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)

Shirley Holden
PROFESSIONAL / AGENT NAME (FIRST, LAST) (H) ___-___-____

7905 Marquette Ave NE #B
MAILING ADDRESS (W) ___-___-____

Albuquerque New Mexico 87108
CITY STATE ZIP CODE (C) 505-550-2642

Charles Sanchez
OWNER NAME (FIRST, LAST–IF ANY) (H) ___-___-____

8114 San Juan Avenue NE
MAILING ADDRESS (W) ___-___-____

Albuquerque New Mexico 87108
CITY STATE ZIP CODE (C) 505-720-1085

LEGAL DESCRIPTION OF PROPOSED SPECIAL EXCEPTION–PLEASE PRINT

538 Utah St NE
STREET ADDRESS OF SPECIAL EXCEPTION

87108
ZIP CODE

19
LOT(S)

TRACT(S)

37
BLOCK(s)

Mesa Verde Addn.
SUBDIVISION / ADDITION / MRGCD MAP NO

101905742938210528
UNIFORM PROPERTY CODE

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

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

Shirley Holden
SIGNATURE

4/12/2010
DATE

2010080148

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

PROJECT #: 1008304 **APPLICATION #:** 10 ZHE 80148

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. 14-16-2-11 (B)(1) REFERENCE SECTION NO: Ref 14-16-2-6(B)(10)

(LEGAL AD) ACTION DESCRIPTION Conditional use to allow a community gardening market.

SECTOR DEVELOPMENT AREA: LA MESA

ZONED: R-2 ZONE MAP PAGE: K-19 NO. OF SIGNS ISSUED: 1

538 Utah St NE
POST SIGN(S) / STREET ADDRESS OF PROPOSED SPECIAL EXCEPTION

FEE: $ 145.00

Michael Anaya
APPLICATION RECEIVED BY Z.E.O. (PRINT FULL NAME)

