



**Environmental
Planning
Commission**

**Agenda Number: 8
Project Number: 1001150
Case #: 08EPC 40125/40126
March 19, 2009**

Supplemental Staff Report

Agent Mark Goodwin & Associates, PA

Applicants Vista del Norte Development, LLC
City of Albuquerque

Requests **Site Development Plan for
Subdivision Amendment**

**Site Development Plan for
Subdivision**

Legal Description Tract M-1, J-1-A and J-1-B, Vista del
Norte

Location On Osuna Rd. NE, between Vista del
Norte Dr. and Chappell Rd.
(1005 Osuna Rd. NE)

Size Approximately 43 acres

Zoning Tract M-1: SU-1 for C-2 uses except
alcoholic drink sales for consumption off-
premise within 500 feet of residential
zoned property, drive-up or drive-thru
liquor sales are not permitted.
Tract J-1-A: R-2. Tract J-1-B: R-2.

Staff Recommendation

**APPROVAL of 08EPC 40126, based on the
findings beginning on Page 10, and subject to
the Condition of Approval on Page 13.**

**APPROVAL of 08EPC 40125, based on the
findings beginning on Page 13, and subject to
the Conditions of Approval beginning on Page
16.**

**Staff Planner
Catalina Lehner-AICP, Senior Planner**

Summary of Analysis

This proposal for a site development plan for subdivision amendment and a site development plan for subdivision, with design standards, was first scheduled for the January hearing. A new request for a 60-90 day deferral was received (see attachment).

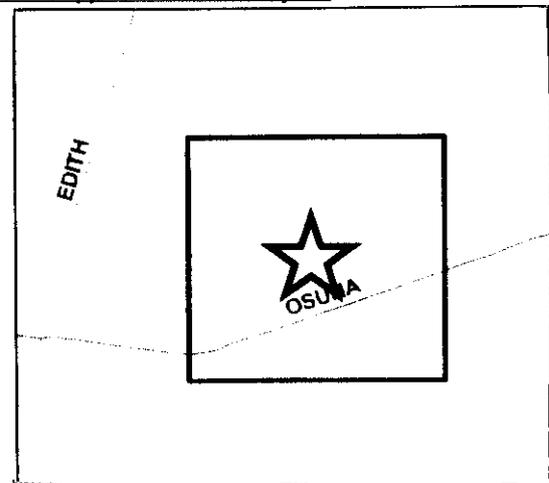
The applicant proposes four commercial tracts along Osuna Rd. The proposed design standards would not apply to the larger City tract planned for a balloon landing site.

The subject site is in the Developing Urban area. The North Valley Area Plan also applies. The proposal furthers and partially furthers most relevant policies.

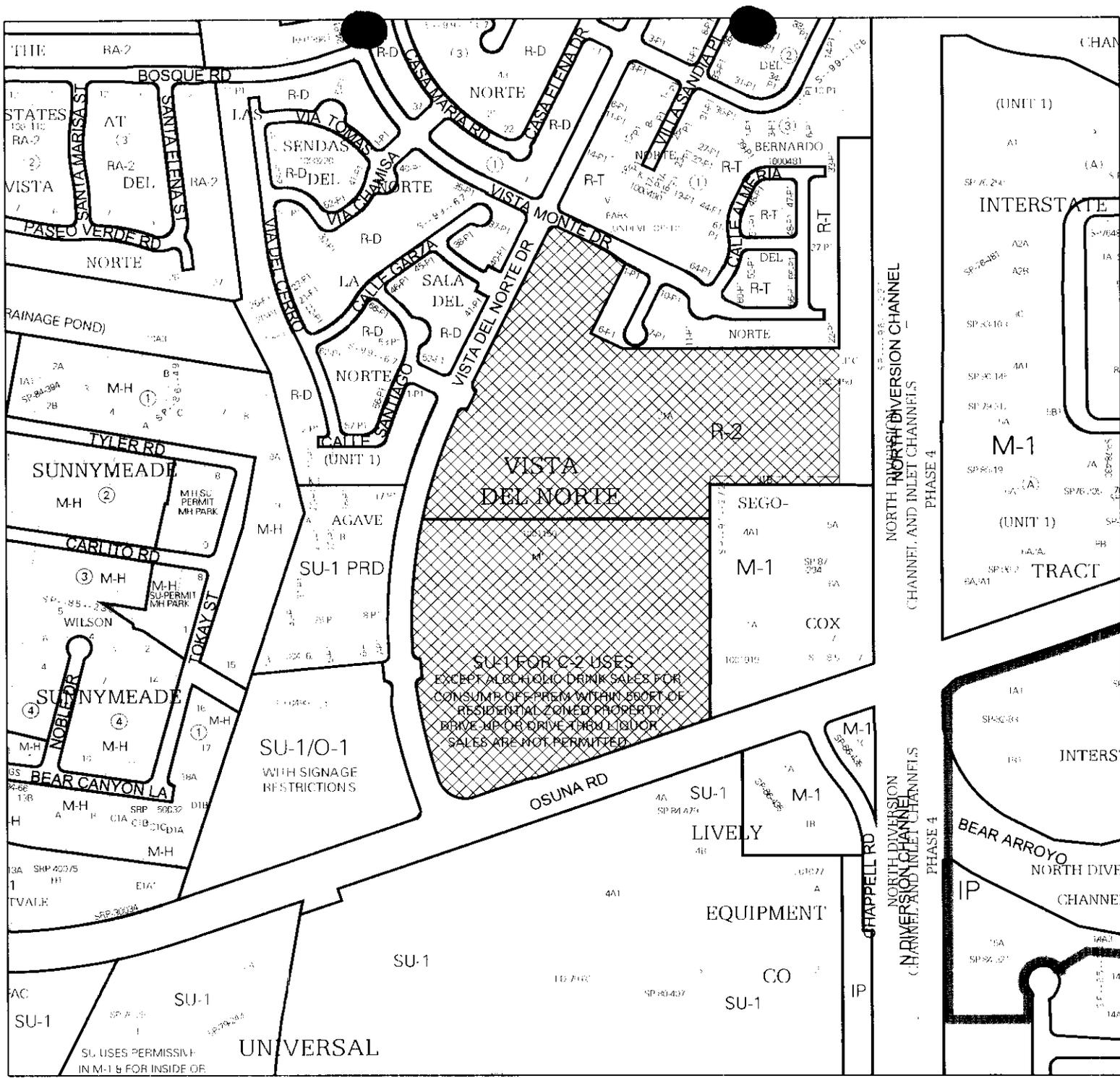
A facilitated meeting was held. Neighborhood concerns are mostly traffic related, but also include drive-up service windows, existing landscape and Balloon Fiesta impact.

Staff has thoroughly reviewed the proposal, which would be sufficient with the conditions of approval applied.

**This report should be read in conjunction with the
original January 2009 Staff report and the February
2009 Supplemental Staff report.**

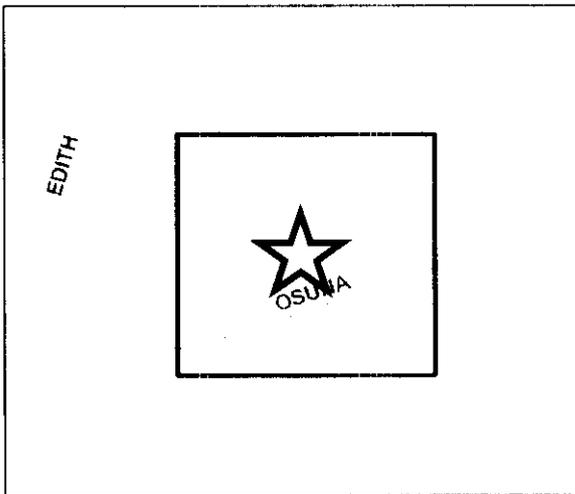


City Departments and other interested agencies reviewed this application from 12/8/08 to 12/19/08.
Agency comments used in the preparation of this report begin on Page 22 of the original report.

