

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

SUBDIVISION

- ☐ Major Subdivision action
☐ Minor Subdivision action
☐ Vacation
☐ Variance (Non-Zoning)

SITE DEVELOPMENT PLAN

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

STORM DRAINAGE

- ☐ Storm Drainage Cost Allocation Plan

Supplemental form

S Z

ZONING & PLANNING

- ☐ Annexation
☐ County Submittal
☐ EPC Submittal
☐ Zone Map Amendment (Establish or Change Zoning)
☐ Sector Plan (Phase I, II, III)
☐ Amendment to Sector, Area, Facility or Comprehensive Plan
☐ Text Amendment (Zoning Code/Sub Regs)
☐ Street Name Change (Local & Collector)
☐ APPEAL / PROTEST of...
 Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 800 2nd Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICANT INFORMATION:

Professional/Agent (If any): DELANEY ST FOUNDATION PHONE: 505 852-4291
 ADDRESS: 137 OLD ALCALDE RD FAX: 852-4292
 CITY: San Juan Pueblo STATE NM ZIP 87566 E-MAIL:

APPLICANT: Jaime Torres PHONE: 852-4291
 ADDRESS: 137 OLD ALCALDE RD FAX: 852-4292
 CITY: San Juan Pueblo STATE NM ZIP 87566 E-MAIL:

Proprietary Interest in site: List all owners:

DESCRIPTION OF REQUEST: Administrative Amendment to Sell Christmas Trees

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. A-1-A Winrock Center Block: Unit:

Subdiv/Addn/TBKA:

Existing Zoning: SU-3 Proposed zoning:

Zone Atlas page(s): J-19 UPC Code: 1019058130400204104 MRGCD Map No.

CASE HISTORY:

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

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill?

No. of existing lots: 1 No. of proposed lots: 1 Total area of site (acres): 50.00

LOCATION OF PROPERTY BY STREETS: On or Near: Louisiana NE

Between: E-40 N.E. and Indian School N.E.

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

SIGNATURE Jaime D. Torres DATE 10-5-07

(Print) JAIME D. TORRES 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
☒ SRA is within 1000FT of a landfill
☒ F.H.D.P. density bonus
☒ F.H.D.P. fee rebate

Application case numbers

07DA 10091

Action

AA

Form revised 4/07

S.F.

Fees

\$ 45.00

\$

\$

\$

\$

Total

\$ 45.00

Hearing date

10-5-07

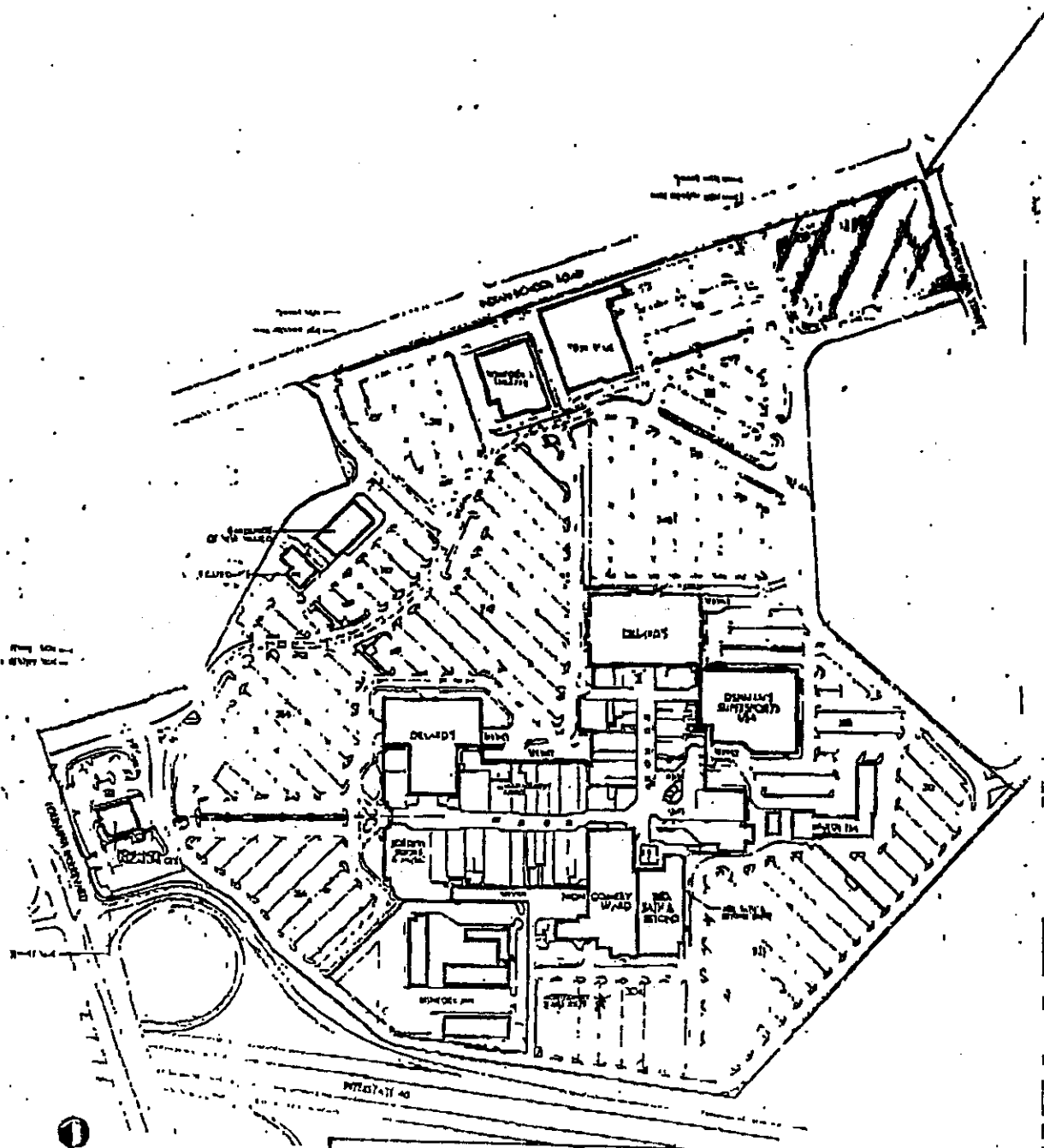
Project # 1002202

Planner signature / date

Jaime D. Torres

EXHIBIT E

Parcel E



ADMINISTRATIVE AGREEMENT

File: DTAA-10091 Project # 1002202

Xmas tree and wreath
sales: 1 Nov - 24 Dec 2007

Russell R. [Signature] 12 Oct '07
APPROVED BY DATE

GRADE LEVEL PLAN

FORM P(4): SITE PLAN REVIEW - ADMINISTRATIVE APPROVAL OR AMENDMENT

☐ SITE DEVELOPMENT PLAN - BUILDING PERMIT IN THE DOWNTOWN SU-3 ZONE (AA01)