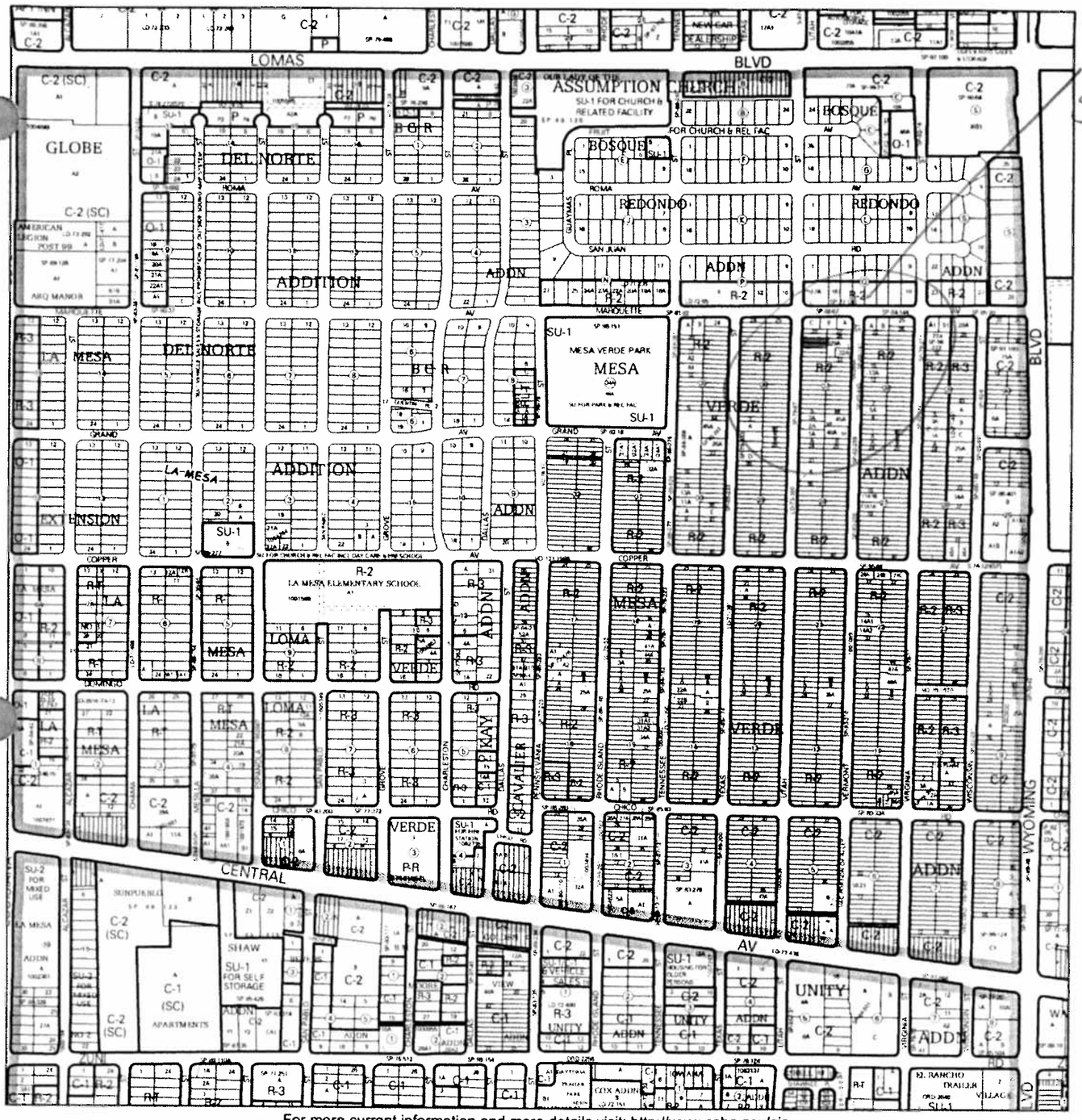
04-12-10
DATE

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

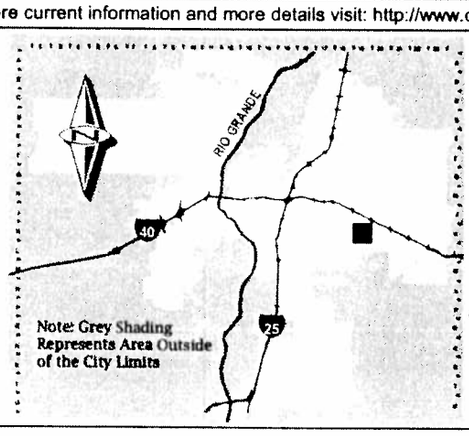
4/12/2010 11:23AM CODE ANNX
WS# 007 TRANS# 0014
RECEIPT# 00[illegible]
PERMIT# 2010080148 TRSASR
Trans Amt $145.00
APN Fee $35.00
Conflict Manag. Fee $10.00
ZHE Actions $100.00
CA $145.00
CHANGE $0.00



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

Feet: 0 — 750 — 1,500

Letter Of Intent
Le Jardin Verde, Inc
Conditional Use Permit Request

The intent of this conditional use application is the request of a change in the use classification of the property at 538 Utah Street NE in Albuquerque, New Mexico. The present zoning for the property is R-2.

This application requests the change in the use to that of an Urban Community Garden and Market (UCGM) with related community outreach uses. The current owner of the property, Mr. Charles Sanchez, supports this conditional use application. The proposed use of the property as an Urban Community Garden and Market is in line with The City of Albuquerque's vision to concentrate diversity of community, and transit-oriented urban places that encourages walking to destinations.

This Urban Community Garden and Market will allow members of the La Mesa Community to grow and sell fresh and organic produce, thereby delivering access to a community where fresh organic produce is not a commodity to be found at the local grocer. It will also allow community artisans to participate in Market activities.

Creating an Urban Community Garden and Market will have a positive impact on this community. Neighbors will get to know each other and in doing so, Public Safety can be enhanced.

