



COMPLETED 04/30/10 stt
DRB CASE ACTION LOG
(Site plan Building Permit)

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

DRB Application No.: 10DRB-70029 Project # 1007864
 Project Name: New Holiday Park
 Agent: Modulus Architects Phone No.: _____

Your request was approved on 01-27-10 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED:

OK

TRANSPORTATION: = comply w/ comments

ABCWUA: _____

CITY ENGINEER / AMAFCA: _____

PARKS / CIP: _____

PLANNING (Last to sign): - EPC Staff Planner RJ
- Fine Marshall Stamp + Signature on site plan

- 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.**



DRB CASE ACTION LOG
(Site plan Building Permit)

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Project # 1007864

Project Name: *New Holiday Park*

Agent: *Modulus Architects*

Phone No.:

Your request was approved on 01-27-10 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED:

- TRANSPORTATION:** = comply w/ comments
- ABCWUA:**
- CITY ENGINEER / AMAFCA:**
- PARKS / CIP:**
- PLANNING (Last to sign):** - EPC Staff Planner
- Fire Marshall Stamp + Signature on site plan
- 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.**

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

3. **Project#-1007864**
10DRB-70029 EPC APPROVED SDP
FOR BUILD PERMIT
- MODULUS ARCHITECTS agent(s) for GOODMAN REALTY GROUP request(s) the above action(s) for all or a portion of Tract(s) B, **NEW HOLIDAY PARK**, zoned C-1, located on MONTGOMERY BLVD NE BETWEEN JUAN TABO NE AND CAIRO NE containing approximately 4.9 acre(s). (F-22) **THE SITE DEVELOPMENT PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO TRANSPORTATION TO COMPLY WITH COMMENTS AND TO PLANNING FOR EPC STAFF PLANNER APPROVAL AND FOR FIRE MARSHALL STAMP AND SIGNATURE ON SITE PLAN.**
4. **Project# 1007922**
10DRB-70022 EPC APPROVED SDP
FOR BUILD PERMIT
- SCOTT ANDERSON agent(s) for ST MICHAEL AND ALL ANGLES EPISCOPAL CHURCH request(s) the above action(s) for all or a portion of Lot(s) 9A & 10A, **ZAPF VAN ADDITION #10 NOV. 1, 1988**, zoned SU-1 R-1, located on MONTANO NW BETWEEN 4TH ST NW AND 9TH ST NW containing approximately 2.36 acre(s). (F-14) **THE SITE DEVELOPMENT PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO TRANSPORTATION TO COMPLY WITH COMMENTS AND TO PLANNING FOR EPC STAFF PLANNER APPROVAL.**
5. **Project# 1008069**
10DRB-70026 EPC APPROVED SDP
FOR BUILD PERMIT
10DRB-70027 EPC APPROVED SDP
FOR SUBDIVISION
10DRB-70028 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL
- JOSHUA SKARSGARD agent(s) for RESOLUTION EQUITITES LLC request(s) the above action(s) for all or a portion of Lot(s) 13 & portions of 20 & 21, **NORTH ALBUQUERQUE ACRES**, zoned SU-2 MU, located on HOLLY AVE NE BETWEEN WYOMING NE AND PASEO DEL NORTE NE containing approximately 1.75 acre(s). (C-19) **INDEFINITELY DEFERRED AT THE AGENT'S REQUEST.**

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

6. **Project# 1002739**
10DRB-70016 EXT OF SIA FOR TEMP
DEFR SDWK CONST
- MARK GOODWIN AND ASSOCIATES PA agent(s) for KB HOME NEW MEXICO INC request(s) the above action(s) for all or a portion of **ANDERSON HEIGHTS**, zoned R-D, located on 118TH ST SW BETWEEN DENNIS CHAVEZ SW AND GIBSON BLVD SW (N-8) **A TWO YEAR EXTENSION TO THE 4-YEAR AGREEMENT FOR THE DEFERRAL OF SIDEWALKS WAS APPROVED.**

HEARINGS DATE 1-27-10 (SBP)

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

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PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2nd Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICATION INFORMATION:

Professional/Agent (if any): Wolpulus Architects PHONE: 338-179216
 ADDRESS: 2325 SAN PEDRO N.E. Ste 2B FAX: _____
 CITY: ALBUQUERQUE STATE NM ZIP 87110 E-MAIL: _____

APPLICANT: GOODMAN REALTY GROUP PHONE: _____
 ADDRESS: 100 SAN AVE N.E. Ste 100 FAX: _____
 CITY: Albq STATE NM ZIP 87109 E-MAIL: _____

Proprietary interest in site: _____ List all owners: _____

DESCRIPTION OF REQUEST: SP BP Approval

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. B Block: _____ Unit: _____
 Subdiv/Addn/TBKA: NEW HOLIDAY PARK
 Existing Zoning: C-1 Proposed zoning: SU-1 C-1 MRGCD Map No 5-22
 Zone Atlas page(s): F-22 UPC Code: _____

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. of existing lots: 1 No. of proposed lots: 1 Total area of site (acres): 4.3

LOCATION OF PROPERTY BY STREETS: On or Near: MONTGOMERY NE
 Between: JUNYARD NE and CAIRO NE

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

SIGNATURE Stephen Dundak DATE 1/19/10
 (Print) Stephen Dundak 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>10 DRB - 70029</u>	<u>SBP</u>	<u>P(3)</u>	<u>\$ 0</u>
_____	<u>CMF</u>	_____	<u>\$ 20.00</u>
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
Hearing date <u>01/27/10</u>			Total <u>\$ 20.00</u>

Sandy Handley 01/19/10
 Planner signature / date

Project # 1007864

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)**
 - 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.

SEPHON A. DUNBAR
Applicant name (print)
Septan A Dunbar 11/19/10
Applicant signature / date



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

Application case numbers
12 DRB - 70079

Form revised October 2007
Sandy Handley 01/19/10
Planner signature / date
Project # 1007804

City of Albuquerque
Planning Department
Inter-Office Memorandum

TO: Jack Cloud, DRB Chair

FROM: Randall Falkner, Planner

SUBJECT: Project # 1007864

On August 21, 2009, the Environmental Planning Commission approved Project #1007864, 09EPC-40035, a Site Development Plan for Building Permit, for all or a portion of Tract B, New Holiday Park, located on Montgomery Boulevard NE between Juan Tabo NE and Tramway NE containing approximately 4.9 acres.

The applicant has satisfied the EPC conditions of approval for the site development plan for building permit with the following exceptions:

3: The ROW for the principal arterials (Montgomery Blvd. & Juan Tabo Blvd.) shall be provided on the site development plan for building permit.

This has not been done.

5: Total parking provided on the site development plan for building permit shall be changed to accurately reflect existing, proposed and approved spaces.

The following changes need to be made to the Parking calculations: Total parking provided is 238; Bike spaces provided is 12, and bike spaces required is 11.

6: A minimum of 11 bicycle spaces shall be provided, per Section 14-16-3-1 (B)(3). All bicycle racks shall be located along the primary façade (south side) of existing buildings. *The applicant is providing 12 bicycle spaces (with two bicycle racks that provide 6 spaces each); however, not all of the bicycle racks are located along the primary façade (south side) of the buildings. The location of one of the bicycle racks is along the west side of the proposed Sunflower Market building. To comply with the condition it must be placed on the south side of the building.*

8a: There shall be a mixture of at least 4 species of street trees in order to comply with the street tree ordinance.

There are 4 species of trees along Montgomery Boulevard, but not along Juan Tabo Boulevard, which only has 3. This condition only applies to street trees.

11: The developer will need the Fire Marshall's approval on site plan for fire hydrant numbers and locations; and will also need a copy of a Fire Flow Calculation Sheet from the Fire Marshall.

The applicant has stated that a copy of the Fire Flow Calculation Sheet from the Fire Marshall was provided during submittal; however, the Case Planner for this case has not received this Sheet.

12: The transit department requests adequate ROW of 8' wide from the face of the curb and 20' long for the concrete pad along Juan Tabo Boulevard in order to leave space for a future bus shelter at the existing bus stop.

The location of the proposed bus shelter has been identified on the site development plan for building permit; however, the exact specifications (ROW of 8' wide from the face of the curb and 20' long for the concrete pad along Juan Tabo Boulevard) also need to be on the site plan.

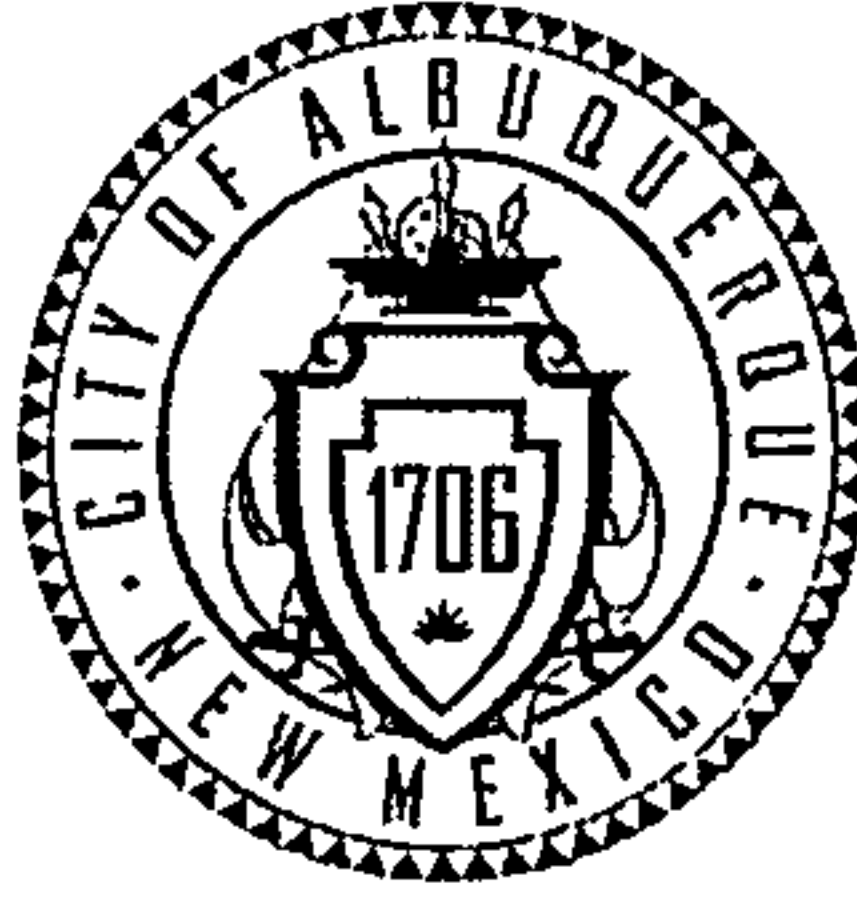
15: Parking lot corrals shall be added to the site to help prevent loose carts and denting of vehicles.

This has not been done.

The Site Development Plan for Building Permit, Landscape Plan, and Building Elevations needs to be in a final professional format (without changes crossed out or in red pen).

Compliance with City Engineer conditions should be verified with the City Engineer. If you should have any questions regarding this case, please do not hesitate to call me at 924-3933.

Thank you.



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

Date: August 21, 2009

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project # 1007864**
09EPC-40035 AMNDT TO ZONE MAP
(ESTB ZONING/ZONE CHG)
09EPC-40036 SITE DEVELOPMENT -
BUILDG PRMT

Goodman Realty Group
100 Sun Ave. NE
Suite 100
Albuquerque, NM 87109

LEGAL DESCRIPTION: DAC ENTERPRISES, INC, agents for GOODMAN REALTY GROUP, requests the above actions for all or a portion of tract B, NEW HOLIDAY PARK zoned C-1 to SU-1 C-1 USES AND GROCERY W/ FULL LIQUOR FOR OFF PREMISES located on MONTGOMERY BLVD NE BETWEEN JUAN TABO NE AND TRAMWAY NE containing approximately 4.9 acre(s). (F-22) Randall Falkner, Staff Planner

On August 20, 2009 the Environmental Planning Commission voted to **APPROVE** Project 1007864 / 09EPC-40035, a zone map amendment for all or a portion of tract B, NEW HOLIDAY PARK zoned C-1 to SU-1 C-1 USES AND GROCERY W/ FULL LIQUOR OFF PREMISES, based on the following Findings and subject to the following Condition:

FINDINGS:

1. This is a request for a zone map amendment from C-1 to SU-1 C-1 Uses and Grocery w/Full Liquor Off Premises for a site of approximately 4.9 acres on Tract B, New Holiday Park.
2. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
3. The subject site is within the area designated Established Urban by the Comprehensive Plan.

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AUGUST 20, 2009

PROJECT # 1007864

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4. The following Comprehensive Plan policies for Developing and Established Urban Areas are furthered by the request:
 - a. Policy II.B.5a – The proposed zoning will allow a full range of urban land uses and will be compatible with the surrounding zoning and uses. The request does not increase residential density and would provide infill development in the form of a neighborhood retail grocery store. The request would add commercial land use to neighboring single-family residential, office, commercial, and public facility land uses.
 - b. Policy II.B.5d – The proposed zoning will allow for a use that is compatible with the surrounding area and respect existing neighborhood values and natural environmental conditions. The subject site is surrounded by like uses (commercial or office) to the south, southwest, east, and west. The request will use the existing building and will give the EPC site plan control of the site with the proposed SU-1 zoning.
 - c. Policy II.B.5e – Full urban services are currently available to the proposed subject site. The integrity of existing neighborhoods would be ensured by upgrading to the SU-1 zoning designation, and adding a commercial use that would complement residential areas and improve the neighborhood. The request will provide infill development in an area that needs commercial development.
 - d. Policy II.B.5o – The proposed zoning will help to redevelop the site and strengthen the existing neighborhoods in the Established Urban Area.
5. The subject site is designated as Page One/Eldorado Village Community Activity Center.
6. The request partially furthers Comprehensive Plan Activity Centers Policy II.B.7a by meeting the following policy objectives for a Community Activity Center: very accessible by automobile, located on minor & major arterial streets, provides connections to the public transit system, and improves pedestrian connections between building, parking, and sidewalks. The interior of the center has been made more accommodating to pedestrians with the improvements; however, it would not be considered very accommodating to pedestrians.
7. The request furthers Comprehensive Plan Community Identify and Urban Design Policy II.C.9d by adding pedestrian linkages with colored textured concrete crosswalks that encourage walking throughout the shopping center site and to surrounding neighborhoods, and by providing additional landscaping that reinforces the cultural, social, and design traditions of the community served by the Activity Center.
8. The request furthers Comprehensive Plan Transportation and Transit Goal and Policy II.D.4g by providing additional pedestrian connections between the building, parking lot, and sidewalks. The request will help to provide a balanced circulation system through placement of employment and encouragement of walking and transit, while still providing sufficient roadway capacity to meet mobility and access needs.
9. The request furthers Comprehensive Plan Economic Development Policies II.D.6a, II.D.6b, and II.D.6c. The request will benefit the surrounding neighborhood and local economy by bringing in

OFFICIAL NOTICE OF DECISION

AUGUST 20, 2009

PROJECT # 1007864

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a business that would accommodate a wide range of occupational skills and salary levels. The proposed supermarket would provide opportunities for improvement in these skills as well as advancement. New employment opportunities will be available to those in living in the northeast heights and surrounding areas. The request will help to expand the local employment base through an outside firm that has other stores throughout the City.

