



**Environmental
Planning
Commission**

**Agenda Number: 02
Project Number: 1002455
Case #: 15EPC-40010
April 9, 2015**

Staff Report

Agent	Consensus Planning Inc.
Applicant	Stroup Co.
Request	Zone Map Amendment
Legal Description	Lot 5-A Plat for Lots 4-A, 5-A, 6-A & 7-A, JJ Subdivision
Location	On San Antonio Dr. NE, between San Pedro Dr. NE and I-25
Size	Approximately 1.4 Acres
Existing Zoning	SU-1 for C-1 Uses
Proposed Zoning	SU-1 for C-2 Uses

Staff Recommendation
APPROVAL of Case #15EPC-40010 based on the Findings beginning on Page # 12.

Staff Planner
Vicente M. Quevedo, Planner

Summary of Analysis

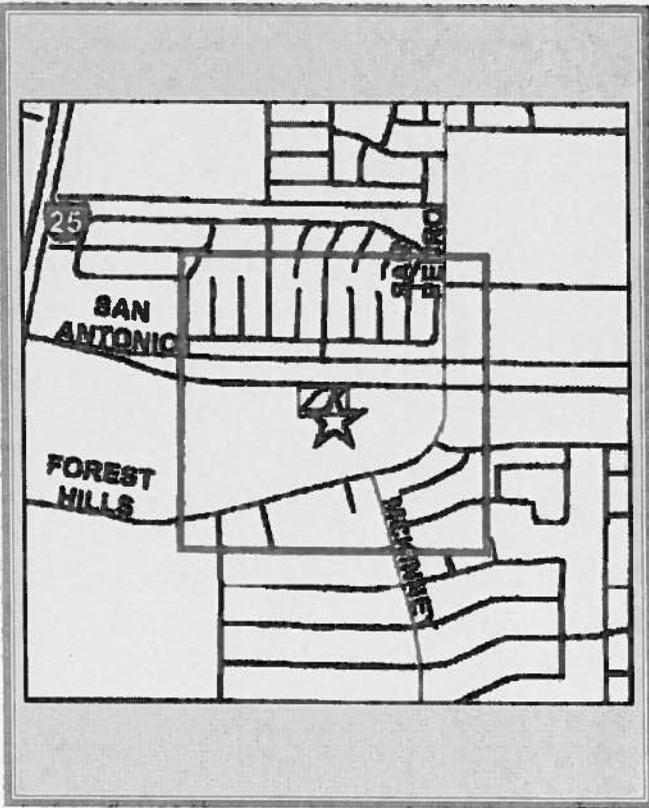
This request is for a Zone Map Amendment (Zone Change) for Lot 5-A Plat for Lots 4-A, 5-A, 6-A & 7-A, JJ Subdivision, a 1.4 acre parcel located on San Antonio Dr. NE, between San Pedro Dr. NE and Interstate 25.

The requested zoning is SU-1 for C-2 Uses to allow manufacturing and off-premise consumption of beer for a future restaurant and micro-brewery.

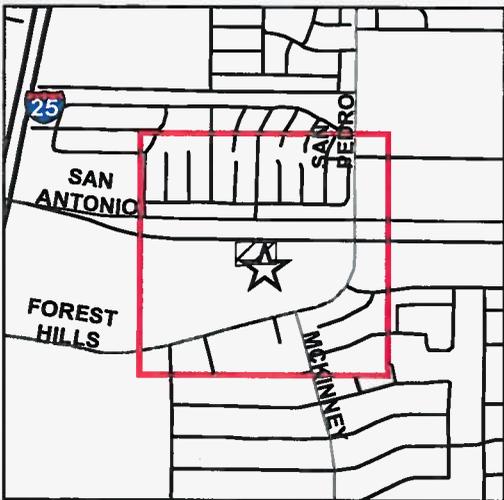
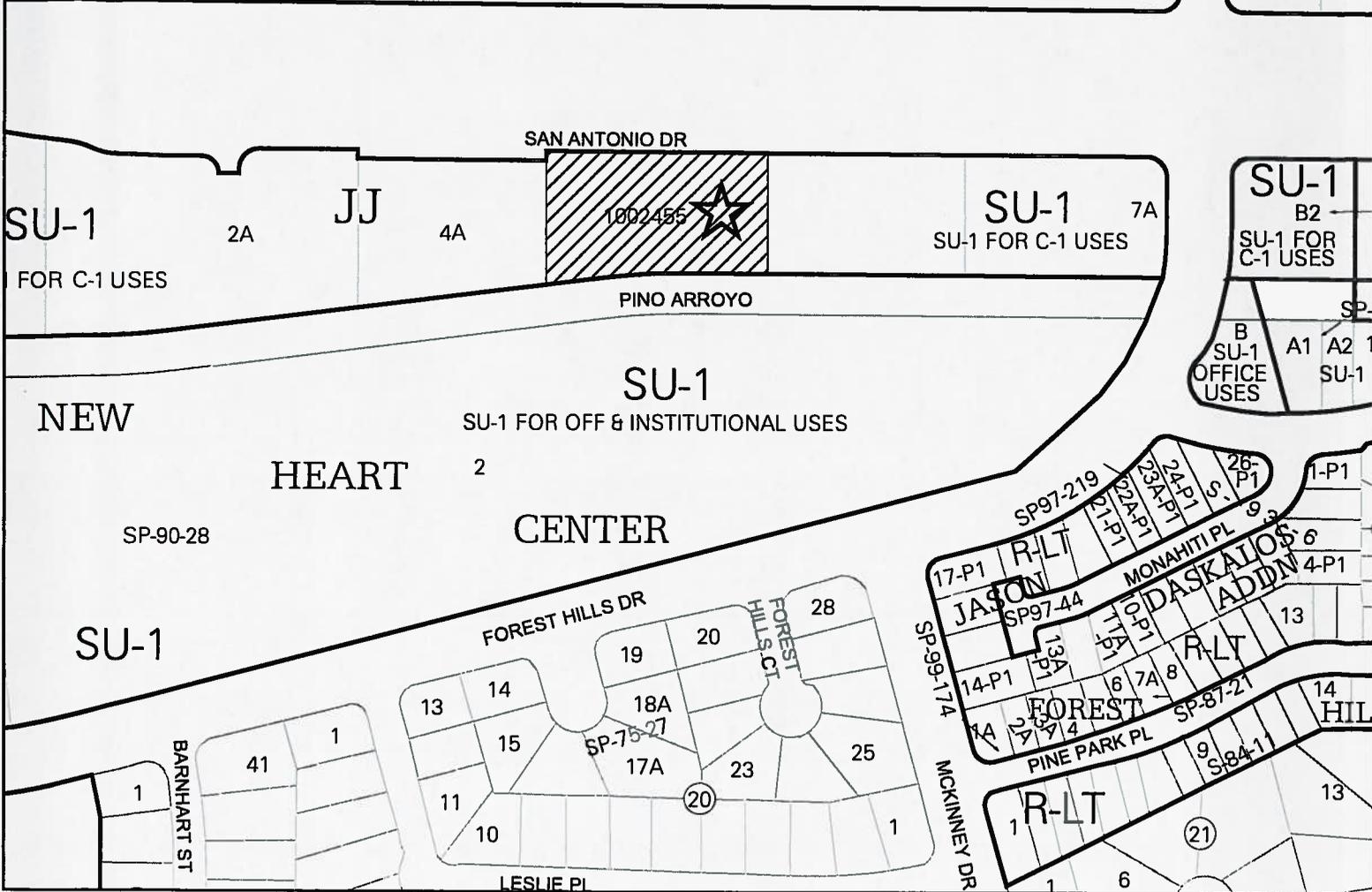
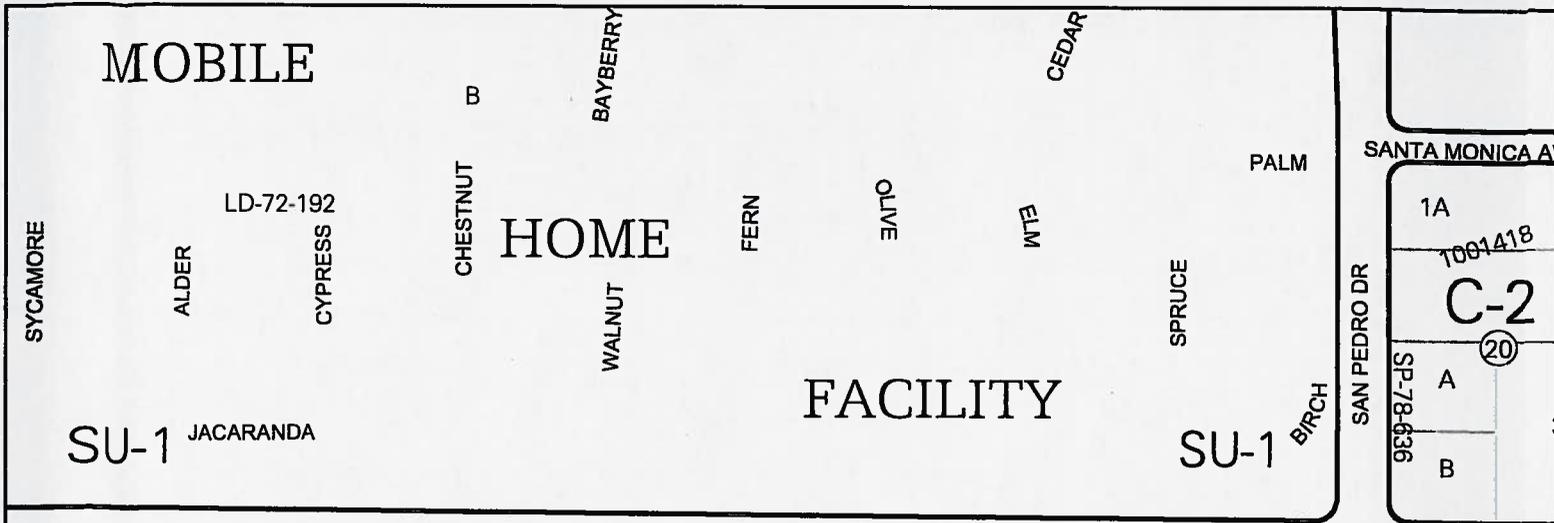
The subject site is located within the Established Urban Area of the Comprehensive Plan, on a former municipal landfill and adjacent to the South Pino Arroyo Trail.

The request is generally consistent with applicable City plans, goals and policies. The justification is also based on the request being generally consistent with the requirements of R-270-1980 as outlined in this staff report.

A facilitated meeting was not recommended or held. There is no known neighborhood opposition to this request.



City Departments and other interested agencies reviewed this application from 03/02/15 to 03/13/15
 Agency comments used in the preparation of this report begin on Page # 18.



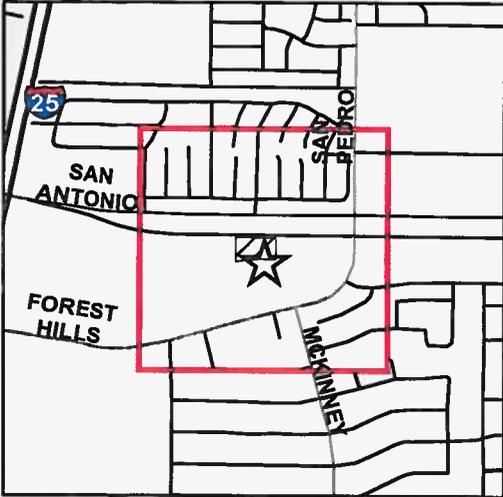
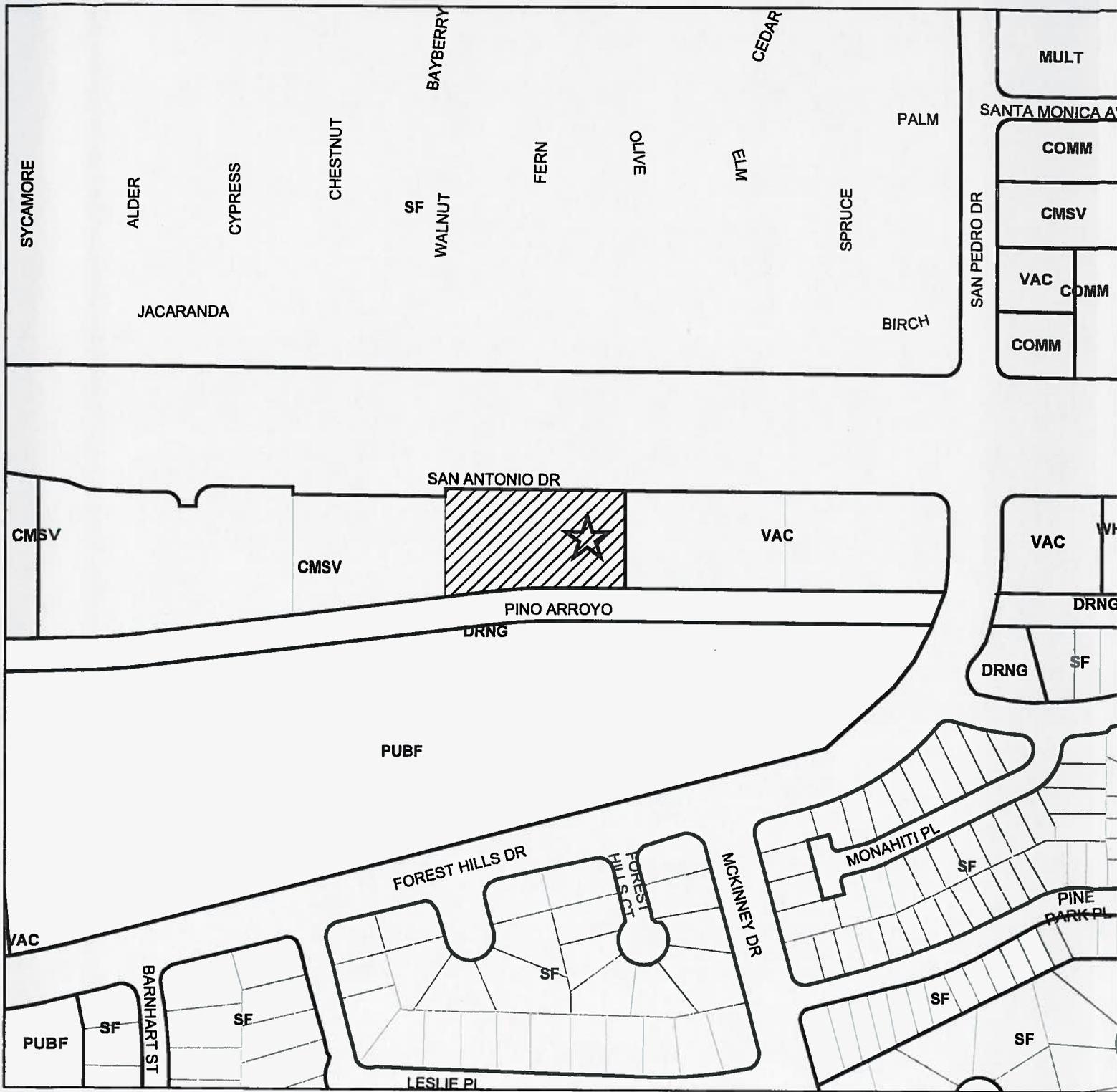
ZONING MAP

Note: Grey shading indicates County.



1 inch = 250 feet

Project Number:
1002455
Hearing Date:
4-9-2015
Zone Map Page: E-18
Additional Case Numbers:
15EPC40010



LAND USE MAP

Note: Grey shading indicates County.

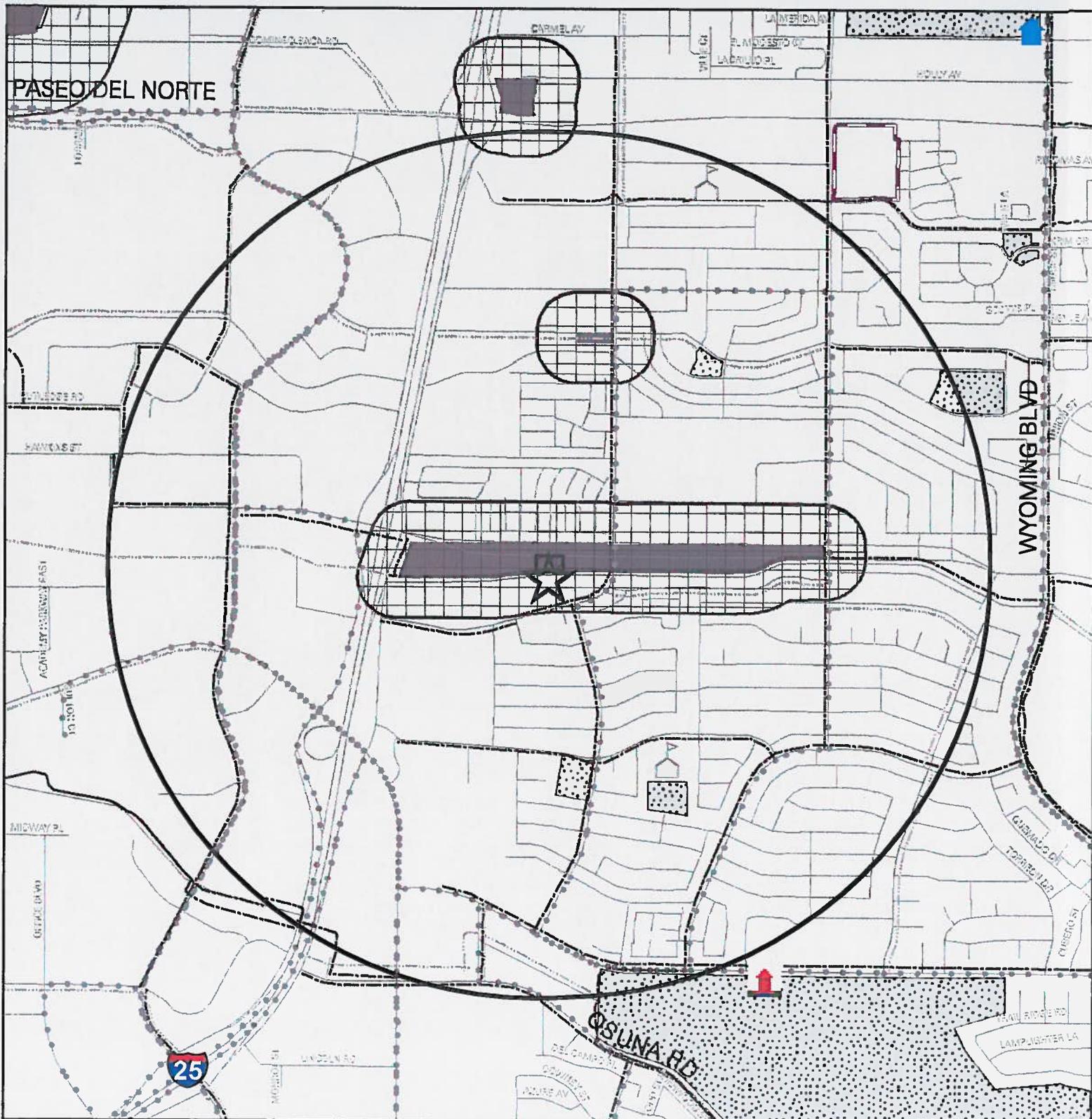
KEY to Land Use Abbreviations

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



1 inch = 250 feet

Project Number:
1002455
Hearing Date:
4-9-2015
Zone Map Page: E-18
Additional Case Numbers:
15EPC40010

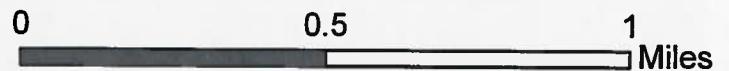


Public Facilities Map with One-Mile Buffer



- | | | | |
|----------------------|-------------------------|--------------------------|-----------------------------|
| COMMUNITY CENTER | FIRE | APS Schools | Landfill Buffer (1000 feet) |
| MULTI-SERVICE CENTER | POLICE | ABQ Ride Routes | Landfills designated by EHD |
| SENIOR CENTER | SHERIFF | ABQ Bike Facilities | Developed County Park |
| LIBRARY | SOLID WASTE | Proposed Bike Facilities | Undeveloped County Park |
| MUSEUM | Albuquerque City Limits | | Developed City Park |
| | | | Undeveloped City Park |

Project Number: 1002455



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 for C-1 Uses	Established Urban Area; Facility Plan for Arroyos; Trails & Bikeways Facility Plan	Office building, commercial service
North	SU-1 for Mobile Home Park	Established Urban Area	Single family
South	SU-1 for Office and Institutional Uses	Established Urban Area; Facility Plan for Arroyos; Trails & Bikeways Facility Plan	Specialized hospital, Public / Institutional
East	SU-1 for C-1 Uses	Same	Vacant
West	SU-1 for C-1 Uses	Same	Office building for commercial service

II. INTRODUCTION

Proposal

This request is for a Zone Map Amendment (Zone Change) for Lot 5-A Plat for Lots 4-A, 5-A, 6-A & 7-A, JJ Subdivision, a 1.4 acre parcel located on San Antonio Dr. NE, between San Pedro Dr. NE and I-25. The subject site is currently zoned SU-1 for C-1 Uses. The request is for a change to SU-1 for C-2 Uses zoning to allow manufacturing and off-premise consumption of beer for a future restaurant and micro-brewery. While the existing zoning will allow for retail and commercial, the C-1 zone restricts the sale of alcoholic beverages for off-premise consumption.

