

4. **Project# 1007504**
 09DRB-70016 MINOR - PRELIMINARY/
 FINAL PLAT APPROVAL
 09DRB-70017 MINOR - TEMP DEFR
 SWDK CONST
 09DRB-70029 EPC APPROVED SDP
 FOR BUILD PERMIT
 09DRB-70041 BULK LAND VARIANCE

09DRB-70020 EPC APPROVED SDP
 FOR SUBDIVISION

5. ~~Project# 1001640~~
 09DRB-70032 EPC APPROVED SDP
 FOR BUILD PERMIT

**COMPLETED
 NO BLUE
 SHEET**

6. **Project# 1003812/1004240**
 09DRB-70034 EPC APPROVED SDP
 FOR BUILD PERMIT
 09DRB-70035 EPC APPROVED SDP
 FOR SUBDIVISION

SURV-TEK INC agent(s) for THE BINDA FAMILY TRUST request(s) the above action(s) for all or a portion of Tract(s) E-4, **ALBUQUERQUE SOUTH UNIT THREE Unit(s) 3**, zoned C-2, located on GIBSON BLVD SW BETWEEN 98TH ST SW AND DE ANZA DR SW containing approximately 27.8174 acre(s). (M-9)[*Deferred from 1/28/09*] **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING TO RECORD AND AGIS DXF FILE. THE SITE DEVELOPMENT PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO CITY ENGINEER FOR THE SIA AND TO PLANNING FOR REVISIONS PER TRANSPORTATION DEVELOPMENT'S COMMENTS AND FOR STAFF PLANNERS COMMENTS.**

CONSENSUS PLANNING agent(s) for RUPINDER BINDRA request(s) the above action(s) for all or a portion of Tract(s) E-4, **ALBUQUERQUE SOUTH Unit(s) 3**, zoned C-2, located on GIBSON BLVD SW BETWEEN 98TH ST SW AND DE ANZA DR SW containing approximately 27.81 acre(s). (M-9) [*Deferred from 1/28/09*] **THE SITE DEVELOPMENT PLAN FOR SUBDIVISION WAS APPROVED.**

CONSENSUS PLANNING agent(s) for RICHARD F AND ARIAN C GONZALES request(s) the above action(s) for all or a portion of Lot(s) 22-A, Block(s) 25-A, **ELDER HOMESTEAD ADDITION** zoned O-1, located on ARIZONA ST SE BETWEEN GIBSON BLVD SE AND EASTERN AVE SE containing approximately .3223 acre(s). (L-18) **THE SITE DEVELOPMENT PLAN FOR BUILDING PERMIT WAS APPROVED.**

CONSENSUS PLANNING agent(s) for LAS MANANITAS PROPERTIES, LLC request(s) the above action(s) for all or a portion of Tract(s) A, **VILLAG DE LAS MANANITAS** zoned SU-1, located on INDIAN SCHOOL NW BETWEEN RIO GRANDE BLVD NW AND MEADOW VIEW NW containing approximately 1.99 acre(s). (H-13) **THE SITE DEVELOPMENT PLAN FOR SUBDIVISION WAS APPROVED. 3 COPIES MUST BE PROVIDED TO PLANNING FOR FILE. SITE PLAN FOR BUILDING PERMIT WAS DEFERRED TO 2/25/09 AT THE AGENT'S REQUEST.**

City of Albuquerque
Planning Department
Inter-Office Memorandum

TO: Jack Cloud, DRB Chair

FROM: Randall Falkner, Planner

SUBJECT: Project # 1001640

On November 20, 2008, the Environmental Planning Commission approved Project # 1001640, 08EPC-40099, a site development plan for building permit, and 08EPC-40100, a zone map amendment from O-1 to SU-1 for O-1 Uses and Limited Food Production, for all or a portion of lot 22-A, block 25-A, Elder Homestead Addition, containing approximately .3223 acre.

The applicant has satisfied all of the EPC conditions of approval for the site development plan for building permit.

Compliance with City Engineer conditions should be verified with the City Engineer. If you should have any questions regarding this case, please do not hesitate to call me at 924-3933.

Thank you.



Supplemental form

SUBDIVISION

- Major Subdivision action
- Minor Subdivision action
- Vacation
- Variance (Non-Zoning)

SITE DEVELOPMENT PLAN

- for Subdivision
- for Building Permit
- Administrative Amendment (AA)
- IP Master Development Plan
- Cert. of Appropriateness (LUCC)

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

- Annexation
- County Submittal
- EPC Submittal
- Zone Map Amendment (Establish or Change Zoning)
- Sector Plan (Phase I, II, III)
- Amendment to Sector, Area, Facility or Comprehensive Plan
- Text Amendment (Zoning Code/Sub Regs)
- Street Name Change (Local & Collector)
- D L A APPEAL / PROTEST of...**
- Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

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): Consensus Planning, Inc. PHONE: 505-764-9801
 ADDRESS: 302 Eighth Street NW FAX: 505-842-5495
 CITY: Albuquerque STATE NM ZIP 87102 E-MAIL: cp@consensusplanning.com

APPLICANT: Richard F. and Arian C. Gonzales PHONE: 505-254-9414
 ADDRESS: 901 Warm Sands Dr. SE FAX: _____
 CITY: Albuquerque STATE NM ZIP 87123 E-MAIL: _____
 Proprietary interest in site: Purchase Agreement List all owners: Richard M and Velma M Nassif

DESCRIPTION OF REQUEST: Requesting final DRB sign-off for the approved Zone Map Amendment and Site Development Plan for Building Permit

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. 22-A Block: 25-A Unit: _____
 Subdiv/Addn/TBKA: Elder Homestead Addition
 Existing Zoning: O-1 Proposed zoning: SU-1 for O-1 (See Letter) MRGCD Map No _____
 Zone Atlas page(s): L-18-Z UPC Code: 101805628602940105