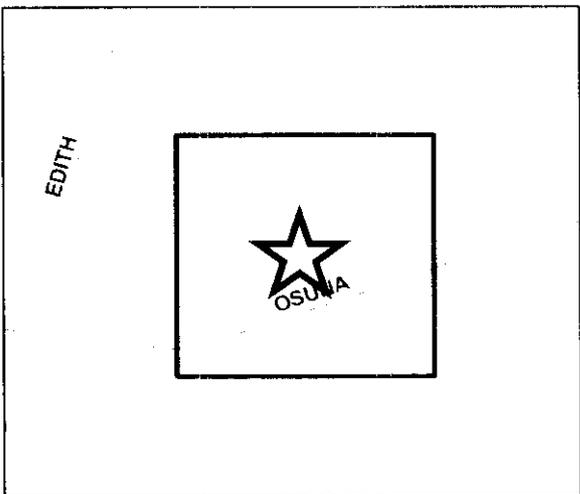
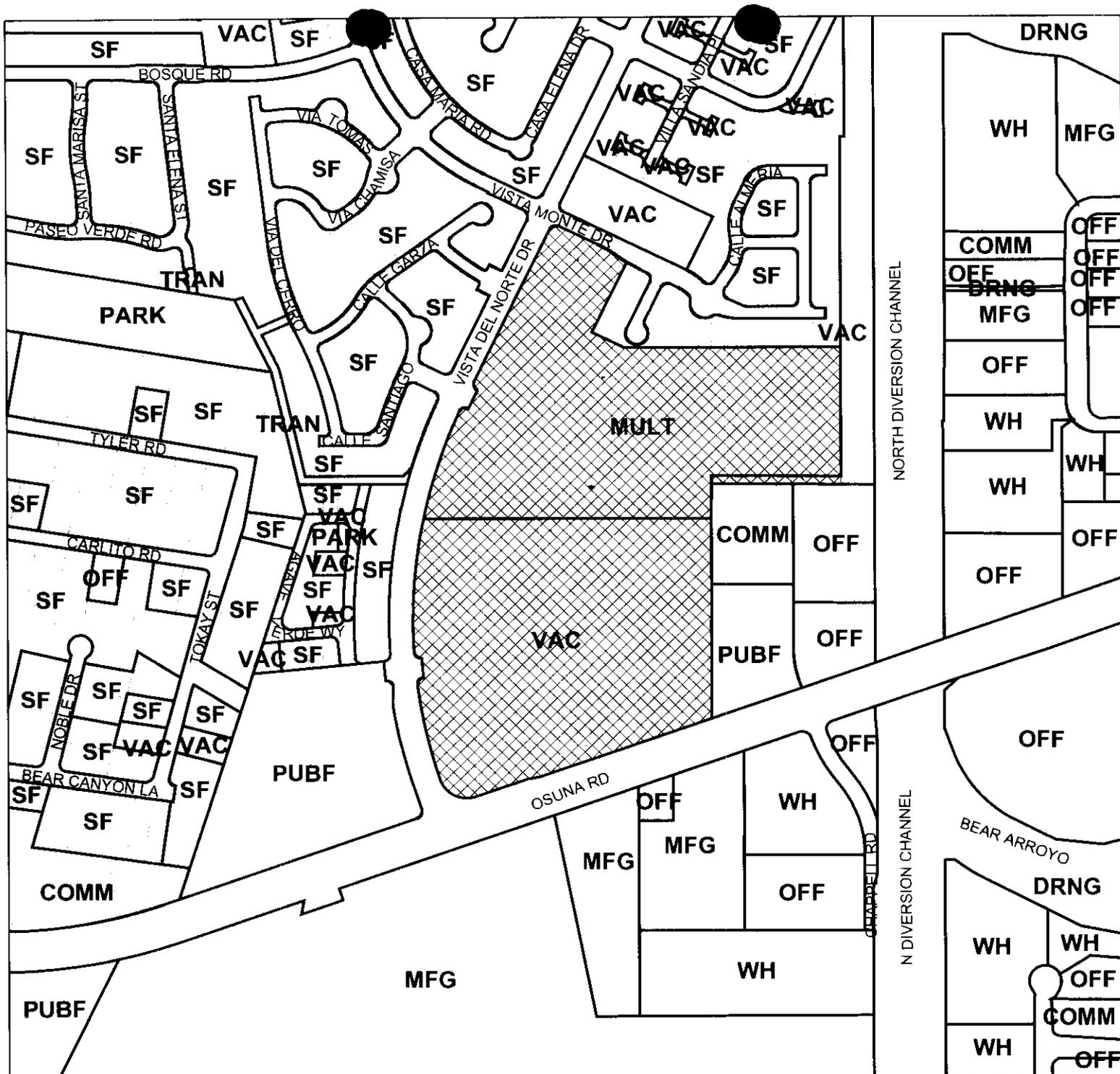


ZONING MAP

Note: Grey shading indicates County.



1 inch = 500 feet
Project Number:
 1001150
Hearing Date:
 1/15/2009
Zone Map Page:
 E-16
Additional Case Numbers:
 08EPC-40125
 08EPC-40126



LAND USE MAP

Note: Grey shading indicates County.

KEY to Land Use Abbreviations

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



1 inch = 500 feet

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1/15/2009

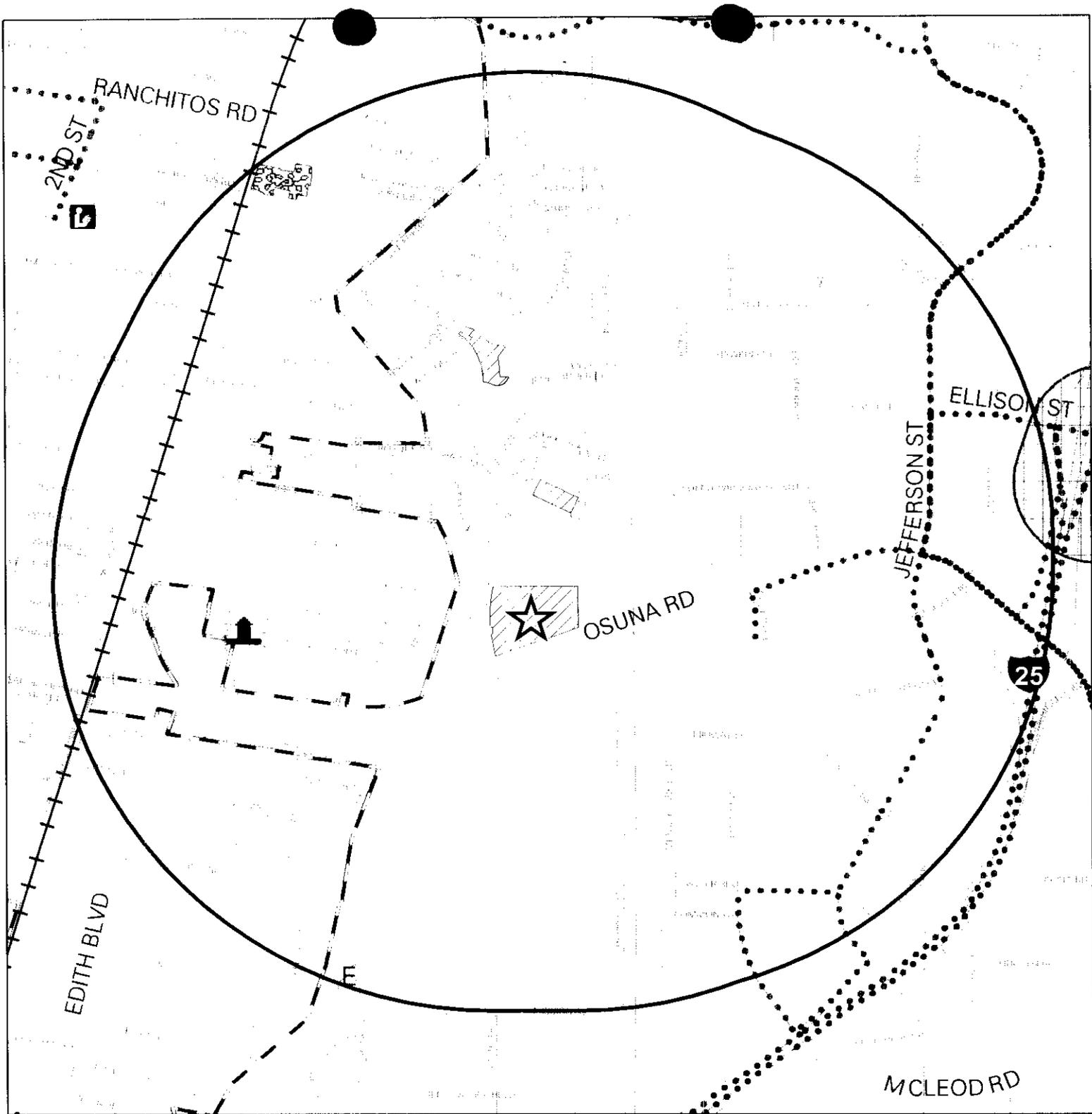
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E-16

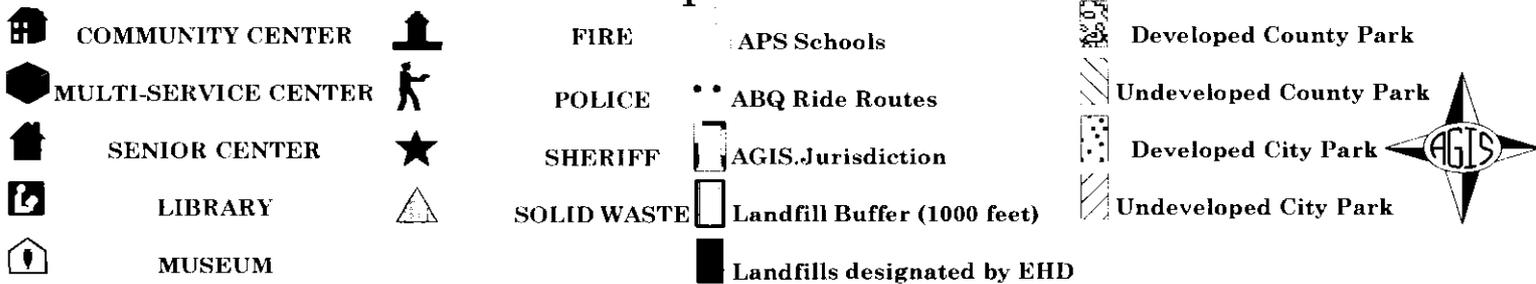
Additional Case Numbers:

08EPC-40125

08EPC-40126



Public Facilities Map with One-Mile Site Buffer



Project Number: 1001150



I. OVERVIEW

BACKGROUND

This proposal was first scheduled for the January 15, 2009 Environmental Planning Commission (EPC) hearing. At the January 8, 2009 study session, the applicant expressed agreement with the deferral recommendation. The intent was to allow time for a facilitated meeting, since scheduling was difficult during the holidays. The EPC granted a 30 day deferral, though the neighbors favored a 180 day deferral. A facilitated meeting was held on February 6, 2009 (see attachment and write-up in the first supplemental Staff report).

This proposal was then scheduled for the February 19, 2009 EPC hearing. A request for a 180 day deferral was submitted, just prior to the hearing, from the City Councilor in whose district the subject site is located. The applicant offered to accept a 30 day deferral, which the EPC granted. The EPC requested additional explanation regarding the deferral request and expressed concern about its last-minute nature.

UPDATE

A deferral request was received from the City Councilor in a timely manner (see attachment). A safety study, to be conducted by the Federal Aviation Administration (FAA), has been commissioned. The study will analyze methods for balloon landing and approaches on the subject site, taking into account the buildings, power lines and other vertical elements nearby (see attachment). A 60 – 90 day deferral is requested.

However, should the EPC opt to hear the proposal, please refer to the first supplemental Staff report for a write-up regarding the facilitated meeting and the facilitators' report (see attachment). The analysis of the second site development plan set, dated February 6, 2009 which is the subject of the first supplemental Staff report, is repeated herein for ease of reading. There have been no additional revisions since then.

REQUEST (repeated in brief)

This two-part proposal is for a site development plan for subdivision amendment (08EPC 40126) and a site development plan for subdivision with design standards (08EPC 40126) for an approximately 43 acre site located on the north side of Osuna Rd., west of Interstate 25 and adjacent east to Vista del Norte Dr.

