

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

Date: August 21, 1998

OFFICIAL NOTIFICATION OF DECISION

FILE: Z-98-98

LEGAL DESCRIPTION: for a portion of Lot 1, all of Lots 2 - 7, all of Lot 25, portions of Lots 26-32, Tract 2, Unit 3, Block 20, North Albuquerque Acres, in addition a portion of the Holly Avenue easement from the Wyoming right-of-way to where the north line of the Holly easement touches the south line of the Carmel Avenue right-of-way, also including Tract C, Unit 1, La Cueva Village, located on Wyoming Boulevard NE between Paseo del Norte and Carmel Avenue, containing approximately 21.4 acres. (C-19) Bob Torres, Staff Planner

On August 20, 1998, the Environmental Planning Commission voted to approve Z-98-98, a site plan for Subdivision, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for approval of a Site Plan for Subdivision for a 21.4 acre site located on the northeast quadrant of Wyoming Boulevard NE and Paseo del Norte Roadway.
2. The existing zoning for this site is C-2 (SC). Proposed uses are in conformance with zoning.
3. The Site Plan for Subdivision creates 10 lots. Four lots are proposed for Phase I development and 6 lots for future development. The total development area, Phase I and future development, is 21.4 acres.
4. Numerous transportation related comments have been submitted by the Publics Works Department to ensure the provision of adequate circulation to and within this property.
5. A traffic analysis is required to justify the indicated entry only from Paseo del Norte. Final approval is contingent on acceptance, after reviewing the traffic analysis, by the City Traffic Engineer and the New Mexico State Highway and Transportation Department. A deceleration lane along Paseo del Norte presents a hazard to safe bicycle traffic on the approved Paseo del Norte bicycle facility.
6. The submitted site plan generally meets minimum submittal requirements and applicable plan policies. The plan meets the requirements of the Window G Sector Development Plan which specifies this area as a "shopping center" site. Some modifications are needed to ensure conformance with all applicable policies and standards.

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7. A primary theme of the Window G Sector Development Plan is the creation of a village atmosphere for this development. More variation of building massing and color and increased plaza and landscape pedestrian ways will help to achieve the Window G village goals.

CONDITIONS:

1. All Public Works transportation related requirements shall be met including the following:
 - A. Coordinate with the New Mexico State Highway and Transportation Department regarding the recommendations of the Paseo del Norte feasibility study which proposes an interchange for the Paseo del Norte/ Wyoming Boulevard intersection.
 - B. The implementation of and/or monetary contributions for mitigation measures required subsequent to the TIS negotiations must be done by the developer and accepted by the City prior to site plan sign-off by the DRB.
 - C. Implement appropriate infrastructure required by the *Window G* Traffic Impact Study.
 - D. Dedicate right of way consistent with the adopted policy contained in the approved environmental clearance for the Paseo del Norte Transportation Corridor.
 - E. Dedicate 78' right of way for Wyoming Boulevard, a Principal Arterial street on the Long Range Major Street Plan.
 - F. Wyoming Boulevard access to the shopping center will be restricted to right-turns only. The Wyoming/Holly intersection to the west will be allowed a directional left turn in only for existing developments, i.e. church use. Further intensification of land uses in Window C will require traffic a impact Impact Analysis for the Wyoming intersections.
 - G. Dedicate appropriate right of way, as determined by the Traffic Engineer, along Wyoming Boulevard for a bike trail consistent with the *Trails and Bikeways Facilities Plan*.
 - H. Dedicate appropriate right of way, as determined by the Traffic Engineer, along the Domingo Baca Arroyo for a bike trail consistent with the *Trails and Bikeways Facilities Plan*.
 - I. Provide cross access and parking easements to existing lots adjacent to this development but not a part of the site plan, and any other lots created by this subdivision.
 - J. Vacate the existing Holly Avenue right of way (or easement) within the site property.
 - K. Provide trail connections to the North Domingo Arroyo Bikeway and to the Paseo del Norte Bikeway consistent with the *Bikeways Master Plan*.
 - L. A water and sewer availability statement must be must be completed prior to DRB action and the utility plan must be modified to comply with that statement.

