

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT CHECKLIST

Revised: 2/22/07

B. Proposed Development

1. Structural

- A. Location of existing and proposed structures (distinguish between existing & proposed)
- B. Square footage of each structure
- C. Proposed use of each structure
- D. Temporary structures, signs and other improvements
- E. Walls, fences, and screening: indicate height, length, color and materials
- F. Dimensions of all principal site elements or typical dimensions thereof
- G. Loading facilities
- H. Site lighting (indicate height & fixture type)
- I. Indicate structures within 20 feet of site
- J. Elevation drawing of refuse container and enclosure, if applicable.

2. Parking and Internal Circulation

- A. Parking layout with spaces numbered per aisle and totaled.
 - 1. **Location and typical dimensions**, including handicapped spaces
 - 2. **Calculations:** spaces required: _____ provided: _____
 - Handicapped spaces required: _____ provided: _____
 - Motorcycle spaces required: _____ provided: _____
- B. Bicycle parking & facilities
 - 1. Bicycle racks, spaces required: _____ provided: _____
 - 2. Other bicycle facilities, if applicable
- C. Vehicular Circulation (Refer to Chapter 23 of DPM)
 - 1. Ingress and egress locations, including width and curve radii dimensions
 - 2. Drive aisle locations, including width and curve radii dimensions
 - 3. End aisle locations, including width and curve radii dimensions
 - 4. Location & orientation of refuse enclosure, with dimensions
 - 5. Curb cut locations and dimensions
- D. Pedestrian Circulation
 - 1. Location and dimensions of all sidewalks and pedestrian paths
 - 2. Location and dimension of drive aisle crossings, including paving treatment
 - 3. Location and description of amenities, including patios, benches, tables, etc.

3. Streets and Circulation

- A. Locate and identify adjacent public and private streets and alleys.
 - 1. Existing and proposed pavement widths, right-of-way widths and curve radii
 - 2. Identify existing and proposed turn lanes, deceleration lanes and similar features related to the functioning of the proposal, with dimensions
 - 3. Location of traffic signs and signals related to the functioning of the proposal
 - 4. Identify existing and proposed medians and median cuts
 - 5. Sidewalk widths and locations, existing and proposed
- B. Identify Alternate transportation facilities within site or adjacent to site
 - 1. Bikeways and bike-related facilities

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- 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 – Phase I & II . . .
- 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)
- 15. Planting or tree well detail
- 16. Street Tree Plan as defined in the Street Tree Ord.

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.

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT CHECKLIST

Revised: 2/22/07

A. General Information

- 1. Scale - must be same as Sheet #1 - Site Plan
- 2. Bar Scale
- 3. North Arrow
- 4. Property Lines
- 5. Existing and proposed easements
- 6. Building footprints
- 7. Location of Retaining walls

B. Grading Information

- 1. On the plan sheet, provide a narrative description of existing site topography, proposed grading improvements and topography within 100 feet of the site.
- 2. Indicate finished floor elevation and provide spot elevations for all corners of the site (existing and proposed) and points of maximum cut or fill exceeding 1 foot.
- 3. Identify ponding areas, erosion and sediment control facilities.
- 4. Cross Sections
Provide cross section for all perimeter property lines where the grade change is greater than 4 feet at the point of the greatest grade change. Provide one additional cross section in each direction within no more than 100 feet of the reference point.

SHEET #4 - BUILDING AND STRUCTURE ELEVATIONS

A. General Information

- A. Scale (minimum of 1/8" or as approved by Planning Staff).
- B. Bar Scale
- C. Detailed Building Elevations for each facade
 - 1. Identify facade orientation
 - 2. Dimensions of facade elements, including overall height and width
 - 3. Location, material and colors of windows, doors and framing
 - 4. Materials and colors of all building elements and structures
 - 5. For EPC and DRB submittals only – Color renderings or similar illustrations
- E. Site Development Plans for single family residential projects with multiple units may require submittal of specific information on building features in lieu of elevation drawings for each building. Applicants are advised to discussed submittal requirements with Planning Department staff.

B. Signage

- 1. Site location(s)
- 2. Sign elevations to scale
- 3. Dimensions, including height and width
- 4. Sign face area - dimensions and square footage clearly indicated
- 5. Lighting
- 6. Materials and colors for sign face and structural elements.

Applicants should make sure that the submitted site development plan drawings are accurate and complete, and that items specified in this checklist have been clearly indicated on the plan drawings as required.

CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) / AIR QUALITY IMPACT ASSESSMENT (AQIA) FORM

APPLICANT: DAC ENTERPRISES, INC DATE OF REQUEST: 2/29/08 ZONE ATLAS PAGE(S): J-16

CURRENT: ZONING SU-1/C-1

LEGAL DESCRIPTION:
LOT OR TRACT # 28A BLOCK # A
SUBDIVISION NAME ALTURA ADDN

PARCEL SIZE (AC/SQ. FT.) _____

REQUESTED CITY ACTION(S):

- | | | | |
|----------------|---------------------|-------------------------|---------------------|
| ANNEXATION [] | SECTOR PLAN [] | SITE DEVELOPMENT PLAN: | |
| COMP. PLAN [] | ZONE CHANGE [] | A) SUBDIVISION [] | BUILDING PERMIT [] |
| AMENDMENT [] | CONDITIONAL USE [] | B) BUILD'G PURPOSES [] | ACCESS PERMIT [] |
| | | C) AMENDMENT [X] | OTHER [] |

PROPOSED DEVELOPMENT:

- NO CONSTRUCTION/DEVELOPMENT [X]
- NEW CONSTRUCTION []
- EXPANSION OF EXISTING DEVELOPMENT []

GENERAL DESCRIPTION OF ACTION: ¹

OF UNITS: _____
BUILDING SIZE: _____ (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 Doug Candall DATE 2/29/08
(TO BE SIGNED UPON COMPLETION OF PROCESSING BY TRAFFIC ENGINEER AND ENVIRONMENTAL HEALTH)

Planning Department, Development & Building Services Division, Transportation Development Section -
2ND Floor West, 600 2ND St. NW, Plaza del Sol Building, City, 87102, phone 924-3994

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

THRESHOLDS MET? YES [] NO [X] 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.

Tony J... 2-29-08
TRAFFIC ENGINEER DATE

Air Quality Impact Analysis (AQIA) May Be Required:

Section 14-16-3-14 of the COA Comprehensive Zoning Code contains threshold requirements for air quality studies. Criteria and thresholds contained in the Zoning Code specify which land use or plan actions will require preparation of an AQIA. Please refer to this section in order to determine if your proposal merits study for air quality impacts. An AQIA is not required, if a TIS is not required by the City or an associated TIS shows all signalized intersections functioning at Level of Service (LOS) C or better. An AQIA will only be required for a Sector Development Plan or Sector Development Plan Amendment if it meets AQIA thresholds in the Zoning Code.

AIR QUALITY IMPACT ANALYSIS (AQIA) REQUIRED: YES [] NO [X]

Contact an Air Quality Planner at 768-2660 to insure that input is received from the Air Quality Division during the scoping of the companion TIS. Any subsequent changes to the development proposal identified above may require an update or new AQIA.

Doug Candall 2/29/08
APPLICANT DATE

Required TIS and/or AQIA 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

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION

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

SITE DEVELOPMENT PLAN

- for Subdivision
- for Building Permit
- Administrative Amendment (AA)
- 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...
- D 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:

Professional/Agent (if any): DAC ENTERPRISES, INC. DOUG CRANDALL PHONE: 294-5243
 ADDRESS: P.O. BOX 16658 FAX: 247-4530
 CITY: ALBUQUERQUE STATE NM ZIP 87191 E-MAIL: _____

APPLICANT: DOUGLAS H. PETERSON d/b/a CARLISLE SHOPS PHONE: 984-3578
 ADDRESS: 2325 SAN PEDRO, NE, STE 2-A FAX: 984-6793
 CITY: ALBUQUERQUE STATE NM ZIP 87110 E-MAIL: WWW.PETERSONPROPERTIES.NE
 Proprietary interest in site: OWNER/MANAGER List all owners: N/A

DESCRIPTION OF REQUEST: APPROVAL OF AMENDED SITE PLAN FOR BUILDING PERMIT TO ALLOW A BAKERY WITH ASSOCIATED CAFE SERVICE W/ 12 SEATS MAX.