The applicant proposes to: 1) amend the existing site development plan for subdivision for the "Rancho Mirage at Vista Del Norte" site to remove the approx. 21.5 acre undeveloped portion, and 2) create a new site development plan for subdivision that would establish four small tracts, and design standards, for commercial development along Osuna Rd.

⇒ For more information, please refer to p. 1 of the original January 15, 2009 Staff report (see attachment).

HISTORY & BACKGROUND

⇒ Please refer to p. 2-3 of the original January 2009 Staff report (see attachment).

DEFINITIONS

⇒ Please refer to p. 4 the original January 2009 Staff report for relevant definitions (see attachment).

ZONING

⇒ Please refer to p. 3-4 of the original January 2009 Staff report for an explanation (see attachment).

POLICY ANALYSIS

⇒ Please refer to the original January 2009 Staff report, beginning on p. 4, for an analysis of conformance to adopted Plans and policies (see attachment).

II. SITE DEVELOPMENT PLAN FOR SUBDIVISION AMENDMENT and SITE DEVELOPMENT PLAN FOR SUBDIVISION (FEBRUARY 6, 2009 VERSION)

NOTE: There have been no changes to the February 6, 2009 version during the most recent deferral period. For ease of reading, Staff has copied the write-up from the first supplemental Staff report (see attachment) and included it here.

In brief, the proposal is to: 1) amend the existing site development plan for subdivision, and 2) create four small commercial tracts along the Osuna Rd. frontage. The proposed site development plan for subdivision complies with the definition of a site development plan for subdivision in Zoning Code §14-16-1-5.

⇒ Please refer to p. 10 of the original January 2009 Staff report for a detailed explanation of the existing site development plan for subdivision and the current proposal (see attachment).

The revised submittal includes a couple of changes to the proposed site development plan for subdivision. First, a detail of the "future third lane widening" of Osuna Blvd. is now included. The detail shows three vehicle lanes in each direction, made possible by a reduction of the existing medians. Second, language has been added to specify that the applicant requests two drive-up service windows, one for a restaurant and one for a non-restaurant use. This would mean that two of the four future parcels would contain drive-up service uses.

Staff notes that, if the applicant is no longer planning on a vehicle access point on Vista del Norte Dr., the language in the site development plan for subdivision will have to be updated to reflect this intention. The intention to preserve the park-like landscape at the corner, which is important to the neighbors, needs to be incorporated into the proposed site development plan for subdivision both in the narrative and in the drawing.

**III. SITE DEVELOPMENT PLAN FOR SUBDIVISION, DESIGN STANDARDS
(FEBRUARY 6, 2009 VERSION)**

NOTE: There have been no changes to the February 6, 2009 version during the most recent deferral period. For ease of reading, Staff has copied the write-up from the first supplemental Staff report (see attachment) and included it here.

Purpose & Proposal (repeated in brief)

Design standards provide guidance to ensure that a development will further applicable goals and policies, exceed minimum requirements and establish a framework for future site development plans for building permit. Design standards typically consist of the following sections: Overall Goal/Theme, Site Elements, Pedestrianism, Parking, Setbacks, Landscape, Lighting, Walls/Fences, Utilities, Signage, Architecture and Process.

The proposed design standards would apply to the approx. 4.5 acres of commercial tracts fronting Osuna Rd. and not to the approx. 16.65 acre Tract M-1-A owned by the City.

The proposed design standards are discussed below in the order presented. For ease of reading, the original analysis is repeated here. Revisions contained in the February 6, 2009 version of the proposed site development plan for subdivision are discussed under "Update" after each section.

1. Site Objectives (repeated):

The main site objectives are to link the individual sites together within the subdivision and to the neighborhood and emphasize the relationship between the buildings and the street. Pedestrian connections shall be clearly demarcated with textured, colored concrete or thermoplastic. Parking facilities shall be screened and outdoor patio space shall be provided. Building fronts shall be oriented toward Osuna Rd., with parking on the sides and back.

Staff finds that the screening wall should be 3 ft. to be consistent with the existing design guidelines, which also require more outdoor patio space than the proposed standards. The plaza width should be a minimum 30 ft. for consistency, though the proposed buildings would not exceed 60,000 sf and the Zoning Code minimum of 400 sf would not apply. However, Staff recommends that outdoor patio and plaza areas should be a minimum of 1,000 sf, as recommended in the existing guidelines, to support the objective of creating a pedestrian-oriented environment (Sheet 4, line 14 of text).

Update: The screening walls have been raised to 3 ft. and are now consistent with the existing standards. Standard 1-G has improved, and now proposes outdoor patios of 600 sf. (up from 400 sf). The existing standard calls for 1000 sf., but the site was much larger. Two details have been added, one showing pedestrian linkages and the other showing a plaza area.

2. Parking and Circulation Standards (repeated):

Minimum parking references the Zoning Code parking regulations (§14-16-3-1) and maximum parking would equal minimum plus 10%. Pedestrian crossings are required to be demarcated with textured concrete, thermoplastic, or a comparable material. Parking areas shall be setback a minimum of 15 ft. from Osuna Rd. and the Vista del Norte ROW lines, 10 ft. from other ROW or internal drive aisles and 10 ft. from internal lot lines.

Staff notes that the maximum parking of 10% over required is common in design standards, but wouldn't necessarily contribute to the pedestrian-oriented environment envisioned. Commercial truck parking should not be permitted. A couple of minor clean ups are recommended.

Update: Language has been added to create consistency with the existing design standards, specifically the existing standards 14 and 15. However, the phrase "or canopies and portals for the entire length of the building façade" needs to be added to proposed standard 2-I for it to be at least as stringent as its predecessor.

3. Sidewalks and Bikeway Standards (repeated):

Sidewalks and bikeways are required as an integral element of the streetscape, though it should say development to match the objective. 8 ft. paths are proposed to help create the desired pedestrian oriented environment.

Staff finds that the tree planters need to be a minimum of 36 sf, not 25 sf. The material for the internal pedestrian paths needs to be specified as textured colored concrete and/or thermoplastic to be consistent with other sections of the proposed design standards.

Staff recommends that drive-up service windows be limited to one. Without a limitation, there could be as many as 4 drive-thru uses, all potentially fast-food, which could contribute to traffic problems and undermine the intent of this *de facto* neighborhood center to be pedestrian-oriented.

Update: The 8 ft. path in Standard 3-C needs to be specified as textured colored concrete or thermoplastic to be consistent with the other standards. Planters have been increased to the minimum size of 36 sf. Drive-up service windows have been limited to 2. Though that language is not in the design standards, it should be, preferably under Zoning or Site Objectives.

4. Landscaping Standards (repeated):

The proposed landscaping standards mostly track Zoning Code requirements (§14-16-3-10), with a few specifics. Only short (less than 12 ft.) trees are permitted in the northern 30 ft. of the future tracts. All landscape areas 36 square feet or greater shall be covered with live vegetative material over at least 75% of the required landscape area. Curb openings and sunken landscape beds will allow for re-use of runoff water.

There is existing landscape, including street trees, along Osuna Rd. It is not clear if they are intended to be preserved. If so, the plant varieties need to be included in the landscape palette. Also, more short trees need to be added to the palette so the northern buffers do not become a monoculture. The 75% coverage is a minimum; Staff suggests 80%.

Update: A detail of the existing landscape at the corner of Osuna Rd. and Vista del Norte Dr. has been added. Existing turf will be removed, but the existing mature trees and shrubs closest to Osuna Rd. will be preserved. Two short trees and three shrubs have been added to the landscape palette. Standard 4-E is still internally inconsistent, stating that trees shall be 10 ft. tall when planted but cannot exceed 12 ft. in height in the northern buffer.

5. Architectural Standards (repeated):

The architectural objective is to create a visually integrated site. Permitted architectural styles include Pueblo, Territorial, New Mexico traditional or Southwest. Franchise architecture must be modified to be

consistent with these styles. All sides of buildings must be attractive. Primary building colors shall resemble earthtones. Free-standing wireless telecommunications facilities are prohibited.

Staff suggests, in addition to ATMs, that drive-up service windows, shall be integrated with the building's main design, and that generic franchise architecture be expressly prohibited as it was in the existing design standards.

Update: Standard 5-M prohibits franchise architecture, but uses the word "straight" instead of "generic". Staff recommends the latter. Gas canopies should be added to Standard 5-O, to require them to be integrated with the main building's design. Overall, the architectural standards are consistent with the existing design standards.

6. Screening, Walls & Fencing Standards (repeated):

The proposed design standards address screening of parking lots, loading areas, trash enclosures, storage areas and walls. Refuse enclosures will be gated and service functions oriented away from pedestrian areas. Screen walls for parking areas shall have openings to facilitate pedestrian circulation.

This sections contains some inconsistencies with the existing design standards. Staff recommends that parking lot screen walls be 3 ft. instead of 2 ft. and that loading docks be covered and screened.

Update: Parking lot screening has been increased to 3 ft. to be consistent with the existing design standards. Two details have been added. "Shall" needs to be used in lieu of "should" in the security fencing detail. Loading docks will now be screened with a wall, which is closer to being consistent with the existing design standards which require loading docks to be "covered and screened".

7. Lighting Standards (repeated):

The lighting standards aim to enhance safety, security and aesthetics. Light fixtures are limited to 16 ft. except for the northern 30 ft. of the individual tracts, where lights are limited to 10 ft. high. Uplighting is not permitted.

Light poles, not fixtures, are measured from top to grade. The lighting standards do not clearly distinguish between light poles and light fixtures. Staff suggests a few minor clarifications.

Update: The distinction between light poles and light fixtures has been made in Standard 7-A.

8. Signage Standards (repeated):

The signage design standards regulate the size, location, type and quality of signs in the proposed development. Signs are limited to building-mounted signs and monument signs. Monument signs cannot exceed 6 ft. high or 32 sf sign face. Smaller monument signs are proposed along Vista del Norte Place.

The applicant intends one project entry sign along Osuna Rd., though this does not come through in the proposed signage standards. Clarification is needed. Staff also suggests that standards regarding readability and font be provided.

