

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

Date: July 21, 2000

OFFICIAL NOTIFICATION OF DECISION

M.S. Development
12626 High Bluff Dr., STE 330
San Diego, CA 92310

FILE: 00128 00000 00588/00110 00000
00596/00138 00000 00597

LEGAL DESCRIPTION: For portions of Lots 57 and 58 plus approval of a Site Plan for Subdivision and Site Plan for Building Permit for Lots 57-59, part of 60 and Lot B, Town of Atrisco Grant, Unit 6, located on Central Avenue between Coors Blvd. and Unser Boulevard containing approximately 18.0 acres. (K-10) Bob Torres, Staff Planner
(DEFERRED FROM JUNE 15, 2000)

On July 20, 2000 the Environmental Planning Commission voted to approve 00110 00000 00596, a zone map amendment from SU-1 PDA and C-2 to C-2 zone with signage restrictions, the signage restrictions are those that are shown on the plan based on the following Findings:

FINDINGS:

1. This is a request for a Zone Map Amendment to change zoning from SU-1 PDA to C-2 for a 7.75 acre parcel on the west portion of an 18.0 acre site located on the southwest quadrant of Coors Boulevard SW and Central Avenue, more particularly described as portions of Lots 57 and 58, and a portion of the Airport Drive vacation, Town of Atrisco, Unit 6, approximately 7.75 acres.
2. The existing zoning is SU-1 PDA "as regulated in the C-2 zone". The proposed zoning will not allow any uses not already allowed under existing zoning. The zone change serves to consolidate the site under one zone designation. Despite deletion of SU-1 designation, EPC site plan review is still required under the Shopping Center regulations
3. The Zone Map Amendment request is justified under Resolution 270-1980 under the "more advantageous to the community" test because the proposed development would facilitate development of an infill site and provide employment and services where they do not currently exist.

4. The Applicant cites the southward extension of Coors Boulevard which has occurred since the 1985 adoption of the *West Route 66 Sector Development Plan* and changes in market conditions, notably the advent of "big box" retailers, as "changed community conditions". These are not changed conditions as intended by Resolution 270-1980 but they provide reasonable rationale for the proposed development. The Zone Map Amendment request is justified under Resolution 270-1980 as indicated in Finding 3, above.
5. This request is in conformance with applicable *Comprehensive Plan* policies which encourages a full range of urban land uses, and state that new growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be assured.
6. This request is in conformance with applicable *West Side Strategic Plan* policies because the proposed site is located in the Central/Coors Village Center. The eastern portion of the site is located in the Village core area and the western portion of the site is located in the Village adjacent area. The proposed commercial development is particularly appropriate for the core area according to the Plan.
7. Given the dominance of one large building on the site, *West Side Strategic Plan* policies regarding cluster development and plaza principles are difficult to address. However the proximate location of pad structures to each other and to the large building, the provision of outdoor plazas, and the general enhancement of the pedestrian environment is a reasonable response to these policies.
8. The request is in conformance with the *Southwest Area Plan* because it is consistent with the Plan's intent for commercial development. The Plan states that, "Commercial and Office centers clustered at some major intersection, as opposed to additional strip commercial uses with unlimited access, should be permitted in the Plan area north of Pajarito Road as market demand indicates" (Plan, page 18).
9. This request is in conformance with applicable *West Route 66 Sector Development Plan* policies because the eastern portion of the site is consistent with the Plan's C-2 zoning for this area. The western 7.75 acre zone change area does not change the Plan's intent for this area because the existing SU-1 PDA zone is for uses "permissive and as regulated in the C-2 zone" (Sector Plan, page 67).
10. The request is in conformance with *Resolution 91-1998 (R-70)* because it facilitates development in an infill site consistent with compact urban form.
11. Because the area of the zone change is less than 10 acres (i.e. 7.75 acres) within a Sector Plan, the EPC has jurisdiction to approve the Zone Map Amendment and the related Sector Plan amendment.
12. The applicant has agreed to the zoning language that it is C-2 with signage restrictions.

