Staff Report

Staff Recommendation
APPROVAL of Case # 16EPC-40050 based on the Findings beginning on Page 9, and subject to the Conditions of Approval beginning on Page 12.

Staff Planner
Maggie Gould, Planner

Summary of Analysis
The request is for a Site Development Plan for Building Permit for Lot C-4-A, Seven Bar Ranch. The applicant proposes a deli restaurant with a drive-up service window, which is a permissive use.

The subject site is in the Established Urban Area. The West Side Strategic Plan and the Seven Bar Ranch Sector Development Plan apply. The governing site development plan for subdivision for the 3600 Block of Hwy 528 contains applicable design standards. In January, the request was deferred for 60 days to allow time for the SPS design standards to be finalized through the DRB process.

The affected neighborhood organization is the Westside Coalition, which was notified as required.

Staff recommends approval subject to conditions needed to create compliance with the design standards and for clarity.

City Departments and other interested agencies reviewed this application from 1/30/2017 to 2/13/2017
Agency comments used in the preparation of this report begin on Page 14.
Surrounding zoning, plan designations, and land uses:

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II. INTRODUCTION

Request

This is a request for a Site Development Plan for Building Permit for an approximately 1.2 acre site located on NM Highway 528 between Ellison Dr. NW and Calle Cuervo Rd. NW. The subject site is zoned SU-1 for IP Uses. The property was subdivided into two lots (C-4-A-1 and C-4-A-2) with a platting action by the DRB in February of 2017. The applicant is proposing to demolish the existing 20,000 square foot vacant building on the subject site and develop a 3,898 square foot restaurant with a drive up service window on lot C-4-A-1. Development on lot C-4-A-2 will take place at a later time and will also be reviewed by the EPC.

EPC Role

The EPC has the authority to hear and consider all Site Development Plans associated with an SU-1 site within the City of Albuquerque [Ref: § 14-16-2-22(A)(1)]. The EPC is the final decision-making body unless the EPC decision is appealed. If so, an appeal would go to the Land Use Hearing Officer (LUHO) who then makes a recommendation to City Council [Ref: § 14-16-4-4-(A)(2) Appeal]. This is a quasi-judicial matter.

History/Background

Five major land use categories with corresponding zoning designations were established upon adoption of the Seven Bar Ranch Sector Development Plan in 1985 (R-309, Enactment Number 74-1985): 1.) Residential, 2.) Employment/Office, 3.) Commercial, 4.) Town Center, 5.) Parks & Open Space. The existing SU-1 for IP Uses zoning for the subject site falls under the Employment/Office land use category with the goal of creating self-sufficient sub-areas of
commercial development intermixed with residential and employment uses. The stated intent of the land use and zoning designation for the subject site is to encompass a diversity of uses ranging from large single unit land consumers (such as corporate headquarters) to highly diverse small-scale complexes of light industrial office or warehousing (Seven Bar Ranch SDP, pg. 11).

Staff was unable to locate any historical site development plan information for the existing 20,000 square foot, two-story vacant building within the Planning Department archives. However, Staff was able to identify several Bernalillo County specific file/project numbers in the area near the subject site. The most likely scenario is that the structure was built prior to annexation into the City of Albuquerque. The applicant is proposing to demolish the existing structure and update the site to meet current City of Albuquerque requirements and standards.

The EPC approved a Site Development Plan for Subdivision for the subject site in October of 2016 (16-EPC 40050). The DRB approved the Site Plan for Subdivision and approved the division of the site into two lots, the configuration shown on the proposed plan.

**Context**

The subject site is located just east of the Cottonwood Major Activity Center as designated by the Comprehensive Plan. The West Side Strategic Plan states that the subject site is within the Seven Bar Ranch Community, Seven Bar Ranch Neighborhood Center and Seven Bar Regional Center. The site is surrounded by commercial service, commercial retail, wholesale / warehousing and multi-family residential uses.

**Transportation System**

The Long Range Roadway System (LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies the functional classifications of roadways.

The LRRS designates NM 528, Coors Bypass, and Ellison Dr. as a Regional Principal Arterials.

The LRRS designates Calle Cuervo and Cabezon Rd. as Local Streets.

**Comprehensive Plan Corridor Designation**

The Comprehensive Plan designates NM 528 as an Express Transit Corridor with the intent of creating a network of roadways that are dedicated to developing higher speeds with fewer interruptions to travel for the car and public transit vehicles.

**Trails/Bikeways**

NM Highway 528 contains a New Mexico Department of Transportation owned and maintained bicycle lane. Coors Blvd. contains a designated lane for bicycles. The nearest trail to the subject site is the Paseo del Bosque Multiple Use Trail which is located approximately 1.18 miles east of the subject site.

**Transit**

Bus Route 98 (Wyoming Commuter) runs north / south on NM Highway 528 and east / west along Ellison Dr.

**Public Facilities/Community Services**

Please refer to the Public Facilities Map in the packet for a complete listing of public facilities and community services located within one mile of the subject site.
III. ANALYSIS APPLICABLE ORDINANCES, PLANS AND POLICIES

Albuquerque Comprehensive Zoning Code

The existing zoning for the subject site is SU-1 for IP Uses which entitles the applicant to all permissive and conditional uses of the Industrial Park Zone (IP). The proposed retail and restaurant uses for the subject site are permissive per Section 14-16-2-19(A)(22) which states that the retail sales of the following goods, plus incidental retailing of related goods and incidental service or repair are allowed (on-premises consumption of food and drink is specifically listed as a permissive use). The conditional uses of the IP zone allow permissive and conditional uses of the M-1 zone which, according to Code Enforcement, includes drive thru restaurants per Section 14-16-2-20(B)(5) which allows retailing which is not permissive.

Albuquerque / Bernalillo County Comprehensive Plan

The subject site is located in the area designated Established Urban by the Comprehensive Plan with a Goal to “create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment.”

The subject site is also located near the Cottonwood Major Activity Center. According to the Comprehensive Plan, the goal of activity centers is to expand and strengthen concentrations of moderate and high-density mixed land use and social/economic activities which reduce urban sprawl, auto travel needs, and service costs, and which enhance the identity of Albuquerque and its communities. Further, Major Activity Centers provide the most highly concentrated locations of commercial, service and employment uses in conjunction with area-wide needs, and are intended to serve the entire metropolitan population and beyond.

The request furthers the Established Urban Area goal because it will contribute to the ongoing construction of a quality environment that perpetuates the tradition of identifiable communities within the metropolitan area by offering a variety of additional commercial service and retail uses that respond to the needs of residents within the Seven Bar Ranch community. This Established Urban Area goal is also re-stated within the Planning Policies and Goals section on page 4 of the Seven Bar Ranch Sector Development Plan.

Policy II.B.5.d.: The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, recreational concern.

The requested action generally furthers Policy II.B.5.d. because the site is located adjacent to similarly zoned lots developed with similar uses. The site is not directly adjacent to residential development and the site design does not direct traffic into those areas. The proposed use will increase traffic to the area, but is allowed under the existing zoning.

Policy II.B.5.e.: New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured.
The request further Policy II.B.5.e. because the subject site is contiguous to existing urban facilities and services. The integrity of existing neighborhoods will be ensured because the subject site is not directly adjacent to residential development and proposed Site Development Plan for Building Permit is required to adhere to the EPC approved design standards contained within Place Site Development Plan for Subdivision.

Policy II.B.5.i.: Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

The request further Policy II.B.5.i. because the applicant is proposing a new commercial use for the subject site. The subject site is located adjacent to other commercial/industrial zoned lots which are configured to complement nearby residential areas. The site is not directly adjacent to residential development, but is close enough to provide opportunities for employment and service.

