



Supplemental Form (SF)

**SUBDIVISION**

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

**SITE DEVELOPMENT PLAN**

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

**STORM DRAINAGE (Form D)**

- Storm Drainage Cost Allocation Plan

**S Z ZONING & PLANNING**

- Annexation
- V** Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
- P** Adoption of Rank 2 or 3 Plan or similar
- Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
- D** Street Name Change (Local & Collector)
- L A** **APPEAL / PROTEST of...**
- Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other

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

**APPLICATION INFORMATION:**

Professional/Agent (if any): 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: \_\_\_\_\_  
 APPLICANT: Thomas Development Company PHONE: 208-343-8877 ext 214  
 ADDRESS: 413 W. Idaho , Suite 200 FAX: 208-343-8900  
 CITY: Boise STATE ID ZIP 83702 E-MAIL: \_\_\_\_\_  
 Proprietary interest in site: Developer List all owners: Contractors Leasing LLC & Larry Gutierrez

DESCRIPTION OF REQUEST: Final Sign-Off For EPC Approved SDP for Subdivision

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. 1A and 2A1 Block: 2 Unit: \_\_\_\_\_  
 Subdiv/Addn/TBKA: Sunport Park  
 Existing Zoning: IP Proposed zoning: SU-1 for uses Multi-Family Housing MRGCD Map No \_\_\_\_\_  
 Zone Atlas page(s): M-15 UPC Code: 101505514525430415 and 101505519726930412

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX\_, Z\_, V\_, S\_, etc.): 1009573

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill?  Yes  
 No. of existing lots: 2 No. of proposed lots: 1 Total site area (acres): +/- 10.69  
 LOCATION OF PROPERTY BY STREETS: On or Near: Transport St  
 Between: Flightway Ave and Woodward Rd  
 Check if project was previously reviewed by: Sketch Plat/Plan  or Pre-application Review Team(PRT)  Review Date: 09/27/2016

SIGNATURE [Signature] DATE April 18, 2017  
 (Print Name) Ronald R. Bohannon, P.E. Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

Revised: 11/2014

| <input type="checkbox"/> INTERNAL ROUTING                    | Application case numbers | Action | S.F.  | Fees     |
|--|--------------------------|--------|-------|----------|
| <input type="checkbox"/> All checklists are complete         | _____                    | _____  | _____ | \$ _____ |
| <input type="checkbox"/> All fees have been collected        | _____                    | _____  | _____ | \$ _____ |
| <input 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              |                          |        |       | Total    |
| <input type="checkbox"/> F.H.D.P. fee rebate                 |                          |        |       | \$ _____ |

Hearing date \_\_\_\_\_

Project # \_\_\_\_\_

Staff signature & Date \_\_\_\_\_

**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)**
  - X Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **6 copies**
  - X Approved Grading and Drainage Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
  - N/A Solid Waste Management Department signature on Site Plan for Building Permit
  - X Zone Atlas map with the entire property(ies) clearly outlined
  - X Letter carefully explaining how each EPC condition has been met **and** a copy of the EPC Notification of Decision
  - N/A Infrastructure List, if relevant to the site plan
  - N/A Copy of Site Plan with Fire Marshal's stamp (not required for SDP for Subdivision)
  - X 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, P.E.  
 \_\_\_\_\_  
 Applicant name (print)  
 04/18/2017  
 \_\_\_\_\_  
 Applicant signature / date



Form revised **October 2007**

- Checklists complete      Application case numbers
- Fees collected              \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_
- Case #s assigned            \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_
- Related #s listed            \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

\_\_\_\_\_ **Planner signature / date**  
 \_\_\_\_\_ **Project #**



# TIERRA WEST, LLC

April 17, 2017

Mr. Jack Cloud  
Development Review Board  
City of Albuquerque  
P.O. Box 1293  
Albuquerque, NM 87103

**RE: 16EPC-40075 AMENDED SITE  
DEVELOPMENT PLAN FOR SUBDIVISION  
RESPONSE TO CONDITIONS OF APPROVAL  
FOR LOTS 1A AND 2A1, BLOCK 2 SUNPORT PARK  
ZONED IP TO SU-1 FOR IP PERMISSIVE USES AND  
MULTI-FAMILY RESIDENTIAL DEVELOPMENT  
ZONE ATLAS PAGE M-15**

Dear Mr. Cloud:

Tierra West LLC, on behalf of Thomas Development Co, requests final DRB sign-off of the Amended Sunport Park Site Development Plan for Subdivision as related to the above-referenced project. We have addressed the conditions from EPC as set forth in the Official Notification of Decision dated January 13, 2017 as follows:

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

**RESPONSE: We have addressed all of the comments listed in the conditions of approval and a revised Amended Site Development Plan for Subdivision incorporating the changes is included in this submittal for approval. We believe we have met this condition.**

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

**RESPONSE: We have met with the City of Albuquerque's staff planner Michael Vos, on February 13, 2017 to ensure that all conditions have been met.**

3. The proposed note being added shall be updated to match the proposed zoning descriptor with more exact wording.

**RESPONSE: We revised the added note regarding allowable land uses to "allow multi-family residential development" so it more closely matches the proposed zoning descriptor.**

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

4. Transportation Development Conditions:

a. Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed development site plan, as required by the Development Review Board (DRB).

