



Supplemental form

SUBDIVISION

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

SITE DEVELOPMENT PLAN

- for Subdivision Purposes
- for Building Permit
- IP Master Development Plan
- Cert. of Appropriateness (LUCC)

STORM DRAINAGE

- Storm Drainage Cost Allocation Plan

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: Peterson Properties Real Estate Services, Inc. PHONE: 505-884-3578
 ADDRESS: 2325 San Pedro NE, Suite 2-A FAX: 505-884-6793
 CITY: Albuquerque STATE NM ZIP 87110 E-MAIL: _____
 Proprietary interest in site: Owner List all owners: James A. Peterson & Mary B. Peterson
 AGENT (if any): _____ Revocable Trust dated August 18, 1998 PHONE: _____
 ADDRESS: _____ FAX: _____
 CITY: _____ STATE _____ ZIP _____ E-MAIL: _____

DESCRIPTION OF REQUEST: Approval of Site Development Plan for Building Permit

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 28 through 31 Block: A Unit: _____
 Subdiv./Addn. Altura Addition
 Current Zoning: SU-1 for C-1 w/ Exclusions Proposed zoning: _____
 Zone Atlas page(s): J-16-Z No. of existing lots: 4 No. of proposed lots: _____
 Total area of site (acres): .64 Density if applicable: dwellings per gross acre: _____ dwellings per net acre: _____
 Within city limits? Yes. No, but site is within 5 miles of the city limits.) Within 1000FT of a landfill? No
 UPC No. 101705801051721420 101705801050321422 MRGCD Map No. Altura Addition
101705801050921421 101705801049721423
 LOCATION OF PROPERTY BY STREETS: On or Near: Carlisle Blvd. NE
 Between: Indian School Road NE and Hannett Ave. 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.):
Z-334, Z-1089, Z-1546 Project 1003801/04EPC - 01821

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

SIGNATURE Douglas H. Peterson DATE _____
 (Print) Douglas H. Peterson Applicant Agent

FOR OFFICIAL USE ONLY

Form revised 4/04

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

05EPC - 00745

Action

SDAP
AD Fee
AME

S.F.

PL1

Fees

\$ 385.00

\$ 75.00

\$ 52.00

\$

\$

Total

\$ 512.00

Hearing date 6-16-05

5-5-05

Project # 1003801

Planner signature / date

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

SITE DEVELOPMENT PLAN FOR SUBDIVISION

IP MASTER DEVELOPMENT PLAN

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

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

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

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

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

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

AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION

AMENDED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

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

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

DEAN SMITH
Applicant name (print)

Dean Smith 5/5/05
Applicant signature / date



Form revised October 2004

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

Application case numbers
05EPC-00745

Beth... 5-5-05
Planner signature / date

Project # 1003801



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

Date: June 17, 2005

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project # 1003801***
05EPC-00745 EPC Site Development Plan-
Building Permit

Peterson Properties Real Estate, Inc.
2325 San Pedro NE, Suite 2A
Albuq. NM 87110

LEGAL DESCRIPTION: for all or a portion of **Lots 28-31, Block A, Altura Addition**, zoned SU-1 for C-1 w/ Exclusions, located on the east side of CARLISLE BOULEVARD, NE, between INDIAN SCHOOL ROAD, NE and HANNETT AVENUE, NE, containing approximately 1 acre (J-16) David Stallworth, Staff Planner

On June 16, 2005 the Environmental Planning Commission voted to approve Project 1003801/05EPC 00745, a site development plan for building permit for Lots 28 through 31, Block A, Altura Addition Subdivision, pending certification of SU-1/C-1 zoning with Exclusions as approved on March 17, 2005, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for consideration and approval of a site development plan for building permit for Lots 28 through 31, Block A, Altura Addition Subdivision to accommodate the new construction of a +/-7200-square-foot neighborhood commercial retail center.
2. The proposed development would be a logical extension of existing commercial zoning to the north of the subject area, and commercial uses would be an appropriate use of the property, in accordance with *Policy II.B.5.d* of the *City/County Comprehensive Plan*.
3. No public improvements or extensions of public utilities are required to accommodate the request, and there are transit facilities in place to adequately support a commercial development, in accordance with *Policy II.B.5.e* of the *City/County Comprehensive Plan*.
4. The proposed development will offer employment opportunities and services that will complement the surrounding area, in accordance with *Policies II.B.5.i* and *II.B.5.o* of the *City/County Comprehensive Plan*.