Update: Standard 8-E is still somewhat unclear, though verbiage has been added to explain that the proposed monument sign would identify all businesses in the development (which would be a project entry sign). 8-P and 8-Q have been added to address lettering, but language is needed to specify contrast between the lettering and the background. Also, "directional" should be removed from after "individual business monument signs" in 8-I because the two are not the same. Regarding lighting, since neon is desired, it would be more appropriate today to say "neon or LED lighting". Since neon or LED signage lighting is not characteristic of the subject site's environs, however, Staff suggests a size limitation of 4% of façade area for such signs.

9. Utility Standards (repeated):

These standards state that the negative visual image shall be mitigated and that transformers, utility pads and equipment shall be screened.

Staff notes that the proposed standards are pretty standard and do not conflict with the existing design guidelines.

Update: No Change.

10. Proposed Approvals Process (repeated):

The applicant is not requesting delegation of approval authority at this time. Rather, the future site development plans for building permit would return to the EPC for review, at least initially. The applicant may request delegation in the future.

Update: No change.

Existing Design Guidelines (updated):

Staff has cross checked the existing design guidelines (see Sheets 1 and/or 2) against the proposed design standards, noting instances where the proposed design standards are more stringent, the same, or less stringent. With the revisions, all of the existing design guidelines have been incorporated into the proposed design standards to varying degrees.

The following guidelines (or portions thereof) have been added to ensure comparable stringency and/or consistency: 8, 9, 12, 13, 14, 15, 17, 18 and 20. The two instances of reduced stringency occur with old Standards 18 (plaza area, proposed Standard 1-G) and 13 (loading docks, proposed Standard 6-H). Other than these, the proposed design standards are consistent or more stringent than the existing standards.

Conclusion:

Staff finds that the revisions have improved the proposed design standards overall. Minor clarification and clean-up is still needed in a few places, mostly to create clarity and remedy a couple of internal inconsistencies.

The proposed design standards could be cleaned up via conditions of approval or during a deferral period, if the EPC chooses to grant one. Transportation's comments have been revised during the most recent deferral period to reflect that additional right-of-way would not be needed for bicycle lanes.

Concerns of Reviewing Agencies/Pre-Hearing Discussion

⇒ Please refer to p. 13 of the original January 2009 Staff report (see attachment).

Neighborhood Concerns (repeated and updated)

Background: Three organizations were required to be notified, the Alameda North Valley Association (ANVA), the Vista del Norte Alliance (VDNA) and the North Valley Coalition (NVC). The applicant notified them (see attachments to the first supplemental Staff report). Other affected organizations are the Vista del Norte Homeowners Association (HOA) and the Northeast Valley NA, though they were not officially required to be notified.

⇒ Please refer to p. 14 of the original January 2009 Staff report for details of what transpired up to the timeframe of the January hearing (see attachment).

The letters originally submitted by the VDNA and the ANVA are included with the original January Staff report (see attachments). The neighbors continue to have the same concerns.

A facilitated meeting was held on February 6, 2009 (see attachment to the first supplemental Staff report). Though attendance was light, there was much discussion. Representatives of the VDNA and the ANVA attended. Neighbors were concerned mostly about traffic. They favor two access points on Osuna Rd., and none on Vista del Norte Dr., due to existing congestion. Neighbors also would like the existing landscape on the corner to be retained, which the applicant has agreed to (with the exception of some shrubs).

Staff has received correspondence (see attachments to the first supplemental Staff report) indicating that the neighbors are requesting a deferral, mostly because they have not seen the updated site development plan set and have not been able to review and discuss it with their membership. Apparently, there is some confusion regarding what is allowed on the subject site, how many drive thrus are proposed, if a traffic study would be required later, and if the applicant is trying to "amend the design guidelines and/or zoning." Staff can work with the neighbors to answer these (and any other) questions, though it is clear that the neighbors want a deferral.

Update: As of this writing, Staff has not received any new correspondence from the neighbors. The letter from the Northeast Valley NA (see attachment) was received after publication of the first supplemental report and prior to the February EPC hearing.

IV. CONCLUSION

This two-part proposal is for an amendment to a site development plan for subdivision and a new site development plan for subdivision with design standards. The applicant proposes to create four commercial tracts along Osuna Rd. for future development. The larger City-owned tract, a future balloon landing site, would not be subject to the proposed design standards. Delegation of the EPC's review authority to the DRB is not requested at this time.

A facilitated meeting was held February 6, 2009. Neighbors were concerned mostly about traffic and would like the existing landscape on the corner to be retained. Staff had received correspondence indicating that the neighbors were requesting a deferral, mostly because they had not seen the updated site development plan set. The letters originally submitted by the VDNA and the ANVA are attached to the January Staff report.

The subject site is in the Developing Urban area. The North Valley Area Plan also applies. Staff finds that overall the proposal furthers and partially furthers most applicable policies. Though the proposed design standards warrant clarification and clean-up in many places, mostly to create clarity and remedy internal inconsistencies, overall they would be sufficient with the incorporation of the proposed Conditions of Approval. Staff recommends approval subject to conditions.

FINDINGS -08EPC 40126, March 19, 2009-Site Development Plan for Subdivision Amendment

1. This is a request for a site development plan for subdivision amendment for Tract M-1, J-1-A and J-1-B, of Vista del Norte, an approximately 43 acre site located on Osuna Road, zoned SU-1 for C-2 uses except alcoholic drink sales for consumption off-premise within 500 feet of residential zoned property, drive-up or drive-thru liquor sales are not permitted (Tract M-1) and R-2 (Tract J-1-A and Tract J-1-B).
2. The applicant proposes to amend the existing site development plan for subdivision for the 43 acre subject site to remove the approximately 21.5 acre undeveloped portion, which the City has purchased for a balloon landing site. The existing Rancho Mirage at Vista del Norte design standards would no longer apply to the approximately 21.5 acres.
3. This request accompanies a request for a site development plan for subdivision with design standards that would apply to approximately 4.5 acres of future commercial uses (08EPC-40125).
4. Documents applicable to the subject request are the Zoning Code, the Comprehensive Plan and the North Valley Area Plan (NVAP). These documents are hereby incorporated into the record for the subject request.
5. The proposal furthers the following Comprehensive Plan policies:
 - A. Policy II.B.5a-full range of urban land uses. The proposal would allow for development of commercial uses in the immediate area, near residential uses, where there are relatively few commercial uses.
 - B. Policy II.B.5e-programmed facilities/neighborhood integrity. The vacant subject site is contiguous to existing urban facilities and services, the use of which is unlikely to disrupt neighborhood integrity.
 - C. Policy II.B.5i-employment/service use location. The location of the commercial tracts would complement the existing residential uses because the larger, balloon landing site would act as a buffer. Generally, adverse effects would be minimized.
 - D. Policy II.B.5l-quality design/new development. The proposed design standards would require quality on all building sides and would not allow unmodified franchise architecture. The permitted architectural styles would be appropriate to the Plan area.

6. The proposal partially furthers the following Comprehensive Plan policies:
- A. Policy II.B.5d-neighborhood values/environmental conditions/resources. The commercial uses would be closer to Osuna Road and the balloon landing site would be closer to the residences. Most of the park-like area, a valued social and recreational resource, would be preserved, though there are concerns about traffic.
 - B. Policy II.B.5j-location of new commercial development. The land is already zoned for commercial uses and is in reasonable walking and bicycling distance from the neighborhoods. However, it is unclear if the future development would mostly serve the neighborhood or if the uses would be intended primarily to attract pass-by traffic and seasonal visitors.
 - C. Policy II.B.5k- land adjacent to arterial streets. Traffic would be directed south of most residences. Safety of the established neighborhood would generally be provided for, though traffic could impact livability to some extent. The balloon area is not a part of the current proposal.
 - D. Policy II.B.5m-site design/unique vistas. The view of the Sandia mountains would be largely preserved except near Osuna Road. It is unknown at this stage how site design specifics would impact views, though generally the proposed design standards would provide for a quality visual environment.
7. The Activity Center Goal is partially furthered. The future commercial uses could help reduce auto travel and promote social/economic activities if they become a de facto neighborhood center, which would enhance the identity of Vista del Norte. However, the subject site is not located in a designated activity center where commercial uses are intended to cluster.
8. The Transportation and Transit Goal and Transit Policy 4g are partially furthered. The design standards would generally provide for a balanced circulation system and encourage pedestrian/bicycle opportunities. However, site layout specifics are unknown at this time and Transit does not serve the subject site (Goal). Opportunities for non-motorized travel would be provided, but Transit service is lacking in the area and drive-thru uses affect the pedestrian-friendliness of a site's layout (Policy 4g).
9. Regarding the North Valley Area Plan (NVAP), the request generally furthers the following applicable Goals:
- A. General Goal #6: The subject site is located in a developed/established commercial industrial zone and area that is already zoned to allow the proposed future uses. The proposed design standards would generally help to encourage quality commercial development.

- B. General Goal #11: The subject site, approx. 1.25 miles west of Interstate 25, can be considered near the I-25 corridor but not in it. The future commercial development would occur along Osuna Rd., a Valley arterial with commercial/industrial uses already, rather than in the lower valley.
10. The proposal partially furthers the following applicable NVAP policies:
- A. Transportation Policy 2: The design standards would provide opportunities for pedestrian/bicycle circulation and would begin to improve the safety of non-motorized travel, but Transit does not serve this part of the Plan area and a vehicle is needed to access the subject site.
 - B. Village Center Policy 1: The design standards incorporate Village Center principles such as pedestrian accessibility, small signs, non-standardized architecture and de-emphasis on parking in front of buildings (p. 134-136). However, drive-thru uses could affect the pedestrian-friendliness of a site's layout impact the degree to which these principles are applied.
 - C. Village Center Policy 3: The design standards require direct connections from sidewalks to building entrances, but emphasis needs to be placed on the main entrances which are intended to be visible to the pedestrian.
11. The proposal does not further NVAP Zoning & Land Use Policy 3d because the tracts would constitute a strip of commercial development along Osuna Rd. a principal Valley arterial. However, the proposal furthers and partially furthers subpolicies c and d, respectively. The subject site is already zoned for commercial development (c). The proposed design standards incorporate Village Center principles, though drive-thru uses could impact how these principles are applied (d).
12. A Traffic Impact Study (TIS) was not required.
13. The applicant has obtained a Certificate of No Effect pursuant to F/S O-07-72, the Albuquerque Archaeological Ordinance.
14. The Alameda North Valley Association (ANVA), the Vista del Norte Alliance (VDNA) and the North Valley Coalition (NVC) were notified. A facilitated meeting was held on February 6, 2009. Neighbors are concerned mostly about traffic, access points, the existing landscape and impact to the Balloon Fiesta. The ANVA continues to request a deferral due to the possible purchase of the property by the City or County.

