – Spoke in favor  
Applicant – Spoke in favor

1 **Planner McDonough** gave the Planning Report with recommendation to approve variance 19-07,  
2 allowing a structure to encroach an existing setback.

3  
4 **Discussion:**

- 5 • Commissioners asked questions about the public notice process and public notice signs.
- 6 • The property's location and character area were clarified.
- 7 • The hardship claim was discussed – the irregular shaped lot with A-1 Zone setbacks constituted  
8 the hardship. Setbacks were discussed, especially with respect to the ditches. This application  
9 would not change the setbacks.
- 10 • A previous variance from 1995 existed for the footprint of a carport at the front of the property.
- 11 • The applicants discussed that the old carport was replaced with the adobe shed and then moved  
12 to the back of the property. The applicants further discussed the challenges of moving the shed  
13 to any other location on the property without continued non-compliance with the setbacks.  
14 Moving the shed further into the property would obstruct enjoyment and access of the backyard  
15 and would be too close to the house.
- 16 • Conditions discussed on the approval of Variance 19-07 included abandoning the variance from  
17 1995.

18  
19 **Motion: Commissioner Eby** moved to approve the application with the conditions that the previous  
20 variance be abandoned. The motion was amended to include the conditions laid out in the Planner's  
21 Report; 1) The variance from the setback requirement is for the current size and placement of this  
22 structure only, and 2) Movement of this structure to another location within the setback or expansion  
23 of this structure's building footprint into the setback requires another variance request.

24 **Second: Commissioner Benavides** seconded the motion, as amended.

25 After a brief discussion, including the amendment of the motion, a call for a vote was made.

26 **Vote:** The motion carried 6-1, with Commissioner Gay voting nay.

27  
28 **Chairman Philips** stated that the public hearing on item 4-A in the request by Jon and Graciela Drake  
29 for a variance was formally closed.

30  
31 **5. OLD BUSINESS**

32 There was no Old Business.

33  
34 **6. NEW BUSINESS**

- 35 A. 2035 Master Plan – Discussion on the Master Plan and recommendation for the  
36 Board of Trustees.

37  
38 **Director McDonough** gave a summary report on the 2035 Master Plan process and methodologies. He  
39 commended the depth of participation by the Master Plan Committee and the public. Director  
40 McDonough recommended the Commissioners forward the 2035 Master Plan, as amended, to the  
41 Board of Trustees for approval.

42  
43 **Discussion:**

- 44 • Commissioners briefly discussed their appreciation of the 2035 Master Plan and the work that  
45 went into making it possible. Director McDonough recognized Planner Tiffany Justice as a  
46 major contributor to the 2035 Master Plan.

47  
48 **Motion:** Vice Chair Pacheco moved to forward the 2035 Master Plan to the Board of Trustees for  
49 approval.

50 **Second:** Commissioner Gay seconded the motion.

51 **Vote:** The motion carried unanimously (7-0).



#### 4. PUBLIC HEARING

**A. SDP 19-03** A request by Tom White for a preliminary review and recommendation to the Board of Trustees of a Commercial Site Development Plan for a redevelopment in the Fourth Street Corridor and Character Area. The property is located at 8225 Fourth Street NW and is legally known as Lot 1 of Busch Addition, a tract of land lying and situated within Section 16, T. 11 N., R. 3 E., N.M.P.M., Village of Los Ranchos de Albuquerque, Bernalillo County, New Mexico, filed in the Office of the County Clerk of Bernalillo County on August 1, 1972. The property contains 0.500 acres more or less.

PLANNING AND ZONING COMMISSION  
**PLANNING REPORT**

Village of Los Ranchos • 6718 Rio Grande Blvd. NW • (505) 344-6582 Fax 344-8978

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**DATE ISSUED:** October 18, 2019

**REPORT NO.** PZ-19-32  
**File:** SDP-19-03

**ISSUED BY:** Planning and Zoning Department

**SUBJECT:** A request for preliminary review and recommendation to the Board of Trustees of a Commercial Site Development Plan for a redevelopment in the Fourth Street Corridor and Character Area.

**APPLICANT:** Tom White (TW Wellness)

**AGENT:** Richard Burd (Renaissance Man Construction)

**LOCATION AND LEGAL:**

The property is located at 8225 Fourth Street NW and is legally known as Lot 1 of Busch Addition, a tract of land lying and situated within Section 16, T. 11 N., R. 3 E., N.M.P.M., Village of Los Ranchos de Albuquerque, Bernalillo County, New Mexico, filed in the Office of the County Clerk of Bernalillo County on August 1, 1972. The property contains 0.500 acres more or less.

**PROJECT:**

The applicant desires to develop an addition to the existing building with additional parking on the west side of the lot. The existing building is the location of the business "TW Wellness" and the addition is for this business.

With recommendation by the Planning and Zoning Commission, the Final Site Development Plan would be put before the Board of Trustees.

A Sketch Plat review is not necessary for this property as it is an existing commercial development with no alterations to the property boundaries.

**SURROUNDING AREA:**

North – C-1

East – C-1

South – SU-1 for Auto Sales and Repair

West – A-1 on the other side of the Chamisal Lateral

The Village C-1 zone allows for no side setback when the lot does not abut a residentially zoned property. The west side of the property abuts a residential property and is setback from that property 80.3 feet, beyond the minimum requirement for a 15 feet setback. The SU-1 Zoned property to the south is a commercial use.

**RELEVANT CODE LANGUAGE**

**§9.2.12 C-1 RETAIL COMMERCIAL ZONE**

**(B) USES.**

Office	<b>P</b>
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**Retail****P****(D) AREA REGULATIONS.**

(1) Commercial buildings. All commercial buildings and/or structures with the exception of signs must comply with the following setback requirements.

(a) Except as provided in §9.2.12(E)(2)(b), minimum setbacks when the lot does not abut a residentially zoned property shall be:

<b>Front</b>	five (5) feet minimum
<b>Side</b>	zero (0) feet minimum
<b>Rear</b>	zero (0) feet minimum

(b) Where a C-1 lot abuts a residentially zoned lot, the minimum setback, on the side abutting the residentially zoned property, shall be;

<b>Front</b>	five (5) feet minimum
<b>Side</b>	ten (10) feet minimum
<b>Rear</b>	fifteen (15) feet minimum

**(E) HEIGHT LIMITATIONS.**

(1) Height of commercial buildings shall be limited to thirty-nine (39) feet from the predevelopment grade to the top of the pitch, top of the parapet or top of the mansard roof line.

**(5) Other Structures.**

(a) Chimneys must not exceed forty-two (42) feet in height.

**(I) OFF STREET PARKING REGULATIONS.**

(2) The minimum requirements for off-street parking spaces for property shall be as follows:

<b>Use</b>	<b>Required off street parking spaces</b>
Retail, office	Two (2) spaces per one thousand (1,000) square feet of gross floor area

**§9.2.25 APPLICATION AND APPROVAL PROCESS****(4) Site Development Plan****(b) Applications.**

- (1) The application for Site Development Plan shall include a document package with the following:
- The application form as designed by the Planning and Zoning Department, which includes but is not limited to a Zone Classification and Permissive Uses, Character Area and proposed land use.
  - Grant/Warranty Deed or Letter of Agent. Verification of proof of ownership – Legal description.
  - Current property tax record from Bernalillo County Assessor.
  - Required Site Development elements of §9.2.25(E)(3) below.

**(f) Site Development Plans shall include the following: (data sheets may be combined)**

**1. Existing Conditions Plan requirements**

- Address of Property (Los Ranchos de Albuquerque);
- Site Map;
- Existing buildings and disposition;
- Existing contour elevations and spot elevations at access points;
- Existing trees, landscaping, outcroppings, etc.;
- Existing utilities, power poles, transformers, right-of-ways and easements;
- Adjacent street names;

- h. Other appurtenances that exist which impact the development (wells, walls, ditches etc.); and
- i. Archeological or historical data and clearance if required from State Historic Preservation Office;

## **2. Site Plan**

- a. Vicinity map with north arrow;
- b. Lot dimensions, setbacks, and easements;
- c. Data for total site area, disturbed area, and total impervious area;
- d. Ingress/egress to the property and access to proposed structures thereon, with particular reference to automobile and pedestrian safety;
- e. Pedestrian walkways.

## **3. Sign Requirements**

- a. Placement of all signs.
- b. Size and type of signs (must be permitted separately and follow §9.2.22 for Signs)

## **4. Exterior lighting locations, type of lighting**

## **5. Mailbox locations;**

## **6. Bike rack locations;**

## **7. Building plans/elevations;**

- a. Total proposed square footage for all structures;
  - i. Individual square footage per structure marked on plans. (Heated and unheated, covered patios and walkways).
- b. Proposed use of space;
  - i. Restaurants must meet State Environmental Health requirements.
- c. Four direction exterior elevation plans;
- d. Height from final grade – marked on plans;
- e. Exterior materials and colors; and
- f. Exterior equipment (including roof mounted).

## **(g) Grading and Drainage Plan – NPDES Stormwater Management Plan**

1. Vicinity map and north arrow;
2. FEMA Floodplain data, benchmark data and legend;
3. A complete Grading and Drainage Plan (EPA NPDES Stormwater Management Plan) which will be forwarded to the building permitting process as follows:
  - a. A topographic survey and grading plan with final elevation contours to be achieved by grading.
    - i. All grade and spot elevations at access points.
  - b. Stormwater management measures;
    - i. Selected to best accommodate the specific geologic, hydrologic, and topographic features of the land to be developed.
  - c. Stormwater runoff peak flow rate;
    - i. Determined by the one hundred (100) year, six (6) hour storm event.
    - ii. Calculation of the runoff peak flow rate may approximate the event from available data.
  - d. On-site control measures;
    - i. These may include, but are not limited to, the use of detention or retention basins and active and passive water harvesting techniques including swales, berms,

- cisterns, check dams, vegetative ground cover, and other techniques appropriate for retaining and infiltrating water on-site.
- e. All water containment in structures that have water open to the air;
    - i. Shall empty within twenty four (24) hours through approved outlet structures designed to ensure a controlled release of water that will not cause flooding or erosion or shall empty within ninety-six (96) hours through percolation or natural infiltration.
    - ii. Percolation tests or other means of demonstrating that containment structures will empty within ninety-six (96) hours may be required.
  - f. Infiltration, detention, and retention basins;
    - i. Shall provide a means of controlling and removing sediment.
    - ii. Methods may include sedimentation settling ponds, sediment traps, filters on drop inlets, or other methods.
    - iii. All basins shall be designed to empty within no more than 24 hours with approved outlet, or within 96 hours as per §9.2.25(E)(3)(g)(3)(e)(1). Vector control for mosquitoes, other insects and rodents shall be maintained.
  - g. Wherever possible, retention water shall be used for the irrigation of vegetation for landscaping;
  - h. No stormwater runoff shall be routed into public irrigation ditches, canals, acequias or private ditches;
    - i. No stormwater runoff shall be permitted to enter streets, public or private or public or private adjacent property.
  - i. A roof run-off drainage plan;
  - j. In-flow of runoff from adjacent properties; and
  - k. A post construction maintenance plan.

