

AA

APPLICATION NO. 07AA-00678	PROJECT NO. 1002529
PROJECT NAME <i>Shops at Westside</i>	
EPC APPLICATION NO. <i>X109-Anton</i>	
APPLICANT / AGENT <i>George Rainhart : Assoc.</i>	PHONE NO. 884-9110
ZONE ATLAS PAGE <i>B-13</i>	
(SDP for SUB), (SDP for BP), (FINAL PLATS), (MASTER DEV PLAN), (IR), (AA)	
<b>ONE STOP COMMENT FORM LOG</b>	

<b>HYDROLOGY DEV (505) 924-3986</b>			
PLANS DISAPPROVED	DATE	DATE	DATE
PLANS APPROVED <i>BdB</i>	DATE <i>6/5/07</i>	DATE	DATE
COMMENTS:			

<b>UTILITY DEV (505) 924-3989</b>			
PLANS DISAPPROVED	DATE	DATE	DATE
PLANS APPROVED <i>ARS</i>	DATE <i>6/7/07</i>	DATE	DATE
COMMENTS:			

<b>TRANSPORTATION DEV (505) 924-3990</b>			
PLANS DISAPPROVED	DATE	DATE	DATE
PLANS APPROVED <i>W/G</i>	DATE <i>5-31-07</i>	DATE <i>6/12/07</i>	DATE
PLANS APPROVED <i>W/G</i>	DATE <i>6-14-07</i>	DATE	DATE
COMMENTS:			
• <i>W/2700 IS CONCURRENCE LETTER FROM OTHER PROPERTY OWNERS? -&gt; provide.</i>			
• <i>PARALLEL STRIP SHOULD BE 8' x 22' - 4' SWRK</i>			
• <i>NOTE TO PAINT SMALL CONE STRIPS ON PAVEMENT</i>			

<b>PARKS AND REC (505) 768-5328</b>			
PLANS DISAPPROVED	DATE	DATE	DATE
PLANS APPROVED	DATE	DATE	DATE
COMMENTS:			

<b>PLANNING (505) 924-3858</b>			
PLANS DISAPPROVED	DATE	DATE	DATE
PLANS APPROVED	DATE	DATE	DATE
COMMENTS:			
<i>7/12/07 applicant submitted revised plans showing on street parking <b>DENIED</b></i>			

Revised 3/3/04

(Return form with plat / site plan)

*6/10/07*

The Law Offices of  
**RICHARD B. WALKER, P.A.**

*A Professional Association*

6605 Uptown Blvd. NE, Suite 300

Albuquerque, New Mexico 87110

e-mail: rbwalkerlaw@aol.com

PHONE: (505) 883-4848

FAX: (505) 883-4857

July 12, 2007

Mr. Wilfred Gallegos  
City of Albuquerque  
City/Roads Planning Division  
600 Second Street NW  
Albuquerque, New Mexico 87102

Re: *Private Access road between  
Westside Drive NW and Coors Blvd. NW*

Dear Mr. Gallegos:

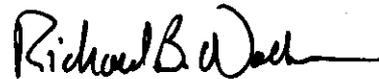
I represent CAS, LLC which owns property adjacent to the Private Access road which connects Westside Drive NW to Coors Blvd. NW. I also represent Robro, Inc. which owns the land upon which two condominiums are presently being built which is also adjacent to the Private Access road that connects Westside Drive to Coors Blvd.

Both of my clients object to the widening of the Private Access road which has been/is being requested by Sterling Development, Inc. Sterling owns the property which is west of and adjacent to the Private Access road. Sterling has not contacted either of my clients to obtain approval for the widening, even though they will both be adversely affected.

Upon receipt of this letter please contact me so that we can discuss the pending request by Sterling Development, Inc. I may be contacted at the above address, by phone or by e-mail.

Thank you for your cooperation.

