



## ***Environmental Planning Commission***

**Agenda Number: 5  
Project Number: 1002848  
Case #: 14EPC-40043, 14EPC-40046  
August 14, 2014**

### ***Staff Report***

<b><i>Agent</i></b>	Consensus Planning Inc.
<b><i>Applicant</i></b>	JR Malouff
<b><i>Request</i></b>	<b>Zone Map Amendment, Site Development Plan for Building Permit Amendment</b>
<b><i>Legal Description</i></b>	Lots 15-18, block 10, N. ABQ Acres, Tract A, Unit B, & tract A-1 & B-1 American Toyota
<b><i>Location</i></b>	Alameda Blvd NE between I-25, San Pedro Dr., & Eagle Rock Rd.
<b><i>Size</i></b>	3.2 (Lots 15-18) 6.9 (Tract A-1 & B-1)
<b><i>Existing Zoning</i></b>	SU-2 IP
<b><i>Proposed Zoning</i></b>	SU-2 / SU-1 for Automotive Sales, Service, & Repairs

### ***Staff Recommendation***

***APPROVAL of 14EPC-40043 based on the Findings beginning on Page #18, and subject to the Conditions of Approval beginning on Page #22.***

***APPROVAL of 14EPC-40046 based on the Findings beginning on Page #22, and subject to the Conditions of Approval beginning on Page #27.***

***Staff Planner  
Vicente M. Quevedo, Planner***

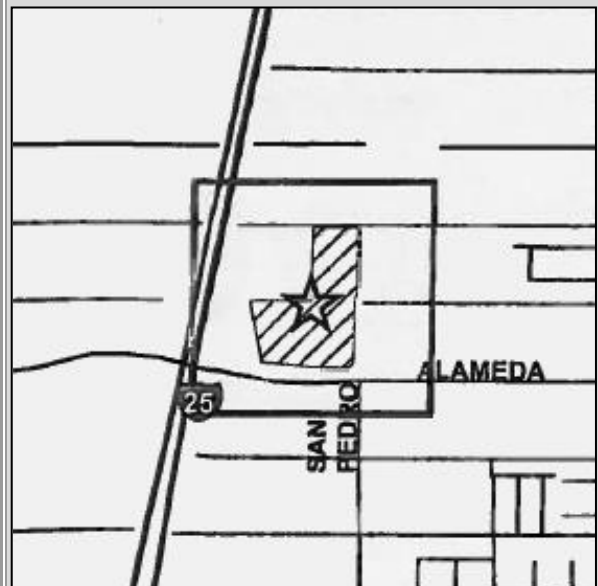
### ***Summary of Analysis***

This request will result in the development of a 111,620 square foot one story car dealership building located on Alameda Blvd. between I-25, San Pedro Dr., & Eagle Rock Rd. The Applicant proposes to change the zoning for Lots 15 – 18 from SU-2 IP to SU-2/SU-1 for Automotive Sales, Service, & Repair. The SU-2/SU-1 zone map amendment is more restrictive and site controlled.

The Site is within the Developing Urban area of the Comprehensive Plan and the site is also governed by the North I-25 Sector Development Plan.

The Nor Este Neighborhood Association and District 4 Coalition of Neighborhood Associations were contacted as required regarding this request. No facilitated meeting was requested. There is no known neighborhood opposition for this request.

Staff is recommending Approval with conditions.



**I. AREA CHARACTERISTICS AND ZONING HISTORY**

*Surrounding zoning, plan designations, and land uses:*

	<b>Zoning</b>	<b>Comprehensive Plan Area; Applicable Rank II &amp; III Plans</b>	<b>Land Use</b>
<b>Site</b>	SU-2 IP + SU-2/SU-1 for Auto Sales, Service & Repair	Developing Urban Area, North I-25 Sector Development Plan	Auto Dealer/Commercial Retail
<b>North</b>	SU-2 IP	Same	Industrial/Wholesale/Manufacturing
<b>South</b>	SU-2 RC	Same	Commercial Retail / Gas Station
<b>East</b>	SU-2 NC	Same	Commercial / Junk Yard / Scrap Metal / Auto Storage
<b>West</b>	SU-2 RC	Same	Commercial Service / Hotel or Motel

**II. INTRODUCTION**

***Proposal***

This request will result in an amendment to the existing Site Development Plan for Building Permit for Tracts A-1 & B-1 American Toyota zoned SU-2/SU-1 for Auto Sales, Service & Repair located on Alameda Blvd. NE between I-25 and San Pedro Dr. to include Lots 15 through 18, North Albuquerque Acres and allow for expansion of an existing car dealership building. This is a two part request; a zone map amendment and an amendment to the existing site development plan for building permit for the existing American Toyota Dealership to include this area. The site development plan for building permit amendment also includes a redesign for the existing site. The applicant also proposes to change the zoning designation for Lots 15 through 18 from SU-2 IP to SU-2/SU-1 for Auto Sales, Service & Repair.

***EPC Role***

The EPC is hearing this case because the EPC has the authority to hear all zone map amendment (zone change) cases, regardless of site size, in the City. The EPC is the final decision-making body unless the EPC decision is appealed [Ref: §14-16-2-22(A)(1), the SU-1 zone and 14-16-4-1, Amendment Procedure]. If so, an appeal would go to the Land Use Hearing Officer (LUHO) then City Council [Ref: § 14-16-4-4-(A)(2)]. This is a quasi-judicial matter.

***History/Background***

The original Site Plan for Building Permit was approved by the EPC in 1986 for new construction of a 44,555 square foot car dealership development.

On September 25, 2002 the Development Review Board approved a request for a Major-Vacation of Public Right-of-Way (Project #1002201, 02DRB-01367) to vacate a portion of Oakland Ave. running west from San Pedro Dr. and terminating in a cul-de-sac at Pan American Freeway along the northern edge of the subject site. A total of five conditions were included with numbers one and two of relevance to this case: 1.) A lot consolidation is required so that there is adequate access provided to those lots other than vacated Oakland Ave., 2.) Vacated Oakland Ave. must be retained as a public waterline easement (See attached DRB Notice of Decision for a full list of conditions of approval and map identifying the vacated ROW).

On February 19, 2004 the EPC approved an amendment to the site plan for an expansion of the existing car dealership building square footage by 22,035 square feet and construction of a new inspection area, wash bay, and service bay.

### ***Context***

The subject site and surrounding area are governed by the North I-25 Sector Development Plan. Overall, the surrounding area is largely made up of industrial and commercial uses with some scattered residential zoning further north and east of the subject site.

The subject site is located immediately east of Interstate 25 and the Pan American Freeway (frontage road) on Alameda Boulevard NE. Parcels north of the site are zoned SU-2 IP and include an automotive dealership and auto storage lots. Parcels to the south of the site are zoned SU-2 RC and include a hotel, fast food restaurant, and fueling station. Parcels east of the site are zoned SU-2 NC and include vacant property and auto storage lots. Parcels west of the site are zoned SU-2 RC and include a hotel and fast food restaurant.

### ***Transportation System***

The Long Range Roadway System (LRRS) & Current Roadway Functional Classification (CRFC) Maps, produced by the Mid-Region Council of Governments (MRCOG), identify the following roadways as:

The CRFC designates Interstate 25 as an Existing Urban Interstate.

The LRRS designates Alameda Blvd. as a Principle Arterial.

The LRRS designates San Pedro as a Collector.

The LRRS designates Eagle Rock Rd. as a Local Street.

### ***Comprehensive Plan Corridor Designation***

Alameda Blvd. is an Express Transit Corridor. The intent of this corridor type is to create a network of roadways that would be dedicated to developing higher speeds with fewer interruptions to travel for the car and public transit vehicles.

### ***Trails/Bikeways***

Alameda Blvd is designated as an Existing Bikeway.

*Transit*

The Transit Department does not have any adverse comments regarding the application.

*Public Facilities/Community Services*

See Public Facilities Map ahead of this report.

**III. ANALYSIS**

**APPLICABLE ORDINANCES, PLANS AND POLICIES**

*Albuquerque Comprehensive Zoning Code*

The properties that comprise this request are within the North I-25 Sector Development Plan (SDP) Boundary. All properties within the SDP boundary have the SU-2 prefix which provides flexibility by allowing for additional uses within the different land use districts called out in the SDP (*See North I-25 SDP portion of Analysis section below for additional details*).

