

CITY OF ALBUQUERQUE
DEVELOPMENT SERVICES DIVISION
P.O. BOX 1293, ALBUQUERQUE, NM 87103

Vista del Norte Management
P.O. Box 3671
Alb., NM 87190

31 August 2001

AMENDED CERTIFICATION OF ZONING

FILE: 00110 00000 00580/00128 00000 00583 (Project # 1000490)

DATE OF FINAL ACTION: July 20, 2000

LEGAL DESCRIPTION: on selected tracts of Vista Del Norte Subdivision as follows: Tract A, 19.9 acres, from SU-1 RA-2 Permissive to RA-2; South portion of Tract J, 21.8 acres, from SU-1 R-T, RL-T or R-2 Permissive to R-2; North portion of Tract J, 11.1 acres, from SU-1 R-T, RL-T or R-2 Permissive to R-T; Tract L, 16.20 acres, from SU-1 R-T, RL-T or R-2 Permissive to O-1 West portion of Tract T-2, 94.2 acres, from SU-1 R-1 Permissive to R-1; East portion of Tract T-2, 32.0 acres, from SU-1 R-T, RL-T or R-2 Permissive to R-2; Southeast portion of Tract T-2, 9.5 acres, from SU-1 R-T or RL-T or R-2 Permissive to R-T; Tract T-3, 38.8 acres, from SU-1 R-1 Permissive to R-1; Tract V, 2.5 acres, from SU-1 R-T, RL-T or R-2 Permissive to SU-1 for Public Park; La Sala del Norte Subdivision, 25.1 acres, from SU-1 R-1 Permissive to R-1; Los Prados del Norte Subdivision, 18.9 acres, from SU-1 R-1 Permissive to R-1; Villa del Norte Subdivision, 12.8 acres, from SU-1 R-T, RL-T or R-2 Permissive to R-T; plus a Site Plan for Subdivision amendment for all of the original Vista del Norte Subdivision as follows: Tract A, Tract J, Tract L, Tract M, Tract T-1, Tract T-2, Tract T-3, Tract U, Tract V, La Sala del Norte Subdivision, Los Prados del Norte Subdivision and Villa del Norte Subdivision, for a site located on Osuna Road NE between Edith Boulevard and the North Diversion Channel, containing approximately 395 acres (D-16, E-16) Bob Torres, Staff Planner

THE POSSIBLE APPEAL PERIOD HAVING EXPIRED, THE ZONING ON THE ABOVE CITED PROPERTY IS NOW CHANGED AS FOLLOWS:

FROM SU-1/RA-2 PERMISSIVE USES TO RA-2 FOR TRACT A;
FROM SU-1/R-1 PERMISSIVE USES TO R-1 FOR TRACTS B, C, D, E, LA SALA DEL NORTE
SUBDIVISION AND FOR LOS PRADOS DEL NORTE SUBDIVISION;
FROM SU-1/R-T, R-LT OR R-2 PERMISSIVE USES TO R-T FOR TRACTS H-1, VILLA DEL NORTE
SUBDIVISION AND FOR TRACT J-2;
FROM SU-1/R-T, R-LT OR R-2 PERMISSIVE USES TO R-2 FOR TRACTS G, H-2, AND J-1;
FROM SU-1/R-T, R-LT OR R-2 PERMISSIVE USES TO SU-1/O-1 WITH SIGNAGE RESTRICTIONS
FOR TRACT L

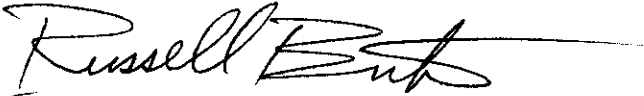
Successful applicants are reminded that other regulations of the City must be complied with, even after approval of the zoning is secured. Approval of this case does not constitute approval of plans for a building permit. SU-1 zoning requires site development plan approval prior to submittal of plans to the building & Inspection Division of the City to initiate a building permit.

