

# City of Albuquerque

Planning Department

Development & Building Services Division

## DRAINAGE AND TRANSPORTATION INFORMATION SHEET (REV 09/2015)

Project Title: ARROYO VISTA APARTMENTS Building Permit #: \_\_\_\_\_ City Drainage #: 616D153  
DRB#: \_\_\_\_\_ EPC#: \_\_\_\_\_ Work Order#: \_\_\_\_\_  
Legal Description: TR. A-Z LUECKING PARK COMPLEX  
City Address: 4201 BRYN MAWR DRIVE NE  
Engineering Firm: SMMPE Contact: SCOTT MCGEE  
Address: 9700 TANDAN DR NE  
Phone#: 263-2905 Fax#: \_\_\_\_\_ E-mail: scottmmcgee@gmail.com  
Owner: TIROL HOUSING Contact: CASEY CAMERON  
Address: 4700 SW MACADAM AVE, STE. 200 PORTLAND, OR  
Phone#: 503 332-6582 Fax#: \_\_\_\_\_ E-mail: \_\_\_\_\_  
Architect: JEEBS & ZUZU Contact: DAVE HICKMAN  
Address: \_\_\_\_\_  
Phone#: 797-1318 Fax#: \_\_\_\_\_ E-mail: \_\_\_\_\_  
Other Contact: \_\_\_\_\_ Contact: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone#: \_\_\_\_\_ Fax#: \_\_\_\_\_ E-mail: \_\_\_\_\_

Check all that Apply:

### DEPARTMENT:

☒ HYDROLOGY/ DRAINAGE  
☐ TRAFFIC/ TRANSPORTATION  
☐ MS4/ EROSION & SEDIMENT CONTROL

### CHECK TYPE OF APPROVAL/ACCEPTANCE SOUGHT:

☒ BUILDING PERMIT APPROVAL  
☐ CERTIFICATE OF OCCUPANCY

### TYPE OF SUBMITTAL:

☐ ENGINEER/ ARCHITECT CERTIFICATION

☐ CONCEPTUAL G & D PLAN

☒ GRADING PLAN

☐ DRAINAGE MASTER PLAN

☐ DRAINAGE REPORT

☐ CLOMR/LOMR

☐ TRAFFIC CIRCULATION LAYOUT (TCL)

☐ TRAFFIC IMPACT STUDY (TIS)

☐ EROSION & SEDIMENT CONTROL PLAN (ESC)

☐ OTHER (SPECIFY) \_\_\_\_\_

☐ PRELIMINARY PLAT APPROVAL

☐ SITE PLAN FOR SUB'D APPROVAL

☐ SITE PLAN FOR BLDG. PERMIT APPROVAL

☐ FINAL PLAT APPROVAL

☐ SIA/ RELEASE OF FINANCIAL GUARANTEE

☐ FOUNDATION PERMIT APPROVAL

☐ GRADING PERMIT APPROVAL

☐ SC-19 APPROVAL

☐ PAVING PERMIT APPROVAL

☐ GRADING/ PAD CERTIFICATION

☐ WORK ORDER APPROVAL

☐ CLOMR/LOMR

☐ PRE-DESIGN MEETING

☐ OTHER (SPECIFY) \_\_\_\_\_

IS THIS A RESUBMITTAL?: ☐ Yes ☐ No

DATE SUBMITTED: 2/8/17 By: SCOTT MCGEE

COA STAFF: \_\_\_\_\_ ELECTRONIC SUBMITTAL RECEIVED: \_\_\_\_\_

# CITY OF ALBUQUERQUE

February 17, 2017

Scott McGee, P.E.  
Jeebs & Zuzu, LLC  
11030 Menaul NE suite C  
Albuquerque, NM, 871132



Richard J. Berry, Mayor

**RE:** Arroyo Vista Apartments  
Grading and Drainage Plan  
Engineer's Stamp Date 2-6-2017 (File: G16D153)

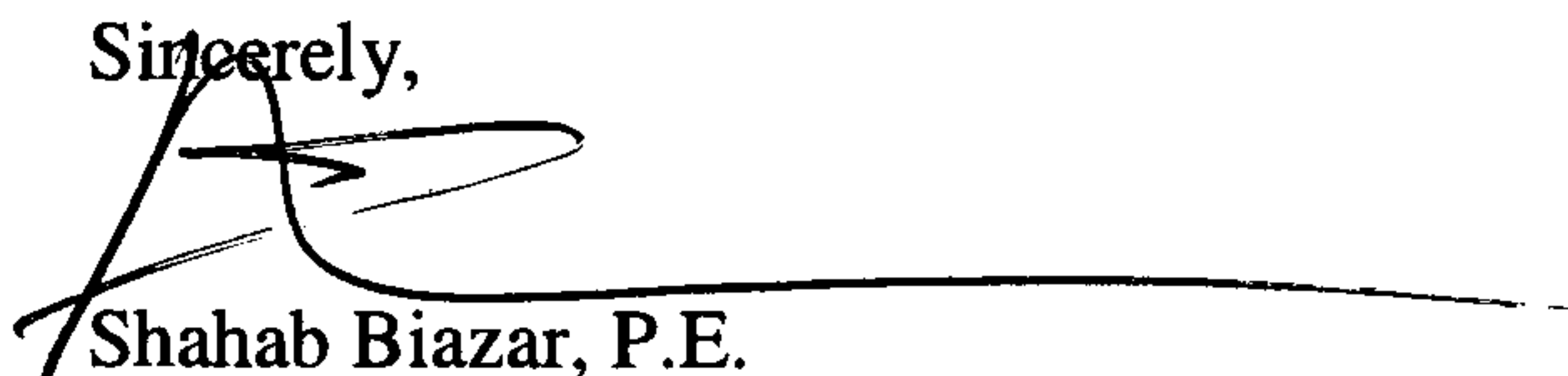
Dear Mr. McGee:

Based upon the information provided in your submittal received 2-8-2017, the above referenced Grading and Drainage Plan cannot be approved for building permit until the following comments are addressed:

1. AMAFCA approval is required.
2. Hydraulic calculations for the onsite storm drain is required.
3. Stand the pipe or elevate grate for storm drain on the west side of the site. How is the first flush pond volume being accomplished?
4. Provide first flush volume calculations for individual ponds.
5. It's seems there is an offsite flow from the northeast side of the site. Provide a narrative for this offsite flow, is this part of the 1.75 AC offsite area? Was the impervious area assumed in calculation?
6. Who will maintain the retaining wall on the northeast side outside project? Do you have construction easement?
7. Provide document on the city project 595281 which allows 50.6 cfs discharge.
8. Provide onsite sub basin and show how much runoff is being routed to the sidewalk culvert at the southwest corner of the project. Include side walk culvert capacity calculations.
9. Are you allowed to drain to access road to the west? Is there adequate capacity via surface? and downstream storm drainage system? Do you have access and drainage easement across adjacent property?
10. Show the property line more clearly. Show full extend of the project on this plan.
11. Erosion and sediment control plan must be approved prior to building permit approval.

If you have any questions, you can contact me at 924-3999.

Sincerely,

  
Shahab Biazar, P.E.  
City Engineer, Planning Dept.  
Development Review Services

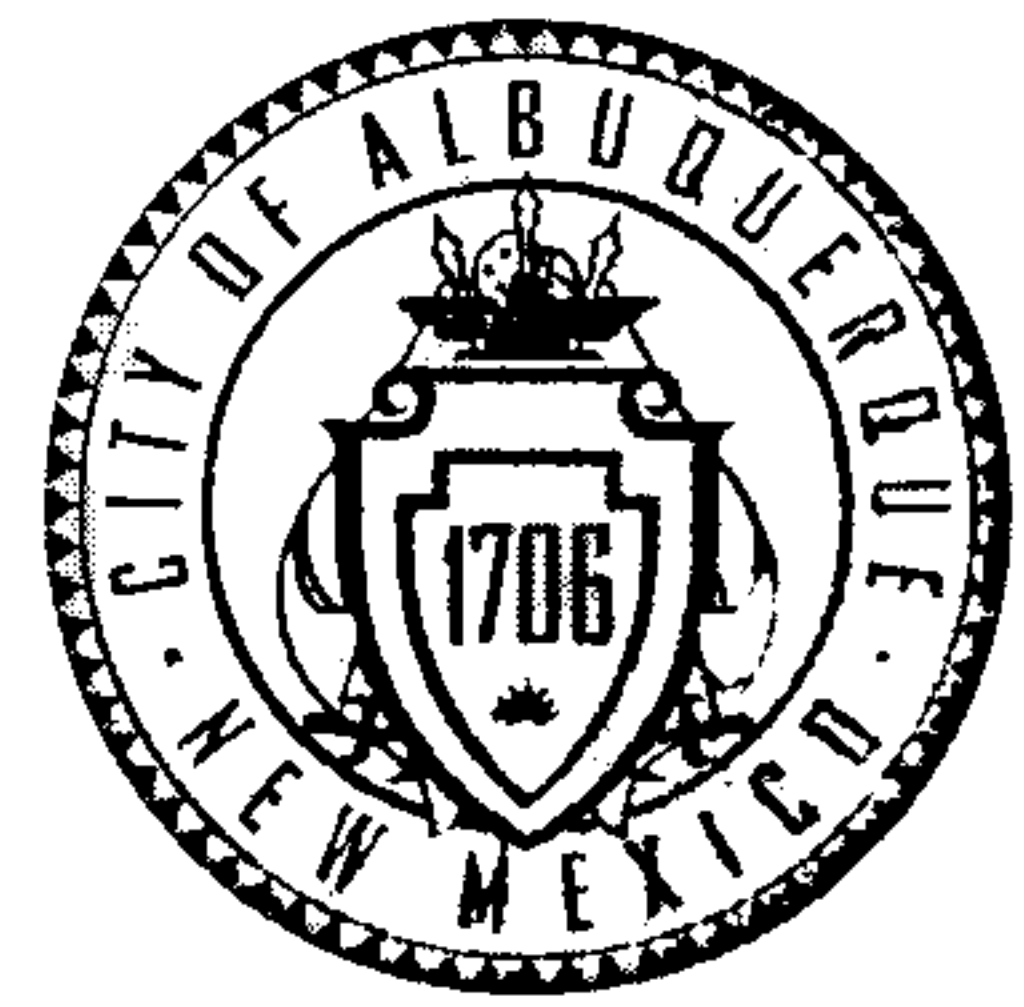
PO Box 1293

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# CITY OF ALBUQUERQUE



January 25, 2017

Jeebs & Zuzu, LLC.  
David Hickman  
11030 Menaul Blvd.  
Albuquerque, NM 87112

**Re: Arroyo Vista Apartments  
4201 Bryn Mawr Dr. NE  
Traffic Circulation Layout  
Architect's Stamp 11-04-16 (G16-D0153)**

Dear Mr. Hickman

Based upon the information provided in your submittal received 01-10-16, the above referenced plan cannot be approved for Building Permit until the following comments are addressed:

1. This project is showing work in AMAFCA's right of way. Please coordinate with AMAFCA on improvements and connection to their facilities and copy me on any correspondence.
2. Identify all existing access easements and rights of way width dimensions. Please provide an exhibit for all accesses to site.
3. Identify the right of way width, medians, curb cuts, and street widths on Pan American NE and Bryn Mawr Dr. NE. Correct the road name Pan American Fwy NE to Pan American NE.
4. Clarify existing property lines and proposed property lines. Also include any easements existing or proposed.
5. Use match lines on plans to show continuation on second page.
6. Label the compact parking spaces by placing the words "**COMPACT**" on the pavement of each space.
7. The ADA access aisles shall have the words "**NO PARKING**" in capital letters, each of which shall be at least one foot high and at least two inches wide, placed at the rear of the parking space so as to be close to where an adjacent vehicle's rear tire would be placed. (66-1-4.1.B NMSA 1978)
8. The ADA parking space has a clearly visible, blue, International Symbol of Accessibility painted on the pavement at rear of the space (66-1-4.1.E NMSA 1978) or MUTCD recommends a white symbol on a blue background.
9. Please dimension all pedestrian path ways and crosswalks. Some dimensions are not shown. Add ADA note referring to cross and running slopes for pedestrian paths. The site looks to have large grade changes.
10. Detectable warning surfaces, truncated domes should be used at curb ramps crossing vehicular traffic. Please provide details referenced in TCL keyed notes.
11. Clarify connection to Maintenance building between the handicap parking.

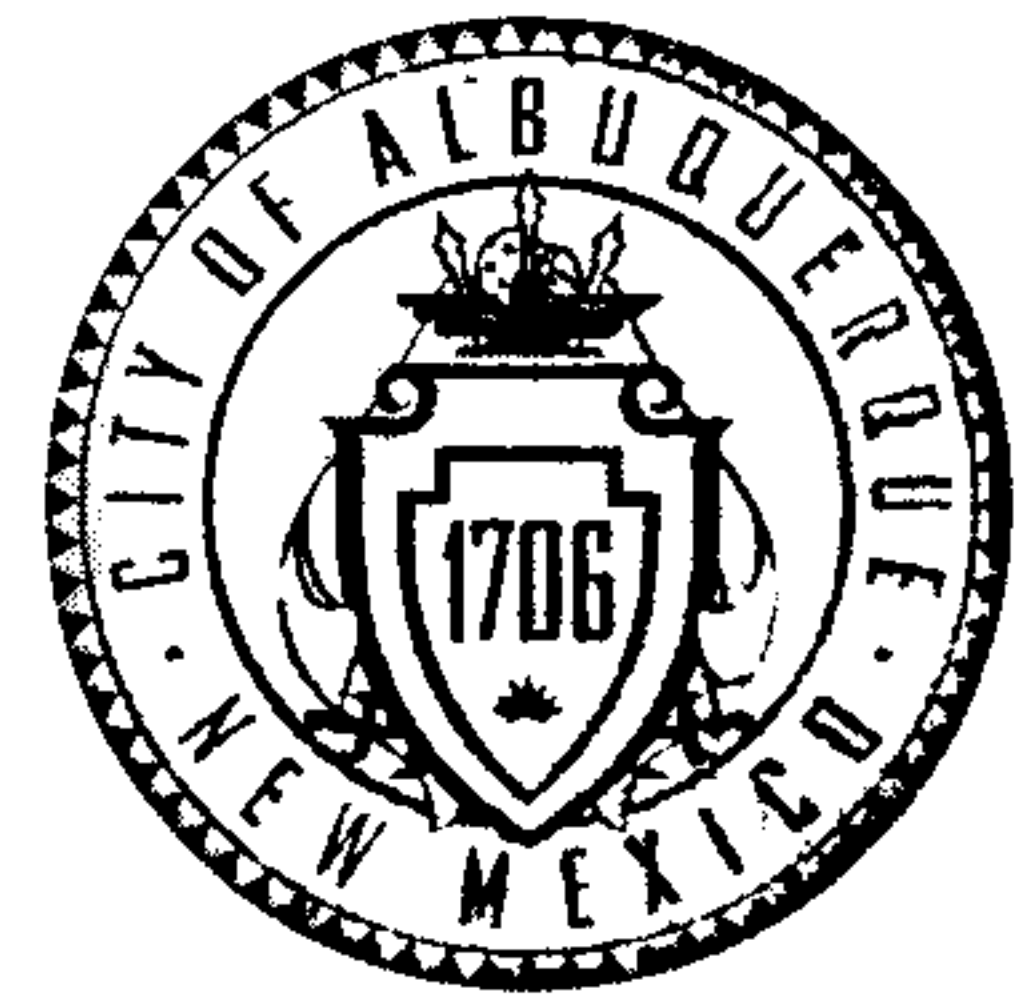
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# CITY OF ALBUQUERQUE



12. Dimension the drive aisle width off of Bryn Mawr.
13. List radii for all curves shown; for passenger vehicles, the minimum end island radius for passenger vehicles is 15 ft. Radius for delivery trucks, fire trucks, etc. is 25 ft. or larger. The secondary entrance could use a larger radius than 12 feet.
14. A 5 ft. keyway is required for dead-end parking aisles. Please add dimensions on the TCL.
15. Per the zoning code, a 6 ft. wide ADA accessible pedestrian pathway is required from the public sidewalk to the building entrances. Please clearly show this pathway and provide details.
16. Per DPM, a 6 ft. wide ADA accessible pedestrian pathway is required from the HC parking stall access aisles to the building entrances. Please clearly show this pathway and provide details.
17. ADA Parking space should be located closest to the ADA units and at public gathering areas like the club leasing building.
18. ADA units in Building B do not look accessible. May consider flipping the floor plan.
19. Please add a dotted line type showing how ADA pedestrians will access ADA units.
20. All sidewalks along streets should be placed at the property line. Provide a sidewalk easement if this is not possible.
21. Please specify the City Standard Drawing Number when applicable.
22. Provide notes showing what work is included and on the work order and the private work on site.
23. Work within the public right of way requires a work order with DRC approved plans.
24. Please add a note on the plan stating "All improvements located in the Right of Way must be included on the work order."

