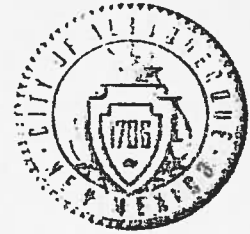


CITY OF ALBUQUERQUE

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

August 14, 2015

City Council Services
Attn: Andrew Webb
City/County Bldg., 9th Floor
Albuquerque, NM 87102

Project# 1010536
15EPC-40027 Amendment to an Adopted Rank 3 Plan

LEGAL DESCRIPTION:

City of Albuquerque Planning Department, agent for City of Albuquerque Council Services, requests to amend the Northwest Mesa Escarpment Plan to allow luminaires (light poles) up to 80 feet tall and allow brighter luminaries than those currently allowed, not to exceed a brightness of 200 footlamberts measured from any private property in a residential zone, for Parcels C-2-A, C-3-A and C-3-C, Westland North, zoned SU-2 for Town Center Village, located south of Arroyo Vista Boulevard, north of Tierra Pintada Boulevard NW, and east/north of 118th Street NW, approximately 81.0 acres. (J-7 + J-8)
Staff Planner: Catalina Lehner

PO Box 1293

Albuquerque

On August 13, 2015, the Environmental Planning Commission (EPC) voted to forward a New Mexico ~~recommendation~~ recommendation of APPROVAL regarding Project #1010536/15EPC-40027, an Amendment to an Adopted Rank 3 Plan, based on the following findings:

FINDINGS:

www.cabq.gov

1. The request is to amend the text of the Northwest Mesa Escarpment Plan (NWMEP) to allow light poles (luminaries) that are taller and brighter than those currently allowed by the NWMEP. The text amendment would pertain only to Parcels C-2-A, C-3-A and C-3-C of Westland North, an approximately 81 acre vacant site planned to be the future location of the new City athletic fields (the "subject site").
2. The subject site is in the View Area of the NWMEP. The height of the light poles (luminaries) for the future athletic fields would exceed the 40 foot height limitation for structures in the View Area.
3. Pursuant to Policy 7 of the Regulations for the Entire Design Overlay Zone, the NWMEP considers all variations to Plan requirements to be text amendments to the Plan. The EPC's task is

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- to evaluate the request and forward a recommendation to the City Council. The City Council is the approval authority for plan amendments and will make the final decision.
4. The request would add a new policy (Policy 21-1) on page 73 of the NWMEP, thereby amending the text of the Plan. Policy 21-1, which requires that structure height in the View Area not exceed 40 feet in height, will continue to apply in the View Area except for the subject site.
 5. The Charter of the City of Albuquerque, the Albuquerque / Bernalillo County Comprehensive Plan, the Westside Strategic Plan, the Westland Master Plan, the Western Albuquerque Land Holdings Sector Development Plan (formerly the Westland Sector Development Plan), the Northwest Mesa Escarpment Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
 6. The request meets the intent of the City Charter: Amending the text of an adopted sector development plan, according to the process established in that Plan, is an exercise in local self-government that falls within the City's powers (Article I) and expresses the Council's desire to ensure the proper use and development of land (Article IX).
 7. The request generally furthers the intent of the Zoning Code to promote the health, safety and general welfare of the public. The height in excess of NWMEP requirements would be limited only to the athletic fields, which would be lit for public enjoyment but would remain subject to the Zoning Code 1-4-16-3-9, Area Lighting Regulations, like all other properties in the City. As the zoning authority for the City of Albuquerque, the City Council will make the final determination.
 8. The request generally furthers the following, applicable Comprehensive Plan Goals and policy:
 - A. Developing and Established Urban Goal. The request would help allow lighting for a use that will come to identify this community within the metropolitan area, and will help promote variety and maximum choice in life styles.
 - B. Open Space Goal. The request would help facilitate development of City athletic fields, which would provide opportunities for education and recreation. The City has set aside the subject site as a park for athletic uses.
 - C. Open Space Policy H.B.1g. Development of City athletic fields, which the request would facilitate, is part of an effort to plan and implement a regional park in the area to serve various athletic pursuits.
 9. The request generally furthers the following, applicable policies in the WSSP:
 - A. Policy 3.54. The subject site is located in the Westland North Community, which is intended to accommodate a wide variety of growth. The request would be consistent with the City's plans and programming to develop a regional park in the area; the future development would be phased.
 - B. Policy 4.6. "Lighting" is a design guideline/policy of the WSSP. The request would result in lighting that is intended to illuminate only the fields, would be shielded and would comply

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with Zoning Code 14-16-3-9, Area Lighting Regulations. Parking lot lights would comply with the Zoning Code and with the NWMEP regarding height.

