

County of Bernalillo
State of New Mexico
Planning & Development Services Department
111 Union Square SE, Suite 100
Albuquerque, New Mexico 87102
Office: (505) 314-0350 Fax: (505) 314-0480
www.bernco.gov

NOTICE OF APPEAL

February 25, 2019

To Whom It May Concern:

The following appeal has been filed with the Bernalillo County Planning and Development Services:

APPEAL NO: COA2019- 0001 **ORIGINAL CASE NO: CSU2019-0001**

AGENT: Name: Hess Yntema, Yntema Law Firm P.A.

Address: 215 Gold Ave. SW, Suite 201, Albuquerque, NM 87102

APPELLANTS: Matthew Cone, 1413 Dennison Rd. SW, Albuquerque, NM 87105

Albert Sanchez, 224 Five Points Rd. SW, Albuquerque, NM 87105

Amanda Webb Knox and Justin Knox, 2016 Poplar Lane SW. Albuquerque, NM 87105

Carlos and Gloria Baca, 1325 Gonzales Rd. SW, Albuquerque, NM 87105

REASON FOR APPEAL: See Attached

**SCHEDULED FOR PUBLIC HEARING BEFORE THE BOARD OF COUNTY COMMISSIONERS
ON:**

Tuesday, April 9, 2019 at 3:00 P.M., at the Vincent E. Griego Chambers, Concourse Level II, One Civic Plaza,
NW.

You and all other interested parties are invited and urged to be present at this hearing.

Applicants, agents and those in support or opposition to a request are required to submit any evidence and
presentation materials to the Board of County Commissioners (BCC) through the staff. Appeals follow the
procedures described in the attached Bernalillo County Board of County Commission Rules of Procedure.

COMMISSIONERS

Maggie Hart Stebbins, Chair, District 3 Debbie O'Malley, Vice Chair, District 1
Steven Michael Quezada, Member, District 2 Lonnie C. Talbert, Member, District 4 Charlene E. Pyskoty, Member, District 5

ELECTED OFFICIALS

Tanya R. Giddings, Assessor Linda Stover, Clerk Cristy J. Carbón-Gaul, Probate Judge Manuel Gonzales III, Sheriff Nancy M. Bearce, Treasurer

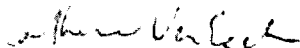
COUNTY MANAGER

Julie Morgas Baca

Es necesario traer un interprete si no habla ingles o puede llamar a Miriam Aguilar al 314-0369.

If you have any questions, please feel free to contact me directly at 314-0387.

Sincerely,



Catherine VerEecke
Planning Manager

CV/fs

cc: File

Kevin Grovet, Public Works
Raeleen Marie Bierner, Public Works
Blaine Carter, Public Works
Rene Sedillo, Technology Manager
Jeff Senseney, Building Official
Joel Kurzawa, Project Coordinator
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Lissa Hammit and Salley Trefethen, 501 Walter St. SE, Albuquerque, NM 87102
Deborah Bock, 8301 4th St. NW, #3, Bldg 3, Los Ranchos, NM 87114
Mary and James Brown, 5215 Montano Plaza Dr. NW, Albuquerque, NM 87120
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David Ryan, 813 Mountain Rd. NW, Albuquerque, NM 87102
Priscilla Sais, P.O. Box 27633, Albuquerque, NM 87125
Steve Cone, 1217 N Chaco Ave., Farmington, NM 87401
Willa Pilar, 744 Montclair Dr. NE, Albuquerque, NM 87110
Blake Whitcombe Hunt and Davis PC, 2632 Mesilla St. NE, Albuquerque, NM 87110

**Bernalillo County Board of County Commissioners Rules of Procedure
Procedure for Quasi-Judicial Hearings (Verbatim).**

The BCC procedures to be followed for appeals are generally follows: [VRCI]

