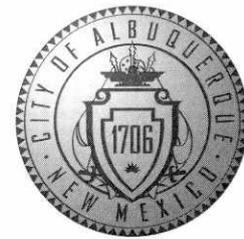


CITY OF ALBUQUERQUE



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 12, 2017

Paseo 2010, LLC
527 Live Oak Pl. NE
ABQ, NM 87122

Project# 1006602
17EPC-40045 Site Development Plan for Subdivision Amendment
17EPC-40044 Site Development Plan for Building Permit
Amendment

LEGAL DESCRIPTION:

The above actions for all or a portion of Parcels A, B, and C, Ventura Plaza, zoned SU-2/C-1, located on Ventura St. NE, between Paseo Del Norte Blvd. and Palomas Ave. NE, containing approximately 6 acres. (D-20)

Staff Planner: Michael Vos

On October 12, 2017 the Environmental Planning Commission (EPC) voted to APPROVE Project PO Box 1096602/17EPC-40045, a Site Development Plan for Subdivision Amendment, and 17EPC-40044, a Site Development Plan for Building Permit Amendment, based on the following findings and subject to the following conditions of approval:

Albuquerque,
NM 87103

FINDINGS – 17EPC-40045, Site Development Plan for Subdivision Amendment:

1. This is a request for an amended Site Development Plan for Subdivision for Parcels A, B, and C, Ventura Plaza located on Ventura Street NE between Paseo del Norte and Palomas Ave NE and containing approximately 6 acres.
2. The purpose of this request is to further subdivide Parcel A, which was previously approved to be subdivided into Parcels A-1 and A-2, to create Parcels A-2-A and A-2-B and allow development of Parcel A-2-B as an automobile parts retail store, which is a permissive use under the existing SU-2/C-1 zoning.
3. The Albuquerque/Bernalillo County Comprehensive Plan, La Cueva Sector Development Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
4. Section 14-16-3-11 of the Zoning Code states, "...Site Development Plans are expected to meet the requirements of adopted city policies and procedures." The attached site development plan has been evaluated for conformance with applicable goals and policies in the Comprehensive Plan, and other applicable Plans.
5. The subject site is located in an Area of Consistency as designated by the Comprehensive Plan. Areas of Consistency focus on protecting and enhancing the existing character of established

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neighborhoods. Applicable policies include:

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 proposed building is consistent with the design requirements of the LCSDP and will be of the same scale as surrounding development and largely the same as was originally approved, so the request furthers Policy 4.1.2.

Policy 5.1.12 Commuter Corridors: Allow auto-oriented development along Commuter Corridors that are higher-speed and higher-traffic volume routes for people going across town, often as limited-access roadways.

The proposed auto parts retail store will be located along the Paseo del Norte Commuter Corridor in a shopping center with limited access points, which is an appropriate location for an auto-oriented business, so the request furthers Policy 5.1.12.

Policy 5.2.1 Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

The request furthers Policy 5.2.1 Land Uses by adding a neighborhood serving business as allowed by the existing Neighborhood Commercial zoning in close proximity to existing residential development.

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 proposed building is consistent with the design requirements of the LCSDP and will be of the same scale and intensity as the surrounding development. The proposed design is largely the same as was previously approved and the use is permissive under the existing zoning, so the request furthers Policy 5.6.3.

6. The subject site is within the boundaries of the La Cueva Sector Development Plan. Applicable policies include:

OVERARCHING GUIDING PRINCIPLES (Page 4):

Bullet 4: Land uses that are compatible with existing development.

The scale and use of the proposed amended site are compatible with the existing development because the proposed development will provide neighborhood services as allowed by the C-1 Neighborhood Commercial zone, and the building design will be similar to that of the adjacent commercial properties. The proposed site plan is substantially similar to what was previously approved in terms of scale, so the request is compatible with the existing surrounding development and furthers Bullet 4.

GUIDING LAND USE PRINCIPLES (Page 25):

Principle 2: The plan area is intended to be urban, with a mix of residential densities and a variety of retail and service businesses to meet the needs of the area's growing population.

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The proposal adds a commercial retail use that will serve the area and add to mix of urban uses in the area. The request furthers Principle 2.

Principle 9: Existing development has begun to create an identity for the plan area based on architectural styles, quality of design and compatibility with the natural landscape. The community is looking to the plan to solidify this identity by requiring compatible new development.

The proposed building meets the requirements of the LCSDP for style, landscaping, and specific design requirements. The building will also contribute to the community identity by having similar architectural features, such as clay roof tiles and a stone veneer, which many nearby buildings use. The request furthers Principle 9.

