

CITY OF ALBUQUERQUE



PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
600 2nd Street NW, 3rd Floor, 87102
P.O. Box 1293, Albuquerque, NM 87103
Office (505) 924-3860 Fax (505) 924-3339

OFFICIAL NOTIFICATION OF DECISION

January 15, 2016

COA Council Services
Attn: Andrew Webb
City/County Building, 9th Floor
Albuquerque, NM 87102

Project# 1005238
15EPC-40074 Text Amendment to the Coors Corridor
Plan

LEGAL DESCRIPTION:

The above action to amend the Coors Corridor Plan to allow temporary signage for businesses forced to relocate ~~due to an unavoidable casualty~~. For up to 90 days, each business would be allowed one temporary banner sign, up to 3 feet by 6 feet in size, to direct customers to the new location. Staff Planner: Catalina Lehner

On January 14, 2016, the Environmental Planning Commission (EPC) voted to forward a recommendation of APPROVAL of Project #1005238/15EPC-40074, text amendments to the Coors Corridor Plan, based on the following findings and conditions:

Albuquerque FINDINGS:

1. The City of Albuquerque City Council proposes to amend a portion of the text of the Coors Corridor Plan (CCP) to allow temporary banner signage for business that have been forced to relocate due to an unavoidable casualty, such as a fire or other disaster. Specifically, the proposed text amendment would add language to page 112 of the CCP, under d. Signage, Policy 1, Prohibited Signs.
2. The CCP prohibits signs that consist of banners, pennants ribbons, streamers, strings of light bulbs and spinners except during a holiday season or for ethnic and thematic special events. The proposed text amendments would add an exception, thereby allowing one temporary banner sign per business, at the original location of the business, to direct customers to the new location. The sign can be up to 3 feet by 6 feet in size and would be allowed for up to 90 days.
3. The proposed text amendments are found in Council Bill No. R-15-274, which was introduced at the City Council on November 16, 2015 and subsequently referred to the Environmental Planning Commission (EPC). The EPC is tasked with evaluating the request and forwarding a recommendation to the City Council.
4. The intent of the request is to allow business owners who have been adversely affected by an unavoidable casualty, such as a fire or other type of disaster, to use temporary signage. A recent structure fire at a strip mall on Coors Blvd. NW, near Sequoia Rd., resulted in several businesses

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being forced to relocate. The businesses needed to direct customers to their new location, but did not need permanent, new signage. Less expensive, temporary signage was desired.

5. However, the Coors Corridor Plan (CCP) design regulations prohibit signage consisting of banners or pennants. Both of these inexpensive types of signage could serve to re-direct customers to these adversely affected businesses. Therefore, a text amendment to the CCP is proposed to allow temporary banner signage.
6. The Charter of the City of Albuquerque, the Albuquerque/Bernalillo County Comprehensive Plan, the West Side Strategic Plan (WSSP), the Coors Corridor Plan (CCP) and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
7. The request meets the intent of the City Charter: ~~Allowing an additional type of signage, temporary banner signage, in the Coors Corridor Plan area is an exercise in local self-government (City Charter, Article 1).~~ Establishing parameters to define allowable signage size, and define temporary, generally expresses the Council's desire to ensure the proper use and development of land, and to generally promote and maintain an aesthetic and humane urban environment (City Charter, Article IX).
8. The request generally furthers the intent of the Zoning Code to promote the health, safety and general welfare of the public because they would allow an additional signage option to assist businesses, and the signage would be appropriately regulated. The proposed text amendment would require that temporary banner signs be applied for and administered by the Planning Department via an administrative process.
9. The request partially furthers the following Goals of the Comprehensive Plan:
 - A. Established Urban Goal: The proposed text amendments would allow temporary banner signage for businesses that have been adversely affected by a disaster and have to relocate. A new signage option would be available that could be considered a form of variety and a maximum choice for such businesses. However, banner signage is generally not considered quality signage. Though the signage would be limited to one per business, if each business at a strip mall or shopping center opts to use such a sign, it could result in a visual environment that is cluttered by several signs in a wide variety of colors, designs, sizes and shapes.
 - B. Developed Landscape Goal: The CCP area, which spans from Central Ave. to N 528/Corrales Rd., contains a wide variety of developed landscapes. Some natural landscape particularly east of Coors Blvd., helps define the Plan area. The proposed text amendment would allow temporary banner signage which, in most locations, would not adversely affect the developed landscape. However, locations that are characterized by a more natural environment could be adversely affected despite the temporary nature of the signage.
10. The request furthers the Economic Development Goal and policy of the Comprehensive Plan:
 - A. Goal: The proposed text amendments would allow a new signage option, on a temporary basis, to help businesses redirect customers to their new locations. This would promote

continued economic development while providing reasonable limitations on signage size and length of display.