On July 20, 2000 the Environmental Planning Commission voted to approve 00138 00000 00597, an amendment to the West Route 66 Sector Development Plan based on the following Findings:

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FINDINGS:

1. This is a request for a Sector Plan Amendment to record a zone change from SU-1 PDA to C-2 for an 7.75 acre parcel on the west portion of an 18.0 acre site located on the southwest quadrant of Coors Boulevard SW and Central Avenue more particularly described as portions of Lots 57 and 58, a portion of the Airport Drive vacation, Town of Atrisco, Unit 6, approximately 7.75 acres.
 2. The 7.75 acre SU-1 PDA zone that is proposed to be changed to C-2 was created by the *West Route 66 Sector Development Plan*, therefore the Sector Plan must be amended when a zone change is approved.
 3. Because the area of the zone change is less than 10 acres (i.e. 7.75 acres) the EPC has jurisdiction to amend the Sector Plan.
 4. This request is in conformance with applicable plans as indicated above under the Zone Map Amendment Findings.
 5. The zone change is minor and does not substantially change what was intended by the Sector Plan.
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On July 20, 2000 the Environmental Planning Commission voted to approve 00128 00000 00588, a site development plan for building permit based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for a Site Plan for building Permit for an 18.0 acre site located on the southwest quadrant of Coors Boulevard SW and Central Avenue, more particularly described as Lots 57, 58 and 59, a portion 60 and Lot B; Town of Atrisco, Unit 6.
2. This request is in conformance with applicable *Comprehensive Plan* policies which encourage a full range of urban land uses and state that new growth shall be accommodated through development in areas where vacant land is contiguous to existing or programed urban facilities and services and where the integrity of existing neighborhoods can be assured.
3. This request is in conformance with other applicable plans as indicated above under the Zone Map Amendment Findings.
4. On June 15, 2000 the EPC deferred this request to July, 20, 2000 due to an incomplete submittal. The EPC nevertheless reviewed the submitted site plan and provided suggestions for revision to improve the site plan, in particular with respect to the pedestrian environment and building architecture. The current revised plans are reasonably responsive to the EPC's concerns.

CONDITIONS:

1. The submittal of this site plan to the DRB shall meet all EPC conditions; a letter shall accompany the submittal indicating how the site plan has been modified to meet each of the EPC conditions.
2. Parking capacity for 40 bicycles shall be provided. The major portion of the bicycle parking shall be located near the main entrance to the K-Mark building and shall be easily accessible to the entrance.
3. Provide dimensions of all facade elements including signage areas prior to DRB submittal. Identify colors and materials for all facade elements.
4. Provide seating at the employee outdoor areas shown on the site plan.
5. Light poles shall be maximum 27' high at a maximum. Specify down light fixtures with flush lenses and horizontal light elements to prevent fugitive light.
7. The top of all rooftop equipment and HVAC shall be below the top of parapet height.
8. Provide a detail of the cart corral.
9. The pedestrian walks for the entire length of the facade of all of the buildings shall be 15 feet minimum from face of curb to door with a 6 foot clear path.
10. Pedestrian paths that are perpendicular to parking shall be protected from overlapping parked cars by permanently anchored tire stops, by bollards or by raising the walk and widening it to allow 10' free for the pedestrian area. All crossings of drive aisles shall be raised texture of concrete or material other than asphalt and shall be a minimum of 6 feet wide.
11. Locations of refuse enclosures shall be acceptable to the Solid Waste Management Department. Provide architectural details of waste enclosure showing material, color and design compatible with the building architecture.
12. File a plat demarcating the C-2 and the SU-1 PDA zones.
13. Comply with the following Transportation Development Services conditions:
 - A) A TIS has been performed for this request. The implementation of and/or monetary contributions for mitigation measures as required by the *TIS negotiations* between the developer and the City must be completed. This includes the analysis which justifies the directional left turn-in from Coors Boulevard.
 - B) All dedications and vacations of right-of-way for Airport Road and modifications to the medians on Central Avenue require the approval of the Traffic Engineer. This includes the relocation of the existing bikeway on Airport Road, as a formal bike lanes.

