



**Environmental  
Planning  
Commission**

**Agenda Number: 2  
Project Number: 1001150  
Case #: 13EPC-40126/40127/40128/40129  
August 8, 2013**

**Staff Report**

<b>Agent</b>	Consensus Planning, Inc.
<b>Applicant</b>	COA, Parks & Recreation
<b>Requests</b>	<b>Amendment to Zone Map; Master Development Plan; Site Development Plan for Building Permit; Amendment to Site Development Plan for Subdivision</b>
<b>Legal Description</b>	Northerly & southerly portions of Tract M-1, Plat of Tracts J-1-A, J-1-B, J-1-C & M-1, Vista Del Norte Subdivision
<b>Location</b>	Northeast corner of Vista Del Norte Drive and Osuna Road NE
<b>Size</b>	Approximately 21.1 acres
<b>Existing Zoning</b>	SU-1/C-2 Perm. Uses w/exceptions
<b>Proposed Zoning</b>	SU-1/Community Park & Hot Air Balloon Launching and Landing

**Staff Recommendation**

**APPROVAL of 13EPC 40126, Amendment to Zone Map, based on the Findings beginning on Page 19, and subject to the Conditions of Approval beginning on Page 22.**

**APPROVAL of 13EPC 40127, Master Development Plan, based on the Findings beginning on Page 22, and subject to the Conditions of Approval beginning on Page 24.**

**APPROVAL of 13EPC 40128, Site Development Plan for Building Permit, based on the Findings beginning on Page 27, and subject to the Conditions of Approval beginning on Page 29.**

**APPROVAL of 13EPC 40129, Amendment to Site Development Plan for Subdivision, based on the Findings beginning on Page 25.**

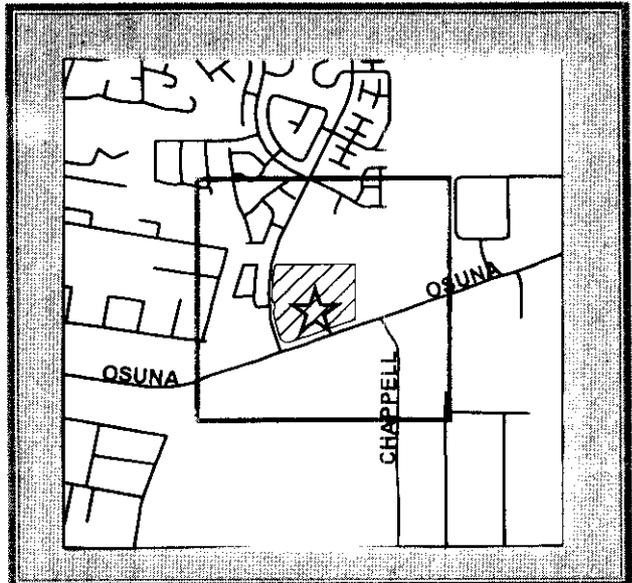
**Staff Planner  
Christopher Hyer, Senior Planner**

**Summary of Analysis**

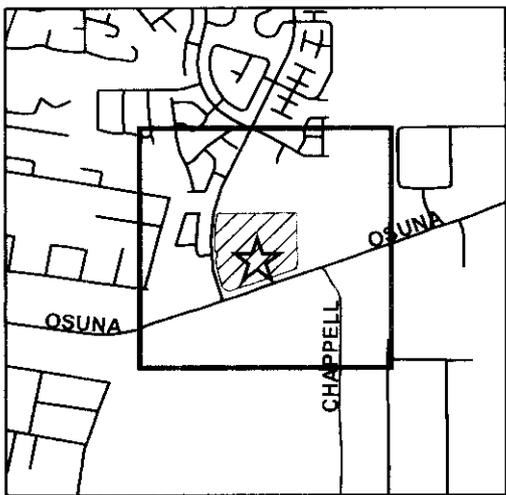
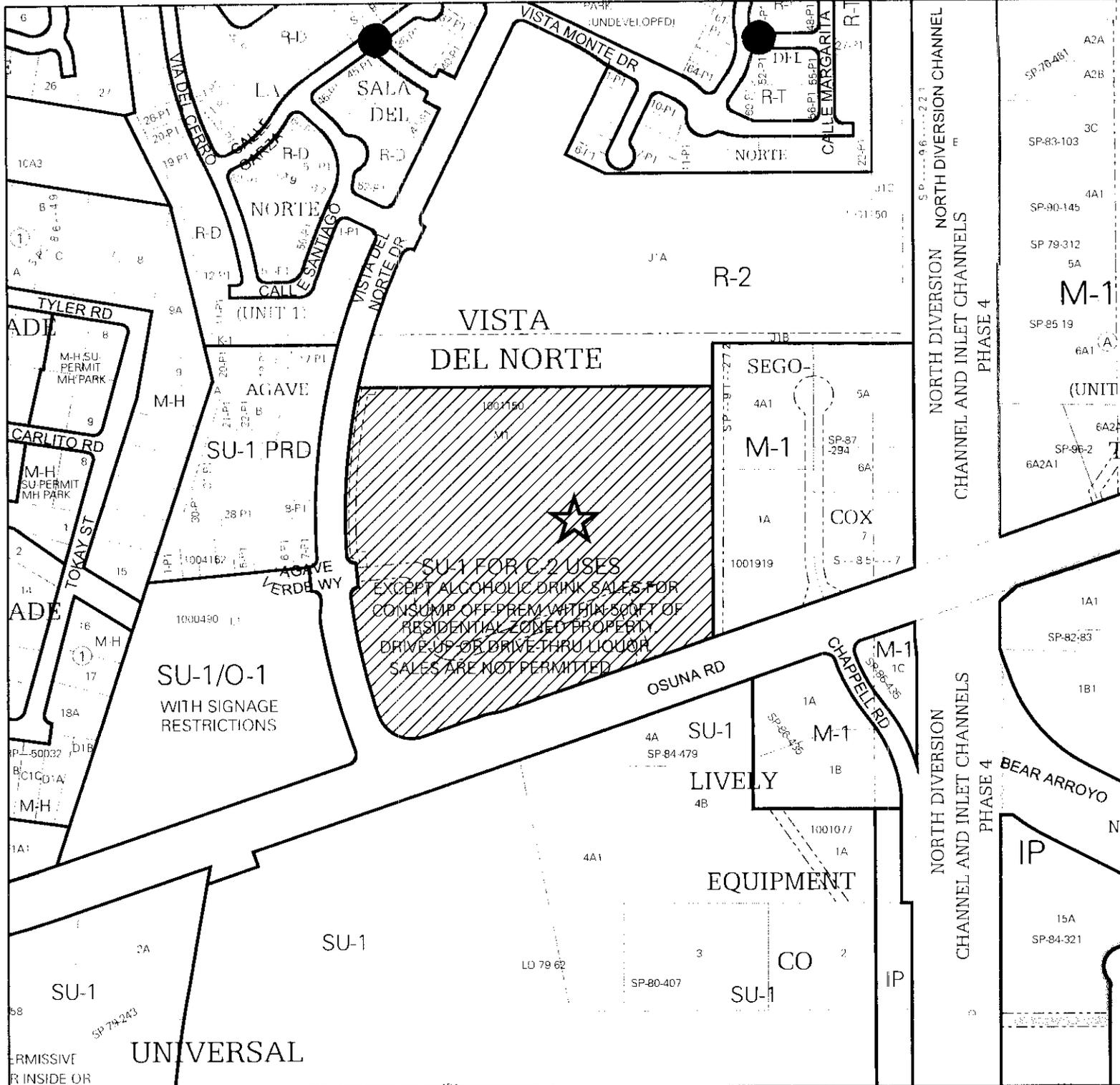
The purpose for this request is to provide a community park in the northern part of the City that is specific to hot air balloon uses. The Park is in the direct flight path of Balloon Fiesta Park and is thus, an extension of the balloon park. Additionally, the Park will provide recreational/sporting fields that will be used when hot air balloon activity is not present as well as places to picnic and a perimeter walking path.

The Park is within the Developing Urban Area and the North Valley Area Plan. A facilitated meeting was offered to the impacted neighborhoods, but they did not see a need for this meeting.

Staff is recommending approval of all four requests.



City Departments and other interested agencies reviewed this application from 7/1/2013 to 7/12/2013. Agency comments used in the preparation of this report begin on Page 32.



# ZONING MAP

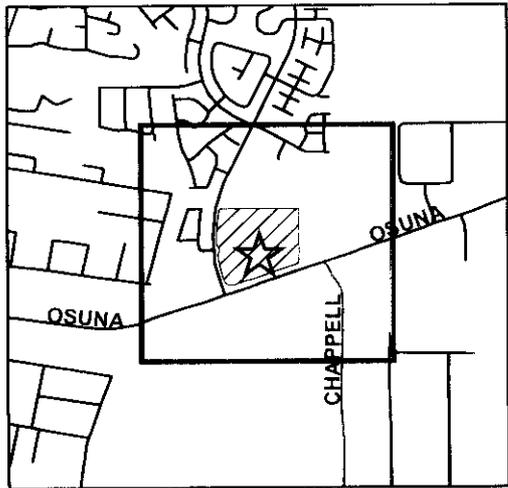
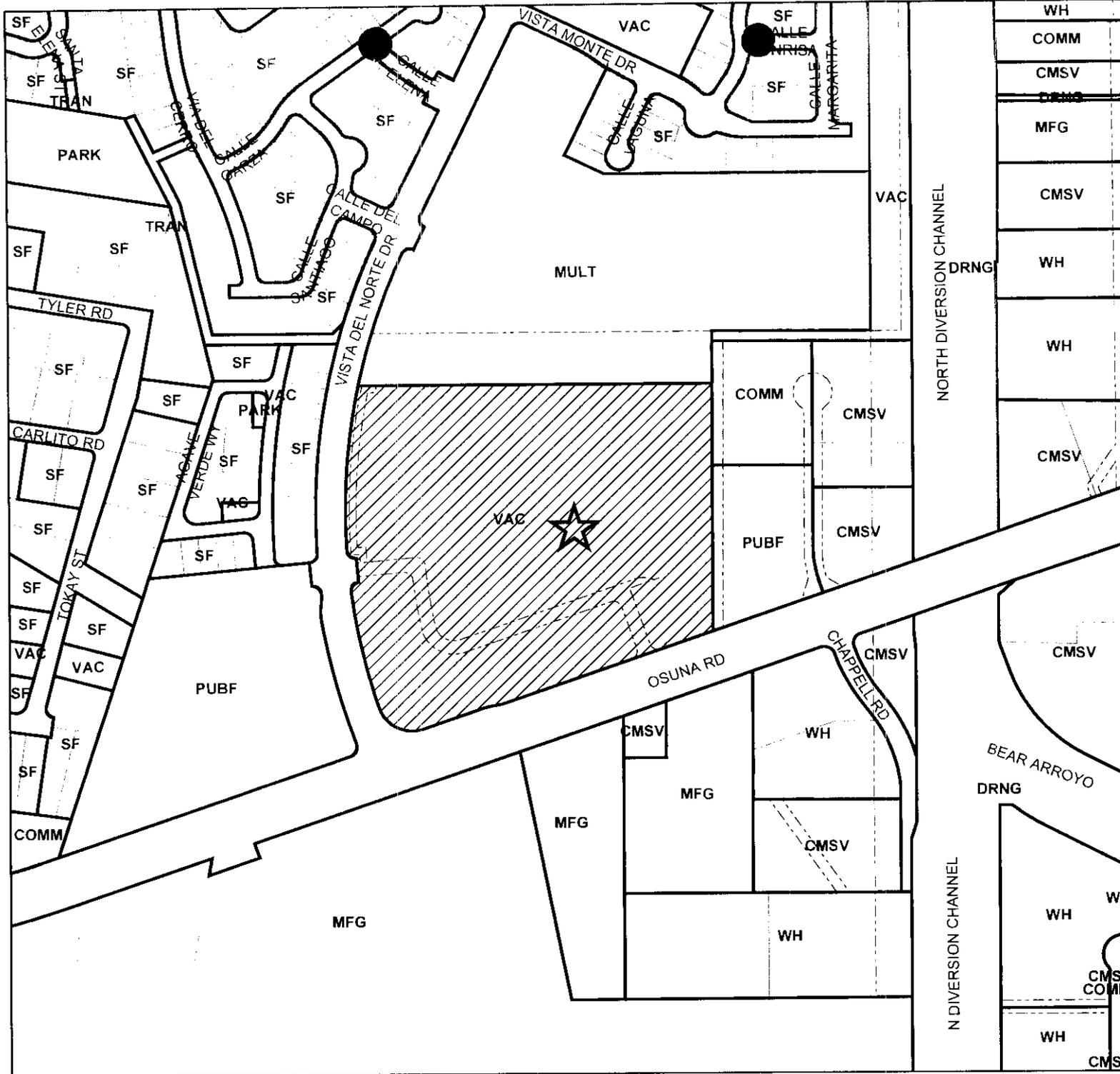
Note: Grey shading indicates County.



1 inch = 400 feet

**Project Number:**  
 1001150  
**Hearing Date:**  
 8-8-2013

**Zone Map Page:** E-16  
**Additional Case Numbers:**  
 13EPC 40126-40129



# LAND USE MAP

Note: Grey shading indicates County.

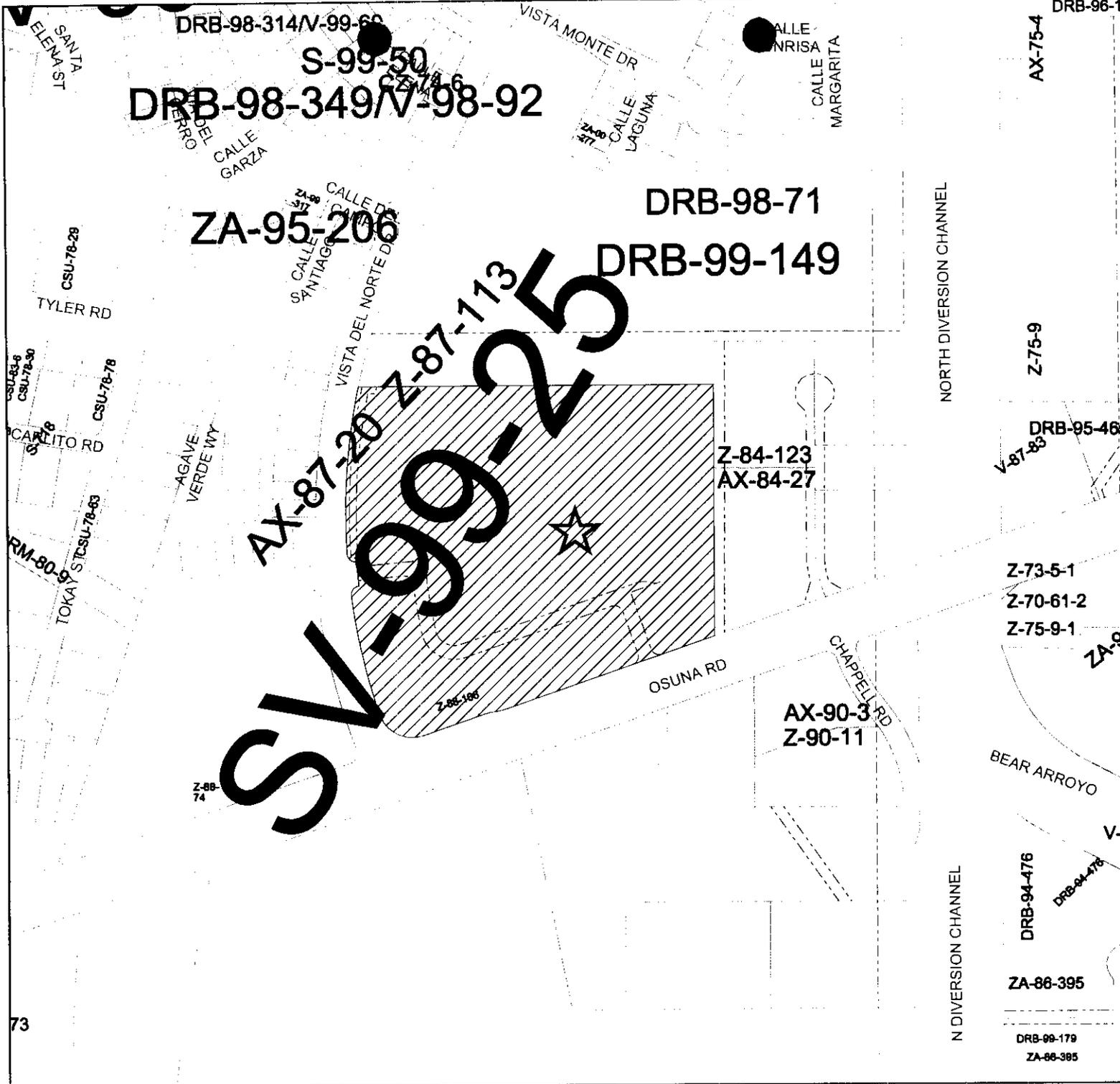
## KEY to Land Use Abbreviations

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



1 inch = 400 feet

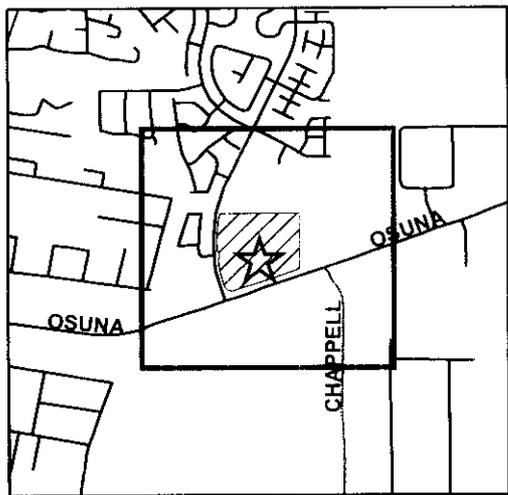
**Project Number:**  
1001150  
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SV-99-25

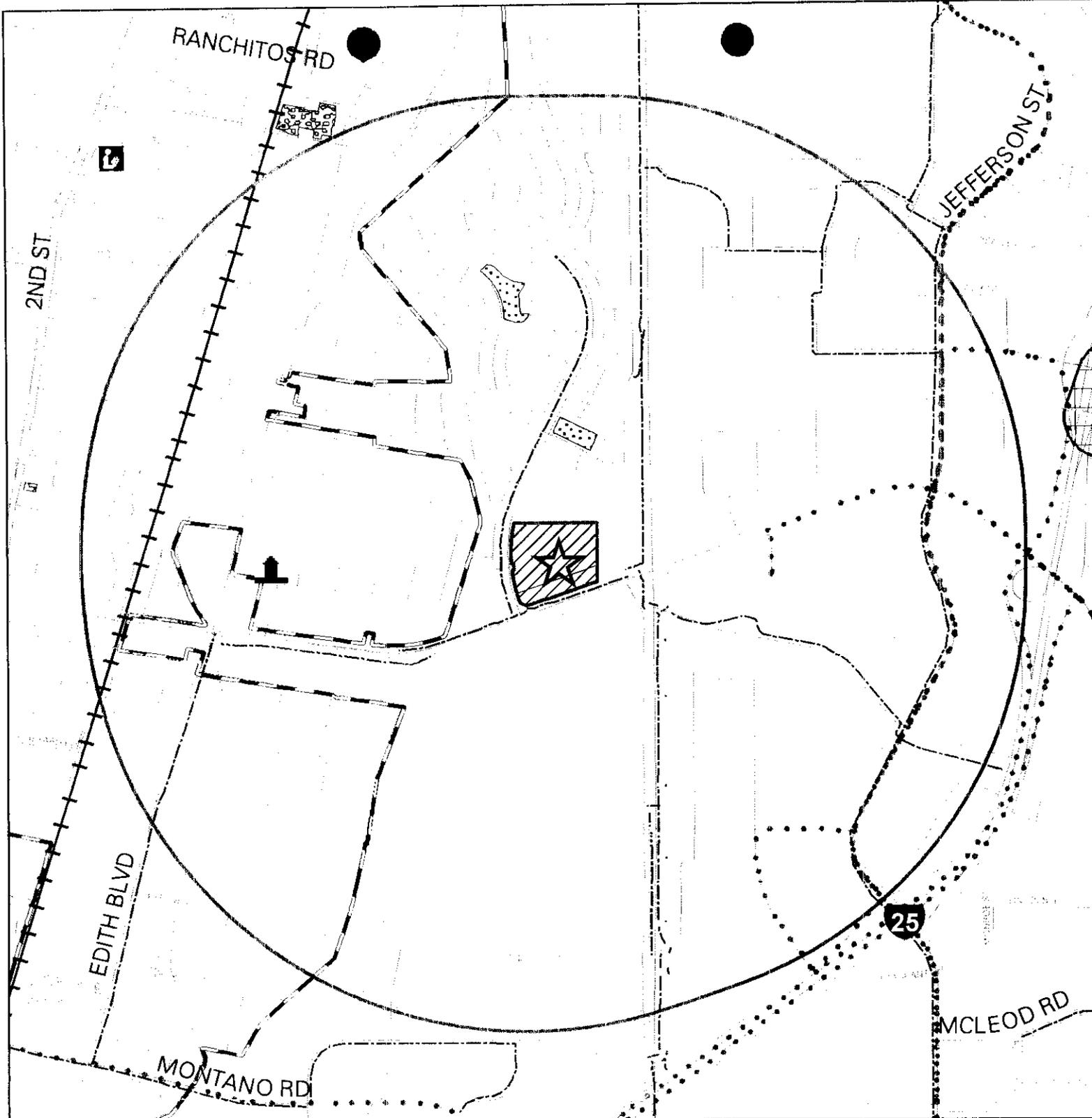
### HISTORY MAP

Note: Grey shading indicates County.



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Project Number:  
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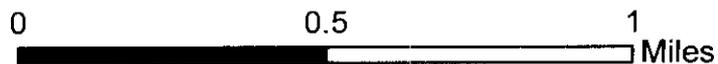


Public Facilities Map with One-Mile Buffer

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



Project Number: 1001150



**I. AREA CHARACTERISTICS AND ZONING HISTORY**

*Surrounding zoning, plan designations, and land uses:*

	<b>Zoning</b>	<b>Comprehensive Plan Area; Applicable Rank II &amp; III Plans</b>	<b>Land Use</b>
<b>Site</b>	SU-1/C-2 Permissive Uses, Except Alcoholic Drink Sales for Consumption Off-Premise within 500 Feet of Residential Property Shall be Permissive, Except No Drive-Up Liquor Sales Shall Be Allowed	Developing Urban Area; North Valley Area Plan	Vacant
<b>North</b>	R-2	Developing Urban Area; North Valley Area Plan	Multi-Family
<b>South</b>	Osuna Road, then SU-1/M-1, M-1	Established Urban Area; North Valley Area Plan	Manufacturing
<b>East</b>	M-1	Developing Urban Area; North Valley Area Plan	Manufacturing
<b>West</b>	Vista Del Norte Road, then SU-1/PRD, SU-1/O-1	Developing Urban Area; North Valley Area Plan	Single Family, Church, then MH uses in County

**II. INTRODUCTION**

**Proposal**

This is a four part request: A zone map amendment from SU-1/C-2 Permissive Uses, Except Alcoholic Drink Sales for Consumption Off-Premise within 500 Feet of Residential Property Shall be Permissive, Except No Drive-Up Liquor Sales Shall Be Allowed to SU-1/Community Park & Hot Air Balloon Launching and Landing; a master development plan; a site development plan for subdivision amendment; and, a site development plan for building permit. The property will be used for hot air balloon launching and landing, which is allowed in all zones in the City. However, the applicant wishes to change the zoning to SU-1/Community Park and Hot Air Balloon Landing and Launching, making the zoning clear as to the subject site's use.

This request is focused on making this site part of the City's dedicated facilities to hot air ballooning. This site is in the direct flight pattern of the Balloon Fiesta Park and thus, is really an extension of that facility. As such, this site will be controlled by a Master Development Plan, just as is the Balloon Fiesta Park, with improvements specific to hot air balloon uses.

### ***EPC Role***

The Zoning Code defines a master development plan as “a plan meeting the requirements for a site plan for subdivision”. The requested zone change, the master development plan, the amendment to the site development plan for subdivision and the site development plan for building permit are required to be heard by the EPC due to the zone change request and the fact that the requested zoning is SU-1. Thus, the EPC is the final approval body for this request, unless the EPC decision is appealed. If the EPC decision is appealed, it will then go to the City Council.

As this case is specific to one site in the City, it is a quasi-judicial proceeding.

### ***Context***

This request is being presented by the City of Albuquerque’s Parks and Recreation Department who oversees operations and management of the Balloon Fiesta Park in coordination with the Balloon Fiesta Park Commission, which was created by the City Council in May of 2010.