#### **(h) Roadway Standards**

1. Traffic control mechanisms;
  - a. Traffic Impact Study may be required.
2. The Village retains the right to limit access to major arterials from private drive ways and proposed developments when:
  - a. The house does not front on a major arterial (Rio Grande Blvd., Fourth Street, Montano, Osuna, Guadalupe Trail, etc.) as designated by the Village.
  - b. The house is part of a subdivision with internal streets used for ingress and egress by the subdivision.
  - c. Right of way can be obtained via a subsidiary street.
  - d. Granting right-of-way constitutes a safety hazard, would contribute to congestion and is contrary to the public welfare.
3. **Roadway Specifications**
  - a. Standard curbs and gutters are not allowed, in order to maintain the rural, agricultural nature of the Village, except when:
    - i. The Grading and Drainage Stormwater Management plan requires curb and gutter as a necessary part of the plan; or
    - ii. The streets are part of a state, federal or local infrastructure improvement.
  - b. Public roadways shall meet Urban Residential Street specifications per Attachment §9.2.25(E)(4)(h)(3)(b).
  - c. Private paved roadways shall meet Paved Private Way specifications per Attachment §9.2.25(E)(4)(h)(3)(b); or approved alternative.
  - d. Private graveled roadways shall meet Graveled Private Way specification per Attachment §9.2.25(E)(4)(h)(3)(d).
  - e. Rolled curb and gutter may be approved on a case by case basis.

**(i) Parking Requirements and parking lot design**

1. Required number of parking spaces and dimensions;
2. Required number of handicapped parking spaces and dimensions;

**(j) Loading and docking areas;**

**(k) Paved parking lots meeting the Paved Private Way specifications of Attachment 1; and**

**(l) Unpaved parking lots meeting the Graveled Private Way specification of Attachment 2.**

**(m) Trash receptacles**

1. Dumpsters must be placed on a concrete pad and be enclosed and gated, away from abutting neighborhoods or special considerations for the neighborhood, such as screening, must be employed.

**(n) Landscaping Plan**

1. Must meet Section 19 Landscaping.

**(o) Utilities Plan.**

1. Sewer and water availability statement from ABCWUA; and
2. Location of existing and proposed fire hydrants approved by the Fire Department.

**(p) Lighting Plan**

1. Must meet current provisions in Section 20 for Dark Skies.

**(q) Signage Plan (separate permit required)**

1. Must meet current provisions in Section 22 for Signs.

**(r) Site Development Plan must meet all Fire Department requirements.**

**(s) Additional Requirements.** Any change in use which would require additional parking and/or any alteration or addition to the site of any structure upon the site, shall require the re-submittal of an application and approval as required by this Section.

1. The Planning Director/Commission/Board may require additional information on the economic, noise, glare or odor effects of the proposed use on adjoining properties and the overall health and safety of the community.

**ANALYSIS:**

The property has the required 10 parking spaces and 1 is ADA accessible.

Grading and drainage is addressed and does not interfere with the parking.

The proposed uses in the site development plan are compliant with the C-1 Zone permissive uses as retail and office are permissive uses.

The height of the building and chimney are within §9.2.12(E) Height Limitations as the building is one-story, about 17 feet high.

The design of the proposed addition matches the existing building, appearing to be Northern New Mexico style, compliant with §9.2.21 Design Regulations.

**§9.2.25(4)(b)(1) Site Development Plan Application**

- a. Attached.

- b. Grant/Warranty Deed
- c. Attached.
- d. See below.

#### **§9.2.25(4)(f) Site Development Plan**

- (1) The existing conditions of the site are shown on the Site Plan. Requirement i is not necessary.
- (2) The requirements for the site plan are included.
- (3) Existing signage is noted. No additional signage is proposed. Any future signage will be required to comply with the Sign Ordinance §9.2.22 and will require separate permits.
- (4) All outdoor lighting will have to comply with the Dark Skies Ordinance §9.2.20.
- (5) Mailbox locations are not shown but will be required to be accessible to USPS.
- (6) There do not appear to be any proposed bike racks.
- (7) The building plans show the necessary requirements except for the east elevation as that is the part attached to the existing building.

#### **§9.2.25(4)(g) NPDES Grading and Drainage Plan**

The site plan shows a detention pond on the west side of the property behind the parking spaces. The existing pond will be filled in. The Grading and Drainage Plan was done by a Licensed Professional Engineer. The Village Designated Engineer will need to approve the Grading and Drainage Plan for the final site development plan.

#### **§9.2.25(4)(h) Roadway Standards**

There are no proposed roads through the site.

#### **§9.2.25(4)(i) Parking Requirements and Parking Lot Design**

Per C-1 Zone requirements in §9.2.12(1)(2), the parking requirements for this site are as follows:

Retail, Office: 2 spaces per 1,000 square feet of gross floor area  
4,993.86 square feet → 10 parking spaces required

Site plan shows 10 parking spaces with required dimensions. One parking space is ADA accessible, in compliance with §9.2.18(G) Parking for Physically Challenged Motorists:

2% of non-residential parking spaces but not less than one (1) space shall be set aside for the physically challenged.

The length and width requirements for the ADA spaces are met.

**§9.2.25(4)(j)** Loading and docking areas are not specified but appear to be available on site if necessary at the storage area.

**§9.2.25(4)(k)** is not applicable and **§9.2.25(4)(l)** is met in the NPDES Grading and Drainage Plan and elevation of the site.

#### **§9.2.25(4)(m) Trash Receptacles**

Trash receptacles will be required to be accessible by Waste Management and must be shown in the final site development plan.

#### **§9.2.25(4)(n) Landscape Plan**

The site plan does not show landscaping on the property. A landscaping plan that meets §9.2.19 Landscaping will be required for approval of the final site development plan.

#### **§9.2.25(4)(o) Utilities Plan**

The property currently has access to water and sewer. Any proposed fire hydrant locations in the final site development plan must be approved by the Bernalillo County Fire Department.

#### **§9.2.25(4)(p) Lighting Plan**

All exterior lighting for the site must be compliant with the Dark Skies Ordinance §9.2.20.

#### **§9.2.25(4)(q) Signage Plan**

No additional signage is proposed. All future signs on the site must be compliant with the Sign Ordinance §9.2.22 and will require separate permits.

**§9.2.25(4)(r)** The applicant must meet Bernalillo County Fire Department requirements.

**§9.2.25(4)(s)** For future changes in use that require additional parking, alter or add to the structures on the site will require resubmittal of an application and approval.

#### **Action Required**

For the Site Development Plan Review, the Commission members shall recommend that the Board of Trustees approve or deny the application.

#### **DEPARTMENT RECOMMENDATION AND FINDINGS:**

The Planning and Zoning Department recommends the Commission forward to the Board of Trustees a recommendation **to approve** the Site Development Plan with the following conditions:

1. The NPDES Grading and Drainage Plan must be approved by the Village Designated Engineer for approval of the final site development plan.
2. A complete landscape plan meeting §9.2.19 Landscaping is required for approval of the final site development plan.
3. Any future signage must comply with the Sign Ordinance and sign permits must be obtained.
4. Exterior lighting must comply with the Dark Skies Ordinance §9.2.20.
5. The final site development plan must show mailboxes and placement of trash receptacles.
6. The final site development plan must meet Bernalillo County Fire Department requirements, including location of fire hydrants.
7. The addition must meet §9.2.21 Design Regulations.
8. Construction shall meet all current Village, County, and State Codes.
9. The final site development plan must be executed by the applicant.

#### **Findings:**

##### **2020 Master Plan**

##### **1.2 Overall Village Goals**

**1.2.1** The goal is to reflect a village character through:

- Density and intensity of village scale; commercial development appropriate to village needs and primarily focused on Fourth Street, the Village Center and Transit District

##### **2.1 Village Form Goals**

##### **2.1.1 Objectives**

##### **Roadways and Corridors:**

- Enhance and unify the commercial aspects of Fourth Street, the Village Center and the proposed Transit District

##### **8.2 Commerce Goal**

The goal is to vitalize Fourth Street, the Village Center and the Transit District as the Village's major commercial and mixed use centers through both public and private efforts.

**8.2.1 Objectives**

- Encourage stores of a unique character that harmonize with the scale and nature of the Village, whether local businesses, national businesses or new, compatible commercial activities.
- Encourage parking in rear or side of businesses

The proposed development meets the requirements of §9.2.12 C-1 Retail Commercial Zone.

Public notice requirements have been met by publication in the Albuquerque Journal on October 23, 2019. The Public Notice was sent by mail to all neighbors within 300 feet of the property on October 22, 2019.

  
\_\_\_\_\_  
Tim McDonough  
Director, Planning and Zoning Department

Date: 10/24/2019

Attachments:

- Application
- Ortho
- Zone Map
- Plans
- Tax Record (BC Assessor)



# 8225 Fourth Street



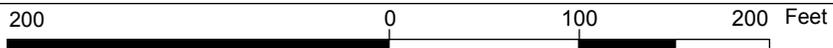
- Bernalillo County Parcels
- Municipal Limits**
- Corrales
- Edgewood
- Los Ranchos
- Rio Rancho
- Tijeras
- UNINCORPORATED

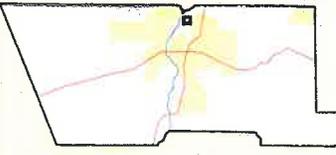


LOS RANCHOS

UNINCORPORATED AREAS

Notes



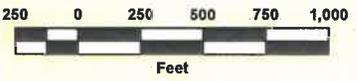


**LEGAL DESCRIPTION**

T11N  
R3E  
SEC 16

**UNIFORM PROPERTY CODE**

1-015-064



Map amended through July 2014



PUBLIC WORKS DIVISION  
GIS PROGRAM

This information is for reference only. Bernalillo County assumes no liability for errors associated with the use of these data. Users are solely responsible for confirming data accuracy when necessary. Source data are from Bernalillo County and the City of Albuquerque. For current information visit [www.bernmco.gov/gis-program](http://www.bernmco.gov/gis-program).

**C-15-Z**

Village of Los Ranchos de Albuquerque  
6718 Rio Grande Boulevard NW  
Los Ranchos de Albuquerque, NM 87107  
Phone: (505) 344-6582 Fax: (505) 344-8978

Zone C1 SDP # 19-03  
Special Conditions

receipt 607201, 10/2/19

**APPLICATION FOR SITE DEVELOPMENT PLAN – PRELIMINARY  
(Heard by the Planning and Zoning Commission)**

All fees generated by this application are the responsibility of the applicant and are due and payable upon application submittal.  
The Village of Los Ranchos de Albuquerque does not take responsibility for information on or enforcement of, restrictive covenants on said property.

SDP- 19-03

Address of Property 8225 4th Street, Albuquerque, NM, 87114

Closest Cross Streets 4th + El Pueblo

Subdivision 6001 BUSCH ADDN TRS Block \_\_\_\_\_ Lot No. \_\_\_\_\_

Tract No. \_\_\_\_\_ MRGCD Map No. \_\_\_\_\_ Acreage \_\_\_\_\_

**REQUIREMENTS:**

Completed packet from sketch plat review with any errors corrected.  
Appointment for application submittal.

