



**Environmental
Planning
Commission**

**Agenda Number:
Project Number: 1004167
Case #: 16EPC-40011
May 12, 2016**

Supplemental Staff Report

Agent	James Strozier, Consensus Planning
Applicant	Paul Hedges, Guardian Storage
Request	Amendment to Site Development plan for Subdivision
Legal Description	1,2, 7A,8A,9 and 10B-2., Bosque Plaza Subdivision
Location	La Orilla RD between Coors Boulevard and the Rio Grande
Size	11.5
Existing Zoning	C-1 (SC)
Proposed Zoning	Same

Staff Recommendation
APPROVAL of Case 16 EPC 40011 based on the Findings beginning on Page 3, and subject to the Conditions of Approval beginning on Page 7.

**Staff Planner
Maggie Gould, Planner**

Summary of Analysis

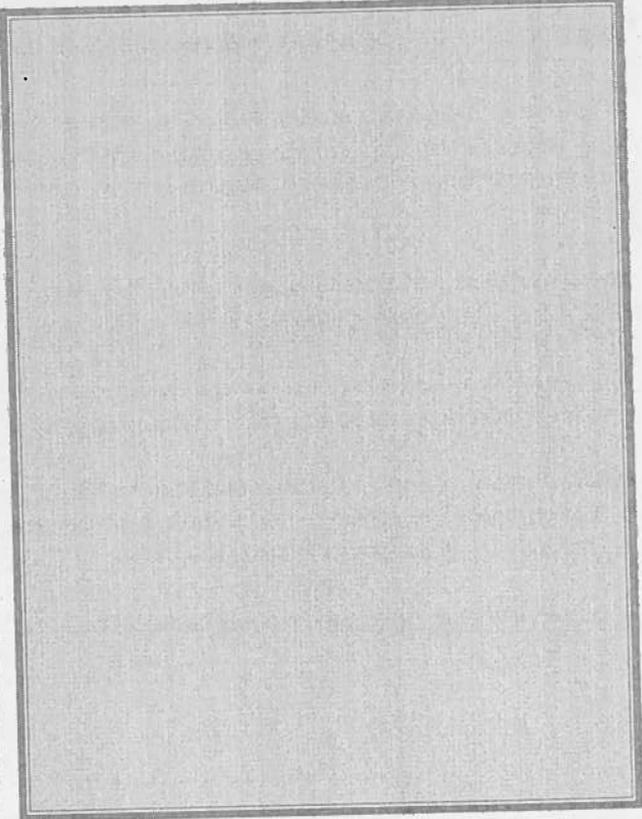
This case was scheduled for the April 14, 2016 EPC hearing; EPC voted to defer the case to allow time for the resolution of an appeal of a conditional use for self-storage on lot one.

The Zoning Board of Appeals heard the case on April 26th and voted to grant the appeal.

The applicant has amended the request and removed all references to indoor storage and an increased FAR.

The request now included the request to delegate future approvals to the building permit process and the comprehensive landscape plan.

Staff is recommending approval with conditions.



City Departments and other interested agencies reviewed this application from 02/29/2016 to 03/16/2016

This case was deferred from the April 14, 2016; EPC hearing in order to allow for the resolution of the appeal of a conditional use for an indoor storage use on lot one based on the following findings:

1. Planning Staff and City Legal Staff recommend a 30 day deferral until the underlying issue (appeal of the ZHE decision regarding indoor storage) is resolved.
2. Further deferrals will occur until staff informs the commission that the underlying issue has been resolved.

The appeal of the Conditional Use for indoor storage was heard by the Zoning Board of Appeals (ZBOA) on April 26th, 2016. The ZBOA voted to grant the appeal and reverse the decision of the Zoning Hearing Examiner. This action resolves the issue of the indoor storage use. The ZBOA found that the ZHE had not fully considered the criteria for the conditional use under the C-1 zone; see findings 12, 13 and 14 of the ZBOA decision for more information. The deadline to appeal the request is May 11, 2016. If the ZBOA decision is appealed, the matter should be deferred.

Subsequently, the applicant removed all references to self-storage from the Site Development Plan for Subdivision, including the request to increase the FAR.

The applicant also amended the section regarding additional design standards for large buildings so that the additional brick coping, windows and stucco color would apply to any two story building constructed within the subject lots. The applicant has noted that the requirements are only for the subject lots.

The request now only includes the landscaping plan and the request for delegation of future development on the subject lots.

Staff received additional comments from the Taylor Ranch Neighborhood Association (TRNA) opposing the delegation of future Site Development Plans for Building Permit to the Building Permit because, in summary, the entire site should have same approval process, the additional review is needed to interpret and apply the design standards and the DRB is not the appropriate body to review site plans for building permit because their main purpose is to oversee the subdivision ordinance.

Section 14-16-2-22-(A)(1) allows the EPC delegate its authority.

The letter cites §14-16-2-22-(A)(6) as allowing the Planning Director limited authority over Site Plans; this section refers to the administrative of approval of changes to existing, previously approved plans.

Page 6 of the DRB rules of procedures lists DRB responsibilities and items where they have administrative approval authority; site development plans for administrative approval and/or as delegated by the EPC. The DRB does review site plans when the authority to review those plans has been delegated to them.

DRB hearings are open to the public and can be advertised or unadvertised.

The TRNA also objects the addition of the language regarding large building because it was not included in the original request.

The request was advertised as an Amendment to the Site Development Plan for Subdivision; the added language regarding large buildings is a modification of the language previously proposed for the indoor storage use and adds additional design guidance to the site. The EPC can choose to have the language removed if they would like.

The findings have been amended to reflect the changes.

Staff is still recommending approval with conditions.

FINDINGS – 16 EPC-40011 April 14th, 2016 – Amend Site Development Plan for Subdivision

1. This request was deferred from the April 14, 2016 hearing pending the resolution of an appeal. The Board of Appeals voted to grant the appeal of the Zoning Hearing Examiner's approval of a conditional use for lot one to allow self-storage, thereby reversing the Zoning Hearing Examiner's decision from the February 2016 hearing.
2. This is a request for an amendment to a site development plan for subdivision for located on Coors Boulevard between La Orilla road and Riverside Plaza Shopping Center containing approximately 11.5 acres.
3. The applicant proposes to amend the existing site Development Plan for Subdivision to delegate future approvals to building permit for lots, 1,2, 7A, 8A ,9 and 10B-2, include a landscape plan for these lots.
4. The applicant states that delegation will allow for a faster process that may encourage development on the subject lots.
5. The Site Development Plan for Subdivision was originally approved in 2006 (05-EPC-01237). All development on the site is subject to the design standards in the approved Site Development Plan for Subdivision.
6. The subject site is a designated a shopping center and subject to the requirements of §14-16-3-2(C) of the Zoning Code, the Shopping Center regulations; including the Large Retail Facility Regulations §14-16-3-2 (D). Lots that are not adjacent to and do not have primary access and full access to a street designated at least a collector containing 2 through traffic lanes are limited to 75,000 square feet of net leasable area for retail uses. Bosque Plaza Lane is a private road and La Orilla Road is a local street east of Coors Boulevard.
7. The EPC has limited discretion pursuant to the shopping center designation and can require additional landscaping, but the development on the site is regulated by the underlying zone, Sector Development Plan and approved Site Development Plan for Subdivision.
8. The approval procedure for shopping center sites is the same process as the SU-1 zone; §14-16-2-22(A)(1) allows the approval of the site developments plans for building permit by the planning commission or its designee.

