



COMPLETED 03/24/10 5th  
DRB CASE ACTION LOG (PRELIMINARY/FINAL)  
REVISED 10/08/07

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

DRB Application No.: 09DRB-70341 Project # 1007690  
Project Name: ATLANTIC & PACIFIC ADDITION  
Agent: RHOMBUS CONSULTING Phone No.:

Your request was approved on 12-16-09 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

TRANSPORTATION: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

UTILITIES: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CITY ENGINEER / AMAFCA: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PARKS / CIP: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PLANNING (Last to sign): *ok, dxp file*  
\_\_\_\_\_  
\_\_\_\_\_

- 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.
    - 3 copies of the approved site plan. Include all pages.
    - County Treasurer's signature must be obtained prior to the recording of the plat with the 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.

Created On:



# DRB CASE ACTION LOG (PRELIMINARY / FINAL)

REVISED 10/08/07

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

DRB Application No.: 09DRB-70341 Project # 1007690  
 Project Name: ATLANTIC & PACIFIC ADDITION  
 Agent: RHOMBUS CONSULTING Phone No.: \_\_\_\_\_

Your request was approved on 12-16-09 by the DRB with delegation of signature(s) to the following departments.

### OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

TRANSPORTATION: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

UTILITIES: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

CITY ENGINEER / AMAFCA: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

PARKS / CIP: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

PLANNING (Last to sign): dxl file  
 \_\_\_\_\_  
 \_\_\_\_\_

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    - 3 copies of the approved site plan. Include all pages.
    - County Treasurer's signature must be obtained prior to the recording of the plat with the County Clerk.
    - Property Management's signature must be obtained prior to Planning Department's signature.
    - AGIS DXF File approval required. OK
    - Copy of recorded plat for Planning.

Created On:

**7690**

### DXF Electronic Approval Form

DRB Project Case #: 1007690

Subdivision Name: ATLANTIC & PACIFIC ADDN BLOCK Q LOT 24A

Surveyor: CLYDE J KING

Contact Person: CLYDE J KING

Contact Information: 881-6690

DXF Received: 12/17/2009

Hard Copy Received: 12/17/2009

Coordinate System: NMSP Grid (NAD 83)

  
Approved

03-24-2010  
Date

\* The DXF file cannot be accepted (at this time) for the following reason(s):

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**AGIS Use Only**  
Copied fc7690 to agiscov on 3/24/2010 Contact person notified on 3/24/2010

7690

### DXF Electronic Approval Form

DRB Project Case #: 1007690

Subdivision Name: ATLANTIC & PACIFIC ADDN BLOCK Q LOT 24A

Surveyor: CLYDE J KING

Contact Person: CLYDE J KING

Contact Information: 881-6690

DXF Received: 12/17/2009

Hard Copy Received: 12/17/2009

Coordinate System: NMSP Grid (NAD 83)

  
Approved

12-21-2009  
Date

\* The DXF file cannot be accepted (at this time) for the following reason(s):

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#### AGIS Use Only

Copied fc 7690 to agiscov on 12/21/2009 Contact person notified on 12/21/2009

3. **Project# 1007880**  
09DRB-70373 MINOR - PRELIMINARY/  
FINAL PLAT APPROVAL

ARCH & PLAN LAND USE CONSUL agent(s) for MANZANO MEADOWS LLC request(s) the above action(s) for all or a portion of Lot(s) 1A. & 2A, **BRENTWOOD HILLS** zoned 0-1 (1A) & P-R (2A), located on MENAUL NE BETWEEN TRAMWAY NE AND TOWNER NE containing approximately 0.424 acre(s). (H-22) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION FOR DIMENSIONAL EXHIBIT AND TO PLANNING FOR AGIS DXF FILE.**

4. **Project# 1008087**  
09DRB-70372 MINOR - PRELIMINARY/  
FINAL PLAT APPROVAL

TIERRA WEST LLC agent(s) for PENN STATION PARTNERS I NM, LLC request(s) the above action(s) for all or a portion of Lot(s) 1 & 2, Block(s) 2, **SOMBA DEL MONTE ADDITION** zoned C-2, located on MENAUL BETWEEN PENNSYLVANIA AND RHODE ISLAND containing approximately 0.3785 acre(s). (H-19) **DEFERRED TO 12/23/09 AT THE AGENT'S REQUEST.**

5. **Project# 1007690**  
09DRB-70341 MINOR - PRELIMINARY/  
FINAL PLAT APPROVAL

RHOMBUS CONSULTING agent(s) for RON ROMERO request(s) the above action(s) for all or a portion of Lot(s) 20-24, Block(s) Q, **ATLANTIC AND PACIFIC ADDITION**, zoned SU-2 FOR SU-1 BAKERY, located on ATLANTIC AVE SW BETWEEN 4TH ST SW AND 5TH ST SW containing approximately .2752 acre(s). (K-14) *[Deferred from 12/2/09, 12/9/09].* **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF FILE.**

**NO ACTION IS TAKEN ON THESE CASES:APPLICANT - AGENT IS REQUIRED TO BE AT THE MEETING**

6. **Project# 1007885**  
09DRB-70375 SKETCH PLAT REVIEW  
AND COMMENT

NATIONAL PARK SERVICE request(s) the above action(s) for all or a portion of **LAVA SHADOWS** zoned RD, located on UNSER BLVD NW AT WESTERN TRAIL BLVD NW (F-10) **THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**

7. **Project# 1008089**  
09DRB-70376 SKETCH PLAT REVIEW  
AND COMMENT

COMMUNITY SCIENCES CORP agent(s) for KCRW PROPERTIES, LLC request(s) the above action(s) for all or a portion of **VISTA DE LA LUZ SUBDIVISION, LA LUZ DEL OESTE SUBDIVISION**, zoned SU-1 PRD, located on COSTA MARESME DR NW BETWEEN SEVILLA AVE NW AND COORS BLVD NW containing approximately 4.2694 acre(s). (F-11) **THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**

8. Other Matters: None  
ADJOURNED: 9:35



# DRB CASE ACTION LOG (SDP - BP)

REVISED 10/08/07

COMPLETED 05-25-09

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

DRB Application No.: 09DRB-70358 Project # 1007690  
 Project Name: ATLANTIC & PACIFIC  
 Agent: TON ROMERO Phone No.: \_\_\_\_\_

Your request was approved on 12-09-09 by the DRB with delegation of signature(s) to the following departments.

### OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

TRANSPORTATION: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

UTILITIES: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

CITY ENGINEER / AMAFCA: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

PARKS / CIP: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

PLANNING (Last to sign): - plat to be filed  
 \_\_\_\_\_  
 \_\_\_\_\_

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  - Recording fee (checks payable to the County Clerk). **RECORDED DATE:** \_\_\_\_\_
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    - 3 copies of the approved site plan. Include all pages.
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    - Property Management's signature must be obtained prior to Planning Department's signature.
    - AGIS DXF File approval required.
    - Copy of recorded plat for Planning.

Created On:

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

6. **Project# 1003565**  
08DRB-70534 EPC APPROVED SDP  
FOR SUBDIVISION  
09DRB- MINOR - PRELIMINARY/  
FINAL PLAT APPROVAL

JOSH SKARSGARD agent(s) for ART GARDENSWARTZ request(s) the above action(s) for all or a portion of Lot(s) 1 & 2, Block(s) 8, **MIRAMONTES PARK Unit(s) 1**, zoned C-1, SU-1 C-2 USES AND WAREHOUSE, located on SAN MATEO BLVD NE BETWEEN CLAREMONT AVE NE AND PHOENIX AVE NE (H-1) [Deferred from 1/7/09, 7/29/09, 8/12/09, 8/19/09, 9/2/09, 11/12/09, 12/2/09]. **THE SITE DEVELOPMENT PLAN FOR SUBDIVISION WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO TRANSPORTATION FOR EXHIBIT, RECIPROCAL EASEMENTS, SOLAR NOTE, AND UTILITY COMPANY'S SIGNATURE AND TO ABCWUA FOR METER SET AND SHARED SERVICE AGREEMENT.**

7. **Project# 1007690**  
09DRB-70358 EPC APPROVED SDP  
FOR BUILD PERMIT

RON ROMERO INC agent(s) for WORKING CLASSROOM INC request(s) the above action(s) for all or a portion of Lot(s) 20-24, Block(s) Q, **ATLANTIC & PACIFIC** zoned SU-2/SU-1 FOR INSTRUCTION IN MUSIC, THEATER, DANCE.ARTS AND CRAFTS, located on ATLANTIC SW BETWEEN 4TH ST SW AND 5TH ST SW containing approximately 1 acre(s). (K-14) [Deferred from 12/2/09]. **THE SITE DEVELOPMENT PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO PLANNING FOR PLAT TO BE FILED.**

09DRB-70341 MINOR - PRELIMINARY/  
FINAL PLAT APPROVAL

RHOMBUS CONSULTING agent(s) for RON ROMERO request(s) the above action(s) for all or a portion of Lot(s) 20-24, Block(s) Q, **ATLANTIC AND PACIFIC ADDITION**, zoned SU-2 FOR SU-1 BAKERY, located on ATLANTIC AVE SW BETWEEN 4TH ST SW AND 5TH ST SW containing approximately .2752 acre(s). (K-14) [Deferred from 12/2/09]. **DEFERRED TO 12/16/09 AT THE AGENT'S REQUEST.**

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

8. **Project# 1004428**  
09DRB-70360 EXT OF MAJOR  
PRELIMINARY PLAT

MARK GOODWIN AND ASSOCIATES PA agent(s) for ALBUQUERQUE RIO BRAVO PARTNERS LLC request(s) the above action(s) for all or a portion of Tract(s) RR-3A-RR-3-E, **WESTLAND SOUTH** zoned SU-1/C-1, RLT, located on DENNIS CHAVEZ BLVD SW BETWEEN MEADE AVE SW AND 118TH ST SW containing approximately 98.907 acre(s). (P-9) **A ONE-YEAR EXTENSION OF THE PRELIMINARY PLAT WAS APPROVED.**

**M E M O**

**Date:** Dec. 1, 2009

**To:** Jack Cloud, DRB Chair

**From:** Carol Toffaleti, Planner  
Current Planning Division, City of Albuquerque Planning Department  
Tel 924-3345, [cgtoffaleti@cabq.gov](mailto:cgtoffaleti@cabq.gov)

**Re:** Project #1007690, 09EPC-40015 Sector Development Plan Map Amendment and  
09EPC-40016 SDP Building Permit - Working Classroom, Atlantic Ave. SW

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The EPC approved the dual request at a public hearing on April 16, 2009. The applicant subsequently met with the staff planner in June 2009.

