APPLICATION FOR SPECIAL EXCEPTION
CITY OF ALBUQUERQUE, PLANNING DEPARTMENT

Office of the Zoning Hearing Examiner
600 2nd Street, NW, Suite 300, 87102
505.924.3918

APPLICATION INFORMATION–PLEASE PRINT

TELEPHONE (INCLUDE AREA CODE)

LES F GUTIERREZ / FOR VERIZON WIRELESS
PROFESSIONAL / AGENT NAME (FIRST, LAST) (H) ___-___-___
#1 LA VILLITA CIRCLE NE
MAILING ADDRESS (W) ___-___-___
ALBUQUERQUE, NM 87112
CITY STATE ZIP CODE (C) 505-710-2079

PACIFIC REALTY / JIM SCHUMACHER
OWNER NAME (FIRST, LAST–IF ANY) (H) ___-___-___
7220 LOMAS BLVD NE
MAILING ADDRESS (W) 505-250-0116
ALBUQUERQUE, NM 87108
CITY STATE ZIP CODE (C) ___-___-___

LEGAL DESCRIPTION OF PROPOSED SPECIAL EXCEPTION–PLEASE PRINT

7220 LOMAS BVD. NE / COOPERAGE RESTURANT 87108
STREET ADDRESS OF SPECIAL EXCEPTION ZIP CODE
A PORTION OF THE WEST 1/2 OF LOT 1 SECTION 19 / T10N, R4E NMPM
LOT(S) unplatted TRACT(S) BLOCK(s)
unplatted / Pacific Realty CO
SUBDIVISION / ADDITION / MRGCD MAP NO
101905705851221914
UNIFORM PROPERTY CODE

CRITERIA FOR DECISION– I have been given the Criteria for Decision requirements. Initial Here LFG

EXPLANATION OF REQUEST– On additional sheet(s) of paper, please state why you want this Special Exception, based on the Criteria for Decision Requirements.

DRAWINGS OF REQUEST– **ATTACH THREE (3) COPIES.** Please follow instructions on the back of this form and attach the appropriate drawings.

ACKNOWLEDGEMENT– I hereby acknowledge that, to the best of my knowledge, this application is correct and complete and that I have received one or more signs that I have agreed to post and maintain as provided and where instructed. I understand that failure to properly post sign(s) is grounds for deferral of my case

Les F Gutierrez 4/9/2010
SIGNATURE DATE

2010 87719

----------ZONING ENFORCEMENT OFFICE INTERNAL USE ONLY----------

PROJECT #: 1008286 **APPLICATION #:** 10 ZHE 80019

APPLICATION FOR: (CHECK AS APPROPRIATE)
- ☐ **(ZHE01)** Conditional Use
- ☐ **(ZHE02)** Expansion of a NonConforming Use
- ☐ **(ZHE03)** NonConforming Use / Status Established Building

☒ **(ZHE04)** Variance:
- ☐ Distance ☐ Setback
- ☒ Height ☐ Parking
- ☐ Size ☐ Other

SECTION NO. 14-16-3-17(A)(16)(b) REFERENCE SECTION NO: ____

(LEGAL AD) ACTION DESCRIPTION A variance of 1' 7" to the allowed 9' height for a proposed wall at a WTF

