

CITY OF ALBUQUERQUE



PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
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Office (505) 924-3860 Fax (505) 924-3339

OFFICIAL NOTIFICATION OF DECISION

December 11, 2015

Argus Jefferson Partners, LLC
Attn: Jeff Jesionowski
4700 Montgomery Blvd. NE, #200
Albuquerque, NM 87109

Project# 1005517
15EPC-40021 Site Development Plan for Subdivision

LEGAL DESCRIPTION:

The above action for Lots 2-A-1 and 2-A-2, Tract B, Plat of Lots 2-A-1 and 2-A-2, Envirco Tract (being a replat of Lot 2-A, Tract B), zoned M-1, located on Jefferson Street NE, between Osuna Road NE and Ellison Street NE, containing approximately 7.2 acres. (E-17)
Staff Planner: Catalina Lehner

PO Box 1293

On December 10, 2015, the Environmental Planning Commission (EPC) voted to APPROVE Project #1005517/15EPC-40021, a Site Development Plan for Subdivision, based on the following findings:

Albuquerque FINDINGS:

1. The subject request is for a site development plan for subdivision, with design standards, for Lots 2-A-1 and 2-A-2, Tract B, Plat of Lots 2-A-1 and 2-A-2, Envirco Tract (being a replat of Lot 2-A, Tract B), an approximately 7.2 acre site located on the western side of Jefferson St. NE, between Osuna Rd. NE and Ellison St. NE (the "subject site").
2. The subject site, zoned M-1 Light Manufacturing Zone, is presently vacant. The previously existing warehouse was demolished. The applicant proposes to consolidate the two existing lots, subdivide them and create four new lots in order to develop commercial uses, such as a restaurant with a drive-up service window, a bank, and a possible office building.
3. The subject site is within the boundaries of the Established Urban Area of the Comprehensive Plan and is located within the Journal Center Major Activity Center. The North Valley Area Plan (NVAP) also applies.
4. The Albuquerque/Bernalillo County Comprehensive Plan, the NVAP and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. Because the subject site is greater than 5 acres in size, it is a Shopping Center (SC) site by definition and is subject to the regulations of Zoning Code §14-16-3-2 and review by the

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Environmental Planning Commission (EPC).

6. The request generally furthers the Established Urban Goal of the Comprehensive Plan because it would result in development of some retail uses and a future office building, which generally would contribute to variety and maximum choice in the Jefferson Corridor area. The Jefferson Corridor area is part of Journal Center, which is a Major Activity Center. The design standards would generally help create quality development and create a visually pleasing built environment.
7. The request furthers the following, applicable Land Use policies in the Comprehensive Plan:
 - A. Policy II.B.5d-neighborhood values/natural environmental conditions. The location and intensity of the proposed development would generally respect conditions in the immediate area, which is primarily zoned M-1. The design standards would generally help ensure that new development respects scenic resources by limiting FAR and providing internal and external connectivity. Staff has not received any comments as of this writing.
 - B. Policy II.B.5e-new growth/urban facilities. The subject site is vacant and contiguous to a developed area served by existing urban facilities. No neighborhoods are nearby to be affected by development on the subject site.
 - C. Policy II.B.5k- land/arterial streets/traffic effects. The subject site is adjacent to Jefferson St. NE, a Minor Arterial, and is separated from Osuna Rd. NE, a Major Arterial, by two, relatively small lots. Transportation Staff provided comments that, when addressed, would help minimize harmful effects of traffic. The TIS indicates that there would be no significant, adverse effects on the nearby roadway system.
 - D. Policy II.B.5l-quality design/new development. The proposed architectural standards would require quality building materials and articulation, and would result in "modern" style buildings that would generally create quality. The buildings would be cohesive in terms of design and materials.
8. The request partially furthers the following Comprehensive Plan Goal and policy regarding Activity Centers:
 - A. Goal. The subject site is located in the Journal Center Major Activity Center (MAC), which is designated in the Comprehensive Plan (see Figure 30). The most intense uses in the City are intended to be in MACs (ex. Downtown, Uptown and Cottonwood). The request would add economic activities, such as retail and eventually an office use, which could help reduce auto travel needs and urban sprawl, though the uses would not be as moderate or high density as desired in a MAC. The cost-effectiveness of City services would not be maximized to the extent that it could be.
 - B. Policy II.B.7a- mixed use/transit and pedestrian access/cost-effectiveness of services. Retail and office uses are generally intended to be located in Activity Centers. However, the envisioned retail uses would be small and auto-oriented and the office building would be relatively low density and low in height compared to what is intended and allowed for a MAC according to Table 22 (ex. FARs of 1.0 and greater, 3 story and higher buildings). The cost effectiveness of City services would not be maximized to the extent that it could be.