9. The maximum allowed height in the underlying C-1(SC) zone is 26 feet; the allowable height may be lower on sites closer to Coors Boulevard because of height limits in the Coors Corridor Plan.
10. The Albuquerque/Bernalillo County Comprehensive Plan, West Side Strategic Plan, Coors Corridor Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
11. The subject site is within boundaries Developing Urban Area of the Comprehensive Plan:

Land Use

The subject site is located in an area that the Albuquerque/Bernalillo County Comprehensive Plan has designated Established Urban. The Comprehensive Plan goal of Developing and Established Urban Areas 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." Applicable policies include:

Policy II.B.5d: 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, recreational concern.

Policy II.B.5d is furthered because subject site has a comprehensive Site Development Plan for Subdivision that sets out requirements for signage, lighting, parking, pedestrian connections, and specify an architectural style with clear requirements for building elements. The Coors Corridor Plan sets requirements for view preservation. These requirements ensure that future development is context sensitive and will be compatible with the surrounding area.

Policy II.B.5e: 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.

Policy II.B.5e is furthered because the subject site is has full access to a complete range of existing urban services including water, sewer, roads, electricity and emergency services. The site is adjacent to existing commercial and intuitional development with only a portion of one lot directly adjacent to single family residential development.

Policy II.B.5j: 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.

Policy II.B.5j is furthered because the subject site is within a commercially zoned area and is within a shopping center and adjacent to a shopping center. The requests may encourage additional development in the shopping center.

Economic Development

Goal: To achieve steady and diversified economic development balanced with other important social, cultural and environmental goals.

Policy II.D.6.a – New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs located convenient to areas of most need.

Policy II.D.6.a is furthered because the request may encourage new development in the shopping center, the new development may offer new services and employment opportunities on the west side where the jobs to housing imbalance is an issue.

Policy II.D6f: The City and the County should remove obstacles to sound growth management and economic development throughout the community.

The requests further Policy II.D6f because requirement to receive EPC approval for all development on the site may be seen as an obstacle. The administrative review process will provide the review for compliance with the applicable regulations without the additional process..

Developed Landscape

Policy II.C.8d: Landscaping shall be encouraged within public and private rights-of-way to control water erosion and dust, and create a pleasing visual environment; native vegetation should be used where appropriate.

The request provides a consistent landscape design for the entire shopping center site. The proposed plants include native and low to medium water use plants that are generally successful in the area. Policy II.C.8d is furthered by this request.

12. The subject site is within the boundaries of the West Side Strategic Plan.

Policy 3.12: The Taylor Ranch Community is an appropriate location for continued growth due to its contiguous location to the rest of the City and efficient location for receiving City services.

Policy 3.12 is furthered because the proposed changes may encourage growth by providing a faster development process while maintaining the style and quality of the development.

Policy 3.15: Allow appropriately designed development throughout the Taylor Ranch Community which will not degrade views to and from the Escarpment through design guidelines and consistent enforcement.

Policy 3.15 is furthered because all future development will comply with the provisions of the Coors Corridor Plan and the approved Site Development Plan for Subdivision (SPS). The design standards in the SPS are comprehensive and provide guidance on signage, lighting, parking, pedestrian connections, and specify an architectural style with clear requirements for building elements. The Coors Corridor plan requires buildings to meet the view plane to preserve views by limiting height. The underlying C-1 zone also limits height to 26 feet. All of these requirements ensure view protection.

13. The subject site is within the boundaries of the Coors Corridor Plan. The following policies are applicable:

Issue 1 traffic movement/ access and roadway design, policy 6: Streetscape improvements for the public right of way of Coors Boulevard shall be required.

The proposed addition of the landscape plan for the subject lots will provide a more cohesive streetscape for the shopping center and the right of way along Coors Boulevard.

The landscaping plan furthers Issue 1, policy 6.

Issue 3 land use and intensity of development: Intensity of development shall be compatible with the roadway function, existing zoning, or recommended land use, environmental concerns and design guidelines.

Issue 4 visual impressions and urban design overlay zone. Section b policy 2 building setback, height and bulk: Buildings should be located and designed to provide a pleasing and functional relationship to the roadway, the site and to the adjacent or related building and structures.

Future development on the site is subject to the requirements of the approved Site Development Plan for Subdivision which contains comprehensive design guidelines that ensure that the style of the buildings is similar.

Section b policy 3 front landscaped street yard and policy 4 site landscaping

The request includes a comprehensive landscaping plan that will provide a consistent landscape design for the frontage on Coors Boulevard and the interior of the site.

14. The Taylor Ranch Neighborhood Association, Alban Hills Neighborhood Association, Rio Oeste H.O.A, Westside Coalition of Neighborhoods were notified of the request. A facilitated meeting occurred on March 15th, 2016. Attendees expressed general concern about or opposition to building height and mass, the indoor storage use and delegation of future approvals. Staff received several e-mails opposing the storage uses and possible larger buildings on the site. Staff also received

-
15. Property owners within 100 feet were notified of the request. Staff received a comment from a property owner within the shopping center opposing the delegation of future approval. Staff received two letters of support from property owners.

RECOMMENDATION – 16 EPC 40011 April 14, 2016

APPROVAL of 16EPC-40011, a request for an amendment to a Site Development Plan for Subdivision, for lots, 1,2, 7A, 8A ,9 and 10B-2, based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL - 16 EPC 40011- April 14, 2016 Amend Site Development Plan for Subdivision

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. The Site Development Plan for Subdivision shall be corrected so that the most recent platting actions and lot descriptions are shown.
4. Please add a note on the plan stating “A Traffic Circulation Layout (TCL) plan is required for each development as part of the building permit submittal requirements.”
5. The Site Development Plan shall comply with the General Regulations of the Zoning Code, the Subdivision Ordinance, and all other applicable design regulations, except as specifically approved by the EPC.

