



**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

July 12, 2018

Artson Properties, LLC  
Jeff Mauldin  
8408 Vina Del Sol Dr. NE  
Albuquerque, NM 87107

**Project# 2018-001188**  
SI-2018-00027- Site Development Plan for Building Permit  
Amendment  
SI-2018-00028 – Site Development Plan for Subdivision  
Amendment  
**LEGAL DESCRIPTION:**

On July 12, 2018 the Environmental Planning Commission (EPC) voted to APPROVE Project 2018-001188/SI-2018-00027, a Site Development Plan for Building Permit Amendment and SI-2018-00028, a Site Development Plan for Subdivision Amendment, based on the following Findings and Conditions:

PO Box 1293  
**FINDINGS, Site Development Plan for Subdivision**

- Albuquerque  
NM 87103  
www.cabq.gov
1. This is a request for a Site Development Plan for Subdivision for Tracts G-1A-2C, G-1A-2D, G-1A-2E, G-1A-1, G-1A-2A-1A, and G-1A-2B-1A, Seven Bar Ranch located at 10301 Cottonwood Park Drive NW, between Ellison Drive NW and Cottonwood Drive NW, and containing approximately 9.5 acres.
  2. The purpose of this request is to update the Site Development Plan for Subdivision so that freestanding signage is per the underlying zone. The applicant proposes to delete the freestanding signage detail from the Site Development Plan for Subdivision.
  3. A Site Development Plan for Building Permit is associated with this request.
  4. At the time of this application, the underlying zoning to which signage is subject is the C-2 zone. Since then, the Integrated Development Ordinance (IDO) converted the C-2 zone to MX-M, which shall be in place for the signage permitting process.
  5. The proposed use is permissive under the existing zoning. Additional flexibility will be beneficial in meeting the needs of future tenants on the site.
  6. The Albuquerque / Bernalillo County Comprehensive Plan, the City of Albuquerque Zoning Code as last amended in 2014, the Integrated Development Ordinance, the West Side Strategic Plan, and the Seven Bar Ranch Sector Development Plan are incorporated herein by reference and made part of the record for all purposes.
  7. 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.

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8. The EPC delegates final sign-off authority of this amendment to the SDP for Subdivision and SDP for Building Permit to the Administrative Approval process.
9. The subject site is located in an Area of Change as designated by the Comprehensive Plan. Areas of Change are intended to be the focus of urban-scale development that benefits job growth and housing opportunities. Applicable policies include:
  - A. The request furthers Policy 5.4.2 b) through d) because the request will allow flexibility in signage, which may help to encourage development on the subject site. Part of the subject site is vacant and the proposed tenants have requested a multi-tenant sign prior to completing the lease agreement. The proposed project will permit a sign that meets the Zoning Code maximum size while providing enough space for multi-tenants to be listed. Therefore, the request encourages commercial development in an expected area, which then results in an increase in the amount of employers on the West Side and located along a transit corridor.
  - B. The request furthers the intent of policy 5.6.2 because it will allow signage to support increased growth and development in an area where change is encouraged.
10. The subject site is within the boundaries of the West Side Strategic Plan (WSSP) and located within the Seven Bar Community Service Area within its Regional Center Core. This Regional Center is to develop with a greater density a larger amount of commercial services than other areas on the west side. The WSSP does not have specific policies regarding signage, but does encourage view preservation. The request would be consistent with the intent of the WSSP to have a well design commercial development in the area.
11. The subject site falls within the boundary of the Seven-Bar Ranch Sector Development Plan (1985 revision). The plan seeks to effectively meet the growing demand for jobs and housing in the area and to effectively harmonize with City policies, goals and planning processes by establishes zoning for the area.
12. The Westside Coalition of Neighborhood Associations and property owners within 100 feet of the subject site were notified as required. A facilitated meeting was not requested nor scheduled. Staff has not received comments in opposition or support.

***CONDITIONS OF APPROVAL, Site Development Plan for Subdivision***

1. The EPC delegates final sign-off authority of this site development plan to Administrative Approval. The Administrator is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. 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 Administrator, the applicant shall contact the staff planner to ensure that all conditions of approval are met.
3. 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.