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9. The request furthers the following applicable General Goals of the North Valley Area Plan (NVAP):
 - A. General Goal #6: The subject site is located in an already developed/established commercial industrial area and is zoned M-1 Manufacturing Zone. The design standards would provide sufficient guidance to ensure quality development and redevelopment of the subject site.
 - B. General Goal #11: The request would result in commercial development within the I-25 corridor of the NVAP.
10. Design standards are proposed for the entire, approximately 7.2 acre site. Delegation of approval authority to the Development Review Board (DRB) is requested.
11. A Traffic Impact Study (TIS) was required. The land uses modeled include fast-food with drive-up service window, banks, retail and office uses.
12. Since the subject site is greater than 5 acres in size and a site development plan is proposed, the Albuquerque Archaeological Ordinance (Bill No. O-07-72) applies. The City Archaeologist issued a Certificate of No Effect due to lack of significant archaeological sites in the area and extensive, prior land disturbance.
13. The affected neighborhood organizations are the Alameda North Valley Association, the District 4 Coalition of Neighborhood Associations (NAs), and the North Valley Coalition. The applicant notified them as required. As of this writing, Staff has not received any written comments. A representative of the church inquired about the request, but has not expressed any concerns.

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 application submittal to the DRB, the applicant shall meet with the Staff planner to ensure that all conditions of approval are met.
3. Future site development plans for building permit shall comply with the design standards.
4. Site Development Plan for Subdivision:
The monument sign proposed along the private drive, on the subject site's northern side, shall be removed because it is not allowed pursuant to Zoning Code 14-16-3-2, Shopping Center Regulations.

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5. **Design Standards—Clarification & Future Review:**
 - A. The requirement that pedestrian pathways be clearly demarcated with a contrasting material (ex. textured concrete) shall be stated [Subsection 3-1(H)(1), General Parking Regulations].
 - B. The requirement for a minimum 8 foot sidewalk along building facades shall be listed [14-16-3-18(C)(1), General Building and Site Design Regulations for Non-Residential Uses].
 - C. The requirement for outdoor seating for major facades greater than 100 feet in length shall be listed [14-16-3-18(C)(3), General Building and Site Design Regulations for Non-Residential Uses].
 - D. Pursuant to the Shopping Center Regulations, Signage Standard F shall be clarified to indicate that monument signs are allowed at the rate of 1 for each 300 feet of frontage on an arterial roadway. The signs do not have to be spaced 300 feet apart as stated in the proposed standard.
 - E. Instances of “should” in the Utilities introductory language and the Signage introductory language shall be changed to “shall” as to not contradict subsequent language in each section.
6. The following conditions from Transportation Planning Staff shall be met:
 - A. Indicate that sufficient space within the site properties will be provided to accommodate required number of parking spaces for the proposed development. Traffic Circulation Layout requirements shall be followed as per the Development Process Manual, Chapter 23.
 - B. Based on proposed site access locations, provide copies of all shared access agreements with adjacent properties. The access agreements shall be recorded.
 - C. Show existing sidewalk facilities on Osuna and on Jefferson. Label existing driveway width for the westernmost driveway onto Osuna Road. Also, show all three existing driveways and respective driveway widths off of Osuna Road that are being utilized by the proposed development as indicated in the Traffic Impact Study dated May 28, 2015.
 - D. A six-foot sidewalk from handicapped parking spaces and from existing sidewalk on public right-of-way to the proposed doorways for the new buildings will be required for the proposed development. All ADA accessibility guidelines shall apply for the proposed traffic circulation layout.
 - E. Developer will be required to implement improvements that are recommended in the approved Traffic Impact Study.
 - F. Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed development site plan, as required by the Development Review Board (DRB)
 - G. Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed development site plan, as required by the Development Review Board (DRB)
7. The following conditions from PNM shall be met:
 - A. PNM easements are located on the northwest portion of the property. It is the applicant's obligation to abide by any conditions or terms of those easements.