SECTOR DEVELOPMENT AREA: ____

ZONED: C-2(SC) ZONE MAP PAGE: K-19 NO. OF SIGNS ISSUED: 2

7220 Lomas NE
POST SIGN(S) / STREET ADDRESS OF PROPOSED SPECIAL EXCEPTION

FEE: $ 145.00

David Kilpatrick 4-9-2010
APPLICATION RECEIVED BY Z.E.O. (PRINT FULL NAME) DATE

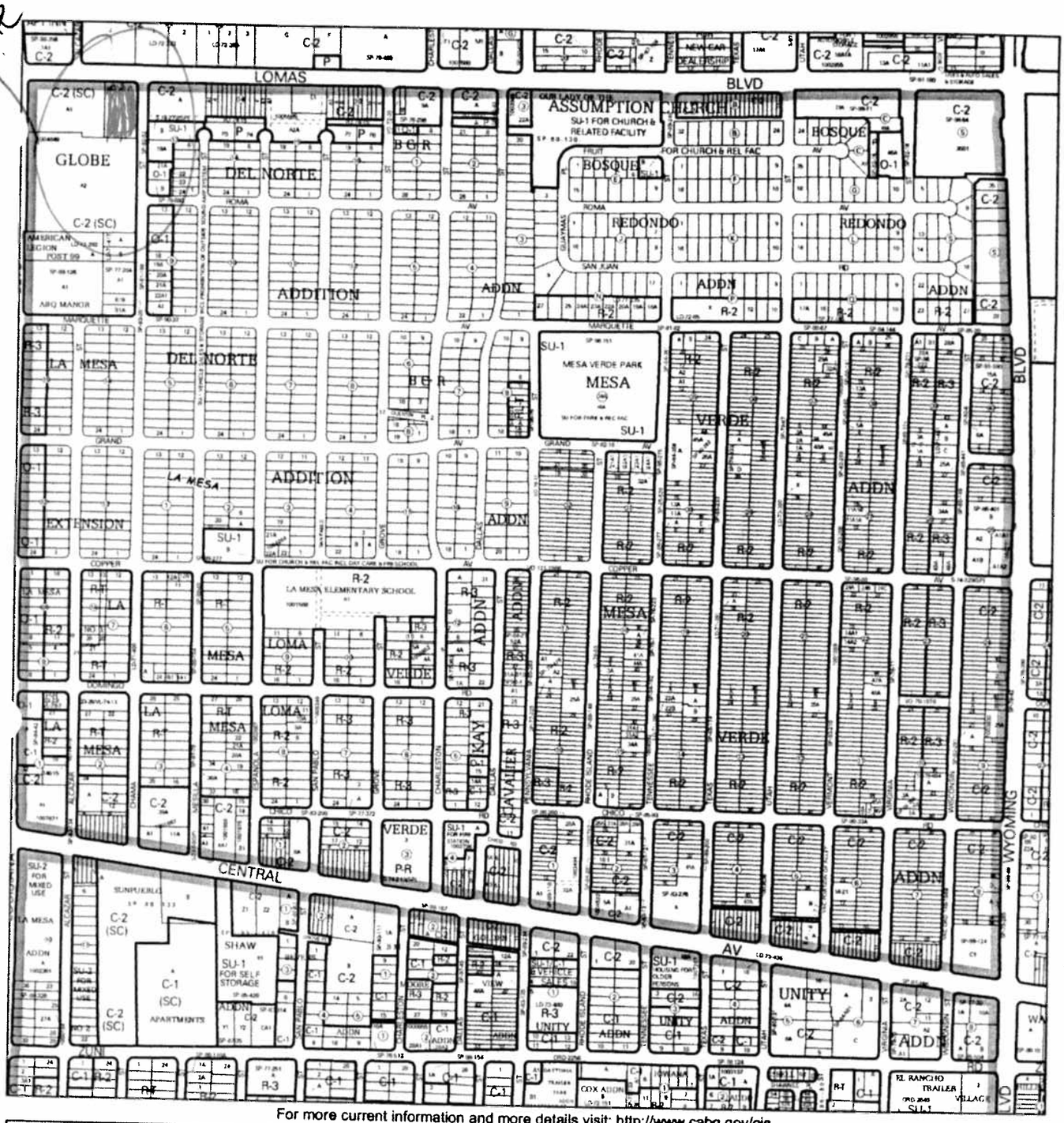
05-18-10
DATE OF PUBLIC HEARING

City Of Albuquerque
Treasury Division

(APN) 441018 / 4971000 $ 35.00
(CMP) 441032 / 3424000 $ 10.00
(ZHE) 441006 / 3451000 $ 100.00

4/9/2010 3:38PM LOC: ANNX
WS# 006 TRANS# 0046
RECEIPT# 00118607-00118607
PERMIT# 2010877190 TRSCXG
Trans Amt $145.00
APN Fee $35.00
Conflict Manag. Fee $10.00
ZHE Actions $100.00
CK $145.00
CHANGE $0.00

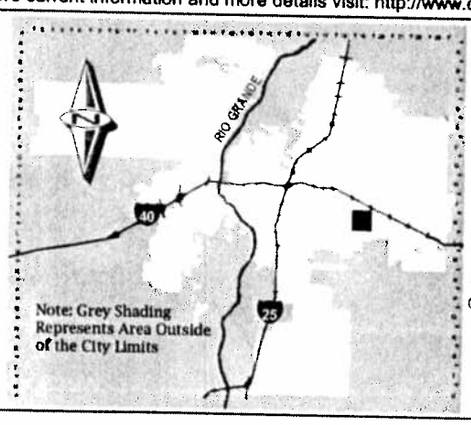
Site



For more current information and more details visit: http://www.cabq.gov/gis

AGIS
Albuquerque Geographic Information System

Map amended through: 2/4/2010



Zone Atlas Page:

K-19-Z

Selected Symbols

- SECTOR PLANS
- Design Overlay Zones
- City Historic Zones
- H-1 Buffer Zone
- Petroglyph Mon.
- Escarpment
- 2 Mile Airport Zone
- Airport Noise Contours
- Wall Overlay Zone

0 750 1,500 Feet

ZONE GRID

No Features found.