Property Owner TOM WHITE TW WELLNESS  
Print Name

Address: 8225 4th Street Los Ranchos NM 87114  
City State Zip

Phone: (505) 710-8333 Cell ( ) \_\_\_\_\_

Email address: Tom white @ TW wellness.com

SIGNATURE PROPERTY OWNER Tam White

Contractor/Agent Renaissance Man Construction / Richard Burd  
Print Name

Firm: Renaissance Man Construction Inc

Mailing Address: P.O. Box 90118 Alb NM 87199

Phone: (505) 235-5986 Cell ( ) \_\_\_\_\_

Email address: rmc inc nm @ gmail.com

SIGNATURE AGENT [Signature]

Doc #2015045225 eRecorded 05/29/2015 09:36:00 AM Page 1 of 2  
WD Rec Fee: \$25.00 M. Toulouse Oliver, Bernalillo County

Old Republic National Title Insurance Company  
Order Number: 1503018 LO

**WARRANTY DEED**

P.J.S. Properties, LLC, a New Mexico limited liability Company, for consideration paid, grants to Christine Thomas LLC, a New Mexico limited liability company, whose address is: 610 Paeso Del Bosque NW, Albuquerque, NM 87114, the following described real estate in Bernalillo County, New Mexico,

Lot numbered One (1), Plat of **BUSCH ADDITION**, Bernalillo County, New Mexico, as the same is shown and designated on the plat of said Subdivision, filed in the office of the County Clerk of Bernalillo County, New Mexico, on August 1, 1972, in Plat Book B7, folio 4.

INCLUDING ANY AND ALL WATER RIGHTS APPURTENANT TO THE SUBJECT PROPERTY THAT WHICH SELLER MAY OWN.

SUBJECT TO all matters shown on Exhibit B attached hereto;

with warranty covenants.

Dated: May 26, 2015

P.J.S. Properties, LLC, a New Mexico limited liability company

*Patricia J. Schenck*  
By: Patricia J. Schenck, Managing Member

**ACKNOWLEDGMENT**

STATE OF New Mexico

COUNTY OF Bernalillo

This instrument was acknowledged before me on May 26, 2015 by Patricia J. Schenck, as Managing Member of P.J.S. Properties, LLC, a New Mexico limited liability company.

*Lisa Ortega*  
Notary Public  
My Commission expires: 7/12/2017



File No. 1503018

**EXHIBIT "B"**

- Reservations contained in Patent from United States of America, recorded in Book 80, Page 353, records of Bernalillo County, New Mexico.
- Easements and notes as shown on the plat recorded August 1, 1972, in Plat Book B7, folio 4, records of Bernalillo County, New Mexico.
- Any and all rights, claims, liens, easements or equities in favor of the Middle Rio Grande Conservancy District which may affect the insured premises.

PROPERTY ADDRESS AND DESCRIPTION PARCEL  
 8225 4TH ST NW  
 \*0001 BUSCH ADDN COMPRISING TRS 160 & 161  
 MRGCD MAP 24 CONT  
 0.50 AC

PARCEL NUMBER: 101506419801930202



TREASURER BERNALILLO  
 COUNTY  
 PO BOX 627  
 ALBUQUERQUE, N.M. 87103-0627  
 (505) 468-7031  
 TREASURERS OFFICE  
 E-MAIL: TREAS@BERNCO.GOV

**2018 TAX BILL**

AFC MRGB

1 015 064 198 019 30202  
 CHRISTINE THOMAS LLC  
 610 PASEO DEL BOSQUE NW  
 ALBUQUERQUE NM 87114 2277

THIS TAX BILL IS THE  
ONLY NOTICE YOU WILL  
 RECEIVE FOR PAYMENT  
 OF BOTH INSTALLMENTS  
 OF YEAR 2018  
 PROPERTY TAX

LIAM TAX DISTRICT

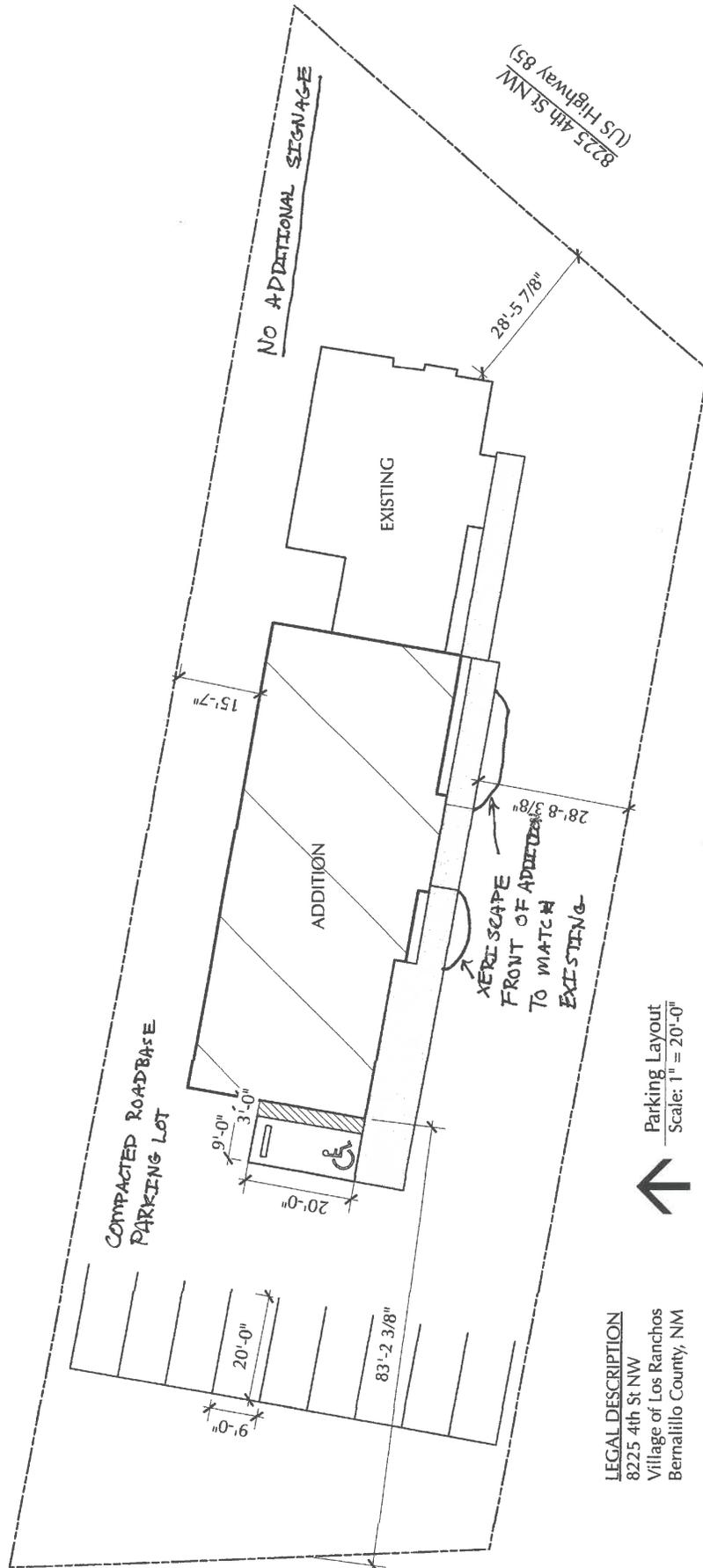
PROPERTY	CODE	VALUE	AGENCIES	TAX RATE	NET TAXABLE VALUE	AMOUNT DUE
ASSESSED VALUE LAND		81,700	STATE	1.360	44,696	60.79
ASSESSED VALUE IMPROVEMENTS		52,400	COUNTY	12.224	44,696	546.36
ASSESSED VALUE PERS PROP		0	LOS RANCHO	1.000	44,696	44.70
TAXABLE VALUE LAND		27,231	SCHOOL APS	11.329	44,696	506.36
TAXABLE VALUE IMPROVEMENTS		17,465	CNM	4.000	44,696	178.78
TAXABLE VALUE PERS PROP		0	UNMH	6.400	44,696	286.05
TOTAL VALUATION		44,696	AMAFCA	1.152	44,696	51.49
STATUTORY EXEMPTION		0	MRGCD	6.334	44,696	283.11
VETERAN EXEMPTION		0				
			<b>TOTAL RATE</b>	<b>43.799</b>	<b>2018 TAX &gt;&gt;</b>	<b>1,957.64</b>
<b>NET TAXABLE VALUE</b>		44,696				

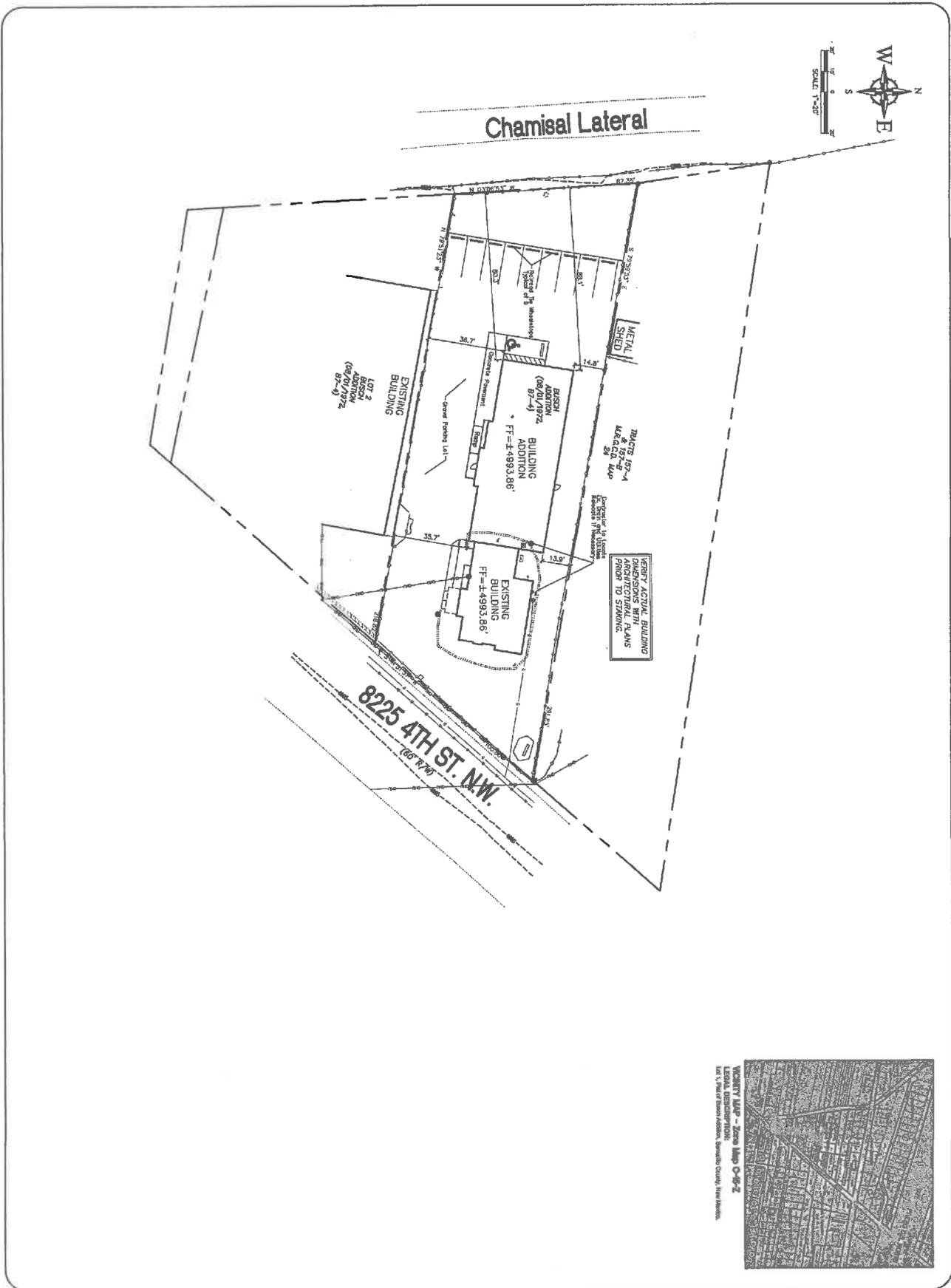
1st half payment becomes delinquent after Dec 10, 2018  
 2nd half payment becomes delinquent after May 10, 2019  
 Postmark by these dates for each half is on time...

