

# 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

June 14, 2018

Jackson Real Estate Services Inc.  
11215 Central Ave. NE  
ABQ, NM 87123

**Project# 1003449**  
18EPC-40031 Sector Development Plan Map Amendment  
18EPC-40032 Site Development Plan for Building Permit

### LEGAL DESCRIPTION:

The above action for all or a portion of Tract 52, Unit 2, Town of Atrisco Grant, zoned RD-9 DU/acre to SU-1 PRD, located on Sunset Gardens Rd. SW, between 82<sup>nd</sup> St. SW and 86<sup>th</sup> St. SW, containing approximately 6.1 acres (L-09). Staff Planner: Cheryl Somerfeldt

On June 14, 2018 the Environmental Planning Commission (EPC) voted to APPROVE Project PO Box 1003449/18EPC-40031, a Sector Development Plan Map Amendment and 18EPC-40032 a Site Development Plan for Building Permit, based on the following Findings and Conditions:

Albuquerque

### FINDINGS, Sector Development Plan Map Amendment (Zone Change)

NM 87103

www.cabq.gov

1. This is a request for a Sector Development Plan Map Amendment to the Tower/Unser Sector Development Plan (Zone Change) from RD 9/du acre (Residential and Related Uses, Developing Area for 9 Dwelling Units per Acre) to SU-1 for PRD (Special Use for Planned Residential Development) for Tract 52, Unit 2, Town of Atrisco Grant, located on Sunset Gardens Road SW between 82nd Street SW and 86th Street SW, approximately 6.1 acres.
2. The existing RD-9/du acre zone was established by the Tower/Unser Sector Development plan through annexation and establishment of zoning; and the subject site has remained vacant since. As such, this constitutes an amendment to that plan.
3. Since the request is for an SU-1 zone, a Site Development Plan is required, and the applicant has provided a Site Development Plan for Building Permit associated with this request.
4. The request is for an increase in density from the existing permitted 9/du per acre to approximately 13.8/du per acre, an approximate 50% increase in density to the existing zoning.
5. The SU-1 for PRD zone requires a Site Development Plan to define all design elements such as number of dwelling units/density, lot size, minimum setbacks, architectural design standards including exterior wall materials and colors, parking spaces, drainage and grading plans, landscape design standards, lighting, walls and fences in the public right of way, pedestrian amenities, and signage; the EPC has purview to apply conditions of approval to these elements as determined by the EPC.

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6. The Albuquerque/Bernalillo County Comprehensive Plan, the City of Albuquerque Zoning Code, the West Side Strategic Plan, the Southwest Area Plan, and the Tower/Unser Sector Development Plan are incorporated herein by reference.
7. The subject site is in an Area of Consistency as designated by the Comprehensive Plan (Rank I). The following goals and policies of the Comprehensive Plan apply to the project:
  - A. The request furthers Policy 4.1.2 because it protects the identity and cohesiveness of the neighborhood by providing a transition residential density. Although the density is higher than the existing zone, the scale fits the location since it is across the street from a development of a higher density. This project will respect existing neighborhood values by using the SU-1 PRD zone and associated site plan to create cohesive design elements.
  - B. The request furthers Policy 5.2.1d because it would offer additional housing options, apartments with garages and a compact lifestyle for a range of income levels, near transit and City amenities such as the new library and proposed development at Central Avenue and Unser Boulevard.
  - C. The request partially furthers Policy 5.2.1e because although it will not create a mix of uses, and sustainability is debatable, the request will allow the development of a vacant site into a multi-family development of a different density from surrounding residential development, providing a transition between higher density to the north and lower density to the south. The subject site is conveniently accessible from surrounding neighborhoods.
  - D. The request furthers Policy 5.2.1f and its sub-policies because it permits higher density residential development in an area with good street connectivity and convenient access to transit, where it is compatible with existing area land uses, and where a transition between single family homes and more intensive development would be beneficial.
  - E. The request furthers Goal 5.3, Policy 5.3.1, and Policy 5.3.3 because it is infill development of vacant lots using on existing City roads, infrastructure, and public facilities at a slightly higher residential density than the existing zone, which provides efficiency. The request uses the SU-1 PRD zone to create a site plan with slightly higher height near the road, which then allows for more density and clustering, and therefore single story buildings near the single-story residential neighborhood and more landscaped open space in the interior of the site.
  - F. The request does not further Policy 5.4 because the project is proposing higher density housing than the existing zoning on the west side of the Rio Grande.
  - G. The request furthers Policy 5.6.3 because the subject site and surrounding area are located in an Area of Consistency, and the proposed site plan will protect and enhance the character of the existing single-family neighborhoods and maintain privacy by placing single-story buildings near the southern property line.
  - H. The request furthers Policy 5.6.3f because it is higher density housing to be located within ¼ mile from the Unser Boulevard SW transit stops.
  - I. The request furthers Policy 5.6.3g because the site plan shows setbacks from the southern property line that will protect solar access and privacy for the abutting single-story single-family neighborhood.