West Side Strategic Plan (WSSP, Rank 2)
The WSSP was first adopted in 1997 and recently amended in 2002 to help promote development of Neighborhood and Community Activity Centers. The WSSP identifies 13 communities, each with a unique identity and comprised of smaller neighborhood clusters. The subject site is located within the Seven Bar Ranch Community designated in the WSSP which is bounded by the Calabacillas Arroyo and the County line, and between the Rio Grande and an area slightly west of the Rainbow Boulevard corridor. Applicable policies include:

Policy 3.1: The Cottonwood Mall area shall be designated as the West Side’s Regional Center. The boundaries of the Regional Center are shown on page 33. Development appropriate to a Regional Center, including the largest commercial and highest density development of anywhere on the West Side, shall occur in this location.

Policy 3.3: Development of the Regional Center shall be inclusive of mixed-uses, and multi-modal transportation systems. Connections to transit systems and bicycle/pedestrian linkages must be provided with all new development. The City will continue discussion regarding location of a transit center within the Regional Center.

The subject site is also located within boundaries of the Seven Bar Ranch Neighborhood Center which is intended to contain most retail needs of the residents of the eastern portion of the Seven Bar Community

Additionally, the subject site is located within the boundaries of the Seven Bar Regional Center. The WSSP anticipated that this regional center would serve as a major employment center, and that a significant amount of commercial and professional services employment would locate there. Anticipated regional uses for the center include: Regional retail, services, higher density housing, and public/institutional.

The request generally further WSSP Policies 3.1 and 3.3 because the proposed commercial use is appropriate to a Regional and Neighborhood Center as defined by the WSSP. The proposed use is intended to serve the needs of the residents of the eastern portion of the Seven
Bar Community. The subject site is also located near a transit route (Bus Route 98 – Wyoming Commuter).

Seven Bar Ranch Sector Development Plan (SBRSDDP, Rank 3)
The SBRSDDP was first adopted in 1985, and revised in 2005 and 2007. The Plan generally encompasses properties bounded by Golf Course Road, the Calabacillas Arroyo, the Rio Grande, the Corrales Village limits and Westside Boulevard specific boundaries are shown on Exhibit 6 in the Plan. The main purpose of the Plan was to establish zoning and guide future development in the area. The SBRSDDP design guidelines do not seek to predict development, but rather provide a framework that will allow for development within each land use type to be flexible and adapt to changing market forces over time. Applicable plan sections include:

Location and Setting: “The Sector Plan [Seven Bar Ranch SDP] is the northwestern hub of the transportation network mesa and should consequently serve as an area of relatively intense land use providing services to the less intense development areas which surround it”.

Goal A2: “The goal is to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment.”

The request furthers the intent of the SBRSDDP by proposing commercial service and retail uses that are appropriate to the sector development plan area that will serve the lower intensity residentially developed parcels near the subject site. The request also furthers SBRSDDP Goal A2 by seeking to implement the Established Urban Area goal of contributing to the ongoing construction of a quality environment that perpetuates the tradition of identifiable communities within the metropolitan area by offering a variety of additional commercial service and retail uses that respond to the needs of residents within the Seven Bar Ranch community.

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT Request

This is a request for a Site Development Plan for Building Permit for an approximately 1.2 acre site located on NM Highway 528 between Ellison Dr. NW and Calle Cuervo Rd. NW. The subject site is zoned SU-1 for IP Uses. The applicant is proposing to demolish the existing 20,000 square foot vacant building on the subject site.

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.” As such, staff has reviewed the attached site development plan for conformance with applicable goals and policies in the Comprehensive Plan, and other applicable Plans.

While the SBRSDDP contains a general set of design guidelines, the intent of which are to integrate new development with existing development, the design standards submitted by the applicant are more specific to the site and are more restrictive than those contained within the SBRSDDP.
Site Plan Layout / Configuration

The proposed building in entrance faces east, towards Alameda Boulevard. Access to the site is provided via a 26 foot wide drive aisle on the northwest corner of the site. The drive thru lane is located on the north side of the building, away from the patio seating area.

Vehicular Access, Circulation and Parking

Access to the site is provided via a 26 foot wide drive aisle on the northwest corner of the site. The drive thru lane is located on the north side of the building, away from the patio seating area.

Parking is provided pursuant to the Zoning Code, 14-16-3-1, at 1 space for each 4 restaurant seats; 124 seats are proposed and 31 spaces would be required. The applicant is proposing a total of 50 spaces, including the required motorcycle, bicycle and accessible spaces.

Pedestrian and Bicycle Access and Circulation, Transit Access

Bus Route 98 (Wyoming Commuter) runs north / south on NM Highway 528 and east / west along Ellison Dr. Pedestrian access to the site is provided via a 6 foot wide sidewalk along the north side of the entry drive, with connections through the site to the 6 wide sidewalk along the west, south and east sides of the building. A 6 wide sidewalk is shown along the east edge of the berm between the site and Alameda Boulevard. This placement will provide a better pedestrian experience for people travelling along Alameda Boulevard because they will not be adjacent to the traffic lanes. This placement addresses the comments from Long Range Planning.

Walls/Fences

No walls or fences are proposed.

Lighting and Security

The stated purpose of the design standards of the proposed SDPS for lighting and security is to improve the safety, security and site aesthetics and that the primary design goal is to maximize public safety without impacting the adjacent properties, buildings or roadways with extraneous glare or reflection. The applicant proposes five 20 foot tall parking lot lights. The lighting is consistent with the approved SPS and the Zoning Code §14-16-3-9, General Lighting Standards.

Landscaping

The stated purpose of the design standards of the proposed SDPS for landscaping is to improve and enhance aesthetics of the site and presence from the street, and define pedestrian and vehicular connections. All on site landscaping conform to the requirements of 14-16-3-10 (Landscaping Regulations Applicable to Apartment and Non-Residential Development) Section of the Comprehensive Zoning Code, Street Tree requirements.

The applicant is providing 17,061 square feet of landscaping. The total net lot area is 49,747 square feet. The zoning requires landscaping on 15% of the net lot area, a total of 7,462. The plan shows 17,061 square feet of landscaping. The landscape plans shows a mix of low and medium water plants that are general successful in the area.

Curb notches are included in the landscaping beds to allow for stormwater to enter the landscaped areas.
Grading, Drainage

The subject site generally slopes from the southwest to the northeast, with a change in grade of approximately 3 feet. The conceptual grading and drainage plan states that proposed improvements include upgrading of curb and gutters that will include curb cuts and rundowns allowing storm water to discharge into new water harvesting areas. The proposed grading and drainage improvements will ensure that the drainage on the site conforms to all first flush requirements.

Architecture

The architectural requirements of the proposed SDPS design guidelines is to establish architectural building design that reflects a high quality of aesthetics, character and appropriate scale and massing. The design guidelines also state that new development should be harmonious with existing surrounding development. A cohesive and complementary interpretation of traditional New Mexico styles is required for all on site buildings that includes material and color palette detail. Articulation design standards are addressed by prohibiting long unarticulated facades and requiring varied front setbacks, bump-outs, or wall planes for every 100 feet. Architectural expression is addressed by outlining permissive building materials such as stucco, natural cast stone or porcelain tile. Prohibited exterior building materials include engineered wood paneling, vinyl or plastic siding and unfinished smooth CMU. Development proposals must also include earth tones with accent colors with a limit of two accent colors per building and encouraging the use of contrasting colors for shade elements and metal accents.

The applicant proposes a building that is well articulated with changes in plane, color and material on all sides. The proposed brick, stucco and stacked stone are allowed materials in the approved SPS and are complimentary to the building materials used in the area. The building will have two accent colors, green and white. The building has a shaded patio on the south side; the patio shade structure will also be green and will contrast with the brick and stucco finishes on the south side of the building.

