



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

Date: May 18, 2007

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project # 1000762***
07EPC-00446 EPC Site Development Plan-
Subdivision
07EPC-00447 Zone Map Amendment

Fountain Hills Plaza LLC
P.O. Box 56883
Albuq. NM 87187

LEGAL DESCRIPTION: for all or a portion of Tracts 2B, 3B, B-1-A, C-1-A, D-1-A, 6-A-1A, 10-A-1, 10-2-A, Albuquerque West Unit 1 and Tract B, Richland Hills, Unit 1, zoned SU-1 PDA to Include C-3 Uses and Su-1 in IP Uses with Exceptions, located on Paseo del Norte NW between Eagle Ranch Road NW and Educations Place NW, containing approximately 31 acres.
-(C-12) Stephanie Shumsky, Staff Planner

On May 17, 2006 the Environmental Planning Commission voted to approve Project 1000762/ 07EPC-00446, a zone map amendment from SU-1 for IP Uses with Exceptions (bottling plant, cold storage, golf course or golf driving range, railroad R-O-W, gasoline or oil sales, auto washing or repair) to SU-1 PDA to Include C-3 Uses, for the easternmost 1.46-acres of Tract B, Richland Hills Subdivision, Unit 1, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This request is for a zone map amendment for the easternmost 1.46 acres of Tract B, Richland Hills Subdivision, Unit 1, **from** SU-1 for IP Uses with Exceptions (bottling plant, cold storage, golf course or golf driving range, railroad R-O-W, gasoline or oil sales, auto washing or repair) **to** SU-1 PDA to Include C-3 Uses.
2. This request is meant to fulfill a condition of approval (#10) for Project 1000762/06EPC-01712 (First Baptist Church), which states: The site plan for subdivision is contingent upon the Fountain Hills site development plan (Project 1003445) being resubmitted and amended to incorporate today's action. Such action shall be within six months from today's date."

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3. This request was precipitated by a land swap that occurred recently between the property owners of Tract B (First Baptist Church) and the property owners of Tract(s) B-1-A and C-1-A (Fountain Hills Plaza LLC). The net result will be a decrease of approximately ½ acre of land for retail and service uses and an increase of approximately ½ acre of land for the adjacent church site.
4. This request is accompanied by an amendment to the Fountain Hills Plaza site development plan for subdivision (07EPC-00446).
5. This request furthers Comprehensive Plan goals and policies:
 - a. The Comprehensive Plan's Established Urban Area goal and policies a, d, and i are furthered because the requested zoning is consistent with the rest of the zoning for Fountain Hills Plaza to the north. The subject site will become part of the Fountain Hills Plaza site development plan for subdivision, which allows and provides for a variety of land uses that are compatible with surrounding residential and commercial development. The EPC approved Fountain Hills site development plan for subdivision contains design guidelines and standards that will insure that the nearby residentially zoned areas are not negatively impacted by allowed uses.
 - b. The Comprehensive Plan's Activity Center goal and policies a and f are furthered because the proposed zoning allows a wide variety of uses that are appropriate within an activity center and the EPC approved Fountain Hills Plaza site development plan for subdivision more specifically identifies the potential uses. The design guidelines and standards that were approved as part of the Fountain Hills Plaza plan will ensure that the nearby neighborhood is protected from on site uses.
 - c. The Comprehensive Plan's Air Quality goal is furthered because zoning will allow for more of a variety of retail, office, and service uses, which are not allowed in the IP zone and that may encourage walking, bicycling, and other forms of non-motorized transit.
 - d. The Comprehensive Plan's Noise goal and policy a are furthered because while, the uses allowed by the proposed zoning (C-3 Uses) may generate as much noise as the uses allowed by the existing zoning (I-P), the subject site will become part of the EPC approved site development plan for subdivision for Fountain Hills Plaza, which incorporates noise sensitive features such as low walls, landscaping, and pedestrian areas, which provide a buffer to surrounding residences.
 - e. The Comprehensive Plan's Transportation and Transit goal and policies a, g, and o are furthered because the allowed uses are appropriate adjacent to Minor Arterials, Collector Streets, and Express Transit Corridors.
6. This request furthers West Side Strategic Plan goals, objectives, and policies:
 - a. The West Side Strategic Plan's general goal 12 is furthered because the proposed zoning allows a variety of uses that will provide employment opportunities to the area as well as service and retail uses.
 - b. The West Side Strategic Plan's general objectives 1 and 4 are furthered because the allowed uses contribute to the mix of land uses on the west side. Services are needed in this area of the community and the allowed uses will contribute to the long-term sustainability of this area.

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- c. Policy 1.13 is furthered because the subject site is located in the Paseo/Coors Community Activity Center and the proposed zoning allows many uses that are appropriate within a community activity center.
 - d. The subject site is located within the Paradise Community as identified in the West Side Strategic Plan. Policy 3.8 is furthered because the allowed uses are appropriate within this community and provide a transition between the more intense commercial and service uses in the Paseo del Norte/Coors Boulevard Community Activity Center and the less intense residential uses outside of the activity center.
7. This request does not conflict with the Northwest Mesa Sector Development Plan because the subject site is not located in the Northwest Mesa Escarpment Plan area referred to by the Plan.
 8. This request does not conflict with the Riverview Sector Development Plan because the Plan calls for a mix of commercial, service, and industrial uses on the site.
 9. The applicant justified this request as required by Resolution 270-1980:
 - a. Policy A: The request is consistent with the health, safety, morals, and general welfare of the City because there is similar zoning to the north of the subject site and in the surrounding area. The SU-1 designation requires that the EPC review a site development plan, which it already has approved for Tract B to the south (First Baptist Church) and for the property to the north and including the subject site (Fountain Hills Plaza).
 - b. Policy B: The zone change will allow for consistent development over the subject site and the property to the north without significantly altering the Fountain Hills Plaza site development plan for subdivision or the site development plan for building permit for First Baptist Church on Tract B. Both plans have already been approved by the EPC.
 - c. Policy C: The proposed zone map amendment is not in conflict with existing zoning, or applicable plans and policies. It furthers Comprehensive Plan, West Side Strategic Plan, Riverview Sector Development Plan, and Northwest Mesa Sector Development Plan goals, objectives, and policies.
 - d. Policy D: This request is justified because of changed conditions. The proposed zone map amendment is required because of a condition of approval placed on the EPC approved site development plan for building permit for a church on Tract B, which was recently approved (Project 1000762/06EPC-01711). The request furthers Comprehensive Plan and other applicable plan goals, objectives, and policies.
 - e. Policy E: This zone map amendment will not be harmful to adjacent properties, the neighborhood, or the community because the proposed zoning allows many uses that are less intense than the existing zoning and because the SU-1 designation requires that the EPC review a site development plan for the site, which is has already approved. The approved site development plan for subdivision for Fountain Hills Plaza contains design standards that will ensure that the surrounding neighborhoods and adjacent uses will be protected from any potentially adverse uses.

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- f. Policy F: The proposed zone map amendment does not require any unprogrammed capital expenditures by the City. The developer is responsible for adjacent improvements if any are required.
 - g. Policy G: The cost of land or other economic reasons are not used in the justification of this request. This request is the result of a condition placed on a site development plan for an adjacent parcel.
 - h. Policy H: The site's location near two Arterials is not used in the justification of this request.
 - i. Policy I: The proposed zoning is the same as the zoning for Fountain Hills Plaza to the north. Approval of the request will not create a spot zone.
 - j. Policy J: Approval of this request will not create a strip zone.
10. In addition to property owners within 100' of the subject site, the Piedras Marcadas, Eagle Ranch, Paradise Hills Civic Association, Taylor Ranch, and Rancho Sereno Neighborhood Associations as well as the Westside Coalition were notified of these requests. A facilitated meeting was not requested. There is no known neighborhood opposition to this request. There is no known neighborhood opposition to this request. The property owner of adjacent Lot F expressed opposition at the EPC hearing.

CONDITION:

1. The zone line shall be adjusted in conformance with the accompanying site development plan for subdivision.

On May 17, 2006 the Environmental Planning Commission voted to approve Project 1000762/ 07EPC-00447, an amendment to a site development plan for subdivision, for the easternmost 1.46 acres of Tract B, Richland Hills Subdivision, Unit 1, and all or a portion of Tract(s) 2B, 3B, B1A, C1A, 10A2, 6A1A, D1A, Albuquerque West, Unit 2, zoned SU-1 PDA to Include C-3 Uses, based on the preceding Findings and subject to the following Conditions:

FINDINGS:

1. This request is for approval of an amendment to an EPC approved site development plan for subdivision to adjust a lot line. The site is zoned SU-1 PDA to Include C-3 Uses and includes the easternmost 1.46 acres of Tract B, Richland Hills Subdivision, Unit 1 and all or a portion of Tract(s) 2B, 3B, B1A, C1A, 10A2, 6A1A, D1A, Albuquerque West, Unit 2.
2. This request is meant to fulfill a condition of approval (#10) for Project 1000762/06EPC-01712 (First Baptist Church), which states: The site plan for subdivision is contingent upon the Fountain Hills site development plan (Project 1003445) being resubmitted and amended to incorporate today's action. Such action shall be within six months from today's date."

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3. This request was precipitated by a land swap that occurred recently between the property owners of Tract B (First Baptist Church) and the property owners of Tract(s) B-1-A and C-1-A (Fountain Hills Plaza LLC).
4. This request furthers Comprehensive Plan goals and policies:
 - a. The Comprehensive Plan's Established Urban Area goal and policies a, d, and i are furthered by the request the subject site will become part of the Fountain Hills Plaza site development plan for subdivision, which allows and provides for a variety of land uses that are compatible with surrounding residential and commercial development. The EPC approved Fountain Hills Plaza site development plan for subdivision contains design guidelines and standards that will insure that the nearby residentially zoned areas are not negatively impacted by future development.
 - b. The Comprehensive Plan's Activity Center goal and policies a and f are furthered by the request because the EPC approved Fountain Hills Plaza site development plan for subdivision contains design guidelines and standards that will ensure that the nearby neighborhood is protected from on site uses. The design standards describe vehicle and pedestrian accessibility to the site and identify connections to the street network and remainder of the Paseo del Norte/Coors Boulevard Community Activity Center.
 - c. The Comprehensive Plan's Air Quality goal and policies b and i are furthered because the subject site will become part of the EPC approved site development plan for subdivision for Fountain Hills Plaza, which incorporates many features that encourage walking, mass transit usage, and bicycling, which all help to reduce air pollution.
 - d. The Comprehensive Plan's Noise goal and policy a are furthered because the subject site will become part of the EPC approved site development plan for subdivision for Fountain Hills Plaza, which incorporates noise sensitive features such as low walls, landscaping, and pedestrian areas, which provide a buffer to surrounding residences.
 - e. The Comprehensive Plan's Transportation and Transit goal and policies a, g, and o are furthered because the EPC approved Fountain Hills Plaza site development plan for subdivision identifies uses and a site layout that is appropriate adjacent to an Express Transit Corridor, Minor Arterial, and Collector Street. The Fountain Hills Plaza design standards incorporate setbacks, pedestrian walkways, building heights, and landscaping that complement the adjacent roadways and further the intent of policy a. Additional employment uses are needed in this area of the community to help ease traffic congestion across the bridges.
5. This request furthers West Side Strategic Plan goals, objectives, and policies:
 - a. The West Side Strategic Plan's general goals 6 and 12 are furthered because the previously approved Fountain Hills Plaza site development plan for subdivision contains design standards and guidelines that serve to protect views to the east and west.
 - b. The West Side Strategic Plan's general objectives 1 and 4 are furthered because the allowed uses contribute to the mix of land uses on the west side. Services are needed in this area of the community and the allowed uses will contribute to the long-term sustainability of this area.

