



**Environmental  
Planning  
Commission**

**Agenda Number: 03  
Project Number: 1005243  
Case #: 13EPC-40145/13EPC-40146  
November, 14, 2013**

**Staff Report**

<b>Agent</b>	Consensus Planning
<b>Applicant</b>	H & H Companies , LLC
<b>Request</b>	<b>Amendment to Site development Plan for Subdivision and Approval of Site Development Plan for Building Permit</b>
<b>Legal Description</b>	Tract 4 Broadstone Towne Center
<b>Location</b>	1620 Gibson Blvd, between University Blvd and Buena Vista Dr
<b>Size</b>	Approximately 1 acre
<b>Existing Zoning</b>	SU-1 for C-2 permissive uses with exclusions
<b>Proposed Zoning</b>	NO CHANGE

**Staff Recommendation**

*APPROVAL of 13EPC-40146 based on the Findings beginning on Page 12, and subject to the Conditions of Approval beginning on Page 15.*

*APPROVAL of 13EPC-40145 based on the Findings beginning on Page 16, and subject to the Conditions of Approval beginning on Page 19.*

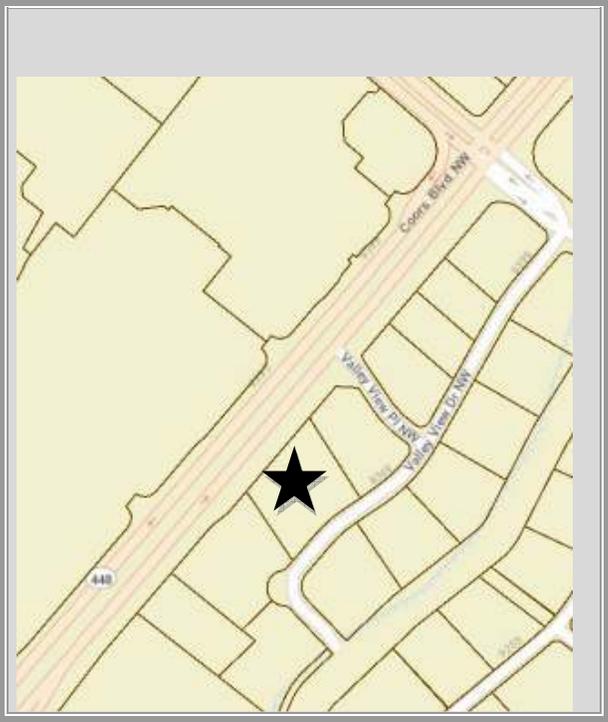
**Staff Planner**  
**Maggie Gould, Planner**

**Summary of Analysis**

This is a two part proposal consisting of an amendment to the Site Development Plan for Subdivision for the Broadstone Towne Center and approval Site Development Plan for Building Permit. The applicant proposes to amend the Site Development Plan for Subdivision to add an addition access point and move the existing access to the east. The proposal

The site governed by the approved Site Development Plan for Subdivision and is within the boundaries of the South Yale Sector Development Plan, although the Site Development for Subdivision supersedes the Sector Development Plan.

As of this writing, here is no known opposition to this request and staff is recommending approval with minor conditions.



City Departments and other interested agencies reviewed this application from 09/30/2013 to 10/11/2013  
Agency comments used in the preparation of this report begin on Page 20.

**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-1 for C-2 Permissive Uses with Exclusions	Established Urban Area South Yale Sector Development Plan	Vacant
<b>North</b>	SU-2 PNR or SU-1 PRD 600 DU Max, SU-2 PNR or SU-1 PRD & Commercial (20,000 SQ FT) & Self-Serv Storage Fac.	Established Urban Area South Yale Sector Development Plan	Single-Family Residential (Mobile Home Park), Vacant
<b>South</b>	C-1, C-3, C-2	Established Urban Area	Commercial, Vacant, Multi-Family Residential
<b>East</b>	SU-1 for C-2 Permissive Uses with Exclusions	Established Urban Area South Yale Sector Development Plan	Restaurant
<b>West</b>	SU-1 for C-2 Permissive Uses with Exclusions	Established Urban Area South Yale Sector Development Plan	Restaurant

**II. INTRODUCTION**

**Proposal**

The applicant proposes to amend the existing Site Development Plan for Subdivision in order to add a second access point for the site and move the existing access point to the east. The additional entry point will allow for a better flow of traffic and will make it easier for delivery vehicles and Solid Waste trucks to navigate the site.

The applicant also proposes a Site Development Plan for Building Permit for a 4,320 square foot sit-down restaurant. The proposed building and accompanying landscaping plan comply with the Site Development Plan for Subdivision.

**EPC Role**

Because the site is zoned Special Use (SU-1), the Environmental Planning Commission (EPC) has decision-making authority for site development plan approval, per City Code §14-16-2-22(A)(1). This is a quasi-judicial matter.

### ***History/Background***

According to the 2012 staff report (12-EPC 40050/40051), the subject site was part of a larger annexation of land that occurred between 1940 and 1959 (source: AGIS map). It is likely that the subject site's original R-1 zoning and unusual "horizontal" platting were established at that time. Minutes found in Planning Department archives for a case on the property to the north (Z-689-1) in 1987 indicate that "the property to the south consists of several long, narrow grant tracts and retains original R-1 zoning."

In 2007, the EPC approved a site development plan for subdivision (06EPC 01592, 07-DRB-70316) for Broadstone Towne Center along with design standards, a site development plan for building permit (06EPC 01593), and a zone change from R-1 to SU-1 for PRD (06EPC 01594) for the residential portion of the site (approx. 12.2 acres) and to SU-1 for C-2 Permissive Uses with Exclusions for the commercial portion of the site (approx. 4.5 acres). In 2009, the EPC approved a Site Development Plan for Building Permit at the northeast corner of Gibson and University (Tract 5), which resulted in the existing Dion's restaurant. In 2012 the EPC approved an amendment to the Site Plan for Subdivision, consolidating tracts 2 and 3 and a Site Development Plan for Building Permit for a Buffalo Wild Wings restaurant on the new tract (12-EPC 40050/40051).