Signage

The stated purpose of the design standards of the proposed SDPS for signage and graphics is to create a sense of arrival to the development and provide visual continuity between lots and users. All signage on the subject site must comply with Sections 14-16-3-5 (General Sign Regulations) and 14-16-2-19(A)(25) (Industrial Park Zone). Per these requirements, one free-standing sign is permitted for each street frontage, or joint sign premises, which has at least 200 feet of street frontage. This would allow a single, 26’ foot high, 100 square foot sign on the subject site along NM Highway 528. A maximum of twenty percent of building facades facing NM Highway 528 may be used as building mounted signage area. The applicant is proposing a 26 foot tall, 99 square foot sign with spaces for up to four tenants. This sign will serve the proposed restaurant and future development on the adjacent lot.

IV. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies

The applicant updated the site plan to address comments from transportation development; any additional requirements will be addressed at the DRB.
Neighborhood/Public

The Westside Coalition of Neighborhood Associations as well as property owners within 100 feet of the subject site were all notified of this request as required. Planning Staff received a phone call regarding the requested action from a neighboring property owner. The owner was not opposed to the project, but was opposed to granting any kind of shared access or parking easement to the site. The applicant has provided all of the required parking on the subject lot. A facilitated meeting was not recommended or held, and there is no known opposition to this request.

V. CONCLUSION

This is a request for a Site Development Plan for Building Permit for an approximately 2 acre site located on NM Highway 528 between Ellison Dr. NW and Calle Cuervo Rd. NW. The subject site is zoned SU-1 for IP Uses. The applicant is proposing to demolish the existing 20,000 square foot vacant building on the subject site and develop the 3,900 square foot restaurant with drive up service window.

The Site Development Plan for Subdivision with design standards was approved by EPC in 2016 and signoff by the DRB in February of 2017. The site was replatted as part of the DRB process into two lots, the configuration shown on this proposed plan. Both lots are subject to the design standards; the lot to the south of the subject site will be developed in a future phase.

The subject site is located just east of the Cottonwood Major Activity Center as designated by the Comprehensive Plan. The West Side Strategic Plan states that the subject site is within the Seven Bar Ranch Community, Seven Bar Ranch Neighborhood Center and Seven Bar Regional Center. The site is surrounded by commercial service, commercial retail, wholesale / warehousing and multi-family residential uses.
FINDINGS - 16EPC-40079 – March 09, 2017 - Site Development Plan for Building Permit

1. This is a request for a Site Development Plan for Building Permit for Tract C-4-A -1, Seven Bar Ranch located on NM Highway 528, between Ellison Dr. NW and Calle Cuervo Rd. NW and containing approximately 1.2 acres.

2. The applicant is proposing to demolish the existing 20,000 square foot vacant building on the subject site and build a 3,898 square foot restaurant with drive up service window.

3. The subject site is zoned SU-1 for IP Uses. The proposed use is permissive under the existing zoning designation for the subject site.

4. Staff was unable to locate any historical site development plan information for the existing 20,000 square foot, two-story vacant building within the Planning Department archives.

5. The Albuquerque/Bernalillo County Comprehensive Plan, West Side Strategic Plan, Seven Bar Ranch Sector Development Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.

6. The subject site is located within the Seven Bar Ranch Neighborhood Center and Seven Bar Regional Center as designated by the West Side Strategic Plan.

7. The Seven Bar Ranch Neighborhood Center is intended to contain most retail needs of the residents of the eastern portion of the Seven Bar Community.

8. The Seven Bar Regional Center is intended to serve as a major employment center, and contain a significant amount of commercial services, professional services and employment. Anticipated Seven Bar Regional Center regional uses include: Regional retail, services, higher density housing, and public / institutional.

9. The request furthers the Established Urban Area goal of the Comprehensive Plan:

A. Goal of the Established Urban Area is to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment.

The request furthers the Established Urban Area goal because it will contribute to the ongoing construction of a quality environment that perpetuates the tradition of identifiable communities
within the metropolitan area by offering a variety of additional commercial service and retail uses that respond to the needs of residents within the Seven Bar Ranch community. This Established Urban Area goal is also re-stated within the Planning Policies and Goals section on page 4 of the Seven Bar Ranch Sector Development Plan.

B. Policy II.B.5.d.: The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, recreational concern.

The requested action generally furthers Policy II.B.5.d. because the site is located adjacent to similarly zoned lots developed with similar uses. The site is not directly adjacent to residential development and the site design does not direct traffic into those areas. The proposed use will increase traffic to the area, but is allowed under the existing zoning.

C. Policy II.B.5.e.: New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured.

The request furthers Policy II.B.5.e. because the subject site is contiguous to existing urban facilities and services. The integrity of existing neighborhoods will be ensured because the subject site is not directly adjacent to residential development and proposed Site Development Plan for Building Permit is required to adhere to the EPC approved design standards contained within Place Site Development Plan for Subdivision.

D. Policy II.B.5.i.: Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

The request furthers Policy II.B.5.i. because the applicant is proposing a new commercial use for the subject site. The subject site is located adjacent to other commercial/industrial zoned lots which are configured to complement nearby residential areas. The site is not directly adjacent to residential development, but is close enough to provide opportunities for employment and service.

10. The request furthers the following West Side Strategic Plan policies:

A. Policy 3.1: The Cottonwood Mall area shall be designated as the West Side's Regional Center. The boundaries of the Regional Center are shown on page 33. Development appropriate to a Regional Center, including the largest commercial and highest density development of anywhere on the West Side, shall occur in this location.

B. Policy 3.3: Development of the Regional Center shall be inclusive of mixed-uses, and multi-modal transportation systems. Connections to transit systems and bicycle/pedestrian linkages must be provided with all new development. The City will continue discussion regarding location of a transit center within the Regional Center.
The request furthers WSSP Policies 3.1 and 3.3 because the proposed commercial service and retail uses are appropriate to a Regional and Neighborhood Center as defined by the WSSP. The proposed uses are also intended to serve the retail needs of the residents of the eastern portion of the Seven Bar Community. The subject site is also located near a transit route (Bus Route 98 – Wyoming Commuter).

11. The request furthers the following Seven Bar Ranch Sector Development plan sections and goals:

A. Location and Setting: “The Sector Plan [Seven Bar Ranch SDP] is the northwestern hub of the transportation network mesa and should consequently serve as an area of relatively intense land use providing services to the less intense development areas which surround it.”

B. Goal A2: “The goal is to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment.”

The request furthers the intent of the SBRSDP by proposing commercial service and retail uses that are appropriate to the sector development plan area that will serve the lower intensity residentially developed parcels surrounding the subject site. The request also furthers SBRSDP Goal A2 by seeking to implement the Established Urban Area goal of contributing to the ongoing construction of a quality environment that perpetuates the tradition of identifiable communities within the metropolitan area by offering a variety of additional commercial service and retail uses that respond to the needs of residents within the Seven Bar Ranch community.

12. The Westside Coalition of Neighborhood Associations as well as property owners within 100 feet of the subject site were all notified of this request as required.

13. Planning Staff received a phone call regarding the requested action from a neighboring property owner. The owner was not opposed to the project, but was opposed to granting any kind of shared access easement to the site. A facilitated meeting was not recommended or held, and there is no known opposition to this request.

RECOMMENDATION – 16EPC-40079 – March 09, 2017

APPROVAL of 16EPC-40079, a request for Site Development Plan for Building Permit, for Tract C-4-A -1, Seven Bar Ranch, based on the preceding Findings and subject to the following Conditions of Approval.
CONDITIONS OF APPROVAL – 16EPC-40079 – March 09, 2017 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.

