

DRB CASE ACTION LOG - BLUE SHEET

- Preliminary/Final Plat [FP]
- Site Plan - Subdivision [SPS]
- Site Plan - Building Permit [SBP]

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

Project #: 100787Z Application #: 12.DRB-703231
Project Name: Plat of Tract 3A-1 Pavillions at San Mateo
Agent: Terra West LLC Phone #:

Your request was approved on 10-17-12 by the DRB with delegation of signature(s) to the following departments - outstanding comments to be addressed

- TRANSPORTATION:

- ABCWUA:

- CITY ENGINEER / AMAFCA:

- PARKS / CIP:

- PLANNING (Last to sign):

PLATS:

- 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.
 - County Treasurer's signature must be obtained prior to the recording of the plat with 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.

ALL SITE PLANS:

- 3 copies of the approved site plan. Include all pages.



DEVELOPMENT REVIEW BOARD
Action Sheet

Plaza del Sol Hearing Room, Basement, Plaza del Sol Building

October 17, 2012 9:00 AM
MEMBERS:

Jack Cloud, DRB Chair
Angela Gomez, Administrative Assistant

Kristal Metro, Transportation Development
Curtis Cherne, City Engineer

Allan Porter, ABCWUA
Carol Dumont, Parks & Recreation

CASES WHICH REQUIRE PUBLIC NOTIFICATION

MAJOR SUBDIVISIONS, VACATIONS, SIA EXTENSIONS AND SITE DEVELOPMENT PLANS

1. **Project# 1006505**
12DRB-70299 MAJOR - 2YEAR
EXTENSION OF SUBDIVISION
IMPROVEMENTS AGREEMENT (2YR
SIA)
APPLIED ENGINEERING AND SURVEYING INC
agent(s) for EDDIE CORLEY, JR AND SR, LLC
request(s) the referenced/above action(s) for Lot 17A,
Block 9, Tract A, Unit B **NORTH ALBUQUERQUE**
ACRES zoned SU-2/ IP/ NC, located on the north side of
EAGLE ROCK AVE NE between I-25/ PAN AMERICAN
FREEWAY NE and SAN PEDRO BLVD NE containing
approximately 3.9321 acre(s). (C-18) **DEFERRED TO**
10/24/12 AT THE AGENT'S REQUEST.

2. **Project# 1008203**
12DRB-70300 MAJOR - 2YEAR
EXTENSION OF SUBDIVISION
IMPROVEMENTS AGREEMENT (2YR
SIA)
ISAACSON AND ARFMAN PA agent(s) for ATLAS
RESOURCES request(s) the referenced/ above action(s) for
SAGE & UNSER MARKET PLACE zoned C-1, located
on the southeast corner of the intersection of UNSER
BLVD SW and SAGE RD SW containing approximately
9.159 acre(s). (L-10, M-10) **THE TWO YEAR**
EXTENSION OF THE SUBDIVISION IMPROVEMENT
AGREEMENT (SIA) WAS APPROVED.

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

3. **Project# 1007872**
12DRB-70324 EPC APPROVED SDP
FOR BUILD PERMIT
TIERRA WEST LLC request(s) the above action(s) for all
or a portion of Tract(s) 2A-1, **PLAT OF TRACT 3A-1**
PAVILIONS AT SAN MATEO zoned C-3, located on
SOUTH SIDE OF CUTLER BETWEEN SAN MATEO
AND WASHINGTON containing approximately 3.85
acre(s). (H-17) **THE SITE PLAN FOR BUILDING PERMIT**
WAS APPROVED.

Complete

DRB CASE ACTION LOG - BLUE SHEET

- Preliminary/Final Plat [FP]
- Site Plan - Subdivision [SPS]
- Site Plan - Building Permit [SBP]

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

Project #: 100787Z Application #: 12DRB-70324
 Project Name: Plat of Tract 3A-1 Pavillions at San Mateo
 Agent: Tierra West Phone #:

Your request was approved on 10-17-12 by the DRB with delegation of signature(s) to the following departments - outstanding comments to be addressed

TRANSPORTATION:

ABCWUA:

CITY ENGINEER / AMAFCA:

PARKS / CIP:

PLANNING (Last to sign):

PLATS:

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.
- County Treasurer's signature must be obtained prior to the recording of the plat with 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.

ALL SITE PLANS:

3 copies of the approved site plan. Include all pages.

City of Albuquerque Planning Department

DEVELOPMENT AND BUILDING SERVICES

11/11/12

STANDARD APPLICATION, Paper Plans Required

DEVELOPMENT REVIEW BOARD

10/09/2012 Issued By: BLDAVM 166075

Category Code **910**
2012 070 324

Application Number: 12DRB-70324, Epc Approved Sdp For Build Permit

Address:

Location Description: SOUTH SIDE OF CUTLER BETWEEN SAN MATEO AND WASHINGTON

Project Number: 1007872

Applicant

TIERRA WEST LLC
RONALD BOHANNAN
5571 MIDWAY PARK PL NE
ALBUQUERQUE NM 87109
505-858-3100
kkrueger@tierrawestllc.com

Agent / Contact

TIERRA WEST LLC
RONALD BOHANNAN
5571 MIDWAY PARK PL NE
ALBUQUERQUE NM 87109
505-858-3100
KKRUEGER@TIERRAWESTLLC.COM

Application Fees

APN Fee

Conflict Mgmt Fee **\$20.00**

DRB Actions

TOTAL: \$20.00

City of Albuquerque Treasury
Date: 10/9/2012 Office: ANNEX
Stat ID: W5000006 Cashier: TRSFXG
Batch: 860 Trans #: 44
Permit: 2012070324
Receipt Num 00060803
Payment Total: \$20.00
0901 Conflict Mgmt Fee \$20.00
Check Tendered: \$20.00



Supplemental Form (SF)

SUBDIVISION

- Major subdivision action
- Minor subdivision action
- Vacation
- Variance (Non-Zoning)

SITE DEVELOPMENT PLAN

- for Subdivision
- for Building Permit
- Administrative Amendment/Approval (AA)
- IP Master Development Plan
- Cert. of Appropriateness (LUCC)

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

- Annexation
- Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plan boundaries)
- 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, 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 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): Tierra West, LLC PHONE: 505-858-3100
 ADDRESS: 5571 Midway Park Place, NE FAX: 505-858-1118
 CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: rrb@tierrawestllc.com