B. Policy II.D.6b- development of local business/outside firms: The proposed text amendments would assist businesses that have been adversely affected by a disaster by allowing them to use temporary signage to inform customers of their new location. This would help the businesses to retain their customers, hopefully attract new ones, and therefore continue to develop.

11. WSSP Policy 4.6 refers to design guidelines will be developed later and addresses "signs" and other topics. The overarching idea of the WSSP is to minimize impairment of views of the roadway or unique views beyond the roadway. Staff finds that most of the land east of Coors Blvd. is zoned County A-1 or SU-1 for a residential use or an open space use. There is no commercial zoning close to these environmentally sensitive areas, so it is very unlikely that a business would need a temporary banner sign in these areas. Even if they did, the temporary signage would only be available in cases of disaster and would be subject to limitations regarding size and length of posting. Due to its narrow scope and applicability, Staff finds that the request furthers WSSP Policy 4.6.

12. The Planning Department notified the following representatives of 53 neighborhood organizations and coalitions on the list provided by Office of Neighborhood Coordination (ONC) Staff: Alamosa, Alban Hills, Anasazi Ridge, Avalon, Crestview Bluff, Encanto Village, Grande Heights, La Luz Del Sol, La Luz Landowners, Ladera Heights, Ladera West, Las Casitas Del Rio, Las Casitas Del Rio Unit 2 Subdivision, Laurelwood, Los Volcanes, Oxbow Park, Oxbow Village, Paradise Hills, Pat Hurley, Piedras Marcadas, Quaker Heights, Rancho Encantado, Rancho Sereno, Rio Oeste, Riverfronte Estates, Riverview Heights, S.R. Marmon, Saltillo, Skyview West, South Valley Coalition, St. Joseph Townhouse, Stinson Tower, Story Rock, South West Alliance of Neighbors (SWAN), South Valley Coalition, Taylor Ranch, The Enclave at Oxbow, Villa De Paz, Vista Grande, Vista Magnifica, Vista Montecito, Vista West, West Bluff, West Mesa, Western Trails Estates, Westside Coalition, Windmill Manor Place, Alameda North Valley, Alvarado Gardens, Los Duranes, North Valley Coalition, Rio Grande Blvd., Rio Grande Compound, Thomas Village.

13. The request was advertised in the City's Neighborhood News newsletter. As of this writing, Staff has not received any inquiries or written comments and is unaware of any opposition.

CONDITIONS:

Notes: New language is [+underlined and bracketed+]. Deleted language is [underlined, bracketed and struck through]. Planning Staff's suggested language is indicated by grey highlighting. Page references are to the proposed legislation (R-15-274).

1. Page 2, Line 15:

cases where a business must [temporarily close or] relocate due to fire, unavoidable

2. Page 2, Line 20:

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customers to the new location [and/or advises of the re-opening date].”

3. Page 113 of the CCP, Bullet 10:

Overhangs the right-of-way or property line [and/or is located in the right-of-way of Coors Blvd].

4. Page 1, Line 5:

and has amended it [several times] since [in 1989, 1995 and 2003]; and

5. Page 1, Line 8:

WHEREAS, the CCP ~~establishes development~~ [established design] regulations ~~designed~~ to

6. Page 1, Lines 10-11:

WHEREAS, CCP Issue 4, Section d., [Bullet 1.] prohibits the use of banners, pennants

7. Page 1, Line 13:

WHEREAS, a [recent] structure fire at 3270 Sequoia Northwest [on Coors Boulevard NW near Sequoia Road] has caused [several] [13] businesses.