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- J. The request furthers policy 5.7.2c because the uses were not specially tailored to negotiate a unique zone between stakeholders. The SU-1 PRD zone is a residential zoning option intended by the City Council to provide flexibility with design elements upon the discretion of the Environmental Planning Commission. The request proposes unique design considerations such as the extra height along Sunset Gardens Road SW that would not be allowed in a straight zone, in order to provide for single-story development along the southern property line, therefore, tailoring the site design to the unique context and meeting the neighborhood needs.
- K. The request partially furthers Policy 7.2.1 because although the project is gated, connectivity would not be possible due to the existing residential development's rear property lines abutting the southern property line of the subject site. In addition, pedestrian travel is encouraged through the interior of the subject site with pathways connecting the pedestrian gates on the southeast and southwest corners.
- L. The request furthers Policy 7.3.5 because it offers high quality design in elevations, site plan layout, and landscape. The building heights, setbacks, landscape, and open space were designed to provide a transition from higher density at the street right-of-way to lower density at the single-story single-family residential neighborhood while providing open space and parking amenities for the residents. Parking screen walls will shield headlights from pedestrians and vehicles on Sunset Gardens Road SW.
- M. The request furthers Policy 7.4.3 because the site plan for the requested SU-1 PRD zone shows that the parking lot will be well-designed by being screened from public view, efficient by providing many options including garages, safe by being gated, and attractive by having a landscape plan that exceeds the minimum required.
- N. The request furthers Policy 7.5.1 because the landscape plan provides a drought tolerant and context sensitive plant palette that exceeds the required amounts and provides a range of textures and colors as well as providing street trees.
- O. The request furthers Policy 9.1.1 and 9.1.2 because it supports development of housing for a variety of income levels and types of residents by providing higher density than the abutting single-family development to the south, and lower density than the multi-family development to the north, as well as a higher quality by providing architectural details, contextual landscaping, and garages for each unit.
- P. The request partially furthers Policy 9.3.2 because it increases density and housing options near services and maintains scale by transitioning between single-family homes to the south and higher density multi-family development to the north, which then transitions toward the commercial corridor farther to the north along Central Avenue. Additionally, the nearby Atrisco Business Park would provide more employment opportunities for the area upon build-out. APS indicated that 2 of the effected schools have excess capacity and 2 of the affected schools are exceeding capacity. The Atrisco Heritage Academy HS has been well in excess of capacity since its opening for all development in the area.

