

AA DRB

| | |
|--|-------------------------------|
| APPLICATION NO. 04AA-01762 | PROJECT NO. 1003102 |
| PROJECT NAME FERRARI-EQUIBEL-PALMER Section 33 | |
| EPC APPLICATION NO. DIPIS Curtis Proctor | 761-9700 |
| APPLICANT / AGENT SALR GROUP | PHONE NO. 767-8710 |
| ZONE ATLAS PAGE F.21 | |
| (SDP for SUB), (SDP for BP), (FINAL PLATS), (MASTER DEV PLAN), (IR) (AA) | |

ONE STOP COMMENT FORM LOG

HYDROLOGY DEV (505) 924-3986

| | | |
|---------------------------|----------------------|------|
| PLANS DISAPPROVED | DATE | DATE |
| PLANS APPROVED <i>BLB</i> | DATE <i>11/12/04</i> | DATE |

COMMENTS:

UTILITY DEV (505) 924-3989

| | | |
|---------------------------|----------------------|------|
| PLANS DISAPPROVED | DATE | DATE |
| PLANS APPROVED <i>BLB</i> | DATE <i>11/16/04</i> | DATE |

COMMENTS:

TRANSPORTATION DEV (505) 924-3990

| | | |
|------------------------------|----------------------|------|
| PLANS DISAPPROVED <i>BLB</i> | DATE <i>11/17/04</i> | DATE |
| PLANS APPROVED <i>BLB</i> | DATE <i>11/24/04</i> | DATE |

COMMENTS:

see application marked - complete stop for comment

PARKS AND REC (505) 768-5328

| | | |
|-------------------|------|------|
| PLANS DISAPPROVED | DATE | DATE |
| PLANS APPROVED | DATE | DATE |

COMMENTS:

PLANNING (505) 924-3858

| | | |
|---------------------------------|---------------------|------|
| PLANS DISAPPROVED | DATE | DATE |
| PLANS APPROVED <i>Bob Pavin</i> | DATE <i>1-11-05</i> | DATE |

COMMENTS:

Rec 11/24/04

490

44

1077-135

112 Curtis Factor



112 Curtis Factor



SUBDIVISION

- Major Subdivision action
- Minor Subdivision action
- Vacation
- Variance (Non-Zoning)

SITE DEVELOPMENT PLAN

for Subdivision Purposes

- for Building Permit **AMENDMENT**
- IP Master Development Plan
- Cert. of Appropriateness (LUCC)

STORM DRAINAGE

Storm Drainage Cost Allocation Plan

Supplemental form

S Z ZONING & PLANNING

- Annexation
- County Submittal
- EPC Submittal
- Zone Map Amendment (Establish or Change Zoning)
- Sector Plan (Phase I, II, III)
- Amendment to Sector, Area, Facility or Comprehensive Plan
- Text Amendment (Zoning Code/Sub Regs)
- Street Name Change (Local & Collector)

L A APPEAL / PROTEST of...

Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

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

APPLICANT INFORMATION:

NAME: SM & P GROUP (BUCK BUCKNER) PHONE: 505-797-8710
 ADDRESS: 10013 SAN BERNADINO DR. NE FAX: 505-797-8710
 CITY: ALBUQUERQUE STATE NM ZIP 87122 E-MAIL: _____

Proprietary Interest in site: OWNER List all owners: _____
 AGENT (if any): DEKKER/PERICH/SARATINI PHONE: 505-761-9700
 ADDRESS: 12801 JEFFERSON BLVD NE #100 FAX: 505-761-4222
 CITY: ALBUQ. STATE NM ZIP 87109 E-MAIL: CURTISPROCTOR@AQBQ.COM

DESCRIPTION OF REQUEST: AMENDMENT TO APPROVED DRB SITE PLAN, BASED ON DESIGN MODIFICATIONS, WITH ONLY 100 SF INCREASE TO FOOTPRINT

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

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

Lot or Tract No. LOT 12 & LOT 14 Block: _____ Unit: _____
 Subdiv. / Adn. FERRARI - ESQUIBEL - PALMER SECTION 33
 Current Zoning: SU-1 FOR C-1 Proposed zoning: _____
 Zone Atlas page(s): F-21-2 No. of existing lots: 2 No. of proposed lots: 2
 Total area of site (acres): 1.88 Density if applicable: dwellings per gross acre: N/A dwellings per net acre: N/A
 Within city limits? Yes. No but site is within 5 miles of the city limits.) Within 1000FT of a landfill? NO
 UPC No. 102106151008940114 AND 102106151007440112 MRGCD Map No. N/A
 LOCATION OF PROPERTY BY STREETS: On or Near: JUANTABO AND LAGRIMA DE ORO NE
 Between: MONTGOMERY BLVD NE and LAGRIMA DE ORO NE

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_Z, V, S, etc.): DRB APPLICATION #:
Z-85-103, Z-85-102-1 V-84-77, 03 EPC-01925, 03 EPC-01929, PROJECT # 1003102
 Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-application Review Team . Date of review: _____

SIGNATURE Curtis Proctor DATE 11/12/04
 (Print) CURTIS PROCTOR, DEKKER/PERICH/SARATINI Applicant Agent

FOR OFFICIAL USE ONLY

Form revised 4/04

| INTERNAL ROUTING | Application case numbers | Action | S.F. | Fees |
|--|--------------------------|--------|-----------|--------------------|
| <input type="checkbox"/> All checklists are complete | <u>04AA-01762</u> | _____ | <u>AA</u> | \$ <u>45.00</u> |
| <input type="checkbox"/> All fees have been collected | _____ | _____ | _____ | \$ _____ |
| <input type="checkbox"/> All case #s are assigned | _____ | _____ | _____ | \$ _____ |
| <input type="checkbox"/> AGIS copy has been sent | _____ | _____ | _____ | \$ _____ |
| <input type="checkbox"/> Case history #s are listed | _____ | _____ | _____ | \$ _____ |
| <input type="checkbox"/> Site is within 1000ft of a landfill | _____ | _____ | _____ | \$ _____ |
| <input type="checkbox"/> F.H.D.P. density bonus | _____ | _____ | _____ | \$ _____ |
| <input type="checkbox"/> F.H.D.P. fee rebate | _____ | _____ | _____ | \$ _____ |
| Hearing date _____ | | | | Total <u>45.00</u> |

Clare Senora 11/12/04
 Planner signature / date

Project # 1003102

FORM P(4): SITE PLAN REVIEW – ADMINISTRATIVE APPROVAL OR AMENDMENT

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT IN THE DOWNTOWN SU-3 ZONE

- Copy of the pre-application meeting findings (A pre-application meeting is required for Downtown 2010 projects.)
- Site plan and related drawings (folded to fit into an 8.5" x 14" pocket) 6 copies
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing and justifying the request
- Letter of authorization from the property owner if application is submitted by an agent
- Notifying letter and certified mail receipts to owners of adjacent properties if required by pre-application meeting
- Infrastructure List, if relevant to the site plan
- Completed Site Plan for Building Permit Checklist
- Solid Waste Management Department signature on Site Plan if relevant
- 2 copies of the Conceptual Utility Layout Plan if relevant (mark one for Planning, one for Utility Development)
- Blue-line copy of Site Plan with Fire Marshal's stamp
- Copy of the LUCC approval if the site is in an historic overlay zone
- Fee (see schedule)
- Any original and/or related file numbers are listed on the cover application

AMENDMENT TO SITE DEVELOPMENT PLAN FOR SUBDIVISION

AMENDMENT TO SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

CONCEALED OR SITE DEVELOPMENT PLAN CONTROLLED WIRELESS TELECOM FACILITY

NOTE: The requirements specified below apply to the previous 3 plan types, unless otherwise noted.

- Proposed Site Plan, with changes circled and noted if amended (folded to fit into an 8.5" x 14" pocket) 5 copies
- Copy of approved Site Plan being amended if applicable (folded to fit into an 8.5" x 14" pocket) 1 copy
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing and justifying the request
- Letter of authorization from the property owner if application is submitted by an agent
- Copy of EPC or DRB Notice of Decision (not required for WTF)
- Fee (see schedule)
- Any original and/or related file numbers are listed on the cover application

NOTE: The next two items are also required if the square footage change is 2% or more of any building's gross floor area

- Notifying letter & certified mail receipts addressed to owners of adjacent properties
- Office of Neighborhood Coordination inquiry response, notifying letter, certified mail receipts

NOTE: Only for wireless telecommunications facilities that are concealed and/or subject to site development plan review, the following materials are required for application submittal in addition to all those listed above:

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

PLEASE NOTE: If you are applying for approval of a telecom site to be located on City of Albuquerque property, there are several additional requirements. Contact Debbie Stover at 924-3940 for details.

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

CURTIS PROCTOR
 Applicant name (print)
Curtis Proctor
 Applicant signature / date



Form revised June 2004

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

Application case numbers
 04A - 01762

Chase Senora 11/12/04
 Planner signature / date
 Project # 1003102

ADMINISTRATIVE AMENDMENT INFORMATION SHEET

The Planning Department is authorized to approve minor changes to approved Site Development Plans. Minor changes may include expansion of building square footage not greater than 10% and/or other changes that will not have a harmful impact on adjacent property or street circulation. Refer to *Zoning Code* Section 14-16-2-22(A)(6).

Application Requirements

Administrative Amendment Applications are submitted at the Development and Building Services front counter. Each request is assigned an Application number and a Project number. Applications must include the following:

- Completed Application Form with fee submittal
- Letter of Authorization from the Property Owner (if application is submitted by an agent)
- Zone Atlas* page clearly denoting the subject site
- Copy of the most recent Official Notice of Decision pertaining to the subject site
- A letter describing the project and indicating the percent change in heated square footage (if applicable)
- 1 copy of the previously approved plan set (typically the DRB-approved set)
- 5 copies of the revised plan, including all relevant plan sheets. The plans must be clearly dated and labeled as revisions and all proposed changes must be clearly denoted. Changes to parking calculations, landscaping calculations and similar plan elements must be clearly indicated.
- N/A* Materials pertinent to Notification (if applicable, see below)

Notification

Amendments proposing a building expansion of more than 2% of the approved square footage and/or amendments which may substantially aggrieve* any person require notification by the applicant. In such instances, the *Zoning Code* requires notification to 2 officers of all Recognized Neighborhood Associations that bound or are adjacent to the subject site and notification to adjacent property owners. The term "adjacent," as it relates to Administrative Amendments, includes property contiguous to the subject site and property that would be contiguous if not for public rights-of-way. Therefore, properties across an alley or street from the subject site are considered adjacent. When notification is required, the following materials must be submitted with the application:

- Developer Inquiry Sheet (completed) from the Office of Neighborhood Coordination (924-3914) plus Notifying Letter (copy) and Certified Mail Receipts
- Zone Atlas* page highlighting adjacent properties (for which notice has been provided), List of adjacent property owners receiving notice, Notifying Letter (copy) and Certified Mail Receipts

Ownership of adjacent property can be determined by using the Bernalillo County Assessor's web site:

www.bernco.gov/assessor. **Notification letters** must clearly describe the project, identify the location of the subject property, provide a phone number for a project contact person, and indicate the phone number for the City Planning Department: 924-3860. The reverse side of this form provides a sample notification letter. Failure to adequately notify may result in delay, denial or forfeiture of approval.

Process / Timeframe

Upon receipt of a complete application, the request is reviewed by Hydrology, Utility Development, and Transportation Planning before final review by the Development Review Division. Oftentimes the Zoning Enforcement office also reviews the submittal, particularly if the request relates to signage. The entire process typically takes 10 or more business days.

Appeal

There is a 15-day period from the date of the final approval for filing appeals with the Planning Department. Appeals to Administrative Amendments are made to the City Council through the Land Use Hearing Officer.

* *Applicants who have reason to believe that one or more persons may be substantially aggrieved by a proposed Administrative Amendment shall comply with the Notification process specified above. Significant delays will result if the Development Review Division determines that adequate Notification has not been provided.*

Sample Notification Letter
To be sent by Certified Mail by the applicant

Date

To

Address

City/State/Zip

Dear Property Owner / Neighborhood Association Representative:

This letter is to inform you that application for an Administrative Amendment to an approved Site Development Plan will be submitted to the City of Albuquerque Planning Department for review and possible approval. The application will be submitted on or about Date. The City's review process typically takes 5-10 business days to complete.

The specifics of the project are as follows:

The letter should address the following:

- *IDENTIFY THE LOCATION OF REQUEST & SIZE OF THE SITE*
- *PROVIDE THE LEGAL DESCRIPTION OF THE PROPERTY*
- *DESCRIBE THE REQUEST: WHAT IS BEING CHANGED OR EXPANDED AND WHY*
- *INDICATE HOW THE CHANGES WILL COMPLEMENT THE EXISTING (OR APPROVED) DEVELOPMENT*
- *ADDRESS ANY ITEMS THAT MIGHT BE OF CONCERN TO NEARBY OWNERS / RESIDENTS*

If you have questions about this proposal, please call me at _____.

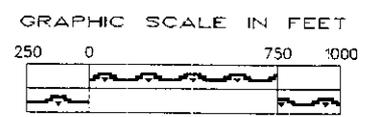
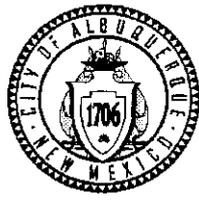
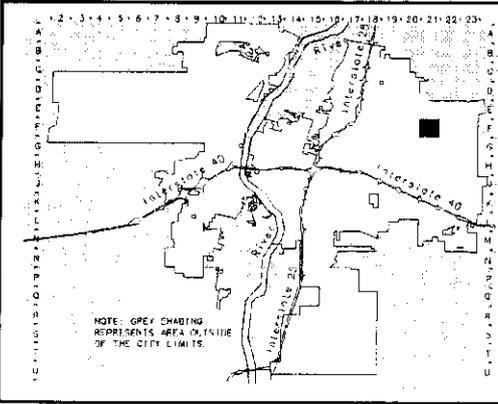
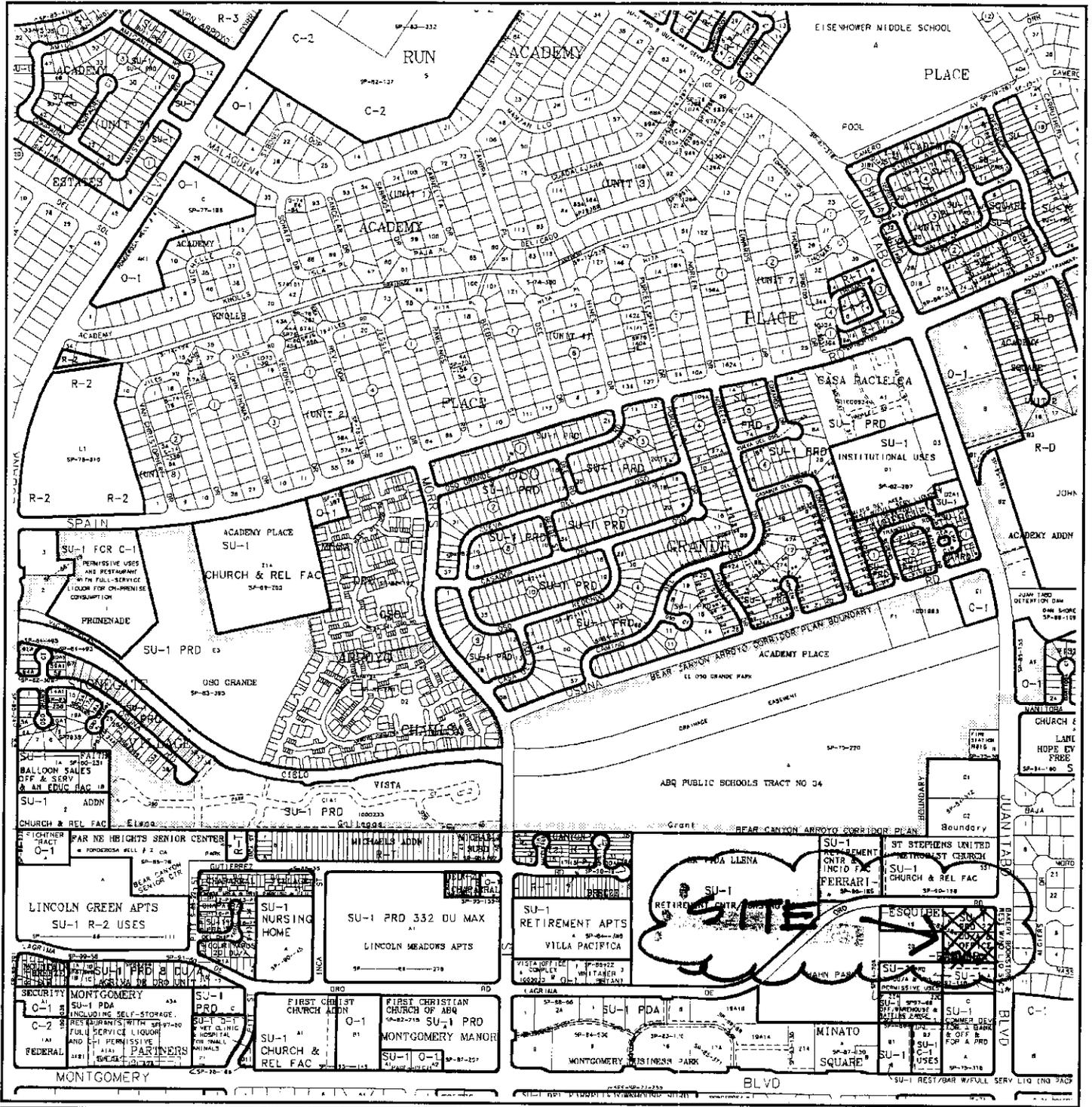
This application can be reviewed at the City Planning Department offices in downtown Albuquerque at the Plaza del Sol building, located at 600 2nd Street NW. It is advised that you call the Planning Department to schedule a visit so that the project file will be available upon your arrival. To arrange a visit to review this application, please contact Fran Tapia, Development Review Division, at 924-3860. Ms. Tapia can also put you in contact with the planner who will be reviewing the project. The planner will be able to explain the Administrative Amendment process and your opportunity for input.

Sincerely,

Name

Title

Company



Zone Atlas Page
F-21-Z

A G I S
Albuquerque Geographic Information System
PLANNING DEPARTMENT
© Copyright 2004

Map Amended through September 01, 2004

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

PAID RECEIPT

APPLICANT NAME S M & R Group

AGENT Debbie French

ADDRESS _____

PROJECT & APP # 1003102 / 04AA01762

PROJECT NAME Ferrari-Esquivel-Palmer

\$ _____ 441032/3424000 Conflict Management Fee

\$ _____ 441006/4983000 DRB Actions

\$ 45.00 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

\$ 45.00 TOTAL AMOUNT DUE

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

November 11, 2004

Albuquerque Planning Department
600 2nd Street NW Plaza del Sol
Albuquerque, NM 87102



Dekker/Perich/Sabatini

architecture
interiors
planning
engineering

Re:
Classic Emporium
City Project Number # 1003102,
DRB Application Number 04-00236
03EPC 01925/01929

Request for Administrative Amendment to:
Approved Site Development Plan for Building Permit
Dated 3-10-04

To Whom It May Concern:

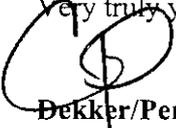
Dekker/Perich/Sabatini, acting as Agents for the SM & R group, respectfully requests an Administrative Amendment, to the previously approved Site Development Plan for Building Permit for this project. This original site plan was approved on 3-10-04 by DRB.

We are proposing the following changes:

1. **Site**
 - a. Relocation of accessible parking.
 - b. Relocation of Attendant Hut (100 sf). Now attached to building.
 - c. Modification of Detailing Canopy
 - d. All site details on sheet A301 dated 11-6-03 of the 3-10-04 approved site plan will remain the same.
2. **Exterior Elevations**
 - a. Standing Seam Metal Roof Color: Burnt Orange (previously approved: Silver)
 - b. Car Wash: Integrally Colored CMU, Split Face and Common Face (previously approved: Stucco)
 - c. Sunshades: Deleted
 - d. Signage: Areas designated for each tenant.
 - e. Storefronts: Extend to finish floor to allow customer egress from exterior, and Emporium.
3. **Landscaping**
 - a. Increased variety and quantity of plantings.