8. Page 1, Line 15-17:

WHEREAS, this type of forced relocation [due to fire] presents challenges for businesses [who] [that] rely [on] [upon] their location as part of [the] [their] success [of their business]; and

9. Page 1, Line 18:

WHEREAS, businesses [who] [that] are forced to relocate due to a fire or other

10. Page 1, Lines 24-25:

formal, permanent signs that meet the requirements of the CCP and [underlying zoning on affected properties] [the Zoning Code]; and

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or to **JANUARY 29, 2016**. 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 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 required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to 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 Buildi

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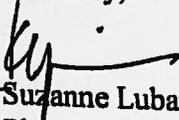
Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of the City Zoning Code must be complied with, even after approval of the referenced application(s).

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 Permit 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: City of Albuquerque, Council Services, Attn: Andrew Webb, P.O. Box 1293, Abq. NM 87102
City of Albuquerque, Planning Department, P.O. Box 1293, Abq. NM 87102
Jeanette Baca, Alamosa N.A., 901 Field SW, Albuquerque, NM 87121
Jerry Gallegos, Alamosa N.A., 6013 Sunset Gardens SW, Albuquerque, NM 87121
Patsy Nelson, Alban Hills N.A., 3301 La Rambla NW, Albuquerque, NM 87120
Lynne Scott, Alban Hills N.A., 6419 Camino Del Arbol NW, Albuquerque, NM 87120
Carol Rickert, Anasazi Ridge HOA, 4121 Eubank Blvd. NE, Albuquerque, NM 87111
Sherri, Repichowski, Anasazi Ridge HOA, 10800 Saltillo NW, Albuquerque, NM 87114
Billy DeHerrera, Avalon N. A., 651 Stern Dr. NW, Albuquerque, NM 87121
Luch Anchondo, Avalon N.A., 601 Stern Dr. NW, Albuquerque, NM 87121
Milton Brown, Crestview Bluff N.A., 5216 White Reserve Ave. SW, Albuquerque, NM 87105
Linda J. Oakes, Encanto Village HOA, 7415 Via Tranquillo SW, Albuquerque, NM 87121
Orin Dooley, Encanto Village HOA, 7611 Via Sereno SW, Albuquerque, NM 87121