APPLICANT: Weingarten Realty PHONE: 602-217-8848
 ADDRESS: 4440 N. 36th Street, Suite 200 FAX: 602-263-8852
 CITY: Phoenix STATE AZ ZIP 85018 E-MAIL: GRabb@Weingarten.com

Proprietary interest in site: Owner List all owners: _____

DESCRIPTION OF REQUEST: Site Development Plan for Building Permit

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. TRACT 3A-1 Block: _____ Unit: _____
 Subdiv/Addn/TBKA: PLAT OF TRACT 3A-1 PAVILIONS AT SAN MATEO
 Existing Zoning: C-3 Proposed zoning: same MRGCD Map No _____
 Zone Atlas page(s): H-17 UPC Code: 101705937410640208

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX, Z, V, S, etc.): _____
1007872 / Z-95-92

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? no
 No. of existing lots: 1 No. of proposed lots: 1 Total site area (acres): 3.85+
 LOCATION OF PROPERTY BY STREETS: On or Near: south side of Cutler Avenue, NE
 Between: San Mateo Boulevard, NE and Washington Street, NE

Check if project was previously reviewed by: Sketch Plat/Plan or Pre-application Review Team(PRT) Review Date: _____

SIGNATURE [Signature] DATE October 08, 2012
 (Print Name) Ronald R. Bohannan Applicant: Agent:

FOR OFFICIAL USE ONLY

Revised: 6/2011

INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>12 DRB - 70324</u>	<u>58P</u>		<u>\$ 20.00</u>
<input checked="" type="checkbox"/> All fees have been collected				\$ _____
<input checked="" type="checkbox"/> All case #s are assigned				\$ _____
<input type="checkbox"/> AGIS copy has been sent				\$ _____
<input type="checkbox"/> Case history #s are listed				\$ _____
<input type="checkbox"/> Site is within 1000ft of a landfill				\$ _____
<input type="checkbox"/> F.H.D.P. density bonus				\$ _____
<input type="checkbox"/> F.H.D.P. fee rebate				\$ _____
				Total
				<u>\$ 20.00</u>

Hearing date Oct. 17, 2012

[Signature] 10-9-12
 Staff signature & Date

Project # 1007872

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.

Ronald R. Bohannon, PE

 Applicant name (print)
 October 08, 2012

 Applicant signature / date



Form revised October 2007

- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- Application case numbers
 12 - DRB - 10324

 Planner signature / date
 Project # 1007872

Vince Carrica

From: Barkhurst, Kathryn Carrie <kcbarkhurst@cabq.gov>
Sent: Friday, October 05, 2012 5:04 PM
To: Vince Carrica
Subject: RE: Project Number 1007872 12EPC-4049 Amendment to site plan approval

Great! Submit away...

It's been a pleasure working with you all.

Carrie Barkhurst
Planner, Current Planning Section
Urban Design & Development Division
City of Albuquerque Planning Department
505.924.3879 // kcbarkhurst@cabq.gov

From: Vince Carrica [<mailto:VCarrica@tierrawestllc.com>]
Sent: Friday, October 05, 2012 4:38 PM
To: Barkhurst, Kathryn Carrie
Cc: Vince Carrica; Ron Bohannon; Cynthia Abeyta
Subject: Re: Project Number 1007872 12EPC-4049 Amendment to site plan approval

Thank you! We did submit to fire Marshall and did get their sign off.

Vincent P. Carrica, PE
Tierra West, LLC

Sent from my iPhone

On Oct 5, 2012, at 4:27 PM, "Barkhurst, Kathryn Carrie" <kcbarkhurst@cabq.gov> wrote:

Vince,

Thank you for submitting a revised site plan. The three sheets submitted, labeled C2B, C3, and A2, addressed the conditions of approval.

Please make sure that your DRB submittal includes all sheets (labeled C1 – C6 as submitted to the EPC) and a copy of the original site plan that is to be amended. Also make sure that a copy has been submitted to the Fire Marshal's Office Plans Checking Division for review and approval prior to DRB approval.

Have a nice weekend,

Carrie Barkhurst
Planner, Current Planning Section
Urban Design & Development Division
City of Albuquerque Planning Department
505.924.3879 // kcbarkhurst@cabq.gov

From: Ron Bohannon [<mailto:rrb@tierrawestllc.com>]
Sent: Thursday, September 13, 2012 5:11 PM
To: Marrone, Carmen M.; Barkhurst, Kathryn Carrie

Cc: Vince C.....a; Miller, Anita P.; Cynthia Abeyta

Subject: City Project Number 1007872 12EPC-4049 Ammendment to site plan approval

Carmen and Carrie here is the return receipts where the packages were signed for by the coalition for your files. As part of our protocol we keep all returns or signatures on file.

Call me if you have any questions.

Thanks

Ronald R. Bohannan, P.E.
President
(WOBE)
Tierra West LLC
5571 Midway Park Place NE
Albuquerque, NM 87109
505-858-3100 office
800-245-3102
www.tierrawestllc.com

