CITY OF ALBUQUERQUE



Planning Department Transportation Development Services Section

August 26, 2011

Yolanda Padilla Moyer, P.E. Bohannan Huston Inc. 7500 Jefferson St. Courtyard I Albuquerque, NM 87109

Certification Submittal for a 120-day Temporary Building Certificate of Re:

Occupancy (C.O.) for CVS Pharmacy, [A-11 / D011]

10700 Unser Blvd. NW

Engineer's Stamp Dated 08/24/11

Dear Ms. Padilla Moyer:

Based upon the information provided in your submittal received 08-24-11, Transportation Development has downgraded your submittal from a Permanent to a 120-day Temporary Certificate of Occupancy. The following condition must be met in order to obtain a Permanent C.O.: Since the Site Plan went through EPC and DRB process (Site Plan Controlled) you must resubmit the Site Plan through the Administrative Amendment process to reflect changes to the original Site Plan.

Albuquerque

PO Box 1293

This letter serves as a "green tag" from Transportation Development for a 120-day Temporary Certificate of Occupancy to be issued by the Building and Safety Division.

NM 87103

If you have any questions, please contact me at (505)924-3630.

www.cabq.gov

Nilo E. Salgado-Fernandez, P.E. Senior Traffic Engineer

Development and Building Services

Planning\Department

Sincerely,

Engineer Hydrology file CO Clerk

DRAINAGE AND TRANSPORTATION INFORMATION SHEET (Rev. 12/2005)

(Rev. 12	2/2005)
PROJECT TITLE: CVS Pharmacy @ Unser and McMahon DRB#: 1005280 EPC#: WO	ZONE MAP/DRG. FILE #_A-11
LEGAL DESCRIPTION: Lot 3 of McMahon Marketplace	
CITY ADDRESS: 10700 Unser Blvd (SEC Unser Blvd & M	McMahon Boulevard)
ENGINEERING FIRM: Bohannan Huston Inc. ADDRESS: 7500 Jefferson St, Courtyard I CITY, STATE: Albuquerque, NM	PHONE: 505-823-1000 ZIP CODE: 87109
OWNER: Armstrong Development ADDRESS: 1500 N. PRIEST DRIVE, STE. 150E CITY, STATE: Tempe, AZ	CONTACT: Chris Czyz PHONE: 602-385-4100 ZIP CODE: 85281
ARCHITECT: Jacobs Engineering ADDRESS: 101 North 1st Avenue, Suite 3100 CITY, STATE: Phoenix, AZ	PHONE:602-650-4917
SURVEYOR:ADDRESS:CITY, STATE:	PHONE:
CONTRACTOR: ADDRESS: CITY, STATE:	PHONE:
DRAINAGE REPORT DRAINAGE PLAN 1st SUBMITTAL DRAINAGE PLAN RESUBMITTAL CONCEPTUAL G & D PLAN GRADING PLAN EROSION CONTROL PLAN ENGINEER'S CERT (HYDROLOGY) CLOMR/LOMR X TRAFFIC CIRCULATION LAYOUT ENGINEER CERT (TCL) ENGINEER CERT (DRB SITE PLAN) OTHER (SPECIFY)	CK TYPE OF APPROVAL SOUGHT: SIA/FINANCIAL GUARANTEE RELEASE PRELIMINARY PLAT APPROVAL S. DEV. PLAN FOR SUB'D APPROVAL S. DEV. FOR BLDG. PERMIT APPROVAL(Admin Amend) SECTOR PLAN APPROVAL FINAL PLAT APPROVAL FOUNDATION PERMIT APPROVAL BUILDING PERMIT APPROVAL CERTIFICATE OF OCCUPANCY (PERM) CERTIFICATE OF OCCUPANCY (TEMP) GRADING PERMIT APPROVAL PAVING PERMIT APPROVAL WORK ORDER APPROVAL OTHER (SO-19)
WAS A PRE-DESIGN CONFERENCE ATTENDED: YES NO COPY PROVIDED	AUG AUG
SUBMITTED BY: Scott J. Steffen, P.E.	DATE: August 29, 2011