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Dr. Joe Valles, Grande Heights Assoc., 5020 Grande Vista Ct. NW, Albuquerque, NM 87120
Richard Kirschner, Grande Heights Assoc., 5004 Grande Vista Ct. NW, Albuquerque, NM 87120
Wallace Ford, La Luz Del Sol N.A., 10 Wind Rd. NW, Albuquerque, NM 87120
Arthur Woods, La Luz Del Sol N.A., 33 Wind Rd. NW, Albuquerque, NM 87120
Rae Perls, La Luz Landowners Assoc., 15 Tennis Ct. NW, Albuquerque, NM 87120
Pat Gallagher, La Luz Landowners Assoc., 24 Link NW, Albuquerque, NM 87120
Allan Ludi, Ladera Heights N.A., 6216 Saint Josephs Ave. NW, Albuquerque, NM 87120
Marie Ludi, Ladera Heights N.A., 6216 Saint Josephs Ave. NW, Albuquerque, NM 87120
Hope Eckert, Ladera West N.A., 3300 Ronda de Lechuses NW, Albuquerque, 87120
Steven Collins, Ladera West N.A., 7517 Vista Alegre NW, Albuquerque, NM 87120
Mary Zarembo, Las Casitas Del Rio H.O.A., 6252 Stipa NW, Albuquerque, NM 87120
Danielle Wierengo, Las Casitas Del Rio H.O.A., 3608 Panicum, Albuquerque, NM 87120
Mike McKinney, LCDR Unit 2 Subdivision H.O.A., 6199 Deergrass Cir. NW, Abq., NM 87120
Colette Schobbins, LCDR Unit 2 Subdivision H.O.A., 6155 Deergrass Cir. NW, Abq., NM 87120
Candelaria Patterson, Laurelwood N.A., 7608 Elderwood Dr. NW, Albuquerque, NM 87120
Greg Huston, Laurelwood N.A., 7600 Sherwood Dr. NW, Albuquerque, NM 87120
Ben Sandoval, Los Volcanes N.A., 6516 Honeylocust Ave. NW, Albuquerque, NM 87121
Ted Trujillo, Los Volcanes N.A., 6601 Honeylocust Ave. NW, Albuquerque, NM 87121
Bob Nashwinter, Oxbow Park H.O.A., 3828 Tundra Swan NW, Albuquerque, NM 87120
Cindy Churan, Oxbow Park H.O.A., 3900 Desert Sage Ct. NW, Albuquerque, NM 87120
Richard Shine, Oxbow Village H.O.A., 3835 Oxbow Village Ln. NW, Albuquerque, NM 87120
Ric Chavez, Oxbow Village H.O.A., 3904 Oxbow Village Ln. NW, Albuquerque, NM 87120
Tom Anderson, Paradise Hills Civic Assoc., 10013 Plunkett Dr. NW, Albuquerque, NM 87114
Maria Warren, Paradise Hills Civic Assoc., 5020 Russell NW, Albuquerque, NM 87114
George Holly, Pat Hurley N.A., 5020 La Bajada NW, Albuquerque, NM 87105
James Jones, Pat Hurley N.A., 309 Rincon Ct. NW, Albuquerque, NM 87105
Lawrence Fendall, Piedras Marcadas N.A., 8600 Tia Cristina Dr. NW, Albuquerque, NM 87114
Karen Daniel, Piedras Marcadas N.A., 4815 Sherry Ann Rd. NW/87114 Albuquerque, NM 87114
Matthew Baca, Quaker Heights N.A., 5125 Northern Trail NW, Albuquerque, NM 87120
Paul DePetro, Quaker Heights N.A., 5124 Northern Trail NW, Albuquerque, NM 87120
Colin Semper, Rancho Encantado H.O.A., 5809 Mesa Sombra Pl. NW, Albuquerque, NM 87120
Adam Barker, Rancho Encantado H.O.A., 8500 Jefferson, Ste. B, Albuquerque, NM 87113
Debra Cox, Rancho Sereno N.A., 8209 Rancho Paraiso NW, Albuquerque, NM 87120
Sander A. Rue, Rancho Sereno N.A., 7500 Rancho Solano Ct. NW, Albuquerque, NM 87120
Judy Ortiz-Aragon, Rio Oeste H.O.A., 4115 Palacio Real NW, Albuquerque, NM 87120
Sandra Tinlin, Rio Oeste H.O.A., 4105 Moncloa Ct. NW, Albuquerque, NM 87120
Matt Dotson, Riverfronte Estates N.A., 1739 Rusty Rd. NW, Albuquerque, NM 87114
JoAnn McNeil, Riverfronte Estates N.A., 1610 Lyria Rd. NW, Albuquerque, NM 87114
Cyrus Toll, Riverview Heights N.A., 1306 Riverview Dr. NW, Albuquerque, NM 87105
Jan Harrington, Riverview Heights N.A., PO Box 12654, Albuquerque, NM 87195
Em Ward, S.R. Marmon N.A., PO Box 7434, Albuquerque, NM 87194
Michelle L. Luna, S.R. Marmon N.A., 7008 Porlamar Rd. NW/87120 Albuquerque, NM 87120
Tony Chavez, Skyview West N.A., 305 Claire Ln. SW, Albuquerque, NM 87121
Beatrice Purcella, Skyview West N.A., 201 Claire Ln. SW, Albuquerque, NM 87121
Allan Ludi, St. Josephs Townhouse Assoc., 6216 Saint Josephs NW, Albuquerque, NM 87120
Marie Ludi, St. Josephs Townhouse Assoc., 6216 Saint Josephs NW, Albuquerque, NM 87120
Emilio Chavez, Stinson Tower N.A., 3670 Tower Rd. SW, Albuquerque, NM 87121
Barbara Carmona-Young, Stinson Tower N.A., 7439 Via Serenita SW, Albuquerque, NM 87121
Amanda Armenta, Story Rock H.O.A., 6005 Sipapu NW, Albuquerque, NM 87120