There is no modification to the footprint of the building other than the addition of the 100 sf attendant hut to the main building. We feel that these modifications greatly enhance the presentation of this project to the neighborhood.

Very truly yours,


Dekker/Perich/Sabatini Ltd.
Curtis Proctor, AIA

cc: file
SM & R Group

600 Jefferson NE
Suite 100
Albuquerque NM
87102
505 761-9700
fax 505 422-
dps@dpsab.com

MEMORANDUM

#8

To: Development Review Board
From: Makita Hill, Planner, Advance Planning Division MH
Date: Tuesday, March 2, 2004
Re: Comments on Project 1003102 04DRB-00236

Project 1003102, a request for a zone map amendment and a site development plan for building permit, was reviewed by the Environmental Planning Commission at a public hearing on January 15, 2004. The EPC voted to approve this request with conditions as noted in the Official Notification of Decision. I have reviewed the revised site development plan for building permit as submitted to the DRB, and the letter from agent Darren Sowell dated February 16, 2004 designed to address the EPC's conditions of approval.

All EPC conditions have been addressed in the submitted site development plan for building permit.

Should you have any questions on these or related matters, please let me know.

XC: Darren Sowell, agent



City of Albuquerque
CITY OF ALBUQUERQUE
P.O. BOX 1299 ALBUQUERQUE, NEW MEXICO 87103
PUBLIC WORKS DEPARTMENT
DEVELOPMENT SERVICE
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1003102

AGENDA ITEM NO: 8

SUBJECT:

- | | | |
|-------------------------|--------------------------|------------------------------|
| (01) Sketch Plat/Plan | (05) Site Plan for Subd | (10) Sector Dev Plan |
| (02) Bulk Land Variance | (06) Site Plan for BP | (11) Grading Plan |
| (03) Sidewalk Variance | (07) Vacation | (12) SIA Extension |
| (03a) Sidewalk Deferral | (08) Final Plat | (13) Master Development Plan |
| (04) Preliminary Plat | (09) Infrastructure List | (14) Other |

ACTION REQUESTED:

REV/CMT:() APP:() SIGN-OFF:(x) EXTN:() AMEND:()

ENGINEERING COMMENTS:

No adverse comments.

RESOLUTION:

APPROVED ____; DENIED ____; DEFERRED ____; COMMENTS PROVIDED ____; WITHDRAWN

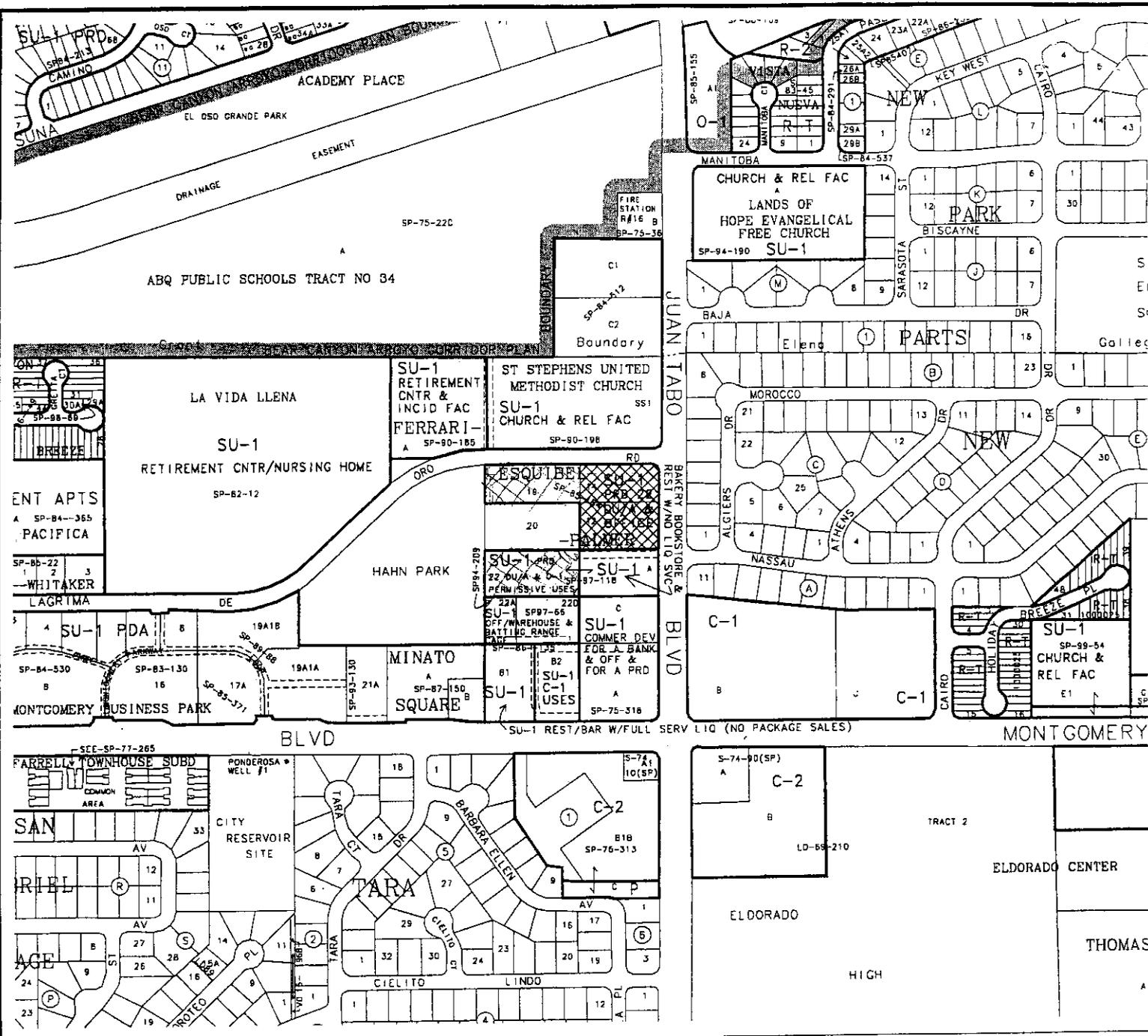
SIGNED-OFF: (SEC-PLN) (SP-SUB) (SP-BP) (FP) BY: (UD) (CE) (TRANS) (PKS) (PLNG)

DELEGATED: (SEC-PLN) (SP-SUB) (SP-BP) (FP) TO: (UD) (CE) (TRANS) (PKS) (PLNG)

FOR:

SIGNED: Bradley L. Bingham
City Engineer/AMAFCA Designee

DATE: March 3, 2004



ZONING MAP



Scale 1" = 505'

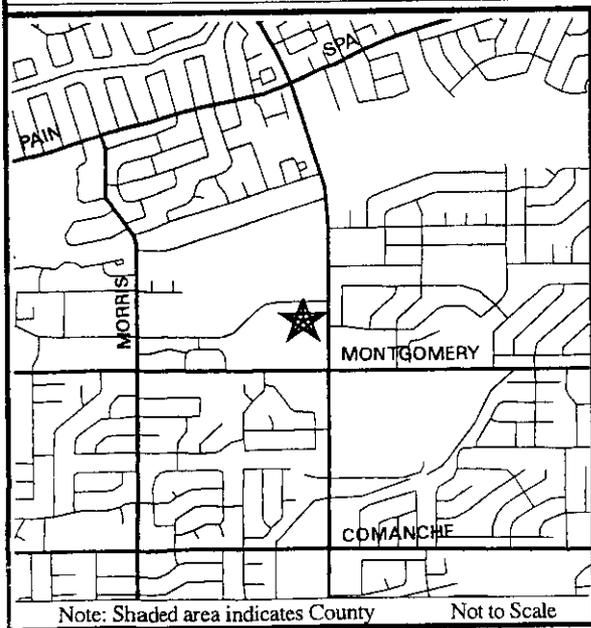
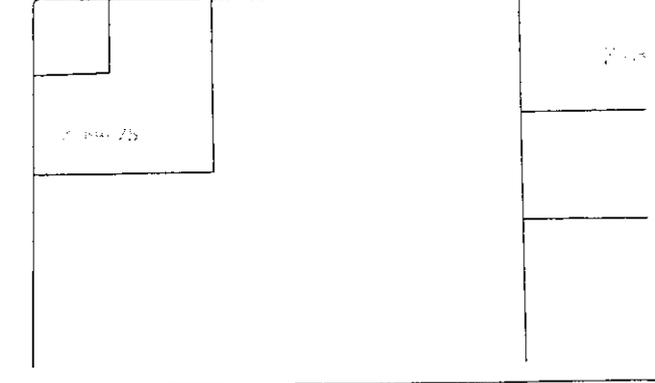
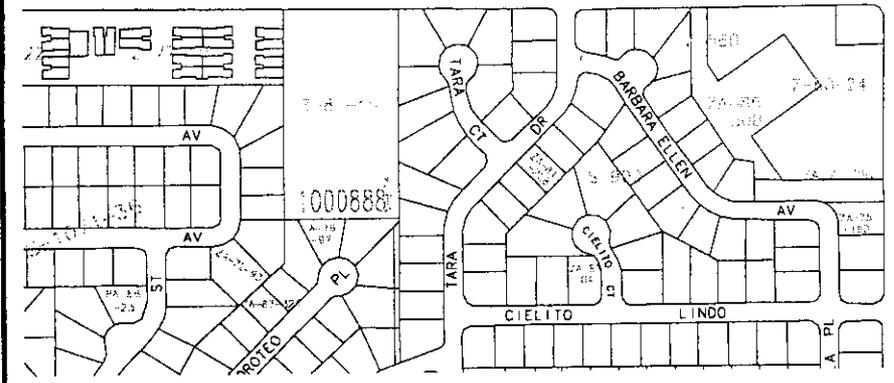
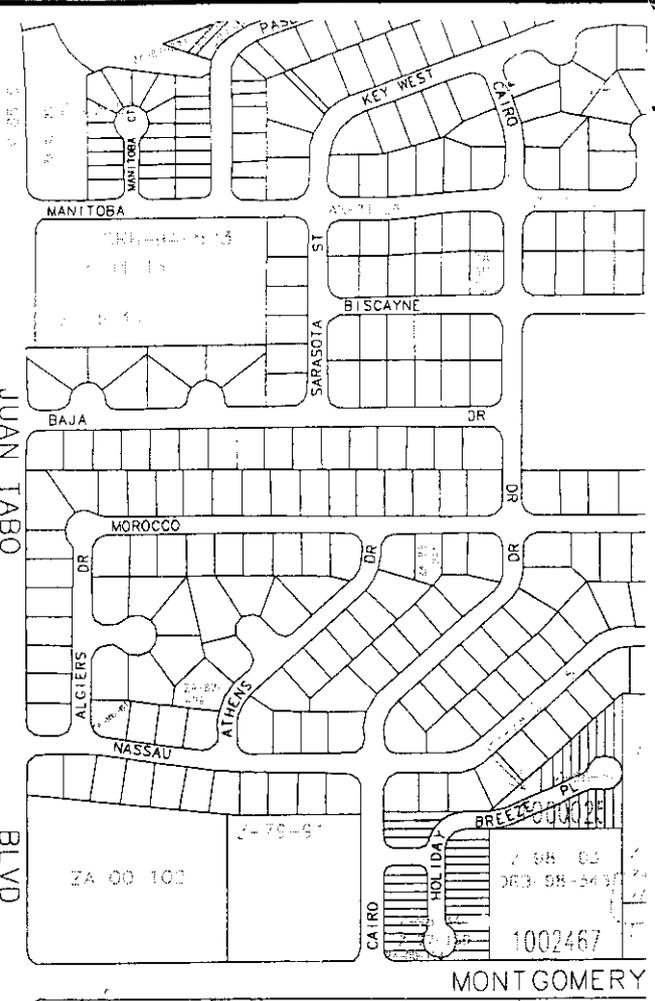
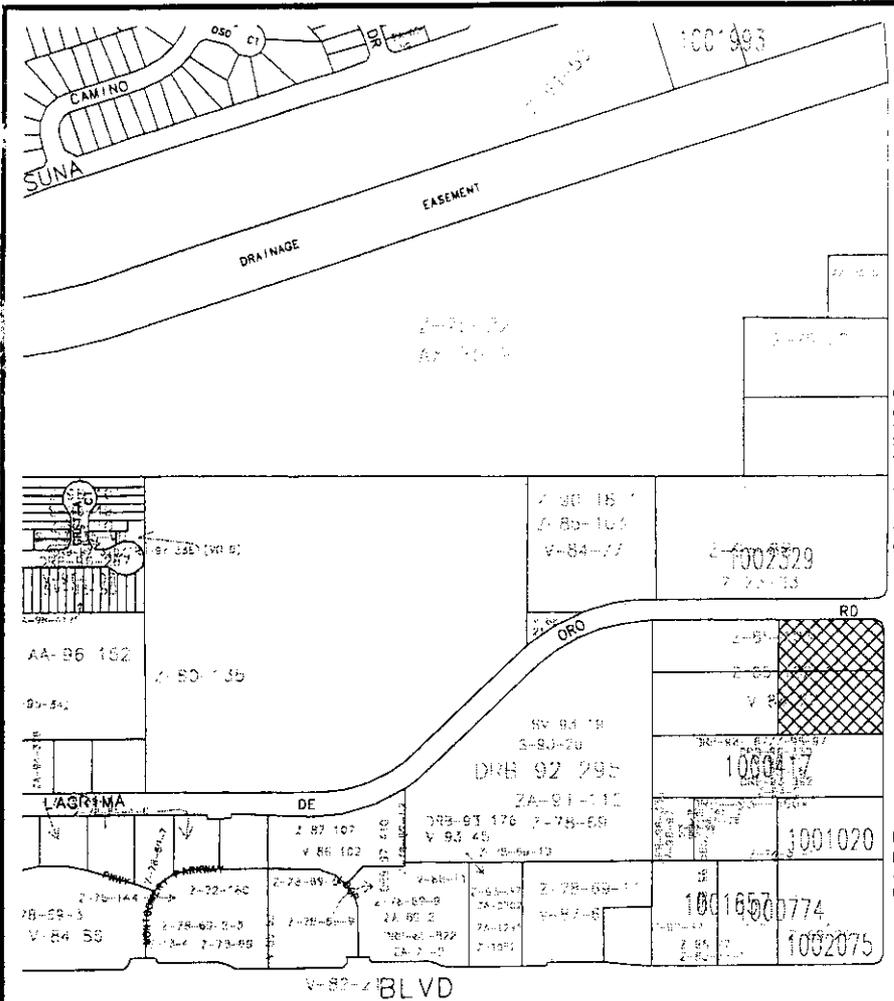
PROJECT NO.
1003102

HEARING DATE
12-18-03

MAP NO.
F-21

ADDITIONAL CASE NUMBER(S)
03EPC-01925
03EPC-01929

Note: Shaded area indicates County Not to Scale



HISTORY MAP



Scale 1" = 505'

**PROJECT NO.
1003102**

**HEARING DATE
12-18-03**

**MAP NO.
F-21**

**ADDITIONAL CASE NUMBER(S)
03EPC-01925
03EPC-01929**

Note: Shaded area indicates County Not to Scale

Development Services Report

SUMMARY OF REQUEST

| | |
|-----------------|--|
| Request | <i>Zone Map Amendment Site Development Plan for Building Permit</i> |
| Location | <i>Juan Tabo Boulevard and Lagrima de Oro between Juan Tabo and Montgomery Boulevard</i> |

AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses:

| | Zoning | Comprehensive Plan Area; Applicable Rank II & III Plans | Land Use |
|--------------|---|--|---------------------------------|
| Site | SU-1 PRD 22 du/ac and Office | Established Urban; Enhanced Transit Corridor | Vacant |
| North | SU-1 for Church and Related Facilities | " | Church |
| South | SU-1 for Bakery, Bookstore, Restaurant with No Liquor Service | " | Bakery/Bookstore/ Restaurant |
| East | R-1 | " | Single Family Residences |
| West | SU-1 for PRD 22 du/ac, R-1 | " | Vacant, Park |

Background, History and Context

This is a request for a zone map amendment from SU-1 PRD 22 du/ac and Office to SU-1 for C-1 Retail (excluding auto parts and supply sales, drive-up restaurant, liquor sales, gasoline sales, hardware and building material sales), Car Wash, and Restaurant, and a site development plan for building permit, for Lots 12 and 14, Replat of Ferrari-Esquivel Palmer Section 33, located at the northwest corner of Juan Tabo Boulevard and Lagrima de Oro, north of Montgomery Boulevard. The site contains approximately 1.88 acres and is currently vacant. The current zoning request is a modified request from the applicant. The applicant's original zoning request was for SU-1 for C-1 Uses.

The site's current SU-1 for PRD 22 du/ac and Office was approved by the EPC in 1985 (Z-85-102). The area surrounding the subject site has seen several zone map amendments over the years. The parcel at the northwest corner of Juan Tabo and Montgomery was reviewed by the EPC for a zone map amendment from R-1 to C-2 in 1969 (Z-69-29): this request was modified and approved for SU-1 for Commercial Development for Bank, Office and PRD. The next parcel to the west was reviewed by the

EPC for a request for SU-1 for C-1 zoning in 1985(Z-85-77): this request was denied by the EPC. The EPC denial was appealed by the applicant, and the appeal was granted by the City Council. The EPC also reviewed and approved a request for a zone map amendment for the next westerly parcel for SU-1 for Restaurant/Bar with Full Service Liquor zoning (no package sales) in 1992 (Z-92-37).

On the north parcel adjacent to the subject site, the EPC reviewed and approved a request for a zone map amendment in 1973 from R-1 to SU-1 for Church and Related Facilities (Z-73-33). On the south parcel abutting the subject site, the EPC reviewed a request for a zone map amendment in 1993 from SU-1 PRD Elderly Housing to SU-1 for Office Uses, PRD, and C-1 Uses (Z-93-16). This request was modified to eliminate the C-1 uses portion of the original request, and the result was SU-1 for Bakery, Restaurant with No Liquor Service, and Bookstore (for the Flying Star Restaurant), SU-1 for PRD and Office, and R-1 zoning for the Hahn Park parcel immediately to the west. In the staff report for this case, a finding was adopted that addressed the C-1 uses issue as follows: "Staff can only support limited commercial development compatible with the limited commercial uses already allowed in the area".

Along with the parcel west of the Juan Tabo/Montgomery intersection zoned SU-1 for C-1 Uses, the northeast corner of this intersection has standard C-1 zoning (Z-79-91). The original application for zoning for this site requested C-2 zoning, however the application was modified (as recommended by staff) for C-1 zoning. Only these two locations in the immediate area surrounding the subject site have C-1 zoning. The City has consistently limited commercial uses along the west side of the Juan Tabo corridor north of Montgomery while supporting higher-density residential and office development.

The subject site is not within a Rank 2 or a Rank 3 planning area.

APPLICABLE PLANS AND POLICIES

Albuquerque / Bernalillo County Comprehensive Plan

The subject site is located in the area designated Established Urban by the *Comprehensive Plan* with a Goal to "create a quality environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment." Applicable policies include:

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

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

Policy k: Land adjacent to arterial streets shall be planned to minimize harmful effects of traffic; livability and safety of established residential neighborhoods shall be protected in transportation planning and operation.

Policy l: Quality and innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate to the plan area.

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

Centers and Corridors Component of the Comprehensive Plan

Juan Tabo Boulevard, adjacent to the subject site, is a designated Enhanced Transit Corridor under the Centers and Corridors component of the Comprehensive Plan. This type of roadway is designed to improve transit and pedestrian opportunities for residents, businesses, and other users of the corridor, as well as to develop adjacent land uses and intensities that promote the use of transit.

Street design standards for Enhanced Transit Corridors include the following (Policy A, Corridor Policies, p. 122):

- Maximize pedestrian connections to transit stops and between adjacent uses.
Minimum 6-8 foot sidewalk.
- Minimum 4-foot sidewalk setback, which may be reduced if a wider sidewalk is desirable.