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

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

Lot or Tract No. 28-A Block: A Unit: _____
 Subdiv/Addn/TBKA: ALTURA ADDITION
 Existing Zoning: SU-1 for C-1 w/EXCEPTIONS Proposed zoning: N/A
 Zone Atlas page(s): J-16 UPC Code: 101705801150421423 MRGCD Map No N/A

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_Z_, V_, S_, etc.): PROJECT #1003801, 04EPC-01821 & 05EPC-00745

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? NO
 No. of existing lots: 1 No. of proposed lots: N/A Total area of site (acres): < 1.0 ac
 LOCATION OF PROPERTY BY STREETS: On or Near: 2000 CARLISLE BLVD NE
 Between: INDIAN SCHOOL ROAD NE and HANNETT AVE. NE

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

SIGNATURE Doug Crandall DATE 3/05/08
 (Print) DOUG CRANDALL, DAC ENTERPRISES, INC. Applicant: Agent:

FOR OFFICIAL USE ONLY

Form revised 4/07

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>08EPC - 40024</u>	<u>SBP</u>	<u>PU</u>	\$ <u>255.00</u>
<input checked="" type="checkbox"/> All fees have been collected	_____	<u>Adv</u>	_____	\$ <u>75.00</u>
<input checked="" type="checkbox"/> All case #s are assigned	_____	<u>CMP</u>	_____	\$ <u>50.00</u>
<input checked="" type="checkbox"/> All GIS copy has been sent	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> Case history #s are listed	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> Site is within 1000ft of a landfill	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> F.H.D.P. density bonus	_____	_____	_____	Total
<input checked="" type="checkbox"/> F.H.D.P. fee rebate	Hearing date <u>4-17-08</u>	_____	_____	\$ <u>380.00</u>

Rachon Garcia 3/5/08
 Planner signature / date

Project # 1003801

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

- SITE DEVELOPMENT PLAN FOR SUBDIVISION (EPC16) Maximum Size: 24" x 36"**
 - IP MASTER DEVELOPMENT PLAN (EPC11)**
 - ___ 5 Acres or more & zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval
 - ___ Scaled site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **30 copies.**
 - ___ 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 (**1 copy**)
 - ___ Zone Atlas map with the entire property(ies) clearly outlined
 - ___ 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)
 - ___ List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline. Your attendance is required.**

- SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (EPC15) Maximum Size: 24" x 36"**
- SITE DEVELOPMENT PLAN and/or WAIVER OF STANDARDS FOR WIRELESS TELECOM FACILITY (EPC17)**

- ___ 5 Acres or more & zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval
- ___ Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **30 copies.**
- ___ Site Plan for Subdivision, if applicable, previously approved or simultaneously submitted. (Folded to fit into an 8.5" by 14" pocket.) **30 copies**
- ___ Site plans and related drawings reduced to 8.5" x 11" format (**1 copy**)
- ___ 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)
- ___ List any original and/or related file numbers on the cover application

NOTE: For wireless telecom facilities (administrative reviews 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. Your attendance is required.

- AMENDED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (EPC01) Maximum Size: 24" x 36"**
- AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION (EPC02)**

- ✓ Proposed amended Site Plan (folded to fit into an 8.5" by 14" pocket) **30 copies**
- ✓ DRB signed Site Plan being amended (folded to fit into an 8.5" by 14" pocket) **30 copies**
- ___ DRB signed Site Plan for Subdivision, if applicable (required when amending SDP for Building Permit) **30 copies**
- ✓ Site plans and related drawings reduced to 8.5" x 11" format (**1 copy**)
- ✓ Zone Atlas map with the entire property(ies) clearly outlined
- ✓ 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)
- ___ List any original and/or related file numbers on the cover application

EPC hearings are approximately 7 weeks after the filing deadline. 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.

DOUG CRANDALL, DACENTERPRISES, INC

Applicant name (print)

Doug Crandall 3/5/08

Applicant signature / date



Form revised October 2007

Andrew Garcia 3/5/08

Planner signature / date

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

Application case numbers
08 EPC - 40026

Project # 100380

SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the City Zoning Code or Subdivision Ordinance are responsible for the posting and maintaining of one or more signs on the property which the application describes. Vacations of public rights-of-way (if the way has been in use) also require signs. Waterproof signs are provided at the time of application. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign.

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Development Services Front Counter at a charge of \$3.75 each.

1. LOCATION

- A. The sign shall be conspicuously located. It shall be located within twenty feet of the public sidewalk (or edge of public street). Staff may indicate a specific location.
- B. The face of the sign shall be parallel to the street, and the bottom of the sign shall be at least two feet from the ground.
- C. No barrier shall prevent a person from coming within five feet of the sign to read it.

