



**Environmental
Planning
Commission**

**Agenda Number: 2
Project Number: 1003859
Case #: 11EPC-40067/40068
October 18, 2012**

Supplemental Staff Report

Agent	Tierra West LLC
Applicants	Silver Leaf Ventures LLC
Requests	<p>1 Site Development Plan for Subdivision Amendment (approx. 24 acres)</p> <p>2 Site Development Plan for Building Permit (approx. 11.5 acres)</p>
Legal Description	Tracts 1-6, North Andalucia at La Luz Tracts 1-3, North Andalucia at La Luz
Location	SE corner of Coors Blvd. NW and Montaña Rd.
Size	Approximately 60 acres
Zoning	SU-1 for C-2, O-1 Uses and PRD (20 dwelling units/acre)

Staff Recommendation

DENIAL of 11EPC-40068, Site Development Plan for Subdivision Amendment, based on the Findings beginning on p. 62.

DENIAL of 11EPC-40067, Site Development Plan for Building Permit, based on the Findings beginning on p. 65.

Staff Planners
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Summary of Analysis

This proposal is for an amendment to the North Andalucia at La Luz site development plan for subdivision and a site development plan for building permit for a Large Retail Facility (LRF) on proposed Tract 2-A. The requests were heard by the EPC on January 19, 2012 and postponed several times, for various reasons, to the October 18, 2012 public hearing.

The pivotal issue is whether or not the proposal complies with the LRF Regulations- particularly the access requirement. The EPC is tasked with determining this in accordance with City Council instructions. Staff finds that the proposed LRF does not meet the access requirement because Tract 2-A does not have primary and full access to either Coors Blvd. or Montaña Rd.

In addition, Staff finds that the proposal does not meet the overall intent and primary goal of the site development plan for subdivision Design Standards and the goals for Activity Centers.

A very large volume of public comment has been submitted. Many are strongly opposed; others are generally supportive.

This report should be read in conjunction with the original January 19, 2012 Staff report.

I. INTRODUCTION

This Supplemental Staff report is intended to be read in conjunction with the original, January 19, 2012 Staff report. The following information in the January report is cross-referenced and not repeated here:

Area Characteristics (p. 1)	Context (p. 2)
Long Range Roadway System (p. 2)	Public Facilities/Community Services (p. 2)
History & Background (p. 2-3)	Definitions (p. 4)
Zoning (p. 5-6)	
Proposed Extension of Site Development Plan for Subdivision (p. 7)	

This supplemental Staff report includes: an overview, a summary of what has occurred since the January hearing timeframe and new and/or updated information. Outstanding items, policy analysis and the site development plan set (April 2012 version) are addressed. Analysis of a certain topic is repeated in instances where changes and/or updated information have become available (ex. the site development plan for building permit). Since that was several months ago, this supplemental report often repeats information for ease of reading.

A) Overview

This two-part proposal, first heard at the January 19, 2012 Environmental Planning Commission (EPC) public hearing, consisted of three requests:

1. a five-year extension of the existing North Andalucia at La Luz site development plan for subdivision, Tracts 1-9 (Project #1003859, 04EPC-01845);
2. an amendment to the above-mentioned site development plan for subdivision (11EPC-40068), an approximately 60 acre site consisting of Tracts 1 – 6, North Andalucia at La Luz; and
3. a site development plan for building permit (11EPC-40067) for a large retail facility (LRF, or “big box”) on the future Tract 2-A, an approximately 11.5 acre site.

The extension of the site development plan for subdivision was approved at the January hearing and was appealed (see Section II of this report). The other two requests were not acted upon.

B) Applicable Plans and Regulations

The following Plans and Regulations apply to the subject requests:

- Comprehensive Plan, including Community Activity Center Policies
- West Side Strategic Plan (WSSP), including Community Activity Center Policies
- Coors Corridor Sector Development Plan (CCSDP), Policies and Regulations
- Zoning Code §14-16-3-2(D), Large Retail Facility (LRF or “Big Box”) Regulations
- North Andalucia at La Luz Site Development Plan for Subdivision, including Design Standards

C) Environmental Planning Commission (EPC) Role

The North Andalusia at La Luz Design Standards, contained in that site development plan for subdivision, state that site development plans for building permit must be approved by the EPC and be consistent with the design standards. Major amendments are also required to go through the EPC process.

The EPC is the final approval body for the proposal, unless the EPC decision is appealed. The Land Use Hearing Officer (LUHO) hears appeals of EPC decisions and then makes a recommendation to the City Council. The City Council can accept the LUHO recommendation, in whole or in part, or opt to hear the case.

D) Albuquerque Comprehensive Zoning Code – §14-16-1-5

Word Forms (A)

Unless a contrary intention clearly appears, the following words have, for the purpose of this article, meanings interpreted as follows:

- (1) Words used in the present tense include the future tense. Words used in the future tense include the present tense.
- (2) The singular includes the plural. The plural includes the singular.
- (3) **The word MAY is permissive; the words SHALL and WILL are mandatory, subject to specific exceptions allowed by this article.** [emphasis mine]
- (4) Words not defined herein but which are defined in the Building Code of the city (adopted in §14-1-3) are to be construed as defined therein.

Definitions (B)

Main Structure: A building used for the purpose or retailing that is at least 75,000 square feet in size and dedicated to a single tenant, or a building that has one or more tenants with at least one tenant occupying at least 75,000 square feet for retail uses. A collection of smaller buildings, each less than 75,000 square feet and linked by common walls is considered a MAIN STRUCTURE. Refer to §14-16-3-2 for Main Structure Regulations.

II. UPDATE

A) Postponements

January 19, 2012 – The EPC approved the extension of the North Andalusia at La Luz site development plan for subdivision (04EPC-01845). The site development plan for subdivision amendment and the site development plan for building permit for a Large Retail Facility (LRF) were continued for 60 days to March 15, 2012. More time was needed to address numerous public concerns, non-compliance with applicable design standards and regulations and significant, outstanding issues. Revisions to the proposed site development plan for building permit were needed.

March 15, 2012 - the applicant requested a 60-day deferral of the site development plans to May 17, 2012 to complete revisions to the plans. A revised site plan set became available in April. The EPC found that, though a deferral may sometimes imply discarding the case record, it wanted to preserve and incorporate all previous input and work into the record and therefore voted for a continuance.

May 17, 2012 - the EPC voted to defer the proposal for 90 days to a public hearing on August 23, 2012 to allow time for two associated appeals to be resolved (AC-10-6 and AC-10-12, see Section III of this report). Pursuant to Zoning Code §14-16-4-4-(B)(5), the proposal cannot be decided upon until the pending appeals have been resolved.

August 23, 2012 - the EPC voted for a 30 day deferral to September 25, 2012; one appeal (AC-12-10) was still pending. However, Staff was informed that this date conflicted with a significant Jewish holiday so the hearing had to be rescheduled. The date decided upon is October 18, 2012.

⇒ Staff recommends that the October hearing focus on any new comments and provide an opportunity for those who have not yet spoken. Staff wants to ensure the greatest participation possible while fostering an efficient hearing process for everyone's benefit.

B) Appeals

Site Development Plan for Subdivision Extension (AC-12-6)

The Taylor Ranch Neighborhood Association (TRNA) appealed the EPC's approval of the extension of the North Andalucia at La Luz site development plan for subdivision (04EPC-01845), stating that the EPC did not follow proper procedures. The appeal was heard by the Land Use Hearing Officer (LUHO) who recommended denial of the appeal to the City Council. On May 7, 2012, the Council neither accepted nor rejected the LUHO recommendation; therefore the appeal was scheduled to be heard by the full Council.

On June 18, 2012, the Council voted three times: to deny the appeal, to remand it, then to grant it. All votes failed due to a tie. Therefore, the appeal was denied pursuant to the City Council's rules. The EPC's approval of the site development plan for subdivision extension stands, which means that the North Andalucia at La Luz site development plan for subdivision (04EPC-01845) is still in effect.

Declaratory Ruling regarding Site Access (AC-12-10)

Request

On February 24, 2012 The Taylor Ranch Neighborhood Association (TRNA) requested a declaratory ruling regarding the applicability of the Large Retail Facility (LRF) Regulations to the site development plan for building permit (SPBP). More specifically, they requested a ruling on the following:

1. Does the SPBP meet the access requirements of the LRF Regulations?
2. Can an LRF be allowed where the traffic would gain access to a collector street but cut through residential zones?

ZEO Declaratory Ruling

On March 23, 2012 the Acting Code Compliance Manager (CCM) issued a ruling on the above request.

1. The answer to this question depends on the proposed development. If a site with a LRF contains a site development plan for building permit and is not located adjacent to and does not have primary

and full access to a street designated as at least a collector with four lanes, then the site may not meet the standards of 14-16-3-2(D)(2)(b). The Planning Commission has the authority to determine if the site is in compliance with all sections of the LRF regulations as specified in 14-16-3-2(D)(1)(a). If a site does not meet this particular standard, EPC still has the authority to approve the request.

If, however, a site contains a site development plan for building permit and the site is located adjacent to and has primary and full access to a street designated as at least a collector with four lanes, then the site does comply with 14-16-3-2(D)(2)(b)

2. The Zoning Code is silent in regards to question number 2 in that it does not specify if access to a collector street can occur through residential zones. In this particular case, the approval or the denial of the LRF will need to be determined by the EPC if the site meets the requirements of 14-16-3-2(D)(2)(b).

Appeal

On April 17, 2012 the TRNA filed an appeal of the Declaratory Ruling. The appeal was referred to the Land Use Hearing Officer and was heard on June 4, 2012. The Land Use Hearing Officer (LUHO) found that the Code Compliance Manager's Declaratory Ruling was, in part, contrary to the plain meaning of the Zoning Code and, in part, a correct interpretation of it.

Regarding Question 1, the LUHO found that the CCM acted appropriately in not addressing the access question since it concerns the merits of the application that is pending before the EPC. It is not the CCM's responsibility to determine those merits. The LUHO also found that the CCM's ruling that the EPC has the discretion to approve an LRF application even if it does not have the access required by the LRF Regulations is contrary to the plain meaning of the applicable Zoning Code provisions.

Regarding Question 2, the LUHO agreed with the CCM's ruling.

At its August 6, 2012 meeting, the City Council voted to reject the LUHO recommendations and hear the appeal. At its August 20 meeting, the Council heard the appeal and voted to accept, in part, and reject, in part, the appeal. The Council adopted findings and issued instructions to the EPC at its September 5, 2012 meeting (see attachment).

Please note that the terms CCM and ZEO are used interchangeably. The council adopted Findings 1 – 13 and further found that:

1. The ZEO did not issue a Declaratory Ruling regarding whether or not the proposal meets the LRF access requirements. The EPC case should proceed and the EPC should recognize that the ZEO has not made any statements that are binding on the EPC. The EPC is responsible for deciding if the proposal meets Zoning Code requirements. [Finding 14a]
2. The ZEO erred when she determined that the EPC is allowed to make an exception to the LRF regulations. When the EPC determines that requirements are mandatory, the EPC may not waive them. [Finding 15a]

3. The ZEO is not prohibited from issuing a Declaratory Ruling regarding issues that are part of a pending case, nor is the ZEO obligated to provide a Declaratory Ruling in such a situation. [Finding 16b]

The City Council adopted Finding 17, in which the Council acknowledges that site access will be an important issue if the proposal is appealed. The Council requests, but does not order, that the EPC adopt findings that fully explain and justify its determination on this issue.

In sum, the EPC can proceed to hear the proposal without being bound by the acting ZEO’s past statements regarding site access and the requirements of the LRF regulations. When a requirement is mandatory, it shall be considered mandatory and not varied from. Zoning Code §14-16-1-5(A) Definitions, states that the word MAY is permissive and the words SHALL and WILL are mandatory (see Section I of this report). Staff suggests that the EPC adopt findings that fully explain and justify its decision regarding the proposal and the LRF access requirements.

III. ANALYSIS- THE APRIL 2012 SITE DEVELOPMENT PLAN SET

A) SITE DEVELOPMENT PLAN FOR SUBDIVISION

Background

The North Andalucia at La Luz Site Development Plan for Subdivision applies to the approx. 60 acre site (Project #1003859, 04EPC-01845 and as subsequently amended). EPC approval in January 2005 established parameters for the site: land use allocations by tract, general notes and design standards. The current proposal for a site development plan for building permit on the future Tract 2A is required to comply with the governing site development plan for subdivision.

Site:	Approx. 60 acres, divided into Tracts 1 - 6		Acreage	Land Use
Zoning:	SU-1 for C-2, O-1 Uses and PRD (20 dwelling units/acre)-all tracts	Tract 1	10.23	C-2 uses
		Tract 2	12.28	C-2 uses
		Tract 3	1.38	O-1 uses
		Tract 4	7.71	PRD uses-20DU/ac
		Tract 5	3.38	O-1 uses
		Tract 6	15.86	PRD uses-20DU/ac

Of the eight General Notes on the site development plan for subdivision, the following two are the most significant with respect to the current proposal (explanation is in ***bold italics***).

3. The area adjacent to Learning Rd. and the northern boundary of Bosque School, Lot 4A, (a minimum of 300 feet) is restricted to PRD and O-1 uses.

A portion of this 300 foot buffer extends into the SE corner of Tract 2 (future Tract 2A). Only PRD and O-1 uses are allowed in this portion (approx. 0.71 ac). A large retail facility (LRF) is a commercial use and therefore would not be allowed to encroach into the buffer.

The submittal shows an office use on the future, approx. 0.43 ac. Tract 3B. It is unclear how Tract 3B would interact with Tract 2A. The buffer is not shown on the conceptual site plan (Sheet C3A) but should be. Any activity (ex. parking) in the buffer area would have to be associated with the O-1 use for it to be allowed pursuant to the existing site development plan for subdivision.

5. A cross-access easement will be provided across Tracts 1, 2 and 3.

Cross-access will be provided across the future tracts, including between the future Tract 2A and 3A (see above). The note needs to correctly reference Tracts 3A and 3B.

The governing design standards are found on Sheets C-2 and C-3. The purpose of design standards, such as these is to provide a framework for elaborating the vision and development goals for the property. The following topics are addressed: pedestrianism, trails, sidewalks, parking, setbacks, landscaping, screening, architecture, lighting, signage, private commons areas and traffic calming.

⇒ Please see Section IV of this report for a review of the proposal against the design standards.

Proposed Site Development Plan for Subdivision Amendment

Required Information

The existing site development plan for subdivision for North Andalucia at La Luz, Tract 6B and A, which covers approx. 60 acres east of Coors Blvd. and between Montañño Rd. and Learning Rd. NW, received final sign-off in 2005. At that time, compliance with the Zoning Code definition of site development plan for subdivision was established (see §14-16-1-5).

“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.”

Information regarding the site, proposed uses, vehicular and pedestrian ingress/egress, internal circulation, height and setbacks and maximum FAR are specified as required. The current submittal does not propose to change the required information (see Sheet C-1). Proposed text modifications include an updated reference in General Note 5, a new keyed note #4 to explain the proposed amendment and a change date.

Comparison of Existing & Proposed Site Development Plans for Subdivision

The 2005 action (Project #1003859/04EPC-01845) replatted Tracts 6B and 6A into Tracts 1 – 9 and established design standards. Within the framework of the “SU-1 for C-2 uses, O-1 uses and PRD (20du/ac)” zoning, land uses were designated by individual tract. A maximum of 23.3 acres of C-2 uses and 11.7 acres of O-1 uses was approved.

Land Use Allocations

Tract 1: In 2012, the applicant proposes to subdivide Tract 1. The land use would be all C-2 (no O-1). In the January version of the site plan for subdivision amendment, Tracts 1A, 1B, 1C and 1D were proposed (ac= acres). The April version proposes to create Tracts 1A, 1B, 1C, 1D, 1E, 1F and 1G, as follows:

Tract	January version	April version
1A	4.78 ac	3.86 ac
1B	0.86 ac	0.63 ac
1C	2.06 ac	1.23 ac
1D	2.02 ac	0.87 ac
1E	-	1.32 ac
1F	-	0.53 ac
1G	-	1.01 ac
Total	9.72 ac	9.45 ac

The proposed tracts now total 9.45 acres of C-2 uses, which is 0.78 acre less of C-2 uses than the existing Tract 1 approved in 2005 (10.23 ac).

Tract 2: The applicant also proposes to subdivide Tract 2. The land use would be mostly C-2 and a little O-1. Both versions of the site plan for subdivision amendment propose Tracts 2A, 2B and 2C, as follows:

Tract	January & April versions	Land Use
2A	11.47 ac	10.76 ac, C-2 uses 0.71 ac, O-1 uses
2B	0.94 ac	0.94 ac, C-2 uses
2C	0.84 ac	0.84 ac, C-2 uses
Total	13.25 ac	12.54 ac of C-2 uses, 0.71 ac of O-1 uses

Tract 3: The January version proposed to eliminate the existing Tract 3 (1.38 ac of O-1 uses) and re-allocate the 1.38 acres to a proposed Tract 2A (0.71 ac) and Tract 3A (0.67 ac). The April version also proposes to retain the 1.38 acre total for O-1 uses, but split them between the proposed Tracts 3A and 3B: Tract 3A (0.24 ac of O-1 and 0.54 ac of C-2) and Tract 3B (0.43 ac of O-1, no C-2). Tract 2A still shows a 0.71 ac of O-1 uses.

Totals

There is a slight discrepancy (0.27 ac) between the acreage totals for the January and the April versions of the proposed site plan for subdivision amendment. This is probably due to a computational error, especially since the acreage total of Tracts 1, 2 and 3 in the approved, 2005 site plan is 23.89 ac and the locations of Mirandela Rd. NW and Montano Rd. have not changed.

The currently proposed total for C-2 uses (21.99 ac) is below the maximum 23.3 acres allowed. The proposed total for O-1 uses (1.38 ac) is substantially below the allowed maximum of 11.7 ac.

	January version	April version
C-2 uses	22.26 ac	21.99 ac
O-1 uses	1.38 ac	1.38 ac
Total	23.64 ac	23.37 ac

Note: Acreage totals for Tract 4 (7.71 acres of PRD uses) and Tract 6 (15.86 acres of PRD uses) are held constant and do not affect the overall subdivision total of C-2 uses. Tract 5 contains 3.38 acres of

O-1 uses. A zone change for Tract 5, to SU-1 for O-1 including Bank & Drive-up Service, was approved on January 5, 2012 (Project #1003859, 11EPC-40076).

Analysis

Although the proposed total of C-2 uses would remain under the allowed total, the proposed subdivision is inconsistent with the vision and development goals established in the design standards for North Andaluca at La Luz (p. 2 and 3 of the site development plan for subdivision).

The proposed Tract 2A, at approximately 11.5 acres, would be much larger than the other proposed tracts and is being subdivided in order to accommodate a large retail facility (LRF). The primary goal for North Andaluca at La Luz is “to achieve a vibrant, mixed-use community that fosters pedestrian accessibility and maintains a village type character.” The land use allocations are intended to allow a mixture of uses and flexibility, as long as the overall layout and building forms result in a pedestrian accessible development with a village type character that fulfills the primary goal.

Village type character comes from a development that has incorporated small- scale, compact urban form with walkability as a principal component and not as an afterthought. The 98,901 sf proposed LRF does not fulfill this goal because a village type character does not result from a site with one disproportionately large building, dominated by parking and functionally disconnected to future buildings on the site. Therefore, the proposed site development plan for subdivision amendment does not fulfill the design standards’ primary goal.

B) CONCEPTUAL SITE PLAN SHEETS

Conceptual Overall Site Plan (new Sheet C3A)

This sheet shows conceptual development of the entire, approx. 60 acre site, including the portion north of Mirandela St. (the subject proposal) and the portion south of Mirandela St. that has already been planned. Labeling is needed for clarification and it needs to be obvious what is existing, what is proposed and what is part of the subject proposal. The 300 ft. buffer line needs to be included.

Illustrative Site Plan (new Sheet C4A)

This sheet shows the subject site, which is north of Mirandela St. Phasing is proposed, though improved labeling is needed. This plan is provided to demonstrate how the proposed LRF will relate to future development on the site.

C) SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

The applicant proposes to develop an approx. 98,901 square foot (sf) large retail facility (LRF) on a vacant site near the SE corner of the Coors Blvd./Montaño Rd. intersection. The future Tract 2A, approximately 11.5 acres, is the subject site for the proposed site development plan for building permit.

Site development plan Layout / Configuration

The proposed LRF building would be located on the eastern portion of the site, oriented so the main entrance would face westward and the rear of the building would back up to Mirandela St. The majority of parking would be between Coors Blvd. and the proposed LRF building. A pharmacy drive-thru is

proposed on the northern side of the building. An internal roadway is proposed to run north-south and bisect the site.

Refuse Enclosures

Three refuse receptacles are proposed near the SE corner of the proposed building. Though not labeled, these appear to be dumpsters. A 12 ft. split-face CMU wall, with stone veneer columns and brown gates, would provide screening. A trash compactor is shown near the building's NE corner. It's unclear how it would be screened. The Solid Waste Management Division (SWMD) commented that compactors are required to comply with regulations for compactors and drains.

Walls/Fences

Two types of walls are proposed. A 4 to 8 ft. (was 5 ft.) retaining wall runs along a portion of the site's NW corner, and an 8 ft. screen wall runs approx. 565 feet north-south to screen the rear of the building from Mirandela St. and the nearby school. A minimum height needs to be specified. Both would be split-face brown CMU with brown pilasters and a dark brown decorative pattern. The brown needs to be specified as light or medium and the colors provided in the color samples need to be stated here.