### ***Context***

The subject site is within the Established Urban area of the Comprehensive Plan, South Yale Sector Development Plan, Clayton Heights/ Lomas del Cielo Metropolitan Redevelopment Area. The site is the last vacant parcel in the Broadstone Towne Center development. There is a restaurant to the west and a restaurant to the east. The Broadstone Apartments are to the north of the site. To the south, across Gibson Boulevard, is mixed commercial use and single family homes and a church. The site is near the Albuquerque International Sunport, UNM, the Isotopes and UNM Stadiums and the new Lobo Village apartments. The proposed building would generally be an appropriate use for the area.

### ***Transportation System***

The Long Range Roadway System designates University Boulevard as a Minor Arterial, with a right-of-way of 86'.

Towne Center Lane is a private local road.

There is an existing bicycle lane and a multi-use trail along Gibson Boulevard east of University Boulevard, and an existing bicycle lane on University north of Gibson Boulevard.

Access from Gibson Boulevard is not allowed because Gibson Boulevard is designated as a Limited-Access Principal Arterial. The MRCOG Traffic Flow Map for 2012 shows average daily flow of 26,700 vehicles between University and Yale and a daily average of 37,500 vehicles between Yale and Girard. The site is approximately 1/3 mile from the I-25 exit on to Gibson. The Long Range Roadway System designates Gibson Boulevard as a Limited-Access Principal Arterial, with a right-of-way of 156'.

***Comprehensive Plan Corridor Designation***

Gibson Boulevard is an Enhanced Transit Corridor. University Boulevard is an Enhanced Transit Corridor north of Gibson Boulevard and proposed Enhanced Transit Corridor south of Gibson Boulevard.

***Trails/Bikeways***

There is an existing bike lane on Gibson, east of University, and a proposed lane west of University. There is a proposed bike lane along University.

***Transit***

The area is served by bus route #96 (Crosstown Commuter) during rush hour in the morning and afternoon on weekdays, bus route #217 (Downtown-KAFB Limited) during rush hour in the morning and afternoon on weekdays, and by bus route #16/18 (Broadway-University-Gibson) all day on weekdays, Saturdays, and Sundays. There is an existing bus stop along the north side Gibson Boulevard (approximately 1,000 feet from Tract 4), a stop on the south side of Gibson (approximately 165 feet from tract 4) and another bus stop along University Boulevard (approximately 650 feet from Tract 4).

***Public Facilities/Community Services***

See attached Public Facilities Map for details.

***III. ANALYSIS***

***APPLICABLE ORDINANCES, PLANS AND POLICIES***

***Albuquerque Comprehensive Zoning Code***

The zoning for the entire 16.76 acre site development plan for subdivision is SU-2 PNR (Planned Neighborhood Residential per the South Yale Sector Development Plan) or SU-1 PRD & C-2 Permissive Uses with Exclusions. The specific zoning is SU-1 for PRD for the residential portion of the site (approx. 12.2 acres) and SU-1 for C-2 Permissive Uses with Exclusions for the commercial portion of the site (approx. 4.5 acres).

The following uses are not allowed: Freestanding Cell Towers or Antennas; Vehicle Sales, Rental Service, Repair, Storage; Package Alcohol Sales for Off-Premise Consumption; Gasoline, Oil, & Liquefied Petroleum Gas Retailing; Off-Premise Signs including Billboards; Drive-In Restaurant; School; Parking Lot; Storage Structure; Storage Yard; Uses/Activities in a Tent; and Circus or Carnival.

The SU-1 zone (Zoning Code Section 14-16-2-22) provides suitable sites for uses that are special, and for which the appropriateness of the use to a specific location depends upon the character of the site design. SU-1 zoning requires review by the EPC. The C-2 (Community Commercial) zone “provides suitable sites for offices, for most service and commercial activities, and for certain specified institutional uses.”

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According to Zoning Code Services, the Broadstone Towne Center Design Standards found in the approved Site Development Plan for Subdivision (April 2007), take precedence over the Design Standards in the South Yale SDP for lots within the approved subdivision. The use is permissive under the existing zoning.

***Definitions***

Site Development Plan for Subdivision: An accurate plan at a scale of at least 1 inch to 100 feet which covers at least one lot and specifies the site, proposed use, pedestrian and vehicular ingress and egress, any internal circulation requirements and, for each lot, maximum building height, minimum building setback, and maximum total dwelling units and/or nonresidential uses' maximum floor area ratio.

Site Development Plan for Building Permit (Section 14-16-1-5, Zoning Code): In addition to information required for Subdivision, exact structure location, structure (including sign) elevations and dimensions, parking facilities, loading facilities, any energy conservation features of the plan (e.g., appropriate landscaping, building heights and siting for solar access, provision for non-auto transportation, or energy conservational building construction), and proposed schedule for development.

***SITE DEVELOPMENT PLAN FOR SUBDIVISION AMENDMENT AND SITE DEVELOPMENT PLAN FOR BUILDING PERMIT***

The applicant intends to amend the Site Development Plan for Subdivision to add one additional access point, a 24 foot wide entry point near the northwest corner of the site and shift the existing access to the east.

The applicant is also seeking approval of a Site Development Plan for Building Permit for a 4,320 square foot sit-down restaurant.

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 of the Comprehensive Plan and South Yale Sector Development Plan.

***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 Established 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:

*Established Urban Areas*

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Policy II.B.5d: 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 and recreational concern.