2. NUMBER

- A. One sign shall be posted on each paved street frontage. Signs may be required on unpaved street frontages.
- B. If the land does not abut a public street, then, in addition to a sign placed on the property, a sign shall be placed on and at the edge of the public right-of-way of the nearest paved City street. Such a sign must direct readers toward the subject property by an arrow and an indication of distance.

3. PHYSICAL POSTING

- A. A heavy stake with two crossbars or a full plywood backing works best to keep the sign in place, especially during high winds.
- B. Large headed nails or staples are best for attaching signs to a post or backing; the sign tears out less easily.

4. TIME

Signs must be posted from April 2, 2008 To April 17, 2008

5. REMOVAL

- A. The sign is not to be removed before the initial hearing on the request.
- B. The sign should be removed within five (5) days after the initial hearing.

I have read this sheet and discussed it with the Development Services Front Counter Staff. I understand (A) my obligation to keep the sign(s) posted for (15) days and (B) where the sign(s) are to be located. I am being given a copy of this sheet.

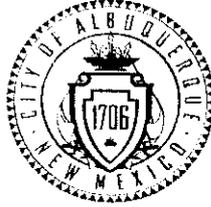
Boyd Cradall
(Applicant or Agent)

3/5/08
(Date)

I issued 1 signs for this application, 3/5/08
(Date)

Andrew Garcia
(Staff Member)

DRB PROJECT NUMBER: 1003801



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

Date: April 18, 2008

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project# 1003801***
08EPC-40026 SITE DEVELOPMENT PLAN -
Building Permit

Doug Peterson d/b/a
Carlisle Shops, LLC
2325 San Pedro NE, Suite A
Albuq. NM 87110

LEGAL DESCRIPTION: for all or a portion of lot 28-A, Block A, ALTURA ADDITION, zoned SU-1 FOR C-1 W/EXCEPTIONS located on CARLISLE BLVD NE BETWEEN INDIAN SCHOOL RD NE AND HANNETT AVE NE containing approximately 1 acre. (J-16) Jennifer Donofrio, Staff Planner

On April 17, 2008 the Environmental Planning Commission voted to approve Project 1003801/08EPC 40026, Amendment of a Site Development Plan for Building Permit to allow Restaurant Use, on Tract 28A, Block A, Altura Addition, zoned SU-1 for C-1 with exclusions, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for approval of an amendment to a site development plan for building permit for Tract 28A, Altura Addition to allow the bakery to locate in the existing shopping center. The 0.64 site is located on Carlisle Boulevard NE between Indian School Road and Hannett Avenue NE.
2. The site is zoned SU-1 for C-1 with exclusions and modifications. Modification D states "Restaurant use is allowed only if approved by the EPC in conjunction with a site development plan for building permit that demonstrates adequate buffering and protection of adjacent residential uses from adverse effects of noise, lighting, pollution, traffic, and odors."
3. The applicant is proposing to operate a 1,664 square foot bakery with 12 seats and one oven within an already existing commercial strip. The applicant is not proposing any changes to the building footprint, parking, lighting, landscaping, or any other exterior features on the site.

4. This request furthers the intent of relevant Comprehensive Plan policies.
 - a. Policy II.B.5.d: The location, intensity, and design of this development respects existing neighborhood values. The applicant and the NA have worked together on the list of proposed Conditions of Approval to protect the neighborhood from the adverse effects of noise, lighting, pollution, and traffic.
 - b. Policy II.B.5.e: The proposed use would not create additional impacts to the existing urban facilities/ services. The “as built” proposal would not change the building footprint, parking, lighting, landscaping, or any other exterior features on the site.
 - c. Policy II.B.5.i: The adopted site development plan for building permit (05EPC-00745) protects the neighbors from the adverse effects noise, lighting, pollution, and traffic. Based on the Zoning Code, a restaurant use with 10 seats would require fewer parking spaces than a 1664 square foot retail use.
 - d. Policy II.B.5.j: The subject site is located near a residential neighborhood and along an existing minor arterial. The proposed neighborhood-oriented bakery would be located in an existing commercially zoned area and within a reasonable distance for residents to walk or bike to the site.
5. There is no opposition to this request. A facilitated meeting was held on March 19, 2008. The Altura Addition Neighborhood Association and the applicant have been working closely to address and resolve differences and have developed a list of conditions of approval that will be noted on the amended site development plan for building permit.
6. Two zoning violations exist on the subject site, which are not directly related to the current request: a restaurant use that did not get EPC approval and outdoor seating that is not allowed by the controlling site development plan. The subject request for a bakery with restaurant seating complies with the requirement for EPC review.
7. The applicant is a member of the Environmental Planning Commission who has recused himself from hearing the matter and left the hearing room during testimony and action. The remaining members of the EPC took action on the case objectively, based on the record, the testimony of speakers, and the facts.