10. The applicant has adequately justified the zone change request pursuant to Resolution 270-1980:
 - a. The request would provide SU-1 zoning that could only occur in conformance with an approved site development plan that is subject to EPC review. The applicant has provided an accompanying site development plan for building permit that improves pedestrian connections and increases landscaping. The request would provide an occupant for a building that has been vacant for several years. These improvements would enhance the property value of this site. The project would be consistent with the health, safety, morals, and general welfare of the City.
 - b. Commercial zoning and land uses surround the property to the east, west, and south. The proposed zoning is compatible with adjacent zoning and land use. The applicant has cited a number of policies in the Comprehensive Plan that are furthered by the request.
 - c. The zone change request is not in conflict with elements of the Comprehensive Plan. Applicable goals and policies of the Comprehensive Plan have been cited.
 - d. (3) The applicant has shown that a different use category is more advantageous to the community by furthering a preponderance of policies in the Comprehensive Plan. The zone change request would allow a full range of urban land uses, respect existing neighborhood values, allow for needed infill development while ensuring the integrity of the neighborhood, allow for redevelopment and rehabilitation of an older neighborhood, encourage economic development, and improve pedestrian opportunities.
 - e. The change would not result in harmful conditions for the adjacent property, neighborhood, or the community. The site (the restaurant immediately to the east of the proposed grocery store) already allows the sale of beer and wine for on premises consumption. If the use is approved by the EPC, the applicant will have to attend subsequent liquor hearings before a license is granted by the New Mexico Liquor Control Board.
 - f. The property is already served by City infrastructure and does not require major and un-programmed capital expenditures by the City.
 - g. The cost of land or other economic considerations are not the determining factor for the requested zone change.
 - h. Street location has been noted, but the request does not ask that it be considered as sufficient justification in itself for the zone change.
 - i. The request does create a spot zone; however, the applicant has demonstrated that the proposed zone change would clearly facilitate realization of the Comprehensive Plan.
 - j. The request does not constitute a strip zone.

11. This request for a zone map amendment is accompanied by a site development plan for building permit, 09EPC 40036.
12. There is no known opposition to the project and no letters of opposition have been received.

CONDITION:

1. Final DRB sign-off of accompanying site development plan for building permit, 09EPC 40036.
-

On August 20, 2009 the Environmental Planning Commission voted to **APPROVE** Project 1007864 / 09EPC-40036, a site development plan for building permit for all or a portion of tracts B, NEW HOLIDAY PARK, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for a site development plan for building permit for a site of approximately 4.9 acres on Tract B, New Holiday Park.
2. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
3. The subject site is within the area designated Established Urban by the Comprehensive Plan.
4. The following Comprehensive Plan policies for Developing and Established Urban Areas are furthered by the request:
 - a. Policy II.B.5a – The proposed request will allow a full range of urban land uses and will be compatible with the surrounding zoning and uses. The request does not increase residential density and would provide infill development in the form of a neighborhood retail grocery store. The request would add commercial land use to neighboring single-family residential, office, commercial, and public facility land uses.
 - b. Policy II.B.5d – The proposed request will allow for a use that is compatible with the surrounding area and respect existing neighborhood values and natural environmental conditions. The subject site is surrounded by like uses (commercial or office) to the south, southwest, east, and west. The request will use the existing building and will give the EPC site plan control of the site with the proposed SU-1 zoning.
 - c. Policy II.B.5e – Full urban services are currently available to the proposed subject site. The integrity of existing neighborhoods would be ensured by upgrading to the SU-1 zoning designation, and adding a commercial use that would complement residential areas and improve the neighborhood. The request will provide infill development in an area that needs commercial development.

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PROJECT # 1007864

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- d. Policy II.B.5o – The proposed request will help to redevelop the site and strengthen the existing neighborhoods in the Established Urban Area.
 - e. Policy II.B.5p – This request emphasizes private investment as a primary means to achieve redevelopment objectives.
5. The request partially furthers Comprehensive Plan Activity Centers Policy II.B.7a by meeting the following policy objectives for a Community Activity Center: very accessible by automobile, located on minor & major arterial streets, provides connections to the public transit system, and improves pedestrian connections between building, parking, and sidewalks. The interior of the center has been made more accommodating to pedestrians with the improvements; however, it would not be considered very accommodating to pedestrians.
 6. The request furthers Comprehensive Plan Community Identify and Urban Design Policy II.C.9d by adding pedestrian linkages with colored textured concrete crosswalks that encourage walking throughout the shopping center site and to surrounding neighborhoods, and by providing additional landscaping that reinforces the cultural, social, and design traditions of the community served by the Activity Center.
 7. The request furthers Comprehensive Plan Transportation and Transit Goal and Policy II.D.4g by providing additional pedestrian connections between the building, parking lot, and sidewalks. The request will help to provide a balanced circulation system through placement of employment and encouragement of walking and transit, while still providing sufficient roadway capacity to meet mobility and access needs.
 8. The request furthers Comprehensive Plan Economic Development Policies II.D.6a, II.D.6b, and II.D.6c. The request will benefit the surrounding neighborhood and local economy by bringing in a business that would accommodate a wide range of occupational skills and salary levels. The proposed supermarket would provide opportunities for improvement in these skills as well as advancement. New employment opportunities will be available to those in living in the northeast heights and surrounding areas. The request will help to expand the local employment base through an outside firm that has other stores throughout the City.
 9. This request for a site development plan for building permit accompanies a zone map amendment, 09EPC 40035.
 10. There is no known opposition to the project and no letters of opposition have been received; however, certain design aspects were a concern to the Eldorado Heights Neighborhood Association.
 11. The color scheme is designed to link all of buildings on the subject site together.

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. The ROW for the principal arterials (Montgomery Blvd. & Juan Tabo Blvd.) shall be provided on the site development plan for building permit.
4. The location of the proposed bus shelter shall be identified on the site development plan for building permit.
5. Total parking provided on the site development plan for building permit shall be changed to accurately reflect existing, proposed and approved spaces.
6. A minimum of 11 bicycle spaces shall be provided, per Section 14-16-3-1 (B)(3). All bicycle racks shall be located along the primary façade (south side) of existing buildings.
7. The colored textured concrete crosswalk that is located furthest south (closest to Montgomery Boulevard) shall be labeled as 6' wide, instead of 8' as shown in Keyed Note #1.
8. Landscaping:
 - a. There shall be a mixture of at least 4 species of street trees in order to comply with the street tree ordinance.
 - b. The parking lot tree wells on the landscape plan shall be consistent (both shall be 6' x 6') with the site development plan for building permit.
9. The existing outdoor patio without seating (shown as keyed note 33 on the site development plan for building permit) shall provide seating for employees and patrons.
10. The developer shall contact PNM's New Service Delivery Department if modifications to the existing electric service are necessary.
11. The developer will need the Fire Marshall's approval on site plan for fire hydrant numbers and locations; and will also need a copy of a Fire Flow Calculation Sheet from the Fire Marshall.
12. The transit department requests adequate ROW of 8' wide from the face of the curb and 20' long for the concrete pad along Juan Tabo Boulevard in order to leave space for a future bus shelter at the existing bus stop.

OFFICIAL NOTICE OF DECISION

AUGUST 20, 2009

PROJECT # 1007864

PAGE 7 OF 8

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

- a. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as may be required by the Development Review Board (DRB).
- b. Site plan shall comply as approved by the EPC and as approved by the Traffic Engineer (see sheet A 1.0 in plan set that is stamped "TCL approved" dated July 10, 2009).

14. Four additional light poles and a single building mounted light fixture on both the north and west sides of the Sunflower Market building shall be added to better illuminate the existing parking lot.

15. Parking lot corrals shall be added to the site to help prevent loose carts and denting of vehicles.

APPEAL: IF YOU WISH TO APPEAL A FINAL DECISION, YOU MUST DO SO BY SEPTEMBER 4, 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.

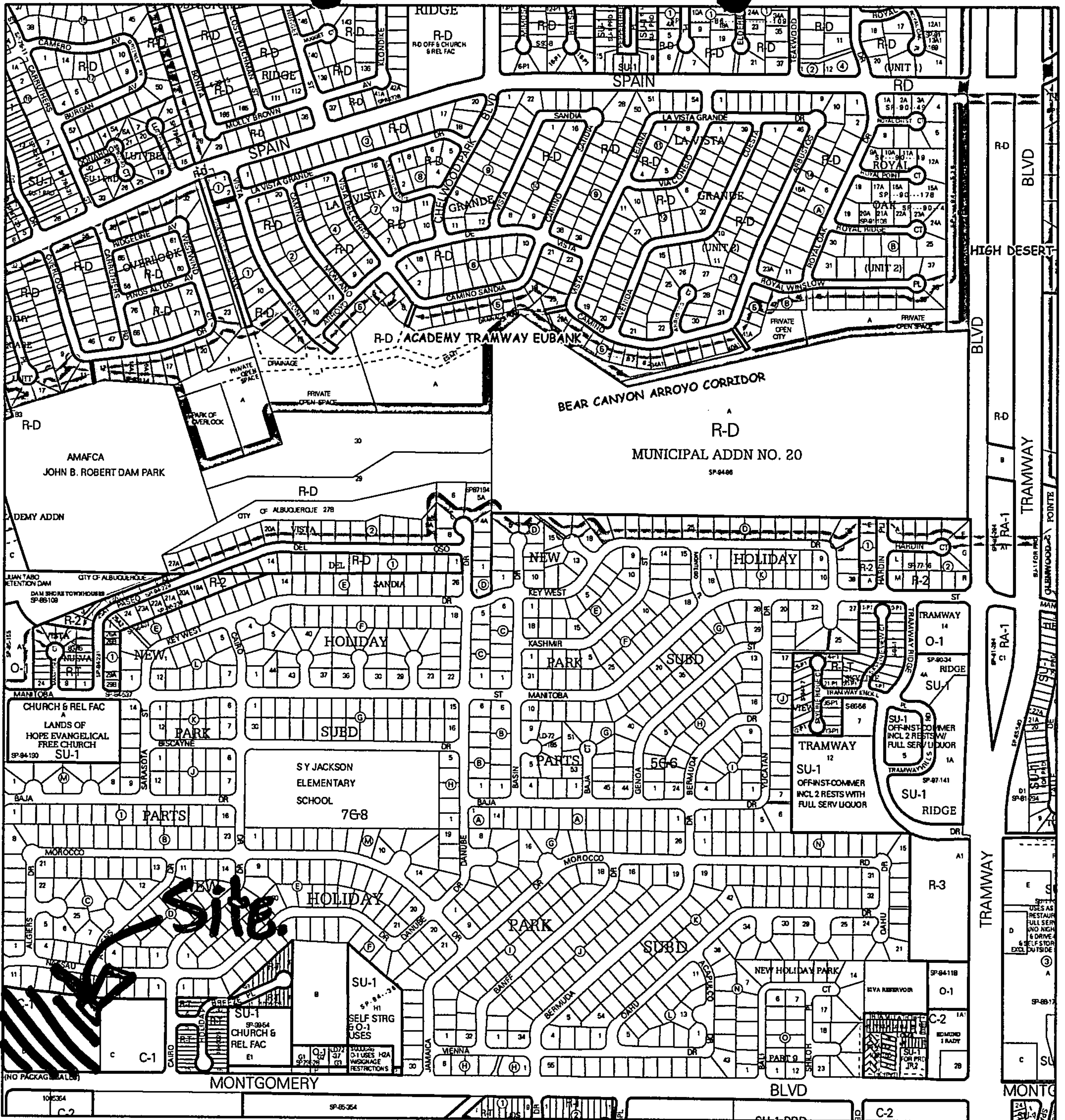
OFFICIAL NOTICE OF DECISION
AUGUST 20, 2009
PROJECT # 1007864
PAGE 8 OF 8

Sincerely,

Richard Dineen
Planning Director

RD/RF/ma

cc: DAC Enterprises, Inc., P.O. Box 16658, Albuquerque, NM 87191
Carolyn Merchant, Cielito Lindo N.A., 4101 Morris NE, Ste. F, Albuquerque, NM 87111
Larry Kern, Cielito Lindo N.A., 10427 San Gabriel NE, Albuquerque, NM 87111
Sharon Busboom, Eldorado Heights N.A., 12000 La Charles Ave. NE, Albuquerque, NM 87111
Mary Pertile, Eldorado Heights N.A., 4113 Shiloh Dr. NE, Albuquerque, NM 87111
Don Couchman, District 8 Coalition of N.A.'s, 6441 Concordia NE, Albuquerque, NM 87111
Carole Pegaty, District 8 Coalition of N.A.'s, 7005 Sky Valley Way NE, Albuquerque, NM 87111



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

Map amended through: 3/10/2009

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
F-22-Z

Selected Symbols

	SECTOR PLANS		Escarpment
	Design Overlay Zones		2 Mile Airport Zone
	City Historic Zones		Airport Noise Contours
	H-1 Buffer Zone		Wall Overlay Zone
	Petroglyph Mon.		

0 750 1,500 Feet

City of Albuquerque
Planning department
600 2nd St. N.W
Albuquerque NM 87103

Re:Site plan for building permit 09EPC-40036.

Mr. Cloud:

CONDITIONS OF APPROVAL-09EPC-40035 Site Development Plan for Building permit.

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal. Specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.

1A. Action Taken:

We have no objection, and will comply as the comment requests.

2. Prior to DRB sign off, the applicant must meet with the Staff planner to ensure that condition of approval are met.

2A. Action Taken:

We have no objection, and will comply as the comment requests.

3. The row for the principal arterials shall be provided within the site development plan for building permit.

3A. Action Taken:

We have no objection, and will comply as the comment requests.

4. The location of the proposed bus shelter shall be identified on the site development plan for building permit

4A. Action Taken:

We have no objection, and have provided notation as to the location of the proposed bus shelter.

5. The total parking provided on the site development plan for building permit shall be changed to accurately reflect, proposed and approved spaces.

5A. Action Taken:

We have no objection, and have modified the parking calculations accordingly.

6. A minimum of 11 bicycle spaces shall be provided.



2325 San Pedro NE, Suite 2b
Albuquerque, New Mexico 87110
p 505.338.1499 f 505.338.1498
toll free: 1-866-224-2161

6A. Action Taken:

We have no objection, and have modified the bicycle rack to accommodate 7 bicycles.

7. The colored and textured concrete crosswalk that is located furthest south shall be labeled 6' wide instead of 8' as shown in keyed note #1.

7A. Action Taken:

We have no objection, and have modified the keyed note to reflect 6' instead of 8.

8. Landscaping; Provide a min of 4 street tree species to comply with the street tree ordinance. The parking lot tree wells on the landscape plan shall be consistent with the site development plan for building permit.

8A-b. Action Taken:

We have no objection, and have modified the landscape plan to contain 4 street tree species and landscaping tree wells to conform with well information contained within the site plan for building permit.

9. The existing outdoor patio without seating shall provide seating for employees and patrons.

9A. Action Taken:

We have no objection, and have shown proposed seating amenities within the space indicated.

10. The developer shall contact pnm's new service delivery department in modifications to the existing electrical service are necessary.

10A. Action Taken:

We have no objection, contact will be made as required.

11. The developer will need fire Marshall's approval on the site plan for fire hydrant numbers and locations; and will also need a copy of a fire flow calculation sheet from the fire Marshall.

11A. Action Taken:

We have no objection, the requested items have been provided.

