



**SITE DEVELOPMENT PLANS (EPC FINAL SIGN-OFF) AMENDED PLANS AND  
MASTER DEVELOPMENT PLANS (CITY COUNCIL FINAL SIGN-OFF)**

3. **Project# 1002229**  
12DRB-70232 EPC APPROVED SDP  
FOR BUILD PERMIT 
- MAHLMAN STUDIO ARCHITECTURE agent(s) for COMFORT FOODS request(s) the above action(s) for all or a portion of Lot(s) A-1, **TANNEHILL-TAYLOR ADDITION** zoned C-2, located on MONTGOMERY BETWEEN EUBANK AND MORRIS containing approximately 3.06 acre(s). (G-21) **THE SITE PLAN FOR BUILDING PERMIT WAS APPROVED. CITY ENGINEER MAY REQUIRE AN EASEMENT DEDICATION AT A FUTURE DATE WITH REGARD TO POTENTIAL NEIGHBORHOOD CONCERN.**
4. **Project# 1007649**  
12DRB-70201 PRELIMINARY/ FINAL  
PLAT APPROVAL  
12DRB-70217 EPC APPROVED SDP  
FOR SUBDIVISION  
12DRB-70218 SUBDN DESIGN  
VARIANCE FROM MIN DPM STDS  
12DRB-70219 MINOR - TEMP DEFR  
SWDK CONST
- THE HARTMAN & MAJEWSKI and SURV-TEK INC. agent(s) for GREATER ALBUQUERQUE HOUSING PARTNERSHIP request(s) the above action(s) for all or a portion of Lot(s) 1-3, Block(s) 9, **FRANSISCAN ACRES** zoned SU2/SU1 FOR PRD, located on INDIAN SCHOOL NE (H-14) ) [*Deferred from 8/1/12*]
5. **Project# 1009245**  
12DRB-70221 MINOR - SDP FOR  
BUILDING PERMIT  
12DRB-70233 PRELIMINARY/FINAL  
PLAT APPROVAL
- RICK BENNETT ARCHITECTS agent(s) for GUARDIAN STORAGE LLC request(s) the above action(s) for all or a portion of Lot(s) 19 AND 20, Block(s) 9, Tract(s) 2, **NORTH ALBUQUERQUE ACRES Unit(s) 3**, zoned SU-2, located on ON HOLLY BETWEEN WYOMING AND LOUISIANA containing approximately 1.9952 acre(s). (C-19-Z) ) [*Deferred from 8/1/12*] **DEFERRED TO 8-22-12 AT THE AGENT'S REQUEST.**

**MINOR PLATS, FINAL (MAJOR) PLATS, AMENDED PLATS AND PLANS**

6. **Project# 1003991**  
12DRB-70213 EXT OF SIA FOR TEMP  
DEFR SDWK CONST 
- VUELO LLC request(s) the above action(s) for all or a portion of Lot(s) 1-26 AND TRACT A, **SAGE RANCH** zoned RLT, located on SNOW VISTE BETWEEN SAGE AND BENAVIDES containing approximately 3.7442 acre(s). (M-9) [*Deferred from 8/1/12*] **A TWO YEAR EXTENSION TO THE AGREEMENT FOR THE DEFERRAL OF SIDEWALKS WAS APPROVED.**

DRB CASE ACTION LOG - BLUE SHEET

- Preliminary/Final Plat [FP]
- Site Plan - Subdivision [SPS]
- Site Plan - Building Permit [SBP]

This sheet must accompany your plat or site plan to obtain delegated signatures. Return sheet with site plan/plat once comments have been addressed.