The UCGM will not be injurious to the adjacent property to the south because it is also owned by Mr. Charles Sanchez. The adjacent property to the north is also a vacant lot and we presently keep this lot cleaned and free from debris. Having the UCGM at this location will not cause any damage to the property by activities associated with an Urban Garden and Market.

Hours of operation for the Market are Fridays from 11am – sunset, and Saturdays from 9am – sunset.

The season starts in May and runs through the 3rd week of November. Health screenings and community cohesiveness are also important components of the Urban Community Garden and Market.

The case for community gardens is summed up below:

- Planning and design strategies that support the development of urban community gardens as sustainable places for education and recreation

- Approaches to design processes, construction, and stewardship that utilize volunteer and community participation and create a sense of community

- Programs that enable gardens to serve as a resource for social justice for low income and minority communities, immigrants, and seniors

- Opportunities to develop active-living frameworks by strategically locating community gardens and linking them with other forms of recreation and open space as part of pedestrian-accessible networks

Community gardens and markets reveal the capacity of community gardens to serve larger community issues, such as food security; urban ecosystem health; demonstration of sustainable gardening and building practices; active living and pedestrian-friendly neighborhoods; and equity concerns. Landscape architects, planners, and allied design professionals can better interact in the making of these unique urban open spaces, and how urban community gardens offer opportunities for professionals to have a more prominent role in community activism and urban sustainability.

http://www.cityfarmer.info/2010/04/07/learning-from-seattles-urban-community-gardens/

We hope that you would consider our application for Conditional Use.

Sincerely,

Le Jardin Verde, Inc
Attn: Shirley Holden,
7905 Marquette Avenue NE, Unit B
Albuquerque, NM 87108
(505) 550-2642
Le_jardin_verde@hotmail.com
Shirley.holden@live.com
http://www.le-jardin-verde.webs.com

§ 14-16-2-11 R-2 RESIDENTIAL ZONE.

This zone provides suitable sites for houses, townhouses, and medium density apartments, and uses incidental thereto in the Established and Central Urban areas.

(A) ***Permissive Uses.***

(1) Uses permissive in the R-T zone.

(2) Accessory living quarters.

(3) Apartment.

(4) Community residential program except not either community residential corrections program or community residential program for substance abusers: up to ten client residents provided that the standards of § 14-16-3-12 of this Zoning Code are met.

(5) Family day care home, with any sign limited as for home occupations.

(6) Sign, as provided in § 14-16-3-5 of this Zoning Code.

(B) ***Conditional Uses.***

(1) Uses conditional in the R-1 zone.

(2) Community residential program except not either community residential corrections program or community residential program for substance abusers: 11 to 18 client residents provided that the standards of § 14-16-3-12 of the Zoning Code are met.

(3) Community residential corrections program with up to ten client residents, provided that the standards of § 14-16-3-12 of this Zoning Code are met.

(4) Community residential program for substance abusers with up to ten client residents, provided that the standards for § 14-16-3-12 of this Zoning Code are met.

(5) Day care center.

(6) Emergency shelter with up to 18 clients normally present, provided that the standards of § 14-16-3-13 of this Zoning Code are met.