EPC Role

The EPC is hearing this case because the EPC has the authority to hear all zone map amendment (zone change) cases, regardless of site size, in the City. The EPC is the final decision-making body unless the EPC decision is appealed [Ref: §14-16-2-22(A)(1) SU-1 Special Use Zone, and 14-16-4-1, Amendment Procedure]. If so, an appeal would go to the Land Use Hearing Officer (LUHO) who then makes a recommendation to City Council [Ref: § 14-16-4-4-(A)(2) Appeal]. This is a quasi-judicial matter.

History/Background

The City operated a municipal landfill between 1968 and 1970 on the site and on adjoining tracts. The landfill was bordered by the north edge of San Antonio Dr., the South Pino Arroyo to the south, I-25 to the west and Louisiana Blvd. to the east. Its depth is approximately 25-30 feet.

On October 19, 1989 the EPC approved a zone change from R-2 and O-1 to SU-1 for C-1 Permissive Uses for 20.1 acres of land located between San Antonio Avenue and the Pino Arroyo and either side of San Pedro Avenue NE that included the subject site (Z-89-85). The Official Notice of Decision indicates that residential development was not desirable due to the constraints and potential hazards associated with the landfill, that limited commercial development was more advantageous to the community, and that the SU-1 designation would ensure adequate site plan control to address any unusual circumstances on the site (see attached).

The site was converted from SU-1 for C-1 Permissive Uses to its present SU-1 for C-1 Uses in 1993 (Z-93-3). While the files for Z-93-3 are missing from the City's record, Planning Staff was able to confirm that the zone map amendment was officially recorded in 1993 per a staff review of the City of Albuquerque Zoning Atlas dated July 1, 1993 (E-18-Z, see attached).

The subject site is part of a site development plan for subdivision of approximately 10 acres for an office/retail center on lots 1 – 7 that was approved by the EPC in 2003 (03EPC-00147). In October of 2006 the EPC approved a site development plan for building permit for a neighborhood commercial/retail center of approximately 15,000 sf for the subject site (06EPC-00458). As a result of the subject site's location over the abandoned landfill, development was subject to regulations administered by the Environmental Health Department. Mitigation measures have already been taken in order to develop the existing buildings on the subject site.

Context

The subject site currently contains two existing commercial/retail buildings. The applicant's proposed use of a restaurant and micro-brewery would take place within a portion of the eastern building on the subject site, however the entire site would be subject to the zone change. The subject site is surrounded by other vacant land and a mix of residential, commercial and healthcare services. San Antonio runs along its northern boundary, a four-lane arterial divided by a wide median.

To the north of San Antonio Dr. is the Albuquerque Meadows Mobile Home Park. To the south is the South Pino Arroyo, a concrete channel separating the site from more vacant land to the south with the exception of an existing medical facility on Forest Hills Dr. Vacant parcels are located directly east and west of the subject site.

Transportation System

The Long Range Roadway System (LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies the functional classifications of roadways.

The Long Range Roadway System designates San Antonio Drive as a Minor Arterial.

The Long Range Roadway System designates Forest Hills Dr. & San Pedro Dr. as Collector streets.

Comprehensive Plan Corridor Designation

I-25 is designated an Express Transit Corridor with the intent to create a network of roadways that would be dedicated to developing higher speeds with fewer interruptions to travel for the car and public transportation.

Jefferson St. and Wyoming Blvd. are designated Enhanced Transit Corridors with the intent to improve transit and pedestrian opportunities for residents, businesses and other users nearby.

Trails/Bikeways

The Pino Arroyo Trail (a paved multi-use trail) is located along the southern edge of the subject site. Bicycle lanes are located along San Pedro Dr. and McKinney Dr. south of the subject site.

Transit

ABQ Ride Commuter Bus #34 operates northbound on San Pedro Dr. and southbound on Louisiana Blvd.

Public Facilities/Community Services

See Public Facilities Map in the packet for detail regarding these items.

III. ANALYSIS

APPLICABLE ORDINANCES, PLANS AND POLICIES

Albuquerque Comprehensive Zoning Code

The subject site is currently zoned SU-1 for C-1 Uses. The C-1 zone provides suitable sites for office, institutional, and limited commercial uses to satisfy the day-to-day needs of residential areas. The proposed zoning for the subject site is SU-1 for C-2 Uses. The C-2 zone provides suitable sites for offices, for most service and commercial activities, and for certain specified institutional uses. The proposed zoning would allow for permissive and conditional uses listed within the C-2 zone for the entire subject site.

Generally, the requested zoning expands the types and scope of permissive and conditional commercial activity from "*limited commercial uses to satisfy the day-to-day needs of residential areas(C-1)*" to "*most service and commercial activities and certain specified institutional uses(C-2)*". Therefore, the C-2 zone would increase the permissive and conditional uses to a community scale of uses rather than a neighborhood scale of uses. Additionally, while the existing zoning will allow for retail and commercial, the C-1 zone restricts the sale of alcoholic beverages for off-premise consumption.

Definitions

Special Use Zone (Zoning Code §14-16-2-22): This zone provides suitable sites for uses which are special because of infrequent occurrence, effect on surrounding property, safety, hazard, or

other reasons, and in which the appropriateness of the use to a specific location is partly or entirely dependent on the character of the site design.

Albuquerque / Bernalillo County Comprehensive Plan

Policy Citations are in Regular Text; Staff Analysis is in ***Bold Italics***

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

Policy II.B.5.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.

The uses surrounding the subject site are compatible with the future use proposed within this application. Staff agrees that the proposed tap room and brewery use respects existing neighborhood values by creating a space for residents to convene for recreational purposes. The request furthers Policy II.B.5.d.

Policy II.B.5.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.

The request is for new growth in an area where vacant land is contiguous to existing or programmed urban facilities and services, and the integrity of existing neighborhoods can be ensured as the proposed use will occur on a site that contains appropriate buffers as well as trail access for pedestrians. The request furthers Policy II.B.5.e.

Policy II.B.5.i.: Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

The potential employment opportunities that the proposed microbrewery would create sufficiently compliment the residential uses in the nearby neighborhood. The request furthers Policy II.B.5.i.

Policy II.B.5.j.: Where new commercial development occurs, it should generally be located in existing commercially zoned areas as follows:

- In small neighborhood-oriented centers provided with pedestrian and bicycle access within reasonable distance of residential areas for walking or bicycling.
- In larger area-wide shopping centers located at intersections of arterial streets and provided with access via mass transit; more than one shopping center should be allowed at an intersection only when transportation problems do not result.
- In freestanding retailing and contiguous storefronts along streets in older neighborhoods.

The proposed use will be located in an existing commercially zoned area and the approved site development plan currently includes pedestrian and bicycle access to the nearby Pino Arroyo Trail (a paved multi-use trail). However, the applicant has argued that the requested zoning and land uses are more appropriate based on a “community emphasis” rather than a “neighborhood emphasis”. Therefore, the request partially furthers Policy II.B.5.j.

Policy II.B.5.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 operations.

The subject site is adjacent to a minor arterial street (San Antonio Dr.) and the existing commercial buildings were found by the EPC in 2006 to be planned in a way so as to minimize any potential harmful effects on the surrounding established neighborhoods. Therefore, the request furthers Policy II.B.5.k.

Policy II.B.5.l.: Quality and innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate to the plan area.

Staff agrees that the existing building has already been approved to ensure conformance with City plans and policies, and that the building design is appropriate to the Plan area which is Established Urban. The request furthers Policy II.B.5.l.

Policy II.B.5.o.: Redevelopment and rehabilitation of older neighborhoods in the Established Urban Area shall be continued and strengthened.

The proposal to rehabilitate existing buildings into a space that provides employment opportunities and a community gathering space on a site where the existing buildings are currently vacant demonstrates redevelopment efforts that strengthen the surrounding/ established residential area. The request furthers Policy II.B.5.o.

Policy II.B.5.p.: Cost-effective redevelopment techniques shall be developed and utilized.

The proposed use will take place on a previously approved commercial site that contains two existing vacant commercial buildings which constitutes a cost-effective redevelopment technique. The request furthers Policy II.B.5.p.

Solid Waste: The goal is an economical and environmentally sound method of solid waste disposal which utilizes the energy content and material value of municipal solid waste. Applicable policies include:

Policy II.C.3.e.: Landfills shall be designed and engineered in accordance with their ultimate use, improving the land’s open space or reuse potential where needed and appropriate.

The request seeks to increase the reuse potential of the currently vacant commercial buildings on the subject site. Therefore, the request furthers Policy II.C.3.e.

Economic Development: The Goal is to achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals. Applicable policies include:

Policy II.D.6.b.: Development of local business enterprises as well as the recruitment of outside firms shall be emphasized.

The request furthers Policy II.D.6.b.- local business and recruitment, because it would contribute to the development of a local business.

Policy II.D.6.d.: Tourism shall be promoted.

The current microbrewery trend within the City of Albuquerque is part of a larger initiative that was officially supported by the State of New Mexico Legislature during the 2014 legislative session. More specifically, Senator Tim Keller sponsored a Senate memorial whose intent is to bring a broader awareness to craft brewery businesses becoming a strong factor in promoting economic development and tourism in New Mexico. The request furthers Policy II.D.6.d.

Facility Plan for Arroyos (Rank II)

The Facility Plan for Arroyos was adopted in 1986 and establishes guidelines and procedures in order to create a multi-purpose network of recreational trails and open space among arroyos. The San Antonio Arroyo, which runs along the southern boundary of the subject site, is categorized as an Urban Recreational Arroyo per the Facility Plan. Urban Recreational Arroyos have the potential to connect major activity areas such as schools, parks, employment, or commercial centers with residential development by recreational trails located along segments of the arroyos.

The subject site is located along the South Pino Arroyo, which is designated as a Major Open Space Link under the plan. Major Open Space Links are scheduled for the development of corridor plans that will locate recreational trails forming continuous east-to-west connections between peripheral major public open spaces such as the Sandia Foothills, the West Mesa Escarpment and the Rio Grande Bosque. The plan states that the South Pino Arroyo has the potential to link Sims Park in the foothills with the Rio Grande Bosque by way of the North Diversion Channel (p. 33).

The approved site development plan for building permit for the subject site was evaluated against the requirements of the Facility Plan for Arroyos at the time that the site development plan for building permit was reviewed and approved by the EPC. Items considered that pertained to the development of the vacant site focused on encouraging development within a quarter mile of the arroyo, trail access for pedestrians, and design guidelines promoting a "highly visible and extensively used network of recreational trails adjacent to arroyos (pg. 55)". No additional analysis is required as related to the present request for a zone map amendment.

Trails & Bikeways Facility Plan (Rank III)

The Trails & Bikeways Facility Plan was adopted in July 1993, with an amendment made to the Bikeways Master Plan in November 1996. The initial intent of the plan was the implementation of an off-road recreational trail system. However, after the public hearings in the fall of 1990, the public strongly indicated a desire that the trail system function not only as a recreational network, but also as an alternative method of transportation.

The major goals for the plan are to: secure a funding source; find an “administrative home” for the trails and bikeways; create a map of the proposed network; and develop policies for future trail and bikeway development and usage. The Trails & Bikeways Facility Plan identifies two different types of trails, Primary Trail and Secondary Trail, with policies and recommendations that apply to both types of trails (pg. 29).

The approved site development plan for building permit for the subject site was required to comply with the policies and standards of the Trails & Bikeways Facility Plan and currently includes bicycle and pedestrian access points to the Pino Arroyo paved multi-use trail south of the subject site. No additional analysis is required related to the present request for a zone map amendment.

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.

Analysis of Applicant’s Justification

Note: Policy is in regular text; Applicant’s justification is in *italics*; staff’s analysis is in ***bold italics***

- A. A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the city.

The zone map amendment request is consistent with the health, safety, and morals of the City. Comprehensive Plan policies Section II.B.5.d.,e.,j.,k.,l., and Section II.D.6.b. and d. supports this statement. There is also a sufficient amount of commercial property in the area where the subject site is located.

Staff agrees that the cited Comprehensive Plan policies support the statement that the request is consistent with the health, safety, and morals of the city.

- B. Stability of land use and zoning is desirable; therefore the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the city to show why the change should not be made.

The property is currently zoned for commercial uses and is proposed to remain commercial use. The proposed use of a restaurant and micro-brewery is compatible with the existing uses in the surrounding area.

The SU-1 designation constitutes the applicable zoning category per the Zoning Code which will not change. Additionally, the proposed change from C-1 to C-2 designation still constitutes commercial land uses. Therefore, staff agrees that the request still ensures land use and zoning stability.

- C. A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other city master plans and amendments thereto, including privately developed area plans which have been adopted by the city.

Refer to policy analysis section of staff report above.

- D. The applicant must demonstrate that the existing zoning is inappropriate because:
1. There was an error when the existing zone map pattern was created; or
 2. Changed neighborhood or community conditions justify the change; or
 3. A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other city master plan, even though (D)(1) or (D)(2) above does not apply.

The requested zoning is more advantageous to the neighborhood and overall community as it furthers multiple City plans and policies. The Comprehensive Plan encourages revitalization through the adaptive reuse of existing buildings. The proposed use also fulfills a public need for community commercial uses and services.

Staff agrees that the request furthers Comprehensive Plan policies related to cost-effective redevelopment techniques (II.B.5.p.) and increasing a landfill's reuse potential (II.C.3.e.), and that there is a public need for increased community commercial activity and services in this part of Albuquerque.

- E. A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the community.

None of the uses allowed per the C-2 zone would be detrimental to the community or the neighborhood due to the buffers surrounding the subject site. In addition, the site's SU-1 designation requires a public process for any major changes to the site development plan for building permit.

Staff agrees that the Pino Arroyo provides an adequate buffer along the south edge of the subject site and that the SU-1 designation provides enough regulatory oversight by the EPC regarding any potential future major changes to the site development plan for building permit.

F. A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the city may be:

1. Denied due to lack of capital funds; or
2. Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule.

The proposed zone change will not necessitate the need for any capital improvements.

Staff agrees that approval of the requested amendment will not require any capital improvements because the site is located in an area that already has sufficient infrastructure.

G. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

The cost of land or other economic considerations pertaining to the applicant are not the determining factor for the proposed zone change.

Staff agrees that the cost of land or other economic considerations are not the sole determining factor for the change of zone.

H. Location on a collector or major street is not in itself sufficient justification for apartment, office, or commercial zoning.

This zone map amendment is not being justified based on the property location on a major roadway.

Staff agrees that the request is not being justified based solely on the sites location on a major roadway.

I. A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:

1. The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

While all SU-1 zones are spot zones by their nature as a "custom zone", the requested zone change is not a spot zone because it will maintain the special use zoning designation that is associated with an approved site development plan.

Staff agrees that the request does not constitute a spot zone as approval of the request will still maintain the special use zoning designation that will continue to be site plan controlled.

- J. A zone change request, which would give a zone different from surrounding zoning to a strip of land along a street is generally called "strip zoning." Strip commercial zoning will be approved only where:
1. The change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan; and
 2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

The current request does not constitute a strip zone because the special use zoning designation will be maintained.

Staff agrees that the requested zone map amendment will not result in a strip zone.

IV. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies

Commenting agencies reviewed this request from March 2, 2015 to March 13, 2015. The most substantial comments were received by the Zoning Enforcement Department.

The agency comments received regarding updating the designation to SU-1 for C-2 Uses were in response to the original application dated February 25, 2015 where the requested zoning was listed as SU-1 for C-2. The recommendation from Zoning Enforcement was made in order to "remove any doubt as to what the approved use would actually be". Regardless of whether the designation was updated or not, both permissive and conditional uses would be granted with the approval of the zone change request by the EPC. That being said, the applicant did submit an updated project letter dated March 13, 2015 (see attached) where the requested zoning was updated and listed as SU-1 for C-2 Uses.

Neighborhood/Public

The Academy Acres North Neighborhood Association, Albuquerque Meadows Resident's Association and District 4 Coalition of Neighborhood Associations along with property owners within 100 feet of the subject site were notified of this request. A facilitated meeting was not recommended or held. There is no known neighborhood opposition to this request.

V. CONCLUSION

The subject site is currently zoned SU-1 for C-1 Uses (Neighborhood Commercial). The request is for a change to SU-1 for C-2 Uses zoning (Community Commercial) to allow manufacturing and off-premise consumption of beer for a future restaurant and micro-brewery. Generally, the requested zoning expands the types and scope of permissive and conditional commercial activity from "limited commercial uses to satisfy the day-to-day needs of residential areas(C-1)" to

“most service and commercial activities and certain specified institutional uses(C-2)”.