Project #: 1002229 Application #: 12DRB-70232  
Project Name: Jannehill - Taylor Addition  
Agent: Mahlman Studio Phone #:

**\*\*Your request was approved on 8-8-12 by the DRB with delegation of signature(s) to the following departments - outstanding comments to be addressed\*\***

- TRANSPORTATION:  
\_\_\_\_\_  
\_\_\_\_\_
- ABCWUA:  
\_\_\_\_\_  
\_\_\_\_\_
- CITY ENGINEER / AMAFCA:  
\_\_\_\_\_  
\_\_\_\_\_
- PARKS / CIP:  
\_\_\_\_\_  
\_\_\_\_\_
- PLANNING (Last to sign):  
\_\_\_\_\_  
\_\_\_\_\_

**PLATS:**

- Planning must record this plat. Please submit the following items:
  - The original plat and a mylar copy for the County Clerk.
  - Tax certificate from the County Treasurer.
  - Recording fee (checks payable to the County Clerk). RECORDED DATE: \_\_\_\_\_
  - Tax printout from the County Assessor.
  - County Treasurer's signature must be obtained prior to the recording of the plat with County Clerk.
- Property Management's signature must be obtained prior to Planning Department's signature.
- AGIS DXF File approval required.
- Copy of recorded plat for Planning.

**ALL SITE PLANS:**

→  3 copies of the approved site plan. Include all pages.

Complete

DRB CASE ACTION LOG - BLUE SHEET

- Preliminary/Final Plat [FP]
- Site Plan - Subdivision [SPS]
- Site Plan - Building Permit [SBP]

This sheet must accompany your plat or site plan to obtain delegated signatures. Return sheet with site plan/plat once comments have been addressed.

Project #: 1002229 Application #: 12DRB-70232  
 Project Name: Tannehill - Taylor Addition  
 Agent: Mahlman Studio Phone #:

**\*\*Your request was approved on 8-8-12 by the DRB with delegation of signature(s) to the following departments - outstanding comments to be addressed\*\***

TRANSPORTATION:

ABCWUA:

CITY ENGINEER / AMAFCA:

PARKS / CIP:

PLANNING (Last to sign):

**PLATS:**

- Planning must record this plat. Please submit the following items:
  - The original plat and a mylar copy for the County Clerk.
  - Tax certificate from the County Treasurer.
  - Recording fee (checks payable to the County Clerk). RECORDED DATE: \_\_\_\_\_
  - Tax printout from the County Assessor.
  - County Treasurer's signature must be obtained prior to the recording of the plat with County Clerk.

- Property Management's signature must be obtained prior to Planning Department's signature.
- AGIS DXF File approval required.
- Copy of recorded plat for Planning.

**ALL SITE PLANS:**

→  3 copies of the approved site plan. Include all pages. EPC Already distributed





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)
- 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 2<sup>nd</sup> 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): Stephen Hall, Mahlman Studio Architecture PHONE: 505-243-0101  
 ADDRESS: 206 Broadway SE FAX: 505-243-1334  
 CITY: Albuquerque STATE NM ZIP 87102 E-MAIL: sihall@mahlmanstudio.com

APPLICANT: Comfort Foods, Mark Harden - Owner PHONE: 505-259-8542  
 ADDRESS: 9900 Montgomery Blvd. NE FAX: \_\_\_\_\_  
 CITY: Albuquerque STATE NM ZIP 87111 E-MAIL: Mark @ comfortfoods.com  
 Proprietary interest in site: Owner List all owners: Mark Harden

DESCRIPTION OF REQUEST: Final Sign-off for EPC Approved SDP 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. Lot A-1 Block: \_\_\_\_\_ Unit: \_\_\_\_\_  
 Subdiv/Addn/TBKA: Tannehill-Taylor Addition  
 Existing Zoning: C-2 Proposed zoning: SU-1 MRGCD Map No N/A  
 Zone Atlas page(s): G-21-Z UPC Code: 102106006250921361

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX\_, Z\_, V\_, S\_, etc.): 12EPC-40035  
12EPC-40036, Project #1002229

**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): 3.06 acres  
 LOCATION OF PROPERTY BY STREETS: On or Near: Montgomery Blvd. NE  
 Between: Eubank Blvd. NE and Morris St. NE