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.

OFFICIAL NOTICE OF DECISION

APRIL 17, 2008

PROJECT #1003801

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2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. City Engineer Condition: All the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for.
4. Solid Waste Management Department Condition: Approved on condition, will comply with all SWMD ordinances and requirements.
5. The following notes shall be added to the site development plan for building permit:
 - a. The bakery shall not exceed twelve seats maximum.
 - b. The bakery shall only have one oven and one vent hood from cooking equipment.
 - c. The bakery shall not have stove-top or grilling equipment. The use of a panini sandwich press is allowed.
 - d. The oven shall operate only between the hours of 4:30am and noon, except during the months of November and December when the oven shall stop operation no later than 2pm.
 - e. Delivery hours shall be between 8am and 5pm.
 - f. Special events and baking classes shall be limited to once a month.
 - g. Only retail sales of baked goods are allowed as per the existing zoning.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY **MAY 2, 2008** IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED. IT IS NOT POSSIBLE TO APPEAL EPC RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE EPC'S RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE EPC'S DECISION.

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

OFFICIAL NOTICE OF DECISION
APRIL 17, 2008
PROJECT #1003801
PAGE 4 OF 4

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/JD/ac

cc: Denise Hammer, Altura Addition, NA, 1735 Aliso Dr. NE, Albuquerque, NM 87110
Alan Varela, Altura Addition NA, 4004 Solano Pl. NE, Albuquerque, NM 87110
Keith Rasmussen, Summit Park NA, 3401 Calle del Ranchero NE, Albuquerque, NM 87106
Becky Scheib, Summit Park NA, 3509 Calle del Ranchero NE, Albuquerque, NM 87106



PETERSON PROPERTIES
Real Estate Services, Inc.

HAND DELIVERED
March 3, 2008

To Whom It May Concern:

This letter is to authorize DAC Enterprises (Robert Romero and/or Doug Crandall) to act as agents for the owner (Carlisle Shops, LLC) of the property described as follows:

LOT 28-A, BLOCK A, ALTURA ADDITION (BEING A REPLAT OF LOTS 28 THRU 31, BLOCK A, ALTURA ADDITION), AS THE SAME IS SHOWN AND DESIGNATED ON MAP RECORDED OCTOBER 11, 2005, IN BOOK 2005C, PAGE 335, IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO.

with respect to applications made to the Environmental Planning Commission and / or the D.R.B. of the City of Albuquerque.

Sincerely,

Douglas H. Peterson
Manager of Carlisle Shops, LLC

March 1, 2008

Ms. Laurie Moye, Chair
Environmental Planning Commission
City of Albuquerque
Albuquerque, New Mexico

RE: Request for Approval of Amended Site Plan for Building Permit to Allow a Bakery with Associated Café Service. Project # 100380/ Lot 28A, Block A, Altura Addition (Zone Atlas Map J-16-Z)

Dear Mme. Chair and Commissioners:

This is a request for an amended site plan for building permit for the above referenced project in order to locate a bakery/café in an approximately 1660 square foot suite in the existing and approved building on the property. The bakery/café will have limited seating and will also sell products baked on the premises.

Although there will be no physical change to the property, this request is necessary because of a condition imposed by the Environmental Planning Commission (EPC) when the site was zoned SU-1 for C-1 uses with exclusions.

Specifically, Condition # 4 of 04EPC-1821 states "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."

Further, when the site plan for building permit was approved on June 16, 2005, a further condition was imposed which stated: "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 this site."

In February 2007, the EPC heard, and approved, a similar request (07EPC-00012) for this site in order to allow an ice cream shop to locate in this shopping center. Finding #5 of the approval said that "[t]his request is for approval of the use of one ice cream shop on the subject site. EPC site plan review will be required for any additional restaurant uses that may be proposed for the site." There was no opposition to the request.

The original 2005 condition and the finding from the 2007 case were included because of earlier concern of nearby residents that the odors from a food service establishment may have a deleterious effect on the enjoyment of their property.