Development form standards for Enhanced Transit Corridors include the following (Policy A, Corridor Policies, p. 123):

- Street entrance.
- Minimum setback to provide for landscaping or pedestrian activity areas.
- Parking location to be separated by the building or located at the side of the building.
- Parking reductions, shared parking encouraged.
- Floor area ratio of 0.5 to 1.5.

Housing density target for new development of 7-30 du/ac (net)

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

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

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

Long Range Roadway System

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

ANALYSIS – ZONE MAP AMENDMENT

Conformance to Adopted Plans, Policies, and Ordinances

This is a request for a zone map amendment from SU-1 PRD 22 du/ac and Office to SU-1 for C-1 Retail (excluding auto parts and supply sales, drive-up restaurant, liquor sales, gasoline sales, hardware and building material sales), Car Wash, and Restaurant, for Lots 12 and 14, Replat of Ferrari-Esquibel Palmer Section 33, located at the northwest corner of Juan Tabo Boulevard and Lagrima de Oro, north of Montgomery Boulevard. The site contains approximately 1.88 acres and is currently vacant.

The City has consistently limited commercial uses along the west side of the Juan Tabo corridor north of Montgomery while supporting higher-density residential and office development. In the request, the applicant has argued that the proposed SU-1 for C-1 Retail (excluding auto parts and supply sales, drive-up restaurant, liquor sales, gasoline sales, hardware and building material sales), Car Wash, and Restaurant zoning is consistent with other SU-1 zoning in the area, specifically the parcel to the south of the subject site (zoned SU-1 for Bakery, Bookstore, and Restaurant with No Liquor Service), and will provide a desirable amenity for the community. The submitted argument suggests that the applicant favors the request from the standpoint that it will be more advantageous to the community than the current zoning. This argument for the requested zone map amendment addresses Section 1(D)(3) of R-270-1980

The request for SU-1 for C-1 Retail (excluding auto parts and supply sales, drive-up restaurant, liquor sales, gasoline sales, hardware and building material sales), Car Wash, and Restaurant zoning is a limited commercial application intended to facilitate development of the site for specific commercial uses and a car wash as reflected in the submitted site development plan for building permit. The request is consistent with Established Urban policies of the Comprehensive Plan in that the proposed design, scale, and location of the retail/car wash building will have a minimal impact on the adjacent residential neighborhood (Policy d), will utilize vacant land (Policy e), will be of minimal traffic impact to the neighborhood (Policy k), and promotes quality design that enhances the urban environment and contributes to the preservation of scenic views in the area (Policies l and m). The request is also generally consistent with development policies for Enhanced Transit Corridors as established in the Centers and Corridors component of the Comprehensive Plan. The consistency of the request with adopted elements of the Comprehensive Plan is consistent with Section 1C of R-270-1980. The request for SU-1 for C-1 Retail (excluding auto parts and supply sales, drive-up restaurant, liquor sales, gasoline sales, hardware and building material sales), Car Wash, and Restaurant zoning, thus, is more advantageous to the community as expressed in the Comprehensive Plan and is consistent with Section 1(D)(3) of R-270-1980. Staff is in agreement with the applicant's arguments regarding this request.

ANALYSIS – SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

Conformance to Adopted Plans, Policies, and Ordinances

This is a request for a site development plan for building permit for Lots 12 and 14, Replat of Ferrari-Esquibel Palmer Section 33, located at the northwest corner of Juan Tabo Boulevard and Lagrima de Oro, north of Montgomery Boulevard. The site contains approximately 1.88 acres and is currently vacant. The request is made in conjunction with a request, modified by the applicant, for a zone map amendment from SU-1 PRD 22 du/ac and Office to SU-1 for C-1 Retail (excluding auto parts and supply sales, drive-up restaurant, liquor sales, gasoline sales, hardware and building material sales), Car Wash, and Restaurant.

The request is consistent with Established Urban policies of the Comprehensive Plan in that the proposed design, scale, and location of the retail/car wash building will have a minimal impact on the adjacent residential neighborhood (Policy d), will utilize vacant land (Policy e), will be of minimal traffic impact to the neighborhood (Policy k), and promotes quality design that enhances the urban environment and contributes to the preservation of scenic views in the area (Policies l and m).

The request is generally consistent with the development policies for Enhanced Transit Corridors as established in the Centers and Corridors component of the Comprehensive Plan. Evaluation of this request and these policies is recorded below.

Site Plan Layout / Configuration

The site plan illustrates a proposed 10,580 square-foot retail building and a 3,600 square-foot car wash behind the retail building. The building faces Juan Tabo and has a main entry on the east façade. Parking areas are located to the east, north, and west of the building. The south edge of the site is reserved for valet parking of automobiles after going through the car wash. The east, north, and south edges of the building are surrounded by walkways that range from 10 to 14 feet in width, and a 6-foot walkway extends from the main building entry to existing sidewalk on Juan Tabo. Landscaping is proposed to surround the site on all sides, with wider landscape buffers to the east and north.

Vehicular Access, Circulation and Parking

Vehicular access to the site is facilitated off Lagrima de Oro Road with two 30-foot wide entrances. Parking areas are located to the east, north, and west of the building. The south edge of the site is reserved for valet parking of automobiles after going through the car wash. Parking calculations are provided on the site plan and indicate that the minimum number of parking spaces, including handicap spaces, are provided (74). The site is designed to allow vehicles to circulate around the building, which is in the center of the site. The parking area on the east edge of the site abuts Juan Tabo, and with the total number of parking spaces for the site exceeding 50 spaces, the applicant is required to provide screening of this parking area from Juan Tabo as established in Section 14-16-3-1(E)(3) of the City Zoning Code. The screening must be in the form of walls, earth berms, or evergreen landscaping, or a combination thereof. The screening must be a minimum of 30 inches in height, not to exceed 36 inches in height. Where walls are

provided, the walls must integrate with building materials and colors. Where landscaping is provided, the applicant must provide proper evidence indicating that the plant selection will achieve the proper height.

Pedestrian and Bicycle Access and Circulation, Transit Access

The east, north, and south edges of the building are surrounded by walkways that range from 10 to 14 feet in width, and a 6-foot walkway extends from the main building entry to existing sidewalk on Juan Tabo that provides a street entrance to the proposed building. A 6-foot sidewalk is currently in place along Juan Tabo in front of the subject site, and a 4-foot sidewalk is currently in place along Lagrima de Oro. The 6-foot sidewalk along Juan Tabo is not set back 4 feet from the street curb as called out in Policy A, Corridor Policies for Enhanced Transit Corridors. The sidewalk is positioned abutting the street in a consistent manner from the Juan Tabo/Montgomery intersection along both sides of Juan Tabo and north beyond the subject site. The imposition of a 4-foot sidewalk setback would not be in keeping with existing conditions in the area. The existing 6-foot sidewalk in its current alignment should be viewed as adequate to address the Centers and Corridors sidewalk policies. The site is easily accessible by bicycle off Juan Tabo onto the proposed 6-foot walkway to the building main entrance, or by the vehicular entrances off Lagrima de Oro. A bike rack with four spaces is provided on the north side of the building.

Lighting and Security

The site plan indicates provision of 20-foot light poles throughout the site. The subject site abuts a parcel to the west that is zoned R-1. The light pole height should be adjusted to 16 feet as the subject site is within 100 feet of a residential zone (Section 14-16-3-9(F), City Zoning Code). There are no specific security measures indicated on the site plan.

Landscaping

Landscaping for the subject site is designed to surround the site from all sides, and is heaviest along the east edge of the site abutting Juan Tabo. Landscaping is comprised of Desert Willow and Escarpment Live Oak trees, a variety of Palm, Yellow Bird of Paradise, Turpentine Bush, Blue Sotol, and Red Hesperaloe shrubs, and organic groundcover consisting of Sunset Hyssop, Thompson Broom, and Yellow Lady Banks' Rose. Santa Ana Tan crusher fines gravel is also indicated for groundcover. Desert Willow and Thompson Broom are used predominantly on the east edge of the site abutting Juan Tabo and the north edge abutting Lagrima de Oro, while Escarpment Live Oak trees and Thompson Broom are used predominantly on the west edge. Oak trees are also used extensively on the interior of the site along the building's edges. The applicant should provide larger canopy trees along the east edge of the site along Juan Tabo to be in compliance with the City's Street Tree Ordinance. Oak trees are indicated within the 12-foot 6-inch walkway along the south edge of the building. The dimension of the walkway meets the 8-foot minimum for walkways abutting buildings as established in Section 14-16-3-1(G)(4) of the City Zoning Code, however the regulations also requires a minimum width of 6 feet shall remain clear and unobstructed at all times for pedestrian use. The applicant should include a statement for this area of the site plan that indicates compliance with this regulation.

The landscape area on the west edge of the site is shown with two Oak trees and Thompson Broom groundcover, and the buffer area is shown to be 8-foot wide. As the west edge of the site abuts a residential zone, changes must be made to this buffer area. These changes include increasing the width of the buffer to 10 feet, primary use of trees in the buffer area that are at least 8 feet in height at planting and will reach a height at maturity of 25 feet, and a minimum 6-foot tall opaque wall or fence to screen the abutting parking from the residential zone (Section 14-16-3-1(E), City Zoning Code).

Grading, Drainage, Utility Plans

The grading and drainage plan indicates extreme grades on the site with a directional slope to the west. Finish flow elevation for the building is indicated on the plan. A sidewalk drain culvert is indicated on the southeast corner of the site extending out to Juan Tabo. A retaining wall detail is included in the grading and drainage plan and shows a stepped wall design to address the steep grades on the site. The applicant should clarify what fill material lies between the wall portions. Poured concrete fill between the wall portions would insure less erosion in these walled areas.

Architecture and Signage

Site plan elevations propose a contemporary architectural design for the proposed retail/car wash building. The east elevation of the building faces Juan Tabo and features aluminum framed windows, silver metal window awnings, and light and medium tan stucco walls. The walls of the car wash on the west elevation are CMU block in light and medium tan as well. The building is 26 feet in height at its tallest point. The height and contemporary design of the building blends well with the contemporary design of the existing Flying Star restaurant to the south, and the existing St. Stephen's United Methodist Church to the north of the subject site.

Space for signage for the buildings are indicated on the east, north, and south elevations of the building, ranging in size from 40 square feet to 60 square feet. Sign details for these spaces are not shown. A free-standing monument sign is also proposed for the site at the south corner of Juan Tabo and Lagrima de Oro, measuring 10 feet in length and 4 feet in height. Materials for the 40 square-foot sign include light tan stucco, painted steel lettering, with internal lighting.

Concerns of Reviewing Agencies / Pre-Hearing Discussion

The Public Works Department and the City Engineer's Office has commented that 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.

Neighborhood Concerns

The SY Jackson Neighborhood Association has been notified regarding this request. To date, no objections have been received from this association or from an individual.

Conclusions

This is a request for a zone map amendment from SU-1 PRD 22 du/ac and Office to SU-1 for C-1 Retail (excluding auto parts and supply sales, drive-up restaurant, liquor sales, gasoline sales, hardware and building material sales), Car Wash, and Restaurant, and a site development plan for building permit, for Lots 12 and 14, Replat of Ferrari-Esquibel Palmer Section 33, located at the northwest corner of Juan Tabo Boulevard and Lagrima de Oro, north of Montgomery Boulevard. The site contains approximately 1.88 acres and is currently vacant. Staff recommends approval of this request.

FINDINGS – 03EPC 01925, DECEMBER 18, 2003

1. This is a request for a zone map amendment from SU-1 PRD 22 du/ac and Office to SU-1 for C-1 Retail (excluding auto parts and supply sales, drive-up restaurant, liquor sales, gasoline sales, hardware and building material sales), Car Wash, and Restaurant for Lots 12 and 14, Replat of Ferrari-Esquibel Palmer Section 33, located at the northwest corner of Juan Tabo Boulevard and Lagrima de Oro, north of Montgomery Boulevard. The site contains approximately 1.88 acres and is currently vacant.
2. This request is a modified request for a zone map amendment from the applicant. The original request was for a zone map amendment to SU-1 for C-1 Uses.
3. The request is a limited commercial application intended to facilitate development of the subject site for specific commercial uses and a car wash as reflected in the submitted site development plan for building permit.
4. The City has consistently limited commercial uses along the west side of the Juan Tabo corridor north of Montgomery while supporting higher-density residential and office development.
5. The request is consistent with Established Urban policies of the Comprehensive Plan in that the proposed SU-1 for C-1 Retail (excluding auto parts and supply sales, drive-up restaurant, liquor sales, gasoline sales, hardware and building material sales), Car Wash, and Restaurant zoning will facilitate new development that will have a minimal impact on the adjacent residential neighborhood (Policy d), will utilize vacant land (Policy e), will be of minimal traffic impact to the neighborhood (Policy k), and will promote quality design that enhances the urban environment and contributes to the preservation of scenic views in the area (Policies l and m).
6. The request is generally consistent with development policies for Enhanced Transit Corridors as established in the Centers and Corridors component of the Comprehensive Plan (Policy A, Corridor Policies).

-
7. The consistency of the request with adopted elements of the Comprehensive Plan is consistent with Section 1C of R-270-1980. The request for SU-1 for C-1 Retail (excluding auto parts and supply sales, drive-up restaurant, liquor sales, gasoline sales, hardware and building material sales), Car Wash, and Restaurant zoning, thus, is more advantageous to the community as expressed in the Comprehensive Plan and is consistent with Section 1(D)(3) of R-270-1980. Staff is in agreement with the applicant's arguments regarding this request.

 8. There is no known opposition to this request.

RECOMMENDATION – 03EPC 01925, DECEMBER 18, 2003

APPROVAL of 03EPC 01925, a a request for a zone map amendment from SU-1 PRD 22 du/ac and Office to SU-1 for C-1 Retail (excluding auto parts and supply sales, drive-up restaurant, liquor sales, gasoline sales, hardware and building material sales), Car Wash, and Restaurant for Lots 12 and 14, Replat of Ferrari-Esquibel Palmer Section 33, located at the northwest corner of Juan Tabo Boulevard and Lagrima de Oro, north of Montgomery Boulevard, based on the preceding Findings.

FINDINGS – 03EPC 01929, DECEMBER 18, 2003

1. This is a request for approval of a site development plan for building permit, for Lots 12 and 14, Replat of Ferrari-Esquibel Palmer Section 33, located at the northwest corner of Juan Tabo Boulevard and Lagrima de Oro, north of Montgomery Boulevard. The site contains approximately 1.88 acres and is currently vacant.

2. This request accompanies a request for a zone map amendment from SU-1 PRD 22 du/ac to SU-1 for C-1 Retail (excluding auto parts and supply sales, drive-up restaurant, liquor sales, gasoline sales, hardware and building material sales), Car Wash, and Restaurant.

3. The request is consistent with Established Urban policies of the Comprehensive Plan in that the proposed design, scale, and location of the retail/car wash building will have a minimal impact

on the adjacent residential neighborhood (Policy d), will utilize vacant land (Policy e), will be of minimal traffic impact to the neighborhood (Policy k), and promotes quality design that enhances the urban environment and contributes to the preservation of scenic views in the area (Policies l and m).

4. The request is generally consistent with development policies for Enhanced Transit Corridors as established in the Centers and Corridors component of the Comprehensive Plan (Policy A, Corridor Policies).
5. Minor site design modifications are needed to bring the request into full compliance with existing City regulations and development policies.
6. There is no known opposition to this request.

RECOMMENDATION – 03EPC 01929, DECEMBER 18, 2003

APPROVAL of 03EPC 01929, a request for approval of a site development plan for Lots 12 and 14, Replat of Ferrari-Esquivel Palmer Section 33, located at the northwest corner of Juan Tabo Boulevard and Lagrima de Oro, north of Montgomery Boulevard, based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL – 03EPC 01929, DECEMBER 18, 2003

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. The applicant shall provide screening of the east parking area abutting Juan Tabo Boulevard as required in Section 14-16-3-1(E)(3) of the City Zoning Code.

-
3. The applicant shall lower the proposed height of light poles from 20 feet to 16 feet as required in Section 14-16-3-9(F) of the City Zoning Code.

 4. The applicant shall include a statement in the landscape plan that indicates compliance with Section 14-16-3-1(G)(4) of the City Zoning Code this regulation which requires a minimum 6 foot width along walkways that abut buildings to remain clear and unobstructed at all times for pedestrian use. This statement pertains specifically to the walkway along the south edge of the building which is proposed to contain Oak trees.

 5. The applicant shall increase the width of the west landscape buffer to 10 feet, establish primary use of trees in the buffer area that are at least 8 feet in height at planting and will reach a height at maturity of 25 feet, and establish a minimum 6-foot tall opaque wall or fence to screen the abutting parking from the R-1 zone as required in Section 14-16-3-1(E) of the City Zoning Code.
-

Makita Hill
Makita Hill
Planner

cc: SM&R Group, 10013 San Bernardino Dr. NE, Albuquerque, NM 87122
Dekker/Perich/Sabatini, 6801 Jefferson St. NE, Albuquerque, NM 87109
Seth Heath, SY Jackson, P.O. Box 20216, Albuquerque, NM 87154
LeeAnn Stubbs, SY Jackson, 4609 Bali Ct. NE, Albuquerque, NM 87111

Attachments

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Code Services

Reviewed, no comments.

Office of Neighborhood Coordination

SY Jackson ®

PUBLIC WORKS DEPARTMENT

Transportation Development:

- 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.
- Site shall comply and be designed per DPM Standards.

Utility Development:

- No comments received.

Traffic Engineering Operations:

- No comments.

Hydrology:

- No objection to the zone map amendment request. An approved conceptual grading and drainage plan is required for Site Plan sign-off by the City Engineer. Approval of drainage plan required prior to placement on DRB agenda.

Transportation Planning:

- No adverse comments regarding on-street bikeway, off-street trails or roadway system facilities.

Street Maintenance:

- No comments.

Water Resources, Water Utilities and Wastewater Utilities:

- No comments.

New Mexico Department of Transportation:

- No comments.

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

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

- a. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan for subdivision. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for.
- b. Site shall comply and be designed per DPM Standards.

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

Environmental Services Division

PARKS AND RECREATION

Planning and Design

No objection to the zone map amendment or Site Development Plan for Building Permit.

This development is adjacent to Hahn Park, which houses Roadrunner Little League. The facility has 5 fields and limited parking; most of the parking is on street on Lagrima de Oro.

Open Space Division

No adverse comment.

POLICE DEPARTMENT/Planning

traffic volume
traffic control devices
burglaries
speeding violations
lighting issues
maintenance of landscaping
robbery
assault
shoplifting
accidents in the parking lot
a higher probability of crimes during evening/weekend hours
commercial burglary
rape
adequate security

alarm response
transients

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

Approved on condition, will comply with all SWMD ordinances & requirements.

FIRE DEPARTMENT/Planning

New construction will be reviewed through the normal City of Albuquerque Plan Review Process. Items to be reviewed by AFD will be but not limited to, fire department access and fire hydrant locations, fire alarm systems, sprinkler systems, as well as accessible fire department connections. New additions will require a fire flow statement prior to DRB.

TRANSIT DEPARTMENT

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

No comment.

ALBUQUERQUE PUBLIC SCHOOLS

MID-REGION COUNCIL OF GOVERNMENTS

No adverse comment. For information, the Long Range Roadway System designates Juan Tabo Boulevard as a principal arterial.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

PUBLIC SERVICE COMPANY OF NEW MEXICO

No comment based upon the information provided to date.

December 8, 2003

Makita Hill
Case Planner
City of Albuquerque Planning Department
600 2nd St. NW
Albuquerque, New Mexico 87103

Re: Classic Emporium, SW Corner of Juan Tabo Blvd NE and LaGrima de Oro NE
It entails: Lots 12, 14 of the Replat of Ferrari-Esquivel-Palmer Sec 33 of SE ¼,
T11N, R4E NMPM, UPC #'s: 02106151008940114 and 102106151007440112
EPC Submittal for: Site Development Plan for Building Permit and Zone Change
/Zone Map Amendment. (03EPC-01925, 03 EPC-01929)

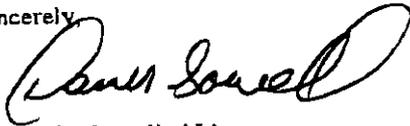
Dear Mr. Hill,

On behalf of our client, the SM&R Group, we are submitting an application modification to the Environmental Planning Commission for a Site Development Plan for Building Permit and a Zone Change/Zone Map Amendment for the property referenced above.