ZONING CERTIFICATION

00110 00000 00580/00128 00000 00583/ project # 1000490

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Sincerely,


for Robert R. McCabe, AIA, APA
Planning Director

BM/ac

cc: Zoning

Neal Weinberg/AGIS

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DEVELOPMENT SERVICES DIVISION
P.O. BOX 1293, ALBUQUERQUE, NM 87103

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FROM SU-1/RA-2 PERMISSIVE USES TO RA-2 FOR TRACT A;
FROM SU-1/R-1 PERMISSIVE USES TO R-1 FOR TRACTS B, C, D, E, LA SALA DEL NORTE SUBDIVISION AND FOR LOS PRADOS DEL NORTE SUBDIVISION;
FROM SU-1/R-T, R-LT OR R-2 PERMISSIVE USES TO R-T FOR TRACTS H-1, VILLA DEL NORTE SUBDIVISION AND FOR TRACT J-2;
FROM SU-1/R-T, R-LT OR R-2 PERMISSIVE USES TO R-2 FOR TRACTS G, H-2, AND J-1;
FROM SU-1/R-T, R-LT OR R-2 PERMISSIVE USES TO SU-1/O-1 WITH SIGNAGE RESTRICTIONS FOR TRACT L

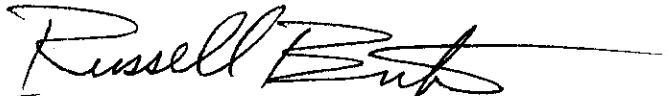
Successful applicants are reminded that other regulations of the City must be complied with, even after approval of the zoning is secured. Approval of this case does not constitute approval of plans for a building permit. SU-1 zoning requires site development plan approval prior to submittal of plans to the building & Inspection Division of the City to initiate a building permit.

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Sincerely,


For Robert R. McCabe, AIA, APA
Planning Director

BM/ac

cc: Zoning

Neal Weinberg/AGIS

City of Albuquerque
Planning Department
Development Services Division
P.O. Box 1293
Albuquerque, New Mexico 87103

Date: July 21, 2000

OFFICIAL NOTIFICATION OF DECISION

Vista del Norte Management
P.O. Box 3671
Alb., NM 87190

FILE: 00110 00000 00580/00128 00000 00583
LEGAL DESCRIPTION: on selected tracts of Vista Del Norte Subdivision as follows: Tract A, 19.9 acres, from SU-1 RA-2 Permissive to RA-2; South portion of Tract J, 21.8 acres, from SU-1 R-T, RL-T or R-2 Permissive to R-2; North portion of Tract J, 11.1 acres, from SU-1 R-T, RL-T or R-2 Permissive to R-T; Tract L, 16.20 acres, from SU-1 R-T, RL-T or R-2 Permissive to O-1 West portion of Tract T-2, 94.2 acres, from SU-1 R-1 Permissive to R-1; East portion of Tract T-2, 32.0 acres, from SU-1 R-T, RL-T or R-2 Permissive to R-2; Southeast portion of Tract T-2, 9.5 acres, from SU-1 R-T or RL-T or R-2 Permissive to R-T; Tract T-3, 38.8 acres, from SU-1 R-1 Permissive to R-1; Tract V, 2.5 acres, from SU-1 R-T, RL-T or R-2 Permissive to SU-1 for Public Park; La Sala del Norte Subdivision, 25.1 acres, from SU-1 R-1 Permissive to R-1; Los Prados del Norte Subdivision, 18.9 acres, from SU-1 R-1 Permissive to R-1; Villa del Norte Subdivision, 12.8 acres, from SU-1 R-T, RL-T or R-2 Permissive to R-T; plus a Site Plan for Subdivision amendment for all of the original Vista del Norte Subdivision as follows: Tract A, Tract J, Tract L, Tract M, Tract T-1, Tract T-2, Tract T-3, Tract U, Tract V, La Sala del Norte Subdivision, Los Prados del Norte Subdivision and Villa del Norte Subdivision, for a site located on Osuna Road NE between Edith Boulevard and the North Diversion Channel, containing approximately 395 acres (D-16, E-16) Bob Torres, Staff Planner

On July 20, 2000 the Environmental Planning Commission voted to approve 00110 00000 00580, a zone map amendment from Tract A, from SU-1 RA-2 Permissive Uses to RA-2, Tracts B,C,D,E; La Sala del Norte Subdivision; Los Prados del Norte Subdivision from SU-1 R-1 Permissive Uses to R-1, Tracts H-1, J-2; Villa del Norte Subdivision from SU-1 R-T, R-LT, or R-2 Permissive Uses to R-T, Tracts G, H-2, J-1, from SU-1 R-T, R-LT or R-2 Permissive Uses to R-2, Tract L from SU-1 R-T, R-LT or R-2 Permissive Uses to SU-/O-1 with signage based on the following Findings:

FINDINGS:

1. This is a request for a Zone Map Amendment to change zoning on several tracts, but not all the tracts, total 303 acres, within the Vista del Norte subdivision as follows:
Tract A, from SU-1 RA-2 Permissive Uses to RA-2
Tracts B,C,D,E; La Sala del Norte Subdivision; Los Prados del Norte Subdivision from SU-1 R-1 Permissive Uses to R-1
Tracts H-1, J-2; Villa del Norte Subdivision from SU-1 R-T, R-LT, or R-2 Permissive Uses to R-T
Tracts G, H-2, J-1, from SU-1 R-T, R-LT or R-2 Permissive Uses to R-2
Tract L from SU-1 R-T, R-LT or R-2 Permissive Uses to SU-1/ O-1 with signage restrictions.
All SU-1 sites shall have signage restrictions.
2. The request is in conformance with the *Comprehensive Plan*, Developing Urban Area which states that the location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, or recreational concern and that new growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be assured.
3. The request is in conformance with the North Valley Area Plan because, although the requested zone change affects a large area of land, the changes a minor in impact, not harmful to existing neighborhoods, and justified under Resolution 270-1980.
4. The request is consistent with the intent of infill policies of R-70 because the request will allow development of a largely vacant site in a developing area close to convenient urban services.
5. The Zone Change Amendment request to change SU-1 residential zones to straight zoning is justified under Resolution 270-1980 under the "changed conditions" test because the original reason for creating the SU-1 residential zones was to allow the sand and gravel extraction use to continue and the sand and gravel extraction has terminated. The previous approval of these SU-1 zones delegated review of development proposal to the DRB
6. The zone change request for Tract L to change zoning from SU-1 R-T, R-LT or R-2 Permissive Uses to SU-1 O-1 is justified under Resolution 270-1980 under the "more advantageous to the community" test because the zone change will add to the mixed use nature of the community; will buffer adjacent residential areas from adjacent manufacturing and commercial uses, and; will not be harmful to existing neighborhoods.
7. The applicant has requested O-1 zoning for tract L, but agreed to SU-1 O-1 with signage restrictions..

CONDITION:

1. Tract L will be subject to EPC review.

2. A subdivision plat shall be required for all tracts, which meets DRB requirements and DPM standards. With DRB approval, individual tracts may be combined to meet the DPM Bulk Land Variance and infrastructure phasing requirements.
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On July 20, 2000 the Environmental Planning Commission voted to approve 00110 00000 00583, a site plan for subdivision based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for a Site Plan for Subdivision for Vista del Norte, a 395 acre subdivision located on Osuna Road NE. The site is bounded by Osuna Road on the south, the North Diversion channel on the east, Paseo del Norte Boulevard on the north and by the Bernalillo County border on most of the west boundary, more particularly described as follows: Tract A, Tract J, Tract L, Tract M, Tract T-1, Tract T-2, Tract T-3, Tract U, Tract V, La Sala del Norte Subdivision, Los Prados del Norte Subdivision and Villa del Norte Subdivision.
2. The proposed subdivision creates three new tracts.
3. A concurrent request for a Zone Map Amendment proposes changing zoning of many, but not all of the tracts in this subdivision.
4. The related zone change requests are not changing zoning to an SU-1 category and do not require a Site Plan for Subdivision. In addition to creating the new proposed tracts, the Zone Map for Subdivision, will serve as a comprehensive document to evaluate the proposed changes. The Zone Map for Subdivision will also ensure accurate recordation of the zone changes in the official zone map (AGIS).
5. Dark color roofs and walls contribute significantly to HVAC loads and cost and shall be discouraged.

CONDITIONS:

1. The submittal of this site plan to the DRB shall meet all EPC conditions; a letter shall accompany the submittal, indicating all modifications that have been made to the site plan since the EPC submittal, including how the site plan has been modified to meet each of the EPC conditions.
2. The applicant shall file a plat consistent with this Site Plan for Subdivision approval.
3. Comply with the following Transportation Development Services conditions:
 - A) A TIS has been done for this proposal and various mitigation recommendations have been identified. The implementation of and/or monetary contributions for mitigation measures as required by the *TIS negotiations* between the developer and the City must be completed.
 - B) All the requirements of previous actions taken by the EPC and the DRB must be completed and /or provided for.