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8. Although the subject site is within the boundaries of the Southwest Area Plan, its Resolution R-01-375 states that “With regard to the area where the boundaries of the Southwest Area Plan and the West Side Strategic Plan overlap south of Central Avenue and west of Coors Boulevard... the policies contained in the West Side Strategic Plan shall apply to the areas situated within the municipal boundaries...” Since the subject site is within the municipal boundaries of the City, the policies of the West Site Strategic Plan will be evaluated in lieu of policies from the Southwest Area Plan.
9. The West Side Strategic Plan designates the subject site part of the Bridge/Westgate Community. The Bridge/Westgate Community is planned to provide substantial growth capacity for Albuquerque at urban densities. It is located near several river crossings and is fairly easily serviced by City utilities. The request is in general compliance with the following applicable goals and policies:
  - A. The request furthers Policy 3.43 and Policy 3.46 because the request will allow a higher density residential development close to the Central / Unser Community Activity Center, which lies approximately ¼ to ½ mile to the north of the subject site. The proposed density is lower than 30 dwelling units per acre. Policy 3.46 shows that high densities were expected in this community in areas adjacent to designated Centers. The proposed development, approximately 13.8 du/ac, is located outside of a designated activity center and not at a major intersection where non-residential zoning is intended.
10. The subject site is within the boundaries of the Tower/Unser Sector Development Plan (SDP) (Rank III). Resolution 08-171 stated that one of the reasons for amending the Tower/Unser SDP was to limit the geographic coverage of repetitions of one housing type. The Tower-Unser SDP supports a mixture of housing types to form diverse neighborhoods and support Comprehensive Plan policies.
11. The applicant has justified the zone change request pursuant to *R-270-1980* as follows:
  - A. The requested zone is consistent with the health safety, morals, and general welfare of the City because it is consistent with a preponderance of the goals and policies of the Comprehensive Plan, the West Side Strategic Plan, the Southwest Area Plan, and the Tower/Unser Sector Development Plan, which were created to protect the health, safety, morals, and general welfare of the City.
  - B. The requested zone supports stability of land use because although the request will allow higher density multi-family development than the existing zone, the use remains the same. Therefore, the community is currently expecting multi-family development for the undeveloped subject site. The request for SU-1 for PRD zoning allows the community to preview the exact design elements expected for the subject site. The height will exceed what would be permitted in a straight zone along Sunset Gardens Road NW on the north property line, which will allow for single-story buildings adjacent to the single-story single-family development to the south. The request will add a few more students to the schools, which may cause instability; however it is a small increase over the existing zone. Although the area high school is well over capacity, the elementary and middle schools are not currently over capacity, and the high school may have to make adjustments regardless of this development.

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- C. The requested zone clearly facilitates applicable goals and policies of the Comprehensive Plan, the West Side Strategic Plan, the Southwest Area Plan, and the Tower/Unser Sector Development Plan as shown in Findings 7-10.**
  - D. The existing RD zoning is inappropriate because the proposed SU-1 PRD zoning is more advantageous to the community as articulated by the Comprehensive Plan, West Side Strategic Plan, and the Tower/Unser Sector Development Plan policy analysis shown in Findings 7-10. The request furthers Comprehensive Policies to provide density near existing infrastructure and transit while providing more affordable housing; and to transition from higher density to lower density as moving away from commercial centers as that located at Unser Boulevard and Central Avenue. The requested zone will provide for a slight increase in density from the existing zone by permitting three-story buildings near Sunset Gardens Road SW and single-story buildings near the single-story residential neighborhood to the south.**
  - E. The permissive uses in the requested SU-1 PRD zone would not be harmful to the adjacent property because it is intended for only residential use similar to the existing R-D 9du/acre zone. The requested SU-1 PRD zone is completely controlled by the site plan, which shows an approximately 50% increase in density from 9du/acre to 13.8 du/acre. This increase in density would not be harmful because of its location as a transition between higher density multi-family development to lower-density single-family residential development. The SU-1 PRD is not similar to a straight zone in that there are no other permitted or conditional uses; the use is residential and design elements are site plan controlled. In addition, the requested zone will clearly facilitate the objectives goals and policies from applicable plans.**
  - F. The request will not require major or un-programmed capital expenditures by the city.**
  - G. While economic considerations are always a factor with regard to development proposals, they are not the determining factor for this zone change request. The applicant has sufficiently shown that the community will benefit due to an increase in affordable housing in an area adjacent to infrastructure and commercial development; and due to providing site plan showing a quality development with a single-story buffer near the surrounding single family development.**
  - H. The subject site is not located on a collector or major street.**
  - I. The request is not a spot zone because the zone to the north of the subject site is also for SU-1 for PRD.**
  - J. The request would not create strip commercial zoning because it is not a commercial development in a strip of land along a street. The request is for residential not commercial zoning.**
- 12. The South West Alliance of Neighborhoods (SWAN Coalition), the Westside Coalition of Neighborhood Associations, and the South Valley Coalition of Neighborhood Associations were notified along with property owners within 100-feet of the property line as required. Staff received several telephone calls with questions about the request but no written comments in support or opposition. The agent also received a question regarding the request. A facilitated meeting was not requested.**

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**CONDITIONS OF APPROVAL, Sector Development Plan Map Amendment (Zone Change)**

1. The Sector Development Plan Map amendment does not become effective until the accompanying site development plan is approved by the DRB, pursuant to §14-16-4-1(C)(16) of the Zoning Code. If such requirement is not met within six months after the date of EPC approval, the zone map amendment is void. The Planning Director may extend this time limit up to an additional six months upon request by the applicant.