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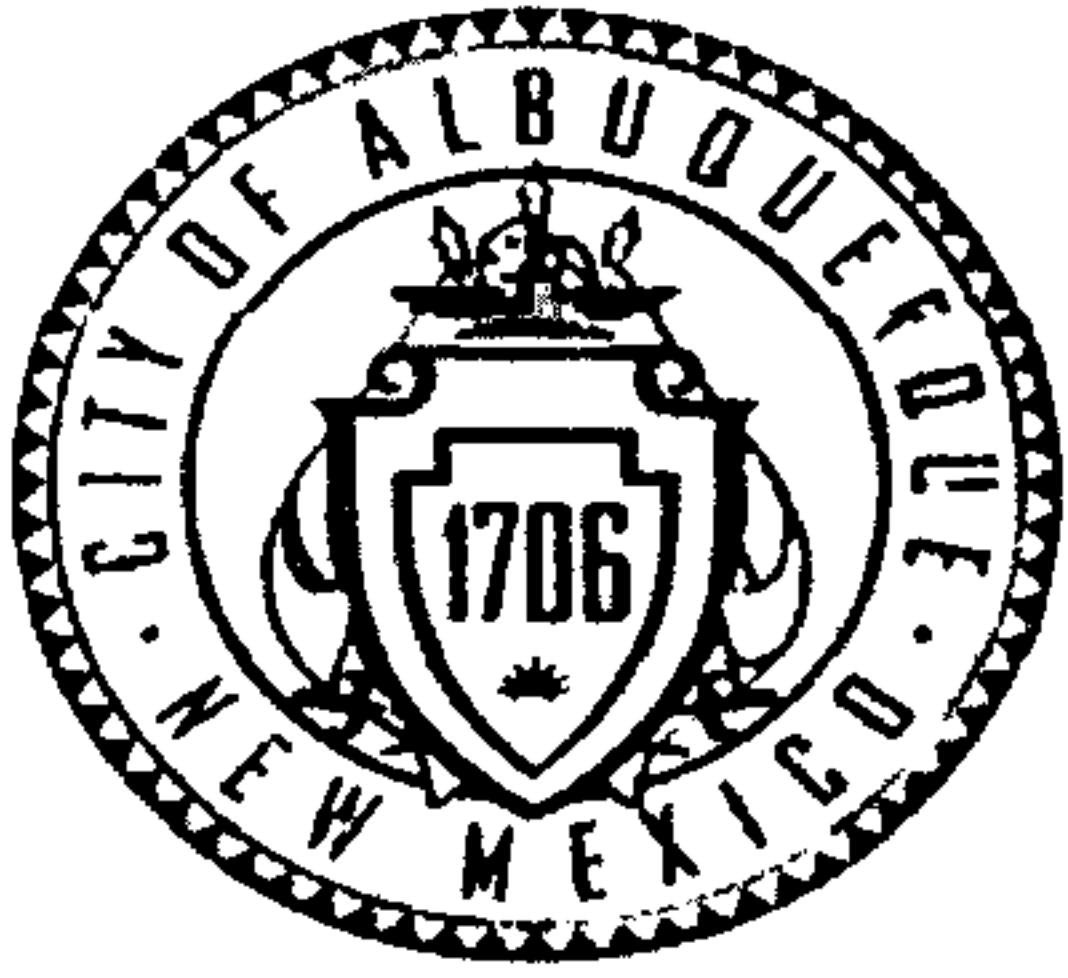
Resubmit a revised plan along with fully completed Drainage Transportation Information Sheet to front counter personnel for log in and evaluation by Transportation. PDF copies of the plans and submittal package must be emailed to [PLNDRS@cabq.gov](mailto:PLNDRS@cabq.gov) at time of resubmittal. If you have any questions, please contact me at (505) 924-3630.

Sincerely,

Logan Patz  
Senior Engineer, Planning Dept.  
Development Review Services

LWP via: email

C: File



# City of Albuquerque

Planning Department

Development & Building Services Division

## DRAINAGE AND TRANSPORTATION INFORMATION SHEET (REV 11/2016)

Project Title: Arroyo Vista Apartments Building Permit #: \_\_\_\_\_ Hydrology File #: G16D153  
DRB#: \_\_\_\_\_ EPC#: \_\_\_\_\_ Work Order#: \_\_\_\_\_  
Legal Description: ORIG Hobbs, LOTS 1-24, Block 47, LOT SIZE 2.12 Acres.  
City Address: 4201 Bryn Mawr Dr. NE Albuquerque NM 87107

Applicant: Jeebs + Zuzu, LLC. Contact: Edgar Mata  
Address: 11030 Menaul Blvd. NE Albuquerque NM 87112  
Phone#: 505-797-1318 Fax#: \_\_\_\_\_ E-mail: edgar@jeebsandzuzu.com  
Other Contact: Jeebs + Zuzu LLC. Contact: David Hickman  
Address: 11030 Menaul Blvd. NE Albuquerque NM 87112  
Phone#: 505-797-1318 Fax#: \_\_\_\_\_ E-mail: dave@jeebsandzuzu.com