Approval of the zone change was subject to 2 conditions. Condition #1 is sign-off of the site plan (see below). The staff planner delegates review of condition #2 to the DRB.

Approval of the site development was subject to 8 conditions. The staff planner delegates review of condition #4 to the DRB. The applicant satisfied the remaining conditions, but has the following comments on the future landscape palette:

- One medium water use ground cover and vine is acceptable (ref. #6.d).
- Change "desert sage" to a plant on the City Forester's or City Xeriscaping Guide such as "sand" or "big sage" or other low water use, evergreen species.

Please contact me if you have any questions or concerns.





**7690**

**DXF Electronic Approval Form**

DRB Project Case #: 1007690

Subdivision Name: ATLANTIC & PACIFIC ADDN BLOCK Q LOT 24A

Surveyor: CLYDE J KING

Contact Person: CLYDE J KING

Contact Information: 881-6690

DXF Received: 12/17/2009

Hard Copy Received: 12/17/2009

Coordinate System: NMSP Grid (NAD 83)

  
Approved

12-22-2009  
Date

\* The DXF file cannot be accepted (at this time) for the following reason(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**AGIS Use Only**  
Copied fc 7690 to agiscov on 12/22/2009 Contact person notified on 12/22/2009

**CITY OF ALBUQUERQUE**

**PLANNING DEPARTMENT**

**November 18, 2009**

**DRB Comments**

**ITEM # 6**

**PROJECT # 10007690**

**APPLICATION # 09-70341**

**RE: Lots 20 - 24, Block Q, Atlantic & Pacific Addition**

A site development plan, consistent with the conditions of approval by the EPC, must be approved concurrently by the DRB with this plat.



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Jack Cloud AICP, DRB Chairman  
924-3880/ jcloud@cabq.gov



Date: April 17, 2009

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

**OFFICIAL NOTIFICATION OF DECISION**

FILE: **Project # 1007690**  
09EPC-40015 AMEND SECTOR DEVELOPMENT  
PLAN  
09EPC-40016 SITE DEVELOPMENT - BUILDG  
PRMT

Working Classroom Inc.  
212 Gold Ave. SW  
Albuquerque, NM 87102

LEGAL DESCRIPTION: RON ROMERO agent for WORKING CLASSROOM INC., requests the above actions for all or a portion of Lots 20-24, block Q, ATLANTIC & PACIFIC zoned SU-2/SU-1 BAKERY to SU-2/SU-1 FOR Instruction in Music, Theater, Dance, Arts or Crafts located on ATLANTIC SW BETWEEN 4TH ST SW AND 5TH ST SW containing approximately 0.3 acre. (K-14) Carol Toffaleti, Staff Planner

On April 16, 2009 the Environmental Planning Commission voted to **APPROVE** Project 1007690 / 09EPC-40015, a sector development plan map amendment for the W 20 ft. of lot 20 and all of lots 21-24, Block Q, ATLANTIC & PACIFIC zoned SU-2/SU-1 for Wholesale and Retail Bakery to SU-2/SU-1 for Instruction in Music, Theater, Dance, Arts and Crafts, based on the following Findings and subject to the following Conditions:

**FINDINGS:**

1. The request is a map amendment to the Barelás sector development plan for the West 20 ft. of lot 20 and all of lots 21 – 24, Block Q, Atlantic & Pacific Addition, a site of approximately 0.3 acres located at the northeast corner of Atlantic Ave. and 5<sup>th</sup> St. SW, from SU-2/SU-1 for Wholesale and Retail Bakery to SU-2/SU-1 for Instruction in Music, Theater, Dance, Arts and Crafts. The zoning includes associated office uses.
2. The request is accompanied by a site development plan for building permit (09EPC-40016) per the SU-1 (Special Use) zone.
3. Because the subject site is not greater than 10 acres, the Environmental Planning Commission is the approval authority.

8. Property-owners within 100' and the Barelvas Neighborhood Association were notified. A facilitated meeting was held on March 25, 2009. The participants agreed that the proposal fits in well with the neighborhood. No written comments were received.

**CONDITIONS:**

1. Final sign-off at DRB of the accompanying site development plan for building permit (09EPC-40016).
2. RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT:

Conditions of approval for the proposed Zone Map Amendment and Site Development Plan for Building Permit shall include:

- a. 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, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
- b. Site plan shall comply and be designed per DPM Standards.
- c. A concurrent platting action is required at DRB.

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On April 16, 2009 the Environmental Planning Commission voted to **APPROVE** Project 1007690 / 09EPC-40016, a request for a site development plan for building permit for W 20 ft. of lot 20 and all of lots 21-24, Block Q, ATLANTIC & PACIFIC, based on the following Findings and subject to the following Conditions:

**FINDINGS:**

1. The request is a site development plan for building permit for the West 20 ft. of lot 20 and all of lots 21 – 24, Block Q, Atlantic & Pacific Addition, a site of approximately 0.3 acres located at the northeast corner of Atlantic Ave. and 5<sup>th</sup> St. SW, zoned SU-2/SU-1 for Instruction in Music, Theater, Dance, Arts and Crafts.
2. The site development plan is essentially an “as built” design for the rehabilitation of a bungalow and adjoining one story flat-roofed building, totaling approximately 8,082 sf. Initial changes include the replacement of a storage area with a portal and the addition of landscaping. A later phase includes replacing an existing chain-link fence with tubular steel and an asphalt yard with pervious gravel and, potentially, additional landscaping.

OFFICIAL NOTICE OF DECISION

PROJECT # 1007690

APRIL 16, 2009

PAGE 6 of 9

3. Site development plan approval is required by the accompanying map amendment to the Barelas sector development plan (09EPC-40015), per the SU-1 zone.
4. The subject site is in the Central Urban and Established Urban areas of the Comprehensive Plan and within the boundaries of the Barelas sector development plan (adopted April 2008). The two city plans and the Comprehensive City Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. The project furthers the following goals and polices of the Comprehensive Plan (CP) and the Barelas sector development plan (BSDP):
  - a. The design respects existing neighborhood values and is appropriate to the area, because it preserves and enhances an existing property that already fits in well with the historic and cultural character of Barelas (CP Established Urban Area policies II.B.5.d, II.B.5.1, CP Central Urban Area goal and policy II.B.6.b, BSDP policy LUZ3);
  - b. The use of appropriate drought-tolerant plants around the perimeter of the site will improve its visual appearance from abutting street frontages (CP Developed Landscape policy II.C.8.d);
  - c. Drought-tolerant plants, the use of swales to capture rainwater and the replacement of existing asphalt with pervious gravel supplements usage of municipal water for landscaping and reduces stormwater run-off (CP Water Management goal and policies II.D.2.a and b.);
8. Conditions are recommended to complete the information required on the site development plan and to strengthen protection of surrounding residential properties from potential impacts of the land uses on parking, waste disposal and noise.
9. Property-owners within 100' and the Barelas Neighborhood Association were notified. A facilitated meeting was held on March 25, 2009. The participants agreed that the proposal fits in well with the neighborhood. No written comments were received..

**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. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
  
3. Site development plan:
  - a. The legibility of the text shall be improved.
  - b. The complete zoning category shall be included, i.e. SU-2/SU-1 for Instruction in Music, Theater, Dance, Arts and Crafts.
  - c. Add a note stating that activities shall comply with the City's Noise Ordinance (9-9-9-1 *et seq.*) and Solid Waste Management and Recycling Ordinance (9-10-1-1 *et seq.*).
  - d. The portal shall be labeled and dimensioned.
  - e. Show and label the two existing concrete pads, whether they are being removed or retained, and when the change will occur (initially or in a future phase).
  - f. The refuse enclosure shall be expanded to a minimum of 12' x 9'6" or as agreed with the City Solid Waste Department. If it will also be used to store recyclables, the enclosure shall be expanded to an appropriate size and labeled for the additional recycling use.
  
4. RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT:

Conditions of approval for the proposed Zone Map Amendment and Site Development Plan for Building Permit shall include:

  - a. 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, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
  - b. Site plan shall comply and be designed per DPM Standards.
  - c. A concurrent platting action is required at DRB.
  
5. Access and circulation:

- a. Label the alley as unpaved.
- b. Correct the widths of the sidewalk and planting strip within the 5th Street public right-of-way.

6. Landscaping:

- a. Add a note stating that the shrubs along the west frontage and the south facade of the bungalow and the vines to screen parked cars shall be planted within 60 days of occupancy;
- b. Add a note stating that landscaping may replace existing asphalt in a future phase, provided that the parking spaces and sufficient vehicular circulation area are preserved.
- c. Indicate square footage of individual landscaped beds.
- d. All species listed under the Future Landscape Palette shall be low water use and include dimensions of their height and spread at maturity.
- e. Note on Maintenance: delete the phrase "and meet....Article 6-1-1-1". Add a new note: "The landscape plan shall meet the requirements of the City Water Conservation Landscaping and Water Waste Ordinance".
- f. Correct and add the names of species of existing trees and plants, including desert willow and threadgrass on 5th Street and sotol on Atlantic Ave.

7. The new opening in the south facade of the bungalow shall be labeled as glazing only.

8. It is the applicant's obligation to determine if existing utility easements cross the property and to abide by any conditions or terms of those easements. It is requested that the developer contact PNM's New Service Delivery Department if modifications to the existing electric service are needed.