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- c. Policy 1.13 is furthered because the subject site is located in the Paseo/Coors Community Activity Center and the allowed uses are appropriate within a community activity center.
 - d. The subject site is located within the Paradise Community as identified in the West Side Strategic Plan. Policy 3.8 is furthered because the allowed uses are appropriate within this community and provide a transition between the more intense commercial and service uses in the Paseo del Norte/Coors Boulevard Community Activity Center and the less intense residential uses located outside of the activity center.
6. This request does not conflict with the Northwest Mesa Sector Development Plan because the subject site is not located in the Northwest Mesa Escarpment Plan area referred to by the Plan.
 7. This request does not conflict with the Riverview Sector Development Plan because the Plan calls for a mix of commercial, service, and industrial uses on the site.
 8. In addition to property owners within 100' of the subject site, the Piedras Marcadas, Eagle Ranch, Paradise Hills Civic Association, Taylor Ranch, and Rancho Sereno Neighborhood Associations as well as the Westside Coalition were notified of these requests. A facilitated meeting was not requested. There is no known neighborhood opposition to this request. The property owner of adjacent Lot F expressed opposition at the EPC hearing.
 9. All findings and conditions of approval from Project 1003445/05EPC-00022, approved by the EPC on August 18, 2005, and documented in the Official Notice of Decision dated August 19, 2005, still apply to the site development plan for subdivision.

CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. All findings and conditions of approval from Project 1003445/05EPC-00022, approved by the EPC on August 18, 2005, and documented in the Official Notice of Decision dated August 19, 2005, shall still apply to the site development plan for subdivision (see Attachment C).

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4. Any minor adjustments to the plan that result from approval of this request may be approved by the Planning Director provided they fall within the limits allowed by the SU-1 Zone regulations. If substantial changes result, the applicant shall return to the EPC for review and approval.
5. Tract 6A1A shall not be subdivided unless 1) the applicant proves that AMAFCA does not own the parcel and 2) the applicant demonstrates to AMAFCA and/or the city satisfaction that the necessary pond volume and pond related apertines do not require use of the entire tract.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY JUNE 1, 2007 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED. IT IS NOT POSSIBLE TO APPEAL EPC RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE EPC'S RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE EPC'S DECISION.

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 they decide that all City plans, policies and ordinances have not been properly followed, they shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

YOU WILL RECEIVE NOTIFICATION IF ANY 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).

Successful applicants should be aware of the termination provisions for Site Development Plans specified in Section 14-16-3-11 of the Comprehensive Zoning Code. Generally plan approval is terminated 7 years after approval by the EPC

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Sincerely,



Richard Dineen
Planning Director

RD/SS/ac

cc: Jim Strozier, Consensus Planning, 302 8th St. NW, Albuquerque, NM 87102
Fred Hampton, Eagle Ranch NA, 9620 Stone St. NW, Albuquerque, NM 87114
Julia Moore, Eagle Ranch NA, 9208 C Anderson Dr. NW, Albuquerque, NM 87114
Larry Weaver, Paradise Hills Civic Assoc., 6001 Unitas Ct. NW, Albuquerque, NM 87114
Tom Anderson, Paradise Hills Civic Assoc., 10013 Plunkett Dr. NW, Albuquerque, NM 87114
Larry Jolene Wolfley, Taylor Ranch NA, 6804 Staghorn Dr. NW, Albuquerque, NM 87120
Rene Horvath, Taylor Ranch NA, 5515 Palomino Dr. NW, Albuquerque, NM 87120
Ken Cox, Rancho Sereno NA, 8209 Rancho Paraiso NW, Albuquerque, NM 87120
Sander Rue, Rancho Sereno NA, 7500 Rancho Solano Ct. NW, Albuquerque, NM 87120
Dr. Joe Valles, Westside Coalition, 5020 Grande Vista NW, Albuquerque, NM 87120
Laura Hortan, Westside Coalition, 7224 Tuscada Rd. NW, Albuquerque, NM 87114
Bob Golden, 7131 Crosswinds Tr. NW, Albuquerque, NM 87114
Martin Garcia, 6739 Academy NE, Suite 130, Albuquerque, NM 87109

5. Project # 1000762*
07EPC-00446 EPC Site
Development Plan-Subdivision
07EPC-00447 Zone Map
Amendment

CONSENSUS PLANNING agents for FOUNTAIN HILLS PLAZA LLC request the above actions for all or a portion of Tracts 2B, 3B, B-1-A, C-1-A, D-1-A, 6-A-1A, 10-A-1, 10-2-A, Albuquerque West Unit 1 and Tract B, Richland Hills, Unit 1, zoned SU-1 PDA to Include C-3 Uses and Su-1 in IP Uses with Exceptions, located on Paseo del Norte NW between Eagle Ranch Road NW and Educations Place NW, containing approximately 31 acres. (C-12) Stephanie Shumsky, Staff Planner (**APPROVED WITH CONDITIONS**)

STAFF PRESENT:

Stephanie Shumsky, Planning Department

PERSONS PRESENT TO SPEAK IN FAVOR OF THIS REQUEST:

Jim Strozier, 302 8th St. NW
Bob Golden, 7131 Crosswinds Trl NW

PERSON PRESENT TO SPEAK IN OPPOSITION OF THIS REQUEST:

Martin Garcia, 6739 Academy NE, Suite 130

MS. SHUMSKY: Reiterated comments made in the staff report in which approval was recommended for the zone map amendment and site plan for subdivision with findings and conditions.

FINAL ACTION TAKEN

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to approve Project1000762/ 07EPC-00446, a zone map amendment from SU-1 for IP Uses with Exceptions (bottling plant, cold storage, golf course or golf driving range, railroad R-O-W, gasoline or oil sales, auto washing or repair) to SU-1 PDA to Include C-3 Uses, for the easternmost 1.46-acres of Tract B, Richland Hills Subdivision, Unit 1, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This request is for a zone map amendment for the easternmost 1.46 acres of Tract B, Richland Hills Subdivision, Unit 1, **from** SU-1 for IP Uses with Exceptions

(bottling plant, cold storage, golf course or golf driving range, railroad R-O-W, gasoline or oil sales, auto washing or repair) to SU-1 PDA to Include C-3 Uses.

2. This request is meant to fulfill a condition of approval (#10) for Project 1000762/06EPC-01712 (First Baptist Church), which states: The site plan for subdivision is contingent upon the Fountain Hills site development plan (Project 1003445) being resubmitted and amended to incorporate today's action. Such action shall be within six months from today's date."
3. This request was precipitated by a land swap that occurred recently between the property owners of Tract B (First Baptist Church) and the property owners of Tract(s) B-1-A and C-1-A (Fountain Hills Plaza LLC). The net result will be a decrease of approximately ½ acre of land for retail and service uses and an increase of approximately ½ acre of land for the adjacent church site.
4. This request is accompanied by an amendment to the Fountain Hills Plaza site development plan for subdivision (07EPC-00446).
5. This request furthers Comprehensive Plan goals and policies:
 - a. The Comprehensive Plan's Established Urban Area goal and policies a, d, and j are furthered because the requested zoning is consistent with the rest of the zoning for Fountain Hills Plaza to the north. The subject site will become part of the Fountain Hills Plaza site development plan for subdivision, which allows and provides for a variety of land uses that are compatible with surrounding residential and commercial development. The EPC approved Fountain Hills site development plan for subdivision contains design guidelines and standards that will insure that the nearby residentially zoned areas are not negatively impacted by allowed uses.
 - b. The Comprehensive Plan's Activity Center goal and policies a and f are furthered because the proposed zoning allows a wide variety of uses that are appropriate within an activity center and the EPC approved Fountain Hills Plaza site development plan for subdivision more specifically identifies the potential uses. The design guidelines and standards that were approved as part of the Fountain Hills Plaza plan will ensure that the nearby neighborhood is protected from on site uses.
 - c. The Comprehensive Plan's Air Quality goal is furthered because zoning will allow for more of a variety of retail, office, and service uses, which are not allowed in the IP zone and that may encourage walking, bicycling, and other forms of non-motorized transit.
 - d. The Comprehensive Plan's Noise goal and policy a are furthered because while, the uses allowed by the proposed zoning (C-3 Uses) may generate as much noise as the uses allowed by the existing zoning (I-P), the subject site will become part of the EPC approved site development plan for subdivision for Fountain Hills Plaza, which incorporates noise sensitive features such as low walls, landscaping, and pedestrian areas, which provide a buffer to surrounding residences.

- e. The Comprehensive Plan's Transportation and Transit goal and policies a, g, and o are furthered because the allowed uses are appropriate adjacent to Minor Arterials, Collector Streets, and Express Transit Corridors.
6. This request furthers West Side Strategic Plan goals, objectives, and policies:
 - a. The West Side Strategic Plan's general goal 12 is furthered because the proposed zoning allows a variety of uses that will provide employment opportunities to the area as well as service and retail uses.
 - b. The West Side Strategic Plan's general objectives 1 and 4 are furthered because the allowed uses contribute to the mix of land uses on the west side. Services are needed in this area of the community and the allowed uses will contribute to the long-term sustainability of this area.
 - c. Policy 1.13 is furthered because the subject site is located in the Paseo/Coors Community Activity Center and the proposed zoning allows many uses that are appropriate within a community activity center.
 - d. The subject site is located within the Paradise Community as identified in the West Side Strategic Plan. Policy 3.8 is furthered because the allowed uses are appropriate within this community and provide a transition between the more intense commercial and service uses in the Paseo del Norte/Coors Boulevard Community Activity Center and the less intense residential uses outside of the activity center.
 7. This request does not conflict with the Northwest Mesa Sector Development Plan because the subject site is not located in the Northwest Mesa Escarpment Plan area referred to by the Plan.
 8. This request does not conflict with the Riverview Sector Development Plan because the Plan calls for a mix of commercial, service, and industrial uses on the site.
 9. The applicant justified this request as required by Resolution 270-1980:
 - a. Policy A: The request is consistent with the health, safety, morals, and general welfare of the City because there is similar zoning to the north of the subject site and in the surrounding area. The SU-1 designation requires that the EPC review a site development plan, which it already has approved for Tract B to the south (First Baptist Church) and for the property to the north and including the subject site (Fountain Hills Plaza).
 - b. Policy B: The zone change will allow for consistent development over the subject site and the property to the north without significantly altering the Fountain Hills Plaza site development plan for subdivision or the site development plan for building permit for First Baptist Church on Tract B. Both plans have already been approved by the EPC.
 - c. Policy C: The proposed zone map amendment is not in conflict with existing zoning, or applicable plans and policies. It furthers Comprehensive Plan, West Side Strategic Plan, Riverview Sector Development Plan, and Northwest Mesa Sector Development Plan goals, objectives, and policies.

