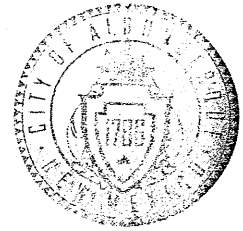


CITY OF ALBUQUERQUE



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

RECEIVED NOV 16 2016

OFFICIAL NOTIFICATION OF DECISION

November 14, 2016

Sawmill, LLC
4528 Carlisle Blvd. NE
Albuquerque, NM 87109

Project# 1005354
16EPC-40059 Amend Site Development Plan for
Building Permit
16EPC-40060 Amend Site Development Plan for
Subdivision

LEGAL DESCRIPTION:

The above actions for Tract 2-D-1, Arbolera de Vida Unit 2B, and Lot 2, Correction Plat of Sawmill Village, zoned SU-2/SU-1 for PRD and Microbrewery; Lots 3 through 10, Correction Plat of Sawmill Village; Lots 1-A, 1-B and 1-C Sawmill Village, zoned SU-2/SU-1 for PRD; located on Bellamah Ave. NW, between 18th St. NW and 19th St. NW, containing approximately 10 acres. (H-13 and J-13)
Staff Planner: Catalina Lehner

PO Box 1293

Albuquerque

NM 87103 On November 10, 2016 the Environmental Planning Commission (EPC) voted to APPROVE Project #1005354/16EPC-40059, a Site Development for Building Permit, and 16EPC-40060, a Site Development Plan for Subdivision Amendment, based on the following findings and conditions:

www.cabq.gov

FINDINGS-16EPC-40060, Site Development Plan for Subdivision Amendment:

1. This request is for an amendment to a site development plan subdivision for Tract 2-D-1, Arbolera de Vida Unit 2B, an approximately 2.6 acre portion of the larger, approximately 10 acre site known as Sawmill Village, which is located on Bellamah Avenue NW, between 18th Street NW and 19th Street NW (the "subject site").
2. The applicant proposes to subdivide Tract A-2-A to create two tracts, one for Building A-1 (the artesian apartments) and Building A-2 (the charter school). For ownership reasons, the school desires to have its own tract.
3. A request for amendments to the governing site development plan for building permit (Project #1005354, 11EPC-40045 and as amended administratively twice) to accommodate new end-users for the buildings on Tract 2-D-1, accompanies this request.
4. The scope of the proposed changes exceed the thresholds for administrative approval (AA) found in §14-16-2-22, the SU-1 Zone. That is why the request is before the Environmental

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Planning Commission (EPC).

5. The subject site is zoned SU-2/SU-1 for PRD and Microbrewery for Tract 2-D-1, Arbolera de Vida Unit 2B, and Lot 2, Correction Plat of Sawmill Village. Lots 3 through 10, Correction Plat of Sawmill Village and Lots 1-A, 1-B and 1-C Sawmill Village, are zoned SU-2/SU-1 PRD (Planned Residential Development).
6. The Comprehensive Plan, the Sawmill/Wells Park Sector Development Plan (SWPSDP), the Sawmill/Wells Park Metropolitan Redevelopment Plan (SWPMRP) and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
7. The EPC is the final approval body for the request, unless the EPC decision is appealed. The Sawmill Village Design Standards state that major amendments to the Sawmill Village Plan (Project #1005354, 07EPC-00107 and 11EPC-40045) go to the EPC. Also, since the subject site is zoned SU-1, it is controlled by the EPC and the proposed changes exceed the thresholds for approval as an AA.
8. The subject site lies within the boundaries of the Central Urban Area of the Comprehensive Plan and the Sawmill/Wells Park Sector Development Plan (SWPSDP).
9. The request furthers the following, applicable Goals of the Comprehensive Plan:
 - A. Central Urban Goal. The request would facilitate the addition of a charter school, which would be public and include some arts education. More retail and active space would also serve the neighborhoods, and the design would enforce the character of the overall development.
 - B. Established Urban Goal. The request would generally contribute to offering variety and maximum choice in the area because it would provide more active space and retail opportunities and introduce a new use to the development—a public charter school—that would provide choice in education. The design of these would be compatible with the existing overall development, which would be visually pleasing.
 - C. Economic Development Goal. Generally, the request would result in some economic development in a redeveloping area. The addition of a charter school and additional small business opportunities to the existing mixed-use project can be considered diverse economic development that would be balanced with social and cultural goals.
10. The request furthers the following, applicable land use policies in the Comprehensive Plan:
 - A. Policy II.B.5a-full range of urban land uses. The request would facilitate a charter school moving into the development and additional opportunities for small businesses, both of which would contribute to a fuller range of land uses in the area.
 - B. Policy II.B.5o-redevelopment /rehab of older neighborhoods. The request is part of a large project that will continue to contribute to redevelopment of an older neighborhood in the

