

DEVELOPMENT FACILITATIVE TEAM (DFT)

Code Enforcement Comments

Disclaimer: Comments provided are based upon information received from applicant/agent. If new or revised information is submitted, additional comments may be provided by Planning staff.

*Jeff Palmer-Code Enforcement Supervisor
Planning Department
jppalmer@cabq.gov*

DATE: 01/31/2024

AGENDA ITEM NO: 9

PROJECT NUMBER:

PR-2024-009800

PS-2024-00008 – SKETCH PLAT

REQUEST: Sketch Plat Review And Comment For A Proposed 2884 Square Foot Burger King Restaurant With A Drive- Through Window To Replace The Former 3606 Square Foot Gas Station And Auto Service Shop.

LOTS/SUBDIVISION:

ADDRESS/LOCATION: 2901 Eubank NE between Candelaria and Lexington

ZONED: MX-M **IDO:** 2022

COMMENTS:

1. Property is zoned MX-M and is located within an approved Shopping Center site plan, #1002623. Must obtain amendment of existing site plan.
2. Must provide screening of Drive-through lane adjacent to right-of-way along both Eubank and Candelaria, as per IDO 5-5(I)(2)(a). Submittal shows partial screening, but only of the curved area of the drive-through lane. Must provide either continuance of a wall and/or a vegetative screen of sufficient height and density.
3. Landscaping must meet requirements of IDO 5-6 and/or as stipulated by amended Site Plan.
4. All signage must meet standards of IDO 5-12 and/or as stipulated by amended Site Plan.
5. Code Enforcement has no further comments at this time.

DEVELOPMENT FACILITATIVE TEAM (DFT) - **HYDROLOGY SECTION**

Renée Brissette, PE, Senior Engineer | 505-924-3995 rbrissette@cabq.gov

DRB Project Number: 2024-009800 Hearing Date: 01-31-2024
Project: Burger King – Eubank & Candelaria Agenda Item No: 9

☒ Sketch Plat

☐ Site Plan for Bldg.
Permit

ENGINEERING COMMENTS:

- Hydrology needs to approve a Conceptual Grading & Drainage Plan prior to Site Plan for Building Permit.
- Comment – Prior to submitting for Building Permit, a licensed New Mexico civil engineer will need to submit a Grading & Drainage Plan to Hydrology for review & approval if one of these conditions is met. (500 cy of grading, 1,000 sf of proposed building, or 10,000 sf of proposed paving).

☐ APPROVED
☐ DENIED

DELEGATED TO: ☐ TRANS ☐ HYD ☐ WUA ☐ PRKS ☐ PLNG
Delegated For: _____
SIGNED: ☐ I.L. ☐ SPSP ☐ SPBP ☐ FINAL PLAT
DEFERRED TO _____

DEVELOPMENT FACILITATION TEAM

TRANSPORTATION DEVELOPMENT

DRB Project Number: 2023-009800
2901 Eubank

AGENDA ITEM NO: 9

SUBJECT: Sketch Plan

ENGINEERING COMMENTS:

1. Eubank is a Principal Arterial and requires a 6' sidewalk with a 5' – 6' landscape buffer. Candelaria is a Minor Arterial and requires a 6' sidewalk with a 5' – 6' landscape buffer. Please list sidewalk and buffer width. If these widths do not meet requirements ROW dedication may be required.
2. An approved TCL is required prior to site plan approval or building permit. Please fill out and submit a Traffic Scoping Form to Matt Grush (mgrush@cabq.gov) to determine if a TIS will be required. If needed, the TIS will need to be approved prior to site plan or building permit.

Disclaimer: The comments provided are based upon the information received from the applicant. If new or revised information is submitted, additional comments may be provided by Transportation Development.

FROM: Ernest Armijo, P.E.
Transportation Development
505-924-3991 or earmijo@cabq.gov

DATE: January 31, 2024

ACTION:

APPROVED __; DENIED __; DEFERRED __; COMMENTS PROVIDED __; WITHDRAWN __

DELEGATED: _____ TO: (TRANS) (HYD) (WUA) (PRKS) (CE) (PLNG)



DEVELOPMENT FACILITATION TEAM

Planning - Case Comments

HEARING DATE: 1/31/23 -- **AGENDA ITEM:** #9

Project Number: PR-2024-009800

Application Number: PS-2024-00008

Project Name: 2901 Eubank NE – Eubank & Candelaria Burger King project

Request:

Sketch Plat

**These are preliminary Planning comments. Additional reviews and/or revised comments may be needed for any modifications and/or supplemental submittals.*

- The Site Plan would be reviewed to the standards and provisions within the IDO and the standards within the DPM. The site is zoned MX-M.

