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## **HAND-DELIVERED**

Environmental Planning Commission  
c/o Ms. Carmen Marrone  
City of Albuquerque Planning Department  
600 2nd Street NW  
Albuquerque, New Mexico 87102

**RE: Project No. 1003859**

Dear Chairman Floyd and Members of the EPC:

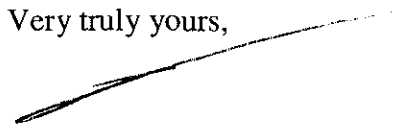
This application intersects with so many policies that it is impossible to comment on all of them. Staff typically identifies policies but they may not read the policy the same way as others. For example, Comp Plan Policy II.B.5.j provides:

“In larger area – wide shopping centers located at intersection of arterial streets provided with access via mass transit; more than one shopping center should be allowed at an intersection only where transportation problem do not result.”

In its January 2012 Staff Report, staff recognized that this would be a second shopping center at the intersection of arterial streets but noted that the TIS made recommendations to address some of the effects on traffic. As TRNA reads the policy, a second shopping center is only allowed when “transportation problems do not exist” not where a TIS recommends mitigation.

In order to highlight TRNA’s review of the many issues we revised the January 2012 staff report to illustrate areas in which our reading of the issue differs from staff’s or in which we agree but which required emphasis. Our revision is attached.

Very truly yours,



Timothy V. Flynn-O'Brien

TVFOB/mlg  
Enclosures as stated

Taylor Ranch Analysis of Application and supplements our prior submittals.  
(The following borrows from but revises the January 19, 2012 Staff analysis)

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Of the eight General Notes, the following two are most significant with respect to the current proposal (an 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.

***The subdivision replat seeks to eliminate this buffer lot and to merge it into other tracts. This is inconsistent with the buffer lot concept. The LRF would encroach on the 300 foot zone and that violates the zoning. Further the use of the O-1 area for the LRF loading and truck access is not permitted by the O-1 limitation and therefore violates the zoning. A zone change is required and would have to be justified under Res. 270-1980. This proposed use-LRF loading and truck access- is not non required parking. This use should not be considered part of the minimum O-1 acreage required by the site plan and not considered as mixed use.***

## **V. 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 an area adjacent to the Bosque and Bosque related recreational and preserve activities. The proposal locates a large big box as close as is physically possible to the Bosque and a State Park, natural environment, open space and scenic resources which are regionally significant. Most neighborhood representatives and residents in the near proximity oppose the proposal. The design does not respect neighborhood values identified in the site plan for subdivision that creates a pedestrian friendly development with village character. The proposal does not attempt to alter a traditional big box development to the unique location adjacent to the Bosque. The proposal locates truck loading nearest to the Bosque School in an area designated for office use as a buffer. The request is inconsistent with Policy II.B.5d--neighborhood values/natural environmental, recreational concerns.***

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 is in an area where vacant land is contiguous to existing or programmed services. This policy is about preserving neighborhood integrity not just locating growth where facilities exist. The proposal identifies the primary access through local streets that bisect an area where residential development has been approved but not yet constructed and adjacent to the La Luz residential neighborhood which is nationally recognized for its environmental design. Both the newly approved residential area and La Luz are entitled to have their integrity ensured. The proposal and resulting traffic does not ensure the integrity of existing neighborhoods. The proposal is inconsistent with Policy II.B.5e-programmed facilities/neighborhood integrity.***

**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.

***Most of the proposed commercial development is located in an existing commercially zoned area, but part is in a buffer area reserved for office use. The proposal is at an intersection of arterial streets but there is already an existing shopping center at the intersection so an additional shopping center can be approved only if transportation problems do not result. The site has limited access to the arterial streets. There are transit routes on Coors and Montano but the general design of the proposal is auto oriented. The proposed building would not be readily accessible to the transit services as the building is not located near the arterials. The proposal would result in a second shopping center at the intersection which, under Policy II.B.5j, is allowed "only when transportation problems do not result." The TIS demonstrates that the proposal will significantly add to traffic congestion, increase delays at the Coors/Montano intersection, increase traffic on the Montano bridge, and increase traffic on both Montano and Coors which already function over capacity. The Coors/Montano intersection requires a future grade separation on the Long Range Roadway System Map. The existing driveway on Montano will be lost with the grade separation. The new proposed driveway does not exist and is inconsistent with MRCOG policies for Montano. The proposal will cause traffic problems for local residential streets and for the Coors/Montano intersection. The proposal is inconsistent with 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 Montaña Rd. A Transportation Impact Study (TIS) was updated to reflect the current proposal. Vehicles would access the site from existing entrances on Coors Blvd., Montaña Rd. and Winterhaven. Another access from Montaña Rd. is proposed, but has not been granted as of this writing and therefore cannot be assumed for purposes of this evaluation. The Montaña/Winterhaven access to Montaña will be lost with grade separation leaving the development with no Montaña access. There are no recommendations in the TIS to deal with harmful effects of traffic on local residential streets. The TIS acknowledges that delays would increase on Coors and Montaña and outlines only minor mitigation measures that would be available at the intersection. No mitigation measures are proposed to deal with increased traffic on the Montaña bridge. The TIS does not address the harmful effect of the closing of the left turn from Coors southbound into the development and the effect of that on Learning Road. The TIS does not address the effect of losing the Winterhaven access to Montaña with grade separation.***

***A residential development adjacent to the subject site has been approved. The site plan zoning requires that area to develop with residences. If the commercial area relies on Learning Road for access, cut-through traffic is a major concern. The proposal does not further Policy II.B.5k. Further, the project does not meet the Location and Access requirements of the Large Retail Facility Regulations of the Zoning Code, which were established to protect established residential neighborhoods.***

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 subdivision design standards allow a variety of architectural styles and materials that are generally compatible with the area but require that it be pedestrian friendly and village character. The proposed building appears to reflect a national chain style that mimics elements of Spanish colonial and contemporary pueblo styles, with three colors of cultured stone and stucco colors from medium browns to tans to olive but is neither distinctive nor innovative. The colors and finishes are generally appropriate for the Plan area. The overall design is not innovative. The proposal lacks liner suites that would break the façade and make a LRF more pedestrian friendly. It's important to note that variations in roof lines and building heights are constrained due to the View Regulations of the Coors Corridor Plan because of the size of the LRF, but would not be as constraining for smaller buildings and that smaller buildings would allow views of the mountains and Bosque between buildings. The Coors Corridor Plan does not guarantee that every site is appropriate for a large retail facility. The proposed development is neither pedestrian in scale nor does it attempt a village character. The proposal is generally inconsistent with 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 may comply with the view plane regulations of the Coors Corridor Plan view requirements of the Sandias (our review is not complete) but blocks views of the Bosque and plaza areas do not have views of the Bosque or the Sandias. The proposal does not relate or integrate with the Bosque, as do the existing developments La Luz and Bosque School. Therefore, this proposal would change development course in the area—a course which maintains and enhances the unique quality of the Bosque—to a course which is incompatible. The proposed LRF is not integrated with its location and is incompatible with existing development surrounding it. The proposal is mostly inconsistent with Policy II.B.5m-quality of the visual environment.*

#### *Activity Centers*

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.

*The proposed large retail facility would duplicate services already existent in the area and could shift activity from existing area retailers. The proposal does not meet the desired FAR nor does it provide high intensity mixed uses in the proposed area. [Table 22 defines moderate Floor Area Ratios (FARs) as 0.3 to 1.0. The proposal is a 0.2 FAR]. The proposal is for a typical auto oriented retail development with a low FAR. The subject site is located in the designated "Montaño/Coors Village Community Activity Center" and within the North Andalucía at La Luz Subdivision. The subdivision was zoned to provide a mix of uses to support the goal for the Activity Center - 23.3 acres for C-2 uses, 11.7 acres for O-1 uses and approximately 23 acres for residential uses. The C-2 zone allows multifamily development per the R-3 zone provided the development is at least 5 acres in size and is developed as a vertical mixed-use project (housing over commercial or office). No such development is proposed. The Activity Center goal is to provide a high concentration of moderate and high-density mixed land uses. A creative design for mixed-use development per the C-2 zone could be built and still comply with the View Regulations of the Coors Corridor Plan enabling such a mix to occur on the site. The site development plan subdivision design guidelines are for a village-type character that is pedestrian friendly. The guidelines provide for a fine grain development. The proposal advances neither the Activity Center nor the subdivision goals. The big box creates a physical island with another island of parking. The pad sites are generally separated from other buildings by parking. The pedestrian*

***connections are minor and require crossing auto travelled lanes, there is no “sidewalk” atmosphere with a variety of suites along a pedestrian path.***

***The proposal does not discourage auto travel but would increase auto travel. Since the area is mostly developed, infrastructure services are in place so urban sprawl would not increase, though the proposed large retail facility at this Community Activity Center location could increase auto travel. The proposal is mostly inconsistent with the Activity Center Goal.***

**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

***The Montaña/Coors Community Activity Center would serve the northwest mesa area (WSSP, p. 103), which is greater than 3 miles and contains more than 30,000 people (Service/Market Area).***

***The subject site is accessible by automobile but has limited access. It does not have full access to either Coors or Montaña. Montaña is restricted for trucks. One access point on the proposal is nonexistent. One will be closed with the grade separation of Coors and Montano. The southbound left turn access at Mirandela is subject to being closed. The identified primary access is through and***

*adjacent to residential zones. The site is adjacent to the Pueblo Montañño trailhead facility, which provides access to a community-wide trail network (Access) but the proposal fails to integrate design of the LRF or proposed development or orientation to the bicycle network.*

*The core area of the center is likely larger than the 15-16 acres recommended for Community Activity Centers. The guidelines suggest a limited floor area per building. The purpose of this limitation is to provide a variety of commercial and entertainment uses. The single-tenant, single story LRF does not meet the intent of this guideline (Land Uses). The proposal to devote 0-1 land to parking for the LRF and to LRF loading, unloading and truck access does not promote the mixed use goal.*

*The subject site is not heavily punctuated with fine grain, smaller Parcels and the proposal for site plan for subdivision amendment changes parcels to accommodate a big box and in so doing is inconsistent with the policy goal of fine grain smaller parcels. The guidelines suggest 2-3 story buildings with moderate floor area ratios of .3 to 1.0. The proposed LRF building is single-story and has a floor area ratio (0.2). A building of 2-3 stories could be built within the 33' height of the proposed big box and still meet the View Regulations of the Coors Corridor Plan. The size of the big box limits location of the buildings which would not affect smaller buildings in the same way since smaller 2 story buildings could be located further back from Coors and others closer to Coors. Smaller buildings also allow views of the Bosque between buildings. There are pavement connections between buildings, but the connections do not create the desired pedestrian friendly environment. The "main street" running through the site is not punctuated with walkable buildings or liner suites. The proposal would not separate off-street parking from the "main street". Instead the orientation of the "street" is largely to funnel autos to the large parking area. Site circulation does little to avoid conflict between pedestrian and auto, more could cold be done to improve pedestrian safety. The proposal theoretically provides plaza space with colored concrete but fails to meet the goal of a public plaza (Scale).*

*In sum, the proposal is inconsistent with the development guidelines for Community Activity Centers and fails "to provide a greater variety of commercial and entertainment 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 building, at 98,901 square feet (sf), would be larger than other buildings in the Montañño/Coors Community Activity Center area and is therefore appropriate in a Major Activity Center, not in a Community Activity Center. The proposed building would be approximately 29% larger than the second largest single-tenant building in the area (an approximately 70,000 sf grocery store on the north side of Montañño Rd.). Although, that grocery store is part of a larger strip of buildings that exceed the building frontage and mass of the proposed LRF the purpose of Policy II.B.7c is directed at a building out of scale with other buildings not with the sum of an entire development. Buildings at the Bosque School are approx. 15 to 20,000 sf at the most; all stand alone and do not appear as one mass. The proposal does not further Policy II.B.7c- structures/location in Centers.*

*Environmental Protection & Heritage Conservation- Archaeological Resources*

Goal: To identify and manage or acquire archaeological and paleontological sites for research, education, economic and/or recreation use."

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. The archaeological resources Goal and Policy II.C.6b are furthered.***

*Environmental Protection & Heritage Conservation- Developed Landscape*

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

***The proposal replaces vacant land with a developed LRF. Areas for future development would remain vacant and may never be developed. The building would have some architectural features but is not integrated into the unique environment. It does not provide a coordinated link to the Bosque or enhance the natural environment. The development would impact the natural landscape in this area characterized by the Bosque and open space. The proposal lacks the sensitivity to the natural environment demonstrated by Bosque School and La Luz developments or the Riverside commercial development. The proposal mostly does not further 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 does not respect the unique feature that is the Bosque. Building height, when combined with mass and scale, are not as sensitive to the Bosque environment as they could be and as existing development in the area is. Policy II.C.8a-environment/unique features is not furthered overall.***

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 natural vegetation was previously destroyed by the developer. The large sea of parking is not in harmony with the site. The proposed building's colors and materials would be in harmony with the landscape. The building's size is not in harmony with the landscape. The building's size limits site design and location. Smaller buildings and a village design would be more in harmony with the site and preservation of views of the Bosque. The "plaza" area is mostly sited at the entrance of the big box and serves as the access to the big box but nothing more. The building blocks views from the "plaza". Policy II.C.8e-scenic areas/development harmony, is not furthered overall.***

*Environmental Protection & Heritage Conservation- Community Identity & Urban Design*

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 proposed building would not significantly contribute to or enhance the built characteristics of the area as it represents a typical big box and is not as distinctive or contributory to the built environment as Riverside Plaza to the north or as Bosque School or La Luz. The natural characteristics of the immediate area, close to the Bosque and open space that define this sub-area of the Westside, would be impacted by the presence of a y large building but the impact is only partially mitigated with landscaping and trees. The Community Identity & Urban Design Goal is not furthered overall.***

Policy 2.C.9d: Development projects within Community Activity Centers should contribute the following:

1. Related land uses that effectively encourage walking trips from one destination to another within the center, including shopping, schools, parks or plazas, employment, entertainment, and civic uses such as public libraries, recreation or senior centers, post office or fire station.
2. Pedestrian linkages among uses in the Activity Center and connecting to surrounding neighborhoods.
3. Building designed and arranged to reflect local architectural traditions, scale, height, massing and setbacks appropriate to the community served by the Activity Center and that support public transit and pedestrian activity.
4. Landscaping, street furniture, public art, colored or textured paving and other improvements to the public realm that reinforce the cultural, social and design traditions of the community served by the Activity Center.

***The scale and mass of the proposed LRF is not consistent with surrounding development. The proposal does not encourage walking trips from one destination to another within the development. There is no central plaza that would encourage walking to the plaza and act as a unifying feature. The proposal to make the primary auto entrance Learning Road and through the residential neighborhood to the south will discourage a pedestrian connection from La Luz and the newly approved neighborhood on Antiquera. The location of the rear of the big box and loading docks adjacent to the school discourage any pedestrian connection to the school. The truck traffic would make existing pedestrian/bicycle routes to the school less safe. Pedestrian linkages are minimal. The scale and mass of the proposed LRF is not consistent with surrounding development nor will it contribute to pedestrian activity. Landscaping, street furniture, colored and textured paving and other improvements do not significantly reinforce any cultural social or design traditions of the community. The proposal does not further Policy 2.C.9d- overall.***

#### *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 proposed shopping center would be located near the intersection of two roadways with transit and bicycle routes; Coors Blvd. is served by a regular bus route and a rapid ride route while Montañó is served by a regular bus route. Both Coors and Montano are designated as Enhanced Transit Corridors on the Long Range Transit Plan. However, the big box is auto, not transit oriented and auto access and egress is limited. By its nature a LRF is a very auto-oriented use. The Traffic Impact Study indicates that the proposed development will produce less traffic than the previous project partially approved on the site, but there are access issues under the Big Box ordinance and capacity issues at Coors/ Montañó and for the Montano Bridge. The use proposed is located far from the transit routes on Montano and Coors and does not encourage transit use, bicycling or walking. While the availability of mass transit at this location provides a great opportunity for a use that encourages bicycling and transit use, this proposal does not. The proposal does not further 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.

***Pedestrian connections are provided throughout the site, but they are minimal and not pedestrian friendly. Pedestrian opportunities are not as safe and pleasant as they could be. There are no liner buildings. There is substantial auto traffic crossing pedestrian connectors. The village plaza is not provided as a central pedestrian connector. Policy II.D.4g is minimally furthered.***

#### Community Resource Management-Economic Development

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

***The illustrative site development plan for subdivision proposes a mix of commercial uses including a LRF, smaller retail stores, restaurants, and office. The subject site has been masterplanned since 2003 to provide a mix of uses that would serve the surrounding residential community. The proposal would result in economic development although the LRF duplicates existing retail and destabilizes existing smaller businesses. The proposed LRF is has drainage issues that could affect the Bosque. Visually the development is inconsistent with visual and recreational goals of the Bosque. The proposed outdoor spaces would provide minimal social areas. The proposal partially furthers the Economic Development Goal and is partially inconsistent.***

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.

***The North Andalucia site plan has potential to provide some new opportunities for job growth at different skill and salary levels than currently exist on the Westside, however the proposed LRF would redirect the activity center to more retail jobs which duplicate what already exists. The LRF jobs do not have a wide range of occupational skills and salary levels. This site is likely one of the few remaining in Taylor Ranch that has the attractiveness factors of transit and environment that could offer new employment opportunities different from the entry level retail most prominent in the area. Furthermore, the retail provided doesn't serve a new customer base, rather it provides retail shopping that is already abundant to a stable population, and therefore the impact would be more likely to move jobs from existing retail to this LRF. Policy II.D.6.a is to create new jobs not move them from one baseline to another. The proposal does not further 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 low density non-residential mostly retail development in the Taylor Ranch community, within a designated Community Center, the Montañó/Coors Community Center. This type of commercial is prominent in many areas of commercially-zoned, but non activity center development. The LRF does not further WSSP Policy 1.1 in that it proposes low density development***

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 area site from the trail and bike lanes along all roads leading into the site. Connectivity from the area to the open space trailhead is provided from Mirandela Road. The proposal's vehicular access and parking discourages pedestrian connectivity with the neighborhood –primary vehicle access to development is via Antiquera discouraging pedestrian and bicycle access from the newly approved Antiquera neighborhood and La Luz. The internal circulation and design does not facilitate or encourage bicycle or pedestrian use. Parking interferes with pedestrian access between buildings. While the site provides a significant opportunity to further WSSP Policy 1.5, the proposal partially furthers WSSP Policy 1.5 and partially does not further WSSP Policy 1.5.***

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.

***Proposed Tract 2 contains the LRF. At 98,901 sf, the single structure is not considered pedestrian-scale. The proposal does not incorporate liner suites to encourage pedestrian activity. The proposed parking areas would not be located between buildings and would not promote walking safely and comfortably between uses. The proposal does not further 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 proposed LRF would detract from Community Activity Center policy of being the primary focus with a variety of uses including entertainment, civic and significant employment per square foot of development. The LRF would result in tracts for future development and development of a low FAR large retail facility (LRF) that duplicates commercial already available in the community and contrary to the Community Activity Center policy. The proposed LRF is less intense than desired and lacks the variety of uses desired in community activity centers. WSSP Policy 1.13 is mostly not 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 but access is limited. The arterials are designated Enhanced Transit Corridor by the Comprehensive Plan. Coors Blvd. is served by a regular bus route and a rapid ride route and Montañó is served by a regular bus route. Both Coors Blvd. and Montañó Rd. have bicycle lanes although biking along Coors is not a pleasant experience. The site is adjacent to the Pueblo Montañó trailhead facility which provides***

***access to a community-wide trail network. The LRF by its nature is a very auto-oriented use. It will not take advantage of the multimodal opportunities in the area. The volume of truck auto traffic accessing the LRF may detract from existing activity at the school/state park, and bosque trails that is via non-automotive modes. The proposal is located near a transportation hub, but does not take advantage of the variety of modes. The proposal partially furthers and partially does not further 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.

***The Montañño/Coors Community Activity Center north of Montañño Rd. contains a shopping center, consisting of several small to mid-sized tenants and residential uses. There is a mix of uses, though the buildings are not mixed-use buildings. This proposal is South of Montañño Rd. and the current , proposal is to develop with commercial uses. The development would not be mixed use. Future residential uses are planned south of Mirandela Rd. A single, large building is proposed, rather than a cluster of buildings. The required “plaza space” would not be meaningful when considering the entirety of the site. The proposal is not consistent with 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 proposed development is in the Taylor Ranch Community, a location contiguous to the City and efficient for receiving services although the site itself is not efficient. WSSP Policy 3.12 is partially furthered.***

WSSP Policy 3.15 (Taylor Ranch): Allow appropriately designed development throughout the Taylor Ranch Community which will not degrade views to and from the Escarpment through design guidelines and consistent enforcement.

***The proposed development is not consistent with applicable subdivision design standards for a village type development that creates a vibrant pedestrian environment. Views of the Bosque from the escarpment will be degraded. The development design is not appropriate in that it is not village character. WSSP Policy 3.15 is not generally furthered because of design.***

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 provide permeable paving surfaces to limit runoff to the Bosque. Views to the Bosque are not preserved. The development is not sensitive to the Bosque and the Bosque’s asset. The proposal is mostly inconsistent 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 buildings be located adjacent to street frontage. Parking is located closer to Coors, in front of the building, not in the rear or sites. WSSP Policy 4.6g is not furthered.***

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. Per 14-16-2-29(E) (6)(a)(1) "[t]he parking requirement of a building or use shall be reduced by 10% if it is within 300 feet of a regular Albuquerque Transit system route." This reduces the required parking to 347 spaces. A reduction of an additional 5% is allowed if the developer provides transit rider shelters. 14-16-2-29(E) (6)(a)(2). The North Andalucia site development plan for subdivision allows 10% above the required amount, which adds back the 10% to a total of 385 spaces. The applicant is proposing 424 spaces which exceeds allowable parking. The developer proposes to not take the transit reduction in order to increase its total parking is contrary to the mandatory language of 14-16-2-29(E) (6)(a)(1). The proposed development access for pedestrian and bicycles within the development is basic and not attractive or efficient. The proposal is only partially consistent and partially inconsistent with WSSP Policy 4.6h.***

WSSP Policy 4.10: It is important to promote and establish land uses and urban patterns whose design support bicycle and pedestrian travel, and public transportation, encourage ridership, enhance public mobility and promote alternatives to single occupant vehicle use.

***The proposed large retail facility (LRF) is designed with vehicular travel as the primary consideration and pedestrian and bicycle connections secondary. The proposal to "not take" the required parking reduction for a location within 300' of a transit route does not enhance public transit. The proposal does not further WSSP Policy 4.10.***

WSSP Policy 6.15: Each Regional Center, Employment Center, and Community Center shall form a Transportation Management Association or Organization. The association shall meet regularly to discuss issues related to the transportation network, new developments within the area and the promotion of travel demand management techniques to promote use of alternative transportation within the area.

***The applicant has not proposed any travel demand management strategies. WSSP Policy 6.15 is not furthered.***

### **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 3-LAND USE AND INTENSITY OF DEVELOPMENT

Policy 3- Recommended Land Use (p. 67): The CCSDP recommends land uses which are identified on the following maps. The maps specify existing and recommended zoning and recommended land uses. These recommended land uses shall guide development in the Plan area. AND

Policy 6- Sector Development Plans (p. 80): Sector development plans shall be required for the Coors/Montaña intersection area, for the Coors/Paradise Boulevard intersection area, and for such other areas as may be desirable and necessary to achieve coordinated planning of critical areas under multiple ownership.

***A sector plan was never prepared for the Coors/Montaña intersection area. Instead, the North Andalusia Site development plan for Subdivision, which includes approximately 60 acres, was approved by the City in 2003. The site development plan for subdivision provides for a mix of commercial, office and residential uses to support development of a Community Activity Center. Design standards require pedestrian oriented development and village character. The proposal does not promote Policy 6 in that the proposed LRF is neither pedestrian friendly nor village character. The proposal to replace office use with parking and truck bay access and truck loading is also inconsistent with Policy 6 in that it is inconsistent with the design standards and zoning.***

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 proposed large retail facility (LRF) would be a relatively intense use for the area, especially since it would stand-alone. The subject LRF's full access through local residential streets is incompatible with roadway function. Generally access is extremely limited especially for an LRF, local roadways (Learning and Mirandela Rds.) would provide access and are not sufficient for truck traffic or for the volume of customers nor are they approved for the nature and volume of traffic. Proximity of open space and the Bosque could lend the subject site to a less intense use. The proposal does not further CCSDP Policy 5.***

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 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 building would be larger and taller than other buildings in the immediate area (scale), is not clustered and does not comply with design regulations. It is not compatible with the built environment (Bosque School, Riverside or with the Bosque). The proposal does not further Policy 4.a.3.***

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.

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.

***The proposal generally 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.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, with the majority of parking fronting Coors Blvd. The request does not further 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 St. Pedestrian connections within the site are minimal. Connections to future commercial and/or office uses are generally not emphasized in the site design. Auto access is favored over pedestrian access and connections. The proposal does not further CCSDP Policy 4.b.7.***

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

***The proposed building architecture would not contribute to the overall visual environment. The proposed building blocks views of the Bosque. Plaza areas do not have views of the Bosque or the Sandias Plaza areas do not enhance the site or create true gathering places. The proposed LRF is a typical national big box with a large parking area between Coors Boulevard and the building and does not enhance the overall visual environment of Coors Blvd. The proposal does not further CCSDP Policy 4.b.10.***

#### ***Analysis***

The proposed subdivision is inconsistent with the vision and development goals established in the design standards for North Andalucia at La Luz (p. 2 and 3 of the site development plan for subdivision).

**The proposed Tract 2-A, at approximately 11.5 acres, would be much larger than the other proposed tracts and is being replatted in order to accommodate a large retail facility (LRF). The primary goal for North Andalucia 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 were intended to allow a mixture of uses and flexibility, but with a secure 300’ O-1 buffer between**

C-2 uses and Bosque school and to result in a pedestrian scale and 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 s.f. 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 in excess of parking allowed, and not functionally connected to future buildings on the site. Therefore, the proposed site development plan for subdivision amendment does not fulfill the design standards' primary goal either.

The subdivision is permitted to have 23.3 acres of C- 2 uses maximum and exceeds that amount. Res 270-1980 is not complied with.

Tract 5 is approved for a credit union and drive-up facility. Banking and a drive up are C-2 uses not O-1 uses. Compare 14-16-2-15 (O-1) and the code section for C-2, 14-16-2-17A(13)(c) ("Banking, loaning money, including pawn. Drive-in facilities included on the condition the vehicle movement plan is approved by the Traffic Engineer.") The total of C-2 uses exceeds the maximum allowed by the zoning. Now applicant proposes to create 11 tracts (total 22.51 acres) not including the credit union. Applicant also does not count a drivepad between Tracts 2C and 3A. This is not land dedicated to a public street but is used for access to the C-2 uses so should be counted to the total C-2 uses and platted. It is not. Total C-2 uses exceed 23.3 acres. Applicant proposes to divide the O-1 buffer tract into other tracts and to devote some of the O-1 land to parking for the LRF and other to C-2 or C-3 uses such as loading dock and truck access and the LRF itself. A zone change is required for these use changes and for the total increase in C-2 uses which exceeds 23.3 acres. The owners of Tract 4, 5 and 6 have not signed the application and therefore are not part of this re-subdivision application. This is not permitted.

The proposed addition of the O-1 Tract to a C-2 Tract and to use the O-1 area for truck access and loading is also inconsistent with the design standard goals.

### *Access Study*

Montaño Rd. is classified as a Limited Access Roadway at this location by the Mid-Region Council of Governments (MRCOG). A request for access on a limited access roadway must be made to the Transportation Coordinating Committee (TCC), which considers the request and forwards it to the Metropolitan Transportation Board (MTB) for a decision. As of this writing, which is 1½ years after this was first proposed, the City has not requested a new access; sponsorship is needed to get the request to MRCOG for consideration. This "proposed access should not be assumed for purposes of the EPC review.

Three plaza areas are proposed, two near the northern side of the subject site and one along the main (western) façade. The northern plaza areas are listed as 1,454 sf and 1,581 sf. Staff calculated approx. 980 sf for the corner area on the western side and approx. 1,048 for the corner area on the eastern side, for a total of 2,028 sf, including landscaping. Plaza areas are also proposed north and south of the main entrance. They are approx. 1,750 sf (listed as 1,720 sf) and 1,300 sf (sf not called out), respectively. The entrance plaza areas have landscaping, benches and some shade. The plazas do not meet the requirements of the WSSP or subdivision guidelines.

## **X. SITE DEVELOPMENT PLAN FOR SUBDIVISION, DESIGN STANDARDS**

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 Andalusia at La Luz Site development plan for Subdivision (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 change the existing design standards but does not meet them.

The proposed site development plan for building permit for Tract 2-A must comply with these design standards (see Sheets C-2 and C-3).

### **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 natural conditions, preserve views of the Sandias and Bosque and leave open space. Site development plans for building permit shall be consistent with the design standards and be approved by the Environmental Planning Commission (EPC).

**The proposed site development plan does not fulfill the primary goal or achieve a mixed-use community. Though pedestrian accessibility is technically provided, a village-type character would not be created or maintained. 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. Views of the Bosque are not maintained but are blocked. The pharmacy drive-up is inconsistent with the village character and pedestrian standards.**

**As proposed, the site development plan for building permit is inconsistent with the primary goal of the design standards.**

### **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 proposed amenities, ex. benches and pedestrian-scale lighting, appear to be inconsistent in style. The overall design is auto oriented not pedestrian and/or village. Special paving materials are used in places (ex. textured, colored concrete) as required, but not in others; labeling is inconsistent. There are opportunities to incorporate public art at the roundabouts and the plaza areas. Plaza areas should be central and a real quite place. As proposed the site development plan for building permit is inconsistent with the goal of creating a pedestrian-friendly environment.**

### **Trails and Sidewalks:**

Trails and sidewalk systems are a defining element.

**Trails and sidewalks are not defining elements. It is unclear if all pedestrian pathways are designed to be handicap accessible as required; the site development plan does not define symbols and labeling is inconsistent. Pedestrian crossings shall be clearly demarcated with special paving treatment where they cross vehicular entrances and drive aisles. Such a crossing is lacking on the northern side of the north-south street, but is required. Also, textured colored concrete is required across drive-aisles; the proposed striping is insufficient and does not comply.**

Parking:

The intention is to lessen the impact of parking on the land; careful attention should be paid to parking design. Parking should be broken into smaller areas to lessen its impact.

**The total parking is over the maximum with transit reduction. Parking design maintains the primary auto orientation.**

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., though the grade difference from the roadway to the site creates 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 overall landscape is not complimentary to the Bosque and/or near environmental conditions.**

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.

**SEE STAFF CONCERNS**

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. This is not pedestrian friendly. Handicap ramps shall be provided at each intersection. Near the site's NE corner and NE middle area, handicap ramps are not provided on both sides of the intersection.**

**SEE ALSO STAFF CONCERNS**

Transportation Demand Management (TDM):

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

**Businesses with more than 50 employees are required to provide designated carpool spaces.**

***Conclusion of Analysis:***

Overall, the proposal is inconsistent with the primary goal of achieving a village character.

**XI. ANALYSIS—LARGE RETAIL FACILITIES (LRF) REGULATIONS**

**SUBSECTION (D)(1)- APPLICABILITY.**

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

**These regulations apply because the proposed building, at 98,901 sf, meets the definition of a LRF (Zoning Code §14-16-1-5) and would be new construction [ref: (D)(1)(a)(1)].**

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

This Subsection establishes three levels of 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.

**The subject site for B.P. is zoned SU-1 for C-2, O-1 Uses and PRD (20 dwelling units/acre). Primary and full access to Coors Blvd., a principal arterial, is required. The application proposes to provide the primary access through local residential streets to the full access intersection at Learning Rd. The LRF does not have the required access.**

#### **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.

**The subject site would be divided into four blocks. The largest, where the building is proposed, measures approx. 397 ft. by 610 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. The proposed main structure, however, covers approx. 53% of the block, so block expansion is not allowed in this case.**

(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.

**A second landscape buffer is not proposed on the eastern side of the north-south internal road (3) and pedestrian-scale lighting needs to be more integrated with the site- meaning more evenly distributed. None is provided near the entrance, but should be for safety and aesthetic reasons (6).**

**SUBSECTION (D)(4)- DEVELOPMENT PHASING AND MIXED-USE COMPONENT.** Not provided. See TRNA letter of March 3, 2012 Tab 9.

**The proposal does not include phasing or 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.

(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.

**The majority of parking is proposed between the building and Coors Blvd. and dominates the Building and development. The proposal is not generally consistent 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.

**SEE STAFF COMMENTS**

(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 were all connected; in some places they do not connect but are required to. A pedestrian access from Coors Blvd. is needed to ensure safety and convenience to and from the street. The drive-aisle crossing at the building's SW corner is shown as 6 ft. and is required to be at least 8 ft. wide. Pedestrian crosswalks are required to be constructed of patterned concrete; the perhaps most important crosswalks leading from the parking lot to the building entrances are striped asphalt. The proposal does not comply.**

(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.

The space provided does not function as a public space.

(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.

**A note needs to be added to Sheet C-4 to indicate that outdoor retail display will not be allowed.**

**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 landscape buffer is proposed along Coors Blvd. and along the western side of the north-south internal road, but there is no "20 ft. wide landscape buffers with a double row of trees. The proposal does not comply.**

(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 is 436 ft. long. The above-mentioned elements are required along at least 218 ft. The proposed patios near the main entrance and near the building's NW corner are recessed the minimum 20 ft. and measure 145 ft. and 75 ft., respectively, for a total of 220 ft. However, the NW recessed area is mostly uncovered, so it would not function effectively as a patio. Retail suite liners and display windows are not proposed. The request does not comply.**

# TIMOTHY V. FLYNN-O'BRIEN

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October 4, 2012

## **HAND-DELIVERED**

Environmental Planning Commission  
c/o Ms. Carmen Marrone  
Division Manager, Current Planning  
City of Albuquerque Planning Department  
600 2nd Street NW  
Albuquerque, New Mexico 87102

**RE: Project No. 1003859**

Dear Ms. Marrone:

Please include this letter and exhibits in the record provided to the EPC.

Taylor Ranch Neighborhood Association opposes both the requested subdivision amendment and the site plan for building permit for a large retail facility. The proposed LRF does not comply with the access requirements of the ordinance. Both the proposed LRF and site plan for subdivision amendment (to accommodate a large retail facility) do not comply with the design standards of the subdivision or with requirements of the West Side Strategic Plan. On October 18 we hope to present an organized presentation and to avoid duplication. We are urging the public with whom we are in contact to listen to our presentation and not to speak if they do not have a new argument as to an issue or a new point, new perspective or new evidence. We hope our efforts will help to minimize repetition. We understand that your time is important and we deeply appreciate the attention and time you are devoting to this most critical matter.

**1. The Proposal Does Not Meet §14-16-3-2(D)(2)(b), the LRF Access Requirement of the Zoning Code.**

*"Large Retail Facilities* containing 90,001 to 124,999 sq. ft. net leasable area are:  
... (2) Required to be located adjacent to and have primary and full access to a street designated as at least a collector ...and having at least four through traffic lanes...."  
(emphasis added).

Silver Leaf proposes to locate a 98,901 square foot large retail facility (LRF) on proposed Tract 2A. Tract 2A does not have full access to a collector. Coors is a controlled access road. Silver Leaf argues, however, that there is full access at the Learning Road intersection and that

that intersection satisfies the access provision. Ms. Garcia testified in January 2012 that since *the subdivision* has access that the proposed LRF meets the full access requirement. That is incorrect. The ordinance states that the LRF is required to be adjacent to the collector and required to have the primary and full access to the collector. Did the City Council intend to say subdivision when they required the LRF to have access? The City Council has decided that Ms. Garcia's statements are not binding on the EPC, that her statements were not declaratory rulings and that the EPC should interpret the access provision itself. *See* City Council Notice of Decision dated September 6, 2012 (Exhibit 1)

Under New Mexico law there are three rules for interpreting an ordinance. The plain language of the ordinance is the primary indicator of legislative intent. *High Ridge Hinkle JV v. City of Albuquerque*, 119 NM 29, 888 P.2d 475 (Ct. App 1994) (*Hinkle I*) (1998) ¶5. If the terms are not ambiguous the inquiry stops there. *Id.* The second rule is to give persuasive effect to long-standing administrative constructions. The third is that where several sections are involved they must be read together so that all parts are given effect. *Id.*

In simple grammar the subject of the sentence is the "large retail facility". The ordinance language requires the *large retail facility* to be located adjacent to the collector and that the *large retail facility* must have primary and full access to the collector. Under the plain language it is the large retail facility that is required to meet the access standard. The analysis of whether the City Council intended that the EPC substitute "subdivision" for "large retail facility" in that sentence should start with the definition of large retail facility provided by the City Council in the Zoning Code:

**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.

The definition distinguishes between structures in shopping center sites and those not in shopping center sites. The plain language identifies two different situations: (1) an LRF is a retail structure with 75,000 or more square feet except when (2) the 75,000+ structure is in a shopping center site in which case the entire shopping center site is defined as the LRF. A shopping center site is not any group of retail stores and is not necessarily limited to retail establishments. It is defined by the Zoning Code and does not include premises zoned SU-1 except for an LRF regardless of the zone.<sup>1</sup> Thus, under the plain language whether the LRF is the

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<sup>1</sup> A "shopping center site" is defined by the Zoning Code as: "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 ...."

*structure OR the shopping center site* depends upon whether the building is in a pre-existing shopping center site. Nothing in the definition support defining the LRF as the subdivision.

In sum, under the definition of LRF, the LRF structure, that is, the tract on which it is located (or LRF site), must have the full access unless there is a pre-existing shopping center site in which case the shopping center site is the LRF and must have the access. This is not a shopping center site so the LRF itself, that is, the tract on which it is located, is required to have full access to a collector. Even though the proposed tracts north of Mirandela are not a shopping center site, as that term is defined in the Zoning Code, it could be argued that they are a "premises". The Zoning Code defines "premises" as: "Any lot or combination of *contiguous lots* held in single ownership, together with the development thereon; there may be multiple occupancy." (Emphasis added) Even if the tracts north of Mirandela were considered a premises, and "premises" substituted for "LRF" that premises would not meet the access requirement because those tracts do not have full access to Coors. Tracts south of Mirandela are not part of the same "premises" as those north of Mirandela because they are not contiguous.<sup>2</sup> In sum, the tract proposed for the LRF in this case does not have full access to either Coors or Montano. Even assuming a "premises" north of Mirandela, the premises would not have the full access required to Coors or Montano.

**The Applicant Cannot Claim Access Through Learning Road to Satisfy the Primary and Full Access Requirement.** To claim full access at Learning Road proponents have posited (1) that the Council really meant "site plan for subdivision" when it required *large retail facilities* to meet the access requirement; or (2) that since Learning Road was planned as an access to the subdivision that it should be counted as meeting the LRF access requirement; or (3) that since a vehicle can get to the Learning Road intersection from the LRF by traveling on local roads that getting thereby local roads meets the LRF primary access requirement. These rationales do not meet the plain language of the primary and full access regulation.

The claim that the access requirement is met if the subdivision has access is not supported by the plain language of §14-16-3-2(D)(2)(b). The Council used the term "large retail facility" in defining what is required to have "primary and full" access--not "site plan for subdivision". The Council did not use the terms large retail facility and site plan for subdivision interchangeably. See, for example, §14-16-3-2(D)(3) where the Council used the term "site plan for subdivision" so the Council clearly knew the difference between the terms.

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<sup>2</sup> As set forth above a "premises" requires contiguous lots in joint ownership. The definition of "contiguous" in the Zoning Code is "Abutting or separated by no more than an alley." Since a local street (which is more than an alley) separates properties south of Mirandela from those north of Mirandela they are not contiguous and not part of the same premises.

The claim that Learning Road was always intended to be an access point for Andalucia so Learning Road meets the LRF access requirement lacks support in the plain language and in logic. The historical intent in the dedication of Learning Road is irrelevant to whether or not Learning Road satisfies the access requirements of the Big Box ordinance.<sup>3</sup> The argument that as intended access satisfies the “primary and full” access requirement is also not supported by logic. It is a classic non sequitur, that is, “an inference or a conclusion that does not follow from the premise,” or “a statement containing an illogical conclusion.” *Dowell v. Bd. Of Educ. of Oklahoma City Pub. Schools*, 890 F.2d 1483 (10<sup>th</sup> cir. 1989) quoting Random House Dictionary of the English Language, 1317 (2d unabr. ed. 1987).

The claim that the access requirement is met if a vehicle can get to the Learning Road intersection from the proposed LRF by traveling on several local streets, is not supported by the plain language, by reading the ordinance as a whole or by the history and purpose of the ordinance. Section 14-16-3-2(D)(2)(b) requires that *the LRF* be adjacent to and have “primary and full access” to a collector. The plain language of the “primary and full access” provision requires that the access be *from the LRF to the adjacent collector*, not from the LRF to local roads and then to the full access intersection. The dictionary definition of “primary” is “first in importance” or first in order of sequence. The use of the term “primary access” indicates that the access cannot be indirect, that is, through other streets that are not four through lane collector streets. [If indirect local road access was sufficient the ordinance would say so.] Reading indirect access into the ordinance makes the word “primary” superfluous. “The statute must be construed so that no word and no part of the statute is rendered surplusage or superfluous.” *Stang v. Hertz*, 81 N.M. 69, 463 P.2d 45, 50 (N.M. App. 1969). The requirement that the LRF have primary and full access to the collector means that the LRF must have full access to the collector – not access to local streets that eventually have full access to a collector.

Reconciling other provisions of the ordinance also supports this interpretation. *See High Ridge Hinkle JV v. City of Albuquerque, supra*, ¶5 (where several sections are involved they must be read together so that all parts are given effect). The ordinance provides that local road access is permitted in only one situation not applicable here. The access provisions for all sizes of LRFs, require full access to one or more collectors depending on the size of the LRF.<sup>4</sup> The

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<sup>3</sup> Learning Road was dedicated before the Big Box ordinance was passed so there could have been no intention that Learning Road would satisfy a regulation that did not exist at the time. To the extent “intent” is relevant the original concept for development of this property was, as the design guidelines provide, for a village character, pedestrian scale and a pedestrian friendly development, not a big box. The “original intent” is demonstrated by contemporaneous development plans of a pedestrian village. *See Exhibit 2*

<sup>4</sup> For a 75,000 to 90,000 square foot facility “primary and full access” to a collector with at least two through traffic lanes is required. §14-16-3-2(D)(2)(a). For a 90,001 to 124,999 square foot facility “Primary and full access” to a collector with at least four through traffic lanes is required. §14-16-3-2(D)(2)(b). For a facility containing 125,000

largest LRFs are required to have full access to two collectors. For these LRFs required to have access to two collectors, local road access is specifically permitted for one of the collectors when direct access to that collector is prohibited by access control policies and the local road does not pass through a residential subdivision. §14-16-3-2(D)(2)(c)(4) (“If access control policies prohibit access onto one of the adjacent roadways, a local road may be used as access if it has access to at least two roadways that are identified on the Long Range Metropolitan Transportation Plan, *does not pass directly through a residential subdivision* and at least one of the intersections is signalized.”) (Emphasis added). If full access to the collector included indirect access to the collector via local roads then there would be no need for a specific provision allowing local road access instead of direct access in the very limited circumstances set forth in the regulations. [Under the rules of construction, this section must be read in harmony with other relevant provisions of the Zoning Code.] This (1) demonstrates that primary and full access to the collector cannot be via local roads; and (2) in the limited circumstance that local road access is permitted [which is not applicable here] it cannot be through a residential zone.<sup>5</sup> The local road access proposed here passes through a residential zone.

The Big Box ordinance was intended to address problems related to traffic congestion and noise and compatibility that have adversely affected neighborhoods. See C/S2 O-06-53 §1 (Findings). The purpose of the access regulations is to “protect the quality of life within surrounding residential areas” and to “discourage traffic from cutting through residential neighborhoods.” §14-16-3-2(D)(2). In construing statutes Courts may consider “the structure, context, history[,] and background of the statute, as well as the likely policy implications of various constructions.” *State v. Burke*, 2007 NMCA-093, ¶7, 142 N.M. 218, 164 P.3d 99, rev’d on other grounds by 2008-NMSC-052, 144 N.M. 772, 192 P.3d 767. See also *Baker v. Hedstrom*, 2012-NMCA-073, ¶17, *cert. granted*, No. 33,635 (July 20, 2012). To allow “primary” access through local streets is inconsistent with the stated purpose of the ordinance and specific purpose of the access provision.

For the above reasons, the claim that Learning Road access meets the access requirements because the subdivision has access, because of original intent in platting or by local road access is not supported by the rules of construction.

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square feet or more the facility is required to be located within 700 feet of two collectors and have “full access to these roadways.” §14-16-3-2(D)(2)(c).

<sup>5</sup> Under the Zoning Code 14-16-1-5 Definitions, “Zone, Residential” is defined as:

The RO-1, RO-20, R-1, MH, R-t, RG, R-3, RA-1, RA-2, RC, and RD zones; and the segments of the SU-1, SU-2, and SU-3 zones where the predominant use allowed in a subarea is residential. (Emphasis added).

The predominant use allowed in the subarea south of Mirandela, under the plans approved by the EPC, is residential. See Exhibits 3a; 3b.

**2. Discretion.** The above discussion is that the proposed LRF is not allowed because it does not meet the access criteria. If the LRF does not meet the access criteria the EPC cannot approve it. However, regardless of the EPC's decision as to whether the proposal complies with the minimum access requirement, the EPC has the discretion to deny the application if the EPC determines that the development is not appropriate for other reasons, for example, design, scale, lack of pedestrian orientation, absence of village character, inadequate access, lack of substantial furtherance of City plans, etc. In our presentation on October 18, we will discuss all of these issues but because a review of the TIS requires reference to the TIS, I will briefly discuss some access issues that require cross-reference to the TIS.

**a. The Site Has Access Limitations That Are Sufficient to Support Denial.**

According to the TIS, the development will result in 18,987 new commercial trips (not counting trips from the residential apartments).<sup>6</sup> According to the TIS update, p. A-6 the total trips including apartments is 19,507. I will use the lower number that does not include the residential apartments for this analysis. Since vehicles both enter and exit this is a total of 37,974 trips. This is a significant number of vehicle trips for a development when the purported primary access passes through a residential zone.

The Montano driveway does not exist. The plans show a proposed driveway between Coors and Winterhaven. The TIS attributes 19.55% of exiting traffic to this "driveway". TIS p. A-34, Exhibit 4b. 19.55 % of exiting traffic is a significant number. (Approximately 3,711 vehicles.) The problem is that the driveway does not exist and violates MRCOG policies. **The EPC cannot and should not approve any application premised upon an access that has not been approved-especially without knowing where those vehicles will exit and the effect thereof.** The TIS (p. A-34) also attributes 18.88% of exiting traffic to Winterhaven. *Id.* The Winterhaven<sup>7</sup>/Montano access is not permanent, however. Access to Montano at Winterhaven will cease to exist with the Coors/Montano grade separation. *See* General Note 7 page C-1 of application. ("When future grade separation is constructed. Access will no longer be allowed to Montano Road from Winterhaven, consistent with the Long Range Roadway System.") This means with grade separation there will be no Montano access at all. In sum, the TIS attributes over 38% (19.55) + 18.88% = 38.43%) of exiting traffic to a nonexistent

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<sup>6</sup> TIS, A-83, Exhibit 4a Trip Generation Data. Per the Update p. A-6 the total including 220 apartments (the approval was for more than 220) is 19,507. Pass-by trips are not deducted in this calculation because the reduction for pass-by trips is not relevant to the total number of vehicles *entering and exiting the development* via local roads and driveways. Pass by trips account for vehicles already passing by on Coors or Montano and the deduction may be relevant to delays at the Coors/Montano intersection but not to the number of vehicles entering and exiting the development.

<sup>7</sup> Applicant shows Winterhaven at Montano as Mirandela. There is one access to Montano Road at Winterhaven/Mirandela.

driveway and a limited intersection scheduled for closure with grade separation. This represents 7,297 vehicles exiting to go east on Montano that will have to use one of the Coors exits and pass through the Coors/Montano intersection-further exacerbating delays at that intersection. The additional delays occasioned by these 7,297 vehicles have not been measured by the TIS or by the City. This demonstrates that this site is a difficult site that, while at a major intersection, has very limited access.

With regard to entering traffic the TIS attributes 21.66% of entering Walmart traffic to the Coors southbound left turn at Mirandela (TIS p. A-33, Exhibit 4c) This left turn access has rarely been utilized as there has been no development but the approval for the left turn access expressly provides that it can be closed if it affects traffic or safety.<sup>8</sup> In other words this access is subject to change and 21.66% of entering traffic will only be able to enter through Learning Road. The TIS already assigns 10.53% of incoming traffic to Learning Road. Adding these two totals together the entering traffic at Learning Road is 32.19%. What affect will this have on Learning Road delays? On Coors traffic if there is insufficient stacking in the left turn bay at Learning Road? What effect will 32% of *entering* traffic have on the residential zone? This does not include exiting vehicles.

The TIS acknowledges that 19.79% of Walmart/LRF traffic will exit through Learning Road and 32.689% of total development retail traffic will exit at Learning Road. TIS pp. A-31 and A-34, Exhibit 4b. This does not include incoming traffic. *See* TIS p. A-30 Exhibit 4c attributing 10.53% incoming traffic to Learning Road. This also does not include the 21.66% southbound Coors traffic “assigned” to the left turn at Mirandela who will-if that is busy or closed-use Learning Road. All of this Learning Road traffic will bisect a residential zone. The City threshold for cut-through traffic is 1,500 vehicles per day and far exceeded by the vehicle trips entering and exiting Learning Road. Exhibit 4d. This is just too much traffic for any local residential street and is in of itself, a sufficient basis for denial.

In sum, the TIS does not reflect existing access points as it relies on a non-existent access to Montano Road and does not explain the effect of closures at Winterhaven or the left turn at Mirandela. The TIS does not, therefore, provide sufficient analysis for the EPC to approve the development but does provide sufficient data to deny the project because of the effect on Learning Road and the residential local roads. Approval of the project would amount to adoption of a policy decision that a TIS can be based on nonexistent access. It would amount to a policy decision that the City need not evaluate the effect of a proposed closure on the only existing access to a major arterial. Approval will put thousands of vehicles on a local residential street to get to the “primary” access

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<sup>8</sup> *See R-05-15 MTB* (Exhibit 5) at page 3, No. 3.

with the consequences of traffic, noise and safety on that residential neighborhood. The City has existing problems with traffic in neighborhoods. The EPC site plan approval process is designed to anticipate and avoid such problems.

**b. Profile in Congestion.** MRCOG has identified this section of Montano as the second most congested and Coors as the eighth most congested corridor in the metropolitan area. This was mentioned in testimony in January. To ensure that the underlying data is in the record and available to the EPC, the MRCOG study “A Profile in Congestion: The 30 Most Congested Corridors in the Albuquerque Metropolitan Planning Area” is attached as Exhibit 6.

**c. Design and Scale.** As will be discussed at the hearing in more detail, the Comprehensive Plan and West Side Strategic Plan policies support a pedestrian scale, pedestrian friendly, fine-grain, walkable, mixed-use development. It should enhance vistas and improve the visual environment. Parking should be on the sides of buildings. The subdivision design guidelines are more specific and require a vibrant mixed-use community that fosters a pedestrian pedestrian environment and maintains a village type (fine grain) character. The Presentation Guide for Andalucia that shows what was presented as the developer’s interpretation of the intended development. This concept is not what is now proposed but demonstrates what was envisioned and is relevant to interpretation of the design standards. (Exhibit 2)

What is proposed is auto oriented not pedestrian friendly. It is not of a village character. It lacks a genuine plaza or gathering place for the community. It does not enhance the built environment. Views of the Bosque are blocked by the large retail facility. It is not a fine grain development. The question is whether the terms or words used in plans and EPC approved subdivision plans will be given effect by the EPC. Do the terms used, including but not limited to, pedestrian, pedestrian friendly, village character, fine grain, walkable, plaza, views of the Bosque, have real meaning? Or will the site plan process become merely a counting of the numbers of trees or square feet of colored concrete without any judgment as to whether the intent of the adopted plans will be honored and achieved?

**3. Unser Crossing and Hotel Circle LRF.** Counsel for Silver Leaf has argued that the Unser Crossing and Hotel Circle LRF approvals constitute precedent or some interpretation of the Big Box/LRF ordinance binding on the City. This is incorrect. These cases do not provide precedent, i.e., administrative gloss, as to prior interpretations of LRF access regulations – or of any other issue in this case – for the following reasons:

a. Prior cases are not relevant to interpret an ordinance that is not ambiguous. The access provision is not ambiguous. *High Ridge Hinkle JV v City of Albuquerque*, 119 NM 29, 888 P.2d 475 (Ct. App 1994) (*Hinkle I*) (1998) ¶5.

b. These cases did not interpret the LRF access provisions. (See Exhibit 7a and 7b attached.) There were no findings in either case interpreting the access provisions of the Big Box Ordinance-or any other ordinance or regulation at issue in this case. When a regulation is not raised, considered, interpreted, and ruled upon the case does not constitute a precedent or administrative gloss. *Public Service Co. v. NM Taxation and Revenue Dept.*, 2007 NMCA 50, ¶45, 141 NM 520, 157 P.3d 85 (when ruling does not address meaning of term at issue the decision is not administrative gloss on that issue).

c. In the Unser Crossing case there was no opposition and in fact the neighborhood supported the development and did not question access. There are no findings in either case that the access regulation may be satisfied if the subdivision has access or that an LRF that does not have full access to a collector can use local roads to meet the access requirement. In sum, there are no findings in either case interpreting the access regulations of the Big Box ordinance or any other regulation at issue in this case so the cases are not precedent.

d. Neither the Unser Crossing nor Hotel Circle cases are analogous.

i. The Unser Crossing property has several full access points to collectors with four through travel lanes. Exhibits 7d, 7e. Unser Crossing is *one shopping center site* (SC) as defined by the zone code and shown on the Official Zone Map.<sup>9</sup> Exhibits 7c, 7e. To access the collectors from the Unser Crossing site there is no need to use local streets or local streets through residential zones. Unser Crossing has multiple direct full access points (Central, Unser, 86<sup>th</sup> Street, Bridge). The LRF had full access to Central and Bridge. There were no findings interpreting the access regulations. Exhibit 7c.

The Silver Leaf property is not a “shopping center site” as defined by the zoning code.<sup>10</sup> The distinction is significant because a *shopping center site* can be

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<sup>9</sup> The Zoning Code defines a “shopping center site” as premises zoned P, C-1, C-2, C-3, M-1, M-2, or a combination thereof or a large retail facility. The Unser Crossing property had originally been zoned SU-1 for C-2 purposes but as part of the LRF submittal the entire area was rezoned to C-2 and became one shopping center site.

<sup>10</sup> The tracts between Mirandela and Montano are not zoned P, C-1, C-2, C-3, M-1, M-2 so the area is not a shopping center site and it is not designated as a shopping center site on the Zone Map. If a large retail facility is approved the large retail facility itself would be a shopping center site-not adjacent lots.

considered a site and therefore in considering the access regulations one could look to the entire shopping center site. The Coors/Montano property is not a shopping center site. The area between Mirandela and Montano may be a “premises” (combination of contiguous lots) but even that premises would not have full access to Coors. The Learning Road access cannot be considered because the properties south of Mirandela which access Learning Road are not part of the same premises as they are not contiguous.

Unser Crossing did not involve accessing the collector street through residential zones. There were no findings interpreting the access regulations. No findings held that access for an LRF could be provided if the subdivision had access.

ii. Hotel Circle was a replacement of a prior LRF so had grandfathered rights. Exhibit 7b, Finding No. 2. No findings held that access for an LRF could be provided if the subdivision had access or through local streets. There were no findings interpreting the access regulations. *Id.*

e. Neither case is precedent as to design criteria applicable to a community activity center.

i. In those cases, there are no findings interpreting or defining a community activity center under the Comprehensive Plan or West Side Strategic Plan.

ii. Hotel Circle was a replacement of an existing LRF in a built out development. The owner had grandfathered rights.

iii. Every community activity center is not required to look identical and can respond to area needs as identified in more specific plans—such as sector plans or SU-1 site plan for subdivision. With regard to Andalucia at La Luz, the site plan for subdivision adopted specific design criteria. Hotel Circle is not governed by the West Side Strategic Plan. The design criteria adopted in the subdivision process for this property is controlling and further defines the policies as to this property but not other property. There were no such design criteria for either Hotel Circle or Unser Crossing.

**4. Findings.** While the following is not all inclusive of the issues we have raised as to minimum access requirements, we urge the EPC to find:

a. This proposed LRF is between 90,001 and 124,999 square feet so must meet the access standards of Z.C. 14-16-3-2(D)(2)(b).

b. The access requirements of 14-16-3-2(D)(2)(b) are mandatory. AC-12-10.

c. The area proposed for the LRF is zoned SU-1 and is not a shopping center site as that term is defined in the Zoning Code and is not designated as a shopping center site on the official zone map.

d. The plain language of the definition of “large retail facility” provides that if the large retail facility is in a shopping center site the entire shopping center site is the large retail facility. In that case the shopping center site is defined as the LRF by the definition of LRF in the Zone Code and the shopping center site must have the primary and full access required by 14-16-3-2(D)(2)(b).

e. If the LRF is not in a shopping center site the plain language of the definition of large retail facility provides that the large retail facility is the building. In that case the tract on which the building is located must have the required access unless that tract is part of a larger “premises” or combination of contiguous lots held in joint ownership. In that circumstance the required access could be satisfied if the premises (contiguous lots) have the required access.

f. The plain language of the access provision and reconciliation with other provisions of the ordinance requires the large retail facility to have direct full access to the collector not to a local road which has indirect access.

g. Neither the lot for the proposed LRF nor the premises/contiguous lots (all of which are north of Mirandela) have the required full access to Coors.<sup>11</sup>

h. Learning Road does not meet the requirements of §14-16-3-2(D)(2)(b) for the proposed LRF because it is not direct access from the lot for the proposed LRF nor from any contiguous lots (premises) under the same ownership. Learning Road can only be accessed by two local roads and requires passing through residential zones. The only exception permitting use of local roads is that provided in §14-16-3-2(D)(2)(c)(4). The

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<sup>11</sup> If an LRF is approved the LRF (building/site plan for building permit) becomes a shopping center site making the other shopping center regulations applicable to the site plan for building permit. Adjacent properties do not become part of that shopping center site. In this case adjacent properties are zoned such that they cannot become part of a shopping center site.

Environmental Planning Commission  
c/o Ms. Carmen Marrone  
October 4, 2012  
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plain language of the access provision does not permit access to be satisfied through local roads. Reading the several sections involved together (so that all parts are given effect) indicates that local road access does not meet the requirements of access except in the care of the exception provided in §14-16-3-2(D)(2)(c)(4), which is not applicable. Further the proposed primary access would be through a residential zone, which is not permitted even under the exception.

i. Learning Road access cannot be considered because the subdivision has access to Learning Road or because of any presumed original intent. Neither interpretation of the access provision is supported by the language of the ordinance.

**Conclusion.** Thank you again for your attention. I want to remind you of my earlier submission dated March 3, 2012 and the attachments thereto. I apologize for the number of issues raised and the volume of evidence but in past cases the developer/City have argued that every issue must be raised and evidence submitted at the EPC level. I am convinced one or two issues are determinative and would prefer to address only those issues but the process requires all issues to be raised. I will try to focus my own oral comments on a couple of major issues.

At the hearing I urge you to ask me any questions you may have either during my presentation or later. As always I see the EPC hearing as an opportunity to ensure you understand the case and arguments as fully as possible, as well as the ramifications of the decision, not just for this application but for the land use process going forward.

Very truly yours,



Timothy V. Flynn-O'Brien

TVFOB/mlg

Enclosures as stated

cc: Suzanne Lubar, Acting Planning Director  
Kevin Curran/Anita Miller  
Michelle Henrie  
Catalina Lehner  
Rene' Horvath  
Jolene Wolfley  
Joe Valles

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**Notice of Decision  
City Council  
City of Albuquerque  
September 6, 2012**

**AC-12-10** Timothy V. Flynn-O'Brien, Attorney at Law, Agent for Taylor Ranch Neighborhood Association and Westside Coalition of Neighborhood Associations appeal the March 23, 2012 Declaratory Ruling, issued by the Acting Compliance Manager, Juanita Garcia, that the Environmental Planning Commission (EPC) has authority to approve a site plan for building permit of Large Retail Facilities (LRF)

**Decision**

On August 20, 2012, by a vote of 8 FOR, 1 AGAINST, the City Council voted to send this matter back to the EPC with findings and instructions.

Against: O'Malley

On September 5, 2012, by a vote of 8 FOR, 0 AGAINST, 1 ABSTAINED, the City Council voted to adopt Findings 1 through 13:

Abstain: Garduño

1. This case had its genesis in an action before the Environmental Planning Commission ("the EPC Case"). The EPC conducted hearings regarding an application for a site plan for building permit for a proposed development. ("the Project"). The EPC case is Project No. 1003859 11 EPC 40067/40068.

2. An issue in the EPC Case was whether the Project met the access requirements required by the Zoning Code for large retail facilities. §14-16-3-2(D)(2).

3. During the hearing on the EPC case, the acting Zoning Enforcement Officer ("ZEO") testified about her interpretation of the access requirements for large retail facilities.

4. The Taylor Ranch Neighborhood Association ["TRNA"] requested that the ZEO issue a declaratory ruling with respect to access requirements for large retail facilities.

5. The ZEO is empowered by the Zoning Code to issue declaratory rulings regarding the interpretation of the Zoning Code:

    "§ 14-16-4-8 DECLARATORY RULINGS.

    (A) Upon request, the Zoning Enforcement Officer shall issue declaratory rulings as to the applicability of the Zoning Code to a proposed development or activity...

6. The TRNA asked the ZEO to issue declaratory rulings answering the following questions:

    a. "[W]hether the site for the LRF [large retail facility] as presented in project No. 1003859 11 EPC 40067/40068, is permitted at this site, specifically whether it meets the requirements [of] LRF access regulations?"

    b. "Does an LRF meet the access requirements of...[the Zoning Code] if...the site plan for building permit...does not have the required access...?"

c. Are the requirements for access to a LRF met “when the subdivision in which the LRF is proposed is zoned SU-1 and the local road access to a collector street is through residential zones?”

7. At the EPC hearing the ZEO testified that in her opinion the Project had the access required by the Zoning Code for a large retail facility. The ZEO did not issue a declaratory ruling in response to the question of whether the Project meets the access requirements for a large retail facility.

8. The ZEO issued a declaratory ruling that the access requirements in the Zoning Code for a large retail facility do not need to be met: “If a site does not meet this particular standard [for access], EPC still has the authority to approve the request.”

9. In a later explanation of the ZEO’s position on whether the EPC may approve a site that does not meet the requirements of the Zoning Code it was explained: “[T]he Planning Commission [is allowed] to make an exception to the regulations of the LRF.”

10. The ZEO finally issued a declaratory ruling that the Zoning Code does not answer the question of whether LRF access can be accomplished by local road access to a collector street through residential zones.

11. TRNA, subsequently joined by additional neighborhood associations, appealed the declaratory rulings of the ZEO.

12. The Land Use Hearing Officer [“LUHO”] heard the case and issued recommended findings and conclusions. The LUHO recommendation went beyond the narrow declaratory rulings and made policy recommendations that were not specifically at issue. Most notably the LUHO recommended that the Council should hold that declaratory rulings should not be issued when the identical issue is already being considered by the EPC or another body.

13. The LUHO recommendations were rejected by the City Council and a hearing was held by the City Council on the appeal.

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On September 5, 2012, by a vote of 8 FOR, 0 AGAINST, 1 ABSTAINED, the City Council voted to adopt Finding 14a:

Abstain: Garduño

14a. The Council finds that the ZEO did not issue a declaratory ruling, as requested, with respect to the question of whether the Project met the access requirements required by the Zoning Code for large retail facilities. §14-16-3-2(D)(2). The EPC case should proceed and the EPC should recognize that the ZEO has not made any statements, including her testimony before the EPC, that are binding on the EPC. The EPC is responsible for deciding those issues that are before it with respect to whether the Project meets the requirements of the Zoning Code.

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On September 5, 2012, by a vote of 8 FOR, 0 AGAINST, 1 ABSTAINED, the City Council voted to adopt Finding 15a:

Abstain: Garduño

15a. The Council finds that the ZEO erred in her declaratory ruling when she determined that: “[T]he Planning Commission [is allowed] to make an exception to the regulations of the LRF.” The Planning Commission is charged with interpreting the Zoning Code in reaching its decisions. When the EPC determines that the language of

the Zoning Code imposes mandatory requirements, the EPC may not waive such requirements.

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On September 5, 2012, by a vote of 7 FOR, 1 AGAINST, 1 ABSTAINED, the City Council voted to adopt Finding 16b:

Against: Harris  
Abstain: Garduño

16b. The ZEO is not prohibited from issuing a declaratory ruling with respect to issues that are currently pending resolution before a board or commission. The ZEO is not obligated to provide a declaratory ruling in such a case and should exercise discretion in determining if the issuance of a declaratory ruling in such a case is appropriate.

---

On September 5, 2012, by a vote of 8 FOR, 0 AGAINST, 1 ABSTAINED, the City Council voted to adopt Finding 17:

Abstain: Garduño

17. The City Council finds that the issue of site access will be an important issue if there is an appeal of the EPC Case. The City Council requests, but does not order, that the EPC adopt findings that fully explain its determination of this issue together with the facts that justify that determination.

**IT IS THEREFORE ORDERED THAT THE APPEAL IS GRANTED IN PART, AND DENIED IN PART.**

#### **Attachments**

1. Land Use Hearing Officer's Recommendation
2. Action Summary from the August 6, 2012 City Council meeting
3. Action Summary from the August 20, 2012 City Council meeting
4. Action Summary from the September 5, 2012 City Council meeting

## Appeal of Final Decision

A person aggrieved by this decision may appeal the decision to the Second Judicial District Court by filing in the Court a notice of appeal within thirty (30) days from the date this decision is filed with the City Clerk.

Trudy E. Jones  
Trudy E. Jones, President  
City Council

Date: 9.12.2012

Received by: Jeannette Florio  
City Clerk's Office

Date: 9.12.2012

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REC-12

1. The first part of the exercise is to find the value of the function  $f(x)$  at  $x = 1$ . The function is defined as  $f(x) = x^2 + 2x + 1$ . Substituting  $x = 1$  into the function, we get  $f(1) = 1^2 + 2(1) + 1 = 1 + 2 + 1 = 4$ . Therefore, the value of the function at  $x = 1$  is 4.



## BUILDING NEIGHBORHOODS

**N**eighborhoods are the fundamental building blocks of community. They are where we experience our family and friends. Where we shop, go to the movies, and stroll in the park. We send our kids to school there. A neighborhood is where life happens. It's interaction. It's the place where we tell people we live. We don't say, "I live on Alameda Street", we say, "I live in Nava Ade". In community planning, great neighborhoods are interconnected. Where the distinction between homes is blurred by creating subtle transitions between them. Where attention to the architectural details on all homes, reduces the apparent difference in income and helps allay the fear that lower property values are inevitable when proximity exists between two different users. In a true neighborhood, families who move up to bigger homes might choose to stay in "their" neighborhood, close to friends, rather than face the prospect of starting all over again somewhere else.

Our goal at "Andalucia" is to create a neighborhood that's compact and pedestrian friendly. It will contain a mix of uses, so that many of daily activities occur within walking distance of one another. Streets will be designed to encourage walking. The neighborhood will include a range of housing types and price options, so that a true mix of society is possible, strengthening personal and civic bonds essential to authentic communities. Public gathering spaces should be distinctive and centrally located to reinforce community identity. There should be different types of open space, ranging in size from small

parks to tot-lots to ball fields, as well as a community garden. It should provide safe connections to the Bosque and Rio Grande. Andalucia will be a place to shop, with other amenities within walking or bicycling distance. Residents and their children have choices for getting where they want to go, rather than having to depend solely on their automobiles.

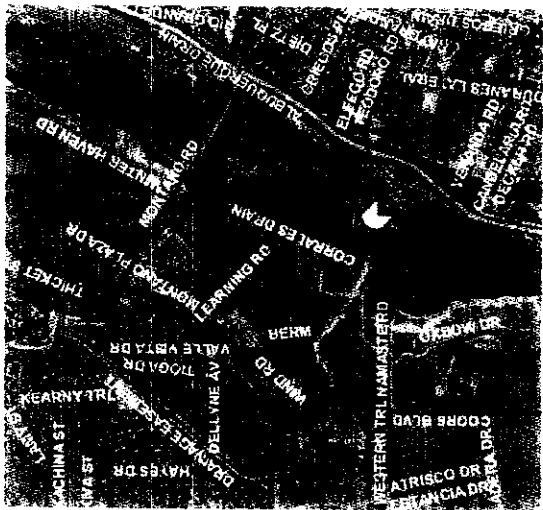
Today, technology allows us to change the form of our cities and communities with increasing speed. The changes that once occurred over the course of centuries, can now occur in a matter of decades. The pattern of growth that led to the development of cities such as Charleston, South Carolina, or Savannah, Georgia, can be re-created, for good or ill, in a matter of years, as in Celebration, Florida, or Harbor Town in Memphis, Tennessee.

As a case in point, Santa Fe has survived many upheavals, yet it endures as a livable town with much appeal for its citizens and the many tourists who visit it each year. The allure of the historic district, with its crowded streets, shops, and restaurants, requires that we take a long look at a method of design that has been abandoned in favor of more modern theories. In fact, a place like East-side Santa Fe could probably not even be built under today's standardized zoning regulations.

Community design is the art of making places sustainable and livable, that both thrive and adapt to people's needs for shelter, livelihood, commerce and recreation. The nature of community design suggests some predetermined intention, rather than haphazard coincidence. Yet, it is more than the simple adherence to a set of rules for development or a means for implementing the political-will of local government. It is the merging of what we know about ourselves, with what we know about our neighbors, when we choose to live in close proximity to one another.

Community is about independence and dependency, it is about architecture and landscape. It is about understanding and building on what we know. It is about creating a better place to live.

The sketches on the following pages illustrate some of our initial concepts for Andaluçia, and our vision for it as an important place in Albuquerque.



*Street Names*



*Flood Zone*



*Aerial*

*Andalucia*  
ASW REALTY PARTNERS, LLC

EXHIBIT 2

## BUILDING NEIGHBORHOODS

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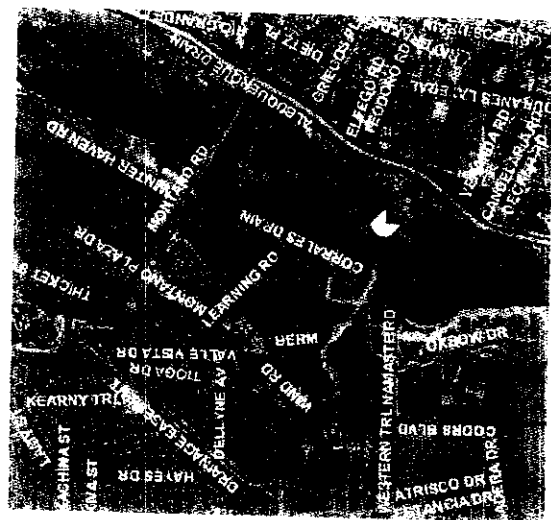
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Street Names



Food Zone



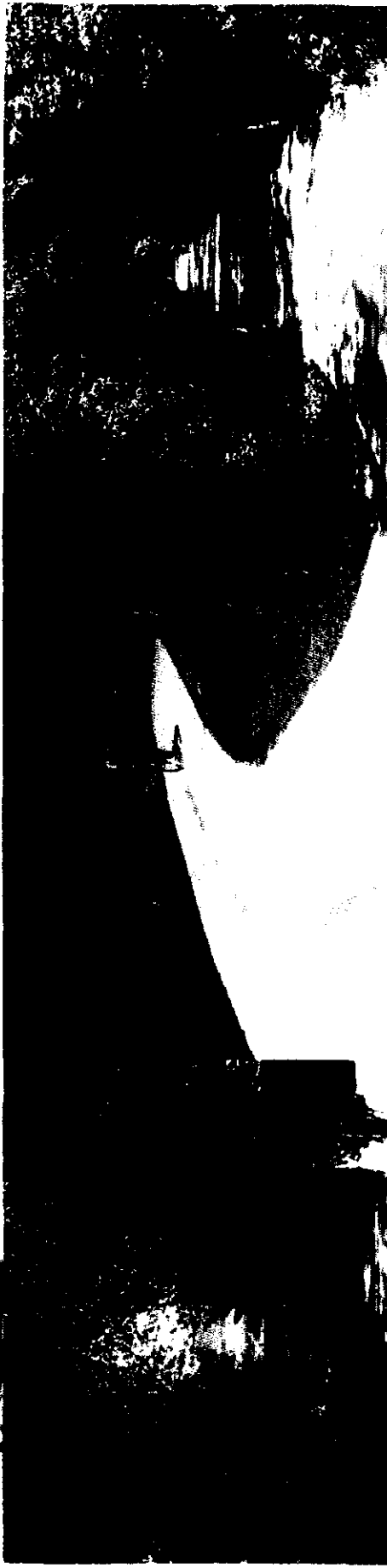
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# Andalucía

ASW REALTY PARTNERS

## Trails

- An overall master landscape plan incorporating native plants, irrigation, greenways and well defined parks creates continuity of design & maximizes sustainability throughout the entire site.

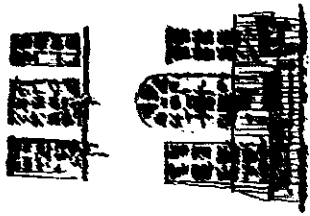
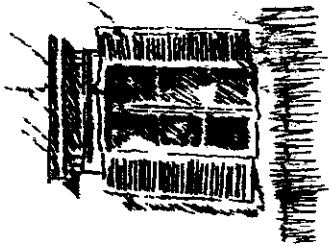
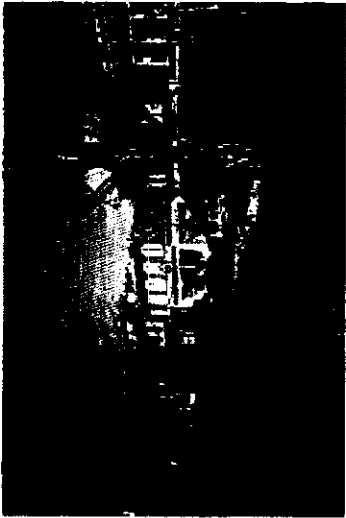


- Preservation of open views to the river and wildlife habitat.

- Connections between neighborhoods and the Basque via parks and greenways.

# Andalucia

SW AREA LANDSCAPE ARCHITECTS



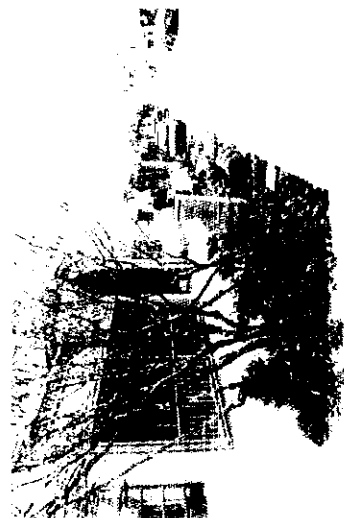
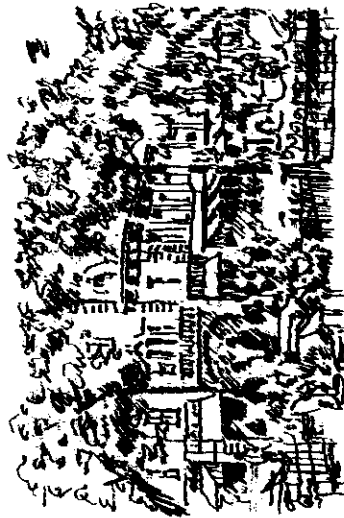
## Streets

• A place to walk

Street & roadway layout have an impact on the community far beyond their costs of construction.

• Benches, wide sidewalks, closely spaced trees, decorative streetlights and signage reinforce the pedestrian-centered character of the place.

• Buildings arranged to form a high-quality, well defined streetscape.



