

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

February 8, 2018

Doug Adams
39 Canyon Ridge Dr.
Sandia Peak, NM 87047

Project# 1009920
17EPC-40070 Site Development Plan for Building Permit
(Deviations to the East Gateway Sector Development Plan)

LEGAL DESCRIPTION:

The above action for all or a portion of Lot 1-A, Block 48, Skyline Heights, zoned SU-2/M-1, located on Eubank Blvd. SE, between Bell Ave. SE and Trumbull Ave. SE, containing approximately 1.5 acres. (L-20)

Staff Planner: Maggie Gould

PO Box 1293

On February 8, 2018 the Environmental Planning Commission (EPC) voted to APPROVE Project 1009920, 17EPC-40070, a Site Development Plan for Building Permit (Deviations to the East Gateway Sector Development Plan), based on the following findings.

Albuquerque

FINDINGS:

NM 87103

www.cabq.gov

1. This is a request for Site Development Plan for Building Permit to allow deviations to the East Gateway Sector Development Plan Design Standards for Lot 1-A block 48 Skyline Heights located on Eubank Boulevard, between Bell Avenue and Trumbull Avenue and containing approximately 1.4 acres, zone SU-2 M-1.
2. The request will allow the development of a bank and a coffee shop with a drive up service window.
3. The subject site is within boundaries of the East Gateway Sector Plan and is subject to the design requirements of section 5.1, General Design Standards, unless a specific deviation is granted.
4. The applicant requests the following deviations:
 - A. 5.6.14.A.1 :A primary accessible entrance for every building excepting courtyard buildings where primary entrances may face a central courtyard, shall directly face a street, excepting an alley. The applicant proposes an entrance facing the parking area.
 - B. 5.6.14.A.3. Buildings on Corner Lots shall address the street corner in one of the following ways:

OFFICIAL NOTICE OF DECISION

Project #1009920

February 8, 2018

Page 2 of 6

- a. Locate the main entrance at the street corner; or
- b. Curve, angle, step back or project the corner of the building at the street corner.

The applicant has not provided a corner entrance; the building is not at the corner, however it is angled.

- C. 5.6.14.A 4. Drive-up windows, ordering panels and gas pumps shall be located only at the rear of a building. When rear location is impossible due to site constraints, side location is permissible provided the following requirements are met:

- b. No portion of queuing lanes, access lanes or driveways shall be located within 40 feet of the street-facing façades of a building or between the building and the street, excepting an alley.

The applicant proposes a queuing lane between the building and the street and within 40 feet of the front façade (the lane is adjacent to the façade)

5. The request is justified as being consistent with the intent of the EGSDP because it will add an additional service and employment opportunity, will contain pedestrian amenities and add to revitalization in the area. The deviation is also justified due to site constraints in the form of parking layout and meeting the intent of the EGSDP to have buildings closer to the street.
6. The Albuquerque/Bernalillo County Comprehensive Plan, East Gateway Sector Development Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
7. The subject site is within the East Gateway Sector Development Plan:
Goal 2/Plan of Action 2.3.2. Enable the continued existence and new development of thriving businesses to provide jobs and local services.
The proposed restaurant and bank would be new development that would provide some jobs and local services. The request furthers Goal 2/ Plan of Action 2.3.2
8. The subject is within an Area of Consistency as designated by the Comprehensive Plan:
Policy 5.2.1.a): Encourage development and redevelopment that brings goods, services, and amenities within walking and biking distance of neighborhoods and promotes good access for all residents

The proposed development will add to the goods and services in the area, the closest residential areas are approximately .4 miles from the subject site. The site has pedestrian access from Eubank Blvd. The drive-up facilities may create conflicts between vehicles and pedestrians. The request partially furthers policy 5.2.1.a).

OFFICIAL NOTICE OF DECISION

Project #1009920

February 8, 2018

Page 3 of 6

Goal 5.6 City Development Areas

Encourage and direct growth to Areas of Change where it is expected and desired and ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

Policy 5.6.3.a): Ensure that development reinforces the scale, intensity, and setbacks of the immediately surrounding context.