Here is a link to both:

<https://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance-1>

<https://www.cabq.gov/planning/boards-commissions/development-process-manual-executive-committee>

****Submitted plans should demonstrate how standards are being met.***

- Future development must meet all applicable standards and provisions of the previously approved Site Development Plan. Changes to that plan may require minor/major amendments to that plan.

**Where any previous plan is silent, all development must meet all relevant standards and provisions of IDO (MX-M) and the DPM.*

- The site has an address of 2901 Eubank and shows a separate Bernalillo County parcel. However, the entire shopping center shows as one city parcel.

**Clarify if a replat will be a part of this development.*

**(See additional comments on next pages)*

- An AA-Minor Amendment will be required to add the new restaurant/Drive-Through to the shopping center.
*Unless Transportation changes and/or Major public infrastructure trigger a Major Amendment. Major amendment requirement per Transportation and/or the Water Authority.
- ***Demonstrate compliance with section 7 of the DPM Table 7.2.29 regarding Sidewalk width requirements and its landscape buffer.**
Verification of DPM standards per Transportation
Eubank is a Principal Arterial and requires a 6' sidewalk with a 5' – 6' landscape buffer.
Candelaria is a Minor Arterial and requires a 6' sidewalk with a 5' – 6' landscape buffer.
- ***If public infrastructure is needed, an Infrastructure List, and an Infrastructure Improvements Agreement with a financial guarantee will be required.***
- For future formal submittals, include detail within the documents/drawings, site plan notes, and/or comment response memos to demonstrate how the Drive-Through Use Specific Standards of **4-4-3-F-5 & 5-5-I** are being met and to demonstrate how elevation standards are meeting the standards of **5-11-E**.
- Approvals from Solid Waste and Fire & Rescue will be needed on any formal submittal.
- Will there be a shared parking agreement between the new restaurant and the shopping center?
- Confirm with the CABQ Environmental Health Department if approval is required from the demo of the previous gas station/vehicle repair business.

Reference materials

- The proposed development is for a Drive-Through Restaurant. There are several overlapping IDO standards to be aware of. *Use Specific Standards for Restaurant. Use specific standards for Drive-Through, along with screen requirements for Drive-Through.
Information below

4-3(F)(5) Drive-through or Drive-up Facility

- 4-3(F)(5)(a) Each stacking lane is limited to a maximum order board area of 50 square feet. The face of the order boards shall be oriented away from public streets to the maximum extent practicable. If not practicable, at least 2 evergreen trees shall be planted in the landscape buffer area required by Subsection 14-16-5-5(l)(2)(a) in locations that would best screen the order board from the public right-of-way.
- 4-3(F)(5)(b) This use shall comply with the provisions of Section 14-16-5-5 (Parking and Loading) and Section 14-16-5-9 (Neighborhood Edges).
- 4-3(F)(5)(c) This use is prohibited accessory to cannabis retail.
- 4-3(F)(5)(d) Within 330 feet of Major Public Open Space, this use shall require a Conditional Use Approval pursuant to Subsection 14-16-6-6(A).
- 4-3(F)(5)(e) Notwithstanding Subsection (d) above, this use is prohibited adjacent to Major Public Open Space.
- 4-3(F)(5)(f) This use is prohibited in the following small areas as noted.
 - 1. Downtown Small Area
This use is prohibited in the following mapped small area.

5-5(l)(2) Drive-through or Drive-up Facility Design

- 5-5(l)(2)(a) Drive-through lanes adjacent to public rights-of-way shall be screened by a landscape buffer area at least 6 feet wide containing a vegetative screen or wall constructed of a material similar in texture, appearance, and color to the street-facing façade of the primary building (but excluding exposed concrete masonry unit (CMU) block) at least 3 but not more than 4 feet tall. The landscape buffer area shall be provided on the public street side.
- 5-5(l)(2)(b) Audible electronic devices such as loudspeakers, automobile service order devices, and similar instruments shall not be audible beyond the property line of the site.
- 5-5(l)(2)(c) Drive-through service windows shall be angled at least 45 degrees from parallel with any abutting lot line of a Residential zone district so that it does not directly face the residential lot.
- 5-5(l)(2)(d) In UC-MS-PT areas and the MX-H zone district, no drive-through lanes shall be located between the front façade of the primary building and the front lot line or within a required street side setback, except on lots that meet at least 2 of the following criteria.
1. The lot is located on a corner.
 2. The lot is 21,780 square feet (1/2 acre) or smaller.
 3. The lot does not have vehicular access to the street that the front façade of the primary building faces.
- 5-5(l)(2)(e) In UC-MS-PT areas and the MX-H zone district, if a drive-through lane is allowed pursuant to Subsection 14-16-5-5(l)(2)(d), the drive-through lane shall be screened pursuant to Subsection 14-16-5-5(l)(2)(a), and enhanced pedestrian crossings, such as a raised crosswalk, shall be required where the drive-through lane crosses a pedestrian pathway to the primary entrance of the building.
- 5-5(l)(2)(f) Drive-through service windows and any associated order board shall be located at least 50 feet in any direction from any abutting Residential zone district or lot containing a residential use in any Mixed-use zone district.
- 5-5(l)(2)(g) Where abutting any Residential zone district or lot containing a residential use in any Mixed-use zone district, the edge buffering provisions of Subsection 14-16-5-6(E) (Edge Buffer Landscaping) shall apply.

