OFFICIAL NOTIFICATION OF DECISION

November 10, 2017

Devin Cannady
300 Adams St. SE
Albuquerque, NM 87108

Project# 1011366
17EPC-40046 Site Development Plan for Building Permit
17EPC-40047 Zone Map Amendment (Zone Change)

LEGAL DESCRIPTION:
The above actions for Tract B-1, Plat of Tracts A-1 and B-1,
Mariposa Square, zoned C-1, located on Ladera Dr. NW, between
72nd St. NW and Laurelwood Parkway NW, containing
approximately 2 acres. (H-10) Staff Planner: Catalina Lehner

On November 09, 2017 the Environmental Planning Commission (EPC) voted to APPROVE Project
1011366/17EPC-40047, a Zone Map Amendment (Zone Change), and 17EPC-40046, a Site
Development Plan for Building Permit, based on the following Findings and subject to the following
Conditions of Approval:

FINDINGS- 17EPC-40047, Zone Map Amendment (Zone Change):

1. The request is for a zone map amendment (zone change) for an approximately (=) 2 acre site,
   known as Tract B-1, Plat of Tracts A-1 and B-1, Mariposa Square, located on Ladera Dr. NW,
   between 72nd St. NW and Laurelwood Parkway NW (the “subject site”).

2. The subject site is zoned C-1 (Neighborhood Commercial). The applicant proposes to change the
   subject site's zoning to SU-1 for C-1 Uses to Include Self-Storage with Direct Outdoor Access to
   Individual Units to allow development of a self-storage facility with direct outdoor access to the
   storage units.

3. The request is accompanied by a request for a site development plan for building permit (17EPC-
   40046).

4. The subject site is in an area that the Comprehensive Plan has designated an Area of Consistency.
   The West Side Strategic Plan (WSSP) and the El Rancho Atrisco Phase III Sector Development
   Plan (ERASDP) also apply.

5. The Albuquerque/Bernalillo County Comprehensive Plan, the WSSP, the ERASDP, and the City
   of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for
   all purposes.

6. The request furthers the following, applicable Goals and policies of the Comprehensive Plan:
   A. Goal 4.1-Character: Enhance, protect, and preserve distinct communities
Policy 4.1.2- Identity and Design: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

The proposal, which would result in a low-impact use, would not adversely affect the quality of life in the surrounding neighborhoods and would generally enhance the area through site design that is appropriate for its location.

B. Goal 5.3 Efficient Development Patterns: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

Policy 5.3.1 Infill Development: Support additional growth in areas with existing infrastructure and public facilities.

The proposal would facilitate development of a site that is surrounded by developed land, which would utilize existing infrastructure and public facilities. Doing so is a more efficient use of land in the public interest, in contrast to fringe development. The request would support additional growth in an area served by existing infrastructure and public facilities.

C. Goal 5.6 City Development Areas: Encourage and direct growth to Areas of Change where it is expected and desired and ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

The subject site is located in an Area of Consistency; the C-1 zoning was established in 1981. The proposal would result in a low-impact use that would generally reinforce the area’s low development intensity and character.

Policy 5.6.3- Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of centers and corridors, parks, and Major Public Open Space.

The subject site is located outside of a designated activity center and is not along a designated corridor. With the parcel adjacent north, the subject site is the only commercial zoning in the immediate area and is surrounded by residential neighborhoods and open space. Though growth is generally not desired in Areas of Consistency, the C-1 zone is a neighborhood commercial zone that has been in place since 1981. The resulting development would add a low-impact use that would not adversely affect the surrounding neighborhoods, park, or open space areas (Ladera ponds and golf course).

D. Policy 7.3.5-Development Quality: Encourage innovative and high quality design in all development.

The proposal would generally encourage innovative and high-quality design.

E. Goal 8.2-Entrepreneurship: Foster a culture of creativity and entrepreneurship and encourage private businesses to grow.

Policy 8.2.1-Local Business: Emphasize local business development.