The Vista Del Norte subdivision was originally an old gravel mine. When it ceased operations, it was redeveloped primarily for residential use with a carefully finished flat grade, ideal for development and the creation of recreational parks. The subject site was owned by Vista Del Norte Development, LLC until it was acquired by the City in 2008. The subject site was a point of contention in 2007 when a Walmart store was looking to locate there. The City of Albuquerque purchased the property with funds that were earmarked for the Balloon Fiesta Park and Open Space acquisitions “in order to preserve open space and retain the Albuquerque Balloon Fiesta”.

The site is currently vacant. It is surrounded by a mixture of uses: Multifamily apartments to the north, single family homes and a church to the west; warehouses to the east; and Osuna Road abutting its southern border with more intense uses of manufacturing across Osuna to the south.

### ***History***

- The subject site is part of a larger area, 560-acres, that was annexed in 1987 (AX-87-20) and utilized as a sand and gravel operation with zoning of SU-1/Sand and Gravel Extraction.
- In 1995, the subject site was part of a zone map amendment, 405-acres, (Z-95-73) which established the C-2 zoning with exceptions that it currently has.
- In 2002, an approved site development plan for subdivision (02DRB-01071) was established and created the current Tract M-1, M-2 and Tract J-1 lots. The site development plan for subdivision included Design Standards for commercial development. At this time, the apartments on Tract M-2 were developed.
- In 2007, a two-part request for development of a Walmart store (06EPC – 00624/00625, Project #1001150) was requested and denied at the EPC. The EPC decision was appealed to the City Council and denied.
- The City Council adopted two resolutions in support of creating a community park on this property (R-07-212 & R-08-97) and transferred funds that were earmarked for Balloon Fiesta Park and Open Space to the City Council Projects fund to acquire the subject site “in order to preserve open space and retain the Albuquerque Balloon Fiesta”.

### ***Transportation System***

The Long Range Roadway System (LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), designates Osuna Road as a Principal arterial; it has a right-of-way of 156'. Vista Del Norte Drive is a Collector street, with a right-of-way of 86'.

### ***Trails/Bikeway***

The site is well served by multi-use trails: a multi-use trail follows Osuna Road on the north side of the right-of-way (ROW); a multi-use trail follows the Vista Del Norte Drive ROW on the west side of the roadway. There is also a multi-use trail that follows the Northern Diversion Channel on its west side (east of the subject site) that provides a direct connection to the Balloon Fiesta Park – this multi-use trail interconnects with the multi-use trail that follows the Bear Canyon Arroyo, south of Osuna Road, providing bicycle and pedestrian access to the east side of the City.

### ***Transit***

Currently, there are no transit lines running within 1/4 –mile of the subject site. Refer to Transit Agency comments.

### ***Public Facilities/Community Services***

There are two developed City parks within a 1/2-mile to the north of the subject site in the Vista Del Norte Neighborhood. There also is a fire station in the County, west of the site. For more specific information, see the Public Facilities Map at the beginning of this staff report.

### ***Albuquerque Comprehensive Zoning Code***

The existing zoning of the subject site is SU-1/C-2 Permissive Uses, Except Alcoholic Drink Sales for Consumption Off-Premise within 500 Feet of Residential Property Shall be Permissive, Except No Drive-Up Liquor Sales Shall Be Allowed. The proposed zoning is SU-1/Community Park and Hot Air Balloon Landing and Launching, which is not a listed use under the special use category. The Parks & Recreation Department will oversee the site and intends to use it for a dedicated place that hot air balloons can launch from and land at. The site will not have any buildings located on it and will be covered primarily with turf and associated parking. The site will be used for multi-purpose athletic fields when balloons are not using them.

### ***Definitions***

The following are applicable definitions from the Zoning Code and adopted Plans:

**Section 14-16-2-22 SU-1 Special Use Zone.** This zone provides suitable sites for uses which are special because of infrequent occurrence, effect on surrounding property, safety, hazard or other reasons, and in which the appropriateness of the use to a specific location is partly or entirely dependent on the character of the site design.

- The SU-1 portion of the zoning descriptor requires that “a Site Development Plan accompany the establishment of zoning and include, at a minimum, all the elements of a Site Development Plan for Subdivision. As part of the zone amendment action, a Site Development Plan may be approved later.” However, “no building permit shall be approved unless it is consistent with a complete site development plan for building permit and landscaping plan for the lot in question, approved by the Planning Commission or its designee.” (Section 14-16-2-22 (A) (1)).

This request includes a master development plan/site development plan for building permit and an amendment to the current site development plan for subdivision. The subject site will be removed from the current site development plan for subdivision and will be controlled by its own Design Guidelines and Operation Guidelines that are presented in the master development plan. This master development plan is combined with a site development plan for building permit, which shows the subject site and the specific improvements to be developed.

**Master Development Plan.** A plan meeting the requirements for a site development plan for subdivision; showing general building and parking locations; and specifying design requirements for buildings, landscaping, lighting, and signage.

**Site Development Plan for Subdivision.** 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.

**Site Development Plan for Building Permit.** In addition to information required for Subdivision, exact structure locations, structure (including sign) elevations and dimensions, parking facilities, loading facilities, any energy conservation features of the plan (e.g., appropriate landscaping, building heights and siting for solar access, provision for non-auto transportation, or energy conservational building construction), and proposed schedule for development.

#### IV. ANALYSIS OF APPLICABLE ORDINANCES, PLANS AND POLICIES

**Note:** Policy is in regular text; *Applicant's justification is in italics; staff's analysis is in bold italics.*

##### 1.) ALBUQUERQUE/BERNALILLO COUNTY COMPREHENSIVE PLAN – Rank I

##### B. LAND USE

##### 1. Open Space Network

Goal: to provide visual relief from urbanization and to offer opportunities for education, recreation, cultural activities, and conservation of natural resources by setting aside major public open space, parks, trail corridors, and open areas throughout the Comprehensive Plan area.

*Vista del Norte Park will provide needed visual relief and green space in this area. The site is bordered by apartments to the north and townhouses and a church to the west. The Park will be used for ballooning activities, field sports, passive recreation, play area, picnicking and associated parking. The Park will be available for soccer when not in use for hot air balloons. Allowing soccer in Vista del Norte Park will free-up smaller neighborhood parks in the North Valley and within the Vista del Norte subdivision to be used primarily by the adjacent neighborhood residents. The intent is to connect Vista del Norte Park to the regional trail system via a trail along Osuna Road to the North Diversion Channel Trail located to the east.*

**Staff agrees.**

Policy II.B.1.g: Planning and implementation of a system of neighborhood parks and community open areas shall be undertaken to meet a range of needs at different scales.

*While Vista del Norte Park is technically not a neighborhood scale park, it will provide recreational opportunities to the adjacent neighborhood residents. Community parks typically are designed to serve a broader purpose than neighborhood parks by meeting community-based recreational needs and serving several neighborhoods. Vista del Norte Subdivision has two developed neighborhood parks that serve the need for immediate neighbors. The subject property is a suitable location for those uses that are not appropriate for a neighborhood park.*

**Staff agrees. The subject site will also be used as an extension of activities occurring at Balloon Fiesta Park.**

Policy II.B.1.h: Developing areas shall have neighborhood parks and open areas located to serve the population being accommodated in the developing area.

*As previously mentioned, the Vista del Norte community has two smaller neighborhood parks, which are designed to serve their immediate neighborhood. Vista del Norte Park is intended to accommodate a larger geographic area by providing enough area for up to five playing fields. Soccer fields take up a large area of park land and are best located within a community-scale park rather than functioning as "ad hoc" fields in neighborhood parks. Due to the hot air ballooning activities, lighting fixtures will be kept to a minimum, with the exception of a limited number of 16 foot tall fixtures in parking areas for safety purposes and bollard lighting for pathways.*

**Staff agrees.**

Policy II.B.1.i: The design of parks and other open areas shall incorporate the following criteria:

- Multi-functional use of resources and compatible facilities.
- Maintenance and landscaping appropriate to the location, function, public expectations, and intensity of use.
- Integration into residential design for easy accessibility and orientation to encourage use.
- Lighting, site design, or other methods to minimize vandalism.
- Connections between other Open Space Network areas and public facilities.

*The Design Guidelines contained in the Master Development Plan address appropriate landscape materials, restrictive lighting standards, trail connections, parking lot design, operations and management, site furnishings, etc. Due to the proposed use for hot air balloons, there will be no buildings or structures on the site, with the exception of ramadas, and trees will be limited to the edges of the property. Lighting is limited to 16 feet in height in the west parking area along Vista del Norte Drive and bollard height in the south parking area along Osuna Road for safety purposes only.*

**Staff agrees.**

#### 5. Developing and Established Urban Areas

This property is within the Developing Urban Area as designated by the Albuquerque/ Bernalillo County 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."

*Vista del Norte Park falls within an unique land use area. It fronts a large, mixed residential community, but is surrounded on the east, west, and south sides with church, manufacturing, and office / warehouse uses. The property sits between the I-25 area and the valley edge on what was previously a large gravel extraction facility.*

*The intent in purchasing this property was to provide a designated area for hot air balloon launching and landing. As this part of the metro area has continued to urbanize, the available areas for this type of activity has been reduced. The City has made the determination that it was important to support hot air balloon activities by acquiring this site for this specific purpose. The Park will also provide five soccer fields, and function as visual open space and relief from development from the relatively dense Vista del Norte Subdivision.*

**Staff agrees.**

Policy II.B.5.d: The location, intensity, and design of new development shall respect existing neighborhood values, natural environment conditions and carrying capacities, scenic resources, and resources of other social, cultural, recreational concern.

*All development at the Park will be controlled by the Master Development Plan and the Site Plan for Building Permit submitted concurrently with the Zone Map Amendment. The City of Albuquerque, and its consultant, Consensus Planning, have designed the Park to meet the recreation needs of the greater community, as well as the ballooning community. The plant palette, as delineated in the Master Development Plan, is appropriate to the region.*

*Vista del Norte Park is the direct result of extensive citizen input. This property was slated for commercial development since 1995 when it was the subject of a rezone from SU-1 for Sand and Gravel Extraction and Related Activities and Uses Permissive in the M-1 zone. The City Council's intent for this property is clear; that park use was a better use for this property than commercial retail development. The property is within the North Valley Park Impact Fee Service Area, which was determined by the City to be in need of parkland now and over time as the area experiences a moderate rate of growth. The Park has been carefully designed to accommodate balloon launching and landing, while also allowing for daily use of turf areas for soccer and other field sports. The management and operations plan that is included in the Master Development Plan outlines the hours of operation, management, and lighting restrictions for the park.*

*Once developed, this property will largely function as visual open space, a strongly held value for North Valley residents, as expressed in the North Valley Area Plan. Parking has been broken up into a series of three parking areas in order to have minimal visual impact and to maximize the area for soccer fields. The tree groves located on the north side of the park provides unprogrammed green spaces that are separate from the soccer fields and limit their impact on balloon landing.*

**Staff agrees.**

Policy II.B.5.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.

*This site has long been vacant and is contiguous to existing urban facilities and services. The property is located at the northeast corner of a signalized intersection. ABQ Ride Route 141 is*

*the closest transit route, but stops east of the property at Gulton Court, almost a half mile away. The multi-use North Diversion Channel Trail is to the east of the property, and there are planned bike lanes in Osuna Road. Utilities are available to this site and can be extended from existing lines.*

**Staff agrees.**

Policy II.B.5.g: Development shall be carefully designed to conform to topographical features and include trail corridors in the development where appropriate.

*The property is relatively flat and the future park will be designed to respect natural features of the site. The site's natural drainage pattern flows to the northwest corner of the property, which will be maintained. An existing paved trail runs along the south edge of the property, which provides a connection to the regional trail network via the North Diversion Channel Trail to the east. An existing sidewalk runs along Vista del Norte Drive. Bike lanes are also planned for Osuna Road.*

**Staff agrees.**

Policy II.B.5.m: Urban and site design which maintains and enhances unique vistas and improves the quality of the visual environment shall be encouraged.

*The Park will provide needed visual relief from nearby light industrial development by providing a large open area along Osuna Road. The park was specifically sited because it is within the flight pattern of hot air balloons launching from Balloon Fiesta Park. The Park has been designed with the highest of standards and will be an attractive amenity and green space in this area of Albuquerque and the North Valley.*

**Staff agrees.**

## C. ENVIRONMENTAL PROTECTION AND HERITAGE CONSERVATION

### 4. Noise

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

Policy II.C.4.a: Noise considerations shall be integrated into the planning process so that future noise/land use conflicts are prevented.

*The Management and Operations section in the Master Development Plan includes language on noise (i.e., public announcing systems). The parking areas are located away from the adjacent multi-family development. All activities at Vista del Norte will adhere to the City's Noise Ordinance.*

**Staff agrees.**

### 8. Developed Landscape

Goal: to maintain and improve the natural and the developed landscapes' quality.

Policy II.C.8.a: The natural and visual environment, particularly features unique to Albuquerque, shall be respected as a significant determinant in development decisions.

*A site analysis was completed as part of the planning and design process. The analysis noted views from the site to the north, east, and west; the need to provide a buffer between the Park*

*and the adjacent apartments to the north; the need to provide screening to the adjacent industrial use to the east, etc. The City already incurred the expense of burying the overhead power lines along Osuna Road; the need for doing so was identified by the neighborhood and Albuquerque International Balloon Fiesta, Inc. The removal of the overhead power lines will enhance the natural and visual environment in the area.*

**Staff agrees.**

Policy II.C.8.b: Public facilities (including buildings, parks, plazas, utilities, bridges, streets, stadiums, and airports) shall be designed to realize opportunities for City/County beautification.

*Vista del Norte Park will add to the beauty of the area by providing a large green space for the surrounding neighborhoods and the general public to enjoy. The Park will function as a very deep setback for relatively dense residential development to the north. This is consistent with the character of the North Valley and with provisions contained in the City Comprehensive Zoning Code for Private Commons Areas, except that this will be a public park.*

**Staff agrees.**

#### D. COMMUNITY RESOURCE MANAGEMENT

##### 4. Transportation and Transit

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

Policy II.D.4.d: The frequency of driveways along principal and minor arterial streets will be reduced when possible, toward a spacing frequency of one or two drives per 300 feet of frontage on principal arterials, and one or two drives per 200 feet on minor arterials.

*The property already has approved driveway access from Osuna Road, a Principal Arterial, and Vista del Norte Drive, a local street. No additional vehicular access points are proposed along Osuna Road.*

**Staff agrees.**

Policy II.D.4.g: Pedestrian opportunities shall be promoted and integrated into development to create safe and pleasant non-motorized travel conditions.

*There is an existing public trail along Osuna Road along with planned bike lanes, adjacent to the site, which connects to the North Diversion Channel Trail. A 6-foot sidewalk exists along the west side of the property and a 10-foot paved trail exists along the south side of the property. There is also an existing sidewalk leading to and going along the west side of the park. The Site Plan for Building Permit shows a proposed multi-use trail (a minimum of 10 feet in width, with a 3 foot recovery zone on each side) going around the perimeter of the site.*

**Staff agrees.**

## 2.) NORTH VALLEY AREA PLAN – Rank II

The North Valley Area Plan was adopted in 1993 (Enactment 60-1993). The Plan generally encompasses the 28.5 square mile area south of the Bernalillo/Sandoval County line, north of Interstate 40, west of Interstate 25 and east of the Rio Grande. Of the total area, 4.01 square miles are within the corporate limits of the Village of Los Ranchos de Albuquerque and are not subject to the NVAP. Of the remaining area, 14.38 square miles are in the City of Albuquerque and 10.15 square miles are in unincorporated Bernalillo County. Specific boundaries (as of 1993) are shown on page 24 of the Plan.

The NVAP establishes twelve overarching Goals (p. 5-6) and sets forth policies regarding land use and zoning for the area. Other policies provide guidance on air quality, wastewater, drainage, transportation, housing, village centers, community design, agriculture and rural character and implementation. The following Goal and policies apply to the request:

Goal 1: To recognize the North Valley area as a unique and fragile resource and as an inestimable and irreplaceable part of the entire metropolitan community.

Goal 2: To preserve and enhance the environmental quality of the North Valley Area by:

- a) Maintaining the rural flavor of the North Valley
- b) Controlling growth and maintaining low density development
- c) Providing a variety of housing opportunities and life styles including differing socioeconomic types
- d) Reducing noise level impacts

*The proposed park use helps to maintain the rural flavor of the North Valley by keeping the front entry to a relatively dense subdivision free from development. The apartments are set back approximately 900 feet from Osuna Road. Removing community commercial use from this property will also reduce noise level impacts associated with commercial development such as delivery trucks, garbage trucks, and large numbers of customer vehicles.*

***Staff agrees.***

### Zoning and Land Use Policies

Policy 2: The City and County shall stabilize residential zoning and land uses in the North Valley Area.

- d. Require landscape buffering and other measures necessary to limit potential impacts of non-residential uses on residential areas.

*As stated above, the impact to the adjacent residential area is greatly minimized by the proposed park development. A landscaped tree buffer is included along the north edge between the turf area and the adjacent apartments. The turf area also provides a large buffer between the parking areas and the apartments.*

***Staff agrees.***

### Community Design

Policy 1: The City and County shall recognize and maintain the land use pattern along the mesa edge which separates non-residential uses in the North I-25 Subarea from residential uses in the Edith Subarea.

- b. Ensure adequate setbacks, height limits, lighting controls, buffer landscaping and other measures necessary to limit potential impact of development in the North I-25 Subarea.
- c. Consider North Valley Character and potential neighborhood impacts in new development within the North I-25 Subarea.

*Locating a community scale park in this location provides a transition between the industrial development east and south of the property to the residential area to the north and northwest. The residential uses are setback by approximately 900 feet from Osuna Road. As previously stated, lighting will be limited to parking areas for safety purposes only, and will be restricted in height to 16 feet in the west parking area and bollard height in the south parking area.*

**Staff agrees.**

#### **IV. ANALYSIS OF REQUESTS**

##### **A) 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.

##### **Analysis of Applicant's Justification for Zone Change**

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

*This request is consistent with the health, safety, morals, and general welfare of the City. Previous proposals for this property were for large retail facility commercial development. The property was acquired by the City for the express purpose of providing a community scale park in this location and to accommodate hot air balloon launching and landing. This proposal furthers the City's intent by rezoning the property to reflect this specific use and creating a Master Development Plan that furthers and is in compliance with community values and goals, and City plans and policies.*

*The applicant attended a meeting with neighborhood (Vista del Norte Alliance and Alameda North Valley Association) and Albuquerque International Balloon Fiesta, Inc. (AIBF) representatives on March 6, 2013 to discuss the park. The input received from the attendees was that they would like Vista del Norte Park to have as much turf grass as possible, ample parking areas, and a perimeter walking trail. Other amenities include a play area and picnic facilities.*

**Staff agrees.**

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

*The proposed zoning provides the needed stability for this property and the surrounding neighborhood. Rezoning the property to SU-1 for Community Park and Hot Air Balloon Launching and Landing furthers the intent of the City Council Resolutions that allocated funding to purchase the property, and City plans and policies contained in the Comprehensive Plan and the North Valley Area Plan.*

**Staff agrees. The SU-1 designation specifically will not allow any other uses than those specified on the master development plan, which are for outdoor sports and leisure activities.**

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

***The applicant has adequately justified the zone map amendment to SU-1/Community Park and Hot Air Balloon Landing and Launching with Goals and Policies from the Comprehensive Plan and the North Valley Area Plan. (see Section III., Policy Analysis above)***

- D. The applicant must demonstrate that the existing zoning is inappropriate because:
1. There was an error when the existing zone map pattern was created, or
  2. Changed neighborhood or community conditions justify the change, or
  3. A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other city master plan, even though (D1) or (D2) do not apply.

*The proposed zone map amendment is more advantageous to the general community because it matches the zoning with the land use desired by the community. The surrounding community was clear in its rejection of large retail facility/commercial use in this location, and successfully appealed the 2007 application. The legislation and the funding that enabled the City to acquire this property are strictly tied to the development of a community park that will serve ballooning activities, recreational use, and open space purposes. Furthermore, the City's ownership of this property is a changed community condition. The applicant, City Parks and Recreation, is proposing zoning and site plan actions that are completely consistent with the direction provided by City Council and the Mayor's Office.*

***Staff agrees that this zone change is more advantageous to the community, D)3. A changed condition was also created when the City adopted R-07-212 and R-08-97 to purchase and develop the site "in order to preserve open space and retain the Albuquerque Balloon Fiesta."***

- E. A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the community.

*The proposed zone change will not include any permissive uses that would be harmful to adjacent property, the neighborhood, or the community. The proposed zoning is specifically for limited recreational use to include hot air balloon launching and landing, parking, playing fields, play area, and a perimeter pathway. Basketball courts, tennis courts, and other typical park uses are not being proposed for this park facility. The zoning, along with the Master*

*Development Plan, addresses operations and management that will control all aspects of development and use on this property.*

**Staff agrees.**

- F. A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditure by the city may be:
1. Denied due to lack of capital funds; or
  2. Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule.

*The zone map amendment will not incur unprogrammed capital expenditure by the City. Full development of the community park, like all City-owned parks, will incur costs over time as part of phased development, anticipated to take approximately five years.*

**Staff agrees.**

- G. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

*The City of Albuquerque is the owner of this property and City Parks and Recreation will manage and operate Vista del Norte Park. Costs associated with acquisition of the property were approved by the City Council and the Mayor's Office.*

**Staff agrees.**

- H. Location on a collector or major street is not in itself sufficient justification for apartment, office, or commercial zoning.

*The applicant is seeking to remove the commercial zoning from this property. Land uses associated with the proposed zoning for Vista del Norte Park will have substantially less impact than what the current C-2 commercial zoning allows.*

**Staff agrees.**

- I. A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:
1. The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan.
  2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of the structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

*The SU-1 designation is being maintained for this property, which ensures neighborhood input through a public hearing process. There is no other property in the City zoned for this specific use, with the exception of Balloon Fiesta Park. While technically this is a spot zone, the City Council recently approved an amendment to the Zoning Code that allows hot air balloon launching and landing in any zone district in the City. This change clearly helps to facilitate the realization of the Comprehensive Plan by respecting neighborhood values and carrying capacity*

of the property. The neighborhood adamantly rejected having community commercial level uses at this location.

*Staff agrees.*

- J. A zone change request which would give a zone different from surrounding zoning to a strip of land along a street is generally called "strip zoning." Strip commercial zoning will be approved only where:
1. The change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan; and
  2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

*As stated previously, the SU-1 designation is being maintained on this property. However, due to the depth of this property, this cannot be considered a strip zone. The zoning is justified by virtue of it helping to facilitate the realization of the Comprehensive Plan and the North Valley Area Plan. Vista del Norte Park will provide visual open space and a transition between the industrial development to the east and south and the residential development to the north and northwest.*

*Staff agrees.*

*In conclusion, staff considers that the applicant has provided an adequate justification for the requested zone change. The applicant has demonstrated that the proposed SU-1/Community Park & Hot Air Balloon Launching and Landing zoning will allow the proposed project to be built, be compatible with surrounding land uses and satisfy concerns that the zoning is kept specific to the proposed use.*

## **B) MASTER DEVELOPMENT PLAN**

This is a request to adopt a new master development plan for the subject site only, the northerly and southerly portions of Tract M-1. The other two tracts within the subdivision, Tracts M-2 & J-1, will remain with the original site plan for subdivision that was approved in 2003 (02DRB-01071) and its Design Standards. The amendment to this site development plan for subdivision, to remove Tract M-1, is part of the applicant's request. The master development plan consists of Design Guidelines that provide guidance in developing the elements that are shown on the site development plan for building permit. Essentially the master development plan is Design Guidelines that includes operational guidelines for the Park. Thus, it is combined with the Site Development Plan for Building Permit, which depicts the site and shows the improvements to be made subject to the Design Guidelines. Therefore, the master development plan/site development plan for building permit is combined as one packet.

The primary focus for this tract, the Vista Del Norte Community Park, will be to provide an active recreation/sports area that will have five full size soccer fields, a shaded picnic area with two tree groves and picnic tables, a children's play area and a multi-use path circumventing the subject site for joggers, walkers, skaters, etc., with connections to existing community multi-use trails and adequate parking for the Park's activities. The Design Guidelines that are part of the master development plan are specific to these uses.

Besides providing specific Design Guidelines for development of the Park, the master development plan also provides an explanation of how the Park will be operated and managed in the Operations Guidelines. This section even specifies the hours of operations and lists rules for using the Park, allowed uses and how to provide neighborhood notification for special events.

Future construction of illustrated improvements will be reviewed by the Parks & Recreation Department. Any proposed changes to the master development plan will be reviewed by the Planning Director for the determination of the appropriate amendment procedure, whether an Administrative Amendment is all that is required, or if the changes require review and a public hearing by the EPC.