**RESPONSE: The applicant/developer acknowledges they are responsible for permanent improvements to the transportation facilities adjacent to the proposed development site plan, as required by the Development Review Board (DRB).**

b. Site plan shall comply and be in accordance with all applicable City of Albuquerque requirements, including the Development Process Manual and current ADA criteria.

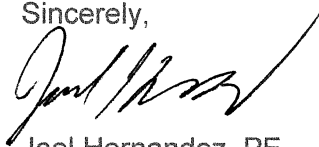
**RESPONSE: We believe the revised Amended Site Development Plan for Subdivision complies with all applicable City of Albuquerque requirements, including the Development Process Manual and current ADA criteria.**

5. The amended site development plan for subdivision does not become effective until the accompanying new site development plan with design standards is approved by DRB, pursuant to 14-16-4-1(C)(16) of the Zoning Code. If such requirement is not met within six months after the date of EPC approval, the EPC approval of the amended site development plan for subdivision is void and the prior version of the site development plan for subdivision will apply. The Planning Director may extend this time limit up to an additional six months upon request by the applicant.

**RESPONSE: Concurrent submittal of a new Site Development Plan with Design Standards for approval by the DRB is included with this request.**

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

Sincerely,



Joel Hernandez, PE

cc: Thomas Development Co.  
Chad Weltzin, Erstad Architects

JN: 2016085  
JDH/jg



310 no. 5<sup>th</sup> street • boise, idaho 83702 • phone 208.331.9031 • fax 208.331.9035 • email:info@erstadarchitects.com

February 14, 2017

Mr. Jack Cloud  
Development Review Board  
City of Albuquerque  
P.O. Box 1293  
Albuquerque, NM 87103

**RE: PROJECT #1009573, 16EPC-40074 Site Development Plan for Subdivision**

Erstad Architects and Tierra West, LLC on behalf of Thomas Development Co. respectfully requests final DRB signoff for the Site Development Plan for Subdivision. Please find the following responses addressing the conditions of approval from the Official Notification of Decision dated January 13, 2017 listed below:

**16EPC-40074 Site Development Plan for Subdivision**

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.  
**RESPONSE: This letter addresses all conditions of approval, and all modifications that have been made since the EPC hearing. We believe we have met this condition.**
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.  
**RESPONSE: On our behalf, Tierra West met with City of Albuquerque Staff planner Michael Vos on February 13, 2017 to ensure that all conditions have been met. Mr. Vos was satisfied.**
3. A note shall be added to the design standards indicating the Zoning Code requirements for wall height within five feet of public right-of-way, as well as the need for screening of head-in parking spaces.  
**RESPONSE: Under Section 9 of the Design Standards (Screening, Walls, and Fences), notes b.ii and b.iii have been added addressing the zoning code requirements for wall heights near right-of-way and the requirements for screening parking areas.**

4. A note shall be added to clarify the maximum height of the proposed freestanding monument signs as 8 feet tall, which is consistent with the C-2 zone.  
**RESPONSE: Section 13 of the Design Standards (Signage) has been updated to include a note indicating a maximum monument signage height of 8 feet. Keynote 9 on the Site Development Plan on sheet SPSD1 has also been updated to indicate a maximum height of 8 feet.**
5. Transportation Development Conditions:
  - a. Infrastructure and/or ROW dedications may be required at DRB.  
**RESPONSE: We will work with the Transportation Department if any infrastructure and/or ROW dedications are required.**
  - b. All work within the public ROW must be constructed under a COA Work Order.  
**RESPONSE: All work within the public ROW will be constructed under a COA Work Order.**
  - c. Entrance locations shall be modified to align with existing roads or entrances. Where this is not possible, the access location shall be reviewed and approved in conjunction with sight distance exhibit by Transportation Development.  
**RESPONSE: We will work with the Transportation Department to ensure acceptability of entrance locations, and any adjustments will be reflected on our Site Development Plan for Building Permit.**
6. Public Service Company of New Mexico Conditions of Approval: An existing overhead electric transmission line is located along the western boundary of the subject property along Transport Street SE then turns east and crosses the property. In addition, an overhead electric distribution line crosses the property diagonally along the southern portion of the site. It is also necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service regarding this project.  
**RESPONSE: We have already been in discussion with PNM to address their concerns, and will be coordinating with their New Service Delivery Department to coordinate service. Our Site Development Plan for Building Permit will address their concerns.**
7. Because of the subject site's location in proximity to a former private landfill, a landfill gas assessment/mitigation report shall be approved by the Albuquerque Environmental Health Department prior to obtaining a building permit. A note regarding this item shall be added to the process section of the Site Development Plan for Subdivision.  
**RESPONSE: Section 15 of the Design Standards (Process) has been updated to include a note indicating the requirement for a landfill gas assessment report to be approved by the Environmental Health Department. (This report has already been completed and submitted to the Environmental Health Department.)**
8. As the enforceability of the requirement for LEED Certification does not appear possible through the City's site development plan process, the note regarding it in the sustainability section of the design standards shall be removed or modified to indicate that it is desirable but not required that proof be provided to receive approval of any future Site Development Plan for Building Permit.  
**RESPONSE: Under Section 14 of the Design Standards (Sustainability), we have removed the note requiring LEED certification.**

