

City of Albuquerque
Planning Department
Development Services Division
P.O. Box 1293
Albuquerque, New Mexico 87103

Post-It® Fax Note 7671		Date 8-26	# of pages 4
To Sarah Hardgrave	From Sue		
Co./Dept. Dekker/Perich	Co. Planning (city)		
Phone # 761-9700	Phone # 924-3893		
Fax # 761-4222	Fax # 924-3339		

Date: August 16, 1996

OFFICIAL NOTIFICATION OF DECISION

Argus Development
6400 Uptown Blvd., NE Ste 200
Albuq. NM 87110

FILE: Z-96-95

LEGAL DESCRIPTION: For Tract A of Netherwood Park Addition, located in the northwest corner of the intersection of Indian School Road NE and Washington Street NE, containing approximately 15.1 acres. (H-17) JACK CLOUD, STAFF PLANNER

On August 15, 1996, the Environmental Planning Commission voted to approve Z-96-95, a zone map amendment R-1 to SU-1 for O-luses and SU-1 for Planned Residential Development (maximum 113 dwellings) based on the following Findings and subject to the following Condition:

FINDINGS:

1. The request is consistent with the policies of the Albuquerque/ Bernalillo County Comprehensive Plan by providing integrated and compatible development within an existing neighborhood, urban facilities, and services.
2. The request is consistent with the policies of the Albuquerque/ Bernalillo County Comprehensive Plan by offering variety in housing and higher density in an area with excellent major street access.
3. The request would not be harmful to adjacent property, but would complement existing institutional and residential uses.
4. The request is consistent with Resolution 270-1980 based on the previous findings and based on changed conditions of increased nonresidential uses since the property was originally zoned R-1.

CONDITION:

1. A replat of the property is required to define the approved zone boundaries.

On August 15, 1996, the Environmental Planning Commission voted to approve Z-96-95, a site development plan for subdivision based on the following Findings and subject to the following Conditions:

FINDINGS: Site Development Plan for Subdivision

1. The proposed site development plan for subdivision is appropriate to establish zone boundaries.

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2. Subject to conditions, the proposed site development plan for subdivision is appropriate to establish design criteria and traffic impact mitigation.

CONDITIONS:

1. The implementation of and/or monetary contributions for mitigation measures required subsequent to the IIS negotiations must be done by the developer and accepted by the City prior to site plan sign-off by the DRB.
2. The Site Development Plan for Building Purposes for the SU-1 for O-1 uses tract shall adhere to the following design criteria from the approved site plans for the adjacent SU-1/O-1 property:
 - a. Flat roof with mechanical equipment screened
 - b. Horizontally banded fenestration and light buff to tan stucco on principle elevations
 - c. Square fenestration and split face CMU on secondary elevations
 - d. Green reflective glass (entry glass may be exempted)
 - e. Clear anodized aluminum frames (windows and entry)
 - f. Dark red to brown metal shade screens and entry canopies

On August 15, 1996, the Environmental Planning Commission voted to approve Z-96-95, site development plan for building permit based on the following findings and subject to the following Conditions:

FINDINGS:

1. This site presents an opportunity for an attractive, higher density residential development through innovative design.
2. Changes are needed to the site development plan for safer traffic circulation, additional pedestrian circulation, and other design alterations to provide liveability, choice in transportation, integrated community, and other policies of the Comprehensive Plan.

CONDITIONS:

1. A note shall be added stating "woodstoves and wood fireplaces will not be included in these single family homes."
2. A note shall be added stating "the homeowner's association is responsible for maintenance of landscaping within private rights-of-way and Washington and Indian School rights-of-way."
3. A note shall be added stating that "the park common area will comply with the water conservation ordinance."
4. The office building height restriction note of "26' height within 85' of the residential property line" as well as the balance of the site will be amended to reference height provisions in the zone code.