Therefore, the C-2 zone would increase the permissive and conditional uses to a community scale of uses, rather than a neighborhood scale of uses. Additionally, while the existing zoning will allow for retail and commercial, the C-1 zone restricts the sale of alcoholic beverages for off-premise consumption.

Approval of the request will support several Rank I and II plan policies regarding increasing the reuse potential of a vacated municipal landfill site, promoting tourism and helping expand local employment opportunities. The proposed use will be appropriately located in an existing commercially zoned area and will not negatively impact the surrounding residential areas located to the north and south from the subject site because the site is buffered by San Antonio Drive, the Pino Arroyo and other non-residential uses allowing for sufficient separation between the requested C-2 uses and residential development.

The justification is also based on the request being generally consistent with the requirements of R-270-1980 as outlined in this staff report. The Academy Acres North Neighborhood Association, Albuquerque Meadows Resident’s Association and District 4 Coalition of Neighborhood Associations along with property owners with 100 feet were notified of this request. A facilitated meeting was not recommended or held. There is no known neighborhood opposition to this request. Staff is recommending approval of the request based on the findings beginning on page 12 of this staff report.

FINDINGS - 15EPC-40010 - April 9, 2015 - Zone Map Amendment (Zone Change)

1. This is a request for a Zone Map Amendment (Zone Change) for Lot 5-A Plat for Lots 4-A, 5-A, 6-A & 7-A, JJ Subdivision located on San Antonio Dr. NE, between San Pedro DR. NE and I-25 and containing approximately 1.4 acres.
2. The subject site is currently zoned SU-1 for C-1 Uses (Neighborhood Commercial). The request is for a change to SU-1 for C-2 Uses zoning (Community Commercial). While the existing zoning will allow for retail and commercial uses, the C-1 zone restricts the sale of alcoholic beverages for off-premise consumption.
3. An approved request for a Zone Map Amendment from SU-1 for C-1 Uses to SU-1 for C-2 Uses would allow for permissive and conditional uses listed within the C-2 zone on the subject site.
4. The subject site is part of a site development plan for subdivision of approximately 10 acres for an office/retail center on lots 1 – 7 that was approved by the EPC in 2003 (03EPC-00147). In October of 2006 the EPC approved a site development plan for building permit for a neighborhood commercial/retail center of approximately 15,000 sf for the subject site (06EPC-00458). The subject site currently contains two separate vacant commercial buildings.
5. The City operated a municipal landfill between 1968 and 1970 on the site and on adjoining tracts. As a result of the subject site's location over the abandoned landfill, development was subject to regulations administered by the Environmental Health Department. Mitigation measures have already been taken in order to develop the existing buildings on the subject site.

The site was converted from SU-1 for C-1 Permissive Uses to its present SU-1 for C-1 Uses in 1993 (Z-93-3). While the files for Z-93-3 are missing from the City's record, Planning Staff was able to confirm that the zone map amendment was officially recorded in 1993 per a staff review of the City of Albuquerque Zoning Atlas dated July 1, 1993 (E-18-Z, see attached).
6. The Albuquerque/Bernalillo County Comprehensive Plan, Facility Plan for Arroyos, Trails & Bikeways Facility Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.

7. The subject site is within the Established Urban Area of the Comprehensive Plan. The request furthers the following applicable goals and policies of the Comprehensive Plan:

- A. Policy II.B.5.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.

The uses surrounding the subject site are compatible with the future use proposed within this application. Staff agrees that the proposed tap room and brewery use respects existing neighborhood values by creating a space for residents to convene for recreational purposes. The request furthers Policy II.B.5.d.

- B. Policy II.B.5.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.

The request is for new growth in an area where vacant land is contiguous to existing or programmed urban facilities and services, and the integrity of existing neighborhoods can be ensured as the proposed use will occur on a site that contains appropriate buffers as well as trail access for pedestrians. The request furthers Policy II.B.5.e.

- C. Policy II.B.5.i.: Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

The potential employment opportunities that the proposed microbrewery would create sufficiently compliment the residential uses in the nearby neighborhood. The request furthers Policy II.B.5.i.

- D. Policy II.B.5.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 operations.

The subject site is adjacent to a minor arterial street (San Antonio Dr.) and the existing commercial buildings were found by the EPC in 2006 to be planned in a way so as to minimize any potential harmful effects on the surrounding established neighborhoods. Therefore, the request furthers Policy II.B.5.k.

- E. Policy II.B.5.l.: Quality and innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate to the plan area.

Staff agrees that the existing building has already been approved to ensure conformance with City plans and policies, and that the building design is

appropriate to the Plan area which is Established Urban. The request furthers Policy II.B.5.l.

- F. Policy II.B.5.o.: Redevelopment and rehabilitation of older neighborhoods in the Established Urban Area shall be continued and strengthened.

The proposal to rehabilitate existing buildings into a space that provides employment opportunities and a community gathering space on a site where the existing buildings are currently vacant demonstrates redevelopment efforts that strengthen the surrounding/ established residential area. The request furthers Policy II.B.5.o.

- G. Policy II.B.5.p.: Cost-effective redevelopment techniques shall be developed and utilized.

The proposed use will take place on a previously approved commercial site that contains two existing vacant commercial buildings which constitutes a cost-effective redevelopment technique. The request furthers Policy II.B.5.p.

- H. Solid Waste: The goal is an economical and environmentally sound method of solid waste disposal which utilizes the energy content and material value of municipal solid waste. Applicable policies include:

Policy II.C.3.e.: Landfills shall be designed and engineered in accordance with their ultimate use, improving the land's open space or reuse potential where needed and appropriate.

The request seeks to increase the reuse potential of the currently vacant commercial buildings on the subject site. Therefore, the request furthers Policy II.C.3.e.

- I. Economic Development: The Goal is to achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals. Applicable policies include:

Policy II.D.6.b.: Development of local business enterprises as well as the recruitment of outside firms shall be emphasized.

The request furthers Policy II.D.6.b.- local business and recruitment, because it would contribute to the development of a local business.

Policy II.D.6.d.: Tourism shall be promoted.

The current microbrewery trend within the City of Albuquerque is part of a larger initiative that was officially supported by the State of New Mexico Legislature during the 2014 legislative session. More specifically, Senator Tim Keller sponsored a Senate memorial whose intent is to bring a broader awareness to craft

brewery businesses becoming a strong factor in promoting economic development and tourism in New Mexico. The request furthers Policy II.D.6.d.

8. The request partially furthers the following applicable goals and policies of the Comprehensive Plan:
- A. Policy II.B.5.j.: Where new commercial development occurs, it should generally be located in existing commercially zoned areas as follows:
- In small neighborhood-oriented centers provided with pedestrian and bicycle access within reasonable distance of residential areas for walking or bicycling.
 - In larger area-wide shopping centers located at intersections of arterial streets and provided with access via mass transit; more than one shopping center should be allowed at an intersection only when transportation problems do not result.
 - In freestanding retailing and contiguous storefronts along streets in older neighborhoods.
- The proposed use will be located in an existing commercially zoned area and the approved site development plan currently includes pedestrian and bicycle access to the nearby Pino Arroyo Trail (a paved multi-use trail). However, the applicant has argued that the requested zoning and land uses are more appropriate based on a "community emphasis" rather than a "neighborhood emphasis". Therefore, the request partially furthers Policy II.B.5.j.***
9. The request is in general compliance with the following applicable goals and policies of the Facility Plan for Arroyos:
- A. ***The approved site development plan for building permit for the subject site was evaluated against the requirements of the Facility Plan for Arroyos at the time that the site development plan for building permit was reviewed and approved by the EPC. Items considered that pertained to the development of the vacant site focused on encouraging development within a quarter mile of the arroyo, trail access for pedestrians, and design guidelines promoting a "highly visible and extensively used network of recreational trails adjacent to arroyos (pg. 55)". No additional analysis is required related to the present request for a zone map amendment.***
10. The request is in general compliance with the following applicable goals and policies of the Trails and Bikeways Facility Plan:
- A. ***The approved site development plan for building permit for the subject site was required to comply with the policies and standards of the Trails & Bikeways Facility Plan and currently includes bicycle and pedestrian access points to the***

Pino Arroyo paved multi-use trail south of the subject site. No additional analysis is required related to the present request for a zone map amendment.

11. Approval of the request would support several Rank I and II plan policies regarding increasing the reuse potential of a vacated municipal landfill site, promoting tourism and helping expand local employment opportunities.
12. The proposed use will be appropriately located in an existing commercially zoned area and will not negatively impact the surrounding residential areas located to the north and south from the subject site because the site is buffered by San Antonio Drive, the Pino Arroyo and other non-residential uses allowing for sufficient separation between the requested C-2 uses and residential development.
13. The applicant has justified the zone change request pursuant to *R-270-1980* as follows:
 - A. Staff agrees that the cited Comprehensive Plan policies support the statement that the request is consistent with the health, safety, and morals of the city.
 - B. The SU-1 designation constitutes the applicable zoning designation per the Zoning Code which will not change. Additionally, the proposed change from C-1 to C-2 designation still constitutes commercial land uses. Therefore, staff agrees that the request still ensures land use and zoning stability.
 - C. The request is generally consistent with several goals and policies of the applicable plans (see Finding 5 - 8).
 - D. Staff agrees that the request furthers Comprehensive Plan policies related to cost-effective redevelopment techniques (II.B.5.p.) and increasing a landfill's reuse potential (II.C.3.e.), and that there is a public need for increased community commercial activity and services in this part of Albuquerque.
 - E. Staff agrees that the Pino Arroyo provides an adequate buffer along the south edge of the subject site and that the SU-1 designation provides enough regulatory oversight by the EPC regarding any potential future major changes to the site development plan for building permit.
 - F. Staff agrees that approval of the requested amendment will not require any capital improvements because the site is located in an area that already has sufficient infrastructure.
 - G. Staff agrees that the cost of land or other economic considerations are not the sole determining factor for the change of zone.
 - H. Staff agrees that the request is not being justified based solely on the sites location on a major roadway.

-
- I. Staff agrees that the request does not constitute a spot zone as approval of the request will still maintain the special use zoning designation that will continue to be site plan controlled.
 - J. Staff agrees that the requested zone map amendment will not result in a strip zone.

14. The Academy Acres North Neighborhood Association, Albuquerque Meadows Resident's Association and District 4 Coalition of Neighborhood Associations along with property owners with 100 feet were notified of this request. A facilitated meeting was not recommended or held. There is no known neighborhood opposition to this request.

RECOMMENDATION - 15EPC-40010 - April 9, 2015 - Zone Map Amendment (Zone Change)

APPROVAL of 15EPC-40010, a request for Zone Map Amendment from SU-1 for C-1 Uses to SU-1 for C-2 Uses for Lot 5-A Plat for Lots 4-A, 5-A, 6-A & 7-A, JJ Subdivision based on the preceding Findings.



***Vicente M. Quevedo
Planner***

Notice of Decision cc list:

Jacob Tellier, P.O. Box 90181, Albuquerque, NM 87199
Irene Minke, P.O. Box 90181, Albuquerque, NM 87199
Mary Jo Valley, 7112-26 Pan American Frwy. NE, Albuquerque, NM 87109
Bob Stetson, 7112-154 Pan American Frwy. NE, Albuquerque, NM 87109
Michael Pridham, 6413 Northland Ave. NE, Albuquerque, NM 87109
Peggy Neff, 8305 Calle Soquelle NE, Albuquerque, NM 87113

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

1. My recommendation with regard to the Zone change would be that the property owner includes "Uses" as in "SU-1 For C-2 Uses" within the context of the zone change. This would remove any doubt as to what the approved use would actually be and would remove any possible future interpretation questions or challenges that could arise as to what actual uses are allowed. As for any additional approvals for this particular use of property with regard to Liquor licensing I would caution the applicant to do their due diligence as The State of New Mexico is the issuer of liquor licenses with any request for a license being first reviewed by City staff, the applicant is more than welcome to contact Jeff Palmer at 924-3829, he is the inspector that attends the liquor hearings for the Code Enforcement Division and will be able to explain the process and requirements for liquor licensing.
2. As per 14-16-2-17(B)(18), the C-2 zone requires Conditional Use approval for "Retail sale of alcoholic drink for consumption off-premises, where the portion of the building used for such business is within 500 feet of a residential zone". This property is located within 500 feet of two separate residential zones:
 - a. Approximately 460' South of property to R-1 Residential zone.
 - b. Approximately 225' North of property to SU-1 Mobile Home Park zone.
3. As per 14-16-2-17(B)(19), the C-2 zone requires Conditional Use approval for "a Retail business in which products may be manufactured...as an accessory use," with the following provisions:
 - a. All activities are conducted within a completely enclosed building.
 - b. The number of persons engaged in the manufacturing, processing, assembling, or treating of products is limited to ten (10), excluding office, clerical or delivery personnel.
 - c. Activities or products are no objectionable due to odor, dust, smoke, noise, vibration, or other cause.
4. If they desire to increase the level of use beyond what is described in the C-2 Conditional Uses (quoted above), they would need to include C-3 permissive uses to allow for a higher level of Manufacturing, which does not require the conditions on the use as noted in C-2.
5. Applicant needs to be aware that all of the above comments concern only retail uses. Warehouse and wholesale of alcoholic drink may be allowed by the Small Brewer's License, but it is not a retail use, and not an allowed use in the C-2 Zone, either permissively or conditionally. In order to perform what a brewery typically desires, including warehouse and wholesale uses for their product, they will need to:

- a. Include C-3 permissive uses in their zone change, or
- b. Include Warehousing and Wholesale (of alcoholic beverages) in their zone change.

Office of Neighborhood Coordination

Academy Acres North Neighborhood Association, Albuquerque Meadows Resident Association, and District 4 Coalition of Neighborhood Associations. Project not recommended for facilitation.

Long Range Planning

No comments received.

Metropolitan Redevelopment Agency

No comments received.

CITY ENGINEER

Transportation Development

Reviewed, no adverse comments.

Hydrology Development

Reviewed, no adverse comments.

DEPARTMENT of MUNICIPAL DEVELOPMENT

Transportation Planning

Per MRCOG's Interim Long Range Roadway System Map, San Antonio Dr. is a Minor Arterial. Reviewed relative to bicycle facilities, but there are no comments.

Traffic Engineering Operations

Reviewed, no adverse comments.

WATER UTILITY AUTHORITY

Utility Services

Reviewed, no adverse comments.

ENVIRONMENTAL HEALTH DEPARTMENT

Reviewed, no adverse comments.

PARKS AND RECREATION

Planning and Design

Reviewed, no adverse comments.

Open Space Division

Reviewed, no adverse comments.

City Forester

No comments received.

POLICE DEPARTMENT/Planning

Reviewed, no adverse comments.

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

Reviewed, no adverse comments.

FIRE DEPARTMENT/Planning

Reviewed, no adverse comments.

TRANSIT DEPARTMENT

Reviewed, no adverse comments.

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

No comments received.

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

Reviewed, no adverse comments.

ALBUQUERQUE PUBLIC SCHOOLS

Reviewed, this will have no adverse impacts to the APS District.

MID-REGION COUNCIL OF GOVERNMENTS

Reviewed, no adverse comments.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

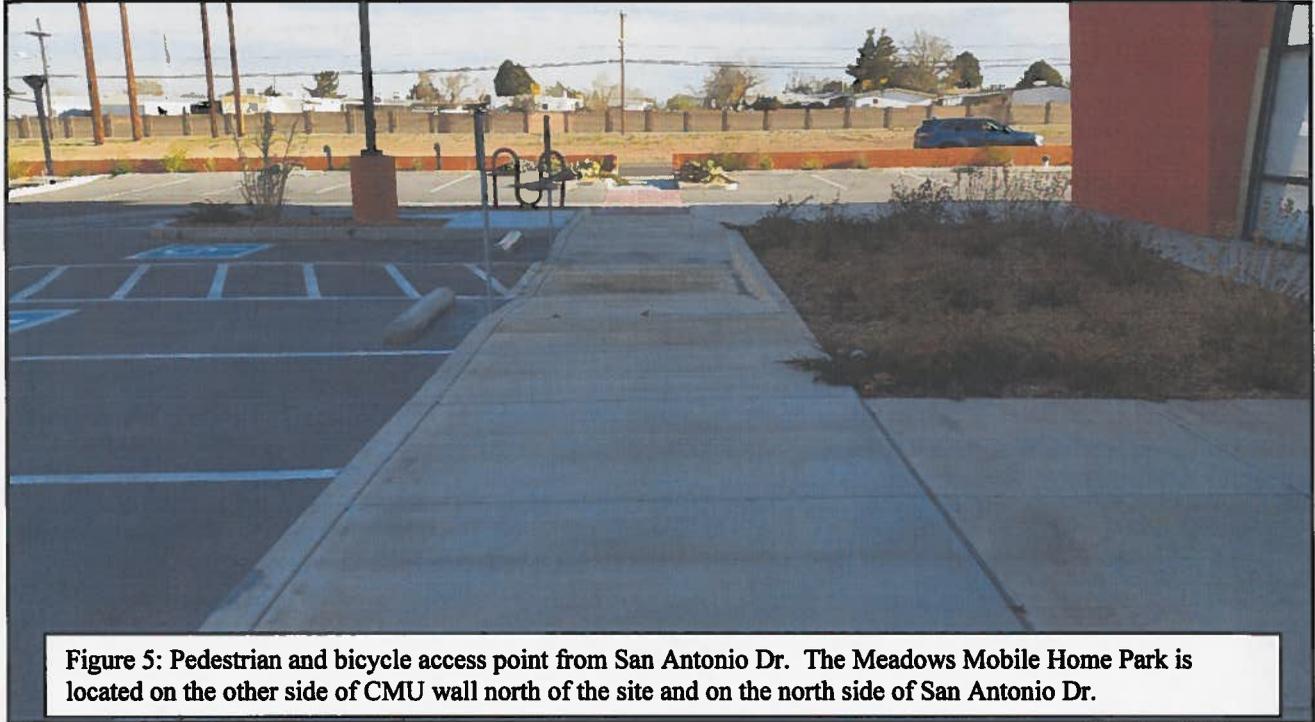
No comments received.

PUBLIC SERVICE COMPANY OF NEW MEXICO

Reviewed, no adverse comments.







R-270-1980

Policies for Zone Map Change Applications

The following policies for deciding zone map change applications pursuant to the Comprehensive City Zoning Code are hereby adopted:

(A) A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the city.

(B) Stability of land use and zoning is desirable; therefore the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the city to show why the change should not be made.

(C) A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other city master plans and amendments there, to, including privately developed area plans which have been adopted by the city.

(D) The applicant must demonstrate that the existing zoning is inappropriate because:

(1) There was an error when the existing zone map pattern was created; or

(2) Changed neighborhood or community conditions justify the change; or

(3) A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other city master plan, even though (D)(1) or (D)(2) above do not apply.

(E) A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the community.

