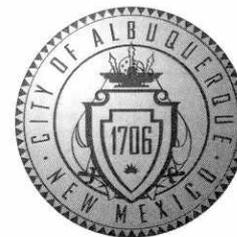


# CITY OF ALBUQUERQUE



**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 13, 2017

Mark 3S, Inc.  
6501 Wyoming Blvd NE, #G  
Albuquerque, NM 87109

**Project# 1011354**  
17EPC-40034 Site Development Plan for Subdivision

### LEGAL DESCRIPTION:

The above action for Lot 6 and Lot 7, and a portion of Lot 8, Block 20, Unit 3, Tract 3, North Albuquerque Acres, zoned SU-2/Mixed Use, located on Holly Ave. NE, between Ventura St. NE, and Holbrook St. NE, containing approximately 2 acres. (C-20)  
Staff Planner: Catalina Lehner

On October 12, 2017 the Environmental Planning Commission (EPC) voted to APPROVE Project PO Box 1011354/17EPC-40034, a Site Development Plan for Subdivision, based on the following Findings and subject to the following Conditions of Approval:

### FINDINGS:

Albuquerque

1. This is a request for a Site Development Plan for Subdivision for Lot 6 and Lot 7, and a portion of Lot 8, Block 20, Unit 3, Tract 3, North Albuquerque Acres; and Tracts A and B, Mark 3S Holly Development, located on Holly Ave. NE, between Ventura St. and Holbrook St. NE, containing approximately 2 acres.  
NM 87103
2. The applicant intends to subdivide the subject site into two lots and provide infrastructure, so that the lots can be sold and developed in the future.  
www.cabq.gov
3. At the September 2017 hearing, the EPC approved a related project (Project #1005237/17EPC-400332 and 40033), an amendment to the existing site development plan for subdivision and a site development plan for building permit for Tracts A and B, Mark 3S Holly Development, which are east of the subject site. The proposal will allow for expansion of the existing school campus via creation of a new Tract C on most of Lot 8 and a new building for a daycare facility. The current request is related to Project #1005237 because it contains the remainder of Lot 8.
4. The subject site is zoned SU-2/Mixed Use pursuant to the La Cueva Sector Development Plan (LCSDP). The SU-2/Mixed Use zone references the C-1 zone, with certain exceptions.
5. The design requirements of the LCSDP, the Common Design Regulations for All SU-2 Zoned Properties and RT Development in the RD Zone, will apply to future development on the subject site(s).

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

7. 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 4.1.1- Distinct Communities: Encourage quality development that is consistent with the distinct character of communities.

Future development on the subject site would generally enhance the distinct community that has developed in this part of NE Albuquerque, which is subject to the design regulations of the LCSDP.

The new development would be of a quality consistent with the existing development on the subject site and nearby in the area.

B. Goal 5.1- Centers & Corridors: Grow as a community of strong Centers connected by a multi-modal network of Corridors.

Policy 5.1.2- Development Areas: Direct more intense growth to Centers and Corridors and use Development Areas to establish and maintain appropriate density and scale of development within areas that should be more stable.

The subject site is located outside of the designated Activity Centers, where lower-intensity development is desired. The subject site backs up to a designated Commuter Corridor, Paseo del Norte Blvd., which is intended to move vehicles relatively quickly, with less focus on alternative transportation modes.

The area near the subject site is mostly residential and is intended to be more stable than other areas. Situating lower-intensity growth in this area, which would maintain appropriate and compatible density and scale with existing development, is appropriate.

8. The request furthers the following, applicable Guiding Principles of the LCSDP:

A. Guiding Principle 2 (p. 25): 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 request would facilitate future development of a variety of retail and service businesses that would generally help meet the needs of the area's growing population.

B. Guiding Principle 9 (p. 25): Future development would be required to comply with the design requirements of the LCSDP, and therefore would be of a similar architectural style and design quality as existing development.

9. Conditions of approval are needed to clarify the submittal.

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10. The applicant The Vineyard Estates NA, Heritage East Association of Residents, and District 4 Coalition of NAs were notified as required, as were property owners within 100 feet of the subject site. A facilitated meeting was not held. As of this writing, Staff has received three phone calls and one walk-in customer. All inquired about the project but were not opposed. There is no known opposition.

**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. Definition of Site Development Plan for Subdivision:
  - A. Setbacks shall be pursuant to the LCSDP.
  - B. Notes regarding FAR shall be clarified.
4. La Cueva Sector Development Plan (LCSDP):
  - A. Add a note stating that development on the lots shall return to the EPC pursuant to the LCSDP.
  - B. Clarify Note 7. The LCSDP design standards shall apply to future development.
5. Clarification:
  - A. Label and clearly indicate the proposed lot lines.
  - B. Use fade-back for the “not a part” portion.
  - C. Add a reference to the related project, Project #1005237/17EPC-40033 and 17EPC-40034.
6. The following conditions from Transportation Staff shall be met:
  - A. Infrastructure and/or ROW dedications may be required at DRB.
  - B. All work within the public ROW must be constructed under a COA Work Order.
  - C. Curb, gutter, sidewalk and roadway section improvements will be required at DRB.
7. The following conditions from PNM shall be met:
  - 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

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easements. Existing PNM overhead distribution facilities are located on north side of the property.

- B. 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

- C. Screening should 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. Please refer to the PNM Electric Service Guide at [www.pnm.com](http://www.pnm.com) for specifications.

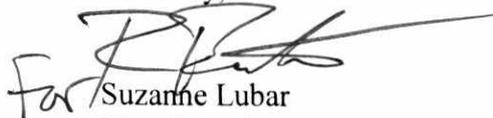
**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **OCTOBER 27, 2017**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> day falls on a Saturday, Sunday or Holiday, the next working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

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

Sincerely,

  
For Suzanne Lubar  
Planning Director

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SL/CL

cc: Mark 3S Inc., 6501 Wyoming Blvd NE #G, ABQ, NM 87109  
High Mesa Consulting Group, 6010-B Midway Park Blvd NE, ABQ, NM 87109  
Heritage East Assoc. of Residents, Karl Benedict, 9415 DeVargas Loop NE, ABQ, NM 87109  
Heritage East Assoc. of Residents, Paul Jessen, 9304 San Rafael Ave. NE, ABQ, NM 87109  
Vineyard Estates NA, Elizabeth Meek, 8302 Mendocino Dr. NE, ABQ, NM 87122  
Vineyard Estates NA, Tony Huffman, 9712 Sand Verbena Trl. NE, ABQ, NM 87122  
Dist. 4 Coalition of NAs, Michael Pridham, 6413 Northland Ave NE, ABQ, NM 87109  
Dist. 4 Coalition of NAs, Tony Huffman, 9712 Sand Verbena Trl. NE, ABQ, NM 87122