

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

September 13, 2018

Eric Kilmer
1416 6th St. NW
Albuquerque, NM 87102

Project# 1007648
18EPC-40019 Sector Development Plan Map Amendment
(Zone Change)
18EPC-40021 Site Development Plan for Building Permit

LEGAL DESCRIPTION:

The above action for all or a portion of Lots 22, 23 and 24, Block 20, Albright-Moore Addition, zoned SU-2/SR to SU-2/SU-1 for Flower Shop and Nursery and Permissive C-1 Uses, located at the NE corner of 6th St. NW and Constitution Ave. NW (1416 6th Street NW), containing approximately 0.5 acre. (J-14)
Staff Planner: Catalina Lehner

PO Box 1293

On September 13, 2018 the Environmental Planning Commission (EPC) voted to DEFER Project# 1007648/18EPC-40019, a Sector Development Plan Map Amendment (zone change), and 18EPC-40021, a Site Development Plan for Building Permit, for 60 days based on the following Findings:

FINDINGS:

1. The request is for a sector development plan map amendment (zone change) to the SWPSDP and an associated, as-built site development plan for building permit for an approximately 0.5 acre site at the SE corner of 6th St. & Constitution Ave.
2. At the August 9, 2018 hearing, the EPC heard from the applicant and decided to accept a request for another 30-day deferral.
3. The applicant has hired an agent.
4. A 60-day deferral to the November 8, 2018 hearing is needed to allow sufficient time to determine what zoning to request and to provide a strengthened justification letter pursuant to R270-1980.

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

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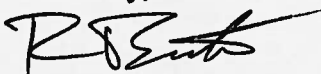
Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's recommendation.

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).

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.

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 David S. Campbell
Planning Director

DSC/CL

cc: Eric Kilmer, 1416 6th St. NW, ABQ, NM 87102
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