The proposal would encourage a private business to grow and would emphasize development of a locally-owned business.
7. The request generally furthers the following policies of the WSSP:

A. **Policy 1.1:** Thirteen distinct communities, as shown on the Community Plan Map and described individually in this Plan, shall constitute the existing and future urban form of the West Side. Communities shall develop with areas of higher density (in Community and Neighborhood Centers), surrounded by areas of lower density. Bernalillo County and the City of Albuquerque Planning Commissions shall require that high density and non-residential development occur within Community and Neighborhood Centers. Low density residential development (typical 3-5 du/acre subdivisions, or large lot rural subdivisions) shall not be approved within the Centers.

The subject site is part of the Ladera Community. The subject site, and the lot adjacent north, are the only C-1 zoned parcels in the area and were annexed as such to provide neighborhood commercial services. The designated activity center for the Ladera Community is near the intersection of Unser Blvd. and I-40. The WSSP also mentions that commercial activity is desirable at the community's eastern edge, near Coors Blvd. The proposal would not result in high-density or residential development and, as such, is generally appropriate outside of designated activity centers and is consistent with the intent of the C-1 zone.

B. **Policy 3.25 (Ladera Community):** Proposals for new development and rezonings in this area should be carefully analyzed to avoid negative impacts on the National Monument and other surrounding properties. Review of proposed projects should consider the design and site layout implications of any new development on surrounding properties.

The subject site is far enough away from the National Monument to not affect it. The proposal has been carefully analyzed through the EPC process, including design and site layout. Provided Zoning Code requirements are met, it should not adversely impact surrounding properties.

C. **Policy 4.6.h:** "Limit the maximum number of parking spaces for office and commercial uses to 10% above Zoning Code requirements. Each development shall have an approved pedestrian and bicycle circulation plan that provides safe, attractive, and efficient routes to neighboring properties, adjacent streets, and transit service. The site plan shall show convenient access throughout the site. Regularly spaced pedestrian access through breaks in walls and continuous landscaping shall be provided..."

The proposed commercial development, a storage facility, would have less than the Zoning Code minimum amount of parking, which is allowable in the SU-1 zone. Access to the site is convenient for vehicles and pedestrians. No walls are proposed to separate the business from the street, and access throughout the site is convenient.

8. The El Rancho Atrisco Phase III Sector Development Plan (ERASDP) established zoning, including single-family, multi-family, and SU-1 for the Ladera Industrial Park. It also established the 2.5 acre portion of C-1 zoning near the northeastern boundary of the Plan area, which contains the subject site. The ERASDP does not include specific Goals and policies. In general, developing the C-1 zoned parcels with neighborhood commercial services is consistent with the intent of the Plan.
9. The applicant has adequately justified the zone map amendment (zone change) request pursuant to Resolution 270-1980 as follows:

A. **Section A:** Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that a request furthered applicable Goals and policies from the Comprehensive Plan and other applicable plans, which the applicant has done in the response to Section C.

B. **Section B:** The applicant has adequately demonstrated that the proposed use would not adversely affect stability of land use or zoning in the area, and that the zone change is justified based on the responses to Sections C and I.

C. **Section C:** The policy-based response demonstrates that the request would clearly facilitate realization of applicable Goals and policies in the Comprehensive Plan and the WSSP. Relevant concepts of the ERASDP are also addressed.

D. **Section D:** A different use category is more advantageous to the community (3) as articulated in the Comprehensive Plan and the WSSP. The policy-based discussion in Section C demonstrates that the request would clearly facilitate realization of applicable Goals and policies.

E. **Section E:** The applicant has adequately addressed permissive uses in the C-1 zone and has demonstrated that they would not be harmful. The applicant also discussed the SU-1 zone, which allows development controlled by an associated site development plan that is tied to the zoning.

F. **Section F:** The request would not require any major or unprogrammed capital expenditures by the City.

G. **Section G:** Economic considerations pertaining to the applicant are a factor, but they are not the determining factor for the request. Rather, the determining factor is based upon location of the subject site and compatible surrounding uses.

H. **Section H:** The applicant is not claiming location on a major street as justification for the request. Ladera Rd. NW is classified as a Minor Arterial, which is not a collector or a major street.