5. Site plan review and land use restrictions should help ensure that any new development within the subject area is sensitive to, and compatible with, surrounding development, that it functions as infill development, and that it could become a catalyst for redevelopment, in accordance with *Policies II.B.5.k and II.B.5.l of the City/County Comprehensive Plan.*
6. The applicant is authorized to request a site development plan for building permit on the subject property.
7. The applicant has worked closely with area residents and interested community organizations in the design of this project, and the submitted proposal is the end result of that collaboration.
8. There is no known public opposition to the request. Outstanding concerns from area residents include the proposed rear setback, times for garbage pick-up and the possible need for a traffic study.
9. As an infill project flexibility in applying regulatory standards is appropriate, as provided for by the SU-1 provisions of the Zoning Code. The EPC approves the 10 foot rear setback which is a variance from the C-1 standard of 15 feet and the diminished rear landscape buffer (as depicted on the site plan) which is a variance from the standard 10 foot wide landscape strip requirement.

CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. The applicant shall schedule with the Planning Department case manager a preliminary review of the site plan to be submitted to the Development Review Board within a reasonable amount of time prior to a filing for final sign-off.
3. With respect to engineering-related considerations, the following conditions shall apply:
 - 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. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).

OFFICIAL NOTICE OF DECISION
JUNE 16, 2005
PROJECT #1003801
PAGE 3 OF 5

- b. Modification of median in Carlisle to provide a left turn lane at south driveway. Provide max length possible that does not conflict with existing north bound left turn land on Carlisle at Indian School.
 - c. The site plan shall comply and be designed per DPM Standards.
4. The applicant shall submit an amendment of this site plan to the Environmental Planning Commission in the event a restaurant or food service tenant is proposed for the site.
5. With respect to site plan-related considerations, the following conditions shall apply:
 - a. The applicant shall assemble the project area into one lot through a replat. The replat must be recorded prior to the issuance of a building permit and certification of zoning.
 - b. The applicant shall raise the parapet along the proposed east building elevation to a reasonable height that will provide sufficient screening of ventilation equipment to abutting residential properties. The parapet height shall not exceed the maximum height restrictions for C-2 zoning.
 - c. The applicant shall include a minimum five-foot (5') pedestrian pathway along the rear of the building to accommodate emergency exit traffic.
 - d. The applicant shall provide sufficient shading for any proposed outdoor seating along the building elevation facing Carlisle Boulevard.
 - e. The proposed freestanding sign shall be in accordance with specifications submitted during the June 16th public hearing to include a sign area of 9 feet in height, 12 feet width, 7 feet above the ground with a landscaped base and situated a minimum of 10 feet from the east right-of-way line of Carlisle Boulevard. The LED Reader board shall change a minimum of every 30 minutes.
6. The applicant shall furnish a minimum of 1 motorcycle parking space on the site.
7. With respect to lighting- and security-related considerations, the following conditions shall apply:
 - a. Schematics for the proposed three-foot (3') wall along Carlisle Boulevard shall be shown on the final site plan.
 - b. The applicant shall either modify the portion of the wall along the east project boundary that abuts any site parking to a minimum height of six feet (6') or seek a variance from this requirement.
 - c. All existing fences and walls along the north project boundary shall be removed and replaced with an appropriate solid wall or screening. The schematics for this wall shall be shown on the final site plan.
 - d. The applicant should ensure that any on-site lighting is shielded in order to provide downward light emission and prevent both light trespass and upward light pollution.
 - e. The applicant shall provide security lighting along the rear of the proposed building.
8. With respect to landscape-related considerations, the following conditions shall apply:

- a. The applicant shall either install a reasonable amount of evergreen trees within the rear setback area to complement the proposed deciduous plantings or install trellising along the rear building elevation to provide significant visual relief.
 - b. Either evergreen plantings or some alternative creative landscaping should be included near the trash enclosure to provide better year-round concealment.
9. The project will comply with all SWMD ordinances and requirements.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY JULY 1, 2005 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED. IT IS NOT POSSIBLE TO APPEAL EPC RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE EPC'S RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE EPC'S DECISION.