Requests for approvals of Site Development Plans and/or Subdivision Plats shall be accompanied by a drainage submittal. The particular nature, location and scope to the proposed development define the degree of drainage detail. One or more of the following levels of submittal may be required based on the following:

- Conceptual Grading and Drainage Plan: Required for approval of Site Development Plans greater than five (5) acres and Sector Plans. Drainage Plans: Required for building permits, grading permits, paving permits and site plans less than five (5) acres. Drainage Report: Required for subdivision containing more than ten (10) lots or constituting five (5) acres or more.
- 2.

Bohannan 🐇 Huston🛚

CLIENT/COURIER/TRANSMITTAL

Courtyard I 7500 Jefferson St. NE Albuquerque, NM 87109-4335

www.bhinc.com

voice: 505.823.1000 facsimile: 505.798.7988 toll free: 800.877.5332

×	To:	Nilo Salgado-Fernandez Transportation Development City of Albuquerque 600 2nd St. NW	Date: Job No.:	August 29, 2011 090090.004.cdpabq	Requested By: Project:	Scott Steffen CVS McMahon and Unser
	To:	Phone:	DELIVER VIA			
		Phone:	☑ Courie☐ Mail☐ Other	r ☐ Federal Expres	ss	sup .
	To:		TIME DUE:			
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	To:	Phone:	ITEM NO QUANTITY DESCRIPTION 1 1 Site Plan AA package for review and approval			
	To:	Phone:	COMMENTS /	INSTRUCTIONS		
	To:	Phone:				
		Phone:				
		REC'D BY:		DATE:	TIME	::

DRAINAGE AND TRANSPORTATION INFORMATION SHEET (Rev. 12/2005)

PROJECT TITLE: CVS Pharmacy @ Unser and McM DRB#: 1005280 EPC#:	ZONE MAP/DRG. FILE #_A-11 / DO \\ WORK ORDER#:			
LEGAL DESCRIPTION: Lot 3 of McMahon Marketplace				
CITY ADDRESS: 10700 Unser Blvd (SEC Unser Blvd	d & McMahon Boulevard)			
ENGINEERING FIRM: Bohannan Huston Inc.	CONTACT: Yolanda Padilla Moyer, P.E.			
ADDRESS: 7500 Jefferson St, Courtyard 1	PHONE: 505-823-1000			
CITY, STATE: Albuquerque, NM				
OWNER: Armstrong Development ADDRESS: 1500 N. PRIEST DRIVE, STE. 150E	CONTACT: Chris Czyz			
ADDRESS: 1500 N. PRIEST DRIVE, STE. 150E	PHONE: 602-385-4100			
CITY, STATE: Tempe, AZ				
ARCHITECT: Jacobs Engineering	CONTACT: Cory Newkirk			
ADDRESS: 101 North 1 st Avenue, Suite 3100				
CITY, STATE: Phoenix, AZ				
SURVEYOR:	CONTACT:			
ADDRESS:	PHONE:			
CITY, STATE:	ZIP CODE:			
CONTRACTOR:	CONTACT:			
ADDRESS:	PHONE:			
CITY, STATE:	ZIP CODE:			
TYPE OF SUBMITTAL:	CHECK TYPE OF APPROVAL SOUGHT: SIA/FINANCIAL GUARANTEE RELEASE			
DRAINAGE REPORT DRAINAGE PLAN 1 st SUBMITTAL	SIA/FINANCIAL GUARANTEE RELEASEPRELIMINARY PLAT APPROVAL			
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	SECTOR PLAN APPROVAL			
	FINAL PLAT APPROVAL			
	FOUNDATION PERMIT APPROVAL			
	BUILDING PERMIT APPROVAL			
TRAFFIC CIRCULATION LAYOUT	X CERTIFICATE OF OCCUPANCY (PERM)			
	CERTIFICATE OF OCCUPANCY (TEMP)			
X ENGINEER CERT (TCL) X ENGINEER CERT (DRB SITE PLAN)	GRADING REDMIT APPROVAL			
OTHER (SPECIFY)	PAVING PERMIT APPROVAL			
OTTER(GLEEN 1)	GRADING PERMIT APPROVAL PAVING PERMIT APPROVAL WORK ORDER APPROVAL			
	OTHER (SO+19)			
WAS A PRE-DESIGN CONFERENCE ATTENDED:	AUG 2 4 2011			
YES	1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1			
NO				
COPY PROVIDED				
SUBMITTED BY: Yolanda Padilla Moyer, P.E.	DATE: <u>August 24, 2011</u>			