Since the master development plan (MDP) is required to have all the elements required by a site development plan for subdivision (SPS), the process used for review of the master development plan will be the same as for for an SPS.

The applicant has satisfied the MDP/SPS requirements as follows:

- Proposed Use: Community Park and Hot Air Balloon Launching and Landing.
- Pedestrian and vehicular ingress and egress: Two vehicular access points: one from Osuna Road and one from Vista Del Norte Drive. Pedestrian access: The public sidewalk along both of these roads will be connected to internal pedestrian sidewalks and pathways. There is also a pedestrian access point at the northwest corner of the site.
- Internal Circulation: Driveways connecting the three parking lots on the western and southwestern edges of the site. There is a 10' wide paved trail and a 4' wide crusher fine perimeter trail proposed for pedestrians as well.
- Maximum Building Height: 26' (Shade structures allowed only)
- Minimum Building Setback: 50' from ROW line of Osuna and Vista Del Norte roadways.
- Minimum Parking Setbacks: 25' from ROW line of Osuna and Vista Del Norte roadways.
- Maximum FAR: There are no buildings proposed for this site.

As mentioned, the master development plan consists of Design Guidelines for the development of the elements of the Park. The only structures allowed on the subject site are simple shade structures. Thus, the Design Guidelines address elements that are specific to a park (and its uses) and are specific enough in describing the development of each element, but flexible in allowing variations in how each specific standard is met.

### ***C) SITE DEVELOPMENT PLAN FOR SUBDIVISION AMENDMENT***

This is a request for an amendment to a site development plan for subdivision (SPS) that was approved in 2003. The SPS currently consists of three tracts of land, Tract M-2, J-1 and M-1 and Design Guidelines. The amendment to this SPS will be to remove Tract M-1 entirely and subject it to its own Design Guidelines and Operational Guidelines that are described in the master development plan, while Tracts J-1 and M-2 will remain unmodified in the original SPS. The newly created SPS for this subject site, Tract M-1, is the Master Development Plan/ Site Development Plan for Building Permit.

The subject site of the community park and hot air balloon launching and landing area consists of two parcels of land that are defined without a lot line – the southerly portion of Tract M-1 (4.5-acres) and the northerly portion of Tract M-1 (16.6-acres) – a total of 21.1-acres. These tracts are further described by the Plat of Tracts J-1-A, J-1-B, J-1-C and M-1, Vista Del Norte Subdivision. The applicant is not requesting a platting action to combine these described parcels into one lot.

#### **D) SITE DEVELOPMENT PLAN FOR BUILDING PERMIT**

##### ***Site Plan Layout / Configuration***

The subject site is on the northeastern corner of the intersection of Osuna Road and Vista Del Norte Drive. The site is currently vacant. There is a meandering sidewalk on its southern and western edges with existing street improvements (curb and gutter) and scattered existing trees along the sidewalk. There is an existing 5' CMU wall along the north property line separating the multi-family and residential neighborhood from this site. There is also an existing 6' chain link fence along the eastern property line between the existing office complex and the site.

As this site is a community park with frequent hot air balloon launching and landing, there will not be any buildings on the site. The improvements are recreational fields, two tree groves with interspersed picnic benches on the north side, a fenced in play area at the southwestern edge of the playing fields and parking along the full western and west-half of the south edge of the site.

##### ***Public Outdoor Space***

The park will be accessible to the public from 6:00 am to 10:00 pm, seven days/week.

##### ***Vehicular Access, Circulation and Parking***

There are two points of vehicular access; one is in the middle of the south side that provides access to Osuna Road. This access point opens to a roundabout that feeds into the south parking lot (53 parking places) to its west. The other vehicle access point is in the middle of the west side of the site, providing access to Vista Del Norte Drive – the driveway leads to another roundabout that feeds parking lots on its north (72 parking places) and to its south (52 parking places).

There is an internal roadway connecting the two parking lots in the south western corner of the site - this roadway allows room for the play area to be located southwest of the recreation fields.

The Off-Street Parking Regulating in the Zoning Code (§14-16-3-1) specify that one parking place shall be provided per 200-square feet of the site for people watch recreation. The Parks and Recreation Department determined that spectators will be located in 35,000-square feet of the site, which equates to 175-parking spaces to be required ( $35,000/200=175$  parking places). The site plan shows 177 parking places to be provided - 8 of these are handicap accessible.

There are also five motorcycle spaces and 10 spaces provided for bicycle parking.

##### ***Pedestrian and Bicycle Access and Circulation, Transit Access***

As mentioned above, pedestrian access will be at the two points where vehicular access from the public right-of-way (ROW) enter into the park and one point at the northwest corner of the site. These points of ingress/egress connect to the 10' paved perimeter trail. Bicycle access to the park is at the same points as pedestrian access as well as the two points of access for vehicles.

There is currently not a transit route that is within ¼-mile of the site.

### ***Walls/Fences***

There is an existing 5' CMU wall against the multi-family units on the north. There is also an existing 6' fence along the eastern property line securing the office building east of the site. The site plan shows a proposed 4' fence along the south and west property lines with 4' gates at each point of entry in order to secure the site at night.

### ***Lighting and Security***

For safety and security, lighting on the outside perimeter of the parking lots is provided for all parking areas and the common area with play structures as well as portions of the multi-use paths. All these light fixtures will be 16' tall with double cutoff fixtures. There are also existing street lights along Osuna Road and Vista Del Norte Drive that will provide additional light to these areas. The applicant also mentioned lighted 4' bollards at the southern and western sides of the site, but they are not shown on the site plan – no detail of the bollards is shown either.

### ***Landscaping***

Parks in general are intended to be aesthetically pleasing and are characteristic of users being able to participate in sports, recreation and leisure activities. This park will provide for all these activities and be geared to providing for hot air balloon launching and landing; this site is in the flight path of the Balloon Fiesta Park.

The majority of the 21-acre site will be covered with turf grasses – the center area of the park. This area will be used year-round for multi-purpose recreational/programmed and organized sport purposes. This area doubles as a launching/landing field for hot air balloons. Because hot air balloons will be using this area, trees will only be allowed along the edges of the Park.

Thus, there are trees interspersed within the landscaped areas outside of the parking lots (close to the roadways) on the western and southern edges. These additional trees and shrubs (and other landscaping plants) augment existing landscaping and street trees that are already in place. The western and southern sides of the park will also have gabion basket seat wall/barriers, inside of the parking lots, that will provide informal seating /retaining walls for watching sporting activities and the launching/landing of hot air balloons.

In addition, there are two tree groves at the north end of the park that will have 36 - lace-bark Elm trees each and will provide shade for several picnic tables in each grove. The two groves will be connected by a single row of pine trees (in the middle), which will help to screen the residential uses from the park. Along the eastern edge there are alternating groupings of pine trees and Modesto Ash trees that will help in screening the office buildings from the park users as well.

Further, the centers of each round-about will have four trees and vegetation within them.

### ***Grading, Drainage, Utility Plans***

The site has a 10' – 15' drop from the office buildings on the east side of the site that goes 40' - 50' in from the property line and then flattens out across the fields and is relatively at grade with Vista Del Norte Drive and the western half of Osuna Road. This is due to the site formerly being used for sand & gravel extraction. That is, the reclamation of the site created a flat area ideal for the multi-purpose recreation fields that will dominate the majority of the site.

There is an existing 40' Private Access, Underground Utilities and Drainage Easement that exists on the southern portion of the site. Since there are no permanent structures to be built on the site, there should be no conflict with this easement.

***Signage***

There are two Park Entry signs shown on the site plan that are described as being monument – type signs not higher than 8' above grade and no greater than 24-square feet. Detail shall be shown in the site plan packet.

**IV. AGENCY & NEIGHBORHOOD CONCERNS**

***Reviewing Agencies/Pre-Hearing Discussion***

Agency comments start on page 32. The City Engineer provided recommended Conditions of Approval regarding access to the site and recommended signage.

***Neighborhood/Public***

Property owners within 100' of the subject site were notified of this request. Also, the Alameda North Valley Association, the Northeast Valley Neighborhood Association, the North Edith Commercial Corridor Association, the Vista Del Norte Alliance, the Wildflower Area Neighborhood Association, the District 4 Coalition of Neighborhood Associations and the North Valley Coalition were notified as well.

A facilitated meeting was offered to the impacted neighborhoods, but they did not see a need for this meeting. Therefore, the assigned facilitator filed a no meeting report. Staff has received no communications from interested parties, and thus, there is no known opposition or support of this request.

**V. CONCLUSION**

This a four-part request: a zone map amendment (a zone change), creation of a master development plan, a site development plan for building permit and an amendment to the current site development plan for subdivision for the northerly and southerly portions of Tract M-1, Vista Del Norte Subdivision, located in the northeast quadrant of the intersection of Osuna Road and Vista Del Norte Drive. The subject site will be designated as a hot air balloon launching and landing site and is located in the flight path of the Balloon Fiesta Park.

The master development plan/site development plan for building permit is the master plan for this park and all improvements to the park are shown in the submittal packet. The project is to be developed within the next five years; any amendments or new improvements to this master plan will need to be reviewed by the Planning Director and she/he will make a determination of the appropriate amendment procedure.

An R-270-1980 analysis was performed and the applicant's justification for the change of zoning was satisfactory; the applicant also demonstrated that the master development plan will control the design of the site as well as the operation of the park. These requests and the site

development plan for subdivision amendment and for building permit are consistent with applicable goals and policies in the Comprehensive Plan and the North Valley Area Plan.

Property owners within 100' of the subject site were notified of this request. Also, the Alameda North Valley Association, the Northeast Valley Neighborhood Association, the North Edith Commercial Corridor Association, the Vista Del Norte Alliance, the Wildflower Area Neighborhood Association, the District 4 Coalition of Neighborhood Associations and the North Valley Coalition were notified as well.

A facilitated meeting was offered to the impacted neighborhoods, but they did not see a need for this meeting. Therefore, the assigned facilitator filed a no meeting report. Staff has received no communications from interested parties, and thus, there is no known opposition or support of this request.

Staff is recommending approval.

**FINDINGS – 13EPC 40126, August 8, 2013 - Zone Map Amendment**

1. This request is for a zone map amendment from SU-1/C-2 Permissive Uses, Except Alcoholic Drink Sales for Consumption Off-Premise within 500 Feet of Residential Property Shall be Permissive, Except No Drive-Up Liquor Sales Shall Be Allowed to SU-1/Community Park & Hot Air Balloon Launching and Landing for all or a portion of the northerly & southerly portions of Tract M-1, Plat of Tracts J-1-A, J-1-B, J-1-C & M-1, Vista Del Norte Subdivision, located in the northeast quadrant of the intersection of Osuna Road and Vista Del Norte Drive, containing 21.1-acres.
2. The requested zone change is accompanied by a master development plan – Project #1001150, 13EPC-40127, a site development plan for building permit request – Project #1001150, 13EPC-40128 and an amendment to the site development plan for subdivision – Project #1001150, 13EPC-40129. This request is contingent on the approval of the master development plan and the site development plan for building permit as the site plan controls the zoning on all SU-1 zoned sites. Also, this zone change request applies to this site only – no other sites in the current subdivision will be affected.
3. The Albuquerque/Bernalillo County Comprehensive Plan, the North Valley Area Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
4. The subject site is in the Developing Urban Area of the Comprehensive Plan.
5. The request is justified per R-270-1980:
  - A. The request is consistent with the health, safety, morals and general welfare of the City. This proposal furthers the City's intent by rezoning the property to reflect the specific use and creates a master development plan that furthers, and is in compliance with, community values and goals, and City plans and policies.
  - B. The proposed zoning provides the needed stability for this property and the surrounding neighborhoods. Rezoning the property to SU-1/Community Park & Hot Air Balloon Launching and Landing furthers the intent of the City Council Resolutions that allocated funding to purchase the property, and City plans and policies contained in the Comprehensive Plan and the North Valley Area Plan.
  - C. The zone change is not in significant conflict with adopted elements of the Comprehensive Plan or the North Valley Area Plan:

**A) Albuquerque/Bernalillo County Comprehensive Plan:**

**COMPREHENSIVE PLAN DEVELOPING URBAN AREA POLICIES**

Goal & Policies II.B.1. g, h and i: The Park will meet recreational needs by providing five playing fields, serving several neighborhoods. It is accessible to the regional trail system and provides needed visual relief and green space in the area.

Policies II.B.5.a, d and e: The requested zone change will not have an adverse effect on the surrounding area and will respect existing neighborhood values by creating a community park on a site that is currently vacant, providing a transition/buffer from Osuna Road to the multi-family and residential neighborhoods to the north.

C. Environmental Protection and Heritage Conservation

4. Noise

Goal & Policies II.C.4.a: The Park will enhance the quality of life of the surrounding area by reducing noise and preventing new land use/noise conflicts, which helps to protect the public health and welfare.

8. Developed Landscape

Goal & Policies II.C.8.a and b: The Park will help to maintain and improve the natural and the developed landscapes' quality of the views from the Park to the north, east and west and provides a screening of the adjacent industrial use for the apartments on the Park's north boundary. The Park adds to the beauty of the area by providing a large green space for the surrounding neighborhoods and the general public to enjoy.

D. Community Resource Management

4. Transportation and Transit Policies

Goal & Policies II.D.4.d and g: Pedestrian opportunities are integrated into the design of the Park as well as being well connected to the existing public trail network. The Park will only have one driveway per roadway, creating a safe and pleasant area for non-motorized travel conditions.

**B) North Valley Area Plan:**

Overarching Goals 1 and 2: The Park use helps to maintain the rural nature of the North Valley by keeping the front entry to a dense subdivision free from development; the apartments are set back approximately 900 feet from Osuna Road. Removing community commercial use from this property will also reduce noise level impacts associated with commercial development such as delivery trucks, garbage trucks, and large numbers of customer vehicles.

Zoning and Land Use Policy 2: The impact to the adjacent residential area is greatly minimized by the proposed park development. A landscaped tree buffer is included along the north edge between the turf area and the adjacent apartments. The turf area also provides a large buffer between the parking areas and the apartments.

Community Design Policy 1: Locating a community scale park in this location provides a transition between the industrial development east and south of the property to the residential area to the north and northwest.

- D. The proposed zone map amendment is more advantageous to the general community because it matches the zoning with the land use desired by the community. The surrounding

community was clear in its rejection of large retail facility/commercial use in this location, and successfully appealed the 2007 application. The legislation and the funding that enabled the City to acquire this property are strictly tied to the development of a community park that will serve ballooning activities, recreational use, and open space purposes.

- E. The proposed zone change will not include any permissive uses that would be harmful to adjacent property, the neighborhood, or the community. The proposed zoning is specifically for limited recreational use to include hot air balloon launching and landing, parking, playing fields, play area, and a perimeter pathway.
  - F. The request will not result in unprogrammed capital expenditures by the City.
  - G. The cost of land or other economic considerations are not the primary determining factors for the requested zone map amendment.
  - H. The location on a collector or major street is not the sole justification for the request.
  - I. The SU-1 designation is being maintained for this property, which ensures neighborhood input through a public hearing process. There is no other property in the City zoned for this specific use, with the exception of Balloon Fiesta Park. While technically this is a spot zone, the zoning descriptor makes it clear that this park is to be used for hot air balloon uses, even though hot air balloon uses are allowed in all zones throughout the City. This change clearly helps to facilitate the realization of the Comprehensive Plan by respecting neighborhood values and carrying capacity of the property.
  - J. The request does not constitute a strip zone.
7. Property owners within 100' of the subject site were notified of this request. Also, the Alameda North Valley Association, the Northeast Valley Neighborhood Association, the North Edith Commercial Corridor Association, the Vista Del Norte Alliance, the Wildflower Area Neighborhood Association, the District 4 Coalition of Neighborhood Associations and the North Valley Coalition were notified as well.
8. A facilitated meeting was offered to the impacted neighborhoods, but they did not see a need for this meeting. Therefore, the assigned facilitator filed a no meeting report. Staff has received no communications from interested parties, and thus, there is no known opposition or support of this request.

***RECOMMENDATION - 13EPC 40126, August 8, 2013 – Zone Map Amendment***

**APPROVAL of 13EPC 40126, a zone map amendment from SU-1/C-2 Permissive Uses, Except Alcoholic Drink Sales for Consumption Off-Premise within 500 Feet of Residential Property Shall be Permissive, Except No Drive-Up Liquor Sales Shall Be Allowed to SU-1/Community Park & Hot Air Balloon Launching and Landing, for all or a portion of the northerly & southerly portions of Tract M-1, Plat of Tracts J-1-A, J-1-B, J-1-C & M-1, Vista Del Norte Subdivision, based on the preceding Findings and subject to the Following Conditions.**

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**CONDITIONS OF APPROVAL - 13EPC 40126, August 8, 2013 - Zone Map Amendment**

1. The zone map amendment does not become effective until the accompanying site development plan is approved by the DRB pursuant to §14-16-4-1(C)(11) of the Zoning Code. If such requirement is not met within six months after the date of EPC approval, the zone map amendment is void. The Planning Director may extend this time limit up to an additional six months upon request by the applicant.

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**FINDINGS – 13EPC 40127, August 8, 2013 – Master Development Plan**

1. This request is for a master development plan for all or a portion of the northerly & southerly portions of Tract M-1, Plat of Tracts J-1-A, J-1-B, J-1-C & M-1, Vista Del Norte Subdivision, located in the northeast quadrant of the intersection of Osuna Road and Vista Del Norte Drive, containing 21.1-acres.
2. The requested master development plan is accompanied by a zone change – Project #1001150, 13EPC-40126, a site development plan for building permit request – Project #1001150, 13EPC-40128 and an amendment to the site development plan for subdivision – Project #1001150, 13EPC-40129. The zone change request is contingent on the approval of this request and the site development plan for building permit as the site plan controls the zoning on all SU-1 zoned sites. Also, this master development plan applies to this site only – no other sites in the current subdivision will be affected.
3. The Albuquerque/Bernalillo County Comprehensive Plan, the North Valley Area Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
4. The subject site is in the Developing Urban Area of the Comprehensive Plan.
5. The master development plan is not in significant conflict with adopted elements of the Comprehensive Plan or the North Valley Area Plan or other city master plans including the following:
  - A) COMPREHENSIVE PLAN: DEVELOPING URBAN AREA POLICIES
    - Goal & Policies II.B.1. g, h and i: The Park will meet recreational needs by providing five playing fields, serving several neighborhoods. It is accessible to the regional trail system and provides needed visual relief and green space in the area.
    - Policies II.B.5.g and m: The property is relatively flat and the future park will be designed to respect natural features of the site and provides connections to the regional trail network. The park was specifically sited because it is within the flight pattern of hot air balloons launching from Balloon Fiesta Park. The master development plan provides Design

Guidelines to help achieve quality design standards and will be an attractive amenity and green space in this area of Albuquerque and the North Valley.

C. Environmental Protection and Heritage Conservation

4. Noise

Goal & Policies II.C.4.a: The Park will enhance the quality of life of the surrounding area by reducing noise and preventing new land use/noise conflicts, which helps to protect the public health and welfare.

8. Developed Landscape

Goal & Policies II.C.8.a and b: The master development plan design guidelines will help to maintain and improve the natural and the developed landscapes' quality of the views from the Park to the north, east and west and provides a screening of the adjacent industrial use for the apartments on the Park's north boundary. The Park adds to the beauty of the area by providing a large green space for the surrounding neighborhoods and the general public to enjoy.

D. Community Resource Management

4. Transportation and Transit Policies

Goal & Policies II.D.4.d and g: Pedestrian opportunities are integrated into the design of the Park as well as being well connected to the existing public trail network. The Park will only have one driveway per roadway, creating a safe and pleasant area for non-motorized travel conditions.

B) NORTH VALLEY AREA PLAN:

Overarching Goals 1 and 2: The Park use helps to maintain the rural nature of the North Valley by keeping the front entry to a dense subdivision free from development; the apartments are set back approximately 900 feet from Osuna Road. Removing community commercial use from this property will also reduce noise level impacts associated with commercial development such as delivery trucks, garbage trucks, and large numbers of customer vehicles.

Zoning and Land Use Policy 2: The impact to the adjacent residential area is greatly minimized by the proposed park development. A landscaped tree buffer is included along the north edge between the turf area and the adjacent apartments. The turf area also provides a large buffer between the parking areas and the apartments.

Community Design Policy 1: Locating a community scale park in this location provides a transition between the industrial development east and south of the property to the residential area to the north and northwest. The residential uses are setback by approximately 900 feet from Osuna Road. As previously stated, lighting will be limited to parking areas for safety purposes only, and will be restricted in height to 16 feet in the west parking area and bollard height in the south parking area.

6. The master development plan consists of the purpose, Design Guidelines, Operation Guidelines and the approval process for all of Tract M-1, Vista Del Norte Subdivision, the subject site – also

known as the Vista Del Norte Community Park. This master development plan provides guidance for the ultimate design of the site and is attached to the site development plan for building permit, which provides physical location information for the site improvements that are discussed in the master development plan.

7. Future construction of illustrated improvements will be reviewed by the Parks & Recreation Department to ensure compliance with the Design Guidelines. Any proposed changes to the master development plan will be reviewed by the Planning Director for the determination of the appropriate amendment procedure – whether an Administrative Amendment is all that is required, or if the changes require review and a public hearing by the EPC.
8. Property owners within 100' of the subject site were notified of this request. Also, the Alameda North Valley Association, the Northeast Valley Neighborhood Association, the North Edith Commercial Corridor Association, the Vista Del Norte Alliance, the Wildflower Area Neighborhood Association, the District 4 Coalition of Neighborhood Associations and the North Valley Coalition were notified as well.
9. A facilitated meeting was offered to the impacted neighborhoods, but they did not see a need for this meeting. Therefore, the assigned facilitator filed a no meeting report. Staff has received no communications from interested parties, and thus, there is no known opposition or support of this request.

***RECOMMENDATION - 13EPC 40127, August 8, 2013 - Master Development Plan***

***APPROVAL of 13EPC 40127, a master development plan, for all or a portion of the northerly & southerly portions of Tract M-1, Plat of Tracts J-1-A, J-1-B, J-1-C & M-1, Vista Del Norte Subdivision, based on the preceding Findings and subject to the Following Conditions.***

***CONDITIONS OF APPROVAL - 13EPC 40126, August 8, 2013 – Master Development Plan***

1. Provide a separate proposed Site Development Plan for Subdivision (SDPSD) for Tract M1 or provide the Site Development for Building Permit with all access agreements and easements shown.
2. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan.

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**FINDINGS – 13EPC 40129, August 8, 2013 - Site Development Plan for Subdivision Amendment**

1. There is a request to amend 21.1-acres of a 42.35-acre site development plan for subdivision, Rancho Mirage @ Vista Del Norte, located in the northeast quadrant of the intersection of Osuna Road and Vista Del Norte Drive, that was approved by the DRB on March 28, 2003 (02128-00136 and 02110-00138). This amendment is specific to the northerly & southerly portions of Tract M-1, Plat of Tracts J-1-A, J-1-B, J-1-C & M-1, Vista Del Norte Subdivision.
2. The Rancho Mirage @ Vista Del Norte, Site Development Plan for Subdivision is partially built out with multi-family and residential homes on Tracts M-2 and J-1. There are Design Standards regulating these tracts and the tracts will remain with this site development plan for subdivision and be controlled by this set of Design Guidelines.
3. This requested amendment will remove all of Tract M-1 from this site development plan for subdivision and is shown in its own master development plan/site development plan for building permit, which are companions to this request.
4. The requested amendment to the site development plan for subdivision is accompanied by a zone change – Project #1001150, 13EPC-40126, a master development plan - Project #1001150, 13EPC-40127 and a site development plan for building permit request – Project #1001150, 13EPC-40128. The zone change request is contingent on the approval of the master development plan/site development plan for building permit request as the site plan controls the zoning on all SU-1 zoned sites. Also, this master development plan and its associated Design Guidelines apply to the subject site only – no other sites in the current subdivision will be affected.
5. The Albuquerque/Bernalillo County Comprehensive Plan, the North Valley Area Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
6. The subject site is in the Developing Urban Area of the Comprehensive Plan.
7. The site development plan for subdivision amendment is not in significant conflict with adopted elements of the Comprehensive Plan or the North Valley Area Plan or other city master plans including the following:
  - A) COMPREHENSIVE PLAN: DEVELOPING URBAN AREA POLICIES
    - Goal & Policies II.B.1. g, h and i: The Park will meet recreational needs by providing five playing fields, serving several neighborhoods. It is accessible to the regional trail system and provides needed visual relief and green space in the area.
    - Policies II.B.5.g and m: The property is relatively flat and the future park will be designed to respect natural features of the site and provides connections to the regional trail network. The park was specifically sited because it is within the flight pattern of hot air balloons

launching from Balloon Fiesta Park. The Park has been designed with the highest of standards and will be an attractive amenity and green space in this area of Albuquerque and the North Valley.