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

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

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

OFFICIAL NOTICE OF DECISION
JUNE 16, 2005
PROJECT #1003801
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Sincerely,


For Richard Dineen
Planning Director

RD/DS/ac

cc: Denise Hammer, Altura Addition NA, 1735 Aliso Dr. NE, Albuquerque, NM 87110
Richard Royman, Altura Addition NA, 1822 Solano NE, Albuquerque, NM 87110
Ken Romig, Summit Park NA, 3317 Wilway NE, Albuquerque, NM 87106
Jolita Leavell, Summit Park NA, 3416 Wilway NE, Albuquerque, NM 87106
Carol Maguire, Netherwood Park NA, 1925 Apache Ct. NE, Albuquerque, NM 87106
Peter Burton, Netherwood Park NA, 2312 Morrow NE, Albuquerque, NM 87106
Walter Bauke, 1829 Hermosa NE, Albuquerque, NM 87110



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

Date: March 18, 2005

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project # 1003801**
04EPC-01821 Zone Map Amendment

Peterson Properties Real Estate Services, Inc.
2325 San Pedro NE, Suite 2A
Albuq. NM 87110

LEGAL DESCRIPTION: for all or a portion of Lots 28-31, Block A, **Altura Addition**, a zone map amendment from O-1 to SU-1 for C-1, located on the east side of CARLISLE BLVD. NE, between INDIAN SCHOOL ROAD NE and HANNETT AVE. NE, containing approximately 1 acre. (J-16) David Stallworth, Staff Planner

On March 17, 2005 the Environmental Planning Commission voted to approve Project 1003801/ 04EPC – 01821, a zoning map amendment from O-1 to SU-1 for C-1 with exclusions, for Lots 28 through 31, Block A, Altura Addition, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for a zoning map amendment from O-1 (Office) to SU-1 for C-1 with exclusions for Lots 28 through 31, Block A, Altura Addition Subdivision. No proposed development is associated with this request.
2. The proposed zone change would be a logical extension of existing commercial zoning to the north of the subject area, and commercial uses would be an appropriate use of the property, in accordance with *Policy II.B.5.d* of the *City/County Comprehensive Plan*
3. No public improvements or extensions of public utilities are required to accommodate the request, and there are transit facilities in place to adequately support a commercial development, in accordance with *Policy II.B.5.e* of the *City/County Comprehensive Plan*.
4. The proposed zone change will offer employment opportunities and services that will complement the surrounding area, in accordance with *Policies II.B.5.i* and *II.B.5.o* of the *City/County Comprehensive Plan*.

5. The proposed zone change is sensitive to, and compatible with, surrounding development, and it functions as infill development that could become a catalyst for redevelopment, in accordance with *Policies II.B.5.k* and *II.B.5.l* of the *City/County Comprehensive Plan*.
6. The proposed zone change request is not required to correct an error in zoning classification, as articulated in *Resolution 270-1980*, section *1-D-1*.
7. As redevelopment of older neighborhoods is encouraged, the proposed development is advantageous to the City overall and represents orderly development of the City, as articulated in *Resolution 270-1980*, section *1-D-3*.
8. The proposed zone change request would not constitute a spot zone or a strip zone, as articulated in *Resolution 270-1980*, sections *1-I* and *1-J*.
9. The applicant is authorized to request a zone change on the subject property.
10. There is citizen opposition to the project. Issues centering on perceived developmental impact were brought forth through facilitation. A consensus among all parties of interest was reached, and no recommendations to modify the applicant's zone change request were offered.
11. During a second meeting between the developer and area residents, a mutual list of permitted and conditional land uses that would be excluded or modified to suit the project area was compiled for inclusion in the requested zone change and any future site development plan. All parties involved have agreed to this list with the exception of the elimination of restaurants as a permitted land use, as desired by area residents.