- d. Policy D: This request is justified because of changed conditions. The proposed zone map amendment is required because of a condition of approval placed on the EPC approved site development plan for building permit for a church on Tract B, which was recently approved (Project 1000762/06EPC-01711). The request furthers Comprehensive Plan and other applicable plan goals, objectives, and policies.
 - e. Policy E: This zone map amendment will not be harmful to adjacent properties, the neighborhood, or the community because the proposed zoning allows many uses that are less intense than the existing zoning and because the SU-1 designation requires that the EPC review a site development plan for the site, which is has already approved. The approved site development plan for subdivision for Fountain Hills Plaza contains design standards that will ensure that the surrounding neighborhoods and adjacent uses will be protected from any potentially adverse uses.
 - f. Policy F: The proposed zone map amendment does not require any unprogrammed capital expenditures by the City. The developer is responsible for adjacent improvements if any are required.
 - g. Policy G: The cost of land or other economic reasons are not used in the justification of this request. This request is the result of a condition placed on a site development plan for an adjacent parcel.
 - h. Policy H: The site's location near two Arterials is not used in the justification of this request.
 - i. Policy I: The proposed zoning is the same as the zoning for Fountain Hills Plaza to the north. Approval of the request will not create a spot zone.
 - j. Policy J: Approval of this request will not create a strip zone.
10. In addition to property owners within 100' of the subject site, the Piedras Marcadas, Eagle Ranch, Paradise Hills Civic Association, Taylor Ranch, and Rancho Sereno Neighborhood Associations as well as the Westside Coalition were notified of these requests. A facilitated meeting was not requested. There is no known neighborhood opposition to this request. There is no known neighborhood opposition to this request. The property owner of adjacent Lot F expressed opposition at the EPC hearing.

CONDITION:

- 1. The zone line shall be adjusted in conformance with the accompanying site development plan for subdivision.

MOVED BY COMMISSIONER MOYE
SECONDED BY COMMISSIONER KLEBESADEL

MOTION PASSED
UNANIMOUSLY

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to approve Project 1000762/ 07EPC- 00447, an amendment to a site development plan for subdivision, for the easternmost 1.46 acres of Tract B, Richland Hills Subdivision, Unit 1, and all or a portion of Tract(s) 2B, 3B, B1A, C1A, 10A2, 6A1A, D1A, Albuquerque West, Unit 2, zoned SU-1 PDA to Include C-3 Uses, based on the preceding Findings and subject to the following Conditions:

FINDINGS:

1. This request is for approval of an amendment to an EPC approved site development plan for subdivision to adjust a lot line. The site is zoned SU-1 PDA to Include C-3 Uses and includes the easternmost 1.46 acres of Tract B, Richland Hills Subdivision, Unit 1 and all or a portion of Tract(s) 2B, 3B, B1A, C1A, 10A2, 6A1A, D1A, Albuquerque West, Unit 2.
2. This request is meant to fulfill a condition of approval (#10) for Project 1000762/06EPC-01712 (First Baptist Church), which states: The site plan for subdivision is contingent upon the Fountain Hills site development plan (Project 1003445) being resubmitted and amended to incorporate today's action. Such action shall be within six months from today's date."
3. This request was precipitated by a land swap that occurred recently between the property owners of Tract B (First Baptist Church) and the property owners of Tract(s) B-1-A and C-1-A (Fountain Hills Plaza LLC).
4. This request furthers Comprehensive Plan goals and policies:
 - a. The Comprehensive Plan's Established Urban Area goal and policies a, d, and i are furthered by the request the subject site will become part of the Fountain Hills Plaza site development plan for subdivision, which allows and provides for a variety of land uses that are compatible with surrounding residential and commercial development. The EPC approved Fountain Hills Plaza site development plan for subdivision contains design guidelines and standards that will insure that the nearby residentially zoned areas are not negatively impacted by future development.
 - b. The Comprehensive Plan's Activity Center goal and policies a and f are furthered by the request because the EPC approved Fountain Hills Plaza site development plan for subdivision contains design guidelines and standards that will ensure that the nearby neighborhood is protected from on site uses. The design standards describe vehicle and pedestrian accessibility to the site and identify connections to the street network and remainder of the Paseo del Norte/Coors Boulevard Community Activity Center.

- c. The Comprehensive Plan's Air Quality goal and policies b and i are furthered because the subject site will become part of the EPC approved site development plan for subdivision for Fountain Hills Plaza, which incorporates many features that encourage walking, mass transit usage, and bicycling, which all help to reduce air pollution.
 - d. The Comprehensive Plan's Noise goal and policy a are furthered because the subject site will become part of the EPC approved site development plan for subdivision for Fountain Hills Plaza, which incorporates noise sensitive features such as low walls, landscaping, and pedestrian areas, which provide a buffer to surrounding residences.
 - e. The Comprehensive Plan's Transportation and Transit goal and policies a, g, and o are furthered because the EPC approved Fountain Hills Plaza site development plan for subdivision identifies uses and a site layout that is appropriate adjacent to an Express Transit Corridor, Minor Arterial, and Collector Street. The Fountain Hills Plaza design standards incorporate setbacks, pedestrian walkways, building heights, and landscaping that complement the adjacent roadways and further the intent of policy a. Additional employment uses are needed in this area of the community to help ease traffic congestion across the bridges.
5. This request furthers West Side Strategic Plan goals, objectives, and policies:
 - a. The West Side Strategic Plan's general goals 6 and 12 are furthered because the previously approved Fountain Hills Plaza site development plan for subdivision contains design standards and guidelines that serve to protect views to the east and west.
 - b. The West Side Strategic Plan's general objectives 1 and 4 are furthered because the allowed uses contribute to the mix of land uses on the west side. Services are needed in this area of the community and the allowed uses will contribute to the long-term sustainability of this area.
 - c. Policy 1.13 is furthered because the subject site is located in the Paseo/Coors Community Activity Center and the allowed uses are appropriate within a community activity center.
 - d. The subject site is located within the Paradise Community as identified in the West Side Strategic Plan. Policy 3.8 is furthered because the allowed uses are appropriate within this community and provide a transition between the more intense commercial and service uses in the Paseo del Norte/Coors Boulevard Community Activity Center and the less intense residential uses located outside of the activity center.
6. This request does not conflict with the Northwest Mesa Sector Development Plan because the subject site is not located in the Northwest Mesa Escarpment Plan area referred to by the Plan.

EPC MINUTES

May 17, 2007

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7. This request does not conflict with the Riverview Sector Development Plan because the Plan calls for a mix of commercial, service, and industrial uses on the site.
8. In addition to property owners within 100' of the subject site, the Piedras Marcadas, Eagle Ranch, Paradise Hills Civic Association, Taylor Ranch, and Rancho Sereno Neighborhood Associations as well as the Westside Coalition were notified of these requests. A facilitated meeting was not requested. There is no known neighborhood opposition to this request. The property owner of adjacent Lot F expressed opposition at the EPC hearing.
9. All findings and conditions of approval from Project 1003445/05EPC-00022, approved by the EPC on August 18, 2005, and documented in the Official Notice of Decision dated August 19, 2005, still apply to the site development plan for subdivision.

CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. All findings and conditions of approval from Project 1003445/05EPC-00022, approved by the EPC on August 18, 2005, and documented in the Official Notice of Decision dated August 19, 2005, shall still apply to the site development plan for subdivision (see Attachment C).
4. Any minor adjustments to the plan that result from approval of this request may be approved by the Planning Director provided they fall within the limits allowed by the SU-1 Zone regulations. If substantial changes result, the applicant shall return to the EPC for review and approval.
5. Tract 6A1A shall not be subdivided unless 1) the applicant proves that AMAFCA does not own the parcel and 2) the applicant demonstrates to AMAFCA and/or the city satisfaction that the necessary pond volume and pond related apertines do not require use of the entire tract.

MOVED BY COMMISSIONER MOYE
SECONDED BY COMMISSIONER KLEBESADEL

MOTION PASSED
UNANIMOUSLY

6. Project # 1004731*
07EPC-00448 EPC Site
Development Plan-Building
Permit

BERENT GROTH, ARCHITECT agents for PAUL & GENE CHAVEZ request the above actions for all or a portion of Lots 19, 20-24, **Romero Addition**, zoned SU-2 for SU-1 for Residential and/or Law Office, Court Reporter, Accountant, Architects, Engineer, Doctor Office, located on Fifth St. NW, between Summer NW and Rosemont NW, containing approximately 1 acre. (J-14) Catalina Lehner, Staff Planner
(APPROVED WITH CONDITIONS)

STAFF PRESENT:

Catalina Lehner, Planning Department

PERSONS PRESENT TO SPEAK IN FAVOR OF THIS REQUEST:

Berent Groth, 3546 Sequoia Pl. NW

THERE WAS NO ONE PRESENT TO SPEAK IN OPPOSITION OF THIS REQUEST:

MS. LEHNER: Reiterated comments made in the staff report in which approval was recommend for the site plan for building permit with findings and conditions.

FINAL ACTION TAKEN

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to approve Project 1004731/ 07EPC 00448, a Site Development Plan for Building Permit for Lots 19, 20-24 of Block 5, Romero Addition, zoned SU-2 for S-R (Sawmill Residential), based on the following Findings and subject to the following Conditions:

STATE OF NEW MEXICO
County of Bernalillo SS

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Albuquerque Environmental Planning Commission will hold a Study Session on Thursday, May 10, 2007, 3:00 p.m., in the Plaza del Sol Hearing Room, Lower Level, Plaza del Sol building, 600 2nd St. NW, Albuquerque, NM to consider the following:

Distribution & Review - Current Land Use Matters for the May 17, 2007 Public Hearing, which include the projects listed below.

