

# 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

October 14, 2016

Boyhahn, LLC  
4402 Canyon Court NE  
ABQ, NM 87113

**Project# 1010997**  
16EPC-40049 Site Development for Building Permit

### LEGAL DESCRIPTION:

The above action for all or a portion of Lot 1 and Lot 2, Block 4, Unit 3, North Albuquerque Acres, zoned SU-2 for C-1, located at the SE corner of Louisiana Blvd. NE and Alameda Blvd. NE, containing approximately 1.3 acres. (C-19)

Staff Planner: Maggie Gould

PO Box 1293

On October 13, 2016 the Environmental Planning Commission (EPC) voted to APPROVE Project #1010907/16EPC-40049 Site Development for Building Permit, based on the following findings and Albuquerque subject to the following conditions :

### FINDINGS:

NM 87103

www.cabq.gov

1. This is a request for a Site Development Plan for Building Permit for Lots 1 and 2, Block 4, unit 3, North Albuquerque Acres Subdivision located at the southeast corner of Louisiana Blvd. and Alameda Blvd. and containing approximately 1.2 acres.
2. The request will allow the development of a 6,800 square foot office/retail building and an 8,500 square foot day care center. The subject site is vacant. Currently the site is two lots; the applicant will replat the site into one lot.
3. The subject was zoned SU-2 C-1 by the La Cueva Sector Development Plan in 2000.
4. The Albuquerque/Bernalillo County Comprehensive Plan, La Cueva Sector Development Plan (LCSDP) and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. Section 14-16-3-11 of the Zoning Code states, "...Site Development Plans are expected to meet the requirements of adopted city policies and procedures." The attached site development plan has been evaluated for conformance with applicable goals and policies in the Comprehensive Plan, and other applicable Plans. The Site Development Plan for Building Permit is consistent with the applicable design regulations of the LCSDP

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6. The subject site is within the Developing Urban Area of the Comprehensive Plan, the following policies are applicable to the request:

A. Land Use

1. Policy II.B.5d: 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, and recreational concern.

*The location and intensity of the proposed development would generally respect existing conditions. The design complies with the design regulations in the La Cueva Sector Development Plan (LCSDP), which generally indicate what neighborhoods value and are meant to ensure compatibility of new development with existing conditions. The style of buildings and intensity of use are similar to other development in the La Cueva area. The request furthers Policy II.B.5d.*

2. Policy II.B.5e: 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 subject site is contiguous to existing urban facilities, infrastructure, and services. The proposed development would not compromise the integrity of existing neighborhoods, and is unlikely to adversely affect the residential uses to the east, south and southwest. The request furthers Policy II.B.5e.*

3. Policy II.B.5i: 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.5i because the proposed development will add employment and service uses near residential areas. The proposed development meets the requirements of the LCSDP and will be compatible with the existing development. The site design contains low height light fixtures and a dumpster located away from the neighborhood.*

4. Policy II.B.5j: Where new commercial development occurs, it should generally be located in existing commercially zoned areas as follows:

- In small neighborhood-oriented centers provided with pedestrian and bicycle access within reasonable distance of residential areas for walking or bicycling.
- In larger area-wide shopping centers located at intersections of arterial streets and provided with access via mass transit; more than one shopping center should be allowed at an intersection only when transportation problems do not result.
- In freestanding retailing and contiguous storefronts along streets in older neighborhoods.

*The request furthers Policy II.B.5j because the proposed development is in an area zoned for commercial use and adjacent to both residential and commercial zone property. The proposed development will be within walking or biking distance for the adjacent neighborhoods*

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B. Economic Development

1. Policy II.D.6a: New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs located convenient to areas of most need.

*The proposed development will provide new employment opportunities that may include a variety of salary levels and skills, depending on the future tenants of the office and retail building. The request furthers Policy II.D.6a.*

7. The subject site is within the boundaries of the La Cueva Sector Development Plan. The following overarching Guiding Principles and Guiding Land Use Principles apply to the request:

A. OVERARCHING GUIDING PRINCIPLES (P. 4):

1. Bullet 4: Land uses that are compatible with existing development.

*The scale of development and the allowed uses are compatible with the existing development because proposed day care center and retail building will provide neighborhood services that may benefit the area. The land to the south of the site will develop with an allergy clinic. The area to the east of the site is single family residential. The request generally furthers Bullet 4.*

B. GUIDING LAND USE PRINCIPLES (P. 25):

1. Principle 2: The plan area is intended to be urban, with a mix of residential densities and a variety of retail and service businesses to meet the needs of the area's growing population.

*The proposal adds retail and service uses that will serve the area and adds to mix of urban uses in the area. The request furthers Principle 2.*

2. Principle 6: Alameda Blvd. is intended to be the second busiest east-west corridor through the plan area and is suitable for small-scale, non-residential uses.

*The request will allow the development of two small scale, non-residential uses, day center and an office/retail building. At 8,500 square feet for the day care and 6,800 square foot office building, the buildings are not large scale. The request furthers principle 6.*

3. Principle 8: The North Albuquerque community has identified "views" and "open space" as two valuable assets that identify the area.

*The request furthers Principle 8. A view analysis is required by the LCSDP for the site. The spaces between the proposed buildings allow views into and out of the site.*

4. Principle 9: Existing development has begun to create an identity for the plan area based on architectural styles, quality of design and compatibility with the natural landscape. The community is looking to the plan to solidify this identity by requiring compatible new development.

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***The proposed buildings meet the requirements of the LCSDP for style, landscaping and specific design requirements. The buildings will add to the community identity. The request furthers Principle 9.***

5. **Principle 5 (zoning):** New development should contribute to the identity of this part of Albuquerque, reinforcing its relationship to the Sandia Mountains, Rio Grande Valley and the natural environment of the east mesa. A variety of design standards are prescribed to reinforce the community identity and to improve land use compatibility, street and neighborhood character, and overall community design.

***The proposed zone is subject to the Design Regulations in the LCSDP. The proposed building conforms to these regulations and will be similar to the existing development. These design regulations serve to reinforce community identity and improve land use compatibility. The request furthers Zoning Principle 5.***

8. The Nor Este Neighborhood Association, West La Cueva Neighborhood Association and District Four Coalition of Neighborhood Associations were notified. A facilitated meeting was not recommended or requested. Staff received one phone call asking for information about the project.
9. Property owners with 100 feet of the site were notified of the request. Staff has not received any public comment as of this writing.

**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. The Site Development Plan shall comply with the General Regulations of the Zoning Code, the Subdivision Ordinance, and all other applicable design regulations, except as specifically approved by the EPC.
4. A note shall be added to the site plan stating that all light fixtures must be fully shielded, full cut off fixtures.

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5. A note shall be added to the site plan stating that future signage will comply with LCSDP and the Zoning Code. Future signage can be approved administratively as long as it complies with the LCSDP and Zoning Code.
6. The parking table shall be revised to more clearly show the required parking for each building and the total parking requirement.
7. The View Analysis shall be updated to show views into and out of the site as required by the La Cueva Sector Development Plan.
8. The final building colors shall be selected from the submitted color palette and shall be shown on the building elevations prior to final sign off by DRB.

**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 15<sup>th</sup> day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-4-4 of the Zoning Code. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's 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.


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Sincerely,

  
Suzanne Lubar  
Planning Director

SL/MG

cc: Boyhahn, LLC, 4402 Canyon Court NE, ABQ, NM 87113  
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