CONDITIONS:

1. A site development plan must be submitted and approved within six (6) months after the date of final City approval is voted, or else said approval shall be declared null and void.
2. The zoning and the site development plan shall include the following land use exclusions:
 - A. Outdoor restaurant seating
 - B. Liquor sales in conjunction with a restaurant use
 - C. Gasoline service station
 - D. Outside sales of gas, oil, or liquefied petroleum
 - E. On premise automobile and motorized bicycle (moped) repair and body work
 - F. Pawn shops
 - G. Car wash
 - H. Laundromats
 - I. Off-premise signage
 - J. Free-standing wireless telecommunications facilities up to 65 feet in height

OFFICIAL NOTICE OF DECISION
MARCH 17, 2005
PROJECT #1003801
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- K. Collocated free-standing wireless telecommunications facilities up to 75 feet in height
 - L. Antennae exceeding 65 feet in height
 - M. Community residential program in accordance with section 14.16.2.16.B.2 of the Zoning Code
 - N. Auto, trailer and truck rental, service and storage
 - O. Drive-up service windows and drive thru facilities including banking facilities
 - P. Fireworks sales
 - Q. Games within a completely enclosed building, operated for profit and not a permissive C-1 use
 - R. Kennel
 - S. Mortuary
 - T. Mobile home as caretaker quarters
 - U. Recycling bin as an accessory use
 - V. Uses or activities in a tent
 - W. Roof-mounted wireless telecommunications facilities.
3. The zoning and the site development plan shall include the following modifications:
- A. Bicycle repair, provided it is done within a completely enclosed building
 - B. Dry cleaning, with no on-premise dry-cleaning or laundering (Drop-off station only)
 - C. Electronic and pinball game rooms within a completely enclosed building and with no more than four game machines per business.
4. Restaurant Use is allowed only if approved by the EPC in conjunction with a site development plan for building permit that demonstrates adequate separation buffering and protection of adjacent residential uses from adverse effects of noise, lighting, pollution, traffic and odors.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY **APRIL 1, 2005** IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED. IT IS NOT POSSIBLE TO APPEAL EPC RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE EPC'S RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE EPC'S DECISION.

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

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MARCH 17, 2005
PROJECT #1003801
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YOU WILL RECEIVE NOTIFICATION IF ANY PERSON FILES AN APPEAL. IF THERE IS NO APPEAL, YOU CAN RECEIVE BUILDING PERMITS AT ANY TIME AFTER THE APPEAL DEADLINE QUOTED ABOVE, PROVIDED ALL CONDITIONS IMPOSED AT THE TIME OF APPROVAL HAVE BEEN MET. SUCCESSFUL APPLICANTS ARE REMINDED THAT OTHER REGULATIONS OF THE CITY MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

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

Sincerely,


Richard Dineen
Planning Director

RD/DS/ac

cc: Denise Hammer, Altura Addition NA, 1735 Aliso Dr. NE, Albuquerque, NM 87110
Lucerne Knight, Altura Addition NA, 1718 Hermosa NE, Albuquerque, NM 87110
Will Gleason, Summit Park NA, 732 Lafayette NE, Albuquerque, NM 87106
Desi Brown, Summit Park NA, 1113 Richmond NE, Albuquerque, NM 87106
Suzie Kubie, 1800 Aliso Dr. NE, Albuquerque, NM 87110
Walter Burke, 1823 Hermosa Dr. NE, Albuquerque, NM 87110
Wanda Pitts, 1831 Hermosa Dr. NE, Albuquerque, NM 87110
Jeanne Adams, 1405 Solano Dr. NE, Albuquerque, NM 87110



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

Date: June 17, 2005

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project # 1003801***
05EPC-00745 EPC Site Development Plan-
Building Permit

Peterson Properties Real Estate, Inc.
2325 San Pedro NE, Suite 2A
Albuq. NM 87110

LEGAL DESCRIPTION: for all or a portion of **Lots 28-31, Block A, Altura Addition**, zoned SU-1 for C-1 w/ Exclusions, located on the east side of CARLISLE BOULEVARD, NE, between INDIAN SCHOOL ROAD, NE and HANNETT AVENUE, NE, containing approximately 1 acre (J-16) David Stallworth, Staff Planner