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- M. Provide an internal vehicular circulation network that features a path-finding system of adequate signage which directs traffic to the principal access from Carmel Avenue.
 2. Future development of individual pad sites, including out parcels will require EPC approval. Future development shall be compatible with the present proposed development as to architecture, materials, colors, signage and other design requirements of the *Window G Sector Development Plan*.
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On August 20, 1998, the Environmental Planning Commission voted to approve Z-98-98, a site plan for building permit, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for approval of a Site Plan for Building Permit for a portion of a 21.4 acre site located on the northeast quadrant of Wyoming Boulevard NE and Paseo del Norte Roadway.
2. The Site Plan for Building Permit, Phase I, proposes 126,861 square feet of building with 583 parking spaces on 4 lots, 14.07 acres; and 1648 square feet of building on a 1.57 acre lot plus related parking, circulation and landscaping.
4. Numerous transportation related comments have been submitted by the Publics Works Department to address the provision of adequate circulation to and within this property and developing properties to the west.
5. The submitted site plan generally meets minimum submittal requirements and applicable plan policies; however, minor modifications are needed to ensure conformance with all applicable policies and standards.
6. Restaurant uses should not be restricted on the site; ideally they should be located at pedestrian plazas and enhance pedestrian pathways. Outdoor seating should be provided for these restaurants at these locations.
7. Variation of building color and massing and reduction of overall heights and enhanced pedestrian ways would help to achieve the primary theme of Window G plan for a village atmosphere at this site.
8. The 3 story and 2 story apartment buildings to north overlook the center from the north. Consideration of roofs scapes should be considered.
9. Paseo del Norte is a major bicycle facility which is intended to carry substantial bicycle traffic. Vehicles turning through this facility will disrupt the bicycle traffic and present a hazard to cyclists seriously disrupting the functioning of the facility.

CONDITIONS:

1. All Public Works transportation related requirements shall be met including the following:
 - A. The site access, circulation pattern, and structure orientation / configuration must be constructed to the satisfaction of the Traffic Engineer.
 - B. Required utility lines must be constructed or financially guaranteed prior to DRB approval.
 - C. An approved drainage report is required prior to DRB approval.

2. Provide the following pedestrian, bicycle and vehicle circulation improvements:
 - A. Provide bicycle parking spaces at the rate of 1 bicycle space/ 25 automobile spaces, located near building entrances.
 - B. Provide adequate pedestrian circulation with disabled features within the site and to the adjacent streets. Unidirectional handicapped ramps should be used at all entrances.
 - C. Pedestrian paths shall be minimum 6' wide. Provide a different paving material, textured, and slightly raised (for traffic dampening) where pedestrian paths cross vehicular circulation. Where paths are intended to serve cyclist as well as pedestrians the paths shall be a minimum of 10 feet wide.
 - D. Pedestrian paths adjacent to parking shall be protected. Where adjacent parking is perpendicular or angled to the path, bollards or tire stops shall be used to prevent cars overlapping the pedestrian path. Where adjacent parking is parallel to the path, a minimum 5' landscape area shall be used. Trees shall be planted in 5 x 5 minimum planters at 25 feet on center or in 6 foot diameter minimum pots at all pedestrian pathways adjacent to any building and throughout parking lot pedestrian ways.
 - E. Outside displays on sidewalk areas shall be restricted to seasonal products such as Christmas trees, pumpkins, and plants.
 - F. Provide 13' of trail, 10' asphalt and 3' crusher fines, along Paseo del Norte in lieu of a 6' sidewalk, to be consistent with trail design east of Barstow.
 - H. Provide pedestrian and bike features along Carmel Avenue to the satisfaction of the Traffic Engineer
 - I. Provide a pedestrian and bike connection from Paseo del Norte along the east side of the site continuing north to Carmel Avenue. Provide an alternative pavement pedestrian and bike crossing at this location on Carmel Avenue to the satisfaction of the Traffic Engineer.

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- J. Provide alternative pavement treatment pedestrian crossings across Carmel Avenue and Wyoming Boulevard at the northwest corner of the site to the satisfaction of the Traffic Engineer.
3. Provide the following landscape improvements:
 - A. Provide separate landscape calculations for each parcel prior to DRB approval.
 - B. Street trees along Carmel Avenue and Wyoming Boulevard and Paseo del Norte shall be planted at a rate of one tree for every 25' of street frontage and shall be a mix of deciduous and evergreen trees.
 - C. The retaining wall north of the Major stores, facing Paseo del Norte, shall be colored, split face CMU with a distinctive cap.
 - D. The tree planters shown on elevations shall be in 5' x 5' wells or a minimum 6 foot diameter pot as indicated in the plan.
4. Provide the following building and signage related improvements:
 - A. The General Architectural Design Requirements on the title page of the submittal are adopted as a condition of approval except where they may conflict with these conditions, with the Zoning Code, or with the *Window G Sector Development Plan*.
 - B. Provide screen walls and roof covers for all dock loading areas. The screenwalls and roof covers shall match the center design.
 - C. The top of all roof mounted equipment shall not be higher than the top of the building parapet.
 - D. Building mounted signs shall be limited to 6% of the facade area on which they are mounted. Letters shall be channelized. Box or panel signs shall not be used.
 - E. Building mounted signs shall be located within dashed lines indicated on the building elevations.
 - F. Monument signs are restricted to 6 signs, all phases. The maximum area per sign is 150 square feet for the 3 monument signs at Carmel and Wyoming and Paseo at 150 feet. The other 3 signs at a maximum of 50 square feet.
 - G. The signage indicated on these plan and elevations, and these conditions shall be considered adequate; no additional signs shall be permitted. Letter size shall be restricted as follows: for major stores a 5 foot maximum letter, minor stores a 4 foot maximum letter and pad sites shall have a 3 foot maximum letter.
 - H. No building mounted signs shall be located on the north elevations facing nearby residential areas.
 - I. Retail Pad 7, Lot 7, shall be reserved for office use.