Both the original request and the subsequent amended were supported by several policies of the *Albuquerque/Bernalillo Comprehensive Plan (Comprehensive Plan.)*

Policy II.B.5.d reads: "The location, intensity and design of this development shall respect existing neighborhood values, natural environment conditions and carrying capacities, scenic resource, and resources of other social, cultural and recreational concern." This policy is furthered by the fact that a landscaping buffer protects the existing neighborhood, and the intensity of the proposed bakery/café will not detract from neighborhood values.

Both the original approval and this request furthers Policy II.B.5.i: "Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse impacts of noise lighting, pollution and traffic on residential environs." The intent of the original approval was to provide neighborhood uses that may offer employment and also provide for uses that are complementary to the nearby neighborhood.

This policy is also furthered by the fact that there is no direct access to the abutting residential properties to the east of this development. The small, neighborhood friendly café and bakery that is being proposed will be of benefit to both the surrounding neighbors and nearby residents looking to enjoy a cup of coffee and a roll at the café, or to bring home baked goods for a family meal. The site plan has been approved in accordance with this policy and this request makes no changes to the approved site plan.

Further, Policy II.B.5.e says that "[n]ew growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services where the integrity of existing neighborhoods can be ensured." Substantial landscaping has been provided to protect the integrity of the existing neighborhood and the site is well served by existing municipal services.

According to Policy II.B.5.k, "[l]and 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." This site is approximately 240 in length along Carlisle Boulevard. Nearly two-thirds of the frontage is affected by a limited raised median that controls cross traffic. Reciprocal cross access to adjoining lots is also required of this site. Between that requirement and the modifications to the median that were also required in the original site plan approval, applicant believes provides sufficient mitigation to further this policy.

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In addition to the above cited policies, the original approval of this zone change was also determined to further both Policy II.B.5.o (encouraging redevelopment and rehabilitation of older neighborhoods) and Policy II.B.5.l (quality and innovation in design). As noted, this is a request for a tenant improvement only and will have no affect on the approved site plan.

As mentioned earlier in this letter, there was no neighborhood opposition to the previous request for a food service establishment on the site. In fact, Finding #7 of the original zone map amendment approval read: "The applicant has worked closely with areas residents and community organizations to in the design of this project and the submitted proposal is the end result of that collaboration."

Finding #4 of the previous site plan amendment request in February 2007 addressed the concern that "[a]pproval of this use may create a parking deficiency on the site according to Zoning Code parking requirements." The finding went on to say that "due to the site's SU-1 zoning the EPC has discretion in this matter. As this use is for a bakery with an associated café with limited seating, there is no reason to believe that there will be a parking problem. The site is served by transit and is easily accessible to pedestrians and cyclists. The other uses currently occupying the center include an office that specializes in wills, an organic store that operates primarily by appointment, a small haircutting establishment and a drycleaners, in addition to the previously approved ice cream shop. There has been parking issues to this point and none are anticipated by this approval.

The appropriate neighborhood associations and adjoining neighbors have been contacted. Applicant does not anticipate any opposition.

Finally, applicant would like to request that the EPC review the original finding that requires the planning commission to review any amendment to the site plan that includes any type of restaurant use. The intent of that requirement was to allow for notification to the adjoining neighbors and affected neighborhood associations and provide them with an opportunity to review and comment on such businesses as some restaurant types may be harmful as a result of odors, traffic or other considerations.

Applicant believes that this requirement is burdensome to everyone involved, including planning staff and the EPC. As an alternative, applicant requests that this requirement to delegated to staff as an administrative amendment with neighborhood notification. Under this alternative, the same groups and individuals who are now notified and allowed to comment to the EPC would be notified and allowed to comment to the Planning Director.

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If, any point, there were any unresolved neighborhood concerns, the Planning Director would require the applicant to make application to the EPC in the same manner as is currently prescribed.

Your favorable consideration of this request is sincerely appreciated. I am looking forward to answering any questions the commission may have.

Regards,



Doug Crandall

Principal, DAC Enterprises, Inc.

Neighborhood Section

Affected Neighborhoods List

Map of Neighborhood Associations near the Subject Site

manner as is currently prescribed.

Your favorable consideration of this request is sincerely appreciated. I am looking forward to answering any questions the commission may have.

Regards,



Doug Crandall

Principal, DAC Enterprises, Inc.