Based upon historical precedent and our phone conversations, we would like to respectfully request our application be changed from the initially requested SUI-C1 to SUI for C1 Retail (excluding auto parts and supply sales, drive up restaurant, liquor sales, gasoline sales, hardware and building material sales), Carwash and Restaurant.
We hope this meets all of your requirements for approval.

We thank you for your consideration.

Sincerely,



Darren L. Sowell, AIA
Architect
Dekker/Perich/Sabatini

Cc: Buck Buckner, SM&R Group
Tim Grattan
File



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

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

APPLICANT INFORMATION:

| | |
|---|-----------------------------------|
| NAME: <u>SM&R Group</u> | PHONE: <u>505-797-8710</u> |
| ADDRESS: <u>10013 San Bernadino Dr. NE</u> | FAX: |
| CITY: <u>Albuquerque</u> STATE <u>NM</u> ZIP <u>87122</u> | E-MAIL: <u>alarbckn4@aol.com</u> |
| Proprietary interest in site: <u>Contract Purchaser</u> | |
| AGENT (if any): <u>Dekker/Perich/Sabatini</u> | PHONE: <u>505-761-9700</u> |
| ADDRESS: <u>6801 Jefferson Street, NE</u> | FAX: <u>505-761-4222</u> |
| CITY: <u>Albuquerque</u> STATE <u>NM</u> ZIP <u>87109</u> | E-MAIL: <u>darrens@dpsabq.com</u> |

DESCRIPTION OF REQUEST: Site Development Plan for Building Permit (see attached letter) + ZONE MAP AMENDMENT
 Is the applicant seeking incentives pursuant to the Family Housing Development Program? Yes. No.

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

Lot or Tract No. Lots 12,14 Block: ? Unit: ?
 Subdiv. / Adn. Replat of Ferrari-Esquivel-Palmer Sec 33.
 Current Zoning: SU-1 PRD 22 DU/A & Office Proposed zoning: SU-1 for C1
 Zone Atlas page(s): F-21 No. of existing lots: 2 No. of proposed lots: 2
 Total area of site (acres): 1.88 Density if applicable: dwellings per gross acre: N/A dwellings per net acre: N/A
 Within city limits? Yes. No , but site is within 5 miles of the city limits (DRB jurisdiction.) Within 1000FT of a landfill? No
 UPC No. 102106151008940114 and 102106151007440112 MRGCD Map No. N/A
 LOCATION OF PROPERTY BY STREETS: On or Near: Juan Tabo Blvd and Lagrima de Oro NE
 Between: Montgomery Blvd NE and Lagrima de Oro NE

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_Z_, V_, S_, etc.): None Z-85-103
E-85-102-1, V-84-77

Check-off if project was previously reviewed by Sketch Plan Plan , or Pre-application Review Team . Date of review: 10/16/2002

SIGNATURE [Signature] DATE 11/06/2003
 (Print) Darren L. Sowell, AIA Dekker/Perich/ Sabatini, Ltd Applicant Agent

FOR OFFICIAL USE ONLY

Form revised September 2001

INTERNAL ROUTING

- All checklists are complete
- All fees have been collected
- All case #s are assigned
- AGIS copy has been sent
- Case history #s are listed
- Site is within 1000ft of a landfill
- F.H.D.P. density bonus
- F.H.D.P. fee rebate

| Application case numbers | Action | S.F. | Fees |
|---|---------------------|------|------------------------|
| <u>03EPC - 01925</u> | <u>ZMA</u> | | <u>\$ 350.00</u> |
| <u>03EPC - 01929</u> | <u>SEP/BP</u> | | <u>\$ 385.00</u> |
| | | | <u>\$ 75.00</u> |
| | <u>NOTIFIC. FEE</u> | | <u>\$ 75.00</u> |
| | | | <u>\$</u> |
| Hearing date <u>December 18th 03</u> | | | Total <u>\$ 810.00</u> |

[Signature] 11/6/03
 Planner signature / date

Project # 1003102

CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) / ENVIRONMENTAL HEALTH INFORMATION FORM

APPLICANT: SMR GROUP ~~DEERE GROUP~~ DEERE GROUP Date of request: 11/5/03 Zone atlas page(s): F-21

CURRENT: Zoning SU-1 PREP/22 OFFICE Legal Description - Esquivel - Palmera
Lot or Tract # Lot 12, 14 Block # _____

Parcel Size (acres / sq.ft.) 1.83 ACRES Subdivision Name _____

REQUESTED CITY ACTION(S):

| | | | | | | |
|------------|-----|-----------------|---|------------------------|-----------------|---|
| Annexation | [] | Sector Plan | [] | Site Development Plan: | Building Permit | [<input checked="" type="checkbox"/>] |
| Comp. Plan | | Zone Change | [<input checked="" type="checkbox"/>] | a) Subdivision | Access Permit | [] |
| Amendment | [] | Conditional Use | [] | b) Build'g Purposes | Other | [] |
| | | | | c) Amendment | | [] |

PROPOSED DEVELOPMENT:

No construction / development []
 New Construction []
 Expansion of existing development []

GENERAL DESCRIPTION OF ACTION: 1

of units - N/A
 Building Size - 14,770 (sq. ft.)

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

Applicant or Representative DEERE GROUP DEERE GROUP DEERE GROUP Date 11/09/03
(To be signed upon completion of processing by Traffic Engineer and Environmental Health)

TRAFFIC IMPACT STUDY (TIS) REQUIRED: YES [] NO [] BORDERLINE []

Planning Dept., Dev. & Bldg. Services Div., Transportation Dev. Section - 2nd FL. 600 2nd St. NW Plaza del Sol Bldg. 924-3994

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

Notes:

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

[Signature] 11-06-03
TRAFFIC ENGINEER DATE

Per letter dated August 7, 2003 from the Director of the Environmental Health Department to the Director of the Planning Department, "all 5 CO monitors within Bernalillo County are yielding 8-hour average CO levels at less than 50% of the Federal CO standard ..." and "based on our review of the available scientific data, we do not foresee a circumstance where preparation of a detailed air quality study for a land use development will be warranted - regardless of the project size, location or traffic generated".

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

TIS - SUBMITTED ___/___/___
- FINALIZED ___/___/___
TRAFFIC ENGINEER _____ DATE _____

TO BE COMPLETED BY APPLICANT

TRANSPORTATION DEVELOPMENT

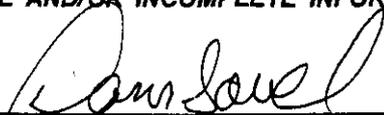
ENVIRONMENTAL HEALTH

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT CHECKLIST

Revised: 4/7/2003

This checklist will be used to verify the completeness of site plans submitted for review by the Environmental Planning Commission. Because development proposals vary in type and scale, there may be submittal requirements that are not specified here. Nonetheless, applicants are responsible for providing a complete submittal. Certification as specified below is required.

I CERTIFY THAT THE SUBMITTED SITE DEVELOPMENT PLAN IS COMPLETE AND ACCURATE, AND THAT ALL APPLICABLE INFORMATION AS SPECIFIED IN THIS CHECKLIST IS PROVIDED. FURTHER, I UNDERSTAND THAT THIS APPLICATION IS BEING ACCEPTED PROVISIONALLY AND THAT INACCURATE AND/OR INCOMPLETE INFORMATION MAY RESULT IN THE SUBSEQUENT REJECTION OF THE APPLICATION OR IN A DELAY OF ONE MONTH OR MORE IN THE DATE THE APPLICATION IS SCHEDULED FOR PUBLIC HEARING.

 11-6-03
Applicant or Agent Signature / Date

Site development plan packets shall be composed of the following plan sheets (unless otherwise approved in writing prior to submittal by the Planning Department):

1. **Site Plan** (including utilities and easements)
2. **Landscaping Plan**
3. **Preliminary Grading Plan** (A separate Grading Plan sheet is required for a sites 1 acre or more.)
4. **Building and Structure Elevations**

Submitted plan packets must be organized in the above manner. The following checklist describes the minimum information necessary for each plan element. **The Applicant must include all checklist items on their site plan drawings and confirm inclusion by checking off the items below. Non-applicable items must be labeled "N/A." Each non-applicable designation must be explained by notation on the Checklist.**

Accompanying Material

- A. 82" x 11" reduction for each plan sheet.
- B. **Written project summary.** Each application must include a brief narrative description of the proposed project, its primary features and how compatibility with the surrounding context has been achieved.

SHEET #1 - SITE PLAN

A. General Information

- 1. Date of drawing and/or last revision
- 2. Scale: 1.0 acre or less 1" = 10'
1.0 - 5.0 acres 1" = 20'
Over 5 acres 1" = 50'
Over 20 acres 1" = 100' *[Other scales as approved by staff]*
- 3. Bar scale
- 4. North arrow
- 5. Scaled vicinity map
- 6. Existing structures on the site and within 20 feet of the site boundaries
- 7. Property lines (clearly identify)
- 8. Existing and proposed easements (identify each)

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT CHECKLIST

Revised: 4/7/2003

- 2. Pedestrian trails and linkages
- 3. Bus facilities, including routes, bays and shelters existing or required

4. Utilities

- 1. Fire hydrant locations, existing and proposed.
- 2. Distribution lines
- 3. Right-of-Way and easements, existing and proposed, on the property and adjacent to the boundaries, with identification of types and dimensions.
- 4. Existing water, sewer, storm drainage facilities (public and/or private).
- 5. Proposed water, sewer, storm drainage facilities (public and/or private)

5. Phasing

- A. Proposed phasing of improvements and provision for interim facilities. Indicate phasing plan, including location and square footage of structures and associated improvements including circulation, parking and landscaping.

SHEET #2 - LANDSCAPING PLAN

Landscaping may be shown on sheet #1 with written approval from Planning Department staff.

- 1. Scale - must be same as scale on sheet #1 - Site plan
- 2. Bar Scale
- 3. North Arrow
- 4. Property Lines
- 5. Existing and proposed easements
- 6. Identify nature of ground cover materials
 - A. Impervious areas (pavement, sidewalks, slope pavings, curb and gutters, etc.)
 - B. Pervious areas (planting beds, grass, ground cover vegetation, etc.)
 - C. Ponding areas either for drainage or landscaping/recreational use
- 7. Identify type, location and size of plantings (common and/or botanical names).
 - A. Existing, indicating whether it is to preserved or removed.
 - B. Proposed, to be established for general landscaping.
 - C. Proposed, to be established for screening/buffering.
- 8. Describe irrigation system
- 9. Planting Beds, indicating square footage of each bed
- 10. Turf Area - only 20% of landscaped area can be high water turf; provide square footage and percentage.
- 11. Responsibility for Maintenance (statement)
- 12. Statement of compliance with Water Conservation... Ordinance, see article 6-1-1-1.
- 13. Landscaped area requirement; square footage and percent (specify clearly on plan)
- 14. Landscaped area provided; square footage and percent (specify clearly on plan)

SHEET #3 - PRELIMINARY GRADING PLAN -

The Preliminary Grading Plan provides the Planning Commission and staff with an understanding of site topography and how it relates to adjacent property. Planning staff may waive or allow adjustments to the Preliminary Grading Plan requirements for sites that are small, relatively flat and have no existing or proposed extraordinary drainage facilities. Waivers must be obtained in writing from the City Engineer prior to application submittal.

Grading information for sites that are under 1 acre can be included on Sheet #1.

November 5, 2003

Jeffery Jesionowski
Chair - Environmental Planning Commission
City of Albuquerque Planning Department
600 2nd St. NW
Albuquerque, New Mexico 87103

Re: Classic Emporium, SW Corner of Juan Tabo Blvd NE and LaGrima de Oro NE
It entails: Lots 12,14 of the Replat of Ferrari-Esquivel-Palmer Sec 33 of SE ¼,
T11N, R4E NMPM, UPC #'s: 02106151008940114 and 102106151007440112
EPC Submittal for: Site Development Plan for Building Permit and Zone Change
/Zone Map Amendment.

Dear Mr. Jesionowski:

On behalf of our client, the SM&R Group, we are submitting an application to the Environmental Planning Commission for a Site Development Plan for Building Permit and a Zone Change/Zone Map Amendment for the property referenced above.

The 1.88 acre site is currently vacant of physical developments which we hope to remedy with the addition of a 14,180 s.f. retail emporium and full-service Car Wash facility. This facility would include a variety of services including: a premium leisure beverage retailer such as Starbucks, a premium leisure dessert retailer such as Cold Stone, a book store, haircut center, as well as several other smaller convenience amenities.

The SM&R Group's vision for this development is an upscale "one stop shop" facility that gathers several desired retailers under the same roof. The driving philosophy behind this emporium concept is for the facility to provide valet car washing services to the consumer while offering them the option to patronize the other retailers while waiting for their vehicle.

The Site Development Plan for Building Permit shows a 10,580 s.f. main retail component facing Juan Tabo Blvd to the East with the smaller scale 3,600 s.f. carwash behind to the West. The proposed zone change from SU-1 PRD 22/ Office to SU-1 for C1 would allow this type of facility and would be in accordance with City zoning regulations. The reason for this request is to provide zoning consistent with adjacent properties, specifically the site directly south which is SU-1 for restaurant, bakery and bookstore as well as provide a desirable amenity for the community.

We believe this request is consistent with all applicable City plans and policies. The applicant further believes the project is in conformance with the goals and policies for development in the established urban area, including job creation, growth in areas serviced by infrastructure and appropriate land uses.

We respectfully request your consideration.

Sincerely,



Darren L. Sowell, AIA
Architect
Dekker/Perich/Sabatini

Cc: Buck Buckner, SM&R Group
Tim Grattan
File

Sales, Marketing & Research Group

November 3, 2003

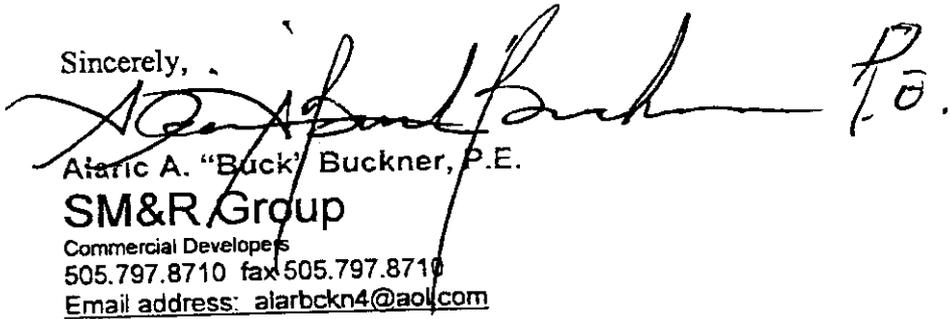
To Whom It May Concern:

Re: Statement of Agent Declaration
For Property Development Issues of property located on the Southwest corner
of Juan Tabo Blvd. and Lagrima de Oro Rd.
(Legal: Lots 12,14 and 19 of the replat lands of Ferrari, Esquibel, Palmer Sec 33
of SE ¼, T11N, R4E, NMPM) Zone Atlas Map: F-21-Z

To Whom It May Concern:

I, Alaric A. Buckner, as majority owner of SM&R Group and owner and developer of the Classic Emporium, I hereby authorize Dekker, Perich and Sabatini (DPS) to act as property development agent in EPC and PRT matters. It is SM&R Groups' intention, through the advise and coordination efforts of DPS, to submit an application to the EPC for approval of a "Site Development Plan for Building Permit" in accordance with the SU-1 for C-1 Zoning District requirements. The property is currently zoned SU-1 PRD 22, which we intend to change as of this submission. The subject property is approximately 1.91 acres and is located just North of the existing Flying Star Restaurant on Juan Tabo Blvd.

Sincerely,



Alaric A. "Buck" Buckner, P.E.

SM&R Group

Commercial Developers

505.797.8710 fax 505.797.8710

Email address: alarbckn4@aol.com



City of Albuquerque

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

Date: October 29, 2003

TO CONTACT NAME: Darren Souwell
 COMPANY/AGENCY: Dickes Perich Sabatini
 ADDRESS/ZIP: 0801 Jefferson NE Ste 100 87109
 PHONE/FAX #: 761-9700 / 761-4822

Thank you for your inquiry of 10-29-03 (date) requesting the names of **Recognized**

Neighborhood Associations who would be affected under the provisions of O-92 by your proposed project at lots 12, 14, 19 of the report of lands of Semari Esquivel - Palmer, Sec 33 of SE 1/4, T11N, R4E, NMPM.
 zone map page(s) E-21

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

S. J. Jackson
 Neighborhood Association
 Contacts: SLTH Health
PO Box 20216 87154
681-0574 (cell)
Keelnn Stubbs
4609 Bali Ct. NE
323-1461 (w) 87111

Neighborhood Association
 Contacts: _____

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

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

Sincerely,

Dalana L. Carmona
 OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

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

November 3, 2003

Lee Ann Stubbs
S Y Jackson Neighborhood Association
4609 Bali Ct. NE
Albuquerque, New Mexico 87111

Re: Notification of EPC Submission of a Site Development for Building Permit;
For the property located on the Southwest corner of Juan Tabo Blvd. and
Lagrima de Oro Rd.
(Legal: Lots 12,14 and 19 of the replat lands of Ferrari, Esquibel, Palmer Sec 33
of SE ¼, T11N, R4E, NMPM) Zone Atlas Map: F-21-Z

Dear Mr. Heath,

On behalf of our client, SM& R Group., It is our intention to submit an application to the EPC for approval of a "Site Development Plan for Building Permit" in accordance with the SU-1 for C-1 Zoning District requirements. The property is currently zoned SU-1 PRD 22, which we intend to change as of this submission. The subject property is approximately 1.88 acres and is located just North of the existing Flying Star Restaurant on Juan Tabo Blvd.

Building Area and Use

The Site Development Plan for Building Permit contains a 14,900 square foot facility to be built in one (1) Phase. The building includes approximately 10,580 square feet of Retail space fronting Juan Tabo and approximately 4,320 square feet of space to be used as a valet car wash. If approved, these uses would be permitted under the SU-1 for C1 *Zoning District*.

Landscaping and Building Elevations

The site has been designed to exceed City landscaping requirements. On this 1.88 + - acre site, 12,285 SF of landscaping is required and 15,280 SF is being provided.

Parking Requirements

We have calculated the "**Required Parking**" for the entire site is (75 spaces) and the "**Provided Parking**" for the entire site is (75 spaces).

We intend this to be a very upscale establishment and a true benefit to the neighborhood, we hope you look upon our efforts in the same manner.

Thank you for your consideration in this matter. If you have any questions please feel free to call me at 505-761-9700.

Sincerely,

Darren L. Sowell, AIA
Email address: darrens@dpsabq.com

Dekker/Perich/Sabatini

architecture interiors planning engineering

505.761.9700 fax 505.761.4222

Visit us at: <http://dpsabq.com/>

November 3, 2003

Seth Heath
S Y Jackson Neighborhood Association
P.O. Box 20216
Albuquerque, New Mexico 87154

Re: Notification of EPC Submission of a Site Development for Building Permit;
For the property located on the Southwest corner of Juan Tabo Blvd. and
Lagrima de Oro Rd.
(Legal: Lots 12,14 and 19 of the replat lands of Ferrari, Esquibel, Palmer Sec 33
of SE ¼, T11N, R4E, NMPM) Zone Atlas Map: F-21-Z

Dear Mr. Heath,

On behalf of our client, SM& R Group., It is our intention to submit an application to the EPC for approval of a "Site Development Plan for Building Permit" in accordance with the SU-1 for C-1 Zoning District requirements. The property is currently zoned SU-1 PRD 22, which we intend to change as of this submission. The subject property is approximately 1.88 acres and is located just North of the existing Flying Star Restaurant on Juan Tabo Blvd.