Requests for approvals of Site Development Plans and/or Subdivision Plats shall be accompanied by a drainage submittal. The particular nature, location and scope to the proposed development define the degree of drainage detail. One or more of the following levels of submittal may be required based on the following:

- 1. Conceptual Grading and Drainage Plan: Required for approval of Site Development Plans greater than five (5) acres and Sector Plans.
- 2. Drainage Plans: Required for building permits, grading permits, paving permits and site plans less than five (5) acres.
- 3. Drainage Report: Required for subdivision containing more than ten (10) lots or constituting five (5) acres or more.

- Phase One Changes?

Need AA

- Bldg Suze diff (14,000 SF)

SPBP A)

Fineland?



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

SCM Property LLC 10400 West 18th Ave Lakewood Co., 80215

Date: April 26, 2007

OFFICIAL NOTIFICATION OF DECISION

FILE: Project # 1005280 06EPC-01706 Zone Map Amendment 06EPC-01705 EPC Site Development Plan-Building Permit 06EPC-01704 EPC Site Development Plan-Subdivision

LEGAL DESCRIPTION: for all or a portion of Tract E-1-A Crestview Subdivision and Tract 16A-l Paradise North, a zone map amendment from SU-1 for C-1 uses including grocery store w/ package liquor sales and restaurant with full service liquor to SU-1 for C-1 Uses including package liquor sales incidental to pharmacy use occupying not less than 14,000 sf, located at the southeast corner of Unser Blvd NW and McMahon Blvd NW, containing approximately 13 acres. (A-11) Catalina Lehner, Staff Planner o la servició de la companya de la compa

On April 12, 2007 the Environmental Planning Commission voted to approve Project #1005280, 06EPC-01706, a Zone Map Amendment, based on the following Findings and Conditions:

FINDINGS:

- 1. This request is for a zone map amendment for a 1.66 acre portion of Tract 16-A-1 from "SU-1 for C-1 uses including grocery store with package liquor sales incidental to that use, restaurant with full-service liquor for on-premise consumption" to "SU-1 for C-1 uses including package liquor sales incidental to a pharmacy use occupying not less than 14,000 sf', in order to develop a drug/retail use. The zoning on the remaining 11.34 acres of the subject site is not proposed to change.
- 2. The subject site is located at the southwest corner of the Unser Blvd./McMuhon Blvd. intersection, in the McMahon/Unser Neighborhood Activity Center, in the Seven Bar Ranch Community. Applicable Plans are the Comprehensive Plan, the West Side Strategic Plan (WSSP) and the Westside-McMahon Land Use and Transportation Guide. No sector plans apply.

