



Environmental Planning Commission

***Agenda Number: 2
Project Number: 1008519
Case #: 14EPC-40011
April 10, 2014***

Staff Report

<i>Agent</i>	GreenbergFarrow
<i>Applicant</i>	Bubba's 33
<i>Request</i>	Site Development Plan for Building Permit
<i>Legal Description</i>	Tract A-1-C-1-A-2, Cryer Subdivision
<i>Location</i>	South Bound I-25 Frontage Rd. between Montano and Jefferson
<i>Size</i>	1.77 acres
<i>Existing Zoning</i>	SU-1 for C-3 & IP Uses
<i>Proposed Zoning</i>	No Change

Staff Recommendation

APPROVAL of Case 14EPC-40011 based on the Findings beginning on Page 10, and subject to the Conditions of Approval beginning on Page 12.

***Staff Planner
Carrie Barkhurst, Planner***

Summary of Analysis

The request is for approval of a Site Development Plan for Building Permit. The subject site is a currently vacant parcel located on the Southbound I-25 Pan American Frontage Road. The applicant proposes to develop a restaurant with full service liquor sales. This second phase of development is consistent with the recent development of a restaurant within the same commercial subdivision. The requested use is permissive under the existing zoning.

The subject site is in the Established Urban Area of the Comprehensive Plan. The North Valley Area Plan also applies. The proposal generally meets the applicable policies and requirements of the Comprehensive Plan, the North Side Area Plan, and the City Zoning Code. Staff recommends minor changes to improve compliance with site plan requirements and agency concerns.

The North Valley Coalition was notified of the request. There is no known opposition to this request.

Staff recommends approval subject to conditions.



Tract A-1-C-1-A-2, Cryer Subdivision

City Departments and other interested agencies reviewed this application from 3/3/2014 to 3/14/2014.
Agency comments used in the preparation of this report begin on Page 15.

I. AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses:

	<i>Zoning</i>	<i>Comprehensive Plan Area; Applicable Rank II & III Plans</i>	<i>Land Use</i>
<i>Site</i>	SU-1 for C-3 & IP Uses	Established Urban; North Valley Area Plan	Vacant (formerly Automobile Sales)
<i>North</i>	SU-1 for C-3 & IP Uses	Established Urban; North Valley Area Plan	Commercial Retail (Movie Theater; Restaurant)
<i>South</i>	I-25 ROW; M-1	Established Urban	Commercial/Industrial (Woodworking; Storage)
<i>East</i>	SU-1 for C-3 & IP Uses	Established Urban; North Valley Area Plan	Commercial Retail (Restaurant with Liquor)
<i>West</i>	SU-1 for C-3 & IP Uses; M-1; SU-1 for C-1 Uses	Established Urban; North Valley Area Plan	Commercial/Utilities (Restaurant; Electric Substation)

II. INTRODUCTION

Proposal

The proposal is for a Site Development Plan for Building Permit (SPBP) for a 1.77 Tract A-1-C-1-A-2, Cryer Subdivision, containing 1.77 acres. The subject site is located on Southbound Pan American Freeway Frontage Road between Jefferson Blvd. and Montaño Rd. The subject site is zoned SU-1 for C-3 and IP Uses. The proposed development is for a restaurant with full service liquor. The proposed use is permissive in the current zoning. Future development of the one remaining vacant lot, to the rear of this subject site and that is governed by the same Site Development Plan for Subdivision, would return to the EPC for review.

EPC Role

The Environmental Planning Commission (EPC) has decision-making authority for the site plan approval, per §14-16-2-22(A)(1) of the Zoning Code. This is a quasi-judicial matter.

Context

The subject site is in the Established Urban Area of the Comprehensive Plan and within the boundaries of the North Valley Area Plan. There is no applicable Sector Plan. The subject site was formerly an automobile dealership and go-cart business, which was demolished as part of a previous development request. There is an existing office and retail center located north and east of the subject site (Jefferson Commons). The Renaissance Major Activity Center is located approximately ¼-mile southwest of the subject site. There is an AMAFCA channel along the northern side of the property, which feeds into the North Diversion Channel, just west of the site.