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_, Z_, V_, S_, etc.): _____
Project # 1001640, 08EPC-40099, 08EPC-40100

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? no
 No. of existing lots: 1 No. of proposed lots: 1 Total area of site (acres): .3223 ac
 LOCATION OF PROPERTY BY STREETS: On or Near: Arizona Street SE
 Between: Gibson Boulevard SE and Eastern Avenue SE

Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-application Review Team . Date of review: _____

SIGNATURE [Signature] DATE 1/19/09
 (Print) James K. Strozier, AICP Applicant: Agent:

FOR OFFICIAL USE ONLY

Form revised 4/07

INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>09DRB - 70032</u>	<u>SBP</u>	<u>P(3)</u>	<u>\$ 0</u>
<input checked="" type="checkbox"/> All fees have been collected		<u>CMT</u>		<u>\$ 20.00</u>
<input checked="" type="checkbox"/> All case #s are assigned				\$ _____
<input checked="" type="checkbox"/> AGIS copy has been sent				\$ _____
<input checked="" type="checkbox"/> Case history #s are listed				\$ _____
<input checked="" type="checkbox"/> Site is within 1000ft of a landfill				\$ _____
<input checked="" type="checkbox"/> F.H.D.P. density bonus				\$ _____
<input checked="" type="checkbox"/> F.H.D.P. fee rebate				\$ _____
	Hearing date <u>02/04/09</u>			Total <u>\$ 20.00</u>

Sandy Handley 01/21/09 Project # 1001640
 Planner signature / date

FORM P(3): SITE PLAN REVIEW - D.R.B. MEETING (UNADVERTISED)

- SKETCH PLAT REVIEW AND COMMENT (DRB22)** **Maximum Size: 24" x 36"**
 - Scaled site sketch and related drawings showing proposed land use including structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, etc. (folded to fit into an 8.5" by 14" pocket) **6 copies.**
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - List any original and/or related file numbers on the cover application

Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

- SITE DEVELOPMENT PLAN FOR SUBDIVISION (DRB18)** **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
 - Scaled site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - 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
 - Copy of the document delegating approval authority to the DRB
 - Completed Site Plan for Subdivision Checklist
 - Infrastructure List, if relevant to the site plan
 - Fee (see schedule)
 - List any original and/or related file numbers on the cover application

Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original to the meeting. Your attendance is required.**

- SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (DRB17)** **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) **6 copies**
 - Site Plan for Subdivision, if applicable, previously approved or simultaneously submitted. **6 copies.**
 - Solid Waste Management Department signature on Site Plan
 - 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
 - Copy of the document delegating approval authority to the DRB
 - Infrastructure List, if relevant to the site plan
 - Completed Site Plan for Building Permit Checklist
 - Copy of Site Plan with Fire Marshal's stamp
 - Fee (see schedule)
 - List any original and/or related file numbers on the cover application

Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original to the meeting. Your attendance is required.**

- AMENDED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (DRB01)** **Maximum Size: 24" x 36"**
- AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION (DRB02)** **Maximum Size: 24" x 36"**
 - Proposed amended Site Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - DRB signed Site Plan being amended (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - 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
 - Infrastructure List, if relevant to the site plan
 - Completed Site Plan for Building Permit Checklist (not required for amendment of SDP for Subdivision)
 - Fee (see schedule)
 - List any original and/or related file numbers on the cover application

Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original to the meeting. Your attendance is required.**

- FINAL SIGN-OFF FOR EPC APPROVED SDP FOR BUILDING PERMIT (DRB05)**
- FINAL SIGN-OFF FOR EPC APPROVED SDP FOR SUBDIVISION (DRB06)**
 - ~~N/A~~ 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) **6 copies**
 - ~~N/A~~ Approved Grading and Drainage Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - Solid Waste Management Department signature on Site Plan for Building Permit
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter carefully explaining how each EPC condition has been met and a copy of the EPC Notification of Decision
 - ~~N/A~~ Infrastructure List, if relevant to the site plan
 - Copy of Site Plan with Fire Marshal's stamp (not required for SDP for Subdivision)
 - List any original and/or related file numbers on the cover application

Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original to the meeting. Your attendance is required.**