Andalucia  
REALTY PARTNERS L

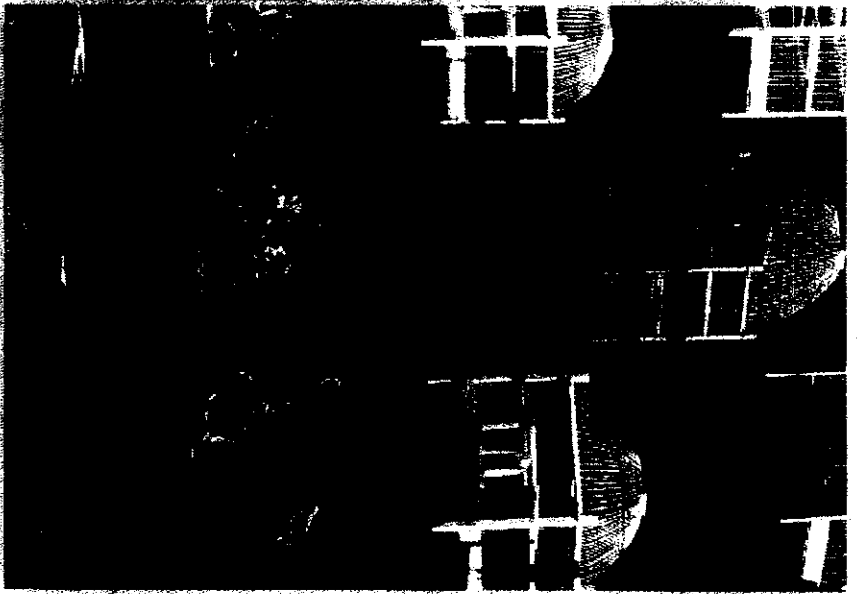
## Parks

- Small parks on each block
- Plazas
- Safe places for children to play
- A place to interact and participate in the community.



Andalucia  
A SW REALTY PARTNERS





## Color

- The color of buildings creates character, variety, & diversity.
- A variety of natural earth tones & accent colors.



**Andalucia**  
ASW REALTY PARTNERS LLP

## Housing

- House design should both reflect the vernacular architecture of New Mexico and incorporate the conveniences of modern living.

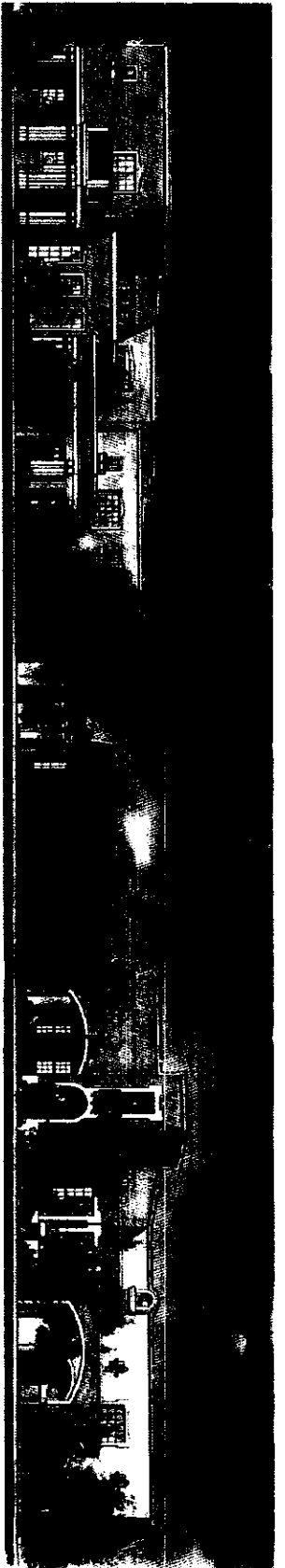


The house should have a front that addresses the street.

- Porches & front porches promote community & a sense of neighborhood.

# Andalucia

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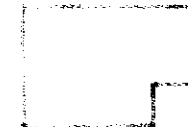
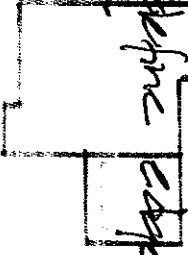
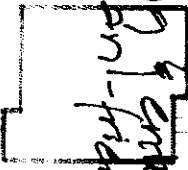
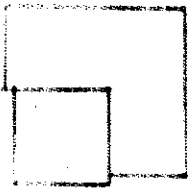


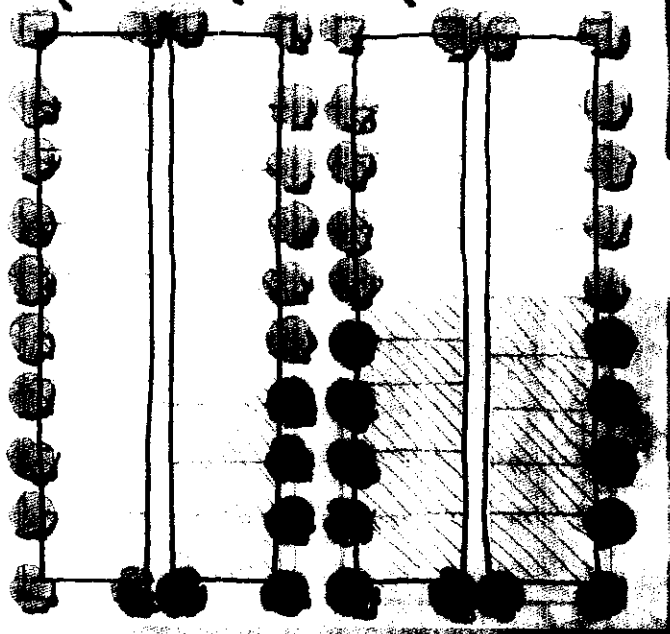
The garage door placement at or behind the facade of the house emphasizes the front door, not the garage door.

Some alleys allowing automobiles to be stored in garages at the rear of homes.

De-emphasizing garage door by side-loading garage

Fencing & entry gates define edges to a pedestrian-friendly street

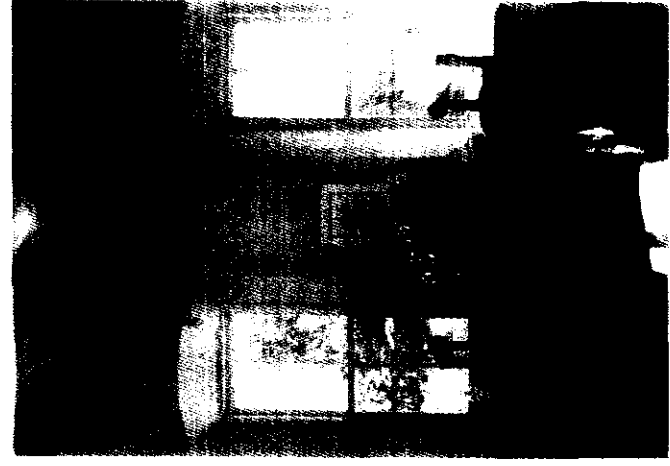




- Variety of lot width creates architectural diversity.
- There should be a variety of housing types & sizes.
- Architectural character & diversity.



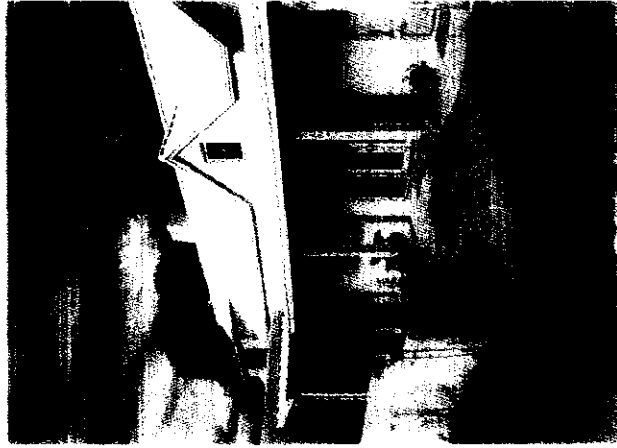
• A variety of home prices should be mixed within the same neighborhood.



# Andalucia

• Interior quality of light & material textures.

• Designing signature homes for the corners of blocks creates character & variety.

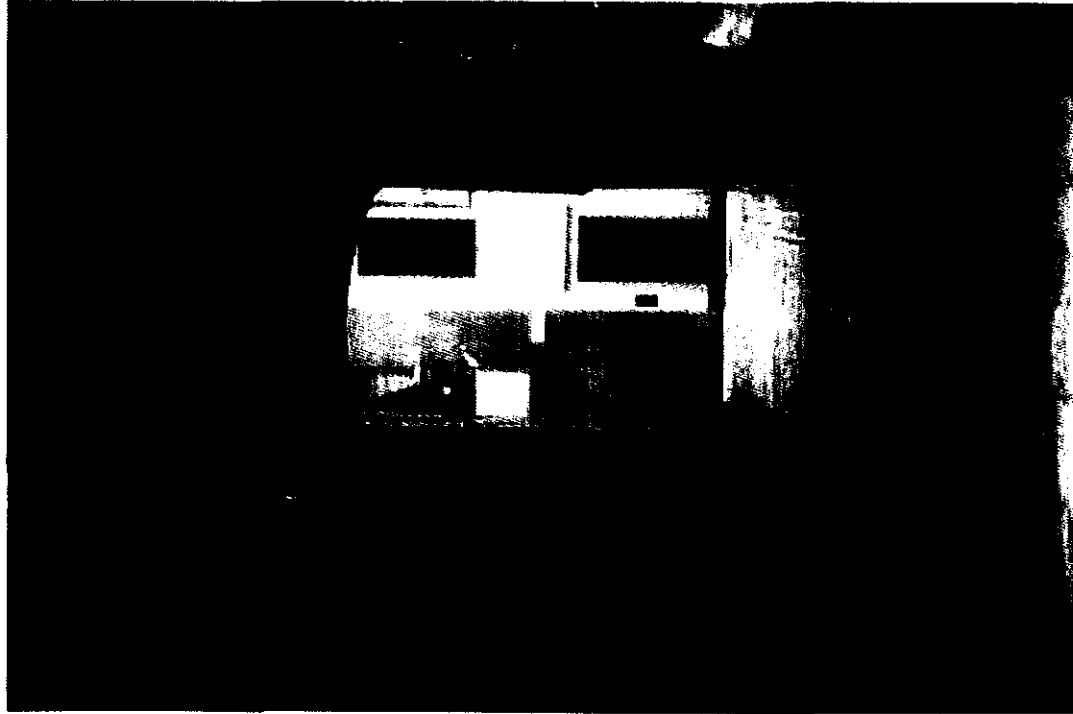


• House design should include solar orientation to maximize solar gain in the winter & adequate shade for summer cooling.

# Andalucia

## Commercial

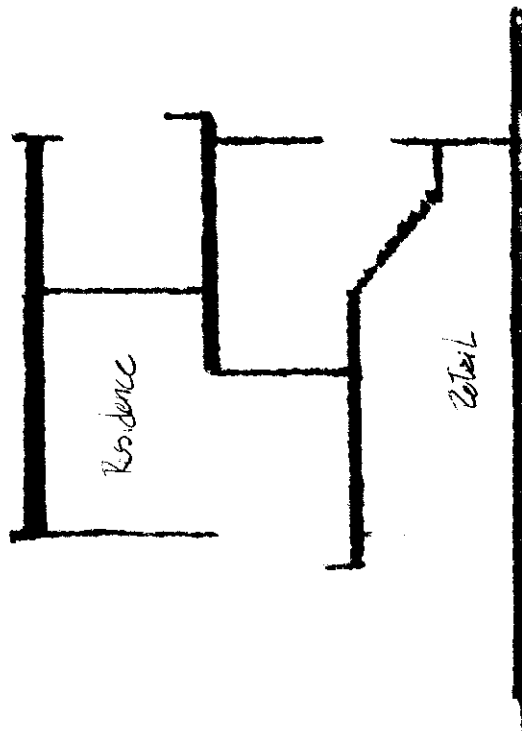
- Neighborhood amenities within walking distance.
- Small shops
- Buildings face the street de-emphasizing strip mall-like parking.
- Deep windows that create depth & shadow on building facades.



Andalucia



- Building Transparency - large windows & doors create inviting buildings.
- Residences over main street shops will generate day & evening activity as well as a richer variety of urban architecture.

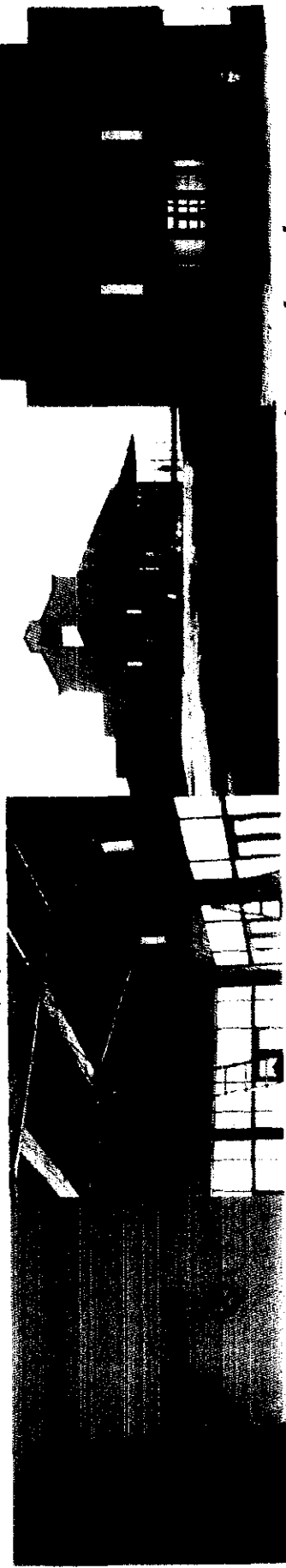


Andalucia  
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• Designing signature buildings for the corners of blocks creates landmarks and unique points of interest along a well-defined streetscape.

• Main St.



Andalucia



### Mixed Use/Loft

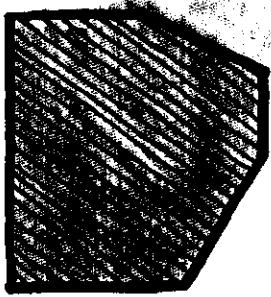
- Residences over Main Street shops will generate day & evening activity.
- Open floor plan
- Transitional building - take the streetscape from commercial to residential.
- Alternative living choice

# Andalucia

NEW REALTY PARTNERS

## Common Gardens

- Gardening reconnects us with nature and our agricultural roots.
- Common gardens as focal points of the community.
- Inexpensive and healthy sources of food.
- Gardens promote community involvement, pride, and a way to meet others in the community.
- Weekend farmer's markets



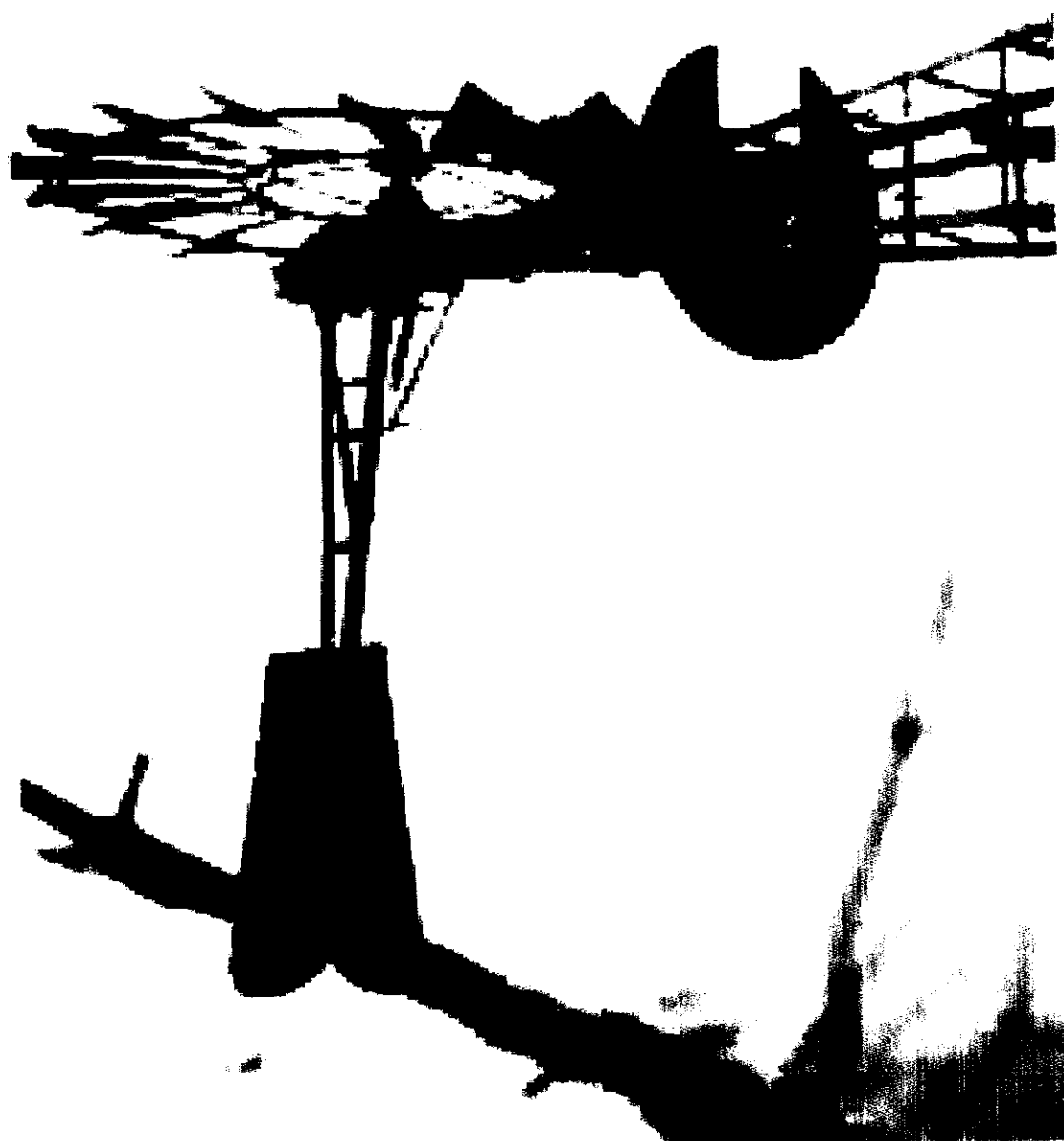


## Home Landscaping

The terraces, mulch, vegetation and permeable outdoor areas are great ways to catch water and help create an attractive landscape.



Andalucia  
ASW REALTY PARTNERS LLC



## DEVELOPMENT APPROACH

# ASW

's approach to any new neighborhood is to first understand the context and ecology of the land.

The ecology not only in terms of its relation to the natural environment, but the built-environment and surrounding communities. Our job is to find a way to be compatible without mimicking the surrounding generic suburban environment. Andalusia can be a wonderful place, a very distinct and distinctive place that will offer an alternative to surrounding communities. Most of contemporary Albuquerque development displays a few southwest touches, but could be built in almost any western American city. Once we understand the character of the place as it is, we can envision a future.

Our goal will be to build a neighborhood within a city, one that reflects the history and traditions of Albuquerque, and its unique setting on the Rio Grande. We will also bring the best of current thinking about urban design.

Many planners approach land planning as a technical exercise of satisfying the requirements of the planning, public works and traffic departments. But sometimes it is more important to understand how to manipulate the regulations than follow

blindly. Regulations, at least until recently, have been designed to provide a level of public safety and conformity, but often do not address the more important issues of creating community. Understanding traffic patterns is important, but it is more important, in designing a neighborhood, to understand how a street system can create and reinforces a "sense of place" in the neighborhood. In many ways, streets are more important than buildings in defining urban character. The fact is that typical street designs work against the neighborhood—they are too wide, with turning large turning radii that result in vast paved surfaces. Similarly, large front yard setbacks serve little functional purpose, but are designed to create separation and anonymity.

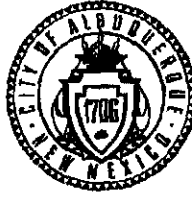
In home design as well, the problems are not technical in nature. Controlling costs is important—after all the buyers need to be able to afford the homes—but it is more important to understand the difference between value and cost. Larger is not always more spacious. Understanding buyer preferences is important, but it is more important to design homes that are individually interesting, but combine to create a cohesive neighborhood.

## STEPS IN THE DEVELOPMENT PROCESS

The following is an outline of the steps we will take in generating a plan for the property:

- **Analysis**
  - Market Analysis
    - What are the missing gaps in the current supply?
    - What are the underlying growth trends?
    - How can this property best meet current demands
  - Site Analysis
    - Development Opportunities and Constraints
    - Entitlement/Political Analysis
      - Current policies and entitlements
      - What would local officials and neighbors like to see at this site?
- **The Vision**
  - What kind of place should this become?
  - How will this place enhance the lives of future residents?
  - What role will Andalucia have in the life of Albuquerque?
- **The Master Plan**
  - Land Uses
    - Residential
      - Single Family Housing (for sale)
      - Multi Family
  - Non-residential—retail, office, other
    - Mixed Use/hybrid—live/work
  - Public Uses
    - Public Needs
- Are there city-wide needs that can be accommodated at this site?
- Needs of the Community
  - Circulation
    - Vehicular
    - Pedestrian
    - Bike
  - Phasing
    - Infrastructure
    - Development
- **Planning Approvals**
  - Master Plan
    - Land Use—maximum development potential
    - Circulation—backbone infrastructure
    - Phasing
  - First Phase Preliminary and Final Plat
- **First Phase Development**

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

Date: November 18, 2005

**OFFICIAL NOTIFICATION OF DECISION**

**FILE: Project # 1004473**  
05EPC-01567 EPC Site Development Plan-  
Building Permit

Aegis Realty Group  
15305 N. Dallas Parkway, Suite 300  
Addison, Tx, 75001

**LEGAL DESCRIPTION:** for all or a portion of  
Tracts 4 & 6, **North Andalucia at La Luz**, zoned  
SU-1 for O-1, C-2, and PRD 20 DU/AC, located  
on COORS BLVD. NW, between MONTANO  
ROAD NW and LEARNING ROAD NW,  
containing approximately 24 acres. (E-12)  
Carmen Marrone, Staff Planner

On November 17, 2005 the Environmental Planning Commission voted to approve Project 1004473/  
05EPC 01567, a Site Plan for Building Permit for Tracts 4 and 6, North Andalucia at La Luz, based on the  
following Findings and subject to the following Conditions:

**FINDINGS:**

1. This is a request for approval of a Site Development Plan for Building Permit for a 23.5-acre site identified as Tracts 4 and 6, North Andalucia at La Luz. The site is located on the east side of Coors between Montano and Learning Road NW. The site is currently undeveloped and is zoned SU-1 for C-2, O-1 and PRD (20 du/acre max.).
2. The applicant proposes to develop 105 condominiums on Tract 4 and 300 apartments on Tract 6 for a gross density of 17.2 du/acre. The proposed use is allowed under the current zoning and land use designation.
3. The site is part of a larger site plan for subdivision for Tracts 1 thru 9, North Andalucia at La Luz (*Project #1003859*) that requires EPC approval of all subsequent site plans for building permits within the subdivision. The current request for site plan for building permit is subject to the design standards associated with the site plan for subdivision

OFFICIAL NOTICE OF DECISION  
NOVEMBER 17, 2005  
PROJECT #1004473  
PAGE 2 OF 7

4. The subject site falls within the Established Urban Area (300' adjacent to Coors) and the Developing Urban Area (remainder of the site) of the *Comprehensive Plan*. The goals and policies for both areas are the same. Previous actions of the EPC recommend lower density residential development south of Learning Road and higher density residential development north of Learning Road, adjacent to the designated Montano/Coors Activity Center.
5. The request is in conformance with Policy 5a of the *Comp. Plan* by providing medium-high residential density (17du/acre) within the Andalucia Master Plan, which extends from Montano Road to Namaste Road, in order to create an overall average residential density of 5 du/acre.
6. The request furthers Policy 5d of the *Comp. Plan* by complying with the approved site plan for subdivision that governs this site, by providing a minimum 35' wide landscape buffer along Coors to respect the natural environment, by providing access from Mirandela Road, thus relieving traffic on Learning Road, by maintaining mountain views from Coors Boulevard, and by providing parks, trails and other recreational activities throughout the site. Although the intent of Policy 5d is met, the La Luz Landowners Association feels that the location, intensity and design of the proposed project do not respect their values.
7. The request furthers Policy 5e of the *Comp. Plan* because the project is contiguous to existing or programmed urban facilities, as indicated in the Public Facilities/Community Services Map provided. These facilities will help maintain the integrity of existing neighborhoods. Other roadway projects needed in the area include redesign of the Coors/Montano intersection and grade separation at Montano/Winterhaven.
8. The request provides cluster housing in order to provide larger shared open areas as recommended in Policy 5f of the *Comp. Plan*. The applicant is required to provide 18.8 acres of open space per the SU-1 zoning of the site. Of the 18.8 acres, a minimum of 1.86 acres of *usable* open space is required to be provided on the site. The applicant provides 11.5 acres of usable open space on the site, well over the minimum required amount.
9. The request furthers Policy 5g of the *Comp. Plan* by conforming to the existing topography and by including trail corridors in the development. The buildings adjacent to Coors will sit 13' below Coors in order to preserve the mountain views from Coors.
10. Higher density housing is appropriate on the site per Policy 5h of the *Comp. Plan*, because the site is within and adjacent to a designated Community Activity Center, the site has excellent access to the major street network, and because the high density housing will serve as a transition between single-family homes to the south and more intensive commercial development to the north.
11. The request furthers Policy 5k of the *Comp. Plan* by limiting access to Tracts 4 and 6 from Antequera Road and by providing a second access from Coors at Mirandela Road, thus minimizing harmful effects of traffic, livability and safety of the established neighborhood and Bosque School. Since access to both tracts can only occur from Antequera Road, traffic will be contained between Coors and Antequera Road and will not extend eastward into the private section of Learning Road.

12. The request complies with Policy 5l of the *Comp. Plan* by providing a quality design that is appropriate to the area and in compliance with the design standards established in the site plan for subdivision. High quality materials and subtle earth tones will be used on the buildings and interior garages will be provided to minimize visual impacts of surface parking.
13. The site design will preserve the mountain views and will improve the quality of the visual environment per Policy 5m of the *Comp. Plan*. Internally, the site design provides several amenities such as pocket parks with turf, a trail network and an abundance of trees and landscaping to enhance the quality of the visual environment.
14. The northern portion of the site (most of Tract 4 and a small portion of Tract 6) is within the boundaries of the designated *Montano/Coors Community Activity Center*. The request furthers the goals for Activity Centers by providing high-density residential development adjacent to the Activity Center in order to help "fuel" the Activity Center and to reduce auto travel needs per Policy a. In addition, the request conforms to Policy b for Activity Centers by providing medium-high residential density adjacent to the Activity Center, which will serve as a transition to lower density residential neighborhoods south of the site. And finally, the request furthers Policy i by providing multi-unit housing in an Activity Center to complement the more intense uses within the Activity Center.
15. The *Comprehensive Plan* identifies Coors Boulevard, adjacent to the site, as an Enhanced Transit Corridor. The request furthers the goals for Enhanced Transit Corridors by providing high-density residential development near jobs that will be generated by the adjacent Montano/Coors Activity Center in order to promote a more balanced circulation system (Policies a.7 and b), by providing additional dwelling units adjacent to Coors to encourage transit ridership (Policy c), and by providing pedestrian and bicycle amenities throughout the site to encourage non-motorized travel conditions (Policy g).
16. The *West Side Strategic Plan* provides goals and policies to help guide development of the subject site. The subject request will serve to protect views and clean air per Goal 6 while providing a framework to build a sustainable community where residents will be able to live, work, shop, play and learn together per Goal 10. The site is adjacent to an Activity Center that will provide jobs and services to the future residents of the project and is close to Open Space and trails to provide opportunities for playing and learning. The request will also fulfill the objectives for Goal 12 by providing several on-site amenities that will help promote a sense of community and quality of life for residents of the project. These amenities include pocket parks, trails, swimming pools and club houses equipped with media rooms, meeting rooms and full service kitchens. In addition, the requirement of Policy 2.5 is met, based on the applicant's demographic analysis and APS's short-term plans to relieve overcrowding of the affected Middle School and High School.

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PAGE 4 OF 7

17. The subject site is within Segment 3 of the *Coors Corridor Plan*. The request complies with the land use goals of the Plan by providing cluster development that is compatible with the existing zoning and recommended land use and that is consistent with the design standards of the site plan for subdivision (Issue 3, Policies 5 and 7). The request also complies with the Urban Design policies and regulations in Issue 4 of the Plan regarding views, site planning, architecture, landscaping, off-street parking, lighting, and signage.
18. The request complies with the design requirements of the governing site plan for subdivision to achieve a vibrant, mixed-use community that fosters pedestrian accessibility and maintains a village-type character.
19. The applicant is required to provide 18.8 acres of open space per the SU-1 zoning of the site. Of the 18.8 acres, a minimum of 1.86 acres of *usable* open space is required to be provided on the site. The applicant provides 11.5 acres of usable open space on the site, well over the minimum required amount. In addition to the on-site open space provided, the applicant will be required to provide 7.3 acres of detached open space per Section 14-16-3-8(A) of the Zoning Code.
20. Tract 6 provides the exact amount of parking required which could pose a problem for visitors.
21. A facilitated meeting between the applicant and affected neighborhood associations was held on November 3, 2005. Affected neighborhoods continue to have concerns regarding overall traffic on Coors and the quantity and calculation of open space.
22. Records are and will be available that identify the frequency and nature of incidents at the intersection on Coors 1,400 feet south of Montano for the purpose of determining the utility of the left-in. If it is determined that the left-in does not meet acceptable safety standards, then the provisions of Sections 3 and 4 of The Metropolitan Transportation Board R-05-15 may be implemented by either the City or the NMDOT.
23. The applicant agrees to work with the City and the La Luz Community to address traffic and access at the intersection of Learning Road/Anteguera Road and the access to the La Luz community.

**CONDITIONS:**

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.

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NOVEMBER 17, 2005  
PROJECT #1004473  
PAGE 5 OF 7

2. The site plan for building permit shall comply with the applicable design requirements of the governing site plan for subdivision.
3. Remove Keyed Note "O" on Sheet 1 since it is a duplicate of Keyed Note "E".
4. Show the number of 3-bedroom units on the parking table on Sheet 1. This should be consistent with the open space table on the same sheet.
5. Provide a bike rack in front of the clubhouse on Tract 6, on the public side.
6. Transit will add a bus stop at Mirandela Road at a location to be coordinated with the applicant. The applicant shall install a bus shelter and associated bench and trash can at that stop that is acceptable to the Transit Department.
7. Provide an additional pedestrian pathway from the northwest corner of Tract 6 to Learning Road or Antequera Road.
8. Provide clearly demarcated crosswalks across all four legs at the major intersections, including at Learning Rd and Antequera, at Antequera and the entry drives, and at the roundabout at Antequera and Mirandela. The crosswalks at the roundabout should be about one car-length back from the roundabout. ADA-accessible pedestrian refuges should be provided wherever crosswalks cross medians or the roundabout splitters
9. A note shall be added to the open space table explaining the length of the 35' landscape buffer along Coors. The applicant is required to provide additional, detached open space as per Section 14-16-3-8(A) of the Zoning Code, to be quantified on the site development plan prior to final sign-off at DRB.
10. CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT, WATER AUTHORITY and NMDOT:
  - a. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for.
  - b. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan for subdivision. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
  - c. Provide 22' width entering and 22' exiting at entrance to Tract 4 (single access point). Maintain two access points at all times to Tract 6. Second gated access point (not main entrance) to Tract 6 will require a queuing analysis to determine appropriate gate location. Provide turn around for vehicles not able to enter development at this location.
  - d. Right turn and/or left turn lanes may be required at site driveways on Antequera Road (public). Provide queuing analysis to determine.

- e. Per Transportation Development Staff, completion of the required system improvements that are attributable to the development, as identified in the TIS, is required.
  - f. Site plan shall comply and be designed per DPM Standards.
  - g. Construction of the bicycle lane along Coors Boulevard adjacent to the subject property, as designated on Long Range Bikeways System map.
  - h. Construction of the fourth northbound travel lane on Coors Boulevard adjacent to the subject property consistent with the Coors Corridor Plan (see figure 6).
11. The applicant shall provide additional landscaping along Learning Road, opposite the public trail, in the form of 7 additional shade trees.

**IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY DECEMBER 2, 2005 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED. IT IS NOT POSSIBLE TO APPEAL EPC RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE EPC'S RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE EPC'S DECISION.**

Appeal to the City Council: Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department within 15 days of the Planning Commission's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If they decide that all City plans, policies and ordinances have not been properly followed, they shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

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

Successful applicants should be aware of the termination provisions for Site Development Plans specified in Section 14-16-3-11 of the Comprehensive Zoning Code. Generally plan approval is terminated 7 years after approval by the EPC

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PAGE 7 OF 7

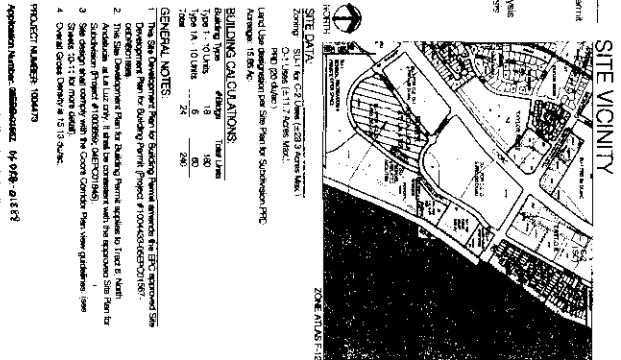
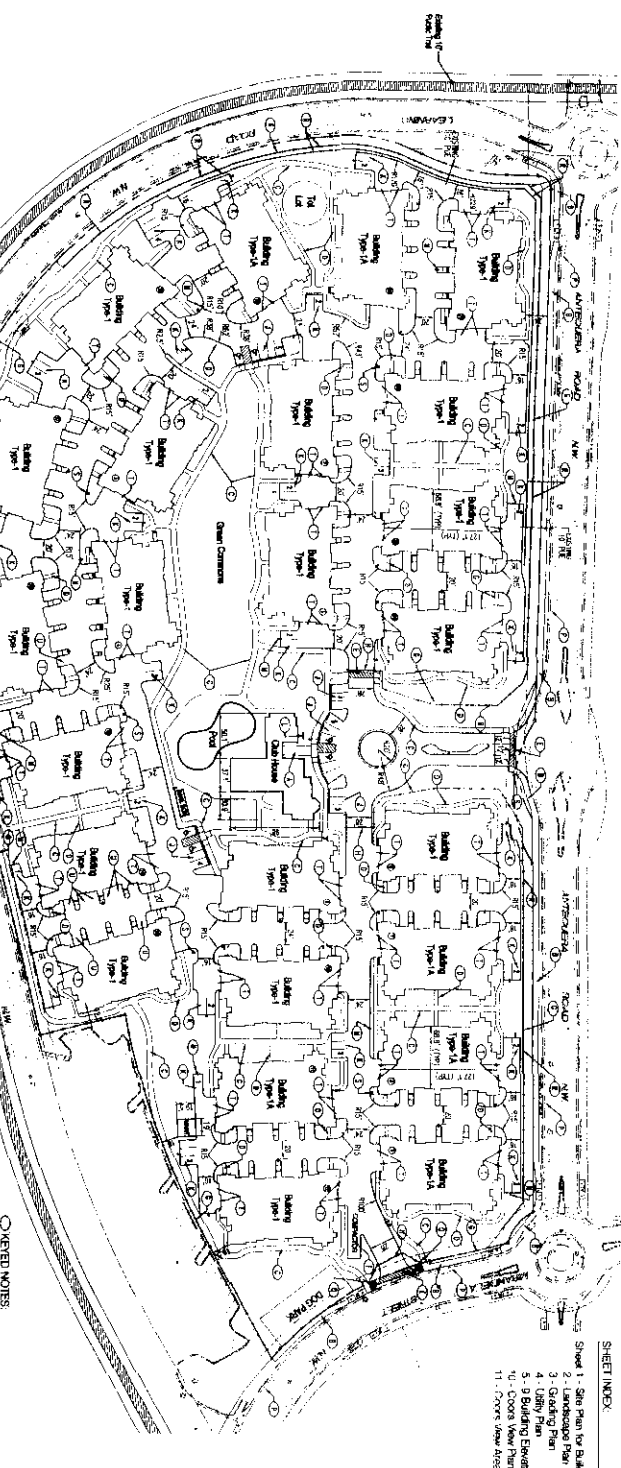
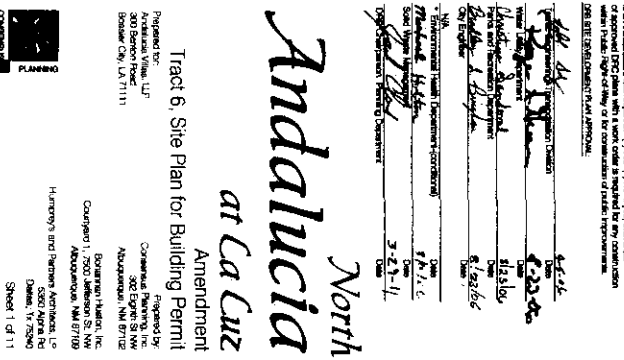
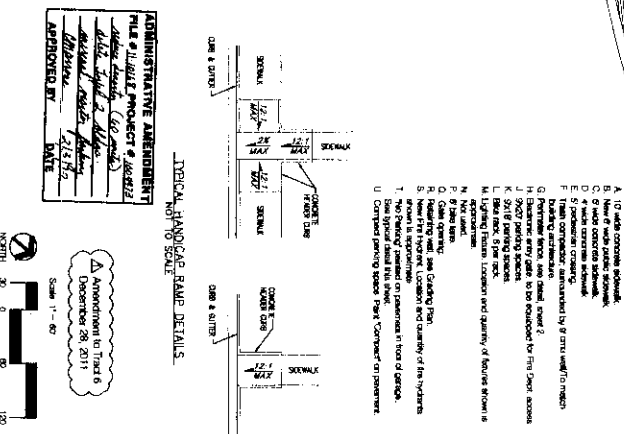
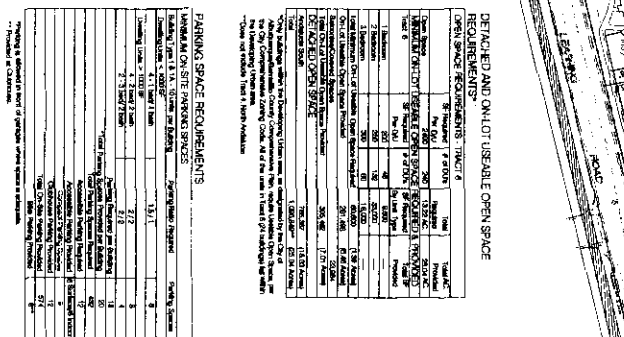
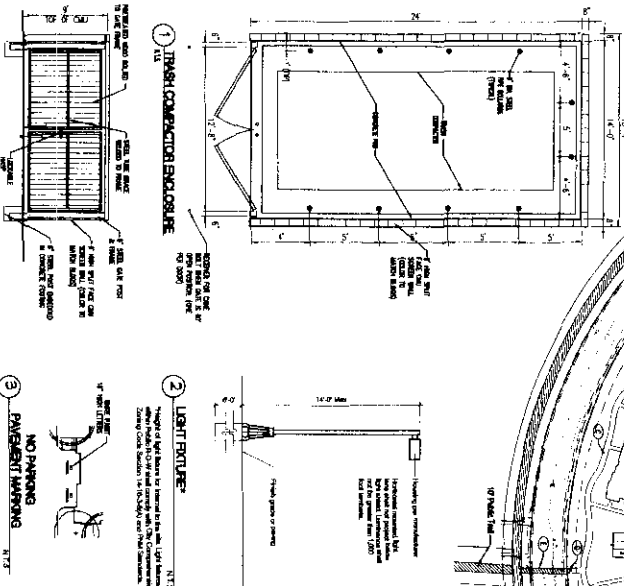
Sincerely,

  
Richard Dineen  
Planning Director

RD/CM/ac

cc: Consensus Planning, 302 8<sup>th</sup> St. SW, Albuquerque, NM 87102  
Rae Perls, La Luz Landowners Assoc., 15 Tennis Court NW, Albuquerque, NM 87120  
Bruce Masson, La Luz Landowners Assoc., 13 Arco NW, Albuquerque, NM 87120  
Bill Jack Rodgers, Taylor Ranch NA, 8308 Cedar Creek Dr. NW, Albuquerque, NM 87120  
Jolene Wolfley, Taylor Ranch NA, 6804 Staghorn Dr. NW, Albuquerque, NM 87120  
Edward Totoro, La Luz Del Sol NA, 36 Mill Rd. NW, Albuquerque, NM 87120  
Ray A. Graham, One Wind NW, Albuquerque, NM, Albuquerque, NM 87120  
Andrew Wooden, 8 Arco NW, Albuquerque, NM 87120  
Rene Horvath, 5515 Palomino Dr. NW, Albuquerque, NM 87120







## Andalucia Tract 6 - Daskalos Development

### Trip Generation Data

COMMENT	USE (ITE CODE)	24 HR VOL		A. M. PEAK HR.		P. M. PEAK HR.	
	DESCRIPTION	GROSS	ENTER	EXIT	ENTER	EXIT	
Summary Sheet							
		Units					
Bldg. A	Supermarket (850)	44.00	4,337	92	59	249	239
Bldg. B, C, E, H, M	Specialty Retail Center (814)	46.00	2,006	150	191	58	74
Bldg. D	Drive-In Bank (912)	4.00	1,563	54	41	127	127
Bldg. F, G, L	Shopping Center (820)	134.00	8,214	114	73	366	396
Bldg. S	Drive-In Bank (912)	0.00	-	-	-	-	-
Bldg. J, K, N, P, Q, R	High Turnover (Sit-Down) Restaurant (832)	22.00	2,867	106	98	143	96
Subtotal Commercial			18,987	516	462	943	932
Pass-by Trip Adjustment		30%	(5,696)	(155)	(139)	(283)	(280)
Adjusted Commercial Trips			13,291	361	323	660	652
Residential	Apartment, Post-1973 (220)	500.00	3,131	40	211	194	95
Total New Trips			16,422	401	534	854	747

NOTE: Trips from South Tract have been excluded from this Table

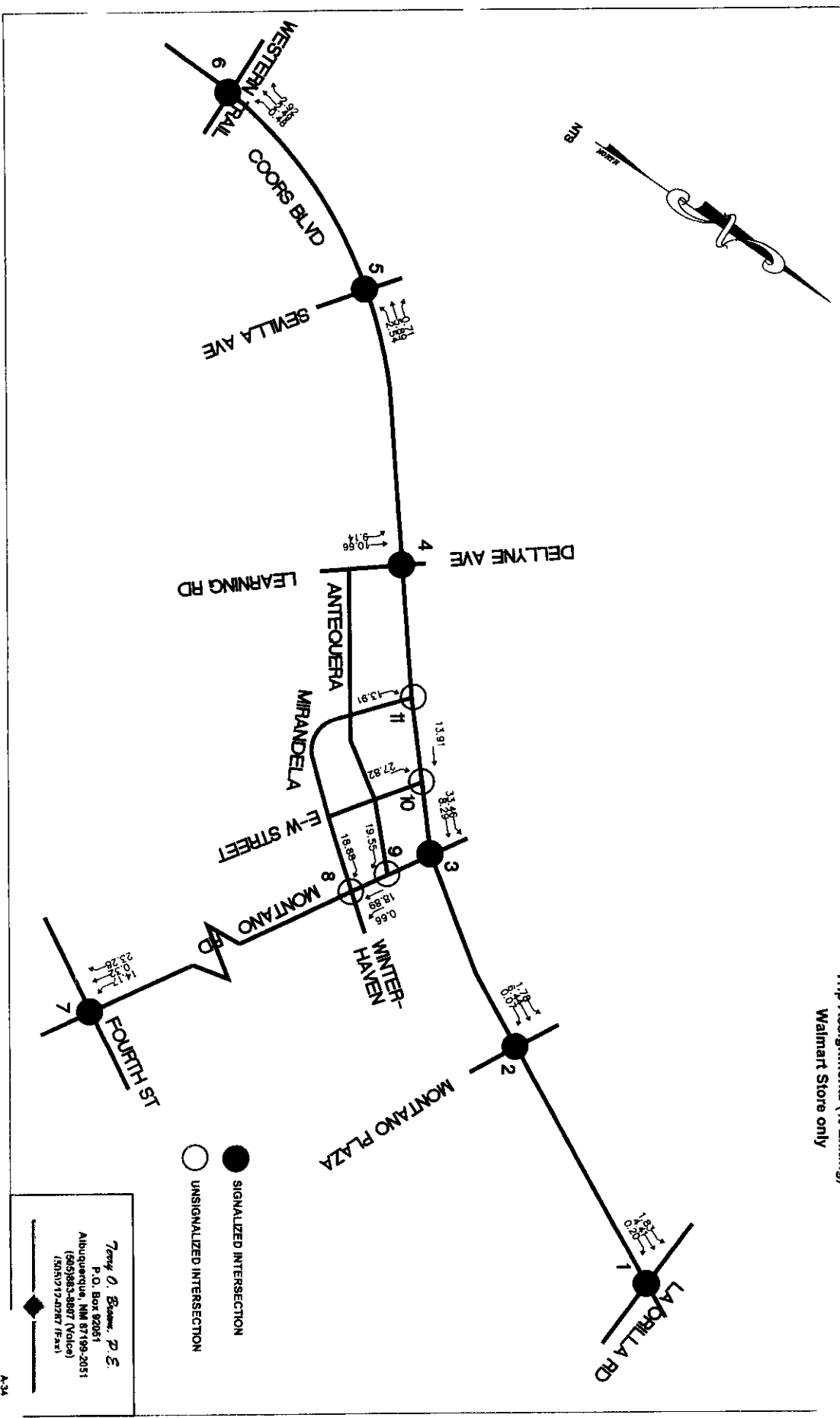
**Andalucia, Tract 6 Update (Montano / Coors)**  
**Trip Generation Data (ITE Trip Generation Manual - 8th Edition)**

COMMENT	USE (ITE CODE)		24 HR VOL	A. M. PEAK HR.		P. M. PEAK HR.	
		DESCRIPTION	GROSS	ENTER	EXIT	ENTER	EXIT
<b>Summary Sheet</b>			Units				
Walmart (Grocery)	Supermarket (850)	40.00	4,070	88	56	251	241
Walmart (Dry Goods)	Free-Standing Discount Store (815)	59.00	2,363	43	20	148	148
NORTH TRACT	Shopping Center (820)	70.24	5,398	76	49	246	256
NORTH TRACT	Drive-In Bank (912)	3	418	16	12	40	42
NORTH TRACT	High Turnover (Sit-Down) Restaurant (932)	24.10	3,064	144	133	159	110
SOUTH TRACT	Drive-In Bank (912)	12.37	1,833	86	67	160	160
SOUTH TRACT	General Office Building (710) - Less than 51,000 S.F.	10.00	147	18	2	4	20
Apartments	Apartment, Post-1973 (220)	345	2,214	35	138	135	73
<b>Subtotal</b>			<b>19,507</b>	<b>506</b>	<b>477</b>	<b>1,143</b>	<b>1,050</b>
<b>Subtotal (Commercial Trips)</b>			<b>17,146</b>	<b>453</b>	<b>337</b>	<b>1,004</b>	<b>957</b>
Pass-by Trip Reduction 30%			(5,144)	(136)	(101)	(301)	(287)
Net New Commercial Trips on Adjacent Transportation System			12,002	317	236	703	670
New Office Trips on Adjacent Transportation System			147	18	2	4	20
New Residential Trips on Adjacent Transportation System			2,214	35	138	135	73
Total New Trips on Adjacent Transportation System			14,363	370	376	842	763
Net New Trips Utilized in Original Traffic Impact Study			19,363	502	620	1,038	906
Net Increase (Decrease) in Traffic Generated			(5,000)	(132)	(244)	(196)	(143)
Percentage Increase (-Decrease) in Traffic Generated			-26%	-26%	-39%	-19%	-16%
<b><u>NORTH TRACT (Walmart et al)</u></b>							
Trips Generated by North Tract			15,313	367	270	844	797
Pass-by Trip Reduction 30%			(4,594)	(110)	(81)	(253)	(239)
>> Net New Commercial Trips on Adjacent Transportation Syste			10,719	257	189	591	558
			76.72%	79.41%	83.59%	80.87%	
<b><u>SOUTH TRACT</u></b>							
Trips Generated by South Tract			1,980	104	69	164	180
Pass-by Trip Reduction (Commercial ONLY) 30%			(550)	(26)	(20)	(48)	(48)
>> Net New Commercial Trips on Adjacent Transportation Syste			1,430	78	49	116	132
			23.28%	20.59%	16.41%	19.13%	
Total Commercial / Office Trips (Adj. for Passby)			335	238	707	690	
<b><u>APARTMENTS TRACTS</u></b>							
>> Residential Trips Generated			2,214	35	138	135	73
Walmart Trips			6,433	131	76	399	389
Pass-by Trip Reduction 30%			(1,930)	(39)	(23)	(120)	(117)
Net New Wal-Mart Trips on Adjacent Transportation System			4,503	92	53	279	272
Balance of Net Commercial Trips			6,216	165	136	312	286

NOTE: Walmart Trips were separated from other commercial trips so that they could be distributed differently (based on locale of adjacent existing Walmart Stores.)

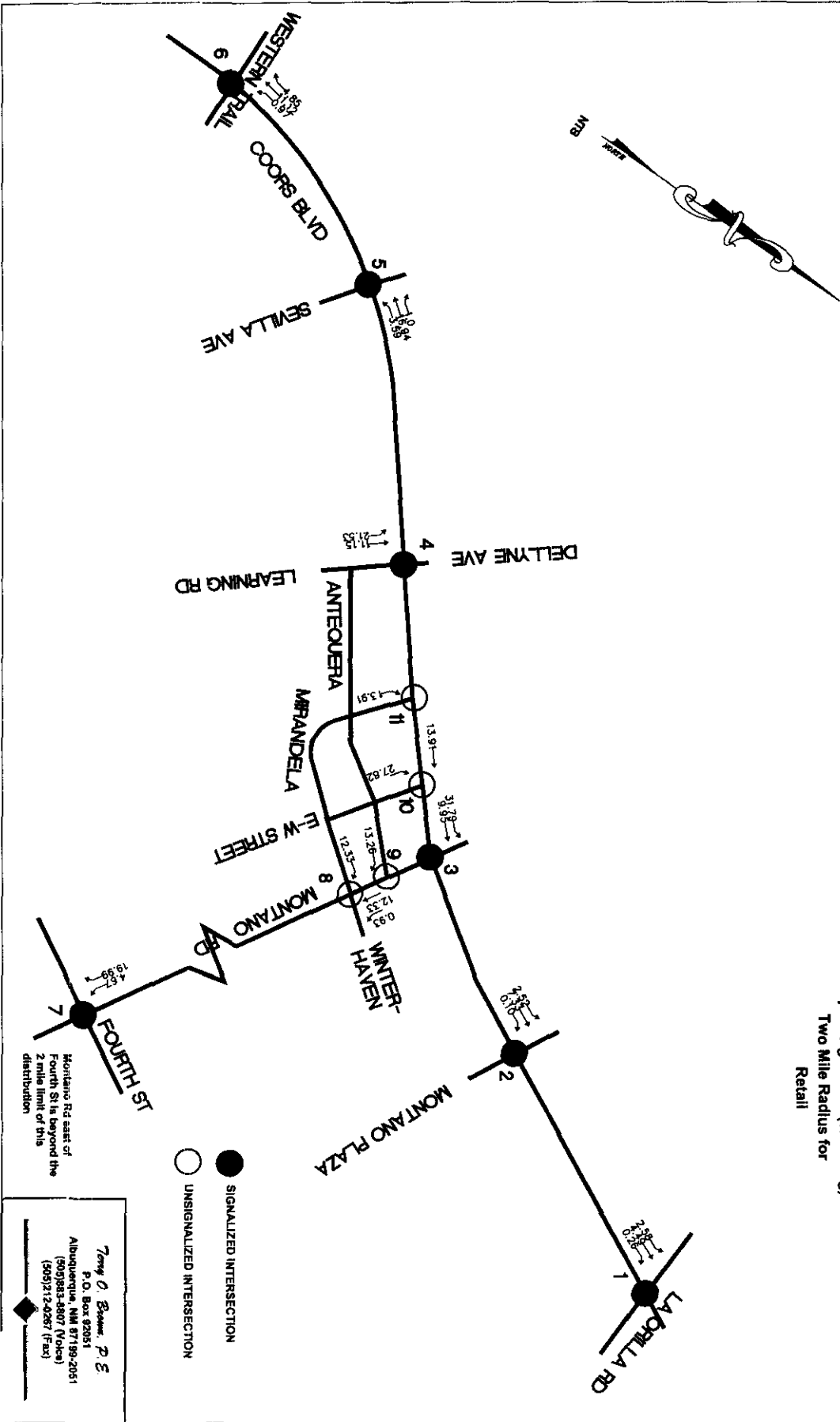


**Walmart Development**  
 (Montano Rd / Coors Blvd)  
 Trip Assignments (% Exiting)  
 Walmart Store only



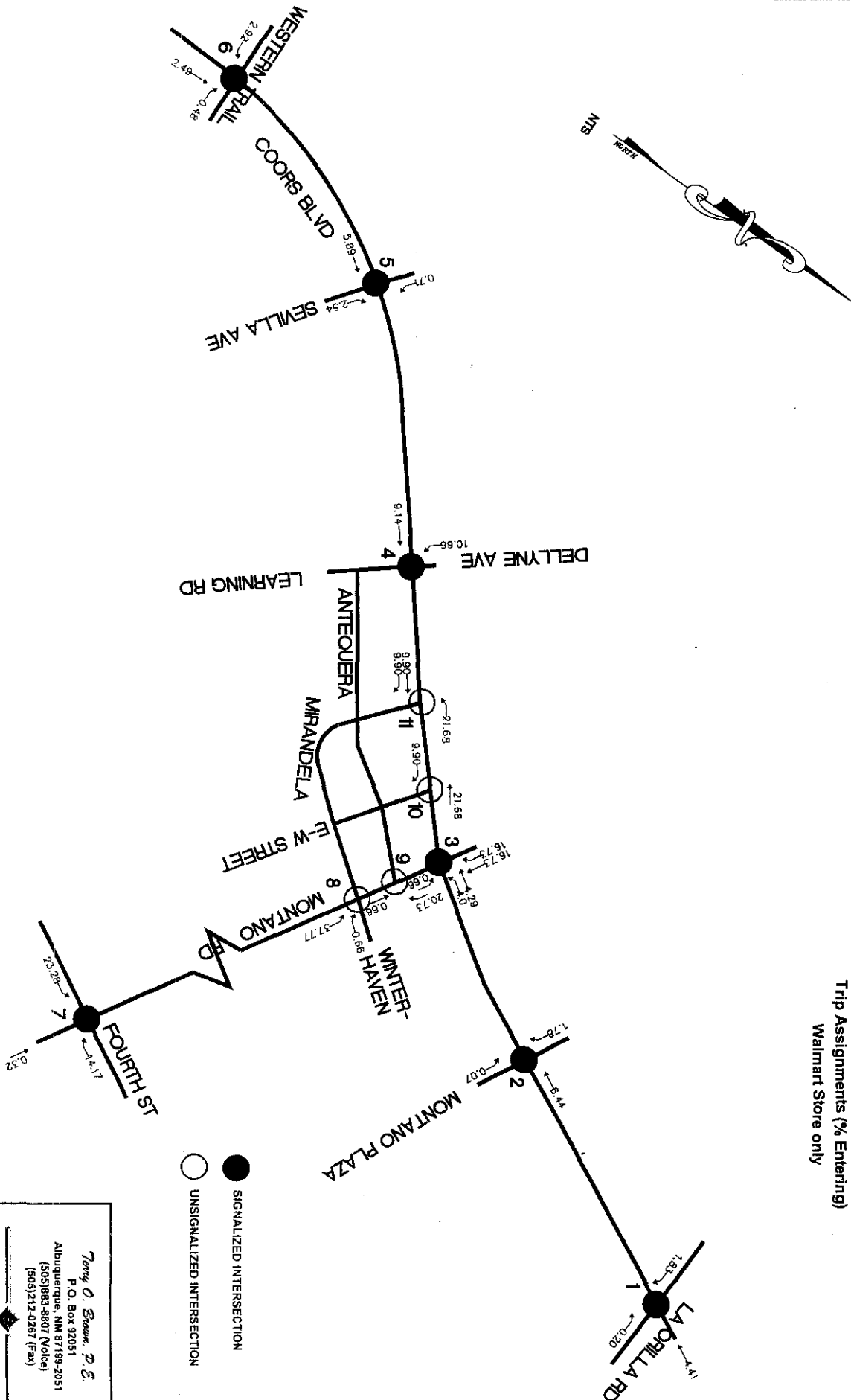
Tony O. Brown, P.E.  
 P.O. Box 82061  
 Albuquerque, NM 87199-2051  
 (505) 845-3887 (Voice)  
 (505) 174-0287 (Fax)

**Walmart Development**  
 (Montano Rd / Coors Blvd)  
 Trip Assignments (% Exiting)  
 Two Mile Radius for  
 Retail

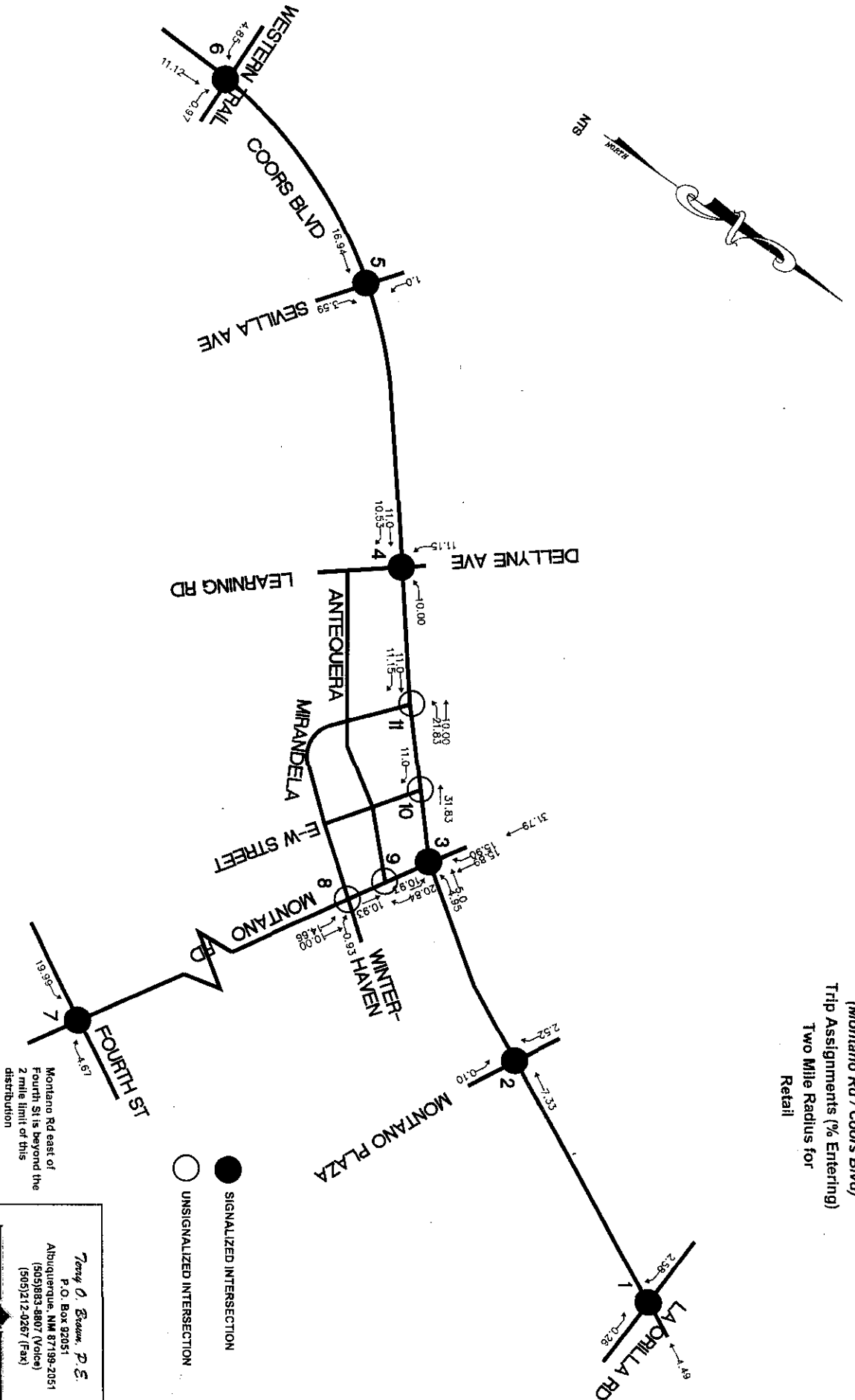


Tony O. Brown, P.E.  
 P.O. Box 82051  
 Albuquerque, NM 87199-2051  
 (505)883-4807 (Voice)  
 (505)212-0267 (Fax)

Ex 4c



**Walmart Development**  
(Montano Rd / Coors Blvd)  
Trip Assignments (% Entering)  
Two Mile Radius for  
Retail



Montano Rd east of  
Fourth St is beyond the  
2 mile limit of this  
distribution

Terry O. Brown, P.E.  
P.O. Box 92051  
Albuquerque, NM 87199-2051  
(505) 883-4807 (Voice)  
(505) 212-0267 (Fax)

Ex 4d

*We consider a local residential street to have a cut-through problem if it carries more than 1500 vehicles per day with more than 30% cutting through from one major street to another.*

***Pedestrians:***

*A recent study has found that there are no more pedestrians crossing the street near parks and some other "pedestrian-generators" than cross in an area where there are only homes. For this reason, for speed-hump-only projects, we do not give higher priority to streets with "pedestrian-generating" facilities.*

*Traffic Engineering provides for school zone safety outside the guidelines of the NTMP through signs and markings and, as needed, flashing beacons or speed humps.*

## 2. Neighborhood Area Studies

*These are intended to respond to through traffic, speeding and problem intersections on more than one local street in a neighborhood. Neighborhood Area Studies generally require longer to complete than Local Street Improvement Projects because the study area is larger and the traffic concerns more complex. Neighborhood Area Studies also require more research and analysis and greater involvement by the neighborhood.*

## 3. Collector Speed Control Projects respond to speeding problems on low-volume collector streets.

*Collector streets are part of the major street system. They are designated to "collect" traffic from neighborhood streets and get that traffic to arterial streets. They are part of the major street system that provides critical and necessary services to businesses and residents throughout the city. This includes emergency services (fire, ambulance, police) and residential services (school buses, refuse removal, etc.). On high volume collectors, measures such as speed humps are not appropriate as they would divert trips from these roadways and slow the delivery time of critical services.*

*The Albuquerque/Bernalillo County Comprehensive Plan establishes the policies for the City's local streets and calls for protecting residential neighborhoods from the negative impacts of traffic. The City of Albuquerque is committed to the safety and livability of its neighborhoods. Through the NTMP the City can*



1 RESOLUTION

2 of the

3 METROPOLITAN TRANSPORTATION BOARD

4 of the

5 BOARD OF DIRECTORS

6 of the

7 MID-REGION COUNCIL OF GOVERNMENTS OF NEW MEXICO

8 (R-05-15 MTB)

9 **APPROVING AN AMENDMENT TO ALLOW SOUTHBOUND TO EASTBOUND**  
10 **LEFT TURNS FROM COORS BOULEVARD TO DRIVEWAY "A"**  
11 **APPROXIMATELY 1,400 FEET SOUTH OF MONTANO ROAD**  
12  
13

14 WHEREAS, Enactment 72-1984 of the Albuquerque City Council and Resolution  
15 34-84 of the Bernalillo County Commission adopted the Coors Corridor Plan as a Rank  
16 3 Sector and Neighborhood Development Plan containing both land use and  
17 transportation policy guidance and requirements; and

18 WHEREAS, beginning in 1984 and continuing to the present, the Metropolitan  
19 Transportation Board has reviewed the Coors Corridor Plan in relation to various public  
20 and private proposals for access to and from Coors Boulevard via grade-separated  
21 interchanges, traffic signals, and median openings and has enacted policies to identify  
22 the approved locations for such access on the Long Range Roadway System map so  
23 as to guide subsequent private and public development proposals; and

24 WHEREAS, the Coors Corridor Plan allows for addition of median openings  
25 under Policy 4 where it states, "In exceptional cases, as determined by the Traffic  
26 Engineer in consultation with the City Planner, directional median cuts may be permitted

27 if the additional cut is in the public interest and will relieve a safety or capacity problem”;  
28 and

29 WHEREAS, one such private sector proposal has come forward with a request  
30 for southbound to eastbound left-turn access from Coors Boulevard to Driveway “A”  
31 approximately 1,400 feet south of Montano Road, and an analysis has been conducted  
32 supporting the conclusion that the additional left-turn access will improve traffic  
33 operations at the intersections of Coors Boulevard and Montano Road and Coors  
34 Boulevard and Dellyne/Learning Road; and

35 WHEREAS, it is the responsibility of the Metropolitan Transportation Board  
36 (MTB) to effect any changes to the Long Range Roadway System for the  
37 Albuquerque Metropolitan Planning Area.

38 NOW, THEREFORE BE IT RESOLVED by the Metropolitan Transportation  
39 Board of the Mid-Region Council of Governments of New Mexico that:

- 40 1. The Long Range Roadway Plan for the Albuquerque Urban Area is amended,  
41 as shown on Attachments “A” and “B”, changing the access policy for Coors  
42 Boulevard to allow for a new southbound to eastbound left-in access at  
43 Driveway “A” approximately 1,400 feet south of Montano Road. The  
44 developer will be responsible for constructing all improvements associated  
45 with the partial access intersection.
- 46 2. All final plans showing access will be approved by both the City of  
47 Albuquerque and the New Mexico Department of Transportation for the  
48 construction of the intersection.

49 3. The property owner acknowledges, and agrees that in the event the City or the  
50 NMDOT determines in its sole discretion that the left-in access at Coors  
51 Boulevard and Driveway "A" must be eliminated in the future for safety and/or  
52 traffic operational reasons or could impair the construction of any future Coors  
53 and Montano Intersection project, the City and/or the NMDOT reserves the right  
54 to eliminate the left-turn access at Driveway "A" without recourse by the property  
55 owner.

56 4. The property owner(s) on the east side of Coors Boulevard and south of Montano  
57 Road will not be compensated for the loss of access when the left-in access at  
58 Coors Boulevard and Driveway "A" is removed.

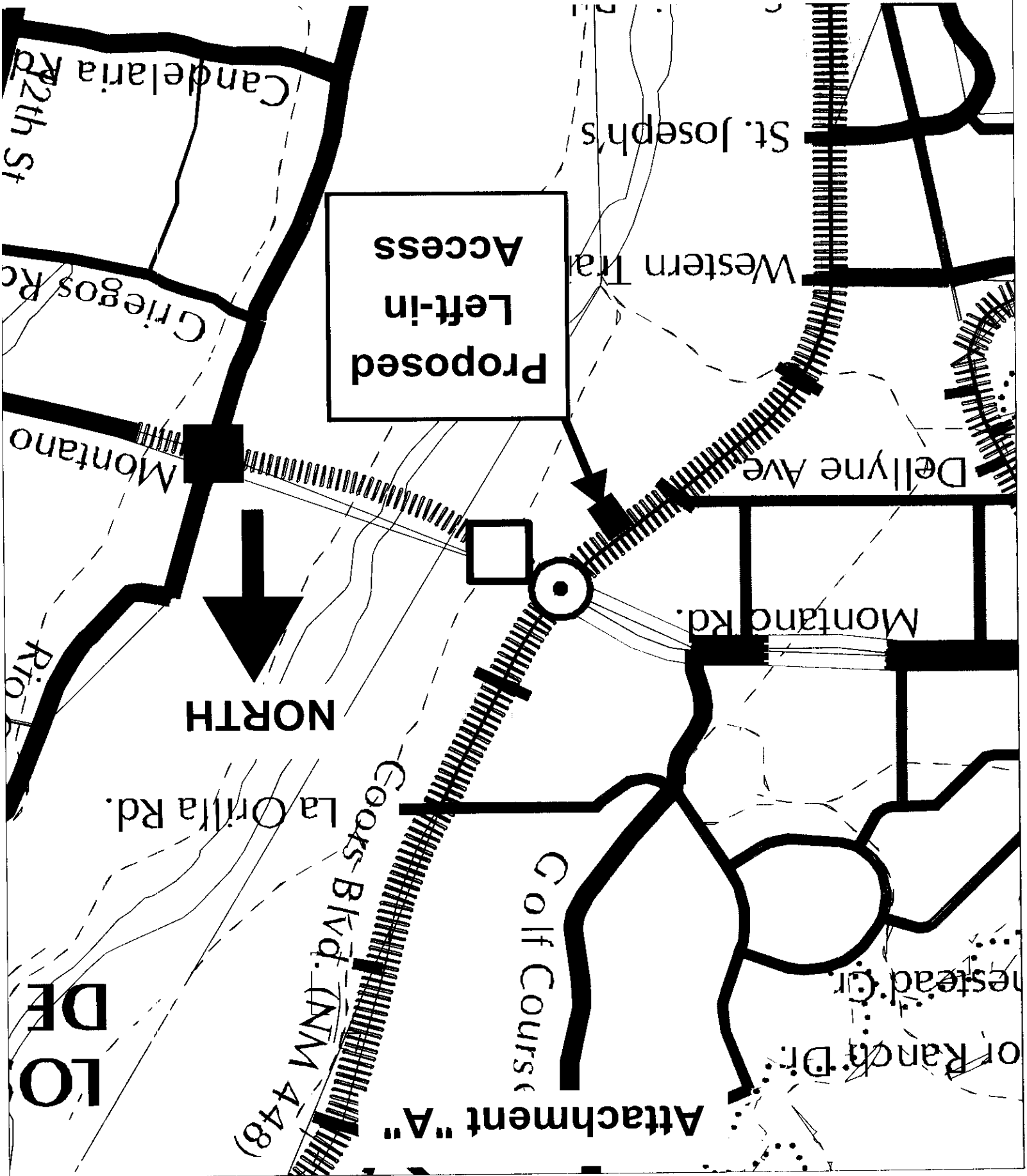
59 PASSED, APPROVED, AND ADOPTED this 25<sup>th</sup> day of August 2005 by the  
60 Metropolitan Transportation Board of the Board of Directors of the Mid-Region Council  
61 of Governments of New Mexico.

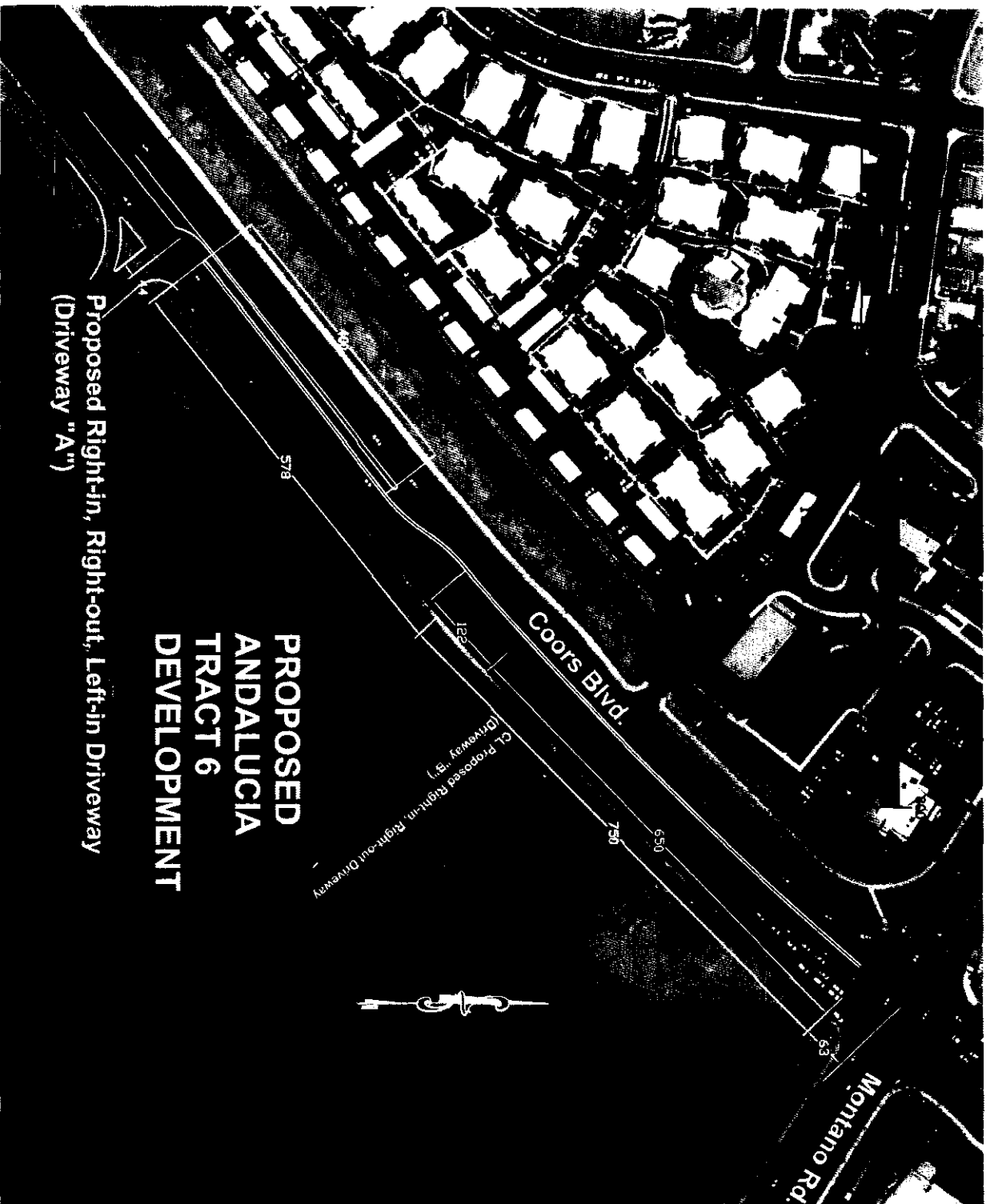
62  
63  
64 \_\_\_\_\_  
65 E. Tim Cummins, Chair  
66 Metropolitan Transportation Board

67 ATTEST:

68  
69  
70 \_\_\_\_\_  
71 Lawrence Rael, Executive Director  
Mid-Region Council of Governments

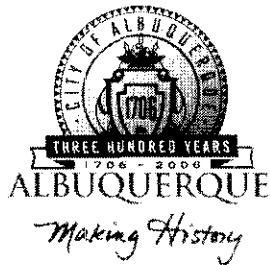
# Segment of Long Range Roadway Plan





**PROPOSED  
ANDALUCIA  
TRACT 6  
DEVELOPMENT**

**ATTACHMENT "B"**



# City of Albuquerque

P.O. Box 1293 Albuquerque, New Mexico, 87103

## Department of Municipal Development

*Martin J. Chavez, Mayor*

October 3, 2012

Lawrence Rael, Executive Director  
Middle Rio Grande Council of Governments  
317 Commercial NE, Suite 300  
Albuquerque, NM 8710

Attention: Jack Lord, Transportation Program Mgr.

**SUBJECT: REQUEST FOR A NEW SOUTHBOUND TO EASTBOUND LEFT TURN  
ACCESS FROM COORS BOULEVARD TO DRIVEWAY "A"  
APPROXIMATELY 1,400 FEET SOUTH OF MONTANO ROAD**

Submitted for consideration by the Metropolitan Transportation Board (MTB) is a request to add a new southbound to eastbound left-turn in only access from Coors Boulevard to a new local street, identified as Driveway "A", approximately 1,400 feet south of Montano Road. The proposed left turn-in access will provide operational benefits to Coors Boulevard, especially at the signalized intersections of Coors and Dellyne Boulevard/Learning Road and Coors and Montano Road. A copy of the Draft MTB resolution and submittal request materials are attached.

As the local sponsoring agency, the City of Albuquerque, Department of Municipal Development recommends approval of the requested access change. We ask that this matter be submitted to the Metropolitan Transportation Board (MTB) for action at their regular August 25, 2005 meeting.

If you have any questions regarding this request, please don't hesitate to contact me or Mr. John Hartmann at 768-2680.

Sincerely,

John R. Castillo, Director, Department of Municipal Development

### Attachments

c: Michael Riordan, Manager, Transportation Division, DMD  
John Hartmann, Transportation Division, DMD  
Wilfred Gallegos, Transportation Development, Planning Dept.  
Tony Loyd, Transportation Development, Planning Dept.  
Tony Abbo, NM Department of Transportation  
Jack Lord, Mid-Region Council of Governments  
Terry O. Brown P.E.

*Terry O. Brown, P.E.*

P. O. Box 92051  
Albuquerque, NM 87199-2051  
(505) 883-8807 - Voice  
(303) 942-3600 - FAX  
e-mail: tobe@swcp.com



Monday, July 25, 2005

**John Hartmann**  
City of Albuquerque  
P. O. Box 1293  
Albuquerque, NM 87103

**Re: Access Request on Coors Blvd. for Andalucia, Tract 6**

Dear John:

Please consider this request to have the City of Albuquerque sponsor a request to the Metropolitan Transportation Board for a southbound left-turn-in access (Driveway "A") on Coors Blvd. approximately midway between Montano Rd. and Dellyne Ave. (Learning Rd.). Currently, the Coors Corridor Plan permits a right-turn-in, right-turn-out driveway at this location as well as at the location of proposed Driveway "B" located approximately 600 feet south of Montano Rd. This request is for approval of a southbound left-turn-in to Driveway "A".