The existing car dealership site (Tract A-1 & B-1 American Toyota) is zoned SU-2/SU-1 for Automotive Sales, Service, & Repair or SU-2 for Regional Commercial (RC) per the North I-25 SDP, Z-86-8-1, and Project #1002848, 03EPC-02047. The SU-1 zoning designation allows for the existing car dealership uses. The RC land use district allows for permissive and conditional uses within the O-1 or; C-1 or; C-2 Zoning Districts of the Comprehensive Zoning Code (*Refer to sections § 14-16-2-15 through § 14-16-2-17 of Comprehensive Zoning Code for full list of uses*).

Lots 15 -18 (North Albuquerque Acres) to the north of the existing car dealership site are currently zoned SU-2 IP or SU-2 Neighborhood Commercial (NC) per the North I-25 SDP. The IP zone provides suitable sites for a wide range of industrial and commercial uses and allows automotive sales, rentals, service, repair, and storage as a conditional use (*Refer to sections § 14-16-2-19 of the Comprehensive Zoning Code for full list of uses*). The NC land use district allows for permissive and conditional uses within the RC, O-1, and C-1 Zoning Districts of the Comprehensive Zoning Code (*Reference sections § 14-16-2-13 through § 14-16-2-16*).

All proposals within each land use district within the North I-25 SDP must include a Site Development Plan for Building Permit as defined by the Site Development Plan Approval Requirements of the Comprehensive Zoning Code (*Refer to section § 14-16-3-11 for full list of requirements*).

*Albuquerque / Bernalillo County Comprehensive Plan*

Policy Citations are in Regular Text; Staff Analysis is in ***Bold Italics***

The subject site is located in the area designated Developing Urban by the Comprehensive Plan with a Goal to “create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment.” Applicable policies include:

### **Developing and Established Urban Areas**

Policy II.B.5.d: The location, intensity and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, or recreational concern.

*The proposed zoning and building on the site will allow development that is compatible in use, scale and design with surrounding development. It will add to the area by providing new service opportunities and cater to the cultural importance of vehicular uses for transportation and recreation. However, other than respecting natural environmental conditions in terms of compliance with drainage and landscaping requirements, the car dealership expansion will not specifically address scenic resources. Policy II.B.5d is partially furthered by this request.*

Policy II.B.5.e: New growth shall be accommodated through development in areas where vacant land is contiguous to programmed urban facilities and services and where the integrity of existing neighborhood services can be ensured.

*The 10 acre site is contiguous to vacant land to the east, has access to transit, utilities, and a full range of other urban services. The proposed zoning and development will not compromise the integrity of the existing neighborhood services, but will allow development that is compatible with the existing development in scale design and use. Policy II.B.5e is furthered by this request.*

Policy II.B 5.i: Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

*The proposed request will allow the development of new employment and service opportunities that will be accessible by residents and others. The site is not directly adjacent to any single family residential areas, so the impacts of the new development will be minimized. There is no neighborhood opposition to this request. Policy II.B 5i is furthered by this request.*

Policy II.B 5.j: Where new commercial development occurs, it should generally be located in existing commercially zoned areas as follows:

- In small neighborhood-oriented centers provided with pedestrian and bicycle access within reasonable distance of residential areas for walking or bicycling.
- In larger area-wide shopping centers located at intersections of arterial streets and provided with access via mass transit; more than one shopping center should be allowed at an intersection only when transportation problems do not result.
- In freestanding retailing and contiguous storefronts along streets in older neighborhoods.

*The site is an existing commercially zoned area. The proposed development will be accessible by local residents. While the site is not located within any of the types of centers or areas in the bulleted list above, the site is appropriate for this type of development. Policy II.B.5.j is partially furthered by this request.*

Policy II.B.5.k: Land adjacent to arterial streets shall be planned to minimize harmful effects of traffic; livability and safety of established residential neighborhoods shall be protected in transportation planning and operation.

*The nearest established residential neighborhood is a quarter mile east of the subject site. The applicant has designed the site to minimize the harmful effects of traffic by limiting cut through traffic options on the site for motorists. Policy II.B.5.k is furthered by this request.*

Policy II.B.5.l: Quality and innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate to the Plan area.

*The proposed development will utilize quality materials such as finished aluminum composite paneling, Concrete Masonry Unit (CMU) material, with an exterior insulation finish system. In addition, an innovative roof top parking feature over the service bay will be utilized thereby reducing the need for additional ground level surface parking on the site. However, due to the fact that the roof top parking component is the only innovative feature, Policy II.B.5.l is partially furthered by this request.*

### **Economic Development**

Policy II.D.6.a: New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs located convenient to areas of most need.

*The request will allow the development of an expanded car dealership building. The dealership currently employs 132 people, and the applicant states that approximately 37 additional jobs will be generated by the new car dealership building. The jobs range from vehicle repair technicians to finance and insurance managers. Policy II.D.6.a is generally furthered by this request.*

Policy II.D.6b: Development of local business enterprises as well as the recruitment of outside firms shall be emphasized.

*The existing car dealership is locally owned and the request will efficiently expand the existing employment base within the area by utilizing vacant land for the expansion efforts that are already owned by the dealership. Policy II.D.6.b is furthered by this request.*

---

---

### *North I-25 Sector Development Plan*

The North I-25 Sector Development Plan (SDP) was first adopted in 1986, and revised in 2010. The Plan generally encompasses properties between Sandia Pueblo, Paseo del Norte, Louisiana Blvd, & Edith Blvd; specific boundaries are shown on Figure 1 in the Plan. The main purpose of the Plan is to guide the future development of the Sector Plan area as a regional employment center and to buffer residential development along the plans eastern boundary.

All properties within the SDP boundary have the SU-2 prefix which provides flexibility by allowing for additional uses within the different land use districts called out in the SDP. Property owners have the choice of either developing per the underlying zoning or in accordance with the uses allowed in the SU-2 designated Land Use District Overlay. Relevant goals/policies include the following:

Land Use Goal: Integrate existing and future land uses to support and promote economic and employment opportunities within the Plan area.

***The request to expand the existing car dealership supports and promotes economic and employment opportunities within the Plan area. The overall land use goal of the North I-25 SDP is furthered by this request.***

Land Use Policy LUZ1: Define development patterns for guiding future development by establishing a land use plan.

***According to Figure 10 in the Plan, the land use area where the existing car dealership is located is outlined as Regional Commercial (RC). Incorporation of Lots 15-18 within this land use district is in line with the proposed land use plan within the North I-25 SDP. Land Use Policy LUZ1 is furthered by this request.***

Land Use Policy LUZ2: Promote land uses that contribute to the vitality of the Plan area and strengthen the economic and functional relationships to surrounding areas.

***The request to change the land use designation for Lots 15-18 from industrial/manufacturing to commercial retail strengthens the economic and functional relationship to the surrounding area as most of the surrounding parcels are currently experiencing a transition toward commercial retail. The increased number of employees and customers that will frequent the dealership and surrounding businesses will also benefit the existing surrounding community. Land Use Policy LUZ2 is furthered by this request.***

Community Design Goal / Community Design Plan: Provide quality development and a quality, cohesive visual environment throughout the Plan area for residents, businesses and visitors.

***The general intent of the Community Design Plan is to provide design regulations for the effective and efficient design of new commercial and employment developments and for the redevelopment of existing areas within the Plan area. The proposal meets this intent by expanding an existing commercial business on existing vacant parcels within the Plan area. The Community Design Goal and Community Design Plan are furthered by this request.***

### **Conclusion**

The proposed requests are not in significant conflict with the applicable plans governing the site. Many goals and policies of these plans are furthered, specifically those addressing economic development, land use, and community design.

### **Resolution 270-1980 (Policies for Zone Map Change Applications)**

This Resolution outlines policies and requirements for deciding zone map change applications pursuant to the Comprehensive City Zoning Code. There are several tests that must be met and the applicant must provide sound justification for the change. The burden is on the applicant to show why a change should be made, not on the City to show why the change should not be made.

The applicant must demonstrate that the existing zoning is inappropriate because of one of three findings: there was an error when the existing zone map pattern was created; or changed neighborhood or community conditions justify the change; or a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan.

### **Analysis of Applicant's Justification**

**Note:** Policy is in regular text; Applicant's justification is in *italics*; staff's analysis is in ***bold italics***

- A. A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the city.