RECOMMENDATION - 08EPC 40126, March 19, 2009

APPROVAL of 08EPC 40126, a Site Development Plan for Subdivision Amendment for Tract M-1, J-1-A and J-1-B, Vista del Norte, zoned SU-1 for C-2 uses except alcoholic drink sales for consumption off-premise within 500 feet of residential zoned property, drive-up or drive-thru liquor sales are not permitted (Tract M-1) and R-2 (Tract J-1-A and Tract J-1-B), located on Osuna Road, based on the preceding Findings and subject to the following Condition of Approval.

CONDITION OF APPROVAL -08EPC 40126, March 19, 2009- Site Development Plan for Subdivision Amendment

1. The subject site shall be replatted.
-

FINDINGS -08EPC 40125, March 19, 2009- Site Development Plan for Subdivision

1. This is a request for a site development plan for subdivision, with design standards, for Tract M-1, J-1-A and J-1-B, of Vista del Norte, an approximately 43 acre site located on Osuna Road, zoned SU-1 for C-2 uses except alcoholic drink sales for consumption off-premise within 500 feet of residential zoned property, drive-up or drive-thru liquor sales are not permitted (Tract M-1) and R-2 (Tract J-1-A and Tract J-1-B).
2. The applicant proposes to create four, approximately 1 acre tracts along Osuna Road for future commercial development. The 21.5 acre portion of the subject site would be developed by the City, in the future, as a balloon landing site.
3. This request accompanies a request for a site development plan for subdivision amendment that would remove the approximately 21.5 acre portion of the subject site (08EPC-40126).
4. Documents applicable to the subject request are the Zoning Code, the Comprehensive Plan and the North Valley Area Plan (NVAP). These documents are hereby incorporated into the record for the subject request.
5. The proposal furthers the following Comprehensive Plan policies:
 - A. Policy II.B.5a-full range of urban land uses. The proposal would allow for development of commercial uses in the immediate area, near residential uses, where there are relatively few commercial uses.

- B. Policy II.B.5c-programmed facilities/neighborhood integrity. The vacant subject site is contiguous to existing urban facilities and services, the use of which is unlikely to disrupt neighborhood integrity.
 - C. Policy II.B.5j-employment/service use location. The location of the commercial tracts would complement the existing residential uses because the larger, balloon landing site would act as a buffer. Generally, adverse effects would be minimized.
 - D. Policy II.B.5l-quality design/new development. The proposed design standards would require quality on all building sides and would not allow unmodified franchise architecture. The permitted architectural styles would be appropriate to the Plan area.
6. The proposal partially furthers the following Comprehensive Plan policies:
- A. Policy II.B.5d-neighborhood values/environmental conditions/resources. The commercial uses would be closer to Osuna Road and the balloon landing site would be closer to the residences. Most of the park-like area, a valued social and recreational resource, would be preserved, though there are concerns about traffic.
 - B. Policy II.B.5j-location of new commercial development. The land is already zoned for commercial uses and is in reasonable walking and bicycling distance from the neighborhoods. However, it is unclear if the future development would mostly serve the neighborhood or if the uses would be intended primarily to attract pass-by traffic and seasonal visitors.
 - C. Policy II.B.5k- land adjacent to arterial streets. Traffic would be directed south of most residences. Safety of the established neighborhood would generally be provided for, though traffic could impact livability to some extent. The balloon area is not a part of the current proposal.
 - D. Policy II.B.5m-site design/unique vistas. The view of the Sandia mountains would be largely preserved except near Osuna Road. It is unknown at this stage how site design specifics would impact views, though generally the proposed design standards would provide for a quality visual environment.
7. The Activity Center Goal is partially furthered. The future commercial uses could help reduce auto travel and promote social/economic activities if they become a de facto neighborhood center, which would enhance the identity of Vista del Norte. However, the subject site is not located in a designated activity center where commercial uses are intended to cluster.
8. The Transportation and Transit Goal and Transit Policy 4g are partially furthered. The design standards would generally provide for a balanced circulation system and encourage pedestrian/bicycle opportunities. However, site layout specifics are unknown at this time and Transit does not serve the subject site (Goal).

Opportunities for non-motorized travel would be provided, but Transit service is lacking in the area and drive-thru uses affect the pedestrian-friendliness of a site's layout (Policy 4g).

9. Regarding the North Valley Area Plan (NVAP), the request generally furthers the following applicable Goals:

- A. General Goal #6: The subject site is located in a developed/established commercial industrial zone and area that is already zoned to allow the proposed future uses. The proposed design standards would generally help to encourage quality commercial development.
- B. General Goal #11: The subject site, approx. 1.25 miles west of Interstate 25, can be considered near the I-25 corridor but not in it. The future commercial development would occur along Osuna Rd., a Valley arterial with commercial/industrial uses already, rather than in the lower valley.

10. The proposal partially furthers the following applicable NVAP policies:

- A. Transportation Policy 2: The design standards would provide opportunities for pedestrian/bicycle circulation and would begin to improve the safety of non-motorized travel, but Transit does not serve this part of the Plan area and a vehicle is needed to access the subject site.
- B. Village Center Policy 1: The design standards incorporate Village Center principles such as pedestrian accessibility, small signs, non-standardized architecture and de-emphasis on parking in front of buildings (p. 134-136). However, drive-thru uses could affect the pedestrian-friendliness of a site's layout impact the degree to which these principles are applied.
- C. Village Center Policy 3: The design standards require direct connections from sidewalks to building entrances, but emphasis needs to be placed on the main entrances which are intended to be visible to the pedestrian.

11. The proposal does not further NVAP Zoning & Land Use Policy 3d because the tracts would constitute a strip of commercial development along Osuna Rd. a principal Valley arterial. However, the proposal furthers and partially furthers subpolicies c and d, respectively. The subject site is already zoned for commercial development (c). The proposed design standards incorporate Village Center principles, though drive-thru uses could impact how these principles are applied (d).

12. A Traffic Impact Study (TIS) was not required.

13. The applicant has obtained a Certificate of No Effect pursuant to F/S O-07-72, the Albuquerque Archaeological Ordinance.

14. The Alameda North Valley Association (ANVA), the Vista del Norte Alliance (VDNA) and the North Valley Coalition (NVC) were notified. A facilitated meeting was held on February 6, 2009. Neighbors are concerned mostly about traffic, access points, the existing landscape and impact to the Balloon Fiesta. The ANVA continues to request a deferral due to the possible purchase of the property by the City or County.

RECOMMENDATION - 08EPC 40125, March 19, 2009

APPROVAL of 08EPC 40125, a Site Development Plan for Subdivision for Tract M-1, J-1-A and J-1-B, Vista del Norte, zoned SU-1 for C-2 uses except alcoholic drink sales for consumption off-premise within 500 feet of residential zoned property, drive-up or drive-thru liquor sales are not permitted (Tract M-1) and R-2 (Tract J-1-A and Tract J-1-B), located on Osuna Road, based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL -08EPC 40125, March 19, 2009- Site Development Plan for Subdivision

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 final DRB sign off, the applicant shall meet with the Staff planner to ensure that conditions of approval are met. Evidence of this meeting shall be provided to the DRB at the time of application.
3. Sheet 3 of 6, Site Development Plan for Subdivision:
 - A. Building Heights and Setbacks: Maximum allowed building height shall be 26 ft. [~~and not to exceed one story~~].
 - B. If a vehicular access point is no longer intended for Vista del Norte Dr., the language shall be updated to reflect this.
 - C. Drive-up service window uses shall be limited to one.
4. Sheet 4, Design Standards. Introductory Language:
 - A. The following sentence shall be revised as indicated: "...[~~and~~] Drive-thru service windows [~~-if any-~~] shall [~~be restricted by~~] [~~+comply with+~~] Section 14-16-3-18(D)(5) of the Zoning Code" [~~and shall be oriented away from pedestrian areas, residentially-zoned areas and public streets+~~].

-
- B. The following language shall be added: Drive-up service window uses shall be limited to one.
5. Sheet 4, Design Standards, Section 1- Site Objectives:
- A. The term "pedestrian connection" shall be used consistently throughout this section.
 - B. "Adequate" shading shall be defined as a minimum of 35% of the area.
 - C. New Standard 1-I: Main building entrances shall be visible to the pedestrian and directly accessible.
 - D. New Standard 1-J: Pedestrian connections shall link buildings to plazas.
6. Sheet 4, Design Standards, Section 2- Parking and Circulation Standards:
- A. The following sentence shall be revised to facilitate enforcement: "Except for deliveries, parking of commercial trucks [~~in excess of 24 ft. long~~] shall not be permitted."
 - B. The phrase "for the commercial uses" shall be removed from Standard 2-F since all of the uses will be commercial.
 - C. The following phrase shall be added to Standard 2-I to create consistency with the old Standard 14: "...or canopies and/or portals for the entire length of the building façade".
 - D. The following sentence shall be revised as indicated, based on the old Standard 17: "Gas canopies and auto dominated uses shall be secondary to pedestrian [~~ways~~] [+connections+]. [The site layout shall ensure that pedestrian connections are the primary consideration+]."
7. Sheet 4, Design Standards, Section 3- Sidewalks and Bikeway Standards:
- A. The following sentence shall be revised as indicated: "To encourage and enhance [~~the~~] pedestrian activity, sidewalks and/or bikeways are required in all areas as an integral element of the [~~streetscape~~] [+development+]."
 - B. The following sentence shall be revised as indicated, for consistency (Standard 3-C): "Internal pedestrian [~~access~~] [+circulation+] shall be provided [~~with~~] [+for by+] a clear 8-ft. wide [~~path~~] [+pedestrian connection of textured, colored concrete or thermoplastic+], including adjacent trees...".
8. Sheet 4, Design Standards, Section 4- Landscaping Standards:
- A. The abbreviation "TYP" shall be removed from the existing landscape diagram.