C. Environmental Protection and Heritage Conservation

4. Noise

Goal & Policies II.C.4.a: The Park will enhance the quality of life of the surrounding area by reducing noise and preventing new land use/noise conflicts, which helps to protect the public health and welfare.

8. Developed Landscape

Goal & Policies II.C.8.a and b: The Park will help to maintain and improve the natural and the developed landscapes' quality of the views from the Park to the north, east and west and provides a screening of the adjacent industrial use for the apartments on the Park's north boundary. The Park adds to the beauty of the area by providing a large green space for the surrounding neighborhoods and the general public to enjoy.

D. Community Resource Management

4. Transportation and Transit Policies

Goal & Policies II.D.4.d and g: Pedestrian opportunities are integrated into the design of the Park as well as being well connected to the existing public trail network. The Park will only have one driveway per roadway, creating a safe and pleasant area for non-motorized travel conditions.

B) NORTH VALLEY AREA PLAN:

Overarching Goals 1 and 2: The Park use helps to maintain the rural nature of the North Valley by keeping the front entry to a dense subdivision free from development; the apartments are set back approximately 900 feet from Osuna Road. Removing community commercial use from this property will also reduce noise level impacts associated with commercial development such as delivery trucks, garbage trucks, and large numbers of customer vehicles.

Zoning and Land Use Policy 2: The impact to the adjacent residential area is greatly minimized by the proposed park development. A landscaped tree buffer is included along the north edge between the turf area and the adjacent apartments. The turf area also provides a large buffer between the parking areas and the apartments.

Community Design Policy 1: Locating a community scale park in this location provides a transition between the industrial development east and south of the property to the residential area to the north and northwest. The residential uses are setback by approximately 900 feet from Osuna Road. As previously stated, lighting will be limited to parking areas for safety purposes only, and will be restricted in height to 16 feet in the west parking area and bollard height in the south parking area.

8. Property owners within 100' of the subject site were notified of this request. Also, the Alameda North Valley Association, the Northeast Valley Neighborhood Association, the North Edith

Commercial Corridor Association, the Vista Del Norte Alliance, the Wildflower Area Neighborhood Association, the District 4 Coalition of Neighborhood Associations and the North Valley Coalition were notified as well.

9. A facilitated meeting was offered to the impacted neighborhoods, but they did not see a need for this meeting. Therefore, the assigned facilitator filed a no meeting report. Staff has received no communications from interested parties, and thus, there is no known opposition or support of this request.

***RECOMMENDATION - 13EPC 40129, August 8, 2013 - Site Development Plan for Subdivision Amendment***

***APPROVAL of 13EPC 40129, an amendment to a site development plan for subdivision, for all or a portion of the northerly & southerly portions of Tract M-1, Plat of Tracts J-1-A, J-1-B, J-1-C & M-1, Vista Del Norte Subdivision, based on the preceding Findings.***

***FINDINGS – 13EPC 40128, August 8, 2013 - Site Development Plan for Building Permit***

1. This request is for a site development plan for building permit for all or a portion of the northerly & southerly portions of Tract M-1, Plat of Tracts J-1-A, J-1-B, J-1-C & M-1, Vista Del Norte Subdivision, located in the northeast quadrant of the intersection of Osuna Road and Vista Del Norte Drive, containing 21.1-acres.
2. The requested site development plan for building permit is accompanied by a zone change – Project #1001150, 13EPC-40126, a master development plan – Project #1001150, 13EPC-40127 and an amendment to the site development plan for subdivision – Project #1001150, 13EPC-40129. The zone change request is contingent on the approval of this request and the master development plan as the site plan controls the zoning on all SU-1 zoned sites.
3. The Albuquerque/Bernalillo County Comprehensive Plan, the North Valley Area Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
4. The subject site is in the Developing Urban Area of the Comprehensive Plan.
5. The master development plan is not in significant conflict with adopted elements of the Comprehensive Plan or the North Valley Area Plan or other city master plans including the following:
  - A) COMPREHENSIVE PLAN: DEVELOPING URBAN AREA POLICIES

Goal & Policies II.B.1. g, h and i: The Park will meet recreational needs by providing five playing fields, serving several neighborhoods. It is accessible to the regional trail system and provides needed visual relief and green space in the area.

Policies II.B.5.g and m: The property is relatively flat and the future park will be designed to respect natural features of the site and provides connections to the regional trail network. The park was specifically sited because it is within the flight pattern of hot air balloons launching from Balloon Fiesta Park. The Park has been designed with the highest of standards and will be an attractive amenity and green space in this area of Albuquerque and the North Valley.

#### C. Environmental Protection and Heritage Conservation

##### 4. Noise

Goal & Policies II.C.4.a: The Park will enhance the quality of life of the surrounding area by reducing noise and preventing new land use/noise conflicts, which helps to protect the public health and welfare.

##### 8. Developed Landscape

Goal & Policies II.C.8.a and b: The Park will help to maintain and improve the natural and the developed landscapes' quality of the views from the Park to the north, east and west and provides a screening of the adjacent industrial use for the apartments on the Park's north boundary. The Park adds to the beauty of the area by providing a large green space for the surrounding neighborhoods and the general public to enjoy.

#### D. Community Resource Management

##### 4. Transportation and Transit Policies

Goal & Policies II.D.4.d and g: Pedestrian opportunities are integrated into the design of the Park as well as being well connected to the existing public trail network. The Park will only have one driveway per roadway, creating a safe and pleasant area for non-motorized travel conditions.

#### B) NORTH VALLEY AREA PLAN:

Overarching Goals 1 and 2: The Park use helps to maintain the rural nature of the North Valley by keeping the front entry to a dense subdivision free from development; the apartments are set back approximately 900 feet from Osuna Road. Removing community commercial use from this property will also reduce noise level impacts associated with commercial development such as delivery trucks, garbage trucks, and large numbers of customer vehicles.

Zoning and Land Use Policy 2: The impact to the adjacent residential area is greatly minimized by the proposed park development. A landscaped tree buffer is included along the north edge between the turf area and the adjacent apartments. The turf area also provides a large buffer between the parking areas and the apartments.

Community Design Policy 1: Locating a community scale park in this location provides a transition between the industrial development east and south of the property to the residential area to the north and northwest. The residential uses are setback by approximately 900 feet

from Osuna Road. As previously stated, lighting will be limited to parking areas for safety purposes only, and will be restricted in height to 16 feet in the west parking area and bollard height in the south parking area.

6. The site development plan for building permit is combined with the master development plan. Together, this packet shows the site, describes the specific improvements that will be made to the subject site and shows the physical location of the site improvements that are discussed in the master development plan.
7. Future construction of illustrated improvements will be reviewed by the Parks & Recreation Department to ensure compliance with the Design Guidelines. Any proposed changes to the master development plan/site development plan for building permit will be reviewed by the Planning Director for the determination of the appropriate amendment procedure – whether an Administrative Amendment is all that is required, or if the changes require review and a public hearing by the EPC.
8. Property owners within 100' of the subject site were notified of this request. Also, the Alameda North Valley Association, the Northeast Valley Neighborhood Association, the North Edith Commercial Corridor Association, the Vista Del Norte Alliance, the Wildflower Area Neighborhood Association, the District 4 Coalition of Neighborhood Associations and the North Valley Coalition were notified as well.
9. A facilitated meeting was offered to the impacted neighborhoods, but they did not see a need for this meeting. Therefore, the assigned facilitator filed a no meeting report. Staff has received no communications from interested parties, and thus, there is no known opposition or support of this request.

***RECOMMENDATION - 13EPC 40128, August 8, 2013 - Site Development Plan for Building Permit APPROVAL of 13EPC 40128, a site development plan for building permit, for all or a portion of the northerly & southerly portions of Tract M-1, Plat of Tracts J-1-A, J-1-B, J-1-C & M-1, Vista Del Norte Subdivision, based on the preceding Findings and subject to the Following Conditions.***

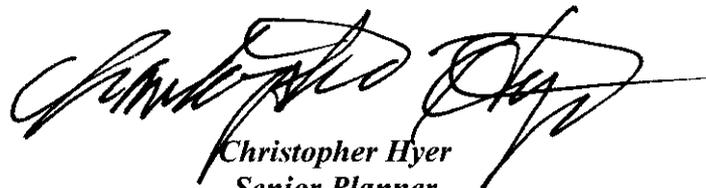
***CONDITIONS OF APPROVAL - 13EPC 40128, August 8, 2013 - Site Development Plan for Building Permit***

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions.

Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.

2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. A key shall be provided on the site plan that describes what each symbol and line means on the site plan and all plants shall be listed on the Landscape Plan – this is to include the symbols behind the benches.
4. Consistency of the ‘tree grove’ size and the number of picnic tables, the placement of the gabion walls and Port-A-Potties shall be made for all sheets in the submittal packet.
5. There shall be detail provided (with dimensions) for the following items in the submittal packet:
  - a. 4’ high-lighted bollards and their location
  - b. Gabion basket wall/barrier
  - c. Entry gates
  - d. Round-Abouts
  - e. Chase vehicle gates
  - f. Gates for Port-A-Potty enclosure and typical Port-A-Potty
  - g. Picnic tables and benches
6. Details for the two signs shall be shown on the Detail Sheet – including colors and dimensions.
7. Clarification of the existing 5’ CMU wall and the 8’ fence at the north property line shall be provided or one of the references should be removed.
8. Conditions from City Engineer, Municipal Development, Water Authority and NMDOT:
  - a. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan.
  - b. Show all existing and proposed easements on SDPBP.
  - c. Show or clarify phasing of development.
  - d. Show all proposed infrastructure on site plan, and label, dimension and provide details.
  - e. Define all line types and hatching used on site plan.
  - f. For DRB approval of the Site Plan for Building Permit, the Conceptual Grading and Drainage Plan should address the capacity of the existing onsite and adjacent public storm drains to support this project.
  - g. The attached Vista del Norte Park, Vista del Norte Drive and Osuna Rd. Access Study recommend the driveway from Osuna Rd. to be right-in/right-out only. The driveway

- should be spaced 150 feet east of the beginning of the transition to the westbound right turn lane onto Vista del Norte Drive.
- h. Signage should be installed on eastbound Osuna Rd., west of Vista del Norte Drive, indicating Vista del Norte Park is accessed via Vista del Norte Drive.
  - i. The length of the right turn lane should be 150 feet and designed to COA DPM standards.
  - j. The Vista del Norte Drive driveway should be located at the existing curb cut approximately 550 feet north of Osuna Rd. approximately 550 feet north of Osuna Rd.
  - k. Clarify if an ADA accessible pedestrian gate is provided in the perimeter fencing at the northwestern corner of property where the 10 ft asphalt path connects to the public ROW sidewalk. ...path overlaps fence but no gate indicated.
  - l. The SPBP and Landscaping Plans do reflect the current changes to the tree grove and picnic tables but not the Conceptual G&D and Utility plans; please be consistent.
  - m. Please indicate surface treatment for chase vehicle access at roundabouts and how it deals with crossover of 10 ft asphalt path.



Christopher Hyer  
Senior Planner

**Notice of Decision cc list:**

Consensus Planning, Inc., 302 Eighth Street NW, Albuquerque, NM, 87102  
COA, Parks & Rec Dept., P.O. Box 1293, Albuquerque, NM, 87103  
Steve Wentworth, 8919 Boe Lane NE, Albuquerque, NM, 87113-2328  
David Lindner, 10407 4<sup>th</sup> Street NW, Albuquerque, NM, 87114  
Linda Trujillo, 508 Bear Canyon Lane NE, Albuquerque, NM, 87113  
R.J. Marney, 6812 Tokay Street NE, Albuquerque, NM, 87113  
Bob Warrick, 444 Niagra NE, Albuquerque, NM, 87113  
Janice Caudill, 100 Diers Road NW, Albuquerque, NM, 87114  
Richard Hix, 905 Bosque NE, Albuquerque, NM, 87113  
Liz Hix, 905 Bosque NE, Albuquerque, NM, 87113  
Larry Caudill, 4915 Watercress NE, Albuquerque, NM, 87113  
Tony Perry, 4909 Watercress NE, Albuquerque, NM, 87113  
Wim Kramer, 10220 Jarash Place NE, Albuquerque, NM, 87109  
Erica Vasquez, P.O. Box 92315, Albuquerque, NM, 87199  
Chris Catechis, 5733 Guadalupe Trail NW, Albuquerque, NM, 87107  
David Wood, 158 Pleasant NW, Albuquerque, NM, 87107

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## ***CITY OF ALBUQUERQUE AGENCY COMMENTS***

### ***PLANNING DEPARTMENT***

#### **Zoning Enforcement**

Reviewed- No comments

#### **Office of Neighborhood Coordination**

Alameda North Valley Assoc. (R)  
Vista Del Norte Alliance (R)  
Wildflower Area NA (R)  
Northeast Valley NA (R)  
North Edith Commercial Corridor Assoc.  
District 4 Coalition of NA's  
North Valley Coalition  
7/1/13 – Recommended for Facilitation – sdb  
7/1/13 – Assigned to Jessica Lawrence – sdb

#### **Long Range Planning**

##### **Zone Map amendment**

The SU-1 zone will allow input from area residents on this and future development on the site. The City recently sponsored an amendment to the zoning code to allow balloon launches in all zones. The development of this park will provide additional takeoff and landing space that is needed in the city. Most City park facilities are zoned SU-1, the proposed zone is appropriate for the site.

##### **Site Plan for Subdivision Amendment**

No Comment

##### **Master Development Plan**

This plan will facilitate the cohesive development of the site over time. The design standards call for small parking areas, but do not define small in terms of approximate spaces or acreage- this should be clarified in case future changes are made.

##### **Site Plan for building permit**

The proposed layout of the site seems appropriate for the use, the large landscape buffer will protect the residential uses and provide a quality pedestrian environment at the edge of the park. Cottonwoods may not be a good tree choice on the site as they are higher water users and prone to losing limbs.

#### **Metropolitan Redevelopment Section**

The subject property is not within a Redevelopment Area, and therefore Metropolitan Redevelopment Section staff has no comments on this application.

**CITY ENGINEER**

**13EPC–40126 Amendment to Zoning Map (Estb Zoning / Zone Chg.)**

**Transportation Development (City Engineer/Planning Department):**

- Transportation has no objections to the request for a zone change from SU-1 for C-2 except for alcohol drink sales to SU-1 for Community Park and Hot Air Balloon Launching and Landing.

**Hydrology Development (City Engineer/Planning Department):**

- No Comments.

**Transportation Planning (Department of Municipal Development):**

- No comments

**Traffic Engineering Operations (Department of Municipal Development):**

- No comments received.

**Street Maintenance (Department of Municipal Development):**

- No comments received.

**New Mexico Department of Transportation (NMDOT):**

- No comments received.

**13EPC–40127 Site Development - Subdivision**

**Transportation Development (City Engineer/Planning Department):**

- The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan.
- If the Master Development Plan/ Site Development Plan for Building Permit is going to stand as the proposed Site Development Plan for Subdivision (SDPSD) for Tract M1 then all easements and access agreements need to be shown and labeled on Site Plan. Provide recording information. Signature approval from DRB will be required.

**Hydrology Development (City Engineer/Planning Department):**

- No comments

**Transportation Planning (Department of Municipal Development):**

- No comments

**Traffic Engineering Operations (Department of Municipal Development):**

- No comments received.

**Street Maintenance (Department of Municipal Development):**

- No comments received.

**New Mexico Department of Transportation (NMDOT):**

- No comments received.

**13EPC–40128 Site Development – Building Permit (included Master Development Plan)**

**Transportation Development (City Engineer/Planning Department):**

- The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan.
- Will the site be replatted to consolidate the 2 parcels into one?
- Please clarify the intent of the 40 foot Private Access, Underground Utilities/ Drainage Easement created as part of the purchase agreement. The Easement established two access points on the property line on the frontage roads. The proposed SDPBP moves

one of these access points. Will the Private Access Easement need to be vacated and a newly aligned Access easement be issued? Is the Easement platted or a paper easement?

- Please show all existing and proposed easements on SDPBP.
- Please show or clarify phasing of development. The submitted text proposes full build-out over a 5 year span with first phase to include trail, turf and a portion of parking area. However, the "Phasing" on SDPBP under "Site Information" states Phase 1 to include streetscape landscaping, fencing, parking area, western third of field and perimeter trail.
- The submitted text includes an Access Study which recommends a sign be placed on eastbound Osuna, west of Vista del Norte Dr., indicating access to the park. Please show on site plan if proposed. This sign will be part of the DRC work order and must be coordinate with Traffic Operations.
- The proposed deceleration right-turn only lane on Osuna will require a work order through the DRC. Please provide proposed dimensions and associated infrastructure.
- Please provide details of the intersection between the proposed 10 ft paved trail with 4 ft crusher fines and the Chase Vehicle Assess road from Osuna.
- Please label the bollards at roundabouts and provide the width of separation. The bollards cannot interfere with ADA accessible pedestrian trail at the Osuna roundabout.
- Will there be a mountable curb provided at the access points for the Chase Vehicle Access? What is the pavement treatment for these Access areas?
- Provide the lane widths for vehicle access roundabouts and road connection between parking areas.
- Are Canines allowed or prohibited from the park? There is no mention of dogs in the Master Plans Park Guidelines, Restrictions and Ordinances. Does the 10 ft asphalt path continue around the round-about?
- Is the path a continuous ADA accessible path.
- If the chase vehicle access road is asphalt, will a concrete header curb be provided to prevent asphalt from breaking down at end point?

**Hydrology Development (City Engineer/Planning Department):**

- For DRB approval of the Site Plan for Building Permit, the Conceptual Grading and Drainage Plan should address the capacity of the existing onsite and adjacent public storm drains to support this project.

**Transportation Planning (Department of Municipal Development):**

- The attached Vista del Norte Park, Vista del Norte Drive and Osuna Rd. Access Study recommend the driveway from Osuna Rd. to be right-in/right-out only. The driveway should be spaced 150 feet east of the beginning of the transition to the westbound right turn lane onto Vista del Norte Drive.
- Also, signage should be installed on eastbound Osuna Rd., west of Vista del Norte Drive, indicating Vista del Norte Park is accessed via Vista del Norte Drive.
- The length of the right turn lane should be 150 feet and designed to COA DPM standards.
- A right turn lane into the site from Vista del Norte Drive is not recommended.
- The Vista del Norte Drive driveway should be located at the existing curb cut approximately 550 feet north of Osuna Rd.
- There is an existing paved trail along the west side of Vista del Norte Drive and sidewalk along the east side.

- There is an existing 10' multi-use trail along the north side of Osuna Rd.
- The Long Range Bike System indicates bike lanes along Osuna Rd. within the project area.

**Traffic Engineering Operations (Department of Municipal Development):**

- No comments received.

**Street Maintenance (Department of Municipal Development):**

- No comments received.

**New Mexico Department of Transportation (NMDOT):**

- No comments received.

**13EPC-40129 Amend Site Development Plan - Subdivision**

**Transportation Development (City Engineer/Planning Department):**

- Reviewed the Approve SDPSD and Proposed Amended SDPSD for Rancho Mirage @ Vista Del Norte which removes Tract M1 from the approved SDPSD, Transportation has no objections.

**Hydrology Development (City Engineer/Planning Department):**

- No comments

**Transportation Planning (Department of Municipal Development):**

- No comments

**Traffic Engineering Operations (Department of Municipal Development):**

- No comments received.

**Street Maintenance (Department of Municipal Development):**

- No comments received.

**New Mexico Department of Transportation (NMDOT):**

- No comments received.

**RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT:**

**Conditions of approval for the proposed: Amendment to Zoning Map (Estb Zoning / Zone Chg.) shall include:** None.

**Conditions of approval for the proposed: Master Development Plan shall include:**

1. Provide a separate proposed Site Development Plan for Subdivision (SDPSD) for Tract M1 or provide the Site Development for Building Permit with all access agreements and easements show.
2. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan.

**Conditions of approval for the proposed: Site Development – Building Permit shall include:**

1. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan.
2. Show all existing and proposed easements on SDPBP.
3. Show or clarify phasing of development.
4. Show all proposed infrastructure on site plan, and label, dimension and provide details.

5. Define all line types and hatching used on site plan.
6. For DRB approval of the Site Plan for Building Permit, the Conceptual Grading and Drainage Plan should address the capacity of the existing onsite and adjacent public storm drains to support this project.
7. The attached Vista del Norte Park, Vista del Norte Drive and Osuna Rd. Access Study recommend the driveway from Osuna Rd. to be right-in/right-out only. The driveway should be spaced 150 feet east of the beginning of the transition to the westbound right turn lane onto Vista del Norte Drive.
8. Signage should be installed on eastbound Osuna Rd., west of Vista del Norte Drive, indicating Vista del Norte Park is accessed via Vista del Norte Drive.
9. The length of the right turn lane should be 150 feet and designed to COA DPM standards.
10. The Vista del Norte Drive driveway should be located at the existing curb cut approximately 550 feet north of Osuna Rd.
11. Clarify if an ADA accessible pedestrian gate is provided in the perimeter fencing at the northwestern corner of property where the 10 ft asphalt path connects to the public ROW sidewalk...path overlaps fence but no gate indicated.
12. The SPBP and Landscaping Plans do reflect the current changes to the tree grove and picnic tables but not the Conceptual G&D and Utility plans.
13. Please indicate surface treatment for chase vehicle access at round-abouts and how it deals with crossover of 10 ft asphalt path.

**Conditions of approval for the proposed: Amend Site Development Plan - Subdivision shall include:** None

***WATER UTILITY AUTHORITY***

**Utility Services**

No comments received.

***ENVIRONMENTAL HEALTH DEPARTMENT***

**Air Quality Division**

No comments received.

**Environmental Services Division**

No comments received.

**PARKS AND RECREATION**

**Planning and Design**

- 13EPC-40126 No comments
- 13EPC-40127 No comments
- 13EPC-40128 No comments
- 13EPC-40129 No comments

**Open Space Division**

No comments received.

**City Forester**

No comments received.

**POLICE DEPARTMENT/Planning**

- This project is in the Valley Area Command
- No Crime Prevention or CPTED comments concerning the proposed Zone Map Amendment, Site Plan for Subdivision Amendment, Master Development Plan and/or Site Plan For Building Permit requests at this time.

**SOLID WASTE MANAGEMENT DEPARTMENT**

**Refuse Division**

Approved as long as it comply with SWMD Ordinance.

**FIRE DEPARTMENT/Planning**

No comments received.

**TRANSIT DEPARTMENT**

Adjacent and nearby routes	None.
Adjacent bus stops	None.
Site plan requirements	None.
Large site TDM suggestions	None.
Other information	None.

## **COMMENTS FROM OTHER AGENCIES**

### **BERNALILLO COUNTY**

No comments received.

### **ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY**

No comments received.

### **ALBUQUERQUE PUBLIC SCHOOLS**

This will have no adverse impacts to the APS district.

### **MID-REGION COUNCIL OF GOVERNMENTS**

No comments received.

### **MIDDLE RIO GRANDE CONSERVANCY DISTRICT**

No comments received.

### **PUBLIC SERVICE COMPANY OF NEW MEXICO**

1. It is the applicant's obligation to determine if existing utility easements cross the property and to abide by any conditions or terms of those easements.
2. Existing underground electric distribution utility facilities are located within easement on the north side of Osuna Road NE and on the east side of Vista del Norte Drive NE at the subject property. It is necessary to indicate the easement on the site plan and the utility plan.
3. It is necessary for the applicant to coordinate with PNM's New Service Delivery Department regarding proposed landscaping in order to ensure sufficient safety clearances with the existing underground distribution facilities on the property.

## APPENDIX B

### ENACTMENT 270-1980

ADOPTING POLICIES FOR ZONE MAP CHANGE APPLICATIONS AND APPEALS OF ENVIRONMENTAL PLANNING COMMISSION DECISIONS; SUPERSEDING CITY COUNCIL RESOLUTIONS 217-1975 AND 182-1978 RELATING TO ZONE CHANGE APPLICATIONS AND APPEALS.

**WHEREAS**, the usefulness of the Comprehensive City Zoning Code in implementing the City's Comprehensive Plan and promoting health, safety, morals, and general welfare is enhanced by a reasonable flexibility in order to deal reasonably with changes in the physical, economic, and sociological aspects of the city; and

**WHEREAS**, certain general policies for consideration of zone map changes and other zoning regulation changes should be recognized as determinative.

BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:

Section 1. The following policies for deciding zone map change applications pursuant to the Comprehensive City Zoning Code are hereby adopted:

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

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

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

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

(1) there was an error when the existing zone map pattern was created, or

(2) changed neighborhood or community conditions justify the change, or

(3) a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan, even though (1) or (2) above do not apply.

