



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

Date: July 21, 2006

OFFICIAL NOTIFICATION OF DECISION

FILE: Project # 1004167
05EPC -01225 Site Development Plan-
Subdivision

La Orilla Group LLC
5445 Edith NE, Suite F
Albuq., NM 87107

LEGAL DESCRIPTION: for all or a portion of Lots 1-9, 10A & 10B, **Bosque Plaza**, zoned C-1 (SC), located on the west side of COORS BLVD. NW, between SE CORNER of LA ORILLA and COORS BLVD. NW, containing approximately 11.46 acres. (E-12) Catalina Lehner, Staff Planner

On July 20, 2006 the Environmental Planning Commission voted to approve Project 1004167/05EPC 01225, a request for a Site Development Plan for Subdivision, for Lots 1-9, 10A and 10B of the Bosque Plaza Shopping Center, zoned C-1 (SC), based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for approval of a site development plan for subdivision with design standards for Lots 1-9, 10A and 10B of the Bosque Plaza Shopping Center, an approximately 12 acre site. This request includes creation of Lot 10-C and a corresponding new lot line.
2. The 11 Bosque Plaza lots are zoned C-1 (SC), a designation received upon annexation in 1987. The C-1 (SC) zoning ensures that subsequent requests for development on individual lots will come before the Environmental Planning Commission (EPC).
3. This site plan for subdivision replaces the 1987 approval (Z-87-69).
4. First presented at the August 18, 2005 EPC hearing, this request has been in the (EPC) process for a year. It has taken this amount of time to develop meaningful design standards.
5. This request was heard and then deferred for 60 days at the April 20, 2006 EPC hearing. The applicant was asked to obtain cooperation of the owners of Lots 2 and 3 to make the Winterhaven Road connection possible.

6. The site plan for subdivision *further*s the following Comprehensive Plan policies:
 - A. Policy II.B.5.c-Programmed facilities/neighborhood integrity. Urban services are already available.
 - B. Policy II.B.5.1-Design quality/innovation. Architectural style and colors are limited to ensure their appropriateness to the Plan area.
7. The site plan for subdivision *partially further*s the following Comprehensive Plan policies:
 - A. Policy II.B.5.d-Neighborhood values/natural environmental conditions. Architectural style and colors are limited, but the number of drive-thru uses is not.
 - B. Policy II.D.4.g-Transportation and transit. The site plan could do more to create safe and pleasant non-motorized travel conditions by limiting the number of drive-thru uses.
 - C. Policy II.B.5.i-Employment/service use location. Bosque Plaza is located in a mostly commercial area, but residential uses have developed nearby.
 - D. Policy II.B.5.j-Location of new commercial development. Bosque Plaza is not an area-wide shopping center, but could function as a neighborhood shopping center if it was better connected to the surrounding area.
8. The site plan for subdivision *partially further*s the following West Side Strategic Plan (WSSP) policies:
 - A. Policy 3.18-Development east of Coors/Bosque preservation. Architecture styles are limited and will blend with natural environmental conditions. Building elements, however, are unrestricted.
 - B. Policy 4.6-Design guidelines sections/policies. The site plan will ensure Bosque view preservation by complying with CCSDP regulations, but potentially distracting building elements are unrestricted.
 - C. Policy 4.10-Land use/vehicle alternatives. Separate vehicle and pedestrian entrances and pedestrian paths are included, but promoting single-occupancy vehicle alternatives is difficult without limiting the number of drive-thrus.
9. The site plan for subdivision *does not further* the intent of WSSP Policy 3.16-uses in Centers, and Policy 1.1-Community and Neighborhood Centers, though it *further*s Policy 3.12-contiguous location for growth.
10. Regarding the Coors Corridor Sector Development Plan (CCSDP), the site plan for subdivision *further*s the following policy: Policy 4.a.3-New development. Colors and architectural style are limited.
11. The site plan for subdivision *partially further*s the following CCSDP policies:
 - A. Policy 4.b.9.A.2-Site Lighting Regulation. It limits pole height but not exterior lighting.
 - B. Policy 4.d.1-Signage Regulation. It meets basic requirements but does not provide for limitations that would further the intent of preserving the surrounding environment.

C. Policy 7-Access. Separate vehicle and pedestrian access is provided, but the pedestrian paths are proposed on drive aisles.