On June 16, 2005 the Environmental Planning Commission voted to approve Project 1003801/05EPC 00745, a site development plan for building permit for Lots 28 through 31, Block A, Altura Addition Subdivision, pending certification of SU-1/C-1 zoning with Exclusions as approved on March 17, 2005, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for consideration and approval of a site development plan for building permit for Lots 28 through 31, Block A, Altura Addition Subdivision to accommodate the new construction of a +/-7200-square-foot neighborhood commercial retail center.
2. The proposed development would be a logical extension of existing commercial zoning to the north of the subject area, and commercial uses would be an appropriate use of the property, in accordance with *Policy II.B.5.d* of the *City/County Comprehensive Plan*.
3. No public improvements or extensions of public utilities are required to accommodate the request, and there are transit facilities in place to adequately support a commercial development, in accordance with *Policy II.B.5.e* of the *City/County Comprehensive Plan*.
4. The proposed development will offer employment opportunities and services that will complement the surrounding area, in accordance with *Policies II.B.5.i* and *II.B.5.o* of the *City/County Comprehensive Plan*.

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JUNE 16, 2005

PROJECT #1003801

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5. Site plan review and land use restrictions should help ensure that any new development within the subject area is sensitive to, and compatible with, surrounding development, that it functions as infill development, and that it could become a catalyst for redevelopment, in accordance with *Policies II.B.5.k and II.B.5.l of the City/County Comprehensive Plan.*
6. The applicant is authorized to request a site development plan for building permit on the subject property.
7. The applicant has worked closely with area residents and interested community organizations in the design of this project, and the submitted proposal is the end result of that collaboration.
8. There is no known public opposition to the request. Outstanding concerns from area residents include the proposed rear setback, times for garbage pick-up and the possible need for a traffic study.
9. As an infill project flexibility in applying regulatory standards is appropriate, as provided for by the SU-1 provisions of the Zoning Code. The EPC approves the 10 foot rear setback which is a variance from the C-1 standard of 15 feet and the diminished rear landscape buffer (as depicted on the site plan) which is a variance from the standard 10 foot wide landscape strip requirement.

CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. The applicant shall schedule with the Planning Department case manager a preliminary review of the site plan to be submitted to the Development Review Board within a reasonable amount of time prior to a filing for final sign-off.
3. With respect to engineering-related considerations, the following conditions shall apply:
 - 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. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).

- b. Modification of median in Carlisle to provide a left turn lane at south driveway. Provide max length possible that does not conflict with existing north bound left turn land on Carlisle at Indian School.
 - c. The site plan shall comply and be designed per DPM Standards.
4. The applicant shall submit an amendment of this site plan to the Environmental Planning Commission in the event a restaurant or food service tenant is proposed for the site.
5. With respect to site plan-related considerations, the following conditions shall apply:
 - a. The applicant shall assemble the project area into one lot through a replat. The replat must be recorded prior to the issuance of a building permit and certification of zoning.
 - b. The applicant shall raise the parapet along the proposed east building elevation to a reasonable height that will provide sufficient screening of ventilation equipment to abutting residential properties. The parapet height shall not exceed the maximum height restrictions for C-2 zoning.
 - c. The applicant shall include a minimum five-foot (5') pedestrian pathway along the rear of the building to accommodate emergency exit traffic.
 - d. The applicant shall provide sufficient shading for any proposed outdoor seating along the building elevation facing Carlisle Boulevard.
 - e. The proposed freestanding sign shall be in accordance with specifications submitted during the June 16th public hearing to include a sign area of 9 feet in height, 12 feet width, 7 feet above the ground with a landscaped base and situated a minimum of 10 feet from the east right-of-way line of Carlisle Boulevard. The LED Reader board shall change a minimum of every 30 minutes.
6. The applicant shall furnish a minimum of 1 motorcycle parking space on the site.
7. With respect to lighting- and security-related considerations, the following conditions shall apply:
 - a. Schematics for the proposed three-foot (3') wall along Carlisle Boulevard shall be shown on the final site plan.
 - b. The applicant shall either modify the portion of the wall along the east project boundary that abuts any site parking to a minimum height of six feet (6') or seek a variance from this requirement.
 - c. All existing fences and walls along the north project boundary shall be removed and replaced with an appropriate solid wall or screening. The schematics for this wall shall be shown on the final site plan.
 - d. The applicant should ensure that any on-site lighting is shielded in order to provide downward light emission and prevent both light trespass and upward light pollution.
 - e. The applicant shall provide security lighting along the rear of the proposed building.
8. With respect to landscape-related considerations, the following conditions shall apply:

- a. The applicant shall either install a reasonable amount of evergreen trees within the rear setback area to complement the proposed deciduous plantings or install trellising along the rear building elevation to provide significant visual relief.
 - b. Either evergreen plantings or some alternative creative landscaping should be included near the trash enclosure to provide better year-round concealment.
9. The project will comply with all SWMD ordinances and requirements.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY JULY 1, 2005 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED. IT IS NOT POSSIBLE TO APPEAL EPC RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE EPC'S RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE EPC'S DECISION.