E. A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood or the community.

F. A proposed zone change which, to be utilized through land development, requires major and un-programmed capital expenditures by the City may be;

(1) denied due to lack of capital funds, or

(2) granted with the implicit understanding that the City is not bound to provide the capital improvements on any special schedule.

G. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

H. Location on a collector or major street is not in itself sufficient justification of apartment, office, or commercial zoning.

I. A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when;

(1) the change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan, or

(2) the area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises make the site unsuitable for the uses allowed in any adjacent zone.

J. A zone change request which would give a zone different from surrounding zoning to a strip of land along a street is generally called "strip zoning." Strip commercial zoning will be approved only where;

(1) the change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan, and

(2) the area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

Section 2. City Council Resolutions 217-1975 and 182-1978 adopting policies for zone map change applications and appeals of (the) Environmental Planning Commission are hereby superseded.

### § 14-16-2-22 SU-1 SPECIAL USE ZONE.

This zone provides suitable sites for uses which are special because of infrequent occurrence, effect on surrounding property, safety, hazard, or other reasons, and in which the appropriateness of the use to a specific location is partly or entirely dependent on the character of the site design.

#### (A) Procedure.

- (1) Development within the SU-1 zone may only occur in conformance with an approved Site Development Plan. An application for a change to SU-1 zoning shall state the proposed use and must be accompanied by a plan including, at a minimum, all the elements of a Site Development Plan for Subdivision Purposes. As part of the zone amendment action, a Site Development Plan may be approved; alternatively a plan may be approved later. If an approved Site Development Plan is a specified condition of zone change approval, such plan must be approved within the time period specified in § 14-16-4-1(C)(11) of this Zoning Code. No building permit shall be approved unless it is consistent with a complete site development plan for building permit and landscaping plan for the lot in question, approved by the Planning Commission or its designee; at the Planning Commission's discretion, approval of detailed plans may be required for the entire SU-1 zone area prior to issuing a building permit.
- (2) A decision implementing a change to the zone map to SU-1 zoning shall designate the specific use permitted, and a building permit shall be issued only for the specific use and in accordance with an approved Site Development Plan. The specific use shall be recorded on the zone map.
- (3) In approving an application, the Planning Commission may impose requirements as may be necessary to implement the purpose of this Zoning Code. However, for an adult amusement establishment or adult store on an SU-1 zoned site, no conditions may be imposed on the adult uses that would prevent them from existing on the site if the uses are allowed under the applicable Zoning Code distance requirements.
- (4) A certified copy of the Site Development Plan shall be kept in the Planning Department records so that it may be reviewed against an application for a building permit for any part or all of a special use.
- (5) The Planning Commission may review the application, plan, and progress of development at least every four years until it is fully implemented to determine if it should be amended.
- (6) The Planning Director may approve minor changes to an approved Site Development Plan or Landscaping Plan if it is consistent with the use and other written requirements approved by the Planning Commission, if the buildings are of the same general configuration, if the total building square footage is not greater than 10% than the approved plan, the vehicular circulation is similar in its effect on adjacent property and streets, and the approving official finds that neither the city nor any person will be substantially aggrieved by the altered plan. If the Planning Director believes there might be a person substantially aggrieved by the altered plan or if the total building square footage would be increased more than 2%, he shall give mailed notice of the proposed change to owners of adjacent property and to neighborhood associations entitled to notice of zone change proposals there.
- (7) The Planning Director or a designee may approve site plans for temporary park-and-ride facilities.

**(B) Special Uses.**

- (1) Accessory use customarily associated with a use permitted in this zone, provided it is incidental to the major use. Signs as permitted and regulated by the Planning Commission.
- (2) Adult amusement establishment or adult store provided:
  - (a) The use is located at least 1,000 feet from any adult amusement establishment or adult store; and
  - (b) The use is located at least 500 feet from the nearest residential zone, or from any church or pre-elementary, elementary or secondary school. Signs as regulated in the C-2 zone.
- (3) Airport. Signs as permitted and regulated by the Planning Commission.
- (4) Antenna (commercial).
- (5) Amusement facility of a permanent character, including but not limited to kiddieland, baseball batting range, or golf driving range.
- (6) Automobile dismantling yard or similar use. Signs as regulated in the C-1 zone.
- (7) Bed and Breakfast Establishment. A Bed and Breakfast establishment with five to eight guest rooms shall abut a collector street, minor arterial street, or major arterial street, except a site of one acre or greater may abut a local street.
- (8) Campground, provided it meets the requirements of § 14-16-3-7 of this Zoning Code. Signs as regulated in the C-2 zone.
- (9) Cemetery, including columbarium, mausoleum, or crematory, provided the site contains at least 30 acres. Signs as regulated in the O-1 zone.
- (10) Church or other place of worship, including incidental recreational and educational uses; such an incidental use must be operated by the church rather than a business entity and must continue to be operated by the church, unless the resolution governing the SU-1 zone specifically allows operation of a specified incidental use by an entity other than the church itself. Incidental uses allowed include but are not limited to an emergency shelter operated by the church on the church's principal premises which is used regularly for public worship, notwithstanding special limitations elsewhere in this Zoning Code. Signs as permitted and regulated by the Planning Commission.
- (11) Park-and-Ride temporary facilities.
- (12) Drilling, production, or refining of petroleum gas or hydrocarbons. Signs as regulated in the O-1 zone.
- (13) Drive-in theater, provided:
  - (a) Reservoir off-street standing space or side service road space is provided at any entrance sufficient to accommodate at least 30% of the vehicular capacity of the theater.
  - (b) A screen less than 500 feet from an arterial street is so located or shielded that the picture surface cannot be seen from the arterial street.

- (c) The theater is enclosed with a solid wall or fence at least six feet high.
- (14) Fire station. Signs as regulated in the O-1 zone.
- (15) Golf course. Signs as regulated in the O-1 zone.
- (16) Gravel, sand, or dirt removal activity, stockpiling, processing, or distribution and batching plant. Signs as regulated in the O-1 zone.
- (17) Helipad, other than a medical helipad or a law enforcement helipad, provided it complies with Federal, State and Local regulations including City noise regulations; and further provided that:
  - (a) Helipads are a minimum of 650 feet from the nearest residential zone as measured from the edge of the helipad unless it is demonstrated the helipad will not be injurious to adjacent property, the neighborhood, or the community, but in no case shall a helipad be located less than 350 feet from the nearest residential zone, as measured from the edge of the helipad.
  - (b) The total number of helicopter operations (a landing and a takeoff is one operation) shall not exceed 3 on any day. The operations per day do not accumulate if not used.
  - (c) Helicopter landing and takeoff operations are prohibited between 10 P.M. and 7 A.M.
  - (d) Written documentation of helipad operations, including, but not limited to, flight path usage and the date and time of all landings and takeoffs, shall be maintained by the helipad owner and made available upon request for public inspection.
  - (e) Helipad operations that assist in medical emergencies, police emergencies, or search and rescue emergencies, when solicited by agencies which respond to such emergencies, shall not be limited to three operations per day nor to time of day limitations.
- (18) Hospital for human beings, including medical helipad, provided that the traffic generated, ambulance noise, nor medical helipad will have serious adverse effects on the neighborhood. Medical helipads shall be sited and buffered to minimize impacts on surrounding properties. Written documentation of medical helipad operations, including date and time of all landings and takeoffs, shall be maintained and made available upon request for public inspection. Signs as regulated in the C-1 zone.
- (19) Institution, correctional or mental. Signs as regulated in the O-1 zone.
- (20) Law Enforcement Helipad, provided that such helipads are sited and buffered to minimize impacts on surrounding properties. Written documentation of law enforcement helipad operations, including date and time of all landings and takeoffs, shall be maintained and made available upon request for public inspection.
- (21) Major public open space as defined and administered pursuant to Chapter 5, Article 8, ROA 1994 of this code of ordinances.
- (22) Open market. Signs as regulated in the C-1 zone.
- (23) Ore reduction, smelting. Signs as regulated in the O-1 zone.

- (24) Planned development area, including residential development and mobile home development, in which special use, height, area, setback, or other regulations should be imposed, provided the site contains at least three acres. Signs as permitted and regulated by the Planning Commission.
- (25) Planned Residential Development (PRD), provided:
- (a) Allowed uses include single-family houses, townhouses, apartments, associated accessory structures and home occupations as regulated by the R-1 zone. Residence/work spaces are allowed as approved by the Planning Commission. O-1 permissive and C-1 permissive uses may be allowed, up to 25% of the total gross floor area of the development, as approved by the Planning Commission.
  - (b) A Site Development Plan for Subdivision (§ 14-16-1-5(B)) is required for approval by the Planning Commission in conjunction with a zone map amendment and prior to building permit approval, with specific design requirements that include, but are not limited to: maximum and minimum number of dwelling units and/or density; maximum and minimum lot size(s); maximum building height; minimum building setbacks; architectural design standards, including but not limited to exterior wall materials and colors, roof materials and colors; placement of mechanical units; preliminary grading and drainage plan; landscape design standards; parking; site lighting; design of walls and fences visible from public rights-of-way; and pedestrian amenities.
  - (c) The PRD uses and development are compatible with adjacent properties, including public open spaces, public trails and existing neighborhoods and communities. The standards for compatibility shall include the design requirements in subsection (b).
  - (d) Upon approval of a Site Development Plan for Subdivision with design requirements by the Planning Commission, individual site plans for building permit may be submitted for building permit approved unless the Planning Commission specifies additional review.
  - (e) Signs as permitted and regulated by the Planning Commission.
- (26) Public utility structure. Signs as regulated by the Planning Commission.
- (27) Police Station. Signs as regulated in the O-1 zone.
- (28) Race track. Signs as regulated in the C-2 zone.
- (29) Stadium. Signs as regulated in the C-2 zone.
- (30) Swimming pool. Signs as regulated in the O-1 zone.
- (31) Transit facilities.
- (32) Truck plaza.
- (33) A concealed wireless tele-communications facility may be allowed in conjunction with an approved use, provided the requirements of § 14-16-3-17 are met.
- (34) Wireless Telecommunications Facility, provided that the requirements of § 14-16-3-17 of this Zoning Code are met, and as specifically allowed below:

- (a) A concealed wireless telecommunications facility, up to 65 feet in height.
  - (b) A collocated free-standing wireless telecommunications facility, up to 75 feet in height.
  - (c) A face-mounted wireless telecommunications facility.
  - (d) A roof-mounted free-standing wireless telecommunications facility, up to 20 feet above the parapet of the building on which it is placed.
  - (e) A wireless telecommunications facility, the antennas of which are all mounted on an existing vertical structure.
- (35) Use combinations not adequately allowed and controlled in other zones, relative to a specific site. Signs as permitted and regulated by the Planning Commission.
- (36) Hospital for treatment of substance abusers.
- (37) Form based zones (TOD-MAC, TOD-COM, MX, ID and PND), provided:
- (a) The form based zones shall comply with the standards of § 14-16-3-22 Form Based Zones. The provisions of § 14-16-3-22 shall control where inconsistent with § 14-16-2-22.
  - (b) A site development plan for a form based zone is required for approval by the Planning Commission in conjunction with a zone map amendment and prior to building permit approval, with specific submittal requirements that include, but are not limited to:
    - 1. An accurate site plan at a scale of at least 1 inch to 100 feet showing: building placement, parking location, street layout, lot layout, placement of mechanical equipment, lighting and signage, public amenities, walls, and required usable open space;
    - 2. A preliminary grading plan;
    - 3. A preliminary utility plan;
    - 4. A landscape plan showing landscape areas, plant material, water harvesting areas; and
    - 5. Building elevations demonstrating building types, frontage types, heights, fenestration, shading elements, articulation, ground story clear height.
  - (c) The form based zones shall meet the eligibility requirements set forth in § 14-16-3-22(B).
  - (d) Modifications to any of the standards of the (§ 14-16-3-22) Form Based Zones may be granted by the Environmental Planning Commission or other City Council designated approval body, as set forth in § 14-16-3-22(A)(6).
- (C) Off-Street Parking.** Off-street parking shall be provided as required by the Planning Commission.
- (D) Height.** The same regulations apply as in the R-2 zone unless modified by the Planning Commission.

- (E) **Open Space.** If the SU-1 zone is mapped in an area not designated by the master plan as Redeveloping or Established Urban, 2,400 or more square feet of open space per dwelling shall be preserved. Of the total 2,400 square feet, the following minimum amounts shall be usable open space on the lot with the dwelling: 200 square feet for each efficiency or one-bedroom dwelling, 250 square feet for each two-bedroom dwelling, and 300 square feet for each dwelling containing three or more bedrooms. The remaining requirement may be met by the alternatives listed in § 14-16-3-8(A) of this Zoning Code.
- (F) **Variations.** If the resolution approving SU-1 references the regulations of another zone or if the adopted site development plan specifically incorporates such regulations, the referenced zone regulations shall apply unless a variance is approved.
- (G) Any special use that would allow the sale or dispensing of alcoholic drink for consumption off premises shall be subject to the restrictions set forth in the C-2 zone ( § 14-16-2-17 of this Zoning Code) for sales of alcoholic drink for consumption off premises except any retailing of alcoholic drink, for on or off premise consumption, within 500 feet of a community residential program or hospital for treatment of substance abusers, is prohibited pursuant to § 14-16-3-12(A)(11) ROA 1994.
- (H) **Large Retail Facility Regulations.** Any site containing a large retail facility, as defined in § 14-16-1-5 of the Zoning Code, is subject to special development regulations. The large retail facility regulations are provided in § 14-16-3-2 of the Zoning Code.

('74 Code, § 7-14-30) (Ord. 80-1975; Am. Ord. 48-1976; Am. Ord. 6-1977; Am. Ord. 26-1977; Am. Ord. 38-1978; Am. Ord. 68-1979; Am. Ord. 40-1980; Am. Ord. 49-1980; Am. Ord. 42-1981; Am. Ord. 14-1984; Am. Ord. 77-1984; Am. Ord. 11-1986; Am. Ord. 41-1987; Am. Ord. 12-1990; Am. Ord. 30-1990; Am. Ord. 47-1990; Am. Ord. 69-1990; Am. Ord. 45-1992; Am. Ord. 43-1994; Am. Ord. 8-1995; Am. Ord. 58-1995; Am. Ord. 17-1997; Am. Ord. 33-1997; Am. Ord. 9-1999; Am. Ord. 8-2000; Am. Ord. 35-2000; Am. Ord. 11-2002; Am. Ord. 50-2002; Am. Ord. 48-2003; Am. Ord. 16-2004; Am. Ord. 42-2004; Am. Ord. 4-2005; Am. Ord. 30-2005; Am. Ord. 23-2007; Am. Ord. 5-2008; Am. Ord. 7-2008; Am. Ord. 9-2009; Am. Ord. 19-2010)



1	<b><u>DMD/Park Design Fund 305</u></b>	
2	BFP Land Acquisition (7354230)	(3,000,000)
3	BFP Land Acquisition (7294430)	(1,600,000)
4	BFP Property (7339360)	(50,000)
5	Balloon Fiesta Pk Impr (7294020)	(60,000)
6	<b><u>Parks &amp; Recreation Fund 305</u></b>	
7	Open Space Acquisition (7354180)	(500,000)
8	<b><u>DMD/CIP</u></b>	
9	City Council Projects (7299990)	5,210,000

10       Section 2. The funds appropriated in Section 1 above are to be used to  
11 acquire the approximately 22-acre tract of land just east of Deserts Springs,  
12 near the intersection of Vista del Norte and Osuna for use as a balloon landing  
13 site and recreational fields. The President of the City Council is hereby  
14 authorized to sign and enter into an agreement or agreements to acquire this  
15 tract of land in order to preserve open space and retain the Albuquerque  
16 Balloon Fiesta.

[+Bracketed/Underscored Material+] - New  
[-Bracketed/Strikethrough Material-] - Deletion

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

Date: June 15, 2007

### **OFFICIAL NOTIFICATION OF DECISION**

**FILE: Project # 1001150**  
06EPC-00624 EPC Site Development Plan-  
Building Permit  
06EPC-00625 EPC Site Development Plan-  
Subdivision

Vista del Norte Development LLC  
3804 Carlisle NE  
Albuq. NM 87107

**LEGAL DESCRIPTION:** for all or a portion of Lot M-1, **Vista del Norte Subdivision**, zoned SU-1 for C-2 Uses Except Alcoholic Drink Sales for Off -Premise Consumption within 600' of Residentially Zoned Property, Drive-Up or Drive-Thru Liquor Sales are Not Permitted, located on OSUNA RD NE, between the NORTH DIVERSION CHANNEL and VISTA DEL NORTE NE, containing approximately 22 acres. (E-16) Stephanie Shumsky, Staff Planner

On June 14, 2007 the Environmental Planning Commission voted to deny Project 1001150/ 06EPC-00625, a request for approval of a site development plan for subdivision, for Lot M-1 Vista Del Norte Subdivision, zoned SU-1 for C-2 Uses Except that Alcoholic Drink Sales for Off -Premise Consumption within 500' of a Residentially Zoned Property shall be permissive, based on the following Findings:

#### **FINDINGS:**

1. This request is for a site development plan for subdivision to subdivide the approximately 22-acre Lot M-1 into three new Lots (M-1, M-1A, and M-1B). The subject site is located on Osuna Road between the North Diversion Channel and Vista del Norte Drive.
2. As per the Certificate of Zoning dated March 5, 1998, the subject site is zoned: SU-1 for C-2 Permissive Uses as regulated in the C-2 zone, except that alcoholic drink sales for consumption off-premise within 500 feet of a residential zoned property shall be permissive with the following exception: No drive up liquor sales shall be allowed.

OFFICIAL NOTICE OF DECISION  
JUNE 14, 2007  
PROJECT #1150  
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3. This request is accompanied by a site development plan for building permit to allow for the construction of an 156,600 square foot building for a large retail facility on the newly created 13.32-acre, Lot M-1 (06EPC-00624). Future retail uses are proposed for Lots M-1A and M-1B (34,180 sf each).
4. A governing site development plan for subdivision was approved for the subject site in July 2002, (Project 1001150/02DRB-01071) and includes site data, design guidelines, and site plan notes that apply to all of Tract M (M-1, M-1A and M-1B). The proposed site development plan for subdivision does not comply with the following requirements of this plan:
  - a. Average light levels shall be limited to 2-foot candles with maximum levels limited to 16-foot candles as measured from 4 feet above the surface level of any point on the site. Luminaries shall have glare cut off angles of maximum.
  - b. Five percent of the total parking spaces are to be used for multiple occupancy vehicle parking located near building entrances and identified on the site plan.
  - c. Locate bicycle locker units at convenient locations and identify them on the site plan.
  - d. Pedestrian crossings of vehicle circulation areas shall be minimum 6' wide, of an alternative texture material and slightly raised. Where parking spaces are perpendicular or angled to pedestrian walks, the pedestrian walk shall be protected by providing tire stops so that parked cars do not overlap the pedestrian walk or by making the walk 10' wide if there is parking on one, 10' wide if there is parking on both sides. The pedestrian walk at the entry elevation shall be a minimum of 15' in width with trees at 25' O.C. or portals canopies, etc. for the entire length of the façade.
  - e. Pedestrian areas in front of major buildings shall be minimum 15' wide from building edge to edge of curbing less any planters; 10' wide in front of smaller buildings on major centers.
  - f. Lighting shall be site specific. Show light pole locations on site plans. Pole height shall be maximum 20'. Light fixtures shall be down light, shoebox fixtures with flush lenses and horizontal light elements to prevent fugitive light.
  - g. No generic franchise architecture shall be permitted.
  - h. Walls shall follow the adopted City of Albuquerque Wall Design Guidelines.
  - i. No black or dark color asphalt shingles shall be permitted.
  - j. Maximum light standards within 300 feet adjacent residential shall be 16 feet and 20 feet elsewhere.
  - k. Signage shall be either building mounted or monument signs only. Maximum height of the monument sign shall be 10 feet high with a 75 square foot face area.
  - l. Signage maximum letter size shall be 2-foot individual, channelized letters, backlit or neon and no signage shall face abutting residential.
  - m. All loading docks shall be covered and screened with an architecturally integrated roof and wall.
  - n. The face of curb to the entry façade shall be a minimum of 15 feet with a 6-foot clear pathway and trees at 25-feet on center in 5' by 5' planters or canopies and portals for the entire length of the building façade.

OFFICIAL NOTICE OF DECISION

JUNE 14, 2007

PROJECT #1150

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- o. All building shall be directly connected to adjacent streets and other adjacent buildings with clear direct pedestrian pathways with trees at 25 feet on center in 5' x 5' planters and through parking lots to break up large fields of parking. There shall be textured concrete or other material crossways at each drive aisle crossing of a pedestrian way.
  - p. Auto dominated uses shall be secondary to pedestrian ways.
  - q. Plazas shall be incorporated into commercial buildings a 30 foot minimum width dimension and 1,000 square feet.
  - r. Commercial and office uses shall be located adjacent to streets with minimal parking between the entry façade and the street.
  - s. Commercial buildings should typically be linked with plazas and pedestrian ways.
5. A Transportation/Traffic Impact Study (TIS) was required for this project. A copy of the study was received and reviewed by the City's Transportation Engineer. A copy of the study is available for public review with the Transportation Engineer and in the file for this project. The study recommends several mitigation measures that are required in order to minimize the impact of this project on the adjacent transportation system.
6. The applicant was required to complete an Air Quality Impact Analysis (AQIA) because the proposed development met the thresholds defined in the Zoning Code for such a study (Section 14-16-3-14). On June 1, 2006, the City's Environmental Health Air Quality Division received the AQIA. In a letter from the Air Quality Division Director dated June 12, 2006, it states that the proposed development is "not expected to cause or contribute to any air quality exceedance."
7. The Comprehensive Plan's Established Urban Area goal and policies d, e, i, j, k, l, and m are not furthered by the request because:
- a. The proposed development is not innovative and does not contribute to a pleasing built environment.
  - b. The building architecture is typical franchise architecture and is in conflict with the governing site development plan for subdivision design guidelines.
  - c. The proposed site layout is not pedestrian friendly because the parking lot is expansive and separates the building from the street, which does not comply with the governing site development plan for subdivision.
  - d. The proposed layout is not neighborhood scale nor does it provide an effective interface with the adjacent residential development.
  - e. The rear of the building is oriented toward the residential area, which does not promote an interface that respects the neighborhood values of walkability, cross access, and neighborhood scale, village-like commercial development.
  - f. The proposed use will generate noise and is designed to serve a much larger area than just the surrounding neighborhoods.
  - g. The proposed lighting does not comply with the governing site development plan for subdivision and does not respect the neighborhood's (and the north valley's) dark sky values.



13. The Comprehensive Plan's Energy Management goal and policies a, b, and c are not furthered because there is no reference in the application materials that renewable energy resources will be used, recycling will occur, or that the building materials are energy efficient.
14. The Comprehensive Plan's Transportation and Transit goal and policies a, g, and o are not furthered because:
  - a. The proposed development is of a size and scale that is typically found in an Activity Center or at the intersections of two arterials.
  - b. The proposed development does not provide sufficient pedestrian amenities as required by the Zoning Code and the governing site development plan for subdivision.
  - c. The proposed development will contribute to peak demands on the circulation system since the hours of operation are planned to be 24 hours a day.
15. The Comprehensive Plan's Economic Development goal and policies a, b, and c are not appreciably furthered because:
  - a. The proposed development conflicts with the goal to balance economic development with other important social, cultural, and environmental goals. Staff's analysis as well as the significant number of letters of opposition, show how the proposed development does not respect social, cultural, and environmental goals of the surrounding neighborhood and the City.
  - b. The proposed retail uses do not provide a wide range of new jobs with different salary levels and opportunities for advancement.
  - c. The majority of products sold at the proposed large retail facility are manufactured outside of the community.
16. The request fails to further the intent of the North Valley Area Plan because the proposed request does not comply with the attributes for new commercial development as specified on page 38 of the Plan. Specifically the proposed request is not neighborhood oriented, does not provide adequate pedestrian and bicycle access, is not small scale, does not incorporate Village Center Principles of pedestrian access, mixed-uses and valley scale and character, does not discourage reliance on automobile use, is not accessible to public transit, does not improve non-vehicular connections to and from residential areas of the valley, does not provide sufficient landscaping to control erosion and dust and to create a visually pleasing environment, does not provide an effective buffer between residential and non-residential/heavy commercial uses, and does not help to eliminate (cut-through) traffic from businesses through neighborhoods.

