

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
 BENCOR INC. / BRUCE WALKOWSKY (H) TELEPHONE (INCLUDE AREA CODE) _____
 PROFESSIONAL / AGENT NAME (FIRST, LAST)
5600 EUBANK NE SUITE 180 (W) 505-508-3743
 MAILING ADDRESS
ALBUQUERQUE NM 87111 (C) 505-507-2113
 CITY STATE ZIP CODE
RUPINDER S. BINDRA (H) _____
 OWNER NAME (FIRST, LAST-IF ANY)
550 S. HILL ST. SUITE 1649 (W) 661-993-3818 (C)
 MAILING ADDRESS
LOS ANGELES CA 90013 (C) 213-622-5145 (W)
 CITY STATE ZIP CODE

LEGAL DESCRIPTION OF PROPOSED SPECIAL EXCEPTION-PLEASE PRINT

9601 GIBSON BLVD SW ZIP CODE 87121
 STREET ADDRESS OF SPECIAL EXCEPTION
Redford (N. 80 Address) E4
 LOT(S)
BULK LAND PLAT FOR ALBUQUERQUE SOUTH UNIT THREE
 SUBDIVISION / ADDITION / MRGCD MAP NO. BLOCK(S)
100905521002532124
 UNIFORM PROPERTY CODE

CRITERIA FOR DECISION-

I have been given the Criteria for Decision requirements. Initial Here BW

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.

TRAFFIC ENGINEERING REVIEW-

REQUIRED FOR ALL WALLS, FENCES, AND CARPORTS IN THE FRONT AND STREET SIDE YARD SETBACKS.
 Call the Traffic Investigations Supervisor at 505.857.8685 for Site Plan Review. Delay of your case will result if you do not obtain comments from the Traffic Analysis Supervisor.

Initial Here N/A

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

Bruce Walkowski
 SIGNATURE

9-15-08
 DATE

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

PROJECT #: 1007486

20080367

APPLICATION #: 08ZHE80367

APPLICATION FOR: (CHECK AS APPROPRIATE)

- (ZHE01) Conditional Use
- (ZHE02) Expansion of a NonConforming Use
- (ZHE03) NonConforming Use / Status Established Building
- (ZHE04) Variance:
 - Distance
 - Height
 - Size
 - Setback
 - Parking
 - Other

SECTION NO. M-16-2-17(B)(15) REFERENCE SECTION NO. _____

(LEGAL AD) ACTION DESCRIPTION A CONDITIONAL USE TO ALLOW PROPOSED RETAINING OF ALCOHOLIC BEVERAGE FOR CONSUMPTION OFF PREMISES WITHIN SCOPE OF A RESIDENTIAL ZONE

SECTOR DEVELOPMENT AREA: R10 BRAWO

ZONED: C-2 ZONE MAP PAGE: M-9 DATE OF NO. OF SIGNS ISSUED: 2

GIBSON BLVD SW + 98th ST SW

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

JARATHAN TURNER

FEE: \$ 145.00

APPLICATION RECEIVED BY ZEO (PRINT FULL NAME)

10-21-08
 DATE OF PUBLIC HEARING

(APN) 441018 / 4971000 \$ 35.00

(CMP) 441032 / 3424000 \$ 10.00

(ZHE) 441006 / 3451000 \$ 100.00

11-15-00

BENCOR

5600 Eubank NE
Suite 180
Albuquerque, NM 87111
(505) 508-3743
(505) 508-0691

September 15, 2008

City of Albuquerque
Zoning Enforcement Division
600 2nd Street NW, 7th Floor
Albuquerque, NM 87102

Re: Request for Conditional Use

To whom it may concern:

Bencor Inc. is requesting a Conditional Use permit to allow packaged liquor sales for a proposed retail pharmacy at the Northwest corner of 98th St. and Gibson Blvd. in SW Albuquerque. A preliminary site plan is attached for review.

The property is currently zoned C-2. Allowing this Conditional Use will not have a negative impact on the adjacent property, neighborhood or community. In addition, there will not be a negative impact to the surrounding structures or activities.