If a Site Plan Administrative DFT application is required for the proposed development, the following comments would apply:

- For a Site Plan, the formal submittal must include Form SP, (Form PLT for platting). The applicant must receive signatures from Hydrology, Transportation, and Water Authority staff confirming they have approved the required submittals for the Site Plan. This is required before an application can be accepted, processed by Planning staff, and placed on an agenda.
Project and application numbers must be added to the Site Plan.
- A DFT signature block would be needed on the Site Plan.
- All Plan sheets must be sealed and signed by a design professional licensed in the State of New Mexico. The Landscape Plan must be sealed and signed by a Landscape Architect licensed in the State of New Mexico.
- All public notice requirements of IDO Section 6, Table 6-1-1 will need to be completed prior to submitting for a Site Plan or platting action application. This includes notifying the Neighborhood Association contacts sent to you by the Office of Neighborhood Coordination (ONC) and sign posting on property.

.....

****Please reference the following development standards from the IDO. Subject to change pending formal submittal or change in development type/use***

- ❖ 4-2 Allowed Uses, table 4-2-1.

4-3 Use Specific Standards for Restaurant(4-3-D-8) and Drive-Through (4-3-F-5 & 5-5-I)

***The formal submittal will need to demonstrate and explain how the proposed development will meet all of those standards.**

- ❖ 5-1 Dimension Standards for **MX-M**. 5-1-G Exceptions and Encroachments.

***Plans should include measurements for setback, separation, height elevations, buffers, etc.**

Plans will need to demonstrate clearly how standards and requirements are being met.

- ❖ 5-3 Access & Connectivity requirements.

- ❖ **5-4 Subdivision Of Land, 5-4(K) Dedication of Land For Public Purposes, 5-4(N) Improvements Required, 5-4(P) Additional Design Criteria and Construction Standards**
In addition to the standards set forth in this Section 14-16-5-4, the City shall maintain technical standards for infrastructure improvements in the DPM, pursuant to Subsection 14-16-1-7(A)(4). Such technical standards for infrastructure improvements shall contain the minimum acceptable design criteria and specifications for the construction of such improvements. Such technical standards may be updated periodically and may vary for improvements based on the classification of streets or other improvements and the extent and characteristics of the area to be served by the improvements. All subdivisions shall comply with additional design criteria and construction standards applicable to the proposed development.

- ❖ **5-5 Parking & Loading** requirements, Table 5-5-1
 5-5(F)(2)(b) All Other Uses, 5-5(F)(3) Technical Design Standards 5-5(F)(3)(a) All parking facilities shall comply with all applicable provisions in this IDO. 5-5(G)(2) Parking Spaces and Circulation Parking spaces and circulation shall meet technical standards in the DPM. ***5-5-I for Drive Through standards.**
***Plans will need to demonstrate compliance of parking requirements.**
Provide calculation detail and any shared parking agreement information.

- ❖ 5-6 Landscaping, Buffering, and Screening standards and requirements.
***Plans will need to demonstrate compliance of landscaping requirements.**
Provide a landscaping plan that includes calculations, buffer areas & detail.
***Be aware of several sections related to new development –**
 5-6-C General Landscaping, 5-6-C-2 Minimum Landscape Area, 5-6-D Required Street Trees, 5-6-F Parking Lot Landscaping, 5-6-G Equipment/Support areas.

- ❖ 5-7 Walls/Fences, table 5-7-1. ***Development requires separate permitting.**
- ❖ 5-8 for Outdoor Lighting requirements.
- ❖ 5-9 Neighborhood Edge requirements.

- ❖ **5-11-E Façade and Building design.**
 *Please provide detailed elevations and a detailed explanation letter and include site plan notes as to how the proposed elevation meets all applicable sections of 5-11(E).

- ❖ **5-12 for Signage.** Clarify if this project use/replace existing signage or propose new?
- ❖ **Section 6-1, table 6-1-1 for public notice requirements.**
- ❖ 6-4-R Dedications.
- ❖ Platting actions per 6-6-K Subdivision of Land-Minor or 6-6-L Subdivision of Land-Major.
- ❖ Vacations per 6-6-M.
- ❖ 7-1 Development and use definitions.



Disclaimer: The comments provided are based upon the information received from the applicant/agent. If new or revised information is submitted, additional comments may be provided by Planning.

FROM: Robert Webb/Jolene Wolfley/Jay Rodenbeck
Planning Department

DATE: 1/30/23