Check all that Apply:

### DEPARTMENT:

☐ HYDROLOGY/ DRAINAGE  
☒ TRAFFIC/ TRANSPORTATION



**RECEIVED**  
1-17-17  
VS

### TYPE OF APPROVAL/ACCEPTANCE SOUGHT:

☒ BUILDING PERMIT APPROVAL  
☐ CERTIFICATE OF OCCUPANCY  
☐ PRELIMINARY PLAT APPROVAL  
☐ SITE PLAN FOR SUB'D APPROVAL  
☐ SITE PLAN FOR BLDG. PERMIT APPROVAL  
☐ FINAL PLAT APPROVAL  
☐ SIA/ RELEASE OF FINANCIAL GUARANTEE  
☐ FOUNDATION PERMIT APPROVAL  
☐ GRADING PERMIT APPROVAL  
☐ SO-19 APPROVAL  
☐ PAVING PERMIT APPROVAL  
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☐ ENGINEER/ARCHITECT CERTIFICATION  
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☐ GRADING PLAN  
☐ DRAINAGE MASTER PLAN  
☐ DRAINAGE REPORT  
☐ CLOMR/LOMR  
☒ TRAFFIC CIRCULATION LAYOUT (TCL)  
☐ TRAFFIC IMPACT STUDY (TIS)  
☐ OTHER (SPECIFY) \_\_\_\_\_  
☐ PRE-DESIGN MEETING?

IS THIS A RESUBMITTAL?: ☐ Yes ☒ No

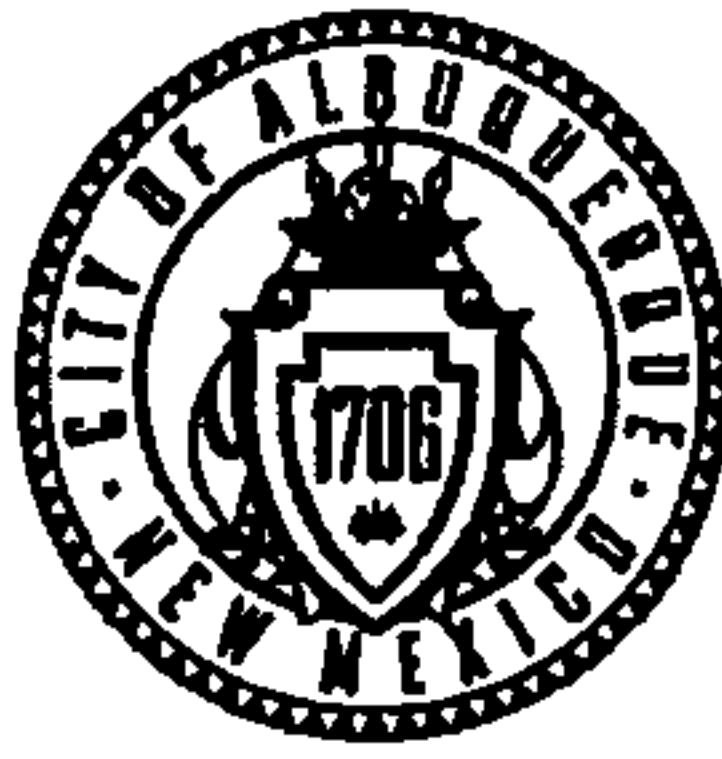
OTHER (SPECIFY) \_\_\_\_\_

DATE SUBMITTED: 1/10/17 By: [Signature]

COA STAFF:

ELECTRONIC SUBMITTAL RECEIVED: \_\_\_\_\_

FEE PAID: \_\_\_\_\_



CITY OF ALBUQUERQUE  
OFFICE OF ADMINISTRATIVE HEARINGS  
ZONING HEARING EXAMINER  
NOTIFICATION OF DECISION

TIROL HOUSING LLC (JAMES STROZIER, CONSENSUS PLANNING, AGENT) requests a special exception to Section 14-16-3-1(H)(4) : a VARIANCE of 2 ft to the required 8 ft sidewalk width for all or a portion of Lot A2, Luecking Park Subdivision zoned SU-1 for IP uses, located on 99999 PAN AMERICAN FWY NE (G-16)

Special Exception No:..... 16ZHE-80193  
Project No:..... Project# 1010919  
Hearing Date:..... 08-16-16  
Closing of Public Record:..... 08-16-16  
Date of Decision: ..... 08-31-16

On the 16<sup>th</sup> day of August, 2016, JAMES STROZIER, CONSENSUS PLANNING ("Agent") acting as agent on behalf of the property owner TIROL HOUSING LLC ("Applicant") appeared before the Zoning Hearing Examiner ("ZHE") requesting a variance of 2 ft to the required 8 ft sidewalk width ("Application") upon the real property located at 99999 PAN AMERICAN FWY NE ("Subject Property"). Below are the ZHE's findings of fact and decision:

FINDINGS:

1. Applicant is requesting a variance of 2 ft to the required 8 ft sidewalk width.
2. The City of Albuquerque Zoning Code of Ordinances Section 14-16-4-2 (C)(2) (Special Exceptions – Variance) reads: *"A variance application shall be approved by the Zoning Hearing Examiner, if and only if, the Zoning Hearing Examiner finds all of the following:*
  - (a) The application is not contrary to the public interest or injurious to the community, or to property or improvements in the vicinity;*
  - (b) There are special circumstances applicable to the subject property which do not apply generally to other property in the same zone and vicinity such as size, shape, topography, location, surroundings, or physical characteristics created by natural forces or government action for which no compensation was paid;*
  - (c) Such special circumstances were not self-imposed and create an unnecessary hardship in the form of a substantial and unjustified limitation on the reasonable use or return on the property that need not be endured to achieve the intent and purpose of the Zoning Code (§14-16-1-3) and the applicable zoning district; and*
  - (d) Substantial justice is done."*
3. The Applicant bears the burden of ensuring there is evidence in the record supporting a finding that the above criteria are met under Section 14-16-4-2(C).
4. The ZHE finds that Application is not: (i) contrary to the public interest, (ii) injurious to the community; or (iii) injurious to the property or improvements located in the vicinity as required by Section 14-16-4-2 (C)(2)(a).

