

AA

APPLICATION NO. 09AA-1011071011 PROJECT NO. 1003062
 PROJECT NAME SKYVIEW CENTER
 EPC APPLICATION NO.
 APPLICANT / AGENT SCOTT STEFFEN | PHONE NO. 823-1000
 ZONE ATLAS PAGE C-2
 (SDP for SUB), (SDP for BP), (FINAL PLATS), (MASTER DEV PLAN), (IR), (AA)

ONE STOP COMMENT FORM LOG

UTILITY DEV 924-3988
~~HYDROLOGY DEV (505) 924-3986~~
 PLANS DISAPPROVED ~~7/1~~ | DATE 8-6-09 | DATE
 PLANS APPROVED ~~10/1~~ | DATE 8/26/09 | DATE
 COMMENTS:
 ADDITIONAL EASEMENT AREA MUST BE PROVIDED FOR THE NEW WATER METER. A WORK ORDER WILL BE REQUIRED FOR THE INSTALLATION OF THE NEW FIRE LINE

HYDROLOGY DEV 924-3986
~~UTILITY DEV (505) 924-3989~~
 PLANS DISAPPROVED | DATE | DATE
 PLANS APPROVED ~~10/1~~ | DATE 8/6/09 | DATE
 COMMENTS:

TRANSPORTATION DEV (505) 924-3990
 PLANS DISAPPROVED ~~TL~~ | DATE 8-5-09 | DATE
 PLANS APPROVED ~~TL~~ | DATE 8-21-09 | DATE
 1. PROVIDE CROSS ACCESS AGREEMENT COMMENTS. → AT PLATTING.
 ✓ 2. LABEL SITE DRIVES AS EXISTING. IF MODIFYING, CURB RETURN RADIUS SHOULD BE 25'.
 ✓ 3. STRIPE AREA BETWEEN PROPOSED CWS AND EXISTING 9000 SQ. FT. BUILDING TO PROVIDE FOR DEFINED DRIVING AISLES (AS DISCUSSED).
 ✓ 4. CHECK W/ FIRE CONCERNING WIDTH OF DRIVE-THRU LANE

PARKS AND REC (505) 768-5328
 PLANS DISAPPROVED | DATE | DATE
 PLANS APPROVED | DATE | DATE
 COMMENTS:

Rec'd 26 Aug '09

PLANNING (505) 924-3858
 PLANS DISAPPROVED | DATE | DATE
 PLANS APPROVED ~~10/1~~ | DATE 11 Sept '09 | DATE
 COMMENTS:
 Replace 24,000 sq.ft. of retail space with 14,000 sq. ft. pharmacy w/ drive-up service window. Replat.

Revised 3/3/04 Called 8.12.09

(Return form with plat / site plan)

1003062

Courtyard I
7500 Jefferson St. NE
Albuquerque, NM
87109-4335
www.bhinc.com
voice: 505.823.1000
facsimile: 505.798.7988
toll free: 800.877.5332

CLIENT/COURIER TRANSMITTAL

To: Carmen Marrone
Planning Manager
City of Albuquerque
Plaza del Sol 3rd floor, south end
Albuq., NM 87103

Requested by: Paul Wymer

Date: June 20, 2011

Time Due: This A.M.
 This P.M.
 Rush _____
 By Tomorrow

Phone: 924-3814
Job No.: 090374

Job Name: CVS at Indian School & tramway

<u>DELIVERY VIA</u>	
<input checked="" type="checkbox"/> Courier	<input type="checkbox"/> Federal Express
<input type="checkbox"/> Mail	<input type="checkbox"/> UPS
<input type="checkbox"/> Other	

<u>PICK UP</u>
Item: _____

<u>ITEM NO.</u>	<u>QUANTITY</u>	<u>DESCRIPTION</u>
1	5	Site Plan, Sheet C101

COMMENTS / INSTRUCTIONS

Carmen,
Per your request, enclosed are 5 copies of the revised site plan for the building permit for the new CVS at Indian School & Tramway. We've also modified keyed note 41, per your request. Please call (823-100) or email (pwymmer@bhinc.com) with comments or questions.

Thank you,
Paul Wymer

REC'D BY: _____ DATE: _____ TIME: _____

*• why 41 notes?
• should be 26 notes
based on Sept. 09 approval
• submitted wrong reference -
(11-09 AA pertains to
replat, not SPBP)*

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June 9, 2011

Ms. Carmen Marrone
Planning Manager
City of Albuquerque
PO Box 1293
Albuquerque, NM 87103

Re: Modifications to Amended Site Development Plan for Building Permit:
CVS at Indian School and Tramway

Dear Ms. Marrone:

Per our discussion on Friday, June 3rd, 2011, the purpose of this letter is to describe the reason for eliminating two ramps proposed to be built within the new pedestrian connection linking the subject CVS Pharmacy to the existing shopping center east of it. As we discussed, this pedestrian connection was required to be added as a condition of the Administrative Amendment approval dated November 3, 2009.

The existing project site was developed in the 1980's on a steeply sloped parcel with an average slope of 11.5% in primarily an east to west direction. (See enclosed photos). This is the direction that the new pedestrian connection will be built. This existing condition prohibits the construction of an accessible route, as defined by the American's with Disability Act, to be built in this area and in this direction. Additionally, this new connection terminates at a sidewalk serving the existing shopping center at a location where no ramp has been built. The intent of the new pedestrian walkway was to provide connectivity between the new pharmacy and the existing center but was not intended to provide an accessible route to serve either building. The developer of the pharmacy has provided an accessible route leading from Indian School Road to the main building entrance. This route was approved by City Code Enforcement staff at the time of building permit issuance. Because the owner of the CVS parcel does not control the property to the east, it is impossible for him to require improvements to that property to insure conformance to the A.D.A. A.D.A. conformance of the adjoining property is unknown but may actually exist. This is a separate issue out of the control of the CVS developer.

With the above information as a background, the Administrative Amendment drawings approved in November of 2009 indicate that 2 ramps (keyed note 19) would be built along the pedestrian connection route in a parking end aisle landscape median (see attached). These ramps are not necessary and this request is to eliminate them and construct the walkway flush with the drive aisle surface through the median. This will result in a better pedestrian walking experience as they won't be forced to maneuver up a steep ramp and then down again approximately 40' away. The enclosed drawings indicate this modification.

ENGINEERING ▲

SPATIAL DATA ▲

ADVANCED TECHNOLOGIES ▲

Ms. Carmen Marrone
City of Albuquerque
June 9, 2011
Page 2

We feel this change is very minor and retains the intent of the pedestrian connectivity required by the Administrative Amendment approval. As such we propose to recognize this change at the time the site is certified by the Engineer of record for the traffic circulation layout (TCL). If this is acceptable to you, please indicate so by approving this request below.

Thank you for your consideration. If you have comments or questions, do not hesitate to contact Scott Steffen or me.

Sincerely,



Paul M. Wymer, AIA
Project Manager
Community Development & Planning

Enclosures
PMW/tms

cc: Chris Czyz, Armstrong Development
Scott Steffen, BHI

APPROVED:

BY _____

(Signature)

(Printed Name)

TITLE _____

DATE _____







City of Albuquerque Planning Department
One Stop Shop – Development and Building Services

07/31/2009 Issued By: PLNSDH

11
11
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Permit Number: 2009 010 110

Category Code 940

Application Number: 09AA-10110, Amndt Site Development Plan - Bld Prmt

Address:

Location Description: TRAMWAY BLVD NE BETWEEN INDIAN SCHOOL RD NE AND ROVER NE

Project Number: 1003082

Applicant
Armstrong Development Properties Inc

1500 N Priest Dr Ste 150e
Tempe AZ 85281
802-385-4108

Agent / Contact
Bohannon Huston Inc
Scorr Steffen
7500 Jefferson Ne
Albuquerque NM 87109

Application Fees

441018/4971000	Public Notification	
441032/3424000	Conflict Mgmt Fee	
441006/4971000	AA Actions	\$45.00
TOTAL:		\$45.00

City Of Albuquerque
Treasury Division

7/31/2009 2:06PM LOC: ANNX
US4 008 TRANS# 0024
RECEIPT# 00108630-00108630
PERMIT# 2009010110 TRSASR
Trans Amt \$45.00
AA Actions \$45.00
CK \$45.00
CHANGE \$0.00

Thank You



Supplemental form

<p>SUBDIVISION</p> <p><input type="checkbox"/> Major Subdivision action</p> <p><input type="checkbox"/> Minor Subdivision action</p> <p><input type="checkbox"/> Vacation</p> <p><input type="checkbox"/> Variance (Non-Zoning)</p> <p>SITE DEVELOPMENT PLAN</p> <p><input type="checkbox"/> for Subdivision</p> <p><input type="checkbox"/> for Building Permit</p> <p><input checked="" type="checkbox"/> Administrative Amendment (AA)</p> <p><input type="checkbox"/> IP Master Development Plan</p> <p><input type="checkbox"/> Cert. of Appropriateness (LUCC)</p> <p>STORM DRAINAGE (Form D)</p> <p><input type="checkbox"/> Storm Drainage Cost Allocation Plan</p>	<p>S Z ZONING & PLANNING</p> <p><input type="checkbox"/> Annexation</p> <p><input type="checkbox"/> County Submittal</p> <p><input type="checkbox"/> EPC Submittal</p> <p><input type="checkbox"/> Zone Map Amendment (Establish or Change Zoning)</p> <p><input type="checkbox"/> Sector Plan (Phase I, II, III)</p> <p><input type="checkbox"/> Amendment to Sector, Area, Facility or Comprehensive Plan</p> <p><input type="checkbox"/> Text Amendment (Zoning Code/Sub Regs)</p> <p><input type="checkbox"/> Street Name Change (Local & Collector)</p> <p>L A APPEAL / PROTEST of...</p> <p><input type="checkbox"/> Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals</p>
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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): BOHANNAN HUSTON, INC. PHONE: (505) 823-1050
 ADDRESS: 7500 JEFFERSON ST. FAX: (505) 798-7988
 CITY: ALBUQUERQUE STATE NM ZIP 87109 E-MAIL: SSTEFFEN@BHINC.COM

APPLICANT: ARMSTRONG DEVELOPMENT PROPERTIES, INC. PHONE: (602) 385-4106
 ADDRESS: 1500 N. PRIEST DR., SUITE 150E FAX: (602) 385-4101
 CITY: TEMPE STATE AZ ZIP 85281 E-MAIL: DRINCK@AGOC.COM

Proprietary interest in site: DEVELOPER List all owners: SKYVIEW CENTER LP

DESCRIPTION OF REQUEST: ADMINISTRATIVE AMENDMENT TO ALLOW A 14,100 SQUARE FOOT C.V.S. PHARMACY TO BE CONSTRUCTED IN PLACE OF AN EXISTING 24,000

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. SPROUL SECURITY SUBDIVISION # 2 Block: _____ Unit: _____
 Subdiv/Addn/TBKA: _____
 Existing Zoning: C-2 Proposed zoning: C-2 MRGCD Map No _____
 Zone Atlas page(s): J-23-2 UPC Code: 102305804034621002

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_, Z_, V_, S_, etc.): 2-71-178-4

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? NO
 No. of existing lots: 1 No. of proposed lots: 2 Total area of site (acres): 5.1
 LOCATION OF PROPERTY BY STREETS: On or Near: TRAMWAY BLVD NE
 Between: INDIAN SCHOOL NE and ROVER NE

Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-application Review Team Date of review: 6-23-09

SIGNATURE Scott Steffen DATE 7/30/09
 (Print) SCOTT STEFFEN Applicant: Agent:

Form revised 4/07

FOR OFFICIAL USE ONLY

<p><input type="checkbox"/> INTERNAL ROUTING</p> <p><input checked="" type="checkbox"/> All checklists are complete</p> <p><input checked="" type="checkbox"/> All fees have been collected</p> <p><input checked="" type="checkbox"/> All case #s are assigned</p> <p><input checked="" type="checkbox"/> AGIS copy has been sent</p> <p><input checked="" type="checkbox"/> Case history #s are listed</p> <p><input checked="" type="checkbox"/> Site is within 1000ft of a landfill</p> <p><input checked="" type="checkbox"/> F.H.D.P. density bonus</p> <p><input checked="" type="checkbox"/> F.H.D.P. fee rebate</p>	<p>Application case numbers</p> <p><u>09AA-10110</u></p> <p><u>09AA-10111</u></p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Hearing date <u>N/A</u></p>	<p>Action</p> <p><u>ABBP</u></p> <p><u>ASPS</u></p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>S.F.</p> <p><u>P(4)</u></p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Total</p>	<p>Fees</p> <p>\$ <u>45.00</u></p> <p>\$ <u>0</u></p> <p>\$ _____</p> <p>\$ _____</p> <p>\$ _____</p> <p>\$ <u>45.00</u></p>
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Sandy Handley 07/31/09 Project # 1003062
 Planner signature / date

FORM P(4): SITE PLAN REVIEW – ADMINISTRATIVE APPROVAL OR AMENDMENT

SITE DEVELOPMENT PLAN - BUILDING PERMIT IN THE DOWNTOWN SU-3 ZONE (AA01)

- Copy of the pre-application meeting findings (A pre-application meeting is required for Downtown 2010 projects.)
- Site plan and related drawings (folded to fit into an 8.5" x 14" pocket) 6 copies
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing and justifying the request
- Letter of authorization from the property owner if application is submitted by an agent
- Notifying letter and certified mail receipts to owners of adjacent properties if required by pre-application meeting
- Infrastructure List, if relevant to the site plan
- Completed Site Plan for Building Permit Checklist
- Solid Waste Management Department signature on Site Plan if relevant
- Blue-line copy of Site Plan with Fire Marshal's stamp
- Copy of the LUCC approval if the site is in an historic overlay zone
- Fee (see schedule)
- Any original and/or related file numbers are listed on the cover application

AMENDMENT TO SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (AA02)

AMENDMENT TO SITE DEVELOPMENT PLAN FOR SUBDIVISION (AA03)

CONCEALED OR SITE DEVELOPMENT PLAN CONTROLLED WIRELESS TELECOM FACILITY (AA04)

NOTE: The requirements specified below apply to the previous 3 plan types, unless otherwise noted.