Notice is hereby given that the City of Albuquerque Environmental Planning Commission will hold a Public Hearing on Thursday, May 17, 2007, 8:30 a.m., in the Plaza del Sol Hearing Room, Lower Level, Plaza del Sol building, 600 2nd St. NW, Albuquerque, NM to consider the following items: (Note: these items are not in the order they will be heard)

Project # 1005183 07EPC-00416 EPC Site Development Plan - Building Permit - JOHN MARTINEZ, MARLENE RANDALL and VERONICA GIBILARO request the above action for all or a portion of Tract 10A, Zapf Van Addition No. 10, zoned SU-1 for O-1, located on MONTANO RD. NW, between 4TH ST. NW and GUADALUPE TRAIL NW, containing approximately 1 acre. (F-14) Stephanie Shumsky, Staff Planner

Project # 1005482 07EPC-00430 EPC Site Development Plan - Building Permit - DESIGN PLUS LLC agents for STONEBRIDGE INVESTMENT GROUP request the above action for all or a portion of Tracts # 2 & 3, Stonebridge Estates, zoned C-2 (SC), located on HANOVER NW, between 64TH ST. NW and 58TH ST. NW, containing approximately 5 acres. (J-10) Anna Dimambro, Staff Planner

Project # 1005484 07EPC-00433 EPC Site Development Plan - Building Permit - MULLEN HELLER ARCHITECTS agents for CAT STEVENS LLC request the above action for all or a portion of Tract H-5A8A2A1, Riverview Parcels, zoned SU-1 for IP Uses and SU-1 for Uses Permissive in IP with Exceptions, located on GOLF COURSE RD. NW, between PASEO DEL NORTE NW and SHELLY ROSE NW, containing approximately 1 acre. (C-12) Carol Toffaleti, Staff Planner

Project # 1005487 07EPC-00436 Zone Map Amendment - GARCIA/KRAEMER & ASSOCIATES agents for ELLEN MATHUES request the above action for all or a portion of Lot 34A, Woodmont Addition, a zone map amendment from R-1 to C-1, located on GARCIA ST. NE, between CANDELARIA NE and CLAREMONT NE, containing approximately 1 acre. (H-20) Carol Toffaleti, Staff Planner

Project # 1000300 07EPC-00438 EPC Site Development Plan - Subdivision; 07EPC-00439 EPC Site Development Plan - Amendment to Building Permit; 07EPC-00437 EPC Site Development Plan - Building Permit - DAC ENTERPRISES, INC. agents for JOHN TRIANDAFILIDIS, request the above actions for all or a portion of Tract A-2-C and Tract A-2-D, Montgomery Crossing Addition, zoned SU-1 for C-1 and C-1 uses, located on MONTGOMERY BLVD NE, between General Chennault St and Moon St. NE, containing approximately 2 acres. (G-20) Catalina Lehner, Staff Planner

Project # 1005233 07EPC-00442 EPC Site Development Plan - Building Permit - DEKKER PERICH SABATINI agents for PRESBYTERIAN HEALTHCARE SOURCES request the above action for all or a portion of Lot 5, Block 5, Sundt's Industrial Center, zoned M-2, located on MONTBEL LOOP NE, between ALEXANDER NE and JOAN HILL NE, containing approximately 5 acres. (F-15) Anna Dimambro, Staff Planner

Project # 1004735 07EPC-00441 EPC Site Development Plan - Subdivision; 07EPC-00443 EPC Site Development Plan - Building Permit - DORMAN & BREEN ARCHITECTS, agents for TRAMWAY COMMUNITY CHURCH, request the above actions for all or a portion of Lot 1-A, Tramway Ridge, zoned SU-1 for Office - Institutional - commercial including 2 restaurants with full service liquor, located on TRAMWAY RIDGE NE, between MONTGOMERY BLVD. NE and MANITOBA NE, containing approximately 4 acres. (F-22) Catalina Lehner, Staff Planner

Project # 1000771 07EPC-00445 EPC Amendment to Site Development Plan for Subdivision; 07EPC-00444 EPC Site Development Plan - Building Permit - DEKKER/PERICH/SABATINI agents for H.R. RENTAL PROPERTIES INC. request the above actions for all or a portion of Tracts C, Cottonwood Pointe Subdivision, zoned SU-1 for R-2, C-2 and IP, located on EAGLE RANCH ROAD NW, between EAGLE RANCH ROAD NW and IRVING BLVD. NW, containing approximately 7 acres. (B-13) Carol Toffaleti, Staff Planner

Bill Tafoya, being duly sworn, declares and says that he is Classified Advertising Manager of The Albuquerque Journal, and that this newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Session Laws of 1937, and that payment therefore has been made of assessed as court cost; that the notice, copy of which is hereto attached, was published in said paper in the regular daily edition, for 1 times, the first publication being on the 25 day of Apr. 2007 and the subsequent consecutive publications on _____, 20_____

[Handwritten signature]

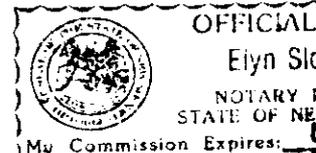
Sworn and subscribed to before me, a Notary Public, in and for the County of Bernalillo and State of New Mexico this 25 day of Apr. of 2007

PRICE \$146.63

Statement to come at end of month.

ACCOUNT NUMBER C80583

CLA-22-A (R-1/93)



My Commission Expires: _____

Carol Toffaleti, Staff Planner

Project # 1000762 07EPC-00448 EPC Site Development Plan - Subdivision; 07EPC-00447 Zone Map Amendment - CONSENSUS PLANNING agents for FOUNTAIN HILLS PLAZA LLC request the above actions for all or a portion

of Tracts 2B, 3B, B-1-A, C-1-A, D-1-A, 6-A-1A, 10-A-1, 10-2-A, Albuquerque West Unit 1 and Tract B, Richland Hills, Unit 1, zoned SU-1 PDA to Include C-3 Uses and Su-1 in IP Uses with Exceptions, located on Paseo del Norte NW between Eagle Ranch Road NW and Educations Place NW, containing approximately 31 acres. (C-12) Stephanie Shumsky, Staff Planner

Project # 1004731 07EPC-00448 EPC Site Development Plan - Building Permit - BERENT GROTH, ARCHITECT agents for PAUL & GENE CHAVEZ request the above actions for all or a portion of Lots 19, 20-24, Romero Addition, zoned SU-2 for SU-1 for Residential and/or Law Office, Court Reporter, Accountant, Architects, Engineer, Doctor Office, located on Fifth St. NW, between Summer NW and Rosemont NW, containing approximately 1 acre. (J-14) Catalina Lehner, Staff Planner

Project # 1004000 07EPC-00450 EPC Site Development Plan - Building Permit - NCA ARCHITECTS agents for North Valley Seventh Day Adventist Church request the above actions for Tract A-1, Eagle Ranch Subdivision, zoned SU-1 PDA to Include C-3 Uses, located on Paradise Blvd. NW between Coors Blvd. NW and Eagle Ranch Rd. NW, and containing approximately 3 acres. Stephanie Shumsky, Staff Planner

Project # 1004178 08EPC-01798 Zone Map Amendment 0 GARCIA/KRAEMER & ASSOC. agents for NM ONE CALL C/O GARY SLOMAN request the above actions for all or a portion of Tracts G1 and G2, Block 27, Mesa Village, a zone map amendment from C-1 to C-1, located on EUBANK NE, between LOMAS NE and WALKER NE, containing approximately 2.5 acres. (J-20) Stephanie Shumsky, Staff Planner (DEFERRED TO MAY 17, 2007)

Details of these applications may be examined at the Development Services Division of the Planning Department, 3rd Level, Plaza Del Sol Building, 600 Second Street, NW between 10:00 a.m. and 12:00 and between 2:00 and 4:00 p.m., Monday through Friday, or you may call April Candelaria at 924 3888. INDIVIDUALS WITH DISABILITIES who need special assistance to participate at the public hearing should contact April Candelaria 924-3888.

Jeff Jesionowski, Chairman
Environmental
Planning Commission

APPROVED
Carmen Marrone, Senior Planner
Planning Department
Journal: April 25, 2007



ENVIRONMENTAL PLANNING COMMISSION

A G E N D A

**Thursday May 17, 2007
8:30 a.m.**

**Plaza del Sol Hearing Room
Lower Level
600 2nd Street NW**

MEMBERS

**Jeffery Jesionowski, Chairman
Laurie Moye, Vice Chair**

**Jonathan Siegel
Jim Grout
Ishmael Valenzuela**

**Larry Chavez
Virginia Klebesadel
Judy Kowalski**

NOTE: A LUNCH BREAK AND DINNER BREAK WILL BE ANNOUNCED AS NECESSARY

Agenda items will be heard in the order specified unless changes are approved by the EPC at the beginning of the hearing; deferral and withdrawal requests (by applicants) are generally reviewed at this time (see item 1A and 1B below). Applications with no known opposition that are supported by the Planning Department are scheduled at the beginning of the agenda; these cases are noted with an asterisk (*). Applications deferred from a previous hearing are normally scheduled at the end of the agenda.

There is no set time for cases to be heard. However, interested parties can monitor the progress of the hearing by calling the Planning Department at 924-3860. All parties wishing to address the Commission must sign-in with the Commission Secretary at the front table prior to the case being heard. Please be prepared to provide brief and concise testimony to the Commission if you intend to speak. **In the interest of time, presentation times are limited as follows, unless otherwise granted by the Commission Chair: Staff - 5 minutes; Applicant - 10 minutes; Public speakers - 2 minutes each. An authorized representative of a recognized neighborhood association or other organization may be granted additional time if requested.**

All written materials - including petitions, legal analysis and other documents - should be submitted at least 10 days prior to the public hearing, ensuring presentation at the EPC Study Session. The EPC strongly discourages submission of written material at the public hearing. Except in extraordinary circumstances, the EPC will not consider written materials submitted at the hearing. In the event the EPC believes that newly submitted material may influence its final decision, the application may be deferred to a subsequent hearing.

NOTE: ANY AGENDA ITEMS NOT HEARD BY 8:30 P.M. MAY BE DEFERRED TO ANOTHER HEARING DATE AS DETERMINED BY THE PLANNING COMMISSION.

1. Call to Order.

- A. Announcement of Changes and/or Additions to the Agenda
- B. Approval of the Amended Agenda

2. Project # 1001620*

07EPC-00201 Text Amendment to the Zone Code

Project # 1004831

07EPC-00202 Text Amendment to the Subdivision Ordinance

COA/PLANNING DEPARTMENT agent for COA/CITY COUNCIL request the above action(s) for Amending Section 14-16-1-5, ROA 1994, a portion of the Comprehensive Zoning Code and Section 14-14-3-4, ROA 1994, a portion of the Subdivision Ordinance associated with a proposed Albuquerque Archeological Ordinance (O-07-72). Catalina Lehner, Staff Planner **(DEFERRED FROM APRIL 19, 2007)**

3. Project # 1005482*

07EPC-00430 EPC Site Development Plan-Building Permit

DESIGN PLUS LLC agents for STONEBRIDGE INVESTMENT GROUP request the above action for all or a portion of Tracts 2 & 3, **Mira Mesa Estates**, zoned C-2 (SC), located on HANOVER NW, between 64TH ST. NW and 68TH ST. NW, containing approximately 5 acres. (J-10) Anna DiMambro, Staff Planner

4. Project # 1000300*

07EPC-00438 EPC Site Development Plan-Subdivision

07EPC-00439 EPC Site

Development Plan-Amendment to Building Permit

07EPC-00437 EPC Site

Development Plan- Building Permit

DAC ENTERPRISES, INC. agents for JOHN TRIANDAFILIDIS, request the above actions for all or a portion of Tract A-2-C and Tract A-2-D, **Montgomery Crossing Addition**, zoned SU-1 for C-1 and O-1 uses, located on MONTGOMERY BLVD NE, between General Chennault St and Moon St. NE, containing approximately 2 acres. (G-20) Catalina Lehner, Staff Planner

5. Project # 1000762*

07EPC-00446 EPC Site

Development Plan-Subdivision

07EPC-00447 Zone Map Amendment

CONSENSUS PLANNING agents for FOUNTAIN HILLS PLAZA LLC request the above actions for all or a portion of Tracts 2B, 3B, B-1-A, C-1-A, D-1-A, 6-A-1A, 10-A-1, 10-2-A, Albuquerque West Unit 1 and Tract B, Richland Hills, Unit 1, zoned SU-1 PDA to Include C-3 Uses and Su-1 in IP Uses with Exceptions, located on Paseo del Norte NW between Eagle Ranch Road NW and Educations Place NW, containing approximately 31 acres. (C-12) Stephanie Shumsky, Staff Planner