- A. Appeal or Public Hearing Time Limits: A fifteen (15) minute time limit on each party's argument before the Commission may be established with the understanding that the Chair may alter the time limit when the case is unusually complex. Where numerous speakers sign up to present argument, the Chair may assign a time limit of two (2) minutes per speaker, but in any event, each party's argument shall not exceed the total time allowed. In all cases, the maximum time available for proponents should be equal to the maximum time allowed for the opponents. If necessary, a staff person shall be assigned by the County Manager to be the official timekeeper.
- B. In order to focus the Board of County Commissioners on the issues the party is presenting on appeal, they are encouraged to cite to the facts in the record from the County Planning Commission, and present legal arguments based on the facts in the record. No new evidence shall be presented on appeal to the Board of County Commissioners except as provided in paragraph 22.J below.
- C. The County Manager or designee shall describe the quasi-judicial item to be considered and make a presentation pertaining to the item. This presentation shall be limited to five (5) minutes. The Chair shall then inquire as to whether any Commissioner has questions for the staff members who made the presentation.
- D. The zoning applicant, or appellant, or his/her representative will [VRCI] make a presentation pertaining to the application or appeal. This presentation shall be limited to ten (10) minutes. The Chair will once again inquire as to whether Commissioners have questions of the applicant/appellant and the applicant's/appellant's representatives.
- E. The opponents will make a presentation pertaining to the application or appeal. The presentation will be limited to fifteen (15) minutes. The Chair will once again inquire as to whether Commissioners have questions of the opponents or the opponent's representatives.
- F. There will be an opportunity for applicant/appellant rebuttal and summation. This presentation shall be limited to five (5) minutes.
- G. Staff will then be provided an opportunity to present closing comments. There shall be a time limit of two (2) minutes for closing comments.
- H. The Chair will then inquire of the Commissioners as to whether they have further questions of staff, the applicant/appellant or the opponents and will recognize Commissioners who wish to question the parties or staff.
- I. The Chair will then inquire of the Commissioners as to whether they are prepared to vote on the issue of the application/appeal before them.
- J. No new evidence shall be presented by the applicant/appellant or the opponents. If a party shows good cause why new evidence is necessary for the Commission to act on the case and why the evidence was not available to be presented to the County Planning Commission, the Board of County Commissioners shall either:
 - i. Remand the case to the County Planning Commission to hear the new evidence and any rebuttal evidence, or;

ii. If the proposed new evidence is brief and concise in nature and will not prejudice the other party's opportunity to respond to it the Commission may allow the evidence to be presented and considered; swear any witness; allow the opposing party to rebut the new evidence, and; allow for brief cross examination on the new evidence presented through the Chair.

K. The Commission shall then take action on the item.



County of Bernalillo
State of New Mexico
Planning & Development Services
 111 Union Square SE, Suite 100
 Albuquerque, New Mexico 87102
 (505) 314-0350
APPLICATION

SITE ADDRESS/LOCATION

1300 Gonzales Rd SW,
 Albuquerque, NM 87105

PERMIT NO: ZCOA2019-0001

Printed: February 21, 2019

PROPERTY OWNER

SAIZ VALENTIN P
 375 SUNSET RD SW
 ALBUQUERQUE, NM 87105 2739

UPC

101305700818630240

LEGAL DESCRIPTION

MRGCD MAP #40 TRACT 88A1A1
 CONT 3.06 AC M/L

APPELLANT

Matthew Cone AND OTHERS.

Fees Paid: \$100.00

Description: Requesting an appeal to CSU2019-0001.

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS DOCUMENT AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATING LAND USE.

Signature: Heul E. Yntema III
(Applicant, Owner or Authorized Agent)

2-22-19
Date

Processed By: Manli Melendez
(PDS Staff)

2-22-19
Date

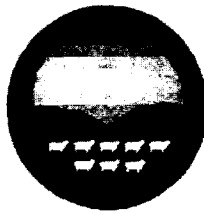
FOR INFORMATION CALL (505) 314-0350

Hearing Date: 04/09/2019

Sign Posting Date(s) From: To:

BERNALILLO COUNTY

Planning & Development Services
 111 Union Square SE, Suite 100
 Albuquerque, NM 87102
 (505) 314-0350 Fax: (505) 314-0480
 www.bernco.gov



ZONING SECTION

APPEAL TO COUNTY COMMISSION

Application Date: 2-21-19
 Application Number: ZCOA 2019-0001
 Hearing Date: April 9, 2019 *converted*

OWNER/ APPLICANT FOR LAND USE REQUEST		PHONE
MAILING ADDRESS	CITY	ZIP

AGENT (FOR APPELLANT) <u>Hessel E. Yntema III, Yntema Law Firm P.A.</u>		PHONE <u>505-843-9565</u>
MAILING ADDRESS <u>215 Gold Ave SW Suite 201</u>	CITY <u>Albuquerque NM</u>	ZIP <u>87102</u>

APPELLANT <u>Matthew Cone, others as set out on Exhibit A</u>		PHONE <u>505-795-9817</u>
MAILING ADDRESS <u>as noted on Exhibit A</u>	CITY	ZIP