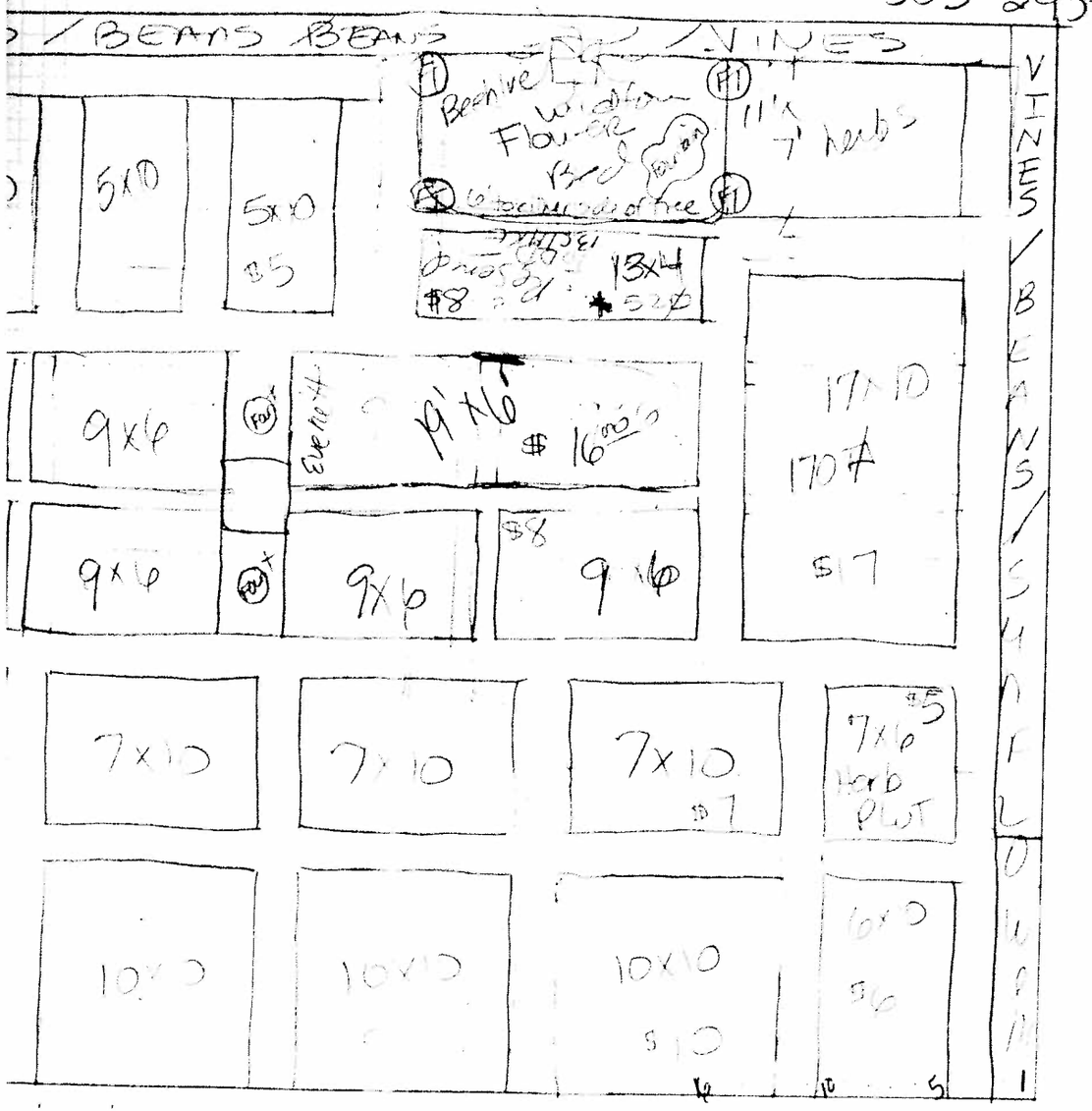
(C) ***Height.*** Structure height up to 26 feet is permitted at any legal location. The height and width of the structure over 26 feet is permitted at any legal location. The height and width of the structure over 26 feet shall fall within 45° angle planes drawn from the horizontal at the mean grade along each internal boundary of the premises and each adjacent public right-of-way centerline, or drainageway right-of-way centerline. To protect solar access, a structure over 26 feet may not exceed the northern boundary of these 45° planes, but may be sited in any other direction within planes drawn at a 60° angle from the same boundaries or centerline. Exceptions to the above are provided in § 14-16-3-3 and § 14-16-3-5 of this Zoning Code. Notwithstanding any of the above regulations, apartment structures shall not exceed 26 feet in height within 85 feet of a lot zoned specifically for houses.