17. The North Valley Area Plan's General Goals 1, 2, 6, 7, and 11 are not furthered by this request. The proposed development on Lot M-1 is out of scale with other commercial development in the north valley. The proposed development conflicts with all of the attributes of north valley development. In addition, the proposed building architecture is franchise type architecture, the proposed signs are too large and don't comply with City regulations, and the proposed layout creates a barrier for pedestrians because of the large expansive parking lot separating the street from the building. And, the proposed development detracts from the rural flavor of the north valley and introduces a use that will generate noise from delivery trucks, garbage trucks, vehicles and customers, which will adversely affect the adjacent neighborhood.
  18. The North Valley Area Plan's Zoning and Land Use Policies 2 and 3 are not furthered because there will be adverse impacts on the adjacent residential area and the proposed building layout does not reflect the village center principals that are called for in the Plan.
  19. The North Valley Area Plan's Housing Policy 1 is not furthered because the proposed non-residential use will have adverse impacts on the adjacent residential area. The proposed use will create noise and traffic and other impacts that will encroach upon the residential area to the north.
  20. The North Valley Area Plan's Community Design and Development policies 1, 3, and 7 are not furthered because the proposed development does not comply with the Zoning Code regulations and the requirements of the governing site development plan for subdivision in regard to setbacks, lighting, signage, massing of building, screening of loading areas, and landscaping. The proposed development does not respect the north valley as a unique regional resource because of the proposed layout, building architecture, and scale of development. The proposed development will negatively impact the north valley residential neighborhood to the north. Because of the conflicting information in the application submittal in regard to whether or not a park is planned for Lot M-1A, it is unclear whether or not policy 7 is furthered.
  21. The request is not in compliance with Zoning Code Section 14-16-3-11, Site development Plan Approval Requirements; Possible Plan Termination, because this site development plan does not meet the requirements of adopted City policies.
  22. The Alameda North Valley Association and the Vista Del Norte Alliance were notified of this request. Two facilitated meetings were held, one in May 2006 and another in March 2007. At both facilitated meetings over 600 people were in attendance in May 2006 and over 500 people were in attendance in March 2007. There is significant opposition to this request and the Planning Department has received over 150 letters of opposition. Neighborhood concerns, which have not been fully addressed by the applicant, include: increased traffic, 24/7 operation, hours for truck deliveries, lighting, safety/crime, litter, building size, scale, and massing, lack of village like layout, "Big Box" design, lack of opportunity of local business to locate at the site, loss of balloon landing sites.
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On June 14, 2007 the Environmental Planning Commission voted to deny Project 1001150/ 06EPC-00624, a request for approval of a site development plan for building permit, for Lot M-1 Vista Del Norte Subdivision, zoned SU-1 for C-2 Uses Except that Alcoholic Drink Sales for Off -Premise Consumption within 500' of a Residentially Zoned Property shall be permitted, based on the preceding Findings.

**FINDINGS:**

1. This request is for a site development plan for building permit for an approximately 14-acre site located on Osuna Road between the North Diversion Channel and Vista del Norte Drive. The request is to construct an approximately 156,600 square foot large retail facility on newly created Tract M-1.
2. As per the Certificate of Zoning dated March 5, 1998, the subject site is zoned: SU-1 for C-2 Permissive Uses as regulated in the C-2 zone, except that alcoholic drink sales for consumption off-premise within 500 feet of a residential zoned property shall be permissive with the following exception: No drive up liquor sales shall be allowed.
3. This request is accompanied by a site development plan for subdivision (06EPC-00625) to subdivide an approximately 22-acre parcel into three separate tracts (M-1, M-1A, and M-1B). Retail development is planned for each of the three tracts with approximately 224,960 square feet of retail space at full build out.
4. A governing site development plan for subdivision was approved for the subject site in July 2002, (Project 1001150/02DRB-01071) and included site data, design guidelines, and site plan notes that apply to all of Tract M (M-1, M-1A and M-1B). The proposed site development plan for building permit does not comply with the following requirements of this plan:
  - a. Average light levels shall be limited to 2-foot candles with maximum levels limited to 16-foot candles as measured from 4 feet above the surface level of any point on the site. Luminaries shall have glare cut off angles of maximum.
  - b. Five percent of the total parking spaces are to be used for multiple occupancy vehicle parking located near building entrances and identified on the site plan.
  - c. Locate bicycle locker units at convenient locations and identify them on the site plan.
  - d. Pedestrian crossings of vehicle circulation areas shall be minimum 6' wide, of an alternative texture material and slightly raised. Where parking spaces are perpendicular or angled to pedestrian walks, the pedestrian walk shall be protected by providing tire stops so that parked cars do not overlap the pedestrian walk or by making the walk 10' wide if there is parking on one, 10' wide if there is parking on both sides. The pedestrian walk at the entry elevation shall be a minimum of 15' in width with trees at 25' O.C. or portals canopies, etc. for the entire length of the façade.
  - e. Pedestrian areas in front of major buildings shall be minimum 15' wide from building edge to edge of curbing less any planters; 10' wide in front of smaller buildings on major centers.

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- f. Lighting shall be site specific. Show light pole locations on site plans. Pole height shall be maximum 20'. Light fixtures shall be down light, shoebox fixtures with flush lenses and horizontal light elements to prevent fugitive light.
  - g. No generic franchise architecture shall be permitted.
  - h. Walls shall follow the adopted City of Albuquerque Wall Design Guidelines.
  - i. No black or dark color asphalt shingles shall be permitted.
  - j. Maximum light standards within 300 feet adjacent residential shall be 16 feet and 20 feet elsewhere.
  - k. Signage shall be either building mounted or monument signs only. Maximum height of the monument sign shall be 10 feet high with a 75 square foot face area.
  - l. Signage maximum letter size shall be 2-foot individual, channelized letters, backlit or neon and no signage shall face abutting residential.
  - m. All loading docks shall be covered and screened with an architecturally integrated roof and wall.
  - n. The face of curb to the entry façade shall be a minimum of 15 feet with a 6-foot clear pathway and trees at 25-feet on center in 5' by 5' planters or canopies and portals for the entire length of the building façade.
  - o. All building shall be directly connected to adjacent streets and other adjacent buildings with clear direct pedestrian pathways with trees at 25 feet on center in 5' x 5' planters and through parking lots to break up large fields of parking. There shall be textured concrete or other material crossways at each drive aisle crossing of a pedestrian way.
  - p. Auto dominated uses shall be secondary to pedestrian ways.
  - q. Plazas shall be incorporated into commercial buildings a 30 foot minimum width dimension and 1,000 square feet.
  - r. Commercial and office uses shall be located adjacent to streets with minimal parking between the entry façade and the street.
  - s. Commercial buildings should typically be linked with plazas and pedestrian ways.
5. A Transportation/Traffic Impact Study (TIS) was required for this project. A copy of the study was received and reviewed by the City's Transportation Engineer. A copy of the study is available for public review with the Transportation Engineer and in the file for this project. The study recommends several mitigation measures that are required in order to minimize the impact of this project on the adjacent transportation system.
6. The applicant was required to complete an Air Quality Impact Analysis (AQIA) because the proposed development met the thresholds defined in the Zoning Code for such a study (Section 14-16-3-14). On June 1, 2006, the City's Environmental Health Air Quality Division received the AQIA. In a letter from the Air Quality Division Director dated June 12, 2006, it states that the proposed development is "not expected to cause or contribute to any air quality exceedance."
7. The Comprehensive Plan's Established Urban Area goal and policies d, e, i, j, k, l, and m are not furthered by the request because:

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- a. The proposed development is not innovative and does not contribute to a pleasing built environment.
- b. The building architecture is typical franchise architecture and is in conflict with the governing site development plan for subdivision design guidelines.
- c. The proposed site layout is not pedestrian friendly because the parking lot is expansive and separates the building from the street, which does not comply with the governing site development plan for subdivision.
- d. The proposed layout is not neighborhood scale nor does it provide an effective interface with the adjacent residential development.
- e. The rear of the building is oriented toward the residential area, which does not promote an interface that respects the neighborhood values of walkability, cross access, and neighborhood scale, village-like commercial development.
- f. The proposed use will generate noise and is designed to serve a much larger area than just the surrounding neighborhoods.
- g. The proposed lighting does not comply with the governing site development plan for subdivision and does not respect the neighborhood's (and the north valley's) dark sky values.
- h. Although the proposed development would provide jobs for area residents it is not doing so in a way that complements the adjacent residential areas and the proposed building is not sited to minimize adverse effects of noise, lighting, pollution, and traffic on the residential environment.
- i. The proposed development is an area-wide shopping use, but is not located at the intersection of two arterial streets.

8. The Comprehensive Plan's Activity Center goal and policies a, c, and f are not furthered because:
  - a. The subject site is not located in a Community Activity Center although the proposed scale of development and the building layout are more appropriate within a Community Activity Center.
  - b. Throughout the City, developments of the size and scale of that proposed by these requests are found in either Community Activity Centers or at intersections of primary arterials. Nowhere in the City is a development of this size located adjacent to a residential area, on a local street and outside of a community activity center.
  - c. Commercial development is allowed and desired on the subject site, however, the approved governing site development plan for subdivision and City goals, policies and regulations require a more neighborhood scale development on this site.
9. The Comprehensive Plan's Noise goal and policies a and b are not furthered because:
  - a. The proposed development will generate noise, which will have an adverse effect on the adjacent residential area.
  - b. The proposed landscaping and screen walls do not completely reduce the noise impact on the adjacent residential area.
  - c. The loading docks do not comply with the governing site development plan for subdivision, which requires them to be enclosed with walls and a roof.

10. The Comprehensive Plan's Developed Landscape goal and policy d are not furthered because:
  - a. The proposed franchise architecture does not enhance the developed area and does not compliment the architecture of the adjacent residential area.
  - b. The Landscaping Plan is deficient and will not be effective in creating a visually pleasing environment.
  
11. The Comprehensive Plan's Community Identity and Urban Design goal and policy a are not furthered because:
  - a. The proposed development is out of scale with the surrounding residential areas and other commercial developments within the north valley.
  - b. It does not respect the existing neighborhoods, commercial businesses or the natural environment of the north valley and the proposed development does not function as a transition between the more intense uses in the North I-25 corridor and the north valley.
  
12. The Comprehensive Plan's Water Management goal and policies a and b are not furthered because there no water harvesting methods are proposed.
  
13. The Comprehensive Plan's Energy Management goal and policies a, b, and c are not furthered because there is no reference in the application materials that renewable energy resources will be used, recycling will occur, or that the building materials are energy efficient.
  
14. The Comprehensive Plan's Transportation and Transit goal and policies a, g, and o are not furthered because:
  - a. The proposed development is of a size and scale that is typically found in an Activity Center or at the intersections of two arterials.
  - b. The proposed development does not provide sufficient pedestrian amenities as required by the Zoning Code and the governing site development plan for subdivision.
  - c. The proposed development will contribute to peak demands on the circulation system since the hours of operation are planned to be 24 hours a day.
  
15. The Comprehensive Plan's Economic Development goal and policies a, b, and c are not appreciably furthered because:
  - a. The proposed development conflicts with the goal to balance economic development with other important social, cultural, and environmental goals. Staff's analysis as well as the significant number of letters of opposition, show how the proposed development does not respect social, cultural, and environmental goals of the surrounding neighborhood and the City.
  - b. The proposed retail uses do not provide a wide range of new jobs with different salary levels and opportunities for advancement.
  - c. The majority of products sold at the proposed large retail facility are manufactured outside of the community.

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16. The request fails to further the intent of the North Valley Area Plan because the proposed request does not comply with the attributes for new commercial development as specified on page 38 of the Plan. Specifically the proposed request is not neighborhood oriented, does not provide adequate pedestrian and bicycle access, is not small scale, does not incorporate Village Center Principals of pedestrian access, mixed-uses and valley scale and character, does not discourage reliance on automobile use, is not accessible to public transit, does not improve non-vehicular connections to and from residential areas of the valley, does not provide sufficient landscaping to control erosion and dust and to create a visually pleasing environment, does not provide an effective buffer between residential and non-residential/heavy commercial uses, and does not help to eliminate (cut-through) traffic from businesses through neighborhoods.
17. The North Valley Area Plan's General Goals 1, 2, 6, 7, and 11 are not furthered by this request. The proposed development on Lot M-1 is out of scale with other commercial development in the north valley. The proposed development conflicts with all of the attributes of north valley development. In addition, the proposed building architecture is franchise type architecture, the proposed signs are too large and don't comply with City regulations, and the proposed layout creates a barrier for pedestrians because of the large expansive parking lot separating the street from the building. And, the proposed development detracts from the rural flavor of the north valley and introduces a use that will generate noise from delivery trucks, garbage trucks, vehicles and customers, which will adversely affect the adjacent neighborhood.
18. The North Valley Area Plan's Zoning and Land Use Policies 2 and 3 are not furthered because there will be adverse impacts on the adjacent residential area and the proposed building layout does not reflect the village center principals that are called for in the Plan.
19. The North Valley Area Plan's Housing Policy 1 is not furthered because the proposed non-residential use will have adverse impacts on the adjacent residential area. The proposed use will create noise and traffic and other impacts that will encroach upon the residential area to the north.
20. The North Valley Area Plan's Community Design and Development policies 1, 3, and 7 are not furthered because the proposed development does not comply with the Zoning Code regulations and the requirements of the governing site development plan for subdivision in regard to setbacks, lighting, signage, massing of building, screening of loading areas, and landscaping. The proposed development does not respect the north valley as a unique regional resource because of the proposed layout, building architecture, and scale of development. The proposed development will negatively impact the north valley residential neighborhood to the north. Because of the conflicting information in the application submittal in regard to whether or not a park is planned for Lot M-1A, it is unclear whether or not policy 7 is furthered.
23. The request is not in compliance with Zoning Code Section 14-16-3-11, Site development Plan Approval Requirements; Possible Plan Termination, because this site development plan does not meet the requirements of adopted City policies.

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21. The Alameda North Valley Association and the Vista Del Norte Alliance were notified of this request. Two facilitated meetings were held, one in May 2006 and another in March 2007. At both facilitated meetings over 600 people were in attendance in May 2006 and over 500 people were in attendance in March 2007. There is significant opposition to this request and the Planning Department has received over 150 letters of opposition. Neighborhood concerns, which have not been fully addressed by the applicant, include: increased traffic, 24/7 operation, hours for truck deliveries, lighting, safety/crime, litter, building size, scale, and massing, lack of village like layout, "Big Box" design, lack of opportunity of local business to locate at the site, loss of balloon landing sites.

**IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY JUNE 29, 2007 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED. IT IS NOT POSSIBLE TO APPEAL EPC RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE EPC'S RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE EPC'S DECISION.**

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

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

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

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Sincerely,

  
for Richard Dineen  
Planning Director

RD/SS/ac

cc: Vista del Norte Development LLC, 3804 Carlisle NE, Albuquerque, NM 87107  
Tierra West LLC, 8509 Jefferson St. NE, Albuquerque, NM 87113  
Steve Wentworth, Alameda North Valley Assoc., 8919 Boe Ln. NE, Albuquerque, NM 87113  
Leroy Gurule, Alameda North Valley Assoc., 713 Alameda Blvd. NW, Albuquerque, NM 87114  
Eddie Kurtz, Vista del Norte Alliance, 7101 Casa Elena Dr NE, Albuquerque, NM 87113  
Richard Hix, Vista del Norte Alliance, 905 Bosque NE, Albuquerque, NM 87113  
Claude Morelli, North Valley Coalition, 7 Garden Park Circle NW, Albuquerque, NM 87107  
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Luana Espinosa, 6931 Calle Almeria NE, Albuquerque, NM 87113  
Heather Brenner, 1404 Villa Los Ranchos NE, Albuquerque, NM 87113  
Dr. Jamie McCloughlin, 7715 Calle Comodo NE, Albuquerque, NM 87113  
Terry Jordan, 808 Via del Sueno NE, Albuquerque, NM 87113  
C.J. McCoy, 7205 Villa Corrales NE, Albuquerque, NM 87113  
John Ryan, New Mexico State Senate, 020 Salamanca NW, Albuquerque, NM 87107  
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Susan Larson, 112 Carlito NW, Albuquerque, NM 87107  
Herbert Plum, 7715 Chris Armania Ne, Albuquerque, NM 87113  
Christine Frank, 1408 Villa Los Ranchos, Albuquerque, NM 87113  
Blair Kaufman, 715 Amherst SE, Albuquerque, NM 87106  
Rod Crawley, 7331 Sidewinder, Albuquerque, NM 87113  
Richard Hix, 905 Bosque Rd. NE, Albuquerque, NM 87113  
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Sue Schmuck, 213 Las Colinas NE, Albuquerque, NM 87113  
Fred Harsany, 1119 Casa Tomas, Albuquerque, NM 87113  
Chris Weller,  
John Ryan, 1020 Salamanca NW, Albuquerque, NM 87107  
Bill Chappell, 6001 Indian School Rd. NE, Albuquerque, NM 87110  
Jose Martinez, 7515 Via Desierto NE, Albuquerque, NM 87113  
Keiko Lambert, 7736 Armania, Albuquerque, NM 87113  
Polly Schmidt, 7636 Calle Comodo NE, Albuquerque, NM 87113  
Ray O'Coonor, 7600 Callo Comodo NE, Albuquerque, NM 87113

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Bruce Fenske, 7204 Villa Clavel NE, Albuquerque, NM 87113  
Christina Garcia, 6800 Vista Del Norte, #2723, Albuquerque, NM 87113  
George Hutton, 1820 Indian School Rd. NW, Albuquerque, NM 87104  
Kurt Schmeltzer, 8416 Springcroft Rd. NW, Albuquerque, NM 87120  
Emily Gomez, 613 James Ave. NW, Albuquerque, NM 87107  
March Almendarez,  
Albert Alvare, 3700 Aspen, Albuquerque, NM  
Monica Garcia, 425 52<sup>nd</sup> St. SW, Albuquerque, NM 87105  
Maybelline Perez, 5022 Hobbs SW, Albuquerque, NM 87144  
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Davin Benally, 201 Mica, Rio Rancho, NM 87124  
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Cindy Rivera, 2010 Punncali, Rio Rancho, NM 87124  
Tina Flores  
Stephanie romero, 94 Pecos Lp., Rio Rancho, NM 87124  
Mike Voorhees, 1217 Pinnacle View Dr., Albuquerque, NM 87112  
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Anna Devargas,  
Gary Bennet, 8601 Washington St. NW, Albuquerque, NM 87113  
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Tracy Phillips,  
Emanuel Ruba  
Travis  
Erik Valdez  
Kimberly Cross  
Leslie Sanchez  
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Trish Shea, 1608 Vista Monte NE, Albuquerque, NM 87113  
Christina Garcia, 6800 Vista del Norte #2723, Albuquerque, NM 87113

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Carol Stuart, 909 Bosque Rd. NE, Albuquerque, NM 87113  
Carolyn Winton, 6800 Vista del Norte Ne, #914 Albuquerque, NM 87113  
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Debbie Sanderson, 4509 Via Desert NE, Albuquerque, NM 87113  
Norene Gurule, 6800 Vista del Norte, #2811, Albuquerque, NM 87113  
Tom Levine, 2821 Madeira Dr. NE, Albuquerque, NM 87110  
Karen Williams, 1028 Diamondback Dr. NE, Albuquerque, NM 87113  
Jane Keports, 943 Calle Fuerte NE, Albuquerque, NM 87113  
Tracee Nicholson, 7527 Via Desierto NE, Albuquerque, NM 87113  
Mike Chiapo, 1639 Tierra del Rio NW, Albuquerque, NM 87107  
Carol Berger,  
Pamela Zunno, 3908 Wellesley NE, Albuquerque, NM 87107  
Karl Home, 330 Tijeras NW, Albuquerque, NM 87102  
Leona Gutierrez, 7609 Edith NE, Albuquerque, NM 87107





**RET FUTURE  
PLAN-LEGEND**

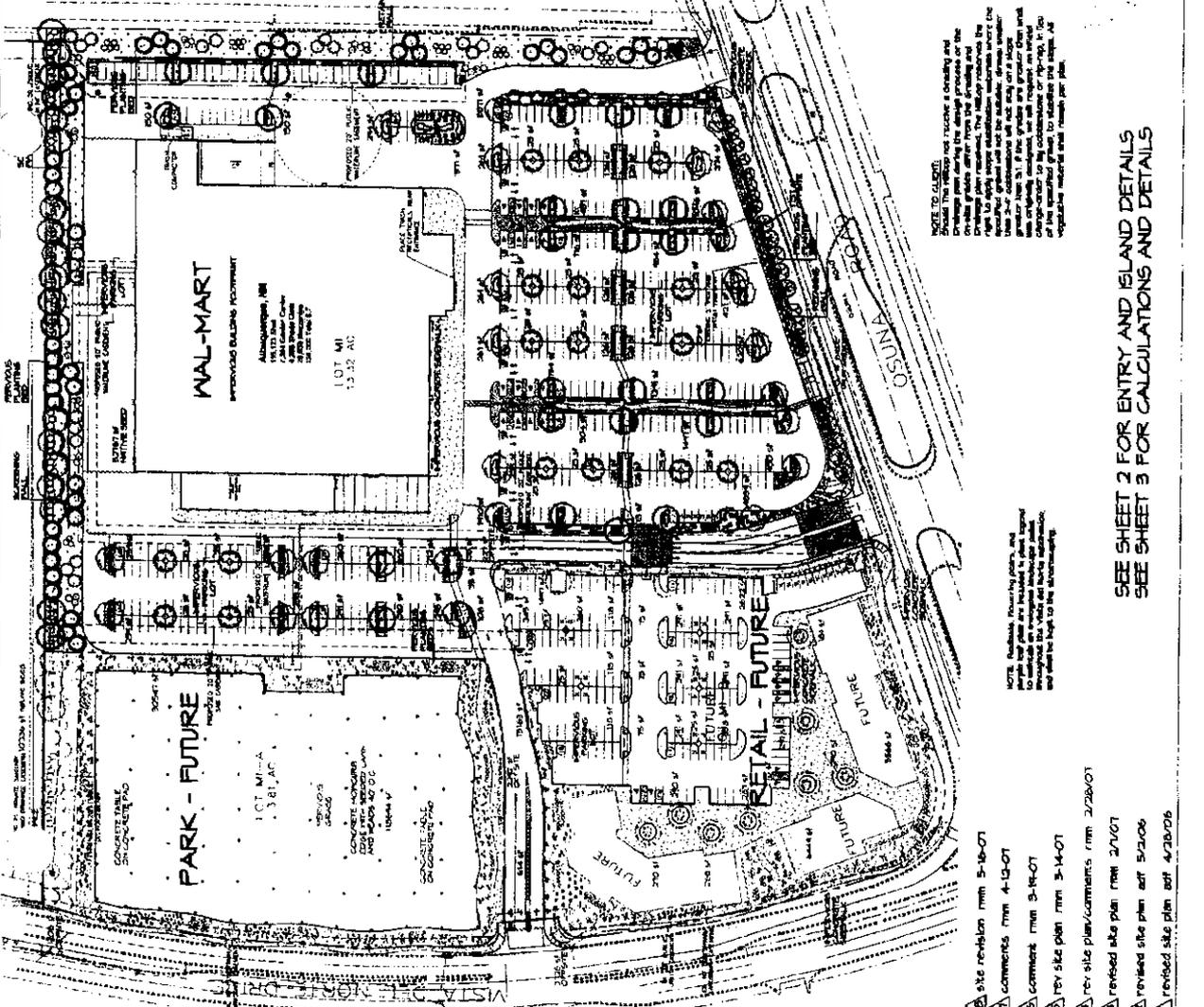
**WAL MART  
PLANT LEGEND**

- TREES**
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**PARK - FUTURE  
CONTINUED**

**PARK - FUTURE  
PLANT LEGEND**

- TREES**
- NORWAY SPRUCE TREE (N) 15  
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  - CHESTNUT LEAFLET (N) 17  
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  - EAST PALM (N) 13  
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**NOTE TO CLIENT:** This drawing is a conceptual site plan showing the approximate location of the proposed building and parking lot. The client is responsible for obtaining all necessary permits and approvals from the appropriate authorities. The client is also responsible for providing all necessary information and data for the design of the site plan. The client is also responsible for providing all necessary information and data for the design of the site plan.

**NOTE:** The client is responsible for providing all necessary information and data for the design of the site plan. The client is also responsible for providing all necessary information and data for the design of the site plan. The client is also responsible for providing all necessary information and data for the design of the site plan.