Allowing the southbound left turn in at Driveway "A" will have the following affect on traffic volumes on the adjacent transportation system:

- 1) Southbound traffic on Coors Blvd. north of Montano will no longer need to turn left to access the commercial center from Montano. They can now access the commercial center by continuing south on Coors Blvd. through Montano to access by making the left turn at Driveway "A". Therefore, southbound left turns on Coors at Montano will be converted to southbound thru movements. Similarly, eastbound traffic on Montano Rd. will no longer have to continue east (thru movement) on Montano to access the commercial center at Winterhaven. They will now be able to turn right at Coors and access via a left turn into Driveway "A". Therefore, eastbound thru movements at Montano / Coors will be converted to right turns. This also will have a positive effect on the operation of the intersection.
- 2) Permitting the southbound left turns at Driveway "A" will have a positive effect on the operation of the intersection at Dellyne Ave. (Learning Rd.) / Coors Blvd. in that it will reduce the volume of southbound left turns on Coors Blvd. at Dellyne Ave. (Learning Rd.) by intercepting those left turns at Driveway "A". This will have a net positive effect on the operation of the intersection of Dellyne Ave. (Learning Rd.) / Coors Blvd.
- 3) Permitting the southbound left turns at Driveway "A" should have the effect of reducing travel miles for traffic entering the site. Many of the southbound entering vehicles will not have to travel the extra ¼ mile to access the site via Learning Rd. and then travel north again to access their destination.

**Re: Access Request on Coors Blvd. for Andalucia, Tract 6**

- 4) Based on the calculated queue length on Coors Blvd. at Montano Rd. (95% confidence level), the calculated queuing on Coors Blvd. northbound at Montano Rd. should not block the operation of Driveway "A".
- 5) There is sufficient distance between Montano Rd. and Driveway "A" to accommodate the calculated northbound left turn queues at Montano and the calculated southbound left turn queues into Driveway "A" (based on 95% confidence level).


Projected volumes and calculated queuing distances as well as projected levels-of-service of operation of signalized and unsignalized intersections are included in the Andalucia, Tract 6 Access Justification Study dated July 27, 2005.

The left-turn-in access at Driveway "A" should provide a benefit to the adjacent transportation system as well as the development itself. Permitting the left-turns-in at Driveway "A" will reduce the average and the total vehicle-minutes of delay experienced at both the intersection of Montano Rd. / Coors Blvd. and at Dellyne Ave. (Learning Rd.) / Coors Blvd.

For the reasons stated above, I am requesting on behalf of my client that the City of Albuquerque request approval of the left-turn-in access at proposed Driveway "A" approximately 1,400 feet south of Montano Rd. by the Metropolitan Transportation Board at the August, 2005 meeting.

Please call if you have questions or need additional information.

Sincerely Yours,

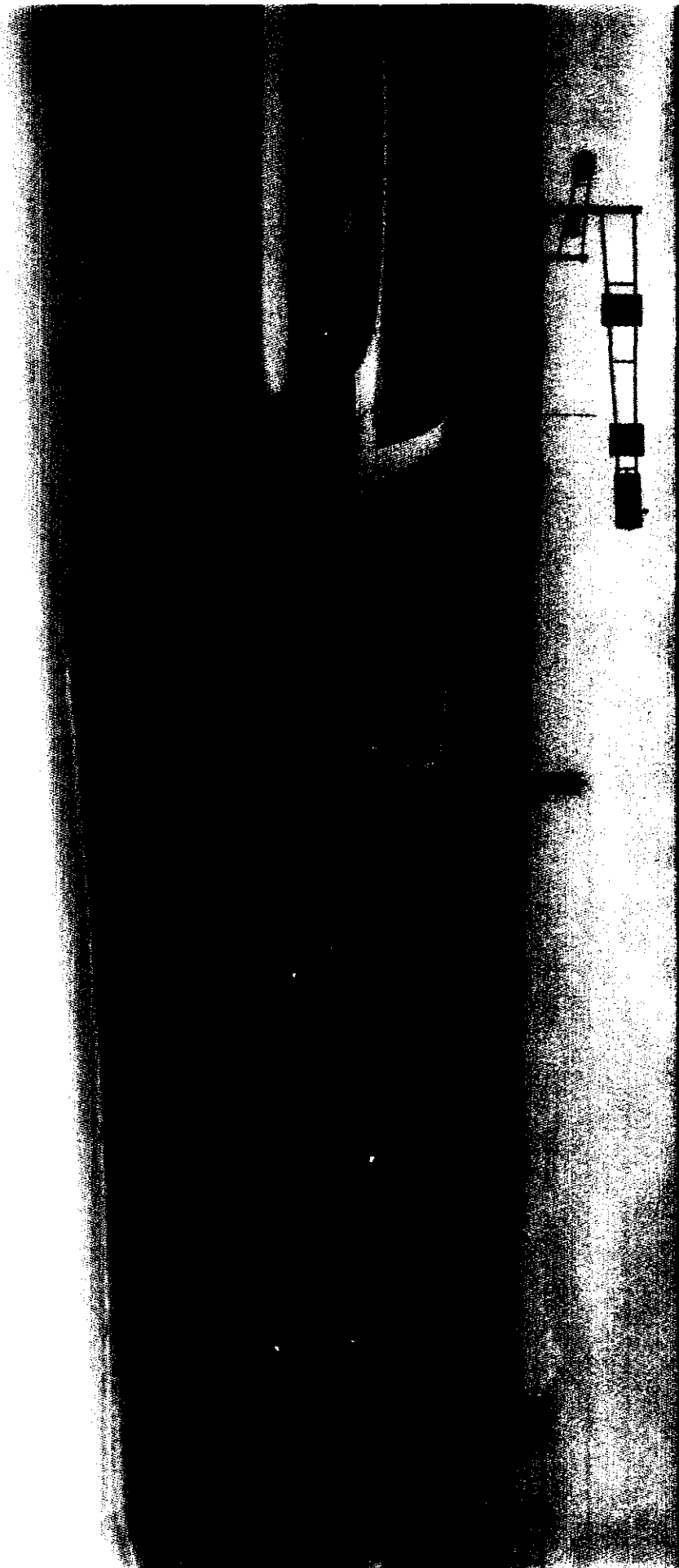


Terry O. Brown

1. The first part of the exercise is to find the value of the function  $f(x)$  at  $x = 0$ . This is done by substituting  $x = 0$  into the function  $f(x) = x^2 + 3x - 2$ . This gives  $f(0) = 0^2 + 3(0) - 2 = -2$ . Therefore, the value of the function at  $x = 0$  is  $-2$ .

# A Profile in Congestion:

Issued: December 2011



## The 30 Most Congested Corridors in the Albuquerque Metropolitan Planning Area



# CMP Congested Network





## Introduction

Population increases, land-use patterns emphasizing peripheral development, and limited funding for alternative travel modes result in increased reliance on vehicles for transportation needs. One consequence is roadway congestion, which is increasingly a fact of life in the Albuquerque area. This in turn leads to diminished air quality, losses in economic activity, and increased travel times for individuals. As part of its transportation planning activities for the Albuquerque Metropolitan Planning Area (AMPA), the Mid-Region Metropolitan Planning Organization (MRMPO) facilitates a Congestion Management Process (CMP). CMP is a federally-mandated objectives-driven program that assesses the performance of the regional transportation system through data collection and analysis, identifies the sources and extent of congestion, recommends appropriate strategies to manage congestion and improve mobility, and considers the benefits of proposed transportation projects and programs on the overall transportation network.

An important part of CMP is to disseminate the data and related analysis to local government agencies and the general public. *A Profile in Congestion* is an attempt to distill the most important components of CMP into an easily-referenced document and to focus attention within the region on the locations with the greatest needs. Each corridor profile identifies the scope and location of congestion and should serve as a backdrop for larger conversations about the efficiency and long-term viability of the transportation network in the AMPA.

*A Profile in Congestion* focuses on the 30 corridors that comprise the CMP congested network. These corridors were selected by the CMP committee – a working group of technical experts from agencies in the AMPA – based on a series of qualitative and quantitative criteria. All of the nine river crossings in the metropolitan area are CMP corridors (I-25 is not counted here as a river crossing because it does not function as an east-west connector).

Two levels of analysis are on display in this document: segment-level and corridor-wide conditions. CMP determines congestion based on conditions at the link, or segment, level. However, the CMP rankings apply to congestion across the entire corridor. In other words, overall conditions along a corridor are an aggregate of conditions within a corridor. Therefore

the most congested corridors are those in which congestion occurs in multiple locations. A corridor may experience considerable congestion and delay at an individual intersection or along a brief segment, but the overall conditions along the roadway may not generate a high ranking.

It should be noted that *A Profile in Congestion* is not a definitive account of congestion along the network. Rather, it is an introduction to useful data and statistics and effectively highlights the bottlenecks and most congested segments in the Albuquerque region. For more complete analysis consult the *CMP Atlas* on the MRCOG website. An updated *Atlas*, a companion to this document, will be available in early 2012.

Likewise, appropriate **strategies** for managing congestions are not covered in this document. However, MRMPO and the CMP Committee consider location-appropriate improvements through the Strategies Toolkit and Strategies Matrix (available on the MRCOG website).

**More detailed data on traffic conditions along each corridor can be found in the *CMP Atlas* at [www.mrcog-nm.gov](http://www.mrcog-nm.gov) on the Transportation/Congestion Management**

## Ranking Congestion

Congestion is a function of a number of variables, including commuting flows and travel patterns, delays due to turning movements, traffic signal timing patterns, and supply and demand (i.e. roadway capacity and the number of vehicles). The congestion that results from these and other factors (called recurring congestion) is characterized and observed through the levels of volume and travel speeds along a roadway. However, a corridor which experiences slow speeds or high volumes individually is not necessarily congested. Congestion is usually a product of the two, along with the propensity of the corridor to experience delays due to crashes and traffic incidents (forms of non-recurring congestion).

CMP uses three criteria to score and rank congestion: 1) Volume-to-capacity (V/C) ratio; 2) Speed differential; and 3) Crash rates. These criteria combine recurring sources of congestion (V/C ratios and speed differential), which reflect average or predictable conditions, and non-recurring factors (crash rates), which are sources of congestion that occur on an irregular basis. Each segment or link of a corridor can generate points depending on the observed roadway conditions. The total score for each link is used to generate the maps in each profile page. The level of congestion should be considered relative to the Albuquerque region and reflects conditions across the peak period only.

The scores for each link are aggregated at the corridor level to determine an overall score for the corridor which can then be compared relative to the other facilities in the CMP congested network. Rankings are updated annually as new data is collected.

### **CMP Ranking Criteria**

#### **1. V/C Ratio**

Volume-to-capacity (V/C) ratio compares the observed traffic volume along a roadway compared to the capacity, or the number of vehicles that a roadway segment is intended to carry. V/C is measured for each peak period and each direction. The closer V/C ratio is to 1.0 the greater the level of congestion is considered to be. A V/C ratio of greater than 1 is considered to be "over capacity." V/C ratios above certain thresholds generate points

for a roadway segment, which are used to determine congestion scores and overall congestion rankings. The V/C ranking compares the number of "V/C points" a corridor generates compared to other corridors in the CMP network. Peak-period volume data is collected as part of MRCOG Traffic Counts program.

#### **2. Speed Differential**

Speed differential measures the relationship between the posted speed limit, or intended speed, along a roadway segment and the observed speed of vehicles. The greater the percentage difference between actual and intended speeds, the greater the level of delay and congestion along a roadway segment. Speed differentials above certain levels generate points which are used to determine congestion scores and overall congestion rankings. The speed differential ranking compares the number of "speed points" a corridor generates compared to other corridors in the CMP network. Speed data is collected annually through the CMP Travel Time program which uses a "probe" vehicle collection method to collect data across the peak period. An average velocity of all runs is taken to develop a link speed value for each direction and for each peak period.

#### **3. Safety/Crash Rates**

Crash rates are incorporated into CMP by comparing the frequency of incidents at intersections along a corridor compared to the regional average crash rate. The likelihood of an incident reflects safety concerns and crash-induced congestion. Crash rates generate points if they exceed certain thresholds. Crash data is collected as part of MRCOG's Safety Analysis program. In general, safety is an important, but contradictory, component in measuring congestion. Roadway designs that are most conducive to high speeds and greater throughput may also be prone to traffic incidents. Balancing regional mobility and safety needs is essential, and identifying corridors with safety concerns is an important part of managing the roadway network.

## Profile Components

**Functional Classification** is a system of categorizing roadways based on their use and general characteristics. The system is based on the premise that roadways are part of a network and the functional classification describes the role a particular roadway plays in the larger system.

The urban **principal arterial** system should carry the majority of trips entering and leaving the urban area, as well as significant intra-area travel, such as between central business districts and outlying residential areas or travel between major inner city communities. The urban principal arterial system should serve the major centers of activity of a metropolitan area, the highest traffic volume corridors, and facilitate the longest trips.

The urban **minor arterial** street system should interconnect with and augment the urban principal arterial system and provide service to trips of moderate length. This system also distributes travel to geographic areas smaller than those identified with the higher system and place more emphasis on land access.

**Collectors** provide access to the arterial system and circulation within residential neighborhoods, commercial areas, and industrial area. Collectors typically distribute trips from the arterial to the final destination and collect traffic from local streets in residential neighborhoods and channel it into the arterial system.

Source: FHWA Functional Classification Guidelines

### **Access Control**

A number of facilities in the AMPA have been designated as limited access roadways in order to ensure the adequate flow of traffic along the roadway itself and move vehicles as efficiently as possible.

Access control is an important strategy in managing congestion; any segments subject to access limitations along CMP corridors are noted:

### **Intelligent Transportation Systems**

Intelligent Transportation Systems (ITS) refers to the use of technology to manage roadways and improve the efficiency of the overall transportation network. The ITS Subcommittee, facilitated by MRCOG, also develops profiles to highlight the types of deployment present along each corridor and identifies ITS-related needs and potential improvements. Proper ITS analysis is beyond the scope of the CMP corridor profiles. However, it is

important to recognize the role of ITS in congestion management. The corridor profiles contain two pieces of data: 1) whether or not the corridor is incorporated in the regional ITS architecture and designated as an ITS corridor; 2) if there is currently ITS-related technology deployed along the corridor. Both pieces indicate the potential role that ITS can play in management of the corridor. The ITS profile should be consulted for more details on the locations and scope of deployment. The "Corridor Profile" table does contain a number of designations and acronyms that refer to the types of ITS deployment currently found along the corridor.

**F/PF:** Fiber/Partial Fiber – A form of telemetry along a corridor connecting signals to facilitate the progression of traffic.

**CCTV:** Closed Circuit Television – A tool for monitoring and reporting conditions along a roadway. CCTV allows for real-time observation of traffic patterns and delay.

**DMS:** Dynamic Message Sign – A tool for posting real-time messages on traffic conditions to commuters.

**VDS:** Vehicle Detector Station – A tool for monitoring and reporting conditions along a roadway. VDS can detect real-time congestion and allows for collection of various forms of roadway data.

**Transit:** Signal prioritization to enhance vehicle speed and efficiency through traffic signals or traveler information devices on-board or at transit stations. **W/Fi:** A form of telemetry along a corridor connecting signals to facilitate the progression of traffic.

### **Transit Characteristics**

The profile table indicates the type of service, including the major transit facilities, present along the corridor. The "Transit Characteristics" section of the profile page describes the level of transit service along or near the corridor in greater detail and classifies transit service into three types:

**Rapid Ride:** Express service that stops approximately every mile.

**ABQ Ride Rapid Ride** service utilizes articulated buses with greater passenger capacity than standard buses.

**Local:** Routes that operate all-day and typically stop every few blocks.

**Commuter:** Routes that operates only during peak period.

**Study areas and demographic trends**

An area surrounding each corridor was identified for the purposes of demographic analysis. This provides a simple snapshot of the employment and population totals – key generators of congestion – along the extent of the corridor. The study area is comprised of Data Analysis Subzones that are adjacent to the CMP corridor or within a ½ mile buffer. Additional zones were added as appropriate if the corridor in question is part of an obvious commuter-shed and therefore the clear choice for nearby residents/commuters to achieve most destinations. Low-population zones from the periphery of the corridors were eliminated to ensure study areas of manageable sizes. Population and employment growth in the study area can shed light on the amount of future traffic that the corridor may be expected to handle. However, the study area does not necessarily incorporate the entire commuter-shed for a corridor. Many corridors function as “through facilities,” carrying travelers from points of origin to destinations that are both outside of the study area. River crossings are important examples of these facilities. Therefore the study area is an important indicator of future congestion, but a lack of projected growth does not guarantee the conditions along the corridor will improve over time.

**Summary Data**

*Daily Volume* refers to the range of Average Weekday Daily Volume (AWDT) along the segments of a CMP corridor. Most corridors have large ranges in volume and often feature lower traffic levels on the periphery. High volume locations frequently experience high levels of delay or congestion, however the correlation is not perfect

*Average Speed* refers to the range of average speeds observed along the corridor during peak periods. At a corridor-wide level, a large range indicates varied conditions across the corridor, while a small range indicates a smoother and more consistent flow of traffic. Occasionally the high speeds are related to uncongested conditions along the periphery of a corridor.

*Total Delay* is defined as the difference between the amount of time it would take a vehicle to traverse a corridor from one end to the other travelling at the posted speed compared to the actual amount of time it takes a vehicle to drive the corridor. Two components of delay are included in the profile: total delay in seconds and rate of delay in seconds per mile. In general, a more severe delay results in higher delay ratio.

**Corridor Ranks**

In addition to the overall congestion ranking, the scores individual corridors receive in a particular criterion compared to other facilities is used to create additional rankings based solely on V/C ratios, speed differential, and crash rates. These *criteria rankings* help determine the general source of congestion along a particular facility. These rankings may expose interesting dynamics within a roadway. For example, a corridor with high V/C ratios and large amounts of traffic may also feature low speed differential scores, indicating smooth speeds. In this scenario, it can be surmised that the high volume is managed reasonably well and does not inhibit the general flow of traffic. Conversely, many corridors demonstrate high speed differentials (i.e., slow speeds and large delays) but low V/C ratios, suggesting that congestion may not be related to the volume of vehicles, but rather to the design and management of the facility (e.g. signal timing issues, insufficient turn lanes, or high levels of access points).

Speed

Speed Rank	Corridor	Points	Overall Ranking
1	Alameda Blvd	91.1	
2	Gibson Blvd	64.0	
3	Paseo del Norte	62.6	
4	Central Ave	60.8	
5	Bridge/Cesar Chavez	58.5	

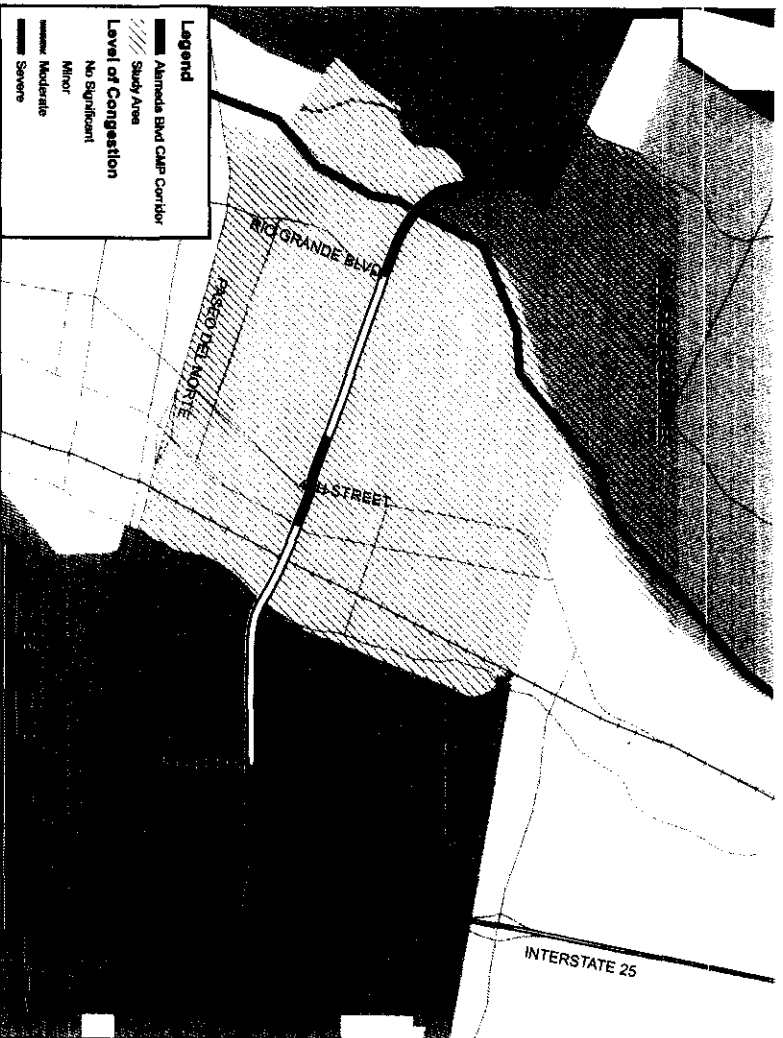
Safety

Safety Rank	Corridor	Points	Overall Ranking
1	Montgomery Blvd	31.9	
2	Coors Blvd	29.0	
3	Paseo del Norte	25.3	
4	Jefferson Blvd	25.0	
5	Bridge/Cesar Chavez	24.4	

Volume-to-Capacity

V/C Rank	Corridor	Points	Overall Ranking
1	Alameda Blvd	106.3	
2	US 550	86.9	
3	NM 47	71.3	
4	Morlano Rd	68.7	
5	Paradise Blvd	68.0	

# Alameda Blvd



## Corridor Notes

- Alameda has been the #1 congested corridor in the AMPA since MRCOG began developing rankings in 2006.
- Alameda is a key river crossing providing access between I-25 and the metropolitan core and northwest Albuquerque and the City of Rio Rancho.
- The CMP corridor runs between Coors and San Pedro Dr. has the most severe volume and speed-related congestion in the metropolitan area.
- Overall **congestion** is most severe between Coors and Rio Grande Blvd, where volumes are particularly high, and Jefferson and I-25, where speeds are particularly low. Congestion is more severe in the east-bound direction in the AM, and the westbound direction in the PM.
- Total daily **volumes** are consistent across the corridor but are highest between Coors and 4th St. and west of I-25 (35,000+ vehicles).
- Overall **crash rates** along Alameda are below the regional average. The intersections at Corrales Rd and Pan American East have crash rates more than twice the regional average.
- The study area is expected to see significant employment **growth** (29%) but only minimal population growth by 2035.

## Profile & Statistics

# #1

Corridor Profile*			
Study Area	10.6 Sq. Miles		
Length & No. of Segments	4.3 Miles - 11 segments		
Functional Class	Principal Arterial		
Access Control	none		
Lanes	4 lanes		
Intelligent Transportation Systems	Designated corridor: Yes ITS Deployment: Yes - PF, CCTV, VDS		
Transit	ABQ Ride : Route 98 (commuter)		
Bicycle Facilities	Lanes: Coors to 2nd St Parallel trail from Corrales Drain to 4th St		
Summary Data*			
Daily Volume	22,000 - 38,000		
Average Speeds (PM East)	19 - 39 mph		
Average Speeds (PM West)	11 - 38 mph		
Total Delay (PM East)	109 seconds (25 sec./mile)		
Total Delay (PM West)	159 seconds (37 sec./mile)		
Demographic Trends			
Measure	2000	2008	2035
Population	12,532	14,670	15,202
Employment	17,115	18,300	23,593
Corridor Ranks			
Volume/Capacity Ratio	1 / 30		
Speed Differential	1 / 30		
Crash Rates	25 / 30		
Overall Rank	1 / 30		

\* See the introduction section for further explanation.  
 A For more detailed information and segment level data consult the CMP Atlas on the MRCOG website.

## Transit Characteristics

- ABQ Ride operates one commuter service along Alameda, Route 98, which runs from the Northwest Transit Center to Wyoming Blvd and south to Kirtland AFB.
- Average weekday ridership in April 2011 was slightly less than 100 per day.

# Montaño Rd



## Corridor Notes

- Montaño is an east-west principal arterial in the City of Albuquerque. Montaño provides access from the region's Westside to the I-25 corridor and is one of nine river crossings in the AMPA.
- The CMP corridor runs between Unser and I-25.
- Predominant movement along Montaño is eastbound in the AM and westbound in the PM.
- **Congestion** is most severe west of I-25 and between Rancho Caballero and Edith.
- Montaño experiences high volume-to-capacity ratios and speeds below posted limits across the stretch between Coors and I-25.
- The highest **volume** segment of Montaño is west of I-25 (47,000 daily vehicles).
- **Crash rates** along the corridor are 33% above the regional average. Intersections at 4th St. and Coors have rates more than three times the regional average.
- Projected **growth** in the study area is mostly in the form of additional employment. However, future growth across the Westside may result in additional traffic along Montaño.

## Profile & Statistics

Corridor Profile*			
Study Area	16.2 Sq. Miles		
Length & No. of Segments	6.3 Miles - 13 segments		
Functional Class	Principal Arterial		
Access Control	Limited access: Coors to Griegos Drain		
Lanes	4 - 6 lanes		
Intelligent Transportation Systems	Designated corridor: Yes ITS deployment: Yes - F, CCTV, DMS, VDS		
Transit	ABQ Ride : Route 157 (local)		
Bicycle Facilities	Lanes: Entire corridor		
Summary Data			
Daily Volume	13,000 - 47,000		
Average Speeds (PM East)	12 - 46 mph		
Average Speeds (PM West)	12 - 45 mph		
Total Delay (PM East)	111 seconds (18 sec./mile)		
Total Delay (PM West)	197 seconds (31 sec./mile)		
Demographic Trends			
Measure	2000	2008	2035
Population	38,947	42,165	43,512
Employment	17,858	19,065	23,625
Corridor Ranks			
Volume/Capacity Ratio	4 / 30		
Speed Differential	8 / 30		
Crash Rates	8 / 30		
Overall Rank	2 / 30		

\* See the Introduction section for further explanation.  
 † For more detailed information and segment level data consult the CMP Atlas on the MRCOG website.

## Transit Characteristics

- ABQ Ride operates two routes along Montaño (157 and 162) and several commuter routes which intersect the corridor.
- Route 157 provides local service between Kirtland AFB and the Northwest Transit Center and passes along Montaño between Golf Course and I-25.
- Route 157 averaged more than 1,200 riders per weekday in April 2011.
- Route 162 provides commuter service between CNM West in Rio Rancho and Coors/Montaño and passes along Montaño between Unser and Coors

# #2

# Paseo del Norte



## Corridor Notes

- Paseo del Norte is a limited access principal arterial and major river crossing that connects residential areas in northwest and northeast Bernalillo County with the Journal Center and the I-25 corridor.
- The CMP corridor runs from Universe Blvd to Tramway Blvd.
- Paseo is noteworthy for instances of intense **congestion** around Coors and between Jefferson and San Pedro. Overall, Paseo features slow speeds except for the western edge of the corridor. Congestion is associated with high peak period volumes and slow speeds moving toward I-25 in the AM and away from I-25 in the PM.
- The highest **volume** portion of the corridor is between Coors and Jefferson (60,000-80,000 daily vehicles). Volumes are significantly lower in the far eastern and western segments of Paseo.
- The highest **speeds** are found along the access-controlled segments: east of Coors in the eastbound direction; west of 2nd St in the westbound direction.
- Crash rates** along Paseo del Norte are 80% above the regional average and among the highest of all CMP corridors. The intersections at Jefferson and Coors have crash rates that are four-and-a-half and almost six times the regional average respectively.
- The study area is projected to see moderate population **growth** (3.2%) and significant growth in employment (84%) by 2035.

## Profile & Statistics

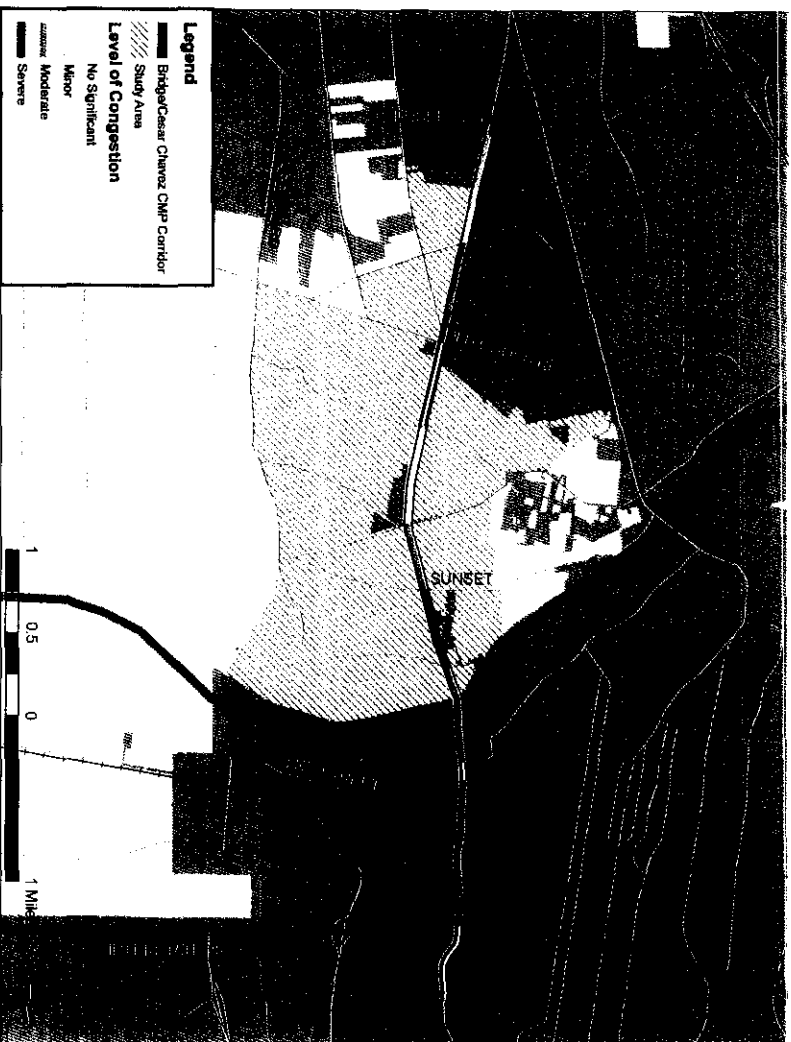
Corridor Profile*			
Study Area	26.1 Sq. Miles		
Length & No. of Segments	13.5 Miles - 20 segments		
Functional Class	Principal Arterial		
Access Control	Limited access: Entire corridor		
Lanes	2 - 6 lanes Majority of corridor is 6 lanes 2 lanes from Universe to east of Kimmick		
Intelligent Transportation Systems	Designated corridor: Yes ITS deployment: Yes - PF, CCTV, DMS, VDS		
Transit	ABQ Ride : Route 551 (commuter), Route 251 (Rail Runner connection) Facilities: Rail Runner station on El Pueblo		
Bicycle Facilities	Lanes: East of Kimmick to Golf Course Rd Trail: Golf Course Rd to Rancho Sereno Trail West of Coors to No. Diversion Channel Trail: Wyoming to Tramway		
Summary Data <sup>a</sup>			
Daily Volume	10,000 - 82,000		
Average Speeds (PM East)	17 - 66 mph		
Average Speeds (PM West)	18 - 56 mph		
Total Delay (PM East)	222 seconds (16 sec./mile)		
Total Delay (PM West)	312 seconds (23 sec./mile)		
Demographic Trends			
Measure	2000	2008	2035
Population	42,098	57,225	75,615
Employment	20,318	24,100	44,268
Corridor Ranks			
Volume/Capacity Ratio	7 / 30		
Speed Differential	3 / 30		
Crash Rates	3 / 30		
Overall Rank	3 / 30		

<sup>a</sup> See the introduction section for further explanation.  
For more detailed information and segment level data consult the CMP. Also on the MRCOG website.

## Transit Characteristics

- Two ABQ Ride routes operate along or parallel to Paseo del Norte between Coors and Jefferson. Route 251 provides connections between Rio Rancho, the Rail Runner station at El Pueblo, and the Journal Center. Commuter Route 551 follows the same route (without a stop at the El Pueblo Rail Runner station).
- Overall ridership among the routes serving Paseo del Norte is modest. Routes 251 and 551 carried a combined 250 riders per weekday in April 2011.
- The Los Ranchos/El Pueblo Rail Runner station – just south of Paseo del Norte between 2nd St. and Edith – is the second-most used Rail Runner station with 566 boardings per weekday in April 2011.

# Bridge Blvd / Avenida Cesar Chavez



## Corridor Notes

- Bridge Blvd is a crucial river crossing that connects southwest Albuquerque and unincorporated Bernalillo County to I-25 and the eastside of Albuquerque, and creates access to Downtown Albuquerque and the UNM/CNM area.
- The CMP corridor runs between Unser Blvd and University Blvd.
- Bridge Blvd becomes Avenida Cesar Chavez east of 4th St.
- **Congestion** is dispersed across the corridor and results from a combination of high volumes during peak periods and slow speeds. Congestion is worst crossing the river and immediately to the west of the Rio Grande. There is also significant congestion approaching I-25 from the west.
- The highest **volumes** (35,000-40,000 daily vehicles) occur between Isleta and Broadway.
- The highest **speeds** along the corridor and the least congestion are found east of I-25.
- **Crash rates** along the Bridge CMP corridor are almost 50% above the regional average. The intersections at the I-25 west ramps and Old Coors are the most dangerous with crash rates two-and-a-half times the regional average.
- The study area is projected to see modest population **growth** (1.5%) and significant employment growth (54%) by 2035.

## Profile & Statistics

# #4

Corridor Profile*			
Study Area	8.8 sq. miles		
Length & No. of Segments	5.4 Miles - 13 segments		
Functional Class	Urban Collector: Unser to Coors Principal Arterial: Coors to I-25 Minor Arterial: I-25 to University Blvd		
Access Control	None		
Lanes	4 - 6 lanes (Old Coors to University) 2 lanes (Unser to Old Coors)		
Intelligent Transportation Systems	Designated corridor: Yes ITS Deployment: Yes - PE, CCTV, VDS		
Transit	ABQ Ride : Route 54 (local), 53 (local) between Sunset and 4th		
Bicycle Facilities	Lanes: Unser to Edith Route: Edith to University		
Summary Data			
Daily Volume	8,000 - 40,000		
Average Speeds (PM East)	14 - 48 mph		
Average Speeds (PM West)	15 - 44 mph		
Total Delay (PM East)	180 seconds (34 sec./mile)		
Total Delay (PM West)	227 seconds (42 sec./mile)		
Demographic Trends			
Measure	2000	2008	2035
Population	28,873	33,465	38,399
Employment	10,147	9,810	15,135
Corridor Ranks			
Volume/Capacity Ratio	8 / 30		
Speed Differential	5 / 30		
Crash Rates	5 / 30		
Overall Rank	4 / 30		

\* see the introduction section for further explanation.  
 † for more detailed information and segment level data consult the CMP Atlas on the SACOG website.

## Transit Characteristics

- ABQ Ride operates two routes that cross the river along Bridge Blvd and connect southwest Bernalillo County to Downtown Albuquerque. Route 53 provides service along Isleta Blvd from the South Valley to Downtown Albuquerque via Bridge Blvd. The route travels the CMP corridor between Isleta and 4th St.
- Route 54 provides local service along the majority of the corridor (between Old Coors and 4th St.) and averaged nearly 700 users on weekdays in April 2011.



## Corridor Notes

- US 550 is the northernmost of nine river crossings in the AMPA.
- The US 550 CMP corridor extends from Unser Blvd to one mile east of I-25 on NM 165.
- US 550 forms the northern boundary for the City of Rio Rancho, the southern boundary for the Pueblo of Santa Ana, and passes through the Town of Bernalillo. The section of NM 165 included for CMP analysis serves the unincorporated community of Placitas.
- US 550 terminates to the east at I-25 and provides connections to Santa Fe and Albuquerque.
- The predominant movement on US 550 is eastbound in the AM and westbound in the PM.
- The principal source of **congestion** is high volume during the peak period. Peak period speeds are relatively close to posted speeds and overall traffic flow is generally smooth.
- The **greatest speeds** are found west of NM 528.
- US 550 **crash rates** are below the regional average.
- The study area grew rapidly from 2000 to 2008 and the **growth** trend is expected to continue. Population is projected to grow by 11.4% and employment by 7.2% by 2035.

## Transit Characteristics

- Rio Metro operates four routes along the corridor. Routes 8, 202, and 204 provide connections from the Town of Bernalillo to rural communities around Sandoval County. Route 201 provides local service for Rio Rancho and Bernalillo. Within the CMP corridor, stops are located at the Santa Ana Star Casino, Sprint Blvd, and the US 550 Rail Runner station. Service is concentrated in the morning and afternoon. In April 2011 the four routes averaged a total of 225 riders per day.
- New Mexico Rail Runner Express ridership at the Sandoval County/US 550 station is significant. April 2011 weekday boardings averaged 514, making the station the third-most utilized Rail Runner facility. The station offers connections to four Rio Metro routes and various shuttle services.

## Profile & Statistics

# #5

Corridor Profile*			
Study Area	50.6 Sq. Miles		
Length & No. of Segments	8.05 Miles - 14 segments		
Functional Class	US 550: Principal Arterial NM 165: Rural Collector		
Access Control	Limited Access: Unser Blvd to NM 528		
Lanes	US 550: 4 lanes NM 165: 2 lanes		
Intelligent Transportation Systems	Designated corridor: Yes ITS deployment: Yes - PF, CCTV, DMS, W/FI		
Transit	Rio Metro : Routes 8, 201, 202, 204 Rail Runner : Sandoval Co./US 550 station		
Bicycle Facilities	US 550: Unser Blvd to NM 528 NM 165: None		
Summary Data*			
Daily Volume	12,000 - 42,000		
Average Speeds (PM East)	23 - 62 mph		
Average Speeds (PM West)	18 - 60 mph		
Total Delay (PM East)	64 seconds (8 sec./mile)		
Total Delay (PM West)	80 seconds (10 sec./mile)		
Demographic Trends			
Measure	2000	2008	2035
Population	8,861	18,200	39,018
Employment	5,135	8,461	14,537
Corridor Ranks			
Volume/Capacity Ratio	2 / 30		
Speed Differential	27 / 30		
Crash Rates	27 / 30		
Overall Rank	5 / 30		

\* See the introduction section for further explanation.  
\* For more detailed information and segment level data consult the CMP. Also on the MRCO's website.

# Paradise Blvd



## Corridor Notes

- Paradise Blvd is an east-west minor arterial in northwest Albuquerque that borders the Paradise Hills development in unincorporated Bernalillo County.
- The CMP corridor runs between Universe Blvd and Eagle Ranch Rd and provides access between residential neighborhoods and Coors Blvd.
- Predominant movement is eastbound in the AM and westbound in the PM.
- The most severe **congestion** is between Lyon and Eagle Ranch and is associated with high peak-period volumes and slow speeds compared to posted limits.
- The highest traffic **volume** is found east of Lyon (24,000 vehicles per day).
- Crash rates** along Paradise Blvd are slightly above the regional average. The intersection at Eagle Ranch has a crash rate more than two-and-a-half times the regional average.
- The study area is projected to experience moderate **growth** in population (39%) by 2035 and considerable growth employment (320%, or almost 12,000 new jobs) associated with a new activity center in the Volcano Heights area.

## Profile & Statistics

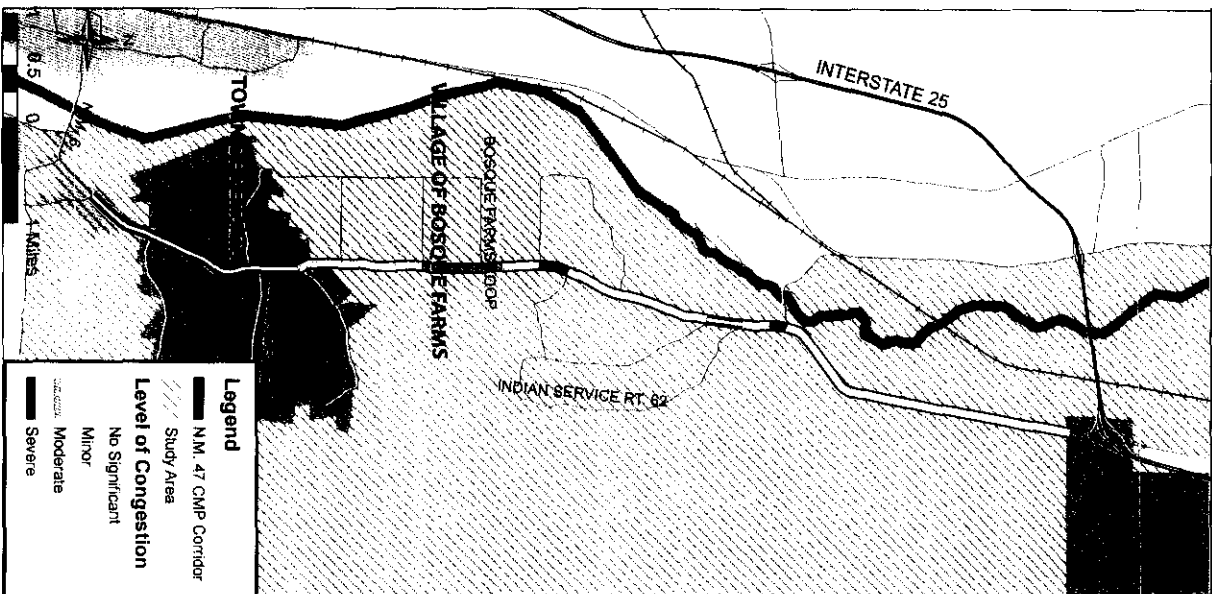
#6

Corridor Profile*			
Study Area	7.0 Sq. Miles		
Length & No. of Segments	3.4 Miles - 5 segments		
Functional Class	Minor Arterial		
Access Control	None		
Lanes	2 - 4 lanes		
Intelligent Transportation Systems	Designated corridor: No ITS deployment: No		
Transit	No existing service		
Bicycle Facilities	Trail: Universe to La Paz Lanes: La Paz to Golf Course Rd		
Summary Data			
Daily Volume	10,000 - 24,000		
Average Speeds (PM East)	25 - 42 mph		
Average Speeds (PM West)	26 - 38 mph		
Total Delay (PM East)	27 seconds (8 sec./mile)		
Total Delay (PM West)	59 seconds (17 sec./mile)		
Demographic Trends			
Measure	2000	2008	2035
Population	13,647	22,872	31,789
Employment	2,446	3,735	15,658
Corridor Ranks			
Volume/Capacity Ratio	5 / 30		
Speed Differential	26 / 30		
Crash Rates	13 / 30		
Overall Rank	6 / 30		

\* See the introduction section for further explanation.  
For more detailed information and segment-level data consult the CMP Atlas on the MRCOG website.

## Transit Characteristics

- There is no existing transit service along Paradise Blvd.
- Routes 92 and 157 run north-south and intersect the corridor at Golf Course Rd



## Corridor Notes

- NM 47 runs parallel to I-25 (before intersecting) and connects the municipalities of Los Lunas, Bosque Farms, Peralta and other communities in Valencia County with I-25 and Bernalillo County.
- The CMP corridor runs between NM 6 and I-25.
- NM 47 becomes Broadway Blvd north of I-25.
- Predominant movement is northbound in the AM and southbound in the PM.
- Congestion** is most severe around Bosque Farms Loop from Esperanza Rd to Chical Rd.
- NM 47 experiences a combination of high volumes across the corridor, particularly during peak periods, but relatively smooth speeds. It is the third highest ranking corridor in terms of V/C ratio.
- The highest **volume** portion of NM 47 is directly north of NM 6 (26,000 daily vehicles).
- Volume across the corridor is fairly consistent.
- Crash rates** along the corridor are well below the regional average.
- Considerable **growth** in population (87%) and employment (79%) is projected in the study area by 2035.

## Transit Characteristics

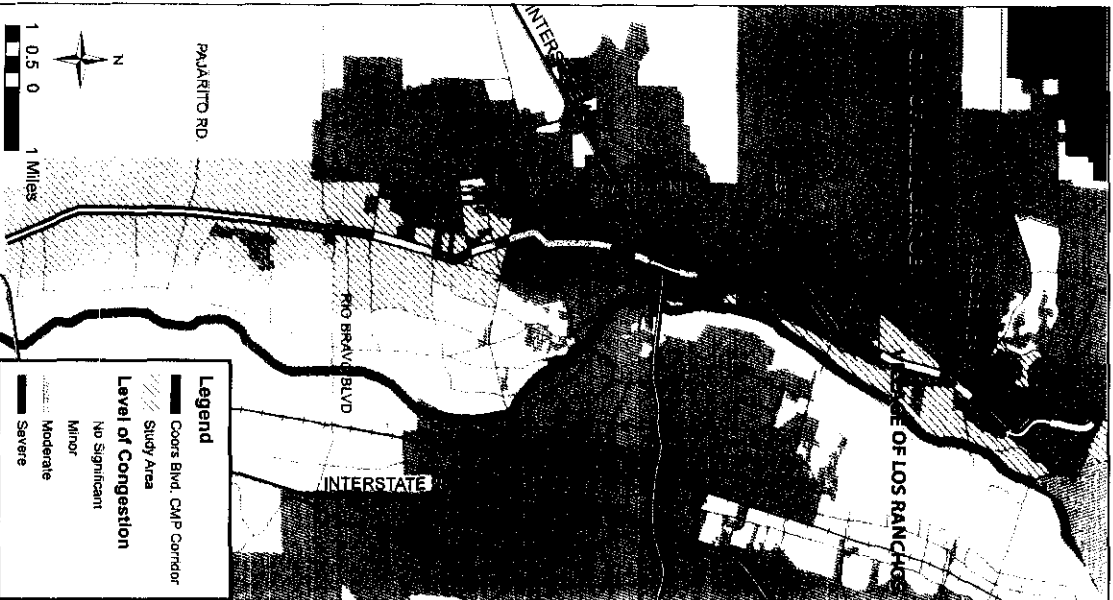
- There is no existing transit service along NM 47.

## Profile & Statistics

Corridor Profile*			
Study Area	147.4 Sq. Miles		
Length & No. of Segments	10.3 Miles - 17 segments		
Functional Class	Principal Arterial: NM 6 to Valencia Rd Minor Arterial: Valencia Rd to NM 147 Principal Arterial: NM 147 to I-25		
Access Control	None		
Lanes	4 lanes		
Intelligent Transportation Systems	Designated corridor: Yes ITS deployment: Yes - CCTV, DMS		
Transit	None		
Bicycle Facilities	None		
Summary Data			
Daily Volume	18,000 - 26,000		
Average Speeds (PM North)	31 - 56 mph		
Average Speeds (PM South)	29 - 53 mph		
Total Delay (PM North)	2 seconds (<1 sec./mile)		
Total Delay (PM South)	65 seconds (6 sec./mile)		
Demographic Trends			
Measure	2000	2008	2035
Population	12,646	13,840	25,862
Employment	4,984	6,277	11,236
Corridor Ranks			
Volume/Capacity Ratio	3 / 30		
Speed Differential	23 / 30		
Crash Rates	29 / 30		
Overall Rank	7 / 30		

\* See the introduction section for further explanation.  
 A for more detailed information and segment level data consult the CMP Atlas on the MRCOG website.

# Coors Blvd



## Corridor Notes

- Coors Blvd is the primary north-south facility in the AMPA west of the Rio Grande.
- The Coors CMP corridor extends nearly 20 miles from I-25 to NM 528. The corridor covers parts of unincorporated Bernalillo County and the City of Albuquerque, and provides access to the City of Rio Rancho (via NM 528).
- The most severe congestion occurs between I-40 and the Coors Bypass. Congestion is tied to overall slow speeds across the corridor and particularly high volumes during the peak periods between Montano and Paseo del Norte. There is very little congestion south of Rio Bravo Blvd.
- Sections of Coors at Paseo del Norte and I-40 have daily **volumes** of more than 60,000 and 80,000 respectively.
- The slowest **speeds** along Coors are found south of Pajarito Rd.
- Crash rates** across the corridor are significantly above the regional average and a major source of non-recurring congestion. The intersections at Central and Paseo del Norte both have crash rates more than four times the regional average.
- A considerable amount of **growth** and infill development is projected along corridor with more than 13,000 new residents and 12,000 jobs apiece by 2035.

## Profile & Statistics

Corridor Profile*			
Study Area	32.5 Sq. Miles		
Length & No. of Segments	19.6 Miles - 42 segments		
Functional Class	Principal Arterial		
Access Control	Limited Access: Rio Bravo to Coors Bypass		
Lanes	4 - 7 lanes Majority of corridor is 6 lanes		
Intelligent Transportation Systems	Designated corridor: Yes ITS deployment: Yes - PF, CCTV, DMS, VDS		
Transit	ABQ Ride : 790 (Rapid Ride Blue), 155 (local) Northwest Transit Center at Coors/Ellison		
Bicycle Facilities	Lanes: South of Sage to Central Lanes: Ladera to Paseo del Norte		
Summary Data <sup>a</sup>			
Daily Volume	5,000 - 80,500		
Average Speeds (PM North)	19 - 56 mph		
Average Speeds (PM South)	19 - 59 mph		
Total Delay (PM North)	404 seconds (21 sec./mile)		
Total Delay (PM South)	529 seconds (27 sec./mile)		
Demographic Trends			
Measure	2000	2008	2035
Population	78,171	95,142	108,417
Employment	20,892	30,467	42,619
Corridor Ranks			
Volume/Capacity Ratio	14 / 30		
Speed Differential	12 / 30		
Crash Rates	2 / 30		
Overall Rank	8 / 30		

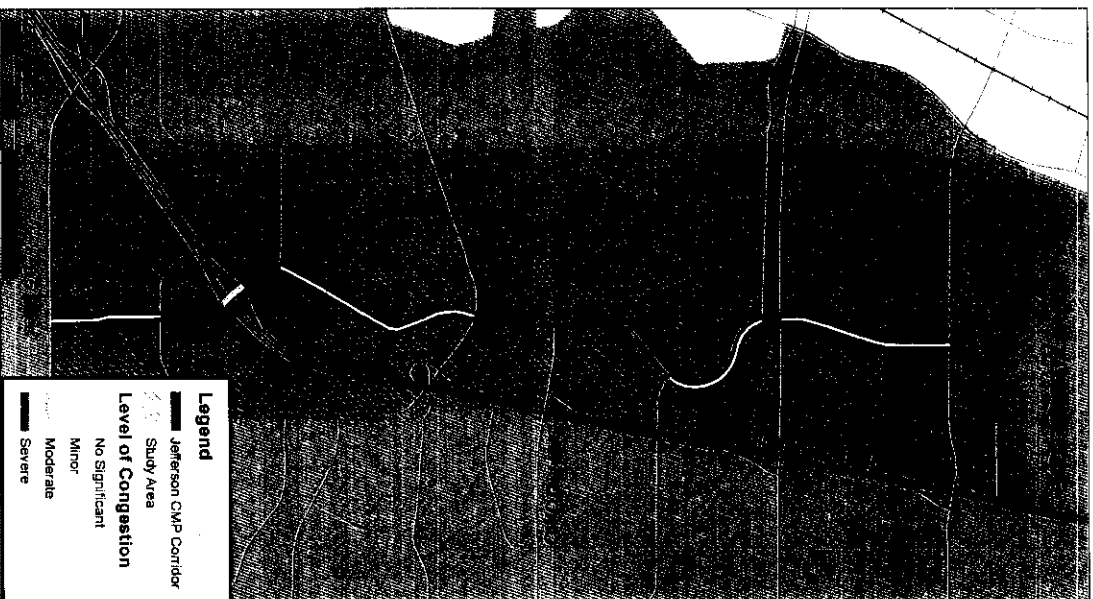
\* See the introduction section for further explanation.  
<sup>a</sup> For more detailed information and segment level data consult the CMP 2010s on the MRCOG website.

## Transit Characteristics

- ABQ Ride operates two routes along Coors Blvd (additional commuter routes run along small portions of northern Coors).
- The Rapid Ride Blue Line (Route 790) originates at the Northwest Transit Center and runs south on Coors to I-40 before connecting to Downtown and the University of New Mexico. Ridership on the Blue Line surpasses 2,000 on weekdays while UNM is in session. The vast majority of Blue Line riders board at the Northwest Transit Center or at Cottonwood mall and travel to UNM. Route 155 provides north-south local service along the Coors CMP corridor between Rio Bravo and Ellison and averaged more than 1,100 riders per weekday in April 2011.
- The Northwest Transit Center at Coors and Ellison is a major regional transit facility. A total of nine routes, four of which are commuter, operate out of the facility.

# #8

# Jefferson St



## Corridor Notes

- Jefferson St is a north-south principal arterial that serves the Journal Center and major employment destinations along the northern I-25 corridor.
- The Jefferson CMP corridor runs from Montgomery to Alameda.
- Although overall **congestion** is not severe, there are slow speeds across most of the CMP corridor. The most severe congestion is south of Paseo del Norte and between McLeod and Singer, where delay and slow speeds are common.
- The highest **volumes** are found south of Paseo del Norte (22,000-24,000 daily vehicles) and between San Antonio and San Francisco (26,000).
- Crash rates** along Jefferson are 50% above the regional average. The intersections at Pan American East and Paseo del Norte are particularly prone to incidents, with crash rates three times and four-and-a-half times the regional average respectively.
- The study area includes the Journal Center and around 35,000 jobs. Employment **growth** in the study area is projected at 13% by 2035, while population totals actually fall due to land being converted from residential to employment use.

## Transit Characteristics

- Despite the large number of employment sites in the study area, transit usage is relatively modest. ABQ Ride operates several routes along the corridor, while other routes intersect Jefferson, including Route 141 which originates/terminates around Osuna.
- Route 140 provides local service north-south along San Mateo and the Jefferson St. CMP corridor. Route 251 provides connections between Rio Rancho, the Rail Runner station at El Pueblo, and the Journal Center. Commuter Route 551 follows the same route (without a stop at the El Pueblo Rail Runner station).
- Nearby Los Ranchos/El Pueblo Rail Runner Station is the second-most used Rail Runner station with 566 boardings per weekday in April 2011.

## Profile & Statistics

Corridor Profile*			
Study Area	4.7 Sq. Miles		
Length & No. of Segments	4.1 Miles - 11 segments		
Functional Class	Minor Arterial		
Access Control	None		
Lanes	4 lanes		
Intelligent Transportation Systems	Designated corridor: No ITS deployment: No		
Transit	ABQ Ride : Route 140 (local); 551 (commuter) Route 251 (Rail Runner connection)		
Bicycle Facilities	Lanes: Singer to Masthead Route: Montgomery to Singer, Paseo Route: Paseo del Norte to Alameda		
Summary Data*			
Daily Volume	11,000 - 26,000		
Average Speeds (PM North)	13 - 40 mph		
Average Speeds (PM South)	18 - 45 mph		
Total Delay (PM North)	109 seconds (47 sec./mile)		
Total Delay (PM South)	71 seconds (17 sec./mile)		
Demographic Trends			
Measure	2000	2008	2035
Population	5,336	5,572	4,581
Employment	35,050	34,933	39,438
Corridor Ranks			
Volume/Capacity Ratio	18 / 30		
Speed Differential	6 / 30		
Crash Rates	4 / 30		
Overall Rank	9 / 30		

\* See the introduction section for further explanation.  
\* For more detailed information and segment level data consult the CMP Atlas on the MTCOG website.

# Montgomery Blvd

# #10

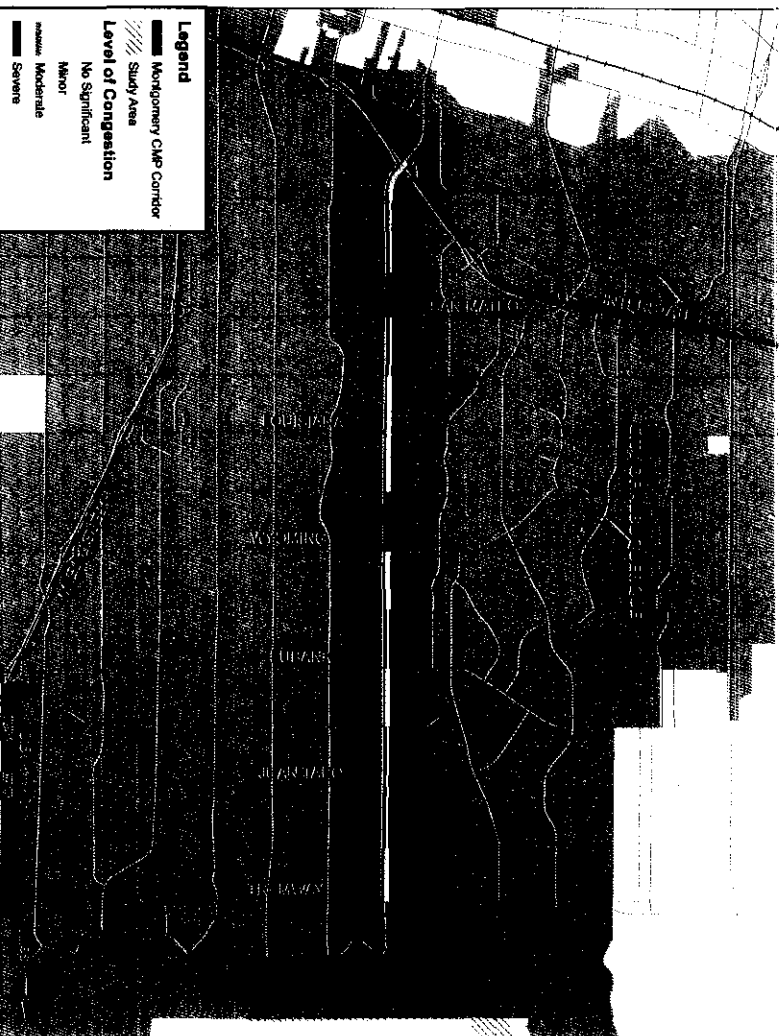
## Profile & Statistics

Corridor Profile*			
Study Area	8.9 Sq. Miles		
Length & No. of Segments	6.4 Miles - 14 segments		
Functional Class	Principal Arterial		
Access Control	None		
Lanes	5 - 6 lanes		
Intelligent Transportation Systems	Majority of corridor is 6 lanes Designated corridor: Yes ITS deployment: Yes - CCTV		
Transit	ABQ Ride : Route 5 (local), 3 (local), 157 (local) Facilities: Montgomery/Tramway Park & Ride		
Bicycle Facilities	None		
Summary Data <sup>a</sup>			
Daily Volume	15,500 - 47,000		
Average Speeds (PM East)	22 - 41 mph		
Average Speeds (PM West)	21 - 41 mph		
Total Delay (PM East)	159 seconds (25 sec./mile)		
Total Delay (PM West)	169 seconds (26 sec./mile)		
Demographic Trends			
Measure	2000	2008	2035
Population	38,020	39,141	37,240
Employment	22,680	22,944	24,586
Corridor Ranks			
Volume/Capacity Ratio	22 / 30		
Speed Differential	10 / 30		
Crash Rates	1 / 30		
Overall Rank	10 / 30		

\* See the introduction section for further explanation.  
<sup>a</sup> For more detailed information and segment level data consult the CMP Atlas on the MRCOG website.

## Transit Characteristics

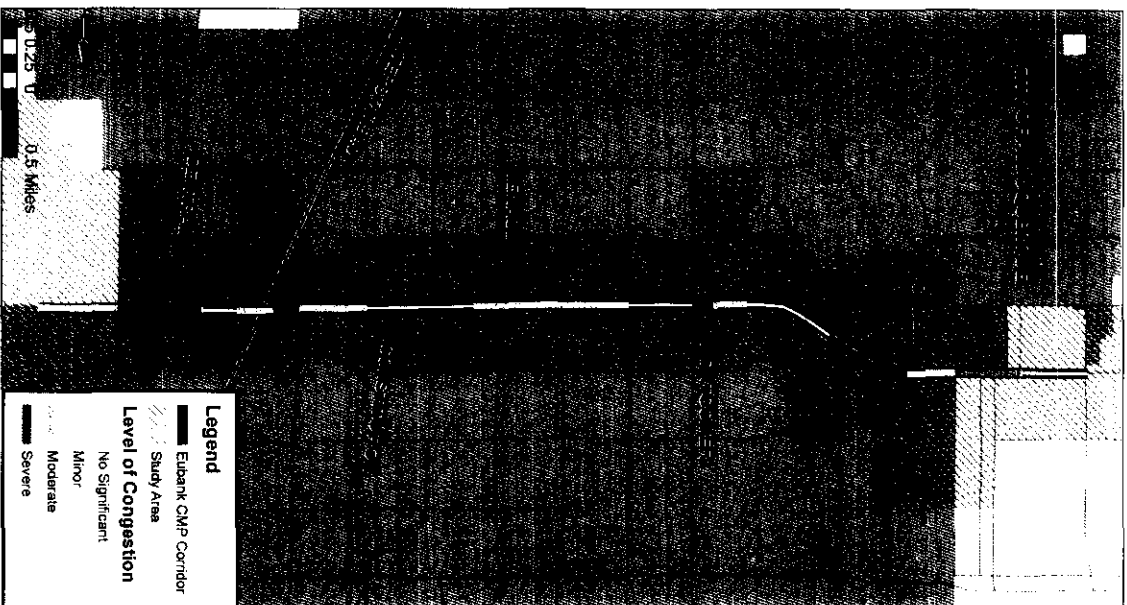
- ABQ Ride operates two routes along portions of Montgomery. Route 5 provides local service along the corridor between Carlisle and Tramway. The route originates/terminates at the Tramway/Montgomery Park & Ride facility and connects the Northwest Heights and Downtown. Route 5 carried more than 3,000 riders per day in April 2011 and has the second-highest ridership of all local routes.
- Route 157 provides service between Kirtland AFB and the Northwest Transit Center and passes along Montgomery between I-25 and Louisiana.



## Corridor Notes

- Montgomery Blvd is an east-west principal arterial in the City of Albuquerque.
- The CMP corridor runs between I-25 and Tramway.
- Montgomery continues west of I-25 as Montaño Blvd.
- Predominant movement along Montgomery is westbound in the AM and eastbound in the PM.
- Congestion** is associated with generally slow speeds across the corridor. Congestion is most severe west of San Mateo and between Pennsylvania and Wyoming – places where there are also high volumes during the peak-periods.
- Volumes** are highest east of I-25 (over 40,000 daily vehicles) and between Pennsylvania and Wyoming (over 47,000 daily vehicles).
- Crash rates** are 70% above the regional average and the highest among CMP corridors. Intersections at San Mateo, Wyoming, and Eubank have rates more than three times the regional average.
- Modest **growth** is projected along the study area in employment (7%) by 2035, while population totals are projected to decline. This loss is due to an anticipated decline in the size of each household. The actual number of households is expected to remain constant.

# Eubank Blvd



## Corridor Notes

- Eubank Blvd is a north-south principal arterial in east Albuquerque.
- The CMP corridor extends from the entrance gate to Kirtland AFB to Paseo del Norte.
- Predominant movement along Eubank is southbound in the AM and northbound in the PM.
- The most **congested** parts of the corridor are the segments to the north and south of Central Ave and to the north of Montgomery.
- There are generally high volume-capacity ratios across the corridor; the highest volumes (36,000-46,000) are between I-40 and Mennal.
- The greatest **speeds** along Eubank are found between San Antonio Dr. and Paseo del Norte.
- Crash rates** are relatively high – about 46% above the regional average. Intersections at Central, Lomas, and Montgomery have crash rates more than two-and-a-half times the regional average.
- Minimal employment **growth** is expected in the corridor, while population totals are projected to decline. This loss is due to an anticipated decline in the size of each household. The actual number of households is expected to remain constant.

## Transit Characteristics

- ABQ Ride's Route 2 provides local service along the corridor between Academy and Kirtland AFB. In April 2011 the route averaged around 500 riders per weekday.
- Local routes running east-west intersect Eubank at Central, Lomas, Mennal, and Montgomery. Commuter routes intersect Eubank on a number of non-CMP corridors.

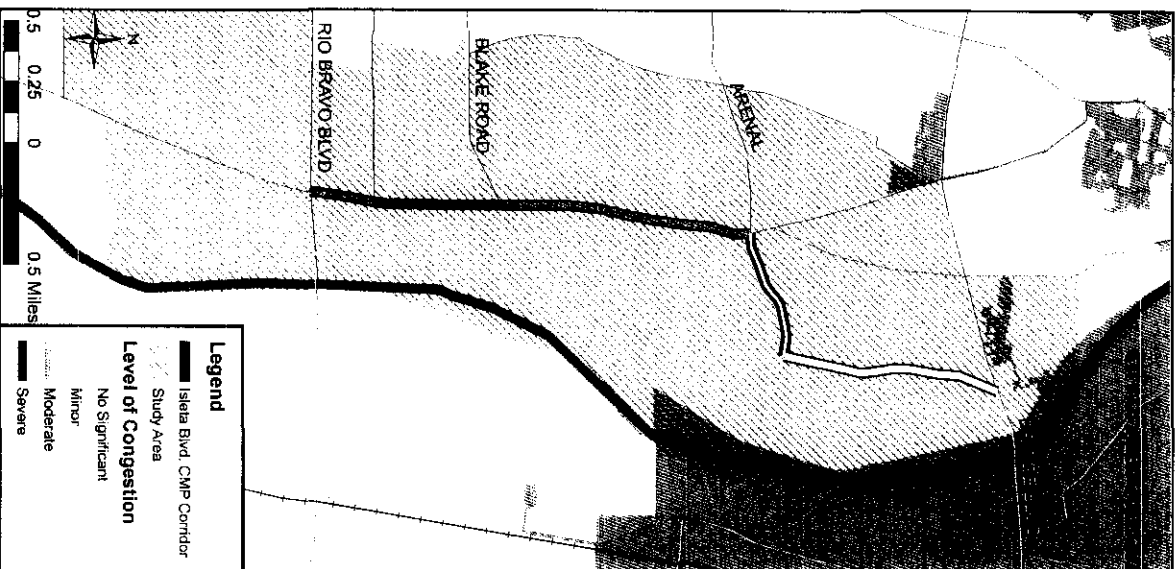
## Profile & Statistics

# #11

Corridor Profile*			
Study Area	55.51 Sq. Miles		
Length & No. of Segments	8.12 Miles - 27 segments		
Functional Class	Principal Arterial		
Access Control	None		
Lanes	Majority of corridor is 4-6 lanes 2 lanes north of San Antonio		
Total Capacity	3200-4800 vehicles/hour 1600 north of San Antonio		
Intelligent Transportation Systems	Designated corridor: Yes ITS deployment: No		
Transit	ABQ Ride : Route 2 (local)		
Bicycle Facilities	Route & Trail: Gibson to Central Lanes: Academy to Paseo del Norte		
Summary Data			
Daily Volume	13,000 - 46,500		
Average Speeds (PM North)	13 - 42 mph		
Average Speeds (PM South)	11 - 45 mph		
Total Delay (PM North)	280 seconds (34 sec./mile)		
Total Delay (PM South)	194 seconds (24 sec./mile)		
Demographic Trends			
Measure	2000	2008	2035
Population	45,552	50,513	49,086
Employment	30,513	36,344	38,440
Corridor Ranks			
Volume/Capacity Ratio	9 / 30		
Speed Differential	22 / 30		
Crash Rates	6 / 30		
Overall Rank	11 / 30		

\* See the introduction section for further explanation.  
 ^ For more detailed information and segment level data consult the CMP Atlas on the MRCOG website.

# Isleta Blvd



## Corridor Notes

- Isleta Blvd is a north-south principal arterial that passes through the South Valley area of unincorporated Bernalillo County.
- The Isleta CMP corridor runs from Rio Bravo to Bridge.
- Predominant movement along Isleta is northbound in the AM and southbound in the PM.
- The most **congested** portion of Isleta is from Rio Bravo to Arenal where speeds are consistently below posted limits; the segment north of Barcelona is noteworthy for high V/C scores.
- The highest **volume** segment is north of Rio Bravo with 22,000 daily vehicles, while the rest of the corridor has 15,000-20,000 daily vehicles.
- Overall **crash rates** along Isleta are slightly below the regional average. Intersections at Rio Bravo and Bridge have crash rates more than twice the regional average.
- Only nominal **growth** is projected in the study area.

## Transit Characteristics

- ABQ Ride's Route 53 provides local service along the extent of the Isleta CMP corridor and connects the South Valley with Downtown Albuquerque. In April 2011 the route averaged around 750 riders per weekday. Route 51 runs along Isleta between Rio Bravo and Blake Central Ave and southwest Albuquerque.

## Profile & Statistics

Corridor Profile*			
Study Area	5.6 Sq. Miles		
Length & No. of Segments	3.3 Miles - 7 segments		
Functional Class	Principal Arterial		
Access Control	None		
Lanes	Majority of corridor is 2 lanes 4 lanes south of Barcelona		
Intelligent Transportation Systems	Designated corridor: Yes ITS deployment: Yes - PF, CCTV		
Transit	ABQ Ride : Route 53 (local), Route 51 (local)		
Bicycle Facilities	Lanes: Entire corridor		
Summary Data			
Daily Volume	15,000 - 24,000		
Average Speeds (PM North)	26 - 36 mph		
Average Speeds (PM South)	23 - 37 mph		
Total Delay (PM North)	72 seconds (22 sec./mile)		
Total Delay (PM South)	86 seconds (26 sec./mile)		
Demographic Trends			
Measure	2000	2008	2035
Population	16,431	16,894	16,980
Employment	3,409	3,668	3,835
Corridor Ranks			
Volume/Capacity Ratio	10 / 30		
Speed Differential	17 / 30		
Crash Rates	17 / 30		
Overall Rank	12 / 30		

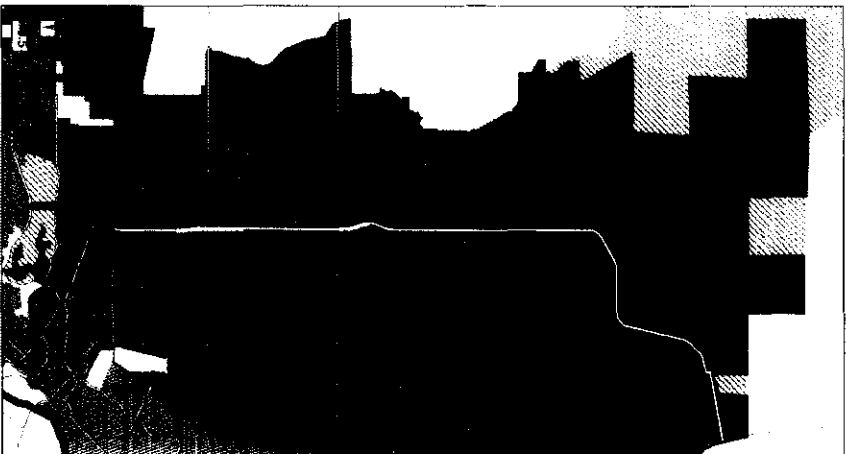
\* See the introduction section for further explanation.  
 \* For more detailed information and segment level data consult the CMP Atlas on the MPO's website.

# Unser Blvd

## Section 1



## Section 2



## Profile & Statistics

# #13

Corridor Profile*			
Study Area	101.7 Sq. Miles		
Length & No. of Segments	23.8 Miles - 35 segments		
Functional Class	Principal Arterial		
Access Control	Limited access: Entire corridor		
Lanes	2 - 6 lanes		
Intelligent Transportation Systems	Designated corridor: Yes ITS deployment: Yes - PF, CCTV, DMS		
Transit	ABQ Ride : Route 155 (local), 94 (commuter)		
Bicycle Facilities	Trail: Blake to Rainbow Lanes: Tower to Rainbow (small gaps) Trail: Paradise to Farol Lanes: Abrazo to Farol Route: Farol to US 550		
Summary Data*			
Daily Volume	3,000 - 32,000		
Average Speeds (PM North)	31 - 52 mph		
Average Speeds (PM South)	21 - 52 mph		
Total Delay (PM North)	39 seconds (2 sec./mile)		
Total Delay (PM South)	97 seconds (4 sec./mile)		
Demographic Trends			
Measure	2000	2008	2035
Population	57,723	103,391	207,896
Employment	7,506	13,875	50,296
Corridor Ranks			
Volume/Capacity Ratio	6 / 30		
Speed Differential	29 / 30		
Crash Rates	14 / 30		
Overall Rank	13 / 30		

<sup>a</sup> See the introduction section for further explanation.  
<sup>a</sup> For more detailed information and segment level data consult the CMP Atlas on the NRCOG website.

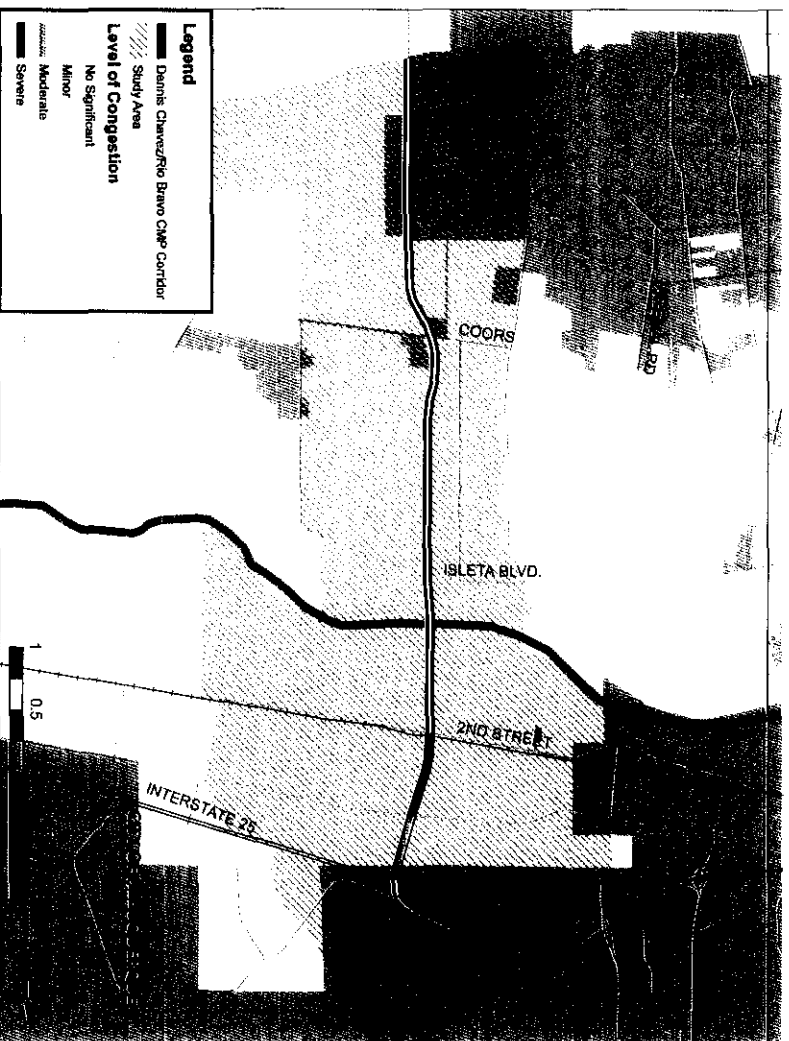
## Corridor Notes

- Unser Blvd is a nearly 24-mile limited-access principal arterial and major north-south facility that connects southwest Bernalillo County, the City of Albuquerque, and the City of Rio Rancho. Unser provides connections from Westside residential areas to I-40 and other east-west roadways and offers access to Rio Rancho City Center.
- The CMP corridor runs between Blake Rd and US 550. There is currently a gap in Unser Blvd between Universe Blvd and Paradise Blvd.
- The corridor is highly varied in its conditions. **Congestion** is minor-to-moderate between Northern Bridge and Duray and most severe between Montano and McMahon. There is little traffic and uncongested conditions between Northern Blvd and US 550.
- The highest **volumes** along Unser are found around I-40 (30,000 vehicles per day).
- Overall **crash rates** along Unser are right around the regional average. Intersections at Sage and Central have crash rates more than three times the regional average.
- The study area, along with much of the Westside, is projected to experience considerable **growth** by 2035 in population (104,000 or 101%) and employment (36,000 or 262%). Growth in both areas is expected to be the greatest in Rio Rancho and northwest Albuquerque.

## Transit Characteristics

- Transit service along Unser is minimal due to a lack of density and unsupportive land uses.
- Route 94 provides commuter service between Montano and I-40, while Unser connects with local transit service at Central and Southern. Commuter routes 162 and 92 also briefly travel along Unser.
- There is no existing transit service on Unser north of Southern Blvd.