9. The replat of the subject site shall comply with the purpose, intent, and regulations of the Subdivision Ordinance (14-14-1-3).

**RESPONSE: The replat will comply with the Subdivision Ordinance.**

10. The Site Development Plan shall comply with the General Regulations of the Zoning Code, the Subdivision Ordinance, and all other applicable design regulations, except as specifically approved by the EPC.

**RESPONSE: The Site Development Plan for Building Permit will comply with all applicable regulations, plus the Design Standards imposed by the Site Development Plan for Subdivision.**

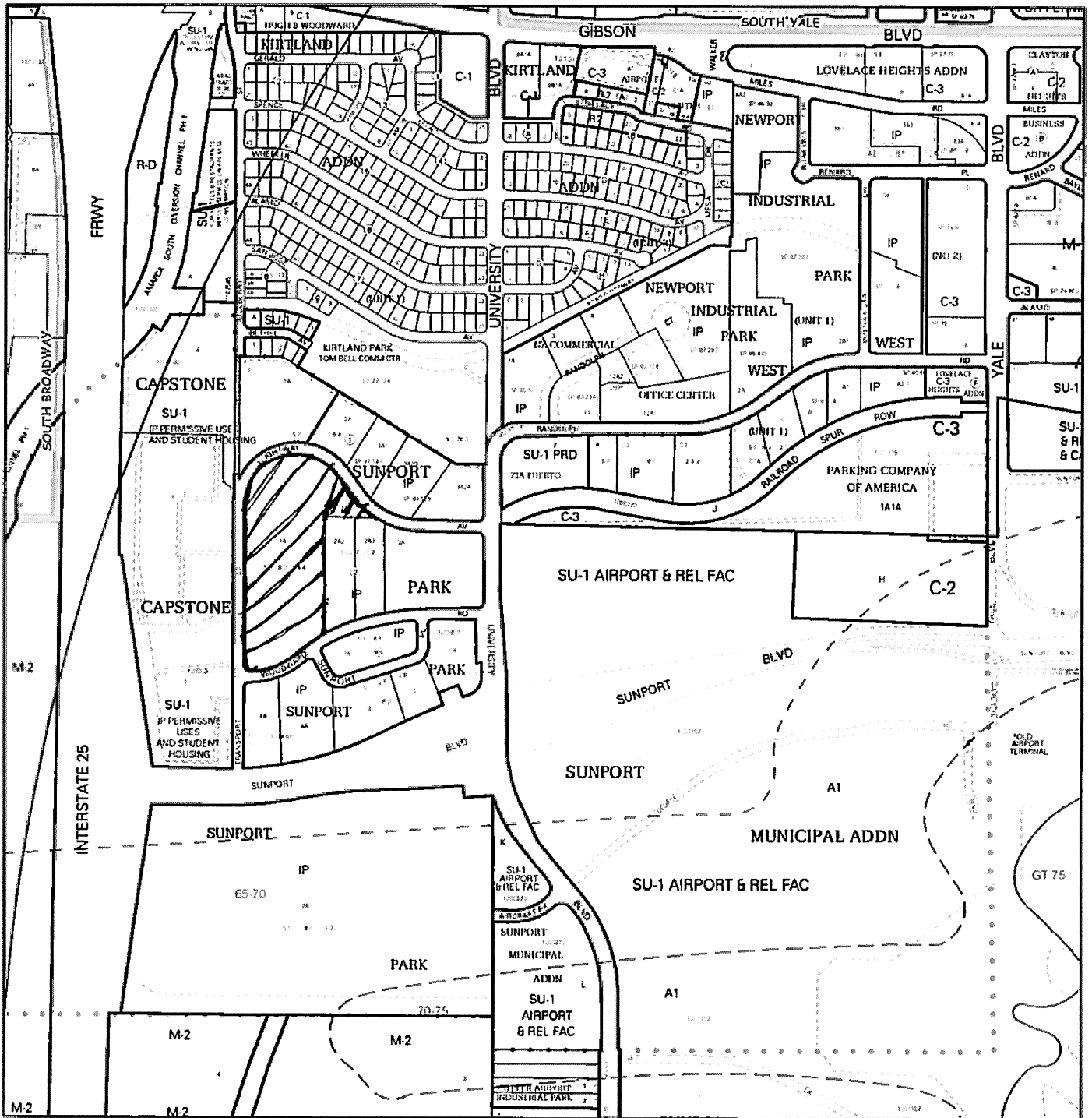
If you have any questions or need additional information, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Weltzin', with a horizontal line extending to the right.