12. The submittal complies with the following CCSDP policies:
- A. Policy 4.b.2.A.1-Building Setback Regulation, because the 35 foot setback is required.
 - B. Policy 4.b.4.A.2-Site Landscaping Regulation, because refuse enclosures and utility boxes will be screened.
 - C. Policy 4.c.1-Views preservation, because the site plan specifies that buildings shall comply with CCSDP views preservation regulations.
 - D. Design Guideline 2 of Policy 4.b.10-Architectural Details, because building colors are limited, but any color can be used for building elements.
 - E. Design Guideline 3 of Policy 4.b.10-Architectural Details, because franchise architecture and corporate decorations are prohibited.
 - F. Policy 4.b.2.B.1-Height and Bulk Regulation, because height is per the underlying zone and CCSDP views regulations.
 - G. Policy 4.b.4.A.6-Site Landscaping Guideline, because it mentions refuse enclosures and fencing must be compatible with building architecture.
 - H. Policy 4.b.4.B.2-Site Landscaping Regulation, because crushed rock, river rock or similar materials can be top dressing but not groundcovers.
 - I. Policy 4.b.5.B.1-Off-Street Parking Regulation-Landscaping, because a minimum 20% of the parking areas shall be landscaped.
 - J. Policy 4.b.5.B.2-Off-Street Parking Regulation, because at least one tree is provided for every 10 parking spaces and every 15 linear parking spaces.
13. Limiting the number of drive-thru uses is appropriate in Bosque Plaza because drive-thru uses promote auto-oriented sites, discourage pedestrians and generate traffic that could compromise Bosque protection at La Orilla Road.
14. A connection at Winterhaven Road is not needed because the recently widened Montano bridge can accommodate two turning lanes from southbound Coors to eastbound Montano, and the access control median at the Montano/Winterhaven intersection minimizes turning movement delays.
15. Connecting the Riverside Plaza and Bosque Plaza shopping centers will serve local traffic, promote pedestrianism, maintain the residential nature of Winterhaven Road and create synergy between commercial uses.
16. This connection will be provided between Riverside Plaza Lots 7A and 8A and between Bosque Plaza Lots 4 and 5.
17. The neighborhoods are opposed to a connection at Winterhaven Road. They support uniform architecture, limiting the number of drive-thru uses and connecting Bosque Plaza to the Riverside Plaza shopping center.

17. A note in the file re: #16.

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 final DRB sign off, the applicant shall meet with the Development Review staff planner to ensure that conditions of approval are thoroughly addressed. Evidence of this meeting shall be provided to the DRB at the time of application.
3. A vehicular (and pedestrian) connection shall be provided between Lot 4 and Lot 5 to internally link the Bosque Plaza and Riverside Plaza shopping centers.
4. ~~References to a Winterhaven Road connection shall be removed from the site plan.~~
5. **CONDITIONS FROM THE CITY ENGINEER, MUNICIPAL DEVELOPMENT, WATER AUTHORITY and NMDOT:**
Conditions of approval for the proposed Site Development Plan for Subdivision shall include:
 - 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 subdivision. 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. Per Transportation Development Staff, completion of the required system improvements that are attributable to the development, as identified in the TIS, is required.
 - d. Site plan shall comply and be designed per DPM Standards.
 - e. Platting must be a concurrent DRB action.
 - f. Construction of the bicycle lane along Coors Boulevard adjacent to the subject property, as designated on Long Range Bikeways System map.
 - g. Construction of the fourth northbound travel lane on Coors Boulevard adjacent to the subject property consistent with the Coors Corridor Plan (see figure 6).

OFFICIAL NOTICE OF DECISION
JULY 20, 2006
PROJECT #1004167
PAGE 5 OF 6

6. Drive thru uses shall be limited as follows: 2 fastfood restaurants and 1 financial institution. No other drive thru uses shall be allowed.
7. There shall be no cell phone towers.
8. Building signage shall be limited to 6% of the building facades to which it is applied.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY AUGUST 4, 2006 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,



Richard Dineen
Planning Director

RD/CL/ac
OFFICIAL NOTICE OF DECISION
JULY 20, 2006
PROJECT #1004167
PAGE 6 OF 6

cc: Jim Strozier, Consensus Planning, 302 Eighth St. NW, Albuquerque, NM 87102
Rene Horvath, Taylor Ranch NA, 5515 Palomino Dr. NW, Albuquerque, NM 87120
Jolene Wolfley, Taylor Ranch NA, 6804 Staghorn NW, Albuquerque, NM 87120
Ken Brudos, Alban Hills NA, 6441 Via Corta del Sur NW, Albuquerque, NM 87120
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