[CLICK HERE TO SEE TAX & PAYMENT HISTORY](#)

OTHER TAX DUE:

YEAR	TAX	INTEREST	PENALTY	FEES	AMOUNT DUE
------	-----	----------	---------	------	------------





C-101

TW Wellness Addition  
8225 4th St NW  
Los Ranchos De Albuquerque, NM 87114  
  
Site Plan

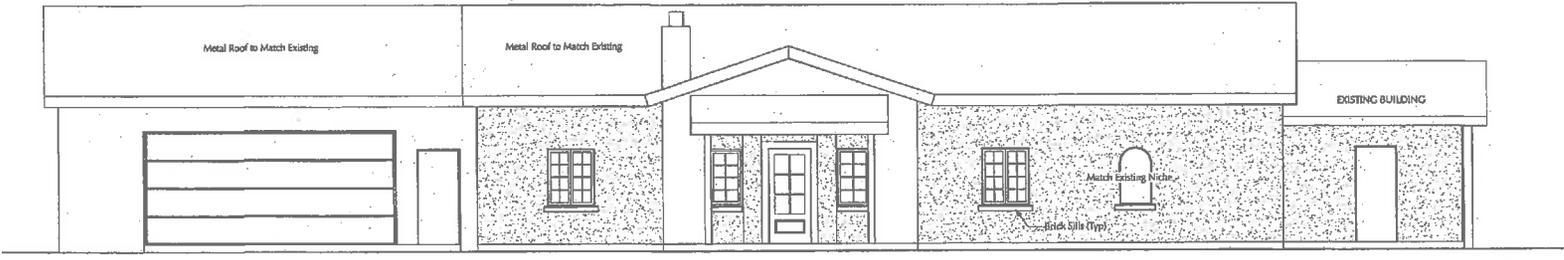
**W E**  
Wooten Engineering  
1005 21st St SE, Suite 13  
Rio Rancho, N.M. 87124  
Phone: (505) 990-3560



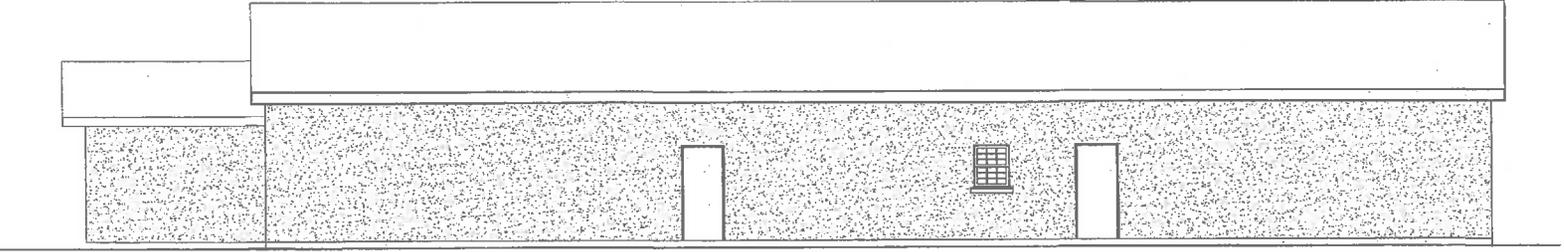
NO.	DATE	REMARKS	BY
		DESIGN	
		REVISIONS	
		DESIGNED BY: JW	DATE:
		DRAWN BY: RG	DATE:
		CHECKED BY: JW	DATE:
			JOB NO.: 2018048
			DATE:



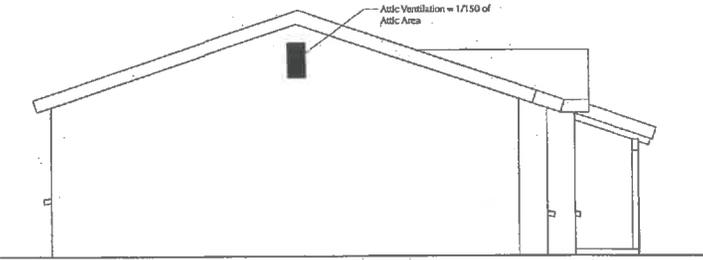




**SOUTH ELEVATION**  
Scale: 1/4" = 1'-0"



**NORTH ELEVATION**  
Scale: 1/4" = 1'-0"



**WEST ELEVATION**  
Scale: 1/4" = 1'-0"

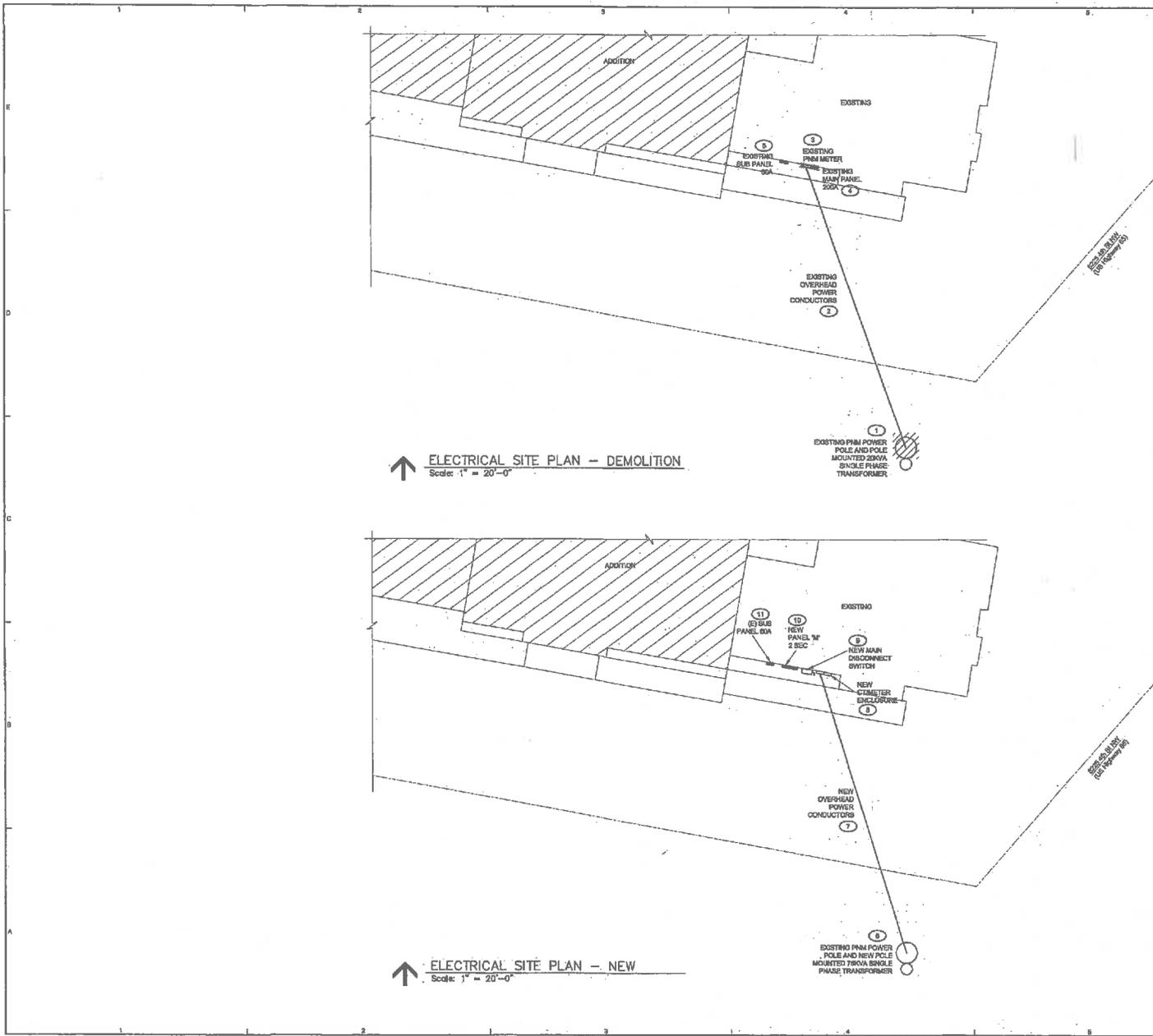
**Bernillo County**  
**REVISED**

**APPROVED**  
VILLAGE OF LOS RANCHOS  
PLANNING & ZONING DEPARTMENT  
6716 RM C, Santa Fe Blvd., NW  
Lawrenceville, GA 30046, NM 87107



**Bernillo County**  
**APPROVED**

Project No.		Date	
Project Manager	Author	Checker	Designer
Bill Burk	Wing Langston		
Quantity	Drawn By	Checked By	Scale
6/1/11	CHS/B.K.		
Project Name	Project No.	Sheet No.	Total Sheets
ADDITION TO TW WELLNESS Compounding Pharmacy 8325 4th St NW, ABQ NM	11024	11024	11024
Contractor's to Verify Dimensions & Existing Conditions • Call 811 Before You Dig			
Architect: <b>BILL BURK, THIRD, ARCHITECT</b> 8677 La Playa NE, ABQ NM 87111 505-397-4566 • Fax: 505-254-7713 billburk@wellnesscompounding.com • NMI #404			
Title: <b>ADDITION TO TW WELLNESS Compounding Pharmacy 8325 4th St NW, ABQ NM</b>		Exterior Elevations	
Approved By: <b>As Shown</b>			
Project No.: <b>ARCH1002</b>			
Sheet No.: <b>4</b>			



**GENERAL NOTES**

- A REFER TO SHEET E-001 FOR ADDITIONAL NOTING.
- B REFER TO SHEET E-001 FOR ELECTRICAL RISER AND PANEL SCHEDULES.