12. The transit department requests adequate row of 8' wide from face of curb and 20' long for the concrete pad along Juan Tabo Blvd. in order to leave space for a future bus shelter at the exiting bus stop.

12A. Action Taken:

We have no objection, adequate space as required currently exists within the row.

13. City engineer req's.

A. The developer is responsible for permanent improvements to the transportation facilities.



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Albuquerque, New Mexico 87110
p 505.338.1499 f 505.338.1498
toll free: 1-866-224-2161

B. Site plan shall comply as approved at the EPC and by the traffic engineer TCL approved plan dated July 10th 2009.

13A-B. Action Taken:

We have no objection, adequate space as required currently exists within the row.

14. Four additional light poles shall be installed within the parking lot.

14A. Action Taken:

We have no objection, the requested items have been provided.

15. Parking lot corrals shall be provided.

15A. Action Taken:

We have no objection, the requested items have been provided.

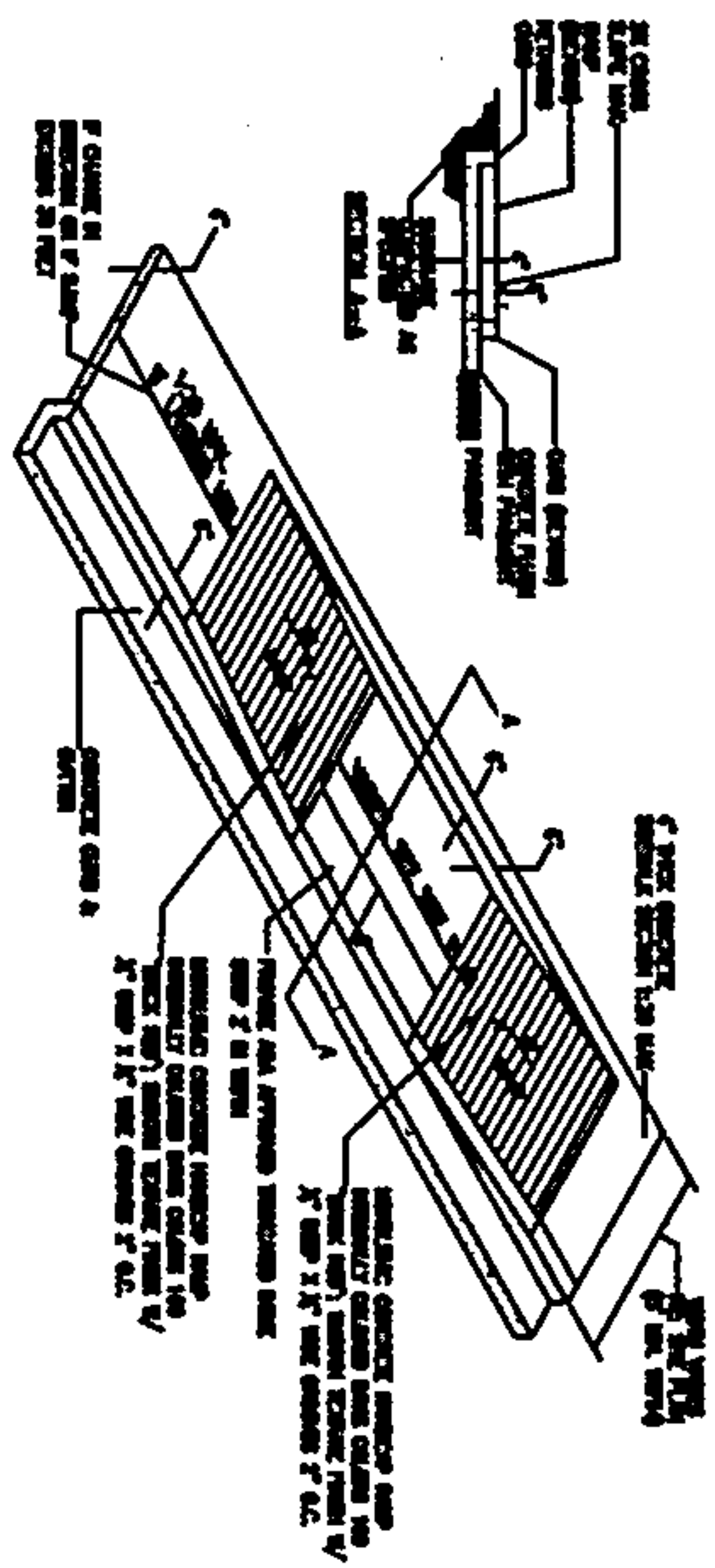
Thank you,



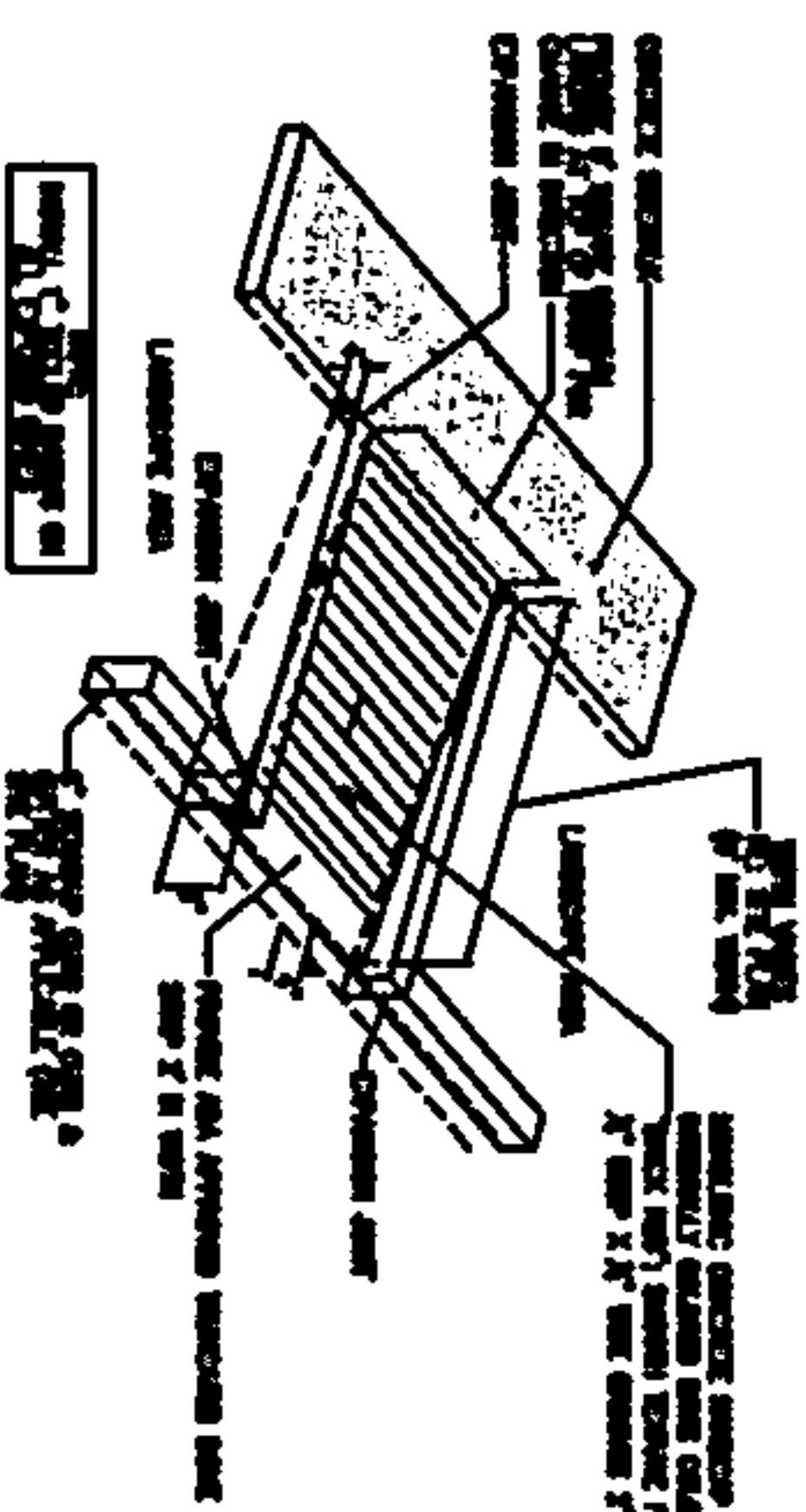
Stephen Dunbar A.I.A.
Modulus Architects



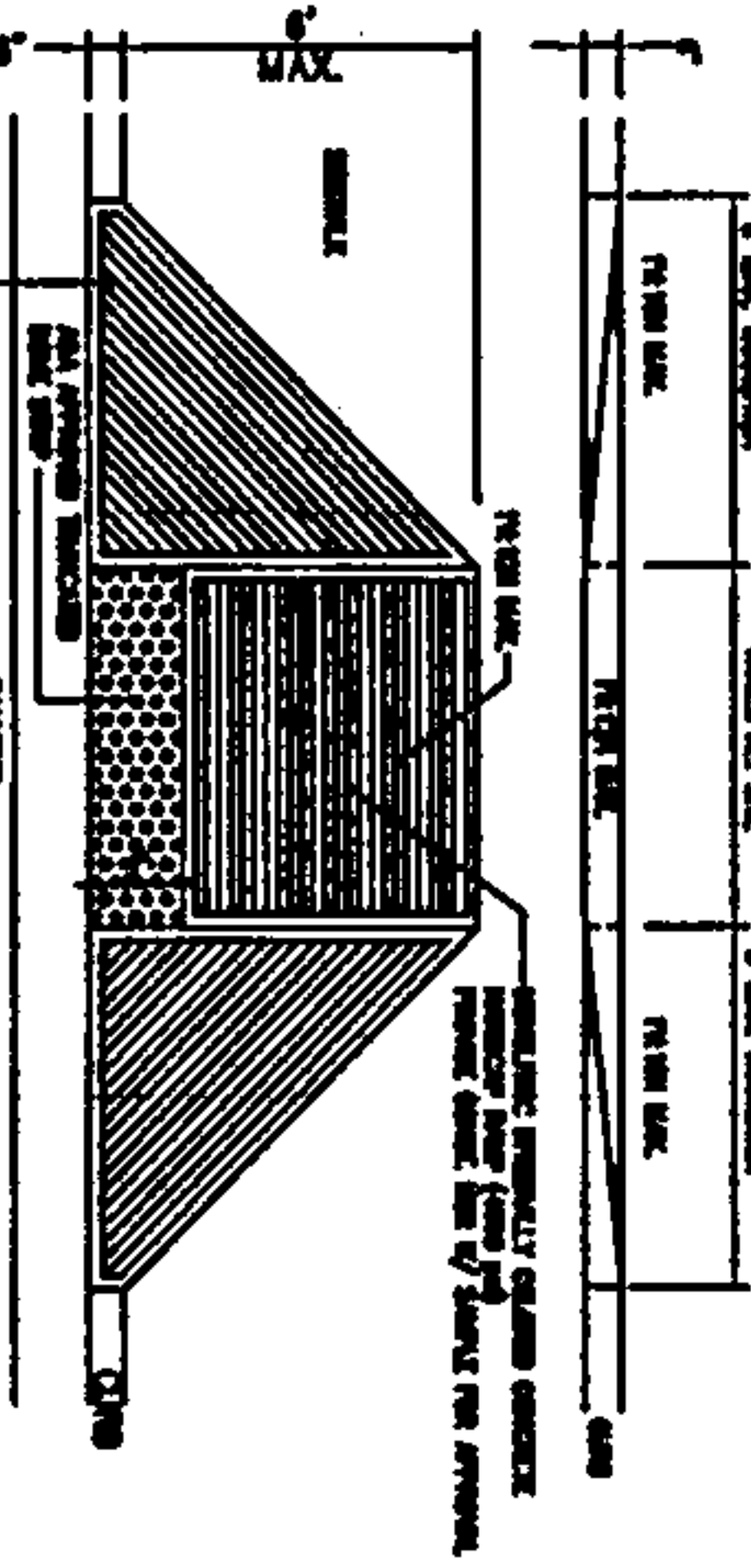
2325 San Pedro NE, Suite 2b
Albuquerque, New Mexico 87110
p 505.338.1499 f 505.338.1498
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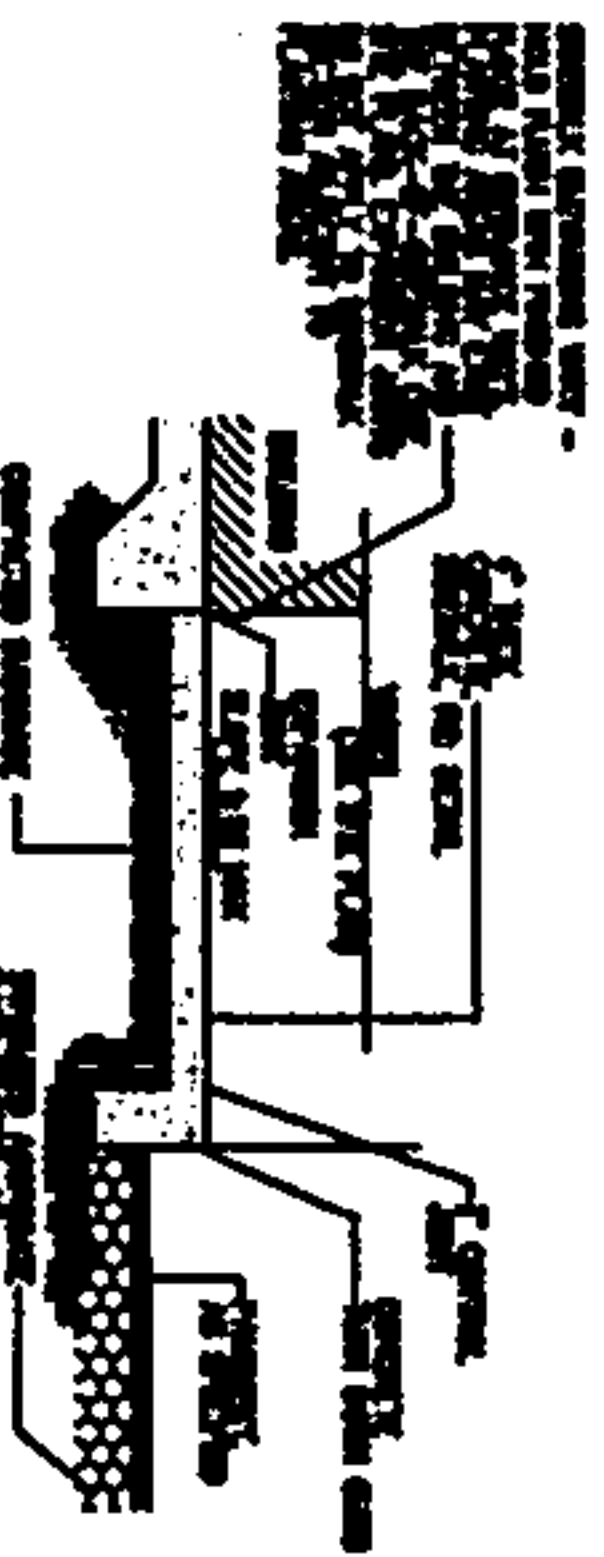
7 TAPERED H.C RAMP
Scale: 1/2" = 1'-0"