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5. The applicant shall add a shaded pedestrian walkway on a east/west access approximately 200 feet north of the south property line. (on the south side of the drive aisle) There shall be shade trees along this pathway minimum 6 foot pathway with shade trees and 5 x 5 planters, i.e., or pots at 25 feet on center.
6. Add windows or display windows, a minimum of 2 feet deep or a box window. 8 foot x 8 foot minimum size at an average of 25 feet on center along entry facades and major pedestrian ways elevations.
7. Parking shall be restricted to the minimum as the maximum. Additional parking may be added with the addition of outdoor patio dining seating at a rate of 1 space per 4 seats and 33 spaces shall be provided for the park and ride.
8.
 - A. The gas pad architecture and canopy shall be architecturally integrated with the center design; the tile roof shall extend the entire length of the building and canopy to give the gas pad scale and to prevent viewing of the unfinished canopy feature from apartments to the north.
 - B. There shall be no internally illuminated backlit signage cans on the canopy; signage shall be individually lit letters restricted to 6% of the individual elevation base of the building or the canopy. For example, canopy elevations signage shall be restricted on the south to 6 % of the 24 x 4 foot face of the elevation. On the east, signage shall be restricted to 6 % of the 4 foot by 100 foot.
 - C. The sidewalks at the front elevation of the gas station shall have a minimum 10 foot wide width with shade trees at a minimum of 25 feet on center on 5 x 5 planters or a 6 foot clear portal or canopy that extends to the west to provide pedestrian shade and building shade.
 - D. Landscaping shall be provided and shown on the drawings for the gas pad. Provide a mix of shrubs, evergreens, trees, and shade trees throughout the pad site. (The applicant has submitted a sketch on record that shows some landscaping but it needs to be enhanced for DRB submittal.)
9. Shade trees shall be planted at 25 feet on center and 5 x 5 planters or a 6 foot clear portal shall be provided for the entire length of all entry facade pedestrian ways.
10. The applicant shall provide street furniture, benches, trash cans, etc., along the pedestrian ways at a minimum of 2 per major and 1 per minor store.
11. All patio and plaza areas shall be available for patio dining.
12. Where feasible reduce the top of parapet heights on buildings to an average of 28 to 30 feet at flat parapets and reduce the peaks to 35 feet. If possible create a variation of stucco colors to create a more village like scale.
13. Add shade trees in the parking area south of the major buildings on a east/west access. Provide 2 rows of shade trees in between end aisles and they should be evenly spaced between end aisles. This adds approximately 5 trees.

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14. The site plan submitted to the DRB must meet all EPC conditions and relevant findings; EPC approved findings and conditions shall be attached to each set of construction drawings submitted for building permit approval.
15. No off premise signs are permitted.
16. Cellular antennas shall be architecturally integrated into buildings or into existing light standards.
17. Pedestrian paths shall be a minimum of 6 feet wide. Where paths are intended to serve cyclist as well as pedestrians they shall be a minimum of 10 feet wide and they shall be a minimum of 10 feet wide at the entry elevation of all buildings.
18. Coordinate with County of Bernalillo's project for Paseo del Norte between Wyoming and Eubank Boulevards. The proposed recreational trail design/cross-section should be used for site required bikeway on Paseo del Norte.
19. A deceleration lane on Paseo del Norte shall not be permitted. However if the intersection at Paseo del Norte and Wyoming hits a level D then a deceleration lane may be considered.

IF YOU WISH TO APPEAL THIS DECISION, YOU MUST DO SO BY SEPTEMBER 4, 1998 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,


FOR Bob McCabe
Planning Director

BM/BT/ac

cc: La Cueva Town Center Ltd., 6400 Uptown NE, Suite 200W, Albuquerque, NM 87110
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