*The proposed development is similar to the development to the east and west. The style and layout of the site will complement the existing development. The site is providing adequate parking. This will prevent spillover parking in adjacent residential areas. The policy is furthered by this request.*

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

*The site has excellent access to existing streets, transit and utilities. The proposed development will not compromise the integrity of the neighborhood, but will add new services that will generally benefit the area. The policy is furthered by this request.*

Policy II.B.5i: 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 development will result in an employment and service use. The design of the proposed lighting and signage will not adversely impact the area. The signage facing the apartments will not be lit. The traffic will use Towne Center lane, a private road, to access the site. These elements will mitigate any impacts from lighting, noise or traffic. The policy is furthered by this request*

Policy II.B.5k: 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 operations.

*The site will take access from Towne Center Lane, away from the existing single-family neighborhoods to the east and south. The site will be landscaped to screen the area and provide an attractive place. The policy is furthered by this request.*

Policy II.B.5l: 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 building will be in the same Mission style as the adjacent buildings. The building will have similar roofing material, stucco and landscaping. The building will also contain unique colors and lighting features that will distinguish it from the adjacent buildings. The policy is furthered by this request.*

Policy II.B.5.o: Redevelopment and rehabilitation of older neighborhoods in the Established Urban Area shall be continued and strengthened.

*The subject site is in an existing older neighborhood; this request will provide new services and add to the dining options in the area. The policy is furthered by this request.*

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*Transportation and Transit*

The goal “is to develop corridors, both streets and adjacent land uses that provide a balanced circulation system through efficient placement of employment and services, and encouragement of bicycling, walking, and use of transit/paratransit as alternatives to automobile travel, while providing sufficient roadway capacity to meet mobility and access needs.”

Policy II.D.4g: Pedestrian opportunities shall be promoted and integrated into development to create safe and pleasant non-motorized travel conditions.

***There are pedestrian connections provided from the existing sidewalk to the building. The site is located near a transit stop and across from a multi-family housing complex. The applicant is providing landscaping that will enhance the pedestrian environment within the site. The request furthers this policy and the Transit goal.***

*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 proposed new restaurant will offer job opportunities for residents of the single family neighborhood, students and others in the community. The location on a transit line will offer an alternative to driving. The neighborhoods to the south and west of the site are identified by the 2010 census as having up to 30% of the population living at or below the poverty line. The new development may offer employment opportunities for some members of this community. This policy is furthered by the request.***

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

***The request will allow the development of an outside business and furthers this policy.***

***South Yale Sector Development Plan (Rank 3)***

The South Yale Sector Development Plan (SYSDP) was adopted in February 2009. The Plan includes approximately 519 acres and generally covers the area north of Gibson Boulevard, east of University Boulevard, south of St. Cyr Avenue and generally west of Columbia Drive; specific boundaries are shown on Figure 1 on page 2 of the Plan. The purpose of the Plan is to guide development in a manner that supports the area’s economic and social vitality. The subject site is also governed by a Site Development Plan for Subdivision for the Broadstone Towne Center (adopted in 2007) which contains design standards. According to Zoning Code Services, the Broadstone Towne Center Design Standards found in the approved Site Development Plan for Subdivision (April 2007), take precedence over the Design Standards in the SYSDP for lots within the approved subdivision. However, staff did analyze the request to see if it was compatible with policies in the SYSDP.

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Goal 2.1 for Retail and Commercial Development: Develop South Yale into a retail/commercial destination with local identity to serve local needs.

*The request develops the Gibson/University portion of the SYSDP into a retail/commercial destination that will serve local needs. The request furthers these design and policy objectives for implementing the above goal: Allow mixed use, but ensure that commercial development is priority; and create a pedestrian friendly/transit friendly development. The request adds a restaurant close to apartments and other commercial businesses, creating a mixed use environment that ensures that commercial development is the priority. The development has pedestrian access throughout the site and to the surrounding streets, providing access to nearby public transit and for bicycles. The request furthers Goal 2.1 for Retail and Commercial Development.*

Goal 2.2 for Entertainment and Hospitality Development: Develop South Yale into an enjoyable entertainment and hospitality destination which is an inviting, comfortable and easy to use environment for tourists and sports enthusiasts as well as residents.

*The request provides an additional sit down restaurant for the area. The restaurant will be convenient for tourists because it is close to the airport. It will provide an additional dining option for residents and sports fans because it is close to the existing residential development, Isotopes Park and UNM stadiums. The request furthers Goal 2.2 for Entertainment and Hospitality Development.*

#### ***Clayton Heights/Lomas del Cielo Metropolitan Redevelopment Plan***

The Clayton Heights/Lomas del Cielo Metropolitan Redevelopment Plan was adopted in June of 2010. The plan contains 3 main goals for the area:

- Establish a viable commercial environment
- Revitalize area into a walkable safe neighborhood
- Improve housing conditions and increase homeownership

*This request will add to the existing commercial development in the area and continue the pattern of viable commercial development established by the two previous projects in the Broadstone Towne Center. The proposed development has a variety of pedestrian amenities. Residents and visitors could access the site on foot via Towne Center Lane. The development is well lit and will be a safe place to visit on foot or by vehicle. The proposal supports the goals of the Redevelopment Plan.*

#### ***Conclusion***

The proposed amendment to the SPSD and the proposed SPBP will further many of the goals and policies of the Established Urban area of the Comprehensive plan and of the South Yale Sector Development Plan and the Clayton Heights Lomas del Cielo Metropolitan Redevelopment Plan.

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***SITE DEVELOPMENT PLAN FOR SUBDIVISION (SPSD) AMENDMENT***

The applicant proposes to amend the existing Site Plan for Subdivision in order to add a second access point for the site and move the existing access point. The current SPSP shows one 30 foot wide full access point, 86 feet west of the property line. The applicant proposes two 24 foot wide access points, one approximately 25 feet from the west property line and one approximately 25 feet from the east property line.

The additional entry point will allow for a better flow of traffic and will make it easier for delivery vehicles and Solid Waste trucks to navigate the site.

***SITE DEVELOPMENT PLAN FOR BUILDING PERMIT***

***Request***

This is a request for a Site Development Plan for Building Permit for Tract 4, Broadstone Towne Center. The site approximately 1 acre. The applicant proposes to construct a 4,320 square foot sit-down restaurant. The use is allowed under the existing zoning.