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

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

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

OFFICIAL NOTICE OF DECISION
JUNE 16, 2005
PROJECT #1003801
PAGE 5 OF 5

Sincerely,


Richard Dineen
Planning Director

RD/DS/ac

cc: Denise Hammer, Altura Addition NA, 1735 Aliso Dr. NE, Albuquerque, NM 87110
Richard Royman, Altura Addition NA, 1822 Solano NE, Albuquerque, NM 87110
Ken Romig, Summit Park NA, 3317 Wilway NE, Albuquerque, NM 87106
Jolita Leavell, Summit Park NA, 3416 Wilway NE, Albuquerque, NM 87106
Carol Maguire, Netherwood Park NA, 1925 Apache Ct. NE, Albuquerque, NM 87106
Peter Burton, Netherwood Park NA, 2312 Morrow NE, Albuquerque, NM 87106
Walter Bauke, 1829 Hermosa NE, Albuquerque, NM 87110



ENVIRONMENTAL PLANNING COMMISSION

A G E N D A

Thursday June 16, 2005
8:30 a.m.

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

MEMBERS

Jens Deichmann, Chairman
Jeffery Jesionowski, Vice Chair

James Grout
David Steele
Ishmael Valenzuela
Deborah Stover

Larry Chavez
Virginia Klebesadel
Klarissa Pena

NOTE: A LUNCH BREAK AND DINNER BREAK WILL BE ANNOUNCED AS NECESSARY

Agenda items will be heard in the order specified unless changes are approved by the EPC at the beginning of the hearing; deferral and withdrawal requests (by applicants) are generally reviewed at this time (see item 1A and 1B below). Applications with no known opposition that are supported by the Planning Department are scheduled at the beginning of the agenda; these cases are noted with an asterisk (*). Applications deferred from a previous hearing are normally scheduled at the end of the agenda.

There is no set time for cases to be heard. However, interested parties can monitor the progress of the hearing by calling the Planning Department at 924-3860. All parties wishing to address the Commission must sign-in with the Commission Secretary at the front table prior to the case being heard. Please be prepared to provide brief and concise testimony to the Commission if you intend to speak. **In the interest of time, presentation times are limited as follows, unless otherwise granted by the Commission Chair: Staff - 5 minutes; Applicant - 10 minutes; Public speakers - 2 minutes each. An authorized representative of a recognized neighborhood association or other organization may be granted additional time if requested.**

All written materials -- including petitions, legal analysis and other documents -- should be submitted at least 10 days prior to the public hearing, ensuring presentation at the EPC Study Session. The EPC strongly discourages submission of written material at the public hearing. Except in extraordinary circumstances, the EPC will not consider written materials submitted at the hearing. In the event the EPC believes that newly submitted material may influence its final decision, the application may be deferred to a subsequent hearing.

NOTE: ANY AGENDA ITEMS NOT HEARD BY 8:30 P.M. MAY BE DEFERRED TO ANOTHER HEARING DATE AS DETERMINED BY THE PLANNING COMMISSION.

EPC AGENDA

June 16, 2005

PAGE 2 OF 5

1. **Call to Order.**

- A. Announcement of Changes and/or Additions to the Agenda
- B. Approval of the Amended Agenda
- C. Approval of Minutes for April 21, 2005

2. **Project # 1004161***

05EPC-00740 EPC Site Development Plan-Subdivision

JEFF MORTENSEN & ASSOC. agent(s) for WILLIAM AND BENITA BRENNAN request the above action(s) for all or a portion of Lot(s) 4 & 5, **RIVERSIDE PLAZA**, zoned SU-1 PRD, located on WINTER HAVEN ROAD NW, between LA ORILLA ROAD NW and MONTANO PLAZA DR. NW, containing approximately 3.2 acre(s). (E-12) Elizabeth Pincus, Staff Planner