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. The applicant will demonstrate that the existing trees along Alameda Boulevard meet the street tree ordinance or will add trees to meet these requirements. The required trees may be clustered or spaced to protect the existing trees. The landscape plan will show existing trees.

4. City Engineer Conditions of Approval:
   1. Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed development site plan, as required by the Development Review Board (DRB).
   2. Site plan shall comply and be in accordance with all applicable City of Albuquerque requirements, including the Development Process Manual and current ADA criteria.

The following comments need to be addressed prior to DRB:

1. The ADA accessible parking sign must have the required language per 66-7-352.4C NMSA 1978 "Violators Are Subject to a Fine and/or Towing." Please call out detail and location of HC signs.

2. The ADA access aisles shall have the words "NO PARKING" in capital letters, each of which shall be at least one foot high and at least two inches wide, placed at the rear of the parking space so as to be close to where an adjacent vehicle's rear tire would be placed. (66-1-4.1.B NMSA 1978)

3. Per DPM, a 6 ft. wide ADA accessible pedestrian pathway is required from the HC parking stall access aisles to the building entrances. Please clearly show this pathway and provide details.

4. The handicapped accessible spaces must include an access aisle. Van accessible aisles should be 8ft wide; all others should be 5ft wide.

5. Label the compact parking spaces by placing the words "COMPACT" on the pavement of each space.
6. Identify all existing access easements, driveway widths and radii. Some dimensions are missing.

7. ADA truncated domes (detectable warning surfaces) should be adjacent to vehicular pathways at the end of ADA access ramps.

5. Public Service Company of New Mexico Conditions of Approval:
   1. 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.

   2. 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 for specifications.

6. Site plan shall comply and be in accordance with all applicable City of Albuquerque requirements, including the Development Process Manual and current ADA criteria.

7. 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.

Maggie Gould
Planner

Notice of Decision cc list:

cc: Clint Wilsey, 66Architect LLC, 2041 S. Plaza St. NW, Albuquerque, NM 87104
    Harry Hendriksen, 10592 Rio Del Sole Ct. NW, Albuquerque, NM 87114
    Rene Horvath, 5515 Palomino Dr. NW, Albuquerque, NM 87120
CITY OF ALBUQUERQUE AGENCY COMMENTS
PLANNING DEPARTMENT

Zoning Enforcement
Reviewed, no adverse comments.

Office of Neighborhood Coordination
Westside Coalition of Neighborhood Associations

Long Range Planning
16EPC-40079 Site Development Plan for Building Permit
- Show sidewalk along Alameda adjacent to the site and show street tree locations as required.
- Provide a direct pedestrian connection from the front door to the sidewalk.

Metropolitan Redevelopment Agency
No comments received.

CITY ENGINEER
Transportation Development

Hydrology Development
No comments received.

DEPARTMENT of MUNICIPAL DEVELOPMENT
Transportation Planning

Transportation Development Conditions:

8. Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed development site plan, as required by the Development Review Board (DRB).

9. Site plan shall comply and be in accordance with all applicable City of Albuquerque requirements, including the Development Process Manual and current ADA criteria.

10. Additional Pedestrian Access and 6 foot sidewalk along Alameda should be provided.

The following comments need to be addressed prior to DRB:
1. The ADA accessible parking sign must have the required language per 66-7-352.4C NMSA 1978 "Violators Are Subject to a Fine and/or Towing." Please call out detail and location of HC signs.
2. The ADA access aisles shall have the words "NO PARKING" in capital letters, each of which shall be at least one foot high and at least two inches wide, placed at the rear of the parking space so as to be close to where an adjacent vehicle's rear tire would be placed. (66-1-4.1.B NMSA 1978)

3. Per DPM, a 6 ft. wide ADA accessible pedestrian pathway is required from the HC parking stall access aisles to the building entrances. Please clearly show this pathway and provide details.

4. The handicap accessible spaces must include an access aisle. Van accessible aisles should be 8ft wide; all others should be 5ft wide.

5. Label the compact parking spaces by placing the words “COMPACT” on the pavement of each space.

6. Identify all existing access easements, driveway widths and radii. Some dimensions are missing.

7. ADA truncated domes (detectable warning surfaces) should be adjacent to vehicular pathways at the end of ADA access ramps.

Traffic Engineering Operations
No comments received.

WATER UTILITY AUTHORITY
Utility Services

ENVIRONMENTAL HEALTH DEPARTMENT
No comments received.

PARKS AND RECREATION
Planning and Design
Reviewed, no adverse comments.

Open Space Division
No comments received.

City Forester
No comments received.

POLICE DEPARTMENT/Planning
No comments received.

SOLID WASTE MANAGEMENT DEPARTMENT
Refuse Division

1) Must meet C.O.A minimum requirements for bollards in enclosure

2) Drain specs must also be shown on site plan that meet C.O.A minimum requirements

3) Sheet LS-101 shows Bradford Pear creating an overhang over enclosure, which will cause a hindrance to refuse driver. Bradford pear will have to be placed in another location.

FIRE DEPARTMENT/Planning

No comments received.

TRANSIT DEPARTMENT

Not on a corridor Not on a route Nearest stop is Route 98 on Alameda about 2000 feet from the site No additional comment

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

No comments received.

NM Department of Transportation

The NMDOT is requiring the owner complete the State Access Management Manual’s Site Threshold Assessments and schedule an appointment with Margaret Haynes to discuss this development’s potential impacts on NM528. If there are any questions, please feel free to contact Margaret Haynes at 505.798.6605 or Margaret.Haynes@state.NM.us

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

Reviewed, no adverse comments.

ALBUQUERQUE PUBLIC SCHOOLS

This will have no adverse impact to the APS district.

MID-REGION COUNCIL OF GOVERNMENTS

MRMPO has no adverse comments.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

No comments received.

PUBLIC SERVICE COMPANY OF NEW MEXICO

1. 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.

2. 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 for specifications.
Looking southwest from the north corner of the site
Looking west from the lot to the east
Looking northeast from the southwest corner of the site, along Alameda Boulevard
Looking north at the site from Alameda Boulevard
Aerial photo, 2016 AGIS
HISTORY
OFFICIAL NOTIFICATION OF DECISION

January 13, 2017

66 Architect LLC
Attn: Clint Wilsey
2041 S. Plaza St. NW
Albuquerque, NM 87104

Project #1010999
16EPC-40079 Site Development Plan for Building Permit

LEGAL DESCRIPTION:
The above action for Lot C-4-A, Seven Bar Ranch, zoned SU-1 for
IP Uses, located on Highway 528, between Ellison Dr. NW and
Cottonwood Dr. NW, containing approximately 2 acres. (A-14)
Staff Planner: Catalina Lehner

On January 12, 2017 the Environmental Planning Commission (EPC) voted to DEFER Project 1010999/
16EPC-40079, a Site Development Plan for Building Permit, for 60 days based on the following
findings:

FINDINGS:
1. The request is for a Site Development Plan for Building Permit for Lot C-4-A, Seven Bar Ranch.
The applicant proposes a deli restaurant with a drive-up service window.