Principle 5 (Zoning): New development should contribute to the identity of this part of Albuquerque, reinforcing its relationship to the Sandia Mountains, Rio Grande Valley and the natural environment of the east mesa. A variety of design standards are prescribed to reinforce the community identity and to improve land use compatibility, street and neighborhood character, and overall community design.

The proposed amended site plans are within an SU-2 zone subject to the Design Regulations in the LCSDP. The proposed building conforms to these regulations and will be similar in style to the existing development. These design regulations serve to reinforce community identity and improve land use compatibility, so the request furthers Zoning Principle 5.

7. The Heritage Hills and Vineyard Estates Neighborhood Associations and District 4 Coalition of Neighborhoods were notified, as well as property owners within 100 feet. A facilitated meeting was not requested. There is no known neighborhood opposition to this request.

CONDITIONS – 17EPC-40045, Site Development Plan for Subdivision Amendment:

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 previous June 2017 amendments shall be signed off and the plan set updated, and consolidated as needed, prior to submittal to the DRB.
4. Transportation Development Conditions:
 - 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). Applicant shall explore options to improve traffic flow at the southeast portion of the site, including the median and access to and from Ventura.

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- 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.
5. The subdivision of the site shall comply with the purpose, intent, and regulations of the Subdivision Ordinance (14-14-1-3)."
6. 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.

FINDINGS – 17EPC-40044, Site Development Plan for Building Permit Amendment:

1. This is a request for an amended Site Development Plan for Building Permit for Parcels A, B, and C, Ventura Plaza located on Ventura Street NE between Paseo del Norte and Palomas Ave NE and containing approximately 6 acres.
2. The purpose of this request is to update the site and building design of the proposed office/retail building to allow for construction of an automobile parts retail store, which is a permissive use under the existing SU-2/C-1 zoning.
3. The Albuquerque/Bernalillo County Comprehensive Plan, La Cueva Sector Development Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
4. Section 14-16-3-11 of the Zoning Code states, "...Site Development Plans are expected to meet the requirements of adopted city policies and procedures." The attached site development plan has been evaluated for conformance with applicable goals and policies in the Comprehensive Plan, and other applicable Plans.
5. The subject site is located in an Area of Consistency as designated by the Comprehensive Plan. Areas of Consistency focus on protecting and enhancing the existing character of established neighborhoods. Applicable policies include:

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 proposed building is consistent with the design requirements of the LCSDP and will be of the same scale as surrounding development and largely the same as was originally approved, so the request furthers Policy 4.1.2.

Policy 5.1.12 Commuter Corridors: Allow auto-oriented development along Commuter Corridors that are higher-speed and higher-traffic volume routes for people going across town, often as limited-access roadways.

The proposed auto parts retail store will be located along the Paseo del Norte Commuter Corridor in a shopping center with limited access points, which is an appropriate location for an auto-oriented business, so the request furthers Policy 5.1.12.

Policy 5.2.1 Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that

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are conveniently accessible from surrounding neighborhoods.

The request furthers Policy 5.2.1 Land Uses by adding a neighborhood serving business as allowed by the existing Neighborhood Commercial zoning in close proximity to existing residential development.

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 proposed building is consistent with the design requirements of the LCSDP and will be of the same scale and intensity as the surrounding development. The proposed design is largely the same as was previously approved and the use is permissive under the existing zoning, so the request furthers Policy 5.6.3.

6. The subject site is within the boundaries of the La Cueva Sector Development Plan. Applicable policies include:

OVERARCHING GUIDING PRINCIPLES (Page 4):

Bullet 4: Land uses that are compatible with existing development.

The scale and use of the proposed amended site are compatible with the existing development because the proposed development will provide neighborhood services as allowed by the C-1 Neighborhood Commercial zone, and the building design will be similar to that of the adjacent commercial properties. The proposed site plan is substantially similar to what was previously approved in terms of scale, so the request is compatible with the existing surrounding development and furthers Bullet 4.

GUIDING LAND USE PRINCIPLES (Page 25):

Principle 2: The plan area is intended to be urban, with a mix of residential densities and a variety of retail and service businesses to meet the needs of the area's growing population.

The proposal adds a commercial retail use that will serve the area and add to mix of urban uses in the area. The request furthers Principle 2.

Principle 9: Existing development has begun to create an identity for the plan area based on architectural styles, quality of design and compatibility with the natural landscape. The community is looking to the plan to solidify this identity by requiring compatible new development.