**Maggie Gould
Planner**

Notice of Decision cc list:

cc: Guardian Storage, Attn: Paul Hedges, 9221 Eagle Ranch Rd NW, ABQ, NM 87114
Consensus Planning, James Strozier, 302 8th St NW, ABQ, NM 87102
Jolene Wolfley, Taylor Ranch NA, 7216 Carson Trl NW, ABQ, NM 87120
Rene Horvath, Taylor Ranch NA, 5515 Palomino Dr NW, ABQ, NM 87120
Patsy Nelson, Alban Hills NA, 3301 La Rabla NW, ABQ, NM 87120
Lynne Scott, Alban Hills NA, 6419 Camino Del Arrebol NW, ABQ, NM 87120
Judy Ortiz-Aragon, Rio Oeste HOA, 4115 Palacio Real NW, ABQ, NM 87120
Sandra Tinlin, Rio Oeste HOA, 4105 Moncloa Ct NW, ABQ, NM 87120
Gerald C. Worrall, Westside Coalition of NA's, 1039 Pinatubo Pl NW, ABQ, NM 87120
Harry Hendriksen, Westside Coalition of NA's, 10592 Rio Del Sole Ct NW, ABQ, NM 87114-2701
Tim Flynn-O'Brien, 817 Gold Av. SW, ABQ, NM 87111
Terri Spiak, 7406 Santa Fe Trl NW, ABQ, NM 87120
Nita D. Day, LCDR II HOA, 6127 Deergrass Cir. NW, ABQ, NM 87120

§ 14-16-2-22 SU-1 SPECIAL USE ZONE.

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.

(A) Procedure.

- (1) Development within the SU-1 zone may only occur in conformance with an approved Site Development Plan. An application for a change to SU-1 zoning shall state the proposed use and must be accompanied by a plan including, at a minimum, all the elements of a Site Development Plan for Subdivision Purposes. As part of the zone amendment action, a Site Development Plan may be approved; alternatively a plan may be approved later. If an approved Site Development Plan is a specified condition of zone change approval, such plan must be approved within the time period specified in § 14-16-4-1(C)(11) of this Zoning Code. No building permit shall be approved unless it is consistent with a complete site development plan for building permit and landscaping plan for the lot in question, approved by the Planning Commission or its designee; at the Planning Commission's discretion, approval of detailed plans may be required for the entire SU-1 zone area prior to issuing a building permit.
- (2) A decision implementing a change to the zone map to SU-1 zoning shall designate the specific use permitted, and a building permit shall be issued only for the specific use and in accordance with an approved Site Development Plan. The specific use shall be recorded on the zone map.
- (3) In approving an application, the Planning Commission may impose requirements as may be necessary to implement the purpose of this Zoning Code. However, for an adult amusement establishment or adult store on an SU-1 zoned site, no conditions may be imposed on the adult uses that would prevent them from existing on the site if the uses are allowed under the applicable Zoning Code distance requirements.
- (4) A certified copy of the Site Development Plan shall be kept in the Planning Department records so that it may be reviewed against an application for a building permit for any part or all of a special use.
- (5) The Planning Commission may review the application, plan, and progress of development at least every four years until it is fully implemented to determine if it should be amended.
- (6) The Planning Director may approve minor changes to an approved Site Development Plan or Landscaping Plan if it is consistent with the use and other written requirements approved by the Planning Commission, if the buildings are of the same general configuration, if the total building square footage is not greater than 10% than the approved plan, the vehicular circulation is similar in its effect on adjacent property and streets, and the approving official finds that neither the city nor any person will be substantially aggrieved by the altered plan. If the Planning Director believes there might be a person substantially aggrieved by the altered plan or if the total building square footage would be increased more than 2%, he shall give mailed notice of the proposed change to owners of adjacent property and to neighborhood associations entitled to notice of zone change proposals there.
- (7) The Planning Director or a designee may approve site plans for temporary park-and-ride facilities.

(B) Special Uses.

- (1) Accessory use customarily associated with a use permitted in this zone, provided it is incidental to the major use. Signs as permitted and regulated by the Planning Commission.
- (2) Adult amusement establishment or adult store provided:
 - (a) The use is located at least 1,000 feet from any adult amusement establishment or adult store; and
 - (b) The use is located at least 500 feet from the nearest residential zone, or from any church or pre-elementary, elementary or secondary school. Signs as regulated in the C-2 zone.
- (3) Airport. Signs as permitted and regulated by the Planning Commission.
- (4) Antenna (commercial).
- (5) Amusement facility of a permanent character, including but not limited to kiddieland, baseball batting range, or golf driving range.
- (6) Automobile dismantling yard or similar use. Signs as regulated in the C-1 zone.
- (7) Bed and Breakfast Establishment. A Bed and Breakfast establishment with five to eight guest rooms shall abut a collector street, minor arterial street, or major arterial street, except a site of one acre or greater may abut a local street.
- (8) Campground, provided it meets the requirements of § 14-16-3-7 of this Zoning Code. Signs as regulated in the C-2 zone.
- (9) Cemetery, including columbarium, mausoleum, or crematory, provided the site contains at least 30 acres. Signs as regulated in the O-1 zone.
- (10) Church or other place of worship, including incidental recreational and educational uses; such an incidental use must be operated by the church rather than a business entity and must continue to be operated by the church, unless the resolution governing the SU-1 zone specifically allows operation of a specified incidental use by an entity other than the church itself. Incidental uses allowed include but are not limited to an emergency shelter operated by the church on the church's principal premises which is used regularly for public worship, notwithstanding special limitations elsewhere in this Zoning Code. Signs as permitted and regulated by the Planning Commission.
- (11) Park-and-Ride temporary facilities.
- (12) Drilling, production, or refining of petroleum gas or hydrocarbons. Signs as regulated in the O-1 zone.
- (13) Drive-in theater, provided:
 - (a) Reservoir off-street standing space or side service road space is provided at any entrance sufficient to accommodate at least 30% of the vehicular capacity of the theater.
 - (b) A screen less than 500 feet from an arterial street is so located or shielded that the picture surface cannot be seen from the arterial street.