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- This request is accompanied by a request for a site development plan for subdivision (06EPC-01704) and a site development plan for building permit (06EPC-01705).
- 4. The request <u>furthers</u> the intent of relevant Comprehensive Plan policies. It will contribute to increased land use variety in the area (Policy II.B.5a) by facilitating development of a new service, infrastructure is already in place (Policy II.B.5e), and some jobs will be created for residents in the area (Policies II.D.6a and g).
- The applicant has adequately justified the zone change request pursuant to Resolution 270-1980;
 - A. <u>Section A:</u> Because the request furthers applicable Comprehensive Plan policies and the West Side Strategic Plan's intent with respect to activity centers, it is consistent with the City's health, safety and general welfare.
 - B. <u>Section B:</u> The request will facilitate commercial development in a neighborhood activity center designated in the West Side Strategic Plan and will not destabilize the land, which is already zoned for commercial uses. The applicant has satisfactorily demonstrated why the change should be made.
 - C. Section C: The applicant cites a preponderance of Comprehensive Plan policies, specifically Land Use Policies Il.B.5a, II.B.5d, II.B.5d, II.B.5i and II.B.5j and Economic Development Policy II.6.a. The demonstration of how policies are furthered is mostly acceptable; the request does not conflict significantly with applicable Plans.
 - D. <u>Section D:</u> The proposed zoning is more advantageous to the community because it will facilitate development of a neighborhood center that will provide a variety of day-to-day services for the surrounding residential areas.
 - E. Section E: The request will not be harmful to the adjacent property, the neighborhood or the community. Property adjacent to the 1.66 acre parcel is all zoned for commercial uses, and the requested zone does not allow any uses except for a pharmacy less than 14,000 sf.
 - F. Section F: The proposed zone change requires no major or unprogrammed capital expenditures by the City in order to be developed.
 - G. Section G: An economic consideration, such as the sale of alcohol, is a factor in the zone change request. However, it is not the determining factor and the applicant does not rely on it for approval of the request.
 - Section H: The subject site's location on a major street is not used as justification for the zone change request.
 - Section I: A request for SU-1 zoning creates a justified "spot zone" because of the SU-1 zone's site plan control nature. In this case, the subject site is already zoned SU-1 and other SU-1 zoned sites are adjacent to it.
 - J. Section J: The request will not result in a strip of commercial zoning along a street ("strip zoning").

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 Two facilitated meetings were held. The Tuscany Neighborhood Association (NA) and the Skies West NA generally want services in the area. Their concerns are mostly related to traffic.

CONDITIONS: for ZMA

- I . The subject are thall be replaited to recespond to lot and some lines.
- The DRB shall sign-off on the accompanying site development plan for subdivision (06EPC-01704) and site development plan for building permit (06EPC-01705).

On April 12, 2007 the Environmental Planning Commission voted to approve Project #1005280, 06EPC-01704, a Site Development Plan for Subdivision based on the following Findings and Conditions:

FINDINGS:

- This request is for a site development plan for subdivision for Tract 16-A-1, Paradise North and Tract E-1-A, Crestview Subdivision, approximately 13 acres, located at the southeast corner of Unser Blvd. and McMahon Blvd. The proposed site plan for subdivision will reconfigure the subject site into nine smaller tracts. Design standards are proposed.
- The subject site is located in the McMahon/Unser Neighborhood Activity Center, in the Seven Bar Ranch Community. Applicable plans are the Comprehensive Plan and the West Side Strategic Plan (WSSP). No sector plans apply.
- This request is accompanied by a request for a zone map amendment for approximately 2 acres (06EPC-01706) and a site development plan for building permit (06EPC-01705).
- 4. The request furthers the intent of Comprehensive Plan policies with respect to a full range of urban land uses (Policy II.B.5a), programmed facilities/neighborhood integrity (Policy II.B.5e) and location of new commercial development (Policy II.B.5j). The proposal will increase land use variety in the area and will utilize existing urban infrastructure. This is an existing commercially-zoned site and the development will occur in a designated neighborhood center.
- The proposal partially furthers Policy II.B.5d-neighborhood values/natural environmental conditions. Residents support services in the area, but are concerned about traffic problems which the vehicle-dominant site layout could exacerbate.
- The Activity Centers Goal is partially furthered. Vehicle travel will be reduced for area residents because services will be provided closer to home, though the site layout heavily favors vehicles over transit users and pedestrians.