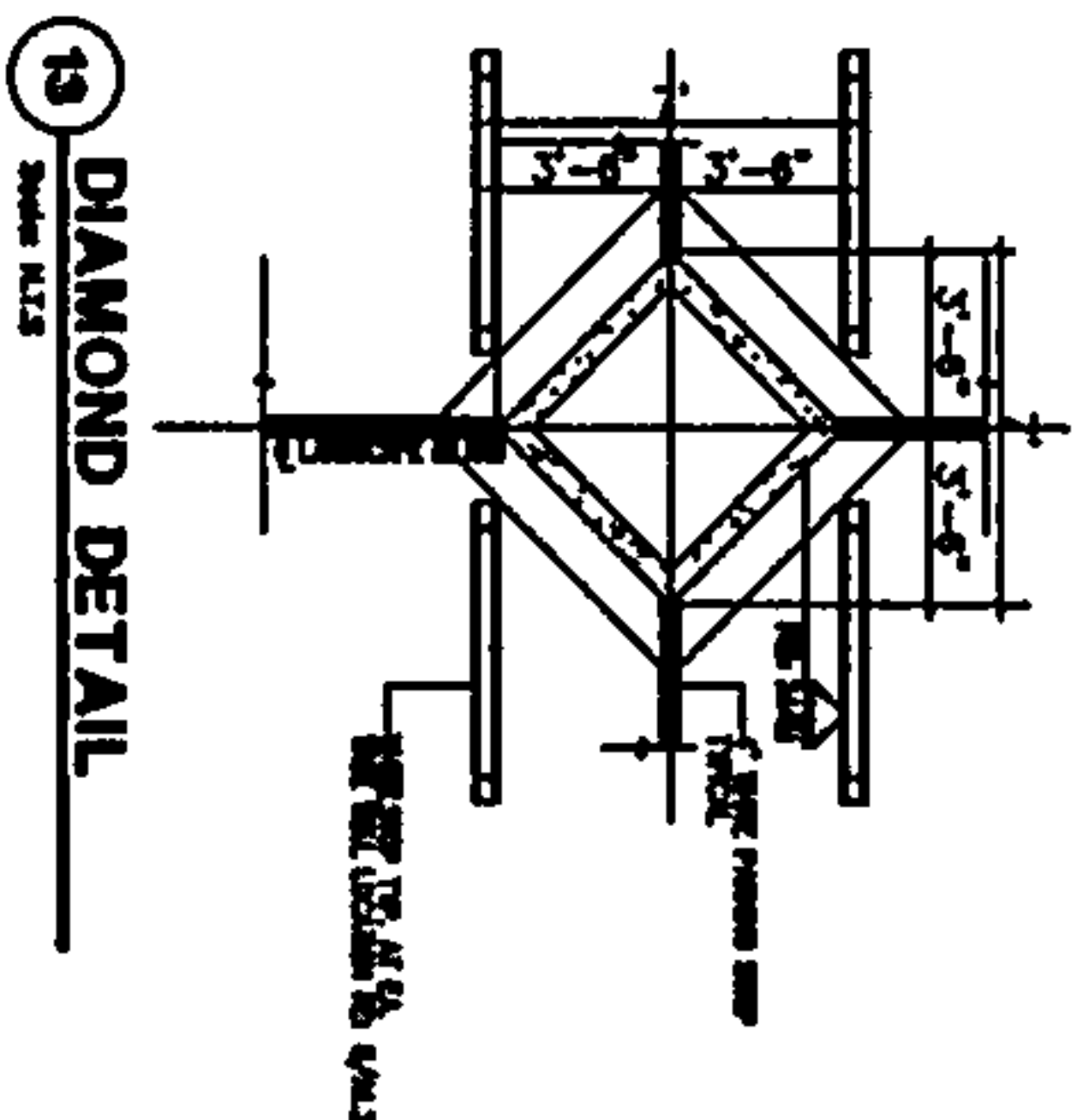
16 CURBED H.C RAMP
Scale: 1/2" = 1'-0"



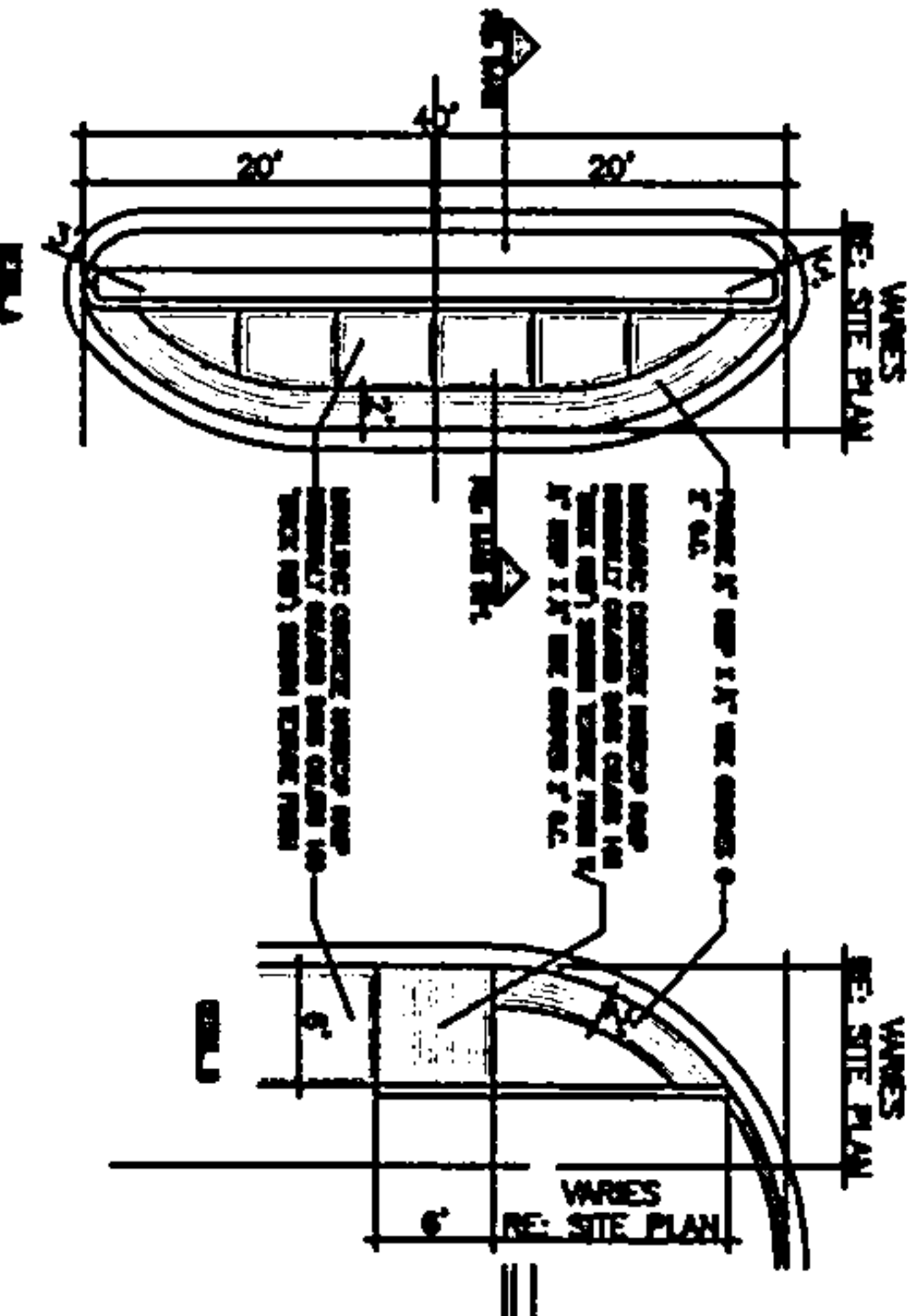
15 FLARED H.C RAMP
Scale: 1/2" = 1'-0"



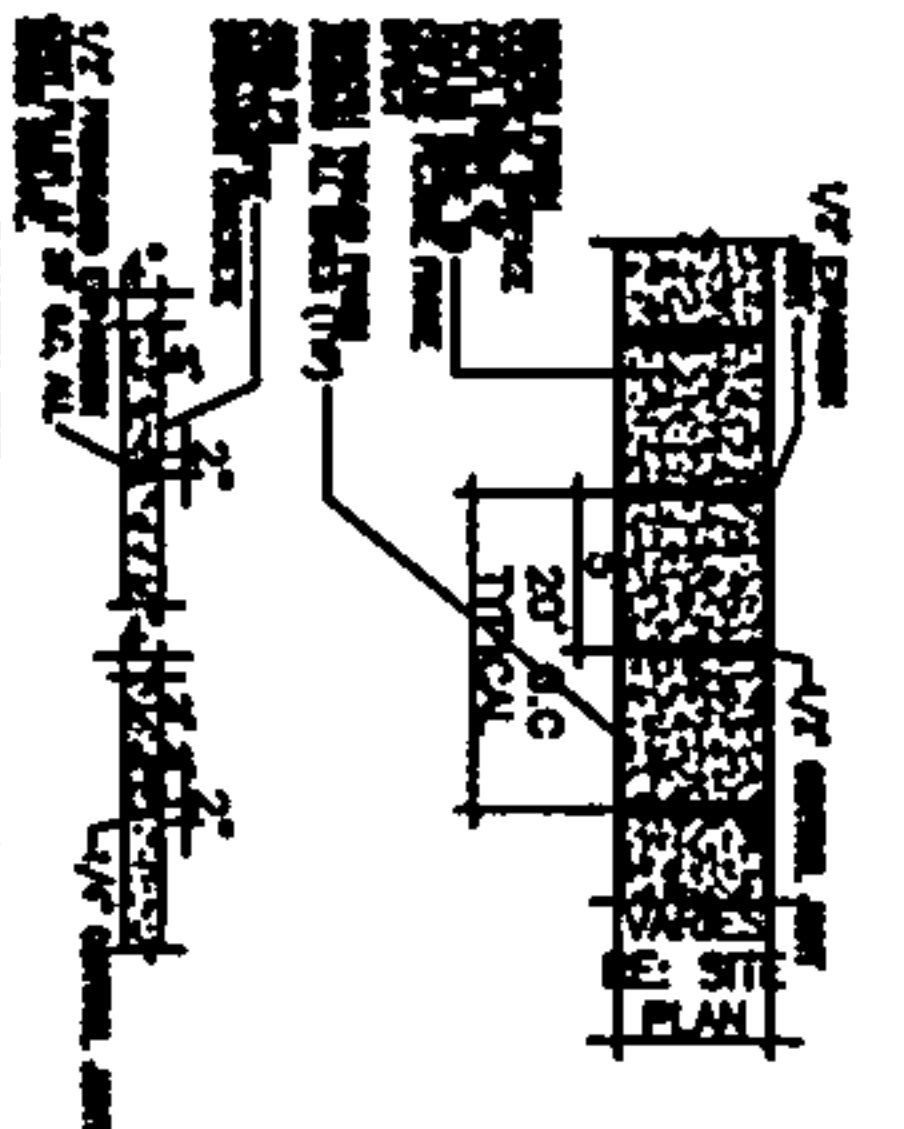
14 SIDEWALK W/ TURNDOWN CURB SECTION
Scale: 1/2" = 1'-0"



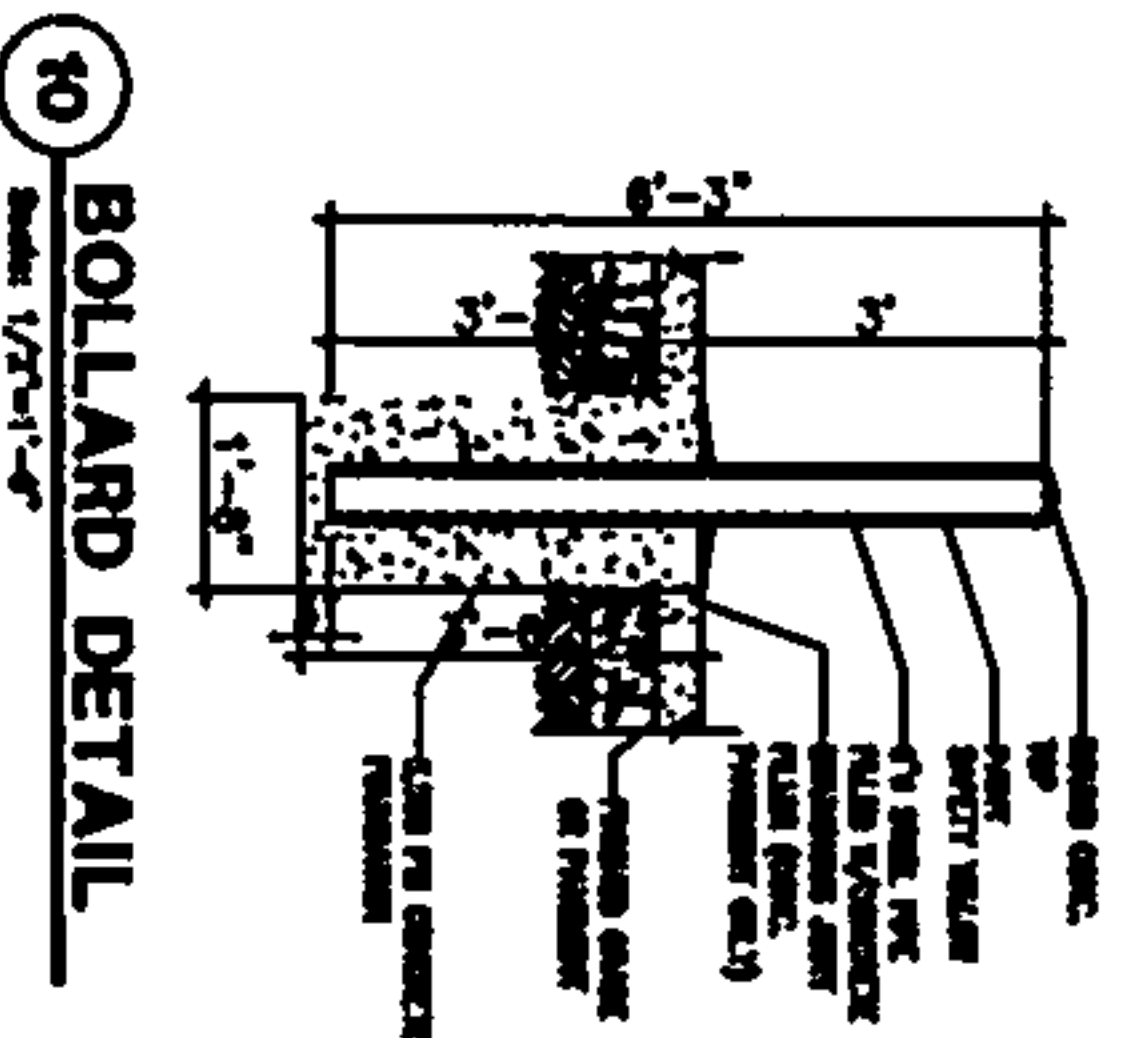
19 DIAMOND DETAIL
Scale: 1/2" = 1'-0"