Sincerely yours,



**RICHARD B. WALKER**

RBW:jr

cc: CAS, LLC (Mr. Randy Eastburg)  
Robro, Inc. (Mr. Robert Ponto)

July 16, 2007

City of Albuquerque  
600 Second St.  
Albuquerque, NM 87102

Attention: Carmen Marrone, City Planner

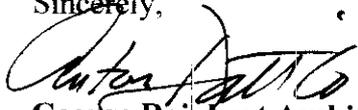
**Re: Administrative Amendment for  
Shops at Westside NW**

**Legal: Lots 3, 4 of Black Farms Estates Tract 6-B.  
Current Zoning: SU-1 for C-1  
Zone Atlas: B-13-Z**

Carmen,

Attached please find the five copies of the revised site plan as discussed.

Sincerely,



**George Rainhart Architects and Associates**

Anton Dattilo Project Manager



GEORGE RAINHART, ARCHITECT & ASSOCIATES P.C.  
2325 SAN PEDRO NE SUITE 2-B ■ ALBUQUERQUE, NEW MEXICO 87110  
PHONE: 505-884-9110 ■ FAX: 505-837-9877 ■ Email: graa@gra-arch.com



ONE STOP SHOP  
CITY OF ALBUQUERQUE PLANNING DEPARTMENT  
Development & Building Services

PAID RECEIPT

APPLICANT NAME Sterling Development  
AGENT George Rainhart Architect & Assoc.  
ADDRESS 2325 San Pedro NE Ste 2B  
PROJECT & APP # 1002529 / 07AA-00678  
PROJECT NAME Shops at Westside

\$ \_\_\_\_\_ 441032/3424000 Conflict Management Fee

\$ \_\_\_\_\_ 441006/4983000 DRB Actions

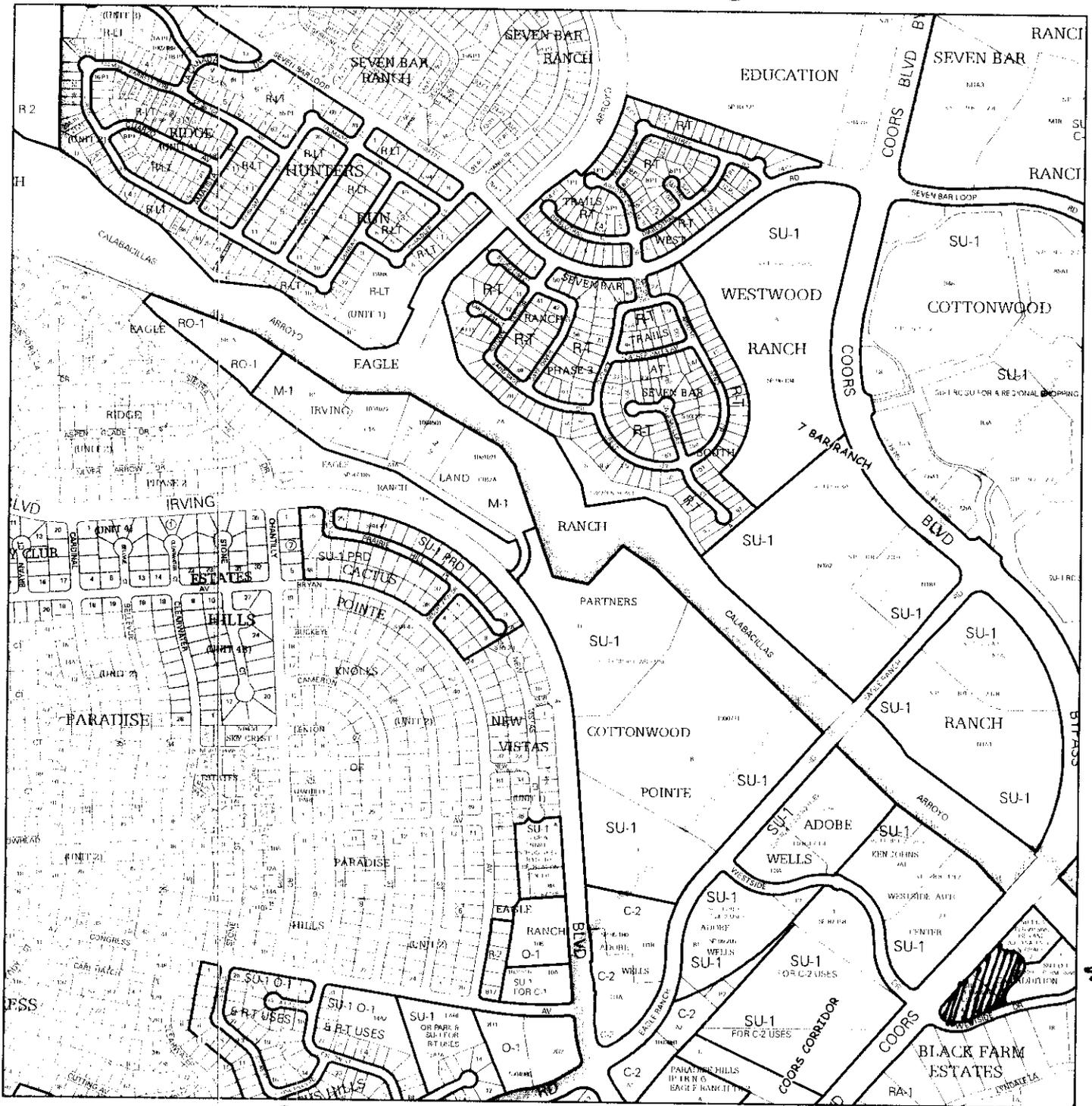
\$ 45.<sup>00</sup> 441006/4971000 EPC(AA/LUCC Actions & All Appeals