- ___ Copy of the pre-application meeting findings (A pre-application meeting is required for Downtown 2010 projects)
- ___ Site plan and related drawings (folded to fit into an 8.5" x 14" pocket) 6 copies
- ___ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- ___ Letter briefly describing and justifying the request
- ___ Letter of authorization from the property owner if application is submitted by an agent
- ___ Notifying letter and certified mail receipts to owners of adjacent properties if required by pre-application meeting
- ___ Infrastructure List, if relevant to the site plan
- ___ Completed Site Plan for Building Permit Checklist
- ___ Solid Waste Management Department signature on Site Plan if relevant
- ___ Blue-line copy of Site Plan with Fire Marshal's stamp
- ___ Copy of the LUCC approval if the site is in an historic overlay zone
- ___ Fee (see schedule)
- ___ Any original and/or related file numbers are listed on the cover application

☒ AMENDMENT TO SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (AA02)

☐ AMENDMENT TO SITE DEVELOPMENT PLAN FOR SUBDIVISION (AA03)

☐ CONCEALED OR SITE DEVELOPMENT PLAN
CONTROLLED WIRELESS TELECOM FACILITY (AA04)

NOTE: The requirements specified below apply to the previous 3 plan types, unless otherwise noted.

- ___ Proposed Site Plan, with changes circled and noted if amended (folded to fit into an 8.5" x 14" pocket) 5 copies
- ___ Copy of approved Site Plan being amended if applicable (folded to fit into an 8.5" x 14" pocket) 1 copy
- ___ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- ___ Letter briefly describing and justifying the request
- ___ Letter of authorization from the property owner if application is submitted by an agent
- ___ Copy of EPC or DRB Notice of Decision (not required for WTF)
- ___ Fee (see schedule)
- ___ Any original and/or related file numbers are listed on the cover application

NOTE: The next two items are also required if the square footage change is 2% or more of any building's gross floor area

- ___ Notifying letter & certified mail receipts addressed to owners of adjacent properties
- ___ Office of Neighborhood Coordination inquiry response, notifying letter, certified mail receipts

NOTE: Only for wireless telecommunications facilities that are concealed and/or subject to site development plan review, the following materials are required for application submittal in addition to all those listed above:

- ___ Co-location evidence as described in Zoning Code §14-16-3-17(A)(5)
- ___ Notarized statement declaring # of antennas accommodated. Refer to §14-16-3-17(A)(10)(d)2
- ___ Letter of intent regarding shared use. Refer to §14-16-3-17(A)(10)(e)
- ___ Letter of description as above also addressing concealment issues, if relevant. Refer to §14-16-3-17(A)(12)(a)
- ___ Distance to nearest existing free standing tower, and its owner's name, if the proposed facility is also a tower
- ___ Registered Engineer's stamp on the Site Development Plans
- ___ Office of Community & Neighborhood Coordination inquiry response as above based on ¼ mile radius

PLEASE NOTE: If you are applying for approval of a telecom site to be located on City of Albuquerque property, there are several additional requirements. Contact Debbie Stover at 924-3940 for details.

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

James D Torres

Applicant name (print)

James D Torres

Applicant signature / date

Form revised June 04, October 2004



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

Application case numbers

07AA - 10091

Andrew Garcia 10-5-07

Planner signature / date

Project # 1002262

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

10/05/2007 Issued By: PLNABG

Permit Number: 2007 010 091

Category Code 940

Application Number: 07AA-10091, Amndt Site Development Plan - Bld Prmt

Address:

Location Description: LOUISIANA BLVD NE BETWEEN I-40 NE AND INDIAN SCHOOL RD NE

Project Number: 1002202

Applicant
Delancy Street Foundation

Agent / Contact
Jaime Torrez

137 Old Alcalde
San Juan Pueblo, NM 87566
852-4291

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San Juan Pueblo, NM 87566
852-4291

Application Fees

441018/4971000	Public Notification	
441032/3424000	Conflict Mgmt Fee	
441008/4971000	AA Actions	\$45.00
TOTAL:		\$45.00

City Of Albuquerque
Treasury Division

10/5/2007 2:30PM LDC: AMKX
WSH 007 TRNDR 0043
RECEIPT# 00039022-00039023
PERMIT# 2007010091 TRNDRP
Trans Am \$45.00
AA Actions \$45.00
Ch \$45.00
CHARGE \$0.00
Total: You



Goodman REALTY GROUP

October 5, 2007

To whom it may concern:

Winrock Partners LLC, the new owners of Winrock Center is entering into a license agreement with Delancey Street Foundation from November 1, 2007 – December 24, 2007 for the explicit use of selling Christmas Trees in a portion of a parcel containing approximately 6,000 square feet of parking lot area.

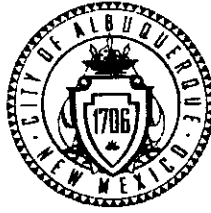
Delancey Street Foundation has signed the License Agreement and has left payment for license fee.

If you have any questions, please do not hesitate to call.

Sincerely,

Goodman Realty Group

Judith Weinstein
Property Manager



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

Date: July 22, 2005

OFFICIAL NOTIFICATION OF DECISION

FILE: Project # 1002202
05EPC-00877 EPC Site Development Plan-
Building Permit
05EPC-00876 EPC Site Development Plan-
Amendment to Subdivision

PruWinrock LLC
8 Campus Drive
Parsippany, NJ 07054

LEGAL DESCRIPTION: for all or a portion of Lots A1A, A-2 and Lots A-3, B, C-2A, D-1A, **Winrock Center Addition**, and Lot B, **Hunt-Spectrum Development Site**, zoned SU-3, SU-2/C-2 R-2 and SU-2 O-1 R-2, located on LOUISIANA BLVD. NE, between INDIAN SCHOOL RD NE and I-40, containing approximately 82 acres. (J-19) Juanita Garcia, Staff Planner

On July 21, 2005 the Environmental Planning Commission voted to approve Project 1002202/ 05EPC 00876, a Site Development Plan for Subdivision, for Tracts A-1-A, A-2, A-3, B, C-2A, D-1A, & E-1, Winrock Center Addition, Tract B, Hunt-Spectrum Development Site located at the northeast intersection of I-40 and Louisiana NE, containing approximately 81.4 acres, zoned SU-3 and SU-2 R-2 & C-2 and SU-2 R-2 & O-1, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for a site development plan for subdivision for Tracts A-1-A, A-2, A-3, B, C-2A, D-1A, & E-1, Winrock Center Addition, Tract B, Hunt-Spectrum Development Site, located at the northeast intersection of I-40 and Louisiana NE, containing approximately 81.4 acres, zoned SU-3 and SU-2 R-2 & C-2 and SU-2 R-2 & O-1. This site contains a major shopping center site currently known as Winrock Mall.