Bencor Inc. has a signed purchase contract with the current land owner, Rupindra S. Bindra, for the property as described as follows:

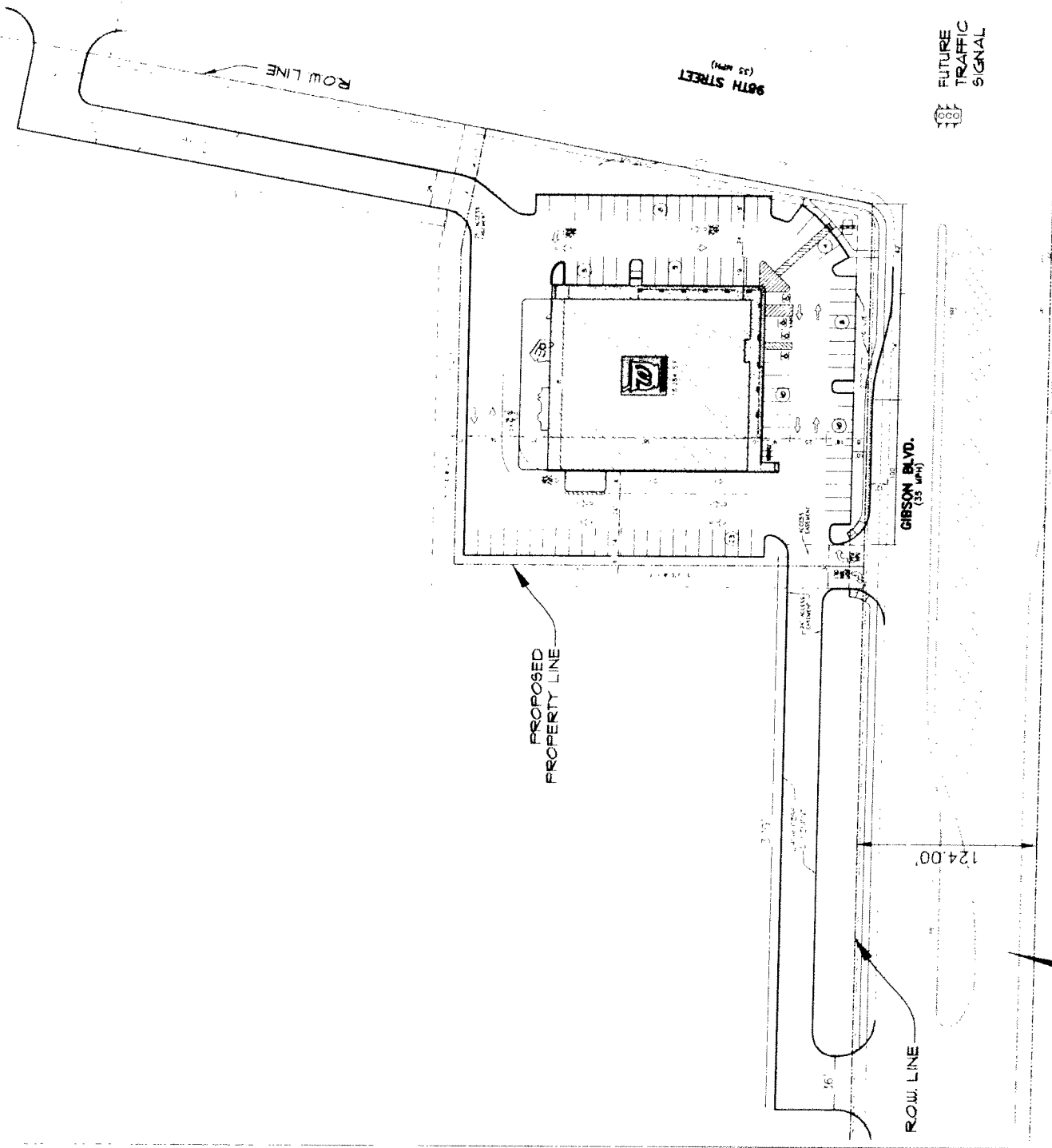
Approximately 80,000 square feet of land area comprising a portion of the parcel of land known as TR E-4 Bulk Land Plat for Albuquerque South Unit Three Tracts E-1 Thru E-6 containing 27.8173 Acres, located on the NW Corner of 98th Street and Gibson Blvd. in the City of Albuquerque, Bernalillo County, State of New Mexico.

We appreciate your consideration and approval of this request.