(F) A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the city may be:

(1) Denied due to lack of capital funds; or

(2) Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule.

(G) The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

(H) Location on a collector or major street is not in itself sufficient justification for apartment, office, or commercial zoning.

(I) A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:

(1) The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or

(2) The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

(J) A zone change request which would give a zone different from surrounding zoning to a strip of land along a street is generally called "strip zoning." Strip commercial zoning will be approved only where:

(1) The change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan; and

(2) The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

(Res. 270-1980, approved 12-30-80)

HISTORY

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

Date: October 20, 1989

J Group (Joy Cotruzzola)
7508 Osuna Road NE
Albuquerque, NM 87109

FILE: Z-89-85
LEGAL DESCRIPTION: Tract A-2A and B-1, located between San Antonio Avenue NE and the Pino Arroyo, and either side of San Pedro Avenue NE, and containing approximately 20.1 acres. (E-18)

On October 19, 1989, the Environmental Planning Commission voted to approve Z-89-85, a zone map amendment from R-2 and O-1 to SU-1 for C-1 Permissive Uses and excluding that portion of the properties which the City will take for future right-of-way, based on the following Findings:

Findings:

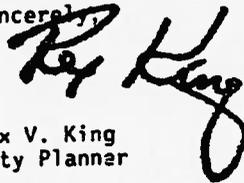
1. The applicant has not attempted to justify the request according to Resolution 270-1980.
2. The prior use of this site as a landfill creates significant development constraints and potential hazards.
3. Residential development is not desirable on this site due to the constraints and potential hazards associated with the landfill.
4. Limited commercial development is more appropriate on this site and more advantageous to the community than residential use, in accordance with Resolution 270-1980, as it will allow better protection of environmental quality and the public health, safety, and welfare.
5. Special use zoning is appropriate to ensure adequate site plan control to address the unusual circumstances of this site.
6. Any future site plan submitted for this property must show how the potential problems of development on a landfill have been dealt with.

IF YOU WISH TO APPEAL THIS DECISION, YOU MUST DO SO BY NOVEMBER 3, 1989, IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE OF \$50 IS REQUIRED AT THE TIME THE APPEAL IS FILED.

Appeal to the City Council: Any person aggrieved with any determination of the Environmental Planning Commission acting under this ordinance may file an appeal to the City Council by submitting written application on the Planning Division form to the Planning Division 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 it decides that all City plans, policies and ordinances have not been properly followed, it shall hear the appeal. Such appeal, if heard, shall be heard within 60 days of its filing.

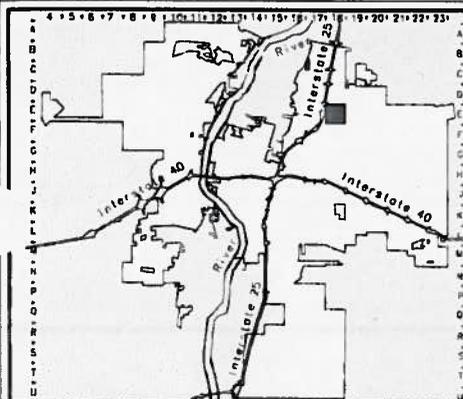
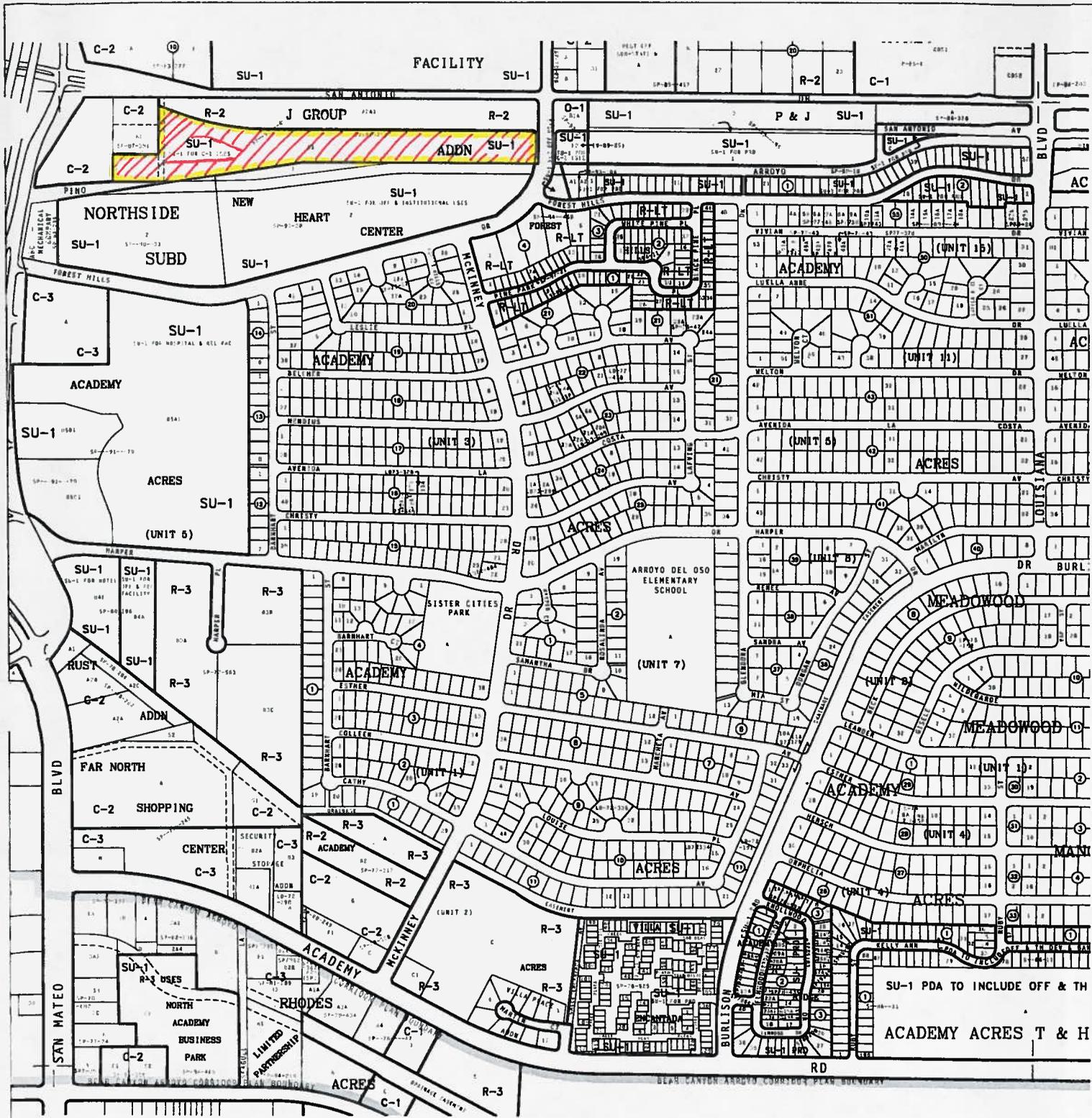
YOU WILL RECEIVE NOTIFICATION IF ANY OTHER PERSON FILES AN APPEAL. IF THERE IS NO APPEAL, YOU CAN RECEIVE BUILDING PERMITS AT ANY TIME AFTER THE APPEAL DEADLINE QUOTED ABOVE, PROVIDED ALL CONDITIONS IMPOSED AT THE TIME OF APPROVAL HAVE BEEN MET. SUCCESSFUL APPLICANTS ARE REMINDED THAT OTHER REGULATIONS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

Sincerely,


Rex V. King
City Planner

RVK/ROC/vb
10779

cc: Charlotte Sprague, 7112 Pan American Fwy NE, Sp 185; 87109
Art Mosher, 7112 Pan American Fwy NE, Sp 374; 87109
Dave Pennington, Environmental Health Department



Scale: 1" = 750'

AGIS
 Geographic Information System
 A City of Albuquerque System

© Planning Department July 01, 1993

LEGAL DESCRIPTION

T11N
 R3E
 SEC 25

UNIFORM PROPERTY CODE

1-018-082

E-18-Z



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

Date: March 21, 2003

OFFICIAL NOTIFICATION OF DECISION

FILE: Project # 1002455 *
03EPC-00147 EPC Site Development Plan-Subdivision
03EPC-00148 EPC Site Development Plan-Building
Permit

Joe Cotruzzola
7508 Northridge Ave. NE
Albuq. NM 871

LEGAL DESCRIPTION: for all or a portion of Lot(s) A3B, J Group Addition, and Tract 1 of New Heart Center Addition, and Tract 1 of Northside Subdivision, zoned SU-1 C-1, located on SAN ANTONIO NE, between I-25 and SAN PEDRO NE, containing approximately 10 acre(s). (E-18)
Deborah Stover, Staff Planner

On March 20, 2003 the Environmental Planning Commission voted to approve Project 1001455/03EPC 00147, a request for site development plan for subdivision, for Tract A3B, J Group Addition, zoned SU-1 C-1, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for a site development plan for subdivision for a 10.03-acre tract of land into 7 separate lots. The 10-acre tract is currently known as Tract A3B, J Group Addition, located on San Antonio Drive between Interstate-25 and San Pedro Drive NE, and will be replatted into Lots A-3-B-1 through A-3-B-7.
2. The submitted site plan for subdivision meets the requirements of the *Zoning Code* for site development plan for subdivision.
3. The site development plan for subdivision furthers the applicable goals and policies of the *Comprehensive Plan*. It proposes a quality urban environment with new growth accommodated on vacant land, contiguous to existing urban facilities and with a design that is appropriate to the plan area (*Established Urban Policies d, e, 1*).

**OFFICIAL NOTICE OF DECISION
MARCH 20, 2003
PROJECT #1002455
PAGE 2**

4. **This site is located on the old San Antonio Landfill. Development of this site is dependant on the applicant's cooperation with the Environmental Health Department's requirements regarding developing on a landfill site. Environmental Health has submitted a letter concerning this issue and the applicant is required to work with this department to submit mitigation measures if necessary.**

CONDITIONS:

1. **The submittal of this site plan to the DRB shall meet all EPC conditions. 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 solid line weight on the site plan for subdivision depicting the 25-foot cross-access agreement shall be changed to a dashed line.**
3. **The cross-access agreement that is in effect for the entrance to the site as well as to the hotel site to the west shall be noted on the site plan for subdivision.**
4. **The developer shall follow the most current version of the "Interim Guidelines for Development Within 1000 Feet of a Landfill". A review of the site plans, the proposed construction, design drawings, and a certification of construction shall be required by the Environmental Health Department.**
5. **A re-plat of the property shall be submitted to DRB for concurrent approval of this request.**
6. **The developer shall obtain an approved master plan for land gas remediation for the entire 10.03 acre site prior to development.**

On March 20, 2003 the Environmental Planning Commission voted to approve Project 1002455/03EPC 00148, a site development plan for building permit, for Tract A-3-B-1, J Group Addition, zoned SU-1 C-1 based on the following Findings and subject to the following Conditions:

FINDINGS:

OFFICIAL NOTICE OF DECISION
MARCH 20, 2003
PROJECT #1002455
PAGE 3

1. This is a request for a site development plan for building permit for Lot A-3-B-1, J Group Addition, located on San Antonio Drive between Interstate-25 and San Pedro Drive NE. The site plan proposes a 15,500 square foot office building.
2. This request is generally in conformance with the goals and polices of the *Comprehensive Plan*, specifically, by locating a commercial use within an existing commercially zoned area and by improving the quality of the visual environment. Site landscaping and building façade treatments will blend with the surrounding area (*Established Urban Policies j and m*).
3. This request is in conformance with Policy i of the *Comprehensive Plan* by locating employment and service uses to complement residential areas and by placing them to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.
4. This request is in conformance with Established Urban Policy j of the *Comprehensive Plan* by proposing a location, intensity, and design of new development that shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, or recreational concern.
5. The request is for new growth in an area where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured (*Established Urban Policy e*).
6. The subject site is located on land adjacent to arterial streets and has been planned to minimize harmful effects of traffic. In this way, the livability and safety of established residential neighborhoods is protected by transportation planning and operations (*Established Urban Policy k*).
7. Development of this site is dependant on the applicant's cooperation with the Environmental Health Department's requirements regarding developing on a landfill site. Environmental Health has submitted a letter concerning this issue and the applicant is required to work with this department to submit mitigation measures if necessary. Because the site is located on an old landfill, this proposal presents the opportunity to mitigate the effects of the environmental concerns about the landfill site and ultimately create a safer environment for the community.

CONDITIONS:

1. The submittal of this site plan to the DRB shall meet all EPC conditions. 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
MARCH 20, 2003
PROJECT #1002455
PAGE 4**

- 2. The solid line weight on the site plan for building permit depicting the 25-foot cross-access agreement shall be changed to a dashed line.**
- 3. The cross-access agreement that is in effect for the entrance to the site as well as to the hotel site to the west shall be noted on the site plan for subdivision.**
- 4. The developer shall follow the most current version of the "Interim Guidelines for Development Within 1000 Feet of a Landfill". A review of the site plans, the proposed construction, design drawings, and a certification of construction shall be required by the Environmental Health Department.**
- 5. All pedestrian crossings shall be raised and/or textured and of material other than asphalt. The crosswalks on the site plan appear to be stone, but this material shall be clearly stated on the site plan.**
- 6. The site plan should show an ADA accessible paved connection from the south end of the site to the Pino Arroyo. This connection shall be similar in width and style to other pedestrian connections within the site.**
- 7. A minimum of 6 bicycle parking spaces shall be provided.**
- 8. The proposed Navajo willow shall be removed from the landscape plan and substituted with an assortment of Texas umbrella tree, Texas red oak, Kentucky coffee tree, Jujube, or Mexican Elder.**
- 9. Landscape regulations require that 75% of landscape areas over 36 square feet in size must be covered with living, vegetative material. Planting beds shall obtain 75% coverage of living vegetation at time of maturity. Additional low water use shrubs, groundcovers and flowers shall be added to the planting beds to ensure this coverage.**
- 10. The site plan shall provide shade trees in all of the parking lot areas. Trees should be provided at a rate of 1 for every 10 parking spaces to provide shade. No parking space shall be more than 100 feet from a tree trunk**
- 11. An outdoor patio space that is a minimum of 300 square feet in size with tables and seating shall be provided. The patio shall have adequate shading provided by trees and/or a shade structure that integrates with building architecture.**
- 12. The site plan shall state the color family proposed for the building materials. The exact color and materials of the sign shall be noted.**

OFFICIAL NOTICE OF DECISION
MARCH 20, 2003
PROJECT #1002455
PAGE 5

13. The type, height, material and color of the fencing proposed for the site shall be noted on the site plan. No chainlink, razor wire or plastic/vinyl fencing is permitted.
14. The refuse enclosure shall be compatible in design, color and material with building architecture. The gates shall be opaque and chain link gates are not allowed. A detail showing the proposed refuse enclosure shall be provided on the site plan.
15. The location of light poles, if any, shall be included on the site plan. Light fixtures shall be a maximum of 20-feet high, with and maximum of 16-feet high if within 50-feet of a residentially zoned site. The light fixtures shall be fully shielded horizontal lamps so that no fugitive light shall escape beyond the property line. All light fixtures shall be full-cut-off type to prevent fugitive light. No light source shall be visible from the site perimeter.
16. Transportation Planning/Public Works Conditions:
 - a. All the requirements of previous actions taken by the EPC and the DRB must be completed and/or provided for.
 - b. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. Those improvements will include any additional right-of-way requirements, paving, curb and gutter and sidewalk that have not already been provided for.
 - c. Completion of the required TIS mitigation measures, per Transportation Development Staff, must be completed if assumed to be in place for the current TIS for this site.
 - d. Site shall comply and be designed per DPM Standards and current COA Zoning Code.
 - e. Provide cross access agreement between Lot A-3-B-1 and public access road to Hawthorne Suite: Property.
 - f. The Traffic Engineer, based on development of the remaining parcels, may modify access points.
 - g. The submittal does not include a conceptual utility plan. Development will require extension of public water and sanitary sewer lines on Tract A3A, east along San Antonio to San Pedro Financial guarantees will be required as a condition of plat approval. A water and sanitary sewer availability statement must be requested and completed prior to any DRB approval(s).
 - h. 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.
 - i. Platting should be a concurrent DRB action.
17. The proposed building has two principle facades north and south, Both shall have a minimum 8 ft. wide sidewalk along the entire length of the façade.
18. The parking spaces smaller than 8 ft. 6 by 20 feet shall be designated as compact only and the parking calculations shall note the number of full size and compact spaces. The total mix shall meet the standard city requirements for such.

OFFICIAL NOTICE OF DECISION
MARCH 20, 2003
PROJECT #1002455
PAGE 6

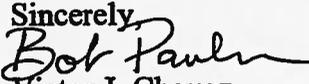
19. Provide 8 linear feet of fixed seating at each of the two principal entry ways to the building.
20. Provide a planting strip of native vegetation adjacent to the Pino Arroyo.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY APRIL 4, 2003 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED.

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

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

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

Sincerely,

FOR Victor J. Chavez
Planning Director

VJC/DS/ac

cc: Timothy Ott, 40 Chaco, Los Alamos, NM 87544
Irene Minke, Academy Acres North NA, 6504 Dungan NE, Albuquerque, NM 87109
Roberta Lipman, Academy Acres North NA, 6503 Mendius NE, Albuquerque, NM 87109



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

Date: October 20, 2006

OFFICIAL NOTIFICATION OF DECISION

FILE: Project # 1002455

- 06EPC-00458 EPC Site Development Plan-Building Permit
- 06EPC-01076 EPC Site Development Plan-Subdivision

Douglas W. Simms
2712 Castaneda Dr. NW
Albuq. NM 87107

LEGAL DESCRIPTION: for all or a portion of Lots 2-7, **JJ Subdivision**, zoned SU-1 for C-1 Uses, located on the south side of SAN ANTONIO DR., NE, between I-25 and SAN PEDRO DR. NE, containing approximately 2 acres. (E-18) Carmen Marrone, Staff Planner

On October 19, 2006 the Environmental Planning Commission voted to approve Project 1002455/06EPC 01076, an amendment to a site development plan for subdivision for Lots 2-7, JJ Subdivision, zoned SU-1/C-1, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request to amend a site development plan for subdivision for **Lots 2-7, JJ Subdivision**, located on the south side of San Antonio Drive NE between I-25 and San Pedro NE. The site development plan for subdivision was approved by the DRB on October of 2003.
2. This site is located on the old San Antonio Landfill. Development of this site is dependant on the applicant's cooperation with the Environmental Health Department's requirements regarding developing on a landfill site. Environmental Health has submitted a letter concerning this issue and the applicant is required to work with this department to submit mitigation measures if necessary.
3. The request involves several amendments to the approved Site Plan for Subdivision including: (a) the removal of several reciprocal access easements straddling the common lot lines of lots 2 through 7; (b) the provision of two new 40' wide cross access easements straddling lots 3 and 4 and lots 5 and 6 to be in line with the median cuts on San Antonio Drive, (c) the provision of a new 28' wide cross access easement straddling lots 4 and 5; (d) the inclusion of a deceleration lane along San Antonio Drive at the request of the City Traffic Engineering Division, (e) the modification of the design criterion limiting parking in front of a building to no more than 25% of a site's required parking; (f) establishment of wall height limitations; and (g) additional lighting requirements.