The wall design standards in Zoning Code §14-16-3-19(B) apply. To comply with (B)(2)(a), the note for the wall detail needs to mention that the minimum 2 inch projecting pilasters shall occur at intervals no more than every 20 feet in length. The proposed continuous overhang cap fulfills (B)(2)(b). The label "for street facing wall" is not needed.

Vehicular Access, Circulation & Parking

Access & Circulation: Vehicular access to the site (future Tract 2A) would be mainly from Coors Blvd. via Learning Road or Mirandela St. Vehicles also have limited access from Montano Road. Learning Road provides full ingress and egress to the site and is signalized. Mirandela does not provide left egress. Trucks exiting the site from Mirandela would have to go north to Alameda Blvd. since truck traffic is not allowed on Paseo del Norte.

The existing round-a-bout at Antequera Rd. may not be able to accommodate larger delivery trucks. The round-a-bout formerly proposed on the site's north side has been removed. A north-south internal roadway would divide the site into two, separating the main parking lot from the building.

Parking: Parking was calculated based on Zoning Code §14-16-3-1, Off-Street Parking Regulations, for a retail use. The rate is one space per: 200 sf for the first 15,000 of building sf, 1/250 sf for the next 45,000 of building sf, and 1/300 sf for the remaining building sf. Staff calculates that 385 spaces would be required for the proposed 98,901 sf building. No transit reduction was taken to reduce the minimum requirement.

Staff counts 417 vehicle spaces on the site development plan. In the previous site plan version, Staff counted 475 spaces. Proposed vehicle parking has been reduced by 58 spaces. 423 are listed as provided, so there is a discrepancy in the count.

The vehicle parking total includes the required handicap spaces. However, motorcycle spaces are counted *in addition to* required vehicle parking spaces. The applicant states that 423 spaces are provided, which is incorrect because the 6 required motorcycle spaces were erroneously counted as 6 instead of 3. Each

vehicle space = 2 MC spaces, and included in the total. Therefore, the correct parking count total is 420 spaces. $423 - (6/2) = 420$. Required spaces are 385, so the site is overparked by 35 spaces, $420 - 385 = 35$. Previously, 90 spaces in excess of Zoning Code requirements were proposed. Note that the Design Standards also have requirements regarding parking (see Section V of this report).

Handicap and motorcycle parking spaces are calculated based on required parking. For the 385 minimum required spaces, 12 must be handicap spaces (HC) and 6 must be motorcycle (MC) spaces. 12 HC spaces are provided and 6 MC spaces (equivalent to 3 regular spaces) are provided. MC spaces are required to be visible from the building's entrance [ref: §14-16-3-1(C)]. The proposed location would work provided the proposed landscaping is modified to include only low-growing shrubs (see Landscape Plan subsection).

Bicycle parking is required at the rate of 1 space for every 20 required vehicle spaces: $385/20 = 19.25$, so approx. 20 spaces are required. 20 bicycle spaces are provided; two 5-space bike racks are proposed. The bike racks are located near each entrance.

Pedestrian and Bicycle Access and Circulation

The subject site is primarily vehicle oriented. Pedestrian and bicycle access would be mostly from the vehicular access points. Dedicated pedestrian entrances are proposed on the northern side of the subject site (a non-direct, less convenient link from the access street) and on the southern side (a link from Learning Rd./Mirandela St.). A pedestrian access point and pathway from Coors Blvd. would improve non-vehicular access and allow pedestrians to walk directly to the building's entrance, though the grade differential between Coors Blvd. and the site could make this challenging.

Several pedestrian sidewalk types are proposed:

Group 1: Legend #7- 8 ft. wide textured, colored concrete sidewalk, and
Legend #8- 8 ft. textured, colored concrete pedestrian crosswalk.

These would run south-north across the parking lot and near the building's SW corner. (note: inconsistent dimension shown for the latter). Labeling use of #7 and #8 is inconsistent and both are the same; using two labels adds confusion. It appears that the drive-aisle crossings are intended to be the #8 type.

Group 2: Legend #9- 8 ft. wide and 6 in. high textured, colored concrete sidewalk.

Same as Legend #7 and #8, but raised. The majority of proposed pathways are Legend #9 type; some cross drive-aisles and some don't. The pathway from Mirandela St., the one parallel to the west elevation and most of the west-east pathways are the #9 type.

Group 3: Legend #26- a 10 ft. wide and 6 in. high textured, colored concrete sidewalk.
Legend #27- pedestrian crossing.

These go together like #7 and #8 above as shown on the site plan, though the Legend #27 note should read almost the same as #26. This pathway would run west-east across the northern third of the parking lot.

Group 4: Legend #10- 6 ft. concrete sidewalk.

The plain concrete sidewalk is proposed along the western side of Mirandela St. and is shown leading to the subject site from the south.

It's difficult to tell which is which because the same pattern is used for all types, except the concrete sidewalk. Each type needs its own pattern and categories need to be collapsed to make reading easier. The same pattern is used for the north side plaza areas; it's unclear what they'd be made of. Another, unspecified concrete pattern is proposed near the main building entrance.

The previously proposed striping, which is insufficient to facilitate connectivity and safety, has been removed from the area near the main entrance. Though textured colored concrete is now proposed across the main drive aisle, it should be raised as suggested previously to slow down vehicles and improve safety in this busy area where vehicle-pedestrian conflict is likely.

Transit Access

The only Transit stop that currently serves the subject site is on Montañó Rd., just east of the intersection at Coors Blvd. The stop just north of Learning Rd. would be too far to walk to access the proposed LRF site. The subject site is underserved by Transit, however the Transit Department is requesting that a bus shelter be added to the exiting stop on Montañó Rd. and that a new transit stop, with a shelter, be provided on Coors Blvd. close to the subject site.

Lighting & Security

Two types of light poles are proposed (see Sheet C-13). Both are 16 feet tall. Parking lot light poles are proposed at various locations in the parking lot. Most have 4 fixtures per pole but some have 1 fixture (ex. near Coors Blvd.). Pedestrian light poles, with a single ornamental fixture each, are also proposed. The fixture type for each has changed since the January version. Instead of a "shoe box" fixture, the parking lot light pole fixture is more elongated. The pedestrian pole, which previously had two fixtures, now has a single fixture mounted on an ornamental detail. Both have ornamental bases.

Pedestrian light poles are proposed at locations along some of the pedestrian pathways that traverse the parking lot. However, the lighting would not be distributed evenly so portions of the pedestrian areas/parking lot would be poorly-lit and more likely to be unsafe. Lighting should not interfere with trees.

For instance, a pedestrian light pole is needed near the handicap parking spaces and in a couple of places along the pathway from Mirandela St. Also, the finish of both types of light poles needs to be specified.

Wall-pack lighting, combined with pole lighting, is needed to provide on-site security. It appears that Wall-pack lighting is proposed on the west (main) elevation, labeled as "Downlighting fixtures", and on the north elevation. It appears that wall-pack lighting, a non-ornamental type, is proposed on the east and south elevations, but these are not labeled so they may be building features (Sheet C-16, Elevations). A note on Sheet C-16 indicates that wall-pack lighting would not be mounted higher than 20 feet.

A security camera is proposed near the building's main entrance (see Sheet C-11, Utility Plan). Several of the Site Plan Notes on Sheet C-4 pertain to lighting and should be moved to the detail sheet (ex. #3, #5 and #18) as is customary, rather than crowd the main sheet.

Landscaping Plan

The proposed landscaping plan, which has been reconfigured to match the revisions to parking lot layout, uses the same plant palette as the January landscaping plan, but the quantities of all trees, shrubs, grasses and vines have changed (except for Rio Grande Cottonwood, Vitex, Cherry Sage). Included are trees (12 varieties), shrubs/groundcovers (14 varieties), ornamental grasses (5 varieties) and one type of vine (Honeysuckle). For trees, Purple Robe Locust (39, was 28) and Chinese Pistache (34, was 21) have the highest totals. English Lavender (182, was 170) and Rosemary (132, was 122) are the most abundant in the shrubs/groundcovers category. For ornamental grasses, the most proposed is Muhly Grass (200, was 176). Shumard Oak (-3), Indian Hawthorne (-15) and Feather Reed Grass (-34) are the only plants with reduced totals.

It appears that Santa Fe brown mulch is proposed to go over the landscaping, and that the Buildology brown cobble is used for decorative purposes. This isn't clear from the legend. No turf is proposed. Moss rock boulders (173, was 126) are also proposed.

Smaller, ornamental trees, Golden Rain Tree and Vitex, are proposed for the plaza area in front of the building entrance (see detail on Sheet C-8). The Golden Rain Trees would be in tree wells and the Vitex in raised planters. It's unclear if the tree wells are at grade or not, but they should be. The tree wells, at the minimum 36 sf size, meet the minimum tree well size requirements. However, it would be better to run the tree wells together into a strip, and even better to utilize pervious paving around these (and other) tree wells- especially since the subject site is so close to the Bosque.

Several types of plants, including seven Rio Grande Cottonwoods, are proposed in the southern landscape buffer that fronts Mirandela St. Clumps of Purple Robe Locust would run along Mirandela St., while a couple of Arizona Sycamore would be at the ends with Austrian Pine and Vitex in the middle. Austrian Pine and Vitex are relatively small trees, so screening would be improved by using specimens that can grow larger. A couple of Austrian Pine and 1 Vitex were replaced with New Mexico Olive.

Requirements: Pursuant to Zoning Code §14-16-3-10(G)(3), required landscape areas must be covered with living, vegetative material over at least 75% of the area. Trees do not count toward this requirement. Two locations (was three) on the western (Coors Blvd.) landscaping area appear sparse. More plants need to be added near the site's SW corner; a Vitex was added but it's an ornamental tree. One bush was added. A relatively large area approx. 75 north remains uncovered with vegetation. Three shrubs and 2 rocks have been added to the NW corner, which is a focal point upon entering the site.

Pursuant to Zoning Code §14-16-3-10(G)(1), trees are required in and around off-street parking areas. Proposed parking lot trees are Purple Robe Locust, Shumard Oak and Modesto Ash. Flowering Pear are proposed along the internal street. For the 423 proposed parking spaces, at the rate of 1 tree per 8 spaces (LRF regulations), 53 parking lot trees are required. 105 are proposed, so this requirement is met and exceeded.

Street Trees: The Street Tree Ordinance requires a street tree plan for lots adjacent to a major street, such as the subject site. Proposed in the northern landscape buffer fronting Coors Blvd. are clusters of trees-Shumard Oak, Chinese Pistache and Modesto Ash. With 590 feet of frontage along Coors Blvd., 20 street trees are required (spaced at 30 feet on center). However, the applicable design standards require spacing of 25 feet on center, therefore 24 street trees are required and 24 are proposed. Four more were added since the January version of the landscaping plan.

Irrigation: The irrigation system, shown on Landscape Plan sheet 3, would be fully-automated and consist of six 2-gallon per hour (GPH) emitters per tree and two 1-GPH emitter per shrubs and groundcovers. A note states that §6-1-1-10, Irrigation System Standards, would be adhered to strictly. However, it is still unclear if the irrigation system would have two or more independent programming schedules (B)(1) and fitted with a rain switch interrupter and soil moisture sensor (B)(4).

Now that irrigation information is on its own sheet, the irrigation narrative from Landscape Plan sheet 1 should be moved to sheet 3 and cross-referenced on sheet 1. Doing so would create space on the main Landscaping Plan to discuss water re-use (see also Grading & Drainage Plan). The notes need to indicate that the landscape beds will be depressed, not at grade, or the curb cuts will not function to collect supplemental water for irrigation.

Architecture & Design

The proposed 98,901 sf, large retail facility (LRF) building can be considered a contemporary hybrid design that incorporates elements from architectural styles such as Territorial, Spanish Colonial and Contemporary Southwestern. For example, the coping and portals are Territorial elements and the pitched-roof with tiles is a Spanish Colonial element. The concrete columns are a Contemporary Southwestern element.

Proposed building height ranges from a low of approx. 22 feet for the drive-up canopy to a high of 33 feet for the main entry façade and the towers. Accent features include a cornice, band and decorative columns. Different types of decorative panels are shown on the towers.

A variety of materials is proposed. The building would be finished in EIFS (Exterior Insulation Finishing System, aka synthetic stucco), smooth-faced CMU (concrete masonry unit) block, and split-faced CMU block. The columns would be finished in EIFS and stone veneer (typically a concrete/real stone blend). Porcelain is used as decorative wall tiles on the main entry (west) elevation and on the north elevation. Spanish roofing tiles are used on the pitch-roof towers and on the building elements next to the towers on the north elevation.

A variety of colors is also proposed. Paint colors include a light tan (“Nomadic Desert”), a medium brown (“Meadowlark”), a light sage green (“Portico”), a darker sage green (“Sawdust”), a light terracotta that is listed as beige (“Oak Creek”), a darker terracotta (“Decorous Amber”), and a light gold (“Empire Gold”). Sage greens are used on the south elevation. Medium brown and light terra cotta would be found on the north elevation. The east elevation and the west elevation would include colors in varying proportions.

All paint colors are Sherwin Williams (SW). The highest LRV (light reflective value) is 47% for the light tan. The average LRF is 34%, which is moderately low, and means that the colors would appear more matte than glossy and not reflect a lot of light.

Three colors of stone veneer are proposed: a mix of dark and light browns with terra cotta (“Wolf Creek”), a dark and light terracotta blend (“Mojave”) and a dark ivory and dark grey mix (“White Oak”). The proposed paint and stone colors would generally blend with the subject site’s surroundings. The elevations on Sheet C-16 need to be labeled in all instances of color and/or material change to ensure that they match the color renderings.

⇒ See Section VI of this report for analysis of the architectural requirements of the LRF regulations.

Signage

Monument signs and building-mounted signs are proposed. The monument signs are two types: a project monument sign, 9 feet tall with 72 sf of sign face area, and a minor monument sign, 7.5 feet tall with 30 feet of sign face area. The proposed casing is stacked stone veneer with a defined base and coping on top.

Two project signs are proposed along Coors Blvd. near the north side and the south side of the site. It is unclear if the proposed LRF retailer name would occupy all of the sign face area. Staff recommends multi-tenant signs and a note to indicate this. Other businesses will locate in the shopping center and will need signage (see Sheets C3A and C4A, overall site plans).

The minor monument sign is proposed near the NE corner of the site, along Mirandela St. (not Montaña Rd. where the design standards specify- see Section V of this report). Both types of monument signs would be externally illuminated, which usually means up-lit. The design standards prohibit internally illuminated (i.e.- plastic panel) signs.

Building-mounted signage is proposed on the west (front) elevation and the north elevation. A “Pharmacy Drive-Thru” sign, approx. 40 sf, would be on the north elevation. Proposed for the west (front) elevation are three building-mounted signs: “Outdoor Living” (approx. 77.7 sf), “Market & Pharmacy” (approx. 102.7 sf), “Walmart” and the circular logo (approx. 158.6 sf and 50.2 sf, total 208.8 sf), and “Pharmacy Drive-Thru” (approx. 74.5 sf).

Two vertical measurements are shown on the site plan, but only one is needed. Staff calculated signage area using the larger measurement because it includes letters, such as g and y, that are part of the signs. Staff recommends that signage notes be added for clarity. The notes should indicate that plastic, non-illuminated channel letters are proposed and which elevation each sign would be placed upon.

The design standards prohibit building-mounted signage that exceeds 6% of the façade area to which a sign is applied; no changes have been made since the January version. Therefore, 4 of the 5 building-mounted signs still do not comply. The “Pharmacy Drive-Thru” sign on the north elevation complies. All proposed signage on the main (west) façade does not comply (see Section V of this report for details).

Some of the Site Plan Notes on Sheet C-4 pertain to lighting and should be moved to the detail sheet (ex. #7 and #10) as is customary, rather than crowd the main sheet.

Grading & Drainage Plan

The subject site slopes downward from west to east, from Coors Blvd. to Mirandela Rd. The elevation near the subject site's western boundary ranges from approx. 5,002 ft. to approx. 4,994 ft. (was 4,996 ft.) (north to south). The elevation near the eastern boundary ranges from approx. 4,985 to approx. (was 4,982 ft., but this was removed from the revised plan), so the north-south slope is greater near Coors Blvd.

The finished floor (FF) grade of the proposed building, 4986.85, has been lowered by 2 feet to 4984.85. The spot elevation just south of the dumpsters was 4986.5 and is now 4984.5, which corresponds to the lowered grade. Similarly on the northern side, the spot elevation near the proposed drive-thru lane was 4986 and is now 4984.35.

Water generally flows westward towards Mirandela Rd., where it is collected in drop inlets and conveyed to an existing retention pond adjacent east of the subject site. The proposed storm sewer system would connect to the existing system on Mirandela Rd. The subject site is not in a flood plain, though one is adjacent to it and the environmentally sensitive Bosque area is nearby.

Water Re-Use

Water re-use would be accomplished on-site by the use of 1-foot wide curb cuts in some of the parking lot landscape islands. Some islands would have two curb cuts and others would have none. Staff suggests that the curb cuts be more evenly distributed throughout the site, and that they be located where they would function. If not positioned correctly, water would flow around rather than into them.

Each landscape island should have a minimum of one curb cut. A curb cut detail is found on Sheet C-12. A note is needed, on the Grading & Drainage and Landscaping Plans, to specify that landscape beds would be below grade. Otherwise, water would not flow into the landscape areas and the curb cuts would not achieve water re-use.

Note that the LRF Regulations contain requirements for site hydrology [Zoning Code §14-16-3-2(D)(5)(n)]. Pervious paving in certain locations, such as around tree wells, would help filter parking lot run-off water, which is usually contaminated with automotive fluids, as well as help maintain tree health (see also Section VI of this report). Comments from Hydrology Staff suggest adding a linear water quality feature, such as a bioswale, along the back of the building. Roof drainage could fall to the bioswale rather than being tied to the storm drain system. The drainage narrative needs to address how the site complies with Subsection (D)(5)(n).

Utility Plan

A new 8 inch water line is proposed to run under the north-south roadway that would divide the subject site. The proposed water line would connect to Mirandela St. infrastructure near the proposed building's NE and SE corners. A new sanitary sewer (SAS) line would enter the proposed building on the northern side. Another SAS line is proposed across the future tract adjacent south of the subject site. Two manholes are now proposed near Mirandela St. There are five existing fire hydrants along Mirandela Dr. Three new fire hydrants are proposed, near the subject site's SE, SW and NW corners.

Two easements exist- a 1968 MST&T easement along Coors Blvd. and a public utility easement, which is in various places. Proposed are a 20 ft. water line easement and a 20 ft. SAS easement. A 5 ft. sidewalk

easement is also proposed, but Staff cannot locate it. Also, it would be too small for the proposed, 6 ft. sidewalk along Mirandela St.

Outdoor Space

Three outdoor space/plaza areas are proposed on the subject site. One is near the NW side of the building, across the internal street. (The plaza area further north is across the property line on a “future commercial” tract.) Another plaza area on the subject site is along the main (west) elevation, to the north and south of the entrance. The area on the building’s north side may be intended to be outdoor space, but the benches are inaccessible due to landscaping and lack of a pathway.

The NW side area is not dimensioned. It’s not likely to function as outdoor space because no lighting or benches are proposed; it’s more like an extended corner. Staff calculates approx. 475 sf. Two dimensions are given for the west elevation plaza area: 1,581 sf for the northernmost end and 1,720 sf for the area just north of the entrance. The areas south of the entrance are not dimensioned; nor is the area on the north side of the building. Calculations need to be provided and the math shown.

The main elevation plaza areas have trees (in wells and raised planters) and benches. The height of the raised planters is not indicated, so they may be too high to function as seating. A shade trellis is proposed on the areas north and south of the entrance.

Zoning Code §14-16-3-18(C)(3) requires that outdoor seating be provided for major facades greater than 100 feet long at the rate of 1 seat per 25 linear feet. The main façade is 437 feet long (see Sheet C-16). $437/25 \approx 17$ required seats. 16 seats are listed as required and the calculations are not shown. The site development plan states that 52 (was 24) seats are provided. 11 (was 6) benches are proposed, but it’s unclear how many seats are per bench (should be 4). If it’s 4, then 44 seats (not 52) would be provided. The keyed note and the detail need to be more specific. The benches need to be labeled on the entrance detail (Sheet C-8).

D) ANALYSIS- VIEW PRESERVATION REGULATIONS & VIEW PLANE EXHIBIT

Regulations

The Coors Corridor Sector Development Plan (CCSDP) view preservation regulations apply to sites located in Segments 3 and 4 of the Coors Corridor, on the eastern side of the roadway (p. 103-110). The subject site is located in Segment 3 South on the eastern side of Coors Blvd., so the view preservation regulations apply.

The CCSDP views preservation regulations read as follows (Policy 4.c.1.b.1, p. 109).

“In no event will the building height be permitted to penetrate above the view of the ridge line of the Sandia Mountains as seen from 4 ft. above the east edge of the roadway.” And

“Also, in no event will more than one-third of the total building height outside of the setback area for multi-story buildings be permitted to penetrate through the view plane.”