PRIVILEGED AND CONFIDENTIAL

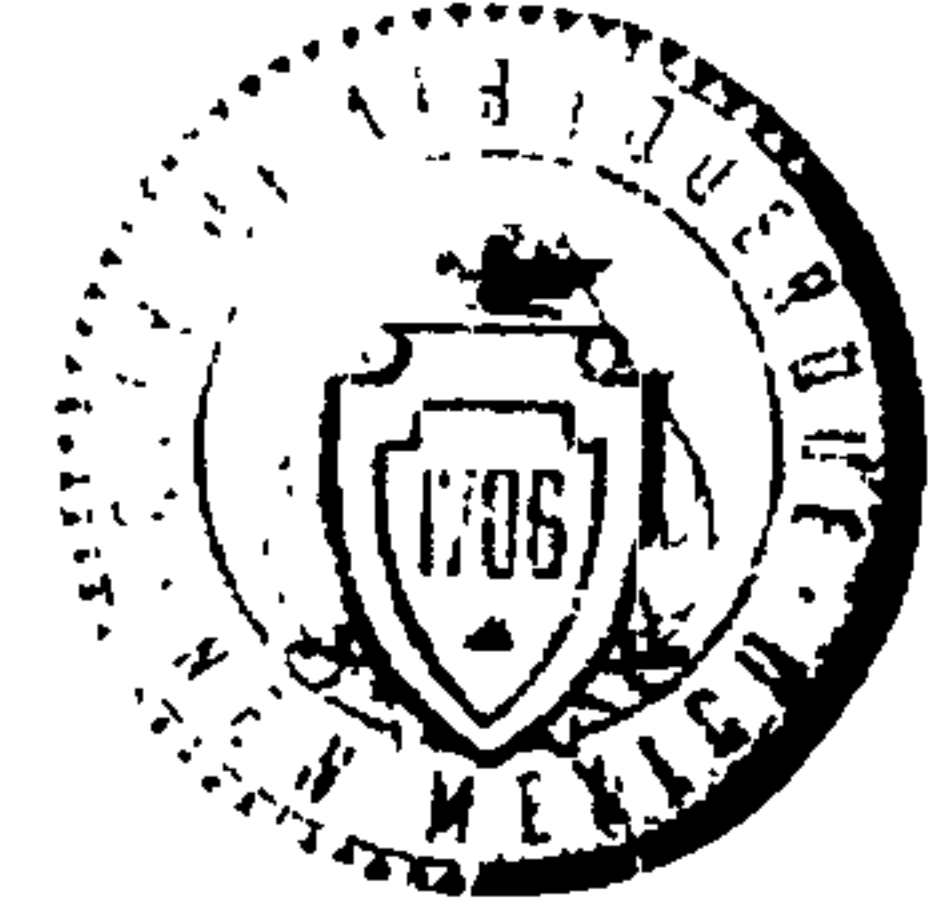
The information contained in this electronic mail message is confidential, may be privileged, and is intended only for the use of the individual(s) named above or their designee. If you are not the intended recipient of this message, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. Any unauthorized interception of this message is illegal under the law. If you have received this message in error, please immediately notify me by return message or by telephone and delete the original message from your email system. Thank you.

If this email is spam, report it to www.OnlyMyEmail.com

If this email is spam, report it to www.OnlyMyEmail.com

CITY OF ALBUQUERQUE

PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
600 2nd Street NW, 3rd Floor, 87102
P.O. Box 1293, Albuquerque, NM 87103
Office (505) 924-3860 Fax (505) 924-3339



OFFICIAL NOTIFICATION OF DECISION

September 17, 2012

Weingarten Realty
4440 N. 36th Street, Suite 200
Phoenix, AZ 85018

Project# 1007872
12EPC-40049 Amend Site Development Plan for
Building Permit

LEGAL DESCRIPTION:

for all or a portion of Lot 3A-1, Plat of Tract 3A-1
Pavilions at San Mateo, zoned C-3, located on the south
side of Cutler between San Mateo and Washington,
containing approximately 3.38 acres. (H-17)
Carrie Barkhurst, Staff Planner

PO Box 1293

Albuquerque, NM 87103
On September 13, 2012, the Environmental Planning Commission voted to **APPROVE** Project 1007872 /
12EPC-40049, a request for an Amendment to the Site Development Plan for Building Permit, based on
the following Findings and subject to the following Conditions:

FINDINGS:

NM 87103

www.abq.gov

1. This is a request for amendment to a Site Development Plan for Building Permit for Tract 3A-1, Plat of Tract 3A-1, Pavilions at San Mateo, located on Cutler Ave. between Washington St. and San Mateo Blvd. and containing approximately 9.4 acres.
2. The applicant is proposing to modify some parking space striping; modify the dumpster enclosure; add a new loading ramp; and add a drive-up service window to Retail D building.
3. The subject site is zoned C-3. The proposed drive-up service window is permissive under the current zoning.
4. The subject site is part of a Site Development Plan for Building Permit for a larger 19.1 acre shopping center commonly called "The Pavilions." The request is consistent with the Design Guidelines.

OFFICIAL NOTICE OF DECISION

Project #1007872

September 13, 2012

Page 2 of 4

5. 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.
6. The request is before the EPC because it is not consistent with the 1995 Notice of Decision, which required a note to be added to the site plan stating that no drive-up service windows are permitted. This restriction was made to mitigate air quality issues related to land use, which are no longer regulated by the City. The note was not added to the Site Development Plan; therefore, the Planning Department cannot enforce the condition.
7. The request complies with most applicable Site Development Plan requirements. However, there are some instances of incomplete information provided, including materials and colors of proposed architectural features. The conditions of approval address the deficiencies.
8. The request is consistent with the Established Urban Area Goal and Policy II.B.5.d. The request is also consistent with Policy II.C.1.e, Air Quality, because it does not increase motor vehicle emissions and their adverse effects.
9. The subject site is not within the boundaries of any Neighborhood Associations or Homeowner's Associations. The District 7 Coalition of NA's was notified. At the hearing one speaker spoke at the hearing and raised questions about possible lack of notification.

CONDITIONS OF APPROVAL:

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. All site development plans for subdivisions and site development plans for building permit shall be submitted to the Fire Marshal's Office Plans Checking Division for review and approval.

OFFICIAL NOTICE OF DECISION

Project #1007872

September 13, 2012

Page 3 of 4

4. A note shall be added to the site plan stating that only one drive-up service window is permitted, unless otherwise approved by the Environmental Planning Commission through an amendment to the Site Development Plan for Building Permit.
5. Sheet C-1 shall be modified, in the appropriate sections, to indicate the change to indicate the correct number of parking spaces, compact parking spaces, motorcycle, and handicap accessible parking spaces provided. These changes shall be marked with a cloud and the "Delta 1" symbol.
6. Sheet C-6 shall specify the material and color for the hand rail at the loading ramp, the existing and proposed canopies, and dumpster enclosure doors. The colors shall be compatible with the proposed brown and camel stucco and the grey and camel metal storefront elements.
7. Sheet C-6 shall identify the new sign proposed on the north building façade with a cloud and the "Delta 1" symbol. The sign face size shall be calculated and added to the Building Signage Schedule.
8. Sheet C-6 shall identify all changes to the façade, including multiple instances of "new scuppers" and "infill with CMU" with a cloud and the "Delta 1" symbol. The scale shall be corrected.
9. Applicant shall add a sign reading "yield to pedestrians" at the north end of the drive up lane.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY SEPTEMBER 28, 2012 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. 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.

