

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

Date: April 9, 2010

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project # 1008203**
10EPC-40011 SITE DEVELOPMENT -
SUBDIVISION

Unser Sage Partnership
2019 Dartmouth Drive NE
Albuquerque, NM 87106

LEGAL DESCRIPTION: CONSENSUS
PLANNING INC agent for UNSER SAGE
PARTNERSHIP requests the above action for all
or a portion of Tract A PLAT OF Tracts A & B,
Unit 1-B, LANDS OF ALBUQUERQUE
SOUTH zoned C-1 located on UNSER BLVD
SW BETWEEN SAGE RD SW AND ARENAL
RD SW containing approximately 9.56 acre.
(M-10) Randall Falkner, Staff Planner

On April 8, 2010 the Environmental Planning Commission voted to **APPROVE** Project 1008203 / 10EPC-40011, a site development plan for subdivision for all or a portion of Tract A PLAT OF Tracts A & B, Unit 1-B, LANDS OF ALBUQUERQUE SOUTH zoned C-1, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for a site development plan for subdivision on a 9.5 acre tract of land located on the southeast corner of Unser Boulevard SW and Sage Road SW. The site comprises Tract A, Plat of Tracts A & B, Unit 1-B, of the Lands of Albuquerque South, and is zoned C-1. The applicant proposes to subdivide Tract A into two lots and intends to develop the site with a variety of small to medium size commercial services. The proposed subdivision is called the Unser/Sage Marketplace.
2. The Albuquerque/Bernalillo County Comprehensive Plan, the West Side Strategic Plan (Southwest Albuquerque Strategic Action Plan), and the Tower/Unser Sector Development Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
3. The subject site is within the area designated Developing Urban by the Comprehensive Plan.

4. The request furthers the following Comprehensive Plan policies for Developing and Established Urban Areas:
 - a. Policy II.B.5a – The primary land use in this area of the City is single family residential. The request would result in a more complete range of land uses and allow local residents greater opportunities to shop and work closer to home.
 - b. Policy II.B.5d – The Design Standards of the site development plan for subdivision will help to ensure that future developments at the Unser/Sage Marketplace will respect existing neighborhood values, natural environmental conditions, and resources of other social, cultural, or recreational concern.
 - c. Policy II.B.5e – The request will provide infill in an area of the City where housing development has severely outpaced the development of commercial services. Full urban services (water, sewer, gas, and communications) are available to this site and the integrity of the neighborhoods can be ensured with proper Design Standards.
 - d. Policy II.B.5i – The proposed Unser/Sage Marketplace would be an important employment neighborhood use which would provide job opportunities to nearby residents. Noise, lighting, pollution and traffic would be mitigated by appropriate Design Standards.
5. The request would further the Economic Development Goal of the Comprehensive Plan by developing local businesses and expanding the existing employment base. The surrounding neighborhood is all residential and could benefit by diversifying with commercial development.
6. The request furthers the following West Side Strategic Plan policies:
 - a. Goal 10 – The addition of the Unser/Sage Marketplace would help to build a community by adding an important resource that would allow citizens in this area to live, work, and play together, while protecting the unique quality of life and natural and cultural resources for West Side residents.
 - b. Objective 1 – The request for the Unser/Sage Marketplace would help to provide for a complete mix of land uses in this West Side neighborhood, and would set the stage for future jobs and minimize cross-metro trips.
 - c. Objective 8 – The request would promote future job opportunities and business growth in an area that is in desperate need of commercial services. The intersection of Unser Boulevard and Sage Road has been designated in the Southwest Albuquerque Strategic Action Plan as a potential Neighborhood Activity Center.
 - d. Policy 1.3 – The property is not within an existing Neighborhood or Community Center. However, the intersection of Unser Boulevard and Sage Boulevard has been designated by the Southwest Albuquerque Strategic Action Plan as a potential Neighborhood Activity Center. There is also an existing Neighborhood Activity Center adjacent to the subject site and west of Unser and south of Sage to 82nd Street. The proposed Unser/Sage Marketplace is a commercial development that would occur in a concentrated cluster area (proposed Neighborhood Activity Center) rather than a new strip development.