Sheet C-5, Proposed View Plane Exhibit

The proposed building includes various heights that correspond to the elevations' articulation. The highest points of the main (western) elevation are the façade containing the main entrance and the tower element on the northern side. Both are 33 feet tall. [SAME]

The applicant's view plane analysis is presented on Sheet C-5. Two view plane diagrams, A and B, are included and are shown in the same location as the January version (see insert map on Sheet C-5) and are still incorrectly labeled (A is B and B is A). The view line for A runs from approx. 80 feet north of the corner of Coors Blvd. and Mirandela St. and intersects with the proposed building at a 28 foot height, approx. halfway between the garden center and the southern edge of the main entrance.

The view line for B runs from approx. 300 feet north of the same corner and intersects with the proposed building near the lower third of the main entrance façade. The original version of the site development plan had a view line C, but it didn't intersect with the building so it was deleted.

Staff suggested, after reviewing the January version, that a new view line C be included due to the addition of the tower element (33 feet high) on the northern side of the building's main (western) façade. This was not done, so it remains unknown if the proposed building would comply with the view preservation regulations or not; a View Line C, to intersect with the 33 foot tower element, is essential to complete this evaluation.

Staff reviewed the view analysis and finds that both View Line A and View Line B do not penetrate above the view of the ridge line of the Sandia Mountains and therefore comply with this part of the regulation. Staff also finds that both View Line A and View Line B do not exceed the view plane by more than 1/3 of building height, which is the maximum height allowed (see specifics below).

The eastern edge of the easternmost driving lane of Coors Blvd. has an elevation of 5003 feet as shown on the proposed grading and drainage plan (see Sheet C-10). Staff was unable to correlate the applicant's 5003.76 and 5003.5 to the location where the view lines are supposed to start. Using the 5003, four feet above that is 5007 feet; **the view plane is established at 5007 feet.**

The finished floor (FF) of the proposed building, now 4984.85, has been lowered by two feet (it was 4986.85 feet). Note that the building heights used in View Line A and View Line B are interchanged on Sheet C-5: *the 28 foot height corresponds to View Line A and the 33 foot height corresponds to View Line B* (see the insert map on Sheet C-5). Staff calculates the following (in feet):

View Line A (misabeled as View Plane B) is the southern view line. It intersects proposed building approx. half way between the garden center and the main entry façade.

1. $4984.85 + 28 = 5012.85$, height of the top of the building at this point.
2. One-third of building height (28 feet) is 9.3 feet.
3. The view plane is at 5007 feet. $5007 + 9.3 = 5016.3$, the maximum height allowed for compliance.
4. 5016.3 (maximum allowable height) exceeds 5012.85 (top of building height) by 3.45 feet. View Line A complies.

View Line B (mislabeled as View Plane A) is the northern view line. It intersects proposed building near the lower third of the main entry façade.

1. $4984.85 + 33 = 5017.85$, height at top of the building at this point
2. One-third of building height (33 feet) is 11 feet.
3. The view plane is at 5007 feet. $5007 + 11 = 5018$, the maximum height allowed for compliance.
4. 5018 (maximum allowable height) exceeds 5017.85 (top of building height). The top of the building at this point is below the view plane by 0.15 feet (1.8 inches). View Line B complies.

The distance of the proposed buildings from Coors Blvd., in both view lines, does not correspond to distances shown on the site plan for building permit sheet (Sheet C-4). For View Line A, the western façade of the building should start at 485 feet (not 623 feet) from Coors Blvd. For View Line B, the western façade should start at 430 feet (not 685 feet) from Coors Blvd. Note that different scales are used on Sheet C-4 and Sheet C-5). The elevation at the 485 foot mark, where the building begins, is between 4984.50 and 4984.85, and is very close to the ff of 4984.85. Though the location of the proposed building needs to be depicted accurately, the difference in elevation would not make the building height exceed the maximum allowable height. The same is the case for View Line A.

The building height in View Line A needs to be corrected. Staff believes the building height is 28 feet at the intersection location; the applicant uses 30.33 feet. Another view line is needed (View Line C) to intersect the proposed building at the location of the 33 foot tower feature in order to demonstrate compliance with the view regulations.

The measurements of shorter building features (ex. the 23.3 in View Line A and the 15.7 in View Line B) aren't needed and can be removed. The car shown west of the easternmost driving lane edge (i.e. - on the sidewalk) can also be removed. The property line should be indicated.

Sheet C-6, View Plane Exhibit Model Results

The applicant used a modeling program (Tremble Model VX Total Station) to show how the proposed building would appear in its context (Sheet C-6). The narrative explanation is insufficient; it does not discuss methodology enough to fully demonstrate compliance with the regulations. The data is not provided, so the elevations cannot be verified.

The January version showed four view lines (called "stations"). However, only one of the station view lines corresponded to a view line (View Line A) used in the view plane exhibit (see Sheet C-5 and analysis above). The other lines were not meaningful. One missed the building entirely. Another barely touched the building's NW corner, and the other intersected at the building's southern side. This was noted in the January Staff report. It is unknown why the applicant, at a minimum, did not produce a "station" line that corresponds to View Line B, and a new View Line C in the view plane exhibit, as requested in January.

It appears that the applicant removed the non-meaningful view lines as requested, but left out other significant view lines. Now the entire, proposed building is shown but less information is provided than before. The reference points, such as where the photo was "pinned to" and the elevations, are not

included and therefore cannot be verified. The modeled building does not match the proposed elevations (see Sheet 16). For instance, the 33 foot tower on the northern side is not depicted. Furthermore, the image is so dark that the impact on its context is hard to assess. Also, the modeled building does not match the scale provided.

The modeled results reveal that the proposed building would not penetrate the view line of the ridge of the Sandia Mountains, though the view plane exhibit (see Sheet C-5) also demonstrates this. To show compliance, it is essential that View Line B and a new View Line C are shown on the modeled results and that their position relative to the proposed building and its context are discussed as they relate to the CCSDP view preservation regulations.

IV. ANALYSIS -CONFORMANCE TO ADOPTED PLANS AND POLICIES

A) ALBUQUERQUE/BERNALILLO COUNTY COMPREHENSIVE PLAN (RANK I)

The subject site is located partially in an area that the Albuquerque/Bernalillo County Comprehensive Plan has designated Developing Urban and partially in an area designated Established Urban. The Goal of Developing and Established Urban Areas is “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:

Land Use Policies-Developing & Established Urban Areas

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, recreational concern.

The proposal would result in a new development located in a designated Community Activity Center, a location generally desired for retail uses. Its intensity would be consistent with the existing zoning (the C-2 uses), though it may be somewhat intense for a location so close to the Bosque, where the natural environment, open space and scenic resources are regionally significant. The design is generally compatible with the existing built environment. Many neighborhood representatives and residents oppose the proposal, though there is also support. The request partially furthers Policy II.B.5d-neighborhood values/natural environmental conditions.

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 proposal furthers Policy II.B.5e-programmed facilities/neighborhood integrity. The vacant subject site is contiguous to existing urban facilities and services that already exist. Through the TIS, the applicant will provide improvements to address impacts that may help ensure the integrity of existing neighborhoods.

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

- In larger area-wide shopping centers located at intersections of arterial streets and provided with access via mass transit; more than one shopping center should be allowed at an intersection only when transportation problems do not result.

The proposed commercial development is located in an existing commercially zoned area, is located at an intersection of arterial streets, with access to transit facilities. The proposal would result in a second shopping center at the intersection, which could add to traffic congestion. However, potentially harmful effects of traffic would be addressed through following recommendations in the TIS update and through site access. The proposal partially furthers Policy II.B.5j.

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 subject site is adjacent to two arterial streets, Coors Blvd. and Montañó Rd. Vehicles would access the site from existing entrances along Coors Blvd. and Montañó Rd. No established single-family residential neighborhoods are adjacent to the subject site, so cut-through traffic is not likely to disturb them. However, immediately south of the site is 39 acres planned for multi-family residential development. Access to the site will cut through the multi-family development which may affect livability and safety of the residents. In addition, the project does not meet the Location and Access requirements of the Large Retail Facility Regulations in the Zoning Code, which were established to protect established residential neighborhoods. The proposal does not further Policy II.B.5k.

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 design standards allow a variety of architectural styles and materials that are generally compatible with the area. The proposed building incorporates elements of Spanish colonial and contemporary pueblo styles, combined with three colors of cultured stone and stucco colors from medium browns to tans to olive. The colors and finishes are generally appropriate for the Plan area. Some of the elements used can be considered innovative, though the design overall is not. Note that variations in roof lines and building heights are constrained due to the View Regulations of the Coors Corridor Plan. The proposal partially furthers Policy II.B.5l-quality design/new development.

Policy II.B.5m: Urban and site design which maintains and enhances unique vistas and improves the quality of the visual environment shall be encouraged.

The proposed building mostly complies with the view plane regulations of the Coors Corridor Plan. The grade has been lowered 1.85 feet so the building height could remain the same. However, it is unknown if the 33' tower on the NW side of the proposed building complies; the two view lines provided are concentrated near the building's SW side. The visual environment would change, though the combination of colors and materials would generally make the building compatible

with its surroundings. The proposal partially furthers Policy II.B.5m-quality of the visual environment.

Activity Centers

The subject site is located in the designated “Montaño/Coors Village Community Activity Center”. The following goal and policies apply to the site development plan requests:

Goal: To expand and strengthen concentrations of moderate and high-density mixed land use and social/economic activities which reduce urban sprawl, auto travel needs, and service costs, and which enhance the identity of Albuquerque and its communities.

Community Activity Center (description from Table 22):

Purpose: Provides the primary focus for the entire community sub-area with a higher concentration and greater variety of commercial and entertainment uses in conjunction with community-wide services, civic land uses, employment, and the most intense land uses within the community sub-area. The following development guidelines are suggested to achieve the goal for Community Activity Centers:

- Service/Market Area:
 - Up to 3 miles
 - Serves population of 30,000+
- Access:
 - Very accessible by automobile
 - Located on minor & major arterial streets
 - Should provide main hub connecting to regional transit system
 - Community-wide trail network should provide access to center
 - The interior of the center should be very accommodating to the pedestrian, even within the predominantly off-street parking areas
- Land Uses:
 - Core Area: 15-16 acres + adjacent contributing uses
 - Limited floor area per building
 - Examples of typical uses: low-rise office, public & quasi-public uses (e.g. post office, library), entertainment (restaurants, theaters, etc.), hotel/motel, shelter care, medical facilities, education facilities, large religious institutions, medium density residential, middle/high school, senior housing, community or senior center, park-and-ride facility under certain conditions
- Scale:
 - Some larger parcels, but heavily punctuated with fine grain, smaller parcels; very walkable
 - 2-3 story; moderate floor area ratios (.3 to 1.0); connections between buildings and to sidewalks; more than one façade; buildings separate off-street parking from the street
 - Predominantly off-street parking; site circulation plan is important to avoid conflict between pedestrian and auto; parking in lots or structures; pedestrian paths between parking & bldg.; bicycle parking is encouraged
 - Public plaza/open space should be provided

Overall, the site development plan for subdivision (from Learning Rd to Montano Rd) meets the intent of the Activity Center goal, to provide a mix of land uses that will reduce urban sprawl, auto travel needs, and service costs. The subdivision contains multi-family residential, office and commercial uses to serve up to a 3-mile radius. The commercial uses are limited to 23.3 acres between Mirandela and Montano Roads. Urban sprawl would not increase, though the proposed large retail use at this Community Activity Center location could increase auto travel in the area and affect the identity of this Westside location.

The site development plan for building permit, which proposes a large-scale, single tenant building (LRF), conflicts with some of the key strategies for achieving an ideal activity center:

1. The site should be very accessible by automobile. Coors and Montano, adjacent to the site, are limited access arterial streets. Most of the access points are limited and the only full access point is at the intersection of Learning and Coors. Learning Road is utilized by students entering and leaving Bosque School and by residents who live in the area.
2. Limited floor area per building – the floor area of the proposed LRF is not limited. At over 98,000 square feet, it does not fit the model for a Community Activity Center.
3. 2-3 story– The applicant does not provide 2-3 story development, however, the View Regulations of the Coors Corridor Plan restrict this type of development on the site.
4. Moderate floor area ratios (FAR) of .3 to 1.0 – The site plan for building permit proposes a large amount of surface parking which limits the FAR to 0.2.

In sum, the amended site plan for subdivision mostly complies with the goals for Community Activity Centers. However, the site plan for building permit does not meet some of the key criteria for creating a Community Activity Center. The site is not as accessible by automobile as it should be, Coors and Montano are both designated as limited-access arterial streets; the floor area of the building is considered “large” and does not promote a safe and friendly walking environment; and the large amount of surface parking limits the floor to area ratio of the site, therefore failing to achieve moderate to high density land uses.

Policy II.B.7c: Structures whose height, mass or volume would be significantly larger than any others in their surroundings shall be located only in Major Activity Centers to provide for visual variety and functional diversity in the metropolitan area while preserving pleasing vistas and solar access.

The proposed structure/building, at 98,901 square feet (sf), would be larger than other buildings planned in the Montañó/Coors Community Activity Center. Other buildings planned in the commercial portion of the Activity Center are less than half the size of the proposed LRF. The LRF should blend in with the other buildings and should not dominate the site. One way to diminish the mass and scale of the LRF is to provide liner shops that would provide visual variety and functional diversity, as stated in the policy. The proposal does not further Policy II.B.7c-structures/location in Centers.

Environmental Protection & Heritage Conservation-

Goal: To preserve and enhance the natural and built characteristics, social, cultural and historical features that identify Albuquerque and Bernalillo County sub-areas as distinct communities and collections of neighborhoods.”

The natural characteristics of the immediate area, close to the Bosque and open space that define this sub-area of the Westside, may be impacted by the presence of the LRF, however, even a building with multiple tenants could have negative impacts. There is no evidence that the proposed LRF will have negative effects on the social, cultural and historical features of the Bosque, therefore, the proposal is consistent with the Environmental Protection & Heritage Conservation goal.

Archaeological Resources

Policy II.C.6b: Appropriate treatment of significant sites and remedies for those that cannot be preserved shall be determined.

The North Andalusia site development plan for subdivision identifies the location of archaeological sites, though not for research, education or other uses. The site development plan was amended in 2007 to reflect the locations based on field verification. The Certificate of No Effect obtained for the current proposal indicates that field work has been completed and a final report is in preparation. Archaeological resources Policy II.C.6b is furthered.

Developed Landscape

Goal: To maintain and improve the natural and the developed landscapes’ quality.

The proposal would generally improve the developed landscape’s quality because the building would contain architectural features that are intended to promote quality development, as per the LRF Regulations. However, the development would not improve the natural landscape in this area characterized by the Bosque and open space. The proposal partially furthers the Developed Landscape Goal.

Policy II.C.8a: The natural and visual environment, particularly features unique to Albuquerque, shall be respected as a significant determinant in development decisions.

The proposal generally respects the natural and visual environment, as required by adopted Plans. The view analysis demonstrates that the ridgeline of the Sandia Mountains will not be penetrated; however, the proposed building, in terms of mass and scale, is not as sensitive to the nearby Bosque environment as it could be. Strategies should be put in place to address water re-use and litter control. Policy II.C.8a-environment/unique features is partially furthered.

Policy II.C.8e: In highly scenic areas, development design and materials shall be in harmony with the landscape. Building siting shall minimize alteration of existing vegetation and topography and minimize visibility of structures in scenic vista areas.

The subject site is in a highly scenic area characterized by the Bosque and open space. The site was graded several years ago so there is no vegetation or topography to maintain. The proposed building's colors and materials would be in harmony with the landscape. The building is sited at the low end of the site to minimize its visibility and the grade has been lowered to minimize the visibility of the structure. The request is consistent with Policy II.C.8e-scenic areas/development harmony.

Community Resource Management- Transportation and Transit

Goal: 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.

The site is located near the intersection of two limited-access arterial streets with transit and bicycle routes. Coors Blvd. and Montano Road are designated Enhanced Transit Corridors with a goal to promote multi-modal travel. Coors is served by a regular bus route and a rapid ride route while Montano is served by a regular bus route. The development will provide some opportunities for transit usage, though by its nature, a LRF is a very auto-oriented use. The Traffic Impact Study (TIS) indicates that the proposed development will produce less traffic than the previous project approved on the site. The proposal is generally consistent with the Transportation and Transit Goal.

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

The proposal is mostly consistent with Policy II.D.4g. Pedestrian connections are provided throughout the site. Additional pedestrian scale lighting is needed to improve safety and create pleasant conditions. Raised concrete is needed to link the parking lot and the building entrance and improve safety by designating pedestrian crossings and slowing down vehicle traffic.

Economic Development

Goal: To “achieve steady and diversified economic development balanced with other important social, cultural and environmental goals.” Applicable policies include:

The conceptual and illustrative site development plans proposes a mix of commercial uses including a LRF, smaller retail uses and some office. The subject site has been master-planned to provide a mix of uses that would serve the surrounding residential community. The proposal would result in economic development although the LRF would dominate. The proposed LRF is balanced with cultural (archaeological) goals through mitigation. Greater balance with environmental goals could be achieved by implementing strategies to reduce pervious surfaces and re-use water on site. The proposed outdoor spaces would provide some social areas. The proposal partially furthers the Economic Development Goal.

Policy II.D.6a: 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.

New employment opportunities would be provided on the Westside, where more jobs are needed to balance the jobs to housing ratio. However, it is unlikely that the jobs generated would have a wide range of occupational skills and salary levels. The proposal partially furthers Policy II.D.6a- new employment opportunities.

B) WEST SIDE STRATEGIC PLAN (RANK II)

The West Side Strategic Plan (WSSP) was first adopted in 1997 and amended in 2002 to help promote development of Neighborhood and Community Activity Centers. The WSSP identifies 13 communities, each with a unique identity and comprised of smaller neighborhood clusters. The subject site is located in the Taylor Ranch community (WSSP, p. 59-61), which consists of the area within the following boundaries: the Volcanic Escarpment on the west, Paseo del Norte on the north, the river on the east and the vicinity of Western Trail Road on the south. The rural area of Alban Hills is included.

The Community Center for Taylor Ranch, known as the Montañó/Coors Community Center is located generally at the intersection of Coors Blvd. and Montañó Rd. This Center “will contain a mix of retail service and higher-density housing. Because of its location, it will serve residents throughout the northwest area (WSSP, p. 103).

WSSP Policy 1.1: Thirteen distinct communities, as shown on the Community Plan Map and described individually in this Plan, shall constitute the existing and future urban form of the West Side. Communities shall develop with areas of higher density (in Community and Neighborhood Centers), surrounded by areas of lower density. Bernalillo County and the City of Albuquerque Planning Commissions shall require that high density and non-residential development occur within Community and Neighborhood Centers. Low density residential development (typical 3-5 du/acre subdivisions, or large lot rural subdivisions) shall not be approved within the Centers.

The proposal would result in non-residential development in the Taylor Ranch community, within a designated Community Center, the Montañó/Coors Community Center. WSSP Policy 1.1 is generally furthered.

WSSP Centers Concept

The following policies were established to ensure that commercial developments are approved in accordance with the “centers” principles. The policies are similar to the Activity Center policies contained in the Comprehensive Plan.

WSSP Policy 1.2: A transit feasibility and access plan (also known as a TDM or Transportation Demand Management plan) shall be provided with each development plan located within the Regional Center, Employment Centers, Community Centers, and developments elsewhere adjacent to designated transit corridors...

The existing 2005 SPS includes a TDM on Sheet 3. This approved TDM contains some of the following strategies:

- *Businesses with more than 50 employees shall provide designated carpool parking spaces to encourage carpooling by employees.*
- *Businesses should work with employees to encourage carpooling, bus ridership, and alternative modes of transportation.*
- *Businesses should post the City trail map and bus route information in employee break rooms or other locations easily accessible to employees.*
- *Businesses shall provide conveniently located bicycle racks and facilities to encourage bicycle commuting.*

The applicant has indicated that they will honor the above TDM strategies. The request furthers WSSP Policy 1.2.

WSSP Policy 1.5: Community and Neighborhood Centers shall be required to provide pedestrian/bicycle access to key activity areas. Parking lots shall be carefully designed to facilitate trail access and pedestrian access between buildings.

Pedestrian/bicycle access would be provided to the site from the trail and bike lanes along all roads leading into the site. Connectivity to the open space trailhead is provided from Mirandela Road. The off-street parking does not interfere with connectivity to the trails and bikeways, however, parking between buildings interferes with pedestrian access between buildings. WSSP Policy 1.5 is partially furthered.

WSSP Policy 1.12: The ideal community activity center of 35 to 60 acres will have parcels and buildings in scale with pedestrians, small enough to encourage parking once and walking to more than one destination. Off-street parking should be shared; on-street parking will contribute to the intimate scale typical of well functioning pedestrian areas. Parking shall be located between and behind buildings to permit walking more safely and comfortably between uses that front on sidewalks rather than parking lots. Seating and shade will be provided along pedestrian routes to promote walking and informal gathering.

The commercial portion of the site plan for subdivision, Tracts 1-3, is approximately 24 acres and more than ¼ mile from north to south. Tract 2 would contain the free-standing LRF and associated surface parking. Other smaller buildings would line up along the main internal road and around the perimeter of the site. Pedestrian connections are provided between each of the buildings, however the LRF and its parking dominate the middle of the site which discourages walking from one end of the site to the other. A better approach would be to cluster the buildings on the site to create shorter walking distances.

At 98,901 sf, the single structure is not considered pedestrian-scale, though pedestrian amenities and building articulation will help. The proposal partially furthers WSSP Policy 1.12 regarding the ideal community activity center.

