



CITY OF ALBUQUERQUE
PLANNING DEPARTMENT, REVIEW DIVISION
P.O. BOX 1293, ALBUQUERQUE, NM 87103

December 12, 2003

Fineland LLC
10250 Collins Ave., Penthouse 1
Bal Harbor, Fl. 33154

CERTIFICATE OF ZONING

FILE: 03EPC-00503 (Project 1000875)
DATE OF FINAL ACTION: September 18, 2003
LEGAL DESCRIPTION: for all or a portion of Tract(s)
E, **Fineland Development**, a zone map amendment from
SU-1 for R-2 to SU-1 for C-1, located on MCMAHON
BLVD. NW, between UNSER BLVD. NW and
STONEBRIDGE DRIVE NW, containing approximately
3 acre(s). (A-11) Makita Hill, Staff Planner

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

FROM R-1
TO SU-1 for C-1

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of the zoning is secured. Approval of a zone map amendment does not constitute approval of plans for a building permit. Site and building plans need to be reviewed, approved and signed-off by the Environmental Planning Commission, the Development Review Board, the Design Review Committee and/or the Building and Safety Division, as applicable and as required by the site's zoning, before a building permit will be issued.

Sincerely,


for Victor Chavez
Planning Director

VC/ac

cc: Zoning Code Services Division
Neal Weinberg, AGIS Division





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

Date: September 19, 2003

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project # 1000875 ***
03EPC-00503 Zone Map Amendment
03EPC-00504 EPC Site Development Plan-
Amendment to Subdivision

Fineland LLC
10250 Collins Ave., Penthouse 1
Bal Harbor, Fl. 33154

LEGAL DESCRIPTION: for all or a portion of Tract(s) E, **Fineland Development**, a zone map amendment from SU-1 for R-2 to SU-1 for C-1, located on MCMAHON BLVD. NW, between UNSER BLVD. NW and STONEBRIDGE DRIVE NW, containing approximately 3 acre(s). (A-11) Makita Hill, Staff Planner

On September 18, 2003 the Environmental Planning Commission voted to approve Project 1000875/03EPC 00503, a request for a zone map amendment from SU-1 for R-2 to SU-1 for C-1, for Parcel E, Fineland Development, located on McMahan Boulevard between Unser Boulevard and Stonebridge Drive, based on the following Findings:

FINDINGS:

1. This is a request for a zone map amendment from SU-1 for R-2 to SU-1 for C-1 for Parcel E, Fineland Development, located on McMahan Boulevard between Unser Boulevard and Stonebridge Drive. The site contains approximately 2.73 acres and is currently vacant.
2. The request reflects policies in the West Side Strategic Plan (WSSP) in that the subject site is located adjacent to an area designated for Low Commercial use by Resolution R-249, Transportation and Land Use Policies for the Westside McMahan Corridor, and the Attachment A land use policy map in the WSSP. While the subject site is designated for Medium Density Residential development, the subject site abuts the southeast corner of McMahan and Unser (zoned SU-1 for C-2 Uses), the request for SU-1 for C-1 Uses zoning reflects the intent in the WSSP for a commercial development at the McMahan/Unser intersection.

3. The request is consistent with Policy 1.3 of the WSSP which discourages the development of strip commercial areas and encourages new commercial development to occur in designated neighborhood and community centers (WSSP p. 38).
4. The request is consistent with policies in the Comprehensive Plan in that the proposed SU-1 for C-1 uses will not compromise existing residential areas (Policy d), utilizes vacant land (Policy e), and is proposed within or adjacent to an existing commercial center (Policy j). As the request reflects policies in the WSSP R-249 and Attachment A map for the Westside McMahon Corridor, the request is consistent with Policy c of the Comprehensive Plan regarding the role of Rank 2 plans in guiding development within their respective areas.
5. The request meet the requirements of R-270-1980 in that the request is consistent with policies in the WSSP and the Comprehensive Plan (Section 1.C.), changes in zoning for commercial use have occurred to the north of the subject site, and the request will be more advantageous to the community as articulated by policies in the WSSP and the Comprehensive Plan (Section 1.D.).
6. Due to the proximity of future single-family residential development to the east of the subject site as approved under a site development plan for subdivision by the EPC in August 2003 (Project 1002793 03EPC 01095), staff has concerns regarding the allowance of C-1 permissive and conditional uses on the subject site and the potential impacts of these uses on the future single-family residential area.

On September 18, 2003 the Environmental Planning Commission voted to approve Project 1000875/03EPC 00504, a request for an amendment to an existing site development plan, for Parcel E, Fineland Development, located on McMahon Boulevard between Unser Boulevard and Stonebridge Drive, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for an amendment to an existing site development plan for subdivision for Parcel E, Fineland Development, located on McMahon Boulevard between Unser Boulevard and Stonebridge Drive. The site contains approximately 2.73 acres and is currently vacant.
2. The request is made in conjunction with a request for a zone map amendment for the subject site from SU-1 for R-2 to SU-1 for C-1.

OFFICIAL NOTICE OF DECISION

SEPTEMBER 18, 2003

PROJECT #1000875

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3. The request reflects policies in the West Side Strategic Plan (WSSP) in that the subject site is located adjacent to an area designated for commercial use by Resolution R-249, Transportation and Land Use Policies for the Westside McMahan Corridor, and the Attachment A land use policy map in the WSSP. While the subject site is designated for Medium Density Residential development, the abutting proximity of the subject site to the southeast corner of McMahan and Unser (zoned SU-1 for C-2 Uses), the request for SU-1 for C-1 Uses zoning reflects the intent in the WSSP for a commercial development at the McMahan/Unser intersection.
4. The request is also consistent with Policy 1.3 of the WSSP which discourages the development of strip commercial areas and encourages new commercial development to occur in designated neighborhood and community centers (WSSP p. 38).
5. The request is consistent with policies in the Comprehensive Plan in that the proposed SU-1 for C-1 uses will not compromise existing residential areas (Policy d), and is proposed within or adjacent to an existing commercial center (Policy j). As the request reflects policies in the WSSP R-249 and Attachment A map for the Westside McMahan Corridor, the request is consistent with Policy c of the Comprehensive Plan regarding the role of Rank 2 plans in guiding development within their respective areas.

CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan for subdivision 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. The building height for the subject site shall be limited to 26 feet to blend with future single-family residential development to occur on Parcel F to the east, zoned SU-1 for R-2.
 3. Statements in the Site/Building Lighting section of the Design Guidelines shall be revised to reflect the 16-foot light pole standard within 100 feet of a residential zone as stated in Section 14-16-3-9, Area Lighting Regulations, in the City Zoning Code.
 4. The applicant shall submit a site development plan for building permit for review to the Environmental Planning Commission.
-

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY **OCTOBER 3, 2003** 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.

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

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

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

Sincerely,


for Victor J. Chavez
Planning Director

VJC/MH/ac

cc: Community Sciences Corp., P.O. Box 1328, Corrales, NM 87048
Julia Wilson, Horizon Hills, 5705 Carmen Rd. NW, Albuquerque, NM 87114
Jolinda Balmer, Horizon Hills, 10590 Vista Bella Pl. NW, Albuquerque, NM 87114

NOTE: THE FOLLOWING TWO ITEMS WERE HEARD JOINTLY

10. Project # 1001279 *
03EPC-01155 EPC Site Development
Plan-Subdivision
03EPC-01093 Zone Map Amendment

COMMUNITY SCIENCES CORP. agents for MARK GONZALES request the above actions for all or a portion of Tract(s) 16-A-1, **Paradise North**, a zone map amendment from R-1 to SU-1 for C-2, located on UNSER BLVD. NW, between UNSER BLVD. NW and MCMAHON BLVD., containing approximately 10 acres. (A-11) Makita Hill, Staff Planner (**SITE PLAN APPROVED WITH CONDITIONS. APPROVED ZONE MAP AMENDMENT**)

11. Project # 1000875 *
03EPC-00503 Zone Map Amendment
03EPC-00504 EPC Site Development
Plan-Amendment to Subdivision

COMMUNITY SCIENCES CORPORATION agent(s) for FINELAND LL & JEFFREY L. FINE request the above action(s) for all or a portion of Tract(s) E, **Fineland Development**, a zone map amendment from SU-1 for R-2 to SU-1 for C-1, located on MCMAHON BLVD. NW, between UNSER BLVD. NW and STONEBRIDGE DRIVE NW, containing approximately 3 acre(s). (A-11) Makita Hill, Staff Planner (**ZONE MAP AMENDMENT APPROVED. SITE DEVELOPMENT PLAN APPROVED WITH CONDITIONS**)

STAFF PRESENT:

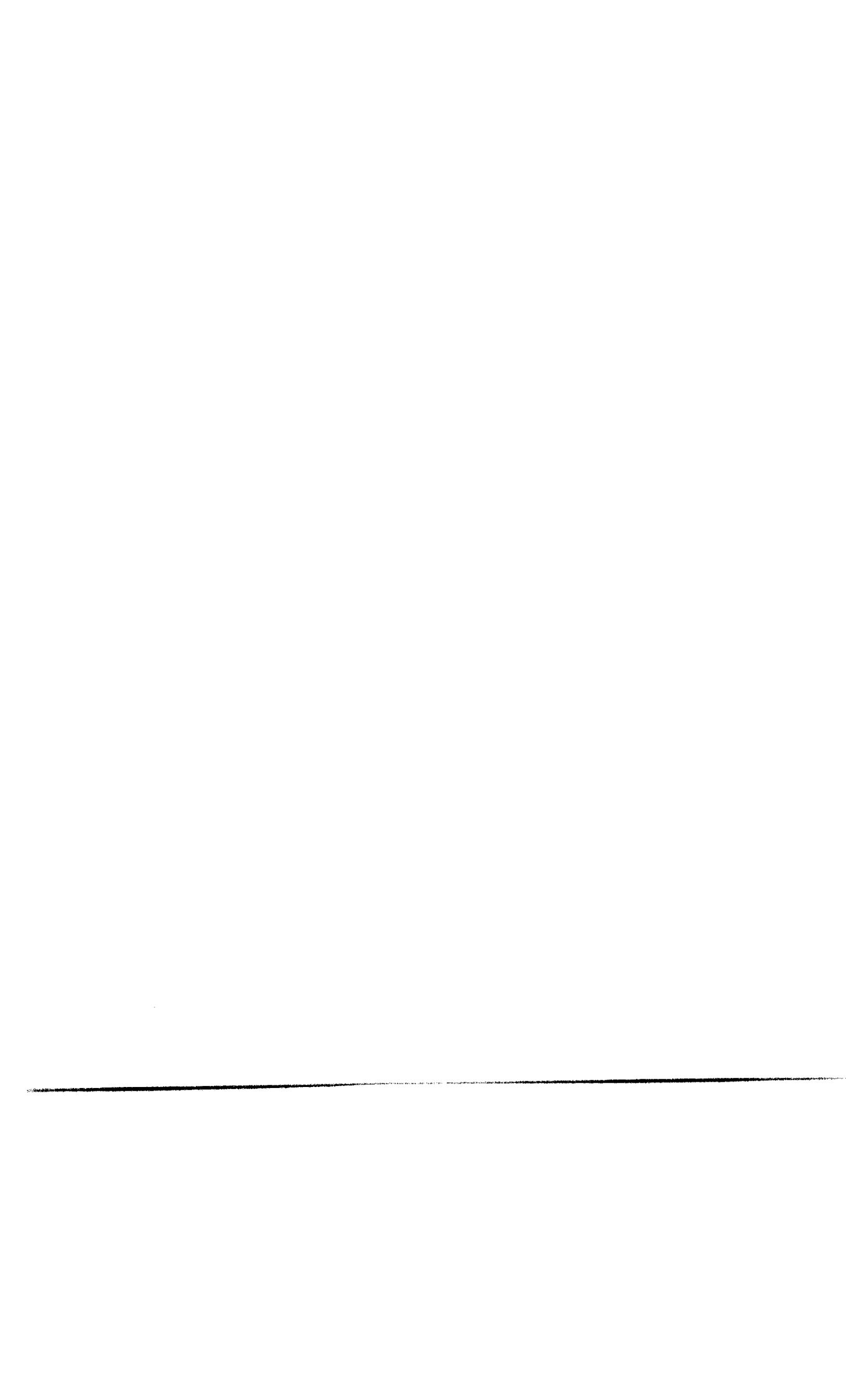
Makita Hill, Planning Department

PERSON PRESENT TO SPEAK IN FAVOR OF THIS REQUEST:

Art Korsi, P.O. Box 1328

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

MR. HILL: Reiterated comments made in the staff report in which approval was recommended for both the site plan and zone map amendment.



FINAL ACTION TAKEN

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to approve Project 1001279/ 03EPC 01093, a request for a zone map amendment from R-1 to SU-1 for C-1 Uses Including Grocery Store With Package Liquor Sales Incidental To That Use, Restaurant With Full-Service Liquor For On-Premise Consumption, for Tract 16-A-1, Paradise North Subdivision, located on Unser Boulevard between Unser Boulevard and McMahon Boulevard, based on the following Findings:

FINDINGS:

1. This is a request for a zone map amendment from R-1 to SU-1 for C-1 uses, for Tract 16-A-1, Paradise North Subdivision, located on Unser Boulevard between Unser Boulevard and McMahon Boulevard. The site contains approximately 9.8 acres and is currently vacant.
2. The list of C-2 permissive uses submitted by the applicant is not compatible with the Low Commercial designation for the site as established in the West Side Strategic Plan (WSSP) Resolution R-249, Transportation and Land Use Policies for the Westside McMahon Corridor, and the Attachment A land use policy map. Staff recommended that the applicant modify the request as follows: a request for a zone map amendment from R-1 to SU-1 for C-1 Uses Including Grocery Store With Package Liquor Sales Incidental To That Use, Restaurant With Full-Service Liquor For On-Premise Consumption.
3. As of September 10, 2003, the date of the draft of this report, the applicant is in agreement with the modifications to the zone map amendment request made by staff.
4. The modified request is consistent with policies in the West Side Strategic Plan (WSSP) in that the subject site is consistent with the Low Commercial designation for the subject site in the WSSP and Resolution R-249, Transportation and Land Use Policies for the Westside McMahon Corridor, and the Attachment A land use policy map in the WSSP.
5. The modified request is consistent with Policy 1.3 of the WSSP, which discourages the development of strip commercial areas and encourages new commercial development to occur in designated neighborhood and community centers (WSSP p. 38).
6. The modified request is consistent with policies in the Comprehensive Plan in that the staff modified request will not compromise existing residential areas (Policy d), utilizes vacant land (Policy e), and is proposed within or adjacent to an existing commercial center (Policy j). As the request is consistent with policies in the WSSP R-249 and Attachment A map for the Westside McMahon Corridor, the request is consistent with Policy c of the Comprehensive Plan regarding the role of Rank 2 plans in guiding development within their respective areas.

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7. The modified request meet the requirements of R-270-1980 in that the request is consistent with policies in the WSSP and the Comprehensive Plan (Section 1.C.), changes in zoning for commercial use have occurred to the north of the subject site (Section 1.D.2), and the request will be more advantageous to the community as articulated by policies in the WSSP and the Comprehensive Plan (Section 1.D.3).
8. There is no known neighborhood opposition to this request.

MOVED BY COMMISSIONER OWENS

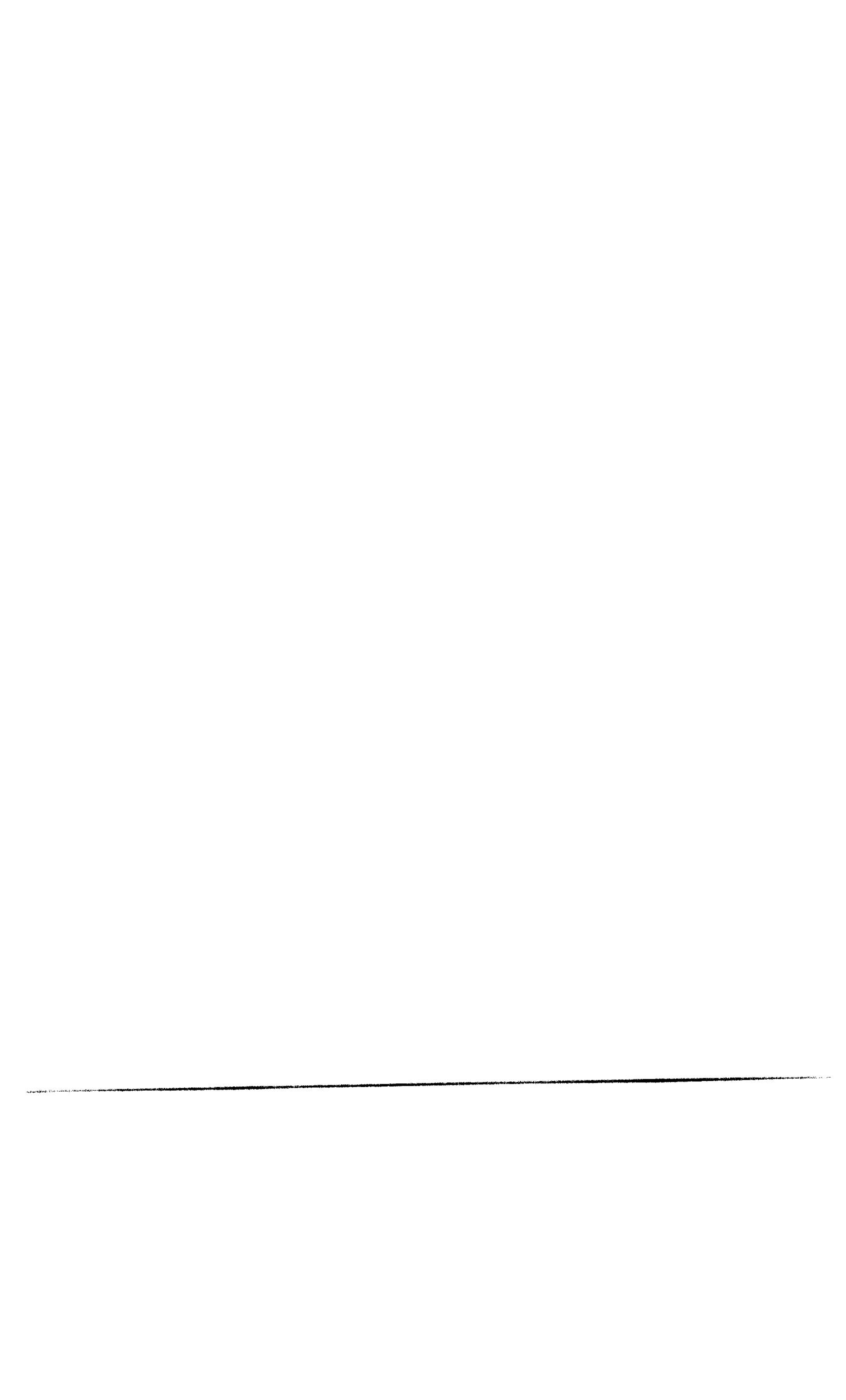
SECONDED BY COMMISSIONER DEICHMANN

MOTION PASSED UNANIMOUSLY

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to approve Project 1001279/ 03EPC 01155, a request for approval of a site development plan for subdivision for Tract 16-A-1, Paradise North Subdivision, located on Unser Boulevard between Unser Boulevard and McMahon Boulevard, based on the following Findings and subject to the following Conditions:

FINDINGS:

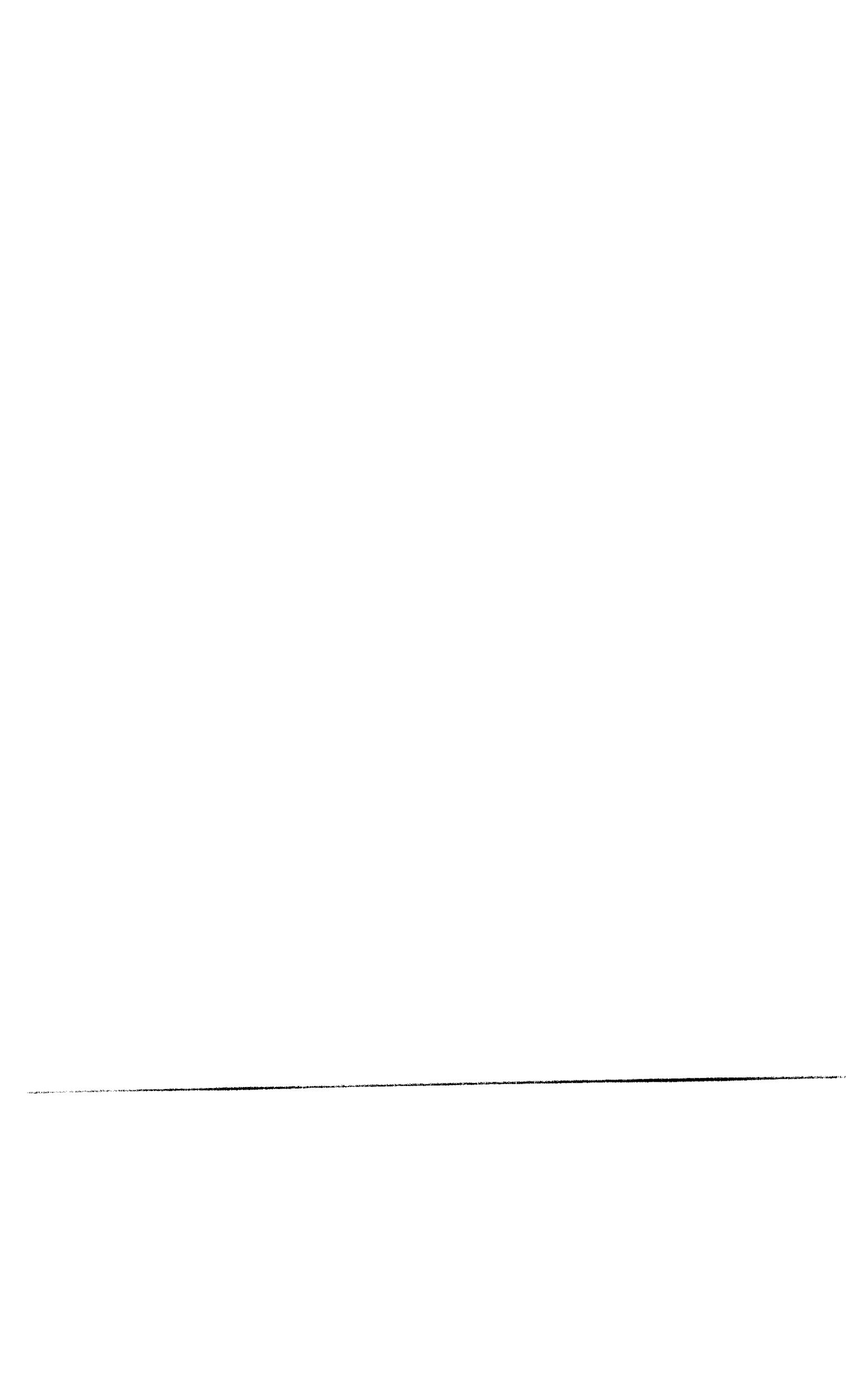
1. This is a request for approval of a site development plan for subdivision for Tract 16-A-1, Paradise North Subdivision, located on Unser Boulevard between Unser Boulevard and . The site contains approximately 9.8 acres and is currently vacant.
2. The request is made in conjunction with a request, as modified by staff and agreed to by the applicant, for a zone map amendment from R-1 to SU-1 for C-1 Uses Including Grocery Store With Package Liquor Sales Incidental To That Use, Restaurant With Full-Service Liquor For On-Premise Consumption.
3. The request will facilitate commercial development that is consistent with policies in the West Side Strategic Plan (WSSP). The subject site is designated as Low Commercial by policies in the WSSP and Resolution R-249, Transportation and Land Use Policies for the Westside McMahon Corridor, and the Attachment A land use policy map in the WSSP.
4. The request is also consistent with Policy 1.3 of the WSSP which discourages the development of strip commercial areas and encourages new commercial development to occur in designated neighborhood and community centers (WSSP p. 38).



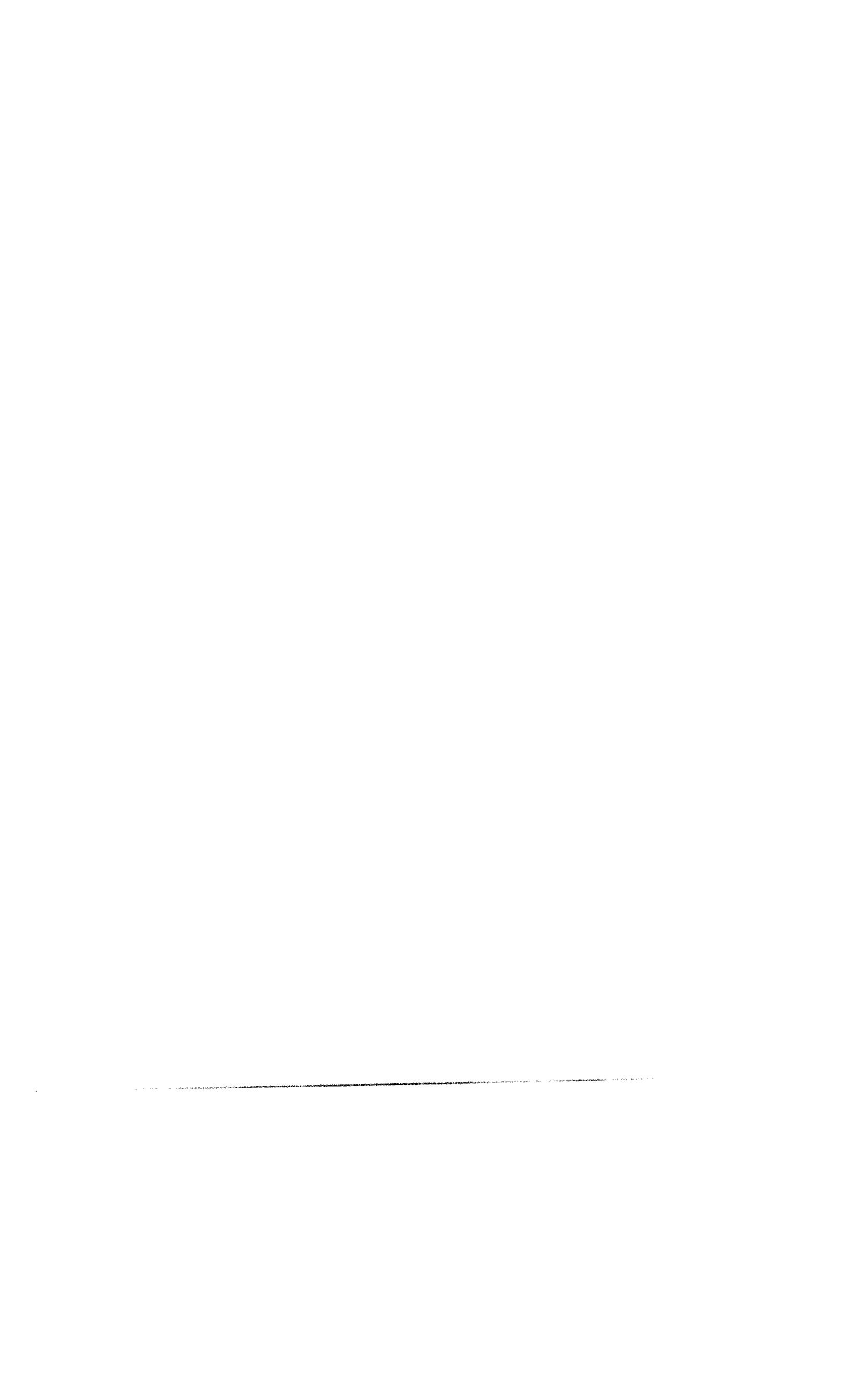
5. The request is consistent with policies in the Comprehensive Plan in that the site plan will facilitate development that will not compromise existing residential areas (Policy d), utilizes vacant land (Policy e), and is proposed within or adjacent to an existing commercial center (Policy j). As the request is consistent with policies in the WSSP R-249 and Attachment A map for the Westside McMahon Corridor, the request is consistent with Policy c of the Comprehensive Plan regarding the role of Rank 2 plans in guiding development within their respective areas.
6. The site layout details as shown on the proposed site development plan for subdivision are for information only and reflect a possible development scenario. However, the presentation of Parcel C is confused by the identification of this parcel within a conceptual building footprint. The applicant should clarify that all of the acreage outside of proposed Parcels A and B comprises Parcel C.
7. Modifications are needed to the site plan's Design Guidelines to bring the site plan into full compliance with regulations in the City Zoning Code and with sign regulation in the Unser Boulevard Design Overlay Zone (UBDOZ).
8. While the applicant has agreed to lower the building height of the subject site from 42 feet to 36 feet, staff still has concerns about the building height proposals. Further discussion is needed on this issue.
9. There is no known neighborhood opposition to this request.

CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan for subdivision 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. The Design Guidelines indicate that commercial pedestrian connections designated as 6-foot sidewalks shall be a minimum of 6 feet clear. This statement shall be removed as it is not consistent with standards for pedestrian walkways abutting parking areas as established in Section 14-16-3-1 of the City Zoning Code, which require 8-foot sidewalks in this situation. The site plan shall indicate compliance with the City Zoning Code regarding pedestrian walkways.
3. The Building Setback section of the Design Guidelines shall be modified to include all O-1 zone building setbacks, or indicate where setbacks are different from the O-1 zone.



4. Statements in the Site/Building Lighting section of the Design Guidelines shall be revised to reflect the 16-foot light pole standard within 100 feet of a residential zone as stated in Section 14-16-3-9, Area Lighting Regulations, in the City Zoning Code.
5. The Signage and Graphics element of the site plan's Design Guidelines shall be modified to be consistent with the Unser Boulevard Design Overlay Zone (UBDOZ) standards. A statement of compliance with the UBDOZ regarding signage and graphics shall be included in the site plan.
6. The applicant shall add maintenance and beneficiary statements to the site plan regarding proposed pedestrian trails, as these trails are not designated on the Trails and Bikeways Facility Master Plan, per comments from the Parks and Recreation Department, Planning and Design Division.
7. The applicant shall add statements to the site plan that indicate that a storage area for automated residential carts shall be provided, not visible from the street or from inside a garage, per comments from the Solid Waste Management Department.
8. The proposed right-in/right-out turn access into the subject site from McMahon Boulevard shall be only be permitted according to the Long Range Roadway System access policy. The proposed access does not meet the 400-foot distance requirement from the McMahon/Unser intersection, per comments from the Public Works Department, Transportation Planning Division.
9. The site layout details as shown on the proposed site development plan for subdivision are for information only and reflect a possible development scenario. However, the presentation of Parcel C is confused by the identification of this parcel within a conceptual building footprint. The applicant shall clarify that all of the acreage outside of proposed Parcels A and B comprises Parcel C in future site development plan submittals.
10. Conditions of approval for the proposed Site Development Plan for Subdivision shall include:
 - a. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan for subdivision. Those improvements will include any additional right-of-way requirements, paving, curb and gutter and sidewalk that have not already been provided for unless previously excluded by an agreement with the City.
 - b. Provide cross access agreement between tracts.
intersection is not a permitted access, unless otherwise approved by the Metropolitan Transportation Board (MTB) of the Mid-Region Council of Governments.
 - c. An approved conceptual grading and drainage plan is required for Site Plan sign-off by the City Engineer. Approval of drainage plan required prior to placement on DRB agenda.
 - d. Platting consummating the proposed vacation should be a concurrent DRB action.



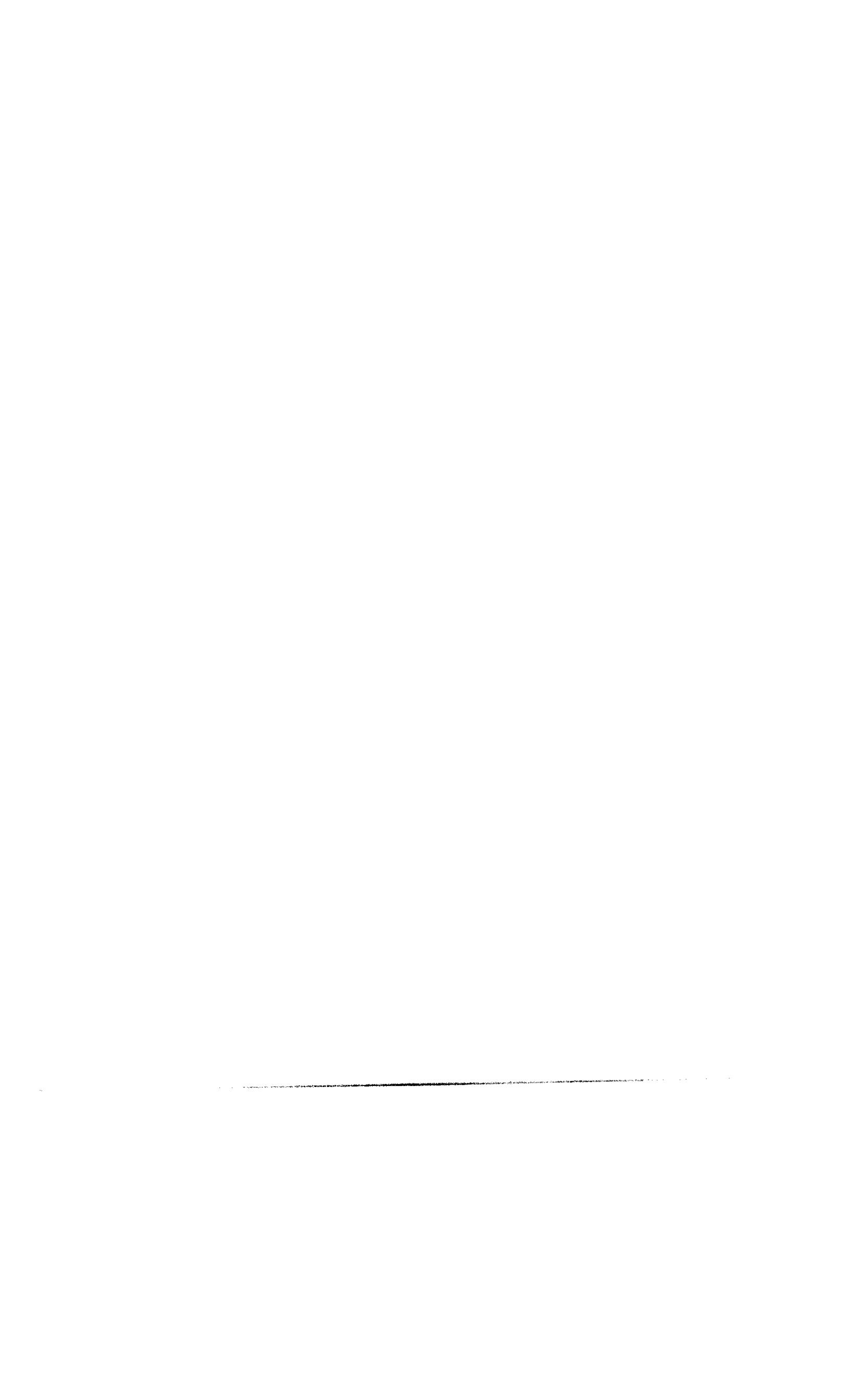
MOVED BY OWENS
SECONDED BY COMMISSIONER STEELE

MOTION PASSED UNANIMOUSLY

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to approve Project 1000875/ 03EPC 00503, a request for a zone map amendment from SU-1 for R-2 to SU-1 for C-1, for Parcel E, Finland Development, located on McMahon Boulevard between Unser Boulevard and Stonebridge Drive, based on the following Findings:

FINDINGS:

1. This is a request for a zone map amendment from SU-1 for R-2 to SU-1 for C-1 for Parcel E, Finland Development, located on McMahon Boulevard between Unser Boulevard and Stonebridge Drive. The site contains approximately 2.73 acres and is currently vacant.
2. The request reflects policies in the West Side Strategic Plan (WSSP) in that the subject site is located adjacent to an area designated for Low Commercial use by Resolution R-249, Transportation and Land Use Policies for the Westside McMahon Corridor, and the Attachment A land use policy map in the WSSP. While the subject site is designated for Medium Density Residential development, the subject site abuts the southeast corner of McMahon and Unser (zoned SU-1 for C-2 Uses), the request for SU-1 for C-1 Uses zoning reflects the intent in the WSSP for a commercial development at the McMahon/Unser intersection.
3. The request is consistent with Policy 1.3 of the WSSP which discourages the development of strip commercial areas and encourages new commercial development to occur in designated neighborhood and community centers (WSSP p. 38).
4. The request is consistent with policies in the Comprehensive Plan in that the proposed SU-1 for C-1 uses will not compromise existing residential areas (Policy d), utilizes vacant land (Policy e), and is proposed within or adjacent to an existing commercial center (Policy j). As the request reflects policies in the WSSP R-249 and Attachment A map for the Westside McMahon Corridor, the request is consistent with Policy c of the Comprehensive Plan regarding the role of Rank 2 plans in guiding development within their respective areas.
5. The request meet the requirements of R-270-1980 in that the request is consistent with policies in the WSSP and the Comprehensive Plan (Section 1.C.), changes in zoning for commercial use have occurred to the north of the subject site, and the request will be more advantageous to the community as articulated by policies in the WSSP and the Comprehensive Plan (Section 1.D.).



6. Due to the proximity of future single-family residential development to the east of the subject site as approved under a site development plan for subdivision by the EPC in August 2003 (Project 1002793 03EPC 01095), staff has concerns regarding the allowance of C-1 permissive and conditional uses on the subject site and the potential impacts of these uses on the future single-family residential area.

MOVED BY COMMISSIONER OWENS

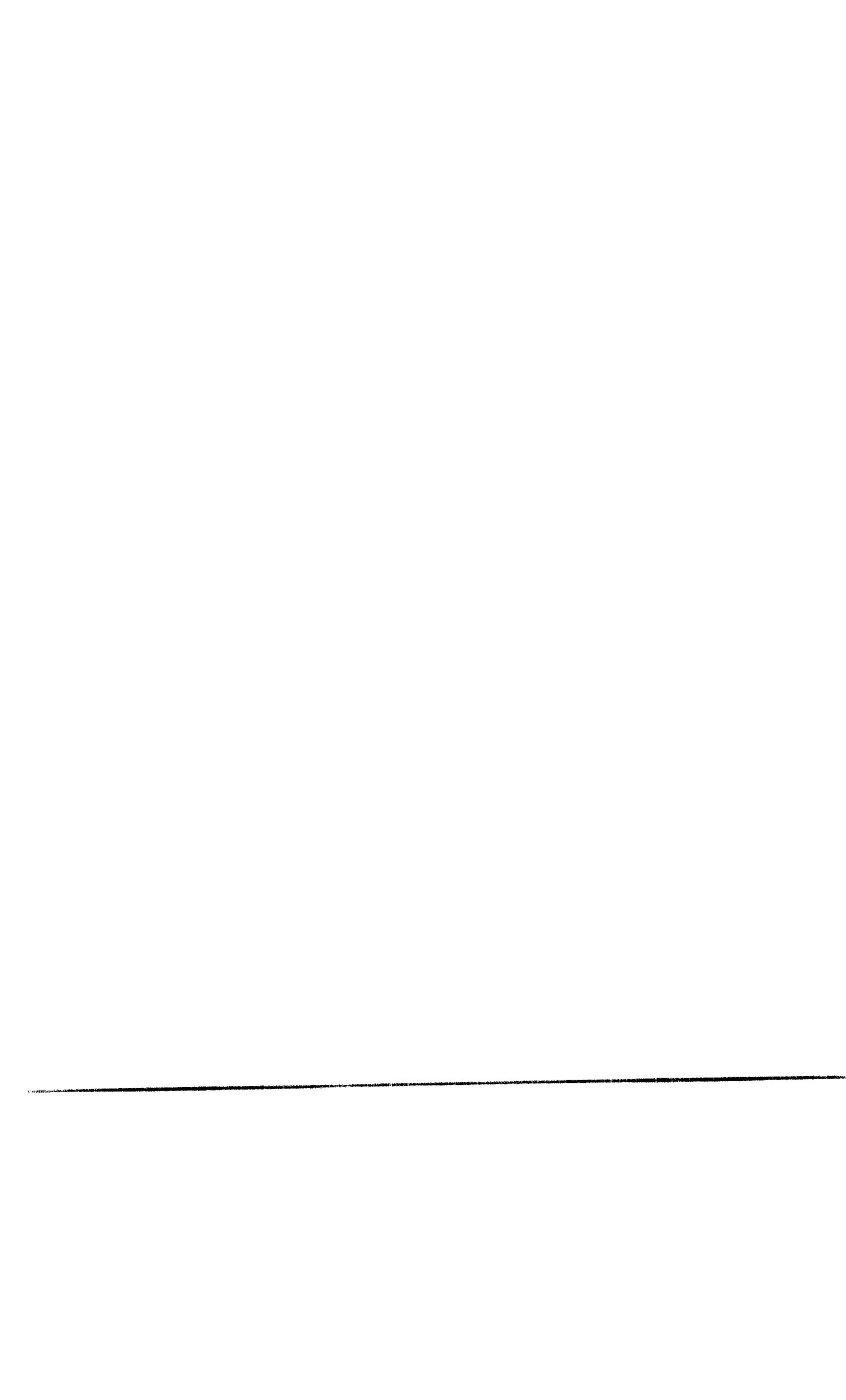
SECONDED BY COMMISSIONER DEICHMANN

MOTION PASSED UNANIMOUSLY

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to approve Project 1000875/ 03EPC 00504, a request for an amendment to an existing site development plan, for Parcel E, Finland Development, located on McMahan Boulevard between Unser Boulevard and Stonebridge Drive, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for an amendment to an existing site development plan for subdivision for Parcel E, Finland Development, located on McMahan Boulevard between Unser Boulevard and Stonebridge Drive. The site contains approximately 2.73 acres and is currently vacant.
2. The request is made in conjunction with a request for a zone map amendment for the subject site from SU-1 for R-2 to SU-1 for C-1.
3. The request reflects policies in the West Side Strategic Plan (WSSP) in that the subject site is located adjacent to an area designated for commercial use by Resolution R-249, Transportation and Land Use Policies for the Westside McMahan Corridor, and the Attachment A land use policy map in the WSSP. While the subject site is designated for Medium Density Residential development, the abutting proximity of the subject site to the southeast corner of McMahan and Unser (zoned SU-1 for C-2 Uses), the request for SU-1 for C-1 Uses zoning reflects the intent in the WSSP for a commercial development at the McMahan/Unser intersection.
4. The request is also consistent with Policy 1.3 of the WSSP which discourages the development of strip commercial areas and encourages new commercial development to occur in designated neighborhood and community centers (WSSP p. 38).
5. The request is consistent with policies in the Comprehensive Plan in that the proposed SU-1 for C-1 uses will not compromise existing residential areas (Policy d), and is proposed within or adjacent to an existing commercial center (Policy j). As the request reflects policies in the WSSP R-249 and Attachment A map for the Westside McMahan Corridor, the request is consistent with Policy c of the Comprehensive Plan regarding the role of Rank 2 plans in guiding development within their respective areas.



CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan for subdivision 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. The building height for the subject site shall be limited to 26 feet to blend with future single-family residential development to occur on Parcel F to the east, zoned SU-1 for R-2.
3. Statements in the Site/Building Lighting section of the Design Guidelines shall be revised to reflect the 16-foot light pole standard within 100 feet of a residential zone as stated in Section 14-16-3-9, Area Lighting Regulations, in the City Zoning Code.
4. The applicant shall submit a site development plan for building permit for review to the Environmental Planning Commission.

MOVED BY COMMISSIONER OWENS

SECONDED BY COMMISSIONER DEICHMANN

MOTION PASSED UNANIMOUSLY

12. Project # 1002873 *
03EPC-01324 EPC Site Development
Plan-Amendment to Building Permit

DCSW ARCHITECT agent(s) for MORELAND CORPORATION request the above action(s) for all or a portion of Tract(s) 5A, **Yale Business Park**, zoned SU-1 for Permissive O-1, C-2 & IP Uses, located on INTERNATIONAL AVE. SE, between YALE BLVD. SE and Central Ave. SE, containing approximately 5 acre(s). (L-16) Deborah Stover, Staff Planner **(APPROVED WITH CONDITIONS)**

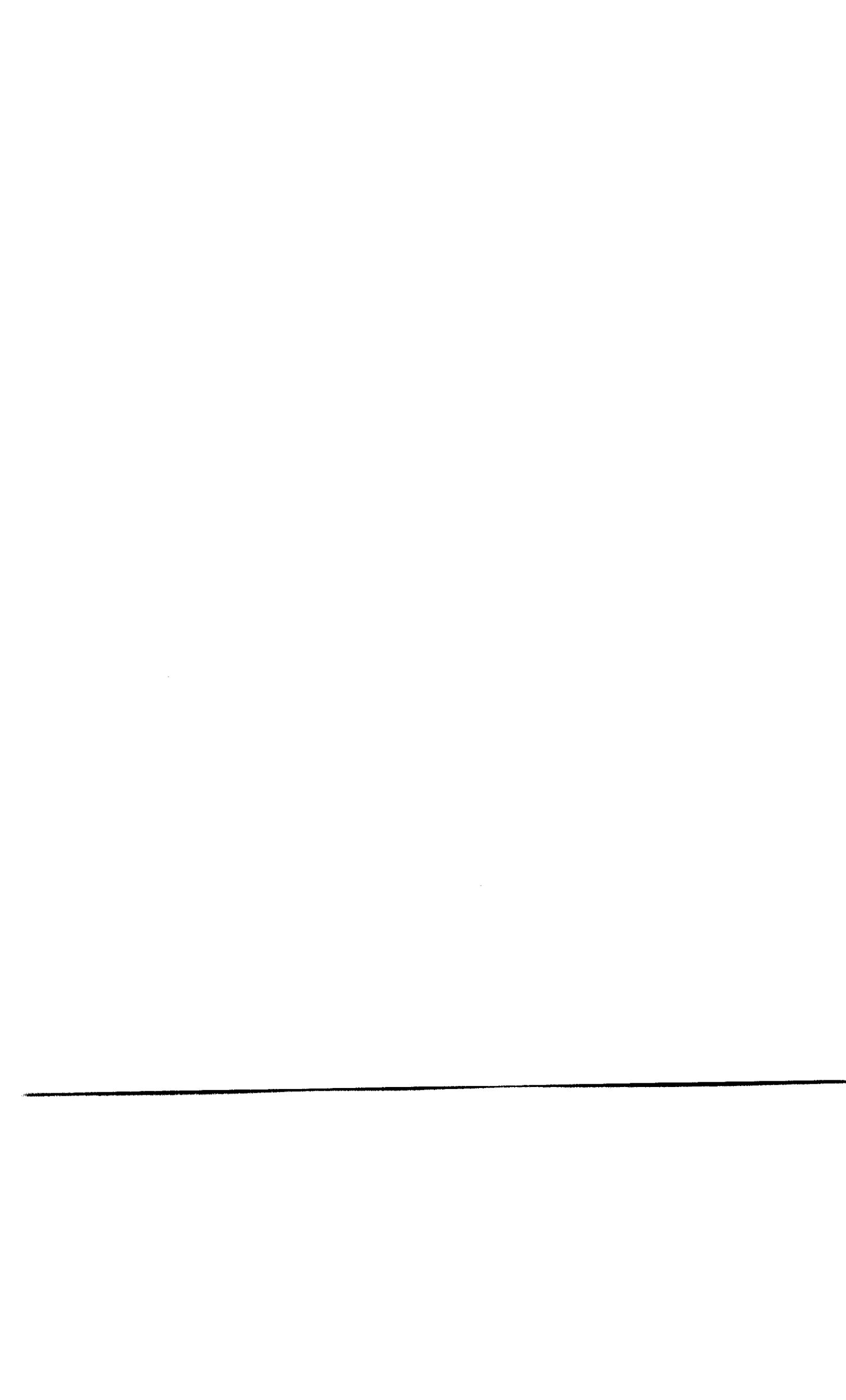
STAFF PRESENT:

Debbie Stover, Planning Department

PERSON PRESENT TO SPEAK IN FAVOR OF THIS REQUEST:

Bob Heiser, 320 Central NW

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





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

Date: August 22, 2003

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project # 1000875**
03EPC-00503 Zone Map Amendment
03EPC-00504 EPC Site Development Plan-
Amendment to Subdivision

Fineland LLC, 10250 Collins Ave.
Penthouse 1
Bal Harbor, Fl. 33154

LEGAL DESCRIPTION: for all or a portion of Tract(s) E, **Fineland Development**, a zone map amendment from SU-1 for R-2 to SU-1 for C-1, located on MCMAHON BLVD. NW, between UNSER BLVD. NW and STONEBRIDGE DRIVE NW, containing approximately 3 acre(s). (A-11) Makita Hill, Staff Planner (**DEFERRED FROM MAY 15, 2003**)

On August 21, 2003 the Environmental Planning Commission voted to defer Project 100875/ 03EPC-00503 Zone Map Amendment and 03EPC-00504 EPC Site Development Plan-Amendment to Subdivision to the Environmental Planning Commission Public Hearing on September 18, 2003.

There is a \$110.00 fee when a deferral is made at the request of an applicant/agent. Payment is due by September 5, 2003 and may be paid at the Land Development Coordination counter at the Plaza del Sol Building. Failure to pay may result in removal from the agenda.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY **SEPTEMBER 5, 2003 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.**

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

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

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

Sincerely,


Victor J. Chavez
Planning Director

VJC/MH/ac

cc: Community Sciences Corp., P.O. Box 1328, Corrales, NM 87048
Julia Wilson, Horizon Hills, 5705 Carmen Rd. NW, Albuquerque, NM 87114
Jolinda Balmer, Horizon Hills, 10590 Vista Bella Pl. NW, Albuquerque, NM 87114

Project # 1001005
03EPC-00925 Zone Map Amendment

TIMOTHY FLYNN-O'BRIEN agents for WEST BLUFF CENTER LLC request the above action(s) for all or a portion of Tract(s) 8, **WEST BLUFF CENTER SUBDIVISION**, a zone map amendment from R-2 to RC, located on the NE corner of CORNOA ROAD NW, and OURAY ROAD and, containing approximately .43 acres. (H-11) Chris Hyer, Staff Planner **(WITHDRAWN)**

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to accept withdrawal of Project 1001005/03EPC 00925, a request for a zone map amendment from R-2 to RC, for Tract 8, West Bluff Addition that is approximately 0.4293-acreas, located on the northwest corner of the intersection of Corona Drive and Ouray Road NW, at the request of the agent.

MOVED BY COMMISSIONER DEICHMANN
SECONDED BY COMMISSIONER BRISCOE

MOTION CARRIED UNANIMOUSLY

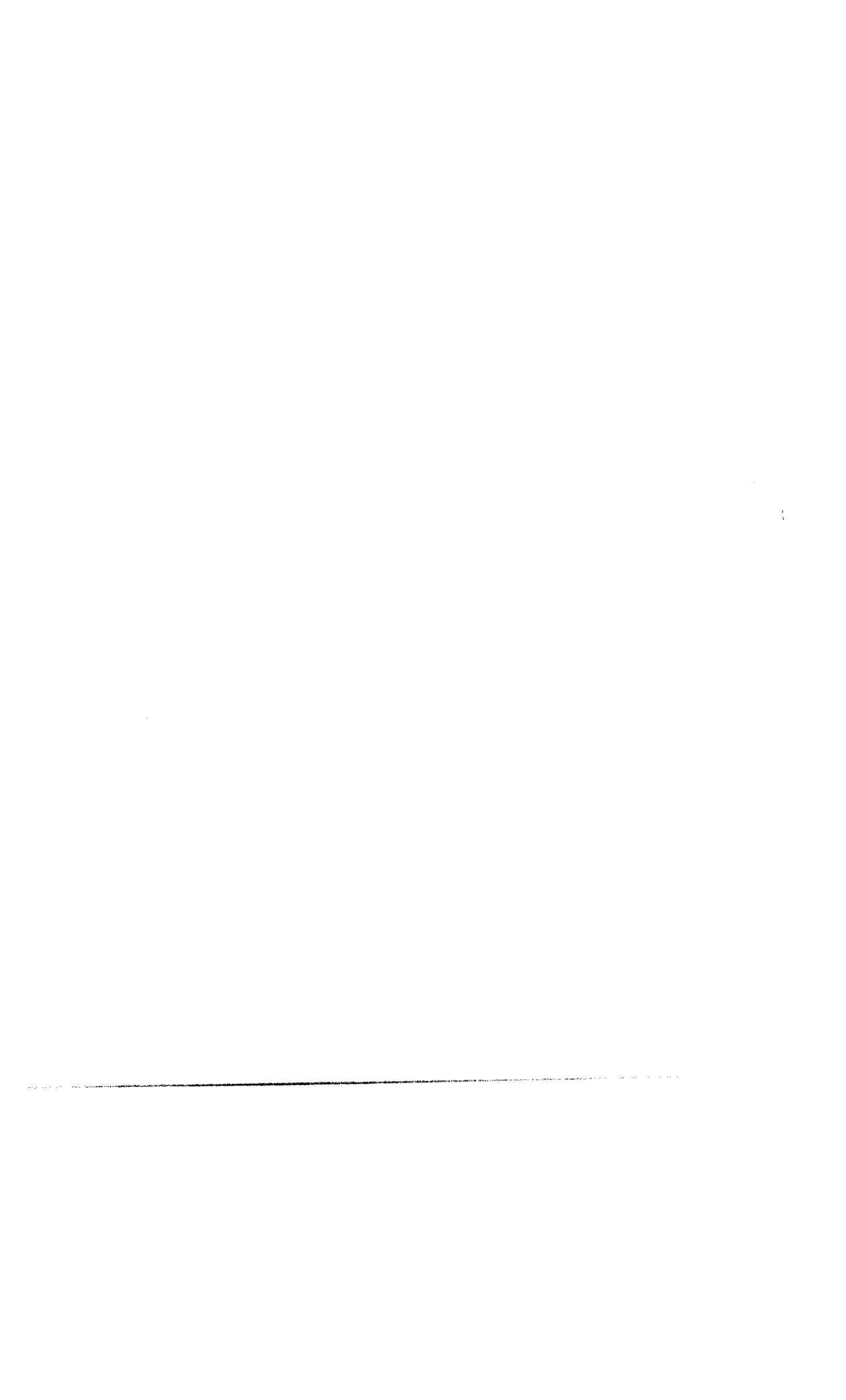
Project # 1000875
03EPC-00503 Zone Map Amendment
03EPC-00504 EPC Site Development
Plan-Amendment to Subdivision

COMMUNITY SCIENCES CORPORATION agent(s) for FINELAND LL & JEFFREY L. FINE request the above action(s) for all or a portion of Tract(s) E, **Fineland Development**, a zone map amendment from SU-1 for R-2 to SU-1 for C-1, located on MCMAHON BLVD. NW, between UNSER BLVD. NW and STONEBRIDGE DRIVE NW, containing approximately 3 acre(s). (A-11) Makita Hill, Staff Planner **(DEFERRED TO AUGUST 21, 2003)**

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to defer Project 100875/ 03EPC-00503 Zone Map Amendment and 03EPC-00504 EPC Site Development Plan-Amendment to Subdivision to the Environmental Planning Commission Public Hearing on August 21, 2003.

MOVED BY COMMISSIONER STEELE
SECONDED BY COMMISSIONER DEICHMANN

MOTION CARRIED UNANIMOUSLY





ENVIRONMENTAL PLANNING COMMISSION

A G E N D A

Thursday, September 18, 2003, 9:00 a.m.

Dona Ana/Cimarron Room
Albuquerque Convention Center
400 2nd Street NW

NOTE: The location and starting time of this hearing has changed from what was advertised.

MEMBERS

Jeffery Jesionowski, Chairman
Mick McMahan, Vice Chair

John Briscoe
Camilla Serrano
Jens Deichmann

Bevin Owens
Larry Chavez
David Steele

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 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.**

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
 - C. Approval of the Minutes for July 17, 2003.

2. Project # 1000650 *

03EPC-01110 EPC Site Development Plan-
Building Permit
03EPC-01109 EPC Site Development Plan-
Subdivision

TIERRA WEST LLC agent(s) for WALMART STORES, INC. request the above action(s) for all or a portion of Tract(s) 1-A, **Lands of Lamonica & Wenk**, zoned SU-1 C-1 Permissive Uses, located on COORS BLVD. SW, between RIO BRAVO BLVD. and LAMONICA RD., containing approximately 21 acre(s). (P-10) Carmen Marrone, Staff Planner **(CONTINUED FROM AUGUST 21, 2003)**

3. 03EPC- 01242 Project # 1002640

03DRB-00728 Minor-Temp Defer SDWK
03DRB-00723 Major-Preliminary Plat
Approval
03DRB-00726 Minor-Sidewalk Variance
03DRB-00725 Minor-Sidewalk Variance
03DRB-00724 Major-SiteDev Plan
BldPermit

Robert Fresques, President, agent(s) for Quail Springs Neighborhood Association appeals the Development Review Board's approval of the above action(s) for all or a portion of Lot(s) 22-32, Block(s) 3, Tract(s) 2, NO. ALBUQUERQUE ACRES, **VISTA DEL AGUILA SUBDIVISION**, zoned RD SU-1, located on ALAMEDA BLVD NE, between LOUISIANA BLVD NE and WYOMING BLVD NE containing approximately 12 acre(s). (C-19)

4. Project # 1002635 *

03EPC-00702 Zone Map Amendment
03EPC-00703 EPC Site Development Plan-
Subdivision
03EPC-00704 EPC Site Development Plan-
Building Permit

CONSENSUS PLANNING, INC. agent(s) for TRICOR SOUTHWEST CORPORATION request the above action(s) for all or a portion of Tract(s) I, **Section 3, T10N**, a zone map amendment from SU-1 Neighborhood Commercial to SU-1 for C -1, located on CANDELARIA ROAD NE, between TRAMWAY BLVD. NE and MOUNTAINSIDE PARKWAY NE, containing approximately 4 acre(s). (H-22) Juanita Vigil, Staff Planner

5. Project # 1000694 *

03EPC-01111 EPC Site Development Plan-
Building Permit

JOHN GRIEGO agent for FAMILY WORSHIP CENTER request the above action for all or a portion of Lot 226, 227 228, 229 and 230 **Town of Atrisco Grant - Airport Unit**, zoned SU-1 Church, located on GLENRIO NW, between 72ND ST. NW and I-40, containing approximately 8 acre(s). (J-10) Mary Piscitelli, Staff Planner

6. Project # 1002371 *

03EPC-01285 Zone Map Amendment

TIERRA WEST LLC, agent for HOFFMANTOWN CHURCH WEST, request the above action for all or a portion of Tract(s) 1A,1B & 1C, Block 15, Alban Hills, Unit 1 and Tract A, Access EasementBosque Meadows, a zone map amendment from SU-1 for R-2 to SU-1 for R-2 with church related uses, located on LA ORILLA NW, between COORS BLVD. NW and CORRALES DRAIN, containing approximately 17 acre(s). (D-12) Simon Shima, Staff Planner

7. Project # 1001182 *

03EPC-01313 Zone Map Amendment

CONSENSUS PLANNING, INC., agent for WESTERN SECURITY REAL ESTATE, INC., request the above action(s) for all or a portion of Tract(s) B, **Westridge Mobile Home Park -Phase 2**, a zone map amendment from SU-1 MH to R-LT, located on AVALON ROAD NW, west of 94th STREET NW, containing approximately 7 acres. (K-9) Simon Shima, Staff Planner

8. Project # 1002871 *

03EPC-01319 Zone Map Amendment

DEBBIE HUDSON agent(s) for JUNE KOURI request the above action(s) for all or a portion of Tract(s) B-1, **Panorama Addition**, a zone map amendment from C-2 to R-G, located on CHELWOOD BLVD. NE, between EAST OF CHELWOOD and SOUTH SIDE OF COPPER, containing approximately 1 acre(s). (K-22) Cynthia Borrego, Staff Planner

9. Project # 1002633 *

03EPC-01323 EPC Site Development Plan-
Amendment to Subdivision

ADVANCED ENGINEERING AND CONSULTING, LLC agent for JAYEFF CONSTRUCTION request the above action for all or a portion of Lots 9-24, Block 10, **N Abq Acres Tr 3 Unit 3**, zoned SU-2 Mixed Use, located on HOLLY AVE. NE, between VENTURA ST. NE and BARSTOW BLVD. NE, containing approximately 11 acres. (C-20) Carmen Marrone, Staff Planner

10. Project # 1002633 *

03EPC-00694 EPC Site Development Plan-
Building Permit

ADVANCED ENGINEERING AND CONSULTING, LLC agent for JAYEFF CONSTRUCTION request the above actions for all or a portion of Lots 9-24, Block 10, Tract 3, Unit 3, **North Albuquerque Acres**, zoned SU-2 Mixed Use, located on HOLLY AVE NE, between VENTURA STREET NE and BARSTOW STREET NE, containing approximately 11 acres. (C-20) Carmen Marrone, Staff Planner (**DEFERRED FROM JULY 10, 2003**)

11. Project # 1001279 *
03EPC-01155 EPC Site Development Plan-
Subdivision
03EPC-01093 Zone Map Amendment

COMMUNITY SCIENCES CORP. agents for MARK GONZALES request the above actions for all or a portion of Tract(s) 16-A-1, **Paradise North**, a zone map amendment from R-1 to SU-1 for C-2, located on UNSER BLVD. NW, between UNSER BLVD. NW and MCMAHON BLVD., containing approximately 10 acres. (A-11) Makita Hill, Staff Planner

12. Project # 1000875 *
03EPC-00503 Zone Map Amendment
03EPC-00504 EPC Site Development Plan-
Amendment to Subdivision

COMMUNITY SCIENCES CORPORATION agent(s) for FINELAND LL & JEFFREY L. FINE request the above action(s) for all or a portion of Tract(s) E, **Fineland Development**, a zone map amendment from SU-1 for R-2 to SU-1 for C-1, located on MCMAHON BLVD. NW, between UNSER BLVD. NW and STONEBRIDGE DRIVE NW, containing approximately 3 acre(s). (A-11) Makita Hill, Staff Planner
(DEFERRED FROM AUGUST 21, 2003)

13. Project # 1002873 *
03EPC-01324 EPC Site Development Plan-
Amendment to Building Permit

DCSW ARCHITECT agent(s) for MORELAND CORPORATION request the above action(s) for all or a portion of Tract(s) 5A, **Yale Business Park**, zoned SU-1 for Permissive O-1, C-2 & IP Uses, located on INTERNATIONAL AVE. SE, between YALE BLVD. SE and Central Ave. SE, containing approximately 5 acre(s). (L-16) Deborah Stover, Staff Planner

14. Project # 1002874 *
03EPC-01326 EPC Site Development Plan-
Building Permit

SITES SOUTHWEST, agent for CITY OF ALBUQUERQUE/WATER UTILITY DIVISION request the above action for all or a portion of Tract S-2A-1, **Atrisco Business Park Unit 2**, zoned IP, located on UNSER BLVD. NW between VOLCANES ROAD NW and I-40, containing approximately 20 acre(s). (J-9) Simon Shima, Staff Planner

15. Project # 1001620 *
03EPC-01325 Text Amendment

PLANNING DEPARTMENT agent(s) for CITY OF ALBUQUERQUE request the above action(s) for Amending Section 14-16-2-22(B)ROA1994, to allow single-family residential (SFR) as a special use in the SU-1 Special Use Zone. Russell Brito, Staff Planner

16. Project # 1002176

03EPC-01317 Zone Map Amendment
03EPC-01318 EPC Site Development Plan-
Subdivision

UPWEST CORPORATION agent(s) for UPWEST CORPORATION request the above action(s) for , **C Varan**, a zone map amendment from C-1 (SC) to SU-1 Residential, located on FOUR HILLS ROAD NE, between WENONAH AVE. and CENTRAL AVE. SE, (L-23) Deborah Stover, Staff Planner

17. Project # 1001712

03EPC-00323 Annexation
03EPC-00325 Zone Map Amendment
03EPC-00361 Site Development Plan for
Subdivision

TIERRA WEST LLC agent(s) for E. BLAUGRUND & ASSOC., C/O JOHN MYERS request the above action(s) for all or a portion of Lot(s) A, B, C, **Taylor Ranch**, zone map amendment from A-1 SU-Permit for C-1 & R-2 to R-T & SU-1 for C-1, located on LA ORILLA ROAD NW, between VIA CORTE DEL SUR NW and COORS BLVD. NW, containing approximately 16 acre(s). (E-12) Chris Hyer, Staff Planner **(DEFERRED FROM JULY 17, 2003)**

18. Project # 1002796

03EPC-01100 EPC Site Development Plan-
Building Permit
03EPC-01101 Zone Map Amendment
03EPC-01099 EPC Site Development Plan-
Subdivision

RHODE MAY KELLER MCNAMARA ARCHITECTS agent(s) for ALBUQUERFQUE FIRE DEPARTMENT request the above action(s) for all or a portion of Lots 7, 8 9 10, Block 4, Loma Verde Subdivision and Lots 7, 8, 9, 10, 11, Kay Addition, zoned C-2 and SU-1 Firestation. located on DALLAS NE, between CHARLESTON NE and DALLAS NE, containing approximately 2 acre(s). (K-19) Debbie Stover, Staff Planner **(DEFERRED FROM AUGUST 21, 2003)**

19. Project # 1002713

03EPC-00910 Zone Map Amendment
03EPC-00911 EPC Sector Development Plan
Amendment

GARCIA/KRAEMER & ASSOCIATES agent(s) for BENNY S. LOPEZ, ET AL request the above action(s) for all or a portion of Tract(s) 368 B-1, A Portion of Tract 365, Tract 363B2, Tract 369, Tract 368 A1A2, and Tract 368 B-2, **MRGCD Map 41**, and Lots A & B, Luis A & Francisco Arteaga Subdivision, a zone map amendment from SU-2-MR to SU-2-HC, located on BROADWAY SE, between ETHLYN SE and WHEELER SE, containing approximately 3.12 acre(s). (L-14) Juanita Vigil, Staff Planner **(DEFERRED FROM AUGUST 21, 2003)**

20. Project # 1002717
03EPC-00924 Zone Map Amendment

TIMOTHY FLYNN-OBRIEN agent(s) for WEST BLUFF CENTER LLC, A NM LIABILITY CO request the above action(s) for all or a portion of Tract(s) 303 and Tracts 304, 305, and 306, **Town of Atrisco Grant**, a zone map amendment from SU-1/O-1/PRD to SU-1 for IP Uses, located on COORS BLVD. NW, between CORONA DRIVE NW and ALAMOGORDO DRIVE NW, containing approximately 7 acre(s). (H-11) Russell Brito, Staff Planner **(CONTINUED FROM AUGUST 21, 2003)**

21. OTHER MATTERS



Staff Report

Agent	Community Sciences Corporation
Applicant	Fineland LLC
Request	Zone Map Amendment Amendment to Site Development Plan for Subdivision
Legal Description	Parcel E, Fineland Bulk Land Plat
Location	McMahon Boulevard between Unser Boulevard and Stonebridge Drive
Size	Approximately 2.73 acres
Existing Zoning	SU-1 for R-2
Proposed Zoning	SU-1 for C-1

Staff Recommendation

APPROVAL of 03EPC 00503, based on the Findings on page 11-12.

APPROVAL of 03EPC 00504, based on the Findings on pages 12-13, and the Conditions of Approval on page 13.

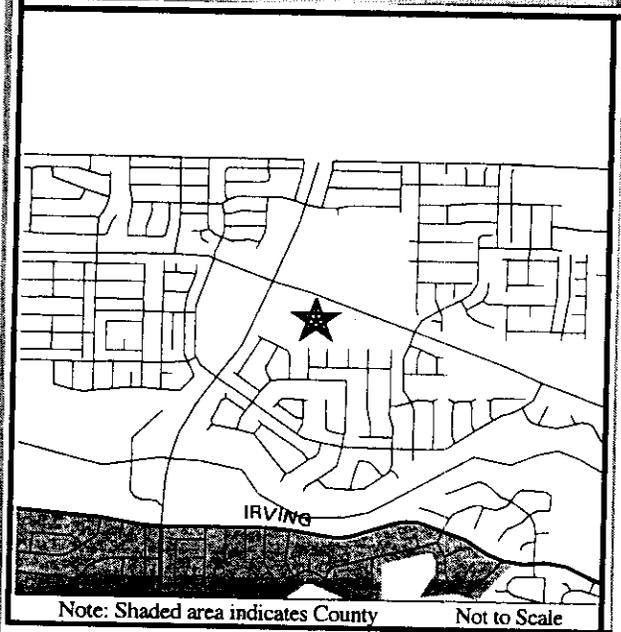
Staff Planner

Makita Hill, Planner

Summary of Analysis

This is a request for a zone map amendment from SU-1 for R-2 to SU-1 for C-1, and an amendment to an existing site development plan for subdivision, for Parcel E, Fineland Development, located on McMahon Boulevard between Unser Boulevard and Stonebridge Drive. The site contains approximately 2.73 acres and is currently vacant. The existing zoning was approved by the EPC in June 1999, and a site development plan for subdivision was approved by the EPC in March 2000 (Z-98-31-1). This case has been deferred since June 2003, pending an application for a zone map amendment for SU-1 for C-2 Uses and a site development plan for the abutting land parcel to the west of the subject site in order for these requests to be considered together by the EPC.

Staff recommends approval of this request, as the request reflects in the Comprehensive Plan, West Side Strategic Plan, and meets the requirements of R-270-1980 as articulated in these plans. Alternate findings and recommendations are included in this report.



City Departments and other interested agencies reviewed this application from 4/4/03 to 4/18/03. Agency comments were used in the preparation of this report, and begin on page 17.

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Development Services Report

SUMMARY OF REQUEST

Request	<i>Zone Map Amendment from SU-1 for R-2 to SU-1 for C-1 Amendment to Site Development Plan for Subdivision</i>
Location	<i>McMahon Boulevard between Unser Boulevard and Stonebridge Drive</i>

AREA CHARACTERISTICS AND ZONING HISTORY

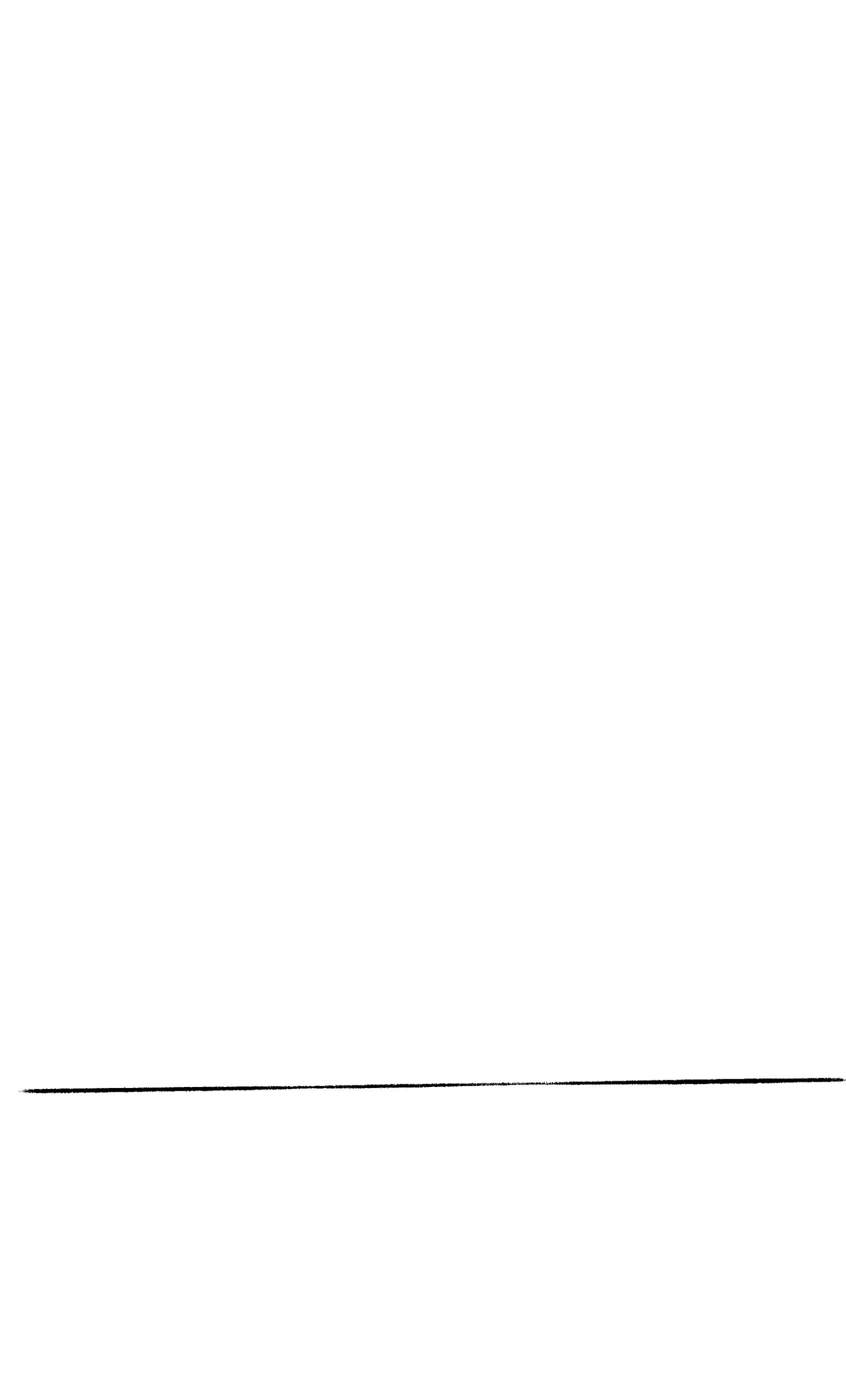
Surrounding zoning, plan designations, and land uses:

	Zoning	Comprehensive Plan Area; Applicable Rank II & III Plans	Land Use
Site	SU-1 for R-2	Established Urban; West Side Strategic Plan (Rank 2)	Vacant
North	SU-1 for C-1	"	Vacant
South	R-T	"	Single-Family Residences
East	SU-1 for R-2	"	Vacant
West	R-1	"	Vacant

Background, History and Context

This is a request for a zone map amendment from SU-1 for R-2 to SU-1 for C-1, and an amendment to an existing site development plan for subdivision, for Parcel E, Fineland Bulk Land Plat, located on McMahon Boulevard between Unser Boulevard and Stonebridge Drive. The site contains approximately 2.73 acres and is currently vacant. The existing zoning for the site was approved by the EPC in June 1999, and the existing site development plan for subdivision was approved by the EPC in March 2000 (Z-98-31-1).

The West Side Strategic Plan (WSSP), a Rank 2 plan, contains R-249, Land Use and Transportation Policy for the Westside McMahon Corridor, and includes a land use map, Attachment A. The subject site is located within an area designated Med Res (Medium Density Residential). The abutting site to the east of the subject site, the southeast corner of the intersection of McMahon and Unser, was zoned SU-1 for C-1 uses in 1999 (Z-99-79) and in 2001 (01110 00751/01129 00752) consistent with the commercial use designation for the corner site in the WSSP R-249 Attachment A, however the conditioned site development plan for the site was never finalized and the zoning reverted to the original R-1 zoning. A new application for the corner site was submitted for a zone map amendment from R-1 to SU-1 for C-1 Uses Including Grocery Store With Package Liquor Sales Incidental To That Use, Restaurant With Full-Service Liquor For On-Premise Consumption, And Gasoline, Oil and Liquefied



Petroleum Gas Retailing, and a site development plan for subdivision to be reviewed at the September 18, 2003 EPC hearing. The southwest corner of the intersection of McMahon and Unser is currently zoned SU-1 for C-1 uses (Z-85-119), as is the northwest corner (Z-98-94) and the northeast corner and adjacent parcels to the east (1000898, 1001997). There is currently no development on any of the commercially-zoned parcels adjacent to the subject site.

This case has been deferred since June 2003, pending an application for a zone map amendment and a site development plan for the abutting land parcel to the west of the subject site (Project 1001279, 03EPC 01093/01155) in order for these requests to be considered together by the EPC.

APPLICABLE PLANS AND POLICIES

Albuquerque / Bernalillo County Comprehensive Plan

The subject site is located in the area designated Established Urban by the *Comprehensive Plan* with a 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." Applicable policies include:

Policy c: Where needed to guide more detailed planning, major portions of the Established and Developing Urban Area and Adjacent Plan map areas shall be formed into districts for rank two planning which should use the following process:

- Determine boundaries for each area plan based upon design character, social and cultural identity, and visual and environmental features.
- Determine content of each area plan based upon needs analysis, including but not limited to characteristics, conditions, trends and opportunities in land use, the built environment, and social and economic environment.
- Determine development potential of each plan area in keeping with density objectives of the Comprehensive Plan.
- Determine urban character appropriateness and character for each area in coordination with the area-wide urban centers implementation planning program.

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, or recreational concern.

Policy e: New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured.

Policy j: Where new commercial development occurs, it should generally be located in existing commercially zoned areas as follows:

- In small neighborhood-oriented centers provided with pedestrian and bicycle access within reasonable distance of residential areas for walking or bicycling.

-
- In larger area-wide shopping centers located at intersections of arterial streets and provided with access via mass transit; more than one shopping center should be allowed at an intersection only when transportation problems do not result.
 - In free-standing retailing and contiguous storefronts along streets in older neighborhoods.

West Side Strategic Plan (Rank 2)

The West Side Strategic Plan (WSSP), a Rank 2 plan, was first adopted in 1997 and revised in 1999 and 2002. The Plan generally encompasses the area of the City and Bernalillo County that is to the west of the Rio Grande, specifically the Bernalillo County line to the north, the Rio Grande to the east, the Atrisco Grant Line to the south, and the Rio Puerco Valley and Ceja Escarpment to the west (see WSSP Plan Area Figure). The WSSP encompasses over 96,000 acres of land, or approximately 150 square miles. Specific boundaries are shown on the Plan boundary map on p. 2 in the WSSP.