**PROTEST: IT IS NOT POSSIBLE TO APPEAL EPC RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE EPC'S RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE EPC'S DECISION, WHICH IS BY MAY 1, 2009.**

**APPEAL: IF YOU WISH TO APPEAL A FINAL DECISION, YOU MUST DO SO BY MAY 1, 2009 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.**

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

11/17/2009 Issued By: PLNSDH 61490

**Permit Number: 2009 070 358** **Category Code 910**

**Application Number:** 09DRB-70358, Epc Approved Sdp For Build Permit

**Address:**

**Location Description:** ATLANTIC SW BETWEEN 4TH ST SW AND 5TH ST SW

**Project Number:** 1007690

**Applicant**  
Working Classroom Inc

212 Gold Ave Sw  
Albuquerque NM 87102  
242-9287

**Agent / Contact**  
Ron Romero Inc

511 Marble Nw  
Albuquerque NM 87102  
242-5760

**Application Fees**

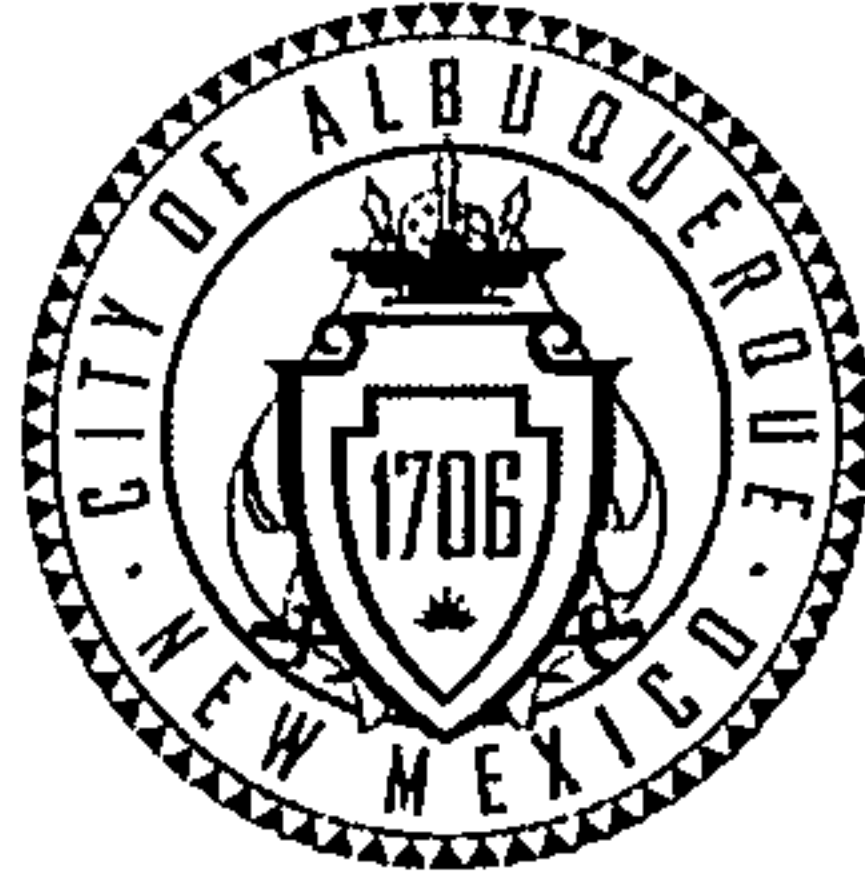
441018/4871000	Public Notification	
441032/3424000	Conflict Mgmt Fee	\$20.00
441006/4983000	DRB Actions	
<b>TOTAL:</b>		<b>\$20.00</b>

City Of Albuquerque  
Treasury Division

11/17/2009      4:11PM      LOC: ANNX  
WS# 008      TRANS# 0029  
RECEIPT# 00112574-00112574  
PERMIT# 2009070358      TRSASR  
Trans Amt      \$20.00  
Conflict Manag. Fee      \$20.00  
CK      \$20.00  
CHANGE      \$0.00

Thank You





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

Date: April 17, 2009

**OFFICIAL NOTIFICATION OF DECISION**

**FILE: Project # 1007690**  
09EPC-40015 AMEND SECTOR DEVELOPMENT  
PLAN  
09EPC-40016 SITE DEVELOPMENT - BUILDG  
PRMT

Working Classroom Inc.  
212 Gold Ave. SW  
Albuquerque, NM 87102

LEGAL DESCRIPTION: RON ROMERO agent for WORKING CLASSROOM INC., requests the above actions for all or a portion of Lots 20-24, block Q, ATLANTIC & PACIFIC zoned SU-2/SU-1 BAKERY to SU-2/SU-1 FOR Instruction in Music, Theater, Dance, Arts or Crafts located on ATLANTIC SW BETWEEN 4TH ST SW AND 5TH ST SW containing approximately 0.3 acre. (K-14) Carol Toffaleti, Staff Planner

On April 16, 2009 the Environmental Planning Commission voted to **APPROVE** Project 1007690 / 09EPC-40015, a sector development plan map amendment for the W 20 ft. of lot 20 and all of lots 21-24, Block Q, ATLANTIC & PACIFIC zoned SU-2/SU-1 for Wholesale and Retail Bakery to SU-2/SU-1 for Instruction in Music, Theater, Dance, Arts and Crafts, based on the following Findings and subject to the following Conditions:

**FINDINGS:**

1. The request is a map amendment to the Barelax sector development plan for the West 20 ft. of lot 20 and all of lots 21 – 24, Block Q, Atlantic & Pacific Addition, a site of approximately 0.3 acres located at the northeast corner of Atlantic Ave. and 5<sup>th</sup> St. SW, from SU-2/SU-1 for Wholesale and Retail Bakery to SU-2/SU-1 for Instruction in Music, Theater, Dance, Arts and Crafts. The zoning includes associated office uses.
2. The request is accompanied by a site development plan for building permit (09EPC-40016) per the SU-1 (Special Use) zone.
3. Because the subject site is not greater than 10 acres, the Environmental Planning Commission is the approval authority.

OFFICIAL NOTICE OF DECISION

PROJECT # 1007690

APRIL 16, 2009

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4. The subject site is in the Central Urban and Established Urban areas of the Comprehensive Plan and within the boundaries of the Barelás sector development plan (adopted April 2008). The two plans and the Comprehensive City Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. The certificate of zoning for the existing use was issued in early 1982 (Z-81-130) and a tortilla factory operated on the site until recently.
6. The zone change furthers the following goals and policies of the Comprehensive Plan (CP) and the Barelás sector development plan (BSDP):
  - a. The change respects existing neighborhood values because the educational and associated office uses are compatible with the residential character of the surrounding properties (CP Established Urban Area policy II.B.5.d);
  - b. The rezoning facilitates rehabilitation of a vacant property in an older neighborhood, which is cost-effective for the city and eliminates physical conditions that may contribute to crime (CP Established Urban Area policies II.B.5.o and p., CP Central Urban Area policy II.B.6.b, BSDP policy P.1);
  - c. The zone change will provide a permanent home in the Central Urban Area for a local organization dedicated to training youth from the community in theater and the arts and to strengthening ties to other arts-based activities and facilities in the city (CP Central Urban Area goal and policy II.B.6.a, CP Community Identity and Urban Design Goal, CP Cultural Traditions and the Arts Goal and policies II.C.7.a and c., BSDP Land Use and Zoning goal);
  - d. The subject site is well-placed to promote alternatives to travel by car, because it is centrally located within the Barelás neighborhood for pedestrian access, and has convenient access to an existing and proposed bike route and to transit routes, one of which (4th Street) is a Major Transit Corridor (CP Transportation and Transit goal and policy II.D.4.h, Air Quality policy II.C.1.b, BSDP Vehicular Circulation and Public Transportation goal and policy T2, Pedestrian and Bicycle Circulation goal and policy T7);
  - e. The zoning provides opportunities for the professional development of young artists and actors as instructors and mentors, and for training youth from underserved communities toward careers in the arts (CP Economic Development goal and policy II.D.6.c, Education goal and policy II.D.7.d, BSDP Economic Development goal and policy E3).
7. The applicant provided an acceptable justification for the zone change per Resolution 270-1980:

- A. A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the city.

The new land use contributes to the morals and general welfare of the city while the retention of the SU-1 zone helps uphold standards of public health and safety through the site development plan review process.

- B. Stability of land use and zoning is desirable; therefore the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the city to show why the change should not be made.

The applicant provided a sound justification for the request and demonstrated that the proposed change is compatible with surrounding residential zoning and uses and will fit into the social, cultural and physical context of the Barelás neighborhood.

- C. A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other city master plans and amendments thereto, including privately developed area plans which have been adopted by the city.

The zone change is consistent with a preponderance of the applicable goals and policies in the Comprehensive Plan and the Barelás sector development plan. These include Comprehensive Plan policies for the Established Urban Area, Central Urban Area, Transportation and Transit, Economic Development, Education and Cultural Traditions and the Arts, and Barelás sector plan policies for Land Use and Zoning, Pedestrian and Bicycle Circulation, Economic Development and Public Safety.

- D. The applicant must demonstrate that the existing zoning is inappropriate because:
1. There was an error when the existing zone map pattern was created; or
  2. Changed neighborhood or community conditions justify the change; or
  3. A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other city master plan, even though (D)(1) or (D)(2) above do not apply.

The applicant stated under 2. that the existing zoning is inappropriate because a wholesale and retail bakery use is unlikely to be viable on a site surrounded by residential uses and in close proximity to the 4th Street corridor that now has many food-related uses. The applicant demonstrated convincingly under 3. that the proposed zoning is more advantageous to the community as articulated in numerous city planning policies, cited in Section C. The change will facilitate rehabilitation of a vacant property that is accessible by all transport modes, for a use that is compatible with--and will serve--the surrounding residential neighborhood. The use fulfills a combination of goals and policies in the Comprehensive Plan and the Barelás sector development plan that promote arts, culture and economic development, as well as provide education and training opportunities for members of the neighborhood and wider community.

- E. A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the community.

The zoning is restricted to instructional uses in music, theater, dance, arts and crafts and controlled through a site development plan. Proposed activities in theater and the arts will be conducted inside the buildings and generate minimal noise and chemical waste. The proposed use will generate relatively few vehicular trips, since participants are mainly youth from the neighborhood, and the corner site accommodates both off- and on-street parking.

OFFICIAL NOTICE OF DECISION

PROJECT # 1007690

APRIL 16, 2009

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F. A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the city may be:

1. Denied due to lack of capital funds; or
2. Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule.

No capital expenditures are required as a result of the proposed zone change.

G. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

The justification for the change is not based on economic considerations.

H. Location on a collector or major street is not in itself sufficient justification for apartment, office, or commercial zoning.