3. **Project # 1004162***

05EPC-00741 Zone Map Amendment
05EPC-00742 EPC Site Development Plan-Subdivision

JEFF MORTENSEN & ASSOCIATES agents for HOECH REAL ESTATE CORPORATION request the above actions for all or a portion of Tract L-2, **VISTA DEL NORTE SUBDIVISION**, a zone map amendment from SU-1/O-1 WITH SIGNAGE RESTRICTIONS to SU-1/PRD (31 dwelling units maximum), located on VISTA DEL NORTE DRIVE NE, between OSUNA ROAD NE and VISTA MONTE DR. NE, containing approximately 6 acres. (E-16) Elvira Lopez, Staff Planner

4. **Project # 1003801***

05EPC-00745 EPC Site Development Plan-Building Permit

PETERSON PROPERTIES REAL ESTATE SERVICES requests the above action for all or a portion of **Lots 28-31, Block A, Altura Addition**, zoned SU-1 for C-1 w/ Exclusions, located on the east side of CARLISLE BOULEVARD, NE, between INDIAN SCHOOL ROAD, NE and HANNETT AVENUE, NE, containing approximately 1 acre (J-16) David Stallworth, Staff Planner

5. **Project # 1001275***

05EPC-00749 EPC Site Development Plan-Building Permit

CONSENSUS PLANNING agents for AUTOZONE, INC. request the above actions for all or a portion of Lot(s) 4, **LOWES SUBD**, zoned SU-1 FOR C-2 AND I-P PERMISSIVE, located on COORS BLVD. NW, between ALAMEDA BLVD. NW and OLD AIRPORT AVE., containing approximately 2 acre(s). (B-14) Stephanie Shumsky, Staff Planner

6. Project # 1002529*

05EPC-00748 EPC Site Development Plan-
Building Permit

CONSENSUS PLANNING, agent for CAS, LLC, requests the above action for all or a portion of **approved Lot 1 out of Tract 6-B, Partition of the Black Ranch**, zoned SU-1 for O-1 Permissive Uses, located on the north side of WESTSIDE DRIVE, NW approximately 500 feet east of COORS BOULEVARD NW, containing approximately 3 acres. (B-13) David Stallworth, Staff Planner

7. Project # 1004166*

05EPC-00751 EPC Site Development Plan-
Building Permit
05EPC-00752 Zone Map Amendment
05EPC-00753 EPC Sector Development Plan

DCSW ARCHITECTS, INC. agent for ALBUQUERQUE HISPANO CHAMBER OF COMMERCE request the above actions for, Tract A, **ALBUQ. HISPANO CHAMBER OF COMMERCE** and Lot 2, Block D, **ARMIJO-JUAN ADDITION**, zoned SU-2/R1 & SU-2/NCR, located at the intersection of 4TH ST. SW and BARELAS SW, containing approximately 1 acre. (L-14) Carmen Marrone, Staff Planner

8. Project # 1001445*

05EPC-00754 EPC Site Development Plan-
Building Permit
05EPC-00756 EPC Site Development Plan-
Amendment to Subdivision

CONSENSUS PLANNING agent(s) for JENNIFER LIN request the above actions for all or a portion of Tract(s) 13-B, **Black Ranch**, zoned SU-1 for C-1 & Restaurant with liquor for on premise consumption/O-1, located on COORS BLVD. NW, between SEVEN BAR LOOP and ALAMEDA, containing approximately 3 acres. (B-14) Stephanie Shumskv Staff Planner

Building Permit

Block A, Altura Addition, zoned SU-1 for C-1 w/ Exclusions, located on the east side of CARLISLE BOULEVARD, NE, between INDIAN SCHOOL ROAD, NE and HANNETT AVENUE, NE, containing approximately 1 acre (J-16) David Stallworth, Staff Planner

5. Project # 1001275*

05EPC-00749 EPC Site Development Plan-
Building Permit

CONSENSUS PLANNING agents for AUTOZONE, INC. request the above actions for all or a portion of Lot(s) 4, **LOWES SUBD**, zoned SU-1 FOR C-2 AND I-P PERMISSIVE, located on COORS BLVD. NW, between ALAMEDA BLVD. NW and OLD AIRPORT AVE., containing approximately 2 acre(s). (B-14) Stephanie Shumsky, Staff Planner