Persons aggrieved with any determination of the Environmental Planning Commission (EPC) 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 a written application on the Planning Department form to the Planning Department **within 15 days** of the Planning Commission's decision. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday, the next working day is considered as the deadline for filing 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

OFFICIAL NOTICE OF DECISION

Project #1007872

September 13, 2012

Page 4 of 4

DEADLINE QUOTED ABOVE, PROVIDED ALL CONDITIONS IMPOSED AT THE TIME OF APPROVAL HAVE BEEN MET. SUCCESSFUL APPLICANTS ARE REMINDED THAT OTHER REGULATIONS OF THE CITY ZONING CODE MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

ZONE MAP AMENDMENTS: Pursuant to Zoning Code Section 14-16-4-1(C)(11), a change to the zone map does not become official until the Certification of Zoning (CZ) is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

SITE DEVELOPMENT PLANS: Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped areas shall terminate automatically seven years after adoption or major amendment of the plan: within six months prior to the seven-year deadline, the property owners shall request in writing thorough the Planning Director that the Planning Commission extend the plan's life an additional five years.

DEFERRAL FEES: Pursuant to Zoning Code Section 14-16-4-1(B), deferral at the request of the applicant is subject to a \$110.00 fee.

Sincerely,



Suzanne Lubar
Acting Director, Planning Department

SLCB:mc

cc: Tierra West, LLC, 5571 Midway Park Pl. NE, Albuquerque, NM 87109
Bill Hoch, 813 Calle del Corte NE, Albuquerque, NM 87110
Lynne Martin, 1531 Espejo NE, Albuquerque, NM 87112



Supplemental Form (SF)

SUBDIVISION

- Major subdivision action
- Minor subdivision action
- Vacation
- Variance (Non-Zoning)

SITE DEVELOPMENT PLAN

- for Subdivision
- for Building Permit
- Administrative Amendment/Approval (AA)
- IP Master Development Plan
- Cert. of Appropriateness (LUCC)

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

- Annexation
- Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plan boundaries)
- 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, 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 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): Tierra West, LLC PHONE: 505-858-3100
 ADDRESS 5571 Midway Park Place, NE FAX: 505-858-1118
 CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: rrb@tierrawestllc.com

APPLICANT: Weingarten Realty PHONE: 602-217-8848
 ADDRESS: 4440 N. 36th Street, Suite 200 FAX: 602-263-8852
 CITY: Phoenix STATE AZ ZIP 85018 E-MAIL: GRabb@Weingarten.com

Proprietary interest in site: Owner List all owners: _____

DESCRIPTION OF REQUEST: Site Development Plan for Building Permit

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. TRACT 3A-1 Block: _____ Unit: _____
 Subdiv/Addn/TBKA: PLAT OF TRACT 3A-1 PAVILIONS AT SAN MATEO
 Existing Zoning: C-3 Proposed zoning: same MRGCD Map No _____
 Zone Atlas page(s): H-17 UPC Code: 101705937410640208

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX, Z, V, S, etc.): _____
1007872 / Z-95-92

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? no
 No. of existing lots: 1 No. of proposed lots: 1 Total site area (acres): 3.85
 LOCATION OF PROPERTY BY STREETS: On or Near south side of Cutler Avenue, NE
 Between: San Mateo Boulevard, NE and Washington Street, NE

Check if project was previously reviewed by: Sketch Plat/Plan or Pre-application Review Team(PRT) Review Date: _____

SIGNATURE [Signature] DATE October 08, 2012
 (Print Name) Ronald R. Bohannan 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
2 DRB - 70324

Action	S.F.	Fees
<u>58P</u>		\$ <u>20.00</u>
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
		Total
		\$ <u>20.00</u>

Hearing date Oct. 17, 2012

[Signature]
 Staff signature & Date 10-9-12

Project # 1007872

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.

Ronald R. Bohannon, PE

 Applicant name (print)
 October 08, 2012

 Applicant signature / date



Form revised October 2007

- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- Application case numbers
 12 - DRB - 10324

_____ 10-9-12
 Planner signature / date
 Project # 1007872

gwr

TIERRA WEST, LLC

October 09, 2012

Mr. Jack Cloud, Chairman
Development Review Board
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87102

**RE: DRB FINAL SIGN-OFF OF EPC APPROVED SITE PLAN FOR BUILDING PERMIT
PAVILIONS AT SAN MATEO TRACT 3A-1
4700 CUTLER ROAD
ZONE ATLAS PAGE H-17**

Dear Mr. Cloud:

Tierra West LLC, on behalf of Weingarten Realty, requests EPC final sign-off approval for Site Plan for Building Permit for the above-referenced project. We provide the following responses to the conditions listed by the Environmental Planning Commission.

CONDITIONS OF APPROVAL

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.
This letter shall serve as a transmittal to the Site Development Plan set with notice that all conditions of approval have been met.
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.
The updated plans were submitted to Carrie Barkhurst with the COA Planning Department for her review. A copy of the email correspondence that she has verified that all the conditions are addressed is attached for your files.
3. All site development plans for subdivisions and site development plans for building permit shall be submitted to the Fire Marshal's Office Plans Checking Division for review and approval.
The Site Plan was submitted to the Fire Marshall's Office and approved. A copy of the plan signed by the Fire Marshall's Office is attached for your files.
4. A note shall be added to the site plan stating that only one drive-up service window is permitted, unless otherwise approved by the Environmental Planning Commission through an amendment to the Site Development Plan for Building Permit.
A note was added to the Site Plan stating "Only one drive-up service window is permitted, unless otherwise approved by the Environmental Planning Commission through an amendment to the Site Development Plan for Building Permit".

5571 Midway Park Place NE Albuquerque, NM 87109
(505) 858-3100 Fax (505) 858-1118 1-800-245-3102
tierrawestllc.com

5. Sheet C-1 shall be modified, in the appropriate sections, to indicate the change to indicate the correct number of parking spaces, compact parking spaces, motorcycle, and handicap accessible parking spaces provided. These changes shall be marked with a cloud and the "Delta I" symbol.

Sheet C-1 is modified to indicate the correct number of parking spaces, compact parking spaces, motorcycle and handicap accessible parking spaces provided. The changes are clouded and marked with a "Delta 1" symbol.