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- B. To be consistent with Standard 4-A, Standard 4-C shall add the phrase "or on the northerly 30 ft. of all sites."
- C. The word "appropriate", which is undefined, shall be removed from Standard 4-F.
- D. Coverage with living, vegetative materials in areas over 36 sf shall be 80%.
9. Sheet 4, Design Standards, Section 4- Landscaping Standards, Northern buffer:
- A. To create internal consistency in Standard 4E, the phrase "and be capable of reaching a mature height of 25 ft.", in reference to the northern buffer, shall be deleted.
- B. The following internal contradiction in Standard 4E shall be resolved: The northern buffer shall consist primarily of evergreen trees which must be at least 10 ft. tall when planted, yet the mature height of trees on the northerly 30 ft. of all sites shall not be allowed to be 12 ft. high.
10. Sheet 4, Design Standards, Section 5- Architectural Standards:
- A. The following sentence shall be revised as indicated (Standard 5-H): "The primary building colors shall [~~resemble~~] [be] earthtones."
- B. The following sentence shall be revised as indicated (Standard 5-M): "[~~Straight~~] [Generic] franchise architecture shall be prohibited, but it can be modified to be consistent with [~~the~~] architectural Standard [~~within Subsection~~] 5-A."
- C. The following sentence shall be revised as indicated (Standard 5-O): "ATMs [and] [+, +] drive-up service windows [and gas canopies] shall be architecturally integrated [~~in~~] with the main building[²]."
11. Sheet 4, Design Standards, Section 6- Screening Walls and Fencing Standards:
- In the security fencing detail, the word "should" shall be replaced with "shall."
12. Sheet 5, Design Standards, Section 8- Signage Standards:
- A. The following sentence shall be revised as indicated because these are different signage types (Standard 8-I): "Individual business monument signs [~~directional~~]..."
- B. The following phrase shall be added to Standard 8-P regarding easily readable lettering: "Contrast of graphic and/or lettering to the background shall be a minimum of 70%."

- C. Illumination such as neon or LED strips or bulbs shall be limited to building-mounted signage and shall not exceed 4% of the façade to which it is applied (Standard 8-Q).
- D. For clarity, the phrase "...no signage shall face abutting residential [+areas+]" in Standard 8-Q shall become a new stand-alone Standard 8-R.

13. CONDITIONS OF APPROVAL FROM PNM:

- A. PNM has existing electric and gas distribution facilities along the west, south and east boundaries of the site. It is the applicant's obligation to determine if utility easements cross the property and to abide by any conditions or terms of those easements.
- B. Placement of landscaping should be carefully located to avoid interference with the existing PNM facilities. PNM's preference is for trees and shrubs to be planted outside the PNM easement; however, if within the easement, it is preferred that trees and shrubs be planted in an offset location to minimize effects during maintenance and repair.
- C. The proposed location for electric public utility easements (PUE) to serve the site is requested to be added to the utility sheet of the submittal.
- D. On Sheet 3 of 4, Design Standards, 9. Utility Standards, item 9-C, it is necessary for all screening and vegetation surrounding ground-mounted transformers and utility pads to allow 10 feet clearance for access to ensure the safety of the work crews and the public during maintenance and repair.
- E. On Sheet 3 of 4, Design Standards, 9. Utility Standards, item 9-D is inconsistent with 9-C. It is recommended that the phrase "and ground-mounted" is deleted from the standard.

14. CONDITIONS OF APPROVAL FROM THE CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT:

- A. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for.
- B. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).

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- C. Per Transportation Development Staff, completion of the required system improvements that are attributable to the development, as identified in the TIS, is required. However, these system improvements have probably been addressed with Transportation Development as part of the original development proposal. However, the applicant will need to verify.
 - D. Right turn deceleration lanes may be required at both site drives per the DPM. Provide driveway trip assignment to determine.
 - E. Provide applicable cross access agreements.
 - F. Concurrent platting action required.
 - G. Site plan shall comply and be designed per DPM Standards.
 - H. Dedication of a *minimum* 78 feet of right-of-way from the centerline of Osuna Road a principal arterial as designated on the Long Range Roadway System map.
 - I. Dedication of an additional 6 feet of right-of-way along Osuna Road adjacent to the subject property, as required by the City Engineer, to provide for on-street bicycle lanes.
 - J. Construction of the on-street bicycle lane along Osuna Road adjacent to the subject property as designated on Long Range Bikeways System map.
 - K. The Vista Del Norte Place/Osuna Road driveway shall be restricted to right-in, right-out, left-in traffic only, until the City's Osuna Road widening and bicycle lanes project is completed, or as required by the City Engineer.
-

Catalina Lehner

Catalina Lehner, AICP
Senior Planner

cc: Vista del Norte Development LLC, P.O. Box 36701, Albuquerque, NM 87190
Mark Goodwin & Assoc., P.O. Box 90606, Albuquerque, NM 87199
David Lindner, Alameda North Valley Assn., 10407 4th St. NW, Albuquerque, NM 87114
Steve Wentworth, Alameda North Valley Assn., 8919 Boe Ln. NE, Albuquerque, NM 87113
Rod Crawley, Vista del North Alliance, 70331 Sidewinder Dr. NE, Albuquerque, NM 87113
Richard Hix, Vista del North Alliance, 905 Bosque NE, Albuquerque, NM 87113
Chris Catechis, North Valley Guadalupe Tr. NW, Albuquerque, NM 87107
Claude Morelli, North Valley Coalition, 7 Garden Park Cir. NW, Albuquerque, NM 87107



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

Date: February 20, 2009

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project# 1001150**
08EPC-40125 SITE DEVELOPMENT -
SUBDIVISION
08EPC-40126 AMEND SITE DEVELOPMENT PLAN
- SUBDVN

Applicant
Vista Del Norte LLC
P.O. Box 3671
Albuquerque, NM 87190

LEGAL DESCRIPTION:
MARK GOODWIN AND ASSOCIATES PA agent(s)
for VISTA DEL NORTE, LLC and the CITY OF
ALBUQUERQUE, requests the above actions for all or a
portion Tract M-1, VISTA DEL NORTE zoned SU-1
for C-2 uses except alcoholic drink sales for
consumption off-premise within 500 feet of residential
zoned property, drive-up or drive-thru liquor sales are
not permitted, and Tracts J-1-A and J-1-B VISTA DEL
NORTE, zoned R-2, located on OSUNA RD NE
BETWEEN VISTA DEL NORTE DR NE AND
CHAPPELL RD NE containing approximately 43
acres. (E-16) Catalina Lehner, Staff Planner

On February 19, 2009 the Environmental Planning Commission voted to **DEFER** Project 1001150/
08EPC-40125 and 08EPC-40126 to **MARCH 19, 2009**.

**PROTEST: 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, WHICH IS BY MARCH 6, 2009.**

**APPEAL: IF YOU WISH TO APPEAL A FINAL DECISION, YOU MUST DO SO BY MARCH 6, 2009 IN
THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED
AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE
APPEAL IS FILED.**

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

Sincerely,


for Richard Dineen
Planning Director

RD/CL/ma

cc: Vista del Norte Development LLC, P.O. Box 36701, Albuquerque, NM 87190
Mark Goodwin & Assoc., P.O. Box 90606, Albuquerque, NM 87199
David Lindner, Alameda North Valley Assn., 10407 4th St. NW, Albuquerque, NM 87114
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Claude Morelli, North Valley Coalition, 7 Garden Park Cir. NW, Albuquerque, NM 87107

CITY OF ALBUQUERQUE
CITY COUNCIL

INTEROFFICE MEMORANDUM

TO: Richard Dineen, Planning Department, Director
Russel Brito, Development Review Division, Manager
Catalina Lehner, Development Review Division, Senior Planner

FROM: Debbie O'Malley, District 2, City Councilor

SUBJECT: Request for deferral of EPC Project #1001150

DATE: March 11, 2009

CC: Laura Mason, City Council Director
John MacKenzie, Mark Goodwin and Associates
Steve Wentworth, Alameda North Valley Assn.
Richard Hix, Vista Del Norte Alliance

I would like to request a deferral of #1001150 (08EPC-40125/40126) for 60-90 days. This case is currently scheduled for public hearing before the Environmental Planning Commission on March 19, 2009. The reason for the deferral is to complete a safety study to be conducted by the Federal Aviation Administration (FAA).

Due to a letter from the FAA expressing concern about this project, concerned constituents, and the ballooning community, I have asked for, and the FAA has agreed to do a safety study for the approximately 22-acre tract of land for use as a balloon landing site and recreational fields.

The purpose of the study includes but may not be limited to analyzing the methods for balloon landings and approaches that would be within FAA rules and guidelines. Additionally, the study will review whether buildings, power lines, vehicles, and other vertical elements would be appropriate for this balloon landing site.

Please see attached letter from the FAA Flight Standards District Office.



U.S. Department
of Transportation
**Federal Aviation
Administration**

Flight Standards District Office
1601 Randolph Road, S.E., Suite 200N
Albuquerque, New Mexico 87106
(505) 764-1200, FAX (505) 764-1233

March 11, 2009

Ms. Laurie Moye Chair
Environmental Planning Commission
City of Albuquerque
Planning Department
600 2nd Street NW
Albuquerque, NM 87103

Reference: The proposed balloon landing site located at Osuna and Vista del Norte.