jviers@nmsu.edu
1510 Menaul NW
ABQ. NM 87107
505-243-1386

* Whole Food Market
* Smiths
* Albertsons
* Manganita

100
144
144
400 ☐

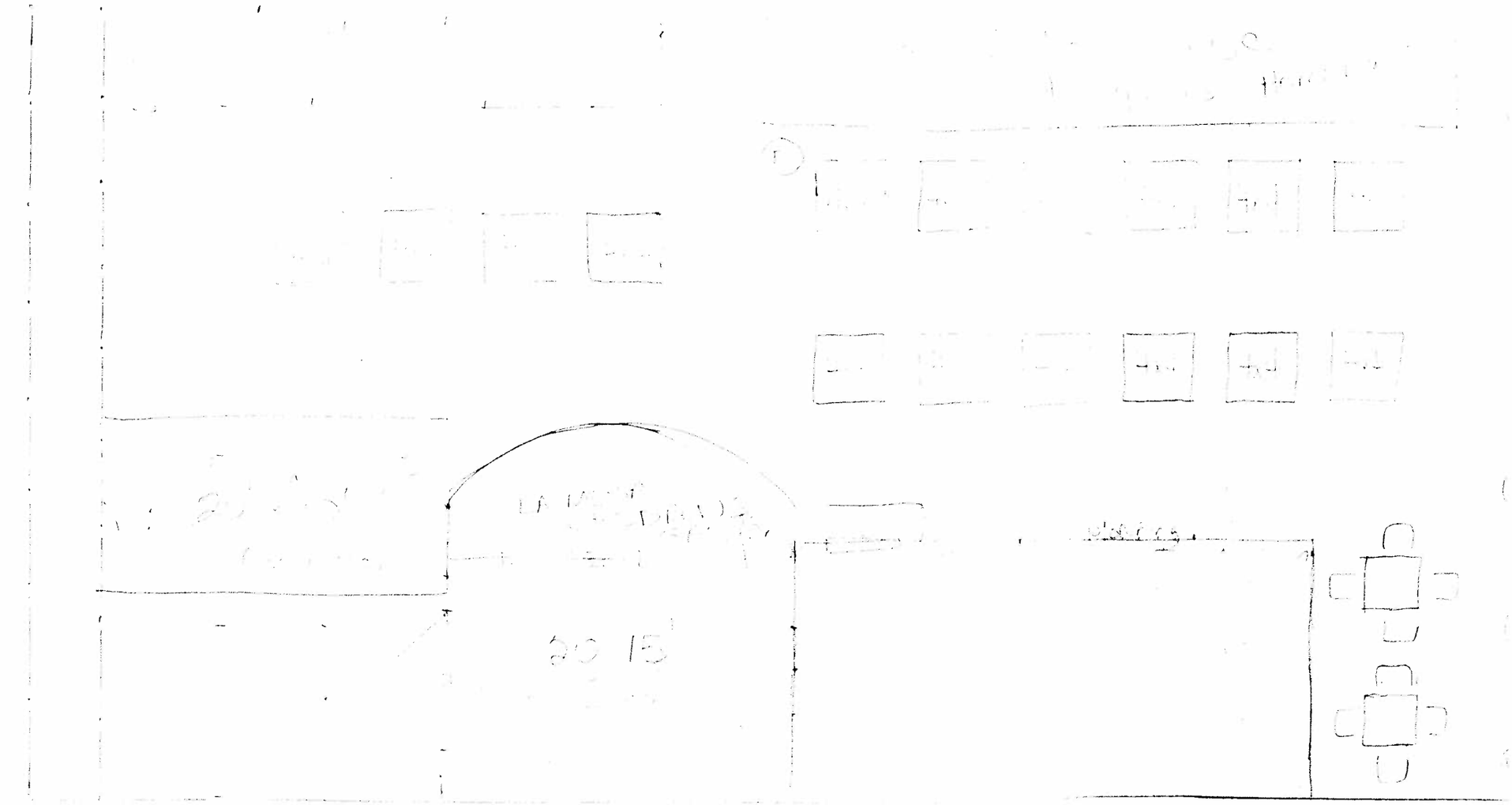
P.