*Approval of the request is consistent with the health, safety, morals, and general welfare of the city because the proposed land uses are consistent with existing adjacent land uses and allow for the full utilization the vacant lots north of the existing approved site plan area.*

***Staff agrees that the request is not contrary to the health, safety, morals and general welfare of the city. The proposed zone change request will not endanger residents a quarter mile east of the site or allow uses that are considered incompatible with existing development and is therefore consistent with the health, safety, morals, and general welfare of the city.***

- B. Stability of land use and zoning is desirable; therefore the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the city to show why the change should not be made.

*Rezoning Lots 15-18 to SU-2/SU-1 for Automotive Sales, Service and Repair allows for the expansion of an existing use northward from the existing dealership, thereby creating more stability of zoning and land use.*

***Staff agrees that the proposed zoning will not destabilize the area. The change from SU-2 IP to SU-2/SU-1 for Automotive Sales, Service and Repair is also more restrictive and thus more stable, due to the fact that the SU-2 IP zone allows for a broader range of industrial uses that are not consistent with the current transition of the area to commercial retail.***



- C. A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other city master plans and amendments thereto, including privately developed area plans which have been adopted by the city.

*The proposed change to SU-1 for Automotive Sales, Service and Repair will create a more pleasing built environment, contribute to the Economic Development goals of the City by creating new jobs, reflect the development goals as expressed in the North I-25 Sector Development Plan, be harmonious and consistent with surrounding development, and demonstrate high quality infill development.*

*Relevant Citations cited by the applicant: Comprehensive Plan – Developing and Established Urban Goal; Policies II.B.5d, II.B.5.e, Economic Development Policies II.D.6.a, II.D.6.b., II.D.6.f., North I-25 Plan Purpose 1.1, Land Use Districts 3.2-Regional Commercial.*

***Staff agrees with the applicant's justification. The applicant has adequately considered applicable goals and policies that govern the site. The analysis shows no significant conflict with these applicable goals and policies. Many of the goals and policies are furthered by this request. Refer to Policy Analysis section of this report beginning on Page 3 for more detail.***

- D. The applicant must demonstrate that the existing zoning is inappropriate because:
1. There was an error when the existing zone map pattern was created; or
  2. Changed neighborhood or community conditions justify the change; or
  3. A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other city master plan, even though (D)(1) or (D)(2) above do not apply.

*The existing zoning is inappropriate due to changed neighborhood conditions from Industrial to retail / service, and the proposed zone map amendment is more advantageous to the community because it is more compatible with adjacent land uses and promotes economic development in the City.*

***The majority of existing land uses adjacent to and in close proximity to the subject site are designated Commercial/Retail/Service. The requested zone change request is congruent with this pattern of land uses. Also, the expansion of the car dealership will further the Economic Development policies within the Comprehensive Plan regarding the goal of creating new employment opportunities that will accommodate a range of occupational skills and salary levels both during and after construction. Therefore staff believes that the response to section D meets the minimum qualifications to be considered sufficient.***

- E. A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the community.

*The proposed zone change will not be harmful to adjacent property, the neighborhood, or the community because the adjacent uses are identical, the expansion will not generate any additional noise, pollution, or significant traffic impacts.*

*Staff agrees that the proposed uses are compatible and will not be harmful to the surrounding area.*

- F. A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the city may be:
1. Denied due to lack of capital funds; or
  2. Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule.

*The proposed zone change will not incur un-programmed capital expenditure by the City.*

*Staff agrees that the changes will not cause the need for major capital expenditures on the part of the City.*

- G. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

*The site for the proposed zone change and the American Toyota Dealership already share the same owner. More important than any economic consideration is the local context of the site in terms of its location at the intersection near I-25 and its proximity to other freeway oriented retail uses.*

*Staff agrees that the cost of land or other economic considerations are not the determining factor for the change in zoning, and that the proposed zone change request is appropriate in terms of its proximity to other freeway oriented retail uses.*

- H. Location on a collector or major street is not in itself sufficient justification for apartment, office, or commercial zoning.

*While San Pedro is a collector street and the zone change request is for commercial zoning, the focus of the zone change request is for land that already shares the same owner and is currently underutilized as a vehicle storage site.*

*Staff agrees that the street location is not the primary justification for the commercial zoning request.*

- I. A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:

1. The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

*The proposed zone change is not a spot zone because it complements existing adjacent land uses.*

---

---

***Staff agrees that the zone change request is not a spot zone and that the request is congruent with adjacent and surrounding land uses.***

- J. A zone change request, which would give a zone different from surrounding zoning to a strip of land along a street is generally called “strip zoning.” Strip commercial zoning will be approved only where:
1. The change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan; and
  2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

*This is not a strip zone because the request will allow for continuation of an existing zone.*

***Staff agrees that the zone change request does not constitute strip zoning because the request is consistent with existing adjacent and surrounding zoning and land uses.***

#### ***SITE DEVELOPMENT PLAN FOR BUILDING PERMIT AMENDMENT***

The applicant proposes to amend the existing Site Development Plan for Building Permit for Tracts A-1 & B-1 American Toyota to add Lots 15-18, block 10, N. ABQ Acres, Tract A, Unit B and re-plat all 6 parcels into a single approximately 10.1 acre lot. All of the aforementioned parcels are owned by the same entity. Lots 15 - 18 will be re-zoned from SU-2 IP to SU-2/SU-1 for Automotive Sales, Service, and Repair to match the adjacent Tracts A-1 & B-1 to the south. Lots 15-18 are vacant and currently being utilized for vehicle storage following an approved action through the Zoning Hearing Examiner for a conditional use for outdoor storage of vehicles per the SU-2 IP zone. The SU-1 zone change request is more restrictive than the current SU-2 IP zone as it limits the permissive uses and is site controlled.

The amendment will allow for the demolition of the existing car dealership building and the reconstruction of an approximately 111,620 square foot, one story car dealership building on a single approximately 10.1 acre lot. The new building will include a showroom, offices, service reception area, parts warehouse, service repair bays, and roof deck parking. The site plan also includes an on-site non-public car wash directly north of the new building.

Section 14-16-3-11 of the Zoning Code states, “...Site Development Plans are expected to meet the requirements of adopted city policies and procedures.” As such, staff has reviewed the attached site development plan for conformance with applicable goals and policies in the Comprehensive Plan, North I-25 Sector Development Plan (SDP).

#### ***Site Plan Layout / Configuration***

The proposed car dealership building will be 45,030 square feet larger than the existing car dealership building and will be mainly oriented north to south along San Pedro Dr. The main entrance will face south along Alameda Blvd. and will open directly to a showroom followed by

a new service reception area to the west. A plaza area is located directly west of the main entrance with a covered patio area directly to the east.

Conforming to the requirements of the Regional Commercial (RC) Land Use District in the North I-25 SDP, the building is set back approximately 25 feet from the front lot line, approximately 25 feet from the side street, and approximately 15 feet from the rear lot line.

The maximum building height allowed by the North I-25 SDP per the Building Height Overlay is 65 feet. The maximum height proposed for the new car dealership building is 34 feet at the main entrance and is reduced down to 24 feet building height at its lowest point and therefore does not exceed the maximum allowed in the SDP.

### ***Public Outdoor Space***

The site plan identifies a plaza and covered patio area near the main entrance into the building and meets the requirements of the North I-25 SDP that require an onsite public space as well connecting outdoor space with major building activities (See Pg. 31, section 4.2, b of the SDP for additional detail).

### ***Vehicular Access, Circulation and Parking***

Customer vehicles can access the subject site at points of ingress northbound from Alameda Blvd. and westbound from San Pedro Dr. Vehicular traffic can access the service area at two points of ingress westbound from San Pedro Dr. and southbound from Eagle Rock Ave.

Vehicles entering from either Alameda Blvd. or San Pedro Ave. can be circulated to either the customer parking areas to the west or south of the proposed building, or the vehicle service area along the western edge of the proposed building. It should be noted that a total of four 8 foot painted steel gates with lock boxes are proposed on the west (1), east (2), and north (1) sides of the service bay portion of the building. The steel gates are not dimensioned on the elevations portion of the site plan and must be addressed through the submission of an updated site plan.

There are 464 spaces of display parking apart from the 363 spaces of customer parking provided throughout the site. The minimum number spaces required per the Comprehensive Zoning Code are 252 customer spaces. 120 of the required spaces are proposed as roof deck parking over the service repair bay portion of the building. The zoning code also indicates that 8 of the total spaces are required to be accessible, and 8 accessible spaces are provided. In addition, the site plan states that 5 motorcycle parking spaces will be provided which also meets the requirements of the zoning code.