Not applicable.

I. A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:

1. The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

The SU-1 spot zone is justified, as demonstrated by the applicant's policy citations and the site improvements and operational controls that can be guaranteed through the accompanying site development plan.

J. A zone change request, which would give a zone different from surrounding zoning to a strip of land along a street is generally called "strip zoning." Strip commercial zoning will be approved only where:

1. The change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan; and
2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

Not applicable.

8. Property-owners within 100' and the Barelvas Neighborhood Association were notified. A facilitated meeting was held on March 25, 2009. The participants agreed that the proposal fits in well with the neighborhood. No written comments were received.

**CONDITIONS:**

1. Final sign-off at DRB of the accompanying site development plan for building permit (09EPC-40016).
2. RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT:

Conditions of approval for the proposed Zone Map Amendment and Site Development Plan for Building Permit shall include:

- a. 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, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
- b. Site plan shall comply and be designed per DPM Standards.
- c. A concurrent platting action is required at DRB.

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On April 16, 2009 the Environmental Planning Commission voted to **APPROVE** Project 1007690 / 09EPC-40016, a request for a site development plan for building permit for W 20 ft. of lot 20 and all of lots 21-24, Block Q, ATLANTIC & PACIFIC, based on the following Findings and subject to the following Conditions:

**FINDINGS:**

1. The request is a site development plan for building permit for the West 20 ft. of lot 20 and all of lots 21 – 24, Block Q, Atlantic & Pacific Addition, a site of approximately 0.3 acres located at the northeast corner of Atlantic Ave. and 5<sup>th</sup> St. SW, zoned SU-2/SU-1 for Instruction in Music, Theater, Dance, Arts and Crafts.
2. The site development plan is essentially an “as built” design for the rehabilitation of a bungalow and adjoining one story flat-roofed building, totaling approximately 8,082 sf. Initial changes include the replacement of a storage area with a portal and the addition of landscaping. A later phase includes replacing an existing chain-link fence with tubular steel and an asphalt yard with pervious gravel and, potentially, additional landscaping.

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PROJECT # 1007690

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3. Site development plan approval is required by the accompanying map amendment to the Barelás sector development plan (09EPC-40015), per the SU-1 zone.
4. The subject site is in the Central Urban and Established Urban areas of the Comprehensive Plan and within the boundaries of the Barelás sector development plan (adopted April 2008). The two city plans and the Comprehensive City Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. The project furthers the following goals and polices of the Comprehensive Plan (CP) and the Barelás sector development plan (BSDP):
  - a. The design respects existing neighborhood values and is appropriate to the area, because it preserves and enhances an existing property that already fits in well with the historic and cultural character of Barelás (CP Established Urban Area policies II.B.5.d, II.B.5.l, CP Central Urban Area goal and policy II.B.6.b, BSDP policy LUZ3);
  - b. The use of appropriate drought-tolerant plants around the perimeter of the site will improve its visual appearance from abutting street frontages (CP Developed Landscape policy II.C.8.d)
  - c. Drought-tolerant plants, the use of swales to capture rainwater and the replacement of existing asphalt with pervious gravel supplements usage of municipal water for landscaping and reduces stormwater run-off (CP Water Management goal and policies II.D.2.a and b.);
8. Conditions are recommended to complete the information required on the site development plan and to strengthen protection of surrounding residential properties from potential impacts of the land uses on parking, waste disposal and noise.
9. Property-owners within 100' and the Barelás Neighborhood Association were notified. A facilitated meeting was held on March 25, 2009. The participants agreed that the proposal fits in well with the neighborhood. No written comments were received..

**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. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
  
3. Site development plan:
  - a. The legibility of the text shall be improved.
  
  - b. The complete zoning category shall be included, i.e. SU-2/SU-1 for Instruction in Music, Theater, Dance, Arts and Crafts.
  
  - c. Add a note stating that activities shall comply with the City's Noise Ordinance (9-9-9-1 *et seq.*) and Solid Waste Management and Recycling Ordinance (9-10-1-1 *et seq.*).
  
  - d. The portal shall be labeled and dimensioned.
  
  - e. Show and label the two existing concrete pads, whether they are being removed or retained, and when the change will occur (initially or in a future phase).
  
  - f. The refuse enclosure shall be expanded to a minimum of 12' x 9'6" or as agreed with the City Solid Waste Department. If it will also be used to store recyclables, the enclosure shall be expanded to an appropriate size and labeled for the additional recycling use.
  
4. RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT:

Conditions of approval for the proposed Zone Map Amendment and Site Development Plan for Building Permit shall include:

  - a. 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, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
  - b. Site plan shall comply and be designed per DPM Standards.
  - c. A concurrent platting action is required at DRB.

5. Access and circulation:

- a. Label the alley as unpaved.
- b. Correct the widths of the sidewalk and planting strip within the 5th Street public right-of-way.

6. Landscaping:

- a. Add a note stating that the shrubs along the west frontage and the south facade of the bungalow and the vines to screen parked cars shall be planted within 60 days of occupancy;
- b. Add a note stating that landscaping may replace existing asphalt in a future phase, provided that the parking spaces and sufficient vehicular circulation area are preserved.
- c. Indicate square footage of individual landscaped beds.
- d. All species listed under the Future Landscape Palette shall be low water use and include dimensions of their height and spread at maturity.
- e. Note on Maintenance: delete the phrase "and meet....Article 6-1-1-1". Add a new note: "The landscape plan shall meet the requirements of the City Water Conservation Landscaping and Water Waste Ordinance".
- f. Correct and add the names of species of existing trees and plants, including desert willow and threadgrass on 5th Street and sotol on Atlantic Ave.

7. The new opening in the south facade of the bungalow shall be labeled as glazing only.

8. It is the applicant's obligation to determine if existing utility easements cross the property and to abide by any conditions or terms of those easements. It is requested that the developer contact PNM's New Service Delivery Department if modifications to the existing electric service are needed.

**PROTEST: IT IS NOT POSSIBLE TO APPEAL EPC RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE EPC'S RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE EPC'S DECISION, WHICH IS BY MAY 1, 2009.**

**APPEAL: IF YOU WISH TO APPEAL A FINAL DECISION, YOU MUST DO SO BY MAY 1, 2009 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED.**



Appeal to the City Council: Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department within 15 days of the Planning Commission's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If they decide that all City plans, policies and ordinances have not been properly followed, they shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

YOU WILL RECEIVE NOTIFICATION IF ANY PERSON FILES AN APPEAL. IF THERE IS NO APPEAL, YOU CAN RECEIVE BUILDING PERMITS AT ANY TIME AFTER THE APPEAL DEADLINE QUOTED ABOVE, PROVIDED ALL CONDITIONS IMPOSED AT THE TIME OF APPROVAL HAVE BEEN MET. SUCCESSFUL APPLICANTS ARE REMINDED THAT OTHER REGULATIONS OF THE CITY MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

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

Sincerely,

Richard Dineen  
Planning Director

RD/CT/ma

cc: Working Classroom Inc., 212 Gold Ave. SW, Albuquerque, NM 87102  
Ron Romero, Inc., 511 Marble NW, Albuquerque, NM 87102  
Dorothy Chavez, Barelans NA, 612 10<sup>th</sup> St. SW, Albuquerque, NM 87102  
Kathleen Esquibel, Barelans NA, 1100 Santa Fe SW, Albuquerque, NM 87102  
Juan Valle, 340 La Vega SW, Albuquerque, NM 87105  
Nan Elsassor, 1605 Granite NW, Albuquerque, NM 87104  
Stephen Moffat, 908 Fruit NW, Albuquerque, NM 87102  
Fred Sais, 1508 Los Tomases NW, Albuquerque, NM 87102

# City of Albuquerque



## DEVELOPMENT/ PLAN REVIEW APPLICATION

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): Ron J. Romero PHONE: 505-242-5760  
 ADDRESS: 511 Marble NW FAX: 505-242-5761  
 CITY: Albq STATE NM ZIP 87102 E-MAIL: Ronromeromc@gmail.com

APPLICANT: Working Classroom inc. PHONE: 505-242-9267  
 ADDRESS: 212 Gold Ave SW FAX: \_\_\_\_\_  
 CITY: Albq STATE NM ZIP 87102 E-MAIL: \_\_\_\_\_

Proprietary interest in site: Tenant List all owners: Dennis Romero

DESCRIPTION OF REQUEST: SU-2 / SUI Bakery  
TO SU2 / SUI For instruction in music, Theater, Dance

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

### SITE INFORMATION: ACCURACY OF THE EXISTING LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.

Lot or Tract No. West 20 ft of lot 20 & All of Lots 21-24 Block: Q Unit: \_\_\_\_\_  
 Subdiv/Addn/TBKA: Atlantic & Pacific  
 Existing Zoning: SU-1 Bakery Proposed zoning: \_\_\_\_\_ MRGCD Map No \_\_\_\_\_  
 Zone Atlas page(s): K-14-2 UPC Code: 101405709916631902

### CASE HISTORY:

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

### 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): .27

LOCATION OF PROPERTY BY STREETS: On or Near: Atlantic  
 Between: 4<sup>th</sup> St SW and 5<sup>th</sup> St S.W.