6. Project # 1004731*
07EPC-00448 EPC Site
Development Plan-Building Permit

BERENT GROTH, ARCHITECT agents for PAUL & GENE CHAVEZ request the above actions for all or a portion of Lots 19, 20-24, **Romero Addition**, zoned SU-2 for SU-1 for Residential and/or Law Office, Court Reporter, Accountant, Architects, Engineer, Doctor Office, located on Fifth St. NW, between Summer NW and Rosemont NW, containing approximately 1 acre. (J-14) Catalina Lehner, Staff Planner

7. Project # 1000771*
07EPC-00445 EPC Amendment to
Site Development Plan for
Subdivision
07EPC-00444 EPC Site
Development Plan-Building Permit

DEKKER/PERICH/SABATINI agents for H.R. RENTAL PROPERTIES INC. request the above actions for all or a portion of Tracts C, **Cottonwood Pointe Subdivision**, zoned SU-1 for R-2, C-2 and IP, located on EAGLE RANCH ROAD NW, between EAGLE RANCH ROAD NW and IRVING BLVD. NW, containing approximately 7 acres. (B-13) Carol Toffaleti, Staff Planner

8. Project # 1004735*
07EPC-00441 EPC Site
Development Plan-Subdivision
07EPC-00443 EPC Site
Development Plan-Building Permit

DORMAN & BREEN ARCHITECTS, agents for TRAMWAY COMMUNITY CHURCH, request the above actions for all or a portion of Lot 1-A, **Tramway Ridge**, zoned SU-1 for Office-institutional-commercial including 2 restaurants with full service liquor, located on TRAMWAY RIDGE NE, between MONTGOMERY BLVD. NE and MANITOBA NE, containing approximately 4 acres. (F-22) Catalina Lehner, Staff Planner

9. Project # 1005484
07EPC-00433 EPC Site
Development Plan-Building Permit

MULLEN HELLER ARCHITECTS agents for CAT STEVENS LLC request the above action for all or a portion of Tract H-6A6A2A1, **Riverview Parcels**, zoned SU-1 for IP Uses and SU-1 for Uses Permissive in IP with Exceptions, located on GOLF COURSE RD. NW, between PASEO DEL NORTE NW and SHELLY ROSE NW, containing approximately 1 acre. (C-12) Carol Toffaleti, Staff Planner

10. Project # 1005183
07EPC-00416 EPC Site
Development Plan-Building Permit

JOHN MARTINEZ, MARLENE RANDALL and VERONICA GIBILARO request the above action for all or a portion of Tract 10A, **Zapf Van Addition No. 10**, zoned SU-1 for O-1, located on MONTANO RD. NW, between 4TH ST. NW and GUADALUPE TRAIL NW, containing approximately 1 acre. (F-14) Stephanie Shumsky, Staff Planner

11. Project # 1005487
07EPC-00436 Zone Map
Amendment

GARCIA/KRAEMER & ASSOCIATES agents for ELLEN MATHUES request the above action for all or a portion of Lot 34A, **Hoffmantown Addition**, a zone map amendment from R-1 to O-1, located on GARCIA ST. NE, between CANDELARIA NE and CLAREMONT NE, containing approximately 1 acre. (H-20) Carol Toffaleti, Staff Planner

- 12. Project # 1005233**
07EPC-00442 EPC Site
Development Plan-Building Permit
- DEKKER PERICH SABATINI agents for PRESBYTERIAN HEALTHCARE SOURCES request the above action for all or a portion of Lot 5, Block 5, **Sundt's Industrial Center**, zoned M-2, located on MONTBEL LOOP NE, between ALEXANDER NE and JOAN HILL NE, containing approximately 6 acres. (F-15) Anna Dimambro, Staff Planner
- 13. Project # 1004000**
07EPC-00450 EPC Site
Development Plan-Building Permit
- NCA ARCHITECTS agents for North Valley Seventh Day Adventist Church request the above actions for Tract A-1, Eagle Ranch Subdivision, zoned SU-1 PDA to Include C-3 Uses, located on Paradise Blvd. NW between Coors Blvd. NW and Eagle Ranch Rd. NW, and containing approximately 3. acres. Stephanie Shumsky, Staff Planner
- 14. Project # 1005353**
07EPC-00103 Zone Map
Amendment
- MARK PAGE agent for AL HEATING request the above action for all or a portion of Lots 8 & 9, Block 1, **Buena Tierra Addition**, a zone map amendment from R-1 to C-3, located on 3RD ST. NW, between CLAREMONT NW and PHOENIX NW, containing approximately 1 acre. (H-14) Anna DiMambro, Staff Planner **(DEFERRED FROM APRIL 19, 2007)**
- 15. Project # 1004178**
06EPC-01796 Zone Map
Amendment
- GARCIA/KRAEMER & ASSOC. agents for NM ONE CALL C/O GARY SLOMAN request the above actions for all or a portion of Tracts G1 and G2, Block 27, **Mesa Village**, a zone map amendment from O-1 to C-1, located on EUBANK NE, between LOMAS NE and WALKER NE, containing approximately 2.5 acres. (J-20) Stephanie Shumsky, Staff Planner **(DEFERRED FROM FEBRUARY 15, 2007)**
- 16 Project # 1000696**
07EPC-00111 Zone Map
Amendment
- DAVID CAMPBELL agent for RAYLEE VANTAGE HOMES request the above action for all or a portion of Tract C OF PLAT Intercontinental & Consulting Inc., of **Tracts A, B, C, Lee's Bosque Subd.**, a zone map amendment from RD to SU-1 for C-1 Purposes, located on COORS BLVD. NW, between BOSQUE MEADOWS NW and the CORRALES CANAL, containing approximately 7 acres. (D-13) Catalina Lehner, Staff Planner **(DEFERRED FROM APRIL 19, 2007)**
- 17. Project # 1001206**
07EPC-00246 EPC Site
Development Plan-Building Permit
- CONSENSUS PLANNING, INC. agents for ALFRED SANCHEZ III request the above action for all or a portion of Tract 2A2C, **Black Ranch**, zoned SU-1 for C-1 Permissive, located east of COORS NW, between PASEO DEL NORTE NW and IRVING NW, containing approximately 2 acres. (C-13) Anna DiMambro, Staff Planner **(DEFERRED FROM APRIL 19, 2007)**

18. Project # 1001620
07EPC-00170 Text Amendment to
the
Zoning Code

CITY OF ALBUQUERQUE, PLANNING DEPARTMENT agent(s) for
CITY OF ALBUQUERQUE, CITY COUNCIL requests the above
action for Amending a portion of Section 14-16-4-2 ROA 1994 to
change the requirements for approval of a variance. City Wide.
Stephanie Shumsky, Staff Planner **(DEFERRED FROM APRIL 19,
2007)**

19. Project # 1000570
06EPC-00141 EPC Sector
Development Plan
06EPC-00139 Zone Map
Amendment

Moule & Polysoides Arch. agents for Sun Cal New Mexico request the
above actions for Parcels C, D, E, F, G, H, **Westland North Bulk Land
Plat**, a zone map amendment from SU-2 for R-LT, R-2, O-1, OS and
PDA for Town Center to SU-2 for RL-T, R-2, O-1, OS and PDA for T
own Center, located on ARROYO VISTA BLVD. NW, between HIGH
MESA DRIVE NW, 98TH ST. NW and I-40, containing approximately
506 acres. (J-7) Stephanie Shumsky, Staff Planner **(DEFERRED
FROM FEBRUARY 15, 2007)**

20. Project # 1001620
06EPC-00958 Text Amendment

Text Amendment to Section 14-16-3-5 General Sign Regulations and to
Sections 14-16-1-5 through 14-16-2-26, 14-16-3-2 through 14-16-3-12
to create comprehensive signage regulations that restrict height, area and
numbers of free-standing signs per permissive based on use, zoning
category and building size. Russell Brito, Staff Planner **(DEFERRED
FROM MARCH 15, 2007)**

21. Project # 1000965
06EPC-01314 EPC Site
Development Plan-Building Permit
06EPC-01315 EPC Site
Development Plan-Amendment to
Subdivision

CONSENSUS PLANNING agent for ASW REALTY
PARTNERS/ANADALUCIA DEVEL. CORP. request the above actions
for all or a portion of Tracts A & B, **Andalucia at La Luz**, zoned SU-
1/PRD 5 du/acre, located on COORS BLVD. and SEVILLA AVE. NW,
containing approximately 15 acres. (F-11) Carmen Marrone, Staff
Planner **(DEFERRED FROM MARCH 15, 2007)**

22. Other Matters



**Environmental
Planning
Commission**

**Agenda Number: 5
Project Number: 1000762
Case #'s: 07EPC-00446/00447
May 17, 2007**

Staff Report

Agent	Consensus Planning
Applicant	Fountain Hills Plaza LLC
Request(s)	Zone Map Amendment Amendment to Site Development Plan for Subdivision
Legal Description	All or a portion of Tract(s) 2B, 3B, B1A, C1A, 10A2, 6A1A, D1A, Albuquerque West, Unit 2; and a portion of Tract B, Richland Hills Subdivision, Unit 1
Location	Paseo del Norte between Eagle Ranch Road NW and Richland Hills Road NW/Education Place NW
Size	Approximately 31 acres
Existing Zoning	SU-1 for IP Uses with Exceptions (bottling plant, cold storage, golf course or golf driving range, railroad R-O-W, gasoline or oil sales, auto washing or repair)
Proposed Zoning	SU-1 PDA to Include C-3 Uses

Staff Recommendation

APPROVAL of 07EPC-00447 (Zone Map Amendment), based on the findings beginning on page 15, and subject to the condition of approval on page 18.

APPROVAL of 07EPC-00446 (Site Development Plan for Subdivision), based on the findings beginning on page 18, and subject to the conditions of approval on page 21.

Staff Planner

Stephanie Shumsky, Planner

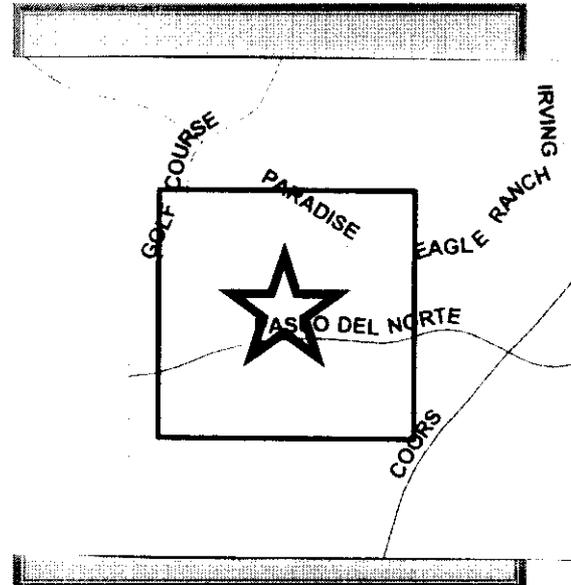
Summary of Analysis

The proposed requests will allow for a lot line and a zone line adjustment for Tract B, Richland Hills Subdivision, Unit 1 (First Baptist Church) and Tracts 2B, 3B, B1A, C1A, 10A2, 6A1A, D1A, Albuquerque West, Unit 2 (Fountain Hills Plaza).