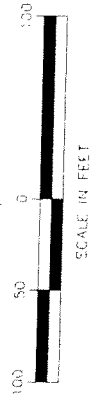
Very truly yours,



Bruce A. Walkowski
Manager



OVERALL SITE PLAN



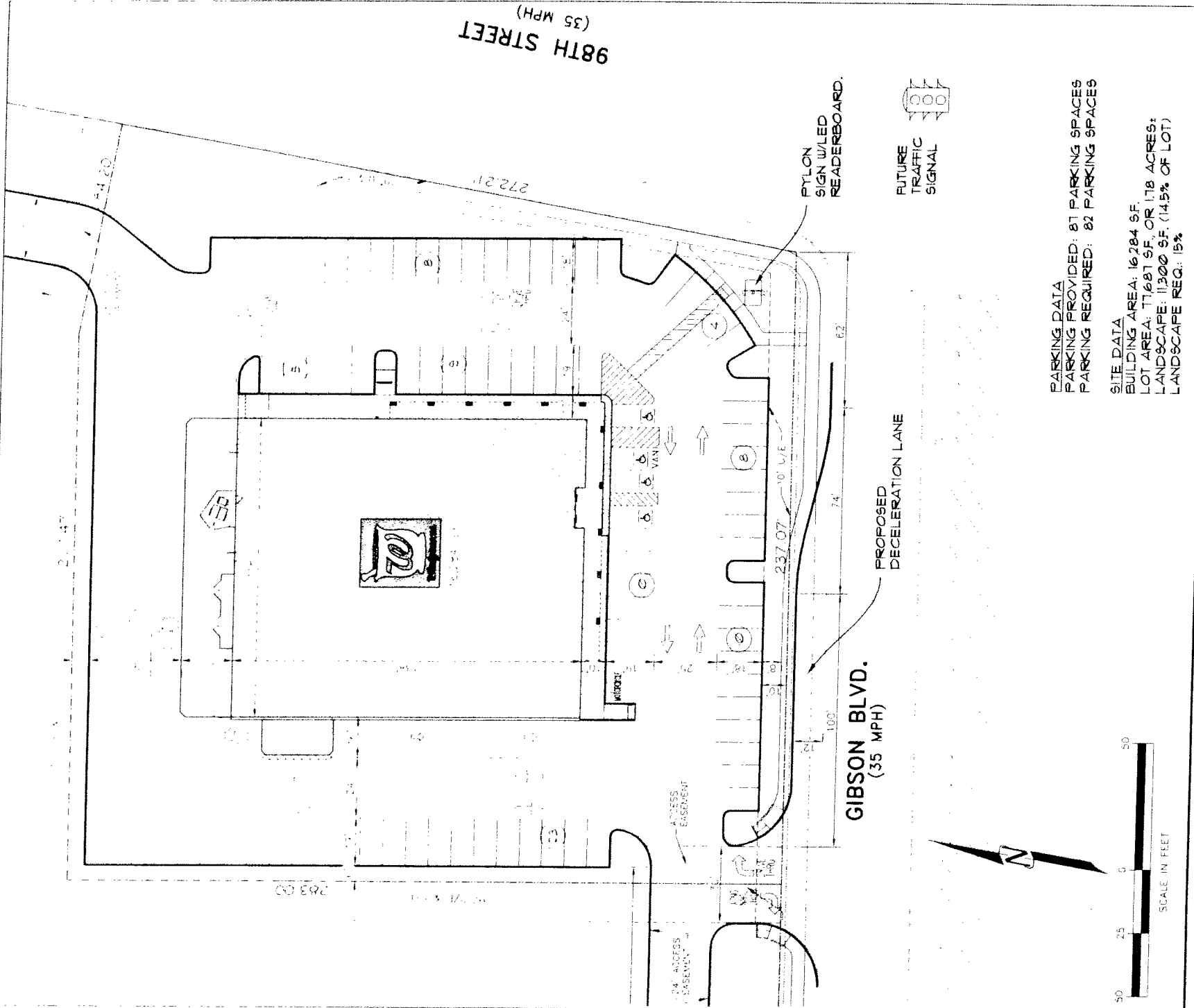
K
 Khoury Engineering, Inc.
 Civil Engineering - Land Development
 435 East 41st Street
 Tulsa, OK 74105
 CA #37511, Renewal 06.30.09
 Tel 918.712.6768
 Fax 918.712.1069

CONCEPTUAL SITE PLAN

Walgreens

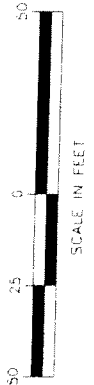
NWC 98TH & GIBSON - ALBUQUERQUE, NM

- REVISED DATE:
- 1: 06-30-08
 - 2: 07-03-08
 - 3: 08-21-08
 - 4: 08-26-08
 - 5: 09-03-08
 - 6: 09-09-08



PARKING DATA
 PARKING PROVIDED: 81 PARKING SPACES
 PARKING REQUIRED: 82 PARKING SPACES

SITE DATA
 BUILDING AREA: 16,284 SF
 LOT AREA: 11,681 SF, OR 1.18 ACRES;
 LANDSCAPE: 11,900 SF. (14.5% OF LOT)
 LANDSCAPE REQ: 15%