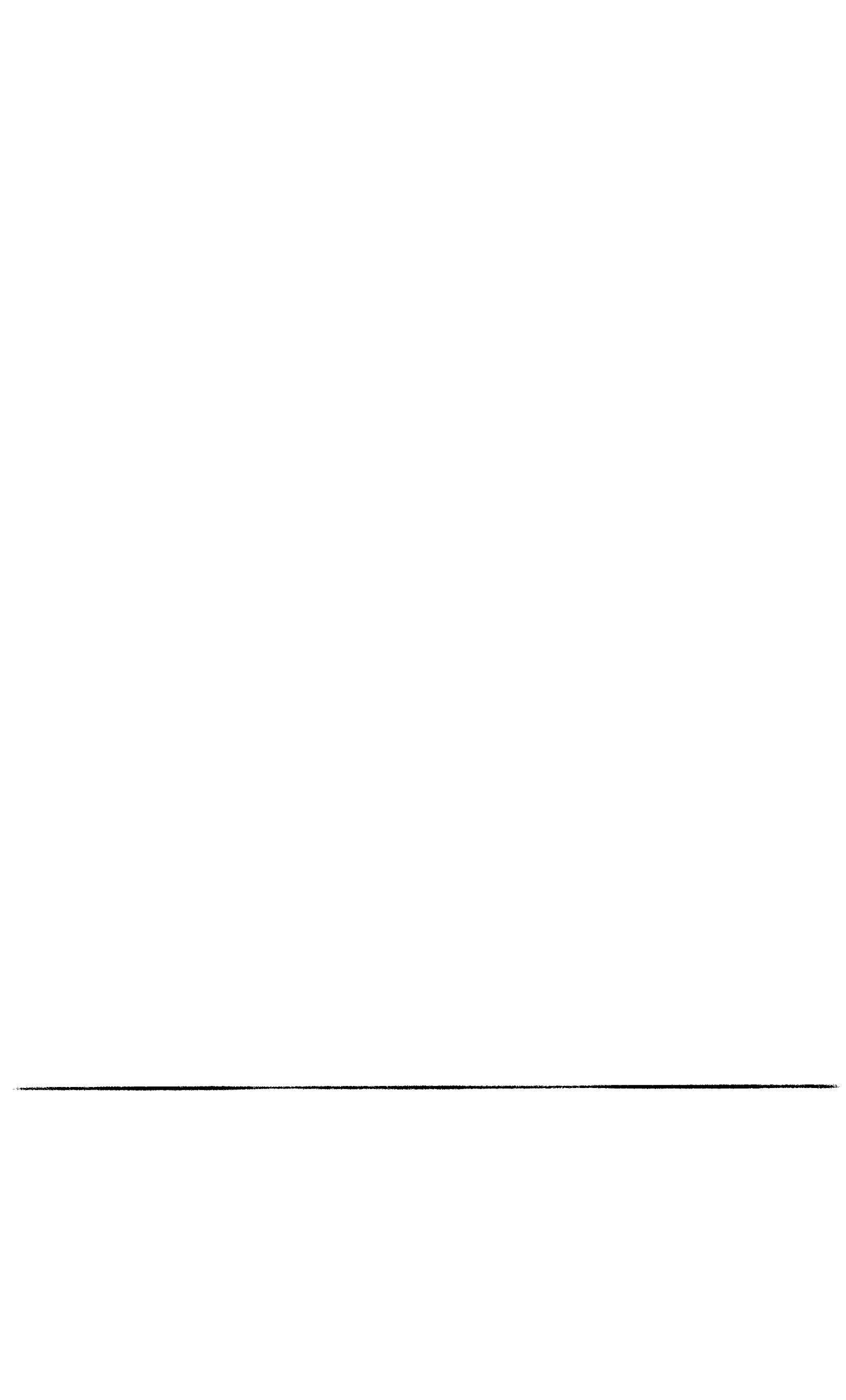
The WSSP is based on a Community Concept that identified seven communities in the plan and established a community-based urban form which defines areas for low density and open spaces as well as nodes of higher density development to support services and transit. Each community is comprised of villages and the plan describes uses that should occur in core and adjacent areas of the Community and Village centers. The WSSP strives to create and encourage a multi-nodal pattern of low-density and high-density forms.

The subject site is located within the Seven Bar Ranch Community Area of the WSSP. This community lies between the Calabacillas Arroyo and the Bernalillo County line, and between the Rio Grande and an area slightly west of the Rainbow Boulevard corridor. The Cottonwood Mall, designated as the West Side Regional Center, is located in this Community. Policy 3.4 of the Seven Bar Ranch Community area states the following: "Several clusters of neighborhoods will develop within the Seven Bar Ranch Community. Each of these shall be served by a Neighborhood Center, so neighborhood commercial, public and quasi-public uses, and other uses appropriate for such Centers shall be encouraged" (WSSP p. 51).

The WSSP also includes Policy 1.3, which discourages the development of strip commercial areas and encourages new commercial development in designated neighborhood and community centers (WSSP p. 38).

The WSSP was amended by the City Council in November 1999 with Resolution R-249 establishing policy for transportation and land use decisions for the Westside McMahan Corridor. As illustrated in Attachment A, Transportation and Land Use Concept for the Westside McMahan Corridor map, the subject site is included in an area designated Med/High Res (Medium/High Density Residential). The Medium/High Density Residential category is defined in R-249 from 7 to greater than 15 dwelling units per acre.

The Attachment A map also establishes access policy for the McMahan Corridor. The site to the west of the subject site is designated Low Comm (Low Density Commercial) on the Attachment A map. A partial access to this site is indicated on McMahan Boulevard, and an access point to be determined for this site is indicated on Unser Boulevard south of McMahan.



Resolution 270-1980 (Policies for Zone Map Change Applications)

This Resolution outlines policies and requirements for deciding zone map change applications pursuant to the Comprehensive City Zoning Code. There are several tests that must be met and the applicant must provide sound justification for the change. The burden is on the applicant to show why a change should be made, not on the City to show why the change should not be made.

The applicant must demonstrate that the existing zoning is inappropriate because of one of three findings: there was an error when the existing zone map pattern was created; or changed neighborhood or community conditions justify the change; or a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan.

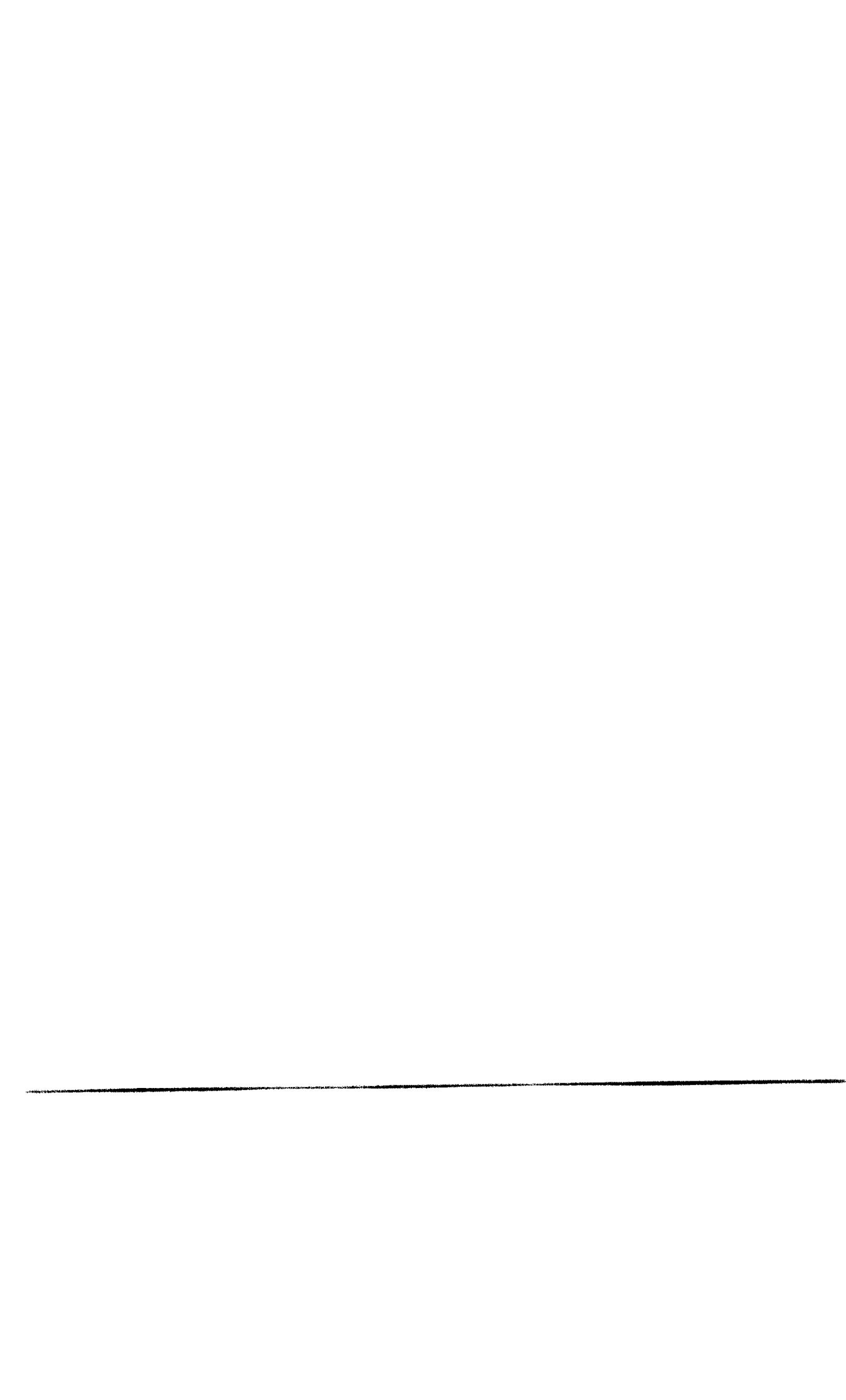
Resolution 91-1998 (R-70)

This Resolution establishes an overall direction for implementation of the City's growth policies, with a framework emphasizing:

- development of community and regional activity centers and major transportation corridors (high capacity corridors); encourage increased densities and mixed uses in activity centers and corridors; meet the needs of residents closer to their homes or employment to decrease Vehicle Miles Traveled and automobile dependence.
- maintenance, enhancements and upgrades of roads and utilities in the core area, to prevent deterioration of existing communities and to encourage infill; diversify the Downtown land use mix with public facilities, hotels, office and retail development, more and higher density housing; generate more activity and attract more private investment in the Downtown area.
- enhance transit system performance, consistent with the principles of a compact urban form and a network of centers and corridors; improve the viability of transit as an alternative to the single-occupancy vehicle and reduce Vehicle Miles Traveled; improve pedestrian mobility and the character of the pedestrian environment, transit orientation and bicycle connections, within centers and corridors.
- plan the timing of road and utility construction to ensure orderly growth, and coordinate capacity increases and street extensions; transportation improvement programs must recognize the significance of natural, historic, and cultural resources and include strategies for minimizing adverse impacts on them.

Long Range Roadway System

The Long Range Roadway System designates McMahon Boulevard as a Principal Arterial, with a right-of-way of 124' (Established & Developing Urban).



ANALYSIS – ZONE MAP AMENDMENT, AMENDMENT TO SITE DEVELOPMENT PLAN FOR SUBDIVISION

Conformance to Adopted Plans, Policies, and Ordinances

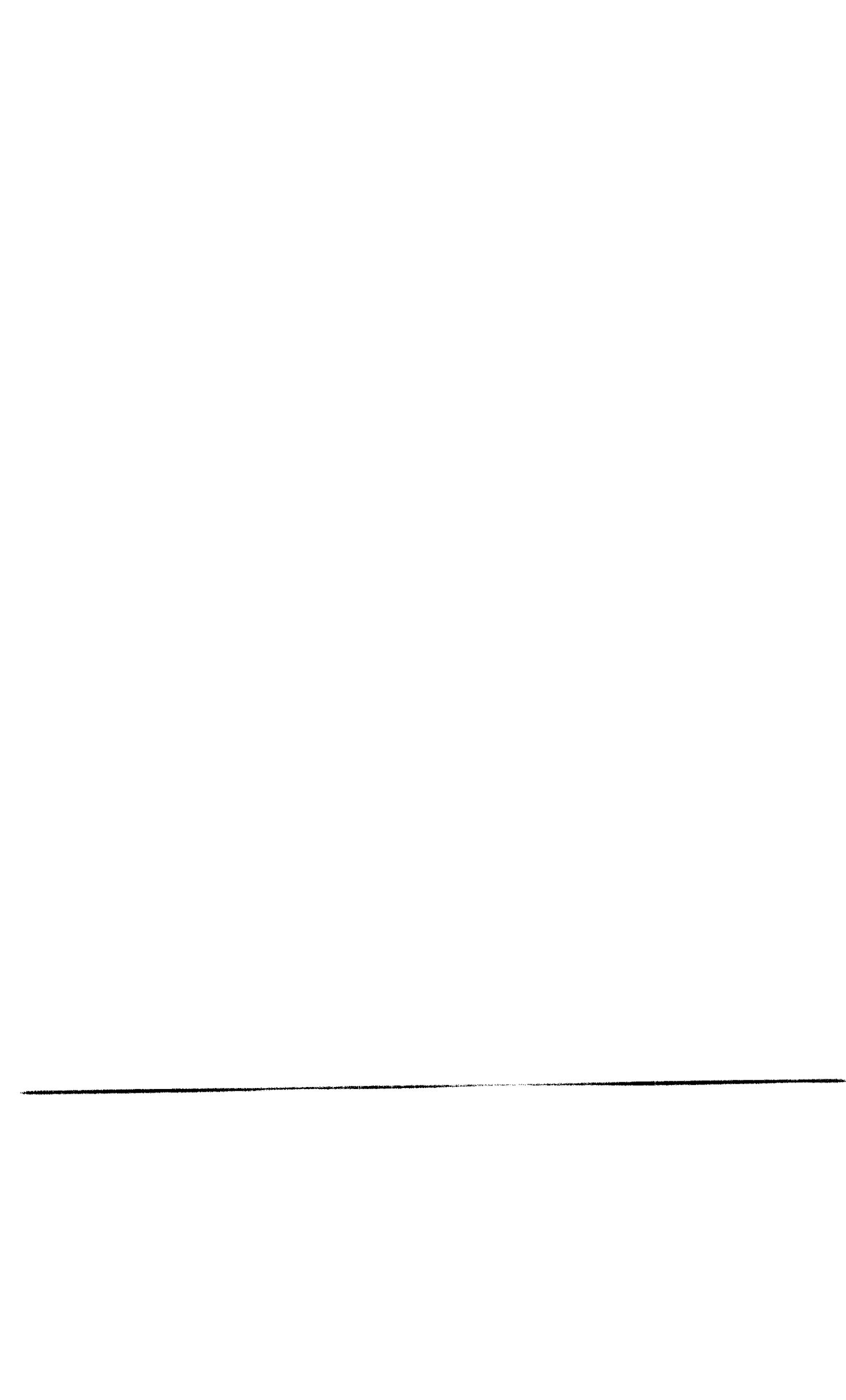
This is a request for a zone map amendment from SU-1 for R-2 to SU-1 for C-1 for Parcel E, Fineland Development, located on McMahan Boulevard between Unser Boulevard and Stonebridge Drive. The site contains approximately 2.73 acres and is currently vacant. This request is accompanied by a proposed amendment to an existing site development plan for subdivision for the subject site to accommodate the proposed zone map amendment. This policy analysis is presented for both requests.

This case has been deferred since June 2003, pending an application for a zone map amendment from R-1 to SU-1 for C-1 Uses Including Grocery Store With Package Liquor Sales Incidental To That Use, Restaurant With Full-Service Liquor For On-Premise Consumption, And Gasoline, Oil and Liquefied Petroleum Gas Retailing, and a site development plan for the abutting land parcel to the west of the subject site (Project 1001279, 03EPC 01093/01155) in order for these requests to be considered together by the EPC.

The WSSP was amended by the City Council in November 1999 with Resolution R-249 establishing policy for transportation and land use decisions for the Westside McMahan Corridor. As illustrated in Attachment A, Transportation and Land Use Concept for the Westside McMahan Corridor map, the subject site is included in an area designated Med/High Res (Medium/High Density Residential). The Medium/High Density Residential category is defined in R-249 from 7 to greater than 15 dwelling units per acre.

The site to the east was approved for a site development plan for subdivision in August 2003 (Project 1002793 03EPC 01095) for single-family residential development under the existing SU-1 for R-2 zoning. The site to the west of the subject site (the southeast corner of the intersection of McMahan and Unser) was zoned SU-1 for C-1 uses in 1997 (Z-97-138) consistent with the commercial use designation for the corner site in the WSSP R-249 Attachment A, however the conditioned site development plan for the site was never approved and the zoning has since reverted to the original R-1 zoning. A request for a zone map amendment to SU-1 for C-1 Uses Including Grocery Store With Package Liquor Sales Incidental To That Use, Restaurant With Full-Service Liquor For On-Premise Consumption, And Gasoline, Oil and Liquefied Petroleum Gas Retailing, and a site development plan for subdivision is pending before the EPC for the abutting parcel to the west. This request is a modified request suggested by staff and supported by the applicant. The modified request for the corner parcel, in staff's view, more accurately reflects policies for the site as expressed in R-249 of the WSSP and Attachment A, Transportation and Land Use Concept for the Westside McMahan Corridor map.

With approval of the SU-1 for C-1 Uses zoning and an amendment to an existing site development plan for the subject site, and approval of the request for the abutting parcel to the west, there will be contiguous parcels of commercial zoning at this location. While R-249 of the WSSP and the Attachment A, Transportation and Land Use Concept for the Westside McMahan Corridor map does not designate the subject site for commercial zoning, the request for the



subject site would meet the overall intent of locating neighborhood commercial zoning at the southeast corner of McMahon and Unser. The area on the north side of McMahon at the northeast corner of McMahon and Unser and adjacent parcels to the east (1000898, 1001997) is zoned SU-1 for C-1 Uses and extends beyond the borders set by R-249 and Attachment A of the WSSP.

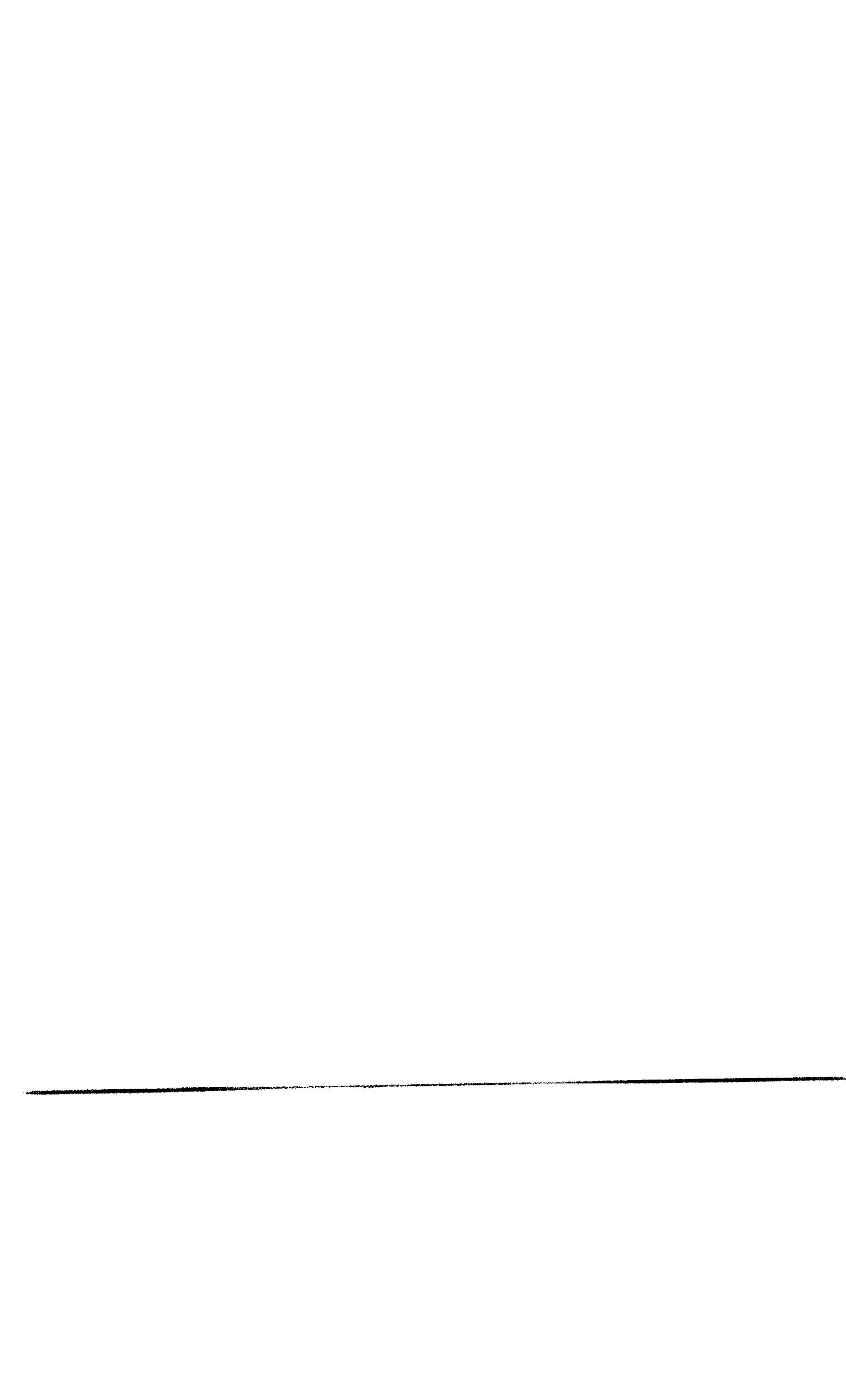
Approval of this request, while acknowledging that the request does not meet the letter of the policies of the WSSP R-249 and Attachment A, reflects an overall intent to develop a neighborhood commercial center at this location, and to facilitate development of this commercial center in a way that is practical and logical given the abutting locations of the corner and subject site and the sharing of a vehicular access off McMahon Boulevard. With the proposed SU-1 for C-1 Uses zoning and the location of the access road to McMahon to the east of the subject site, the subject site relates more closely to the corner parcel than to the SU-1 for R-2 zoned parcel to the east. Thus, there is an overall "good fit" to the land use and transportation design on and surrounding this site.

The request would be consistent with policies in the Comprehensive Plan in that the proposed SU-1 for C-1 uses would not compromise existing residential areas (Policy d), would utilize vacant land (Policy e), and is proposed within or adjacent to an existing commercial center (Policy j). The request reflects the policies in the WSSP R-249 and Attachment A map for the Westside McMahon Corridor designed to create a neighborhood commercial center at this general location, although the subject site has been designated for Medium Density Residential development by R-249 and Attachment A of the WSSP. The WSSP still serves a guiding role with this request, thus the request would also be consistent with Policy c of the Comprehensive Plan regarding the role of Rank 2 plans in guiding development within their respective areas.

Due to the proximity of future single-family residential development to the east of the subject site as approved under a site development plan for subdivision by the EPC in August 2003 (Project 1002793 03EPC 01095), staff has concerns regarding the allowance of C-1 permissive and conditional uses on the subject site and the potential impacts of these uses on the future single-family residential area.

Current City records are not clear as to whether all of the zone changes to the north occurred before or after R-249 was adopted in November 1999. The northeast corner of the intersection of McMahon and Unser was rezoned to SU-1 for C-1 Uses in 1998 and was reaffirmed by the EPC in 2001. The zoning to the north of the site, while extending beyond the borders set by R-249 and Attachment A, still reflects the policy of neighborhood commercial zoning at the McMahon/Unser intersection and higher density residential zoning bordering the commercial areas.

Without commercial zoning on the abutting parcel to the west, consideration of the subject site for SU-1 for C-1 zoning and a corresponding amendment to the existing site development plan for subdivision would constitute placement of commercial zoning between existing SU-1 for R-2 zoning to the east and existing R-1 zoning to the west. Commercial zoning on the subject site would not be consistent with Policy 1.3 of the WSSP as the subject site is not located within an existing Neighborhood or Community Center (WSSP p. 38). In this scenario, the request would



not be consistent with policies in the Comprehensive Plan. While the proposed SU-1 for C-1 uses and a corresponding amendment to the existing site development plan for subdivision will not compromise existing residential areas, the request will compromise existing R-1 and SU-1 for R-2 zoning and the potential for the development of a cohesive residential area (Policy d). The request would also not occur within or adjacent to an existing commercial center (Policy j). As the request would not reflect the intent of creating a neighborhood commercial center in the intersection area as supported by policies in the WSSP R-249 and Attachment A map for the Westside McMahan Corridor, the request would not be consistent with Policy c of the Comprehensive Plan regarding the role of Rank 2 plans in guiding development within their respective areas.

In a letter dated March 26, 2003, the agent for the applicant claims that commercial zoning on the north side of McMahan was established eastward beyond the area designated for commercial use in the WSSP, Attachment A, R-249, before the Resolution was adopted. The agent has argued that the WSSP policies and land use map are intended to be general. The agent also states that access to this site, and the site to the west, designated for commercial use in the WSSP R-249 Attachment A, is limited to a full intersection access as shown on the site development plan for subdivision. These statements were offered as justifications for the zone map amendment to SU-1 for C-1. While the eastward extension of commercial zoning to the north has occurred, the extension emanated from an existing commercially zoned area. The existing conditions surrounding the subject site are R-1 zoning to the west, and SU-1 for R-2 zoning to the east as designated by the WSSP R-249 and the Attachment A map. Application of a commercial zone on the subject site, under existing conditions, creates an isolated commercial use within a residentially zoned area. Also, the Attachment A map establishes access policy for the McMahan Corridor. The site to the west of the subject site is designated Low Commercial on the Attachment A map. A partial access to this site is indicated on McMahan Boulevard, and an access point to be determined for this site is indicated on Unser Boulevard south of McMahan. Policy 1.3 of the WSSP also discourages the development of strip commercial areas and encouraged new commercial development in designated neighborhood and community centers (WSSP p. 38).

In the event that the EPC approves commercial zoning for the abutting parcel to the west of the subject site, staff will view the arguments for rezoning of the subject site to be viable and will meet the requirements of R-270-1980 in that the request reflects policies in the WSSP and the Comprehensive Plan (Section 1.C.), changes in zoning for commercial use have occurred to the north of the subject site, and the request will be more advantageous to the community as articulated by policies in the WSSP and the Comprehensive Plan (Section 1.D.).

In the event that the EPC does not approve commercial zoning for the abutting parcel to the west of the subject site, staff will view the arguments for rezoning of the subject site to be unviable and will not meet the requirements of R-270-1980. As the request would not be consistent with policies in the WSSP and the Comprehensive Plan, the request would not meet the requirements Section 1.C. of R-270-1980. There has been no demonstrated error in the existing zoning and no zoning changes in the area that justify the request, thus it cannot be demonstrated that a different land use category would be more advantageous to the area as the request is not in compliance

with policies in the WSSP and the Comprehensive Plan. Thus, the request would not be consistent with Section 1.D. of R-270-1980. Also, the location of the subject site near a major arterial street alone would not justify the request as stated in Section 1.H. of R-270-1980.

As two different scenarios are possible regarding the outcome of this case, this report contains two sets of findings and recommendations regarding the request for zone map amendment to SU-1 for C-1 Uses, one set to recommend approval, the other to recommend denial.

Site Development Plan for Subdivision Standards

Section 14-16-1-5, Definitions, of the City Zoning Code, defines a site development plan for subdivision as follows: "The site, proposed use, pedestrian and vehicular ingress and egress, any internal circulation requirements and, for each lot, maximum building height, minimum building setback, and maximum total dwelling units and/or nonresidential uses' maximum floor area ratio". The proposed amendment to the existing site development plan for subdivision identifies the use of the subject site under the proposed SU-1 for C-1 Uses zoning. The site plan also contains design guidelines for commercial development.

Pedestrian/Vehicular Ingress and Egress

Proposed vehicular access to Parcel E is facilitated off McMahon Boulevard southward by the proposed 50-foot road easement. Street circulation allows two-way flow with a pedestrian path on the west side of the access road. The site plan indicates that the access road will dead-end at the western most property boundary. The access road is slightly modified in location at the southwest corner of the site to allow for the creation of a cul-de-sac turnabout for the single-family residential area to the south of the subject site.

The proposed site plan contains narrative that indicates the provision of sidewalks to be constructed within the right-of-way for pedestrian circulation.

Building Height and Setbacks

The proposed amendment to the site plan indicates building and setback standards for Parcel E. These standards include a maximum building height of 26 feet, which may be increased to 42 feet. The site to the east of the subject site (Parcel F) is zoned SU-1 for R-2 Uses and was approved for a site development plan for subdivision in August 2003 (Project 1002793 03EPC 01095). Due to the proximity of the SU-1 for R-2 zoned parcel to subject site, it is recommended that the building height for the subject site be limited to 26 feet to blend with future single-family residential development to occur on Parcel F.

Proposed setbacks for commercial and office zones include 25 feet from an existing gas line easement along the north side of McMahon Boulevard, 40 feet from the right-of-way line of all interior roads, and 30 feet from the property line of a commercial zone.

Design Guidelines

The proposed site plan contains additional design guidelines. The Architectural Design section stipulates that architectural style shall not be designated by the guidelines, rather, a series of statements designed to orient entrances and windows externally to streetscapes and internally to



public spaces. Windows at entrances to buildings are proposed to occur as a combination of shop windows or viewing windows that occur at intervals of 30 feet along building facades. The design guidelines also call for integration of all canopies, roof structures, and design elements of related buildings into the design of main buildings, concealment of cell tower technology, and prohibition of franchise elevation designs. The design guidelines also prohibit the use of exposed, untreated precision block or wood walls, highly reflective surfaces, metal paneling, materials with high maintenance requirements, and black or dark roofs.

The proposed site plan also contains guidelines for site/building lighting, and states that 16-foot light poles would be allowed within 70 feet of a residential zone. This statement should be changed to reflect the 16-foot light pole standard within 100 feet of a residential zone as stated in Section 14-16-3-9, Area Lighting Regulations, in the City Zoning Code.

Concerns of Reviewing Agencies / Pre-Hearing Discussion

The Public Works Department, Transportation Development Division, comments that requirements of previous actions taken by the EPC and the DRB must be completed and /or provided for. A letter dated December 27, 2001 from Ed Adams, Division Manager, Public Works Transportation Development is enclosed with this report. The letter explains that as a result of the filing of a plat for the Fineland Development Bulk Land Plat, the Fineland Development is exempted from all roadway and roadway related storm drainage costs (including sidewalks, bike lanes, bike trails, streetscaping, and street lighting) associated with McMahan Boulevard.

The Transportation Planning Division has made comments recommending approval of this request in relation to policies in the WSSP. The subject site, Parcel E, and the abutting parcel to the west at the intersection of McMahan and Unser, will both utilize the planned full intersection shown on the plat that is located to the east of the McMahan/Unser intersection. As these parcels are connected, the proposed zone map amendment from SU-1 for R-2 to SU-1 for C-1 would avoid a situation where traffic from the corner parcel was circulating inbetween residential land parcels. Commercial zoning on these abutting parcels reflects the development polices in the WSSP.

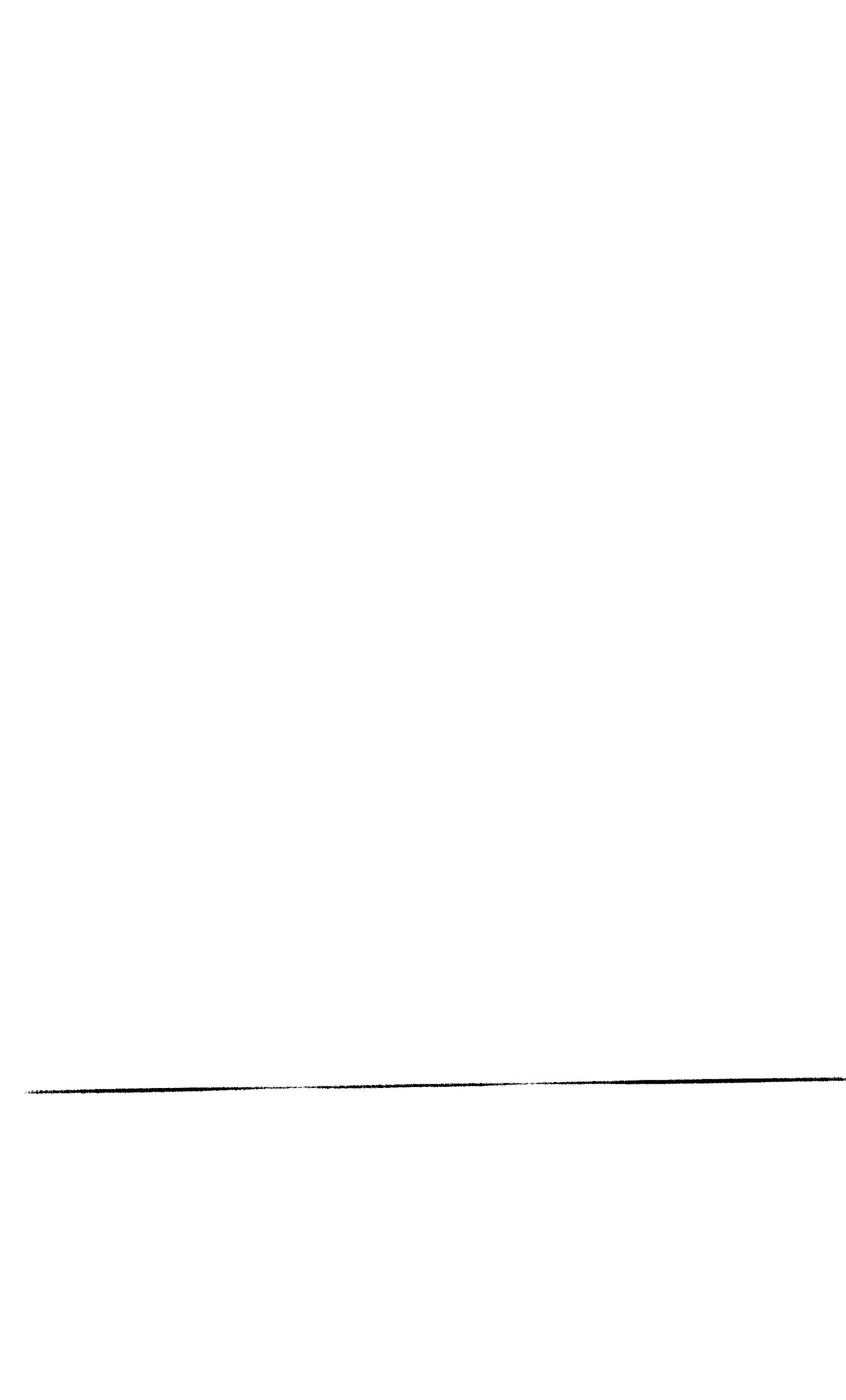
The comments were produced with the assumption that the corner site was zoned for commercial use. As the corner site is currently zoned R-1 and is under consideration for a zone map amendment to SU-1 for C-2 Uses, approval of the request for the subject site should be contingent upon approval of the zone map request for the corner site.

Neighborhood Concerns

The Horizon Hills Neighborhood Association was notified regarding this request. No comments have been received from the association or from an individual.

Conclusions

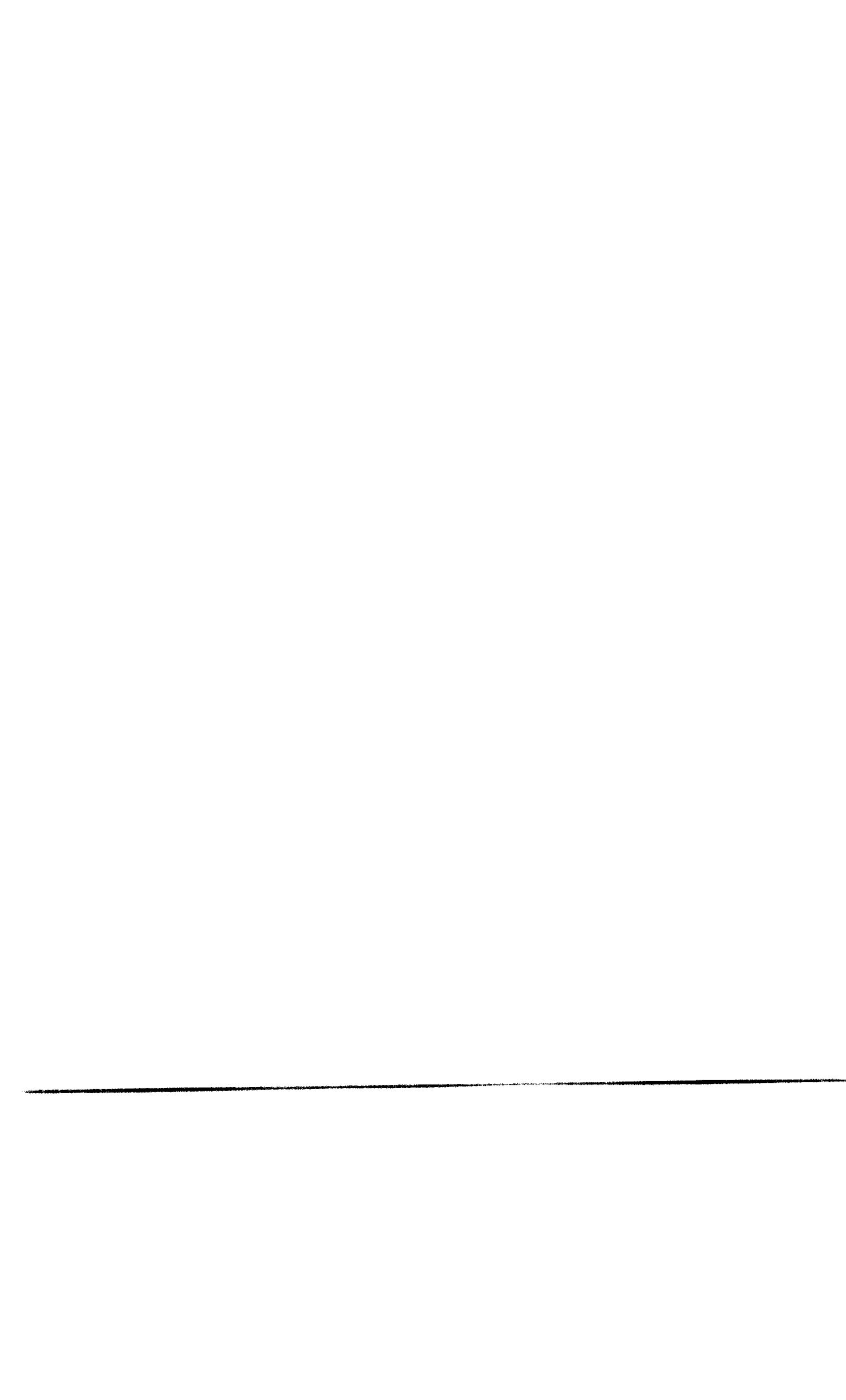
This is a request for a zone map amendment from SU-1 for R-2 to SU-1 for C-1, and an amendment to an existing site development plan for subdivision, for Parcel E, Fineland



Development, located on McMahon Boulevard between Unser Boulevard and Stonebridge Drive. The site contains approximately 2.73 acres and is currently vacant.

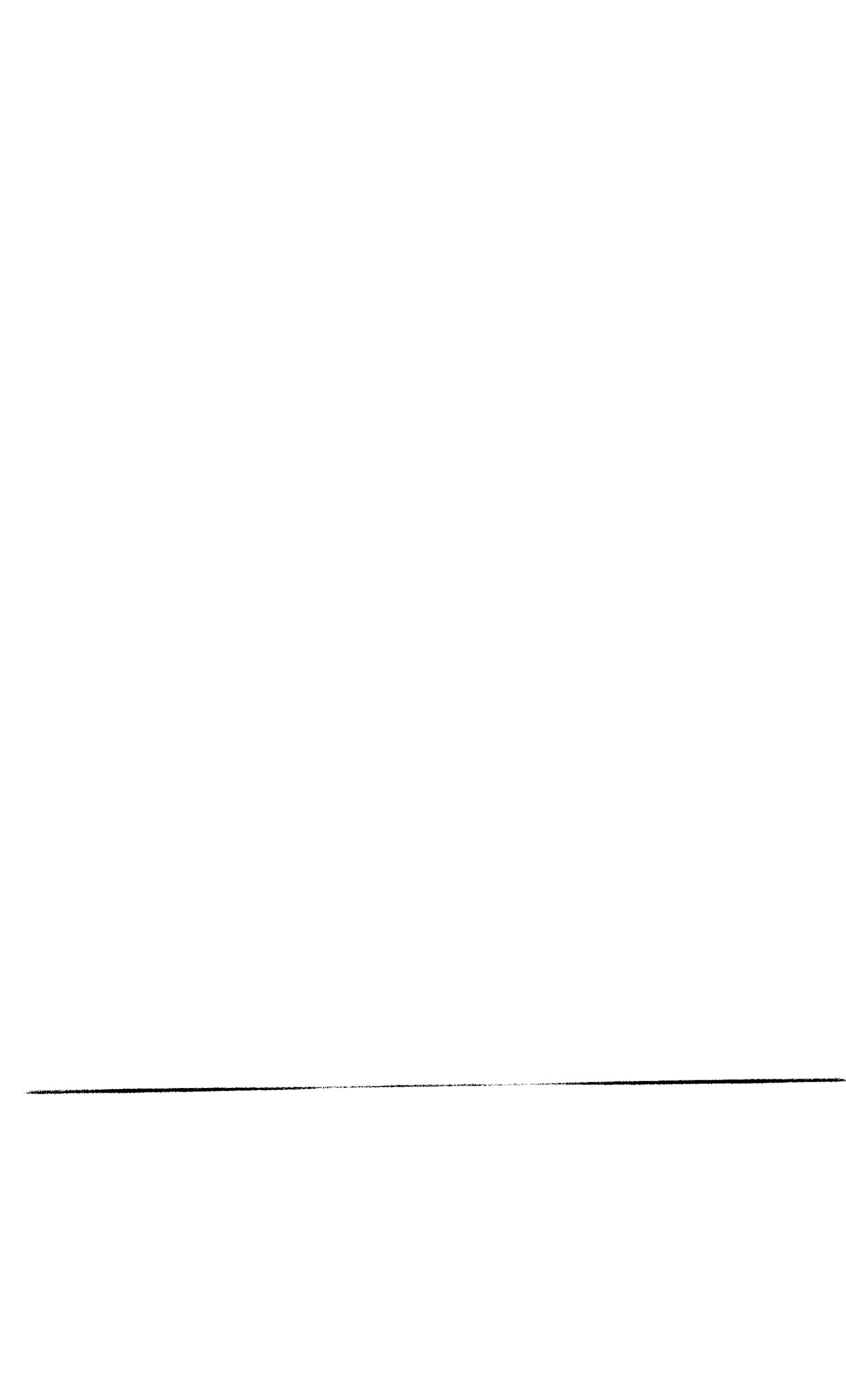
In the event that the EPC approved a zone map amendment request for the abutting parcel to the west of the subject site, staff recommends approval of this request as the request would reflect policies in the WSSP and the Comprehensive Plan, and would meet the requirements of R-270-1908. Due to the proximity of future single-family residential development to the east of the subject site as approved under a site development plan for subdivision by the EPC in August 2003 (Project 1002793 03EPC 01095), staff has concerns regarding the allowance of C-1 permissive and conditional uses on the subject site and the potential impacts of these uses on the future single-family residential area.

In the event that the EPC does not approve the request for the abutting parcel, staff will recommend denial of this request, as the request would then be inconsistent with policies in the Comprehensive Plan and the West Side Strategic Plan, and would not meet the requirements of R-270-1980. Two sets of findings and recommendations are included in this report to support either scenario.



FINDINGS FOR APPROVAL – 03EPC 00503, SEPTEMBER 18, 2003

1. This is a request for a zone map amendment from SU-1 for R-2 to SU-1 for C-1 for Parcel E, Fineland Development, located on McMahan Boulevard between Unser Boulevard and Stonebridge Drive. The site contains approximately 2.73 acres and is currently vacant.
2. The request reflects policies in the West Side Strategic Plan (WSSP) in that the subject site is located adjacent to an area designated for Low Commercial use by Resolution R-249, Transportation and Land Use Policies for the Westside McMahan Corridor, and the Attachment A land use policy map in the WSSP. While the subject site is designated for Medium Density Residential development, the subject site abuts the southeast corner of McMahan and Unser (zoned SU-1 for C-2 Uses), the request for SU-1 for C-1 Uses zoning reflects the intent in the WSSP for a commercial development at the McMahan/Unser intersection.
3. The request is consistent with Policy 1.3 of the WSSP which discourages the development of strip commercial areas and encourages new commercial development to occur in designated neighborhood and community centers (WSSP p. 38).
4. The request is consistent with policies in the Comprehensive Plan in that the proposed SU-1 for C-1 uses will not compromise existing residential areas (Policy d), utilizes vacant land (Policy e), and is proposed within or adjacent to an existing commercial center (Policy j). As the request reflects policies in the WSSP R-249 and Attachment A map for the Westside McMahan Corridor, the request is consistent with Policy c of the Comprehensive Plan regarding the role of Rank 2 plans in guiding development within their respective areas.
5. The request meet the requirements of R-270-1980 in that the request is consistent with policies in the WSSP and the Comprehensive Plan (Section 1.C.), changes in zoning for commercial use have occurred to the north of the subject site, and the request will be more advantageous to the community as articulated by policies in the WSSP and the Comprehensive Plan (Section 1.D.).
6. Due to the proximity of future single-family residential development to the east of the subject site as approved under a site development plan for subdivision by the EPC in August 2003 (Project 1002793 03EPC 01095), staff has concerns regarding the allowance of C-1 permissive and conditional uses on the subject site and the potential impacts of these uses on the future single-family residential area.

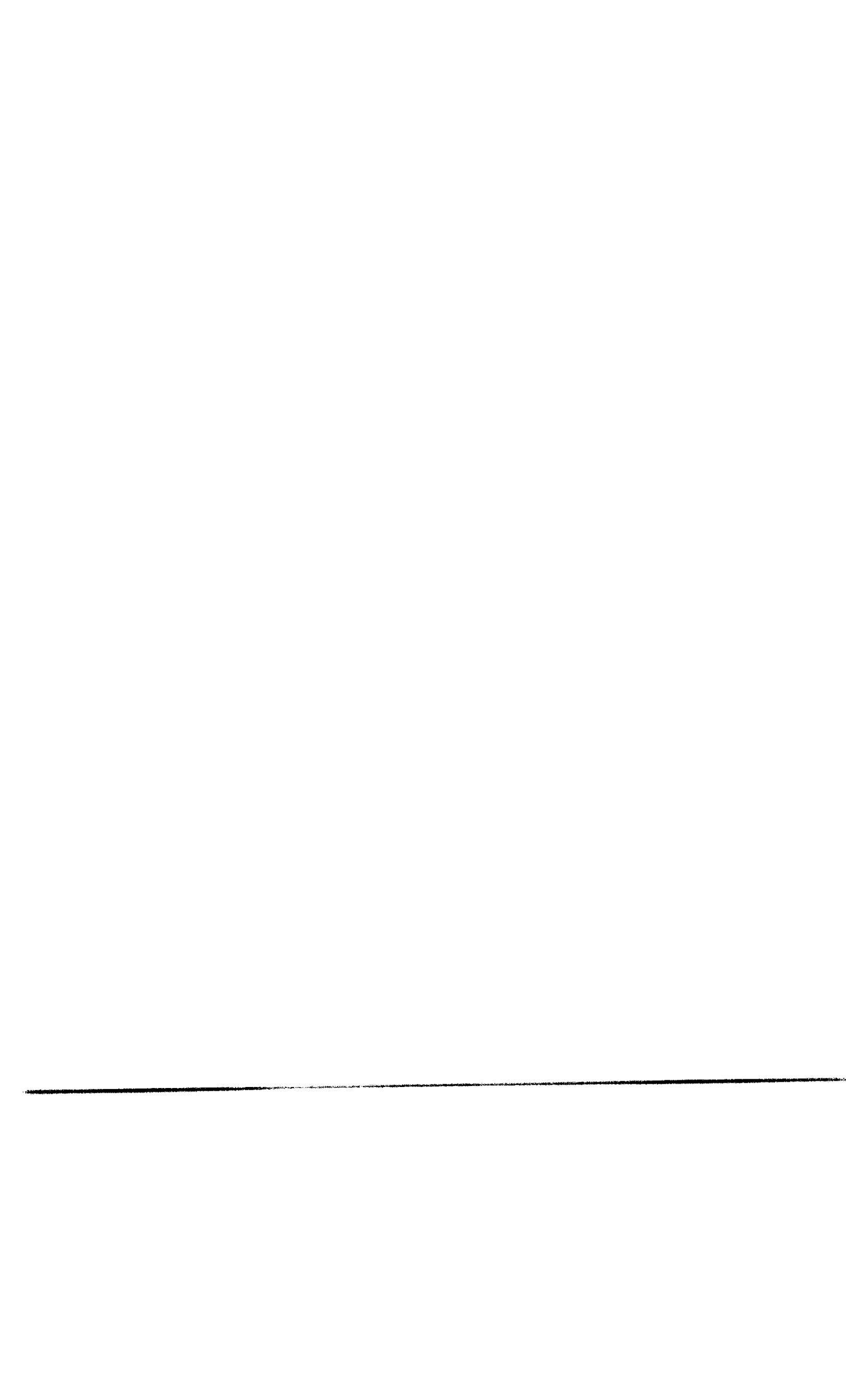


RECOMMENDATION – 03EPC 00503, SEPTEMBER 18, 2003

APPROVAL of 03EPC 00503, a request for a zone map amendment from SU-1 for R-2 to SU-1 for C-1, for Parcel E, Fineland Development, located on McMahan Boulevard between Unser Boulevard and Stonebridge Drive, based on the preceding Findings.

FINDINGS FOR APPROVAL – 03EPC 00504, SEPTEMBER 18, 2003

1. This is a request for an amendment to an existing site development plan for subdivision for Parcel E, Fineland Development, located on McMahan Boulevard between Unser Boulevard and Stonebridge Drive. The site contains approximately 2.73 acres and is currently vacant.
2. The request is made in conjunction with a request for a zone map amendment for the subject site from SU-1 for R-2 to SU-1 for C-1.
3. The request reflects policies in the West Side Strategic Plan (WSSP) in that the subject site is located adjacent to an area designated for commercial use by Resolution R-249, Transportation and Land Use Policies for the Westside McMahan Corridor, and the Attachment A land use policy map in the WSSP. While the subject site is designated for Medium Density Residential development, the abutting proximity of the subject site to the southeast corner of McMahan and Unser (zoned SU-1 for C-2 Uses), the request for SU-1 for C-1 Uses zoning reflects the intent in the WSSP for a commercial development at the McMahan/Unser intersection.
4. The request is also consistent with Policy 1.3 of the WSSP which discourages the development of strip commercial areas and encourages new commercial development to occur in designated neighborhood and community centers (WSSP p. 38).
5. The request is consistent with policies in the Comprehensive Plan in that the proposed SU-1 for C-1 uses will not compromise existing residential areas (Policy d), and is proposed within or adjacent to an existing commercial center (Policy j). As the request reflects policies in the WSSP R-249 and Attachment A map for the Westside McMahan Corridor, the request is consistent with Policy c of the Comprehensive Plan regarding the role of Rank 2 plans in guiding development within their respective areas.

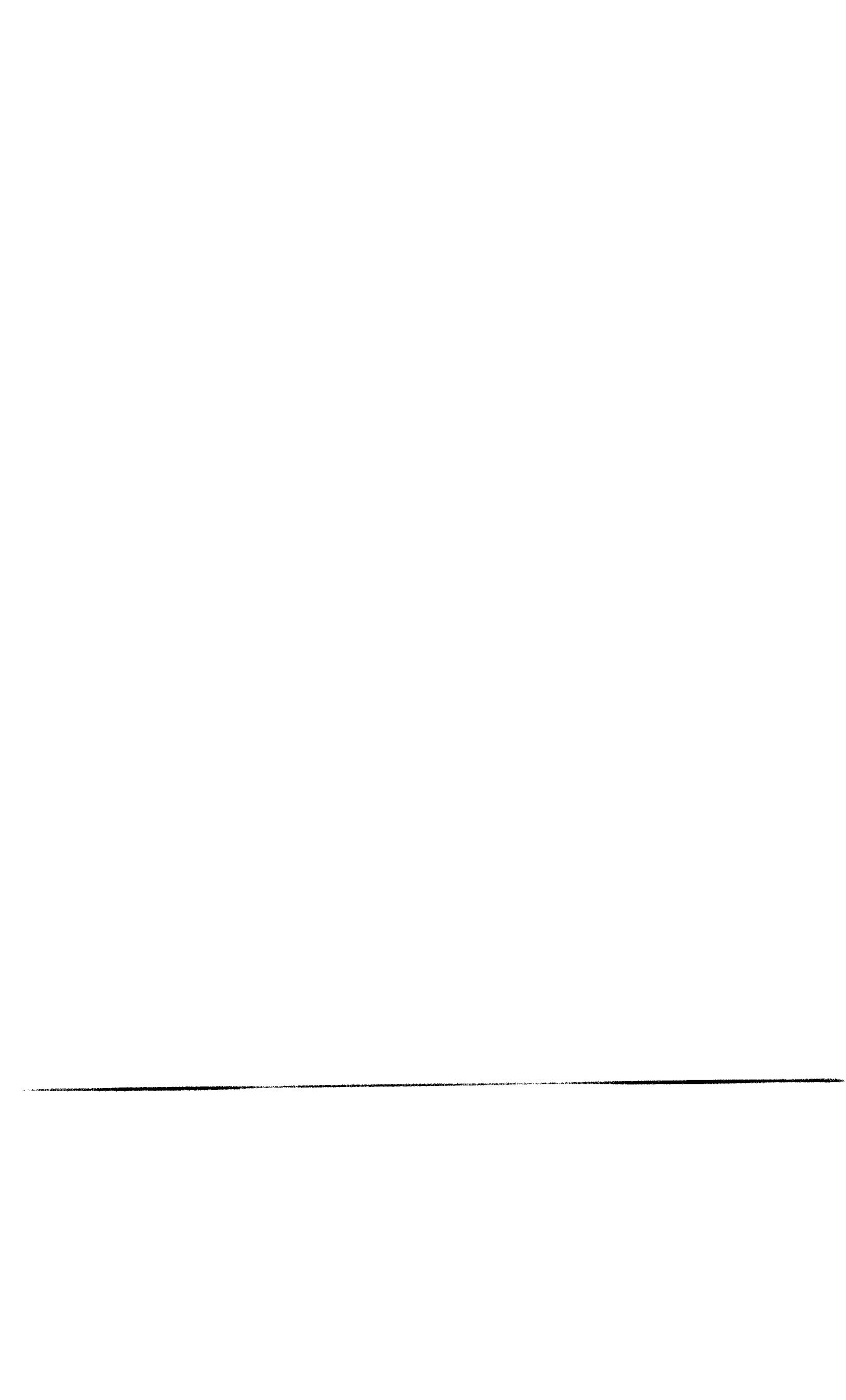


RECOMMENDATION – 03EPC 00504, SEPTEMBER 18, 2003

APPROVAL of 03EPC 00504, a request for an amendment to an existing site development plan, for Parcel E, Finland Development, located on McMahon Boulevard between Unser Boulevard and Stonebridge Drive, based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL – 03EPC 01095, AUGUST 21, 2003

1. The EPC delegates final sign-off authority of this site development plan for building permit 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. The building height for the subject site shall be limited to 26 feet to blend with future single-family residential development to occur on Parcel F to the east, zoned SU-1 for R-2.
 3. Statements in the Site/Building Lighting section of the Design Guidelines shall be revised to reflect the 16-foot light pole standard within 100 feet of a residential zone as stated in Section 14-16-3-9, Area Lighting Regulations, in the City Zoning Code.
 4. The applicant shall submit a site development plan for building permit for review to the Environmental Planning Commission.
-



FINDINGS FOR DENIAL – 03EPC 00503, SEPTEMBER 18, 2003

1. This is a request for a zone map amendment from SU-1 for R-2 to SU-1 for C-1 for Parcel E, Fineland Development, located on McMahon Boulevard between Unser Boulevard and Stonebridge Drive. The site contains approximately 2.73 acres and is currently vacant.
2. The request is not consistent with policies in the West Side Strategic Plan (WSSP) in that the subject site is located within an area designated for Medium Density Residential development by Resolution R-249, Transportation and Land Use Policies for the Westside McMahon Corridor, and the Attachment A land use policy map in the WSSP.
3. The request is not consistent with Policy 1.3 of the WSSP which discourages the development of strip commercial areas and encourages new commercial development to occur in designated neighborhood and community centers (WSSP p. 38).
4. The request is not consistent with policies in the Comprehensive Plan in that while the proposed SU-1 for C-1 uses will not compromise existing residential areas, the request will compromise existing R-1 and SU-1 for R-2 zoning and the potential for the development of a cohesive residential area (Policy d). The request is also not proposed within or adjacent to an existing commercial center (Policy j). As the request is not consistent with policies in the WSSP R-249 and Attachment A map for the Westside McMahon Corridor, the request is not consistent with Policy c of the Comprehensive Plan regarding the role of Rank 2 plans in guiding development within their respective areas.
5. The request does not meet the requirements of R-270-1980 in that the request is not consistent with policies in the WSSP and the Comprehensive Plan (Section 1.C.), there was no error in the existing zoning, no changes in the area that justify the request, and no demonstration of how the request will be more advantageous to the community (Section 1.D.), and the location of the subject site near a major arterial street does not justify the request (Section 1.H.). The request would result in the creation of an isolated commercial area between existing residentially zoned areas to the east and west of the subject site.

RECOMMENDATION – 03EPC 00503, SEPTEMBER 18, 2003

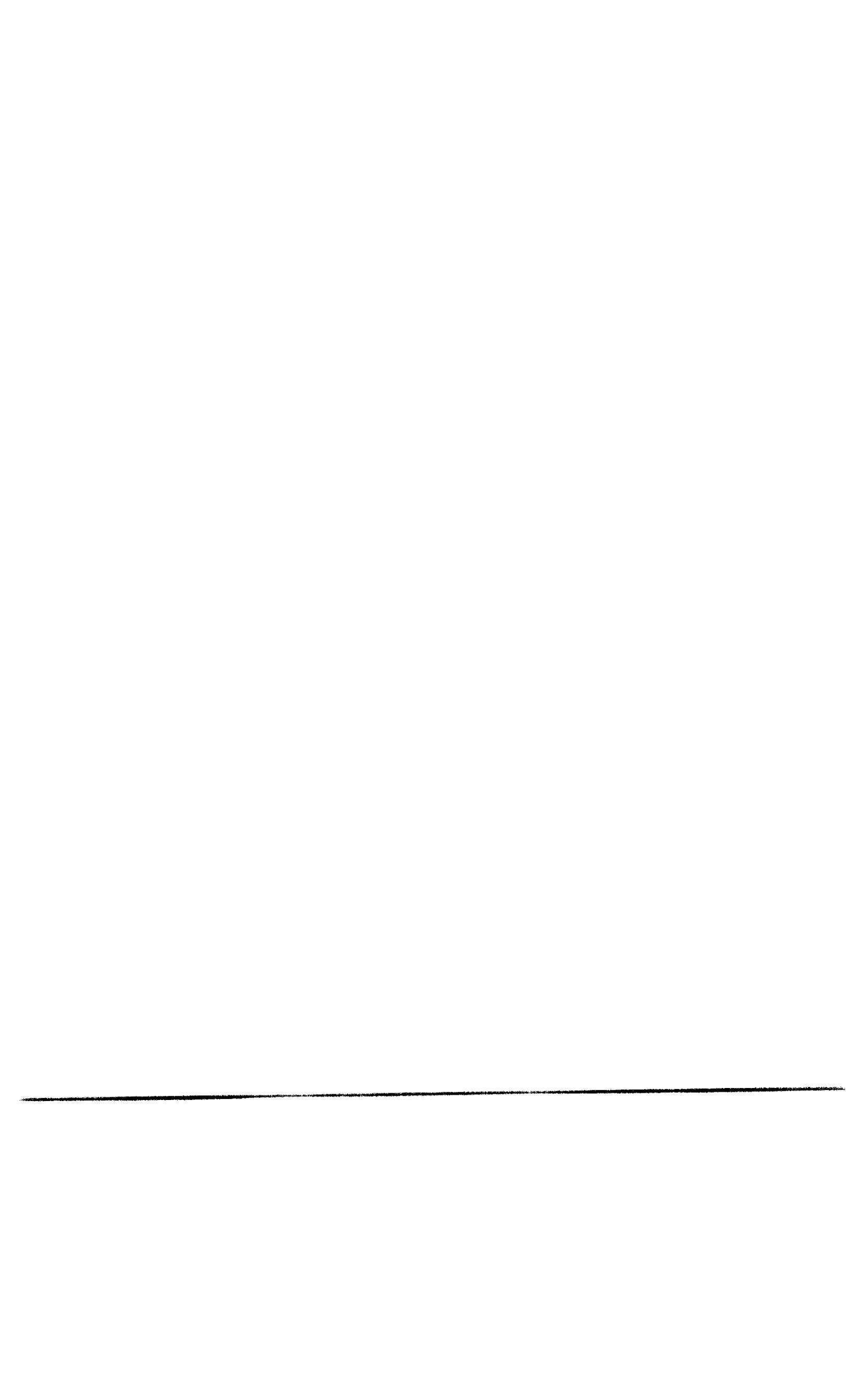
DENIAL of 03EPC 00503, a request for a zone map amendment from SU-1 for R-2 to SU-1 for C-1, for Parcel E, Fineland Development, located on McMahon Boulevard between Unser Boulevard and Stonebridge Drive, based on the preceding Findings.

FINDINGS FOR DENIAL – 03EPC 00504, SEPTEMBER 18, 2003

1. This is a request for an amendment to an existing site development plan for subdivision for Parcel E, Fineland Development, located on McMahon Boulevard between Unser Boulevard and Stonebridge Drive. The site contains approximately 2.73 acres and is currently vacant.
2. The request is made in conjunction with a request for a zone map amendment for the subject site from SU-1 for R-2 to SU-1 for C-1.
3. The request is not consistent with policies in the West Side Strategic Plan (WSSP) in that the amendment to the existing site plan proposes commercial zoning within an area designated for Medium Density Residential development by Resolution R-249, Transportation and Land Use Policies for the Westside McMahon Corridor, and the Attachment A land use policy map in the WSSP.
4. The request is not consistent with Policy 1.3 of the WSSP, which discourages the development of strip commercial areas and encourages new commercial development to occur in designated neighborhood and community centers (WSSP p. 38).
5. The request is not consistent with policies in the Comprehensive Plan in that while the proposed amendment, intended to facilitate a zone map amendment to SU-1 for C-1 uses, may compromise existing R-1 and SU-1 for R-2 zoning and the potential for the development of a cohesive residential area (Policy d). The request is also not proposed within or adjacent to an existing commercial center (Policy j). As the request is not consistent with policies in the WSSP R-249 and Attachment A map for the Westside McMahon Corridor, the request is not consistent with Policy c of the Comprehensive Plan regarding the role of Rank 2 plans in guiding development within their respective areas.

RECOMMENDATION – 03EPC 00504, SEPTEMBER 18, 2003

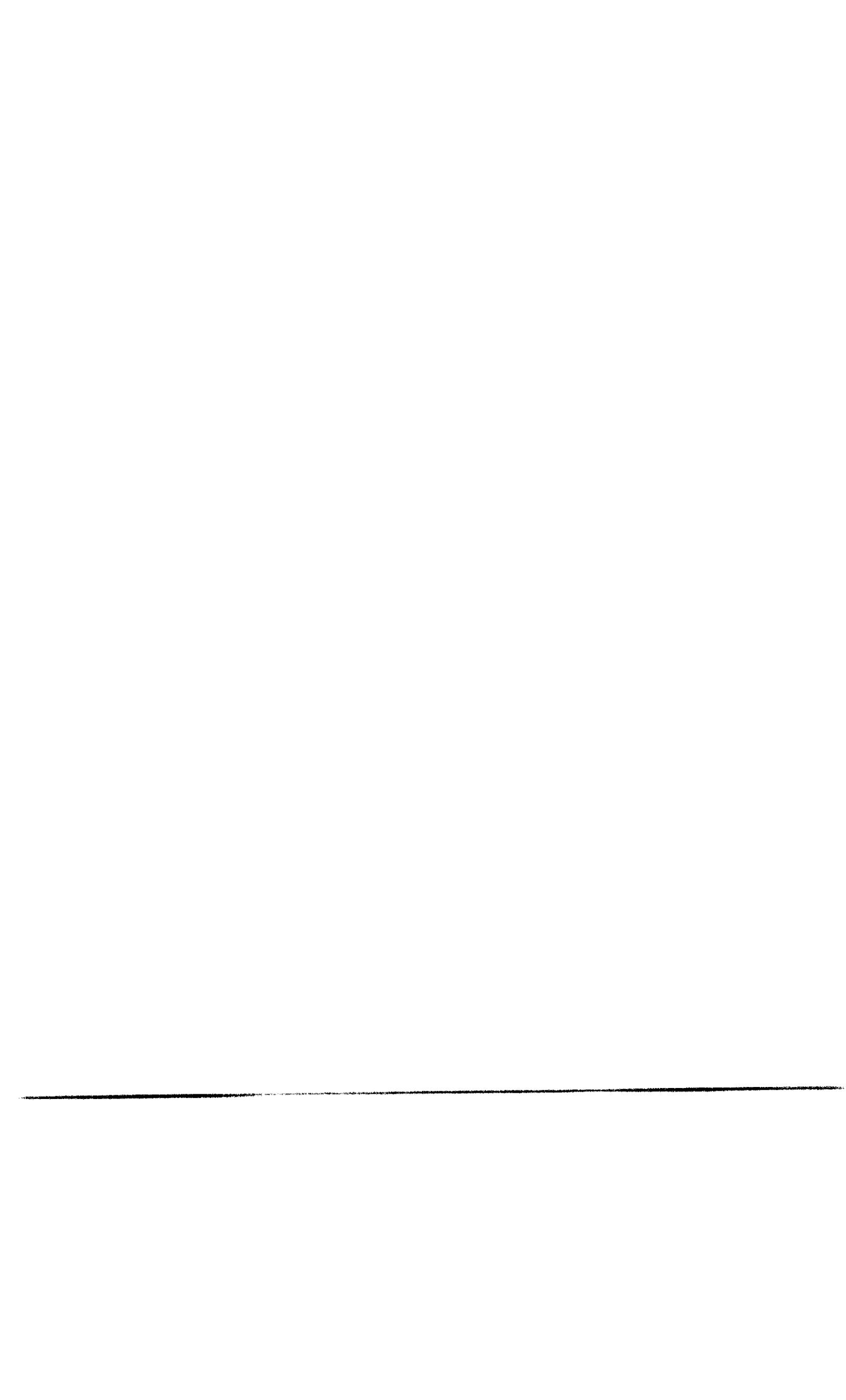
DENIAL of 03EPC 00503, a request for an amendment to an existing site development plan, for Parcel E, Fineland Development, located on McMahon Boulevard between Unser Boulevard and Stonebridge Drive, based on the preceding Findings.



Makita Hill
Makita Hill
Planner

cc: Fineland LLC, 10250 Collins Ave., Penthouse 1, Bal Harbor, Fl. 33154
 Community Sciences Corp., P.O. Box 1328, Corrales, NM 87048
 Julia Wilson, Horizon Hills, 5705 Carmen Rd. NW, Albuquerque, NM 87114
 Jolinda Balmer, Horizon Hills, 10590 Vista Bella Pl. NW, Albuquerque, NM 87114

Attachments



CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Code Services

Reviewed, no comment.

Office of Neighborhood Coordination

Horizon Hills ®

PUBLIC WORKS DEPARTMENT

Transportation Development:

- All the requirements of previous actions taken by the EPC and the DRB must be completed and /or provided for.
- The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. Those improvements will include any additional right-of-way requirements, paving, curb and gutter and sidewalk that have not already been provided for.

Utility Development:

- No comments. Requested action might create a spot zone.

Traffic Engineering Operations:

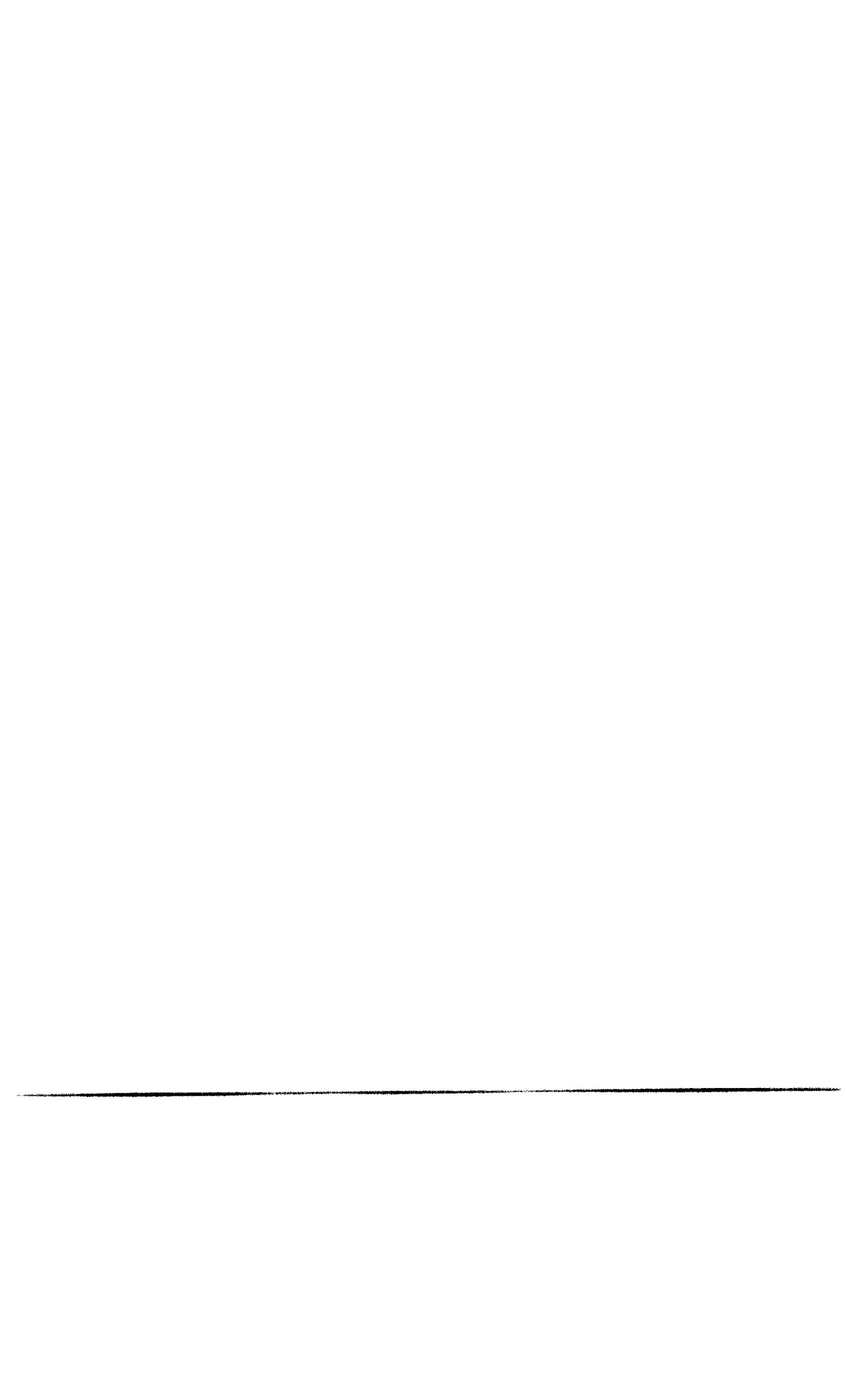
- No comments.

Hydrology:

- No objection to zone map amendment.

Transportation Planning:

- *Findings*
 1. The proposed zone map amendment to parcel E for commercial and office uses is consistent with the West Side Strategic Plan as amended by Council Bill R-249, adopting the Westside-McMahon Land Use and Transportation Guide. The purpose of this guidance is to encourage increased densities and mixed-use development within major activity centers and transportation corridors to reduce the dependence on automobile travel.
 2. The Westside-McMahon Land Use and Transportation Guide, which is intended to be a flexible planning document, identifies the southeast corner of the Unser - McMahon Village Center for low commercial uses.
 3. Because McMahon Boulevard is a limited access arterial, both parcel E and the proposed commercial property at the southeast corner of the intersection of Unser and McMahon must derive access from a common driveway to McMahon Boulevard.



-
4. The proposed parcel E rezoning request, when joined with the proposed commercial property to the west, achieves the development goals of the Westside-McMahon Land Use and Transportation Guide.
 5. The rezoning of parcel E for commercial and office uses further benefits the area by eliminating the prospect of commercial traffic having to cut through a residential area in order to reach the proposed commercial property to the west.
 - *Recommendation*
 1. Approval of the rezoning of parcel E for commercial and office uses consistent with the development goals of the Westside-McMahon Land Use and Transportation Guide.

Street Maintenance:

- No comments.

Comments continued on next page:

Water Resources, Water Utilities and Wastewater Utilities:

- No comments.

New Mexico State Highway and Transportation Department:

- No comments.

RECOMMENDED CONDITIONS FROM CITY ENGINEER and PUBLIC WORKS:

Conditions of approval for the proposed Zone Map Amendment and Site Development Plan for Subdivision Amendment shall include:

- a. All the requirements of previous actions taken by the EPC and the DRB must be completed and /or provided for.
- b. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. Those improvements will include any additional right-of-way requirements, paving, curb and gutter and sidewalk that have not already been provided for.

ENVIRONMENTAL HEALTH DEPARTMENT

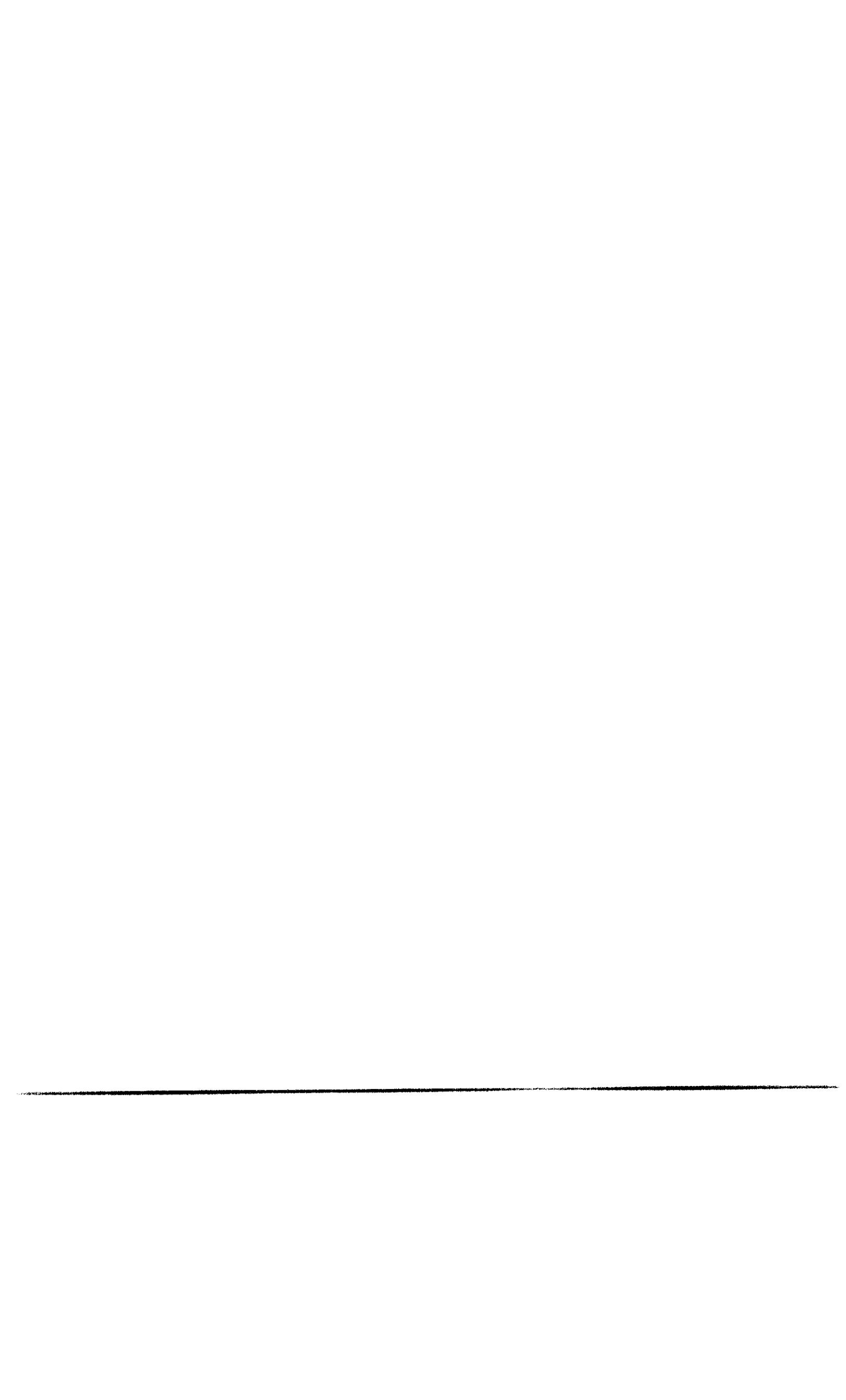
Air Quality Division

Environmental Services Division

PARKS AND RECREATION

Planning and Design

Reviewed, no adverse comment.



Open Space Division

No adverse comment.

POLICE DEPARTMENT/Planning

No comment

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

No adverse comment

FIRE DEPARTMENT/Planning

No comment.

TRANSIT DEPARTMENT

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

No comment.

ALBUQUERQUE PUBLIC SCHOOLS

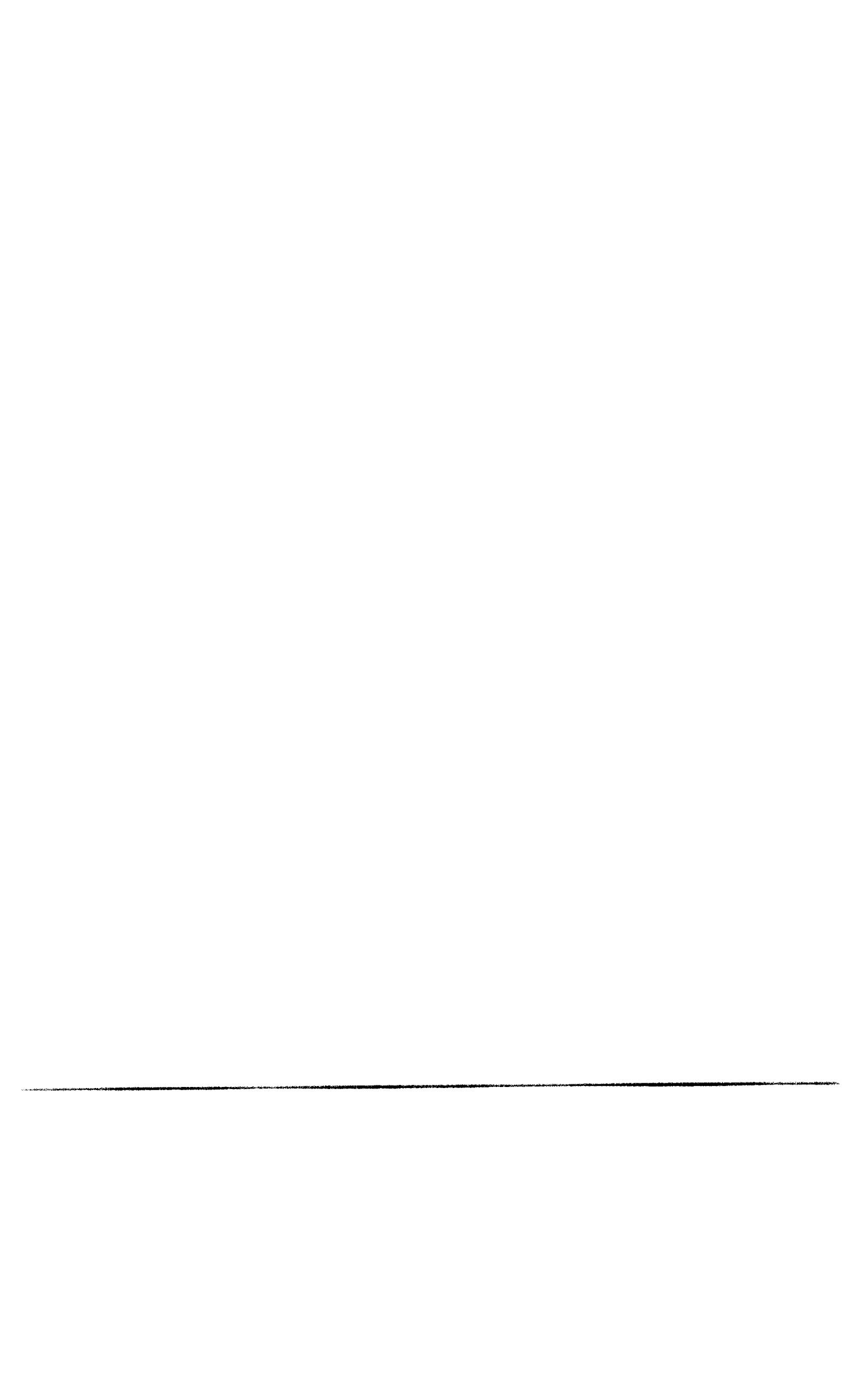
MID-REGION COUNCIL OF GOVERNMENTS

McMahon Boulevard is identified as a limited access principle arterial adjacent to this property as specified in the FAABS Appendix D. The City of Albuquerque Department of Public Works can determine if the full intersection shown in this site plan meets the limited access requirements of the 1000 feet interval to Unser Boulevard to the west, and to Golf Course Road to the east. Additionally, McMahon Boulevard is identified in the Long Range Bikeway System map for bike lane facilities as part of roadway improvements on this property.