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

SIGNATURE Stephen Hall DATE 30 July 2012  
 (Print) Stephen Hall, Mahlman Studio Architecture 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>12 DRB 70032</u>	<u>SBP</u>	_____	\$ <u>0</u>
<input checked="" type="checkbox"/> All fees have been collected	_____	<u>CMF</u>	_____	\$ <u>20.00</u>
<input checked="" type="checkbox"/> All case #s are assigned	_____	_____	_____	\$ _____
<input type="checkbox"/> AGIS copy has been sent	_____	_____	_____	\$ _____
<input type="checkbox"/> Case history #s are listed	_____	_____	_____	\$ _____
<input type="checkbox"/> Site is within 1000ft of a landfill	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. density bonus	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. fee rebate	_____	_____	_____	\$ _____
	Hearing date <u>Aug. 8, 2012</u>			Total <u>\$20.00</u>

*[Handwritten signature]*

7-31-12  
Planner signature / date

Project # 1002229

**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
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- FINAL SIGN-OFF FOR EPC APPROVED SDP FOR BUILDING PERMIT (DRB05)**
- FINAL SIGN-OFF FOR EPC APPROVED SDP FOR SUBDIVISION (DRB06)**
  - Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **6 copies**
  - 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
  - Infrastructure List, if relevant to the site plan
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I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

STEPHEN HALL  
Applicant name (print)  
  
Applicant signature / date



Form revised October 2007

- Checklists complete
  - Fees collected
  - Case #s assigned
  - Related #s listed
- Application case numbers  
12 - DRB - 70232

  
Planner signature / date  
7-31-12

Project # 1002229





Supplemental form

**SUBDIVISION**

- Major Subdivision action
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- Vacation
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  - Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

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 CITY: Albuquerque STATE NM ZIP 87111 E-MAIL: Mark @ comfortfoods.com  
 Proprietary interest in site: Owner List all owners: Mark Harden

DESCRIPTION OF REQUEST: Final Sign-off for EPC Approved SDP for Building Permit

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

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Lot or Tract No. Lot A-1 Block: \_\_\_\_\_ Unit: \_\_\_\_\_  
 Subdiv/Addn/TBKA: Tannehill-Taylor Addition  
 Existing Zoning: C-2 Proposed zoning: SU-1 MRGCD Map No N/A  
 Zone Atlas page(s): G-21-Z UPC Code: 102106006250921361

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX\_Z\_, V\_, S\_, etc.): 12EPC-40035  
12EPC-40036, Project #1002229

**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): 3.06 acres  
 LOCATION OF PROPERTY BY STREETS: On or Near: Montgomery Blvd. NE  
 Between: Eubank Blvd. NE and Morris St. NE

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

SIGNATURE Stephen Hall DATE 30 July 2012  
 (Print) Stephen Hall, Mahlman Studio Architecture Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
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<input checked="" type="checkbox"/> All fees have been collected	_____	<u>CMF</u>	_____	\$ <u>20.00</u>
<input checked="" type="checkbox"/> All case #'s are assigned	_____	_____	_____	\$ _____
<input type="checkbox"/> AGIS copy has been sent	_____	_____	_____	\$ _____
<input type="checkbox"/> Case history #'s are listed	_____	_____	_____	\$ _____
<input type="checkbox"/> Site is within 1000ft of a landfill	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. density bonus	_____	_____	_____	Total
<input type="checkbox"/> F.H.D.P. fee rebate	_____	_____	_____	\$ <u>20.00</u>

Hearing date Aug. 8, 2012

[Signature]  
 7-31-12  
 Planner signature / date

Project # 1002229

Form revised 4/07

**FORM P(3): SITE PLAN REVIEW - DRB 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"**

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- Infrastructure List, if relevant to the site plan
- Fee (see schedule)
- List any original and/or related file numbers on the cover application

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**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
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- 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
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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)**

- Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **6 copies**
- 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
- Infrastructure List, if relevant to the site plan
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- 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 applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

STEPHEN HALL  
Applicant name (print)  
Stephen Hall 7.30.12  
Applicant signature / date



Form revised October 2007

- Checklists complete
  - Fees collected
  - Case #s assigned
  - Related #s listed
- Application case numbers  
12 - DRB - 70232

[Signature] 7-31-12  
Planner signature / date  
Project # 1002229







30 July 2012

Design Review Board (DRB)  
City of Albuquerque  
Albuquerque, New Mexico 87103

**RE: Response to EPC Conditions**

**PROJECT: Project Number 1002229  
12EPC-40036 Site Development Plan for Building Permit**

Chairman and Members,

Attached is a copy of the official Notification of Decision for the above referenced project.