2. The subject site is zoned SU-1 for IP Uses. The proposed use is permissive under the current
zoning.

3. The applicant is requesting a 60-day deferral to the March 09, 2017 EPC hearing to allow time to
obtain final sign-off of the governing site development plan for subdivision at the DRB.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC’s decision or by
JANUARY 27, 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
Council; rather, a formal protest of the EPC’s Recommendation can be filed within the 15 day period
following the EPC’s decision.
OFFICIAL NOTICE OF DECISION
Project #1010999
January 12, 2017
Page 2 of 2

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,

[Signature]
Suzanne Lubar
Planning Director

SL/CLL

cc: 66 Architect LLC, Attn: Clint Wilsey, 2041 S. Plaza St. NW, ABQ, NM 87104
Westside Coalition of NAs, Harry Hendriksen, 10592 Rio Del Sole Ct. NW, ABQ, New Mexico 87114
Westside Coalition of NAs, Rene Horvath, 5515 Palomino Dr. NW, ABQ, New Mexico 87120
**Staff Report**

**Agent**
Clint Wilsey, 66 Architect LLC

**Applicant**
3615 Highway 528, LLC

**Request**
Site Development Plan for Building Permit

**Legal Description**
Lot C-4-A, Seven Bar Ranch

**Location**
Highway 528, between Ellison Dr. NW and Cottonwood Dr. NW

**Size**
Approximately 2 acres

**Zoning**
SU-1 for IP Uses

---

**Staff Recommendation**

DEFERRAL of Case 16EPC-40079, at the applicant's request, for 60 days, to the March 09, 2017 EPC hearing.

**Staff Planner**
Catalina Lehner, AICP- Senior Planner

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**Summary of Analysis**

The request is for a Site Development Plan for Building Permit for Lot C-4-A, Seven Bar Ranch. The applicant proposes a deli restaurant with a drive-up service window, which is a permissive use.

The subject site is in the Established Urban Area. The West Side Strategic Plan and the Seven Bar Ranch Sector Development Plan apply. The governing site development plan for subdivision for the 3600 Block of Hwy 528 contains applicable design standards, but it has not yet been finalized.

The affected neighborhood organization is the Westside Coalition, which was notified as required.

The applicant is requesting a 60-day deferral to allow time for the site development plan for subdivision to receive final sign-off through the DRB process.

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**Findings**

1. The request is for a Site Development Plan for Building Permit for Lot C-4-A, Seven Bar Ranch. The applicant proposes a deli restaurant with a drive-up service window.

2. The subject site is zoned SU-1 for IP Uses. The proposed use is permissive under the current zoning.

3. The applicant is requesting a 60-day deferral to the March 09, 2017 EPC hearing to allow time to obtain final sign-off of the governing site development plan for subdivision at the DRB.

City Departments and other interested agencies reviewed this application from 12/05/2016 to 12/21/2016.
Ms. Lehner, 
Please consider this email as notice and request for a 60 day deferral for the EPC SDP for Building Permit, project #1010999.

Thank you.

p.s. I will work on getting this deferral fee paid asap.

Thank you.

Clint Wilsey, Architect
66Architect, LLC
2041 S. Plaza St. NW
Albuquerque, NM 87104
505) 280-0043

On Fri, Dec 30, 2016 at 12:36 PM, Lehner, Catalina L. <CLEhner@cabq.gov> wrote:

Hi Clint,

I’d like to get a hold of the deferral letter by the close of business next Tuesday, January 3rd. Attached is the deferral fee invoice. A 60 day deferral would take us to the March 9, 2016 EPC hearing, but request the amount of time you feel you need. Thank you.

-Catalina

Hi Clint,

Thanks for the update. You can request the amount of time that you need and only pay one fee. It can be 30, 60, or 90 days.
OFFICIAL NOTIFICATION OF DECISION

October 14, 2016

66 Architect, LLC
Clint Wilsey
2041 S. Plaza St. NW
ABQ, NM 87104

Project# 1010999
16EPC-40050 Site Development Plan for Subdivision

LEGAL DESCRIPTION:
The above action for all or a portion of Tract C-4-A, Plat of Tracts C3A, C3B, C3C and C4A, Seven Bar Ranch, zoned SU-1 for IP Uses, located on NM Highway 528, between Ellison Dr. NW, and Cabezon Rd. NW, containing approximately 2 acres.
(A-14) Staff Planner: Vicente Quevedo

On October 13, 2016 the Environmental Planning Commission (EPC) voted to APPROVE Project #1010999/16EPC-40050, a Site Development Plan for Subdivision, based on the following findings and Albuquerque subject to the following conditions:

FINDINGS:

NM 87103

1. This is a request for a Site Development Plan for Subdivision for Tract C-4-A, Plat of Tracts C3A, C3B, C3C and C4A, Seven Bar Ranch located on NM Highway 528, between Ellison Dr. NW and Calle Cuervo Rd. NW and containing approximately 2 acres.

2. The applicant is proposing to demolish the existing 20,000 square foot vacant building on the subject site, subdivide the property into two lots and redevelop the subject site for retail and restaurant uses.

3. The subject site is zoned SU-1 for IP Uses. The applicant states that future tenants on the subject site will include recognizable national and local chain restaurant and retail businesses. The proposed uses are permissive under the existing zoning designation for the subject site.

4. Staff was unable to locate any historical site development plan information for the existing 20,000 square foot, two-story vacant building within the Planning Department archives.
OFFICIAL NOTICE OF DECISION
Project #1010999
October 13, 2016
Page 2 of 6

5. The Albuquerque/Bernalillo County Comprehensive Plan, West Side Strategic Plan, Seven Bar Ranch Sector Development Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.

6. The subject site is located within the Seven Bar Ranch Neighborhood Center and Seven Bar Regional Center as designated by the West Side Strategic Plan.

7. The Seven Bar Ranch Neighborhood Center is intended to contain most retail needs of the residents of the eastern portion of the Seven Bar Community.

8. The Seven Bar Regional Center is intended to serve as a major employment center and contain a significant amount of commercial services, professional services and employment. Anticipated Seven Bar Regional Center regional uses include: Regional retail, services, higher density housing, and public / institutional.

9. The request further the Established Urban Area goal of the Comprehensive Plan:
   A. Goal of the Established Urban Area is to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment.

   The request further the Established Urban Area goal because it will contribute to the ongoing construction of a quality environment that perpetuates the tradition of identifiable communities within the metropolitan area by offering a variety of additional commercial service and retail uses that respond to the needs of residents within the Seven Bar Ranch community. This Established Urban Area goal is also re-stated within the Planning Policies and Goals section on page 4 of the Seven Bar Ranch Sector Development Plan.

10. The request further the following West Side Strategic Plan policies:
   A. Policy 3.1: The Cottonwood Mall area shall be designated as the West Side's Regional Center. The boundaries of the Regional Center are shown on page 33. Development appropriate to a Regional Center, including the largest commercial and highest density development of anywhere on the West Side, shall occur in this location.

   B. Policy 3.3: Development of the Regional Center shall be inclusive of mixed-uses, and multi-modal transportation systems. Connections to transit systems and bicycle/pedestrian linkages must be provided with all new development. The City will continue discussion regarding location of a transit center within the Regional Center.

   The request further WSSP Policies 3.1 and 3.3 because the proposed commercial service and retail uses are appropriate to a Regional and Neighborhood Center as defined by the WSSP. The proposed uses are also intended to serve the retail needs of the residents of the eastern portion of
OFFICIAL NOTICE OF DECISION
Project #1010999
October 13, 2016
Page 3 of 6

the Seven Bar Community. The subject site is also located near a transit route (Bus Route 98 – Wyoming Commuter).

11. The request furthers the following Seven Bar Ranch Sector Development plan sections and goals:

A. Location and Setting: “The Sector Plan [Seven Bar Ranch SDP] is the northwestern hub of the transportation network mesa and should consequently serve as an area of relatively intense land use providing services to the less intense development areas which surround it.”