Building Area and Use

The Site Development Plan for Building Permit contains a 14,900 square foot facility to be built in one (1) Phase. The building includes approximately 10,580 square feet of Retail space fronting Juan Tabo and approximately 4,320 square feet of space to be used as a valet car wash. If approved, these uses would be permitted under the SU-1 for C1 *Zoning District*.

Landscaping and Building Elevations

The site has been designed to exceed City landscaping requirements. On this 1.88 + - acre site, 12,285 SF of landscaping is required and 15,280 SF is being provided.



Agenda Number: 8
 Project Number: 1003102
 Case Number: 03EPC 01925/01929
 December 18, 2003

Staff Report

| | |
|--------------------------|--|
| Agent | Dekker/Perich/Sabatini |
| Applicant | SM&R Group |
| Request | Zone Map Amendment Site Development Plan for Building Permit |
| Legal Description | Lots 12, 14, Replat of Ferrari-Esquivel-Palmer Section 33 |
| Location | Juan Tabo Boulevard and Lagrima de Oro between Juan Tabo and Montgomery Boulevard |
| Size | Approximately 1.88 acres |
| Existing Zoning | SU-1 PRD 22 Du/Ac and Office |
| Proposed Zoning | SU-1 for C-1 Retail (excluding auto parts and supply sales, drive up restaurant, liquor sales, gasoline sales, hardware and building material sales), Car Wash, and Restaurant |

Staff Recommendation

APPROVAL of 03EPC 01925, based on the Findings on pages 9-10.

APPROVAL of 03EPC 01929, based on the Findings on pages 10-11, and the Conditions of Approval on pages 11-12.

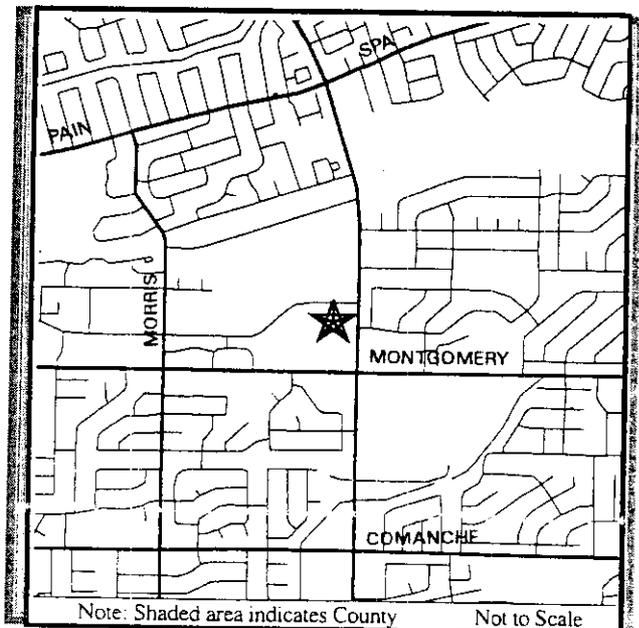
Staff Planner

Makita Hill, Planner

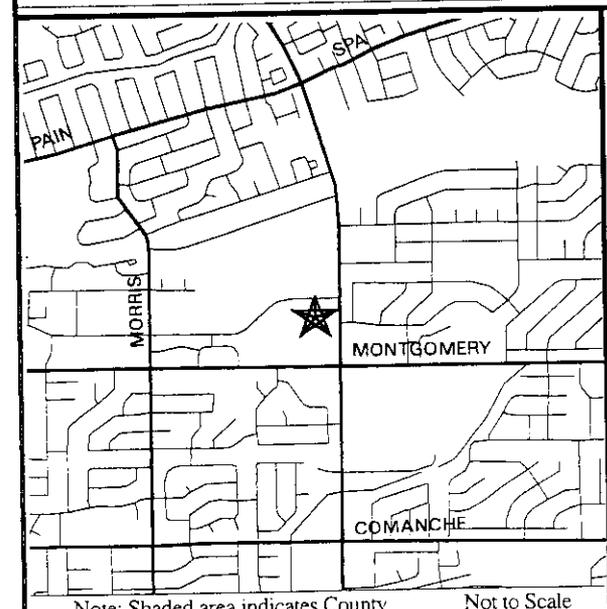
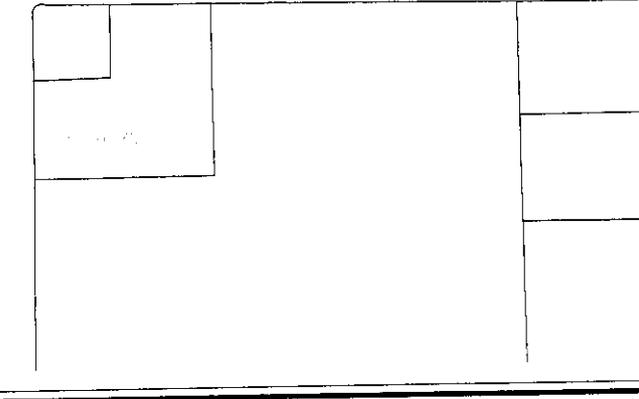
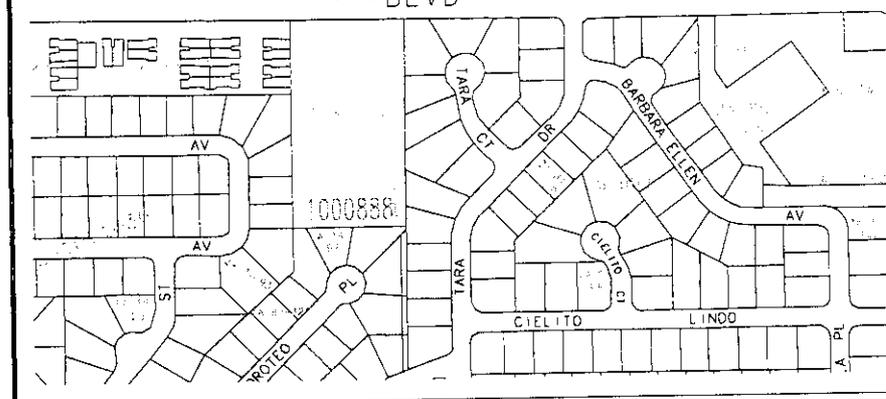
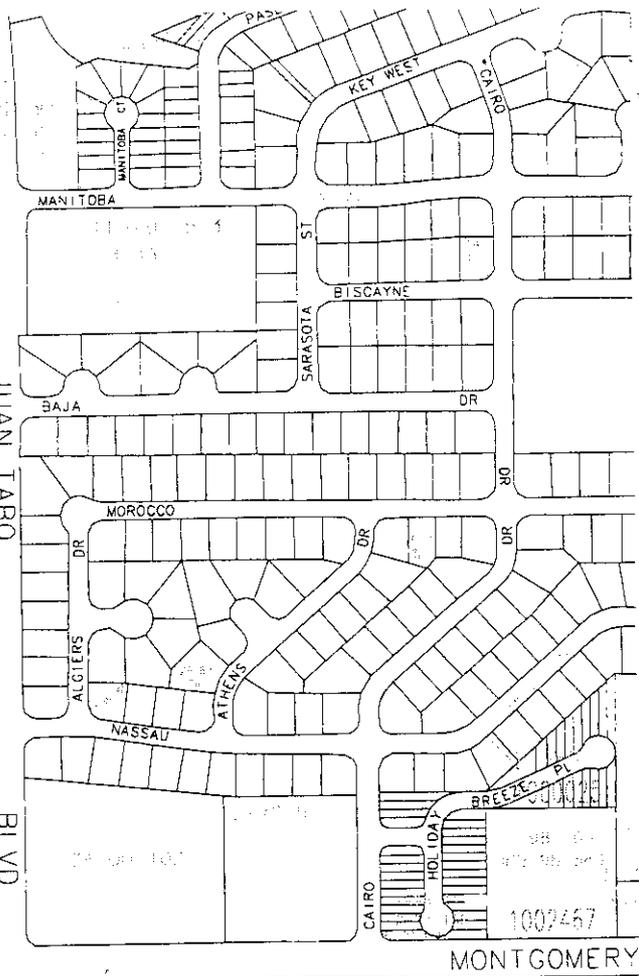
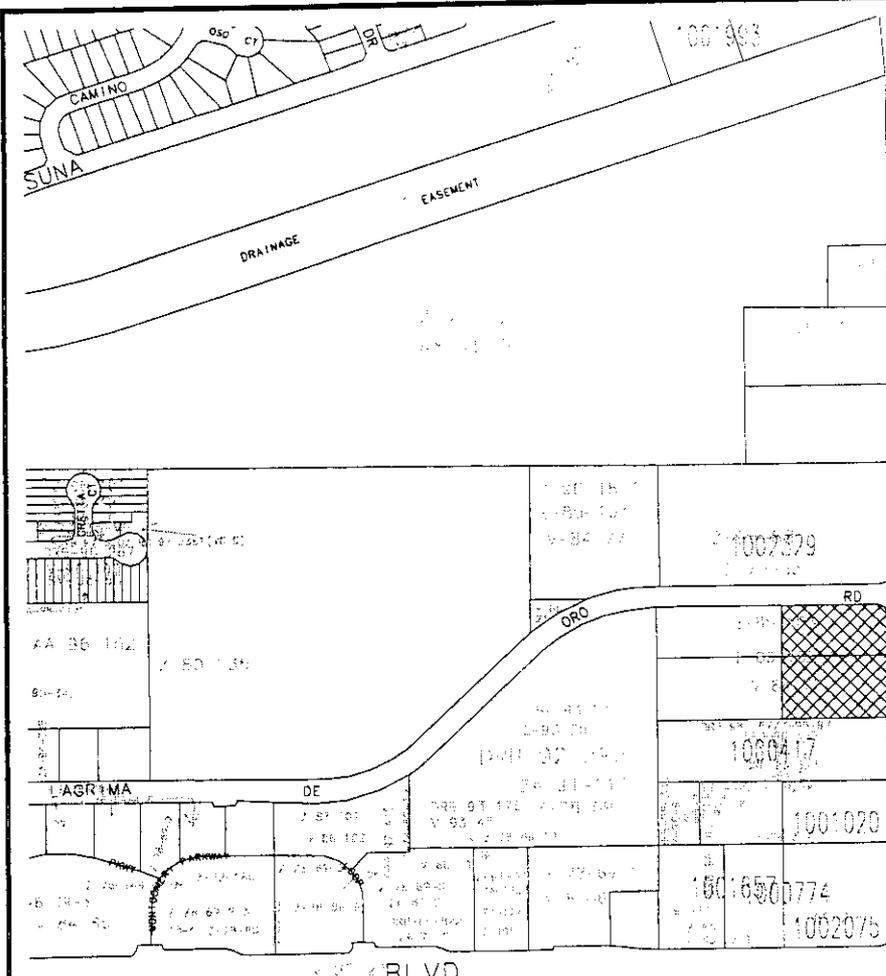
924-3879

Summary of Analysis

This is a request for a zone map amendment from SU-1 PRD 22 du/ac and Office to SU-1 for C-1 Retail (excluding auto parts and supply sales, drive-up restaurant, liquor sales, gasoline sales, hardware and building material sales), Car Wash, and Restaurant, and a site development plan for building permit, for Lots 12 and 14, Replat of Ferrari-Esquivel Palmer Section 33, located at the northwest corner of Juan Tabo Boulevard and Lagrima de Oro, north of Montgomery Boulevard. The site contains approximately 1.88 acres and is currently vacant. The request is consistent with Established Urban and Centers and Corridors policies in the Comprehensive Plan, and meets the requirements of R-270-1980 for the proposed zone map amendment. Staff recommends approval of this request with modifications to landscape and parking area design.



City Departments and other interested agencies reviewed this application from 11/10/03 to 11/21/03. Agency comments were used in the preparation of this report, and begin on page 13.



HISTORY MAP



Scale 1" = 505'

PROJECT NO.
1003102

HEARING DATE
12-18-03

MAP NO.
F-21

ADDITIONAL CASE NUMBER(S)
03EPC-01925
03EPC-01929

Note: Shaded area indicates County Not to Scale

Development Services Report

SUMMARY OF REQUEST

| | |
|-----------------|---|
| Request | Zone Map Amendment Site Development Plan for Building Permit |
| Location | Juan Tabo Boulevard and Lagrima de Oro between Juan Tabo and Montgomery Boulevard |

AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses:

| | Zoning | Comprehensive Plan Area; Applicable Rank II & III Plans | Land Use |
|--------------|---|--|---------------------------------|
| Site | SU-1 PRD 22 du/ac and Office | Established Urban; Enhanced Transit Corridor | Vacant |
| North | SU-1 for Church and Related Facilities | " | Church |
| South | SU-1 for Bakery, Bookstore, Restaurant with No Liquor Service | " | Bakery/Bookstore/ Restaurant |
| East | R-1 | " | Single Family Residences |
| West | SU-1 for PRD 22 du/ac, R-1 | " | Vacant, Park |

Background, History and Context

This is a request for a zone map amendment from SU-1 PRD 22 du/ac and Office to SU-1 for C-1 Retail (excluding auto parts and supply sales, drive-up restaurant, liquor sales, gasoline sales, hardware and building material sales), Car Wash, and Restaurant, and a site development plan for building permit, for Lots 12 and 14, Replat of Ferrari-Esquivel Palmer Section 33, located at the northwest corner of Juan Tabo Boulevard and Lagrima de Oro, north of Montgomery Boulevard. The site contains approximately 1.88 acres and is currently vacant. The current zoning request is a modified request from the applicant. The applicant's original zoning request was for SU-1 for C-1 Uses.

The site's current SU-1 for PRD 22 du/ac and Office was approved by the EPC in 1985 (Z-85-102). The area surrounding the subject site has seen several zone map amendments over the years. The parcel at the northwest corner of Juan Tabo and Montgomery was reviewed by the EPC for a zone map amendment from R-1 to C-2 in 1969 (Z-69-29): this request was modified and approved for SU-1 for Commercial Development for Bank, Office and PRD. The next parcel to the west was reviewed by the

EPC for a request for SU-1 for C-1 zoning in 1985(Z-85-77): this request was denied by the EPC. The EPC denial was appealed by the applicant, and the appeal was granted by the City Council. The EPC also reviewed and approved a request for a zone map amendment for the next westerly parcel for SU-1 for Restaurant/Bar with Full Service Liquor zoning (no package sales) in 1992 (Z-92-37).

On the north parcel adjacent to the subject site, the EPC reviewed and approved a request for a zone map amendment in 1973 from R-1 to SU-1 for Church and Related Facilities (Z-73-33). On the south parcel abutting the subject site, the EPC reviewed a request for a zone map amendment in 1993 from SU-1 PRD Elderly Housing to SU-1 for Office Uses, PRD, and C-1 Uses (Z-93-16). This request was modified to eliminate the C-1 uses portion of the original request, and the result was SU-1 for Bakery, Restaurant with No Liquor Service, and Bookstore (for the Flying Star Restaurant), SU-1 for PRD and Office, and R-1 zoning for the Hahn Park parcel immediately to the west. In the staff report for this case, a finding was adopted that addressed the C-1 uses issue as follows: "Staff can only support limited commercial development compatible with the limited commercial uses already allowed in the area".

Along with the parcel west of the Juan Tabo/Montgomery intersection zoned SU-1 for C-1 Uses, the northeast corner of this intersection has standard C-1 zoning (Z-79-91). The original application for zoning for this site requested C-2 zoning, however the application was modified (as recommended by staff) for C-1 zoning. Only these two locations in the immediate area surrounding the subject site have C-1 zoning. The City has consistently limited commercial uses along the west side of the Juan Tabo corridor north of Montgomery while supporting higher-density residential and office development.

The subject site is not within a Rank 2 or a Rank 3 planning area.

APPLICABLE PLANS AND POLICIES

Albuquerque / Bernalillo County Comprehensive Plan

The subject site is located in the area designated Established Urban by the *Comprehensive Plan* with a Goal to "create a quality environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment." Applicable policies include:

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

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

Policy k: Land adjacent to arterial streets shall be planned to minimize harmful effects of traffic; livability and safety of established residential neighborhoods shall be protected in transportation planning and operation.

Policy l: Quality and innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate to the plan area.

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

Centers and Corridors Component of the Comprehensive Plan

Juan Tabo Boulevard, adjacent to the subject site, is a designated Enhanced Transit Corridor under the Centers and Corridors component of the Comprehensive Plan. This type of roadway is designed to improve transit and pedestrian opportunities for residents, businesses, and other users of the corridor, as well as to develop adjacent land uses and intensities that promote the use of transit.

Street design standards for Enhanced Transit Corridors include the following (Policy A, Corridor Policies, p. 122):

- Maximize pedestrian connections to transit stops and between adjacent uses.
Minimum 6-8 foot sidewalk.
- Minimum 4-foot sidewalk setback, which may be reduced if a wider sidewalk is desirable.

Development form standards for Enhanced Transit Corridors include the following (Policy A, Corridor Policies, p. 123):

- Street entrance.
- Minimum setback to provide for landscaping or pedestrian activity areas.
- Parking location to be separated by the building or located at the side of the building.
- Parking reductions, shared parking encouraged.
- Floor area ratio of 0.5 to 1.5.

Housing density target for new development of 7-30 du/ac (net)

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

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

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

Long Range Roadway System

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

ANALYSIS – ZONE MAP AMENDMENT

Conformance to Adopted Plans, Policies, and Ordinances

This is a request for a zone map amendment from SU-1 PRD 22 du/ac and Office to SU-1 for C-1 Retail (excluding auto parts and supply sales, drive-up restaurant, liquor sales, gasoline sales, hardware and building material sales), Car Wash, and Restaurant, for Lots 12 and 14, Replat of Ferrari-Esquibel Palmer Section 33, located at the northwest corner of Juan Tabo Boulevard and Lagrima de Oro, north of Montgomery Boulevard. The site contains approximately 1.88 acres and is currently vacant.

The City has consistently limited commercial uses along the west side of the Juan Tabo corridor north of Montgomery while supporting higher-density residential and office development. In the request, the applicant has argued that the proposed SU-1 for C-1 Retail (excluding auto parts and supply sales, drive-up restaurant, liquor sales, gasoline sales, hardware and building material sales), Car Wash, and Restaurant zoning is consistent with other SU-1 zoning in the area, specifically the parcel to the south of the subject site (zoned SU-1 for Bakery, Bookstore, and Restaurant with No Liquor Service), and will provide a desirable amenity for the community. The submitted argument suggests that the applicant favors the request from the standpoint that it will be more advantageous to the community than the current zoning. This argument for the requested zone map amendment addresses Section 1(D)(3) of R-270-1980

The request for SU-1 for C-1 Retail (excluding auto parts and supply sales, drive-up restaurant, liquor sales, gasoline sales, hardware and building material sales), Car Wash, and Restaurant zoning is a limited commercial application intended to facilitate development of the site for specific commercial uses and a car wash as reflected in the submitted site development plan for building permit. The request is consistent with Established Urban policies of the Comprehensive Plan in that the proposed design, scale, and location of the retail/car wash building will have a minimal impact on the adjacent residential neighborhood (Policy d), will utilize vacant land (Policy e), will be of minimal traffic impact to the neighborhood (Policy k), and promotes quality design that enhances the urban environment and contributes to the preservation of scenic views in the area (Policies l and m). The request is also generally consistent with development policies for Enhanced Transit Corridors as established in the Centers and Corridors component of the Comprehensive Plan. The consistency of the request with adopted elements of the Comprehensive Plan is consistent with Section 1C of R-270-1980. The request for SU-1 for C-1 Retail (excluding auto parts and supply sales, drive-up restaurant, liquor sales, gasoline sales, hardware and building material sales), Car Wash, and Restaurant zoning, thus, is more advantageous to the community as expressed in the Comprehensive Plan and is consistent with Section 1(D)(3) of R-270-1980. Staff is in agreement with the applicant's arguments regarding this request.