**KEYED NOTES**

- 1 REMOVE EXISTING POLE MOUNTED TRANSFORMER. CONTRACTOR TO COORDINATE ALL WORK WITH PMA. CONTRACTOR TO VERIFY REQUIREMENTS AND RESPONSIBILITIES WITH PMA.
- 2 EXISTING OVERHEAD FEEDERS. CONTRACTOR TO COORDINATE WITH PMA.
- 3 REMOVE EXISTING METER.
- 4 REMOVE MAIN PANEL. SECURE AND IDENTIFY ALL CONDUCTORS FOR RECONNECTING TO NEW PANEL.
- 5 EXISTING PANEL TO REMAIN.
- 6 NEW POLE MOUNTED TRANSFORMER, SIZE PER PMA.
- 7 NEW OVERHEAD FEEDERS TO CT METER ENCLOSURE.
- 8 NEW CT METER ENCLOSURE.
- 9 NEW MAIN DISCONNECT SWITCH.
- 10 NEW MAIN PANEL. REFER TO RISER AND PANEL SCHEDULE ON SHEET E-001.
- 11 EXISTING SUB-PANEL.

↑ ELECTRICAL SITE PLAN -- DEMOLITION  
Scale: 1" = 20'-0"

↑ ELECTRICAL SITE PLAN -- NEW  
Scale: 1" = 20'-0"

Bernillo County  
**APPROVED**

5/10/19  
Bernillo County  
**REVISED**

**APPROVED**  
VILLAGE OF LOS RANCHOS  
PLANNING & ZONING DEPARTMENT  
8718 Rio Grande Blvd., NW  
Los Ranchos de Albuquerque, NM 87107

**TESTUDO ENGINEERING**  
ALBUQUERQUE, NM 87107  
WWW.TESTUDOENGINEERING.COM  
P.O. BOX 303 - 894 - 1324

DATE: 5/10/19  
DRAWN BY: D. FRYGAK  
CHECKED BY: D. FARRIS  
SHEET TITLE: ELECTRICAL SITE PLANS

PROJECT: ADDITION TO TW WELLNESS COMPOUNDING PHARMACY  
8225 4TH ST NW  
ALBUQUERQUE, NEW MEXICO

NO. DATE REVISION

DWG FILE: 2019\_0518  
DATE: 05/16/19  
DRAWN BY: D. FRYGAK  
CHECKED BY: D. FARRIS  
SHEET TITLE: ELECTRICAL SITE PLANS

ES-101

SHEET 01 OF 01



#### 4. PUBLIC HEARING

**B. SDP 19-04** A request by Amanda Thais for a preliminary review and recommendation to the Board of Trustees of a Commercial Site Development Plan for a development in the Fourth Street Corridor and Character Area. The property is located at 8830 Fourth Street NW and is legally known as a certain tract of land designated as Tract 102A-1, Middle Rio Grande Conservancy District Map No. 24 situated in Projected Section 16, Township 11 North, Range 3 East, N.M.P.M., as projected into the Alameda Grant, Bernalillo County, New Mexico. The property contains 0.5356 acres more or less.

PLANNING AND ZONING COMMISSION  
**PLANNING REPORT**

Village of Los Ranchos • 6718 Rio Grande Blvd. NW • (505) 344-6582 Fax 344-8978

---

**DATE ISSUED:** October 21, 2019

**REPORT NO. PZ-19-33**  
File: SDP-19-04

**ISSUED BY:** Planning and Zoning Department

**SUBJECT:** A request for preliminary review and recommendation to the Board of Trustees of a Commercial Site Development Plan for a development in the Fourth Street Corridor and Character Area.

**APPLICANT:** Amanda Thais

**LOCATION AND LEGAL:**

The property is located at 8830 Fourth Street NW and is legally known as a certain tract of land designated as Tract 102A-1, Middle Rio Grande Conservancy District Map No. 24 situated in Projected Section 16, Township 11 North, Range 3 East, N.M.P.M., as projected into the Alameda Grant, Bernalillo County, New Mexico. The property contains 0.5356 acres more or less.

**PROJECT:**

The applicant is in the process of platting this lot as a lot of record through the subdivision process, as is required by §9.4.3 regarding Middle Rio Grande Conservancy District tracts. Signatures for the final plat are being obtained and the plat will be recorded in the Bernalillo County Clerk's office. Upon filing the replat, the legal description of the property will be updated to Lot A, The Magical Tea Land. The boundaries and acreage of the property will be the same.

The applicant desires to develop a commercial site on a currently undeveloped lot. The applicant plans to build a two-story restaurant building on the corner abutting Fourth Street and Ortega Road with an outdoor courtyard to the south. Each floor of the building will be about 10 feet high and including pitched roofing, will be approximately 33-36 feet high total. Parking will be behind the building and courtyard to the east and will be gravel. No fences or walls outside of the courtyard area is proposed for the property. The applicant intends to line the property with Evergreens instead.

The conceptual floor plan is attached. Each seating area seats between 2-6 people. Up to 80 people could fit inside the building, including staff, but the applicant has stated that only 20-40 people would be inside the building at a time based on scheduling (each group is seated every half hour) and minimal staff available to serve.

With recommendation by the Planning and Zoning Commission, the Final Site Development Plan would be put before the Board of Trustees.

The Sketch Plat review was conducted administratively as part of the Subdivision process for this property (S 19-07). There are no alterations to the property boundaries or acreage of the lot.

**SURROUNDING AREA:**

North – C-1

East – C-1 Bernalillo County Neighborhood Commercial Zone

10/19/2019

8830 Fourth Street NW  
SDP-19-04

Page 1 of 9

South – C-1  
West – C-1

The Village C-1 zone allows for no side setback when the lot does not abut a residentially zoned property.

The property to the east zoned C-1 Neighborhood Commercial in Bernalillo County allows for no side setback and a rear setback of 15 feet. The east side of the proposed site development plan would not conflict with this zoning.

**RELEVANT CODE LANGUAGE**

**§9.2.12 C-1 RETAIL COMMERCIAL ZONE  
(B) USES.**

<b>Food and alcohol service (as qualified below)</b>	<b>P</b>
--	----------

**(D) AREA REGULATIONS.**

(1) Commercial buildings. All commercial buildings and/or structures with the exception of signs must comply with the following setback requirements.

(a) Except as provided in §9.2.12(E)(2)(b), minimum setbacks when the lot does not abut a residentially zoned property shall be:

<b>Front</b>	five (5) feet minimum
<b>Side</b>	zero (0) feet minimum
<b>Rear</b>	Zero (0) feet minimum

**(E) HEIGHT LIMITATIONS.**

(1) Height of commercial buildings shall be limited to thirty-nine (39) feet from the pre-development grade to the top of the pitch, top of the parapet or top of the mansard roof line.

**(I) OFF STREET PARKING REGULATIONS.**

(1) Parking is permitted at the side and rear of a building. Parking cannot be located between the front of the building and the public sidewalk.

(2) The minimum requirements for off-street parking spaces for property shall be as follows:

Use	Required off street parking spaces
Dining, bar, nightclub	Five (5) spaces per one thousand (1,000) square feet of gross floor area

**§9.2.25 APPLICATION AND APPROVAL PROCESS**

**(4) Site Development Plan**

**(b) Applications.**

- (1) The application for Site Development Plan shall include a document package with the following:
- a. The application form as designed by the Planning and Zoning Department, which includes but is not limited to a Zone Classification and Permissive Uses, Character Area and proposed land use.
  - b. Grant/Warranty Deed or Letter of Agent. Verification of proof of ownership – Legal description.
  - c. Current property tax record from Bernalillo County Assessor.
  - d. Required Site Development elements of §9.2.25(E)(3) below.

**(f) Site Development Plans shall include the following: (data sheets may be combined)**

**1. Existing Conditions Plan requirements**

- a. Address of Property (Los Ranchos de Albuquerque);
- b. Site Map;
- c. Existing buildings and disposition;
- d. Existing contour elevations and spot elevations at access points;
- e. Existing trees, landscaping, outcroppings, etc.;
- f. Existing utilities, power poles, transformers, right-of-ways and easements;
- g. Adjacent street names;
- h. Other appurtenances that exist which impact the development (wells, walls, ditches etc.); and
- i. Archeological or historical data and clearance if required from State Historic Preservation Office;

**2. Site Plan**

- a. Vicinity map with north arrow;
- b. Lot dimensions, setbacks, and easements;
- c. Data for total site area, disturbed area, and total impervious area;
- d. Ingress/egress to the property and access to proposed structures thereon, with particular reference to automobile and pedestrian safety;
- e. Pedestrian walkways.

**3. Sign Requirements**

- a. Placement of all signs.
- b. Size and type of signs (must be permitted separately and follow §9.2.22 for Signs)

**4. Exterior lighting locations, type of lighting****5. Mailbox locations;****6. Bike rack locations;****7. Building plans/elevations;**

- a. Total proposed square footage for all structures;
  - i. Individual square footage per structure marked on plans. (Heated and unheated, covered patios and walkways).
- b. Proposed use of space;
  - i. Restaurants must meet State Environmental Health requirements.
- c. Four direction exterior elevation plans;
- d. Height from final grade – marked on plans;
- e. Exterior materials and colors; and
- f. Exterior equipment (including roof mounted).

**(g) Grading and Drainage Plan – NPDES Stormwater Management Plan**

- 1. Vicinity map and north arrow;
- 2. FEMA Floodplain data, benchmark data and legend;
- 3. A complete Grading and Drainage Plan (EPA NPDES Stormwater Management Plan) which will be forwarded to the building permitting process as follows:
  - a. A topographic survey and grading plan with final elevation contours to be achieved by grading.
    - i. All grade and spot elevations at access points.
  - b. Stormwater management measures;
    - i. Selected to best accommodate the specific geologic, hydrologic, and topographic features of the land to be developed.

- c. Stormwater runoff peak flow rate;
  - i. Determined by the one hundred (100) year, six (6) hour storm event.
  - ii. Calculation of the runoff peak flow rate may approximate the event from available data.
- d. On-site control measures;
  - i. These may include, but are not limited to, the use of detention or retention basins and active and passive water harvesting techniques including swales, berms, cisterns, check dams, vegetative ground cover, and other techniques appropriate for retaining and infiltrating water on-site.
- e. All water containment in structures that have water open to the air;
  - i. Shall empty within twenty four (24) hours through approved outlet structures designed to ensure a controlled release of water that will not cause flooding or erosion or shall empty within ninety-six (96) hours through percolation or natural infiltration.
  - ii. Percolation tests or other means of demonstrating that containment structures will empty within ninety-six (96) hours may be required.
- f. Infiltration, detention, and retention basins;
  - i. Shall provide a means of controlling and removing sediment.
  - ii. Methods may include sedimentation settling ponds, sediment traps, filters on drop inlets, or other methods.
  - iii. All basins shall be designed to empty within no more than 24 hours with approved outlet, or within 96 hours as per §9.2.25(E)(3)(g)(3)(e)(1). Vector control for mosquitoes, other insects and rodents shall be maintained.
- g. Wherever possible, retention water shall be used for the irrigation of vegetation for landscaping;
- h. No stormwater runoff shall be routed into public irrigation ditches, canals, acequias or private ditches;
  - i. No stormwater runoff shall be permitted to enter streets, public or private or public or private adjacent property.
- i. A roof run-off drainage plan;
- j. In-flow of runoff from adjacent properties; and
- k. A post construction maintenance plan.