To meet the requirements for a Zone Map Amendment, a Site Development Plan for Building Permit was developed. These drawings document the as-built conditions of the property, as no new construction or development was considered as part of the EPC application. Responses to the four Conditions of Approval identified in the EPC's Notification of Decision for Project #1002229, Application 12EPC40036 are as follows:

1. Submitted herewith is the Site Development Plan to DRB for approval. Only modifications to address EPC Conditions of Approval have been made to this plan.
2. EPC conditions addressed in this submission to DRB will be completed by the Owner within the six month period from date of final City approval.
3. A meeting was held on July 30, 2012 with Chris Hyer, City of Albuquerque Staff Planner, to review the revisions made to the plan and to confirm that all conditions of approval had been met.
4. All existing light fixtures in the rear parking area and loading dock have been indicated on the site plan (46 total fixtures of varying lamp types). Only those light fixtures identified by Keyed Note 38 (high pressure sodium light fixtures mounted to front edge of canopy, 14 total fixtures) will be utilized for security illumination. These 14 lights are well distributed throughout the back parking area and loading dock. The other light fixtures will only be utilized as necessary by the Owner as specific task lighting so as to not be a light pollution nuisance to the neighboring residential areas.

Additional modifications:

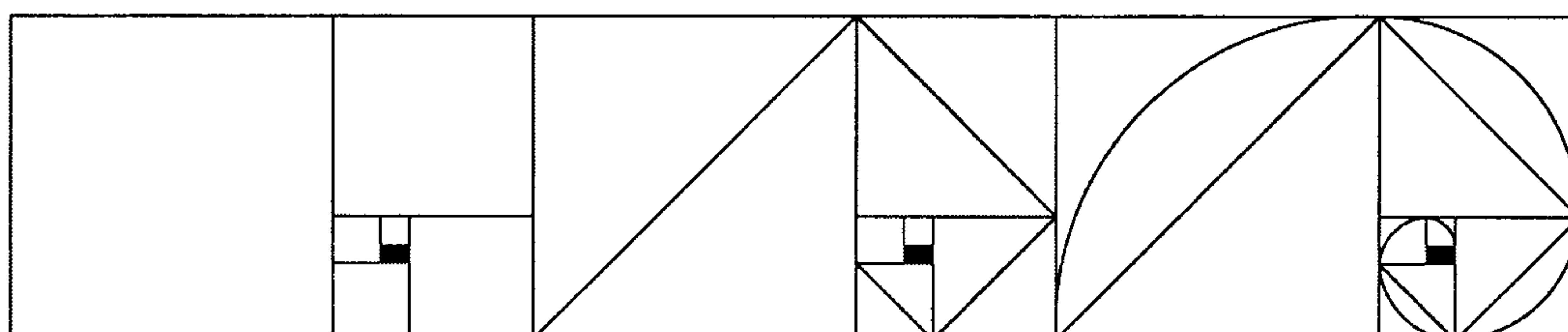
1. A new 15 gallon Purple Robe Locust tree has been added to the Site Plan in the one parking lot landscape island on the property that did not have vegetation. This location was discussed at the EPC hearing and, although not a condition for approval, was noted as a request of the EPC in the findings. The tree type matches other adjacent parking lot shade trees.

