

Figure 3: Looking east from the subject site.

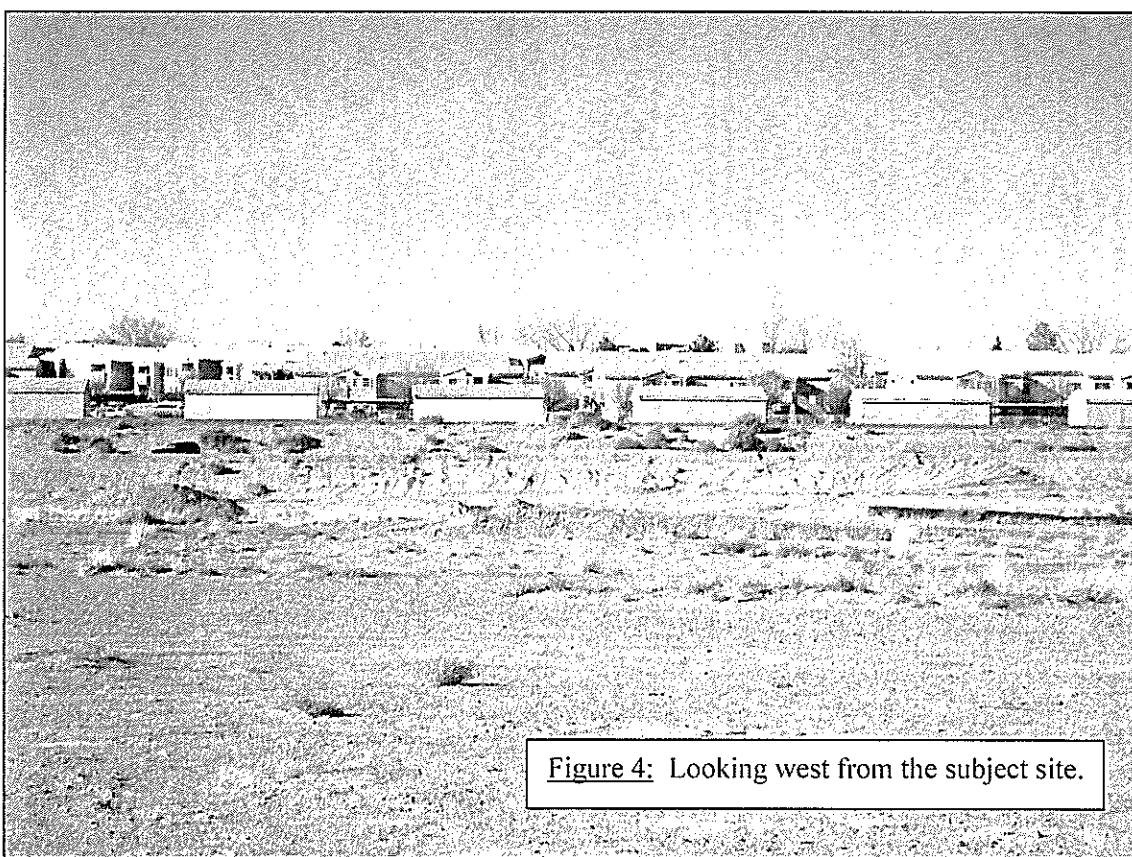
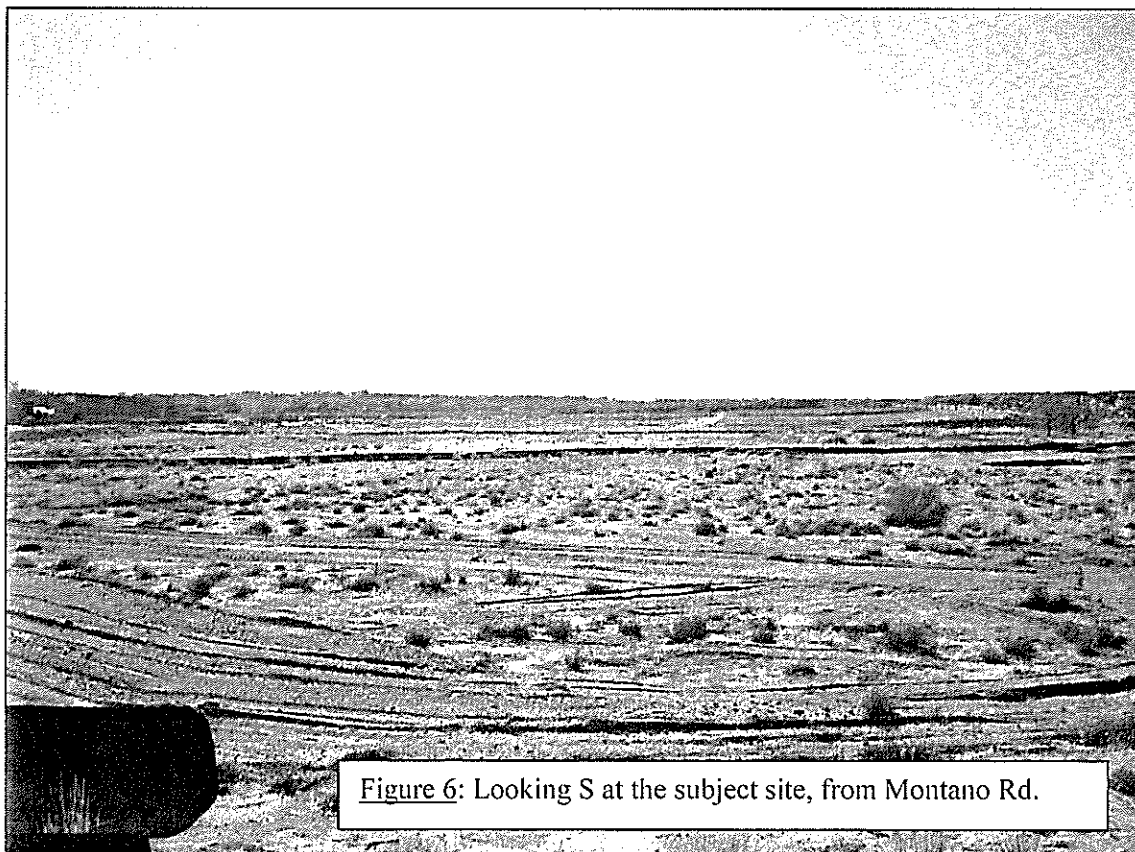
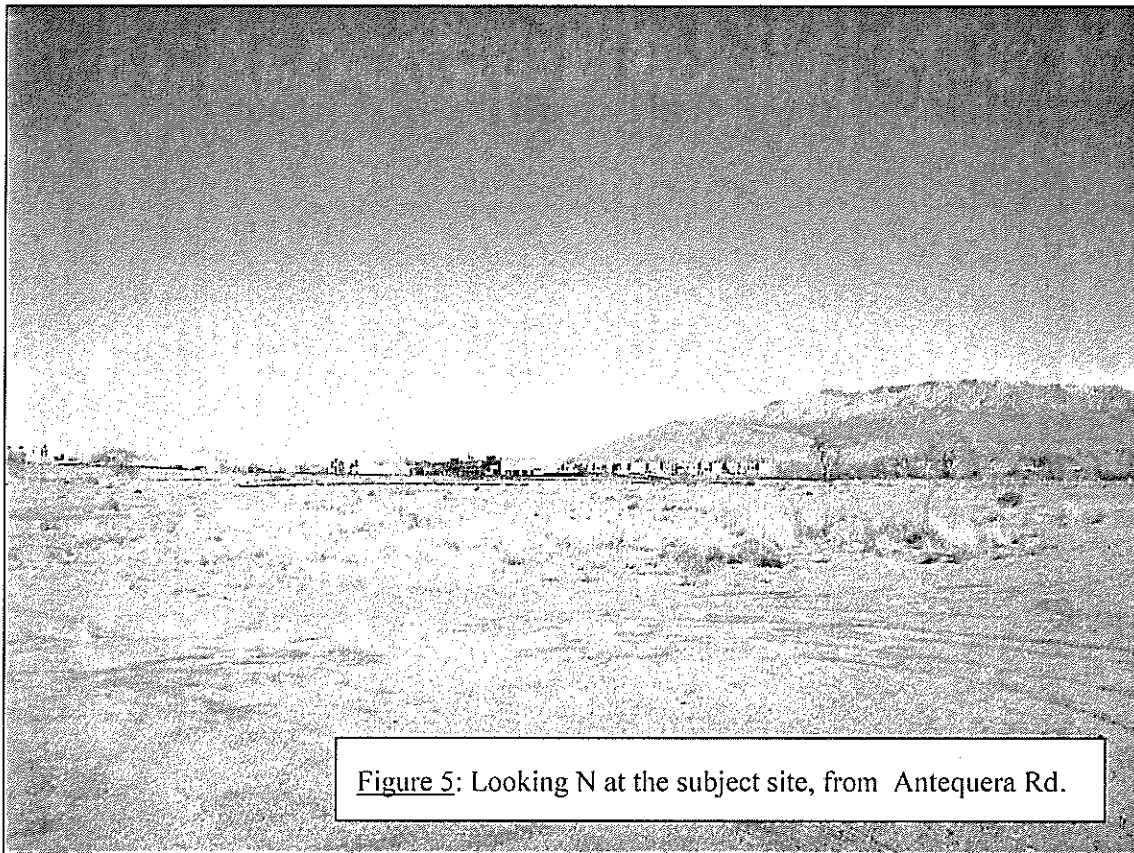


Figure 4: Looking west from the subject site.



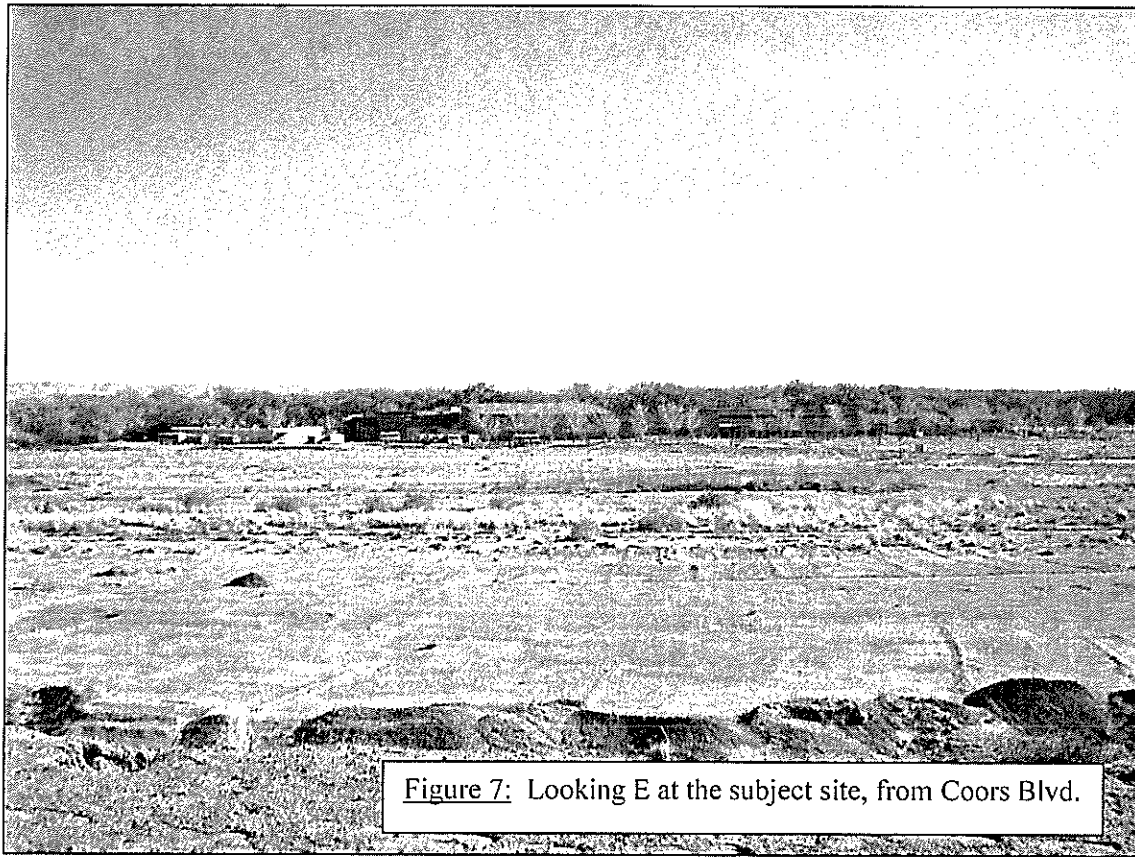


Figure 7: Looking E at the subject site, from Coors Blvd.