Chad Weltzin, AIA  
erstad Architects

cc: Ron Bohannon, Tierra West, LLC  
Tom Mannschreck, Thomas Development Co.



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

**AGIS**  
Albuquerque Geographic Information System

Map amended through: 1/28/2016

**Note:** Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:  
**M-15-Z**

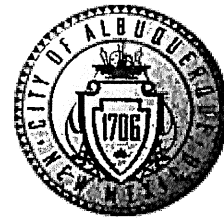
Selected Symbols

|                      |                        |
|----------------------|------------------------|
| 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**  
**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

January 13, 2017

Thomas Development Co.  
413 W. Idaho, Suite 200  
Boise, ID 83072

**Project #1009573**  
16EPC-40074 Site Development Plan for Subdivision  
16EPC-40075 Amended Site Development Plan for Subdivision  
16EPC-40076 Zone Map Amendment (Zone Change)

### LEGAL DESCRIPTION:

The above actions for Lots 1A and 2A1, Block 2, Sunport Park, zoned IP to SU-1 for IP Permissive Uses and Multi-Family Residential Development, located on Transport St. SE, between Flightway Ave. SE and Woodward Rd. SE, containing approximately 10.7 acres. (M-15)  
Staff Planner: Michael Vos

PO Box 1293

Albuquerque  
NM 87103  
On January 12, 2017 the Environmental Planning Commission (EPC) voted to APPROVE Project 1009573/16EPC-40076, Zone Map Amendment (Zone Change), 16EPC-40075, Amended Site Development Plan for Subdivision and 16EPC-40074, a Site Development Plan for Subdivision, based on the following findings and subject to the following conditions of approval:

### FINDINGS - 16EPC-40076 ZONE MAP AMENDMENT:

- www.cabq.gov
1. This is a request for a Zone Map Amendment from IP (Industrial Park) to SU-1 for IP Permissive Uses and Multi-Family Residential Development for Lots 1A and 2A1, Block 2, Sunport Park located on Transport Street SE between Flightway Avenue SE and Woodward Road SE containing approximately 10.7 acres.
  2. The Zoning Code requires that applicants requesting SU-1 Special Use zoning submit a site development plan. The applicant has submitted a Site Development Plan for Subdivision to fulfill this requirement.
  3. The subject site and other surrounding lots were annexed and IP zoning established in 1985 (Z-85-98). A Master Site Development Plan with Design Standards was approved on March 6, 1986 (Z-85-98-1). A subsequent amendment action in 1999 updated setback and landscaping guidelines and required that all lots prepare a site development plan for building permit for review by the Development Review Board prior to issuance of a building permit (DRB-97-257).
  4. On November 8, 2012, EPC approved a Zone Map Amendment for the property west of the subject for SU-1 for IP Permissive Uses and Student Housing (Project 1009090, 11EPC-40091). This action was accompanied by an amendment to the Sunport Park Site Development Plan for Subdivision order

**OFFICIAL NOTICE OF DECISION**

**Project #1009573**

**January 12, 2017**

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to allow "residential use for student housing" on Block 1, Lot 1-A, and Block 3, Lots 1 and 2 (11EPC-40093), as well as a Site Development Plan for Building Permit (11EPC-40092).

5. The subject site is mostly surrounded by sites zoned IP and SU-1 for IP Uses, as well as a site to the west of the subject site that is zoned SU-1 for IP Permissive Uses and Student Housing that has been developed with a large multi-family student housing development.
6. The Albuquerque/Bernalillo County Comprehensive, City of Albuquerque Zoning Code, and Sunport Boulevard Design Overlay Zone are incorporated herein by reference and made part of the record for all purposes.
7. The subject site is within the Developing Urban Area of the Comprehensive Plan. The request furthers the following applicable goals and policies of the Comprehensive Plan:

- A. Policy II.B.5.a: The Developing Urban and Established Urban Areas as shown by the Plan map shall allow a full range of urban land uses, resulting in an overall gross density up to 5 dwelling units per acre.

Policy II.B.5.a is furthered by this request because a change in the zoning to allow for multi-family residential development will allow for additional housing needed to increase the overall gross density of housing in the city closer to the density called for in the Comprehensive Plan. In addition, the proposed zoning designation retains the permissive uses of the IP Industrial Park district, which combined with the additional residential uses, contributes to a full range of allowable urban land uses on the subject site including housing, commercial retail and services, offices, limited manufacturing, and warehousing.

- B. Policy II.B.5.d: The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, recreational concern.