5. Specifically, the ZHE finds that the request is to permit narrowed sidewalks where additional width is not required for adjacent vehicular use. The Applicant proposes that a four-foot clear sidewalk, free of vehicle intrusion, is fully adequate for residential uses and is in full compliance with ADA and other requirements.
6. Thus, the extra width is not needed, and its reduction will both reduce impervious surface and reduce cost.
7. The ZHE finds that there are special circumstances applicable to the Subject Property which do not apply generally to other property in the same zone and vicinity such as size, shape, topography, location, surroundings, or physical characteristics created by natural forces or government action for which no compensation was paid, as required by Section 14-16-4-2(C)(2)(b).
8. Specifically, the ZHE finds that the subject property is a residential parcel subject to the unnecessary hardship of the existing regulations requiring a superadequate sidewalk in more typically commercial areas.
9. The ZHE finds that such special circumstances were not self-imposed and create an unnecessary hardship in the form of a substantial and unjustified limitation on the reasonable use or return on the property that need not be endured to achieve the intent and purpose of the Zoning Code (§14-16-1-3) and the applicable district, as required by Section 14-16-4-2(C)(2)(c).
10. Specifically, the ZHE finds that these circumstances are not self-imposed and that although Applicant could build the project with the wider sidewalks, they are neither necessary nor desirable and would impose a hardship due to extra costs and increased environmental (impervious area, runoff, heat island and materials use effect) impacts.
11. The ZHE finds that substantial justice will be done if this Application is approved, as required pursuant to Section 14-16-4-2 (C)(2)(d).
12. The ZHE finds that the proper "Notice of Hearing" signage was posted for the required time period as required by Section 14-16-4-2(B)(4).
13. The ZHE finds that the Applicant has authority to pursue this Application.

#### CONCLUSIONS OF LAW:

The criteria within Section 14-16-4-2(C)(2) of the Albuquerque Zoning Code are satisfied.

#### DECISION:

APPROVAL of a variance of 2 ft to the required 8 ft sidewalk width.

If you wish to appeal this decision, you must do so by September 15, 2016, in the manner described below. A non-refundable filing fee will be calculated at the Planning Department's Land Development Coordination counter and is required at the time the Appeal is filed.

Appeal is to the Board of Appeals within 15 days of the decision. A filing fee of \$105.00 shall accompany each appeal application, as well as a written explanation

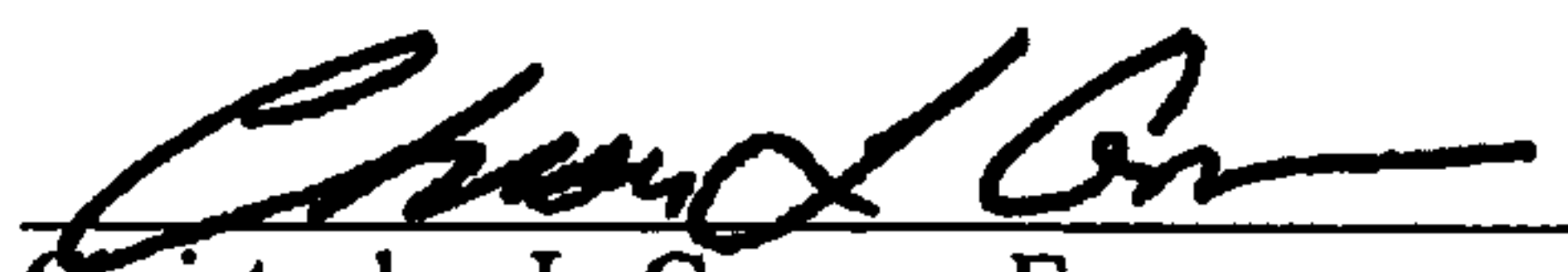
outlining the reason for appeal and a copy of the ZHE decision. Appeals are taken at 600 2nd Street, Plaza Del Sol Building, Ground Level, Planning Application Counter located on the west side of the lobby. **Please present this letter of notification when filing an appeal.** When an application is withdrawn, the fee shall not be refunded.

An appeal shall be heard by the Board of Appeals within 45 days of the appeal period and concluded within 75 days of the appeal period. The Planning Division shall give written notice of an appeal, together with a notice of the date, time and place of the hearing to the applicant, a representative of the opponents, if any are known, and the appellant.

Please note that pursuant to Section 14. 16. 4. 4. (B), of the City of Albuquerque Comprehensive Zoning Code, you must demonstrate that you have legal standing to file an appeal as defined.