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Central Urban area. The Central Urban area is part of the Established Urban area. Redevelopment efforts in this neighborhood have been ongoing for a while; such projects will strengthen them.

- C. Policy II.B.5p- cost effective rehabilitation techniques. The request would result in privately funded redevelopment, which can be considered a cost-effective redevelopment technique since it does not use public funds (technique #1).
 - D. Policy II.B.6a- location of new facilities (Central Urban Area). The request would result in a new public facility (a state charter school) located in the Central Urban Area.
11. The request fulfills the intent of the Economic Development Action Plan (EDAP), based on the Sawmill Revitalization Strategy (SRS)-Objective 1, of the Sawmill/Wells Park Sector Development Plan (SWPSDP). The charter school and active spaces (for artesian, etc.) may result in job opportunities for area residents. The existing residential uses on the western portion of the development, apartments and townhomes, would be protected and continue to provide a stable environment to benefit business.
 12. The Sawmill Village design standards will need to be updated to reflect the new end-users for Building A-1 and Building A-2.
 13. The affected neighborhood organization is the Sawmill Area Neighborhood Association (SANA), which was notified as required. Property owners within 100 feet of the subject site were also notified as required. A facilitated meeting was neither recommended nor held. Staff received a call from the agent of a nearby property owner, who wanted to know about the request. No correspondence has been received. Staff is not aware of any opposition as of this writing.

CONDITIONS OF APPROVAL -16EPC-40060, Site Development Plan for Subdivision Amendment:

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. Prior to final DRB sign off, the applicant shall meet with the Staff planner to ensure that conditions of approval are met. Evidence of this meeting shall be provided to the DRB at the time of application.
3. The request shall comply with the General SU-2 Regulations in the Sawmill/Wells Park Sector Development Plan and the Sawmill Village design standards (Project #1005354, 11EPC-40045).
4. Sheet SDP 3 shall be updated to remove the references to the performing arts center and

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microbrewery and replace them with references to the artesian apartments and charter school.

5. Conditions from Transportation Development:

A. Infrastructure and/or ROW dedications may be required at DRB.

B. All work within the public ROW must be constructed under a COA Work Order.

FINDINGS-16EPC-40059, Site Development Plan for Building Permit:

1. This request is for an amendment to a site development plan for building permit for Tract 2-D-1, Arbolera de Vida Unit 2B, an approximately 2.6 acre portion of the larger, approximately 10 acre site known as Sawmill Village, which is located on Bellamah Avenue NW, between 18th Street NW and 19th Street NW (the "subject site").
2. The applicant proposes to amend the governing site development plan for building permit (Project #1005354, 11EPC-40045 and as amended administratively twice) to accommodate new end-users for the buildings on Tract 2-D-1, the western portion of the subject site (the "subject request"). Building A-1 is planned to include 11,000 sf of additional retail and active space. Building A-2 is intended to become a State of New Mexico public charter school, with an additional 8,000 sf. Proposed changes include increases in building square footages, and associated changes to parking, landscaping, and plaza areas.
3. A request for amendments to the governing site development plan for building permit (Project #1005354, 11EPC-40045 and as amended administratively twice) to accommodate new end-users for the buildings on Tract 2-D-1, accompanies this request.
4. The scope of the proposed changes exceed the thresholds for administrative approval (AA) found in §14-16-2-22, the SU-1 Zone. That is why the request is before the Environmental Planning Commission (EPC).
5. The subject site is zoned SU-2/SU-1 for PRD and Microbrewery for Tract 2-D-1, Arbolera de Vida Unit 2B, and Lot 2, Correction Plat of Sawmill Village. Lots 3 through 10, Correction Plat of Sawmill Village and Lots 1-A, 1-B and 1-C Sawmill Village, are zoned SU-2/SU-1 PRD (Planned Residential Development).
6. Pursuant to the SU-1 for PRD zone [§14-16-2-22(B)(25)], O-1 permissive and C-1 permissive uses may comprise up to 25% of the total gross floor area of the development. The gross floor area of the entire development is 434,554 sf and 25% of that is 108,639 sf. The square footage totals for Building 1 and Building 2, which have changed slightly from the approved 2011 site development plan, are 19,500 sf and 44,000 sf (63,500 total sf) and therefore are under the 25% maximum allowed.
7. The Comprehensive Plan, the Sawmill/Wells Park Sector Development Plan (SWPSDP), the Sawmill/Wells Park Metropolitan Redevelopment Plan (SWPMRP) and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.

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8. The EPC is the final approval body for the request, unless the EPC decision is appealed. The Sawmill Village Design Standards state that major amendments to the Sawmill Village Plan (Project #1005354, 07EPC-00107 and 11EPC-40045) go to the EPC. Also, since the subject site is zoned SU-1, it is controlled by the EPC and the proposed changes exceed the thresholds for approval as an AA.
9. The subject site lies within the boundaries of the Central Urban Area of the Comprehensive Plan and the Sawmill/Wells Park Sector Development Plan (SWPSDP). The request must comply with the General SU-2 Regulations of the SWPSDP and the design standards in the Sawmill Village site development plan for subdivision.
10. The request furthers the following, applicable Goals of the Comprehensive Plan:
 - A. Central Urban Goal. The request would facilitate the addition of a charter school, which would be public and include some arts education. More retail and active space would also serve the neighborhoods, and the design would enforce the character of the overall development.
 - B. Established Urban Goal. The request would generally contribute to offering variety and maximum choice in the area because it would provide more active space and retail opportunities and introduce a new use to the development—a public charter school—that would provide choice in education. The design of these would be compatible with the existing overall development, which would be visually pleasing.
 - C. Economic Development Goal. Generally, the request would result in some economic development in a redeveloping area. The addition of a charter school and additional small business opportunities to the existing mixed-use project can be considered diverse economic development that would be balanced with social and cultural goals.
11. The request furthers the following, applicable land use policies in the Comprehensive Plan:
 - A. Policy II.B.5a-full range of urban land uses. The request would facilitate a charter school moving into the development and additional opportunities for small businesses, both of which would contribute to a fuller range of land uses in the area.
 - B. Policy II.B.5e-programmed facilities/neighborhood integrity. The subject site is in the Central Urban part of the City, contiguous to existing urban facilities and services. The use of these is unlikely to adversely affect neighborhood integrity.
 - C. Policy II.B.5i-employment/service use location. The new tenants for Buildings 1 and 2 (small businesses, charter school) are employment and service uses. The uses would be located on the subject site's western side and not near the majority of residential uses in the development, which are apartment complexes and townhomes, located east of the subject site and east of the existing microbrewery. It is possible that nearby residents could experience some noise and traffic impacts when events are held at the school, though most of the parking

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would be located on the school's western side as to minimize noise, lighting, and traffic impacts.