The request furthers Policy II.B.5.d because the proposed location, intensity, and design of the proposed new development will be compatible with existing surrounding development and serve to support additional uses in the area. The proposed development will also be located in an already developing area near an existing Major Activity Center and utilize existing infrastructure, so it will respect existing neighborhood values, environmental conditions, and resources.

- C. Policy II.B.5.e: New growth shall be accommodated through development in areas where vacant land is contiguous to programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured.

The request furthers Policy II.B.5.e because the subject site is currently vacant and is located within an area contiguous to existing programmed urban facilities and services including paved roads and utility services. The nearest single-family residential lots are located over 500 feet away from the subject site and no traffic from the proposed development will be diverted through those areas, so the integrity of the surrounding neighborhoods will be ensured.

OFFICIAL NOTICE OF DECISION

Project #1009573

January 12, 2017

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- D. **Policy II.B.5.f:** Clustering of homes to provide larger shared open areas and houses oriented towards pedestrian or bikeways shall be encouraged.

The request **further**s Policy II.B.5.f because multi-family residential development will result in the clustering of units in multiple buildings around the subject site leaving open space between for recreational opportunities. Pedestrian connections will be made from the entrances of each building through parking areas and to public sidewalks and proposed bicycle routes.

- E. **Policy II.B.5.h:** Higher density housing is most appropriate in the following situations:

- In designated Activity Centers.
- In areas with excellent access to the major street network.
- In areas where a mixed density pattern is already established by zoning or use, where it is compatible with existing area land uses and where adequate infrastructure is or will be available.
- In areas now predominantly zoned single-family only where it comprises a complete block face and faces onto similar or higher density development; up to 10 dwelling units per net acre.
- In areas where a transition is needed between single-family homes and much more intensive development: densities will vary up to 30 dwelling units per net acre according to the intensity of development in adjacent areas.

The request **further**s Policy II.B.5.h because the subject site is located near a Designated Activity Center with excellent access to the major street network, and not within an area predominantly zoned for single-family residential. The proposed zoning is compatible with existing area land uses, which is already established with a mix of uses, such as the adjacent student housing development.

- F. **Policy II.C.1.b:** Automobile travel's adverse effects on air quality shall be reduced through a balanced land use/transportation system that promotes the efficient placement of housing, employment and services.

The request **further**s Policy II.C.1.b because it will result in higher density residential development in an efficient location in close proximity to a designated Major Activity Center and various institutions and employers. The request is adding additional housing on the east side of the river with easy access to major roadways, which may help reduce the number of cross river commute trips and associated traffic congestion that should help reduce the adverse effects of auto travel in the future.

- G. **Policy II.D.4.g:** Pedestrian opportunities shall be promoted and integrated into development to create safe and pleasant non-motorized travel conditions.

The request **further**s Policy II.D.4.g because site improvements and associated design guidelines will require the site to be developed for a better pedestrian experience, as well as add sidewalks that do not currently exist, which will improve the overall pedestrian-friendliness of the area.

**OFFICIAL NOTICE OF DECISION**

**Project #1009573**

**January 12, 2017**

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- H. Policy II.D.5.d: Availability of a wide distribution of decent housing for all persons regardless of race, color, religion, sex, national origin, ancestry, or handicapped status shall be assured.

The request furthers Policy II.D.5.d because additional new multi-family residential housing will increase the supply of quality housing available for individuals without discrimination in accordance with Fair Housing regulations.

8. The request partially furthers the following applicable goals and policies of the Comprehensive Plan:

- A. Policy II.B.5.g: Development shall be carefully designed to conform to topographical features and include trail corridors in the development where appropriate.

The request partially furthers Policy II.B.5.g because this request is affected by a particularly steep slope across the site and the design standards will ensure that the appropriate pedestrian and vehicular connections are made through and around the development; however, the primary intent of the policy identified by possible techniques appears aimed toward the implementation of a larger open space and trail system through subdivisions and larger sites with public access, which is not necessarily the case of this single site development, especially if gated.

- B. Policy II.C.1.c: Traffic engineering techniques shall be improved to permit achievement and maintenance of smooth traffic flow at steady, moderate speeds.

The request partially furthers Policy II.C.1.c because the proposed zone change and related site development plan for subdivision show proposed access points on Flightway Avenue and Woodward Road that will direct traffic from the site out toward University Boulevard and other major roads that can handle the additional traffic and ensure steady, moderate speeds in the area; however, the primary purpose of the policy appears to be aimed at specific improvements to city roads and intersections which could, but may not occur with this site specific application.

- C. Transportation and Transit: The Goal is to develop corridors, both streets and adjacent land uses that provide a balanced circulation system through efficient placement of employment and services, and encouragement of bicycling, walking, and use of transit/paratransit as alternatives to automobile travel, while providing sufficient roadway capacity to meet mobility and access needs.