# Rio Bravo Blvd / Dennis Chavez Blvd



## Corridor Notes

- The Rio Bravo/Dennis Chavez CMP corridor runs from 98th St. to University Blvd and is the southernmost river crossing in Bernalillo County.
- The extreme edges of the corridor are in the City of Albuquerque; the majority of the corridor is in the South Valley in unincorporated Bernalillo County.
- Rio Bravo Blvd becomes Dennis Chavez Blvd west of Coors.
- The most congested section is between 2nd St. and I-25. **Congestion** is associated with relatively high volumes and low speeds during the peak periods.
- The highest **volume** area is between Isleta Blvd and 2nd St (35,000 daily vehicles), and the lowest volume segment is east of I-25 (7,000 daily vehicles).
- The highest **speeds** along the corridor are found west of Isleta.
- Overall **crash rates** along the corridor are about 20% above the regional average. Intersections at Coors, 2nd St., and Isleta have crash rates more than twice the regional average.
- The study area is expected to double in population and employment by 2035. Even greater growth is expected to the south and west of the study area; these populations would likely use Rio Bravo for access to the rest of the metropolitan area.

## Profile & Statistics

Corridor Profile*			
Study Area	18.0 Sq. Miles		
Length & No. of Segments	4.5 Miles - 8 segments		
Functional Class	Principal Arterial: Paseo del Volcan to I-25 Minor Arterial: I-25 to University Blvd		
Access Control	Yes: Paseo del Volcan to I-25		
Lanes	2 lanes: Paseo del Volcan to Coors 4 lanes: Coors to University		
Intelligent Transportation Systems	Designated corridor: Yes ITS deployment: Yes - PF, CCTV		
Transit	ABQ Ride : Route 222 (linked to Rail Runner), Route 51 (local), Route 198 (commuter) Rail Runner : Rio Bravo/Sunport Station		
Bicycle Facilities	Route: Paseo del Volcan to Coors Wide shoulders along Rio Bravo		
Summary Data			
Daily Volume	7,000 - 35,000		
Average Speeds (PM East)	20 - 47 mph		
Average Speeds (PM West)	18 - 47 mph		
Total Delay (PM East)	107 seconds (24 sec./mile)		
Total Delay (PM West)	93 seconds (21 sec./mile)		
Demographic Trends			
Measure	2000	2008	2035
Population	13,107	20,273	40,727
Employment	6,623	7,607	13,156
Corridor Ranks			
Volume/Capacity Ratio	15 / 30		
Speed Differential	18 / 30		
Crash Rates	10 / 30		
Overall Rank	14 / 30		

\* See the introduction section for further explanation.

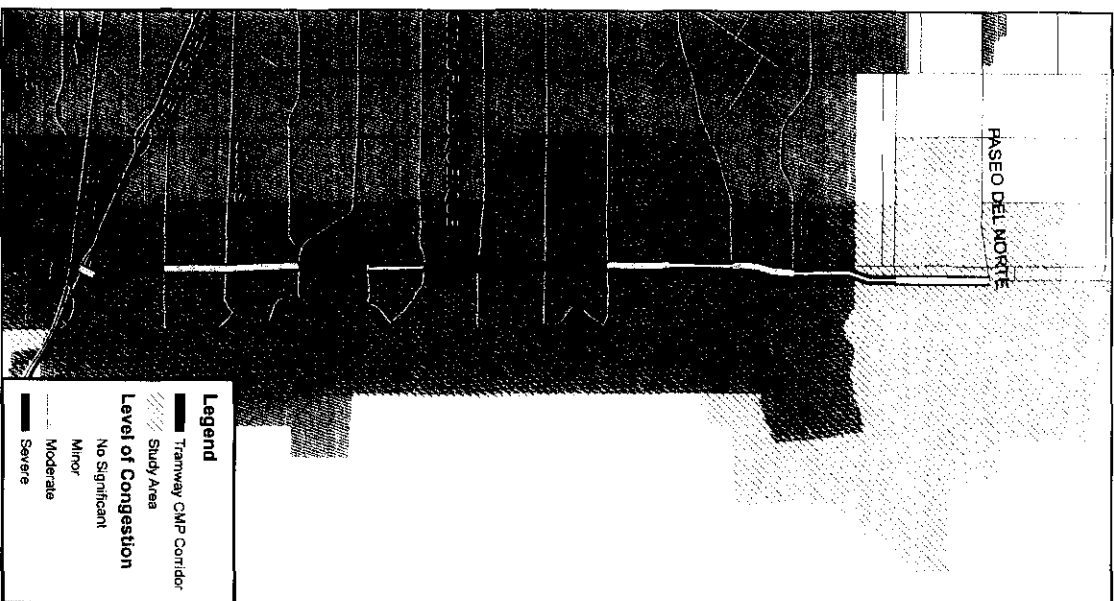
\* For more detailed information and segment level data consult the CMP Atlas on the MRCOG website.

## Transit Characteristics

- ABQ Ride operates two routes along Rio Bravo. Route 222 provides connections to the Rail Runner and passes along Rio Bravo between Coors and University. Service coincides with train arrivals and departures but is unavailable during other times of the day. Route 222 averaged 167 riders per weekday in April 2011.
- Route 51, provides local service along Rio Bravo between Prince/2nd St. and Isleta. The route connects to Central Ave via Arisco and carried 218 riders per weekday in April 2011.
- The Bernalillo County/Sunport Rail Runner station is located at Rio Bravo and 2nd St.

# #14

# Tramway Blvd



## Corridor Notes

- Tramway Blvd is a north-south limited access principal arterial in east Albuquerque.
- The CMP corridor extends from Central Ave to Paseo del Norte.
- The most congested portions of Tramway are the small segment from Central to I-40 and between Menaul and Montgomery. **congestion** is largely associated with high peak-period volumes.
- The highest **volumes** along Tramway are between Menaul and Candalaria (33,000 vehicles), but volumes across the corridor are consistently between 25,000 and 30,000.
- Overall **crash rates** across the corridor are below regional averages. Intersections at Montgomery and Central have crash rates twice as high as the regional average.
- Minimal employment **growth** is expected along Tramway, while population totals are projected to decline. This loss is due to an anticipated decline in the size of each household. The actual number of households is expected to remain constant.

## Transit Characteristics

- There is no transit service along Tramway Blvd. However, a number of transit routes originate and terminate at Tramway. Local routes running east-west intersect Tramway at Central, Lomas, Menaul, and Montgomery. Commuter routes intersect Tramway on a number of non-CMP corridors.
- The Montgomery/Tramway Park and Ride facility is an important collection point for transit users bound for Downtown Albuquerque and other parts of the region.

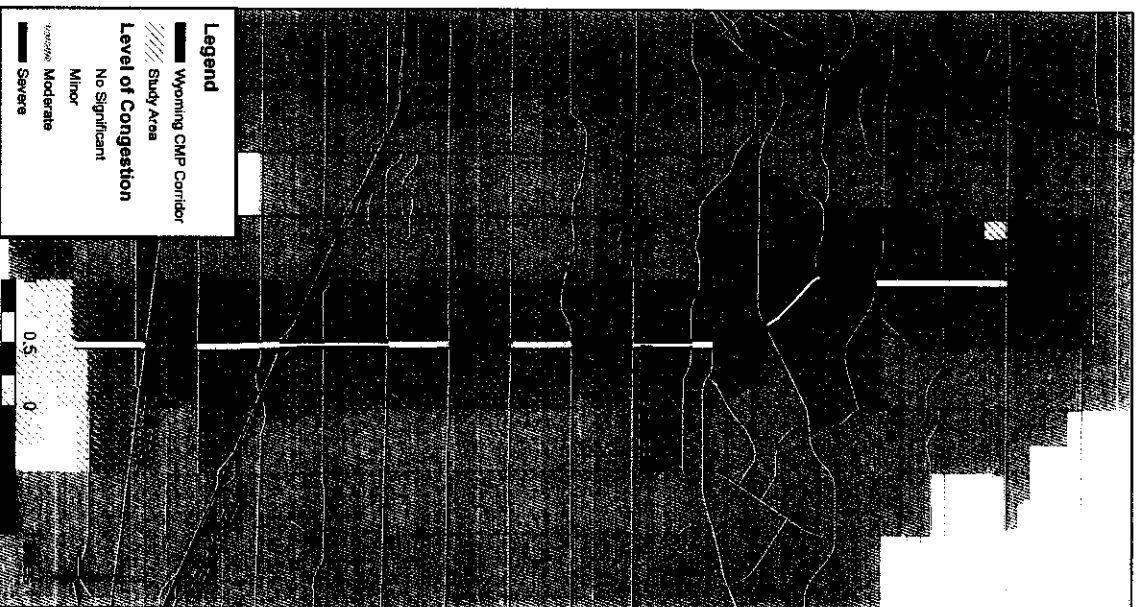
## Profile & Statistics

Corridor Profile*			
Study Area	17.7 Sq. Miles		
Length & No. of Segments	7.4 Miles - 16 segments		
Functional Class	Principal Arterial		
Access Control	Limited access along entire corridor		
Lanes	4 - 6 lanes		
Intelligent Transportation Systems	Majority of corridor is 4 lanes Designated corridor: Yes ITS deployment: Yes - PF, CCTV, DMS		
Transit	No service along Tramway Facilities: Montgomery/Tramway Park & Ride		
Bicycle Facilities	Trail: Entire corridor		
Summary Data			
Daily Volume	17,000 - 33,000		
Average Speeds (PM North)	28 - 33 mph		
Average Speeds (PM South)	18 - 48 mph		
Total Delay (PM North)	119 seconds (16 sec./mile)		
Total Delay (PM South)	131 seconds (18 sec./mile)		
Demographic Trends			
Measure	2000	2008	2035
Population	53,705	57,782	55,740
Employment	9,893	8,259	9,275
Corridor Ranks			
Volume/Capacity Ratio	12 / 30		
Speed Differential	19 / 30		
Crash Rates	20 / 30		
Overall Rank	15 / 30		

\* See the Introduction section for further explanation.

A For more detailed information and segment level data consult the CMP Atlas on the MRCOG website.

# Wyoming Blvd



## Corridor Notes

- Wyoming Blvd is a north-south principal arterial in east Albuquerque.
- The CMP corridor extends from the entrance gate to Kirtland AFB to Paseo del Norte.
- There is moderate **congestion** dispersed across the corridor; congestion is most concentrated in the segments south of San Antonio, south of Academy, and north of Menaul.
- Volumes** (42,000-44,000 daily vehicles) and V/C ratios are highest between Montgomery and Academy, while speed differentials are greatest south of Central and between Menaul and Montgomery.
- Crash rates** are 32% above the regional average. Intersections at Montgomery, Academy, and Paseo del Norte have crash rates more than two-and-a-half times the regional average.
- Minimal employment **growth** (7%) is expected in the Wyoming corridor, while population totals are projected to decline. This loss is due to an anticipated decline in the size of each household. The actual number of households is expected to remain constant.

## Transit Characteristics

- ABQ Ride operates two routes – a local and a commuter – along Wyoming. Local Route 31 runs along the entire corridor and averaged nearly 800 users per weekday in April 2011. Commuter Route 98 runs between the Northwest Transit Center and Kirtland AFB.
- Local routes running east-west intersect Wyoming at Central, Lomas, Menaul, and Montgomery. Commuter routes intersect Lomas on a number of non-CMP corridors.

## Profile & Statistics

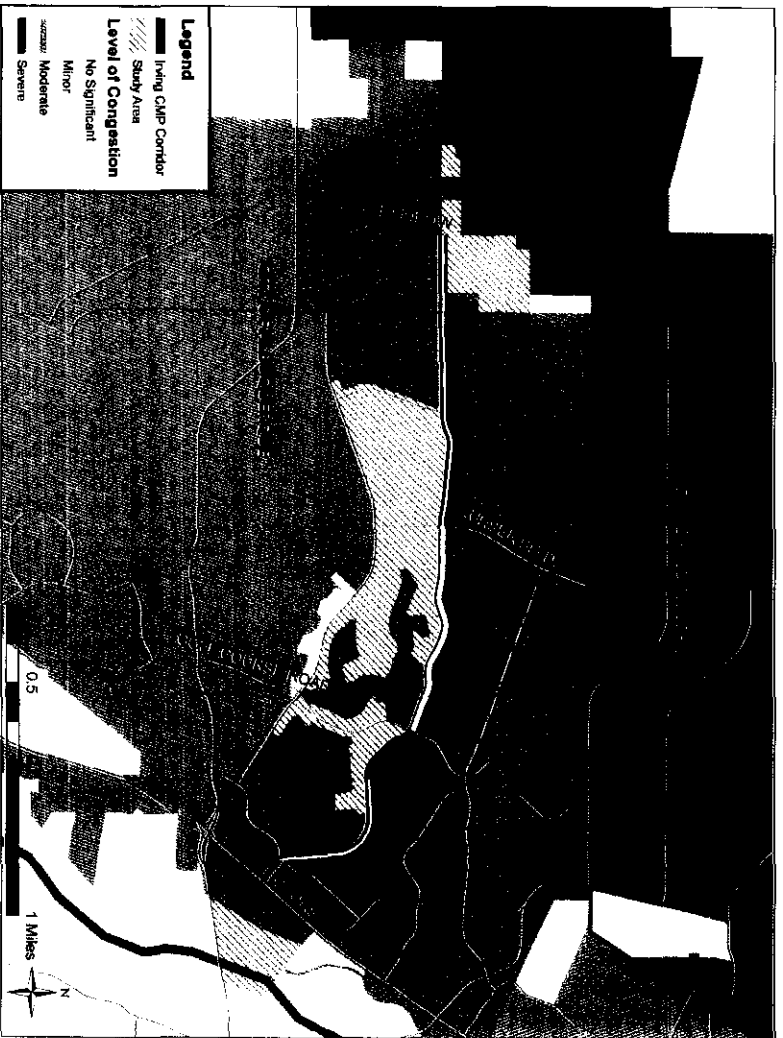
# #16

Corridor Profile*			
Study Area	10.7 Sq. Miles		
Length & No. of Segments	7.7 Miles - 19 segments		
Functional Class	Principal Arterial		
Access Control	None		
Lanes	4 - 6 lanes		
	Majority of corridor is 6 lanes		
Intelligent Transportation Systems	Designated corridor: Yes ITS deployment: Yes - F, CCTV, VDS		
Transit	ABQ Ride : Route 31 (local), 98 (commuter)		
Bicycle Facilities	Lanes: Osuna to San Antonio Trail: Academy to San Antonio		
Summary Data <sup>a</sup>			
Daily Volume	16,000 - 44,000		
Average Speeds (PM North)	14 - 41 mph		
Average Speeds (PM South)	24 - 41 mph		
Total Delay (PM North)	322 seconds (42 sec./mile)		
Total Delay (PM South)	168 seconds (22 sec./mile)		
Demographic Trends			
Measure	2000	2008	2035
Population	48,044	49,135	46,285
Employment	25,546	22,934	24,592
Corridor Ranks			
Volume/Capacity Ratio	19 / 30		
Speed Differential	13 / 30		
Crash Rates	7 / 30		
Overall Rank	16 / 30		

\* See the introduction section for further explanation.

<sup>a</sup> For more detailed information and segment level data consult the CMP files on the MRCOG website.

# Irving Blvd



## Corridor Notes

- The Irving CMP corridor runs east-west from Rainbow to Coors.
- Irving Blvd forms the border between part of the City of Albuquerque and unincorporated Bernalillo County, including the community of Paradise Hills.
- Predominant movement along Irving is eastbound in the AM and eastbound in the PM.
- **Congestion** is most severe east of Golf Course Rd where the volume-to-capacity ratio is high, and between Eagle Ranch and Coors where congestion is associated with slow speeds.
- The segment with the highest **volume** is between Eagle Ranch and Coors (19,000 daily users).
- Overall **crash rates** along Irving are below the regional average. The crash rate at the intersection of Irving and Coors is almost three times the regional average.
- Moderate **growth** is expected in population (34%) and employment (58%) by 2035. Even greater growth is projected in the area to the west of the Irving CMP corridor.

## Profile & Statistics

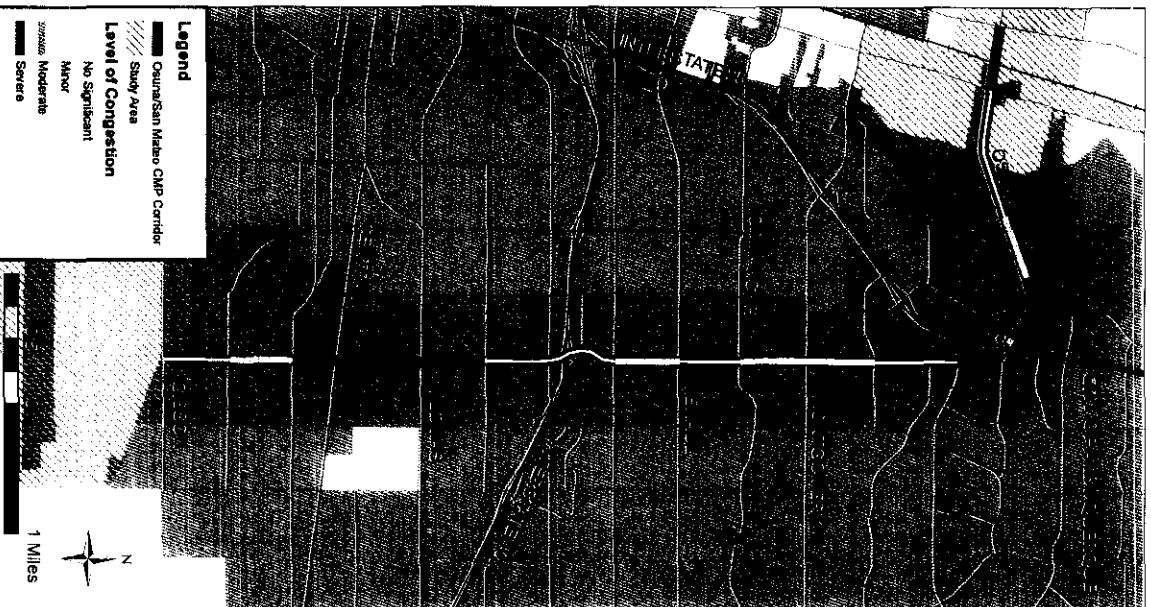
Corridor Profile*			
Study Area	8.3 Sq. Miles		
Length & No. of Segments	4.9 Miles - 7 segments		
Functional Class	Collector: Rainbow to Golf Course Rd Minor Arterial: Golf Course Rd to Coors		
Access Control	None		
Lanes	2 - 4 lanes		
Intelligent Transportation Systems	Designated corridor: No ITS deployment: No		
Transit	No service		
Bicycle Facilities	Lane: Golf Course Rd to Eagle Ranch Trail: Rainbow to La Paz		
Summary Data <sup>a</sup>			
Daily Volume	6,000 - 19,000		
Average Speeds (PM East)	18 - 38 mph		
Average Speeds (PM West)	25 - 38 mph		
Total Delay (PM East)	25 seconds (5 sec./mile)		
Total Delay (PM West)	69 seconds (14 sec./mile)		
Demographic Trends			
Measure	2000	2008	2035
Population	17,561	32,560	43,609
Employment	2,764	4,838	7,631
Corridor Ranks			
Volume/Capacity Ratio	13 / 30		
Speed Differential	21 / 30		
Crash Rates	12 / 30		
Overall Rank	17 / 30		

\* See the introduction section for further explanation.  
<sup>a</sup> For more detailed information and segment level data consult the CMP Atlas on the MRCOG website.

## Transit Characteristics

- There is no existing transit service along Irving, although several north-south ABQ Ride routes (92, 94, 157) intersect the corridor.

# San Mateo Blvd / Osuna Rd



## Corridor Notes

- San Mateo Blvd is a north-south principal arterial in eastern Albuquerque. Osuna Rd is an east-west principal arterial that connects the North Valley and the I-25 corridor.
- The CMP corridor runs between Gibson and Edith.
- San Mateo Blvd becomes Osuna Rd west of I-25.
- The most congested sections of San Mateo/Osuna are around Central Ave, which is subject to delay at the intersection, and I-25, which experiences high peak period volumes and slow speeds.
- V/C ratios along San Mateo are not particularly high but speeds are slow due in part to the level of commercial activity.
- The highest volume portions of San Mateo are south of I-40 and around the I-25 on-ramps (around 40,000 vehicles per day).
- Overall crash rates along San Mateo/Osuna are 28% above the regional average. Intersections at Pan American East and Academy have crash rates more than two-and-a-half times the regional average; at Montgomery the rate is more than three-and-a-half times the regional average.
- The study area is projected to experience only nominal population growth and modest employment growth (7% or 4,000 jobs) by 2035.

## Transit Characteristics

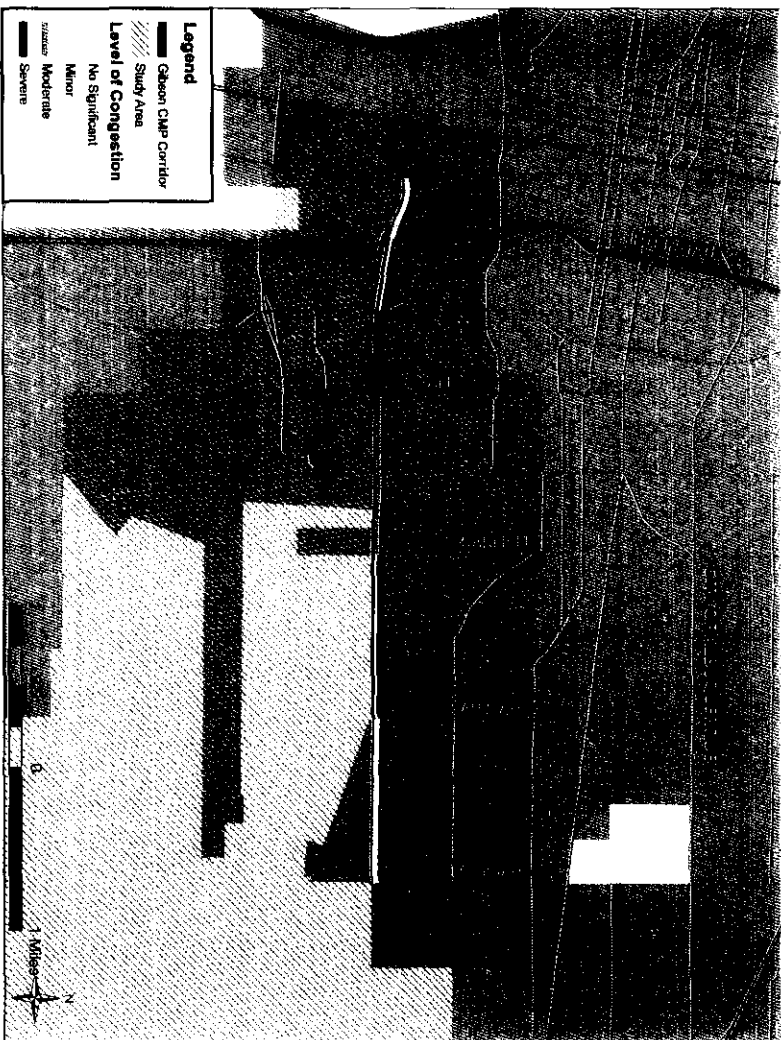
- San Mateo is the second-most utilized transit corridor after Central Ave.
- ABQ Ride operates two overlapping routes (140 and 141) which collectively serve the entire corridor from the VA Hospital at Gibson to Jefferson St. Route 140 continues north to provide access to the Jefferson St. corridor. Collectively Routes 140 and 141 carried almost 4,000 riders per weekday in April 2011.
- San Mateo intersects a number of east-west local routes, including Central Ave, which is one of the busiest transit/pedestrian intersections in the region.
- There is no existing transit service along Osuna Rd.

## Profile & Statistics

Corridor Profile*			
Study Area	15.7 Sq. Miles		
Length & No. of Segments	9.2 Miles - 26 segments		
Functional Class	Principal Arterial		
Access Control	Limited access: Gibson to I-40		
Lanes	4 - 6 lanes		
Intelligent Transportation Systems	Designated corridor: Yes ITS deployment: Yes - PF, CCTV, DMS		
Transit	ABQ Ride : Route 140 (local), 141 (local)		
Bicycle Facilities	None Parallel route from Gibson to Comanche		
Summary Data*			
Daily Volume	13,000 - 42,000		
Average Speeds (PM North)	10 - 43 mph		
Average Speeds (PM South)	20 - 42 mph		
Total Delay (PM North)	338 seconds (37 sec./mile)		
Total Delay (PM South)	315 seconds (34 sec./mile)		
Demographic Trends			
Measure	2000	2008	2035
Population	42,718	45,086	45,258
Employment	61,713	59,443	63,775
Corridor Ranks			
Volume/Capacity Ratio	23 / 30		
Speed Differential	9 / 30		
Crash Rates	9 / 30		
Overall Rank	18 / 30		

\* See the Introduction section for further explanation.  
\* For more detailed information and segment level data consult the CMP Atlas on the MRCOG website.

# Gibson Blvd



## Corridor Notes

- Gibson is an east-west principal arterial that provides access to the Sunport International Airport and Kirtland AFB.
- The CMP corridor runs from Broadway to Louisiana.
- The most **congested** section of the corridor is between University and Carlisle.
- The highest **volumes** (over 30,000) are between Girard and San Mateo.
- Although Gibson is a limited access facility, the corridor is marked by speeds well below posted limits.
- The highest speeds along Gibson are found between I-25 and University.
- Overall **crash rates** are below the regional average. Intersections at Yale and University have rates more than twice the regional average.
- The study area is projected to experience minimal **growth** in population (8%) and employment (11%).

## Profile & Statistics

Corridor Profile*			
Study Area	55.8 Sq. Miles		
Length & No. of Segments	4.2 Miles - 11 segments		
Functional Class	Principal Arterial		
Access Control	Limited Access: University to Louisiana		
Lanes	6 lanes		
Intelligent Transportation Systems	Designated corridor: Yes ITS deployment: Yes - PF, CCTV, VDS		
Transit	ABQ Ride : 16-18 (local), 196 (commuter) Numerous routes provide service to KAFB		
Bicycle Facilities	Lanes: I-25 to San Mateo Parallel trail from University to San Mateo		
Summary Data*			
Daily Volume	15,000 - 33,500		
Average Speeds (PM East)	19 - 49 mph		
Average Speeds (PM West)	19 - 46 mph		
Total Delay (PM East)	111 seconds (26 sec./mile)		
Total Delay (PM West)	201 seconds (48 sec./mile)		
Demographic Trends			
Measure	2000	2008	2035
Population	33,130	32,258	34,863
Employment	39,744	43,103	47,745
Corridor Ranks			
Volume/Capacity Ratio	21 / 30		
Speed Differential	2 / 30		
Crash Rates	26 / 30		
Overall Rank	19 / 30		

\* See the introduction section for further explanation.  
 \* For more detailed information and segment level data consult the CMP study on the MRCOG website.

## Transit Characteristics

- ABQ Ride operates one local service (Route 1618) and one commuter service (Route 96) along Gibson. Additional north-south routes intersect Gibson and provide service to the Sunport, the VA hospital at San Mateo, and Kirtland AFB.
- Route 1618, the Broadway/University/Gibson "BUG" bus runs along Gibson between University and Yale and between Carlisle and Louisiana. The route connects the South Broadway area of Bernalillo County, Downtown, the UNM/CNM area, and southeast Albuquerque; Route 1618 averaged over 900 daily users in April 2011, and as many as 20% originated along the Gibson corridor.
- Route 96 provides peak period commuter service between Rio Rancho and northwest Albuquerque and Kirtland AFB.

# #19

# Central Ave

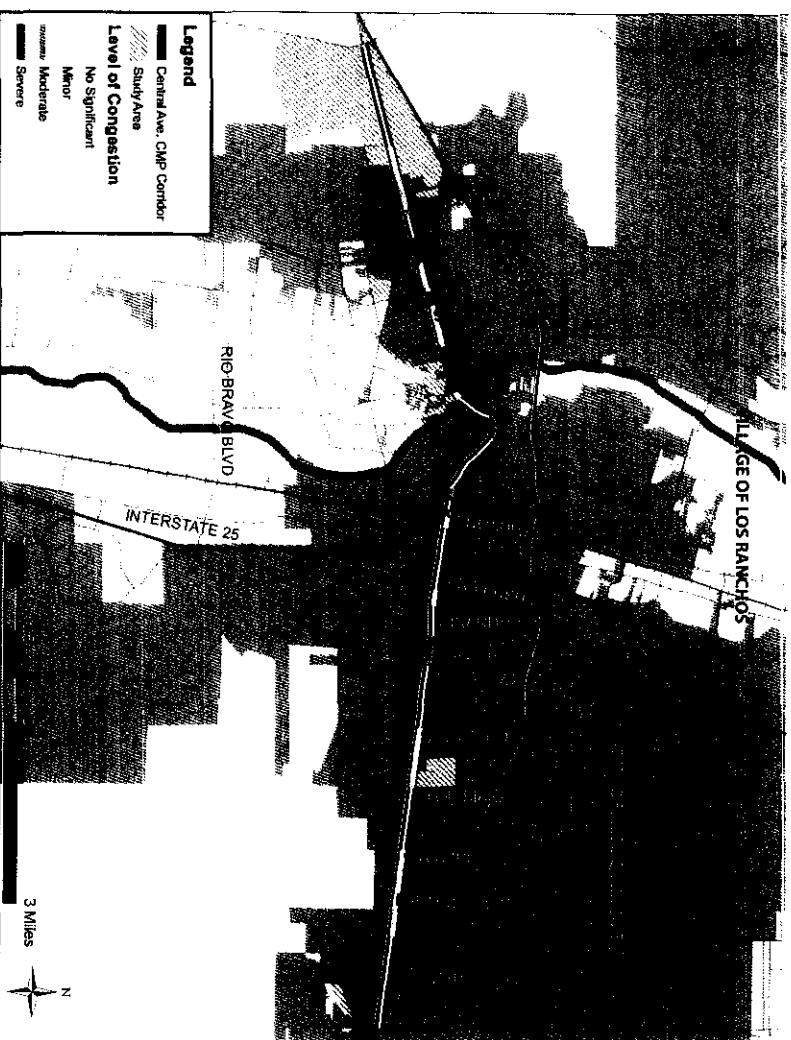
# #20

## Profile & Statistics

Corridor Profile*			
Study Area	19.2 Sq. Miles		
Length & No. of Segments	17.3 Miles - 44 segments		
Functional Class	Principal Arterial: Paseo del Volcan to 8th and 1st to Tramway Urban Collector: 1st to 8th		
Access Control	None		
Lanes	Majority of corridor is 4 - 6 lanes 2 lanes in Downtown Albuquerque		
Intelligent Transportation Systems	Designated corridor: Yes ITS deployment: Yes - CCTV, Transit		
Transit	ABQ Ride : 766 & 777 (Rapid Ride), 66 (local) facilities: Central & Unser Transit Center, Alvarado Transp. Center/Rail Runner Station		
Bicycle Facilities	Lanes: 8th to Lomas; Unser to Atirisco Route: Paseo del Volcan to Unser		
Summary Data*			
Daily Volume	5,000 - 32,000		
Average Speeds (PM East)	10 - 49 mph		
Average Speeds (PM West)	12 - 49 mph		
Total Delay (PM East)	511 seconds (30 sec./mile)		
Total Delay (PM West)	666 seconds (39 sec./mile)		
Demographic Trends			
Measure	2000	2008	2035
Population	75,595	85,129	96,564
Employment	60,895	68,336	79,580
Corridor Ranks			
Volume/Capacity Ratio	27 / 30		
Speed Differential	4 / 30		
Crash Rates	11 / 30		
Overall Rank	20 / 30		

\* See the introduction section for further explanation.

† For more detailed information and segment-level data consult the CMP Add-on the MTCOG website.

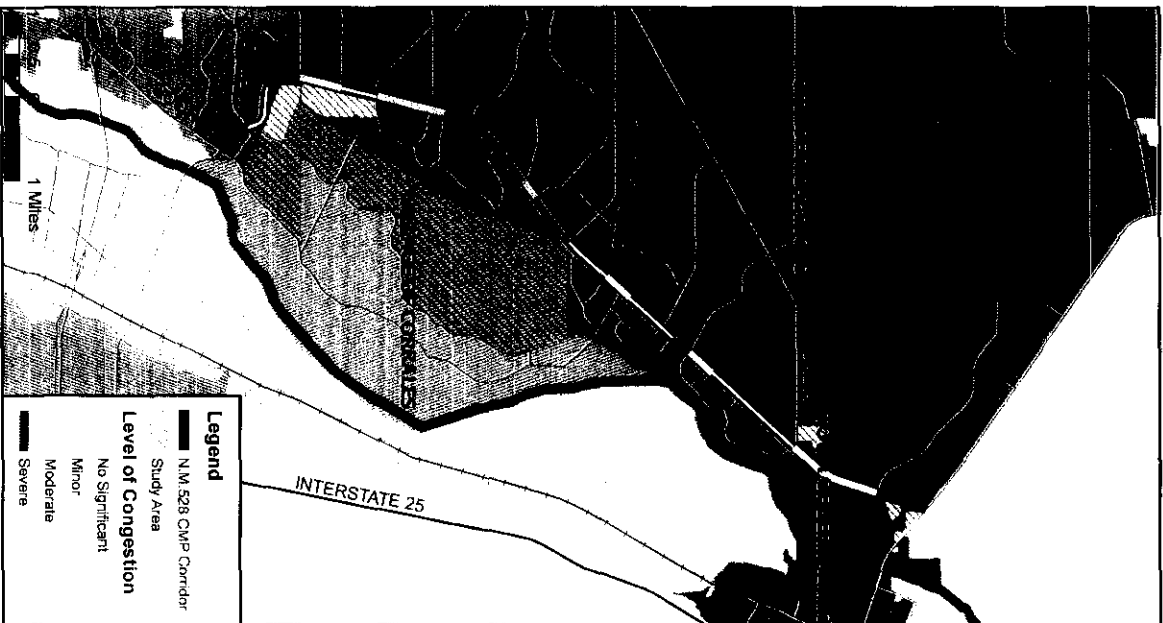


## Corridor Notes

- Central Ave is one of nine river crossings in the AMPA.
- The CMP corridor stretches from east-to-west across the entire City of Albuquerque and passes through major commercial and activity centers, including Old Town, Downtown, UNM, and Nob Hill.
- The greatest **congestion** is from west of Unser to Rio Grande. Congestion along Central is generally due to slow speeds. Slow speeds are related to the level of activity along the corridor and the high number of intersections and access points.
- The highest **volumes** are between San Mateo and Eubank. Peak-period volumes along Central are generally under capacity, although the segments from Coors to Rio Grande Blvd feature high volume-to-capacity ratios during the peak periods.
- The highest **speeds** and least congestion (and lowest volumes) can be found along the less-developed far west Central. The slowest speeds are found through Downtown.
- Crash rates** along the corridor are 25% above regional average. A number of intersections feature particularly high rates, including Tramway, Rio Grande Blvd, Coors, and Unser.
- A considerable amount of **growth** and infill development is projected along corridor with more than 11,000 new residents and jobs apiece by 2035.

## Transit Characteristics

- Central Ave is the most successful and highest ridership transit corridor in the metropolitan area. ABQ Ride operates three principal routes along Central, including two Rapid Ride services (766 Red Line and 777 Green Line) and local service (Route 66) along nearly the entire corridor. The Rapid Ride routes overlap to cover Central Avenue from Unser to Tramway.
- All Central Ave services, and many other ABQ Ride routes, converge at the Alvarado Transportation Center in Downtown Albuquerque, which is also the highest ridership Rail Runner Station.
- Between the three principal routes, more than 17,000 riders used transit along Central each weekday in April 2011. The highest ridership service is Route 66.



## Corridor Notes

- NM 528 is a north-south principal arterial that provides access through the City of Rio Rancho.
- The CMP corridor runs between Coors/Corrales Rd and US 550.
- Unlike most CMP corridors, NM 528 experiences much of its greatest **congestion** on the ends of the corridor, which serve entry and exit points from Rio Rancho to destinations across the metropolitan area. The most congested segments are northwest of Coors, southwest of US 550, and the portion between Northern and Southern. All congested segments are noteworthy for high V/C ratios but relatively smooth speeds.
- The highest **volumes** (43,000-50,000 daily vehicles) are found between Coors Bypass and Sabana Grande (north of Southern Blvd).
- The greatest **speeds** are found between Honduras Rd. and Idalia Rd.
- Overall crash rates along NM 528 are below the regional average. Intersections at Ellison, Coors/Corrales, and Southern have crash rates more than twice the regional average.
- The projected **growth** by 2035 in the study area is 40% in population and 35 % in employment. Portions of western Rio Rancho which rely on NM 528 for access to the City of Albuquerque are projected to grow at a far greater rate.

## Profile & Statistics

# #21

Corridor Profile*			
Study Area	26.7 Sq. Miles		
Length & No. of Segments	11.1 Miles - 25 segments		
Functional Class	Principal Arterial		
Access Control	limited access: Ellison to US 550		
Lanes	4 - 8 lanes		
Intelligent Transportation Systems	Designated corridor: Yes ITS deployment: Yes - PF, CCTV, DMS, VDS		
Transit	ABQ Ride : Route 551 (commuter), Route 251 (Rail Runner connection)		
Bicycle Facilities	Lane: Westside to Southern Trail: Westside to Northern Route: Northern to US 550		
Summary Data <sup>a</sup>			
Daily Volume	20,000 - 50,000		
Average Speeds (PM North)	18 - 53 mph		
Average Speeds (PM South)	29 - 57 mph		
Total Delay (PM North)	196 seconds (18 sec./mile)		
Total Delay (PM South)	136 seconds (12 sec./mile)		
Demographic Trends			
Measure	2000	2008	2035
Population	33,822	46,404	65,167
Employment	20,366	24,317	32,765
Corridor Ranks			
Volume/Capacity Ratio	11 / 30		
Speed Differential	25 / 30		
Crash Rates	24 / 30		
Overall Rank	21 / 30		

<sup>a</sup> See the introduction section for further explanation.

<sup>a</sup> For more detailed information and segment level data consult the CMP Atlas on the MRCOG website.

## Transit Characteristics

- Two ABQ Ride routes pass along NM 528 between Southern and Coors. Route 251 provides connections between Rio Rancho, the Rail Runner station at El Pueblo, and the Journal Center. Commuter Route 551 follows the same route (without a stop at the El Pueblo Rail Runner station).
- Overall ridership among the routes serving NM 528 is modest. Routes 251 and 551 carried a combined 250 riders per weekday in April 2011.
- Northwest Transit Center at Coors and Ellison is near the southern terminus of the NM 528 CMP corridor.

# Fourth St

# #22



## Corridor Notes

- 4th St. is a north-south principal arterial east of the Rio Grande that serves the City of Albuquerque and the Village of Los Ranchos, where 4th St. functions as the community's main street.
- The CMP corridor runs from Lomas to Alameda.
- The most **congested** and highest-volume portion of the corridor is from Candelaria to Montañito; AM southbound and PM northbound volumes are particularly high.
- 4th St. experiences generally slow speeds across the corridor. As a result the "Speed" ranking is disproportionately high (7th) compared to the overall corridor ranking (22nd).
- Observed **speeds** are slowest compared to the posted speed north of I-40; speeds are smoother south of the Interstate.
- **Crash rates** across the corridor are slightly below the regional average. The intersections at Montañito and Griegos are more than two-and-a-half times the regional average.
- Limited **growth** in population (6%) and employment (11%) is projected in the study area by 2035.

## Transit Characteristics

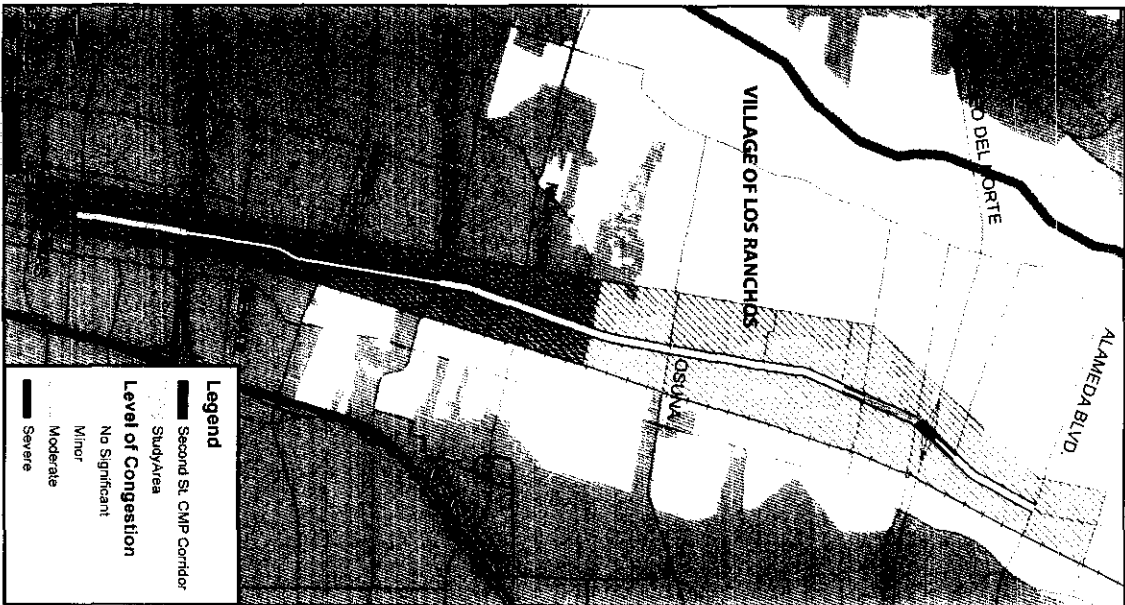
- ABQ Ride Route 10 provides local service along 4th St. between the Raymond G Sanchez Community Center and the Alvarado Transportation Center in Downtown Albuquerque.
- Ridership is heaviest between Montañito and Downtown with peaks around Menaui and Lomas.
- Weekday ridership for April 2011 was more than 1500 users.

## Profile & Statistics

Corridor Profile*			
Study Area	8.5 Sq. Miles		
Length & No. of Segments	7.2 Miles - 16 segments		
Functional Class	Minor Arterial		
Access Control	None		
Lanes	4 lanes (2 lanes from Lomas to Mountain)		
Intelligent Transportation Systems	Designated corridor: No ITS Deployment: Yes - CCTV		
Transit	ABQ Ride : Route 10 (local)		
Bicycle Facilities	No existing facilities Lanes planned north of Guadalupe Trail		
Summary Data			
Daily Volume	8,000 - 29,000		
Average Speeds (PM North)	18 - 39 mph		
Average Speeds (PM South)	10 - 39 mph		
Total Delay (PM North)	205 seconds (28 sec./mile)		
Total Delay (PM South)	271 seconds (38 sec./mile)		
Demographic Trends			
Measure	2000	2008	2035
Population	22,979	23,172	24,446
Employment	18,757	17,442	19,394
Corridor Ranks			
Volume/Capacity Ratio	25 / 30		
Speed Differential	7 / 30		
Crash Rates	19 / 30		
Overall Rank	22 / 30		

\* See the introduction section for further explanation.  
<sup>a</sup> For more detailed information and segment level data consult the CMP Atlas on the MRCOG website.

# Second St



## Corridor Notes

- 2nd St. is a north-south principal arterial that runs from Lomas Blvd to Alameda Blvd.
- The CMP corridor runs through the Village of Los Ranchos, and unincorporated Bernalillo County and provides access to Downtown Albuquerque.
- In general, congestion is minor and dispersed across the corridor.
- The highest daily volumes (20,000-25,000) along the corridor are from Grilegos to Ranchitos Rd. There are particularly high morning volumes southbound along these segments.
- The slowest speeds along the segments are south of Paseo del Norte, while the highest speeds are found north of Osuna.
- **Crash rates** are 20% higher than the regional average. The intersections with the highest crash rates are Paseo del Norte and Mountain.
- Only limited **growth** in population (7%) and employment (10%) is projected in the corridor study area by 2035.

## Transit Characteristics

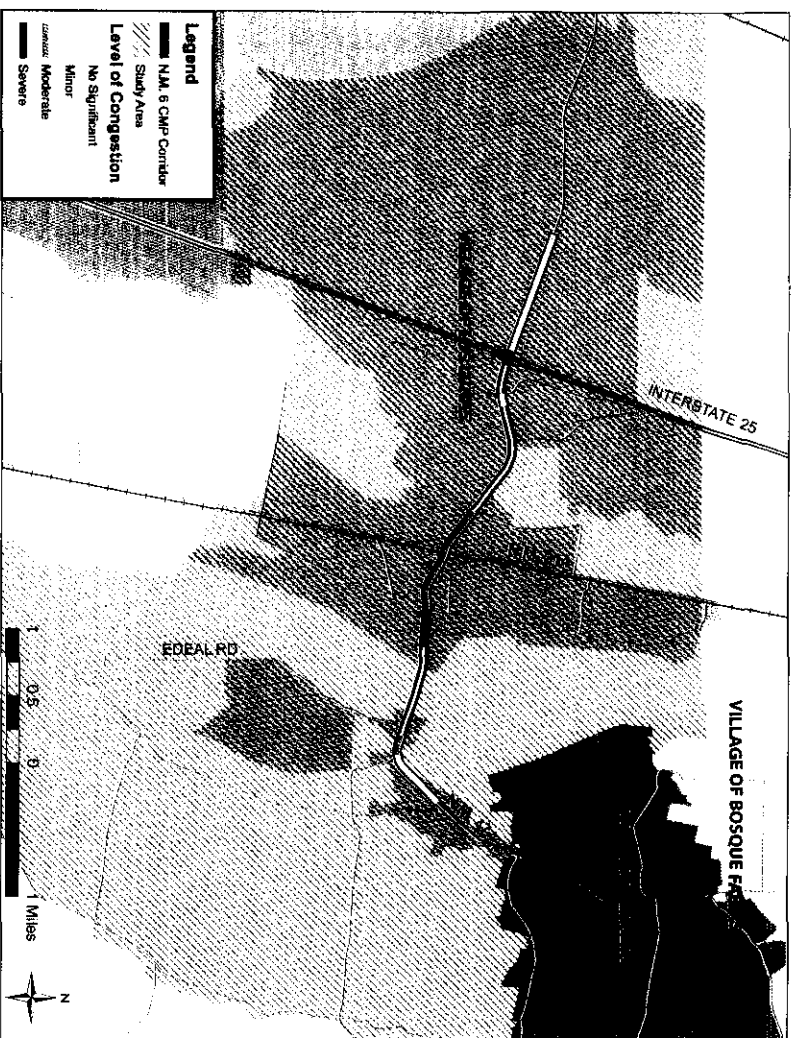
- There is currently no transit service on 2nd St. ABQ Ride operates Route 10 on parallel 4th St. which is less than ¼ mile from 2nd St. in most places.

## Profile & Statistics

Corridor Profile*			
Study Area	3.7 Sq. Miles		
Length & No. of Segments	7.0 Miles - 17 segments		
Functional Class	Principal Arterial		
Access Control	None		
Lanes	Majority of corridor is 4 lanes 2 lanes from Lomas to I-40		
Intelligent Transportation Systems	Designated corridor: Yes ITS deployment: Yes - CCTV		
Transit	No existing service		
Bicycle Facilities	Route: Lomas to Montano		
Summary Data*			
Daily Volume	5,000 - 25,000		
Average Speeds (PM North)	28 - 47 mph		
Average Speeds (PM South)	22 - 44 mph		
Total Delay (PM North)	133 seconds (17 sec./mile)		
Total Delay (PM South)	83 seconds (12 sec./mile)		
Demographic Trends			
Measure	2000	2008	2035
Population	8,901	9,272	9,936
Employment	10,290	10,050	11,099
Corridor Ranks			
Volume/Capacity Ratio	17 / 30		
Speed Differential	20 / 30		
Crash Rates	22 / 30		
Overall Rank	23 / 30		

\* See the introduction section for further explanation.  
 \* For more detailed information and segment level data consult the CMP Atlas on the MRCOG website.

## Profile & Statistics



### Corridor Notes

- NM 6 runs east-west through the Village of Los Lunas and is the southernmost of nine river crossings in the AMPA.
- The CMP corridor runs from Huning Ranch Loop to NM 47.
- Congestion** is heaviest around the I-25 on-ramps and around NM 314 between Don Pasqual and Carson Drive. NM 6 features generally slow speeds, frequently in both directions, and volumes approaching capacity during the peak periods.
- The heaviest volumes are found between I-25 and NM 314 (25,000-31,000 vehicles per day).
- Extremely high **speeds** occur to the west of I-25 in the westbound direction.
- Overall crash rates** along NM 6 are well below the regional average.
- Considerable **growth** in population (95%) and employment (66%) is projected by 2035. The majority of growth is most likely to occur in the western and southern portions of the study area.

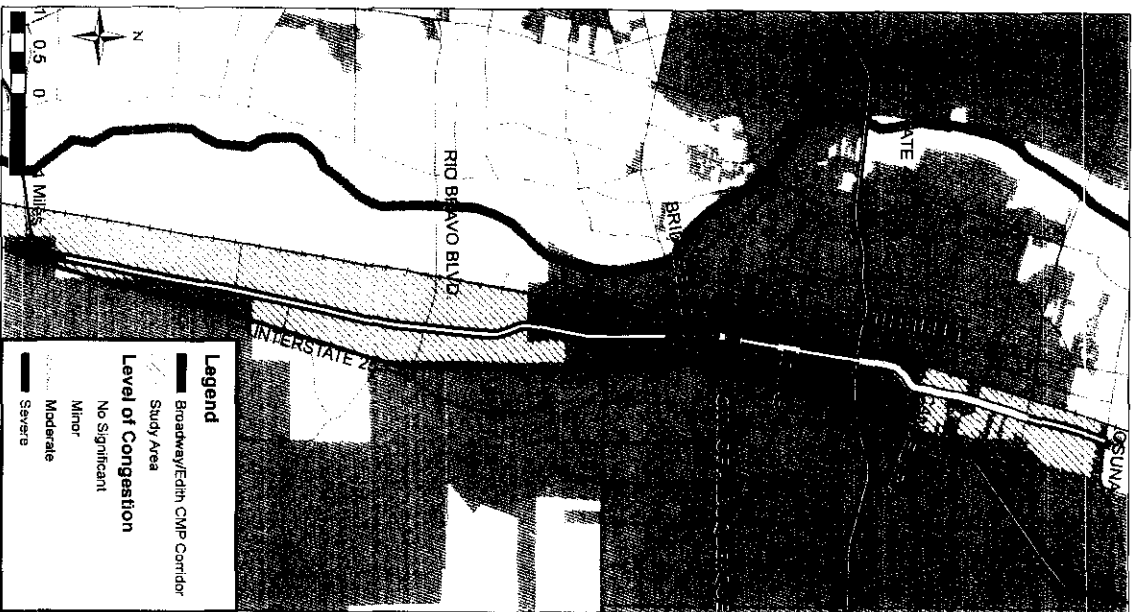
Corridor Profile*			
Study Area	31.6 Sq. Miles		
Length & No. of Segments	4.7 Miles - 17 segments		
Functional Class	Minor Arterial: West of I-25 Principal Arterial: East of I-25		
Access Control	None		
Lanes	4 lanes		
Intelligent Transportation Systems	Designated corridor: Yes ITS deployment: Yes - W/FI		
Transit	No existing service		
Bicycle Facilities	Lanes: Huning Ranch Loop to Don Pasqual		
Summary Data <sup>a</sup>			
Daily Volume	14,000 - 31,000		
Average Speeds (PM East)	13 - 44 mph		
Average Speeds (PM West)	19 - 63 mph		
Total Delay (PM East)	240 seconds (51 sec./mile)		
Total Delay (PM West)	69 seconds (15 sec./mile)		
Demographic Trends			
Measure	2000	2008	2035
Population	18,631	23,892	46,683
Employment	5,882	8,328	13,799
Corridor Ranks			
Volume/Capacity Ratio	16 / 30		
Speed Differential	16 / 30		
Crash Rates	28 / 30		
Overall Rank	24 / 30		

<sup>a</sup> See the introduction section for further explanation.  
<sup>b</sup> For more detailed information and segment-level data, consult the CMP Atlas on the MRCOG website.

### Transit Characteristics

- There is no existing transit service along NM 6.
- Los Lunas Rail Runner station is located just south of NM 6 on NM 314 and carried nearly 350 riders per weekday in April 2011.

# Broadway Blvd / Edith Blvd



## Corridor Notes

- The Broadway/Edith CMP corridor runs from south of I-25 to Osuna and travels parallel to I-25, 2nd St., and 4th St.
- The corridor passes through parts of the South Valley and North Valley in unincorporated Bernalillo County and the City of Albuquerque. Broadway Blvd becomes Edith Blvd north of Candelaria
- Overall **congestion** is minor and travel is particularly smooth between I-25 and Gibson. The most congested section and the highest volumes occur near I-25 and from Gibson to Central.
- The highest **volume** segment of Broadway is immediately south of I-25 (28,500 daily vehicles).
- The greatest speeds are found between I-25 and Bobby Foster Rd.
- Crash rates** along the corridor are slightly below the regional average. The most dangerous intersection is Broadway and Mountain, where crash rates are two-and-a-half times the regional average.
- Moderate **growth** is projected in the study area in population (46%) and employment (21%), particularly in the area around Rio Bravo Blvd.

## Transit Characteristics

- ABQ Ride operates the Route 1618 "BUG" bus along Broadway between Woodward and Mountain. The route provides connections between the South Broadway area, Downtown Albuquerque, UNM, and CNM Main Campus.
- Weekday ridership for April 2011 was over 900, with as many as 1/3 of users originating in the South Broadway area.

## Profile & Statistics

# #25

Corridor Profile*			
Study Area	11.8 Sq. Miles		
Length & No. of Segments	14.4 Miles - 22 segments		
Functional Class	Principal Arterial: I-25 to Menaul Minor Arterial: Menaul to Osuna		
Access Control	None		
Lanes	2 - 4 lanes		
Intelligent Transportation Systems	Designated corridor: Yes (I-25 to Central) ITS deployment: Yes - CCTV		
Transit	ABQ Ride: Route 16-18 (local) service runs from Woodward to Odella		
Bicycle Facilities	Lanes: Gibson to Coal Lanes: Menaul to Candelaria Route: Candelaria to Comanche Route: Montgomery to Osuna		
Summary Data*			
Daily Volume	9,000 - 28,500		
Average Speeds (PM North)	20 - 63 mph		
Average Speeds (PM South)	16 - 61 mph		
Total Delay (PM North)	203 seconds (14 sec./mile)		
Total Delay (PM South)	138 seconds (10 sec./mile)		
Demographic Trends			
Measure	2000	2008	2035
Population	15,618	16,712	24,393
Employment	24,126	26,256	31,757
Corridor Ranks			
Volume/Capacity Ratio	24 / 30		
Speed Differential	14 / 30		
Crash Rates	16 / 30		
Overall Rank	25 / 30		

\* See the introduction section for further explanation.  
 \* For more detailed information and segment level data consult the CMP Atlas on the MRCOG website.

# Lomas Blvd

# #26

## Profile & Statistics

Corridor Profile*			
Study Area	10.7 Sq. Miles		
Length & No. of Segments	10.0 Miles - 25 segments		
Functional Class	Principal Arterial		
Access Control	None		
Lanes	4 - 6 lanes		
Intelligent Transportation Systems	Majority of corridor is 6 lanes Designated corridor: Yes ITS deployment: Yes - PF, CCTV		
Transit	ABQ Ride : Route 11 (local), 790 (Rapid Ride), 5 (local)		
Bicycle Facilities	None Lanes and routes on parallel roads		
Summary Data			
Daily Volume	10,000 - 32,000		
Average Speeds (PM East)	11 - 43 mph		
Average Speeds (PM West)	20 - 46 mph		
Total Delay (PM East)	375 seconds (38 sec./mile)		
Total Delay (PM West)	220 seconds (22 sec./mile)		
Demographic Trends			
Measure	2000	2008	2035
Population	49,367	49,229	53,142
Employment	52,492	54,224	59,455
Corridor Ranks			
Volume/Capacity Ratio	29 / 30		
Speed Differential	15 / 30		
Crash Rates	15 / 30		
Overall Rank	26 / 30		

\* See the introduction section for further explanation.  
<sup>a</sup> For more detailed information and segment level data consult the CMP Atlas on the MRC's website.



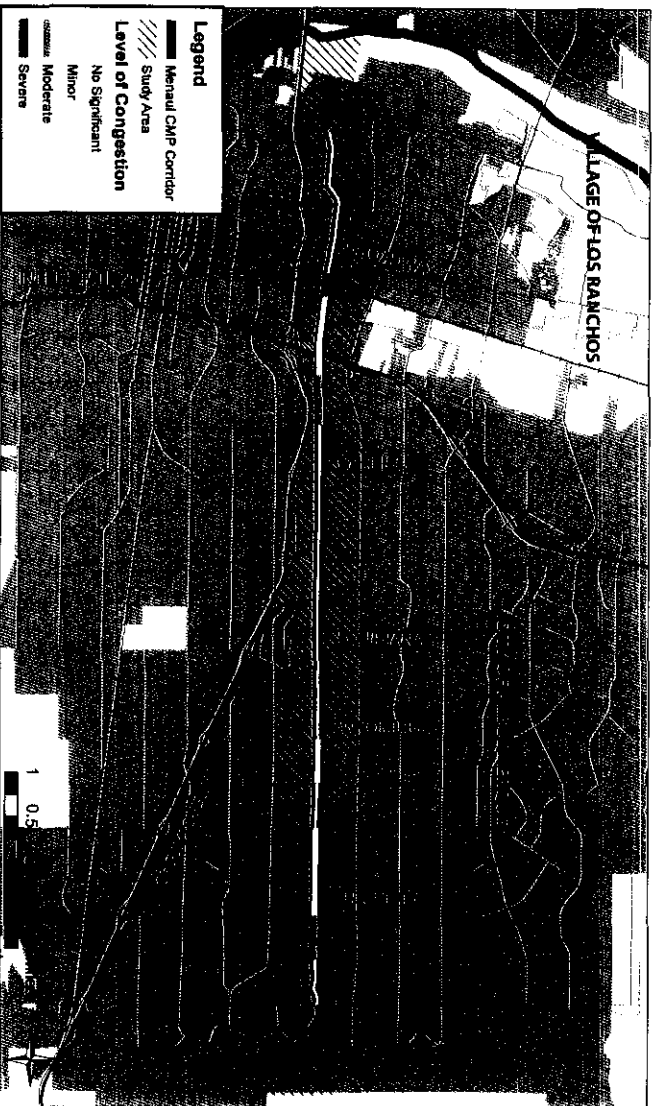
## Corridor Notes

- The Lomas CMP corridor runs east-west between Central Ave and Tramway.
- Lomas connects east Albuquerque and Downtown and provides access to UNM.
- Congestion** is concentrated west of Wyoming and around Carlisle Blvd. Slow speeds are common across the corridor, particularly between University and San Mateo. However, volumes along Lomas are manageable and almost all of Lomas Blvd is under capacity during peak periods.
- Volumes** are highest between Pan American East and Yale Blvd and west of Wyoming (over 30,000 daily vehicles).
- Crash rates** are about equal to the regional average. Intersections at Louisiana and Juan Tabo both have crash rates more than two-and-a-half times the regional average.
- A modest amount of **infill growth** is projected in population (8%) and employment (10%) in the study area by 2035.

## Transit Characteristics

- ABQ Ride operates multiple routes along Lomas, including Route 11, which provides local service along the extent of Lomas. Route 11 is the third-most utilized local route and carried almost 2,700 riders per weekday in April 2011.
- Route 5 connects the northeast Heights of Albuquerque and Downtown and runs along Lomas between Carlisle and I-25.
- Rapid Ride Route 790 passes along Lomas between Old Town and UNM.
- Numerous routes stop at Lomas or briefly pass along Lomas through Downtown Albuquerque. Other north-south routes intersect Lomas in eastern Albuquerque.

# Menaui Blvd



## Corridor Notes

- The Menaui CMP corridor runs east-west through the City of Albuquerque between Rio Grande and Tramway.
- Overall **congestion** along Menaui is minor; the most congested portion is between 2nd St. and I-25 where speeds are well below the posted limits. Menaui has the lowest V/C ratio among all CMP corridors. However, parts of the corridor experience speed-related delays.
- The highest **volume** portion of Menaui is between San Mateo and Wyoming (32,000-35,000 daily vehicles).
- Crash rates** across the corridor are consistently above the regional average but are not severe. The rate at the intersection at University is two-and-a-half times the regional average.
- Modest **growth** is projected along the study area in employment (9%) by 2035, while population totals are projected to decline. This loss is due to an anticipated decline in the size of each household. The actual number of households is expected to remain constant.

## Profile & Statistics

# #27

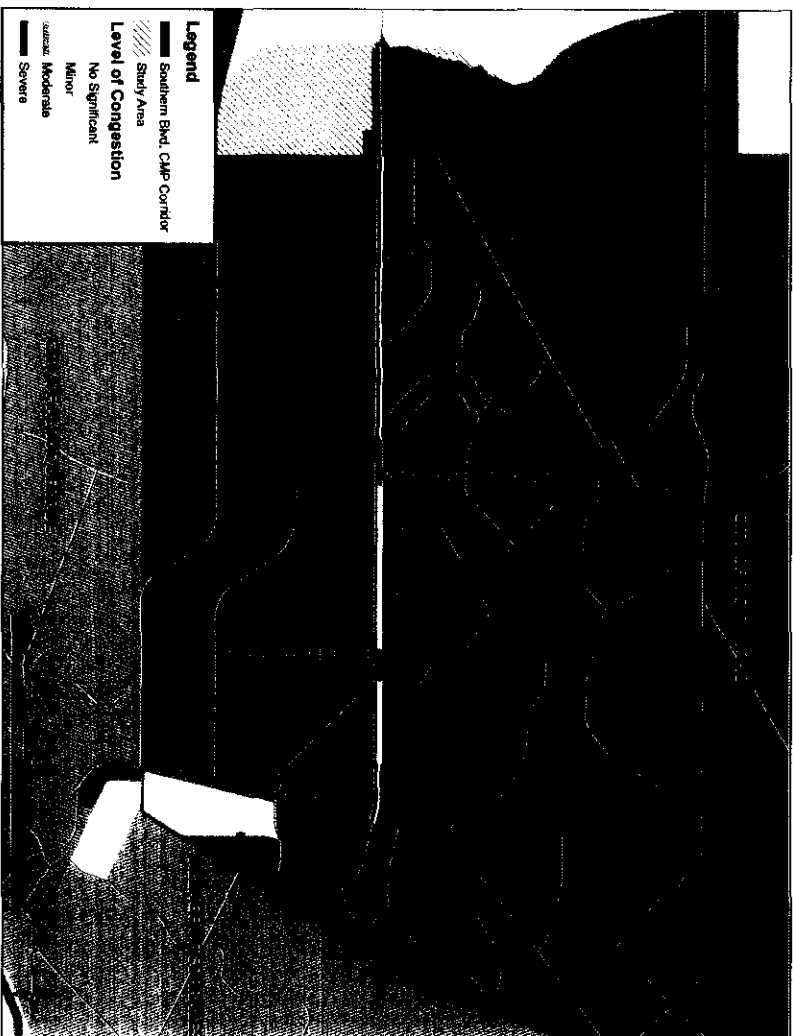
Corridor Profile*			
Study Area	10.3 Sq. Miles		
Length & No. of Segments	10.0 Miles - 23 segments		
Functional Class	Minor Arterial: Rio Grande to 2nd Principal Arterial: 2nd to Tramway		
Access Control	None		
Lanes	4 - 6 lanes		
Intelligent Transportation Systems	Designated corridor: Yes ITS deployment: Yes - CCTV		
Transit	ABQ Ride - Route 8 (local)		
Bicycle Facilities	None Parallel route (Girard to Tramway)		
Summary Data			
Daily Volume	7,500 - 35,000		
Average Speeds (PM East)	15 - 47 mph		
Average Speeds (PM West)	18 - 42 mph		
Total Delay (PM East)	213 seconds (21 sec./mile)		
Total Delay (PM West)	222 seconds (22 sec./mile)		
Demographic Trends			
Measure	2000	2008	2035
Population	39,595	40,577	38,542
Employment	34,640	30,760	33,517
Corridor Ranks			
Volume/Capacity Ratio	30 / 30		
Speed Differential	11 / 30		
Crash Rates	18 / 30		
Overall Rank	27 / 30		

\* See the introduction section for further explanation.  
 \* For more detailed information and segment level data consult the CMP Atlas on the MRCOG website.

## Transit Characteristics

- ABQ Ride's Route 8 provides local service along Menaui and connects the Northeast Heights to Downtown Albuquerque. Route 8 averaged more than 2,400 riders per weekday in April 2011 and is the fourth-most utilized local route.

# Southern Blvd



## Corridor Notes

- Southern Blvd is an east-west principal arterial and a key commercial corridor in the City of Rio Rancho.
- The Southern CMP corridor runs from Rainbow to NM 528.
- Predominant movement is eastbound in the AM and westbound in the PM.
- The most **congested** section is between Golf Course Rd and Sara. The western section of the corridor experiences no significant congestion.
- The highest volume section of the corridor is between Western Hills and Sara (28,000-29,000) daily vehicles.
- The greatest **speeds** are found between Baltic Ave and Lisbon Ave.
- **Crash rates** along Southern are slightly above the regional average. Intersections at Unser and NM 528 have crash rates that are more than twice the regional average.
- **Growth** in the study area is moderate as population is projected to increase by 25% and employment by 33%. Considerable growth is projected to the west of the CMP corridor and may have an impact on traffic patterns along Southern.

## Profile & Statistics

# #28

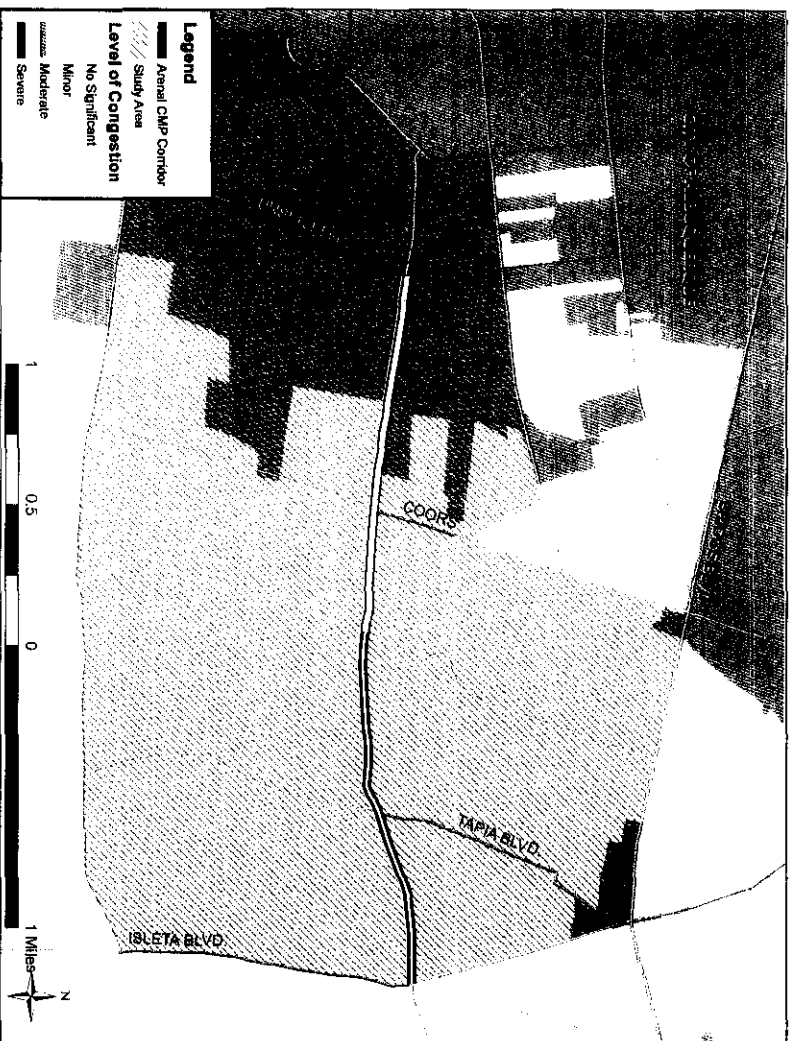
Corridor Profile*			
Study Area	13.4 Sq. Miles		
Length & No. of Segments	4.6 Miles - 11 segments		
Functional Class	Principal Arterial		
Access Control	None		
Lanes	2 - 4 lanes		
Intelligent Transportation Systems	Designated corridor: Yes ITS deployment: Yes - PF		
Transit	ABQ Ride : Route 551 (commuter) Route 251 (Rail Runner connection)		
Bicycle Facilities	Trail: Entire corridor		
Summary Data <sup>a</sup>			
Daily Volume	9,000 - 29,000		
Average Speeds (PM East)	17 - 45 mph		
Average Speeds (PM West)	24 - 45 mph		
Total Delay (PM East)	133 seconds (29 sec./mile)		
Total Delay (PM West)	55 seconds (12 sec./mile)		
Demographic Trends			
Measure	2000	2008	2035
Population	29,365	36,414	45,369
Employment	6,652	8,539	11,351
Corridor Ranks			
Volume/Capacity Ratio	20 / 30		
Speed Differential	24 / 30		
Crash Rates	21 / 30		
Overall Rank	28 / 30		

\* See the introduction section for further explanation.  
<sup>a</sup> For more detailed information and segment level data consult the CMP Atlas on the MRCOG website

## Transit Characteristics

- Multiple ABQ Ride routes originate and terminate at Southern and Unser, two of which (Routes 251 and 551) offer service along the CMP corridor. Route 251 provides connections between Rio Rancho, the Rail Runner station at El Pueblo, and the Journal Center. Commuter Route 551 follows the same route (without a stop at the El Pueblo Rail Runner station). Route 155, which provides local service along Coors, connects to Southern and Unser during the AM and PM peak periods. Commuter Route 96 also originates at Southern and Unser and provides service to Kirtland AFB.
- Overall ridership among the routes serving Southern is modest. The two routes with service along Southern (251 and 551) carried a combined 250 riders per weekday in April 2011.

# Arenal Blvd



## Corridor Notes

- Arenal runs east-west through southwest Albuquerque and the South Valley area in unincorporated Bernalillo County.
- The CMP corridor runs between Unser Blvd and Isleta Blvd.
- Overall **congestion** on Arenal is low, however there is minor congestion between Unser and Old Coors. The most noteworthy characteristic of Arenal is volume-based congestion east of Coors Blvd in both directions. AM eastbound **volume** along the corridor is relatively high but below capacity. The highest volume segment is east of Coors (13,000 vehicles per day).
- Crash rates** across the corridor are slightly above the regional average. The intersection with Coors is particularly prone to incidents, with a crash rate more than three times the regional average.
- Modest **growth** is expected in the study area in population (11%) and employment (36%). Additional population growth is expected to the south and west of Arenal, and future residents may use Arenal for access to other parts of the metropolitan area.

## Profile & Statistics

Corridor Profile*			
Study Area	5.3 Sq. Miles		
Length & No. of Segments	2.6 Miles - 4 segments		
Functional Class	Minor Arterial: Unser to Coors Urban Collector: Coors to Isleta		
Access Control	None		
Lanes	4 lanes (Unser to Coors) 2 lanes (Coors to Isleta)		
Intelligent Transportation Systems	Designated Corridor: No ITS Deployment: No		
Transit	ABQ Ride : Route 51 (local) between Atrisco and Tapia		
Bicycle Facilities	Route: Old Coors to Isleta		
Summary Data*			
Daily Volume	8,500 - 13,000		
Average Speeds (PM East)	29 - 33 mph		
Average Speeds (PM West)	30 - 36 mph		
Total Delay (PM East)	18 seconds (7 sec./mile)		
Total Delay (PM West)	4 seconds (2 sec./mile)		
Demographic Trends			
Measure	2000	2008	2035
Population	16,036	20,776	23,144
Employment	2,107	2,578	3,516
Corridor Ranks			
Volume/Capacity Ratio	26 / 30		
Speed Differential	28 / 30		
Crash Rates	23 / 30		
Overall Rank	29 / 30		

\* See the introduction section for further explanation.  
 † For more detailed information and segment level data consult the CMP Atlas on the MRCOG website.

## Transit Characteristics

- Two ABQ Ride route pass along parts of Arenal, however there is no service across the entire corridor.
- Route 51 provides service between the South Valley and west Central Ave, and passes along Arenal between Tapia and Atrisco.
- Route 54, which provides service from southwest Albuquerque and Bernalillo County to Downtown, runs along Arenal between Unser and Old Coors before crossing the Rio Grande on Bridge Blvd.
- Average weekday ridership during April 2011 for Routes 51 and 54 were around 200 and 700 respectively.

# #29

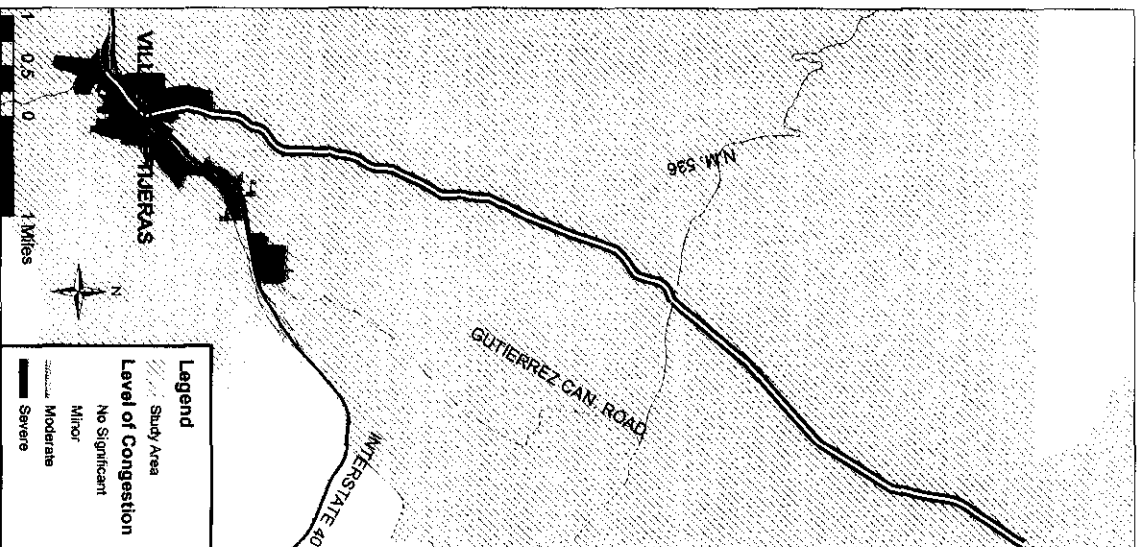
## Profile & Statistics

### Corridor Notes

- NM 14 provides access from I-25 and the Village of Tijeras to unincorporated communities in Bernalillo County that are part of the Albuquerque commuter-shed.
- The NM 14 CMP corridor extends from one mile south of I-25 on NM 333 to the Bernalillo/Sandoval County line.
- Predominant movement is southbound in the AM and northbound in the PM.
- There is no significant **congestion** along the NM 14 corridor. AM peak volumes are above capacity along NM 333 south of I-25 westbound and east of the NM 14 on-ramp.
- Overall observed **speeds** were greater than the posted speed limits.
- Volumes** are highest north of I-25. Traffic lessens and speeds increase along the sections farthest from I-25, especially north of Frost Rd.
- Crash rates** along NM 14 are below the regional average.
- The NM 14 study area is projected to experience considerable **growth** in population (127%) and employment (143%) by 2035.

### Transit Characteristics

- There is no service along NM 14. NMDOT operates the NM Park and Ride Turquoise Route transit service between Moriarty and Albuquerque with a stop in Tijeras near the intersection of NM 14 and NM 333.



### Corridor Profile\*

Study Area	100.7 Sq. Miles
Length & No. of Segments	10.3 Miles - 16 segments
Functional Class	Rural Minor Arterial: I-40 to Frost Rd Rural Collector: North of Frost Rd
Access Control	None
Lanes	2 - 4 lanes
Intelligent Transportation Systems	4 lanes south of Frost Rd Designated corridor: No ITS deployment: No
Transit	No existing service Facilities: NMDOT Tijeras Park & Ride
Bicycle Facilities	Lanes: North of I-25 Trail: North of I-25

### Summary Data\*

Daily Volume	3,500 - 12,000
Average Speeds (PM North)	26 - 55 mph
Average Speeds (PM South)	29 - 54 mph
Total Delay (PM North)	-25 seconds (-2 sec./mile)
Total Delay (PM South)	-28 seconds (-3 sec./mile)

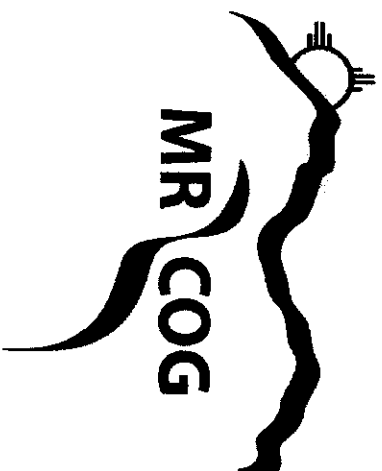
### Demographic Trends

Measure	2000	2008	2035
Population	8,132	9,293	21,106
Employment	1,521	1,935	4,705

### Corridor Ranks

Volume/Capacity Ratio	28 / 30
Speed Differential	30 / 30
Crash Rates	30 / 30
Overall Rank	30 / 30

\* See the introduction section for further explanation.  
 \* For more detailed information and segment level data consult the "30+40+100" on the MRCOG's website.