History

On February 8, 1990, the Planning Director approved administratively a site development plan for use as an automobile sales office and lot (Z-75-29-1).

On April 11, 2013 the EPC approved a Site Development Plan for Subdivision (13EPC-40100) for the same property, to create three new lots and specify C-3 Uses (permissive and conditional) for the site, and restrict all IP uses (property zoning is SU-1 for C-3 and I-P Uses).

In November 2013, the EPC approved a Site Development Plan for Building Permit for a 2-acre portion of the subject site for use as a restaurant with full service liquor sales (12EPC-40068). This development was for a new restaurant with full service liquor sales, which has been developed. This development had a similar amount of parking, close to two times the required amount. Since opening, the parking approved has shown to be inadequate for the number of customers, and the property owner has worked with the city to get temporary parking approved on the northern parcel. This present request would pave a portion of the “temporary parking” on that lot, which is a more desirable condition.

On September 12, 2013, the EPC approved a revised site development plan for subdivision for the entire site that allowed a maximum building height of 60 feet, and waived the restriction for a 45-degree height plane that is normally required in the C-3 zone. This change would allow development of a hotel or other taller structure in the final phase of development in this commercial subdivision.

Transportation System

The Long Range Roadway System (LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies the functional classifications of roadways. The Long Range Roadway System designates Pan American Freeway Frontage Road as an Urban Interstate, which is within the New Mexico Department of Transportation jurisdiction. The Comprehensive Plan designates this as an Express Corridor. Express Corridors are designed to quickly and efficiently move vehicles.

There is an existing bicycle trail ¼-mile southwest of the subject site, along the North Diversion Channel. There are proposed bicycle lanes along Jefferson, Chappell Road, and Montano. No bicycle facilities are planned along the Pan American Freeway Frontage Road.

ABQ Ride Routes 251, ABQ-Rio Rancho/Rail Runner Connection, and 551, Jefferson / Paseo del Norte Express, pass within ¼-mile of the subject site. Both are limited-service routes funded by Rio Metro Regional Transit District.

Public Facilities/Community Services

There is one elementary school and two City parks located within 1-mile of the site. For more specific information, see the Public Facilities Map.

III. ANALYSIS

Albuquerque Comprehensive Zoning Code

The subject site is zoned SU-1 for C-3 and IP Uses. The SU-1 zone “provides suitable sites for uses which are special because of infrequent occurrence, effect on surrounding property, safety, hazard, or other reasons, and in which the appropriateness of the use to a specific location is partly or entirely dependent on the character of the site design.” Development at this location is required to have a site development plan, in accordance with the SU-1 zoning.

The proposed use is permissive under the current zoning, and no zone change is requested. The C-3 zone “provides suitable sites for C-2 uses, wholesale commercial uses, and some light industrial uses which cause no vibration discernible beyond the premises.” The IP zone “provides suitable sites for a wide range of industrial and commercial uses, provided such uses are conducted in a compatible and harmonious manner within industrial environments achieved through a Development Plan.”

Site Development Plan for Building Permit

The request is for approval of a Site Development Plan for Building Permit. §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 the North Valley Area Plan.

APPLICABLE ORDINANCES, PLANS AND POLICIES

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 “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:

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, recreational concern.

The site plan respects existing social, cultural, and environmental resources, and the new use will have a minimal impact on the existing development in the area. It is compatible with nearby developments. The proposed site development plan and EPC review and approval will ensure a high quality built environment. The request furthers Policy II.B.5.d.

Policy II.B.5.e: 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 is well-served with existing roads and infrastructure. The site has full access to urban facilities and services. The subject site is infill redevelopment in an existing office and commercial center. The integrity of existing neighborhoods will not be impacted because there are no nearby residential neighborhoods and the proposed use is consistent with existing zoning and land uses. The request furthers Policy II.B.5.e.

Transportation and Transit: The Goal is to develop corridors, both streets and adjacent land uses that provide a balanced circulation system, 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.

Although the development is primarily geared towards vehicular access, the area is served by infrastructure for multiple modes of transportation. An additional restaurant at this location will serve the concentration of nearby office uses. The site is located conveniently off the I-25 frontage road, and has excellent access to the road network. The request is consistent with Transportation and Transit Goal II.D.4.