- The City of Albuquerque originally purchased this property with the intention of using it as a landing site for balloons.
- With the continued growth of the city, the area available for landing balloons is rapidly shrinking.
- The loss of usable open space for landing balloons has had an impact on the safety of flight operations – especially in the approach and landing phase (which has been determined by the Federal Aviation Administration [FAA] to be the most dangerous phase of flight operations).
- Continued loss of landing sites in the vicinity of Balloon Fiesta Park may cause the FAA to place additional limitations on Balloon Fiesta flight operations in the interest of safety.
- The FAA's Balloon Flying Handbook (FAA-H-8083-11A) states balloons need to plan for 100 feet of travel for each knot (1.15 mph) of wind. (Example below).
- The waiver issued to the Albuquerque International Balloon Fiesta by the FAA limits wind velocity for launching to 10 knots (11.5 mph). However, if the wind speed increases once a balloonist is airborne, he will eventually have to land in a faster moving wind. (Example below).
- Another question is the number of balloons that can use the field at any given time. With a higher wind velocity fewer balloons will be able to safely use the area than when the wind speeds are lower. Balloon Fiesta will have to insist pilots deflate their balloons as soon as safely possible and clear the area for other balloons that may be approaching for landing.
- There is discussion about developing the southern 250 feet of this property with a strip-mall. From an aviation safety standpoint, I must oppose this initiative. Any reduction of this space limits the effectiveness of the site and will have an impact of the safety of

any balloon landing there. A 250 foot reduction in north to south distance reduces the available landing area by approximately 25%.

- This has been a very quick assessment of the site and the potential hazards associated with it – especially if there is to be construction on the south edge of the site. As an Aviation Safety Inspector, I request the Environmental Planning Commission delay their decision to allow the City Council, Albuquerque International Balloon Fiesta, and the Federal Aviation Administration an opportunity to prepare a detailed response to any proposals for additional uses of this site.

EXAMPLE: A Nautical Mile (NM or “knot”) contains 6,076 feet (approximately 15% greater distance than a statute mile). A balloon moving at 1 knot per hour moving at 100 feet per minute (6,000 feet divided by 60 minutes equals 100 feet/minute).

Assume a balloon is approaching to land at this site and is in level flight 100 feet above ground level. If the balloon descends at 200 feet/minute it will take 30 seconds to reach the ground. If the wind is moving at 5 knots, the balloon will travel 250 feet horizontally prior to reaching the ground - at 10 knots, the horizontal distance will be 500 feet prior to ground contact. The balloon will drag some distance depending on how aggressive the pilot is on his deflation, plus the height of the balloon (70-80 feet). As you can see this can easily consume the remaining 500 to 600 feet of space. Additionally, the greater the speed of the wind, the greater distance the balloon will drag as it deflates. Depending on the skill of the pilot, this distance is usually one-half the landing distance – for more skilled pilots it may be less, for less experienced airmen it is generally twice as great as the average distance.

Personal Bio:

J.D. Huss is an Aviation Safety Inspector employed by the Federal Aviation Administration. He holds an Airline Transport Pilot Certificate with Airplane, Single and Multiengine; Rotorcraft-Helicopter; and five aircraft type ratings. He has Commercial Pilot Privileges in Lighter-Than-Air: Balloons (Gas and Hot Air) and Private Privileges: Glider. He has 48 years of flight experience and over 19,200 hours flight time. He has been the Lighter-Than-Air subject matter expert for the FAA’s Albuquerque Flight Standards District Office for the previous 19 years. During this time, he has been the FAA Inspector-in-Charge of the Albuquerque International Balloon Fiesta on 15 separate occasions. He currently serves as the FAA Safety Team (FAASTeam) Program Manager for the Albuquerque District.

Sincerely,

J.D. Huss
Aviation Safety Inspector

cc: Councilor Debbie O’Malley, District 2,
Richard Dineen, Planning Department
Russell Brito, Development Review Division, Manager
Catalina Lehner, Development Review Division, Senior Planner

Lehner, Catalina L.

Request for Deferral of Feb. hearing

From: Sanchez-Pare, Kelly
Sent: Wednesday, February 18, 2009 5:57 PM
To: Dineen, Richard W.; Brito, Russell D.; Lehner, Catalina L.; Mason, Laura J.; Zaman, Jon K.; SWent999@aol.com; 'Richard Hix'
Subject: Request for deferral of EPC Project #1001150 (08EPC-40125/40126) for 180 days



**CITY OF ALBUQUERQUE
CITY COUNCIL**

INTEROFFICE MEMORANDUM

TO: Richard Dineen, Planning Department, Director
Russel Brito, Development Review Division, Manager
Catalina Lehner, Development Review Division, Senior Planner

FROM: Debbie O'Malley, District 2, City Councilor

SUBJECT: Request for deferral of EPC Project #1001150

DATE: February 18, 2009

CC: Laura Mason, City Council Director
Steve Wentworth, Alameda North Valley Assn.
Richard Hix, Vista Del Norte Alliance

I would like to request deferral of # 1001150 (08EPC-40125/40126) for 180 days. The case is currently scheduled for public hearing before the Environmental Planning Commission on February 18, 2009.

Due to expressed concerns from a number of constituents, I am going to be commissioning a safety study for the total 43 acres of the Vista del Norte site (1005 Osuna Rd. NE). The purpose of the study is to analyze the method of balloon landing/approach that would be within FAA rules and guidelines; additionally, whether buildings, power lines, vehicles, and other vertical elements would be appropriate for this balloon landing site.

Thank you.

Kelly Sanchez-Pare

Policy Analyst & Constituent Services
City Councilor, Debbie O'Malley, District 2

Albuquerque City Council

One Civic Plaza, 9th Floor

Albuquerque, NM 87103

(505) 768-3159 Of

(505) 768-3227 Fax

Ksanchez-pare@cabq.gov

**Northeast Valley Neighborhood Association
508 Bear Canyon Lane, NE
Albuquerque, NM 87113**

February 17, 2009

Environmental Planning Committee
600 2nd St. NW, Third Floor
Albuquerque, NM 87102

RE: Project #1001150, Case #: 08EPC-40126, Amendment Site Development Plan-Subdivision

Madam Chair Moye and Commissioners:

The Northeast Valley Neighborhood Association (NEVNA) request a deferral of the case referenced above.

NEVNA representatives attended the facilitated meeting on February 7, 2009. It wasn't until the facilitated meeting was drawing to a close that neighborhood representatives found out that the agent had a new set of plans for the project. For whatever reason the new information was not presented at the meeting.

The three association representatives which attended this facilitated meeting brought up critical issues that have not been addressed. One major issue is the ingress and egress of these commercial lots and their impact on the over all traffic onto Osuna heading both east and west. The developer felt that any traffic wanting to exit the property onto Osuna at one of the median cuts without a traffic light and head east would not be a problem. Apparently, he has never traveled Osuna between 7:00-9:00 am or 4:00-6:00 pm. There were more critical issues which were brought up (please see facilitated report). Another major issue which arose was the legality of the city donating public land to a private developer for the majority of the dedications ie: roads and services.

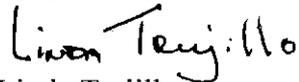
However, one issue which was **not** addressed was the additional traffic that the parks would generate and where that traffic would be directed. Presently, it would be onto Vista del Norte which has a traffic light or straight out Osuna which does not have a traffic light.

The Vista del Norte Development has been a long time in completing their development. NEVNA was involved with the beginning plans. One of their projects was the 13 acre Drainage Ponds and Athletic fields which were to be build on Edith Blvd. The drainage ponds were built but not the athletic fields or the required landscaping placed. **CSU 97-26** and **CSU-40002**. Presently, the project is still not completed after twelve years and two Commission hearing later.

This developer has a history of proposing a use and not following through. This present proposal for an amendment to the site development plan subdivision starts out with one site plan proposal and then at the eleventh hour there are changes to the plan that the community has not seen.

The NEVNA has presented their justification and recommendation for a 120 day deferral and additional facilitated meetings.

Respectfully submitted,

A handwritten signature in black ink that reads "Linda Trujillo". The signature is written in a cursive style with a large, stylized "L" and "T".

Linda Trujillo
President NEVNA

cc: Catalina Lehner, Staff Planner



LEGAL DESCRIPTION
TRACT J1 AND T1 VISTA DEL NORTE

DESIGN GUIDELINES

- Lighting shall be site specific. Street light poles shall be located on site perimeters with light fixtures and horizontal light elements to provide high level of illumination with high beams and horizontal light elements to provide high level of illumination on each side.
- All concrete and masonry shall be architecturally inspired with the main building on each side.
- No plastic vinyl siding or facade panels or facade panels or facade panels.
- All east towers shall be architecturally integrated.
- No generic franchise architecture shall be permitted.
- No bulk signs, directional signs or overhead signs shall be permitted.
- All HVAC shall be screened, top of HVAC shall be less than top of parapet.
- Walls and fence shall be designed to be architecturally inspired with the building.
- No block or face color or other features shall be permitted.
- Maximum light fixtures within 300 feet of adjacent residential shall be 16 feet and 20 feet maximum.
- Signage shall be either building mounted or monument signs only. Signage shall be monument sign shall be 16 feet high with 6 feet base and 20 feet maximum.
- Signage shall be either building mounted or monument signs only. Signage shall be monument sign shall be 16 feet high with 6 feet base and 20 feet maximum.
- All building shall be covered and screened with an architecturally integrated roof and wall.
- The face of curb to the entry tower shall be a minimum of 15 feet. The face of curb to the entry tower shall be a minimum of 15 feet. The face of curb to the entry tower shall be a minimum of 15 feet.
- All building shall be directly connected to adjacent streets and other adjacent buildings with clear direct pedestrian pathways with a width of 25 feet on center in 5 x 5 pavers and through parking lots to break up large lots and provide a clear path of pedestrian way.
- There shall be screen walls or earth berms of 3 feet to shield cars from adjacent streets.
- Use concrete and cast masonry shall be secondary to pedestrian way.
- Pavement shall be incorporated into commercial buildings a 30' minimum width dimension and 1000 square feet.
- Commercial one office uses shall be located adjacent to streets with minimal parking between the entry tower and the street.
- Commercial buildings shall be closely linked with parking and pedestrian way.
- Blue credits shall be located where applicable and the minimum shall be the maximum plan 10%.
- No off premise signs as permitted.