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

1. This is a request for a Site Development Plan for Building Permit for Tract 52, Unit 2, Town of Atrisco Grant, located on Sunset Gardens Road SW between 82nd Street SW and 86th Street SW, approximately 6.1 acres.
2. This request is associated with the request for a Sector Development Plan Map amendment from RD 9/du acre (Residential and Related Uses, Developing Area for 9 Dwelling Units per Acre) to SU-1 for PRD (Special Use for Planned Residential Development) pursuant to the Tower/Unser Sector Development plan. As such, this constitutes an amendment to that plan.
3. This is a request for an increase in density from the existing permitted 9/du per acre to approximately 13.8/du per acre, an approximate 50% increase in density to the existing zoning.
4. The SU-1 for PRD zone requires that the Site Development Plan define all design elements such as number of dwelling units/density, lot size, minimum setbacks, architectural design standards including exterior wall materials and colors, parking spaces, drainage and grading plans, landscape design standards, lighting, walls and fences in the public right of way, pedestrian amenities, and signage; the EPC has purview to apply conditions of approval to these elements as determined by the EPC.
5. 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.
6. The Albuquerque/Bernalillo County Comprehensive Plan, the City of Albuquerque Zoning Code, the West Side Strategic Plan, the Southwest Area Plan, and the Tower/Unser Sector Development Plan are incorporated herein by reference.
7. Comprehensive Plan Policy 9.2.1, Compatibility, states "Encourage housing development that enhances neighborhood character, maintains compatibility with surrounding land uses, and responds to its development context – i.e. urban, suburban, or rural – with appropriate densities, site design, and relationship to the street." Pursuant to Policy 9.2.1, the proposed multi-family trash enclosures should not be located near the southern property line adjacent to the abutting single-family neighborhood.

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8. The subject site is in an Area of Consistency as designated by the Comprehensive Plan (Rank I). The following goals and policies of the Comprehensive Plan apply:
  - A. The request furthers Policy 4.1.2 because it protects the identity and cohesiveness of the neighborhood by providing a transition residential density. Although the density is higher than the existing zone, the scale fits the location since it is across the street from a development of a higher density. This project will respect existing neighborhood values by using the SU-1 PRD zone and associated site plan to create cohesive design elements.
  - B. The request furthers Policy 5.2.1d because it would offer additional housing options, apartments with garages and a compact lifestyle for a range of income levels, near transit and City amenities such as the new library and proposed development at Central Avenue and Unser Boulevard.
  - C. The request partially furthers Policy 5.2.1e because although it will not create a mix of uses, and sustainability is debatable, the request will allow the development of a vacant site into a multi-family development of a different density from surrounding residential development, providing a transition between higher density to the north and lower density to the south. The subject site is conveniently accessible from surrounding neighborhoods.
  - D. The request furthers Policy 5.2.1f and its sub-policies because it permits higher density residential development in an area with good street connectivity and convenient access to transit, where it is compatible with existing area land uses, and where a transition between single family homes and more intensive development would be beneficial.
  - E. The request furthers Goal 5.3, Policy 5.3.1, and Policy 5.3.3 because it is infill development of vacant lots using on existing City roads, infrastructure, and public facilities at a slightly higher residential density than the existing zone, which provides efficiency. The request uses the SU-1 PRD zone to create a site plan with slightly higher height near the road, which then allows for more density and clustering, and therefore single story buildings near the single-story residential neighborhood and more landscaped open space in the interior of the site.
  - F. The request does not further Policy 5.4 because the project is proposing higher density housing than the existing zoning on the west side of the Rio Grande.
  - G. The request furthers Policy 5.6.3 because the subject site and surrounding area are located in an Area of Consistency, and the proposed site plan will protect and enhance the character of the existing single-family neighborhoods and maintain privacy by placing single-story buildings near the southern property line.
  - H. The request furthers Policy 5.6.3f because it is higher density housing to be located within ¼ mile from the Unser Boulevard SW transit stops.
  - I. The request furthers Policy 5.6.3g because the site plan shows setbacks from the southern property line that will protect solar access and privacy for the abutting single-story single-family neighborhood.