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***FINDINGS, Site Development Plan for Building Permit***

1. This is a request for a Site Development Plan for Subdivision for Tracts G-1A-2C, G-1A-2D, G-1A-2E, G-1A-1, G-1A-2A-1A, and G-1A-2B-1A, Seven Bar Ranch located at 10301 Cottonwood Park Drive NW, between Ellison Drive NW and Cottonwood Drive NW, and containing approximately 9.5 acres.
2. The purpose of this request is to update the Site Development Plan for Building Permit so that freestanding signage is per the underlying zone. The applicant proposes to revise the notes to state that freestanding signage is per the underlying zoning, delete the freestanding sign at the corner of Cottonwood Drive NW and Ellison Drive NW, and delete the freestanding signage detail from the Site Development Plan for Building Permit.
3. A Site Development Plan for Subdivision is associated with this request.
4. At the time of this application, the underlying zoning to which signage is subject is the C-2 zone. Since then, the Integrated Development Ordinance (IDO) converted the C-2 zone to MX-M, which shall be in place for the signage permitting process.
5. The proposed use is permissive under the existing zoning. Additional flexibility will be beneficial in meeting the needs of future tenants on the site.
6. The Albuquerque / Bernalillo County Comprehensive Plan, the City of Albuquerque Zoning Code as last amended in 2014, the Integrated Development Ordinance, the West Side Strategic Plan, and the Seven Bar Ranch Sector Development Plan are incorporated herein by reference and made part of the record for all purposes.
7. 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.
8. The EPC delegates final sign-off authority of this amendment to the SDP for Subdivision and SDP for Building Permit to the Administrative Approval process.
9. The subject site is located in an Area of Change as designated by the Comprehensive Plan. Areas of Change are intended to be the focus of urban-scale development that benefits job growth and housing opportunities. Applicable policies include:
  - A. The request furthers Policy 5.4.2 b) through d) because the request will allow flexibility in signage, which may help to encourage development on the subject site. Part of the subject site is vacant and the proposed tenants have requested a multi-tenant sign prior to completing the lease agreement. The proposed project will permit a sign that meets the Zoning Code maximum size while providing enough space for multi-tenants to be listed. Therefore, the request encourages commercial development in an expected area, which then results in an increase in the amount of employers on the West Side and located along a transit corridor.
  - B. The request furthers the intent of policy 5.6.2 because it will allow signage to support increased growth and development in an area where change is encouraged.

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10. The subject site is within the boundaries of the West Side Strategic Plan (WSSP) and located within the Seven Bar Community Service Area within its Regional Center Core. This Regional Center is to develop with a greater density a larger amount of commercial services than other areas on the west side. The WSSP does not have specific policies regarding signage, but does encourage view preservation. The request would be consistent with the intent of the WSSP to have a well design commercial development in the area.
11. The subject site falls within the boundary of the Seven-Bar Ranch Sector Development Plan (1985 revision). The plan seeks to effectively meet the growing demand for jobs and housing in the area and to effectively harmonize with City policies, goals and planning processes by establishes zoning for the area.
12. The Westside Coalition of Neighborhood Associations and property owners within 100 feet of the subject site were notified as required. A facilitated meeting was not requested nor scheduled. Staff has not received comments in opposition or support.

***CONDITIONS OF APPROVAL, Site Development Plan for Building Permit***

1. The EPC delegates final sign-off authority of this site development plan to Administrative Approval. The Administrator is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. 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 Administrator, the applicant shall contact the staff planner to ensure that all conditions of approval are met.
3. 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.
4. The Site Plan shall note that all electronic sign regulations will apply.

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**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **JULY 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 David S. Campbell  
Planning Director

DSC/CS

cc: Artson Properties LLC, Jeff Mauldin, 8408 Vina Del Sol Dr. NE, ABQ, NM 87107  
Darren Sowell Architecture, LLC, Jeremy Ortiz, 4700 Lincoln Rd, Suite 111, ABQ, NM 87109  
Westside Coalition of Neigh. Assoc., Rene Horvath, 5515 Palomino Dr. NW, ABQ, NM 87120  
Westside Coalition of Neigh. Assoc., Harry Hendriksen, 10592 Rio del Sol NW, ABQ, NM 87114  
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