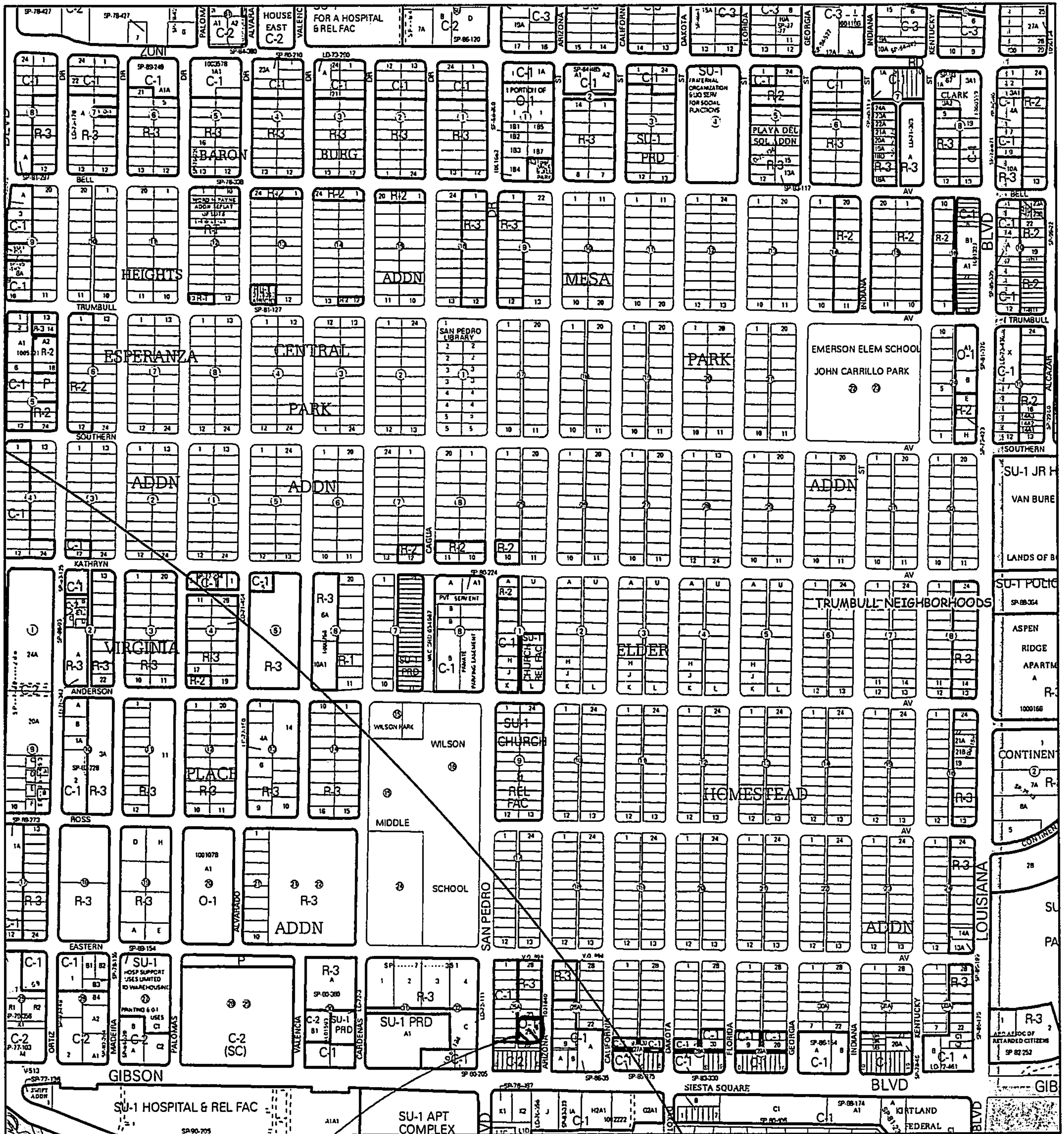
I, the undersigned, certify that any information required but not submitted with this application will likely result in deferral of actions.

James K. Strozien, AICP
 Applicant name (print)
[Signature] 1/19/09
 Applicant signature / date



Form revised October 2007

<input checked="" type="checkbox"/> Checklists complete <input checked="" type="checkbox"/> Fees collected <input checked="" type="checkbox"/> Case #s assigned <input type="checkbox"/> Related #s listed	Application case numbers 09100B - 1003	Planner signature / date <u>Sandy Handley</u> 01/26/09 Project # <u>1001640</u>
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For more current information and more details visit: <http://www.cabq.gov/gis>

AGIS
Albuquerque Geographic Information System

Map amended through: 6/13/2008

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
L-18-Z

Selected Symbols

- SECTOR PLANS
- Design Overlay Zones
- City Historic Zones
- H-1 Buffer Zone
- Petroglyph Mon.
- Escarpment
- 2 Mile Airport Zone
- Airport Noise Contours
- Wall Overlay Zone

0 750 1,500 Feet

Cervantes Food Products, Inc.

September 30, 2008

Laurie Moyer, Chair
Environmental Planning Commission
City of Albuquerque
600 2nd Street NW
Albuquerque, NM 87103

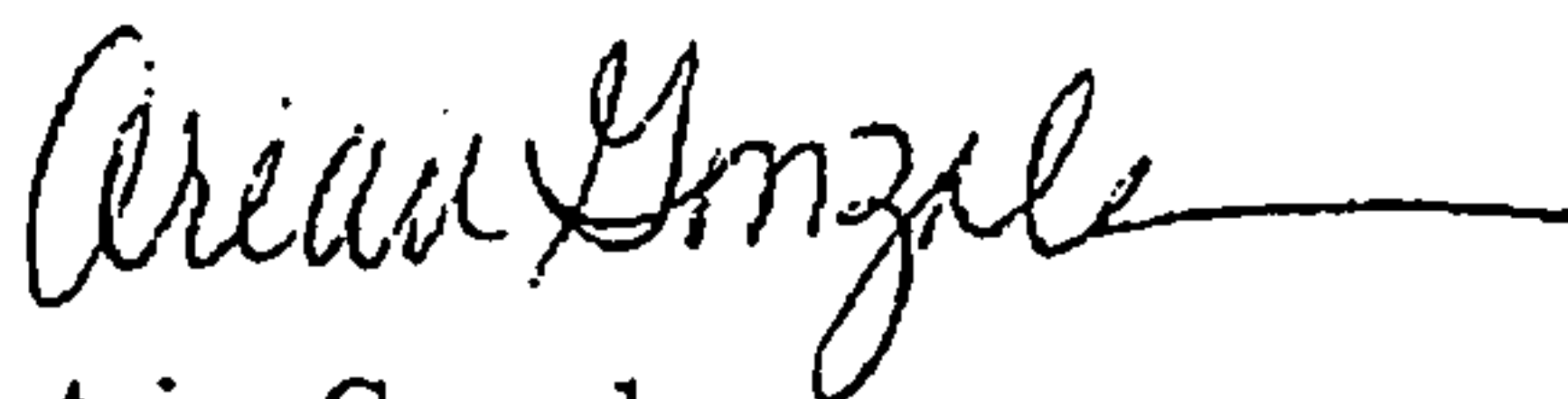
RE: Letter of Authorization for 1125 Arizona Street

Dear Ms. Moyer,

The purpose of this letter is to authorize Consensus Planning, Inc. to act as our agent on this submittal to the Environmental Planning Commission for a Zone Map Amendment request with an accompanying Site Plan for Building Permit for the property located at 1125 Arizona Street, legally described as Lot 22-A, Block 25A of Elder Homestead Addition.

If you have any questions, feel free to call me at (505) 254-9414.