PUBLIC SERVICE COMPANY OF NEW MEXICO

There is an overhead facility located on the southern boundary of the property. Loss of the utility easement between Parcels B and D will not affect the present system. Planned development of the two

Parcels will have to be reviewed if re-platted to insure PNM facilities can be placed on the property to support future developing load. There is a 20-inch gas pipeline North of Unser.





ENVIRONMENTAL PLANNING COMMISSION A G E N D A

Thursday, August 21, 2003, 8:30 a.m.
Plaza del Sol Hearing Room
Lower Level
600 2nd Street NW

MEMBERS

Jeffery Jesionowski, Chairman
Mick McMahan, Vice Chair

Bevin Owens
Larry Chavez
David Steele

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Subc

John Briscoe
Camilla Serrano
Jens Deichmann

9. Project
03EPC-01
03EPC-01C

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 hearing; deferral and withdrawal requests (by applicants) are generally reviewed at this time and 1B below). Applications with no known opposition that are supported by the Planning Department scheduled at the beginning of the agenda; these cases are noted with an asterisk. Applications scheduled at the end of the agenda.

10. Project # 11
03EPC-01098 Te

There is no set time for cases to be heard. However, interested parties can monitor the progress by calling the Planning Department at 924-3860. All parties wishing to address the Commission with the Commission Secretary at the front table prior to the case being heard. Please be prepared to give a brief and concise testimony to the Commission if you intend to speak. **In the interest of time, applications are limited as follows, unless otherwise granted by the Commission Chair:**
Applicant - 10 minutes; Public speakers - 2 minutes each.

11. Project # 100279
03EPC-01100 EPC Site
Building Permit
03EPC-01101 Zone Map
03EPC-01099 EPC Site I
Subdivision

All written materials - including petitions, legal analysis and other documents - should be submitted 10 days prior to the public hearing ensuring presentation at the EPC Study Session. The Commission 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 does consider 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 DETERMINED BY THE PLANNING COMMISSION.

1. Call to Order.
 - A. Announcement of Changes and
 - B. Approval of the Am
 - C. Approval

if Ju

21. **Project # 1002713**
03EPC-00910 Zone Map Amendment
03EPC-00911 EPC Sector Development Plan
Amendment

GARCIA/KRAEMER & ASSOCIATES agent(s) for BENNY S. LOPEZ request the above action(s) for all or a portion of Tract(s) 368 B-1, **MRGCD Map 41**, a zone map amendment from SU-2-MR to SU-2-HC, located on BROADWAY SE, between ETHLYN SE and WHEELER SE, containing approximately 1 acre(s). (L-14) Juanita Vigil, Staff Planner **(DEFERRED FROM 17 JULY 2003)**

22. **Project # 1000875**
03EPC-00503 Zone Map Amendment
03EPC-00504 EPC Site Development Plan-
Amendment to Subdivision

COMMUNITY SCIENCES CORPORATION agent(s) for FINELAND LL & JEFFREY L. FINE request the above action(s) for all or a portion of Tract(s) E, **Fineland Development**, a zone map amendment from SU-1 for R-2 to SU-1 for C-1, located on MCMAHON BLVD. NW, between UNSER BLVD. NW and STONEBRIDGE DRIVE NW, containing approximately 3 acre(s). (A-11) Makita Hill, Staff Planner **(DEFERRED FROM 17 JULY 2003)**

- Project # 1002715**
PC-00918 Zone Map Amendment
PC-00919 EPC Site Development Plan-
division

CONSENSUS PLANNING, INC. agent(s) for R SCHAEFER REALTY AND INVESTMENTS, INC. request the above action(s) for all or a portion of Lot(s) 1-4, **Horizon Corporation Replat of Tract H**, a zone map amendm from SU-1 for C-1 Uses & SU-1 for PRD (FAR.5) to S for C-1 Uses for Lots 2, 3, & 4 and zone map amend from SU-1 PRD (FAR .5) to C-2 for 0.0967 acre port Tract 2, located on PARADISE BLVD. NW, between BLVD. NW and UNIVERSE BLVD. NW, cc approximately 29 acre(s). (B-19) Juanita Vigil, Sta' **(DEFERRED FROM 17 JULY 2003)**

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HEARING DATE AS

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Staff Report

Agent	Community Sciences Corporation
Applicant	Fineland LLC
Request	Zone Map Amendment Amendment to Site Development Plan for Subdivision
Legal Description	Parcel E, Fineland Development
Location	McMahon Boulevard between Unser Boulevard and Stonebridge Drive
Size	Approximately 2.73 acres
Existing Zoning	SU-1 for R-2
Proposed Zoning	SU-1 for C-1

Staff Recommendation

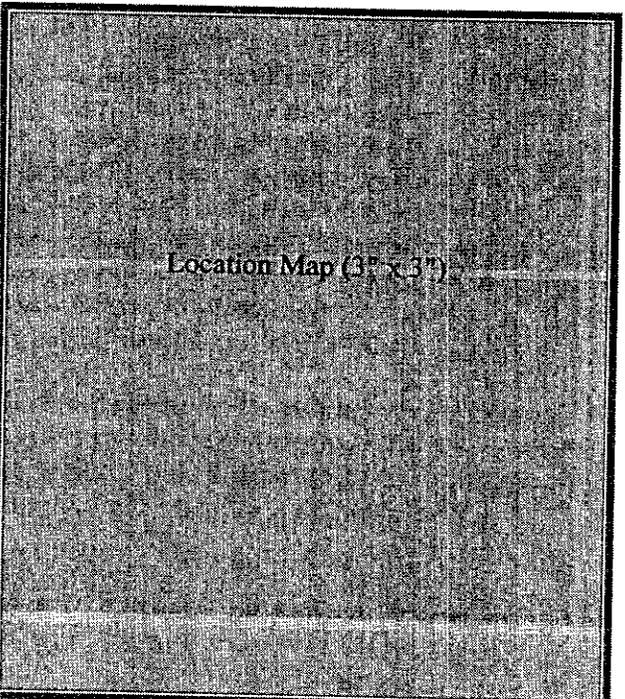
Deferral to the September 18, 2003 Environmental Planning Commission Public Hearing at the request of the agent.

Staff Planner
 Makita Hill, Planner

Summary of Analysis

This is a request for a zone map amendment from SU-1 for R-2 to SU-1 for C-1, and an amendment to an existing site development plan for subdivision, for Parcel E, Fineland Development, located on McMahon Boulevard between Unser Boulevard and Stonebridge Drive. The site contains approximately 2.73 acres and is currently vacant. The existing zoning was approved by the EPC in June 1999, and a site development plan for subdivision was approved by the EPC in March 2000 (Z-98-31-1).

Staff recommends approval of this request, as the request is consistent with policies in the Comprehensive Plan, West Side Strategic Plan, and meets the requirements of R-270-1980 as articulated in these plans.



City Departments and other interested agencies reviewed this application from 4/4/03 to 4/18/03. Agency comments were used in the preparation of this report, and begin on page 12.



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

Date: July 18, 2003

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project # 1000875**
03EPC-00503 Zone Map Amendment
03EPC-00504 EPC Site Development Plan-
Amendment to Subdivision

Fineland LLC, 10250 Collins Ave.
Penthouse 1
Bal Harbor, Fl. 33154

LEGAL DESCRIPTION: for all or a portion of Tract(s) E, **Fineland Development**, a zone map amendment from SU-1 for R-2 to SU-1 for C-1, located on MCMAHON BLVD. NW, between UNSER BLVD. NW and STONEBRIDGE DRIVE NW, containing approximately 3 acre(s). (A-11) Makita Hill, Staff Planner (**DEFERRED FROM MAY 15, 2003**)

On July 17, 2003 the Environmental Planning Commission voted to defer Project 100875/ 03EPC-00503 Zone Map Amendment and 03EPC-00504 EPC Site Development Plan-Amendment to Subdivision to the Environmental Planning Commission Public Hearing on August 21, 2003.

There is a \$110.00 fee when a deferral is made at the request of an applicant/agent. Payment is due by August 1, 2003 and may be paid at the Land Development Coordination counter at the Plaza del Sol Building. Failure to pay may result in removal from the agenda.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY **AUGUST 1, 2003** 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.

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

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

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

Sincerely,


For Victor J. Chavez
Planning Director

VJC/MH/ac

cc: Community Sciences Corp., P.O. Box 1328, Corrales, NM 87048
Julia Wilson, Horizon Hills, 5705 Carmen Rd. NW, Albuquerque, NM 87114
Jolinda Balmer, Horizon Hills, 10590 Vista Bella Pl. NW, Albuquerque, NM 87114



ENVIRONMENTAL PLANNING COMMISSION

A G E N D A

Thursday, August 21, 2003, 8:30 a.m.

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

MEMBERS

Jeffery Jesionowski, Chairman
Mick McMahan, Vice Chair

John Briscoe
Camilla Serrano
Jens Deichmann

Bevin Owens
Larry Chavez
David Steele

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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
 - C. Approval of Minutes for June 19, 2003

2. Project # 1002624 *
03EPC-00935 EPC Site Development Plan-
Subdivision

RICK BENNETT ARCHITECTS agent(s) for NEW DAY, INC. request the above action(s) for all or a portion of Tract(s) Tract of Land within the SE/4 NE/4, Section 36, T10N, R3E, Zoned SU-1 for A Short Term Shelter, located on RIDGECREST SE, between LOUISIANA SE and SAN PEDRO SE, containing approximately 10 acre(s). (M-18) Juanita Vigil, Staff Planner

3. Project # 1002778 *
03EPC-01057 Annexation
03EPC-01058 Zone Map Amendment

CONSENSUS PLANNING INC. agent(s) for SANDIA PROPERTIES request the above action(s) for all or a portion of Tract(s) NA Section 8, Township 11 North, Range 2 East, **Ventana West**, a zone map amendment from County A-1 to R-LT, located on IRVING BLVD. NW, between IRVING BLVD. NW and PASEO DEL NORTE NW, containing approximately 288 acre(s). (B-8) Carmen Marrone, Staff Planner

4. Project # 1002785 *
03EPC-01074 Zone Map Amendment

VERN HAGEN agent(s) for CALVARY PENTECOSTAL ASSEMBLY request the above action(s) for all or a portion of Lot(s) 14, **Miramontes Park**, a zone map amendment from SU-1 for Church & Related Facilities to R-1, located on CAGUA DRIVE NE, between SAN PEDRO NE and CARDENAS NE, containing approximately 0.15 acre(s). (H-18) Chris Hyer, Staff Planner

5. Project # 1002792 *
03EPC-01086 EPC Site Development Plan-
Subdivision
03EPC-01085 EPC Site Development Plan-
Building Permit

GEORGE RAINHART ARCHITECTS agent(s) for TRUST OF ALBERT/MARY BLACK request the above action(s) for all or a portion of Tract(s) 14-A & 14B, **Black Ranch**, zoned SU-1 for C-1 & restaurant with full service liquor and O-1, located on COORS BLVD. NW, between COORS NW and SEVEN BAR LOOP NW, containing approximately 10 acre(s). (B-14) Debbie Stover, Staff Planner

6. Project # 1002123 *
03EPC-01087 EPC Site Development Plan-
Subdivision
03EPC-01088 EPC Site Plan for Building
Permit

GARCIA/KRAEMER & ASSOCIATES agent(s) for PHILLIP & PAM SHEETS request the above action(s) for all or a portion of Tract(s) 22-A-1, **MRGCD Map 33**, zoned SU-1 RT Uses, located on 4TH ST. NW, between SAN CLEMENTE NW and FREEMAN NW, containing approximately 4 acre(s). (G-14) Cynthia Borrego, Staff Planner

7. Project # 1002404 *

03EPC-01092 Zone Map Amendment
03EPC-01211 Site Development plan-
Subdivision
03EPC-01116 Sector Plan Amendment

TIERRA WEST LLC, agents for CITY OF ALBUQUERQUE/TRANSIT DEPARTMENT request the above actions for all or a portion of Lot 1, **Ladera Industrial Park**, a zone map amendment from SU-1 for Transit to SU-1 for IP, located on UNSER BLVD. NW, between OLD OURAY RD. NW and VISTA ORIENTE ST. NW, containing approximately 12 acres. (H-9) Simon Shima, Staff Planner

8. Project # 1002793 *

03EPC-01095 EPC Site Development Plan-
Subdivision

COMMUNITY SCIENCES CORPORATION agent(s) for KB HOME request the above action(s) for all or a portion of Tract(s) PARCEL F, **Fineland Development Bluk Land Plat**, zoned SU-1 for R-2, located on MCMAHON BLVD. NW, between UNSER BLVD. NW and BANDELLER DR. NW, containing approximately 11 acre(s). (A-11) Makita Hill, Staff Planner

9. Project # 1002794 *

03EPC-01096 Zone Map Amendment
03EPC-01097 EPC Sector Development Plan

CONSENSUS PLANNING, INC. agent(s) for LONGFORD HOMES request the above action(s) for all or a portion of Parcel 1, Section 33N, Township 10N, Range 2E, **Town of Atrisco Grant**, a zone map amendment from C-2 to RT, located on DE VARGAS ROAD SW, between 114TH ST. SW and 98TH ST. SW, containing approximately 12 acre(s). (M-9) Janet Stephens, Staff Planner

10. Project # 1002795 *

03EPC-01098 Text Amendment

CITY OF ALBUQ./PLANNING Department agent for CITY OF ALBUQUERQUE/PLANNING DEPARTMENT. requests the following action: a text amendment to the Comprehensive City Zoning code for the SU-1 for Bed and Breakfast Establishment zone category, CITY WIDE Mary Piscitelli, Staff Planner

11. Project # 1002796 *

03EPC-01100 EPC Site Development Plan-
Building Permit
03EPC-01101 Zone Map Amendment
03EPC-01099 EPC Site Development Plan-
Subdivision

RHODE MAY KELLER MCNAMARA ARCHITECTS agent(s) for ALBUQUERQUE FIRE DEPARTMENT request the above action(s) for all or a portion of Lots 7, 8 9 10, Block 4, Loma Verde Subdivision and Lots 7, 8, 9, 10, 11, Kay Addition, zoned C-2 and SU-1 Firestation, located on DALLAS NE, between CHARLESTON NE and DALLAS NE, containing approximately 2 acre(s). (K-19) Debbie Stover, Staff Planner

12. Project # 1000965 *

03EPC-01103 EPC Site Development Plan-
Building Permit
03EPC-01102 Zone Map Amendment
03EPC-01105 EPC Site Development Plan-
Amendment to Subdivision

CONSENSUS PLANNING, INC. agent(s) for ASW REALTY PARTNERS request the above action(s) for all or a portion of Tract(s) 1-5, A, 6A & 6B, **Lands of Ray A Graham III, Owenwest Corp**, a zone map amendment from SU-1 PRD 10 du/ac & Grazing (18 cattle max) to SU-1 PRD 5 du/ac for Tract 1, SU-1 for PRD 8 du/ac to SU-1 for PRD 6 du/ac for Tract 4, SU-1 for PRD 10 du/ac to SU-1 for PRD 20 du/ac for Tract 5 & SU-1 for C-2 Uses (23.3 Max), O-1 Uses (11.3 ac max) and PRD 10 du/ac to SU-1 for C-2 Uses (23.3 ac. Max.), O-1 Uses (11.3 ac max) and PRD 20 du/ac for Tract 6B & A, located on COORS BLVD. NW, between MONTANO ROAD NW and NAMASTE ROAD NW, containing approximately 230 acre(s). (E-12) Juanita Vigil, Staff Planner

13. Project # 1000650 *

03EPC-01110 EPC Site Development Plan-
Building Permit
03EPC-01109 EPC Site Development Plan-
Subdivision

TIERRA WEST LLC agent(s) for WALMART STORES, INC. request the above action(s) for all or a portion of Tract(s) 1-A, **Lands of Lamonica & Wenk**, zoned SU-1 C-1 Permissive Uses, located on COORS BLVD. SW, between RIO BRAVO BLVD. and LAMONICA RD., containing approximately 21 acre(s). (P-10) Carmen Marrone, Staff Planner

14. Project # 1002717

03EPC-00924 Zone Map Amendment

TIMOTHY FLYNN-OBRIEN agent(s) for WEST BLUFF CENTER LLC, A NM LIABILITY CO request the above action(s) for all or a portion of Tract(s) 303 and Tracts 304, 305, and 306, **Town of Atrisco Grant**, a zone map amendment from SU-1/O-1/PRD to SU-1 for IP Uses, located on COORS BLVD. NW, between CORONA DRIVE NW and ALAMOGORDO DRIVE NW, containing approximately 7 acre(s). (H-11) Russell Brito, Staff Planner

15. Project # 1002855

03EPC-00979 EPC Site Development Plan-
Building Permit
03EPC-00981 Zone Map Amendment

JOHN A. MYERS, ESQ. agent(s) for ETG PROPERTIES, LLC request the above action(s) for all or a portion of Lot(s) 4, 5, & 6, Block(s) 24, **East End Addn**, a zone map amendment from R-1 to SU-1 for Automobile Sales and Storage, located on VERMONT ST. NE, between LOMAS BLVD. NE and MARBLE AVE. NE, containing approximately 1 acre(s). (J-19) Juanita Vigil, Staff Planner

16. Project # 1001620
03EPC-01082 Zoning Text Amendment

PLANNING DEPARTMENT, agent for CITY OF ALBUQUERQUE, request an amendment to a portio of the General Sign Regulations of the Zoning Code. Simon Shima, Staff Planner

17. Project # 1002668
03EPC-01089 Zone Map Amendment

CONSENSUS PLANNING INC. agent(s) for TS MCNANEY & ASSOCIATES request the above action(s) for all or a portion of Lot B, Block 8, Palisades Addition, Lot 9, Block 8, Palisades Addition, Lot F, Block 2, Vista Magnifica, Lot E, Block 2, Vista Magnifica and Lot C, Block 5, Vista Magnifica, a zone map amendment from R-3 & SU-1 for PRD to R-LT, located on ATRISCO DRIVE NW, between INTERSTATE 40 and CALLE DEL VISTA NW, 6 acres. (H-11) Manjeet Tangri, Staff Planner

18. Project # 1001323
02EPC-01159 EPC Site Development Plan-
Amendment to Building Permit

BILL BURK, THIRD, ARCHITECT agent(s) for WILLIAM & EDNA MCIVER request the above action(s) for all or a portion of Lot(s) 1A,2A,3,4,, Block(s) 32 Lots 1A, 2A, 3, 4, 5 & 6, **Terrace Addition**, zoned MD-2, located on SOUTH SIDE OF LEAD AVE SE, between CEDAR STREET SE and SPRUCE STREET SE, containing approximately 1 acre(s). (K-15) Deborah Stover, Staff Planner **(DEFERRED FROM 17 APRIL 2003)**

19. Project # 1002718
03EPC-00926 Annexation
03EPC-00927 Zone Map Amendment

TIERRA WEST LLC, agents for PHILLIP & JULIA RABY, request the above action(s) for all or a portion of Tracts 334-B-1, and Tracts 334-B-2-B and 334-B-2-A, **MRGCD Map 35**, zoned County A-1, located on GABALDON ROAD NW, between I-40 and MOUNTAIN ROAD NW, containing approximately 9 acres. (H-12) Simon Shima, Staff Planner **(DEFERRED FROM 17 JULY 2003)**

20. Project # 1000419
03EPC- 00838 Appeal
(03DRB-00590 Major-Two Year SIA for on-
site Infrastructure)

Tierra West LLC, appeals the Development Review Board's denial of the above action(s) for all or a portion of Tract(s) 1B-1-A-1, 1B-1-B-1 and 1B-1-C-1, **RENAISSANCE CENTER**, zoned SU-1 for Auto Sales & C-1 uses, located on RENAISSANCE BLVD NE, between MONTANO RD NE and UNION WAY RD NE containing approximately 3 acre(s). [REF: 02DRB-00165, 02DRB-00164, 02AA-00814] (F-16) **(DEFERRED FROM 17 JULY 2003)**

21. Project # 1002713

03EPC-00910 Zone Map Amendment
03EPC-00911 EPC Sector Development Plan
Amendment

GARCIA/KRAEMER & ASSOCIATES agent(s) for BENNY S. LOPEZ request the above action(s) for all or a portion of Tract(s) 368 B-1, **MRGCD Map 41**, a zone map amendment from SU-2-MR to SU-2-HC, located on BROADWAY SE, between ETHLYN SE and WHEELER SE, containing approximately 1 acre(s). (L-14) Juanita Vigil, Staff Planner **(DEFERRED FROM 17 JULY 2003)**

22. Project # 1000875

03EPC-00503 Zone Map Amendment
03EPC-00504 EPC Site Development Plan-
Amendment to Subdivision

COMMUNITY SCIENCES CORPORATION agent(s) for FINELAND LL & JEFFREY L. FINE request the above action(s) for all or a portion of Tract(s) E, **Fineland Development**, a zone map amendment from SU-1 for R-2 to SU-1 for C-1, located on MCMAHON BLVD. NW, between UNSER BLVD. NW and STONEBRIDGE DRIVE NW, containing approximately 3 acre(s). (A-11) Makita Hill, Staff Planner **(DEFERRED FROM 17 JULY 2003)**

23. Project # 1002715

03EPC-00918 Zone Map Amendment
03EPC-00919 EPC Site Development Plan-
Subdivision

CONSENSUS PLANNING, INC. agent(s) for RJ SCHAEFER REALTY AND INVESTMENTS, INC. request the above action(s) for all or a portion of Lot(s) 1-4, **Horizon Corporation Replat of Tract H**, a zone map amendment from SU-1 for C-1 Uses & SU-1 for PRD (FAR.5) to SU-1 for C-1 Uses for Lots 2, 3, & 4 and zone map amendment from SU-1 PRD (FAR .5) to C-2 for 0.0967 acre portion of Tract 2, located on PARADISE BLVD. NW, between LYON BLVD. NW and UNIVERSE BLVD. NW, containing approximately 29 acre(s). (B-19) Juanita Vigil, Staff Planner **(DEFERRED FROM 17 JULY 2003)**

24. Other Matters



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

Date: May 16, 2003

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project # 1000875**
03EPC-00503 Zone Map Amendment
03EPC-00504 EPC Site Development Plan-
Amendment to Subdivision

Fineland LLC
10250 Collins Ave., Penthouse 1
Bal Harbor, Fl. 33154

LEGAL DESCRIPTION: for all or a portion of Tract(s) E, **Fineland Development**, a zone map amendment from SU-1 for R-2 to SU-1 for C-1, located on MCMAHON BLVD. NW, between UNSER BLVD. NW and STONEBRIDGE DRIVE NW, containing approximately 3 acre(s). (A-11)
Makita Hill, Staff Planner

On May 15, 2003 the Environmental Planning Commission voted to defer Project 1000875, 03EPC-00503 Zone Map Amendment/03EPC-00504 EPC Site Development Plan-Amendment to Subdivision to the Environmental Planning Commission Public Hearing on July 17, 2003.

There is a \$110.00 fee when a deferral is made at the request of an applicant/agent. Payment is due by June 6, 2003 and may be paid at the Land Development Coordination counter at the Plaza del Sol Building. Failure to pay may result in removal from the agenda.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY MAY 30, 2003 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.

OFFICIAL NOTICE OF DECISION
MAY 15, 2003
PROJECT #1000875
PAGE 2

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

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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

Sincerely,


for Victor J. Chavez
Planning Director

VJC/MH/ac

cc: Community Sciences Corp., P.O. Box 1328, Corrales, NM 87048
Julia Wilson, Horizon Hills, 5705 Carmen Rd. NW, Albuquerque, NM 87114
Jolinda Balmer, Horizon Hills, 10590 Vista Bella Pl. NW, Albuquerque, NM 87114



ENVIRONMENTAL PLANNING COMMISSION

A G E N D A

Thursday, July 17, 2003, 8:30 a.m.

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

MEMBERS

Jeffery Jesionowski, Chairman
Mick McMahan, Vice Chair

John Briscoe
Camilla Serrano
Jens Deichmann

Bevin Owens
Larry Chavez
David Steele

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 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.**

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 # 1000651 *
03EPC-00891 EPC Site Development Plan-
Amendment to Building Permit

LEE GAMELSKY ARCHITECTS PC agent(s) for PC PARTNERS LLC request the above action(s) for all or a portion of Tract(s) A-29A-3, **Town of Atrisco Grant**, zoned SU-1 PDA C-1 and Office Uses, located on COORS BLVD. NW, between PHEASANT AVE. NW and REDLANDS RD. NW, containing approximately 2 acre(s). (G-11) Makita Hill, Staff Planner

3. Project # 1002706 *
03EPC-00900 Zone Map Amendment

ALAN WILSON agent(s) for STEPHENS PROPERTY CO. LLC request the above action(s) for all or a portion of Tract(s) 1, **The Promenade**, a zone map amendment from SU-1 for PRD to SU-1 for C-1 Permissive Uses and Restaurant with Full-service Liquor for On-Premise Consumption, located on EUBANK BLVD. NE, between OSUNA NE and SPAIN RD. NE, containing approximately 7 acre(s). (F-21) Russell Brito, Staff Planner

4. Project # 1002711 *
03EPC-00907 Zone Map Amendment
03EPC-00908 EPC Sector Development Plan

CONSENSUS PLANNING, INC. agent(s) for T.S. MCNANEY & ASSOCIATES request the above action(s) for all or a portion of Lot(s) 8-12 and Lots 21-25, **North Albuquerque Acres**, a zone map amendment from SU-2/IP to RD, located on EAGLE ROCK AVE. NE, between SAN PEDRO DRIVE NE and LOUISIANA BLVD. NE, containing approximately 9 acre(s). (C-18) Janet Stephens, Staff Planner

5. Project # 1002712 *
03EPC-00909 Zone Map Amendment
03EPC-00912 EPC Sector Development Plan
Amendment

GARCIA/KRAEMER & ASSOCIATES, agent for HOWARD HERBERT, request the above action(s) for all or a portion of Lot(s) 65-A, **Davis Perea Courson Subdivision**, a zone map amendment from O-1 to C-1, located on COORS NW, between CLOUDCROFT NW and DAYTONA NW, containing approximately 1.1 acres. (J-10) Simon Shima, Staff Planner

- 6. Project # 1001656 ***
03EPC-00915 Zone Map Amendment
03EPC-00916 EPC Site Development Plan-
Subdivision
- SANTIAGO ROMERO JR. agent(s) for CITY OF ALBUQUERQUE request the above action(s) for all or a portion of Tract(s) N, O, and Lots 4, 3 & 2, **BULK LAND PLAT DOUBLE EAGLE II AIRPORT AND ADJACENT LANDS**, a zone map amendment from SU-1 OPEN SPACE to SU-1 AIRPORT RELATED FACILITIES, located on NW OF DOUBLE EAGLE AIRPORT, between and, containing approximately 590 acre(s). (C-4) Chris Hyer, Staff Planner
- 7. Project # 1001335 ***
03EPC-00920 EPC Site Development Plan-
Building Permit
- CLAUDIO VIGIL ARCHITECTS agent(s) for SANTONIO PARTNERS LLC request the above action(s) for all or a portion of Lot(s) 3-A, 4-A and Lots 5-A and 6-A, **Sandia Research Park**, zoned SU-1 for IP, located on BRITT ST. NE, between RESEARCH ROAD NE and DEVELOPMENT ROAD NE, containing approximately 4 acre(s). (M-21) Makita Hill, Staff Planner
- 8. Project # 1000635 ***
03EPC-00923 Zone Map Amendment
- TIERRA WEST LLC, agents for FORTIS ADVISORS LLC request the above action(s) for all or a portion of Tract(s) 27B-B1, **Taylor Ranch**, a zone map amendment from SU-1 for PRD (20DU's per Acre) to SU-1 for C-1, located on COORS ROAD NW, between MONTANO ROAD NW and MONTANO PLAZA NW, containing approximately 2 acres). (E-12) Cynthia Borrego, Staff Planner
- 9. Project # 1002718 ***
03EPC-00926 Annexation
03EPC-00927 Zone Map Amendment
- TIERRA WEST LLC, agents for PHILLIP & JULIA RABY, request the above action(s) for all or a portion of Tracts 334-B-1, and Tracts 334-B-2-B and 334-B-2-A, **MRGCD Map 35**, zoned County A-1, located on GABALDON ROAD NW, between I-40 and MOUNTAIN ROAD NW, containing approximately 9 acres. (H-12) Simon Shima, Staff Planner
- 10. Project # 1002247**
03EPC-00914 EPC Site Development Plan-
Building Permit
- DENISH & KLINE ASSOCIATES agent(s) for HUNT UPTOWN LLC request the above action(s) for all or a portion of Tract(s) A1, **St. Pius X Subdivision**, zoned SU-3 Inside Intense Core, located on LOUISIANA BLVD. NE, between ARVADA AVE. NE and INDIAN SCHOOL ROAD NE, containing approximately 18 acre(s). (H-19) Debbie Stover, Staff Planner

11. Project # 1000419

03EPC- 00838 Appeal
(03DRB-00590 Major-Two Year SIA for on-site Infrastructure)

Tierra West LLC, appeals the Development Review Board's denial of the above action(s) for all or a portion of Tract(s) 1B-1-A-1, 1B-1-B-1 and 1B-1-C-1, **RENAISSANCE CENTER**, zoned SU-1 for Auto Sales & C-1 uses, located on RENAISSANCE BLVD NE, between MONTANO RD NE and UNION WAY RD NE containing approximately 3 acre(s). [REF: 02DRB-00165, 02DRB-00164, 02AA-00814] (F-16)

12. Project # 1002622

03EPC-00665 EPC Appeal

RODEY, DICKASON, SLOAN, AKIN & ROBB, PA agent(s) for TIM ALLEN & GREGG ALLEN request the above action(s) for all or a portion of Tract(s) B- 1C& 1E, **NETHERWOOD PARK ADDN**, zoned C-3 heavy commercial zone, located on W. OF WASHINGTON ST NE, between S. SIDE OF CUTLER AV. NE and, containing approximately 3 acre(s). (H-17) **(DEFERRED FROM JUNE 19, 2003)**

13. Project # 1002713

03EPC-00910 Zone Map Amendment
03EPC-00911 EPC Sector Development Plan Amendment

GARCIA/KRAEMER & ASSOCIATES agent(s) for BENNY S. LOPEZ request the above action(s) for all or a portion of Tract(s) 368 B-1, **MRGCD Map 41**, a zone map amendment from SU-2-MR to SU-2-HC, located on BROADWAY SE, between ETHLYN SE and WHEELER SE, containing approximately 1 acre(s). (L-14) Juanita Vigil, Staff Planner

14. Project # 1001209

03EPC-00699 EPC Site Development Plan-Subdivision
03EPC-00701 EPC Site Development Plan-Building Permit

GEORGE RAINHART & ASSOC., agent for JACK CLIFFORD, request the above actions for all or a portion of **Lava Trails Subdivision**, Tracts A & B, zoned SU-1 for Neighborhood Commercial and Tracts C & D, zoned SU-1 for residential (12-14 DU/acre), located on UNSER BLVD. NW, between WESTERN TRAIL NW and ATRISCO ROAD NW, containing approximately 11.4 acres. (F-10) Simon Shima, Staff Planner

15. Project # 1002714

03EPC-00917 Zone Map Amendment

CONSENSUS PLANNING, INC. agent(s) for TOM GORDON/CLASSIC GLASS request the above action(s) for all or a portion of Lot(s) 8-10, **East End Addition**, a zone map amendment from R-1 to C-2, located on VIRGINIA ST. NE, between LOMAS BLVD. NE and MARBLE AVE. NE, containing approximately 1 acre(s). (J-19) Juanita Vigil, Staff Planner

16. Project # 1002715

03EPC-00918 Zone Map Amendment
03EPC-00919 EPC Site Development Plan-
Subdivision

CONSENSUS PLANNING, INC. agent(s) for RJ SCHAEFER REALTY AND INVESTMENTS, INC. request the above action(s) for all or a portion of Lot(s) 1-4, **Horizon Corporation Replat of Tract H**, a zone map amendment from Su-1 for C-1 & SU-1 for PRD (FAR.5) to SU-1 for C-1 for Lots 2, 3, & 4, located on PARADISE BLVD. NW, between LYON BLVD. NW and UNIVERSE BLVD. NW, containing approximately 29 acre(s). (B-19) Juanita Vigil, Staff Planner

17. Project # 1002716

03EPC-00921 Zone Map Amendment
03EPC-00922 EPC Site Development Plan-
Building Permit
03EPC-00936 EPC Site Development Plan-
Subdivision

CLAUDIO VIGIL ARCHITECTS, agent for GEORGE BRUNACINI CONSTRUCTION CO. request a zone map amendment from SU-1 Nursing Home to SU-1 O-1 Office and Incidental Uses and Bank and a Site Development Plan for Subdivision and a Site Development for Building Permit for Lot X-1-B, Block 22, Tract A, Unit A, North Albuquerque Acres located on WYOMING BLVD. NE between PASEO DEL NORTE and DOMINGO BACA DRAINAGE R-O-W, containing approximately 3 acres. Carmen Marrone, Staff Planner

18. Project # 1001005

03EPC-00925 Zone Map Amendment

TIMOTHY FLYNN-O'BRIEN agents for WEST BLUFF CENTER LLC request the above action(s) for all or a portion of Tract(s) 8, **WEST BLUFF CENTER SUBDIVISION**, a zone map amendment from R-2 to RC, located on the NE corner of CORNOA ROAD NW, and OURAY ROAD and, containing approximately .43 acres. (H-11) Chris Hyer, Staff Planner

19. Project # 1000875

03EPC-00503 Zone Map Amendment
03EPC-00504 EPC Site Development Plan-
Amendment to Subdivision

COMMUNITY SCIENCES CORPORATION agent(s) for FINELAND LL & JEFFREY L. FINE request the above action(s) for all or a portion of Tract(s) E, **Fineland Development**, a zone map amendment from SU-1 for R-2 to SU-1 for C-1, located on MCMAHON BLVD. NW, between UNSER BLVD. NW and STONEBRIDGE DRIVE NW, containing approximately 3 acre(s). (A-11) Makita Hill, Staff Planner **(DEFERRED FROM MAY 15, 2003)**

20. Project # 1002556

03EPC-00470 EPC Site Development Plan-
Subdivision

H BARKER ARCHITECTS, agents for DONALD HARVILLE, request the above actions for all or a portion of Tracts D, E, **PARADISE HEIGHTS**, zoned C-2, located on GOLF COURSE ROAD NW, between BENTON AVENUE NW and WESTSIDE BOULEVARD NW, containing approximately 17 acres. (A-12) Cynthia Borrego, Staff Planner **(DEFERRED FROM MAY 15, 2003)**

21. Project # 1001712

03EPC-00323 Annexation
03EPC-00325 Zone Map Amendment
03EPC-00361 Site Development Plan for
Subdivision

TIERRA WEST LLC agent(s) for E. BLAUGRUND & ASSOC., C/O JOHN MYERS request the above action(s) for all or a portion of Lot(s) A, B, C, **Taylor Ranch**, zone map amendment from A-1 SU-Permit for C-1 & R-2 to R-T & SU-1 for C-1, located on LA ORILLA ROAD NW, between VIA CORTE DEL SUR NW and COORS BLVD. NW, containing approximately 16 acre(s). (E-12) Chris Hyer, Staff Planner **(DEFERRED FROM MAY 15, 2003)**

22. Project # 1001369

03EPC-00486 Zoning Code Text Amendment

CITY OF ALBUQUERQUE/PLANNING DEPARTMENT agent for CITY OF ALBUQUERQUE request an amendment to the City Zone Code, Section 14-16-3-1, Off-street Parking Regulations. Carmen Marrone, Staff Planner **(DEFERRED FROM MAY 15, 2003)**

23. Other Matters



Staff Report

Agent	Community Sciences Corporation
Applicant	Fineland LLC
Request	Zone Map Amendment Amendment to Site Development Plan for Subdivision
Legal Description	Parcel E, Fineland Development
Location	McMahon Boulevard between Unser Boulevard and Stonebridge Drive
Size	Approximately 2.73 acres
Existing Zoning	SU-1 for R-2
Proposed Zoning	SU-1 for C-1

Staff Recommendation
Deferral per request of the agent to the August 21, 2003 hearing.

Staff Planner
Makita Hill, Planner

Summary of Analysis
 This is a request for a zone map amendment from SU-1 for R-2 to SU-1 for C-1, and an amendment to an existing site development plan for subdivision, for Parcel E, Fineland Development, located on McMahon Boulevard between Unser Boulevard and Stonebridge Drive. The site contains approximately 2.73 acres and is currently vacant. The existing zoning was approved by the EPC in June 1999, and a site development plan for subdivision was approved by the EPC in March 2000 (Z-98-31-1).

Staff recommends denial of this request, as the request is not consistent with policies in the Comprehensive Plan, West Side Strategic Plan, and does not meet the requirements of R-270-1980 as articulated in these plans. While changes in the area regarding commercial zoning have occurred, the application of the proposed SU-1 for C-1 zoning on the subject site would create an isolated commercial use between existing residentially zoned areas.

Location Map (3" x 3")

City Departments and other interested agencies reviewed this application from 4/4/03 to 4/18/03. Agency comments were used in the preparation of this report, and begin on page 12.

P. O. Box 1328
Corrales, NM 87048

July 10, 2003

Environmental Planning Commission
City of Albuquerque
PO Box 1293
Albuquerque, NM 87103

Attention: Makita Hill, Staff Planner (via FAX 924-3339, US Post to follow)

RE: 03EPC01093 (Tract 16A1, Paradise North)

SUBJECT: Concurrence with Agenda Deferral and Clarification of Requested Zone.

Dear Mr. Hill:

This letter responds to our meeting on 7/08/03 following our application for Mr. Mark Pardo Gonzales (the SE corner of Unser Boulevard at McMahon Boulevard).

This application is adjacent to a Zone Change Request and Site Plan for Subdivision Purposes for Fineland LLC (03EPC0053 / 0054). The adjacent property was first scheduled for May 15, 2003 and is now deferred for the August 21, 2003 Commission Hearing.

We have attempted to coordinate and apply for near-simultaneous hearings, the Lands of Dr. Fine, Mr. Mark Pardo Gonzales, and a Site Plan for Subdivision Purposes for KB Home. All of the above represent Mixed-Use development at the southeast corner of McMahon Boulevard and Unser, and will create properties conforming to the Westside / Unser Boulevard Guide Plan, the West Side Strategic Plan and the planning objective for this property including transportation service by limited movement intersections.

Unfortunately, there was not time due to the Independence Day Holiday to submit a Site Plan for the Mark Pardo Gonzales Property. This is intended for submission within the 1st half of July, 2003 for a September hearing date.

You have advised us that the Commission would probably wish to see the Site Plan and Zone Change for Mr. Gonzales' land simultaneously. Accordingly, should the Commission elect to defer this item until the September hearing, we will not object.

However, since it is related to the adjacent Zoning Application for Dr. Fine, we respectfully request a presentation of the Application and the Site Plan layout for the Commissioners to consider, if they choose, for information only, at the August hearing.

In the matter of the Application for Mr. Gonzales' property, the Application Form and posted signs are for SU-C2 Land Use. The requested zoning for Mr. Gonzales is SU1-C1 Permissive and Conditional Uses and only limited (specified) Permissive C2 Uses. I will amend the signs prior to posting.

The limited SU1-C2 permissive uses requested are for offsite consumption of alcoholic beverages and enclosed building materials. The requested SU1-C2 conditional use is for off-premises alcohol sales.

\\Csc1\csc word\CSC_WORD\LETTERS\07-03-11.ltr.doc RR#633-02-600

DEVELOPMENT CONSULTING
ENGINEERING AND SURVEYING
LOCAL GOVERNMENT SERVICES
COMPREHENSIVE LAND PLANNING
LAND DEVELOPMENT IMPLEMENTATION

Environmental Planning Commission
City of Albuquerque
PO Box 1293
Albuquerque, NM 87103

Mr. Makita Hill
EPC, City of Albuquerque

July 10, 2003
Page 2

The specific SU1-C2 permissive uses are all within Section 14-16-2-17 except:

- A.11, recycling bin
- A.(12)b, Vehicle Sales
- A.(12)e, circus or carnival tent
- A.(12)l, watchman trailer
- A.(12)r, Manufacturing

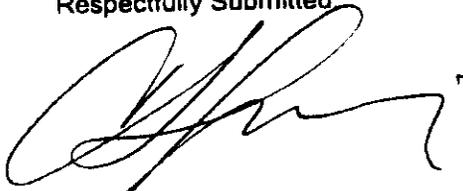
The specific SU1-C2 conditional uses is within Section 14-16-2-17:
B.17, off-premises alcohol sales

Our justification for limited C2 uses includes the conflict with the Westside / Unser Guide Plan (designated as "low commercial") and the intent of the Westside Strategic Plan suggesting higher land use intensities within the neighborhood activity center.

As stated in previous correspondence, the applicant will accept other restrictions on land use (such as SU1-C1 only) subject to his concurrence and the EPC's actions.

If there is any fee for this request, please let me know.

Respectfully Submitted

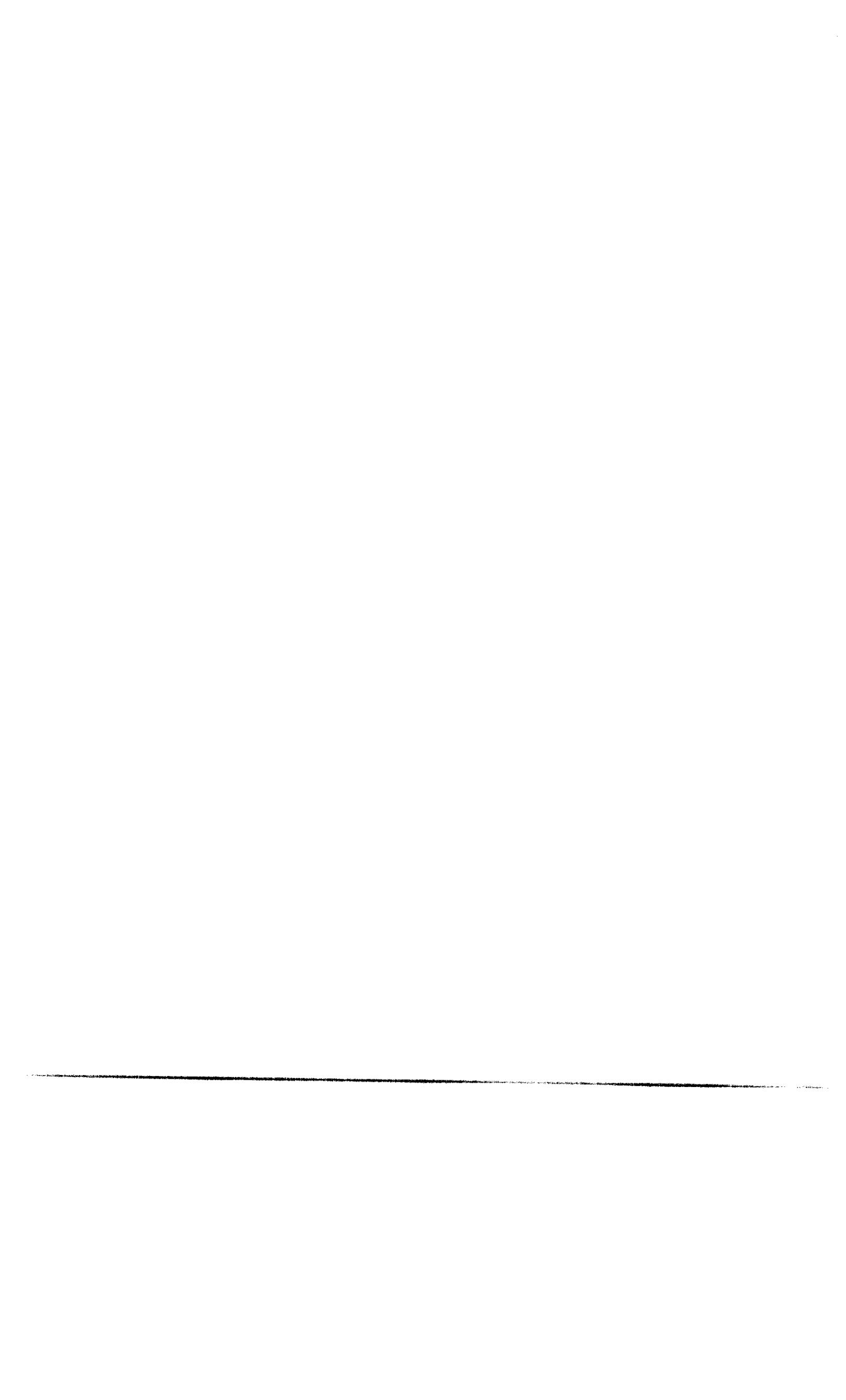


Cliff A. Spirock, AICP
CEO Community Sciences Corporation
Agent for Mark Pardo Gonzales

CAS/gmm

Attachments: Conceptual Site Plan 8 ½ x 11

Cc: Fineland LLC, Dr. Jeffrey Fine
KB Home, Mr. Bob Coleman
Mr. Mark Pardo Gonzales
Horizon Hills Neighborhood Association





Staff Report

Agent	Community Sciences Corporation
Applicant	Fineland LLC
Request	Zone Map Amendment Amendment to Site Development Plan for Subdivision
Legal Description	Parcel E, Fineland Development
Location	McMahon Boulevard between Unser Boulevard and Stonebridge Drive
Size	Approximately 2.73 acres
Existing Zoning	SU-1 for R-2
Proposed Zoning	SU-1 for C-1

Staff Recommendation

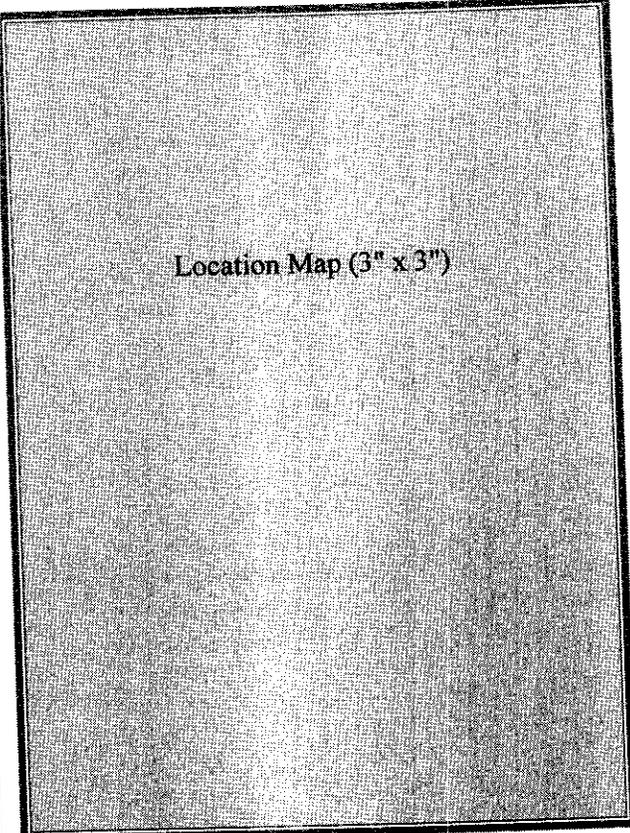
Deferral per request of the agent to the August 21, 2003 hearing.

Staff Planner
Makita Hill, Planner

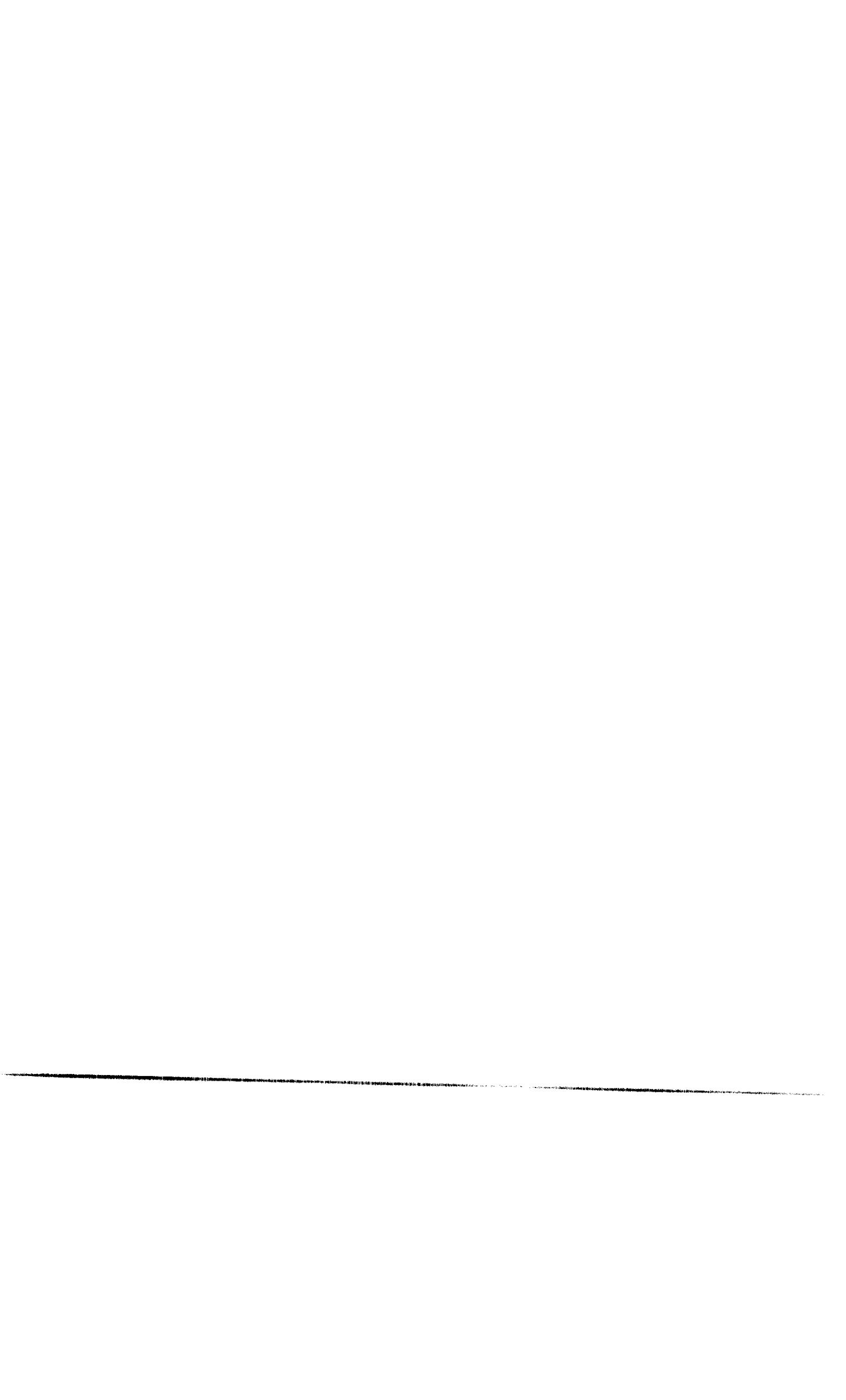
Summary of Analysis

This is a request for a zone map amendment from SU-1 for R-2 to SU-1 for C-1, and an amendment to an existing site development plan for subdivision, for Parcel E, Fineland Development, located on McMahon Boulevard between Unser Boulevard and Stonebridge Drive. The site contains approximately 2.73 acres and is currently vacant. The existing zoning was approved by the EPC in June 1999, and a site development plan for subdivision was approved by the EPC in March 2000 (Z-98-31-1).

Staff recommends denial of this request, as the request is not consistent with policies in the Comprehensive Plan, West Side Strategic Plan, and does not meet the requirements of R-270-1980 as articulated in these plans. While changes in the area regarding commercial zoning have occurred, the application of the proposed SU-1 for C-1 zoning on the subject site would create an isolated commercial use between existing residentially zoned areas.



City Departments and other interested agencies reviewed this application from 4/4/03 to 4/18/03. Agency comments were used in the preparation of this report, and begin on page 12.



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 23 day of April, 2003, and the subsequent consecutive publications on _____, 2003.

Bill Tafoya

Sworn and subscribed to before me, a Notary Public, in and for the County of Bernalillo and State of New Mexico this day of 23 April of 2003.

PRICE 136.88

Statement to come at end of month.

ACCOUNT NUMBER 880583

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



NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Albuquerque Environmental Planning Commission will hold a Study Session on Thursday, May 8, 2003, 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:

1. Distribution & Review - Current Land Use Matters for the May 15, 2003 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 15, 2003, 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 # 1002556
03EPC-00470 EPC Site Development Plan-Subdivision
H BARKER ARCHITECTS, agents for DONALD HARVILLE, request the above actions for all or a portion of Tracts D, E, PARADISE HEIGHTS, zoned C-2, located on GOLF COURSE ROAD NW, between BENTON AVENUE NW and WESTSIDE BOULEVARD NW, containing approximately 17 acres. (A-12) Cynthia Borrego, Staff Planner

Project # 1001369
03EPC-00486 Zoning Code Text Amendment
CITY OF ALBUQUERQUE/PLANNING DEPARTMENT agent for CITY OF ALBUQUERQUE request an amendment to the City Zone Code, Section 14-16-3-1. Off-street Parking Regulations. Carmen Marrone, Staff Planner

Project # 1002562
03EPC-00487 Zone Map Amendment
03EPC-00488 EPC Site Development Plan-Subdivision
03EPC-00489 EPC Site Development Plan-Building Permit
COMMUNITY SCIENCES CORPORATION agent for DALE KNIGHTON request the above actions for all or a portion of Tract 146-B-1 MRRGD MAP 32, a zone map amendment from C-1 & R-1 to C-2 and SU-1 for a Contractor's Yard, located on SECOND ST. NW, between PLEASANT AVE. NW and MONTANO ROAD NW, containing approximately 3 acres. (F-15) Juanita Vigil, Staff Planner

Project # 1002515
03EPC-00490 EPC Sector Plan Amendment
CHRISTOPHER CALOTT request the above actions for all or a portion of Lots 20-24, Block 28, New Mexico Town Company's Original Townsite of Albuquerque, zoned SU-3, located on SILVER AVE. SW, between 7TH STREET SW and 8TH STREET SW, containing approximately 0.4 acre(s). (K-13) Chris Hyer, Staff Planner

Project # 1002112
03EPC-00491 EPC Site Development Plan-Subdivision
03EPC-00492 EPC Site Development Plan-Building Permit
DCSW, INC. agent for PEGGY DASKALOS-LYCOU request the above actions for all or a portion of Lots 1-5 & 28-32, Block 21, North Albuquerque Acres Tract A, Unit A, zoned SU-2 Mixed Use, located on WYOMING BLVD. NE, between PALOMAS DRIVE NE and PASEO DEL NORTE NE, containing approximately 8 acres. (D-19) Juanita Vigil, Staff Planner

Project # 1002563
03EPC-00493 Zone Map Amendment
03EPC-00494 Sector Plan Amendment
03EPC-00495 EPC Site Development Plan-Building Permit
CONSENSUS PLANNING agents for ANN SKINNER-JONES, request an amendment to the Downtown Neighborhood Area Sector Development Plan and a site development plan for building permit, for all or a portion of Lot(s) 5, Block 11, PEREA ADDITION, a zone map amendment from SU-2 SINGLE FAMILY to SU-2SU-1, located on ROMA NW, between 12TH STREET NW and 13TH STREET NW, containing approximately 29 acre(s). (J-13) Mary Picchetti, Staff Planner

Project # 1002379
03EPC-00495 EPC Site Development Plan-Subdivision
BOHANNAN HUSTON, INC. agent(s) for LONGFORD HOMES request the above action(s) for all or a portion of Lot(s) 1-26, Block(s) 5 and Lots 35-42, Block 4, Paradise Heights, zoned SU-1 for PRD, located on ROCKCLIFF BLVD. NW, between SOUTH OF MCMAHON BLVD. NW and ROCKCLIFF NW, containing approximately 9 acre(s). (A-10) Makita Hill, Staff Planner

Project # 1000593
03EPC-00497 EPC Site Development Plan-Building Permit
03EPC-00551 EPC Site Development Plan-Subdivision
MAY KELLER MCNAMARA ARCHITECTS agent(s) for CITY OF ALBUQUERQUE/FIRE DEPARTMENT request the above action(s) for all or a portion of Tract(s) B901, SEVEN BAR RANCH ADDITION, zoned SU-1, located on ELLISON DRIVE NW, between COORS BLVD BYPASS NW and CIBOLA LCOP NW, containing approximately 2 acre(s). (A-13) Deborah Stover, Staff Planner

OFFICIAL
Samantha
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires
Samantha

Project # 1000434
03EPC-00498 EPC Site Development Plan for Building Permit Amendment
DEKKER PERICH SABATINI agent(s) for THOMAS F. KELEHER request the above action(s) for all or a portion of Lot(s) 1A - Hunting Castle Addition, SU-2 LCOP Low Density Apartment Zone, located on CENTRAL AVE. SW, between 15TH STREET NW and LAGUNA BLVD. SW, containing approximately 3 acre(s). (J-13) Robert Pausan, Staff Planner

Project # 1000876
03EPC-00503 Zone Map Amendment
03EPC-00504 EPC Site Development Plan-Amendment to Subdivision
COMMUNITY SCIENCES CORPORATION agent(s) for FINLAND, LL & JEFFREY C. FINE request the above action(s) for all or a portion of Tract(s) E, Fineland Development, a zone map amendment from SU-1 for R-2 to SU-1 for C-1, located on MCMAHON BLVD. NW, between UNSEB BLVD. NW and STONEBRIDGE DRIVE NW, containing approximately 1.1 acre(s). (J-13) Makita Hill, Staff Planner

Project # 1002565
03EPC-00505 EPC Site Development Plan-Subdivision
03EPC-00506 Zone Map Amendment
03EPC-00509 EPC Sector Plan Amendment
MARK GOODWIN & ASSOCIATES, agent(s) for LOS GRIEGOS DEVELOPMENT, LLC request the above action(s) for all or a portion of Tract(s) 161-A and Tracts 161-B-1, 161-B-2, 162-A, 162-B, 165-A, 166-A, 167-A, Los Prados de Griegos, a zone map amendment from R-2 to SU-1 for PRD, located on GRIEGOS ROAD NW, between SAN ISIDRO NW and GRIEGOS DRAIN, containing approximately 5 acre(s). (F-13) Simon Shima, Staff Planner

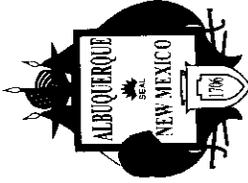
Project # 1002456
03EPC-00508 Sector Plan Amendment
CITY OF ALBUQUERQUE PLANNING DEPARTMENT agent(s) for CITY OF ALBUQUERQUE request the above action(s) for LA CUEVA SECTOR PLAN, located on LOUISIANA, between PASEO DEL NORTE NE and FLORENCE AVE. NE. (C) Carmen Marrone, Staff Planner

Project # 1001206
03EPC-00510 EPC Site Development Plan-Amendment to Subdivision
03EPC-00511 EPC Site Development Plan-Building Permit
CONSENSUS PLANNING, INC. agent(s) for MICKY PATTEN request the above action(s) for all or a portion of Tract(s) 25, Black Ranch, zoned SU-4 for C-2 Permissive Uses, located on COORS BLVD. NW, between PASEO DEL NORTE NW and IRVING BLVD. NW, containing approximately 3.5 acre(s). (C-13) Deborah Stover, Staff Planner

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 p.m. and between 2:00 and 4:00 p.m., Monday through Friday, or you may call April Candelaria at 924-3886. INDIVIDUALS WITH DISABILITIES who need special assistance to participate at the public hearing should contact April Candelaria at 924-3886 (VOICE) or 924-3361 (TTY). TTY users may also access the voice number via the New Mexico Relay Network by calling toll free 1-800-659-8331.

Aliah Schwartz, Chairman
Environmental Planning Commission
APPROVED
Russell Brito, Senior Planner
Planning Department
Journal: April 23, 2003





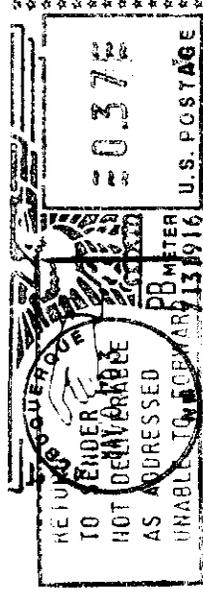
City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

PLANNING DEPARTMENT

101106640124541303

SCHATZ CURT
10616 RIO DEL SOLE CT NW
ALBUQUERQUE NM 87114



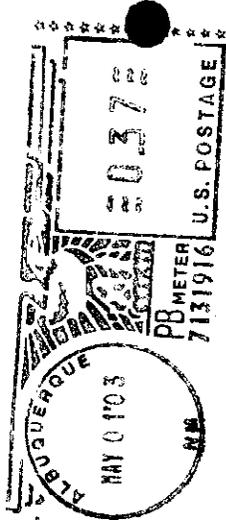
87114 40124541303



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

PLANNING DEPARTMENT



101106645725041542

DENNIS PAUL R
4125 TURKEYFOOT RD
INDEPENDENCE KY 4105

- A INSUFFICIENT ADDRESS
- C ATTEMPTED NOT KNOWN
- S NO SUCH NUMBER/ STREET
- NOT DELIVERABLE AS ADDRESSED

- UNABLE TO FORWARD

RTS

RETURN TO SENDER

ALBUQUERQUE, NM 87103





ENVIRONMENTAL PLANNING COMMISSION A G E N D A

Thursday, May 15, 2003, 8:30 a.m.

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

MEMBERS

Jeffery Jesionowski, Chairman
Alan Schwartz, Vice Chair

John Briscoe
Mick McMahan
Camilla Serrano
Jens Deichmann

Bevin Owens
Larry Chavez
Elizabeth Begay

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 and scheduled at the beginning of the agenda; these cases are noted with an asterisk. Applications deferred from previous hearing are 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.**

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, EPC will not consider written materials submitted at the hearing. In the event the EPC believes that new 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
 - C. Approval of Minutes for March 20, 2003

2. Project # 1002515 *
03EPC-00490 EPC Sector Plan Amendment

CHRISTOPHER CALOTT request the above actions for all or a portion of Lots 20-24, Block 28, New Mexico Town Company's Original Townsite of Albuquerque, zoned SU-3, located on SILVER AVE. SW, between 7TH STREET SW and 8TH STREET SW, containing approximately 0.4 acre(s). (K-13) Chris Hyer, Staff Planner

3. Project # 1000593 *
03EPC-00497 EPC Site Development Plan-
Building Permit
03EPC-00551 EPC Site Development Plan-
Subdivision

MAY KELLER MCNAMARA ARCHITECTS agent(s) for CITY OF ALBUQUERQUE/FIRE DEPARTMENT request the above action(s) for all or a portion of Tract(s) B901, **SEVEN BAR RANCH ADDITION**, zoned SU-1, located on ELLISON DRIVE NW, between COORS BLVD BYPASS NW and CIBOLA LOOP NW, containing approximately 2 acre(s). (A-13) Deborah Stover, Staff Planner

4. Project # 1002379 *
03EPC-00495 EPC Site Development Plan-
Subdivision

BOHANNAN HUSTON, INC. agent(s) for LONGFORD HOMES request the above action(s) for all or a portion of Lot(s) 1-26, Block(s) 5 and Lots 35-42, Block 4, **Paradise Heights**, zoned SU-1 for PRD, located on ROCKCLIFF BLVD. NW, between SOUTH OF MCMAHON BLVD. NW and ROCKCLIFF NW, containing approximately 9 acre(s). (A-10) Makita Hill, Staff Planner

5. Project # 1001206 *
03EPC-00510 EPC Site Development Plan-
Amendment to Subdivision
03EPC-00511 EPC Site Development Plan-
Building Permit

CONSENSUS PLANNING, INC. agent(s) for MICKY PATTEN request the above action(s) for all or a portion of Tract(s) 2B, **Black Ranch**, zoned SU-1 for C-1 Permissive Uses, located on COORS BLVD. NW, between PASEO DEL NORTE NW and IRVING BLVD. NW, containing approximately 3.5 acre(s). (C-13) Deborah Stover, Staff Planner

6. Project # 1002112

03EPC-00491 EPC Site Development Plan-
Subdivision

03EPC-00492 EPC Site Development Plan-
Building Permit

DCSW, INC. agent for PEGGY DASKALOS-LYCOU request the above actions for all or a portion of Lots 1-5 & 28-32, Block 21, **North Albuquerque Acres Tract A, Unit A**, zoned SU-2 Mixed Use, located on WYOMING BLVD. NE, between PALOMAS DRIVE NE and PASEO DEL NORTE NE, containing approximately 6 acres. (D-19) Juanita Vigil, Staff Planner

7. Project # 1000434

03EPC-00498 EPC Site Development Plan for
Building Permit Amendment

DEKKER PERICH SABATINI agent(s) for THOMAS F. KELEHER request the above action(s) for all or a portion of Lot(s) 1A, **Huning Castle Addition**, SU-2/CLO Low Density Apartment Zone, located on CENTRAL AVE. SW, between 15TH STREET NW and LAGUNA BLVD. SW, containing approximately 3 acre(s). (J-13) Robert Paulsen, Staff Planner

8. Project # 1002565

03EPC-00505 EPC Site Development Plan-
Subdivision

03EPC-00506 Zone Map Amendment

03EPC-00509 EPC Sector Plan Amendment

MARK GOODWIN & ASSOCIATES, PA agent(s) for LOS GRIEGOS DEVELOPMENT, LLC request the above action(s) for all or a portion of Tract(s) 161-A and Tracts 161-B-1, 161-B-2, 162-A, 162-B, 163-A, 166-A, 167-A, **Los Prados de Griegos**, a zone map amendment from RA-2 to SU-1 for PRD, located on GRIEGOS ROAD NW, between SAN ISIDRO NW and GRIEGOS DRAIN, containing approximately 5 acre(s). (F-13) Simon Shima, Staff Planner

9. Project # 1002562

03EPC-00487 Zone Map Amendment

03EPC-00488 EPC Site Development Plan-
Subdivision

03EPC-00489 EPC Site Development Plan-
Building Permit

COMMUNITY SCIENCES CORPORATION agent for DALE KNIGHTON request the above actions for all or a portion of Tract 146-B-1 MRGCD MAP 32, a zone map amendment from C-1 to C-2 & R-1 to SU-1 for C-1 Permissive Uses and a Contractor's Yard, located on SECOND ST. NW, between PLEASANT AVE. NW and MONTANO ROAD NW, containing approximately 3 acres. (F-15) Juanita Vigil, Staff Planner

10. Project # 1002563

03EPC-00493 Zone Map Amendment
03EPC-00494 Sector Plan Amendment
03EPC-00496 EPC Site Development Plan-
Building Permit

CONSENSUS PLANNING agents for ANN SKINNER-JONES, request an amendment to the Downtown Neighborhood Area Sector Development Plan and a site development plan for building permit, for all or a portion of Lot(s) 5, Block 11, **PEREA ADDITION**, a zone map amendment from SU-2 SINGLE FAMILY to SU-2/SU-1, located on ROMA NW, between 12TH STREET NW and 13TH STREET NW, containing approximately .29 acre(s). (J-13) Mary Piscitelli, Staff Planner

11. Project # 1000875

03EPC-00503 Zone Map Amendment
03EPC-00504 EPC Site Development Plan-
Amendment to Subdivision

COMMUNITY SCIENCES CORPORATION agent(s) for FINELAND LL & JEFFREY L. FINE request the above action(s) for all or a portion of Tract(s) E, **Fineland Development**, a zone map amendment from SU-1 for R-2 to SU-1 for C-1, located on MCMAHON BLVD. NW, between UNSER BLVD. NW and STONEBRIDGE DRIVE NW, containing approximately 3 acre(s). (A-11) Makita Hill, Staff Planner

12. Project # 1002556

03EPC-00470 EPC Site Development Plan-
Subdivision

H BARKER ARCHITECTS, agents for DONALD HARVILLE, request the above actions for all or a portion of Tracts D, E, **PARADISE HEIGHTS**, zoned C-2, located on GOLF COURSE ROAD NW, between BENTON AVENUE NW and WESTSIDE BOULEVARD NW, containing approximately 17 acres. (A-12) Cynthia Borrego, Staff Planner

13. Project # 1001369

03EPC-00486 Zoning Code Text Amendment

CITY OF ALBUQUERQUE/PLANNING DEPARTMENT agent for CITY OF ALBUQUERQUE request an amendment to the City Zone Code, Section 14-16-3-1, Off-street Parking Regulations. Carmen Marrone, Staff Planner

14. Project # 1002458

03EPC-00508 Sector Plan Amendment

CITY OF ALBUQUEQUE PLANNING DEPARTMENT agent(s) for CITY OF ALBUQUEQUE request the above action(s) for LA CUEVA SECTOR PLAN, located on LOUISIANA, between PASEO DEL NORTE NE and FLORENCE AVE. NE, (-) Carmen Marrone, Staff Planner

15. Project # 1001712

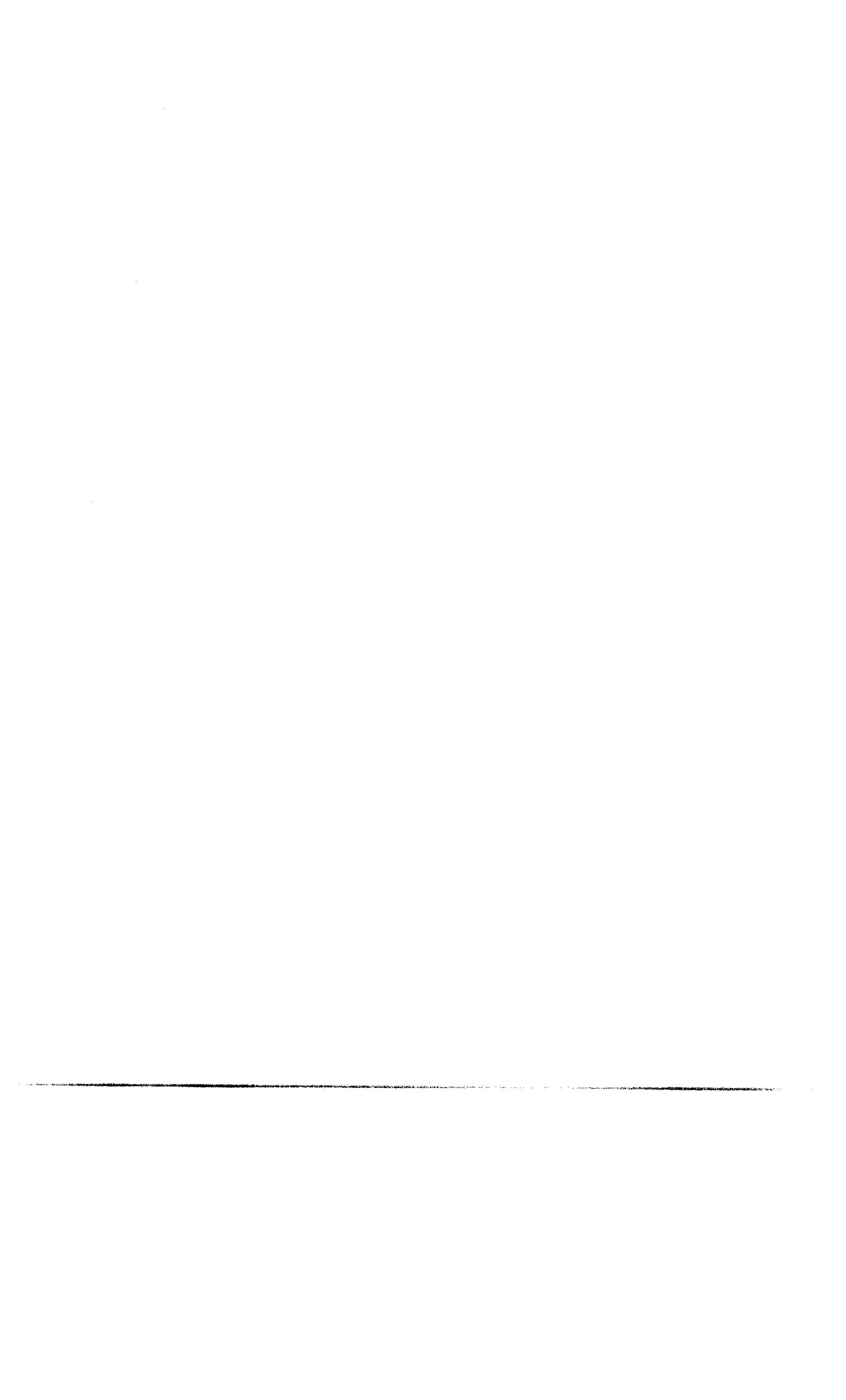
03EPC-00323 Annexation

03EPC-00325 Zone Map Amendment

03EPC-00361 Site Development Plan for
Subdivision

TIERRA WEST LLC agent(s) for E. BLAUGRUND & ASSOC., C/O JOHN MYERS request the above action(s) for all or a portion of Lot(s) A, B, C, **Taylor Ranch**, zone map amendment from A-1 SU-Permit for C-1 & R-2 to R-T & SU-1 for C-1, located on LA ORILLA ROAD NW, between VIA CORTE DEL SUR NW and COORS BLVD. NW, containing approximately 16 acre(s). (E-12) Chris Hyer, Staff Planner **(DEFERRED FROM APRIL 17, 2003)**

16. OTHER MATTERS





Staff Report

Agent	Community Sciences Corporation
Applicant	Fineland LLC
Request	Zone Map Amendment Amendment to Site Development Plan for Subdivision
Legal Description	Parcel E, Fineland Development
Location	McMahon Boulevard between Unser Boulevard and Stonebridge Drive
Size	Approximately 2.73 acres
Existing Zoning	SU-1 for R-2
Proposed Zoning	SU-1 for C-1

Staff Recommendation

DENIAL of 03EPC 00503, based on the findings on page 9.

DENIAL of 03EPC 00504, based on the findings on page 10-11.

