

7301-02



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

Date: December 20, 2002

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project # 1002333**
02EPC-01691 Zone Map Amendment
02EPC-01693 EPC Site Development Plan-
Building Permit

The Barrett Foundation, Inc.
P.O. box 25823
Albuq. NM 87125

LEGAL DESCRIPTION: for all or a portion of Tract(s) C-1A-2, **Bellamah's Princess Jeanne Addition**, a zone map amendment from C-1 to SU-1/C-1 Uses and short term shelter for women and children, located on CONSTITUTION NE, between EUBANK BLVD. NE and MARY ELLEN STREET NE, containing approximately 1 acre(s). (J-21) Cynthia Borrego, Staff Planner

On December 19, 2002 the Environmental Planning Commission voted to approve Project 1002331/ 02EPC 01691, a Zone Map Amendment from C-1 to SU-1 for C-1 Uses and a Short Term Shelter for Women and Children, for Tract C-1A-2 Block 10A of Bellamah's Princess Jeanne Park Addition, based on the following Findings:

FINDINGS:

1. The request is for a rezoning for Tract C-1A-2, Block 10, Dale J. Bellamah's Princess Jeanne Addition, from C-1 to SU-1 for C-1 Uses and for a Short Term Shelter for Women and Children.
2. The EPC has the jurisdiction and authority to approve a zone map amendment as per the Zoning Code (814-16-4-3) (C.)(3).
3. The applicant's justification conforms to policies listed in the Comprehensive Plan, specifically Policy 5.d.,e.,i. and 8.b. The subject property is reusing an existing building located in a commercial district, the use will require not new services to the area, and the applicant has made an effort to minimize any negative impact on the adjacent neighborhood. The use will also facilitate that realization of providing a needed community-based residential care facility.

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4. The applicant has justified Resolution 270-1980 (Section 1.D.), in that the use will not be harmful to the adjacent property, the neighborhood and the community. The applicant has justified the use being advantageous to serving a community need. The applicant has provided supporting material to justify a changed condition.
 5. The Indian Mood Neighborhood Association supports this request as stated in the Peace Builders Facilitator's Report received by the City, dated December 7, 2002.
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On December 19, 2002 the Environmental Planning Commission voted to approve Project 1002331/02EPC 01693, a Site Development Plan of Building Permit, for Tract C-1A-2 Block 10A of Bellamah's Princess Jeanne Park Addition, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. The request is for approval of a site development plan for building permit for Tract C-1A-2, Block 10, Dale J. Bellamah's Princess Jeanne Addition.
2. The site as submitted meets the requirements of the City Zoning Code with some minor modifications that can be finalized prior to sign-off at the Development Review Board.
3. The applicant has complied with policies listed in the Comprehensive Plan, specifically Policy 5.d.,e.,i. and 8.b. The subject property is reusing an existing building located in a commercial district, the use will require not new services to the area, and the applicant has made an effort to minimize any negative impact on the adjacent neighborhood.
4. The Indian Mood Neighborhood Association supports this request as stated in the Peace Builders Facilitator's Report received by the City, dated December 7, 2002

CONDITIONS:

1. The submittal of this site plan to the DRB shall meet all EPC conditions. 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. City Transportation Development states the following conditions of approval:

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The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. Those improvements will include any additional right-of-way requirements, paving, curb and gutter and sidewalk that have not already been provided for.; Site Plan shall comply and be designed per DPM Standards.; All sidewalks adjacent to parking spaces shall be 6' minimum.; Provide 24' drive aisles for two-way traffic.

2. Pedestrian areas and walkways have not been well detailed on the plan, and the applicant should provide additional information. The applicant should show a landscape plan for the entire site, particularly on the front portion of the site. The applicant must meet the Street Tree Ordinance along Constitution.
3. The applicant should provide a more detailed lighting plan for the entire site. The lights provided should meet current City requirements. Security issues should also be detailed, including details of the privacy fencing. The playground is an area of great concern in which no security detail has been provided, and it appears that little privacy fencing or lighting is shown on the site. The applicant should detail all the existing and proposed fencing on the property.
4. Dimensioned elevations for the entire project should be submitted prior to final sign-off.
5. Dimensions of the sign should be clarified by the applicant, prior to final approval.
6. A site plan showing fire hydrant locations as approved by the Fire Marshal must be provided prior to Development Review Board action on the site plan. New construction and additions will require a "Fire Flow Statement" prior to DRB. Utility Development states: "The changed use may require new, upsized utility services and or fire protection upgrades.
7. The applicant must show clearance through the alley, if the refuse container is to be located at the current location, otherwise a new refuse location should be approved by the Refuse Division, Solid Waste Department.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY JANUARY 3, 2003 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.

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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 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).

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,



Victor J. Chavez
Planning Director

VJC/CB/ac

- cc: John Myers, 1401 Central Ave. NW, Albuquerque, NM 87104
- Brooke Marshall Garcia, Jackson Area NA, 10421 Eden Dr. NE, Albuquerque, NM 87112
- Andrew Key, Jackson Area NA, 10509 Aspen Ave. NE, Albuquerque, NM 87112
- Judith Moss, Princess Jeanne, 1111 Morris NE, Albuquerque, NM 87112
- Carla Longfellow, Princess Jeanne NA, 10608 Marble Pl. NE, Albuquerque, NM 87112