ANALYSIS – SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

Conformance to Adopted Plans, Policies, and Ordinances

This is a request for a site development plan for building permit for Lots 12 and 14, Replat of Ferrari-Esquibel Palmer Section 33, located at the northwest corner of Juan Tabo Boulevard and Lagrima de Oro, north of Montgomery Boulevard. The site contains approximately 1.88 acres and is currently vacant. The request is made in conjunction with a request, modified by the applicant, for a zone map amendment from SU-1 PRD 22 du/ac and Office to SU-1 for C-1 Retail (excluding auto parts and supply sales, drive-up restaurant, liquor sales, gasoline sales, hardware and building material sales), Car Wash, and Restaurant.

The request is consistent with Established Urban policies of the Comprehensive Plan in that the proposed design, scale, and location of the retail/car wash building will have a minimal impact on the adjacent residential neighborhood (Policy d), will utilize vacant land (Policy e), will be of minimal traffic impact to the neighborhood (Policy k), and promotes quality design that enhances the urban environment and contributes to the preservation of scenic views in the area (Policies l and m).

The request is generally consistent with the development policies for Enhanced Transit Corridors as established in the Centers and Corridors component of the Comprehensive Plan. Evaluation of this request and these policies is recorded below.

Site Plan Layout / Configuration

The site plan illustrates a proposed 10,580 square-foot retail building and a 3,600 square-foot car wash behind the retail building. The building faces Juan Tabo and has a main entry on the east façade. Parking areas are located to the east, north, and west of the building. The south edge of the site is reserved for valet parking of automobiles after going through the car wash. The east, north, and south edges of the building are surrounded by walkways that range from 10 to 14 feet in width, and a 6-foot walkway extends from the main building entry to existing sidewalk on Juan Tabo. Landscaping is proposed to surround the site on all sides, with wider landscape buffers to the east and north.

Vehicular Access, Circulation and Parking

Vehicular access to the site is facilitated off Lagrima de Oro Road with two 30-foot wide entrances. Parking areas are located to the east, north, and west of the building. The south edge of the site is reserved for valet parking of automobiles after going through the car wash. Parking calculations are provided on the site plan and indicate that the minimum number of parking spaces, including handicap spaces, are provided (74). The site is designed to allow vehicles to circulate around the building, which is in the center of the site. The parking area on the east edge of the site abuts Juan Tabo, and with the total number of parking spaces for the site exceeding 50 spaces, the applicant is required to provide screening of this parking area from Juan Tabo as established in Section 14-16-3-1(E)(3) of the City Zoning Code. The screening must be in the form of walls, earth berms, or evergreen landscaping, or a combination thereof. The screening must be a minimum of 30 inches in height, not to exceed 36 inches in height. Where walls are

provided, the walls must integrate with building materials and colors. Where landscaping is provided, the applicant must provide proper evidence indicating that the plant selection will achieve the proper height.

Pedestrian and Bicycle Access and Circulation, Transit Access

The east, north, and south edges of the building are surrounded by walkways that range from 10 to 14 feet in width, and a 6-foot walkway extends from the main building entry to existing sidewalk on Juan Tabo that provides a street entrance to the proposed building. A 6-foot sidewalk is currently in place along Juan Tabo in front of the subject site, and a 4-foot sidewalk is currently in place along Lagrima de Oro. The 6-foot sidewalk along Juan Tabo is not set back 4 feet from the street curb as called out in Policy A, Corridor Policies for Enhanced Transit Corridors. The sidewalk is positioned abutting the street in a consistent manner from the Juan Tabo/Montgomery intersection along both sides of Juan Tabo and north beyond the subject site. The imposition of a 4-foot sidewalk setback would not be in keeping with existing conditions in the area. The existing 6-foot sidewalk in its current alignment should be viewed as adequate to address the Centers and Corridors sidewalk policies. The site is easily accessible by bicycle off Juan Tabo onto the proposed 6-foot walkway to the building main entrance, or by the vehicular entrances off Lagrima de Oro. A bike rack with four spaces is provided on the north side of the building.

Lighting and Security

The site plan indicates provision of 20-foot light poles throughout the site. The subject site abuts a parcel to the west that is zoned R-1. The light pole height should be adjusted to 16 feet as the subject site is within 100 feet of a residential zone (Section 14-16-3-9(F), City Zoning Code). There are no specific security measures indicated on the site plan.

Landscaping

Landscaping for the subject site is designed to surround the site from all sides, and is heaviest along the east edge of the site abutting Juan Tabo. Landscaping is comprised of Desert Willow and Escarpment Live Oak trees, a variety of Palm, Yellow Bird of Paradise, Turpentine Bush, Blue Sotol, and Red Hesperaloe shrubs, and organic groundcover consisting of Sunset Hyssop, Thompson Broom, and Yellow Lady Banks' Rose. Santa Ana Tan crusher fines gravel is also indicated for groundcover. Desert Willow and Thompson Broom are used predominantly on the east edge of the site abutting Juan Tabo and the north edge abutting Lagrima de Oro, while Escarpment Live Oak trees and Thompson Broom are used predominantly on the west edge. Oak trees are also used extensively on the interior of the site along the building's edges. The applicant should provide larger canopy trees along the east edge of the site along Juan Tabo to be in compliance with the City's Street Tree Ordinance. Oak trees are indicated within the 12-foot 6-inch walkway along the south edge of the building. The dimension of the walkway meets the 8-foot minimum for walkways abutting buildings as established in Section 14-16-3-1(G)(4) of the City Zoning Code, however the regulations also requires a minimum width of 6 feet shall remain clear and unobstructed at all times for pedestrian use. The applicant should include a statement for this area of the site plan that indicates compliance with this regulation.

The landscape area on the west edge of the site is shown with two Oak trees and Thompson Broom groundcover, and the buffer area is shown to be 8-foot wide. As the west edge of the site abuts a residential zone, changes must be made to this buffer area. These changes include increasing the width of the buffer to 10 feet, primary use of trees in the buffer area that are at least 8 feet in height at planting and will reach a height at maturity of 25 feet, and a minimum 6-foot tall opaque wall or fence to screen the abutting parking from the residential zone (Section 14-16-3-1(E), City Zoning Code).

Grading, Drainage, Utility Plans

The grading and drainage plan indicates extreme grades on the site with a directional slope to the west. Finish flow elevation for the building is indicated on the plan. A sidewalk drain culvert is indicated on the southeast corner of the site extending out to Juan Tabo. A retaining wall detail is included in the grading and drainage plan and shows a stepped wall design to address the steep grades on the site. The applicant should clarify what fill material lies between the wall portions. Poured concrete fill between the wall portions would insure less erosion in these walled areas.

Architecture and Signage

Site plan elevations propose a contemporary architectural design for the proposed retail/car wash building. The east elevation of the building faces Juan Tabo and features aluminum framed windows, silver metal window awnings, and light and medium tan stucco walls. The walls of the car wash on the west elevation are CMU block in light and medium tan as well. The building is 26 feet in height at its tallest point. The height and contemporary design of the building blends well with the contemporary design of the existing Flying Star restaurant to the south, and the existing St. Stephen's United Methodist Church to the north of the subject site.

Space for signage for the buildings are indicated on the east, north, and south elevations of the building, ranging in size from 40 square feet to 60 square feet. Sign details for these spaces are not shown. A free-standing monument sign is also proposed for the site at the south corner of Juan Tabo and Lagrima de Oro, measuring 10 feet in length and 4 feet in height. Materials for the 40 square-foot sign include light tan stucco, painted steel lettering, with internal lighting.

Concerns of Reviewing Agencies / Pre-Hearing Discussion

The Public Works Department and the City Engineer's Office has commented that 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.

Neighborhood Concerns

The SY Jackson Neighborhood Association has been notified regarding this request. To date, no objections have been received from this association or from an individual.

Conclusions

This is a request for a zone map amendment from SU-1 PRD 22 du/ac and Office to SU-1 for C-1 Retail (excluding auto parts and supply sales, drive-up restaurant, liquor sales, gasoline sales, hardware and building material sales), Car Wash, and Restaurant, and a site development plan for building permit, for Lots 12 and 14, Replat of Ferrari-Esquivel Palmer Section 33, located at the northwest corner of Juan Tabo Boulevard and Lagrima de Oro, north of Montgomery Boulevard. The site contains approximately 1.88 acres and is currently vacant. Staff recommends approval of this request.

FINDINGS – 03EPC 01925, DECEMBER 18, 2003

1. This is a request for a zone map amendment from SU-1 PRD 22 du/ac and Office to SU-1 for C-1 Retail (excluding auto parts and supply sales, drive-up restaurant, liquor sales, gasoline sales, hardware and building material sales), Car Wash, and Restaurant for Lots 12 and 14, Replat of Ferrari-Esquibel Palmer Section 33, located at the northwest corner of Juan Tabo Boulevard and Lagrima de Oro, north of Montgomery Boulevard. The site contains approximately 1.88 acres and is currently vacant.
2. This request is a modified request for a zone map amendment from the applicant. The original request was for a zone map amendment to SU-1 for C-1 Uses.
3. The request is a limited commercial application intended to facilitate development of the subject site for specific commercial uses and a car wash as reflected in the submitted site development plan for building permit.
4. The City has consistently limited commercial uses along the west side of the Juan Tabo corridor north of Montgomery while supporting higher-density residential and office development.
5. The request is consistent with Established Urban policies of the Comprehensive Plan in that the proposed SU-1 for C-1 Retail (excluding auto parts and supply sales, drive-up restaurant, liquor sales, gasoline sales, hardware and building material sales), Car Wash, and Restaurant zoning will facilitate new development that will have a minimal impact on the adjacent residential neighborhood (Policy d), will utilize vacant land (Policy e), will be of minimal traffic impact to the neighborhood (Policy k), and will promote quality design that enhances the urban environment and contributes to the preservation of scenic views in the area (Policies l and m).
6. The request is generally consistent with development policies for Enhanced Transit Corridors as established in the Centers and Corridors component of the Comprehensive Plan (Policy A, Corridor Policies).

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7. The consistency of the request with adopted elements of the Comprehensive Plan is consistent with Section 1C of R-270-1980. The request for SU-1 for C-1 Retail (excluding auto parts and supply sales, drive-up restaurant, liquor sales, gasoline sales, hardware and building material sales), Car Wash, and Restaurant zoning, thus, is more advantageous to the community as expressed in the Comprehensive Plan and is consistent with Section 1(D)(3) of R-270-1980. Staff is in agreement with the applicant's arguments regarding this request.

 8. There is no known opposition to this request.

RECOMMENDATION – 03EPC 01925, DECEMBER 18, 2003

APPROVAL of 03EPC 01925, a a request for a zone map amendment from SU-1 PRD 22 du/ac and Office to SU-1 for C-1 Retail (excluding auto parts and supply sales, drive-up restaurant, liquor sales, gasoline sales, hardware and building material sales), Car Wash, and Restaurant for Lots 12 and 14, Replat of Ferrari-Esquibel Palmer Section 33, located at the northwest corner of Juan Tabo Boulevard and Lagrima de Oro, north of Montgomery Boulevard, based on the preceding Findings.

FINDINGS – 03EPC 01929, DECEMBER 18, 2003

1. This is a request for approval of a site development plan for building permit, for Lots 12 and 14, Replat of Ferrari-Esquibel Palmer Section 33, located at the northwest corner of Juan Tabo Boulevard and Lagrima de Oro, north of Montgomery Boulevard. The site contains approximately 1.88 acres and is currently vacant.

2. This request accompanies a request for a zone map amendment from SU-1 PRD 22 du/ac to SU-1 for C-1 Retail (excluding auto parts and supply sales, drive-up restaurant, liquor sales, gasoline sales, hardware and building material sales), Car Wash, and Restaurant.

3. The request is consistent with Established Urban policies of the Comprehensive Plan in that the proposed design, scale, and location of the retail/car wash building will have a minimal impact

on the adjacent residential neighborhood (Policy d), will utilize vacant land (Policy e), will be of minimal traffic impact to the neighborhood (Policy k), and promotes quality design that enhances the urban environment and contributes to the preservation of scenic views in the area (Policies l and m).

4. The request is generally consistent with development policies for Enhanced Transit Corridors as established in the Centers and Corridors component of the Comprehensive Plan (Policy A, Corridor Policies).
5. Minor site design modifications are needed to bring the request into full compliance with existing City regulations and development policies.
6. There is no known opposition to this request.

RECOMMENDATION – 03EPC 01929, DECEMBER 18, 2003

APPROVAL of 03EPC 01929, a request for approval of a site development plan for Lots 12 and 14, Replat of Ferrari-Esquivel Palmer Section 33, located at the northwest corner of Juan Tabo Boulevard and Lagrima de Oro, north of Montgomery Boulevard, based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL – 03EPC 01929, DECEMBER 18, 2003

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. The applicant shall provide screening of the east parking area abutting Juan Tabo Boulevard as required in Section 14-16-3-1(E)(3) of the City Zoning Code.

-
3. The applicant shall lower the proposed height of light poles from 20 feet to 16 feet as required in Section 14-16-3-9(F) of the City Zoning Code.

 4. The applicant shall include a statement in the landscape plan that indicates compliance with Section 14-16-3-1(G)(4) of the City Zoning Code this regulation which requires a minimum 6 foot width along walkways that abut buildings to remain clear and unobstructed at all times for pedestrian use. This statement pertains specifically to the walkway along the south edge of the building which is proposed to contain Oak trees.

 5. The applicant shall increase the width of the west landscape buffer to 10 feet, establish primary use of trees in the buffer area that are at least 8 feet in height at planting and will reach a height at maturity of 25 feet, and establish a minimum 6-foot tall opaque wall or fence to screen the abutting parking from the R-1 zone as required in Section 14-16-3-1(E) of the City Zoning Code.
-

Makita Hill
Makita Hill
Planner

cc: SM&R Group, 10013 San Bernardino Dr. NE, Albuquerque, NM 87122
Dekker/Perich/Sabatini, 6801 Jefferson St. NE, Albuquerque, NM 87109
Seth Heath, SY Jackson, P.O. Box 20216, Albuquerque, NM 87154
LeeAnn Stubbs, SY Jackson, 4609 Bali Ct. NE, Albuquerque, NM 87111

Attachments

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Code Services

Reviewed, no comments.

Office of Neighborhood Coordination

SY Jackson ®

PUBLIC WORKS DEPARTMENT

Transportation Development:

- 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.
- Site shall comply and be designed per DPM Standards.

Utility Development:

- No comments received.

Traffic Engineering Operations:

- No comments.

Hydrology:

- No objection to the zone map amendment request. An approved conceptual grading and drainage plan is required for Site Plan sign-off by the City Engineer. Approval of drainage plan required prior to placement on DRB agenda.

Transportation Planning:

- No adverse comments regarding on-street bikeway, off-street trails or roadway system facilities.

Street Maintenance:

- No comments.

Water Resources, Water Utilities and Wastewater Utilities:

- No comments.

New Mexico Department of Transportation:

- No comments.

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

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

- a. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan for subdivision. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for.
- b. Site shall comply and be designed per DPM Standards.

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

Environmental Services Division

PARKS AND RECREATION

Planning and Design

No objection to the zone map amendment or Site Development Plan for Building Permit.

This development is adjacent to Hahn Park, which houses Roadrunner Little League. The facility has 5 fields and limited parking; most of the parking is on street on Lagrima de Oro.

Open Space Division

No adverse comment.

POLICE DEPARTMENT/Planning

traffic volume
traffic control devices
burglaries
speeding violations
lighting issues
maintenance of landscaping
robbery
assault
shoplifting
accidents in the parking lot
a higher probability of crimes during evening/weekend hours
commercial burglary
rape
adequate security

alarm response
transients

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

Approved on condition, will comply with all SWMD ordinances & requirements.

FIRE DEPARTMENT/Planning

New construction will be reviewed through the normal City of Albuquerque Plan Review Process. Items to be reviewed by AFD will be but not limited to, fire department access and fire hydrant locations, fire alarm systems, sprinkler systems, as well as accessible fire department connections. New additions will require a fire flow statement prior to DRB.

TRANSIT DEPARTMENT

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

No comment.

ALBUQUERQUE PUBLIC SCHOOLS

MID-REGION COUNCIL OF GOVERNMENTS

No adverse comment. For information, the Long Range Roadway System designates Juan Tabo Boulevard as a principal arterial.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

PUBLIC SERVICE COMPANY OF NEW MEXICO

No comment based upon the information provided to date.

December 8, 2003

Makita Hill
Case Planner
City of Albuquerque Planning Department
600 2nd St. NW
Albuquerque, New Mexico 87103

Re: Classic Emporium, SW Corner of Juan Tabo Blvd NE and LaGrima de Oro NE
It entails: Lots 12,14 of the Replat of Ferrari-Esquivel-Palmer Sec 33 of SE ¼,
T11N, R4E NMPM, UPC #'s: 02106151008940114 and 102106151007440112
EPC Submittal for: Site Development Plan for Building Permit and Zone Change
/Zone Map Amendment. (03EPC-01925, 03 EPC-01929)

Dear Mr. Hill,

On behalf of our client, the SM&R Group, we are submitting an application modification to the Environmental Planning Commission for a Site Development Plan for Building Permit and a Zone Change/Zone Map Amendment for the property referenced above.

Based upon historical precedent and our phone conversations, we would like to respectfully request our application be changed from the initially requested SU1-C1 to SU1 for C1 Retail (excluding auto parts and supply sales, drive up restaurant, liquor sales, gasoline sales, hardware and building material sales), Carwash and Restaurant.
We hope this meets all of your requirements for approval.

We thank you for your consideration.

Sincerely,



Darren L. Sowell, AIA
Architect
Dekker/Perich/Sabatini

Cc: Buck Buckner, SM&R Group
Tim Grattan
File

A City of Albuquerque



DEVELOPMENT REVIEW APPLICATION

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

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

APPLICANT INFORMATION:

NAME: SM&R Group PHONE: 505-797-8710
 ADDRESS: 10013 San Bernadino Dr. NE FAX:
 CITY: Albuquerque STATE NM ZIP 87122 E-MAIL: alarbckn4@aol.com
 Proprietary interest in site: Contract Purchaser
 AGENT (if any): Dekker/Perich/Sabatini PHONE: 505-761-9700
 ADDRESS: 6801 Jefferson Street. NE FAX: 505-761-4222
 CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: darrens@dpsabq.com

DESCRIPTION OF REQUEST: Site Development Plan for Building Permit (see attached letter) + ZONE MAP AMENDMENT
 Is the applicant seeking incentives pursuant to the Family Housing Development Program? Yes. No.