B. Goal A2: “The goal is to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment.”

The request furthers the intent of the SBRSRP by proposing commercial service and retail uses that are appropriate to the sector development plan area that will serve the lower intensity residentially developed parcels surrounding the subject site. The request also furthers SBRSRP Goal A2 by seeking to implement the Established Urban Area goal of contributing to the ongoing construction of a quality environment that perpetuates the tradition of identifiable communities within the metropolitan area by offering a variety of additional commercial service and retail uses that respond to the needs of residents within the Seven Bar Ranch community.

12. The applicant has included design standards as part of the Site Development Plan for Subdivision plan set.

13. The applicant is requesting delegation of future Site Development Plans for Building Permit to the Development Review Board (DRB) for final sign-off.

14. The EPC has complete discretion over whether DRB delegation will be approved.

15. Design standards must be clear and provide sufficient direction with regard to the design and pad site layout for future requests for Site Development Plans for Building Permit.

16. The proposed design guidelines do not warrant delegation to DRB as they do not provide sufficient design and pad site layout for future requests for Site Development Plans for Building Permit.

17. The Westside Coalition of Neighborhood Associations as well as property owners within 100 feet of the subject site were all notified of this request as required.

18. Planning Staff has not received any correspondence or phone calls regarding the requested action. A facilitated meeting was not recommended or held, and there is no known opposition to this request.
19. The Planning Department received agency comments from the New Mexico Department of Transportation (NMDOT) stating that the section of NM HWY 528 adjacent to the subject site became part of the City of Albuquerque’s roadway network in 2011. NM DOT also stated that their office does not have any permit paperwork regarding the existing shared driveways on the subject site.

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. All future Site Development Plans for Building Permit will be subject to approval by the EPC.

4. The zoning designation listed in the Site Data Section on Sheet A-1 currently reads “SU-1 / IP”, and shall be amended to read “SU-1 for IP Uses”.

5. The Design Guidelines on Sheet A-2 shall be amended according to the following:
   a. All citations / referenced sections of the Zoning Code contained within the Design Standards must include the title / descriptor of that Zoning Code section.
   b. Section V.h. (Walls, Fences & Screening) currently reads “The used of razor ribbon, razor wire, barbed wire, chain link fencing.....”, and shall be amended to read “The use of razor ribbon, razor wire, barbed wire, chain link fencing.....”.
   c. Section IX.a. (Signage) currently reads “Signage shall comply with Section 12-16-3-5.....”, and shall be amended to read “All signage on the subject site must comply with Sections 14-16-3-5 (General Sign Regulations) and 14-16-2-19(A)(25) (Industrial Park Zone). Per these requirements, one free-standing sign is permitted for each street frontage, or joint sign premises, which has at least 200 feet of street frontage. This would allow a single, 26’ foot high, 100 square foot sign on the subject site along NM Highway 528. A maximum of twenty percent of building facades facing NM Highway 528 may be used as building mounted signage area.”
6. City Engineer Conditions of Approval:
   a. Developer is responsible for permanent improvements to the transportation facilities adjacent to
      the proposed development site plan, as required by the Development Review Board (DRB).

7. Public Service Company of New Mexico Conditions of Approval:
   1. 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.

   2. 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

   3. 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 for specifications.

8. Site plan shall comply and be in accordance with all applicable City of Albuquerque requirements,
   including the Development Process Manual and current ADA criteria.

9. The subdivision of the site shall comply with the purpose, intent, and regulations of the Subdivision
   Ordinance (14-14-1-3).”

10. 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.

11. A cross-access and parking agreement shall be recorded prior to the recording of the plat.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC’s decision or by
October 28, 2016. 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.
OFFICIAL NOTICE OF DECISION
Project #1010999
October 13, 2016
Page 6 of 6

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).

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,

[Signature]
Suzanne Lubar
Planning Director

SL/VQ

cc: 66 Architect, LLC, Clint Wilsey, 2041 S. Plaza St. NW, ABQ, NM 87104
Harry Hendriksen, Westside Coalition of NA’s, 10592 Rio Del Sol St NW, ABQ, NM 87114-2701
Rene Horvath, Westside Coalition of NA’s, 5515 Palomino Dr. NW, ABQ, NM 87120
ZONING

Please refer to the Zoning Code for specifics of the SU-1 zone, and the I-P zone.
APPLICATION INFORMATION
City of Albuquerque

DEVELOPMENT/PLAN REVIEW APPLICATION

Supplemental Form (SF)  ZONING & PLANNING

S  Z

Annexation

V

Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)

P

Adoption of Rank 2 or 3 Plan or similar

D

Street Name Change (Local & Collector)

L A

APPEAL / PROTEST of...

Decision by: DRB, EPC, LUCC, Planning

Director, ZEO, ZHE, Board of Appeals, other

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2nd Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICATION INFORMATION:

Professional/Agent (if any): CLINT WILSEY, WILSEY ASSOCIATES PHONE: 505.760.2030

ADDRESS: 2041 S. PLAZA ST. NW FAX:

CITY: ALBUQUERQUE STATE NM ZIP 87104 E-MAIL: CLINT WILSEY@Q.com

APPLICANT:

ADDRESS:

CITY: STATE ZIP E-MAIL:

Proprietary interest in site: List all owners:

DESCRIPTION OF REQUEST:

SITE DEVELOPMENT PLAN FOR SUBDIVISION

3896 SF McAlister's Deli Ultramart

Is the applicant seeking incentives pursuant to the Family Housing Development Program?  Yes  No

SITE INFORMATION: ACCURACY OF THE EXISTING LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.

Lot or Tract No. 4-4-1-A

Subdiv/Addn/TBKA: SUNDIN ESTATE

Existing Zoning: 3-1-1P  Proposed zoning: 3-1-1P  MRGCD Map No

Zone Army p.00: A-1-1-2  UPC Code:

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj. App., DRB, A.A., V., S., etc.): E.R. # 111191

CASE INFORMATION:

Within city limits?  Yes  No

Within 1000 FT of a landfill?  No

No. of existing lots: 1  No. of proposed lots: 1  Total site area (acres): 1.99 AC

LOCATION OF PROPERTY BY STREETS: On or Near Highway 528

Between: ELLISON DR. and

Check if project was previously reviewed by: Sketch Plat/Plan  ☐ or Pre-application Review Team (PRT)  ☐  Review Date:

SIGNATURE

(Print Name) CLINT WILSEY

DATE 12-1-14

Applicant: ☐  Agent: ☒

FOR OFFICIAL USE ONLY

☐ INTERNAL ROUTING

☐ All checklists are complete

☐ All fees have been collected

☐ All case #s are assigned

☐ AGIS copy has been sent

☐ Case history #s are listed

☐ Site is within 1000ft of a landfill

☐ F.H.D.P. density bonus

☐ F.H.D.P. fee rebate

Hearing date January 12, 2017

Revised: 11/2014

Application case numbers Action S.F. Fees

140079 EPC  40079 SRP  ☐  $35.00

1010999 EPC SP  1010999 SRP  ☐  $75.00

1010999 EPC SP  1010999 SP  ☐  $60.00

Total  ☐  $60.00

Project # 1010999 12-1-14
SITE DEVELOPMENT PLAN FOR SUBDIVISION (EPC15)
Maximum Size: 24" x 36"
- 5 Acres or more & zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval
- Site Plan and related drawings (folded to fit into an 8.5" by 14" pocket) 20 copies
- For IP master development plans, include general building and parking locations, and design requirements for buildings, landscaping, lighting, and signage.
- Site plans and related drawings reduced to 8.5" x 11" format (1 copy)
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Letter of authorization from the property owner if application is submitted by an agent
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Completed Site Plan for Subdivision and/or Building Permit Checklist
- Sign Posting Agreement
- Traffic Impact Study (TIS) form with required signature
- Fee (see schedule)
- List any original and/or related file numbers on the cover application

EPC hearings are approximately 7 weeks after the filing deadline. Your attendance is required.