I. **Section I:** The SU-1 zone is a spot zone by definition because it applies a specific, custom zone to a given property. In this case, the spot zone is justifiable because the change will clearly facilitate realization of the Comprehensive Plan and the WSSP.

J. **Section J:** The subject site does not constitute a "strip of land along a street" because it is only 2 acres in size and is not shaped to lend itself to strip commercial development.

10. The applicant has adequately justified the zone map amendment (zone change) pursuant to Resolution 270-1980. The policy-based response to Section C demonstrates that the request clearly facilitates realization of applicable Goals and policies in the Comprehensive Plan and the WSSP. Another zoning category would be more advantageous to the community because it would further applicable Goals and policies (Section D). The remaining sections (A, B, E-J) are adequately addressed.

11. The Ladera West Neighborhood Association (NA), the Laurelwood NA, the Westside Coalition of Neighborhood Associations, and property owners within 100 feet of the subject site were
notified as required in the timeframe for the October 2017 hearing. A facilitated meeting was not requested.

12. The SR Marmon NA was inadvertently omitted from the original Office of Neighborhood Coordination (ONC) response letter, but was notified in time to allow the 15 day minimum notification prior to the November EPC hearing.

13. The applicant met with neighbors on October 25, 2017. Members of the Laurelwood NA and the SR Marmon NA attended. Neighbors were concerned about a lack of information regarding the project, but the applicant provided a project overview. They are generally supportive, but have some concerns about perimeter fencing, lighting, signage, building colors, 24 hour operations, and justification of the request pursuant to R270-1980.

**CONDITIONS-** 17EPC-40047, Zone Map Amendment (Zone Change):

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. The applicant shall obtain final sign-off of the associated site development plan for building permit within six months of the zone change.

**FINDINGS**-17EPC-40046, Site Development Plan for Building Permit:

1. The request is for a site development plan for building permit for an approximately (≈) 2 acre site, known as Tract B-1, Plat of Tracts A-1 and B-1, Mariposa Square, located on Ladera Dr. NW, between 72nd St. NW and Laurelwood Parkway NW (the “subject site”).

2. The applicant wants to develop a self-storage facility with direct outdoor access to the storage units. The proposed facility consists of an approximately 440 sf office building and six 3,600 sf self-storage buildings.

3. The request is accompanied by a request for a zone map amendment (zone change) (17EPC-40047).

4. The subject site is in an area that the Comprehensive Plan has designated an Area of Consistency. The West Side Strategic Plan (WSSP) and the El Rancho Atrisco Phase III Sector Development Plan (ERASDP) also apply.

5. The Albuquerque/Bernalillo County Comprehensive Plan, the WSSP, the ERASDP, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
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   **Policy 4.1.2- Identity and Design:** Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

   The proposal, which would result in a low-impact use, would not adversely affect the quality of life in the surrounding neighborhoods and would generally enhance the area through site design that is appropriate for its location.

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11. The SR Marmon NA was inadvertently omitted from the original Office of Neighborhood Coordination (ONC) response letter, but was notified in time to allow the 15 day minimum notification prior to the November EPC hearing.

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**CONDITIONS—17EPC-40046, Site Development Plan for Building Permit:**

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. Parking and Circulation:
   A. The “provided” calculations shall be corrected.
   B. The location of the bicycle rack shall be indicated.
   C. A pedestrian path detail shall be provided.

4. Landscaping—general:
   A. The buffer along the subject site’s southern boundary shall measure at least 10 feet [14-16-3-10(E)(8)(a)].
B. The standard Tree Planting Detail and Shrub Planting Detail shall be included.
C. The number of parking lot trees shall be indicated as six.
D. The sf totals of the landscaping beds shall be provided.

5. Landscaping-irrigation:
   A. A note shall be added to indicate that landscaping beds are depressed below grade.
   B. A curb notch detail shall be provided.
   C. Curb notches shall be indicated and match the locations shown on the grading and drainage plan.

6. Walls/Fencing:
   A. Within 5 feet of the public ROW, the fence shall not exceed three feet high [Zoning Code §14-16-3-19(A)(3)(a)].
   B. Dimensions shall be added to show compliance.