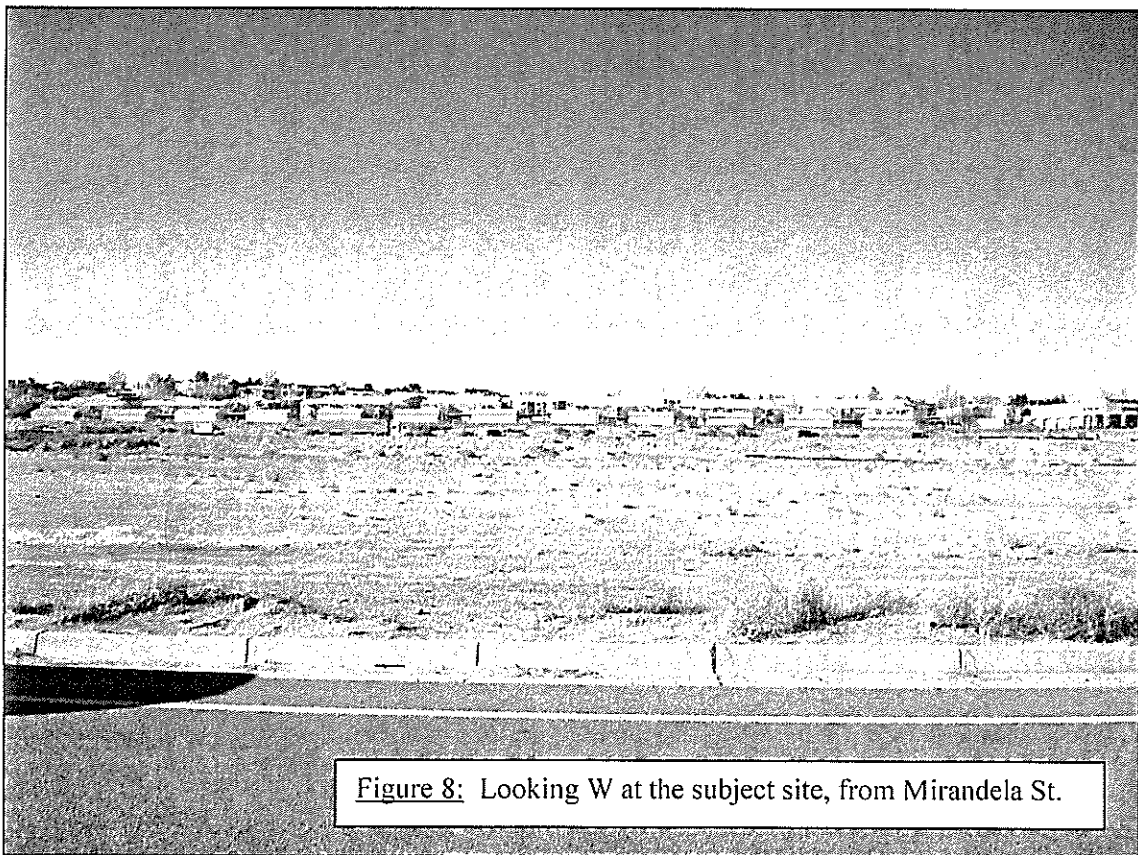
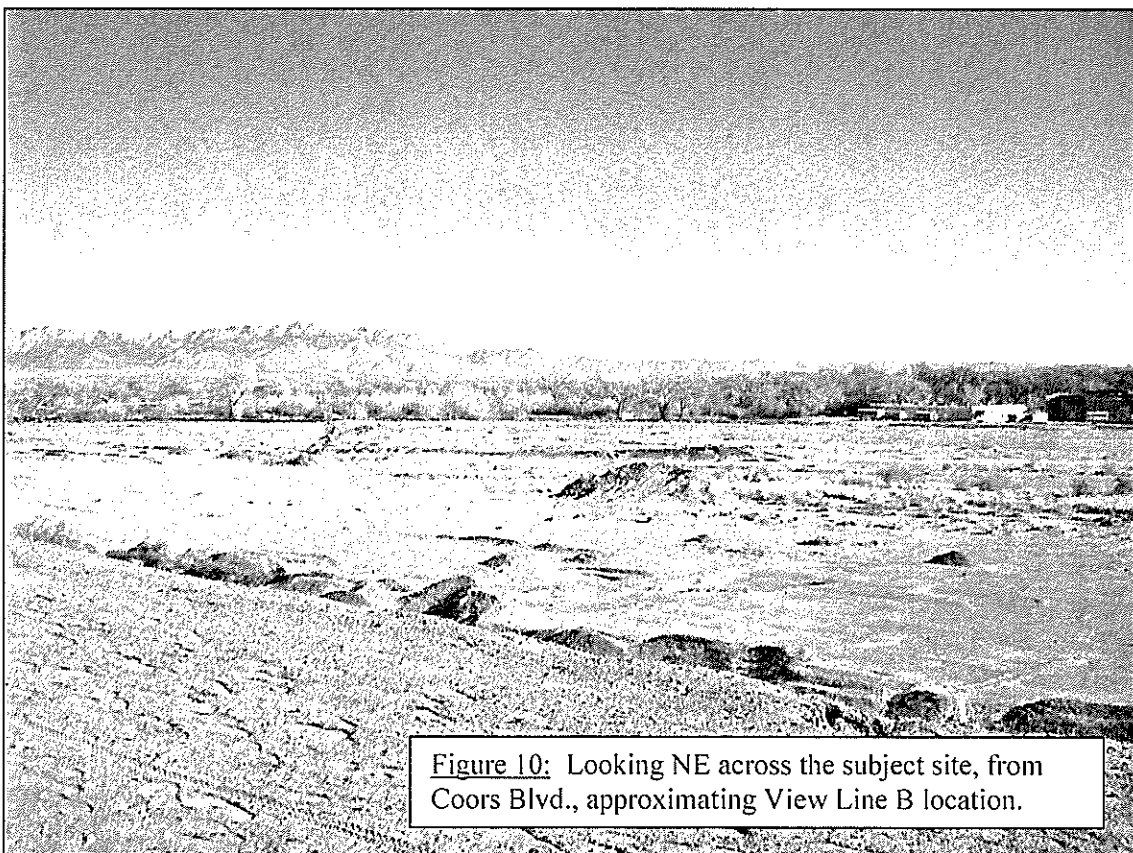
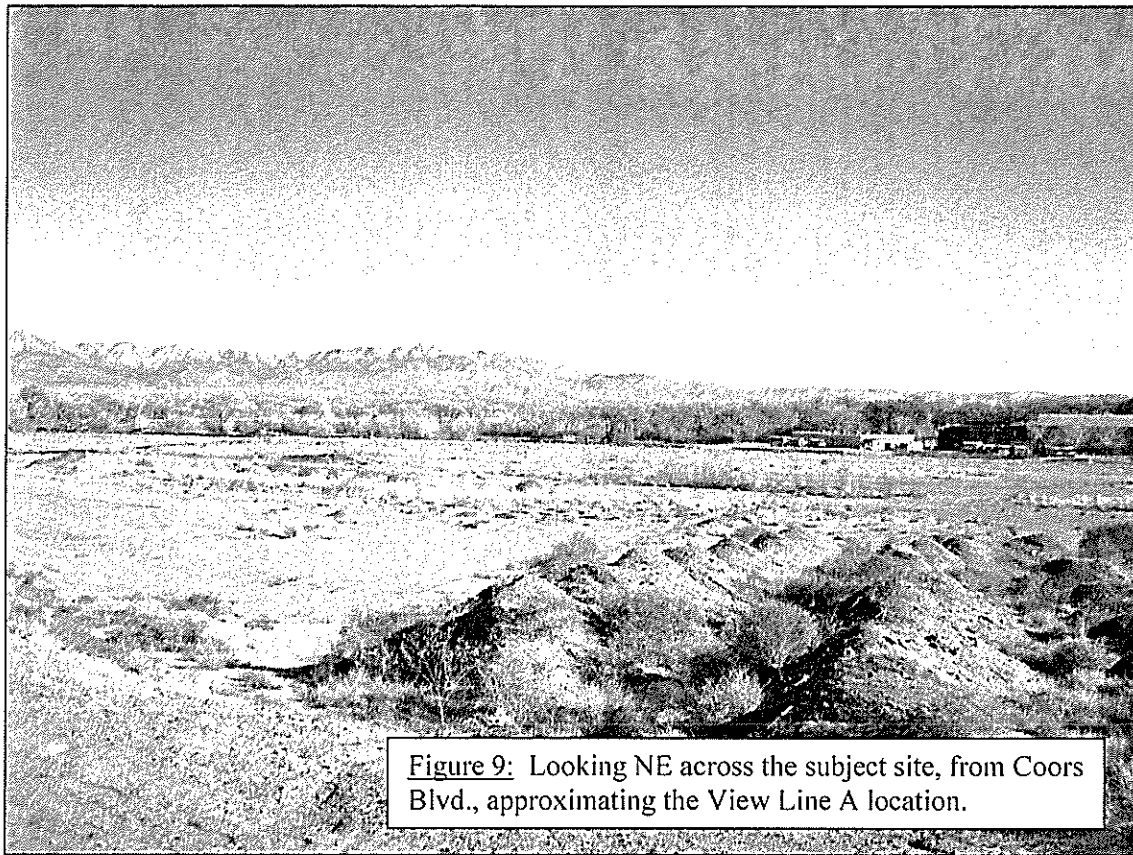
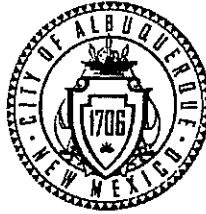


Figure 8: Looking W at the subject site, from Mirandela St.