10. The subject site is located at the western edge of the Town Center Village (TCV) area of the Westland Master Plan (WMP), as shown on Sheet 2 of Appendix A (formerly the Westland Sector Plan, or WSP). Sheet 1 of Appendix A shows the "Recreation" land use category, which includes the subject site and was added to the Plan with the 2012 amendments. Table 10 of the WMP was also amended in 2012 to include the 81 acre subject site (the Regional Park) and the revised land use totals for the Westland area. It appears that the request does not necessitate any additional amendments to the WMP.
11. The request is not required to be justified pursuant to R270-1980 because it does not affect the uses allowed or not allowed on the subject site. Rather, the request would amend the NWMEP to allow light pole height to exceed Plan allowances for the subject site without affecting the subject site's zoning descriptor.
12. The affected neighborhood organizations are the Tres Volcanes Neighborhood Association (NA), the Parkway NA, the Avalon NA, the Laurelwood NA, the Los Volcanes NA, the South Valley Coalition, the Southwest Alliance of Neighbors (SWAN) and the Westside Coalition, which were notified as required. Property owners within 100 feet of the subject site were also notified as required. The request was also advertised in the City's Neighborhood News newsletter.
13. An informational meeting was held on July 30, 2015. Neighbors did not mention any concerns about lighting on the subject site. As of this writing, there is no known opposition to the request.
14. The proposed lighting pole height (maximum 80 feet) is similar to the adjacent APS Stadium lighting pole height.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **AUGUST 28, 2015**. 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 decision.

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

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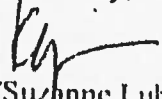
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zone map does not become official until the Certification of Zoning (CZ) is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after 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.

DEFERRAL FEES: Pursuant to Zoning Code Section 14-16-4-1(B), deferral at the request of the applicant is subject to a \$110.00 fee per case.

Sincerely,


Suzanne Lubar
Planning Director

SL/CLL

cc: COA Council Services, City County Bldg., ABQ, NM 87102
COA Planning Department, 600 2nd Street NW, ABQ, NM 87102
Council Services, Attn: Andrew Webb, City County Building, 9th Floor, ABQ., NM 87102
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Antionette Lopez, Tres Volcanes NA, 9774 Summer Shower Pl., NW, ABQ, NM 87120
Ruben Aleman, Parkway NA, 8005 Fallbrook NW, ABQ, NM 87120
Mary Loughran, Parkway N.A., 8015 Fallbrook NW, ABQ, NM 87120
Billy DeHerrera, Avalon NA, 651 Stern Dr. NW, ABQ, NM 87121
Lucy Anchondo, Avalon NA, 601 stern Dr. NW, ABQ, NM 87121
Candelaria Patterson, Laurelwood NA, 7608 Elderwood Dr. NW, ABQ, NM 87120
Greg Huston, Laurelwood NA, 7600 Sherwood Dr. NW, ABQ, NM 87120
Ben Sandoval, Los Volcanes, NA, 6516 Honeylocust Ave, NW, ABQ, NM 87121
Ted Trujillo, Los Volcanes NA., 6601 Honeylocust Ave, NW, ABQ, NM 87121
Rod Mahoney, S. Valley Coalition of Neighborhood Assoc., 1838 Sadora Rd. SW, ABQ, NM 87105
Marcia Fernandez, S. Valley Coalition of Neighborhood Assoc., 2401 Violet SW, ABQ, NM 87105
Johnny Pena, SWAN, 6525 Sunset Gardens SW, ABQ, NM 87121
Jerry Gallegos, SWAN, 417 65th St. SW, ABQ, NM 87121
Gerald C. Worrall, Westside Coalition of NAs, 1039 Pinatubo Pl. NW, ABQ, NM 87120
Harry Hendriksen, Westside Coalition of NAs, 10592 Rio Del Sole Ct. NW, ABQ, NM 87114-2701

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Jackie Fishman, 302 Eight St. NW, ABQ, NM 87102