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

SIGNATURE [Signature] DATE 11/15/09  
 (Print) Ron J. Romero Applicant:  Agent:

### FOR OFFICIAL USE ONLY

- INTERNAL ROUTING
- All checklists are complete
- All fees have been collected
- All case #s are assigned
- AGIS copy has been sent
- Case history #s are listed
- Site is within 1000ft of a landfill
- F.H.D.P. density bonus
- F.H.D.P. fee rebate

Application case numbers  
09DRB 70358

SBP  
 Action  
8(3)  
CMT

Form revised 4/07

S.F.	Fees
_____	\$ <u>0</u>
_____	\$ <u>20.00</u>
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
Total	\$ <u>20.00</u>

Hearing date 12/02/09

Sandy Handley 11/17/09  
 Planner signature / date

Project # 1007690

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

- SKETCH PLAT REVIEW AND COMMENT (DRB22)** **Maximum Size: 24" x 36"**  
 \_\_\_ Scaled site sketch and related drawings showing proposed land use including structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, etc. (folded to fit into an 8.5" by 14" pocket) **6 copies.**  
 \_\_\_ Zone Atlas map with the entire property(ies) clearly outlined  
 \_\_\_ Letter briefly describing, explaining, and justifying the request  
 \_\_\_ List any original and/or related file numbers on the cover application  
 Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

- SITE DEVELOPMENT PLAN FOR SUBDIVISION (DRB18)** **Maximum Size: 24" x 36"**  
 \_\_\_ 5 Acres or more & zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval  
 \_\_\_ Scaled site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **6 copies**  
 \_\_\_ Zone Atlas map with the entire property(ies) clearly outlined  
 \_\_\_ Letter briefly describing, explaining, and justifying the request  
 \_\_\_ Letter of authorization from the property owner if application is submitted by an agent  
 \_\_\_ Copy of the document delegating approval authority to the DRB  
 \_\_\_ Completed Site Plan for Subdivision Checklist  
 \_\_\_ Infrastructure List, if relevant to the site plan  
 \_\_\_ Fee (see schedule)  
 \_\_\_ List any original and/or related file numbers on the cover application  
 Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original to the meeting. Your attendance is required.**

- SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (DRB17)** **Maximum Size: 24" x 36"**  
 \_\_\_ 5 Acres or more & zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval  
 \_\_\_ Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **6 copies**  
 \_\_\_ Site Plan for Subdivision, if applicable, previously approved or simultaneously submitted. **6 copies.**  
 \_\_\_ Solid Waste Management Department signature on Site Plan  
 \_\_\_ Zone Atlas map with the entire property(ies) clearly outlined  
 \_\_\_ Letter briefly describing, explaining, and justifying the request  
 \_\_\_ Letter of authorization from the property owner if application is submitted by an agent  
 \_\_\_ Copy of the document delegating approval authority to the DRB  
 \_\_\_ Infrastructure List, if relevant to the site plan  
 \_\_\_ Completed Site Plan for Building Permit Checklist  
 \_\_\_ Copy of Site Plan with Fire Marshal's stamp  
 \_\_\_ Fee (see schedule)  
 \_\_\_ List any original and/or related file numbers on the cover application  
 Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original to the meeting. Your attendance is required.**

- AMENDED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (DRB01)** **Maximum Size: 24" x 36"**  
 **AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION (DRB02)** **Maximum Size: 24" x 36"**  
 \_\_\_ Proposed amended Site Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**  
 \_\_\_ DRB signed Site Plan being amended (folded to fit into an 8.5" by 14" pocket) **6 copies**  
 \_\_\_ Zone Atlas map with the entire property(ies) clearly outlined  
 \_\_\_ Letter briefly describing, explaining, and justifying the request  
 \_\_\_ Letter of authorization from the property owner if application is submitted by an agent  
 \_\_\_ Infrastructure List, if relevant to the site plan  
 \_\_\_ Completed Site Plan for Building Permit Checklist (not required for amendment of SDP for Subdivision)  
 \_\_\_ Fee (see schedule)  
 \_\_\_ List any original and/or related file numbers on the cover application  
 Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original to the meeting. Your attendance is required.**

- FINAL SIGN-OFF FOR EPC APPROVED SDP FOR BUILDING PERMIT (DRB05)**  
 **FINAL SIGN-OFF FOR EPC APPROVED SDP FOR SUBDIVISION (DRB06)**  
 \_\_\_ 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**  
 \_\_\_ 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  
 \_\_\_ Copy of Site Plan with Fire Marshal's stamp (not required for SDP for Subdivision)  
 \_\_\_ List any original and/or related file numbers on the cover application  
 Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original to the meeting. Your attendance is required.**

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

Ronald Romero  
 Applicant name (print)  
[Signature] 11/17/09  
 Applicant signature / date



Form revised October 2007

- Checklists complete  
 Fees collected  
 Case #s assigned  
 Related #s listed
- Application case numbers  
 09DEB - 70358

Sandy Handley 11/17/09  
 Planner signature / date  
 Project # 1007690

# **Ron Romero, Inc.**

**NM Lic. #027882**

511 Marble NW Albuquerque. NM 87102 505-242-5760  
[ronromeroinc@gmail.com](mailto:ronromeroinc@gmail.com)

DRB Chairperson  
1 Civic Plaza NW  
Albuquerque NM 87103

3 June 2009

Zone Change Project #1007690, Case # 09EPC-40015/40016

Please accept the accompanying submittal of Revised Site Plans for the above indicated project. The following changes and Conditions have been completed on the attached document per the Decision of April 17, 2009:

## **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.

Application for DRB sign-off shall be submitted upon acceptance of revised Site Plan to meet conditions of EPC approval.

2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.

Consultation with Staff Planner was held June 2, 2009.

3. Site development plan:

- a. The legibility of the text shall be improved.

Text font and line legibility have been improved.

- b. The complete zoning category shall be included, i.e. SU-2/SU-1 for Instruction in Music, Theater, Dance, Arts and Crafts.

The Zone category has been changed to reflect the approved designation.

- c. Add a note stating that activities shall comply with the City's Noise Ordinance (9-9-9-1 *et seq.*) and Solid Waste Management and Recycling Ordinance (9-10-1-1 *et seq.*).

An additional note was included under "General Notes" indicating compliance with the City Noise Ordinance.

- d. The portal shall be labeled and dimensioned.

Additional labeling and dimensioning of the Portal have been included.

- e. Show and label the two existing concrete pads, whether they are being removed or retained, and when the change will occur (initially or in a future phase).

Existing Site structures, concrete pads have been indicated and their disposition notated.

- f. The refuse enclosure shall be expanded to a minimum of 12' x 9'6" or as agreed with the City Solid Waste Department. If it will also be used to store recyclables, the enclosure shall be expanded to an appropriate size and labeled for the additional recycling use.

Refuse enclosure has been enlarged per minimum requirements.

**4. RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT:**

Conditions of approval for the proposed Zone Map Amendment and Site Development Plan for Building Permit shall include:

- a. 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, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).

All required infrastructure improvements are existing

- b. Site plan shall comply and be designed per DPM Standards.

c.

The Site Plan has been prepared in accordance with DPM Standards.

- d. A concurrent platting action is required at DRB.

Platting Action is currently in process and shall be complete prior to DRB review.

**5. Access and circulation:**

- a. Label the alley as unpaved.

Unpaved Alley labeling has been corrected.

**b. Correct the widths of the sidewalk and planting strip within the 5th Street public right-of-way**

The indicated widths of existing sidewalks and planting strips along 5<sup>th</sup> Street and Atlantic have been verified.

**6. Landscaping:**

- a. Add a note stating that the shrubs along the west frontage and the south facade of the bungalow and the vines to screen parked cars shall be planted within 60 days of occupancy;

Additional notes have been made regarding Landscaping schedule of completion.

- b. Add a note stating that landscaping may replace existing asphalt in a future phase, provided that the parking spaces and sufficient vehicular circulation area are preserved.

Additional notes have been made regarding future consideration for parking requirements.

- c. Indicate square footage of individual landscaped beds.

Proposed landscape areas have been recalculated and indicated with the applicable space.

- d. All species listed under the Future Landscape Palette shall be low water use and include dimensions of their height and spread at maturity.

The Future Landscape Palette has been revised.

- e. Note on Maintenance: delete the phrase "and meet....Article 6-1-1-1". Add a new note: "The landscape plan shall meet the requirements of the City Water Conservation Landscaping and Water Waste Ordinance".

Notation regarding maintenance has been altered.

- f. Correct and add the names of species of existing trees and plants, including desert willow and threadgrass on 5th Street and sotol on Atlantic Ave.

Existing plantings have been identified.

**7. The new opening in the south facade of the bungalow shall be labeled as glazing only.**

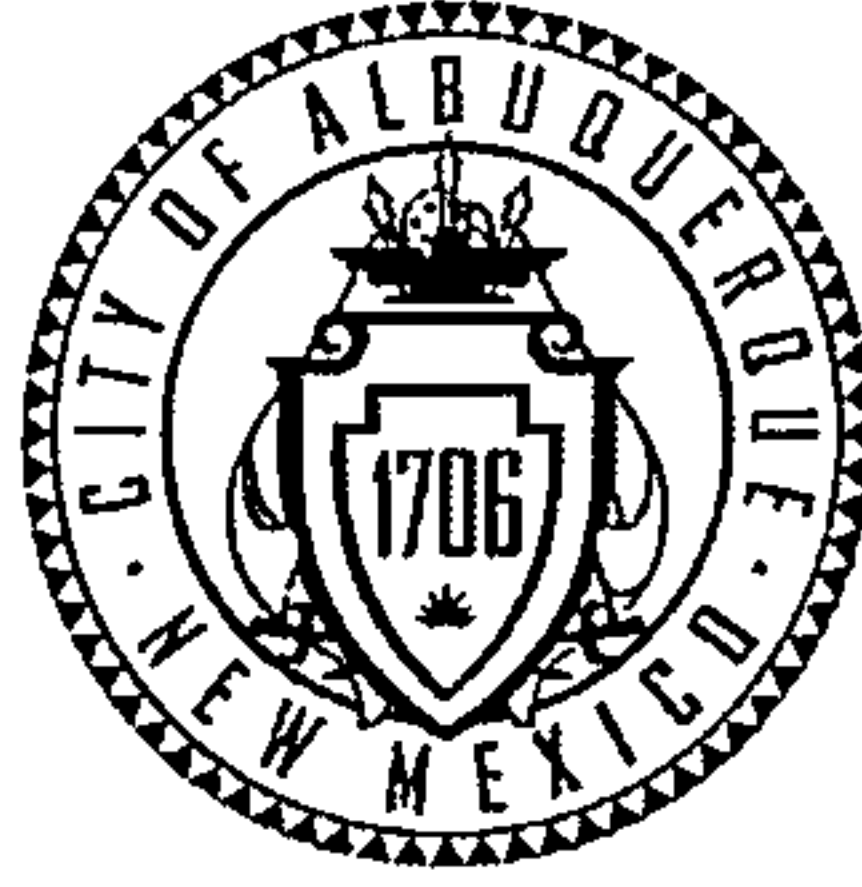
Labeling has been changed.

8. It is the applicant's obligation to determine if existing utility easements cross the property and to abide by any conditions or terms of those easements. It is requested that the developer contact PNM's New Service Delivery Department if modifications to the existing electric service are needed.