The request partially furthers the Transportation and Transit Goal because the site is relatively close to transit routes, but the closest stop is approximately a half mile from the site making its usefulness questionable. The subject site has access to bicycle routes and proposed paths and bike lanes, and the surrounding roads are easily accessible from the subject site and should have sufficient capacity to handle additional traffic from this development.

9. The subject site is within the Sunport Boulevard Design Overlay Zone. The subject site must comply with the General Sign Regulations of the Zoning Code, as well as any restrictions set forth by the Overlay Zone. The proposed site development plan for subdivision design standards also create additional more restrictive regulations for the proposed multi-family development. No additional discussion on the Sunport Design Overlay Zone is needed as all these regulations must be followed and will be reviewed with future site development plan, building permit, and sign permit applications.

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10. The applicant has justified the zone change request pursuant to R-270-1980 as follows:
- A. The cited policies in the applicant's justification letter and summarized in the staff report and Findings for this project support the statement that the request is consistent with the health, safety, morals, and general welfare of the city.
  - B. The request achieves land use stability because there are already existing SU-1 zoned parcels to the east and west of the subject site, including one that has been developed with a student housing development that is similar to the requested multi-family housing for the subject site. The subject site is in close proximity to the existing Sunport/Airport Major Activity Center and other potential employment uses that would be complemented by the proposed new housing, and the new development is sufficiently separated from the nearby single-family residential.
  - C. The request is generally consistent with and further or partially furthers a preponderance of the applicable goals and policies of the Comprehensive Plan as summarized in Findings 7 and 8.
  - D. The existing zoning is inappropriate because changed community conditions, including the development of student housing and hotels adjacent to the subject site rather than traditional industrial park uses, have changed the area to a more commercial and residential nature. In addition, the proposed zoning is more advantageous to the community as discussed in the policy analysis because of its compatibility with developed uses and allowing for the development of quality multi-family housing that is needed in the community. Therefore, the proposed zoning is more appropriate for the subject site.
  - E. Per the requested site plan controlled zoning designation, high-density residential is proposed for the subject site with an allowance for the permissive uses of the existing IP zone to remain. As the surrounding parcels are all zoned IP allowing both permissive and conditional uses, or allowing IP Permissive uses and student housing, the parcels surrounding the subject site are zoned to allow generally more intense development than that of the subject site if the requested zoning is approved. Many of the surrounding parcels have also been developed for uses other than industrial, including the student housing and hotels, so those uses should not be harmful to the multi-family proposed on the subject site. Other properties, if developed with industrial park uses, would be required to place the uses indoors, which combined with the proposed setbacks for the multi-family project sufficiently, buffer this project from surrounding uses. Therefore, the request will not be harmful to adjacent property, the neighborhood, or the community.
  - F. The request will not require major or un-programmed capital expenditures by the city.
  - G. While economic considerations are always a factor with regard to development proposals, they are not the determining factor for the requested change of zone. The applicant has sufficiently demonstrated that the determining factors are changed community conditions regarding compatibility and necessity, as well as the request furthering a preponderance of Comprehensive Plan policies related to the subject site making it more advantageous to the community.
  - H. The request for high-density residential is being made to further multiple Comprehensive Plan policies, and is not located on a major roadway; therefore, its location is not a justification for the request.
  - I. SU-1 zones create spot zones by definition as they are unique to the parcel that they are being applied to; however, the request creates a justifiable spot zone because the applicant has

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demonstrated that the proposed change will clearly facilitate realization of the Comprehensive Plan. In addition, the applicant has stated that the design of the proposed development will provide an additional transition between the student housing development to the west and taller hotels and more intense industrial park uses that may develop to the east.

- J. The requested zoning includes uses allowed on surrounding properties, and the request would not result in a strip of land along a street, so the request will not create strip zoning.
11. No neighborhood associations were required to be notified of this request, but property owners within 100 feet of the subject site were all notified as required.
12. The project was not recommended for facilitation. One phone inquiry has been made regarding the request, but no adverse comments have been received. There is no known opposition to this request.

**CONDITION OF APPROVAL – 16EPC-40076 ZONE MAP AMENDMENT:**

1. The zone map amendment does not become effective until the accompanying site development plans are approved by the DRB, pursuant to §14-16-4-1(C)(16) of the Zoning Code. If such requirement is not met within six months after the date of EPC approval, the zone map amendment is void. The Planning Director may extend this time limit up to an additional six months upon request by the applicant.