12 TYP. END ISLAND W/ WALK
Scale: 1/2" = 1'-0"



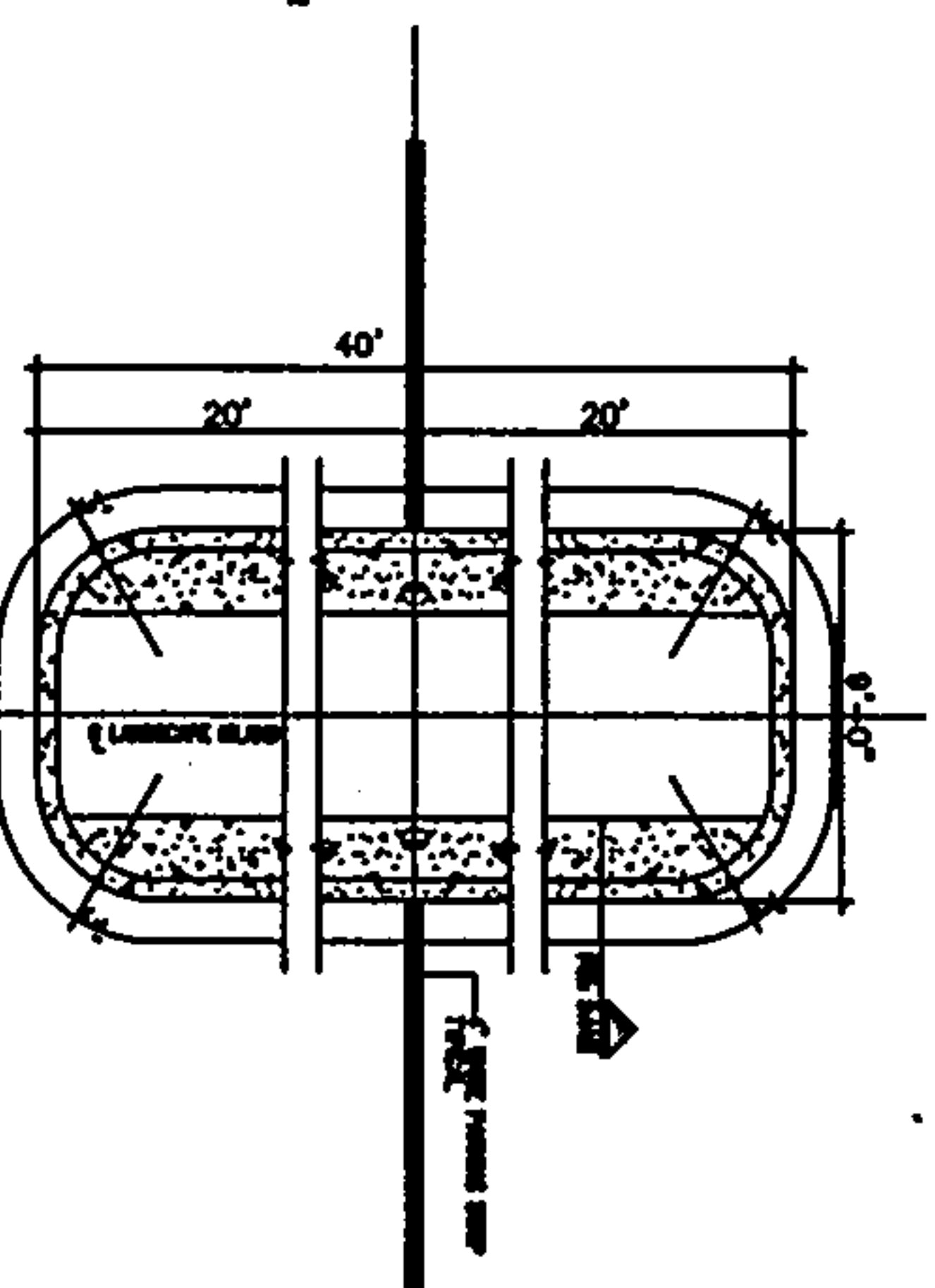
11 TYPICAL SIDEWALK
Scale: 1/2" = 1'-0"



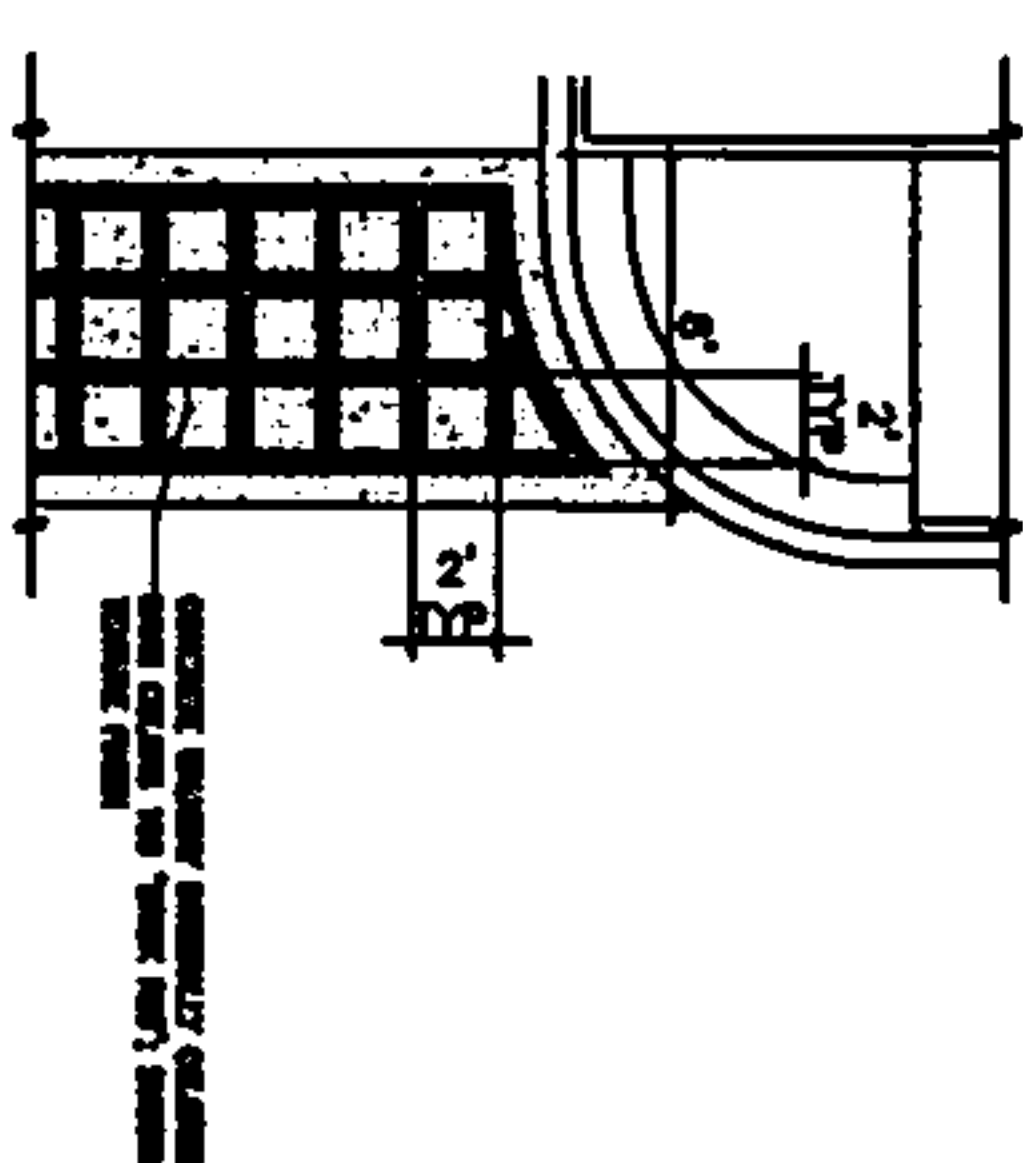
10 BOLLARD DETAIL
Scale: 1/2" = 1'-0"



9 HEADER CURB W/ STEP OFF DETAIL
Scale: 1/2" = 1'-0"



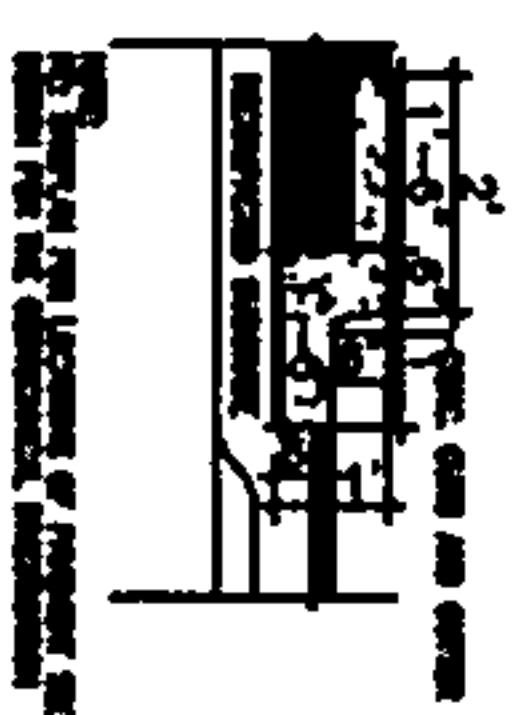
8 ISLAND DETAIL
Scale: 1/2" = 1'-0"



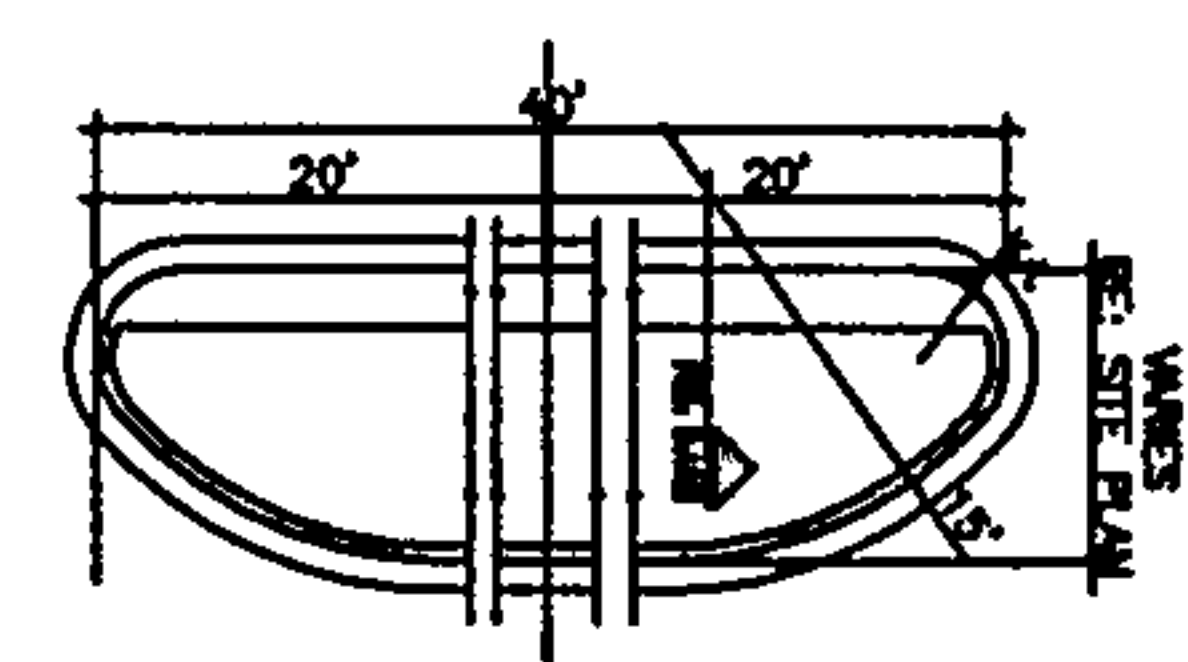
7 TYP. CONC. CROSSWALK
Scale: 1/2" = 1'-0"



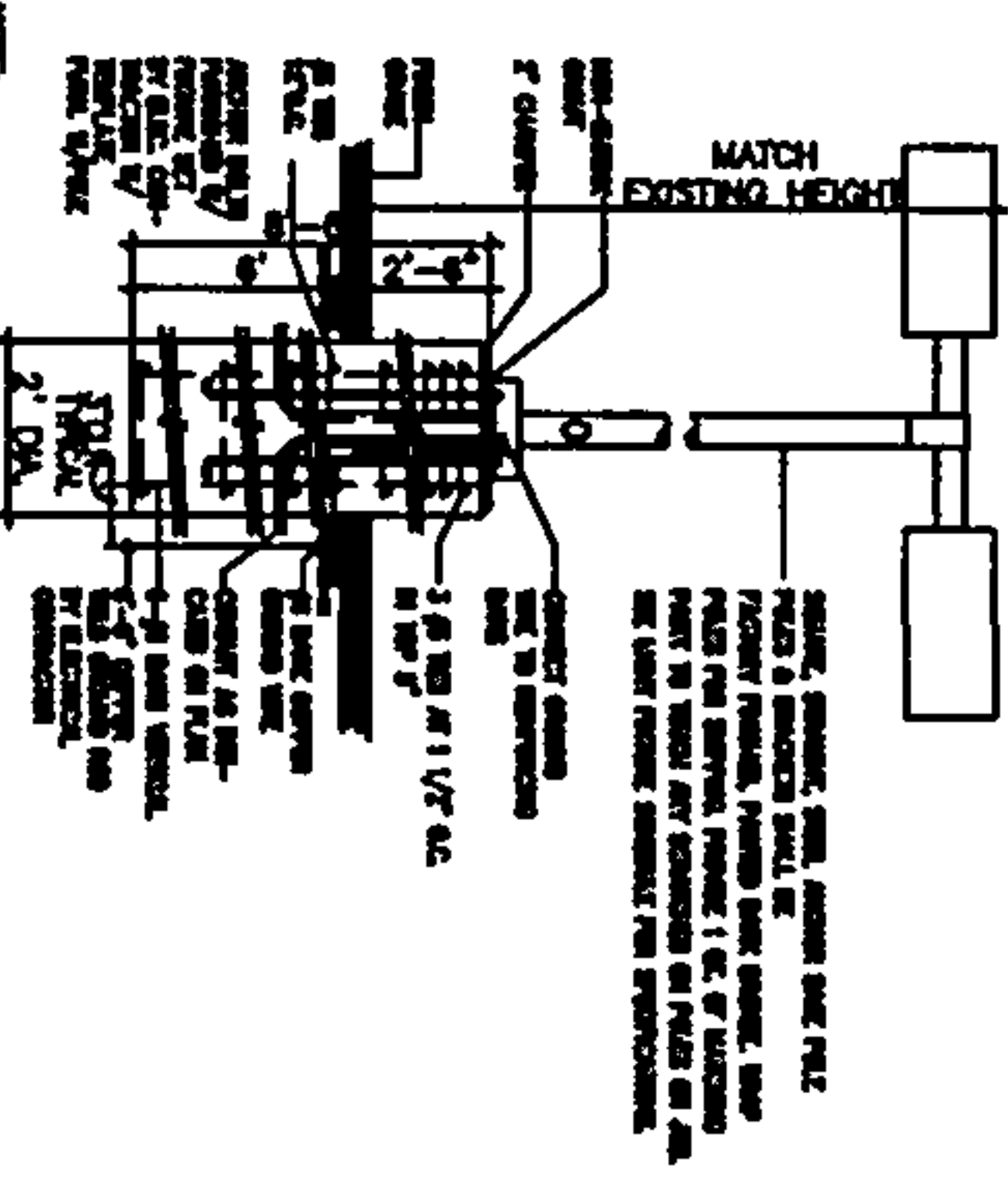
6 HEADER CURB DETAIL
Scale: 1/2" = 1'-0"