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, South Sector Development Plan and the 2007 Site Plan for Subdivision.

***Site Plan Layout / Configuration***

The proposed building meets the standards of the Site Plan for Subdivision (SPSD); it will be compatible with surrounding development because those building also comply with the SPSP. The main entrance faces east. The entry is shaded by a tilted porch, in keeping with the required mission style. The patio faces north and is setback 3 feet from the sidewalk.

The dumpster is located in the southwest corner of the parking lot. This location is accessible for the Solid Waste department and places the dumpster away from the outdoor seating. The dumpster gates are shown as chain link with vinyl slats. The design standard G.2 requires dumpster materials to match the color and material of the buildings and design standard G.3 prohibits vinyl fencing. An alternate material will be necessary (condition 5). The dumpster gates will be highly visible and it is import that they match the overall high quality of the development.

The building is 29 feet 9 inches it its highest point. The maximum height allowed by the SPSP is 40 feet, so the height is compliant. The SPD requires a 10 foot maximum setback from internal streets. The patio is setback 3 feet from the sidewalk along Towne Center Lane, the internal street. This meets the intent of the SPSP requirement. A 442 square foot patio is provided; the SPSP requires a minimum 300 square foot outdoor space. This meets the intent of the SPSP. The patio is connected to the other developments via the existing 8 foot sidewalk.

***Public Outdoor Space***

A 300 square foot patio is provided on the north side of the building. The patio is in an excellent location. It will be shaded from the west and east by a Chinese Pistache Tree and from the south

by the building; this will result in a comfortable outdoor space. The patio will provide “eyes on the street” and improve the pedestrian environment.

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

There are two vehicle access points, 24 feet in width at the east and west sides of the site.

The applicant is providing 61 parking spaces. The parking standards per the Site Plan for Subdivision require that sit-down restaurants provide 15 spaces per 1,000 square feet of building, 65 spaces for this site. The subject site is on a transit line and could take a 10% reduction in parking (14-16-3-1-E(6).a.1), if it were in a regular zone; this would bring the site into compliance. Also, the EPC has discretion over parking and can approve parking at whatever standard is deemed appropriate.

Parking is not located between the building and the street. The parking is to the rear and sides of the building and in the front. Design Standard (C.4) that states that “Off-street parking areas shall be located to the rear or sides of buildings.” However the Design Standard is met as the language states “parking areas shall be located to the rear **or** sides of buildings.” The current configuration allows for good pedestrian access from Towne Center lane. This configuration is similar to what was approved for the adjacent Buffalo Wild Wings and the Dion’s. It also means that patrons will not have to cross multiple lanes of traffic to access that restaurant.

Four accessible spaces are provided adjacent to the main entrance per the SPSD and section 14-16-3-1 F(9)a of the zoning code. Three motorcycle spaces are provided at the northeast end of the parking lot, per section 14-16-3-1(C)(1) of the zoning code.

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

Pedestrian access is provided from the existing sidewalk along Towne Center and through the site via 6-8 foot wide walkways. The sidewalk along the west side of the building varies from 6 feet to 8 feet in width; along the 6 foot portion parking blocks are provided so that cars cannot overhang on to the 6 foot portion of the sidewalk portion.

The SPSD calls for 8 foot wide walkways along the private access road, and 6 foot sidewalk along University and Gibson, six foot wide pedestrian access walkways through the site. There is an 8.5 to 10.5 foot wide sidewalk is provided along the east side of the building connecting to the sidewalk along Towne Center Lane.

The SPSD calls for an 8 foot sidewalk connection from Gibson. There is an existing sidewalk along Gibson Boulevard; there is an approximately 10 foot wide strip of land not owned by the applicant, between the existing sidewalk and the site. If possible, the applicant will provide access to the Gibson sidewalk across this lot. There are three bicycle spaces on the east side of the building, near the main entrance and patio. The location of the retaining wall and the 10 foot wide strip of land make the access to Gibson difficult. If the applicant can obtain the easement, the sidewalk connection to Gibson will be provided.

Route #1618, Broadway-University-Gibson route, passes the site on Gibson. Route #96, Crosstown Commuter route passes the site on Gibson.

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

There is a solid retaining wall on the south and east sides of the site, ranging in height from 12 to 48 inches, the wall will have a guardrail where wall sections exceed 24 inches. The retaining wall materials will match the building in There is a four foot tall metal rail fence surrounding the patio.

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

Light poles will be fully shielded, and will be 20' in height. No poles are within 100' of residential development, so none will be 16 feet in height, per zoning code and SPSD. Wall mounted lights are provided on the north, east and south sides of the building, above the windows. Additional lights are provided on the west elevations of the building at approximately 8 feet from the ground.

### ***Landscaping***

The landscaping provided meets the requirements of the zoning code; 5,156 square feet of landscaped area is required and 6,941 square feet of landscaped area is provided. The live plant coverage is 3, 881 square feet, 3, 867 square feet is required. The note on the landscaping plan shows 3, 929 square feet. This must be clarified (condition 4).

The plant palette contains low to medium water use plants. The plant choice is appropriate for the area. The applicant has added native grasses along the retaining wall, to screen and integrate the wall into the site. The landscaping does not block the clear sight triangle for entry into the site. Four Vitex shrubs have been added to improve the landscape coverage and screen the site.

The SPSD requires a minimum of one tree per every ten spaces and requires that no space be more 100 feet from a tree. Eight trees are provided for the 60 parking spaces and all spaces are within 100 feet of a tree. Two additional street trees will be added on Gibson to maintain the tree coverage.

Existing landscaping south of the retaining wall along Gibson Blvd will remain. Any existing landscaping north of the wall will be removed. Landscaping along Gibson that conflict with the construction of this project will be removed and replaced.