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

The parking areas are broken up into small parking fields, which may improve the pedestrian experience. There is a 6-foot wide pedestrian walkway around the entire building perimeter. The request is generally consistent with Policy II.D.4.g.

North Valley Area Plan (Rank II)

The North Valley Area Plan was adopted in 1993. The Plan generally encompasses the 28.5 square mile area south of the Bernalillo/Sandoval County line, north of Interstate 40, west of Interstate 25 and east of the Rio Grande. Specific boundaries are shown on page 24 of the Plan.

The NVAP establishes twelve overarching Goals (p. 5-6) and sets forth policies regarding land use and zoning for the area. Other policies provide guidance on air quality, wastewater, drainage, transportation, housing, village centers, community design, agriculture and rural character and implementation. Applicable policies include:

Land Use Goal 2.b is to “preserve and enhance the environmental quality of the North Valley Area by *controlling growth* and maintaining low density development.” (p. 5).

The request proposes to develop a restaurant along the I-25 commercial corridor. The site is zoned SU-1 for C-3 and IP, which requires a site development plan. The site plan will control growth at this location, therefore, this request is consistent with NVAP Land Use Goal 2.d.

Land Use Goal 6 is to “encourage quality commercial/industrial development and redevelopment in response to area needs in already developed established commercial industrial zones and areas. To discourage future commercial/industrial development on lots not already zoned commercial/industrial.” (p. 6).

This property is currently zoned SU-1 for C-3 and IP, which allows commercial, industrial and manufacturing land uses. The request proposes redevelopment in an established commercial area. This request furthers Land Use Goal 6 by providing commercial redevelopment in an appropriate location. The redevelopment of this site will improve the aesthetics and the vitality in the area.

Land Use Goal 11 is to “locate commercial and industrial development within the I-25 corridor, and selected areas along the I-40 corridor, especially as an alternative to extensive lower valley commercial/industrial development.” (p. 6).

The subject site is within the I-25 corridor, and is a redevelopment opportunity for existing commercial / industrial property. This request furthers Land Use Goal 11.

Preferred Scenario Land Use Plan: The subject site is located near the south eastern boundary of the North Valley Area Plan. The Plan anticipated that the area in which the subject site is located would develop with Large Scale Community and Regional Commercial uses.

The Preferred Land Use Scenario Land Use Plan, found on page 37, shows the area around the subject site as large scale community and regional uses, which currently characterize the area. The proposed development is consistent with the Preferred Land Use Plan.

Site Plan Layout / General Configuration

The proposed development is compatible with surrounding development. It is similar to other large-scale restaurants along the same corridor, and it is generally complements the other uses in the area – Movie Theater, hotel, and office. The building faces the frontage road, which customers will predominantly use to access the site. The parking is distributed in smaller parking fields around the building. The building setbacks, uses, FAR, and height are compatible with the Zoning Code and the Site Development Plan for Subdivision. The character, design, and quality of development appear to be similar to the recent development on lot A-1-C-1-A-1.

Public Outdoor Space

There is no public outdoor space requirement in the C-3 or IP zones. The site plan does not indicate any outdoor gathering space for either waiting customers or employees. Some outdoor dining or gathering space would be desirable, but was not proposed.

Vehicular Access, Circulation and Parking

The site has one vehicular access driveway from the Frontage Road. There is a cross lot access easement that also allows ingress/egress from an adjacent private driveway that serves the movie theater. The request proposes two-way vehicular circulation around all sides of the building.

This development proposes 148 parking spaces on site, and an additional 45 spaces to be developed on the lot to the rear. This is nearly two times the required amount; it accommodates one parking space for every two people at maximum capacity. However, since opening of the adjacent restaurant, the parking provided has shown to be inadequate for the number of customers, and the property owner has worked with the city to get temporary parking approved on the northern parcel and this subject site. This present request would pave the “temporary parking,” which is a more desirable condition which would reduce fugitive dust.