\$ \_\_\_\_\_ 441018/4971000 Public Notification

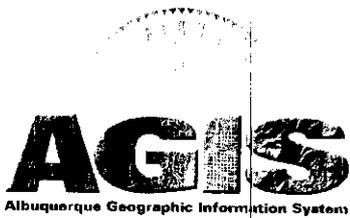
\$ \_\_\_\_\_ 441006/4983000 DRAINAGE PLAN REVIEW OR TRAFFIC IMPACT STUDY\*\*\*  
( ) Major/Minor Subdivision ( ) Site Development Plan ( ) Bldg Permit  
( ) Letter of Map Revision ( ) Conditional Letter of Map Revision  
( ) Traffic Impact Study

\$ 45.<sup>00</sup> TOTAL AMOUNT DUE

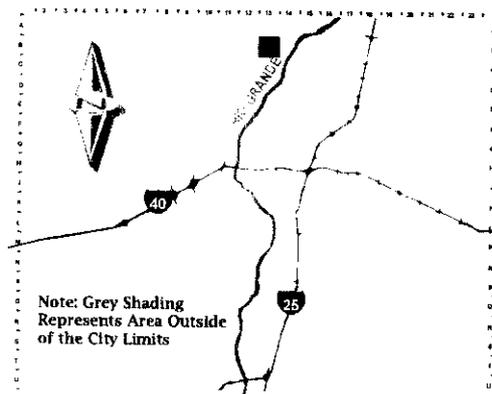
\*\*\*NOTE: If a subsequent submittal is required, bring a copy of this paid receipt with you to avoid an additional charge.



For more current information and more details visit: <http://www.cabq.gov/gis>



Map amended through: 5/17/2007



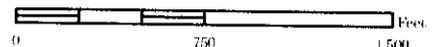
Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:

**B-13-Z**

Selected Symbols

- SECTOR PLANS
- Design Overlay Zones
- City Historic Zones
- H-1 Buffer Zone
- Petroglyph Mon.
- Escarpment
- 2 Mile Airport Zone
- Airport Noise Contours
- Wall Overlay Zone



STIC



June 12, 2007

City of Albuquerque  
600 Second St.  
Albuquerque, NM 87102

**Re: Administrative Amendment for  
Shops at Westside NW**

**Legal: Lots 3, 4 of Black Farms Estates Tract 6-B.  
Current Zoning: SU-1 for C-1  
Zone Atlas: B-13-Z**

To Whom It May Concern:

We herewith wish to submit an application to the City of Albuquerque for Administration Amendment to an approved Site Development Plan for review and possible approval.