- (c) The theater is enclosed with a solid wall or fence at least six feet high.
- (14) Fire station. Signs as regulated in the O-1 zone.
- (15) Golf course. Signs as regulated in the O-1 zone.
- (16) Gravel, sand, or dirt removal activity, stockpiling, processing, or distribution and batching plant. Signs as regulated in the O-1 zone.
- (17) Helipad, other than a medical helipad or a law enforcement helipad, provided it complies with Federal, State and Local regulations including City noise regulations; and further provided that:
- (a) Helipads are a minimum of 650 feet from the nearest residential zone as measured from the edge of the helipad unless it is demonstrated the helipad will not be injurious to adjacent property, the neighborhood, or the community, but in no case shall a helipad be located less than 350 feet from the nearest residential zone, as measured from the edge of the helipad.
 - (b) The total number of helicopter operations (a landing and a takeoff is one operation) shall not exceed 3 on any day. The operations per day do not accumulate if not used.
 - (c) Helicopter landing and takeoff operations are prohibited between 10 P.M. and 7 A.M.
 - (d) Written documentation of helipad operations, including, but not limited to, flight path usage and the date and time of all landings and takeoffs, shall be maintained by the helipad owner and made available upon request for public inspection.
 - (e) Helipad operations that assist in medical emergencies, police emergencies, or search and rescue emergencies, when solicited by agencies which respond to such emergencies, shall not be limited to three operations per day nor to time of day limitations.
- (18) Hospital for human beings, including medical helipad, provided that the traffic generated, ambulance noise, nor medical helipad will have serious adverse effects on the neighborhood. Medical helipads shall be sited and buffered to minimize impacts on surrounding properties. Written documentation of medical helipad operations, including date and time of all landings and takeoffs, shall be maintained and made available upon request for public inspection. Signs as regulated in the C-1 zone.
- (19) Institution, correctional or mental. Signs as regulated in the O-1 zone.
- (20) Law Enforcement Helipad, provided that such helipads are sited and buffered to minimize impacts on surrounding properties. Written documentation of law enforcement helipad operations, including date and time of all landings and takeoffs, shall be maintained and made available upon request for public inspection.
- (21) Major public open space as defined and administered pursuant to Chapter 5, Article 8, ROA 1994 of this code of ordinances.
- (22) Open market. Signs as regulated in the C-1 zone.
- (23) Ore reduction, smelting. Signs as regulated in the O-1 zone.

- (24) Planned development area, including residential development and mobile home development, in which special use, height, area, setback, or other regulations should be imposed, provided the site contains at least three acres. Signs as permitted and regulated by the Planning Commission.
- (25) Planned Residential Development (PRD), provided:
- (a) Allowed uses include single-family houses, townhouses, apartments, associated accessory structures and home occupations as regulated by the R-1 zone. Residence/work spaces are allowed as approved by the Planning Commission. O-1 permissive and C-1 permissive uses may be allowed, up to 25% of the total gross floor area of the development, as approved by the Planning Commission.
 - (b) A Site Development Plan for Subdivision (§ 14-16-1-5(B)) is required for approval by the Planning Commission in conjunction with a zone map amendment and prior to building permit approval, with specific design requirements that include, but are not limited to: maximum and minimum number of dwelling units and/or density; maximum and minimum lot size(s); maximum building height; minimum building setbacks; architectural design standards, including but not limited to exterior wall materials and colors, roof materials and colors; placement of mechanical units; preliminary grading and drainage plan; landscape design standards; parking; site lighting; design of walls and fences visible from public rights-of-way; and pedestrian amenities.
 - (c) The PRD uses and development are compatible with adjacent properties, including public open spaces, public trails and existing neighborhoods and communities. The standards for compatibility shall include the design requirements in subsection (b).
 - (d) Upon approval of a Site Development Plan for Subdivision with design requirements by the Planning Commission, individual site plans for building permit may be submitted for building permit approved unless the Planning Commission specifies additional review.
 - (e) Signs as permitted and regulated by the Planning Commission.
- (26) Public utility structure. Signs as regulated by the Planning Commission.
- (27) Police Station. Signs as regulated in the O-1 zone.
- (28) Race track. Signs as regulated in the C-2 zone.
- (29) Stadium. Signs as regulated in the C-2 zone.
- (30) Swimming pool. Signs as regulated in the O-1 zone.
- (31) Transit facilities.
- (32) Truck plaza.
- (33) A concealed wireless tele-communications facility may be allowed in conjunction with an approved use, provided the requirements of § 14-16-3-17 are met.
- (34) Wireless Telecommunications Facility, provided that the requirements of § 14-16-3-17 of this Zoning Code are met, and as specifically allowed below:

- (a) A concealed wireless telecommunications facility, up to 65 feet in height.
 - (b) A collocated free-standing wireless telecommunications facility, up to 75 feet in height.
 - (c) A face-mounted wireless telecommunications facility.
 - (d) A roof-mounted free-standing wireless telecommunications facility, up to 20 feet above the parapet of the building on which it is placed.
 - (e) A wireless telecommunications facility, the antennas of which are all mounted on an existing vertical structure.
- (35) Use combinations not adequately allowed and controlled in other zones, relative to a specific site. Signs as permitted and regulated by the Planning Commission.
- (36) Hospital for treatment of substance abusers.
- (37) Form based zones (TOD-MAC, TOD-COM, MX, ID and PND), provided:
- (a) The form based zones shall comply with the standards of § 14-16-3-22 Form Based Zones. The provisions of § 14-16-3-22 shall control where inconsistent with § 14-16-2-22.
 - (b) A site development plan for a form based zone is required for approval by the Planning Commission in conjunction with a zone map amendment and prior to building permit approval, with specific submittal requirements that include, but are not limited to:
 - 1. An accurate site plan at a scale of at least 1 inch to 100 feet showing: building placement, parking location, street layout, lot layout, placement of mechanical equipment, lighting and signage, public amenities, walls, and required usable open space;
 - 2. A preliminary grading plan;
 - 3. A preliminary utility plan;
 - 4. A landscape plan showing landscape areas, plant material, water harvesting areas; and
 - 5. Building elevations demonstrating building types, frontage types, heights, fenestration, shading elements, articulation, ground story clear height.
 - (c) The form based zones shall meet the eligibility requirements set forth in § 14-16-3-22(B).
 - (d) Modifications to any of the standards of the (§ 14-16-3-22) Form Based Zones may be granted by the Environmental Planning Commission or other City Council designated approval body, as set forth in § 14-16-3-22(A)(6).
- (C) **Off-Street Parking.** Off-street parking shall be provided as required by the Planning Commission.
- (D) **Height.** The same regulations apply as in the R-2 zone unless modified by the Planning Commission.

- (E) **Open Space.** If the SU-1 zone is mapped in an area not designated by the master plan as Redeveloping or Established Urban, 2,400 or more square feet of open space per dwelling shall be preserved. Of the total 2,400 square feet, the following minimum amounts shall be usable open space on the lot with the dwelling: 200 square feet for each efficiency or one-bedroom dwelling, 250 square feet for each two-bedroom dwelling, and 300 square feet for each dwelling containing three or more bedrooms. The remaining requirement may be met by the alternatives listed in § 14-16-3-8(A) of this Zoning Code.
- (F) **Variations.** If the resolution approving SU-1 references the regulations of another zone or if the adopted site development plan specifically incorporates such regulations, the referenced zone regulations shall apply unless a variance is approved.
- (G) Any special use that would allow the sale or dispensing of alcoholic drink for consumption off premises shall be subject to the restrictions set forth in the C-2 zone (§ 14-16-2-17 of this Zoning Code) for sales of alcoholic drink for consumption off premises except any retailing of alcoholic drink, for on or off premise consumption, within 500 feet of a community residential program or hospital for treatment of substance abusers, is prohibited pursuant to § 14-16-3-12(A)(11) ROA 1994.
- (H) **Large Retail Facility Regulations.** Any site containing a large retail facility, as defined in § 14-16-1-5 of the Zoning Code, is subject to special development regulations. The large retail facility regulations are provided in § 14-16-3-2 of the Zoning Code.