Pedestrian and Bicycle Access and Circulation, Transit Access

The NMDOT has required a sidewalk along the Frontage Road right-of-way. This site provides a pedestrian connection from the public right-of-way to the building pad. There is a sidewalk around the building perimeter that is 6’ in areas but predominantly 8.5’ wide. Mirroring the adjacent development, the pedestrian walkway does a similar shift from along the drive aisle, to the building pad, back to the drive aisle. On this site, the shift happens to avoid routing pedestrians behind parked vehicles; it is much more direct than the route on the adjacent site. The two building frontages roughly line up, and an informal pedestrian route could cross the internal driveway. There are no transit or bicycle facilities directly adjacent to this site.

Walls/Fences

The request does not include any walls or fences.

Landscaping

The shade trees include Chitalpa, Desert Willow, Shademaster Locust, and Chinese Pistache. The groundcover includes low water use and native grasses and shrubs.

The Landscape Plan includes 10,691sf of landscape areas, which is 16% of the net lot area. No landscaping or groundcover is proposed in the NMDOT right-of-way. The site plan indicates 77% coverage of live, vegetative groundcover. This is consistent with the General Landscaping Regulation, which requires a minimum of 75% ground coverage of landscaping areas. The landscape plan provides an adequate number of parking lot trees and street trees, as well as a hedge of evergreen shrubs that will screen the parking lot from the Frontage Road, per §14-16-3-10(G)(1), (2), and (3) Landscaping Regulations.

One of the main challenges of implementation of the first phase of development was an EPC condition to preserve the existing mature trees on site to the extent possible. This condition was included to address the urban heat-island effect and the severe documented loss of tree canopy in Albuquerque and across the nation. Six trees were slated for preservation; one of the six is located on this site. Staff recommends, based on the prior agreement to preserve this tree, that the site plan be amended to indicate the location of this tree, and to relocate any adjacent trees that would share the same canopy space. The applicant has agreed to reflect the tree on the site plan and to adjust nearby landscaping if needed. Staff also recommends that the street trees along the Frontage Road be more widely spaced. As shown, the tree canopy of adjacent trees will largely overlap when the trees are mature size.

Lighting and Security

The site plan indicates six site lighting fixtures to illuminate the parking areas; the maximum height is not specified. The trees along the Frontage Road should be relocated so that they do not conflict with the two light fixtures. The site plan should include a detail of the fixture type, and include a note that requires compliance with Zoning Code §14-16-3-9, Area Lighting Regulations.

Grading, Drainage, Utility Plans

The proposed drainage flow is via surface flow across the site to the northwest corner where there is free discharge into the AMAFCA channel. There is an existing rock lined swale that carries water from the adjacent site and shared driveway. A temporary drainage diversion berm is located along the northwestern property line, which protects the adjacent utility structure from stormwater from the subject site on transit to the drainage channel.

The utility plan proposes a looped waterline from the Frontage Road along the southwestern boundary of the site connecting to the existing waterline in the shared driveway. An overhead electric line is proposed along the shared driveway, above the pedestrian walkway.

Architecture

The building façades consist of natural cedar, red, and white painted distressed wood siding; “distressed” and dark grey painted masonry bricks; and “galvalume” metal awnings. The massing of the front façade is broken up with glazing – doors, windows and garage doors – with lesser quantities on the east and west sides. There is a vertical articulated element on the south, east, and west façades that breaks up the awnings and frames the building-mounted signs. There are white, blue, and red LED accent lights along the building parapet that will give the impression of neon tubing.

The northeast and southwest sides of the building are 105’, and therefore must comply with the General Building and Site Design Regulations for major façades and façades 100 feet or greater [§14-16-3-18(C)(2) General Building Regulations]. The design provides articulation distributed along the length of the façade with windows, doors, and awnings along over 50% of the façade length. This is compliant with the requirements for major façades.

The dumpster is located at the rear of the building, and it is screened with an architecturally compatible enclosure structure. The angle of the dumpster enclosure has been revised from the original submittal; Solid Waste will confirm the orientation as acceptable when the site plan is submitted for DRB approval.

Signage

The signage plan shows three permanent building-mounted signs, one on each of the main facades that are 60.5 SF each. There are also 3 “Now Open” signs that are 24 SF each. The site plan should specify the length of time the signs will be displayed or specify if they are to be permanent signs. This amount of signage is acceptable in the C-3 zone.

