

# 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

October 14, 2016

66 Architect, LLC  
Clint Wilsey  
2041 S. Plaza St. NW  
ABQ, NM 87104

**Project# 1010999**  
16EPC-40050 Site Development Plan for Subdivision

### LEGAL DESCRIPTION:

The above action for all or a portion of Tract C-4-A, Plat of Tracts C3A, C3B, C3C and C4A, Seven Bar Ranch, zoned SU-1 for IP Uses, located on NM Highway 528, between Ellison Dr. NW, and Cabezon Rd. NW, containing approximately 2 acres.

(A-14) Staff Planner: Vicente Quevedo

PO Box 1293

On October 13, 2016 the Environmental Planning Commission (EPC) voted to APPROVE Project #1010999/16EPC-40050, a Site Development Plan for Subdivision, based on the following findings and Albuquerque subject to the following conditions:

### FINDINGS:

NM 87103

[www.cabq.gov](http://www.cabq.gov)

1. This is a request for a Site Development Plan for Subdivision for Tract C-4-A, Plat of Tracts C3A, C3B, C3C and C4A, Seven Bar Ranch located on NM Highway 528, between Ellison Dr. NW and Calle Cuervo Rd. NW and containing approximately 2 acres.
2. The applicant is proposing to demolish the existing 20,000 square foot vacant building on the subject site, subdivide the property into two lots and redevelop the subject site for retail and restaurant uses.
3. The subject site is zoned SU-1 for IP Uses. The applicant states that future tenants on the subject site will include recognizable national and local chain restaurant and retail businesses. The proposed uses are permissive under the existing zoning designation for the subject site.
4. Staff was unable to locate any historical site development plan information for the existing 20,000 square foot, two-story vacant building within the Planning Department archives.

**OFFICIAL NOTICE OF DECISION**

Project #1010999

October 13, 2016

Page 2 of 6

5. The Albuquerque/Bernalillo County Comprehensive Plan, West Side Strategic Plan, Seven Bar Ranch Sector Development Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
6. The subject site is located within the Seven Bar Ranch Neighborhood Center and Seven Bar Regional Center as designated by the West Side Strategic Plan.
7. The Seven Bar Ranch Neighborhood Center is intended to contain most retail needs of the residents of the eastern portion of the Seven Bar Community.
8. The Seven Bar Regional Center is intended to serve as a major employment center, and contain a significant amount of commercial services, professional services and employment. Anticipated Seven Bar Regional Center regional uses include: Regional retail, services, higher density housing, and public / institutional.
9. The request furthers the Established Urban Area goal of the Comprehensive Plan:
  - A. Goal of the Established Urban Area 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.

The request furthers the Established Urban Area goal because it will contribute to the ongoing construction of a quality environment that perpetuates the tradition of identifiable communities within the metropolitan area by offering a variety of additional commercial service and retail uses that respond to the needs of residents within the Seven Bar Ranch community. This Established Urban Area goal is also re-stated within the Planning Policies and Goals section on page 4 of the Seven Bar Ranch Sector Development Plan.
10. The request furthers the following West Side Strategic Plan policies:
  - A. Policy 3.1: The Cottonwood Mall area shall be designated as the West Side's Regional Center. The boundaries of the Regional Center are shown on page 33. Development appropriate to a Regional Center, including the largest commercial and highest density development of anywhere on the West Side, shall occur in this location.
  - B. Policy 3.3: Development of the Regional Center shall be inclusive of mixed-uses, and multi-modal transportation systems. Connections to transit systems and bicycle/pedestrian linkages must be provided with all new development. The City will continue discussion regarding location of a transit center within the Regional Center.

The request furthers WSSP Policies 3.1 and 3.3 because the proposed commercial service and retail uses are appropriate to a Regional and Neighborhood Center as defined by the WSSP. The proposed uses are also intended to serve the retail needs of the residents of the eastern portion of

**OFFICIAL NOTICE OF DECISION**

**Project #1010999**

**October 13, 2016**

**Page 3 of 6**

the Seven Bar Community. The subject site is also located near a transit route (Bus Route 98 – Wyoming Commuter).

11. The request furthers the following Seven Bar Ranch Sector Development plan sections and goals:
  - A. Location and Setting: “The Sector Plan [Seven Bar Ranch SDP] is the northwestern hub of the transportation network mesa and should consequently serve as an area of relatively intense land use providing services to the less intense development areas which surround it”.
  - B. Goal A2: “The goal 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.”