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James Winter, Story Rock H.O.A, 6019 Storyteller Rd. NW, Albuquerque, NM 87120
Jolene Wolfley, Taylor Ranch N.A, 7216 Carson Tr. NW, Albuquerque, NM 87120
Rene Horvath, Taylor Ranch N.A., 5515 Palomino Dr. NW, Albuquerque, NM 87120
Jill Greene, The Enclave at Oxbow HOA, 3915 Fox Sparrow Tr. NW, Albuquerque, NM 87120
Forrest Uppendahl, The Enclave at Oxbow HOA, 3900 Rock Dove Tr. NW, Albuquerque, NM 87120
John Scholz, Villa De Paz H.O.A., 115 Calle Sol Se Mete, Albuquerque, NM 87120
Robert Rice, Villa de Paz H.O.A, 150 Calle Vadito NW, Albuquerque, NM 87120
Berent Groth, Vista Grande N.A., 3456 Sequoia Pl. NW, Albuquerque, NM 87120
Richard Schaefer, Vista Grande N.A., 3579 Sequoia Pl. NW, Albuquerque, NM 87120
Michael Wilmesherr, Vista Magnifica Assoc., 1709 Calle Del Vista NW, Albuquerque, NM 87105
Ruth Rivera, Vista Magnifica Assoc., 1640 Corte Del Sol NW, Albuquerque, NM 87105
Marty Martinez, Vista Montecito H.O.A., 9204 Picacho Ln. NW, Albuquerque, NM 87114
Sue Gardner, Vista Montecito H.O.A., 4612 Miramar Dr. NW, Albuquerque, NM 87114
Denise Guana, Vista West H.O.A., 676 Ridgeside Tr. SW, Albuquerque, NM 87121
Sylvia Balizan, Vista West H.O.A., 4121 Eubank Blvd. NE, Albuquerque, NM 87111
Ray Baum, West Bluff N.A., 2515 Kimberly Ct. NW, Albuquerque, NM 87120
~~Dr. Joe Valles, West Bluff N.A., 5020 Grande Vista Ct. NW, Albuquerque, NM 87120~~
Louis Tafoya, West Mesa N.A., 6411 Avalon Rd. NW, Albuquerque, NM 87105
Steven Budenski, West Mesa N.A., 57323 La Anita Ave. NW, Albuquerque, NM 87105
Krista Gessing, Western Trails Estates H.O.A., 5500 Benson Ct. NW, Albuquerque, NM 87120
Marc Lombardo, Western Trails Estates H.O.A., 5512 Bridgeport Rd. NW, Albuquerque, NM 87120
Kim Trevett, WM Place Subdivision H.O.A., 5232 Tierra Amada St. NW, Albuquerque, NM 87120
Kathleen Ingle, WM Place Subdivision H.O.A., 5228 Tierra Amada St. NW, Albuquerque, NM 87120
Johnny Pena, South Valley Coalition of NAs, 6525 Sunset Gardens SW, Albuquerque, NM 87121
Jerry Gallegos, South Valley Coalition of NAs, 417 65th St. SW, Albuquerque, NM 87121
Jerry Worrall, Westside Coalition of NAs, 1039 Pinatubo Pl. NW, Albuquerque, NM 87120
Harry Hendriksen, Westside Coalition of NAs, 10592 Rio del Sole Ct. NW, Albuquerque, NM 87114
Kyle Silber, North Valley Coalition, P.O. Box 70232, Albuquerque, NM 87197
Doyle Kimbrough, 2327 Campbell Rd. NW, Albuquerque, NM 87104
Steven Wentworth, Alameda North Valley Assn., 8919 Boe Ln. NE, Albuquerque, NM 87113-2328
Mark Rupert, Alameda North Valley Assn., P.O. Box 10454, Albuquerque, NM 87184
Carolyn R. Siegel, Alvarado Gardens N.A., 2726 Candelaria Rd. NW, Albuquerque, NM 87107
Kristin Hogge, Alvarado Gardens N.A., 3031 Calle San Angel NW, Albuquerque, NM 87107
Jose Viramontes, Los Duranes N.A., 1317 Gabaldon Dr. NW, Albuquerque, NM 87104
William C. Herring, Los Duranes N.A., 3104 Coca Rd. NW, Albuquerque, NM 87104
Monica Gilboa, Rio Grande Blvd. N.A., 2300 Camino De Los Artesanos NW, Albuquerque, NM 87107
Doyle Kimbrough, Rio Grande Blvd. N.A., 2327 Campbell Rd. NW, Albuquerque, NM 87107
Elizabeth Perkett, Rio Grande Compound H.O.A., 3120 Calle del Alamo NW, Albuquerque, NM 87104
Catherine Fellows, Rio Grande Compound H.O.A., 2913 Calle Grande NW, Albuquerque, NM 87104
Richard Meyners, Thomas Village N.A., 3316 Calle de Daniel NW, Albuquerque, NM 87104
Debbie Ridley, Thomas Village N.A., 3247 Calle de Deborah NW, Albuquerque, NM 87104