Mid Region Council of Governments

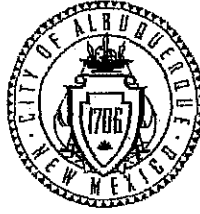
809 Copper Ave., NW

Albuquerque, NM 87102

Phone: 505.247.1750

Fax: 505.247.1753





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

Date: May 16, 2008

## OFFICIAL NOTIFICATION OF DECISION

FILE: **Project# 1007204**  
08EPC-40034 SITE DEVELOPMENT -  
SUBDIVISION  
08EPC-40035 SITE DEVELOPMENT -  
BUILDG PRMT  
08EPC-40039 AMEND SECTOR  
DEVELOPMENT PLAN MAP

Armstrong Development Properties  
1500 N. Priest Drive, Suite 150E  
Tempe, AZ 85281

LEGAL DESCRIPTION: for Tracts 1A, 1B, 2A, 2B, 3A, 3B, & 6, Barrett V.E. Subdivision and approval of Site Development Plans for the aforementioned tracts and Tracts 4-A-1, 4B, 5-B-1 & 5-B-2, Lands of WEFCO Partners, zoned SU-2/C-2, located on Central Avenue between Unser and 86TH ST SW, containing approx. 50 acres. (K-9 ,10/L-10) Anna DiMambro, Staff Planner

On May 15, 2008 the Environmental Planning Commission voted to recommend approval to the City Council Project 1007204/08EPC 40039, a request for a map amendment to the West Route 66 Sector Development Plan from "SU-1/C-2 (10 acres), O-1, and PRD 20 du/acre (7 acres)" to C-2, for Tracts 1A, 1B, 2A, 2B, 3A, 3B, and 6 V.E. Barrett Subdivision, based on the following Findings:

### FINDINGS:

1. This is a request for a map amendment to the West Route 66 Sector Development Plan for Tracts 1A, 1B, 2A, 2B, 3A, 3B, and 6 V.E. Barrett Subdivision, an approximately 36 acre portion of a larger approximately 50 acre site located at the southwest corner of Central and Unser SW. The site is currently zoned SU-1/C-2 (10 acres), O-1, and PRD 20du/acre (7 acres) and is currently vacant. The applicant is proposing C-2 zoning for the entire site. Due to the acreage of the proposed zone change, this request will need to be approved by the City Council. The EPC is a recommending body in this case.

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2. The applicant has submitted concurrent requests for a site development plan for subdivision and a site development plan for building permit for the larger 50-acre site. Retail uses are proposed for the entire site, including a health club.
3. The subject site is located within the Established Urban Area as designated by the Comprehensive Plan and is also within the boundaries of the West side Strategic Plan and the West Route 66 Sector Development Plan. The site is a designated Community Activity Center, and Central and Unser are both Enhanced Transit Corridors in this area.
4. This request furthers the following Comprehensive Plan goals and policies:
  - a. This request will contribute to a full range of urban land uses (II.B.5a).
  - b. The subject site is an appropriate location for the proposed intensity (II.B.5d).
  - c. The proposed zoning will enable development of a vacant infill site that is contiguous to existing infrastructure. Site plan review due to the site's size will ensure the integrity of existing neighborhoods (II.B.5e).
  - d. Employment and services uses on this site will complement the surrounding residential areas. Site plan review will ensure minimization of adverse effects of noise, lighting, pollution, and traffic on residential environments (II.B.5i).
  - e. The proposed zoning will contribute to the efficient placement of services (Transportation and Transit goal).
  - f. The proposed zoning will add to the economic diversity of the West Side (Economic Development goal).
  - g. The proposed zoning will accommodate a wide range of occupational skills and salary levels (II.D.6a).
  - h. The proposed zoning will enable development of a shopping center that may attract both local and outside businesses (II.D.6b).
  - i. The proposed zoning will enable development of a shopping center that will create jobs and reduce the need to travel (II.D.6g).
5. This request partially furthers the following Comprehensive Plan policies:
  - a. The applicant is requesting to eliminate the requirement for higher density housing in this designated Activity Center. While residential development is appropriate and encouraged, it is not required (II.B.5h and II.B.7i).
  - b. The subject site is currently only partially commercially zoned (II.B.5j).
  - c. The proposed location for this shopping center will be convenient for nearby residents, but mixed use is not being proposed (II.B.7a).
  - d. Employment and services uses on this site will complement the surrounding residential areas. Site plan review will ensure minimization of adverse effects of noise, lighting, pollution, and traffic on residential environments (II.B.5i).
  - e. The proposed zoning will add to the economic diversity of the West Side (Economic Development goal).
  - f. The proposed zoning will accommodate a wide range of occupational skills and salary levels (II.D.6a).

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6. This request furthers the following goals, objectives, and policies of the West Side Strategic Plan:
  - a. The proposed zoning will allow West Side residents the opportunity to shop and play in the area where they live (Goal 10).
  - b. Land uses on the West Side are currently unbalanced with a need for commercial uses (Objective 1).
  - c. This zone change will promote job opportunities and business growth in an appropriate area (Objective 8).
  - d. The proposed zoning will allow for urban style services (Policy 3.40).
  - e. The proposed zoning will encourage employment growth (Policy 3.41).
7. The applicant has adequately justified this request based upon R-270-1980:
  - a. The proposed C-2 zoning allows extensive review by city departments, agencies and residents, which minimizes any adverse effects of future development on public facilities, services and roadways and ensures that the design contributes positively to the neighborhood. This is consistent with the health, safety, morals, and general welfare of the city (A).
  - b. The Planning Department considers that the applicant has provided an acceptable justification for the change and has demonstrated that the requested zoning will not destabilize land use and zoning in the area because it is consistent with the zoning of many surrounding properties (B).
  - c. The applicant cited a preponderance of applicable goals and policies of the Comprehensive Plan and the West Side Strategic Plan that are furthered by this request (C).
  - d. The applicant has justified the change based on changed conditions and on the proposed use category being more advantageous to the community
    - i. An 80-acre Regional Shopping Center, which was approved as part of the Atrisco Business Park Master Plan, was a factor in limiting the amount of commercial development that could take place on the subject site. This regional mall was never developed in this area. 100% commercial zoning on the subject site is appropriate to fill the gap in commercial zoning that was left when the regional mall was developed further north (2).
    - ii. Overall, the applicant has cited a preponderance of policies that are furthered by this request (3).
  - e. C-2 zoning is an appropriate zoning category for a Community Activity Center and that most of the allowable uses are innocuous (E).
  - f. The applicant will be required to fund any associated infrastructure improvements (F).
  - g. Economic considerations are not the determining factor for the request (G).
  - h. While the location of the site is certainly a factor in this analysis, it is not the only justification for the proposed change (H).
  - i. This request will not constitute a spot zone or a strip zone (I and J).
8. There is no known neighborhood or other opposition to this request. There is substantial support for this request from area residents and neighborhood associations.

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On May 15, 2008 the Environmental Planning Commission voted to approve Project 1007204/08EPC 40034, a site development plan for subdivision, for Tracts 1A, 1B, 2A, 2B, 3A, 3B, 4B, and 6 V.E. Barrett Subdivision and Tracts 4-A-1, 5-B-1, 5-B-2, Lands of WEFECO Partners, based on the following Findings and subject to the following Conditions:

**FINDINGS:**

1. This is a request for a site development plan for subdivision with design standards for Tracts 1A, 1B, 2A, 2B, 3A, 3B, 4B, and 6 V.E. Barrett Subdivision and Tracts 4-A-1, 5-B-1, 5-B-2, Lands of WEFECO Partners an approximately 50-acre vacant site located at the southwest corner of Central and Unser SW. The site is currently zoned C-2 and SU-1/C-2 (10 acres), O-1, and PRD 20du/acre (7 acres).
2. The applicant is proposing to re-plat the existing 11 tracts into 14 tracts and proposes design standards.
3. The applicant has a submitted concurrent request for a map amendment to the West Route 66 Sector Development Plan for an approximately 36- acre portion of the site so that the entire site will be zoned C-2. The applicant has also submitted a concurrent request for a site development plan for building permit. Retails uses are proposed for the entire site, including a health club.
4. The subject site is located within the Established Urban Area as designated by the Comprehensive Plan and is also within the boundaries of the West side Strategic Plan and the West Route 66 Sector Development Plan. The site is a designated Community Activity Center, and Central and Unser are both Enhanced Transit Corridors in this area.
5. This request partially furthers the following Comprehensive Plan goals and policies:
  - a. The applicant is proposing design standards that would regulate the use and design of these future pad sites. However, the site development plan for subdivision does not restrict the number of drive-thrus on the site. Restriction on the number of drive-thrus is crucial to maintain the integrity of the Activity Center and to protect the established residential neighborhoods from the traffic that will be drawn to and through the site thereby increasing vehicle/pedestrian conflicts (II.B.5k).
  - b. While staff agrees that the location is convenient for residents, the proposed site plan consists mostly of larger parcels (II.B.7a).
6. This request furthers the following West Side Strategic Plan policy:
  - a. This site is accessible by several major streets and is also served by 4 bus routes (Policy 1.14).

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7. Delegation of future phases of development to the DRB is not appropriate in this case because of the importance of the properties adjacent to Central and Unser.
8. The submittal meets the Zoning Code's Large Retail Facility (LRF) Regulations (Section 14-16-3-2 (D)) except for the block size specifics of subsection (3) Site Division. The subject site's dimensions result in irregular block sizes, which are appropriate because:
  - a. The proposed block sizes achieve the intent of the LRF Regulations;
  - b. The proposed design is appropriate for this location;
  - c. The narrow side of the site abuts the adjacent 86<sup>th</sup> Street that provides a primary access
  - d. The long side along Central Avenue has a major entrance that leads to a large, pedestrian-oriented entrance plaza for a group of buildings.
9. There is substantial support for this request from area residents and neighborhood associations.

**CONDITIONS:**

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. Design Standards
  - a. Future phases of development may be delegated to the DRB after EPC review of the first pad site.
  - b. The applicant shall provide a note stating that all development on the site must comply with Zoning Code and West Route 66 Sector Development Plan Design Overlay Zone regulations and that where conflicts exist, the most restrictive shall apply.
  - c. All references to the SU-2 zone shall be removed from the Design Standards.
  - d. A clear statement shall be added to the Permitted Uses section stating that any C-2 conditional uses proposed for the site will require a Conditional Use Permit.
  - e. Streetscape: The applicant shall insert the statement that streetscape will also encourage nearby residents to walk rather than drive to Unser Crossing.
  - f. Parking:
    - i. The statement prohibiting on-street parking shall be removed.
    - ii. The statement regarding compliance with the big box ordinance shall be removed from the second bullet point.

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- iii. A standard shall be added stating that parking shall be placed on at least two sides of a building within a particular lot and, if possible, shall not dominate the building or street frontage. ←
  - iv. The statement regarding employee parking shall be removed.
  - v. A note shall be added stating that trees shall be provided in the parking areas per the requirements of the West Route 66 Sector Development Plan Design Overlay Zone.
  - g. Site Landscape:
    - i. The applicant shall state when the hardscape palette will be selected and by whom.
    - ii. The first bullet point shall not state specific zoning code section and shall additionally state that landscape plans shall also comply with the West Route 66 Sector Development Plan Design Overlay Zone.
  - h. Commons Area: This section shall be removed.
  - i. Service/Loading Areas: The wall height required for screening of service/loading shall be changed to 8' at the loading dock areas.
  - j. Building Articulation/Design: Design requirements shall be added to make the rears of buildings attractive to the same standard as the sides of buildings.
  - k. Portable Buildings: Temporary portable buildings shall also be prohibited.
  - l. Sustainability: The applicant shall add information regarding access to transit and safe and convenient pedestrian connections in order to facilitate multi-modal transportation.
  - m. Lighting: Maximum lighting height shall be 20' unless the Zoning Hearing Examiner approves a variance.
4. Signage Master Plan shall return to the EPC for review and approval:
- i. Off-premise signs shall be added to the list of prohibited signs. Temporary banner signs for special events may be allowed with an Administrative Amendment.
  - ii. The statement "signs will not be permitted to be installed or placed along the perimeter of the property" shall be removed.
  - iii. A note shall be added stating that all signage shall comply with regulations of the Zoning Code and the West Route 66 Sector Development Plan Design Overlay Zone unless the Zoning Hearing Examiner approves a variance.
  - iv. A note shall be added stating that signage facing residential areas shall not be illuminated.
5. Transit:
- i. The applicant shall include information regarding all of the bus routes that serve the subject site.
  - ii. The applicant shall coordinate with the Transit Department about possible participation in Transportation Demand Management (TDM) programs.
6. Drive-Up Service Windows: The total number of permitted drive-up service windows shall be limited to 4, with the number of adjacent drive-up service window uses limited to two. Drive-up window uses may include a bank, pharmacy and a maximum of two "quick-serve restaurants."

7. Wireless Telecommunications Facilities: Any allowance for wireless telecommunications facilities shall require architectural integration.
8. The site development plan for subdivision shall be made to match the approved site development plan for building permit.
9. Final approval of the corresponding map amendment to the West Route 66 Sector Development Plan (08EPC 40039) by the City Council is required prior to final sign-off of the site development plan for subdivision at the DRB.
10. City Engineer Conditions:
  - a. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. Comment continued on next page. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
  - b. Per Transportation Development Staff, completion of the required system improvements that are attributable to the development, as identified in the TIS, is required.
  - c. Page 7, 10C and page 15, 18C, The width of the drive aisle between the landscape island and the parking area behind retail shops 7C and 7C2 shall be a maximum 35' to minimize the crossing distance for the pedestrian walkway by adding additional parking.
  - d. Provide adequate site distance at service drives along Bridge Boulevard adjacent to 6' screen wall.
  - e. According to the TIS, there are six uses with drive-thru windows. Therefore, the applicant should provide the entire site plan for the purpose of reviewing site circulation.
  - f. Site drives to be designed and located per the recommendations in the TIS.
  - g. Provide truck route and turning information on site plan. Service drives and loading areas to be designed accordingly.
  - h. Provide cross access to Tracts 7 and 8 (designated as not a part on site plan), to site drive aisles that provide connections with Unser and Bridge Boulevards. Provide applicable cross access agreements.
  - i. A concurrent platting action will be required at DRB.
  - j. Site plan shall comply and be designed per DPM Standards.
  - k. Dedication of right-of-way from the centerline of Unser Boulevard a limited access, principal arterial as designated on the Long Range Roadway System map.
  - l. Dedication of right-of-way from the centerline of Central Avenue a Principal arterial as designated on the Long Range Roadway System map.
  - m. Dedication of right-of-way from the centerline of Bridge Boulevard a Collector Street as designated on the Long Range Roadway System map.

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- n. Dedication of right-of-way from the centerline of 86<sup>th</sup> Street a Collector Street as designated on the Long Range Roadway System map.
  - o. Dedication of an additional 6 feet of right-of-way along Unser Boulevard, Central Avenue, Bridge Boulevard and 86<sup>th</sup> Street as required by the City Engineer to provide for on-street bicycle lanes.
  - p. Construction of the bicycle lanes along Unser Boulevard, Central Avenue, Bridge Boulevard and 86<sup>th</sup> Street adjacent to the subject property, as designated on Long Range Bikeways System map.
11. Final City Council approval of the accompanying sector development plan map amendment (08EPC-40039) is required prior to final DRB sign-off.
- 

On May 15, 2008 the Environmental Planning Commission voted to approve Project 1007204/08EPC 08EPC 40035, a site development plan for building permit, for Tracts 1A, 1B, 2A, 2B, 3A, 3B, 4B, and 6 V.E. Barrett Subdivision and Tracts 4-A-1, 5-B-1, 5-B-2, Lands of WEFCO Partners, based on the following Findings and subject to the following Conditions:

**FINDINGS:**

- 1. This is a request for a site development plan for building permit for portions of Tracts 1A, 1B, 2A, 2B, 3A, 3B, 4B, and 6 V.E. Barrett Subdivision and Tracts 4-A-1, 5-B-1, 5-B-2, Lands of WEFCO Partners an overall approximately 50-acre vacant site located at the southwest corner of Central and Unser SW. The site is currently zoned C-2 and SU-1/C-2 (10 acres), O-1, and PRD 20du/acre (7 acres).
- 2. The applicant has a submitted concurrent request for a map amendment to the West Route 66 Sector Development Plan for an approximately 36- acre portion of the site so that the entire site will be zoned C-2. The applicant has also submitted a concurrent request for a site development plan for subdivision with design standards. Retails uses are proposed for the entire site, including a health club.
- 3. The subject site is located within the Established Urban Area as designated by the Comprehensive Plan and is also within the boundaries of the West side Strategic Plan and the West Route 66 Sector Development Plan. The site is a designated Community Activity Center, and Central and Unser are both Enhanced Transit Corridors in this area.

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4. This request partially furthers the following Comprehensive Plan goals and policies:
- a. The concept of creating a shopping center to offer more retail options to west side residents is supported; however, the overall layout and design of the shopping center with its back towards the adjacent residential neighborhoods does little to promote an integrated community. The site layout is not conducive to walkability and places more of an emphasis on the personal vehicle (Goal for Developing and Established Urban Areas).
  - b. The proposed site layout could be improved to better respect existing neighborhood conditions, although the proposed uses are appropriate (II.B.5d).
  - c. This request would enable development of a vacant infill site that is contiguous to existing infrastructure. However, the proposed design of the site does not ensure the integrity of the existing neighborhood because the entire length of Bridge Boulevard, which is adjacent to residential neighborhoods, is devoted to building rears and loading docks (II.B.5e).
  - d. The employment and services uses in the retail center would complement the surrounding residential areas. Currently, there are few retail options on the west side. However, the design of the site may create adverse effects of noise, lighting, pollution, and traffic on the adjacent residential environment (II.B.5i).
  - e. This development will buffer adjacent residential areas from the noise on Central Avenue, but the proposed location of the truck loading docks will create additional noise (II.B.5k).
  - f. The site's location is convenient for commercial services, but mixed uses are not proposed, and the site design does not encourage walking (II.B.7a).
  - g. The proposed commercial uses may somewhat encourage walking from one shop to another adjacent shop, although the overall site design does not encourage walking. Pedestrian linkages are provided between uses within the site and to surrounding neighborhood. Buildings are not designed to support public transit and pedestrian activity, although the architecture is appropriate. Landscaping, street furniture, and textured paving are proposed (II.C.9d).
  - h. While the proposal may contribute to the efficient placement of services and sufficient roadway capacity will be ensured through required improvements at the applicant's cost, the proposal does not encourage walking, bicycling, or the use of transit. The applicant is proposing to provide transit shelters, but these could be incorporated into the site plan in a more meaningful way (Transportation and Transit Goal).
  - i. Adequate parking screening is provided, and no high water use plants are proposed for the landscape strips. Proposed signage, however, is excessive, and building facades are mostly separated from the roadway corridor by parking areas. Sidewalks are proposed adjacent to the surrounding roadway corridors that will facilitate safe and convenient walking around the perimeter of the site (II.C.9e).
  - j. The proposal does not show a majority of building entrances from the street and shows the majority of buildings set back from the street at distances far greater than what this policy calls for, with parking areas separating the buildings from the street. The applicant has used a 15% parking reduction based upon transit access as allowed by the Zoning Code and the design standards project a floor area ratio of 1.0 at build-out. This policy calls for building entrances to be on the street for the convenience of transit riders and to make the use of transit more appealing to vehicle drivers (II.D.4a).

- k. Pedestrian and bicycle paths have been incorporated into the project, but the layout of the buildings could be improved to reduce pedestrian/vehicle conflicts and walking distances (II.D.4g).
  - l. Four transit routes service this site, and safe access to transit and transfer capability is provided for in this site plan, although the site plan fails to meaningfully integrate transit into the development (II.D.4p).
5. This request furthers the following West Side Strategic Plan goals and policies:
  - a. This site is accessible by several major streets and is also served by 4 bus routes. It is accessible by pedestrians and bicyclists, although this access may not be ideal (Policy 1.14).
6. This request partially furthers the following West Side Strategic Plan goals and policies:
  - a. Although some of the smaller shops are clustered in some areas of the site plan, many of the proposed structures have the appearance of a strip mall (Policy 1.3).
  - b. Pedestrian and bicycle access is provided to key activity areas. However, the parking lots are not carefully designed to facilitate this access (Policy 1.5).
  - c. The proposal shows buildings of different scales, and the smaller building clusters encourage pedestrian access. However, the three main building structures are too large to be considered pedestrian scale, and parking is located solely in front of the larger buildings. No on-street parking is proposed (Policy 1.12).
  - d. While the applicant is proposing aesthetically pleasing landscaping for Bridge and Central and is also proposing commercial services that will contribute to the social enhancement of Bridge and Central, the entire length of Bridge adjacent to the subject site is dedicated to building rears with large loading dock areas (Policy 3.45).
7. The submittal meets the Zoning Code's Large Retail Facility (LRF) Regulations (Section 14-16-3-2 (D)) except for the block size specifics of subsection (3) Site Division. The subject site's dimensions result in irregular block sizes, which are appropriate because:
  - a. The proposed block sizes achieve the intent of the LRF Regulations;
  - b. The proposed design is appropriate for this location;
  - c. The narrow side of the site abuts the adjacent 86<sup>th</sup> Street that provides a primary access
  - d. The long side along Central Avenue has a major entrance that leads to a large, pedestrian-oriented entrance plaza for a group of buildings.
8. There is substantial support for this request from area residents and neighborhood associations.

**CONDITIONS :**

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. **Parking:**
  - a. The motorcycle spaces shall be located in an area that is visible from the entrance of the building on the site.
  - b. A detail drawing of the proposed motorcycle signage shall be provided.
  - c. Add a column to the parking calculations chart totaling the number of required parking spaces for each building group to match the groupings in the "Parking Provided" column. If the minimum parking required for the site cannot be met, then the applicant shall request a variance from the Zoning Hearing Examiner.
  - d. Adjust building square footages in the parking calculation chart to match those shown on the site plan.
  - e. The row of disabled parking spaces south of Retail 1 shall be located closer to the entrance of Retail 1 or Retail 7B.
  - f. Some of the disabled parking spaces adjacent to Retail 5 shall be located near Retail 4.
  - g. Parking shall be located on at least 2 sides of each building.
4. **Site Plan:**
  - a. Note 1 shall be revised to remove the statement "if a truck bay is located within 300 feet of a residential structure."
  - b. Future phases of development may be delegated to the DRB after EPC review of the first pad site.
  - c. Pedestrian walkways through the parking lots shall align with building entrances where possible.
  - d. Additional cart storage areas shall be provided throughout the site where necessary, and parking calculations shall be revised accordingly.
  - e. Pervious paving shall be used in plaza areas, along building facades, and along pedestrian walkways.

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5. Transit:
  - a. All adjacent bus stops (including those on opposite sides of the street) shall be shown on the site plan.
  - b. Direct connections shall be provided to each adjacent bus stop.
  - c. A transit feasibility plan shall be provided as per West Side Strategic Plan Policy 1.2 and in coordination with the Transit Department.
  - d. A new stop on Central Avenue just east of the westernmost driveway will provide access to the site via the #54 and the #66. A new stop on Unser north of the Unser driveway will provide access via the #54. These shall be shown on the site plan and incorporated into the site design as approved by the Transit Department.
  - e. The applicant shall install bus shelters and associated trash cans and benches at both stops, as reflected in the Site Plan for Subdivision's section M (Transit Facilities), and as approved by the transit department.
  - f. If posted speed limits adjacent to the site on Central will remain over 45 mph, then the applicant install a bus bay for the new stop on Central Avenue, if required by the Transit Department.
6. Maximum lighting height shall be 20' unless the Zoning Hearing Examiner approves a variance.
7. Landscaping:
  - a. Parking lot tree planters shall be placed such that not more than 15 side-by-side parking spaces shall be allowed between planters. For the purpose of calculating parking spaces, cart storage spaces and motorcycle spaces shall be included.
  - b. The locations of trees, lighting, and signage shall be coordinated to prevent future conflict.
  - c. Move street trees along Bridge and along 86<sup>th</sup> behind sidewalk per street tree ordinance. Move sidewalk farther away from street creating planting area 6' wide or greater providing sufficient rooting area and place trees there for greater pedestrian safety, walkability, and environmental benefits. Same for sidewalk placement along Central and Unser.
  - d. A street tree plan shall be provided for the entire lengths of Central and Unser.
  - e. Street trees along Central shall be species that will reach a height of 25 feet or less at maturity. (PNM comment).
  - f. The note "Landscape to be determined by future tenant" shall be removed.
8. Walls and Fences:
  - a. The wall height required for screening of service/loading shall be changed to 8' at the loading dock areas.
  - b. Detail drawings of the proposed screen wall shall be provided, including information regarding materials and colors that match the building architecture.
9. Plaza areas:
  - a. The square footage of each plaza space shall be indicated on the site plan.

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- b. Plaza calculations shall be revised to reflect regulations of the large retail facilities regulations (a collection of smaller buildings linked by common walls shall be considered one building). Plaza space for each building shall be located adjacent to or near the associated building.
- c. A minimum of 50% of the required public space shall be provided in the form of aggregate space as required by the Zoning Code's Large Retail Facility Regulations.

10. Grading, Drainage, and Utility Plan

- a. The detention pond shall be shallow to prevent the need for defensive security fencing, if technically feasible, yet has the capacity to manage storm waters in a 100-year event.
- b. The retaining wall symbol shall be removed from the legend unless there is actually a retaining wall on the site.
- c. A detail drawing for the detention pond shall be provided. This ponding area shall be rotated 90 degrees and relocated parallel along the adjacent drive aisle and to be bisected by the proposed pedestrian walkway and as presented at the hearing.

11. Architecture:

- a. Elevations shall state color names, shall correctly label each building, and shall use cardinal directions to label each façade.
- b. The statement on the Lowe's elevations regarding the "representation of design intent" shall be removed.
- c. Colors and materials of service doors shall be indicated. High quality materials and treatments shall be used to enhance the aesthetic qualities of these doors.
- d. Similar treatments shall be used on rear elevations as are used on side elevations to meet the intent of Zoning Code §14-16-3-18.
- e. Outdoor seating and plaza space shall be provided as required by large retail facility regulations (§14-16-3-2) and Zoning Code §14-16-3-18.
- f. Retail buildings 7C and 7C2 shall have windows facing the pedestrian plaza on their east and west facades, respectfully.

12. Signage Master Plan shall return to the EPC for review and approval:

- a. All signage shall comply with the Signage Master Plan as approved by the EPC as part of the associated site development plan for subdivision (08EPC 40034).
- b. Vehicular and pedestrian wayfinding sign program shall be included.
- c. Allocation of signage for all tenants shall be described.

13. Maintenance Agreement:

- a. The applicant shall sign a maintenance agreement with the City that is deemed appropriate by the Planning Director. (§14-16-3-2)
- b. The applicant shall add a note on the site development plan for building permit referencing the maintenance agreement.

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14. Solid Waste:
  - a. The site plan shall comply and be designed in accordance with Solid Waste Management requirements.
  - b. Detail drawings shall be provided of the proposed double refuse enclosure.
15. Final approval of the corresponding map amendment to the West Route 66 Sector Development Plan (08EPC 40039) by the City Council is required prior to final sign-off of the site development plan for building permit at the DRB.
16. The applicant must request a Water/Sewer Availability statement. The Utility Plan shall be approved by the Water Utility Authority prior to DRB sign-off.
17. PNM conditions: Access to the development along Central Avenue (driveways, curb cuts) needs to avoid the existing PNM structures. If any of the PNM structures are required to be located due to this project, the developer must pay for the cost of relocation. Any changes or realignment of the existing overhead or underground distribution lines will be at the customer's expense.
18. City Engineer Conditions:
  - a. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. Comment continued on next page. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
  - b. Per Transportation Development Staff, completion of the required system improvements that are attributable to the development, as identified in the TIS, is required.
  - c. Page 7, 10C and page 15, 18C, The width of the drive aisle between the landscape island and the parking area behind retail shops 7C and 7C2 shall be a maximum 35' to minimize the crossing distance for the pedestrian walkway by adding additional parking.
  - d. Provide adequate site distance at service drives along Bridge Boulevard adjacent to 6' screen wall.
  - e. According to the TIS, there are six uses with drive-thru windows. Therefore, the applicant should provide the entire site plan for the purpose of reviewing site circulation.
  - f. Site drives to be designed and located per the recommendations in the TIS.
  - g. Provide truck route and turning information on site plan. Service drives and loading areas to be designed accordingly.
  - h. Provide cross access to Tracts 7 and 8 (designated as not a part on site plan), to site drive aisles that provide connections with Unser and Bridge Boulevards. Provide applicable cross access agreements.
  - i. A concurrent platting action will be required at DRB.
  - j. Site plan shall comply and be designed per DPM Standards.

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- k. Dedication of right-of-way from the centerline of Unser Boulevard a limited access, principal arterial as designated on the Long Range Roadway System map.
- l. Dedication of right-of-way from the centerline of Central Avenue a Principal arterial as designated on the Long Range Roadway System map.
- m. Dedication of right-of-way from the centerline of Bridge Boulevard a Collector Street as designated on the Long Range Roadway System map.
- n. Dedication of right-of-way from the centerline of 86<sup>th</sup> Street a Collector Street as designated on the Long Range Roadway System map.
- o. Dedication of an additional 6 feet of right-of-way along Unser Boulevard, Central Avenue, Bridge Boulevard and 86<sup>th</sup> Street as required by the City Engineer to provide for on-street bicycle lanes.
- p. Construction of the bicycle lanes along Unser Boulevard, Central Avenue, Bridge Boulevard and 86<sup>th</sup> Street adjacent to the subject property, as designated on Long Range Bikeways System map.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY **MAY 30, 2008** IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED. IT IS NOT POSSIBLE TO APPEAL EPC RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE EPC'S RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE EPC'S DECISION.

Appeal to the City Council: Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department within 15 days of the Planning Commission's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If they decide that all City plans, policies and ordinances have not been properly followed, they shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

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

Successful applicants should be aware of the termination provisions for Site Development Plans specified in Section 14-16-3-11 of the Comprehensive Zoning Code. Generally plan approval is terminated 7 years after approval by the EPC

Sincerely,

Richard Dineen  
Planning Director

RD/AD/ac

cc: Darren Sowell Architects, 4700 Lincoln Rd. NE, Suite 111, Albuquerque, NM 87109  
Miguel Maestas, Avalon NA, 9400 Harbor Rd. NW, Albuquerque, NM 87121  
Kelly Chappelle, Avalon NA, 9135 Santa Catalina Ave. NW, Albuquerque, NM 87121  
M Max Garcia, Los Volcanes NA, 6619 Honeylocust Ave. NW, Albuquerque, NM 87121  
Benny Sandoval, Los Volcanes NA, 6516 Honeylocust Ave. NW, Albuquerque, NM 87121  
Tony Chavez, Skyview West NA, 305 Claire Ln. SW, Albuquerque, NM 87121  
Beatrice Purcella, Skyview West NA, 201 Claire Ln. SW, Albuquerque, NM 87121  
Norman Mason, Stinson, Tower NA, 7427 Via Tranquilo SW, Albuquerque, NM 87121  
Victor Wyant, Stinson Tower NA, 612 Cottontail SW, Albuquerque, NM 87121  
Andres Anaya, Sunrise HOA, 209 Galataneau NW, Albuquerque, NM 87121  
Darlene Norris, Sunrise HOA, 319 Galataneau NW, Albuquerque, NM 87121  
Matthew Archuleta, Westgate Heights NA, 1628 Summerfield SW, Albuquerque, NM 87121  
Libby McIntosh, Westgate Heights NA, 1316 Ladrones Ct. SW, Albuquerque, NM 87121  
Van Barber, Westside Merchants Assoc., 5201 Central NW, Albuquerque, NM 87105  
Miguel Maestas, Westside Merchants Assoc., 6013 Sunset Gardens SW, Albuquerque, NM 87121  
Dan Serrano, 3305 Ronda De Lechugas NW, Albuquerque, NM 87120  
Becky Davis, 500 Leeward Dr. NW, Albuquerque, NM 87121  
Jerry Gallegos, 417 65<sup>th</sup> St. SW, Albuquerque, NM 87121  
Louis Tafoya, 6411 Avalon Rd. NW, Albuquerque, NM 87105  
Dr. Joe Valles, 5020 Grande Vista Ct. NW, Albuquerque, NM 87121  
Senator Linda M. Lopez, 9132 Suncrest SW, Albuquerque, NM 87121  
Susan Unser, 7625 Central NW, Albuquerque, NM 87121  
Bernard Dooley, 7611, Via Sereno, Albuquerque, NM 87121  
Klarissa Pena, 6525 Sunset Gardens SW, Albuquerque, NM 87121





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

Date: September 19, 2008

**OFFICIAL NOTIFICATION OF DECISION**

FILE: Project# 1007320  
08EPC-40071 SITE DEVELOPMENT -  
BUILDG PRMT

Lowe's Home Improvement  
4607 Silverheel St.  
Shawnee, KS 66226

**LEGAL DESCRIPTION:** for all or a portion of lot 2A-5A1-A1, Horne Development Addition, zoned SU-1 for Planned Commercial Development with uses permissive and conditional in the C-2 zone, located on Hotel Circle NE between Lomas Blvd. and Eubank Blvd., containing approximately 9 acres. (K-21)  
Catalina Lehner, Staff Planner

On September 18, 2008 the Environmental Planning Commission voted to approve Project 1007320/08EPC 40071, a Site Development Plan for Building Permit for Tract 2A-5A1-A1, Horne Development Addition, zoned SU-1 for Planned Commercial Development with Uses Permissive and Conditional in the C-2 zone, based on the following Findings and subject to the following Conditions:

**FINDINGS:**

1. This is a request for a site development plan for building permit for Tract 2A-5A1-A1, Horne Development Addition, an approximately 9 acre site located south of Lomas Boulevard and approximately in the center of the area known as Hotel Circle.
2. The applicant proposes to develop an approximately 138,000 square foot home improvement center, which will replace approximately 100,000 square feet of existing retail space. The proposed building is not a re-use; it is a new structure since the existing buildings will be demolished and a new building will be constructed. A reconfigured parking lot area, landscaping and other site improvements are also proposed.
3. The subject site is zoned SU-1 for Planned Commercial Development with Uses Permissive and Conditional in the C-2 zone. The proposed retail use is allowed under the subject site's current zoning.

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4. The subject site lies within the boundaries of the Established Urban Area of the Comprehensive Plan and is located in the Los Altos/Market Center Community activity center. No sector development plans apply.
5. The request is subject to the Large Retail Facilities (LRF) Ordinance, commonly referred to as the "Big Box" Ordinance (O-06-53). The proposed building is greater than the 75,000 square foot threshold for applicability of the Ordinance.
6. The request *further*s the following applicable Comprehensive Plan policies:
  - A. Policy II.B.5i-general location of commercial uses. The proposed development would be located in a larger area-wide shopping center that is commercially zoned.
  - B. Policy II.B.7f- Activity Centers/buffering. The more intense uses in this shopping center are separated from the single-family homes to the east by a buffer of other uses, including townhomes, a hotel and a school.
7. The request *partially further*s the following applicable Comprehensive Plan Goal and policies:
  - A. Activity Centers Goal- Locating another commercial use in a designated activity center generally supports the Activity Centers Goal; however, in this case the request will not reduce auto travel needs and will not enhance the identity of Albuquerque and the nearby community.
  - B. Policy II.B.5d-location and intensity/other resources. The location and intensity are appropriate for the proposed use, though many of the LRF Ordinance requirements that would increase its compatibility are not met.
  - C. Policy II.B.5i- design quality and innovation/plan area. The proposed new development is franchise architecture and does not demonstrate design innovation, though there is some other franchise architecture in the area.
8. The proposed site development plan for building permit mostly complies with O-06-53, the Large Retail Facilities (LRF) Ordinance. The needed improvements that remain, many of which are "clean up" items, can be achieved through the application of conditions of approval.
9. A Traffic Impact Study (TIS) was not required, though a Trip Generation Comparison (TGC) was. The TGC indicates that the proposed Large Retail Facility (LRF) will generate approximately 3,000 fewer two-way vehicle trips in a 24 hour period than the existing retail uses.
10. Because the subject site is greater than 5 acres, the archaeological ordinance (O-07-72) applies. The applicant has obtained a Certificate of No Effect.
11. The required pre-facilitated meeting was held. A few neighbors attended and expressed concern regarding property tax impact and crime at a nearby hotel. A follow-up facilitated meeting was not requested or held. There is no known neighborhood or other opposition as of this writing.

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12. The subject site is located less than 700 feet from the intersection of two collector streets, Lomas Boulevard and Morris Road, and is adjacent to and has full access to these roadways and complies with Section 14.D.2.c.2.

**CONDITIONS:**

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to final DRB sign off, the applicant shall meet with the Development Review Staff planner to ensure that the conditions of approval are met. Evidence of this meeting shall be provided to the DRB at the time of application.
3. **Maintenance Agreement:**  
The applicant shall sign a maintenance agreement with the City, prior to final DRB sign-off, so that the site will be maintained when vacant to the minimal standards, among others as deemed appropriate by the Planning Director, elaborated in the LRF Ordinance.
4. **Walls/Fences:**
  - A. The screen wall [and the retaining wall if over 4 ft. tall] shall have additional articulation, such as multiple finishes and vertical pilasters, as required pursuant to Zoning Code §14-16-3-19(B)(2) (a and b).
  - B. The retaining wall shall not exceed 3 ft. tall in the west-east segment south of the plaza area.
  - C. The retaining wall's range of height and finish shall be specified on the site development plan.
  - D. The finish for the retaining wall and the screen wall shall be specified as split-face CMU or light beige stucco.
5. **Loading Dock/Screening:**
  - A. The screen wall near the truckwell/loading dock area shall be 8 ft. tall above the finished floor level and extend horizontally 100 ft. from the face of the dock [(D)(5)(g)(1)].
  - B. The finish for both screen walls, for the truck area and the truckwell/loading dock area, shall be specified and blend with the architecture of the building [(D)(5)(g)(1)].
6. **Pedestrian/Bicycle Connections:**
  - A. An ADA accessible sidewalk ramp, that is not a loading zone, shall be provided to allow pedestrian access from the external sidewalk to the required 8 foot wide sidewalk along the primary (western) façade so that pedestrians do not have to walk in the loading area [(D)(5)(i)].

- B. The sidewalk entering the subject site from Hotel Circle, on the western side of the vehicular entrance, shall be shown on the site development plan and the landscaping plan.
7. Landscaping-Buffers:
- A. The landscape buffer along the subject site's southwestern side shall measure 20 ft. wide and the wider portions shall remain [(D)(6)(a)(1)].
- B. Additional shrubs shall be added to the eastern landscape buffer to provide the required 75% coverage with living, vegetative materials (Zoning Code §14-16-3-10).
8. Landscaping- Minor "clean up":
- A. The note regarding existing trees, and whether or not they will remain, shall be clarified.
- B. The landscaping calculations shall be revised to correct minor discrepancies, such as the size of the plaza area, size of total landscape bed and certain percentages.
9. Architecture:
- A. Every 30,000 gross square feet of structure shall be designed to appear as a minimum of one distinct building mass with distinct expressions [(D)(6)(b)(2)].
- B. The patio along the building's main (western) façade shall be recessed a minimum of 20 ft. [(D)(6)(b)(1)].
- C. The main (western) façade 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 [(D)(6)(b)(1)].
10. Signage:
- A. There shall be one monument sign, either near the northwest corner or the southern corner of the subject site, along Hotel Circle.
- B. Sign area, for building-mounted signs with borders, shall be measured as the area within the border pursuant to Zoning Code §14-16-1-5 (Definitions), and the signage table on Sheet A-101 shall be corrected.
11. Plaza/Outdoor Space:
- The tables in the plaza area shall have umbrellas or other comparable shading structure.
12. The parking lot tree wells shall have curb breaks or another design feature to allow for supplemental water harvesting.
13. CONDITIONS FROM THE CITY ENGINEER, MUNICIPAL DEVELOPMENT, WATER AUTHORITY and NMDOT:  
Conditions of approval for the proposed Site Development Plan for Building Permit shall include:

- A. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
  - B. Where drives are to be constructed on opposite sides of the street, unless they are offset 50' or more, the centerlines need to be within 15' of each other. The only exceptions considered, will be the loading areas at the rear of the store or as approved by the Traffic Engineer.
  - C. Provide truck turning template information on site plan.
  - D. Site plan shall comply and be designed per DPM Standards.
14. The center parking lot sidewalk shall be moved north by one row, and a walkway of textured patterned concrete shall lead to the retail facility to the west. Moving up the southern parking lot sidewalk by one row is optional.
15. The Applicant shall investigate whether it is possible to relocate the plaza area adjoining the sidewalk. If this is not possible, the applicant shall demonstrate why.

**PROTEST: IT IS NOT POSSIBLE TO APPEAL EPC RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE EPC's RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE EPC's DECISION, WHICH IS BY OCTOBER 3, 2008.**

**APPEAL: IF YOU WISH TO APPEAL A FINAL DECISION, YOU MUST DO SO BY OCTOBER 3, 2008 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED.**

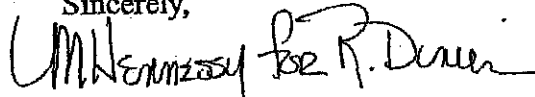
Appeal to the City Council: Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department within 15 days of the Planning Commission's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If they decide that all City plans, policies and ordinances have not been properly followed, they shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

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

Successful applicants should be aware of the termination provisions for Site Development Plans specified in Section 14-16-3-11 of the Comprehensive Zoning Code. Generally plan approval is terminated 7 years after approval by the EPC

Sincerely,

  
Richard Dineen  
Planning Director

RD/CL/ac

cc: Lawrence Kline, Denish + Kline Associates, 500 Marquette NW, Ste 350, Albuquerque, NM 87102



protect the quality of life within surrounding residential areas and support efficient traffic flows. The analysis of the Big Box Ordinance will be included in the site plan subdivision and building permit section below.

Proposed Zoning: C-2

The applicant is requesting C-2 zoning for the entire site. The zone change would affect the following Tracts: 1A, 1B, 2A, 2B, 3A, 3B, and 6. Tracts 4A1, 4B, 5B1, and 5B2 are currently zoned C-2 and are not proposed to be rezoned. This change will eliminate the restriction on commercial uses and will also remove the requirement for residential uses. However, the C-2 zone allows some residential uses and therefore this proposed zone change would not entirely preclude residential uses from locating on the site.

It is important to note that the removal of the SU-1 designation from this site will not eliminate the requirement for EPC site plan approval. Due to the site's size, it is subject to Shopping Center regulations, which require EPC approval. Also, the size of the proposed retail shops makes the request subject to the Large Retail Facilities regulations, thereby again ensuring EPC site plan review.

**1. ANALYSIS- CONFORMANCE TO ADOPTED PLANS AND POLICIES**

**A. ALBUQUERQUE / BERNALILLO COUNTY COMPREHENSIVE PLAN (RANK 1)**

**ESTABLISHED URBAN AREA**

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

**The three-part request partially furthers the Goal of the Established Urban Area. The concept of creating a shopping center to offer more retail options to west side residents is supported by City policies; however, the overall layout and design of the shopping center with its back towards the adjacent residential neighborhoods does little to promote an integrated community. The site layout is not conducive to walkability and places more of an emphasis on the personal vehicle.**

Policy II.B.5a: The Developing and Established Urban Areas as shown by the Plan map shall allow a full range of urban land uses, resulting in an overall gross density up to 5 dwelling units per acre.

The applicant states that the existing requirement for high density residential uses (20 du/a) on this site is contrary to this policy, which states a desired density of up of 5 dwelling units per acre. Staff does not agree with this analysis. The desired density of 5 dwelling units per acre is







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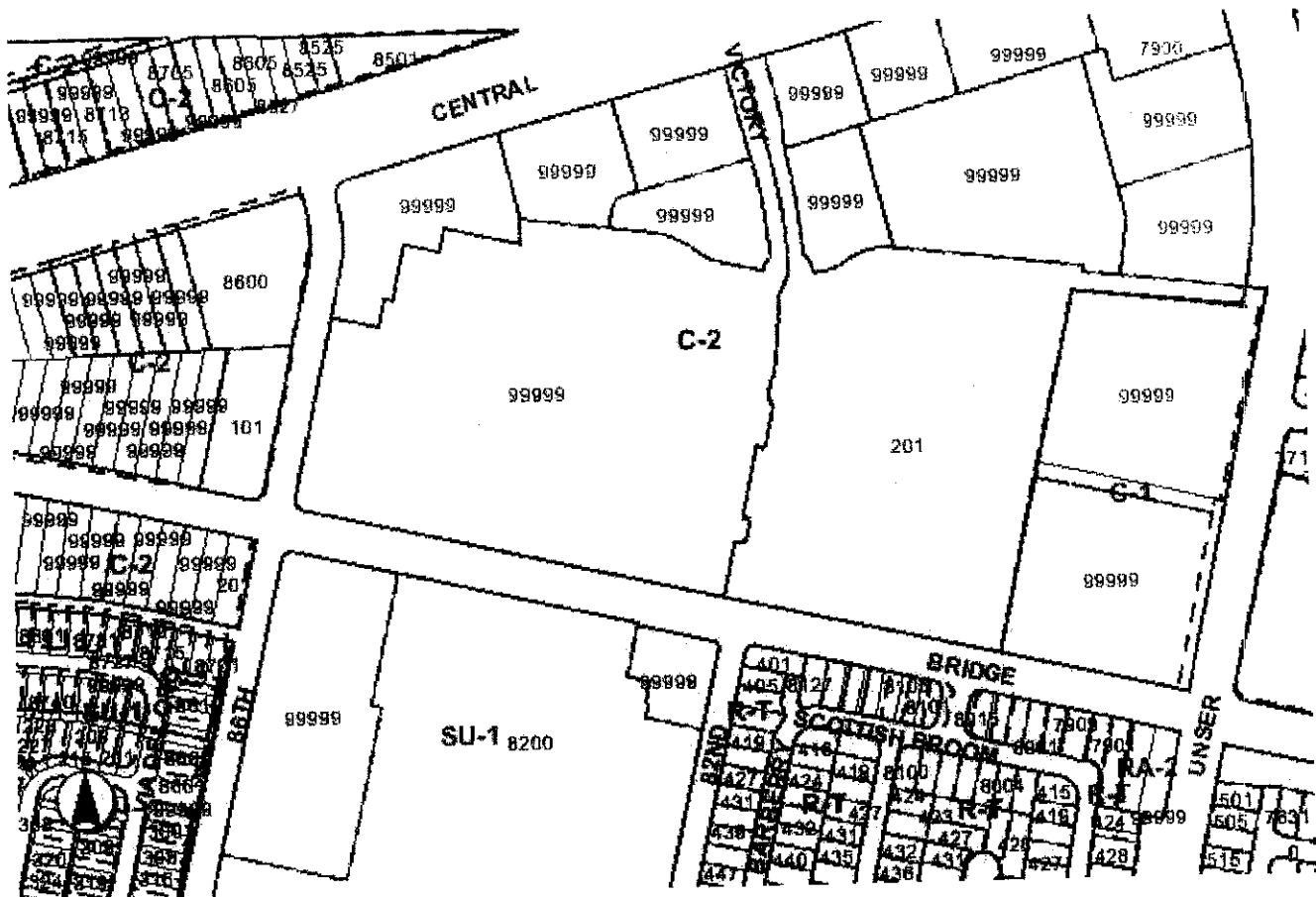


EXHIBIT 7e

5/30/2012

**METRO ADDRESS**

No Features found.

**OWNERSHIP**

Rec	UPC CODE	OWNER	OWNER ADDRESS	OWNERSHIP
1	101005700505030316	ARMSTRONG CENTRAL UNSER BLVD LLC	2100 WHARTON ST SUITE 700	PIT

**ZONING**

Rec	ZONING	DESCRIPTION
1	C-2	(SC)

**ZONE GRID**

Rec	ZONE ATLAS GRID
1	K9

**PARCELS**

Rec	NUMBER	NAME	DESIGNATION	QUADRANT	LOT	BLOCK	SUBDIVISION	PIN
1	99999	BRIDGE	BLVD	SW	14	0000	UNSER CROSSINGS	ABQ157898

**CENTERS**

Rec	CENTER	TYPE	STATUS
1	CENTRAL/UNSER	COMM	EXISTING

**METRO ADDRESS**

No Features found.

**METRO ADDRESS**

No Features found.

**SECTOR PLANS**

Rec	SECTOR PLAN NAME
1	WEST ROUTE 66

**COUNCIL**

Rec	COUNCILOR NAME	COUNCIL DISTRICT
1	Isaac Benton	3

**ZIPCODES**

Rec	ZIPCODE
1	87121

**METRO ADDRESS**

No Features found.

**METRO ADDRESS**

No Features found.

# TIMOTHY V. FLYNN-O'BRIEN

Attorney at Law  
817 Gold Avenue SW  
Albuquerque, New Mexico 87102-3014  
Phone: 505-242-4088 / Fax: 866-428-7568

July 9, 2012

Bruce Thompson  
City of Albuquerque Council Services  
One Civic Plaza NW, 9th Floor  
Albuquerque, New Mexico 87102

Kevin Curran, Assistant City Attorney  
Anita Miller, Assistant City Attorney  
City of Albuquerque  
P. O. Box 2248  
Albuquerque, New Mexico 87103

**RE: AC-12-10**

Dear Messrs Thompson, Curran and Ms. Miller:

I have reviewed the LUHO report and have some thoughts. I intend to raise these issues in a letter to the City Council but, given that my letter to the City Council will be submitted only a few days before the City Council meeting, I feel it only reasonable to share my thoughts with you in advance. In sum, Taylor Ranch Neighborhood Association, the Westside Coalition of Neighborhood Associations and 32 other associations (34 in all) will request that the LUHO recommendation not be accepted and the full Council review the declaratory ruling appeal. The LUHO recommendation raises several issues and acceptance would constitute acceptance of the LUHO recommendation on every issue and, arguably, on extraneous matters discussed therein. The appellant associations believe the LUHO is incorrect on several issues so will urge review but, as set forth below, the City Council will not need to address each issue. However, it is absolutely necessary to vote to review in order to avoid adopting any "erroneous interpretations" in the LUHO recommendation. In addition, since the declaratory ruling and the LUHO review deal with interpretations of the zoning code *without reference to a particular project* no councilor is disqualified and no council member needs to recuse himself or herself based upon their purported feelings for or against any particular proposal. These interpretations of the zoning code are not case specific.

Background. On behalf of Taylor Ranch Neighborhood Association and the Westside Coalition of Neighborhood Associations I requested a declaratory ruling interpreting zoning code language (from the Big Box ordinance) and for a declaratory ruling concerning a specific project. The Acting Code Compliance Officer issued a declaratory ruling interpreting the code language but did not rule on the applicability of the code to a specific development. The LUHO also only

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addressed the intent of certain provisions of the Big Box Ordinance.<sup>1</sup> Since both the declaratory ruling and the LUHO recommendation simply interpret the zoning code without reference to the facts of any specific development proposal a councilor's purported expressed opinions about a specific proposal do not require recusal. I recognize that Councilman Garduno has disqualified himself from some matters involving a specific proposed development. Councilman Garduno is not required to recuse himself from this matter (which interprets the code without reference to a specific proposal) anymore than any other councilor since the matters at issue here are the intent of the Large Retail Facility/Big Box ordinance in general—not how those interpretations may apply to any current or future proposed project. A conflict concerning a specific proposal does not disqualify a councilor from interpreting the intent of specific portions of the Big Box ordinance any more than opposition to the ordinance itself would. For example, Councilman Harris voted against the LRF ordinance. One might assume that that vote represents a belief that the LRF ordinance was ill conceived. That vote, however, in and of itself does not mean that he cannot fairly interpret the intent of specific provisions of the ordinance in general. Councilman Garduno has not expressed any opinions on the proper interpretation of the access provisions of the ordinance or the issues raised in this appeal and, therefore, should participate, as should Councilman Harris. See Council Rules Art III, Sec 8 (B)(7).

The LUHO made recommendations as to: (1) whether there is jurisdiction to issue declaratory rulings as to specific development projects when the administrative process has begun; (2) whether the EPC can approve a project that does not meet the access requirements of 14-16-3-2(D)(2)(b); (3) what a Large Retail Facility is under the zoning code, specifically whether it is more than a building; and (4) whether the zoning code provides guidance as to whether access to LRFs may be through residential zones. As set forth below the LUHO recommendation in some cases strayed from the determinations necessary to interpret the intent of the Big Box ordinance.

**1. Jurisdiction to issue declaratory ruling as to specific development when administrative proceedings are pending.** The LUHO recommendation finds that there is no jurisdiction to issue a declaratory ruling (or LUHO recommendation) as to a specific project once administrative proceedings have been initiated. Notwithstanding our disagreement with the LUHO reading of the zoning code we recognize that neither the ZEO nor LUHO dealt with a specific project and the record is not sufficiently developed for such a review. Therefore appellants do not seek a declaratory ruling by the City Council as to a specific proposal for the Silver Leaf property. The code specifically provides for declaratory rulings as to the "applicability of the Zoning Code to a proposed development or activity" §14-16-4-8. There is no prohibition to a declaratory ruling if a case is pending. The use of the term "proposed

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<sup>1</sup> On appeal Taylor Ranch Neighborhood Association and the Westside Coalition were joined by 32 other neighborhood and homeowner associations. See attached list of appellants.

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activity” implies that the development can include a pending proposal before an administrative body. The LUHO opinion is inconsistent with past practice. In the *Hinkle* case a declaratory ruling was appealed and reviewed after initiation of administrative proceeds. See *High Ridge Hinkle JV v City of Albuquerque*, 119 NM 29, 888 P.2d 475 (Ct. App 1994) (*Hinkle I*) (after EPC approval of site plan and ZHE approval of conditional case, neighborhood appealed declaratory ruling and separately appealed EPC approval and ZHE conditional use approval. Each appeal proceeded separately).

Acceptance of the LUHO recommendation that there is no jurisdiction to issue declaratory rulings when cases are pending would be contrary to both the Zoning Code and past practice. A more reasonable rule would be that the ZHE has discretion to issue declaratory rulings as to a specific proposed project and discretion to abstain when administrative cases are pending. However the Council need not reach the jurisdictional issue if it rejects the LUHO recommendation.

**Proposed Resolution.** The City Council should NOT accept the LUHO recommendation but should vote to hear the appeal. If the City Council votes to hear the appeal the LUHO recommendation and its incorrect rationale cease to have any procedural import. Since appellants no longer seek a ruling on a specific proposed development the jurisdictional question is moot and need not be addressed at all by the City Council.

**2. Can the EPC approve a project that does not meet the access requirements of 14-16-3-2(D)(2)(b)?** The declaratory ruling asserted that the mandatory language of the LRF ordinance (“*required* to be located”) was not in fact mandatory and that the EPC could approve a development proposal even if mandatory requirements were not met. The LRF ordinance does not grant the EPC the authority to waive mandatory requirements. The LUHO recommends reversal of the declaratory ruling on this issue. Appellants agree with the LUHO recommendation on this issue. However since other parts of the LUHO recommendation are incorrect as set forth herein the City Council must still vote to hear the case to avoid adopting incorrect interpretations in the LUHO recommendation.

**Proposed Resolution.** In order to avoid adopting other erroneous parts of the LUHO recommendation the City Council needs to vote to hear the appeal. The City Council should adopt the LUHO recommendation on this issue reversing the declaratory ruling that the EPC can waive mandatory zoning regulations adopted by the Council.

**3. What is a Large Retail Facility?** The specific question originally asked by TRNA was: Does an LRF meet the access requirement of Section 14-16-3-2(D)(2)(b) if the *site plan for building permit* for the LRF (98,901 sq. ft.) does not have the required access? (emphasis added). The LUHO begins the analysis by stating:

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“The Term “LRF” includes More than Just the Large Retail Structure Itself.”

The problem with this opinion/recommendation is that it is more confusing than helpful because the LUHO neither limits his interpretation to the access regulation nor identifies when an LRF may be more than the structure. The question concerned *access requirements* for an LRF-not the definition of a Large Retail Facility. The LUHO reasons that since regulations concerning “site design” seem to refer to more than a building that an LRF, must be more than a building, but fails to recognize the difference between the definitions of “Large Retail Facility” and “Site.” As a result the opinion/recommendation provides little or no helpful guidance. The LUHO recommendation attempts to define an LRF as something more than a “main structure” but does not (1) even address the definition of a Large Retail Facility and (2) does not distinguish between shopping center sites and sites which are not shopping center sites. The definition of Large Retail Facility itself makes this critical distinction:

**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.

The Zoning Code definition clearly identifies two different situations: (1) an LRF is a structure except when (2) the LRF structure is in a shopping center site in which case the entire shopping center site is an LRF. Thus, whether the LRF is the structure or the shopping center site depends upon whether the building is in a shopping center site. Since the LUHO decided to address these questions without reference to a specific proposed development a helpful analysis should have started by identifying the two possible circumstances (in shopping center sites vs. not in shopping center sites) identified by the Zoning Code. The failure to make this basic distinction ignores the plain meaning of the code. To be helpful the recommendation or declaratory ruling should address the intent of the Big Box ordinance and the intent of the access regulations as expressed in the ordinance and then describe how the access regulations apply to an existing shopping center site and how they apply to an LRF not in a larger shopping center site.

The LUHO recommends that a more expansive definition of LRF than the “main structure” is possible but fails to even reference the definitions of the zoning code. Thus the LUHO ignores the zoning code and fails to provide helpful guidance. The recommendation is not appropriate for wholesale adoption by the City Council.

The underlying question is what is meant by the requirement that LRF’s be located adjacent to and have primary and full access to a collector street. *See* §14-16-3-2(D)(2)(b). When there is no shopping center site is the intent to require the site plan for building permit to have the required access? When there is a shopping center site is the shopping center site required to have the required access or the site plan for building permit? Or, is some other larger area like

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the original subdivision required to have the access? The plain language requires the LRF to have the required access. This means, referring to the LRF definition, that the building must have the required access unless there is a larger shopping center site. If the 75,000+ building is in a shopping center site the entire center becomes an LRF and, therefore, the intent is that the center have the required access.

The LUHO cites the "Site Design" regulations which are applicable to a proposed "site." The Zoning Code defines "site" by reference to the definition of "Premises." The LUHO, however, claims that the definition of "Premises" is not applicable. Premises is defined as: "Any lot or combination of contiguous lots held in single ownership, together with the development thereon; there may be multiple occupancy." This suggests that at most the access regulations might be expanded from the site plan for building permit to a "premises" when there is no shopping center site. Since the LUHO does not analyze the ordinance intent or the definitions and does not distinguish between different circumstances identified by the definitions his recommendation is confusing, not helpful, and there is no basis for adopting his recommendation.

**Proposed Resolution.** Vote to hear case and not to adopt LUHO recommendation. At hearing clarify intent of access regulations for the two situations identified by definition of Large Retail Facility.

#### **4. The Zoning Code Is Not Silent Concerning Access Through a Residential Area.**

The LUHO states that the zoning code is silent as to whether a LRF meets the access requirements of 14-16-3-2(D)(2)(b) if the local road access to a collector is through residential zones. The Big Box Ordinance clearly does not allow the primary access to be through residential zones.

Section 14-16-3-2(D)(2)(b) requires that there be "primary and full access" to a collector. The access section of the code deals with access for different size facilities. The intent of the "primary and full" access provision is clearly that such access be directly to the adjacent collector. This is evident from the dual requirement of adjacency and primary access. Primary means "first in importance". The access provisions for each of the three sizes of LRFs require full access to one or more collectors depending on the size of the LRF.<sup>2</sup> The largest LRFs are required to have full access to two roadways but there is a specific provision permitting local road access when direct access is prohibited to one of the collectors. ("If access control policies

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<sup>2</sup> For a 75,000 to 90,000 square foot facility "primary and full access" to a collector with at least two through traffic lanes is required. 14-16-3-2(D)(2)(a). For a 90,001 to 124,999 square foot facility "primary and full access" to a collector with at least four through traffic lanes is required. 14-16-3-2(D)(2)(b). For a facility containing 125,000 square feet or more the facility is required to be located within 700 feet of two collectors and have "full access to these roadways." 14-16-3-2(D)(2)(c).

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prohibit access onto one of the adjacent roadways, a local road may be used as access if it has access to at least two roadways that are identified on the Long Range Metropolitan Transportation Plan, *does not pass directly through a residential subdivision* and at least one of the intersections is signalized”) (emphasis added). If full access –which is required for all sizes of LRFs- was not required to be direct to the collector but could be via local roads then there would be no need for a specific rule allowing local road access in limited circumstances. Further this section demonstrates that when local road access is permitted it cannot be through a residential area.

The LUHO recommendation is inconsistent with the express purpose of the Big Box ordinance and of the access regulations.<sup>3</sup> The access regulations specifically provide that they “are necessary for the proper functioning of the community...*protect the quality of life within surrounding residential areas*, support efficient traffic flows...” §14-12-3-2(D)(2) (emphasis added). The location and access regulations provide that large retail facilities shall be located to secure adequate street capacity and to “*discourage traffic from cutting through residential neighborhoods.*” *Id.* Since the intent of the access regulations requiring primary access to four lane collector streets was to protect residential neighborhoods and to discourage traffic from cutting through residential neighborhoods it is plainly incorrect for the LUHO to state that the zoning code is silent on this subject. On the contrary the very purpose of the Big Box ordinance was to protect neighborhoods and to require direct access to major commercial streets and protect neighborhoods from Big Box traffic.

I need not argue the legal point here but it is incorrect for the LUHO to say the zoning code is silent on local road access.

**Proposed Resolution.** Review by the City Council avoids adopting an opinion that the zoning code is silent on this issue, which it is not. Again it is necessary to vote to hear the case and reject the LUHO recommendation to avoid adopting an incorrect interpretation of the code.

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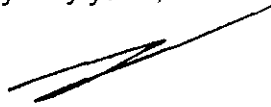
<sup>3</sup> C/S O-06-53 (The Big Box ordinance) provided:

The City of Albuquerque finds: (A) That it is beneficial to the City of Albuquerque to require additional design and location requirements for certain large commercial developments. (B) That in recent years a number of Large Retail Facilities, commonly termed “Big Boxes”, have been developed in the City. These structures have created unique problems related to traffic congestion, architectural scale, compatibility with the adjoining neighborhoods, and noise that have adversely impacted the neighborhoods where they have been located.... (E) That this Ordinance is intended to preserve the ability to develop Large Retail Facilities while minimizing adverse impacts.

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If the Council does hear the case at the City Council I recommend that after argument the council consider the various issues separately and vote on each one so it is clear how the majority stand on each issue.

Very truly yours,

A handwritten signature in black ink, appearing to read "Timothy V. Flynn-O'Brien", written over a horizontal line.

Timothy V. Flynn-O'Brien

TVFOB/mlg

Enclosure as stated

cc: Joe Valles  
Rene' Horvath  
Jolene Wolfley  
Bill Kreamer  
Ron Bohannon  
Michelle Henrie

**Declaratory Ruling Appellants**  
**May 18, 2012**

1. **Westside Coalition** (represents 36 Neighborhood Associations west of the river): Jerry Worrall-President (City Council district 1, 3 and 5)
2. **Taylor Ranch Neighborhood Association:** Ray Shortridge-President (City Council district 1 and 5)
3. **Santa Fe Village Neighborhood Association:** Donna J. Rigano-President (City Council district 1)
4. **La Luz Landowners Association:** Laura Campbell-President (City Council district 1)
5. **Las Casitas Del Rio I Home Owners Association:** Patrick Moore-President (City Council district 1)
6. **Las Casitas Del Rio II Home Owners Association:** Lawrence Foor-President (City Council district 1)
7. **Quaker Heights Neighborhood Association:** Matthew R. Baca-President (City Council district 1)
8. **Alban Hills Neighborhood Association:** Patsy Nelson- President (City Council district 1 and County district 1)
9. **Windmill Manor Home Owners Association:** Lisa H. Woods-President (City Council district 1)
10. **Ladera West Neighborhood Association:** Robert McCannon-President (City Council district 1)
11. **Oxbow Village Home Owners Association:** Richard Shine-President (City Council district 1)
12. **Pat Hurley Neighborhood Association:** George R. Holly-Vice President (City Council district 1)
13. **Vista Grande Neighborhood Association:** Berent Groth-President (City Council district 1)
14. **Grande Heights Neighborhood Association:** Joe Valles-President (City Council district 1)
15. **West Bluff Neighborhood Association:** John C. Landman- President (City Council district 1)
16. **San Blas Home Owners Association:** Pat Montague-President (City Council district 1)
17. **Laurelwood Neighborhood Association:** Candy Patterson-President (City Council district 1)

18. **North Valley Coalition** (represents 15 Neighborhood Associations):  
Chris Catechis-President (City Council district 2 and 4)
19. **Los Griegos Neighborhood Association:** Candice Knight-President  
(City Council district 2)
20. **Greater Gardner Neighborhood Association:** David Wood-  
President (City Council district 2)
21. **Gavilan Addition Neighborhood Association:** Claire A. Goldstein-  
President (City Council district 2)
22. **Federation of University Neighborhoods:** Mardon Gardella-  
President (City Council district 2)
23. **North Campus Neighborhood Association:** Tim Davis-Vice  
President (City Council district 2)
24. **Kirtland Community Association:** Kimberly Brown- Acting Vice  
President (City Council district 2)
25. **Alameda North Valley Neighborhood Association:** Steve  
Wentworth-President (City Council district 4 and County district 1  
and 4)
26. **Stone Brooke Estates Home Owners Association:** Colleen Seager-  
President (City Council district 4)
27. **Northeast Valley Neighborhood Association:** RJ Marney (City  
Council district 4)
28. **Vista Del Norte Alliance:** Rod Crawley-President (City Council  
district 4)
29. **Vista Del Norte Home Owners Association:** Richard Hix-President  
(City Council district 4)
30. **Agave Home Owner Association:** Rocky Rochold-President (City  
Council district 4)
31. **Tuscany Neighborhood Association:** Rachel Martinez-President  
(City Council district 5)
32. **La Sala Grande Neighborhood Association:** Neva King-President  
(City Council district 7)
33. **Oso Grande Neighborhood Association:** Alicia Quinones- President  
(City Council district 8)
34. **Albuquerque Estates East Neighborhood Association:** Larry E.  
Pope-President (City Council district 8)

(Note: City and County districts are based on new district maps)



# TIMOTHY V. FLYNN-O'BRIEN

Attorney at Law  
817 Gold Avenue SW  
Albuquerque, New Mexico 87102-3014  
Phone: 505-242-4088 / Fax: 866-428-7568

April 24, 2012

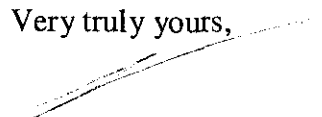
Hugh Floyd, Chair  
Environmental Planning Commission  
City of Albuquerque  
P.O. Box 1293  
Albuquerque, N.M. 87103

Re: Project#1003859; 11EPC-4067/11EPC-40068  
Amendment to Site Plan For Subdivision;  
Site Plan For Building Permit;

Dear Chairman Floyd,

Taylor Ranch Neighborhood Association requests a 60-day deferral of the hearing in this matter. This deferral is requested to allow sufficient time for the City Council to decide AC-12-10. AC-12-10 is an appeal of the March 23, 2012 "Declaratory Ruling Regarding Large Retail Facilities" by the Taylor Ranch Neighborhood Association and other associations and coalitions. The appeal concerns issues central to this case, that is, the proper interpretation of 14-16-3-2(D)(2)(b), including whether the Big Box/LRF ordinance requires that the LRF meet the access criteria or only that the subdivision in which the LRF is located meet the ordinance criteria and whether the EPC can approve a LRF that does not meet access criteria. Since these issues are critical and fundamental to the decisions the EPC must make in this case it makes sense that the City Council clarify the intent of the Ordinance prior to the EPC hearing.

Very truly yours,

  
Timothy Flynn-O'Brien

✓cc. Carmone Marrone, Planning Manager  
Catalina Lehner, AICP  
Joe Valles  
Rene' Horvath  
Bill Kraemer  
Ron Bohannon

**TIMOTHY V. FLYNN-O'BRIEN**

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March 29, 2012

**HAND-DELIVERED**

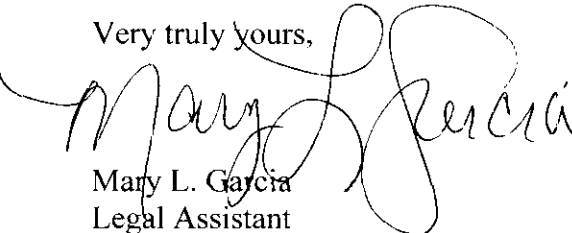
Ms. Catalina Lehner  
City of Albuquerque  
Planning Department  
600 2nd Street NW  
Albuquerque, New Mexico 87102

**RE: Project No. 1003859**

Dear Ms. Lehner:

Per our conversation earlier this week, attached is the letter and attachments which were emailed to you on March 3 2012. If you have any questions, please don't hesitate to contact this office.

Very truly yours,



Mary L. Garcia  
Legal Assistant

/mlg  
Enclosures as stated

# TIMOTHY V. FLYNN-O'BRIEN

Attorney at Law  
817 Gold Avenue SW  
Albuquerque, New Mexico 87102-3014  
Phone: 505-242-4088 / Fax: 866-428-7568

March 3, 2012

Ms. Catalina Lehner  
City of Albuquerque  
Planning Department  
600 2nd Street NW  
Albuquerque, New Mexico 87102

[dehner@cabq.gov](mailto:dehner@cabq.gov)

Ms. Carmen Marrone  
Division Manager, Current Planning  
City of Albuquerque Planning Department  
600 2nd Street NW  
Albuquerque, New Mexico 87102

[cmarrone@cabq.gov](mailto:cmarrone@cabq.gov)

**RE: Project No. 1003859**

Dear Ms. Lehner and Ms. Marrone:

I am no longer representing Bosque School with regard to Project No. 1003859. I have been retained by Taylor Ranch Neighborhood Association ("TRNA"). This letter represents my argument on behalf of TRNA not Bosque School.

Many of these arguments are reflected in the record and in testimony but I want to be sure they are preserved. **I will submit a separate letter concerning some new issues.**

1. Summary of basis for denial.

The application<sup>1</sup> should be denied. The application:

- violates the Andalusia Regulations as well as City Plans and Ordinances
- does not meet minimum access criteria under the Zoning Code
- will exacerbate already critical traffic issues at Coors and Montano and on the Montano Bridge

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<sup>1</sup> The Applicant has submitted two sets of plans. One set dated 10/26/11 and another dated 12/23/11. Unless otherwise indicated references herein are to the set dated 12/23/11.

The TIS indicates that over 37% of the traffic for the Walmart will come from the North Valley east of the river across the Montano bridge. *See* TIS p. A-29. *See also* TIS A-16. The traffic attributed to the North Valley is underestimated because the City limited the scope of the TIS on the east to 4<sup>th</sup> Street. *See* TIS p. A-29 (“Montano Rd. east of Fourth St. is beyond the 2 mile limit of this distribution.”) *See also* TIS at p. 2 at No. 2 limiting trip distribution to two (2) mile radius. Coors and Montano are two of the most congested roadways in the metropolitan area. If this application is approved the City will create traffic issues similar to Paseo del Norte and I-25 and accelerate the timeline for grade separation of Coors and Montano. The City has no funding source for such a project. Gridlock will result. Approval would set a precedent for converting O-1 zoned land to shopping center and other commercial use. Finally, approval will set a precedent for eviscerating any ability of the EPC and City to enforce sector plan or to enforce other City plan requirements or design standards of site plans for subdivision.

A. Andalusia Subdivision Requirements.

The North Andalusia at La Luz Subdivision was proposed and approved as a comprehensive plan for development of a mixed-use, pedestrian oriented village center. The present application is for a suburban automobile oriented big box retail development and does not meet Andalusia’s mixed-use, pedestrian oriented village center concept, does not meet the Andalusia design regulations and abandons the vision underlying the Andalusia Regulations that were essential and integral components of the EPC’s approval of Andalusia Subdivision. These design standards in many ways mirrored the goals of the West Side Strategic Plan (WSSP). The proposed plan is inconsistent with the Andalusia Regulations, Comprehensive Plan and WSSP.

When the City approved the Andalusia Subdivision it expressly approved a pedestrian oriented mixed-use village development. The Andalusia Subdivision (at Sheet 2 of 3) states: “The primary goal for this property is to achieve a vibrant mixed-use community that fosters pedestrian accessibility and maintains a village-type character.”<sup>2</sup> Under the Plan’s Design Standards future development is “intended to be complimentary to La Luz, Albuquerque’s first cluster housing project and the Bosque School.” To further ensure a *village character* the Andalusia Regulations require that there be “separate vehicle and pedestrian circulation systems in order to support the creation of a village-type character.” *See also* EPC Finding No. 3, May 20, 2005 (“The applicant is proposing design guidelines with the site development plan for subdivision that will help guide for consistency and quality that is complimentary of the subject site area.”) (Site Plan for Subdivision 04EPC-01845-attached under Exhibit B.) **The proposed amended site plan for subdivision and proposed site plan for building permit do not meet this requirement.**

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<sup>2</sup> *See* pages C-1 through C-3 of present submittal.

Instead of developing a pedestrian oriented village center the application seeks to move lot lines in order to develop a big box supercenter oriented to automobile traffic. Both the proposed subdivision amendment and the application for building permit are inconsistent with a mixed-use pedestrian oriented village. Any change in the lot lines should not change the original design, vision and other regulations of the Andalucia Subdivision. The applicant's approach assumes that if sidewalks are eight feet wide, not of asphalt and if the required number of trees are in the plans the City must approve the application regardless of the end result.

**Approval of the plan will potentially put the City in the position of having applicants for any development anywhere in the City claim that the City cannot enforce any requirement for "pedestrian orientation" or "village character" if the sidewalks are eight feet wide and the number of trees meet minimum standards.**

One look at the plan and it is plain that the focus is not a village with a fine grain network of streets and the result is not pedestrian oriented or of pedestrian scale but a big box retail center with acres of parking between the building and Coors. In the proposed plan sidewalks exist for one purpose only—to facilitate people to enter the proposed big box after parking their cars. There is no natural connection within the subdivision. Pedestrians are given no reason to walk through the area. There is no central plaza. The so-called "plaza" provided is not a genuine pedestrian amenity or a central gathering place for the subdivision but is simply the front of the Walmart gussied up with planter boxes. Is a concrete area in which patrons are rolling shopping carts the pedestrian plaza envisioned by the Andalucia regulations? *See also* Big Box Shopping Center Regulations and WSSP all of which require pedestrian oriented development and central plazas. Illustrative of the fact that the proposed "plazas" are not genuine pedestrian plazas is the fact that one such "plaza" is adjacent to a drive through lane for the pharmacy and another is adjacent to shopping cart storage and the front of the store. This "plaza" has large concrete poles to protect the store from a vehicle driving through the doors. While the poles may be necessary for store security they illustrate that that area is not a plaza or gathering place for pedestrians. The requirements, conditions and Design Standards of the Andalucia Plan are binding. *See* §14-16-3-2(A)(1) ("Once approved, such a plan or subsequent amended plan is binding on the entire area of the original site development plan.").

Applicant seeks to amend the Andalucia Subdivision site plan to change Tracts 1, 2 and 3 into eight tracts (Tracts 1A, 1B, 1C, 1D, 2A, 2B, 2C and 3A). Applicant also requests building permit approval for an auto oriented big box with assorted future retail pads and contends that the big box site plan meets the design standards of the Andalucia Regulations (which require a pedestrian oriented mixed-use village with trails and pedestrian connections). Therefore the application for subdivision amendment presents a question of whether the proposed new tract configuration is consistent with a pedestrian oriented village development. Similarly, the site

Ms. Catalina Lehner  
Ms. Carmen Marrone  
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plan for building permit presents the question of whether the suburban big box is consistent with the Andalucia Regulations and WSSP. Is the intent to appear to not amend the design regulations but then to later argue that by allowing a subdivision amendment EPC implicitly "found" that this big box was consistent with the Design Standards? In any case what is to be amended should be made clear with a justification for each change. This application does not meet the Andalucia Regulations and there is no justification for changing them or amending the subdivision site plan. The EPC should deny the proposed subdivision amendment and site plan for building permit as inconsistent with the Andalucia Regulations.