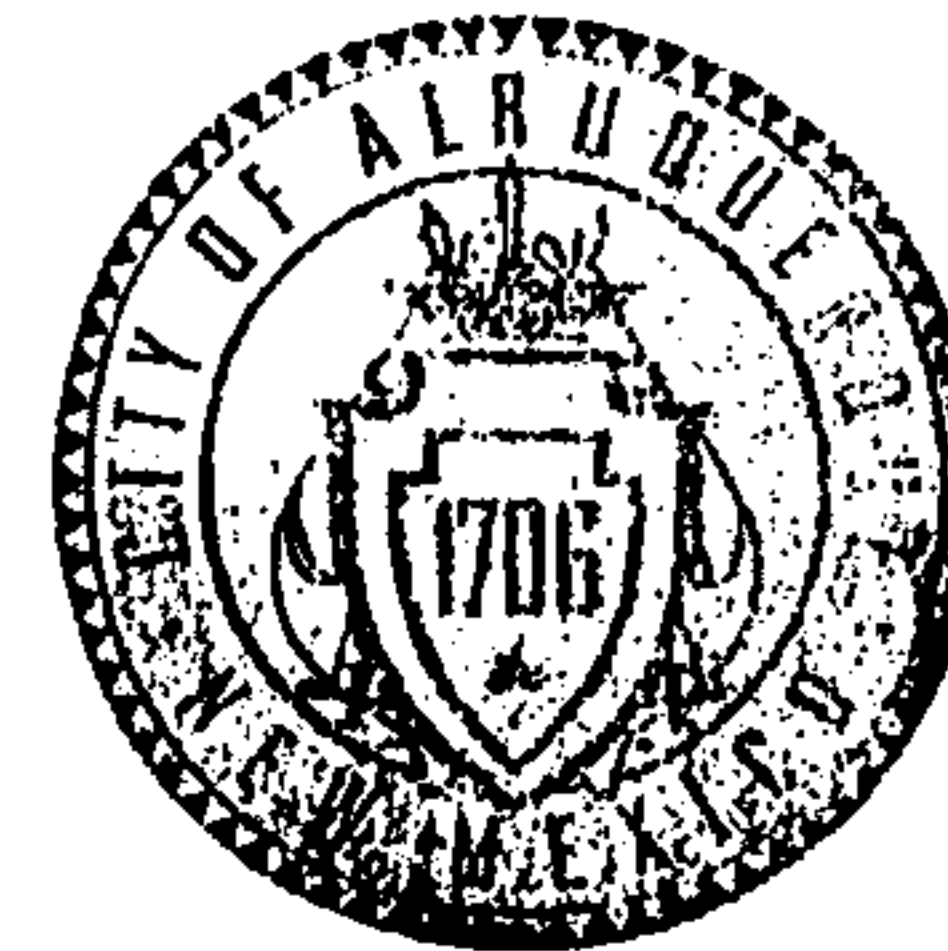
You will receive notice if any other person files an appeal. If there is no appeal, you can receive building permits any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. However, the Zoning Hearing Examiner may allow issuance of building permits if the public hearing produces no objection of any kind to the approval of an application. To receive this approval, the applicant agrees in writing to return the building permit or occupation tax number.

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of a special exception is secured. This decision does not constitute approval of plans for a building permit. If your application is approved, bring this decision with you when you apply for any related building permit or occupation tax number. Approval of a conditional use or a variance application is void after one year from date of approval if the rights and privileges are granted, thereby have not been executed or utilized.

  
Christopher L. Graeser, Esq.  
Zoning Hearing Examiner

cc: Zoning Enforcement  
ZHE File  
ccameron@pavilionconstruction.com  
cp@consensusplanning.com

# 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

July 15, 2016

Tirol Housing, LLD  
4700 SW Macadam Ave. Ste. 200  
Portland, OR 97239

**Project# 1000162**  
16EPC-40026 Zone Map Amendment  
(Zone Change)

### LEGAL DESCRIPTION:

The above action for all or a portion of Lot A-2, Luecking Park Subdivision, zoned SU-1 for IP Uses to R-3, located on Pan American Freeway, between Montgomery Blvd. NE and Vassar Dr. NE, containing approximately 7 acres.  
(G-16)

Staff Planner: Maggie Gould

PO Box 1293

On July 14, 2016 the Environmental Planning Commission (EPC) voted to APPROVE Project #1000162/16EPC-40026, a Zone Map Amendment (Zone Change), based on the following findings:

### Albuquerque **FINDINGS:**

New Mexico 87103

[www.cabq.gov](http://www.cabq.gov)

1. This is a request for a Zone Map amendment from SU-1 for IP uses to R-3 for Lot A-2 of the Luecking Park Subdivision, located on Pan American Freeway between I-25 and the North Diversion Channel and containing approximately 6.8 acres.
2. The subject site was originally zoned R-3; the zoning on the site was amended in 2003 to SU-1 for I-P uses.
3. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
4. The subject site is within the Established Urban Area of the Comprehensive Plan. The request is in general compliance with the following applicable goals and policies of the Comprehensive Plan:
  - A. Policy II.B5d: 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, and recreational concern.

OFFICIAL NOTICE OF DECISION

Project #1000162

July 14, 2016

Page 2 of 5

***Policy II.B5d is furthered because proposed zone will allow development that is of a similar height and intensity as the surrounding development. The area to the east of the North Diversion channel is developed with both single family and multi-family development.***

- B. ***Policy II.B5c:*** New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured.

***Policy II.B.5e is furthered because site has full access to urban services including roads, water and electricity. Staff agrees that the North Diversion Channel could act as buffer for the single family uses developed on the east side of the channel.***

- C. ***Policy II.B5h:*** Higher density housing is most appropriate in the following situations:

- In areas with excellent access to the major street network.

***Policy II.B.5h is furthered because the site has access to the major road network. Staff also believes that the third bullet point of the policy (see below) is relevant because the general area has a variety of uses and housing density and the proposed use will be compatible with the existing land use.***

- 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.