JULY 20, 2000

PAGE 5

- C) The proposed modification to the access point from Coors Boulevard will require approval by the NMSH&TD as to the change in the access control line for the driveway relocation; and by the City of Albuquerque as to the provision of a left turn-in-only feature on Coors Boulevard. This action must be completed prior to DRB sign-off. Configuration of the Coors access point and construction of the required improvements to the satisfaction of the Traffic Engineer. This includes channelization, traffic stacking areas, deceleration lane, and directional left turn bay.
 - D) The relocation of the existing bikeway on Airport Road must be designed and constructed to the satisfaction of the Traffic Engineer and the Bikeways Coordinator.
 - E) The site access, circulation patterns, structure orientation / configurations must be constructed to the satisfaction of the Traffic Engineer.
 - F) The access drive from Central Avenue must be designed to align with the travel lanes on Airport Road, with a divided entrance, providing 2 lanes for entering and 2 lanes for exiting the site; a left turn bay and deceleration lane. A 100-foot throat area for staking traffic is also required.
 - G) Location of walls, fences and signs must meet the clear sight distance requirements.
 - H) Provision of adequate pedestrian circulation with handicapped features within the shopping center and to the adjacent streets, i.e., pedestrian linkages between pad sites.
 - I) The individual pad sites vehicular stacking areas must be self contained and not impede the general flow of traffic within the parking lot.
 - J) Cross access and reciprocal parking easements must be provided between pads and the adjacent properties.
 - F. The site plan must identify surrounding uses and provide dimensions where appropriate, i.e., structures, streets, medians, drive aisles, parking spaces, walls, signs, etc.
 - I. Provision of street trees and landscaping on Coors Boulevard and Central Avenue.
 - J. Coordination with the Transit Department with regard to location of required bus facilities, with direct bicycle and pedestrian access, on the adjacent streets, this includes bus turn around and holding area.
 - K) Location and dimension of proposed fire lanes must meet Fire Code requirements as per the DPM.
 - L) Coordination with the Solid Waste Department with regard to refuse container location and access.
 - P) Handicapped parking area and ramps must comply with ADA requirements. Ramps at intersection must be designed for the appropriate direction of travel for the user, i.e, uni- directional or multi-directional.
 - O) Proposed streets, circulation drives and internal parking areas must be paved as per DPM Standards. 10 foot end islands with 15 foot corner radii are needed at the end of all parking aisles.
14. Delete the north-south pedestrian/bike trail shown on the site plan.
15. Build a pedestrian/bike trail in location acceptable to Traffic Engineer and the Bikeways Coordinator.
16. Provide dimensions at all sidewalks on site plan; the minimum width of any sidewalk is 6 feet clear.
17. At all pedestrian ways of parking there shall be a minimum clear sidewalk of 6 feet with trees at 25 feet on center, they should be shade trees; also at all pad buildings where there is not a canopy or portal or awning along the entire length of the entry facade there shall be trees, shade trees at 25 feet on center with a 6 foot clear dimension for the pedestrian way. Pedestrian ways and bike paths should be separated from parking areas so as to not be confused with parking spaces.

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18. All end aisles and parking lots shall be a 10 foot minimum width. Pedestrian crossings of vehicle circulation area shall be textured concrete or material other than asphalt.
19. There are numerous parking spaces that are too far from shade trees. Shade trees should be added in parking areas at the C store location opposite the garden store, the back side of the Super K and at the east of the drive thru along Central along the sidewalk.
20. Add ADA parking at the C Store.
21. Relocate the pedestrians/bike plazas and locate them within 50 feet from the edge of the curb of the sidewalk of the entry facade of the Super K along the pedestrian ways.
22. Provide sidewalk links at the shops in the northwest corner of the site to Central at the drive thru from Central to the south to the sidewalk along the east of drive thru number one.
23. Freestanding center signs indicated on the plan shall have a maximum aggregate face area of 150 square feet per face area.
24. Signage letter size, major letters on the Super K anchor shall be a maximum of 5 feet; the logo shall be a maximum of 10 feet in height. All other signage shall have a maximum 2 foot 6 height and shall be clearly indicated on plans. Signage shall be individual channelized letters, backlit, or neon.
25. Provide architecturally integrated canopies at all drive thrus.
26. Provide architecturally integrated covers at all loading docks.
27. Reverse location of the C Store and gas canopy shown on the southwest corner of the site. The C Store shall be directly linked to a pedestrian pathway; the main pedestrian pathway that parallels the entry facade of the Super K.
28. See south elevation, the roof form indicated at the Super K shall be a full hip form.
29. Add a display window or art panel at a minimum of 50 feet on center along blank walls along the Super K main elevation facade; it should be a minimum 8 x 8 if it is a display window; it should be a minimum of 2 feet deep if it is an art piece it is art.
30. All cell towers shall be architecturally integrated.
31. There shall be no generic franchise architecture design and no plastic, backlit, fascia panels and plastic awnings.
32. All canopy lighting shall be architecturally integrated and recessed and/or shielded so that the side of a lamp is not visible or fascia or shielding.

JULY 20, 2000


PAGE 7

IF YOU WISH TO APPEAL THIS DECISION, YOU MUST DO SO BY **AUGUST 4, 2000** IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE OF \$50 IS REQUIRED AT THE TIME THE APPEAL IS FILED.

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 it decides that all City plans, policies and ordinances have not been properly followed, it shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

YOU WILL RECEIVE NOTIFICATION IF ANY OTHER 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).

Sincerely,


Robert R. McCabe, AIA, APA
Planning Director

RM/BT/ac

cc: Herb Denish & Assoc., P.O. Box 2001, Alb., NM 87103
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