- Proposed Site Plan, with changes circled and noted if amended (folded to fit into an 8.5" x 14" pocket) 5 copies
- Copy of approved Site Plan being amended if applicable (folded to fit into an 8.5" x 14" pocket) 1 copy
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing and justifying the request
- Letter of authorization from the property owner if application is submitted by an agent
- Copy of EPC or DRB Notice of Decision (not required for WTF)
- Fee (see schedule)
- Any original and/or related file numbers are listed on the cover application

NOTE: The next two items are also required if the square footage change is 2% or more of any building's gross floor area

- Notifying letter & certified mail receipts addressed to owners of adjacent properties
- Office of Neighborhood Coordination inquiry response, notifying letter, certified mail receipts

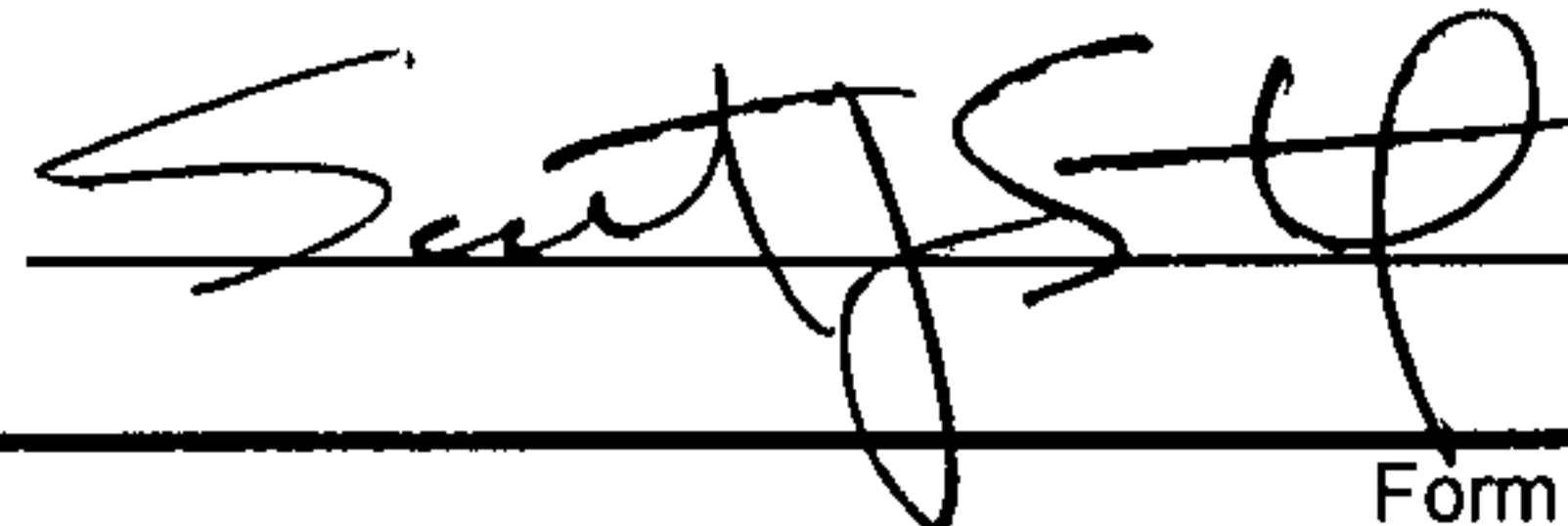
NOTE: Only for wireless telecommunications facilities that are concealed and/or subject to site development plan review, the following materials are required for application submittal in addition to all those listed above:

- Co-location evidence as described in Zoning Code §14-16-3-17(A)(5)
- Notarized statement declaring # of antennas accommodated. Refer to §14-16-3-17(A)(10)(d)2
- Letter of intent regarding shared use. Refer to §14-16-3-17(A)(10)(e)
- Letter of description as above also addressing concealment issues, if relevant. Refer to §14-16-3-17(A)(12)(a)
- Distance to nearest existing free standing tower, and its owner's name, if the proposed facility is also a tower
- Registered Engineer's stamp on the Site Development Plans
- Office of Community & Neighborhood Coordination inquiry response as above based on ¼ mile radius

PLEASE NOTE; If you are applying for approval of a telecom site to be located on City of Albuquerque property, there are several additional requirements. Contact Debbie Stover at 924-3940 for details.

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

SCOTT STEFFEN

 Applicant name (print)



 Applicant signature / date
 7/30/09



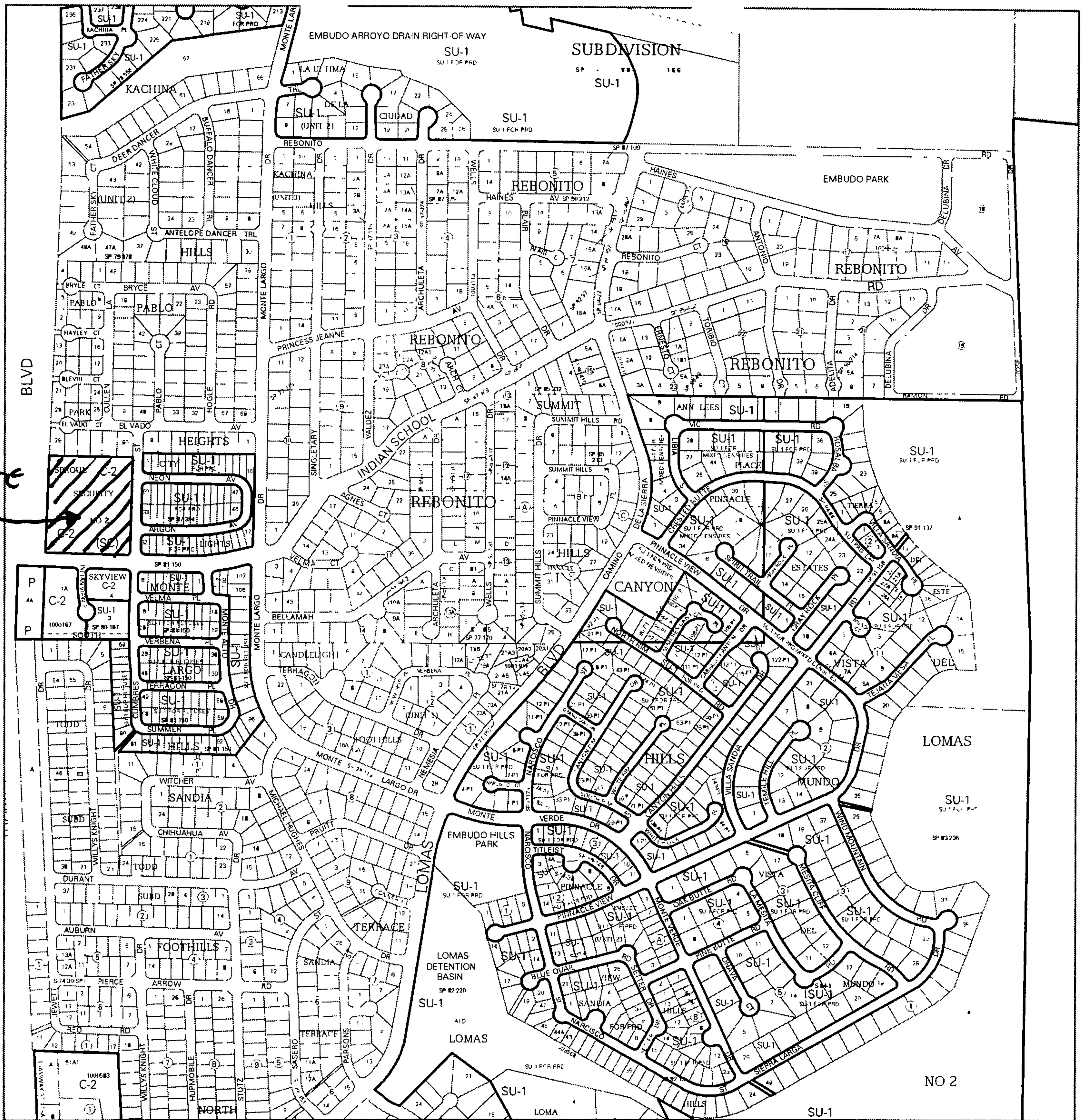
Form revised June 04, October 2004

- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

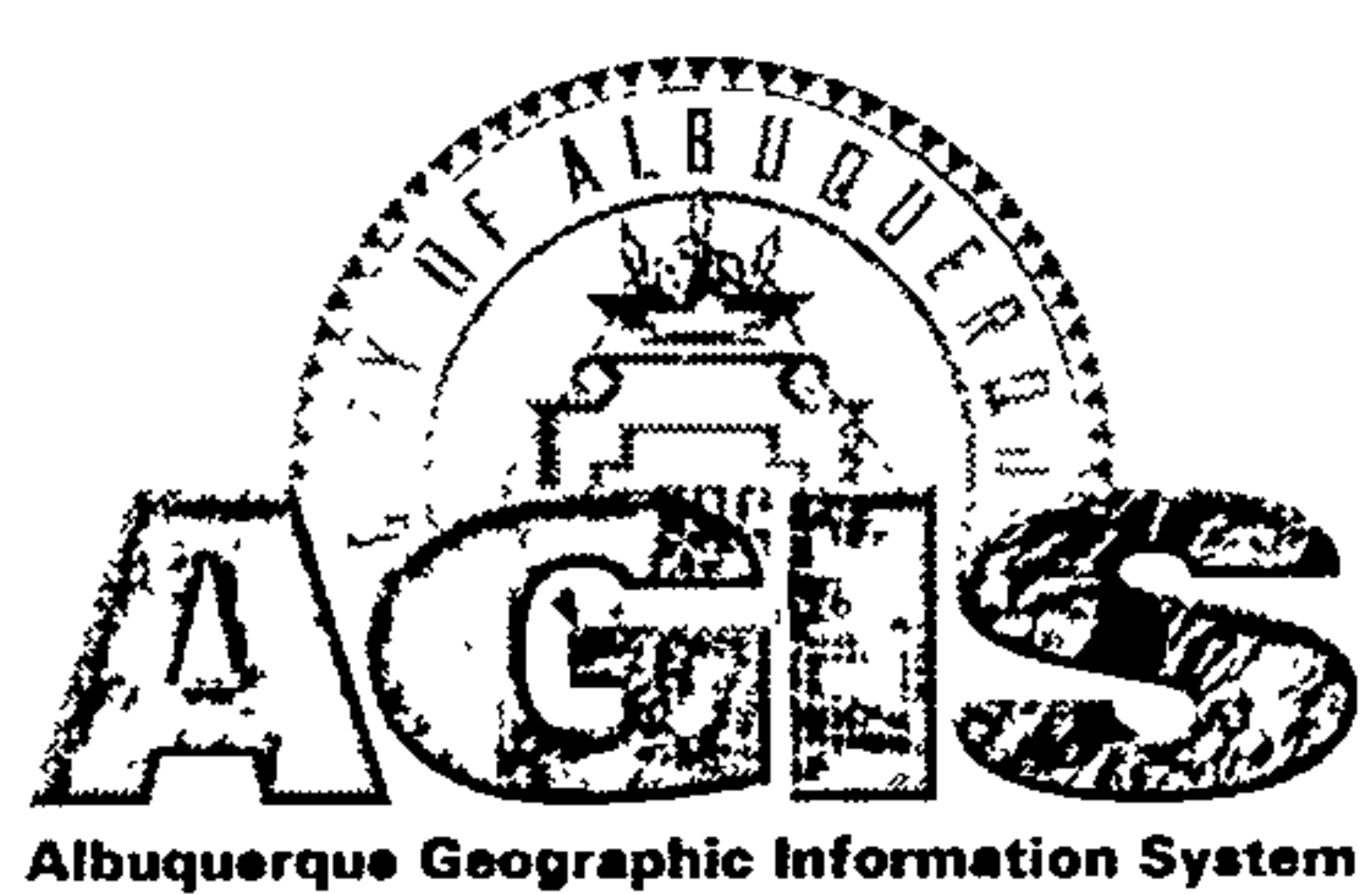
Application case numbers
 09AA - _____ - 10110
 _____ - _____ - _____
 _____ - _____ - _____