The subject site is within an area of consistency. The proposed development that would be allowed by the requested deviations will add a new set of uses that are consistent with the surrounding development. The development will be of similar scale and intensity as the surrounding development. The request furthers Goal 5.6 and policy 5.6.3.a).

Policy 5.3.1 Infill Development: Support additional growth in areas with existing infrastructure and public facilities.

The subject site is in an area with existing infrastructure and public facilities; the site has existing access to water and sewer, electricity and public safety services. The request furthers Policy 5.3.1.

9. The applicant attended a PRT and DRT in December of 2017 as required by the deviation process in the East Gateway Sector Development Plan.
10. The District 6 Coalition of Neighborhoods and the East Gateway Coalition were notified, along with property owners within 100 feet of the site. A facilitated meeting was not recommended or requested. Staff has not received any public comments 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 applicant is requesting a conditional use approval from the ZHE at the February 20, 2018 hearing. If the ZHE request is denied, the applicant shall update the Site Development Plan to remove the queuing lane.
4. Transportation Development Conditions:
 1. Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed development site plan, as required by the Development Review

OFFICIAL NOTICE OF DECISION

Project #1009920

February 8, 2018

Page 4 of 6

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.
3. Replace Site Plan for revised sheet showing changes to the drive-thru based on meeting with the Developer and Architect.
4. Change yield condition at exit of drive-thru to stop condition.
5. Conditions from ABCWUA:

There are two conditions for approval of this building permit:

 - i. Condition 1: Please request an Availability Statement. Requests can be made at the link below:
 1. http://www.abcwua.org/Availability_Statements.aspx
 2. Request shall include a City Fire Marshal approved Fire 1 Plan and a zone map showing the site location.
 - ii. Condition 2: Please provide a Utility Plan to the Utility Development Section of the Water Utility Authority for review.
6. Conditions of Approval from PNM:
 1. An existing PNM 115kV transmission line is located along the eastern boundary of the subject property. It is the applicant's obligation to abide by any conditions or terms of those easements. Sheet C-1.0 needs to add the location of the existing PNM 115kV transmission line and existing transmission structure along Eubank SE on the eastern side of the subject property.
 2. It is necessary for the developer to contact the PNM New Service Delivery Department to coordinate electric service regarding this project. Contact:

Andrew Gurule
PNM Service Center
4201 Edith Boulevard NE
Albuquerque, NM 87107
Phone: (505) 241-0589
 3. On Sheet L-1.0, Landscape Plan, the proposed tree selection, Arizona Ash, is not a compatible height at maturity with the existing overhead electric transmission line along the eastern boundary of the site. A shorter tree selection at mature height is necessary at this location. The PNM landscaping preference is for trees and shrubs to be planted outside the PNM easement; however, if within the easement, trees and shrubs should be located to minimize effects on electric facility maintenance and repair. New trees planted

OFFICIAL NOTICE OF DECISION

Project #1009920

February 8, 2018

Page 5 of 6

near PNM facilities should be no taller than 25 feet in height at maturity to avoid conflicts with existing electric infrastructure.

4. 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. 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.
7. The proposed connections should be of a material other than asphalt, if approved by Hydrology and Transportation.
8. A TIS is required 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 **FEBRUARY 23, 2018**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

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

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of the City Zoning Code must be complied with, even after approval of the referenced applications.

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.

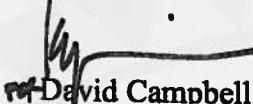
OFFICIAL NOTICE OF DECISION

Project #1009920

February 8, 2018

Page 6 of 6

Sincerely,


David Campbell
Planning Director

DC/MG

cc: Doug Adams, 39 Canyon Ridge Dr. Sandia Park, NM 87047
RBA, 1104 Park Ave. SW, ABQ, NM 87102
Dist. 6 Coalition of Neigh. Assoc. Gina Dennis, 1816 Buena Vista Dr. NE #102, ABQ, NM 87106
Dist. 6 Coalition of Neigh. Assoc. Marian Jordan, 816 Arizona SE, ABQ, NM 87108
East Gateway Coalition, Michael Brasher, 216 Zena Lona NE, ABQ, NM 87123
East Gateway Coalition, James Andrews, 13121 Nandina Ln SE, ABQ, NM 87123