5 ISLAND CURB DETAIL
Scale: 1/2" = 1'-0"



4 END ISLAND DETAIL
Scale: 1/2" = 1'-0"



3 LIGHT POLE DETAIL
Scale: 1/2" = 1'-0"



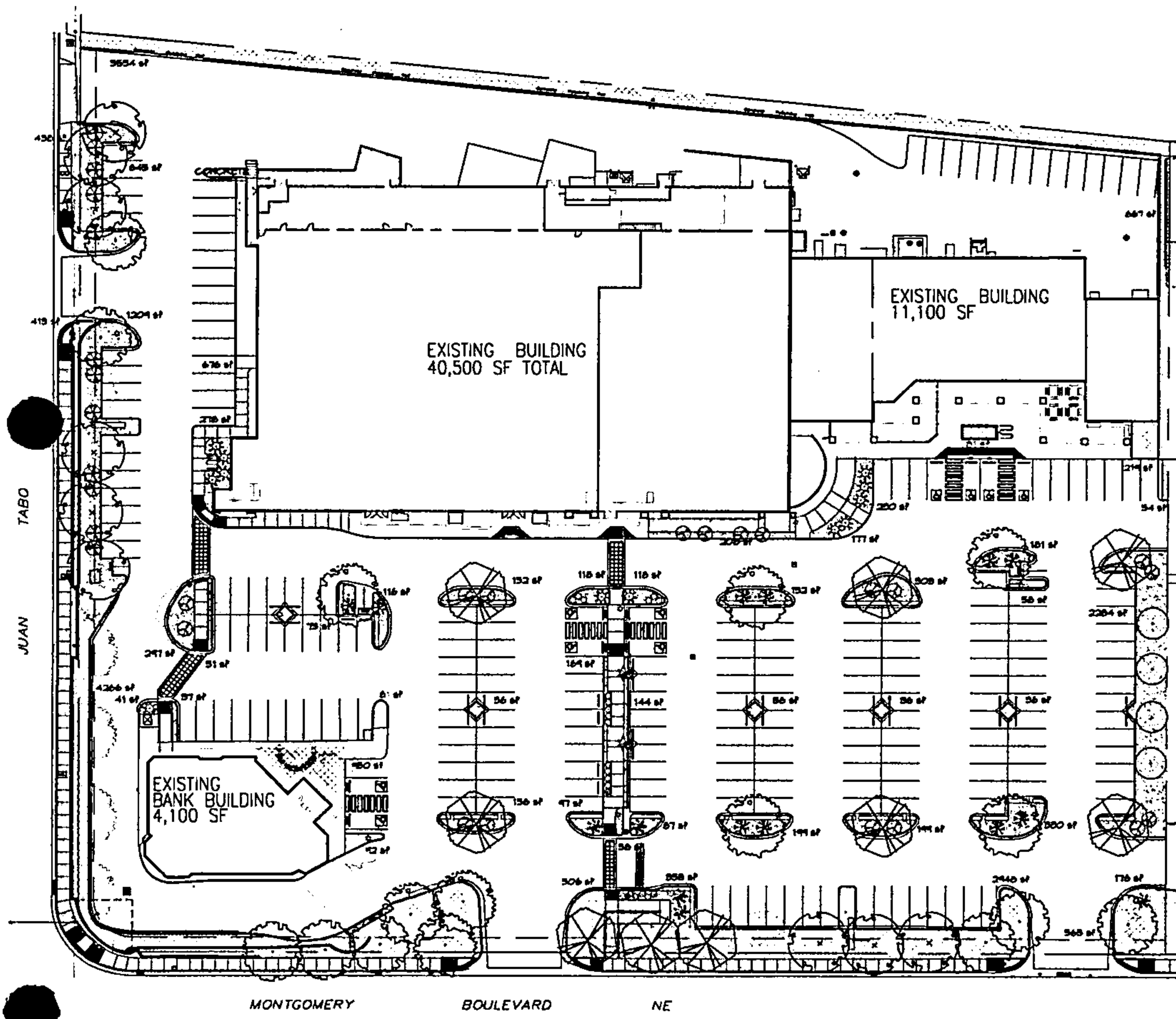
2 TYP. CURB DETAIL
Scale: 1/2" = 1'-0"



MODULUS ARCHITECTS
2325 SAN PEDRO N.E. SUITE 2-B
ALBUQUERQUE, NEW MEXICO 87110
PHONE (505) 338-1499 FAX (505) 338-1498
TOLL FREE 1-866-224-2161

REV	DATE	BY	REVISION
▲			
▲			
▲			
▲			

PROJECT SUNFLOWER-HEIGHTS P.L.C. OF JUAN PEDRO AND MONTGOMERY ALBUQUERQUE, NEW MEXICO	JOB NO. SUNFLOWER	DRAWING BY MSW
DATE 02/26/08	PROJECT MANAGER STEPHEN DUNBAR, AIA	
SCALE AS SHOWN	SHEET NO. A1.1	
SITE DETAILS		



PLANT LEGEND
 All plants shall be sized per American Standard for Nursery Stock. Installation size shall indicate the greater of height or spread. In cases where Type C plants have been pruned for rejuvenation, measurement should be by spread of roots rather than by the height of the plant.

- AUTUMN BLAZE MAPLE 4
Acer x Freemanii Autumn Blaze
2" Cal., 12-14" ht./60" x 60" maturity
Faster (N) Allergy (L) Oef
- BUR OAK 4
Quercus macrocarpa
2" Cal., 12-14" ht./60" x 60" maturity
Faster (N) Allergy (N) Oef
- AUTUMN PURPLE ASH 8
Fraxinus americana
2" Cal., 12-14" ht./60" x 60" maturity
Faster (N) Allergy (N) Oef
- HONEY LOCUST (TO MATCH EXISTING) 8
Gleditsia triacanthos
2" Cal., 12-14" ht./60" x 60" maturity
Faster (N) Allergy (L) Oef
- SHRUBS/GROUNDCOVERS**
- NEW MEXICO OLIVE 4
Forestiera neomexicana
5 gal., 4-10" ht./2" x 2" maturity
Faster (N) Allergy (L) 2294
- BUFFALO JUNIPER (TO MATCH EXISTING) 12
Juniperus sp. Buffalo
5 gal., 24-4" ht./2" x 2" maturity
Faster (L) Allergy (L) 844
- GREYLEAF COTONEASTER 12
Cotoneaster glaucophylla
5 gal., 24-4" ht./2" x 2" maturity
Faster (N) Allergy (L) 814
- LADY BANKS ROSE 7
Rose banksiae
1 gal., 24-4" ht./2" x 2" maturity
Faster (N) Allergy (L) 4004
Unkilled groundcover
- WINTER JASMINE 10
Jasminum nudiflorum
1 gal., 24-4" ht./2" x 2" maturity
Faster (N) Allergy (L) 1444
- HONEYSUCKLE 18
Lonicera japonica Nellie
1 gal., 24-4" ht./2" x 2" maturity
Faster (N) Allergy (L) 1444
Unkilled groundcover
- POTENTILLA 22
Potentilla fruticosa
1 gal., 24-4" ht./2" x 2" maturity
Faster (N) Allergy (L) 94
- LANDSCAPES**
- CRUSHED GREY GRAVEL
WITH FILTER FABRIC TO A MINIMUM 6" DEPTH
- EXISTING LANDSCAPING
- * DENOTES EVERGREEN PLANT MATERIAL
- EXISTING TREE
- EXISTING EVERGREEN

LANDSCAPE NOTES:
 Landscape maintenance shall be the responsibility of the Property Owner. The Property Owner shall maintain streets trees in a living, healthy, and attractive condition.

It is the intent of this plan to comply with the City of Albuquerque Water Conservation Landscaping and Water Waste Ordinance planting restriction approach. Approval of this plan does not constitute or imply exemption from water waste provisions of the Water Conservation Landscaping and Water Waste Ordinance.

Water management is the sole responsibility of the Property Owner. All landscaping shall be in conformance with the City of Albuquerque Street Code, Street Tree Ordinance, Pollen Ordinance, and Water Conservation Landscaping and Water Waste Ordinance. In general, water conservative, environmentally sound landscape principles will be followed in design and installation.

Plant beds shall achieve 75% live ground cover at maturity.

Berms to be covered with Filter Fabric to a minimum depth of 3" shall be placed in all landscape areas which are not designated to receive native seed.

IRRIGATION NOTES:
 Irrigation shall be a complete underground system with Trees to receive 1 Netafim spiral (50' length) with 3 loops at a final radius of 4.5' from tree trunk, pruned in place. Netafim shall have emitters 12" o.c. with a flow of 4 gph. Berms to receive 0.25 GPH Drip Emitters. Drip and Subsoil systems to be tied to 1/2" poly pipe with flush caps at each end. Trees and shrubs shall be on separate valves.

Run time per each shrub drip valve will be approximately 15 minutes per day. Tree drip valve shall run 1.5 hours, 3 times per week. Run time will be adjusted according to the season.

Point of connection for irrigation system is unknown at current time and will be coordinated in the field. Irrigation will be operated by automatic controller.

Location of controller to be field determined and power source for controller to be provided by others.

Irrigation maintenance shall be the responsibility of the Property Owner.

Water and Power source shall be the responsibility of the Developer/Builder.

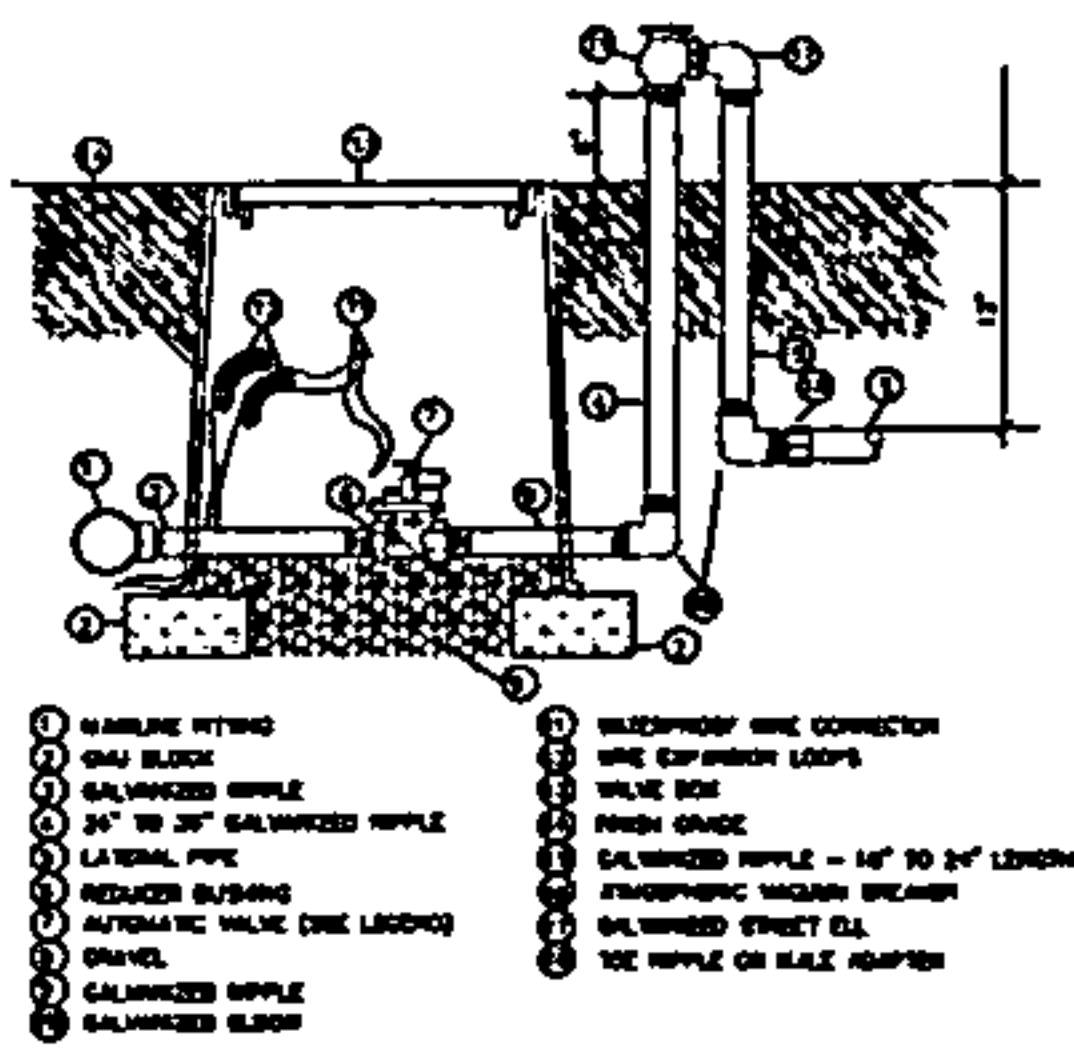
LANDSCAPE CALCULATIONS

TOTAL LOT AREA	216126	square feet
TOTAL BUILDINGS AREA	56524	square feet
NET LOT AREA	159602	square feet
LANDSCAPE REQUIREMENT	15%	
TOTAL LANDSCAPE REQUIREMENT	23940	square feet
TOTAL NEW BED PROVIDED	6823	square feet
GROUNDCOVER REQ.	75%	square feet
TOTAL GROUNDCOVER REQUIREMENT	6618	square feet
TOTAL GROUNDCOVER PROVIDED	8710 (76%)	square feet
EXISTING LANDSCAPE	15440	square feet
MINIMUM 75% LIVE GROUNDCOVER		
TOTAL SOO AREA (max. 30% of landscape allowed)	0	square feet
TOTAL LANDSCAPE PROVIDED	24228 (15%)	square feet