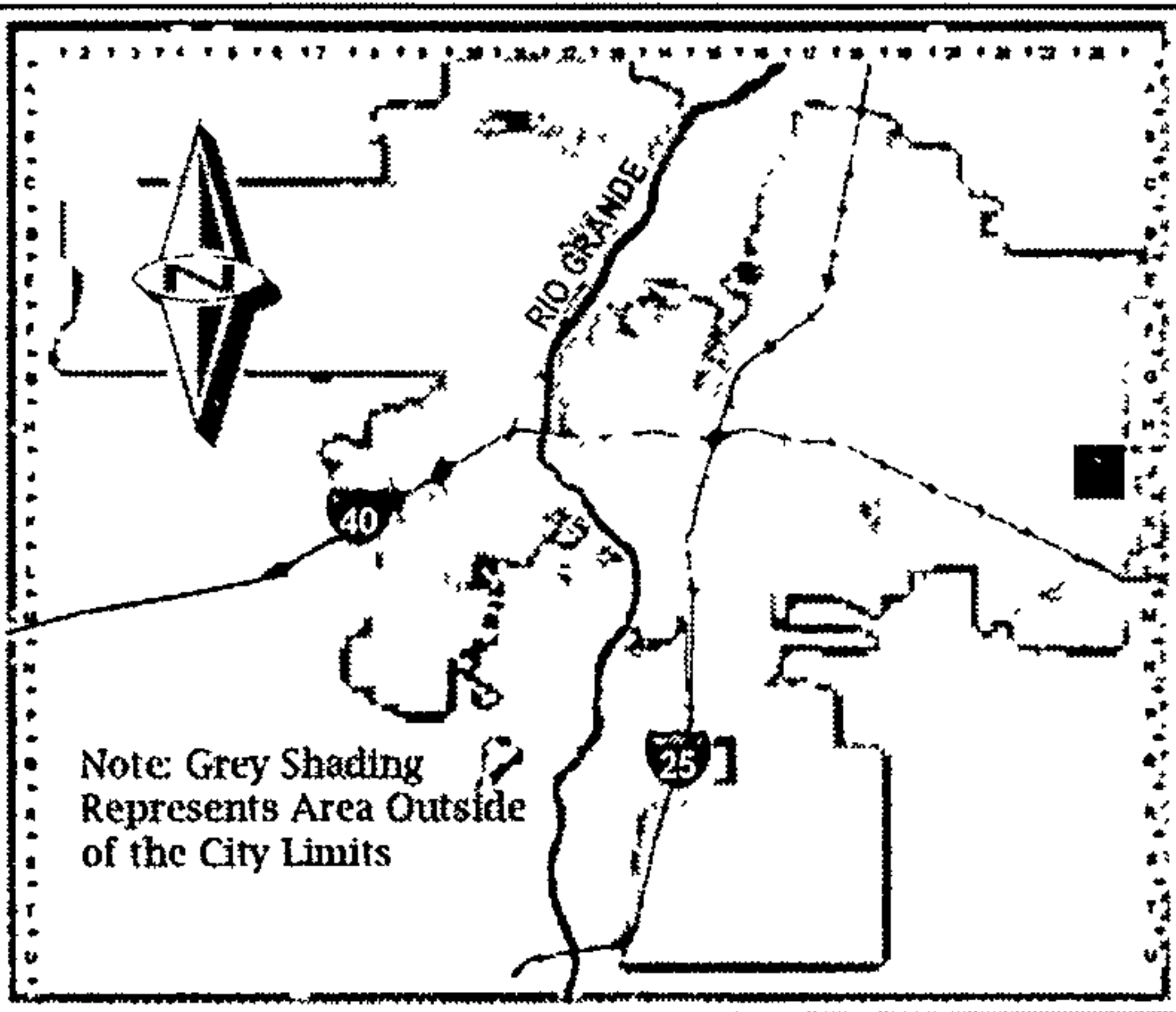
 Planner signature / date
 07/31/09
Project # 1003062



For more current information and more details visit <http://www.cabq.gov/gis>



Map amended through: 3/10/2009



Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page.

J-23-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



July 30, 2009

Mr. Russell Brito
Planning Department
600 2nd St. NW, 3rd Floor
Albuquerque, NM 87102

Courtyard I
7500 Jefferson St NE
Albuquerque, NM
87109-4335

www.bhinc.com

voice: 505.823.1000
facsimile: 505.798.7988
toll free: 800.877.5332

Re: Administrative Amendment Request: Proposed CVS at the Northeast Corner of Indian School and Tramway

Dear Russell:

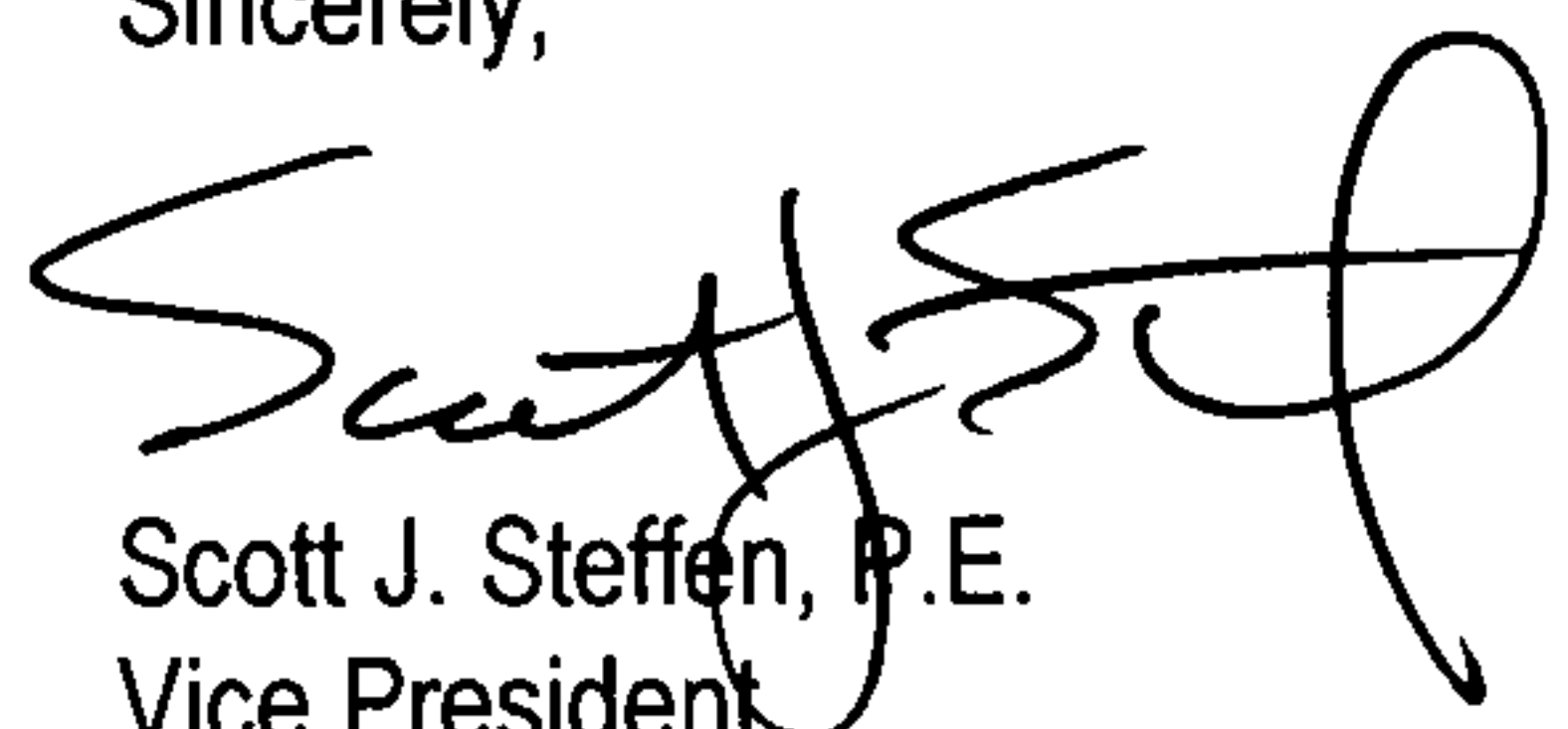
Enclosed for your review and approval are the following documents associated with the subject Administrative Amendment request:

1. Proposed Site Plan, Landscape Plan, Grading and Drainage Plan, Utility Plan, and Exterior Elevations for the new CVS project.
2. Existing Conditions plan depicting the site as it is built to date.
3. Previously approved Site Plan for Building Permit and associated Official Notification of Decision for COA File Number Z-71-178-4. Please note that due to the age of this approval, the only documentation we could find was on Microfiche; the quality of print is therefore, poor.
4. Letter of Authorization from the owner of the Center allowing Bohannan Huston to act as agents regarding this request.
5. Photographs of the existing shopping center.
6. PRT meeting minutes from June 23, 2009.
7. Application.
8. Form P (4).
9. Zone Atlas Page J-23-Z.
10. Fee.

As we have discussed, the proposed CVS Pharmacy building is approximately 14,100 square feet in size. It will replace one building, located on the west side of the property that is approximately 24,000 square feet in size. A new parcel will also be created on which the new pharmacy will be built. This new parcel will be subdivided from the existing 5.1 acre property and processed through the Development Review Board.

Please review this submittal and let Paul Wymer or me know if you have any questions or need additional information.

Sincerely,



Scott J. Steffen, P.E.
Vice President
Community Development and Planning

SJS/cc
Enclosures

cc: Diana Rinck, Armstrong Development (w/encls.)
Paul Wymer, BHI (w/encls.)

ENGINEERING ▲

SPATIAL DATA ▲

ADVANCED TECHNOLOGIES ▲

June 18, 2009

City of Albuquerque Planning Department
600 2nd Street NW
Albuquerque, NM 87103

**RE: CVS Authorization for Submittals to City of Albuquerque
NEC Indian School Road and Tramway Boulevard, Albuquerque, NM 87112**

To Whom It May Concern:

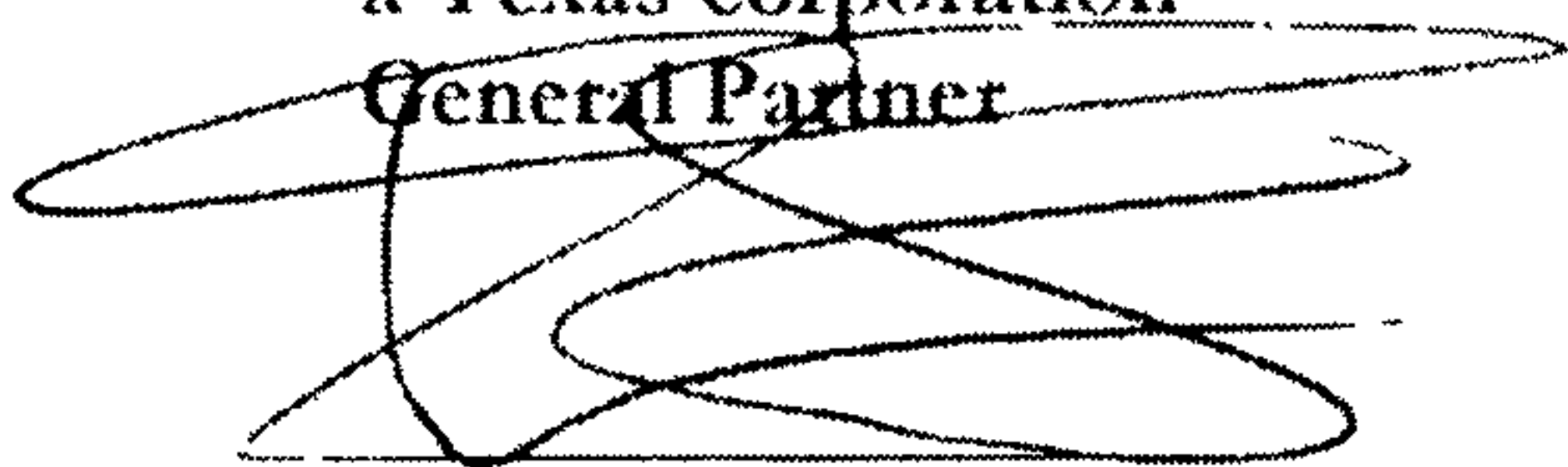
As the current fee-owner of 1.48 acres of property located at the northeast corner of Indian School Road and Tramway Boulevard in Albuquerque, NM, I hereby authorize Vogel, Campbell & Blucher, P.C., Bohannon Huston, Inc., Jacobs Global Buildings, Southwest Signs, Armstrong Development Properties, Inc. and its agents to act on our behalf for the applications and submittals for CVS/pharmacy at the above referenced site.

Please feel free to contact me with any questions or concerns.

Sincerely,

Skyview Center LP
a Texas limited partnership

By: **Chescott, Inc.**
a Texas corporation
General Partner

A handwritten signature in black ink, appearing to read "Thomas Stephen", is written over the typed name and title. The signature is somewhat stylized and overlaps the text below it.

Thomas Stephen
President

6-23-09 3:45 pm

Paul W. Scott S.

PRE-APPLICATION REVIEW TEAM (PRT) MEETING

1. AGENCY REPRESENTATIVES PRESENT AT MEETING:

- | | | | | |
|---------------------------------------|-------------------------------------|----------------------|-------------------------------------|-------------------------------|
| Planning | <input type="checkbox"/> | Russel Brito | <input checked="" type="checkbox"/> | Others <u>Catalina Lehner</u> |
| Transportation | <input type="checkbox"/> | Tony Loyd | <input type="checkbox"/> | Others _____ |
| ONC | <input type="checkbox"/> | Stephani Winklepleck | <input type="checkbox"/> | Others _____ |
| Code Enforcement | <input checked="" type="checkbox"/> | Robert Pierson | <input type="checkbox"/> | Others _____ |
| <input type="checkbox"/> Others _____ | | | | |

2. TYPE OF APPLICATION ANTICIPATED/APPROVAL AUTHORITY

- | | | |
|---|--|--|
| <input type="checkbox"/> Zone Map Amendment | <input type="checkbox"/> EPC Approval | <input type="checkbox"/> City Council Approval |
| <input type="checkbox"/> Sector Dev. Plan Amendment | <input type="checkbox"/> EPC Approval | <input type="checkbox"/> City Council Approval |
| <input checked="" type="checkbox"/> Site Dev. Plan for Subdivision | <input type="checkbox"/> EPC Approval | <input checked="" type="checkbox"/> DRB Approval |
| <input checked="" type="checkbox"/> Site Dev. Plan for Bldg. Permit | <input type="checkbox"/> EPC Approval | <input type="checkbox"/> DRB Approval |
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Bern. Co. Commission Approval | <input type="checkbox"/> EPC Approval |
| | | <input type="checkbox"/> DRB Approval |
| <input checked="" type="checkbox"/> OTHER <u>spbp - Administrative Amendment.</u> | | |

3. SUMMARY OF PRT DISCUSSION

- site is 5.1 acres, zoned C-2(SC).
- Skyview Village Activity Center. Comp plan policies + table
- existing building - Demo. and replace with a pharmacy
- subdivide out an approx. \approx 1.5 ac. tract
- proposed building = 14,100 sf. existing bldg = ? probably less
- parameters for Administrative Amendments (AA) than 14,100 sf. (in the SU-1 zone in the zone code)
- look in case tracking/hist. to see if this site was at the EPC. File Room 10-12 pm + 2-4 pm M-F.
- if at EPC - amend the existing ^{side dev.} plan. If no site dev. plan create a full set - as if going to the EPC.
- show proposed lot lines for the \approx 1.5 acre tract

4. SIGN AND DATE TO VERIFY ATTENDANCE & RECEIPT OF THIS SUMMARY
(PRT DISCUSSIONS ARE FOR INFORMATIONAL PURPOSES ONLY AND ARE NON-BINDING)

Catalina Lehner 6-23-09
PRT CHAIR / DATE

Paul W. Scott 6/23/09
APPLICANT OR AGENT / DATE

- for the subdiv. - go to DR.B.
- site devel plan - must meet zoning code minimum requirements. Don't forget parking (14-16-3-1) and landscaping (14-16-3-10).
- shopping center regulations apply.
- pedestrian connections required 14-16-3-1(H).
- any alcohol sales planned?
- C-2 zone - a conditional use if w/in 500 ft. of a residential zone.
- if over 1 year - would need to ~~reapply~~^{reapply} for a condit use.
- check with Tony Loyd - Re. any traffic reqs.