Sincerely,



**Stephen Hall ( [slhall@mahlmanstudio.com](mailto:slhall@mahlmanstudio.com) )**

Attachments



# 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

July 12, 2012

Mark Harden  
9900 Montgomery Boulevard NE  
Albuquerque, NM  
87111

**Project# 1002229**  
12EPC-40035 Site Development Plan for  
Building Permit  
12EPC-40036 Zone Map Amendment (Zone  
Change)

**LEGAL DESCRIPTION:**

for all or a portion of lot A-1, Tannehill-Taylor  
Addition, located on 9900 Montgomery  
Boulevard, containing approximately 3 acres.(G-  
21)

Chris Hyer, Staff Planner

PO Box 1293

Albuquerque

NM 87103

On July 12, 2012, the Environmental Planning Commission (EPC) voted to APPROVE Project 1002229 / 12EPC-40036, a Zone Map Amendment (Zone Change) and 12EPC-40035, a Site Development Plan for Building Permit, based on the following Findings and subject to the following Conditions:

**Project #1002229, 12EPC-40035 - Zone Map Amendment**

[www.cabq.gov](http://www.cabq.gov)

**FINDINGS**

1. This is a request to rezone Lot A-1, Tannehill-Taylor Addition, a 3.06-acre site, located on the south side of Montgomery Boulevard, between Eubank Boulevard NE and Pitt Road NE. The subject site is in the Established Urban Area of the Comprehensive Plan.
2. The requested zone change is accompanied by a site development plan for building permit request – Project #1002229, 12EPC-40036. This request is contingent on the approval of that request as the site plan controls the zoning on all SU-1 zoned sites.
3. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
4. The subject site is adjacent to an Enhanced Transit Corridor, Montgomery Boulevard.



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5. The request is justified per R-270-1980:
- A. The proposed zone change is consistent with the health, safety, morals and general welfare of the City as the zone change request allows the expansion of uses for an established business. The additional uses will allow the business to grow at the same location, adding more jobs.
  - B. This change will not destabilize the land use and zoning in the area; the requested zone change is more restrictive than the existing zoning and compatible with the surrounding zoning.
  - C. The zone change is not in significant conflict with adopted elements of the Comprehensive Plan:

**ESTABLISHED URBAN AREA POLICIES**

Policy II.B.5.a: This zone change request would help to allow a full range of urban land uses to continue in the area, which includes commercial, office, multi-family and residential. A limited food production development would complement surrounding uses and would also provide a good transition between the non-residential Montgomery Boulevard corridor to the north and the residential multi-family uses to the south, and single-family uses to the east.

Policy II.B.5.d: The requested use exists today and is in an existing building – there will be no change to the existing use or the physical site. Thus neighborhood values and carrying capacities will be maintained.

Policy II.B.5.e: Although this is not new growth, the change in zoning will allow this business to expand, adding to the employment. This will allow the current and new employees to use the existing urban facilities and services, while ensuring the integrity of the existing neighborhoods.

Policy II.B.5.i: The proposed zoning will provide employment uses that will complement the residential areas and will not have adverse effects on the surrounding neighborhood.

Policy II.B.5.j: The proposed zoning will help to strengthen the existing neighborhoods in the Established Urban Area by utilizing the current infrastructure and mass transit services.

**ECONOMIC DEVELOPMENT**

Policy II.D.6.b: The requested zone change will allow a local business to expand in their current location promoting local economic development.

- D. (3) 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, and provide easy access to alternative modes of transportation.
- E. The proposed zoning is nearly the same as the existing zoning with the exception of changing the number of employees involved in food production from ten to a number limited by the size of the building – the applicant suggests a maximum of 40. Further,

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language on the site plan regarding this use limits this activity and thus, is found not to be harmful to adjacent commercial and residential properties.

- F. The request would not require unprogrammed capital expenditures by the City.
  - G. The cost of land or other economic considerations pertaining to the applicant are not the determining factor for the zone change.
  - H. The site's location is not a reason for the requested zone change.
  - I. The zone change request does create a spot zone. However, the spot zone created is justified as the requested zoning to allow C-2 permissive uses and limited food production furthers a preponderance of applicable goals and policies in the Comprehensive Plan.
  - J. The proposed change would not create strip zoning.
6. Limited food production is an appropriate use for this site as it is not visible from Montgomery Boulevard because it sits behind other buildings of this shopping center, which act as a transition between the transit corridor and the subject site's building.
7. Property-owners within 100' and the San Gabriel Neighborhood Association (SGNA) and the District 8 Coalition were notified. Staff has not received any communication regarding this request.