One free-standing sign is proposed. The sign face area is 288 SF. The C-3 zone allows free-standing signs to be up to 300 square feet if the sign is within 200 feet of a moving lane of a freeway and is visible from the freeway, §14-16-2-17(A)(10)(c)d C-3 Zone Regulations. This sign meets the criteria for a sign this size. Staff notes that this is 100 SF larger than the combined signs on the adjacent lot.

IV. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies/Pre-Hearing Discussion

The Public Service Company of New Mexico, NMDOT, and the City Engineer have some conditions that must be met prior to sign off by DRB. The full comments are included in the Agency Comments, beginning on page 15 of this report.

Neighborhood/Public

Property-owners within 100' and the North Valley Coalition were notified. A facilitated meeting was neither offered nor requested. There is no known opposition to the request.

V. CONCLUSION

The request is for approval of a Site Development Plan for Building Permit for Tract A-1-C-1-A-2, Cryer Subdivision, containing 1.77 acres. The subject site is a currently vacant parcel located on the Southbound I-25 Pan American Frontage Road. The applicant proposes to develop a restaurant with full service liquor sales as Phase II development of a 5.5 acre site, which was subdivided in February 2014 (the Site Development Plan for Subdivision was approved by the EPC in April 2013). Future development of the final parcel will return to the EPC for review. The site is zoned SU-1 for C-3 and IP Uses; the requested use is permissive under the existing zoning.

The subject site is in the Established Urban Area of the Comprehensive Plan. The North Valley Area Plan also applies. The proposal generally meets the applicable policies and requirements of the Comprehensive Plan, the North Side Area Plan, and the City Zoning Code. There is no known opposition to this request.

Based on staff review of this request, Planning Staff recommends approval subject to conditions. There are minor corrections to the site plan that are required prior to DRB final sign-off, including correcting the zoning description, numbering of sheets, adjusting landscaping to accommodate the full anticipated tree canopy in relation to area lights, and specification if the signage and adjacent lot improvements are permanent or temporary. PNM and NMDOT have further conditions of approval that are listed in detail in the Recommended Conditions of Approval.

FINDINGS – 14EPC-40011 – April 10, 2014 – Site Development Plan for Building Permit

1. This is a request for Site Development Plan for Building Permit for Tract A-1-C-1-A-2, Cryer Subdivision, located on Southbound Pan American Freeway I-25 Frontage Road and containing approximately 1.77 acres.
2. The subject site is zoned SU-1 for C-3 and IP Uses. The proposed use, restaurant with full service liquor, is permissive under the current zoning.
3. The subject site is in the Established Urban Area of the Comprehensive Plan. The North Valley Area Plan also applies. The Albuquerque/Bernalillo County Comprehensive Plan, the North Valley Area Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
4. The request complies with most applicable Zoning Code Regulations and Site Development Plan for Building Permit Checklist Items. However, there are some instances of non-compliance, including an incorrect zoning description, and the height of area lighting standards. The conditions of approval address the inconsistencies.
5. Regarding the intent of the Comprehensive Plan, the request furthers the following goal and policies:
 - a. Policy II.B.5.d - location, intensity, and design of new development and neighborhood values: The site plan respects existing social, cultural, and environmental resources, and the new use will have a minimal impact on the existing development in the area. The proposed site development plan and EPC review and approval will ensure a high quality built environment.
 - b. Policy II.B.5.e - New growth contiguous to existing services: The site has full access to urban facilities and services. The subject site is infill redevelopment in an existing office and commercial center. The integrity of existing neighborhoods will not be impacted because there are no nearby neighborhoods and the proposed use is consistent with existing zoning and land uses.
 - c. Transportation and Transit Goal - Provide a balanced circulation system to meet mobility and access needs: Although the development is primarily geared towards vehicular access, the area is served by infrastructure for multiple modes of transportation. An additional restaurant at this location will serve the concentration of nearby office uses. The site is located conveniently off the I-25 frontage road, and has excellent access to the road network.