SITE ADDRESS <u>1300 Gonzales Rd SW</u>	Case # <u>CSU-2019-0001</u>
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DIRECTIONS

LEGAL DESCRIPTION Tract 39A1A1, Tract 39A1A2, Tract 47B1, MRBCD Map 40

ZONE MAP PAGE <u>K-13-A</u>	CURRENT ZONE(S) <u>A-1</u>	PROPERTY SIZE IN ACREAGE <u>3.8</u>
UPC # <u>101305700814630240</u>	PROPOSED ZONE(S) <u>SU-PDA</u>	SUBDIVISION NAME

CASE # & SCOPE OF APPEAL Appeal of CSU-2019-0001 (copy of Notification of Decision attached)

DETAILED INFORMATION Reasons for this appeal are set out on Exhibit B
Appellant's Basis of Standing is set out on Exhibit C

I hereby acknowledge that I have read this entire application and affirm that all of the provided information is correct. I agree to comply with the requirements of Bernalillo County and the State of New Mexico as outlined in all applicable laws, ordinances and regulations.

Hessel E. Yntema III
 Printed Name

Hessel E. Yntema III
 Signature

2-21-19
 Date



County of Bernalillo
State of New Mexico
 Planning & Development Services
 111 Union Square SE, Suite 100
 Albuquerque, New Mexico 87102
 (505) 314-0350
APPLICATION

SITE ADDRESS/LOCATION

1300 Gonzales Rd SW,
 Albuquerque, NM 87105

PERMIT NO: ZCOA2019-0001

Printed: February 21, 2019

PROPERTY OWNER

SAIZ VALENTIN P
 375 SUNSET RD SW
 ALBUQUERQUE, NM 87105 2739

UPC

101305700818630240

LEGAL DESCRIPTION

MRGCD MAP #40 TRACT 88A1A1
 CONT 3.06 AC M/L

APPELLANT

Matthew Cone AND OTHERS.

Fees Paid: \$100.00

Description: Requesting an appeal to CSU2019-0001.

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS DOCUMENT AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATING LAND USE.

Signature: _____
 (Applicant Owner Or Authorized Agent)

 Date

Processed By: _____
 (PDS Staff)

 Date

FOR INFORMATION CALL (505) 314-0350

Hearing Date: 04/09/2019

Sign Posting Date(s) From: To:

February 20, 2019

County of Bernalillo
Planning & Development Services Dept.
111 Union Square SE, Suite 100
Albuquerque, NM 87102

Authorization Letter for Representation
in Appeal of CSU-2019-0001
(1300 Gonzales Rd. SW)

*and Gloria
Baca &
Carlos
Baca*

Dear County Planning Department:

This letter is to authorize Hessel E. Yntema III, Yntema Law Firm P.A., to represent Matthew Cone, Albert Sanchez, Amanda Webb Knox and Justin Knox, in connection with the referenced project.

Very truly yours,

MATTHEW CONE
1413 Dennison Rd. SW
Albuquerque, NM 87105

ALBERT SANCHEZ
2024 Five Points Rd. SW
Albuquerque, NM 87105

AMANDA WEBB KNOX
2016 Poplar Ln. SW
Albuquerque, NM 87105

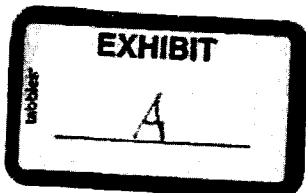
JUSTIN KNOX
2016 Poplar Ln. SW
Albuquerque, NM 87105

Gloria Baca

GLORIA BACA
1325 Gonzales Rd. SW
Albuquerque, NM 87105

Carlos Baca

CARLOS BACA
1325 Gonzales Rd. SW
Albuquerque, NM 87105



February 19, 2019


County of Bernalillo
Planning & Development Services Dept.
111 Union Square SE, Suite 100
Albuquerque, NM 87102

Authorization Letter for Representation
in Appeal of CSU-2019-0001
(1300 Gonzales Rd. SW)

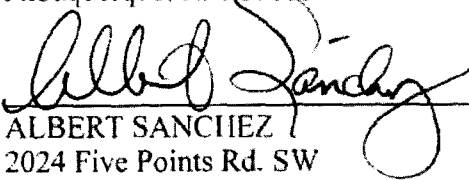
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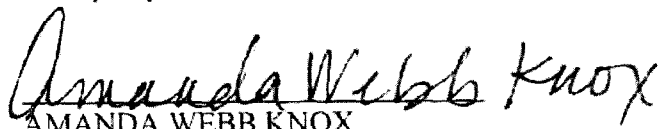
Very truly yours,