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

The finish floor height of the building is 5,110 feet, the sight slopes from east to west, going from 5,112 to 5,106 feet. Flows from the site are accommodated through two sidewalk culverts and through the two access points into the site. Flow is then collected within existing storm drain inlets and passed to the existing public storm drain system within Towne Center Lane.

The site has full access to utilities.

### ***Architecture***

The building has several Mission style elements, as required by the SPSD, including Terra Cotta style roof tile, a tiled porch, tile accents on the building, a stepped down façade and a southwestern color scheme. The elevations show tan stucco as the main building color and dark red stucco as an accent color. Design Standard F.8 states “Building finish will be stucco and color shall be taupe or sand; trim shall be brown.” The standards do not specify a manufacturer or contain a color palette. Tan is approximately the same color as taupe and will meet the standard. The design standards are meant to be a minimum requirement. The red stucco as an accent adds to the character of the building and will not be harmful to the adjacent development or the neighborhood.

The building has multiple windows on the north, south and east facades. The building entry way is clearly delineated, per the SPSD.

The red cloth awnings will match the colors used in the stucco and signage. The metal window frames match the railings along the patio and integrate the patio into the building.

### ***Signage***

The design standards for signage allow building mounted signage that signage does not exceed six percent of façade area. All of the proposed signage is well below the six percent level. Signage Design Standard J.3, requires that all building mounted signage be individual type letters, but also allows special logos associated with specific tenants to be approved.

The site plan shows four signs of thirty-five square feet in size with the Denny’s logo. The sign facing the apartments to the north is not illuminated. The size and the appropriate illumination make the logo signage compatible with the intent of the Site Plan for Subdivision.

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

### ***Reviewing Agencies***

Hydrology staff expressed concern about the sidewalk grate to the east of building. Planning Staff discussed this with Hydrology staff, staff states that it is an issue that can be addressed at DRB.

Regarding the comment from Transportation about minimum parking, the standard for a sit-down restaurant is 1 space per 3 persons of fire occupancy, if the restaurant has full service liquor or 1 space per each four seats without full service liquor. The fire capacity of the building would be approximately 200 people; the parking requirement would the same 65 spaces as required by the SPSD. No seating layout is provided, however the requirement would be probably be similar.

The handicapped parking spaces have been redesigned and relocated per transportation comments.

The Site Development Plan for Building Permit has been adjusted so that the lighting and trees are not in conflict, per APD comments.

***Neighborhood/Public***

The Clayton Heights/Lomas del Cielo Neighborhood Association, the Kirtland Community Association, the District 6 Coalition, the North Valley Coalition and property owners within 100 feet were all notified of the request. Staff has not received comments from any of the Neighborhoods or property owners.

***V. CONCLUSION***

This is a two-part request for an amendment to a Site Development Plan for Subdivision Tracts 1-5, Broadstone Towne Center, and a Site Development Plan for Building Permit for Tract 4, Broadstone Towne Center, located on Towne Center Lane, between Gibson Boulevard and Eastern Avenue. The amendment will add an additional access point to the site. The applicant intends to build a 4,320 square foot, sit-down restaurant.

The subject site is controlled by the Broadstone Towne Center Site Plan for Subdivision and Design Standards, as approved by the Environmental Planning Commission (EPC) on January 18, 2007. The current zoning for the site is SU-1 for C-2 Permissive Uses with Exclusions.

The request furthers a preponderance of applicable policies found in the Comprehensive Plan and the South Yale Sector Development Plan. There is no known opposition to this request.

Staff is recommending approval of both requests with minor conditions.

***FINDINGS – 13 EPC-40146-November 14, 2013 Amendment to Site Development Plan for Subdivision***

1. This is a request to amend the Site Development Plan for Subdivision for Tracts 1-5, Broadstone Towne Center located on Gibson Boulevard, between University Boulevard and Buena Vista Drive and containing approximately 16 acres.
2. The applicant proposes to add an additional access point to the subject site, tract 4 and shift the existing access to the east. The additional entry point will allow for a better flow of traffic and will make it easier for delivery vehicles and Solid Waste trucks to navigate the site.
3. The applicant intends to build a 4,320 square foot Denny's restaurant. The use allowed under the current zoning. The accompanying Site Plan for Building Permit (13 EPC 40145) request is heard by the EPC as requirement of the approved Site Plan for Subdivision.

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4. In 2007, the EPC approved a site development plan for subdivision (06 EPC 01592, 07-DRB-70316) for Broadstone Towne Center along with design standards, a site development plan for building permit (06 EPC 01593), and a zone change from R-1 to SU-1 for PRD (06 EPC 01594) for the residential portion of the site (approx. 12.2 acres) and to SU-1 for C-2 Permissive Uses with Exclusions for the commercial portion of the site (approx. 4.5 acres). In 2009 the EPC approved a site development plan for building permit at the northeast corner of Gibson and University (Tract 5), which resulted in a restaurant. In 2012, the EPC approved an amendment to the Site Plan for Subdivision consolidating tracts 2 and 3 and a Site Plan for Building Permit for the resulting tract 2-A ( 12 EPC 40050 and 40051).
  5. The site is within the boundaries of the Established Urban area of the Comprehensive Plan, The South Yale Sector Development Plan, Clayton Heights/Lomas del Cielo Metropolitan Redevelopment Plan and is subject to the requirements of the 2007 Site Plan for Subdivision((06 EPC 01592).
  6. The Albuquerque/Bernalillo County Comprehensive Plan, South Yale Sector Development Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
  7. The request furthers applicable policies of the Comprehensive Plan, as follows:
    - a. Policy II.B.5d: The location, intensity, and design of new development. The proposed development is similar to the development to the east and west. The style and layout of the site will complement the existing development. The site is providing adequate parking. This will prevent spillover parking in adjacent residential areas.
    - b. Policy II.B.5e: New growth shall be accommodated .. in areas where vacant land is contiguous to .. urban facilities and services and where the integrity of existing neighborhoods can be ensured. The site has excellent access to existing streets, transit and utilities. The proposed development will not compromise the integrity of the neighborhood, but will add new services that will generally benefit the area.
    - c. Policy II.B.5i: 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 development will provide employment opportunities and offer neighborhood scale services. The design of the proposed lighting and signage will not adversely impact the area. The signage facing the apartments to the north will not be lit. The traffic will use Towne Center lane to access the site. These elements will mitigate any impacts from lighting, noise or traffic.
    - d. Policy II.B.5k: Land adjacent to arterial streets shall be planned to minimize harmful effects ...The site will take access from Towne Center Lane, away from the existing