OFFICIAL NOTICE OF DECISION

JULY 21, 2005

PROJECT #1002202

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2. The applicant is proposing a major renovation to the site that includes a significant redevelopment of the subject site and modifications to the vehicular entry patterns, particularly along Indian School and the relocation of most of the existing buildings. The applicant is also proposing to subdivide the existing eight lots into 42 separate lots. A vast majority of the lots will contain property boundaries that follow the pattern of the respective building footprints. The largest lot (Lot 42) will contain all of the off-street parking areas, landscaping and freestanding signage.
3. The applicant recently acquired ownership of the parcel of land that includes the old Winrock Inn hotel and a remnant piece of the old Monroe School site that was bifurcated by the construction of Americas Parkway; both these sites have been included in this request.
4. A recent remodel of the Louisiana/Interstate 40 interchange modified the external street system adjacent to the subject site, along Louisiana, Americas Parkway and Indian School.
5. In May of 2004, the Planning Department entered into a settlement agreement with Winrock and Hunt in which the Planning Department agreed to support a conceptual drawing of a redevelopment of Winrock Shopping Center. The boundaries included the current configuration of the shopping mall and also included a remnant piece of old Monroe school site. The proposed request has been modified from the conceptual drawing approved within the settlement but is generally consistent with the conceptual drawing within the settlement agreement.
6. The Settlement Agreement reached between the City of Albuquerque, Winrock, and adjacent project owner on May 19, 2004 stipulates Winrock's redevelopment approach for the Market Center project and its related interpretations of the policies of the Uptown Sector Plan for this site. The owners and developers of the Winrock Market Center, and City Planning, have relied upon the Settlement Agreement, and the substantial negotiation that preceded it, as the basis upon which to proceed and evaluate the current site plan application before the Environmental Planning Commission.
7. The current Market Center site plan application is essentially similar to the concept plan in that the layout is similar, the uses are similar and the overall concept of a modified Market Center (Power Center) has been retained. The proposed submittal articulates a plan based on the original concept plan that accompanied the settlement agreement.
8. The proposed site development plan and proposed land uses identified on the site plan are permissive within existing zoning, consistent with the *Uptown Sector Development Plan* and includes a mix of multi-family residential, office, retail, and entertainment uses.
9. The building square footage amounts identified on the Market Center site plan define the replacement and redevelopment of existing retail space consistent with the Settlement Agreement and the *Uptown Sector Development Plan*.

10. The previously approved Site Plan for Building Permit (Z-484-4) Finding #3 stipulated that a TIS/AQIA would not be required as long as the square footage amount did not exceed 941,061. An additional access study was required by the City and the applicant has completed that study. No additional TIS/AQIA is required.
11. The existing Winrock Inn and the multi-family parcel were not part of the previously approved site plan and the floor area threshold established under Finding #3 does not govern development on these two parcels. The existing Winrock Inn will be demolished and redeveloped into a new hotel with the same number of rooms.
12. The Winrock site is surrounded on three sides by established single-family residential neighborhoods and Interstate 40, which restricts height and density as identified in the site plan.
13. The applicant has also submitted an application for an amendment to a site development plan for building permit for a major renovation to the site that will include the demolition and redevelopment of existing retail space, movie theater and hotel space. The applicant is also proposing to construct a 24,000 square foot office building with three stories, multi-family residential (66 units) and a multi-level parking structure.
14. The site is within the *Uptown Sector Development Plan* and is required to meet the policies and goals of that plan and must also comply with the *Albuquerque/Bernalillo Comprehensive Plan* and the *Comprehensive City Zoning Code*.
15. The subject site is located in the area designated Established Urban by the *Comprehensive Plan*. The submittal meets the goal of this area by creating an urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and mixture of uses, while creating a visually built environment. The submittal furthers the policies of the Established Urban Area as follows:
 - a. The location, intensity and design of this development respects existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural or recreational concern (Policy 5d, *Comprehensive Plan*). An Access Analysis demonstrated that the proposed plan will not have deleterious impacts on surrounding uses, established neighborhoods, or community amenities.
 - b. This request proposes to locate employment and service uses in a manner that minimizes adverse effects of noise, lighting pollution, and traffic on residential environments (Policy 5i, *Comprehensive Plan*).
 - c. This request constitutes new growth that will be accommodated through development in an area where vacant land is contiguous to existing or programmed facilities and services and where the integrity of existing neighborhoods can be ensured. (Policy 5e, *Comprehensive Plan*). This request represents new commercial development and is located in an existing commercially zoned area (Policy 5j, *Comprehensive Plan*).
 - d. The subject site is adjacent to arterial streets and is planned to minimize harmful effects of traffic, livability and safety of established residential neighborhoods (Policy 5k, *Comprehensive Plan*).

- e. This request represents redevelopment and rehabilitation of an older neighborhood in the Established Area (*Policy 5o, Comprehensive Plan*).
16. This request is within a Major Activity Center as designated by the Centers and Corridors section of the *Albuquerque/Bernalillo County Comprehensive Plan*. The submittal meets the Policies of the Major Activities Center designation as follows:
- a. The request is helps to shape an urban by providing a mixture of uses that should help to promote transit and pedestrian access both to and within the center, and maximizes cost-effectiveness of City services (*Comprehensive Plan, Policy II. B. 7. a*).
 - b. This request will assist in the development of a Major Activity Center as defined by the *Comprehensive Plan* by providing a location of commercial, service, employment, office and residential uses in conjunction with area-wide needs, serving the entire metropolitan population and beyond, being accessible by all modes of travel, including pedestrian and bikes; it is located near major roadways and/or major transit stops and transfer points, will be served by off-street parking with parking structures as encouraged by the plan, and will contain walkways designed to allow for pedestrians and have transit connections within the site.
 - c. This request will also assist in the development of a Major Activity Center as defined by the *Comprehensive Plan* by locating in an area 300 acres or more with land uses typical in modern commercial, office, and technology centers.
 - d. This request meets the policies of the *Comprehensive Plan* by providing buildings that are 3-stories tall and higher with appropriate floor area ratios and urban land uses and amenities, with connections between buildings and sidewalks, buildings close or touching, opportunities for park and ride, structure parking, plazas and paths, and greater opportunity for public-private partnership in creating public spaces (*Comprehensive Plan, Activity Center Goal, Policy A, Major Activity Centers*).
 - e. This request further meets the policies of the *Comprehensive Plan* because structures that would dominate their surroundings are located in a Major Activity Center to provide for visual variety and functional diversity in the metropolitan area while preserving pleasing vistas and solar access (*Comprehensive Plan, Policy II. B. 7. c*)
 - f. The subject site does not abut any single-family residential property. The *Comprehensive Plan* is furthered in that the most intense activity centers uses are proposed to be located away from any nearby low-density residential development and is buffered from those residential uses by a transition area of less intensive development (*Policy II. B. 7. f*).
17. Transportation:
- a. An Access Analysis was completed by the applicant in May of 2005 and has been reviewed by the Planning Department (Transportation Development) and the Department of Municipal Development (DMD). The Access Analysis was conducted in accordance with the scoping letter and procedures cited in the City's Development Process Manual.
 - b. Louisiana and Indian School are designated as principal arterial roads with existing bicycle lanes as designated on the Long Range Roadway System and Long Range Bikeways System.