HISTORY



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

Date: December 9, 2011

OFFICIAL NOTIFICATION OF DECISION

FILE: Project # 1003859
11EPC-40067 Site Development Plan for
Building Permit
11EPC-40068 Site Development Plan for
Subdivision Amendment

Silver Leaf Ventures, LLC
5319 Menaul Blvd. NE
Albuquerque, NM 87110

LEGAL DESCRIPTION:

Tierra West LLC, agent for Silver Leaf Ventures LLC, requests a site development plan for building permit for all or a portion of Tracts 1-3, North Andalucia at La Luz, zoned SU-1 for C-2, O-1 & PRD (20 du/ac), located on Coors Blvd. NW between Montano Rd. NW and Mirandela St., containing approximately 24 acres; and a site development plan for subdivision amendment for all or a portion of Tracts 1-6, North Andalucia at La Luz, zoned SU-1 for C-2, O-1 & PRD (20 du/ac), located on Coors Blvd. NW between Montano Rd. NW and Learning Rd., containing approximately 60 acres. (E-12) Carmen Marrone and Catalina Lehner, Staff Planners

On December 8, 2011, the Environmental Planning Commission voted to DEFER Project 1003859 / 11EPC-40067, a request for a Site Development Plan for Building Permit and 11EPC-40068 a request for a Site Development Plan for Subdivision Amendment to the Environmental Planning Commission Hearing on January 5, 2012.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY DECEMBER 23, 2011 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.

Persons aggrieved with any determination of the Environmental Planning Commission (EPC) 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 of the EPC's decision is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday, the next working day is considered as the deadline for filing 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 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)(11), a change to the zone map does not become official until the Certification of Zoning 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 thorough the Planning Director that the Planning Commission extend the plan's life an additional five years.

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.

Sincerely,



 Deborah Stover
Planning Director

OFFICIAL NOTICE OF DECISION
PROJECT #1003859 IIEPC-40067 & 40068
DECEMBER 8, 2011
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cc: NCA Architects & Planners, 1306 Rio Grande Blvd. NW, Albuquerque, NM 87104
Team Broadcasting, Inc. 4131 Barbara Loop SE, Suite 2B, Rio Rancho, NM 87124
Patsy Nelson, 3301 La Rambla NW, Albuquerque, NM 87120
Jim Wolcott, 6420 Camino del Arbol NW, Albuquerque, NM 87120
David Waters, 5601 La Colonia Dr. NW, Albuquerque, NM 87120
Rene' Horvath, 5515 Palomino Dr. NW, Albuquerque, NM 87120
Dan Serrano, 4409 Atherton Way NW, Albuquerque, NM 87120
D. Anthony Segura, 2000 Selway Pl. NW, Albuquerque, NM 87120
Gerald Worrall, 1039 Pinatubo Pl. NW, Albuquerque, NM 87120
Cindy Patterson, 7608 Elderwood NW, Albuquerque, NM 87120



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

Date: 26 June 2008

AMENDED OFFICIAL NOTIFICATION OF DECISION

FILE: Project# 1000901*
08EPC-40049 AMEND ZONE MAP
08EPC-40051 AMEND SITE DEV PLAN –
SUBDIVISION (BOSQUE SCHOOL)
08EPC-40052 AMEND SITE DEV PLAN –
BLDG PERMIT (BOSQUE SCHOOL)
08EPC-40055 AMEND SITE DEV. PLAN FOR
SUBD (ANDALUCIA NORTH)
08EPC-40056 AMEND SITE DEV. PLAN
FOR SUBD (ANDALUCIA SOUTH)

Bosque School
4000 Learning Rd. NW
Albuq. NM 87120

LEGAL DESCRIPTION: for all or a portion of Tracts 7, 8 and 9, North Andalucia at La Luz, Tract 4A, Bosque Preparatory School and Tract 4, Ray A. Graham III Ovenwest Corp. from SU-1 for C-2, O-1 and PRD (20 du/a), SU-1 for School and Related Facilities and SU-1 for PRD (6 du/a) to SU-1 for School and Related Facilities and SU-1 for School Recreation and Private Commons Area, located on Learning Rd NW between Coors Rd NW and Rio Grande Bosque NW containing approximately 47.11 acres. (F-12) Russell Brito, Staff Planner

On June 19, 2008 the Environmental Planning Commission voted to approve Project 1000901/08EPC 40049, a zone map amendment, for:

Tract 7 and Tract 9A (southern portion of existing Tract 9), North Andalucia at La Luz, from SU-1 for O-1, C-2 and PRD (20 du/a) to SU-1 for School and Related Facilities (approximately 2.27 acres total), and

Tract 4, Ray A. Graham III Ovenwest Corp., from SU-1 for PRD (6 du/a) to SU-1 for School Recreation and Private Open Space (approximately 11.89 acres),

based on the following Findings and subject to the following Conditions:

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FINDINGS:

1. This is a request for a zone map amendment for Tract 4, Ray Graham III Owenwest Corp. from SU-1 for O-1, C-2 and PRD (20 du/a) to SU-1 for School and Related Facilities and for Tracts 7 and 9A (southern portion of existing Tract 9), North Andalucia at La Luz, from SU-1 for O-1, C-2 and PRD (20 du/a) to SU-1 for School and Related Facilities.
2. The proposal is to rezone Tract 7 (1 acre) and a southern portion of Tract 9 (1.27 acres, proposed Tract 9A) to SU-1 for School and Related Facilities. The proposed uses for the tracts are permanent parking on Tract 7 and temporary parking on Tract 9A. The zoning of Tract 4 (11.89 acres) would change to SU-1 for School Recreation and Private Open Space. There are existing tennis courts and a soccer field on the tract and the applicant proposes to continue using it for outdoor recreation and open space.
3. Tract 8 (Learning Road) and new Tract 9B retain SU-1 for C-2, O-1 Uses, and PRD (20 du/a) zoning. Rezoned Tract 7 would not be contiguous with other lots zoned SU-1 for School and Related Facilities as it is separated from them by Tract 8.
4. SU-1 zoning requires a site development plan approved by the EPC and signed off at DRB per 14-16-2-22 (A) of the Zoning Code. The applicant proposes to consolidate all the tracts in their ownership into the existing Bosque School SDP for Subdivision, with design guidelines, which would control future development of the subject site.
5. The proposed zoning designations further the following applicable goals, objectives and policies in the Albuquerque/Bernalillo County Comprehensive Plan (CP), the West Side Strategic Plan (WSSP) and the Coors Corridor Plan (CCP):
 - a. CP Developing Urban Area Goal and Policy II.B.5.i. and CCP Land Use Policy 5, because they would enable expansion of an existing private school that is complementary to, and compatible with, the nearby residential neighborhood.
 - b. CP Developing Urban Area Policies II.B.5.d. and g., WSSP Goal 6, Objectives 3 and 6, Policy 3.18, and CCP Policies 2.1, 2.2, 3.8, 4.A.3, and 4.B.1, because the zone changes, in particular on Tract 4, respects natural environmental conditions and natural resources of the Bosque by preserving open space.
 - c. CP Policy II.B.5.e and WSSP Objective 6, because they concern sites where urban facilities and services are available.
 - d. CP Policy II.D.7.d and WSSP Objective 7, because they enable expansion of a private college preparatory school, that offers alternative educational opportunities for community residents including an emphasis on environmental stewardship and civic responsibility.
 - e. WSSP Objective 4 and Policy 3.16, because they enable expansion of an educational facility, which is an appropriate use on land in, and adjacent to, a community activity center and contributes to the sense of community in the area.

- f. CP Policies II.B.5.1 and m, WSSP Goal 6, and Objective 3, CCP Policies 4.A.1, 4.A.2, 4.C.1, because the zone changes, particularly on Tract 4, will maintain open space, help protect the Bosque environment and preserve views within and beyond the Coors Corridor.

6. The applicant has provided an acceptable justification for the request per R-270-1980:
- a. *The proposed special use zoning, for school and related facilities and for school recreation and private open space, is consistent with the health, safety, morals, and general welfare of the city. (Section 1.A.)*
 - b. *The applicant has provided an acceptable justification for the change and has demonstrated that the requested zoning will not destabilize land use and zoning in the area, because it will allow for the appropriate growth of an existing school within the neighborhood and retain the overarching special use zone. (Section 1.B.)*
 - c. *The applicant cited a preponderance of applicable goals and policies of the Comprehensive Plan (CP), the Coors Corridor Plan (CCP), and the West Side Strategic Plan (WSSP) that are furthered by this request. These include: the CP Developing Urban Area Policies II.B.5.d, e., g., l., and m.; CCP Environmental Policies 2.1 and 2.4, Land Use Policies 3.5 and 3.8, and Visual Impressions Policies 4.A.1 and 4.A.2; and WWSP Community Activity Center Policies 1.12, 1.13, and 1.14, and Taylor Ranch Community Policies 3.16 and 3.18.*
In addition, the request also furthers CP Activity Center Policies II.B.7.f and Education Policy II.D.7.d and WWSP Objectives 4, 6 and 7. (Section 1.C.)
 - d. *The applicant justified the change based on changed conditions including: the master planning of land (Andalucia North and South) surrounding the original school site for a variety of uses and residential densities; and the applicant's purchase and development of Tract 4 for outdoor recreational purposes.*
The applicant also justified the request based upon the proposed zoning being more advantageous to the community per adopted city goals and policies cited under Section C. The applicant emphasized that the zone change will enable the existing school to expand its facilities in a cohesive way and strengthen its complementary role to the surrounding residential uses. The expansion is supported by the multi-modal accessibility of the subject site. The affected neighborhoods are not opposed to the change. (Section 1.D.)
 - e. *None of the uses specified in the proposed special use zoning will be harmful. (Section 1.E.)*
 - f. *The applicant will be required to fund any associated infrastructure improvements. (Section 1.F.)*
 - g. *Economic considerations are not the determining factor for the request. (Section 1.G.)*
 - h. *Location of the site is not a factor in this analysis. (Section 1.H.)*
 - i. *This request constitutes a justified spot zone. It facilitates realization of the Comprehensive Plan, the West Side Strategic Plan and the Coors Corridor Plan. (Section 1.I.)*
 - j. *The request does not constitute a strip zone. (Section 1.J.)*

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7. The La Luz and Taylor Ranch Neighborhood Associations, and property-owners within 100' of the subject site were notified of the request. No facilitated meeting was held. No comments were received and there is no known opposition to the request. The La Luz Neighborhood Association has submitted a letter of support for this request.

CONDITIONS:

1. Future use of Tract 4, Ray A. Graham III Owenwest Corp., and COA, zoned SU-1 for School Recreation and Private Open Space, shall not include any buildings. Any new structures shall require Administrative Amendment approval.
2. Final DRB sign-off of associated site development plans: 08EPC-40051, -40052, -40055, and -50056.
3. Replatting of Tract 4A, Bosque Preparatory School and Tract 9A (southern portion of existing Tract 9), North Andalucia at La Luz, into one lot with a single zoning designation of SU-1 for School and Related Facilities.