OFFICIAL NOTICE OF DECISION
OCTOBER 19, 2006
PROJECT #1002455
PAGE 2 OF 7

4. The proposed amendments to the Site Plan for Subdivision will facilitate development of the site in a more reasonable manner by providing improved access to the site. In addition, the proposed amendments will improve the quality of development on the site by providing additional design guidelines that require compatible site elements. (*Comp Plan Policies II.B.5.d and II.B.5.l*)
5. The Rank II *Facility Plan for Arroyos* governs this site. A multi-purpose trail is located south of the site within the Pino Arroyo. The request furthers the design guidelines of the *Facility Plan for Arroyos* by linking the subject site to the arroyo trail (*Parking and Service Areas Policy 3*).
6. Both the *Academy Acres North* and *Albuquerque Meadows* Neighborhood Associations were notified of this project. No comments were received from either association.
7. There is no known opposition to this request.

CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to an application for final DRB sign-off, the applicant shall meet with the staff planner to ensure that all conditions of approval are satisfactorily met.
3. Development of this site is required to follow the most current version of the Interim Guidelines for Development within City Designated Landfill Buffer Zones. Approval of the Site Development Plan will be required by the Environmental Health Department.
4. Delete the word "Proposed" in the title "Proposed General Design Criteria"
5. The fourth design regulation shall be replaced with the following language: "Required parking shall be distributed on at least two sides of a building."
6. Provide additional design criteria requiring compatible building style, materials and colors throughout lots 2-7.
7. Provide additional design criteria requiring consistent parking lot screening along San Antonio.
8. Lighting regulations shall include language requiring design and height consistency. On-site light poles shall be limited to 18 feet in height.

9. Provide additional design criteria requiring all crosswalks to be textured with colored concrete or brick paving.
10. CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT, WATER AUTHORITY and NMDOT:
 - a. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for.
 - b. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan for subdivision. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
 - c. Delete note on site plan that states, "future sidewalk by City of Albuquerque". Sidewalk is the developer's responsibility and will be constructed as required.
 - d. Per Transportation Development Staff, completion of the required system improvements that are attributable to the development, as identified in the TIS, is required.
 - e. The developer will need to define and provide cross access from the proposed west site drive across lot four to lot five, as shown on the site plan. This is in addition, to the proposed north/south access easements that cross lots four and six linking San Antonio Drive with the existing 25' east/west cross access easement and cross lot drainage easement on the south side of the site.
 - f. Direct access to lot five from lot six via the existing east drive cut, as shown on the site plan, is not permitted. Delete 24' drive aisle on lot six, as shown on the site plan, and provide a five-foot keyway on lot five at property line (end of drive aisle). Access to lot five across lot six will be via the proposed north/south access easement that links San Antonio Drive with the existing 25' east/west cross access easement and cross lot drainage easement on the south side of the site.
 - g. Proposed site drive and existing drive cut to be 36' to 40' wide with 25' to 30' curb return radii.
 - h. North/south access easements across lot four and lot six to be paved/improved. Twenty-five foot east/west access easement, south side of property adjacent to site, to be paved/improved.
 - i. Construction of right turn deceleration lane at proposed west site drive required. Length to be determined per TIS and DPM.
 - j. Site plan shall comply and be designed per DPM Standards.

On October 19, 2006 the Environmental Planning Commission voted to approve Project 1002455/06EPC 00458, a site development plan for building permit for Lot 5, JJ Subdivision, zoned SU-1/C-1, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for approval of a site development plan for building permit purposes on 1.3706-acre tract identified as **Lot 5, JJ Subdivision**, for the construction of a neighborhood commercial/retail center with a gross building area of +/-14,958 square feet. This development request was deferred at the May 18 and June 15, 2006 public hearings of the Environmental planning Commission at the request of the applicant.
2. The subject site is part of an overall 7-lot site plan for subdivision that received DRB approval in October of 2003. A site plan for building permit to accommodate the construction of a state office building on Lot 1 was approved in conjunction with the site development plan for subdivision (03EPC.00148). The design of this building was not intended to serve as the architectural anchor for the remainder of development within the overall subdivision. This current application constitutes the second development request within the overall subdivision.
3. This site is located on the old San Antonio Landfill. Development of this site is dependant on the applicant's cooperation with the Environmental Health Department's requirements regarding developing on a landfill site. Environmental Health has submitted a letter concerning this issue and the applicant is required to work with this department to submit mitigation measures if necessary.
4. The request furthers several Established Urban goals and policies of the *Comprehensive Plan*:
 - a. The site plan review process plays a crucial role in maintaining area values, ensuring a safe, visually amenable, and integral development and provides the opportunity for affected property owners to participate and offer input relative to the proposed development of the property (*Policies d, k, l and m*).
 - b. The project site is contiguous to existing municipal services, and the applicant will be responsible for any necessary public improvements and utility extensions (*Policies e, and p*).
 - c. The proposed development is located in an existing commercially zoned area and will provide a reasonable level of goods, services and employment that will not have an adverse effect on residential environments (*Policies i and j*).
5. The request furthers Comprehensive Plan Transportation/Transit *Policies II.D.4.g and II.D.4.h* because the applicant will be responsible for the development of any necessary bicycle lanes and connections to existing multi-purpose public trails in order to provide both connectivity between non-residential and residential uses and alternative mobility.
6. The Rank II *Facility Plan for Arroyos* governs this site. A multi-purpose trail is located south of the site within the Pino Arroyo. The request furthers the design guidelines of the *Facility Plan for Arroyos* by orienting windows and entrances to the arroyo trail and by linking the subject site to the arroyo trail (*Orientation Policy 1.b and Parking and Service Areas Policy 3*).

OFFICIAL NOTICE OF DECISION
OCTOBER 19, 2006
PROJECT #1002455
PAGE 5 OF 7

7. Both the *Academy Acres North* and *Albuquerque Meadows* Neighborhood Associations were notified of this project. No comments were received from either association.
8. There is no known opposition to this request.

CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to an application for final DRB sign-off, the applicant shall meet with the staff planner to ensure that all conditions of approval are satisfactorily met.
3. Label Sheet SP.1 "Site Development Plan for Building Permit".
4. Provide details on sign illumination.
5. Landscaping:
 - a. The final landscape plan shall also include heavier emphasis upon native re-vegetation that will attain a minimum 80% ground coverage by living materials and rely less upon Santa Fe brown gravel ground coverage.
 - b. Walkways shall remain clear of vegetation. Some vegetation will need to be removed from the walkways connecting to the Pino Arroyo trail.
 - c. Honey Locust shall be the shade master of variety.
 - d. Use Hall Honeysuckle on the east side and an upright variety of Rosemary such as Tucson Blue.
6. The applicant shall adhere to the most current version of the *Interim Guidelines for Development within City-designated Landfill Buffer Zones*. A review and approval of the site plan, proposed construction, design drawings and a certification of construction will be required by the City's Environmental Health Department, Environmental Services Division.
7. Relocate the outdoor patio on the east side of Building B to the southwest corner of Building B and move Building B further east on the site. Provide additional landscaping on the east side of Building B.

8. **CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT, WATER AUTHORITY and NMDOT:**
- a. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for.
 - b. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan for subdivision. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
 - c. Delete note on site plan that states, "future sidewalk by City of Albuquerque". Sidewalk is the developer's responsibility and will be constructed as required.
 - d. Per Transportation Development Staff, completion of the required system improvements that are attributable to the development, as identified in the TIS, is required.
 - e. The developer will need to define and provide cross access from the proposed west site drive across lot four to lot five, as shown on the site plan. This is in addition, to the proposed north/south access easements that cross lots four and six linking San Antonio Drive with the existing 25' east/west cross access easement and cross lot drainage easement on the south side of the site.
 - f. Direct access to lot five from lot six via the existing east drive cut, as shown on the site plan, is not permitted. Delete 24' drive aisle on lot six, as shown on the site plan, and provide a five-foot keyway on lot five at property line (end of drive aisle). Access to lot five across lot six will be via the proposed north/south access easement that links San Antonio Drive with the existing 25' east/west cross access easement and cross lot drainage easement on the south side of the site.
 - g. Proposed site drive and existing drive cut to be 36' to 40' wide with 25' to 30' curb return radii.
 - h. North/south access easements across lot four and lot six to be paved/improved. Twenty-five foot east/west access easement, south side of property adjacent to site, to be paved/improved.
 - i. Construction of right turn deceleration lane at proposed west site drive required. Length to be determined per TIS and DPM.
 - j. Site plan shall comply and be designed per DPM Standards.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY NOVEMBER 3, 2006 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.

OFFICIAL NOTICE OF DECISION
OCTOBER 19, 2006
PROJECT #1002455
PAGE 7 OF 7

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

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

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

Sincerely,

for *CMarone*
Richard Dineen,
Planning Director

RD/CM/ac

cc: Tafazzul Hussain, 2501 Yale Blvd. SE, Ste 102, Albuquerque, NM 87106
Irene Minke, Academy Acres NA, 6504 Dungan, NE, Albuquerque, NM 87109
Jody Lynch, Academy Acres NA, PO Box 94387, Albuquerque, NM 87199
Dick Schlaefel, Albuquerque Meadows NA, 7112-148 Pan American Frwy, NE, Albuquerque, NM 87109
Douglas Berry, Albuquerque Meadows NA, 7112-102 Pan American Frwy, NE, Albuquerque, NM 87109

ZONING

Refer to Section 14-16-2-22 of the Zoning Code for specifics regarding the SU-1 Special Use Zone, Section 14-16-2-16 for specifics regarding the C-1 Neighborhood Commercial Zone and Section 14-16-2-17 for specifics regarding the C-2 Community Commercial Zone.

APPLICATION INFORMATION



Supplemental Form (SF)

SUBDIVISION	S	Z	ZONING & PLANNING
<input type="checkbox"/> Major subdivision action			<input type="checkbox"/> Annexation
<input type="checkbox"/> Minor subdivision action			
<input type="checkbox"/> Vacation	V	X	<input checked="" type="checkbox"/> Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
<input type="checkbox"/> Variance (Non-Zoning)			<input type="checkbox"/> Adoption of Rank 2 or 3 Plan or similar
SITE DEVELOPMENT PLAN	P		<input type="checkbox"/> Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
<input type="checkbox"/> for Subdivision			
<input type="checkbox"/> for Building Permit			
<input type="checkbox"/> Administrative Amendment/Approval (AA)			
<input type="checkbox"/> IP Master Development Plan	D		<input type="checkbox"/> Street Name Change (Local & Collector)
<input type="checkbox"/> Cert. of Appropriateness (LUCC)	L	A	APPEAL / PROTEST of...
STORM DRAINAGE (Form D)			<input type="checkbox"/> Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other
<input type="checkbox"/> Storm Drainage Cost Allocation Plan			

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.

APPLICATION INFORMATION:

Professional/Agent (if any): Consensus Planning, Inc. PHONE: 505-764-9801
 ADDRESS: 302 Eighth Street NW FAX: 505-842-5495
 CITY: Albuquerque STATE NM ZIP 87102 E-MAIL: fishman@consensusplanning.com

APPLICANT: Stroup Co PHONE: 505-857-9566
 ADDRESS: 5343 Wyoming Boulevard NE FAX: _____
 CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: LarryStroup@StroupCo.com

Proprietary interest in site: _____ List all owners: _____

DESCRIPTION OF REQUEST: Zone Map Amendment

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. Lot 5-A Block: _____ Unit: _____
 Subdiv/Addn/TBKA: JJ Subdivision Continued
 Existing Zoning: SU-1 for C-1 Proposed zoning: SU-1 for C-2 MRGCD Map No _____
 Zone Atlas page(s): E-18-Z UPC Code: 101806218950420144

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 #
1009888; 1002455; 03EPC-00147-00148; 06EPC-00548; 08EPC-40045, 40046; Z-89-95; Z-93-3

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? Yes
 No. of existing lots: 1 No. of proposed lots: 1 Total site area (acres): 1.4
 LOCATION OF PROPERTY BY STREETS: On or Near: San Antonio Drive NE
 Between: San Pedro Drive NE and I-25

Check if project was previously reviewed by: Sketch Plat/Plan or Pre-application Review Team(PRT) Review Date: 1-20-2015

SIGNATURE Jacqueline Fishman DATE 2/25/15
 (Print Name) JACQUELINE FISHMAN Applicant: Agent:

FOR OFFICIAL USE ONLY

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>15EPC 40010</u>	<u>AZM</u>		<u>\$295.00</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>CME</u>		<u>\$80.00</u>
<input checked="" type="checkbox"/> AGIS 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 type="checkbox"/> F.H.D.P. density bonus				\$
<input type="checkbox"/> F.H.D.P. fee rebate				\$
	Hearing date <u>April 9, 2015</u>			Total <u>\$420.00</u>

V. [Signature] 2-25-15 Project # 1002455
 Staff signature & Date

FORM Z: ZONE CODE TEXT & MAP AMENDMENTS, PLAN APPROVALS & AMENDMENTS

ANNEXATION (EPC08)

- Application for zone map amendment including those submittal requirements (see below).
Annexation and establishment of zoning must be applied for simultaneously.
 - Petition for Annexation Form and necessary attachments
 - Zone Atlas map with the entire property(ies) clearly outlined and indicated
NOTE: The Zone Atlas must show that the site is in County jurisdiction, but is contiguous to City limits.
 - Letter describing, explaining, and justifying the request
NOTE: Justifications must adhere to the policies contained in "Resolution 54-1990"
 - Letter of authorization from the property owner if application is submitted by an agent
 - Board of County Commissioners (BCC) Notice of Decision
 - Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts
 - Sign Posting Agreement form
 - Traffic Impact Study (TIS) form
 - 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.

- SDP PHASE I - DRB CONCEPTUAL PLAN REVIEW (DRBPH1)** (Unadvertised)
 - SDP PHASE II - EPC FINAL REVIEW & APPROVAL (EPC14)** (Public Hearing)
 - SDP PHASE II - DRB FINAL SIGN-OFF (DRBPH2)** (Unadvertised)
 - Copy of findings from required pre-application meeting (needed for the DRB conceptual plan review only)
 - Proposed Sector Plan (30 copies for EPC, 6 copies for DRB)
 - Zone Atlas map with the entire plan area clearly outlined and indicated
 - Letter describing, explaining, and justifying the request
 - Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts (for EPC public hearing only)
 - Traffic Impact Study (TIS) form (for EPC public hearing only)
 - Fee for EPC final approval only (see schedule)
 - List any original and/or related file numbers on the cover application
- Refer to the schedules for the dates, times and places of DRB and EPC hearings.* Your attendance is required.

- AMENDMENT TO ZONE MAP - ESTABLISHMENT OF ZONING OR ZONE CHANGE (EPC05)**
- Zone Atlas map with the entire property clearly outlined and indicated
 - Letter describing, explaining, and justifying the request pursuant to Resolution 270-1980.
 - Letter of authorization from the property owner if application is submitted by an agent
 - Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts
 - Sign Posting Agreement form
 - Traffic Impact Study (TIS) form
 - 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.

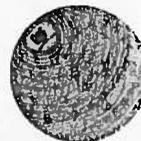
- AMENDED TO SECTOR DEVELOPMENT MAP (EPC03)**
 - AMENDMENT SECTOR DEVELOPMENT, AREA, FACILITY, OR COMPREHENSIVE PLAN (EPC04)**
 - Proposed Amendment referenced to the materials in the Plan being amended (text and/or map)
 - Plan to be amended with materials to be changed noted and marked
 - Zone Atlas map with the entire plan/amendment area clearly outlined
 - Letter of authorization from the property owner if application is submitted by an agent (map change only)
 - Letter describing, explaining, and justifying the request pursuant to Resolution 270-1980 (Sector Plan map change only)
 - Letter briefly describing, explaining, and justifying the request
 - Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts (for sector plans only)
 - Traffic Impact Study (TIS) form
 - Sign Posting Agreement
 - 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.

- AMENDMENT TO ZONING CODE OR SUBDIVISION REGULATORY TEXT (EPC07)**
 - Amendment referenced to the sections of the Zone Code/Subdivision Regulations being amended
 - Sections of the Zone Code/Subdivision Regulations to be amended with text to be changed noted and marked
 - Letter describing, explaining, and justifying the request
 - 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.

JACQUELINE FISHMAN
Applicant name (print)

[Signature] 2/25/15
Applicant signature & Date



Revised: June 2011

<input checked="" type="checkbox"/> Checklists complete	Application case numbers	
<input checked="" type="checkbox"/> Fees collected	<u>15EPL - 40010</u>	
<input type="checkbox"/> Case #s assigned	-	
<input checked="" type="checkbox"/> Related #s listed	-	

[Signature] 2-25-15
Staff signature & Date

Project # 1002485

CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) FORM

APPLICANT: San Antonio Commons, LLC DATE OF REQUEST: 2 / 24 15 ZONE ATLAS PAGE(S): E-18-Z

CURRENT:

ZONING SU-1 for C-1

PARCEL SIZE (AC/SQ. FT.) 1.4 acres

LEGAL DESCRIPTION:

LOT OR TRACT # 5-A BLOCK # _____

SUBDIVISION NAME JJ Subdivision Continued

REQUESTED CITY ACTION(S):

ANNEXATION []

ZONE CHANGE [X]: From SU-1 for C-1 To SU-1 for C-2

SECTOR, AREA, FAC, COMP PLAN []

AMENDMENT (Map/Text) []

SITE DEVELOPMENT PLAN:

SUBDIVISION* [] AMENDMENT []

BUILDING PERMIT [] ACCESS PERMIT []

BUILDING PURPOSES [] OTHER []

*includes platting actions

PROPOSED DEVELOPMENT:

2 existing Buildings

GENERAL DESCRIPTION OF ACTION:

NO CONSTRUCTION/DEVELOPMENT [X]

OF UNITS: _____

NEW CONSTRUCTION []

BUILDING SIZE: _____ (sq. ft.)

EXPANSION OF EXISTING DEVELOPMENT []

Note: changes made to development proposals / assumptions, from the information provided above, will result in a new TIS determination.

APPLICANT OR REPRESENTATIVE *Molaffa*

DATE 2-25-15

(To be signed upon completion of processing by the Traffic Engineer)

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.