APPROVAL AND CONDITIONAL ACCEPTANCE: as specified by the
City Planner, Albuquerque, New Mexico
County Planning Director

PLUM (10708) 4/98

PROJECT NUMBER: 100-0000

SITE: 100-0000

DATE: 1-18-09

NOTES:
1. ALL ACCESS, EGRESS, STORM DRAINAGE AND PEDESTRIAN ACCESS SHALL BE SHOWN ON THE PLAN.
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DESIGN GUIDELINES
1. All concrete and masonry shall be architecturally inspired with the main building on each side.
2. No plastic vinyl siding or facade panels or facade panels or facade panels.
3. All east towers shall be architecturally integrated.
4. No generic franchise architecture shall be permitted.
5. No bulk signs, directional signs or overhead signs shall be permitted.
6. All HVAC shall be screened, top of HVAC shall be less than top of parapet.
7. Walls and fence shall be designed to be architecturally inspired with the building.
8. No block or face color or other features shall be permitted.
9. Maximum light fixtures within 300 feet of adjacent residential shall be 16 feet and 20 feet maximum.
10. Signage shall be either building mounted or monument signs only. Signage shall be monument sign shall be 16 feet high with 6 feet base and 20 feet maximum.
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APPROVAL AND CONDITIONAL ACCEPTANCE: as specified by the
City Planner, Albuquerque, New Mexico
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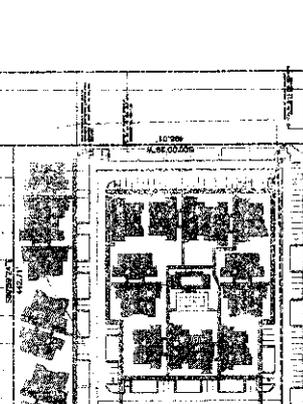
PLUM (10708) 4/98

PROJECT NUMBER: 100-0000

SITE: 100-0000

DATE: 1-18-09

CURVE	LENGTH (FOOT)	CHORD BEARING	CHORD LENGTH
C1	36.27	25.00	30.36
C2	89.00	48.20	88.89
C3	30.00	30.00	30.00
C4	40.17	200.00	40.17
C5	30.34	150.00	30.34
C6	33.51	150.00	33.51
C7	33.54	150.00	33.54
C8	38.45	25.00	38.45
C9	48.18	183.00	48.18
C10	118.41	183.00	118.41
C11	182.05	183.00	182.05
C12	282.05	183.00	282.05
C13	330.31	25.00	330.31
C14	272.81	25.00	272.81



EXISTING ZONING - M1
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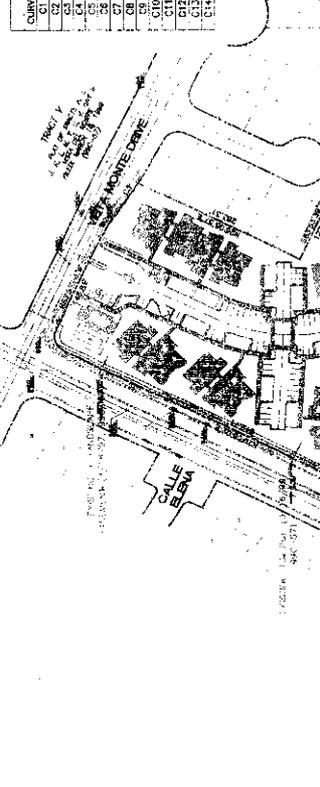
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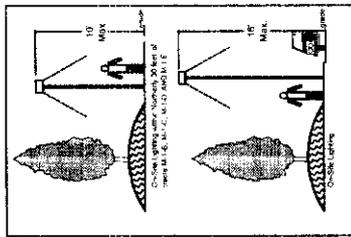
EXISTING ZONING - M1
PROPOSED ZONING - SUI FOR C2 USES

EXISTING ZONING - SUI FOR C1

EXISTING ZONING

7. Lighting Standards

7-A. The maximum height of lighting poles (measured from top to ground) shall be 16 feet, except for the maximum height of lighting poles for which light poles will be limited to 10 feet in height.



7-B. Exterior elevations of any building having a street or private arterial driveway are encouraged to contain feature lighting to enhance the identity of the building.

7-C. The use of ground lighting fixtures may be used to accent landscaping and walkways. Up-lighting fixtures are not permitted.

7-D. Placement of fixtures and standards shall conform to state and local safety and illumination requirements.

7-E. All light fixtures shall be fully shielded horizontally with no light leaks, or both projecting below the bottom of the cut-off fixture so that lighted sign will not escape beyond the property line. On the remaining light fixture within the property line as permitted.

7-F. High pressure sodium lighting shall be prohibited.

8. Signage Standards

8-A. No off-property signs are allowed.

8-B. Signs shall be limited to building-mounted wall signs and free-standing monument signs.

8-C. All elements of a sign shall be maintained in a readily accessible manner.

8-D. One building-mounted sign shall be permitted per facade per business, except for building facades.

8-E. Only one free-standing business monument sign shall be permitted along the Ocean Frontage to identify all property businesses in a compact arrangement.

8-F. The height of a business monument sign shall not exceed 6 feet and the sign base shall not exceed 32 square feet.

8-G. Individual buildings are allowed facade mounted signs provided they do not exceed 6% of the area of the facade to which it is applied.

8-H. The height of a wall sign shall not exceed the height of the wall to which it is attached.

8-I. Individual business monument signs (free-standing) of not more than 12 square feet are permitted for each business along Ocean Frontage.

8-J. Storage is not allowed to contain moving parts, make audible sounds, or exhibit flashing or flashing signs (including LED signs) used for promotional events.

8-K. Signs that are portable, fixed to a movable object, self-supporting, without being firmly anchored in the ground, are prohibited. Signs shall be secured to a permanent structure on a permanent foundation, or shall be secured to any structure that is permanent.

8-L. Signs located on masts, trees, or other natural features are not permitted.

8-M. Vinyl banner signs, vehicles used as signs, and mounted signs and free-standing signs are not permitted.

8-N. All signage shall be designed to be consistent with and complement the residential color and architectural style of the neighborhood or site location.

8-O. No sign shall overhang into the public right-of-way or extend above the building roof line.

8-P. All signage shall contain easily readable lettering.

8-Q. Storage materials shall not be used for free-standing illuminated signs, backlit or neon and/or signs that are not building-mounted.

9. Utility Standards

9-A. All new utility equipment shall be installed in a manner that is aesthetically pleasing and to ensure the overall aesthetic quality of the development. The following standards shall apply:

9-B. When an above-ground backflow prevention device is required, the backflow preventer shall be constructed of materials compatible with the architectural materials used on the main building. If the backflow preventer and/or other equipment are used, they shall be appropriately screened from view by walls and/or landscaping.

9-C. Transformers, utility vaults, and telephone boxes shall be screened with walls and/or vegetation.

9-D. All rooftop and ground-mounted equipment shall be screened from the public view by materials similar to the building's materials.

9-E. The top of all rooftop equipment shall be below the top of parapet or screened from view.

9-F. Screen walls shall conceal all ground-mounted equipment with the top of equipment below the top of screen wall.

10. Proposed Approval Process

Upon approval of this SITE PLAN FOR SUBDIVISION, Tracts No. 6, M-1, C, M-1-D, and M-1-E shall be required to obtain approval for development plan for building permits approved from EPC.

VISTA DEL NORTE		DESIGN STANDARDS	
MARK GOODWIN & ASSOCIATES, P.A. CONSULTING ENGINEERS P.O. BOX 80808 ALBUQUERQUE, NEW MEXICO 87189 (505)828-2200, FAX (505)977-9539			
Scale: N/A	Date: 7/1/2008	Sheet: 001	of 6

OFFICIAL NOTICE

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT SERVICES DIVISION

6. DRB-99-149 Bohannon Huston, Inc., agent for Vista del Norte LLC, request Preliminary Plat approval (includes Grading Plan approval) and Temporary Deferral of Sidewalk Construction for Tract J, Vista del Norte, zoned R-T (City) and located west of the North Diversion Channel and North of Osuna NE containing approximately 45.4 acres. {REF: DRB-98-71} [Deferred from 9/1/99] (E-16)

At the September 8, 1999, Development Review Board Meeting, with the signing of the Infrastructure List dated 9/8/99 and the approval of the Grading Plan Engineer Stamp dated 7/28/99 the Preliminary Plat was approved with the following condition:

CONDITION:

1. Resolution to the Fire Department's concerns with street widths is required.

The Temporary Deferral of Sidewalk Construction was approved as shown on Exhibit C in the Planning File.

If you wish to appeal this decision, you must do so by September 23, 1999, in the manner described below. A nonrefundable fee of \$135 is required at the time the appeal is filed.

Appeal is to the Environmental Planning Commission. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Division form, to the Planning Division, within 15 days of the Development Review Board's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal; 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. Such appeal shall be heard within 60 days of its filing.

You will receive notice if any other person files an appeal. Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).

Please note that a Preliminary Plat approval date is the date of the DRB action plus the 15-day appeal period. The Preliminary Plat approval is effective one year from that date. The DRB must take action on the Preliminary Plat Extension prior to the expiration of the approval or the Preliminary Plat approval is null and void. (REF: Chapter 14 Article 14 Part 3-4 (E) Revised Ordinance.)



Claire Senova
DRB Secretary

cc:Bohannon Huston Inc., 7500 Jefferson NE, 87109

Vista Del Norte LLC, 3411 Candelaria NE, 87107

Loren Hines, Property Management, Legal Dept./4th Flr, City/County Bldg.

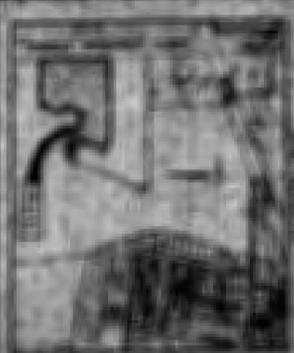
Terri Martin, Public Works Department, 2nd Floor, Plaza del Sol Bldg.

File

DBB-99-149



PRELIMINARY PLAT
 DESCANSADO DEL NORTE
 SUBDIVISION
 ALBUQUERQUE, NEW MEXICO
 JULY 1979



1. 1/4" = 1'-0"
 2. 1/8" = 1'-0"
 3. 1/16" = 1'-0"
 4. 1/32" = 1'-0"
 5. 1/64" = 1'-0"
 6. 1/128" = 1'-0"
 7. 1/256" = 1'-0"
 8. 1/512" = 1'-0"
 9. 1/1024" = 1'-0"
 10. 1/2048" = 1'-0"
 11. 1/4096" = 1'-0"
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 13. 1/16384" = 1'-0"
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