Sincerely,



Arian Gonzales
Cervantes Food Products, Inc.

September 30, 2008

Laurie Moyer, Chair
Environmental Planning Commission
City of Albuquerque
600 2nd Street NW
Albuquerque, NM 87103

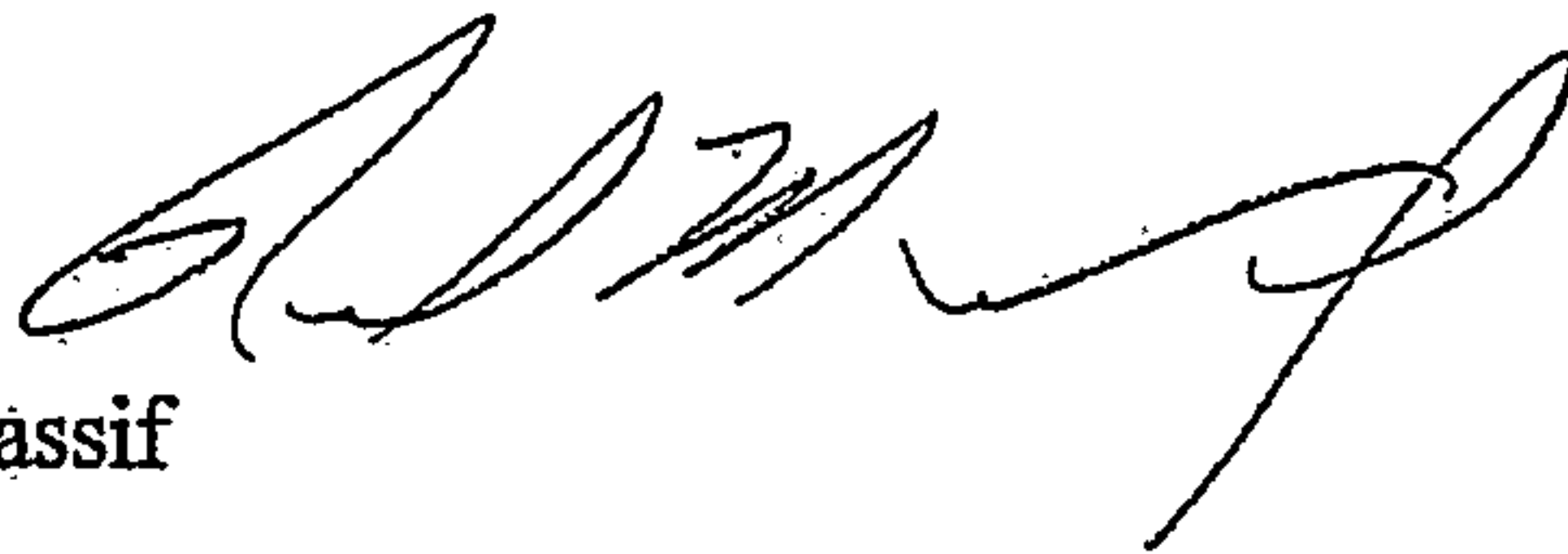
Re: Zone Map Amendment Application & Site Plan for 1125 Arizona Street

Dear Ms. Moyer,

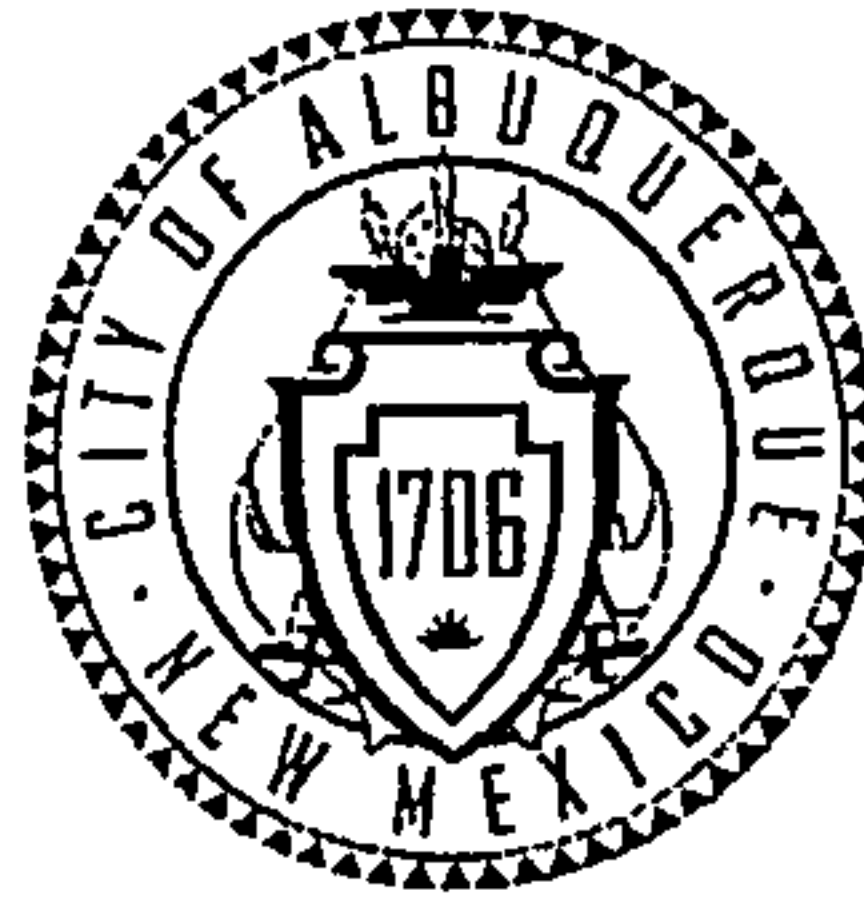
As the property owner of the property located at 1125 Arizona Street, legally described as Lot 22-A, Block 25A of Elder Homestead Addition, comprising of 0.32223 acres.