- e. Policy 3.40 – The area is almost totally devoid of any urban style services. New commercial uses, such as the Unser/Sage Marketplace would provide urban style services that would be appropriate in the Bridge/Westgate community.
 - f. Policy 3.41 – The request for the Unser/Sage Marketplace would encourage future employment growth in an area that desperately needs commercial services.
7. The request partially furthers the following West Side Strategic Plan policies:
- a. Policy 1.9 – It is unknown how many residents are in this specific area, but there are no commercial services in this area of the City. The Market Area portion of this policy would most likely be achieved, because a large portion of the single family residential homes are within one mile of the proposed Marketplace and would be accessed on a weekly basis if not daily. The Neighborhood Centers Access/Connections portion of this Policy is described as follows: “Neighborhood Centers should be less automobile oriented, located on minor arterial and/or collector streets, and connected to public transit service as well as informal pedestrian and bicycle ways. Both community and neighborhood centers shall be very accommodating to the pedestrian even within predominantly off-street parking areas.” The proposed Unser/Sage Marketplace is located on arterial streets and no public transit service is currently available. However, Unser Boulevard is designated as an Enhanced Transit Corridor and transit service is expected in the future. In order to encourage pedestrian activity the buildings need to be clustered along the internal east/west driveway and not be separated by large areas of parking. The Scale portion of this policy is partially achieved, because the proposed area is small with small buildings, however the bicycle and pedestrian connections inside the Marketplace and to the areas outside of the Marketplace could be improved. The Location portion is achieved by the Marketplace which would create a stimulus to economic and social activity.
 - b. Policy 1.15 – The Unser/Sage Marketplace is proposed to be in a future Neighborhood Activity Center. This development is relatively small (9.5 acres), and proposes small buildings (no buildings larger than 17,000 s.f.). However, the buildings do not seem to have a strong relation to one another or encourage pedestrian/community activity. It is unknown if services such as childcare, dry cleaners, drug stores, small restaurants, or a park or school will be located at the proposed Unser/Sage Marketplace. In order to encourage pedestrian activity, the buildings need to be clustered along the internal east/west driveway and not be separated by large parking areas.
 - c. Policy 1.16 – The Unser/Sage Marketplace is located at the intersection of a limited-access principal arterial (Unser Boulevard) and a minor arterial (Sage Road). Unser Boulevard is also designated as an Enhanced Transit Corridor. There is currently no transit service at the Unser/Sage intersection; however, future transit service is expected. The primary access to the Unser/Sage Marketplace is by auto. Pedestrian and bicycle connections at this location are currently lacking. However, there is an existing bicycle trail west of Unser Boulevard, and bicycle lanes are proposed along both Unser Boulevard and Sage Road. A pedestrian circulation plan is shown on Sheet 1 of 5 of the site development plan for subdivision. This pedestrian circulation plan needs to encourage pedestrian activity by

clustering buildings along the internal east/west driveway and by separating large areas of parking.

8. The request partially furthers Goal 1 (Build Complete Neighborhoods and a Network of Activity Centers to Serve Them) of the West Side Strategic Plan (Southwest Albuquerque Strategic Action Plan). The WSSP (Southwest Albuquerque Strategic Action Plan) designates the area surrounding Unser/Sage as a Neighborhood Activity Center. A map in the SWASAP (page 332) shows a proposed network of Southwest Albuquerque Activity Centers. Unser/Sage is shown as a potential Neighborhood Activity Center. The request would begin development of a Neighborhood Activity Center at Unser and Sage to serve surrounding neighborhoods, which currently have little or no commercial services. A pedestrian friendly environment that encourages walking to local community services is part of building a complete neighborhood and a network of activity centers. The pedestrian environment needs to be improved at this location to ensure quality development. Clustering buildings together will help to improve and encourage pedestrian activity at this location.
9. The request furthers Goal 4 (Increase and Improve Retail and Commercial Services) of the West Side Strategic Plan (Southwest Albuquerque Strategic Action Plan). The residents of Southwest Albuquerque have few nearby shopping and commercial service options. The request for the Unser/Sage Marketplace would place shopping in a conveniently located and easily accessed Neighborhood Activity Center. A map on page 350 of the SASAP shows Southwest Albuquerque Existing & Potential Retail Locations. Unser/Sage is shown on this map as a Potential Neighborhood Center.
10. The request furthers Executive Summary Development Concept #3 in the Tower/Unser Sector Development Plan. The request would add to the mixture of land uses at a neighborhood scale (buildings will be between 6,000 to 16,000 square feet, with no Large Retail Facilities) by adding commercial land use to an area that is almost entirely single family residential.
11. There is no known neighborhood or other opposition.