On June 19, 2008 the Environmental Planning Commission voted to approve Project 1000901/08EPC 40055, an amendment to the Andalucia North site development plan for subdivision, for Tracts 7, 8 and 9, North Andalucia at La Luz, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for approval of an amendment to the Andalucia North site development plan for subdivision to remove Tracts 7, 8 and 9, North Andalucia at La Luz.
2. The intention is to "cut off" portions of the Andalucia North site development plan for subdivision (Tracts 7, 8 and 9) and attach them to the adjacent Bosque School site development plan for subdivision.
3. Comprehensive Plan:
 - a. The proposal demonstrates that a full range of urban land uses in the area is still possible. (Developing Urban, Policy a)

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- b. The entirety of the requests respects the existing neighbors and open space areas adjacent to and in close proximity to the subject site. The proposed development is in an area that has been master planned and where urban facilities and services can be easily obtained. The proposals complement the surrounding built and natural environments with planning and design that will result in a desirable outcome. (Developing Urban, policies d, e, g, l and m)

4. West Side Strategic Plan:

- a. The subject, private school campus continues its tradition of protecting the adjacent Rio Grande Bosque with the subject requests for sensitive expansion of the on-site facilities. (Goal 6, Objective 3)
- b. The private school use, in conjunction with the nearby built and natural environment, enhances the sense of community for the area as a destination for education, recreation and everyday living. (Objective 4)
- c. The layout and design of the campus fulfills its intention to conserve and protect the Rio Grande Bosque with lower scale buildings and accessibility via multiple modes of transportation (walking, biking, transit and automobile). (Objective 6)
- d. The existing school is an integral part of the multi-use Montañño/Coors Community Activity Center with excellent access and circulation for pedestrians, bicyclists, transit users and automobile drivers. The layout and design of the campus, the surrounding streets and adjacent trails help to protect the Bosque while promoting walking and personal interaction. (Policies 1.12, 1.13, 1.14, 3.16, 3.18)

5. Coors Corridor Plan:

- a. The existing campus and the subject requests are designed to respect the Bosque and provide opportunities for interaction with the natural environment. (Issue 2, Policies 1 & 2)
- b. Planning staff agrees with the applicant's response to these policies. The existing campus and the proposed building are aesthetically compatible with the natural surroundings and sensitive to important views. (Issue 4, A, Policies 1, 2 & 3)
- c. The existing campus and the proposed building incorporate natural amenities and appropriate landscaping. The layout of the campus, its pedestrian and vehicular access and its parking create a pleasing and functional relationship to nearby transportation corridors. The design of the campus buildings and site lighting enhance the overall visual environment and respect the night sky. (issue 4, B, Policies 1, 2, 4, 5, 7, 9 & 10)

- 6. There is no known neighborhood or other opposition to the request.

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. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
 3. Concurrent DRB sign-off of 08EPC-40056 and -40051.
-

On June 19, 2008 the Environmental Planning Commission voted to approve Project 1000901/08EPC 40056, an amendment to the Andalusia South site development plan for subdivision, for Tract 4, Ray Graham III Ovenwest Corp., based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for approval of an amendment to the Andalusia South site development plan for subdivision to remove Tract 4, Ray A. Graham III Ovenwest Corp.
2. The intention is to "cut off" a portion of the Andalusia South site development plan for subdivision (Tract 4) and attach it to the adjacent Bosque School site development plan for subdivision.
3. Comprehensive Plan:
 - a. The proposal demonstrates that a full range of urban land uses in the area is still possible. (Developing Urban, Policy a)
 - b. The proposed expansion of the existing private school will supplement an already established service use in this location. (Developing Urban, Policy i)
 - c. The entirety of the requests respects the existing neighbors and open space areas adjacent to and in close proximity to the subject site. The proposed development is in an area that has been master planned and where urban facilities and services can be easily obtained. The proposals complement the surrounding built and natural environments with planning and design that will result in a desirable outcome. (Developing Urban, policies d, e, g, l and m)

- d. The applicant does not address this policy in the justification letter, but it is applicable to this educational facility. The subject, private school has an environmental education focus that is benefited by its location along the Rio Grande Bosque. (Education Goal, Policy d)

4. West Side Strategic Plan:

- a. The subject, private school campus continues its tradition of protecting the adjacent Rio Grande Bosque with the subject requests for sensitive expansion of the on-site facilities. (Goal 6, Objective 3)
- b. The private school use, in conjunction with the nearby built and natural environment, enhances the sense of community for the area as a destination for education, recreation and everyday living. (Objective 4)
- c. The layout and design of the campus fulfills its intention to conserve and protect the Rio Grande Bosque with lower scale buildings and accessibility via multiple modes of transportation (walking, biking, transit and automobile). (Objective 6)
- d. The campus is adjacent to both recreational commuter trails and is easily accessible by pedestrians and bicyclists. There are no parking areas between the buildings on campus. (Policy 1.5)
- e. The existing school is an integral part of the multi-use Montañño/Coors Community Activity Center with excellent access and circulation for pedestrians, bicyclists, transit users and automobile drivers. The layout and design of the campus, the surrounding streets and adjacent trails help to protect the Bosque while promoting walking and personal interaction. (Policies 1.12, 1.13, 1.14, 3.16, 3.18)

5. Coors Corridor Plan:

- a. The existing campus and the subject requests are designed to respect the Bosque and provide opportunities for interaction with the natural environment. (Issue 2, Policies 1 & 2)
- b. Planning staff agrees with the applicant's response to these policies. The existing campus and the proposed building are aesthetically compatible with the natural surroundings and sensitive to important views. (Issue 4, A, Policies 1, 2 & 3)
- c. The existing campus and the proposed building incorporate natural amenities and appropriate landscaping. The layout of the campus, its pedestrian and vehicular access and its parking create a pleasing and functional relationship to nearby transportation corridors. The design of the campus buildings and site lighting enhance the overall visual environment and respect the night sky. (Issue 4, B, Policies 1, 2, 4, 5, 7, 9 & 10)

- 6. There is no known neighborhood or other opposition to the request.

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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. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
 3. Concurrent DRB sign-off of 08EPC-40055 and -40051.
-

On June 19, 2008 the Environmental Planning Commission voted to approve Project 1000901/08EPC 40051, an amendment to the Bosque School site development plan for subdivision, for Tracts 7, 8 & 9, North Andalucia at La Luz, Tract 4, Ray Graham III Ovenwest Corp. and Tract 4A, Bosque Preparatory School, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for approval of an amendment to the Bosque School site development plan for subdivision to incorporate Tracts 7, 8 & 9, North Andalucia at La Luz and Tract 4, Ray A. Graham III Ovenwest Corp.
2. The intention is to "cut off" portions of the Andalucia North and Andalucia South site development plans for subdivision (Tracts 7, 8 & 9 and Tract 4) and attach them to the adjacent Bosque School site development plan for subdivision.
3. Comprehensive Plan:
 - a. The proposal demonstrates that a full range of urban land uses in the area is still possible. (Developing Urban, Policy a)
 - b. The proposed expansion of the existing private school will supplement an already established service use in this location. (Developing Urban, Policy i)

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- c. The entirety of the requests respects the existing neighbors and open space areas adjacent to and in close proximity to the subject site. The proposed development is in an area that has been master planned and where urban facilities and services can be easily obtained. The proposals complement the surrounding built and natural environments with planning and design that will result in a desirable outcome. (Developing Urban, policies d, e, g, l and m)
- d. The applicant does not address this policy in the justification letter, but it is applicable to this educational facility. The subject, private school has an environmental education focus that is benefited by its location along the Rio Grande Bosque. (Education Goal, Policy d)

4. West Side Strategic Plan:

- a. The subject, private school campus continues its tradition of protecting the adjacent Rio Grande Bosque with the subject requests for sensitive expansion of the on-site facilities. (Goal 6, Objective 3)
- b. The private school use, in conjunction with the nearby built and natural environment, enhances the sense of community for the area as a destination for education, recreation and everyday living. (Objective 4)
- c. The layout and design of the campus fulfills its intention to conserve and protect the Rio Grande Bosque with lower scale buildings and accessibility via multiple modes of transportation (walking, biking, transit and automobile). (Objective 6)
- d. This private school use provides an alternative educational opportunity for students from both the west side and throughout the city. Its college preparatory program provides a quality education for its students. (Objective 7)
- e. The campus is adjacent to both recreational commuter trails and is easily accessible by pedestrians and bicyclists. There are no parking areas between the buildings on campus. (Policy 1.5)
- f. The existing school is an integral part of the multi-use Montañño/Coors Community Activity Center with excellent access and circulation for pedestrians, bicyclists, transit users and automobile drivers. The layout and design of the campus, the surrounding streets and adjacent trails help to protect the Bosque while promoting walking and personal interaction. (Policies 1.12, 1.13, 1.14, 3.16, 3.18)

5. Coors Corridor Plan:

- a. The existing campus and the subject requests are designed to respect the Bosque and provide opportunities for interaction with the natural environment. (Issue 2, Policies 1 & 2)
- b. The existing campus and the proposed building are compatible with the surrounding built and natural environment. The proposed development is not located within the 100-foot buffer strip. (Issue 3, Policies 5 and 8)
- c. Planning staff agrees with the applicant's response to these policies. The existing campus and the proposed building are aesthetically compatible with the natural surroundings and sensitive to important views. (Issue 4, A, Policies 1, 2 & 3)

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- d. The existing campus and the proposed building incorporate natural amenities and appropriate landscaping. The layout of the campus, its pedestrian and vehicular access and its parking create a pleasing and functional relationship to nearby transportation corridors. The design of the campus buildings and site lighting enhance the overall visual environment and respect the night sky. (Issue 4, B, Policies 1, 2, 4, 5, 7, 9 & 10)
 - e. The design and layout of the existing campus and the proposed building minimize impacts to views of significant features to the east of the site. (Issue 4, C, Policy 1)
6. There is no known neighborhood or other opposition to the request.

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. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
- 3. Concurrent DRB sign-off of 08EPC-40055 and -40056.
- 4. The general notes from Sheet 1 of the 20 November 2003 site development plan for subdivision should be attached to the current submittal to ensure consistency.
- 5. All subsequent site development plans shall be reviewed and acted upon by the EPC.

On June 19, 2008 the Environmental Planning Commission voted to approve Project 1000901/08EPC 40052, an amendment to a site development plan for building permit, for Tract 4A, Bosque Preparatory School and Tracts 7 and 9A (southern portion of Tract 9), North Andalucia at La Luz, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for approval of an amendment to the Bosque School site development plan for building permit to develop a new building and parking lots.
2. This request is accompanied by amendments to three site development plans for subdivision and a zone map amendment for two parcels. The new building will displace an existing parking area that is to be replaced in other locations on the school campus.
3. Comprehensive Plan:
 - a. The proposal demonstrates that a full range of urban land uses in the area is still possible. (Developing Urban, Policy a)
 - b. The proposed expansion of the existing private school will supplement an already established service use in this location. (Developing Urban, Policy i)
 - c. The entirety of the requests respects the existing neighbors and open space areas adjacent to and in close proximity to the subject site. The proposed development is in an area that has been master planned and where urban facilities and services can be easily obtained. The proposals complement the surrounding built and natural environments with planning and design that will result in a desirable outcome. (Developing Urban, policies d, e, g, l and m)
 - d. The applicant does not address this policy in the justification letter, but it is applicable to this educational facility. The subject, private school has an environmental education focus that is benefited by its location along the Rio Grande Bosque. (Education Goal, Policy d)
4. West Side Strategic Plan:
 - a. The subject, private school campus continues its tradition of protecting the adjacent Rio Grande Bosque with the subject requests for sensitive expansion of the on-site facilities. (Goal 6, Objective 3)
 - b. The private school use, in conjunction with the nearby built and natural environment, enhances the sense of community for the area as a destination for education, recreation and everyday living. (Objective 4)
 - c. The layout and design of the campus fulfills its intention to conserve and protect the Rio Grande Bosque with lower scale buildings and accessibility via multiple modes of transportation (walking, biking, transit and automobile). (Objective 6)\
 - d. This private school use provides an alternative educational opportunity for students from both the west side and throughout the city. Its college preparatory program provides a quality education for its students. (Objective 7)
 - e. The campus is adjacent to both recreational commuter trails and is easily accessible by pedestrians and bicyclists. There are no parking areas between the buildings on campus. (Policy 1.5)

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- f. The existing school is an integral part of the multi-use Montañño/Coors Community Activity Center with excellent access and circulation for pedestrians, bicyclists, transit users and automobile drivers. The layout and design of the campus, the surrounding streets and adjacent trails help to protect the Bosque while promoting walking and personal interaction. (Policies 1.12, 1.13, 1.14, 3.16, 3.18)
5. Coors Corridor Plan:
- a. The existing campus and the subject requests are designed to respect the Bosque and provide opportunities for interaction with the natural environment. (Issue 2, Policies 1 & 2)
 - b. The existing campus and the proposed building are compatible with the surrounding built and natural environment. The proposed development is not located within the 100-foot buffer strip. (Issue 3, Policies 5 and 8)
 - c. Planning staff agrees with the applicant's response to these policies. The existing campus and the proposed building are aesthetically compatible with the natural surroundings and sensitive to important views. (Issue 4, A, Policies 1, 2 & 3)
 - d. The existing campus and the proposed building incorporate natural amenities and appropriate landscaping. The layout of the campus, its pedestrian and vehicular access and its parking create a pleasing and functional relationship to nearby transportation corridors. The design of the campus buildings and site lighting enhance the overall visual environment and respect the night sky. (Issue 4, B, Policies 1, 2, 4, 5, 7, 9 & 10)
 - e. The design and layout of the existing campus and the proposed building minimize impacts to views of significant features to the east of the site. (Issue 4, C, Policy 1)
6. There is no known neighborhood or other opposition to the request.