6. Sheet C-6 shall specify the material and color for the hand rail at the loading ramp, the existing and proposed canopies, and dumpster enclosure doors. The colors shall be compatible with the proposed brown and camel stucco and the grey and camel metal storefront elements.

Sheet C-6, Building Elevations, is modified to specify the material and color of the hand rail at the loading ramp, the existing canopies, and the dumpster enclosure doors. The colors indicated are compatible with the proposed brown and camel stucco and the grey and camel metal storefront elements.

7. Sheet C-6 shall identify the new sign proposed on the north building facade with a cloud and the "Delta 1" symbol. The sign face size shall be calculated and added to the Building Signage Schedule.

Sheet C-6, Building Elevations, is modified to identify the new sign proposed on the north building façade. The change is clouded and marked with a "Delta 1" symbol. The calculated sign face was added to the Signage Schedule.

8. Sheet C-6 shall identify all changes to the facade, including multiple instances of "new scuppers" and "infill with CMU" with a cloud and the "Delta 1" symbol. The scale shall be corrected.

Sheet C-6, Building Elevations, was modified to identify all changes to the façade and are clouded and marked with a "Delta 1" symbol.

9. Applicant shall add a sign reading "yield to pedestrians" at the north end of the drive up lane.

An R1-5a, "Yield Here to Pedestrians" sign was added to the Site Plan at the north end of the drive. It is clouded and marked with a "Delta 1" symbol.

If you have any questions or need additional information regarding this matter, please do not hesitate to contact me.