[Signature]
TRAFFIC ENGINEER

02-26-15
DATE

Required TIS must be completed prior to applying to the EPC and/or the DRB. 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 _____

Revised January 20, 2011



5600 Wyoming NE, Suite 180
Albuquerque, NM 87109

(505) 857-9566 FAX: (505) 821-6258 Cell: (505) 269-0117

E-Mail Address: LarryStroup@StroupCo.com

from: **Larry Stroup**

February 9, 2015

Mr. Peter Nicholls, Chairman
Environmental Planning Commission
City of Albuquerque
600 2nd Street NW
Albuquerque, New Mexico 87012

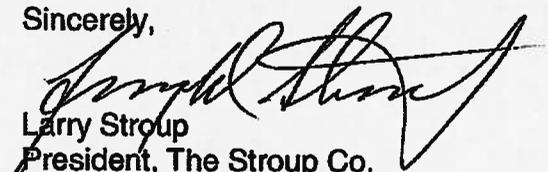
Re: Zone Map Amendment

Dear Mr. Chairman:

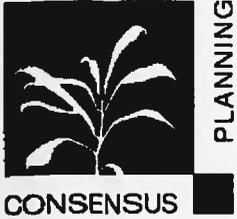
The purpose of this letter is to authorize Consensus Planning, Inc. to act as agents for San Antonio Commons, LLC on a Zone Map Amendment for Lot 5-A, JJ Subdivision, on San Antonio Drive NE, between Interstate 25 and San Pedro Drive NE.

Thank you for your consideration.

Sincerely,



Larry Stroup
President, The Stroup Co.
Contracted LLC Manager



March 13, 2015

Mr. Peter Nicholls, Chairman
Environmental Planning Commission
City of Albuquerque
600 Second Street NW
Albuquerque, New Mexico 87102

Re: Zone Map Amendment– Lot 5-A, JJ Subdivision.

Landscape Architecture
Urban Design
Planning Services

302 Eighth St. NW
Albuquerque, NM 87102
(505) 764-9801
Fax 842-5495
cp@consensusplanning.com
www.consensusplanning.com

Dear Mr. Chairman:

The purpose of this letter is to provide justification for a request for a Zone Map Amendment for the property located at 5700 San Antonio Drive NE, on behalf of Stroup Co. and San Antonio Commons, LLC. The current zoning on the approximately 1.4 acre property is SU-1 for C-1. The applicant's request is to change the existing zoning to SU-1 for C-2 Uses to allow the establishment of a restaurant and micro-brewery including sale of liquor (beer) for off-site consumption. This site is the location of the old San Antonio Landfill and mitigation measures have already been taken (in consultation with City Environmental Health) in order to develop the site.

CASE HISTORY

- **1989/1993:** It is unclear when the property was originally zoned SU-1 for C-1; it was either in 1989 (Z-89-95) or 1993 (Z-93-3). The files for the 1993 zone map amendment are missing from the City's record. Case history research suggests that the zone change occurred in 1989 when approximately 20.1 acres of land located "between San Antonio Avenue NE and Pino Arroyo, and either side of San Pedro Avenue NE" were approved for a zone map amendment from R-2 and O-1 to SU-1 for C-1 Permissive Uses excluding the portion of the properties which the City later took for right-of-way. The zone change was justified due to the constraints and potential hazards associated with the landfill. It was determined that residential development was not desirable on the site and that commercial uses would be more appropriate.
- **2003:** The approximately 1.4 acre subject site was part of an overall 7-lot Site Plan for Subdivision that was approved in March 2003 (Project #1002455, 03EPC-00147) and platted in 2004. A Site Plan for Building Permit to accommodate the construction of a state office building, located on Lot 1, was approved in conjunction with the Site Development Plan for Subdivision (03EPC-00148).
- **2006:** In 2006, an application was made for the subject property, which is located on Lot 5. A Site Plan for Building Permit for the two existing buildings was approved in October, 2006 (06EPC-00458).
- **2008:** In 2008, amendments were made to the Site Development Plan for Subdivision to adjust the landscaping requirements due to the site's location over a landfill (08EPC-40045, 08EPC-40046).

PRINCIPALS

James K. Strozier, AICP
Christopher J. Green, PLA,
ASLA, LEED AP
Jacqueline Fishman, AICP
Laurie Firor, PLA, ASLA

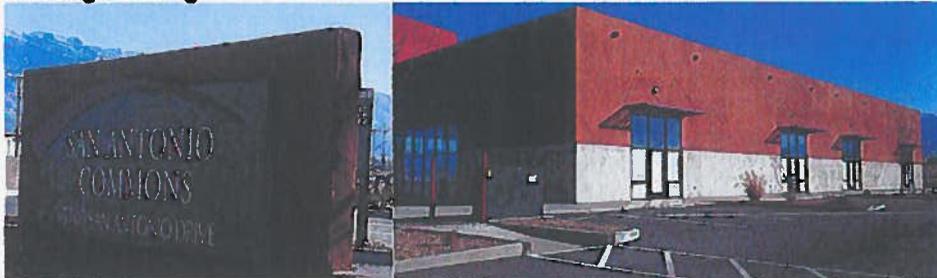
CURRENT REQUEST

The property is currently zoned SU-1 for C-1 Uses, which allows the sale of liquor in a restaurant setting, but does not allow the manufacturing and the sale of beer for off-premise consumption. The existing buildings, approved in 2006, will house the proposed restaurant and micro-brewery within a portion of the east building and the west building is soon to open as a dental clinic and is in the process of tenant improvements for a portion of the building. The applicant's proposed use would take place within a portion of the building to the east. More than half of the east building will be leased for the proposed restaurant/microbrewery.

The applicant is requesting a zone map amendment to SU-1 for C-2 Uses to allow the manufacturing and the sale of beer for off-premise consumption. C-2 conditional uses allow the manufacturing of beer as an accessory use, meaning that up to 49% of the proposed use is allowed to be manufacturing and the remaining 51% must be the primary use. These percentages reflect the maximum allowed and may not reflect the actual breakdown that will take place for the proposed business. In the case of the proposed project, the primary use is proposed to be restaurant and the portion dedicated to the micro-brewery will be less than 50%. There will be leftover space within the eastern building for a future tenant.

A Site Development Plan for Building Permit for this property was approved by the EPC in 2006. Therefore, site design and access have been reviewed and approved. Due to the site's close proximity to a compatible commercial uses (hotels and other restaurants), the Mobile Home Park to the north, apartments and additional homes to the east and south, the C-2 permissive and conditional uses is an appropriate zone category for this property. The property is buffered by San Antonio Drive, the Pino Arroyo, and other non-residential uses allowing for adequate separation between the C-2 Uses and residential development.

Existing Building



ADJACENT ZONING AND LAND USE

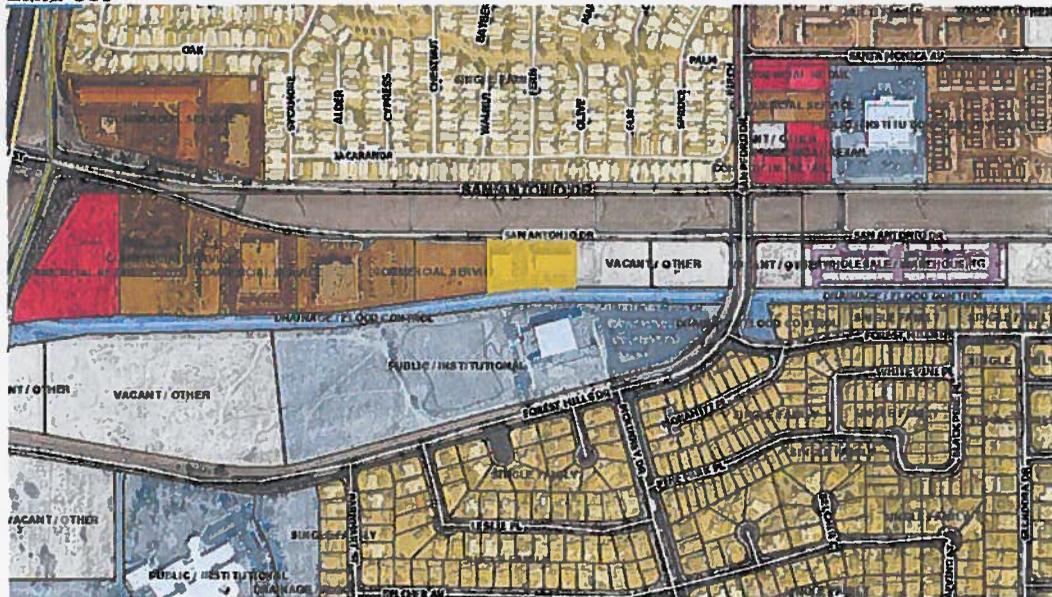
Adjacent properties to the east and west are zoned SU-1 for C-1 Uses and are currently vacant. Property located four lots to the west of the site and just east of Interstate 25 is home to Cracker Barrel Restaurant zoned SU-1 for C-2 Uses, which is the desired zoning for the subject site. Presbyterian Health Services, located to the south of the site, is zoned SU-1 for Office. The Pino Arroyo Multi-Use Trail runs south of the property. The trail and channel buffer the subject site from Presbyterian Health Services. Property surrounding Presbyterian Health Services and zoned SU-1 for Office is vacant. San Antonio Drive is to the north of the property and provides another buffer to the site. The Meadows Mobile Home

Park, located on the north side of San Antonio Drive, is zoned SU-1 for MH. Single family homes are to the south of Forest Hills Drive on R-1 zoned property.

Zoning



Land Use

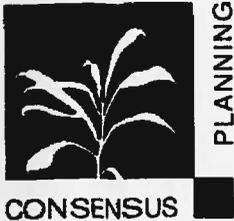


ZONE MAP AMENDMENT - RESPONSE TO RESOLUTION 270-1980

This zone change request is in compliance with Resolution 270-1980 as follows:

- A. *A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the City.*

Applicant's Response: This request is consistent with the health, safety, morals, and general welfare of the City. The proposed restaurant and micro-brewery is appropriately located. The property is buffered by San Antonio, an urban minor arterial to the north and Pino Arroyo Trail and Drainage Facility to the south.



the south. Beyond those facilities are surrounded by commercial and office zoned properties and a mobile home park to the north. We are requesting a zone change in order to allow the sale and manufacturing of beer in conjunction with the proposed micro-brewery and restaurant, a commercial retail use.

The existing mobile home park to the north of San Antonio Drive is surrounded by commercial uses, including the adjacent property to the west that is zoned C-2, as well as the property to the east along San Pedro Drive. Comfort Suites, La Quinta Hotel, and Denny's are located directly to the west of the Mobile Home Park, along San Antonio Drive. Blake's Lotaburger, Family Dollar, and a convenience store and gas station are located on the corner of Santa Monica Avenue and San Pedro Drive, to the east of the Mobile Home Park.

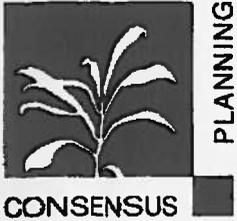
The proposed zone change and future use are justified by the City's Comprehensive Plan policies that are referenced in Section C. of this letter. The Comprehensive Plan policy sections that support this request are: Section II.D.6, Policies b and d; Section II.B.5, Policies d, e, l, j, k, l, and o.

- B. Stability of land use and zoning is desirable; therefore the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the City to show why the change should not be made.*

Applicant's Response: The property is currently zoned for commercial use and is proposed to remain commercial use within existing buildings. As stated in the description above, the proposed use is compatible with the existing uses in the surrounding area. Per the Mid Region Council of Governments (MRCOG) Roadways Classification Map, San Antonio is listed as a Minor Arterial. San Antonio delivers traffic from I-25 to collector roads and local streets. Based on MRCOG's 2013 traffic flow map, San Antonio reported about 17,000 to 22,000 average weekday traffic. Other than principal arterials and urban interstates, San Antonio is in the third highest traffic count rating, based on the MRCOG 2013 traffic flow map of Albuquerque. As such, San Antonio is considered a major travel corridor that is used both by motorists traveling to and from the immediate area, as well as others from outside the area, making C-2 a more appropriate zoning designation than C-1.

C-1 uses are primarily designed to allow neighborhood office, retail, and services uses designed to satisfy the day-to-day needs of the neighborhood in which the uses are located. In the C-2 zone, the uses are expanded to emphasize the community rather than a neighborhood. The C-2 zone is appropriate for the subject property due to the property's location on an arterial road, proximity (but not adjacency) to existing residential uses, and other existing C-2 uses that are located nearby.

C-2 uses exist to the northwest and northeast of the property and are in closer proximity to existing residential uses. The proposed use will foster new entertainment and dining options for the residents and employees of the area. The restaurant and micro-brewery will also provide dining and entertainment options hotel patrons staying along San Antonio Drive that are less than a



quarter of a mile from the subject site. This compatibility with the surrounding uses fosters zoning and land use stability.

C. A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other city master plans and amendments thereto including privately developed area plans which have been adopted by the City.

Albuquerque/Bernalillo County Comprehensive Plan

Applicable policies from the Comprehensive Plan are provided below:

II.D.6. Economic Development

The subject property is within the Comprehensive Plan Established Urban area boundaries. The Goal is to achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals.

Policy b: Development of local business enterprises as well as the recruitment of outside firms shall be emphasized.

Applicant's Response: Approval of the requested zone change would allow for a new local restaurant and micro-brewery business to locate on the subject property and the use of an existing building that has remained vacant since it was developed. This furthers the Comprehensive Plan policies that encourage local business development in the City. C-2 permissive and conditional uses will provide a greater range of economic development opportunities for the property.

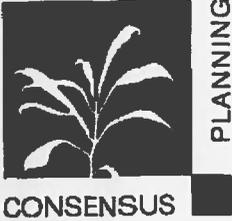
Policy d: Tourism shall be promoted.

Applicant's Response: This future restaurant and micro-brewery site will add to the growing craft brewery business trend in Albuquerque. The brewery business is becoming a new tourism attraction for the City. Bicycle tours have been organized to stop at the City's various local brewpubs. Routes Rentals and Tours offer a brewery bike tour of local microbreweries. Additionally, the Beer-Chantment – Hop Car Brewery tour advertises a tour of over 40 breweries and 7 brew festivals in the City of Albuquerque.

The location of the proposed restaurant and micro-brewery is ideal for the tourism industry as the property is within walking distance of four existing hotels along San Antonio Drive: Hilton Garden Inn, Homewood Suites, Comfort Suites, and La Quinta.

II.B.5. Established Urban

The Goal is to create a quality urban 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.



***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, and recreational concern.*

Applicant's Response: The proposed project is appropriately located. It is surrounded by commercial uses, an institutional use to the south, and nearby residential uses that will likely be customers of the proposed use. The property is buffered from the surrounding uses by San Antonio Drive to the north and Pino Arroyo Trail and Drainage Facility to the south. The proposed restaurant and micro-brewery will operate out of an existing building that has sat vacant for years. Therefore, the design of the existing building has already been reviewed and determined by the EPC to respect the existing neighborhood. Furthermore, the proposed use would provide a gathering space for people who live and work in the area. The use of a vacant building will revitalize a site that has been subject to vandalism and will improve the safety of this area.

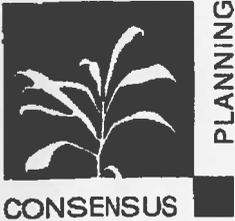
Development of this site for commercial uses was deemed appropriate and consistent with the site's carrying capacity. This is furthered by the various EPC's decisions and findings, including Finding #2 06EPC-01076 which stated, "This site is located on the old San Antonio landfill. Development of this site is dependent on the applicant's cooperation with the Environmental Health Department's requirements regarding developing on a landfill site..."

***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.*

Applicant's Response: This project was already approved by the EPC in 2003 where it was deemed that "The request is for new growth in an area where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured"(Notice of Decision Finding number 5, Project # 1002455, 03EPC-00147).

***Policy i:** Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.*

Applicant's Response: The current zoning on the site, SU-1 for C-1 Uses, unnecessarily hinders the site from reaching its full development potential. Approval of C-2 uses would allow a more full range of employment and service uses. The proposed restaurant and micro-brewery will provide new employment opportunities in this area. The site is predominantly surrounded by commercial and office uses, with the exception of the mobile home park to the north. The proposed restaurant and micro-brewery shall take place within an existing building. Therefore, considerations of light and pollution should remain unaffected.



This is furthered by the EPC's 2003 Notice of Decision, Finding # 3 which states, "This request is in conformance with Policy i of the Comprehensive Plan by locating employment and service uses to complement residential areas and by placing them to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments" (Project # 1002455, 03EPC-00147).

This is also furthered by City Staff's analysis of the 2006 Site Plan for Building Permit which stated, "Development of the site should result in employment and revenue generation that will benefit the surrounding community and the City. The site plan process is crucial to the development of this potential generator, however, and conditions of approval are recommended to further this policy" (Project #1002455, 06EPC-00458).

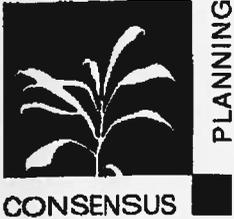
Policy j: *Where new commercial development occurs, it should generally be located in existing commercially zoned areas as follows:*
-In small neighborhood-oriented centers provided with pedestrian and bicycle access within reasonable distance of residential areas for walking or bicycling.

Applicant's Response: The existing zoning is commercial and the applicant is proposing to keep the zoning commercial with a more comprehensive range of uses appropriate for the area. The project is surrounded by commercially zoned properties and is adjacent to a pedestrian and bicycle trail to the south.

As noted in the EPC's 2003 Notice of Decision, Finding # 2, "...by locating a commercial use within an existing commercially zoned area and by improving the quality of the visual environment. Site Landscaping and building façade treatments will blend with the surrounding area". This is reiterated in Finding # 4, of the EPC's Notice of Decision: "This request is in conformance with Established Urban Policy j of the Comprehensive Plan by proposing a location, intensity, and design of new development that shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, or recreational concern" (Project # 1002455, 03EPC-00147).

Finding #5.c. of the EPC's 2006 Notice of Decision states, "The site plan review process should mitigate potential adverse impacts upon the surrounding area. The proposed development should provide a reasonable level of goods, services and employment within a convenient distance" (Project #1002455, 06EPC-00458). Finding #5.d. speaks to the bicycle and pedestrian connections that were suggested and currently exist: "The applicant shall be responsible for the development of any necessary bicycle lanes and connections to existing multi-purpose public trails in order to provide both connectivity between non-residential and residential uses and alternative mobility" (Project #1002455, 06EPC-00458). The Pino Arroyo Multi-Use Trail has been integrated with the existing development and furthers this policy.

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 operations.

Applicant's Response: The subject property is buffered by San Antonio Drive to the north and a multi-use trail and drainage facility to the south. Access to the property has been designed and approved by the EPC. In its 2003 findings to, the EPC found that "The subject site is located on land adjacent to arterial streets and has been planned to minimize harmful effects of traffic. In this way, the livability and safety of established residential neighborhoods is protected by transportation planning and operations" (Finding # 6, Project # 1002455, 03EPC-00147).