The request furthers the intent of the SBRSDP by proposing commercial service and retail uses that are appropriate to the sector development plan area that will serve the lower intensity residentially developed parcels surrounding the subject site. The request also furthers SBRSDP Goal A2 by seeking to implement the Established Urban Area goal of contributing to the ongoing construction of a quality environment that perpetuates the tradition of identifiable communities within the metropolitan area by offering a variety of additional commercial service and retail uses that respond to the needs of residents within the Seven Bar Ranch community.
12. The applicant has included design standards as part of the Site Development Plan for Subdivision plan set.
13. The applicant is requesting delegation of future Site Development Plans for Building Permit to the Development Review Board (DRB) for final sign-off.
14. The EPC has complete discretion over whether DRB delegation will be approved.
15. Design standards must be clear and provide sufficient direction with regard to the design and pad site layout for future requests for Site Development Plans for Building Permit.
16. The proposed design guidelines do not warrant delegation to DRB as they do not provide sufficient design and pad site layout for future requests for Site Development Plans for Building Permit.
17. The Westside Coalition of Neighborhood Associations as well as property owners within 100 feet of the subject site were all notified of this request as required.
18. Planning Staff has not received any correspondence or phone calls regarding the requested action. A facilitated meeting was not recommended or held, and there is no known opposition to this request.

OFFICIAL NOTICE OF DECISION

Project #1010999

October 13, 2016

Page 4 of 6

19. The Planning Department received agency comments from the New Mexico Department of Transportation (NMDOT) stating that the section of NM HWY 528 adjacent to the subject site became part of the City of Albuquerque's roadway network in 2011. NM DOT also stated that their office does not have any permit paperwork regarding the existing shared driveways on the subject site.

**CONDITIONS:**

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. All future Site Development Plans for Building Permit will be subject to approval by the EPC.
4. The zoning designation listed in the Site Data Section on Sheet A-1 currently reads "SU-1 / IP", and shall be amended to read "SU-1 for IP Uses".
5. The Design Guidelines on Sheet A-2 shall be amended according to the following:
  - a. All citations / referenced sections of the Zoning Code contained within the Design Standards must include the title / descriptor of that Zoning Code section.
  - b. Section V.h. (Walls, Fences & Screening) currently reads "The used of razor ribbon, razor wire, barbed wire, chain link fencing.....", and shall be amended to read "The use of razor ribbon, razor wire, barbed wire, chain link fencing.....".
  - c. Section IX.a. (Signage) currently reads "Signage shall comply with Section 12-16-3-5.....", and shall be amended to read "All signage on the subject site must comply with Sections 14-16-3-5 (General Sign Regulations) and 14-16-2-19(A)(25) (Industrial Park Zone). Per these requirements, one free-standing sign is permitted for each street frontage, or joint sign premises, which has at least 200 feet of street frontage. This would allow a single, 26' foot high, 100 square foot sign on the subject site along NM Highway 528. A maximum of twenty percent of building facades facing NM Highway 528 may be used as building mounted signage area."

**OFFICIAL NOTICE OF DECISION**

**Project #1010999**

**October 13, 2016**

**Page 5 of 6**

**6. City Engineer Conditions of Approval:**

- 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).

**7. Public Service Company of New Mexico Conditions of Approval:**

1. 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.
2. It is necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service regarding this project. Contact:

Mike Moyer  
PNM Service Center  
4201 Edith Boulevard NE  
Albuquerque, NM 87107  
Phone: (505) 241-3697

3. 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](http://www.pnm.com) for specifications.
8. Site plan shall comply and be in accordance with all applicable City of Albuquerque requirements, including the Development Process Manual and current ADA criteria.
9. The subdivision of the site shall comply with the purpose, intent, and regulations of the Subdivision Ordinance (14-14-1-3)."
10. 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.
11. A cross-access and parking agreement shall be recorded prior to the recording of the plat.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **October 28, 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.

OFFICIAL NOTICE OF DECISION

Project #1010999

October 13, 2016

Page 6 of 6

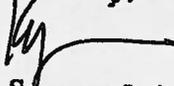
For more information regarding the appeal process, please refer to Section 14-16-4-4 of the Zoning Code. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City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

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of the City Zoning Code must be complied with, even after approval of the referenced application(s).

**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: 66 Architect, LLC, Clint Wilsey, 2041 S. Plaza St. NW, ABQ, NM 87104  
Harry Hendriksen, Westside Coalition of NA's, 10592 Rio Del Sole Ct NW, ABQ, NM 87114-2701  
Rene Horvath, Westside Coalition of NA's, 5515 Palomino Dr. NW, ABQ, NM 87120