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (EPC15)
Maximum Size: 24" x 36"
- 5 Acres or more & zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval
- Site Plan and related drawings (folded to fit into an 8.5" by 14" pocket) 20 copies
- Site Plan for Subdivision, if applicable, previously approved or simultaneously submitted.
- Site Plans and related drawings reduced to 8.5" x 11" format (1 copy)
- Zone Atlas map with the entire property(ies) clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing, explaining, and justifying the request
- Letter of authorization from the property owner if application is submitted by an agent
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- Completed Site Plan for Subdivision and/or Building Permit Checklist
- Traffic Impact Study (TIS) form with required signature
- Fee (see schedule)
- List any original and/or related file numbers on the cover application

NOTE: For wireless telecom facilities, requests for waivers of requirements, the following materials are required in addition to those listed above for application submitted:
- Collocation evidence as described in Zoning Code §14-16-3-17(A)(6)
- Notarized statement declaring number of antennas accommodated. Refer to §14-16-3-17(A)(13)(d)(2)
- Letter of intent regarding shared use. Refer to §14-16-3-17(A)(13)(e)
- Affidavit explaining factual basis of engineering requirements. Refer to §14-16-3-17(A)(13)(d)(3)
- Distance to nearest existing free standing tower and its owner's name if the proposed facility is also a free standing tower §14-16-3-17(A)(17)
- Registered engineer or architect's stamp on the Site Development Plans
- Office of Community & Neighborhood Coordination inquiry response as above based on ¼ mile radius

EPC hearings are approximately 7 weeks after the filing deadline. Your attendance is required.

AMENDED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (EPC01)
Maximum Size: 24" x 36"
AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION (EPC02)
- Proposed amended Site Plan (folded to fit into an 8.5" by 14" pocket) 20 copies
- DPRS signed Site Plan being amended (folded to fit into an 8.5" by 14" pocket) 20 copies
- DPRS signed Site Plan for Subdivision, if applicable (required when amending SDP for Building Permit) 20 copies
- Site plans and related drawings reduced to 8.5" x 11" format (1 copy)
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Letter of authorization from the property owner if application is submitted by an agent
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- Completed Site Plan for Building Permit Checklist (not required for amendment of SDP for Subdivision)
- Traffic Impact Study (TIS) form with required signature
- Fee (see schedule)
- List any original and/or related file numbers on the cover application

EPC hearings are approximately 7 weeks after the filing deadline. Your attendance is required.

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

[Signature]
Applicant name (print)
Applicant signature / date

[Signature]
Form revised November 2010

[Signature]
Project #: 1010969
Planner signature / date
CITY OF ALBUQUERQUE
TRAFFIC IMPACT STUDY (TIS) FORM

APPLICANT: AGARCHITECT WC

DATE OF REQUEST: 11/14/16

ZONE ATLAS PAGE(S): A-11-2

CURRENT:
ZONING SU-1 IP
PARCEL SIZE (AC/SQ. FT.) 1.99 AC

LEGAL DESCRIPTION:
LOT OR TRACT # C-41-A BLOCK #

PARCEL SIZE (AC/SQ. FT.) 1.99 AC

REQUESTED CITY ACTION(S):
ANNEXATION [ ]
ZONE CHANGE [ ] From To
SECTOR, AREA, FAC, COMP PLAN [ ]
AMENDMENT (Map/Text) [ ]

SITE DEVELOPMENT PLAN:
SUBDIVISION* [ ]
AMENDMENT [ ]
BUILDING PERMIT [X]
ACCESS PERMIT [ ]
BUILDING PURPOSES [ ]
OTHER [ ]

*includes platting actions

PROPOSED DEVELOPMENT:
NO CONSTRUCTION/DEVELOPMENT [ ]
NEW CONSTRUCTION [X]
EXPANSION OF EXISTING DEVELOPMENT [ ]

GENERAL DESCRIPTION OF ACTION:
# OF UNITS: __________
BUILDING SIZE: 3898 (sq. ft.)

Note: changes made to development proposals / assumptions, from the information provided above, will result in a new TIS determination.

APPLICANT OR REPRESENTATIVE ______________________ Date 12-1-16

(To be signed upon completion of processing by the Traffic Engineer)

Planning Department, Development & Building Services Division, Transportation Development Section - 2ND Floor West, 600 2nd St. NW, Plaza del Sol Building, City, 87102, phone 924-3994

TRAFFIC IMPACT STUDY (TIS) REQUIRED: YES [ ] NO [X] BORDERLINE [ ]

THRESHOLDS MET? YES [ ] NO [X] MITIGATING REASONS FOR NOT REQUIRING TIS: PREVIOUSLY STUDIED: [ ]

Notes:

If a TIS is required: a scoping meeting (as outlined in the development process manual) must be held to define the level of analysis needed and the parameters of the study. Any subsequent changes to the development proposal identified above may require an update or new TIS.

Traffic Engineer ______________________ Date 12-1-16

Required TIS must be completed prior to applying to the EPC and/or the DRB. Arrangements must be made prior to submittal if a variance to this procedure is requested and noted on this form, otherwise the application may not be accepted or deferred if the arrangements are not complied with.

TIS -SUBMITTED [ ] -FINALIZED [ ] TRAFFIC ENGINEER ______________________ Date

Revised January 20, 2011
Tuesday, August 23, 2016

Racquel Michel, P.E.
City of Albuquerque Transportation Development Section
Planning Department
600 2nd St. NW
Albuquerque, NM 87102

Re: 3615 NM528 Redevelopment Project (NM 528 / Ellison Dr.)

Dear Racquel:

Attached is a Trip Generation Comparison table which calculates the trip generation rate for the existing 19,248 S.F. office building and compares it to the proposed uses (3,900 S.F. Deli and 7,000 S.F. Auto Parts Store). Also attached for your information are a vicinity map showing project location and a conceptual site plan for the project.

The Trip Generation Comparison table demonstrates that the increase in the number of trips generated by this project when compared to existing use is minimal and, therefore, does not warrant further study.

Please call me if you have questions.

Best Regards,

Terry O. Brown, P.E.

attachments as noted

cc: Tony J. Loyd, Transportation Development w/attachments
    Clint Wilsey, Architect w/attachments
### 3615 NM 528 Development


<table>
<thead>
<tr>
<th>COMMENT</th>
<th>USE (ITE CODE)</th>
<th>24 HR VOL</th>
<th>A. M. PEAK HR</th>
<th>P. M. PEAK HR</th>
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<td>522</td>
<td>(12)</td>
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Tuesday, February 28, 2017

Racquel Michel, P.E.
City of Albuquerque Transportation Development Section
Planning Department
600 2nd St. NW
Albuquerque, NM 87102

Re: 3615 NM528 Redevelopment Project (NM 528 / Ellison Dr.)

Dear Racquel:

Attached is a Trip Generation Comparison table which calculates the trip generation rate for the existing 19,248 S.F. office building and compares it to the proposed uses (3,900 S.F. Deli and 7,000 S.F. Auto Parts Store). Also attached for your information are a vicinity map showing project location and a conceptual site plan for the project. Previously, I had calculated the trip generation rate for the deli based on a high-turnover sit-down restaurant trip generation rate. This analysis is revised to consider the deli to generate trips at the fast food restaurant w/drive-thru window rate, although in my opinion it should generate somewhat less trips than that.

The Trip Generation Comparison table demonstrates that the increase in the number of trips generated by this project when compared to existing use is under the City’s threshold for a Traffic Impact Study and, therefore, does not warrant further study.