K
Khoury Engineering, Inc.
 Civil Engineering - Land Development
 1435 East 41st Street
 Tulsa, OK 74105
 CA #3751, Renewal 06/30/09
 Tel 918.712.8768
 Fax 918.712.1069

CONCEPTUAL SITE PLAN

Walgreens
 NWC 98TH & GIBSON - ALBUQUERQUE, NM

REVISED DATE:
 1: 06-30-08
 2: 07-03-08
 3: 08-21-08
 4: 08-26-08
 5: 09-03-08
 6: 09-05-08



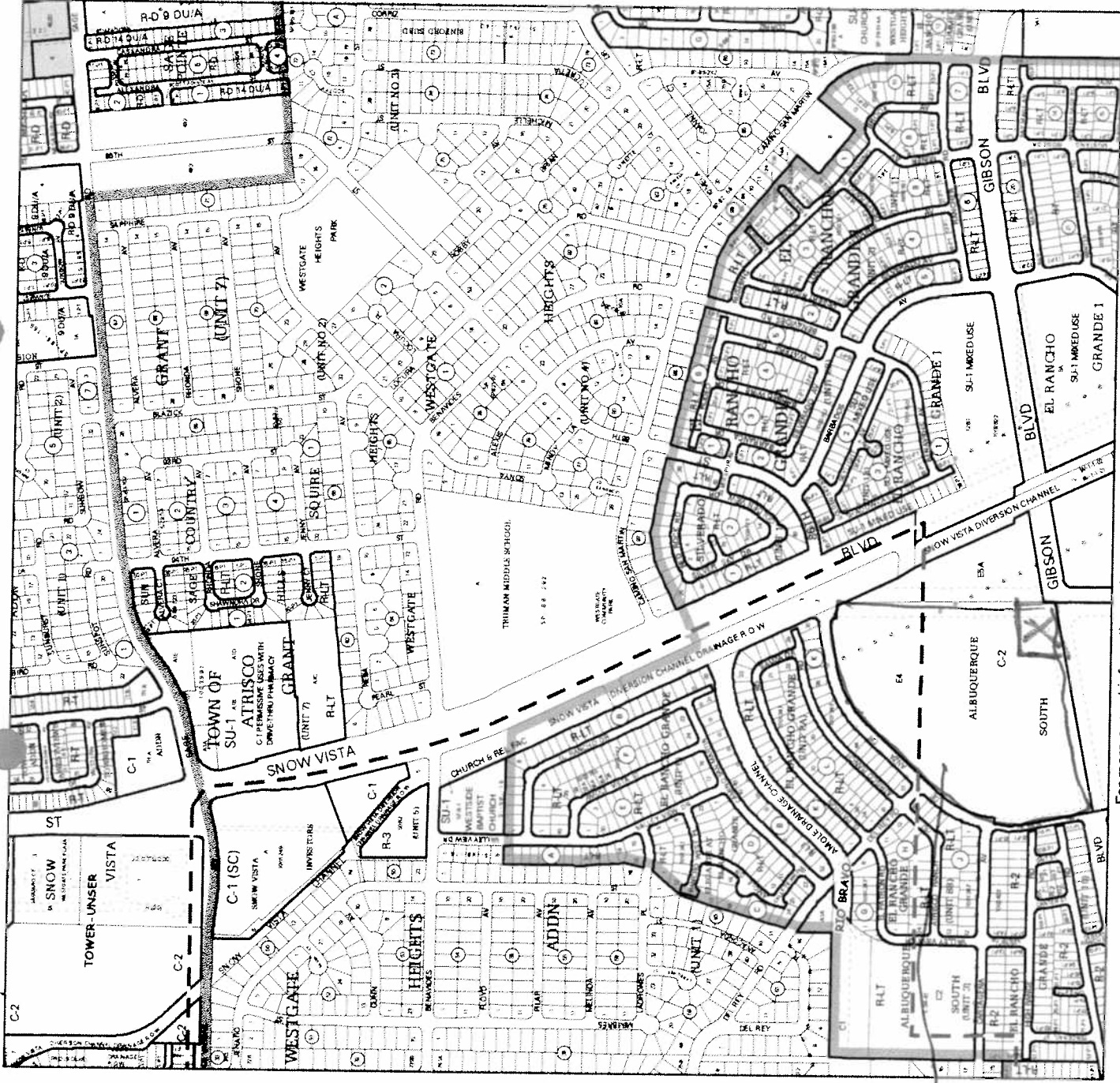
PYLON SIGN W/LED READERBOARD.