However, an amended Site Plan will be required to address the following items on the Parking Calculations Section (Consultation with the Code Enforcement Department revealed that the applicant must round up the number of parking spaces when a decimal is present):

1. The Showroom/Office sub-totaled line listed at 151 must be updated to 152 spaces ( $37,793 / 250 = 151.17$ );
2. The Parts Warehouse sub-totaled line must be updated to 8 spaces ( $14,167 / 2000 = 7.08$ )
3. The sub-total for all required parking spaces must be changed to 280 ( $227 + 8 + 45 = 280$ )

4. The 10% Reduction sub-total must be changed to 28 ( $280/.10 = 28$ );
5. The 10% Reduction Comprehensive Zoning Code Citation must be updated to read § 14-16-3-1 (E)(6)(a);
6. The Total Parking Required sub-total must be changed to 252 ( $280-28 = 252$ );
7. The total required Accessible Parking Required citation must be changed from 301-500 Spaces to 151-300 Spaces.

### ***Pedestrian and Bicycle Access and Circulation, Transit Access***

Bus route 98 runs east to west along Alameda Blvd. with a bus stop located near the intersection of Alameda Blvd and San Pedro Dr. at the southeastern corner of the subject site. Pedestrians can access the site from a proposed 8 foot wide concrete sidewalk path from Alameda Blvd to a proposed 8 foot wide decorative concrete crosswalk which leads to the main entrance along the south side of the proposed building. The pedestrian paths conform to the requirements within the North I-25 SDP.

A designated bicycle lane runs east to west along Alameda Blvd. It is located in the public right-of-way along the southern edge of the subject site. Cyclists can access the site from the proposed 8 foot wide concrete side walk. 14 bicycle parking spaces are provided at the end of the sidewalk path leading to the building entrance which exceeds the 13 bicycle parking space minimum established by the Comprehensive Zoning Code.

### ***Walls/Fences***

An existing 4 foot 6 inch high CMU wall is identified along a portion of the northern property line of the existing site plan area identified as note number 4. In addition, a 6 foot high CMU wall is proposed along the western property line of Lots 15 – 18, along with an approximate 470 foot portion of CMU wall set back 25 feet from the eastern lot line (along San Pedro Dr.), and an approximate 240 foot portion of CMU wall set back 20 feet from the northern lot line (along Eagle Rock Rd.) identified as note 3.

The wall is made up of split face 8”x 8”x16” CMU blocks and includes a series of pilasters to break up the wall façade at 50 foot of center intervals with an 8 inch vertical projection at the top of each pilaster.

Section § 14-16-3-19 (General Height and Design Regulations for Walls, Fences, and Retaining Walls) of the Comprehensive Zoning Code states that walls located in a non-residential zone are not limited to height except within five feet of public street right-of-way, where they shall not exceed 3 feet in height above the abutting grade. The design regulations outlined in the zoning code state that any wall exceeding 4 feet and facing a local street right-of-way must include a variation in layout, façade, surface, and include an element to break up wall massing.

According to the Zoning Code, the proposed pilaster interval lengths are spaced out too far and more pilasters must be included along each wall facing a local street to meet the maximum 20 foot interval requirement allowed by the Zoning Code. The minimum 2 feet projection requirement is shown on the site details page as projecting vertically directly above each pilaster.

However, the code clearly states that the projection must project from the public side of the wall surface. Also, note 3 on the site plan and sheet 7 of 7 A101 Keynotes section will need to be amended to read “6’ High CMU Wall...”, as they now incorrectly reads “6 inch High CMU Wall”. An updated site plan will need to be submitted to address these items.

### ***Lighting and Security***

Fully shielded fixtures with horizontal light cut-offs and flat glass with a max height of 25 feet above adjacent grade are proposed throughout the parking lot and around the perimeter of the building. The site plan only denotes one type of light fixture pole throughout the site. The North I-25 SDP gives the EPC discretion over site lighting with regard to illuminating the site and states that an exterior lighting plan must be provided and approved which the applicant has complied with. However, the SDP also states that exterior lights at the front of the building shall be mounted between 6 and 14 feet above the adjacent grade. None of the submitted plans identifies whether the lighting at the front of the building conforms to the SDP requirements because a separate lighting plan with the dimensions of the proposed building mounted lighting is not included with the submission and must be addressed in an updated site plan as required by the North I-25 SDP.

The CMU wall that is proposed around the service repair bay portion of the building (See Walls/Fences section of this report) also includes four 8 foot high painted steel gates with lock boxes. However, the painted steel gates are not dimensioned on the site plan. The North I-25 SDP emphasizes the design goal of providing “...a quality, cohesive visual environment throughout the plan area”. Therefore, the EPC should consider requiring the applicant to include dimensioned site details for the proposed painted steel gates on an updated site plan.

### ***Landscaping***

The Landscape Plan shows a good palette of low to medium water use plants. The applicant is calculating landscaping per the Zoning Code and exceeds the 15% minimum landscape requirement of the net lot area. The North I-25 SDP states that the off-street landscaping requirements only apply to surface parking, and that tree canopy shall count towards the 75% vegetative ground cover requirement. The landscape plan includes a general note stating that the project will meet the ground cover requirements. Staff recommends that a notation be included on an updated site plan which references the exception for tree canopy within the North I-25 SDP Landscape Design section.

The property owner will be responsible for landscaping maintenance which is noted on the landscape plan. Required conformance with all additional required city ordinances are noted on the Landscape Plan such as the Water Conservation, Street Tree Ordinance and General Landscaping Regulations.

The North I-25 SDP references a minimum 6 foot side/rear landscape strip buffer requirement between parking areas and adjacent lots. The Site Plan and Landscape Plan submitted by the applicant does not show the required side landscape buffer along the western lot line of Lots 15 - 18. However, a 490 foot portion of the proposed 6’ CMU wall is located along this lot line. Following Staff consultation with Code Enforcement, though this requirement is not currently

being met, the EPC still has discretion to approve the site plan and omit this requirement. The rest of the Landscape Plan conforms to all of the landscape buffer requirements of the North I-25 SDP and Comprehensive Zoning Code.

### ***Grading, Drainage, Utility Plans***

The site is located within the North Albuquerque Acres Master Drainage Plan. The applicant states that the drainage plan will match the allowed discharge rates and basins shown for this site within the developed conditions assumptions and the site will include water quality features to conform to current city requirements for water quality discharge standards.

The Drainage Plan contains two drainage basins. Basin A will discharge to the existing storm drain located within Alameda, and Basin B will discharge to the existing storm drain located within Eagle Rock Rd. Following consultation with the Hydrology Department, the submission conforms to an EPC level of detail as required by the applicant with final sign off being deferred to the DRB.

The current Master Utility Plan includes a note that the existing 30 foot public water & sewer utility easement running along a previously vacated portion of Oakland Ave. will be vacated and realigned. The realignment of the public water & sewer utility easement will be at the applicant's expense. The public water & sewer utility easement is currently located where the proposed service bay is to be built and is proposed to be realigned around the proposed service bay.

However, there is a conflict regarding the vacation notation on the Site Plan and Master Utility Plan. The notation on both plans indicating the current location of the easement states "30' Public Water & Sewer Easement to be vacated", however on the Master Utility Plan the area indicating the realignment of the easement only states "New 20' Public Water Line Easement". It is unclear to Staff whether the items are mislabeled or if the applicant is proposing to in fact remove an existing sewer easement. This must be clarified through the submission of an updated Master Utility Plan.

After consultation with ABC Water Utility Authority and Design Review Board Staff the applicant was informed by email on July 24, 2014 that an application requesting vacation of the public easement needed to be submitted and accepted by no later than August 1, 2014 to demonstrate that this item was in fact being addressed as a condition of EPC approval. At the time that this EPC Staff Report is being written, no request for an easement vacation has been submitted. Given that the proposed building cannot be built without DRB approval of a vacation of the public waterline easement, this must be included as a condition of approval of the Site Development Plan for Building Permit.

### ***Architecture***

The proposed building mass conforms to the scale and context of the building's locality along Pan American Freeway East / I-25 and is designed to provide interest along this street frontage as required by the Building Design Regulations of the North I-25 SDP. In addition, the main entrance is articulated with a projection as well as a change in roof line as required by the SDP.