#### **(h) Roadway Standards**

1. Traffic control mechanisms;
  - a. Traffic Impact Study may be required.
2. The Village retains the right to limit access to major arterials from private drive ways and proposed developments when:
  - a. The house does not front on a major arterial (Rio Grande Blvd., Fourth Street, Montano, Osuna, Guadalupe Trail, etc.) as designated by the Village.
  - b. The house is part of a subdivision with internal streets used for ingress and egress by the subdivision.
  - c. Right of way can be obtained via a subsidiary street.
  - d. Granting right-of-way constitutes a safety hazard, would contribute to congestion and is contrary to the public welfare.
3. **Roadway Specifications**
  - a. Standard curbs and gutters are not allowed, in order to maintain the rural, agricultural nature of the Village, except when:
    - i. The Grading and Drainage Stormwater Management plan requires curb and gutter as a necessary part of the plan; or
    - ii. The streets are part of a state, federal or local infrastructure improvement.

- b. Public roadways shall meet Urban Residential Street specifications per Attachment §9.2.25(E)(4)(h)(3)(b).
- c. Private paved roadways shall meet Paved Private Way specifications per Attachment §9.2.25(E)(4)(h)(3)(b); or approved alternative.
- d. Private graveled roadways shall meet Graveled Private Way specification per Attachment §9.2.25(E)(4)(h)(3)(d).
- e. Rolled curb and gutter may be approved on a case by case basis.

**(i) Parking Requirements and parking lot design**

- 1. Required number of parking spaces and dimensions;
- 2. Required number of handicapped parking spaces and dimensions;

**(j) Loading and docking areas;**

**(k) Paved parking lots meeting the Paved Private Way specifications of Attachment 1; and**

**(l) Unpaved parking lots meeting the Graveled Private Way specification of Attachment 2.**

**(m) Trash receptacles**

- 1. Dumpsters must be placed on a concrete pad and be enclosed and gated, away from abutting neighborhoods or special considerations for the neighborhood, such as screening, must be employed.

**(n) Landscaping Plan**

- 1. Must meet Section 19 Landscaping.

**(o) Utilities Plan.**

- 1. Sewer and water availability statement from ABCWUA; and
- 2. Location of existing and proposed fire hydrants approved by the Fire Department.

**(p) Lighting Plan**

- 1. Must meet current provisions in Section 20 for Dark Skies.

**(q) Signage Plan (separate permit required)**

- 1. Must meet current provisions in Section 22 for Signs.

**(r) Site Development Plan must meet all Fire Department requirements.**

**(s) Additional Requirements.** Any change in use which would require additional parking and/or any alteration or addition to the site of any structure upon the site, shall require the re-submittal of an application and approval as required by this Section.

- 1. The Planning Director/Commission/Board may require additional information on the economic, noise, glare or odor effects of the proposed use on adjoining properties and the overall health and safety of the community.

**ANALYSIS:**

The proposed use in the site development plan is compliant with the C-1 Zone permissive uses as food service is a permissive use. The proposed site meets setback requirements and will meet height limitations. The site plan does not propose any new fences or walls, and the building will need to meet the design regulations.

**§9.2.25(4)(b)(1) Site Development Plan Application**

- a. Attached.
- b. Attached.
- c. Attached.
- d. See below.

#### **§9.2.25(4)(f) Site Development Plan**

- (1) The existing lot is undeveloped. The existing fence on the south side and existing wall on the east side are noted and were built by the neighboring properties. Existing utility easements are noted. Requirement i is not necessary.
- (2) The requirements for the site plan are included except for impervious area. This must be addressed in the grading and drainage plan.
- (3) No proposed free-standing signs or building-mounted signs are noted on the site plan. All future signs on the site must be compliant with the Sign Ordinance §9.2.22 and will require separate permits.
- (4) All lighting for the site, including the proposed twinkle lights in the outdoor courtyard, must be compliant with the Dark Skies Ordinance §9.2.20. If there will be exterior lighting on the building or in the parking lot, it must be noted in the final site development plan.
- (5) Mailbox locations are not shown but will be required to be accessible to USPS.
- (6) There do not appear to be any proposed bike racks.
- (7) The building plans show the necessary requirements except for elevations and proposed use of space. Elevations of the proposed structures, including height from final grade, will be required in the final site development plan. The proposed use of the space must be noted in the final site development plan. As a restaurant is proposed, it must meet State Environmental Health requirements, which will be done during the business licensing process.

#### **§9.2.25(4)(g) NPDES Grading and Drainage Plan**

The site plan shows two proposed drainage ponds, one on the south side and one on the southwest sides of the property. Both note that they will hold up to 500 cubic feet of water. The proposed parking lot will also be permeable with gravel. The complete Grading and Drainage Plan, stamped by a licensed engineer and approved by the Village Designated Engineer will be required for approval of the final site development plan.

#### **§9.2.25(4)(h) Roadway Standards**

There are no proposed roads through the site.

##### **Traffic**

The site plan shows 24-foot aisle drive areas with parking. A traffic study does not appear to be required for the site.

#### **§9.2.25(4)(i) Parking Requirements and Parking Lot Design**

The proposed parking meets §9.2.12(I)(1), as the parking is to the rear of the building. Per C-1 Zone requirements in §9.2.12(I)(2), the parking requirements for this site are as follows.

Restaurant, kitchen, dining space (entire building): Approximately 4,000 square feet → 20 parking spaces required

The site plan shows 28 parking spaces with required dimensions of 9x20 feet. Two parking spaces are ADA accessible, in compliance with §9.2.18(G) Parking for Physically Challenged Motorists:

2% of non-residential parking spaces but not less than one (1) space shall be set aside for the physically challenged.

The length and width requirements for the ADA spaces are met, the width requirements met with a shared pathway.

**§9.2.25(4)(j)** Loading and docking areas are not specified.

**§9.2.25(4)(k)** is not applicable and **§9.2.25(4)(l)** must be met and shown in the NPDES Grading and Drainage Plan and elevation of the site.

**§9.2.25(4)(m) Trash Receptacles**

Trash receptacles will be required to be accessible by Waste Management, placed on a concrete pad, and gated. Enclosed trash and recycling is noted on the site plan.

**§9.2.25(4)(n) Landscape Plan**

The site plan shows a proposed landscape area to the north of the building and the applicant's letter states their intent to line the property with Evergreen trees. A landscaping plan that meets §9.2.19 Landscaping and includes the NPDES Grading and Drainage Plan will be required for approval of the final site development plan. The landscaping must be a minimum of 20% of the lot and not include landscaping in the public right-of-way.

**§9.2.25(4)(o) Utilities Plan**

There is a 5 foot public utility easement on along the east, west, and north sides of the property. The applicant will need a letter from Albuquerque/Bernalillo County Water Utility Authority (ABCWUA) stating sewer and water availability in the final site development plan. Existing and proposed fire hydrant locations in the final site development plan must be approved by the Bernalillo County Fire Department.

**§9.2.25(4)(p) Lighting Plan**

All lighting for the site, including the proposed twinkle lights in the outdoor courtyard, must be compliant with the Dark Skies Ordinance §9.2.20. If there will be exterior lighting on the building or in the parking lot, it must be noted in the final site development plan.

**§9.2.25(4)(q) Signage Plan**

No proposed free-standing signs or building-mounted signs are noted on the site plan. All future signs on the site must be compliant with the Sign Ordinance §9.2.22 and will require separate permits.

**§9.2.25(4)(r)** The applicant must meet Bernalillo County Fire Department requirements.

**§9.2.25(4)(s)** For future changes in use that require additional parking, alter or add to the structures on the site will require resubmittal of an application and approval.

**Action Required**

For the Site Development Plan Review, the Commission members shall recommend that the Board of Trustees approve or deny the application.

**DEPARTMENT RECOMMENDATION AND FINDINGS:**

The Planning and Zoning Department recommends the Commission forward to the Board of Trustees a recommendation **to approve** the Site Development Plan with the following conditions:

1. The final subdivision plat must be filed in the Bernalillo County Clerk's Office prior to approval of the final Site Development Plan.
2. The NPDES Grading and Drainage Plan must be complete, stamped by a licensed engineer, and approved by the Village Designated Engineer for approval of the final site development plan.
3. §9.2.25(4)(l) must be met and shown in the NPDES Grading and Drainage Plan and elevation of the site.

4. Elevations of the proposed structures, including height from final grade, must be shown in the final site development plan. The proposed use of the space must be noted in the final site development plan.
5. The Landscape Plan must be complete and meet §9.2.19 Landscaping for approval of the final site development plan.
6. Future signage must comply with the Sign Ordinance and sign permits must be obtained.
7. Exterior lighting on the building or in the parking lot must be noted in the final site development plan. Future lighting must comply with the Dark Skies Ordinance.
8. The final site development plan will show four-direction elevations of the proposed structures, including height from grade.
9. The final site development plan must show mailboxes.
10. Trash receptacles will be required to be accessible by Waste Management, placed on a concrete pad, and gated.
11. Letter stating water and sewer availability must be obtained from ABCWUA.
12. The final site development plan must meet Bernalillo County Fire Department requirements, including location of fire hydrants.
13. The proposed building must meet §9.2.21 Design Regulations.
14. Construction shall meet all current Village, County, and State Codes.
15. The final site development plan must be executed by the applicant.

### Findings:

#### 2020 Master Plan

#### 1.2 Overall Village Goals

##### 1.2.1 The goal is to reflect a village character through:

- Density and intensity of village scale; commercial development appropriate to village needs and primarily focused on Fourth Street, the Village Center and Transit District

##### 1.2.2 The goal is to create and promote the Village as a destination point where visitors and residents alike want to be and can take part in the Village lifestyle.

#### 2.1 Village Form Goals

##### 2.1.2 Policy E Promote private development that is in keeping with Village Scale.

##### Action Step:

- Encourage Village style in development north of Paseo del Norte on Fourth Street

#### 8.2 Commerce Goal

The goal is to vitalize Fourth Street, the Village Center and the Transit District as the Village's major commercial and mixed use centers through both public and private efforts.

##### 8.2.1 Objectives

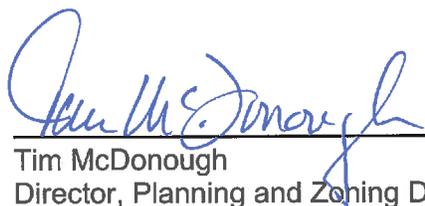
- Focus Village commercial activities in the Village Center, Fourth Street, and the Transit District
- Encourage stores of a unique character that harmonize with the scale and nature of the Village, whether local businesses, national businesses or new, compatible commercial activities.
- Encourage parking in rear or side of businesses

##### Policy B: Encourage and support development standards for commercial property.

- Provide shade: increase shaded areas by using portals, trees, awnings and canopies

The proposed development meets the requirements of §9.2.12 C-1 Retail Commercial Zone.

Public notice requirements have been met by publication in the Albuquerque Journal on October 23, 2019. The Public Notice was sent by mail to all neighbors within 300 feet of the property on October 22, 2019.