Please call me if you have questions.

Best Regards,

Terry O. Brown, P.E.

attachments as noted

cc: Logan Patz, Transportation Development w/attachments
    Clint Wilsey, Architect w/attachments
### 3615 NM 528 Development


<table>
<thead>
<tr>
<th>COMMENT</th>
<th>USE (ITE CODE)</th>
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<th>P. M. PEAK HR.</th>
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To Whom it May Concern:

On behalf of 3615 Highway 528 LLC, Clint Wilsey of 66Architect, LLC is our authorized agent and will be submitting to EPC for the rezoning and redevelopment of Jemez Office Building at 3615 Highway 528, Albuquerque NM.

3615 Highway 528, LLC
a New Mexico limited liability company

By: [Signature]
Alex Hilgenberg, Manager
To City of Albuquerque Environmental Planning Commission

To whom it may concern,

66Architect LLC, representing **3615 Hwy 528, LLC** is pleased to present the following application for the approval of Site Development Plan for Building Permit. The intent is to allow the development of Tract C-4-A at the address of 3615 Hwy 528 into a 3900sf. McAlisters Deli restaurant with drive-thru. Currently the entire site has been approved by the EPC for subdivision (case # 10109999), and will be submitted to DRB for final approval before the EPC SDPB hearing. The site plan presented shows the proposed future development of the adjacent lot (after subdivision), and the current design has been carefully planned to work and compliment future development.

The current development under this submittal will include the demolition of an approximately 20,000sf. two story office building. The site, parking, vehicle and pedestrian access/egress, and landscaping will be completely remodeled and updated to current City of Abq standards and will allow easier, more coherent access and circulation throughout. The proposed user is a recognizable national chain restaurant which will promote commercial activity and add to the overall shopping and dining experience of the neighboring area. The location of the site for restaurant use is convenient, accessible, and desirable and relates better to the surrounding uses than the previous existing office. The proposed use will bring new amenities to the surrounding neighborhoods and should welcome pedestrian travel and shopping as well as a convenient “stop” for commuters traveling between Rio Rancho, Corrales and the Cottonwood communities. The design proposed will meet our goals of creating a safe, functional, convenient and aesthetically pleasing project, which will endure and continue to bring value and attraction to the area.

Thank you for your consideration.

Clint Wilsey  
66Architect, LLC  
2041 S. Plaza St. NW  
Albuquerque, NM 87104  
Ph. 505.280.0043
NOTIFICATION &
NEIGHBORHOOD INFORMATION
November 29, 2016

Clint Wilsey
66 Architect, LLC
2401 South Plaza St. NW
Albuquerque, NM 87104
Phone: 505-280-0043
E-mail: clint.wilsey@gmail.com

Dear Clint:

Thank you for your inquiry of November 28, 2016 requesting the names of ALL Neighborhood and/or Homeowner Associations who would be affected under the provisions of §14-8-2-7 of the Neighborhood Association Recognition Ordinance by your proposed project at (EPC SUBMITTAL) TRACT C-4-A PLAT OF TRACTS C3A C3B C3C AND C4A SEVEN BAR RANCH LOCATED ON NM HWY BETWEEN ELLISON DR AND CIBOLA PL zone map A-14.

Our records indicate that the Neighborhood and/or Homeowner Associations affected by this submittal and the contact names are as follows:

WESTSIDE COALITION OF N.A.’S
Harry Hendriksen, 10592 Rio Del Sol Ct. NW/87114-2701 890-3481 (h) e-mail: hlhen@comcast.net
Rene Horvath, 5515 Palomino Dr. NW/87120 898-2114 (h) e-mail: aboard10@juno.com

Please note that according to §14-8-2-7 of the Neighborhood Association Recognition Ordinance you are required to notify each of these contact persons by certified mail, return receipt requested, before the Planning Department will accept your application filing (PLEASE ATTACH: 1) Copy of this letter; 2) Copy of letters sent to NA/HOA’s and 3) Copy of White Receipts showing proof that you sent certified mail w/stamp from USPS showing date.) If you have any questions about the information provided please contact me at (505) 924-3902 or via an e-mail message at vquevedo@cabq.gov.

Sincerely,
Vicente M. Quevedo
Vicente M. Quevedo
Neighborhood Liaison
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department
Dear Ms. Horvath,

Please be advised that 66Architect, LLC, representing 3615 Hwy 528, LLC is applying to EPC Site Plan for Building Permit, for the redevelopment of the property at 3615 Hwy 528, described as ‘Tract C-4-A plat of tracts C3A, C3B, C3C and C4A, Seven Bar Ranch Cont., located on NM Hwy 528 (Alameda Blvd.) north of Ellison Dr. NW. (Subject Site)

The Environmental Planning Commission of the City of Albuquerque requires that notification is made to all affected Neighborhood and/or Homeowner Associations anytime an application is submitted for a Site Plan for Subdivision.

Our application will be submitted to EPC on Dec. 1, 2016. The application will request an approval of the Site Development plan for Building Permit which includes the construction of a new 3898sf. McAlister’s Deli with drive thru. Our proposed site plan and building elevations will be submitted for design approval and compliance with the Seven Bar Ranch Sector Development Plan, the City of Albuquerque Development Process Manual and the City of Albuquerque Comprehensive Zoning Code. The project will accessed off of Hwy 528 at the north end of the property. Pedestrian and vehicular circulation will be maintained or improved. In keeping with the area’s facilitation of retail/restaurant users, we will strive to develop the subject site in a manner that is aesthetically desirable, safe, useful and convenient for the surrounding neighborhoods and businesses.

We appreciate your consideration and support and we look forward to answering any questions you may have.

Clint Wilsey
66Architect, LLC
2041 S. Plaza St. NW
Albuquerque, NM 87104
Ph. 505.280.0043
November 30, 2016

Westside Coalition of NA's
Attn: Harry Hendrikson
10592 Rio Del Sol Ct. NW
Albuquerque, NM 87114
Ph. 505.890.3481

Dear Mr. Hendrikson,

Please be advised that 66Architect, LLC, representing 3615 Hwy 528, LLC is applying to EPC Site Plan for Building Permit, for the redevelopment of the property at 3615 Hwy 528, described as 'Tract C-4-A plat of tracts C3A, C3B, C3C and C4A, Seven Bar Ranch Cont., located on NM Hwy 528 (Alameda Blvd.) north of Ellison Dr. NW. (Subject Site)

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We appreciate your consideration and support and we look forward to answering any questions you may have.

Clint Wilsey
66Architect, LLC
2041 S. Plaza St. NW
Albuquerque, NM 87104
Ph. 505.280.0043
<table>
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<th>Description</th>
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**Sent To:** West Side Coalition
Street and Apt. No. or P.O. Box No.: 12345
City, State, Zip: ABQ, NM 87107

**Paid:** $3.30
**Due:** $3.77

**Postage:** $0.47
**Total Postage and Fees:** $3.77

**Receipt Date:** 11/30/2018
**Return Date:** 11/30/2018
CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
PROPERTY OWNERSHIP LIST

Hearing Date: Thursday, Jan. 12, 2017
Zone Atlas Page: A-14
Notification Radius: Neighborhood Associations
100ft plus r.o.w

Cross Reference and Location: On or near Hwy 528 between Ellison Dr.

Applicant: Clint Wilsey, 66 Architect LLC
2041 S. Plaza St. NW
Albuquerque, New Mexico 87104

Agent:

Special Instructions:
Notice must be mailed from the City 15 days prior to the meeting.

Date Mailed: 12/21/16

Signature: Geraldine Delgado
SITE PLAN REDUCTIONS