**SEE SHEET 2 FOR ENTRY AND ISLAND DETAILS  
SEE SHEET 3 FOR CALCULATIONS AND DETAILS**

- △ site revision rmm 3-18-01
- △ comments rmm 4-13-01
- △ comments rmm 3-14-01
- △ rev site plan rmm 3-14-01
- △ rev site plan/comments rmm 2/28/01
- △ revised site plan rmm 2/1/01
- △ revised site plan rmm 5/2/06
- △ revised site plan rmm 4/20/06

PROPOSED RETAIL CENTER OSMA & VISTA DEL NORTE	DATE 4-11-04
LANDSCAPE PLAN	SHEET # 1
PREPARED BY: JLC DRAWING NO: 04110 (04110-101)	
5-11-04 2007	

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

Date: November 17, 1995

**AMENDED  
OFFICIAL NOTIFICATION OF DECISION**

Sundt Corporation  
4101 E. Irvington Rd.  
Tucson, Az. 85714

FILE: Z-95-73

LEGAL DESCRIPTION: An unplatted tract of land in Sections 22 and 27, T11N, R3E, Tracts Z1A, Z2A, and Z2B, Huntzinger Addition and the westerly and easterly portions of Tract 6L, MRGCD Map #28, located between Osuna Road NE and Paseo Del Norte NE and between Edith Boulevard NE and the North Diversion Channel, containing approximately 355.5 acres (D-16, E-16).

On November 16, 1995, the Environmental Planning Commission voted to Approve a zone map amendment from SU-1 for Sand and Gravel Extraction and Related Activities and Uses Permissive in the M-1 zone to SU-1 for Limited Mixed Uses with the following Findings and Land Uses assigned to each parcel:

1. Sand and Gravel Extraction and Related Activities, including reclamation, shall be allowed only until the issuance of the first building permit for construction of a dwelling unit, at which time the right to use the land for sand and gravel extraction shall cease.
2. Tract A: Uses Permissive and as regulated by the RA-2 zone.
3. Tracts B, C, D, E, F, K and I: Uses Permissive and as regulated by the R-1 zone; except that a 5 foot sideyard setback is permitted regardless of Lot orientation.
4. Tracts L, G, H and J: a mix of Uses Permissive and as regulated by the R-T, RLT and R-2 zones; with maximum of 50 acres of R-2.
5. A. Tract M uses permissive and as regulated in the C-2 zone, except that alcoholic drink sales for consumption off premise within 500 feet of a residentially zoned property shall be permissive with the following exception.
  - a. No drive-up liquor sales shall be allowed
- B. Tract N uses permissive and as regulated in the C-2 zone, except that alcoholic drink sales for consumption off premise within 500 feet of a residentially zoned property shall be permissive with the following exceptions;
  - a. No drive-up or drive thru windows are permitted
  - b. Liquor sales from gas stations or convenience stores are not permitted
6. Tracts O, Q, R and S: Uses permissive and as regulated in the IP zone except no uses requiring air pollution control permits shall be allowed.
7. Tract P: Uses permissive and as regulated in the IP zone, except no uses requiring air pollution control permits shall be allowed.

4. The site development plan for the RA-2, R-1, R-LT and R-T and R-2 uses shall consist only of a subdivision plat with associated infrastructure commitments or fees. No landscape plan, building elevation or building siting plans shall be required to be submitted with the subdivision plats.
5. 6.5 acres of Neighborhood Park land shall be provided within the residentially-zoned land at locations acceptable to the City Parks and General Services Department.
6. A Reclamation Plan, consisting of contour map, overburden distribution plan, erosion control plan and revegetation plan satisfactory to the Environmental Health Department, shall be approved prior to the issuance of any topsoil disturbance permits.
7. No residential use of tract G shall not be permitted until the Authority to Construct permits on the "Wiley" Tract have been removed.

IF YOU WISH TO APPEAL THIS DECISION, YOU MUST DO SO BY December 1, 1995, IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE OF \$50 IS REQUIRED AT THE TIME THE APPEAL IS FILED.

Appeal to the City Council: Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 7-14-45.8.2.c of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Division form to the Planning Division within 15 days of the Planning Commission's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If it decides that all City plans, policies and ordinances have not been properly followed, it shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

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

Sincerely,



Ronald N. Short, AICP  
Planning Director

RNS/815/nat

cc: Consensus Planning, Inc., 718 Central Avenue, SW; 87102  
John Myers, Myers, Oliver & Price, P.C., 6400 Uptown Blvd. NE, Suite 100-West; 87110  
Steve Wentworth, Alameda North Valley Neigh. Assoc., 8919 Boe Lane, NE; 87113  
Tom Lemp, Alameda North Valley Neigh. Assoc., 1125 Forest, NW; 87114  
Arnold Torres, Northeast Valley Neigh. Assoc., 500 Bear Canyon Lane, NE; 87113  
Linda Trujillo, Northeast Valley Neigh. Assoc., 508 Bear Canyon Lane, NE; 87113  
Sue Schmuck, 213 Las Colinas Lane NE, Albuquerque, NM 87113  
Brad Billings, 332 Las Colinas Lane NE, Albuquerque, NM 87113  
Robert Trujillo, 508 Bear Canyon Ln. NE, Albuquerque, NM 87113  
Marit Tully, 1107 La Poblana NW, Albuquerque, NM 87113  
Allan Porter, 308 Las Colinas Ln. NE, Albuquerque, NM 87113  
Virginia Huettig, 7442 Edith NE, Albuquerque, NM 87113  
Glade Fife, 209 Las Colinas NE, Albuquerque, NM 87113



## EXHIBIT B

### AGREEMENT

THIS AGREEMENT (the "Agreement") is entered into this \_\_\_\_\_ day of July, 1987 by and between the CITY OF ALBUQUERQUE, a municipal corporation (the "City"), and ALBUQUERQUE GRAVEL PRODUCTS COMPANY (NSL), a New Mexico corporation ("Owner).

WHEREAS, the City desires to annex certain real properties into the City, which properties are owned by Owner, and which properties are more particularly described in Exhibit "A" attached hereto and incorporated herein (the "Property"); and

WHEREAS, portions of the Property are presently zoned M-1 and portions of the Property are presently zoned M-2 pursuant to the Bernalillo County, New Mexico Zoning Ordinance (the "Existing Zoning"), and Owner presently conducts upon the Property the following activities: sand and gravel mining activities, a gravel crushing and screening plant, asphaltic concrete and portland concrete batch plants, stockpiling and storage of materials incidental to the above operations, mechanical shops, heavy truck loading and unloading operations incidental to these operations, heavy equipment operation for these activities and for reclamation work all of which activities are conducted out-of-doors, and unfenced (the "Existing Uses"); and

WHEREAS, the Existing Uses of the Property within the corporate limits of the City would be beneficial to the City; and

WHEREAS, the Existing Uses of the Property are in accord with sound planning and development of the City; and

WHEREAS, the City would extend its zoning, building, health, and other municipal regulations and ordinances over the Property, none of which would affect the Existing Uses of the Property, but protecting the City from possible undesirable or inharmonious use and development of unincorporated areas surrounding the City; and

WHEREAS, Owner agrees to petition for the annexation of the Property into the City upon the conditions set out herein.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the City and Owner agree as follows:

1. Upon execution of this Agreement, Owner shall execute and deliver a conditional petition to the City seeking the annexation into the City (the "Petition") and simultaneous zoning of the Property (the "Zoning Request"), copies of which are attached hereto as Exhibits "B" and "C".

2. The City agrees to waive the annexation fee and the zoning fee.

3. The Petition and the Zoning Request shall seek zoning of the Property simultaneous with its annexation to SU-1 Zoning for all of the Existing Uses and reasonable expansion of the Existing Uses (the "Proposed Zoning").

4. The parties agree that the sole reason for the Proposed Zoning being SU-1 is that the Existing Uses are not permissible in any other zone within the City, and the parties agree that

upon the termination of the Existing Uses, that Special Use Zoning will no longer be appropriate.

5. The City agrees that the Existing Zoning of the Property is not a result of a mistake, that there has been no change in the character of the neighborhood surrounding the Property since the establishment of the Existing Zoning, and that annexation of the Property into the City would not constitute a change in the character of the neighborhood.

6. City Planning staff shall recommend to the City Environmental Planning Commission and to the City Council approval of the Proposed Zoning, and the City agrees that no policies or plans of the City need to be amended to accommodate the Proposed Zoning, however, if amendments are required the City agrees to amend any such plans to accommodate the Existing Uses.

7. The City agrees that it shall prepare, at its expense, a site plan for the Property which shows the Existing Uses of the Property and which does not create any additional requirements upon the manner in which the Property is put to use, for example, landscaping requirements, fencing requirements, buffering requirements, lighting requirements or land dedication requirements.

8. The City agrees to cooperate with the Owner and work with all appropriate neighborhood associations with respect to the annexation and Zoning Request.

9. It is agreed that necessary services requiring capital expenditures such as major streets, water, sanitary sewer and storm water facilities shall be made available to the Property by the City pursuant to its normal capital improvements program and development policies and procedures. However, the City will work with Owner to include the provision of appropriate services to the Property in its capital improvements program.

10. The City agrees that this Agreement and the Petition are, and shall be, expressly conditional upon the following:

- a. The Property being zoned with the Proposed Zoning.
- b. The City's compliance with all other covenants and conditions contained in this Agreement.

11. The City agrees that the Owner may elect to withdraw the Petition at any time for any reason prior to final action by the City Council on the annexation and zoning of the Property.

12. It is agreed and understood that Owner will have to comply with all applicable City ordinances, plans, policies and procedures in connection with the annexation, zoning and development of the Property, subject to the City's representations as contained herein, that no City ordinance, plan, policy, or procedure will alter the Existing Uses of the Property.

13. It is understood and agreed that the City and Owner each intend the other parties to this Agreement to rely on the statements contained herein and that the City and Owner are, in fact, entering into this Agreement in reliance upon the statements contained herein.

14. Nothing contained herein shall prevent the Owner from using the Property in any manner presently permitted, either now, during or after the annexation and zoning process.

15. This Agreement shall inure to the benefit of, and be binding upon, the successor in interest to the Property.

Executed the day and year first set out above.

ATTEST:

CITY OF ALBUQUERQUE, a municipal corporation

\_\_\_\_\_  
City Clerk

By \_\_\_\_\_  
Ken Schultz, Mayor

By \_\_\_\_\_  
Gene Romo  
Chief Administrative Officer

REVIEWED BY:

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Director, Municipal Development  
Department

ALBUQUERQUE GRAVEL PRODUCTS  
COMPANY (NSL), a New Mexico  
corporation

By \_\_\_\_\_  
Its \_\_\_\_\_



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

Date: March 22, 2002

### OFFICIAL NOTIFICATION OF DECISION

Sunset West  
P.O. Box 19327  
San Diego, CA 92119

FILE: Project 1001150 / 02EPC 00136 & 02EPC 00138

LEGAL DESCRIPTION: Tract M, Vista del Norte zoned SU-1 for C-2, located on Osuna Rd. NE, between Vista del Norte Drive, NE and North Diversion Channel containing approximately 25 acre(s). (E-16)  
Lola Bird, Staff Planner

On March 21, 2002, the Environmental Planning Commission voted to Approve Project 1001150 / 02EPC 00136, a Site Development Plan for Subdivision, based on the following Findings and subject to the following Conditions:

#### FINDINGS:

1. This is a request for approval of an amendment to a site development plan for subdivision for an approximately 24.1-acre site located at Osuna and Vista del Norte Drive NE.
2. The applicant is proposing to amend the site plan to subdivide existing Tract M to create two lots: Tract M2 containing approximately 2.6 acres and Tract M1 containing approximately 21.4 acres.
3. The applicant is requesting a zone change for Tract M2 from SU-1 for C-2 uses to R-2 uses. The zoning for Tract M1 will remain SU-1 for C-1 uses.
4. This submittal furthers the applicable goals and policies of the *Comprehensive Plan* by creating the potential for a quality urban environment with perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and choice in housing, transportation, work areas and life styles while creating a visually pleasing built environment (*Comprehensive Plan*, Developing Urban Area Goal).
5. This request furthers the applicable policies of the *North Valley Area Plan* by encouraging mixed use development and redevelopment which incorporates housing (Housing Policy 2) and by providing a variety of housing opportunities and lifestyles including different socioeconomic types (Goals and Issues 2.C).

**EPC OFFICIAL NOTIFICATION OF DECISION**  
**PROJECT 1001150 / 02EPC 00136 & 02EPC 00138**  
**MARCH 22, 2002**  
**PAGE 2**

6. This submittal meets the requirements for approval of a site plan for subdivision per the City's *Zoning Code*.

CONDITIONS:

1. The submittal of this site plan to the DRB shall meet all EPC conditions. 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 subject site plan for subdivision shall be revised to reflect all previously approved design guidelines as well as the guidelines/notes submitted with this request.
3. Note number 7 should be modified to state: Light pole fixtures within 100 feet of a residential zone shall be limited to 16 feet, all others to be 26 feet in height.

---

On March 21, 2002, the Environmental Planning Commission voted to Approve Project 1001150 / 02EPC 00138, a Zone Map Amendment from SU-1 to R-2, for a 2.65-acre portion of Tract M (proposed Tract M2), Vista del Norte, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for a zone map amendment from SU-1 for C-2 uses to R-2 for a 2.65-acre parcel portion of Tract M (proposed Tract M2) located off Vista del Norte Drive NE.
2. The subject site is located adjacent to an area of R-2 zoning. This request will expand the area of the R-2 zoning by approximately 2.65 acres. According to the applicant, the subject request serves to reduce the maximum FAR to .42 and the overall density of the parcels zoned R-2 to 20 dwelling units per acre.
3. This request furthers the applicable goals and polices of the *Comprehensive Plan* by locating high density residential development in an area designated as Developing Urban which has a goal to provide variety of choice in housing and lifestyles (Developing Urban Area Goal); by locating multifamily in an area where a mixed density pattern is already established by zoning and where the proposed use is compatible with existing area land uses and where adequate infrastructure is available (*Comprehensive Plan* policy 5h); and by accommodating new residential growth through the development in areas where vacant land is contiguous to existing or programmed facilities and services and where the integrity of existing neighborhoods is assured (*Comprehensive Plan* Policy 5e).
4. This request furthers the applicable goals and polices of the *North Valley Area Plan* by encouraging mixed use development and redevelopment which incorporates housing (Housing Policy 2) and by providing a variety of housing opportunities and lifestyles including different socioeconomic types (Goals and Issues 2.C).

**EPC OFFICIAL NOTIFICATION OF DECISION**  
**PROJECT 1001150 / 02EPC 00136 & 02EPC 00138**  
**MARCH 22, 2002**  
**PAGE 3**

5. The request is justified as per *Resolution 270-1980*, specifically, Section 1.d.(3), the proposed zone change is more advantageous to the community as articulated in the *Comprehensive Plan* and the *North Valley Area Plan* as outlined in the previous Findings.

CONDITION:

1. A replat to define a new lot line that corresponds with a new zone line is required.

**IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY APRIL 5, 2002 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATOR 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/LB/nat

cc: Tierra West LLC, 8509 Jefferson NE, Albuquerque, NM 87113  
Steve Hale, Alameda/North Valley N.A., 9339 Guadalupe Trail NW, Alameda, NM 87114  
Estella Martinez, Alameda/North Valley N.A., 140 Ranchitos Rd NW, Alameda, NM 87114



- LEGEND**
- EXISTING CURB & GUTTER
  - PROPOSED CURB & GUTTER
  - BOUNDARY LINE
  - EXISTING BOUNDARY LINE
  - EXISTING SIDEWALK
  - PROPOSED SIDEWALK
  - EXISTING PERIMETER WALL
  - PROPOSED PERIMETER WALL
  - EXISTING RETAINING WALL
  - PROPOSED RETAINING WALL

**SITE DATA (TRACT M1)**

PROPOSED USAGE: COMMERCIAL

ZONING: SU-1 FOR C-2

MAX. BUILDING AREA: 21,448 ACRES

MAX. BUILDING HEIGHT: 33,580 SF

MAX. FLOOR AREA RATIO: 3'

REQUIRED LANDSCAPING: 0.7%

15% OF NET LOT AREA

**SITE DATA (TRACT M2)**

PROPOSED USAGE: RESIDENTIAL

ZONING: R-2

LOT AREA: 2,608 ACRES

NO. BUILDING UNITS: 18 UNITS

UNIT 1: 24 UNITS

UNIT 2: 24 UNITS

UNIT 3: 24 UNITS

TOTAL UNITS: 84 UNITS

DENSITY: 24.14 UNITS PER ACRE

MAX. BUILDING HEIGHT: 3M'

REQUIRED LANDSCAPING: 15% OF NET LOT AREA

**OWNER'S DATA**

OWNER: TERRA WEST, LLC

ADDRESS: 1000 AUTUMN BLVD, SUITE 3100, ALBUQUERQUE, NM 87113

DATE: 01/28/2010

SHEET: 1 OF 1

JOB #: 21018

- NOTES**
1. CONCRETE DRIVEWAYS, STORM DRAINAGE AND UTILITY AREAS SHALL BE SHOWN ON THIS SITE PLAN AND SHALL BE SHOWN ON THE FINAL PLAN.
  2. APPROVAL OF THIS PLAN DOES NOT CONSTITUTE AN WARRANTY OR GUARANTEE FROM WATER MAIN PROPOSERS OF THE WATER CONNECTION. THE WATER MAIN PROPOSERS SHALL BE RESPONSIBLE FOR THE WATER MAIN CONNECTION AND SHALL MAINTAIN MANAGEMENT OF THE BOLD RESPONSIBILITY OF THE PROPERTY OWNER.
  3. LANDSCAPE MAINTENANCE SHALL BE THE RESPONSIBILITY OF THE OWNER. LANDSCAPE MAINTENANCE SHALL BE THE RESPONSIBILITY FOR TRACT M1 AND SHALL BE SHOWN BY THIS SITE PLAN AND SHALL BE SHOWN ON THE FINAL PLAN.
  4. AVERAGE LIGHT LEVELS SHALL BE LIMITED TO 2 FOOT CANDLES WITH MAXIMUM LEVELS LIMITED TO 18 FOOT CANDLES AS MEASURED FROM 4 FEET ABOVE THE FINISHED GRADE. LIGHT FIXTURES SHALL BE SHOWN AND LIGHT FIXTURES SHALL HAVE GLASS OUT FANGLERS OF MAXIMUM 6 INCHES IN HEIGHT. LIGHT FIXTURES SHALL BE SHOWN AND SCREENED BY SCREEN WALLS WITH TOP OF EQUIPMENT BELOW TOP OF SCREEN WALL.
  5. LIGHT POLES SHALL BE A MAXIMUM OF 30 FEET WITH FULL CUT OFF FANGLERS TO BE SHOWN ON THIS SITE PLAN AND SHALL BE SHOWN ON THE FINAL PLAN. LIGHT POLES SHALL BE LIMITED TO 18 FEET IN HEIGHT. LIGHT POLES SHALL BE SHOWN ON THIS SITE PLAN AND SHALL BE SHOWN ON THE FINAL PLAN.
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**PROJECT NUMBER**

DATE: 01/28/2010

PROJECT NAME: VISTA DEL NORTE

PROJECT ADDRESS: 1000 AUTUMN BLVD, SUITE 3100, ALBUQUERQUE, NM 87113

PROJECT CONTACT: TERRA WEST, LLC

PROJECT PHONE: (505) 261-1111

PROJECT FAX: (505) 261-1111

PROJECT EMAIL: terra@terrawest.com

PROJECT WEBSITE: www.terrawest.com

PROJECT DESCRIPTION: SITE DEVELOPMENT PLAN

PROJECT ENGINEER: TRANSPORTATION DIVISION

PROJECT DATE: 01/28/2010

PROJECT CHECKED: PUBLIC WORKS, WATER UTILITIES DIVISION

PROJECT DATE: 01/28/2010

PROJECT APPROVED: CITY ENGINEER, ENGINEERING DIVISION / AMANDA

PROJECT DATE: 01/28/2010

PROJECT SEAL: STATE ENGINEER

PROJECT DATE: 01/28/2010

PROJECT APPROVAL: APPROVAL AND CONDITIONAL ACCEPTANCE, AS SPECIFIED BY THE DEVELOPMENT PROGRAM MANUAL.

CITY ENGINEER: TRANSPORTATION / BARRIBALLO

CITY DATE: 01/28/2010

COUNTY ENGINEER: COUNTY PLANNING DIVISION

COUNTY DATE: 01/28/2010

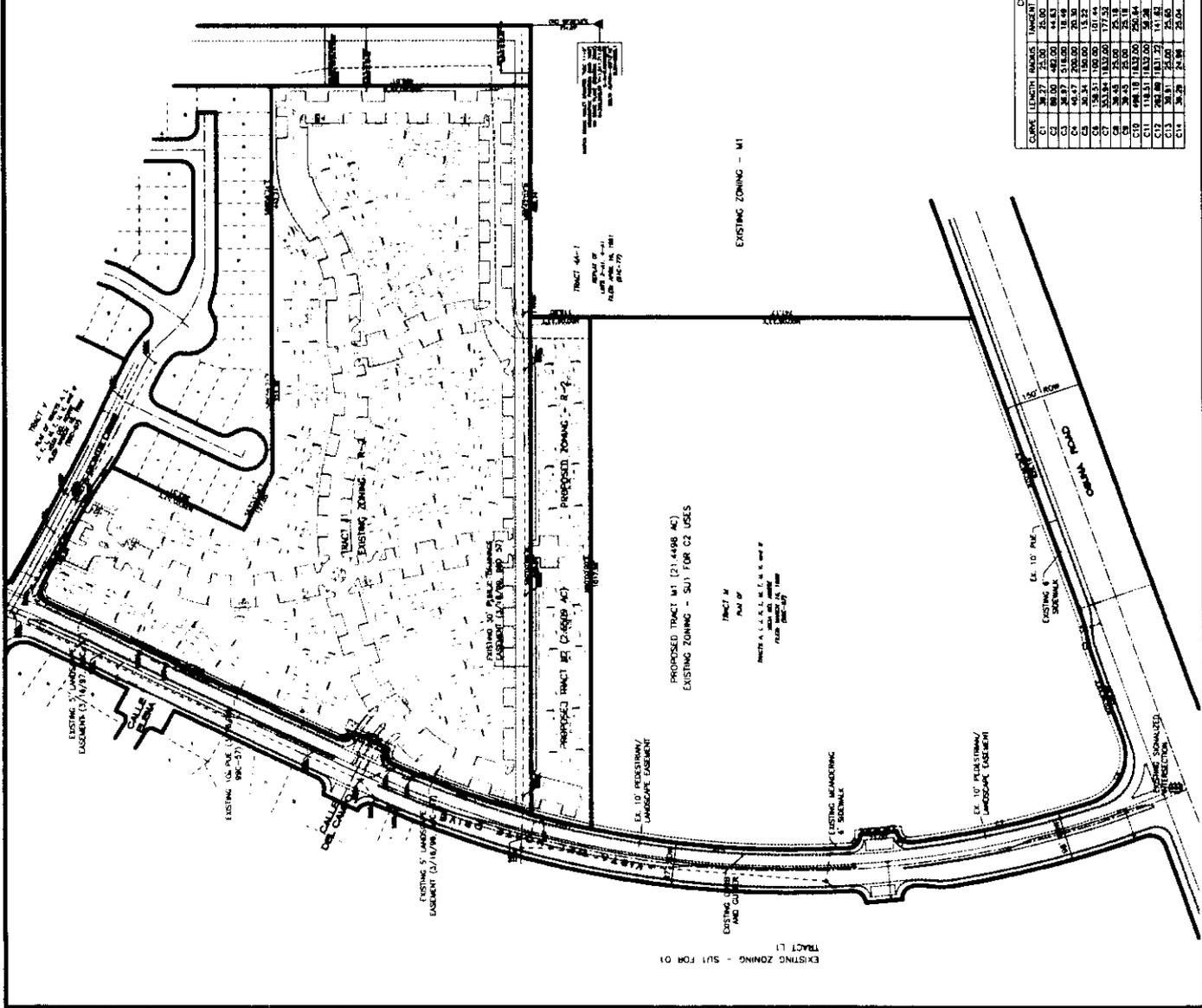
PLATE: (10709) 4/76

**CURVE TABLE**

CURVE	LENGTH	CHORD	CHORD BEARING	CHORD BEARING	CHORD BEARING	CHORD BEARING
C1	88.00	482.00	44.63	102.84	102.84	102.84
C2	36.37	518.00	18.48	102.84	102.84	102.84
C3	46.47	700.00	25.95	113.07	113.07	113.07
C4	58.31	100.00	10.14	86.48	86.48	86.48
C5	33.34	183.00	17.72	113.07	113.07	113.07
C6	46.47	250.00	25.95	113.07	113.07	113.07
C7	69.68	183.00	25.95	113.07	113.07	113.07
C8	118.31	183.00	58.28	113.07	113.07	113.07
C9	282.88	183.00	151.63	113.07	113.07	113.07
C10	36.37	241.88	24.09	113.07	113.07	113.07
C11	36.37	241.88	24.09	113.07	113.07	113.07
C12	36.37	241.88	24.09	113.07	113.07	113.07
C13	36.37	241.88	24.09	113.07	113.07	113.07
C14	36.37	241.88	24.09	113.07	113.07	113.07
C15	36.37	241.88	24.09	113.07	113.07	113.07