However, it does not appear as though the architectural style is based on contemporary interpretations of regional design styles of the southwest as required by the building principles section of the SDP.

The building façade is broken up by heights varying from approximately 28 to 34 feet which conform to an appropriate use of horizontal building articulation as required by the North I-25 SDP. Also, the building façade utilizes combinations of materials such as aluminum composite panels, CMU, and glass portal and painted finishes. The applicant also proposes a Solera Translucent Glazing System (Exterior Elevations, Sheet 6 of 7, A200) in order to make them less reflective. This addresses a key component of the SDP Design Guidelines which states that materials that are highly reflective are inappropriate as primary building materials. The façade is consistent with the Regional Commercial Land Use District's identity, character, and scale in the SDP plan.

The proposed building is also oriented so as to respect the desired development patterns such as placement of the structure to the street and the relationship to neighboring properties as articulated in the North I-25 SDP. The service area is also unobtrusive and is integrated with the design of the building as articulated in the plan.

### ***Signage***

The Signage Regulations in the North I-25 SDP are regulated per the C-2 Zone with exceptions. The C-2 Zone governs any proposed free standing signs, and the exceptions listed in the SDP govern building mounted signage. Two existing free standing signs that were approved with the last site plan amendment in 2004 shall remain and two new free standing directional signs are proposed.

The first existing sign is located 20 feet west of the main point of ingress onto the site from Alameda Blvd. (19 feet high with an 8 foot wide sign face), and the additional existing sign is 230 feet west of the same point of ingress (24 feet high with a 10 foot wide sign face). A new directional sign is located at the furthest south point of ingress from San Pedro Dr. and a second one is located directly in front of the motorcycle parking spaces near the main building entrance (both signs are 5 feet high with a 4 foot sign face).

Per the C-2 Zone, one free standing sign per street frontage shall be permitted on premises of 5 acres or more, provided the street frontage is at least 100 feet wide, each sign cannot exceed 250 square feet if the most important street abutting the lot is an arterial street or freeway, and each free-standing sign shall not exceed 26 feet in height. All four free standing signs meet the requirements of the Zoning Code.

The site plan elevation details show a total of 6 building mounted signs on the south elevation and includes separate general notes stating (1) "All Signage Shall be By Separate Submittal, Review, Approval, and Permit" & (5) "Free Standing and Building Mounted Signage Shall Comply with the North I-25 Sector Plan Regulations, Signage to be Subject to an Administrative Amendment". No building mounted signage dimensions are included.



Building mounted signs are governed by the North I-25 SDP which states that two building mounted signs are allowed per single tenant building, sign letters shall not exceed 18 inches in height or width and 3 inches in relief. In addition, company logos shall not be larger than a rectangle of 8 square feet.

Section § 14-16-3-11(B) of the Zoning Code states that site development plans are expected to meet the requirements of adopted city policies and procedures. The North I-25 SDP is an adopted city policy document. Though the applicant has included a statement of compliance with the North I-25 SDP signage regulations it is clear that only 2 of the 6 proposed signs are allowed per the SDP. Without proper dimensions, Staff cannot accurately determine whether the permitted building mounted signs meet the SDP building signage regulations. Therefore, an updated site plan must be submitted that includes building mounted signage dimensions and general notes 1 and 5 being removed. In addition, if the applicant wishes to request additional signs and signage size allowances above and beyond what the SDP outlines, this will need to be requested through the zoning variance process, not by administrative amendment.

#### **IV. AGENCY & NEIGHBORHOOD CONCERNS**

##### ***Reviewing Agencies***

The original Consolidated Comments for Transportation & Hydrology Sections highlighted issues with drainage on the site with regard to the capacity for 100 year 6 hour storm and accommodation of first flush requirements on the site. The applicant has resubmitted an updated conceptual grading plan that has sufficiently addressed these items at an EPC level of detail.

The original ABC Water Utility Authority comments highlighted issues regarding an existing public waterline easement running along a previously vacated portion of Oakland Ave north of the existing car dealership building. The applicant has resubmitted an updated Site Plan and Master Utility Plan with a note that the existing public utility easement will be vacated / relocated around the proposed building.

The applicant was informed by email on July 24, 2014 that an application requesting vacation of the public easement needed to be submitted and accepted by no later than August 1, 2014 to demonstrate that this item was in fact being addressed as a condition of EPC approval. At the time that this EPC Staff Report is being written, no request for an easement vacation has been submitted.

##### ***Neighborhood/Public***

The Nor Este Neighborhood Association and District 4 Coalition of Neighborhood Associations were contacted as required regarding this request. No facilitated meeting was requested. There is no known neighborhood opposition exists for this request.

#### **V. CONCLUSION**

This request will result in the construction of a new approximately 111,620 square foot, one story car dealership building on Alameda Blvd NE between I-25, San Pedro Dr., & Eagle Rock

Rd. The applicant proposes to change the zoning for Lots 15 -18 of North Albuquerque Acres from SU-2 IP to the more restrictive zone of SU-2/SU-1 for Automotive Sales, Service and Repair to match the existing car dealership site, and amend the existing Site Development Plan for Building Permit to include these Lots 15 – 18 and a replat the existing six lots to one single 10.12 acre lot.

The requests are generally consistent with the goals and policies of the governing plans, though a significant number of conditions of approval exist and are outlined on page 27 of this report.

***FINDINGS - 14EPC-40043 August 14, 2014 Zone Map Amendment***

1. This is a request for a zone map amendment for Lots 15-18, block 10, N. ABQ Acres, Tract A, Unit B located on San Pedro Dr. NE between Eagle Rock Rd. NE and Oakland Ave. NE and containing approximately 3.2 acres.
2. Lots 15 – 18 are located within the North I-25 Sector Development Plan boundary and are currently zoned SU-2 IP. The applicant proposes a zone change to SU-2/SU-1 for Auto Sales, Service, & Repair which is a more restrictive use and is site plan controlled.
3. Prior to the owner purchasing the property the site was used as a junk yard. The applicant responded to a letter from City Code Enforcement dated March 12, 2014 regarding the storage of vehicles by requesting a conditional use for these lots. The conditional use request was presented and approved at the Zoning Hearing Examiner's Hearing on June 17, 2014.
4. The Albuquerque/Bernalillo County Comprehensive Plan, (Sector Plan/Master Plan, etc.) and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. The subject site is within the Developing Urban Area of the Comprehensive Plan and is also located within an Express Transit Corridor. The request is in general compliance with the following applicable goals and policies of the Comprehensive Plan:

Policy II.B.5.d: The location, intensity and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, or recreational concern.

***The proposed zoning and building on the site will allow development that is compatible in use, scale and design with surrounding development. It will add to the area by providing new service opportunities and cater to the cultural importance of vehicular uses for transportation and recreation. However, other than respecting natural environmental conditions in terms of compliance with drainage and landscaping requirements, the car dealership expansion will not specifically address scenic resources. Policy II.B.5d is partially furthered by this request.***

Policy II.B.5.e: New growth shall be accommodated through development in areas where vacant land is contiguous to programmed urban facilities and services and where the integrity of existing neighborhood services can be ensured.

***The 10 acre site is contiguous to vacant land to the east, has access to transit, utilities, and a full range of other urban services. The proposed zoning and development will***

*not compromise the integrity of the existing neighborhood services, but will allow development that is compatible with the existing development in scale design and use. Policy II.B.5e is furthered by this request.*

Policy II.B 5.i: Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

*The proposed request will allow the development of new employment and service opportunities that will be accessible by residents and others. The site is not directly adjacent to any single family residential areas, so the impacts of the new development will be minimized. There is no neighborhood opposition to this request. Policy II.B 5i is furthered by this request.*

Policy II.B 5.j: Where new commercial development occurs, it should generally be located in existing commercially zoned areas as follows:

- In small neighborhood-oriented centers provided with pedestrian and bicycle access within reasonable distance of residential areas for walking or bicycling.
- In larger area-wide shopping centers located at intersections of arterial streets and provided with access via mass transit; more than one shopping center should be allowed at an intersection only when transportation problems do not result.
- In freestanding retailing and contiguous storefronts along streets in older neighborhoods.

*The site is an existing commercially zoned area. The proposed development will be accessible by local residents. While the site is not located within any of the types of centers or areas in the bulleted list above, the site is appropriate for this type of development. Policy II.B.5.j is partially furthered by this request.*

Policy II.B.5.k: Land adjacent to arterial streets shall be planned to minimize harmful effects of traffic; livability and safety of established residential neighborhoods shall be protected in transportation planning and operation.