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- The proposal furthers the Economic Development Goal of achieving diversified economic
 development. The variety of retail, and possibly office uses, will result in various types of job
 opportunities for Westside residents.
- The Transportation and Transit Goal is partially furthered. Pedestrian pathways link the
 development to nearby neighborhoods, though they cannot completely mitigate the effects of
 the underlying uses and the site design, which favors vehicles.
- With respect to the West Side Strategic Plan (WSSP), Policy 1.1 is furthered because the
 request will facilitate development of a commercial use in a Neighborhood Center. The
 request also furthers Policy 3.4. Neighborhood scale commercial uses are intended for
 neighborhood centers.
- 10. WSSP Policy 1.16 is partially furthered. Safer and functional pedestrian and bicycle connections are needed for nearby neighborhoods. The proposal partially furthers Policy 3.4. The safety of the pedestrian and bicycle connections is questionable. Policy 1.5 is partially furthered. Pedestrian connections are secondary to vehicular circulation as opposed to a primary design consideration.
- 11. Two facilitated meetings were held. The Tuscany Neighborhood Association (NA) and the Skies West NA generally want services in the area. Their concerns are mostly related to traffic.

CONDITIONS: for SPS

- 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. correspond to approved lot and zone lines.
- Prior to DRB sign off, the applicant shall meet with the Staff planner to ensure that the conditions of approval are met:
- 4. Site Planning:
 - A. Each parcel shall have an outdoor gathering space of at least 300 sf.
 - B. Drive-thru uses shall be limited to a total of three, with one available for a restaurant.
- 5. Parking:
 - A. Parking shall not exceed the amount required in the Zoning Code.

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- B. Parking shall be calculated using the methodology in the Zoning Code.
- C. Shared parking shall be permitted.

6. Pedestrianism:

- A. Pedestrian circulation shall be discussed in its own section of the design standards.
- B. All pedestrian crossings of drive aisles shall be at least 8 ft. wide and be made of textured, colored concrete.

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7. Landscape-General:

- A. The landscape theme shall be based on low-water use (xeric) plants.
- B. The irrigation system must be adequate, as determined by a qualified landscape architect or the City Forrester, to maintain the quantity of trees and plants in a living, healthy and attractive condition.
- C. Water provided by the water harvesting system shall be supplemental to the irrigation system. Cisterns shall have a capacity of 85% of the adjacent rooftops at a 1" rain.
- D. The design standards shall require 80% coverage with living, vegetative material.
 - E. Pursuant to Zoning Code §14-16-3-1, tree canopies shall not count toward the requirement for living, vegetative coverage.
 - F. The submittal shall note that the property owner shall maintain street trees in a living, healthy and attractive condition.
 - G. Gravel, bark and river rock shall not be used as groundcover, but may be used as mulch.
 - 8. Landscape-Plant Palette (in design standards):
 - A. Big sage (artemesia) and Giant Sacaton grass shall be included in the plant palette.
 - B. Juniper (highly-allergenic) and sycamore (high water user) shall be prohibited.
 - C. High-water use turf shall be prohibited, except for when it constitutes no more than 20% of the turf blend.
 - D. Kentucky Coffee trees shall be replaced with Linden trees.

9. Architecture/Building design:

- A. Stucco shall be the required façade material.
- B. The architectural theme shall be described and discussed.
- C. Maximum building height shall be 26 feet as allowed in the underlying C-1 zoning.
- D. Glass shall be clear and not bronze tinted.

10. Lighting:

A. Parking lot light poles shall not exceed 16 ft., high from top to grade, within 130 ft. of a residential zone. OFFICIAL NOTICE OF DECISION APRIL 26 2007 PROJECT #1005280 Page 6 of 13

- B. Pedestrian scale lighting shall be required to illuminate gathering areas and pedestrian areas and walkways.
- C. Pedestrian scale lighting shall not exceed 16 ft. in height.
- D. Uplighting of any kind shall be prohibited.

11. Screening/Buffering:

- A. Chain link fencing, barbed wire and concertina wire shall be prohibited.
- B. Transformers, utility pads and telephone boxes shall be appropriately screened with architecturally compatible walls and/or vegetation.