PNM and NM Gas has been contacted with no apparent easement restrictions. New platting action will verify existing conditions.

Respectfully Submitted

Ron Romero  
Ron Romero Inc



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

Date: April 17, 2009

**OFFICIAL NOTIFICATION OF DECISION**

FILE: **Project # 1007690**  
09EPC-40015 AMEND SECTOR DEVELOPMENT  
PLAN  
09EPC-40016 SITE DEVELOPMENT - BUILDG  
PRMT

Working Classroom Inc.  
212 Gold Ave. SW  
Albuquerque, NM 87102

LEGAL DESCRIPTION: RON ROMERO agent for WORKING CLASSROOM INC., requests the above actions for all or a portion of Lots 20-24, block Q, ATLANTIC & PACIFIC zoned SU-2/SU-1 BAKERY to SU-2/SU-1 FOR Instruction in Music, Theater, Dance, Arts or Crafts located on ATLANTIC SW BETWEEN 4TH ST SW AND 5TH ST SW containing approximately 0.3 acre. (K-14) Carol Toffaleti, Staff Planner

On April 16, 2009 the Environmental Planning Commission voted to **APPROVE** Project 1007690 / 09EPC-40015, a sector development plan map amendment for the W 20 ft. of lot 20 and all of lots 21-24, Block Q, ATLANTIC & PACIFIC zoned SU-2/SU-1 for Wholesale and Retail Bakery to SU-2/SU-1 for Instruction in Music, Theater, Dance, Arts and Crafts, based on the following Findings and subject to the following Conditions:

**FINDINGS:**

1. The request is a map amendment to the Barelás sector development plan for the West 20 ft. of lot 20 and all of lots 21 – 24, Block Q, Atlantic & Pacific Addition, a site of approximately 0.3 acres located at the northeast corner of Atlantic Ave. and 5<sup>th</sup> St. SW, from SU-2/SU-1 for Wholesale and Retail Bakery to SU-2/SU-1 for Instruction in Music, Theater, Dance, Arts and Crafts. The zoning includes associated office uses.
2. The request is accompanied by a site development plan for building permit (09EPC-40016) per the SU-1 (Special Use) zone.
3. Because the subject site is not greater than 10 acres, the Environmental Planning Commission is the approval authority.



4. The subject site is in the Central Urban and Established Urban areas of the Comprehensive Plan and within the boundaries of the Barelás sector development plan (adopted April 2008). The two plans and the Comprehensive City Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. The certificate of zoning for the existing use was issued in early 1982 (Z-81-130) and a tortilla factory operated on the site until recently.
6. The zone change furthers the following goals and policies of the Comprehensive Plan (CP) and the Barelás sector development plan (BSDP):
  - a. The change respects existing neighborhood values because the educational and associated office uses are compatible with the residential character of the surrounding properties (CP Established Urban Area policy II.B.5.d);
  - b. The rezoning facilitates rehabilitation of a vacant property in an older neighborhood, which is cost-effective for the city and eliminates physical conditions that may contribute to crime (CP Established Urban Area policies II.B.5.o and p., CP Central Urban Area policy II.B.6.b, BSDP policy P.1);
  - c. The zone change will provide a permanent home in the Central Urban Area for a local organization dedicated to training youth from the community in theater and the arts and to strengthening ties to other arts-based activities and facilities in the city (CP Central Urban Area goal and policy II.B.6.a, CP Community Identity and Urban Design Goal, CP Cultural Traditions and the Arts Goal and policies II.C.7.a and c., BSDP Land Use and Zoning goal);
  - d. The subject site is well-placed to promote alternatives to travel by car, because it is centrally located within the Barelás neighborhood for pedestrian access, and has convenient access to an existing and proposed bike route and to transit routes, one of which (4th Street) is a Major Transit Corridor (CP Transportation and Transit goal and policy II.D.4.h, Air Quality policy II.C.1.b, BSDP Vehicular Circulation and Public Transportation goal and policy T2, Pedestrian and Bicycle Circulation goal and policy T7);
  - e. The zoning provides opportunities for the professional development of young artists and actors as instructors and mentors, and for training youth from underserved communities toward careers in the arts (CP Economic Development goal and policy II.D.6.c, Education goal and policy II.D.7.d, BSDP Economic Development goal and policy E3).
7. The applicant provided an acceptable justification for the zone change per Resolution 270-1980:

- A. A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the city.

The new land use contributes to the morals and general welfare of the city while the retention of the SU-1 zone helps uphold standards of public health and safety through the site development plan review process.

- B. Stability of land use and zoning is desirable; therefore the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the city to show why the change should not be made.

The applicant provided a sound justification for the request and demonstrated that the proposed change is compatible with surrounding residential zoning and uses and will fit into the social, cultural and physical context of the Barelás neighborhood.

- C. A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other city master plans and amendments thereto, including privately developed area plans which have been adopted by the city.

The zone change is consistent with a preponderance of the applicable goals and policies in the Comprehensive Plan and the Barelás sector development plan. These include Comprehensive Plan policies for the Established Urban Area, Central Urban Area, Transportation and Transit, Economic Development, Education and Cultural Traditions and the Arts, and Barelás sector plan policies for Land Use and Zoning, Pedestrian and Bicycle Circulation, Economic Development and Public Safety.

- D. The applicant must demonstrate that the existing zoning is inappropriate because:
1. There was an error when the existing zone map pattern was created; or
  2. Changed neighborhood or community conditions justify the change; or
  3. A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other city master plan, even though (D)(1) or (D)(2) above do not apply.

The applicant stated under 2. that the existing zoning is inappropriate because a wholesale and retail bakery use is unlikely to be viable on a site surrounded by residential uses and in close proximity to the 4th Street corridor that now has many food-related uses. The applicant demonstrated convincingly under 3. that the proposed zoning is more advantageous to the community as articulated in numerous city planning policies, cited in Section C. The change will facilitate rehabilitation of a vacant property that is accessible by all transport modes, for a use that is compatible with--and will serve--the surrounding residential neighborhood. The use fulfills a combination of goals and policies in the Comprehensive Plan and the Barelás sector development plan that promote arts, culture and economic development, as well as provide education and training opportunities for members of the neighborhood and wider community.

- E. A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the community.

The zoning is restricted to instructional uses in music, theater, dance, arts and crafts and controlled through a site development plan. Proposed activities in theater and the arts will be conducted inside the buildings and generate minimal noise and chemical waste. The proposed use will generate relatively few vehicular trips, since participants are mainly youth from the neighborhood, and the corner site accommodates both off- and on-street parking.

F. A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the city may be:

1. Denied due to lack of capital funds; or
2. Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule.

No capital expenditures are required as a result of the proposed zone change.

G. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

The justification for the change is not based on economic considerations.

H. Location on a collector or major street is not in itself sufficient justification for apartment, office, or commercial zoning.

Not applicable.

I. A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:

1. The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

The SU-1 spot zone is justified, as demonstrated by the applicant's policy citations and the site improvements and operational controls that can be guaranteed through the accompanying site development plan.

J. A zone change request, which would give a zone different from surrounding zoning to a strip of land along a street is generally called "strip zoning." Strip commercial zoning will be approved only where:

1. The change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan; and
2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

Not applicable.

8. Property-owners within 100' and the Barelvas Neighborhood Association were notified. A facilitated meeting was held on March 25, 2009. The participants agreed that the proposal fits in well with the neighborhood. No written comments were received.

**CONDITIONS:**

1. Final sign-off at DRB of the accompanying site development plan for building permit (09EPC-40016).
2. RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT:

Conditions of approval for the proposed Zone Map Amendment and Site Development Plan for Building Permit shall include:

- a. 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, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
- b. Site plan shall comply and be designed per DPM Standards.
- c. A concurrent platting action is required at DRB.

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On April 16, 2009 the Environmental Planning Commission voted to **APPROVE** Project 1007690 / 09EPC-40016, a request for a site development plan for building permit for W 20 ft. of lot 20 and all of lots 21-24, Block Q, ATLANTIC & PACIFIC, based on the following Findings and subject to the following Conditions:

**FINDINGS:**

1. The request is a site development plan for building permit for the West 20 ft. of lot 20 and all of lots 21 – 24, Block Q, Atlantic & Pacific Addition, a site of approximately 0.3 acres located at the northeast corner of Atlantic Ave. and 5<sup>th</sup> St. SW, zoned SU-2/SU-1 for Instruction in Music, Theater, Dance, Arts and Crafts.
2. The site development plan is essentially an “as built” design for the rehabilitation of a bungalow and adjoining one story flat-roofed building, totaling approximately 8,082 sf. Initial changes include the replacement of a storage area with a portal and the addition of landscaping. A later phase includes replacing an existing chain-link fence with tubular steel and an asphalt yard with pervious gravel and, potentially, additional landscaping.

3. Site development plan approval is required by the accompanying map amendment to the Barelas sector development plan (09EPC-40015), per the SU-1 zone.
4. The subject site is in the Central Urban and Established Urban areas of the Comprehensive Plan and within the boundaries of the Barelas sector development plan (adopted April 2008). The two city plans and the Comprehensive City Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. The project furthers the following goals and polices of the Comprehensive Plan (CP) and the Barelas sector development plan (BSDP):
  - a. The design respects existing neighborhood values and is appropriate to the area, because it preserves and enhances an existing property that already fits in well with the historic and cultural character of Barelas (CP Established Urban Area policies II.B.5.d, II.B.5.1, CP Central Urban Area goal and policy II.B.6.b, BSDP policy LUZ3);
  - b. The use of appropriate drought-tolerant plants around the perimeter of the site will improve its visual appearance from abutting street frontages (CP Developed Landscape policy II.C.8.d);
  - c. Drought-tolerant plants, the use of swales to capture rainwater and the replacement of existing asphalt with pervious gravel supplements usage of municipal water for landscaping and reduces stormwater run-off (CP Water Management goal and policies II.D.2.a and b.);
8. Conditions are recommended to complete the information required on the site development plan and to strengthen protection of surrounding residential properties from potential impacts of the land uses on parking, waste disposal and noise.
9. Property-owners within 100' and the Barelas Neighborhood Association were notified. A facilitated meeting was held on March 25, 2009. The participants agreed that the proposal fits in well with the neighborhood. No written comments were received..