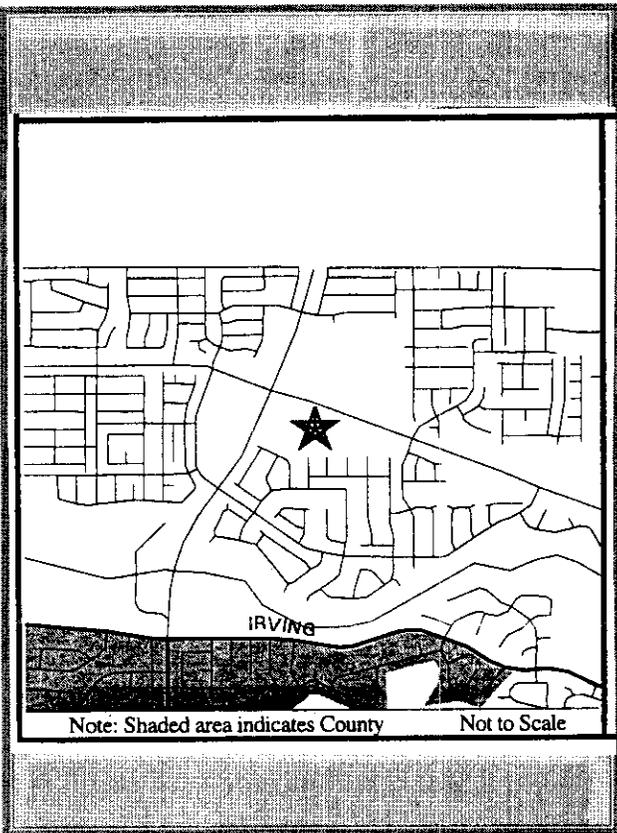
Staff Planner

Makita Hill, Planner

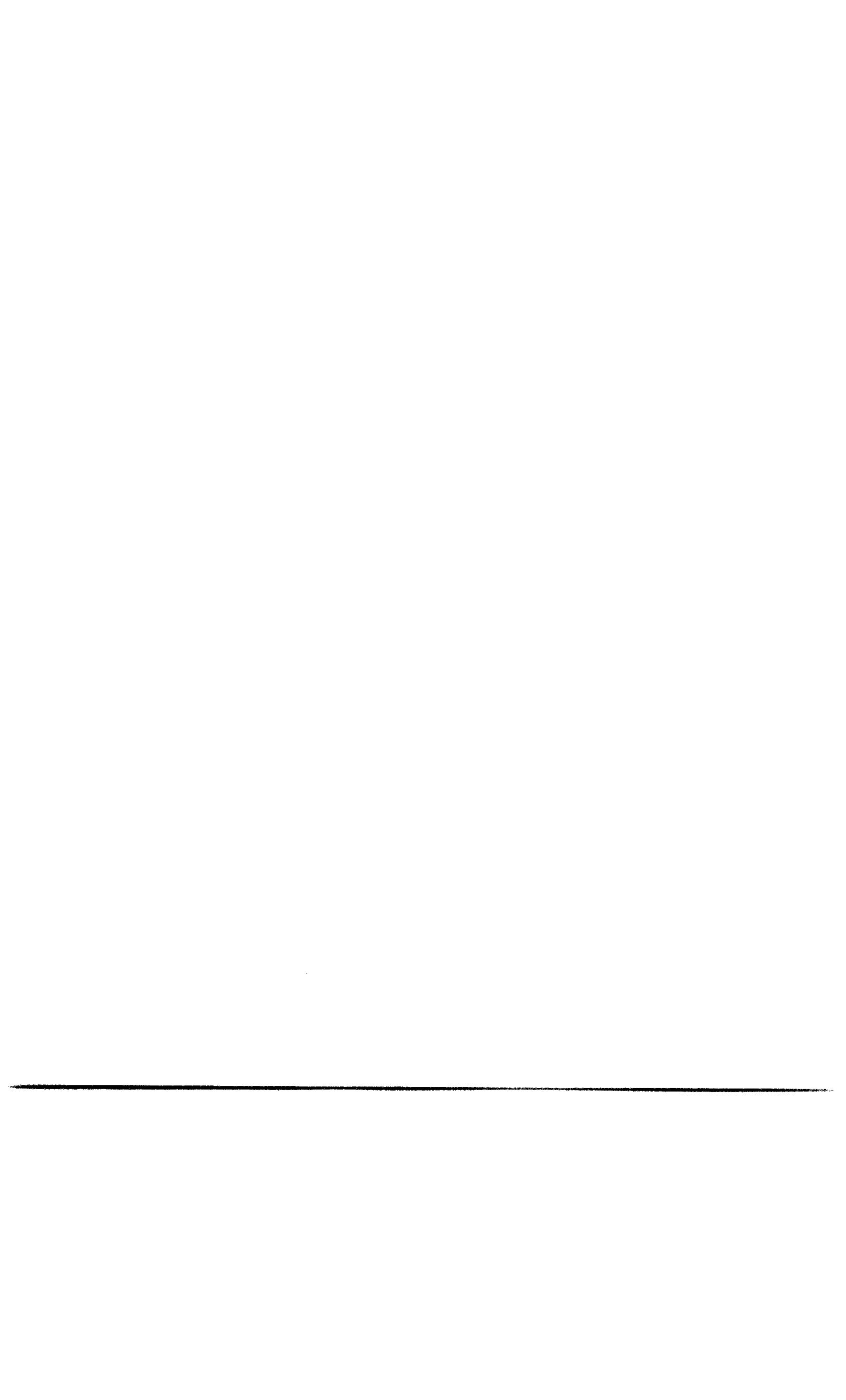
Summary of Analysis

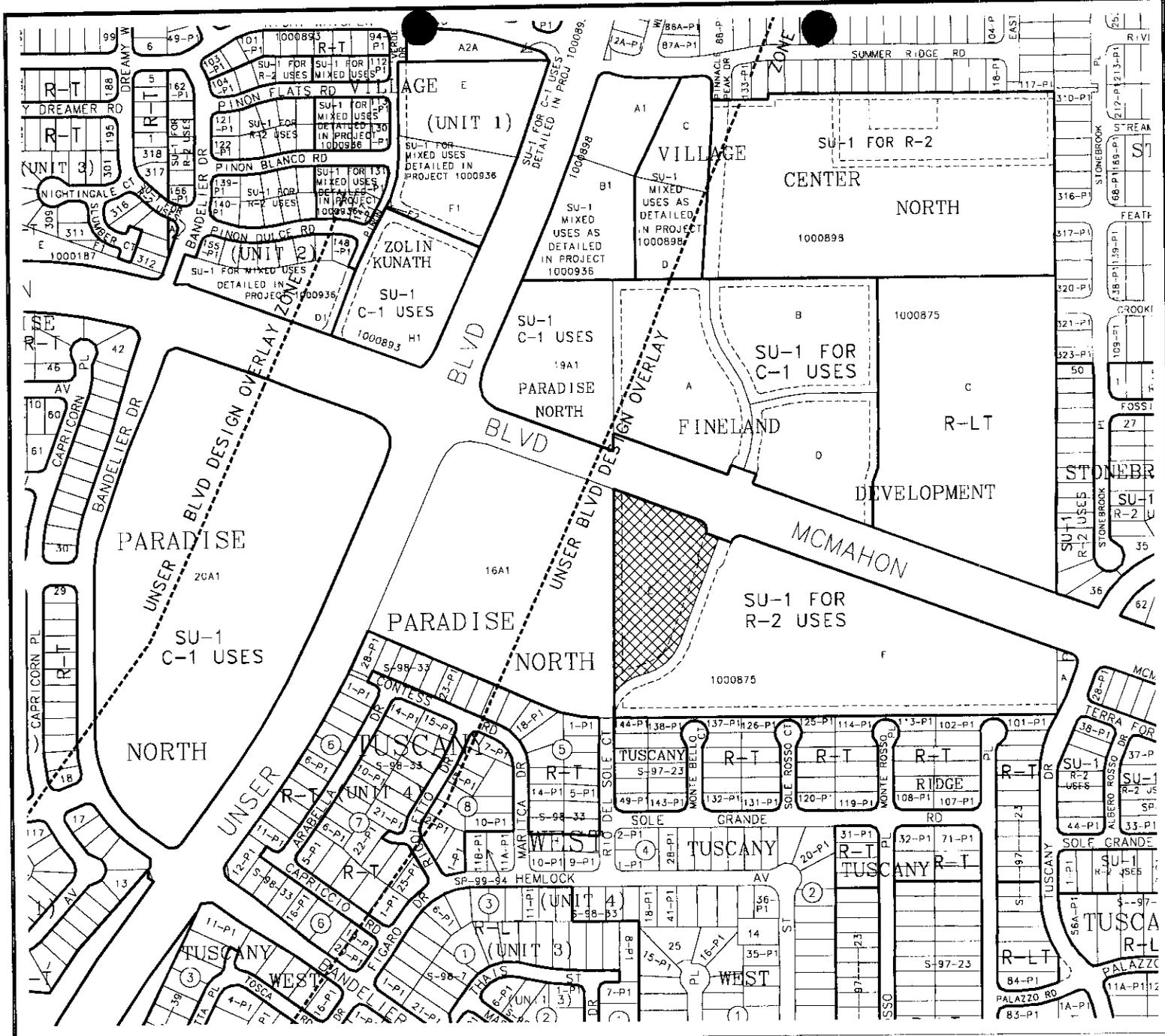
This is a request for a zone map amendment from SU-1 for R-2 to SU-1 for C-1, and an amendment to an existing site development plan for subdivision, for Parcel E, Fineland Development, located on McMahon Boulevard between Unser Boulevard and Stonebridge Drive. The site contains approximately 2.73 acres and is currently vacant. The existing zoning was approved by the EPC in June 1999, and a site development plan for subdivision was approved by the EPC in March 2000 (Z-98-31-1).

Staff recommends denial of this request, as the request is not consistent with policies in the Comprehensive Plan, West Side Strategic Plan, and does not meet the requirements of R-270-1980 as articulated in these plans. While changes in the area regarding commercial zoning have occurred, the application of the proposed SU-1 for C-1 zoning on the subject site would create an isolated commercial use between existing residentially zoned areas.

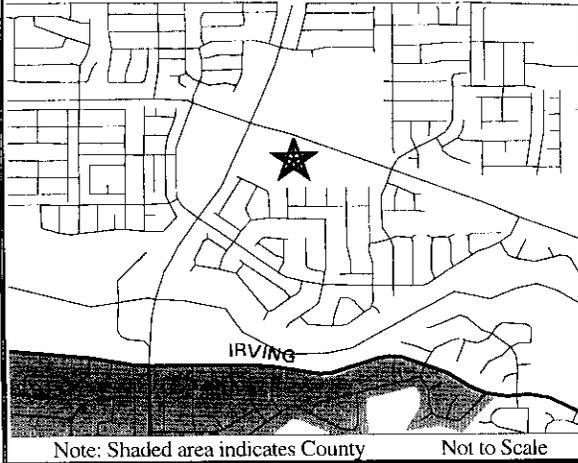


City Departments and other interested agencies reviewed this application from 4/4/03 to 4/18/03. Agency comments were used in the preparation of this report, and begin on page 12.





ZONING MAP



Note: Shaded area indicates County Not to Scale



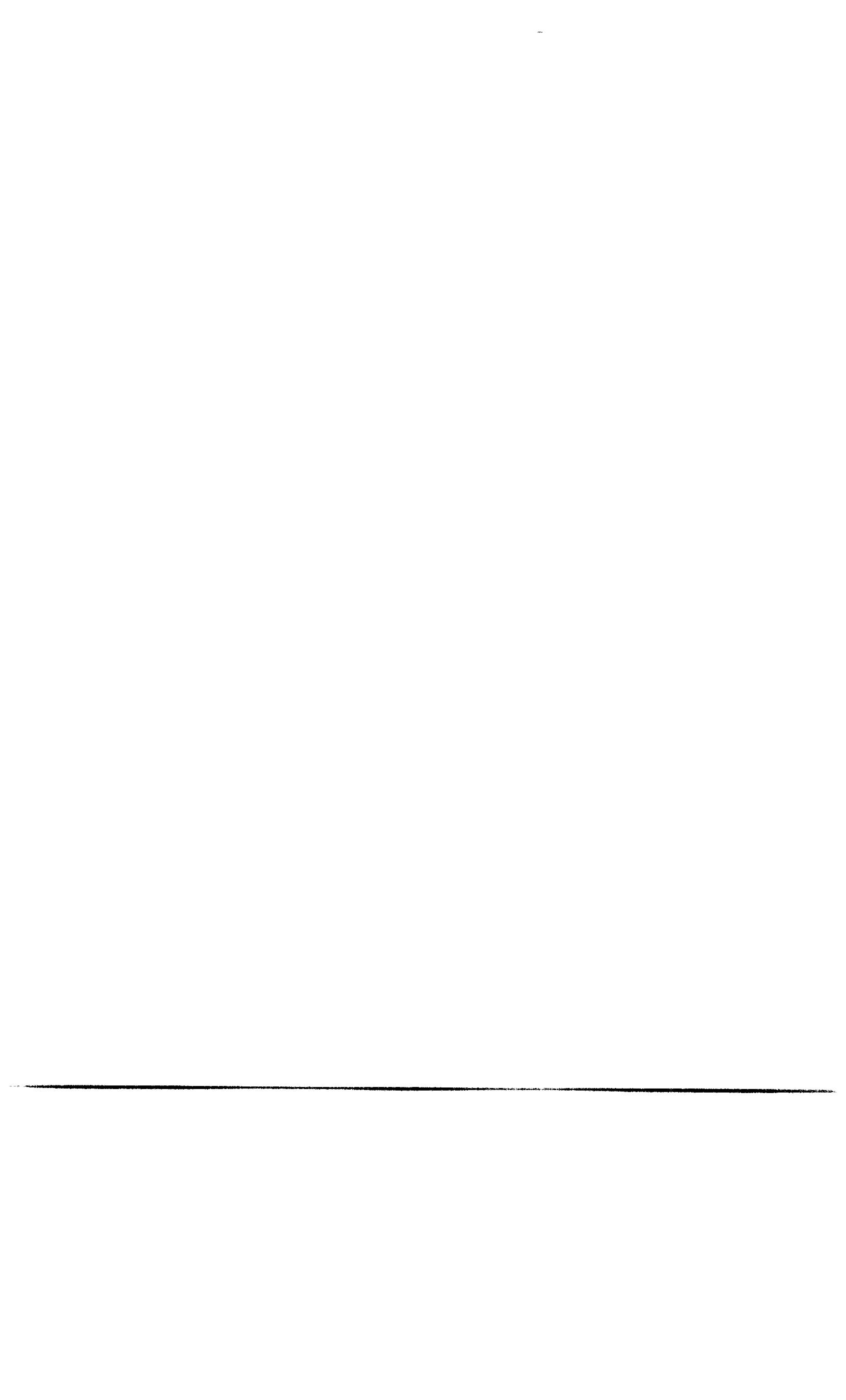
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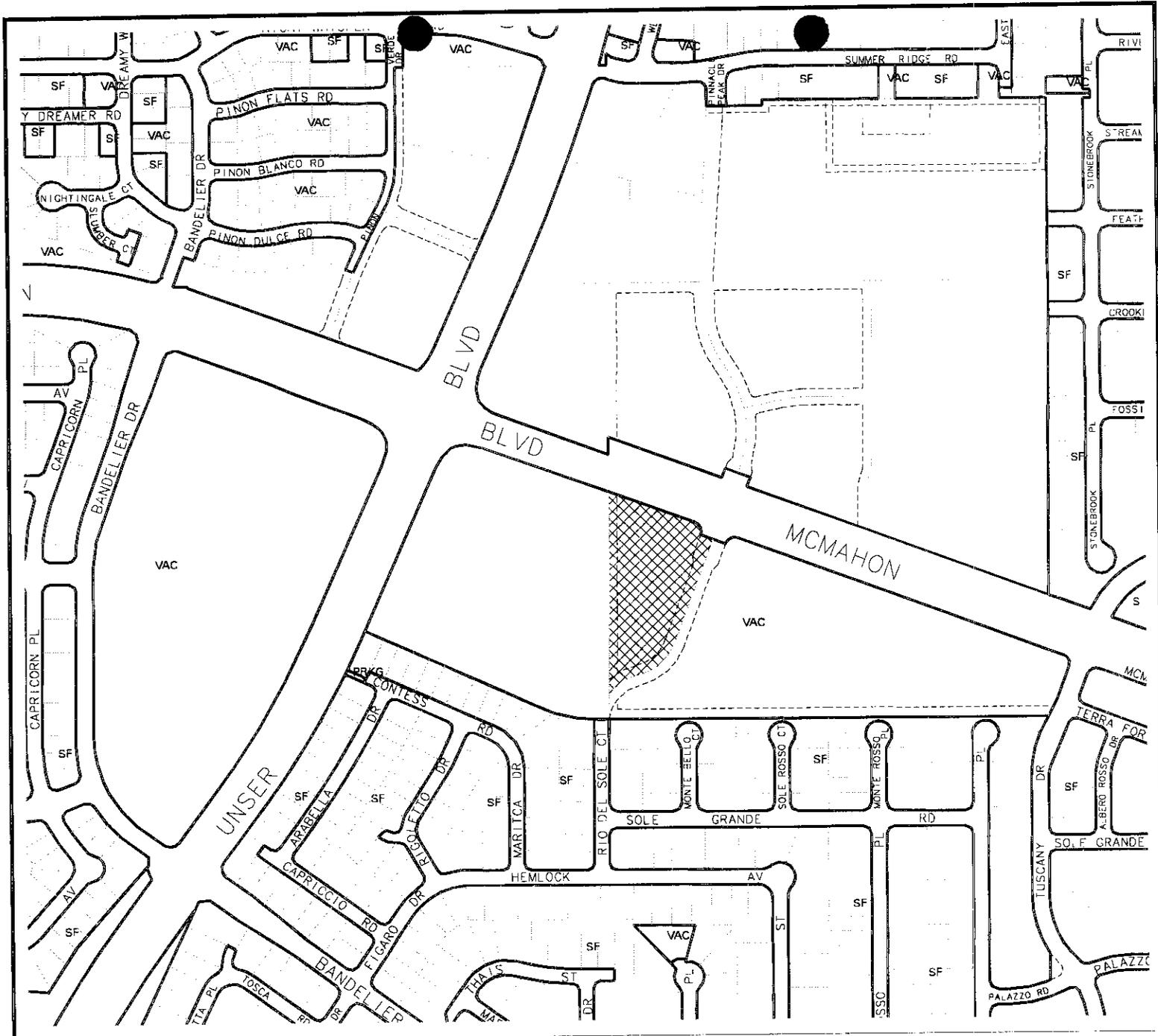
**PROJECT NO.
1000875**

**HEARING DATE
5-15-03**

**MAP NO.
A-11**

**ADDITIONAL CASE NUMBER(S)
03EPC-00503
03EPC-00504**





LAND USE MAP

KEY to Land Use Abbreviations

- AGRI Agricultural
- COMM Commercial -Retail, Service, Wholesale
- DRNG Drainage
- EDUC Public or Private School
- GOLF Golf Course
- MED Medical Office or Facility
- MFG Manufacturing or Mining
- MH Mobile Home
- MULT Multi-Family or Group Home
- OFF Office
- ORG Social or Civic Organization
- PARK Park, Recreation or Open Space
- PRKG Parking
- PUBF Public Facility
- RELG Religious Facility
- SF Single Family
- TRAN Transportation Facility
- UTIL Utility
- VAC Vacant Land or Abandoned Bldgs
- WH Warehousing & Storage



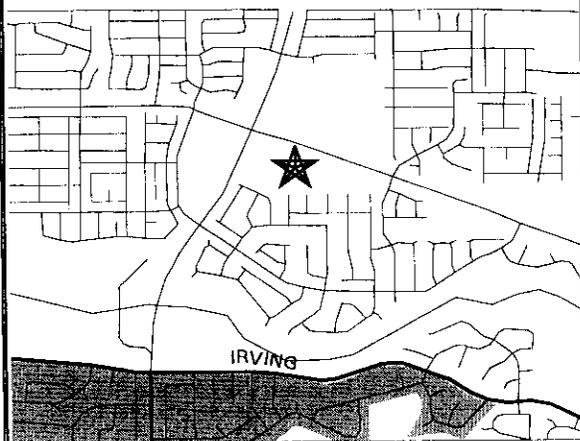
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PROJECT NO.
1000875

HEARING DATE
5-15-03

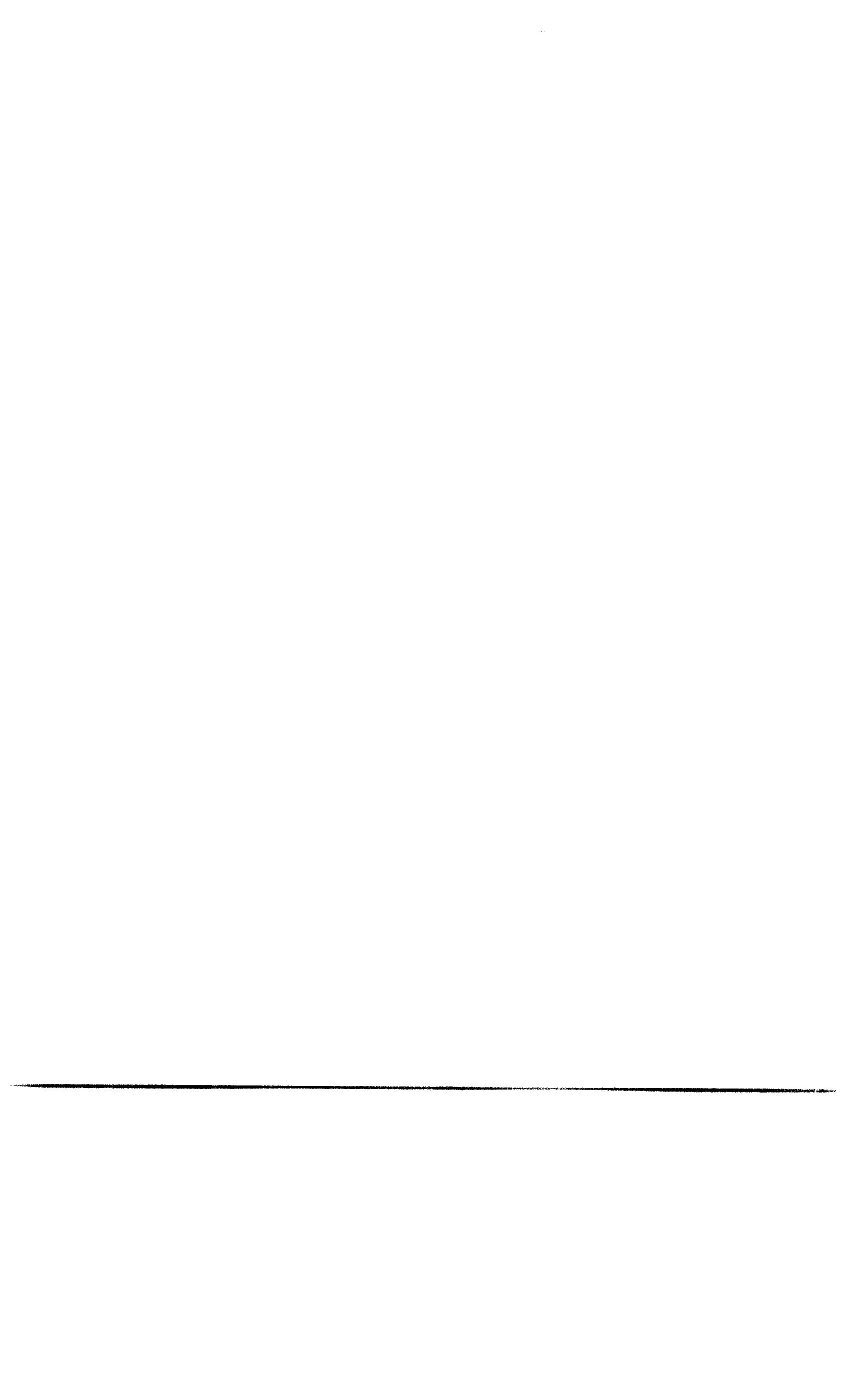
MAP NO.
A-11

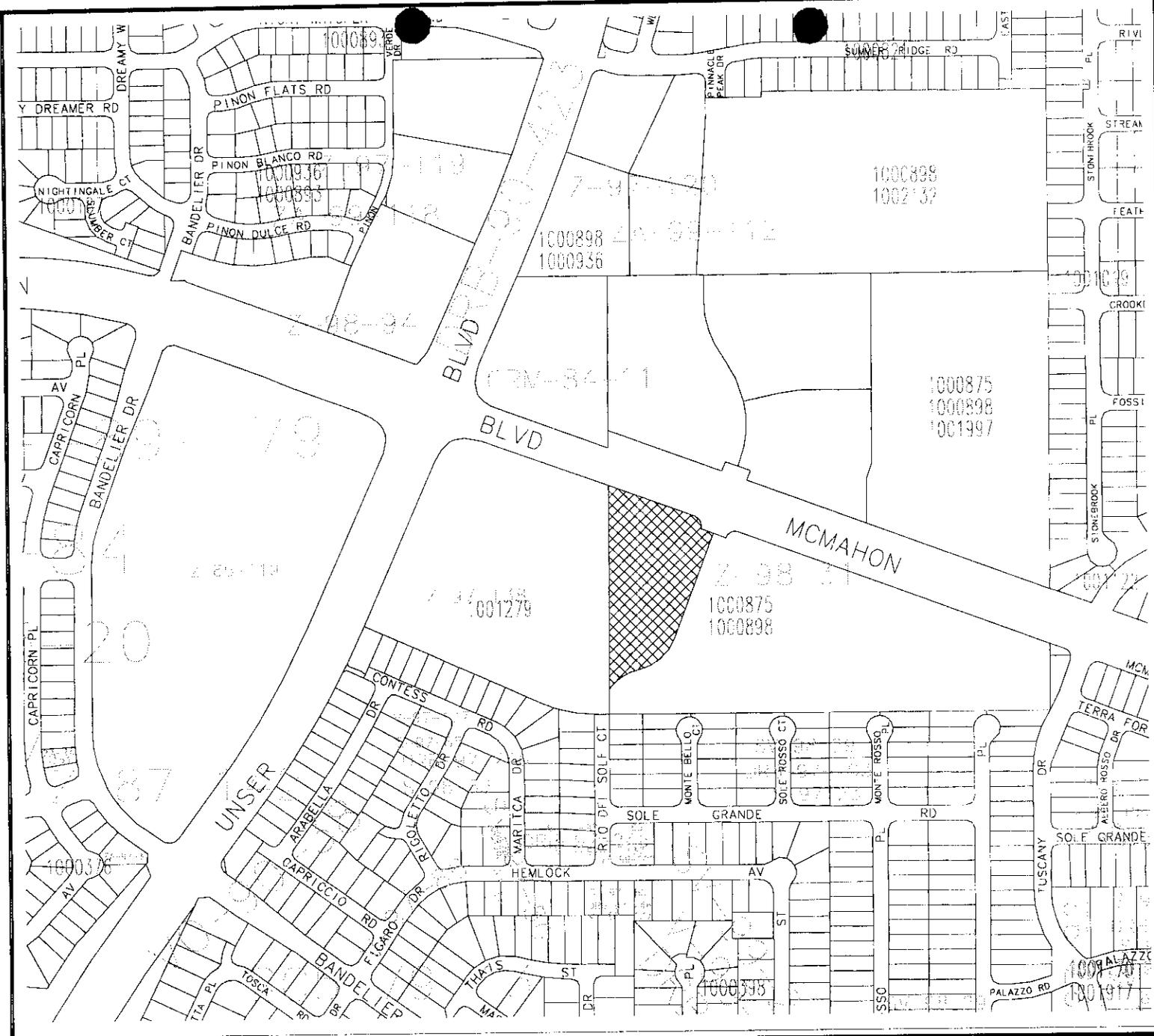
ADDITIONAL CASE NUMBER(S)
03EPC-00503
03EPC-00504



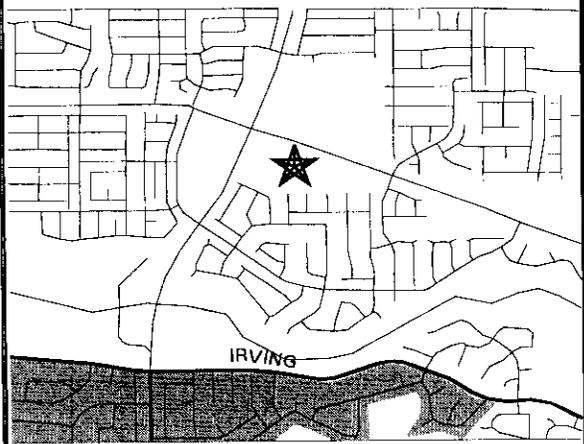
Note: Shaded area indicates County

Not to Scale





HISTORY MAP



Note: Shaded area indicates County Not to Scale



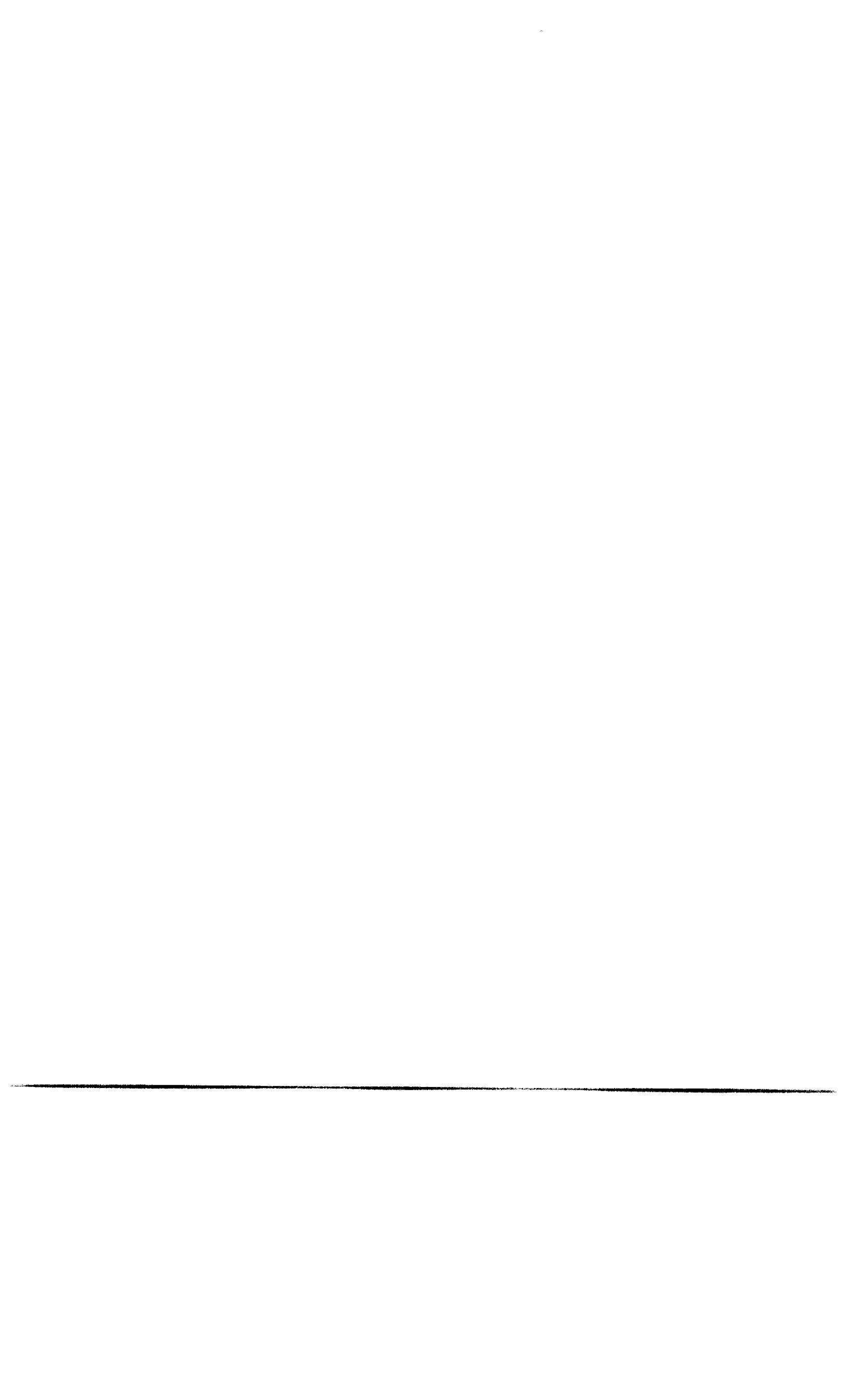
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PROJECT NO.
1000875

HEARING DATE
5-15-03

MAP NO.
A-11

ADDITIONAL CASE NUMBER(S)
03EPC-00503
03EPC-00504



Development Services Report

SUMMARY OF REQUEST

Request	<i>Zone Map Amendment from SU-1 for R-2 to SU-1 for C-1 Amendment to Site Development Plan for Subdivision</i>
Location	<i>McMahon Boulevard between Unser Boulevard and Stonebridge Drive</i>

AREA CHARACTERISTICS AND ZONING HISTORY

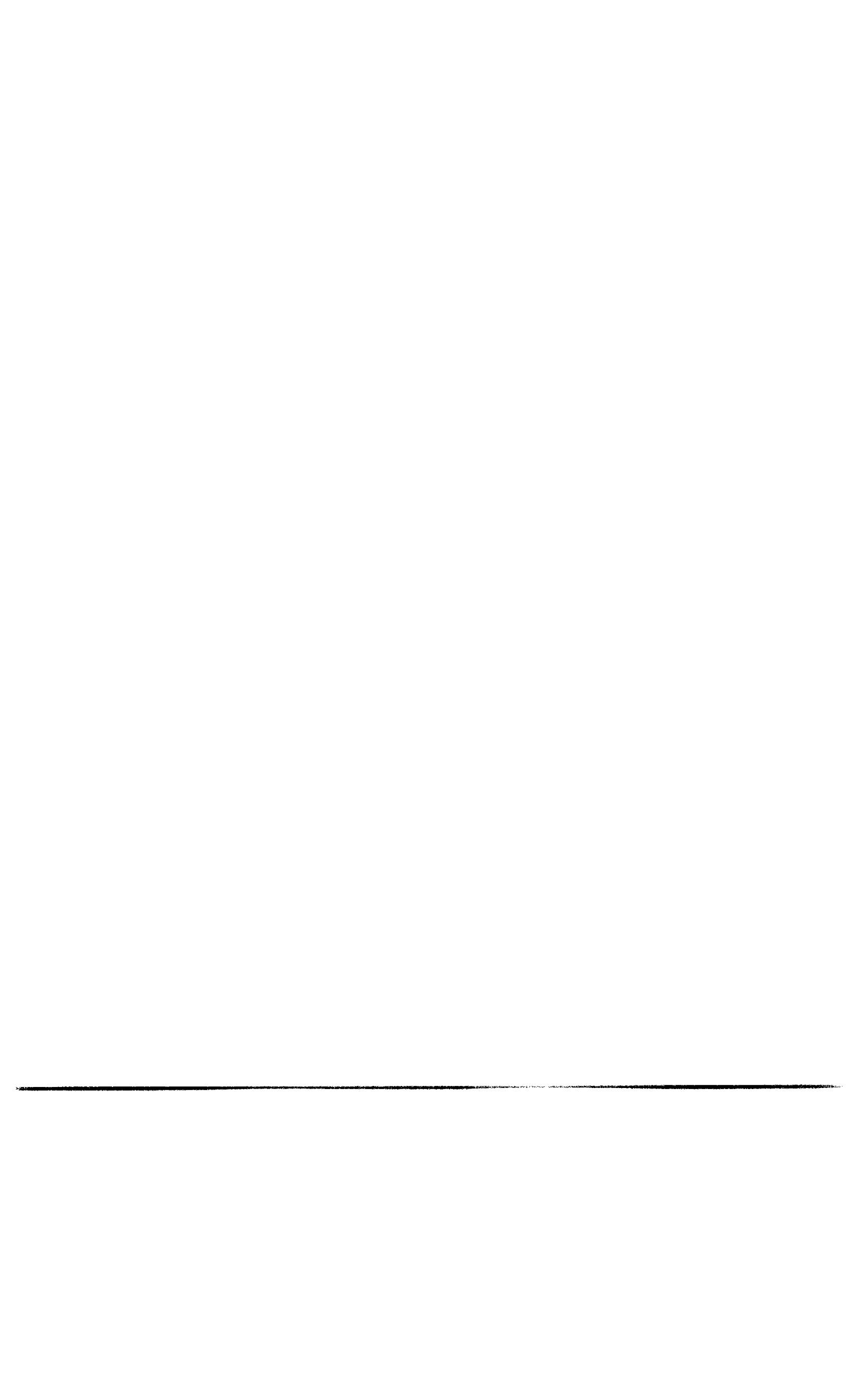
Surrounding zoning, plan designations, and land uses:

	Zoning	Comprehensive Plan Area; Applicable Rank II & III Plans	Land Use
Site	SU-1 for R-2	Established Urban; West Side Strategic Plan (Rank 2)	Vacant
North	SU-1 for C-1	"	Vacant
South	R-T	"	Single-Family Residences
East	SU-1 for R-2	"	Vacant
West	R-1	"	Vacant

Background, History and Context

This is a request for a zone map amendment from SU-1 for R-2 to SU-1 for C-1, and an amendment to an existing site development plan for subdivision, for Parcel E, Finland Development, located on McMahon Boulevard between Unser Boulevard and Stonebridge Drive. The site contains approximately 2.73 acres and is currently vacant. The existing zoning for the site was approved by the EPC in June 1999, and the existing site development plan for subdivision was approved by the EPC in March 2000 (Z-98-31-1).

The West Side Strategic Plan (WSSP), a Rank 2 plan, contains R-249, Land Use and Transportation Policy for the Westside McMahon Corridor, and includes a land use map, Attachment A. The subject site is located within an area designated Med Res (Medium Density Residential). The site to the east of the subject site, the southeast corner of the intersection of McMahon and Unser, was zoned SU-1 for C-1 uses in 1997 (Z-97-138) consistent with the commercial use designation for the corner site in the WSSP R-249 Attachment A, however the conditioned site development plan for the site was never approved and the zoning has since reverted to the original R-1 zoning. The southwest corner of the intersection of McMahon and Unser is currently zoned SU-1 for C-1 uses (Z-85-119), as is the northwest corner (Z-98-94) and the northeast corner and adjacent parcels to the east (100898, 1001997). There is currently no development on any of the commercially-zoned parcels adjacent to the subject site.



APPLICABLE PLANS AND POLICIES

Albuquerque / Bernalillo County Comprehensive Plan

The subject site is located in the area designated Established Urban by the *Comprehensive Plan* with a 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." Applicable policies include:

Policy c: Where needed to guide more detailed planning, major portions of the Established and Developing Urban Area and Adjacent Plan map areas shall be formed into districts for rank two planning which should use the following process:

- Determine boundaries for each area plan based upon design character, social and cultural identity, and visual and environmental features.
- Determine content of each area plan based upon needs analysis, including but not limited to characteristics, conditions, trends and opportunities in land use, the built environment, and social and economic environment.
- Determine development potential of each plan area in keeping with density objectives of the Comprehensive Plan.
- Determine urban character appropriateness and character for each area in coordination with the areawide urban centers implementation planning program.

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, or recreational concern.

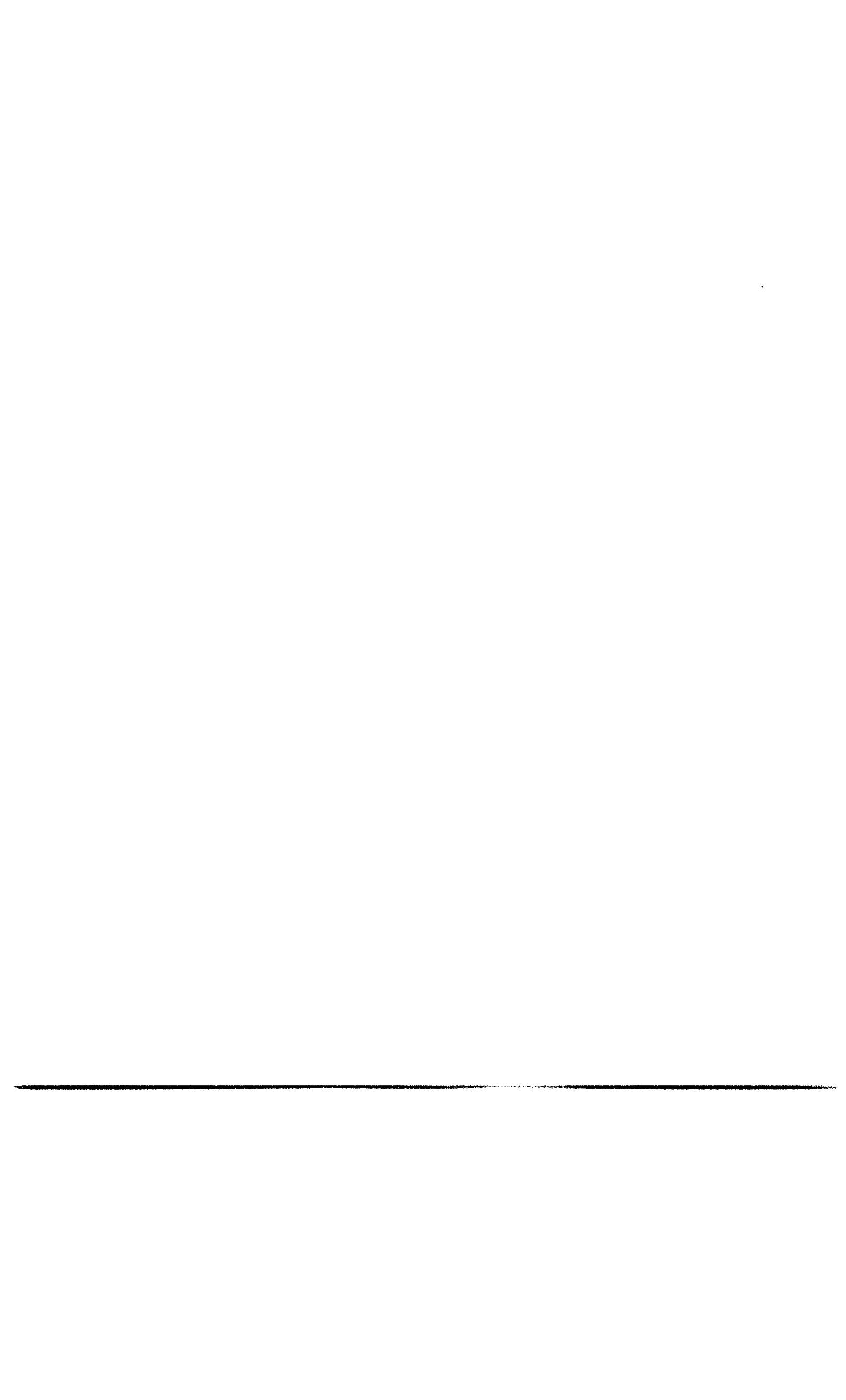
Policy e: New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured.

Policy j: Where new commercial development occurs, it should generally be located in existing commercially zoned areas as follows:

- In small neighborhood-oriented centers provided with pedestrian and bicycle access within reasonable distance of residential areas for walking or bicycling.
- In larger area-wide shopping centers located at intersections of arterial streets and provided with access via mass transit; more than one shopping center should be allowed at an intersection only when transportation problems do not result.
- In free-standing retailing and contiguous storefronts along streets in older neighborhoods.

West Side Strategic Plan (Rank 2)

The West Side Strategic Plan (WSSP), a Rank 2 plan, was first adopted in 1997 and revised in 1999 and 2002. The Plan generally encompasses the area of the City and Bernalillo County that



is to the west of the Rio Grande, specifically the Bernalillo County line to the north, the Rio Grande to the east, the Atrisco Grant Line to the south, and the Rio Puerco Valley and Ceja Escarpment to the west (see WSSP Plan Area Figure). The WSSP encompasses over 96,000 acres of land, or approximately 150 square miles. Specific boundaries are shown on the Plan boundary map on p. 2 in the WSSP.

The WSSP is based on a Community Concept that identified seven communities in the plan and established a community-based urban form which defines areas for low density and open spaces as well as nodes of higher density development to support services and transit. Each community is comprised of villages and the plan describes uses that should occur in core and adjacent areas of the Community and Village centers. The WSSP strives to create and encourage a multi-nodal pattern of low-density and high-density forms.

The subject site is located within the Seven Bar Ranch Community Area of the WSSP. This community lies between the Calabacillas Arroyo and the Bernalillo County line, and between the Rio Grande and an area slightly west of the Rainbow Boulevard corridor. The Cottonwood Mall, designated as the West Side Regional Center, is located in this Community. Policy 3.4 of the Seven Bar Ranch Community area states the following: "Several clusters of neighborhoods will develop within the Seven Bar Ranch Community. Each of these shall be served by a Neighborhood Center, so neighborhood commercial, public and quasi-public uses, and other uses appropriate for such Centers shall be encouraged" (WSSP p. 51).

The WSSP also includes Policy 1.3 which discourages the development of strip commercial areas and encourages new commercial development in designated neighborhood and community centers (WSSP p. 38).

The WSSP was amended by the City Council in November 1999 with Resolution R-249 establishing policy for transportation and land use decisions for the Westside McMahan Corridor. As illustrated in Attachment A, Transportation and Land Use Concept for the Westside McMahan Corridor map, the subject site is included in an area designated Med/High Res (Medium/High Density Residential). The Medium/High Density Residential category is defined in R-249 from 7 to greater than 15 dwelling units per acre.

The Attachment A map also establishes access policy for the McMahan Corridor. The site to the west of the subject site is designated Low Comm (Low Density Commercial) on the Attachment A map. A partial access to this site is indicated on McMahan Boulevard, and an access point to be determined for this site is indicated on Unser Boulevard south of McMahan.

Resolution 270-1980 (Policies for Zone Map Change Applications)

This Resolution outlines policies and requirements for deciding zone map change applications pursuant to the Comprehensive City Zoning Code. There are several tests that must be met and the applicant must provide sound justification for the change. The burden is on the applicant to show why a change should be made, not on the City to show why the change should not be made.

The applicant must demonstrate that the existing zoning is inappropriate because of one of three findings: there was an error when the existing zone map pattern was created; or changed neighborhood or community conditions justify the change; or a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan.

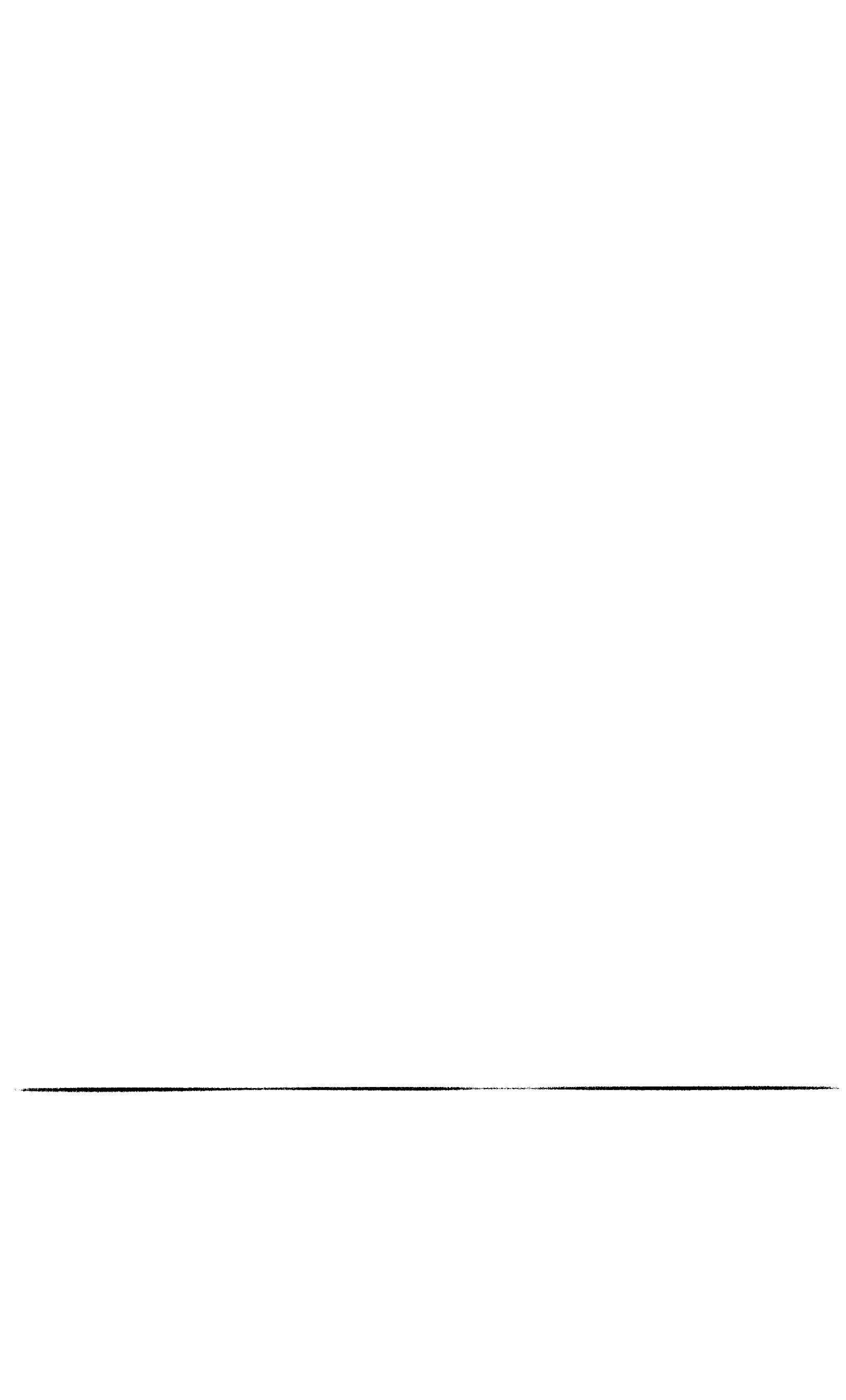
Resolution 91-1998 (R-70)

This Resolution establishes an overall direction for implementation of the City's growth policies, with a framework emphasizing:

- development of community and regional activity centers and major transportation corridors (high capacity corridors); encourage increased densities and mixed uses in activity centers and corridors; meet the needs of residents closer to their homes or employment to decrease Vehicle Miles Traveled and automobile dependence.
- maintenance, enhancements and upgrades of roads and utilities in the core area, to prevent deterioration of existing communities and to encourage infill; diversify the Downtown land use mix with public facilities, hotels, office and retail development, more and higher density housing; generate more activity and attract more private investment in the Downtown area.
- enhance transit system performance, consistent with the principles of a compact urban form and a network of centers and corridors; improve the viability of transit as an alternative to the single-occupancy vehicle and reduce Vehicle Miles Traveled; improve pedestrian mobility and the character of the pedestrian environment, transit orientation and bicycle connections, within centers and corridors.
- plan the timing of road and utility construction to ensure orderly growth, and coordinate capacity increases and street extensions; transportation improvement programs must recognize the significance of natural, historic, and cultural resources and include strategies for minimizing adverse impacts on them.

Long Range Roadway System

The Long Range Roadway System designates McMahon Boulevard as a Principal Arterial, with a right-of-way of 124' (Established & Developing Urban).



ANALYSIS – ZONE MAP AMENDMENT, AMENDMENT TO SITE DEVELOPMENT PLAN FOR SUBDIVISION

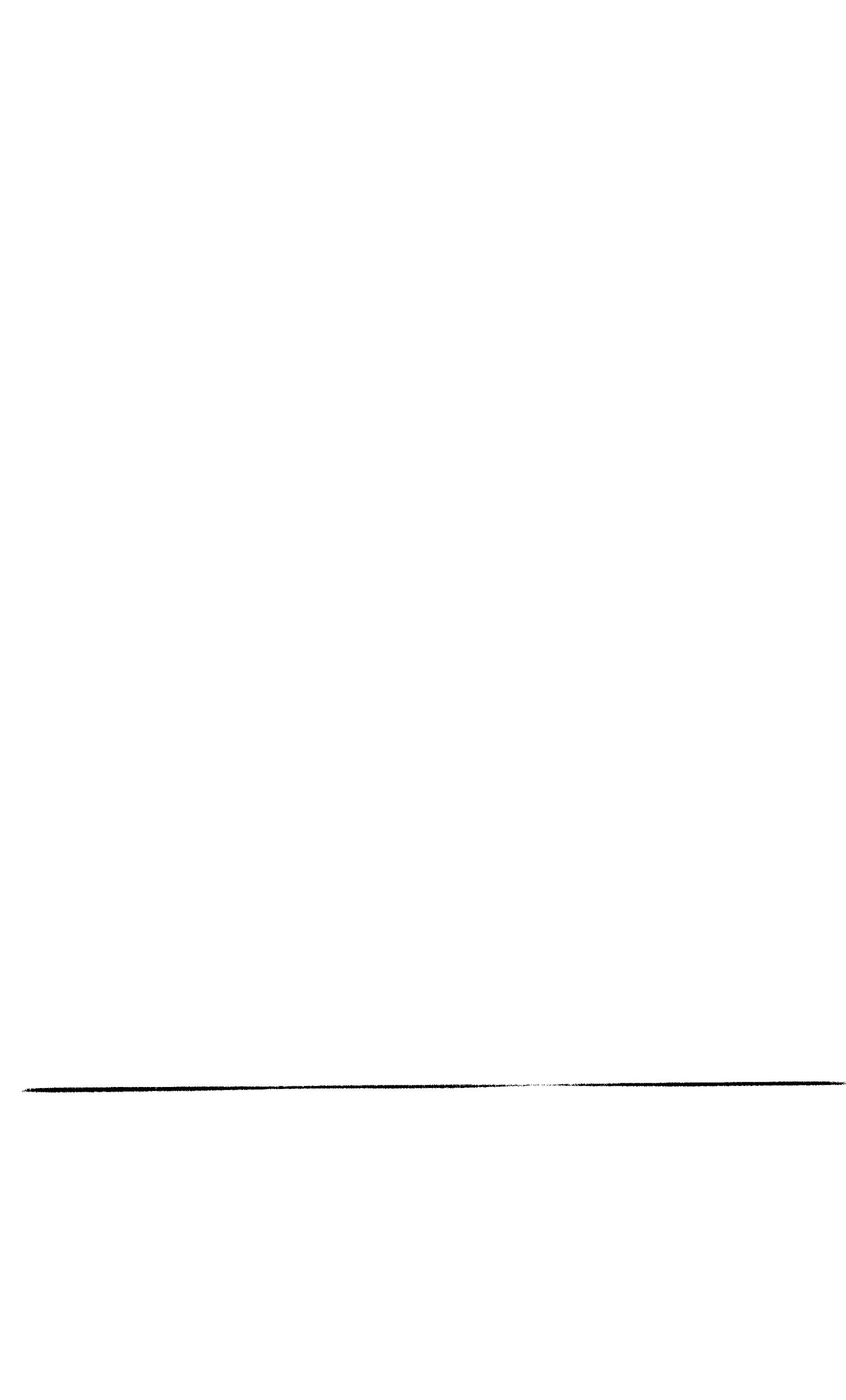
Conformance to Adopted Plans, Policies, and Ordinances

This is a request for a zone map amendment from SU-1 for R-2 to SU-1 for C-1 for Parcel E, Fineland Development, located on McMahan Boulevard between Unser Boulevard and Stonebridge Drive. The site contains approximately 2.73 acres and is currently vacant. This request is accompanied by a proposed amendment to an existing site development plan for subdivision for the subject site to accommodate the proposed zone map amendment. This policy analysis is presented for both requests.

The WSSP was amended by the City Council in November 1999 with Resolution R-249 establishing policy for transportation and land use decisions for the Westside McMahan Corridor. As illustrated in Attachment A, Transportation and Land Use Concept for the Westside McMahan Corridor map, the subject site is included in an area designated Med/High Res (Medium/High Density Residential). The Medium/High Density Residential category is defined in R-249 from 7 to greater than 15 dwelling units per acre.

The site to the east of the subject site (the southeast corner of the intersection of McMahan and Unser) was zoned SU-1 for C-1 uses in 1997 (Z-97-138) consistent with the commercial use designation for the corner site in the WSSP R-249 Attachment A, however the conditioned site development plan for the site was never approved and the zoning has since reverted to the original R-1 zoning. Consideration of the subject site for SU-1 for C-1 zoning and a corresponding amendment to the existing site development plan for subdivision would constitute placement of commercial zoning between existing SU-1 for R-2 zoning to the east and R-1 zoning to the west. Although the site to the west is designated as a commercial center in the WSSP R-249 Attachment A, the existing zoning of the site is R-1 and it is unknown whether its current status may change in the foreseeable future. While the WSSP and R-249 Attachment A are policies designed to guide development in the Westside McMahan Corridor, the requested change represents a significant departure from these policies. This request should be accompanied by a request to amend the WSSP R-249 Attachment A. This request is not consistent with the policies of the WSSP R-249 and the Attachment A land use map regarding the subject site. The request is also not consistent with Policy 1.3 of the WSSP as the subject site is not located within an existing Neighborhood or Community Center (WSSP p. 38).

The request is not consistent with policies in the Comprehensive Plan in that while the proposed SU-1 for C-1 uses and a corresponding amendment to the existing site development plan for subdivision will not compromise existing residential areas, the request will compromise existing R-1 and SU-1 for R-2 zoning and the potential for the development of a cohesive residential area (Policy d). The request is also not proposed within or adjacent to an existing commercial center (Policy j). As the request is not consistent with policies in the WSSP R-249 and Attachment A map for the Westside McMahan Corridor, the request is not consistent with Policy c of the Comprehensive Plan regarding the role of Rank 2 plans in guiding development within their respective areas.



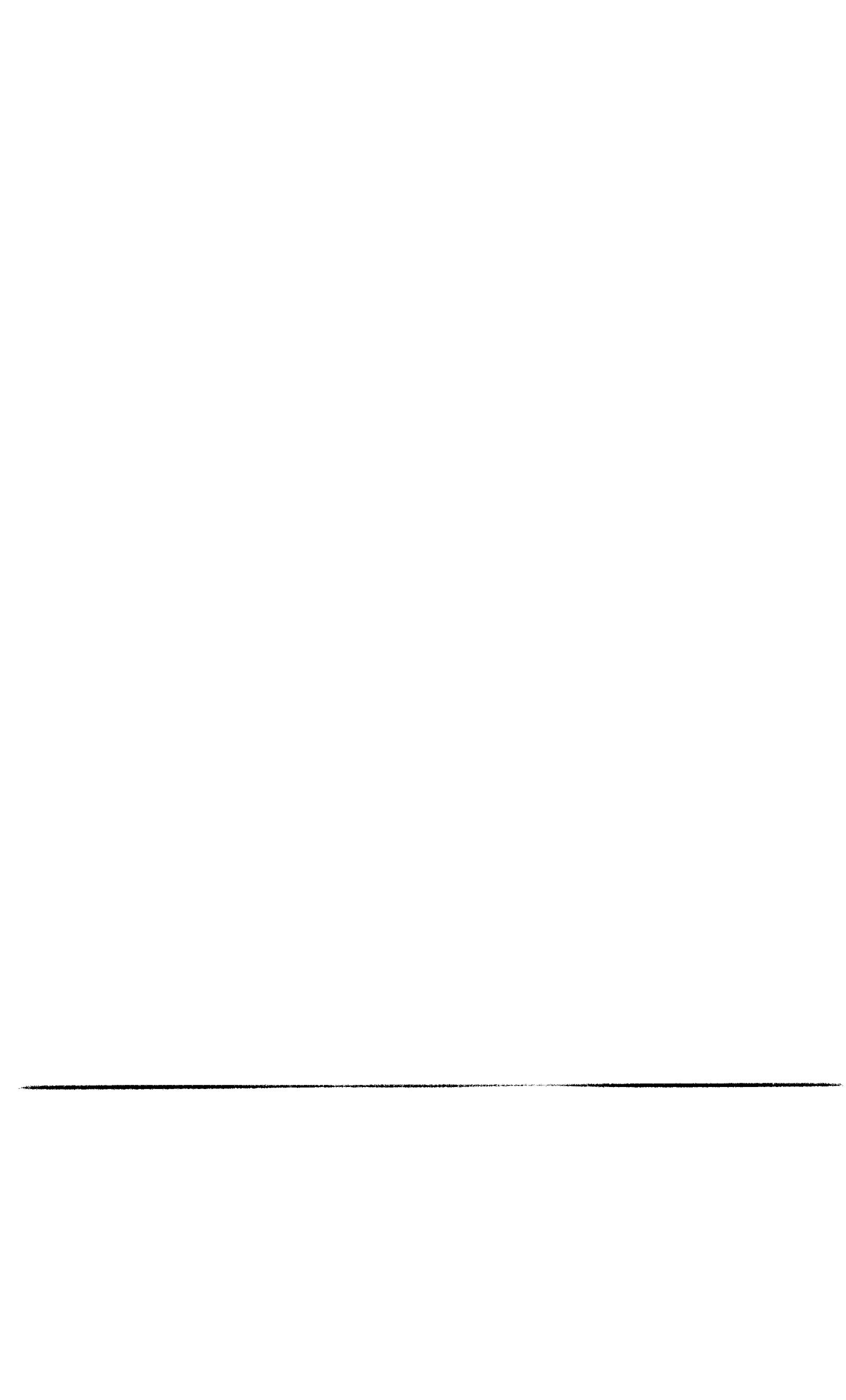
In a letter dated March 26, 2003, the agent for the applicant states that commercial zoning on the north side of McMahon was established eastward beyond the area designated for commercial use in the WSSP, Attachment A, R-249, on the grounds that the WSSP policies and land use map are intended to be general. The agent also states that access to this site, and the site to the west, designated for commercial use in the WSSP R-249 Attachment A, is limited to a full intersection access as shown on the site development plan for subdivision. These statements were offered as justifications for the zone map amendment to SU-1 for C-1. While the eastward extension of commercial zoning to the north has occurred, the extension emanated from an existing commercially zoned area. The existing conditions surrounding the subject site are R-1 zoning to the west, and SU-1 for R-2 zoning to the east as designated by the WSSP R-249 and the Attachment A map. Application of a commercial zone on the subject site, under existing conditions, creates an isolated commercial use within a residentially zoned area. Also, the Attachment A map establishes access policy for the McMahon Corridor. The site to the west of the subject site is designated Low Comm (Low Density Commercial) on the Attachment A map. A partial access to this site is indicated on McMahon Boulevard, and an access point to be determined for this site is indicated on Unser Boulevard south of McMahon. Policy 1.3 of the WSSP also discourages the development of strip commercial areas and encouraged new commercial development in designated neighborhood and community centers (WSSP p. 38).

Staff does not agree with applicant's arguments regarding the requested SU-1 for C-1 zoning for the subject site. As the request is also not consistent with policies in the WSSP and the Comprehensive Plan, the request does not meet the requirements Section 1.C. of R-270-1980. There has been no demonstrated error in the existing zoning, no changes in the area that justify the change, nor has it been demonstrated that a different land use category would be more advantageous to the area as the request is not in compliance with policies in the WSSP and the Comprehensive Plan. Thus, the request is not consistent with Section 1.D. of R-270-1980. Also, the location of the subject site near a major arterial street does not justify the request as stated in Section 1.H. of R-270-1980.

Site Development Plan for Subdivision Standards

Section 14-16-1-5, Definitions, of the City Zoning Code, defines a site development plan for subdivision as follows: "The site, proposed use, pedestrian and vehicular ingress and egress, any internal circulation requirements and, for each lot, maximum building height, minimum building setback, and maximum total dwelling units and/or nonresidential uses' maximum floor area ratio". The proposed amendment to the existing site development plan for subdivision identifies the use of the subject site under the proposed SU-1 for C-1 Uses zoning. The site plan also contains design guidelines for commercial development.

While this report provides an analysis of the site plan, staff is not in agreement with the proposed zone map amendment for the subject site from SU-1 for R-2 to SU-1 for C-1 uses. As such, staff is not in agreement with the basis of the amendment to the existing site plan.



Pedestrian/Vehicular Ingress and Egress

Proposed vehicular access to Parcel E is facilitated off McMahon Boulevard southward by the proposed 50-foot road easement. Street circulation allows two-way flow with a pedestrian path on the west side of the access road. The site plan indicates that the access road will dead-end at the western most property boundary.

The proposed site plan contains narrative that indicates the provision of sidewalks to be constructed within the right-of-way for pedestrian circulation.

Building Height and Setbacks

The proposed amendment to the site plan indicates building and setback standards for Parcel E. These standards include a maximum building height of 26 feet and setbacks of 15 to 20 for the front, 15 feet for the rear, and no sideyard standards other than a 10-foot distance between buildings and 10 feet on the street side of corner lots.

Design Guidelines

The proposed site plan includes contains additional design guidelines that address architectural style, building color schemes, landscaping, and privacy fencing. Architectural style guidelines stipulate pitched roofs, stucco relief elements and other trim materials. Stucco colors and landscape materials are also called out in the guidelines. Colors should have common color references, and the landscape trees and shrubs should have a specified selection of types by biological and common names.

Concerns of Reviewing Agencies / Pre-Hearing Discussion

The Public Works Department, Transportation Development Division, comments that requirements of previous actions taken by the EPC and the DRB must be completed and /or provided for, and that the development is responsible for permanent improvements to adjacent transportation facilities.

The Transportation Planning Division has made comments recommending approval of this request in relation to policies in the WSSP, however staff is not in agreement with these comments as delineated in this report

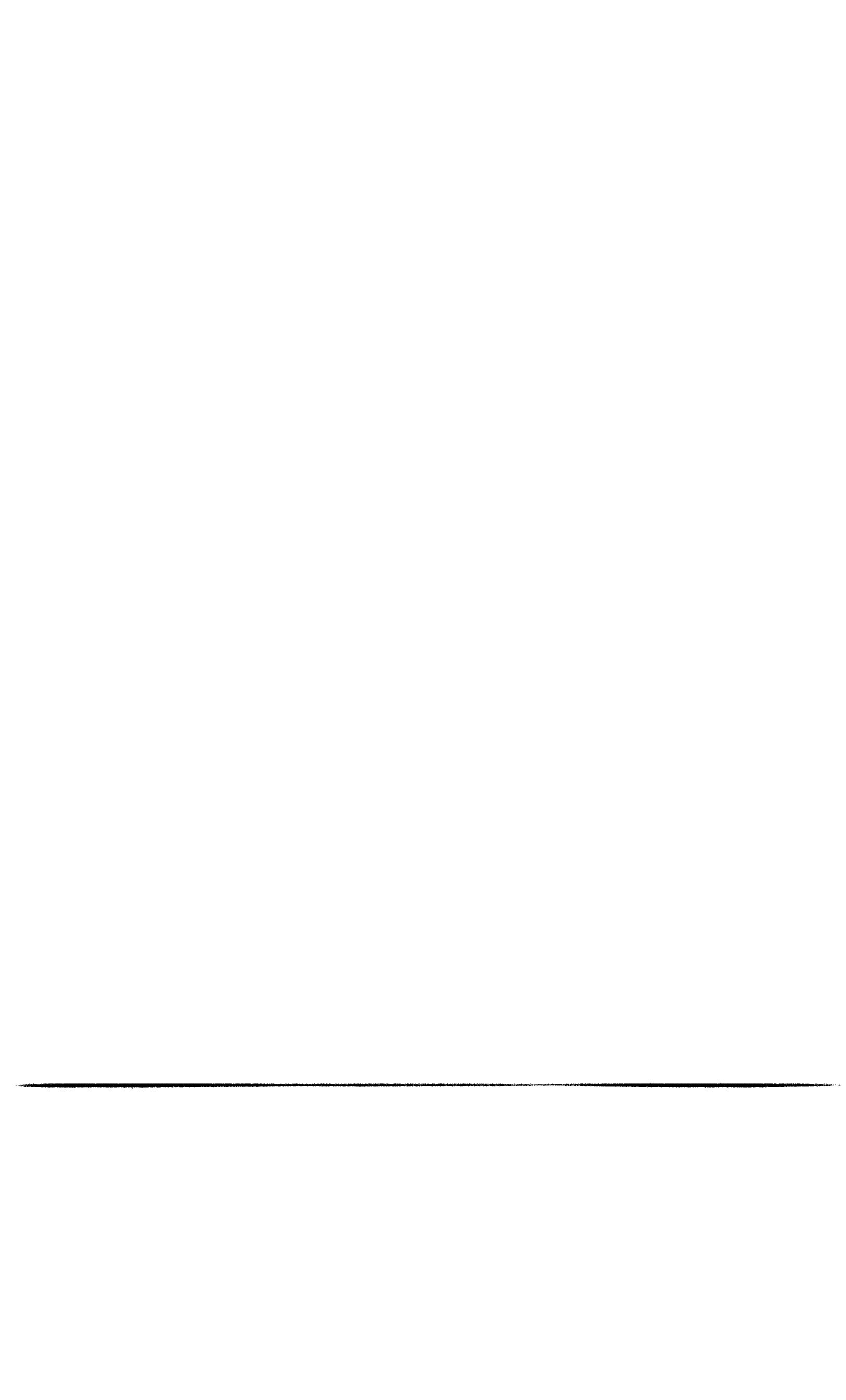
Neighborhood Concerns

The Horizon Hills Neighborhood Association was notified regarding this request. No comments have been received from the association or from an individual.

Conclusions

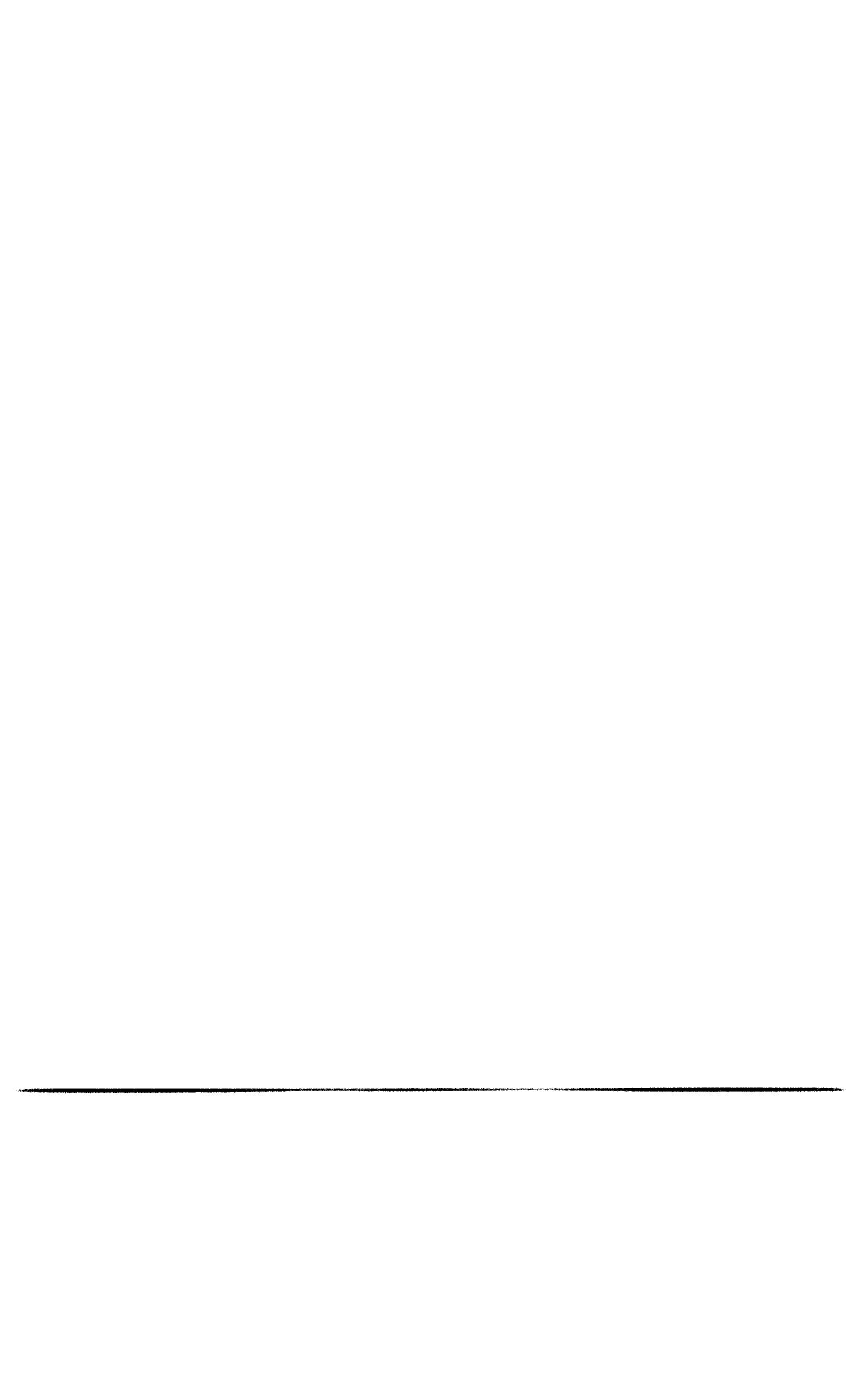
This is a request for a zone map amendment from SU-1 for R-2 to SU-1 for C-1, and an amendment to an existing site development plan for subdivision, for Parcel E, Finland Development, located on McMahon Boulevard between Unser Boulevard and Stonebridge Drive. The site contains approximately 2.73 acres and is currently vacant.

Staff recommends denial of this request as the request is not consistent with policies in the Comprehensive Plan and the West Side Strategic Plan, and does not meet the requirements of R-270-1980.



FINDINGS – 03EPC 00503, MAY 15, 2003

1. This is a request for a zone map amendment from SU-1 for R-2 to SU-1 for C-1 for Parcel E, Fineland Development, located on McMahon Boulevard between Unser Boulevard and Stonebridge Drive. The site contains approximately 2.73 acres and is currently vacant.
2. The request is not consistent with policies in the West Side Strategic Plan (WSSP) in that the subject site is located within an area designated Med Res (Medium Density Residential) by Resolution R-249, Transportation and Land Use Policies for the Westside McMahon Corridor, and the Attachment A land use policy map in the WSSP.
3. The request is a significant departure from the policies of the WSSP and should be accompanied by a request to amend the policies of the WSSP as established in R-249, Transportation and Land Use Policies for the Westside McMahon Corridor, and the Attachment A land use policy map.
4. The request is not consistent with Policy 1.3 of the WSSP which discourages the development of strip commercial areas and encourages new commercial development to occur in designated neighborhood and community centers (WSSP p. 38).
5. The request is not consistent with policies in the Comprehensive Plan in that while the proposed SU-1 for C-1 uses will not compromise existing residential areas, the request will compromise existing R-1 and SU-1 for R-2 zoning and the potential for the development of a cohesive residential area (Policy d). The request is also not proposed within or adjacent to an existing commercial center (Policy j). As the request is not consistent with policies in the WSSP R-249 and Attachment A map for the Westside McMahon Corridor, the request is not consistent with Policy c of the Comprehensive Plan regarding the role of Rank 2 plans in guiding development within their respective areas.
6. The request does not meet the requirements of R-270-1980 in that the request is not consistent with policies in the WSSP and the Comprehensive Plan (Section 1.C.), there was no error in the existing zoning, no changes in the area that justify the request, and no demonstration of how the request will be more advantageous to the community (Section 1.D.), and the location of the subject site near a major arterial street does not justify the request (Section 1.H.). The request would result in the creation of an isolated commercial area between existing residentially zoned areas to the east and west of the subject site.

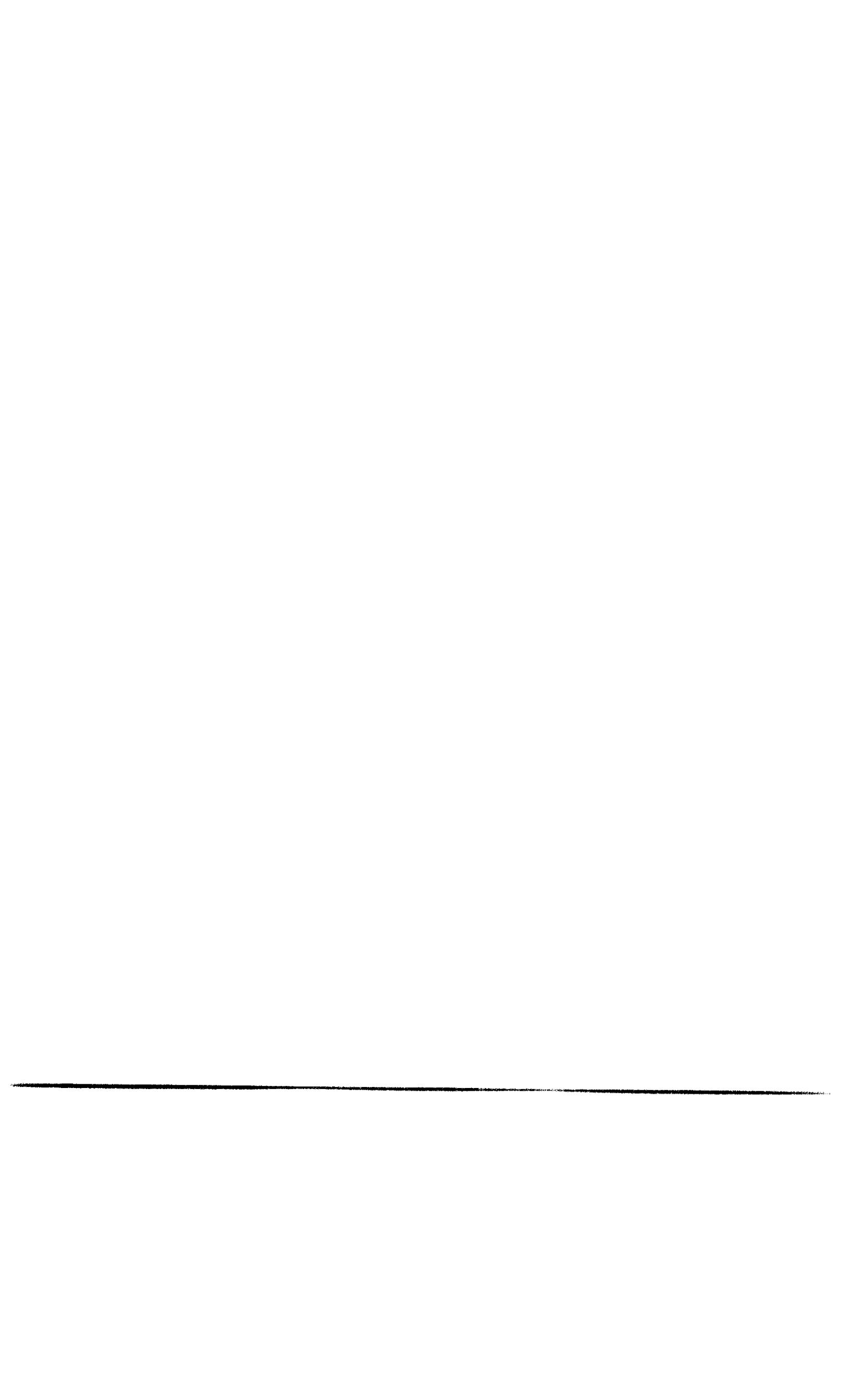


RECOMMENDATION – 03EPC 00503, MAY 15, 2003

DENIAL of 03EPC 00503, a request for a zone map amendment from SU-1 for R-2 to SU-1 for C-1, for Parcel E, Fineland Development, located on McMahan Boulevard between Unser Boulevard and Stonebridge Drive, based on the preceding Findings.

FINDINGS – 03EPC 00504, MAY 15, 2003

1. This is a request for an amendment to an existing site development plan for subdivision for Parcel E, Fineland Development, located on McMahan Boulevard between Unser Boulevard and Stonebridge Drive. The site contains approximately 2.73 acres and is currently vacant.
2. The request is made in conjunction with a request for a zone map amendment for the subject site from SU-1 for R-2 to SU-1 for C-1.
3. The request is not consistent with policies in the West Side Strategic Plan (WSSP) in that the amendment to the existing site plan proposes commercial zoning within an area designated Med Res (Medium Density Residential) by Resolution R-249, Transportation and Land Use Policies for the Westside McMahan Corridor, and the Attachment A land use policy map in the WSSP.
4. The request is not consistent with Policy 1.3 of the WSSP which discourages the development of strip commercial areas and encourages new commercial development to occur in designated neighborhood and community centers (WSSP p. 38).
5. The request is a significant departure from the policies of the WSSP and should be accompanied by a request to amend the policies of the WSSP as established in R-249, Transportation and Land Use Policies for the Westside McMahan Corridor, and the Attachment A land use policy map.
6. The request is not consistent with policies in the Comprehensive Plan in that while the proposed amendment, intended to facilitate a zone map amendment to SU-1 for C-1 uses, may compromise existing R-1 and SU-1 for R-2 zoning and the potential for the development of a cohesive residential area (Policy d). The request is also not proposed within or adjacent to an



existing commercial center (Policy j). As the request is not consistent with policies in the WSSP R-249 and Attachment A map for the Westside McMahon Corridor, the request is not consistent with Policy c of the Comprehensive Plan regarding the role of Rank 2 plans in guiding development within their respective areas.

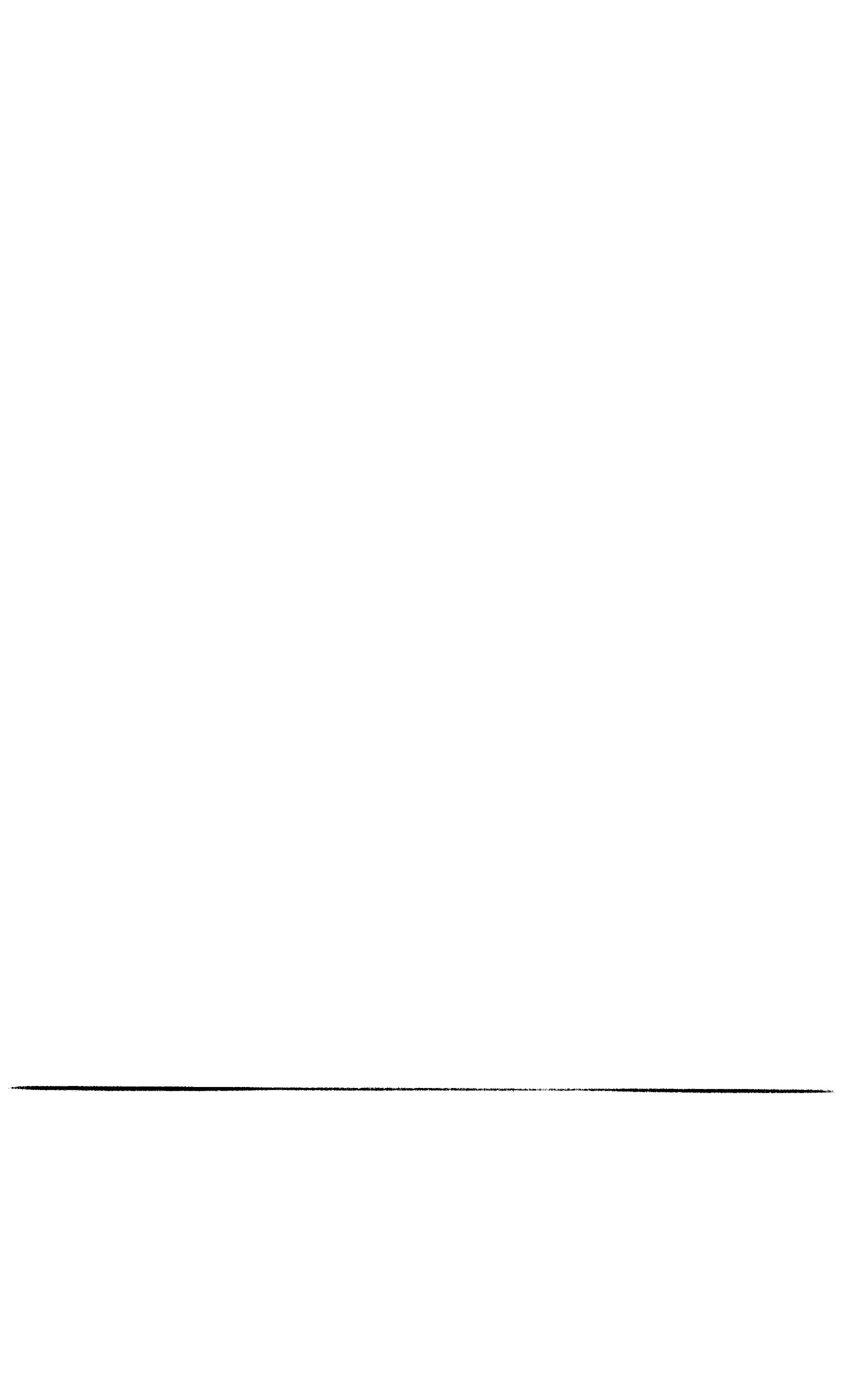
RECOMMENDATION – 03EPC 00504, MAY 15, 2003

DENIAL of 03EPC 00503, a request for an amendment to an existing site development plan, for Parcel E, Fineland Development, located on McMahon Boulevard between Unser Boulevard and Stonebridge Drive, based on the preceding Findings.