12. Signage:

- A. Free-standing signs shall be limited to monument signs.
- B. Building-mounted signage shall not exceed 6% of the façade to which it is applied for single-tenant buildings or 10% of the façade to which it is applied for multi-tenant buildings.
- C. Awnings with signage and/or logos shall be included in the 6% and 10% signage allowance.
- D. Monument sign Type A shall not exceed 6 ft. high with 40 sf of sign face.
- E. Monument sign Type B shall not exceed 9 ft. high with 60 sf of sign face.
- F. Sign cases shall integrate with building architecture to create a unified signage theme.
- 13. Each outdoor gathering area shall have seating and provide shade that covers a minimum 30% of each area (ex. tree canopy).

14. General:

- A. Instances of "should" shall be changed to "shall".
- B. Instances of "guidelines" shall be changed to "standards".
- C. Diagram 5 (water catchment means) shall be reinstated.
- 15. RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT, WATER AUTHORITY and NMDOT:

Conditions of approval for the proposed Zone Map Amendment, Site Development Plan for Subdivision and Site Development Plan for Building Permit shall include:

a. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. 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

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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).

- Per Transportation Development Staff, completion of the required system improvements that are attributable to the development, as identified in the TIS, is required.
- c. Provide right turn deceleration lanes at site drives, as necessary, per DPM and TIS. Provide storage lengths per TIS or DPM, which ever is greatest.
- d. Provide left turn bays at site drives per TIS. Provide storage lengths per TIS. Provide center median adjustments on McMahon and Unser as required.
- e. Dual westbound left turn lanes in McMahon Boulevard at Unser Boulevard, including associated intersection improvements, will be required should the left turn-in access from McMahon to the sites McMahon drive be approved by the TCC. In addition, to facilitate the improvements in McMahon Boulevard will require widening of the road north into the Fineland Development property at the northeast corner of the intersection. Therefore, the necessary roadway easements and/or right-of-way will be required to construct the improvements.
- f. Delete parking in main drive aisle, from McMahon, between Lots 4 and 5.
- g. Widen drive aisle in Lot 8 to 30'. This width provides a consistent 30' drive aisle width through Lots 1 and 8 to Fineland Drive.
- h. Provide cross access agreement.
- i. Site plan shall comply and be designed per DPM Standards.
- j. Platting must be a concurrent DRB action.
- k. Dedication of a minimum 78 feet of right-of-way from the centerline of Unser Boulevard a principal arterial as designated on the Long Range Roadway System map.
- Dedication of an additional 6 feet of right-of-way along Unser Boulevard adjacent to the subject property as required by the City Engineer to provide for on-street bicycle lanes.
- m. Construction of the on-street bicycle lane and 10 foot multi-purpose trail along Unser Boulevard adjacent to the subject property as designated on Long Range Bikeways System map.
- n. Access to Unser Boulevard from the driveway along the southern boundary of the site shall be limited to right-in, right-out and left-in only consistent with the Long Range Roadway System access policy. Adjustments to center median and driveway required.
- Approval of the proposed full access intersection on McMahon Boulevard mid-way between Unser Boulevard and Fineland Drive by the Transportation Coordinating Committee (TCC) of the Mid-Region Council of Governments (MRCOG) consistent with procedures described in MRCOG resolution R-05-09.

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On April 12, 2007 the Environmental Planning Commission voted to approve Project #1005280, 06EPC-01705, a Site Development Plan for Building Permit based on the following Findings and Conditions:

FINDINGS:

- This request is for a site development plan for cubdivision—for Tract 16-A-1, Paradise North
 and Tract E-1-A, Crestview Subdivision, approximately 13 acres, located at the southeast
 corner of Unser Blvd. and McMahon Blvd. The site development plan for building permit
 shows two drive-thru restaurants, a drive-thru bank, a drug/retail store with a drive-thru, a sit
 down restaurant, small shops and a suite of shops.
- The subject site is located in the McMahon/Unser Neighborhood Activity Center, in the Seven Bar Ranch Community. Applicable plans are the Comprehensive Plan and the West Side Strategic Plan (WSSP). No sector plans apply.
- This request is accompanied by a request for a zone map amendment for approximately 2
 acres (06EPC-01706) and a site development plan for subdivision (06EPC-01704) to create
 the nine tracts.
- 4. The request furthers the intent of Comprehensive Plan policies with respect to a full range of urban land uses (Policy II.B.5a), programmed facilities/neighborhood integrity (Policy II.B.5e) and location of new commercial development (Policy II.B.5j). The proposal will increase land use variety in the area and will utilize existing urban infrastructure. This is an existing commercially-zoned site and the development will occur in a designated neighborhood center.
- The proposal partially furthers Policy II.B.5d-neighborhood values/natural environmental
 conditions. Residents support services in the area, but are concerned about traffic problems
 which the vehicle-dominant site layout could exacerbate.
- The Activity Centers Goal is partially furthered. Vehicle travel will be reduced for area residents because services will be provided closer to home, though the site layout heavily favors vehicles over transit users and pedestrians.
- The proposal furthers the Economic Development Goal of achieving diversified economic
 development. The variety of retail, and possibly office uses, will result in various types of job
 opportunities for Westside residents.
- The Transportation and Transit Goal is partially furthered. Pedestrian pathways link the
 development to nearby neighborhoods, though they cannot completely mitigate the effects of
 the underlying uses.
- With respect to the West Side Strategic Plan (WSSP), Policy 1.1 is furthered because the request will facilitate development of a commercial use in a Neighborhood Center. The

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request also furthers Policy 3.4. Neighborhood scale commercial uses are intended for neighborhood centers.

- 10. WSSP Policy 1.16 is partially furthered. Safer and functional pedestrian and bicycle connections are needed for nearby neighborhoods. The proposal partially furthers Policy 3.4. The safety of the pedestrian and bicycle connections is questionable. Policy 1.5 is partially furthered. Pedestrian connections are secondary to vehicular circulation as opposed to a primary design consideration.
- 11. Two facilitated meetings were held. The Tuscany Neighborhood Association (NA) and the Skies West NA generally want services in the area. Their concerns are mostly related to traffic.

CONDITIONS: SPBP

- 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 nicet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forteiture of approvals.
- Prior to DRB sign off, the applicant must meet with the Staff planner to ensure that the conditions of approval are met.
- The site development plan for building permit, and any future site development plans for building permit, shall comply with the McMahon Marketplace design standards (06EPC-01704).
- 4. Landscape Plan:
 - A. Pampas grass shall be replaced by Giant Sacaton grass.
 - B. Planting beds shall achieve 80% coverage with living, vegetative materials.
 - C. Pursuant to Zoning Code §14-16-3-10(F)(1), the pine trees shall be a minimum of 10 feet tall at time of planting.
 - D. The irrigation system must be adequate, as determined by a qualified landscape architect or the City Forrester, to maintain the quantity of trees and plants in a living, healthy and attractive condition.
 - E. The owner shall maintain the trees in the southern buffer, in an living, healthy and attractive condition.
 - F. Kentucky Coffee trees shall be replaced with Linden trees.

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5. Water Harvesting:

- A. Cross-hatching shall be used to denote the area where supplemental water harvesting will be used.
- B. The water harvesting plan shall indicate which locations, species and numbers of plants will receive rainwater.
- C. The designers of the water harvesting system shall coordinate with the irrigation system designers and landscape architects.
- D. Cistems shall have a capacity of 85% of the adjacent rooftops at a 1" rain.

6. Walls/Fences:

- A. A detail of the screen wall shall be provided.
- B. CMU of a different color and/or texture shall be incorporated into the design of the screen wall.
- Pedestrian/Bicycle/Transit Circulation: A transit feasibility and access plan shall be provided to comply with WSSP Policy 1.2.