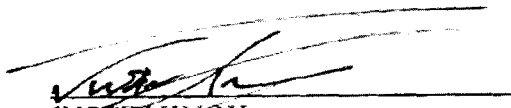
MATTHEW CONE
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NOTIFICATION OF DECISION
COUNTY PLANNING COMMISSION

February 7, 2019

Valentin P. Sais and Ron A. Perea
1302 Neetsie Dr. SW
Albuquerque, NM 87105

SUBJECT: FILE NO: CSU2019-0001

LEGAL DESCRIPTION: Rio Grande Huerta LLC, agent for Valentin P. Sais and Ron A. Perea, requests approval of a Special Use Permit for a Planned Development Area (Residential and Agricultural Uses) on Tract 88A1A1 MRGCD Map 40, Tract 88A1A2 MRGCD Map 40, and Tract 87B1 MRGCD Map 40, located at 1300 Gonzales Rd. SW, zoned A-1 and containing approximately 3.83 acres. (K-13)

ACTION: APPROVED A SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT AREA (RESIDENTIAL AND AGRICULTURAL USES)

To Whom It May Concern:

At the February 6, 2019 public hearing, the County Planning Commission voted to approve the request for a Special Use Permit for a Planned Development Area (Residential and Agricultural Uses) on Tract 88A1A1 MRGCD Map 40, Tract 88A1A2 MRGCD Map 40, and Tract 87B1 MRGCD Map 40, located at 1300 Gonzales Rd. SW, zoned A-1 and containing approximately 3.83 acres. The decision was based on the following Findings and is subject to the following Conditions.

Findings:

1. This request is for a Special Use Permit for a Planned Development Area (Residential and Agricultural Uses) on Tract 88A1A1 MRGCD Map 40, Tract 88A1A2 MRGCD Map 40, and Tract 87B1 MRGCD Map 40, located at 1300 Gonzales Rd. SW, zoned A-1 and containing approximately 3.83 acres.

COMMISSIONERS

Maggie Hart Stebbins, Chair, District 3 Debbie O'Malley, Vice Chair, District 1
Steven Michael Quezada, Member, District 2 Lonnie C. Talbert, Member, District 4 Charlene E. Pyskoty, Member, District 5

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COUNTY MANAGER

Julie Morgas Baca

2. The site development plan illustrates the location of 27 dwelling units inside 5 buildings, a pool and recreation area, agricultural uses including gardens, orchards and greenhouses, parking for vehicles and bicycles, a garage, workshop, storage buildings and a monument sign.
3. The applicant indicates that the site will accommodate a "co-housing" type development with shared responsibilities amongst homeowners, although this use is not listed in the County Zoning Code.
4. The subject property is located within the Comprehensive Plan's Established Urban Area and within the Southwest Area Plan's Residential Area 5, thereby allowing up to 9 dwelling units per net acre.
5. The request furthers goals and policies of the Comprehensive Plan and the Southwest Area Plan related to density, land use, housing, developed landscape, energy management and water management.
6. As required by Zoning Code Section 18 for a Planned Development Area, the applicant demonstrated the need to vary height, lot area, or setback requirements due to unusual topography, lot configuration, or site features in order to create cluster housing development, preserve visual or physical access to open space or unique site features, or to facilitate development as allowed by an approved Master Plan. The site plan includes areas dedicated to open space, agricultural and recreational uses.
7. The applicant provided adequate justification for the request that met the criteria of Resolution 116-86. Specifically, the applicant described changed conditions in the area and how approval of the Special Use Permit is more advantageous to the community than the existing zoning because it furthers goals and policies of the Comprehensive Plan and Southwest Area Plan.
8. Although not required, the applicant provided evidence of support in the form of a petition. There is both support and opposition to this request.
9. According to the Albuquerque Bernalillo County Water Utility Authority, the applicant requested a water and wastewater availability statement but it has not been completed as of the printing of this report.
10. The request is consistent with the health, safety and general welfare of the County.