- d. Policy II.D.4.g - Pedestrian opportunities shall be promoted for safe and pleasant non-motorized travel conditions: The parking areas are broken up into small parking fields, which may improve the pedestrian experience. There is a 6-foot wide pedestrian walkway around the entire building perimeter, except for at the dumpster location.
6. Regarding the intent of the North Valley Area Plan, the request is consistent with the following goals and policies:
 - a. Land Use Goal 2.b - preserve and enhance the environmental quality: The request proposes to develop a restaurant along the I-25 commercial corridor. The site is zoned SU-1 for C-3 and IP, which requires a site development plan. The site plan will control growth at this location.
 - b. Land Use Goal 6 - encourage quality commercial/industrial development in already developed established commercial industrial zones and areas: The request proposes redevelopment in an established commercial area.
 - c. Land Use Goal 11 - locate commercial and industrial development within the I-25 corridor: The subject site is within the I-25 corridor, and is a redevelopment opportunity for existing commercial / industrial property.
 - d. Preferred Scenario Land Use Plan - Large Scale Community and Regional Commercial uses: The Preferred Land Use Scenario Land Use Plan, found on page 37, shows the area around the subject site as large scale community and regional uses, which currently characterize the area. The proposed development is consistent with the Preferred Land Use Plan.
7. The subject site is adjacent to property that is owned and/or managed by the New Mexico Department of Transportation (NMDOT), the Public Service Company of New Mexico (PNM), Albuquerque Metropolitan Arroyo Flood Control Association (AMAFCA), and a privately owned access road. As with the adjacent development request that is governed by the same Site Development Plan for Subdivision, the applicant demonstrated coordination with NMDOT and the adjacent property-owner.
8. Property-owners within 100' and the North Valley Coalition were notified. A facilitated meeting was neither offered nor requested. There is no known opposition to the request.

RECOMMENDATION – 14EPC-40011 – April 10, 2014 – Site Development Plan for Building Permit

APPROVAL of 14EPC-40011, a request for Site Development Plan for Building Permit, for Lot A-1-C-1-A-2, Cryer Subdivision, based on the preceding Findings and subject to the following Conditions of Approval.

RECOMMENDED CONDITIONS OF APPROVAL – 14EPC-40011 – April 10, 2014 – 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. **Minor Corrections Required.**
 - a. The zoning description shall be revised to indicate the correct zoning: SU-1 for C-3 and IP Uses.
 - b. The improvements on the north lot shall be identified as temporary or permanent and it should be made clear if they include only asphalt or also permanent curb and gutter.
 - c. All sheets shall be numbered consecutively, specifically “Conceptual Grading Plan – Sheet 2,” “Conceptual Utility Plan – Sheet 3,” and “Architectural Elevations – Sheet 6.”
4. **Landscaping.**
 - a. The Frontage Road street trees and pole lights are in conflict with each other. Recommend situating large tree variety plantings away from proposed light placement.
 - a. The street trees along the Frontage Road shall be more widely spaced. As shown, the tree canopy of adjacent trees will largely overlap when the trees are mature size.
5. **Lighting.** The site plan shall specify the maximum light pole height and include a note that requires compliance with Zoning Code §14-16-3-9, Area Lighting Regulations.

6. **Refuse Enclosure.** Solid Waste shall review and approve the design prior to DRB sign-off.
7. **Architectural Elevations/Signage.** There are also 3 “Now Open” signs that are 24 SF each. The site plan should specify the length of time the signs will be displayed or specify if they are to be permanent signs.
8. Conditions of approval from City Engineer, Municipal Development and NMDOT include:
 - a. Site plan shall comply and be in accordance with all applicable City of Albuquerque requirements, including the Development Process Manual and current ADA criteria.
 - b. Additional parking stalls proposed outside of lot lines will require a cross-access / parking easement.
 - c. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as required by the Development Review Board (DRB).
 - d. The NMDOT shall require the Property Owner to obtain a Shared Access Permit with the property owner to the north and to build an ADA compliant sidewalk along the Pan American Freeway frontage road for the entire length of the property. No advertisement will be allowed within state right-of-way.
9. Conditions of approval from the Public Service Company of New Mexico:
 - a. The applicant is responsible to determine if existing utility easements cross the property and 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, sign location and height, and lighting height in order to ensure sufficient safety clearances to avoid interference with the existing electric facilities along the project site boundary. Trees indicated on the Overall Landscape Plan, Sheet L1.0, are not a compatible height with the existing overhead electric distribution utilities on the southwestern boundary of the property. A shorter tree selection 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 planted 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. Contact:
Mike Moyers, PNM Center Service
4201 Edith Boulevard NE
Albuquerque, NM 87107
Phone: (505) 241-3697