II.D4. Transportation and Transit

- D. ***Policy II.D.4c:*** In order to add to transit ridership, and where it will not destabilize adjacent neighborhoods, additional dwelling units are encouraged close to Major Transit and Enhanced Transit streets.

***Policy II.D.4c is furthered because the proposed zone will allow multi-family development near existing transit routes, but will not impact the neighborhoods to the east because the access from the apartments would be via the pedestrian bridge over the North Diversion Channel and there will no impact from car traffic***

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

***Policy II.D.4g is partially furthered by this request. The site has an existing access bridge over the north diversion channel and access to the trail along the channel. This request is only for zoning and does not contain a Site Development Plan, so it is not possible to confirm how the access will be designed.***

OFFICIAL NOTICE OF DECISION

Project #1000162

July 14, 2016

Page 3 of 5

- F. Policy II.D.4p: Efficient, safe access and transfer capability shall be provided between all modes of transportation.

*The applicant cites this policy in support of the request because the development will have access to the North Diversion Channel trail and bridge; this access will allow residents a safe path to transit along Montgomery Boulevard or Carlisle Boulevard. This request is only for zoning and does not contain a Site Development Plan, so it is not fully possible to confirm how the access will be designed. However, the Diversion Channel trail is protected, non-motorized trail and would be convenient for residents on foot or on bike to access the transit lines, existing roads and trails. The request furthers policy II.D.4p.*

II.D.5: Housing

- G. Policy II.D.5a: The supply of affordable housing shall be preserved and increased and the opportunity to obtain standard housing for a reasonable proportion of income assured.

*The proposed zone will allow the development of multi-family housing. The applicant's proposed development would further this policy by providing an affordable option, but even a market rate development could provide an affordable option. Policy II.D.5a is furthered.*

5. The applicant has justified the zone change request pursuant to R-270-1980 as follows:

A. The proposed zone will allow development that meets the intent of the Established Urban Area of Comprehensive Plan to have a mix of uses and a variety of housing choices. The uses allowed in the proposed zone are compatible with the surrounding zoning and land use.

B. The proposed zone will not have a destabilizing impact on the area. The site was previously zoned R-3 and there is R-3 zoning and multifamily development in the area. The allowed uses in the R-3 are similar to the uses in the surrounding area; the additional residential development is complimentary to the area because residents will have access to a variety of employment and service opportunities. Additionally, the R-3 zone may be more compatible with the adjacent properties because it is a less intense use than the uses allowed in the I-P zone. The more industrial development (M-1 zone) is south of Pathway Ave,; the zone change reinforces this pattern of development.

C. See Policy Analysis in finding 4.

D. The proposed zone is more advantageous to the community as articulated in the Comprehensive Plan because the proposed zoning will allow development that meets the intent of the Comprehensive Plan. The existing zoning allows several uses, such as Adult Establishments, Auto Repair and manufacturing that are intense and would not be entirely compatible with the office, commercial and multifamily development in the area.

**OFFICIAL NOTICE OF DECISION**

**Project #1000162**

**July 14, 2016**

**Page 4 of 5**

**E. The proposed zone will allow uses that are the same or similar to what already exists in the area, the site to the north is zoned R-3 and the area is developed with office, service, commercial and light industrial/storage uses.**

**F. The site has full access to existing City infrastructure and will be developed by the applicant. The request will not create unprogramed capital needs.**

**G. The applicant has not cited economics as the main factor in the justification of the request. The request is consistent with the applicable policies in the Comprehensive Plan.**

**H. The applicant has not used the street classification as part of the justification. The request is consistent with applicable policies and is a compatible land use with the existing development.**

**I. The proposed zone would not constitute a spot zone because there is R-3 zoning directly adjacent to the subject site. Also, the site was zoned R-3 prior to 2003.**

**J. The proposed zone would not create a strip of land along a street with a zone different from surrounding zoning. The site is adjacent to R-3 zoning and was zoned R-3 prior to 2003.**

- 6. The Parks Department requests that the applicant coordinate with them regarding trail access to the North Diversion Trail.**
- 7. The approved Site Development Plan for Subdivision (03 EPC-01667) is terminated pursuant to §14-16-3-11(C). The change of zoning would also void the previously approved Site Plans.**
- 8. There are no Neighborhood or Homeowner Associations with boundaries that include the subject site. The District 7 Coalition of Neighborhood Associations was notified. A facilitated meeting was not recommended or requested. A representative of the Nusenda Credit Union inquired about the request and access to the North Diversion Channel trail. Staff has not received additional comments from them. Staff has not received any public comment as of this writing.**

**APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by JULY 29, 2016. 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**

**OFFICIAL NOTICE OF DECISION**

**Project #1000162**

**July 14, 2016**

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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).

**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.

**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.

**DEFERRAL FEES:** Pursuant to Zoning Code Section 14-16-4-1(B), deferral at the request of the applicant is subject to a \$110.00 fee per case.

Sincerely,

  
for Suzanne Lubar  
Planning Director

SL/MG

cc: Tirol Housing, LLC, 4700 SW Macadam Ave. Ste. 200, Portland, OR 97239  
Consensus Planning, 302 8<sup>th</sup> St NW, ABQ, NM 87102  
Lynne Martin, 1631 Espejo NE, ABQ, NM 87112  
Janice Arnold-Jones, 7713 Sierra Azul NE, ABQ, NM 87112  
Joe Christian, 4100 Pan American Fwy NE, ABQ, NM 87107  
Tom Johnson, 4100 Pan American Fwy, ABQ, NM 87107