**Project #1002229, 12EPC-40036 - Site Development Plan for Building Permit**

**FINDINGS:**

1. This is a request for a site development plan for building permit for Lot A-1, Tannehill-Taylor Addition, a 3.06-acre site. The subject is located on the south side of Montgomery Boulevard, between Eubank Boulevard NE and Pitt Road NE.
2. The requested amendment to the site development plan for building permit is accompanied by a zone map amendment request – Project #1002229, 12EPC-40035. Approval of that request is contingent on the approval of this request as the subject site is an SU-1 zoned site and the zoning refers to the approved site plan.
3. The subject site is developed; therefore, the applicant has provided a set of “as-built” drawings that will serve as the site plan for building permit.
4. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. The subject site is in the Established Urban Area of the Comprehensive Plan.



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6. The subject site is adjacent to an Enhanced Transit Corridor, Montgomery Boulevard, on the north and employees of this site have the option to use transit service.
7. The site is not visible from Montgomery Boulevard as it sits behind other buildings of the shopping center that act as a transition between the transit corridor and the limited food production, and therefore, is found to be an appropriate use for this site.
8. There will be no modifications to the building or the site and regulations from the Zoning Code will not be invoked; specifically, the Off Street Parking Regulations (§14-16-3-1), the Landscaping Regulations (§14-16-3-10) and the General Building and Site Design Regulations for Non-Residential Buildings (§14-16-3-18).
9. The applicant has sufficiently provided all required information on the site plan as expressed in the Zoning Code for a Site Development Plan for Building Permit.
10. Property-owners within 100' and the San Gabriel Neighborhood Association (SGNA) and the District 8 Coalition were notified. Staff has not received any communication regarding this request.
11. The EPC respectfully requests the applicant add landscaping where feasible and consider removal of the barbed wire fence.

**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. Pursuant to Zoning Code Section 14-16-4-1(11)(C), a zone map amendment does not become official until all Conditions/Requirements of Approval are met. If such requirements are not met within six months after the date of final City approval, the zone map amendment is void. The Planning Director may extend this time limit up to an additional six months upon request by the applicant.
3. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.

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4. The applicant shall demonstrate that there is adequate lighting for the parking areas and the loading docks and provide security to the general area. Additional lights may be required.

**IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY JULY 27, 2012 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. 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.**

Persons aggrieved with any determination of the Environmental Planning Commission (EPC) 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 a written application on the Planning Department form to the Planning Department **within 15 days** of the Planning Commission's decision. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday, the next working day is considered as the deadline for filing the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

**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).**

**ZONE MAP AMENDMENTS:** Pursuant to Zoning Code Section 14-16-4-1(C)(11), a change to the zone map does not become official until the Certification of Zoning (CZ) is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

**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 thorough the Planning Director that the Planning Commission extend the plan's life an additional five years.



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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.

Sincerely,



*for* Suzanne Lubar  
Acting Planning Director

DS/CH/mc

cc: Consensus Planning, Inc, 307 8<sup>th</sup> Street NW, Albuquerque, NM, 87102  
Mark Harden, 9900 Montgomery Boulevard NE, Albuquerque, NM, 87111  
Pat Maher, 100024 Hendrix Court NE, Albuquerque, NM, 87111  
Dan Jones, 3917 Inca NE, Albuquerque, NM, 87111  
Don Couchman, 6441 Concordia NE, Albuquerque, NM, 87111  
Darlene Couchman, 6441 Concordia NE, Albuquerque, NM, 87111

July 1, 2012

To Whom It May Concern:

I authorize MAHLMAN STUDIO ARCHITECTURE 206 BROADWAY SE • ALBUQUERQUE, NM 87102 to act as my agent regarding a zone map amendment for the property located at 9900 Montgomery Boulevard NE. I am the owner of the property.



Mark A. Harden  
Harden Enterprises LLC.



PROJECT # 1002229

**Application # :**

12NRB-70232 (SBP)

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