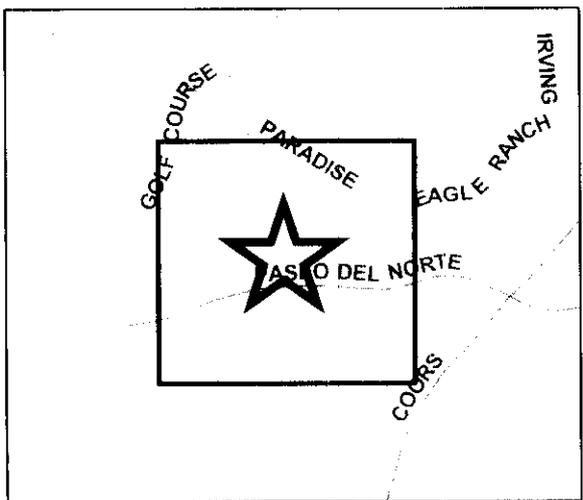
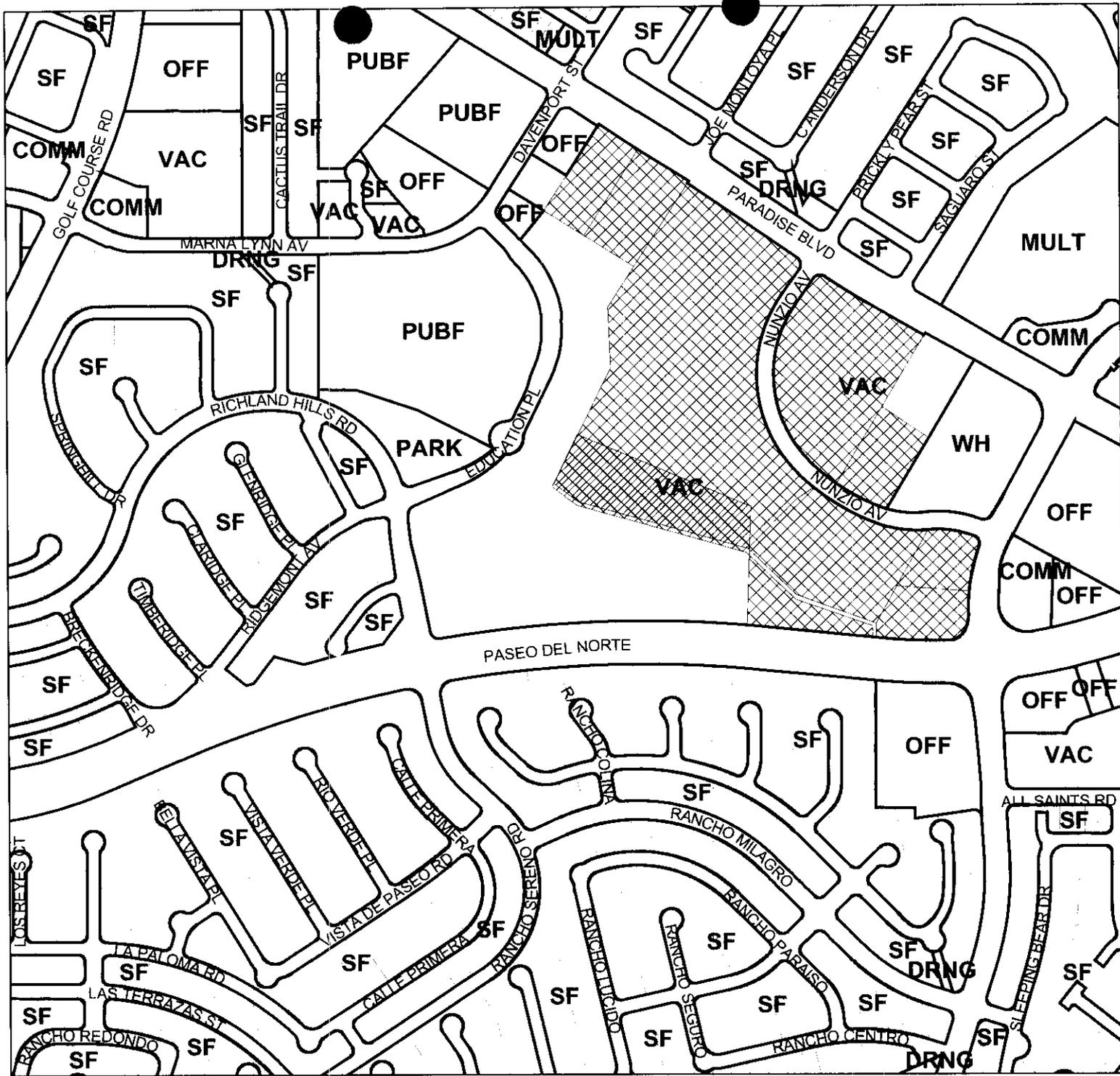
The lot line and zone line adjustment is required because of a land swap that recently occurred between the owners of Tract B and the applicant. A 1.46-acre portion of Tract B was traded to the applicant for a 2-acre portion of Tracts B-1-A and C-1-A. The site development plan for subdivision amendment request is to show the newly acquired 1.46-acres and to change its zoning to match that of the 30+ acres to the north (Fountain Hills Plaza).

Approval of the requests will not significantly alter the previously EPC approved site development plan for subdivision for Fountain Hills Plaza (05EPC-00022) or the previously approved site development plan for building permit for First Baptist Church (06EPC-01711).

There is no known neighborhood or other opposition to these requests.



City Departments and other interested agencies reviewed this application from 4/9/07 to 4/20/07. Agency comments were used in the preparation of this report and begin on page 23.



LAND USE MAP

Note: Grey shading indicates County.

KEY to Land Use Abbreviations

- AGRI Agricultural
- COMM Commercial - Retail
- DRNG Drainage
- MFG Manufacturing or Mining
- MULT Multi-Family or Group Home
- OFF Office
- PARK Park, Recreation, or Open Space
- PRKG Parking
- PUBF Public Facility
- SF Single Family
- TRAN Transportation Facility
- VAC Vacant Land or Abandoned Buildings
- WH Warehousing & Storage



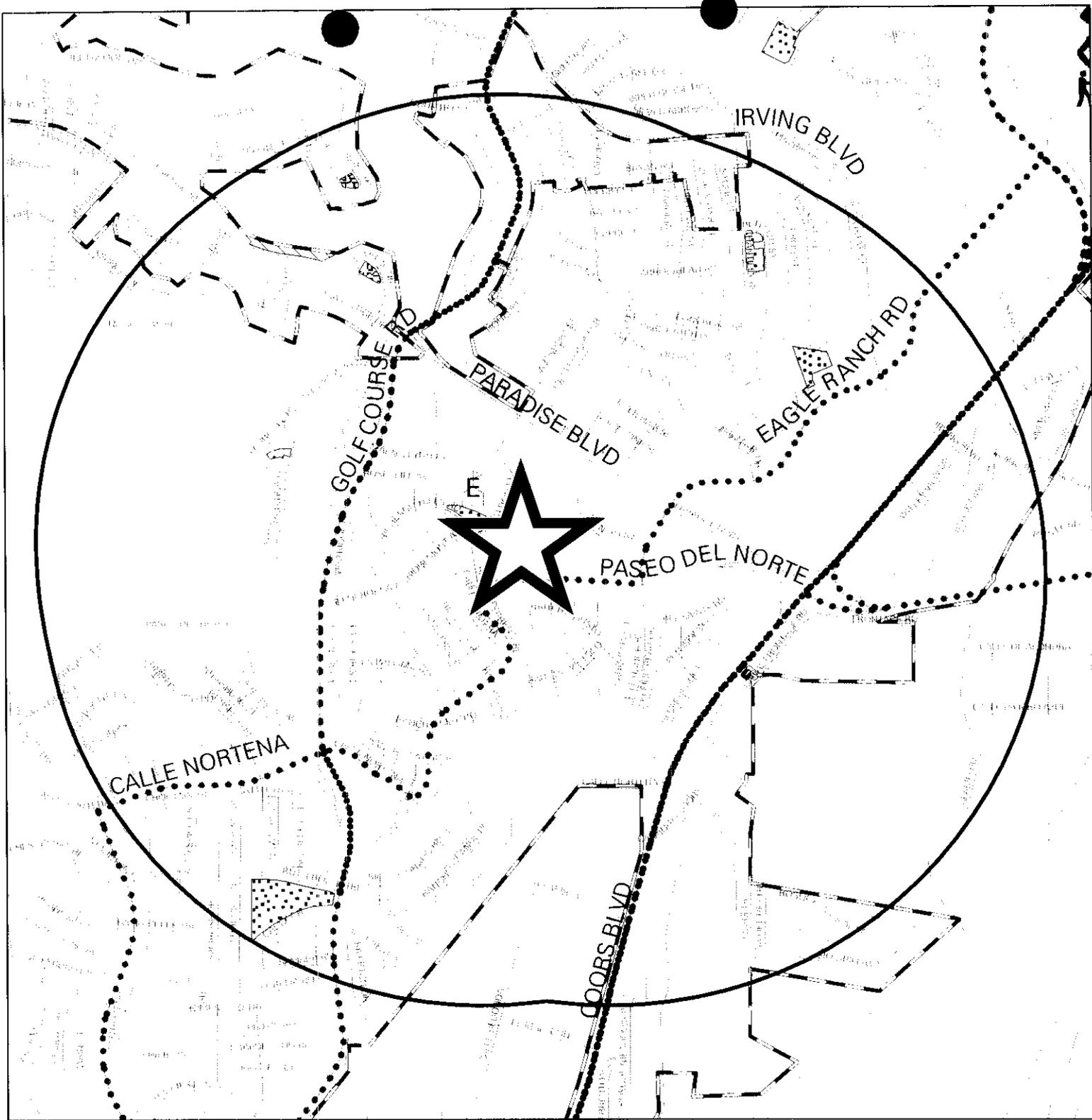
1 inch equals 500 feet

Project Number:
1000762

Hearing Date:
5/18/2007

Zone Map Page:
C-12

Additional Case Numbers:
07EPC-00446 07EPC-00447

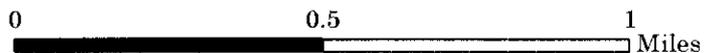


Public Facilities Map with One-Mile Site Buffer

- | | | | |
|--|---|---|---|
|  COMMUNITY CENTER |  FIRE |  APS Schools |  Developed County Park |
|  MULTI-SERVICE CENTER |  POLICE |  ABQ Ride Routes |  Undeveloped County Park |
|  SENIOR CENTER |  SHERIFF |  AGIS Jurisdiction |  Developed City Park |
|  LIBRARY |  SOLID WASTE |  Landfill Buffer (1000 feet) |  Undeveloped City Park |
|  MUSEUM |  Landfills designated by EHD | | |



Project Number: 1000762



AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses:

	Zoning	Comprehensive Plan Area; Applicable Rank II & III Plans	Land Use
Site	SU-1 for IP Uses with Exceptions; and SU-1 PDA to Include C-3 Uses	Established Urban; West Side Strategic Plan, Riverview Sector Development Plan	Vacant
North	SU-1 PDA to Include C-3 Uses	Established Urban; West Side Strategic Plan	Petroglyph Elementary School, Vacant (Fountain Hills), and Offices
South	R-LT	Established Urban; West Side Strategic Plan, Riverview Sector Development Plan	Single-Family Residential
East	SU-1 PDA to Include C-3 Uses	Established Urban; West Side Strategic Plan	Vacant and Commercial
West	SU-1 for IP Uses with Exceptions; and SU-1 PDA to Include C-3 Uses	Established Urban; West Side Strategic Plan, Riverview Sector Development Plan	Vacant

Background, History and Context

The proposed requests will allow for a lot line and a zone line adjustment for Tract B, Richland Hills Subdivision, Unit 1 (First Baptist Church) and Tracts 2B, 3B, B1A, C1A, 10A2, 6A1A, D1A, Albuquerque West, Unit 2 (Fountain Hills Plaza).