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- c. Design ground-mounted equipment screening to allow for access to utility facilities. All screening and vegetation surrounding ground-mounted transformers and utility pads are to allow 10 feet of clearance in front of the equipment door and 5-6 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Refer to the PNM Electric Service Guide at www.pnm.com for specifications.
 - d. PNM will continue to review the grading and drainage plan for this project and will potentially have future comments regarding the grading and drainage plan as it continues through the approval process.
 - e. Ensure that the inlet to the AMAFCA Channel at the northwest corner of the entire development site where the subject property surface flows will be discharging can accommodate the additional surface flows from the proposed subject project site.
 - f. Ensure that the existing berm along the western edge of the subject property remains in place without alteration in order to prevent surface flows from the proposed project site from entering PNM's adjacent switchyard property.
 - g. Ensure compliance with the overall existing grading and drainage plan for the entire development site.
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K. Carrie Barkhurst
Planner

Notice of Decision cc list:

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David Wood, 158 Pleasant NW, Albuquerque, NM 87107

Attachments

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

Provide signage details for HC-motorcycle-and bicycle spaces; Parking per §14-16-2-22(C)

Office of Neighborhood Coordination

No Neighborhood and/or Homeowner Association to notify – siw

North Valley Coalition

Long Range Planning

The use is allowed per the underlying zone. Is the amount of parking shown necessary? If the Desert Willows are used as parking lot trees, they must be pruned to one trunk so that they provide the needed height shade.

Metropolitan Redevelopment – No comments received.

CITY ENGINEER

Transportation Development Services – No comments received.

1. Re-label Site Plan as Site Plan for Building Permit. This plan is noted as conceptual on Project Note 1. Remove this notation.
2. The proposed location(s) of Bubba's 33 frontage signs are not consistent between the Site Plan and Sign Company Sheet 1/6. Please clarify.
3. Additional parking stalls proposed outside of site lot lines will require a cross-access / parking easement.
4. The HC parking stalls, access aisles, pavement markings, posted signage, ramps and landing requirements are not adequately indicated on SPBP to meet DPM & ADA requirements. Please provide details. HC Van stall and access aisle must provide 16 ft. in width, all other HC stalls must be 8.5 ft. wide with minimum 5 ft. wide access aisles.

Hydrology

The overall drainage plan assumed 15% of the property would be landscaping, rather than 15% of the net site. Address how this development area will meet the 24.22 cfs when submitting the conceptually drainage plan to Hydrology for site plan approval at DRB.

In addition, provide more information on how flows leave the site for DRB. Currently there is a rip-rap rundown at the end of the drive aisle at the Cheddar's. In addition, how does the water leave the paved surface at the Bubba's and not cause erosion?

Since this site drains directly to an AMAFCA facility, AMAFCA approval is required for site plan approval at DRB.

DEPARTMENT of MUNICIPAL DEVELOPMENT

Transportation Planning

1. There are no comments regarding bikeway, trails, or roadway system facilities.
2. Pan American Frontage Road is a NMDOT-owned and maintained facility. Refer to comments from NMDOT regarding this facility.

Traffic Engineering Operations – No comments received.

Street Maintenance – No comments received.

RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT:

RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT:

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

1. Site plan shall comply and be in accordance with all applicable City of Albuquerque requirements, including the Development Process Manual and current ADA criteria.
2. Re-label Site Plan as Site Plan for Building Permit. This plan is noted as conceptual on Project Note 1. Remove this notation.
3. The proposed location(s) of Bubba's 33 frontage signs are not consistent between the Site Plan and Sign Company Sheet 1/6. Please clarify.
4. Additional parking stalls proposed outside of lot lines will require a cross-access / parking easement.
5. The HC parking stalls, access aisles, pavement markings, posted signage, ramps and landing requirements are not adequately indicated on SPBP to meet DPM & ADA requirements. Please provide details. HC Van stall and access aisle must provide 16 ft. in width, all other HC stalls must be 8.5 ft. wide with minimum 5 ft. wide access aisles.
6. Please add the following note to the General Notes on sheet C1.1 and Landscaping Plan: "Landscaping, fencing and signing will not interfere with clear sight requirements. Therefore, signs, walls, trees, and shrubbery between 3 and 8 feet tall (as measured from the gutter pan) will not be acceptable in this area."
7. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as required by the Development Review Board (DRB)

WATER UTILITY AUTHORITY

Utility Services

An availability request has been submitted for the site and is in process. No comments.