Conditions:

1. Development of the site shall comply with the approved site plan including the multi-family dwelling units, open space, storage, recreational areas, parking, landscaping, fencing and agricultural areas.
2. The Site Development Plan shall be revised, as follows:
 - a. Revise "Building Footprint" note and "General" note to read "height will conform to A-1 zone, Section 7.C", which allows heights up to 26' or 2 ½ stories.
 - b. The sign shall comply with sign regulations of the C-1 zone.
 - c. A note shall indicate the type of paving approved by County Public Works.
3. The Landscape Plan shall be revised, as follows:
 - a. Clarify the concrete vs. porous paving areas (as on the site development plan).
 - b. Revise paving material as approved by PW.
 - c. Provide a legend detail for the pedestrian walkway material.
 - d. Identify the "Bosque Restoration Area" on the plan.

- e. Identify the square footage of "Agriculture Areas".
 - f. Identify the square footage of "Play Field/Blue Gramma Field".
 - g. Identify location of the "Chicken Run".
4. The covered parking structure shall comply with Zoning Code Section 22.D.2.e. (fire resistive) since it is located less than 5' from the north property line.
 5. Obtain permits required by Bernalillo County Building Ordinance Section 110.
 6. Within 60 days of approval, the applicant shall submit to the Public Works Division construction plans (PWCO) for the driveway connection to Gonzalez Road SW and any other work within the County right-of-way.
 7. Within 60 days of approval, the applicant shall submit to the Public Works Division a final Grading and Drainage Plan that includes all proposed site features.
 8. Prior to issuance of a building permit, water and wastewater utilities shall be approved by ABCWUA.
 9. This Special Use Permit shall be issued for the life of the use.
 10. A replat is required to combine the three lots into one, prior to issuance of any building permits.
 11. Three copies of a revised site development plan, consistent with the conditions of approval, shall be submitted for review and approval to the Zoning Administrator within 60-days of approval of this Special Use Permit.
 12. The applicant shall comply with all applicable Bernalillo County ordinances and regulations.
 13. The foregoing conditions shall become effective and shall be strictly complied with immediately upon execution or utilization of any portion of the rights and privileges authorized by this Special Use Permit.
 14. The applicant shall add a Responsibility for Maintenance Statement to the Landscape Plan.

This decision is final unless it is appealed by 12:00 noon on **February 22, 2019** in the manner described below. A filing fee of \$75.00 is required for properties consisting of one (1) acre or less, and \$100.00 is required for all others.

APPEALS: Appeal of any denial or approval of an application by the County Planning Commission may be submitted in writing to the office of Planning and Development Services within 15 days after the date of the notice of decision by the County Planning Commission.

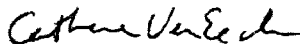
The date of the notice of decision in question shall not be included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday, the next working day shall be considered as the deadline for filing the appeal.

A building permit or Certificate of Occupancy & Compliance shall not be issued until any appeal is decided, or the time for filing such appeal has expired.

WRITTEN NOTICE OF APPEAL SHALL BE FILED WITH THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT ON THE PRESCRIBED FORM ALONG WITH PAYMENT OF THE REQUIRED FILING FEE.

If you have any questions, please feel free to contact me directly at 314-0387.

Sincerely,



Catherine VerEecke
Planning Manager

CV/fs

cc: File

Kevin Grovet, Public Works
Raeleen Marie Bierner, Public Works
Blaine Carter, Public Works
Rene Sedillo, Technology Manager
Jeff Senseney, Building Official
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Priscilla Sais, P.O. Box 27633, Albuquerque, NM 87125
Steve Cone, 1217 N Chaco Ave., Farmington, NM 87401
Willa Pilar, 744 Montclair Dr. NE, Albuquerque, NM 87110
Blake Whitcomb Hunt and Davis PC, 2632 Mesilla St. NE, Albuquerque, NM 87110

EXHIBIT B

REASONS FOR APPEAL

The decision by the County Planning Commission ("CPC") was erroneous in applying County plans, was factually mistaken, was arbitrary, capricious and manifestly abusive of discretion, and was contrary to law, for the following reasons:

1. The applicant did not demonstrate the required "need to vary height, lot area, or setback requirements due to unusual topography, lot configuration, or site features" for a "Planned Community Area" ("PDA") special use permit for this site, under County Zoning Ordinance ("CDO") Section 18(B)(23), which provides for a special use permit for a PDA only under limited, demonstrated circumstances:

Planned Development Area, including residential uses or mixed residential and commercial uses, provided the minimum development lot area is two acres and the applicant demonstrates the need to vary height, lot area, or setback requirements due to unusual topography, lot configuration, or site features in order to create cluster housing development, preserve visual or physical access to open space or unique site features, or to facilitate development as allowed by an approved Master Plan.