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- J. The request furthers policy 5.7.2c because the uses were not specially tailored to negotiate a unique zone between stakeholders. The SU-1 PRD zone is a residential zoning option intended by the City Council to provide flexibility with design elements upon the discretion of the Environmental Planning Commission. The request proposes unique design considerations such as the extra height along Sunset Gardens Road SW that would not be allowed in a straight zone, in order to provide for single-story development along the southern property line, therefore, tailoring the site design to the unique context and meeting the neighborhood needs.
- K. The request partially furthers Policy 7.2.1 because although the project is gated, connectivity would not be possible due to the existing residential development's rear property lines abutting the southern property line of the subject site. In addition, pedestrian travel is encouraged through the interior of the subject site with pathways connecting the pedestrian gates on the southeast and southwest corners.
- L. The request furthers Policy 7.3.5 because it offers high quality design in elevations, site plan layout, and landscape. The building heights, setbacks, landscape, and open space were designed to provide a transition from higher density at the street right-of-way to lower density at the single-story single-family residential neighborhood while providing open space and parking amenities for the residents. Parking screen walls will shield headlights from pedestrians and vehicles on Sunset Gardens Road SW.
- M. The request furthers Policy 7.4.3 because the site plan for the requested SU-1 PRD zone shows that the parking lot will be well-designed by being screened from public view, efficient by providing many options including garages, safe by being gated, and attractive by having a landscape plan that exceeds the minimum required.
- N. The request furthers Policy 7.5.1 because the landscape plan provides a drought tolerant and context sensitive plant palette that exceeds the required amounts and provides a range of textures and colors as well as providing street trees.
- O. The request furthers Policy 9.1.1 and 9.1.2 because it supports development of housing for a variety of income levels and types of residents by providing higher density than the abutting single-family development to the south, and lower density than the multi-family development to the north, as well as a higher quality by providing architectural details, contextual landscaping, and garages for each unit.
- P. The request partially furthers Policy 9.3.2 because it increases density and housing options near services and maintains scale by transitioning between single-family homes to the south and higher density multi-family development to the north, which then transitions toward the commercial corridor farther to the north along Central Avenue. Additionally, the nearby Atrisco Business Park would provide more employment opportunities for the area upon build-out. APS indicated that 2 of the effected schools have excess capacity and 2 of the affected schools are exceeding capacity. The Atrisco Heritage Academy HS has been well in excess of capacity since its opening for all development in the area.

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9. Although the subject site is within the boundaries of the Southwest Area Plan, its Resolution R-01-375 states that "With regard to the area where the boundaries of the Southwest Area Plan and the West Side Strategic Plan overlap south of Central Avenue and west of Coors Boulevard... the policies contained in the West Side Strategic Plan shall apply to the areas situated within the municipal boundaries..." Since the subject site is within the municipal boundaries of the City, the policies of the West Site Strategic Plan will be evaluated in lieu of policies from the Southwest Area Plan.
10. The West Side Strategic Plan designates the subject site part of the Bridge/Westgate Community. The Bridge/Westgate Community is planned to provide substantial growth capacity for Albuquerque at urban densities. It is located near several river crossings and is fairly easily serviced by City utilities. The request is in general compliance with the following applicable goals and policies:
  - A. The request furthers Policy 3.43 and Policy 3.46 because the request will allow a higher density residential development close to the Central / Unser Community Activity Center, which lies approximately ¼ to ½ mile to the north of the subject site. The proposed density is lower than 30 dwelling units per acre. Policy 3.46 shows that high densities were expected in this community in areas adjacent to designated Centers. The proposed development, approximately 13.8 du/ac, is located outside of a designated activity center and not at a major intersection where non-residential zoning is intended.
11. The subject site is within the boundaries of the Tower/Unser Sector Development Plan (SDP) (Rank III). Resolution 08-171 stated that one of the reasons for amending the Tower/Unser SDP was to limit the geographic coverage of repetitions of one housing type. The Tower-Unser SDP supports a mixture of housing types to form diverse neighborhoods and support Comprehensive Plan policies.
12. The South West Alliance of Neighborhoods (SWAN Coalition), the Westside Coalition of Neighborhood Associations, and the South Valley Coalition of Neighborhood Associations were notified along with property owners within 100-feet of the property line as required. Staff received several telephone calls with questions about the request but no written comments in support or opposition. The agent also received a question regarding the request. A facilitated meeting was not requested.