---

Tim McDonough  
Director, Planning and Zoning Department

Date: 10/24/2019

Attachments:

Application

Ortho

Zone Map

Plans

Letter of Intent (original and typed for clarity)

Tax Record & Warranty Deed



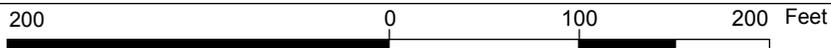
# 8830 Fourth Street

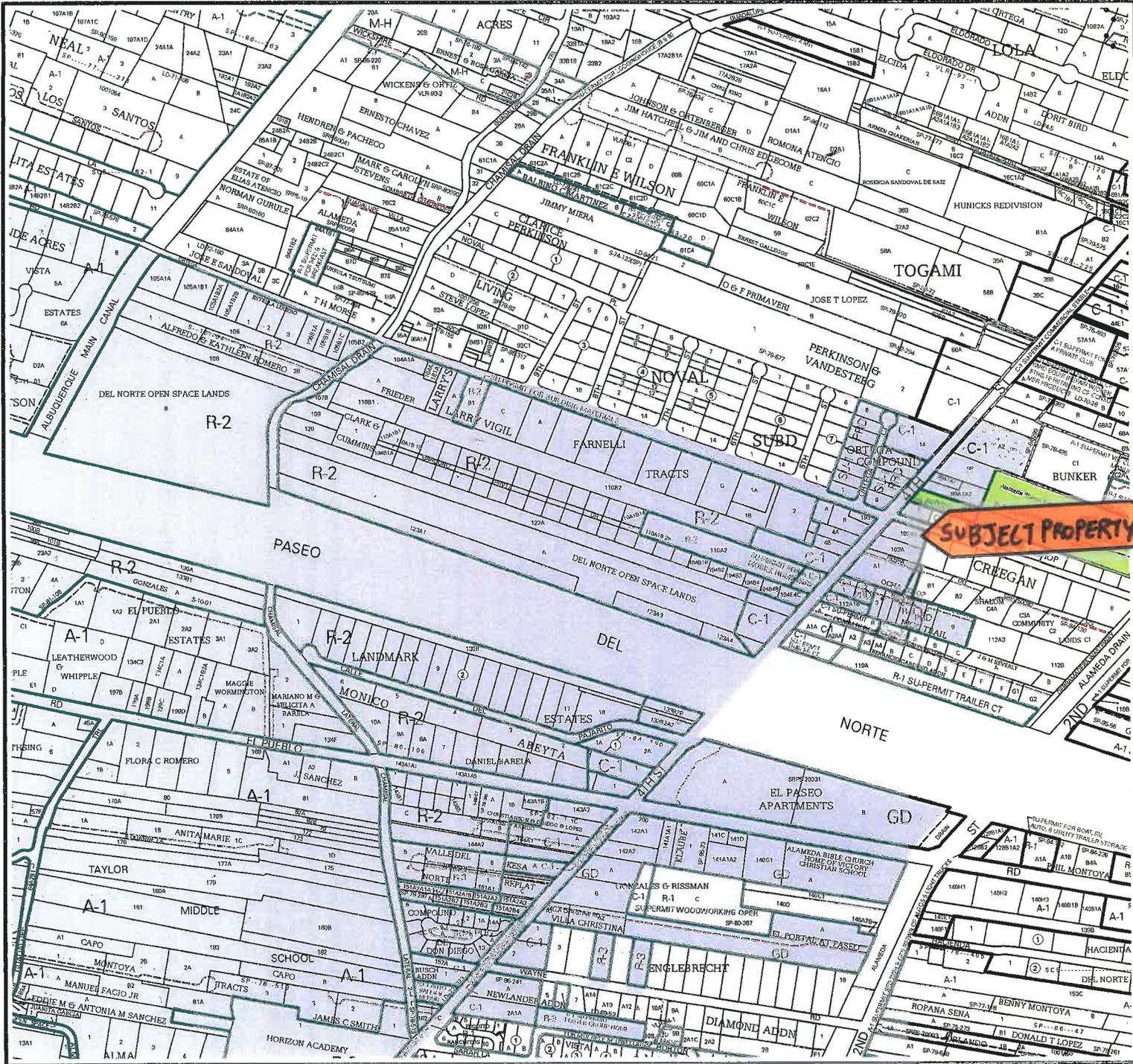


- Bernalillo County Parcels
- Municipal Limits**
- Corrales
- Edgewood
- Los Ranchos
- Rio Rancho
- Tijeras
- UNINCORPORATED



Notes





**LEGAL DESCRIPTION**

T11N  
R3E  
SEC 16

**UNIFORM PROPERTY CODE**

1-015-064

250 0 250 500 750 1,000  
Feet

Map amended through July 2014

**PUBLIC WORKS DIVISION  
GIS PROGRAM**

This information is for reference only. Bernalillo County assumes no liability for errors associated with the use of these data. Users are solely responsible for confirming data accuracy when necessary. Source data are from Bernalillo County and the City of Albuquerque. For current information visit [www.bermco.gov/gis-program](http://www.bermco.gov/gis-program).

**C-15-Z**

Village of Los Ranchos de Albuquerque  
6718 Rio Grande Boulevard NW  
Los Ranchos de Albuquerque, NM 87107  
Phone: (505) 344-6582 Fax: (505) 344-8978

Page 43 of 55

FOR OFFICIAL USE	
Zone <u>C-2</u>	SDP # <u>19-04</u>
Special Conditions <input type="checkbox"/>	

**APPLICATION FOR COMMERCIAL SITE DEVELOPMENT PLAN  
SKETCH PLAT**

Address of Property 8830 4<sup>th</sup> St NW Zip 87107  
Los Ranchos de Albuquerque  
Closest Cross Streets 4<sup>th</sup> + Ortega  
Subdivision \_\_\_\_\_ Block \_\_\_\_\_ Lot No. \_\_\_\_\_  
Tract No. 102 A1 MRGCD Map No. 102A1 Acreage of Property .63  
24  
PROPERTY OWNER Amanda Thais  
Mailing/home address 1505 San Patricio SW Zip 87104  
Street City  
Telephone \_\_\_\_\_ Cell 505-507-5119 Fax \_\_\_\_\_

CONTRACTOR AGENT OR FIRM License NO. \_\_\_\_\_

Business Name The Ivy Tea Room LLC  
Mailing address 7015 4<sup>th</sup> St. Albuquerque Zip 87107  
Street City  
Telephone \_\_\_\_\_ Cell 505-507-5119 CRS-1 On File

 10/21/19  
Signature of Property owner (Or submit affidavit of agent) Date

Property owner is agent.  
Signature of Contractor/Agent Date

The Village of Los Ranchos de Albuquerque does not take responsibility for information on or enforcement of, restrictive covenants on said property.

**Commercial construction zoning reviews must be accompanied by a Site Development Plan which is approved by the Planning and Zoning Commission. ALL FEES GENERATED BY THIS APPLICATION ARE THE RESPONSIBILITY OF THE APPLICANT AND ARE DUE AND PAYABLE UPON NOTIFICATION FROM THE VILLAGE.**

In order to schedule your request for a Hearing, please complete and submit all required information. Please make an appointment to submit an application. A pre-application meeting is MANDATORY. Call 344-6582 to make your appointment with the Planning and Zoning Director or staff.

**Once the application package is complete, Village staff will instruct you on the process and how documents must be completed.**

Hello,

We plan on a 3500-4000 sq ft building with 2 stories. Each floor will be about 1800-2000 sq ft.

The building will be on the NW piece of the land. There will be an enclosed courtyard with a see through gate connecting to the south part of the building. The gate will be on the east.

We plan on having Evergreen trees along all of the walls and outlining exterior of land. We plan on twinkle lights in the courtyard.

Our hours will be 11:00 am - 4:30 pm Tuesday - Sunday.

We plan on 1-2 drainage ponds with rocks and pretty ~~some~~ desert plants. We want this tearoom to be the most beautiful and magical place in NM.

Thank you for your time and consideration.

Amanda Ng/this 10/21/19

TAX AND PAYMENT HISTORY FOR: 1 015 064 442 258 40846

YEAR	NET TAXABLE	TAX	INTEREST	PENALTY	FEES	PAID	AMOUNT DUE	
2009		18,565	760.10	0.00	0.00	0.00	-760.10	0.00
2010		18,565	762.30	0.00	0.00	0.00	-762.30	0.00
2011		18,565	764.66	0.00	0.00	0.00	-764.66	0.00
2012		18,565	765.66	0.00	0.00	0.00	-765.66	0.00
2013		18,565	772.10	0.00	0.00	0.00	-772.10	0.00
2014		18,565	779.26	0.00	0.00	0.00	-779.26	0.00
2015		18,565	787.88	0.00	0.00	0.00	-787.88	0.00
2016		16,465	710.70	0.00	0.00	0.00	-710.70	0.00
2017		16,465	716.18	0.00	0.00	0.00	-716.18	0.00
2018		16,465	721.16	0.00	0.00	0.00	-721.16	0.00
<b>Summary of Taxes Due</b>				<b>Payment information</b>			<b>Amount Due</b>	
1st Half Delinquent after Dec. 10, 2018				Current as of			Valid until	
2nd Half Delinquent after May 10, 2019				7/24/2019			8/10/2019	
	1ST HALF DUE	360.58	0.00	0.00	0.00	-360.58	0.00	
	2ND HALF DUE	360.58	0.00	0.00	0.00	-360.58	0.00	
	<b>TOTAL DUE</b>	<b>721.16</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>-721.16</b>	<b>0.00</b>	

To get Current Pay online Now!  
 Note!! All payments will be applied to Penalty and Interest  
 First then the Oldest Tax Bill

Click on Pay Button to Continue or Change Amount

ENTER PAYMENTS:

Pay

SEARCH BY

- Property Address
- Parcel ID

ASSESSMENT RECORDS

- Current Ownership Data
- Notice of Values
- 

TREASURER RECORDS

- Tax Bill
- Property Tax Calculator
- Tax & Payment History
- **\*\*\*Pay Online\*\*\***

SEARCH MANAGER

- Previous
- Next
- Return to List

PORTFOLIO

- Add to Portfolio
- Portfolio Manager

Return to First American Title Insurance Company  
File No. 2425291-AL01 MH

**WARRANTY DEED**

Rita A. Padilla, Trustee for The Christopher O. Padilla and Rita A. Padilla Revocable Trust Dated July 13, 1990, amended and restated November 20, 2007, for consideration paid, grant(s) to Flower and Conviction LLC, a New Mexico limited liability company whose address is 1505 San Patricio SW, Albuquerque, NM 87104, the following described real estate in Bernalillo County, New Mexico:

A certain tract of land situated in Projected Section 16, Township 11 North, Range 3 East, N.M.P.M., designated as Tract 102A-1, Middle Rio Grande Conservancy District Map No. 24, and being more particularly described as follows:

BEGINNING at the northeast corner of the tract described hereon, a point of the southerly right of way line of ORTEGA ROAD N.W., coincident with the northwest corner of Lot 1, CREEGAN SUBDIVISION, filed February 10, 1960, records of Bernalillo County, New Mexico, Thence leaving said point of beginning;

S 17°41'00" W, 101.70 feet to the southeast corner of the tract described hereon, Thence;

N 72°13'00" W, 248.50 feet to the southwest corner of the tract described hereon, a point on the easterly right of way line of 4th Street N.W., Thence;

N 41°03'00" W, 113.83 feet to the northwest corner of the tract described hereon, a point on the easterly right of way line of 4th Street N.W., Thence;

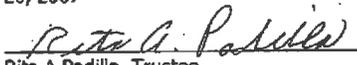
Leaving said right of way line of 4th Street N.W., S 71°24'20" E, 203.38 feet along the southerly right of way line of Ortega Road N.W. to the point of beginning to the tract described hereon.