(74 Code, § 7-14-30) (Ord. 80-1975; Am. Ord. 48-1976; Am. Ord. 6-1977; Am. Ord. 26-1977; Am. Ord. 38-1978; Am. Ord. 68-1979; Am. Ord. 40-1980; Am. Ord. 49-1980; Am. Ord. 42-1981; Am. Ord. 14-1984; Am. Ord. 77-1984; Am. Ord. 11-1986; Am. Ord. 41-1987; Am. Ord. 12-1990; Am. Ord. 30-1990; Am. Ord. 47-1990; Am. Ord. 69-1990; Am. Ord. 45-1992; Am. Ord. 43-1994; Am. Ord. 8-1995; Am. Ord. 58-1995; Am. Ord. 17-1997; Am. Ord. 33-1997; Am. Ord. 9-1999; Am. Ord. 8-2000; Am. Ord. 35-2000; Am. Ord. 11-2002; Am. Ord. 50-2002; Am. Ord. 48-2003; Am. Ord. 16-2004; Am. Ord. 42-2004; Am. Ord. 4-2005; Am. Ord. 30-2005; Am. Ord. 23-2007; Am. Ord. 5-2008; Am. Ord. 7-2008; Am. Ord. 9-2009; Am. Ord. 19-2010)

§ 14-16-3-2 SHOPPING CENTER REGULATIONS.

This section controls the development of shopping center sites.

(A) General.

- (1) No structure shall be erected on a shopping center site except in conformance with a duly approved site development plan. Once approved, such a plan or subsequent amended plan is binding on the entire area of the original site development plan. Sales of all or part of the premises do not alter the effect of the plan. Platting of lots or creation of smaller premises do not alter the effect of the plan. Subsequent to execution of the site development plan, use of the site entirely for manufacturing, assembling, treating, repairing, rebuilding, wholesaling, and warehousing for a period of over one year does change the status of the site as a shopping center and suspends the legal effect of the site development plan for so long as the uses remain.
- (2) The rights and duties of the city and of the applicant which result from the approval of an application under this section run with the land and are binding upon successors in interest of the applicant. When an application is approved, a copy of the approved Site Development Plan and Landscaping Plan or record of exemption shall be kept in the office of the Planning Director. A building permit for a shopping center site shall be issued only upon presentation of working plans and specifications drawn in close conformity with an approved Site Development Plan.
- (3) The Planning Director shall designate shopping center sites on the official zone map by the symbol "SC."
- (4) The Planning Commission may modify the boundaries of or eliminate an existing Shopping Center designation for any site, upon application by the property owner, if the Planning Commission finds no public benefit in continued application of the shopping center regulations because most of the site has been allowed to develop without the guidance of a site development plan.

(B) Shopping Center Requirements. The following regulations apply to an application for a building permit for construction on a shopping center site, except applications covering on-site parking expansion:

- (1) An applicant shall submit a Site Development Plan and Landscaping Plan for the shopping center site.
- (2)
 - (a) Access to the shopping center site is limited to approaches designed according to accepted traffic engineering practice, so laid out as to be an integral part of the parking area and loading facilities.
 - (b) Pickup points shall be so designed that vehicles do not create congestion on an abutting public way. No loading and unloading is to be conducted on a public way.
- (3) Landscaping of shopping center sites must comply with the regulations of § 14-16-3-10 of this Zoning Code. The Planning Commission may require additional buffer landscaping if it finds it necessary due to demonstrably unusual circumstances.
- (4) Free-standing signs on shopping center sites shall be limited to one on-premise sign per 300 feet of street frontage on arterial and collector streets. Maximum signable area shall be 150

square feet per sign face and maximum sign height shall be 26 feet. Off-premise signs shall not be permitted on shopping center sites.

- (5) Upon approval, the applicant is responsible for payment of the cost for the necessary traffic control devices and channelization to shelter vehicular turning movements into the shopping center or shopping center site, channelization to be designed according to accepted advanced geometric design technique. These responsibilities must be outlined and agreed upon between the applicant and the city at the time of approval of the Site Development Plan.
- (6) The site division regulations established in § 14-16-3-2(D)(3) ROA 1994, apply to all retail facilities with over 90,001 aggregate square feet of gross leasable space.

(C) Procedure.

- (1) Approval and revision of plans is the same procedure as for SU-1 plans.
- (2) The Planning Commission may review the plan and progress of development at least every four years until it is fully implemented to determine if it should be amended.

(D) Large Retail Facility Regulations.

(1) Applicability.

- (a) Provisions of this section and § 14-8-2-7, Responsibilities of Applicants and Developers, shall apply to the following, as determined by the Environmental Planning Commission (EPC):

1. New construction of a large retail facility;
2. Change of use from a non-large retail facility to a large retail facility as defined in § 14-16-1-5;
3. Building expansion of more than 50% of the existing square footage.

- (b) Building expansion of 10% to 50% of the existing square footage of an existing large retail facility shall be subject to the following requirements:

1. Pre-application discussion with the Planning Review Team (PRT).
2. Compliance with the large retail facilities design regulations as determined by the EPC. The EPC before issuing final design regulations shall request input from neighborhood associations with boundaries that are within 200 feet of the proposed project.

- (c) Building expansion up to 10% of the existing square footage and building renovation of an existing large retail facility shall comply with the design regulations in this section to the extent possible as determined by the Planning Director.

- (2) **Location and Access of Large Retail Facility.** The following regulations manage the location and design of large retail facilities. These regulations are necessary for the proper functioning and enjoyment of the community. They protect the quality of life within surrounding residential areas, support efficient traffic flows, and provide consistent regulations for such facilities. Large retail facilities shall be located to secure adequate street capacity to transport pedestrians and vehicles to and from large retail facilities, and

RECEIVED
May 9, 2016



TAYLOR RANCH NEIGHBORHOOD ASSOCIATION INC.