§ 14-16-2-22 SU-1 SPECIAL USE ZONE.

This zone provides suitable sites for uses which are special because of infrequent occurrence, effect on surrounding property, safety, hazard, or other reasons, and in which the appropriateness of the use to a specific location is partly or entirely dependent on the character of the site design.

(A) Procedure.

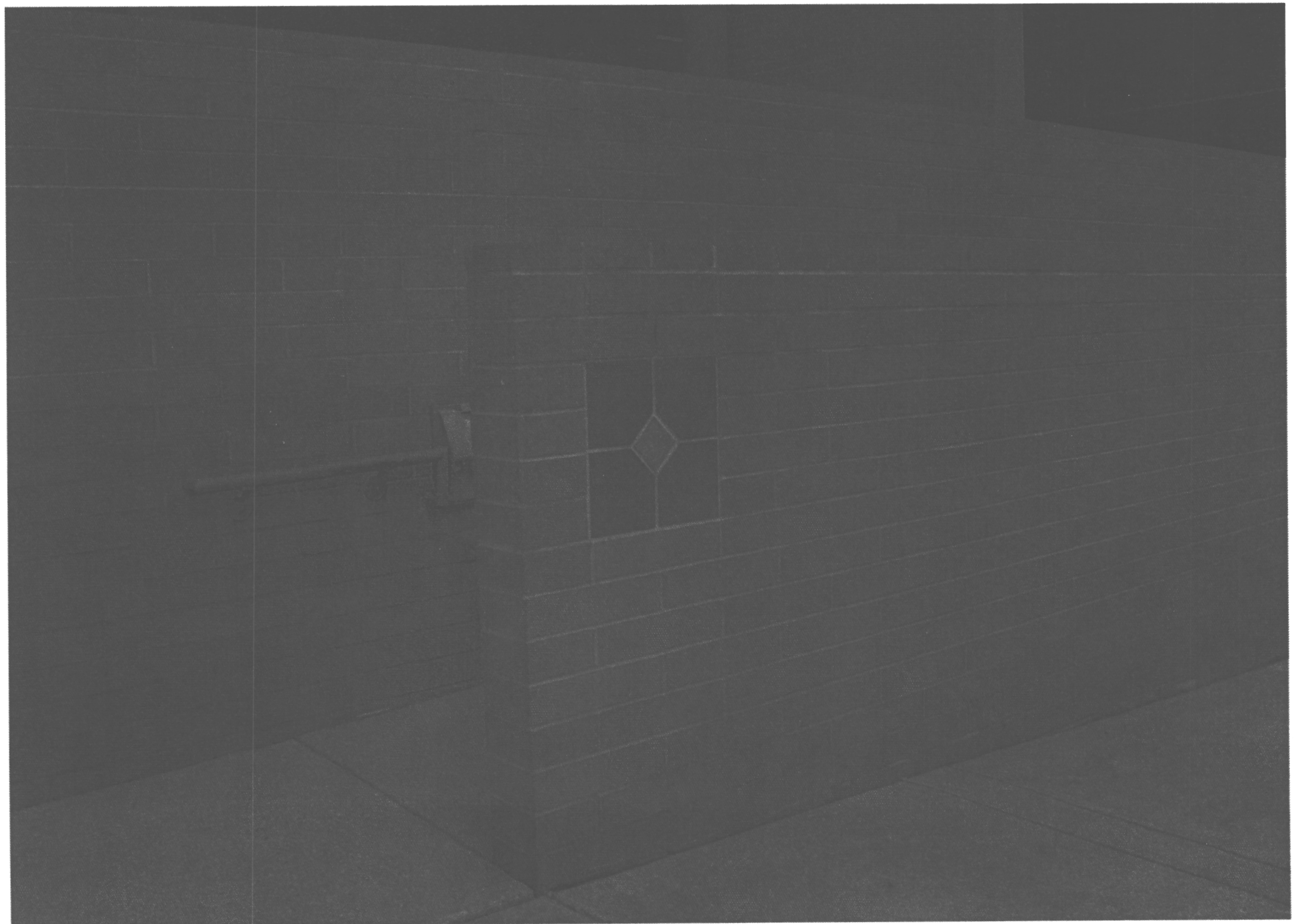
- (1) Development within the SU-1 zone may only occur in conformance with an approved Site Development Plan. An application for a change to SU-1 zoning shall state the proposed use and must be accompanied by a plan including, at a minimum, all the elements of a Site Development Plan for Subdivision Purposes. As part of the zone amendment action, a Site Development Plan may be approved; alternatively a plan may be approved later. If an approved Site Development Plan is a specified condition of zone change approval, such plan must be approved within the time period specified in § 14-16-4-1(C)(11) of this Zoning Code. No building permit shall be approved unless it is consistent with a complete site development plan for building permit and landscaping plan for the lot in question, approved by the Planning Commission or its designee; at the Planning Commission's discretion, approval of detailed plans may be required for the entire SU-1 zone area prior to issuing a building permit.
- (2) A decision implementing a change to the zone map to SU-1 zoning shall designate the specific use permitted, and a building permit shall be issued only for the specific use and in accordance with an approved Site Development Plan. The specific use shall be recorded on the zone map.
- (3) In approving an application, the Planning Commission may impose requirements as may be necessary to implement the purpose of this Zoning Code. However, for an adult amusement establishment or adult store on a SU-1 zoned site, no conditions may be imposed on the adult uses that would prevent them from existing on the site if the uses are allowed under the applicable Zoning Code distance requirements.
- (4) A certified copy of the Site Development Plan shall be kept in the Planning Department records so that it may be reviewed against an application for a building permit for any part or all of a special use.
- (5) The Planning Commission may review the application, plan, and progress of development at least every four years until it is fully implemented to determine if it should be amended.
- (6) The Planning Director may approve minor changes to an approved Site Development Plan or Landscaping Plan if it is consistent with the use and other written requirements approved by the Planning Commission, if the buildings are of the same general configuration, if the total building square footage is not greater than 10% than the approved plan, the vehicular circulation is similar in its effect on adjacent property and streets, and the approving official finds that neither the city nor any person will be substantially aggrieved by the altered plan. If the Planning Director believes there might be a person substantially aggrieved by the altered plan or if the total building square footage would be increased more than 2%, he shall give mailed notice of the proposed change to owners of adjacent property and to neighborhood associations entitled to notice of zone change proposals there.
- (7) The Planning Director or a designee may approve site plans for temporary park-and-ride facilities.







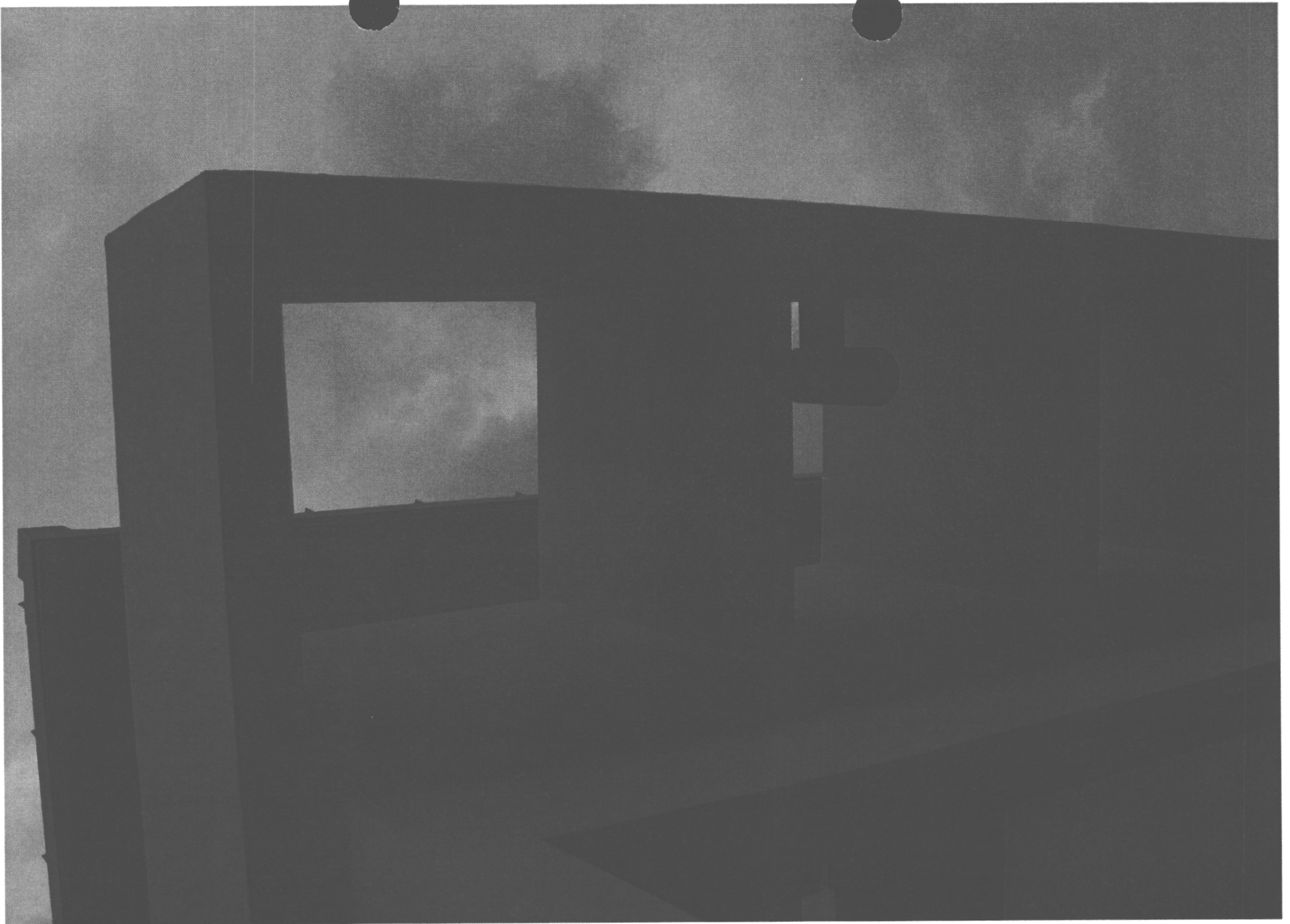


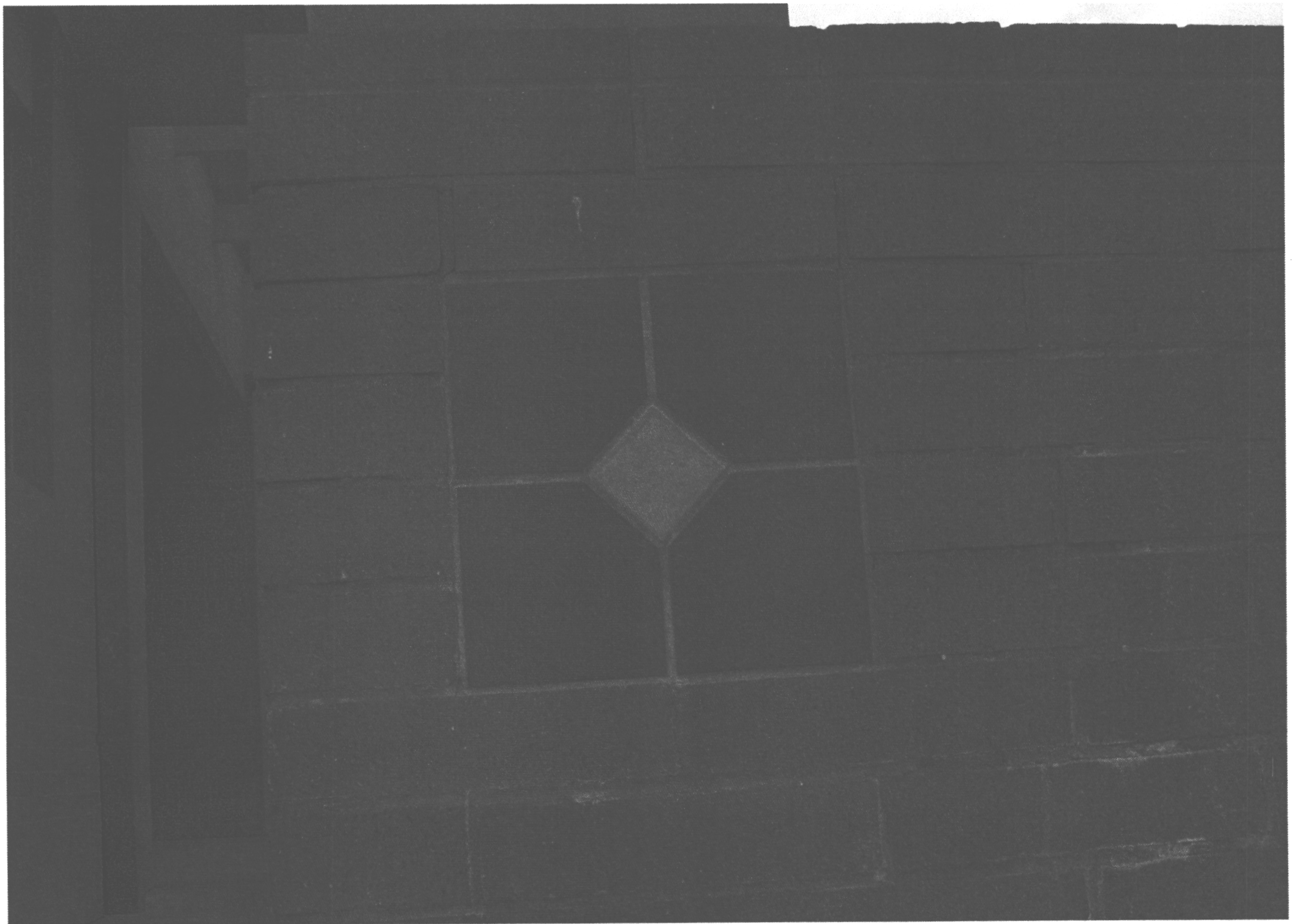
















OFFICIAL NOTIFICATION OF DECISION

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

Date: January 17

NOTIFICATION OF DECISION

Design Collaborative
105 4th Street SW
Albuquerque, N.M. 87102

File: Z-71-178-4

Location: Area 2, Sprawl Security Subdivision #2, zoned C-2, located at the northwest corner of Indian School Road N.E. and Cumbres Street N.E., containing approximately 5.33 acres. (J-23)

On January 16, 1986, the Environmental Planning Commission voted to approve your Site Development Plan for the above referenced property based on the following Findings and subject to the following Conditions.