98TH STREET
 (35 MPH)

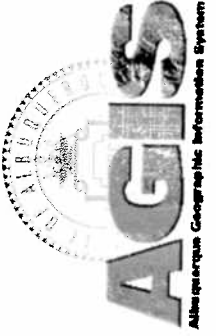
GIBSON BLVD.
 (35 MPH)

B) special buffering.

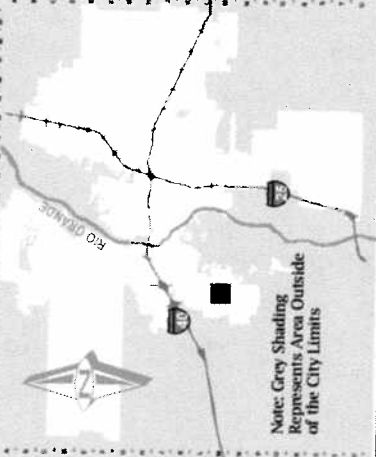
- (12) Parking of more than two truck tractors and two semitrailers for over two hours.
- (13) Park-and-ride joint-use facilities, if it is determined that under the conditions imposed there will not be a shortage of on-site parking for the activities on the site: in such situations, no parking variance is required.
- (14) Pony riding without stables, provided it is located at least 300 feet from a dwelling which is a conforming use.
- (15) Retail sale of alcoholic drink for consumption off premises, where the portion of the building used for such business is within 500 feet of a residential zone, provided such sales shall not include the sale of broken packages or the following packages within 500 feet of a pre-elementary, elementary or secondary school, a religious institution, a residential zone, a city owned park or city owned major public open space except the retailing of alcoholic drink, for on or off premise consumption, within 500 feet of a Community Residential Program or Hospital for Treatment of Substance Abusers, is prohibited pursuant to § 14-16-3-12(A)(11) ROA 1994 and further provided that such sales shall not include:
- ~~(a) distilled spirits, as defined in the New Mexico Liquor Control Act, in any package that contains less than 750 milliliters;~~
- (b) beer, as defined in the New Mexico Liquor Control Act, in any single container; and
- ~~(c) fortified wines with a volume of alcohol of more than 13.5 percent.~~
- (16) Public utility structure which is not permissive.
- (17) Retail business in which products may be manufactured, compounded, processed, assembled, or treated, as an accessory use, including carpentry, plumbing, sheet-metal working, upholstering, sign painting, making of metal stamps, catering, baking, confectionery making, or jewelry or curio making, provided:
- (a) All activities are conducted within a completely enclosed building.
- (b) The number of persons engaged in the manufacturing, processing, assembling, or treating of products is limited to ten, excluding office, clerical or delivery personnel.
- (c) Activities or products are not objectionable due to odor, dust, smoke, noise, vibration, or other cause.
- (18) Tire recapping or retreading, provided:
- (a) The activity is incidental to the major use and is conducted within a completely enclosed building.
- (b) Outdoor storage of tires is enclosed by a solid wall or fence at least six feet high.
- (c) Tires stored outdoors may not be stacked above the plane established by the top of the required surrounding wall.



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












Map amended through: 10/25/2006

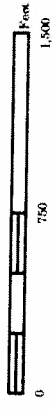


Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
M-09-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

1	100905521002532124	COASDE.BERNCO.ParcelDec_2007.UPC	COASDE.BERNCO.ParcelDec_2007.OWNER	COASDE.BERNCO.ParcelDec_2007.OWNADD	LOS ANGELES
Rec					

ZONE GRID OWNERSHIP

No Features found.

1	C-2	
Rec	ZONING DESCRIPTION	

ZONE GRID

1	M9
Rec	ZONE ATLAS GRID

PARCELS

1	99999	DE ANZA DR	SW	E4	0000	ALBUQUERQUE SOUTH UNIT 3	ABQ189309
Rec	NUMBER	NAME	DESIGNATION	QUADRANT	LOT	BLOCK	SUBDIVISION
							PIN

CENTERS

1	98TH/GIBSON	COMM	PROPOSED
Rec	CENTER	TYPE	STATUS

ZONE GRID

No Features found.

1	COASDE.AGIS.NEIGHBORHOODASSOCIATIONS.ASSOCIATIONNAME	WESTGATE HTS
Rec	COASDE.AGIS.NEIGHBORHOODASSOCIATIONS.ASSOCIATIONNAME	

NEIGHBORHOODS

SECTOR PLANS

1	RIO BRAVO
Rec	SECTOR PLAN NAME

COUNCIL

1	SANCHEZ
Rec	COUNCILOR NAME
1	
Rec	COUNCIL DISTRICT

ZIPCODES

1	87121
Rec	ZIPCODE

ZONE GRID

No Features found.