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. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
- 3. Concurrent DRB sign-off of 08EPC-40051, -40055 and -40056.

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4. The new parking lot on Tracts 7 shall provide low walls, berms and/or evergreen landscaping to screen vehicle grills and headlights from the adjacent Mirandela Road. Future development of Tract 9 shall be required to provide screening of the permanent parking lot along Mirandela Road.
5. Landscaping
 - a. All plantings shall be identified.
6. Specific colors for doors, window frames and metal panel elements shall be called out on the building elevation sheet.
7. City Engineer Conditions:
 - 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. 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. Drive aisle widths in new parking lot (Tract 7) are dependent on angle of parking spaces (see DPM). Provide information on site plan.
 - d. A concurrent platting action will be required at DRB.
 - e. Site plan shall comply and be designed per DPM Standards.
8. City Forester Conditions:
 - a. Water harvesting shall be incorporated with the new building(s) to assist with wetland planters and adjacent landscape areas.
 - b. The following questions shall be addressed on the landscape plan: Will irrigation system be set up by plant zone? Will trees be watered differently than small plants? How much water will trees receive?
9. Vehicular and pedestrian regulatory and safety signage shall be implemented along Learning Road, Mirandela road, and within the site including parking designation/identification and vehicular directional signage to all surface lots.
10. Monument signs shall be retrofit or rebuilt to provide minimum 50% contrast between graphics and background. Signs shall be down lit or internally illuminated but uplighting is not permitted.
11. Pervious Paving shall be acceptable for Tract 7.

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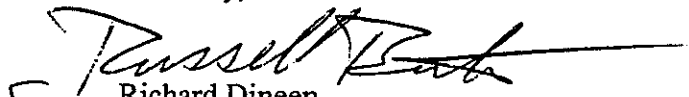
IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY **JULY 7, 2008** IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED. IT IS NOT POSSIBLE TO APPEAL EPC RECOMMENDATIONS 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).

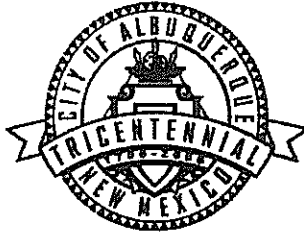
Successful applicants should be aware of the termination provisions for Site Development Plans specified in Section 14-16-3-11 of the Comprehensive Zoning Code. Generally plan approval is terminated 7 years after approval by the EPC

Sincerely,


For Richard Dineen
Planning Director

RD/RB/ac

cc: Consensus Planning Inc., 302 8th St. NW, Albuquerque, NM 87102
Jolene Wolfley, Taylor Ranch NA, 6804 Stag Horn Dr. NW, Albuquerque, NM 87120
Rene Horvath, Taylor Ranch NA, 5515 Palomino Dr. NW, Albuquerque, NM 87120
Marilyn O'Leary, La Luz Landowners, 8 Tumbleweed NW, Albuquerque, NM 87120
Rae Perls, La Luz Landowners, 15 Tennis Ct. NW, Albuquerque, NM 87120



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

Date: June 17, 2005

OFFICIAL NOTIFICATION OF DECISION

FILE: Project # 1003859
04EPC-01844 EPC Site Development Plan-
Building Permit

Silverleaf Venures, LLC
5351 Menaul Blvd. NE
Albuq. NM 87110

LEGAL DESCRIPTION: for all or a portion of Tract 6B, **Lands of Ray Graham III, Ovenwest Corp.**, zoned SU-1, O-1, C-2 and PRD, located on COORS BLVD. NW, between MONTANO ROAD NW and LEARNING ROAD NW, containing approximately 15 acres. (E-12)
Juanita Garcia, Staff Planner

On June 16, 2005 the Environmental Planning Commission voted to approve Project 1003859/ 04EPC 04EPC 01844, a Site Development Plan for Building Permit, for a portion of Tract 6B, Lands of Ray Graham III, Ovenwest Corp., and COA, zoned SU-1 for C-2 Uses, O-1 Uses and PRD (Max 20 DU/Acre) located on Coors Blvd between Montano RD NW and Learning RD NW, containing approximately 15 acres, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for a site development plan for Building Permit for a portion of Tract 6B, Lands of Ray Graham III, Ovenwest Corp., and COA. The site is located on Coors Blvd, south of Montano, zoned SU-1 C-2 Use (23.3 Acres Max), O-1 Uses (11.7 acres max) and PRD (20 DU/Acre) and contains approximately 15 acres.
2. The applicant is proposing to construct 11 buildings within eight building envelopes that range in size from 4,500 to 45,720 square feet. The applicant proposes two freestanding restaurant buildings and the remaining buildings are proposed to be used as retail. The overall site will be surrounded by public streets on three sides and an internal vehicular entrance on the north side; two roundabouts will exist, one the south and north end of the subject site. The subject site will also contain off-street parking, landscaping, signage and pedestrian connections.

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3. The site is controlled by a site development plan that was approved by the EPC on May 19, 2005 (04EPC 01845) in which the applicant was approved to subdivide Tract 6B into eight separate tracts: Tracts 6B-1, 6B-2, Tracts 6B-3, 6B-5, 6B-4, 6B-6, 6B-7, 6B-8. The applicant proposes to construct on future Tract 6B2 and 6B1.
4. The applicant is proposing to construct a freestanding sign on a portion of future Tract 6B1.
5. The subject site will be subject to and will need to comply with the Impact Fees Ordinance and the Impact Fees Regulations that are currently in process of being finalized.
6. The subject site is located in the area designated Established Urban and Developing Urban by the *Comprehensive Plan*. The submittal meets the goals of these areas by creating a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work area and life styles, while creating a visually pleasing built environment. The submittal furthers the policies of the *Comprehensive Plan* 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*). 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 to complement residential areas and to site the development in a way that minimizes adverse effects of noise, lighting pollution, and traffic on residential environments (Policy 51, *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 areas (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. The site plan represents a quality and innovative design which is appropriate to the plan area (Policy 5l, *Comprehensive Plan*).
7. This request is within a Community Activity Center as designated by the Centers and Corridors section of the *Albuquerque/Bernalillo County Comprehensive Plan*. The submittal furthers the Policies of the Community Activity Center designation as follows:

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- a. The request helps to shape an urban form in a sustainable development pattern that helps 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 Community Activity Center as defined by the *Comprehensive Plan* by providing the primary focus for the entire community sub-area with a higher concentration and greater variety of commercial and entertainment uses in conjunction with community-wide services, employment, and the most intense land uses within the community sub-area.
- c. This request will also assist in the development of a Community Activity Center as defined by the *Comprehensive Plan* by allowing the location of land uses typical of a low-rise office, educational facilities, medium density residential, senior housing and other similar uses.
- d. This request meets the policies of the *Comprehensive Plan* by providing moderate floor area ratios and urban land uses and pedestrian connections between buildings and sidewalks, buildings separating off-street parking from streets and public plaza and open space (*Comprehensive Plan*, Activity Center Goal, Policy A, Community Activity Centers).
- e. 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.).
- f. The submitted commercial development plan for the subject site along with the existing and proposed mix of development within the immediate vicinity is consistent with the Enhanced Transit designation of the adjacent arterial corridors (*Comprehensive Plan*, Transportation and Transit Goals and Policies).

8. Transportation:

- a. A Traffic Impact Study (TIS) was completed by the applicant in October of 2004 and has been reviewed by the Planning Department (Transportation Development) and the Department of Municipal Development (DMD). The study was conducted in accordance with the scoping letter and procedures cited in the City's Development Process Manual.
- b. In addition, in March of 2005, a Supplemental Traffic Analysis was provided by the applicant to support the access approved at the intersection of Street B and Montano Road.
- c. Coors Boulevard is a limited access, principal arterial with bicycle lanes as designated on the Long Range Roadway System and Long Range Bikeways System.
- d. The City Engineer may require up to six (6) additional feet of right-of-way on Coors Boulevard to accommodate the designated bicycle lane.
- e. The ultimate cross-section for Coors Boulevard adjacent to the proposed site includes 4 northbound travel lanes consistent with the Coors Corridor Plan (see figure 6).

- f. Consistent with the Coors Corridor Plan intersection access policy (see policy 5), access approximately midway between Montano Road and Dellyne Avenue at Street "B" is right-in, right-out only.
 - g. Exceptions to the access policy to allow for the proposed left-in access from southbound Coors Boulevard to Street "B" will require the approval of the Metropolitan Transportation Board (MTB) of the Mid-Region Council of Governments. The City Of Albuquerque has indicated that it will support this request to the Council of Governments based upon the TIS and demonstration that the addition of this left-in access will have beneficial impacts to the Coors/Dellyne/Learning Road intersection.
 - h. Montano Road is a limited access, minor arterial with a proposed grade separation at Winterhaven Road as designated on the Long Range Roadway System and on the Coors Corridor Plan. However, no grade separated intersection has been planned, designed or programmed as of this date.
 - i. In the future, if a grade separation is constructed, north-south traffic at Winterhaven will pass under Montano, but no connection will be allowed between Montano and Winterhaven Road. However, in the interim, the City Engineer and the Director of the Department of Municipal Development have allowed for a right-in, right-out and left in at the intersection of Street B and Montano Road.
 - j. Learning Road will serve as a partial public and partial private road. The areas designated as public or private are identified on the site development plan and the subdivision plat. The portion of Learning Road east of the existing City right-of-way is designated to remain a private road, which will provide access to Bosque School and the City Lift Station Access Road only.
 - k. In order to minimize adverse impacts to the Learning Road/La Luz Connector Road intersection and the Coors/Learning Road intersection, Bosque School has agreed to open access from the school to Street B during the morning and afternoon peaks and during special events.
9. The proposed request meets the Transportation and Transit provision of the *Albuquerque/Bernalillo County Comprehensive Plan* with a goal to "provide a balanced circulation system through efficient placement of employment and services, and encouragement of bicycling, walking, and use of transit/ paratransit as alternatives to automobile travel, while providing sufficient roadway capacity to meet mobility and access needs." The submittal furthers the Policies of the Transportation and Transit provision as follows:
- a. The subject site has been reviewed for street design, transit service and development form consistent with Transportation Corridors and Activity Center policies established in the *Comprehensive Plan*.