P.O. Box 66288
Albuquerque NM 87193-6288

May 11, 2016

Karen Hudson, Chair
Environmental Planning Commission
Sent via email

**RE: Project #1004167, 16EPC-40011
Bosque Plaza Site Plan Amendment**

Dear Chair Hudson and Members of the EPC:

The Taylor Ranch Neighborhood Association:

1. **Does not support delegation of Bosque Plaza Site Plans for Building Permit to the Design Review Board.** We maintain that the EPC has the authority, discretion, expertise, and independence to be the review body for site plans for building permit for Bosque Plaza. We believe that the entire site—that is, all of Bosque Plaza—should have the same approval process. (The application would have certain lots with site plans for building permit required to go through the EPC and other lots with site plans delegated to go to DRB. This is not the way to develop in a cohesive way.)
2. **Does not support the added architectural guidelines for large buildings.** We maintain that this new language was not part of the original request, and, therefore, proper notice has not been given for this particular matter to be heard by the EPC on 5/12/16.

**The Environmental Planning Commission
Is the Body to Review Site Development Plans**

The Environmental Planning Commission has broad authority and discretion to oversee development in the City of Albuquerque. The Commissioners volunteer a great amount of time to function in this role. The EPC is a large body representing the nine city council districts. Commissioners collectively bring a wide range of perspectives on development to their decisions. In addition, planning staff is dedicated to the EPC to review site plans for building permit and weigh the merits of the proposals with recommendations for approval/denial, findings and conditions.

EPC hearings have strict notification requirements which include posting on the property and notification to neighborhoods and property owners with standing. The EPC holds public hearings with a set of rules on providing comment and evidences on cases.

The EPC has been given authority to decide on site development plan approval requests for SU-1 zoned sites and shopping center (SC) designated sites.¹ The EPC processes site plans similarly for both of these two zoning categories.² Therefore, references from the City Code are informative for both SU-1 and SC sites.

During the course of an EPC hearing, many matters are discussed amongst the EPC, staff specialists, the applicant and the public. These hearings are a productive format for arriving at a decision that applies city policies and ordinances and also takes into account multiple perspectives. Some matters take hours of discourse.

The Design Review Board is the Body to Oversee the Subdivision Ordinance

The Design Review Board oversees the Subdivision Ordinance and administrative matters. The DRB focuses on technical matters often dealing with engineering practice and code and does not interpret or use discretion. A function of DRB is to see that the conditions placed on a site development plan by the EPC are implemented.³

The Design Review Board was established by Administrative Regulation in 1982 to provide:

“ a forum for key City departments directly responsible for specialized aspects of the physical development of this community to review and make decisions on subdivision proposals scheduled for their hearing.

The DRB is charged with administering the City Subdivision Ordinance...” (DRB Rules of Procedure, revised 2003; see attachment)

¹ City of Albuquerque Website, Document on EPC, Dec 2012.

The EPC has been given authority to decide on site development plan approval requests for SU-1 zoned sites and shopping center (SC) designated sites and most zone change requests. The EPC reviews and provides recommendations to the City Council on annexation requests, certain zone change requests, proposed amendments to the Zoning Code and Subdivision Ordinance and adoption or revision to Rank I, Rank II and Rank III Plans – including the Comprehensive Plan, area plans and sector development plans. The commission also hears appeals of impact fee assessments.

² § 14-16-3-2 SHOPPING CENTER REGULATIONS (C) *Procedure.*
(1) Approval and revision of plans is the same procedure as for SU-1 plans.

³ Environmental Planning Commission

§ 14-13-3-2 DUTIES, RESPONSIBILITIES, AND POWERS.

(E) The Planning Commission may authorize a hearing officer to take testimony and make recommendations to the Planning Commission based on that testimony with respect to any matter within the authority delegated to the Planning Commission. The Planning Commission may delegate to the Development Review Board final approval of site plans that are conditionally approved by the Planning Commission.

The City Code defines the Design Review Board as:

“ DEVELOPMENT REVIEW BOARD. An administrative board, consisting of five members representing major city agencies, which meets for the purpose of subdivision review and approval. Membership consists of the Planning Director as Chairperson, City Engineer (who may also function as the AMAFCA designee), Traffic Engineer, Water Resources Engineer, and Parks and Recreation Director.” *(Chapter 14, Article 14, Definitions)*

The Design Review Board is comprised of department directors and city engineers. The directors and engineers may designate staff to sit in for them. Three of members are engineers focused on traffic, hydrology, and water. One member represents parks and recreation. Only the planning department representative is charged with applying approved city plans.

The Planning Director, or designee, is the head of the DRB. When the Planning Department recommends delegation of site development plan review to the DRB, they are effectively asking that the Planning Department have the power to review site plans rather than the EPC.

The long held tradition in the City of Albuquerque is that the EPC review all site plans for subdivision and building permit unless they are considered very minor or with little to no public interest. Properties in the Bosque Transition Zone in Taylor Ranch have had the Site Plan for Building Permit reviewed by the EPC. Each case has exhibited a great amount of public interest. The zoning has generally been SU-1 or SC. All other sites within Bosque Plaza have had EPC public hearings to review the site plan for building permit.

The applicant has recently given testimony before the Board of Appeals that matters of design are the purview of the EPC and not administrative agents such as the ZHE. This was part of the case made by Consensus Planning requesting a conditional use for indoor storage at Bosque Plaza. Now the applicant reverses and wants the EPC to delegate all the authority it has to the DRB, an administrative agent.

The Planning Director has limited Authority over Site Development Plans

The Planning Director's authority over site development plans is limited in the Zoning Ordinance:

“The Planning Director may approve minor changes to an approved Site Development Plan or Landscaping Plan if it is consistent with the use and other written requirements approved by the Planning Commission, if the buildings are of the same general configuration, if the total building square footage is not greater than 10% than the approved plan, the vehicular circulation is similar in its effect on adjacent property and streets, and the approving official finds that neither the city nor any person will be substantially aggrieved by the altered plan. If the Planning Director believes there might be a person substantially aggrieved by the altered plan or if the total building square footage would be increased more than 2%, he shall give mailed notice of the proposed

change to owners of adjacent property and to neighborhood associations entitled to notice of zone change proposals there." § 14-16-2-22(A)(6)

This provision signals the limits of administrative bodies--like the Planning Director or the Design Review Board (chaired by the Planning Director)—in approval of site plans. The language specifically says the Planning Director has authority to make changes: "if it is consistent with the use and other written requirements approved by the Planning Commission." This provision indicates the intent that the Planning Commission first establishes the requirements (conditions) by approving the site development plan in the first place. See also 14-13-3-2(E):

"The Planning Commission may delegate to the Development Review Board final approval of site plans that are conditionally approved by the Planning Commission."
(Emphasis added).