WSSP Policy 1.13: The Community Activity Center shall provide the primary focus for the entire community with a higher concentration and greater variety of commercial and entertainment uses in conjunction with community-wide services, civic land uses, employment, and the most intense land uses

within the community. Its service area may be approximately three miles (radius) and a population of up to 30,000.

The proposal would result in tracts for future development and development of a large retail facility (LRF) that could serve as a catalyst to attract additional commercial and related uses. Such uses, which are relatively intense compared to single-family development that is desired outside of activity centers, would then concentrate in the designated community activity center. The uses would be a primary focus for the Taylor Ranch community, though it is likely they would serve a larger area. WSSP Policy 1.13 is generally furthered.

WSSP Policy 1.14: The typical Community Center shall be accessible by a major street or parkway, provide a hub for transit service, and be accessible by pedestrians and bicyclists.

The subject site is accessible by automobile and located at the intersection of two arterial streets that are designated Enhanced Transit Corridors by the Comprehensive Plan. Coors Blvd. is served by a regular bus route and a rapid ride route and Montaño is served by a regular bus route. The development would provide opportunities for transit usage, though by its nature a LRF is a very auto-oriented use. Both Coors Blvd. and Montaño Rd. have bicycle lanes although biking along Coors is not a pleasant experience. The site is adjacent to the Pueblo Montaño trailhead facility which provides access to a community-wide trail network. The proposal furthers WSSP Policy 1.14.

WSSP Policy 1.18: Community Activity Centers shall contain mixed-use buildings and/or mixed-use developments that combine commercial, residential, and/or civic land uses in one accessible location. Clustered buildings and formation of meaningful plazas and sheltering forms to promote pedestrian-friendly environments are encouraged.

Overall, the site development plan for subdivision (SPS), from Learning Rd to Montano Rd, meets the intent of this policy, to provide a mix of land uses in one accessible location. The subdivision contains multi-family residential, office and commercial uses to serve up to a 3-mile radius. However, the SPS does not propose any clustering of buildings to promote a pedestrian-friendly environment nor does it provide common public plazas that would provide "meaning/identity" to the site. The proposal does not further WSSP Policy 1.18.

WSSP Policy 3.12 (Taylor Ranch): The Taylor Ranch Community is an appropriate location for continued growth due to its contiguous location to the rest of the City and efficient location for receiving City services.

The proposal would facilitate development in Taylor Ranch, a location contiguous to the City and efficient for receiving services. WSSP Policy 3.12 is furthered.

WSSP Policy 3.18 (Taylor Ranch): Protection and preservation of the Bosque is critical. Development east of Coors Boulevard shall be sensitive to this community asset.

The Coors Corridor Sector Development Plan (CCSDP) provides protection of the Bosque through its design standards, such as the required 100-foot buffer from the Bosque's edge. The subject site

is buffered from the Bosque by land owned by Bosque School and the City of Albuquerque. To further protect this environmentally sensitive area, the applicant should implement permeable paving surfaces and water re-use strategies to limit runoff to the Bosque. The proposal is mostly consistent with WSSP Policy 3.18.

Commercial Development

WSSP Policy 4.6.g: “Create commercial developments that are or will be accessible by transit. Locate buildings adjacent to street frontages and place parking areas to the rear or sides of properties and/or on adjacent streets. Locate landscaping, walls, or fences so they do not create barriers for pedestrians. Parking shall not take precedence over pedestrian circulation.”

The proposed building would not be readily accessible by transit nor would the building be located adjacent to street frontage. However, the site is approximately 15-17 feet lower than the grade of Coors Blvd., which may complicate pedestrian accessibility. Also, placing buildings adjacent to Coors Blvd. could potentially block easterly views and, given the grade differential, will likely result in only the tops of the buildings being visible from Coors Blvd. As a result, parking is located closer to Coors, in front of the building, though some parking could be located at the sides or rear. Due to site constraints and the View Regulations of the Coors Corridor Plan, the proposal partially furthers WSSP Policy 4.6g.

WSSP Policy 4.6.h: “Limit the maximum number of parking spaces for office and commercial uses to 10% above Zoning Code requirements. Each development shall have an approved pedestrian and bicycle circulation plan that provides safe, attractive, and efficient routes to neighboring properties, adjacent streets, and transit service. The site development plan shall show convenient access throughout the site. Regularly spaced pedestrian access through breaks in walls and continuous landscaping shall be provided...”

The total required parking pursuant to the Zoning Code is 385 spaces. The North Andalusia site development plan for subdivision allows 10% above the required amount, which is 424 spaces. The applicant is proposing 420 spaces, which is below the allowed amount. The proposed development provides access to neighboring properties and to adjacent streets would have access through the site, though the access isn't always convenient. Information regarding pedestrian and bicycle circulation has been provided, but it has not been incorporated into the site development plan. The request is consistent with WSSP Policy 4.6h.

C) COORS CORRIDOR SECTOR DEVELOPMENT PLAN (RANK III)

The subject site lies within the boundaries of the Coors Corridor Sector Development Plan (CCSDP), a Rank III plan first adopted in 1984 and amended in 1989, 1995 and 2003. The CCSDP provides policy and design standards for development within the Coors Corridor area, which extends northward from Central Avenue to NM 528 (Corrales Road).

The CCSDP divides the Coors Corridor into four segments; the subject site is located in Segment 3 South (Western Trail to approx. La Orilla Rd.) and lies within a view preservation area (see p. 106). The following CCSDP policies and design regulations apply to the proposal:

ISSUE 2-ENVIRONMENTAL CONCERNS & RELATED IMPROVEMENTS

Policy 6- Archaeological Sites (p. 56): Any person planning a development within an identified archaeological site shall obtain clearance and guidance from the State Historic Preservation Office, Santa Fe, New Mexico, before actual development begins.

Guidance from the State Historic Preservation Office (SHPO) has been obtained. A data recovery plan has been prepared. Compliance with the data recovery plan and final project sign-off is under the authority of SHPO, which has not yet given final approval. The proposal furthers CCSDP Policy 6.

ISSUE 3-LAND USE AND INTENSITY OF DEVELOPMENT

Policy 5- Development Intensity (p. 79): Intensity of development shall be compatible with the roadway function, existing zoning or recommended land use, environmental concerns, and design guidelines.

The request would result in a large, approximately 11.5 acre tract (Tract 2-A) located in the middle of the site, to accommodate a large retail facility (LRF). Tract 2-A would be disproportionately large relative to the other tracts, which would make it inconsistent with the existing design standards that are intended to create a small-scale, fine-grain, pedestrian-friendly development with village character. Proximity to open space and the Bosque could make a less intense use more appropriate for this setting.

Policy 7- Cluster Design (p. 80): Cluster design for development of residential, commercial, and industrial structures shall be encouraged.

The CCSDP envisions clustering of buildings as a site layout technique. Clustering of buildings preserves views, creates open spaces and allows pedestrian opportunities. The proposed LRF building would stand-alone. The way the future tracts are proposed would create several retail pads across the subject site, which would preclude development of clustered building forms. The proposal does not further CCSDP Policy 7.

ISSUE 4-VISUAL IMPRESSIONS AND URBAN DESIGN OVERLAY ZONE

a. General Policies

Policy 4.a.3- New development (p. 86): New development in the Coors Corridor should be designed to be compatible with the natural landscape and the built environment in accordance with the design regulations and guidelines.

The proposal generally furthers CCSDP Policy 4.a.3. The proposed building design incorporates a variety of materials and colors with low reflective values (LRVs) that would be generally compatible with the surrounding and it complies with most CCSDP design regulations.

Policy 4.b.3- Front landscaped street yard (p. 90): There should be a landscaped street yard along the entire frontage of properties adjacent to Coors Boulevard.

Design Regulation: Width and landscaping requirements (p. 91)

1. The front landscaped street yard shall be 15 feet wide in Segments 1 and 2, and 35 feet wide in Segments 3 and 4. **OK**
2. A minimum of 50% of this area shall be maintained with live landscaping material which will visually screen and buffer parking development behind the street yard. Buffering is the use of continuous landscaping (other than grass or gravel or flat terrain) along with berms, walls or decorative fences that at least partially and periodically obstruct the view from the street of vehicular use areas, parking lots and parked cars. **OK**

The proposal complies with CCSDP Policy 4.b.3 and design regulations 1 and 2 above. The 35 foot front landscape street yard would contain a variety of trees and shrubs and a pedestrian pathway.

Policy 4.b.4-Site Landscaping (p. 92): Landscape design and improvements should be complementary to the individual site and to the overall appearance of the corridor in accordance with the design regulations and guidelines. **OK**

A. Landscape Design- Design Regulations (p. 92): All site development plans shall be accompanied by landscape plans. These items should be integral elements of the landscape design. Individual landscaping efforts by owners of individual single-family or townhouse residences are exempt from these guidelines. **OK**

All landscape plans should include the following design considerations:

1. Appropriate irrigation is required for all landscaped areas. Generally an automatic underground system is encouraged. Irrigation systems should be designed to avoid overspraying walks, buildings, fences, etc. **OK**
2. All exterior trash and storage utility boxes, electric and gas meters, transformers, etc., shall be screened from view. The designer should coordinate the location of these elements with the appropriate utility company. **OK, also required by applicable design standards.**

Landscape plans shall incorporate elements such as outdoor lighting, signing, trash receptacles, fencing, etc., in addition to identifying landscape plant materials. **OK**

B. Landscape Materials- Design Regulations (p. 93): All landscape plant material shall be selected and planted in accordance with the following regulations:

1. Street trees shall be planted in accordance with existing regulations. **OK**
2. Live plant materials shall be used extensively in all landscaped areas. Gravel, colored rock, bark, and similar materials are generally not acceptable as groundcover. Bark should only be utilized as mulch, not as a permanent form of groundcover. In some cases, "hard" materials such as brick or cobblestone may be considered. **OK**

Policy 4.b.4 and the landscape design and landscape materials design standards are complied with. The proposed landscape plan discusses the irrigation system and incorporates elements such as outdoor lighting and identifies landscape materials. Street trees are proposed and live plant

material is used in accordance with the Zoning Code requirement of at least 75% coverage with living, vegetative materials.

Policy 4.b.5- Off-Street Parking (p. 94): Generally, off-street parking facilities should be located to the rear of sites. Street frontages should be devoted to building architecture and landscaping. ***NOT OK- the majority of the proposed parking is between the building and the street frontage.***

A. Parking Improvements- Design Regulations (p. 94): Off-street parking areas shall include:

1. No parking area shall intrude upon the 15-foot wide front landscaped street yard in Segments 1 and 2, or the 35-foot wide landscaped setback in Segments 3 and 4. **OK**
2. Paving to City or County standards. **OK, will be ensured at the Development Review Board (DRB)**
3. Barriers around all landscaped areas in order to protect landscaping from vehicles. **OK**
4. Striping and appropriate wheel stops, identification of all handicapped and compact vehicle spaces. **OK**
5. Provision for bicycle parking as required by existing regulations. **OK**

B. Landscaping- Design Regulations (p. 94): Off-street parking areas shall be designed and landscaped to minimize glare, reduce reflection and reduce the visual impact of large numbers of cars. Parking areas shall include the following landscaping elements:

1. Landscaping “in” and “around” the paved area. A minimum of 20% of the parking lot area shall be landscaped. The landscaping shall consist primarily of shade trees and shrubs and shall be distributed throughout the parking lot. Generally, peripheral landscaping should not be less than 5 ft. in width. **OK**
2. One tree shall be planted per every ten parking spaces and shall be distributed such that at least one tree is planted per every 15 linear parking spaces. **OK, the LRF Regulations require 1 tree for every 8 spaces.**
3. Interior landscaping in larger parking areas (2 or more access aisles, which will provide additional screening and break up the parking areas into smaller increments. **OK**

The proposal complies with the design regulations regarding parking improvements and landscaping, though it does not further CCSDP Policy 4.b.5 above.

Policy 4.b.6-Commercial Sites: Commercial sites, such as shopping centers, should be designed so that a portion of the building or buildings is located near the street perimeter and relates to the streetscape area along Coors Boulevard. (p. 96)

The LRF building is proposed at the rear of the site and not near the street perimeter. The majority of parking is between Coors Blvd. and the building, so there is no relating to the streetscape area along Coors Blvd. However, as stated earlier, the site is at a lower grade than Coors so bringing the building closer to Coors would not necessarily create a relationship to the streetscape area and

could block the mountain views. Other, future buildings would be adjacent to Mirandela Rd. The request partially furthers CCSDP Policy 4.b.6.

Policy 4.b.7-Access (p. 96): Separate pedestrian and vehicular access should be provided. Pedestrian access to structures shall not utilize driveways as walkways. Pedestrian connections between uses in commercial developments shall be emphasized.

Separate pedestrian and vehicular access to the site is proposed from the north side of the parking lot and from Mirandela Rd. Pedestrian connections to future commercial and/or office uses are provided. The proposal furthers CCSDP Policy 4.b.7.

Policy 4.b.9-Site Lighting: Site area lighting, including parking area lighting, should be carefully designed and located so as to minimize glare on any public right-of-way or any adjacent premises. (p. 98)

A. Exterior Lighting- Design Regulations (p. 98):

1. Site lighting shall not have a total off-site luminance greater than 1000 foot lamberts; however, it shall not have an off-site luminance greater than 200 foot lamberts measured from the property line of any private property in a residential zone. **OK- see note on Sheet C-13.**
2. The mounting height of luminaries in vehicular and/or storage areas shall be no higher than 20 feet. **OK- see note on Sheet C-16.**

The proposal complies with CCSDP Policy 4.b.9 and the exterior lighting design regulations.

Policy 4.b.10-Architectural Design (p. 100): Architectural design should contribute to the enhancement of the overall visual environment of the Coors Corridor.

B. Architectural Details, Design Regulations (p. 100):

1. Parapet walls shall be treated as an integral part of the building design. Such walls shall not appear as unrelated visual elements. **OK**
2. Mechanical equipment shall be screened from public view. The design of mechanical equipment screening shall be compatible with, and be an integral element of, the building structure. Location of such equipment within the building or at ground level is preferable to roof-mounting, unless such location would adversely affect the streetscape, pedestrian circulation, or open space. **OK**

The proposed parapet walls are integrated with design elements used throughout the building. Roof-top mechanical equipment would be screened, though it is unclear if/how ground equipment would be screened. The proposal generally furthers CCSDP Policy 4.b.10, complies with design regulation 1 and partially complies with design regulation 2.

d. Signage

Policy 1 (p. 112): Signs should complement the appearance and function of the roadway and the corridor while protecting the unique views beyond the corridor. **OK, the existing design standards also regulate signage appearance.**

Design Regulation (p. 112):

1. Zoning permits, seals of compliance. Same as regulated by Section 40.E [note: this is an outdated reference, should be to Zoning Code 14-16-3-5, General Sign Regulations]. **OK**
2. Regulations applicable to signs in all zones. **OK**
4. Regulations applicable to signs in nonresidential zones:

General Illumination: Same as regulated by Section 40.E. [note: this is an outdated reference, should be to Zoning Code 14-16-3-5, General Sign Regulations]. **OK**

Illuminated Sign or Element: No illuminated sign, or any illuminated element of any sign, may turn on or off, or change its brightness. **NOT OK. Signs that are internally illuminated shine light on plastic panels; a note is needed to indicate no turning on or off. Note: the design standards do not allow plastic panel signs.**

The proposal generally complies with Signage Policy 1 and the design regulations, although clarification is needed regarding the proposed signs' lighting.

C. VIEW PRESERVATION FOR CORRIDOR SEGMENTS 3 AND 4

⇒ Note: see Section III of this report for an analysis of the view plane regulations as applied to the current proposal.

Policy 1-View Preservation (p. 103): Unique views within and beyond the Coors Corridor area in Segments 3 and 4 east of Coors Boulevard should be protected and enhanced in accordance with additional design guidelines for this portion of the corridor.

The preservation of unique views is a critical component of the CCSDP. View Line B, which intersects the building at the main entry façade, now complies. The height of the building at the main entry façade needed to be reduced by 1.85 feet, from 33 feet to 31.15 feet. However, the grade was lowered by approx. 2 feet so compliance was achieved. View Line A demonstrated compliance. The proposal complies with the view preservation regulations and Policy 1 based on the information provided, but there is no View Line C to demonstrate if the tower element near the proposed building's NW corner complies or not.

V. SITE DEVELOPMENT PLAN FOR SUBDIVISION, DESIGN STANDARDS & VILLAGE CONCEPT

Design standards create an identity for a development by establishing a framework to guide review of development requests on a given site. Design standards typically address the following topics in addition to those mentioned in the definition of site development plan for subdivision: purpose/goal, parking, streets (sometimes included), pedestrians/bicycles and/or sidewalks/trails, landscaping, walls/screening, architecture, lighting, signage, utilities, process and any other topic of particular relevance to the site (Note: topics may be in a different order).

Current Proposal

Existing design standards for Tracts 1 – 6 are found in the North Andalucia at La Luz Site development plan for Subdivision (SPS), Project #1003859, 04EPC-01845. The currently proposed site development plan for subdivision amendment for Tracts 1 – 3 (see Section VI of this report) does not affect the existing design standards.

The proposed site development plan for building permit (SPBP) for Tract 2-A must comply with these design standards (see Sheets C-2 and C-3). Here Staff summarizes the design standards and explains instances when the proposed site development plan for building permit does not comply.

Overall Design Theme & Land Use Concept

The primary goal is “to achieve a vibrant, mixed-use community that fosters pedestrian accessibility and maintains a village-type character.” The design standards are intended to be used to facilitate design of buildings that respect the natural conditions of the site, maintain and highlight spectacular views and to leave significant areas dedicated to open space. The design standards are also intended to be complementary to La Luz and the Bosque School. Site development plans for building permit shall be consistent with the design standards and be approved by the Environmental Planning Commission (EPC).

The site is zoned C-2 (Community Commercial) and is a designated Community Activity Center. As noted earlier in the policy analysis section of this report, a Community Activity Center should have parcels and buildings in scale with pedestrians, small enough to encourage parking once and walking to more than one destination. Parking should be located between and behind buildings to permit walking more safely and comfortably between uses rather than parking lots. Community Activity Centers should have clustered buildings and meaningful plazas and sheltering forms to promote pedestrian-friendly environments.

The goals for Community Activity Centers and Village-type Centers are similar and are intended to achieve the same result. In fact, the SPS Design Standards were derived from the Community Activity Centers policies in the WSSP.

Village-type development is typically characterized by a mix of smaller-scale, fine-grained commercial and office uses combined with housing variety and pedestrian scale and orientation of development. Village-type character can be created through site layout by, for example, relating the buildings to each other (instead of isolated pad sites) and clustering buildings to create a more pleasant walking environment and to provide useful plaza spaces where people can gather. Plazas (outdoor space areas) are an integral component of this type of development rather than an after thought.

In an overarching sense, the proposed site development plan does not fulfill the primary goal though it could generally help achieve a mixed-use community when combined with other, future uses for North Andalucia. It is possible to have a mixture of uses (commercial, office and housing) without creating village-type character, which would be the case with the current proposal. If the proposed building was comprised of smaller components, and the other, future uses integrated with it, a village-character could be created on Tract 2-A that is consistent with the design standards’ primary goal. (Note: The mixture of uses is approximately all commercial north of Mirandela Rd. and almost all housing south of Mirandela Rd. The office component is minimal. See Section III.A. of this report).

Though pedestrian accessibility would be provided, a village-type character would not be created or maintained for the reasons stated above. In addition, the scale of the proposed parking lot is not conducive to a village-type character. If parking areas are divided into smaller components and placed to the rear and sides of buildings, village-type character could start to emerge. Therefore, as proposed, the site development plan for building permit is inconsistent with the primary goal of the design standards.

Coors Corridor Plan- View and Height Restrictions

The design standards echo the view preservation regulations of the Coors Corridor Sector Development Plan (CCSDP).

Two view lines are shown in the view analysis (see Section III.D. of this report). View Line A intersects the proposed building where it's 28 feet high. View Line B, where the building is 33 feet high. The finished floor elevation has been lowered by two feet since the January site plan version; compliance has been created using View Lines A and B. However, the proposed tower near the building's NW corner also measures 33 feet high. A view line to intersect with the tower was not included (though requested since January), so compliance cannot be ensured at this time.

Pedestrian and Site Amenities

Creating a pedestrian-friendly environment is a primary design objective which will be achieved by maintaining a high-quality and consistent style for amenities and creating separate vehicular and pedestrian circulation systems to support the creation of a village-type character. Public art is encouraged.

The site layout results in vehicle and pedestrian circulation systems that are not separate and are characterized by conflict points, and do not contribute to pedestrian-friendliness or village character to the extent that they could. The proposed amenities, ex. benches and pedestrian-scale lighting, improve the site but appear to be inconsistent in style. More information is needed on the detail sheets.

Trails and Sidewalks

Public and private trails and sidewalk systems are a defining element.

Special paving materials (ex. textured, colored concrete) are used as required and they improve the request. However, the pathways should be raised where they cross-drive aisles to improve safety. A pathway should be added to connect to Coors Blvd. near the site's southern end, though it may have to meander due to the grade. All pathways must be shown as handicap accessible. All private paths and trails are required to be a minimum width of 6 feet and be a soft surface. The first part of this standard is met but the second is not.

Parking

The intention is to lessen the impact of parking on the land and to preserve views; careful attention should be paid to parking design. Parking facilities should be broken up into a series of smaller areas to lessen its impact.