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- b. The site is adjacent to Coors Blvd and Montano Road, both designated as Enhanced Transit Corridors as identified in the Comprehensive Plan's Activity Centers and Transportation Corridors Map.
 - c. The subject site will contain some access control along Coors Blvd and Montano Road.
 - d. Enhanced Transit Corridors are to operate at a Level of Service (LOS) of "D" or better. The City may allow for lower LOS at an intersection by substituting transit improvements which facilitate transit vehicles bypassing congestion at the intersection for auto improvements; or may be allowed to substitute transit improvements, employee travel demand strategies, and mixed use developments which lower overall trip generation in place of auto based improvements in order to mitigate traffic impacts of a development. The Design Guidelines for the subject site includes a Transportation Demand Management (TDM) plan that will encourage alternative modes of transportation in place of auto based improvements in order to mitigate traffic impacts of this development.
 - e. All intersections near the subject site have transit emergency vehicle signal preemption, the capability of a selected lane for transit and will contain right turn lanes along Coors Blvd.
 - f. The subject site will contain pedestrian circulation that will maximize pedestrian connections to transit stops and between developments.
 - g. The subject site will contain public sidewalks adjacent to the site between 6-8 feet in width.
 - h. Dedicated Bicycle lanes are provided along Coors Blvd and Montano Road.
 - i. The submittal includes a network of internal bike lanes that will provide connections from the site to adjacent facilities on Coors and Montano.
10. The subject site is within the Taylor Ranch Community as identified in the *West Side Strategic Plan* and is within the community's Community Activity Center. The proposed development will include retail, office and multi-family residential uses that are appropriate for the Taylor Ranch Community Center (Policy 3.16, WSSP) and will respect the existing neighborhood values as required in Policy 5d, Established Urban, Comprehensive Plan. In addition, the site is an appropriate location for continued growth due to its contiguous location to the rest of the City and efficient location for receiving City services. (Policy 3.12, WSSP)
11. A remaining intact portion of the "Montano Pueblo" lies within the northern boundary of this site. Two smaller archeological sites are also identified with the site. The affected sites will need to comply with all the goals and policies under *Issue 2, Policy 6, Archeological Sites*, of the *Coors Corridor Plan*, which states, "development within an identified archeological site shall obtain clearance and guidance from the State Historic Preservation Office before actual development begins."
12. The applicant has obtained clearance from the State Historic Preservation Office with the preferred method of mitigation to contain the burial sites in place and fill the sites with sterile soil to create a sloped surface. The approved mitigation plan also included a commitment to redesign

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the parking area and leave a portion of the Montano Pueblo site undeveloped, provide for a "protective covenant", and provide materials for public interpretation such as information signs.

13. If transportation mitigation is required along Montano Road, adjacent to the subject site, and it is determined there may be encroachment in the archeological site, then further review and approval from the State Historic Preservation Officer may be required.
14. The subject site contains an area of habitat for the Tawny Bellied Rat, a State listed species of concern. An agreement was reached between the applicant, the City Of Albuquerque Open Space Division and the abutting Bosque School to relocate the Tawny Bellied Rat to suitable sites.
15. During the review of this application in December of 2004 a preliminary Air Quality Impact Analysis(AQIA) was not required. However, policy has changed within the Planning Department that now requires a preliminary AQIA. The applicant has submitted a preliminary AQIA and has been reviewed and approved by the Environmental Health Department in accordance with Section 14-16-3-14 of the Comprehensive City Zoning Code.
16. The submitted site plan meets the applicable general policies, site planning and architecture policies, view preservation policies, and signage policies contained in the *Coors Corridor Plan*.
17. The site plan contains the information required by the *Comprehensive City Zoning Code* for a site development plan for building permit. The submittal presents the exact structure locations (including signs), structure elevations and dimensions, parking facilities, any energy conservation features of the plan (e.g. appropriate landscaping, building heights and siting for solar access, provision for non-auto transportation, or energy conservational building construction), and the proposed schedule for development.
18. There have been two facilitated meetings between the applicant and the affected neighborhood associations and two non-facilitated meeting to discuss the issues related to the subject request. As an agreement during these meetings, the applicant will not allow for any drive-through restaurants or gas stations on the subject site.
19. Based on the review of the traffic studies and related testimony the EPC recognizes that significant long-range traffic solutions in the Coors and Montano area require a major redesign and reconstruction of the Coors/Montano intersection. Consequently, the EPC urges that the City Council place the redesign/reconstruction of the Coors/Montano intersection on the TCIP or CIP as quickly as possible.

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 including elements of the Coors Corridor Plan. A letter shall accompany the submittal, specifying all modifications that

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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 Development Plan for Building Permit shall be amended to include a note that states: Fast Food Restaurants with drive-up windows and gas stations shall not be permitted.
3. The submittal shall contain Floor Area Ratio (F.A.R.) calculations on the submittal. The subject request shall not exceed an F.A.R. of 0.35.
4. No building elements are allowed to projecting within the 35' setback area along Coors Blvd as per the Coors Corridor Plan.
5. The applicant shall ensure that final approval has been granted from the State Historic Preservation Officer for the remedial proposal of the three archeological sites on the subject site.
6. Parking:
 - a. The submittal shall demonstrate the type of CMU to be used and/or the finished product that is used on the proposed 12' high loading area screen walls and shall ensure that all walls on the subject site meet the requirements of the Design Standards and Section 14-16-3-19 of the Comprehensive City Zoning Code.
 - b. The proposed wall adjacent to Coors Blvd shall contain "Stucco Color 2" instead of "Stucco Color 1."
 - c. A notation shall be included on the submittal specifying that, "If restaurants with alcoholic beverages are sold for on premise consumption, the applicant shall demonstrate that parking will meet the standards as provided in the Comprehensive City Zoning Code for the number of spaces required for all of the proposed/existing uses." Or create a shared parking agreement as provided for in the Comp Plan.
 - d. All pertinent information regarding handicap spaces shall be clearly identified on the submittal, including their exact locations, the exact size of each space, the location of upright handicap signs and the location of the handicap accessibility from the off-street parking spaces to the buildings.
 - e. The submittal shall contain a notation specifying that all parking barriers will be two-feet away from any public sidewalk, abutting lot, pedestrian walkway, landscaped area or any wall or fence.
 - f. A 3' high wall or dense landscape screen shall be installed along the parking areas west of Buildings 6B2.9 – 6B2.12 and west of the internal driveway to allow for a definitive pedestrian walkway.
 - g. The submittal shall contain a notation that references if shopping carts will be stored within the off-street parking areas. If the applicant is providing storage units for shopping carts within the off-street parking areas, the calculation for off-street parking spaces shall

- h. be modified to reflect the existence of these storage units. In addition, the submittal shall be noted to identify the exact location of the shopping cart storage units.
 - i. Two additional bicycle racks, containing five spaces each in the vicinity of Building 6B2.14 and Building 6B2.13 shall be added to the submittal. The design and color of all the proposed bicycle racks shall be demonstrated on the plan and shall be consistent with the color of the proposed buildings.
 - j. All pedestrian crosswalks are required to be a minimum of six feet in width. The submittal shall demonstrate the exact width for each pedestrian crosswalk or provide an illustration of a typical pedestrian crosswalk.
 - k. The width of all pedestrian walks adjacent to buildings shall be specified on the submittal. All pedestrian walkways shall meet the width requirements specified in Section 14-16-3-1 and Section 14-16-3-18 of the Comprehensive City Zoning Code.
 - l. The pedestrian walks adjacent to Buildings 6B2.4 & 6B2.7 shall meet the 8 foot width requirements specified in Section 14-16-3-1 and Section 14-16-3-18 of the Comprehensive City Zoning Code.
 - m. Businesses within the subject site shall comply with the Transportation Demand Management Plan specified in the site development plan for subdivision. In addition, the applicant shall meet with a representative from the Transit Department to determine the needs of the applicant and to determine if changes can be made to adjacent routes and schedules to reflect those needs.
7. The submittal shall demonstrate the location of light bollards or building mounted light fixtures as illustrated in the Site Development Plan for Subdivision. A notation shall be added on the submittal indicating that all light fixtures will meet Section, 14-16-3-9, Area Lighting Regulations of the *Comprehensive City Zoning Code*.
8. Landscaping:
- a. The Site Development Plan for Subdivision for the subject site requires sites to "identify and preserve Cottonwood trees, where feasible." The submittal shall demonstrate the location of any Cottonwood trees for the subject tract(s) and the feasibility of preserving such trees.
 - b. The submittal does not comply with the "Parking Area Setbacks" noted within the "Setback" section of the Design Regulations of the Site Development Plan for Subdivision, which indicates, "To allow for an appropriately sized landscaped buffer adjacent to roadways, parking areas shall be setback as follows: 15'." This buffer pertains to all roadways surrounding the subject site. The submittal shall contain a 15' wide landscape buffer in all parking areas adjacent to a roadway way.

9. Architectural/Signs:

- a. All of the buildings must comply with *Issue 4, Visual Impression and Urban Design Overlay Zone* of the *Coors Corridor Plan* that specifies, "In no event will the building height be permitted to penetrate above the view of the ridge line of the Sandia Mountains as seen from four feet above the east edge of the roadway. Also, in no event will more than one-third of the total building height outside of the setback area for multi-story buildings be permitted to penetrate through the view plane." The applicant shall ensure that all single story or multi-story buildings and towers comply with this requirement.
- b. The submittal shall contain detailed drawing of the stairs proposed between the subject site and Coors Blvd and demonstrate the materials and color to be used for the rails and steps. The material should be consistent with the special paving that is proposed throughout the site.
- c. The elevation drawings shown on page A002 and A003 are for buildings that are no longer part of this application. Sheet A002 shall be removed from the submittal.
- d. The following building facades shall contain architectural features no less than 50% of the entire length of the façade:

Building	6B2.4	Façade: West
Building	6B2.4	Façade: South
Building	6B2.5 & 6	Façade: West
Building	6B2.9	Façade: East
Building	6B2.8	Façade: South

In addition, these facades shall not contain a blank façade greater than 30 feet in length.

- e. The submittal shall specify the approximate location of the mechanical equipment for each building and shall specify the method used for screening. Screening shall be in compliance with Section 14-16-3-18 (C)(5) of the General Building & Site Design Standards for Non-Residential Uses.
- f. The submittal shall contain a note specifying the exact number and location of outdoor seating that demonstrates compliance of Section 14-16-3-19 of the *Comprehensive City Zoning Code*. The design of the outdoor seating shall be demonstrated on the submittal and shall be complimentary of the design and material of the proposed buildings. The use of plastic furniture shall be avoided.
- g. The notation utilized for the proposed freestanding sign regarding stone veneer wainscot shall be corrected to remain consistent with the illustration of the entire sign, which demonstrates an entire coverage of stone veneer.