FINDINGS:

1. This plan contains all the major elements required for site development plan submittal.
2. The number of parking spaces shown is 6 short of what is required.
3. A median cut will be allowed on Indian School Road.
4. Additional landscaping treatment is needed around the buildings on the western side of the property.

Conditions:

1. The median cut on Indian School Road must meet the requirements of the Traffic Engineer. This includes approval by the City Engineer's Office and an agreement with the property owner to the south to not have access at this point.
2. A revised drainage plan must be approved prior to final plan sign-off.
3. The landscaping on City rights-of-way must be approved by the City Engineer's Office and the Parks and Recreation Department. The developer must maintain these areas.
4. The refuse bin located at the northwest corner of the site must be moved away from the single-family residential development north of the property to the south in line with the circulation aisle north of the east entrance. The refuse enclosures will be gated and subject to the approval of the Refuse Department.
5. The type of glass to be used must be noted on the plan. No reflective or black glass will be used.
6. Additional landscaping, consisting of trees and shrubs, must be placed around the building on the western side of the site.
7. A 6-foot sidewalk is required on Indian School Road and a 4-foot sidewalk is required on Cumbres Road.
8. Street trees must be provided along the entire Indian School frontage.

IF YOU WISH TO APPEAL THIS DECISION, YOU MUST DO SO BY 1/31/86 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE OF \$40 IS REQUIRED AT THE TIME THE APPEAL IS FILED.

Appeal to the City Council: Any person aggrieved with any determination of the Environmental Planning Commission acting under this ordinance 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 Morit 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 60 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,


PRIT GUPTA
Assistant City Planner

PG/djp

cc:

TSI Development Group, 1336 Myoming N.E.; 87110

John Killian, 1439 Cambres N.E.

Mary Leon, 13320 Bellamah N.E.



CITY OF ALBUQUERQUE
OFFICE OF THE ZONING HEARING EXAMINER
NOTIFICATION OF DECISION

CASTLE BEVERAGE CORP request(s) a special exception to Section 14.16.2.17.(b).(17): a CONDITIONAL USE to allow package liquor sales within 500 feet of a residential zone on all or a portion of Lot(s) 2, Sproul Security Number 2 subdivision/addition, zoned C-2/SC and located at 1550 TRAMWAY BLVD NE (J-23)

Special Exception No:..... 03ZHE - 01816
Project No:..... 1003062
Hearing Date:..... 04-18-06
Closing of Public Record:..... 04-18-06
Date of Decision: 05-02-06

STATEMENT OF FACTS: The applicant was represented by Jerry Wright. Castle Beverage Corporation is requesting a conditional use to allow for packaged liquor sales within 500' of a residential zone. This request was previously presented to this office on November 3, 2005 and was approved with the limitations that the sales are solely for wine. At that time there was considerable opposition to this request. The applicant is now seeking to expand for the sales of full liquor. He indicates that the hours of operation will be from 10:00 AM to 9:00 PM, Monday through Friday and 10:00 AM to 10:00 PM on Saturday. He indicates that the primary activity at this location is of a full-service restaurant and the liquor sales will represent only 15% of the business. The applicant has been in business at this location for twelve years. Since the previous approval there has not been any substantiated complaints regarding the sale of wine. The yellow signs were posted. It is noted that at this request there is no opposition. In the previous request there had been some opposition.

Based on all of the testimony and a review of the entire file, it is determined there is substantial evidence to make the following findings and conclusions.

FINDINGS AND CONCLUSIONS: I find that this request complies with Section 14.16.2.17.(b).17., for the granting of a conditional use upon a finding that the proposed use will not cause injury to the neighborhood, adjacent property or the community, nor will it be damaged by surrounding structures. For reasons stated above, this request is approved.

DECISION: Approved.

If you wish to appeal this decision, you may do so by 5:00 p.m. in the manner described below:

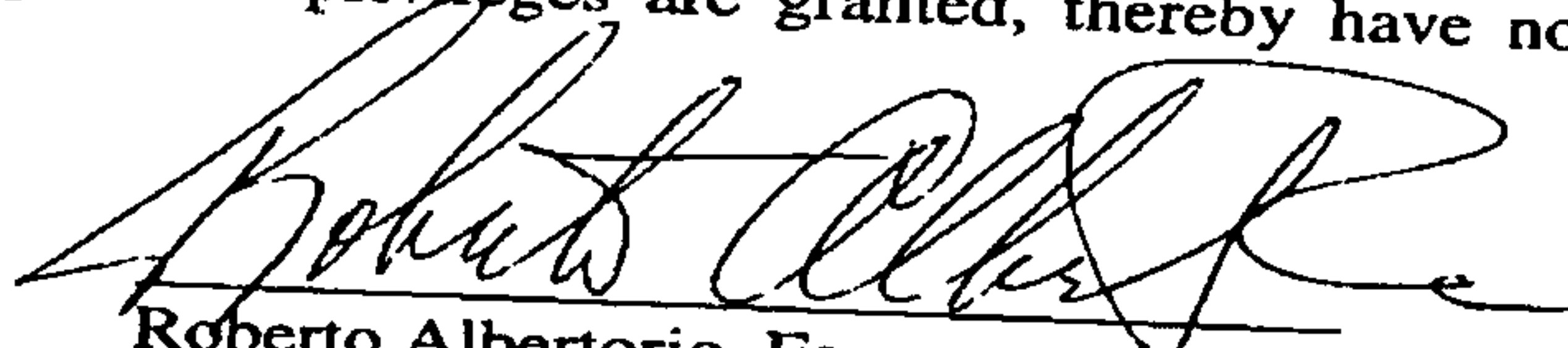
Appeal is to the Board of Appeals within 15 days of the decision. A filing fee of \$55.00 shall accompany each appeal application, as well as a written explanation outlining the reason for appeal and a copy of the ZHE decision. Appeals are taken at 600 2nd Street, Plaza Del Sol Building, Ground Level, Planning Application Counter located on the west side of the lobby. **Please present this letter of notification when filing an appeal.** When an application is withdrawn, the fee shall not be refunded.

An appeal shall be heard by the Board of Appeals within 45 days of the appeal period and concluded within 75 days of the appeal period. The Planning Division shall give written notice of an appeal, together with a notice of the date, time and place of the hearing to the applicant, a representative of the opponents, if any are known, and the appellant.

Please note that pursuant to Section 14. 16. 4. 4. (B), of the City of Albuquerque Comprehensive Zoning Code, you must demonstrate that you have legal standing to file an appeal as defined.

You will receive notice if any other person files an appeal. If there is no appeal, you can receive building permits any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. However, the Zoning Hearing Examiner may allow issuance of building permits if the public hearing produces no objection of any kind to the approval of an application. To receive this approval, the applicant agrees in writing to return the building permit or occupation tax number.

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of a special exception is secured. This decision does not constitute approval of plans for a building permit. If your application is approved, bring this decision with you when you apply for any related building permit or occupation tax number. Approval of a conditional use or a variance application is void after one year from date of approval if the rights and privileges are granted, thereby have not been executed or utilized.



Roberto Albertorio, Esq.
Zoning Hearing Examiner

cc: Zoning Enforcement (2)
ZHE File
Jerry Wright, 1550 Tramway NE, 87112
Alfred Quintana, 13149 Argon NE, 87112
Wayne Aspholm, President, MLHNA, 12500 Montgomery NE, Ste 151A, 87111

LEGAL DESCRIPTION:

Area 2 in S-3001 SECURITY SUBDIVISION No. 2, a subdivision within the City of Albuquerque, New Mexico, as the same as shown and designated on the map of said subdivision filed in the office of the County Clerk of Bernalillo County, New Mexico, on March 29, 1972 in book C-8, page 117.

ZONING: C-2

TOTAL ACREAGE: 5.88 ACRES

PROPOSED USE: RESTAURANT AND RETAIL

TOTAL SITE SQUARE FOOTAGE: 232,175 SQ.FT.

BUILDING SQUARE FOOTAGE:

RESTAURANT 1 8,000 SQ.FT.
 RESTAURANT 2 10,000 SQ.FT.
 RETAIL 37,500 SQ.FT.

TOTAL GROSS SQ.FT. (ALL BUILDINGS):

55,500 SQ.FT.

TOTAL PAVING AREA:

125,800 SQ.FT.

GROSS TOTAL BUILDING / PAVING AREA:

181,300 SQ.FT.

TOTAL LANDSCAPE AREA: 22% OF SITE AREA

HARD LANDSCAPE 24,875 SQ.FT.
 SOFT LANDSCAPE 25,900 SQ.FT.
 TOTAL 50,875 SQ.FT.

(50,875/232,175 = 22%)

PARKING DATA:

TOTAL PARKING REQUIRED:

RESTAURANT 1 265 SEATS
 RESTAURANT 2 300 SEATS
 565 SEATS / 4.25 = 132

SEATING BASED ON 75% TABLE SEATING
 4/1 SPACE
 25% LOUNGE SEATING 5/1 SPACE

RETAIL 35 GROSS : 31,875 / 200 = 160
 292

292 SPACES TOTAL

TOTAL PARKING PROVIDED: 295 SPACES

BREAKDOWN

278 LARGE CAR SPACES 8.5' x 18.0' (2.0' OVERHANG)
 10 SMALL CAR SPACES 7.5' x 18.0'
 8 HANDICAP SPACES (2% OF TOTAL 2% REQUIRED)
 12.0' x 20.0'

BICYCLE:

20 SPACES PROVIDED

SITE PLAN

1" : 30'-0"

0 10 30 50 100

INDIAN SCHOOL ROAD

PROPOSED
 MEDIAN
 CUT

27
 10
 27
 2.2
 2.2
 10.8
 28
 21
 21
 17
 24
 10.7
 44
 20
 10.8
 10.8
 29.7

814'-0"

60'-0"

25'-0" 16'-0" 25'-0"

REFUSE ROUTE

LEGAL DESCRIPTION:
 Area 2 in Sewerage Utility Subdivision No. 2, a subdivision within the City of Albuquerque, New Mexico, as the same as shown and designated on the map of said subdivision filed in the Office of the County Clerk of Bernalillo County, New Mexico, on March 29, 1972, in book C-6, page 117.

ZONING: C-2

TOTAL ACREAGE: 6.88 ACRES

PROPOSED USE: RESTAURANT AND RETAIL

TOTAL SITE SQUARE FOOTAGE: 232,175 SQ.FT.

BUILDING SQUARE FOOTAGE:

RESTAURANT 1 9,096 SQ.FT.
 RESTAURANT 2 10,000 SQ.FT.
 RETAIL 9,900 SQ.FT.

TOTAL GROSS SQ.FT. (ALL BUILDINGS): 28,996 SQ.FT.

TOTAL PAVING AREA: 126,300 SQ.FT.

GROSS TOTAL BUILDING / PAVING AREA: 101,300 SQ.FT.

TOTAL LANDSCAPE AREA: 22% OF SITE AREA

HARD LANDSCAPE 24,376 SQ.FT.
 SOFT LANDSCAPE 28,900 SQ.FT.
 TOTAL 50,376 SQ.FT.

