



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

Date: January 18, 2002

OFFICIAL NOTIFICATION OF DECISION

FILE: 01128 01743 (Project 1001623)

LEGAL DESCRIPTION: Request approval of a Site Development Plan for Building Permit for Tract G-2A-1, Seven Bar Ranch, zoned SU-1 for IP uses and located on Ellison Drive NW between New Mexico 528 and Cottonwood Drive, NW, containing approximately 6 acres. (A-14) Deborah Stover, Staff Planner

On January 17, 2002, the Environmental Planning Commission voted to approve 01128 01743, a site development plan for building permit, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for approval of a site development plan for building permit for a 29,920 square foot restaurant with package liquor, a 450 square foot storage building and a future (Phase II) office building office on a 6-acre site located on Ellison Drive between New Mexico 528 and Cottonwood Drive NW.
2. This request is consistent with surrounding development and will not be harmful to adjacent property, the neighborhood or the community.
3. This request conforms to the *Albuquerque/Bernalillo County Comprehensive Plan* by providing variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment.
4. The submittal complies with the *West Side Strategic Plan* which calls for the area to continue to develop as a center with primary uses as offices, retail, commercial and potential uses as public/institutional, convenience retail and higher density housing.
5. This request is consistent with *Resolution 91-1998 (R-70)* which encourages infill development.

CONDITIONS:

1. 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 before or after DRB final sign-off, may result in forfeiture of approvals.

OFFICIAL NOTIFICATION OF DECISION

01128 01743 (Project 1001623)

January 17, 2002

Page 2

2. Proposed phase II office building shall be delegated to the DRB and shall be consistent with the restaurant in architecture, style, colors and materials.
3. Pedestrian and Bicycle Conditions:
 - a. All internal pedestrian walkways and sidewalks shall be concrete with a minimum 6-foot width.
 - b. Pedestrian crossings that are a minimum width of 6-feet that are clearly demarcated with slightly raised and/or textured paving shall be provided where pedestrian paths cross vehicular entrances and drive aisles.
 - c. A bicycle rack shall be conveniently located near the building entrance but not within pedestrian pathways or landscape areas.
4. A detail of the light poles shall be included with the plan that states that all light fixtures shall be fully shielded horizontal lamps so that no light shall escape beyond the property line. All light fixtures shall be full-cutoff type to prevent fugitive light. No light source shall be visible from the site perimeter.
5. Landscape Plan Conditions:
 - a. Planting areas over 36 square feet in size shall have 75% coverage of living, vegetative material. (Gravel and shade tree canopies do not count toward this requirement when calculating the 75% coverage.)
 - b. Groundcover material for the ponding areas shall be stated on the landscape plan.
 - c. The area that is proposed for a future office shall be treated with landscape until the office facility is built. Landscape treatment shall be shown in this area, with the office building shown as a future use.
 - d. In the east parking area on the landscape plan and south of the restaurant in the parking area numbered 13 on the landscape plan, one shade tree shall be added to each of these two areas to ensure that no parking space shall be more than 100-feet from a tree.
 - e. The outdoor patio area shall have shade trees and/or an architecturally integrated shade structure within and around the patio area. Trees shall be spaced at intervals of 20 feet on center to provided shade for outdoor dining and shall be planted in planters that are a minimum of 5-feet by 5-feet.
6. No chain link, razor wire or plastic/vinyl fencing is permitted.
7. Signage:
 - a. No more than one wall sign per facade per business activity limited to 3 total signs signs per facade shall be permitted.
 - b. Building mounted signage shall consist of individual channel letters not to exceed 2-feet in height.
 - c. Monument signs that are integrated with building colors and materials are the only free standing signs allowed and shall be limited to one 16-foot high monument sign with 100-square feet face area and two 6-foot high monument signs with 75 square feet face area.
 - d. All letters shall be specified as to height, color and materials.
 - e. Raceway signs are not allowed.

OFFICIAL NOTIFICATION OF DECISION

01128 01743 (Project 1001623)

January 17, 2002

Page 3

8. The top of all rooftop equipment shall be below the top of parapet and screened from view from the property lines of this site. Alternatively, rooftop equipment shall be screened by rooftop walls that are painted to match the predominant building color. Rooftop equipment and other penetrations shall be painted to match the roof color or the predominant building color. All ground-mounted equipment shall be screened by screen walls with top of equipment below top of screen wall.
9. A detail of the refuse enclosure shall be shown on the site plan and shall be compatible in design, color and material with building architecture. The gates shall be opaque. Chain link gates are not allowed.
10. Loading areas shall have screen walls and covers that are architecturally integrated with the building.
11. Public Works Department Transportation Conditions:
 - a. All the requirements of previous actions taken by the EPC and the DRB must be completed and/or provided for. Completion of the required TIS mitigation measures, per Transportation Development Staff, for the adjacent sites must be completed if assumed to be in place for the current TIS for this site.
 - b. Dedication of additional right-of-way on NM528 to provide a 78' half width (total right-of-way for 28 is designated as 156'). Easement is okay. Sign or anything in the easement requires an encroachment agreement.
 - c. Provide common access agreements.
 - d. Dimension drive aisles at 24' per DPM.
 - e. Label all site radii per DPM.
 - f. Reference City Standard Drawings for curb, curb & gutter, sidewalk, etc.
 - g. Dimension all parking spaces (standard, small car, handicap/standard & van accessible) per DPM.
 - h. Provide details for handicap parking (both standard and van accessible), signing and striping.
 - i. Check with Solid Waste for dumpster location.
 - j. An approved conceptual grading and drainage plan is required for Site Plan sign-off by the City Engineer. Approval required prior to placement on DRB agenda.
12. The Phase II development of 10,000 square feet of offices be delegated to the DRB.

IF YOU WISH TO APPEAL THIS DECISION, YOU MUST DO SO BY **FEBRUARY 1, 2002** IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATOR 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.

OFFICIAL NOTIFICATION OF DECISION

01128 01743 (Project 10016...)


January 17, 2002

Page 4

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,


for Victor J. Chavez
Planning Director

VJC/DS/nat

cc: Nick Nellos, Thomsen Nellos Eng, 2403 San Mateo Blvd NE Ste W-25, Abq., NM 87110