*Makita Hill
Planner*

cc: Fineland LLC, 10250 Collins Ave., Penthouse 1, Bal Harbor, Fl. 33154
Community Sciences Corp., P.O. Box 1328, Corrales, NM 87048
Julia Wilson, Horizon Hills, 5705 Carmen Rd. NW, Albuquerque, NM 87114
Jolinda Balmer, Horizon Hills, 10590 Vista Bella Pl. NW, Albuquerque, NM 87114

Attachments



CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Code Services

Reviewed, no comment.

Office of Neighborhood Coordination

Horizon Hills ®

PUBLIC WORKS DEPARTMENT

Transportation Development:

- All the requirements of previous actions taken by the EPC and the DRB must be completed and /or provided for.
- The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. Those improvements will include any additional right-of-way requirements, paving, curb and gutter and sidewalk that have not already been provided for.

Utility Development:

- No comments. Requested action might create a spot zone.

Traffic Engineering Operations:

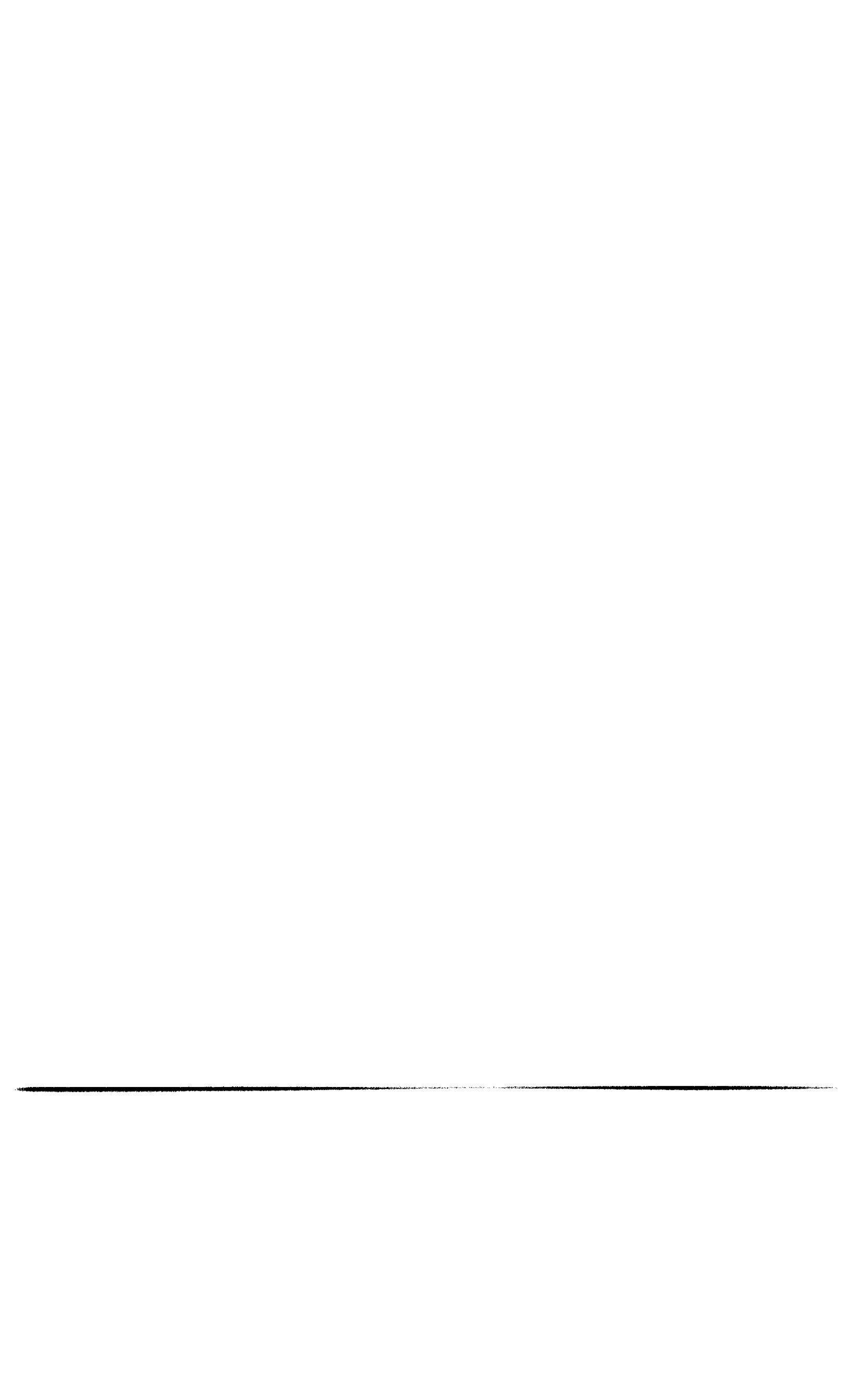
- No comments.

Hydrology:

- No objection to zone map amendment.

Transportation Planning:

- *Findings*
 1. The proposed zone map amendment to parcel E for commercial and office uses is consistent with the West Side Strategic Plan as amended by Council Bill R-249, adopting the Westside-McMahon Land Use and Transportation Guide. The purpose of this guidance is to encourage increased densities and mixed-use development within major activity centers and transportation corridors to reduce the dependence on automobile travel.
 2. The Westside-McMahon Land Use and Transportation Guide, which is intended to be a flexible planning document, identifies the southeast corner of the Unser - McMahon Village Center for low commercial uses.
 3. Because McMahon Boulevard is a limited access arterial, both parcel E and the proposed commercial property at the southeast corner of the intersection of Unser and McMahon must derive access from a common driveway to McMahon Boulevard.



-
4. The proposed parcel E rezoning request, when joined with the proposed commercial property to the west, achieves the development goals of the Westside-McMahon Land Use and Transportation Guide.
 5. The rezoning of parcel E for commercial and office uses further benefits the area by eliminating the prospect of commercial traffic having to cut through a residential area in order to reach the proposed commercial property to the west.
 - *Recommendation*
 1. Approval of the rezoning of parcel E for commercial and office uses consistent with the development goals of the Westside-McMahon Land Use and Transportation Guide.

Street Maintenance:

- No comments.

Comments continued on next page:

Water Resources, Water Utilities and Wastewater Utilities:

- No comments.

New Mexico State Highway and Transportation Department:

- No comments.

RECOMMENDED CONDITIONS FROM CITY ENGINEER and PUBLIC WORKS:

Conditions of approval for the proposed Zone Map Amendment and Site Development Plan for Subdivision Amendment shall include:

- a. All the requirements of previous actions taken by the EPC and the DRB must be completed and /or provided for.
- b. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. Those improvements will include any additional right-of-way requirements, paving, curb and gutter and sidewalk that have not already been provided for.

ENVIRONMENTAL HEALTH DEPARTMENT

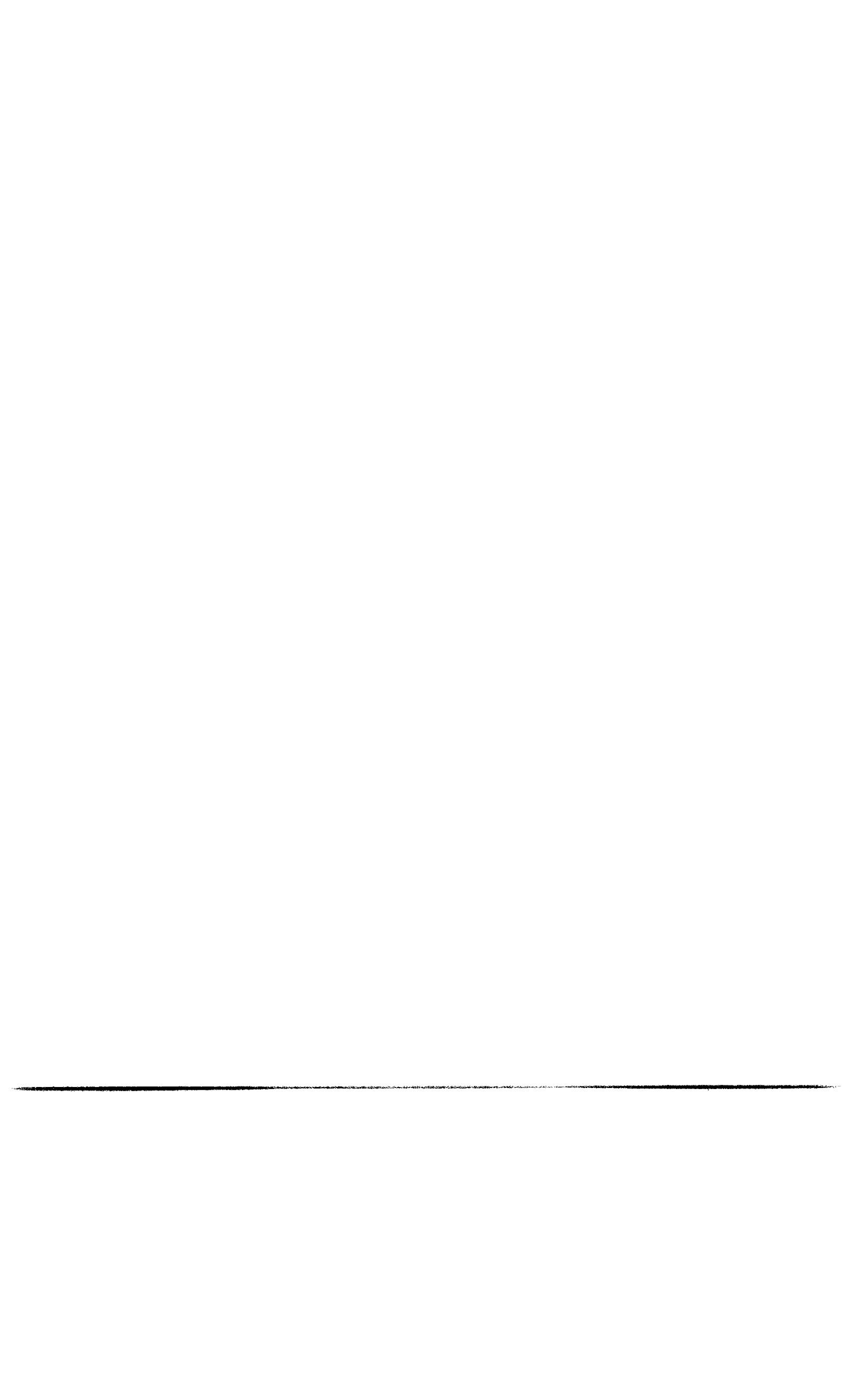
Air Quality Division

Environmental Services Division

PARKS AND RECREATION

Planning and Design

Reviewed, no adverse comment.



Open Space Division

No adverse comment.

POLICE DEPARTMENT/Planning

No comment

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

No adverse comment

FIRE DEPARTMENT/Planning

No comment.

TRANSIT DEPARTMENT

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

No comment.

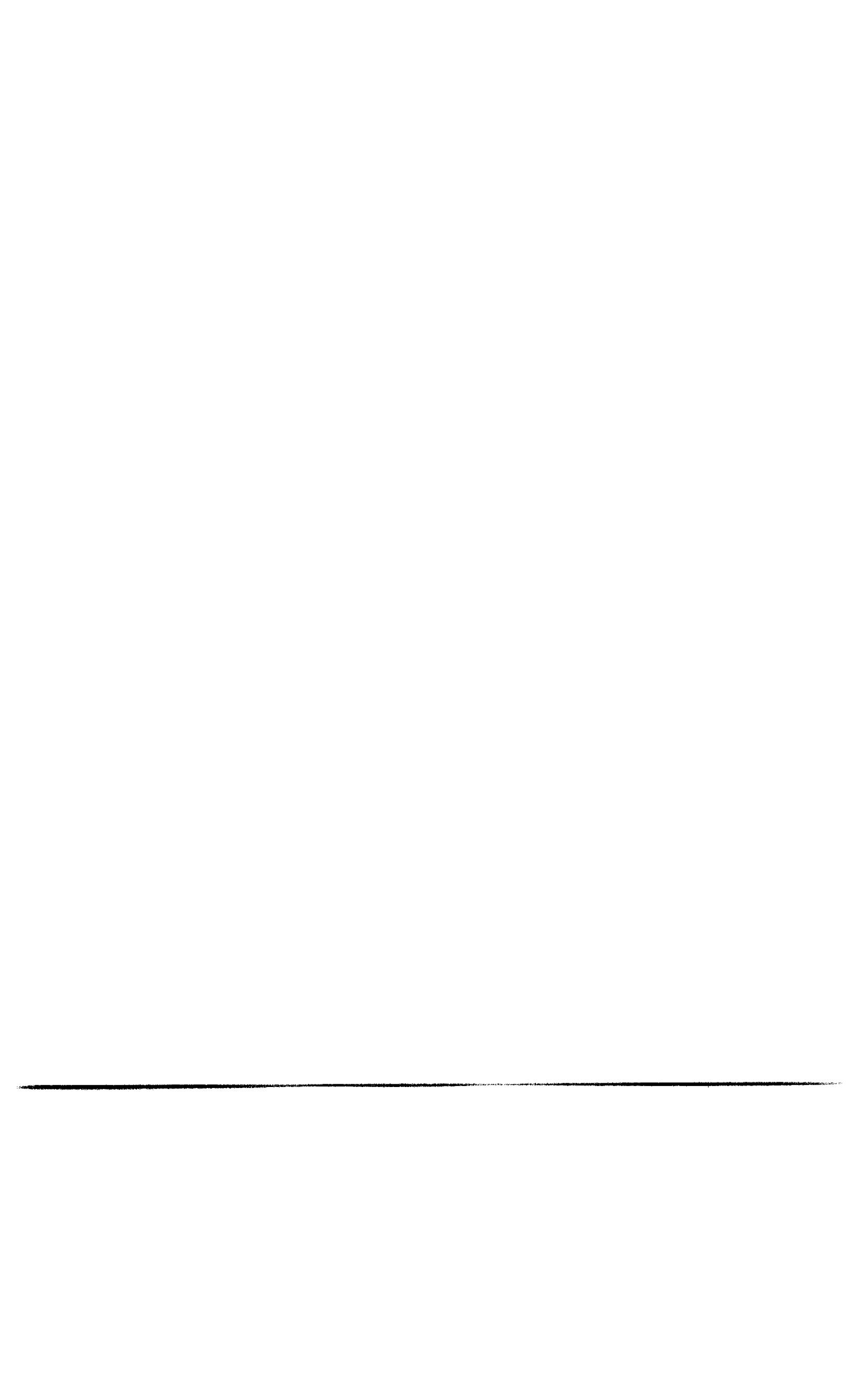
ALBUQUERQUE PUBLIC SCHOOLS

MID-REGION COUNCIL OF GOVERNMENTS

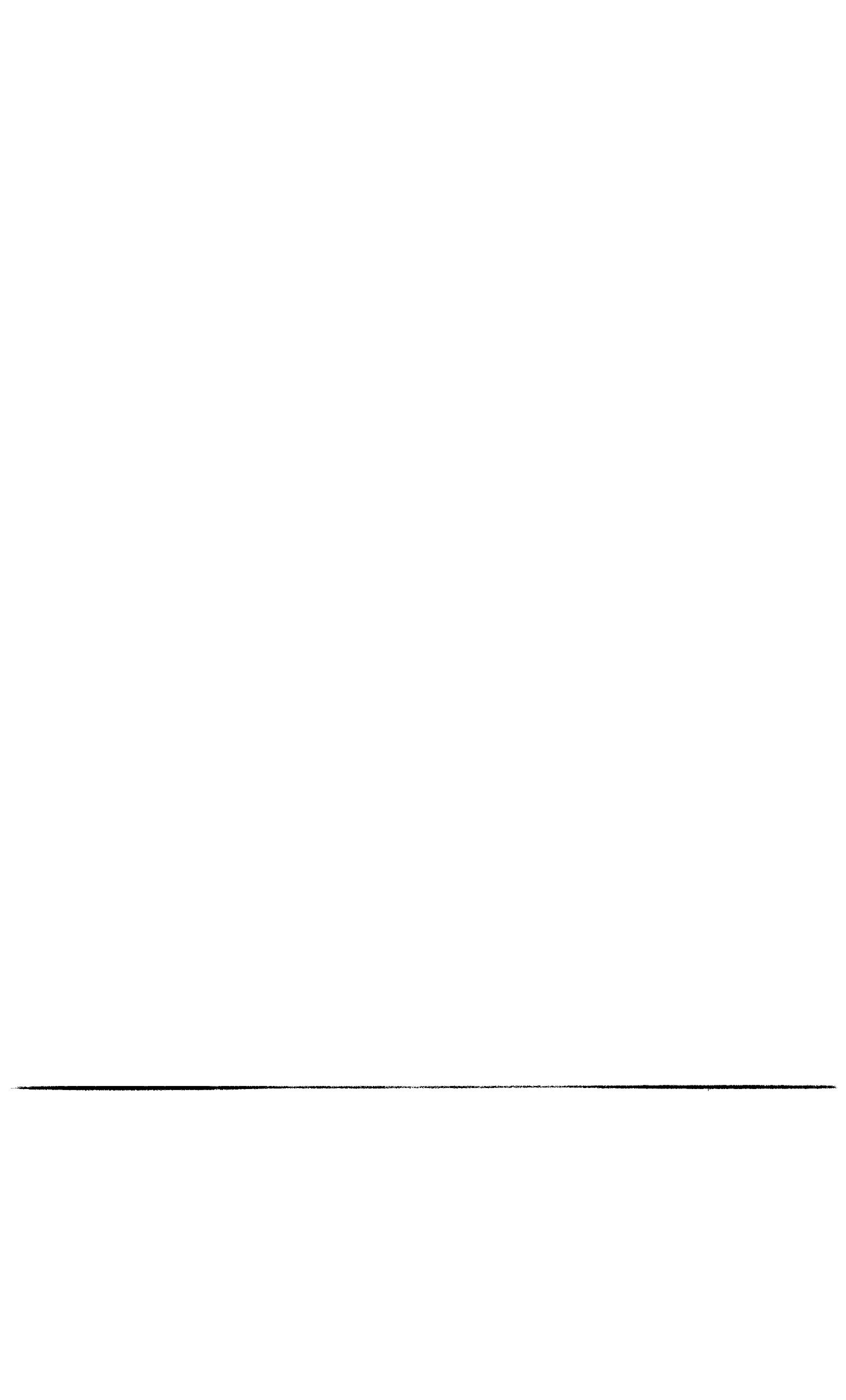
McMahon Boulevard is identified as a limited access principle arterial adjacent to this property as specified in the FAABS Appendix D. The City of Albuquerque Department of Public Works can determine if the full intersection shown in this site plan meets the limited access requirements of the 1000 foot interval to Unser Boulevard to the west, and to Golf Course Road to the east. Additionally, McMahon Boulevard is identified in the Long Range Bikeway System map for bike lane facilities as part of roadway improvements on this property.

PUBLIC SERVICE COMPANY OF NEW MEXICO

There is an overhead facility located on the southern boundary of the property. Loss of the utility easement between Parcels B and D will not affect the present system. Planned development of the two



Parcels will have to be reviewed if re-platted to insure PNM facilities can be placed on the property to support future developing load. There is a 20-inch gas pipeline North of Unser.





NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Albuquerque Environmental Planning Commission will hold a **Study Session on Thursday, May 8, 2003, 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:

1. Distribution & Review – Current Land Use Matters for the May 15, 2003 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 15, 2003, 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 # 1002556

03EPC-00470 EPC Site Development Plan-Subdivision

H BARKER ARCHITECTS, agents for DONALD HARVILLE, request the above actions for all or a portion of Tracts D, E, **PARADISE HEIGHTS**, zoned C-2, located on GOLF COURSE ROAD NW, between BENTON AVENUE NW and WESTSIDE BOULEVARD NW, containing approximately 17 acres. (A-12) Cynthia Borrego, Staff Planner

Project # 1001369

03EPC-00486 Zoning Code Text Amendment

CITY OF ALBUQUERQUE/PLANNING DEPARTMENT agent for CITY OF ALBUQUERQUE request an amendment to the City Zone Code, Section 14-16-3-1, Off-street Parking Regulations. Carmen Marrone, Staff Planner

Project # 1002562

03EPC-00487 Zone Map Amendment
03EPC-00488 EPC Site Development Plan-Subdivision
03EPC-00489 EPC Site Development Plan-Building Permit

COMMUNITY SCIENCES CORPORATION agent for DALE KNIGHTON request the above actions for all or a portion of Tract 146-B-1 MRGCD MAP 32, a zone map amendment from C-1 & R-1 to C-2 and SU-1 for a Contractor's Yard, located on SECOND ST. NW, between PLEASANT AVE. NW and MONTANO ROAD NW, containing approximately 3 acres. (F-15) Juanita Vigil, Staff Planner

Project # 1002515
03EPC-00490 EPC Sector Plan Amendment

CHRISTOPHER CALOTT request the above actions for all or a portion of Lots 20-24, Block 28, New Mexico Town Company's Original Townsite of Albuquerque, zoned SU-3, located on SILVER AVE. SW, between 7TH STREET SW and 8TH STREET SW, containing approximately 0.4 acre(s). (K-13) Chris Hyer, Staff Planner

Project # 1002112
03EPC-00491 EPC Site Development Plan-Subdivision
03EPC-00492 EPC Site Development Plan-Building Permit

DCSW, INC. agent for PEGGY DASKALOS-LYCOU request the above actions for all or a portion of Lots 1-5 & 28-32, Block 21, **North Albuquerque Acres Tract A, Unit A**, zoned SU-2 Mixed Use, located on WYOMING BLVD. NE, between PALOMAS DRIVE NE and PASEO DEL NORTE NE, containing approximately 6 acres. (D-19) Juanita Vigil, Staff Planner

Project # 1002563
03EPC-00493 Zone Map Amendment
03EPC-00494 Sector Plan Amendment
03EPC-00496 EPC Site Development Plan-Building Permit

CONSENSUS PLANNING agents for ANN SKINNER-JONES, request an amendment to the Downtown Neighborhood Area Sector Development Plan and a site development plan for building permit, for all or a portion of Lot(s) 5, Block 11, **PEREA ADDITION**, a zone map amendment from SU-2 SINGLE FAMILY to SU-2/SU-1, located on ROMA NW, between 12TH STREET NW and 13TH STREET NW, containing approximately .29 acre(s). (J-13) Mary Piscitelli, Staff Planner

Project # 1002379
03EPC-00495 EPC Site Development Plan-Subdivision

BOHANNAN HUSTON, INC. agent(s) for LONGFORD HOMES request the above action(s) for all or a portion of Lot(s) 1-26, Block(s) 5 and Lots 35-42, Block 4, **Paradise Heights**, zoned SU-1 for PRD, located on ROCKCLIFF BLVD. NW, between SOUTH OF MCMAHON BLVD. NW and ROCKCLIFF NW, containing approximately 9 acre(s). (A-10) Makita Hill, Staff Planner

Project # 1000593
03EPC-00497 EPC Site Development Plan-Building Permit
03EPC-00551 EPC Site Development Plan-Subdivision

MAY KELLER MCNAMARA ARCHITECTS agent(s) for CITY OF ALBUQUERQUE/FIRE DEPARTMENT request the above action(s) for all or a portion of Tract(s) B901, **SEVEN BAR RANCH ADDITION**, zoned SU-1, located on ELLISON DRIVE NW, between COORS BLVD BYPASS NW and CIBOLA LOOP NW, containing approximately 2 acre(s). (A-13) Deborah Stover, Staff Planner

Project # 1000434

03EPC-00498 EPC Site Development Plan for Building Permit Amendment

DEKKER PERICH SABATINI agent(s) for THOMAS F. KELEHER request the above action(s) for all or a portion of Lot(s) 1A, **Huning Castle Addition**, SU-2/CLO Low Density Apartment Zone, located on CENTRAL AVE. SW, between 15TH STREET NW and LAGUNA BLVD. SW, containing approximately 3 acre(s). (J-13) Robert Paulsen, Staff Planner

Project # 1000875

03EPC-00503 Zone Map Amendment
03EPC-00504 EPC Site Development Plan-Amendment to Subdivision

COMMUNITY SCIENCES CORPORATION agent(s) for FINELAND LL & JEFFREY L. FINE request the above action(s) for all or a portion of Tract(s) E, **Fineland Development**, a zone map amendment from SU-1 for R-2 to SU-1 for C-1, located on MCMAHON BLVD. NW, between UNSER BLVD. NW and STONEBRIDGE DRIVE NW, containing approximately 3 acre(s). (A-11) Makita Hill, Staff Planner

Project # 1002565

03EPC-00505 EPC Site Development Plan-Subdivision
03EPC-00506 Zone Map Amendment
03EPC-00509 EPC Sector Plan Amendment

MARK GOODWIN & ASSOCIATES, PA agent(s) for LOS GRIEGOS DEVELOPMENT, LLC request the above action(s) for all or a portion of Tract(s) 161-A and Tracts 161-B-1, 161-B-2, 162-A, 162-B, 163-A, 166-A, 167-A, **Los Prados de Griegos**, a zone map amendment from RA-2 to SU-1 for PRD, located on GRIEGOS ROAD NW, between SAN ISIDRO NW and GRIEGOS DRAIN, containing approximately 5 acre(s). (F-13) Simon Shima, Staff Planner

Project # 1002458

03EPC-00508 Sector Plan Amendment

CITY OF ALBUQUEQUE PLANNING DEPARTMENT agent(s) for CITY OF ALBUQUEQUE request the above action(s) for LA CUEVA SECTOR PLAN, located on LOUISIANA, between PASEO DEL NORTE NE and FLORENCE AVE. NE, (-) Carmen Marrone, Staff Planner

Project # 1001206

03EPC-00510 EPC Site Development Plan-Amendment to Subdivision
03EPC-00511 EPC Site Development Plan-Building Permit

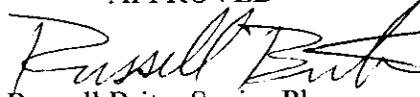
CONSENSUS PLANNING, INC. agent(s) for MICKY PATTEN request the above action(s) for all or a portion of Tract(s) 2B, **Black Ranch**, zoned SU-1 for C-1 Permissive Uses, located on COORS BLVD. NW, between PASEO DEL NORTE NW and IRVING BLVD. NW, containing approximately 3.5 acre(s). (C-13) Deborah Stover, Staff Planner

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, 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 924-3886. INDIVIDUALS WITH DISABILITIES who need special assistance to participate at the public hearing should contact April Candelaria 924-3886 (VOICE) or 924-3361 (TTY). TTY users may also access the voice number via the New Mexico Relay Network by calling toll free: 1-800-659-8331.

Alan Schwartz, Chairman
Environmental Planning Commission

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL APRIL 23, 2003.

APPROVED



Russell Brito, Senior Planner
Planning Department

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT - DEVELOPMENT SERVICES DIVISION
PROPERTY OWNERSHIP LIST

Meeting Date: May 15, 2003
Zone Atlas Page: A-11 & A-12
Notification Radius: 100 Ft.

App#	<u>13 EPC-NSD3</u>
Proj#	<u>1000825</u>
Other#	<u>13 EPC-NSD4</u>

Cross Reference and Location:

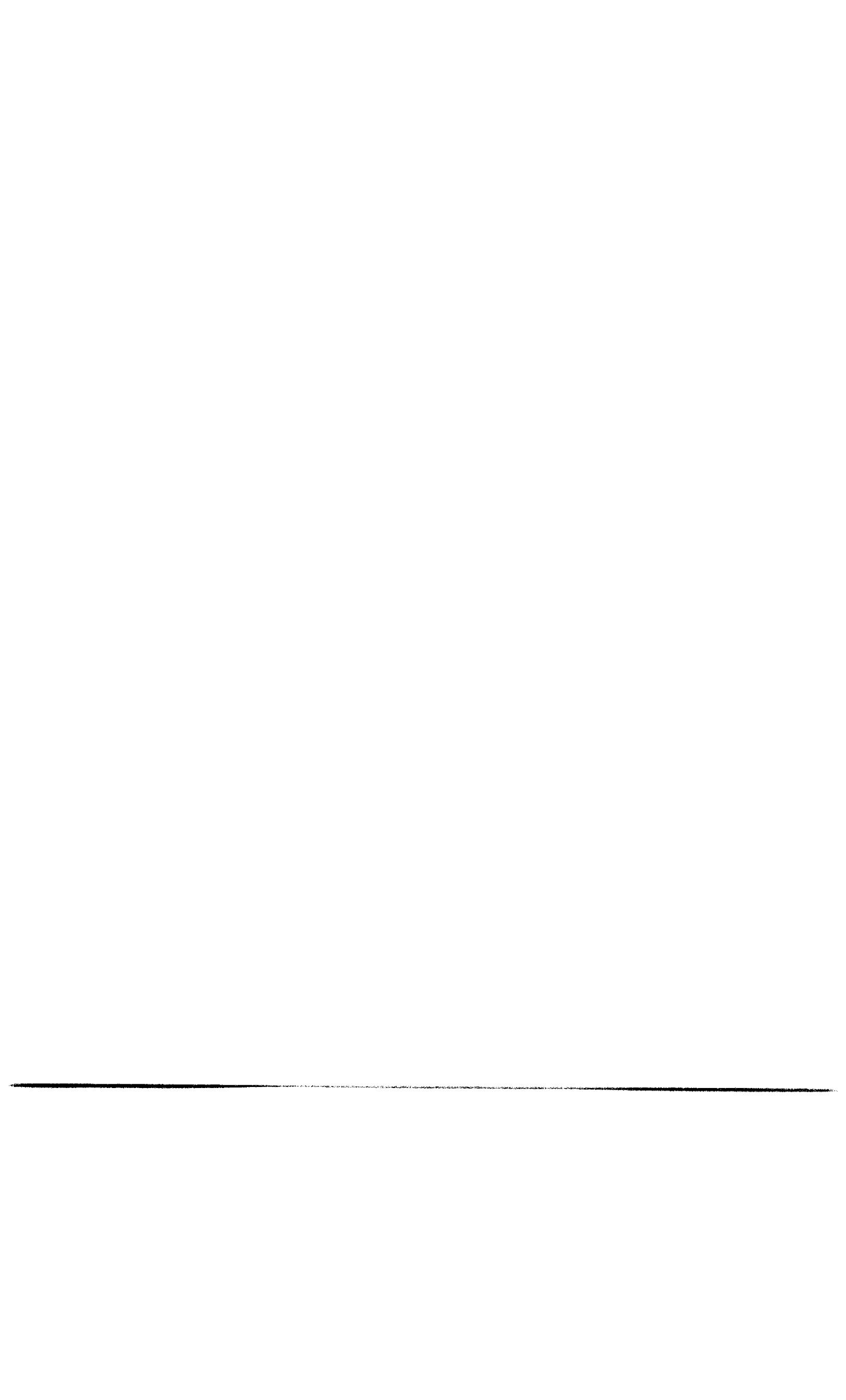
Applicant: Fineland, LLC c/o Jeffrey L. Fine
Address: 10250 Collins Ave, Penthouse 1, Bal Harbor FL 33154
Agent: Community Sciences Corp
Address: Po Box 1328, Corral Gordo NM 87048

SPECIAL INSTRUCTIONS

Notices Must be mailed from the
City 15 days prior to the meeting.

Date Mailed: 4-30-03

Signature: K Tsethlikai



PROPERTY OWNERSHIP / LEGAL LIST

App# _____

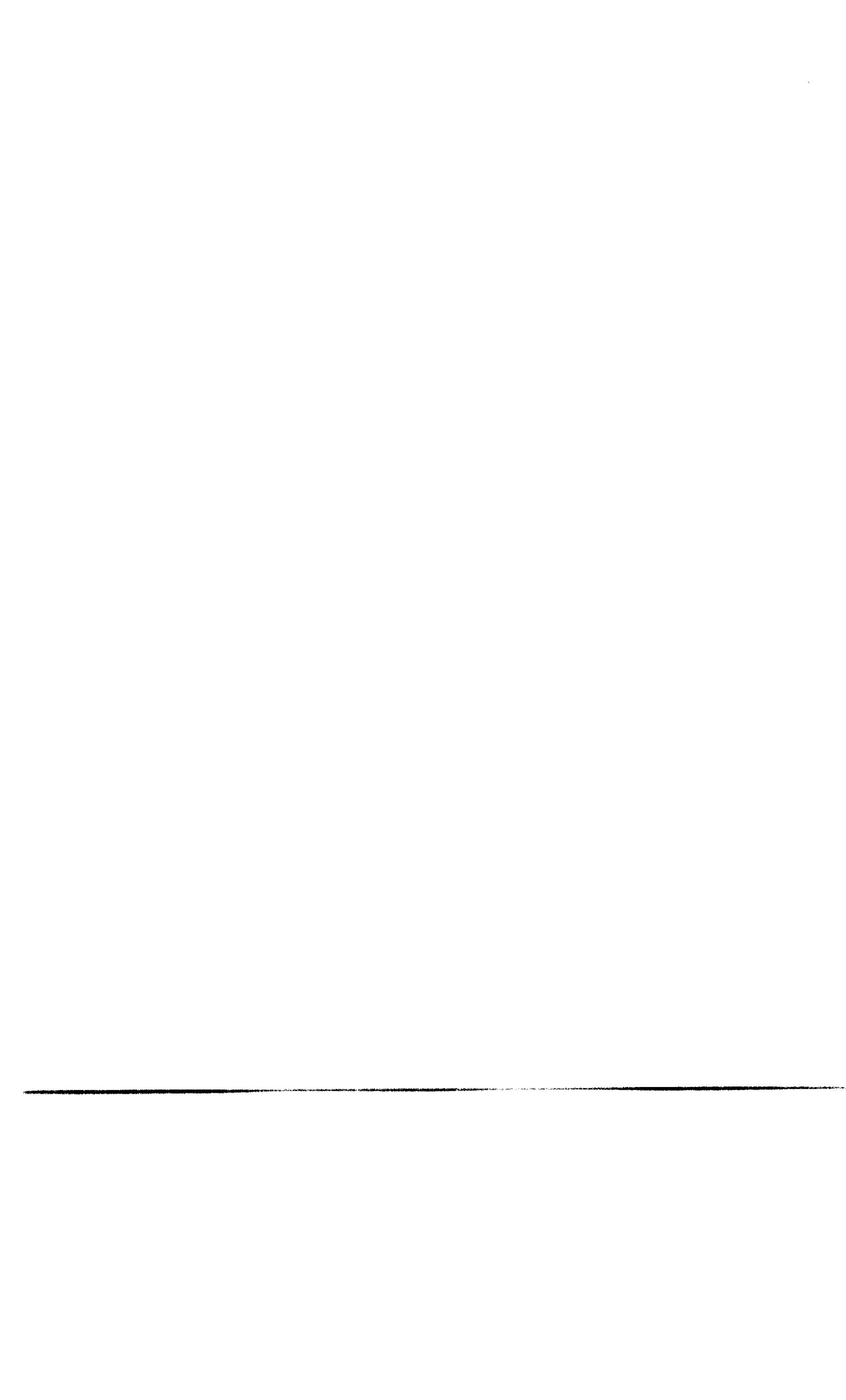
Proj# _____

Date: _____

Page 1 / Of 1

Zone Atlas Page	Zone Atlas #	Grid Location	Parcel Sequence	Name & Address				
A-11	1011666	422-335	101-22	✓	1011666	422-341	415	52 ✓
		245-310	104-02	✓		429-236		51 ✓
		381-235	423-45	✓		440-237		46 ✓
		386-239	46	✓		440-241		45 ✓
		386-244	47	✓		440-245		44 ✓
		387-250	48	✓		441-252		43 ✓
		320-210	32	✓		457-258		42 ✓
		325-246	30	✓		458-245		41 ✓
		321-251	31	✓		457-241		48 ✓
		461-230	415-66	✓		380-322	101	10 ✓
		461-245	85	✓				
		461-241	44	✓				
		461-230	43	✓				
		412-237	54	✓				
		412-241	52	✓				
		412-245	56	✓				
		412-240	55	✓				
		429-230	54	✓				
		429-245	53	✓				

W



1011066 *** THIS UPC CODE HAS NO MASTER RECORD ON FILE

101106647033510120 LEGAL: SEC 2 T1 N R2E 40.00 AC SE1/4 NE1/4 LAND USE:
 PROPERTY ADDR: 00000 LYONS BLV NW
 OWNER NAME: GLUCKMAN FRANCINE & ETAL
 OWNER ADDR: 00420 W. 24TH ST NEW YORK NY 10011

101106626531010402 LEGAL: TRAC T 16 A-1 VACATION AMENDED PLAT & REPL OF PARADI LAND USE:
 PROPERTY ADDR: 00000 N/A
 OWNER NAME: GONZALES MARK & JENNIE T ETAL
 OWNER ADDR: 01100 JUAN TABO BL NE ALBUQUERQUE NM 87112

101106638623542345 LEGAL: LT 4 -P1 BLK 5 PLAT OF TUSCANY WEST UNIT 4 LAND USE:
 PROPERTY ADDR: 00000 10609 RIO DEL SOL CT NW
 OWNER NAME: SALAZAR DAVID E & CELESTINE A
 OWNER ADDR: 10609 RIO DEL SOLE CT NW ALBUQUERQUE NM 87114

101106638623942346 LEGAL: LT 3 -P1 BLK 5 PLAT OF TUSCANY WEST UNIT 4 LAND USE:
 PROPERTY ADDR: 00000 10615 RIO DEL SOL CT NW
 OWNER NAME: MACHADO LYNDIA PATRICIA
 OWNER ADDR: 10615 RIO DEL SOL CT NW ALBUQUERQUE NM 87114

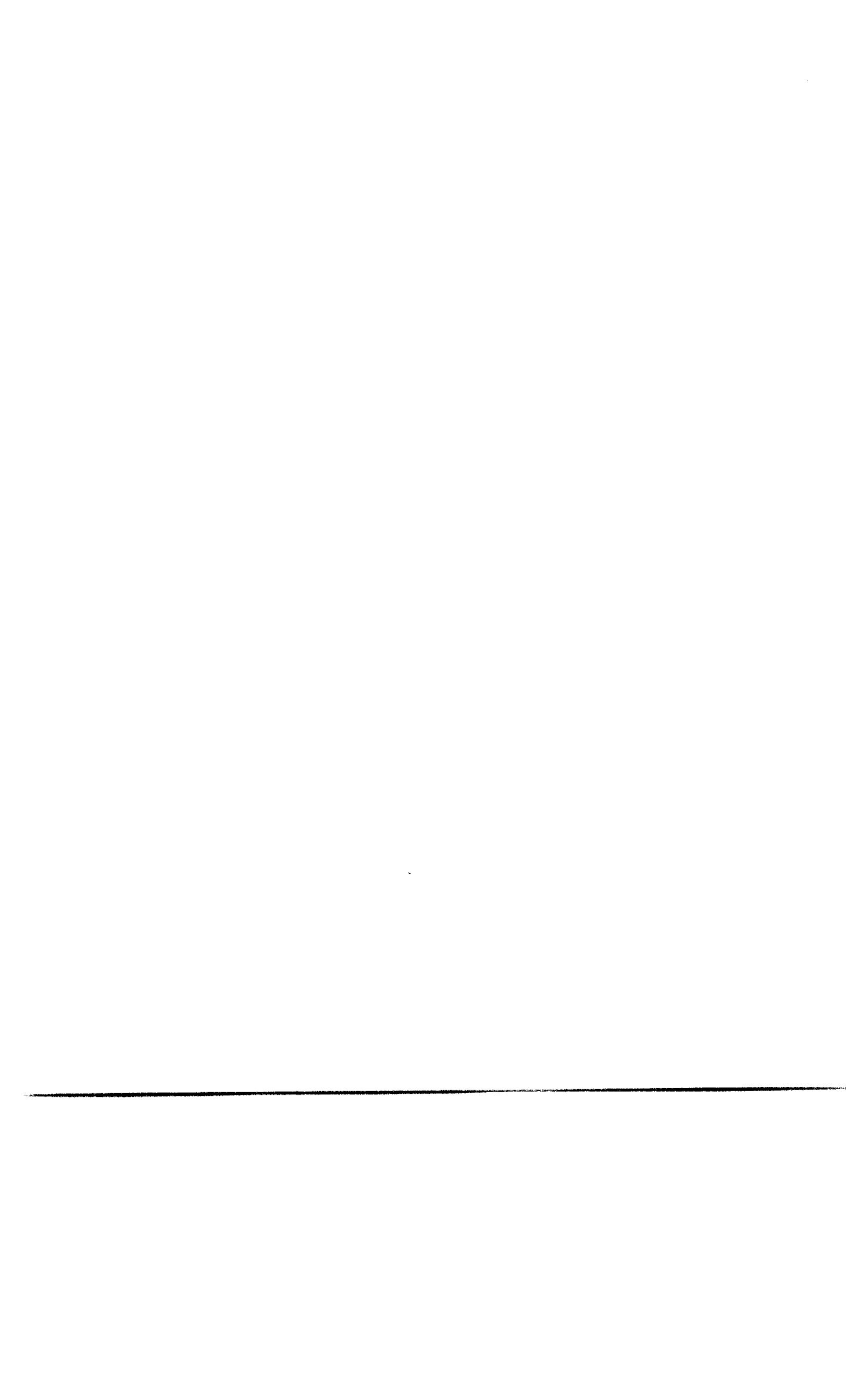
101106638624442347 LEGAL: LT 2 -P1 BLK 5 PLAT OF TUSCANY WEST UNIT 4 LAND USE:
 PROPERTY ADDR: 00000 10619 RIO DEL SOLE CT NW
 OWNER NAME: ROSS DEBORAH A
 OWNER ADDR: 10619 RIO DEL SOLE CT NW ALBUQUERQUE NM 87114

106638725042348 LEGAL: LT 1 -P1 BLK 5 PLAT OF TUSCANY WEST UNIT 4 LAND USE:
 PROPERTY ADDR: 00000 10623 RIO DEL SOLE CT NW
 OWNER NAME: CIOLEK MICHAEL F
 OWNER ADDR: 10623 RIO DEL SOLE CT NW ALBUQUERQUE NM 87114

101106637624042333 LEGAL: LT 1 6-P1 BLK 5 PLAT OF TUSCANY WEST UNIT 4 LAND USE:
 PROPERTY ADDR: 00000 10626 MARITCA DR NW
 OWNER NAME: HOPPER PHILLIP DON & TONI SUE
 OWNER ADDR: 10626 MARITCA DR NW ALBUQUERQUE NM 87114

101106637524642332 LEGAL: LT 1 7-P1 BLK 5 PLAT OF TUSCANY WEST UNIT 4 LAND USE:
 PROPERTY ADDR: 00000 10630 MARITCA DR NW
 OWNER NAME: OLIVERAS ANTONIO L & OLIVIA K
 OWNER ADDR: 10630 MARITCA DR NW ALBUQUERQUE NM 87114

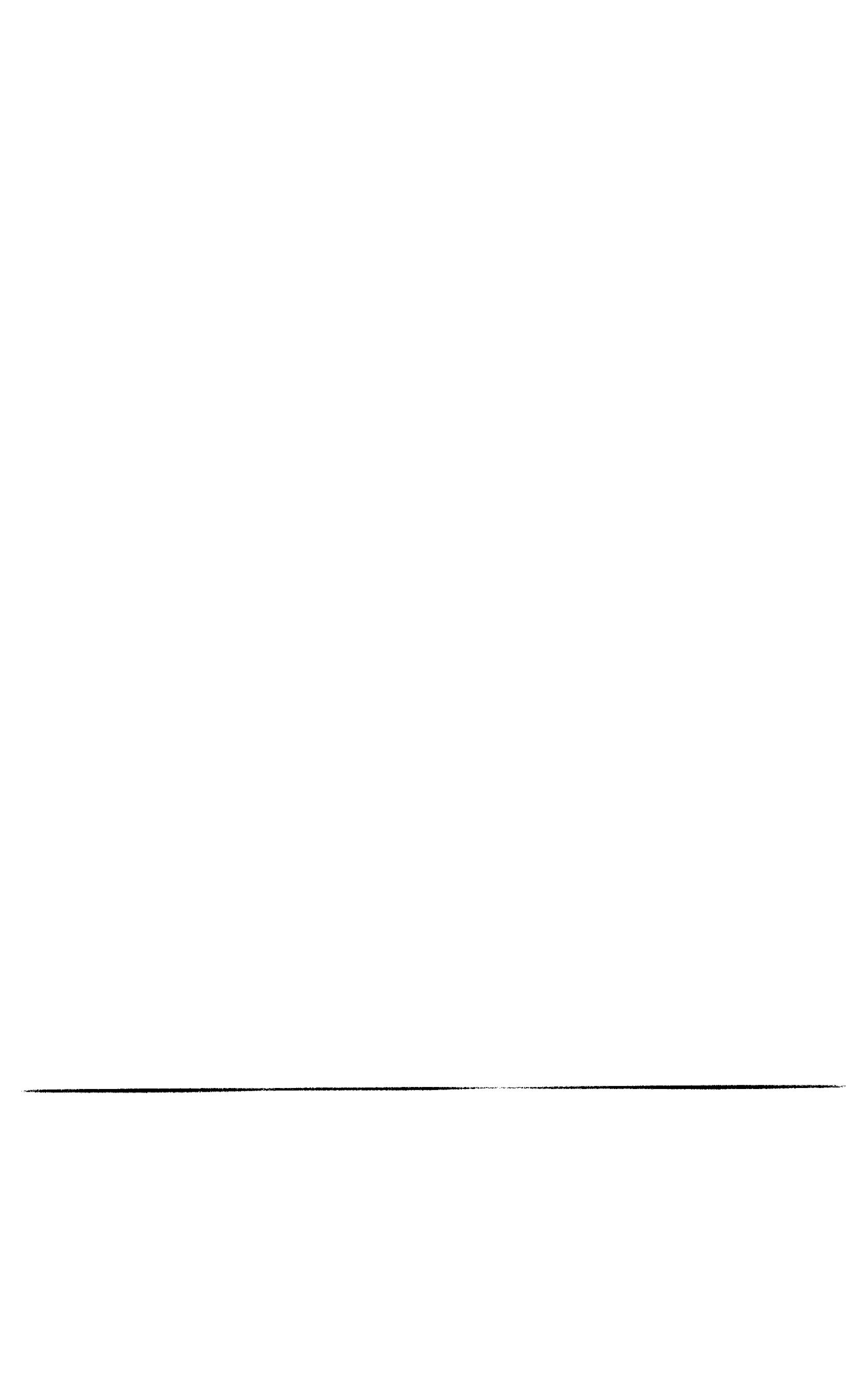
101106637125142331 LEGAL: LT 1 8-P1 BLK 5 PLAT OF TUSCANY WEST UNIT 4 LAND USE:



PROPERTY ADDR: 00000 6201 CONTESS RD NW
OWNER NAME: YAZZIE VIRVIAN
OWNER ADDR: 06201 CONTESS RD NW ALBUQUERQUE NM 87114

101106640125041566
LEGAL: LT 1 44P1 PLAT OF TUSCANY RIDGE SUBDIVISION CONT 0. LAND USE:
PROPERTY ADDR: 00000 10620 RIO DEL SOLE CT NW
OWNER NAME: STINSON MATTHEW M CT NW ALBUQUERQUE NM 87114
OWNER ADDR: 10620 RIO DEL SOL

101106640124541565
LEGAL: LT 1 45P1 PLAT OF TUSCANY RIDGE SUBDIVISION CONT 0. LAND USE:
PROPERTY ADDR: 00000 10616 RIO DEL SOLE CT NW
OWNER NAME: SCHATZ CURT CT NW ALBUQUERQUE NM 87114
OWNER ADDR: 10616 RIO DEL SOLE



101106640124141564 LEGAL: LT 1 46P1 PLAT OF TUSCANY RIDGE SUBDIVISION CONT 0. LAND USE:
 PROPERTY ADDR: 00000 10612 RIO DEL SOLE CT NW
 OWNER NAME: EDWARDS BRIAN J
 OWNER ADDR: 10612 RIO DEL SOLE CT NW ALBUQUERQUE NM 87114

101106640123641563 LEGAL: LT 1 47P1 PLAT OF TUSCANY RIDGE SUBDIVISION CONT 0. LAND USE:
 PROPERTY ADDR: 00000 10608 RIO DEL SOLE CT NW
 OWNER NAME: SILVA KATHERINE M
 OWNER ADDR: 10608 RIO DEL SOLE CT NW ALBUQUERQUE NM 87114

101106641223741558 LEGAL: LT 1 41P1 PLAT OF TUSCANY RIDGE SUBDIVISION CONT 0. LAND USE:
 PROPERTY ADDR: 00000 10609 MONTE BELLO CT NW
 OWNER NAME: PAYNE RICK R
 OWNER ADDR: 10609 MONTE BELLO CT NW ALBUQUERQUE NM 87114

101106641224141557 LEGAL: LT 1 40P1 PLAT OF TUSCANY RIDGE SUBDIVISION CONT 0. LAND USE:
 PROPERTY ADDR: 00000 10611 MONTE BELLO CT NW
 OWNER NAME: BUDNY JEFFREY M & CHRIS L
 OWNER ADDR: 10611 MONTE BELLO CT NW ALBUQUERQUE NM 87114

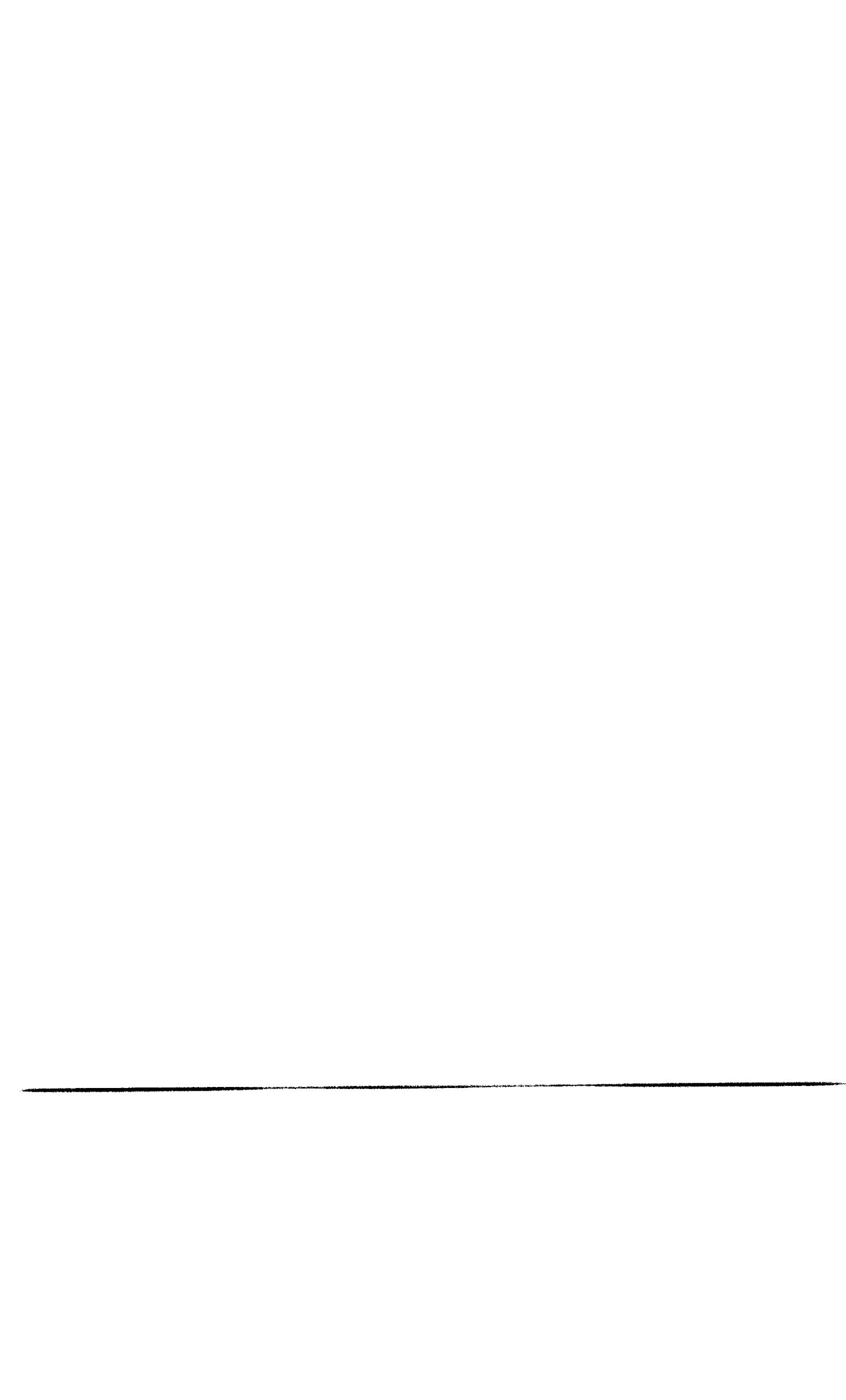
101106641224541556 LEGAL: LT 1 39P1 PLAT OF TUSCANY RIDGE SUBDIVISION CONT 0. LAND USE:
 PROPERTY ADDR: 00000 10615 MONTE BELLO CT NW
 OWNER NAME: ENGELBERT EGON H
 OWNER ADDR: 10615 MONTE BELLO CT NW ALBUQUERQUE NM 87114

101106641225041555 LEGAL: LT 1 38P1 PLAT OF TUSCANY RIDGE SUBDIVISION CONT 0. LAND USE:
 PROPERTY ADDR: 00000 10619 MONTE BELLO CT NW
 OWNER NAME: LIMON ARMANDO P & SARA
 OWNER ADDR: 10619 MONTE BELLO CT NW ALBUQUERQUE NM 87114

101106642925041554 LEGAL: LT 1 37P1 PLAT OF TUSCANY RIDGE SUBDIVISION CONT 0. LAND USE:
 PROPERTY ADDR: 00000 10620 MONTE BELLO CT NW
 OWNER NAME: WANG DANIEL A & MARY C
 OWNER ADDR: 10620 MONTE BELLO CT NW ALBUQUERQUE NM 87114

101106642924541553 LEGAL: LT 1 36P1 PLAT OF TUSCANY RIDGE SUBDIVISION CONT 0. LAND USE:
 PROPERTY ADDR: 00000 10616 MONTE BELLO CT NW
 OWNER NAME: ADAMS SARA K
 OWNER ADDR: 10616 MONTE BELLO CT NW ALBUQUERQUE NM 87114

101106642924141552 LEGAL: LT 1 35P1 PLAT OF TUSCANY RIDGE SUBDIVISION CONT 0. LAND USE:
 PROPERTY ADDR: 00000 10612 MONTE BELLO CT NW
 OWNER NAME: WALKER MARY E AND WALKER STEVE



OWNER ADDR: 10612 MONTE BELLO CT NW ALBUQUERQUE NM 87114

101106642923641551 LEGAL: LT 1 34P1 PLAT OF TUSCANY RIDGE SUBDIVISION CONT 0. LAND USE:

PROPERTY ADDR: 00000 10608 MONTE BELLO CT NW

OWNER NAME: COLYER KIM F & ROBIN H

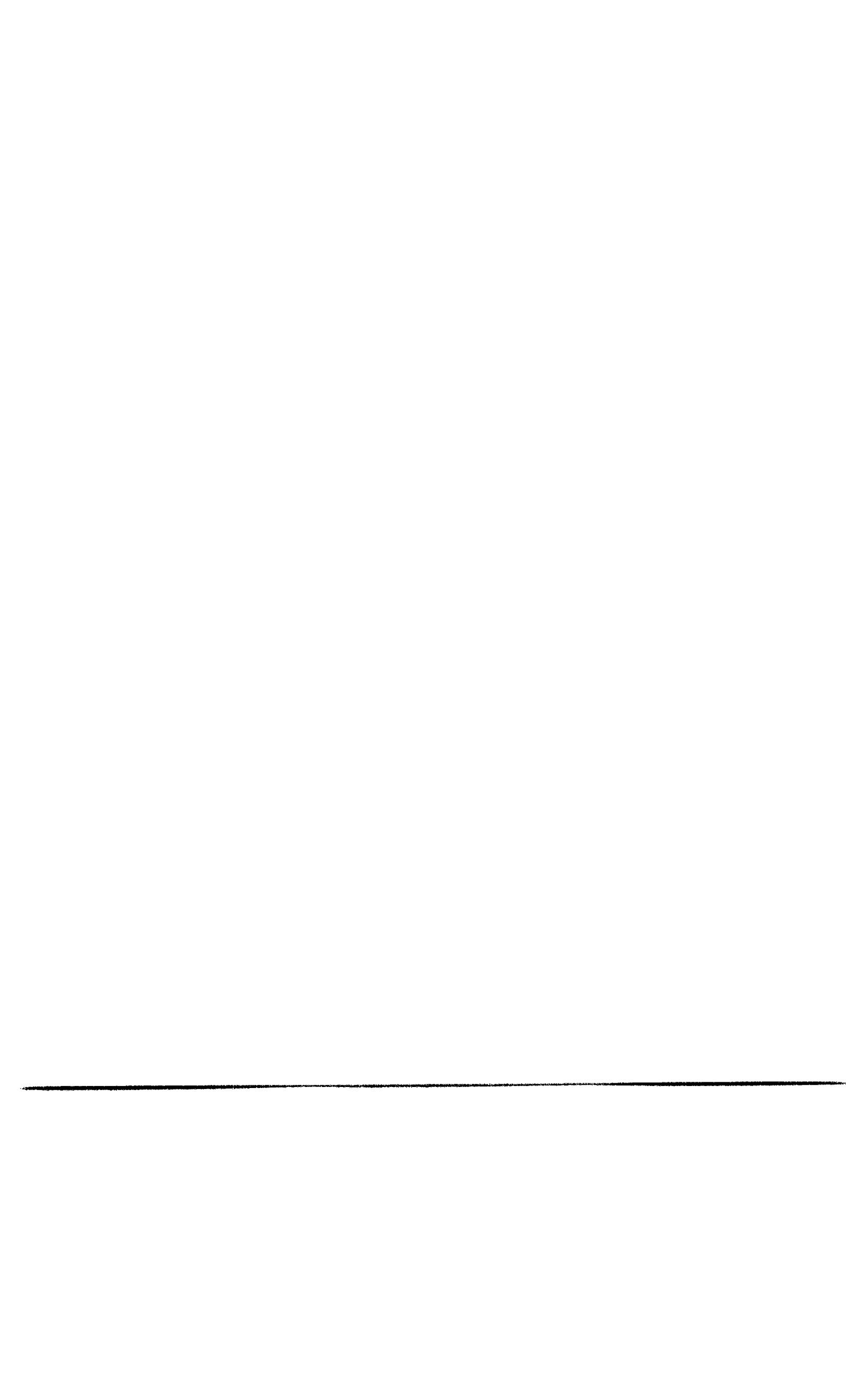
OWNER ADDR: 10608 MONTE BELLO CT NW ALBUQUERQUE NM 87114

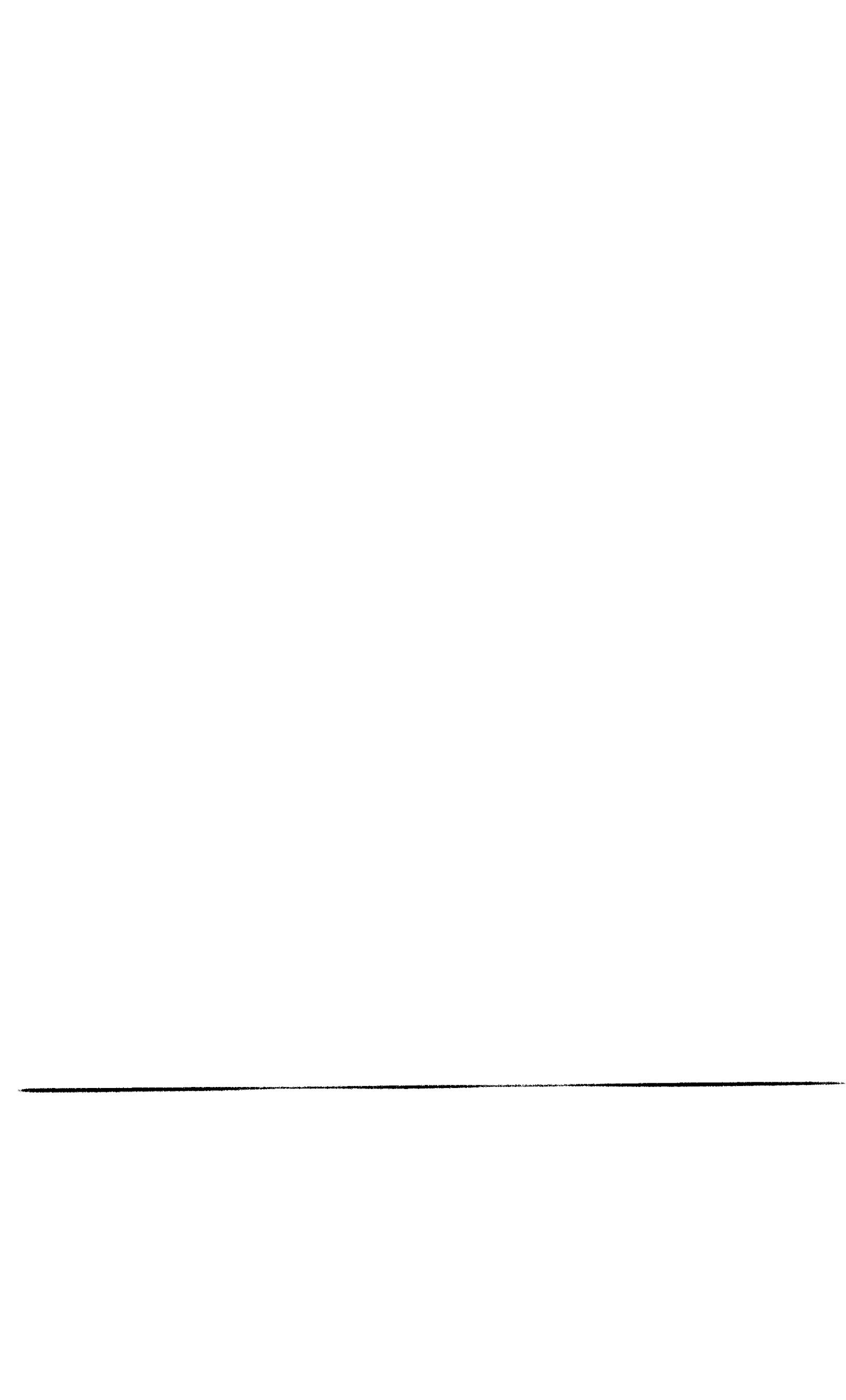
101106644023741546 LEGAL: LT 1 29P1 PLAT OF TUSCANY RIDGE SUBDIVISION CONT 0. LAND USE:

PROPERTY ADDR: 00000 10609 SOLE ROSSO CT NW

OWNER NAME: MANOGGIAN DEBORAH

OWNER ADDR: 10609 SOLE ROSSO CT NW ALBUQUERQUE NM 87114







City of Albuquerque

PLEASE NOTE: The Neighborhood Association information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter - you will need to get an updated letter from our office. It is your responsibility to provide current information - outdated information may result in a deferral of your case.

Date: March 20, 2003

TO CONTACT NAME: Bernice Cuadras
COMPANY/AGENCY: Community Services Corporation
ADDRESS/ZIP: PO Box 1528 / 87048
PHONE/FAX #: 897-0000 ext 101 / 898-5195

Thank you for your inquiry of 3-20-03 (Date) requesting the names of Recognized

Neighborhood Associations who would be affected under the provisions of O-92 by your proposed project at SE 1/4 of the NE 1/4 projected Section 2, T11N, R2E, NMPol, Town of Arisco Grant zone map page(s) A-11

Our records indicate that the Recognized Neighborhood Association(s) affected by this proposal and the contact names are as follows:

Horizon Hills
Neighborhood Association
Contact: Julia M. Wilson
5705 Carmen Rd NW
899-4030 (w) 87114
Solinda J. Balmer
10590 Vista Bella A. NW
898-9076 (w) 87114

Neighborhood Association
Contact: _____

See reverse side for additional Neighborhood Association Information: YES { } NO

Please note that according to O-92 you are required to notify each of these contact persons by **CERTIFIED MAIL. RETURN RECEIPT REQUESTED. BEFORE** the Planning Department will accept your application filing. **IMPORTANT! FAILURE OF ADEQUATE NOTIFICATION MAY RESULT IN YOUR APPLICATION HEARING BEING DEFERRED FOR 30 DAYS.** If you have any questions about the information provided, please contact our office at (505) 924-3914 or by fax at 924-3913

Sincerely,

Dalana S. Carmona
OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

Attention: Both contacts per neighborhood association need to be notified.

planning.recognized.na.form(05/08/01)

Jeffrey L. Fine, Ph.D., C.E.D.S.

PSYCHOTHERAPY
NUTRITIONAL MEDICINE
CODEPENDENCY TREATMENT
CERTIFIED EATING DISORDERS SPECIALIST

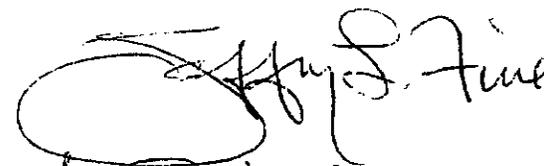
3/25/03

To Whom it May Concern,

On my behalf as managing member of Fineland, LLC. I have hired Community Sciences Corp. to act for me in regard to the Fineland Zoning application.

Thank you in advance for your consideration in this matter.

Very Truly yours,


for Fineland, LLC

Dr. Jeffrey L. Fine
10250 Collins Ave., PH-1
Bal Harbour, FL 33154

305-868-4444

Proj# 1000875

FINELAND, LLC
C/O JEFFERY L. FINE
10250 COLLINS AVE, PENTHOUSE 1
BAL HARBOR FL 33154

JOLINDA J. BALMER
Horizon Hills Neigh. Assoc.
10590 VISTA BELLA PL. NW
ALBUQUERQUE NM 87114

101106638623542345

SALAZAR DAVID E & CELESTINE A
10609 RIO DEL SOLE CT NW
ALBUQUERQUE NM 87114

101106638725042348

CIOLEK MICHAEL F
10623 RIO DEL SOLE CT NW
ALBUQUERQUE NM 87114

101106637125142331

YAZZIE VIRVIAN
6201 CONTESS RD NW
ALBUQUERQUE NM 87114

101106640124141564

EDWARDS BRIAN J
10612 RIO DEL SOLE CT NW
ALBUQUERQUE NM 87114

101106641224141557

BUDNY JEFFREY M & CHRIS L
10611 MONTE BELLO CT NW
ALBUQUERQUE NM 87114

101106642925041554

WANG DANIEL A & MARY C
10620 MONTE BELLO CT NW
ALBUQUERQUE NM 87114

101106642923641551

COLYER KIM F & ROBIN H
10608 MONTE BELLO CT NW
ALBUQUERQUE NM 87114

101106644024541544

MILLER GREGORY A
10615 SOLE ROSSO CT NW
ALBUQUERQUE NM 87114

COMMUNITY SCIENCES CORP.
PO BOX 1328
CORRALES NM 87048

101106647033510120

GLUCKMAN FRANCINE & ETAL
420 W. 24TH ST
NEW YORK NY 10011

101106638623942346

MACHADO LYNDA PATRICIA
10615 RIO DEL SOL CT NW
ALBUQUERQUE NM 87114

101106637624042333

HOPPER PHILLIP DON & TONI SUE
10626 MARITCA DR NW
ALBUQUERQUE NM 87114

101106640125041566

STINSON MATTHEW M
10620 RIO DEL SOL CT NW
ALBUQUERQUE NM 87114

101106640123641563

SILVA KATHERINE M
10608 RIO DEL SOLE CT NW
ALBUQUERQUE NM 87114

101106641224541556

ENGELBERT EGON H
10615 MONTE BELLO CT NW
ALBUQUERQUE NM 87114

101106642924541553

ADAMS SARA K
10616 MONTE BELLO CT NW
ALBUQUERQUE NM 87114

101106644023741546

MANOOGIAN DEBORAH
10609 SOLE ROSSO CT NW
ALBUQUERQUE NM 87114

101106644125041543

MARTINEZ JESUSITA
10619 SOLE ROSSO CT NW
ALBUQUERQUE NM 87114

JULIA M. WILSON
Horizon Hills Neigh. Assoc.
5705 CARMEN RD NW
ALBUQUERQUE NM 87114

101106626531010402

GONZALES MARK & JENNIE T ETAL
1100 JUAN TABO BL NE
ALBUQUERQUE NM 87112

101106638624442347

ROSS DEBORAH A
10619 RIO DEL SOLE CT NW
ALBUQUERQUE NM 87114

101106637524642332

OLIVERAS ANTONIO L & OLIVIA K
10630 MARITCA DR NW
ALBUQUERQUE NM 87114

101106640124541565

SCHATZ CURT
10616 RIO DEL SOLE CT NW
ALBUQUERQUE NM 87114

101106641223741558

PAYNE RICK R
10609 MONTE BELLO CT NW
ALBUQUERQUE NM 87114

101106641225041555

LIMON ARMANDO P & SARA
10619 MONTE BELLO CT NW
ALBUQUERQUE NM 87114

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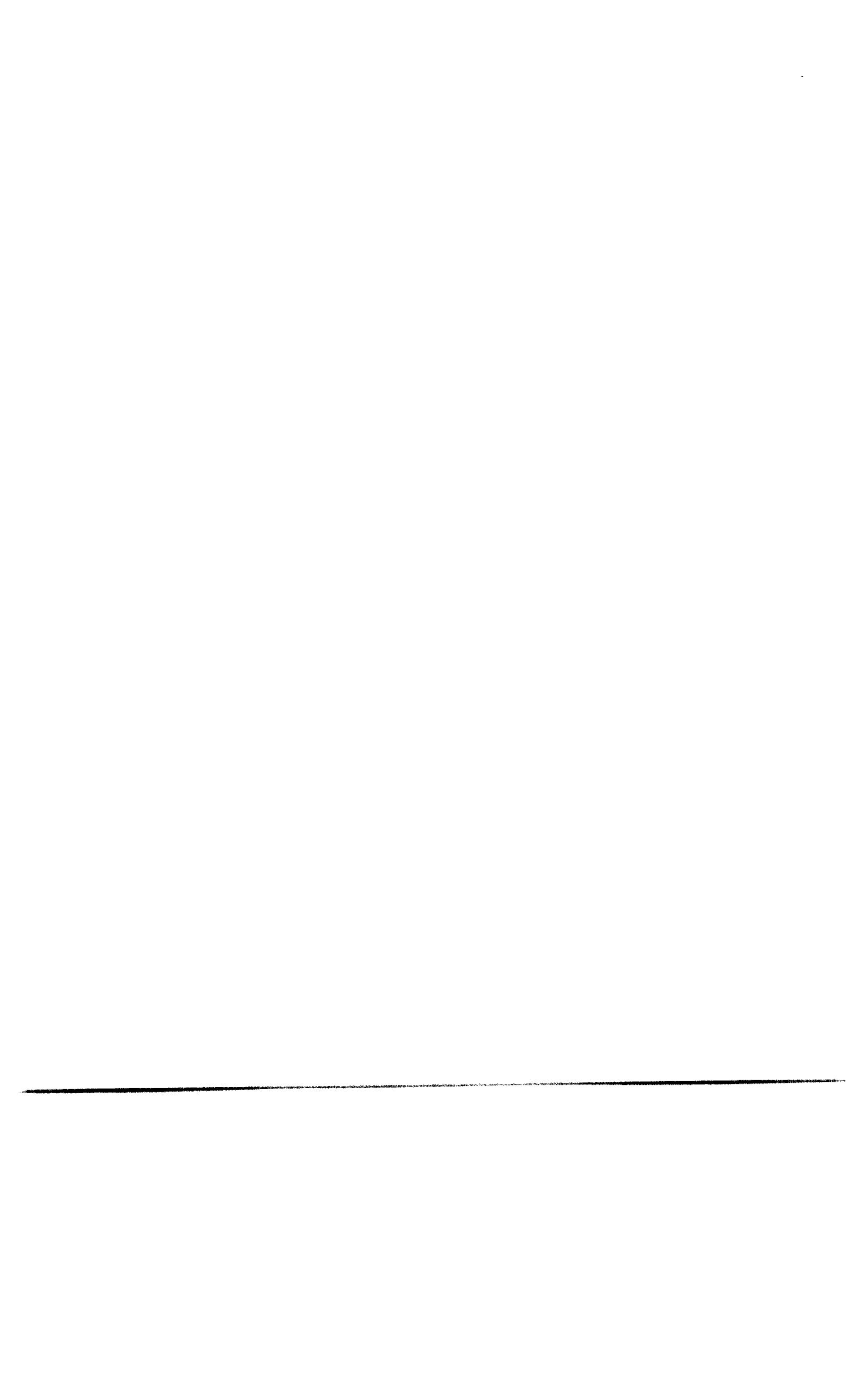
WALKER MARY E & WALKER STEVE
10612 MONTE BELLO CT NW
ALBUQUERQUE NM 87114

101106644024141545

ROGERS SHARON LEA
10611 SOLE ROSSO CT NW
ALBUQUERQUE NM 87114

101106645725041542

DENNIS PAUL R
4125 TURKEYFOOT RD
INDEPENDENCE KY 41051



101106645824541541

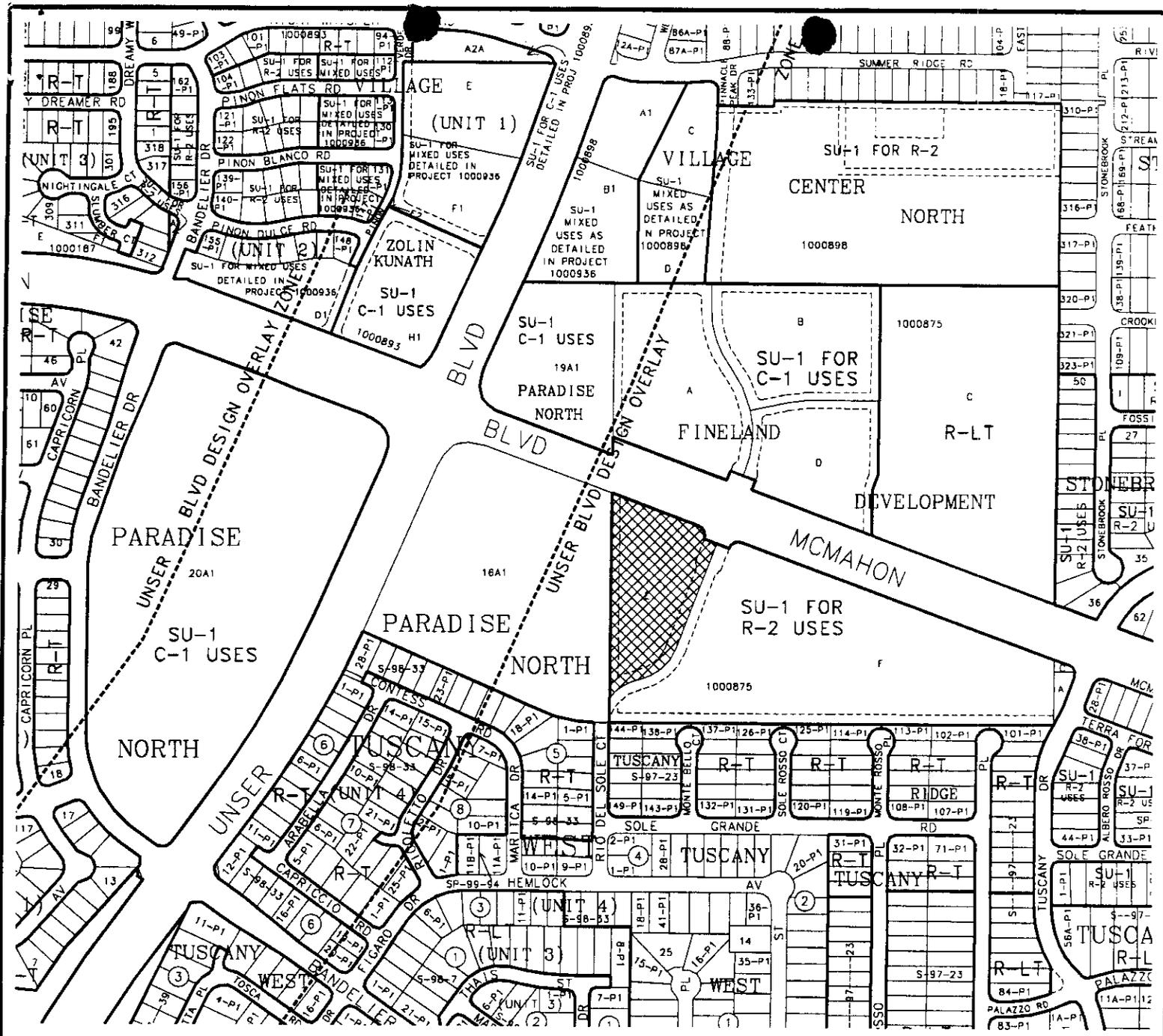
PATTEN PHYLLIS J
10616 SOLE ROSSO CT NW
ALBUQUERQUE NM 87114

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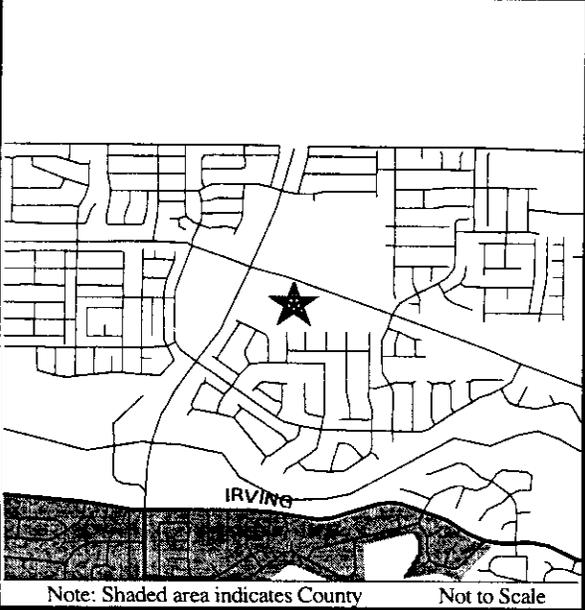
JORDAN ERIC S
10612 SOLE ROSSO CT NW
ALBUQUERQUE NM 87114

106638037210110

TRES ESQUINAS II LLC NM LIMIT
6121 INDIAN SCHOOL RD NE
ALBUQUERQUE NM 87110

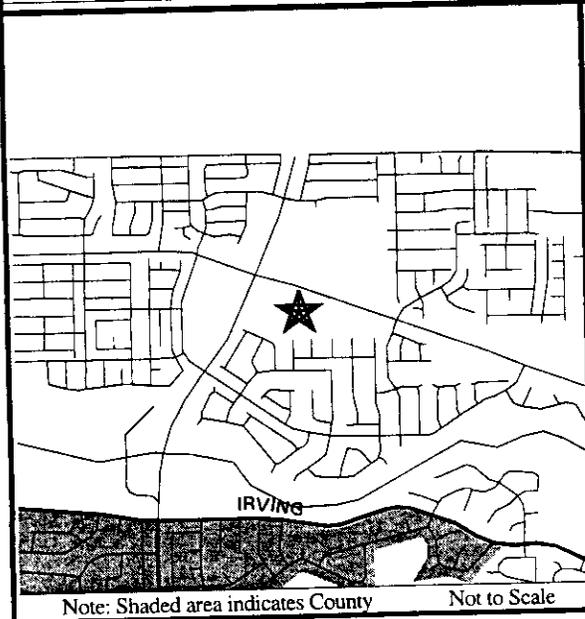
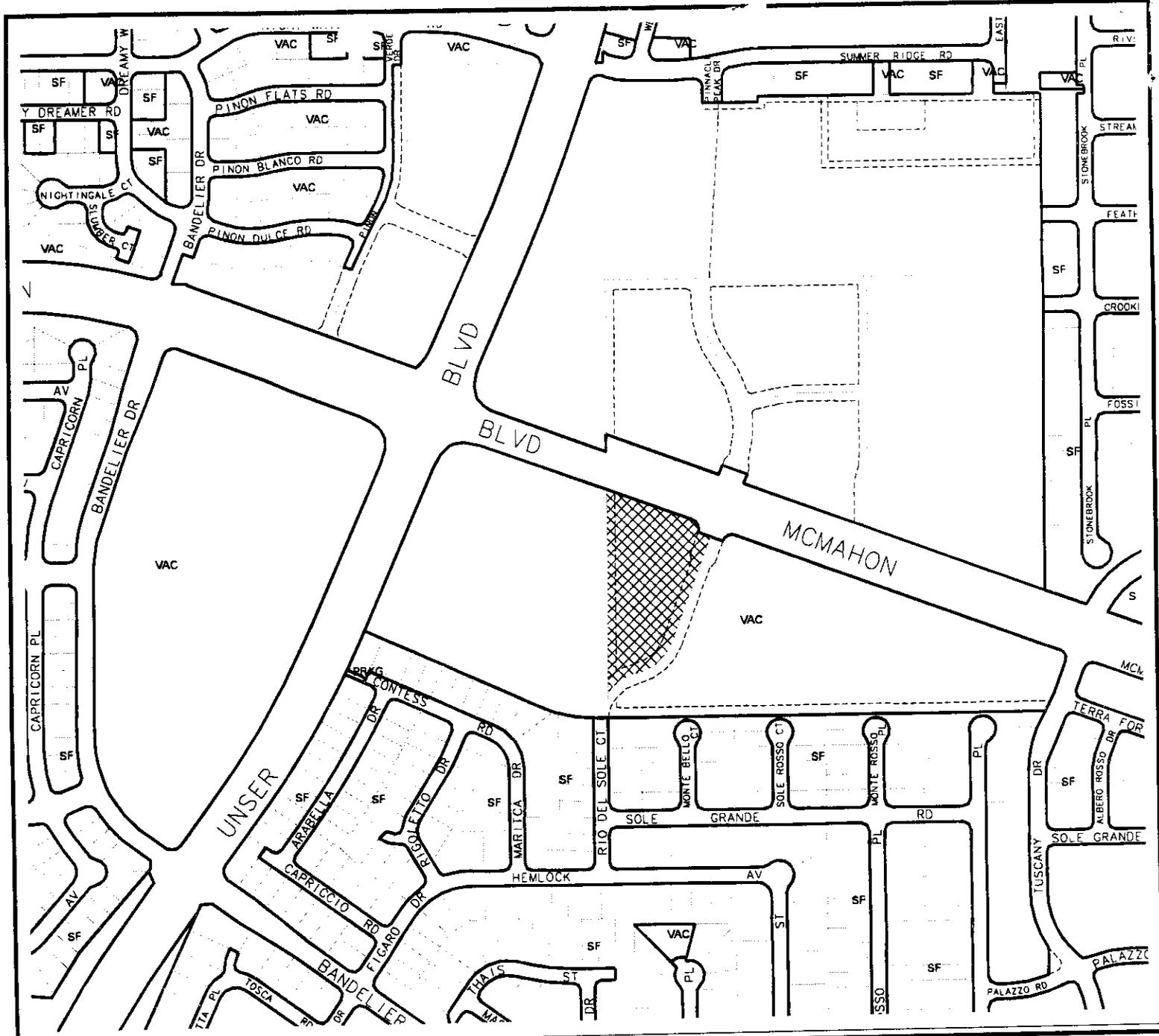


ZONING MAP



Scale 1" = 431'

PROJECT NO. 1000875
HEARING DATE 5-15-03
MAP NO. A-11
ADDITIONAL CASE NUMBER(S) 03EPC-00503 03EPC-00504



Note: Shaded area indicates County Not to Scale

LAND USE MAP

KEY to Land Use Abbreviations

- AGRI Agricultural
- COMM Commercial -Retail, Service, Wholesale
- DRNG Drainage
- EDUC Public or Private School
- GOLF Golf Course
- MED Medical Office or Facility
- MFG Manufacturing or Mining
- MH Mobile Home
- MULT Multi-Family or Group Home
- OFF Office
- ORG Social or Civic Organization
- PARK Park, Recreation or Open Space
- PRKG Parking
- PUBF Public Facility
- RELG Religious Facility
- SF Single Family
- TRAN Transportation Facility
- UTIL Utility
- VAC Vacant Land or Abandoned Bldgs
- WH Warehousing & Storage



Scale 1" = 431'

PROJECT NO.
1000875

HEARING DATE
5-15-03

MAP NO.
A-11

ADDITIONAL CASE NUMBER(S)
03EPC-00503
03EPC-00504

ONE STOP SHOP ••• FRONT COUNTER
City of Albuquerque • Planning Department

DEVELOPMENT & BUILDING SERVICES (D&B Svcs)
LAND DEVELOPMENT COORDINATION SECTION (LDC)
Plaza Del Sol - 2nd & 4th Floor West - 600 2nd St NW 87102
Front Counter Main Number (505) 924-3858 or 924-3895
Main Fax (505) 924-3864

PAID RECEIPT

APPLICANT NAME

FINELAND LLC

AGENT

CSC,

ADDRESS

PO Box 1328

PROJECT NO.

