



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

Date: May 16, 2003

## OFFICIAL NOTIFICATION OF DECISION

FILE: **Project # 1000434**  
03EPC-00498 EPC Site Development Plan for  
Building Permit Amendment

Thomas Keleher,  
301 Third St. NW  
Albuq. NM 87102

LEGAL DESCRIPTION: for all or a portion of  
Lot(s) 1A, **Huning Castle Addition**, SU-2/CLD  
Low Density Apartment Zone, located on  
CENTRAL AVE. SW, between 15TH STREET SW  
and LAGUNA BLVD. SW, containing  
approximately 3 acre(s). (J-13) Robert Paulsen,  
Staff Planner

On May 15, 2003 the Environmental Planning Commission voted to approve Project 1000434, 03EPC-00498 a request for approval of an Amendment to a Site Development Plan for Building Permit, for Lot 1A, Huning Castle Addition, zoned SU-2/CLD, based on the following Findings and subject to the following Conditions:

### FINDINGS:

1. This is a request for an amendment to a Site Development Plan for Building Permit for a 2.64-acre site located on the south side of Central Avenue between 15<sup>th</sup> Street SW and Laguna Boulevard. A 63-unit apartment complex is proposed for this site; the original site development plan was approved by the EPC in 1996 and included 75 units.
2. The subject site is within the boundaries of the Huning Castle & Reynolds Addition Sector Development Plan which established SU-2 / CLD zoning for this property. This zoning classification allows for R-2 uses and specified commercial uses; development approval includes site development plan approval by the EPC.
3. Apartments up to a density of 30 dwelling units per acre are allowed within the SU-2 / CLD zone; the proposed 63-unit apartment complex is within the allowable density and is well below the maximum allowable floor area ratio of 0.61.

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4. The SU-2 / CLD specifies unique height, setback and angle plane requirements; the proposed development is in conformance with these requirements and other zoning requirements.
5. The submittal is consistent with numerous policies in the *Comprehensive Plan*, including policies relating to the Central Urban Area and Established Urban Area which promote infill development that complements existing residential areas and minimizes potential adverse impacts on residential environments.
6. The adjacent section of Central Avenue is designated a Major Transit Corridor by the *Comprehensive Plan*. The submittal furthers the intention of this designation by providing additional dwelling units in a context which does not destabilize adjacent neighborhoods.
7. The current submittal conforms to the EPC Conditions of Approval adopted in 1996 for the original version of this project (Z-96-65) with the exception that the proposed perimeter wall/fence height exceeds 5 feet in height (in order to provide adequate security). The EPC has authority to supplement, eliminate or otherwise amend previous conditions of approval with the current action.
8. A mid-block vehicular entry/exit from Central Avenue was strongly discouraged by Traffic Engineering in 1996; the current design relocates the service/convenience parking area to a location adjacent to 15<sup>th</sup> Street, thereby eliminating the need for a mid-block access point. Transportation Development continues to oppose a mid-block access from Central Avenue at the mid-block location.
9. The vehicular circulation system, based on a one-way internal drive aisle which will restrict most exiting traffic to a right-out movement onto Laguna Boulevard, provides a reasonable and effective means of limiting traffic intrusion into the adjacent neighborhood.
10. As compared to the previously approved site development plans for this apartment complex, this request is less intensive and is more compatible with the adjacent Huning Castle residential area. The design reflects a reduction in the number of apartment units, lowering of building heights, placement of buildings adjacent to Central Avenue and away from the adjacent residential properties, provision of additional landscape buffering to the rear of the site, and provision of a one-way vehicular circulation system which will reduce traffic intrusion into the adjacent single family neighborhood.
11. The applicant met twice with the Huning Castle Neighborhood Association prior to submitting this request in effort to inform area residents about this project and to discuss design adjustments which address neighborhood concerns. As submitted, the request is supported by the Huning Castle Neighborhood Association.

12. A number of area residents are opposed to the proposed project, citing concerns relating to increased traffic, intrusion of traffic into single family residential areas and general incompatibility of the project with the adjacent single family neighborhood.

**CONDITIONS:**

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. The submittal of this site plan to the DRB shall meet all EPC conditions. 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 those made before or after DRB final sign-off, may result in forfeiture of approval.
2. The drawings shall clearly indicate where the perimeter wall is split-face block and where wrought iron fencing is used. Typical drawings (to scale) of each wall/fence treatment shall be indicated on the drawing set. In addition, an enlargement drawing of a typical portion of the Central Avenue sidewalk, fence/wall placement and ground floor patios relative to building placement shall be provided which indicates various setbacks distances and related dimensions.
3. Combined with site lighting, the arrangement of block walls and wrought iron fencing shall afford adequate security, including opportunities for visual access into pedestrian areas.
4. Existing block walls are located at the boundaries between the subject site and adjacent residential properties. The applicant is proposing several relatively short retaining walls along these boundaries. A cross section drawing (typical) depicting the relationship and distance between the existing block walls and the proposed retaining walls shall be provided.
5. The applicant shall provide a preliminary lighting plan to the DRB which includes all proposed lighting. The applicant should consider additional lighting at the 15<sup>th</sup> Street entry and building-mounted lighting on the south side of the garages. A detail drawing of proposed pole-mounted lighting, pedestrian lighting treatment and building-mounted fixtures is required. All lighting fixtures shall be full-cut-off type to minimize fugitive light and glare on adjacent properties and rights-of-way.
6. Bicycle parking shall be provided which, at minimum, meets Zoning Code requirements. The required and provided amount of bicycle parking shall be indicated on the site plan, provided at locations convenient to building entrances but not obstructing pedestrian pathways.

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7. Submitted drawings shall include a notation indicating that all garages shall be the same height and shall have consistent design treatment. The smaller apartment building that is part of the "Building B" complex shall be labeled appropriately on the site plan.
8. The following comments from the CITY ENGINEER and PUBLIC WORKS shall be satisfied:
  - a. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. Those improvements will include any additional right-of-way requirements, paving, curb and gutter and sidewalk that have not already been provided for.
  - b. Site shall comply and be designed per DPM Standards and current COA Zoning Code.
  - c. The gates to the resident parking area shall be automatic and remain closed unless activated for entering from 15th St. or exiting to Laguna.
  - d. Provide signing and striping, to the satisfaction of the Traffic Engineer, that indicates one-way operation of the resident parking lot from 15th St. to Laguna.
  - e. Provide an operational analysis of the intersection of Central and 15th St. to determine queuing and turn lane requirements on Central and 15th St.
  - f. Fire protection requirements including instantaneous flow and hydrant placement must be verified with the Fire Marshals office Utility Development prior to site plan sign off at DRB. Modifications to the utility plan may be required.
  - g. An approved conceptual grading and drainage plan is required for Site Plan sign-off by the City Engineer. Approval of drainage plan required prior to placement on DRB agenda.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY MAY 30, 2003 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED.


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

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

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

Sincerely,

  
Victor J. Chavez  
Planning Director

VJC/BP/ac

cc: Dekker Perich Sabatini, 6801 Jefferson NE, Suite 100, Albuquerque, NM 87109  
Gregory Hicks, Huning Castle, 400 San Pasquale SW, Albuquerque, NM 87104  
Bart Evans, Huning Castle, 1522 San Patricio SW, Albuquerque, NM 87104  
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