**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. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.

3. Site development plan:

- ✓ a. The legibility of the text shall be improved.
- ✓ b. The complete zoning category shall be included, i.e. SU-2/SU-1 for Instruction in Music, Theater, Dance, Arts and Crafts.
- ✓ c. Add a note stating that activities shall comply with the City's Noise Ordinance (9-9-9-1 *et seq.*) and Solid Waste Management and Recycling Ordinance (9-10-1-1 *et seq.*).

FIX d. The portal shall be labeled and dimensioned.

FIX ✓ e. Show and label the two existing concrete pads, whether they are being removed or retained, and when the change will occur (initially or in a future phase).

✓ f. The refuse enclosure shall be expanded to a minimum of 12' x 9'6" or as agreed with the City Solid Waste Department. If it will also be used to store recyclables, the enclosure shall be expanded to an appropriate size and labeled for the additional recycling use.

4. RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT:

Conditions of approval for the proposed Zone Map Amendment and Site Development Plan for Building Permit shall include:

- a. 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, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
- b. Site plan shall comply and be designed per DPM Standards.
- c. A concurrent platting action is required at DRB.

5. Access and circulation:

- ✓ a. Label the alley as unpaved.
- b. Correct the widths of the sidewalk and planting strip within the 5th Street public right-of-way.

*Recheck*

6. Landscaping:

- ✓ a. Add a note stating that the shrubs along the west frontage and the south facade of the bungalow and the vines to screen parked cars shall be planted within 60 days of occupancy;

- change* b. Add a note stating that landscaping may replace existing asphalt in a future phase, provided that the parking spaces and sufficient vehicular circulation area are preserved.

- change* ✓ c. Indicate square footage of individual landscaped beds.

- change* d. All species listed under the Future Landscape Palette shall be low water use and include dimensions of their height and spread at maturity.

- ✓ e. Note on Maintenance: delete the phrase "and meet...Article 6-1-1-1". Add a new note: "The landscape plan shall meet the requirements of the City Water Conservation Landscaping and Water Waste Ordinance".

- f. Correct and add the names of species of existing trees and plants, including desert willow and threadgrass on 5th Street and sotol on Atlantic Ave.

7. The new opening in the south facade of the bungalow shall be labeled as glazing only.

8. It is the applicant's obligation to determine if existing utility easements cross the property and to abide by any conditions or terms of those easements. It is requested that the developer contact PNM's New Service Delivery Department if modifications to the existing electric service are needed.

**PROTEST: IT IS NOT POSSIBLE TO APPEAL EPC RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE EPC'S RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE EPC'S DECISION, WHICH IS BY MAY 1, 2009.**

**APPEAL: IF YOU WISH TO APPEAL A FINAL DECISION, YOU MUST DO SO BY MAY 1, 2009 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED.**

Appeal to the City Council: Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department within 15 days of the Planning Commission's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If they decide that all City plans, policies and ordinances have not been properly followed, they shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

YOU WILL RECEIVE NOTIFICATION IF ANY PERSON FILES AN APPEAL. IF THERE IS NO APPEAL, YOU CAN RECEIVE BUILDING PERMITS AT ANY TIME AFTER THE APPEAL DEADLINE QUOTED ABOVE, PROVIDED ALL CONDITIONS IMPOSED AT THE TIME OF APPROVAL HAVE BEEN MET. SUCCESSFUL APPLICANTS ARE REMINDED THAT OTHER REGULATIONS OF THE CITY MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

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

Sincerely,

Richard Dineen  
Planning Director

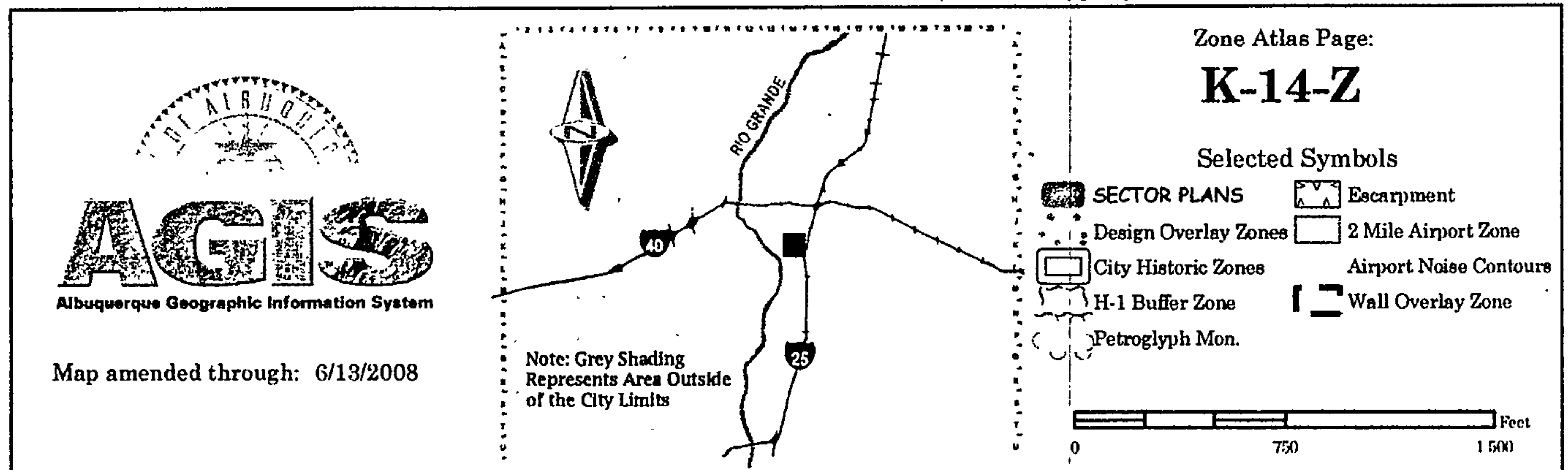
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cc: Working Classroom Inc., 212 Gold Ave. SW, Albuquerque, NM 87102  
Ron Romero, Inc., 511 Marble NW, Albuquerque, NM 87102  
Dorothy Chavez, Barelas NA, 612 10<sup>th</sup> St. SW, Albuquerque, NM 87102  
Kathleen Esquibel, Barelas NA, 1100 Santa Fe SW, Albuquerque, NM 87102  
Juan Valle, 340 La Vega SW, Albuquerque, NM 87105  
Nan Elsassor, 1605 Granite NW, Albuquerque, NM 87104  
Stephen Moffat, 908 Fruit NW, Albuquerque, NM 87102  
Fred Sais, 1508 Los Tomases NW, Albuquerque, NM 87102





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



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SENIOR HOUSING PROJECT

NORTH BARELAS HOUSING SITE PHASE 1

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SP-83-363

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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**

- 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...**
- D** 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.

**APPLICANT INFORMATION:**

Professional/Agent (if any): Rhombus Consulting PHONE: 881-6690  
 ADDRESS: 2620 San Mateo NE STE B FAX: 881-6896  
 CITY: Albuquerque STATE NM ZIP 87110 E-MAIL: cking@rhombuspc.com  
 APPLICANT: Ron Romero PHONE: 269-8154  
 ADDRESS: 511 Marble NW FAX: \_\_\_\_\_  
 CITY: Albuquerque STATE NM ZIP 87102 E-MAIL: \_\_\_\_\_  
 Proprietary interest in site: owner List all owners: RON ROMERO

DESCRIPTION OF REQUEST: Combine the W 20' of Lot 20 and Lots 21, 22, 23 and 24 into one lot

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. Lots 20, 21, 22, 23 and 24 Block: Q Unit: \_\_\_\_\_  
 Subdiv/Addn/TBKA: Atlantic and Pacific Addition  
 Existing Zoning: SU-2 - SU-1 BAKERY Proposed zoning: SU-2 / SU-1  
 Zone Atlas page(s): K-14-Z UPC Code: \_\_\_\_\_ MRGCD Map No \_\_\_\_\_

**CASE HISTORY:**

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

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill? No  
 No. of existing lots: 5 No. of proposed lots: 1 Total area of site (acres): 0.2752  
 LOCATION OF PROPERTY BY STREETS: On or Near: \_\_\_\_\_  
 Between: Atlantic Ave SW and 4th and 5th Streets SW

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

SIGNATURE Clyde J. King DATE 11-4-09  
 (Print) \_\_\_\_\_ Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

Form revised 4/07

- INTERNAL ROUTING
- All checklists are complete
- All fees have been collected
- All case #'s are assigned
- AGIS copy has been sent
- Case history #'s are listed
- Site is within 1000ft of a landfill
- F.H.D.P. density bonus
- F.H.D.P. fee rebate

Application case numbers	Action	S.F.	Fees
<u>09DRB 70341</u>	<u>P&amp;F</u>	<u>5(3)</u>	<u>\$ 215.00</u>
	<u>CMT</u>		<u>\$ 20.00</u>
			\$ _____
			\$ _____
			\$ _____
			\$ _____
			\$ _____
			Total
			<u>\$ 235.00</u>

Hearing date 11/18/09

Jancy Andley 11/04/09  
 Planner signature / date

Project # 1007690

**FORM S(3): SUBDIVISION - D.R.B. MEETING (UNADVERTISED) OR INTERNAL ROUTING**

A Bulk Land Variance requires application on FORM-V in addition to application for subdivision on FORM-S.

**SKETCH PLAT REVIEW AND COMMENT (DRB22)** Your attendance is required.

- Scale drawing of the proposed subdivision plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, if there is any existing land use (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

**EXTENSION OF MAJOR PRELIMINARY PLAT (DRB08)** Your attendance is required.

- Preliminary Plat reduced to 8.5" x 11"
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Copy of DRB approved infrastructure list
- Copy of the LATEST Official DRB Notice of approval for Preliminary Plat Extension request
- List any original and/or related file numbers on the cover application

**Extension of preliminary plat approval expires after one year.**

**MAJOR SUBDIVISION FINAL PLAT APPROVAL (DRB12)** Your attendance is required.

- Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Signed & recorded Final Pre-Development Facilities Fee Agreement for Residential development only
- Design elevations & cross sections of perimeter walls **3 copies**
- Zone Atlas map with the entire property(ies) clearly outlined
- Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
- Copy of recorded SIA
- Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
- List any original and/or related file numbers on the cover application
- DXF file and hard copy of final plat data for AGIS is required.