Required parking pursuant to Zoning Code 14-16-3-1, Off-Street Parking Regulations, is 385 spaces. Required plus 10% (38.5, ≈39) is allowed. 385 + 39= 424, maximum parking allowed. The total parking provided is 420, so the request now complies with this standard. Parking is broken up into smaller “blocks”, but is not distributed sufficiently as to lessen its impact. Specifically, 44 of the 420 spaces, or 10%, are located at sides of the proposed building. The remaining 90% of spaces comprise the large “sea” of parking between the building and Coors Blvd.

Setbacks

Setbacks are required to create open space and streetscapes. Walkways and screening materials are required within setbacks. Parking is discouraged adjacent to roadways.

The majority of parking for the LRF is proposed adjacent to Coors Blvd., which is discouraged, though the grade difference from the roadway to the site may help create a natural barrier. Walkways and landscaping are proposed in the 35-foot buffer along Coors Blvd.

Landscape

Landscape is to be complementary to the Bosque and responsive to environmental conditions and local building policies.

The landscape areas for the trees near the main entrance are the minimum 36 square feet. Staff suggests that the small concrete patch separating the two landscape beds be removed to enlarge the area slightly, which would benefit tree health on this hot, western side of the building and allow more water to infiltrate the ground. The use of pervious paving around tree wells would be responsive to environmental conditions and help with storm water re-use (see Section III.C. of this report).

Screening/Walls and Fences

Screening is essential to limit the adverse visual impact of parking lots, loading areas and refuse areas.

The proposed 12 ft. high dumpster enclosures would be of a material and colors compatible with the proposed building. However, neither the trash compactor area nor the dumpster enclosures are screened with plant materials as required. All mechanical equipment is required to be screened; it appears that mechanical equipment would be visible from the East elevation. The grade difference from Coors Blvd. to the site would provide screening of the adjacent parking.

Architecture

Architecture should demonstrate a high-quality aesthetic character that responds to climate, views, solar access and aesthetic considerations. Commercial building style will be a hybrid of New Mexico architectural styles. Materials will be natural and colors warm. Roof-mounted and ground-mounted equipment is required to be screened by building elements or landscaping. All building sides will be architecturally articulated.

The request does not respond to climate in the following instance: at least 25% of required seating must be shaded because the main elevation faces west [refs: 14-16-3-18(C)(3), see bullet 1]. The benches are not underneath the trellises.

The proposed commercial building would be a hybrid of New Mexico architectural styles combined with corporate brand style. All building sides would be articulated and colors warm, with low reflective values (LRVs). Roof-mounted mechanical equipment will need to be screened by parapets. Ground-mounted equipment needs to be shown on the site plan since it is required to be screened by building elements or landscaping.

Lighting

The objective is to maximize public safety while not affecting adjacent properties, buildings or roadways with unnecessary glare.

The finish of the two proposed light pole types needs to be specified, since lighting must blend with the character of the building and other on-site fixtures. A note is needed on the lighting detail to state that cobra and high-pressure sodium lighting are prohibited. Notes regarding lighting should be moved from Sheet C-4 to Sheet C-13, and a detail of wall-mounted lighting provided.

Bollard lighting would be a beneficial addition to outdoor areas to provide light for safety reasons and enhance aesthetic character. The pedestrian light pole fixtures, which previously were double-fixture and matched the example in the design standards, have been changed to a single-fixture pole.

Signage

The goal is to provide a high-quality signage program that maintains a consistent style, complements visual character and creates a sense of arrival.

Three project monument signs are allowed at the entries along Coors Blvd. Two are proposed, near the northern and southern ends of the subject site. The third project monument sign may be located at the Coors Blvd./Montaño Rd. intersection or the Coors and Learning intersection in the future. If future signs are desired in both locations, one of the currently proposed project monument signs would need to be removed to comply with the signage standards. The monument sign details in the design standards show multi-tenant signage; the request does not specify if the proposed user would use all the space or leave some for future tenants.

One minor monument sign is allowed on Montaño Rd. However, the proposal shows a minor monument sign along Mirandela St., near the subject site's NE corner, which is not allowed. Because the design standards specify the total number of monument signs allowed, and their location and size, additional monument signs are prohibited. By allowing the three project monument signs along Coors Blvd., within the Established Urban Area, the design standards as such are consistent with the Comprehensive Plan.

However, allowing the one minor monument sign on Montaño Rd., in the Developing Urban Area, conflicts with the Zoning Code 14-16-3-5, General Sign Regulations. Allowing an additional, unspecified number of monument signs in the Developing Urban Area would create further conflict with the Zoning Code and is not recommended.

Five building-mounted signs are proposed. Four of them do not comply because they exceed 6% of the façade area to which they are applied: the “Pharmacy Drive-Thru” sign on the western elevation (10%); the “Outdoor Living” sign (14.3%), the “Market & Pharmacy” sign (11.8%), the “Walmart” sign and the circular logo (7.7%).

The “Pharmacy Drive-Thru” sign on the north elevation is 3% of façade area and complies with the design standards.. A note needs to be added to ensure that the signs will not use illuminated plastic panels and/or illuminated plastic letters.

Utilities

The visual impact of equipment and utilities should be minimized to ensure aesthetic quality.

It is unclear if transformers, utility pads and telephone boxes would be screened with walls or vegetation as required. The above-ground back-flow prevention device (see Sheet C-9) is required to be enclosed with materials compatible with building architecture. Notes are needed to address both.

Unique Street and Traffic Calming Standards

These standards are critical to creating an active, pedestrian-oriented urban community. The intent is to provide short street blocks with a smaller number of lots.

All street types shall include a 5-6 foot landscaped parkway. The proposed drive-aisles in the parking lot would have trees on both sides. However, trees would only be along the western (parking lot) side of the main north-south internal street. Handicap ramps shall be provided at each intersection. Handicap ramps may need to be added to the pathways leading to the building entrances and to the pathways near the HC parking spaces.

The standards state that “roundabouts will be used as a traffic calming device at major public and private vehicular intersections.” A roundabout was proposed on the site’s northern side, but has been removed. It should be re-instated to keep with the intent of the street and traffic calming standards.

Transportation Demand Management (TDM)

TDM is recommended in the Comprehensive Plan as a strategy to mitigate traffic impacts of a development.

Designated carpool spaces are provided on the north side of the proposed building, but they are parallel parking and are not conveniently located for employee use. Bicycle parking is provided, but it needs to be shown on the enlarged detail on Sheet C-4.

The existing 2005 SPS includes a TDM on Sheet 3. This approved TDM contains some of the following strategies:

- *Businesses with more than 50 employees shall provide designated carpool parking spaces to encourage carpooling by employees.*

- *Businesses should work with employees to encourage carpooling, bus ridership, and alternative modes of transportation.*
- *Businesses should post the City trail map and bus route information in employee break rooms or other locations easily accessible to employees.*
- *Businesses shall provide conveniently located bicycle racks and facilities to encourage bicycle commuting.*

The applicant has indicated that they will honor the above TDM strategies.

Conclusion of Analysis: Overall, the proposal demonstrates partial compliance with the design standards for North Andalucia at La Luz but is inconsistent with the primary goal of achieving a village-type character. Specific instances of non-compliance, as noted above, can be remedied through the application of conditions of approval. Consistency with the primary goal can be achieved through implementing a variety of site layout techniques.

V. LARGE RETAIL FACILITIES (LRF) REGULATIONS

The following evaluates the request's compliance with the Large Retail Facility (LRF) Regulations [Zoning Code §14-16-3-2(D)], which manage the location and design of LRFs. Some instances of satisfactory compliance are mentioned as Staff considers relevant; other instances of compliance are not discussed for the sake of brevity. Emphasis is placed on instances of non-compliance since these items are the ones that will need modification.

SUBSECTION (D)(1)- APPLICABILITY.

(a)(1) Provisions shall apply to the following: new construction of a LRF.

These regulations apply because the applicant is proposing to construct “a single tenant structure with at least 75,000 sf of net leasable area for the purpose of retailing” (definition of a LRF, Zoning Code §14-16-1-5)

SUBSECTION (D)(2)- LOCATION AND ACCESS OF LARGE RETAIL FACILITY.

Note: The September 5, 2012 instruction from City Council states that “The EPC is charged with interpreting the Zoning Code in reaching its decision [regarding access].” (Ref: AC-12-10, appeal of declaratory ruling regarding access.)

This Subsection establishes three levels of Large Retail Facilities (LRFs), based on square footage.

(b) LRFs containing 90,001 to 124,999 sf of net leasable area are:

1. Permitted in C-2, C-3, M-1, M-2 and IP zones and SU-1 and SU-2 zones for uses consistent with C-2, C-3, M-1, M-2 and IP zones; and

2. Required to be located *adjacent to* and have *primary and full access* to a street designated as at *least a collector* in the Mid-Region Council of Governments' Metropolitan Transportation Plan and having at *least four through traffic lanes*. [emphasis added]

The proposed building, a single-tenant structure of 98,901 sf of net leasable area for the purpose of retailing, is a LRF by definition. (b) above applies because the proposed building would be 98,901 sf in size.

Regarding (b)(1):

The subject site is zoned "SU-1 for C-2, O-1 Uses and PRD (20 dwelling units/acre)". The proposed LRF is a permissive C-2 use. Because the site's SU-1 zoning references the C-2 zone, the proposed LRF would be allowed.

Regarding (b)(2):

A Large Retail Facility (LRF) is required to be located adjacent to and have primary and full access to a street designated as at least a collector in the Mid-Region Council of Governments' Metropolitan Transportation Plan and having at least four through traffic lanes.

WHAT IS A LRF? The Zoning Code defines an LRF as:

"a single tenant structure with at least 75,000 square feet of net leasable area for the purpose of retailing. A shopping center site with a main structure of 75,000 square feet or more is a LARGE RETAIL FACILITY. Refer to §14-16-3-2 for Large Retail Facility Regulations."

WHAT IS A MAIN STRUCTURE? The Zoning Code defines a Main Structure as:

"a building used for the purpose of retailing that is at least 75,000 square feet in size and dedicated to a single tenant, or a building that has one or more tenants with at least one tenant occupying at least 75,000 square feet for retail uses. A collection of smaller buildings, each less than 75,000 square feet and linked by common walls is not considered a MAIN STRUCTURE. Refer to §14-16-3-2 for Main Structure Regulations."

WHAT IS THE DIFFERENCE BETWEEN A LRF AND A MAIN STRUCTURE?

Although the definitions are similar, a Main Structure is the actual building itself, within the LRF. The LRF Regulations, §14-16-3-2(D)(6), contain specific regulations for the Main Structure.

LRF refers to the site, or tract of land, that contains the Main Structure. The LRF Regulations deal with design of the site, or tract of land, that contains the Main Structure. Sections (D) 3, 4, 5 & 8 of the LRF Regulations deal with **site** division, **site** phasing, **site** design & the maintenance agreement for vacant or abandoned **site**. The term site, in the LRF Regulations, is not intended to mean the same thing as "site" as defined in the Zoning Code. It is intended to imply the tract of land that contains the Main Structure and the required improvements such as off-street parking, drive aisles, landscaping, etc.

Precedence also dictates what the definition of LRF means. The EPC previously reviewed and approved two LRFs – one at the southeast corner of Central & Unser SW and one at Hotel Circle NE. In both

cases, the LRF Regulations were applied to the individual tracts of land that contained the Main Structure.

Based on the above reasoning, the LRF is Tract 2A, the tract that contains the proposed 98,901 sf Main Structure.

DOES TRACT 2A MEET THE ACCESS REQUIREMENTS OF §14-16-3-2(D)(2)(b)2?

Tract 2A is adjacent to a Limited Access Arterial Street with at least four through traffic lanes (Coors Blvd.). The site plan for building permit meets 3 of the 4 tests.

DOES TRACT 2A HAVE PRIMARY AND FULL ACCESS TO COORS BLVD.?

This question requires a definition of “primary” and “full”. Primary is defined as: main; or immediate; or direct (a primary or direct effect), (Webster’s Dictionary). “Full Access” refers to an intersection that contains four turning movements: right-in, right-out, left-in, and left-out.

The intersection of Learning Road and Coors is a signalized intersection with full access. The 2005 Site Development Plan for Subdivision (SPS) recognizes that Learning Road “provides the major signalized access into Andalucia at La Luz.” The SPS goes on to state, “Interior roads are proposed to serve the project and provide vehicular ingress and egress to these parcels, to increase safety to existing development, and to be consistent with City policies contained in the Coors Corridor Plan. Two right-in/right-out access points onto Coors Boulevard are between Learning Road and Montano Road.” Mirandela, Antequera and Learning Roads are designated Local Roads.

Tract 2-A can be accessed from various points along Coors and along Montano, however, the intersection of Learning and Coors is the only “full access” point. So the question is: does Tract 2A have primary access to Learning and Coors? The answer is NO for the following reason:

Tract 2-A does not have direct access to Learning and Coors; it has indirect access. In order for traffic to get to the LRF site (Tract 2-A), traffic must take two local roads, Learning Road and Antequera Road, before getting to the site. This does not meet the requirement of “primary/direct and full access to Coors.”

The purpose of the LRF Access Regulations is to protect the quality of life within the surrounding area of the LRF and to secure adequate street capacity to transport pedestrians and vehicles to and from large retail facilities. LRF traffic should not use local roads to access the LRF site, as is the case. Putting traffic on Learning and Antequera Road will have impacts for the residents, students and smaller businesses that use these roads on a daily basis.

The site plan for building permit does not comply with §14-16-3-2(D)(2)(b)2.

Another way to determine the area of the LRF is through the definition of SHOPPING CENTER SITE.

SHOPPING CENTER SITE: A premises containing five or more acres; zoned P, C-1, C-2, C-3, M-1, M-2, or a combination thereof; **or** a Large Retail Facility; but excluding premises used and proposed to be used only for manufacturing, assembling, treating, repairing, rebuilding, wholesaling, and

warehousing. Shopping Center Sites are subject to the Shopping Center Regulations of the Zoning Code, 14-16-3-2.

LARGE RETAIL FACILITY: A single tenant structure with at least 75,000 square feet of net leasable area for the purpose of retailing. A shopping center site with a main structure of 75,000 square feet or more is a **LARGE RETAIL FACILITY**. Refer to §14-16-3-2 for Large Retail Facility Regulations.

Table- Application of LRF Regulations, §14-16-3-2-(D)(2)(b)(1) & (b)(2)

	Shopping Center Definition Met?	Does site have proper zoning for an LRF? §14-16-3-2-(D)(2)(b)(1)	Does site have proper access per the LRF regulations? §14-16-3-2-(D)(2)(b)(2)
North Andalucia at La Luz Subdivision (~60 ac)	No, SU-1 is not a listed zone category	Yes, site is zoned SU-1 for C-2, O-1 and PRD,	Not applicable to the subdivision. Specific development is not approved through the site plan for subdivision
Tract 2-A (~11.5 ac)	Yes, site is a large retail facility	Yes, site is zoned SU-1 for C-2, O-1 and PRD and is designated for C-2 uses	No, full access is at Coors & Learning Road. Access to this intersection occurs indirectly from the LRF site and requires driving on two local roads before reaching the full access point.

The larger site is zoned “SU-1 for C-2 uses, O-1 uses and PRD (20 DU/ac)”. SU-1 zoned sites are governed by a site development plan [ref: §14-16-2-22(A)(1)] and not by the SC regulations. The SU-1 zone does not require compliance with the SC regulations. It does, however, require compliance with the LRF Regulations pursuant to §14-16-2-22(H).

If it is determined that the larger, approx. 60 acre site is a shopping center (SC) and is therefore a LRF (see definition of LRF above), then it follows that the LRF regulations must apply to the entire SC. This would not be a reasonable application of the LRF regulations, especially since the intent of the LRF regulations is to “manage the location and design of LRFs.”

APPLICANT’S ARGUMENT:

The applicant claims the LRF meets the access requirements of §14-16-3-2(D)(2)(b)2 for historical reasons. The applicant cites the 2005 SPS that designates the intersection of Coors & Learning Road as the major signalized access into the 60-acre subdivision. Staff does not dispute this, however, the 2005 SPS also includes design regulations that are intended to “foster pedestrian accessibility and maintain a village-type character.” The access points that were established in the 2005 SPS were intended to serve a village-type character. A LRF was not envisioned on the site, but the SPS does not prohibit one either.

In 2007, the City adopted the LRF Regulations to govern location and design of all future LRFs. LRFs are permitted on sites zoned SU-1, such as the subject site, and are subject to the LRF regulations [see §14-16-2-22(H)]. The applicant proposed the LRF on the subject site in the Fall of 2011, after the LRF Regulations had become effective. The request does not change the SPS access points, but they have to be looked at in compliance with the LRF Regulations. One cannot disregard the LRF access regulations and only rely on the previously approved SPS. The LRF Regulations must and do apply to Tract 2-A.

SUBSECTION (D)(3)- SITE DIVISION.

- (a) The entire site shall be planned or platted into maximum 360' x 360' blocks except as provided in Items (c) and (d) of this subsection.

Note: measurements are taken, using the criteria in (b) below, which means 14 feet from the back of curb. An 8-foot sidewalk and 6-foot landscaped area are to be located within these 14 feet and are considered part of the driveway.

The subject site would be divided into four blocks. The largest, where the building is proposed, measures approx. 350 ft. by 470 ft. Item (c) states that one block can be expanded to approx. 790 ft. by 360 ft. if the main structure covers more than 80% of the block. For the proposed 98,901 sf building to cover 80% of the block, the building would have to be 126,800 sf.

The proposed building, however, covers approx. 62% of the block. $350 \times 470 = 164,500$ (less $\approx 6,000$ sf for the curved in area at the building's SE corner) = 158,500, and 98,901 sf is approx. 62% of 158,500. Therefore, block expansion is not allowed under Item (c).

The two blocks comprising the southern part of the parking lot comply (approx. 190' x 260' and 190' x 225'), as does the northern block which measures approx. 320' x 340'.

Item (d) states that blocks of different dimensions are allowed provided: 1) the block sizes achieve the intent of this section, 2) approval is granted by the EPC, 3) the narrow side of the block abuts the adjacent street that provides the primary access, and 4) the center of the long side has a major entrance including a forecourt.

The proposed blocks do not meet Item (d) because 3) and 4) are not met. The narrow side of the block does not abut the adjacent street and, though the center of the long side has a major entrance, it does not include a forecourt.

- (b) Primary and secondary driveways (or platted roadways) that separate the blocks shall be between 60 feet and 85 feet wide and shall include the following:
1. Two ten-foot travel lanes;
 2. Two parallel or angle parking rows or a combination of such on both sides of the driveway rights of way are permitted but not required;
 3. Two six-foot landscaped buffers with shade trees spaced approximately 30 feet on center;
 4. Two eight-foot pedestrian walkways constructed of material other than asphalt;

5. Pedestrian scale lighting that provides at least an illumination of 1.2 to 2.5 foot candles or the equivalent foot lamberts; and
6. Standup curb.

The western, north-south drive aisle measures 25 and 26 feet. The main drive aisle, north-south in front of the proposed building, measures 30 feet. The east-west drive aisle measures 22 feet between the double path near the site's middle, and most of the parking lot drive aisles measure 24 feet.

The driveways that separate the blocks are not between 60 feet and 85 feet wide and do not comply with (b). For instance, the drive aisle, sidewalks and landscaping (on both sides) near the site's middle measure 50 feet total. Also, in front of the main entrance, the drive aisle (30 feet), landscape island and pathway in it measure approx. 57 feet.

The request complies with 1, 2, 4 and 6 and partially complies with 3 and 5. Of the three internal roadways, only the east-west one has the 6' landscape buffer and trees on both sides. Pedestrian-scale lighting needs to be more integrated with the site and placed in more locations. Bollard lighting, for example, could be easily provided near the entrance to improve safety and aesthetics.

SUBSECTION (D)(4)- DEVELOPMENT PHASING AND MIXED-USE COMPONENT.

The LRF regulations address the build-out of a large site over time in order to guide the transition from more vehicle-oriented "big box" type retail development with large surface parking fields to finer-scaled, pedestrian oriented, mixed-use development, replacing surface parking with some parking structures, producing a village center that is integrated into the surrounding neighborhoods. This transition reflects actual trends in development and creates a better, more marketable, and higher use development.

(a) The site development plan for building permit, considered Phase I, is the request being considered by the EPC now. Site developments plans for development in Phase II, everything except the proposed LRF, shall return to the EPC.

(b) Mixed-use development is strongly encouraged in both Phase I and the Final Phase of the site plans for all LRFs. The proposed site development plan for the LRF on Tract 2-A does not have a mixed-use component.

SUBSECTION (D)(5)- SITE DESIGN.

These regulations are intended to create pedestrian connections throughout the site by linking structures. The intent is to create an active pedestrian street life and replace large off-street parking fields, conserve energy and water and meet the intent of the Comprehensive Plan and the Planned Growth Strategy (PGS).

(a) Context: The design of structures shall be sensitive to and complement the aesthetically desirable context of the built environment, e.g., massing, height, materials, articulation, colors, and proportional relationships.

This language is a precursor to the site design section. The intent is that LRF structures be designed so that the various elements, massing, height, materials, articulation, colors, and proportional relationships, come together in a way that takes into account the LRF's context.

(b) Off-Street Parking Standards.

- (b)(2): Parking shall be distributed on the site to minimize visual impact from the adjoining street. Parking shall be placed on at least two sides of a building and shall not dominate the building or street frontage. Parking areas may front onto roadways identified as limited access in the Mid-Region Council of Governments' Metropolitan Transportation Plan, provided that they are adequately screened with landscape walls and plantings.