In the 2006 Staff Report to the EPC, Planning Staff stated that, "The Site Plan process play a crucial role in maintaining area values, ensuring a safe, visually amenable and integral development, and providing the opportunity for affected residents to participate and offer input relative to the development of the property. With this in mind, the proposed development could also promote: ...Land Use Policy II.B.5.k – Land adjacent to arterial streets shall be planned to minimize harmful effects of traffic" (Project #1002455, 06EPC-00458)

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

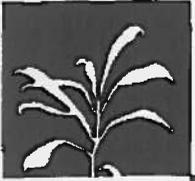
Applicant's Response: The proposed project will utilize an existing attractive building. Therefore, the design of the building has already undergone a public review process to ensure its compatibility with City plans and policies.

Policy o: *Redevelopment and rehabilitation of older neighborhoods in the Established Urban Area shall be continued and strengthened.*

Applicant's Response: The proposed zone change will allow the upgrade of the neighborhood through infill and the adaptive reuse of an existing building that has remained vacant since it was developed on a site that was previously a landfill. As previously stated, the change to C-2 uses will allow for a more comprehensive range of land uses appropriate for the area including the current project for a restaurant and micro-brewery. Approval of this request will foster linkages between residents of the nearby older and newer neighborhoods (Albuquerque Meadows, Academy Acres North, the San Antonio Condos, Broadstone Santa Monica, and Broadstone Promenade), existing commercial uses (hotels and restaurants), and proposed services (new restaurant and micro-brewery). The proposed use will create a gathering space where nearby residents and community members can get together for food and drinks.

D. The applicant must demonstrate that the existing zoning is inappropriate because:

- i. There was an error when the existing zone map pattern was created; or*
- ii. Changed neighborhood or community conditions justify the change; or*



iii. A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other city master plan, even though (D)(1) or (D)(2) above do not apply.

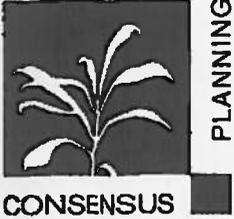
Applicant's Response: D.iii – The proposed zoning is more advantageous to the community, because it will foster the use of existing vacant building and introduces a new use that is not present in the area, and provides for a more comprehensive range of uses, including permissive uses within the C-2 zone include antennae, clinic, copying, institution (club, day care center, library, museum, school), office, public utility structure, vehicle sales, drive-in restaurant, dry cleaning, gasoline sales, storage facility, etc. C-2 conditional uses include apartment greater than 30 du/ac, church, cold storage, community residential program, kennel, outdoor storage, public utility structure, etc. Many of these permissive and conditional uses are not available within this area of Albuquerque, which has been growing with single family, multi-family, and senior housing facilities that are in need of these types of services.

The proposed zone change would allow a restaurant and micro-brewery to operate out of an existing building. The current zoning allows for retail commercial uses; however, the current C-1 zoning restricts the sale of alcoholic beverages for off-premise consumption. The requested zoning is more advantageous to the neighborhood and overall community as it furthers multiple City plans and policies. Specifically, the proposed zone change will:

1. Allow for a use that is not geared solely to serve the needs of the immediate neighborhood.
2. Encourage local business development.
3. Add to the increasing tourism attraction of local breweries and Albuquerque's craft beer economy.
4. Foster symbiotic relationships between residential and entertainment uses as well as residential and retail/commercial uses.
5. Utilize an existing building that has not been leased since its development and has been vandalized.
6. Provide employment opportunities and services for the residents of the area.

This project would foster investment in a building that is at risk for continued vandalism and will contribute to blighting conditions in the neighborhood if left vacant. The building to the west is currently undergoing tenant improvements for a dentist office. The proposed use would restore healthy activity to the existing site and surrounding area. This would, in turn, contribute to the prevention of crime in the immediate community.

The proposed zoning is more advantageous to the community as it fulfills a public need for community commercial uses and services. Within the 1,855 acres that encompasses the land from Academy Road NE, north to Paseo Del Norte, and bound on the east and west by Wyoming Boulevard, and Interstate 25, there are two restaurant uses, one of which sells alcohol for consumption on site, none of which sell alcohol for off-site consumption. The proposed zoning will allow a use



that is advantageous to the surrounding and overall metropolitan community by providing a use that limited in this area of the City.

Due to the property's location on an arterial road, proximity to existing residential uses, and other existing C-2 uses that are located nearby, the property is more appropriate for C-2 uses that serve the greater community, not only the immediate neighborhood. The existing C-1 zone is primarily designed to allow neighborhood office, retail, and services uses designed to satisfy the day-to-day needs of the neighborhood in which the uses are located. The fact is there are relatively few C-2 or C-1 zoned properties in this area, and these existing properties (currently developed with restaurant, hotel, and gas station) are in close proximity to residential uses but have been developed in a responsible manner.

E. A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the community.

Applicant's Response: The requested zoning for the subject site will allow for community commercial uses. The proposed use is appropriate for this location and will not be harmful to adjacent properties. The proposed use is compatible with adjacent uses that include commercial and institutional uses. The proposed use is also within walking distance from the Broadstone Santa Monica Projects, Mobile Home Park, and condominiums to the north of the site, as well as the single family homes to the east and south of the property. The proposed use is appropriate as it creates a recreational venue for those living in the neighborhood. Furthermore, the location of the property is ideal for this use as is easily accessed off of I-25, San Antonio Drive, and San Pedro Drive. San Antonio Drive is a high traffic Urban Minor Arterial Road which would be compatible with this use as it would be visible to passersby and the noise from the traffic would not be an issue for the proposed use.

On-site brewing that is proposed to occur on the subject property will not create adverse effects on the adjacent properties. Manufacturing is allowed up to 49% of the primary use and will occur in a designated portion of the building.

C-1 uses are primarily designed to allow neighborhood office, retail, and services uses designed to satisfy the day-to-day needs of the neighborhood in which the uses are located. In the C-2 zone, the uses are expanded to emphasize the community rather than a neighborhood. The C-2 zone is appropriate for the subject property due to the property's location on an arterial road, proximity to existing residential uses, and other existing C-2 uses that are located nearby.

In addition to alcoholic sales for consumption off premises, permissive uses within the C-2 zone include antennae, clinic, copying, institution (club, day care center, library, museum, and school), office, public utility structure, vehicle sales, drive-in restaurant, dry cleaning, gasoline sales, storage facility, etc. C-2 conditional uses include apartment greater than 30 du/ac, church, cold storage, community residential program, kennel, outdoor storage, public utility structure, etc. Many of these permissive and conditional uses are not available

within this area of Albuquerque, which has been growing with single family, multi-family, and senior housing facilities that are in need of these types of services. None of these uses would be detrimental to the community or the neighborhood due to the site's unique and buffered location. The fact is there are relatively few C-2 or C-1 zoned properties in this area, and these existing properties (currently developed with restaurant, hotel, and gas station) are in close proximity to residential uses but have been developed in a responsible manner. The applicant's site has the benefit of the SU-1 zone requiring a public approval process for changes to the site development plan that would be required for many of these permissive and conditional C-2 uses, and in the case of outdoor storage, church, or vehicle sales, the site would not be large enough.

F. A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the city may be:

- i. Denied due to lack of capital funds; or*
- ii. Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule.*

Applicant's Response: The proposed zone change will not necessitate the need for any capital improvements. The site is developed with two buildings, parking, and landscaping. This is a request for adaptive reuse of an existing building.

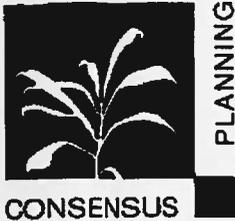
G. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

Applicant's Response: The cost of land and other economic considerations pertaining to the applicant are not the determining factor for the proposed zone change. Starr Brothers' will be leasing the property from San Antonio Commons, LLC for a future restaurant and micro-brewery. Left undeveloped, the building will continue to deteriorate and contribute to blighting conditions in this area that has been developing into a more desirable part of the City.

H. Location on a collector or major street is not in itself sufficient justification for apartment, office, or commercial zoning.

Applicant's Response: This zone map amendment request is not being justified based on the property location on a major roadway. The applicant is requesting a more broad range of commercial uses for this property than the current C-1 zone allows. The C-1 zone increasingly hinders the development of this property, which is suitable for serving a more broad community need.

I. A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:



- (1) The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan.*
- (2) The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.*

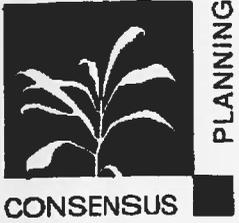
Applicant's Response: (1) - The zone change request from SU-1 for C-1 Uses and SU-1 for C-2 Uses to allow sale of beer for off premise consumption to accommodate a future micro-brewery is not a spot zone. While all SU-1 zones are spot zones by their nature as a "custom zone", the current zoning is SU-1 for C-1; the request for another SU-1 for C-2 Uses maintains this special use designation as the property already has an approved site plan. Furthermore, the request for C-2 is compatible with the surrounding area as there are C-2 zoned properties to the northeast and northwest along Interstate 25 and San Pedro Drive, respectively.

The proposed zoning is appropriate as it furthers Comprehensive Plan policies. Comprehensive Plan policies that are furthered by this proposed development include local business development and adding to an existing and evolving tourism attraction for local craft breweries. The proposed use will create relationships between residential uses and recreational uses, preserve existing structures, and provide new employment and service opportunities.

J. A zone change request which would give a zone different from surrounding zoning to a strip of land along a street is generally called "strip zoning."

- (1) The change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan; and*
- (2) The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.*

Applicant's Response: The concept of strip zoning is not applicable to this request. The initial 1989/1993 zone map amendment was, at the time, a strip zone request due to the nature of SU-1 zoning and the location of the lots along San Antonio Drive. The current request, however, maintains the special use designation and request to change the allowable uses from C-1 to C-2, a more appropriate designation for its proposed location along San Antonio. C-2 zoned properties exist in the surrounding area. Therefore, this request is not a request for strip zoning.



CONCLUSION

On behalf of San Antonio Commons, LLC. we respectfully request that the Environmental Planning Commission approve the request for this Zone Map Amendment. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Jacqueline Fishman", written over a horizontal dotted line.

Jacqueline Fishman, AICP
Principal

NOTIFICATION &
NEIGHBORHOOD INFORMATION



City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

PLEASE NOTE: The Neighborhood and/or Homeowner 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.

February 9, 2015

Malak Hakim
Consensus Planning
302 8th Street NW/87102
Phone: (505) 764-9801/Fax: 842-5495
E-mail: hakim@consensusplanning.com

Dear Malak:

Thank you for your inquiry of February 9, 2015 requesting the names of **ALL Neighborhood and/or Homeowner Associations and Coalitions** who would be affected under the provisions of §14-8-2-7 of the *Neighborhood Association Recognition Ordinance* by your proposed project at **(EPC SUBMITTAL) – LOT 5-A, JJ SUBDIVISION CONTINUED, LOCATED ON SAN ANTONIO DRIVE NE BETWEEN SAN PEDRO DRIVE NE AND INTERSTATE 25 zone map e-18.**

Our records indicate that the **Neighborhood and/or Homeowner Associations and Coalitions** affected by this submittal and the contact names are as follows:

SEE “ATTACHMENT A” FOR THE NAMES OF THE NA/HOA’S THAT NEED TO BE CONTACTED IN REGARDS TO THIS PLANNING SUBMITTAL – please attach this letter and “Attachment A” to your Application Packet ALONG with copies of the letters and certified mail receipts to the NA/HOA’s – siw.

Please note that according to §14-8-2-7 of the *Neighborhood Association Recognition Ordinance* 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.** If you have any questions about the information provided, please contact me at (505) 924-3902 or via an e-mail message at swinklepleck@cabq.gov or by fax at (505) 924-3913.

Sincerely,

Stephani Winklepleck
Stephani Winklepleck
Neighborhood Liaison
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

**LETTERS MUST BE SENT TO
BOTH CONTACTS OF EACH
NA/HOA AND COALITIONS
FOR THIS PLANNING
SUBMITTAL.**

!!!Notice to Applicants!!!

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

Applicants for Zone Change, Site Plan, Sector Development Plan approval or an amendment to a Sector Development Plan by the EPC, DRB, etc. are required under Council Bill O-92 to notify all affected neighborhood and/or homeowner associations **PRIOR TO FILING THE APPLICATION TO THE PLANNING DEPARTMENT**. Because the purpose of the notification is to ensure communication as a means of identifying and resolving problems early, it is essential that the notification be fully informative.

WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

1. The street address of the subject property.
2. The legal description of the property, including lot or tract number (if any), block number (if any), and name of the subdivision.
3. A physical description of the location, referenced to streets and existing land uses.
4. A complete description of the actions requested of the EPC:
 - a) If a **ZONE CHANGE OR ANNEXATION**, the name of the existing zone category and primary uses and the name of the proposed category and primary uses (i.e., "from the R-T Townhouse zone, to the C-2 Community Commercial zone").
 - b) If a **SITE DEVELOPMENT OR MASTER DEVELOPMENT PLAN** approval or amendment describes the physical nature of the proposal (i.e., "an amendment to the approved plan to allow a drive-through restaurant to be located just east of the main shopping center entrance off Montgomery Blvd.").
 - c) If a **SECTOR DEVELOPMENT PLAN OR PLAN AMENDMENT** a general description of the plan area, plan concept, the mix of zoning and land use categories proposed and description of major features such as location of significant shopping centers, employment centers, parks and other public facilities.
 - d) The name, address and telephone number of the applicant and of the agent (if any). In particular the name of an individual contact person will be helpful so that neighborhood associations may contact someone with questions or comments.

Information from the Office of Neighborhood Coordination

The following information should always be in each application packet that you submit for an EPC or DRB application. Listed below is a "Checklist" of the items needed.

- ONC's "Official" Letter to the applicant (if there are associations/coalitions). A copy must be submitted with application packet -OR-**
- The ONC "Official" Letter (if there are no associations). A copy must be submitted with application packet.
- Copies of Letters to Neighborhood and/or Homeowners Associations (if there are associations/coalitions). A copy must be submitted with application packet.**
- Copies of the certified receipts to Neighborhood and/or Homeowners Associations (if there are associations/coalitions). A copy must be submitted with application packet.**

Just a reminder - Our ONC "Official" Letter is only valid for a one (1) month period and if you haven't submitted your application by this date, you will need to get an updated letter from our office.

Any questions, please feel free to contact Stephani at 924-3902 or via an e-mail message at swinklepleck@cabq.gov.

Thank you for your cooperation on this matter.

(below this line for ONC use only)

Date of Inquiry: 02/09/15 Entered: 1:30 p.m. ONC Rep. Initials: siw

"ATTACHMENT A"

Malak Hakim
Consensus Planning
Zone Maps - E-18

ACADEMY ACRES NORTH N.A. "R"

***Jacob Tellier**

P.O. Box 90181/87199 821-0393 (h)

Irene Minke

P.O. Box 90181/87199 828-9810 (h)

ALBUQUERQUE MEADOWS RESIDENT'S ASSN. "R"

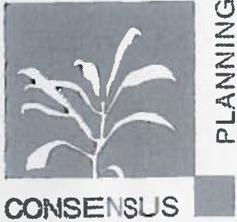
***Mary Jo Valley**

7112-26 Pan American Frwy. NE/87109 228-3504 (h)

Bob Stetson

7112-154 Pan American Frwy. NE/87109 440-7701 (h)

***President of NA/HOA/Coalition**



February 26, 2015

Mr. Jacob Tellier
P.O.Box 90181
Albuquerque, NM 87199

Landscape Architecture
Urban Design
Planning Services

Ms. Irene Minke
P.O. Box 90181
Albuquerque, NM 87199

302 Eighth St. NW
Albuquerque, NM 87102

Re: 5700 San Antonio Drive NE - Zone Map Amendment

(505) 764-9801
Fax 842-5495
cp@consensusplanning.com
www.consensusplanning.com

Dear Mr. Tellier and Ms. Minke:

The purpose of this letter is to inform you and the Albuquerque Acres North Neighborhood Association that Consensus Planning has submitted a request for a Zone Map Amendment on behalf of San Antonio Commons, LLC. This request will be heard by the Environmental Planning Commission (EPC) on Thursday, April 9, 2015 at Plaza del Sol located at 600 Second Street NW. The hearing begins at 8:30 a.m.

The current zoning on the approximately 1.4 acre property located at 5700 San Antonio Drive NE is SU-1 for C-1. The applicant's request is to change the existing zoning to SU-1 for C-2. The request will accommodate a future restaurant/microbrewery that would move into a portion of existing building on the east side of the property.

Please do not hesitate to contact me at 764-9801 with any questions you may have regarding this request.

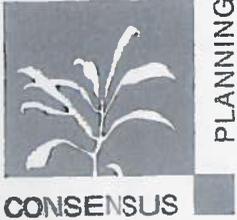
Sincerely,

Jacqueline Fishman, AICP
Principal

Att: Copy of the Zone Atlas Page E-18-Z
8 1/2" x 11" Aerial of the Existing Building

PRINCIPALS

James K. Strozier, AICP
Christopher J. Green, PLA,
ASLA, LEED AP
Jacqueline Fishman, AICP
Laurie Firor, PLA, ASLA



February 26, 2015

Landscape Architecture
Urban Design
Planning Services

Ms. Mary Jo Valley
7112-26 Pan American Freeway
Albuquerque, NM 87109

Mr. Bob Stenson
7112-154 Pan American Freeway
Albuquerque, NM 87109

302 Eighth St. NW
Albuquerque, NM 87102

(505) 764-9801
Fax 842-5495

cp@consensusplanning.com
www.consensusplanning.com

Re: 5700 San Antonio Drive NE - Zone Map Amendment

Dear Ms. Valley and Mr. Stenson:

The purpose of this letter is to inform you and the Albuquerque Meadows Resident's Association that Consensus Planning has submitted a request for a Zone Map Amendment on behalf of San Antonio Commons, LLC. This request will be heard by the Environmental Planning Commission (EPC) on Thursday, April 9, 2015 at Plaza del Sol located at 600 Second Street NW. The hearing begins at 8:30 a.m.

The current zoning on the approximately 1.4 acre property located at 5700 San Antonio Drive NE is SU-1 for C-1. The applicant's request is to change the existing zoning to SU-1 for C-2. The request will accommodate a future restaurant/microbrewery that would move into a portion of existing building on the east side of the property.

Please do not hesitate to contact me at 764-9801 with any questions you may have regarding this request.