CONDITIONS:

1. 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. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.

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3. The following Design Standard shall be added under 1. Site Design, General: In order to enhance a proposed future Neighborhood Activity Center and walkability of the site, the following conditions shall be added:
 - a. The drive-up uses shall be located only along Sage Road. Drive-up uses shall be designed so traffic and queuing shall cause no deleterious effects on the pedestrian qualities of the marketplace.
 - b. Buildings shall be clustered to encourage pedestrian activity and shall not be separated by large areas of parking.
4. Add the following sentence as the third paragraph under Design Standards: "Development in the Unser/Sage Marketplace shall comply with applicable Zoning Code Regulations."
5. 1. Site Design, Public Space, 3rd bullet, change "150" to "400".
6. 1. Site Design, Accessibility & Safety:
 - a. 1st bullet, delete the word "consulted": and add the words "complied with".
 - b. Delete 3rd bullet.
7. 1. Site Design, Parking:
 - a. 6th bullet, change "150" to "85".
 - b. 7th bullet, 2nd sentence shall read "However, openings shall be provided for water harvesting to be used."
8. 3. Screening Walls & Fences, 4th bullet, change the spelling of the word "cueing" to "queuing".
9. 4. Architectural Design:
 - a. Add the following as 5th bullet under Architectural Design: "Predominant building materials shall be stucco clad buildings accented with masonry elements."
 - b. Add the following as 6th bullet under Architectural Design: "Portals or shaded elements shall be provided at primary facades and at critical pedestrian linkages."
 - c. Building Facades, 3rd bullet, delete the word "wood".
 - d. Roofs & Parapets, add the following sentence as 4th bullet: "Predominant roof lines shall be predominantly flat roofed with accent roof elements, such as tower caps and portal roofs."
 - e. Building Materials & Colors, add the following sentence as 4th bullet: "Basic colors shall be light tan, gray or sage, with accents of red-brown, yellow-ochre or dark gray. The color of the roof shall be silver gray or dark gray flat concrete shingles."
10. 6. Landscape:
 - a. The Purple Robe Locust tree listed under Unser Boulevard – Street Trees shall be replaced with a Texas Red Oak tree.