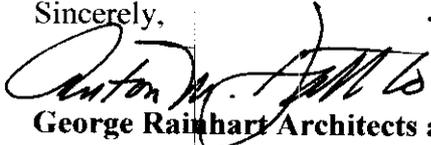
The proposed project is located at the northeast corner of Coors Boulevard NW (State hwy 448) and Westside Drive NW.

The requested changes are as follows:

Due to a Restaurant Tenant Improvement of 1,644 square feet, 45 seats additional parking of three (3) spaces is required. This has been accomplished by converting the eleven spaces along Westside Drive NW to small cars and adding one additional space. Also, adding two spaces at the northwest corner of Building B for the total of three additional spaces.

If you have any questions or concerns about this proposed please do not hesitate to call me (505) 884-9110 extention109.

Sincerely,

  
**George Rainhart Architects and Associates**

Anton Dattilo Project Manager



GEORGE RAINHART, ARCHITECT & ASSOCIATES P.C.  
2325 SAN PEDRO NE SUITE 2-B ■ ALBUQUERQUE, NEW MEXICO 87110  
PHONE: 505-884-9110 ■ FAX: 505-837-9877 ■ Email: graa@gra-arch.com



Thursday, May 31, 2007

Planning & Zoning Dept.  
The City of Albuquerque  
600 2<sup>nd</sup> Street NW, Plaza Del Sol  
Albuquerque, NM 87102

Re: George Rainhart Architects & Associates / Letter of Authorization granted by Sterling Development, Inc. for property at 9780 and 9784 Coors NW.

To Whom It May Concern:

Sterling Development, Inc. as owner; authorizes George Rainhart Architects & Associates to represent Sterling Development, Inc. in the process of submitting for an Administrative Amendment to our existing site plan. George Rainhart Architects & Associates has the full authority to make any needed applications, or submittals, or drawings that the City may require be submitted to them for review.

If you have any questions, please feel free to call me at 505-217-1396.

Sincerely,

A handwritten signature in black ink, appearing to read "Philip Sterling". The signature is stylized and cursive.

Philip J. Sterling  
President

Cc: George Rainhart  
Philip Sterling



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

Date: May 20, 2005

**OFFICIAL NOTIFICATION OF DECISION**

**FILE: Project # 1002529**  
05EPC-00569 EPC Site Development Plan-  
Building Permit

Philip Sterling  
Sterling Development Company  
8101 San Pedro NE  
Albuquerque, NM 87113

**LEGAL DESCRIPTION:** for all or a portion of **Lots 3-5 out of Tract 6-B, Partition of the Black Ranch**, zoned SU-1 for C-1, located at the east-northeast corner of COORS BLVD., NW and WESTSIDE DR. NW, southwest of the CALABACILLAS ARROYO, containing approximately 3 acres. (B-13) David Stallworth, Staff Planner

On May 19, 2005 the Environmental Planning Commission voted to approve Project #1002529/05EPC-00569, a Site Development Plan for Building Permit based on the following Findings and subject to the following Conditions:

**FINDINGS:**

1. This is a request for consideration and approval of a site development plan for building permit on a +/-2.8-acre parcel known as **Lots three (3) through five (5) out of Tract 6-B, Partition of the Black Ranch**, as approved by the Development Review Board on February 16, 2005, to accommodate the new construction of two retail and service shops with a total leasing area of +/- 21,395 square feet.
2. Although the proposed land uses could be primarily viewed as destination-oriented businesses that may attract much of its clientele from areas outside the surrounding community, they could, nevertheless, reasonably serve as a support function for that community. Given both the distance and grade differentials between the proposed development and the existing single-family residential development to the east, the resulting development should have minimal land-use related impact on the surrounding area, thus meeting the intent of *Policy II.B.5.d* of the *City/County Comprehensive Plan*.