- c. The intersection of Espanola Street and Indian School Road currently does not warrant a traffic signal.
 - d. In order for a traffic signal to be considered at this intersection in the future, the pavement width of the south leg of the intersection will need to be widened from 30 feet to a *minimum* of 40 feet to allow for a multi-lane exit from the Winrock site.
18. The subject site is located Outside the Intense Core of the *Uptown Sector Development Plan (USDP)* and is zoned SU-3 Outside Intense Core and SU-2 R-2 C-2 and SU-2 R-2 O-1. As such, the EPC has the authority to approve a site development plan for building permit. The request meets the 12 goals of the *USDP* as follows:
- a. This proposal provides a suitable site for a moderately high intensity mixture of retail, commercial, and service uses. The uses of office, institutional and residential are permissive in this zone and are proposed within this submittal. The design and general layout of these uses are controlled by the standards found in Sections 2, 3 and 4 of the *USDP* (pp. 15-30).
 - b. The redevelopment of existing retail space is permitted within the *USDP*, as noted in Section 2. of the plan (p. 15, A.1.)
 - c. This request meets the first Goal of the *USDP* for an Urban Center (Major Activity Center) by proposing a site contained within the rigid boundaries set out in the plan and avoids negative consequences to surrounding residential neighborhoods. The subject site borders no single-family residential areas. Parking for the site will continue to be surface parking with the addition of a parking structure containing 700 spaces and two subterranean parking areas totaling 971 parking spaces. Noise impact on surrounding residential areas will be minimal, considering the new proposal will have no more impact than the existing development and due to the distance separation between this site and the location of those neighborhoods. The visual impact of lighting and signage upon surrounding residential areas is negligible due to the nature of the minimal change from the existing to the proposed.
 - d. Opportunities for accessible transit are presented with this site and can be utilized, which will facilitate the goal of providing better opportunities for mass transit within the area, as per the second Goal of the *USDP*. In addition, the applicant has conducted an Access Analysis which indicates that this development does not meet the requirements for a Traffic Impact Analysis. However, a limited traffic analysis was required prior to EPC approval.
 - e. The site plan furthers the third Goal of the *USDP* by encouraging the further development of the area as an urban center. The objective of this goal is to promote an integrated mix of land uses including employment, retail, entertainment, and housing, as well as to promote pedestrian activity with specialty retail and restaurants at the ground level, reinforced by pedestrian streetscapes and plazas.
 - f. The proposed site plan contains a mix of employment, retail, entertainment uses, housing and office uses. The design of open space promotes a walkable urban form that promotes pedestrian activity where possible with a plaza in the center of the building arrangements. Retail and restaurant occupants are proposed along the ground floors of the development to encourage a diverse and walkable form.

- g. The applicant completed an Access Analysis to comply with Goal 4. The applicant is required to comply with the transportation requirements of the Mobility Section of the *USDP* and Appendix A in the *USDP*. A preliminary Air Quality Impact Assessment is not required because a Traffic Impact Analysis was not required of the applicant.
 - h. The proposed development furthers Goal 5 in the *USDP* by constructing a parking structure and underground parking that helps to control the amount of asphalt development by stacking parking spaces vertically.
 - i. The site plan shows some and should show more and better strategically located pedestrian facilities to help capture the maximum number of users. Wide internal pedestrian links and walkways would benefit the site. Pedestrian walkways connecting to the site should be wider and more abundant in order to meet the intent of Goal 6 of the *USDP*.
 - j. The submittal furthers Goal 7 in the *USDP* by limiting roadway improvements to those listed in the plan and by emphasizing transit and ridesharing alternatives to the single-occupancy automobile solutions to the growing mobility demands of Uptown. The applicant should address this further by initiating a Transportation Demand Management (TDM) Plan process with the transit Department.
 - k. By initiating a Transportation Demand Management (TDM) Plan, the applicant will help to further Goal 8 of the *USDP*. Mitigation measures in the form of alternative transportation and multi occupancy vehicles will be encouraged.
 - l. Traffic mitigation measures discussed in this report will help curb potential future violations of air quality in the area, helping to meet the intent of Goal 9.
 - m. The submittal establishes pedestrian connections to buildings from the Uptown Loop road, as required by Goal 10 of the *USDP*. The recommended conditions of approval will help this redevelopment project to meet the intent of this goal.
 - n. The site plan meets Goal 11 of the *USDP* by providing amenities for the area that help shape the proposed development in a way that denote this as a changing space that provides elements such as outdoor seating, shaded areas, plazas and landscaping.
19. The request meets the required Floor Area Ratios as stated in the *USDP* (p. 16).
20. The request does include an office building, as specified in the *USDP*, and is therefore subject to the 25-foot setback from the street right-of-way (p. 16). The submittal is meeting this requirement.
21. The proposal assists in keeping the Uptown Center within rigid boundaries and avoids deleterious impacts on the surrounding residential areas, as required by the *USDP*. This proposal will develop within those boundaries and will not bleed out into the surrounding single-family residential neighborhoods. Nor will it cause serious and deleterious effects resulting from traffic and other causes to impact these neighborhoods.