- b. Add the following bullet: "Berms shall be constructed with 75% minimum live vegetated cover, and care shall be taken so that the soil of the berms is not compacted upon construction and remains loose and viable for the living vegetative cover."
 - c. 5th bullet, replace the word "site" with the words "net lot".
 - d. 8th bullet, replace the word "turf" and replace with the words "low water native grass or other living vegetation."
 - e. Add the following bullet: "Organic mulch around trees and plants is preferred over inorganic rock."
 - f. Add the following bullet: "In some cases, tree wells need to be larger than 36 square feet to provide more rooting volume. The size of the well depends on the mature size of the tree. Methods for increasing rooting volume include the following: larger tree wells, tree well connections, pervious paving, structure soil, root tunnels, soil subway paths, and bridging of sidewalks."
11. The following Design Standard shall be added as the second sentence under 10. Process: "Prior to application for subsequent site development plan for building permits, the applicant shall meet with an EPC staff planner to ensure compliance with design standards and EPC conditions."
12. Recommended Conditions from City Engineer, Municipal Development, and NMDOT:
- a. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as may be required by the Development Review Board (DRB).
 - 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. Label access easements as common access and utility easements.
 - d. With respect to site drive "A" (first site drive on Sage east of Unser): per the DPM, the location of a site drive on the departure side of an intersection of two arterials (principal and minor) would be 150' **minimum**. However, based on the future re-construction of the Sage and Unser intersection by the City of Albuquerque, which includes free right turn lanes in each quadrant, and the volumes associated with this site drive, the applicant will need to delete this drive or re-locate it east a distance sufficient to accommodate a possible right turn deceleration or taper lane. Provide analysis prior to DRB.
 - e. Concurrent platting action required at DRB.
 - f. Site plan shall comply and be designed per DPM Standards.
 - g. Dedication of a *minimum* 43 feet of right-of-way from the centerline of Sage Road a minor arterial as designated on the Long Range Roadway System map.
 - h. Dedication of an additional 6 feet of right-of-way along Sage Road adjacent to the subject property as required by the City Engineer to provide for on-street bicycle lanes.
 - i. Construction of the on-street bicycle lane along Sage Road adjacent to the subject property as designated on Long Range Bikeways System map.
 - j. Approval of the additional right-in, right-out driveway access on Unser Boulevard to the proposed site by the Transportation Coordinating Committee (TCC) of the Mid-Region

Council of Governments (MRCOG) consistent with procedures described in MRCOG resolution R-05-09. Request must be in process concurrently with DRB

13. Recommended Conditions from Public Service Company of New Mexico:

- a. As a condition, it is necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service regarding this project. Any existing or proposed public utility easements are to be indicated on the site plan utility sheet prior to DRB review. PNM's standard for public utility easements for distribution is 10 feet in width to ensure adequate, safe clearances.
- b. As a condition, please add note on Sheet 5 that all screening and vegetation surrounding ground-mounted transformers and utility pads are to allow 10 feet of clearance in front of the equipment door and 5-6 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Please refer to the PNM Electric Service Guide for specifications.

APPEAL: IF YOU WISH TO APPEAL A FINAL DECISION, YOU MUST DO SO BY APRIL 23, 2010 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.

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

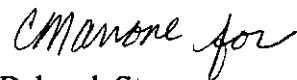
YOU WILL RECEIVE NOTIFICATION IF ANY PERSON FILES AN APPEAL. IF THERE IS NO APPEAL, YOU CAN RECEIVE BUILDING PERMITS AT ANY TIME AFTER THE APPEAL DEADLINE QUOTED ABOVE, PROVIDED ALL CONDITIONS IMPOSED AT THE TIME OF APPROVAL HAVE BEEN MET. SUCCESSFUL APPLICANTS ARE REMINDED THAT OTHER REGULATIONS OF THE CITY MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

Deferral requests by the applicant for map amendments and site development plans are subject to a \$110 fee per item (Zoning Code Section 14-16-4-1(B)). Failure of the applicant to pay such fees and provide proof of payment prior to the date the case(s) are deferred to may result in further deferral of the item(s) until the required fee(s) are paid.

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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,



Deborah Stover
Planning Director

DS/RF/ma

cc: Consensus Planning, Inc., 302 Eighth Street NW, Albuquerque, NM 87102
Victor Wyant, Stinson Tower N.A., 612 Cottontail SW, Albuquerque, NM 87121
Patrick Barisione, Stinson Tower N.A., P.O. Box 12676, Albuquerque, NM 87195
Mathew Archuleta, Westgate Heights N.A., 1628 Summerfield SW, Albuquerque, NM 87121
Frederick Gentry, Westgate Heights N.A., 10213 De Trevis SW, Albuquerque, NM 87121
Susan White, South Valley Coalition of N.A.s, 2736 Lost Padillas SW, Albuquerque, NM 87105
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Klarissa Pena, SWAN, 6013 Sunset Gardens SW, Albuquerque, NM 87121
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