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

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.

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2. Prior to application submittal to the DRB, the applicant shall contact the staff planner to ensure that all conditions of approval are met.
3. Pursuant to Comprehensive Plan Policy 9.2.1, the trash enclosure shall be moved north, away from the southern property line as far as practicable and as is acceptable to the Solid Waste Department. Additional landscape buffering between the dumpster location and the residential properties to the south shall also be provided.
4. Conditions of Approval from other Agencies:
  - **WATER UTILITY AUTHORITY**
    - a. As a condition of approval of this building permit obtain an Availability Statement for the new development. Requests can be made at the link below:
    - b. [http://www.abcwua.org/Availability\\_Statements.aspx](http://www.abcwua.org/Availability_Statements.aspx)
    - c. Request shall include a City Fire Marshal approved Fire 1 Plan and a zone map showing the site location.
    - d. The proposed utility plan indicates several onsite fire hydrants. These hydrants are to be considered private and painted safety orange.
    - e. The proposed utility plan indicates installation of a new manhole approximately 80 feet upstream of an existing manhole. If contributions to the public sanitary sewer infrastructure require the development to discharge to a manhole the development shall connect to the existing manhole downstream of the proposed. If this connection is unacceptable coordination with Utility Development shall take place to evaluate the proposed connection further.
    - f. Pro Rata has been assessed for this property in the amount of \$10931.30 for water infrastructure and \$12193.56 for Sewer infrastructure under project #73-9 for a total amount of \$23124.86. These charges are assessed to the property due to its ability to benefit from and/or take service from the previously installed infrastructure. Payment will be required as a condition of approvals from the Water Authority.
    - g. Please note that the proposed meter service needs to be within the right-of-way or within a 35 foot X 35 foot dedicated water Utility Authority easement.
  - **POLICE DEPARTMENT/Planning**
    - a. Ensure adequate lighting throughout the project, to include parking areas, pedestrian walkways, and courtyards.
    - b. Ensure natural surveillance and clear lines of sight throughout the facility. Natural surveillance requires a space free from natural and physical barrier (i.e. open picket vs. solid fences). Establish a clear line of sight from the parking areas to the residential building and from the building the parking areas.
    - c. Limit and clearly delineate access to the property; i.e. Resident Parking and Visitor Parking.

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- **SOLID WASTE MANAGEMENT DEPARTMENT**
    - a. West side enclosure may need to be set farther East, re-angled, or reduce the concrete curb on approach to West enclosure, for safe refuse truck access. All new/proposed refuse enclosures must be built to COA minimum requirements.
  - **PUBLIC SERVICE COMPANY OF NEW MEXICO**
    - 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 easements.
    - b. It is necessary for the developer to contact the PNM 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](http://www.pnm.com) for specifications.
5. 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 **JUNE 29, 2018**. 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).

**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.

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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,

  
David S. Campbell  
Planning Director

DSC/CS

cc: Jackson Real Estate Serv. Inc., 11215 Central Ave. NE, ABQ, NM 87123  
Consensus Planning, 302 8<sup>th</sup> St. NW, ABQ, NM 87102  
South West Alliance of Neigh. (SWAN) Jerry Gallegos, 5921 Central Ave, NW, ABQ, NM 87105  
South West Alliance of Neigh. (SWAN) Johnny Pena, 6525 Sunset Gardens SW, ABQ, NM 87121  
Westside Coal. Of Neigh. Assoc., Gerald Worrall, 1039 Pinatubo Pl. NW, ABQ, NM 87120  
Westside Coal. of Neigh. Assoc., Harry Hendriksen, 10592 Rio Del Sole NW, ABQ, NM 87114  
South Valley Coalition of Neigh. Assoc., Marcia Fernandez, 2401 Violet SW, ABQ, NM 87105  
South Valley Coalition of Neigh. Assoc., Rod Mahoney, 1838 Sadora Rd SW, ABQ, NM 87105  
Donald Rodriguez, 8315 Dunhill Ave. SW, ABQ, NM 87121  
Michelle Rodriguez, 8315 Dunhill Ave SW, ABQ, NM 87121  
Daniel Escobado, 8415 Dunhill Ave SW, ABQ, NM 87121