- D. Policy II.B.5o-redevelopment /rehab of older neighborhoods. The request is part of a larger project that will continue to contribute to redevelopment of an older neighborhood in the Central Urban area. The Central Urban area is part of the Established Urban area. Redevelopment efforts in this neighborhood have been ongoing for a while; such projects will strengthen them.
 - E. Policy II.B.5p- cost effective rehabilitation techniques. The request would result in privately funded redevelopment, which can be considered a cost-effective redevelopment technique since it does not use public funds (technique #1).
12. The request furthers the following, applicable Comprehensive Plan policies:
- A. Policy II.B.6a- location of new facilities (Central Urban Area). The request would result in a new public facility (a state charter school) located in the Central Urban Area.
 - B. Policy II.D.4g- pedestrian opportunities/non-motorized travel (Transportation and Transit). Pedestrian opportunities would be promoted on the subject site and integrated into development upon it. Buildings 1 and 2 would be connected by a plaza area and surrounded by wide sidewalks. Connections of special paving would lead to the eastern portion of the 10-acre site, and would be provided across the drive-aisle of the subject site.
13. The request fulfills and partially fulfills, respectively, the intent of the following Action Plans in the Sawmill/Wells Park Sector Development Plan (SWPSDP):
- A. Economic Development Action Plan (EDAP), based on the Sawmill Revitalization Strategy (SRS)-Objective 1. The charter school and active spaces (for artesian, etc.) may result in job opportunities for area residents. The existing residential uses on the western portion of the development, apartments and townhomes, would be protected and continue to provide a stable environment to benefit business.
 - B. Public Project Action Plan (PPAP)- The request would contribute further to an existing focal point in approximately the center of the Plan area, thereby strengthening linkages between this relatively isolated part of the Plan area to other parts of the Plan area. Improvements to traffic operations, a park and trails, however, are not included.
14. Neither a Trip Generation Comparison nor a Traffic Impact Study (TIS) update was required with the current request. The *Sawmill Mixed-Use Development Traffic Impact Study (TIS)* was completed in February 2007 (Project #1005354, 07EPC-10107/10109).
15. The Sawmill Village design standards apply. Though the request complies with most standards, there are a few instances of non-compliance (Exterior Wall Materials & Colors). In other instances, information is insufficient (ex. Trails & Sidewalks, Screen Walls & Fences) to evaluate compliance. These can be remedied through conditions of approval.

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16. The affected neighborhood organization is the Sawmill Area Neighborhood Association (SANA), which was notified as required. Property owners within 100 feet of the subject site were also notified as required. A facilitated meeting was neither recommended nor held. Staff received a call from the agent of a nearby property owner, who wanted to know about the request. No correspondence has been received. Staff is not aware of any opposition as of this writing.

CONDITIONS OF APPROVAL- 16EPC-40059, 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.
2. Prior to final DRB sign off, the applicant shall meet with the Staff planner to ensure that conditions of approval are met. Evidence of this meeting shall be provided to the DRB at the time of application.
3. The request shall comply with the General SU-2 Regulations in the Sawmill/Wells Park Sector Development Plan (SWPSDP) and the Sawmill Village design standards (Project #1005354, 11EPC-40045).
4. SWPSDP General SU-2 Regulations:
 - A. A note shall be added to the elevations to indicate that mechanical and electrical equipment shall be screened from public view (Regulation 4.d).
 - B. A note shall be added to the elevations to indicate that reflective glass is prohibited (Regulation 4.f).
5. Parking:
 - A. The parking space counts for the approximately 10-acre site shall be verified and the Parking Table(s) shall be updated correspondingly.
 - B. Parking space totals shall be indicated by summary numbers (Sheet SDP 1.1).
 - C. The location of the motorcycle spaces shall be shown (Sheet SDP 1.0).
6. Landscaping:
 - A. One of the two additional trees (the northernmost one) approved with the 2011 landscaping plan, along the western boundary of Phase II, shall be included with the current landscaping plan.