**FINDINGS - 16EPC-40075 AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION:**

1. This is a request for an Amended Site Development Plan for Subdivision for Lots 1A and 2A1, Block 2, Sunport Park located on Transport Street SE between Flightway Avenue SE and Woodward Road SE containing approximately 10.7 acres.
2. The Zoning Code requires that applicants requesting SU-1 Special Use zoning submit a site development plan. The applicant has submitted a Site Development Plan for Subdivision to fulfill this requirement.
3. The subject site and other surrounding lots were annexed and IP zoning established in 1985 (Z-85-98). A Master Site Development Plan with Design Standards was approved on March 6, 1986 (Z-85-98-1). A subsequent amendment action in 1999 updated setback and landscaping guidelines and required that all lots prepare a site development plan for building permit for review by the Development Review Board prior to issuance of a building permit (DRB-97-257).
4. On November 8, 2012, EPC approved a Zone Map Amendment for the property west of the subject for SU-1 for IP Permissive Uses and Student Housing (Project 1009090, 11EPC-40091). This action was accompanied by an amendment to the Sunport Park Site Development Plan for Subdivision order to allow "residential use for student housing" on Block 1, Lot 1-A, and Block 3, Lots 1 and 2 (11EPC-40093), as well as a Site Development Plan for Building Permit (11EPC-40092).
5. The subject site is mostly surrounded by sites zoned IP and SU-1 for IP Uses, as well as a site to the west of the subject site that is zoned SU-1 for IP Permissive Uses and Student Housing that has been developed with a large multi-family student housing development.
6. The Albuquerque/Bernalillo County Comprehensive, City of Albuquerque Zoning Code, and Sunport Boulevard Design Overlay Zone are incorporated herein by reference and made part of the record for all purposes.

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7. Section 14-16-3-11 of the Zoning Code states, "...Site Development Plans are expected to meet the requirements of adopted city policies and procedures." The attached amended site development plan has been evaluated for conformance with applicable goals and policies in the Comprehensive Plan.
8. The subject site, Lots 1A and 2A1 consist of former Lots 1 and 3 as shown on the 1986 Sunport Park Site Development Plan for Subdivision, as amended, that is being amended by this application.
9. The site development plan for subdivision is being amended to add text indicating that multi-family residential uses are allowed on former Lots 1 and 3 to coincide with the requested Zone Map Amendment to allow Multi-Family Residential Development in addition to the permissive uses of the IP zone on the subject site.
10. No neighborhood associations were required to be notified of this request, but property owners within 100 feet of the subject site were all notified as required.
11. The project was not recommended for facilitation. One phone inquiry has been made regarding the request, but no adverse comments have been received. There is no known opposition to this request.

**CONDITIONS OF APPROVAL – 16EPC-40075 AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION:**

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 proposed note being added shall be updated to match the proposed zoning descriptor with more exact wording.
4. Transportation Development Conditions:
  - a. Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed development site plan, as required by the Development Review Board (DRB).
  - b. Site plan shall comply and be in accordance with all applicable City of Albuquerque requirements, including the Development Process Manual and current ADA criteria.
5. The amended site development plan for subdivision does not become effective until the accompanying new site development plan with design standards is approved by the DRB, pursuant to §14-16-4-1(C)(16) of the Zoning Code. If such requirement is not met within six months after the date of EPC approval, the EPC approval of the amended site development plan for subdivision is void and the prior version of the site development plan for subdivision will apply. The Planning Director may extend this time limit up to an additional six months upon request by the applicant.

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**FINDINGS - 16EPC-40074 SITE DEVELOPMENT PLAN FOR SUBDIVISION:**

1. This is a request for a Site Development Plan for Subdivision with design standards for Lots 1A and 2A1, Block 2, Sunport Park located on Transport Street SE between Flightway Avenue SE and Woodward Road SE containing approximately 10.7 acres.
2. The Zoning Code requires that applicants requesting SU-1 Special Use zoning submit a site development plan. The applicant has submitted this Site Development Plan for Subdivision to fulfill the requirement.
3. The subject site and other surrounding lots were annexed and IP zoning established in 1985 (Z-85-98). A Master Site Development Plan with Design Standards was approved on March 6, 1986 (Z-85-98-1). A subsequent amendment action in 1999 updated setback and landscaping guidelines and required that all lots prepare a site development plan for building permit for review by the Development Review Board prior to issuance of a building permit (DRB-97-257).
4. On November 8, 2012, EPC approved a Zone Map Amendment for the property west of the subject for SU-1 for IP Permissive Uses and Student Housing (Project 1009090, 11EPC-40091). This action was accompanied by an amendment to the Sunport Park Site Development Plan for Subdivision order to allow "residential use for student housing" on Block 1, Lot 1-A, and Block 3, Lots 1 and 2 (11EPC-40093), as well as a Site Development Plan for Building Permit (11EPC-40092).
5. The subject site is mostly surrounded by sites zoned IP and SU-1 for IP Uses, as well as a site to the west of the subject site that is zoned SU-1 for IP Permissive Uses and Student Housing that has been developed with a large multi-family student housing development.
6. The Albuquerque/Bernalillo County Comprehensive, City of Albuquerque Zoning Code, and Sunport Boulevard Design Overlay Zone are incorporated herein by reference and made part of the record for all purposes.
7. Section 14-16-3-11 of the Zoning Code states, "...Site Development Plans are expected to meet the requirements of adopted city policies and procedures." The attached site development plan and design standards have been evaluated for conformance with applicable goals and policies in the Comprehensive Plan.
8. The applicant is proposing to combine the two existing lots 1A and 2A1 into a single tract for the purpose of developing a multi-family housing complex on the subject site.
9. The applicant has included a set of design standards, with which to evaluate future Site Development Plans for Building Permit for multi-family residential developments. Developments under the remaining IP Permissive Uses are proposed to be done in accordance with the 1986 Sunport Park Site Development Plan for Subdivision, as amended, as well as any applicable Zoning Code and Development Process Manual requirements.
10. The design standards are based on requirements of the City's Zoning Code, but often include additional design requirements to create a development of higher quality and intended design.
11. The applicant is requesting delegation of future Site Development Plans for Building Permit to the Development Review Board (DRB) for review and approval with final sign-off at a major advertised public hearing.



