

# 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

May 13, 2016

Roy Soloman/Green Jeans, LLD  
2929 Monte Vista NE  
ABQ, NM 87106

**Project# 1001178**  
16EPC-40015 Site Development Plan for Building Permit  
Amendment

### **LEGAL DESCRIPTION:**

The above action for all or a portion of Tract A-1-B-1, Acme Acres, zoned C-3 (SC), located on 3600 Cutler Ave. NE, between I-40 and Menaul Blvd., containing approximately 1.49 acres. (H-17)  
Staff Planner: Vicente M. Quevedo

On May 12, 2016 the Environmental Planning Commission (EPC) voted to ACCEPT THE REQUEST TO WITHDRAW Project #1001178/16EPC-40015, a Site Development Plan for Building Permit, based on the following findings:

### **FINDINGS:**

Albuquerque

New Mexico 87103

www.cabq.gov

1. This is a request for a Site Development Plan for Building Permit Amendment for an approximately 1.49 acre site located on Cutler Ave. between I-40 and Menaul Blvd. to construct an approximately 2,322 sf two-story building on the subject site to house retail and office uses.
2. A written request for the withdrawal from the applicant was received on April 22, 2016 and has been included as part of the record for the case.
3. The applicant requests withdrawal of 16EPC-40015.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **MAY 27, 2016**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> 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.

**OFFICIAL NOTICE OF DECISION**

Project #1001178

May 12, 2016

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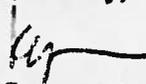
You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of the City 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/VQ

cc: Roy Soloman/Green Jeans, LLD, 2929 Monte Vista NE, ABQ, NM 87106  
SMPC Architects, 115 Amherst Dr. SE, ABQ, NM 87106  
Charles Maguire, Netherwood Pk NA, 1925 Apache NE, ABQ, NM 87106  
John Vittal, Netherwood Pk NA, 1737 Miracerros Pl. NE, ABQ, NM 87106  
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Janice Arnold-Jones, Dist. 7 Coalition of NA's, 7713 Sierra Azul NE, ABQ, NM 87110  
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