Google Italian seed

$188 - 1120 Bil

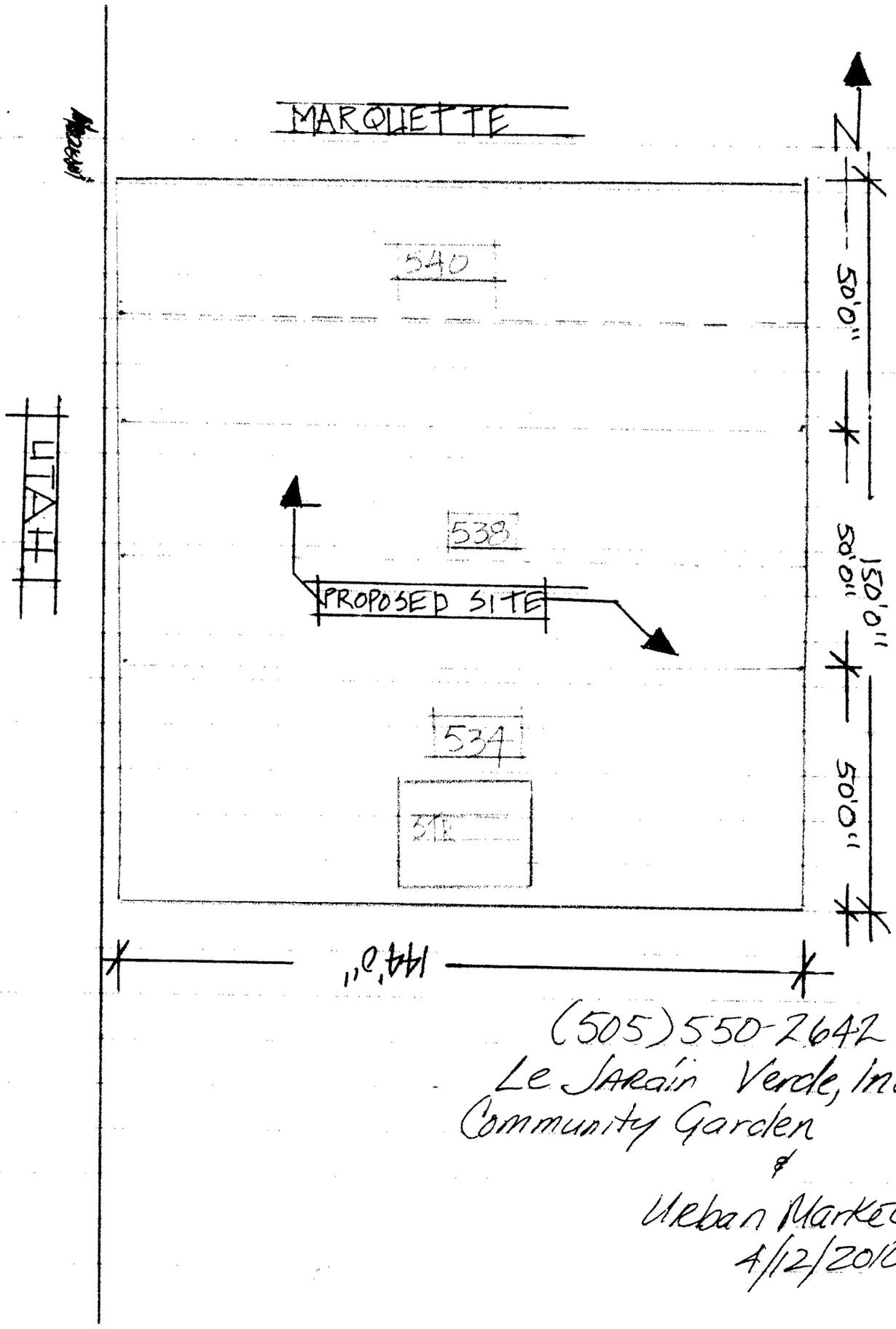
15'x30'
$700-900
materials



16 - 4x4'S
3 - 10x10'S

Fridays
Saturdays

Season Begins
June



(505) 550-2642
Le Jardin Verde, Inc.
Community Garden
&
Urban Market
4/12/2010