Sincerely,

Jacqueline Fishman, AICP
Principal

Att: Copy of the Zone Atlas Page E-18-Z
8 1/2" x 11" Aerial of the Existing Building

PRINCIPALS

James K. Strozier, AICP
Christopher J. Green, PLA,
ASLA, LEED AP
Jacqueline Fishman, AICP
Laurie Firor, PLA, ASLA

7012 1640 0001 8697 5393

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

For delivery information visit our website at www.usps.com

ALBUQUERQUE NM 87199 **OFFICIAL USE**

Postage	\$ 0.49	0101
Certified Fee	\$3.30	09
Return Receipt Fee (Endorsement Required)	\$2.70	Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$0.00	FEB 25 2015
Total Postage & Fees	\$ 6.49	02/25/2015

Sent To
Frene minke

Street, Apt. No.,
or PO Box No. *P.O. Box 90181*

City, State, ZIP+4
Alb. NM 87199

PS Form 3800, August 2006 See Reverse for Instructions

7012 1640 0001 8697 5386

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

For delivery information visit our website at www.usps.com

ALBUQUERQUE NM 87199 **OFFICIAL USE**

Postage	\$ 0.49	0101
Certified Fee	\$3.30	09
Return Receipt Fee (Endorsement Required)	\$2.70	Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$0.00	FEB 25 2015
Total Postage & Fees	\$ 6.49	02/25/2015

Sent To
Jacob Tellier

Street, Apt. No.,
or PO Box No. *P.O. Box 90181*

City, State, ZIP+4
Alb. NM 87199

PS Form 3800, August 2006 See Reverse for Instructions

7012 1640 0001 8697 5409

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

For delivery information visit our website at www.usps.com

ALBUQUERQUE NM 87109 **OFFICIAL USE**

Postage	\$ 0.49	0101
Certified Fee	\$3.30	09
Return Receipt Fee (Endorsement Required)	\$2.70	Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$0.00	FEB 25 2015
Total Postage & Fees	\$ 6.49	02/25/2015

Sent To
Mary Jo Valley

Street, Apt. No.,
or PO Box No. *7102-26 Pan American Fwy*

City, State, ZIP+4
Alb. NM 87109

PS Form 3800, August 2006 See Reverse for Instructions

7012 1640 0001 8697 5416

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

For delivery information visit our website at www.usps.com

ALBUQUERQUE NM 87109 **OFFICIAL USE**

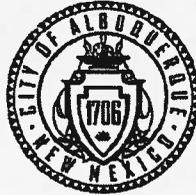
Postage	\$ 0.49	0101
Certified Fee	\$3.30	09
Return Receipt Fee (Endorsement Required)	\$2.70	Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$0.00	FEB 25 2015
Total Postage & Fees	\$ 6.49	02/25/2015

Sent To
Bob Getson

Street, Apt. No.,
or PO Box No. *7102-26 Pan American Fwy*

City, State, ZIP+4
Alb. NM 87109

PS Form 3800, August 2006 See Reverse for Instructions



City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

March 6, 2015

Malak Hakim
Consensus Planning
302 8th Street NW/87102
Phone: (505) 764-9801/Fax: 842-5495
E-mail: hakim@consensusplanning.com

*Addendum to original
letter dated 2-9-15 - siw*

Dear Malak:

Thank you for your inquiry of February 9, 2015 requesting the names of **ALL Neighborhood and/or Homeowner Associations and Coalitions** who would be affected under the provisions of §14-8-2-7 of the *Neighborhood Association Recognition Ordinance* by your proposed project at **(EPC SUBMITTAL) – LOT 5-A, JJ SUBDIVISION CONTINUED, LOCATED ON SAN ANTONIO DRIVE NE BETWEEN SAN PEDRO DRIVE NE AND INTERSTATE 25** zone map **e-18**.

Our records indicate that the **Neighborhood and/or Homeowner Associations and Coalitions** affected by this submittal and the contact names are as follows:

SEE "ATTACHMENT A" FOR THE NAMES OF THE NA/HOA'S THAT NEED TO BE CONTACTED IN REGARDS TO THIS PLANNING SUBMITTAL – please attach this letter and "Attachment A" to your Application Packet ALONG with copies of the letters and certified mail receipts to the NA/HOA's – siw.

Please note that according to §14-8-2-7 of the *Neighborhood Association Recognition Ordinance* 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.** If you have any questions about the information provided, please contact me at (505) 924-3902 or via an e-mail message at swinklepleck@cabq.gov or by fax at (505) 924-3913.

Sincerely,

Stephani Winklepleck

Stephani Winklepleck
Neighborhood Liaison
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

PLEASE NOTE: The Neighborhood and/or Homeowner 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.

LETTERS MUST BE SENT TO BOTH CONTACTS OF EACH NA/HOA AND COALITIONS FOR THIS PLANNING SUBMITTAL.

!!!Notice to Applicants!!!

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

Applicants for Zone Change, Site Plan, Sector Development Plan approval or an amendment to a Sector Development Plan by the EPC, DRB, etc. are required under Council Bill O-92 to notify all affected neighborhood and/or homeowner associations **PRIOR TO FILING THE APPLICATION TO THE PLANNING DEPARTMENT.** Because the purpose of the notification is to ensure communication as a means of identifying and resolving problems early, it is essential that the notification be fully informative.

WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

1. The street address of the subject property.
2. The legal description of the property, including lot or tract number (if any), block number (if any), and name of the subdivision.
3. A physical description of the location, referenced to streets and existing land uses.
4. A complete description of the actions requested of the EPC:
 - a) If a **ZONE CHANGE OR ANNEXATION**, the name of the existing zone category and primary uses and the name of the proposed category and primary uses (i.e., "from the R-T Townhouse zone, to the C-2 Community Commercial zone").
 - b) If a **SITE DEVELOPMENT OR MASTER DEVELOPMENT PLAN** approval or amendment describes the physical nature of the proposal (i.e., "an amendment to the approved plan to allow a drive-through restaurant to be located just east of the main shopping center entrance off Montgomery Blvd.").
 - c) If a **SECTOR DEVELOPMENT PLAN OR PLAN AMENDMENT** a general description of the plan area, plan concept, the mix of zoning and land use categories proposed and description of major features such as location of significant shopping centers, employment centers, parks and other public facilities.
 - d) The name, address and telephone number of the applicant and of the agent (if any). In particular the name of an individual contact person will be helpful so that neighborhood associations may contact someone with questions or comments.

Information from the Office of Neighborhood Coordination

The following information should always be in each application packet that you submit for an EPC or DRB application. Listed below is a "Checklist" of the items needed.

- ONC's "Official" Letter to the applicant (if there are associations/coalitions). A copy must be submitted with application packet -OR-**
- The ONC "Official" Letter (if there are no associations). A copy must be submitted with application packet.
- Copies of Letters to Neighborhood and/or Homeowners Associations (if there are associations/coalitions). A copy must be submitted with application packet.**
- Copies of the certified receipts to Neighborhood and/or Homeowners Associations (if there are associations/coalitions). A copy must be submitted with application packet.**

Just a reminder - Our ONC "Official" Letter is only valid for a one (1) month period and if you haven't submitted your application by this date, you will need to get an updated letter from our office.

Any questions, please feel free to contact Stephani at 924-3902 or via an e-mail message at swinklepleck@cabq.gov.

Thank you for your cooperation on this matter.

(below this line for ONC use only)

Date of Inquiry: 03/06/15 Entered: 2:00 p.m. ONC Rep. Initials: siw

"ATTACHMENT A"

Malak Hakim
Consensus Planning
Zone Maps – E-18

ACADEMY ACRES NORTH N.A. "R"

***Jacob Tellier**

P.O. Box 90181/87199 821-0393 (h)

Irene Minke

P.O. Box 90181/87199 828-9810 (h)

ALBUQUERQUE MEADOWS RESIDENT'S ASSN. "R"

***Mary Jo Valley**

7112-26 Pan American Frwy. NE/87109 228-3504 (h)

Bob Stetson

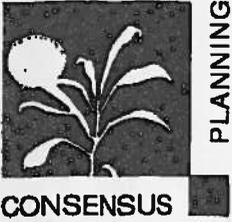
7112-154 Pan American Frwy. NE/87109 440-7701 (h)

DISTRICT 4 COALITION OF N.A.'S

***Michael Pridham**, 6413 Northland Ave. NE/87109 321-2719 (h) 872-1900 (c)

Peggy Neff, 8305 Calle Soquelle NE/87113 977-8903 (h)

***President of NA/HOA/Coalition**



CONSENSUS

March 6, 2015

Landscape Architecture
Urban Design
Planning Services

Mr. Michael Pridham
6413 Northland Ave NE
Albuquerque, NM 87109

Ms. Peggy Neff
8305 Calle Soquella NE
Albuquerque, NM 87113

302 Eighth St. NW
Albuquerque, NM 87102

(505) 764-9801
Fax 842-5495

cp@consensusplanning.com
www.consensusplanning.com

Re: 5700 San Antonio Drive NE - Zone Map Amendment

Dear Mr. Pridham and Ms. Neff:

The purpose of this letter is to inform you and the District 4 Coalition that Consensus Planning submitted a request for a Zone Map Amendment on behalf of San Antonio Commons, LLC. This request will be heard by the Environmental Planning Commission (EPC) on Thursday, April 9, 2015 at Plaza del Sol located at 600 Second Street NW. The hearing begins at 8:30 a.m.

The current zoning on the approximately 1.4 acre property located at 5700 San Antonio Drive NE is SU-1 for C-1. The applicant's request is to change the existing zoning to SU-1 for C-2. The request will accommodate a future restaurant/microbrewery that would move into a portion of existing building on the east side of the property.

Please do not hesitate to contact me at 764-9801 with any questions you may have regarding this request.

Sincerely,

Jacqueline Fishman, AICP
Principal

Att: Copy of the Zone Atlas Page E-18-Z
8 1/2" x 11" Aerial of the Existing Building

PRINCIPALS

James K. Strozier, AICP
Christopher J. Green, PLA,
A, LEED AP
Jacqueline Fishman, AICP
Laurie Firor, PLA, ASLA

7012 1640 0001 8697 5447

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

For delivery information visit our website at www.usps.com

ALBUQUERQUE NM 87109 OFFICIAL USE

Postage	\$ 0.49	
Certified Fee	\$3.30	
Return Receipt Fee (Endorsement Required)	\$2.70	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 6.49	

Sent To Michael Friedman
 Street, Apt. No.,
 or PO Box No. 6413 Northland Ave NE
 City, State, ZIP+4 ABQ NM 87109

PS Form 3800, August 2006 See Reverse for Instructions

7012 1640 0001 8697 5423

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

For delivery information visit our website at www.usps.com

ALBUQUERQUE NM 87113 OFFICIAL USE

Postage	\$ 0.49	
Certified Fee	\$3.30	
Return Receipt Fee (Endorsement Required)	\$2.70	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 6.49	

Sent To Peggy Neff
 Street, Apt. No.,
 or PO Box No. 8305 Calle Saguella NE
 City, State, ZIP+4 Albuquerque NM 87113

PS Form 3800, August 2006 See Reverse for Instructions

ADDITIONAL STAFF INFORMATION

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
PROPERTY OWNERSHIP LIST**

Meeting Date: Thursday, April 2nd, 2015 **1002455**
Zone Atlas Page: E-18-Z
Notification Radius: Neighborhood Associations
100ft plus r.o.w

Cross Reference and Location: Located on or San Antonio Dr. NE between San Pedro Dr. NE and 1-25

Applicant: Stroup Co.
 5343 Wyoming Blvd. NE
 Albuquerque, NM 87109

Agent: Consensus Planning, Inc.
 302 Eighth St. NW
 Albuquerque, NM 87102

Special Instructions:

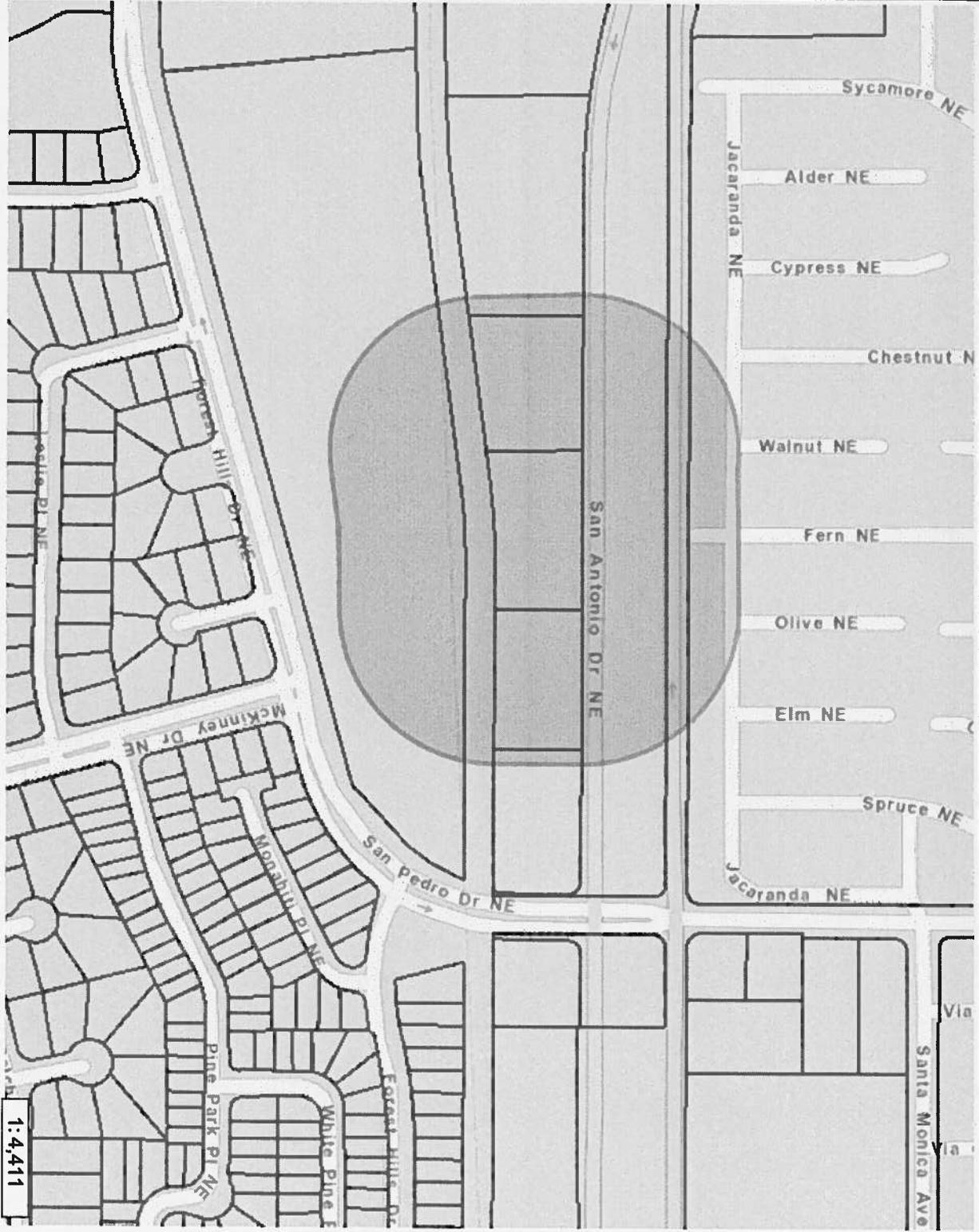
**Notice must be mailed from the
City 15 days prior to the meeting.**

Date Mailed: 3/18/2015

Signature: 



City of Albuquerque



735
 WGS_1984_Web_Mercator_Auxiliary_Sphere
 3/17/2015 © City of Albuquerque



This map is a user generated static output from www.cabq.gov/gis and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

1:4,411

- Legend**
- Bernalillo County Parcels
 - Municipal Limits
 - CORRALES
 - EDGEMOOD
 - LOS RANCHOS
 - RIO RANCHO
 - TIERRAS
 - UNINCORPORATED AREAS
 - World Street Map

Notes

Project#1002455



NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Albuquerque Environmental Planning Commission will hold a public hearing on Thursday, April 9, 2015 @ 8:30a.m. the Plaza del Sol Hearing Room, Lower Level, Plaza del Sol Building, 600 2nd St. NW, Albuquerque, NM to consider the following items:

Distribution of the Planning Department's staff reports regarding the following items will occur at a Case Distribution Session on Thursday, April 2, 2015 at 3:00 p.m., in the Plaza del Sol Hearing Room, Lower Level, Plaza del Sol Building, 600 2nd St. NW, Albuquerque, NM.

Project #1000596
1 SEPC-40008 Amendment to Site
Development Plan for Subdivision

The Hartman & Majewski Design Group, agent for Lovelace Medical Center, requests the above action for Tracts 1-A, 2-A, 2B-1, 2-B2 and 2-C, St. Joseph Hospital Complex, zoned SU-1 for Hospital and Related Uses and Hotel, located on Elm St. NE between Dr. Martin Luther King, Jr. Blvd. NE and Lomas Blvd. NE, containing approximately 24.5 acres. (J-14 & 15 & K-14 & 15)
Staff Planner: Catalina Lehner

Project #1002455
1 SEPC-40010 Amendment to Zone Map
(Establish Zoning/Zone Change)

Consensus Planning, agent for Stroup Co., request the above action for all or a portion of lot 5-A, JJ Subdivision, zoned SU-1 for C-1 to SU-1 for C-2 located on San Antonio Dr. NE, between San Pedro Dr. NE and I-25, containing approximately 1.4 acres. (E-18)
Staff Planner: Vicente Quevedo

Project #1010380
1 SEPC-40009 EPC Review of Proposed
Warehouse/Wholesale Use per
Downtown 2025 Sector Plan

Boese Brothers Brewing, LLC requests the above action for all or a portion of lots 13-15, block 20, New Mexico Original Townsite, zoned SU-3 (Arts and Entertainment Focus), located on Gold Ave. between 6th St. and 7th St., containing approximately 0.16 acre. (K-14)
Staff Planner: Maggie Gould

Details of these applications may be examined at the Planning Department, 3rd Level, Plaza Del Sol Building, 600 Second Street NW, between 8:00 a.m. and 5:00 p.m., Monday through Friday, or you may call 924-3860. INDIVIDUALS WITH DISABILITIES who need special assistance to participate at the public hearing should call 924-3860.

AML LLC
159 S BEACHWOOD DR
LOS ANGELES CA 90004-3825

PRESBYTERIAN HEALTHCARE SVC ATTN:
REAL ESTATE DEPARTMENT
PO BOX 26666
ALBUQUERQUE NM 87125-6666

COMMUNITY 1ST BANK LAS VEGAS
5550 SAN ANTONIO BLVD NE
ALBUQUERQUE NM 87109

CITY OF ALBUQUERQUE
PO BOX 2248
ALBUQUERQUE NM 87103-2248

SAN ANTONIO COMMONS LLC
5600 WYOMING BLVD NE SUITE 180
ALBUQUERQUE NM 87109

CONSENSUS PLANNING INC
302 EIGHTH ST NE
ALBUQUERQUE NM 87102

STROUP CO
5343 WYOMING BLVD. NE
ALBUQUERQUE NM 87109

JACBO TELLIER
PO BOX 90181
ALBUQUERQUE NM 87199

IRENE MINKE
PO BOX 90181
ALBUQUERQUE NM 87199

MARY JO VALLEY
7112-26 PAN AMERICAN FRWY. NE
ALBUQUERQUE NM 87109

BOB STETSON
7112-154 PAN AMERICAN FRWY. NE
ALBUQUERQUE NM 87109

MICHAEL PRIDHAM
6413 NORTHLAND AVE NE
ALBUQUERQUE NM 87109

PEGGY NEFF
8305 CALLE SOQUELLE NE
ALBUQUERQUE NM 87113

13
1002455