PARKING DATA: (60,576/232,175 = 22%)

TOTAL PARKING REQUIRED:

RESTAURANT 1 265 SEATS
 RESTAURANT 2 300 SEATS
 565 SEATS / 425 FT.
 132 SEATING BASED ON 75% TABLE SEATING
 471 SPACE
 255 LARGE SEATING @ 1 SPACE

RETAIL 285 GROSS : 31,375 / 200
 292

292 SPACES TOTAL

TOTAL PARKING PROVIDED: 295 SPACES

BREAKDOWN:
 275 LARGE CAR SPACES @ 18.0' x 10.0' (2.0' OVERHANG)
 10 SMALL CAR SPACES @ 10.0' x 15.0'
 8 HANDICAP SPACES (2% OF TOTAL 2% REQUIRED)
 12.0' x 20.0'

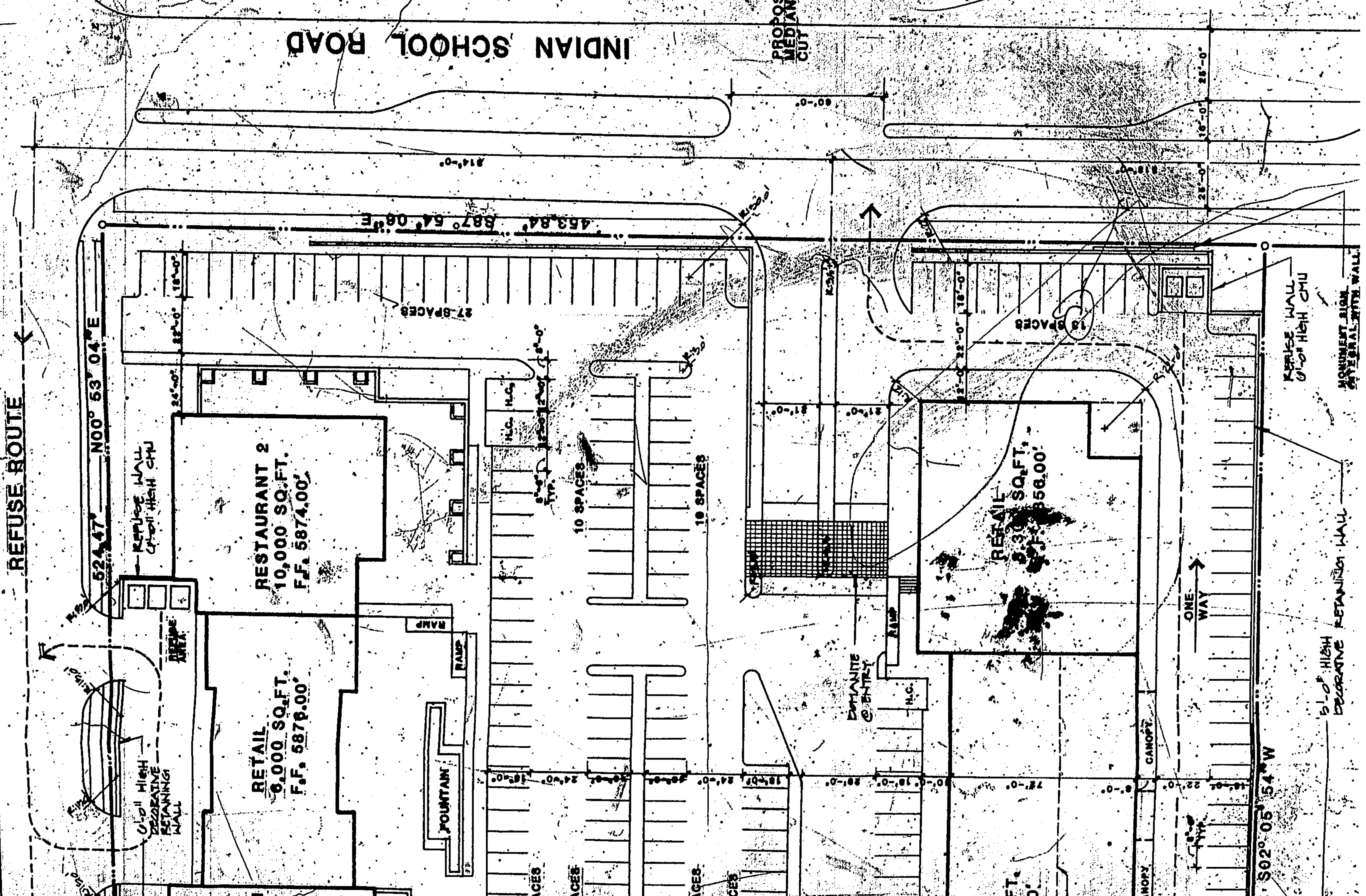
BICYCLE:

20 SPACES PROVIDED

SITE PLAN

1" = 30'-0"

0 10 30 50 100



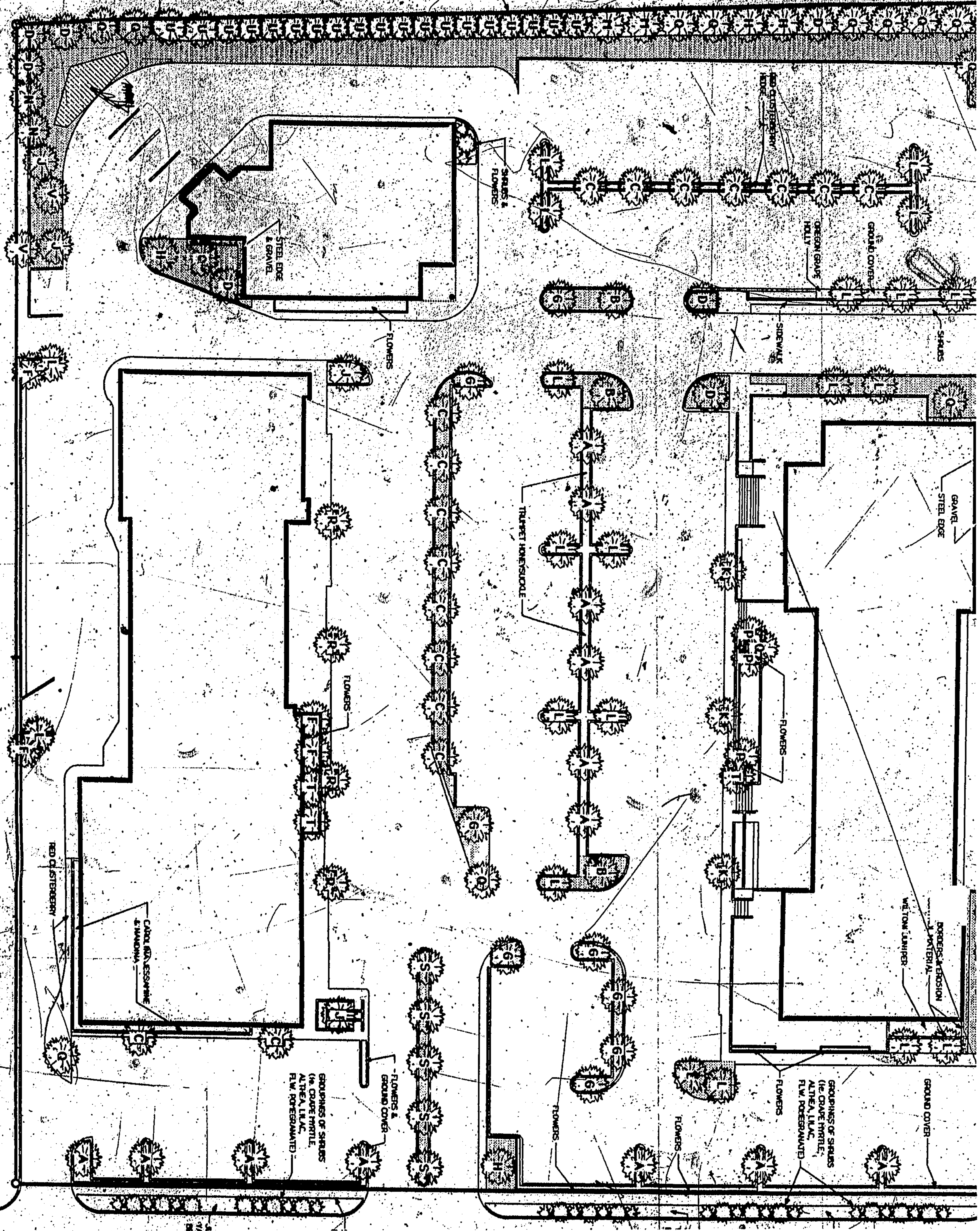
Z-71-178-4

3 of 6

5

GREEN JASMINE & BLUE TAMAR
BLUE PRINCE GOLDENROD
GREEN WALL TO THE NORTH SIDE

ROSES BETWEEN CROSS



LANDSCAPE PLAN

REVISED: 2/18/86

SCALE: 1" = 30.00'

LANDSCAPE ARCHITECT: KEN SHIPSON

PARKVIEW LANDSCAPE DEVELOPMENT CORP.

1336 WINDING ME.

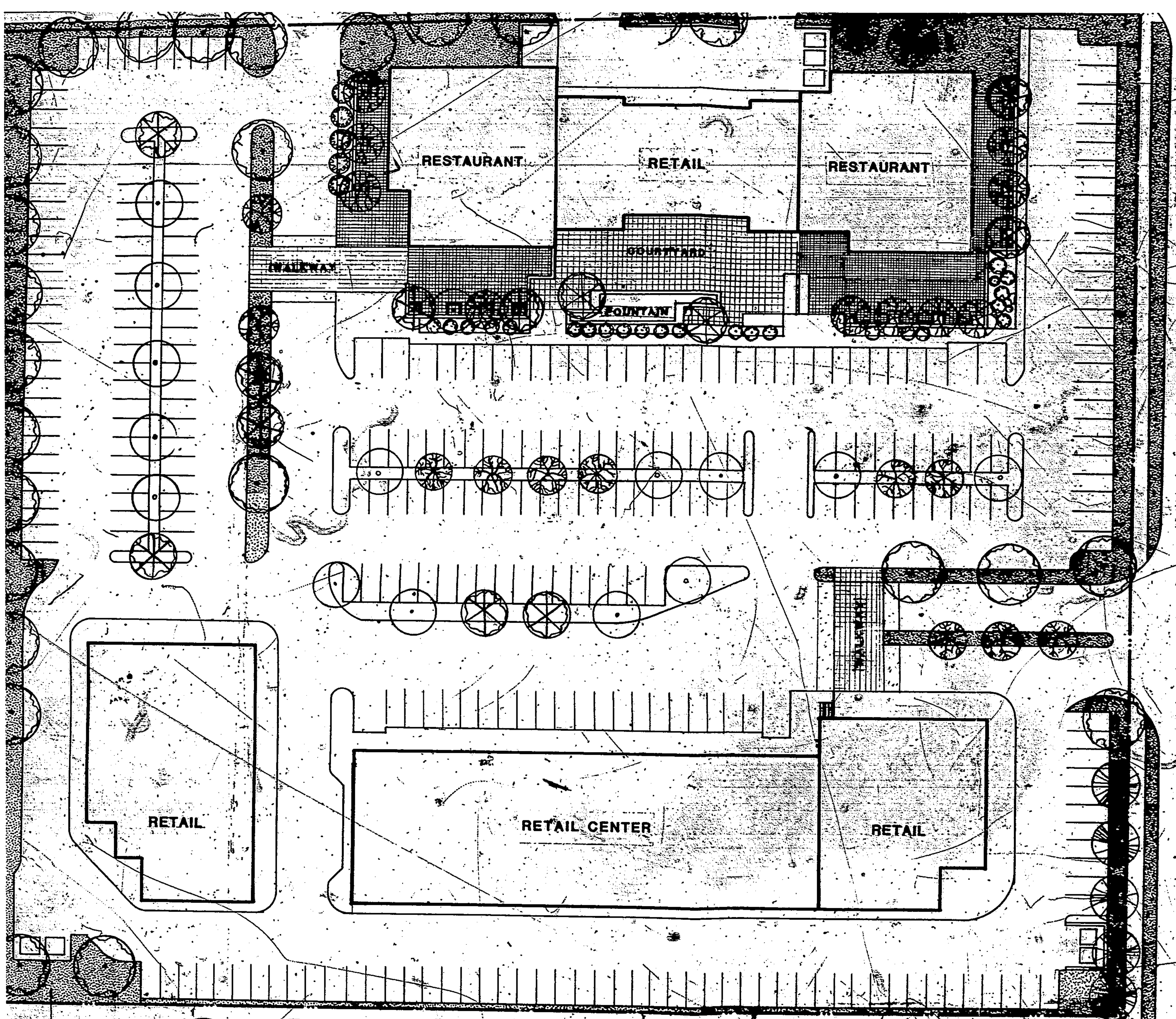
ALBUQUERQUE, N.H. 07112

299-7414

COMPUTER DRAWING:

RONALD G. ROCKFORD

681-2113










PROPOSED LANDSCAPING OF INDIAN SCHOOL ROAD MEDIAN

INDIAN SCHOOL ROAD

MINIMUM REQUIRED LANDSCAPE AREA: 7%

LANDSCAPE AREA PROVIDED: 22%

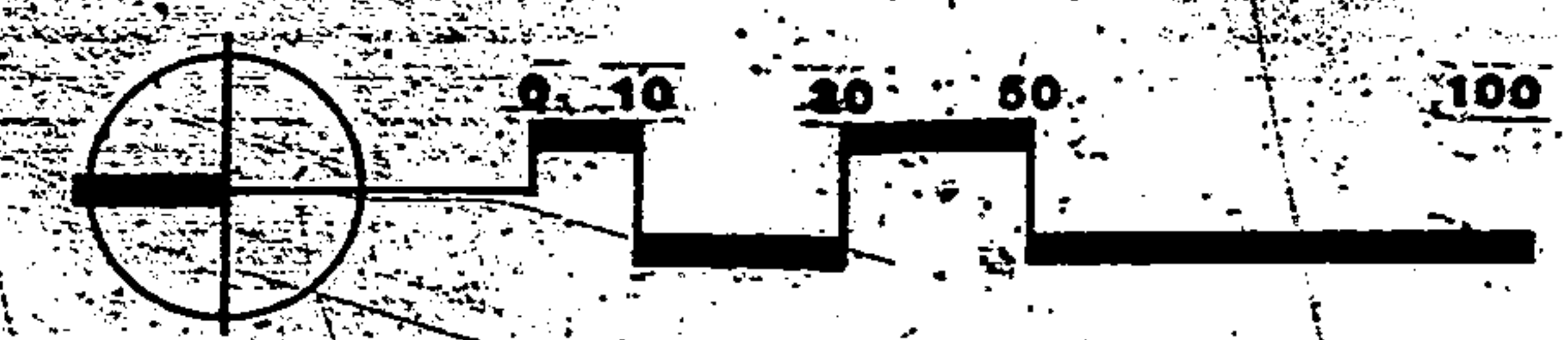
-  RUSSIAN OLIVE (3" CAL.)
-  GREEN ASH (2" CAL.)
-  PURPLE LEAF PLUMB (1 1/2" CAL.)
-  FLOWERING CHERRY (1 1/2" CAL.)
-  PONDEROSA PINE (2" CAL.)
-  SOD
-  PAVERS

Handwritten note:
 Manage City Engagement w/ property owner not to use it
 Parks & Recreation

NOTE: ALL PLANTERS, MEDIANS & COURTYARDS TO HAVE THE FOLLOWING SHRUBS & GROUNDCOVERS:
 SANTOONA, TAM JUMPERS, PHOTINIA, FORSITHIA, ENGLISH IVY, PERIWINKLE, MULCH

