

CONDITIONS OF APPROVAL:

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. All traffic improvements as described in the letter from Tierra West, LLC dated March 3, 2005, shall be in place prior to issuance of a Certificate of Occupancy.
3. Prepare a follow-up cut-through traffic study within one year after obtaining Certificate of Occupancy to determine if further traffic mitigation measures are needed.
4. Notes 6 and 7 on Sheet 2 are duplicates. One of these notes should be deleted.
5. Walls:
 - a. Label the screen walls with the Number 11 to match the Site Legend.
 - b. Provide a 4'-5' high solid wall around the perimeter of the employee patio to protect the employees from blowing debris and truck traffic.
 - c. Add a general note on the site plan indicating that all walls will be built in accordance with the Wall Design Regulations, Section 14-16-3-19 of the Zoning Code.
6. The site plan indicates that a refuse container is located on the Petsmart site but the arrow points to the building itself. This note needs to be corrected. The dumpster locations and design must comply with all Solid Waste Management Department ordinances and requirements.
7. Parking:
 - a. The site data table provided on Sheet 2 must be consistent with the site data table provided on Sheet 1.
 - b. Delete the "Parking Data" information from Sheet 2 except for the information regarding cart corrals.
 - c. Provide a note on the Site Plan that indicates a "smart" shopping cart system will be installed.
 - d. Add a note shall on the site plan indicating that "No RV or Semi Parking" will be allowed.
 - e. The parking along Northeastern Blvd. shall be screened in accordance with Section 14-16-3-1.E.4 of the Zoning Code.
 - f. Provide a minimum of three bicycle parking spaces adjacent to each of the four new smaller buildings and revise the site data table to reflect the correct number of bicycle spaces provided.
 - g. Revise Note 10.A on Sheet 2 to reflect the correct number of bicycle spaces provided (40).

OFFICIAL NOTICE OF DECISION

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- h. Amend Site Data Table to reflect the correct number of handicap parking spaces. The required handicap parking spaces for the restaurants is 4 spaces each, not 8. The total handicap parking required is 42 spaces, not 50.
 - i. Indicate handicap parking on Parcels 2 and 3.
 - i. Provide a minimum of four (4) handicap parking spaces in front of Petsmart, preferably adjacent to the n/s walkway.
 - j. Traffic control signs shall be installed within the site.
 - k. Off street parking shall be in accordance with the off street parking requirements of the Zoning Code.
8. Provide a bus shelter, per Transit approval, at the current stop just south of the right-turn bay near the bank building.
9. Note 4 on Sheet 2 shall include language restricting light pole height to 16' if pole is within 100' of a residential zone.
10. Landscaping:
- a. Along with the Austrian Pine, the landscape plan should include other evergreen trees such as Arizona Cypress and/or Rocky Mountain Juniper.
 - b. Provide a minimum of four large-scale trees along Wyoming Blvd. in front of the parking area that serves Parcel 4-A.
 - c. The north/south pedestrian walkways shall be combined to provide a minimum 20' wide promenade with shade and seating. Shade shall be in the form of trees spaced 30' on center and planted in minimum 36 square-foot planters.
 - d. Provide additional shade trees along the entire length of the pedestrian walkway located immediately west of the Wal-Mart building. The shade trees shall be spaced approximately 30-feet on center to screen the Wal-Mart western façade.
 - e. All Bradford Pears shall be replaced with Golden Rain Tree and/or Honey Mesquite.
 - f. All landscaping shall be watered and maintained.
 - g. The applicant shall eliminate the wall at the northwest corner of the property and replace it with landscaping.
11. A minimum of six seats shall be provided in the sidewalk area in front of the 12,000 sf retail building. In addition, a note should be added to the site plan stating that the property owner will be responsible for maintaining all outdoor public spaces.

Here's our 1st objection

12. Elevations:

- a. The building elevations shall be consistent with the Albuquerque (ec) NM 4-20-05 color rendering submitted to EPC. All four sides of the Wal-Mart building will require articulated treatment to include a combination of modern, simplified pueblo style and southwest regionalism. The elevations will utilize sloped roofs flanking vestibules to emphasize the entries and other specific design features. Trellises and covered portals will be provided along the front of the building to shade the walkways and to emphasize the pedestrian scale of the building. Materials will be a combination of painted finished split face concrete block, exterior insulated finish system (E.I.F.S.), concrete tile on sloped roofs, wood trellises supported on concrete masonry columns, glass store fronts at the entrances, and ornamental fencing. A wainscot will be installed on major features of the building. Colors will be typical of the southwest and will be soft red and buff grey on the base with patina green clay tile on the sloped roofs. Accent colors will range from rosemary green to beige.
- b. Replace the chain link fence with plastic slats with some other type of fence.
- c. The design of the front facades of the Petsmart Store and the Dollar Tree Store does not satisfy the design requirements of the Zoning Code, Section 14-16-3-18.C.2. Additional features such as awnings, trellises, display windows, raised planters, etc. shall be added to the front facades of both buildings.

(Lower height signs)

13. The proposed monument signs along Northeastern must be removed unless the applicant obtains a variance from the Zoning Hearing Examiner.
14. Sheet 11, General Signage Note D states that all signage will meet the requirements of Zoning Code Section 14-16-3-5, General Sign Regulations. This note needs to be amended to refer to ~~Section 14-16-3-2, Shopping Center Regulations.~~
15. Relocation of the wireless telecommunication tower will require EPC approval.
16. The applicant shall address Planning staff's memo of March 24, 2005 and demonstrate how the stated objectives will be accomplished.
17. The tire and lube facility shall restrict operations between the hours of 9:00 p.m. and 5:00 a.m.
18. Truck deliveries shall be restricted between the hours of 10 p.m. and 5:00 a.m.
19. Prior to DRB sign off, the Environmental Health Department shall review and approve the Preliminary AQIA and certify that emissions do not exceed standards.
20. Restrict left turn access onto Northeastern.
21. Proposed expansion in building square footage within this site development plan area must be reviewed and approved by the EPC. Administrative amendments for increased building area are not permitted.

22. CONDITIONS FROM THE CITY ENGINEER:

- a. 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).
- b. Completion of the required TIS mitigation measures, per Transportation Development Staff, must be completed if assumed to be in place for the current TIS for this site (i.e. street improvements recommended in the Traffic Impact Study (TIS)).
- c. Provide truck circulation route.
- d. Provide a more distinct connection between this site plan/proposal and existing retail to the north (i.e. adjacent to existing bank, that is to remain, and around lease lot 3/Super Wal-Mart connecting back to existing north/south drive aisle).
- e. Re-align existing entrance, adjacent to existing Black Angus Restaurant, to provide for a more direct/perpendicular connection to existing north/south main drive aisle adjacent to proposed Super Wal-Mart. This may require median modifications in Wyoming Blvd.
- f. Site plan shall comply and be designed per DPM Standards.
- g. Platting must be a concurrent DRB action.
- h. A revised utility plan must be submitted to and approved by Utility Development prior to DRB sign-off. That plan must include the Fire Marshal's approval and provide the instantaneous flow requirements.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY MAY 6, 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.