**Subject to reservations, severances, restrictions, and easements of record and taxes for the year 2019 and subsequent years.**

with warranty covenants.

WITNESS my/our hand(s) and seal(s) this First day of October, 2019.

Rita A. Padilla, Trustee for The Christopher O. Padilla and Rita A. Padilla Revocable Trust Dated July 13, 1990, amended and restated November 20, 2007

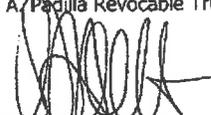
  
Rita A Padilla, Trustee

**Individual Capacity**

State of New Mexico                    )  
  ) §  
County of Bernalillo                    )

This instrument was acknowledged before me on the First day of October, 2019, by Rita A. Padilla, Trustee for The Christopher O. Padilla and Rita A. Padilla Revocable Trust Dated July 13, 1990, amended and restated November 20, 2007.



  
\_\_\_\_\_  
Notary Public

**CONTENTS**

C1 CONCEPTUAL SITE DEVELOPMENT PLAN

**PROJECT DATA**

PROJECT ADDRESS: 8830 4TH STREET NW  
ALBUQUERQUE, NEW MEXICO 87114

LEGAL DESCRIPTION: TRACT 102-A1,  
M.R.C.C.D. MAP 34  
BERNALILLO COUNTY, NEW MEXICO

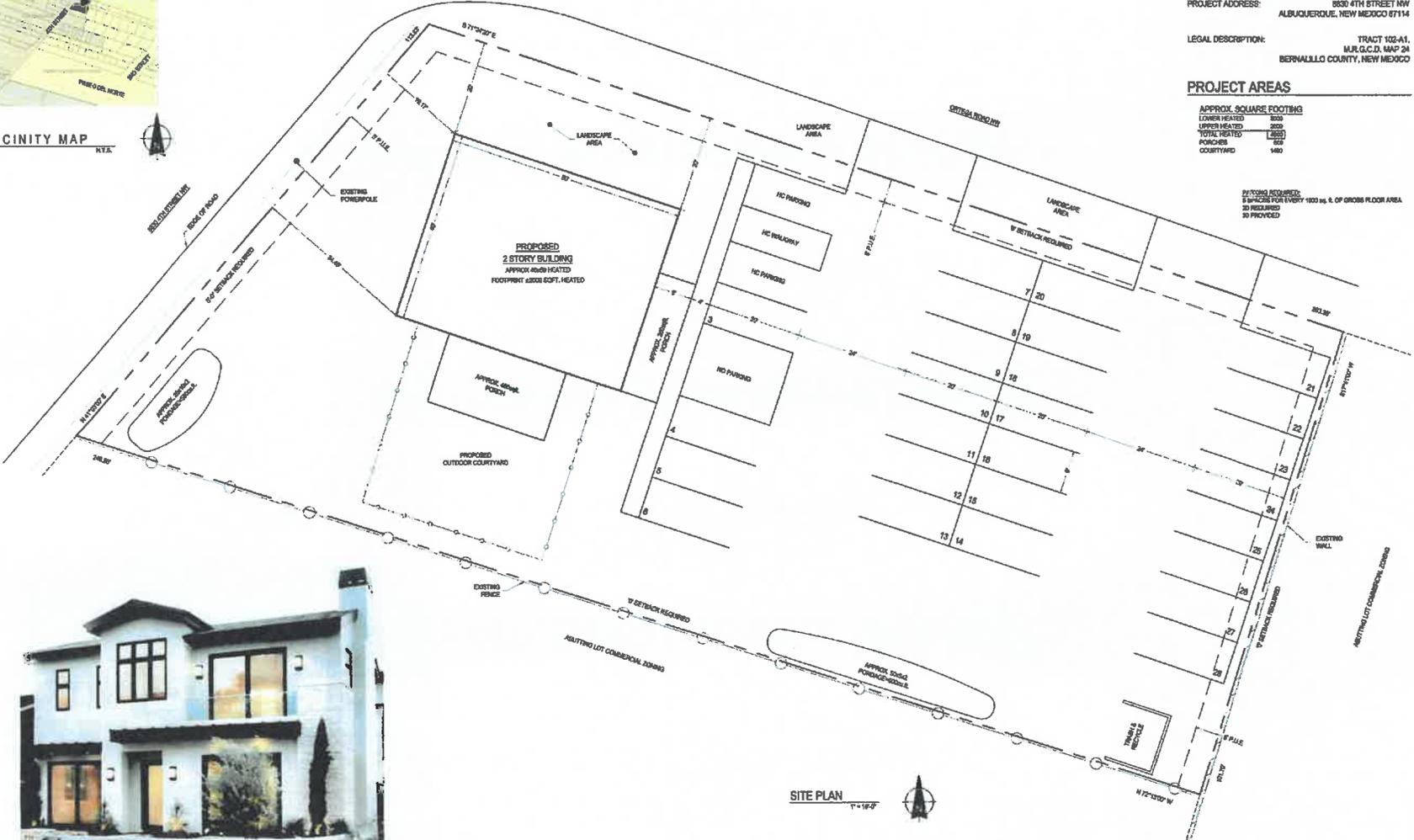
**PROJECT AREAS**

APPROX. SQUARE FOOTING	
LOWER HEATED	8000
UPPER HEATED	8000
<b>TOTAL HEATED</b>	<b>16000</b>
PORCHES	500
COURTYARD	1400

SPACING REQUIRED:  
8 SPACES FOR EVERY 1000 sq. ft. OF GROSS FLOOR AREA  
20 REQUIRED  
30 PROVIDED



VICINITY MAP



SITE PLAN  
1"=160'

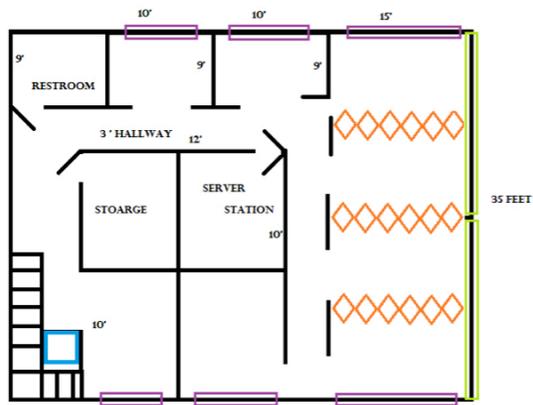
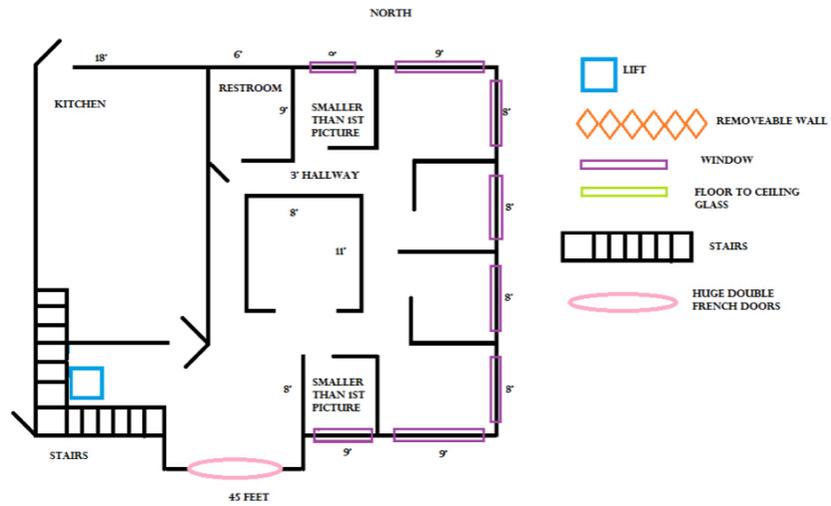


CONCEPTUAL EXTERIOR ELEVATION

8830 4TH STREET NW  
ALBUQUERQUE, NM 87114  
ARCHITECT  
**AMANDA NG**

PROJECT NO. 10-137  
PROJECT NAME: CONCEPTUAL SITE DEVELOPMENT PLAN  
DATE: 10.21.19  
SCALE: AS NOTED

**A1**



## **5. OLD BUSINESS**

*There is no Old Business*

## **6. NEW BUSINESS**

*There is no New Business*

## **7. REPORTS**

### **A. Planning Department Report**

DEPARTMENT REPORT  
(for November P&Z & BOT meetings)

**Fourth Street Project**

The Festival on 4<sup>th</sup> Street was held November 1<sup>st</sup> from 5 to 8 pm to celebrate the completion of Phase I of the 4<sup>th</sup> Street Project. Thank you to all of the businesses and vendors who participated. We were happy to see the community come out to support our businesses and enjoy the fun activities along the way. Thank you especially to our sponsors, who are listed on the following page.

**General**

Dominic Tomba continues to address resident concerns and write letters for properties to come into compliance. He has also contacted properties regarding the Sign Ordinance. Keen Heinzelman has been working closely with Dominic to transfer ongoing cases and actions to Dominic.

Jennifer Schilling sent renewal notices to all commercial and home occupation businesses as of last week (Nov. 1-8) and has started to send out renewed business licenses. Businesses have until December 31<sup>st</sup> to renew without a late fee. Zone review permitting has remained fairly steady approaching winter.

Jennifer and Tiffany worked with Maria Rinaldi, the 4<sup>th</sup> Street Project Manager, to coordinate the first 4<sup>th</sup> Street festival, "Festival on 4<sup>th</sup>". This event was coordinated in effort to bring customers back to 4<sup>th</sup> Street, and support business owners in the 4<sup>th</sup> Street Project Area. We had about 30 businesses participate in various ways. These included staying open late and hosting an open house, participating as a scavenger hunt location, donating gifts and certificates for raffle prizes, and providing parking. Additionally, we had 10 street vendors attend, Explora, the El Camino Dining Room hosted a car show, and other various attractions were available. See the next page for a complete list of sponsors who helped make this event possible.

Tiffany Justice is finalizing revisions to the film policy to prepare for adoption as an ordinance early next year. She is also working to address short-term rentals.

# *Festival on 4th*



# *Thank you to our Sponsors!*

Bernalillo County Fire Department  
Bernalillo County Sheriff Department  
Bliss Massage Studios  
Bradbury Stamm Construction  
Canvas & Coffee  
Celina's Biscochitos  
Dan's Boots & Saddles  
Dave's Valley Grill  
Delicious Beef Jerky  
Don Choche Tacos y Cerveza  
El Camino Dining Room  
El Coyote Gardeners  
¡Explora!

Town of Edgewood  
Kelly Jo Designs By Wine  
La Calle Cuatro Art Studio  
New Mexico Gas Company  
Poco Quatros Model A Club  
Plants of the Southwest  
Pop Fizz  
Porch & Twig  
Revival Sugar Wax & Skin Care  
Sunshine Alchemists & Soap Co.  
Taft Middle School  
Taylor Middle School  
Z-Coil Footwear

## **8. COMMISSIONERS INFORMAL DISCUSSION**

## 9. ADJOURNMENT