I am currently in a purchase agreement with Arian and Richard Gonzales for said property. I authorize Arian and Richard Gonzales to submit an application to the City of Albuquerque for a Zone Map Amendment request with an accompanying Site Plan for Building Permit.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard Nassif', written in a cursive style.

Richard Nassif



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

Date: November 21, 2008

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project# 1001640***
08EPC-40099 SITE DEVELOPMENT -
BUILDG PRMT
08EPC-40100 AMNDT TO ZONE MAP (ESTB
ZONING/ZONE CHG)

Richard & Arian Gonzales
901 Warm Sands Dr. SE
Albuq. NM 87123

LEGAL DESCRIPTION: for all or a portion of lot 22-A, block 25-A, ELDER HOMESTEAD ADDITION zoned O-1 to SU-1 FOR O-1 USES AND LIMITED FOOD PRODUCTION located on ARIZONA ST SE BETWEEN GIBSON BLVD SE AND EASTERN AVE SE containing approximately .3223 acre. (L-18) Randall Falkner, Staff Planner

On November 20, 2008 the Environmental Planning Commission voted to approve Project 1001640/08EPC 40100, a zone map amendment from O-1 to SU-1 for O-1 Uses and Limited Food Production, for Lot 22-A, Block 25-A, Elder Homestead Addition, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for a zone map amendment from O-1 to SU-1 for O-1 Uses and Limited Food Production for Lot 22-A, Block 25-A, Elder Homestead Addition.
2. The subject site is within the designated Established Urban Area by the Comprehensive Plan and also within the boundaries of the Near Heights Metropolitan Redevelopment Area Plan.
3. This request is accompanied by a request for a site development plan for building permit.
4. The request furthers the following Comprehensive plan policies for Developing and Established Urban Areas:
 - a. Policy II.B.5a – This zone change request would help to allow a full range of urban land uses in this area, which includes commercial, office, and multifamily. A limited food production development would complement surrounding uses and would also provide a good transition between residential uses to the north and commercial uses to the east, west, and south.

- b. Policy II.B.5d – The request will utilize an existing vacant building and add to the landscaping between the existing building and the residential use to the north. The site is also located in the Near Heights Metropolitan Redevelopment Area and will help to redevelop this important area by adding a local business. The zoning request respects existing neighborhood values, environmental conditions, carrying capacities, and scenic resources.
 - c. Policy II.B.5i – The proposed zoning will provide employment uses that will complement residential areas and will not have adverse effects on the surrounding neighborhood.
 - d. Policy II.B.5o – The proposed zoning will help to redevelop the site and strengthen the existing neighborhoods in the Established Urban Area. The zone change will help to facilitate redevelopment of the Elder Homestead Neighborhood, which is within the Near Heights Metropolitan Redevelopment Area Plan.
5. The request furthers Air Quality Comprehensive Plan Policy II.C.1b because air quality will be improved as a result of the reduction in distance between the Cervantes Restaurant and the Cervantes Food Products operation. Currently, the Food Products business is 6.5 miles away from the restaurant. Both the owners and workers will now be able to easily walk between the two businesses. There are also a number of alternative modes of transportation that can be accessed close to the site, including walking, bicycling, and public transit.
6. The request furthers Transportation and Transit Comprehensive Plan Policy II.D.4g by promoting and integrating pedestrian opportunities into the development. The existing sidewalk connects to adjacent properties and allows for walking and bicycling. Several bus stops are also located close by on Gibson Boulevard and San Pedro Drive. A bicycle rack in front of the existing building will encourage bicycling. There is an existing bicycle lane along San Pedro Drive (just west of the site) and an existing bicycle route along Eastern Avenue (just north of the site). Multiple non-motorized travel options are available at the subject site.
7. The request will further both Economic Development Comprehensive Plan Policies II.D.6a and II.D.6b by bringing new business to an area where there is currently a vacant building. Employees will be able to easily access both businesses, which will offer a wide range of occupational skills. Cervantes Food Products and the restaurant are both local businesses that will encourage employment within an established MRA.
8. The request furthers the criteria established in the Near Heights MRA Plan to determine eligible opportunity sites. The zone change request will allow Cervantes Food Products to occupy an existing building which has been vacant and has deteriorated due to homeless loitering on the site. The request will stop the deterioration of the site, stimulate private investment, increase the number of jobs in the area with a local family owned business, empower residents while furthering economic self-sufficiency, and promote the image of a safer environment. As part of the MRA, the site will not be charged impact fees, which will help to stimulate investment in the area and further sustainability.
9. The applicant has adequately justified the zone change request pursuant to Resolution 270-1980:

- a. The proposed zone change for limited food production uses language that prevents health and safety risks and safeguards the neighborhood. A local family owned business that will employ a small number of people (approximately 5) will not jeopardize the health, safety, morals, and general welfare of the City. Since Obee's Sandwich Shop closed, homeless have been found loitering on the existing vacant site. A new owner for the existing vacant building will help to improve the health, safety, morals, and welfare of the City.
 - b. The requested zone change is not dramatically different from the existing zoning classification. The zoning request proposes to retain O-1 uses and add limited food production. Limited food production is a complementary use to the adjacent restaurants. The requested zoning will not destabilize land use and zoning in the area because the proposed zoning will be less intense than the existing zoning. There will be less traffic than with a restaurant as a result of the small number of employees. These employees can also easily walk to the nearby Cervantes Restaurant instead of driving 6.5 miles and can access alternative modes of transportation.
 - c. The applicant cited numerous applicable goals and policies of the Comprehensive Plan, as well as recommendations of the Near Heights MRA Plan. All of the policies cited by the applicant are furthered by the zone change request, including policies II.B.5a, II.B.5a, II.B.5d, II.B.5i, II.B.5O, II.C.1b, II.D.4a, II.D.6a, II.D.6b.
 - d. The applicant has shown that a different use category is more advantageous to the community as articulated in a preponderance of policies found in the Comprehensive Plan and criteria established in the Near Heights MRA Plan. The proposed zone change will be more advantageous to the community because it will allow a full range of urban land uses, respect neighborhood values, complement residential areas with an appropriate employment use, improve safety in the local neighborhood, improve air quality, provide easy access to alternative modes of transportation, and will improve economic development within an established MRA.
 - e. The proposed zoning is nearly the same as the existing zoning with the exception of the request to add limited food production. The proposed language ensures that the limited food production will not be harmful to adjacent commercial and residential properties.
 - f. The property is already served by City infrastructure and does not require major and un-programmed capital expenditures by the City.
 - g. Economic considerations are not the determining factor for this request. The area has been designated as an MRA in order to stimulate private and public investment into the area.
 - h. The subject site is located on Arizona Street, which is not a major street, but rather a local street.
 - i. The request does create a spot zone: Based on (1) the proposal facilitates the Comprehensive Plan. The applicant cites a myriad of policies in the Comprehensive Plan and criteria established in the Near Heights MRA Plan that support the request for a zone change. The proposed zoning would also provide a transition between the more intense restaurant uses to the south and west along Gibson Boulevard and San Pedro Drive and the residential neighborhood to the north.
 - j. The request does not constitute a strip zone.
10. There is no known neighborhood or other opposition. The neighboring South San Pedro Neighborhood Association has provided a letter of support for the project.

CONDITION:

1. The accompanying site development plan for building permit must receive final DRB sign off within 6 months of this EPC action (Section 14-16-4-1)(C)(10).
-

On November 20, 2008 the Environmental Planning Commission voted to approve Project 1001640/08EPC 40099, a site development plan for building permit, for Lot 22-A, Block 25-A, Elder Homestead Addition, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for a site development plan for building permit for Lot 22-A, Block 25-A, Elder Homestead Addition.
2. The subject site is within the designated Established Urban Area by the Comprehensive Plan and also within the boundaries of the Near Heights Metropolitan Redevelopment Area Plan.
3. This request is accompanied by a request for a zone map amendment.
4. The request furthers the following Comprehensive plan policies for Developing and Established Urban Areas:
 - a. Policy II.B.5a – This subject site would help to allow a full range of urban land uses in this area, which includes commercial, office, and multifamily. A limited food production development would complement surrounding uses and would also provide a good transition between residential uses to the north and commercial uses to the east, west, and south.
 - b. Policy II.B.5d – The request will utilize an existing vacant building and add to the landscaping between the existing building and the residential use to the north. The site is also located in the Near Heights Metropolitan Redevelopment Area and will help to redevelop this important area by adding a local business. The zoning request respects existing neighborhood values, environmental conditions, carrying capacities, and scenic resources.
 - c. Policy II.B.5i – The property will provide employment uses that will complement residential areas and will not have adverse effects on the surrounding neighborhood.
 - d. Policy II.B.5j – The site has existing sidewalks that connect to the adjacent properties, providing both pedestrian and bicycle access. There is also an existing bicycle lane just to the west along San Pedro Drive and an existing bicycle route to the north along Eastern Avenue. A bicycle rack will be installed outside of the building to encourage bicycling.
 - e. Policy II.B.5o – The request will help to redevelop the site and strengthen the existing neighborhoods in the Established Urban Area.

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5. The request furthers Air Quality Comprehensive Plan Policy II.C.1b because air quality will be improved as a result of the reduction in distance between the Cervantes Restaurant and the Cervantes Food Products operation. Currently, the Food Products business is 6.5 miles away from the restaurant. Both the owners and workers will now be able to easily walk between the two businesses. There are also a number of alternative modes of transportation that can be accessed close to the site, including walking, bicycling, and public transit.
6. The request furthers Transportation and Transit Comprehensive Plan Policy II.D.4g by promoting and integrating pedestrian opportunities into the development. The existing sidewalk connects to adjacent properties and allows for walking and bicycling. Several bus stops are also located close by on Gibson Boulevard and San Pedro Drive. A bicycle rack in front of the existing building will encourage bicycling. There is an existing bicycle lane along San Pedro Drive (just west of the site) and an existing bicycle route along Eastern Avenue (just north of the site). Multiple non-motorized travel options are available at the subject site.
7. The request will further both Economic Development Comprehensive Plan Policies II.D.6a and II.D.6b by bringing new business to an area where there is currently a vacant building. Employees will be able to easily access both businesses, which will offer a wide range of occupational skills. Cervantes Food Products and the restaurant are both local businesses that will encourage employment within an established MRA.
8. The request furthers the criteria established in the Near Heights MRA Plan to determine eligible opportunity sites. The request will stop the deterioration of the site, stimulate private investment, increase the number of jobs in the area with a local family owned business, empower residents while furthering economic self-sufficiency, and promote the image of a safer environment. As part of the MRA, the site will not be charged impact fees, which will help to stimulate investment in the area and further sustainability.
9. There is no known neighborhood or other opposition. The neighboring South San Pedro Neighborhood Association has provided a letter of support for the project.
10. It is recognized that this is an existing facility, landscaped areas which exist and wall height on the north property line may not precisely fulfill relevant ordinances but with the addition of four trees on the north side the EPC finds that the property substantially complies with the intent of the ordinances.

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.