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PROJECT #1002202
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22. According to the *USDP*, it is recognized that an urban center is a major contributor in improving Albuquerque's air quality in the future through the provision of dense employment and retail development along with residential opportunities in an urban, pedestrian environment. The applicant was not required to perform a preliminary Air Quality Impact Analysis because a Traffic Impact Study was not required.
23. The submittal complies with the SU-3 Zone for the Uptown Urban Center Inside and Outside the Intense Core. Because it is a redevelopment project, the regulations of this plan apply to the redevelopment portions of the subject site.
24. The submittal contains all information that is required of a site development plan for subdivision as defined in the *Comprehensive City Zoning Code*.
25. The subject site will need to comply with the Impact Fees Ordinance and Regulations for Public Safety and Park and Recreation services.
26. The 2 year clock would start ticking with the DRB approval rather than the EPC approval. The Planning Commission would support an extension of 6 months as per the Uptown Sector Development Plan for extending the site plan approval by the Planning Director.
27. The original submittal proposed a traffic signal at the intersection of Indian School Road and Espanola. No signal warrant analysis was performed to determine the need for a signal at this location. Therefore, a traffic signal at this location will not be permitted at this time. In addition, the geometry shown does not meet the minimum requirements for a multi-lane signalized intersection (40 feet width minimum).

CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. The site contains three zone categories, SU-3, SU-2/R-2 & C-2 and SU-2/ R-2 & O-1. Each of the zone categories have their own regulations, therefore, the site development plan for subdivision shall clearly identify the zone category for each zone area.
3. The submittal shall demonstrate Floor Area Ratio calculations and shall be provided for those areas zoned SU-3 and SU-2 separately.

4. Density calculations shall be provided for the portion of the submittal that will contain residential uses and shall comply with the *Uptown Sector Development Plan* and the *Comprehensive City Zoning Code*.
5. The exact setback distances of all buildings adjacent to public right-of-way and shall be identified on the submittal and shall be in compliance with the *Uptown Sector Development Plan*.
6. The area on the southwest portion of the site, identified as "Public Mass Transit Facility Transfer Center" is not a part of the subject site and shall contain a note indicating "Not a part of this submittal."
7. A note shall be provided on the submittal indicating that all applicants requesting modification to the site development plan that affects off-street parking shall notify all property owners within the portions zoned SU-3.
8. The submittal shall contain information such as a listing of acreage for each individual lot. The numbering of the lots shall be corrected to reflect 42 lots. The site development plan for subdivision shall contain a listing referencing the new lot name/number to the lot that was identified in the site development plan for subdivision if the legal description is to be modified on the subdivision plat.
9. A note shall be provided on the submittal indicating that phasing and construction of the proposed buildings shall be in compliance with the *Uptown Sector Development Plan*. This site development approval shall expire as indicated in the *Uptown Sector Development Plan*.
10. The applicant shall meet the conditions of approval as specified by the City Engineer and the Department of Municipal Development:
 - a. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for.
 - b. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan for subdivision. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
 - c. A Traffic Assessment (access and circulation) has been submitted and reviewed by Transportation Staff. The site development plan will need to reflect the recommendations of the analysis (i.e. deceleration lanes, queuing, turning radii, etc.).

- d. On the site development plan, indicate the existing traffic signal on Pennsylvania at the Winrock entrance.
 - e. Modify median, as shown on site plan, on Indian School at Americas Parkway to reflect actual conditions (i.e. left turn bay). Just east of this location, as shown on site plan, modify the median opening to reflect actual conditions (i.e. closed/no median opening).
 - f. Provide detailed truck circulation route (i.e. turning templates and radii along route). This will ensure proper circulation for delivery, fire and solid waste vehicles.
 - g. Provide detailed bus circulation route (i.e. turning templates and radii along route). This will ensure proper circulation for buses.
 - h. The applicant shall analyze the number of multiple access points to Upper Ring Road. Access points will be determined at DRB and may not be required.
 - i. Garden center of major 3 shall not be located adjacent to arrival court of hotel or ensure that the proposed location has no conflicts between trucks and passenger vehicles.
 - j. Provide cross access agreement.
 - k. Site plan shall comply and be designed per DPM Standards.
-

On July 21, 2005 the Environmental Planning Commission voted to approve Project 1002202/ 05EPC 05EPC-00877, an amendment to the Site Development Plan for Building Permit, for Tracts A-1-A, A-2, A-3, B, C-2A, D-1A, & E-1, Winrock Center Addition, Tract B, Hunt-Spectrum Development Site, located at the northeast intersection of I-40 and Louisiana NE, containing approximately 81.4 acres, zoned SU-3 and SU-2/R-2 & C-2 and SU-2/R-2 & O-1, 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 Tracts A-1-A, A-2, A-3, B, C-2A, D-1A, & E-1, Winrock Center Addition, Tract B, Hunt-Spectrum Development Site, located at the northeast intersection of I-40 and Louisiana NE, containing approximately 81.4 acres, zoned SU-3 and SU-2 R-2 & C-2 and SU-2 R-2 & O-1. This site contains a major shopping center site currently known as Winrock Mall.
- 2. The proposed submittal allow for a major renovation to the site that will include the demolition and redevelopment of existing retail space, movie theater and hotel space. The applicant is also proposing to construct a 24,000 square foot office building with three stories, multi-family residential (66 units) and a multi-level parking structure.

3. The applicant has also submitted an application for a site development plan for subdivision and is proposing to subdivide the existing eight lots into 42 separate lots. A vast majority of the lots will contain property boundaries that follow the pattern of the respective building footprints.
4. The applicant recently acquired ownership of the parcel of land that includes the old Winrock Inn hotel and a remnant piece of the old Monroe School site that was bifurcated by the construction of Americas Parkway; both these sites have been included in this request.
5. A recent remodel of the Louisiana/Interstate 40 interchange modified the external street system adjacent to the subject site, along Louisiana, Americas Parkway and Indian School.
6. In May of 2004, the Planning Department entered into a settlement agreement with Winrock and Hunt in which the Planning Department agreed to support a conceptual drawing of a redevelopment of Winrock Shopping Center. The boundaries included the current configuration of the shopping mall and also included a remnant piece of old Monroe school site. The proposed request has been modified from the conceptual drawing approved within the settlement but is generally consistent with the conceptual drawing within the settlement agreement.
7. The Settlement Agreement reached between the City of Albuquerque, Winrock, and adjacent project owner on May 19, 2004 stipulates Winrock's redevelopment approach for the MarketCenter project and its related interpretations of the policies of the Uptown Sector Plan for this site. The owners and developers of the Winrock MarketCenter, and City Planning, have relied upon the Settlement Agreement, and the substantial negotiation that preceded it, as the basis upon which to proceed and evaluate the current site plan application before the Environmental Planning Commission.
8. The current Market Center site plan application is essentially similar to the concept plan in that the layout is similar, the uses are similar and the overall concept of a modified Market Center (Power Center) has been retained. The proposed submittal articulates a plan based on the original concept plan that accompanied the settlement agreement.
9. The proposed site development plan and proposed land uses identified on the site plan are permissive within existing zoning, consistent with the *Uptown Sector Development Plan* and includes a mix of multi-family residential, office, retail, and entertainment uses.
10. The building square footage amounts identified on the Market Center site plan define the replacement and redevelopment of existing retail space consistent with the Settlement Agreement and the *Uptown Sector Development Plan*.
11. The previously approved Site Plan for Building Permit (Z-484-4) Finding #3 stipulated that a TIS/AQIA would not be required as long as the square footage amount did not exceed 941,061. An additional access study was required by the City and the applicant has completed that study. No additional TIS/AQIA is required.

