



**Environmental
Planning
Commission**

**Agenda Number: 3
Project Number: 1009543
Case #: 12EPC 40082/40032/40084
February 14, 2013**

Staff Report

Agent	Wes Prop NM, LLC
Applicant	West Seventy, LLC
Requests	Zone Map Amendment; Site Development Plan for Subdivision; Site Development Plan for Building Permit
Legal Description	See attachment "A"
Location	Northeast corner of Paseo del Norte and Unser Boulevard intersection,
Size	Approximately 2.7055 acres
Existing Zoning	R-D
Proposed Zoning	SU-1/C-2

Staff Recommendation

DEFERRAL of 12EPC 40084 for 30-days.

DEFERRAL of 12EPC 40083 for 30-days.

DEFERRAL of 12EPC 40082 for 30-days.

**Staff Planner
Christopher Hyer, Senior Planner**

Summary of Analysis

The purpose for this request is to allow the applicant to develop a Giant Gasoline Station (with a convenience store that has packaged liquor sales and a car wash) at the intersection of Paseo del Norte and Unser Boulevard. The site is located in an unplatted portion of the Volcano Mesa Area.

The site is within the Developing Urban Area of the Comprehensive Plan, the West Side Strategic Plan, the Northwest Mesa Escarpment Plan, and the Unser Boulevard Design Overlay Zone. The site is also within the Volcano Heights Sector Development Plan area, but its' regulations and Design Standards do not apply as this Plan has not yet been adopted by the City Council.

The applicant is requesting a 30-day deferral of this project in order to address various issues including site design and access.

See attached Findings for DEFERRAL of each case.

FINDINGS – 12EPC 40084, February 14, 2013 - Zone Map Amendment

1. This is a request for a zone change from R-D to SU-1/C-2 Uses for a tract of land located at the intersection of Paseo del Norte and Unser NW, within the Town of Alameda Grant in S-15, T-11N, R-2E, NMPM as further described in Attachment “A”, and containing 2.7055 acres.
2. The applicant has not adequately addressed R-270-1980 and is revising the justification in order to include references to policies in all applicable (adopted) City Plans.
3. A facilitated meeting occurred February 5th, which has not been analyzed by staff at the time of this staff report.
4. The applicant is requesting a 30-day deferral in order to address deficiencies as noted by Staff.

FINDINGS – 12EPC 40083, February 14, 2013 - Site Development Plan for Subdivision

1. This is a request for site development plan for subdivision for a tract of land located at the intersection of Paseo del Norte and Unser NW, within the Town of Alameda Grant in S-15, T-11N, R-2E, NMPM, as further described in Attachment “A”, containing 2.7055 acres.
2. The applicant is proposing to develop a gas station with convenience store, liquor sales and an automated car wash at the intersection of Paseo del Norte and Unser NW.
3. The proposed site is surrounded by vacant land and will be the first development in this area. The site lacks services and is not currently accessible from Paseo del Norte or Unser Boulevard. Access points along these roads will need to be approved by MRCOG, a process that has not yet begun.
4. The site is within the proposed *Volcano Heights Sector Development Plan* area. This sector plan is in the City Council process for adoption; the Plan is scheduled to be heard by the LUPZ Committee on 2/13/2013. The Plan provides a strategy for providing necessary infrastructure improvements for the area in order to encourage coordinated development. The subject request will require significant infrastructure improvements at the developer’s cost, including water and sanitary sewer.
5. A facilitated meeting occurred February 5th, which has not been analyzed by staff at the time of this staff report.
6. The applicant is requesting a 30-day deferral in order to address deficiencies as noted by Staff.

FINDINGS – 12EPC 40082, February 14, 2013 - Site Development Plan for Building Permit

1. This is a request for site development plan for subdivision for a tract of land located at the intersection of Paseo del Norte and Unser NW, within the Town of Alameda Grant in S-15, T-11N, R-2E, NMPM, as further described in Attachment “A”, containing 2.7055 acres.
2. The applicant is proposing to develop a gas station with convenience store, liquor sales and an automated car wash at the intersection of Paseo del Norte and Unser NW.
3. The proposed site is surrounded by vacant land and will be the first development in this area. The site lacks services and is not currently accessible from Paseo del Norte or Unser Boulevard. Access points along these roads will need to be approved by MRCOG, a process that has not yet begun.

4. The site is within the proposed *Volcano Heights Sector Development Plan* area. This sector plan is in the City Council process for adoption; the Plan is scheduled to be heard by the LUPZ Committee on 2/13/2013. The Plan provides a strategy for providing necessary infrastructure improvements for the area in order to encourage coordinated development. The subject request will require significant infrastructure improvements at the developer's cost, including water and sanitary sewer.
5. A facilitated meeting occurred February 5th, which has not been analyzed by staff at the time of this staff report.
6. The applicant is requesting a 30-day deferral in order to address deficiencies as noted by Staff.

ATTACHMENT "A"

Legal for project #1009543

A tract of land lying and situate within the Town of Alameda Grant, projected Section 15, Township 11 North, Range 2 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, comprising the remaining portion of Tracts 15-13A2, 15-13A1, 15-13B2, 15-38A, 15-38B and 15-2B, as the same are described in that Special Warranty Deed filed in the office of the County Clerk of Bernalillo County, New Mexico on January 06, 2003, in Book A-48, Page 2173, Document Number 2003002177, less than and excepting that portion of the land acquired by Stipulated Judgment for Condemnation, Second Judicial District Court Case No. CV 2006 6154, filed in the office of the Clerk of the Second Judicial District on June 23, 2009 and filed in the office of the County Clerk of Bernalillo County, New Mexico on August 10, 2009 as Document Number 2009090671, said remaining portion tract being more particularly described as follows:

Beginning at the southernmost corner of described tract lying on the northeasterly right of way line of Paseo Del Norte Boulevard, from whence a tie to Albuquerque Geographic Reference Survey Monument "8_C10" bears S 70°41'28" E, a distance of 1,871.65 feet;

Thence from said point of beginning, N 39°16'31" W along said right of way line, a distance of 486.27 feet to a point of curvature;

Thence along a curve to the right having a radius of 50.00 feet, an arc length of 78.54 feet, a delta angle of 89°59'56", and a chord of N 05°43'32" E, a distance of 70.71 feet to a point of tangency lying on the southeasterly right of way line of Unser Boulevard;

Thence N 50°43'30" E along said right of way line, a distance of 391.53 feet to the northernmost corner of described tract;

Thence leaving said right of way line, S 00°11'27" W, a distance of 694.65 feet to the point of beginning, containing 2.7055 acres (117,853 square feet) more or less.