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- h. The illustration of the 27' high freestanding signs on the submittal shall be substituted by nine-foot high freestanding signs. The design and construction of the nine-foot high freestanding sign shall be similar to the design provided for the 6' 3" high freestanding sign. The site development plan for subdivision shall be amended to reflect to remove the last two bullets under "Signage" and the illustration of the 27' high freestanding sign.
- 10. The applicant must comply with the following conditions of approval as specified by the City Engineer, the Department of Municipal Development, The Public Works Department and the NM Department of Transportation:
 - 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 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. Completion of the required TIS mitigation measures (when determined), per Transportation Development Staff. Transportation mitigation measures may be accomplished through a combination of Transportation Impact Fees, the Impact Fees Regulations and the TIS recommendations.
 - d. Street B shall intersect with Coors Blvd. at no less than an 80 degree skew. Every effort should be made to provide a connection at 90 degrees.
 - e. Dedicated right turn deceleration lanes will be required at site drives per DPM and/or TIS requirements. Left turn lanes required at site drives where permitted and as approved.
 - f. Existing Learning Rd. will need to intersect with New Street /Winterhaven Rd. at no less than an 80 degree skew. Every effort should be made to provide a connection at 90 degrees.
 - g. Roundabouts will need to meet design requirements of Publications FHWA-RD-00-067 and AASHTO.
 - h. Medians within 100' calming area (Street A) will need to be designed to accommodate left turning vehicles. Will also need to meet AASHTO and DPM criteria (site distance). Provide detail for this area.
 - i. Provide detail and location of bump outs.
 - j. Provide cross sections for Streets A, B and New Street/Winterhaven Rd.
 - k. 10' radius curb returns may not be allowed in high volume traffic areas or in truck circulation areas (includes emergency vehicles and solid waste).
 - l. Site plan shall comply and be designed per DPM Standards.

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- m. Platting must be a concurrent DRB action.
 - n. Dedication of an additional 6 feet of right-of-way along Coors Boulevard, as required by the City Engineer, to provide for on-street bicycle lanes as designated on the Long Range Bikeways System.
 - o. Construction of the northbound bicycle lane along Coors Boulevard, adjacent to the subject property, as designated on the Long Range Bikeways System.
 - p. Dedication of additional rights-of-way, as necessary, and construction of the fourth northbound travel lane on Coors Boulevard adjacent to the subject property consistent with the *Coors Corridor Plan* (see figure 6).
 - q. Approval of the proposed left-in access from southbound Coors Boulevard to Street "B" by the Metropolitan Transportation Board (MTB) of the Mid-Region Council of Governments.
 - r. Access at Montano and Winterhaven will be restricted to right turn in/right turn out and left in as approved by the Director of Municipal Development. Must be accompanied by a written agreement between the applicant and the City Of Albuquerque.
 - s. A notation shall be added on the submittal that reads, "When the future grade separation is constructed access will no longer be allowed to Montano Road from Winterhaven consistent with the Long Range Roadway System."
 - t. Access coordination is required with NMDOT.
11. Prior to making application for DRB review, the applicant shall meet with Planning Staff to review the conditions of approval.
12. The applicant shall notice two officers of each affected neighborhood associations by certified mail approximately two weeks prior to the submittal of this application to the DRB.
13. The concrete rear outfall proposed on the submittal shall be designed and constructed in conjunction with the Open Space Division.
14. Enlarge the windows in the tower with the width being the same as between the bottom bases of the tower elements and heights being adjusted accordingly.
15. The site plan shall be modified to accommodate 6 motorcycle parking spaces and shall not reduce any off street parking spaces from the submittal.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY JULY 1, 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.

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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.

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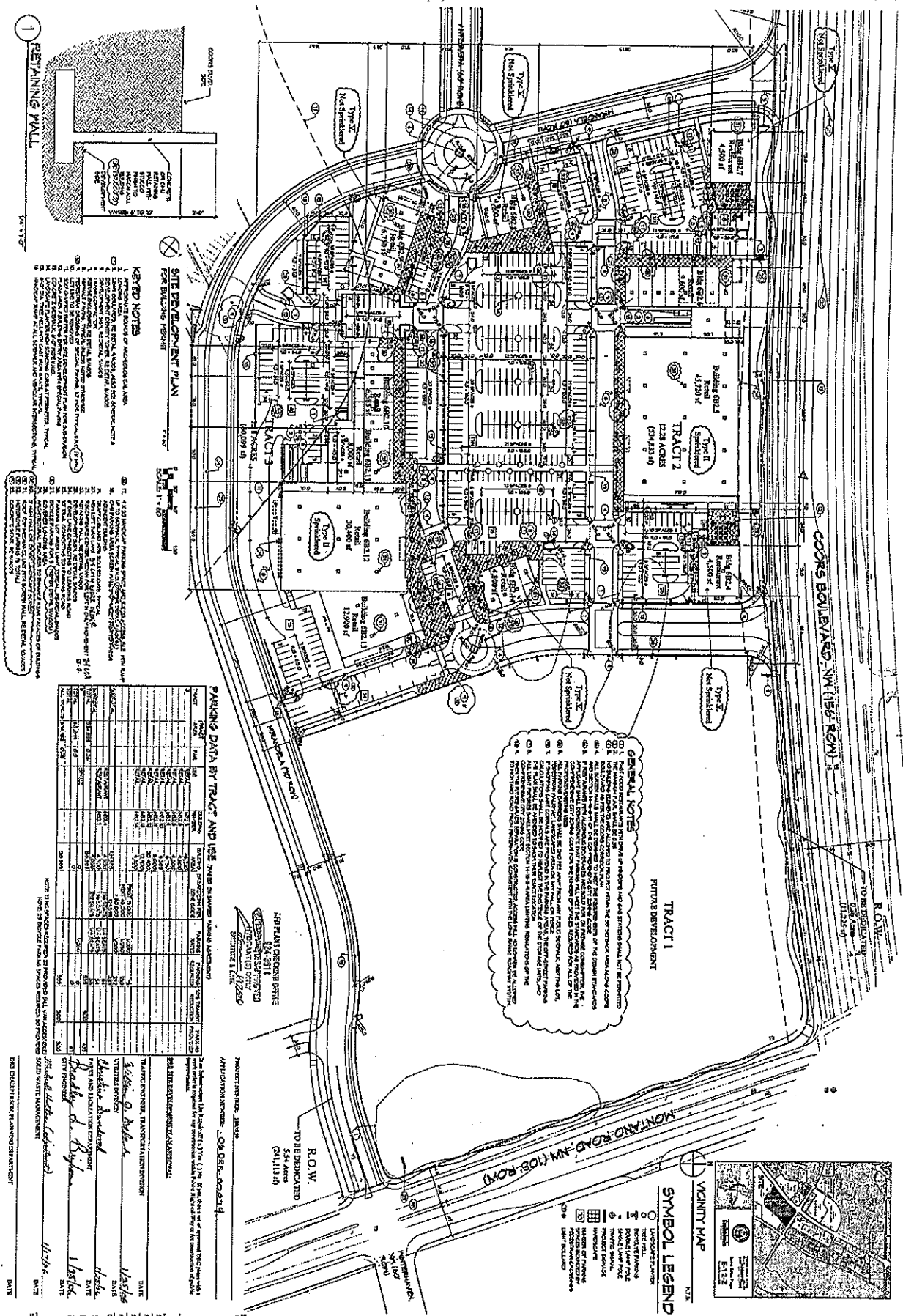
Successful applicants should be aware of the termination provisions for Site Development Plans specified in Section 14-16-3-11 of the Comprehensive Zoning Code. Generally plan approval is terminated 7 years after approval by the EPC

Sincerely,


Richard Dineen
Planning Director

RD/JG/ac

cc: Consensus Planning, Inc., 924 Park Ave. SW, Albuquerque, NM 87102
Rae Perls, La Luz Landowners Assoc., 15 Tennis Crt. NW, Albuquerque, NM 87120
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Don MacCormack, Taylor Ranch NA, 5300 Hattiesburg NW, Albuquerque, NM 87120
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Bill Jack Rodgers, 8308 Cedar Creek Dr. NW, Albuquerque, NM 87120
Lynn Perls, 500 4th St. NW, Ste 205, Albuquerque, NM 87102
Frank Hale, 5 Tennis Court NW, Albuquerque, NM 87120
Lois Sloan, 21 Tennis Court NW, Albuquerque, NM 87120
Rene Horvath, 5515 Palomino Dr. NW, Albuquerque, NM 87120
Susan Shotland-Rodriguez, 7224 Carson Trail NW, Albuquerque, NM 87120

[illegible]



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

Date: May 20, 2005

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project # 1003859**
04EPC-01845 EPC Site Development Plan-
Subdivision

Silverleaf Ventures, LLC
5351 Menaul Blvd NE
Albuquerque, NM 87110

LEGAL DESCRIPTION: for all or a portion of Tract(s) A & 6B, **Lands of Ray Graham III, Ovenwest Corp.**, zoned SU-1, O-1, C-2 and PRD, located on COORS BLVD. NW, between MONTANO ROAD NW and LEARNING ROAD NW, containing approximately 70 acre(s). (E-12) Juanita Garcia, Staff Planner

On May 19, 2005 the Environmental Planning Commission voted to approve Project 1003859/#04EPC-01845, a Site Development Plan for Subdivision, 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 6B & A, Lands of Ray Graham III, Ovenwest Corp., and COA. The site is located on Coors Blvd, south of Montano, zoned SU-1 C-2 Use (23.3 Acres Max), O-1 Uses (11.7 acres max) and PRD (20 DU/Acre) and contains approximately 70 acres.
2. The site was originally part of a larger site development plan (Project 1000965) known as Andalucia, but the applicant has requested to be separated from that larger site development plan to create a new site development plan (Project 1003859). A new name has been provided for the subject site, which will be identified as "North Andalucia at La Luz."
3. The applicant is proposing to re-plat the two separate tracts into nine new tracts and no zone map amendments are proposed with this request. The applicant is proposing design guidelines within the site development plan for subdivision that will help guide for consistency and a quality that is complementary of the subject site area.
4. The applicant's submittal demonstrates that future Tracts 6B-1 and 6B-2 will contain C-2 uses; Tracts 6B-3 and 6B-5 will contain O-1 uses and Tracts 6B-4, 6B-6, 6B-7, 6B-8 and 6B-9 will

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contain PRD uses. Based on the information that has been provided on the submittal, it appears that the applicant will have 22.51 acres of C-2 uses, 5.05 acres of O-1 uses and 34.98 acres of PRD uses.

5. This case was heard by EPC at the January 20, 2005 all day EPC hearing and was approved with findings and conditions but was appealed by the La Luz Landowners Association and was heard by the Land Use Hearing Officer (LUHO) who recommended that this application be remanded back to EPC to allow for a more "a more thorough record and make findings regarding the proposed streets and traffic flows and patterns." The recommendation was approved by City Council; therefore, this case has been remanded back to the EPC.
6. Since the January 20, 2005 EPC hearing, comments made by the Department of Municipal Development (DMD) have been separated from the consolidated comments provided by the Traffic Engineer. While the DMD recommended a deferral, the negotiations regarding traffic mitigation measures are more appropriately performed prior to Development Review Board (DRB) sign-off of the Site Development Plan for Subdivision.
7. The subject site is located in the area designated Established Urban and Developing Urban by the *Comprehensive Plan*. The submittal meets the goals of these areas by creating a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work area and life styles, while creating a visually pleasing built environment. The submittal furthers the policies of the *Comprehensive Plan* 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*). 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 to complement residential areas and to site the development in a way 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 areas (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*).