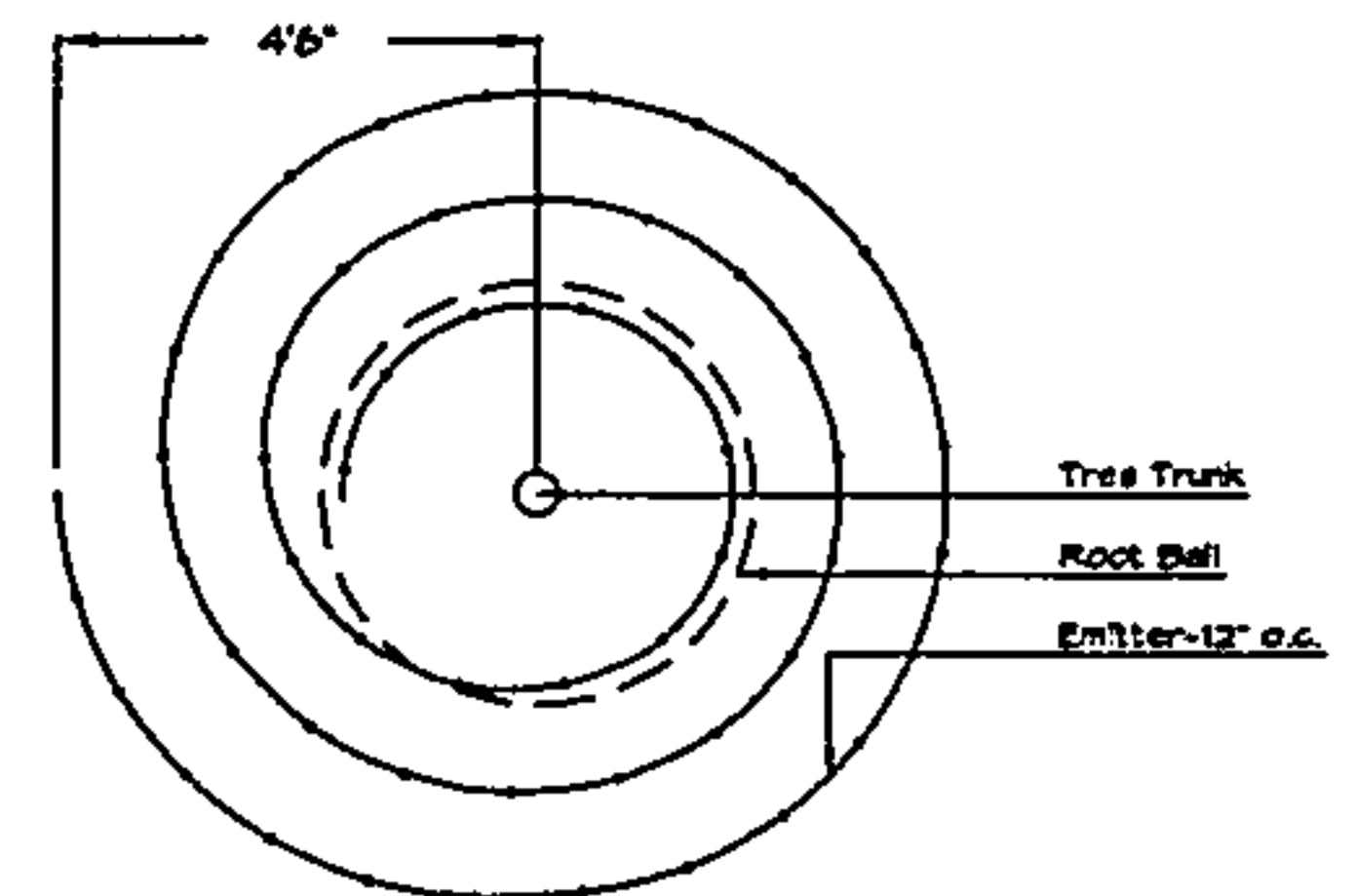
STREET TREE REQUIREMENTS - Minimum 2" Caliper
 Street trees required under the City of Albuquerque Street Tree Ordinance are as follows:
 Name of Street: Juan Tabo NE
 Required: 17 Provided: 13 Existing and 15 New

PARKING LOT TREE REQUIREMENTS - Minimum 2" Caliper
 Shade trees required under the City of Albuquerque Parking Lot Tree Ordinance are as follows:
 1 Shade tree per 10 spaces
 Required: 12 Provided: 6 Existing and 11 New

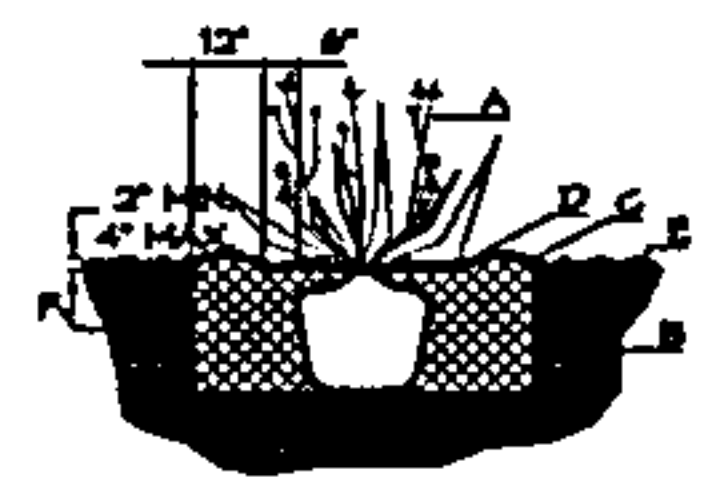
NOTE TO CLIENT:
 Should The Hilltop not receive a Grading and Drainage plan during the design process or the on-site grades differ from the grading and Drainage plan received, The Hilltop reserves the right to apply slope stabilization and earth's where the specified gravel will not be suitable. Gravel shall not be 2-4' cobblestone will not stay on a slope greater than 5:1. If the grades are greater than what was originally designed, we will request an infield change-order to lay cobblestone or rip-rap. In lieu of the specified gravel, to stabilize the slope. All vegetative material shall remain per plan.



AUTOMATIC VALVE W/ ATMOSPHERIC VACUUM BREAKER



Netafim Spiral Detail



SHRUB PLANTING DETAIL

GENERAL NOTES:
 1. THE OUTSIDE DIAMETER OF THE WATER RETENTION BASIN SHALL BE THREE TIMES THE DIAMETER OF THE SHRUB PLANTING PIT.

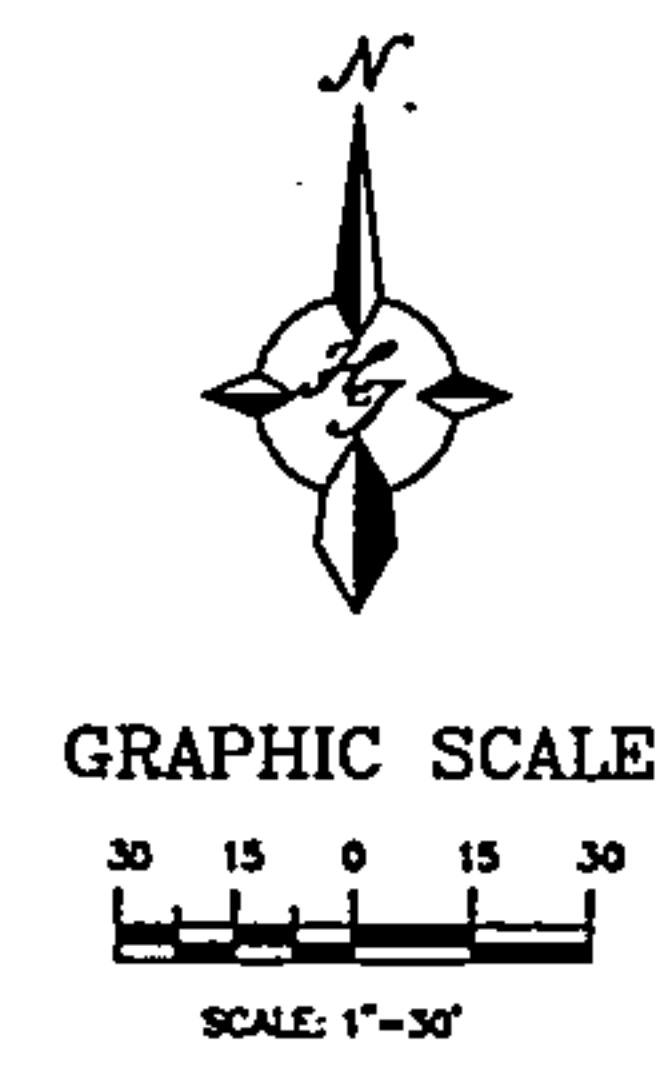
CONSTRUCTION NOTES:
 A. SHRUB.
 B. BACKFILL WITH EXISTING SOIL.
 C. EARTH BERM AROUND WATER RETENTION BASIN.
 D. 3" DEPTH OF GRAVEL MULCH.
 E. FRESH GRAZE.
 F. UNDISTURBED SOIL.



TREE PLANTING DETAIL

GENERAL NOTES:
 1. ROOTBALL SHALL BE PLACED ON UNDISTURBED SOIL TO PREVENT TREE FROM SETTLING.
 2. TOP OF ROOTBALL INDICATED LEVEL AT WHICH TREE HAS GROWN AND DUG; THIS REPRESENTS THE LEVEL AT WHICH THE TREE SHOULD BE INSTALLED; THAT LEVEL MAY BE EXCEEDED BY ONLY A ONE INCH LAYER OF SOIL.
 3. PRIOR TO BACKFILLING TREE, ALL WIRE, ROPE AND SYNTHETIC MATERIALS SHALL BE REMOVED FROM THE TREE AND THE PLANTING PIT.
 4. PRIOR TO BACKFILLING ALL BURLAP SHALL BE CUT AWAY EXCEPT FOR BOTTOM OF THE ROOTBALL.

CONSTRUCTION NOTES:
 A. TREE.
 B. BACKFILL WITH EXISTING SOIL.
 C. 3" DEPTH OF GRAVEL MULCH.
 D. UNDISTURBED SOIL.



GRAPHIC SCALE
 SCALE: 1" = 30'

The Hilltop
 LANDSCAPE ARCHITECTS & CONTRACTORS
 Cont. Lic. #26458
 7909 Edith N.E.
 Albuquerque, NM 87184
 Ph. (505) 898-8690
 Fax (505) 898-7737
 cmj@hilltoplandscaping.com

REV	DATE	BY	CHK	DATE	BY
1	1-12-10	CM	CM	11-17-09	CM
2	6-23-08	CM	CM		CM

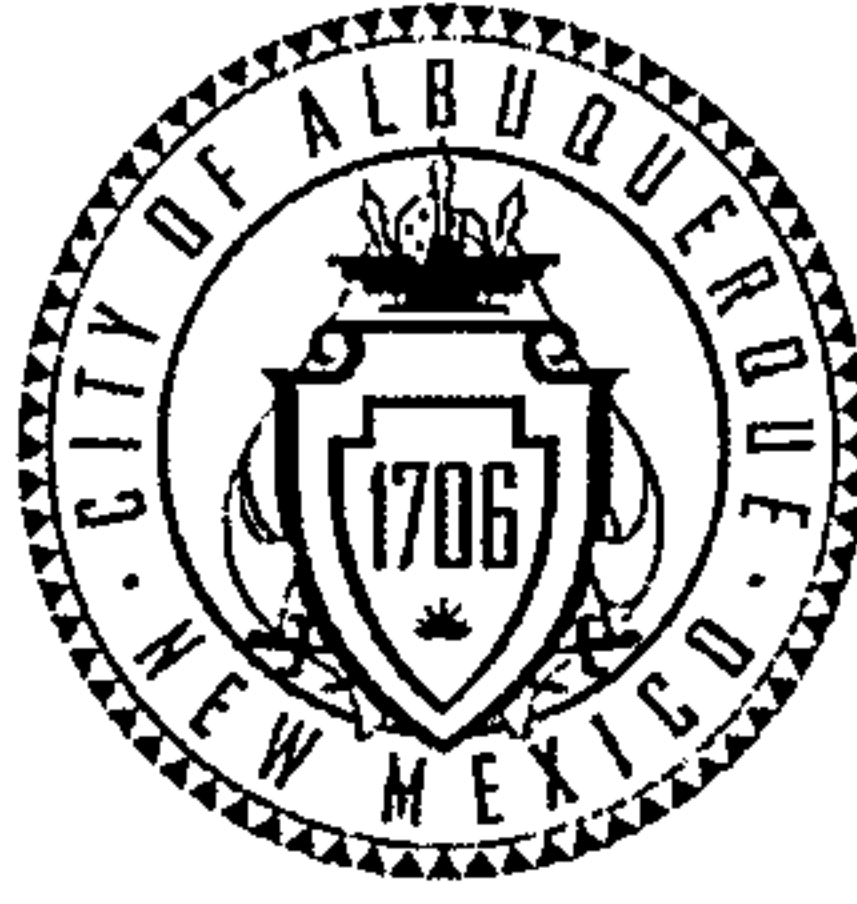
MODULUS ARCHITECTS
 1112 110
 1112 110

SUNFLOWERS - HEIGHTS PLAZA
 N.E.C. OF JUAN TABO AND MONTGOMERY
 ALBUQUERQUE, NEW MEXICO

STEPHEN DUNBAR, AIA
 SUNFLOWER
 RMC

LANDSCAPE PLAN

L1.1
 1" = 30'



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

Date: August 21, 2009

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project # 1007864**
09EPC-40035 AMNDT TO ZONE MAP
(ESTB ZONING/ZONE CHG)
09EPC-40036 SITE DEVELOPMENT -
BUILDG PRMT

Goodman Realty Group
100 Sun Ave. NE
Suite 100
Albuquerque, NM 87109

LEGAL DESCRIPTION: DAC ENTERPRISES, INC, agents for GOODMAN REALTY GROUP, requests the above actions for all or a portion of tract B, NEW HOLIDAY PARK zoned C-1 to SU-1 C-1 USES AND GROCERY W/ FULL LIQUOR FOR OFF PREMISES located on MONTGOMERY BLVD NE BETWEEN JUAN TABO NE AND TRAMWAY NE containing approximately 4.9 acre(s). (F-22) Randall Falkner, Staff Planner

On August 20, 2009 the Environmental Planning Commission voted to **APPROVE** Project 1007864 / 09EPC-40035, a zone map amendment for all or a portion of tract B, NEW HOLIDAY PARK zoned C-1 to SU-1 C-1 USES AND GROCERY W/ FULL LIQUOR OFF PREMISES, based on the following Findings and subject to the following Condition:

FINDINGS:

1. This is a request for a zone map amendment from C-1 to SU-1 C-1 Uses and Grocery w/Full Liquor Off Premises for a site of approximately 4.9 acres on Tract B, New Holiday Park.
2. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
3. The subject site is within the area designated Established Urban by the Comprehensive Plan.

4. The following Comprehensive Plan policies for Developing and Established Urban Areas are furthered by the request:
 - a. Policy II.B.5a – The proposed zoning will allow a full range of urban land uses and will be compatible with the surrounding zoning and uses. The request does not increase residential density and would provide infill development in the form of a neighborhood retail grocery store. The request would add commercial land use to neighboring single-family residential, office, commercial, and public facility land uses.
 - b. Policy II.B.5d – The proposed zoning will allow for a use that is compatible with the surrounding area and respect existing neighborhood values and natural environmental conditions. The subject site is surrounded by like uses (commercial or office) to the south, southwest, east, and west. The request will use the existing building and will give the EPC site plan control of the site with the proposed SU-1 zoning.
 - c. Policy II.B.5e – Full urban services are currently available to the proposed subject site. The integrity of existing neighborhoods would be ensured by upgrading to the SU-1 zoning designation, and adding a commercial use that would complement residential areas and improve the neighborhood. The request will provide infill development in an area that needs commercial development.
 - d. Policy II.B.5o – The proposed zoning will help to redevelop the site and strengthen the existing neighborhoods in the Established Urban Area.
5. The subject site is designated as Page One/Eldorado Village Community Activity Center.
6. The request partially furthers Comprehensive Plan Activity Centers Policy II.B.7a by meeting the following policy objectives for a Community Activity Center: very accessible by automobile, located on minor & major arterial streets, provides connections to the public transit system, and improves pedestrian connections between building, parking, and sidewalks. The interior of the center has been made more accommodating to pedestrians with the improvements; however, it would not be considered very accommodating to pedestrians.
7. The request furthers Comprehensive Plan Community Identify and Urban Design Policy II.C.9d by adding pedestrian linkages with colored textured concrete crosswalks that encourage walking throughout the shopping center site and to surrounding neighborhoods, and by providing additional landscaping that reinforces the cultural, social, and design traditions of the community served by the Activity Center.
8. The request furthers Comprehensive Plan Transportation and Transit Goal and Policy II.D.4g by providing additional pedestrian connections between the building, parking lot, and sidewalks. The request will help to provide a balanced circulation system through placement of employment and encouragement of walking and transit, while still providing sufficient roadway capacity to meet mobility and access needs.
9. The request furthers Comprehensive Plan Economic Development Policies II.D.6a, II.D.6b, and II.D.6c. The request will benefit the surrounding neighborhood and local economy by bringing in

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a business that would accommodate a wide range of occupational skills and salary levels. The proposed supermarket would provide opportunities for improvement in these skills as well as advancement. New employment opportunities will be available to those in living in the northeast heights and surrounding areas. The request will help to expand the local employment base through an outside firm that has other stores throughout the City.