The majority of parking is proposed between the building and Coors Blvd. and is not distributed in a way that minimizes visual impact. Rather, the large "sea of parking" creates visual impact and dominates the building, contrary to the regulation's intent. The request does not comply with (b)(2).

- (b)(4): Every third double row of parking shall have a minimum 10' wide continuous walkway dividing that row. The walkway shall be either patterned or color material other than asphalt and may be at-grade. The walkway shall be shaded by means of trees, a trellis or similar structure, or a combination thereof. Tree wells, planters or supports for shading devices may encroach on the walkway up to three feet. In no case shall the walkway be diminished to less than five feet width at any point.

Eight double-rows of parking are proposed, so two 10 foot walkways are required. From the site's southern end, there are three double-rows of parking and then a shaded, 8' walkway. North of the double walkway, there are three double-rows of parking and a partially-shaded, 10' walkway. Part of the requirement is met because the walkways are spaced as required. However, the 8' walkway is required to be 10' and more shading is needed along the 10' walkway

(c) On-Street Parking Standards

No on-street parking is proposed.

(d) Signage.

1. Signage shall comply with the Shopping Center Regulations for signage, §14-16-3-2(B).

One monument sign is allowed for every 300 feet of street frontage, so two signs are allowed for the approx. 635 foot long subject site. Two monument signs are proposed. The request complies.

2. All signage shall be designed to be consistent with and complement the materials, color and architectural style of the building(s).

The proposed monument signs' materials and colors, stacked stone with tan and terra cotta and dark brown accents, would be consistent with the proposed buildings' materials, color and style (Sheet C-12). The proposed building-mounted signage is white, franchise design. It would somewhat complement the materials and tan, gold and brown colors (Sheet C-17), though its size does not complement the architectural style. The request partially complies.

3. All free-standing signs shall be monument style. *Complies.*
4. The maximum height of any monument sign shall be 15 feet. *Complies.*
5. Building-mounted signage that faces residential zoning shall not be illuminated. *Does not apply.*
6. Building-mounted signs shall consist of individual channel letters. Illuminated plastic panel signs are prohibited.

The monument signs are proposed to be externally lit, though it's still unclear whether or not the sign fact itself would be a plastic panel or channel letters. More information and a note are needed. The request partially complies.

- (e) Drive-up windows must be located on or adjacent to the side or rear walls of service or retail structures and the window shall not face a public right of way.

The proposed drive-up service window, on the building's northern side, faces the internal street to the north. This street is not a public street (not owned or maintained by the City), therefore the request complies.

- (g) Truck Bays.

2. Truck bays not adjacent to residential lots must be screened with a masonry wall extending vertically eight feet above the finish floor level *and horizontally 100 feet from the face of the dock* to screen the truck. Screen walls shall be designed to blend with the architecture of the building.

The wall detail indicates "8' maximum", instead of 8' period for the wall along Mirandela St. that screens the loading area. This is because the same wall detail is being used for the wall near the site's NW corner. Two wall details are needed. Both walls' colors and materials would blend with the proposed building, though the walls still need to comply with Zoning Code 14-16-3-19, Height & Design Regulations for Walls, Fences & Retaining Walls.

The wall along Mirandela St. is approx. 57 feet from the edge of the loading dock (keyed note 18, also indicated by the heavy duty asphalt on the legend). At its most, the wall reaches 85 feet horizontally. Because the proposed wall could be less than 8 feet (see above) and does not extend 100 feet from the face of the loading dock, the request does not comply.

- (h) Landscaping.

1. Landscaped traffic circles are encouraged at the intersection of interior driveways or platted streets.

Informational: A landscape traffic circle was proposed near the northern middle of the site in the January site plan set, but it was removed.

2. One shade tree is required per eight parking spaces. Shade trees may be located at the center of a group of four to eight parking spaces, clustered in parking row end caps, or located along internal pedestrian ways. Shade trees lining a pedestrian way internal to a parking area may count as a canopy tree of a parking space. Trees in landscape buffer areas shall not count as parking space trees.

423 parking spaces are proposed. At the rate of 1 tree/8 spaces, 53 trees are required. 105 are provided (Staff counts 93). Either way, the request complies.

3. Shade trees along Pedestrian Walkways shall be spaced approximately 25 feet on center.

The proposed shade trees along the west-east, internal road on the site's northern side are spaced approx. 50 feet on center. Along the site's southern border, trees are spaced at 40 feet on center. Along the southern side (Mirandela St.) most trees are spaced 30 to 40 feet on center, except for the small ornamental trees (ex. Austrian Pine) that are spaced approx. 25 feet on center as required. The double-row of Bradford Pear is spaced at 25 feet on center. The request does not comply because the trees on the north side and south side of the site do not meet the spacing requirement. More trees needed to be added to create the required spacing.

4. Water conservation techniques shall be utilized where possible and as approved by the City Hydrologist or City Engineer. Such techniques may include water harvesting and permeable paving. Water from roof runoff should be directed or stored and used to assist all trees and landscaping. Parking spaces that meet infiltration basins or vegetated storm water controls should be bordered by permeable paving. Grasses and other ground vegetation should be near edges to help filter and slow runoff as it enters the site.

Opportunities for water re-use/water harvesting on this site are numerous. Some curb cuts are proposed in landscape islands, but there are not enough and not all are located where water would flow into them. Relocation of the curb cuts, combined with landscape islands below grade, is needed to make them functional.

Pervious paving around tree wells, and/or combining tree wells into one continuous planting bed, are simple solutions that would help re-use water and clean it on site. Another idea is to create a linear water quality feature transverse to the parking lot grade, running south-north at the eastern edge of the parking lot (see also comments from Hydrology). Water from the parking lot would be retained as it runs off the parking lot, west-east from Coors Blvd. The water would infiltrate and be cleaned before it reaches the underground water that goes to the Bosque and river.

There is an opportunity to direct run-off water, as it collects on the roof, from the back of the building into the proposed landscape buffer along Mirandela St. This area could be made into a bioswale, with landscaping below grade. Run-off water from the roof would infiltrate naturally and not be tied to the storm drain system, and supplemental (not primary) irrigation would be provided.

- (i) Pedestrian Walkways.

Internal pedestrian walkways shall be planned and organized to accommodate the inter-related movement of vehicles, bicycles, and pedestrians safely and conveniently, both within the proposed development and to and from the street, transit stops, and the surrounding areas. Pedestrian walkways shall contribute to the attractiveness of the development and shall be a minimum of eight feet in width and constructed of materials other than asphalt. Pedestrian walkways along internal driveways or streets internal to the site shall also be lined with shade trees and pedestrian scale lighting. Pedestrian

crosswalks shall be constructed of patterned concrete or a material other than asphalt and may be at grade.

Pathways internal to the site would function better if they are connected in a more meaningful way. For instance, the western side north-south path serves to edge the roadway more than to usefully serve non-vehicular traffic. Adding another west-east pathway would be beneficial, would serve more pedestrians as well as break up the site more. A pedestrian access from Coors Blvd. is needed; this walkway shall be organized to accommodate safe and convenient movement and link to the transit stop.

The drive-aisle crossing at the building's SW corner measures 6 ft. and is required to be at least 8 ft. wide. Pedestrian crosswalks are now proposed to be constructed of textured, colored concrete (as opposed to asphalt) as required. The crosswalks leading from the parking lot to the building entrances, which were striped asphalt, are now at-grade, patterned concrete. Staff suggests that these crossings be colored as well, to be an extension of the sidewalk, and that they be raised to promote pedestrian safety and slow vehicles down in this busy area. Most of the walkways have trees spaced at intervals, but are not "lined with shade trees". The pathway along the main entrance has even fewer trees. The request partially complies.

(j) A Pedestrian Plaza(s).

1. Large retail facility sites that include a main structure less than 125,000 square feet in size shall provide public space pursuant to § 14-16-3-18(C)(4) of the Zoning Code.

Subsection (C)(4), Public Space, requires 400 sf of public space for every 30,000 sf of building square footage. For the proposed 98,901 sf building, 1200 sf of public space is required. $(98,901/30,000) = 3, 3 \times 400 = 1200$. A minimum of 25% of the public space area is required to be covered with seating and shade. The request complies with the amount of space required, but it does not meet the 25% requirement. For example, though the two deeper trellises near the entrance would provide shade, the two more shallow, decorative trellises would not. Most of the benches are not placed under the shading. The proposed trees are small varieties rather than large shade trees. Additional shading is needed. The request partially complies.

(k) Lighting.

1. Ornamental poles and luminaries, a maximum of 16' in height, shall be used as Pedestrian Scale Lighting.
2. The maximum height of a light pole, other than those along pedestrian walkways, shall be 20 feet, measured from the finished grade to the top of the pole.
3. All on-site lighting fixtures shall be fully shielded to prevent fugitive light from encroaching into adjacent properties and/or right-of-way.

Ornamental poles, 16 feet high, are proposed. The design differs from the double-fixture design formerly proposed. Additional pedestrian light poles are needed in places.

The proposed parking lot light pole design has also changed; it used to be a full cut-off shoe box. Staff recommends that the shoe-box design be used to minimize fugitive light. Parking lot light

poles are also 16 feet tall. A detail for the wall pack luminaries, which must also be fully shielded, is needed. The request mostly complies.

(l) Outdoor Storage.

Outdoor storage as part of a mixed use development or within a C-1 or C-2 zoned site is not allowed. Outdoor uses such as retail display shall not interfere with pedestrian movement. Where the zoning permits and where outdoor storage is proposed, it shall be screened with the same materials as the building.

The subject site is zoned "SU-1 for C-2 uses, O-1 uses and PRD (20DU/ac)". The C-2 zone is referenced; however, the LRF regulations do not allow outdoor storage in a C-1 or C-2 zone. A note needs to be added to Sheet C-4 to indicate that outdoor storage is prohibited, and that retail display will not interfere with pedestrian movement. It's unknown if the request complies; notes are needed to ensure that it would.

(m) Transit Stops.

If transit stops exist or are planned adjacent to a large retail facility, they shall include a covered shelter with seating provided at the developer's expense. Either the interior of the structures shall be lighted or the area surrounding the structures shall be lighted to the same standards as pedestrian walkways. If the transit stop is within the public right-of-way, the city shall assume ownership of the shelter and responsibility for maintenance.

A "new bus stop with shelter" is proposed near the site's SW corner. For clarification, a note should be added to indicate that the transit stop will have the required seating and lighting. It's unknown if the request complies; the note is needed.

(n) Storm Water Facilities and Structures.

1. Impervious surfaces shall be limited by installing permeable paving surfaces, such as bricks and concrete lattice or such devices that are approved by the City Hydrologist, where possible.
2. Where possible, transport runoff to basins by using channels with landscaped pervious surfaces. Landscaped strips may be converted into vegetative storm-water canals but must be shallow to avoid defensive fencing.
3. Ponds, retention and detention areas shall be shallow to prevent the need for defensive/security fencing yet had the capacity to manage storm waters in a 100 year event.
4. Trees, shrubs, and groundcover shall be included in storm water basins.
5. Bare patches shall be re-vegetated as soon as possible to avoid erosion, according to a landscaping and maintenance plan.

The intent of the regulation is to limit the amount of impervious surfaces that typically would be used, thereby allowing a greater amount of run-off water to be naturally filtered on-site before it returns to the ground and, in this case, the river. This is especially important in environmentally sensitive areas.

Many options are available to increase the amount of pervious surfaces and retain water on-site. A pervious material could readily be used to enlarge the areas from which trees would gather water. Tree wells could be ran together without adversely affecting sidewalk in the outdoor areas. Ensuring that landscaping is below grade would help retain water on-site. A note is needed to ensure that bare patches are re-vegetated to avoid erosion.

Landscape buffer areas could be made into bioswales, which would function as a storm water catchment basin and retain run-off water. Roof run-off would collect in the eastern (Mirandela Rd.) landscape buffer, infiltrate the ground, be cleaned and provide supplemental irrigation. A similar idea is to create a linear water quality feature transverse to the parking lot grade, running south-north at the eastern edge of the parking lot to collect parking lot run-off water (see also comments from Hydrology). The request does not include options to limit impervious surfaces, so it does not comply.

- (o) Energy efficient techniques shall be utilized to reduce energy and water consumption where possible and as approved by the City Hydrologist or City Engineer.

A variety of energy efficient techniques can be utilized. Some, dealing with water re-use and landscaping, are discussed. Energy consumption could be reduced through the use of energy efficient lighting fixtures, interior and exterior.

SUBSECTION (D)(6)- MAIN STRUCTURE DESIGN.

(a) Setback.

1. Main Structures shall be screened from the adjacent street by means of smaller buildings, Retail Suite Liners, or 20' wide landscape buffers with a double row of trees.

The proposed building is not screened from the adjacent street by means of smaller buildings or retail suite liners. A 35-foot wide landscape buffer is proposed along Coors Blvd., but there is no double row of trees. One solution would be to incorporate a bioswale, running south-north across along the eastern edge of the parking lot, and put a double-row of trees in it. Doing so would achieve compliance with (6)(a)(1) herein and with subsection (5)(h) regarding storm water, while avoiding placing more trees along Coors Blvd. that might compromise views. The back side of the building, along Mirandela Rd., would have an approx. 30-foot wide landscape buffer with trees which, when combined with the street trees, would make a double row of trees.

(b) Articulation.

1. Facades that contain a primary customer entrance and facades adjacent to a public street or plaza or an internal driveway shall contain retail suite liners, display windows, or a recessed patio at a minimum depth of 20 feet, or a combination of all three, along 50% of the length of the façade. Where patios are provided, at least one of the recessed walls shall contain a window for ease of surveillance and the patio shall contain shading and seating. Where retail suite liners are provided, they shall be accessible to the public from the outside.

The main (western) façade, which contains the primary customer entrance, is 436 ft. long. The above-mentioned elements, retail suite liners, display windows, recessed patios, or a combination thereof, are required along at least 218 ft. No retail suite liners or display windows, or combination, are proposed although these are available options.

That leaves the recessed patio. The proposed outdoor areas near the main entrance appear to be recessed, but that's because the main entrance projects outward from the building's plane. The requirement is for patio(s) to be recessed at a minimum depth of 20 feet, into the building plane, and that at least one of the recessed walls created contains a window. Shading and seating are also required. The request does not comply.

2. Every 30,000 gross square feet of structure shall be designed to appear as a minimum of one distinct building mass with different expressions. The varied building masses shall have a change in visible roof plane or parapet height. Massing and articulation are required to be developed so that no more than 100' of a wall may occur without an offset vertically of at least 24".

Three distinct building masses are required on the main (west) elevation for the proposed 98,901 sf building. The three masses (starting north and going south) measure 150 ft., 202 ft. and 84 ft. and have different architectural expressions.

The length of the main (west) elevation has nine components (see Sheet C-16). From north to south, they are: drive-thru canopy, tower, "pharmacy drive-thru sign" façade, 80' façade with four tile ornaments, 92' market & pharmacy entrance façade, 86' main entrance façade, small stepped down façade, another small stepped down façade, and the outdoor living entrance façade. All vertical offsets measure at least 2 feet as required. The request complies.

4. Facades adjacent to a public right-of-way or internal driveway and facades that contain a primary customer entrance shall contain features that provide shade along at least 40% of the length of the façade for the benefit of pedestrians.

The main (west) elevation (or façade) is 436 ft. long. 40% is 174 feet, so 174 feet has to be utilized for features that provide shade. Four trellises are proposed and measure, from north to south, 59 feet long (10 feet deep), 42 feet long (4 feet deep), 34 feet long (7 feet deep) and 39 feet long (20 feet deep), for a total of 174 feet of length, which meets the 40%. However, what's required are "features that provide shade", whether they are trellises, canopies or other. The trellises that are only 4 and 7 feet deep would not provide shade, for the benefit of pedestrians, unless they protrude more from the building plane (are deeper in width). The proposal partially complies.

(c) Materials.

1. Engineered wood panels, cyclone, chain-link, and razor-wire fencing are prohibited.
2. Design of the external walls and the principal entrance must include 3 of the below listed options:
 - a. Multiple finishes (i.e. stone and stucco);
 - b. Projecting cornices and brackets;
 - c. Projecting and exposed lintels;

- d. Pitched roof forms;
- e. Planters or wing-walls that incorporate landscaped areas and can be used for sitting;
- f. Slate or tile work and molding integrated into the building;
- g. Transoms;
- h. Trellises;
- i. Wall accenting (shading, engraved patterns, etc.);
- j. Any other treatment that meets the approval of the EPC.

No cyclone, chain-link or razor-wire fencing is proposed, though a note should be added to the site development plan because screening methods for ground utilities are unspecified. The trellises would be made of pre-manufactured wood, but they aren't panels.

The design of the main structure's external walls (all elevations- N, S, E & W) contains 2 of the above: multiple finishes (a) and projecting cornices and brackets (c). A pitched roof form, a tower (d), is on the west elevation (1 tower) and on the north elevation (2 towers). The requirement in (c)(2) is not met. Adding a pitched roof element to the east and south elevations would create compliance.

The planters may be able to be used for sitting (e), but their height is unspecified. Tile work (f) is proposed on the west and north elevations, but the requirement is for "tile work and molding" and no molding (i.e. decorative pattern) is proposed. Adding molding to the proposed tile on the west and north elevations, and adding "tile work and molding" to the east and south elevations, is another option for creating compliance with (c)(2).

SUBSECTION (D)(7)- MIXED-USE COMPONENT. (Not Applicable)

SUBSECTION (D)(8)- MAINTENANCE AGREEMENT FOR VACANT OR ABANDONED SITE.

To maintain a quality built environment, LRFs shall be maintained during periods of abandonment or vacancies at the same standard as when occupied. The owner of a site shall sign a maintenance agreement with the City that the site will be maintained when vacant to certain standards.

The applicant had stated that a maintenance agreement for another site will be used as a template. However, a maintenance agreement particular to the subject site has still not been provided. At this stage, the request does not comply. The maintenance agreement would have to be required as a condition of approval.

Conclusion of Analysis: Since the January 2012 version of the site development plan, compliance has remained almost the same because there have been only some revisions. Staff finds that the request still **partially complies** with the Large Retail Facilities (LRF) Regulations (except for the access requirement). Regarding non-compliance, some instances such as lighting, wall design and pedestrian walkways, can be remedied through applying conditions of approval. Other instances of non-compliance, such as those relating to site layout, can also be addressed through conditions- although some redesigning of the site would be necessary.

The main issue is that the proposed LRF does not meet the access requirement in (D)(2)(b)2. Tract 2-A does not have “primary and full access to a street designated as at least a collector” [see previous discussion of (D)(2)]. Even if the proposed LRF complied with the other sections of the regulations, without the required access it would not be allowed and would be inconsistent with the intent and plain meaning of the LRF Regulations to “manage the location and design of LRFs.”

VII. ADDITIONAL SIGNIFICANT ISSUES

The following discussion provides an overview of each significant issue and its status. More information can be found in other places in the record.

A) *Environmental Issues*

Many public comments mention concerns about environmental issues such as impacts on Bosque ecology (wetlands and wildlife), potential long-term adverse affects, problems with contaminated parking lot run-off water, and trash and litter.

Some of these concerns are broader in scope than the current proposal, though they would include it. For instance, deterioration of Bosque ecology has occurred over time with development of the Westside and may continue to occur (unless mitigated) with continued, future development. Strategies to address these larger issues may involve regulations at the State level, such as 20.6.2. NMAC, Ground and Surface Water Protection, combined with any applicable local regulations. Mitigation strategies could include limiting the area accessible to the public (people, dogs, horses, vehicles) and creating a dedicated, wildlife management area. Improvements to the existing lift station and sewer infrastructure would decrease effluent discharge.

Other concerns are more readily associated with the proposal, such as parking lot run-off water contamination and trash and litter. Enforceable provisions could be included on the site development plan to ensure that the parking lot is periodically cleaned up and trash cans emptied. Should trash escape, it could be detained by the proposed wall. The wall area and back of the proposed building would have to be maintained to keep trash, to the greatest degree possible, from finding its way into the Bosque and river.

B) *Hydrology & Drainage*

⇒ Please refer to Section V of this report, LRF Regulations, for discussions of stormwater (subsection 5.n.-Main Site Design) and water re-use (subsection 5.h.4.-Main Site Design).

The hydrology and drainage topics emerged in the context of site design and the environmental issues discussions, primarily because a variety of strategies can be used to lessen the proposed development’s impact on its surroundings, including the Bosque. However, of the available options, only curb cuts have made it onto the site development plan. More are needed, and they need to be located where water would flow into them. Landscaping must be depressed so water can flow in.

Other opportunities for water re-use on this site are numerous. Pervious paving around tree wells and combining tree wells into one continuous planting bed, are simple solutions to re-use and clean water on site. The amount of pervious surfaces could be limited to allow more run-off water to naturally filtered

on-site before it returns to the ground and, in this case, the river. This is especially important in environmentally sensitive areas.

A linear water quality feature could be added to the eastern edge of the parking lot to retain water as it runs off the parking lot. The water would be cleaned before it reaches the underground water that goes to the Bosque and river. Run-off water from the roof could be collected in the proposed landscape buffer along Mirandela St. This area could be made into a bioswale, with landscaping below grade, and water would infiltrate naturally and not be tied to the storm drain system.