The Zoning Ordinance also indicates the importance of notice to neighborhood associations to get their perspective for site plan changes and plan adoptions. It states: "If the Planning Director believes there might be a person substantially aggrieved by the altered plan....he shall give mailed notice of the proposed change to owners of adjacent property and to neighborhood associations." (see above) The DRB does **not** give mailed notice to either adjacent property owners or neighborhood associations. Their meetings do not have a defined public hearing format. (see Attachment, DRB Rules of Procedure, revised 2003, meetings)

TRNA and many other neighborhood associations have been actively involved in every project for development east of Coors Boulevard and in our area over 15 years. We have been notified of projects through requirements for notification of hearings under the EPC process. The effort to delegate site plans for building permit for Bosque Plaza to the DRB would appear to be an attempt to limit public involvement and comment in the review process.

Bosque Plaza Site Plan Provision Require EPC Review

There are several provisions of the Bosque Plaza Site Plan for Subdivision that require the EPC to use its discretionary authority when reviewing a Site Plan for Building Permit. The provisions refer to pedestrianism; architectural design; compatibilities of scale, design and materials; enhancing mountain views; etc. These provisions are outside the purview of DRB. The DRB reviews technical, quantitative, and black-and-white issues. It has no discretionary authority and has four members untrained to evaluate these Bosque Plaza provisions.

Examples of Provisions that only the EPC should decide:

- G.1 The creation of an active pedestrian environment at Bosque Plaza is dependent upon creative site and architectural design....The relationship between the buildings and the street shall be key to providing a pedestrian oriented development.
- G.2.b Building design and construction shall be used to create a structure with attractive sides of high quality, rather than placing all emphasis on the front elevation of the structure and neglecting or downgrading the aesthetic appeal of the side and rear elevations.
- G.2.d Window and doors shall relate to the scale of the elevation on which they appear. The use of recessed openings helps to provide depth and contrast on elevation planes.
- G.3 The architectural objective is to create a site that is visually integrated through the use of architectural styles and similarities of scale, proportion, massing, and color.
- G.3.b Architectural styles are limited to Territorial and Territorial Revival only...
- J. Bosque and mountain views....shall generally be available from semi-public locations such as patios, outdoor seating area and intersections. The design of these features shall ensure that views are preserved and even enhanced.
- D.3 The design and materials for refuse collection enclosures shall be compatible with the architectural theme of the building with compatible materials and colors utilized.
- F.1.a All signage shall be designed to be consistent with and complement the material, color, and architectural style of the building or site location.

In summary, TRNA asks that the EPC not delegate its authority to review Bosque Plaza Site Plans for Building Permit to the DRB. The EPC should keep its review role so that its unique discretionary authority and perspectives can be applied to the many provisions of Bosque Plaza site plan that need qualitative review and judgment.

Sincerely,

Jolene Wolfley
Taylor Ranch N.A.

**ATTACHMENT:
References to Relevant Sections of City Code and Regulations**

Zoning Ordinance

§ 14-16-2-22 SU-1 SPECIAL USE ZONE.

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.

(A) Procedure.

- (1) Development within the SU-1 zone may only occur in conformance with an approved Site Development Plan. ... No building permit shall be approved unless it is consistent with a complete site development plan for building permit and landscaping plan for the lot in question, approved by the Planning Commission or its designee; at the Planning Commission's discretion, approval of detailed plans may be required for the entire SU-1 zone area prior to issuing a building permit.
- (2) A decision implementing a change to the zone map to SU-1 zoning shall designate the specific use permitted, and a building permit shall be issued only for the specific use and in accordance with an approved Site Development Plan. The specific use shall be recorded on the zone map.
- (3) In approving an application, the Planning Commission may impose requirements as may be necessary to implement the purpose of this Zoning Code...
- (4) A certified copy of the Site Development Plan shall be kept in the Planning Department records so that it may be reviewed against an application for a building permit for any part or all of a special use.
- (5) The Planning Commission may review the application, plan, and progress of development at least every four years until it is fully implemented to determine if it should be amended.
- (6) The Planning Director may approve minor changes to an approved Site Development Plan or Landscaping Plan if it is consistent with the use and other written requirements approved by the Planning Commission, if the buildings are of the same general configuration, if the total building square footage is not greater than 10% than the approved plan, the vehicular circulation is similar in its effect on adjacent property and streets, and the approving official finds that neither the city nor any person will be substantially aggrieved by the altered plan. If the Planning Director believes there might be a person substantially aggrieved by the altered plan or if the total building square footage would be increased more than 2%, he shall give mailed notice of the proposed change to owners of adjacent property and to neighborhood associations entitled to notice of zone change proposals there.
- (7) The Planning Director or a designee may approve site plans for temporary park-and-ride facilities.

§ 14-16-3-2 SHOPPING CENTER REGULATIONS.

This section controls the development of shopping center sites.

(A) General.

(1) No structure shall be erected on a shopping center site except in conformance with a duly approved site development plan. Once approved, such a plan or subsequent amended plan is binding on the entire area of the original site development plan. ...

(2) ...When an application is approved, a copy of the approved Site Development Plan and Landscaping Plan or record of exemption shall be kept in the office of the Planning Director. A building permit for a shopping center site shall be issued only upon presentation of working plans and specifications drawn in close conformity with an approved Site Development Plan...

(4) The Planning Commission may modify the boundaries of or eliminate an existing Shopping Center designation for any site, upon application by the property owner, if the Planning Commission finds no public benefit in continued application of the shopping center regulations because most of the site has been allowed to develop without the guidance of a site development plan.

(B) Shopping Center Requirements. The following regulations apply to an application for a building permit for construction on a shopping center site, except applications covering on-site parking expansion:

(1) An applicant shall submit a Site Development Plan and Landscaping Plan for the shopping center site.

(2) (a) Access to the shopping center site is limited to approaches designed according to accepted traffic engineering practice, so laid out as to be an integral part of the parking area and loading facilities.

(b) Pickup points shall be so designed that vehicles do not create congestion on an abutting public way. No loading and unloading is to be conducted on a public way.

(3) Landscaping of shopping center sites must comply with the regulations of § 14-16-3-10 of this Zoning Code. The Planning Commission may require additional buffer landscaping if it finds it necessary due to demonstrably unusual circumstances.

(4) Free-standing signs on shopping center sites shall be limited to one on-premise sign per 300 feet of street frontage on arterial and collector streets. Maximum signable area shall be 150 square feet per sign face and maximum sign height shall be 26 feet. Off-premise signs shall not be permitted on shopping center sites.

(5) Upon approval, the applicant is responsible for payment of the cost for the necessary traffic control devices and channelization to shelter vehicular turning movements into the shopping center or shopping center site, channelization to be designed according to accepted advanced geometric design technique. These responsibilities must be outlined and agreed upon between the applicant and the city at the time of approval of the Site Development Plan.

(6) The site division regulations established in § 14-16-3-2(D)(3) ROA 1994, apply to all retail facilities with over 90,001 aggregate square feet of gross leasable space.