1000875

APPLICATION NO.

03 EPC - 00503 & 504

\$ _____ 441006 / 4983000 (DRB Cases)

\$ 100⁰⁰ 441006 / 4971000 (EPC & AA / LUCC / Appeals)

\$ _____ 441018 / 4971000 (Notification)

\$ 100⁰⁰ Total amount due

City of Albuquerque
Treasury Division

06/04/2003 10:04:48 AM
RECEIPTS 00007994 457 006 TRANS 0007
ACCOUNT 441006 FUND 0110 TRSNO
ACTIVITY 4971000 TRSNO
Trans Amt 110.00

29571

COMMUNITY SCIENCES CORPORATION

P.O. BOX 1328
CORRALES, N.M. 87048
(505) 897-0000

WELLS FARGO BANK NEW MEXICO, N.A.
CORRALES, NM 87048
95-219-1070

Exactly One hundred ten and no / 100 Dollars

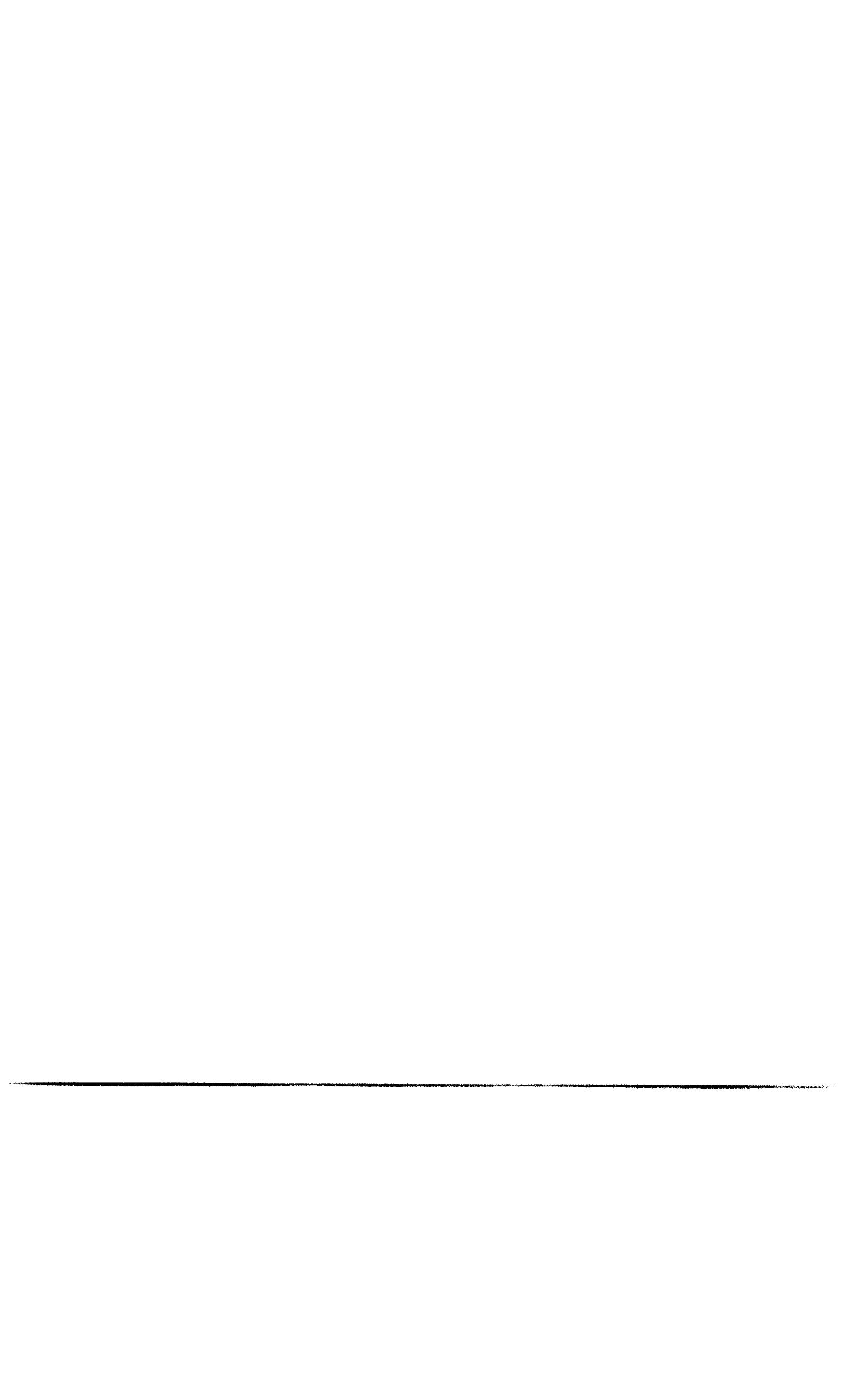
DATE
5/28/03

AMOUNT
\$110.00

PAY TO THE ORDER OF
CITY OF ALBUQUERQUE
PO BOX 17
ALBUQUERQUE NM 87103

Sanjay C. Srinivasan

⑈029571⑈ ⑆107002192⑆ 1000231258⑈



ONE STOP SHOP ••• FRONT COUNTER
City of Albuquerque • Planning Department

DEVELOPMENT & BUILDING SERVICES (D&B Svcs)
LAND DEVELOPMENT COORDINATION SECTION (LDC)
Plaza Del Sol - 2nd & 4th Floor West - 600 2nd St NW 87102
Front Counter Main Number (505) 924-3858 or 924-3895
Main Fax (505) 924-3864

PAID RECEIPT

APPLICANT NAME Fineland LLC
AGENT Community Sciences
ADDRESS _____
PROJECT NO. 1000875
APPLICATION NO. 03EPC - 00503 / 00504

\$ _____ 441006 / 4983000 ((DRB Cases
\$ 110.5 441006 / 4971000 (EPC & AA / LUCC (Appeals)
\$ _____ 441018 / 4971000 (Notification)
\$ 110.5 **Total amount due**

29734

COMMUNITY SCIENCES CORPORATION
P.O. BOX 1328
CORRALES, N.M. 87048
(505) 897-0000

WELLS FARGO BANK NEW MEXICO, N.A.
CORRALES, NM 87048
95-219-1070

Exactly One hundred ten and no / 100 Dollars

DATE
7/24/03

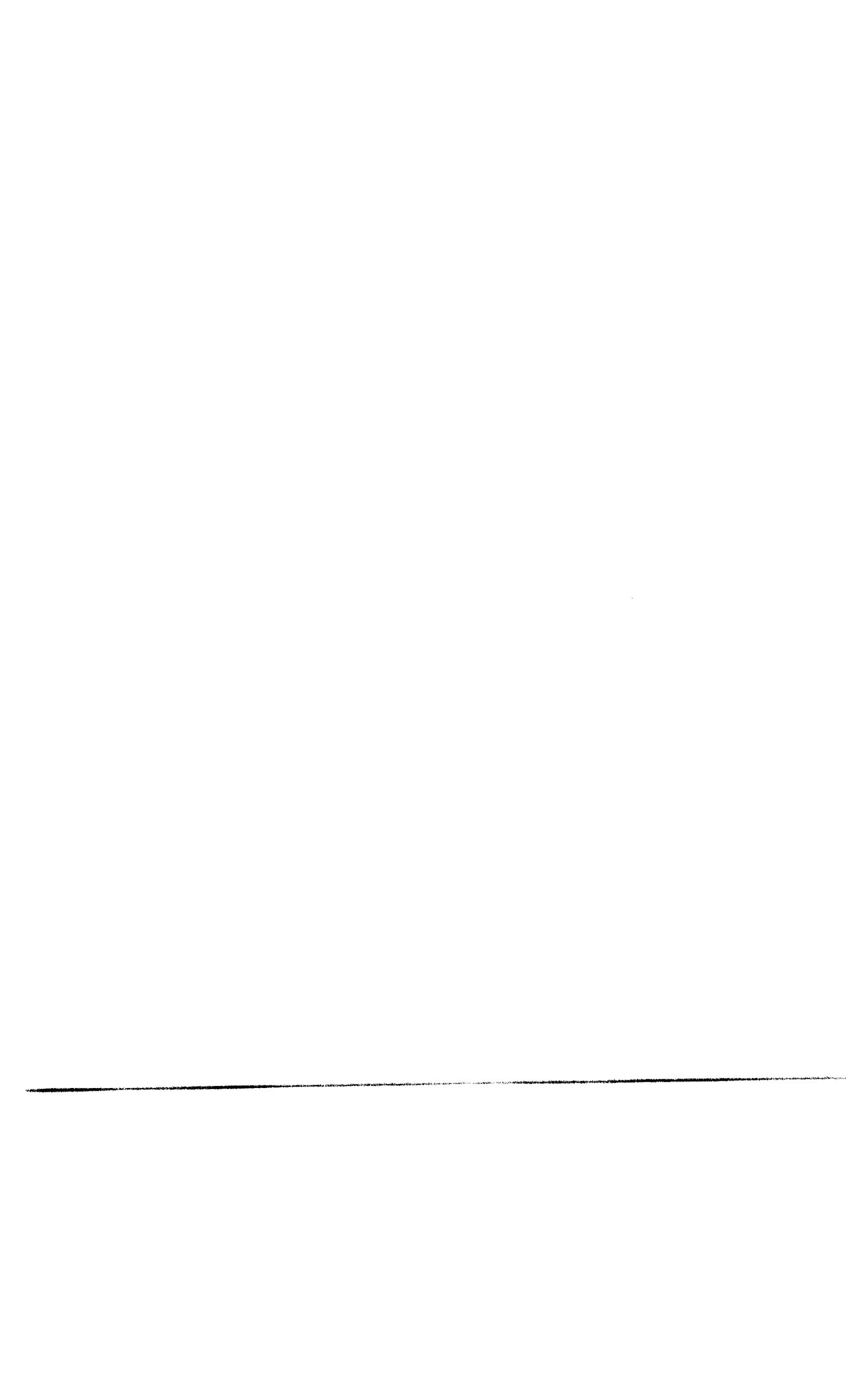
AMOUNT
\$110.00

PAY TO THE ORDER OF
CITY OF ALBUQUERQUE
PO BOX 17
ALBUQUERQUE NM 87103

Handwritten signature
City of Albuquerque
Treasury Division

⑈029734⑈ ⑆107002192⑆1000231258⑈

7/24/2003 3:41PM
RECEIPT# 00009733 USE OUR TRAPSA
Account 441006 Fund 0000
App: 441000
10/28/02





RECEIVED

JUL 23 2003

RR# 448-01AA-630-630
CAS
CFS

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

Date: July 18, 2003

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project # 1000875**
03EPC-00503 Zone Map Amendment
03EPC-00504 EPC Site Development Plan-
Amendment to Subdivision

Fineland LLC, 10250 Collins Ave.
Penthouse 1
Bal Harbor, Fl. 33154

LEGAL DESCRIPTION: for all or a portion of Tract(s) E, **Fineland Development**, a zone map amendment from SU-1 for R-2 to SU-1 for C-1, located on MCMAHON BLVD. NW, between UNSER BLVD. NW and STONEBRIDGE DRIVE NW, containing approximately 3 acre(s). (A-11) Makita Hill, Staff Planner (**DEFERRED FROM MAY 15, 2003**)

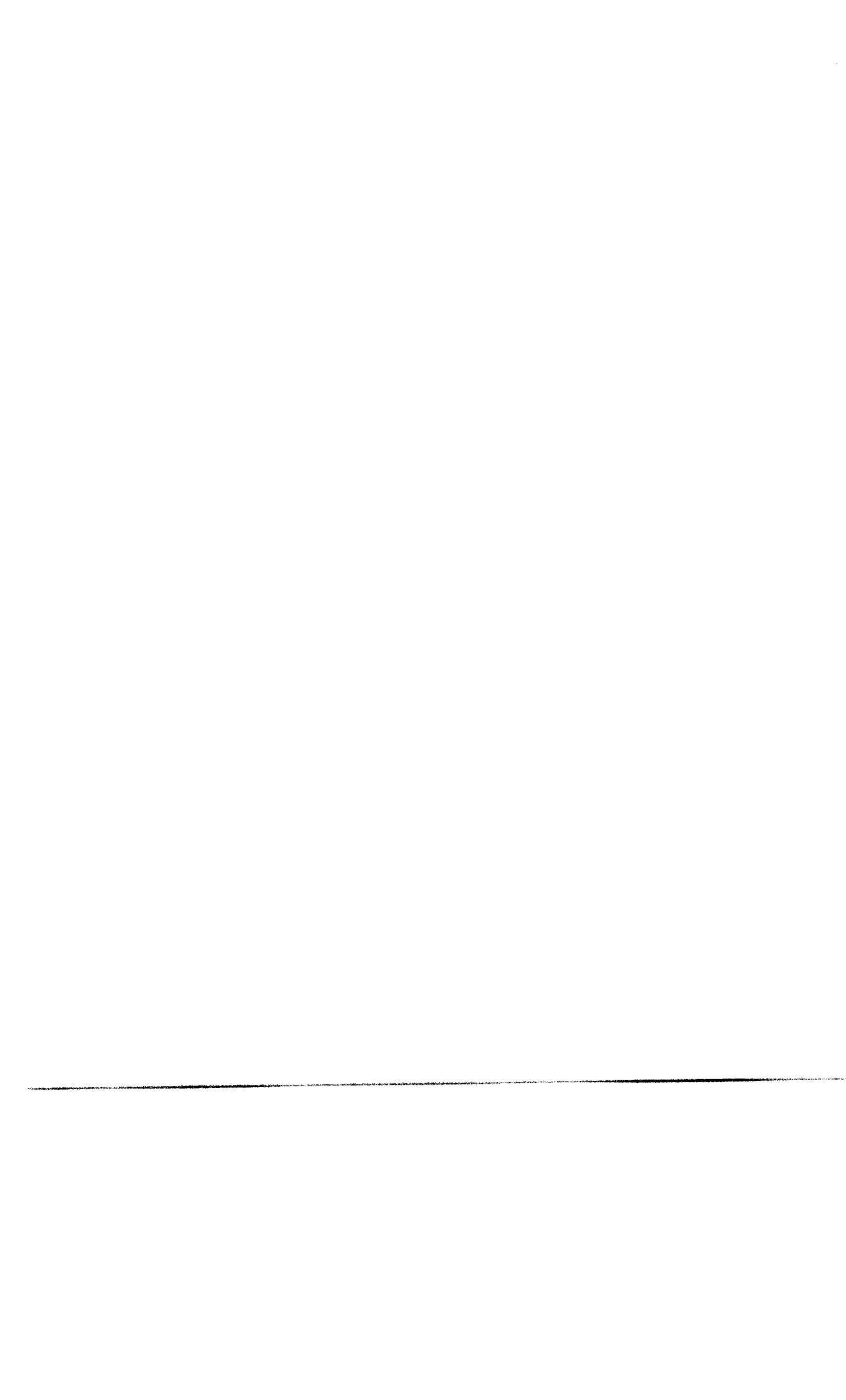
On July 17, 2003 the Environmental Planning Commission voted to defer Project 100875/ 03EPC-00503 Zone Map Amendment and 03EPC-00504 EPC Site Development Plan-Amendment to Subdivision to the Environmental Planning Commission Public Hearing on August 21, 2003.

There is a \$110.00 fee when a deferral is made at the request of an applicant/agent. Payment is due by August 1, 2003 and may be paid at the Land Development Coordination counter at the Plaza del Sol Building. Failure to pay may result in removal from the agenda.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY AUGUST 1, 2003 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.

NM5514 - 110.00

127 0054



P. O. Box 1328
Corrales, NM 87048

May 9, 2003

City of Albuquerque
Environmental Planning Commission
Plaza Del Sol Building
600 2nd Street, NW
Albuquerque, New Mexico 87102

Attention: Mr. Makita Hill, Staff Planner

Subject: 03-EPC-0053/0054, Agenda Item #11, Fine 5/15/2003 EPC Schedule
(Project #100875)

Dear Mr. Hill:

Thank you for your attention to the proposed rezoning case and our ability to discuss the issues.

Based on your comments, it would be prudent to request a deferral on this case in order for us to continue our attempts to contact the adjacent property owner, to the west, and to continue our attempts for a facilitated meeting with the recognized Neighborhood Association.

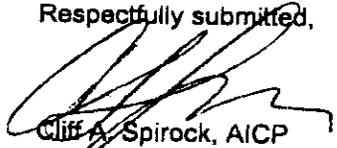
This letter hereby requests a 60 day deferral.

Regarding your exceptions to the west side strategic plan and specifically, the land use elements of the West Side/McMahon Transportation Corridor Study, I would urge you to reconsider the strength of your objections. The connector roadway to the corner lot has been discussed with the Traffic Engineer (Mr. Dourte) and with the transportation department (Mr. Castillo). When Mr. Amar Tesch, representing the corner lot, was in discussions with my client, we made many attempts to locate easements, exchange properties, or offer an outright purchase of additional properties. This was all in the spirit of creating the best transportation and pedestrian network to the designated "village core" areas depicted in the WSSP.

If that ownership is unavailable or does not wish to participate in any planning or alignment, I will be forced to continue the extension of an easement (for commercial purposes) to the west that would facilitate left-out movements from their property through that of my client. Please note our successful action north of McMahon with the prior Commission (Chairman Gara) whereby an intelligent transition from the village center areas and its intense requirements is progressively transitioned to the emerging residential communities along McMahon. We used the same care south of McMahon and desire the same cooperative process.

Please also be advised that the remainder, Parcel F, is under purchase consideration by a residential developer. By the continuance of this case our application for non-residential zoning will be in place prior to any residential plans and occupants, preserving our anticipation for ultimate non-residential land use allowances on proposed Parcel E.

Respectfully submitted,

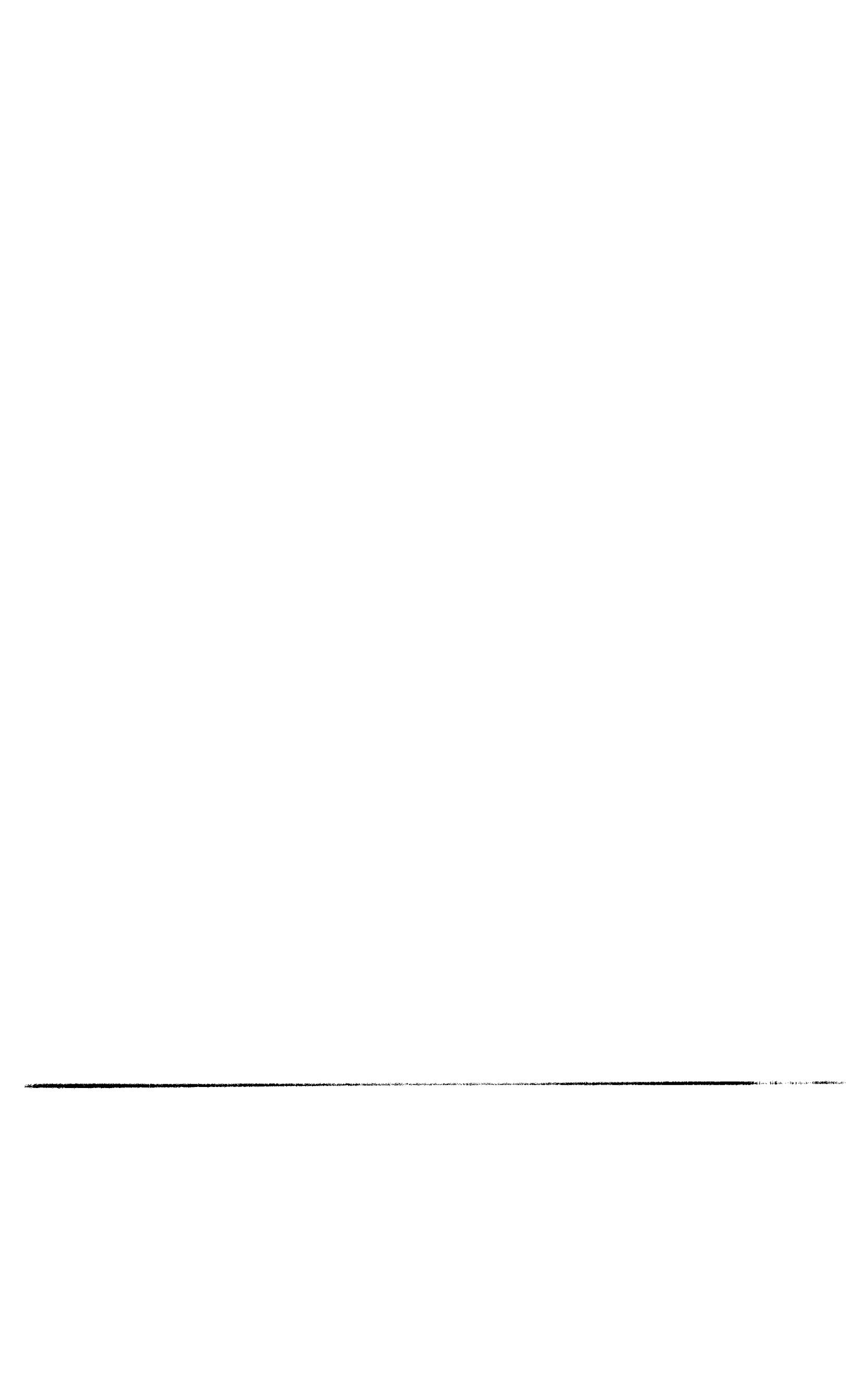

Cliff A. Spirock, AICP
Agent for Fineland LLC

CAS/bjc

cc: Mr. Jeffrey Fine
Mr. John Davidson
Mr. Greg Breedlove

CSC# E:\CSC_WORD\LETTERS\05-03-10 ltr.doc RR# 448-01-830

DEVELOPMENT CONSULTING
ENGINEERING AND SURVEYING
LOCAL GOVERNMENT SERVICES
COMPREHENSIVE LAND PLANNING
LAND DEVELOPMENT IMPLEMENTATION



Date: July 18, 2001
To: Environmental Planning Commission
City of Albuquerque
Subject: Project # 1001279

In reference to the attached "Notice of Public Hearing" on Project #1001279, I, Angela Arviso, as a homeowner at 6205 Contess Road NW located along the south property line of Tract 16A-1, will be attending the public hearing scheduled for Thursday, July 19, 2001 beginning at 9:00 a.m. at the Plaza Del Sol Hearing Room, Lower Level, Plaza del Sol Building, 600 2nd St. NW, Albuquerque, NM.

I am opposed to the request for change in zoning from Residential to Commercial for the southeast corner of Unser and McMahan Boulevards, NW, containing approximately 9.8 acres. This request for change includes a Grocery Store with Package Liquor Sales.

Though the request for change in zoning may be approved by the City of Albuquerque, Environmental Planning Commission, the following are concerns to the site development map I would like to see addressed:

1. Perimeter Walls, Screenwalls & Fences Standards:
 - a. Proposed is a maximum height of 6 feet for perimeter walls for multi-family residential development. I would like a minimum of 8 to 10 feet wall. My home is located at the back of the proposed grocery store and I would like a higher wall to shield the sight and noise from the store and as a security for my home.
 - b. Proposed is a wall/fence of no less than 6 feet in height to screen storage of high profile delivery/transport vehicles. Again, I would like the higher wall as mentioned in 1 a.
 - c. Proposed entry signs for the project shall be on private property and shall be maintained by the property owner. Please clarify who the property owner is. (The grocery store or homeowners.)
2. Lighting, Outdoor Furniture & Materials:
 - a. Proposed streetlights and parking area lights restriction to 16 feet within 70 feet of residential; except residential located above retail shops. With my property located at the back of the proposed grocery store, I would like a streetlight at the center of the wall at the back of my property line to increase the security of my home and backyard.
3. Utilities:
 - a. Proposed locations of refuse enclosures. I would like to see them at the opposite end of my property. I do not want the smell of fumes or sight of garbage spills along my property line.
4. Landscape:
 - a. Proposed location of street trees either be randomly or consistently placed. Along with my request for a streetlight, I would like a couple trees at the back of my property line.
5. Typical Parking Lot Landscaping:
 - a. I assume the third paragraph referring to plant material and individual lot owners responsible for the installation and maintenance of the landscape on their property store and not the individual homeowners.



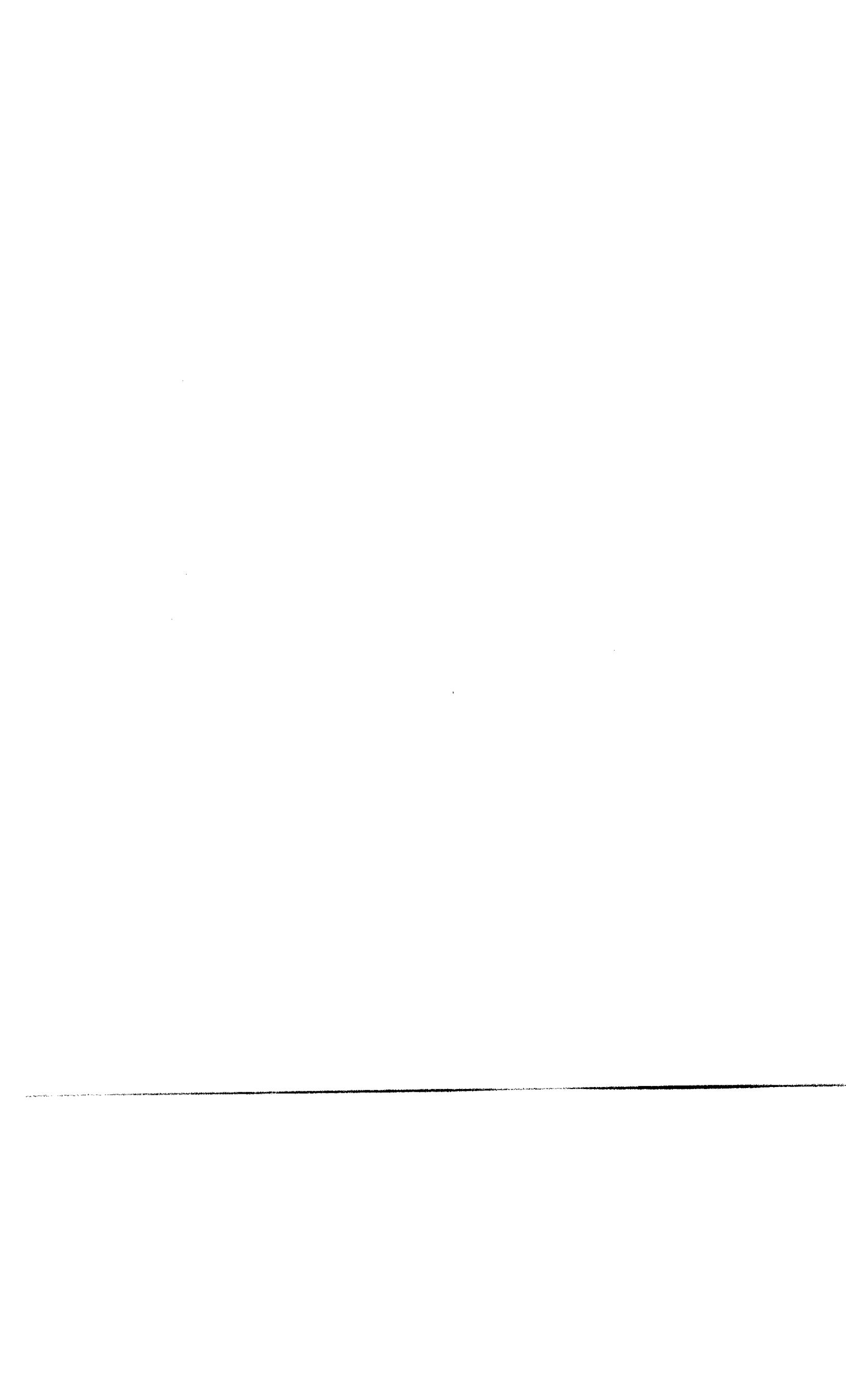
To: Environmental Planning Commission
CC: Horizon Hills Neighborhood Association
From: Michael Ciolek, 10623 Rio Del Sole Court NW
Date: 07/15/01
Re: Zoning Change, Paradise North Partners, Project #1001279

This letter is to voice my concerns about the application to change the zoning of Tract 16A-1, Paradise North, located at the southeast corner of Unser and McMahan Boulevards NW, Project #1001279, from R-1 zoning to SU-1 for C-1 uses. When I purchased my home back in 1998, I researched the zoning of the vacant land to the north of my lot. At that time it was R-1, and that is the main reason I purchased my home at this address. About a year later, I was very disappointed to learn that the vacant land had become commercially zoned for a grocery store. Upon receiving a letter from the EPC last week, I have read that this land is again up for a zoning change. If I had been aware of this issue the previous time, I would have protested it.

Since a precedent has already been set in this matter, it might be safe to say that the property owner's lack of concern about the value of the homes in the community had no bearing on your past decision. If this is the case, consider the following suggestions. First, Rio Del Sole Court should become a dead end street with a cul-de-sac, with only pedestrian access to the community. Second, there should be a buffer zone of at least 100 feet between the existing homes and any development on this land. The buffer zone should be landscaped and contain a lighted bike path with a wall of at least 10 feet in height on the north side of the buffer zone.

If these two suggestions could be considered, it would be of great appreciation and relief. This would protect the homes and subdivision from unwanted noise and traffic.

Thank You



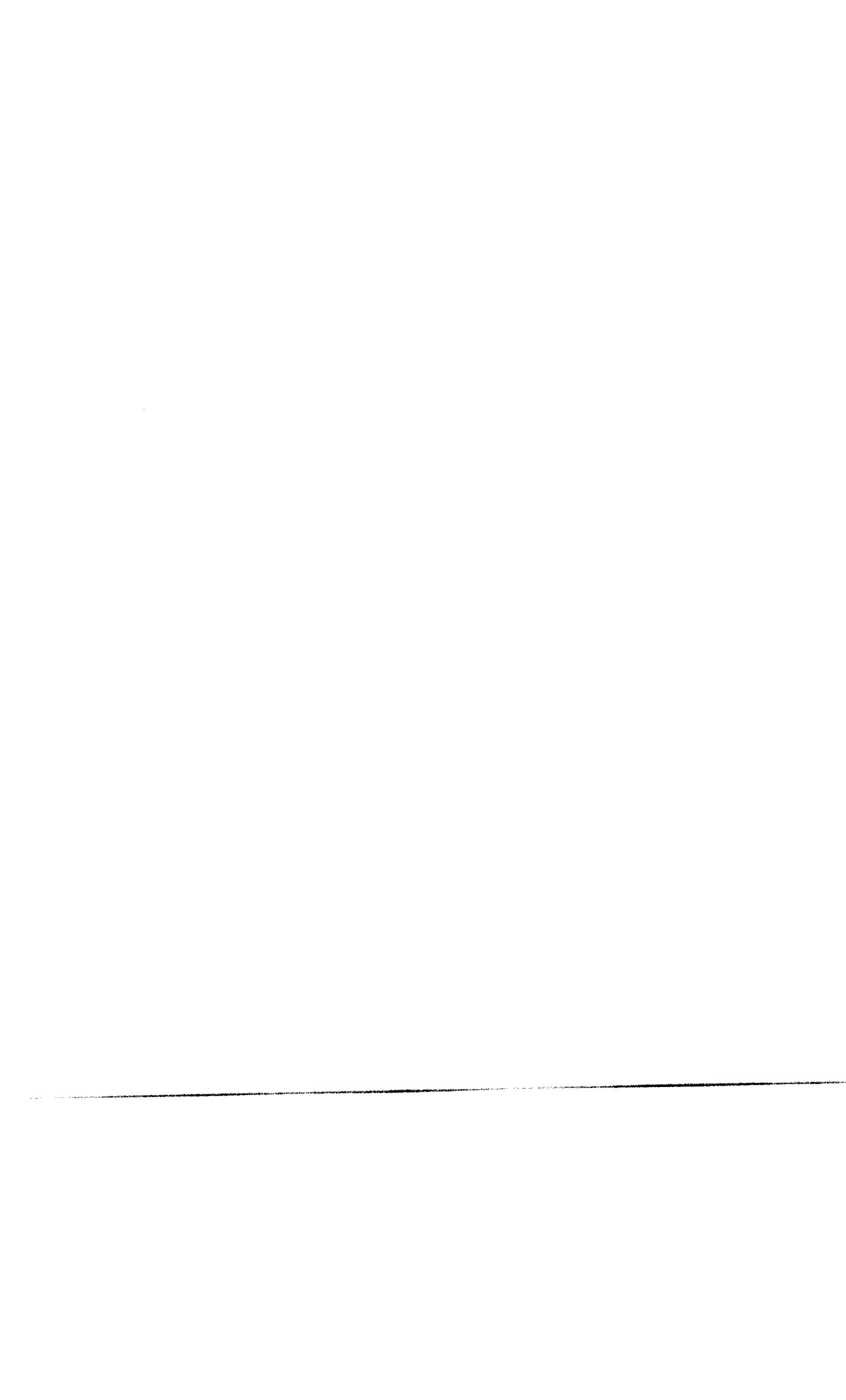
Date: July 18, 2001
To: Environmental Planning Commission
City of Albuquerque
Subject: Project # 1001279

In reference to the attached "Notice of Public Hearing" on Project #1001279, I, Angela Arviso, as a homeowner at 6205 Contess Road NW located along the south property line of Tract 16A-1, will be attending the public hearing scheduled for Thursday, July 19, 2001 beginning at 9:00 a.m. at the Plaza Del Sol Hearing Room, Lower Level, Plaza del Sol Building, 600 2nd St. NW, Albuquerque, NM.

I am opposed to the request for change in zoning from Residential to Commercial for the southeast corner of Unser and McMahan Boulevards, NW, containing approximately 9.8 acres. This request for change includes a Grocery Store with Package Liquor Sales.

Though the request for change in zoning may be approved by the City of Albuquerque, Environmental Planning Commission, the following are concerns to the site development map I would like to see addressed:

1. Perimeter Walls, Screenwalls & Fences Standards:
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 - a. Proposed locations of refuse enclosures. I would like to see them at the opposite end of my property. I do not want the smell of fumes or sight of garbage spills along my property line.



4. Landscape:
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5. Typical Parking Lot Landscaping:
 - a. I assume the third paragraph referring to plant material and individual lot owners responsible for the installation and maintenance of the landscape on their property is the grocery store and not the individual homeowners.

Drainage is not addressed on the Site Development Plan. What is the planned elevation of the proposed grocery store? I as a homeowner do not wish to have the proposed parking areas drain into but away from my property.

Noise from the proposed grocery store is not addressed. What about noise/sound barriers? Again, with my home at the back of the proposed grocery store, there will be an increase in high profile delivery/transport vehicles as well as garbage trucks.

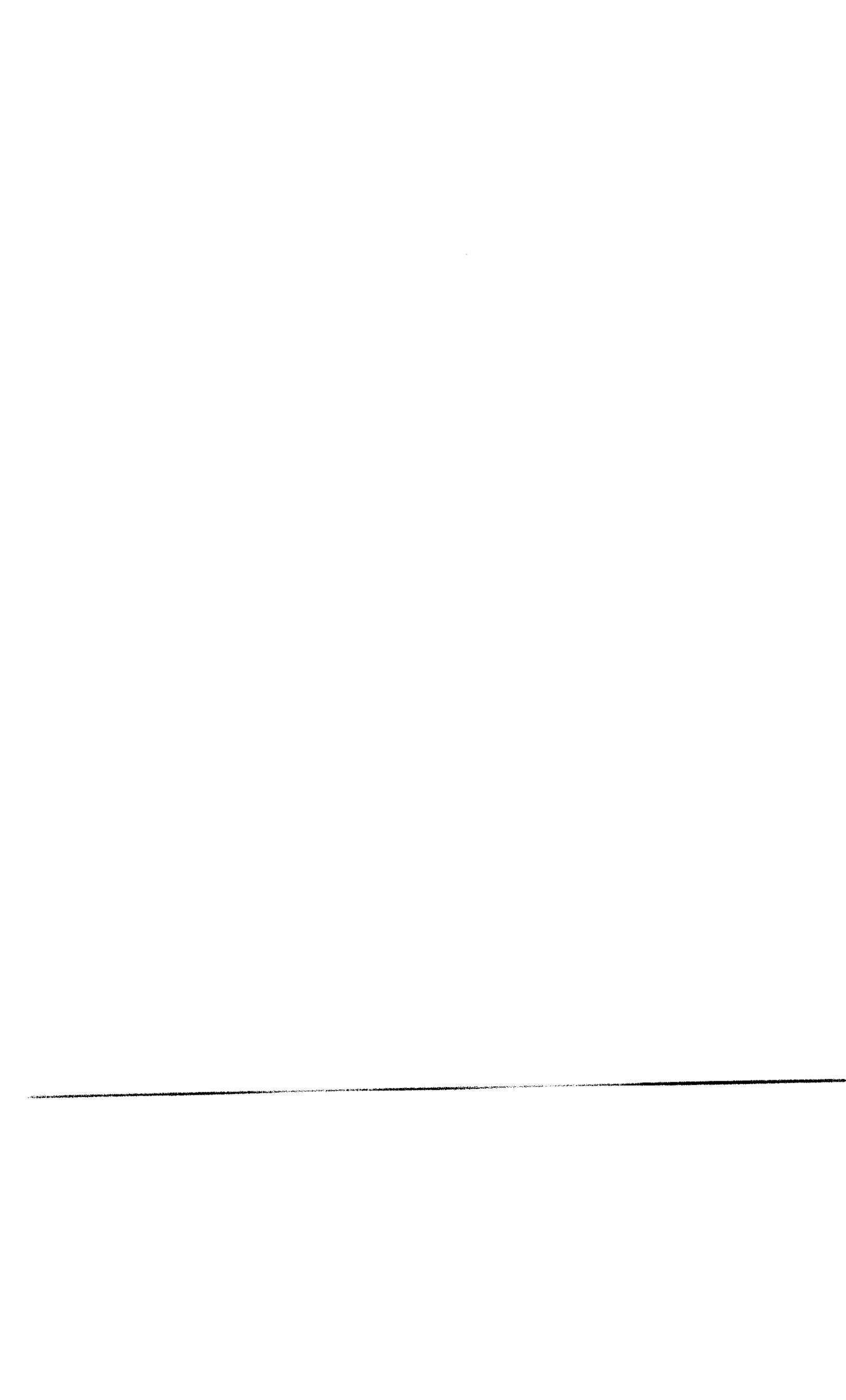
My concerns are as a single mother with a daughter. With my home located at the back of the grocery store, I would like to feel secure in our home as well as when we are away at school and work. Please address the concerns above. I would like to be involved in the planning and development of Tract 16A-1.

Thank You,



Angela Arviso
6205 Contess Road NW
Albuquerque, NM 87114
(505) 792-5418

cc: Horizon Hills Neighborhood Association



MARK PA

SEPTEMBER 18, 2003
ALBUQUERQUE, NEW MEXICO

MARK PARDO GONZALES AND
FINELAND LLC

03EPC01155 PARDO - TR 16A1 PARADISE
NORTH ZONE CHANGE, SU-C1 ZONING
WITH LIMITED C-2 USES, AND

03EPC01093 - SUBDIVISION SITE PLAN AND
DESIGN GUIDELINES

03EPC00503 FINELAND PARCEL E - ZONE
CHANGE, SU-C1 AND

03EPC00504 - SUBDIVISION SITE PLAN
AND DESIGN GUIDELINES

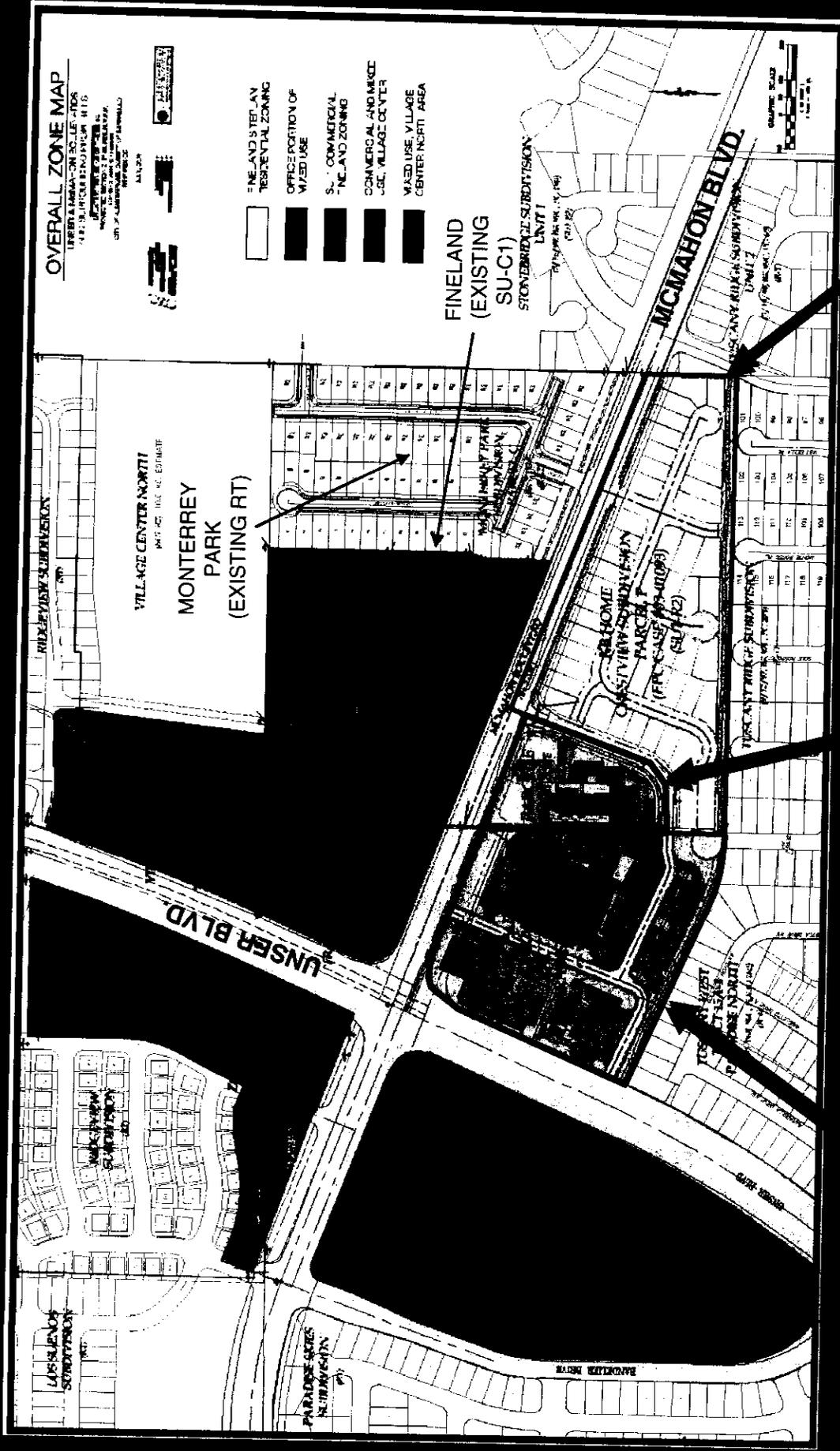
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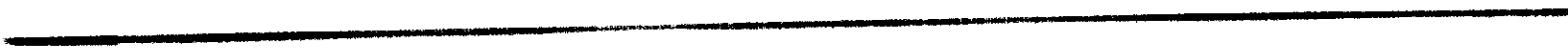
VICINITY



MARK PARDO GONZALES AND FINELAND LLC

SEPTEMBER 18, 2003
ALBUQUERQUE, NEW MEXICO





)
)

May 9, 2003

City of Albuquerque
Environmental Planning Commission
Plaza Del Sol Building
600 2nd Street, NW
Albuquerque, New Mexico 87102

Attention: Mr. Makita Hill, Staff Planner

Subject: 03-EPC-0053/0054, Agenda Item #11, Fine 5/15/2003 EPC Schedule
(Project #100875)

Dear Mr. Hill:

Thank you for your attention to the proposed rezoning case and our ability to discuss the issues.

Based on your comments, it would be prudent to request a deferral on this case in order for us to continue our attempts to contact the adjacent property owner, to the west, and to continue our attempts for a facilitated meeting with the recognized Neighborhood Association.

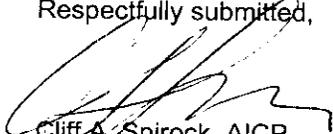
This letter hereby requests a 60 day deferral.

Regarding your exceptions to the west side strategic plan and specifically, the land use elements of the West Side/McMahon Transportation Corridor Study, I would urge you to reconsider the strength of your objections. The connector roadway to the corner lot has been discussed with the Traffic Engineer (Mr. Dourte) and with the transportation department (Mr. Castillo). When Mr. Amar Tesch, representing the corner lot, was in discussions with my client, we made many attempts to locate easements, exchange properties, or offer an outright purchase of additional properties. This was all in the spirit of creating the best transportation and pedestrian network to the designated "village core" areas depicted in the WSSP.

If that ownership is unavailable or does not wish to participate in any planning or alignment, I will be forced to continue the extension of an easement (for commercial purposes) to the west that would facilitate left-out movements from their property through that of my client. Please note our successful action north of McMahon with the prior Commission (Chairman Gara) whereby an intelligent transition from the village center areas and its intense requirements is progressively transitioned to the emerging residential communities along McMahon. We used the same care south of McMahon and desire the same cooperative process.

Please also be advised that the remainder, Parcel F, is under purchase consideration by a residential developer. By the continuance of this case our application for non-residential zoning will be in place prior to any residential plans and occupants, preserving our anticipation for ultimate non-residential land use allowances on proposed Parcel E.

Respectfully submitted,



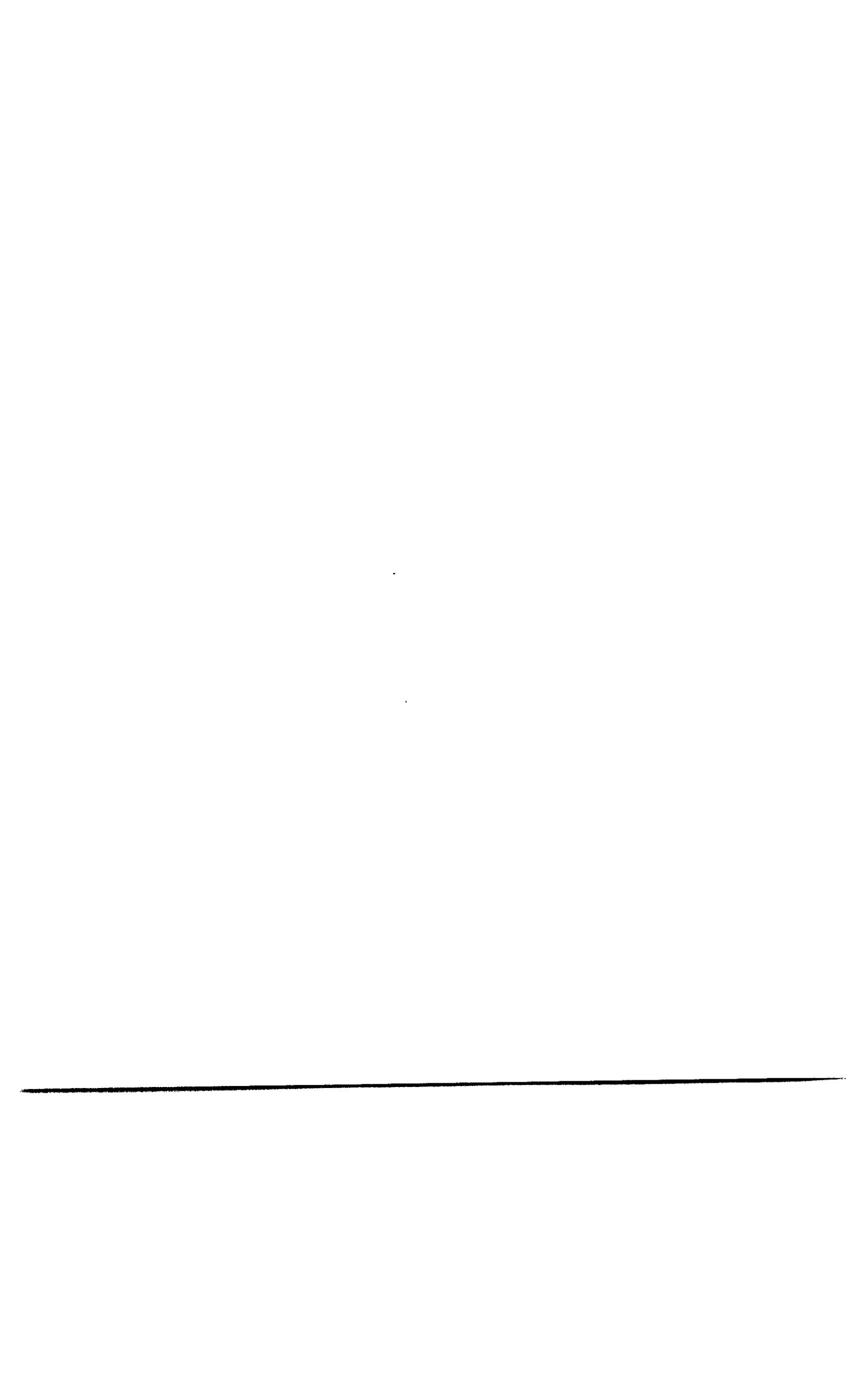
Cliff A. Spirock, AICP
Agent for Fineland LLC

CAS/bjc

cc: Mr. Jeffrey Fine
Mr. John Davidson
Mr. Greg Breedlove

CSC# E:\CSC_WORD\LETTERS\05-03-10.ltr.doc RR# 448-01-630

DEVELOPMENT CONSULTING
ENGINEERING AND SURVEYING
LOCAL GOVERNMENT SERVICES
COMPREHENSIVE LAND PLANNING
LAND DEVELOPMENT IMPLEMENTATION



ONE STOP SHOP ••• FRONT COUNTER
City of Albuquerque • Planning Department

DEVELOPMENT & BUILDING SERVICES (D&B Svcs)
LAND DEVELOPMENT COORDINATION SECTION (LDC)
Plaza Del Sol - 2nd & 4th Floor West - 600 2nd St NW 87102
Front Counter Main Number (505) 924-3858 or 924-3895
Main Fax (505) 924-3864

PAID RECEIPT

APPLICANT NAME FINELAND, LLC
AGENT CSC. CLIFF SPIROCK.
ADDRESS CORRALES 4487 Corrales Rd. 87048
PROJECT NO. 1000875
APPLICATION NO. 03EPC-00503
03EPC-00504

\$ _____ 441006 / 4983000 (DRB Cases)
\$ 110⁰⁰ 441006 / 4971000 (EPC & AA / LUCC / Appeals)
\$ _____ 441018 / 4971000 (Notification)

RECEIVED SEP 03 2003

\$ 110⁰⁰ **Total amount due**

CITY SCIENCES CORPORATION
P.O. BOX 1328
CORRALES, N.M. 87048
(505) 897-0000

WELLS FARGO BANK NEW MEXICO, N.A.
CORRALES, NM 87048
95-219-1070

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DATE
9/1/03

AMOUNT
\$110.00

UQUERQUE

NM 87103



9854" 1070021921000231258"

10/28/02

P. O. Box 1328
Corrales, NM 87048

July 10, 2003

Environmental Planning Commission
City of Albuquerque
PO Box 1293
Albuquerque, NM 87103

Attention: Makita Hill, Staff Planner (via FAX 924-3339, US Post to follow)

RE: 03EPC01093 (Tract 16A1, Paradise North)

SUBJECT: Concurrence with Agenda Deferral and Clarification of Requested Zone.

Dear Mr. Hill:

This letter responds to our meeting on 7/08/03 following our application for Mr. Mark Pardo Gonzales (the SE corner of Unser Boulevard at McMahan Boulevard).

This application is adjacent to a Zone Change Request and Site Plan for Subdivision Purposes for Fineland LLC (03EPC0053 / 0054). The adjacent property was first scheduled for May 15, 2003 and is now deferred for the August 21, 2003 Commission Hearing.

We have attempted to coordinate and apply for near-simultaneous hearings, the Lands of Dr. Fine, Mr. Mark Pardo Gonzales, and a Site Plan for Subdivision Purposes for KB Home. All of the above represent Mixed-Use development at the southeast corner of McMahan Boulevard and Unser, and will create properties conforming to the Westside / Unser Boulevard Guide Plan, the West Side Strategic Plan and the planning objective for this property including transportation service by limited movement intersections.

Unfortunately, there was not time due to the Independence Day Holiday to submit a Site Plan for the Mark Pardo Gonzales Property. This is intended for submission within the 1st half of July, 2003 for a September hearing date.

You have advised us that the Commission would probably wish to see the Site Plan and Zone Change for Mr. Gonzales' land simultaneously. Accordingly, should the Commission elect to defer this item until the September hearing, we will not object.

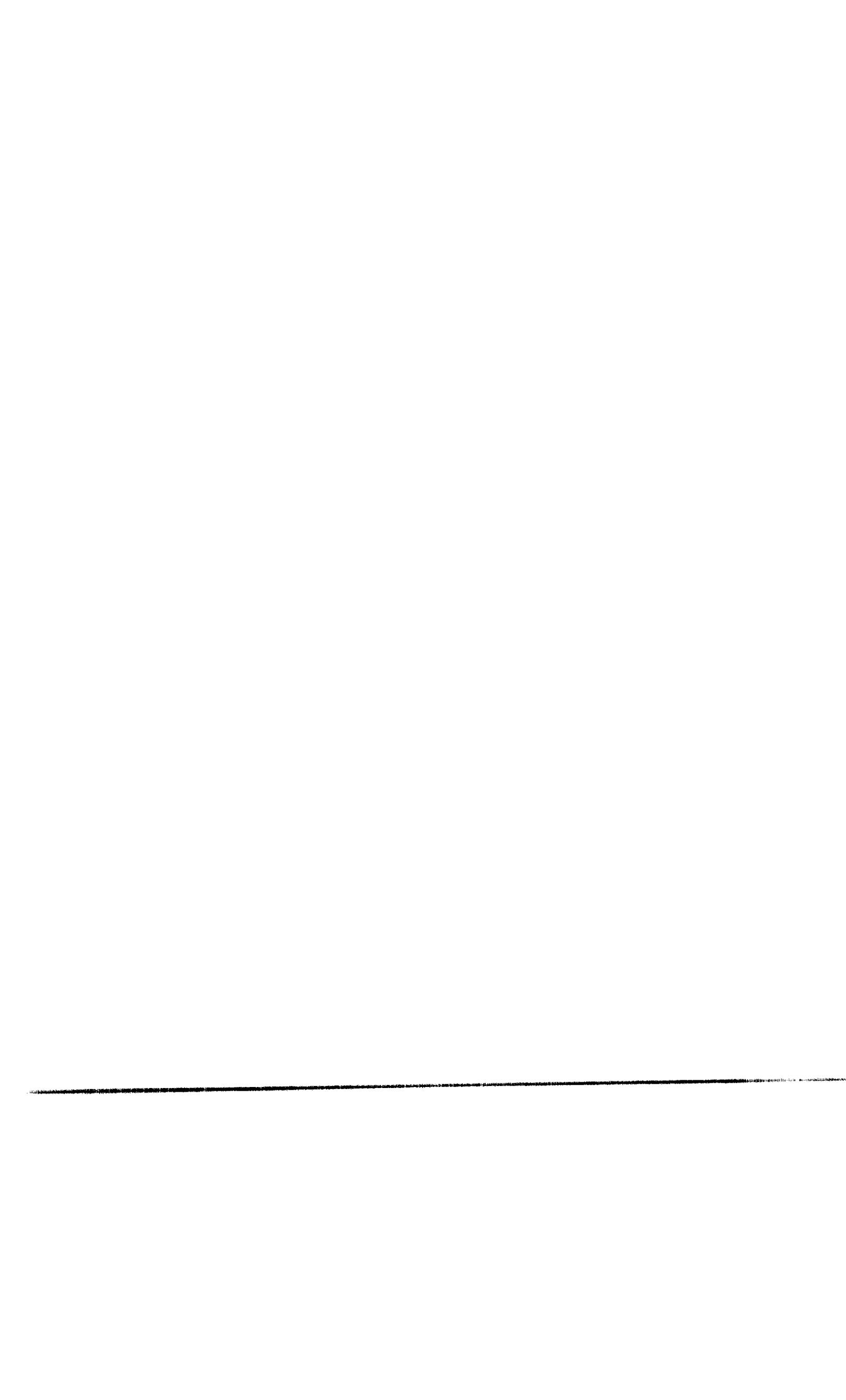
However, since it is related to the adjacent Zoning Application for Dr. Fine, we respectfully request a presentation of the Application and the Site Plan layout for the Commissioners to consider, if they choose, for information only, at the August hearing.

In the matter of the Application for Mr. Gonzales' property, the Application Form and posted signs are for SU-C2 Land Use. The requested zoning for Mr. Gonzales is SU1-C1 Permissive and Conditional Uses and only limited (specified) Permissive C2 Uses. I will amend the signs prior to posting.

The limited SU1-C2 permissive uses requested are for offsite consumption of alcoholic beverages and enclosed building materials. The requested SU1-C2 conditional use is for off-premises alcohol sales.

\\Csc1\csc word\CSC_WORD\LETTERS\07-03-11.ltr.doc RR#633-02-600

DEVELOPMENT CONSULTING
ENGINEERING AND SURVEYING
LOCAL GOVERNMENT SERVICES
COMPREHENSIVE LAND PLANNING
LAND DEVELOPMENT IMPLEMENTATION



Mr. Makita Hill
EPC, City of Albuquerque

July 10, 2003
Page 2

The specific SU1-C2 permissive uses are all within Section 14-16-2-17 except:

- A.11, recycling bin
- A.(12)b, Vehicle Sales
- A.(12)e, circus or carnival tent
- A.(12)l, watchman trailer
- A.(12)r, Manufacturing

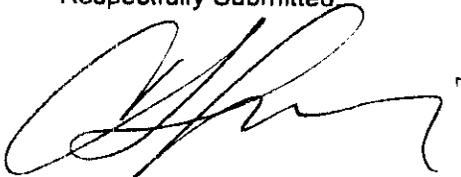
The specific SU1-C2 conditional uses is within Section 14-16-2-17:
B.17, off-premises alcohol sales

Our justification for limited C2 uses includes the conflict with the Westside / Unser Guide Plan (designated as "low commercial") and the intent of the Westside Strategic Plan suggesting higher land use intensities within the neighborhood activity center.

As stated in previous correspondence, the applicant will accept other restrictions on land use (such as SU1-C1 only) subject to his concurrence and the EPC's actions.

If there is any fee for this request, please let me know.

Respectfully Submitted



Cliff A. Spirock, AICP
CEO Community Sciences Corporation
Agent for Mark Pardo Gonzales

CAS/gmm

Attachments: Conceptual Site Plan 8 ½ x 11

Cc: Fineland LLC, Dr. Jeffrey Fine
KB Home, Mr. Bob Coleman
Mr. Mark Pardo Gonzales
Horizon Hills Neighborhood Association

ONE STOP SHOP ••• FRONT COUNTER
City of Albuquerque • Planning Department

RECEIVED JUL 29 2003

DEVELOPMENT & BUILDING SERVICES (D&B Svcs)
LAND DEVELOPMENT COORDINATION SECTION (LDC)
Plaza Del Sol - 2nd & 4TH Floor West - 600 2nd St NW 87102
Front Counter Main Number (505) 924-3858 or 924-3895
Main Fax (505) 924-3864

PAID RECEIPT

APPLICANT NAME Fineland LLC
AGENT Community Sciences
ADDRESS _____
PROJECT NO. 1000875
APPLICATION NO. 03EPC - 00503 / 00504

\$ _____ 441006 / 4983000 (DRB Cases)
\$ 110.5 441006 / 4971000 (EPC & AA / LUCC (Appeals))
\$ _____ 441018 / 4971000 (Notification)
\$ 110.5 **Total amount due**

COMMUNITY SCIENCES CORPORATION
P.O. BOX 1328
CORRALES, N.M. 87048
(505) 897-0000

WELLS FARGO BANK NEW MEXICO, N.A.
CORRALES, NM 87048
95-219-1070

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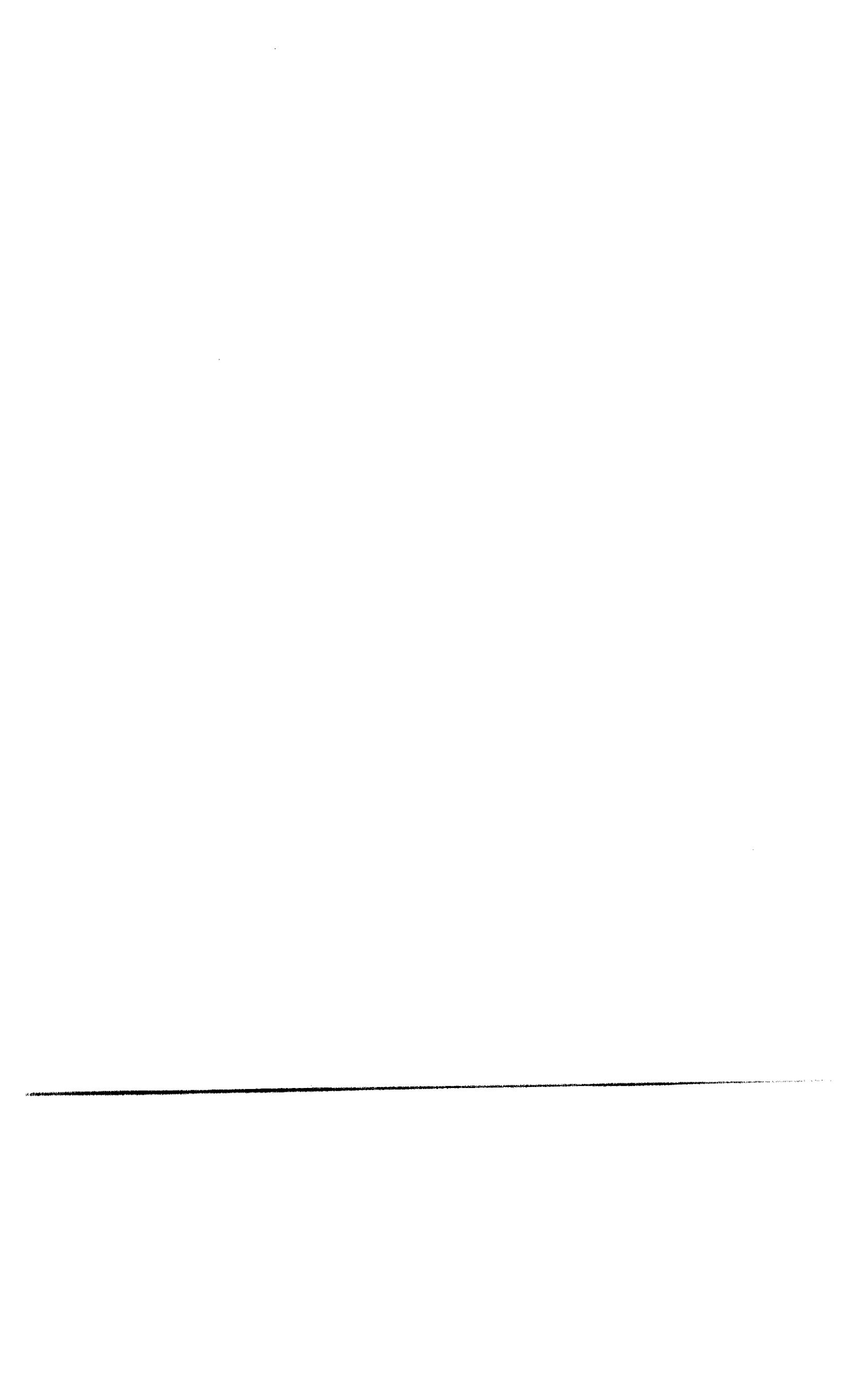
Exactly One hundred ten and no / 100 Dollars

DATE
7/24/03

AMOUNT
\$110.00

PAY TO THE ORDER OF
CITY OF ALBUQUERQUE
PO BOX 17
ALBUQUERQUE NM 87103

⑈029734⑈ ⑆107002192⑆ 1000231258⑈





Supplemental form		Supplemental form	
SUBDIVISION	S	ZONING	Z
<input type="checkbox"/> Major Subdivision action		<input type="checkbox"/> Annexation & Zone Establishment	
<input type="checkbox"/> Minor Subdivision action		<input type="checkbox"/> Sector Plan	
<input type="checkbox"/> Vacation	V	<input checked="" type="checkbox"/> Zone Change	
<input type="checkbox"/> Variance (Non-Zoning)		<input type="checkbox"/> Text Amendment	
SITE DEVELOPMENT PLAN	P	APPEAL / PROTEST of...	A
<input checked="" type="checkbox"/> ...for Subdivision Purposes		<input type="checkbox"/> Decision by: DRB, EPC,	
<input type="checkbox"/> ...for Building Permit		LUCC, Planning Director or Staff,	
<input type="checkbox"/> IP Master Development Plan		ZHE, Zoning Board of Appeals	
<input type="checkbox"/> Cert. of Appropriateness (LUCC) L			

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2nd Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICANT INFORMATION:

NAME: Fineland LLC & Jeffrey L. Fine PHONE: (305) 868-4444
 ADDRESS: 10250 Collins Avenue, Penthouse 1 FAX: _____
 CITY: Bal Harbor STATE FL ZIP 33154 E-MAIL: DRFINE@THESECONH.NET
 Proprietary interest in site: Managing Member
 AGENT (if any): Community Sciences Corporation PHONE: 897-0000
 ADDRESS: PO Box 1328 FAX: 898-5195
 CITY: Corrales STATE NM ZIP 87048 E-MAIL: sciencenm@aol.com

DESCRIPTION OF REQUEST: Zone change request, amendment to site plan for subdivision and amendment to landscaping element

Is the applicant seeking incentives pursuant to the Family Housing Development Program? Yes. No.

SITE INFORMATION: ACCURACY OF THE LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.

Lot or Tract No. Parcels E Block: _____ Unit: _____
 Subdiv. / Addn. Fineland Development (Bulk Land Plat)
 Current Zoning: SU-1 for R-2 Proposed zoning: SU-1 for C-1 Parcel E 2.7 Ac.
 Zone Atlas page(s): A-11-Z / A-12-Z No. of existing lots: 6 No. of proposed lots: 6
 Total area of site (acres): 2.73 Density if applicable: dwellings per gross acre: N/A dwellings per net acre: N/A
 Within city limits? Yes. No but site is within 5 miles of the city limits (DRB jurisdiction.) Within 1000FT of a landfill? No
 UPC No. UPC 1-011-066-470-335-1-01-20 MRGCD Map No. N/A
 LOCATION OF PROPERTY BY STREETS On or Near McMahon Blvd.
 Between Unser Blvd and Stonebridge Drive

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX-, Z-, V-, S-, etc.): 2-98-31

Pros# 1000875 / APP# 0041970-01465 / Pros# 1001997
 Check-off if project was previously reviewed by Sketch Plat/Plan or Pre-application Review Team Date of review: 3/26/03
 SIGNATURE DATE 3/27/03

(Print) Cliff E. Spirock Applicant Agent

FOR OFFICIAL USE ONLY

Form revised September 2001

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fee
<input checked="" type="checkbox"/> All checklists are complete	<u>03EPC - 00523</u>	<u>ZMA</u>	<u>2</u>	\$ <u>405.-</u>
<input checked="" type="checkbox"/> All fees have been collected	<u>03EPC - 00504</u>	<u>ASPS</u>		\$ <u>255</u>
<input checked="" type="checkbox"/> All case #s are assigned				\$ _____
<input checked="" type="checkbox"/> AGIS copy has been sent				\$ _____
<input checked="" type="checkbox"/> Case history #s are listed		<u>Notice</u>		\$ <u>75.-</u>
<input checked="" type="checkbox"/> Site is within 1000ft of a landfill				Total
<input type="checkbox"/> F.H.D.P. density bonus	Hearing date <u>May 15 2003</u>			\$ <u>1075.-</u>
<input type="checkbox"/> F.H.D.P. fee rebate				

CSM 3/27/03
 Planner signature / date

Project # 1000875

ANNEXATION

- Application for zone map amendment including those submittal requirements. See below. Annexation and establishment of zoning must be applied for simultaneously.
 - Petition for Annexation Form and necessary attachments
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
NOTE: The Zone Atlas must show that the site is in County jurisdiction, but is contiguous to City limits.
 - Letter briefly describing, explaining, and justifying the request
NOTE: Justifications must adhere to the policies contained in "Resolution 54-1990"
 - Letter of authorization from the property owner if application is submitted by an agent
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - Sign Posting Agreement
 - TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
 - Any original and/or related file numbers are listed on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

- SECTOR DEVELOPMENT PLAN PHASE I - DRB CONCEPTUAL PLAN REVIEW (Unadvertised)
- SECTOR DEVELOPMENT PLAN PHASE II - EPC FINAL REVIEW & APPROVAL (Public Hearing)
- SECTOR DEVELOPMENT PLAN PHASE II - DRB FINAL SIGN-OFF (Unadvertised)

- Copy of findings from required pre-application meeting (needed for the DRB conceptual plan review only)
 - Proposed Sector Plan (30 copies for EPC, 6 copies for DRB)
 - Zone Atlas map with the entire plan area precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts (for EPC final review and approval public hearing only)
 - TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form (for EPC final review and approval public hearing only)
 - Fee for EPC final review and approval only (see schedule)
 - Any original and/or related file numbers are listed on the cover application
- Refer to the schedules for the dates, times and places of D.R.B. unadvertised meetings and E.P.C. hearings. **Your attendance is required.**

AMENDMENT TO ZONE MAP (ESTABLISHMENT OF ZONING OR ZONE CHANGE) *Parcel E*

- Application for sector development plan amendment (required only if site is within a sector plan's boundaries.)
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
NOTE: Justifications must adhere to the policies contained in "Resolution 270-1980"
 - Letter of authorization from the property owner if application is submitted by an agent
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - Sign Posting Agreement
 - TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
 - Fee (see schedule) $240 + 55 \times 3 = 405$
 - Any original and/or related file numbers are listed on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

AMENDMENT TO SECTOR DEVELOPMENT PLAN

- Proposed Amendment referenced to the materials in the sector plan being amended
 - Sector Plan to be amended with materials to be changed noted and marked
 - Zone Atlas map with the entire plan area precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
 - Fee (see schedule)
 - Any original and/or related file numbers are listed on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

AMENDMENT TO ZONING CODE OR SUBDIVISION REGULATIONS TEXT

- Amendment referenced to the sections of the Zone Code being amended
 - Sections of the Zone Code to be amended with text to be changed noted and marked
 - Letter briefly describing, explaining, and justifying the request
 - Fee (see schedule)
 - Any original and/or related file numbers are listed on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

CLIFF A. SPINACK, CSC (agent)
Applicant name (print)
[Signature]
Applicant signature / date
3/21/03



Form revised September 2001

- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

Application case numbers
 O3ER - 00503
 O3ER - 00504

3/27/03
Planner signature / date
Project # 1000875

SITE DEVELOPMENT PLAN FOR SUBDIVISION

IP MASTER DEVELOPMENT PLAN

- Scaled site plan and related drawings (folded to fit into an 8.5" by 14" pocket) 30 copies for EPC public hearings. For IP master development plans, include general building and parking locations, and design requirements for buildings, landscaping, lighting, and signage.
 - Site plans and related drawings reduced to 8.5" x 11" format
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Letter of authorization from the property owner if application is submitted by an agent
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - Sign Posting Agreement
 - 2 copies of the Conceptual Utility Layout Plan (mark one for Planning, one for Utility Development)
 - TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form with required signatures
 - Fee (see schedule)
 - Any original and/or related file numbers are listed on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

SITE DEVELOPMENT PLAN and/or WAIVER OF STANDARDS FOR WIRELESS TELECOM FACILITY

- Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) 30 copies for EPC public hearings.
- Site Plan for Subdivision, if applicable, previously approved or simultaneously submitted. (Folded to fit into an 8.5" by 14" pocket.) 30 copies for EPC public hearings.
- Site plans and related drawings reduced to 8.5" x 11" format
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing, explaining, and justifying the request
- Letter of authorization from the property owner if application is submitted by an agent
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- Completed Site Plan for Building Permit Checklist
- 2 copies of the Conceptual Utility Layout Plan (mark one for Planning, one for Utility Development)
- TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form with required signatures
- Fee (see schedule)
- Any original and/or related file numbers are listed on the cover application

NOTE: For wireless telecom facilities (administrative reviews that have been referred to the EPC, or requests for waivers of requirements) the following materials are required in addition to those listed above for application submittal:

- Collocation evidence as described in Zoning Code §14-16-3-17(A)(5)
 - Notarized statement declaring # of antennas accommodated. Refer to §14-16-3-17(A)(10)(d)2
 - Letter of intent regarding shared use. Refer to §14-16-3-17(A)(10)(e)
 - Letter of description as above also addressing concealment issues, if relevant. Refer to §14-16-3-17(A)(12)(a)
 - Distance to nearest existing free standing tower and its owner's name if the proposed facility is also a free standing tower
 - Registered Engineer's stamp on the Site Development Plans
 - Office of Community & Neighborhood Coordination inquiry response as above based on ¼ mile radius
- EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION

AMENDED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

- Proposed amended Site Plan (folded to fit into an 8.5" by 14" pocket) 30 copies for EPC public hearings
 - DRB signed Site Plan being amended (folded to fit into an 8.5" by 14" pocket) 30 copies for EPC public hearings
 - DRB signed Site Plan for Subdivision, if applicable (required when amending SDP for Building Permit) 30 copies for EPC public hearings
 - Site plans and related drawings reduced to 8.5" x 11" format
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Letter of authorization from the property owner if application is submitted by an agent
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - Sign Posting Agreement
 - Completed Site Plan for Building Permit Checklist (not required for amendment of SDP for Subdivision)
 - TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form with required signatures
 - Fee (see schedule) 255
 - Any original and/or related file numbers are listed on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

CLIFF A. SPIROCK, OSC (AGENT)
 Applicant name (print)
[Signature] 3/27/03
 Applicant signature / date



Form revised September 2001

- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

Application case numbers
03EPC - 00503
03EPC - 00504

[Signature] 3/27/03
 Planner signature / date
 Project # 1000875

CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) / AIR QUALITY ASSESSMENT (AQIA) FORM

APPLICANT: Jeffrey Fine Date of request: 3/23/03 Zone atlas page(s): A11

CURRENT: Zoning R17/SU-C1/SU-R2 Legal Description - Lot or Tract # _____ Block # _____
Parcel Size (acres / sq.ft.) 2.5 Ac (2.511 acres) Subdivision Name Eastline LLC Bulk Plan

REQUESTED CITY ACTION(S):
Annexation [] Sector Plan [] Site Development Plan: Building Permit []
Comp. Plan [] Zone Change [X] a) Subdivision [] Access Permit []
Amendment [] Conditional Use [X] b) Build'g Purposes [] Other [X]
c) Amendment [] Site Plan for Subdivision

PROPOSED DEVELOPMENT: No construction / development [] # of units - _____ 3000 F from SU-C1
New Construction [] Building Size - _____ (sq. ft.) 12 to SU-C1
Expansion of existing development []

GENERAL DESCRIPTION OF ACTION:

Notes: 1. Changes made to development proposals / assumptions, from the information provided above, may change the TIS or AQIA analysis requirements.