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

Lot or Tract No. Lots 12,14 Block: 2 Unit: 2
 Subdiv. / Addn. Replat of Ferrari-Esquivel-Palmer Sec 33
 Current Zoning: SU-1 PRD 22 DU/A & Office Proposed zoning: SU-1 for C1
 Zone Atlas page(s): F-21 No. of existing lots: 2 No. of proposed lots: 2
 Total area of site (acres): 1.88 Density if applicable: dwellings per gross acre: N/A dwellings per net acre: N/A
 Within city limits? Yes. No , but site is within 5 miles of the city limits (DRB jurisdiction.) Within 1000FT of a landfill? No
 UPC No. 102106151008940114 and 102106151007440112 MRGCD Map No. N/A
 LOCATION OF PROPERTY BY STREETS: On or Near: Juan Tabo Blvd and Lagrima de Oro NE
 Between: Montgomery Blvd NE and Lagrima de Oro NE

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX-, Z-, V-, S-, etc.): None Z-85-103

Check-off if project was previously reviewed by Sketch Plan Plan , or Pre-application Review Team . Date of review: 10/16/2002

SIGNATURE [Signature] DATE 11/06/2003
 (Print) Darren-L. Sowell, AIA Dekker/Perich/ Sabatini, Ltd Applicant Agent

FOR OFFICIAL USE ONLY

Form revised September 2001

| | | | | |
|--|---|---------------|------|----------------------------|
| <input checked="" type="checkbox"/> INTERNAL ROUTING | Application case numbers | Action | S.F. | Fees |
| <input type="checkbox"/> All checklists are complete | <u>03EPC - 01925</u> | <u>ZMA</u> | | <u>\$ 350⁰⁰</u> |
| <input type="checkbox"/> All fees have been collected | <u>03EPC - 01929</u> | <u>200/EP</u> | | <u>\$ 385⁰⁰</u> |
| <input type="checkbox"/> All case #s are assigned | | | | <u>\$ 75⁰⁰</u> |
| <input type="checkbox"/> AGIS copy has been sent | | | | <u>\$ 75⁰⁰</u> |
| <input type="checkbox"/> Case history #s are listed | | | | |
| <input type="checkbox"/> Site is within 1000ft of a landfill | | | | |
| <input checked="" type="checkbox"/> F.H.D.P. density bonus | | | | |
| <input checked="" type="checkbox"/> F.H.D.P. fee rebate | | | | |
| | Hearing date <u>December 18th 03</u> | | | Total |
| | | | | <u>\$ 810⁰⁰</u> |

[Signature] 11/6/03
 Planner signature / date

Project # 1003102

CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) / ENVIRONMENTAL HEALTH INFORMATION FORM

APPLICANT: SMR GROUP ~~DEKOR VERICH SABATINI~~ Date of request: 11/5/03 Zone atlas page(s): F-21

CURRENT: Zoning SU-1 PRD/22 + OFFICE Legal Description - Esquivel - Palmer
Parcel Size (acres / sq.ft.) 1.83 ACRES Lot or Tract # Lot 12, 14 Block # _____
Subdivision Name _____

REQUESTED CITY ACTION(S):

| | | | |
|----------------|---|-------------------------|---|
| Annexation [] | Sector Plan [] | Site Development Plan: | Building Permit [<input checked="" type="checkbox"/>] |
| Comp. Plan [] | Zone Change [<input checked="" type="checkbox"/>] | a) Subdivision [] | Access Permit [] |
| Amendment [] | Conditional Use [] | b) Build'g Purposes [] | Other [] |
| | | c) Amendment [] | |

PROPOSED DEVELOPMENT:

GENERAL DESCRIPTION OF ACTION: 1

| | |
|--|---|
| No construction / development [] | # of units - <u>N/A</u> |
| New Construction [<input checked="" type="checkbox"/>] | Building Size - <u>14,770</u> (sq. ft.) |
| Expansion of existing development [] | |

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

Applicant or Representative DEKOR VERICH SABATINI Date 11/09/03
(To be signed upon completion of processing by Traffic Engineer and Environmental Health)

TRAFFIC IMPACT STUDY (TIS) REQUIRED: YES [] NO [] BORDERLINE []
Planning Dept., Dev. & Bldg. Services Div., Transportation Dev. Section - 2nd FL. 600 2nd St. NW Plaza del Sol Bldg. 924-3994

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

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

[Signature] 11-06-03
TRAFFIC ENGINEER DATE

Per letter dated August 7, 2003 from the Director of the Environmental Health Department to the Director of the Planning Department, "all 5 CO monitors within Bernalillo County are yielding 8-hour average CO levels at less than 50% of the Federal CO standard ..." and "based on our review of the available scientific data, we do not foresee a circumstance where preparation of a detailed air quality study for a land use development will be warranted - regardless of the project size, location or traffic generated".

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

TIS - SUBMITTED / / _____ DATE
- FINALIZED / / TRAFFIC ENGINEER

TO BE COMPLETED BY APPLICANT

TRANSPORTATION DEVELOPMENT

ENVIRONMENTAL HEALTH

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT CHECKLIST

Revised: 4/7/2003

This checklist will be used to verify the completeness of site plans submitted for review by the Environmental Planning Commission. Because development proposals vary in type and scale, there may be submittal requirements that are not specified here. Nonetheless, applicants are responsible for providing a complete submittal. Certification as specified below is required.

I CERTIFY THAT THE SUBMITTED SITE DEVELOPMENT PLAN IS COMPLETE AND ACCURATE, AND THAT ALL APPLICABLE INFORMATION AS SPECIFIED IN THIS CHECKLIST IS PROVIDED. FURTHER, I UNDERSTAND THAT THIS APPLICATION IS BEING ACCEPTED PROVISIONALLY AND THAT INACCURATE AND/OR INCOMPLETE INFORMATION MAY RESULT IN THE SUBSEQUENT REJECTION OF THE APPLICATION OR IN A DELAY OF ONE MONTH OR MORE IN THE DATE THE APPLICATION IS SCHEDULED FOR PUBLIC HEARING.

Ronald 11-6-03
Applicant or Agent Signature / Date

Site development plan packets shall be composed of the following plan sheets (unless otherwise approved in writing prior to submittal by the Planning Department):

1. **Site Plan** (including utilities and easements)
2. **Landscaping Plan**
3. **Preliminary Grading Plan** (A separate Grading Plan sheet is required for a sites 1 acre or more.)
4. **Building and Structure Elevations**

Submitted plan packets must be organized in the above manner. The following checklist describes the minimum information necessary for each plan element. **The Applicant must include all checklist items on their site plan drawings and confirm inclusion by checking off the items below. Non-applicable items must be labeled "N/A."** Each non-applicable designation must be explained by notation on the Checklist.

Accompanying Material

- A. 82" x 11" reduction for each plan sheet.
- B. **Written project summary.** Each application must include a brief narrative description of the proposed project, its primary features and how compatibility with the surrounding context has been achieved.

SHEET #1 - SITE PLAN

A. General Information

1. Date of drawing and/or last revision
2. Scale: 1.0 acre or less 1" = 10'
1.0 - 5.0 acres 1" = 20'
Over 5 acres 1" = 50'
Over 20 acres 1" = 100' *[Other scales as approved by staff]*
3. Bar scale
4. North arrow
5. Scaled vicinity map
6. Existing structures on the site and within 20 feet of the site boundaries
7. Property lines (clearly identify)
8. Existing and proposed easements (identify each)

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT CHECKLIST

Revised: 4/7/2003

- 2. Pedestrian trails and linkages
- 3. Bus facilities, including routes, bays and shelters existing or required

4. Utilities

- 1. Fire hydrant locations, existing and proposed.
- 2. Distribution lines
- 3. Right-of-Way and easements, existing and proposed, on the property and adjacent to the boundaries, with identification of types and dimensions.
- 4. Existing water, sewer, storm drainage facilities (public and/or private).
- 5. Proposed water, sewer, storm drainage facilities (public and/or private)

5. Phasing

- A. Proposed phasing of improvements and provision for interim facilities. Indicate phasing plan, including location and square footage of structures and associated improvements including circulation, parking and landscaping.

SHEET #2 - LANDSCAPING PLAN

Landscaping may be shown on sheet #1 with written approval from Planning Department staff.

- 1. Scale - must be same as scale on sheet #1 - Site plan
- 2. Bar Scale
- 3. North Arrow
- 4. Property Lines
- 5. Existing and proposed easements
- 6. Identify nature of ground cover materials
 - A. Impervious areas (pavement, sidewalks, slope pavings, curb and gutters, etc.)
 - B. Pervious areas (planting beds, grass, ground cover vegetation, etc.)
 - C. Ponding areas either for drainage or landscaping/recreational use
- 7. Identify type, location and size of plantings (common and/or botanical names).
 - A. Existing, indicating whether it is to be preserved or removed.
 - B. Proposed, to be established for general landscaping.
 - C. Proposed, to be established for screening/buffering.
- 8. Describe irrigation system
- 9. Planting Beds, indicating square footage of each bed
- 10. Turf Area - only 20% of landscaped area can be high water turf; provide square footage and percentage.
- 11. Responsibility for Maintenance (statement)
- 12. Statement of compliance with Water Conservation... Ordinance, see article 6-1-1-1.
- 13. Landscaped area requirement; square footage and percent (specify clearly on plan)
- 14. Landscaped area provided; square footage and percent (specify clearly on plan)

SHEET #3 - PRELIMINARY GRADING PLAN -

The Preliminary Grading Plan provides the Planning Commission and staff with an understanding of site topography and how it relates to adjacent property. Planning staff may waive or allow adjustments to the Preliminary Grading Plan requirements for sites that are small, relatively flat and have no existing or proposed extraordinary drainage facilities. Waivers must be obtained in writing from the City Engineer prior to application submittal.

Grading information for sites that are under 1 acre can be included on Sheet #1.

November 5, 2003

Jeffery Jesionowski
Chair - Environmental Planning Commission
City of Albuquerque Planning Department
600 2nd St. NW
Albuquerque, New Mexico 87103

Re: Classic Emporium, SW Corner of Juan Tabo Blvd NE and LaGrima de Oro NE
It entails: Lots 12,14 of the Replat of Ferrari-Esquivel-Palmer Sec 33 of SE ¼,
T11N, R4E NMPM, UPC #'s: 02106151008940114 and 102106151007440112
EPC Submittal for: Site Development Plan for Building Permit and Zone Change
/Zone Map Amendment.

Dear Mr. Jesionowski:

On behalf of our client, the SM&R Group, we are submitting an application to the Environmental Planning Commission for a Site Development Plan for Building Permit and a Zone Change/Zone Map Amendment for the property referenced above.

The 1.88 acre site is currently vacant of physical developments which we hope to remedy with the addition of a 14,180 s.f. retail emporium and full-service Car Wash facility. This facility would include a variety of services including: a premium leisure beverage retailer such as Starbucks, a premium leisure dessert retailer such as Cold Stone, a book store, haircut center, as well as several other smaller convenience amenities.

The SM&R Group's vision for this development is an upscale "one stop shop" facility that gathers several desired retailers under the same roof. The driving philosophy behind this emporium concept is for the facility to provide valet car washing services to the consumer while offering them the option to patronize the other retailers while waiting for their vehicle.

The Site Development Plan for Building Permit shows a 10,580 s.f. main retail component facing Juan Tabo Blvd to the East with the smaller scale 3,600 s.f. carwash behind to the West. The proposed zone change from SU-1 PRD 22/ Office to SU-1 for C1 would allow this type of facility and would be in accordance with City zoning regulations. The reason for this request is to provide zoning consistent with adjacent properties, specifically the site directly south which is SU-1 for restaurant, bakery and bookstore as well as provide a desirable amenity for the community.

We believe this request is consistent with all applicable City plans and policies. The applicant further believes the project is in conformance with the goals and policies for development in the established urban area, including job creation, growth in areas serviced by infrastructure and appropriate land uses.

We respectfully request your consideration.

Sincerely,



Darren L. Sowell, AIA
Architect
Dekker/Perich/Sabatini

Cc: Buck Buckner, SM&R Group
Tim Grattan
File

Sales, Marketing & Research Group

November 3, 2003

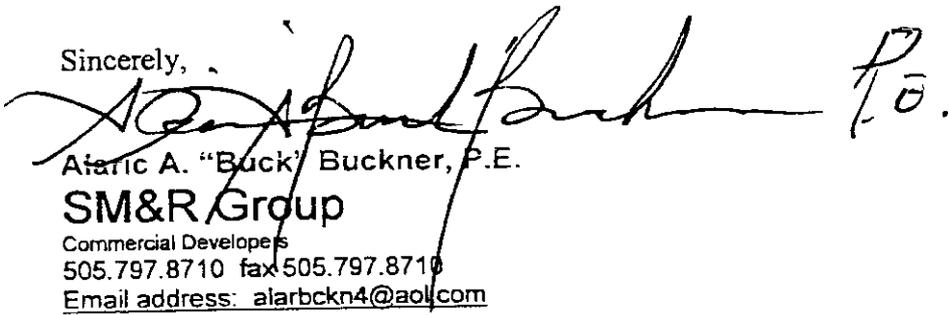
To Whom It May Concern:

Re: Statement of Agent Declaration
For Property Development Issues of property located on the Southwest corner
of Juan Tabo Blvd. and Lagrima de Oro Rd.
(Legal: Lots 12,14 and 19 of the replat lands of Ferrari, Esquibel, Palmer Sec 33
of SE ¼, T11N, R4E, NMPM) Zone Atlas Map: F-21-Z

To Whom It May Concern:

I, Alaric A. Buckner, as majority owner of SM&R Group and owner and developer of the Classic Emporium, I hereby authorize Dekker, Perich and Sabatini (DPS) to act as property development agent in EPC and PRT matters. It is SM&R Groups' intention, through the advise and coordination efforts of DPS, to submit an application to the EPC for approval of a "Site Development Plan for Building Permit" in accordance with the SU-1 for C-1 Zoning District requirements. The property is currently zoned SU-1 PRD 22, which we intend to change as of this submission. The subject property is approximately 1.91 acres and is located just North of the existing Flying Star Restaurant on Juan Tabo Blvd.

Sincerely,

 P.O.
Alaric A. "Buck" Buckner, P.E.

SM&R Group

Commercial Developers

505.797.8710 fax 505.797.8710

Email address: alarbckn4@aol.com



City of Albuquerque

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

Date: October 29, 2003

TO CONTACT NAME: Darren Souell
 COMPANY/AGENCY: Dirkel Perch Sabatini
 ADDRESS/ZIP: 10801 Jefferson NE Ste 100 87109
 PHONE/FAX #: 761-9708 / 761-4822

Thank you for your inquiry of 10-29-03 (date) requesting the names of **Recognized**

Neighborhood Associations who would be affected under the provisions of O-92 by your proposed project at lots 12, 14, 19 of the repack of lands of Jennari Giguibel - Palmer, Sec 33 of SE 1/4, T11N, R4E, NMPM, zone map page(s) E-21

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

S. J. Jackson
 Neighborhood Association
 Contacts: Sethi Heath
PO Box 20216 87154
681-0574 (cell)
Keenan Stubbs
4609 Bull Ct. NE
323-1461 (w) 87111

Neighborhood Association
 Contacts: _____

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

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

Sincerely,

Dalana Carmona
 OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

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

November 3, 2003

Lee Ann Stubbs
S Y Jackson Neighborhood Association
4609 Bali Ct. NE
Albuquerque, New Mexico 87111

Re: Notification of EPC Submission of a Site Development for Building Permit;
For the property located on the Southwest corner of Juan Tabo Blvd. and
Lagrima de Oro Rd.
(Legal: Lots 12,14 and 19 of the replat lands of Ferrari, Esquibel, Palmer Sec 33
of SE ¼, T11N, R4E, NMPM) Zone Atlas Map: F-21-Z

Dear Mr. Heath,

On behalf of our client, SM& R Group., It is our intention to submit an application to the EPC for approval of a "Site Development Plan for Building Permit" in accordance with the SU-1 for C-1 Zoning District requirements. The property is currently zoned SU-1 PRD 22, which we intend to change as of this submission. The subject property is approximately 1.88 acres and is located just North of the existing Flying Star Restaurant on Juan Tabo Blvd.

Building Area and Use

The Site Development Plan for Building Permit contains a 14,900 square foot facility to be built in one (1) Phase. The building includes approximately 10,580 square feet of Retail space fronting Juan Tabo and approximately 4,320 square feet of space to be used as a valet car wash. If approved, these uses would be permitted under the SU-1 for C1 *Zoning District*.

Landscaping and Building Elevations

The site has been designed to exceed City landscaping requirements. On this 1.88 + - acre site, 12,285 SF of landscaping is required and 15,280 SF is being provided.

Parking Requirements

We have calculated the **“Required Parking”** for the entire site is (75 spaces) and the **“Provided Parking”** for the entire site is (75 spaces).

We intend this to be a very upscale establishment and a true benefit to the neighborhood, we hope you look upon our efforts in the same manner.

Thank you for your consideration in this matter. If you have any questions please feel free to call me at 505-761-9700.

Sincerely,

Darren L. Sowell, AIA
Email address: darrens@dpsabq.com

Dekker/Perich/Sabatini

architecture interiors planning engineering
505.761.9700 fax 505.761.4222
Visit us at: <http://dpsabq.com/>

November 3, 2003

Seth Heath
S Y Jackson Neighborhood Association
P.O. Box 20216
Albuquerque, New Mexico 87154

Re: Notification of EPC Submission of a Site Development for Building Permit;
For the property located on the Southwest corner of Juan Tabo Blvd. and
Lagrima de Oro Rd.
(Legal: Lots 12,14 and 19 of the replat lands of Ferrari, Esquibel, Palmer Sec 33
of SE ¼, T11N, R4E, NMPM) Zone Atlas Map: F-21-Z

Dear Mr. Heath,

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Sincerely,

Darren L. Sowell, AIA
Email address: darrens@dpsabq.com

Dekker/Perich/Sabatini

architecture interiors planning engineering
505.761.9700 fax 505.761.4222
Visit us at: <http://dpsabq.com/>

ET09 2472 3142 0000 0980 2002

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

| | |
|--|---------|
| Postage | |
| Certified Fee | |
| Return Receipt Fee (Endorsement Required) | |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ 4.42 |

RECEIVED
OCT 30 2003
NOV 03 2003

Postmark Here

Sent To Lee ANN STURBS
 Street, Apt. No.; or PO Box No. 4609 BALI CT N.E.
 City, State, ZIP+4 ABQ, N.M. 87111

PS Form 3800, April 2002 See Reverse for Instructions

818 5818 3142 2472 0000 0980 2002

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

| | |
|--|---------|
| Postage | \$ 0.37 |
| Certified Fee | |
| Return Receipt Fee (Endorsement Required) | 1.75 |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ 4.42 |

RECEIVED
NOV 03 2003

Postmark Here

Sent To SETH HEATH
 Street, Apt. No.; or PO Box No. P.O. Box 20216
 City, State, ZIP+4 ABQ, N.M. 87154

PS Form 3800, April 2002 See Reverse for Instructions

INDEX TO DRAWINGS :

COVER SHEET
GENERAL NOTES
SITE PLAN
CONCEPTUAL LAYOUT AND SITE PLAN
BUILDING ELEVATIONS

Classic Emporium



ENVIRONMENTAL PLANNING COMMISSION SUBMITTAL
Site Development Plan For Building Permit

November 6, 2003

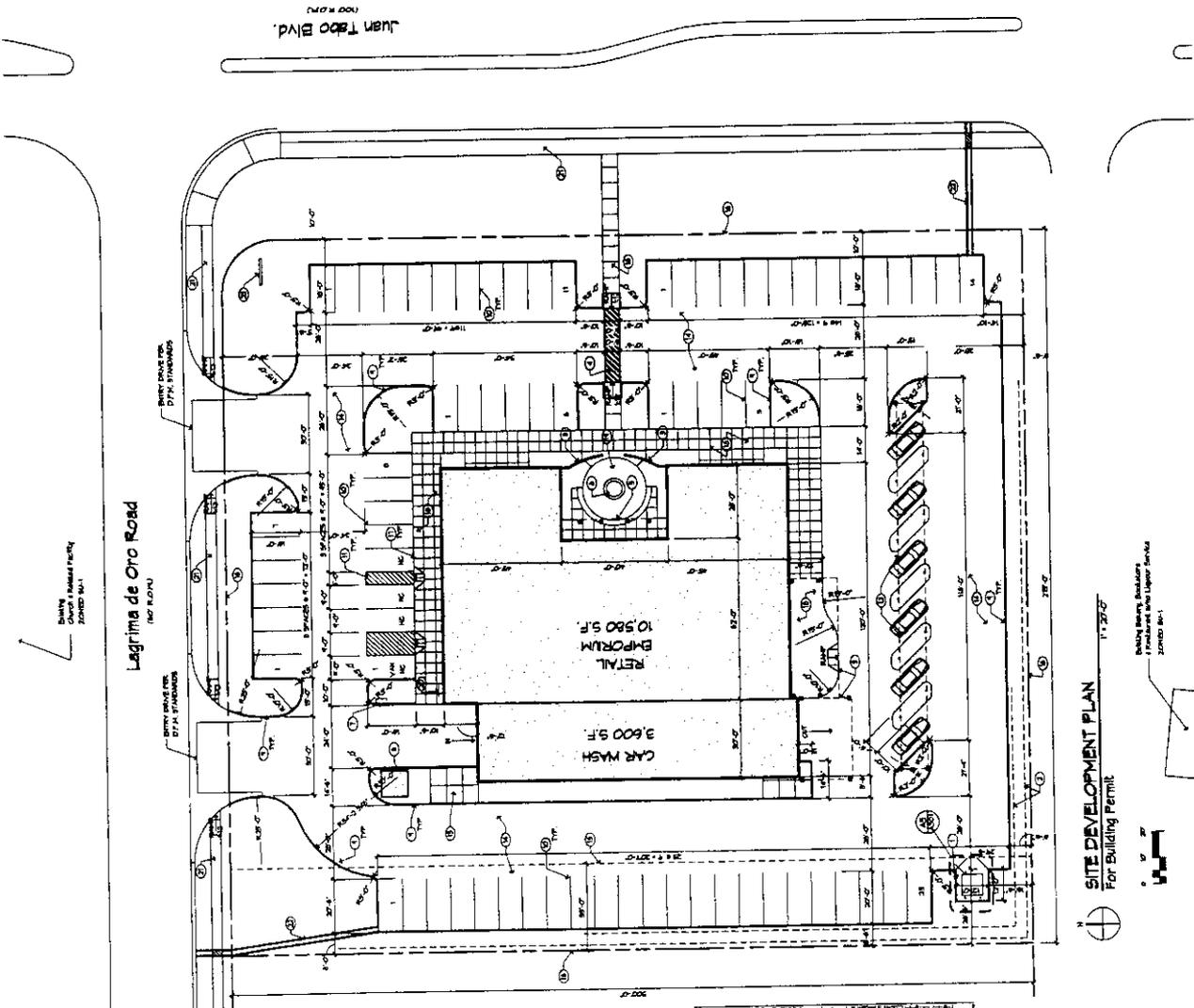
Classic
Emporium

Site Development Plan For Building Permit
November 6, 2003



Dekker/Perich/Sabatini
architects • interior • planning • engineering
1000 Lakeside Drive, Suite 100
Alhambra, CA 91803
916 314-9988
916 314-0222

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| PROJECT NAME | DATE |
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| REVIEWED BY | DATE |
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| DESIGNED BY | DATE |
| REVIEWED BY | DATE |
| DATE | DATE |



SITE DATA
 LEGAL DESCRIPTION
 PART OF THE S.W. 1/4 OF THE NE 1/4 OF LANDS OF PREVIOUS OWNERS, PARCELS 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

BUILDING DATA
 ADDRESS: 1001 17th St. N.E.
 RETAIL EMPORIUM: 10,500 S.F.
 CAR WASH: 3,600 S.F.
 TOTAL: 14,100 S.F.
 PARKING SPACES PROVIDED: 113
 PARKING SPACES REQUIRED: 113
 TOTAL VEHICLE SPACES: 113

GENERAL NOTES
 1. PROPERTY OWNER'S RECORDS TO BE MAINTAINED.
 2. ALL UTILITIES TO BE MAINTAINED AND PROTECTED.
 3. ALL UTILITIES TO BE MAINTAINED AND PROTECTED.
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 30. ALL UTILITIES TO BE MAINTAINED AND PROTECTED.