Sincerely,

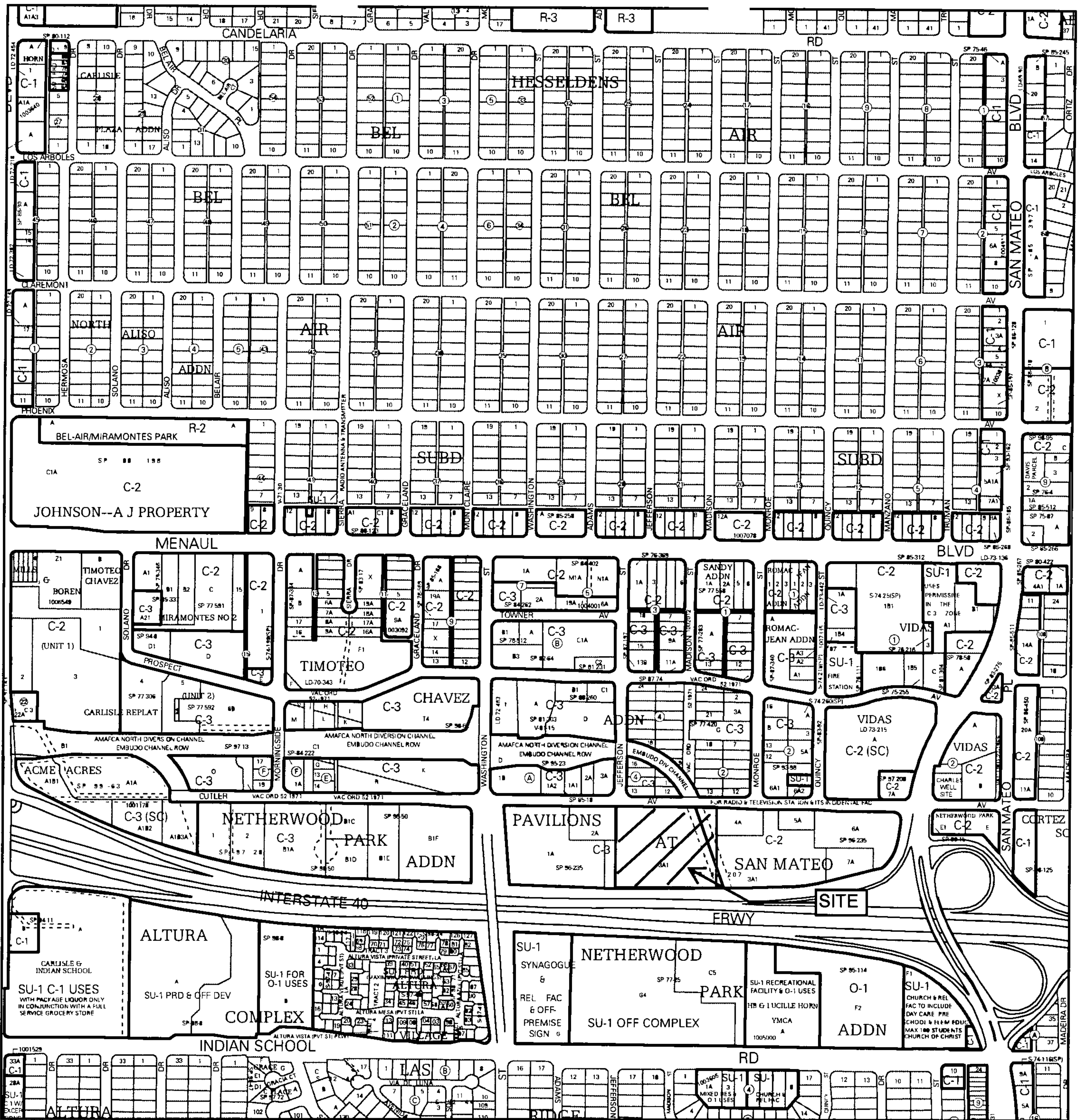


Vincent P. Carrica, PE

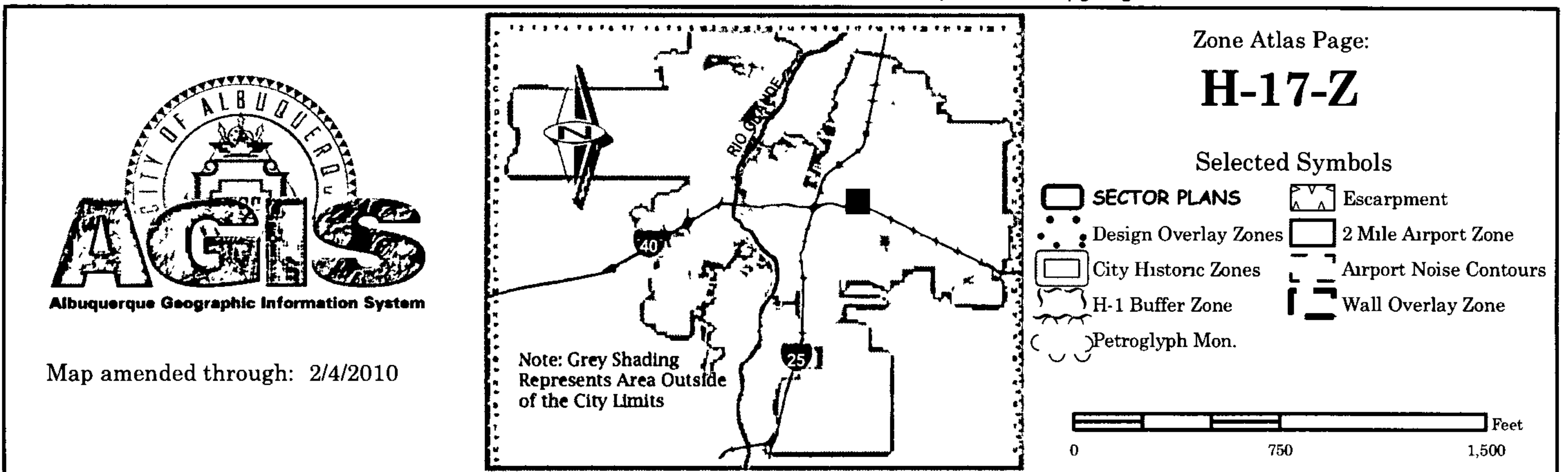
Enclosure/s

cc: Greg Rabb – Weingarten Realty

JN: 2011071
RRB/vpc/cla



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



WEINGARTEN REALTY

4440 N. 36th Street Suite 200
Phoenix, AZ 85018
602 263.1166 Main
602 263.8852 Fax
www.weingarten.com

March 29, 2012

Mr. Doug Peterson, Chair
Environmental Planning Commission
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

**RE: TRACT 3A-1 PLAT OF TRACT 3A-1 PAVILIONS AT SAN MATEO
PROJECT # Z-95-92 / 1007872
ZONE ATLAS MAP H-17**

Dear Chairman Peterson:

The purpose of this letter is to authorize Tierra West, LLC to act as agent on behalf of S/W Albuquerque, L.P. pertaining to any and all submittals made to the City of Albuquerque for the above-referenced site.

Greg Babb
Print Name
Greg Babb
Signature
Construction Manager
Title
03/29/2012
Date

People-to-People. Coast-to-Coast.

Weingarten Realty is the trade name of Weingarten Realty Investors (the "trust") which is an unincorporated trust organized under the Texas Real Estate Investment Trust Act. Neither the shareholders of the trust nor its trust managers, officers, employees or other agents are personally, corporately or individually liable for any debt, act, omission or obligation of the trust and all persons having claims of any kind against the trust must look solely to the property of the trust for the enforcement of their rights.

Vince Carrica

From: Barkhurst, Kathryn Carrie <kcbarkhurst@cabq.gov>
Sent: Friday, October 05, 2012 5:04 PM
To: Vince Carrica
Subject: RE: Project Number 1007872 12EPC-4049 Amendment to site plan approval

Great! Submit away...

It's been a pleasure working with you all.

Carrie Barkhurst
Planner, Current Planning Section
Urban Design & Development Division
City of Albuquerque Planning Department
505.924.3879 // kcbarkhurst@cabq.gov

From: Vince Carrica [<mailto:VCarrica@tierrawestllc.com>]
Sent: Friday, October 05, 2012 4:38 PM
To: Barkhurst, Kathryn Carrie
Cc: Vince Carrica; Ron Bohannon; Cynthia Abeyta
Subject: Re: Project Number 1007872 12EPC-4049 Amendment to site plan approval

Thank you! We did submit to fire Marshall and did get their sign off.

Vincent P. Carrica, PE
Tierra West, LLC

Sent from my iPhone

On Oct 5, 2012, at 4:27 PM, "Barkhurst, Kathryn Carrie" <kcbarkhurst@cabq.gov> wrote:

Vince,

Thank you for submitting a revised site plan. The three sheets submitted, labeled C2B, C3, and A2, addressed the conditions of approval.

Please make sure that your DRB submittal includes all sheets (labeled C1 – C6 as submitted to the EPC) and a copy of the original site plan that is to be amended. Also make sure that a copy has been submitted to the Fire Marshal's Office Plans Checking Division for review and approval prior to DRB approval.

Have a nice weekend,

Carrie Barkhurst
Planner, Current Planning Section
Urban Design & Development Division
City of Albuquerque Planning Department
505.924.3879 // kcbarkhurst@cabq.gov

From: Ron Bohannon [<mailto:rrb@tierrawestllc.com>]
Sent: Thursday, September 13, 2012 5:11 PM
To: Marrone, Carmen M.; Barkhurst, Kathryn Carrie

Cc: Vince C a; Miller, Anita P.; Cynthia Abeyta
Subject: City Project Number 1007872 12EPC-4049 Ammendment to site plan approval

Carmen and Carrie here is the return receipts where the packages were signed for by the coalition for your files. As part of our protocol we keep all returns or signatures on file.

Call me if you have any questions.

Thanks

Ronald R. Bohannan, P.E.
President
(WOBE)
Tierra West LLC
5571 Midway Park Place NE
Albuquerque, NM 87109
505-858-3100 office
800-245-3102
www.tierrawestllc.com

PRIVILEGED AND CONFIDENTIAL

The information contained in this electronic mail message is confidential, may be privileged, and is intended only for the use of the individual(s) named above or their designee. If you are not the intended recipient of this message, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. Any unauthorized interception of this message is illegal under the law. If you have received this message in error, please immediately notify me by return message or by telephone and delete the original message from your email system. Thank you.