The applicant provided a letter, dated October 3, 2012 in response to the Audubon Society letter, stating that a drainage pond already exists and that the shopping center is required to implement Low Impact Development (LID) structures designed to improve water quality before water leaves the site. An attachment explaining bio-swales and bio-retention is provided. However, LID ideas are not presented on the site development plan and the request does not comply with subsections 5.n. and 5.h.4 of the LRF Regulations (see separate analysis in Section VI).

C) Traffic & Congestion

⇒ Please refer to the original Staff report, p. 26 & 27 (see attachment), for an explanation of Traffic Impact Study (TIS) methodology, background and the November 22, 2011 TIS Update.

Many concerns have been expressed regarding traffic issues including volume of trips that the proposal would generate, impact to already congested conditions, effects on nearby arterial streets, and increased traffic on river crossings such as the Montañó Bridge.

Regional Nature

Comments from the Mid-Region Council of Governments (MRCOG) point out the regional nature of traffic issues (see Agency Comments, p. 66-68 of the original Staff report). The comments are based on a December 2011 research report entitled “*A Profile in Congestion: The 30 Most Congested Corridors in the Albuquerque Metropolitan Planning Area.*” This report explains the Congestion Management Process (CMP), which is a federally-mandated program that ranks roadways based on overall congestion, volume/capacity (V/C) ratio, speed differential and safety/crash rates.

Montano Rd., ranked #2 in terms of overall congestion, is the second most congested roadway*. Between Coors Blvd. and I-25, Montano Rd. experiences high V/C ratios (meaning the road carries more than its capacity) and speeds below posted limits (which contribute to delays). Coors Blvd. is ranked #8 in terms of overall congestion, but #2 for crash rates. The most severe congestion is between I-40 and Coors Bypass.

This data helps to understand the broad, regional nature of traffic issues; population increases and land use patterns are the driving forces behind traffic generation. Any development is going to become part of an existing traffic situation. The question is how, and to what degree, a proposed development would contribute to the existing situation and what, if anything, can be done to mitigate its impacts.

*Alameda Blvd. is ranked #1 for overall congestion, V/C ratio and speed differential.

D) Montañó Rd. Access

⇒ Please refer to the original Staff report, p. 27 & 28 (see attachment), for information regarding the Montano Access Study (April 14, 2011).

The Mid-Region Council of Governments (MRCOG) classifies Montañito Rd. as a Limited Access Roadway. Access is not permitted between Coors Blvd. and just east of Rio Grande Blvd. A request for access on a limited access roadway must be made through the MRCOG process; the Metropolitan Transportation Board (MTB) makes the decision. As of this writing, it is unknown if the City or another entity has decided whether or not to sponsor the request. Sponsorship is needed to get the request to MRCOG for consideration.

E) Crime & Security

Several public comments mention concern about the possibility of increased crime in the area. The Albuquerque Police Department (APD) has commented that the Coors/Montano intersection is #6 on the list of Top 20 Repeat Calls for Service (CFS). CFS, which are calls to the dispatch center requesting Police assistance, are not broken down by type on this list. Between January 1 and October 31, 2011, there were 641 CFS at Coors/Montano.

It is difficult to predict the type and magnitude of impact that a given development would have on crime in the area. Crime statistics, such as the CFS Report, are based on events that have occurred. A simple linear projection by year would be possible based on past data at this intersection, but it would not incorporate the effect of future development. Another approach would be to gather crime statistics, broken down by type of crime, for similar big-box stores on the Westside and compare them. This would result in a estimate at the present time rather than in the future.

APD's agency comments suggest ways to improve on-site security, such as eliminating tree/light pole conflicts, installing video surveillance equipment and having full-time security personnel.

VIII. AGENCY COMMENTS *(section updated, no underlining)*

Concerns of Reviewing Agencies/Pre-Hearing Discussion

City Departments and other agencies first reviewed this application from 10/31/'11 to 11/10/'11.

⇒ Please refer to p. 45-46 the original Staff report (see attachment) for agency comments based on the January 2012 site development plan set.

A revised site development plan set was provided in April 2012, for the anticipated May 17, 2012 hearing. Though few changes were made, Staff notified commenting agencies via an April 6, 2012 letter (see attachment) and asked if representatives would like a copy of the revised plan set. No comments were received in that timeframe, probably because of the deferral to August 23, 2012 (see Section II for details). Via an August 17, 2012 letter, Staff again asked representatives if they would like a copy of the revised site plan set. Comments received begin on p. 73.

The Open Space Division submitted updated comments in March 2012. The comments recommend that store hours of operation allow for periods of quiet and lighting standards allow for periods of darkness. Facilities facing the Bosque should be aesthetically screened and strict standards put in place to avoid

debris being blown into the Bosque. If the parking area at the trail head is affected, the Open Space Division would like to weigh-in.

The Transportation Development Division submitted amended comments in August 2012. The changes are shown in underline-strikethrough format in the Agency Comment section of this report. In sum, the comments were amended to include a request that clear sight triangles be checked, that shared parking agreements be required, and that the site plan comply with ADA standards.

The Hydrology Division submitted updated comments in August 2012. The comments explain that the Master Drainage Plan referred to in this submittal is to be amended and cannot be used as an outfall until the amendment is approved. A Public Drainage Easement is required for Pond B on Tract 1A (Bosque School).

The Conceptual Grading and Drainage Plan should comply with §14-16-3-2(D)(5)(n) 1 and 2. It is not unclear where impervious surfaces are limited and where pervious surfaces are proposed. The lack of pervious surfaces could be mitigated by providing water harvesting/water quality features for the first 0.5 inches of rainfall. A few suggestions are: a linear water quality feature transverse to the parking lot grade and a bioswale along the back of the building. The drainage narrative should include a section of how this site complies with §14-16-3-2(D)(5)(n).

IX. PUBLIC COMMENTS & INPUT *(section updated, no underlining)*

A) Introduction & Neighborhoods

The affected neighborhood organizations are the La Luz Del Sol Neighborhood Association (NA), the La Luz Landowners Association, the Taylor Ranch NA, the Rio Oeste Homeowners Association (HOA), the Andalucia HOA, the Northwest Alliance of Neighbors and the Westside Coalition of NAs.

The above-mentioned organizations were notified as required upon submittal of the complete application in December 2011. Re-notification is not required when an application is deferred or continued. (The application was first submitted in October 2011, but the Traffic Impact Study (TIS) update and view plane analysis were not included.)

⇒ Please refer to the following subsections of the original Staff report (see attachment, p. 46-48) ***Facilitated Meetings, Scheduling, Public Comments & Letters, Petitions and Some Specific Letters of Concern*** for such information received up to January 12, 2012- the publication date of the original report.

Facilitated Meetings

No additional facilitated meetings have been held since those held in September and November 2011. The Facilitated Meeting reports from these meetings are included in the January 19, 2012 record. To keep the public informed, the Planning Department has continued to post information on its website, www.cabq.gov/planning, including the proposed site development plan set and scheduling updates.

Scheduling

⇒ Please see Section II of this supplemental Staff report for information regarding *Postponements* and *Appeals* leading up to the October 2012 timeframe.

B) Letters and Comments

First Round of Comments

Public comments received leading up to publication of the Staff report (on January 12, 2012) for the January 19 hearing were included in the record. Staff categorized them by subject of primary concern, as follows: Crime/Security, Economy/Business, Environment/Bosque, Multiple Concerns (3 or more in the same letter), Number of Stores, Other and Letters of Support.

Due to the large volume of comments submitted, via e-mail and/or hard-copy, the comments were scanned into an electronic .pdf file and posted on the City Planning Department website. Petitions received in this time frame were also scanned into electronic .pdf files and posted on the City Planning Department website. Some specific, detailed letters expressing multiple concerns were included in the hard-copy record. Attorneys representing the applicant and the Bosque School submitted cover letters and exhibit packages, just prior to the Staff report deadline, and raised several significant issues.

Second Round of Comments

After the January 19, 2012 hearing, public comments continued to be submitted. Some were received between publication of the Staff report on January 12th and the hearing. In this body of comments, leading up to the envisioned hearing date of March 15, 2012 and beyond (see below), mostly opposition was expressed.

Most people express multiple concerns including, but not limited to: traffic & congestion, environmental impacts to the Bosque, view preservation, proximity to Bosque School, scale of the proposed development, number of this retailer's stores in the area, safety and crime, truck deliveries, impact on local businesses, decreased property values, sales of alcohol and firearms, 24 hour operations and balloons.

At the March 15 hearing, the proposal was continued for 60 days to May 17, 2012. The site development plan set being considered now was received in early April (see Section II of this supplemental Staff report). The applicant distributed a cover letter noting the minor changes (see attachment) and a copy of the revised plan set to neighborhood representatives. Few public comments were received during this time, possibly due to the deferral of the proposal.

Third Round of Comments

Public comments continued to be submitted, though activity generally slowed down during the Summer possibly because of the two pending appeals during this time (see Section II of this report). This body of comments spans from May 12, 2012 (date of Staff report publication) through September 21, 2012 (the end of Summer).

Most comments express opposition based on the abovementioned issues, though a few comments express support for the proposal. A petition of opposition from the Andalucia HOA Board of Directors, dated August 1, 2012, was received. It has been scanned and made into an electronic file.

Fourth Round of Comments

In preparation for the October 18, 2012 hearing, public comment submittal began to increase again. This body of comments includes material received September 22, 2012 and through the Staff report publication date of October 11, 2012. Comments received post report publication, and prior to 48 hours before the hearing, will also be included.

On October 1, 2012, a package of materials in support of the proposal was received. Included are print-outs of “op-ed” pieces from the news paper and an inch-thick stack of form letters signed by individuals. These have been scanned and made into electronic files. The support is based mostly on job creation and making shopping more convenient for Westside residents. In addition, a petition of support (in an approx. 3.5 inches thick binder) was submitted. It states that signatures of 9,545 people are contained therein. Combined with the previous petition of 6,210 signatures, the total comes to 15,775 signatures.

A petition from the Taylor Ranch Neighborhood Association (TRNA) and a petition from small business owners in the area were received. These have also been scanned and made into electronic files.

Some Specific Letters

A paper titled (in part) “Evidence of the Deterioration of the Bosque and Wildlife Habitat between Montano Rd. and the Outlet of the San Antonio Arroyo & Suggested Remedial Actions...”, dated March 1, 2012, was submitted. The author presents photographic evidence documenting habitat deterioration and recommends that fencing and signage be installed to establish a Wildlife Management Area. He also recommends that a water holding/trash catching pond be built.

A letter dated August 27, with photos attached, was submitted. A new concern was raised, fire danger, especially in proximity to Rio Grande Valley State Park. The photos show examples of graffiti and litter.

Materials from Attorneys

After the January 19, 2012 hearing, the attorney for the applicant and the attorney for the neighborhoods (formerly, for the Bosque School) have submitted information packages that contain cover letters explaining their arguments are exhibits that support such arguments. Due to the volume of these materials, this part of the record has been scanned and made into electronic files.

Attorney for the applicant:

- August 28, 2012- letter and materials re: AC-12-10, Appeal of Declaratory Ruling
- October 3, 2012- letter and articles re: non-land use criteria in support of proposal
- October 4, 2012- letter and summary slides
- October 4, 2012- letter and color computer renderings

Attorney for the neighborhoods:

- February 24, 2012- letter requesting a declaratory ruling re: access
- March 3, 2012- letter summarizing basis for denial of proposal
- March 29, 2012- letter and materials re: reasons for denial of proposal
- April 24, 2012- letter requesting a 60 day deferral
- May 21, 2012- letter re: AC-12-10, additional neighborhoods join appeal

- October 4, 2012- letter re: access and supporting exhibits

X. CONCLUSION

This two-part proposal is for an amendment to the North Andalucia at La Luz site development plan for subdivision (SPS), and a site development plan for building permit for a Large Retail Facility (LRF) on the future Tract 2A. The requests were first heard by the EPC on January 19, 2012. The requests have been deferred and continued for various reasons to the current hearing of October 18, 2012. The applicant submitted a revised site development plan set in early April 2012 to address concerns raised in the January 19 Staff Report. The revised plans included minor changes so the October 18, 2012 Staff Report does not change significantly from the January 19 Report except for one thing – staff’s analysis of the Large Retail Facility Regulations pertaining to access, §14-16-3-2(D)(2)(b)2.

On September 5, 2012, the City Council acknowledged that site access will be an important issue if the proposal is appealed. The Council requested, but does not order, that the EPC adopt findings that fully explain and justify its determination on this issue. The City Council also found that the EPC can proceed to hear the proposal without being bound by the acting ZEO’s past statements regarding site access. Staff has provided an access analysis beginning on page 41 of this report and finds that the Large Retail Facility, located on Tract 2-A, does not meet the access requirements pursuant to §14-16-3-2(D)(2)(b)2.

Irrespective of the access requirement, Staff notes that many of the revisions requested in the January 2012 Staff report were not incorporated into the April 2012 version. In most instances, the revisions are needed to create compliance with applicable regulations. Several notes are needed for clarification and to ensure compliance. The view analysis required by the Coors Corridor Sector Development Plan (CCSDP) is incomplete because there is no view line leading to the 33 foot tower near the building’s NW corner.

The Comprehensive Plan and the West Side Strategic Plan (WSSP) apply, as does the CCSDP and its view preservation regulations. The site is located within the Coors/Montano Community Activity Center, so the policies for Activity Center also apply. Also applicable are the design standards in the North Andalucia at La Luz site development plan for subdivision and the Large Retail Facilities (LRF) Regulations. Staff finds that the requests do not comply with the Activity Center policies and the SPS Design Standards to create a pedestrian scale Activity Center that provides identity for the community and meaningful open space. Proposed buildings are spread out throughout the site which does not foster walkability. In many instances, modifications are needed to create compliance.

Staff has continued to receive public comments since the January hearing. Most comments submitted earlier in the year express opposition to the proposal. Concerns about traffic, environment, compliance with the LRF regulations and design standards, school proximity, crime and safety, and number of such stores in the area are at the forefront. Staff has also received petitions in support of the proposal.

Site Development Plan for Subdivision Amendment, 11EPC-40068- October 18, 2012

1. The request is for an amendment to the North Andalucia at La Luz Site Development Plan for Subdivision (Project #1003859, 04EPC-01845), an approximately 60 acre site consisting of Tracts 1 – 6, North Andalucia at La Luz, located at the southeast corner of Coors Boulevard NW and Montaña Road, zoned SU-1 for C-2 Uses, O-1 Uses and PRD (20 dwelling units/acre) (the “subject site”).
2. The applicant proposes to amend the above-referenced site development plan for subdivision to: subdivide Tract 1 into seven new tracts (Tracts 1-A—1-G); subdivide Tract 2 into three new tracts (Tracts 2-A—2-C); and subdivide and reconfigure Tract 3 to create two new tracts (Tracts 3-A and 3-B).
3. The request also proposes to remove the access point near the private, gated access off of Mirandela Road, shift the other two access points off Mirandela Road, and allow for a right-in, right-out access off of Montaña Road if approved by the Mid-Region Council of Governments (MRCOG). This project will be constructed in two phases, with phase 1 consisting of a Large Retail Facility (LRF) on Tract 2-A.
4. The request does not propose to change the information required pursuant to the definition of site development plan for subdivision, the design standards or the general notes, on the existing site development plan for subdivision (04EPC-01845). A note to explain the proposed amendment and a change date would be added.
5. A request for a Site Development Plan for Building Permit (11EPC-40067) for a LRF on the future Tract 2-A accompanies the request. The request for a five-year extension of the North Andalucia at La Luz Site Development Plan for Subdivision (04EPC-01845) was approved at the January 19, 2012 Environmental Planning Commission (EPC) hearing.
6. The North Andalucia at La Luz site development plan for subdivision (04EPC-01845) established land uses by tract and allows a maximum of 23.3 acres of C-2 uses and 11.7 acres of O-1 uses. The proposed tracts total approximately 22 acres of C-2 uses and approximately 1.38 acres of O-1 uses. The proposed total for C-2 uses is approximately 1.3 acres less than the maximum 23.3 acres allowed. The proposed total for O-1 uses is substantially less than the allowed maximum of 11.7 acres.
7. Two new tracts, Tract 3-A and Tract 3-B, are proposed to replace the existing 1.38 acre Tract 3. The existing Tract 3, which comprises a roughly semi-circular portion of the 300 foot buffer extending northwest across Learning Road, was allocated O-1 uses (04EPC-01845). Tract 3-B would be entirely within the buffer area and allocated 0.43 acre of O-1 uses. Tract 3-A, proposed partially outside and

partially inside of the buffer area, would be allocated 0.54 acre of C-2 uses and 0.24 acre of O-1 uses. The total O-1 uses would remain 1.38 acres.

8. The Albuquerque/Bernalillo County Comprehensive Plan, the West Side Strategic Plan (WSSP), the Coors Corridor Sector Development Plan (CCSDP), and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
9. The subject site is located in the Established Urban and Developing Urban Area of the Comprehensive Plan, and within the boundaries of the West Side Strategic Plan (WSSP) and the Coors Corridor Sector Development Plan (CCSDP). The subject site is located in a designated Activity Center, the Montañó/Coors Community Activity Center. Coors Boulevard and Montañó Road are Enhanced Transit Corridors.
10. The design standards in the North Andalucia at La Luz site development plan for subdivision (04EPC-01845) apply. The design standards require EPC review of the site development plan for subdivision amendment and the associated site development plan for building permit.
11. The request is inconsistent with the site development plan for subdivision design standards for North Andalucia at La Luz and the Activity Center Goal of the Comprehensive Plan because the proposed, relatively large lot, Tract 2-A, would dominate the site and promote development of isolated pad sites, which would not contribute to a concentration of moderate and high-density land uses and would not foster walkability.
12. The request does not further the following, applicable Comprehensive Plan policies:
 - A. Policy II.B.5d- neighborhood values/environmental conditions/carrying capacity/resources. Neighborhood values are expressed through adoption of the site development plan design standards that involved public input. The request does not respect neighborhood values because it would be inconsistent with the site development plan design regulations, which are intended to create a pedestrian-friendly development with village character. Tract 2-A, located in the middle of the site, would preclude smaller-scale development and a pedestrian-friendly environment. The proposed development would be located close to the Bosque, where the natural environment, open space and scenic and recreational resources are regionally significant and may be impacted. Many neighborhood representatives and residents oppose the proposal, though there is also general support.
 - B. Policy II.B.5k- minimize harmful traffic effects/protect existing neighborhoods. The subject site is near two arterial streets, Coors Blvd. and Montañó Rd. Vehicles would access the site from existing entrances along Coors Blvd. and Montañó Rd. No established single-family residential neighborhoods are adjacent, so cut-through traffic is not likely to disturb them. However,

immediately south of the site is 39 acres planned for multi-family residential development. Site access will cut through this development which may affect livability and safety of the residents. Immediately east of the site is the Bosque School. Students will share the access roads with traffic and safety issues could result.

13. The request does not further the following, applicable West Side Strategic Plan (WSSP) policies:
 - A. WSSP Policy 1.18- Though the larger subdivision contains multi-family residential, office and commercial uses, the site development plan does not propose any clustering of buildings to promote a pedestrian-friendly environment nor does it propose common, public plazas that would provide meaning/identity to the site.
 - B. WSSP Policy 3.18- Though somewhat buffered from the Bosque by adjacent land, the proximity and scale of development could have an impact. Functional strategies such as water re-use, depressed landscaping and permeable paving would help mitigate any impacts to the Bosque, but none are proposed.
 - C. WSSP Policy 4.10- The site is designed with vehicular travel as the primary consideration and pedestrian and bicycle connections secondary. There are multiple conflicts points for vehicles and pedestrians and the use would not promote alternatives to single-occupant vehicles.

14. The request does not further the following policies of the Coors Corridor Sector Development Plan (CCSDP):
 - A. Policy 5- Development Intensity. The request would result in a large, approximately 11.5 acre tract (Tract 2-A) located in the middle of the site, to accommodate a large retail facility (LRF). Tract 2-A would be disproportionately large relative to the other tracts, which would make it inconsistent with the existing design standards that are intended to create a small-scale, fine-grain, pedestrian-friendly development with village character. Proximity to open space and the Bosque could make a less intense use more appropriate for this setting.
 - B. Policy 7- Cluster Design. A site layout technique, clustering of buildings is used to preserve views, create open spaces and promote pedestrian opportunities. The proposed subdivision would create several retail pads across the subject site, which would preclude development of clustered building forms in favor of one disproportionately large tract and several small, isolated pad sites.

15. An update to the North Andalusia at La Luz Traffic Impact Study (TIS) was required. The update, which was reviewed by City Transportation Staff, indicates that the proposal would generate fewer vehicle trip ends per day than the previously-approved TIS for Andalusia North (2007). The study and study update require several mitigation measures to minimize the impact of the proposal on the transportation system.

16. The applicant notified the La Luz Del Sol Neighborhood Association (NA), the La Luz Landowners Association, the Taylor Ranch NA, the Rio Oeste Homeowners Association (HOA), the Andalucia HOA, the Northwest Alliance of Neighbors and the Westside Coalition of NAs, as required. Information regarding the proposal was made available online at the Planning Department webpage.
17. Two facilitated meetings were held, one on September 28, 2011 and another on November 21, 2011. Over 450 community members, from a variety of neighborhood organizations and the Bosque School, attended. A variety of concerns was expressed.
18. Several comments, letters and petitions from the public were submitted. Most comments received earlier in the process indicate strong opposition. Most comments received recently indicate general support. Concerns include traffic, environmental impacts, scale of the proposed development, view preservation, proximity to the Bosque School, safety and crime and number of this retailer's stores. Other concerns are truck deliveries, impact on local businesses, sales of alcohol and firearms, camping in the parking lot and 24 hour operations. Support focuses on job creation and convenience of location.
19. Due to the extraordinarily large volume, public comments and exhibits received were scanned and posted to the Planning Department website at <http://www.cabq.gov/planning>. These comments are made part of the record for all purposes.