**MINOR SUBDIVISION PRELIMINARY/FINAL PLAT APPROVAL (DRB16)** Your attendance is required.

- 5 Acres or more: Certificate of No Effect or Approval
- Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies** for unadvertised meetings ensure property owner's and City Surveyor's signatures are on the plat prior to submittal
- ~~N/A~~ Signed & recorded Final Pre-Development Facilities Fee Agreement for Residential development only
- Design elevations and cross sections of perimeter walls (11" by 17" maximum) **3 copies**
- Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, if there is any existing land use (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
- Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
- Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
- Fee (see schedule)
- List any original and/or related file numbers on the cover application
- Infrastructure list if required (**verify with DRB Engineer**)
- DXF file and hard copy of final plat data for AGIS is required.

**AMENDMENT TO PRELIMINARY PLAT (with minor changes) (DRB03)** Your attendance is required.

- PLEASE NOTE: There are no clear distinctions between significant and minor changes with regard to subdivision amendments. Significant changes are those deemed by the DRB to require public notice and public hearing.
- Proposed Amended Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
  - Original Preliminary Plat, Infrastructure List, and/or Grading Plan (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
  - Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
  - List any original and/or related file numbers on the cover application
- Amended preliminary plat approval expires after one year**

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

Clyde J. King Agent

Clyde J. King  
Applicant name (print)  
[Signature]  
Applicant signature / date



Form revised October 2007

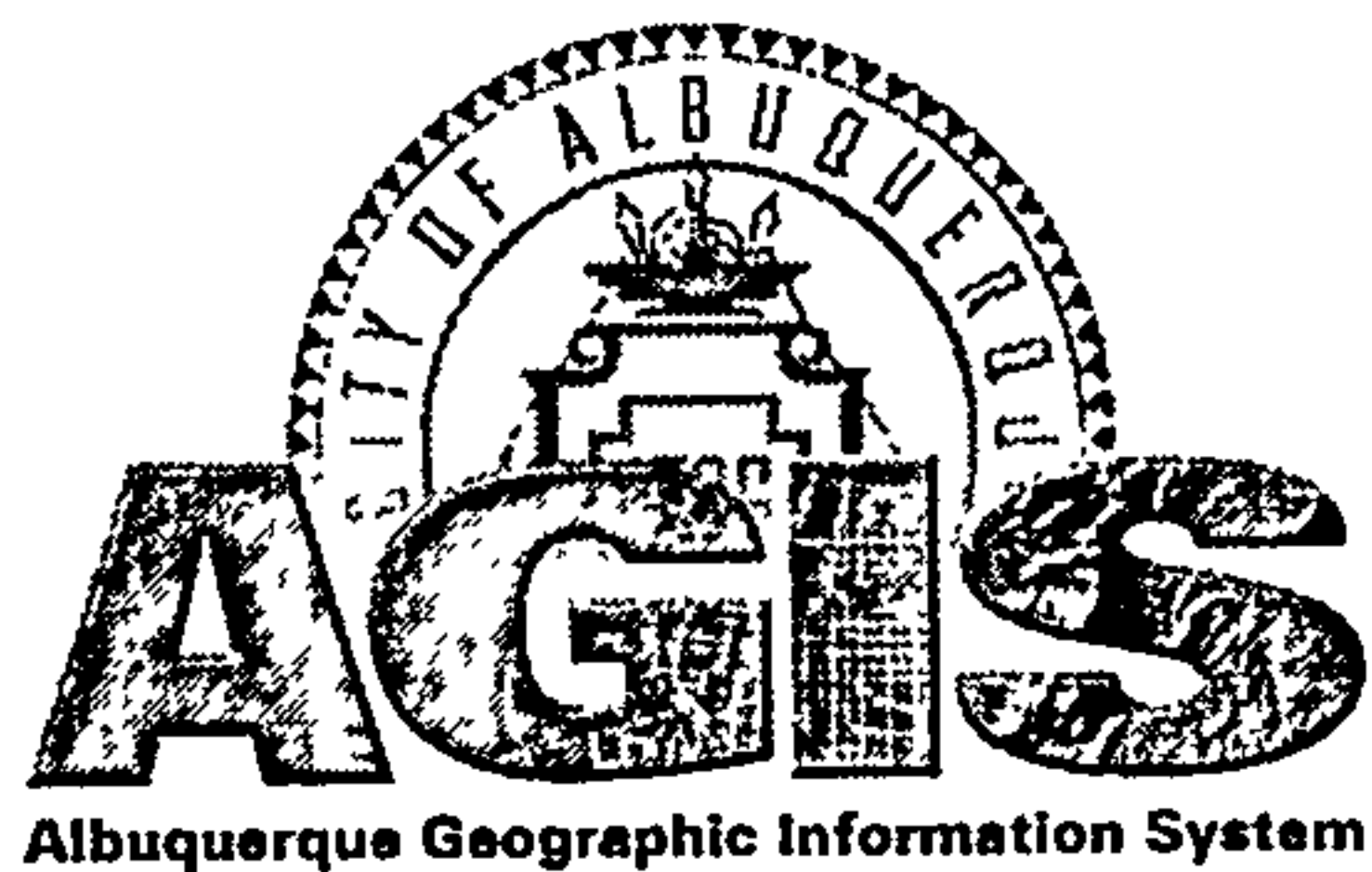
- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

Application case numbers  
09DRB-70341

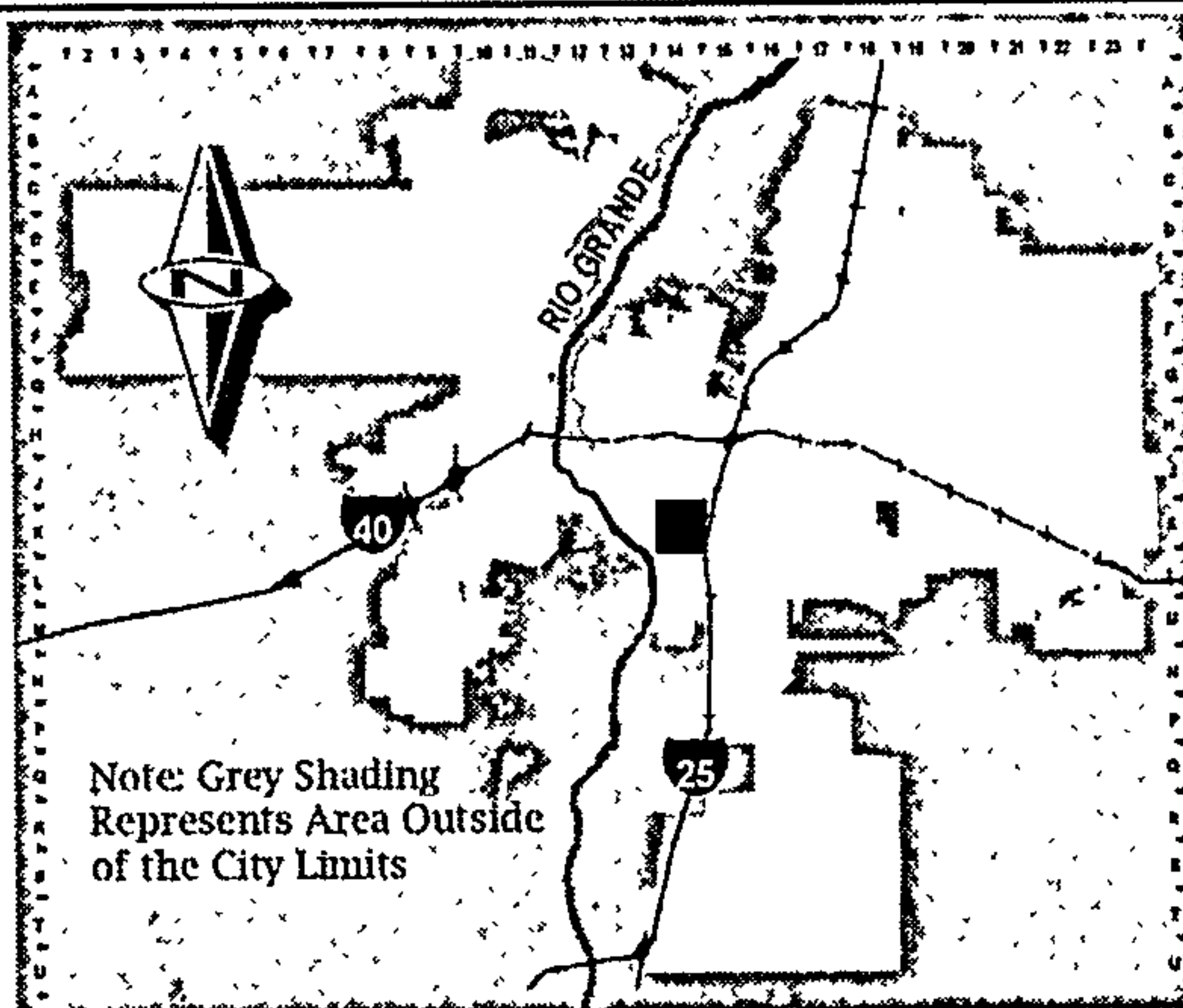
Sandy Handley 11/04/09  
Planner signature / date  
Project # 1007090



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



Map amended through: 3/10/2009



Zone Atlas Page:

**K-14-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



**CONDITIONS**

1. The term mortgage, when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquired actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions and Stipulations.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions and Conditions and Stipulations and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. This Commitment is a contract to issue one or more title insurance policies and is not an abstract of title or a report of the condition of title. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.
5. The policy to be issued contains an arbitration clause. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. You may review a copy of the arbitration rules at <http://www.alta.org/>.



## RHOMBUS CONSULTING, PROFESSIONAL CORPORATION

SURVEYING SERVICES IN AZ, NM, UT & CO

2620 SAN MATEO NE STE B, ALBUQUERQUE, NM 87110

November 4, 2009

**TO: DRB**

**RE: Minor Subdivision Plat Review comment**

The request is to combine the W 20' of Lot 20, Lot 21, Lot 22, Lot 23 and Lot 24 into one lot.  
The request is for Ron Romero.

Thank You,

Clyde J. King, P.S., President