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- e. The site plan represents a quality and innovative design which is appropriate to the plan area (Policy 51, *Comprehensive Plan*).
 - f. This request represents redevelopment and rehabilitation of an older neighborhood in the Established Area (Policy 50, *Comprehensive Plan*).
8. This request is within a Community Activity Center as designated by the Centers and Corridors section of the *Albuquerque/Bernalillo County Comprehensive Plan*. The submittal furthers the Policies of the Community Activity Center designation as follows:
- a. The request helps to shape an urban form in a sustainable development pattern that helps 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 Community Activity Center as defined by the *Comprehensive Plan* by providing the primary focus for the entire community sub-area with a higher concentration and greater variety of commercial and entertainment uses in conjunction with community-wide services, employment, and the most intense land uses within the community sub-area.
 - c. This request will also assist in the development of a Community Activity Center as defined by the *Comprehensive Plan* by allowing the location of land uses typical of a low-rise office, educational facilities, medium density residential, senior housing and other similar uses.
 - d. This request meets the policies of the *Comprehensive Plan* by providing moderate floor area ratios and urban land uses and pedestrian connections between buildings and sidewalks, buildings separating off-street parking from streets and public plaza and open space (*Comprehensive Plan*, Activity Center Goal, Policy A, Community Activity Centers).
 - e. The subject site contains high-density 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.).
9. Transportation:
- a. A Traffic Impact Study (TIS) was completed by the applicant in October of 2004 and has been reviewed by the Planning Department (Transportation Development) and the Department of Municipal Development (DMD). The study was conducted in accordance with the scoping letter and procedures cited in the City's Development Process Manual.
 - b. In addition, in March of 2005, a Supplemental Traffic Analysis was provided by the applicant to support the access approved at the intersection of Street B and Montano Road.
 - c. Coors Boulevard is a limited access, principal arterial with proposed bicycle lanes as designated on the Long Range Roadway System and Long Range Bikeways System.

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- d. The City Engineer may require up to six (6) additional feet of right-of-way on Coors Boulevard to accommodate the designated bicycle lane.
 - e. The ultimate cross-section for Coors Boulevard adjacent to the proposed site includes 4 northbound travel lanes consistent with the Coors Corridor Plan (see figure 6).
 - f. Consistent with the Coors Corridor Plan intersection access policy (see policy 5), access approximately midway between Montano Road and Dellyne Avenue at Street "B" is right-in, right-out only.
 - g. Exceptions to the access policy to allow for the proposed left-in access from southbound Coors Boulevard to Street "B" will require the approval of the Metropolitan Transportation Board (MTB) of the Mid-Region Council of Governments. The City Of Albuquerque has indicated that it will support this request to the Council of Governments based upon the TIS and demonstration that the addition of this left-in access will have beneficial impacts to the Coors/Dellyne/Learning Road intersection.
 - h. Montano Road is a limited access, minor arterial with a proposed grade separation at Winterhaven Road as designated on the Long Range Roadway System and on the Coors Corridor Plan. However, no grade separated intersection has been planned, designed or programmed as of this date.
 - i. In the future, if a grade separation is constructed, north-south traffic at Winterhaven will be able to pass under Montano, but no connection will be allowed between Montano and Winterhaven Road. However, in the interim, the City Engineer and the Director of the Department of Municipal Development have allowed for a right-in, right-out and left in at the intersection of Street B and Montano Road.
 - j. Learning Road will serve as both a public and private road. The areas designated as public or private are identified on the site development plan and the subdivision plat. The portion of Learning Road east of the existing City right-of-way is designated to remain a private road, which will provide access to Bosque School and the City Lift Station Access Road only.
 - k. In order to minimize adverse impacts to the Learning Road/La Luz Connector Road intersection and the Coors/Learning Road intersection, Bosque School has agreed to open access from the school to Street B during the morning and afternoon peaks and during special events.
10. The subject site will be subject to and will need to comply with the Impact Fees Ordinance and the Impact Fees Regulations that are currently in process of being finalized.
11. The proposed request meets the Transportation and Transit provision of the *Albuquerque/Bernalillo County Comprehensive Plan* with a goal to "provide a balanced circulation system through efficient placement of employment and services, and encouragement of bicycling, walking, and use of transit/ paratransit as alternatives to automobile travel, while

providing sufficient roadway capacity to meet mobility and access needs." The submittal furthers the Policies of the Transportation and Transit provision as follows:

- a. The subject site has been reviewed for street design, transit service and development form consistent with Transportation Corridors and Activity Center policies established in the *Comprehensive Plan*.
 - b. The site is adjacent to Coors Blvd and Montano Road, both designated as Enhanced Transit Corridors as identified in the Comprehensive Plan's Activity Centers and Transportation Corridors Map.
 - c. The subject site will contain some access control along Coors Blvd and Montano Road.
 - d. Enhanced Transit Corridors are to operate at a Level of Service (LOS) of "D" or better. The City may allow for lower LOS at an intersection by substituting transit improvements which facilitate transit vehicles bypassing congestion at the intersection for auto improvements; or may be allowed to substitute transit improvements, employee travel demand strategies, and mixed use developments which lower overall trip generation in place of auto based improvements in order to mitigate traffic impacts of a development. The Design Guidelines for the subject site includes a Transportation Demand Management (TDM) plan that will encourage alternative modes of transportation in place of auto based improvements in order to mitigate traffic impacts of this development.
 - e. All intersections near the subject site have transit emergency vehicle signal preemption, the capability of a selected lane for transit and will contain right turn lanes along Coors Blvd.
 - f. The subject site will contain pedestrian circulation that will maximize pedestrian connections to transit stops and between developments.
 - g. The subject site will contain public sidewalks adjacent to the site between 6-8 feet in width.
 - h. Dedicated Bicycle lanes are dedicated along Coors Blvd and Montano Road.
 - i. The submittal includes a network of internal bike lanes that will provide connections from the site to adjacent facilities on Coors and Montano.
12. The subject site is within the Taylor Ranch Community as identified in the *West Side Strategic Plan* and is within the community's Community Activity Center. The proposed development will include retail, office and multi-family residential uses that are appropriate for the Taylor Ranch Community Center (Policy 3.16, WSSP) and will respect the existing neighborhood values as required in Policy 5d, Established Urban, *Comprehensive Plan*. In addition, the site is an appropriate location for continued growth due to its contiguous location to the rest of the City and efficient location for receiving City services. (Policy 3.12, WSSP)
13. A remaining intact portion of the "Montano Pueblo" lies within the northern boundary of this site. Two smaller archeological sites are also identified with the site. The affected sites will need to comply with all the goals and policies under *Issue 2, Policy 6, Archeological Sites*, of the *Coors Corridor Plan*, which states, "development within an identified archeological site shall obtain

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clearance and guidance from the State Historic Preservation Office before actual development begins.”

14. The applicant has obtained clearance from the State Historic Preservation Office with the preferred method of mitigation to contain the burial sites in place and fill the sites with sterile soil to create a sloped surface. The approved mitigation plan also included a commitment to redesign the parking area and leave a portion of the Montano Pueblo site undeveloped, provide for a “protective covenant”, and provide materials for public interpretation such as information signs. At this point, the applicant is not proposing any development in the area that contains the “Montano Pueblo” therefore; this issue can be finalized at a later date.
15. If transportation mitigation is required along Montano Road, adjacent to the subject site, and it is determined there may be encroachment in the archeological site, then further review and approval from the State Historic Preservation Officer may be required.
16. The subject site contains an area of habitat for the Tawny Bellied Rat. An agreement was reached between the applicant, the City Of Albuquerque Open Space Division and the abutting Bosque School to relocate the Tawny Bellied Rat to suitable sites.
17. During the review and approval of this application in January of 2005 a preliminary Air Quality Impact Analysis(AQIA) was not required. However, policy has changed within the Planning Department that now requires a preliminary AQIA. The applicant has submitted a preliminary AQIA and has been reviewed and approved by the Environmental Health Department in accordance with Section 14-16-3-14 of the Comprehensive City Zoning Code.
18. The submitted site plan meets the applicable general policies, site planning and architecture policies, view preservation policies, and signage policies contained in the *Coors Corridor Plan*.
19. The site plan contains the information required by the *Comprehensive City Zoning Code*. It presents the site, the proposed uses, pedestrian and vehicular ingress and egress, internal circulation requirements and the maximum building heights allowed, and the nonresidential uses’ maximum floor area ratio.
20. There have been two facilitated meetings between the applicant and the affected neighborhood associations and one non-facilitated meeting to discuss the issues related to the subject request and in accordance with the Land Use Hearing Officer’s (LUHO) recommendation. As an agreement during these meetings, the applicant will not allow for any drive-through restaurants or gas stations on the subject site.
21. The applicant intends to assess the “grove of cottonwood trees” on the subject site by an arborist to determine the health of the trees.
22. Based on the review of the traffic studies and related testimony the EPC recognizes that significant long-range traffic solutions in the Coors and Montano area require a major redesign and reconstruction of the Coors/Montano intersection. Consequently, the EPC urges that the City

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Council place the redesign/reconstruction of the Coors/Montano intersection on the TCIP or CIP as quickly as possible.

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 Development Plan for Subdivision shall be amended to include a note that states: Fast Food Restaurants with drive-up windows and gas stations shall not be permitted.
3. If transportation mitigation requires an encroachment of the existing archeological site adjacent to Montano Road, further review and approval will be required from the State Historic Preservation Officer.
4. In order to minimize adverse impacts to the Learning Road/La Luz Connector Road intersection and the Coors/Learning Road intersection, Bosque School has agreed to open access from the school to Street B during the morning and afternoon peaks and during special events. A gate and appropriate signage shall be provided along Learning Road by the developer of the commercial tract in conjunction with Phase One.
5. The applicant must comply with the following conditions of approval as specified by the City Engineer, the Department of Municipal Development, The Public Works Department and the NM Department of Transportation:
 - 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 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. Completion of the required TIS mitigation measures (when determined), per Transportation Development Staff. Transportation mitigation measures may be accomplished through a combination of Transportation Impact Fees, the Impact Fees Regulations and the TIS recommendations.

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- d. Street B shall intersect with Coors Blvd. at no less than an 80 degree skew. Every effort should be made to provide a connection at 90 degrees.
- e. Dedicated right turn deceleration lanes will be required at site drives per DPM and/or TIS requirements. Left turn lanes required at site drives where permitted and as approved.
- f. Existing Learning Rd. will need to intersect with New Street /Winterhaven Rd. at no less than an 80 degree skew. Every effort should be made to provide a connection at 90 degrees.
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- o. Construction of the northbound bicycle lane along Coors Boulevard, adjacent to the subject property, as designated on the Long Range Bikeways System.
- p. Dedication of additional rights-of-way, as necessary, and construction of the fourth northbound travel lane on Coors Boulevard adjacent to the subject property consistent with the *Coors Corridor Plan* (see figure 6).
- q. Approval of the proposed left-in access from southbound Coors Boulevard to Street "B" by the Metropolitan Transportation Board (MTB) of the Mid-Region Council of Governments.
- r. Access at Montano and Winterhaven will be restricted to right turn in/right turn out and left in as approved by the Director of Municipal Development. Must be accompanied by a written agreement between the applicant and the City Of Albuquerque.
- s. A notation shall be added on the submittal that reads, "When the future grade separation is constructed access will no longer be allowed to Montano Road from Winterhaven consistent with the Long Range Roadway System."
- t. Access coordination is required with NMDOT.

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6. The existing median on Learning Road just east of Coors Boulevard is well landscaped with native plants. The proposed development will require modification to the intersection of Learning Road and the La Luz access road including the median. The applicant has agreed to rebuild the median and re-vegetate it to the pre-modification level of landscaping.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY **JUNE 3, 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.

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Sincerely,


for Richard Dineen
Planning Director

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RD//ac

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Jo Allen, 1 Tumbleweed NW 87120
Andrew Wooden, 8 Arco NW 87120
Dana Asbury, 1509 Stanford Dr NE 87106
Frank W. Ikle, 5 Tennis Ct NW 87120
Joanne G. Kimmey, 6 Link NW 87120
Bennett King, 10 Arco NW 87120
Robert Peters, 10 Tumbleweed NW 87120