Applicant or Representative C.A. Spruck Date 3/23/03
(To be signed upon completion of processing by Traffic Engineer and Environmental Health)

TRAFFIC IMPACT STUDY (TIS) REQUIRED: ~~YES~~ [] ~~NO~~ [] ~~BORDERLINE~~ [] Not At this Time
PLANNING DEPT. Dev./Bldg. Services Div. Transportation Dev. Sec. 2nd Fl. 600 2nd St. NW Plaza Del Sol Bldg. 924-3994

TRESHOLDS MET? YES [] NO [] Mitigating reasons for not requiring TIS: Previously studied: []

Notes: A TIS will/may be req'd for site plans for Bld. Permit Approval
IF A TIS IS REQUIRED: A scoping meeting (as outlined in the Development Process Manual) must be held to define the level of analysis needed and the parameters of the study. Any subsequent changes to the development proposal identified above may require an update or new TIS.

[Signature] 3-25-03
TRAFFIC ENGINEER DATE

AIR QUALITY IMPACT ASSESSMENT (AQIA) REQUIRED: YES [] NO [] BORDERLINE []
ENVIRONMENTAL HEALTH DEPT. Air Quality Div. 3rd Floor / Rm. 3023 City/County Bldg. 768-2600

TRESHOLDS MET? YES [] NO [] Mitigating reasons for not requiring AQIA: Previously studied: []

Notes: 14-16-3-14 3/27/03
IF AN AQIA IS REQUIRED: a scoping meeting must be held to define the level of analysis needed and the parameters of the study. Any subsequent changes to the development proposal identified above may require an update or new AQIA.

ENVIRONMENTAL HEALTH DATE

Required TIS and / or AQIA must be completed prior to applying to the EPC. Arrangements must be made prior to submittal if a variance to this procedure is requested and noted on this form, otherwise the application may not be accepted or deferred if the arrangements are not complied with.

TIS	- SUBMITTED	___/___/___	_____	_____
	- FINALIZED	___/___/___	TRAFFIC ENGINEER	DATE
AQIA	- SUBMITTED	___/___/___	_____	_____
	- FINALIZED	___/___/___	ENVIRONMENTAL HEALTH	DATE

TO BE COMPLETED BY APPLICANT

TRANSPORTATION DEVELOPMENT

ENVIRONMENTAL HEALTH

March 26, 2003

City of Albuquerque
P. O. Box 1293
Albuquerque, New Mexico 87103

Attention: Mr. Russel Brito, Current Planning Division, EPC Case File

Subject: Fineland Development LLC, anticipated zone change request, amendment to site plan for subdivision and amendment to landscaping element.

RE: Zone Atlas A11, EPC case Z-98-31: Letter from Richard Dourte, PE, City Traffic Engineer; Pre-Application Conference 3/25/03

Dear Mr. Brito and members of the EPC:

This request amends the zoning and site plan for subdivision purposes for EPC Case Z-98-31. Mr. Fine has complied with the conditions of that case including the dedication of McMahon Boulevard by Bulk Land Plat. Based on a recent subdivision preliminary plat by Clearbrooke Homes for Parcel C of the subject site plan and based on a change of community conditions prompted by City Traffic, we will be requesting EPC case consideration for their May hearing.

Proposed Amendments:

North of McMahon Blvd., the development of Clearbrooke Homes (RLT zone) has resulted in a residential subdivision access directly from McMahon Blvd. Accordingly, a roadway easement that separates Parcels B and D of the Fineland Bulk Land Plat will be requested for vacation and elimination, including utility easements.

South of McMahon Blvd., Parcel E (now zoned SU-R2) will become an isolated land parcel with a roadway easement connection primarily serving commercial use to the west (N/F Tesch Development). The adjoiner to the west, intended for commercial uses, requires an easement to connect directly to McMahon Blvd. at the approved location for a full-access intersection. Previously, this easement was anticipated to connect to Rio del Sole Court, N.W., a roadway platted with the Tuscany West Subdivision.

Apparently, the connection to the residential properties, to the south, is not desired and supported. We must now modify that roadway easement to serve commercial properties and we believe this is a justification for a zone change request on parcel E for SU commercial use (approximately 2.7 acres).

Since the roadway proposed south of McMahon will no longer serve as a connector to adjacent subdivisions, we will be requesting a reduction in roadway easement width to 50' or less and a revision to the pedestrian easement that was indicated on the approved site plan.

South of McMahon, to the east, is another pedestrian easement that we would petition for elimination. At the time of the original site plan, this property was part of the Tuscany Subdivision development. Since that time, this property has been conveyed to the Tuscany Homeowner's Association and a north-south pedestrian easement is unnecessary, as the east-west pedestrian movements will connect to common properties and to Tuscany Drive.

CSC# C:\My Documents\03-03-17a.ltr.doc

DEVELOPMENT CONSULTING
ENGINEERING AND SURVEYING
LOCAL GOVERNMENT SERVICES
COMPREHENSIVE LAND PLANNING
LAND DEVELOPMENT IMPLEMENTATION

WESTSIDE STRATEGIC PLAN AND WESTSIDE/MCMAHON CORRIDOR PLAN, LAND USE ELEMENT:

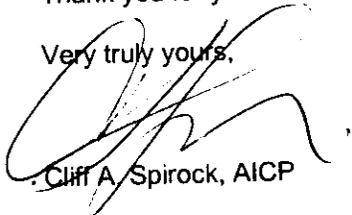
The portion requested for SU-C1 zoning does not conform by map to the WSSP and Westside McMahon Land Use Guide. However, because of conditions not controlled by the applicant, we request consideration due to the logical location, traffic generation and specific conditions cause by a revision to desire access to the West and South.

1. The property to the West (corner of McMahon/Unser) has no accessible intersection allowing left turn (out) movements. That property was petitioned for commercial and mixed use but no site plan was approved – hence it has now reverted to R-1
2. The traffic engineer's request is to sever a north-south road from the McMahon full-access intersection (connection to Rio Del Sole). Also, he requires that a connection be maintained to the Unser/McMahon corner property – resulting in a non-residential street through property of the applicant zone residential.
3. The residual lot created (Parcel E) is 2.7 acres, too small for R-2 apartments (as a project) and questionably suitable for less-intense residential permissive use. This becomes a burden on the applicant. Also, the neighborhood response to Z-98-31 indicated a desire for fewer apartments.
4. North of McMahon the applicant was successful in arguing that the WSSP was generalized. That commission allowed commercial land use outside of the neighborhood center graphic.
5. The Land Use Guide to the Westside was to the Westside/McMahon corridor Plan is also a general guide. The text allows for specific determination at the time of site plan and zoning applications.

If we proceed with the above, we would also like to incorporate the actual recorded plat map on parcel C for Clearbrooke Homes and to update the site plan with the drainage easements of record, crossing properties to the north. An amended Bulk Land Subdivision Plat will follow granting these easements, together with a Vacation application.

Thank you for your attention to this request.

Very truly yours,



Cliff A. Spirock, AICP

CAS/bjc

Agent for Fineland, LLC

cc: Mr. Jeffrey Fine
Tesch Development, Mr. Amar Tesch
Mr. Richard Dourte, PE, City of Albuquerque

Jeffrey L. Fine, Ph.D., C.E.D.S.

PSYCHOTHERAPY
NUTRITIONAL MEDICINE
CODEPENDENCY TREATMENT
CERTIFIED EATING DISORDERS SPECIALIST

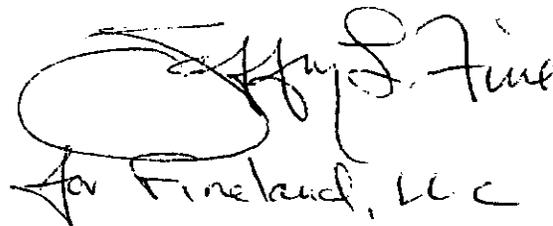
3/25/03

To Whom It May Concern,

On my behalf as managing member of Fineland, LLC. I have hired Community Sciences Corp. to act for me in regard to the Fineland Zoning application.

Thank you in advance for your consideration in this matter.

Very Truly yours,


for Fineland, LLC

Dr. Jeffrey L. Fine
10250 Collins Ave., PH-1
Bal Harbour, FL 33154

305-868-4444



City of Albuquerque

PLEASE NOTE: The Neighborhood Association information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter - you will need to get an updated letter from our office. It is your responsibility to provide current information - outdated information may result in a deferral of your case.

Date: March 20, 2003

TO CONTACT NAME: Bernice Cuadras
 COMPANY/AGENCY: Community Services Corporation
 ADDRESS/ZIP: PO Box 1528 / 87048
 PHONE/FAX #: 897-0000 ext 101 / 898-5195

Thank you for your inquiry of 3-20-03 (Date) requesting the names of **Recognized**

Neighborhood Associations who would be affected under the provisions of O-92 by your proposed project at SE 1/4 of the NE 1/4 projected Section 2, T11N, R2E, N1P01, Town of Atisco Grant
 zone map page(s) A-11

Our records indicate that the **Recognized Neighborhood Association(s)** affected by this proposal and the contact names are as follows:

Horizon Hills
 Neighborhood Association
 Contact: Julia M. Wilson
5705 Carmen Rd NW
899-4030 (w) 87114
Solinda J. Balmer
10590 Vista Bella A. NW
898-9076 (w) 87114

Neighborhood Association
 Contact: _____

See reverse side for additional Neighborhood Association Information: YES { } NO

Please note that according to O-92 you are required to notify each of these contact persons by **CERTIFIED MAIL. RETURN RECEIPT REQUESTED. BEFORE** the Planning Department will accept your application filing. **IMPORTANT! FAILURE OF ADEQUATE NOTIFICATION MAY RESULT IN YOUR APPLICATION HEARING BEING DEFERRED FOR 30 DAYS.** If you have any questions about the information provided, please contact our office at (505) 924-3914 or by fax at 924-3913

Sincerely,
Dalaina S. Carmona
 OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

Attention: Both contacts per neighborhood association need to be notified.

**SITE DEVELOPMENT PLAN
FOR SUBDIVISION CHECKLIST**

This checklist will be used by the Planning Department to verify the completeness of site plans submitted for review by the Environmental Planning Commission (EPC). Since development proposals vary in type and scale, there may be application requirements that are not included here and others that may not be necessary. Nonetheless, it is the applicant's responsibility to provide a complete submittal. The EPC will not consider incomplete submittals. Incomplete submittals run the risk of not being scheduled for hearing until they are made complete. Site development plans should ordinarily be composed of the following plan sheets:

- 1. **Site Plan (required)** *(also proposed Bulk Land Plat)*
- 2. **Design requirements for future site development plans for building permit (optional, but STRONGLY recommended)**

The following checklist describes the minimum information necessary for each sheet. Most of the site plan requirements for *Sheet #1* are taken from the definition for "SITE DEVELOPMENT PLAN" as outlined in the Zoning Code (§ 14-16-1-1 et. seq.). The Applicant shall include and check off all items shown on the site plan or write in "n/a" if not applicable.

Accompanying Material

- A. Fee payment
- B. Complete application
- C. Written Summary of Request
- D. 8-1/2" x 11" reductions

SHEET # 1 - SITE PLAN (Required)

- 1. Scale: at least 1" = 100'
- 2. Bar Scale
- 3. North Arrow
- 4. Scaled Vicinity Map
- 5. The Site (property lines)
- 6. Proposed Use(s)
- 7. Pedestrian Ingress and Egress (Access)
- 8. Vehicular Ingress and Egress (Access)
- 9. Any Internal Circulation Requirements
- 10. For each lot:
 - a. Maximum Building Height
 - b. Minimum Building Setback
 - c. Maximum Total Dwelling Units and / or
 - d. Nonresidential Uses' Maximum Floor Area Ratio (F.A.R.)

**SHEET #2 – DESIGN REQUIREMENTS FOR FUTURE SITE DEVELOPMENT
PLANS FOR BUILDING PERMIT (Optional, but STRONGLY
recommended)**

- 1. Overall Design Theme and Land Use Concept
- 2. Off-Street Parking Requirements and Design (Automobile and Bicycle)
- 3. Street Design
- 4. Transit Facilities (benches, shelters, pedestrian connections, etc.)
- 5. Landscape Design Requirements (plant list, buffer areas, locations, amounts, etc.)
- 6. Architectural Design Requirements (façade elements, massing, colors, materials, etc.)
- 7. Signage Design Requirements (face area, colors, materials, maximum height, etc.)
- 8. Lighting Design Requirements (type, locations, colors materials, maximum height, etc.)
- 9. Pedestrian Amenities (walkways, plazas, shade structures, etc.)

ONE STOP SHOP ••• FRONT COUNTER
City of Albuquerque • Planning Department

DEVELOPMENT & BUILDING SERVICES (D&B Svcs)
LAND DEVELOPMENT COORDINATION SECTION (LDC)
Plaza Del Sol - 2nd & 4th Floor West - 600 2nd St NW 87102
Front Counter Main Number (505) 924-3858 or 924-3895
Main Fax (505) 924-3864

PAID RECEIPT

APPLICANT NAME FINELANDS LLC
AGENT CSC
ADDRESS _____
PROJECT NO. 1000875
APPLICATION NO. 03EPC - 00503

\$ _____ 441006 / 4983000 (DRB Cases)
\$ 660 441006 / 4971000 (EPC & AA / LUCC / Appeals)
\$ 75 441018 / 4971000 (Notification)
\$ 735 **Total amount due**

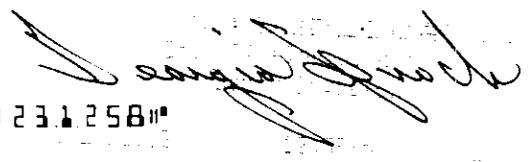
29385

COMMUNITY SCIENCES CORPORATION
P.O. BOX 1328
CORRALES, N.M. 87048
(505) 897-0000

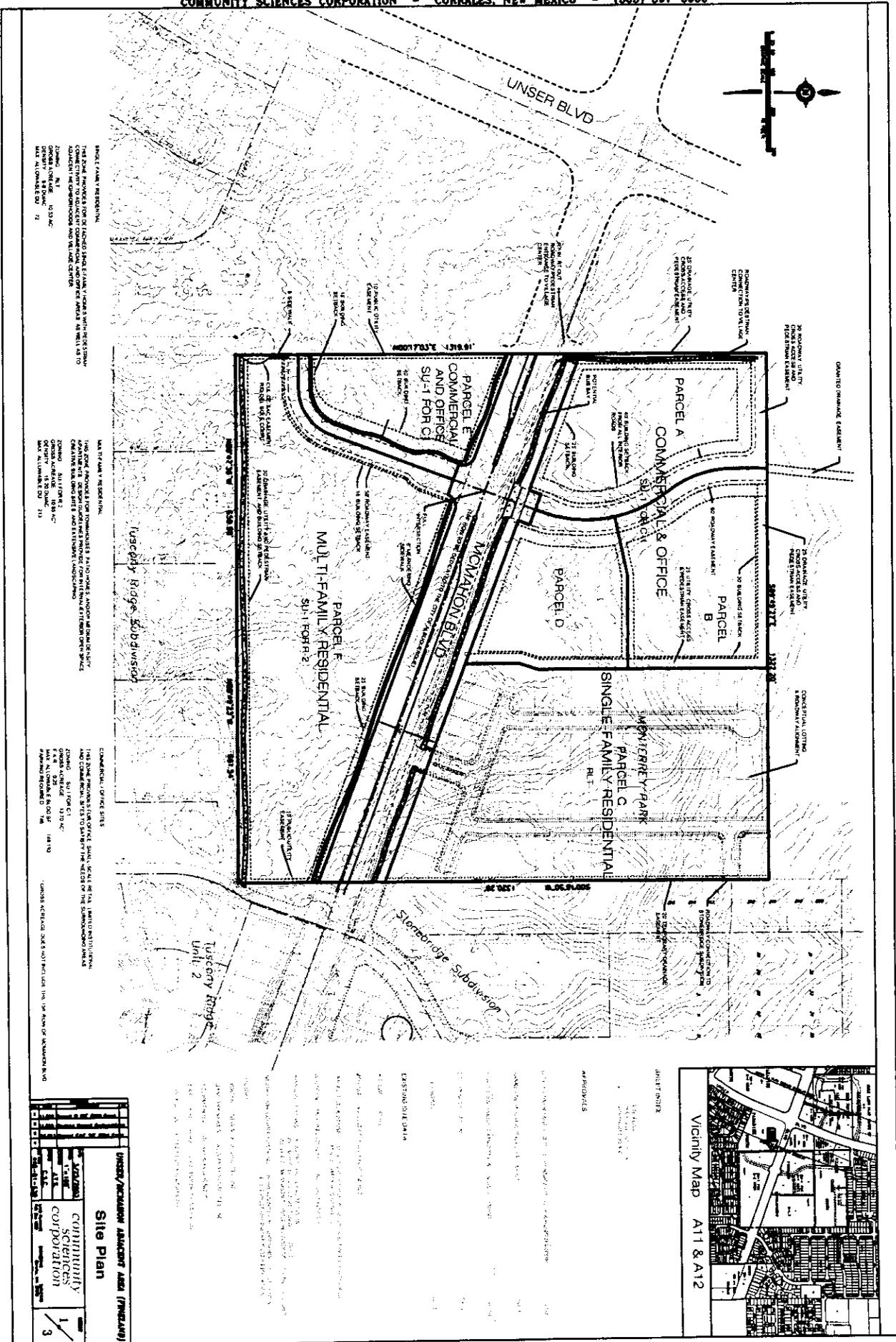
WELLS FARGO BANK NEW MEXICO, N.A.
CORRALES, NM 87048
95-219-1070

~~SEVEN HUNDRED + THIRTY FIVE DOLLARS + 00/100~~
~~CITY OF ALBUQUERQUE~~
PAY TO THE ORDER OF **CITY OF ALBUQUERQUE**

DATE: 3/24/03
AMOUNT: ~~735.00~~
735.00



⑈029385⑈ ⑆107002192⑆ 1000231258⑈



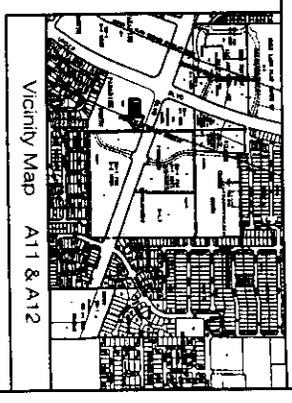
PARCEL E: COMMERCIAL AND OFFICE SU-1 FOR C
 ZONING: C-1
 AREA: 10.23 AC
 DISTRICT: 10
 MAP: AL CORRALES 03

PARCEL F: MULTI-FAMILY RESIDENTIAL SU-1 FOR R-2
 ZONING: SU-1
 AREA: 10.23 AC
 DISTRICT: 10
 MAP: AL CORRALES 03

CONVERT TO R-1
 CONVERSION TO R-2
 CONVERSION TO R-3
 ZONING: R-1, R-2, R-3
 AREA: 10.23 AC
 DISTRICT: 10
 MAP: AL CORRALES 03

NO.	DESCRIPTION	DATE	BY
1	PRELIMINARY	03/27/03	JSC
2	REVISED	03/27/03	JSC
3	FINAL	03/27/03	JSC

Site Plan
 Community Sciences Corporation



APPENDICES

1. EXISTING SITE DATA

2. EXISTING UTILITIES

3. EXISTING EASEMENTS

4. EXISTING ZONING

5. EXISTING SURVEY DATA

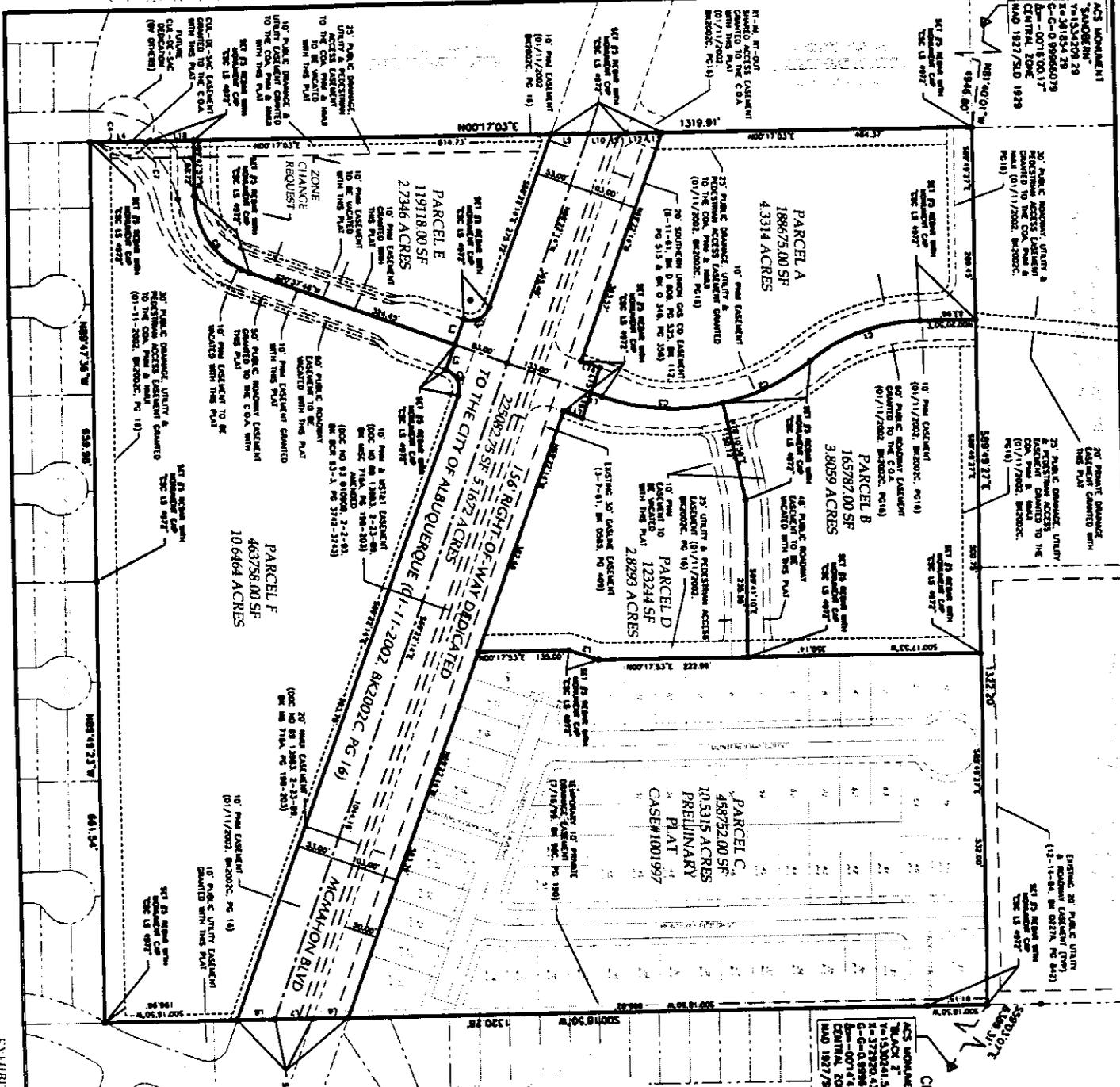
6. EXISTING RECORDS

7. EXISTING RECORDS

8. EXISTING RECORDS

9. EXISTING RECORDS

10. EXISTING RECORDS



**BULK LAND PLAT
FINELAND
DEVELOPMENT**

SITUATE WITHIN SE 1/4 OF THE NE 1/4
PROJECTED SECTION 2, T11N, R2E, N.M.P.M.
TOWN OF ATRISCO GRANT
COUNTY OF BERNALILLO,
NEW MEXICO

SEPTEMBER, 2000

ICS INSTRUMENT
NO. 10130201.53
DATE 03/27/2003
C-G-0-09964079
BOOK-007160017
CENTRAL ZONE
MAD 1927/210 1929

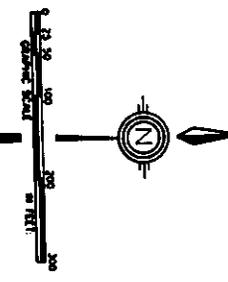
LINE TABLE

LINE	LENGTH	BEARING	LINE	LENGTH	BEARING
L1	172.54'	S60°28'38"W	L10	35.20'	N00°17'03"E
L2	47.54'	S19°04'57"W	L11	21.33'	N00°17'03"E
L3	40.00'	S88°22'14"E	L12	32.00'	N00°17'03"E
L4	89.30'	N00°17'03"E	L13	21.33'	N00°17'03"E
L5	40.00'	S88°22'14"E	L14	30.00'	N00°28'58"E
L6	33.33'	S00°18'50"W	L15	40.00'	S88°22'14"E
L7	56.52'	S00°18'50"W	L16	40.00'	S88°22'14"E
L8	56.51'	S00°18'50"W	L17	30.00'	S00°28'58"E
L9	54.52'	N00°17'03"E	L18	55.74'	N00°17'03"E

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD BEG	CHORD END
C1	172.54'	268.85'	28-07-08	118°23'44"W	174.28'
C2	148.77'	324.00'	29-57-18	124°47'40"W	164.53'
C3	163.48'	324.00'	31-28-48	126°24'22"E	184.06'
C4	20.28'	24.00'	48-28-07	52°31'32"W	18.74'
C5	47.12'	30.00'	90-00-00	52°42'14"E	42.43'
C6	131.96'	123.00'	89-28-17	55°27'47"W	142.28'
C7	82.84'	48.00'	09-28-13	N05°57'31"E	71.83'
C8	47.12'	30.00'	90-00-00	N85°37'48"E	42.43'

NOTE: A SURVEYOR GENERAL HAS REVIEWED THIS PLAN AND FOUND IT TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE PUBLIC LANDS ACT, AND THE PUBLIC LANDS REGULATIONS, AND THE PUBLIC LANDS ACT, AND THE PUBLIC LANDS REGULATIONS, AND THE PUBLIC LANDS ACT, AND THE PUBLIC LANDS REGULATIONS.

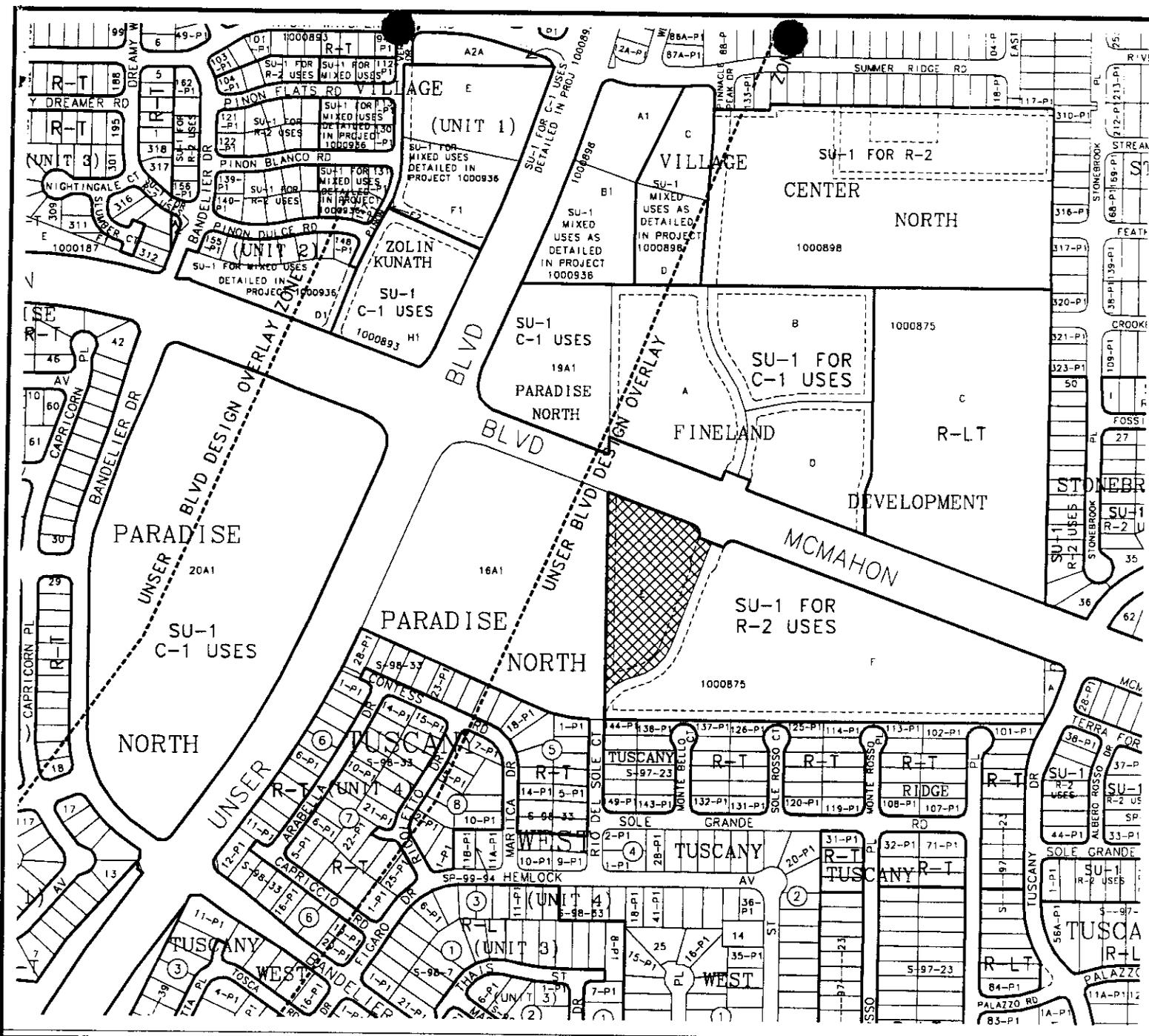


DATE 3/29/03
SCALE 1"=100'
PROJECT CSC
DRAWN CSC
NO. N448-01

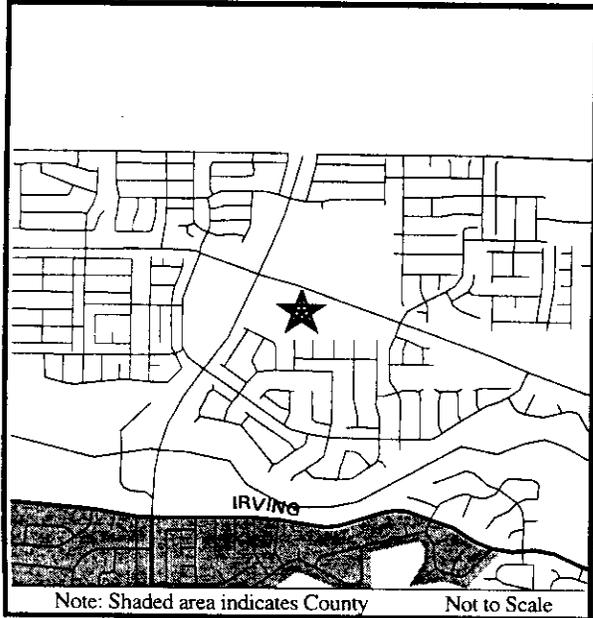
community corporation

2 of 2

EXHIBIT FOR ZONE CHANGE AND SITEPLAN FOR SUBDIVISION



ZONING MAP



Note: Shaded area indicates County Not to Scale



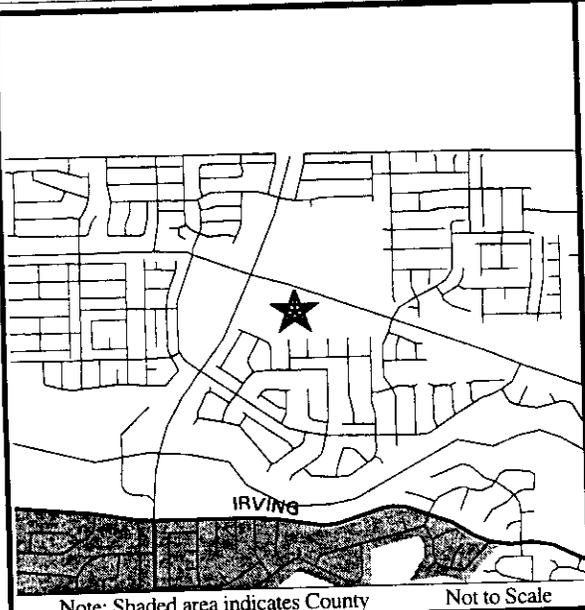
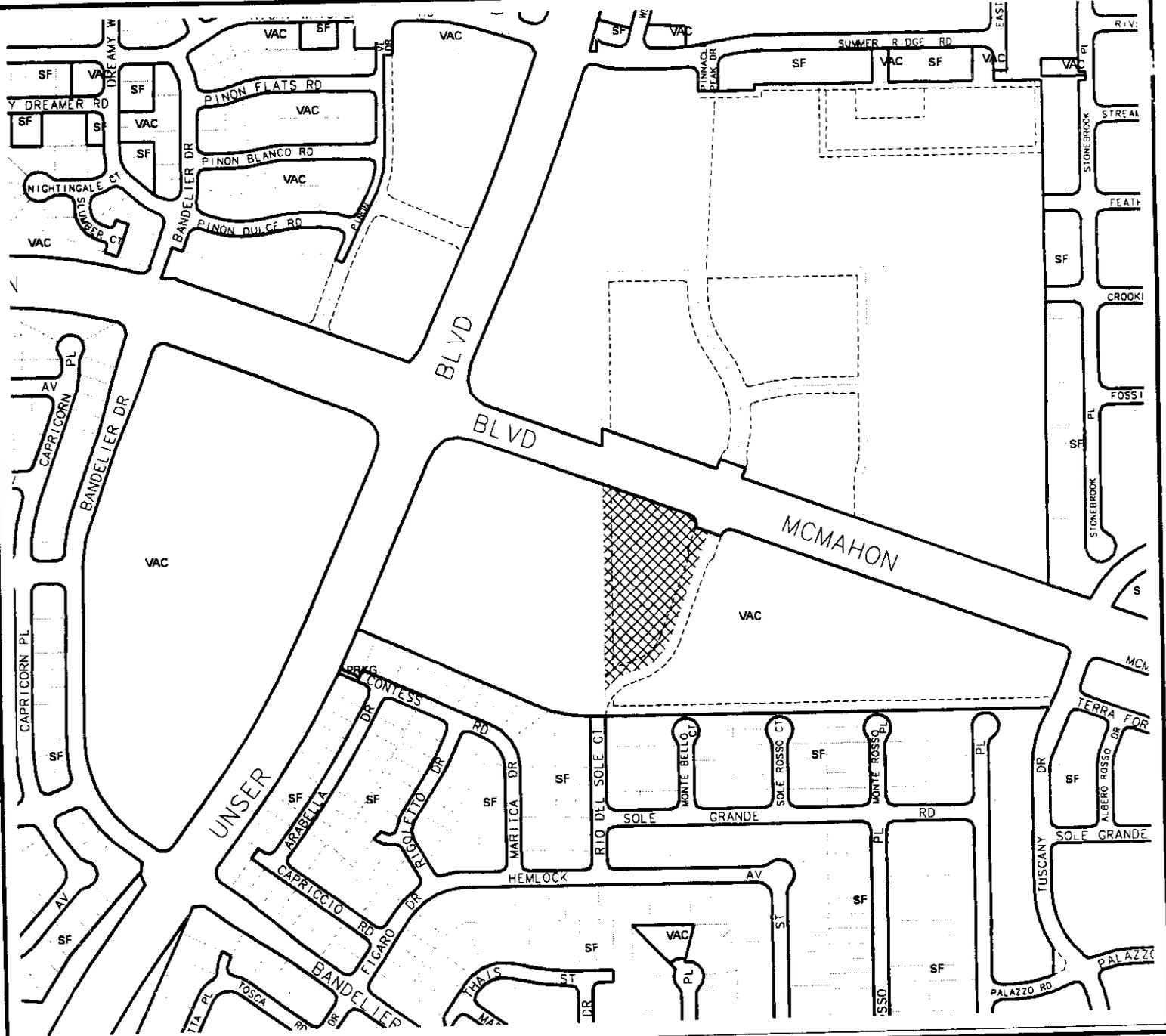
Scale 1"=431'

PROJECT NO.
1000875

HEARING DATE
5-15-03

MAP NO.
A-11

ADDITIONAL CASE NUMBER(S)
03EPC-00503
03EPC-00504



Note: Shaded area indicates County Not to Scale

LAND USE MAP

KEY to Land Use Abbreviations

- AGRI Agricultural
- COMM Commercial -Retail, Service, Wholesale
- DRNG Drainage
- EDUC Public or Private School
- GOLF Golf Course
- MED Medical Office or Facility
- MFG Manufacturing or Mining
- MH Mobile Home
- MULT Multi-Family or Group Home
- OFF Office
- ORG Social or Civic Organization
- PARK Park, Recreation or Open Space
- PRKG Parking
- PUBF Public Facility
- RELG Religious Facility
- SF Single Family
- TRAN Transportation Facility
- UTIL Utility
- VAC Vacant Land or Abandoned Bldgs
- WH Warehousing & Storage



Scale 1" = 431'

PROJECT NO.
1000875

HEARING DATE
5-15-03

MAP NO.
A-11

ADDITIONAL CASE NUMBER(S)
03EPC-00503
03EPC-00504

City of Albuquerque



DEVELOPMENT REVIEW APPLICATION

SUBDIVISION	Supplemental form S	ZONING	Supplemental form Z
<input type="checkbox"/> Major Subdivision action		<input type="checkbox"/> Annexation & Zone Establishment	
<input type="checkbox"/> Minor Subdivision action		<input type="checkbox"/> Sector Plan	
<input type="checkbox"/> Vacation	V	<input checked="" type="checkbox"/> Zone Change	
<input type="checkbox"/> Variance (Non-Zoning)		<input type="checkbox"/> Text Amendment	
SITE DEVELOPMENT PLAN	P	APPEAL / PROTEST of...	A
<input checked="" type="checkbox"/> ...for Subdivision Purposes		<input type="checkbox"/> Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals	
<input type="checkbox"/> ...for Building Permit			
<input type="checkbox"/> IP Master Development Plan			
<input type="checkbox"/> Cert. of Appropriateness (LUCC) L			

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2nd Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICANT INFORMATION:

NAME: Fineland LLC & Jeffrey L. Fine PHONE: (305) 868-4444
 ADDRESS: 10250 Collins Avenue, Penthouse I FAX: _____
 CITY: Bal Harbor STATE FL ZIP 33154 E-MAIL: DRFINE@THEBEACH.NET
 Proprietary interest in site: Managing Member
 AGENT (if any): Community Sciences Corporation PHONE: 897-0000
 ADDRESS: PO Box 1328 FAX: 898-5195
 CITY: Corrales STATE NM ZIP 87048 E-MAIL: sciencenm@aol.com

DESCRIPTION OF REQUEST: Zone change request, amendment to site plan for subdivision, and amendment to landscaping element

Is the applicant seeking incentives pursuant to the Family Housing Development Program? Yes No.

SITE INFORMATION: ACCURACY OF THE LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.

Lot or Tract No. Parcels E ~~1~~ Block: _____ Unit: _____
 Subdiv. / Addn. Fineland Development (Bulk Land Plat)
 Current Zoning: SU-1 for R-2 ~~8~~ Proposed zoning: Same SU-1 for C-1 Parcel E 27Ac.
 Zone Atlas page(s): A-11-Z / A-12-Z No. of existing lots: 6 No. of proposed lots: 6
 NET OF RW: Total area of site (acres): 2.73 Density if applicable: dwellings per gross acre: N/A dwellings per net acre: N/A
 Within city limits? Yes. No but site is within 5 miles of the city limits (DRB jurisdiction.) Within 1000FT of a landfill? No
 UPC No. UPC 1-011-066-470-335-1-01-20 MRGCD Map No. N/A
 LOCATION OF PROPERTY BY STREETS: On or Near: McMahon Blvd.
 Between: Unser Blvd and Stonebridge Drive

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_Z_, V_, S_, etc.): 2-98-31
1000875
Pros# 1000875 / APP# 004190-01465 / Pros# 1001997
 Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-application Review Team . Date of review: 3/26/03
 SIGNATURE _____ DATE 3/27/03

(Print) Cliff F. Spirock _____ Applicant Agent

FOR OFFICIAL USE ONLY

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>03EPC - 00503</u>	<u>ZMA</u>	<u>2</u>	\$ <u>405.-</u>
<input checked="" type="checkbox"/> All fees have been collected	<u>03EPC - 00504</u>	<u>ASPS</u>		\$ <u>255</u>
<input checked="" type="checkbox"/> All case #s are assigned				\$ _____
<input checked="" type="checkbox"/> AGIS copy has been sent				\$ _____
<input checked="" type="checkbox"/> Case history #s are listed		<u>Notice</u>		\$ <u>75.-</u>
<input checked="" type="checkbox"/> Site is within 1000ft of a landfill				Total
<input type="checkbox"/> F.H.D.P. density bonus	Hearing date <u>MAY 15 2003</u>			\$ <u>1075.-</u>
<input type="checkbox"/> F.H.D.P. fee rebate				

CSM 3/27/03
 Planner signature / date

Project # 1000875

Form revised September 2001

1914

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1918

FORM Z: ZONE MAP AMENDMENT AND ZONING CODE TEXT AMENDMENT

ANNEXATION

- Application for zone map amendment including those submittal requirements. See below. Annexation and establishment of zoning must be applied for simultaneously.
 - Petition for Annexation Form and necessary attachments
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
NOTE: The Zone Atlas must show that the site is in County jurisdiction, but is contiguous to City limits.
 - Letter briefly describing, explaining, and justifying the request
NOTE: Justifications must adhere to the policies contained in "Resolution 54-1990"
 - Letter of authorization from the property owner if application is submitted by an agent
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - Sign Posting Agreement
 - TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
 - Any original and/or related file numbers are listed on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

- SECTOR DEVELOPMENT PLAN PHASE I - DRB CONCEPTUAL PLAN REVIEW (Unadvertised)**
- SECTOR DEVELOPMENT PLAN PHASE II - EPC FINAL REVIEW & APPROVAL (Public Hearing)**
- SECTOR DEVELOPMENT PLAN PHASE II - DRB FINAL SIGN-OFF (Unadvertised)**

- Copy of findings from required pre-application meeting (needed for the DRB conceptual plan review only)
 - Proposed Sector Plan (30 copies for EPC, 6 copies for DRB)
 - Zone Atlas map with the entire plan area precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts (for EPC final review and approval public hearing only)
 - TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form (for EPC final review and approval public hearing only)
 - Fee for EPC final review and approval only (see schedule)
 - Any original and/or related file numbers are listed on the cover application
- Refer to the schedules for the dates, times and places of D.R.B. unadvertised meetings and E.P.C. hearings. **Your attendance is required.**

AMENDMENT TO ZONE MAP (ESTABLISHMENT OF ZONING OR ZONE CHANGE) Parcel E

- Application for sector development plan amendment (required only if site is within a sector plan's boundaries.)
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
NOTE: Justifications must adhere to the policies contained in "Resolution 270-1980"
 - Letter of authorization from the property owner if application is submitted by an agent
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - Sign Posting Agreement
 - TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
 - Fee (see schedule) $240 + 55 \times 3 + 165 + 240 = 405$
 - Any original and/or related file numbers are listed on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

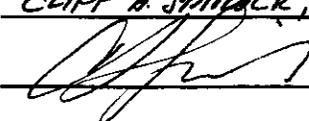
AMENDMENT TO SECTOR DEVELOPMENT PLAN

- Proposed Amendment referenced to the materials in the sector plan being amended
 - Sector Plan to be amended with materials to be changed noted and marked
 - Zone Atlas map with the entire plan area precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
 - Fee (see schedule)
 - Any original and/or related file numbers are listed on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

AMENDMENT TO ZONING CODE OR SUBDIVISION REGULATIONS TEXT

- Amendment referenced to the sections of the Zone Code being amended
 - Sections of the Zone Code to be amended with text to be changed noted and marked
 - Letter briefly describing, explaining, and justifying the request
 - Fee (see schedule)
 - Any original and/or related file numbers are listed on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

CLIFF A. SPINACK, CSC (agent)
 Applicant name (print)

 Applicant signature / date
 3/27/03



Form revised September 2001

- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- Application case numbers
 03EPC - 00503
 03EPC - 00504

3/27/03 
 Planner signature / date
Project # 1000875

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FORM P(1): SITE PLAN REVIEW – E.P.C. PUBLIC HEARING

SITE DEVELOPMENT PLAN FOR SUBDIVISION

IP MASTER DEVELOPMENT PLAN

- ___ Scaled site plan and related drawings (folded to fit into an 8.5" by 14" pocket) 30 copies for EPC public hearings. For IP master development plans, include general building and parking locations, and design requirements for buildings, landscaping, lighting, and signage.
 - ___ Site plans and related drawings reduced to 8.5" x 11" format
 - ___ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - ___ Letter briefly describing, explaining, and justifying the request
 - ___ Letter of authorization from the property owner if application is submitted by an agent
 - ___ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - ___ Sign Posting Agreement
 - ___ 2 copies of the Conceptual Utility Layout Plan (mark one for Planning, one for Utility Development)
 - ___ TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form with required signatures
 - ___ Fee (see schedule)
 - ___ Any original and/or related file numbers are listed on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

SITE DEVELOPMENT PLAN and/or WAIVER OF STANDARDS FOR WIRELESS TELECOM FACILITY

- ___ Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) 30 copies for EPC public hearings.
- ___ Site Plan for Subdivision, if applicable, previously approved or simultaneously submitted. (Folded to fit into an 8.5" by 14" pocket.) 30 copies for EPC public hearings.
- ___ Site plans and related drawings reduced to 8.5" x 11" format
- ___ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- ___ Letter briefly describing, explaining, and justifying the request
- ___ Letter of authorization from the property owner if application is submitted by an agent
- ___ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- ___ Sign Posting Agreement
- ___ Completed Site Plan for Building Permit Checklist
- ___ 2 copies of the Conceptual Utility Layout Plan (mark one for Planning, one for Utility Development)
- ___ TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form with required signatures
- ___ Fee (see schedule)
- ___ Any original and/or related file numbers are listed on the cover application

NOTE: For wireless telecom facilities (administrative reviews that have been referred to the EPC, or requests for waivers of requirements) the following materials are required in addition to those listed above for application submittal:

- ___ Collocation evidence as described in Zoning Code §14-16-3-17(A)(5)
- ___ Notarized statement declaring # of antennas accommodated. Refer to §14-16-3-17(A)(10)(d)2
- ___ Letter of intent regarding shared use. Refer to §14-16-3-17(A)(10)(e)
- ___ Letter of description as above also addressing concealment issues, if relevant. Refer to §14-16-3-17(A)(12)(a)
- ___ Distance to nearest existing free standing tower and its owner's name if the proposed facility is also a free standing tower
- ___ Registered Engineer's stamp on the Site Development Plans
- ___ Office of Community & Neighborhood Coordination inquiry response as above based on ¼ mile radius

EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION

AMENDED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

- ✓ Proposed amended Site Plan (folded to fit into an 8.5" by 14" pocket) 30 copies for EPC public hearings
 - ✓ DRB signed Site Plan being amended (folded to fit into an 8.5" by 14" pocket) 30 copies for EPC public hearings
 - ✓ DRB signed Site Plan for Subdivision, if applicable (required when amending SDP for Building Permit) 30 copies for EPC public hearings
 - ✓ Site plans and related drawings reduced to 8.5" x 11" format
 - ✓ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - ✓ Letter briefly describing, explaining, and justifying the request
 - ✓ Letter of authorization from the property owner if application is submitted by an agent
 - ✓ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - ✓ Sign Posting Agreement
 - ✓ Completed Site Plan for Building Permit Checklist (not required for amendment of SDP for Subdivision)
 - ✓ TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form with required signatures
 - ✓ Fee (see schedule) 255
 - ✓ Any original and/or related file numbers are listed on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline. Refer to schedule. **Your attendance is required.**

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

CLIFF A. SPIROCK, CSC (AGENT)
 Applicant name (print)

 Applicant signature / date
 3/27/03



Form revised September 2001

- ✓ Checklists complete
 - ✓ Fees collected
 - ✓ Case #s assigned
 - ✓ Related #s listed
- Application case numbers
 03EPC - - 00503
 03EPC - - 00504

CM 3/27/03
 Planner signature / date
Project # 1000875



CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) / AIR QUALITY ASSESSMENT (AQIA) FORM

APPLICANT: Jeffra Fine Date of request: 3/25/03 Zone atlas page(s): A11

CURRENT: Zoning RL7/SU-C1/SU-R2 Legal Description - Lot or Tract # _____ Block # _____
Parcel Size (acres / sq.ft.) 2.5 Ac (200,000 sq. ft.) Subdivision Name _____

REQUESTED CITY ACTION(S):
Annexation [] Sector Plan [] Site Development Plan: Building Permit []
Comp. Plan [] Zone Change [] a) Subdivision [] Access Permit []
Amendment [] Conditional Use [] b) Build'g Purposes [] Other []
c) Amendment [] *sub plan to substation*

PROPOSED DEVELOPMENT: GENERAL DESCRIPTION OF ACTION:
No construction / development [] # of units - _____
New Construction [] Building Size - _____ (sq. ft.) 100 to 200 sq. ft.
Expansion of existing development []

Notes: 1. Changes made to development proposals / assumptions, from the information provided above, may change the TIS or AQIA analysis requirements.

Applicant or Representative C. H. Spence Date 3/25/03
(To be signed upon completion of processing by Traffic Engineer and Environmental Health)

TRAFFIC IMPACT STUDY (TIS) REQUIRED: YES [] NO [] BORDERLINE [] Not at this time

PLANNING DEPT. Dev./Bldg. Services Div. Transportation Dev. Sec. 2nd Fl. 600 2nd St. NW Plaza Del Sol Bldg. 924-3994

THRESHOLDS MET? YES [] NO [] Mitigating reasons for not requiring TIS: Previously studied: []

Notes: A TIS will/may be req'd for site plans for Bld. Permit Approval

IF A TIS IS REQUIRED: A scoping meeting (as outlined in the Development Process Manual) must be held to define the level of analysis needed and the parameters of the study. Any subsequent changes to the development proposal identified above may require an update or new TIS.

[Signature] 3-25-03
TRAFFIC ENGINEER DATE

AIR QUALITY IMPACT ASSESSMENT (AQIA) REQUIRED: YES [] NO [] BORDERLINE []

ENVIRONMENTAL HEALTH DEPT. Air Quality Div. 3rd Floor / Rm. 3023 City/County Bldg. 768-2600

THRESHOLDS MET? YES [] NO [] Mitigating reasons for not requiring AQIA: Previously studied: []

Notes: 14-16-3-14 3/27/03

IF AN AQIA IS REQUIRED: a scoping meeting must be held to define the level of analysis needed and the parameters of the study. Any subsequent changes to the development proposal identified above may require an update or new AQIA.

ENVIRONMENTAL HEALTH DATE

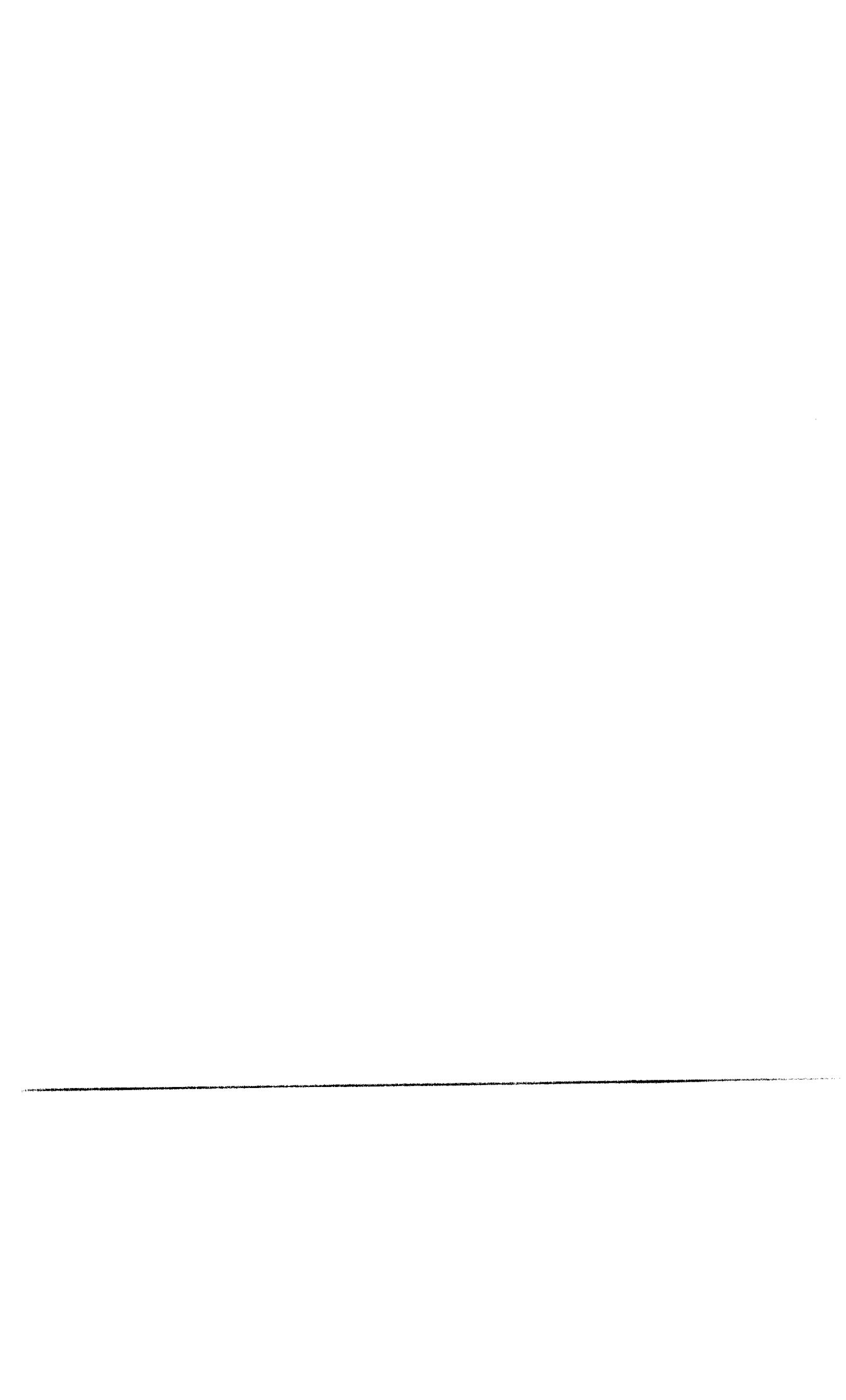
Required TIS and / or AQIA must be completed prior to applying to the EPC. Arrangements must be made prior to submittal if a variance to this procedure is requested and noted on this form, otherwise the application may not be accepted or deferred if the arrangements are not complied with.

TIS	- SUBMITTED	___/___/___	_____	_____
	- FINALIZED	___/___/___	TRAFFIC ENGINEER	DATE
AQIA	- SUBMITTED	___/___/___	_____	_____
	- FINALIZED	___/___/___	ENVIRONMENTAL HEALTH	DATE

TO BE COMPLETED BY APPLICANT

TRANSPORTATION DEVELOPMENT

ENVIRONMENTAL HEALTH



March 26, 2003

City of Albuquerque
P. O. Box 1293
Albuquerque, New Mexico 87103

Attention: Mr. Russel Brito, Current Planning Division, EPC Case File

Subject: Fineland Development LLC, anticipated zone change request, amendment to site plan for subdivision and amendment to landscaping element.

RE: Zone Atlas A11, EPC case Z-98-31: Letter from Richard Dourte, PE, City Traffic Engineer; Pre-Application Conference 3/25/03

Dear Mr. Brito and members of the EPC:

This request amends the zoning and site plan for subdivision purposes for EPC Case Z-98-31. Mr. Fine has complied with the conditions of that case including the dedication of McMahon Boulevard by Bulk Land Plat. Based on a recent subdivision preliminary plat by Clearbrooke Homes for Parcel C of the subject site plan and based on a change of community conditions prompted by City Traffic, we will be requesting EPC case consideration for their May hearing.

Proposed Amendments:

North of McMahon Blvd., the development of Clearbrooke Homes (RLT zone) has resulted in a residential subdivision access directly from McMahon Blvd. Accordingly, a roadway easement that separates Parcels B and D of the Fineland Bulk Land Plat will be requested for vacation and elimination, including utility easements.

South of McMahon Blvd., Parcel E (now zoned SU-R2) will become an isolated land parcel with a roadway easement connection primarily serving commercial use to the west (N/F Tesch Development). The adjoiner to the west, intended for commercial uses, requires an easement to connect directly to McMahon Blvd. at the approved location for a full-access intersection. Previously, this easement was anticipated to connect to Rio del Sole Court, N.W., a roadway platted with the Tuscany West Subdivision.

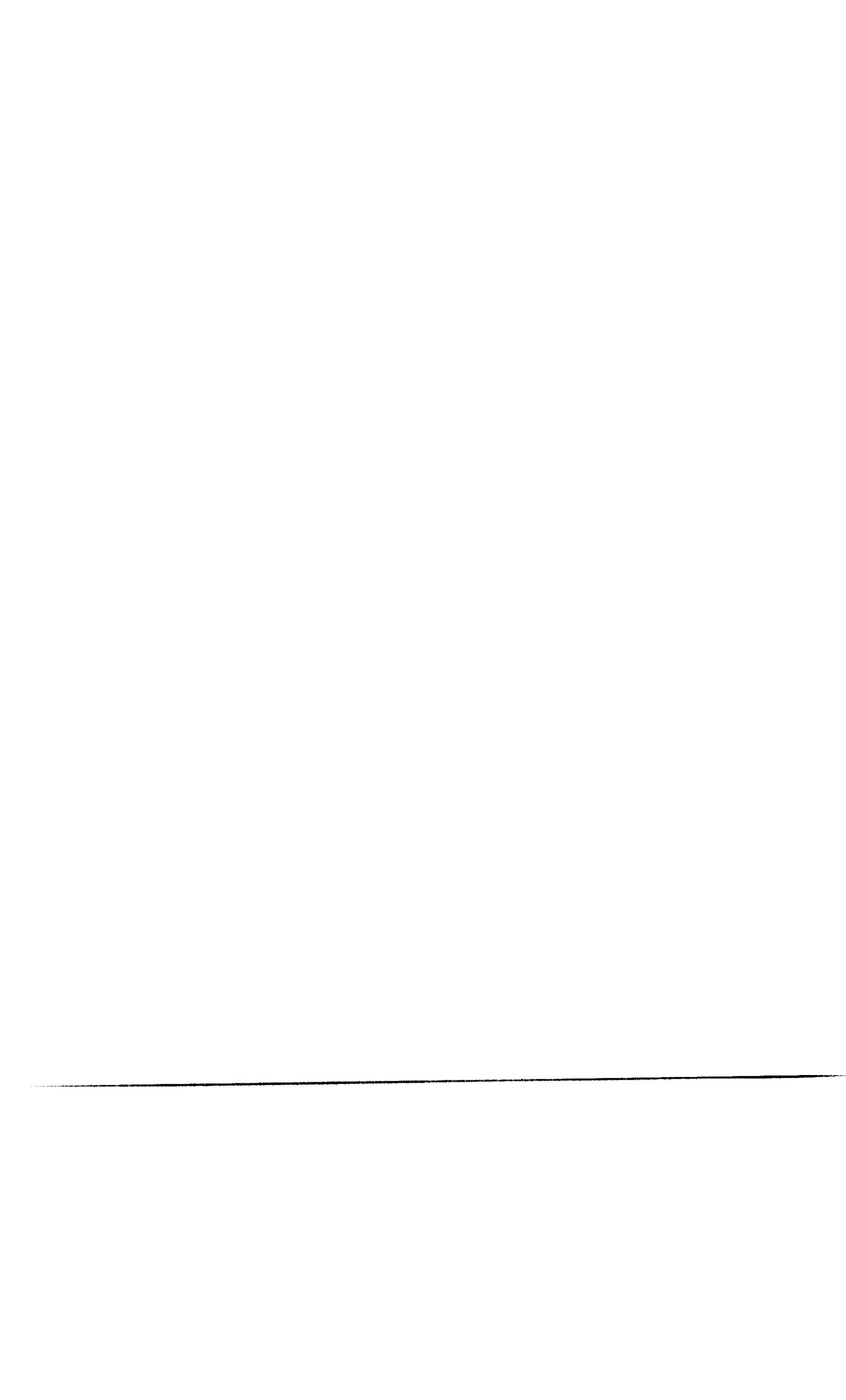
Apparently, the connection to the residential properties, to the south, is not desired and supported. We must now modify that roadway easement to serve commercial properties and we believe this is a justification for a zone change request on parcel E for SU commercial use (approximately 2.7 acres).

Since the roadway proposed south of McMahon will no longer serve as a connector to adjacent subdivisions, we will be requesting a reduction in roadway easement width to 50' or less and a revision to the pedestrian easement that was indicated on the approved site plan.

South of McMahon, to the east, is another pedestrian easement that we would petition for elimination. At the time of the original site plan, this property was part of the Tuscany Subdivision development. Since that time, this property has been conveyed to the Tuscany Homeowner's Association and a north-south pedestrian easement is unnecessary, as the east-west pedestrian movements will connect to common properties and to Tuscany Drive.

CSC# C:\My Documents\03-03-17a.ltr.doc

DEVELOPMENT CONSULTING
ENGINEERING AND SURVEYING
LOCAL GOVERNMENT SERVICES
COMPREHENSIVE LAND PLANNING
LAND DEVELOPMENT IMPLEMENTATION



WESTSIDE STRATEGIC PLAN AND WESTSIDE/MCMAHON CORRIDOR PLAN, LAND USE ELEMENT:

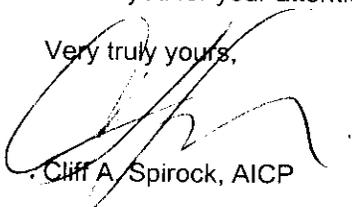
The portion requested for SU-C1 zoning does not conform by map to the WSSP and Westside McMahon Land Use Guide. However, because of conditions not controlled by the applicant, we request consideration due to the logical location, traffic generation and specific conditions cause by a revision to desire access to the West and South.

1. The property to the West (corner of McMahon/Unser) has no accessible intersection allowing left turn (out) movements. That property was petitioned for commercial and mixed use but no site plan was approved – hence it has now reverted to R-1
2. The traffic engineer's request is to sever a north-south road from the McMahon full-access intersection (connection to Rio Del Sole). Also, he requires that a connection be maintained to the Unser/McMahon corner property – resulting in a non-residential street through property of the applicant zone residential.
3. The residual lot created (Parcel E) is 2.7 acres, too small for R-2 apartments (as a project) and questionably suitable for less-intense residential permissive use. This becomes a burden on the applicant. Also, the neighborhood response to Z-98-31 indicated a desire for fewer apartments.
4. North of McMahon the applicant was successful in arguing that the WSSP was generalized. That commission allowed commercial land use outside of the neighborhood center graphic.
5. The Land Use Guide to the Westside was to the Westside/McMahon corridor Plan is also a general guide. The text allows for specific determination at the time of site plan and zoning applications.

If we proceed with the above, we would also like to incorporate the actual recorded plat map on parcel C for Clearbrooke Homes and to update the site plan with the drainage easements of record, crossing properties to the north. An amended Bulk Land Subdivision Plat will follow granting these easements, together with a Vacation application.

Thank you for your attention to this request.

Very truly yours,



Cliff A. Spirock, AICP

CAS/bjc

Agent for Fineland, LLC

cc: Mr. Jeffrey Fine
Tesch Development, Mr. Amar Tesch
Mr. Richard Dourte, PE, City of Albuquerque

Jeffrey L. Fine, Ph.D., C.E.D.S.

PSYCHOTHERAPY
NUTRITIONAL MEDICINE
CODEPENDENCY TREATMENT
CERTIFIED EATING DISORDERS SPECIALIST

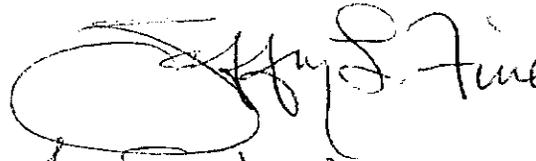
3/25/03

To Whom it May Concern,

On my behalf as managing member of Fineland, LLC. I have hired Community Sciences Corp. to act for me in regard to the Fineland Zoning application.

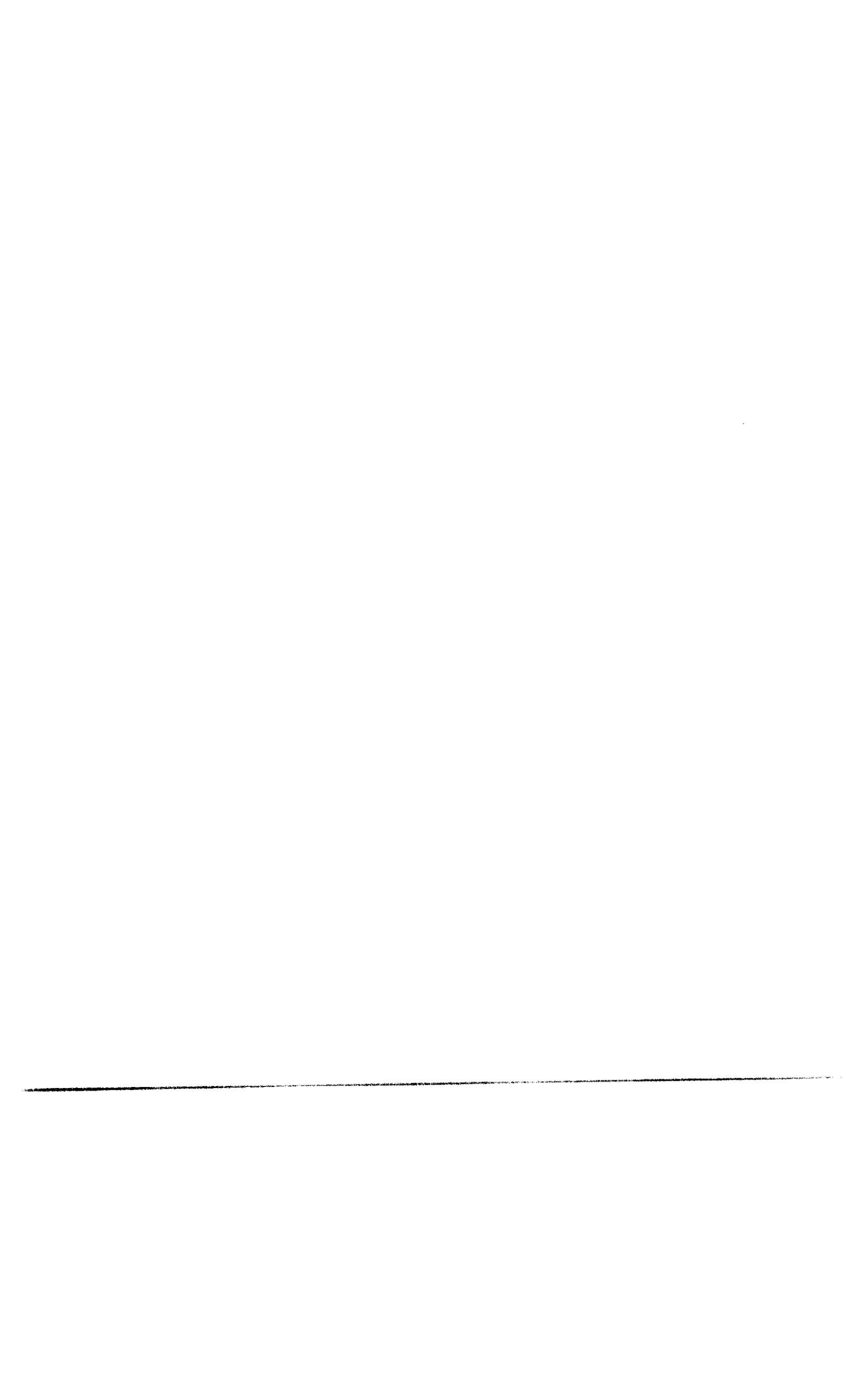
Thank you in advance for your consideration in this matter.

Very Truly yours,


for Fineland, LLC

Dr. Jeffrey L. Fine
10250 Collins Ave., PH-1
Bal Harbour, FL 33154

305-868-4444





City of Albuquerque

PLEASE NOTE: The Neighborhood Association information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter - you will need to get an updated letter from our office. It is your responsibility to provide current information - outdated information may result in a deferral of your case.

Date: March 20, 2003

TO CONTACT NAME: Bernice Cuadras
 COMPANY/AGENCY: Community Services Corporation
 ADDRESS/ZIP: PO BOX 1528 / 87048
 PHONE/FAX #: 897-0000 ext 101 / 898-5195

Thank you for your inquiry of 3-20-03 (Date) requesting the names of **Recognized**

Neighborhood Associations who would be affected under the provisions of O-92 by your proposed project at SE 1/4 of the NE 1/4 projected Section 2, T11N, R2E, N1P01, Town of Atisisco Grant zone map page(s) A-11

Our records indicate that the **Recognized Neighborhood Association(s)** affected by this proposal and the contact names are as follows:

Horizon Hills
 Neighborhood Association
 Contact: Julia M. Wilson
5705 Carmen Rd NW
899-4030 (w) 87114
Solinda J. Balmer
10590 Vista Bella A. NW
898-9076 (w) 87114

Neighborhood Association
 Contact: _____

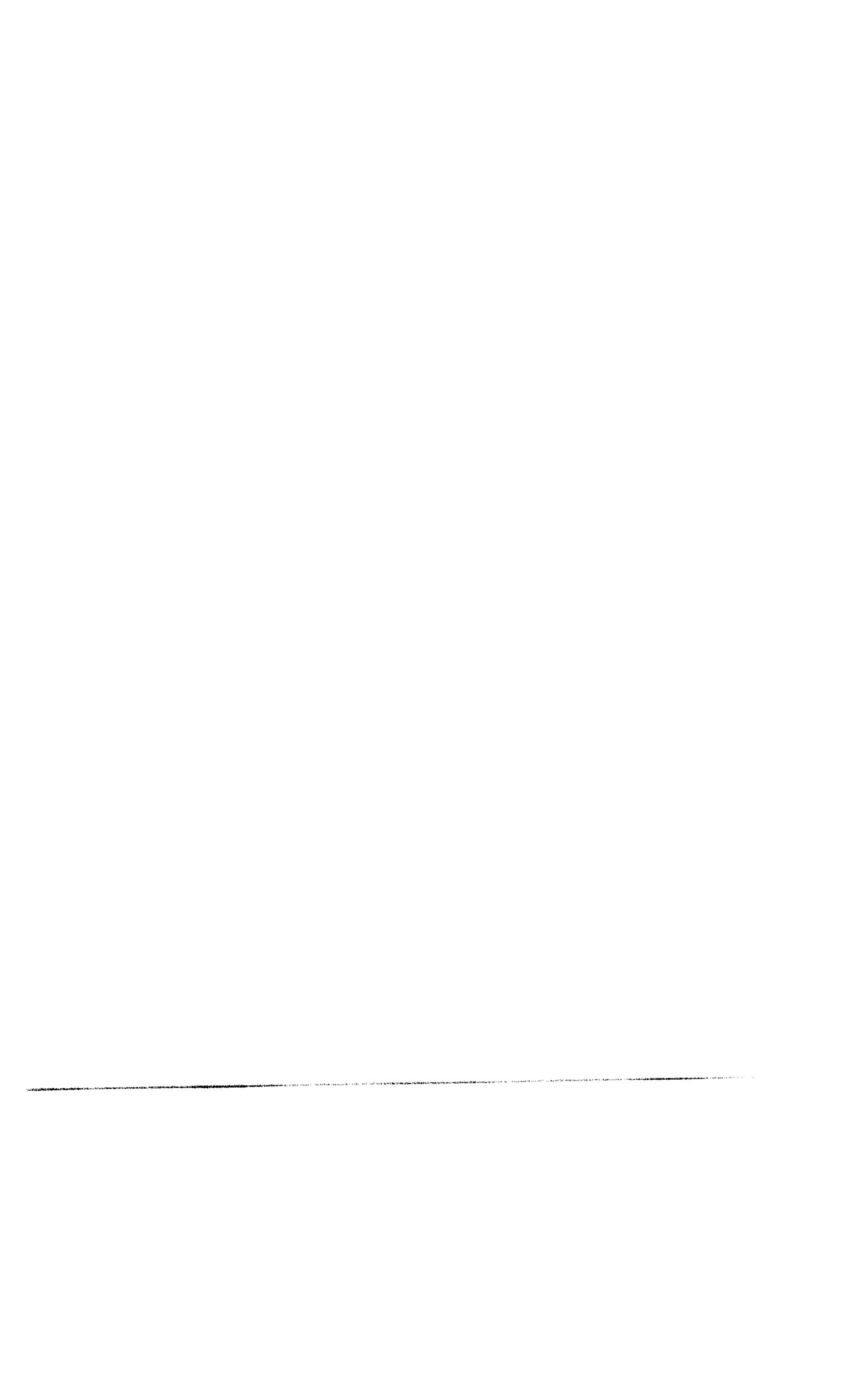
See reverse side for additional Neighborhood Association Information: YES () NO

Please note that according to O-92 you are required to notify each of these contact persons by **CERTIFIED MAIL, RETURN RECEIPT REQUESTED, BEFORE** the Planning Department will accept your application filing. **IMPORTANT! FAILURE OF ADEQUATE NOTIFICATION MAY RESULT IN YOUR APPLICATION HEARING BEING DEFERRED FOR 30 DAYS.** If you have any questions about the information provided, please contact our office at (505) 924-3914 or by fax at 924-3915

Sincerely,

Dalana S. Carmona
 OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

Attention: Both contacts per neighborhood association need to be notified.



**SITE DEVELOPMENT PLAN
FOR SUBDIVISION CHECKLIST**

This checklist will be used by the Planning Department to verify the completeness of site plans submitted for review by the Environmental Planning Commission (EPC). Since development proposals vary in type and scale, there may be application requirements that are not included here and others that may not be necessary. Nonetheless, it is the applicant's responsibility to provide a complete submittal. The EPC will not consider incomplete submittals. Incomplete submittals run the risk of not being scheduled for hearing until they are made complete. Site development plans should ordinarily be composed of the following plan sheets:

- 1. **Site Plan (required)** *(also proposed Bulk/Land Plat)*
- 2. **Design requirements for future site development plans for building permit (optional, but STRONGLY recommended)**

The following checklist describes the minimum information necessary for each sheet. Most of the site plan requirements for *Sheet #1* are taken from the definition for "SITE DEVELOPMENT PLAN" as outlined in the Zoning Code (§ 14-16-1-1 et. seq.). The Applicant shall include and check off all items shown on the site plan or write in "n/a" if not applicable.

Accompanying Material

- A. Fee payment
- B. Complete application
- C. Written Summary of Request
- D. 8-1/2" x 11" reductions

SHEET # 1 – SITE PLAN (Required)

- 1. Scale: at least 1" = 100'
- 2. Bar Scale
- 3. North Arrow
- 4. Scaled Vicinity Map
- 5. The Site (property lines)
- 6. Proposed Use(s)
- 7. Pedestrian Ingress and Egress (Access)
- 8. Vehicular Ingress and Egress (Access)
- 9. Any Internal Circulation Requirements
- 10. For each lot:
 - a. Maximum Building Height
 - b. Minimum Building Setback
 - c. Maximum Total Dwelling Units and / or
 - d. Nonresidential Uses' Maximum Floor Area Ratio (F.A.R.)

1. The first part of the document is a list of names and titles.

**SHEET #2 – DESIGN REQUIREMENTS FOR FUTURE SITE DEVELOPMENT
PLANS FOR BUILDING PERMIT (Optional, but STRONGLY
recommended)**

- ___ 1. Overall Design Theme and Land Use Concept
- ___ 2. Off-Street Parking Requirements and Design (Automobile and Bicycle)
- ___ 3. Street Design
- ___ 4. Transit Facilities (benches, shelters, pedestrian connections, etc.)
- ___ 5. Landscape Design Requirements (plant list, buffer areas, locations, amounts, etc.)
- ___ 6. Architectural Design Requirements (façade elements, massing, colors, materials, etc.)
- ___ 7. Signage Design Requirements (face area, colors, materials, maximum height, etc.)
- ___ 8. Lighting Design Requirements (type, locations, colors materials, maximum height, etc.)
- ___ 9. Pedestrian Amenities (walkways, plazas, shade structures, etc.)