LANDSCAPE PLAN

1" = 20'-0"

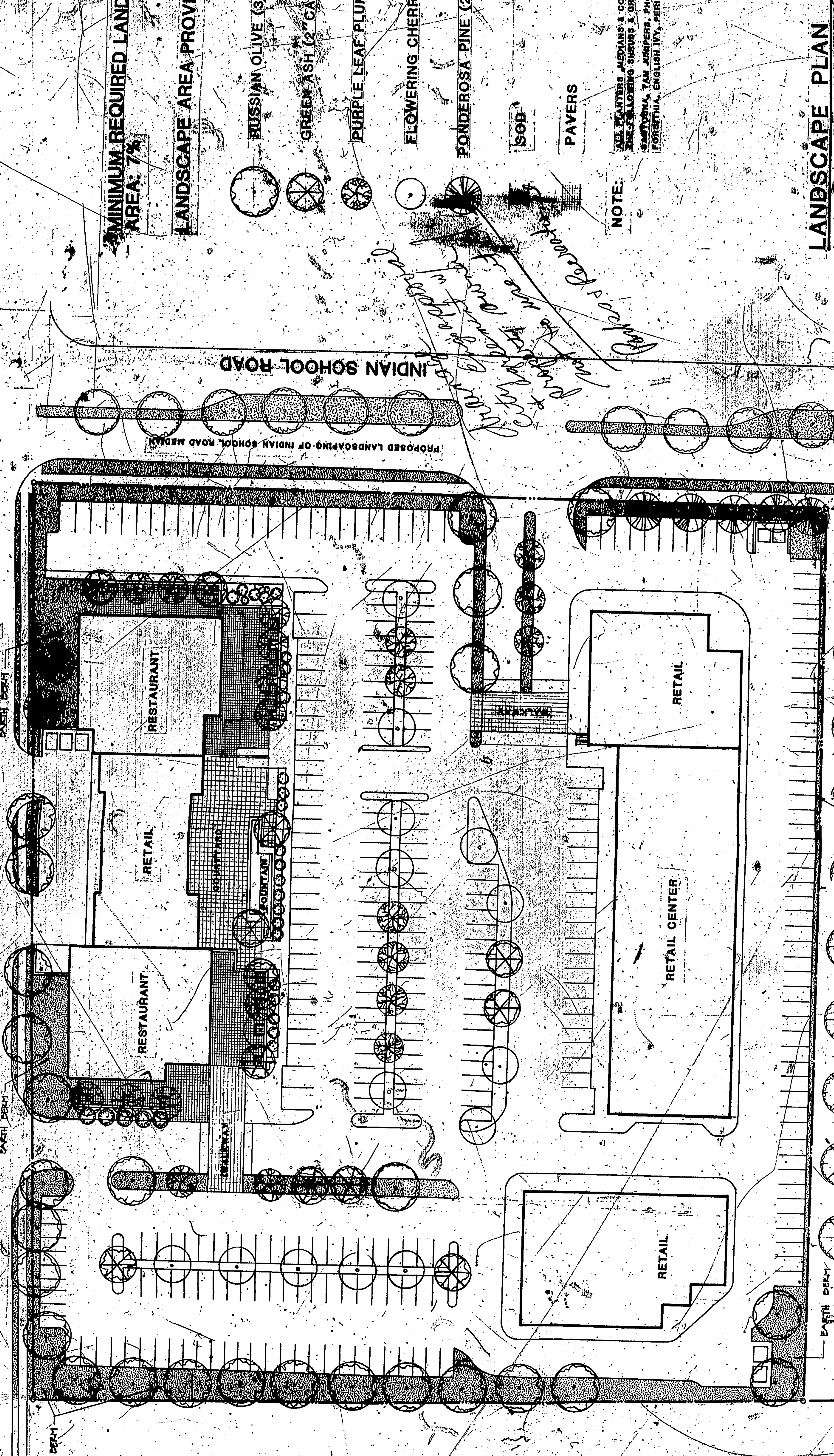


NOTES:

- 1) ENTIRE SITE TO BE IRRIGATED BY UNDERGROUND SPRINKLER SYSTEM
- 2) LANDSCAPE TO BE FULLY MAINTAINED BY OWNER
- 3) ALL PLANTERS & PLANTING STRIPS TO HAVE 3" MULCH FILL
- 4) ALL LANDSCAPE AREAS NOT CONSIDERED PLANTER OR COURTYARD TO HAVE SOD GROUNDCOVER

PROPOSED LANDSCAPING OF CITY RIGHT OF WAY

CUMBRES ROAD



MINIMUM REQUIRED LAND AREA: 7%

LANDSCAPE AREA PROVIDED

RUSSIAN OLIVE (3)

GREEN ASH (2" CAL)

PURPLE LEAF PLUM

FLOWERING CHERR

PONDEROSA PINE (2)

SOD

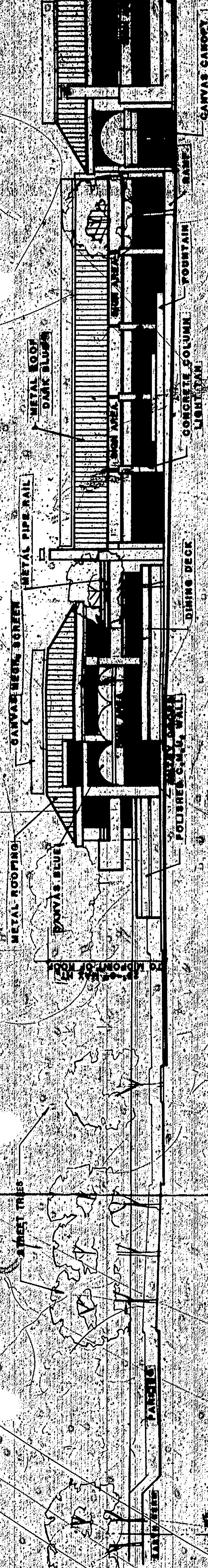
PAVERS

NOTE:

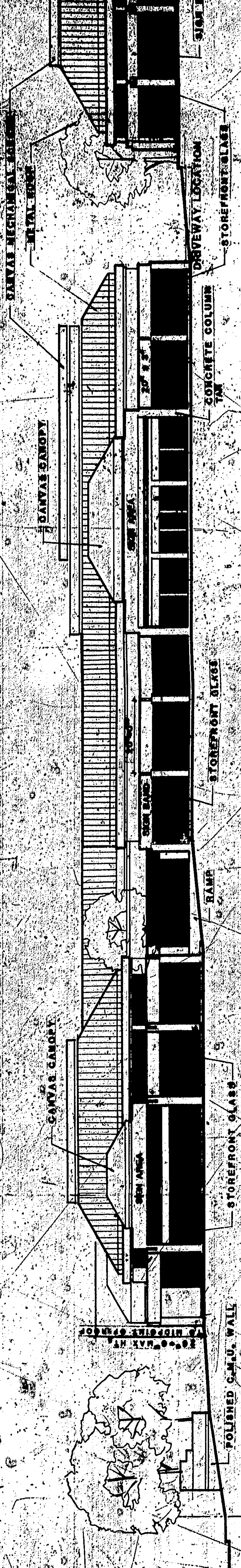
ALL PLANTERS, MEDIAN'S & COI
 THE FALGOUTS
 SAMOONA, TAM JUMPER, PHO
 FORESTHIA, ENGLISH IVY, PERNY

LANDSCAPE PLAN

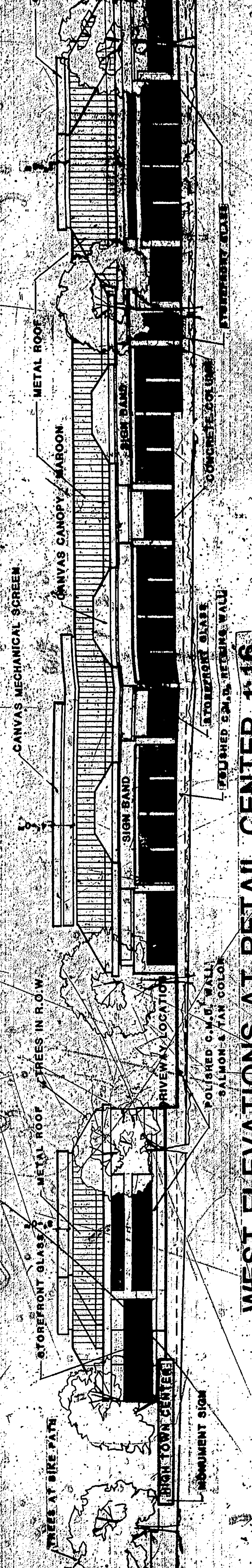
1/3/80-00



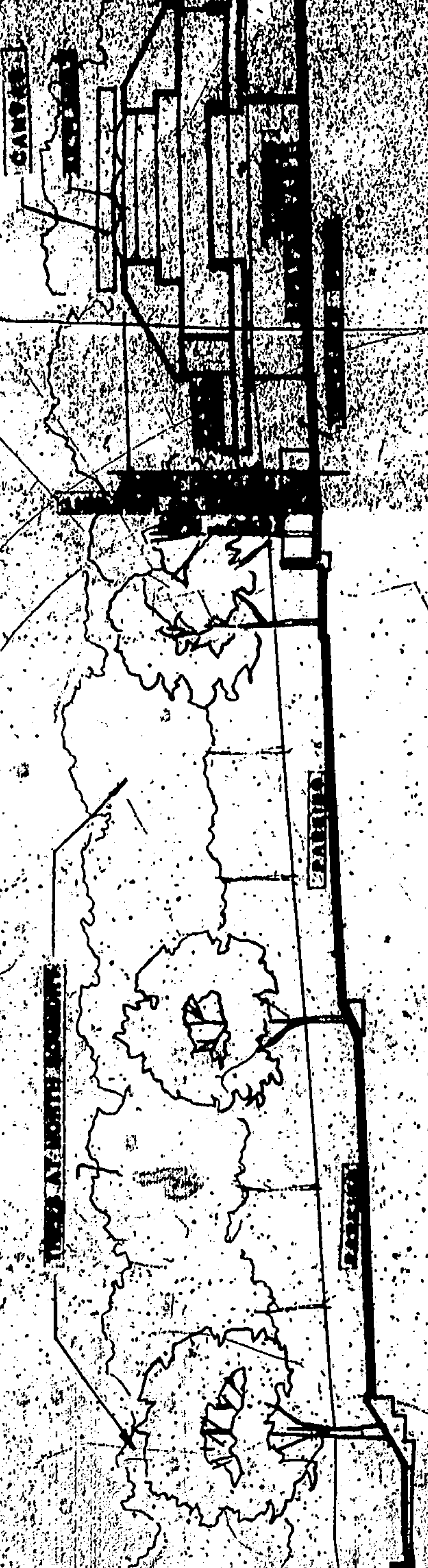
WEST ELEVATIONS AT RESTAURANTS 1:16



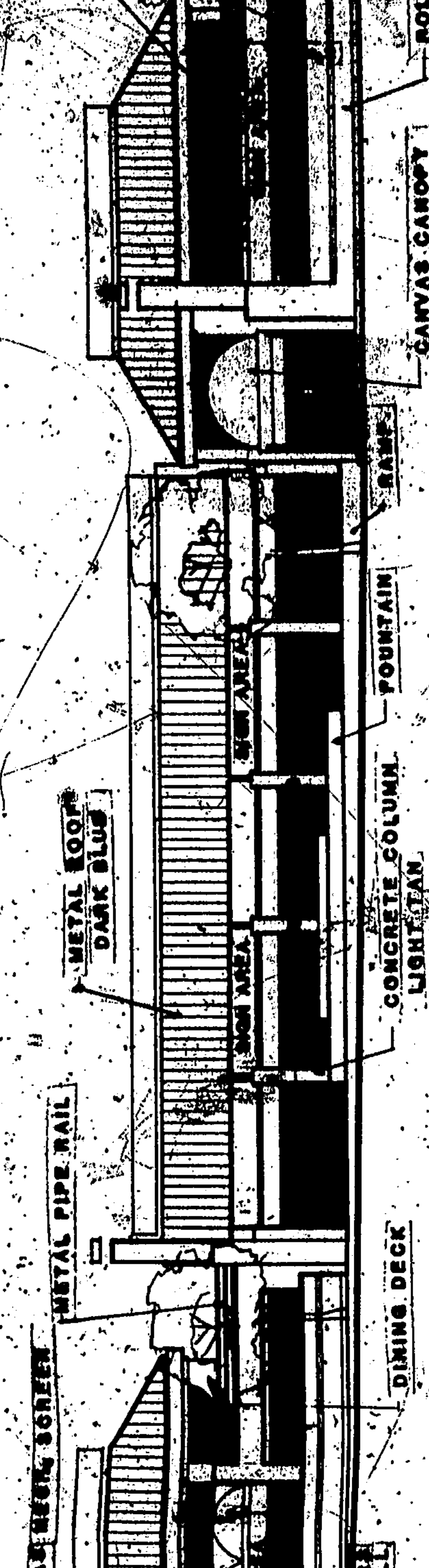
EAST ELEVATIONS AT RETAIL CENTER 1:16



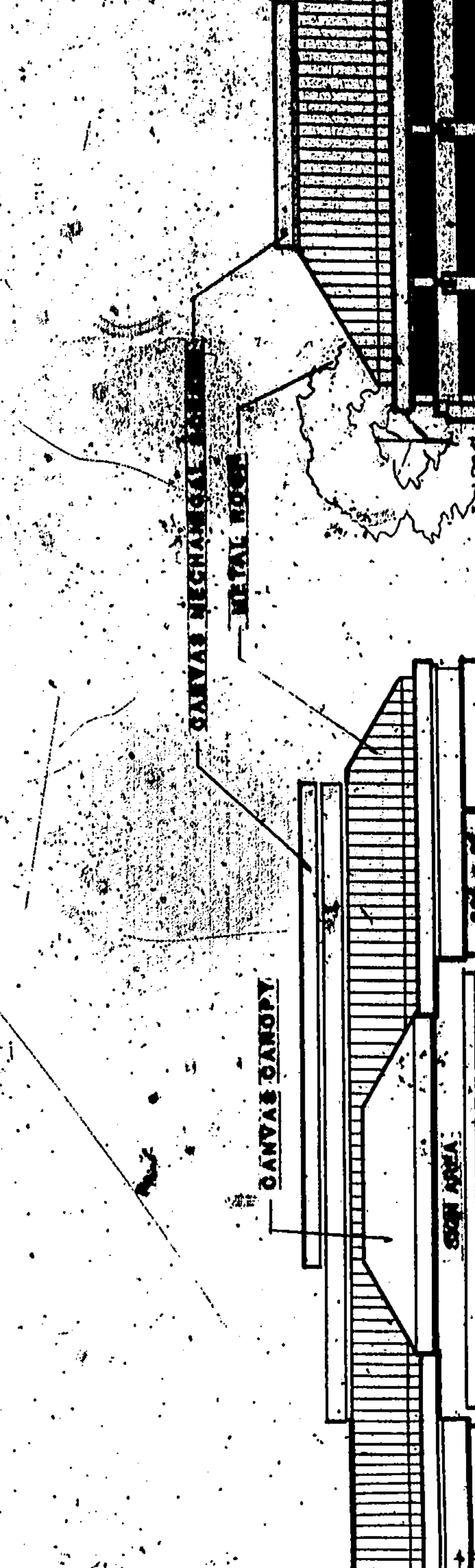
WEST ELEVATIONS AT RETAIL CENTER 1:16
(TRAMWAY)