4. Lighting shall be site specific. Show light pole locations on site plans. Pole height shall be maximum 20'. Light fixtures shall be downlight shoe box fixtures with flush lenses and horizontal light elements to prevent fugitive light.
5. All canopies and out buildings shall be architecturally integrated with the main building on each site.
6. No plastic vinyl awnings or fascia panels or backlit panels or awnings.
7. All cell towers shall be architecturally integrated.
8. No generic franchise architecture shall be permitted.
9. No barb wire, concertina wire or chainlink fence shall be permitted.
10. All HVAC shall be screened, top of HVAC shall be less than top of parapet.
11. Walls shall follow the adopted City of Albuquerque Wall Design Guidelines.
12. No black or dark color asphalt shingles shall be permitted.
13. Maximum light standards within 300 feet adjacent residential shall be 16 feet and 20 feet elsewhere.
14. Signage shall be either building mounted or monument signs only. Maximum height of the monument sign shall be 10 feet high with a 75 square foot face area.
15. Signage maximum letter size shall be 2 foot individual channelized letters, backlit or neon and no signage shall face abutting residential.
16. All loading docks shall be covered and screened with an architecturally integrated roof and wall.
17. The face of curb to the entry facade shall be a minimum of 15 feet with a 6 foot clear pathway and trees at 25 feet on center in 5 by 5 planters or canopies and portals for the entire length of the building facade.
18. All buildings shall be directly connected to adjacent streets and other adjacent buildings with clear direct pedestrian pathways with trees at 25 feet on center in 5 x 5 planters and through parking lots to break up large fields of parking. There shall be textured concrete or other material crossways at each drive aisle crossing of a pedestrian way.
19. There shall be screen walls or earth berms of 3 feet to shield cars from adjacent streets.
20. Gas canopies and auto dominated uses shall be secondary to pedestrian ways.
21. Plazas shall be incorporated into commercial buildings a 30 foot minimum width dimension and 1,000 square feet.
22. Commercial and office uses shall be located adjacent to streets with minimal parking between the entry facade and the street.

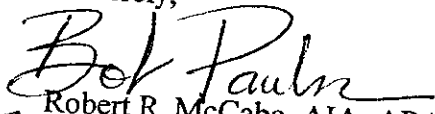
23. Commercial buildings should typically be linked with plazas and pedestrian ways.
24. Bus credits shall be utilized where applicable and the minimum parking shall be the maximum plus 10%.
25. No off premise signs as permitted.

IF YOU WISH TO APPEAL THIS DECISION, YOU MUST DO SO BY **AUGUST 4, 2000** IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE OF \$50 IS REQUIRED AT THE TIME THE APPEAL IS FILED.

Appeal to the City Council: Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department within 15 days of the Planning Commission's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If it decides that all City plans, policies and ordinances have not been properly followed, it shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

YOU WILL RECEIVE NOTIFICATION IF ANY OTHER PERSON FILES AN APPEAL. IF THERE IS NO APPEAL, YOU CAN RECEIVE BUILDING PERMITS AT ANY TIME AFTER THE APPEAL DEADLINE QUOTED ABOVE, PROVIDED ALL CONDITIONS IMPOSED AT THE TIME OF APPROVAL HAVE BEEN MET. SUCCESSFUL APPLICANTS ARE REMINDED THAT OTHER REGULATIONS OF THE CITY MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

Sincerely,



FOR
Robert R. McCabe, AIA, APA
Planning Director

MBT/ac

Mark Goodwin & Assoc., P.O. Box 90606, Alb., NM 87199
Linda Tragal, Northeast Valley NA, 508 Bear Canyon Ln., NE, Alb., NM 87113
Virginia Huettig, 7442 Edith Blvd., NE, Alb., NM 87113
Steve Hale, Alameda North Valley NA, 9339 Guadalupe Trl. NW, Alb., NM 87114
Tim McConough, Alameda North Valley NA, 1024 Ortega Rd. NW, Alb., NM 87114