**GRAPHIC SCALE**

SCALE: 1" = 100'



EXISTING ZONING - SU1 FOR C1

EXISTING ZONING - M1

EXISTING ZONING - M2

EXISTING ZONING - M3

EXISTING ZONING - M4

EXISTING ZONING - M5

EXISTING ZONING - M6

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

Date: January 8, 1988

NOTIFICATION OF DECISION

Albuquerque Gravel Products Company  
P.O. Box 829  
Albuquerque, NM 87103

File: AX-87-20/Z-87-113  
(AMENDED)

Location: Amendment of the North I-25 Sector Development Plan and annexation and establishment of City zoning is requested by the following property owners within the area generally bounded on the north by the Sandia Pueblo Grant boundary, on the south by Montano Road and Interstate Highway 25, on the east by San Mateo Boulevard N.E., and on the west by the Atchison, Topeka, and Santa Fe Railway tracks, containing approximately 986.6 acres (Maps A-D 17, C-F 16) and more specifically described as follows:

- A. J. Wayne Lewis, agent for San Mateo Verde Partnership, requests amendment of texts and maps of North I-25 Sector Development Plan, annexation, and establishment of SU-2 (IP-EP) for lots 51, 53, 55, 57, 58, 59, 60, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, and 82 of the plat assessment purposes of the Land of E.H. Bost Jr., within Sections 2, 11, and 12, Township 11 North, Range 3 East, N.M.P.M., located generally between the North Diversion Channel and San Mateo Boulevard NE (extended) and contiguous with the Sandia Pueblo Grant south boundary, zoned County A-1 and containing approximately 13.6 acres. (A-B 17)

LOT 1, UNIVERSAL INDUSTRIAL PARK (SP-76-256)  
LOT 2A, UNIVERSAL INDUSTRIAL PARK (SP-79-243)  
LOT 3A, UNIVERSAL INDUSTRIAL PARK (SP-79-243)

On January 7, 1988, the Environmental Planning Commission voted to recommend approval to the City Council of the three parcels omitted from the legal advertisement for the above referenced item heard by the Commission on September 17, 1987. The three parcels are in Area G and are described as follows:

LOT 1, Universal Industrial Park (SP-76-256)  
LOT 2A, Universal Industrial Park (SP-79-243)  
LOT 3A, Universal Industrial Park (SP-79-243)

Annexation of these three parcels as part of AX-87-20 and the establishment of SU-1 zoning for M-1 Permissive Uses and for Mobile Tanker Manufacturing as part of Z-87-113 based on the following Findings:

Findings:

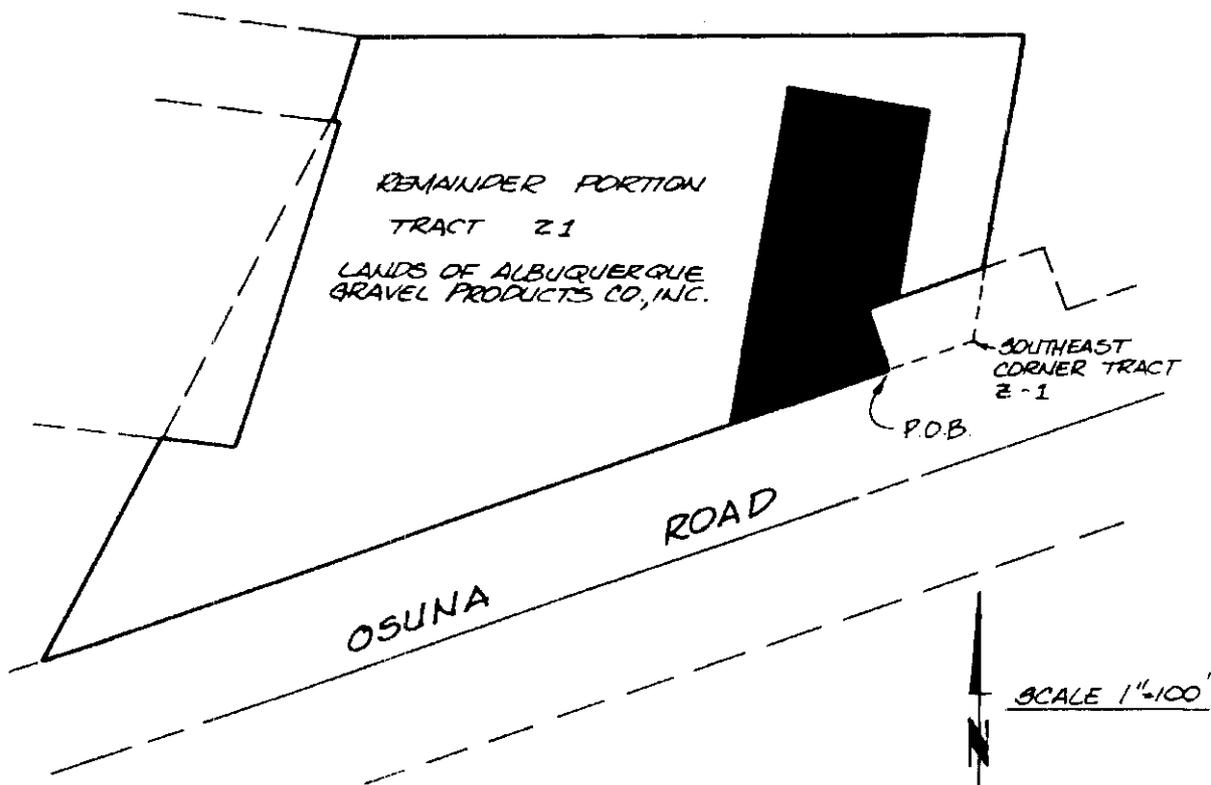
1. The annexation of these three parcels is consistent with the Policies on Annexation.
2. The most appropriate zoning is SU-1 for M-1 zoning, modified for the unique use of the site for manufacturing of specialized mobile tanker equipment.

Sincerely,

  
Phil Garcia  
City Planner

PG/JPM/vb  
(285)

cc: John A. Meyers, P.O. Box 3238, 87190  
Poole-Tinnin-Martin, Orlando Lucero, P.O. Box 1769, NM 87103-1769  
David Olguin, 710 Mission NE, 87107  
Benjamin Garcia, 705 Mission NE, 87107  
Harry L. Apodaca, 1000 Osuna NE, 87113  
Melinda Mann, 1500 Osuna NE, 87113  
Steve Benoit, P.O. Box 6098, 87107



CITY OF ALBUQUERQUE

SEPTAGE DISCHARGE FACILITY

A tract of land situate within the Elena Gallegos Grant, Bernalillo County, New Mexico, being a portion of Tract Z-1 of the Plat of TRACTS Z-1 & Z-2, LANDS OF ALBUQUERQUE GRAVEL PRODUCTS CO., INC. as the same is shown and designated on said plat filed for record in the office of the County Clerk of Bernalillo County, New Mexico on April 3, 1974 [A5-49(1)&(2)], and being more particularly described as follows:

BEGINNING at the southeast corner of the tract herein described, said point being on the northerly right-of-way line of Osuna Road NE from whence the southeast corner of said Tract Z-1 bears  $N70^{\circ}46'37''E$ , 61.04 feet;

THENCE along said northerly right-of-way line  $S70^{\circ}46'37''W$ , 111.53 feet to the southwest corner;

THENCE leaving said northerly right-of-way line  $N09^{\circ}48'58''E$ , 235.00 feet to the northwest corner;

THENCE  $S80^{\circ}11'02''E$ , 95.00 feet to the northeast corner;

THENCE  $S09^{\circ}48'58''W$ , 130.79 feet to a point on the northerly right-of-way line of said Osuna Road NE;

THENCE along said northerly right-of-way line  $S70^{\circ}47'37''W$ , 22.11 feet to a point;

THENCE continuing  $S19^{\circ}13'23''E$ , 45.00 feet to the point of beginning and containing 19,387 square feet (0.445 of an acre) more or less.

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

Date: September 22, 1987

NOTIFICATION OF DECISION

San Mateo Verde Partnership  
2920-D Stanford, NE  
Albuquerque, NM 87107

File: AX-87-20/Z-87-113 (AMENDED)

Location: Amendment of the North I-25 Sector Development Plan and annexation and establishment of City zoning is requested by the following property owners within the area generally bounded on the north by the Sandia Pueblo Grant boundary, on the south by Montano Road and Interstate Highway 25, on the east by San Mateo Boulevard N.E., and on the west by the Atchison, Topeka, and Santa Fe Railway tracks, containing approximately 986.6 acres (Maps A-0 17, C-F 16) and more specifically described as follows:

- A. J. Wayne Lewis, agent for San Mateo Verde Partnership, requests amendment of texts and maps of North I-25 Sector Development Plan, annexation, and establishment of SU-2 (IP-EP) for lots 51, 53, 55, 57, 58, 59, 60, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, and 82 of the plat assessment purposes of the Land of E.H. Bost Jr., within Sections 2, 11, and 12, Township 11 North, Range 3 East, N.M.P.M., located generally between the North Diversion Channel and San Mateo Boulevard NE (extended) and contiguous with the Sandia Pueblo Grant south boundary, zoned County A-1 and containing approximately 13.6 acres. (A-B 17)
- B. Bohannon-Huston Inc. agent for Dr. Roger Bost, requests amendment of text and maps of North I-25 Sector Development Plan, annexation, and establishment of SU-2 (IP-EP) zoning for a certain tract of land situate within Sections 2 and 11, Township 11 North, Range 3 East, N.M.P.M., being the eastern portion of Tract 210 as the same is shown and designated on M.R.G.C.D. Map No. 20, located generally between the North Diversion Channel and San Mateo Boulevard NE (extended) and contiguous with the Sandia Pueblo Grant south boundary, zoned county A-1 and containing approximately 17.1 acres. (A-B 17)
- C. Bohannon-Huston, Inc., agent for the Sisters of the Order of St. Dominic of Grand Rapids, and the Sisters of the Order of St. Dominic of Nazareth, request amendment of the text and maps of the North I-25 Sector Development Plan, annexation, and establishment of SU-2 (IP-EP) zoning for an unplatted tract of land situate within projected Sections 11 and 14, Township 11 North, Range 3 East, N.M.P.M., located generally between the North Diversion Channel and San Mateo Boulevard NE, north of Alameda Boulevard NE and contiguous with the boundary of the Elena Gallegos Grant, zoned County A-1 with a Special Use Permit for sand and gravel extraction, containing approximately 327.9 acres (B-C 17)
- D. Donald L. Jones/Sutin, Thayer, and Browne, P.C., agent for Vista Hill Foundation, requests amendment of the text and maps of the North I-25 Sector Development Plan, annexation, and establishment of SU-zoning for a Hospital and Related Medical Facilities for Tract 1, an unplatted parcel of land situate within Sections 11 and 14, Township 11 North, Range 3 East, N.M.P.M. being and comprising Tract 1 of Plat of survey of the Lands of the Sisters of St. Dominic of Nazareth of New Mexico and Vista Hill Foundation, located at the northeast corner of the intersection of Richfield/Alameda Boulevard NE and the North Diversion Channel, zoned County A-1 with a Special Use Permit for a Hospital, and containing approximately 44.4 acres. (B-C-17)
- E. Bohannon-Huston, Inc., agent for Chi-Wik Enterprises, Inc., requests annexation and establishment of M-2 zoning for an unplatted tract of land within the lands of American Gypsum Company, located at the northwest corner of Tiburon Street NE and the AMAFCA Channel, zoned County M-2, and containing approximately 15.64 acres. (D-17)
- F. Richard Leonard, Executive Director, agent for the of the Albuquerque Metropolitan Flood Control Authority, requests annexation of a portion of the North Diversion Channel bounded on the north by the southern boundary of the Sandia Pueblo Grant Boundary, on the south by Alameda Boulevard NE, on the west by the Atchison, Topeka, and Santa Fe Railway tracks, and on the east by San Mateo Boulevard NE, and containing approximately 85.05 acres. (C-17)

- G. John A. Myers/Johnson and Lamphere, P.C., agent for Albuquerque Gravel Products Company, requests annexation and establishment of SU-1 zoning for Sand and Gravel Extraction and Related Activities an unplatted tract of land within Sections 27 and 34, Township 11 North, Range 3 East, N.M.P.M. located north of Renaissance Center and containing approximately 161.8479 acres, and for an unplatted tract of land within Sections 22 and 27, Township 11 North, Range 3 East, N.M.P.M., all generally located between the North Diversion Channel and Edith Boulevard NE, north of Montano Road NE and south of Paseo del Norte NE, zoned County M-1 and County M-2, and containing approximately 568 acres.

The Planning Department, agent for the City of Albuquerque, further petitions annexation of and establishment of zoning on the following land totalling 396.6699 acres, the rights-of-way of Alameda Boulevard NE, Paseo del Norte NE, Osuna Road NE and Mission Avenue NE adjacent to such land totalling 24.7712 acres, the total of such land being approximately 421.4411 acres and specifically described as follows:

1. SU-2/IP-EP (Industrial Park and Earth Products) zoning for Lots 49, 61, 81, 83 and 85-100, of the plat for assessment purposes of the Land of E.H. Bost Jr. within Sections 2, 11 and 12, Township 11 North, Range 3 East NMPM generally located between the North Diversion Channel and San Mateo Boulevard NE (extended), zoned County A-1 and containing approximately 10.0 acres. (A & B-17)
2. SU-2/IP-EP (Industrial Park and Earth Products) zoning for Tracts B-1, B-2, C, D, E, F, G, and H, an unplatted tract of land in the north 1/2 of Section 2, Township 11 North, Range 3E, N.M.P.M., adjacent to the south boundary of Tracts B-1, B-2, C, and the south boundary of the Flood Control Authority's North Diversion Channel, zoned County A-1 and containing approximately 27.18 acres (B-17)
3. SU-2/IP-EP (Industrial Park and Earth Products) zoning for Tract A (SP-75-154) located on the northeast corner of Alameda and Edith Boulevards NE zoned County M-1 and containing approximately 4.005 acres. (C-16)
4. SU-2/IP-EP (Industrial Park and Earth Products) zoning for Tracts B-1, C-1, D-1 (SP-79-167) Lands: Springer Building Materials and an unplatted tract of land in the NW 1/4 NW 1/4 of Section 15 Township 11 North, Range 3 East, N.M.P.M., located on the south side of Los Angeles Boulevard NE between Edith Boulevard NE and the Flood Control Authority North Diversion Channel, zoned County M-1 and containing approximately 131.042 acres. (C-16)
5. SU-1 for a Planned Industrial Park for Parcels 4-A-1 and 4-B-1 (LD-79-62), Parcels 1-4 (SP-80-40) and Lots 4-A-1 and 4-A-2 (SP-84-479), Universal Industrial Park, located on the south side of Osuna Road NE and east of Tokay Road NE, zoned County M-1 and containing approximately 114.4429 acres (E-16)
6. IP zoning for certain unplatted lands in the North 1/2, Township 11 North, Range 3 East, Section 2, N.M.P.M., known as the Public Service Company of New Mexico Reeves Generating Station and American Gypsum Company bounded by the Flood Control Authority North Diversion Channel on the west, Tibur Street NE on the east, drainage channel right-of-way on the south, and the existing City Limits on the north, zoned County M-2 and containing approximately 99.76 acres. (D-17)
7. R-1 zoning for a tract of unplatted land in the Northwest 1/4, North 1/2, Township 11 North, Range 3 East, Section 34, located on the northwest corner of Mission Avenue NE and Alameda Boulevard NE known as Mission Avenue Elementary School, zoned County MM, and containing approximately 10.24 acres. (F-16)

On September 17, 1987, the Environmental Planning Commission voted to recommend approval of annexation and establishment of city zoning as requested and recommended by the Planning Staff except for Area G, to be zoned for SU-1 for Uses Permissive as Regulated in the M-1 zone and for sand and gravel extraction and related uses to the City Council.

The City Council's Land Use, Planning, and Zoning Committee will conduct a public hearing on this annexation on November 24, 1987, beginning at 5:00 p.m.

Sincerely,  
  
 Phil Gafeta  
 City Planner

PG/JPM/vb  
 (8489L)  
 See page 3 for cc's

cc: John Myers, Sute 300W, 6000 Uptown NE, 87110  
Joe Rochelle, P.O. Box 1888  
Michael Keleher: Representing Sisters of the Order of St. Dominic/Grand Rapids P.O. Drawer AA, 8710  
Wayne Lewis, 2920 Stanford NE Speaking in reference to A  
Michael Keleher, P.O. Drawer AA, 87103  
Bohannan Huston, Inc., 7500 Jefferson NE, Courtyard I, 87109  
Albuquerque Gravel Products Company (NSL), P.O. Box 829, 87103  
John A. Myers, P.O. Box 3238, 87190  
Ray Montgomery, P.O. Box 6809, 87197  
John Marney, 6812 Tokay, NE 87113  
Jim Maddy, 6710 Tokay, NE, 87113  
Chi-Wik Enterprises, 7801 Tiburon, NE, 87109  
San Mateo Verde Partnership, 2920 "D" Stanford NE, 87107  
Royal Ltd., J. Wayne Lewis, 2920 "D" Stanford NE, 87107  
Albuquerque Metropolitan Arroyo Flood Control Authority, P.O. Box 25851, 87125  
Dr. Roger Bost, P.O. Drawer AA, 87103  
Donald L. Jones & Sutin, Thayer & Browne a Professional Corporation, P.O. Box 1945, 87103  
Donald L. Jones, 501 Alameda Blvd. NE, 87113  
Wildflower Area Neighborhood Assoc., c/o Ms. Cynthia Stegmann, 5108 Golden Thread, NE, 87113  
Wildflower Area Neighborhood Assoc., c/o Ms. Marsha Lucas, 5104 Blue Sage, NE, 87113  
Vista Hill Foundation, Suite 100, 1420 Camino Del Rio North, San Diego, California, 92108  
Vista Sandia Hospital, 501 Alameda Blvd., NE 87113  
Sutin, Thayer & Brown, a Professional Corporation, 20 First Plaza, Suite 600, P.O. B1945, 87103

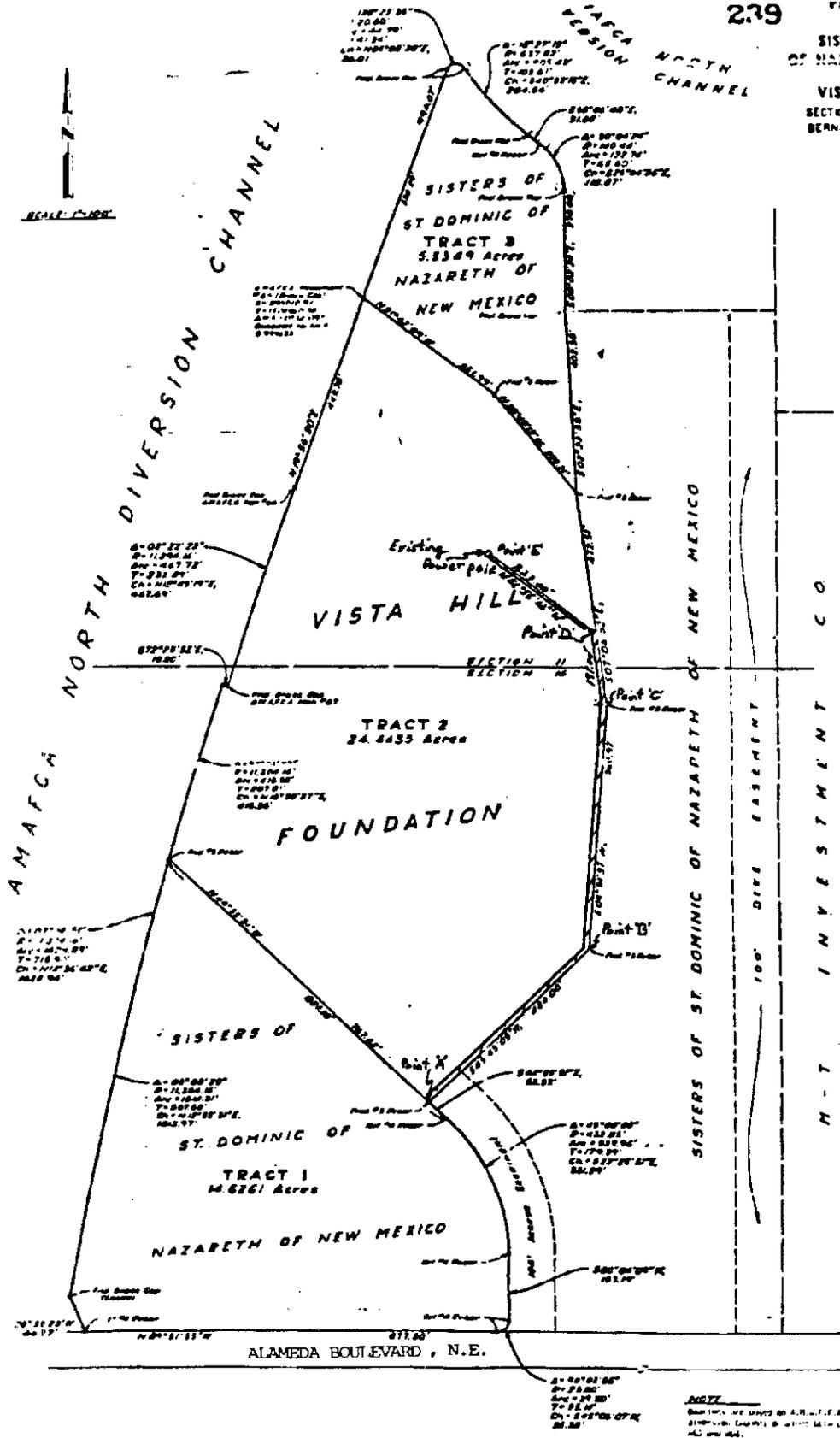
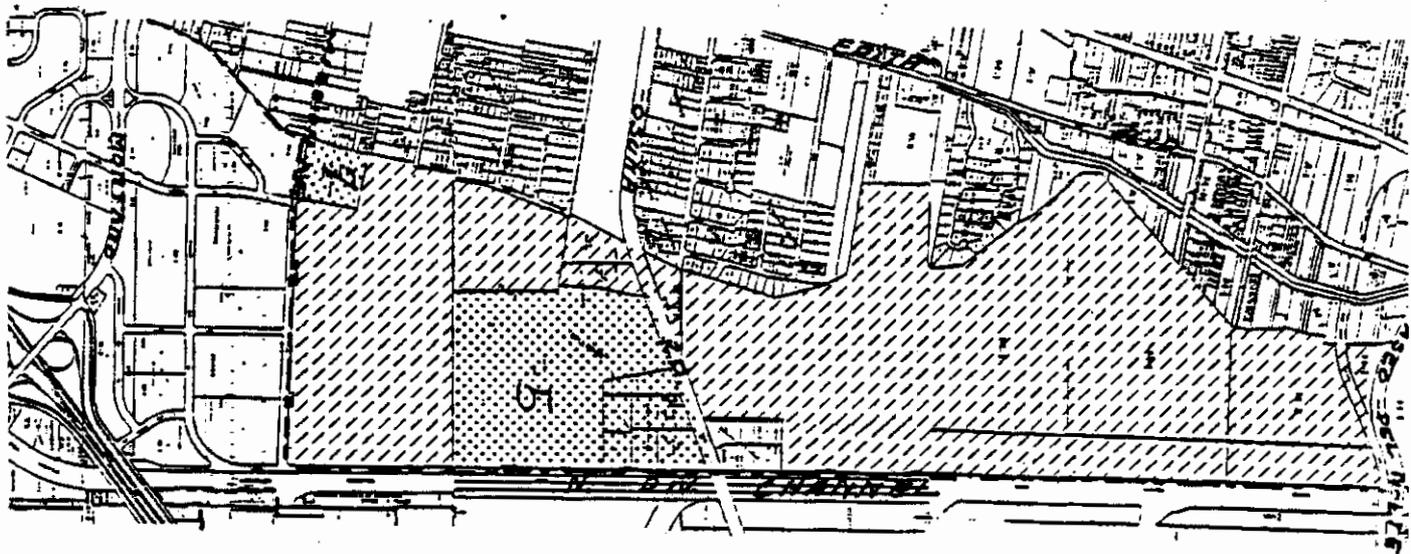


EXHIBIT D



**CITY OF  
ALBUQUERQUE**

**PLANNING  
DEPARTMENT**



**AREA G**



**CITY EXPANSION  
AREAS S & T**

HEARING: 9-17-87 MAP: D, E, F

FILE: AX-87-20, 2-87-113