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division – No comments received.

Environmental Services Division – No comments received.

PARKS AND RECREATION

Planning and Design

Request that the existing remaining large trees be preserved if possible as was done at Cheddars development.

Open Space Division – No comments received.

City Forester – No comments received.

POLICE DEPARTMENT/Planning

This project is in the Valley Area Command.

- It appears that the proposed exterior lighting and tree variety landscaping are in conflict with each other. Three of the four pole-light locations are in the same place as proposed tree planting. Recommend not placing the trees in the three parking lot islands. Once trees become mature, they reduce the effectiveness of available illumination.
- The proposed building and surrounding areas should include a video surveillance camera system. Cameras should be positioned to view all vehicle and pedestrian access points, parking lots, walkways, building walk-up, refuse and loading/delivery areas. Each camera should be monitored and recorded for real-time and historical use.

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

Disapproved. Refuse location may not work. Call 681-2766.

FIRE DEPARTMENT/Planning – No comments received.

TRANSIT DEPARTMENT

None.

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY – No comments received.

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

No objection to Site Plan for Building Permit. AMAFCA reviewed and approved the Grading and Drainage Plan for this lot with the Cheddar's Restaurant plan. It will drain to a permitted pipe outfall to AMAFCA's Vineyard Channel that was installed with Cheddar's.

ALBUQUERQUE PUBLIC SCHOOLS

Cryer, Lot A-1-C-1-A-2, is located on Pan American Frontage Rd between Montano and Jefferson. The owner of the above property requests a Site Development Plan for Building Permit to allow for the development of a casual dining restaurant. This will have no adverse impacts to the APS district.

MID-REGION COUNCIL OF GOVERNMENTS – No comments received.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT – No comments received.

NEW MEXICO DEPARTMENT OF TRANSPORTATION

The NMDOT shall require the Property Owner to obtain a Shared Access Permit with the property owner to the north and to build an ADA compliant sidewalk along the Pan American Freeway frontage road for the entire length of the property. No advertisement will be allowed within state right-of-way.

PUBLIC SERVICE COMPANY OF NEW MEXICO

Conditions for Approval for Project #1008519 Site Development Plan for Building Permit:

1. The applicant is responsible to determine if existing utility easements cross the property and to abide by any conditions or terms of those easements.
2. Coordination with PNM will be necessary for this project regarding proposed tree species, the height at maturity and tree placement, sign location and height, and lighting height in order to ensure sufficient safety clearances to avoid interference with the existing electric facilities along the project site boundary. Trees indicated on the Overall Landscape Plan, Sheet L1.0, are not a compatible height with the existing overhead electric distribution utilities on the southwestern boundary of the property. A shorter tree selection 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 planted 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. Contact:

Mike Moyers, PNM Center Service

4201 Edith Boulevard NE

Albuquerque, NM 87107

Phone: (505) 241-3697

3. Design ground-mounted equipment screening to allow for access to utility facilities. All screening and vegetation surrounding ground-mounted transformers and utility pads are to allow 10 feet of clearance in front of the equipment door and 5-6 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Refer to the PNM Electric Service Guide at www.pnm.com for specifications.
4. PNM will continue to review the grading and drainage plan for this project and will potentially have future comments regarding the grading and drainage plan as it continues through the approval process.
5. Ensure that the inlet to the AMAFCA Channel at the northwest corner of the entire development site where the subject property surface flows will be discharging can accommodate the additional surface flows from the proposed subject project site.
6. Ensure that the existing berm along the western edge of the subject property remains in place without alteration in order to prevent surface flows from the proposed project site from entering PNM's adjacent switchyard property.
7. Ensure compliance with the overall existing grading and drainage plan for the entire development site.