B. Big Box Ordinance and Shopping Center Regulations of Zoning Code.

Even though the application for site plan for building permit (for a 98,901 square foot large retail facility) is governed by the Big Box Ordinance or large retail facility ordinance and regulations set forth at ZC §14-16-3-2 the applicant does not address those regulations. This should raise concern and scrutiny since the location proposed is adjacent to a school, the environmentally sensitive bosque, to a newly approved residential neighborhood and proximate to the residential community of La Luz. This site is also at the critical Montano/Coors intersection which is severely overcapacity. The retail center will impact the Montano Bridge and North Valley neighborhoods. Thus, the site presents issues of traffic, architectural scale and compatibility governed by the Big Box regulations but totally ignored by the applicant.

The City adopted the Big Box Ordinance to address the problems uniquely associated with development of large retail facilities or supercenters. *See* C/S2 O-06-53 attached as Exhibit A. The City Council found that "[l]arge retail facilities... have created unique problems related to traffic congestion, architectural scale, compatibility with adjoining neighborhoods, and noise...." *Id.* Exhibit A. All four concerns, i.e., traffic congestion, architectural scale, compatibility, and noise, are presented by this application. The Ordinance adopted specific regulations "to manage the location and design of large retail facilities." *See* Z.C. §14-16-3-2 (D)(2). The City made specific findings that location and traffic congestion necessitates that a large retail facility only be approved at locations that meet specified criteria. With regard to location and traffic congestion the city found that: "These regulations are necessary for the proper functioning and enjoyment of the community. They protect the quality of life within surrounding residential areas, support efficient traffic flows.... Large Retail facilities shall be located to secure adequate street capacity to transport pedestrians and vehicles to and from large retail facilities, and discourage traffic from cutting through residential neighborhoods." *Id.* **Any approval must address not just minimum standards discussed infra but must also make a finding as to whether this facility has sufficient access for pedestrians and vehicles (customer and commercial) that does not go through any residential neighborhood. The Ordinance also requires that a large retail facility of this size (>98,000 s.f.) must have**

***primary and full access to a collector with four through lanes. In this case that means Coors or Montano. The proposed Walmart supercenter (on proposed Tract 2A) does not have the required full access to Coors or Montano. The proposed large retail facility is therefore prohibited.***

The proposed site plan for building permit and amended subdivision site plan also fail to meet design and other requirements of the Big Box Ordinance as described *infra*. The major issues are summarized in Section E below.<sup>3</sup>

#### C. Zone Map Amendment.

The application to amend the Andalucia subdivision is a zone map amendment. This area consists of three tracts:

- Tract 1 SU-1 (10.23 ac.) for C-2 uses
- Tract 2 SU-1 (12.28ac.) for C-2 uses
- Tract 3 SU-1 (1.38 ac.) for O-1 uses

Tract 3 is a buffer tract limited to O-1 use. In addition general note 3 of the Andalucia Subdivision created a 300 foot O-1/PRD buffer along Learning Road restricted to residential and O-1 use. The applicant seeks to amend the zone map by eliminating Tracts 1, 2 and 3 and creating eight new tracts. Tracts 2A and 3A are proposed to have mixed zoning with some areas limited to O-1 use and others available for C-2 use. Pursuant to ZC §14-16-2-22(A)(2) the specific use permitted under SU-1 zoning is recorded on the zone map ("The specific use shall be recorded on the zone map.") This subdivision would amend the uses recorded and the tracts to which those uses are attached and, therefore, amends the zone map. Res. 270-1980 applies to any zone map change. Since the subdivision amendment would amend the zone map applicant bears the burden of demonstrating error, changed neighborhood conditions or that the change is more advantageous as articulated in the Comprehensive Plan or other City master plan. Applicant has not justified the zone change. Staff has not provided a justification for not applying Res. 270-198 to this proposal. Failing to process this proposal as a zone map amendment will result in unnecessary litigation and will set a precedent for allowing developers to amend the zone map in any area of the City while ignoring Res. 270-1980.

Applicant apparently tries to avoid Res. 270-1980 by calling Tracts 2A and 3A mixed zoning tracts – splitting the 1.38 acre Tract 3 (zoned SU-1 for O-1) between new tracts 2A and 3A with both tracts having mixed C-2 and O-1 uses and referring to Andalucia Subdivision

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<sup>3</sup> Each issue is discussed in more detail under the tab corresponding to the issue. Evidence concerning each issue and references to the Zoning Code or other controlling authority is also under the respective tab.

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General Note No. 3 to indicate which areas are C-2 and O-1. By claiming that the underlying land would still be used for O-1 uses applicant attempts to avoid Res. 270-1980. *Since the proposed amendment would eliminate Tract 3, the zone map has to be amended to reflect the changes.* Therefore Res. 270-1980 applies. In addition in fact the "buffer" O-1 land from Tract 3 that would be in Tract 2A will be used for C-2 shopping center purposes. The real effect of the requested approvals also requires compliance with Res. 270-1980. Finally since the Credit Union recently approved at Coors and Learning Road is a commercial use the effect of that approval reduces the 23.3 ac of C-2 uses available throughout the subdivision so the current application in effect increases C-2 usage. Again this requires approval pursuant to Res. 270-1980.

#### D. Traffic Analysis.<sup>4</sup>

The applicant should be required to submit a new TIS addressing bicycle and pedestrian safety, should be required to use the latest tools and software available, and required to submit a three year accident analysis. The applicant should also be required to submit a truck access and impact study. Applicant assumes new access to Montano and does not address access when Winterhaven is grade separated. All studies should be based on approved access (not access points not approved) and should consider the effect of grade separation at Winterhaven and Montano. [Grade separation would also eliminate the new proposed Montano access.] Pretending that what is planned will not happen is a recipe for future traffic problems and for future capital expenditures that are not proposed. The fact that some City staff may ~~choose to~~ ignore the reality (as they did at Coors and I-40) does not mean that the EPC can or should do so. The EPC exists as an independent check on zoning approvals.

Bicycle and Pedestrian Safety. Prior to the filing of this application the City was advised that the 2007 TIS did not address bicycle and pedestrian safety. *See* letter in the record. There have been two 2011 updates to the TIS (November 7, 2011 and November 22, 2011). Neither of the studies addresses bicycle and pedestrian safety even though the location is adjacent to a school and even though the Andalucia plan identifies public and private trails as a *defining element* of the development. ("Public and private trails and sidewalk systems are a defining element to Andalucia at La Luz. Private trails for use by residents are designed to lessen the need for vehicular use and will provide pedestrian connectivity throughout the project.") See also Andalucia Regulations (requiring businesses to post the city trail map and bus routes and to provide conveniently located bicycle racks and facilities to encourage bicycle commuting). The Subdivision requirement to encourage pedestrian and bicycle commuting makes it imperative that the TIS address pedestrian and bicycle safety. The tools to study and address bicycle and pedestrian safety exist. See report D. Albright in the record.

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<sup>4</sup> Reference is made herein the reports in the record and not attached to this letter.

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Although the TIS failed to address pedestrian safety *per se* the TIS analysis is incomplete to the extent it addresses pedestrian impact. The TIS suggests widening medians. *See* Flynn-O'Brien letter dated January 12, 2012. ("There is no explanation as to the number of pedestrians expected, or how many persons would be accommodated by widening one or more medians.") The TIS does not consider student pedestrian traffic to and from the development and conflicts between students, patrons of the development and delivery trucks. *See* record and attachment to letter dated January 12, 2012.

Bicycles are not addressed in the TIS update even though there is a bicycle path and bicycle access is supposed to be a defining element and TMD guidelines encourage bicycle commuting. (Andalucia p. 3 of 3 at C5).

The TIS Should Utilize Current Review Methodology. The TIS utilized outdated review tools. The November 22, 2011 (and prior TIS) do not use the latest version of the Highway Capacity Manual (HCM) software. *See* Report in the record. This was required by the City scoping letter and therefore violates the City's scoping requirement. The author of the TIS justifies this by claiming that a commercial software package utilizing latest HCM software is not "operational". *See* TIS update November 22, 2011, p. 8. Letter of January 12, 2012. The author of the TIS is incorrect. Software is available that implements the current Highway Capacity Manual. This deficiency is particularly important since the proposed development is at the critical Coors/Montano intersection is adjacent to a school and involves the confluence of pedestrians, bicycles and automobiles.

Accident Analysis. A new TIS is required and should include an accident analysis.

No accident analysis was included in the TIS. *See* Albright at p. 3. ("An accident analysis is fundamental for proposed development located next to a school. An accident analysis is also important for any proposed development next to a bike route." *See* NMDOT "State Access Management Manual" Ch. 6 E§3(c); "Safety Analysis: Three years of accident history should be reviewed for the major study area intersections. Intersection collision diagrams should be prepared showing the number of accidents, accident type, date and time of each accident and accident severity." The Mid-Region Council of Government CMP Review (Vol. 4, Issue No. 1, March 2011) (*see* Congested Corridor Rankings). These rankings compare actual traffic volume to design capacity, speed differential (difference between posted and actual speed) and crash data. Montano is the second worst road and Coors is the eighth worst in the Mid-Rio Grande region. Coors was second highest in crash points. The volume to capacity ratio (V/C) for Montano is 18.7 and Coors is 24.4. Volume to capacity is the ratio of actual traffic to design capacity. A ratio of greater than "1" indicates a level of traffic greater than the roadway was

designed to handle. The absence of an accident analysis or safety analysis and use of outdated software are more glaring and potentially more dangerous in terms of lives because this intersection is already failing and the access roads are severally overcapacity. As is stated in the record:

“Since the decision by the developer was to not use the current design manual and available software, the TIS should be redone. As a part of the new study, accident analysis in the study area should be conducted. Given the relatively random nature of accidents, it is important that the analysis be over a minimum of three years and over the entire study area. An emphasis should be on bicycle and pedestrians incidents.” Flynn-O’Brien letter dated January 12, 2012 at p. 4.

Incomplete analysis of truck access. The TIS admits that the 25-foot curb radii may not accommodate delivery trucks. (11/22/2011 TIS update “Larger radii may be required to accommodate delivery trucks.”) TIS by Terry Brown at p. 22. Applicant has not addressed this issue. Trucks cannot enter from or exit to Montano (truck restriction, future grade separation at Winterhaven). This leaves two possible access points on Coors. Mirandela and the right in/right out driveway between Mirandela and Montano. The site plan provides a 25 foot radii entrance on the northern corner of the site. Can trucks make this right in from the right lane? They would have to drive over the roundabout at the northwest corner of the Walmart (Note that there is no “defining monument” shown for this roundabout. See Design Standards at C-3 “Because these [roundabout] locations will be focal points, a character defining monument element will be located at the center of the traffic circle.”) The northeast corner of the Walmart shows radii of 15’ from Miradela/Winterhaven and no radii for the 90 degree turn from the Walmart north side. If trucks enter from the south side they are forced to make 180 degree turns to enter the loading docks. This requires about 100 feet for a standard semi truck. **A truck access and impact study should be required utilizing the Federal Highway Administration vehicle classifications so the radii can be compared with proposed access points and internal turns required.** Projected number of truck trips by truck type and Gross Vehicle Weight should be stated and evaluated as well as potential conflicts with school, pedestrian, bicycle and auto traffic. Day/time of delivery should be considered. See B-2 Flynn-O’Brien letter dated January 12, 2012 at p. 5.

Other TIS Issues:

- The TIS discusses widening medians but fails to address what impact this will have on traffic flow.

- A new TIS update should be required to answer “the more pressing concerns about safety as well as operational efficiency of increased vehicles, delivery trucks, bicycles and pedestrians.”
- This site plan is premised on a new right-in/right out onto Montano. Approval for this entrance to Montano has not been given. Since the site plan and TIS are premised on an entrance/exit that has not been approved the application should not be considered.
- The site is not designed as required by TDM standards adopted by Andalucia Regulations so as to encourage bicycle commuting. (There are no separate bicycle paths, bicycles must travel the auto-oriented lanes though the site to access the buildings). Note: There is no crosswalk across Winterhaven to Bosque School, no crosswalk/pedestrian connections to “future retail”.

E. Summary of Issues.

The application should be denied for the following reasons:

1. The site does not have full access as required by Z.C. §14-16-3-2(D)(2)(b) (requiring a large retail facility “to be located adjacent to and have primary and *full access* to a street designated as at least a collector ....”) (emphasis added). This site does not have full access to Coors or Montano or to a collector meeting the requirements of the ordinance and as a result is prohibited.

The subdivision application shows access to Montano which has not been approved. Approval of a subdivision amendment predicated on a new access to Montano should not proceed until there is approval of the proposed new access by MRCOG. See detailed discussion and supporting materials under Tab 1.

2. Andalucia Regulations and Design Standards. The application for subdivision amendment and building permit for a large retail facility violates the pedestrian oriented **village character** requirements of the Andalucia Regulations. The size or scale of the large retail facility, vast area of parking and design of the center do not create the pedestrian oriented, walkable, village character environment required by the Andalucia Regulations. See discussion and materials under Tab 2.

This application proposes two phases of suburban automobile oriented development but contains no planning or phasing to a finer-scaled pedestrian oriented development. Were there no Andalucia requirement for a pedestrian oriented village

character and no activity center under the Comprehensive Plan or WSSP applicant could propose a Phase I auto oriented Big Box. In this case applicant proposes two phases of auto oriented retail development.<sup>5</sup> The zoning code provides that large retail facilities can provide for phasing and transition to a mixed-use pedestrian oriented development. *See* Z.C. §14-16-3-2(D)(4)(a) and §14-16-3-2(D)(4)(b) (providing for phasing to a finer-scaled, pedestrian oriented, mixed-use development). Pedestrian oriented development is required under the Comprehensive Plan and WSSP and Andalucia Regulations. Approval would also eliminate any hope for future office defeating the true mixed use nature of the original approval.

What applicant proposes is not the fine-scaled, pedestrian oriented mixed use development described in Z.C. §14-16-3-2(D)(4)(a) and §14-16-3-2(D)(4)(b) or the Andalucia regulations. Both the subdivision amendment and the site plan for building permit should be denied. This auto oriented strip commercial development also violates the Comprehensive Plan and WSSP (see for example, definitions of linear v. nodal development, strip commercial development, WSSP Policy 1.3 (p. 39); Policy 1.9 (Scale, p. 40), Policy 1.12 (p. 41); Policy 4.6g (p. 175). Definitional p. 299, Policy 4.6h (p. 175) and WSSP generally including but not limited to pp. 21-40.

3. The application locates semi-truck loading and parking on current Tract 3 (zoned O-1) and in the in the O-1/PRD buffer zone (within 300 feet of Learning Road) adopted by Andalucia Subdivision General Note 3. This area cannot be used for C-2 retail purposes, C-2 parking or for semi-truck loading and parking as proposed. Tract 3 was created as a separate tract to enforce these limitations/protections and should not be eliminated. Parking for the retail center is a C-2 use. Loading dock access and semi-truck loading and unloading and ingress to loading docks is also a C-2 use. See discussion under Tab 3. Tract 3 was to be used as a buffer area and an area for offices. Converting the area to parking for the retail big box and to loading dock use is contrary to the intent of the subdivision site plan and the zoning code.

Not only does the application violate the O-1 zoning of Tract 3 it violates the intent of the buffer requirement. The land of Tract 3 is not being used as a buffer area or for O-1 uses under this proposal. Its proposed use does not meet the definition of "parking lot." Access to the loading dock and general shopping center access is not a parking lot. Applicant also proposes to use the O-1 buffer area for part of retail garden center which is also not an O-1 use. The original size of the curb cut (24') to a Tract 3 demonstrates that there was never any intent that this buffer O-1 lot be

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<sup>5</sup> There is an area reserved of about a half acre of "office" on the otherwise retail zoned Tract 3A but this is so minimal in relation to the rest of the development as to be inconsequential.

accessed by large trucks and become just part of a retail shopping center site without offices. The proposed use of Tract 3 for retail parking, for loading dock access, truck loading, unloading and other intense C-2 uses is contrary to the zoning code and Andalucia regulations. See Tab 3. [Note: staff opined (11/23/2011 memo) that the O-1 buffer area can be diverted to C-2 shopping center uses "if the activity is mitigated." There is no provision for a variance of the zoning requirements of an SU-1 plan or of zoning to allow C-2 uses in the O-1 zone "if mitigated."] Note that in Project No. 1003859 the EPC required a zone map amendment. To devote this area to C-2 use needs a subdivision amendment and zone map amendment.

4. The Subdivision Amendment application is (as described above) a request to amend the zone map and therefore Res. 270-1980 applies to this request. Applicant has not met its burden for a zone map amendment under Res 270-1980. *See* Tab 4.
5. The applicant has failed to demonstrate effective and sufficient access for large trucks that must supply the supercenter. *See* discussion under Tab 5.
6. The site plan for subdivision is incomplete because it does not address the entire site included in the original subdivision and does not address the Andalucia regulations/standards. *See* discussion under Tab 6.
7. The proposed plan does not create separate vehicle and pedestrian circulation systems so as to support a pedestrian-oriented village character as required by the Andalucia Regulations. *See* discussion under Tab 7.
8. The proposed plan is not complimentary to La Luz as required by Andalucia regulations/standards. *See* discussion under Tab 8.
9. Site design. Z.C. §14-16-3-2(D)(3) provides for a large retail facility site to be designed with a block/street design to promote both pedestrian activity and ultimate evolution to a mixed use. This proposed plan gives nominal attention to blocks of parking but does not meet that requirement. ZC§14-3-2(D)(5) requires pedestrian connections throughout the site, connections to neighborhoods and landscaping compatible with the site's scale. The end result is to be "as active pedestrian street life, replace large off-street parking filled with parking structures ...." *See* Tab 9. This site plan does not meet these requirements.

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10. The application does not meet the zoning code requirements for pedestrian connections and distribution of parking. ZC §14-16-3-2(D)(4) and §14-16-3-2(D)(5). See Tab 10.
11. Building articulation does not meet required criteria of the Big Box Ordinance. ZC §14-16-3-2(D)(b). *See* discussion under Tab 11.
12. The public space or plaza calculations are misleading and do not meet the requirements of Andalusia or of the zoning code. Some of the areas calculated as public space do not function as public space and do not meet view requirements of bosque view. *See* Tab 12.
13. A drive through for the large retail facility is inconsistent with the Andalusia requirements. *See* Tab 13.
14. Approval would have the effect of exceeding the maximum allowable C-2 uses provided for (23.3 ac) by the Andalusia Subdivision (especially considering that the Credit Union used some of this total 23.3 ac). There is no justification to increase C-2 uses and doing so is inconsistent with the Andalusia Regulations requirements for mixed use, vibrant pedestrian orientation and village character. *See* Tab 14.
15. Drainage. *See* letter of Michael J. Cadigan (attached under Tab 15).
16. Outdoor storage proposed in the nursery area is prohibited. *See* Tab 16.

Please see my separate letter concerning new issues.

Very truly yours,



Timothy V. Flynn-O'Brien

TVFOB/mlg  
Enclosures as stated  
cc: Rene' Horvath  
Jolene Wolfley

## **EXHIBIT A**

- Home
- Living
- Visiting
- Business
- A - Z
- Transparency

You are here: Home → Albuquerque City Council → Completed Plans, Reports and Studies → "Big Box" Regulations

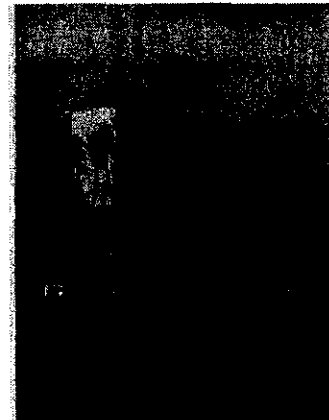
## "Big Box" Regulations

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### Large Retail Facility Ordinance

In recent years a number of Large Retail Facilities, commonly termed "Big Boxes," have been developed in Albuquerque. These operations offer benefits to the community such as a wide variety of goods and service at lower prices. These structures also have sometimes created problems related to traffic congestion, architectural scale, compatibility with the adjoining neighborhoods, light, and noise.

The **Large Retail Facility Ordinance** Bill No. C/S2 O-06-53 was passed (7:2) at the August 20, 2007 City Council meeting. The Ordinance applies to retail suites 75,000 sf. and greater (stand alone or within a structure), and addresses appropriate locations, roadway and transit capacity, street access, and appropriate design. The Ordinance does not prohibit big boxes.




The draft regulations are intended to implement several City policies related to:

- compatibility with surrounding neighborhoods
- creation of a high quality and attractive "built environment"
- prevention of neighborhood cut-through traffic
- pedestrian orientation and connectivity
- use of transit

### Development Phases of Large Retail Facilities

The Ordinance provides for a transition over time from a 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, and producing a village center that is integrated into the surrounding neighborhoods.

This desired transition reflects development trends and is intended to create a better, more marketable, and higher use development. The regulations will implement the goals of the Albuquerque / Bernalillo County Comprehensive Plan  and the Planned Growth Strategy.

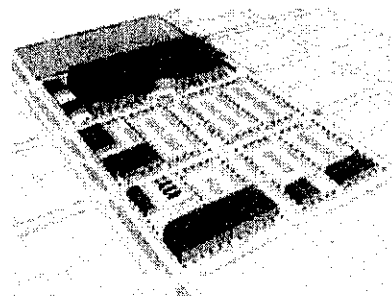
## Large Retail Discussion

A video discussion by Councilors Benton and O'Malley about the Large Retail Ordinance is available for viewing. The video includes pictures of how the best features of Albuquerque's urban commercial landscape will come together through this ordinance.

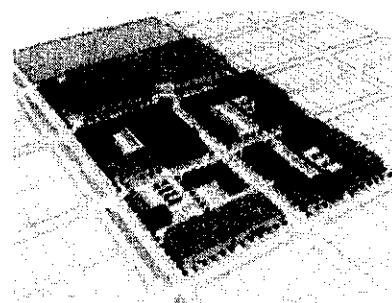
- City Council video discussion

### Navigation

- Councilors
- Council District Map
- Neighborhoods
- Impact Fees
- Frequently Asked Questions (FAQ)
- Completed Plans, Reports and Studies
  - North 4th Street Rank III Corridor Plan
  - Charter Review Task Force
  - 4th Street & Montañó Area Improvement Coalition
  - 12th and Menaul / Former Albuquerque Indian School Site
  - 21st Century Transportation Task Force
  - "Big Box" Regulations
  - Community Economic Forum 2004
  - Huning Highland - East Downtown (EDO) Planning
  - Montañó Corridor Studies
  - Nob Hill Highland Sector Development Plan
  - Planned Growth Strategy
  - Police Oversight Task Force Report
  - A Report on the Oversight Mechanisms of the Albuquerque Police Department
  - Proposed Downtown Arena
  - South Yale Sector Plan
  - Uptown Sector Development Plan
  - Volcano Cliffs Sector Development Plan (VCSDP)
  - Volcano Heights Sector Development Plan
  - Form Based Code
  - West Side Strategic Plan Amendment for Volcano Mesa
  - Volcano Trails Sector Development Plan
- Find Legislation, Meetings, Agendas
- Council Meeting Schedules
- Current Projects and Studies
- Council History



Phase One



Final Phase

# **CITY of ALBUQUERQUE**

## **SEVENTEENTH COUNCIL**

**COUNCIL BILL NO. C/S2 O-06-53 ENACTMENT NO. \_\_\_\_\_**

**SPONSORED BY: Debbie O'Malley**

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### **ORDINANCE**

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**AMENDING SECTION 8-1-2-39 ROA 1994 TO ADD TO THE TRAFFIC ENGINEER DUTIES; AMENDING SECTION 14-8-2-7 ROA 1994, TO CREATE A STAKEHOLDERS' PROCESS AND TRAFFIC REVIEW FOR LARGE RETAIL FACILITIES; AMENDING SECTIONS 14-16-1-5(B), 14-16-2-16(A), 14-16-2-17(A), 14-16-2-20, 14-16-2-21, 14-16-2-22, 14-16-2-23, AND 14-16-2-24 ROA 1994, OF THE COMPREHENSIVE CITY ZONING CODE, TO AMEND AND ADD DEFINITIONS RELATED TO LARGE RETAIL FACILITY REGULATIONS, AMENDING SECTION 14-16-3-2 ROA 1994, SHOPPING CENTER REGULATIONS, TO CREATE NEW SITE DIVISION AND LARGE RETAIL FACILITY REGULATIONS; AMENDING 14-16-3-18(B) ROA 1994 ESTABLISHING PEDESTRIAN PLAZA REQUIREMENTS FOR RETAIL SITES OVER 125,000 SQUARE FEET; REPEALING SECTIONS 14-16-2-16(B)(6) AND 14-16-2-17(B)(6) ROA 1994.**

**BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:**

#### **Section 1. FINDINGS.**

**The City of Albuquerque finds:**

**(A) That it is beneficial to the City of Albuquerque to require additional design and location requirements for certain large commercial developments.**

**(B) That in recent years a number of Large Retail Facilities, commonly termed "Big Boxes", have been developed in the City. These structures have created unique problems related to traffic congestion, architectural scale, compatibility with the adjoining neighborhoods, and**

1 noise that have adversely impacted the neighborhoods where they have  
2 been located.

3 (C) That municipalities across the United States of America, including  
4 the City of Santa Fe, New Mexico and the City of Tucson, Arizona have  
5 adopted measures to guide the development of these facilities to balance  
6 the interests of the community and those of the developers of the projects.

7 (D) The City has adopted policies governing community identity and  
8 urban design. For instance, the Albuquerque / Bernalillo County  
9 Comprehensive Plan states, "The Goal is to preserve and enhance the  
10 natural and built characteristics, social, cultural and historical features that  
11 identify Albuquerque and Bernalillo County sub-areas as distinct  
12 communities and collections of neighborhoods."

13 (E) That this Ordinance is intended to preserve the ability to develop  
14 Large Retail Facilities while minimizing adverse impacts.

15 Section 2. Section 8-1-2-39 ROA 1994, is amended to read:

16 "§ 8-1-2-39 TRAFFIC ENGINEER.

17 (A) Appointment. The Traffic Engineer shall be appointed by the  
18 Mayor and he shall exercise the powers and duties as provided in this  
19 Traffic Code.

20 (B) Duties.

21 (1) It shall be the general duty of the Traffic Engineer to  
22 determine the installation and proper timing and maintenance of traffic-  
23 control devices; conduct engineering analysis of traffic accidents and  
24 devise remedial measures; conduct engineering investigation of traffic  
25 conditions; cooperate with other city officials in the development of ways  
26 and means to improve traffic conditions; and carry out such additional  
27 powers and duties as are imposed by this code and other city ordinances.

28 (2) The Traffic Engineer shall be responsible to the Mayor to  
29 designate such areas with special restrictions as authorized by this Traffic  
30 Code for the safe and efficient control of traffic and for the encouragement  
31 of either nonmotorized modes of travel or public transportation systems.



1       Those areas shall include but not be limited to: bicycle lanes and paths,  
2       foot paths and paths or roads for other non-motorized modes of travel.

3               (3)     The Traffic Engineer shall be responsible for management  
4       and review of traffic management plans and programs as specified in §14-  
5       8-2-7 ROA 1994 and shall also be responsible for those portions of §14-16-  
6       3-2 ROA 1994 pertaining to traffic management.”

7       Section 3. Section 14-8-2-7 ROA 1994, is amended to read:

8       “§ 14-8-2-7 RESPONSIBILITIES OF APPLICANTS AND DEVELOPERS.

9       (A)     Applicants for approval of amendments of the zone map, site  
10       development plans (except houses and accessory buildings), major  
11       subdivisions, vacations of public right-of-way, mapping historic districts,  
12       landmarking sites, and issuance or transfer of liquor licenses shall, prior to  
13       filing the application, make a reasonable attempt to give written notification  
14       of their proposal to any recognized neighborhood association which  
15       covers, abuts, or is across public right of way from the subject site.  
16       Certified letters, return receipt requested, mailed to the two designated  
17       neighborhood association representatives on file at the City Office of  
18       Neighborhood Coordination constitutes a reasonable attempt to notify an  
19       association. Failure by an applicant to show proof of either notification in  
20       person or a reasonable attempt to give written notification of its proposal  
21       to such designated association representatives shall be grounds for a  
22       neighborhood association to request deferral of a hearing. The application  
23       for such hearing shall include a signed statement that such notification has  
24       been sent.

25       (B)     Development Of Large Retail Facilities. Prior to submitting an  
26       application for a project that includes a Large Retail Facility, the applicant  
27       shall perform the following:

28               (1)     Pre-Application Discussion with the Planning Review Team  
29       (PRT) to include the following:

30                       (a)     Complete the pre-application form and appropriate  
31       checklists.

1 (b) Review of the request for appropriateness as related  
2 to the design regulations for Large Retail Facility and various applicable  
3 plans, policies, and ordinances including the Comprehensive Zoning Code  
4 and/or the Subdivision Ordinance. The review shall cover, but is not  
5 limited to, the location requirements for a Large Retail Facility, mixed use  
6 component requirements, proposed phases of development, and the  
7 neighborhood traffic management requirements.

8 (c) Identify all appropriate actions and procedures  
9 needed to obtain approval. This shall include, but not be limited to, the  
10 pre-application development review meeting with stakeholders.

11 (d) Identify a preliminary schedule/time frame for  
12 approval.

13 (e) Determine a filing date for the application if  
14 appropriate.

15 (f) Determine if a Traffic Impact Study (TIS) is required.  
16 If a TIS is required the City Traffic Engineer or his designee staff shall issue  
17 the developer a written scope for the TIS. The written scope shall be  
18 distributed to the applicant within seven working days of the City Traffic  
19 Engineer being contacted by the applicant's traffic engineer.

20 (g) Upon completion of the meeting the Planning  
21 Department shall prepare a report of the Pre-Application Session. The  
22 report shall include an outline of their preliminary direction based upon the  
23 information submitted. A copy of the report shall be provided to the  
24 developer and included in the case report for the site plan.

25 (h) The developer, if he or she chooses, may also submit  
26 a report on the meeting into the case file.

27 (2) Notice of Pre-Application Meeting.

28 (a) The applicant shall coordinate with the Office of  
29 Neighborhood Coordination to set up a pre-application public meeting. The  
30 applicant shall notify affected Neighborhood Associations per §14-8-2-7  
31 and all property owners within 100 feet of the subject site (excluding right-  
32 of-way). Notice shall be delivered by first class mail a minimum of 10 days

1 prior to the public meeting. In addition, the applicant shall post a sign(s) of  
2 at least 4 feet by 6 feet advertising the pre-application public meeting for at  
3 least 10 consecutive calendar days prior to the meeting.

4 (b) Notices shall include the date, time and place of the  
5 pre-application public meeting, the meeting purpose, a description and 8.5  
6 x11 drawing(s) of the proposed development, and any other information  
7 that the Planning Director and the Office of Neighborhood Coordination  
8 deem necessary. Drawings shall contain enough pertinent information to  
9 visually describe the development proposal.

10 (c) The Office of Neighborhood Coordination shall post  
11 meeting dates on the Planning Department's website and shall contact  
12 Neighborhood Associations by email.

13 (3) Pre-Application Public Meeting.

14 (a) The meeting shall be conducted and recorded by a  
15 facilitator.

16 (b) The applicant shall provide a visual and narrative  
17 presentation of the project concept, and shall identify existing traffic  
18 conditions and proposed traffic conditions as preliminarily identified in the  
19 TIS scope related to the project.

20 (c) Meeting attendees may identify any additional traffic  
21 problems that should be scoped and/or studied.

22 (d) The facilitator shall compile and maintain a list of  
23 issues and concerns pertaining to the project and shall inform meeting  
24 attendees on how they can remain involved in the process.

25 (e) The City Traffic Engineer shall attend the pre-  
26 application public meeting and shall consider the additional traffic  
27 problems in determining the scope that shall be addressed in the TIS,  
28 which shall be paid for by the applicant and reviewed by the City.

29 (f) Additional meetings may be held upon the request of  
30 those attending the meeting and as deemed useful by the facilitator. The  
31 facilitator shall prepare a report to be placed in the applicant's case file  
32 detailing the reasons for conducting additional meetings.

1           (4) **Traffic Studies.** If, in the opinion of the Traffic Engineer, or  
2 upon a receipt by the Planning Director and the Traffic Engineer of a  
3 petition that includes a list of traffic issues created by the development of  
4 the large retail facility from 67% of the residences within 500 feet of the  
5 subject site, a Neighborhood Area Traffic Study is warranted, it shall be  
6 specified by the City Traffic Engineer with input from the meeting attendees  
7 and the applicant. Neighborhood Area Traffic Study or Studies and Cut  
8 Through Studies shall be paid for by the applicant and overseen by the City  
9 Traffic Engineer. The study shall include, at a minimum, the following:

10                   (a) **A baseline count of the vehicles per day traveling the**  
11 **local street;**

12                   (b) **A cut-through traffic study on those streets identified**  
13 **by the meeting attendees;**

14                   (c) **Current conditions and full build-out conditions.**

15           (5) **Traffic Mitigation.**

16                   (a) **If the Neighborhood Area Traffic Study identifies**  
17 **current problems associated with traffic, speeding, and problem**  
18 **intersections on more than one local street in the neighborhood(s) and**  
19 **provides recommendations to resolve these problems, the City shall**  
20 **initiate a Neighborhood Traffic Management Program in the area.**

21                   (b) **If the Neighborhood Area Traffic Study identifies**  
22 **problems with the build-out conditions, or any phase of the project before a**  
23 **building permit is issued, the applicant shall post a financial guarantee in a**  
24 **form acceptable to the City Attorney and an amount determined by the**  
25 **traffic engineer, to pay for mitigation measures necessitated by the**  
26 **development.**

27                   (c) **Before a building permit is issued, the applicant shall**  
28 **post an additional 2% of the costs of the mitigation measures identified in**  
29 **the TIS as a contingency for future study and mitigation (contingency**  
30 **amount).**

31                   (d) **Within two weeks of issuing an occupancy permit the**  
32 **City Traffic Engineer and or the Planning Director shall provide notice to all**

1 residences and property owners within 200 feet of the project that a Cut  
2 Through Study will occur within 12 months of issuing an occupancy permit  
3 for the applicant's development. At least one year after issuing a certificate  
4 of occupancy, the applicant shall conduct a follow-up Neighborhood Area  
5 Traffic Study to determine if additional traffic mitigation measures are  
6 necessary as a result of the development. The City Traffic Engineer shall  
7 issue notice of the traffic study to the property owners within two hundred  
8 feet of the large retail facility at least two weeks before the commencement  
9 of the study. Such notice shall provide direction as to how the recipient can  
10 provide input into the study. If additional traffic mitigation measures are  
11 necessary, they shall be paid for by the applicant and the contingency  
12 amount of the applicant's bond shall not be released until the City accepts  
13 these mitigation measures. If the Neighborhood Area Traffic Study  
14 determines there is no need for further mitigation measures attributable to  
15 the development, the contingency amount shall be released.

16 (e) Projects identified as a result of the Neighborhood  
17 Traffic Management Program are not to be included in or to be considered  
18 part of the Component Capital Improvement Program (CCIP) except that  
19 improvements identified on the CCIP shall be eligible for impact fee  
20 credits."

21 Section 4. Section 14-16-1-5(B) ROA 1994, DEFINITIONS, is amended by  
22 inserting the following new definitions and definitional changes in proper  
23 alphabetical order:

24 "BACK TO BACK STRUCTURE. A structure that includes two rows of  
25 retail outlets placed rear of outlet to rear of outlet.

26 FORECOURT. A court forming an entrance plaza for a single building or  
27 a group of buildings. Refer to §14-16-3-2, Large Retail Facility Regulations  
28 regarding forecourt requirements.

29 GLAZING. The clear or translucent material through which light is  
30 transmitted into a building; usually glass but also includes acrylic and  
31 other materials. Glazing shall have a transparency that allows a pedestrian  
32 to see through the window.

1       **LARGE RETAIL FACILITY.** A single tenant structure with at least 75,000  
2 square feet of net leasable area for the purpose of retailing. A Shopping  
3 Center Site with a Main Structure of 75,000 square feet or more is a Large  
4 Retail Facility. Refer to §14-16-3-2 for Large Retail Facility Regulations.

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

12       **MASSING.** The overall composition of the exterior of the major volumes  
13 of a building and their relationship to each other in a sequence in the  
14 overall design of the building or structure.

15       **NEIGHBORHOOD AREA TRAFFIC STUDY.** A study that is intended to  
16 respond to cut-through traffic, speeding, and problem intersections on  
17 more than one local street in a neighborhood. Neighborhood Area Traffic  
18 Studies are more complex than single street traffic studies. The study area  
19 is larger and problems are inter-related and they require research and  
20 analysis and substantial involvement by neighborhood residents. Cut  
21 through studies that are part of a neighborhood traffic study shall be  
22 performed by the City Traffic Engineer or a qualified professional engineer  
23 using the methodologies of the City of Albuquerque Neighborhood Traffic  
24 Management Program (NTMP) to perform a cut through study.

25       **PARKING SPACE, AUTOMOBILE AND LIGHT TRUCK.** A suitable space  
26 for vehicular storage, at least 8.5 feet in width and 18 feet in length, that  
27 may be reduced to 16 feet in length where cars can overhang wheel stops,  
28 with access and circulation satisfactory to the Traffic Engineer; however, if  
29 a premises contains more than 20 parking spaces, one-third of the spaces  
30 may be at least 8 feet in width and 15 feet in length.

1        **PEDESTRIAN SCALE LIGHTING.** Lighting in pedestrian areas not to  
2 exceed 16 feet in height, which allows people to see and be seen from a  
3 distance of 40-60 feet.

4        **PEDESTRIAN PLAZA (OUTDOOR COURTYARD).** An outdoor public  
5 space that contains seating and shade and is typically privately owned and  
6 maintained.

7        **PEDESTRIAN WALKWAY.** A sidewalk located on a private property.

8        **PETROLEUM PRODUCTS RETAIL FACILITY (FUELING PLAZA).** A  
9 facility for outdoor sales of gasoline, petroleum or liquefied gas.

10       **PRIMARY DRIVEWAY.** The principal vehicular entrance from a public  
11 right of way into or out of a premises. Most automobile trips to and from  
12 the premises are directed to the Primary Driveway as identified in the site  
13 plan.

14       **RETAIL SUITE LINER.** A retail suite connected to and extending from  
15 the front or side of a Main Structure for the purpose of screening.

16       **SECONDARY DRIVEWAY.** A vehicular entrance used to supplement a  
17 Primary Driveway access from a public right of way into or out of a  
18 premises. Provides vehicular access to the premises in addition to a  
19 Primary Driveway access.

20       **SHOPPING CENTER SITE.** A premises containing five or more acres;  
21 zoned P, C-1, C-2, C-3, M-1, M-2, or a combination thereof; or a Large Retail  
22 Facility; but excluding premises used and proposed to be used only for  
23 manufacturing, assembling, treating, repairing, rebuilding, wholesaling,  
24 and warehousing. Shopping Center Sites are subject to the Shopping  
25 Center Regulations of the Zoning Code, §14-16-3-2.

26       **THROUGH TRAFFIC LANE.** A lane which extends between two  
27 roadways both classified as at least a collector on the Long Range Major  
28 Street Plan.

29       **TRUCK BAY.** The freight receiving and discharging area that may  
30 include raised or depressed loading docks, loading ramps and the parking  
31 space and or parking wells for trucks when being unloaded or loaded.”

1       Section 5. Section 14-16-2-16(A) ROA 1994, C-1 NEIGHBORHOOD  
2 COMMERCIAL ZONE, Permissive Uses, is amended to add a new  
3 subsection, and renumber remaining subsections accordingly, to read:

4               “(7) Residential Uses Permissive in the R-3 Zone with the  
5 following exceptions:

6                       (a) Houses are not allowed;

7                       (b) No less than 20% and no more than 60% of the gross  
8 floor area of the structures on the site shall be developed with residential  
9 uses;

10                      (c) Residential uses shall be part of a vertical mix of  
11 uses (e.g. residential over commercial or residential over office).

12                      (d) Where residential uses are proposed, the following  
13 regulations shall apply:

14                               1. Area: minimum of 5 acres.

15                               2. Height: Pursuant to the R-3 Zone.

16                               3. Density: The total square footage of all  
17 buildings shall achieve a minimum floor area ratio of 0.3.

18                               4. Usable Open Space: Pursuant to the R-3 Zone.  
19 At least 50% of the required open space shall be provided in the form of  
20 shared or aggregate open space.

21                               5. Shared Parking: As provided in §14-16-3-  
22 1(E)(6)(b) except that parking for residential uses is eligible for a shared  
23 parking exception.

24                               6. Approval Process: Site development plan  
25 approval by the Environmental Planning Commission.”

26       Section 6. REPEALER. Section 14-16-2-16(B)(6) ROA 1994, is hereby  
27 repealed in its entirety and the remaining subsections renumbered  
28 accordingly.

29       Section 7. Section 14-16-2-17(A) ROA 1994, C-2 COMMUNITY  
30 COMMERCIAL ZONE, Permissive Uses, is amended to add a new  
31 subsection, and renumber remaining subsections accordingly, to read:

1           “(8) Residential Uses Permissive in the R-3 Zone with the  
2 following exceptions:

3                   (a) Houses are not allowed.

4                   (b) No less than 20% and no more than 60% of the gross  
5 floor area of the structures on the site shall be developed with residential  
6 uses.

7                   (c) Residential uses shall be part of a vertical mix of  
8 uses (e.g. residential over commercial or residential over office).

9                   (d) Where residential uses are proposed, the following  
10 regulations shall apply:

11                           1. Area: Minimum of 5 acres.

12                           2. Height: Pursuant to the R-3 Zone.

13                           3. Density: The total square footage of all  
14 buildings shall achieve a minimum floor area ratio of 0.3.

15                           4. Usable Open Space: Pursuant to the R-3 Zone.  
16 At least 50% of the required open space shall be provided in the form of  
17 shared or aggregate open space.

18                           5. Shared Parking: As provided in §14-16-3-  
19 1(E)(6)(b) except that parking for residential uses is eligible for a shared  
20 parking exception.

21                           6. Approval Process: Site development plan  
22 approval by the Environmental Planning Commission.”

23       Section 8. REPEALER. Section 14-16-2-17(B)(6) ROA 1994, is hereby  
24 repealed in its entirety and the remaining subsections renumbered  
25 accordingly.

26       Section 9. Section 14-16-2-20 ROA 1994, M-1 LIGHT MANUFACTURING  
27 ZONE, is amended to add a new subsection, to read:

28       “(H) Large Retail Facility Regulations. Any site containing a Large  
29 Retail Facility, as defined in §14-16-1-5 of the Zoning Code, is subject to  
30 special development regulations. The Large Retail Facility Regulations are  
31 provided in §14-16-3-2 of the Zoning Code.”

1           Section 10.       Section 14-16-2-21 ROA 1994, M-2 HEAVY  
2       MANUFACTURING ZONE, is amended to add a new subsection, to read:

3           “(H) Large Retail Facility Regulations. Any site containing a Large  
4       Retail Facility, as defined in §14-16-1-5 of the Zoning Code, is subject to  
5       special development regulations. The Large Retail Facility Regulations are  
6       provided in §14-16-3-2 of the Zoning Code.”

7           Section 11. Section 14-16-2-22 ROA 1994, SU-1 SPECIAL USE ZONE, is  
8       amended to add a new subsection, and renumber remaining subsections  
9       accordingly, to read:

10          “(I) Large Retail Facility Regulations. Any site containing a Large  
11       Retail Facility, as defined in §14-16-1-5 of the Zoning Code, is subject to  
12       special development regulations. The Large Retail Facility Regulations are  
13       provided in §14-16-3-2 of the Zoning Code.

14          Section 12.       Section 14-16-2-23 ROA 1994, SU-2 SPECIAL  
15       NEIGHBORHOOD ZONE, is amended to add a new subsection, to read:

16          “(D) Large Retail Facility Regulations. Any site containing a Large  
17       Retail Facility, as defined in §14-16-1-5 of the Zoning Code, is subject to the  
18       special development regulations for Large Retail Facilities as provided in  
19       §14-16-3-2 of the Zoning Code unless the site is governed by a Rank III Plan  
20       that contains design regulations or other similar standards applicable to  
21       retail development, as determined by the Planning Director, then the  
22       regulations of the Rank III Plan shall apply.”

23          Section 13. Section 14-16-2-24 ROA 1994, SU-3 SPECIAL CENTER  
24       ZONE, is amended to add a new subsection, and renumber remaining  
25       subsections accordingly, to read:

26          “(F) Large Retail Facility Regulations. Any site containing a Large  
27       Retail Facility, as defined in §14-16-1-5 of the Zoning Code, is subject to the  
28       special development regulations for Large Retail Facilities as provided in  
29       §14-16-3-2 of the Zoning Code unless the site is governed by a Rank III Plan  
30       that contains design regulations or other similar standards applicable to  
31       retail development, as determined by the Planning Director, then the  
32       regulations of the Rank III Plan shall apply.”

1       Section 14.   Section 14-16-3-2 ROA 1994, SHOPPING CENTER  
2   REGULATIONS, is amended to add Large Retail Facility Regulations as  
3   follows:

4       “(D) Large Retail Facility Regulations.

5               (1)   Applicability.

6                   (a)   Provisions of this section and Section 14-8-2-7,  
7   Responsibilities of Applicants and Developers, shall apply to the following,  
8   as determined by the Environmental Planning Commission (EPC):

- 9                               1.   New construction of a Large Retail Facility;  
10                              2.   Change of use from a non-Large Retail Facility  
11   to a Large Retail Facility as defined in Section 14-16-1-5;  
12                              3.   Building expansion of more than 50% of the  
13   existing square footage.

14                   (b)   Building expansion of 10% to 50% of the existing  
15   square footage of an existing Large Retail Facility shall be subject to the  
16   following requirements:

- 17                              1.   Pre-application discussion with the Planning  
18   Review Team (PRT).  
19                              2.   Compliance with the Large Retail Facilities  
20   design regulations as determined by the EPC. The EPC before issuing final  
21   design regulations shall request input from neighborhood associations  
22   with boundaries that are within 200 feet of the proposed project.

23                   (c)   Building expansion up to 10% of the existing square  
24   footage and building renovation of an existing Large Retail Facility shall  
25   comply with the design regulations in this section to the extent possible as  
26   determined by the Planning Director.

27               (2)   Location and Access of Large Retail Facility. The following  
28   regulations manage the location and design of Large Retail Facilities.  
29   These regulations are necessary for the proper functioning and enjoyment  
30   of the community. They protect the quality of life within surrounding  
31   residential areas, support efficient traffic flows, and provide consistent  
32   regulations for such Facilities. Large Retail Facilities shall be located to

1 secure adequate street capacity to transport pedestrians and vehicles to  
2 and from Large Retail Facilities, and discourage traffic from cutting  
3 through residential neighborhoods. The regulations result in efficient and  
4 safe access for both vehicles and pedestrians from roadways in the  
5 Metropolitan Transportation Plan to neighborhoods in the vicinity of Large  
6 Retail Facilities. The Planning Director, after initial review of a Large Retail  
7 Facilities proposal, may require the site to comply with the next level of  
8 Large Retail Facilities Regulations.

9 (a) Large Retail Facilities containing 75,000 to 90,000 Sq.  
10 Ft. Net Leasable Area are:

- 11 1. Permitted in, C-2, C-3, M-1, M-2, IP, SU-1 and  
12 the SU-2 Zones for uses consistent with C-2, C-3, M-1, M-2, IP Zones; and
- 13 2. Permitted in C-1 zones if the project site or site  
14 plan reviewed for subdivision is greater than seven acres.
- 15 3. Required to be located adjacent to and have  
16 primary and full access to a street designated as at least a collector in the  
17 Mid-Region Council of Governments' Metropolitan Transportation Plan and  
18 having at least two through traffic lanes.

19 (b) Large Retail Facilities containing 90,001 to 124,999  
20 Sq. Ft. Net Leasable Area are:

- 21 1. Permitted in C-2, C-3, M-1, M-2, and IP zones  
22 and SU-1 and SU-2 zones for uses consistent with C-2, C-3, M-1, M-2, IP  
23 Zones; and
- 24 2. Required to be located adjacent to and have  
25 primary and full access to a street designated as at least a collector in the  
26 Mid-Region Council of Governments' Metropolitan Transportation Plan and  
27 having at least four through traffic lanes.

28 (c) Large Retail Facilities containing 125,000 square feet  
29 or greater of Net Leasable Area are:

- 30 1. Permitted in the C-2, C-3, M-1, M-2, IP, SU-1  
31 and SU-2 for uses consistent with C-2, C-3, M-1, M-2, IP Zones; and

1                               2.     Required to be located within 700 feet of the  
2 intersection of two roadways, both of which are designated as at least a  
3 collector street in the Mid-Region Council of Governments' Metropolitan  
4 Transportation Plan and shall have full access to these roadways. One of  
5 the adjacent roadways shall have at least four through traffic lanes and the  
6 other adjacent roadway shall have at least six through traffic lanes or is  
7 designated a limited access principle arterial in the Mid-Region Council of  
8 Governments' Metropolitan Transportation Plan and have a minimum of  
9 four lanes.

10                           3.     If an arterial or collector street has yet to be  
11 built to its full cross-section and does not have the required number of  
12 lanes, the Large Retail Facility may have access onto the roadway if the  
13 roadway is identified on the Metropolitan Transportation Plan as having the  
14 required number of lanes at full build-out.

15                           4.     If access control policies prohibit access onto  
16 one of the adjacent roadways, a local road may be used as access if it has  
17 direct access to at least two roadways that are identified on the Long  
18 Metropolitan Transportation Plan, does not pass directly through a  
19 residential subdivision and at least one of the intersections is signalized.

20                           5.     If access to a location fulfills the criteria of this  
21 section but control policies outside the city jurisdiction prohibit access  
22 onto one of the adjacent arterial or collector streets, the remaining arterial  
23 or collector street may serve as the sole access if it has direct access to  
24 two intersections with an arterial and the intersections are signalized.

25                           6.     If warrants are met, the intersection of the  
26 primary driveway and the arterial street shall be signalized, unless  
27 prohibited by the City Traffic Engineer for safety reasons, at the expense of  
28 the applicant. The applicant may place the name of the development on the  
29 mast-arm of the signal.

30                           (3)    Site Division. These regulations create block sizes for  
31 Large Retail Facility that are walkable and support land use changes over

1 time. The site plans for subdivision in Phase One and the Final Phase, if  
2 proposed, shall subdivide or plan the site as follows:

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

6 (b) Primary and Secondary Driveways (or platted  
7 roadways) that separate the blocks shall be between 60' and 85' wide and  
8 shall include the following:

- 9 1. Two 10' travel lanes;
- 10 2. Two parallel or angle parking rows or a  
11 combination of such on both sides of the Driveway rights of way are  
12 permitted but not required;
- 13 3. Two 6' landscaped buffers with shade trees  
14 spaced approximately 30' on center;
- 15 4. Two 8' Pedestrian Walkways constructed of  
16 material other than asphalt;
- 17 5. Pedestrian Scale Lighting that provides at  
18 least an illumination of 1.2 to 2.5 foot candles or the equivalent foot  
19 lamberts; and
- 20 6. Standup curb.

21 (c) One block can be expanded to approximately 790' x  
22 360' if a Main Structure (including Retail Suite Liners) covers more than  
23 80% of the gross square footage of a block.

24 (d) If the site dimensions result in irregular block sizes,  
25 blocks of different dimensions are allowed provided:

- 26 1. The block sizes achieve the intent of this  
27 section;
- 28 2. Approval is granted by the EPC;
- 29 3. The narrow side of the block abuts the  
30 adjacent street that provides the primary access; and
- 31 4. The center of the long side has a major  
32 entrance, including a Forecourt.

1           **(4) Development Phasing and Mixed-Use Component.** The  
2 Large Retail Facility regulations address the build-out of a large site over  
3 time in order to guide the transition from more vehicle-oriented “big box”  
4 type retail development with large surface parking fields to finer-scaled,  
5 pedestrian oriented, mixed-use development, replacing surface parking  
6 with some parking structures, producing a village center that is integrated  
7 into the surrounding neighborhoods. This transition reflects actual trends  
8 in development and creates a better, more marketable, and higher use  
9 development.

10           **(a) Site development plans for Phase One** shall be  
11 submitted to the EPC for approval. If future and/or final phases are  
12 proposed on the site, site development plans containing a level of detail  
13 appropriate for the phasing of the development shall also be submitted to  
14 the EPC for approval.

15           **(b) Mixed Use Component.** Mixed use development is  
16 strongly encouraged in both Phase One and the Final Phase of the site  
17 plans for all Large Retail Facilities.

18           **(5) Site Design.** These regulations are intended to create  
19 pedestrian connections throughout the site by linking structures, make  
20 pedestrian connections to external neighborhoods and other uses, and to  
21 provide landscaping compatible with the site’s scale for pedestrian shade  
22 and aesthetic beauty. The regulations will result in an active pedestrian  
23 street life, replace large off-street parking fields with parking structures and  
24 transit options, conserve energy and water, and meet the goals of the  
25 Albuquerque/ Bernalillo County Comprehensive Plan and the Planned  
26 Growth Strategy. The following subsections (a) through (n) apply to all  
27 Large Retail Facility Sites:

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

32           **(b) Off-Street Parking Standards:**

1                   1.     If a structure or structures, including Retail  
2 Suite Liners, occupies more than 80% of a planned or platted block, the Off  
3 Street parking shall be placed on another block.

4                   2.     Parking shall be distributed on the site to  
5 minimize visual impact from the adjoining street. Parking shall be placed  
6 on at least two sides of a building and shall not dominate the building or  
7 street frontage. Parking Areas may front onto roadways identified as  
8 limited access in the Mid-Region Council of Governments' Metropolitan  
9 Transportation Plan, provided that they are adequately screened with  
10 landscape walls and plantings. If a project has multiple phases the final  
11 phase site plan, if proposed, shall show the elimination of surface parking  
12 areas but may include parking structures.

13                  3.     If the site is planned into 360' x 360' lots as  
14 called for in these regulations, parking requirements may be met by spaces  
15 located on a block immediately adjacent to the structure creating the  
16 parking demand.

17                  4.     Every third double row of parking shall have a  
18 minimum 10' wide continuous walkway dividing that row. The walkway  
19 shall be either patterned or color material other than asphalt and may be at-  
20 grade. The walkway shall be shaded by means of trees, a trellis or similar  
21 structure, or a combination thereof. Tree wells, planters or supports for  
22 shading devices may encroach on the walkway up to 3'. In no case shall  
23 the walkway be diminished to less than 5' width at any point.

24                  5.     Parking requirements for a Large Retail Facility  
25 with a mixed use component may use "best practice" standards for shared  
26 parking such as *Driving Urban Environments: Smart Growth Parking Best*  
27 *Practices*, a publication of the Governor's Office of Smart Growth, State of  
28 Maryland. Refer to §14-16-3-1 for Shared Parking Requirements.

29                  (c)     On-Street Parking Standards:

30                       1.     Arterial or Collector roadways abutting a Large  
31 Retail Facility with a posted speed limit of 35 miles or less per hour shall

1 have on-street parking utilizing a parking/queuing lane under the following  
2 standards and if approved by the Traffic Engineer:

3 a. On-Street parking may use the existing  
4 adjacent outside lanes on an arterial or collector.

5 b. The parking/queuing lane may be  
6 provided by moving the curb lines within the property line and dedicating  
7 the parking/queuing lane to the City. The existing through lanes shall not  
8 be used as the parking/queuing lane unless a traffic analysis indicates that  
9 this will not result in unacceptable degradation of traffic flow, though  
10 existing can be restriped in a narrower configuration to provide space for  
11 the parking/queuing lane.

12 c. The parking/queuing lane has a  
13 maximum width of 16'.

14 d. Curb extensions/bump-outs shall be  
15 constructed at the ends of each block and shall include landscaping to be  
16 maintained by the property owner pursuant to a Maintenance Agreement  
17 with the City.

18 e. Street trees shall be planted pursuant to  
19 the Street Tree Ordinance, Chapter 6, Article 6, ROA 1994.

20 2. The regulations for parking credits and  
21 reductions set forth in 14-16-3-1(E)(6) shall apply to this sub-section except  
22 that 100% of the on-street parking shall be credited towards the project's  
23 parking requirements.

24 (d) Signage.

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

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

30 3. All free-standing signs shall be monument  
31 style.

1                                   4.     The maximum height of any monument sign  
2 shall be 15 feet.

3                                   5.     Building-mounted signage that faces  
4 residential zoning shall not be illuminated.

5                                   6.     Building-mounted signs shall consist of  
6 individual channel letters. Illuminated plastic panel signs are prohibited.

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

10                                  (f)    Petroleum Products Retail Facility.

11                                   1.     Facilities shall be located at a street or driveway  
12 intersection.

13                                   2.     The frontage of the principal structure shall face  
14 and line the two streets and follow the set-back and glazing standards for  
15 Retail Suite Liner.

16                                   3.     Fuel pumps, service facilities, ATMs, storage  
17 areas, and repair bays are to be screened from the major street by the  
18 principle structure.

19                                   4.     If the structure between the street and the fueling  
20 island is not at least the length of the canopy that is over the fueling  
21 island, or if there is no service facility structure, the perimeter of the  
22 facility shall be screened by either a landscaped berm 3 feet in height or a  
23 wall at least 3 feet in height.

24                                  (g)    Truck Bays.

25                                   1.     Truck bays adjacent to residential lots must be  
26 separated from the adjacent lot by a minimum of 40'. A minimum 15' wide  
27 landscape buffer and a 6' high solid masonry wall shall be provided along  
28 the property line. The landscape buffer shall contain evergreen trees or  
29 trellises with climbing vines to provide year round screening and buffering  
30 from noise. Dock and truck well facilities must also be screened with a  
31 masonry wall that extends vertically 8' above the finish floor level and  
32 horizontally 100' from the face of the dock. Screen walls shall be designed

1 to blend with the architecture of the building. Trucks may not be moved or  
2 left idling between the hours of 10PM and 6:30AM if the truck bays are  
3 located within 300 feet of a residential structure unless negotiated with  
4 adjacent property owners and approved by the EPC.

5 2. Truck bays not adjacent to residential lots  
6 must be screened with a masonry wall extending vertically 8' above the  
7 finish floor level and horizontally 100' from the face of the dock to screen  
8 the truck. Screen walls shall be designed to blend with the architecture of  
9 the building.

10 (h) Landscaping. The following landscaping requirements  
11 shall apply:

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

14 2. One shade tree is required per 8 parking  
15 spaces. Shade trees may be located at the center of a group of 4-8 parking  
16 spaces, clustered in parking row end caps, or located along internal  
17 pedestrian ways. Shade trees lining a pedestrian way internal to a parking  
18 area may count as a canopy tree of a parking space. Trees in landscape  
19 buffer areas shall not count as parking space trees.

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

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

30 (i) Pedestrian Walkways. Internal Pedestrian Walkways  
31 shall be planned and organized to accommodate the inter-related  
32 movement of vehicles, bicycles, and pedestrians safely and conveniently,

1 both within the proposed development and to and from the street, transit  
2 stops, and the surrounding areas. Pedestrian Walkways shall contribute to  
3 the attractiveness of the development and shall be a minimum of 8 feet in  
4 width and constructed of materials other than asphalt. Pedestrian  
5 Walkways along internal driveways or streets internal to the site shall also  
6 be lined with Shade Trees and Pedestrian Scale Lighting. Pedestrian  
7 crosswalks shall be constructed of patterned concrete or a material other  
8 than asphalt and may be at grade.

9 (j) A Pedestrian Plaza or Plazas, shall be required of all  
10 Large Retail Facility development as follows:

11 1. Large Retail Facility sites that include a Main  
12 Structure less than 125,000 square feet in size shall provide public space  
13 pursuant to §14-16-3-18(C)(4) of the Zoning Code.

14 2. Large Retail Facility Sites that include a Main  
15 Structure 125,000 square feet or greater shall provide Pedestrian Plaza  
16 space in the amount of 400 square feet for every 20,000 square feet of  
17 building space. A minimum of 50% of the required public space shall be  
18 provided in the form of aggregate space that encourages its use and that  
19 serves as the focal point for the development. The aggregate space  
20 required shall:

21 a. Be linked to the main entrance of the  
22 principal structure and the public sidewalk or internal driveway;

23 b. Include adequate seating areas.  
24 Benches, steps, and planter ledges can be counted for seating space;

25 c. Have a portion (generally at least 40%)  
26 of the square footage of the plaza area landscaped with plant materials,  
27 including trees;

28 d. Be designed for security and be visible  
29 from the public right of way as much as possible;

30 e. Have pedestrian scale lighting and  
31 pedestrian amenities such as trash receptacles, kiosks, etc.

32 (k) Lighting.

1                               1.     Ornamental poles and luminaries, a maximum  
2 of 16' in height, shall be used as Pedestrian Scale Lighting.

3                               2.     The maximum height of a light pole, other than  
4 those along Pedestrian Walkways, shall be 20', measured from the finished  
5 grade to the top of the pole.

6                               3.     All on-site lighting fixtures shall be fully  
7 shielded to prevent fugitive light from encroaching into adjacent properties  
8 and/or right-of-way.

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

14                              (m)   Transit Stops. If transit stops exist or are planned  
15 adjacent to a Large Retail Facility, they shall include a covered shelter with  
16 seating provided at the developer's expense. Either the interior of the  
17 structures shall be lighted or the area surrounding the structures shall be  
18 lighted to the same standards as pedestrian walkways. If the Transit Stop is  
19 within the public right-of-way, the City shall assume ownership of the  
20 shelter and responsibility for maintenance.

21                              (n)   Storm Water Facilities and Structures. The following  
22 regulations apply to site hydrology:

23                               1.     Impervious surfaces shall be limited by  
24 installing permeable paving surfaces, such as bricks and concrete lattice  
25 or such devices that are approved by the City Hydrologist, where possible.

26                               2.     Where possible, transport runoff to basins by  
27 using channels with landscaped pervious surfaces. Landscaped strips  
28 may be converted into vegetative storm-water canals but must be shallow  
29 to avoid defensive fencing.

30                               3.     Ponds, retention and detention areas shall be  
31 shallow to prevent the need for defensive/security fencing yet have the  
32 capacity to manage storm waters in a 100 year event.

1                               4.     Trees, shrubs, and groundcover shall be  
2 included in storm water basins.

3                               5.     Bare patches shall be revegetated as soon as  
4 possible to avoid erosion, according to a landscaping and maintenance  
5 plan.

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

9                               (6)    Main Structure Design. The following subsections (a)  
10 through (d) apply to Main Structures:

11                              (a)    Setback.

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

15                              2.     Where the front facade of a Retail Suite Liner is  
16 adjacent to a street, the maximum front setback shall be 10' feet for private  
17 drives and 25' for public roadways.

18                              3.     Main Structures abutting residentially zoned  
19 land shall be set back from the property line at least 60'.

20                              (b)    Articulation.

21                              1.     Facades that contain a primary customer  
22 entrance and facades adjacent to a public street or plaza or an internal  
23 driveway shall contain Retail Suite Liners, display windows, or a recessed  
24 patio at a minimum depth of 20 feet, or a combination of all three, along  
25 50% of the length of the façade. Where patios are provided, at least one of  
26 the recessed walls shall contain a window for ease of surveillance and the  
27 patio shall contain shading and seating. Where Retail Suite Liners are  
28 provided, they shall be accessible to the public from the outside.

29                              2.     Every 30,000 gross square feet of structure  
30 shall be designed to appear as a minimum of one distinct building mass  
31 with different expressions. The varied building masses shall have a  
32 change in visible roof plane or parapet height. Massing and articulation are

1 required to be developed so that no more than 100' of a wall may occur  
2 without an offset vertically of at least 24".

3 3. For the Retail Suite Liner, the vertical offset  
4 shall be a visible change (minimum 6"), a change in material may be used  
5 for articulation at the same interval and the visible change in roof plane or  
6 parapet height shall be a minimum of 18".

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

11 (c) Materials.

12 1. Engineered wood panels, cyclone, chain-link, and  
13 razor-wire fencing are prohibited.

14 2. Design of the external walls and the principal  
15 entrance must include 3 of the below listed options:

- 16 a. Multiple finishes (i.e. stone and stucco);
- 17 b. Projecting cornices and brackets;
- 18 c. Projecting and exposed lintels;
- 19 d. Pitched roof forms;
- 20 e. Planters or wing-walls that incorporate  
21 landscaped areas and can be used for sitting;
- 22 f. Slate or tile work and molding integrated  
23 into the building;
- 24 g. Transoms;
- 25 h. Trellises;
- 26 i. Wall accenting (shading, engraved  
27 patterns, etc.);
- 28 j. Any other treatment that meets the  
29 approval of the EPC.

30 (d) Landscaping.

31 1. The buffer for main structures across the  
32 street from residentially-zoned land shall be at least 23 feet wide and

1 include two rows of street trees. The trees shall be located pursuant to the  
2 guidelines set forth in Crime Prevention Through Environmental Design  
3 Recommendations. The landscaping of the berm shall provide year-round  
4 screening.

5 2. The public sidewalk adjacent to the main  
6 structure may be located within the berm and between the rows of trees.  
7 The sidewalk must be a minimum of 7 feet behind the curb.

8 (7) Mixed-Use Component. The following subsections (a)  
9 through (g) apply to Mixed Use Development:

10 (a) Uses and Building Forms. The mixed use  
11 component may include a mix of the following building forms and uses:

- 12 1. Apartments or condominiums.
- 13 2. Apartments or condominiums over storefronts.
- 14 3. Courtyard housing.
- 15 4. Live-work.
- 16 5. Townhouses.
- 17 6. Lofts.
- 18 7. Lofts over flex.
- 19 8. Senior housing.
- 20 9. Mixed income housing including a minimum of  
21 20% affordable at 80% or less of Area Median Income (AMI) for fee simple  
22 unit and 60% or less of AMI for rental units. If rental units are multiple  
23 sizes, only a maximum of 50% of the rental units set aside for 60% or less  
24 of AMI shall be the size of the smallest size category of rental unit in the  
25 project.
- 26 10. Office building.
- 27 11. Office over storefronts.
- 28 12. Civic, cultural, and community buildings.
- 29 13. Parking structures with commercial or housing  
30 liners.
- 31 14. Schools, both traditional and technical  
32 vocational.

1 (b) Density.

2 1. Minimum density: 12 dwelling units per acre.

3 2. Minimum FAR: .30.

4 3. Maximum density: As determined by the EPC.

5 (c) Building Heights. Heights within the mixed use

6 portion of the Large Retail Facility site may vary depending on location.

7 Structures adjacent to residentially zoned parcels shall be subject to the

8 Height Requirements of the O-1 Zone and shall not exceed 26' in height

9 within 85' of a lot zoned specifically for houses. The heights of buildings

10 along the central Driveway or street and adjacent to a major arterial or

11 freeway may exceed 4 stories so long as the average building height of all

12 structures in the mixed use site does not exceed the maximum of 4 stories

13 and no individual structure exceeds a height of 7 stories.

14 (d) Building Setbacks.

<u>Primary Building</u>	<u>Mixed Use Component</u>
<u>(1) Street-Facing Setback with Ground-Floor Storefront</u> <u>a. On Private Drive</u> <u>b. On Public Street.</u>	<u>10 foot minimum.</u> <u>15 foot maximum</u>
<u>(2) Street-Facing Setback without Ground-Floor Storefronts</u> <u>a. On Private Drive</u> <u>b. On Public Street.</u>	<u>10 foot minimum.</u> <u>15 maximum</u>
<u>Interior Side Setback (from property line)</u>	<u>Attached or 5' maximum</u>
<u>Interior Side-Side Separation (btw. Adjacent buildings)</u>	<u>Attached or 10' maximum</u>
<u>Interior Rear Setback (from property line)</u>	<u>5' from alley ROW;</u> <u>20' if no alley (e.g. parking lot)</u>
<u>Interior Rear-Rear Separation (btw. Adjacent buildings)</u>	<u>30' minimum.</u>

Interior Side-Rear Separation (btw. Adjacent buildings)	20' minimum
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**Note 1: Features that may encroach into a Pedestrian Way up to the maximum specified: eaves (4' max.), awnings (8' max.), and minor ornamental features (2' max). Over Pedestrian Ways, projections must be more than 8 feet above finished grade.**

**Note 2: Features that may encroach into setbacks facing Driveways or streets (but not Driveway or street right-of-ways), up to the maximum specified: arcades & trellises (to Driveway or street r.o.w.), porches & stoops (8' max.), eaves (4' max.), awnings (8' max.), and minor ornamental features.**

**(e) Street Frontage.**

**All street frontages in the mixed-use component shall be:**

**(1) Lined by buildings with windows and primary entries, not garage doors; parking areas shall be located to the rear or side of the building.**

**(2) Building facades shall occupy at least 50% of the street frontage.**

**(f) Articulation. Mixed-use structures shall have a change in visible roof plane or parapet height for every 50' in length, however each distinct roof length does not have to equal 50' in length. Massing and articulation are required to be developed so that no more than 50' of wall may occur within a 6 foot minimum change in the visible vertical offset, or at the same interval a change in material may be used for articulation and the visible change in roof plane or parapet height shall be a minimum of 18'.**

**(g) Entrances and Glazing. Each ground floor use shall have one entrance minimum for each 50' or less of building frontage length.**

**(h) Materials. The materials standards for the mixed use component are as follows:**

**1. Engineered wood panels, cyclone, chain-link, and razor-wire fencing are prohibited.**

1                               2. Arcades, awnings, cantilevers, portals and shed  
2 roofs may be made of metal, fabric, concrete tile, clay tile, or slate  
3 (equivalent synthetic or better).

4                               3. A mixed-use component shall include at least 4  
5 of the following design features:

- 6                                       a. Balconies.
- 7                                       b. Projecting cornices and brackets.
- 8                                       c. Eaves.
- 9                                       d. Exposed lintels.
- 10                                      e. Multiple veneers (i.e. stone and  
11 stucco).
- 12                                      f. Pitched roof forms.
- 13                                      g. Planter boxes.
- 14                                      h. Slate or tile work and molding  
15 integrated into the building.
- 16                                      i. Transoms.
- 17                                      j. Trellises.
- 18                                      k. Wall accenting (shading, engraved  
19 patterns, etc.).

20                                      l. Any other treatment that meets the  
21 intent of this section and that receives the approval of the EPC.

22                               (i) On-Premise Signage.

23                                      1. Appropriate signage includes blade signs,  
24 awning signs, and wall-mounted or hanging metal panel signs. Internally  
25 illuminated box signs, billboards, roof-mounted, free-standing, any kind of  
26 animation, and painted window signs, and signs painted on the exterior  
27 walls of buildings are not allowed. No flashing, traveling, animated, or  
28 intermittent lighting shall be on or visible from (i.e. through windows) the  
29 exterior of any building.

30                                      2. Wall signs are permitted within the area  
31 between the second story floor line and the first floor ceiling within a  
32 horizontal band not to exceed 2' in height. Letters shall not exceed 18" in

1 height or width and 3' in relief. Company logos or names may be placed  
2 within this horizontal band or placed or painted within ground floor or  
3 second story office windows and shall not be larger than a rectangle of 8  
4 sq. ft. Projecting signs may not be more than 24" by 48" and a minimum  
5 10' clear height above the sidewalk and may be hung below the third story  
6 level. Signs may not project more than 36" perpendicular to the right-of-  
7 way beyond the façade. Lettering on awnings is limited to 9" in height.

8 (8) Maintenance Agreement for Vacant or Abandoned Site.  
9 Large Retail Facilities sometimes are vacated due to changing conditions  
10 in the retail market. To maintain a quality built environment, Large Retail  
11 Facilities shall be maintained during periods of abandonment or vacancies  
12 at the same standard as when occupied. The owner of a site shall sign a  
13 maintenance agreement with the City that the site will be maintained when  
14 vacant to the following minimal standards, among others as deemed  
15 appropriate by the Planning Director:

16 (a) The landscaping shall be watered, pruned and  
17 weeded.

18 (b) The parking areas shall be cleaned of dirt and litter.

19 (c) The building facades shall be kept in good repair,  
20 cracked windows shall be replaced and graffiti removed.

21 (d) Outdoor security lighting shall be maintained and  
22 operated.

23 (e) Hydrology systems shall be kept in good working  
24 order."

25 Section 15. Subsection 14-16-3-18 (B) ROA 1994, GENERAL BUILDING  
26 AND SITE DESIGN REGULATIONS FOR NON-RESIDENTIAL USES is  
27 amended to add a new paragraph and renumber remaining paragraphs  
28 accordingly as follows:

29 "(5) An aggregate of buildings 125,000 square feet or greater  
30 shall provide Pedestrian Plaza space in the amount of 400 square feet for  
31 every 20,000 square feet of building space. A minimum of 50% of the  
32 required public space shall be provided in the form of aggregate space that

1 encourages its use and that serves as the focal point for the development.

2 The aggregate space shall:

3 (a) Be linked to the main entrance of the principal  
4 structure and the public sidewalk or internal driveway;

5 (b) Include adequate seating areas. Benches, steps, and  
6 planter ledges can be counted for seating space;

7 (c) Have a portion (generally at least 40%) of the square  
8 footage of the plaza area landscaped with plant materials, including trees;

9 (d) Be designed for security and visible from the public  
10 right-of-way as much as possible;

11 (e) Have pedestrian scale lighting and pedestrian  
12 amenities such as trash receptacles, kiosks, etc.

13 Section 16. Subsection 14-16-3-2(B) ROA 1994, SHOPPING CENTER  
14 REGULATIONS, Shopping center requirements, is amended to add the  
15 following new subsection:

16 “(6) The site division regulations established in Section 14-16-3-  
17 2(D)(3) ROA 1994, apply to all retail facilities with over 90,001 aggregate  
18 square feet of gross leasable space.”

19 Section 17. SEVERABILITY CLAUSE. If any section, paragraph,  
20 sentence, clause, word or phrase of this ordinance is for any reason held to  
21 be invalid or unenforceable by any court of competent jurisdiction, such  
22 decision shall not affect the validity of the remaining provisions of this  
23 ordinance. The Council hereby declares that it would have passed this  
24 ordinance and each section, paragraph, sentence, clause, word or phrase  
25 thereof irrespective of any provision being declared unconstitutional or  
26 otherwise invalid.

27 Section 18. COMPILATION. Sections 2 through 14 of this Ordinance  
28 shall be incorporated in and made part of the Revised Ordinances of  
29 Albuquerque, New Mexico, 1994.

30 Section 19. EFFECTIVE DATE. This ordinance shall take effect five days  
31 after publication by title and general description.

32 X:\SHARE\Legislation\Seventeen\O-53cs2final.doc

## **EXHIBIT B**



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

Date: May 20, 2005

**OFFICIAL NOTIFICATION OF DECISION**

FILE: Project # 1003859  
04EPC-01845 EPC Site Development Plan-  
Subdivision

Silverleaf Ventures, LLC  
5351 Menaul Blvd NE  
Albuquerque, NM 87110

**LEGAL DESCRIPTION:** for all or a portion of Tract(s) A & 6B, Lands of Ray Graham III, Owenwest Corp., zoned SU-1, O-1, C-2 and PRD, located on COORS BLVD. NW, between MONTANO ROAD NW and LEARNING ROAD NW, containing approximately 70 acre(s). (E-12) Juanita Garcia, Staff Planner

On May 19, 2005 the Environmental Planning Commission voted to approve Project 1003859/#04EPC-01845, a Site Development Plan for Subdivision, based on the following Findings and subject to the following Conditions:

**FINDINGS:**

1. This is a request for a site development plan for subdivision for Tracts 6B & A, Lands of Ray Graham III, Owenwest Corp., and COA. The site is located on Coors Blvd, south of Montano, zoned SU-1 C-2 Use (23.3 Acres Max), O-1 Uses (11.7 acres max) and PRD (20 DU/Acre) and contains approximately 70 acres.
2. The site was originally part of a larger site development plan (Project 1000965) known as Andalucia, but the applicant has requested to be separated from that larger site development plan to create a new site development plan (Project 1003859). A new name has been provided for the subject site, which will be identified as "North Andalucia at La Luz."
3. The applicant is proposing to re-plat the two separate tracts into nine new tracts and no zone map amendments are proposed with this request. The applicant is proposing design guidelines within the site development plan for subdivision that will help guide for consistency and a quality that is complementary of the subject site area.
4. The applicant's submittal demonstrates that future Tracts 6B-1 and 6B-2 will contain C-2 uses; Tracts 6B-3 and 6B-5 will contain O-1 uses and Tracts 6B-4, 6B-6, 6B-7, 6B-8 and 6B-9 will

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contain PRD uses. Based on the information that has been provided on the submittal, it appears that the applicant will have 22.51 acres of C-2 uses, 5.05 acres of O-1 uses and 34.98 acres of PRD uses.