The lot line and zone line adjustment is required because of a land swap that recently occurred between the owners of Tract B and the applicant. A 1.46-acre portion of Tract B was traded to the applicant for a 2-acre portion of Tracts B-1-A and C-1-A. The site development plan for subdivision amendment request is to show the newly acquired 1.46-acres and to change its zoning to match that of the 30+ acres to the north (Fountain Hills Plaza).

Approval of the requests will not significantly alter the previously EPC approved site development plan for subdivision for Fountain Hills Plaza (05EPC-00022) or the previously approved site development plan for building permit for First Baptist Church (06EPC-01711), which was recently submitted to the DRB for final approval.

The proposed zone map amendment for the 1.46-acre portion of Tract B is meant to change the site's zoning from SU-1 for IP Uses with Exceptions to SU-1 for PDA to Include C-3 Uses. This change will make the site's zoning consistent with the area it is being incorporated into, which is the 30+ acre, Fountain Hills Plaza to the north.

The proposed site development plan for subdivision amendment is meant to reflect the subtraction of 2.06-acres of Tracts B-1-A and C-1-A from Fountain Hills Plaza. This amendment will decrease the amount of land available for retail, restaurant, and office use on this tract, as demonstrated in the Land Use Summary Table on the plan.

In addition, the amendment is also meant to reflect the acquisition of 1.46-acres of Tract B, Richland Hills, Unit 1. This area will be incorporated into Tracts B-1-A and C-1-A in Fountain Hills Plaza. This amendment will result in more land for hotel, restaurant, and retail use on these tracts.

The net effect of this request is a decrease of approximately ½ acre of land available for retail and service uses.

Both the applicant and the owners of Tract B (First Baptist Church) have been working together and with the City on this lot line adjustment and the development of the sites. The proposed requests will not substantially alter the development plan for Fountain Hills Plaza or for the church. Any minor adjustments that occur may be approved by the Planning Director provided they fall within the limits allowed by the SU-1 Zone regulations. If substantial changes result, the applicant will be required to return to the EPC for review and approval.

Long Range Roadway System

The Long Range Roadway System (LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies the functional classifications of roadways.

The Long Range Roadway System designates Paseo del Norte as a Limited-Access Principal arterial, with a right-of-way of 156'.

The Long Range Roadway System designates Paradise Boulevard and Golf Course Road as Minor Arterials, with rights-of-way of 86'.

The Long Range Roadway System designates Eagle Ranch Road as a Collector street, with a right-of-way of 68'.

Richland Hills Road and Education Drive are not classified.

Public Facilities/Community Services

The subject site is adjacent to Paseo del Norte, which is a Limited Access Road/facility. Eagle Ranch Road is a bus route (#92 and #157)

ANALYSIS OF APPLICABLE ORDINANCES, PLANS AND POLICIES

Applicable goals, objectives and policies are in regular type followed by staff's analysis in ***bold italics***. Goals and policies cited by the applicant in response to R-270-1980 are in *italicized regular type*.

Albuquerque Comprehensive Zoning Code

A portion of the subject site's zoning was established with the adoption of the Riverview Sector Development Plan in 1985. A portion of the site (Tracts B1A and C1A) is zoned SU-1 PDA to Include C-3 Uses and a portion (Tract B) is zoned SU-1 for IP Uses with Exceptions. The requested zone map amendment will make the entire 32-acre Fountain Hills site's zoning consistent (SU-1 PDA to Include C-3 Uses).

The existing EPC approved site development plan for subdivision for Fountain Hills and the proposed amendment to modify the zone and property line is consistent with Zoning Code requirements for such a plan.

Established Urban Area (Section II.B.5)

Goal: To create a quality urban environment, which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment.

Policy a: The Developing Urban and Established Urban Areas as shown by the Plan map shall allow a full range of urban land uses, resulting in an overall gross density up to 5 dwelling units per acre.

Policy d: 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, recreational concern.

Policy i: Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

The Comprehensive Plan's Established Urban Area goal and policies a, d, and i are furthered by the proposed zone map amendment and site development plan for subdivision amendment because the requested zoning is consistent with the rest of the zoning for Fountain Hills Plaza. The subject site will become part of the Fountain Hills Plaza site development plan for subdivision, which allows and provides for a variety of land uses that are compatible with surrounding residential and commercial development. The subject site will be subject to the EPC approved Fountain Hills site development plan for subdivision, which contains design guidelines and standards that will insure that the nearby residentially zoned areas are not negatively impacted by future development.

Activity Centers (Section II.B.7)

The subject site is located in the Paseo del Norte/Eagle Ranch/Coors Boulevard Community Activity Center area as designated by the Comprehensive Plan's Centers and Corridors map.

Goal: To expand and strengthen concentrations of moderate and high-density mixed land use and social/economic activities which reduce urban sprawl, auto travel needs, and service costs, and which enhance the identity of Albuquerque and its communities.

Policy a: Existing and proposed Activity Centers are designated by the Comprehensive Plan map (Figure 20) where appropriate to help shape the built environment in a sustainable development pattern, create mixed use concentrations of interrelated activities that promote transit and pedestrian access both to and within the Activity Center, and maximize cost-effectiveness of City services. Table 10 specifies policy objectives for each type of Activity Center.*

*Boundaries of Activity Centers shown on the Plan map are not official, but merely indicate where non-residential use and/or Zoning meet the edge of residential use and/or Zoning, and where interrelated activities exist within walking distance of one another.

Community Activity Center description from Policy A, Table 10:

Purpose: Provides the primary focus for the entire community sub-area with a higher concentration and greater variety of commercial and entertainment uses in conjunction with community-wide services, civic land uses, employment, and the most intense land uses within the community sub-area.

- Service/Market Area:
 - Up to 3 miles
 - Serves population of 30,000+

- Access:
 - Very accessible by automobile
 - Located on minor & major arterial streets
 - Should provide main hub connecting to regional transit system
 - Community-wide trail network should provide access to center
 - The interior of the center should be very accommodating to the pedestrian, even within the predominantly off-street parking areas

- Land Uses:
 - Core Area: 15-16 acres + adjacent contributing uses
 - Limited floor area per building
 - Examples of typical uses: low-rise office, public & quasi-public uses (e.g. post office, library), entertainment (restaurants, theaters, etc.), hotel/motel, shelter care, medical facilities, education facilities, large religious institutions, medium density residential, middle/high school, senior housing, community or senior center, park-and-ride facility under certain conditions

- Scale:
 - Some larger parcels, but heavily punctuated with fine grain, smaller parcels; very walkable
 - 2-3 story; moderate floor area ratios (.3 to 1.0); connections between buildings and to sidewalks; more than one façade; buildings separate off-street parking from the street

- Predominantly off-street parking; site circulation plan is important to avoid conflict between pedestrian and auto; parking in lots or structures; pedestrian paths between parking & bldg.; bicycle parking is encouraged
- Public plaza/open space should be provided

Policy f: The most intense uses in Activity Centers shall be located away from nearby low-density residential development and shall be buffered from those residential uses by a transition area of less intensive development.

The Comprehensive Plan's Activity Center goal and policies a and f are furthered by these requests because the zoning allows a wide variety of uses that are appropriate within an activity center and the potential uses are more specifically identified on the EPC approved Fountain Hills Plaza site development plan for subdivision. The design guidelines and standards that were approved as part of the Fountain Hills plan will ensure that the nearby neighborhood is protected from on site uses. The EPC approved plan for Fountain Hills demonstrates and describes vehicle and pedestrian accessibility to the site and also identifies connections to the street network and remainder of the Coors/Paseo Community Activity Center.

Air Quality (Section II.C.1)

Goal: is to improve air quality to safeguard public health and enhance the quality of life.

Policy b: Automobile travel's adverse effects on air quality shall be reduced through a balanced land use/transportation system that promotes the efficient placement of housing, employment and services.

Policy i: Air quality considerations shall be integrated into zoning and land use decisions to prevent new air quality/land use conflicts.

The Comprehensive Plan's Air Quality goal and policies b and i are furthered by these requests because the subject site will become part of the EPC approved site development plan for subdivision for Fountain Hills Plaza, which incorporates many features that encourage walking, mass transit usage, and bicycling, which all help to reduce air pollution. In addition, the subject site is adjacent to a school, various businesses, and a residential area, so employees and residents can walk to the uses allowed by the proposed zoning (C-3 Uses). The change in zoning from SU-1 for IP Uses with Exceptions to SU-1 PDA to Include C-3 Uses will allow for more of a variety of retail, office, and service uses, which are not allowed in the IP zone.

Noise (Section II.C.4)

Goal: To protect the public health and welfare and enhance the quality of life by reducing noise and by preventing new land use/noise conflicts.

Policy a: Noise considerations shall be integrated into the planning process so that future noise/land use conflicts are prevented.

The Comprehensive Plan's Noise goal and policy a are furthered by these requests because the uses allowed by the proposed zoning (C-3 Uses) may generate as much noise as the uses allowed by the existing zoning (I-P). However, the subject site will become part of the EPC approved site development plan for subdivision for Fountain Hills Plaza, which incorporates features such as low walls, landscaping, and pedestrian areas, which provide a buffer to surrounding residences.

Transportation and Transit (Section II.D.4)

Goal: To develop corridors, both streets and adjacent land uses, that provide a balanced circulation system through efficient placement of employment and services, and encouragement of bicycling, walking, and use of transit/paratransit as alternatives to automobile travel, while providing sufficient roadway capacity to meet mobility and access needs.

Policy a: Table 11 presents ideal policy objectives for street design, transit service, and development form consistent with Transportation Corridors and Activity Centers as shown on the Comprehensive Plan's Activity Centers and Transportation Corridors map in the Activity Centers section. Each corridor will undergo further analysis that will identify design elements, appropriate uses, transportation service, and other details of implementation.

Policy o: Peak hour demands on the circulation system should be decreased.

The Comprehensive Plan's Transportation and Transit goal and policies a, g, and o are furthered by these requests because Paseo del Norte is classified as an Express Transit Corridor, Paradise and Golf Course Roads are classified as Minor Arterials and Eagle Ranch Road is classified as a Collector Street. The proposed zoning allows a variety of commercial, retail, and service uses that are appropriate adjacent to an Express Transit Corridor, Minor Arterial and Collector Street. The EPC approved Fountain Hills Plaza site development plan for subdivision incorporates setbacks, pedestrian walkways, building heights, and landscaping that complement the adjacent roadways and further the intent of policy a. In addition, the proposed zoning allows for more of a variety of employment uses than the existing zoning. Additional employment uses are needed in this area of the community and may help to ease traffic congestion on the bridges. The net effect of the land swap that recently occurred is that Fountain Hills Plaza will have approximately ½ acre less land available for retail and service uses.