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- single-family neighborhoods to the east and south. The site will be landscaped to screen the area and provide an attractive place.
- e. Policy II.B.5l: 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 building will be in the same Mission style as the adjacent buildings. The building will have similar roofing material, stucco and landscaping. The building will also contain unique colors and lighting features that will distinguish it from the adjacent buildings.
- f. Policy II.B.5.o: Redevelopment and rehabilitation of older neighborhoods in the Established Urban Area shall be continued and strengthened. The subject site is in an existing older neighborhood; this request will provide new services and add to the dining options in the area.  
*Transportation and Transit*
- g. Policy II.D.4g: Pedestrian opportunities shall be promoted and integrated into development to create safe and pleasant non-motorized travel conditions.  
There are pedestrian connections provided from the existing sidewalk to the building. The site is located near a transit stop and across from a multi-family housing complex. The applicant is providing landscaping the will enhance the pedestrian environment within the site. The request furthers this policy and the Transit goal.  
*Economic Development*
- h. 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 proposed new restaurant will offer job opportunities for people in the community. The location on a transit line will offer an alternative to driving. The neighborhoods to the south and west of the site are identified by the 2010 census as having up to 30% of the population living at or below the poverty line.
- i. Policy II.D.6.b: Development of local business enterprises as well as the recruitment of outside firms shall be emphasized. The request will allow the development of an outside business.
8. The request furthers the following goals and policies of the South Yale Sector Development Plan:
- a. Goal 2.1 for Retail and Commercial Development: Develop South Yale into a retail/commercial destination with local identity to serve local needs. The request furthers the following design and policy objectives for implementing the above goal: Allow mixed use, but ensure that commercial development is priority; and create a pedestrian friendly/transit friendly development.  
The request develops the Gibson/University portion of the SYSDP into a retail/commercial destination that will serve local needs. The request adds a restaurant close to apartments and other commercial businesses, creating a mixed use environment that ensures that commercial development is the priority. The development has public access throughout the site.

- b. Goal 2.2 for Entertainment and Hospitality Development: Develop South Yale into an enjoyable entertainment and hospitality destination which is an inviting, comfortable and easy to use environment for tourists and sports enthusiasts as well as residents. The request provides an additional sit down restaurant for the area. The restaurant will be convenient for tourists, residents and sports fans.
  
9. This request furthers the goals of the Clayton Heights Lomas del Cielo Metropolitan Redevelopment Plan by adding to the existing pattern of viable commercial in the Broadstone Towne Center and offering a variety of pedestrian amenities in a safe, well lit location
  
10. The Clayton Heights/Lomas del Cielo Neighborhood Association, the Kirtland Community Association, the District 6 Coalition, the North Valley Coalition and property owners within 100 feet were all notified of the request. Staff has not received comments from any of the Neighborhoods or property owners as of this writing.
  
11. There is no known opposition to this request.

***RECOMMENDATION – 13ECP-40146-November 14, 2013-***

**APPROVAL of 13EPC-40146, a request to Amend Site Development Plan for Subdivision for Tracts 1-5, Broadstone Towne Center, based on the preceding Findings and subject to the following Conditions of Approval.**

***CONDITIONS OF APPROVAL - 13 EPC-40146-November 14, 2013, Amendment to Site Development Plan for Subdivision***

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.

***FINDINGS – 13 EPC-40145-November 14, 2013 -Site Development Plan for Building Permit***

1. This is a request for a Site Development Plan for Building Permit for Tract 4, Broadstone Towne Center located on Gibson Boulevard, between University Boulevard and Buena Vista Drive and containing approximately .93 acres.
2. The applicant intends to build a 4,320 square foot Denny's restaurant. The use allowed under the current zoning. The request is heard by the EPC as requirement of the approved Site Plan for Subdivision.
3. The Site Development Plan for Subdivision for the subject site is amended with the accompanying request ( 13 EPC-40146) to move the existing access point and add an additional access point.
4. In 2007, the EPC approved a site development plan for subdivision (06EPC 01592, 07-DRB-70316) for Broadstone Towne Center along with design standards, a site development plan for building permit (06EPC 01593), and a zone change from R-1 to SU-1 for PRD (06EPC 01594) for the residential portion of the site (approx. 12.2 acres) and to SU-1 for C-2 Permissive Uses with Exclusions for the commercial portion of the site (approx. 4.5 acres). In 2009 the EPC approved a site development plan for building permit at the northeast corner of Gibson and University (Tract 5), which resulted in a restaurant. In 2012, the EPC approved an amendment to the Site Plan for Subdivision consolidating tracts 2 and 3 and a Site Plan for Building Permit for the resulting tract 2-A ( 12EPC 40050 and 40051).
5. The site is within the boundaries of the Established Urban area of the Comprehensive Plan, The South Yale Sector Development Plan, Clayton Heights/Lomas del Cielo Metropolitan Redevelopment and is subject to the requirements of the 2007 Site Plan for Subdivision((06 EPC-01592, 07-DRB-70316)).
6. The Albuquerque/Bernalillo County Comprehensive Plan, South Yale Sector Development Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
7. The request furthers policies of the Comprehensive Plan, including the following:

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- a. Policy II.B.5d: The location, intensity, and design of new . The proposed development is similar to the development to the east and west. The style and layout of the site will complement the existing development. The site is providing adequate parking. This will prevent spillover parking in adjacent residential areas.
  - b. Policy II.B.5e: New growth shall be accommodated .. in areas where vacant land is contiguous to .. urban facilities and services and where the integrity of existing neighborhoods can be ensured. The site has excellent access to existing streets, transit and utilities. The proposed development will not compromise the integrity of the neighborhood, but will add new services that will benefit the area.
  - c. Policy II.B.5i: 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 development will provide employment opportunity and offer neighborhood scale services. The design of the proposed lighting and signage will not adversely impact the area. The signage facing the apartments will not be lit. The traffic will use Towne Center lane, a private road, to access the site. These elements will mitigate any impacts from lighting, noise or traffic.
  - d. Policy II.B.5k: Land adjacent to arterial streets shall be planned to minimize harmful effects ...The site will take access from Towne Center Lane, away from the existing single-family neighborhoods to the east and south. The site will be landscaped to screen the area and provide an attractive place.
  - e. Policy II.B.5l: 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 building will be in the same Mission style as the adjacent buildings. The building will have similar roofing material, stucco and landscaping. The building will also contain unique colors and lighting features that will distinguish it from the adjacent buildings.
  - f. Policy II.B.5.o: Redevelopment and rehabilitation of older neighborhoods in the Established Urban Area shall be continued and strengthened. The subject site is in an existing older neighborhood; this request will provide new services and add to the dining options in the area.  
*Transportation and Transit*
  - g. Policy II.D.4g: Pedestrian opportunities shall be promoted and integrated into development to create safe and pleasant non-motorized travel conditions. There are pedestrian connections provided from the existing sidewalk to the building. The site is located near a transit stop and across from a multi-family housing complex. The applicant is providing landscaping the will enhance the pedestrian environment within the site. The request furthers this policy and the Transit goal.  
*Economic Development*
  - h. 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 proposed new restaurant will offer job opportunities for residents of the single family neighborhood, students and others in the community. The location on a transit line will offer an alternative to driving. The neighborhoods to the

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- south and west of the site are identified by the 2010 census as having up to 30% of the population living at or below the poverty line. The new development may offer employment opportunities for some members of this community.
- i. Policy II.D.6.b: Development of local business enterprises as well as the recruitment of outside firms shall be emphasized. The request will allow the development of an outside business.
8. The request furthers goals and policies of the South Yale Sector Development Plan:
    - a. Goal 2.1 for Retail and Commercial Development: Develop South Yale into a retail/commercial destination with local identity to serve local needs.  
The request develops the Gibson/University portion of the SYSDP into a retail/commercial destination that will serve local needs. The request adds a restaurant close to apartments and other commercial businesses, creating a mixed use environment that ensures that commercial development is the priority. The development has public access throughout the site.
    - b. Goal 2.2 for Entertainment and Hospitality Development: Develop South Yale into an enjoyable entertainment and hospitality destination which is an inviting, comfortable and easy to use environment for tourists and sports enthusiasts as well as residents.  
The request provides an additional sit down restaurant for the area. The restaurant will be convenient for tourists, residents and sports fans.
  9. This request furthers the goals of the Clayton Heights Lomas del Cielo Metropolitan Redevelopment Plan by adding to the existing pattern of viable commercial in the Broadstone Towne Center and offering a variety of pedestrian amenities in a safe, well lit location.
  10. The request complies with the approved Site Plan for Subdivision by providing appropriate landscaping, building design, parking and patio space.
  11. The property to the south of the site, legal description, Gibson and Miles Area Tract C, (G X M AREA TR C CONT 0.08131 AC PLAT FILED 3-22-65), is not controlled by the applicant and the applicant may not be able to provide access across this lot from the sidewalk along Gibson to the subject site.
  12. The Clayton Heights/Lomas del Cielo Neighborhood Association, the Kirtland Community Association, the District 6 Coalition, the North Valley Coalition and property owners within 100 feet were all notified of the request. Staff has not received comments from any of the Neighborhoods or property owners.

13. There is no known opposition to this request.

***RECOMMENDATION – 13ECP-40145-November 14, 2013-***

**APPROVAL of 13EPC-40145, a request for Site Development Plan for Building Permit, for Tract 4, Broadstone Towne Center, based on the preceding Findings and subject to the following Conditions of Approval.**

***CONDITIONS OF APPROVAL -13EPC-40145- November 14, 2013- Site Development Plan for Building Permit***

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 Site Development Plan shall comply with the General Regulations of the Zoning Code and all other applicable design regulations, except as specifically approved by the EPC.
4. RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT:
  - a. Site plan shall comply and be in accordance with DPM (Development Process Manual) and current ADA standards / requirements.
  - b. Label, dimension, and define all proposed infrastructure on the site plan.
  - c. Site plan must comply with Approved Site Plan for Subdivision design standards, dimensions, and access points.
5. Minor Clarifications:
  - a. The calculations on the landscape plan must match the calculations shown in the landscape plan notes.
  - b. Chain link and vinyl slats shall not be used on the dumpster enclosure gates.

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- c. On sheet 1 of 5 the maximum parking requirements shall read “15” spaces per 1, 000 square feet” rather than “1.5” spaces per 1, 000 square feet.
  - d. Colors and material will be provided for the retaining wall to make sure that it matches the building colors, per the Site Development Plan For Building Permit.
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***Maggie Gould  
Planner***

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

Consensus Planning	302 8 <sup>th</sup> street NW	Albuquerque, NM	87102
Isabel Cabrera	1720 Buena Vista DR. SE	Albuquerque, NM	87106
Kimberly Brown	1533 San Jose SE	Albuquerque, NM	87106
Marcia Boyer	1624 Alamo SE	Albuquerque, NM	87106
Nancy Bearce	600 San Pablo SE	Albuquerque, NM	87108
Roger Flegel	605 Valencia NE	Albuquerque, NM	87108

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

### ***PLANNING DEPARTMENT***

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

The proposed development is in compliance with the approved Site Development plan for Subdivision.