VICINITY MAP
 PROJECT LOCATION
 SCALE: 0' TO 300'

SITE DEVELOPMENT PLAN
 For Building Permit
 SCALE: 1" = 20'-0"
 Buckner Retail Drawings/Architects
 1001 17th St. N.E.
 Albuquerque, NM 87102



Dokker Perich Sabatini
 Landscape Architecture
 1400 14th Street NW
 Albuquerque, NM 87104
 (505) 263-1111
 (505) 263-1112
 (505) 263-1113

KEYED NOTES

- 1. TRAILER ENCLOSURE SEE 65-AND-01
- 2. PERIMETER WALL
- 3. LANDSCAPE PLAN
- 4. PLANTING
- 5. IRRIGATION
- 6. APPROVAL STAMP
- 7. IRRIGATION SYSTEM
- 8. CALCULATED COVERAGE
- 9. TREE SHADE
- 10. IRRIGATION SYSTEM
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- 88. IRRIGATION SYSTEM
- 89. IRRIGATION SYSTEM
- 90. IRRIGATION SYSTEM
- 91. IRRIGATION SYSTEM
- 92. IRRIGATION SYSTEM
- 93. IRRIGATION SYSTEM
- 94. IRRIGATION SYSTEM
- 95. IRRIGATION SYSTEM
- 96. IRRIGATION SYSTEM
- 97. IRRIGATION SYSTEM
- 98. IRRIGATION SYSTEM
- 99. IRRIGATION SYSTEM
- 100. IRRIGATION SYSTEM

LANDSCAPE CALCULATIONS

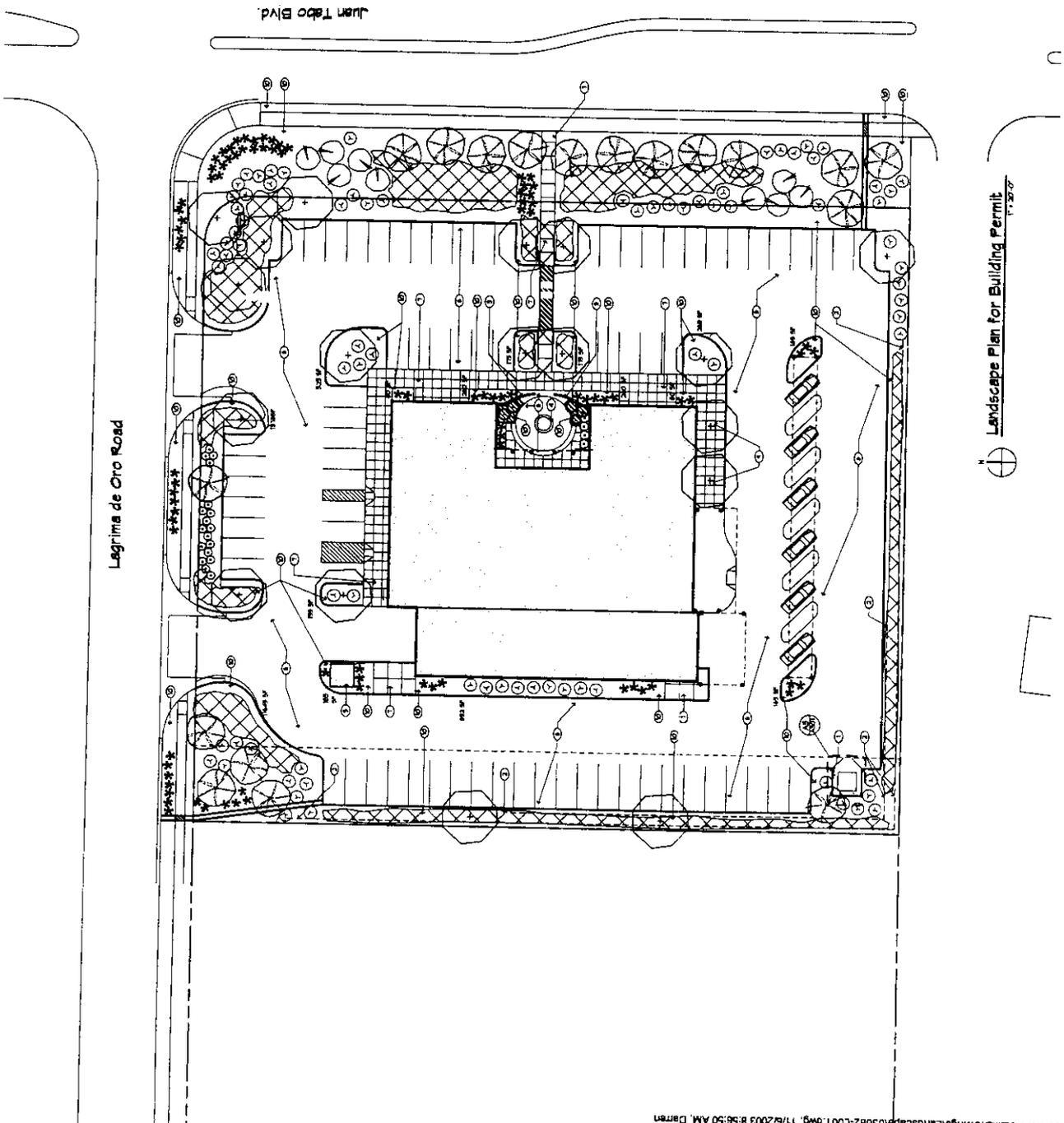
NET AREA: 10,000 SQ FT
 IRRIGATION SYSTEM: 10,000 SQ FT
 PERCENT COVERAGE: 100%
 IRRIGATION SYSTEM: 10,000 SQ FT
 PERCENT COVERAGE: 100%
 IRRIGATION SYSTEM: 10,000 SQ FT
 PERCENT COVERAGE: 100%

LANDSCAPE NOTES

1. GENERAL: THE PLANTING DESIGN CALCULATION PATTERNS, PLANT SPECIFICATIONS AND VEGETATION PATTERNS, SHALL BE SUBMITTED TO THE CITY ENGINEER FOR REVIEW AND APPROVAL. THE CITY ENGINEER SHALL REVIEW THE PLANTING DESIGN CALCULATION PATTERNS, PLANT SPECIFICATIONS AND VEGETATION PATTERNS, AND SHALL BE RESPONSIBLE FOR THE FINAL DESIGN AND CONSTRUCTION OF THE LANDSCAPE. THE CITY ENGINEER SHALL REVIEW THE PLANTING DESIGN CALCULATION PATTERNS, PLANT SPECIFICATIONS AND VEGETATION PATTERNS, AND SHALL BE RESPONSIBLE FOR THE FINAL DESIGN AND CONSTRUCTION OF THE LANDSCAPE.
2. PLANTING: THE PLANTING DESIGN CALCULATION PATTERNS, PLANT SPECIFICATIONS AND VEGETATION PATTERNS, SHALL BE SUBMITTED TO THE CITY ENGINEER FOR REVIEW AND APPROVAL. THE CITY ENGINEER SHALL REVIEW THE PLANTING DESIGN CALCULATION PATTERNS, PLANT SPECIFICATIONS AND VEGETATION PATTERNS, AND SHALL BE RESPONSIBLE FOR THE FINAL DESIGN AND CONSTRUCTION OF THE LANDSCAPE.
3. IRRIGATION: THE IRRIGATION DESIGN CALCULATION PATTERNS, PLANT SPECIFICATIONS AND VEGETATION PATTERNS, SHALL BE SUBMITTED TO THE CITY ENGINEER FOR REVIEW AND APPROVAL. THE CITY ENGINEER SHALL REVIEW THE IRRIGATION DESIGN CALCULATION PATTERNS, PLANT SPECIFICATIONS AND VEGETATION PATTERNS, AND SHALL BE RESPONSIBLE FOR THE FINAL DESIGN AND CONSTRUCTION OF THE IRRIGATION SYSTEM.
4. MAINTENANCE: THE MAINTENANCE DESIGN CALCULATION PATTERNS, PLANT SPECIFICATIONS AND VEGETATION PATTERNS, SHALL BE SUBMITTED TO THE CITY ENGINEER FOR REVIEW AND APPROVAL. THE CITY ENGINEER SHALL REVIEW THE MAINTENANCE DESIGN CALCULATION PATTERNS, PLANT SPECIFICATIONS AND VEGETATION PATTERNS, AND SHALL BE RESPONSIBLE FOR THE FINAL DESIGN AND CONSTRUCTION OF THE MAINTENANCE SYSTEM.

PLANTING LEGEND

| Symbol | Description | Quantity |
|--------|----------------------|----------|
| ① | 1.00' x 1.00' Tree | 100 |
| ② | 2.00' x 2.00' Tree | 50 |
| ③ | 3.00' x 3.00' Tree | 30 |
| ④ | 4.00' x 4.00' Tree | 20 |
| ⑤ | 5.00' x 5.00' Tree | 10 |
| ⑥ | 6.00' x 6.00' Tree | 5 |
| ⑦ | 7.00' x 7.00' Tree | 3 |
| ⑧ | 8.00' x 8.00' Tree | 2 |
| ⑨ | 9.00' x 9.00' Tree | 1 |
| ⑩ | 10.00' x 10.00' Tree | 1 |
| ⑪ | 11.00' x 11.00' Tree | 1 |
| ⑫ | 12.00' x 12.00' Tree | 1 |
| ⑬ | 13.00' x 13.00' Tree | 1 |
| ⑭ | 14.00' x 14.00' Tree | 1 |
| ⑮ | 15.00' x 15.00' Tree | 1 |
| ⑯ | 16.00' x 16.00' Tree | 1 |
| ⑰ | 17.00' x 17.00' Tree | 1 |
| ⑱ | 18.00' x 18.00' Tree | 1 |
| ⑲ | 19.00' x 19.00' Tree | 1 |
| ⑳ | 20.00' x 20.00' Tree | 1 |
| ㉑ | 21.00' x 21.00' Tree | 1 |
| ㉒ | 22.00' x 22.00' Tree | 1 |
| ㉓ | 23.00' x 23.00' Tree | 1 |
| ㉔ | 24.00' x 24.00' Tree | 1 |
| ㉕ | 25.00' x 25.00' Tree | 1 |
| ㉖ | 26.00' x 26.00' Tree | 1 |
| ㉗ | 27.00' x 27.00' Tree | 1 |
| ㉘ | 28.00' x 28.00' Tree | 1 |
| ㉙ | 29.00' x 29.00' Tree | 1 |
| ㉚ | 30.00' x 30.00' Tree | 1 |



Lagrims de Oro Road

Juan Tabo Blvd

Landscaping Plan for Building Permit

Classic Emporium de Oro
 Juan Tabo & Lagrims de Oro
 Albuquerque, New Mexico

DESIGNED BY: DMC
 CHECKED BY: BPT
 DATE: 11-04-08
 PROJECT NO: 080342
 DRAWING TITLE: Landscape Plan for Building Permit

SHEET NO: 1001

Sales, Marketing & Research Group

November 3, 2003

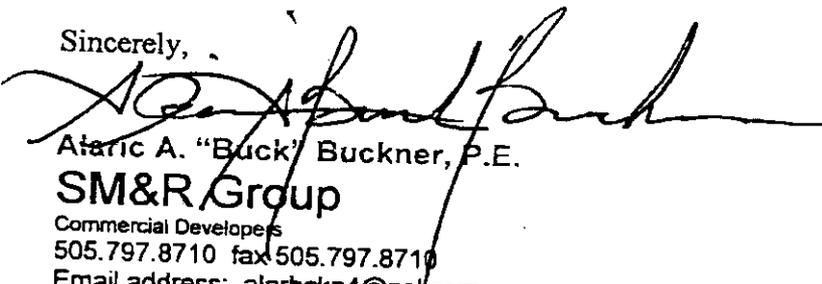
To Whom It May Concern:

Re: Statement of Agent Declaration
For Property Development Issues of property located on the Southwest corner
of Juan Tabo Blvd. and Lagrima de Oro Rd.
(Legal: Lots 12,14 and 19 of the replat lands of Ferrari, Esquibel, Palmer Sec 33
of SE ¼, T11N, R4E, NMPM) Zone Atlas Map: F-21-Z

To Whom It May Concern:

I, Alaric A. Buckner, as majority owner of SM&R Group and owner and developer of the Classic Emporium, I hereby authorize Dekker, Perich and Sabatini (DPS) to act as property development agent in EPC and PRT matters. It is SM&R Groups' intention, through the advise and coordination efforts of DPS, to submit an application to the EPC for approval of a "Site Development Plan for Building Permit" in accordance with the SU-1 for C-1 Zoning District requirements. The property is currently zoned SU-1 PRD 22, which we intend to change as of this submission. The subject property is approximately 1.91 acres and is located just North of the existing Flying Star Restaurant on Juan Tabo Blvd.

Sincerely,


Alaric A. "Buck" Buckner, P.E.

SM&R Group

Commercial Developers

505.797.8710 fax 505.797.8710

Email address: alarbckn4@aol.com

8. **Project # 1003102**
04DRB-00236 Minor-SiteDev Plan
BldPermit/EPC

SM & R GROUP request(s) the above action(s) for all or a portion of Lot(s) 12 & 14, **ESQUIBEL - PALMER**, zoned SU-1 PRD, located on LA GRIMA DE ORO RD NE, between JUAN TABO NE and MORRIS NE containing approximately 2 acre(s). [REF: V 84-77, Z-85-103, Z-85-102-1, 03EPC-01925, 03EPC-01929] **[Makita Hill, EPC Case Planner]** *[Deferred from 3/3/04]* (F-21) **SITE PLAN FOR BUILDING PERMIT WAS APPROVED AND SIGNED OFF BY THE BOARD.**

9. **Project # 1002333**
04DRB-00209 Minor-SiteDev Plan
BldPermit/EPC

DEKKER/PERICH/SABATINI agent(s) for THE BARRETT FOUNDATION request(s) the above action(s) for all or a portion of Block(s) 10A, Tract(s) C-1-A-2, **BELLAMAH'S PRINCESS JEANNE PARK ADDITION**, zoned C-1, located on CONSTITUTION AVE NE, between EUBANK NE and MARY ELLEN ST NE containing approximately 2 acre(s). [REF: 1002333, 02EPC-01691, 02EPC-01693, Z-870, DRB-94-619] **[Cynthia Borrego, EPC Case Planner]** *[Deferred from 2/25/04 & 3/3/04]* (J-21) **SITE PLAN FOR BUILDING PERMIT WAS APPROVED AND DELEGATED TO PLANNING FOR CYNTHIA BORREGO'S INITIALS AND INFRASTRUCTURE LIST STATEMENT ON SIGNATURE BLOCK.**

**DEVELOPMENT REVIEW BOARD
ACTION SHEET**

Plaza del Sol Hearing Room, Basement, Plaza del Sol Building

March 10, 2004

9:00 a.m.

MEMBERS:

Sheran Matson, AICP, DRB Chair
Claire Senova, Administrative Assistant

Wilfred Gallegos, Transportation Development
Brad Bingham, Alternate City Engineer

Roger Green, Utility Development
Christina Sandoval, Parks & Recreation

NOTE: UNLESS ANNOUNCED DURING THE MEETING, THE DEVELOPMENT REVIEW BOARD WILL NOT TAKE A LUNCH BREAK.

NOTE: INDIVIDUALS WITH DISABILITIES WHO NEED SPECIAL ASSISTANCE TO PARTICIPATE AT THIS MEETING SHOULD CONTACT CLAIRE SENOVA, PLANNING DEPARTMENT, AT 924-3946. HEARING IMPAIRED USERS MAY CONTACT HER VIA THE NEW MEXICO RELAY NETWORK BY CALLING TOLL-FREE:1-800-659-8331.

NOTE: REQUESTS FOR DEFERRAL OF CASES WILL BE DISCUSSED BY THE BOARD AND THE APPLICANT AND/OR AGENT AT THE BEGINNING OF THE AGENDA. BOTH PARTIES MUST AGREE UPON THE DATE OF DEFERRAL. IF THE APPLICANT/AGENT IS NOT PRESENT, THE ADMINISTRATIVE ASSISTANT MUST RECEIVE A LETTER, PRIOR TO THE HEARING DATE, REQUESTING A SPECIFIC DEFERRAL DATE. THE BOARD WILL DISCUSS AND MAKE A DECISION AT THE HEARING. THE APPLICANT/AGENT WILL THEN BE INFORMED OF THE DEFERRAL DATE AND REASON.

A. Call to Order: 9:00 A.M.

Adjourned: 11:05 A.M.

B. Changes and/or Additions to the Agenda

C. New or Old Business

CASES WHICH REQUIRE PUBLIC NOTIFICATION

MAJOR SUBDIVISIONS, VACATIONS, SIA EXTENSIONS AND SITE DEVELOPMENT PLANS

1. **Project # 1000376**
04DRB-00206 Major-Two Year SIA

TIERRA WEST LLC agent(s) for BUILDERS INVESTMENT CO. OF NM request(s) the above action(s) for all or a portion of Lot(s) 1-117 and Lot(s) 1-35, Unit 2, **PARADISE SKIES, UNITS 1 & 2**, zoned R-T residential zone, located on BANDELIER DR NW, between MCMAHON BLVD NW and UNSER BLVD NW containing approximately 29 acre(s). [REF: DRB-94-107, 00DRB-00391, 00DRB-00908, 02DRB-00034, 03DRB-00113, 03DRB-00188] (A-11) **A TWO-YEAR EXTENSION OF THE SIA WAS APPROVED. THIS WILL BE THE LAST EXTENSION. AGENT AGREED.**