2. The standards for granting a special use permit under Resolution 116-86 were not satisfied. The special use permit at issue is essentially a zone change as it is for the life of the use. The applicant did not demonstrate and the CPC did not find that the existing zoning is inappropriate. There was no evidence that and the CPC did not find that there was a public need for the change in classification or that the need will be best served by changing the classification for this property as opposed to other property, which standards appear to be required under Albuquerque Commons Partnership v. City Council of Albuquerque, 2009-NMCA-065, ¶ 16, rev'd on other grounds, 2011-NMSC-002 ("ACP"), for zone changes based on being "more advantageous for the community". See also Ricci v. Bernalillo County Bd. of County Comm'rs,

2011-NMCA-114, ¶ 16, which holds that the ACP standards do not apply to “temporary” special use permits.

3. The applicant and the CPC’s decision did not satisfy the special use permit standards of CDO Section 18(A), including but not limited to Sections 18(A)(1) and (3), relating to compatibility with and preservation of the A-1 zone, existing uses, the general area and adjacent zones. For example, staff observed:

Staff acknowledges that, due to the complex nature of this request, the history of the subject property, neighborhood character and substantial public input, not all applicable goals and policies are entirely furthered by this request. Specifically, the proposed density, building design and layout are not consistent with the character of the surrounding neighborhood.

4. The CPC did not apply any reasonable measurable standards for its decision to grant the PDA special use permit. The CPC’s decision was essentially *ad hoc*, arbitrary and capricious.

5. The approved special use permit conflicts with the Comprehensive Plan.

6. The proposed development will harm adjacent open space.

7. The proposed development permit will generate excessive traffic.

8. The applicant’s proposal is highly speculative.

9. If the special use permit does not constitute a zone change, it constitutes a variance as it varies from the underlying A-1 zoning. In such circumstances, the CDO and state law requirements for variances apply, and were not satisfied by the applicant or found to be satisfied by the CPC.

10. Upon information and belief, County staff, and thus the CPC, denied Appellants a fair hearing and due process by staff making determinations in favor of, and advising, coaching, and advocating for the applicant’s special use permit application.

11. Upon information and belief, County staff acting on behalf of and with delegated authority from the County Commission formed County policy in various meetings with the applicant or the applicant's agents, in violation of the New Mexico Open Meetings Act.

12. Upon information and belief, County staff and the applicant or the applicant's agents had numerous substantive meetings and correspondence about this matter which substantive meetings and correspondence were not evidenced in the record considered by the CPC.

13. The proposed use is essentially apartments allowed in an R-2 zone and a C-2 zone, and the proposed use should have been processed under CZO Section 18(B)(32)(a) as a "specific use" special use permit application. The applicant did not meet the "specific use" special use permits standards of unique conditions that justify the request and substantial support from neighborhood residents within 200 feet of the site.

14. These Reasons for Appeal are intended to supplement and incorporate arguments made at the CPC against granting the special use permit for this project. Appellants reserve the right to expand, supplement, clarify or amend their Reasons for Appeal after review of the record in this matter.

EXHIBIT C

**APPELLANTS' BASIS OF STANDING
FOR APPEAL OF CPC SPECIAL USE PERMIT DECISION OF FEBRUARY 6, 2019 IN
CSU-2019-0001 (1300 GONZALES RD. SW)**

Appellants are individual property owners and residents adversely affected by the subject special use permit decision, because the permit will harm their quality of life including street and pedestrian access, density, public safety, transportation issues, and open space issues, the decision violated fundamental principles of state zoning law and the County Zoning Ordinance, and the process for the decision was arbitrary, unfair, violated due process, and appeared to be influenced in closed meeting in violation of the Open Meetings Act. The addresses of the

Appellants are:

MATTHEW CONE
1413 Dennison Rd. SW
Albuquerque, NM 87105

ALBERT SANCHEZ
2024 Five Points Rd. SW
Albuquerque, NM 87105

AMANDA WEBB KNOX
2016 Poplar Ln. SW
Albuquerque, NM 87105

JUSTIN KNOX
2016 Poplar Ln. SW
Albuquerque, NM 87105

GLORIA BACA
1325 Gonzales Rd. SW
Albuquerque, NM 87105

CARLOS BACA
1325 Gonzales Rd. SW
Albuquerque, NM 87105