*The nearest established residential neighborhood is a quarter mile east of the subject site. The applicant has designed the site to minimize the harmful effects of traffic by limiting cut through traffic options on the site for motorists. Policy II.B.5.k. is furthered by this request.*

Policy II.B.5.l: Quality and innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate to the Plan area.

*The proposed development will utilize quality materials such as finished aluminum composite paneling, Concrete Masonry Unit (CMU) material, with an exterior insulation finish system. In addition, an innovative roof top parking feature over the service bay will be utilized thereby reducing the need for additional ground level surface parking on the site. However, due to the fact that the roof top parking component is the only innovative feature, Policy II.B.5.1 is partially furthered by this request.*

### **Economic Development**

Policy II.D.6.a: New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs located convenient to areas of most need.

*The request will allow the development of an expanded car dealership building. The dealership currently employs 132 people, and the applicant states that approximately 37 additional jobs will be generated by the new car dealership building. The jobs range from vehicle repair technicians to finance and insurance managers. Policy II.D.6.a is generally furthered by this request.*

Policy II.D.6b: Development of local business enterprises as well as the recruitment of outside firms shall be emphasized.

*The existing car dealership is locally owned and the request will efficiently expand the existing employment base within the area by utilizing vacant land for the expansion efforts that are already owned by the dealership. Policy II.D.6.b is furthered by this request.*

6. The request is in general compliance with the following applicable goals and policies of the North I-25 Sector Development Plan:

Land Use Goal: Integrate existing and future land uses to support and promote economic and employment opportunities within the Plan area.

*The request to expand the existing car dealership supports and promotes economic and employment opportunities within the Plan area. The overall land use goal of the North I-25 SDP is furthered by this request.*

Land Use Policy LUZ1: Define development patterns for guiding future development by establishing a land use plan.

*According to Figure 10 in the Plan, the land use area where the existing car dealership is located is outlined as Regional Commercial (RC). Incorporation of Lots 15-18 within this land use district is in line with the proposed land use plan within the North I-25 SDP. Land Use Policy LUZ1 is furthered by this request.*

Land Use Policy LUZ2: Promote land uses that contribute to the vitality of the Plan area and strengthen the economic and functional relationships to surrounding areas.

*The request to change the land use designation for Lots 15-18 from industrial/manufacturing to commercial retail strengthens the economic and functional relationship to the surrounding area as most of the surrounding parcels are currently experiencing a transition toward commercial retail. The increased number of employees and customers that will frequent the dealership and surrounding businesses will also benefit the existing surrounding community. Land Use Policy LUZ2 is furthered by this request.*

Community Design Goal / Community Design Plan: Provide quality development and a quality, cohesive visual environment throughout the Plan area for residents, businesses and visitors.

*The general intent of the Community Design Plan is to provide design regulations for the effective and efficient design of new commercial and employment developments and for the redevelopment of existing areas within the Plan area. The proposal meets this intent by expanding an existing commercial business on existing vacant parcels within the Plan area. The Community Design Goal and Community Design Plan are furthered by this request.*

7. The applicant has justified the zone change request pursuant to R-270-1980 as follows:
  - A. Staff agrees that the request is not contrary to the health, safety, morals and general welfare of the city. The proposed zone change request will not endanger residents a quarter mile east of the site or allow uses that are considered incompatible with existing development and is therefore consistent with the health, safety, morals, and general welfare of the city.
  - B. Staff agrees that the proposed zoning will not destabilize the area. The change from SU-2 IP to SU-2/SU-1 for Automotive Sales, Service and Repair is also more restrictive and thus more stable, due to the fact that the SU-2 IP zone allows for a broader range of industrial uses that are not consistent with the current transition of the area to commercial retail.
  - C. The request is consistent with and furthers several goals and policies of applicable plans (see Findings 5 and 6).
  - D. The majority of existing land uses adjacent to and in close proximity to the subject site are designated Commercial/Retail/Service. The requested zone change request is congruent with this pattern of land uses. Also, the expansion of the car dealership will further the Economic Development policies within the Comprehensive Plan regarding the goal of creating new employment opportunities that will accommodate a range of occupational skills and salary levels both during and after construction. Therefore staff believes that the response to section D meets the minimum qualifications to be considered sufficient.
  - E. Staff agrees that the proposed uses are compatible and will not be harmful to the surrounding area.

- F. Staff agrees that the changes will not cause the need for major capital expenditures on the part of the City.
- G. Staff agrees that the cost of land or other economic considerations are not the determining factor for the change in zoning, and that the proposed zone change request is appropriate in terms of its proximity to other freeway oriented retail uses.
- H. Staff agrees that the street location is not the primary justification for the commercial zoning request.
- I. Staff agrees that the zone change request is not a spot zone and that the request is congruent with adjacent and surrounding land uses.
- J. Staff agrees that the zone change request does not constitute strip zoning because the request is consistent with existing adjacent and surrounding zoning and land uses.
- 8. No known neighborhood opposition exists for the zone map amendment request. No facilitated meeting was requested, recommended, or held regarding this request.

***RECOMMENDATION - 14EPC-40043 August 14, 2014***

**APPROVAL of 1002848, a request for Zone Map Amendment from SU-2 IP to SU-1 for Automotive Sales, Service & Repair for lots 15-18, block 10, North Albuquerque Acres, Tract A, Unit B, based on the preceding Findings and subject to the following Condition of Approval.**

***CONDITIONS OF APPROVAL – 1002848 August 14, 2014 ZONE MAP AMENDMENT***

- 1. The zone map amendment does not become effective until the accompanying site development plan is approved by the DRB, pursuant to §14-16-4-1(C)(16) of the Zoning Code. If such requirement is not met within six months after the date of EPC approval, the zone map amendment is void. The Planning Director may extend this time limit up to an additional six months upon request by the applicant.

-----

***FINDINGS - 14EPC-40046 August 14, 2014 Site Development Plan for Building Permit Amendment***

- 1. This is a request for an amendment to an existing Site Development Plan for Building Permit for Lots 15-18, block 10, N. ABQ Acres, Tract A, Unit B, & tract A-1 & B-1 American Toyota located on Alameda Blvd. between Pan American Freeway and San Pedro Dr. and containing approximately 10 acres.

2. The amendment will allow for the demolition of the existing car dealership building and the reconstruction of an approximately 111,620 square foot, one story car dealership building on a single approximately 10.1 acre lot. The new building will include a showroom, offices, service reception area, parts warehouse, service repair bays, and roof deck parking. The site plan also includes an on-site non-public car wash directly north of the new building. The use is allowed per the current zoning for the subject site.
3. The original Site Plan for Building Permit was approved by the EPC in 1986 for new construction of a 44,555 square foot car dealership development.

On September 25, 2002 the Development Review Board approved a request for a Major-Vacation of Public Right-of-Way (Project #1002201, 02DRB-01367) to vacate a portion of Oakland Ave. running west from San Pedro Dr. and terminating in a cul-de-sac at Pan American Freeway along the northern edge of the subject site. On February 19, 2004 the EPC approved an amendment to the site plan for an expansion of the existing car dealership building square footage by 22,035 square feet and construction of a new inspection area, wash bay, and service bay.

4. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. The request is consistent with Comprehensive Plan and further many goals and policies including:  
Policy II.B.5.d: The location, intensity and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, or recreational concern.

***The proposed zoning and building on the site will allow development that is compatible in use, scale and design with surrounding development. It will add to the area by providing new service opportunities and cater to the cultural importance of vehicular uses for transportation and recreation. However, other than respecting natural environmental conditions in terms of compliance with drainage and landscaping requirements, the car dealership expansion will not specifically address scenic resources. Policy II.B.5d is partially furthered by this request.***

Policy II.B.5.e: New growth shall be accommodated through development in areas where vacant land is contiguous to programmed urban facilities and services and where the integrity of existing neighborhood services can be ensured.