(C) Procedure.

(1) Approval and revision of plans is the same procedure as for SU-1 plans.

(2) The Planning Commission may review the plan and progress of development at least every four years until it is fully implemented to determine if it should be amended.

(D) Large Retail Facility Regulations.

(1) Applicability.

(a) Provisions of this section and § 14-8-2-7, Responsibilities of Applicants and Developers, shall apply to the following, as determined by the Environmental Planning Commission (EPC):

1. New construction of a large retail facility;
2. Change of use from a non- large retail facility to a large retail facility as defined in § 14-16-1-5;
3. Building expansion of more than 50% of the existing square footage.

(b) Building expansion of 10% to 50% of the existing square footage of an existing large retail facility shall be subject to the following requirements:

1. Pre-application discussion with the Planning Review Team (PRT).
2. Compliance with the large retail facilities design regulations as determined by the EPC. The EPC before issuing final design regulations shall request input from neighborhood associations with boundaries that are within 200 feet of the proposed project.

(c) Building expansion up to 10% of the existing square footage and building renovation of an existing large retail facility shall comply with the design regulations in this section to the extent possible as determined by the Planning Director.

§ 14-16-3-11 SITE DEVELOPMENT PLAN APPROVAL AND SUBDIVISION REGULATION REQUIREMENTS.

(A) Site Development Plan approval for either subdivision or building purposes may include:

- (1) Imposition of relevant requirements contained within or authorized by the city's Subdivision Ordinance, including but not limited to dedication of rights of way and assurances for required infrastructure improvements both on site and off site.
- (2) Imposition of other requirements of other city ordinances.

(B) Site Development Plans, especially plans for unbuilt areas, are often changed so that developers can better respond to changing market conditions. Amendment of Site Development Plans does not require meeting the criteria which must be met to justify changing zones or changing written specifications imposed by Sector Development Plans or by terms of approval of a zone such as SU-1. Site Development Plans are expected to meet the requirements of adopted city policies and procedures.

(C) 2(c) Under site plan termination.

A major amendment of a Site Development Plan is an amendment adopted by the Planning Commission which is not a minor amendment as contemplated by 14-16-2-22(A)(6) of this Zoning Code.

Design Review Board

The Design Review Board was established by Administrative Amendment in March 1982 and revised 2003. These are excerpts from DRB Rules of Procedure, revised 2003:

DEVELOPMENT REVIEW BOARD RULES OF PROCEDURE

BACKGROUND

The Development Review Board (DRB) was established in March, 1982, by Administrative Instruction No. 11, later re-issued on September 1, 1992 as Administrative Instruction 8-2. The DRB provides a forum for key City departments directly responsible for specialized aspects of the physical development of this community to review and make decisions on subdivision proposals scheduled for their hearing.

The DRB is charged with administering the City Subdivision Ordinance and will exercise administrative approval authority on the types of proposals outlined in "Development Review Board Responsibilities" in this document. In addition, the Board will exercise advisory/review authority on the types of proposals also outlined in "Development Review Board Responsibilities".

The DRB is intended to meet three general goals:

- Implement a more effective review and approval process for the City and the applicant.
- Implement a mechanism for discussions where all key agencies and the applicant receive the same information and interface as a group, thereby establishing the same base for analysis of the proposal and its relevant impact on each agency's specialization area.
- Facilitate better coordination, planning and judgment leading to quality development in the City of Albuquerque.

These rules and regulations are in accordance with the applicable provisions of the Revised Ordinances of Albuquerque, New Mexico, RO-1994. Three certified copies of the DRB rules shall be filed with the City Clerk to be kept as permanent public record. Copies of these rules are available to the public at the Planning Department for a nominal fee.

ORGANIZATION

Composition - The DRB shall be composed of five (5) members, who are employees of the City of Albuquerque representing the following:

- Director of the Planning Department
- Director of the Parks and Recreation Department
- Water & Sewer Utilities Engineer
- Traffic Engineer
- City Engineer

DEVELOPMENT REVIEW BOARD RESPONSIBILITIES

Exercise Administrative Approval Authority

- Subdivision (where no rezoning action or annexation is required)
- Site development plans for administrative approval and/or as delegated by the EPC
- Minor amendments to approved site development plans
- Sidewalk variances
- Sign-off for compliance with written conditions set by the EPC on site development plans.
- Extensions of subdivision improvements agreements.
- Sector plans and area plans

Advisory Review Responsibilities

- Subdivision for which rezoning and/or annexation is required.
 - Sector development and area plans
 - Plans for transportation corridors shown on the Long Range Roadway System or in an alignment study.
 - Future street alignment recommendations.
 - Facilities Master Plan Review for Flood Control.
 - Functional review of site development plans to be approved by other bodies.
 - Preliminary subdivision and/or development agreements as appropriate.
-
- Meeting Agenda: For regularly scheduled meetings, the administrative assistant shall prepare an agenda at least five (5) days prior to each DRB meeting based on applications received, listing the matters of business generally in the following order:
 1. Call to order -- recording of members present and absent
 2. Changes to Agenda -- any and all changes to the printed agenda, shall normally be announced at the beginning of each meeting.
 3. New or old business not part of submittals to be heard
 4. Public Hearing Matters. Major Actions.
 5. Signatures on items previously considered by the DRB, EPC, or others. Minor Actions.
 6. Sketch plat or plan review of subdivisions--conceptual review prior to formal submittal.
 7. Approval of minutes.
 8. Adjournment.
 - All revised application submittals must be received by the DRB Administrative Assistant by noon on the Monday before the scheduled Wednesday meeting date. Materials received after this deadline will be reviewed only in extraordinary circumstances as determined by the Chairperson. If materials are faxed, the burden is on the applicant to notify the Administrative Assistant that a fax is being sent. If a DRB member has pre-approved a submittal and/or agreed before the meeting, the materials can be submitted at the meeting.
 - As used within these rules, the term "meeting" also refers to a "hearing", a type of meeting at which public comments are taken and decisions are made by DRB.

Subdivision Regulations

§ 14-14-1-5 APPROVING BODY.

This article shall be administered by the Development Review Board acting according to policies set by the Environmental Planning Commission and City Council.

§ 6-5-5-15 DEVELOPMENT REVIEW BOARD.

The DRB as established by Chapter 14, Article 14, Subdivision Regulations, will have responsibilities which may include but not be limited to the following:

- (A) Issuance and review of sidewalk variance permits.
- (B) Analysis of character and function of assigned rights-of-way, concluding with specific recommendation of action programs.
- (C) Review of sidewalk, curb ramp, drive pad, and curb and gutter permit application as requested.
- (D) Review of proposed street paving and/or sidewalk construction projects as requested.
- (E) Review of present and proposed street furniture designs of both public and private agencies.