OWNERSHIP

Rec	UPC CODE	OWNER	OWNER ADDRESS	OWNER CITY	OWNER STATE	OWNER ZIPCODE	PROPERTY CLASS	TAX DISTRICT	LEGAL
1	101905705851221914	PACIFIC REALTY CO	6101 MOON NE SUITE 4000	ALBUQUERQUE	NM	87111	C	A1A	TR COMPRISING POR OF W1/2 LT 1 EXC N 170FT (

ZONING

Rec	ZONING	DESCRIPTION
1	C-2	(SC)

ZONE GRID

Rec	ZONE ATLAS GRID
1	K19

PARCELS

Rec	NUMBER	NAME	DESIGNATION	QUADRANT	LOT	BLOCK	SUBDIVISION	PIN
1	7220	LOMAS	BLVD	NE	UNPLATTED	0000	UNPLATTED/PACIFIC REALTY CO	ABQ134382

CENTERS

Rec	CENTER	TYPE	STATUS
1	STATE FAIR	COMM	EXISTING

ZONE GRID

No Features found.

NEIGHBORHOODS

Rec	COASDE.AGIS.NEIGHBORHOODASSOCIATIONS.ASSOCIATIONNAME	COASDE.AGIS.NEIGHBORHOODASSOCIATIONS.ASSOCIATIONSTATUS
1	LA MESA	R

SECTOR PLANS

Rec	SECTOR PLAN NAME
1	LA MESA

COUNCIL

Rec	COUNCILOR NAME	COUNCIL DISTRICT
1	Rey Garduño	6

ZIPCODES

Rec	ZIPCODE
1	87110

ZONE GRID

No Features found.

April 9, 2010

Office of the Zoning Hearing Officer

City of Albuquerque

600 2nd Street, NW , Suite 300

Albuquerque, NM 87102

RE: 7220 Lomas Blvd NE 87108 (The Cooperage Restaurant)

Dear Hearing Officer:

Verizon Wireless is in the final approval stages of securing an Administrative Amendment to construct a concealed telecom facility. As the planner reviewed the zone code section 14-16-3-17 item #4 will only allow a 9' wall to surround the equipment shelter. Based on the design of Verizon's shelter the overall height is 10' 7" high. In order to meet this requirement, Verizon would have incur costly re-development of the site to bury its equipment shelter down 17". This would involve a much more costly investment to excavate the site, re-design a new foundation, and incur drainage issues with its shelter below grade.

We are therefore asking that we be granted a variance to increase the wall height to 10' 7" high to conceal the height of the shelter. In a previous EPC approval we were granted landscaping adjustments and feel that the additional height will be buffered as the trees and shrubs grow around the wall.

We therefore ask your approval of our request. IN ADDITION THIS THE SMALLEST LOT COMPARED TO ADJACENT LOTS, PARKING SPACE IS LIMITED FOR OUR FACILITY CREATING A HARDSHIP.

Sincerely,

Les F Gutierrez

Les F. Gutierrez, for Verizon Wireless and Pacific Realty.

(a) All proposed wireless telecommunications facilities, excluding collocations of antennas on existing towers, shall use concealed technology. Consistent with federal law, the requirement shall not have the effect of prohibiting the provision of wireless services.

(b) A wireless telecommunications facility shall be the least visually and physically intrusive that is possible and thereby have the least adverse visual effect on the environment and its character, on existing vegetation, and on the residences in the area of the wireless telecommunications facility.

(c) A concealed wireless telecommunications facility shall:

1. Be aesthetically integrated with existing buildings, structures, and landscaping, to blend in with the nature and character of the built and natural environment and take into consideration height, color, style, massing, placement, design, and shape.

2. Be located to avoid a dominant silhouette of a wireless telecommunications facility on escarpments and mesas, and to preserve view corridors.

3. Be located on existing vertical infrastructure, such as utility poles and public utility structures, including transmission and sub-transmission line structures, if possible.

4. Be located in areas where the existing topography, vegetation, buildings, or other structures provide the greatest amount of screening.

5. Not be a readily visible wireless telecommunications facility.

6. Be subject to the landscaping and screening requirements of § 14-16-3-17 if required.

(d) Applicant shall provide mailed notice of a proposed wireless telecommunications facility to property owners that would be entitled to notice of a zone map amendment and go to recognized neighborhood associations within a ¼ mile radius, and shall present written documentation verifying such mailed notice to the Planning Director or nis/her designee.

(e) The Planning Director or his/her designee shall decide whether the facility is "concealed." The Planning Director's decision shall be subject to review pursuant to the appeal provisions of the Zoning Code.

(16) *Landscaping and Screening:* The following regulations shall apply to landscaping and screening:

(a) A free-standing wireless telecommunications facility shall include landscaping planted and maintained according to a Landscaping Plan approved by the Planning Director or his/her designee; however, the Planning Commission may waive this requirement where the Planning Commission finds this requirement is not useful to achieving the intent of this Zoning Code.

(b) A free-standing wireless telecommunications facility shall be surrounded by a solid fence or wall, at least six feet high and not more than nine feet high, and landscaping to properly screen ground equipment facilities from public view. Chain link with slats shall not constitute a solid fence or wall.

(17) *Horizontal Separation of Free-Standing Wireless Telecommunications Facilities:*