West Side Strategic Plan (WSSP) (Rank II)

The West Side Strategic Plan (WSSP) was first adopted in 1997 and has been amended several times, most recently in December 2005. The WSSP area is bounded by the Sandoval County line on the north, the Rio Puerco Escarpment on the west, a line south of Gun Club Road (the Atrisco Grant line) on the south, and the Rio Grande on the east for areas north of Central, and Coors Boulevard on the east for areas south of Central. It encompasses over 96,000 acres of land, or approximately 150 square miles. Specific boundaries are shown on the Plan Boundary map on pg. 5 in the WSSP.

The WSSP identifies thirteen communities in established areas of the West Side that are partially developed and describes how community concepts can be applied. A Community is comprised of a Neighborhood Center(s) and Community Center(s), and the Plan outlines uses that should occur within the centers, as well as uses that should occur in areas adjacent to the centers. The WSSP emphasizes throughout its text the concept of commercial development in cluster configurations in contrast to the traditionally evolved strip commercial development.

The recent amendments to the WSSP include several changes to policies, activity center boundaries and locations, and clarifications of conflicting and unclear policies. The adopting resolution for the amendments (R-01-278, Enactment No. 35-2002) has a section that reads:

“Section 3. The West Side Strategic Plan is a Rank 2 Plan and its provisions shall be mandatory except where they conflict with existing zoning.”

General goals, objectives, and policies applicable to this request are:

Goal 6: Protecting significant natural assets of the West Side (escarpment, bosque, open space, views, clean air and water) is a primary goal of long-range planning efforts in the area.

Goal 12: The Plan should provide for long-term sustainable development on the West Side.

The West Side Strategic Plan's general goals 6 and 12 are furthered by the proposed requests because the previously approved site development plan for subdivision for Fountain Hills Plaza contains design standards and guidelines that serve to protect views to the east and west. In addition, because the site's grade slopes downward from west to east, the views to the Sandia and Manzano Mountains will be preserved.

The proposed (and existing) zoning allows a variety of uses that will provide employment opportunities to the area as well as service and retail uses, thereby furthering Goal 12.

Objective 1: Provide for a complete mix of land uses on the West Side, including opportunities for large-scale employment, in order to minimize the needs for cross-metro trips. Employment opportunities are encouraged on the West Side.

Objective 4: Preserve a sense of community and quality of life for all residents based on wise, long-term decision-making.

The West Side Strategic Plan's general objectives 1 and 4 are furthered by these requests because the allowed uses contribute to the mix of land uses on the west side. Services are needed in this area of the community and the allowed uses will contribute to the long-term sustainability of this area.

Policy 1.13: The Community Activity Center shall provide the primary focus for the entire community with a higher concentration and greater variety of commercial and entertainment uses in conjunction with community-wide services, civic land uses, employment, and the most intense land uses within the community. Its service area may be approximately three miles (radius) and a population of up to 30,000.

Policy 1.13 is furthered because the subject site is located in the Paseo del Norte/Coors Boulevard Community Activity Center and the proposed and existing zoning allows many uses that are appropriate within a community activity center. Uses such as a hotel, retail, restaurants, services and higher density residential are allowed and will contribute to the lively atmosphere desired within activity centers.

Paradise Community

The Paradise Community includes the Paradise Hills and portions of Ventana Ranch. The eastern boundary is the Rio Grande, the northern boundary is the Calabacillas Arroyo, and the southern boundary is roughly Paseo del Norte. The Community includes approximately 3,100 acres with the Community Center near the Paseo del Norte and Coors/Eagle Ranch intersections. Applicable Community policies are:

Policy 3.8: The largest mix of land uses and the highest density shall develop in the Community and Neighborhood Centers. Multifamily housing, public facilities, educational and employment facilities, and other non-single family residential uses are appropriate along with commercial services in these areas.

The subject site is located within the Paradise Community as identified in the West Side Strategic Plan. Policy 3.8 is furthered because the allowed uses are appropriate within this community and provide a transition between the more intense commercial and service uses in the Paseo del Norte/Coors Boulevard Community Activity Center and the less intense residential uses outside of the activity center.

Northwest Mesa Area Plan (Rank II)

The Northwest Mesa Area Plan was adopted by the City Council in 1980 and amended several times in 1983 and 1985. The Plan area encompasses approximately 39 square miles west of the Rio Grande, north of Interstate 40, south of the Sandoval County line and east of the edge of the Established/Developing Urban Area as identified by the Comprehensive Plan. The Northwest Mesa Area Plan, for the most part, reinforces goals and policies of the Comprehensive Plan that relate to development and development patterns, natural and environmental resources and landforms, and transportation and transit. Issues identified in the Plan that relate to the escarpment are addressed in detail by the Northwest Mesa Escarpment Plan (adopted in 1987 by Resolution 339).

The proposed requests do not conflict with the North West Mesa Area Plan. The subject site is not within the boundaries of the sub-area, Northwest Mesa Escarpment Plan, which the Area Plan designates special development standards for. Therefore, there are no specific development regulations for the site.

Riverview Sector Development Plan (Rank III)

The Riverview Sector Development Plan was first adopted in 1986 and amended in 1994. The Plan generally encompasses 804 acres, which includes properties north of Montano Road NW, west of Eagle

Ranch Road NW, south of Paradise Boulevard and east of Taylor Ranch, Volcano Cliffs and Paradise Valley areas. Specific boundaries are shown on page 1.1 (Illustration No. 1) in the Plan. A more descriptive location map is found on page 2.2 (Illustration No.3) of the Plan.

The Plan was amended by an EPC action April 1994 (Z-94-61) (page 3.17). The amendment added language to the plan that provides reasoning for the lack of commercial development within IP zoned sites within the Plan area. The added language states:

“It was initially felt that the sector plan area, given its easy access to the Paseo del Norte Bridge would provide a good location for an employment center. However, subsequent restrictions limiting the Paseo Bridge to 5-ton vehicles virtually eliminated the market potential for business park uses. As of February 1994 only 25 of the 513 industrially zoned areas north of I-40 and west of the Rio Grande had been developed. New IP activity has primarily located in Rio Rancho and in the Atrisco Business Park south of I-40. Further, the bulk of the sector plan area has been developed at lower residential densities than those allowed by the Plan. The likely locations for IP uses-north of Irving and south of I-40- help the City attain its Comprehensive Plan objective of directing greater proportions of growth to Established Urban Areas and protection of viable established neighborhoods.”

The Plan established zoning and proposed land uses for the area in addition to providing design standards for all site plans, which are:

- Coordinate site plans and landscaping with adjacent sites
- Utilize native vegetation in formal landscaping treatments
- Utilize shared parking and access where practical
- Make design of fencing, enclosures, and other accessory site features compatible with design of main buildings
- Screen trash receptacles, storage areas, and utility boxes from view
- Orient buildings for maximum feasible solar accessibility and views
- Encourage earth tone building materials

In addition, the Plan proposes non-residential land uses for the area surrounding the Paseo del Norte and Golf Course Road intersection and states:

- “Designation for employment-generating, non-residential uses is appropriate for the intersection of Paseo del Norte and Golf Course. These arterials will provide easy access between the non-residential areas and other parts of the sector plan area and other part of the region...”

Although only a portion of the subject site is located within the boundaries of the Plan area, SU-1 for IP Uses with Exceptions was established for all of Tract B, Richland Hills Subdivision, Unit 1. The remainder of the subject site, specifically, the portions of Tract B-1-A and C-1-A included with this request were outside of the Plan area and were zoned SU-1 for

PDA to include C-3 Uses in conjunction with an annexation in 1985 (AX-83-13 and Z-83-89, see Attachment A).

A portion of the subject site is located within the boundaries of the Riverview Sector Development Plan and is identified on the Vicinity Map and on page 1.1 of the Plan. A portion of the subject site is identified as Parcel H-4 and SU-1 for IP zoning is associated with the site throughout the sector plan.

Prior to the Plan amendment in 1994 (see description above), properties zoned for IP Uses were meant to develop with large-scale office and commercial uses in a campus like industrial park setting. Once the amendment was made many of the parcels zoned IP were developed with smaller scale commercial, office, service, and higher density residential uses since the access restrictions on Paseo del Norte made large-scale developments improbable.

The proposed development complies with all of the site plan design standards identified in the Plan. The applicant continues to work with the developers of First Baptist Church to the south and the adjacent residential neighborhood to the west and south. Coordinated efforts are evident in the requests since the request is an outcome of a land swap that recently occurred between the owners of Tract B and Tracts B-1-A and C-1-A. In addition, the previously approved site development plan for subdivision for Fountain Hills provides cross access easements, connectivity between public and private pedestrian walkways and sidewalks, and shared access arrangements between Tract B and Fountain Hills Plaza.

ANALYSIS OF ZONE MAP AMENDMENT (Resolution 270-1980)

The proposed zone map amendment is to change the zoning on a small portion of Tract(s) B, Richland Hills, Unit 1, from SU-1 for IP Uses with Exceptions to SU-1 PDA to Include C-3 Uses in order to make the zoning consistent with that of the 30+ acre Fountain Hills Plaza to the north. The portion of Tract B that is included in the zone change will be incorporated into Tracts B-1-A and C-1-A and will allow for the zone line to be consistent with the new property line.

The applicant is required to address the following policies for deciding zone map amendment applications pursuant to the Comprehensive City Zoning Code. Staff's analysis of the applicant's justification is in *bold italics*.

In general, staff concurs with the applicant's justification of policies A-J. Much of the applicant's justification is reiterated below.

- A. A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the city.

The request is consistent with the health, safety, morals, and general welfare of the City because there is similar zoning to the north of the subject site and in the surrounding area. The SU-1 designation requires that the EPC review a site development plan, which it already approved for Tract B to the south (First Baptist Church) and for the property to the north and including the subject site (Fountain Hills Plaza).

- B. Stability of land use and zoning is desirable; therefore the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the city to show why the change should not be made.

The zone change will allow for consistent development over the subject site and including the property to the north without significantly altering the Fountain Hills Plaza site development plan for subdivision or the site development plan for building permit for First Baptist Church on Tract B to the south. Both plans have already been approved by the EPC.

- C. A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other city master plans and amendments there, to, including privately developed area plans which have been adopted by the city.

The proposed zone map amendment is not in conflict with existing zoning, or applicable plans and policies. It furthers Comprehensive Plan, West Side Strategic Plan, Riverview Sector Development Plan, and Northwest Mesa Sector Development Plan goals, objectives, and policies.

- D. The applicant must demonstrate that the existing zoning is inappropriate because:

1. There was an error when the existing zone map pattern was created; or
2. Changed neighborhood or community conditions justify the change; or
3. A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other city master plan, even though (D)(1) or (D)(2) above do not apply.

The applicant asserts that this request is justified because of changed conditions. Staff concurs with this statement. The proposed zone map amendment is required because of a condition of approval placed on the EPC approved site development plan for building