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5. The park requirement will be met by cash-in-lieu of land.
6. Provide an additional 3' dedication along Indian School to bring the ROW to 43' from the center line as required in the Long Range Major Street Plan.
7. The developer will construct a 6' sidewalk along Washington and will provide a 30' radius curb at Washington and Indian School with handicapped features as requested. The sidewalk east of the entry along Indian School will be replaced, as will existing sidewalk in poor condition along Indian School west of the entry.
8. The developer will construct a deceleration lane along Indian School at the entrance to the development within the right-of-way.
9. The wall along I-40 will conform to State Highway Department noise reduction standards required along I-40.
10. The site plan will be revised to identify mailbox areas if they are used, as well as parking on one side of the street, anticipated to total 80 spaces.
11. The site plan will be modified so that private driveways are either 8' or less, or 20'. No driveway length shall be between 8' and 20'.
12. The site plan will be revised to show access to the office site from its west side. (No vehicular access from the residential site to the office site is provided.)
13. The site plan will be revised to provide a few common parking spaces near the park if they can be accommodated.
14. Side and rear elevations that directly face a street will have the same quality of materials & detailing of features as the front elevations.
15. No fences shall bisect shared common entries between units.
16. The building height restrictions of the site development plan shall be revised to reference height provisions of the Zoning Code.
17. The main access must be designed to the satisfaction of the Transportation Development Division due to safety concerns regarding grades, sight distance, and traffic stacking requirements.
18. The pedestrian way shown in the entrance elevation shows the most desirable scheme; other plans shall be brought into compliance with this design.
19. Discrepancies in the landscape plan with other drawings must be rectified. Responsibility for maintenance of common areas and easements must be better defined. Separate water metering for the common area or Planting Restriction Approach per the Water Conservation Landscaping and Water Waste Ordinance is needed. Trees must be relocated along Washington a minimum of 10 feet off the existing waterline.
20. Side and rear elevations that directly face a street need to be detailed similar to the front elevations which help define the project.

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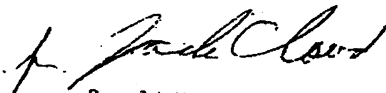
21. The site plan should be redesigned with careful attention to the relationships between units (Unit No.s 2-3-2 combinations prohibited); cluster plans could be presented with more detail including the position of doors and windows.
22. The wall along Interstate Route 40 needs to be designed as a noise wall.
23. Add bumpouts on the parking side of roadway at driveways and add landscaping.
24. Narrow Street pavement to 29 foot roadway and a 4 foot adjacent landscape buffer on one side and two 4 foot sidewalks.
25. Add slightly raised textural surface areas in cul-de-sac and roadway to slow traffic.

IF YOU WISH TO APPEAL THIS DECISION, YOU MUST DO SO BY AUGUST 30, 1996, IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE OF \$50 IS REQUIRED AT THE TIME THE APPEAL IS FILED.

Appeal to the City Council: Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Division form to the Planning Division within 15 days of the Planning Commission's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If it decides that all City plans, policies and ordinances have not been properly followed, it shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

YOU WILL RECEIVE NOTIFICATION IF ANY OTHER 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 MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

Sincerely,



Ronald N. Short, AICP
Planning Director

RNS/JC/ac 1590

cc: Dekker/Perich & Assoc., 6501 Americas Pkwy NE, Ste. 675, Albuquerque, NM 87110
Robert Jackson, Altura Park Neigh. Assoc., 4125 Hannett NE, Albuquerque, NM 87110
Cynthia Mann, Altura Park Neigh. Assoc., 4137 Hannett NE, Albuquerque, NM 87110
Thomas D. Woodson, Los Altura Homeowners Assoc., 6400 Indian School Rd. NE, Ste 204, Albuquerque, NM 87110
Madeline Dunn, 1213 Jefferson NE, Albuquerque, NM 87110
Elizabeth Schmidt-Nowara, 1905 Avenida Alturas NE, Albuquerque, NM 87110
Stuart Sherman, 901 McDuffie NE, Albuquerque, NM 87110
Van Gilbert, 1433 Avenida Mana NE, Albuquerque, NM 87110