Sidewalks/Open Space:

- A. A detail shall be provided for each outdoor seating area.
- B. Each outdoor seating area shall have at least one bench and one table and provide shade that covers a minimum 30% of each area.
- C. A bench shall be provided near the northwestern corner of the building on Lot 3.
- D. At least two tables with umbrellas shall be provided in the outdoor plaza area,
- Parking: Motorcycle parking shall be provided in an area "that is visible from the entrance of the building" pursuant to Zoning Code §14-16-3-1.
- 10. Signage: The monument signs on Lot 1 and Lot 6 (nearest to single-family homes) shall be the smaller type of monument sign (Type A).
- Lighting: The three light poles along the subject site's southern side adjacent to singlefamily homes shall be replaced by pedestrian-scale lighting.
- 12. The applicant shall meet with a representative of the Solid Waste Management Department (SWMD) and integrate SWMD comments into the revised site development plan prior to submittal to DRB.
- 13. Barrier curbing shall be added, and the pathway elevated, for the first 80 feet along the northern side of the pedestrian pathway that extends eastward from the Unser Blvd, entrance.

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14 RELONGING MUNICIPAL DEVELOPMENT, WATER AUTHORITY and NMDOT:

Conditions of approval for the proposed Zone Map Amendment, Site Development Plan for Subdivision and Site Development Plan for Building Permit shall include:

- A. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. 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. Per Transportation Development Staff, completion of the required system improvements that are attributable to the development, as identified in the TIS, is required.
- C. Provide right turn deceleration lanes at site drives, as necessary, per DPM and TIS. Provide storage lengths per TIS or DPM, which ever is greatest.
- D. Provide left turn bays at site drives per TIS. Provide storage lengths per TIS. Provide center median adjustments on McMahon and Unser as required.
- E. Dual westbound left turn lanes in McMahon Boulevard at Unser Boulevard, including associated intersection improvements, will be required should the left turn-in access from McMahon to the sites McMahon drive be approved by the TCC. In addition, to facilitate the improvements in McMahon Boulevard will require widening of the road north into the Fineland Development property at the northeast corner of the intersection. Therefore, the necessary roadway easements and/or right-of-way will be required to construct the improvements.
- F. Delete parking in main drive aisle, from McMahon, between Lots 4 and 5
- G. Widen drive aisle in Lot 8 to 30'. This width provides a consistent 30' drive aisle width through Lots 1 and 8 to Fineland Drive.
- H. Provide cross access agreement.
- I. Site plan shall comply and he designed per DPM Standards.
- J. Phatting white he is committed DRO delice.
- K. Dedication of a minimum 78 feet of right-of-way from the centerline of Unser Boulevard a principal arterial as designated on the Long Range Roadway System map.

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- L. Dedication of an additional 6 feet of right-of-way along Unser Boulevard adjacent to the subject property as required by the City Engineer to provide for on-street bicycle lanes.
- M. Construction of the on-street bicycle lane and 10 foot multi-purpose trail along Unser Boulevard adjacent to the subject property as designated on Long Range Bikeways System map.
- N. Access to Unser Boulevard from the driveway along the southern boundary of the site shall be limited to right-in, right-out and left-in only consistent with the Long Range Roadway System access policy. Adjustments to center median and driveway required.
- O. Approval of the proposed full access intersection on McMahon Boulevard mid-way between Unser Boulevard and Fineland Drive by the Transportation Coordinating Committee (TCC) of the Mid-Region Council of Governments (MRCOG) consistent with procedures described in MRCOG resolution R-05-09.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY MAY 11, 2007 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 lifteenth 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 tollowed, 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).

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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/bjf

cc: George Rainhart Arch. & Assoc., 2325 San Pedro NE, Abq., NM 87110 Rachel Martinez, Tuscany NA, 8220 Louisiana NE, #B, Abq., NM 87113 Janelle Johnson. Tuscany NA, PO Box 6274, Abq., NM 87197 Tom Skopayko, Skies West NA, 10523 Taurus Ct NW, Abq., NM 87114 Dina Devon, Skies West NA, 10656 Neptune NW, Abq., NM 87114 Alan Schwartz, 4409 Rancho Centro Ct NW, Abq., NM 87120