5. This case was heard by EPC at the January 20, 2005 all day EPC hearing and was approved with findings and conditions but was appealed by the La Luz Landowners Association and was heard by the Land Use Hearing Officer (LUHO) who recommended that this application be remanded back to EPC to allow for a more "a more thorough record and make findings regarding the proposed streets and traffic flows and patterns." The recommendation was approved by City Council; therefore, this case has been remanded back to the EPC.
6. Since the January 20, 2005 EPC hearing, comments made by the Department of Municipal Development (DMD) have been separated from the consolidated comments provided by the Traffic Engineer. While the DMD recommended a deferral, the negotiations regarding traffic mitigation measures are more appropriately performed prior to Development Review Board (DRB) sign-off of the Site Development Plan for Subdivision.
7. The subject site is located in the area designated Established Urban and Developing Urban by the *Comprehensive Plan*. The submittal meets the goals of these areas by creating 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 area and life styles, while creating a visually pleasing built environment. The submittal furthers the policies of the *Comprehensive Plan* as follows:
  - a. The location, intensity and design of this development respects existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural or recreational concern (Policy 5d, *Comprehensive Plan*). The proposed plan will not have deleterious impacts on surrounding uses, established neighborhoods, or community amenities.
  - b. This request proposes to locate employment and service uses to complement residential areas and to site the development in a way that minimizes adverse effects of noise, lighting pollution, and traffic on residential environments (Policy 51, *Comprehensive Plan*).
  - c. This request constitutes new growth that will be accommodated through development in an area where vacant land is contiguous to existing or programmed facilities and services and where the integrity of existing neighborhoods can be ensured. (Policy 5e, *Comprehensive Plan*). This request represents new commercial development and is located in an existing commercially zoned areas (Policy 5j, *Comprehensive Plan*).
  - d. The subject site is adjacent to arterial streets and is planned to minimize harmful effects of traffic, livability and safety of established residential neighborhoods (Policy 5k, *Comprehensive Plan*).

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- e. The site plan represents a quality and innovative design which is appropriate to the plan area (Policy 51, *Comprehensive Plan*). K
  - f. This request represents redevelopment and rehabilitation of an older neighborhood in the Established Area (Policy 50, *Comprehensive Plan*).
8. This request is within a Community Activity Center as designated by the Centers and Corridors section of the *Albuquerque/Bernalillo County Comprehensive Plan*. The submittal furthers the Policies of the Community Activity Center designation as follows:
- a. The request helps to shape an urban form in a sustainable development pattern that helps to promote transit and pedestrian access both to and within the center, and maximizes cost-effectiveness of City services (*Comprehensive Plan*, Policy II. B. 7. a).
  - b. This request will assist in the development of a Community Activity Center as defined by the *Comprehensive Plan* by providing 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, employment, and the most intense land uses within the community sub-area.
  - c. This request will also assist in the development of a Community Activity Center as defined by the *Comprehensive Plan* by allowing the location of land uses typical of a low-rise office, educational facilities, medium density residential, senior housing and other similar uses.
  - d. This request meets the policies of the *Comprehensive Plan* by providing moderate floor area ratios and urban land uses and pedestrian connections between buildings and sidewalks, buildings separating off-street parking from streets and public plaza and open space (*Comprehensive Plan*, Activity Center Goal, Policy A, Community Activity Centers).
  - e. The subject site contains high-density residential property. The *Comprehensive Plan* is furthered in that the most intense activity centers uses are proposed to be located away from any nearby low-density residential development and is buffered from those residential uses by a transition area of less intensive development (Policy II. B. 7. f.).
9. Transportation:
- a. A Traffic Impact Study (TIS) was completed by the applicant in October of 2004 and has been reviewed by the Planning Department (Transportation Development) and the Department of Municipal Development (DMD). The study was conducted in accordance with the scoping letter and procedures cited in the City's Development Process Manual.
  - b. In addition, in March of 2005, a Supplemental Traffic Analysis was provided by the applicant to support the access approved at the intersection of Street B and Montano Road.
  - c. Coors Boulevard is a limited access, principal arterial with proposed bicycle lanes as designated on the Long Range Roadway System and Long Range Bikeways System.

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- d. The City Engineer may require up to six (6) additional feet of right-of-way on Coors Boulevard to accommodate the designated bicycle lane.
  - e. The ultimate cross-section for Coors Boulevard adjacent to the proposed site includes 4 northbound travel lanes consistent with the Coors Corridor Plan (see figure 6).
  - f. Consistent with the Coors Corridor Plan intersection access policy (see policy 5), access approximately midway between Montano Road and Dellyne Avenue at Street "B" is right-in, right-out only.
  - g. Exceptions to the access policy to allow for the proposed left-in access from southbound Coors Boulevard to Street "B" will require the approval of the Metropolitan Transportation Board (MTB) of the Mid-Region Council of Governments. The City Of Albuquerque has indicated that it will support this request to the Council of Governments based upon the TIS and demonstration that the addition of this left-in access will have beneficial impacts to the Coors/Dellyne/Learning Road intersection.
  - h. Montano Road is a limited access, minor arterial with a proposed grade separation at Winterhaven Road as designated on the Long Range Roadway System and on the Coors Corridor Plan. However, no grade separated intersection has been planned, designed or programmed as of this date.
  - i. In the future, if a grade separation is constructed, north-south traffic at Winterhaven will be able to pass under Montano, but no connection will be allowed between Montano and Winterhaven Road. However, in the interim, the City Engineer and the Director of the Department of Municipal Development have allowed for a right-in, right-out and left in at the intersection of Street B and Montano Road.
  - j. Learning Road will serve as both a public and private road. The areas designated as public or private are identified on the site development plan and the subdivision plat. The portion of Learning Road east of the existing City right-of-way is designated to remain a private road, which will provide access to Bosque School and the City Lift Station Access Road only.
  - k. In order to minimize adverse impacts to the Learning Road/La Luz Connector Road intersection and the Coors/Learning Road intersection, Bosque School has agreed to open access from the school to Street B during the morning and afternoon peaks and during special events.
10. The subject site will be subject to and will need to comply with the Impact Fees Ordinance and the Impact Fees Regulations that are currently in process of being finalized.
11. The proposed request meets the Transportation and Transit provision of the *Albuquerque/Bernalillo County Comprehensive Plan* with a goal to "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

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providing sufficient roadway capacity to meet mobility and access needs." The submittal furthers the Policies of the Transportation and Transit provision as follows:

- a. The subject site has been reviewed for street design, transit service and development form consistent with Transportation Corridors and Activity Center policies established in the *Comprehensive Plan*.
  - b. The site is adjacent to Coors Blvd and Montano Road, both designated as Enhanced Transit Corridors as identified in the *Comprehensive Plan's* Activity Centers and Transportation Corridors Map.
  - c. The subject site will contain some access control along Coors Blvd and Montano Road.
  - d. Enhanced Transit Corridors are to operate at a Level of Service (LOS) of "D" or better. The City may allow for lower LOS at an intersection by substituting transit improvements which facilitate transit vehicles bypassing congestion at the intersection for auto improvements; or may be allowed to substitute transit improvements, employee travel demand strategies, and mixed use developments which lower overall trip generation in place of auto based improvements in order to mitigate traffic impacts of a development. The Design Guidelines for the subject site includes a Transportation Demand Management (TDM) plan that will encourage alternative modes of transportation in place of auto based improvements in order to mitigate traffic impacts of this development.
  - e. All intersections near the subject site have transit emergency vehicle signal preemption, the capability of a selected lane for transit and will contain right turn lanes along Coors Blvd.
  - f. The subject site will contain pedestrian circulation that will maximize pedestrian connections to transit stops and between developments.
  - g. The subject site will contain public sidewalks adjacent to the site between 6-8 feet in width.
  - h. Dedicated Bicycle lanes are dedicated along Coors Blvd and Montano Road.
  - i. The submittal includes a network of internal bike lanes that will provide connections from the site to adjacent facilities on Coors and Montano.
12. The subject site is within the Taylor Ranch Community as identified in the *West Side Strategic Plan* and is within the community's Community Activity Center. The proposed development will include retail, office and multi-family residential uses that are appropriate for the Taylor Ranch Community Center (Policy 3.16, WSSP) and will respect the existing neighborhood values as required in Policy 5d, Established Urban, *Comprehensive Plan*. In addition, the site 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. (Policy 3.12, WSSP)
13. A remaining intact portion of the "Montano Pueblo" lies within the northern boundary of this site. Two smaller archeological sites are also identified with the site. The affected sites will need to comply with all the goals and policies under *Issue 2, Policy 6, Archeological Sites*, of the *Coors Corridor Plan*, which states, "development within an identified archeological site shall obtain

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clearance and guidance from the State Historic Preservation Office before actual development begins."

14. The applicant has obtained clearance from the State Historic Preservation Office with the preferred method of mitigation to contain the burial sites in place and fill the sites with sterile soil to create a sloped surface. The approved mitigation plan also included a commitment to redesign the parking area and leave a portion of the Montano Pueblo site undeveloped, provide for a "protective covenant", and provide materials for public interpretation such as information signs. At this point, the applicant is not proposing any development in the area that contains the "Montano Pueblo" therefore; this issue can be finalized at a later date.
15. If transportation mitigation is required along Montano Road, adjacent to the subject site, and it is determined there may be encroachment in the archeological site, then further review and approval from the State Historic Preservation Officer may be required.
16. The subject site contains an area of habitat for the Tawny Bellied Rat. An agreement was reached between the applicant, the City Of Albuquerque Open Space Division and the abutting Bosque School to relocate the Tawny Bellied Rat to suitable sites.
17. During the review and approval of this application in January of 2005 a preliminary Air Quality Impact Analysis(AQIA) was not required. However, policy has changed within the Planning Department that now requires a preliminary AQIA. The applicant has submitted a preliminary AQIA and has been reviewed and approved by the Environmental Health Department in accordance with Section 14-16-3-14 of the Comprehensive City Zoning Code.
18. The submitted site plan meets the applicable general policies, site planning and architecture policies, view preservation policies, and signage policies contained in the *Coors Corridor Plan*.
19. The site plan contains the information required by the *Comprehensive City Zoning Code*. It presents the site, the proposed uses, pedestrian and vehicular ingress and egress, internal circulation requirements and the maximum building heights allowed, and the nonresidential uses' maximum floor area ratio.
20. There have been two facilitated meetings between the applicant and the affected neighborhood associations and one non-facilitated meeting to discuss the issues related to the subject request and in accordance with the Land Use Hearing Officer's (LUHO) recommendation. As an agreement during these meetings, the applicant will not allow for any drive-through restaurants or gas stations on the subject site.
21. The applicant intends to assess the "grove of cottonwood trees" on the subject site by an arborist to determine the health of the trees.
22. Based on the review of the traffic studies and related testimony the EPC recognizes that significant long-range traffic solutions in the Coors and Montano area require a major redesign and reconstruction of the Coors/Montano intersection. Consequently, the EPC urges that the City

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Council place the redesign/reconstruction of the Coors/Montano intersection on the TCIP or CIP as quickly as possible.

**CONDITIONS:**

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals. K
2. The Site Development Plan for Subdivision shall be amended to include a note that states: Fast Food Restaurants with drive-up windows and gas stations shall not be permitted.
3. If transportation mitigation requires an encroachment of the existing archeological site adjacent to Montano Road, further review and approval will be required from the State Historic Preservation Officer.
4. In order to minimize adverse impacts to the Learning Road/La Luz Connector Road intersection and the Coors/Learning Road intersection, Bosque School has agreed to open access from the school to Street B during the morning and afternoon peaks and during special events. A gate and appropriate signage shall be provided along Learning Road by the developer of the commercial tract in conjunction with Phase One.
5. The applicant must comply with the following conditions of approval as specified by the City Engineer, the Department of Municipal Development, The Public Works Department and the NM Department of Transportation:
  - a. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for.
  - b. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan for building permit. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
  - c. Completion of the required TIS mitigation measures (when determined), per Transportation Development Staff. Transportation mitigation measures may be accomplished through a combination of Transportation Impact Fees, the Impact Fees Regulations and the TIS recommendations.

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- d. Street B shall intersect with Coors Blvd. at no less than an 80 degree skew. Every effort should be made to provide a connection at 90 degrees.
- e. Dedicated right turn deceleration lanes will be required at site drives per DPM and/or TIS requirements. Left turn lanes required at site drives where permitted and as approved.
- f. Existing Learning Rd. will need to intersect with New Street /Winterhaven Rd. at no less than an 80 degree skew. Every effort should be made to provide a connection at 90 degrees.
- g. Roundabouts will need to meet design requirements of Publications FHWA-RD-00-067 and AASHTO.
- h. Medians within 100' calming area (Street A) will need to be designed to accommodate left turning vehicles. Will also need to meet AASHTO and DPM criteria (site distance). Provide detail for this area.
- i. Provide detail and location of bump outs.
- j. Provide cross sections for Streets A, B and New Street/Winterhaven Rd.
- k. 10' radius curb returns may not be allowed in high volume traffic areas or in truck circulation areas (includes emergency vehicles and solid waste).
- l. Site plan shall comply and be designed per DPM Standards.
- m. Platting must be a concurrent DRB action.
- n. Dedication of an additional 6 feet of right-of-way along Coors Boulevard, as required by the City Engineer, to provide for on-street bicycle lanes as designated on the Long Range Bikeways System.
- o. Construction of the northbound bicycle lane along Coors Boulevard, adjacent to the subject property, as designated on the Long Range Bikeways System.
- p. Dedication of additional rights-of-way, as necessary, and construction of the fourth northbound travel lane on Coors Boulevard adjacent to the subject property consistent with the *Coors Corridor Plan* (see figure 6).
- q. Approval of the proposed left-in access from southbound Coors Boulevard to Street "B" by the Metropolitan Transportation Board (MTB) of the Mid-Region Council of Governments.
- r. Access at Montano and Winterhaven will be restricted to right turn in/right turn out and left in as approved by the Director of Municipal Development. Must be accompanied by a written agreement between the applicant and the City Of Albuquerque.
- s. A notation shall be added on the submittal that reads, "When the future grade separation is constructed access will no longer be allowed to Montano Road from Winterhaven consistent with the Long Range Roadway System."
- t. Access coordination is required with NMDOT.

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6. The existing median on Learning Road just east of Coors Boulevard is well landscaped with native plants. The proposed development will require modification to the intersection of Learning Road and the La Luz access road including the median. The applicant has agreed to rebuild the median and re-vegetate it to the pre-modification level of landscaping.

**IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY JUNE 3, 2005 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED. IT IS NOT POSSIBLE TO APPEAL EPC RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE EPC'S RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE EPC'S DECISION.**

**Appeal to the City Council:** Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department within 15 days of the Planning Commission's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If they decide that all City plans, policies and ordinances have not been properly followed, they shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

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

Successful applicants should be aware of the termination provisions for Site Development Plans specified in Section 14-16-3-11 of the Comprehensive Zoning Code. Generally plan approval is terminated 7 years after approval by the EPC

Sincerely,

  
for Richard Dineen  
Planning Director

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**RD//ac**

**cc: Consensus Planning, Inc., 924 Park Ave SW 87102  
Rae Peris, La Luz Landowners Assoc., 15 Tennis Ct NW 87120  
Bruce Masson, La Luz Landowners Assoc., 13 Arco NW 87120  
Don MacCornack, Taylor Ranch NA, 5300 Hattiesburg NW 87120  
Ceil VanBerkel, Taylor Ranch NA, 5716 Morgan Ln NW 87120  
Lynn Peris, 18 Berm NW 87120  
Lois S. Sloan, 21 Tennis Ct NW 87120  
Gail Brownfield, 9 Arco NW 87120  
Jo Allen, 1 Tumbleweed NW 87120  
Andrew Wooden, 8 Arco NW 87120  
Dana Asbury, 1509 Stanford Dr NE 87106  
Frank W. Ikie, 5 Tennis Ct NW 87120  
Joanne G. Kimmey, 6 Link NW 87120  
Bennett King, 10 Arco NW 87120  
Robert Peters, 10 Tumbleweed NW 87120**



STEVEN M. CHAVEZ, Esq.  
ELIAS BARELA, Esq.

Sent via facsimile at the below listed  
numbers

March 28, 2005

N. Lynn Paris, Esq.  
500 Fourth Street, N.W., Ste. 205  
Albuquerque, NM 87102  
Facsimile: 891-0059

James Strozler  
924 Park Ave. NW  
Albuquerque, NM 87102  
Facsimile: 842-5495

Richard Dineen  
Planning Director  
Plaza Del Sol Building  
600 Second Street NW  
Albuquerque, NM 87102  
Facsimile: 768-3227

RE: Appeal AC-05-08/2

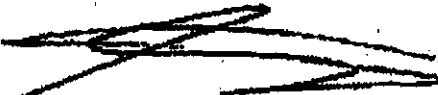
Dear Parties:

Enclosed herewith is a copy of my decision on the above referenced appeal matter. A copy has been forwarded to the City Council. Please call the City Council for information about when this matter will be reviewed by the Council. Thank you.

Cordially,

CHAVEZ & BARELA, P.C.

By:

  
Steven M. Chavez, Esq.  
Land Use Hearing Officer

cc/ File

## LAND USE HEARING OFFICER'S RECOMMENDATION

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APPEAL NO. AC-05-08 (04EPC-01845; Project No. 1003839)

Dr. Rae Paris, La Luz Landowners Association, appeals the decision of the Environmental Planning Commission approving a Site Development Plan for the subdivision of Lots A and 6B, lands of Ray Graham, III, Overwest Corp., zoned SU-1 for O-1 (11.7 acres, max.); and C-2 (23.3 acres max.); and, PRD (20/D.U./Acre max.) Located on Coors Boulevard N.W. between Montano Road N.W. and Learning Road N.W., and containing approximately 70 acres.

## I. PROCEDURAL BACKGROUND

The Record reflects the applicant, Silverleaf Ventures, LLC, by and through their agent Consensus Planning (hereinafter "Party Opponent") submitted an application and a site development plan for subdivision to the Albuquerque City Planning Department (hereinafter "City") to subdivide and replat two adjoining undeveloped tracts of land into nine smaller new tracts. The application was dated December 1, 2004.<sup>1</sup> The application site of this proposal was previously approved by the EPC as part of a much larger proposal. The previously approved site plan and this proposed site plan have significant differences. Pursuant to the City of Albuquerque Comprehensive City Zoning Code ("Code"), site development plans and major changes thereof must be approved by the Environmental Planning Commission ("EPC").<sup>2</sup>

On January 20, 2005, the EPC held a public hearing on the subject proposal. In its public hearing the EPC made 12 findings on the recommendation of City staff planners. The EPC subsequently approved the site plan for the subdivision with 11 conditions. On January 21, 2005, the EPC issued its Official Notification of Decision.<sup>3</sup> On February 4, 2005, Dr. Rae Paris of the La Luz Landowners Association ("Appellants") filed a timely appeal to the Land Use Hearing Officer.<sup>4</sup> The La Luz Land Owners Association has standing to appeal the decision of the EPC.

An appeal hearing was held on March 15, 2005. During the appeal hearing the Appellants objected to the introduction of the Traffic Impact Studies and a report from the SWCA Environmental Consultants. Their objections were duly noted and overruled. The basis of their objections was founded on the complaint that Appellants had not been provided these reports and that they had not had an opportunity to review the them.

<sup>1</sup> See Page 88 of the Record Proper.

<sup>2</sup> See the Code, Preface, page viii and Section 14-16-3-11 respectively.

<sup>3</sup> See Page 110 of the Record Proper.

<sup>4</sup> See page 1 of the Record Proper.

## II. ISSUES PRESENTED

In this appeal, Appellants appeal the decision of the EPC on three grounds. The first concerns the conduct of the EPC itself. Appellants claim the EPC failed to give a representative of the La Luz Landowner's Association a fair opportunity to be heard. The second point concerns the findings of the EPC. Appellants claim certain negative findings and circumstances regarding vehicular access and travel through the proposed site was not adequately considered by the EPC and therefore, the EPC acted arbitrarily and capriciously in granting approval of the site development plan. Finally, Appellants claim the environmental and archeological conditions found to be present on the proposed site were not given due consideration by the EPC. Each of the issues raised by Appellants contain an element of due process attributed to how the EPC managed the evidence or lack of evidence before it.

## III. STANDARD OF REVIEW

A review of an appeal is a whole record review to determine if the EPC erred:

1. In applying adopted city plans, policies, and ordinances in arriving at the decision;
2. In the appealed action or decision, including its stated facts;
3. In acting arbitrary or capriciously or manifestly abusive of discretion.

The decision and record must be supported by a preponderance of the evidence to be upheld. If the evidence is not supported the Land Use Hearing Officer may not substitute its judgment for that of the EPC. The Land Use Hearing Officer's opinion is advisory to the City Council. The Hearing Officer may recommend that the Council "grant, in whole or in part, an appeal, deny, in whole or in part, an appeal, or remand an appeal for reconsideration if the remand is necessary to clarify or supplement the record or if the remand would expeditiously dispose of the matter."<sup>3</sup> Decisions of the City are presumably valid and the burden of proving otherwise rests upon a party seeking to void such decision.

## IV. ARGUMENTS

### Due Process

I first note that Appellants failed to attend the facilitated meeting. Their misgivings are of no fault of the Party Opponents or the City. Moreover, Appellants have not raised any legitimate issues that they did not receive notice of the review stages of this proposal, including the facilitated meeting. Appellants assert, however, that they did make several requests to the Planning Department sometime after the facilitated meeting for information regarding the traffic studies. The City staff

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<sup>3</sup> See Rules of the Land Use Hearing Officer adopted by the City Council, February 18, 2004. Bill No. P/S OC-04-6.

1 deny that such requests were made and Appellants have not brought forth or shown any evidence  
2 substantiating their alleged requests.  
3

4 The cornerstone of all Appellants' arguments concerns how Mr. John Badal, presumably  
5 a member of the La Luz Landowners' Association was received by the EPC when he spoke out in  
6 opposition to the proposal. Appellants contend that the City's decision-making process violated their  
7 procedural due process rights. I note at the outset, that the City is not required to conduct its public,  
8 quasi-judicial hearings following the same evidentiary and procedural standards applicable to a court  
9 of law, although it must adhere to fundamental principles of justice and procedural due process.<sup>6</sup>  
10

11 Appellants contend Mr. Badal's speech was immediately chilled when he was allegedly  
12 admonished by the EPC for not participating or having an Association member participate in the  
13 facilitated meeting held on January 12, 2005. Although the City staff answer this claim with a  
14 denial that the EPC in fact chilled or stifled Mr. Badal's speech, the official record from the EPC  
15 speaks for itself.  
16

17 After thoroughly reviewing the minutes of the EPC, I cannot find that Mr. Badal was not given  
18 a *per se* opportunity to be heard, when in fact he was allowed to present himself and place his  
19 opposition on the record. However, an opportunity to be heard is more than simply allowing  
20 someone to orally voice their opposition. At least one issue raised by Mr. Badal was relevant to the  
21 discussion before the EPC. That issue relates to the access thoroughfares in and out of the proposed  
22 site and how these new streets will affect existing and future traffic flows and conditions. The  
23 record is clear that Mr. Badal as a representative of the La Luz Homeowner's Association was given  
24 an opportunity to be heard, however the issues raised by him were not given due consideration and  
25 the EPC abused its discretion in how it managed these issues.  
26

27 I cannot find any evidence in the minutes that the EPC evaluated in any meaningful way the  
28 issue raised by Mr. Badal. Although, the EPC took great pains to question Mr. James Storer of  
29 Consensus Planning about the concerns raised by the La Luz Landowners' Association as presented  
30 by Mr. Badal, it did so in a perfunctory manner. The fact that Mr. Badal and the La Luz  
31 Homeowner's Association did not participate in the earlier facilitated meeting may have been a cause  
32 for Mr. Badal's lack of information regarding the proposal, as the EPC duly noted. Despite Mr.  
33 Badal's imperfect presentation, the EPC did little or nothing to address the issues presented by Mr.  
34 Badal. Consequently, alone, this does not rise to the level of a violation of requisite due process.  
35

36 It abused its discretion when it deferred the issues for a later hearing. This was inappropriate  
37 for reasons enumerated below. For lack of a better phrase, it literally put off the questions raised  
38 by Mr. Badal for another day. It passed on those concerns seemingly for a future hearing.

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<sup>6</sup> See *Battershell v. City of Albuquerque*, 108 N.M. 658, 662, 777 P.2d 386, 390 (Ct. App. 1989). ("In administrative proceedings due process is flexible in nature and may adhere to such requisite procedural protections as the particular situation demands.")

1 presumably to be addressed at the subsequent hearing for building permits.<sup>7</sup> In doing so, the EPC  
2 virtually communicated to the La Luz Landowners' Association that their "serious" concerns would  
3 be addressed at this later hearing.  
4

5 However, as Staff Planner, Mrs. Juanita Garcia expressly made clear to the EPC, she  
6 concluded "the issues regarding the roads really should be addressed right now."<sup>8</sup> Mrs. Garcia went  
7 on to explain that "once we approve this site development plan for subdivision the roads are in place  
8 and the lot lines are in place and there is not really any flexibility for us to come back and amend the  
9 site development plan for subdivision when we are reviewing the site development plan for building  
10 permit."<sup>9</sup> Although Mrs. Garcia was not specifically referring to the issues raised by Mr. Badal, it  
11 was an abuse of its discretion for the EPC to conduct itself in this manner knowing that the vehicular  
12 concerns and issues raised by the La Luz Homeowner's Association could not be considered by the  
13 EPC after approving the site plan for subdivision.<sup>10</sup>  
14

15 Consequently, the EPC either should have made more than a cursory investigation of the  
16 issues raised by Mr. Badal or it should have deferred its ruling and continued the hearing for a later  
17 date. Notably too, in its Official Notification of Decision, the EPC made no rulings or findings of  
18 traffic conditions, internal traffic flows or measures, or the Traffic Impact Studies, other than the  
19 cursory requisites required of a typical site plan.<sup>11</sup> Then, as a condition of approval, the EPC simply  
20 placed a condition that a Traffic Impact Study was "required and has been submitted," without any  
21 further elaboration. Appellants' are left with a rational, conspicuous impression of apprehension and  
22 suspicion.  
23

24 If an objective observer would entertain reasonable question about whether in fact the EPC  
25 conducted an investigation and then forewarn, that it would investigate further at a later date when  
26 in fact it cannot conduct the later review it said it will conduct, then, we are faced with an  
27 insurmountable question of due process and incredulity of the process itself. The test is an objective  
28 one, and what matters is the appearance of good governance. As the very noble Justice Kennedy  
29 wrote "justice should not only be done, but should manifestly and undoubtedly be seen to be done."  
30

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<sup>7</sup> See page 140 of the Record Proper, wherein Chairman Deichmann states the parties should come up with a "good compromise" and the EPC will take "their concerns a lot more seriously" presumably at the next stage of hearing(s) for building permits.

<sup>8</sup> See the Record Proper, EPC minutes page 141.

<sup>9</sup> Id.

<sup>10</sup> See the Code, Section 14-16-1-3, Definitions, Page 16. The distinction between a site plan for subdivision with a site plan for building permits is clearly defined.

<sup>11</sup> In its defense however, the EPC did set conditions of traffic mitigation measures.

1 The EPC has many advantages. Its decision-making process is guided by its expertise in the  
2 areas assigned to it by the City Council. It has extensive resources to develop the facts relevant to  
3 a proper investigation into the issues. It can postpone its decisions when it feels it is necessary.  
4 Despite these advantages, it should not be accorded deference if those advantages did not play a role  
5 in its decision-making process.

6  
7 Rather than using its resources to develop the facts relevant to a proper investigation, the  
8 record reflects that it ignored the pertinent issues or facts (at least those raised by the La Luz Home  
9 Owners' Association). It did not utilize its knowledge and expertise to discern the merits of the  
10 issues it was faced with. Rather without authority, it placed the opposition on notice that it would  
11 investigate later. The record presents genuine doubt whether the EPC's investigation and delay of  
12 the issues merits deference. The best course is to remand the matter to the EPC for reconsideration.  
13 The record should be developed more thoroughly.<sup>12</sup>

14  
15 I recognize that the EPC has a difficult and demanding job and it may not have to respond  
16 to every issue raised by every person opposing a proposal. Such a requirement is impractical and  
17 often unnecessary. My recommendation is not intended to stand for that proposition. Yet, the  
18 additional effort required by a remand in this circumstance, is appropriate to improve the confidence  
19 in the EPC decision-making process. The purpose of remand is not to require a different result. A  
20 decision identical to the original decision may well be affirmable, but because the process, as well  
21 as the result, is of high importance, sometimes it is the process, rather than the result, that justifies  
22 remand and reconsideration.

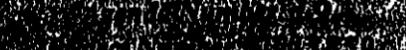
23  
24 Finally, I believe there is good cause, in this matter only, for a second facilitated meeting.  
25 Although Appellants have no good excuses for missing the meeting, and I believe the City Planning  
26 Staff acted in good faith to hold a meeting, the fact remains that a facilitated meeting may  
27 expeditiously assist the parties in disposing this matter when it moves back before the EPC. In  
28 making this recommendation, I am cognizant of the precedential issues which may arise in the future.  
29 However, I conclude that the totality of the circumstances in this case are somewhat exceptional and  
30 this opinion should be narrowly construed in the future.

### 31 32 33 V. SUMMARY OF FINDINGS AND RECOMMENDATION

34  
35 In summary, I find that the EPC abused its discretion in advising the La Luz Homeowners'  
36 Association that it would consider the specific issues of subdivision raised by them at a subsequent  
37 hearing when it considers building permits. The EPC does not have the authority to make  
38 meaningful inquiries into the site plan for subdivision at a subsequent hearing to consider the site  
39 plan for building permits.

---

<sup>12</sup> I note for the record, the short time between the application date and the facilitated meeting and the EPC hearing may have been a contributing factor and may not have allowed for, or it may not have been conducive to, a free flow of information in this matter.



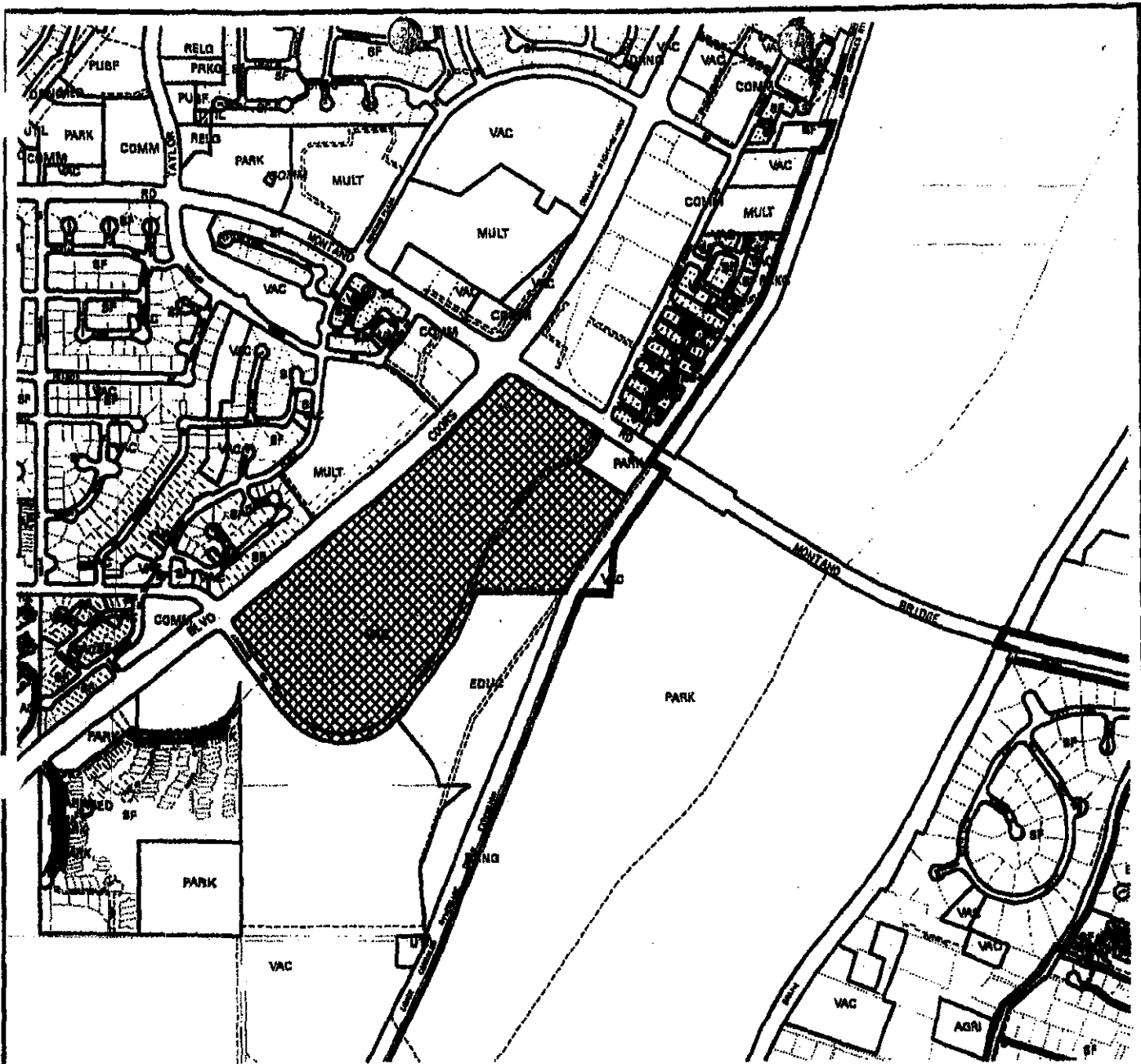
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Furthermore, if the applicant is required to provide an additional lane on Montano Road as proposed in the TIS, it is unclear how this will impact the archeological site that is currently adjacent to Montano Road. New information has been submitted by the applicant since the January 20, 2005 EPC hearing and is discussed herein.

**City Departments and other interested agencies reviewed this application from 12/06/04 to 12/17/04.**







## LAND USE MAP

### KEY to Land Use Abbreviations

AGRI Agricultural  
 COMM Commercial -Retail, Service, Wholesale  
 DRNG Drainage  
 EDUC Public or Private School  
 GOLF Golf Course  
 MED Medical Office or Facility  
 MFG Manufacturing or Mining  
 MH Mobile Home  
 MULT Multi-Family or Group Home  
 OFF Office  
 ORG Social or Civic Organization  
 PARK Park, Recreation or Open Space  
 PRKG Parking  
 PUBF Public Facility  
 RELG Religious Facility  
 SF Single Family  
 TRAN Transportation Facility  
 UTIL Utility  
 VAC Vacant Land or Abandoned Bldgs  
 WH Warehousing & Storage



Scale 1" = 973'

PROJECT NO.

1003859

HEARING DATE

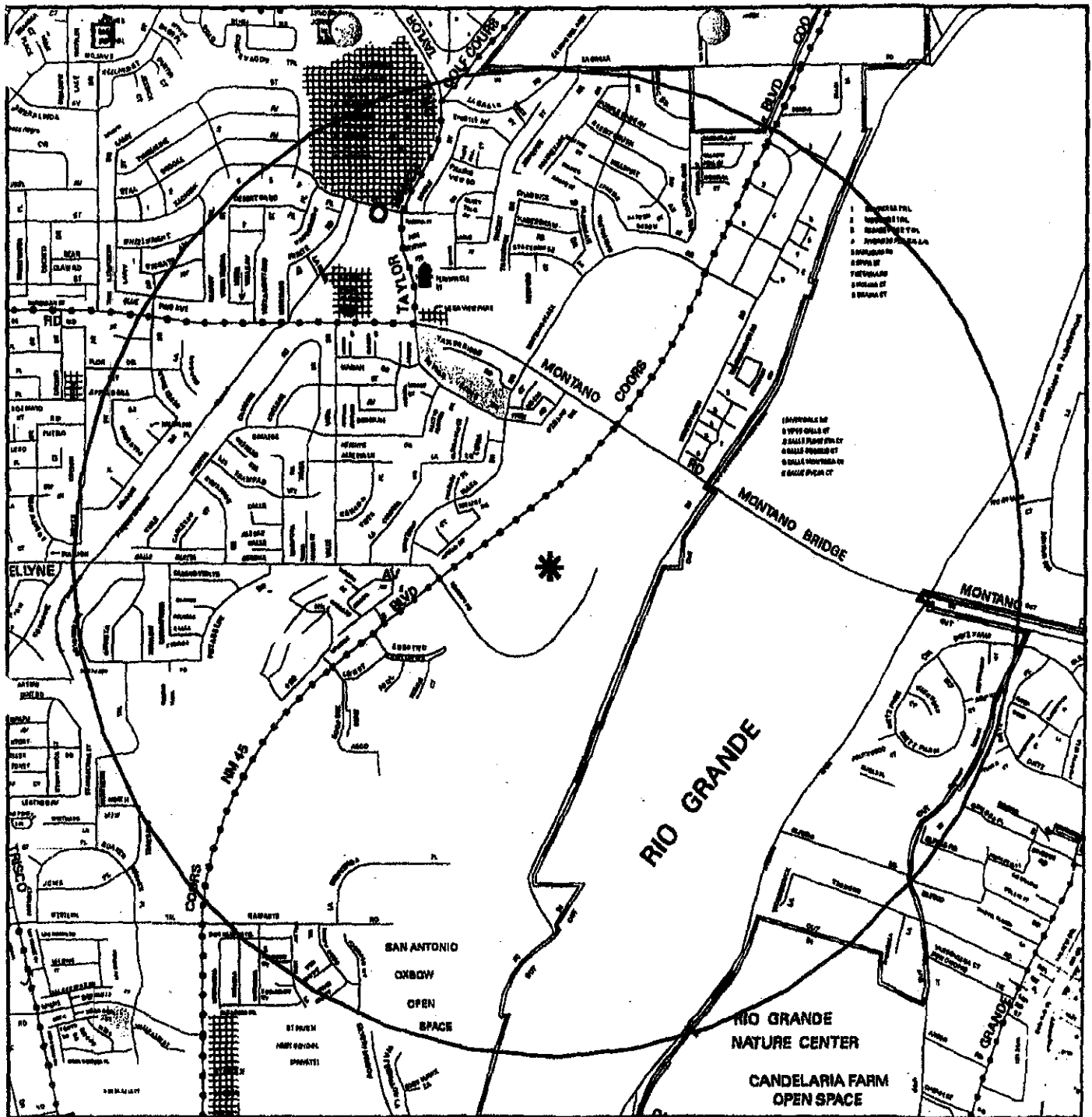
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MAP NO.

E-12

ADDITIONAL CASE NUMBER(S)

04EPC-01845



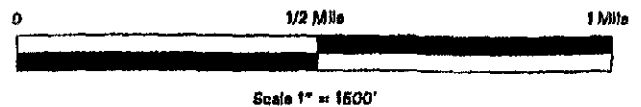
- ▽ Senior Center
- Community Center
- ◆ Multi-Service Center
- Library
- Police
- Sheriff
- Fire Station
- Pool

- APS Schools
- Elementary
- Middle
- High
- Suntran Routes
- City Limits

- Developed City Park
- Undeveloped City Park
- County Park
- Landfill
- Buffer designated by EHD



\* 1003859



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**ADDITIONAL INFORMATION**

**Appeal:**

On February 4, 2005 an appeal was filed by the La Luz Landowners Association on the approval of the site development plan for subdivision approved by the Environmental Planning Commission (EPC) on January 20, 2005. In general, the basis of the appeal was related to traffic congestion at the intersections of Coors at Montano, Coors at Learning Road, and Montano at Winterhaven. The appellants also stated that they were not given an opportunity to express their concerns regarding traffic at the January 20, 2005 EPC hearing. There were other elements related to issues that were primarily related to a site development plan for building permit. The appeal was subsequently forwarded to the City Council and referred to the Land Use Hearing Officer (LUHO). The LUHO heard the matter and recommended that the matter be remanded to the EPC to allow for "a more thorough record and make findings regarding the proposed streets and traffic flows and patterns." The LUHO believed that there was substantial information in the record to show that traffic was of concern to the neighborhood and to staff. The City Council accepted the LUHO's recommendation on April 18, 2005.

Comments received by the Planning Department regarding traffic for the subject request recommended a deferral from the Department of Municipal Development (DMD). However, when the comments were consolidated from the City Engineer, DMD, and other related agencies, the recommendation of deferral was not provided -- only findings and conditions of approval. Since there was a conflict in the comments there should have been some sort of discussion regarding this issue.

Since the appeal was heard, staff has verified with the affected agencies if their comments have changed from the January 20, 2005 EPC hearing. It appears that the comments have not changed and DMD is still recommending a deferral.

**Transportation Issues**

The comments for the proposed project have changed from the January 20, 2005 EPC in regards to the format that they have been presented. Typically, comments from the DMD, the City Engineer and related agencies are consolidated and presented as one set of comments. At the January 20, 2005 EPC hearing, the comments from the DMD recommended a deferral of this case. The DMD is still recommending a deferral of this case, therefore, Planning staff is also recommending a deferral as a professional courtesy to a commenting agency. The Planning Department does recommend deferral when a commenting agency strongly recommends a deferral. In this case, the DMD does not believe that the transportation issues can be resolved through conditions of approval. The TIS demonstrates that level of service at Coors and Montano and Coors and Dellyne will diminish and further increase the delay time during peak times. The applicant has proposed some mitigation measures that include widening of Coors and Montano, triple turn lanes at Coors and Montano and converting Montano Bridge from two lanes

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to four lanes. DMD does not believe that the applicant's proposal to mitigate transportation issues cannot be done and/or will be difficult to accomplish.

However, DMD does offer recommended findings and conditions of approval in case the EPC does believe that there is an opportunity to proceed with this application. Comments from DMD are identified below:

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

**Findings**

- Coors Boulevard is a limited access, principal arterial with proposed bicycle lanes as designated on the Long Range Roadway System and Long Range Bikeways System.
- The City Engineer may require up to six (6) additional feet of right-of-way on Coors Boulevard to accommodate the designated bicycle lane.
- The ultimate cross-section for Coors Boulevard adjacent to the proposed site includes 4 northbound travel lanes consistent with the Coors Corridor Plan (see figure 6).
- Consistent with the Coors Corridor Plan intersection access policy (see policy 5), access approximately midway between Montano Road and Dellyne Avenue at Street "B" is right-in, right-out only.
- Exceptions to the access policy to allow for the proposed left-in access from southbound Coors Boulevard to Street "B" will require the approval of the Metropolitan Transportation Board (MTB) of the Mid-Region Council of Governments.
- Montano Road is a limited access, minor arterial with a proposed grade separation at Winterhaven Road as designated on the Long Range Roadway System.
- In the future, after the proposed grade separation is constructed, north-south traffic at Winterhaven will be able to pass under Montano, but no connection will be allowed between Montano and Winterhaven Road.
- To ensure this grade separation can be constructed in the future and is not made impossible by this development, access at the Winterhaven/Montano intersection should be right-turn in, right-turn out only.
- The traffic study identifies impacts at every intersection along Coors Boulevard and Montano Road, some of which cannot be addressed by capacity improvements. Not all of these effects are wholly attributable to this site, but it is clear that the development mix and level proposed cannot be served at this location.
- When a scaled back or substantially modified proposal comes forward, more effort should be made in the traffic study to distinguish site related traffic and mitigation proposals attributed specifically to this development.

**Conditions**

- Dedication of an additional 6 feet of right-of-way along Coors Boulevard, as required by the City Engineer, to provide for on-street bicycle lanes as designated on the Long Range Bikeways System.
- Construction of the northbound bicycle lane along Coors Boulevard, adjacent to the subject property, as designated on the Long Range Bikeways System.

- Dedication of additional rights-of-way, as necessary, and construction of the fourth northbound travel lane on Coors Boulevard adjacent to the subject property consistent with the Coors Corridor Plan (see figure 6).
- Approval of the proposed left-in access from southbound Coors Boulevard to Street "B" by the Metropolitan Transportation Board (MTB) of the Mid-Region Council of Governments.
- The median opening at Montano and Winterhaven will be closed at the time this site is developed. Limit access at the Winterhaven/Montano intersection to right-turn in, right-turn out traffic only until the future grade separation is constructed, at which time, access will no longer be allowed to Montano Road from Winterhaven Road consistent with the Long Range Roadway System.

***Recommendation***

- Deferral to: 1) discuss optional land use proposals, and 2) prepare documentation, satisfactory to the EPC, that the roadway improvements required in the traffic study to serve the proposed development will be in place to serve each phase of building construction.

**Impact Fees**

Above all the issues that are presented by DMD, it has been determined recently that all site development plans that were approved by December 10, 2004 are not subject to the Impact Fee Ordinance that was adopted by City Council on November 15, 2004. This application was accepted before December 10, 2004 but has not been officially approved as of yet. Given this information, the subject request is subject to the Impact Fees Ordinance and the Impact Fees Regulations that are pending approval.

The Impact Fee Ordinance will require property owners/developers to pay for what are known as "System" fees, which will automatically be charged for the overall improvement of the subject site's "Service Area." In addition, property owners/developers will be subject to "Project" fees/improvements that are warranted because of their proposed development and are adjacent to their site. For the subject request, it is unclear what, if any, "Project" fees there may be in relation to the proposed development. It is possible that no additional fees will be required of the applicant and no other mitigation measures will be required, such as an additional fourth lane on Coors or an additional third lane on Montano. It is staff's understanding that further information is required from the applicant to determine what sort of "project" fees might be collected of the applicant.

**Supplemental Traffic Information**

Since the January 20, 2005 EPC hearing the applicant has supplied supplemental information regarding traffic. The applicant has supplied an "Executive Summary" of the Traffic Impact Study (TIS) so that all commissioners will have a consolidated version of the TIS. As discussed at the January 20, 2005 EPC the applicant was asked by the City to provide further analysis of

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the entrances along Coors near the intersection of Coors and Montano. At that point it was not clear what type of ingress/egress would occur at the intersection of Montano and Winterhaven, and what affects that intersection would have at the entrances on Coors. The applicant has supplied that information and based on that information, the site will contain a right-in, right-out and left-in intersection at Montano and Winterhaven.

**Open Space Division**

At the January 20, 2005 EPC hearing, Dr. Matt Schmader presented the concerns of the Open Space Division, which were related to the archeological sites, the Tawny Bellied Rat, the grove of trees along the eastern edge of the site, and the design of buildings along the east edge of the site near the City's Open Space parking area.

**Archeological Information**

Since the January 20, 2005 EPC Hearing, the applicant has provided information regarding the three archeological sites that exist on the subject site. A remaining, intact portion of the "Montano Pueblo" lies within the northern boundary of this site, beneath Tract 6B. In addition, there are two smaller archeological sites near future Tracts 6B-1 and 6B-2. A note on the site development plan for subdivision requires the applicant to obtain approval from the State Historic Preservation Officer. Since the January 20, 2005 hearing, the applicant did conduct some "limited testing" of the archeological sites to determine the measures of mitigation. The results of the "limited testing" was sent to the State Historic Preservation Office, with a recommendation to (1) contain the burial in place (2) remove all the data from the sites and (3) avoid and preserve the sites as open space.

The applicant's preferred method of mitigation is to contain the burial sites in place and fill the sites with sterile soil to create a sloped surface. However, a fourth option was discussed with City staff in which staff proposed to redesign the parking area and leave a portion of that site undeveloped, provide for a "protective covenant", and provide materials for public interpretation such as information signs. At this point, the applicant is not proposing any development in the area that contains the "Montano Pueblo" therefore; this issue can be finalized at a later date.

Since the January 20, 2005 EPC hearing, it has come to staff's attention that the traffic mitigation recommendations from Transportation Planning and the City Engineer to widen Montano Road to three lanes will have an impact on the "Montano Pueblo." The archeological mitigation measures that were presented to the State Historic Preservation Officer did not include the discussion of a third lane along Montano, which will infringe on the archeological site. It appears that a determination if a third lane along Montano is required from Transportation Planning and the City Engineer and if so, it should be discussed with the State Historic Preservation Officer and how this will impact the archeological site near Montano Road. This issue does concern staff because the amount of right-of-way that is to be dedicated along Montano Road will be finalized with the approval of the site development plan for subdivision.

Obtaining approval from the State Historic Preservation Office for the remedial action of the archeological sites will comply with the goals and policies of *Issue 2, Policy 6, Archeological Sites, of the Coors Corridor Plan*, which states, "development within an identified archeological site shall obtain clearance and guidance from the State Historic Preservation Office before actual development begins."

A condition of approval from the January 20, 2005 EPC hearing specified, "The future applications for building permit shall include resolution of the archeological sensitive sites by the State Historical Preservation Office." This language is necessary on the site development plan but the condition does not require the applicant to specify the language on the submittal. A future recommended condition of approval will require the applicant to ensure that such notation is provided on the site development plan for subdivision.

The applicant has provided a letter dated April 25, 2005 from the State Historical Preservation Officer to the La Luz Landowners Association that explains their reasoning for accepting the applicant's proposed method of mitigating the archeological sites and encourages La Luz to participate as early in the process as possible. It appears that La Luz had expressed their concerns regarding the mitigation plan to the State Historical Preservation Officer after it had been accepted.

***Tawny Bellied Rat***

At the hearing conditions of approval were placed on the site development plan for subdivision approval that requires the applicant to "assess any issues regarding the existing Cottonwoods and habitat for the Tawny Bellied Rat." Since the January 20, 2005 EPC hearing the applicant has developed a strategy to relocate the Tawny Bellied Rats that includes the involvement of Bosque School. A memorandum dated May 5, 2005 from Consensus Planning identifies the following plan:

**Property owners:** Shall permit the school access to the property for the purposes of habitat study, trapping, and relocation of the Tawney Bellied Rats located on the property. They shall also provide the School with a schedule concerning potential grading and construction activities on the property.

**Open Space Division:** Shall provide guidance and assistance regarding the relocation efforts and shall assist in determining or creating appropriate habitat areas to accommodate the relocation onto City Open Space lands.

**Bosque School:** Shall be responsible to coordinate with the property owners, City Open Space, and experts (as they determine) to implement the relocation of the Tawny Bellied Rats

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from the property. They shall be responsible for the trapping and transport of the animals to the relocation site(s).

*Grove of Trees*

The condition of approval at the January 20, 2005 EPC that requires the applicant to "assess any issues regarding the existing Cottonwoods" has not been clearly addressed to staff. Staff understands that the "grove of trees" is in the path of the new local street and will not be preserved, however, this issue can be clarified at the EPC hearing.

*Design of Buildings near the Open Space parking area*

The applicant has amended their application and is proposing to develop the site in phases. The applicant had originally proposed to develop the entire site and full build was expected by the year 2010, however, the applicant was not able to secure the tenant for the proposed 80,000 square foot building near the Open Space parking area, so the applicant has decided to have that portion reviewed by the EPC at a later date. Nonetheless, staff is confident with the design standards that have been proposed within the site development plan for subdivision and believe that buildings adjacent to the Open space are will be compatible with the adjacent areas.

**AQIA**

A recent appeal decision at City Council now requires applicants to supply an Air Quality Impact Analysis (AQIA) when a development meets the standards of Section 14-16-3-14, Air Quality Impact Regulations of the Comprehensive City Zoning Code. The applicant has submitted a Preliminary AQIA to the Environmental Health Department and the final results of the analysis has not been provided to staff. The Environmental Health Department's position has been modified in regards to the current status of the air quality within the City Of Albuquerque, particularly for carbon monoxide (CO). A previous position from the Environmental Health Department demonstrated that current CO levels are well within compliance of the National Ambient Air Quality Standard (NAAQS). A future recommended condition of approval will require that this portion of the Zoning Code before final approval from the Development Review Board (DRB).

**Additional Meetings**

For the January 20, 2005 EPC hearing, the Planning Department recommended a facilitated meeting between the affected neighborhood associations and the applicant. The response from the neighborhood association to the facilitator was that there was no need for such meeting. However, since that time it has been advised to the neighborhood association and the applicant to meet to discuss the issues that precipitated the appeal.

The applicant asked the Planning Department to make arrangements for a facilitated meeting. A facilitated meeting was held on April 12, 2005 and once again on April 21, 2005. Staff did

attend both meetings to offer any explanation of pertinent regulations, policies, and goals. There were numerous members from the surrounding communities including members from adjacent neighborhood associations and the president of the west side coalition – Dr. Joe Valles. All of the representatives from the applicant's development team, including the agent, traffic engineer and architect and the applicants themselves were present at these meetings. In staff's opinion, the meetings were very informative and productive. The applicant heard the concerns of the affected parties at the two facilitated meetings and was charged to determine if any changes could be made to satisfy all parties. Two facilitated reports and one amended report has been provided for your review.

Since that time, an issue has arisen that not only affects this project, but all other applications that have been submitted to the City of Albuquerque. The funding that had been available for facilitated meetings has apparently been depleted, and therefore, the City cannot offer facilitated meetings to applicants or neighborhood associations when there are issues that require a formal discussion. At this point, it is unknown how much longer the City will be unable to offer such services and may last until the end of the fiscal year.

However, both the applicants and the affected neighborhood associations have decided to meet on their own to further discuss the issues. Both parties did meet on May 5, 2005 to discuss the applicant's proposed changes to the request. They are:

#### *Phasing*

This is a request for a site development plan for subdivision and the applicant has also submitted for approval of a site development plan for building permit, which have been separated from their initial submittal. There has been lots of discussion regarding the site development plan for building permit since the affected parties are well aware of what may be developed once a site development plan for subdivision has been approved. The applicant has decided to phase the development that was originally proposed on the application. The phasing affects the immediate affect on traffic and allows for further discussions and modifications. This issue regarding phasing will be discussed and demonstrated further under the analysis of the site development plan for building permit.

#### *Bosque School road connection*

Members of the La Luz community are especially concerned with traffic along Learning road since this is the road that is commonly used to exit their development. The residents are concerned with the amount of time that is needed to exit the La Luz subdivision onto Learning Road during peak times because of traffic generated by Bosque School during these times. To remedy this situation, the applicant was able to convince Bosque School to allow for a connection to Street B at proposed Tract 6B-7. This connection will only be utilized by members of the school and not the adjoining development and will be provide for a direct connection to Montano Road and an alternative to Learning Road.

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***Modifications to La Luz Connector Street***

To address the concerns regarding the wait time at the La Luz Connection Road and Learning Road, the applicant has agreed to modify the intersection of Street A and Learning Road so reduce the amount of wait time. This modification is in addition to the applicant's successful attempt to have traffic from Bosque School utilize Street B as well as Street A.

***Amendments to Design Standards***

At the second facilitated meeting, the affected parties addressed their concerns regarding building design, number of colors used for signage and the height of buildings. The applicant did provide additional language to the Design Standards regarding these issues.

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**Site Plan for Subdivision – 04EPC 01845**

**FINDINGS – May 19, 2005,**

1. This is a request for a site development plan for subdivision for Tracts 6B & A, Lands of Ray Graham III, Owenwest Corp., and COA. The site is located on Coors Blvd, south of Montano, zoned SU-1 C-2 Uses, O-1 Uses and PRD and contains approximately 70 acres.
2. The site was originally part of a larger site development plan (Project 1000965) known as Andalucia, but the applicant has requested to be separated from that larger site development plan to create a new site development plan (Project 1003859). A new name has been provided for the subject site, which will be identified as "North Andalucia at La Luz."
3. The Planning Department has allowed the applicant to apply for an amendment to the larger site development plan that will demonstrate the secession of this site. A new project number was assigned to the subject site to avoid confusion in the future (Project 1003859).
4. The applicant is proposing to re-plot the two separate tracts into nine new tracts and no zone map amendments are proposed with this request. The applicant is proposing design guidelines within the site development plan for subdivision that will help guide for consistency and a quality that is complementary of the subject site area.
5. The applicant's submittal demonstrates that future Tracts 6B-1 and 6B-2 will contain C-2 uses; Tracts 6B-3 and 6B-5 will contain O-1 uses and Tracts 6B-4, 6B-6, 6B-7, 6B-8 and 6B-9 will contain PRD uses. Based on the information that has been provided on the submittal, it appears that the applicant will have 22.9 acres of C-2 uses, 5.05 acres of O-1 uses and 36.34 acres of PRD uses.
6. This case was heard by EPC at the January 20, 2005 all day EPC hearing and was approved with findings and conditions.
7. This case was appealed by the La Luz Landowners Association and was heard by the Land Use Hearing Officer (LUHO) who recommended that this application be remanded back to EPC to allow for a more "a more thorough record and make findings regarding the proposed streets and

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traffic flows and patterns." The recommendation was approved by City Council; therefore, this case has been remanded back to the EPC.

8. Since the January 20, 2005 EPC hearing, comments made by the Department of Municipal Development (DMD) have been separated from the consolidated comments provided by the Traffic Engineer. The consolidated comments provided to the EPC did not reflect a recommendation of deferral from DMD.
9. DMD does not believe that the transportation issues can be resolved through conditions of approval in this matter, therefore a deferral of this matter is still recommended.
10. The TIS for the subject request demonstrates that level of service at Coors and Montano and Coors and Dellyne will diminish and further increase delay time during peak times. The applicant has proposed some mitigation measures that include widening of Coors and Montano, triple turn lanes at Coors and Montano and converting Montano Bridge from two lanes to four lanes. DMD does not believe that the applicant's proposal to mitigate transportation issues can be completed and/or will be difficult to accomplish.
11. The subject site will be subject to the Impact Fees that were adopted by the City Of Albuquerque on December 10, 2005 and further information is required to determine what type of "Project" fees and/or mitigation measures will be required of the applicant.
12. As proposed in the applicant's TIS an additional lane on Montano Road is proposed. The subject site contains the "Montano Pueblo" archeological site adjacent to Montano Road and is unclear how an additional lane will impact this archeological site.

**RECOMMENDATION - 04EPC 01845 May 19, 2005**

**30 DAY DEFERRAL of 04EPC 01845, a Site Development Plan for Subdivision, for Tract 6B and A, Lands of Ray Graham III, Ovenwest Corp., and COA, zoned SU-1 for C-2 Uses, O-1 Uses and PRD (Max 20 DU/Acre) located on Coors Blvd between Montano RD NW and Learning RD NW, containing approximately 70 acres, based on the preceding Findings.**

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**FOR Juanita C. Garcia, CZO,  
Planner**

**cc: Silverleaf Venures, LLC, 5351 Menaul Blvd. NE, Albuquerque, NM 87110  
Consensus Planning, Inc., 924 Park Ave. SW, Albuquerque, NM 87102  
Rae Perlis, La Luz Landowners Assoc., 15 Tennis Court NW, Albuquerque, NM 87120  
Bruce Masson, La Luz Landowners Assoc., 13 Arco NW, Albuquerque, NM 87120  
Don MacCornack, Taylor Ranch NA, 5300 Hattiesburg NW, Albuquerque, NM 87120  
Ceil vanBerkel, Taylor Ranch Na, 5716 Morgan Ln. NW, Albuquerque, NM 87120**

**Attachments**



## TAB 1

The application for building permit cannot be approved as the site does not have the required *primary and full access* to a collector having four through traffic lanes.

Applicant seeks building permit approval for a large retail facility of 98,901 square feet. Z.C. §14-16-3-2(D)(2)(b) strictly regulates large retail facilities and limits such facilities to locations meeting specific access criteria. A copy of §14-16-3-2 is attached. Pursuant to §14-16-3-2(D)(2)(b) a retail facility of this size cannot be approved unless it is “adjacent to and has *primary and full access* to a street identified as at least a collector in the Mid-Region Council of Government’s Metropolitan Transportation Plan **and** having at least four through traffic lanes” (emphasis added). This site is adjacent to Coors but does not have *primary and full access* to Coors or any street meeting the access criteria of Z.C. §14-16-3-2.

This site has direct access to Mirandela, Mirandela/Winterhaven and to Coors. *See* Site Plan page C-1. Neither Mirandela nor Mirandela/Winterhaven are collectors having four through traffic lanes. A new access is requested on Montano west of Winterhaven but has not been approved. In any case this proposed Montano access would (if approved) be right in/right out so would not satisfy the *full access* requirement. The Coors access (between Mirandela and Montano) is right in/right out – not full access. Even Mirandela does not have full access to Coors. Further, as the Andalucia plan indicates, Winterhaven at Montano will become grade separated so this access will be lost in the future. In sum the site does not have the full access required by §14-16-3-2(D)(2)(b).

Learning Road does have full access to Coors but this indirect access via other public streets does not satisfy the requirement of §14-16-3-2(D)(2)(b). The indirect access to Coors via Antequera and Learning Road is not “primary and full access” because it is indirect, that is, a vehicle must exit to Mirandela, from Mirandela access Antequera and then Learning Road and then Coors. Neither Learning Road nor Antequera are collectors having four traveled lanes. There is an exception permitting “local road access” in certain situations but that exception is not applicable.<sup>1</sup> Even if the local road exception were available to a facility of this size it would not apply because: (1) the local road exception can be used only when access control policies *prohibit* access to one of the adjacent roadways. Access to Coors (and Montano) is not *prohibited* but *controlled*; (2) the Learning Road access would not satisfy the exception because local road access is only available if it “does not pass directly through a residential subdivision.” *See* §14-16-3-2(D)(2)(b). Antequera passes through the recently approved residential subdivision.

The language of 14-16-2-3(D)(2) is mandatory, not discretionary. These access policies cannot be waived.

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<sup>1</sup>See exception provided by §14-16-3-2(D)(2)(b) which is applicable *only* to large retail facilities of 125,000 square feet or greater. The proposed facility does not meet that criteria. Under that exception for facilities 125,000 square feet and greater “[i]f access control policies prohibit access onto one of the adjacent roadways, a local road may be used as access if it has direct access to at least two roadways that are identified on the Long [Range] Metropolitan Transportation Plan, does not pass directly through a residential subdivision and at least one of the intersections is signalized.”

NOTE: The TIS does not claim Learning Road is primary access. See TIS at p. 5.

### § 14-16-3-2 SHOPPING CENTER REGULATIONS.

This section controls the development of shopping center sites.

#### (A) *General.*

(1) No structure shall be erected on a shopping center site except in conformance with a duly approved site development plan. Once approved, such a plan or subsequent amended plan is binding on the entire area of the original site development plan. Sales of all or part of the premises do not alter the effect of the plan. Platting of lots or creation of smaller premises do not alter the effect of the plan. Subsequent to execution of the site development plan, use of the site entirely for manufacturing, assembling, treating, repairing, rebuilding, wholesaling, and warehousing for a period of over one year does change the status of the site as a shopping center and suspends the legal effect of the site development plan for so long as the uses remain.

(2) The rights and duties of the city and of the applicant which result from the approval of an application under this section run with the land and are binding upon successors in interest of the applicant. When an application is approved, a copy of the approved Site Development Plan and Landscaping Plan or record of exemption shall be kept in the office of the Planning Director. A building permit for a shopping center site shall be issued only upon presentation of working plans and specifications drawn in close conformity with an approved Site Development Plan.

(3) The Planning Director shall designate shopping center sites on the official zone map by the symbol "SC."

(4) The Planning Commission may modify the boundaries of or eliminate an existing Shopping Center designation for any site, upon application by the property owner, if the Planning Commission finds no public benefit in continued application of the shopping center regulations because most of the site has been allowed to develop without the guidance of a site development plan.

(B) *Shopping Center Requirements.* The following regulations apply to an application for a building permit for construction on a shopping center site, except applications covering on-site parking expansion:

(1) An applicant shall submit a Site Development Plan and Landscaping Plan for the shopping center site.

(2) (a) Access to the shopping center site is limited to approaches designed according to accepted traffic engineering practice, so laid out as to be an integral part of the parking area and loading facilities.

(b) Pickup points shall be so designed that vehicles do not create congestion on an abutting public way. No loading and unloading is to be conducted on a public way.

(3) Landscaping of shopping center sites must comply with the regulations of § ~~14-16-3-10~~ of this Zoning Code. The Planning Commission may require additional buffer landscaping if it finds it necessary due to demonstrably unusual circumstances.

(4) Free-standing signs on shopping center sites shall be limited to one on-premise sign per 300 feet of street frontage on arterial and collector streets. Maximum signable area shall be 150 square feet per sign face and maximum sign height shall be 26 feet. Off-premise signs shall not be permitted on shopping center sites.

(5) Upon approval, the applicant is responsible for payment of the cost for the necessary traffic control devices and channelization to shelter vehicular turning movements into the shopping center or shopping center site, channelization to be designed according to accepted advanced geometric design technique. These responsibilities must be outlined and agreed upon between the applicant and the city at the time of approval of the Site Development Plan.

(6) The site division regulations established in § ~~14-16-3-2(D)~~(3) ROA 1994, apply to all retail facilities with over 90,001 aggregate square feet of gross leasable space.

#### (C) *Procedure.*

(1) Approval and revision of plans is the same procedure as for SU-1 plans.

(2) The Planning Commission may review the plan and progress of development at least every four years until it is fully implemented to determine if it should be amended.

#### (D) *Large Retail Facility Regulations.*

##### (1) *Applicability.*

(a) Provisions of this section and § ~~14-8-2-7~~, Responsibilities of Applicants and Developers, shall apply to the following, as determined by the Environmental Planning Commission (EPC):

1. New construction of a large retail facility;

2. Change of use from a non- large retail facility to a large retail facility as defined in § ~~14~~  
16-1.5;

3. Building expansion of more than 50% of the existing square footage.

(b) Building expansion of 10% to 50% of the existing square footage of an existing large retail facility shall be subject to the following requirements:

1. Pre-application discussion with the Planning Review Team (PRT).

2. Compliance with the large retail facilities design regulations as determined by the EPC.

The EPC before issuing final design regulations shall request input from neighborhood associations with boundaries that are within 200 feet of the proposed project.

(c) Building expansion up to 10% of the existing square footage and building renovation of an existing large retail facility shall comply with the design regulations in this section to the extent possible as determined by the Planning Director.

(2) *Location and Access of Large Retail Facility.* The following regulations manage the location and design of large retail facilities. These regulations are necessary for the proper functioning and enjoyment of the community. They protect the quality of life within surrounding residential areas, support efficient traffic flows, and provide consistent regulations for such facilities. Large retail facilities shall be located to secure adequate street capacity to transport pedestrians and vehicles to and from large retail facilities, and discourage traffic from cutting through residential neighborhoods. The regulations result in efficient and safe access for both vehicles and pedestrians from roadways in the Metropolitan Transportation Plan to neighborhoods in the vicinity of large retail facilities. The Planning Director, after initial review of a large retail facilities proposal, may require the site to comply with the next level of large retail facilities regulations.

(a) Large retail facilities containing 75,000 to 90,000 sq. ft. net leasable area are:

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

2. Permitted in C-1 zones if the project site or site plan reviewed for subdivision is greater than seven acres.

3. 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 two through traffic lanes.

(b) Large retail facilities containing 90,001 to 124,999 sq. ft. 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, 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.

(c) Large retail facilities containing 125,000 square feet or greater of net leasable area are:

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

2. Required to be located within 700 feet of the intersection of two roadways, both of which are designated as at least a collector street in the Mid-Region Council of Governments' Metropolitan Transportation Plan and shall have full access to these roadways. One of the adjacent roadways shall have at least four through traffic lanes and the other adjacent roadway shall have at least six through traffic lanes or is designated a limited access principal arterial in the Mid-Region Council of Governments' Metropolitan Transportation Plan and have a minimum of four lanes.

3. If an arterial or collector street has yet to be built to its full cross-section and does not have the required number of lanes, the large retail facility may have access onto the roadway if the roadway is identified on the Metropolitan Transportation Plan as having the required number of lanes at full build-out.

4. If access control policies prohibit access onto one of the adjacent roadways, a local road may be used as access if it has direct access to at least two roadways that are identified on the Long Metropolitan Transportation Plan, does not pass directly through a residential subdivision and at least one of the intersections is signalized.

5. If access to a location fulfills the criteria of this section but control policies outside the city jurisdiction prohibit access onto one of the adjacent arterial or collector streets, the remaining arterial

or collector street may serve as the sole access if it has direct access to two intersections with an arterial and the intersections are signalized.

6. If warrants are met, the intersection of the primary driveway and the arterial street shall be signalized, unless prohibited by the City Traffic Engineer for safety reasons, at the expense of the applicant. The applicant may place the name of the development on the mast-arm of the signal.

(3) *Site division.* These regulations create block sizes for large retail facility that are walkable and support land use changes over time. The site plans for subdivision in Phase One and the Final Phase, if proposed, shall subdivide or plan the site as follows:

(a) The entire site shall be planned or platted into maximum 360 foot by 360 foot blocks except as provided in Items (c) and (d) of this division (D)(3).

(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.

(c) One block can be expanded to approximately 790 feet by 360 feet if a main structure (including retail suite liners) covers more than 80% of the gross square footage of a block.

(d) If the site dimensions result in irregular block sizes, 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.

(4) *Development Phasing and Mixed-Use Component.* The large retail facility 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) Site development plans for Phase One shall be submitted to the EPC for approval. If future and/or final phases are proposed on the site, site development plans containing a level of detail appropriate for the phasing of the development shall also be submitted to the EPC for approval.

(b) *Mixed Use Component.* Mixed use development is strongly encouraged in both Phase One and the Final Phase of the site plans for all large retail facilities.

(5) *Site Design.* These regulations are intended to create pedestrian connections throughout the site by linking structures, make pedestrian connections to external neighborhoods and other uses, and to provide landscaping compatible with the site's scale for pedestrian shade and aesthetic beauty. The regulations will result in an active pedestrian street life, replace large off-street parking fields with parking structures and transit options, conserve energy and water, and meet the goals of the Albuquerque/Bernalillo County Comprehensive Plan and the Planned Growth Strategy. The following subsections (a) through (n) apply to all large retail facility sites:

(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.

(b) *Off-Street Parking Standards:*

1. If a structure or structures, including retail suite liners, occupies more than 80% of a planned or platted block, the off street parking shall be placed on another block.

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. If a project has multiple phases the final phase site plan, if proposed, shall show the elimination of surface parking areas but may include parking structures.

3. If the site is planned into 360 foot by 360 foot lots as called for in these regulations, parking requirements may be met by spaces located on a block immediately adjacent to the structure creating the parking demand.

4. Every third double row of parking shall have a minimum ten foot 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.

5. Parking requirements for a large retail facility with a mixed use component may use "best practice" standards for shared parking such as *Driving Urban Environments: Smart Growth Parking Best Practices*, a publication of the Governor's Office of Smart Growth, State of Maryland. Refer to § 14-16-3-1 for shared parking requirements.

(c) *On-Street Parking Standards:*

1. Arterial or collector roadways abutting a large retail facility with a posted speed limit of 35 miles or less per hour shall have on-street parking utilizing a parking/queuing lane under the following standards and if approved by the Traffic Engineer:

a. On-street parking may use the existing adjacent outside lanes on an arterial or collector.

b. The parking/queuing lane may be provided by moving the curb lines within the property line and dedicating the parking/queuing lane to the city. The existing through lanes shall not be used as the parking/queuing lane unless a traffic analysis indicates that this will not result in unacceptable degradation of traffic flow, though existing can be restriped in a narrower configuration to provide space for the parking/queuing lane.

c. The parking/queuing lane has a maximum width of 16'.

d. Curb extensions/bump-outs shall be constructed at the ends of each block and shall include landscaping to be maintained by the property owner pursuant to a maintenance agreement with the city.

e. Street trees shall be planted pursuant to the Street Tree Ordinance, Chapter 6, Article 6, ROA § 994.

2. The regulations for parking credits and reductions set forth in § 14-16-3-1(E)(6) shall apply to this subsection except that 100% of the on-street parking shall be credited towards the project's parking requirements.

(d) *Signage.*

1. Signage shall comply with the shopping center regulations for signage, § 14-16-3-2(B).

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

3. All free-standing signs shall be monument style.

4. The maximum height of any monument sign shall be 15 feet.

5. Building-mounted signage that faces residential zoning shall not be illuminated.

6. Building-mounted signs shall consist of individual channel letters. Illuminated plastic panel signs are prohibited.

(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.

(f) *Petroleum Products Retail Facility.*

1. Facilities shall be located at a street or driveway intersection.

2. The frontage of the principal structure shall face and line the two streets and follow the set-back and glazing standards for retail suite liner.

3. Fuel pumps, service facilities, ATMs, storage areas, and repair bays are to be screened from the major street by the principal structure.

4. If the structure between the street and the fueling island is not at least the length of the canopy that is over the fueling island, or if there is no service facility structure, the perimeter of the facility shall be screened by either a landscaped berm three feet in height or a wall at least three feet in height.

(g) *Truck Bays.*

1. Truck bays adjacent to residential lots must be separated from the adjacent lot by a minimum of 40 feet. A minimum 15 foot wide landscape buffer and a six-foot high solid masonry wall shall be provided along the property line. The landscape buffer shall contain evergreen trees or trellises with climbing vines to provide year round screening and buffering from noise. Dock and truck well facilities must also be screened with a masonry wall that extends vertically eight feet above the finish floor level and horizontally 100 feet from the face of the dock. Screen walls shall be designed to blend with the architecture of the building. Trucks may not be moved or left idling between the hours of 10:00 p.m. and 6:30 a.m. if the truck bays are located within 300 feet of a residential structure unless negotiated with adjacent property owners and approved by the EPC.

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.

(h) *Landscaping.* The following landscaping requirements shall apply:

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

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.

3. Shade trees along pedestrian walkways shall be spaced approximately 25 feet on center.

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.

(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.

(j) A pedestrian plaza or plazas shall be required of all large retail facility development as follows:

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.

2. Large retail facility sites that include a main structure 125,000 square feet or greater shall provide pedestrian plaza space in the amount of 400 square feet for every 20,000 square feet of building space. A minimum of 50% of the required public space shall be provided in the form of aggregate space that encourages its use and that serves as the focal point for the development. The aggregate space required shall:

a. Be linked to the main entrance of the principal structure and the public sidewalk or internal driveway;

b. Include adequate seating areas. Benches, steps, and planter ledges can be counted for seating space;

c. Have a portion (generally at least 40%) of the square footage of the plaza area landscaped with plant materials, including trees;

d. Be designed for security and be visible from the public right of way as much as possible;

e. Have pedestrian scale lighting and pedestrian amenities such as trash receptacles, kiosks, etc.

(k) *Lighting.*

1. Ornamental poles and luminaries, a maximum of 16 feet 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.

(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.

(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.

(n) *Storm Water Facilities and Structures.* The following regulations apply to site hydrology:

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 have 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.

(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.

(6) *Main Structure Design.* The following subsections (a) through (d) apply to main structures:

(a) *Setback.*

1. Main structures shall be screened from the adjacent street by means of smaller buildings, retail suite liners, or 20 foot wide landscape buffers with a double row of trees.

2. Where the front facade of a retail suite liner is adjacent to a street, the maximum front setback shall be ten feet for private drives and 25 feet for public roadways.

3. Main structures abutting residentially zoned land shall be set back from the property line at least 60 feet.

(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.

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 feet of a wall may occur without an offset vertically of at least 24 inches.

3. For the retail suite liner, the vertical offset shall be a visible change (minimum 6 inches), a change in material may be used for articulation at the same interval and the visible change in roof plane or parapet height shall be a minimum of 18 inches.

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.

(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 three 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.

(d) *Landscaping.*

1. The buffer for main structures across the street from residentially-zoned land shall be at least 23 feet wide and include two rows of street trees. The trees shall be located pursuant to the guidelines set forth in *Crime Prevention Through Environmental Design Recommendations*. The landscaping of the berm shall provide year-round screening.

2. The public sidewalk adjacent to the main structure may be located within the berm and between the rows of trees. The sidewalk must be a minimum of seven feet behind the curb.

(7) *Mixed-Use Component.* The following subsections (a) through (g) apply to Mixed Use Development:

(a) *Uses and building forms.* The mixed use component may include a mix of the following building forms and uses:

1. Apartments or condominiums.
2. Apartments or condominiums over storefronts.
3. Courtyard housing.
4. Live-work.
5. Townhouses.
6. Lofts.
7. Lofts over flex.
8. Senior housing.
9. Mixed income housing including a minimum of 20% affordable at 80% or less of Area Median Income (AMI) for fee simple unit and 60% or less of AMI for rental units. If rental units are multiple sizes, only a maximum of 50% of the rental units set aside for 60% or less of AMI shall be the size of the smallest size category of rental unit in the project.

10. Office building.
11. Office over storefronts.
12. Civic, cultural, and community buildings.
13. Parking structures with commercial or housing liners.
14. Schools, both traditional and technical vocational.

(b) *Density.*

1. Minimum density: 12 dwelling units per acre.
2. Minimum FAR: .30.
3. Maximum density: As determined by the EPC.

(c) *Building Heights.* Heights within the mixed use portion of the large retail facility site may vary depending on location. Structures adjacent to residentially zoned parcels shall be subject to the height requirements of the O-1 Zone and shall not exceed 26 feet in height within 85 feet of a lot zoned specifically for houses. The heights of buildings along the central driveway or street and adjacent to a major arterial or freeway may exceed four stories so long as the average building height of all structures in

the mixed use site does not exceed the maximum of four stories and no individual structure exceeds a height of seven stories.

(d) *Building Setbacks.*

Primary Building	Mixed Use Component
(1) Street-Facing Setback with Ground-Floor Storefront	
a. On Private Drive	10 foot minimum
b. On Public Street	15 foot maximum
(2) Street-Facing Setback without Ground-Floor Storefronts	
a. On Private Drive	10 foot minimum
b. On Public Street	15 maximum
Interior Side Setback (from property line)	Attached or 5' maximum
Interior Side-Side Separation (btw. Adjacent buildings)	Attached or 10' maximum
Interior Rear Setback (from property line)	5' from alley ROW; 20' if no alley (e.g. parking lot)
Interior Rear-Rear Separation] (btw. Adjacent buildings)	30' minimum.
Interior Side-Rear Separation - (btw. Adjacent buildings)	20' minimum

Note 1: Features that may encroach into a pedestrian way up to the maximum specified: eaves (4' max.), awnings (8' max.), and minor ornamental features (2' max.). Over pedestrian ways, projections must be more than 8 feet above finished grade.