**OFFICIAL NOTICE OF DECISION**

May 20, 2005

PROJECT #1002529

PAGE 2 OF 5

3. Existing public infrastructure and transit facilities are in place to adequately support the proposed land use, in accordance with *Policy II.B.5.e* of the *City/County Comprehensive Plan*.
4. The proposed project will offer employment opportunities and services that will complement the surrounding area and serve as suitable development for otherwise vacant land, as articulated under *Policy II.B.5.i* of the *City/County Comprehensive Plan*.
5. The requirement to construct a raised median within Coors Boulevard in conjunction with the imposition of reciprocal access will restrict access onto Coors Boulevard. The scope of the proposed project will not adversely impact the surrounding street network, thus meeting the intent of *Policy II.B.5.k* of the *City/County Comprehensive Plan*.
6. Through the adherence to imposed conditions, the proposed project shall be sensitive to, and compatible with, surrounding development, as articulated in *Policies II.B.5.l* and *II.B.5.m* of the *City/County Comprehensive Plan*.
7. Whereas new commercial land uses are encouraged to be within close proximity to designated regional centers, and whereas site plan review will regulate the design and layout of the proposed use with significant regard to preserving viewsheds of the Bosque and the Sandia Mountains, the proposed development meets the intent of both the *West Side Strategic Plan* and the *Coors Corridor Plan*.
8. In case-related dialogues between the applicant and both Planning and Zoning Enforcement staffs, it was mutually concluded that the height restriction policies expressed in the *Coors Corridor Plan* was designed to benefit vehicular passengers and drivers on a peripheral basis with respect to both forward motion and an instantaneous view.
9. Utilizing the calculation methodology established in *Policy 4.c.1* of the *Coors Corridor Plan*, it was mutually concluded that the maximum height limitation within the project area is eighteen feet (18').
10. Recognizing the existence of complementary grades between the project site and the eastern edge of Coors Boulevard, coupled with a gentle declination along the site's frontage on Coors, it is mutually acknowledged that the applicant will probably have to do some minor excavation and grading to attain a reasonable finished floor elevation that could accommodate a maximum elevation of eighteen feet (18').
11. Recognizing that part of the intent of the *Coors Corridor Plan* is to introduce various architectural elements in order to provide substantive visual relief and eclecticism along Coors Boulevard, it was mutually concluded that the elevated offsets at the corners of each proposed building could be interpreted as ornamental towers, which are exempt from any height restrictions. On the basis of a mutual perspective regarding the intent of *Policy 4.c.1* of the *Coors Corridor Plan*, the elevated corners do not represent a widespread disruption of the viewshed and is therefore reasonable.

OFFICIAL NOTICE OF DECISION  
MAY 20, 2005  
PROJECT #1002529  
PAGE 3 OF 5

- 11. The applicant is authorized to pursue a request for a site development plan for a building permit on the subject property.
- 12. There is no known public opposition to the request.

CONDITIONS:

- 1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
- 2. With respect to engineering-related considerations, the following conditions shall apply:
  - 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 for subdivision. 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).
  - \* c. A Traffic Impact Study is required and has been reviewed for this proposal.
  - d. Completion of the required TIS mitigation measures, per Transportation Development Staff, must be completed if assumed to be in place for the current TIS for this site (i.e. street improvements recommended in the Traffic Impact Study (TIS)).
  - e. Provide cross access agreement between lots 3, 4 and 5 or other lot configuration as needed. Revision of pedestrian and vehicular ingress and egress note on site development plan for subdivision will be required per Traffic Engineer. Revision of previously approved access points will be required per Traffic Engineer.
  - f. Are-plat is required to consolidate lots 3, 4 and 5 into two lots (3 and 4?).
  - g. Site plan shall comply and be designed per DPM Standards.
  - h. Dedication of an additional 6 feet of right-of-way along Coors Boulevard as required by the City Engineer to provide for on-street bicycle lanes.
  - i. Construction of the bicycle lane along Coors Boulevard adjacent to the subject property, as designated on Long Range Bikeways System.
  - j. Dedication of additional rights-of-way, as necessary, and construction of the fourth northbound travel lane on Coors Boulevard adjacent to the subject property consistent with the Coors Corridor Plan (see figure 6).

MAKO  
AA NOT  
REPLAT

JAKE  
JAKE  
" ✓  
" ✓  
" ✓

OFFICIAL NOTICE OF DECISION  
May 20, 2005  
PROJECT #1002529  
PAGE 4 OF 5

- Grading Plan in last wk

JAKE ✓ k. Construction of a raised median, concurrent with development of this site, to prevent westbound to southbound left turns at both Westside Drive and the private access drive.

GRAB 3. The applicant shall revise the site plan to relocate the proposed refuse container for Shop "A" to a point where it is not situated between both building front and public street, in accordance with design standards outlined in the site plan for subdivision as approved on February 16, 2005.

✓ 4. The applicant shall clearly and distinctly clarify the location of the proposed 15" (H) by 12' (L) wall for seating with shade, as outlined in the plan view portion of the submitted site plan.

JAKE 5. The site plan should clearly demonstrate that the affected area is subject to reciprocal parking arrangements, either by referencing the approved site plan for subdivision and amendments thereof, or by providing for such upon a subsequent plat.

GRAB 6. The site plan shall clearly demonstrate that all proposed disability parking spaces comply with section 14-16-3-1-E-8 of the Zoning Code.

GRAB/JAKE 7. The project will comply with all SWMD ordinances and requirements.

This was to be approved w/ this action done

8. The applicant shall obtain approval of an amended site development plan for subdivision affecting this project by the Development Review Board prior to any consideration and approval of this site development plan for building permit by said body.

GRAB 9. The applicant shall revise the proposed parking layout to include at least one space to accommodate motorcycle parking.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY JUNE 3, 2005 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.

OFFICIAL NOTICE OF DECISION  
MAY 20, 2005  
PROJECT #1002529  
PAGE 5 OF 5

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/DS/ac

cc: Bill Johnson, George Rainhart, Arch., 2325 San Pedro NE #2B 87110  
Janice Torrez, Riverfronte N.A., 1614 Travis Rd NW 87114  
Mark McNeil, Riverfronte Estates NA, Inc., 1610 Lyria Rd. NW 87114  
Larry Weaver, Paradise Hills Civic Assoc., 6001 Unitas Ct. NW 87114  
Tom Anderson, Paradise Hills Civic Assoc., 10013 Plunkett Dr. NW 87114

July 12, 2007

City of Albuquerque  
600 Second St.  
Albuquerque, NM 87102

Attention: Carmen Marrone, City Planner

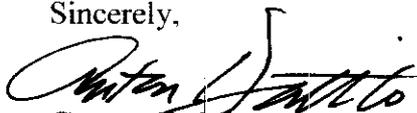
**Re: Administrative Amendment for  
Shops at Westside NW**

**Legal: Lots 3, 4 of Black Farms Estates Tract 6-B.  
Current Zoning: SU-1 for C-1  
Zone Atlas: B-13-Z**

Carmen,

Attached please find the five copies of the revised site plan as discussed. Also, attached is a copy of the requested neighbor letter of agreement.