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12. The EPC has discretion over whether DRB delegation will be approved in accordance with Zoning Code Section 14-16-2-22(A)(1) SU-1 Special Use Zone.
13. Design standards must be clear and provide sufficient direction with regard to the design and pad site layout for future requests for Site Development Plans for Building Permit.
14. The proposed design guidelines for multi-family residential development with minor changes as discussed in the staff report and addressed by the conditions of approval warrant delegation to DRB as they provide sufficient design regulation for future requests for Site Development Plans for Building Permit. Under the existing IP zoning, site development plans are submitted for review and approval by the DRB, and that process would not change under the requested delegation.
15. The subject site is partially located over and within the buffer of a former private landfill, which may require testing and remediation.
16. PNM submitted agency comments regarding significant overhead utility infrastructure on the subject site that will need to be addressed by the applicant.
17. While admirable, after discussions with the agent, there does not appear to be a readily acceptable way to enforce LEED Certification of the proposed multi-family project as a requirement through the City's site development plan processes.
18. No neighborhood associations were required to be notified of this request, but property owners within 100 feet of the subject site were all notified as required.
19. The project was not recommended for facilitation. One phone inquiry has been made regarding the request, but no adverse comments have been received. There is no known opposition to this request.

**CONDITIONS OF APPROVAL – 16EPC-40074 SITE DEVELOPMENT PLAN FOR SUBDIVISION:**

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. A note shall be added to the design standards indicating the Zoning Code requirements for wall height within five feet of public right-of-way, as well as the need for screening of head-in parking spaces.
4. A note shall be added to clarify the maximum height of the proposed freestanding monument signs as 8 feet tall, which is consistent with the C-2 zone.
5. Transportation Development Conditions:
  - a. Infrastructure and/or ROW dedications may be required at DRB.
  - b. All work within the public ROW must be constructed under a COA Work Order.

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- c. Entrance locations shall be modified to align with existing roads or entrances. Where this is not possible, the access location shall be reviewed and approved in conjunction with sight distance exhibit by Transportation Development.
6. **Public Service Company of New Mexico Conditions of Approval:** An existing overhead electric transmission line is located along the western boundary of the subject property along Transport Street SE then turns east and crosses the property. In addition, an overhead electric distribution line crosses the property diagonally along the southern portion of the site. It is also necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service regarding this project. Contact:  
  
Mike Moyer  
PNM Service Center  
4201 Edith Boulevard NE  
Albuquerque, NM 87107  
Phone: (505) 241-3697
7. Because of the subject site's location in proximity to a former private landfill, a landfill gas assessment/mitigation report shall be approved by the Albuquerque Environmental Health Department prior to obtaining a building permit. A note regarding this item shall be added to the process section of the Site Development Plan for Subdivision.
8. As the enforceability of the requirement for LEED Certification does not appear possible through the City's site development plan processes, the note regarding it in the sustainability section of the design standards shall be removed or modified to indicate that it is desirable but not required that proof be provided to receive approval of any future Site Development Plan for Building Permit.
9. The replat of the subject site shall comply with the purpose, intent, and regulations of the Subdivision Ordinance (14-14-1-3).
10. The Site Development Plan shall comply with the General Regulations of the Zoning Code, the Subdivision Ordinance, and all other applicable design regulations, except as specifically approved by the EPC.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **JANUARY 27, 2017**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-4-4 of the Zoning Code. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's decision.

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of the City Zoning Code must be complied with, even after approval of the referenced application(s).

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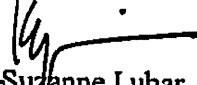
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**SITE DEVELOPMENT PLANS:** Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped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

**ZONE MAP AMENDMENTS:** Pursuant to Zoning Code Section 14-16-4-1(C)(16), 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.

Sincerely,

  
For Suzanne Lubar  
Planning Director

SL/MV

cc: Thomas Development Co., 413 W. Idaho, Suite 200, Boise ID 83702  
Tierra West LLC, 5571 Midway Park Pl. NE, ABQ, NM 87109  
Marcia Boyer, 1624 Alamo Ave SE, ABQ, NM 87106