12. The existing Winrock Inn and the multi-family parcel were not part of the previously approved site plan and the floor area threshold established under Finding #3 does not govern development on these two parcels. The existing Winrock Inn will be demolished and redeveloped into a new hotel with the same number of rooms.
13. The Winrock site is surrounded on three sides by established single-family residential neighborhoods and Interstate 40, which restricts height and density as identified in the site plan.
14. The site is within the *Uptown Sector Development Plan* and is required to meet the policies and goals of that plan and must also comply with the *Albuquerque/Bernalillo Comprehensive Plan* and the *Comprehensive City Zoning Code*.
15. The subject site is located in the area designated Established Urban by the *Comprehensive Plan*. The submittal meets the goal of this area by creating an urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and mixture of uses, while creating a visually built environment. The submittal furthers the policies of the Established Urban Area as follows:
 - a. The location, intensity and design of this development respects existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural or recreational concern (Policy 5d, *Comprehensive Plan*). An Access Analysis demonstrated that the proposed plan will not have deleterious impacts on surrounding uses, established neighborhoods, or community amenities.
 - b. This request proposes to locate employment and service uses in a manner that minimizes adverse effects of noise, lighting pollution, and traffic on residential environments (Policy 5i, *Comprehensive Plan*).
 - c. This request constitutes new growth that will be accommodated through development in an area where vacant land is contiguous to existing or programmed facilities and services and where the integrity of existing neighborhoods can be ensured. (Policy 5e, *Comprehensive Plan*). This request represents new commercial development and is located in an existing commercially zoned area (Policy 5j, *Comprehensive Plan*).
 - d. The subject site is adjacent to arterial streets and is planned to minimize harmful effects of traffic, livability and safety of established residential neighborhoods (Policy 5k, *Comprehensive Plan*).
 - e. This request represents redevelopment and rehabilitation of an older neighborhood in the Established Area (Policy 5o, *Comprehensive Plan*).
16. This request is within a Major Activity Center as designated by the Centers and Corridors section of the *Albuquerque/Bernalillo County Comprehensive Plan*. The submittal meets the Policies of the Major Activities Center designation as follows:

- a. The request is helps to shape an urban by providing a mixture of uses that should help to promote transit and pedestrian access both to and within the center, and maximizes cost-effectiveness of City services (*Comprehensive Plan*, Policy II. B. 7. a).
- b. This request will assist in the development of a Major Activity Center as defined by the *Comprehensive Plan* by providing a location for commercial, service, employment, office and residential uses in conjunction with area-wide needs, serving the entire metropolitan population and beyond, being accessible by all modes of travel, including pedestrian and bikes; it is located near major roadways and/or major transit stops and transfer points, will be served by off-street parking with parking structures as encouraged by the plan, and will contain walkways designed to allow for pedestrians and have transit connections within the site.
- c. This request will also assist in the development of a Major Activity Center as defined by the *Comprehensive Plan* by locating in an area 300 acres or more with land uses typical in modern commercial, office, and technology centers.
- d. This request meets the policies of the *Comprehensive Plan* by providing buildings that are 3-stories tall and higher with appropriate floor area ratios and urban land uses and amenities, with connections between buildings and sidewalks, buildings close or touching, opportunities for park and ride, structure parking, plazas and paths, and greater opportunity for public-private partnership in creating public spaces (*Comprehensive Plan*, Activity Center Goal, Policy A, Major Activity Centers).
- e. This request further meets the policies of the *Comprehensive Plan* because structures that would dominate their surroundings are located in a Major Activity Center to provide for visual variety and functional diversity in the metropolitan area while preserving pleasing vistas and solar access (*Comprehensive Plan*, Policy II. B. 7. c)
- f. The subject site does not abut any single-family residential property. The *Comprehensive Plan* is furthered in that the most intense activity centers uses are proposed to be located away from any nearby low-density residential development and is buffered from those residential uses by a transition area of less intensive development (Policy II. B. 7. f.).

17. Transportation:

- a. An Access Analysis was completed by the applicant in May of 2005 and has been reviewed by the Planning Department (Transportation Development) and the Department of Municipal Development (DMD). The Access Analysis was conducted in accordance with the scoping letter and procedures cited in the City's Development Process Manual.
- b. Louisiana and Indian School are designated as principal arterial roads with existing bicycle lanes as designated on the Long Range Roadway System and Long Range Bikeways System.
- c. The intersection of Espanola Street and Indian School Road currently does not warrant a traffic signal.

- d. In order for a traffic signal to be considered at this intersection in the future, the pavement width of the south leg of the intersection will need to be widened from 30 feet to a *minimum* of 40 feet to allow for a multi-lane exit from the Winrock site.
18. The subject site is located Outside the Intense Core of the *Uptown Sector Development Plan (USDP)* and is zoned SU-3 Outside Intense Core and SU-2 R-2 C-2 and SU-2 R-2 O-1. As such, the EPC has the authority to approve a site development plan for building permit. The request meets the 12 goals of the *USDP* as follows:
- a. This proposal provides a suitable site for a moderately high intensity mixture of retail, commercial, and service uses. The uses of office, institutional and residential are permissive in this zone and are proposed within this submittal. The design and general layout of these uses are controlled by the standards found in Sections 2, 3 and 4 of the *USDP* (pp. 15-30).
 - b. The redevelopment of existing retail space is permitted within the *USDP*, as noted in Section 2. of the plan (p. 15, A.1.)
 - c. This request meets the first Goal of the *USDP* for an Urban Center (Major Activity Center) by proposing a site contained within the rigid boundaries set out in the plan and avoids negative consequences to surrounding residential neighborhoods. The subject site borders no single-family residential areas. Parking for the site will continue to be surface parking with the addition of a parking structure containing 700 spaces and two subterranean parking areas totaling 971 parking spaces. Noise impact on surrounding residential areas will be minimal, considering the new proposal will have no more impact than the existing development and due to the distance separation between this site and the location of those neighborhoods. The visual impact of lighting and signage upon surrounding residential areas is negligible due to the nature of the minimal change from the existing to the proposed.
 - d. Opportunities for accessible transit are presented with this site and can be utilized, which will facilitate the goal of providing better opportunities for mass transit within the area, as per the second Goal of the *USDP*. In addition, the applicant has conducted an Access Analysis which indicates that this development does not meet the requirements for a Traffic Impact Analysis. However, a limited traffic analysis was required prior to EPC approval.
 - e. The site plan furthers the third Goal of the *USDP* by encouraging the further development of the area as an urban center. The objective of this goal is to promote an integrated mix of land uses including employment, retail, entertainment, and housing, as well as to promote pedestrian activity with specialty retail and restaurants at the ground level, reinforced by pedestrian streetscapes and plazas.
 - f. The proposed site plan contains a mix of employment, retail, entertainment uses, housing and office uses. The design of open space promotes a walkable urban form that promotes pedestrian activity where possible with a plaza in the center of the building arrangements. Retail and restaurant occupants are proposed along the ground floors of the development to encourage a diverse and walkable form.