If this email is spam, report it to www.OnlyMyEmail.com

If this email is spam, report it to www.OnlyMyEmail.com

CITY OF ALBUQUERQUE

PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
600 2nd Street NW, 3rd Floor, 87102
P.O. Box 1293, Albuquerque, NM 87103
Office (505) 924-3860 Fax (505) 924-3339



OFFICIAL NOTIFICATION OF DECISION

September 17, 2012

Weingarten Realty
4440 N. 36th Street, Suite 200
Phoenix, AZ 85018

Project# 1007872
12EPC-40049 Amend Site Development Plan for
Building Permit

LEGAL DESCRIPTION:

for all or a portion of Lot 3A-1, Plat of Tract 3A-1
Pavilions at San Mateo, zoned C-3, located on the south
side of Cutler between San Mateo and Washington,
containing approximately 3.38 acres. (H-17)
Carrie Barkhurst, Staff Planner

PO Box 1293

On September 13, 2012, the Environmental Planning Commission voted to **APPROVE** Project 1007872 /
12EPC-40049, a request for an Amendment to the Site Development Plan for Building Permit, based on
the following Findings and subject to the following Conditions:

FINDINGS:

Albuquerque
NM 87103

1. This is a request for amendment to a Site Development Plan for Building Permit for Tract 3A-1, Plat of Tract 3A-1, Pavilions at San Mateo, located on Cutler Ave. between Washington St. and San Mateo Blvd. and containing approximately 9.4 acres.
2. The applicant is proposing to modify some parking space striping; modify the dumpster enclosure; add a new loading ramp; and add a drive-up service window to Retail D building.
3. The subject site is zoned C-3. The proposed drive-up service window is permissive under the current zoning.
4. The subject site is part of a Site Development Plan for Building Permit for a larger 19.1 acre shopping center commonly called "The Pavilions." The request is consistent with the Design Guidelines.

www.abq.gov

OFFICIAL NOTICE OF DECISION

Project #1007872

September 13, 2012

Page 2 of 4

5. 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.
6. The request is before the EPC because it is not consistent with the 1995 Notice of Decision, which required a note to be added to the site plan stating that no drive-up service windows are permitted. This restriction was made to mitigate air quality issues related to land use, which are no longer regulated by the City. The note was not added to the Site Development Plan; therefore, the Planning Department cannot enforce the condition.
7. The request complies with most applicable Site Development Plan requirements. However, there are some instances of incomplete information provided, including materials and colors of proposed architectural features. The conditions of approval address the deficiencies.
8. The request is consistent with the Established Urban Area Goal and Policy II.B.5.d. The request is also consistent with Policy II.C.1.e, Air Quality, because it does not increase motor vehicle emissions and their adverse effects.
9. The subject site is not within the boundaries of any Neighborhood Associations or Homeowner's Associations. The District 7 Coalition of NA's was notified. At the hearing one speaker spoke at the hearing and raised questions about possible lack of notification.

CONDITIONS OF APPROVAL:

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. All site development plans for subdivisions and site development plans for building permit shall be submitted to the Fire Marshal's Office Plans Checking Division for review and approval.

OFFICIAL NOTICE OF DECISION

Project #1007872

September 13, 2012

Page 3 of 4

4. A note shall be added to the site plan stating that only one drive-up service window is permitted, unless otherwise approved by the Environmental Planning Commission through an amendment to the Site Development Plan for Building Permit.
5. Sheet C-1 shall be modified, in the appropriate sections, to indicate the change to indicate the correct number of parking spaces, compact parking spaces, motorcycle, and handicap accessible parking spaces provided. These changes shall be marked with a cloud and the "Delta 1" symbol.
6. Sheet C-6 shall specify the material and color for the hand rail at the loading ramp, the existing and proposed canopies, and dumpster enclosure doors. The colors shall be compatible with the proposed brown and camel stucco and the grey and camel metal storefront elements.
7. Sheet C-6 shall identify the new sign proposed on the north building façade with a cloud and the "Delta 1" symbol. The sign face size shall be calculated and added to the Building Signage Schedule.
8. Sheet C-6 shall identify all changes to the façade, including multiple instances of "new scuppers" and "infill with CMU" with a cloud and the "Delta 1" symbol. The scale shall be corrected.
9. Applicant shall add a sign reading "yield to pedestrians" at the north end of the drive up lane.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY **SEPTEMBER 28, 2012 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. 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.**

Persons aggrieved with any determination of the Environmental Planning Commission (EPC) 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 a written application on the Planning Department form to the Planning Department **within 15 days** of the Planning Commission's decision. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday, the next working day is considered as the deadline for filing 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

OFFICIAL NOTICE OF DECISION

Project #1007872

September 13, 2012

Page 4 of 4

DEADLINE QUOTED ABOVE, PROVIDED ALL CONDITIONS IMPOSED AT THE TIME OF APPROVAL HAVE BEEN MET. SUCCESSFUL APPLICANTS ARE REMINDED THAT OTHER REGULATIONS OF THE CITY ZONING CODE MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

ZONE MAP AMENDMENTS: Pursuant to Zoning Code Section 14-16-4-1(C)(11), a change to the zone map does not become official until the Certification of Zoning (CZ) is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

SITE DEVELOPMENT PLANS: Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped areas shall terminate automatically seven years after adoption or major amendment of the plan: within six months prior to the seven-year deadline, the property owners shall request in writing thorough the Planning Director that the Planning Commission extend the plan's life an additional five years.

DEFERRAL FEES: Pursuant to Zoning Code Section 14-16-4-1(B), deferral at the request of the applicant is subject to a \$110.00 fee.

Sincerely,



for Suzanne Lubar
Acting Director, Planning Department

SLCB/mc

cc: Tierra West, LLC, 5571 Midway Park Pl. NE, Albuquerque, NM 87109
Bill Hoch, 813 Calle del Corte NE, Albuquerque, NM 87110
Lynne Martin, 1531 Espejo NE, Albuquerque, NM 87112

October 17, 2012

PROJECT # 100787Z

Application # :

12-70324

EXHIBITS PROVIDED:

- FIREFLOW REQUIREMENTS SHEET (ALONG WITH SHEET C6 - fire hydrant only exhibit) → Allan Porter/ABCWUA
- SOLID WASTE ARRVL sheet C3 → Master File
- SITE PLAN (Distributed)

**City of Albuquerque
Planning Department
Inter-Office Memorandum**

TO: Jack Cloud, DRB Chair

FROM: Carrie Barkhurst, Planner

SUBJECT: Project # 1007872

DATE: October 15, 2012

On September 13, 2012, the Environmental Planning Commission approved Project #1007872 / 12EPC-40049, an Amendment to Site Development Plan for Building Permit for Lot 3A-1, Plat of Tract 3A-1 Pavilions at San Mateo, zoned C-3, located on the south side of Cutler between San Mateo and Washington.

