

# INTER-OFFICE MEMO

DATE: July 12, 2023

TO: Jolene Wolfley, DFT Chair  
Jay Rodenbeck, Planning Manager

FROM: Catalina Lehner, AICP- Principal Planner

RE: Project #2021-005461/SI-2023-00513,  
Site Plan-EPC Major Amendment- Wyoming Mall Coffee Shop- Parcel 5-A

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## *Background*

On April 20, 2023, the EPC voted to approve a Major Amendment to the controlling Site Development Plan for Subdivision for the Wyoming Mall, which had been previously amended (Major Amendment) to add a drive-thru restaurant to Parcel 5-A. The April 2023 request added a drive-thru coffee shop to Parcel 5-A, so there are now two drive-thru uses on Parcel 5-A and in the Wyoming Mall (which was originally approved by the EPC in 2005 and signed-off in 2006).

## *Post-EPC Review*

The Staff report for the current/drive-thru coffee Major Amendment contains an attachment of the Major Amendment site plan that was reviewed, and approved conditionally, by the EPC. See p. 118 (the last page) of the compilation.

[https://documents.cabq.gov/planning/environmental-planning-commission/April%202023/Agenda\\_5\\_PR-2021-005461\\_SI-2023-00513\\_Wyoming%20Mall.pdf](https://documents.cabq.gov/planning/environmental-planning-commission/April%202023/Agenda_5_PR-2021-005461_SI-2023-00513_Wyoming%20Mall.pdf)

For a post-EPC review, we compare 1) the site plan the EPC based its decision on, with 2) the site plan the EPC based its decision on with conditions incorporated. In this case, the review is of the Major Amendment Site Plan, which is Sheet 1 of the originally approved site development plan, as compared to the post-EPC version of the same thing- plus a note explaining the amendment and any conditions shown. No other sheets are necessary for this review.

## *Results*

The Conditions of Approval in the EPC's April 20, 2023 Notification of Decision did not include the standard condition #2- to meet with the staff planner to show how the EPC's conditions were incorporated into the DFT site plan.

Rather, since the request was for a Major Amendment, the Conditions all refer to the subsequent Site Plan that the Major Amendment would make possible. Staff is not

reviewing this Site Plan as part of the post-EPC check; it is the purview of subsequent reviewers since the Site Plan was not reviewed by the EPC in this case.

1. The DFT should check for compliance with the EPC's Conditions of Approval when the revised Site Plan comes under review. The Official Notification of Decision is found here:

[https://documents.cabq.gov/planning/environmental-planning-commission/April%202023/NOD%20PR-2021-005461\\_Wyoming%20Mall.pdf](https://documents.cabq.gov/planning/environmental-planning-commission/April%202023/NOD%20PR-2021-005461_Wyoming%20Mall.pdf)

The Conditions begin on p. 5. Staff suggests asking the applicant for the standard letter detailing how each Condition has been met.

2. The note added to the post-EPC Major Amendment Site Plan is confusing and inaccurate in places.

Staff has revised the note as shown below. Please use the revised, clean version of the note to replace the note on the post-EPC Major Amendment Site Plan. Note: the note should not be in all caps.

The WYOMING MALL DEVELOPMENT WAS ORIGINALLY APPROVED as Project #1003747 (2006). WITH CASE #05DRB-0115. THIS IS THE CONTROLLING SITE Development PLAN FOR THE SUBJECT PROPERTY (Parcel 5-A) OF THIS PROPOSAL, WHICH IS APN 10225901708131301. REVISIONS ARE ONLY PROPOSED ON THE SUBJECT PROPERTY, BUT THE ENTIRE WYHOMING MALL DEVELOPMENT IS SHOWN BECAUSE THIS IS THE CONTROLLING SITE Development PLAN. THE SUBJECT PROPERTY WAS INVOLVED IN ANOTHER EPC APPROVAL, CASE PR#-2021-005461, WHICH PROPOSED a drive-through restaurant THE IMPROVEMENT OF A RAISING CANES ON THE NORTHERN HALF OF THE SUBJECT PROPERTY. THE CURRENT request PROPOSAL, CASE #SI-2023-00513, PROPOSES a drive-through coffee shop IMPROVEMENT OF A STARBUCKS ON THE SOUTHERN HALF OF THE SUBJECT PROPERTY AND is not intended DOES NOT PROPOSED TO IMPACT THE existing drive-through restaurant. PREVIOUSLY APPROVED AND CONSTRUCTED RAISING CANE'S IMPROVEMENTS.

The Wyoming Mall Development was originally approved as Project #1003747 (2006). This is the controlling site Development Plan for the subject property (Parcel 5-A). Revisions are only proposed on the subject property, but the entire Wyoming Mall Development is shown because this is the controlling Site Development Plan. The subject property was involved in another EPC approval, PR#-2021-005461, which proposed a drive-through restaurant on the northern half of the subject property. The current request, Case #SI-2023-00513, proposes a drive-through coffee shop on the southern half of the subject property and is not intended to impact the existing drive-through restaurant.