RECOMMENDATION - 11EPC-40068, October 18, 2012, Site Development Plan for Subdivision Amendment

DENIAL of 11EPC-40068 a site development plan for subdivision amendment for an approximately 60 acre site consisting of Tracts 1 – 6, North Andalucia at La Luz, located at the southeast corner of Coors Boulevard NW and Montañó Road, zoned SU-1 for C-2 Uses, O-1 Uses and PRD (20 dwelling units/acre), based on the preceding Findings.

Site Development Plan for Building Permit, 11EPC-40067- October 18, 2012

1. The request is for a Site Development Plan for Building Permit for Tract 2-A, North Andalucia at La Luz, an approximately 11.5 acre site located at the southeast corner of Coors Boulevard NW and Montañó Road, zoned SU-1 for C-2 Uses, O-1 Uses and PRD (20 dwelling units/acre) (the "subject site").

2. The applicant proposes to develop a 98,901 square foot retail use with associated parking lots, internal roadways, landscaping and outdoor areas. The proposed use meets the definition of a Large Retail Facility (LRF) because it is a “single-tenant structure with at least 75,000 square feet of net leasable area for the purpose of retailing” [Zoning Code 14-16-1-5]. Therefore, the request is subject to the LRF Regulations [Zoning Code 14-16-3-2(D)].
3. A request for a Site Development Plan for Subdivision amendment (11EPC-40068) to create Tract 2-A, and other tracts, accompanies this request. The request for a five-year extension of the North Andalucia at La Luz Site Development Plan for Subdivision (04EPC-01845) was approved at the January 19, 2012 Environmental Planning Commission (EPC) hearing.
4. The Albuquerque/Bernalillo County Comprehensive Plan, the West Side Strategic Plan (WSSP), the Coors Corridor Sector Development Plan (CCSDP), and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. The subject site is located in the Established Urban and Developing Urban Area of the Comprehensive Plan, and within the boundaries of the West Side Strategic Plan (WSSP) and the Coors Corridor Sector Development Plan (CCSDP). The subject site is located in a designated Activity Center, the Montañó/Coors Community Activity Center. Coors Boulevard and Montañó Road are Enhanced Transit Corridors.
6. The design standards in the North Andalucia at La Luz site development plan for subdivision (04EPC-01845) and the Large Retail Facility (LRF) Regulations [Zoning Code §14-16-3-2(D)] apply. The design standards require EPC review of the site development plan for building permit and the associated site development plan for subdivision amendment.
7. Comprehensive Plan Activity Center Goal and Policy II.B.7c:
 - A. Goal- The request generally does not further the Activity Center Goal because the concentration of moderate and high-density mixed land uses envisioned in activity centers would not be strengthened. The proposed, relatively large lot would dominate the site and promote development of isolated pad sites, which do not contribute to a concentration of moderate and high-density land uses.
 - B. Policy II.B.7c- structures/location in Centers. The proposed LRF, at 98,901 square feet (sf), would be much larger than other buildings in the Montañó/Coors Community Activity Center. Other buildings planned in the commercial portion of the Activity Center are less than half the size of the proposed LRF. The LRF should blend in with the other buildings and should not dominate the site. One way to diminish the mass and scale of the LRF is to provide liner shops that would provide visual variety and functional diversity, as stated in the policy.

8. The request conflicts with the development guidelines for Community Activity Centers as described in Table 22 of the Comprehensive Plan because:
 - A. The subject site is not “very accessible” by automobile. Coors Blvd. and Montano Rd., adjacent to the site, are limited access arterial streets. Most of the access points are limited and the only full access point is at the intersection of Learning Rd. and Coors. Learning Road is utilized by students entering and leaving Bosque School and by residents who live in the area (Access).
 - B. Limited floor area per building – the floor area of the proposed LRF is not limited. At over 98,000 square feet, it does not fit the model for a Community Activity Center (Land Uses).
 - C. Moderate floor area ratios (FARs) of .3 to 1.0 – The site plan for building permit proposes a large amount of surface parking and a FAR to 0.2. The subject site is not heavily punctuated with fine grain, smaller parcels (Scale).

9. The request does not further the following, applicable Comprehensive Plan policies:
 - A. Policy II.B.5d- neighborhood values/environmental conditions/carrying capacity/resources. Neighborhood values are expressed through adopted plans and policies that involve public input. The request does not respect neighborhood values because it would be inconsistent with the site development plan design regulations, which are intended to create a pedestrian-friendly development with village character. Tract 2-A, located in the middle of the site, would preclude smaller-scale development and a pedestrian-friendly environment. The proposed development would be located close to the Bosque, where the natural environment, open space and scenic and recreational resources are regionally significant and may be impacted. Many neighborhood representatives and residents oppose the proposal, though there is also general support.
 - B. Policy II.B.5k- minimize harmful traffic effects/protect existing neighborhoods. The subject site is near two arterial streets, Coors Blvd. and Montañó Rd. Vehicles would access the site from existing entrances along Coors Blvd. and Montañó Rd. No established single-family residential neighborhoods are adjacent, so cut-through traffic is not likely to disturb them. However, immediately south of the site is 39 acres planned for multi-family residential development. Site access will cut through this development which may affect livability and safety of the residents. Immediately south of the site is the Bosque School. Students will share the access roads with traffic and safety issues could result.
 - C. Policy II.C.8a-environment/unique features. The request generally respects the visual environment, but not particularly the unique feature that is the Bosque. It is unknown if the 33’ tower element complies with the view regulations. The proposed building, in terms of mass and scale, is not as sensitive to the nearby Bosque environment as it could be. Strategies should be put in place to address water re-use and litter control.

10. The request does not further the following, applicable West Side Strategic Plan (WSSP) policies:
- A. WSSP Policy 1.12- The proposed LRF is not considered pedestrian-scale, though pedestrian amenities could help mitigate it. The location of the proposed parking areas would not promote walking safely and comfortably between uses.
 - B. WSSP Policy 1.18- Though the larger subdivision contains multi-family residential, office and commercial uses, the site development plan does not propose any clustering of buildings to promote a pedestrian-friendly environment nor does it propose common, public plazas that would provide meaning/identity to the site.
 - C. WSSP Policy 3.18- Though somewhat buffered from the Bosque by adjacent land, the proximity and scale of development could have an impact. Functional strategies such as water re-use, depressed landscaping and permeable paving would help mitigate any impacts to the Bosque, but none are proposed.
 - D. WSSP Policy 4.6g- The proposed LRF would not be readily accessible by transit or located adjacent to street frontage. The majority of parking would be located between the building and Coors Blvd.
 - E. WSSP Policy 4.10- The site is designed with vehicular travel as the primary consideration and pedestrian and bicycle connections secondary. There are multiple conflicts points for vehicles and pedestrians and the use would not promote alternatives to single-occupant vehicles.
11. The request does not further the following, applicable policies in the Coors Corridor Sector Development Plan (CCSDP):
- A. Policy 5- Development Intensity. The proposed, stand-alone LRF would be relatively intense for the area; proximity of open space and the Bosque could make a less intense use more appropriate for this setting. Local roadways (Learning and Mirandela Rds.) would provide access, but they may not be sufficient for truck traffic.
 - B. Policy 4.b.6-Commercial Sites. The building is proposed at the rear of the site and not the street perimeter. The majority of parking is between Coors Blvd. and the building, so there is no relationship to the streetscape area.
 - C. Policy 7- Cluster Design. A site layout technique, clustering of buildings preserves views, creates open spaces and allows pedestrian opportunities. The proposed LRF building would stand-alone. The way the future tracts are proposed would create several retail pads across the subject site, which would preclude development of clustered building forms.

12. The request complies with the view regulations of the Coors Corridor Sector Development Plan (CCSDP) and Policy 1-View Preservation, based on the information provided for View Line A and View Line B, which intersect the building near its southern and middle portions, respectively. However, an additional view line (View Line C) is needed to demonstrate if the tower element near the proposed building's NW corner complies or not.
13. The site development plan for subdivision for North Andalucia at La Luz contains design standards. The design standards primary goal is "to achieve a vibrant, mixed-use community that fosters pedestrian accessibility and maintains a village-type character." The design standards are intended to be used to facilitate design of buildings that respect the natural conditions of the site, maintain and highlight spectacular views and to leave significant areas dedicated to open space and be complementary to La Luz and the Bosque School.
14. As proposed, the site development plan for building permit is inconsistent with the design standards' primary goal. Village-type development is characterized by a mix of smaller-scale, fine-grained buildings and pedestrian scale and orientation of development. Village-type character can be created through site layout by, for example, relating the buildings to each other (instead of isolated pad sites), placing buildings to create useful plaza spaces where people can gather and integrating future uses. However, it is possible to have a mixture of uses (commercial, office and housing) without creating village-type character, which is the case here, due primarily to the mass and scale of the proposed building and associated parking lot.
15. The Large Retail Facility (LRF) regulations apply. The proposed 98,901 square foot (sf) building, on the future Tract 2-A, meets the definition of a LRF (Zoning Code §14-16-1-5) because it would exceed 75,000 sf and would be for the purpose of retailing. A LRF is:

"A single tenant structure with at least 75,000 square feet of net leasable area for the purpose of retailing. A shopping center site with a main structure of 75,000 square feet or more is a Large Retail Facility. Refer to [§14-16-3-2](#) for Large Retail Facility Regulations."
16. Pursuant to Zoning Code §14-16-3-2(D)(2)(b)2, a proposed LRF is "required to be located adjacent to and have primary and full access to a street designated as at least a collector in the Mid-Region Council of Governments' Metropolitan Transportation Plan and having at least four through traffic lanes."

The future Tract 2-A, the site of the proposed LRF, is the LRF by definition. Therefore, Tract 2-A is subject to the LRF regulations including site access (D)(2)(b)2, site division (D)(3), site phasing (D)(4), site design (D)(5) and site maintenance (D)(8).

Tract 2-A would be adjacent to Coors Blvd. Adjacent means "not distant, having a common endpoint or border". Coors Blvd. is a designated principal arterial, which is a facility with greater capacity than

a collector. Coors Blvd. has four through traffic lanes. The proposed LRF meets three of the four location sub-parts of (b)2.

17. Pursuant to Zoning Code §14-16-3-2(D)(2)(b)2, a proposed LRF is required to have “primary and full access” to a street designated as at least a collector. “Primary” is defined as: main; or immediate; or direct (a primary or direct effect) [ref: Webster’s Dictionary]. “Full Access” refers to an intersection that contains four turning movements: right-in, right-out, left-in, and left-out. The only “full access” intersection is at Learning Rd./Coors Blvd.

Tract 2A does not have direct access to Learning and Coors; it has indirect access. In order to get to the LRF site on Tract 2-A, traffic must take two local roads, Learning Road and Antequera Road. Therefore, the requirement of “primary/direct and full access to a street designated as at least a collector” (Coors Blvd.) cannot be met. The proposed site development plan for building permit does not comply with §14-16-3-2(D)(2)(b)2.

18. The request does not meet the intent of the LRF Access Regulations, which are meant to protect the quality of life within the surrounding area of the LRF and to secure adequate street capacity to transport pedestrians and vehicles to and from large retail facilities. LRF traffic should not use local roads to access the LRF site, as is proposed. Heavy traffic on Learning and Antequera Roads, resulting from the proposed LRF, will have impacts for the residents, students and smaller businesses that use these roads on a daily basis.

19. On September 5, 2012, the City Council acknowledged that site access will be an important issue if the proposal is appealed. The Council requests, but does not order, that the Environmental Planning Commission (EPC) adopt findings that fully explain and justify its determination on this issue [Ref: City Council decision, Finding 17, re: AC-12-10, appeal of declaratory ruling regarding access.]

Also, on September 5, 2012, the City Council also stated that the EPC is charged with interpreting the Zoning Code in reaching its decision [regarding access].” [Ref: AC-12-10, appeal of declaratory ruling regarding access.]

20. In addition to not meeting the access requirement in (D)(2), Staff finds numerous other parts of the Large Retail Facilities (LRF) Regulations with which the request does not comply.

A. (D)(3)- Site Division.

(a) Four blocks are proposed. The largest, which measures approx. 350 ft. by 470 ft., exceeds the allowed block size and cannot be expanded because, at 62%, it does not cover 80% of the block.

(b) Driveways separating the blocks are not between 60 feet and 85 feet wide. For instance, the drive aisle, sidewalks and landscaping (on both sides) near the site’s middle measure 50 feet total. In front of the main entrance, the drive aisle (30 feet), landscape island and pathway measure approx. 57 feet.

B. (D)(5)- Site Design.

(b)(2) Off-Street Parking Standards. Parking, almost all proposed between the building and Coors Blvd., is not distributed on the site in a way that minimizes visual impact. Rather, the proposed parking creates visual impact and dominates the building.

(g)(2) Truck Bays. The proposed wall along Mirandela Rd. is approx. 57 feet from the edge of the loading dock and does not extend 100 feet from the face of the loading dock as required.

(h)(3) The trees proposed on the north side and south side of the site, at approx. 50 and 30-40 feet on center, respectively, do not meet the spacing requirement.

(h)(4) Numerous opportunities for water re-use/water harvesting on this site are not being utilized. For instance, curb cuts could be located functionally to collect water, with landscape islands below grade. Parking lot run-off could be retained and cleaned on site, but alternatives (such as pervious paving in places) are not considered.

(n) Storm Water Facilities and Structures. The request does not include options, such as pervious paving in places, landscape buffers as bioswales and landscape below grade, to limit impervious surfaces, so it does not comply.

C. (D)(6)- Main Structure Design.

(b) Articulation. The main (western) façade, which contains the primary customer entrance, is 436 ft. long. Retail suite liners, display windows, recessed patios, or a combination thereof, are required along at least 50% (218 ft.) of the length of the primary façade. None of these options, or combination thereof, is proposed. The requirement for patio(s) to be recessed at a minimum depth of 20 feet is not met.

21. An update to the North Andalucia at La Luz Traffic Impact Study (TIS) was required. The update, which was reviewed by the City Transportation Staff, indicates that the proposal would generate fewer vehicle trip ends per day than the previously-approved TIS for Andalucia North. The study requires several mitigation measures to minimize the impact of the proposal on the transportation system.
22. The applicant notified the La Luz Del Sol Neighborhood Association (NA), the La Luz Landowners Association, the Taylor Ranch NA, the Rio Oeste Homeowners Association (HOA), the Andalucia HOA, the Northwest Alliance of Neighbors and the Westside Coalition of NAs, as required. Information regarding the proposal was made available online at the Planning Department webpage.
23. Two facilitated meetings were held, one on September 28, 2011 and another on November 21, 2011. Over 450 community members, from a variety of neighborhood organizations and the Bosque school, attended. A variety of concerns was expressed.

24. Several comments, letters and petitions from the public were submitted. Most comments received earlier in the process indicate strong opposition. Most comments received recently indicate general support. Concerns include traffic, environmental impacts, scale of the proposed development, view preservation, proximity to the Bosque School, safety and crime and number of this retailer's stores. Other concerns are truck deliveries, impact on local businesses, sales of alcohol and firearms, camping in the parking lot and 24 hour operations. Support focuses on job creation and convenience of location.
25. Due to the extraordinarily large volume, public comments and exhibits received were scanned and posted to the Planning Department website at <http://www.cabq.gov/planning>. These comments are made part of the record for all purposes.

RECOMMENDATION - 11EPC-40067, October 18, 2012, Site Development Plan for Building Permit

DENIAL of 11EPC-40067 a site development plan for building permit for Tract 2-A, North Andalucia at La Luz, an approximately 11.5 acre site, located at the southeast corner of Coors Boulevard NW and Montañó Road, zoned SU-1 for C-2 Uses, O-1 Uses and PRD (20 dwelling units/acre), based on the preceding Findings.

***Carmen Marrone
Current Planning Manager***

***Catalina Lehner, AICP
Senior Planner***

CITY OF ALBUQUERQUE AGENCY COMMENTS

Notes:

Agency comments based on the originally submitted version of the site development plan set can be found beginning on p. 59 of the January 2012 Staff report.

Upon receipt of the April version of the site development plan set, agency comments were requested by April 20. After several postponements, agency comments were again requested on the April version, this time by August 24, 2012. Only the updated comments (those not in the January report) are listed herein.

Parks & Recreation, Open Space Division: *Received March 2012*

1. Store siting and design should be sensitive to the adjacent area by avoiding the placement of loading docks, delivery areas and trash bins facing towards the Bosque. Such facilities should be aesthetically screened. Store fronts and light poles should be placed to reduce the potential for noise and light.
2. It is recommended that hours of operation avoid a constant source of noise and allow for periods of quiet.
3. It is recommended that stringent lighting standards be required to allow for periods of darkness.
4. Strict standards should be put in place to avoid the potential for debris being blown into the adjacent Bosque.
5. The existing Open Space Pueblo Montano parking area trailhead/Bosque access may experience impacts to parking and capacity. Open Space Division requests the opportunity for further comment and review of future site design or roadway design that may affect the parking area.

Transportation Development (City Engineer, Planning Department): *Received August 2012*

Same as the January 2012 comments, with the following revisions-

Amended Site Development Plan for Subdivision:

- ~~All proposed improvements shown on the site development plan for subdivision must be noted as illustrative only or removed~~
- A cross access easement [+and shared parking agreement+] with adjacent property owners is required.
- [+For any proposed walls, geometry and pedestrian pathways; clear sight distance will need to be checked and evaluated to verify compliance with sight distance criteria.+]
- Concurrent Plating Action required at Development Review Board (DRB) for proposed ~~lines~~ [+lot line adjustments.+]
- Site plan shall comply and be ~~designed per~~ [+in accordance with+] DPM [+(Development Process Manual) and ADA standards/ requirements.+]

RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT: Conditions of approval for the proposed Site Development Plan for Building Permit and Subdivision (Amended) shall include:

Same as the January 2012 proposed conditions, with the following revisions as noted herein-

1. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as may be required by the Development Review Board (DRB).
2. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and/or provided for.
3. Per Transportation Development Staff, completion of the required system improvements that are attributable to the development is required.
4. Montano is one of only four river crossings between I-40 and Alameda. It is a limited access facility, as defined by the Mid Region Council of Governments, and the current access policy prohibits access between Coors Boulevard and Rio Grande Boulevard. The proposed site development plan shows a new right-in / right-out access between Coors and Mirandela, which is currently not permitted under the current access policy and will require approval by the Mid Region Council of Governments Transportation Coordination Committee.
5. If the proposed access off Montano between Mirandela and Coors is permitted, a separate agreement between the appropriate governmental agencies and the developer is required to address the future overpass at Montano and Coors.
6. There is an existing bus stop in close proximity to the proposed access request. It is not clear from the information in the application what the impacts to traffic would be.

~~All proposed improvements shown on the site development plan for subdivision must be noted as illustrative only or removed~~

7. Sidewalk Easement will be required for meandering 6-foot sidewalk on Mirandela Street and Coors Blvd.
8. [+For any proposed walls, geometry and pedestrian pathways; clear sight distance will need to be checked and evaluated to verify compliance with sight distance criteria.+]
9. Provide/identify turning template information of delivery vehicle routes for ingress, egress and circulation and include classification and size of the delivery vehicle for the proposed On-Site improvements and the public roadway system.
10. Signage and pavement markings will need to be provided for one way traffic.
11. Provide/label/detail all dimensions and proposed infrastructure for Site.
12. A cross access easement and shared parking agreement with adjacent property owners is required.
13. Show all pedestrian and vehicular access/connectivity (ingress and egress).
14. Concurrent Plating Action required at Development Review Board (DRB) for proposed lot line adjustments.
15. A Drainage Report is required for DRB approval.
16. All easements need to be shown and labeled on Site Plan.

17. Site plan shall comply and be ~~designed per~~ [+in accordance with+] DPM [(Development Process Manual) and ADA standards/ requirements.+]

Hydrology Development (City Engineer/Planning Department): *Received August 2012*

Site Plan for Subdivision:

It appears Tract 9 has been replatted into Tracts 2A and 2B. Please update the plan to reflect the latest platting.

Site Plan for Building Permit:

1. The Master Drainage Plan referred to in this submittal is to be amended and cannot be used as an outfall until the amendment is approved. A Public Drainage Easement is required for Pond B on Tract 1A (Bosque School).
2. Why are Tract 1 developments shown? Isn't this a site plan for the LRF?
3. The Conceptual Grading and Drainage Plan should comply with §14-16-3-2(D)(5)(n) 1 and .2. It is not clear where impervious surfaces are being limited and where pervious paving surfaces are being proposed. The lack of pervious surfaces could be mitigated by providing water harvesting/water quality features for the first 0.5 inches of rainfall. This concept is also supported by Paragraph 2, wherein, runoff is to be transported to landscape areas.

A few suggestions are: a linear water quality feature transverse to the parking lot grade, a bioswale along the back of the building; beginning near the future out-lot near Learning Rd and the roof drains could outfall to the bioswale rather than being tied into a storm drain system.

The drainage narrative should include a section of how this site complies with §14-16-3-2(D)(5)(n).