***The 10 acre site is contiguous to vacant land to the east, has access to transit, utilities, and a full range of other urban services. The proposed zoning and development will not compromise the integrity of the existing neighborhood services, but will allow development that is compatible with the existing development in scale design and use. Policy II.B.5e is furthered by this request.***



Policy II.B 5.i: Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

*The proposed request will allow the development of new employment and service opportunities that will be accessible by residents and others. The site is not directly adjacent to any single family residential areas, so the impacts of the new development will be minimized. There is no neighborhood opposition to this request. Policy II.B 5i is furthered by this request.*

Policy II.B 5.j: Where new commercial development occurs, it should generally be located in existing commercially zoned areas as follows:

- In small neighborhood-oriented centers provided with pedestrian and bicycle access within reasonable distance of residential areas for walking or bicycling.
- In larger area-wide shopping centers located at intersections of arterial streets and provided with access via mass transit; more than one shopping center should be allowed at an intersection only when transportation problems do not result.
- In freestanding retailing and contiguous storefronts along streets in older neighborhoods.

*The site is an existing commercially zoned area. The proposed development will be accessible by local residents. While the site is not located within any of the types of centers or areas in the bulleted list above, the site is appropriate for this type of development. Policy II.B.5.j is partially furthered by this request.*

Policy II.B.5.k: Land adjacent to arterial streets shall be planned to minimize harmful effects of traffic; livability and safety of established residential neighborhoods shall be protected in transportation planning and operation.

*The nearest established residential neighborhood is a quarter mile east of the subject site. The applicant has designed the site to minimize the harmful effects of traffic by limiting cut through traffic options on the site for motorists. Policy II.B.5.k is furthered by this request.*

Policy II.B.5.l: Quality and innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate to the Plan area.

*The proposed development will utilize quality materials such as finished aluminum composite paneling, Concrete Masonry Unit (CMU) material, with an exterior insulation finish system. In addition, an innovative roof top parking feature over the service bay will be utilized thereby reducing the need for additional ground level surface parking on the*

---

*site. However, due to the fact that the roof top parking component is the only innovative feature, Policy II.B.5.1 is partially furthered by this request.*

### **Economic Development**

Policy II.D.6.a: New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs located convenient to areas of most need.

*The request will allow the development of an expanded car dealership building. The dealership currently employs 132 people, and the applicant states that approximately 37 additional jobs will be generated by the new car dealership building. The jobs range from vehicle repair technicians to finance and insurance managers. Policy II.D.6.a is generally furthered by this request.*

Policy II.D.6b: Development of local business enterprises as well as the recruitment of outside firms shall be emphasized.

*The existing car dealership is locally owned and the request will efficiently expand the existing employment base within the area by utilizing vacant land for the expansion efforts that are already owned by the dealership. Policy II.D.6.b is furthered by this request.*

8. The request is in general compliance with the following applicable goals and policies of the North I-25 Sector Development Plan:

Land Use Goal: Integrate existing and future land uses to support and promote economic and employment opportunities within the Plan area.

*The request to expand the existing car dealership supports and promotes economic and employment opportunities within the Plan area. The overall land use goal of the North I-25 SDP is furthered by this request.*

Land Use Policy LUZ1: Define development patterns for guiding future development by establishing a land use plan.

*According to Figure 10 in the Plan, the land use area where the existing car dealership is located is outlined as Regional Commercial (RC). Incorporation of Lots 15-18 within this land use district is in line with the proposed land use plan within the North I-25 SDP. Land Use Policy LUZ1 is furthered by this request.*

Land Use Policy LUZ2: Promote land uses that contribute to the vitality of the Plan area and strengthen the economic and functional relationships to surrounding areas.

*The request to change the land use designation for Lots 15-18 from industrial/manufacturing to commercial retail strengthens the economic and functional relationship to the surrounding area as most of the surrounding parcels are currently*

---

*experiencing a transition toward commercial retail. The increased number of employees and customers that will frequent the dealership and surrounding businesses will also benefit the existing surrounding community. Land Use Policy LU22 is furthered by this request.*

Community Design Goal / Community Design Plan: Provide quality development and a quality, cohesive visual environment throughout the Plan area for residents, businesses and visitors.

*The general intent of the Community Design Plan is to provide design regulations for the effective and efficient design of new commercial and employment developments and for the redevelopment of existing areas within the Plan area. The proposal meets this intent by expanding an existing commercial business on existing vacant parcels within the Plan area. The Community Design Goal and Community Design Plan are furthered by this request.*

6. The request is in general compliance with the following applicable goals and policies of the North I-25 Sector Development Plan:

Land Use Goal: Integrate existing and future land uses to support and promote economic and employment opportunities within the Plan area.

*The request to expand the existing car dealership supports and promotes economic and employment opportunities within the Plan area. The overall land use goal of the North I-25 SDP is furthered by this request.*

Land Use Policy LUZ1: Define development patterns for guiding future development by establishing a land use plan.

*According to Figure 10 in the Plan, the land use area where the existing car dealership is located is outlined as Regional Commercial (RC). Incorporation of Lots 15-18 within this land use district is in line with the proposed land use plan within the North I-25 SDP. Land Use Policy LUZ1 is furthered by this request.*

Land Use Policy LUZ2: Promote land uses that contribute to the vitality of the Plan area and strengthen the economic and functional relationships to surrounding areas.

*The request to change the land use designation for Lots 15-18 from industrial/manufacturing to commercial retail strengthens the economic and functional relationship to the surrounding area as most of the surrounding parcels are currently experiencing a transition toward commercial retail. The increased number of employees and customers that will frequent the dealership and surrounding businesses will also benefit the existing surrounding community. Land Use Policy LU22 is furthered by this request.*

Community Design Goal / Community Design Plan: Provide quality development and a quality, cohesive visual environment throughout the Plan area for residents, businesses and visitors.

7. *The general intent of the Community Design Plan is to provide design regulations for the effective and efficient design of new commercial and employment developments and for the redevelopment of existing areas within the Plan area. The proposal meets this intent by expanding an existing commercial business on existing vacant parcels within the Plan area. The Community Design Goal and Community Design Plan are furthered by this request.*
8. No known neighborhood opposition exists for the zone map amendment request. No facilitated meeting was requested, recommended, or held regarding this request.

***RECOMMENDATION - 1002848 August 14, 2014***

**APPROVAL 14EPC-40046, a request for Site Development Plan for Building Permit Amendment, for lots 15-18, block 10, North Albuquerque Acres, Tract A, Unit B, and Tract A-1 and B-1, American Toyota, based on the preceding Findings and subject to the following Conditions of Approval.**

***CONDITIONS OF APPROVAL – 1002848 August 14, 2014 Site Development Plan for Building Permit Amendment***

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.
3. The applicant shall submit a request to vacate the 30' Public Water & Sewer Easement to the DRB prior to final DRB sign off.
4. ABC Water Utility Authority Condition:
  - a. The ABCWUA shall verify fire flow capacity in the portion of the public water line that would remain leading up to an approval of a vacation and re-alignment request.
5. The new public waterline shall be installed at the applicant's expense.
6. City Engineer/Transportation Development Condition:
  - a. ADA Accessible parking spaces and aisles shall be dimensioned per ADA regulations.

7. DMD Transportation Planning Conditions:
  - a. Per the Long Range Roadway System map Alameda Blvd. is listed as a Principal Arterial and San Pedro a Collector. Along San Pedro the existing and proposed right-of-way lines are not well identified on the site development plan. The 17' public roadway easement called-out along San Pedro needs to instead be dedicated as public right-of-way. Per the Long Range Bikeway Systems map both Alameda and San Pedro are to contain striped on-street bike lanes with dimensions per the DPM, if they don't already exist along the site frontage.
8. Solid Waste Department Condition:
  - a. The refuse container shall comply with SWMD Ordinance, be converted to a top loading refuse container and include a note on the Site Details (Sheet 7 of 7) that the updated refuse container conforms to these requirements.
9. The Developer shall be responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as required by the Development Review Board (DRB).
10. PNM Conditions for Approval for Project #1002848 Site Development Plan for Building Permit:
  - a. Existing overhead electric distribution facilities are located on the subject property along San Pedro NE and within the central portion of the site. The applicant is responsible to abide by any conditions or terms of those easements.
  - b. Coordination with PNM will be necessary for this project regarding proposed tree species, the height at maturity and tree placement and lighting height in order to ensure sufficient safety clearances to avoid interference with the existing electric facilities along San Pedro NE. Street trees indicated on the Landscape Plan, Sheet L100, are not a compatible height with the existing overhead electric distribution utilities on the eastern portion of the property. A shorter tree selection at mature height is recommended at this location. PNM's landscaping preference is for trees and shrubs to be planted outside the PNM easement; however, if within the easement, trees and shrubs should be located to minimize effects on electric facility maintenance and repair. New trees planted near PNM facilities should be no taller than 25 feet in height at maturity to avoid conflicts with existing electric infrastructure.
11. Detailed dimensions shall be added to the Site Details (Sheet 7 of 7) for the proposed 8 foot high steel painted gates shall be dimensioned on the elevations portion of the site plan.