The applicant has satisfied the EPC Conditions of Approval for the Amendment to Site Development Plan for Building Permit. I have requested that the applicant demonstrate coordination with Fire Marshal's Office Plans Checking Division during the DRB process, which is required as Condition #3.

If you have any questions regarding this case, please do not hesitate to call me at 924-3879.

Thank you.

PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
600 2nd Street NW, 3rd Floor, 87102
P.O. Box 1293, Albuquerque, NM 87103
Office (505) 924-3860 Fax (505) 924-3339

OFFICIAL NOTIFICATION OF DECISION

September 17, 2012

Weingarten Realty
4440 N. 36th Street, Suite 200
Phoenix, AZ 85018

Project# 1007872
12EPC-40049 Amend Site Development Plan for
Building Permit

LEGAL DESCRIPTION:

for all or a portion of Lot 3A-1, Plat of Tract 3A-1
Pavilions at San Mateo, zoned C-3, located on the south
side of Cutler between San Mateo and Washington,
containing approximately 3.38 acres. (H-17)

Carrie Barkhurst, Staff Planner

On September 13, 2012, the Environmental Planning Commission voted to **APPROVE** Project 1007872 / 12EPC-40049, a request for an Amendment to the Site Development Plan for Building Permit, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for amendment to a Site Development Plan for Building Permit for Tract 3A-1, Plat of Tract 3A-1, Pavilions at San Mateo, located on Cutler Ave. between Washington St. and San Mateo Blvd. and containing approximately 9.4 acres.
2. The applicant is proposing to modify some parking space striping; modify the dumpster enclosure; add a new loading ramp; and add a drive-up service window to Retail D building.
3. The subject site is zoned C-3. The proposed drive-up service window is permissive under the current zoning.
4. The subject site is part of a Site Development Plan for Building Permit for a larger 19.1 acre shopping center commonly called "The Pavilions." The request is consistent with the Design Guidelines.

OFFICIAL NOTICE OF DECISION

Project #1007872

September 13, 2012

Page 2 of 4

5. 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.
6. The request is before the EPC because it is not consistent with the 1995 Notice of Decision, which required a note to be added to the site plan stating that no drive-up service windows are permitted. This restriction was made to mitigate air quality issues related to land use, which are no longer regulated by the City. The note was not added to the Site Development Plan; therefore, the Planning Department cannot enforce the condition.
7. The request complies with most applicable Site Development Plan requirements. However, there are some instances of incomplete information provided, including materials and colors of proposed architectural features. The conditions of approval address the deficiencies.
8. The request is consistent with the Established Urban Area Goal and Policy II.B.5.d. The request is also consistent with Policy II.C.1.e, Air Quality, because it does not increase motor vehicle emissions and their adverse effects.
9. The subject site is not within the boundaries of any Neighborhood Associations or Homeowner's Associations. The District 7 Coalition of NA's was notified. At the hearing one speaker spoke at the hearing and raised questions about possible lack of notification.

CONDITIONS OF APPROVAL:

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. All site development plans for subdivisions and site development plans for building permit shall be submitted to the Fire Marshal's Office Plans Checking Division for review and approval.

OFFICIAL NOTICE OF DECISION

Project #1007872

September 13, 2012

Page 3 of 4

4. A note shall be added to the site plan stating that only one drive-up service window is permitted, unless otherwise approved by the Environmental Planning Commission through an amendment to the Site Development Plan for Building Permit.
5. Sheet C-1 shall be modified, in the appropriate sections, to indicate the change to indicate the correct number of parking spaces, compact parking spaces, motorcycle, and handicap accessible parking spaces provided. These changes shall be marked with a cloud and the "Delta 1" symbol.
6. Sheet C-6 shall specify the material and color for the hand rail at the loading ramp, the existing and proposed canopies, and dumpster enclosure doors. The colors shall be compatible with the proposed brown and camel stucco and the grey and camel metal storefront elements.
7. Sheet C-6 shall identify the new sign proposed on the north building façade with a cloud and the "Delta 1" symbol. The sign face size shall be calculated and added to the Building Signage Schedule.
8. Sheet C-6 shall identify all changes to the façade, including multiple instances of "new scuppers" and "infill with CMU" with a cloud and the "Delta 1" symbol. The scale shall be corrected.
9. Applicant shall add a sign reading "yield to pedestrians" at the north end of the drive up lane.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY SEPTEMBER 28, 2012 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. 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.

Persons aggrieved with any determination of the Environmental Planning Commission (EPC) 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 a written application on the Planning Department form to the Planning Department **within 15 days** of the Planning Commission's decision. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday, the next working day is considered as the deadline for filing 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

OFFICIAL NOTICE OF DECISION

Project #1007872

September 13, 2012

Page 4 of 4

DEADLINE QUOTED ABOVE, PROVIDED ALL CONDITIONS IMPOSED AT THE TIME OF APPROVAL HAVE BEEN MET. SUCCESSFUL APPLICANTS ARE REMINDED THAT OTHER REGULATIONS OF THE CITY ZONING CODE MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

ZONE MAP AMENDMENTS: Pursuant to Zoning Code Section 14-16-4-1(C)(11), a change to the zone map does not become official until the Certification of Zoning (CZ) is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

SITE DEVELOPMENT PLANS: Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped areas shall terminate automatically seven years after adoption or major amendment of the plan: within six months prior to the seven-year deadline, the property owners shall request in writing thorough the Planning Director that the Planning Commission extend the plan's life an additional five years.

DEFERRAL FEES: Pursuant to Zoning Code Section 14-16-4-1(B), deferral at the request of the applicant is subject to a \$110.00 fee.

Sincerely,

Suzanne Lubar
Acting Director, Planning Department

SL/CB/mc

cc: Tierra West, LLC, 5571 Midway Park Pl. NE, Albuquerque, NM 87109
Bill Hoch, 813 Calle del Corte NE, Albuquerque, NM 87110
Lynne Martin, 1531 Espejo NE, Albuquerque, NM 87112