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- B. On the Design Standards Sheet in the section entitled "Screening, Fencing and Walls" delete "Public Utility Structures" and insert the following language as an additional bullet:
"Screening should be designed to allow for access to utility facilities. All screening and vegetation surrounding ground-mounted transformers and utility pads are to allow 10 feet of clearance in front of the equipment door and 5-6 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Refer to the PNM Electric Service Guide at www.pnm.com for specifications."
- C. It is necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service regarding this project. Any existing or proposed public utility easements are to be indicated on the site plan utility sheet prior to DRB review. PNM's standard for public utility easements for distribution is 10 feet in width to ensure adequate, safe clearances. Contact:
Mike Moyer, PNM Service Center, 4201 Edith Boulevard NE, Albuquerque, NM 87107

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **DECEMBER 28, 2015**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-4-4 of the Zoning Code. 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.

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 Zoning Code must be complied with, even after approval of the referenced application(s).

ZONE MAP AMENDMENTS: Pursuant to Zoning Code Section 14-16-4-1(C)(16), a change to the zone map does not become official until the Certification of Zoning (CZ) is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

SITE DEVELOPMENT PLANS: Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped areas shall terminate automatically seven years after adoption or major amendment of the plan: within six months prior to the seven-year deadline, the property owners shall request in writing through the Planning Director that the Planning Commission extend the plan's life an additional five years. Additional design details will be required as a project proceeds through the Development Review Board and through the plan check of Building Permits.

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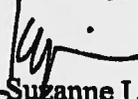
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submittals for construction. Planning staff may consider minor, reasonable changes that are consistent with an approved Site Development Plan so long as they can be shown to be in conformance with the original, approved intent.

DEFERRAL FEES: Pursuant to Zoning Code Section 14-16-4-1(B), deferral at the request of the applicant is subject to a \$110.00 fee per case.

Sincerely,


for Suzanne Lubar
Planning Director

SL/CLL

cc: Argus Jefferson Partners, Attn: Jeff Jesionowski, 4700 Montgomery Blvd. NE #200, ABQ, NM 87109
Tierra West, LLC. Attn: Vince Carrica, 5571 Midway Park Place NE, Albuquerque, NM 87109
DPS, Attn: Chris Gunning, 7601 Jefferson NE, Suite 100, Albuquerque, NM 87109
Steve Wentworth, Alameda North Valley Assoc., 8919 Boe Lane NE, Albuquerque, NM 87113
Mark Rupert, Alameda North Valley Assoc., PO Box 10454, Albuquerque, NM 87184
Michael Pridham, District 4 Coalition of NAs, 6413 Northland Ave. NE, Albuquerque, NM 87109
Peggy Neff, District 4 Coalition of NAs, 8305 Calle Soquelle NE, Albuquerque, NM 87113
Kyle Silber, North Valley Coalition, PO Box 70232, Albuquerque, NM 87197
David Wood, North Valley Coalition, 158 Pleasant NW, Albuquerque, NM 87107