TYPICAL SITE SECTION 1:20



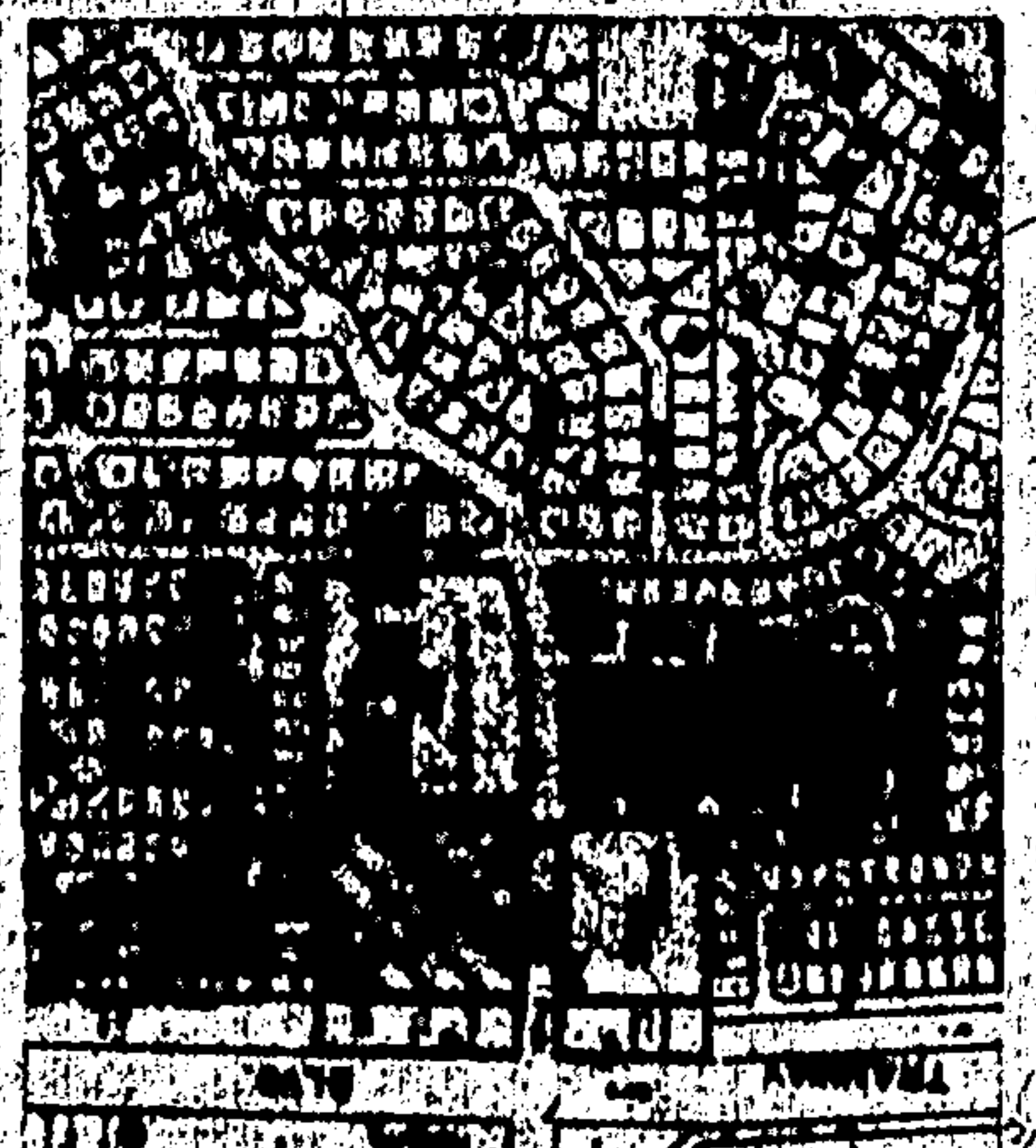
WEST ELEVATIONS AT RESTAURANTS 1:16



CUMPO'S ROAD

INDIAN SCHOOL ROAD

SCALE 1" = 30'



VICINITY MAP J-23



SITE

FHBM PANEL 31

EXISTING A-A

PROPOSED A-A

RESTAURANT
FF 5874.00

RESTAURANT
FF 5874.00

RESTAURANT
FF 5874.00

FF 5856.00

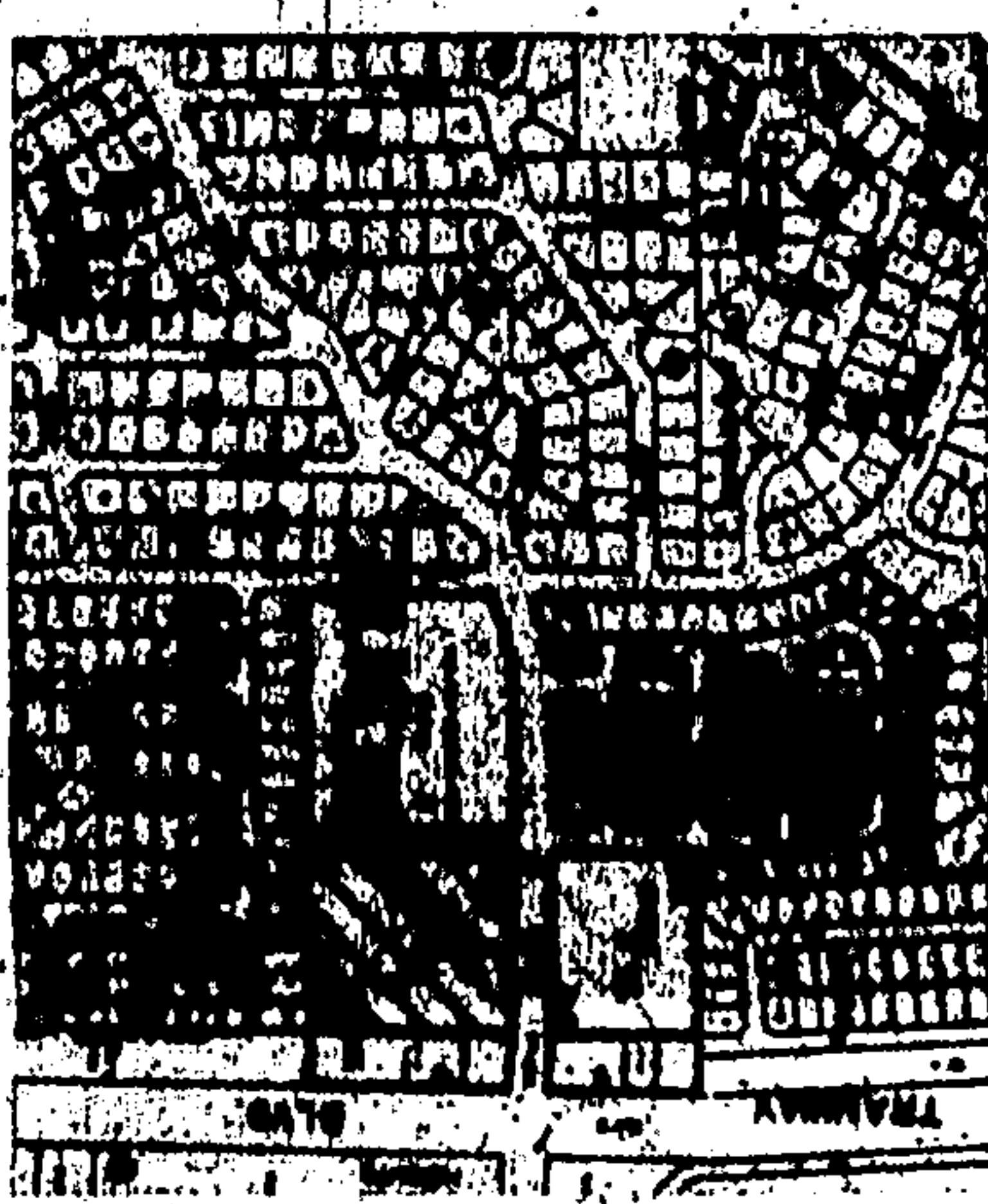
RETAIL SPACE
FF 5859.00

CONCEPTUAL GRADING
and UTILITIES PLAN

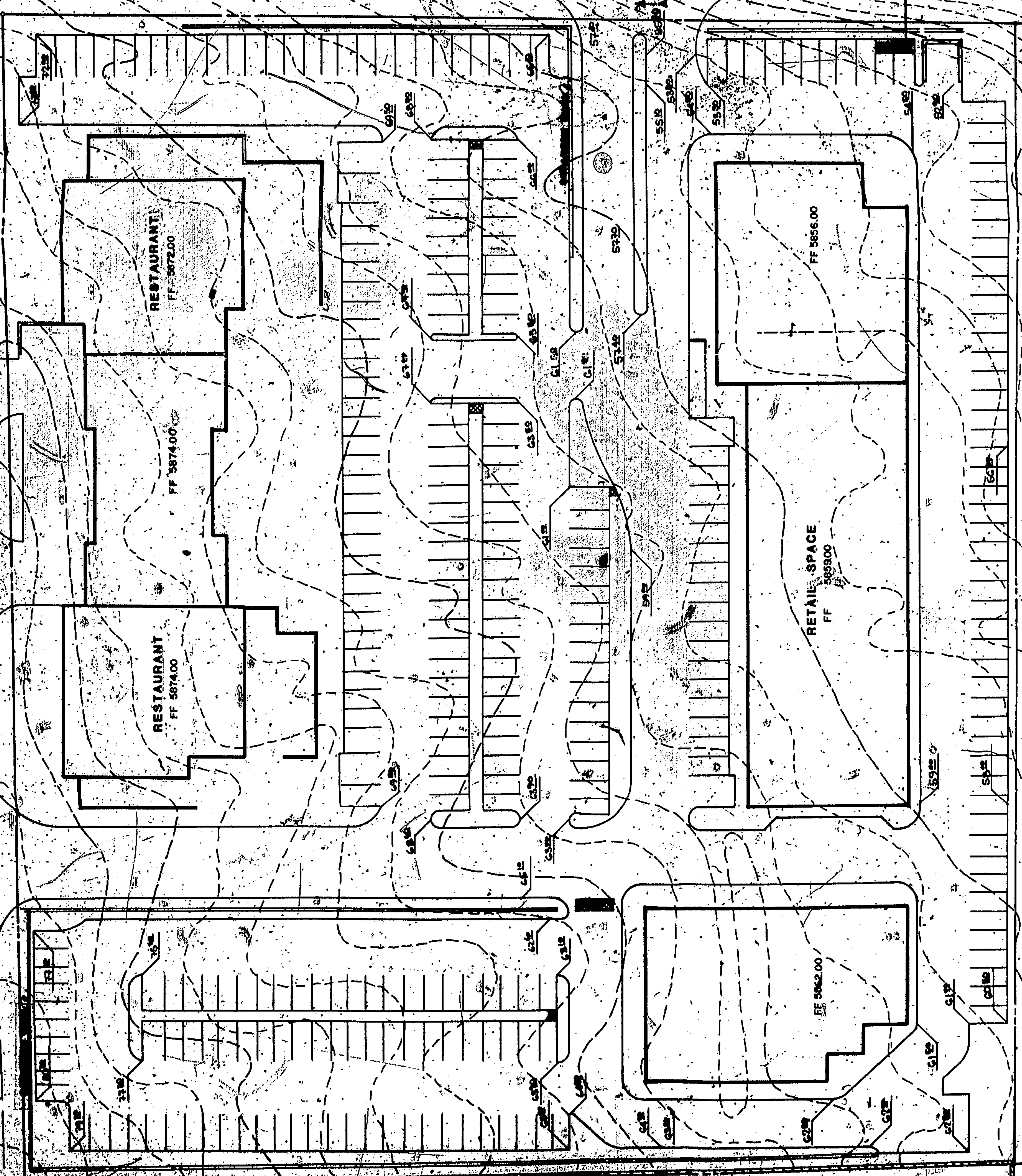
CUMBRÉS ROAD

INDIAN SCHOOL ROAD

SCALE 1" = 30'



VICINITY MAP J-23



RESTAURANT
FF 58720.00

RESTAURANT
FF 58740.00

RESTAURANT
FF 58740.00

FF 5856.00

RETAIL SPACE
FF 58590.00

FF 5862.00

EXISTING 'A-A'

EXISTING DRIVE

EXISTING SIDEWALK

EXISTING WATER

EXISTING SANITARY SEWER

EXISTING SIDEWALK

EXISTING WATER

EXISTING DRIVE

EXISTING SIDEWALK

EXISTING SIDEWALK