OFFICIAL NOTIFICATION OF DECISION
NOVEMBER 20, 2008
PROJECT NUMBER 1001640
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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. At least one motorcycle parking space shall be provided, along with motorcycle parking signage per Sec. 14-16-3-1(C) of the Zoning Code.
4. The site development plan for building permit shall show a seating detail with dimensions of seating and tables.
5. Landscaping:
 - a. The Landscape Plan needs to demonstrate compliance with 75% of living ground cover per Section 14-16-3-10(G)(3).
 - b. A tree from the City Forester's list which is at least 8 feet at time of planting and capable of reaching a height at maturity of at least 25 feet shall be provided per section 14-16-3-10(E)(4)(b).
 - c. Spacing of trees needs to equal 75% of the tree's canopy diameter per Section 14-16-3-10(E)(4)(b).
 - d. The wall height next to the residential zone is required to be six feet in height per Section 14-16-3-10(E)(4)(c).
 - e. The landscape plan shall specify the existing type of gravel used and also identify boulders on the existing plan legend.
 - f. Existing Impervious areas on Landscape Plan under Ground Cover Materials shall read 8,949 s.f.
 - g. With regards to condition 5a through 5d set forth above the applicant may apply for a variance there from and to the extent granted such conditions shall be deleted.

PROTEST: 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, WHICH IS BY DECEMBER 5, 2008.

APPEAL: IF YOU WISH TO APPEAL A FINAL DECISION, YOU MUST DO SO BY DECEMBER 5, 2008 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND 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 Department form to the Planning Department 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 they decide that all City plans, policies and ordinances have not been properly followed, they shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

OFFICIAL NOTIFICATION OF DECISION
NOVEMBER 20, 2008
PROJECT NUMBER 1001640
PAGE 7 OF 7

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 MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

Successful applicants should be aware of the termination provisions for Site Development Plans specified in Section 14-16-3-11 of the Comprehensive Zoning Code. Generally plan approval is terminated 7 years after approval by the EPC

Sincerely,

for 
Richard Dineen
Planning Director

RD/RF/ac

cc: Consensus Planning, Inc., 302 Eighth Street NW, Albuquerque, NM 87102
Marian Jordan, Elder Homestead NA, 816 Arizona SE, Albuquerque, NM 87108
Sandra Perea, Elder Homestead NA, P.O. Box 4690, Albuquerque, NM 87196



PLANNING

CONSENSUS



January 23, 2009

Jack Cloud, AICP, Chairman
Development Review Board
City of Albuquerque
600 2nd St. NW
Albuquerque, NM 87103

RE: Request for Final Sign-Off for 1125 Arizona Street, Project #1001640

Dear Chairman Cloud,

On behalf of the applicants, we request a final DRB sign-off for the property legally described as Lot 22-A, Block 25-A, Elder Homestead Addition, located at 1125 Arizona Street. On November 21, 2008, EPC conditionally approved a Zone Map Amendment (from O-1 to SU-1 for O-1 Uses and Limited Food Production) and an accompanying Site Development Plan for Building Permit. This document outlines how each EPC condition has been met. *Conditions are italicized*; applicant comments are in normal text.

Zone Map Amendment:

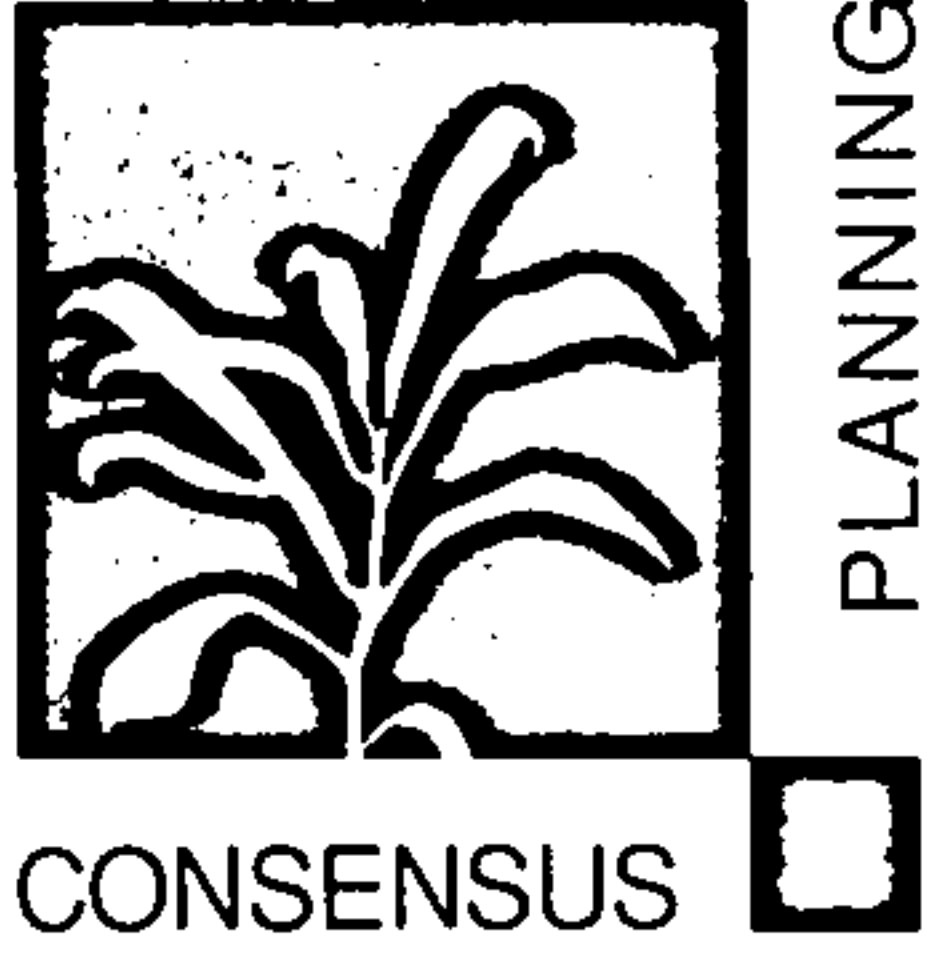
- 1. The accompanying site development plan for building permit must receive final DRB sign off within 6 months of this EPC action (Section 14-16-4-1)(C)(10).*

This application for final DRB sign off is within 6 months of EPC's November 2008 hearing.

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.*

This letter states how all of the EPC conditions have been met. The applicant understands that unauthorized changes to this site plan may result in a forfeit 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.*

Consensus Planning met with Randall Falkner, Case Planner, on December 30, 2008 to review how the site plan had been revised to meet EPC conditions.