- g. The applicant completed an Access Analysis to comply with Goal 4. The applicant is required to comply with the transportation requirements of the Mobility Section of the *USDP* and Appendix A in the *USDP*. A preliminary Air Quality Impact Assessment is not required because a Traffic Impact Analysis was not required of the applicant.
 - h. The submittal furthers Goal 7 in the *USDP* by limiting roadway improvements to those listed in the plan and by emphasizing transit and ridesharing alternatives to the single-occupancy automobile solutions to the growing mobility demands of Uptown. The applicant should address this further by initiating a Transportation Demand Management (TDM) Plan process with the transit Department.
 - i. By initiating a Transportation Demand Management (TDM) Plan, the applicant will help to further Goal 8 of the *USDP*. Mitigation measures in the form of alternative transportation and multi occupancy vehicles will be encouraged.
 - j. Traffic mitigation measures discussed in this report will help curb potential future violations of air quality in the area, helping to meet the intent of Goal 9.
19. The request meets the required Floor Area Ratios as stated in the *USDP* (p. 16).
20. The request does include an office building, as specified in the *USDP*, and is therefore subject to the 25-foot setback from the street right-of-way (p. 16). The submittal is meeting this requirement.
21. The proposal assists in keeping the Uptown Center within rigid boundaries and avoids deleterious impacts on the surrounding residential areas, as required by the *USDP*. This proposal will develop within those boundaries and will not bleed out into the surrounding single-family residential neighborhoods. Nor will it cause serious and deleterious effects resulting from traffic and other causes to impact these neighborhoods.
22. According to the *USDP*, it is recognized that an urban center is a major contributor in improving Albuquerque's air quality in the future through the provision of dense employment and retail development along with residential opportunities in an urban, pedestrian environment. The applicant was not required to perform a preliminary Air Quality Impact Analysis because a Traffic Impact Study was not required.
23. The submittal complies with the SU-3 Zone for the Uptown Urban Center Inside and Outside the Intense Core. Because it is a redevelopment project, the regulations of this plan apply to the redevelopment portions of the subject site.
24. The submittal contains all the elements of a site development plan for building permit as defined in the *Comprehensive City Zoning Code*.
25. The subject site will need to comply with the Impact Fees Ordinance and Regulations.

26. The 2 year clock would start ticking with the DRB approval rather than the EPC approval. The Planning Commission would support an extension of 6 months as per the Uptown Sector Development Plan for extending the site plan approval by the Planning Director.
27. The original submittal proposed a traffic signal at the intersection of Indian School Road and Espanola. No signal warrant analysis was performed to determine the need for a signal at this location. Therefore a traffic signal at this location would not be permitted at this time. In addition, the geometry shown does not meet the minimum requirements for a multi-lane signalized intersection (40 feet width minimum).

CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. A note shall be provided on the submittal indicating that all applicants requesting modification to the site development plan that affects off-street parking shall notify all property owners within the portions zoned SU-3.
3. A note shall be provided indicating that any modifications to the site development plan for building permit that affect property boundaries shall be reflected on the site development plan for subdivision and shall be approved through the review process identified in the *Uptown Sector Development Plan*, or the *Comprehensive City Zoning Code*, whichever shall apply.
4. The submittal shall clearly identify building entrances and shall be located toward the street or plazas, rather than parking areas.
5. The applicant shall either move the garden center from the west side of Major 3 or shall provide an attractive and functional design for the garden centers' west edge to create a landscaped boulevard or atrium like entry with a clear drive aisles for traffic entering the site.
6. The parking layout for each parking levels within the parking structure and the underground parking areas shall be provided on the submittal. All pertinent parking information, such as size, width and location of handicap spaces shall also be provided on the submittal.
7. Parking places that are designated as carpool spaces for employees shall be specified on the site plan in the affected lots and shall be located near the entrances of the buildings. Such spaces shall be clearly reserved for employee carpoolers (three or more individuals per vehicle).

8. A sidewalk shall be provided along all building facades that have a main entrance. The dimension of the sidewalk shall be at least eight feet in width for those buildings that are less than 10,000 square feet, ten feet in width for those buildings between 10,000 and 30,000 square feet, and one foot in width per 10,000 square feet of building size to a maximum required width of 15 feet for those buildings above 30,000 square feet.
9. An illustration of trash receptacles and kiosks shall be provide and shall demonstrate the material, color, height and width of all these elements.
10. All dedicated plaza areas shall have a connection to an adjacent right-of-way by a "Pedestrian Link" as required in the *Uptown Sector Development Plan*.
11. The applicant shall ensure that a "Pedestrian Link" has been provided between Pennsylvania and the adjacent plaza areas.
12. Amenities, such as directional signs, and bicycle racks shall be provided along the Commuter Bike Route as identified in the submittal to assist such cyclists.
13. The applicant shall meet with the Transit Department and show a potential and preferred transit route with sheltered bus stops on the subject site plan.
14. The submittal shall contain a notation indicating that the site will be in compliance with Section 14-16-3-9, Area Lighting Regulations of the *Comprehensive City Zoning Code*.
15. The site shall contain 3 foot high parking barrier walls or a dense landscape screen for off-street parking areas that have more than 50 off-street parking spaces and more than 100 linear feet of street frontage as required in Section 14-16-3-1(E)(4) of the *Comprehensive City Zoning Code*. Exception to the screening requirement is allowed where the parking area is three feet or more below the grade of the public street
16. The submittal shall clearly demonstrate what, if any, landscaping will remain.
17. The applicant shall provide documentation that demonstrates that all proposed species are pollution resistant.
18. The submittal shall demonstrate that the number of trees provided within the site zoned SU-3 is consistent with one tree for each 10 off-street parking spaces.
19. A notation shall be provided indicating that each planting area will contain 75% of living ground cover as required in the *Comprehensive City Zoning Code*.