7. Detail Sheet:
   A. The color and materials of the perimeter fence shall be specified.
   B. The color and materials of the refuse enclosure shall be specified.
   C. A bench detail shall be provided.

8. Lighting:
   A. The light fixtures shall be fully shielded.
   B. The color of the light fixtures shall be specified.

9. Other:
   A. A bench, and seating calculations, shall be provided [Zoning Code §14-16-3-19(C)(3)].
   B. Indicate which signage type (28 sf or 12.5 sf) is proposed where.
   C. The calculation table shall be reinstated on the grading and drainage plan.
   D. The accent color shall be muted copper as shown in the renderings.

10. Conditions from Transportation Development Staff:
   A. Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed development site plan, as required by the Development Review Board (DRB).
   B. Site plan shall comply and be in accordance with all applicable City of Albuquerque requirements, including the Development Process Manual and current ADA criteria.
   C. The ADA accessible parking sign must have the required language per 66-7-352.4C NMSA 1978 "Violators Are Subject to a Fine and/or Towing." Please call out detail and location of HC signs.
D. The ADA access aisles shall have the words "NO PARKING" in capital letters, each of which shall be at least one foot high and at least two inches wide, placed at the rear of the parking space so as to be close to where an adjacent vehicle's rear tire would be placed. (66-1-4.1.B NMSA 1978)

E. One-way vehicular paths require pavement directional signage and a posted “Do Not Enter” sign at the point of egress. Please show detail and location of posted signs.

F. Parking variance from the Zone Hearing Examiner (ZHE) will be required to reduce parking.

G. The drive entrance must line up with the median in Ladera DR.

11. Conditions from PNM:

A. It is the applicant’s obligation to determine if existing utility easements or rights-of-way are located on or adjacent to the property and to abide by any conditions or terms of those easements.

B. It is necessary for the developer to contact PNM’s New Service Delivery Department to coordinate electric service regarding this project. Contact:
   Andrew Gurule, PNM Service Center
   4201 Edith Boulevard NE Albuquerque, NM 87107
   Phone: (505) 241-0589

C. Ground-mounted equipment screening will be designed to allow for access to utility facilities. All screening and vegetation surrounding ground-mounted transformers and utility pads are to allow 10 feet of clearance in front of the equipment door and 5-6 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Refer to the PNM Electric Service Guide at www.pnm.com for specifications.

12. Condition from the Solid Waste Management Division:

All new/proposed refuse enclosures must be built to COA minimum requirements. Need site plan to scale w/new/proposed refuse enclosure clearly indicated, to verify safe refuse truck access. Suspected enclosure location behind office bldg. is not accessible w/refuse truck and roll-out bins over 4 yds are not permitted.

13. The applicant shall provide a strip of concrete in the subject site’s northwestern corner to connect to the transit stop.

14. The applicant shall either seek a variance or comply with Zoning Code §14-16-3-19(A)(3)(a) regarding fence height and distance from the ROW.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC’s decision or by NOVEMBER 27, 2017. The date of the EPC’s decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-4-4 of the Zoning Code. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City
Council; rather, a formal protest of the EPC’s Recommendation can be filed within the 15 day period following the EPC’s recommendation.

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).

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.

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.

Sincerely,

[Signature]

Suzanne Lubar
Planning Director

SL/CL

cc: Cannady Architect Studio, Devin Cannady, 300 Adams St. SE, ABQ, NM 87108
Karen Boccola, Ladera West NA, 7716 Santa Rosalia NW, ABQ, NM 87120
Steven Collins, Ladera West NA, 7517 Vista Alegre NW, ABQ, NM 87120
Gregie Duran, Laurelwood NA, 7525 Maplewood Dr NW, ABQ, NM 87120
Aaron Rodriguez, Laurelwood NA, 2015 Aspenwood Dr. NW, ABQ, NM 87120
Gerald Worrall, Westside Coalition of NAs, 1039 Pinatubo Pl. NW, ABQ, NM 87120
Harry Hendriksen, Westside Coalition of NAs, 10592 Rio Del Sole Ct NW, ABQ, NM 87114
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