ONE STOP SHOP ••• FRONT COUNTER
City of Albuquerque • Planning Department

DEVELOPMENT & BUILDING SERVICES (D&B Svcs)
LAND DEVELOPMENT COORDINATION SECTION (LDC)
Plaza Del Sol - 2nd & 4TH Floor West - 600 2nd St NW 87102
Front Counter Main Number (505) 924-3858 or 924-3895
Main Fax (505) 924-3864

PAID RECEIPT

APPLICANT NAME FINELAND LLC
AGENT CSC
ADDRESS _____
PROJECT NO. 1000875
APPLICATION NO. C3EPC - 00503

\$ _____ 441006 / 4983000 (DRB Cases)
\$ 660 441006 / 4971000 (EPC & AA / LUCC / Appeals)
\$ 75 441018 / 4971000 (Notification)
\$ 735 Total amount due

29385

COMMUNITY SCIENCES CORPORATION

P.O. BOX 1328
CORRALES, N.M. 87048
(505) 897-0000

WELLS FARGO BANK NEW MEXICO, N.A.
CORRALES, NM 87048
95-219-1070

~~SEVEN HUNDRED & THIRTY FIVE DOLLARS~~
~~AND NO CENTS~~
~~FOR THE CITY OF ALBUQUERQUE~~

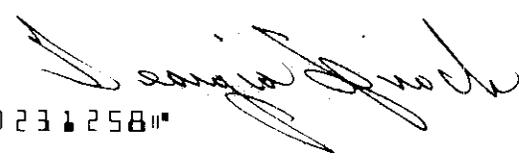
PAY TO THE ORDER OF
CITY OF ALBUQUERQUE

DATE

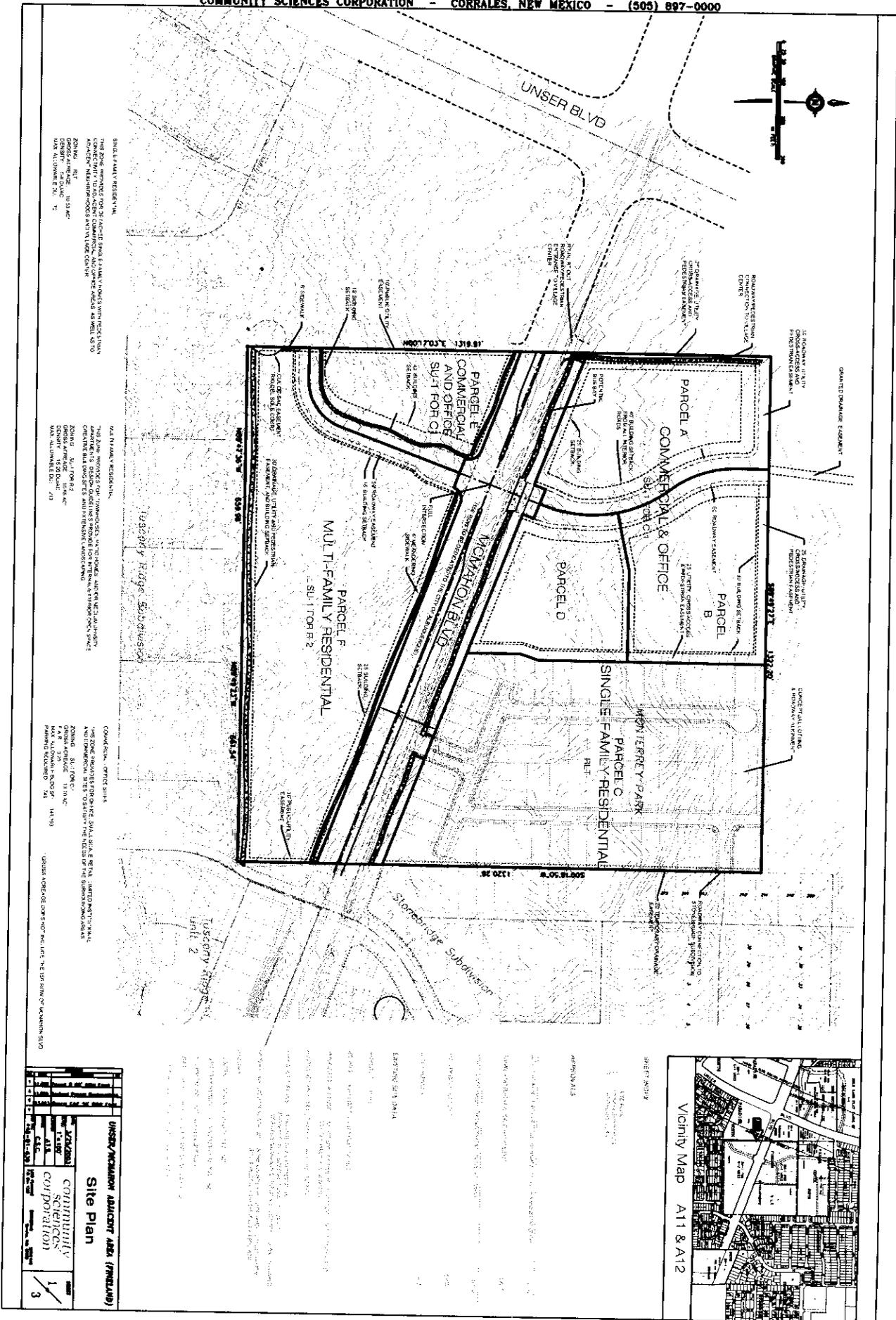
3/24/03

AMOUNT

~~660.00~~
~~75.00~~
735.00



⑈029385⑈ ⑆107002192⑆ 1000231258⑈



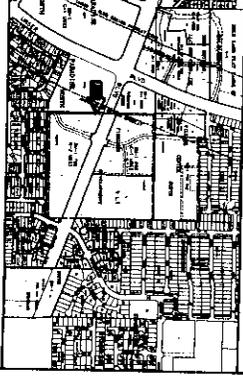
SINGLE-FAMILY RESIDENTIAL
 THIS ZONE INTENDS FOR SINGLE-FAMILY HOMES WITH MINIMUM AREA OF 10,000 SQ. FT. COMMERCIAL AND OFFICE AREAS AS WELL AS TO PROVIDE FOR A MIXED USE DEVELOPMENT WITH RESIDENTIAL USES.
 ZONING: R1
 MINIMUM LOT AREA: 10,000 SQ. FT.
 MINIMUM LOT WIDTH: 30 FT.
 MINIMUM LOT DEPTH: 125 FT.
 MINIMUM FRONT YARD SETBACK: 10 FT.
 MINIMUM SIDE YARD SETBACK: 5 FT.
 MINIMUM REAR YARD SETBACK: 5 FT.
 MINIMUM FRONT SETBACK: 10 FT.
 MINIMUM SIDE SETBACK: 5 FT.
 MINIMUM REAR SETBACK: 5 FT.
 MINIMUM FRONT SETBACK: 10 FT.
 MINIMUM SIDE SETBACK: 5 FT.
 MINIMUM REAR SETBACK: 5 FT.

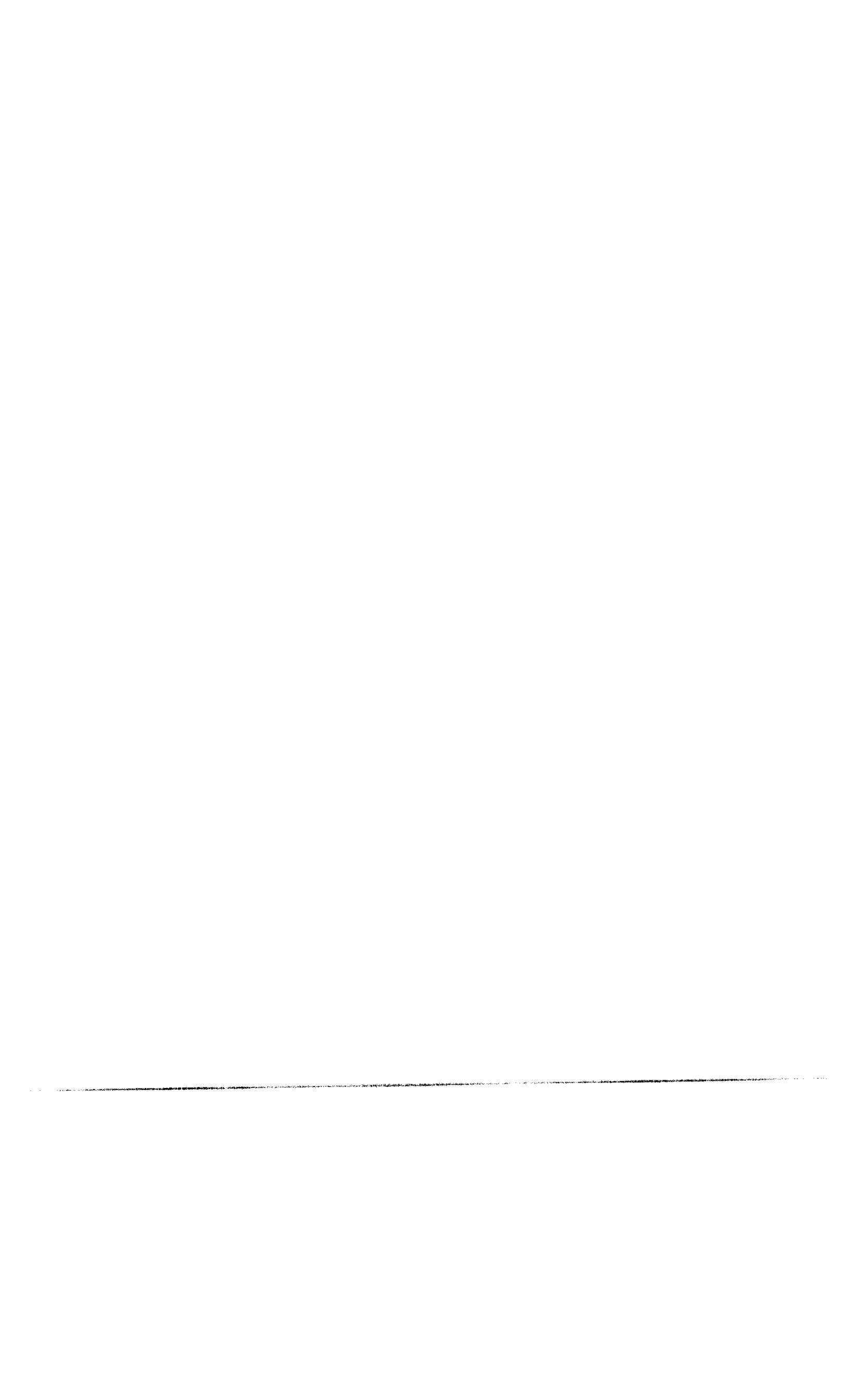
MULTI-FAMILY RESIDENTIAL
 THIS ZONE INTENDS FOR MULTIFAMILY RESIDENTIAL DEVELOPMENT WITH A MINIMUM OF 10 UNITS PER PARCEL. THE ZONE INTENDS TO PROVIDE FOR A MIXED USE DEVELOPMENT WITH RESIDENTIAL USES.
 ZONING: MFR
 MINIMUM LOT AREA: 15,000 SQ. FT.
 MINIMUM LOT WIDTH: 30 FT.
 MINIMUM LOT DEPTH: 125 FT.
 MINIMUM FRONT YARD SETBACK: 10 FT.
 MINIMUM SIDE YARD SETBACK: 5 FT.
 MINIMUM REAR YARD SETBACK: 5 FT.
 MINIMUM FRONT SETBACK: 10 FT.
 MINIMUM SIDE SETBACK: 5 FT.
 MINIMUM REAR SETBACK: 5 FT.

COMMERCIAL, OFFICE SITE
 THIS ZONE INTENDS FOR COMMERCIAL AND OFFICE DEVELOPMENT WITH A MINIMUM OF 10,000 SQ. FT. OF GROUND COVER. THE ZONE INTENDS TO PROVIDE FOR A MIXED USE DEVELOPMENT WITH COMMERCIAL AND OFFICE USES.
 ZONING: CO
 MINIMUM LOT AREA: 10,000 SQ. FT.
 MINIMUM LOT WIDTH: 30 FT.
 MINIMUM LOT DEPTH: 125 FT.
 MINIMUM FRONT YARD SETBACK: 10 FT.
 MINIMUM SIDE YARD SETBACK: 5 FT.
 MINIMUM REAR YARD SETBACK: 5 FT.
 MINIMUM FRONT SETBACK: 10 FT.
 MINIMUM SIDE SETBACK: 5 FT.
 MINIMUM REAR SETBACK: 5 FT.

GENERAL NOTES:
 1. ALL DIMENSIONS ARE IN FEET AND INCHES.
 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
 4. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.
 5. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.
 6. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.
 7. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.
 8. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.
 9. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.
 10. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.

UNSER/MONTGOMERY ADJACENT AREA (PHILADELPHIA)	
Site Plan	
DATE	03/27/03
BY	COMMUNITY SCIENCES CORPORATION
SCALE	1" = 30'
NO.	1
REV.	3





DESIGN GUIDELINES

The purpose of these design guidelines is to provide guidelines for the design of buildings and structures within an industrial or commercial district and to provide a framework for the design of buildings and structures within an industrial or commercial district. The guidelines are intended to provide a framework for the design of buildings and structures within an industrial or commercial district. The guidelines are intended to provide a framework for the design of buildings and structures within an industrial or commercial district.

SITE DESIGN

A public utility and a water utility are located at the intersection of streets 1000 and 1100. The site is located at the intersection of streets 1000 and 1100. The site is located at the intersection of streets 1000 and 1100. The site is located at the intersection of streets 1000 and 1100.

ROAD LAYOUT

The layout of roads within the industrial district is to be determined by the City of Corrales. The layout of roads within the industrial district is to be determined by the City of Corrales. The layout of roads within the industrial district is to be determined by the City of Corrales.

PEDESTRIAN CONNECTIONS AND TRAILS

Public utility and water utility are located at the intersection of streets 1000 and 1100. The site is located at the intersection of streets 1000 and 1100. The site is located at the intersection of streets 1000 and 1100. The site is located at the intersection of streets 1000 and 1100.

TRANSPORTATION DEMAND MANAGEMENT (TDM)

The site plan for the industrial district is to be determined by the City of Corrales. The site plan for the industrial district is to be determined by the City of Corrales. The site plan for the industrial district is to be determined by the City of Corrales.

BUILDING SETBACKS

The setbacks for buildings within the industrial district are to be determined by the City of Corrales. The setbacks for buildings within the industrial district are to be determined by the City of Corrales. The setbacks for buildings within the industrial district are to be determined by the City of Corrales.

PERIMETER WALLS AND SCREENING

Perimeter walls and screening for buildings within the industrial district are to be determined by the City of Corrales. Perimeter walls and screening for buildings within the industrial district are to be determined by the City of Corrales. Perimeter walls and screening for buildings within the industrial district are to be determined by the City of Corrales.

OFF STREET PARKING

Off street parking for buildings within the industrial district is to be determined by the City of Corrales. Off street parking for buildings within the industrial district is to be determined by the City of Corrales. Off street parking for buildings within the industrial district is to be determined by the City of Corrales.

STEP-BUILDING LIGHTING

Step-building lighting for buildings within the industrial district is to be determined by the City of Corrales. Step-building lighting for buildings within the industrial district is to be determined by the City of Corrales. Step-building lighting for buildings within the industrial district is to be determined by the City of Corrales.

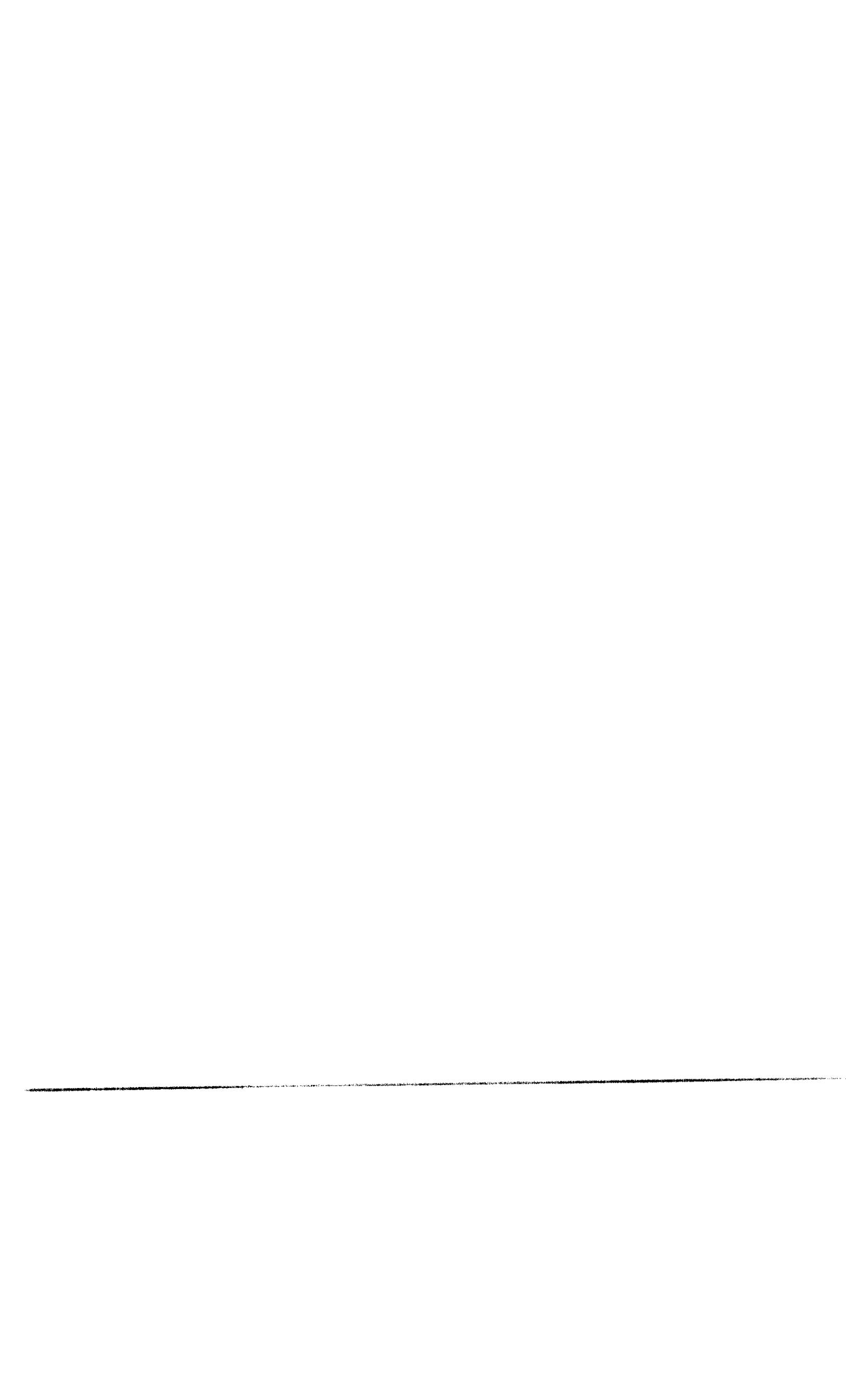
SIGNAGE AND GRAPHICS

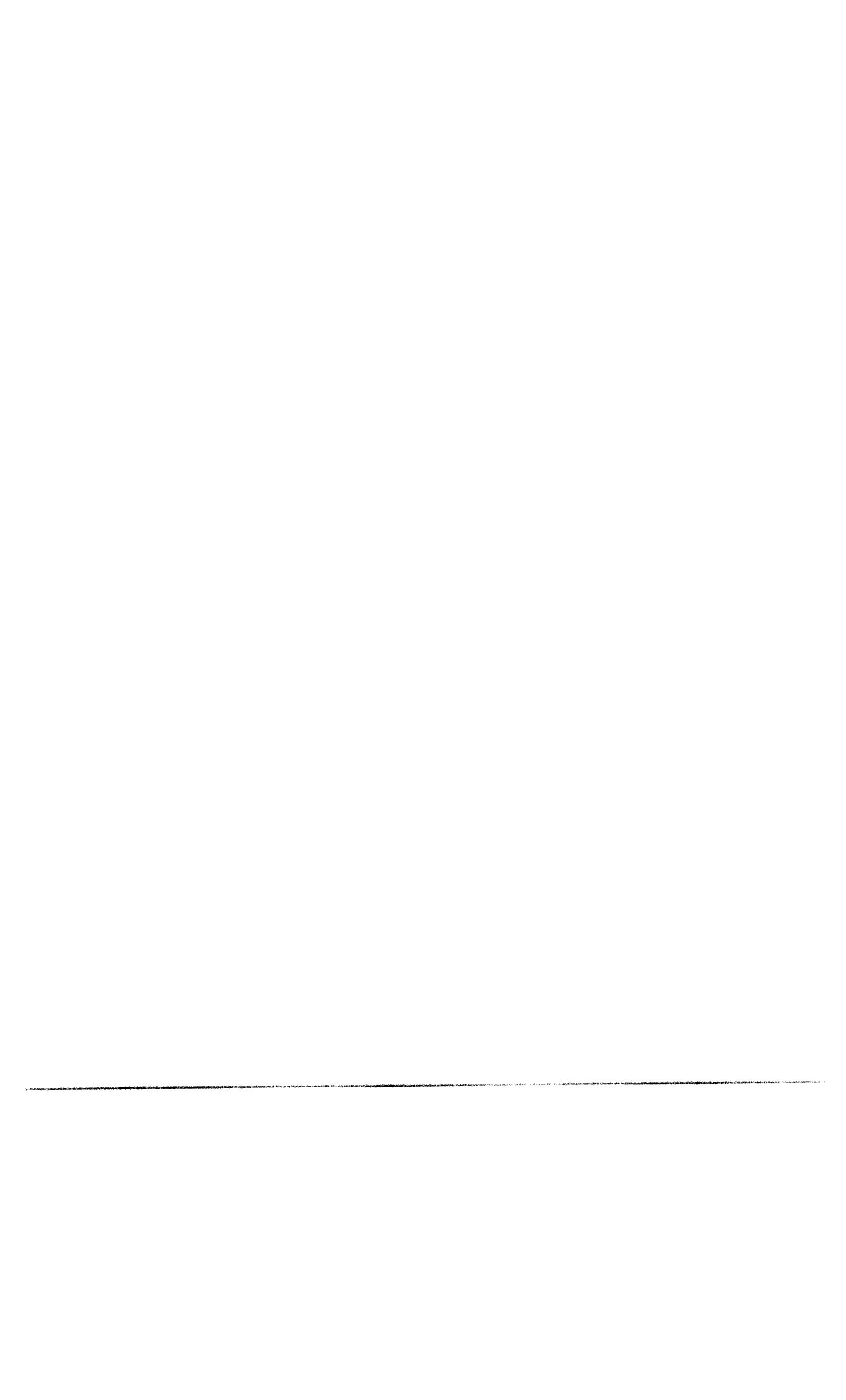
Signage and graphics for buildings within the industrial district are to be determined by the City of Corrales. Signage and graphics for buildings within the industrial district are to be determined by the City of Corrales. Signage and graphics for buildings within the industrial district are to be determined by the City of Corrales.

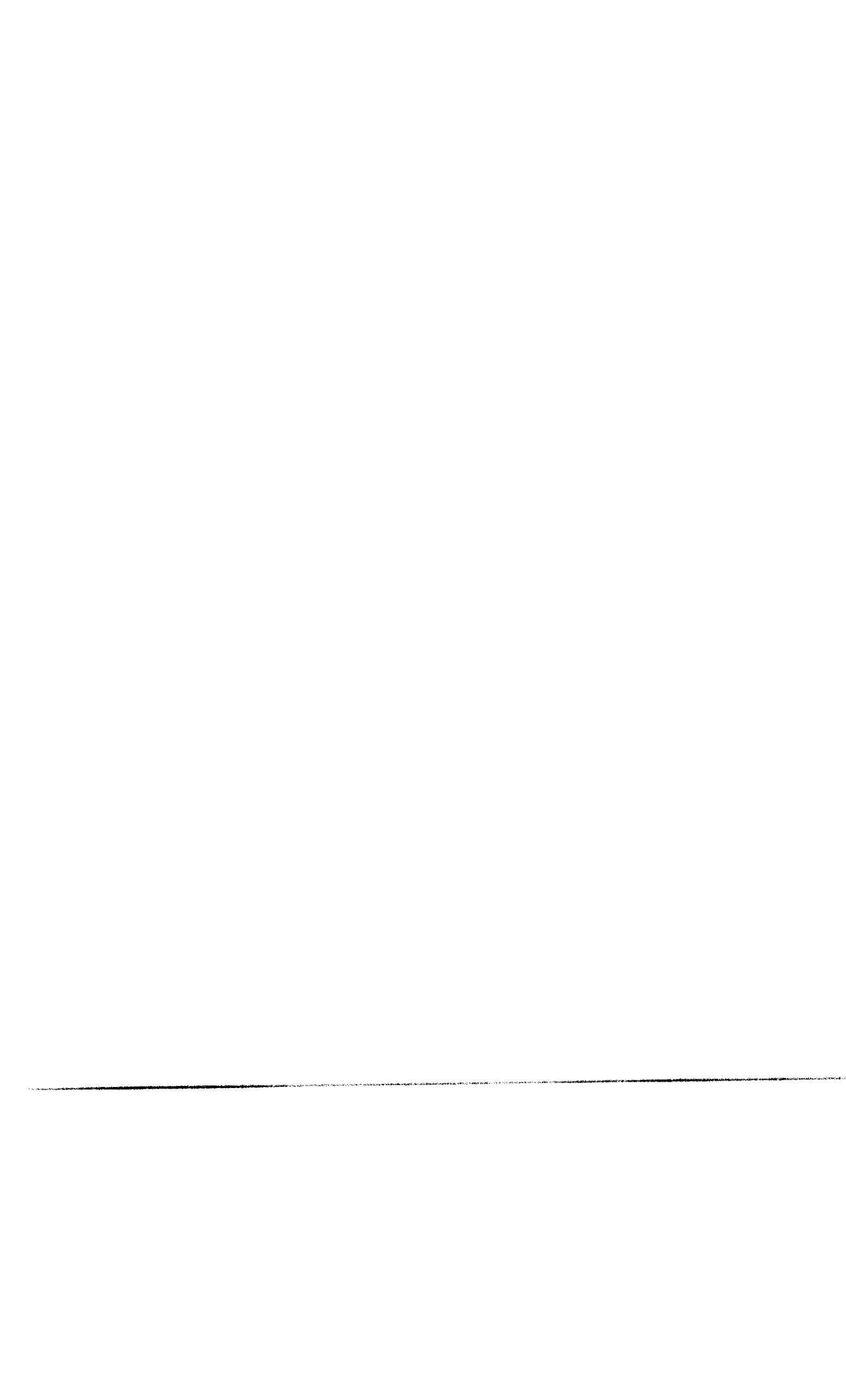
ARCHITECTURAL DESIGN

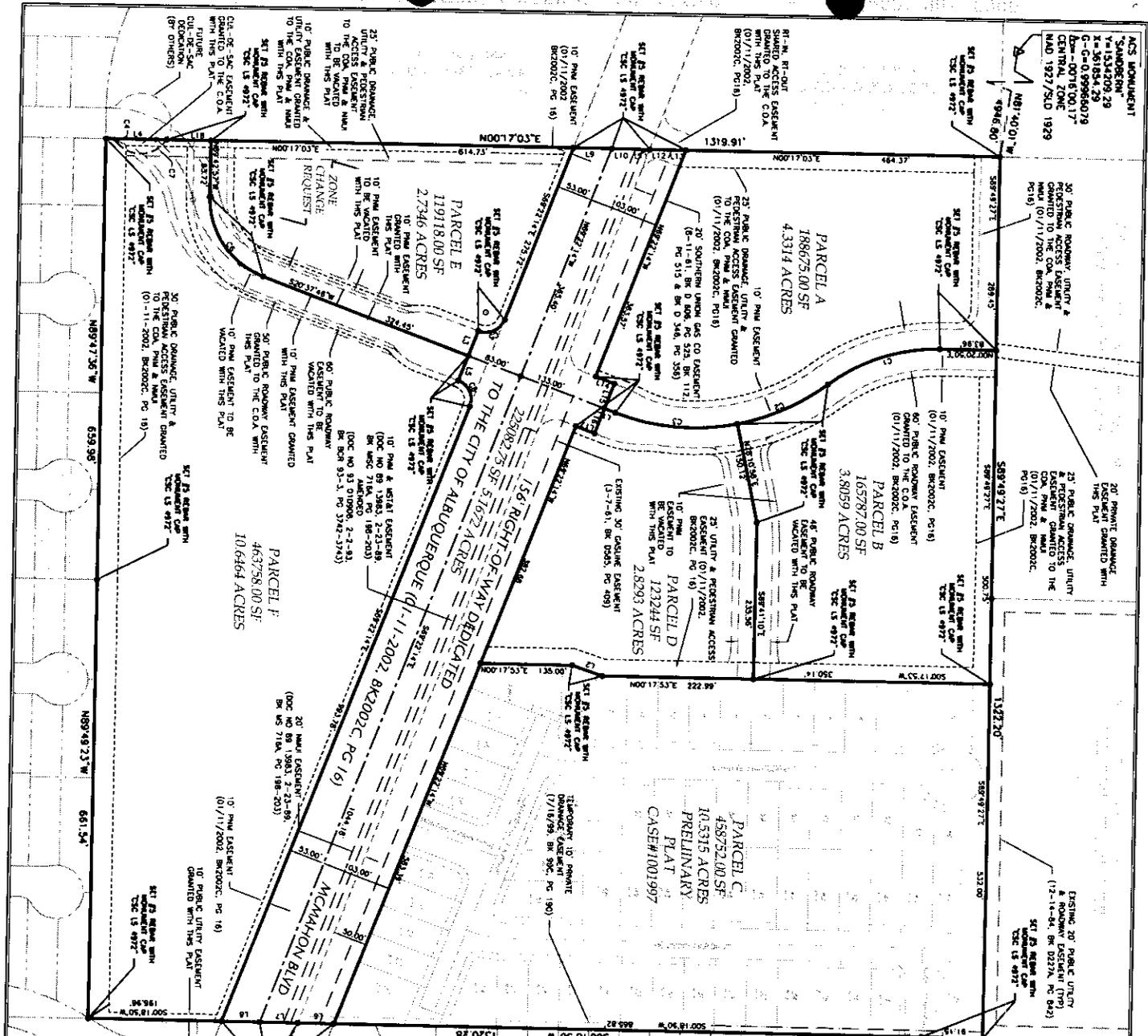
Architectural design for buildings within the industrial district is to be determined by the City of Corrales. Architectural design for buildings within the industrial district is to be determined by the City of Corrales. Architectural design for buildings within the industrial district is to be determined by the City of Corrales.

DESIGN/ANALYSIS/AMOUNT AREA (SQUARE FEET)	
Site Area	113
Building Area	113
Other Area	113
Design Guidelines	
1	2
2	3









BULK LAND PLAT
FINELAND
DEVELOPMENT

SITUATE WITHIN SE 1/4 OF THE NE 1/4
 PROJECTED SECTION 2, T11N, R2E, N.M.P.M.
 TOWN OF ATRISCO GRANT
 CITY OF ALBUQUERQUE, COUNTY OF BERNALILLO,
 NEW MEXICO

SEPTEMBER, 2000

ACS DOCUMENT
 *SANDORFF
 X=1334209.29
 Y=561854.29
 C-C=0.99966079
 Bm--0016.0017
 MAD 1927/SID 1929

ACS DOCUMENT
 *SANDORFF
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 Bm--0016.0017
 MAD 1927/SID 1929

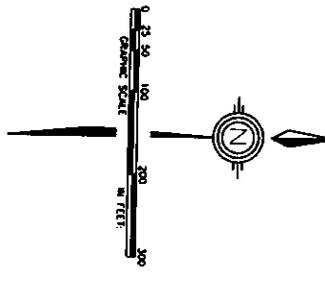
LINE TABLE

LINE	LENGTH	BEARING	LINE	LENGTH	BEARING
L1	17.05'	S02°36'56"W	L10	35.70'	N0017°03'E
L2	47.54'	S19°04'37"W	L11	21.33'	N0017°03'E
L3	40.00'	S88°22'14"E	L12	32.00'	N0017°03'E
L4	89.34'	N0017°03'E	L13	21.33'	N0017°03'E
L5	40.00'	S88°22'14"E	L14	30.00'	N20°38'56"E
L6	53.32'	S007°18'50"W	L15	40.00'	S89°22'14"E
L7	56.52'	S007°18'50"W	L16	40.00'	S89°22'14"E
L8	56.51'	S007°18'50"W	L17	30.00'	S20°38'56"W
L9	56.52'	N0017°03'E	L18	64.74'	N0017°03'E

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD BRG	CHORD DIST
C1	172.54'	266.85'	36-07-08	N18°42'44"W	174.28'
C2	148.27'	324.00'	23-52-18	N24°47'40"W	145.82'
C3	183.48'	324.00'	32-28-48	N04°24'22"E	181.04'
C4	20.72'	25.00'	48-30-07	S23°31'32"W	19.24'
C5	47.12'	30.00'	90-00-00	S24°21'14"E	42.43'
C6	151.96'	125.00'	89-39-17	S55°27'24"W	142.78'
C7	82.84'	45.00'	105-28-13	N05°57'31"W	71.63'
C8	47.12'	30.00'	90-00-00	N85°37'46"E	42.43'

NOTE: ALL DIMENSIONS ARE IN FEET. THE 156' RIGHT-OF-WAY DEDICATED TO THE CITY OF ALBUQUERQUE (01-11-2002, BK2002C, PG 16) IS SHOWN FOR INFORMATION ONLY. THE CITY OF ALBUQUERQUE HAS THE RIGHT OF WAY.

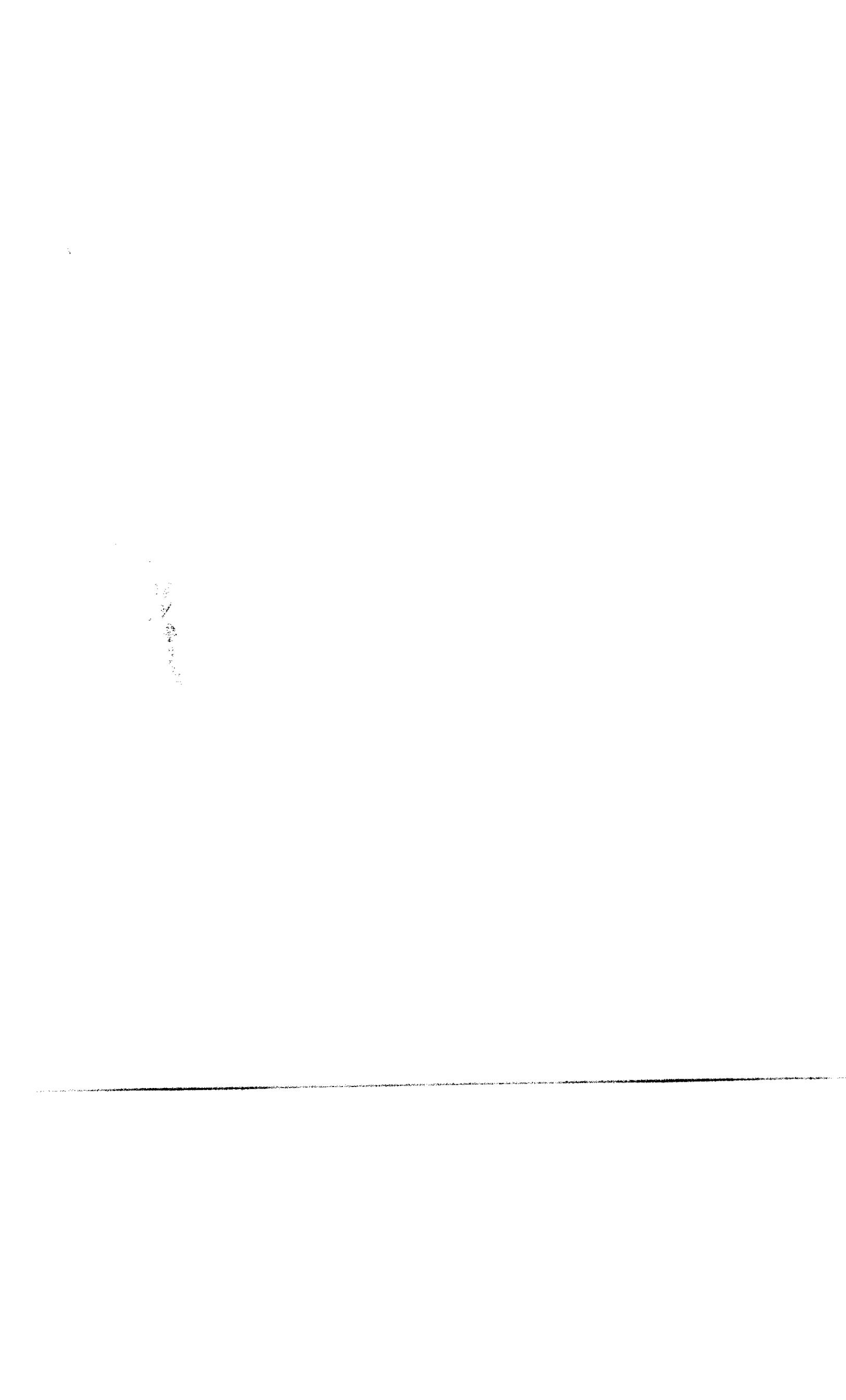


DATE: 3/25/03
 SCALE: 1"=100'
 DESIGNED: CSC
 DRAWN: CSC
 SHEET NO: N448-01

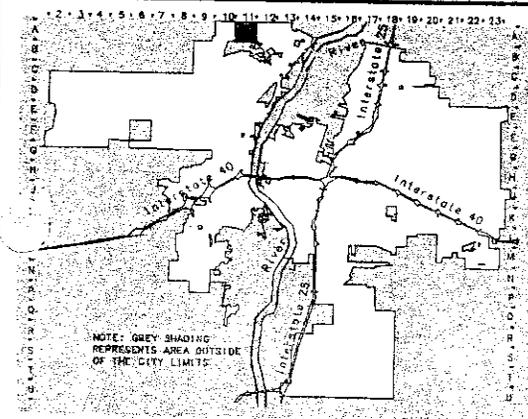
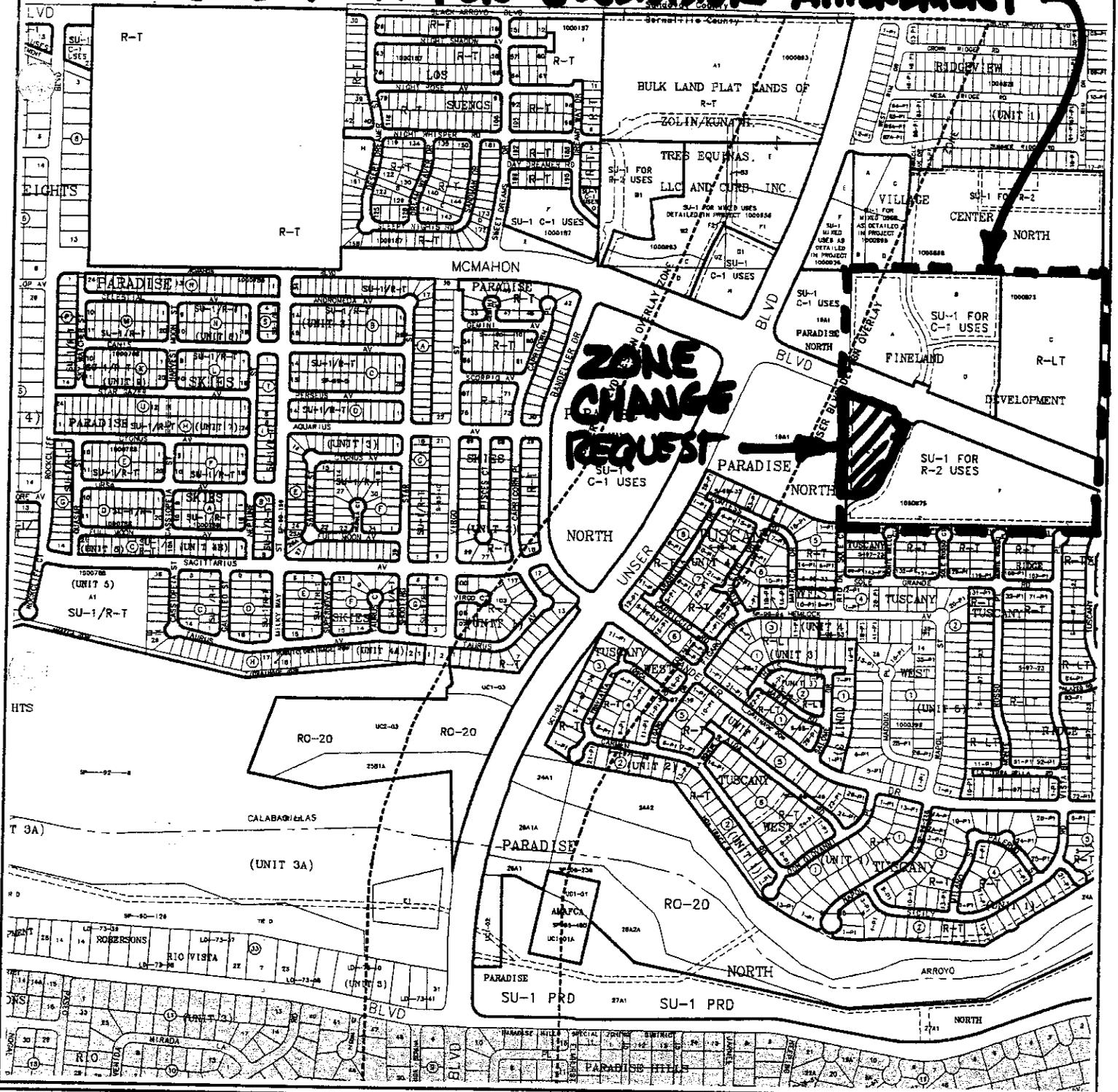
community
 corporation

2 of 2

EXHIBIT FOR ZONE CHANGE AND SITEPLAN FOR SUBDIVISION



SITE PLAN FOR SUBDIVISION AMENDMENT



CITY OF
Albuquerque
A Geographic Information System
PLANNING DEPARTMENT
© Copyright 2002



Zone Atlas Page

A-11-Z

Map Amended through April 03, 2002

FINELAND LLC 3127103

SITE PLAN FOR SUBDIVISION W/ WINDMILL



REQUEST
CHANGE
ZONE

FIRELAND LLC 2/25/13

P. O. Box 1328
Corrales, NM 87048

March 25, 2003

Horizon Hills Neighborhood Association
c/o Jolinda J. Balmer
10590 Vista Bella Pl., NW
Albuquerque, New Mexico 87114 (898-9076)

Subject: Neighborhood Notification, requested change of zone and modification to site plan for subdivision purposes, Fineland Development LLC

Dear Ms. Balmer:

Community Sciences Corporation is the agent for Dr. Jeffrey Fine who, in 2001, successfully rezoned a portion of his property on both sides of McMahon Blvd. to RL2 (mid-density housing), SU for R2 (apartments) and SU-C1 Commercial. That action required neighborhood notification and the response from your association expressed concern with the amount of apartments.

At the time the site plan and plat was prepared, we were instructed to create a road easement connecting McMahon Blvd. to Rio del Sole Court in the Tuscany West Subdivision. This is reflected on the current plat.

We have since been advised by the City that they do not want this connection and our instructions are to "turn" that roadway to the west allowing commercial access from our neighbor. This leaves a portion of the property questionable suitable for residential use. Accordingly, we are requesting a rezoning (to commercial use) for that portion adjacent to the existing neighborhood center commercial that fronts Unser Blvd., south of McMahon.

Also, what was platted as parcel C has been approved for a residential single family detached product that does not need an east-west roadway easement. This is requested for elimination by a vacation action.

We will also request other vacations (pedestrian easements) that are south of McMahon that are no longer needed since the sidewalk in the commercial street will suffice. However, we will be preserving a pedestrian connection from a proposed cul-de-sac terminus at the north end of Rio del Sole. We are also preserving the east-west pedestrian connection adjacent to the Tuscany West Subdivision.

If you have any questions on this proposal, please let me know. I can schedule a meeting with your neighborhood association if advised. The net effect will be to reduce the number of potential apartment units and to "sever" a direct connection with the Tuscany West Subdivision.

Respectfully submitted,

for Bernice Cuadras
Cliff A. Spirock, AICP

CAS/bjc

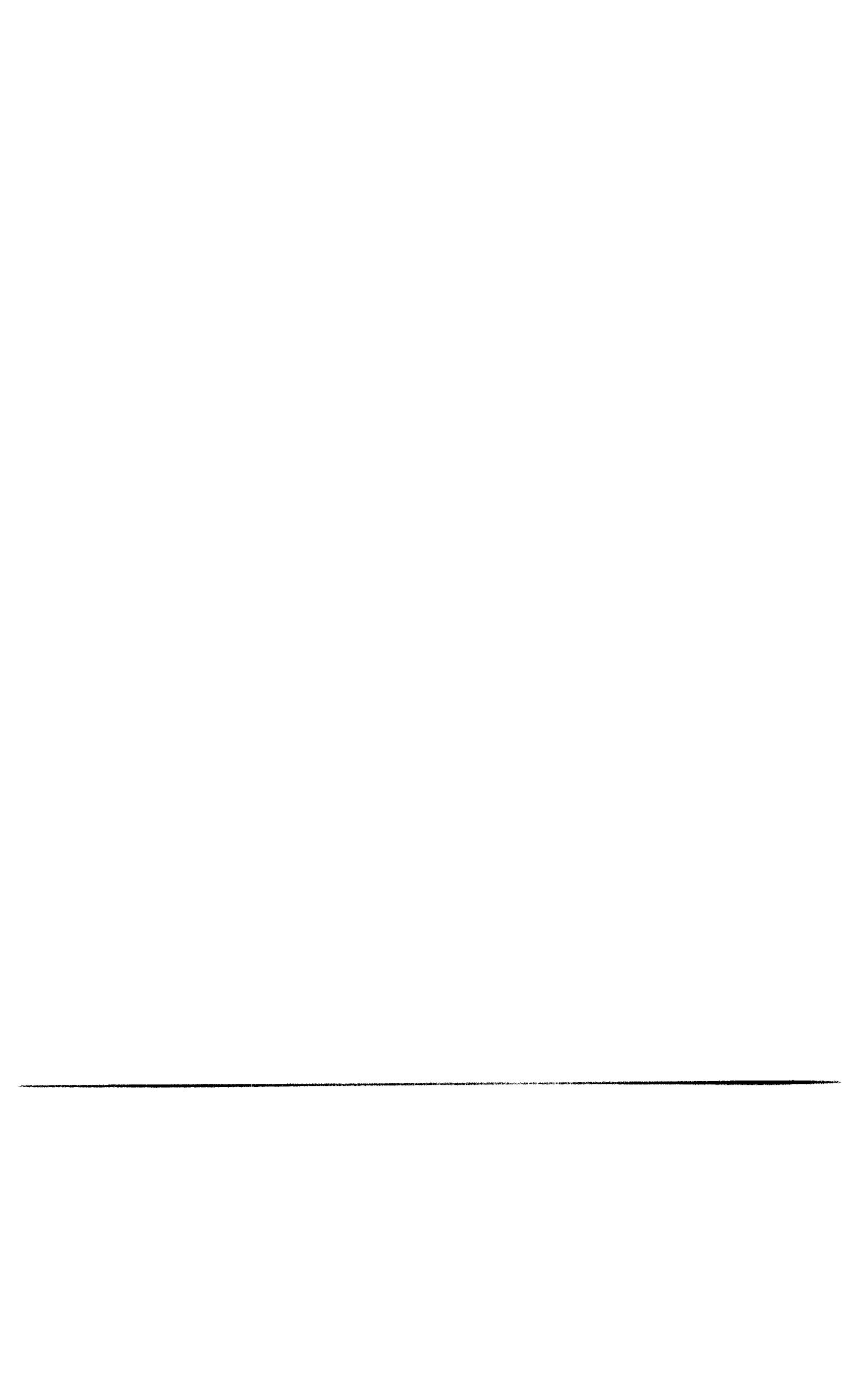
CSC# E:\CSC_WORD\LETTERS\03-03-22.ltr.doc RR#N448-01-625

DEVELOPMENT CONSULTING
ENGINEERING AND SURVEYING
LOCAL GOVERNMENT SERVICES
COMPREHENSIVE LAND PLANNING
LAND DEVELOPMENT IMPLEMENTATION

3900 East Camelback Road, Suite 611
Phoenix, Arizona 85018
Tel: (602) 955-7097 Fax: (602) 955-7169

P.O. Box 1328
Corrales, New Mexico 87048
Tel: (505) 897-0000 Fax: (505) 898-5195

community
sciences
corporation



P. O. Box 1328
Corrales, NM 87048

March 25, 2003

Horizon Hills Neighborhood Association
c/o Julia M. Wilson
5705 Carmen Road, N.W.
Albuquerque, New Mexico 87115 (899-4030)

Subject: Neighborhood Notification, requested change of zone and modification to site plan for subdivision purposes, Fineland Development LLC

Dear Ms. Wilson:

Community Sciences Corporation is the agent for Dr. Jeffrey Fine who, in 2001, successfully rezoned a portion of his property on both sides of McMahan Blvd. to RL2 (mid-density housing), SU for R2 (apartments) and SU-C1 Commercial. That action required neighborhood notification and the response from your association expressed concern with the amount of apartments.

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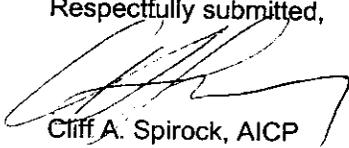
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Also, what was platted as parcel C has been approved for a residential single family detached product that does not need an east-west roadway easement. This is requested for elimination by a vacation action.

We will also request other vacations (pedestrian easements) that are south of McMahan that are no longer needed since the sidewalk in the commercial street will suffice. However, we will be preserving a pedestrian connection from a proposed cul-de-sac terminus at the north end of Rio del Sole. We are also preserving the east-west pedestrian connection adjacent to the Tuscany West Subdivision.

If you have any questions on this proposal, please let me know. I can schedule a meeting with your neighborhood association if advised. The net effect will be to reduce the number of potential apartment units and to "sever" a direct connection with the Tuscany West Subdivision.

Respectfully submitted,


Cliff A. Spirock, AICP

CAS/bjc

CSC# E:\CSC_WORD\LETTERS\03-03-22.ltr.doc RR#N448-01-625

DEVELOPMENT CONSULTING
ENGINEERING AND SURVEYING
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community
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Phoenix, Arizona 85018
Tel: (602) 955-7097 Fax: (602) 955-7169

P.O. Box 1328
Corrales, New Mexico 87048
Tel: (505) 897-0000 Fax: (505) 898-5195

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only: No Insurance Coverage Provided)

2001 1140 0002 6335 0586

OFFICIAL USE

ALBUQUERQUE NM 87114

Postage \$ 24.21

Certified Fee \$ 2.30

Return Receipt Fee (Endorsement Required) \$ 1.76

Restricted Delivery Fee (Endorsement Required) \$ 0.10

Total Postage & Fees \$ 28.37

UNIT ID: 0048

Postmark Here Clerk: KT8C16 03/27/03

Sent HORIZON HILLS NHA c/o JOLINDA J. BALMEI

Street, Apt. No. or PO Box No. 10590 VISTA BELLA PL, NW

City, State, Zip+4 ALBUQUERQUE, NM 87114

PS Form 3800, January 2001

See Reverse for Instructions

2001 1140 0002 6335 0586

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only: No Insurance Coverage Provided)

OFFICIAL USE

Sent To HORIZON HILLS NHA c/o J. WILSON

Street, Apt. No. or PO Box No. 5705 CARMEN RD, NW

City, State, Zip+4 ABO, NM 87115

Postage \$ 24.44

Certified Fee \$ 2.30

Return Receipt Fee (Endorsement Required) \$ 1.76

Restricted Delivery Fee (Endorsement Required) \$ 0.10

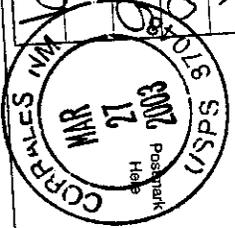
Total Postage & Fees \$ 28.60

Postmark Here

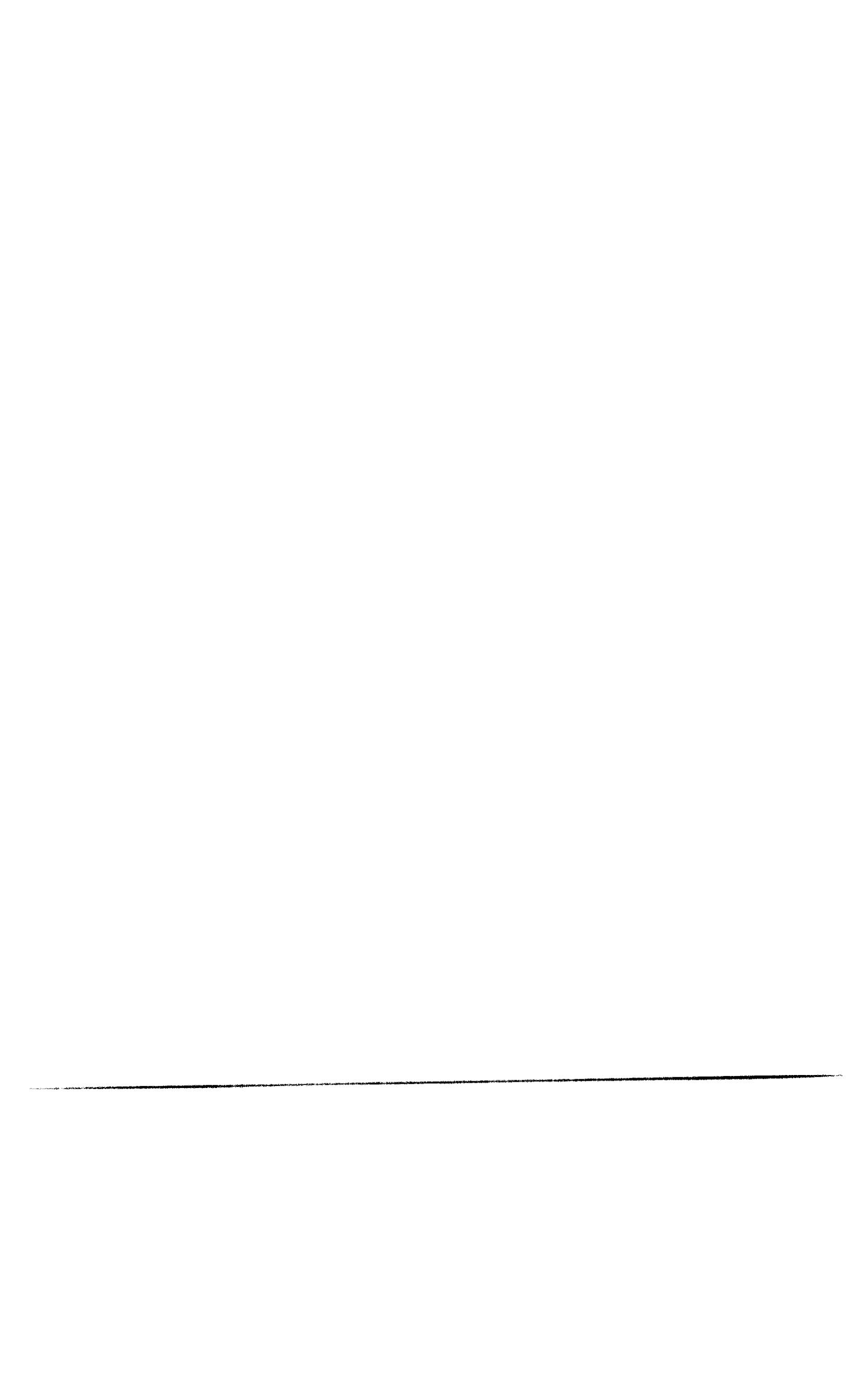
ABO NM 87115

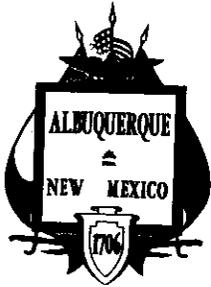
PS Form 3800, January 2001

See Reverse for Instructions



A4801625





City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

COPY

March 11, 2003

RECEIVED
MAR 13 2003

Cliff Spirock, AICP
Community Sciences Corp.
PO Box. 1328
Corrales, NM 87048

Re: Zone change for Tract E of the Fineland Development Subdivision

Dear Mr. Spirock:

Subsequent to the site plan for subdivision that included tracts "E" and "F", Fineland Development Subdivision, the need for the proposed access roadway connection of McMahon to Rio del Sol court reevaluated. It was determined that this connection is not required for the residential subdivision to the south.

It is my understanding that you are proposing to request a zone change for tract "E" from R.2 to commercial. This may actually encourage commercial traffic thru the Tuscany neighborhood, which is undesirable. However this link is needed to connect to the tract just west of tract E (tract 16A1, Paradise North) to McMahon Boulevard. Rio del Sol court will need to have a cul-de-sac constructed at its north terminus, along with a pedestrian connection to the commercial tracts referenced above some time in the future.

Please let me know if you need additional information.

Sincerely,

Richard Dourte, PE
Traffic Engineer
Development and Building Services

SIGN POSTING REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the City Zoning Code or subdivision Ordinance are responsible for the posting and maintaining of one or more signs on the property which the application describes. Vacations of public rights-of-way (if the way has been in use) also require signs. Waterproofed signs will be provided at the time of application. If the application is mailed, you must still stop at the Planning Division to pick up the sign.

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Planning Division at a charge of \$3.00 each.

1. LOCATION

- A. The sign shall be conspicuously located. It shall be located within twenty feet of the public sidewalk (or edge of public street). Staff may indicate a specific location.
- B. The face of the sign shall be parallel to the street, and the bottom of the sign shall be two to seven feet from the ground.
- C. No barrier shall prevent a person from coming within five feet of the sign in order to read it.

2. NUMBER

- A. One sign shall be posted on each paved street frontage. Signs maybe required on unpaved street frontages.
- B. If the land does not abut a public street, then in addition to a sign placed on the property a sign shall be placed on and at the edge of the public right-of-way of the nearest paved City street. Such a sign must direct readers toward the subject property by an arrow and an indication of distance.

3. PHYSICAL POSTING

- A. A heavy stake with two crossbars or a full plywood backing works best to keep the sign in place, especially during high winds.
- B. Large headed nails or staple are best for attaching signs to a post or backing; the sign tears out less easily.

4. TIME

Signs must be posted from April 30 2003 To MAY 15 2003.

5. REMOVAL

- A. The sign is not to be removed before the initial hearing on the request.
- B. The sign should be removed within five (5) days after the initial hearing.

I have read this sheet and discussed it with the Planning Division staff. I understand (A) my obligation to keep the sign(s) posted for fifteen (15) days and (B) where the sign(s) are to be located. I am being given a copy of this sheet.

[Signature] (Applicant or Agent) 3/27/03 (Date)

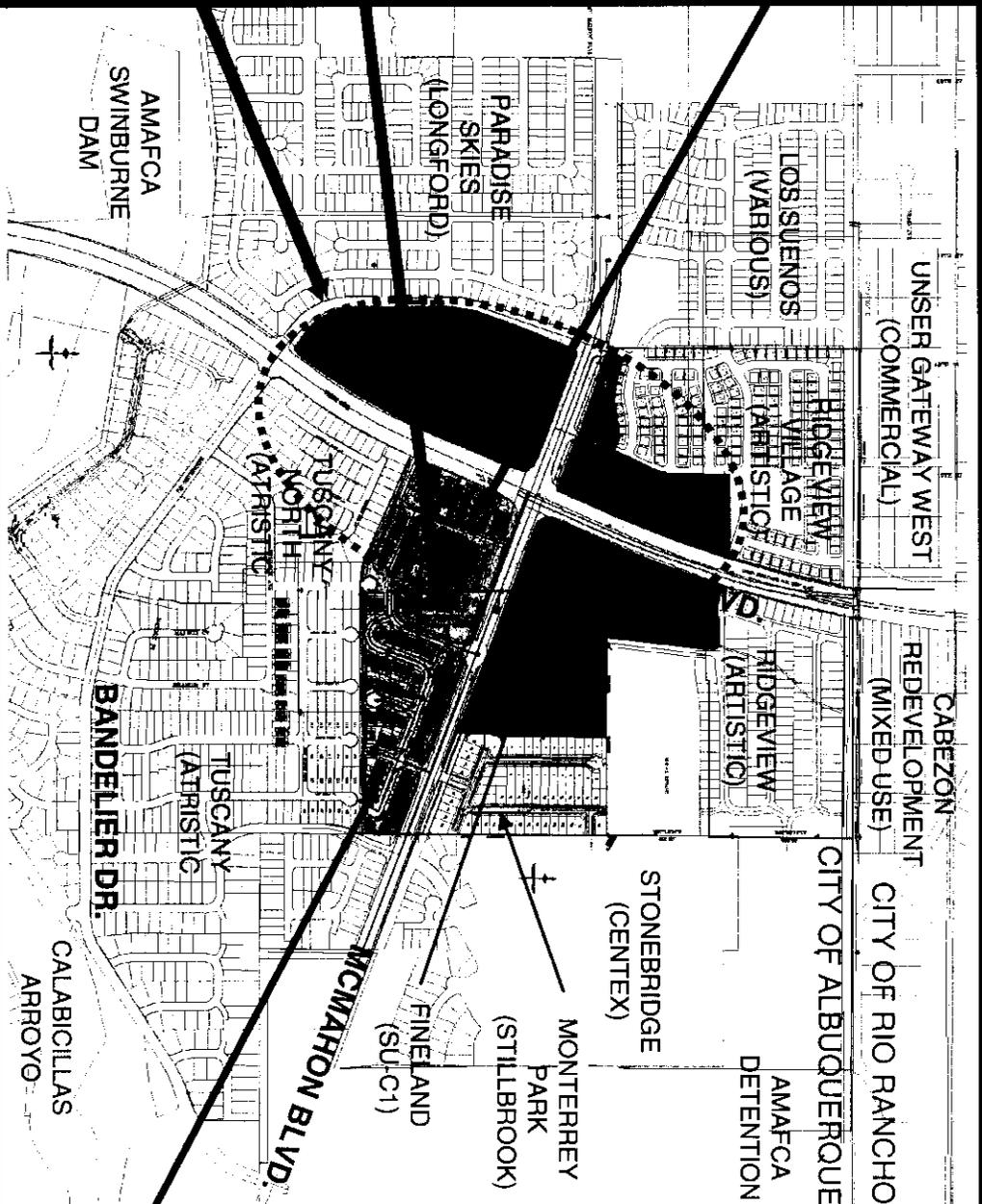
I issued 2 signs for this application, 3/27/03 (Date), JAA (Staff Member)

OBERC L00503
L00504



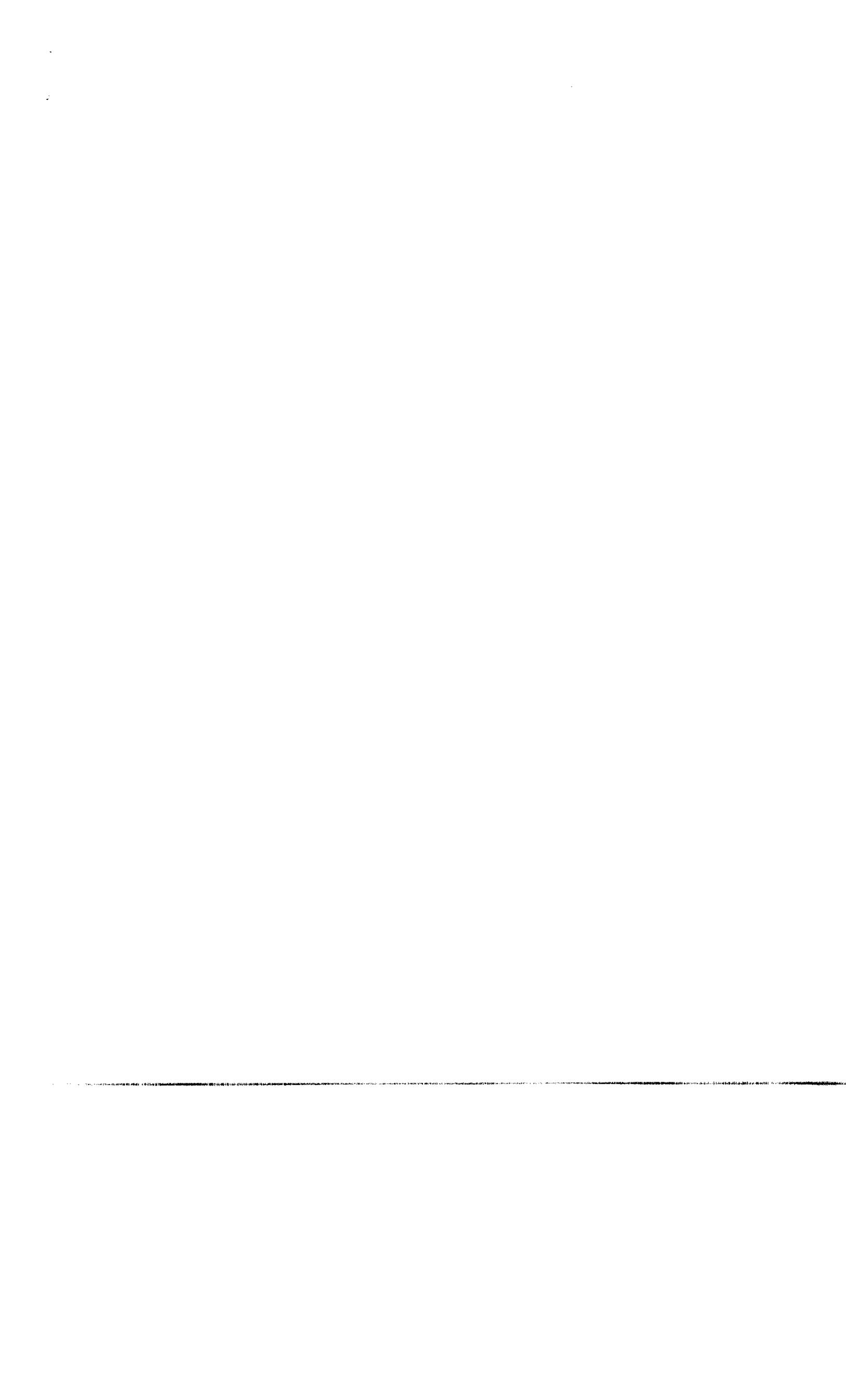
MARK PARDO GONZALES AND FINELAND LLC

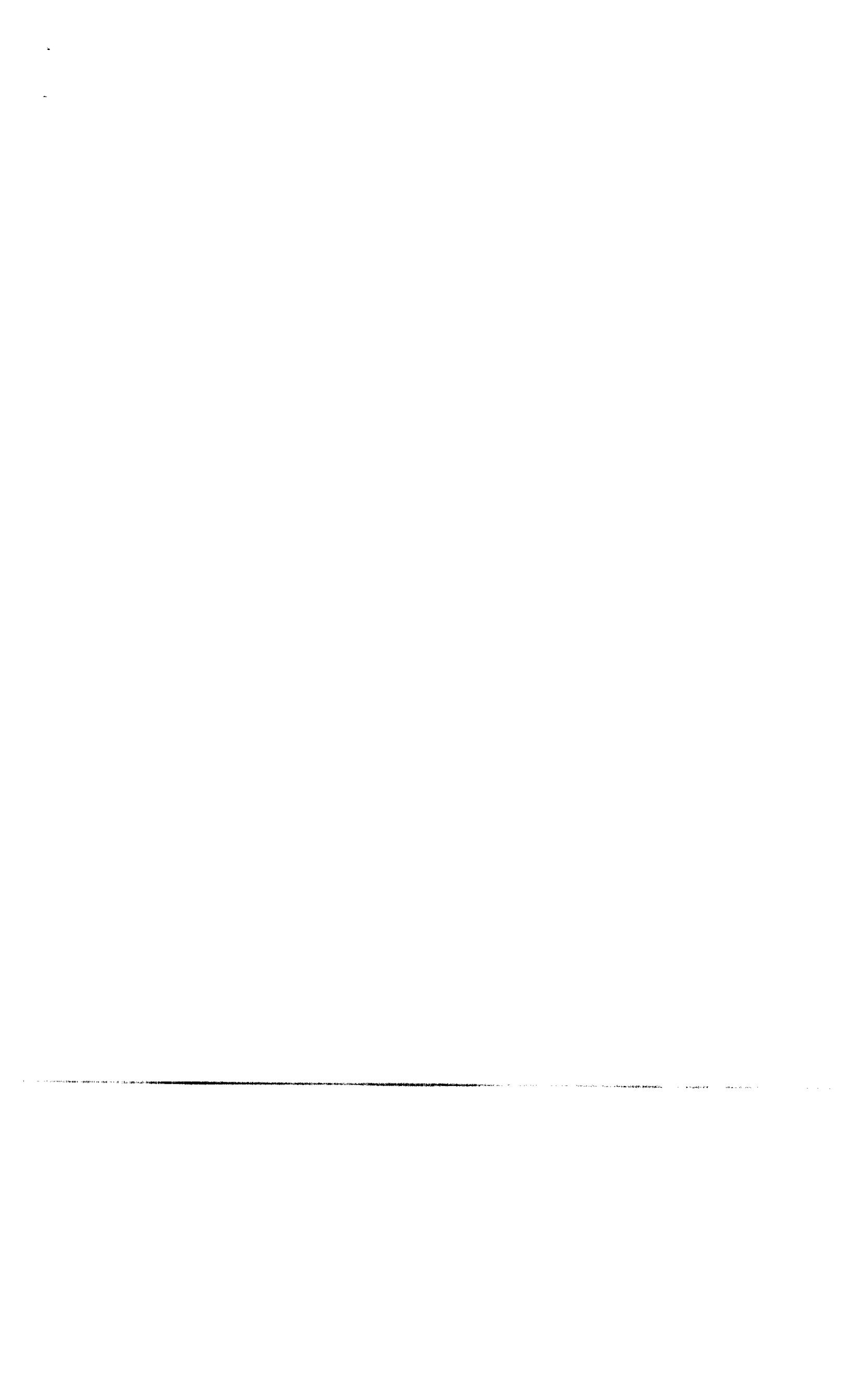
SEPTEMBER 18, 2003
ALBUQUERQUE, NEW MEXICO



VICINITY MAP

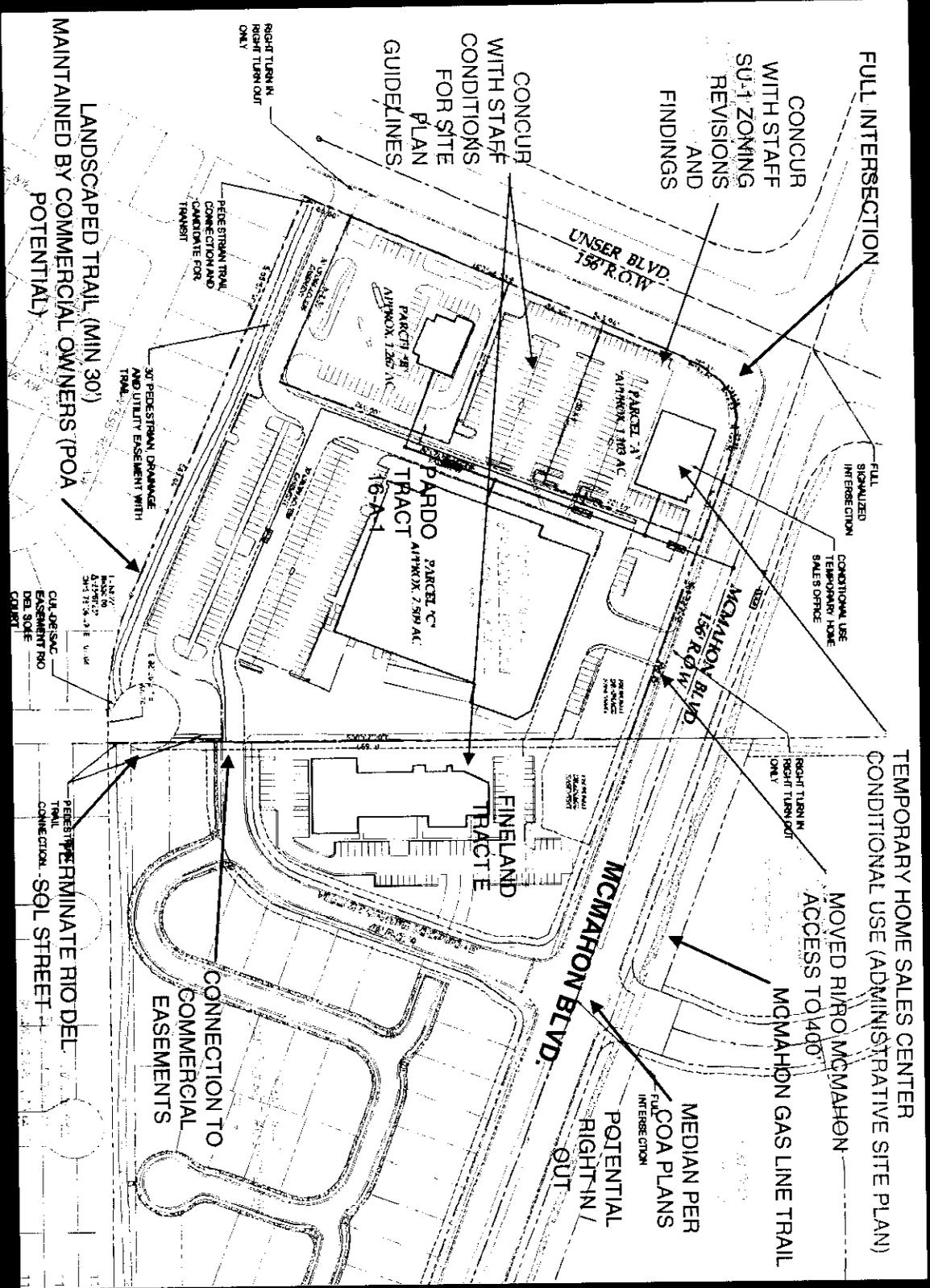
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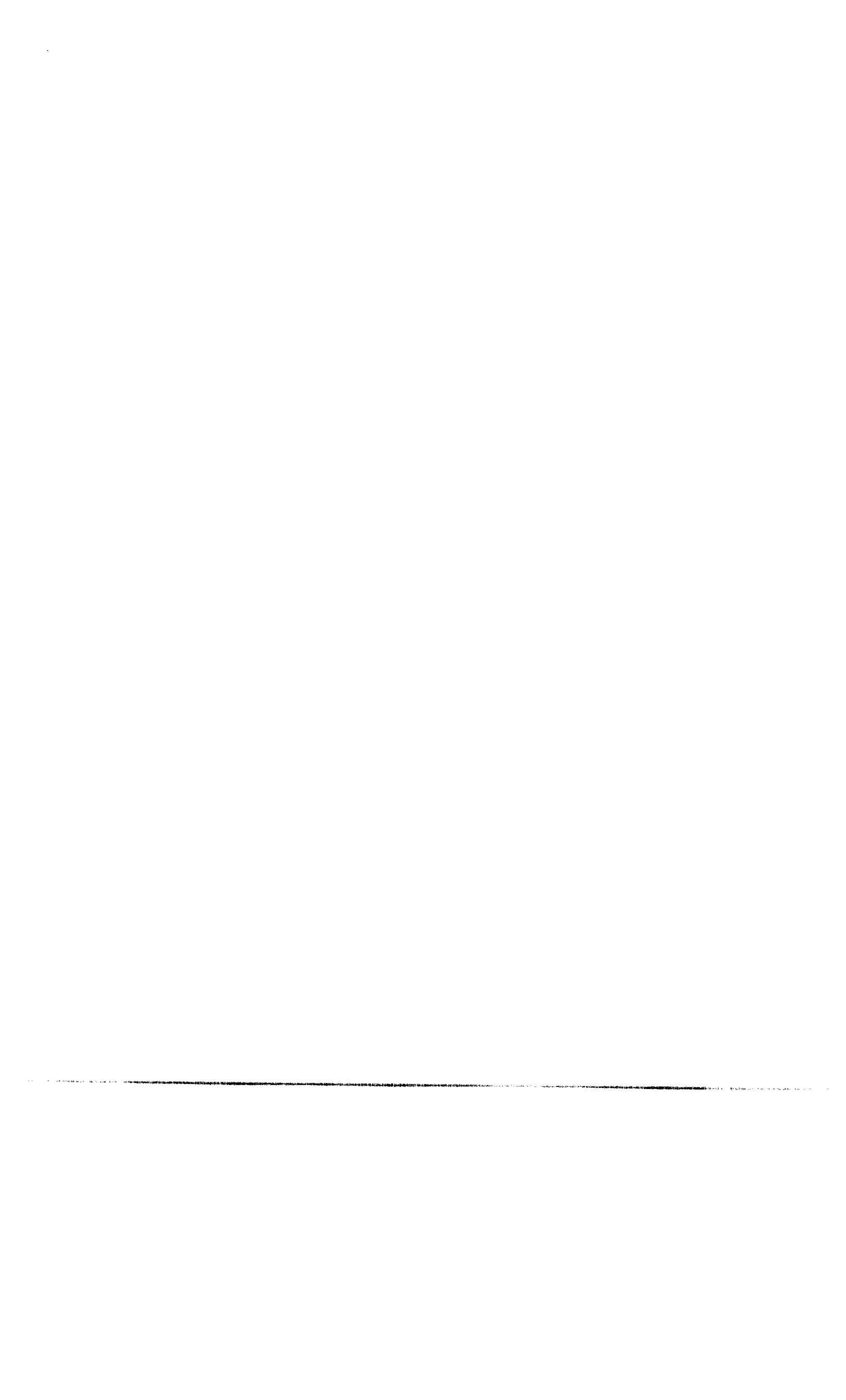




MARK PARDO GONZALES AND FINELAND LLC

SEPTEMBER 18, 2003
ALBUQUERQUE, NEW MEXICO





MARK PARDO GONZALES AND
FINELAND LLC

SEPTEMBER 18, 2003
ALBUQUERQUE, NEW MEXICO

AGENT'S REQUEST:

ADD FINDING #10 OR CONDITION: "A CONDITIONAL USE FOR A TEMPORARY MODEL HOME SALES OFFICE WILL BE ACCEPTED AS AN ADMINISTRATIVE AMENDMENT TO THE SITE PLAN FOR D.R.B. REVIEW AND APPROVAL

APPROVAL CONDITION 8 (MCMAHON ACCESS): USE "RELOCATED" INSTEAD OF "REMOVED"

ALL OTHER STAFF CONDITIONS FOR APPROVAL ARE ACCEPTABLE

ALL STAFF CONDITIONS FOR APPROVAL ARE ACCEPTABLE

CS