20. Adequate plaza seating shall be provided throughout the site, according to the *USDP*. The site shall contain at least one linear foot of seating space for each linear foot in the perimeter of the plaza. The submittal shall demonstrate, through total plaza linear footage and total seating area linear footage calculations provided on the site plan, that this requirement has been met.
21. The color palette provided for the buildings shall be in general statements, such as browns, greens, reds, etc. to determine the meaning of each color.
22. Each building façade shall meet the standard for facades under "Pedestrian Features" section of the General Building and Site Design for Non-Residential buildings within the *Comprehensive City Zoning Code* that states, "Major Facades shall incorporate at least one or a combination of the following features (as described in Section 14-16-3-18(B)(2)) along no less than 50% of the length of the façade. Such features shall be distributed along the length of the façade in order to avoid creating a blank façade greater than 30 feet in length."
23. All "Major Facades" greater than 100 feet in length shall incorporate outdoor seating adjacent to at least one of the facades, a minimum of one seat per 25 linear feet of building façade. Each seat shall be a minimum of 24 inches in width and 15 inches in height. Benches, raised planters, ledges or similar seating features may be counted as seating space. When the outdoor seating is located on the south or west side of the building, at least 25% of the seating area shall be shaded.
24. The submittal shall contain the elevation views of all sides of the buildings to determine compliance with the *Uptown Sector Development Plan* and the *Comprehensive City Zoning Code*.
25. The approximate location of all mechanical equipment and the method used for screen shall be provided on the submittal. Screening shall be in compliance with Section 15-16-3-18(C)(5) of the *Comprehensive City Zoning Code*.
26. All building mounted and freestanding signs shall comply with the regulation of the *Uptown Sector Development Plan* and the General Sign Regulations within the *Comprehensive City Zoning Code*. Sheet 14 shall contain signs that are in compliance with the *Uptown Sector Development Plan*. The existing "Pylon" signs shown at 84 and 72 feet in height may only be modified to reflect the color and logo of the Market Center project. Advertisement of individual tenants on the subject site shall not be allowed on the existing "Pylon" signs.
27. The submittal shall provide an illustration of Permanent Identification and Private Traffic Directional Signs as described and regulated in the *Comprehensive City Zoning Code*.
28. The applicant shall consider all of the elements provided in the Environmental Performance Objectives found in Section 3 of the *Uptown Sector Development Plan*.

29. A note shall be provided on the submittal indicating that phasing and construction of the proposed buildings shall be in compliance with the *Uptown Sector Development Plan*. This site development approval shall expire as indicated in the *Uptown Sector Development Plan*.
30. The site shall not exceed the allowed number of off-street parking spaces given the vehicular modifications that may occur as a result of mitigating all of these conditions of approval.
31. The applicant shall meet the conditions of approval as specified by the City Engineer and the Department of Municipal Development:
 - a. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for.
 - b. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan for subdivision. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
 - c. A Traffic Assessment (access and circulation) has been submitted and reviewed by Transportation Staff. The site development plan will need to reflect the recommendations of the analysis (i.e. deceleration lanes, queuing, turning radii, etc.).
 - d. On the site development plan, indicate the existing traffic signal on Pennsylvania at the Winrock entrance.
 - e. Modify median, as shown on site plan, on Indian School at Americas Parkway to reflect actual conditions (i.e. left turn bay). Just east of this location, as shown on site plan, modify the median opening to reflect actual conditions (i.e. closed/no median opening).
 - f. Provide detailed truck circulation route (i.e. turning templates and radii along route). This will ensure proper circulation for delivery, fire and solid waste vehicles.
 - g. Provide detailed bus circulation route (i.e. turning templates and radii along route). This will ensure proper circulation for buses.
 - h. Suggest the number of multiple access points to Upper Ring Road be reduced. Access points will be determined at DRB and may not be required.
 - i. Suggest garden center of major 3 not be located adjacent to arrival court of hotel or ensure that the proposed location has no conflicts between trucks and passenger vehicles.
 - j. Provide cross access agreement.
 - k. Site plan shall comply and be designed per DPM Standards.

32. 2 motorcycle parkings per building.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY AUGUST 5, 2005 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.

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

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

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

Sincerely,


for Richard Dineen
Planning Director

OFFICIAL NOTICE OF DECISION

JULY 21, 2005

PROJECT #1002202

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cc: Consensus Planning, Inc., 924 Park Ave. SW, Albuquerque, NM 87102
Gene Tatum, Alvarado Park NA, 1916 Madeira NE, Albuquerque, NM 87110
Bill Sterchi, Alvarado Park NA, 5607 Princess Jeanne NE, Albuquerque, NM 87110
David Stafford, Classic Uptown NA, 2812 San Pablo NE, Albuquerque, NM 87110
Colin Hallahan, Classic Uptown NA, 2701 Chama NE, Albuquerque, NM 87110
Evelyn Feltner, Inez NA, 2014 Utah St. NE, Albuquerque, NM 87110
Bette Weber, Inez NA, 1927 Virginia St. NE, Albuquerque, NM 87110
Julie Jones, Jerry Cline Park NA, 7625 Winter Ave. NE, Albuquerque, NM 87110
Eric Shirley, Jerry Cline Park NA, 900 Grove St. NE, Albuquerque, NM 87110
Lou Weiss, Quigley Park NA, 2838 Alvarado Dr. NE, Albuquerque, NM 87110
Winnie Schmidt, Quigley Park NA, 2916 Cuervo Dr. NE, Albuquerque, NM 87110
Wayne Baxter, Snow Heights NA, 1606 Inez Dr. NE, Albuquerque, NM 87110
Mary A. Glasener, Snow Heights NA, 7742 Haines NE, Albuquerque, NM 87110
Evelyn Carter, Uptown Progress Team, Inc., 6501 Americas Parkway NE, #1000, Albuquerque, NM 87110
Paul Bidwell, Uptown Progress Team, Inc., 6400 Indian School Rd. NE, Albuquerque, NM 87110
Richard Peterson, Winrock South NA, 1112 San Pedro NE, #309, Albuquerque, NM 87110
Virginia Kinney, Winrock South NA, 1112 San Pedro NE, #309, Albuquerque, NM 87110
Davis Lee, Zuni NA, 7401 Euclid Ave. NE, Albuquerque, NM 87110
Lois Ranftle, Zuni NA, 7602 Euclid Ave. NE, Albuquerque, NM 87110
Jeff Weagley, 1313 San Pablo NE, Albuquerque, NM 87110
Marit Tully, 1107 Poblana NW, Albuquerque, NM 87107
David Campbell, 6100 Uptown blvd. NE, Suite 500, Albuquerque, NM 87110