10. The applicant has adequately justified the zone change request pursuant to Resolution 270-1980:
 - a. The request would provide SU-1 zoning that could only occur in conformance with an approved site development plan that is subject to EPC review. The applicant has provided an accompanying site development plan for building permit that improves pedestrian connections and increases landscaping. The request would provide an occupant for a building that has been vacant for several years. These improvements would enhance the property value of this site. The project would be consistent with the health, safety, morals, and general welfare of the City.
 - b. Commercial zoning and land uses surround the property to the east, west, and south. The proposed zoning is compatible with adjacent zoning and land use. The applicant has cited a number of policies in the Comprehensive Plan that are furthered by the request.
 - c. The zone change request is not in conflict with elements of the Comprehensive Plan. Applicable goals and policies of the Comprehensive Plan have been cited.
 - d. (3) The applicant has shown that a different use category is more advantageous to the community by furthering a preponderance of policies in the Comprehensive Plan. The zone change request would allow a full range of urban land uses, respect existing neighborhood values, allow for needed infill development while ensuring the integrity of the neighborhood, allow for redevelopment and rehabilitation of an older neighborhood, encourage economic development, and improve pedestrian opportunities.
 - e. The change would not result in harmful conditions for the adjacent property, neighborhood, or the community. The site (the restaurant immediately to the east of the proposed grocery store) already allows the sale of beer and wine for on premises consumption. If the use is approved by the EPC, the applicant will have to attend subsequent liquor hearings before a license is granted by the New Mexico Liquor Control Board.
 - f. The property is already served by City infrastructure and does not require major and un-programmed capital expenditures by the City.
 - g. The cost of land or other economic considerations are not the determining factor for the requested zone change.
 - h. Street location has been noted, but the request does not ask that it be considered as sufficient justification in itself for the zone change.
 - i. The request does create a spot zone; however, the applicant has demonstrated that the proposed zone change would clearly facilitate realization of the Comprehensive Plan.
 - j. The request does not constitute a strip zone.

11. This request for a zone map amendment is accompanied by a site development plan for building permit, 09EPC 40036.
12. There is no known opposition to the project and no letters of opposition have been received.

CONDITION:

1. Final DRB sign-off of accompanying site development plan for building permit, 09EPC 40036.
-

On August 20, 2009 the Environmental Planning Commission voted to **APPROVE** Project 1007864 / 09EPC-40036, a site development plan for building permit for all or a portion of tracts B, NEW HOLIDAY PARK, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for a site development plan for building permit for a site of approximately 4.9 acres on Tract B, New Holiday Park.
2. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
3. The subject site is within the area designated Established Urban by the Comprehensive Plan.
4. The following Comprehensive Plan policies for Developing and Established Urban Areas are furthered by the request:
 - a. Policy II.B.5a – The proposed request will allow a full range of urban land uses and will be compatible with the surrounding zoning and uses. The request does not increase residential density and would provide infill development in the form of a neighborhood retail grocery store. The request would add commercial land use to neighboring single-family residential, office, commercial, and public facility land uses.
 - b. Policy II.B.5d – The proposed request will allow for a use that is compatible with the surrounding area and respect existing neighborhood values and natural environmental conditions. The subject site is surrounded by like uses (commercial or office) to the south, southwest, east, and west. The request will use the existing building and will give the EPC site plan control of the site with the proposed SU-1 zoning.
 - c. Policy II.B.5e – Full urban services are currently available to the proposed subject site. The integrity of existing neighborhoods would be ensured by upgrading to the SU-1 zoning designation, and adding a commercial use that would complement residential areas and improve the neighborhood. The request will provide infill development in an area that needs commercial development.

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- d. Policy II.B.5o – The proposed request will help to redevelop the site and strengthen the existing neighborhoods in the Established Urban Area.
 - e. Policy II.B.5p – This request emphasizes private investment as a primary means to achieve redevelopment objectives.
5. The request partially furthers Comprehensive Plan Activity Centers Policy II.B.7a by meeting the following policy objectives for a Community Activity Center: very accessible by automobile, located on minor & major arterial streets, provides connections to the public transit system, and improves pedestrian connections between building, parking, and sidewalks. The interior of the center has been made more accommodating to pedestrians with the improvements; however, it would not be considered very accommodating to pedestrians.
 6. The request furthers Comprehensive Plan Community Identify and Urban Design Policy II.C.9d by adding pedestrian linkages with colored textured concrete crosswalks that encourage walking throughout the shopping center site and to surrounding neighborhoods, and by providing additional landscaping that reinforces the cultural, social, and design traditions of the community served by the Activity Center.
 7. The request furthers Comprehensive Plan Transportation and Transit Goal and Policy II.D.4g by providing additional pedestrian connections between the building, parking lot, and sidewalks. The request will help to provide a balanced circulation system through placement of employment and encouragement of walking and transit, while still providing sufficient roadway capacity to meet mobility and access needs.
 8. The request furthers Comprehensive Plan Economic Development Policies II.D.6a, II.D.6b, and II.D.6c. The request will benefit the surrounding neighborhood and local economy by bringing in a business that would accommodate a wide range of occupational skills and salary levels. The proposed supermarket would provide opportunities for improvement in these skills as well as advancement. New employment opportunities will be available to those in living in the northeast heights and surrounding areas. The request will help to expand the local employment base through an outside firm that has other stores throughout the City.
 9. This request for a site development plan for building permit accompanies a zone map amendment, 09EPC 40035.
 10. There is no known opposition to the project and no letters of opposition have been received; however, certain design aspects were a concern to the Eldorado Heights Neighborhood Association.
 11. The color scheme is designed to link all of buildings on the subject site together.

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. The ROW for the principal arterials (Montgomery Blvd. & Juan Tabo Blvd.) shall be provided on the site development plan for building permit.
4. The location of the proposed bus shelter shall be identified on the site development plan for building permit.
5. Total parking provided on the site development plan for building permit shall be changed to accurately reflect existing, proposed and approved spaces.
6. A minimum of 11 bicycle spaces shall be provided, per Section 14-16-3-1 (B)(3). All bicycle racks shall be located along the primary façade (south side) of existing buildings.
7. The colored textured concrete crosswalk that is located furthest south (closest to Montgomery Boulevard) shall be labeled as 6' wide, instead of 8' as shown in Keyed Note #1.
8. Landscaping:
 - a. There shall be a mixture of at least 4 species of street trees in order to comply with the street tree ordinance.
 - b. The parking lot tree wells on the landscape plan shall be consistent (both shall be 6' x 6') with the site development plan for building permit.
9. The existing outdoor patio without seating (shown as keyed note 33 on the site development plan for building permit) shall provide seating for employees and patrons.
10. The developer shall contact PNM's New Service Delivery Department if modifications to the existing electric service are necessary.
11. The developer will need the Fire Marshall's approval on site plan for fire hydrant numbers and locations; and will also need a copy of a Fire Flow Calculation Sheet from the Fire Marshall.
12. The transit department requests adequate ROW of 8' wide from the face of the curb and 20' long for the concrete pad along Juan Tabo Boulevard in order to leave space for a future bus shelter at the existing bus stop.

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

- a. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as may be required by the Development Review Board (DRB).
- b. Site plan shall comply as approved by the EPC and as approved by the Traffic Engineer (see sheet A 1.0 in plan set that is stamped "TCL approved" dated July 10, 2009).

14. Four additional light poles and a single building mounted light fixture on both the north and west sides of the Sunflower Market building shall be added to better illuminate the existing parking lot.

15. Parking lot corrals shall be added to the site to help prevent loose carts and denting of vehicles.

APPEAL: IF YOU WISH TO APPEAL A FINAL DECISION, YOU MUST DO SO BY SEPTEMBER 4, 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.

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Sincerely,

Richard Dineen
Planning Director

RD/RF/ma

cc: DAC Enterprises, Inc., P.O. Box 16658, Albuquerque, NM 87191
Carolyn Merchant, Cielito Lindo N.A., 4101 Morris NE, Ste. F, Albuquerque, NM 87111
Larry Kern, Cielito Lindo N.A., 10427 San Gabriel NE, Albuquerque, NM 87111
Sharon Busboom, Eldorado Heights N.A., 12000 La Charles Ave. NE, Albuquerque, NM 87111
Mary Pertile, Eldorado Heights N.A., 4113 Shiloh Dr. NE, Albuquerque, NM 87111
Don Couchman, District 8 Coalition of N.A.'s, 6441 Concordia NE, Albuquerque, NM 87111
Carole Pegaty, District 8 Coalition of N.A.'s, 7005 Sky Valley Way NE, Albuquerque, NM 87111

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT CHECKLIST

B. Proposed Development (If supplemental Sheets are used please indicate sheet #)

1. Structural

- A. Location of existing & proposed structures (distinguish between existing & proposed, include phasing)
- B. Square footage of each structure
- C. Proposed use of each structure
- D. Temporary structures, signs and other improvements
- E. Walls, fences, and screening: indicate height, length, color and materials
- F. Dimensions of all principal site elements or typical dimensions thereof
- G. Loading facilities
- H. Site lighting (indicate height & fixture type)
- I. Indicate structures within 20 feet of site
- J. Elevation drawing of refuse container and enclosure, if applicable.
- K. Site amenities including patios, benches, tables, (indicating square footage of patios/ plazas).

2. Parking and Circulation

- A. Parking layout with spaces numbered per aisle and totaled.
 - 1. Location and typical dimensions, including handicapped spaces
 - 2. Calculations: spaces required: 226 provided: 257
Handicapped spaces (included in required total) required: 3 provided: 10
Motorcycle spaces (in addition to required total) required: 5 provided: 6
- B. Bicycle parking & facilities
 - 1. Bicycle racks, spaces required: 11 provided: 12
 - 2. Bikeways and other bicycle facilities, if applicable
- C. Public Transit
 - 1. Bus facilities, including routes, bays and shelters existing or required
- D. Pedestrian Circulation
 - 1. Location and dimensions of all sidewalks and pedestrian paths
 - 2. Location and dimension of drive aisle crossings, including paving treatment
- E. Vehicular Circulation (Refer to Chapter 23 of DPM)
 - 1. Ingress and egress locations, including width and curve radii dimensions
 - 2. Drive aisle locations, including width and curve radii dimensions
 - 3. End aisle locations, including width and curve radii dimensions
 - 4. Location & orientation of refuse enclosure, with dimensions
 - 5. Curb cut locations and dimensions
 - 6. Existing and proposed street widths, right-of-way widths and curve radii
 - 7. Identify existing and proposed turn lanes, deceleration lanes and similar features related to the functioning of the proposal, with dimensions
 - 8. Location of traffic signs and signals related to the functioning of the proposal
 - 9. Identify existing and proposed medians and median cuts

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT CHECKLIST

3. Phasing

- A. Proposed phasing of improvements and provision for interim facilities. Indicate phasing plan, including location and square footage of structures and associated improvements including circulation, parking and landscaping.

SHEET #2 LANDSCAPING PLAN

Landscaping may be shown on sheet #1 with written approval from Planning Department staff.

- 1. Scale - must be same as scale on sheet #1 - Site plan
- 2. Bar Scale
- 3. North Arrow
- 4. Property Lines
- 5. Existing and proposed easements
- 6. Identify nature of ground cover materials
 - A. Impervious areas (pavement, sidewalks, slope pavings, curb and gutters, etc.)
 - B. Pervious areas (planting beds, grass, ground cover vegetation, etc.)
 - C. Ponding areas either for drainage or landscaping/recreational use
- 7. Identify type, location and size of plantings (common and/or botanical names).
 - A. Existing, indicating whether it is to be preserved or removed.
 - B. Proposed, to be established for general landscaping.
 - C. Proposed, to be established for screening/buffering.
- 8. Describe irrigation system - Phase I & II . . .
- 9. Backflow prevention detail
- 10. Planting Beds, indicating square footage of each bed
- 11. Turf Area - only 20% of landscaped area can be high water turf; provide square footage and percentage.
- 12. Responsibility for Maintenance (statement)
- 13. Statement of compliance with Water Conservation...Ordinance, see article 6-1-1-1.
- 14. Landscaped area requirement; square footage and percent (specify clearly on plan)
- 15. Landscaped area provided; square footage and percent (specify clearly on plan)
- 16. Planting or tree well detail
- 17. Street Tree Plan as defined in the Street Tree Ord.

SHEET # 3 PRELIMINARY GRADING PLAN

The Preliminary Grading Plan provides the Planning Commission and staff with an understanding of site topography and how it relates to adjacent property. Planning staff may waive or allow adjustments to the Preliminary Grading Plan requirements for sites that are small, relatively flat and have no existing or proposed extraordinary drainage facilities. Waivers must be obtained in writing from the City Engineer prior to application submittal.

Grading information for sites that are under 1 acre can be included on Sheet #1 with written approval from the Planning Department Staff.

A. General Information

1. Scale - must be same as Sheet #1 - Site Plan
2. Bar Scale
3. North Arrow
4. Property Lines
5. Existing and proposed easements

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT CHECKLIST

- 6. Building footprints
- 7. Location of Retaining walls

B. Grading Information

- 1. On the plan sheet, provide a narrative description of existing site topography, proposed grading improvements and topography within 100 feet of the site.
- 2. Indicate finished floor elevation and provide spot elevations for all corners of the site (existing and proposed) and points of maximum cut or fill exceeding 1 foot.
- 3. Identify ponding areas
- 4. Cross Sections
Provide cross section for all perimeter property lines where the grade change is greater than 4 feet at the point of the greatest grade change. Provide one additional cross section in each direction within no more than 100 feet of the reference point.

SHEET #4 UTILITY PLAN

- 1. Fire hydrant locations, existing and proposed.
- 2. Distribution lines
- 3. Right-of-Way and easements, existing and proposed, on the property and adjacent to the boundaries, with identification of types and dimensions.
- 4. Existing water, sewer, storm drainage facilities (public and/or private).
- 5. Proposed water, sewer, storm drainage facilities (public and/or private)

SHEET #5 BUILDING AND STRUCTURE ELEVATIONS

A. General Information

- A. Scale (minimum of 1/8" or as approved by Planning Staff).
- B. Bar Scale
- C. Detailed Building Elevations for each facade
 - 1. Identify facade orientation (north, south, east, & west).
 - 2. Facade dimensions including overall height and width
 - 3. Location, dimensions, materials, and colors of principle façade elements- windows, doors, etc.
 - 4. For EPC and DRB submittals only – Color renderings or similar (12 copies) illustrations
- E. Site Development Plans for single family residential projects with multiple units may require submittal of specific information on building features in lieu of elevation drawings for each building. Applicants are advised to discussed submittal requirements with Planning Department staff.

B. Signage

- 1. Site location(s)
- 2. Sign elevations to scale
- 3. Dimensions, including height and width
- 4. Sign face area - dimensions and square footage clearly indicated
- 5. Lighting
- 6. Materials and colors for sign face and structural elements.