12. The parking calculations section of the site plan shall be revised to include the following corrections:
    - a. The Showroom/Office sub-totaled line listed at 151 must be updated to 152 spaces ( $37,793 / 250 = 151.17$ );
    - b. The Parts Warehouse sub-totaled line must be updated to 8 spaces ( $14,167/2000 = 7.08$ )
    - c. The sub-total for all required parking spaces must be changed to 280 ( $227+8+45 = 280$ )
    - d. The 10% Reduction sub-total must be changed to 28 ( $280/.10 = 28$ );
    - e. The 10% Reduction Comprehensive Zoning Code Citation must be updated to read § 14-16-3-1 (E)(6)(a);
    - f. The Total Parking Required sub-total must be changed to 252 ( $280-28 = 252$ );
    - g. The total required Accessible Parking Required citation must be changed from 301-500 Spaces to 151-300 Spaces.
  13. The proposed pilaster interval lengths shall be revised to show the maximum 20 foot interval requirement and the current vertical projection above each proposed pilaster shall be revised to meet the minimum 2 feet projection requirement from the public side of the wall surface per the Zoning Code.
  14. Note 3 on the site plan and sheet 7 of 7 A101 Keynotes section shall be revised to read “6’ High CMU Wall...”, as they now incorrectly reads “6 inch High CMU Wall”.
  15. Building mounted lighting shall be added to the site plan as required by the North I-25 SDP.
  16. A note shall be added that references the exception that tree canopy shall count towards the 75% vegetative ground cover requirement per the North I-25 Sector Development Plan.
  17. Building mounted signage shall be revised to reflect the I-25 Sector Development Plan requirements prior to final sign off.
  18. General notes 1 and 5 on the Exterior Elevations (sheet 7 of 7, A200) shall be removed.
  19. The Site Development Plan shall comply with the General Regulations of the Zoning Code, the Subdivision Ordinance, and all other applicable design regulations, except as specifically approved by the EPC.
- 
-

***Vicente M. Quevedo  
Planner***

***Notice of Decision cc list:***

Malak Hakim, 302 8<sup>th</sup> Street NW, Albuquerque, NM 87102

Jeff Peterson, 7800 Eagle Rock Ave. NE, Albuquerque, NM 87122-2723

Joe Yardumian, 7801 R.C. Gorman Ave. NE, Albuquerque, NM 87122-2748

Wim Kramer, 10220 Jarash Pl. NE, Albuquerque, NM 87109

Erica Vasquez, P.O. Box 92315, Albuquerque, NM 87199

***Attachments***

## ***CITY OF ALBUQUERQUE AGENCY COMMENTS***

### ***PLANNING DEPARTMENT***

#### ***Zoning Enforcement***

- Comments requested, not yet received.

#### ***Office of Neighborhood Coordination***

- Nor Este NA (R) & District 4 Coalition of NA's

#### ***Long Range Planning***

- No comments received.

#### ***Metropolitan Redevelopment Agency***

- No comments received.

### ***CITY ENGINEER***

#### ***Consolidated Comments for Transportation & Hydrology Sections:***

##### ***14EPC-40043 Amendment to Zone Map***

- No objection to the request.

##### ***14EPC-40046 Amendment to Site Development – Building Permit***

###### ***City Engineer/Transportation Development:***

- ADA Accessible parking spaces and aisles need to be dimensioned per ADA regulations.

###### ***City Engineer/Hydrology Development:***

- A portion of this site drains to the NMDOT ROW then to the storm drain in Alameda which does not have the capacity for the 100 yr- 6 hour storm.
- The narrative states the site will conform to the City requirements for water quality, however, with the minimal amount of parking islands and landscaping shown downstream of the facility it is not apparent how the first flush will be accommodated.
- Resubmit the conceptual grading plan prior to the EPC hearing that addresses the above comments at an EPC level of detail.

###### ***DMD Transportation Planning:***

- Per the Long Range Roadway System map Alameda Blvd. is listed as a Principal Arterial and San Pedro a Collector. Along San Pedro the existing and proposed right-of-way lines are not well identified on the site development plan. The 17' public roadway easement called-out



along San Pedro needs to instead be dedicated as public right-of-way. Per the Long Range Bikeway Systems map both Alameda and San Pedro are to contain striped on-street bike lanes with dimensions per the DPM, if they don't already exist along the site frontage.

NMDOT:

- No objection to the request.

**New Mexico Department of Transportation (NMDOT):**

Project Number: 1002848

Case Description: Amendments to Zone Map and Site Plan for Building Permit for the American Toyota Facility to be rebuilt and expand to include the four northern lots to include showroom, offices, service reception area, parts warehouse, service repair bays and a private car wash

Location Portion: 9307 San Pedro Dr NE and 5995 Alameda Blvd, Albuquerque

Type of Development (Residential/Commercial): Commercial

Possible Impacted NMDOT roadway(s): I-25 Frontage Road

Department Comments: The NMDOT has no objections to the site plan building permit amendment and the zone map amendment.

**DEPARTMENT of MUNICIPAL DEVELOPMENT**

**Transportation Planning**

- No comments received.

**Traffic Engineering Operations**

- No comments received.

**WATER UTILITY AUTHORITY**

**Utility Services**

- **Project #1002848:** The ABCWUA needs to verify fire flow capacity in the portion of the public water line that would remain after the proposed vacation. If the fire flow capacity is reduced by more than 20% or if the capacity does not meet Fire Marshal requirements, then an alternate to the vacation must be proposed.

**ENVIRONMENTAL HEALTH DEPARTMENT**

- No comments received.

**PARKS AND RECREATION**

**Planning and Design**

- No comments received.

**Open Space Division**

- Open Space has reviewed the case and has no adverse comments.

**City Forester**

- No comments received.

***POLICE DEPARTMENT/Planning***

1002848 – This project is in the Northeast Area Command.

- Recommend the removal of all proposed tree planting that are immediately adjacent to property lighting, especially in the interior portion of the parking lots. Once the tree's become mature, they will reduce the effectiveness of available illumination.
- Recommend the installation of a video surveillance system. Camera's should be positioned to view all vehicular property access points, parking areas, walkways, service and maintenance facilities and building walk-ups. Each camera should be monitored and recorded for real-time and historical use.

***SOLID WASTE MANAGEMENT DEPARTMENT***

**Refuse Division**

- Approved as long as it complies with SWMD Ordinance, & is converted to a top loading refuse container with sufficient access for solid waste vehicles.

***FIRE DEPARTMENT/Planning***

- No comments received.

***TRANSIT DEPARTMENT***

- No comments received.

***COMMENTS FROM OTHER AGENCIES***

***BERNALILLO COUNTY***

- No comments received.

***ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY***

- 14EPC-40043 Reviewed, no comment.
- 14EPC-40046 Reviewed, no comment.

***ALBUQUERQUE PUBLIC SCHOOLS***

- This will have no adverse impacts to the APS district.

***MID-REGION COUNCIL OF GOVERNMENTS***

- Reviewed, no adverse comments.

***MIDDLE RIO GRANDE CONSERVANCY DISTRICT***

- No comments received.

***PUBLIC SERVICE COMPANY OF NEW MEXICO***

Conditions for Approval for Project #1002848 Site Development Plan for Building Permit:

1. Existing overhead electric distribution facilities are located on the subject property along San Pedro NE and within the central portion of the site. The applicant is responsible to abide by any conditions or terms of those easements.

Coordination with PNM will be necessary for this project regarding proposed tree species, the height at maturity and tree placement and lighting height in order to ensure sufficient safety clearances to avoid interference with the existing electric facilities along San Pedro NE. Street trees indicated on the Landscape Plan, Sheet L100, are not a compatible height with the existing overhead electric distribution utilities on the eastern portion of the property. A shorter tree selection at mature height is recommended at this location. PNM's landscaping preference is for trees and shrubs to be planted outside the PNM easement; however, if within the easement, trees and shrubs should be located to minimize effects on electric facility maintenance and repair. New trees planted near PNM facilities should be no taller than 25 feet in height at maturity to avoid conflicts with existing electric infrastructure.