3. *At least one motorcycle parking space shall be provided, along with motorcycle parking signage per Section 14-16-3-1(C) of the Zoning Code.*

The site plan has been revised to include two motorcycle parking spaces near the building entrance. A note has been added to the Off-Street Parking Section that requires motorcycle parking signage per Section 14-16-3-1(C).

4. *The site development plan for building permit shall show a seating detail with dimensions of seating and tables.*

A seating detail has been added to Sheet 1 to demonstrate the type of outdoor seating and table that will be placed in the existing concrete patio, to the west of the building. The seating and table has been included on the site plan with a note that the outdoor seating and table will be 4 feet in diameter.

5. *Landscaping:*

- a. *The Landscape Plan needs to demonstrate compliance with 75% of living ground cover per Section 14-16-3-10(G)(3).*

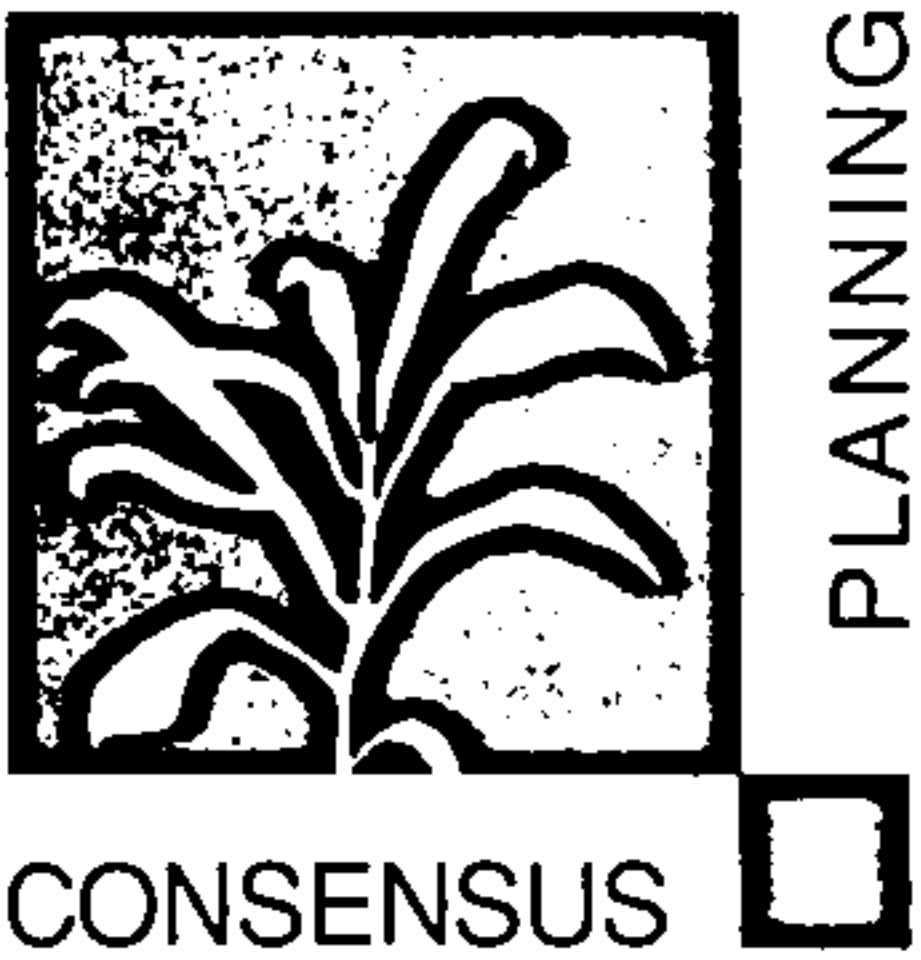
The landscape plan has been revised and a note has been added to Sheet 2, Ground Cover Materials.

- b. *A tree from the City Forester's list which is at least 8 feet at time of planting and capable of reaching a height at maturity of at least 25 feet shall be provided per Section 14-16-3-10(E)(4)(b).*

The Landscape Plan has been revised to replace New Mexico Olive to Amur Maple along the northern buffer. Amur Maples are 8 feet at the time of planting and will achieve a mature height of 25 feet.

- c. *Spacing of trees needs to equal 75% of the tree's canopy diameter per Section 14-16-3-10(E)(4)(b).*

The spacing of the trees on the northern buffer has been revised to equal 75% of the tree's canopy diameter.



Landscape Architecture
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- d. *The wall height next to the residential zone is required to be six feet in height per Section 14-16-3-10(E)(4)(c).*

A note has been added to the site plan, along the northern property line that states: "Raise existing CMU wall to 6' height."

- e. *The landscape plan shall specify the existing type of gravel used and also identify boulders on the existing plan legend.*

The existing gravel type and existing boulders has been identified on the Site Plan and the Landscape Plan. The existing landscape material legend has been revised to include the gravel and boulder type. A legend has also been added to Sheet 1.

- f. *Existing Impervious areas on Landscape plan under Ground Cover Materials shall read 8,949 s.f.*

The Existing Impervious area on the Landscape Plan has been revised to read 8,949 s.f.

- g. *With regards to condition 5a through 5d set forth above the applicant may apply for a variance there from and to the extent granted such conditions shall be deleted.*

The applicant has met conditions 5a through 5d and does not intend to apply for a variance.

The Site Plan and Landscape Plan have been revised to meet the EPC conditions of approval. We request final sign-off by the Development Review Board. Thank you for your time and consideration.

If you have any questions, do not hesitate to call me at 764-9801.

Sincerely,

James K. Strozier, AICP
Principal

PRINCIPALS

Karen R. Marcotte, AICP
James K. Strozier, AICP
Christopher J. Green, ASLA

ASSOCIATES

Jacqueline Fishman, AICP