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- B. The trees along Bellamah Ave. shall be of a tall, canopy-forming variety (such as the Red Oak approved in 2011 or a canopy-forming tree on the current landscape plan legend).
7. Walls & Fences (Sawmill Village Design Standards):
- A. Fencing along the subject site's western boundary shall be like the fencing at the adjacent Sawmill Lofts (Screen Walls and Fences section).
- B. A detail of fencing along the subject site's western boundary, indicating height, color, and materials, shall be provided (Screen Walls and Fences section).
- C. A detail of the fence near the detention pond shall be provided (Screen Walls and Fences section).
8. Lighting & Signage (Sawmill Village Design Standards):
- A. The light pole details shall indicate colors and materials (Site Lighting section).
- B. The monument sign detail shall specify lighting, if any (Signage section).
- C. The dimensions and square footages of the building-mounted signs shall be indicated.
9. Architecture (Sawmill Village Design Standards):
- A. The accent material of the buildings shall be specified as stained cement panels to be consistent with the materials used in Sawmill Village (Exterior Wall Materials & Colors section).
- B. A note needs to be added to the elevations to indicate that roofs will be a low heat absorbing, single-ply material in a light color (Roof Materials & Colors section).
- C. The buildings shall be dimensioned and their square footage totals listed (Sheet SDP 1.0).
10. Pedestrian Access & Circulation:
- A. Clarify if the path that runs south-north along the subject site's eastern side will provide both on and off-site connectivity to recreation and facilities (Trails & Sidewalks section- Design Standards).
- B. Seating shall be provided in the large plaza area east of Building A-1 (Public Open Space section- Design Standards).
- C. The landscaping beds at the northwest corner of Building A-1 shall be made smaller and non-circular to facilitate pedestrian circulation through the Phase II site.
11. Condition from the Solid Waste Management Division:
- The refuse enclosure shall be moved a minimum of 10' north from the proposed location because the #10 landscape island on approach to proposed double enclosure poses a hindrance for refuse truck access. Do not plant anything next to refuse enclosure that will create an overhang. A complete/detailed spec. sheet for the proposed refuse enclosure, built to COA minimum

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requirements, including a sanitary drain, is needed.

12. Conditions from Transportation Development. The following comments need to be addressed prior to DRB:
 - A. The ADA access aisles shall have the words "NO PARKING" in capital letters, each of which shall be at least one foot high and at least two inches wide, placed at the rear of the parking space so as to be close to where an adjacent vehicle's rear tire would be placed. (66-1-4.1.B NMSA 1978)
 - B. The ADA accessible parking sign must have the required language per 66-7-352.4C NMSA 1978 "Violators Are Subject to a Fine and/or Towing." Please call out detail and location of HC signs.

13. Conditions from PNM:
 - A. An existing overhead electric distribution line crosses the subject property of Phase 2. It is the applicant's obligation to abide by any conditions or terms of those easements.
 - B. It is necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service regarding this project. Contact:
Mike Moyer, PNM Service Center
4201 Edith Boulevard NE, Albuquerque, NM 87107
Phone: (505) 241-3697
 - C. Ground-mounted equipment screening will be designed to allow for access to utility facilities. All screening and vegetation surrounding ground-mounted transformers and utility pads are to allow 10 feet of clearance in front of the equipment door and 5- 6 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Refer to the PNM Electric Service Guide at www.pnm.com for specifications.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **November 28, 2016**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-4-4 of the Zoning Code. 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.

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).

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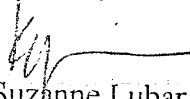
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SITE DEVELOPMENT PLANS: Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped 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 through the Planning Director that the Planning Commission extend the plan's life an additional five years. Additional design details will be required as a project proceeds through the Development Review Board and through the plan check of Building Permit submittals for construction. Planning staff may consider minor, reasonable changes that are consistent with an approved Site Development Plan so long as they can be shown to be in conformance with the original, approved intent.

Sincerely,


Suzanne Lubar
Planning Director

SL/CLL

cc: Sawmill, LLC, 4528 Carlisle Blvd. NE, ABQ, NM 87109
Design Plus, LLC, 2415 Princeton Dr. NE, Suite G-2, ABQ, NM 87107
Devin H. Chapman, Sawmill Area NA, 520 Lomas Blvd. NW, ABQ, NM 87102
Thomas Hopkins, Sawmill Area NA, 918 19th St. NW, ABQ, NM 87104