



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

Date: February 20, 2004

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project # 1003170***
03EPC-02194 EPC Site Development Plan-Building
Permit

COA Water Resources Dept.
P.O. Box 1293
Albuq. NM 87103

LEGAL DESCRIPTION: for **Elena Gallegos Grant**, zoned SU-1 for Sand & Gravel Extr & Rel. Act., located on MISSION AVE. NE, between TOKAY ST. NE and CHAPPELL DR. NE, containing approximately 161 acre(s). (E-16) Chris Hyer, Staff Planner

On February 19, 2004 the Environmental Planning Commission voted to approve Project 1003170/03EPC 02194, a request for site development plan for building permit, for 3 unplatted tracts in the Elena Gallegos Grant, Sections 27 & 34, Township 11-N, Range 3-E, NMPM, zoned SU-1 for sand and gravel extraction and related activities and uses permissive in the M-1 zone, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for site development plan for subdivision for a 161.8-acre site consisting of 3-tracts of land that are legally described as unplatted tracts in the Elena Gallegos Grant, portions of Sections 27 & 34, Township 11-N, Range 3-E, NMPM and located on the west side of Chappell Road NE and the east side of Tokay Street NE, the north side of Mission Avenue between Montgomery Boulevard NE and Osuna Road NE north of Renaissance Center.
2. This site is zoned SU-1 for sand and gravel extraction and related activities and permissive uses in the M-1 zone and is not requested for change.
3. The proposed Albuquerque City Water Treatment Plant is a permissive use in the M-1 zone.

2. **CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT, PUBLIC WORKS and NMDOT:**
Conditions of approval for the proposed Site Development Plan for Building Permit shall include:
- a. All the requirements of previous actions taken by the EPC and 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 building permit. 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. Site plan shall comply and be designed per DPM Standards.
 - d. Platting should be a concurrent DRB action.
 - e. The applicant shall amend the Long Range Roadway System relative to Alexander Boulevard and Singer Boulevard to accommodate Home Land Security requirements.
 - f. Provision for the expansion of Chappell Drive, a major local street, in conformance with the City's Development Process Manual (DPM).
3. The City's Public Works Department's Water Resources Division shall contact the owner of the adjacent manufacturing business on the north side of the site, Mega-Corp, and develop a strategy to ensure that water in the facility will not become contaminated through atmospheric exposure or liquid spill, accidentally or deliberately.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY **MARCH 5, 2004** 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.