Sincerely,



**George Rainhart Architects and Associates**

Anton Dattilo Project Manager



GEORGE RAINHART, ARCHITECT & ASSOCIATES P.C.  
2325 SAN PEDRO NE SUITE 2-B ■ ALBUQUERQUE, NEW MEXICO 87110  
PHONE 505-884-9110 ■ FAX: 505-837-9877 ■ Email: graa@gra-arch.com

Jul-11-2007 01:19pm From-Sterling Development  
Received Jul-11-2007 12:40pm From-7208420887  
Jul-11-2007 11:58am From-Sterling Development

2171399  
To-Sterling Development  
2171399

T-868 P.002/003 F-828  
Page 001  
T-887 P.002/004 F-828

505-217-1399

July 9, 2007

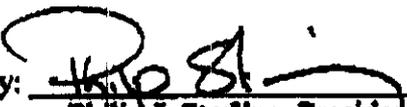
The City of Albuquerque  
Traffic and Planning Divisions  
600 Second Street NW  
Albuquerque, NM 87102

Re: Private Drive Street Side Parking

Dear Sirs,

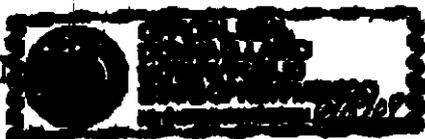
This letter shall serve as an acknowledgment of mutual consent of the Parties that are served by the Private Drive between Westside Drive and Coors Blvd., wherein both parties agree to allow permanent street side parking along the western side of the private drive. Both parties understand and pledge to the City of Albuquerque that the sole cost of trimming the existing sidewalk on that side of the Private Drive, in order to provide enough room for such street side parking, shall be the expense of Sterling Development, Inc. Both Parties agree that both parties will have the use of the parking on that west side of the street. This right shall run with the life of the Private Drive for the current co-owners of the Private Drive, Sterling Development, Inc., and Vista Del Bosque, LLC and is transferable to any future owners.

Agreed by Sterling Development, Inc.

By:   
Philip J. Sterling, President

Acknowledged before me on this 9<sup>th</sup> day of July 2007, by Philip J. Sterling, President for Sterling Development, Inc. My Commission expires: 6-15-09.

[seal]

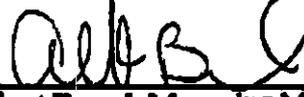


Notary Public

  
Donna Laird

**The City of Albuquerque  
Traffic and Planning Divisions  
Page 2**

**Agreed by Vista Del Bosque, LLC**

By:   
**Albert Bernal, Managing Member**

Acknowledged before me on this 11th day of July 2007, by Albert Bernal, Managing Member for Vista Del Bosque, LLC. My Commission expires: 6-15-09.

[seal]   
Notary Public:   
**Donna Laird**

July 2, 2007

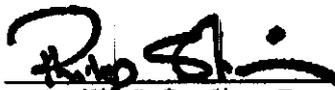
The City of Albuquerque  
Traffic and Planning Divisions  
600 Second Street NW  
Albuquerque, NM 87102

Re: Private Drive Street Side Parking

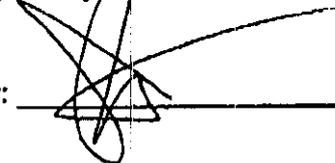
Dear Sirs,

This letter shall serve as an acknowledgement of mutual consent of the Parties that are served by the Private Drive between Westside Drive and Coors Blvd., wherein both parties agree to allow permanent street side parking along the western side of the private drive. Both parties understand and pledge to the City of Albuquerque that the sole cost of trimming the existing sidewalk on that side of the Private Drive, in order to provide enough room for such street side parking; shall be the expense of Sterling Development, Inc. Both Parties agree that both parties will have the use of the parking on that west side of the street. This right shall run with the life of the Private Drive for the current owners of the Private Drive, Sterling Development, Inc. on the west side, and HOAMCO on the east side of the Private Drive, and is transferable to any future owners.

Agreed by Sterling Development, Inc.

By:   
Philip J. Sterling, President

Agreed by HOAMCO

By: 

Its: JUSTIN SCOTT, PRESIDENT