The proposed building meets the requirements of the LCSDP for style, landscaping, and specific design requirements. The building will also contribute to the community identity by having similar architectural features, such as clay roof tiles and a stone veneer, which many nearby buildings use. The request furthers Principle 9.

Principle 5 (Zoning): New development should contribute to the identity of this part of Albuquerque, reinforcing its relationship to the Sandia Mountains, Rio Grande Valley and the natural environment of the east mesa. A variety of design standards are prescribed to reinforce the community identity and to improve land use compatibility, street and neighborhood character, and overall community design.

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The proposed amended site plans are within an SU-2 zone subject to the Design Regulations in the LCSDP. The proposed building conforms to these regulations and will be similar in style to the existing development. These design regulations serve to reinforce community identity and improve land use compatibility, so the request furthers Zoning Principle 5.

7. The Heritage Hills and Vineyard Estates Neighborhood Associations and District 4 Coalition of Neighborhoods were notified, as well as property owners within 100 feet. A facilitated meeting was not requested. There is no known neighborhood opposition to this request.

CONDITIONS – 17EPC-40044, Site Development for Building Permit Amendment:

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 previous June 2017 amendments shall be signed off and the plan set updated, and consolidated as needed, including but not limited to the removal of sheets A5.2, A5.3, and SG2.1 which include duplicative or informational content not necessary for the purposes of the final Site Development Plan for Building Permit, prior to submittal to the DRB.
4. The proposed landscape plan shall be updated, in a scale to match the overall site plan, to include general notes for responsibility and maintenance, compliance with water conservation, general landscape regulations, and clear sight distance, and the symbols shall be adjusted to be more readable for reproduction.
5. As the parking calculation is determined based on the total square footage of the entire shopping center and not on a parcel-by-parcel basis, a shared parking agreement shall be provided prior to final sign-off by the DRB.
6. A note regarding building mounted signage shall be placed on the building elevations to state that such signage is to be “approved by separate permit” and changes may be done administratively if in accordance with the La Cueva Sector Development Plan and the Comprehensive Zoning Code.
7. Roof-mounted mechanical equipment shall be screened from view as required by Section 14-16-3-18(C)(6) of the Zoning Code and 11R-3 of the La Cueva Sector Development Plan (LCSDP).
8. The opening between the neighboring residential and screen wall shall be sealed off in a manner that prevents people from crawling between the walls.
9. Transportation Development Conditions:

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- 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). Applicant shall explore options to improve traffic flow at the southeast portion of the site, including the median and access to and from Ventura.
- 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.

10. PNM Conditions:

- a. An existing underground distribution line is located along the eastern boundary of the subject property. It is the applicant's obligation 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.

11. 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.

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

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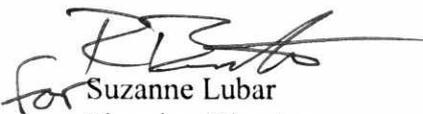
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SITE DEVELOPMENT PLANS: Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped 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.

Sincerely,


for Suzanne Lubar
Planning Director

SL/MV

cc: Paseo 2010, LLC, 527 Live Oak Pl. NE, ABQ, NM 87122
Wooten Engineering, Jeffrey T. Wooten, 1005 21st St. SE, Suite 13, ABQ, NM 87124
Heritage E. Assoc. of Residents, Karl Benedict, 9415 DeVargas Loop NE, ABQ, NM 87109
Heritage E. Assoc. of Residents, Paul Jessen, 9304 San Rafael Av. NE, ABQ, NM 87109
Heritage Hills Neighborhood Assoc., Christy Burton, 8709 Palomar Ave NE, ABQ, NM 87109
Vineyard Estates Neighbor. Assoc. Elizabeth Meek, 8301 Mendocino Dr. NE, ABQ, NM 87122
Heritage Hills Neighborhood Assoc., John Woods, 8513 Plymouth Rock NE, ABQ, NM 87109
Vineyard Estates Neighbor. Assoc., David Zarecki, 8405 Vintage Dr NE, ABQ, NM 87122
Dist. 4 Coalition of Neigh. Assoc., Michael Pridham, 6413 Northland Ave NE, ABQ, NM 87109
Dist. 4 Coalition of Neigh. Assoc., Tony Huffman, 9712 Sand Verbena Trl NE, ABQ, NM 87122-3667
Arthur Machtinger, 8823 Liberty Dr NE, ABQ, NM 87109