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

Clayton Heights/Lomas Del Cielo NA (R)

Kirtland Community Assoc. (R)

District 6 Coalition of NA's

North Valley Coalition

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

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Metropolitan Redevelopment Agency

**CITY ENGINEER**

**Project #1005243**

**13EPC-40146 Amend Site Development Plan for Subdivision**

Denny's @ Gibson/ University & Buena Vista (0.93acres) TIS: N

**Transportation Development (City Engineer/Planning Department):**

- Recommend not providing dimensions to the SPSD with respect to the location of access points. The SPBP is the preferred location for specific dimensional details.

**Hydrology Development (City Engineer/Planning Department):**

- Waiting for Comments.

**Transportation Planning (Department of Municipal Development):**

- Waiting for Comments.

**Traffic Engineering Operations (Department of Municipal Development):**

- No comments received.

**Street Maintenance (Department of Municipal Development):**

- No comments received.

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

- No comments received.
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**RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT**

Conditions of approval for the proposed Amendment to the SPSD: None received.

**Transportation Development (City Engineer/Planning Department):**

- Site plan shall comply and be in accordance with DPM (Development Process Manual) and current ADA standards / requirements.
- All proposed infrastructure within the site (curb cut/ drive pads, valley gutters, sidewalks, curbing, gutters, ramps, guardrails, paving, parking layout) shall be labeled and built per C.O.A. standard drawings or details must be provided. Keyed note #8 only addresses infrastructure within the COA ROW. Please define all proposed infrastructure on the site plan.
- ~~Per the approved Site Plan for Subdivision, all internal pedestrian connections must be 8 ft wide with the exception of crossings that must be a minimum of 6 ft. The proposed SPBP has several locations that propose less than 8 feet clearance, please address.~~
- ~~Proposed vehicular access points are not consistent with the Approved Site Development Plan for Subdivision. Will the SPSD be amended?~~  
Amended October 31<sup>st</sup>, 2013
- A complete ADA accessible pedestrian connection from the building to Gibson sidewalk is not show. Please clarify intent.
- HC parking access aisles require a minimum width of 5 feet or 8 feet if designated van accessible.

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- No Conditions regarding the amendment to the SPSD and One Comment: Recommend not providing dimensions to the SPSD with respect to the location of access points. The SPBP is the preferred location for specific dimensional details.
  - Does the proposed parking meet Zoning's minimum parking requirement for this proposed development?

**Hydrology Development (City Engineer/Planning Department):**

- Hydrology would prefer a drainage solution that only proposed one sidewalk culvert.
- No adverse comments on the Site Plan for Sub.

**Transportation Planning (Department of Municipal Development):**

- Reviewed, and no comments regarding on-street bikeways or roadway system facilities.

**Traffic Engineering Operations (Department of Municipal Development):**

- No comments received.

**Street Maintenance (Department of Municipal Development):**

- No comments received.

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

- No comments received.

**RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT**

Conditions of approval for the proposed Site Development for Building Permit:

1. Site plan shall comply and be in accordance with DPM (Development Process Manual) and current ADA standards / requirements.
2. Label, dimension, and define all proposed infrastructure on the site plan.
3. Site plan must comply with Approved Site Plan for Subdivision design standards, dimensions, and access points.

***WATER UTILITY AUTHORITY***

**Utility Services**

Project #1005243: An availability statement will be required before any water or sewer service commitment to the property can be made.

***ENVIRONMENTAL HEALTH DEPARTMENT***

***PARKS AND RECREATION***

**Planning and Design**

**Open Space Division**

**City Forester**

***POLICE DEPARTMENT/Planning***

**EPC 1005243** - This project is in the Southeast Area Commend.

- Site Development Plan For Building Permit

- Proposed parking lot light fixtures and large tree-variety landscaping appear to be in conflict with each other along the southern portion of the property (Gibson). Recommend eliminating the trees immediately adjacent to the two proposed light fixtures. Once the trees reach maturity (~5-10 years) the canopy will reduce the effectiveness on the lights. All low-level landscaping should be maintained no more than three feet off the ground of optimal natural surveillance.

- Suggest the installation of a video surveillance system for the internal and external portions of the facility. Internal cameras should be positioned to view all building entrances, points-of-sale and areas not easily viewed by staff. External cameras should be positioned to view all vehicle access points, parking stalls, walkways, common areas and maintenance facilities. All cameras (internal & external) 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.

***FIRE DEPARTMENT/Planning***

***TRANSIT DEPARTMENT***

<b>Project # 1005243                  13EPC-40145 SITE                  DEVELOPMENT BUILDING                  PERMIT</b>  LOTS 4, BROADSTONE TOWN CENTER, ZONED SU- 1 FOR C-2 LOCATED ON GIBSON BLVD. BETWEEN UNIVERSITY BLVD AND BUENA VISTA APPROX. 0.93 ACRES. (L-15)	Adjacent and nearby routes	Route #1618, Broadway-University-Gibson route, passes the site on Gibson. Route #96, Crosstown commuter route passes the site on Gibson.
	Adjacent bus stops	Nearest bus stop serving the above-mentioned routes is located across the street 165' from southwest corner of the property
	Site plan requirements	None.
	Large site TDM suggestions	None.
	Other information	None

***COMMENTS FROM OTHER AGENCIES***

***BERNALILLO COUNTY***

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

***ALBUQUERQUE PUBLIC SCHOOLS***

**Broadstone Town Center**, Lot 4, is located on Gibson Blvd between University Blvd and Buena Vista. The owner of the above property requests a Site Development Plan for Build Permit to allow for the development of a Denny's Restaurant. This will have no adverse impacts to the APS district.

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

***MIDDLE RIO GRANDE CONSERVANCY DISTRICT***

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

It is the applicant's obligation to determine if existing utility easements cross the property and to abide by any conditions or terms of those easements.