Note 2: Features that may encroach into setbacks facing driveways or streets (but not driveway or street right-of-ways), up to the maximum specified: arcades & trellises (to driveway or street r.o.w.), porches & stoops (8' max.), eaves (4' max.), awnings (8' max.), and minor ornamental features.

(e) *Street Frontage.* All street frontages in the mixed-use component shall be:

1. Lined by buildings with windows and primary entries, not garage doors; parking areas shall be located to the rear or side of the building.

2. Building facades shall occupy at least 50% of the street frontage.

(f) *Articulation.* Mixed-use structures shall have a change in visible roof plane or parapet height for every 50 feet in length, however each distinct roof length does not have to equal 50 feet in length. Massing and articulation are required to be developed so that no more than 50 feet of wall may occur within a six foot minimum change in the visible vertical offset, or at the same interval a change in material may be used for articulation and the visible change in roof plane or parapet height shall be a minimum of 18 feet.

(g) *Entrances and Glazing.* Each ground floor use shall have one entrance minimum for each 50' or less of building frontage length.

(h) *Materials.* The materials standards for the mixed use component are as follows:

1. Engineered wood panels, cyclone, chain-link, and razor-wire fencing are prohibited.
2. Arcades, awnings, cantilevers, portals and shed roofs may be made of metal, fabric, concrete tile, clay tile, or slate (equivalent synthetic or better).
3. A mixed-use component shall include at least four of the following design features:

- a. Balconies.
- b. Projecting cornices and brackets.
- c. Eaves.
- d. Exposed lintels.
- e. Multiple veneers (i.e. stone and stucco).
- f. Pitched roof forms.
- g. Planter boxes.
- h. Slate or tile work and molding integrated into the building.
- i. Transoms.
- j. Trellises.
- k. Wall accenting (shading, engraved patterns, etc.).
- l. Any other treatment that meets the intent of this section and that receives the approval of the EPC.

(i) *On-Premise Signage.*

1. Appropriate signage includes blade signs, awning signs, and wall-mounted or hanging metal panel signs. Internally illuminated box signs, billboards, roof-mounted, free-standing, any kind of animation, and painted window signs, and signs painted on the exterior walls of buildings are not allowed. No flashing, traveling, animated, or intermittent lighting shall be on or visible from (i.e. through windows) the exterior of any building.

2. Wall signs are permitted within the area between the second story floor line and the first floor ceiling within a horizontal band not to exceed two feet in height. Letters shall not exceed 18 inches in height or width and three feet in relief. Company logos or names may be placed within this horizontal band or placed or painted within ground floor or second story office windows and shall not be larger than a rectangle of eight square feet. Projecting signs may not be more than 24 inches by 48 inches and a minimum ten feet clear height above the sidewalk and may be hung below the third story level. Signs may not project more than 36 inches perpendicular to the right-of-way beyond the façade. Lettering on awnings is limited to nine inches in height.

(8) *Maintenance Agreement for Vacant or Abandoned Site.* Large retail facilities sometimes are vacated due to changing conditions in the retail market. To maintain a quality built environment, large retail facilities 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 the following minimal standards, among others as deemed appropriate by the Planning Director:

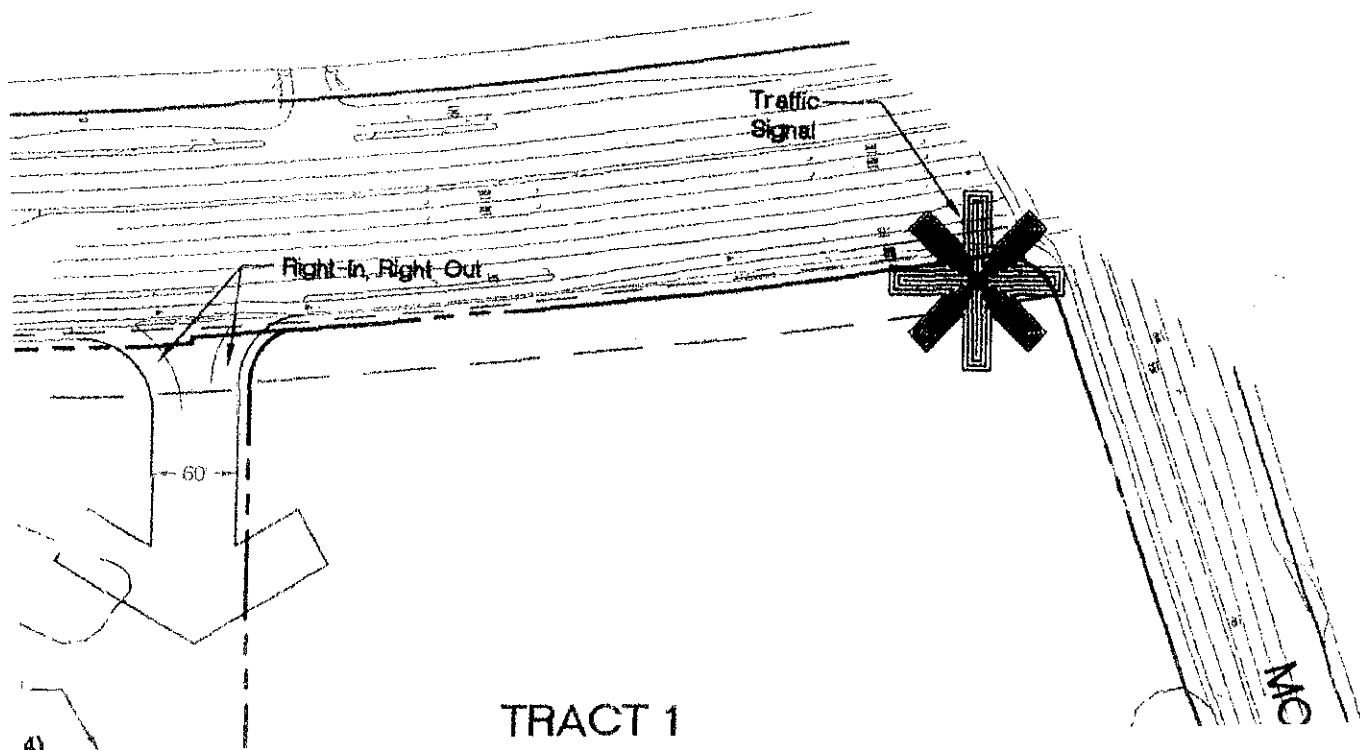
- (a) The landscaping shall be watered, pruned and weeded.
- (b) The parking areas shall be cleaned of dirt and litter.
- (c) The building facades shall be kept in good repair, cracked windows shall be replaced and graffiti removed.
- (d) Outdoor security lighting shall be maintained and operated.
- (e) Hydrology systems shall be kept in good working order.

("74 Code, § 7-14-40B) (Am. Ord. 23-2007)



## GENERAL NOTES

1. Tracts 6B and A (referred to on this Site Plan as Tracts 1-9), are part of a Site Plan for Subdivision approved by the Environmental Planning Commission on November 18, 2004 (Project 1000965: 04EPC-00655). This Site Plan replaces the previous Site Plan for Subdivision as it relates to Tracts 6B and A.
2. A portion of Learning Road at Coors Boulevard is public right-of-way. An additional portion of Learning Road within Tract 8 will be granted to the City of Albuquerque as a private access easement in order to provide access to the City's Lift Station #24, Tract B, via a 24 foot limited access road within a 60 foot easement. The final portion of Learning Road will become part of Bosque School, Tract 4A.
3. The area adjacent to Learning Road and the northern boundary of Bosque School, Lot 4A (a minimum of 300 feet) is restricted to PFD and O-1 Uses.
4. Due to the existing Montano Pueblo Archaeological Site and the two smaller sites, future approvals for Site Development Plans for Building Permit on Tracts 6B and A shall require clearance and guidance from the State Historic Preservation Office.
5. A cross access easement will be provided across Tracts 1, 2, and 3.
6. No fast food restaurants with drive through windows or gas stations are allowed at North Andalusia.
7. When the future grade separation is constructed, access will no longer be allowed to Montano Road from Winterhaven, consistent with the Long Range Roadway System.
8. The design for the sign and gate at Tract 7 and Mirandela Road shall be submitted with a Site Plan for Building Permit for development of Tract 7.





## TAB 2

The Andalucia Plan requires a mixed use, pedestrian friendly village center. The Andalucia Subdivision states that the “primary goal for this property is to achieve a vibrant, mixed-use community that fosters pedestrian accessibility and maintains a village-type character.” See Andalucia Plan p. 2 of 3 (attached). See also Site Plan C-2. The “primary design objective” is identified as a pedestrian-friendly environment. Site amenities are to include “benches, plazas, walkways, ... shaded walkways; and ... separate vehicular and pedestrian systems in order to support the creation of a village-type character.” *Id.* These design standards are binding on application for building permit. *Id.* (“Subsequent Site Plans for Building Permits shall be consistent with the design standards established for Subdivision ...”) See also 14-16-3-2(A)(1) (“Once approved, such a plan or subsequent amended plan is binding on the entire area of the original site development plan.”)

The application for subdivision amendment and application for building permit are inconsistent with the Andalucia requirements.

- The site plan for subdivision and building permit do not create a village-type character or development and are incompatible with the goal of a vibrant, mixed use pedestrian friendly community with a village character. See Site Plan page C-4 showing parking rows for approximately 458 vehicles in an area approximately 510.0' by 300.0' to 420.0'. There are no “streets” with parallel or diagonal parking to create a more pedestrian environment. Sidewalks are adjacent to parking lanes but do not create a street like environment oriented to pedestrians. This is not consistent with a village-type character nor is it pedestrian friendly. The design is not consistent with the illustration in the Design Guidelines.
- The scale of a 98,901 square foot retail building with surface parking is an auto oriented suburban use, not a vibrant mixed-use pedestrian village. The Big Box regulations provide for an evolution from a large retail facility in Phase One to “finer-scaled, pedestrian oriented, mixed-use development ...” in Phase Two. §14-16-3-2(D)(4). (“The ordinance provides for a transition over time from a 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 and producing a village center that is integrated into the surrounding neighborhoods.”) The Zoning Code therefore recognizes a large scale retail facility is not a pedestrian oriented mixed-use development. Since a pedestrian oriented mixed-use development is required in the first instance by the Andalucia Regulations the application for building permit should not be approved. Attached hereto are photos of other similar big boxes and, for comparison, existing retail centers that have tried, in one form or another, to develop a more pedestrian friendly atmosphere including Riverside Plaza and parts of ABQ Uptown. This is not to say that either of these developments could be moved to this site and comply with all Andalucia regulations but that some of the design and pedestrian scale features employed elsewhere such as street parking, a liner suite of shops along a sidewalk create a pedestrian friendly environment. The Walmart does nothing in this regard.

- Under the proposed subdivision amendment the entire site between Mirandela and Montano except for .67 ac would be devoted to retail, not mixed use. This is contrary to Andalusia Regulations. The subdivision amendment does not provide for a village character. In fact by creating a large tract and approving a site plan for building permit the City would preclude creation of a genuine mixed use village. Mixed-use should include a mix of building forms and uses including various residential uses, office, civic building, parking structures with commercial or house liners. See, for example, 14-16-3-2(D)(7)(2).
- Applicant has claimed that they have a right to the proposed development based on the 2007 approval. The 2007 North Andalusia Subdivision did not guarantee any development but *permitted* mixed-use conforming to the development requirements (mixed-use, pedestrian oriented, village character).

The village center requirements of the Andalusia plan prohibit, as set forth above, the proposed large scale vehicle oriented development. The zoning code requirements for a big box development phasing so that a big box development transitions to a mixed-use pedestrian oriented development is evidence that the City distinguishes between a large retail facility and a mixed-use, pedestrian friendly facility. See Z.C. §14-16-3-2(D)(4)(a) and §14-16-3-2(D)(4)(b) providing that a large retail facility application should contain detail demonstrating development phasing to a finer-scaled, pedestrian oriented, mixed-use development. This application contains no such information and does not provide for pedestrian orientation.

The City recognizes with these provisions that a large retail facility is not a pedestrian oriented mixed-use development.

The request is in conflict with *Comprehensive Plan* Policies for the Established Urban Area:

- a. The shopping center north of Montano and the surrounding area comprise over several hundred thousand square feet of existing commercial and retail uses; the requested zoning will allow additional commercial and retail uses that may not be needed by the surrounding community and which may endanger the integrity of existing neighborhoods (*Comprehensive Plan*, Policies 5d and 5e). Addition of the proposed uses with lower trip volumes does not prohibit development of the higher trip volume uses allowed by existing zoning.
- b. The requested zoning will allow new commercial development outside of an existing commercial comically zoned area (*Comprehensive Plan*, Policy 5j).

The request is in conflict with WSSP policies:

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

*The location, intensity and design of the big box large retail facility does not respect neighborhood values, natural environmental conditions and carrying capacities, and scenic resources.*

- *The Walmart and associated parking are out of scale to the site and Andahucia design guidelines. The Walmart could maintain long hours not compatible with the adjacent apartment development and would create traffic impacting Bosque School, the apartments and La Luz neighborhood.*

Policy II.D.6.a: (Economic Development) 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.

This policy is not supported by the application.

*There is no evidence this large retail facility will accommodate a "wide range of occupational skills and salary levels." There is evidence there would be no net new jobs even possibly a loss of net employment opportunities.*

Objective 8: Promote job opportunities and business growth in appropriate areas of the West Side.

*There is no evidence this request will promote any net new jobs.*

Objective 10: The Plan should create a framework to build a community where its citizens can live, work, shop, play, and learn together while protecting the unique quality of life and natural and cultural resource for West Side residents.

*The existing commercial community provides sufficient services. The proposed use would threaten the unique quality of life and produce only low paying jobs. The proposed site plan is not supported by the adjacent community. While development should occur it should respect the community, neighborhood and site and adhere to the Design Guidelines for a pedestrian oriented village with buildings at a pedestrian scale.*

Policy 3: 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 design is not consistent with a pedestrian oriented village as required by Andalusia Regulations or WSSP Policy 3.*

# Design Standards

The purpose of these Design Standards is to provide a framework to assist the architects, landscape architects, and designers in understanding the vision and development goals for the property. The primary goal for this property is to achieve a vibrant, mixed-use community that fosters pedestrian accessibility and maintains a village-type character.

The Design Standards should be used to facilitate the design of buildings which respect the natural conditions of the site, maintain and highlight the spectacular views of the Sandia and Manzano Mountains and to leave significant areas dedicated to open space. Innovative techniques such as cluster housing, water harvesting, and use of "green" building materials are strongly encouraged.

These standards address the issues of landscape, setbacks, pedestrian amenities, screening, lighting, signage, and architecture that will create the visual image desired for Andalucia at La Luz. They are intended to be complementary to La Luz, Albuquerque's first cluster housing project, and the Bosque School. These standards primarily address commercial, office, and multi-family projects. Where specifically applicable to single-family development, the standards are called out as such.

Subsequent Site Plans for Building Permits shall be consistent with the design standards established by this Site Plan for Subdivision and shall be approved by the Environmental Planning Commission. Minor amendments to this Site Plan for Subdivision shall be approved administratively by the Planning Director in accordance with the Comprehensive City Zoning Code, Section 14-16-2-22 (A)(6) Special Use Zone, and major amendments shall be approved by the Environmental Planning Commission.

## COORS CORRIDOR PLAN - VIEW and HEIGHT RESTRICTIONS

A primary design requirement of the Coors Corridor Plan is view preservation. Andalucia at La Luz addresses the Coors Corridor Plan as follows:

- Coors Corridor Viewshed rules come into effect when a northbound vehicle passes Namaste Road.
- Measurement of building heights shall be consistent with the Coors Corridor Plan.
- A combination of walls and berms shall be built along Coors Boulevard. The high point of the wall or berm will occur within the first 60 feet of the property, but not closer than 20 feet from the right-of-way. From any point along the east edge of Coors, the high point of the wall or berm will obscure no more than 50% of the height of Sandia Crest, measured directly below Sandia Crest.
- All multi-story structures shall be built with the finish floor elevation at least 10 feet below the roadway, measured along a 45-degree angle from the northbound direction of travel along Coors.
- 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 four feet above the east edge of Coors Boulevard. In no event will more than 1/3 of the total building height outside of the setback area for multi-story buildings be permitted to penetrate through the view plane.
- As viewed from Coors Boulevard, no structure shall obscure more than 50 percent of the height of Sandia Crest, measured directly below Sandia Crest.

## PEDESTRIAN and SITE AMENITIES

The creation of a pedestrian-friendly environment will depend on creative site design and will be a primary design objective for Andalucia at La Luz. Objectives to achieve this goal include maintaining a high quality and consistency in style for site amenities including benches, plazas, walkways, lighting, etc.; providing shaded walkways; and creating separate vehicular and pedestrian circulation systems in order to support the creation of a village-type character.

The use of alternative paving materials (brick, colored concrete, decomposed granite, etc.) for pedestrian pathways are encouraged. Public art is another site amenity that is strongly encouraged, and if proposed,

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## PEDESTRIAN and SITE AMENITIES

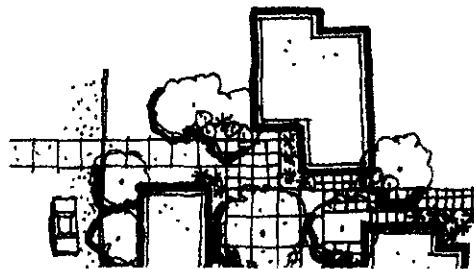
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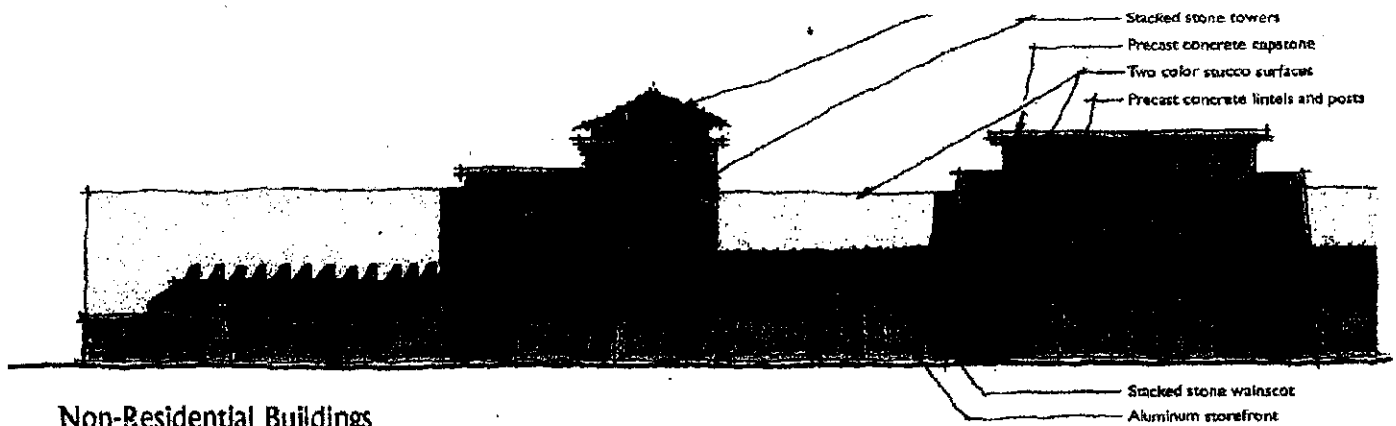
The use of alternative paving materials (brick, colored concrete, decomposed granite, etc.) for pedestrian pathways are encouraged. Public art is another site amenity that is strongly encouraged, and if proposed, should be part of the subsequent building plans.

## TRAILS and SIDEWALKS

Public and private trails and sidewalk systems are a defining element to Andalucia at La Luz. Private trails for use by residents are designed to lessen the need for vehicular use and will provide pedestrian connectivity throughout the project (see Landscape Section for more detail on trail landscaping).

- City Trails - All public multi-use trails through Andalucia at La Luz shall be built to City standards, per the City's Trails and Bikeways Facility Plan.
- All private trails and paths shall be soft surface, with a minimum width of 6 feet.
- All pedestrian paths shall be designed to be handicapped accessible (see Americans with Disabilities Act Criteria for Barrier-Free Design, except where topography makes this unfeasible (several streets require grades over 6%).
- The use of asphalt paving for pedestrian trails is discouraged. Concrete or compacted decomposed granite with stabilizer are acceptable materials.
- Pedestrian connections to buildings should be provided in parking lots with greater than 50 spaces and should connect to adjacent roadways, sidewalks, and pathways.

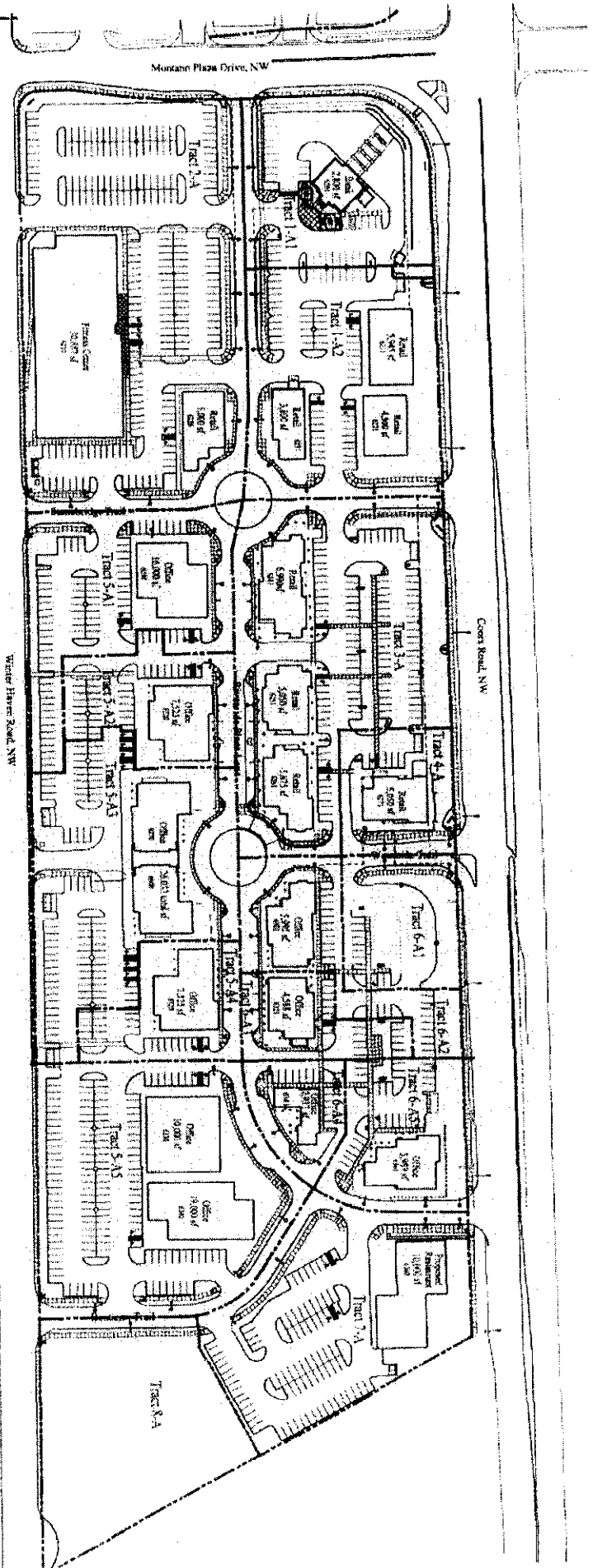




**Commercial building style** will be a hybrid of New Mexico architectural styles, incorporating stucco surfaces, stacked stone wainscot and tower elements, precast concrete posts, lintels, cap stones, and ramadas, and clay tile roof elements. Materials will be natural rather than synthetic, in warm colors ranging from light to dark tans, terracotta red to deep browns. Roof mounted mechanical equipment will be screened from view by parapets or mechanical screens. Ground-mounted equipment will be screened by building elements or landscaping. All sides of all buildings will be architecturally articulated with the elements described and illustrated above.

#### **NON-RESIDENTIAL and MULTI-FAMILY RESIDENTIAL STANDARDS**

- All non-residential buildings shall comply with Section 14-16-3-18, General Building and Site Design Regulations for Non-Residential Uses of the Comprehensive City Zoning Code, as well as other local building and fire codes.
- Finished building materials shall be applied to all exterior sides of buildings and structures and shall be consistent on all sides. Any accessory buildings and enclosures, whether attached or detached from the main building, shall be of similar compatible design and materials.
- Generic franchise building elevations or canopies are prohibited.
- No plastic or vinyl building panels, awnings, or canopies are allowed. Awnings and canopies, if used, shall be integrated with building architecture.
- Building heights should be kept to a minimum. Maximum height shall be limited to 45 feet for the ridge of the building to correspond with the Coors Corridor Plan.
- Entry ways to non-residential and multi-family buildings shall be clearly defined.
- No freestanding cell towers or antennas are allowed; rather antenna shall be integrated with the building architecture.



**Riverside Plaza: Illustrative Master Development Plan**

Coors and Montana Plaza

Albuquerque, New Mexico

January 16, 2001

"Subject to change"

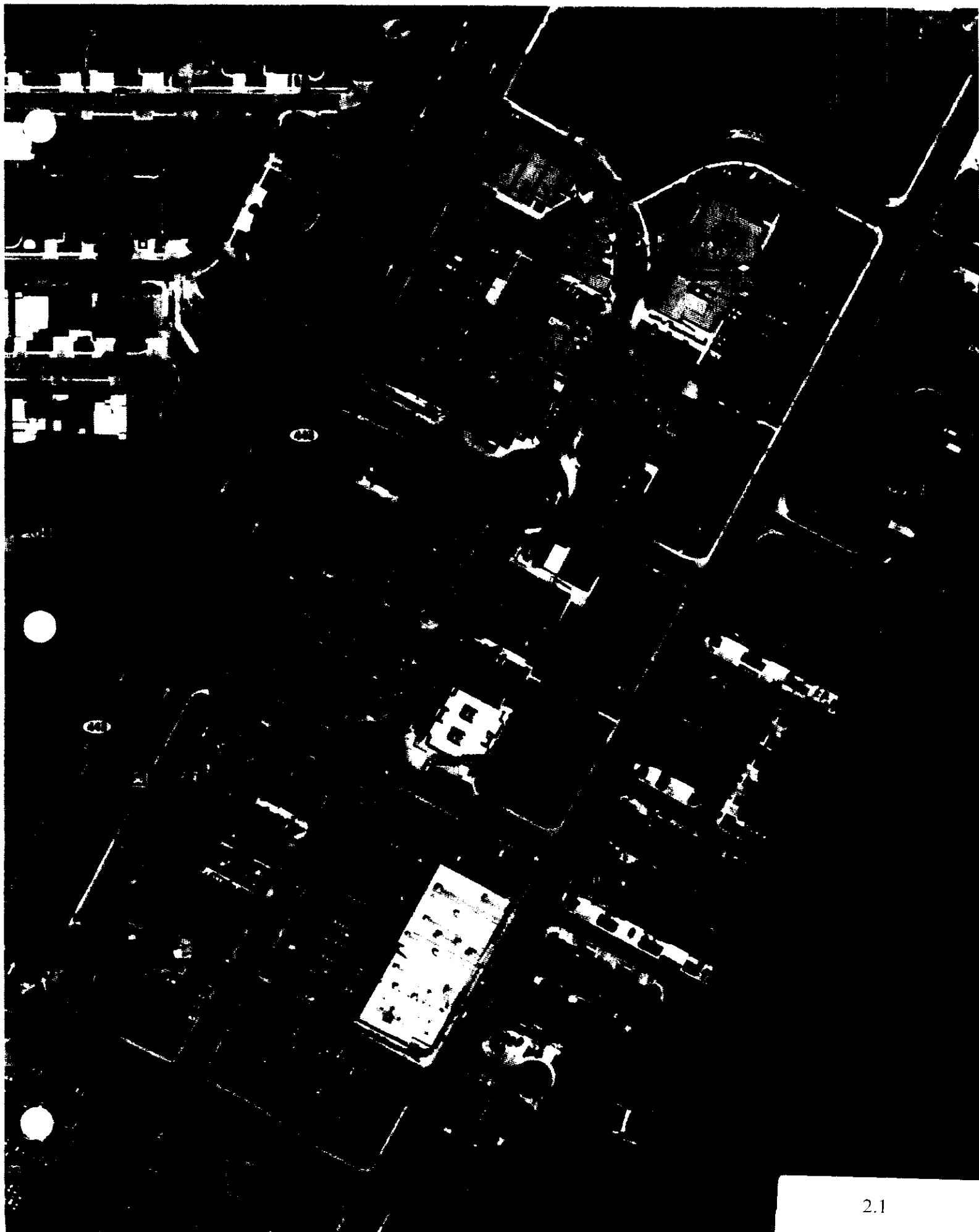
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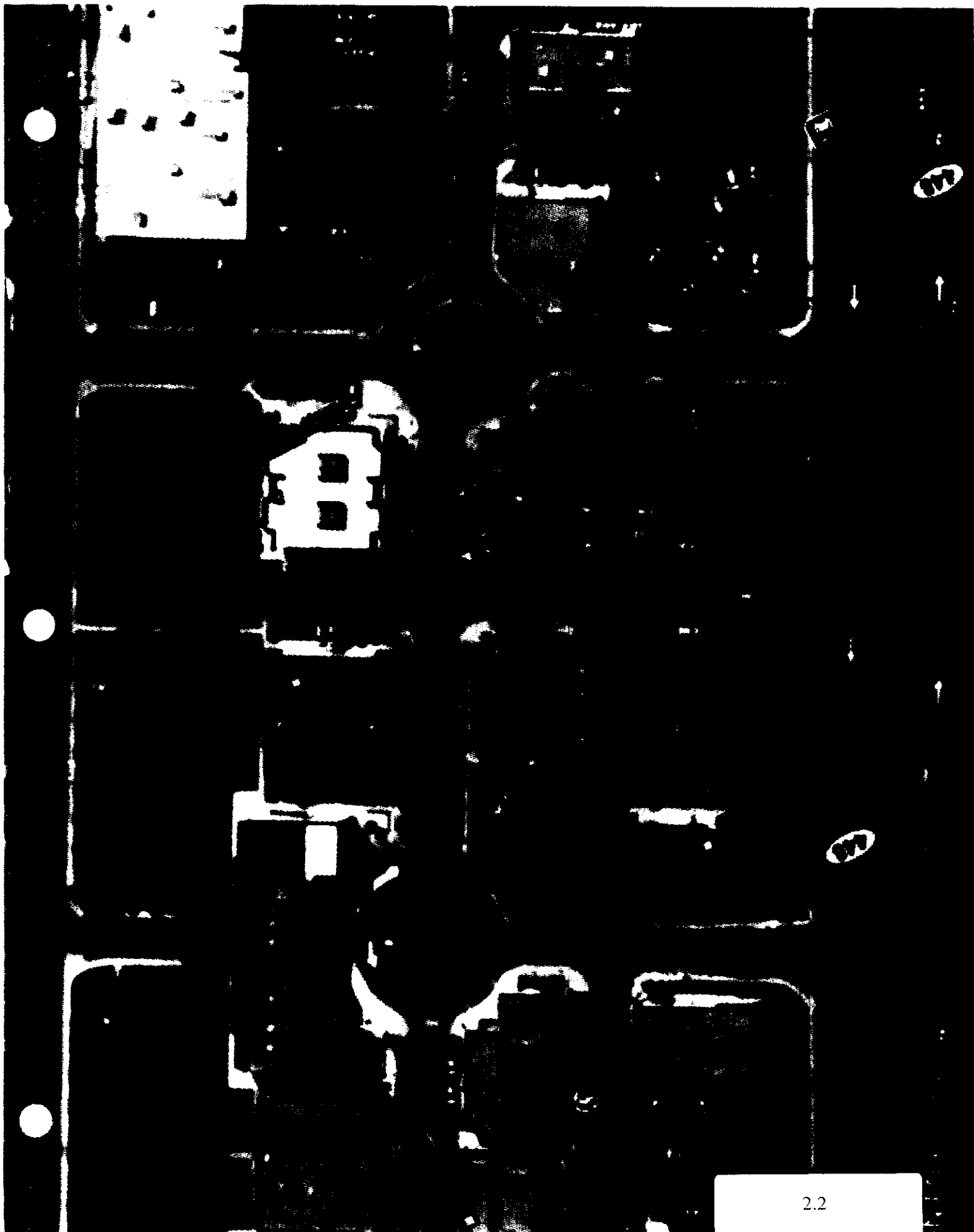
INDEX OF PHOTOS/ILLUSTRATIONS  
Village Center Character, Mixed-Use Pedestrian Friendly

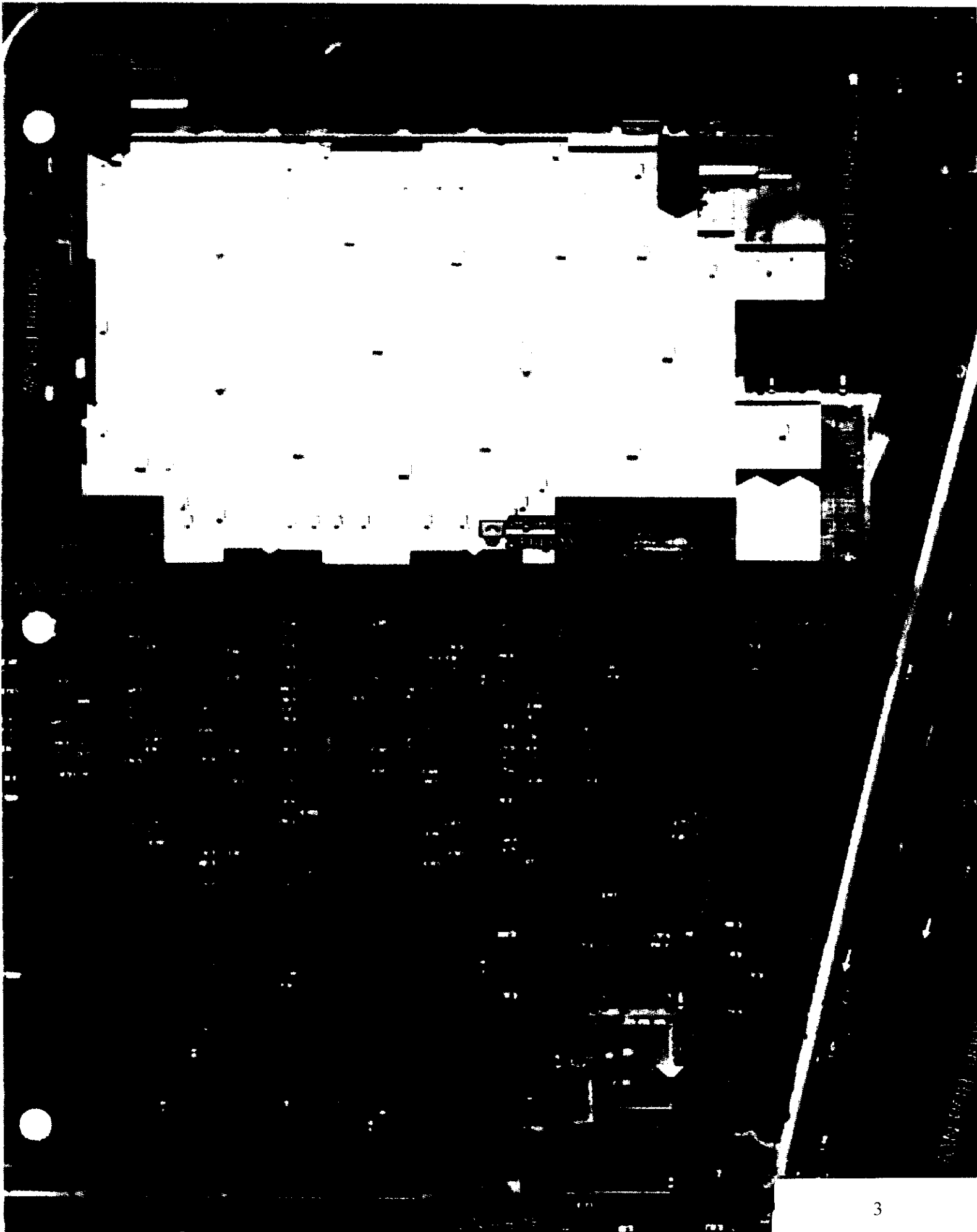
- 1.1 Proposed site Plan for “Big Box” Aerial View
- 1.2 Proposed site Plan for “Big Box” Aerial View
- 2.1 Site Plan for Riverside Plaza Development on Coors
- 2.2 North of Montano Plaza -- showing street parking, site division into blocks
3. Aerial view of Walmart at Coors/Ouray showing Big Box large parking area similar to orientation of proposed Big Box (although the proposed Walmart is a smaller Walmart still proposes a Big Box and large use of parking).
4. ABQ Uptown Aerial view showing street and angled parking with “retail boxes”
5. Walmart at Wyoming and Academy showing Big Box with large parking area and surrounding pad sites similar to proposed development.
- 6.1 through 6.5: Ground level pictures of Riverside Plaza showing street parking and a more pedestrian friendly scale of development.

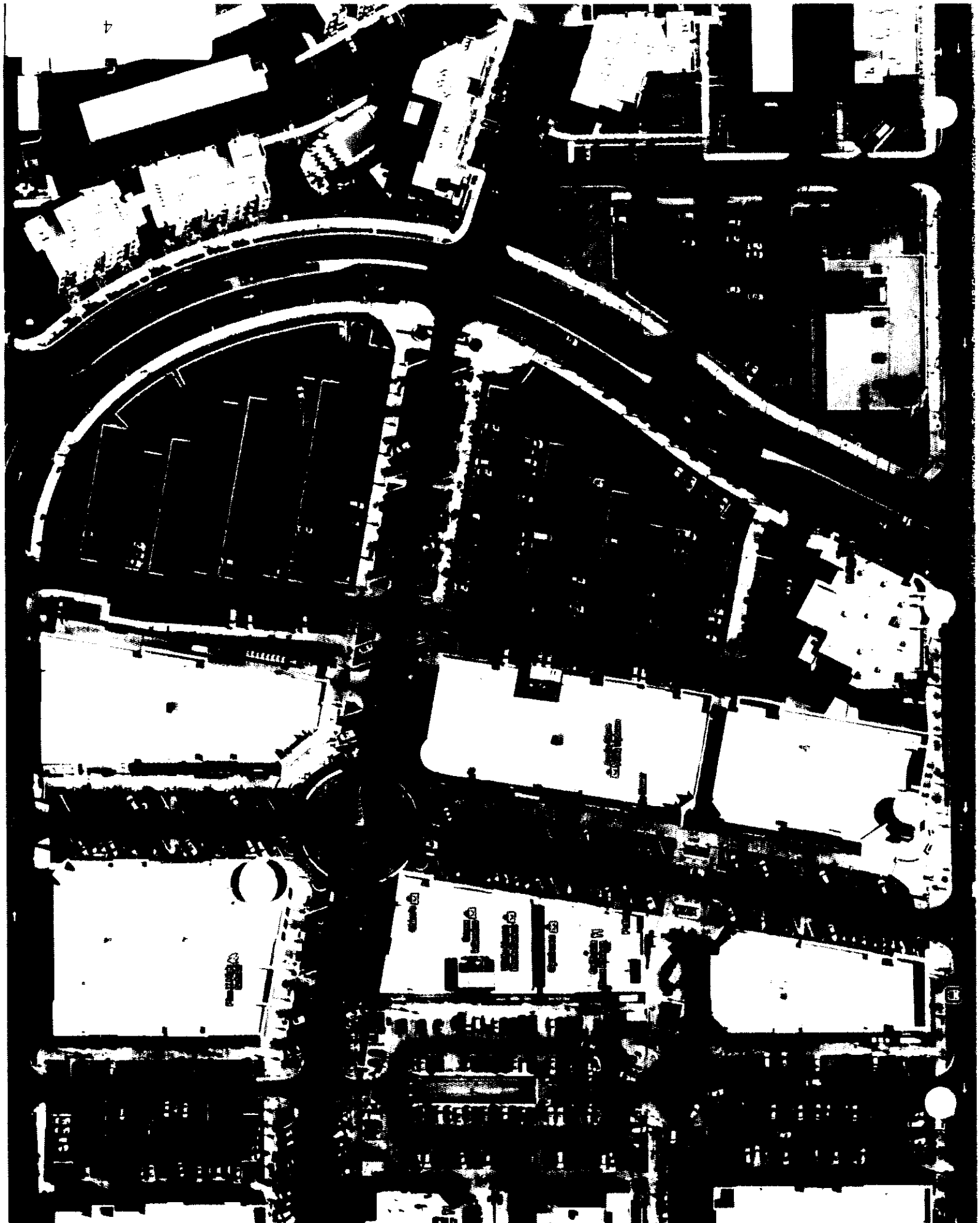










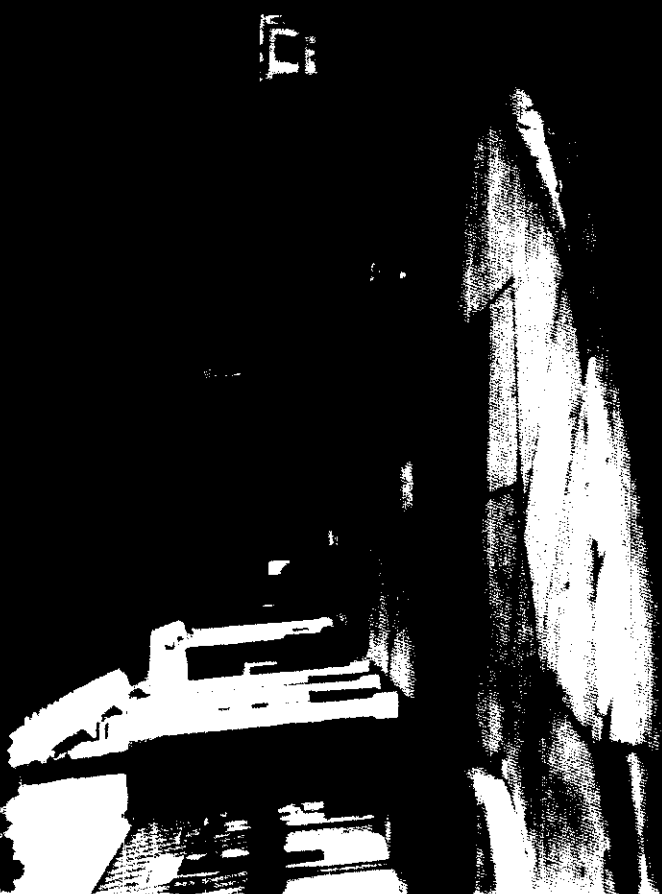
















TAB 3

The location of semi-truck loading and parking in the PRD/O-1 buffer zone (within 300 feet of Bosque School) violates the Andalucia Subdivision regulations and Tract 3's O-1 zoning.

The proposed site plan proposes to use Tract 3 for the most intense C-2 use, that is, for semi truck parking and loading for the Big Box and for an area for truck access to the large retail facility loading docks and for center ingress/egress.

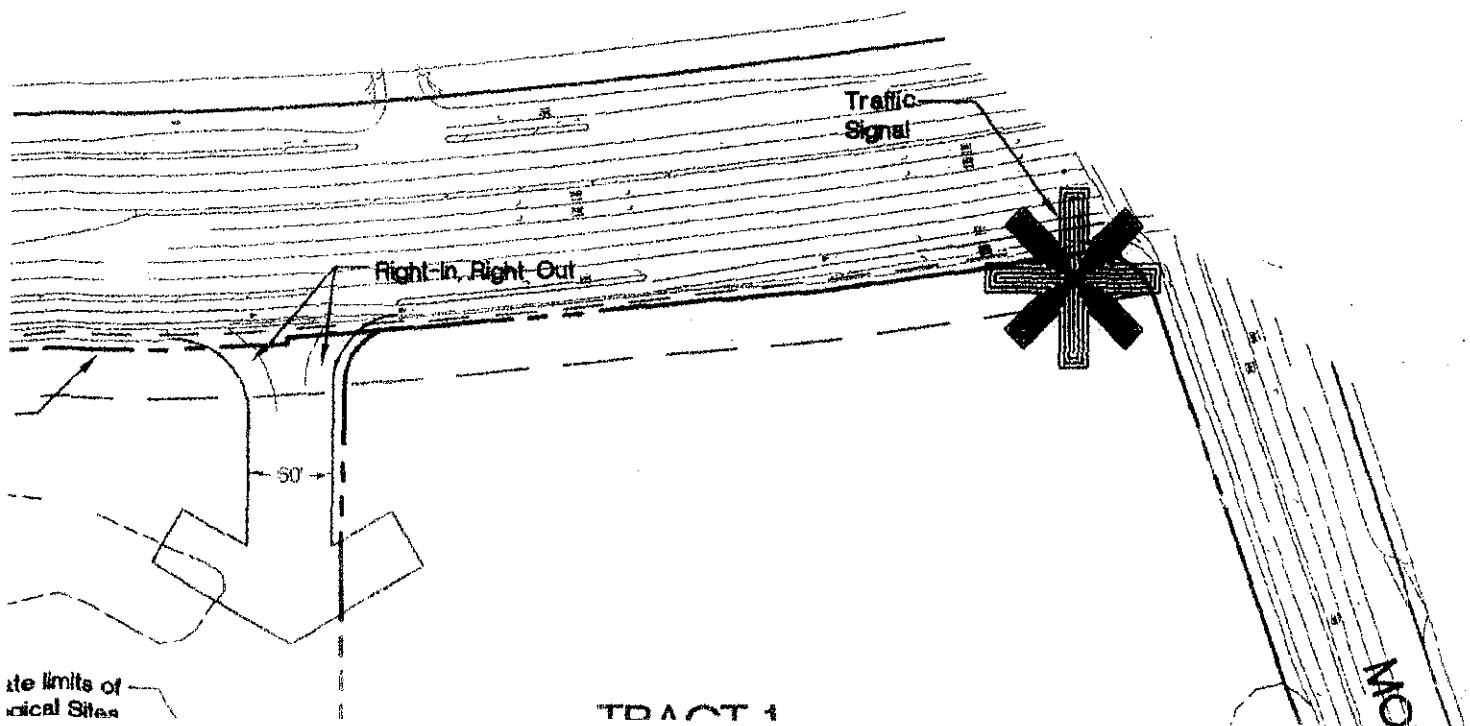
The creation of a separate tract for this area indicates that this area was not to be merged into a C-2 retail development.

1. The Andalucia Subdivision created a separate lot zoned for O-1 uses and provided setbacks. The site plan update violates setback requirements. In addition to creating a separately zoned lot, Condition No. 3 created a 300 foot buffer area. These dual restrictions indicate an intent that the area not be merged into and made part of a tract developed for C-2 uses. For this reason the attempt to amend the subdivision to eliminate the separate lot but should be rejected.
2. Even assuming a re-subdivision and creation of a Tract 2A and 3A with the area formerly in Tract A, O-1 uses do not include uses ancillary to C-2 uses. See also §14-16-3-2(D)(2)(b)(1) (not permitting large retail in O-1 zone). The entire area is one Shopping Center site (see West Bluff case) setbacks are violated. The application for building permit should be denied.
3. The PRD/O-1 area furthered the mixed use requirements of the Andalucia Plan. The PRD/O-1 restriction is violated by using this area for the retail facility particularly the uses proposed which are not O-1 uses.

The restriction of a residential and office use to the buffer zone promoted the requirement that future development be complimentary to Bosque School.

## GENERAL NOTES

1. Tracts 6B and A (referred to on this Site Plan as Tracts 1-9), are part of a Site Plan for Subdivision approved by the Environmental Planning Commission on November 18, 2004 (Project 1000965; 04EPC-00855). This Site Plan replaces the previous Site Plan for Subdivision as it relates to Tracts 6B and A.
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3. The area adjacent to Learning Road and the northern boundary of Bosque School, Lot 4A (a minimum of 300 feet) is restricted to PFD and O-1 Uses.
4. Due to the existing Montano Pueblo Archaeological Site and the two smaller sites, future approvals for Site Development Plans for Building Permit on Tracts 6B and A shall require clearance and guidance from the State Historic Preservation Office.
5. A cross access easement will be provided across Tracts 1, 2, and 3.
6. No fast food restaurants with drive through windows or gas stations are allowed at North Andalusia.
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8. The design for the sign and gate at Tract 7 and Mirandela Road shall be submitted with a Site Plan for Building Permit for development of Tract 7.



Dwight H. Benjamin  
City Engineer

7/16/08  
Date

N/A  
Environmental Health Department (conditional)

Date

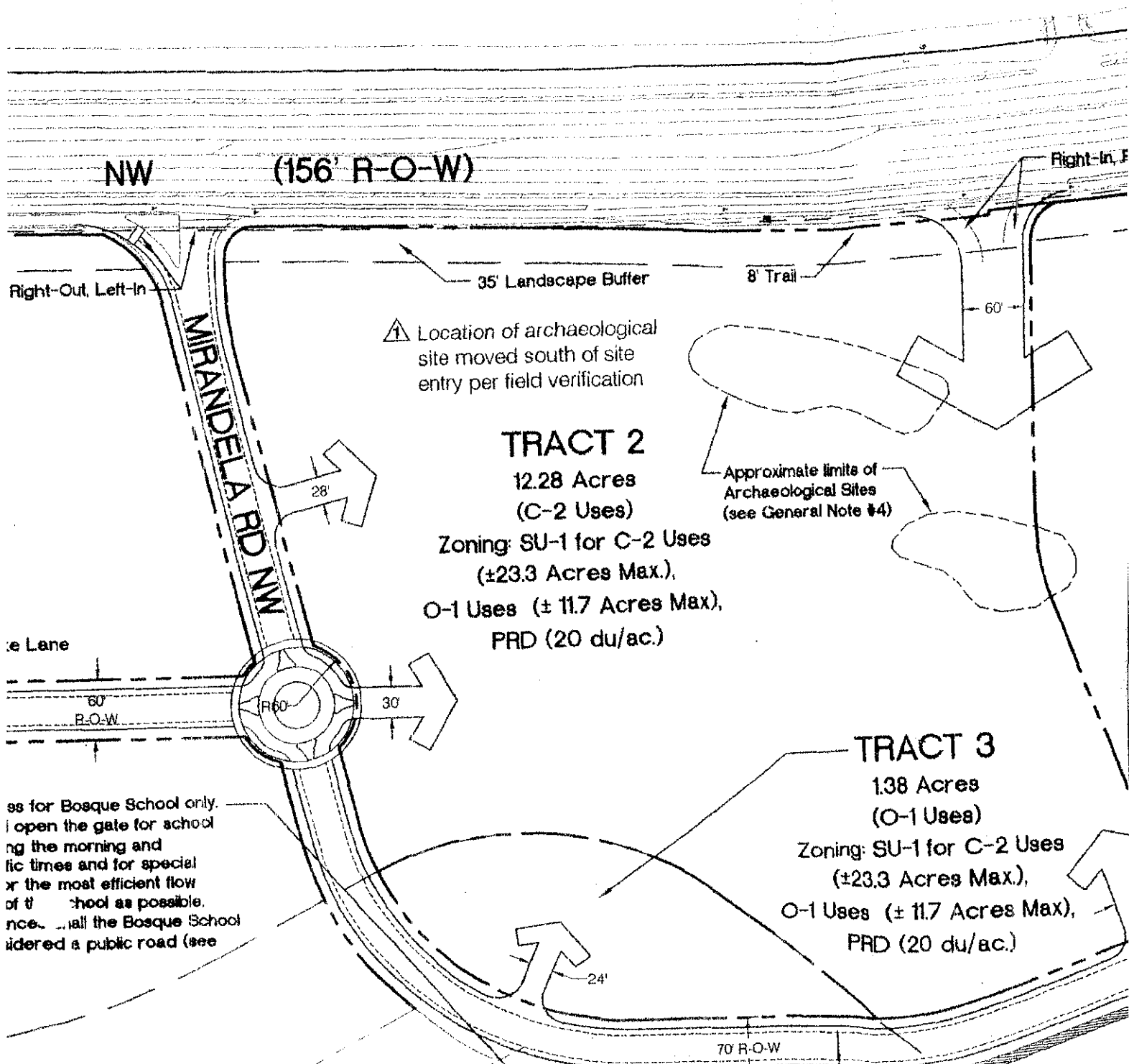
N/A  
Solid Waste Management

Date

DRB Chairperson, Planning Department

7-16-08  
Date

6. State Historic Preservation
7. Access easement
8. No fast food restaurants will
9. When the future grade sep
10. Winterhaven, consistent with
11. The design for the sign and
12. Permit for development of



 **§ 14-16-2-15 O-1 OFFICE AND INSTITUTION ZONE.**

This zone provides sites suitable for office, service, institutional, and dwelling uses.

(A) *Permissive Uses.*

(1) Antenna, up to 65 feet in height.  
(2) Beauty shop, barber shop.  
(3) Church, or other place of worship, including the usual incidental facilities. Incidental uses allowed include but are not limited to an emergency shelter operated by the church on the church's principal premises which is used regularly for public worship, notwithstanding special limitations elsewhere in this Zoning Code.

(4) Club, provided there is no liquor license.  
(5) Community residential program except not either Community residential corrections program or Community residential program for substance abusers: up to 18 client residents, provided that the standards of § 14-16-3-12 of this Zoning Code are met.

(6) Dwelling unit (house, townhouse, or apartment) constituting up to 25% of the gross floor area on the premises, provided usable open space is provided on-site in an amount equal to 400 square feet for each efficiency or one-bedroom dwelling unit, 500 square feet for each two-bedroom dwelling unit, and 600 square feet for each dwelling unit containing three or more bedrooms. If located in an area designated by the master plan as "Developing" or "Semi-Urban," the total open space requirement of the R-D or RA-1 zone, respectively, shall also be met.

(7) Incidental uses within a building, most of which is occupied by offices and/or dwelling units, such as news, cigar or candy stand, restaurant, personal-service shop, and the like, provided the incidental uses comply with the following:

- (a) The use is intended primarily for the use of the occupants of the structure.
- (b) At least 10,000 square feet of floor area are contained in the structure.
- (c) The use is limited to a maximum of 10% of the total floor area.
- (d) The use is so situated within the structure that it is not directly accessible from a public right-of-way.
- (e) A sign or window display relating to the use is not discernible from a public right-of-way, except that a portable sign shall be allowed per small business pursuant to the General Signage Regulations.

(8) Institution, including library, museum, nursing or rest home, school, day care center, except not hospital for human beings, sanatorium, or disciplinary or mental institutions.

(9) Medical supplies and services, such as drug prescription and supply shop, physical therapy office, or shop for fabricating and fitting prosthetic or correcting devices, or medical or dental laboratory.

(10) Office.

(11) Park-and-ride temporary facilities.

(12) Parking lot, providing it complies with the following:

- (a) Paving, all of which shall be maintained level and serviceable.
  - 1. The lot must be graded and surfaced with one of the following:
    - a. Blacktop or equal: Two inches of asphalt concrete on a prime coat over a four inch compacted subgrade, or a surface of equal or superior performance characteristics.

- b. For parking lots of 20 or fewer spaces, Gravel: A layer at least two inches thick of gravel sized from 3/8 minimum to one inch maximum diameter, at least 1/2 inch of which shall be maintained on the surface; gravel shall be kept off the right-of-way.

- 2. If street curbs and gutters exist adjacent to the parking lot property on a side where lot egress is allowed, the surfacing shall be blacktop for the width of the egress drive(s) and shall extend inward from the property line a minimum of 25 feet along all normal lines of egress traffic flow from the lot.

- (b) The lot shall have barriers which prevent vehicles from extending over the sidewalk or abutting lots, or beyond the sides of a parking structure.

- (c) A solid wall or fence at least six feet high shall be erected on sides which abut land, other than public right-of-way land, in a residential zone. (See also § 14-16-3-10 of this Zoning Code.)  
However:

- 1. Such wall or fence shall be three feet high in the area within 11 feet of a public sidewalk or planned public sidewalk location.

2. If the wall or fence plus retaining wall would have an effective height of over eight feet on the residential side, the Zoning Hearing Examiner shall decide the required height; such decision shall be made by the same process and criteria required for a conditional use.

(d) In a parking structure there shall be a six-foot solid wall on every parking level where the structure is within 19 feet of privately owned land in a residential zone.

(e) Ingress or egress shall be designed to discourage parking lot traffic from using local residential streets for more than 150 feet, unless no reasonable alternative is available.

(f) A parking lot hereafter developed shall include landscaping planted and maintained according to a Landscaping Plan approved by the Planning Director; however, the Planning Commission may waive this requirement where it is found not useful to achieving the intent of this Zoning Code.

(13) Photocopy, photography studio, except adult photo studio.

(14) Public utility structure, provided its location is in accord with an adopted facility plan and a site development plan for building permit purposes has been approved by the Planning Commission.

(15) Radio or television studio.

(16) Sign, on-premise, as provided in § 14-16-3-5 of this Zoning Code, and further provided:

(a) Location.

1. Only wall signs, canopy signs, and free-standing or projecting signs are permitted.

2. A sign may not overhang into the public right-of-way, except a wall sign may protrude up to one foot into the public right-of-way. (See also § 14-16-3-5(B)(2) of this Zoning Code.)

3. Projecting signs shall not project horizontally more than four feet.

(b) Number.

1. No limit on number of wall signs.

2. One canopy sign per entrance or exit shall be permitted.

3. In the Established or Redeveloping Areas, one free-standing or projecting sign structure shall be permitted for each premises, or joint sign premises, providing the premises or joint sign premises is at least 100 feet wide.

4. In the Developing or Semi- Urban Areas:

a. Free-standing or projecting sign not permitted on premises of under five acres.

b. One free-standing or projecting sign on premises of five acres or more, provided the street frontage is at least 100 feet wide.

(c) Size.

1. Size of Free-Standing or Projecting Signs. Sign area of a free-standing or projecting sign shall not exceed 75 square feet.

2. Size of Building-Mounted Signs, Except Projecting Signs. Sign area of a building-mounted sign shall not exceed 15% of the area of the facade to which it is applied if there is no free-standing or projecting on-premise sign on the premises or joint sign premises, or 7.5% of the area of the facade if there is such a free-standing or projecting sign on the premises or joint sign premises.

(d) Height. Sign height shall not exceed 26 feet or the height of the walls of the tallest building on the premises, whichever is lower.

(e) Motion. Signs or sign parts shall not move; there shall be no wind devices. No sign shall automatically change its message unless it is a time or temperature sign.

(f) Lettering. No lettering on a free-standing sign shall have any character exceeding nine inches in height.

(17) Storage structure or yard for equipment, material, or activity incidental to a specific construction project, provided it is of a temporary nature and is moved after the specific construction project is completed, or work on the project has been dormant for a period of six or more months, and further provided that it is limited to a period of one year unless the time is extended by the Planning Director.

(18) Wireless Telecommunications Facility, provided that the requirements of § 14-16-3-17 of this Zoning Code are met, and as specifically allowed below:

(a) A concealed wireless telecommunications facility, up to 65 feet in height.

(b) A collocated free-standing wireless telecommunications facility, up to 75 feet in height.

(c) A face-mounted wireless telecommunications facility.

(d) A roof-mounted free-standing wireless telecommunications facility, up to 20 feet above the parapet of the building on which it is placed.

(e) A wireless telecommunications facility, the antennas of which are all mounted on an existing vertical structure.

(B) *Conditional Uses.*

(1) Antenna, over 65 feet in height.

(2) Community residential corrections program: up to 15 client residents, provided that the standards of § 14-16-3-12 of this Zoning Code are met.

(3) Community residential program for substance abusers with up to 15 client residents, provided that the standards of § 14-16-3-12 of this Zoning Code are met.

(4) Dwelling units constituting more than 25% of the gross floor area on a premises, provided:

(a) No more than 60% of the gross floor area of the structures on the site shall be developed as dwelling units, and

(b) Open space is provided as specified for permissive dwelling units in this zone.

(c) A dwelling unit constructed as a conditional use in an O-1 Zone shall permanently retain its status as an approved conditional use even if the use of the property as a dwelling unit ceases for a continuous period of more than one year. The provisions of § 14-16-4-2(D)(3) shall not apply to a conditional use approved for a dwelling unit in an O-1 Zone.

(d) A dwelling unit constructed as a conditional use or a permissive use in an O-1 Zone under any former ordinance shall not become a non-conforming use based on a failure to conform with (B)(4)(a).

(e) The request for approval of a conditional use under § 14-16-2-15(B)(4) shall be accompanied by at least one copy of an accurate site development plan for building including a proposed schedule for development. The failure to demonstrate that the non-residential uses will be developed concurrently with the residential uses is evidence that the proposal will be injurious to the neighborhood and the community.

(5) Instruction in music, dance, fine arts, or crafts.

(6) Public utility structure which is not permissive.

(7) Office machines and equipment sales and repair.

(8) Printing, copying, blueprinting incidental to office uses.

(9) Retailing of food and drink, for consumption on premises or off, but not drive-in facility and provided that alcoholic drink is not dispensed for off-premise consumption in broken packages or the following packages within 500 feet of a pre-elementary, elementary or secondary school, a religious institution, a residential zone, a designated Metropolitan Redevelopment Area (as defined in the State Metropolitan Redevelopment Code), a city owned park or city owned major public open space:

(a) distilled spirits, as defined in the New Mexico Liquor Control Act, in any package that contains less than 750 milliliters;

(b) beer, as defined in the New Mexico Liquor Control Act, in any single container labeled as containing 16 or fewer ounces; and

(c) fortified wines with a volume of alcohol of more than 13.5 percent, provided that retailing alcoholic drink, for on or off premise consumption, within 500 feet of a community residential program or hospital for treatment of substance abusers is prohibited pursuant to § 14-16-3-12(A)(11) ROA 1994.

(10) Wireless Telecommunications Facility, Roof-Mounted, up to 20 feet above the parapet of the building on which it is placed, provided that the requirements of § 14-16-3-17 of this Zoning Code are met.

(C) *Height.*

(1) Structure height up to 26 feet is permitted at any legal location. The height and width of the structure over 26 feet shall fall within 45° angle planes drawn from the horizontal at the mean grade along each internal boundary of the premises and each adjacent public right-of-way centerline. To protect solar access, a structure over 26 feet may not exceed the northern boundary of these 45° planes, but may be sited in any other direction within planes drawn at a 60° angle from the same boundaries or centerline. Exceptions to the above are provided in § 14-16-3-3 of this Zoning Code, and for sign and antenna height, in division (A) of this section. Notwithstanding any of the above regulations, structures shall not exceed 26 feet in height within 85 feet of a lot zoned specifically for houses.

(2) Exceptions to division (1) above are provided in § 14-16-3-3 of this Zoning Code, and for sign and antenna height, in division (A) of this section.

(D) *Lot Size.* No requirements.

(E) *Setback.* The following regulations apply to structures other than signs except as provided in §§ 14-16-3-1 and 14-16-3-3 of this Zoning Code:

(1) There shall be a front and a corner side yard setback of not less than five feet and a setback of 11 feet from the junction of a driveway or alley and a public sidewalk or planned public sidewalk location.

(2) Near residential zones, the following greater setback requirements shall apply:

(a) There shall be a front or corner side setback of not less than ten feet where the lot is across the street from the front lot line of a facing lot in a residential zone. This setback applies to on- and off-premise signs.

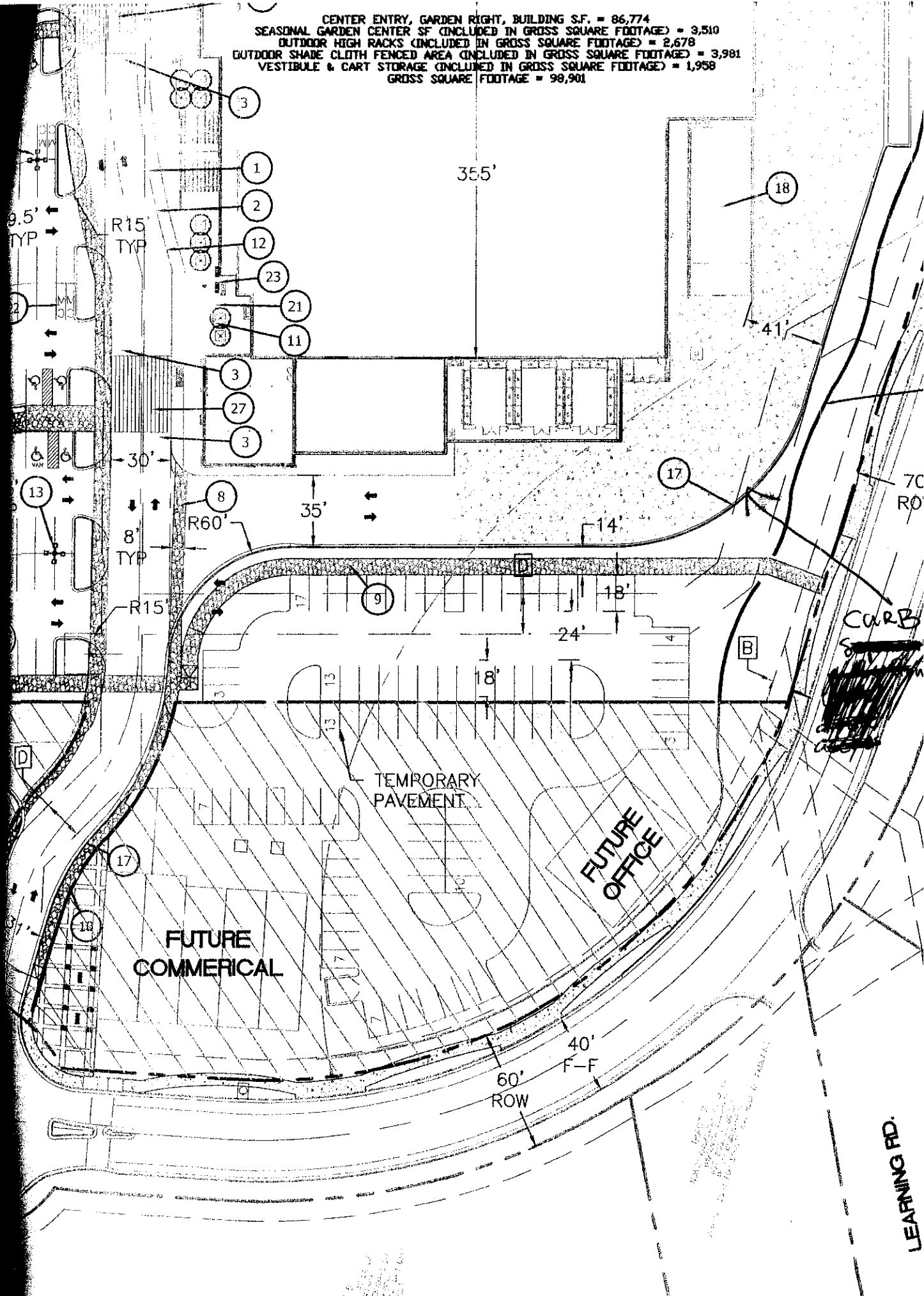
(b) There shall be a side or rear setback of not less than five feet where the site abuts the side of a lot in a residential zone.

(c) There shall be a side or rear setback of not less than 15 feet where the site abuts the rear of a lot in a residential zone.

(3) The clear sight triangle shall not be infringed upon.

(F) *Off-Street Parking.* Off-street parking shall be as provided in § ~~14-16-3-1~~ of this Zoning Code. ('74 Code, § 7-14-20) (Ord. 80-1975; Am. Ord. 40-1976; Am. Ord. 26-1977; Am. Ord. 38-1978; Am. Ord. 48-1980; Am. Ord. 61-1980; Am. Ord. 39-1983; Am. Ord. 40-1983; Am. Ord. 54-1983; Am. Ord. 11-1986; Am. Ord. 41-1987; Am. Ord. 12-1990; Am. Ord. 47-1990; Am. Ord. 58-1995; Am. Ord. 9-1999; Am. Ord. 11-2002; Am. Ord. 36-2002; Am. Ord. 4-2005; Am. Ord. 16-2005; Am. Ord. 5-2008; Am. Ord. 40-2008; Am. Ord. 6-2009; Am. Ord. 19-2010)

CENTER ENTRY, GARDEN RIGHT, BUILDING S.F. = 86,774  
 SEASONAL GARDEN CENTER SF (INCLUDED IN GROSS SQUARE FOOTAGE) = 3,510  
 OUTDOOR HIGH RACKS (INCLUDED IN GROSS SQUARE FOOTAGE) = 2,678  
 OUTDOOR SHADE CLOTH FENCED AREA (INCLUDED IN GROSS SQUARE FOOTAGE) = 3,981  
 VESTIBULE & CART STORAGE (INCLUDED IN GROSS SQUARE FOOTAGE) = 1,958  
 GROSS SQUARE FOOTAGE = 98,901



LEARNING RD.



TAB 4

The Subdivision Amendment application constitutes a zone map amendment making Res. 270-1980 applicable. See Project 1003859, EPC 40074, 40075, 40076. Applicant has not met its burden for a zone map amendment. The application amends the uses and tracts shown on the zone map and increases the total C-2 uses beyond the subdivision maximum.



City of Albuquerque  
Planning Department  
Urban Design & Development Division  
P.O. Box 1293  
Albuquerque, New Mexico 87103

Date: December 8, 2011

**AMENDED OFFICIAL NOTIFICATION OF  
DECISION (change of case numbers and  
order)**

**FILE: Project # 1003859**

11EPC-40074 Site Development Plan for  
Building Permit

11EPC-40075 Amend Site Development Plan for  
Subdivision

11EPC-40076 Amend Zone Map (Zone Change)

US New Mexico Federal Credit Union  
P.O. Box 129  
Albuquerque, NM, 87103

**LEGAL DESCRIPTION:**

Consensus Planning, agent for US New Mexico Federal Credit Union, requests the above actions for all or a portion of Tract 5, Plat of North Andalucia at La Luz, zoned SU-1 for C-2, O-1 and PRD to SU-1 for O-1 Including Bank & Drive-in Facilities, located on Coors Blvd. NW between Learning Rd. NW and Montano Rd. NW, containing approximately 3.38 acres. (E-12)  
Carrie Barkhurst, Staff Planner

On December 8, 2011 the Environmental Planning Commission voted to APPROVE Project 1003859 / 11EPC-40076, a request for an Amendment to the Zone Map (Zone Change), 11EPC-40075, a request for an Amendment to the Site Development Plan for Subdivision and 11EPC-40074, a request for a Site Development Plan for Building Permit based on the following Findings and subject to the following Conditions:

**FINDINGS:**

***FINDINGS – 1003859 – 11EPC-40076 – December 8, 2011 – Zone Map Amendment***

1. This is a request for zone map amendment for Tract 5, Plat of North Andalucia at La Luz, located on Coors Blvd., northeast of Learning Rd., and containing approximately 3.38 acres.
2. The applicant is proposing to subdivide and to develop a Credit Union branch office.

3. The subject site is zoned SU-1 for C-2, O-1 and PRD. The proposed use is permissive under the current zoning; however, the Site Plan for Subdivision designates this parcel for O-1 uses. Therefore, a zone map amendment is requested to allow a use that is compatible with the O-1 zone, without opening the site to the full range of C-2 uses that are available elsewhere in the subdivision.
4. The Environmental Planning Commission (EPC) has decision-making authority for a zone map amendment, pursuant to §14-16-4-1(C)(10)(a) of the Zoning Code.
5. The site is located within the Established and Developing Urban Areas of the Comprehensive Plan and within the boundaries of the West Side Strategic Plan and the Coors Corridor Plan. Coors Blvd. is an Enhanced Transit Corridor, as designated in the Comprehensive Plan.
6. The Albuquerque/Bernalillo County Comprehensive Plan, West Side Strategic Plan, the Coors Corridor Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
7. The applicant provided a justification for the zone change per R-270-1980.
  - A. The proposed special use zoning is consistent with the health, safety, morals and general welfare of the city. The zone change will not have an impact on public services and facilities.
  - B. The applicant has provided an acceptable justification for the change and has demonstrated that the requested zoning will not destabilize land use and zoning in the area, because it will allow a compatible use and retain the overarching special use zone.
  - C. The applicant cited a preponderance of applicable goals and policies of the Comprehensive Plan (CP), the West Side Strategic Plan (WSSP), and the Coors Corridor Plan (CCP), that are furthered by this request, as described below:
    - i. CP Policy II.B.5.d: With minor conditions, the location, intensity and design of the new development generally further this policy. The proposed use respects neighborhood values and provides a service appropriate for a mixed-use development.
    - ii. CP Policy II.B.5.e: The subject site is contiguous to existing urban facilities and is designed to lessen any potential negative impacts of the proposed use.
    - iii. CP Policy II.B.5.i: The requested zone is governed through the site development plan for subdivision, which provides assurances about the form of development. The site design effectively mitigates potentially adverse effects of the bank and drive-up service. The zone map amendment will facilitate development of new employment and services.
    - iv. CP Policy II.C.4.a: Noise considerations have been integrated into the site design process and evaluation of the suitability of this site for a zone change.

- v. CP Policy II.C.6.a: The request will provide additional employment opportunities in an area that is underserved with jobs.
  - vi. WSSP Objective 8 and 10: The request provides opportunities for additional jobs to locate on an undeveloped, commercially-zoned property. The request seeks to provide a neighborhood-oriented service in a location that is well served by existing infrastructure.
  - vii. CCP Policy 3: The request facilitates new development in the Coors corridor that was carefully designed to be compatible with the natural landscape and environment in a master planned subdivision with existing infrastructure improvements.
- D. The applicant has adequately justified the request by demonstrating that the requested zone change is more advantageous to the community per adopted city goals and policies cited under Section C.
- E. None of the uses specified in the proposal will be harmful to adjacent property, the neighborhood or the community.
- F. The request would not require unprogrammed capital expenditures by the City.
- G. The cost of land or other economic considerations pertaining to the applicant are not the determining factor for the zone change.
- H. The property's location on a major street is not the reason for this request.
- I. This request constitutes a justified spot zone. It facilitates realization of the Comprehensive Plan, the West Side Strategic Plan and the Coors Corridor Plan.
- J. The proposed zone change would not result in strip zoning.
8. The northern portion of the site is within the boundaries of the designated *Montaño/Coors Community Activity Center*. The request furthers the goals for Activity Centers by providing neighborhood-oriented services adjacent to the higher density residential and commercial uses within the Activity Center to reduce auto travel needs per Comprehensive Plan Policy a. In addition, this use provides a transition area of moderately intense development between the lower density residential uses and the higher intensity C-2 commercial uses closer to Montaño, consistent with Comprehensive Plan Policy f. The West Side Strategic Plan Policy 1.13 is furthered by the request by providing a neighborhood service at a location designated for a "higher concentration and greater variety" of land uses.
9. Property-owners within 100', La Luz del Sol N.A., La Luz Landowners Assoc., Taylor Ranch N.A., the Northwest Alliance of Neighbors, and the Westside Coalition of Neighborhood Associations were notified. A facilitated meeting was held on November 17, 2011. There is general support for the project and the design.

***RECOMMENDATION – 1003859 – 11EPC-40076 – December 8, 2011 – Zone Map Amendment  
APPROVAL of 11EPC-40074, a request for a Zone Map Amendment for Tract 5, Plat of  
North Andalucia at La Luz, based on the preceding Findings.***

***CONDITIONS OF APPROVAL – 1003859 – 11EPC-40076 – December 8, 2011 – Zone Map  
Amendment***

1. Pursuant to Zoning Code §14-16-4-1(C)(11), a zone map amendment does not become official until all Conditions/Requirements of Approval are met. If such requirements are not met within six months after the date of final City approval, the zone map amendment is void. The Planning Director may extend this time limit up to an additional six months upon request by the applicant.

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***FINDINGS – 1003859 – 11EPC-40075 – December 8, 2011 – Site Plan for Subdivision Amendment***

1. This is a request for a Site Plan for Subdivision Amendment for Tract 5, Plat of North Andalucia at La Luz, located on Coors Blvd., northeast of Learning Rd., and containing approximately 3.38 acres.
2. The applicant is proposing to subdivide and to develop a Credit Union branch office.
3. The subject site is zoned SU-1 for C-2, O-1 and PRD. The proposed use is permissive under the current zoning; however, the Site Plan for Subdivision designates this parcel for O-1 uses. Therefore, a Site Plan for Subdivision Amendment is requested to allow a use that is compatible with the O-1 zone, without opening the site to the full range of C-2 uses that are available elsewhere in the subdivision. The amendment also seeks to clarify free-standing signage regulations to allow one free-standing sign per parcel in the subdivision.
4. The Environmental Planning Commission (EPC) has decision-making authority for approving Site Development Plans, pursuant to §14-16-2-22(A)(1) of the Zoning Code.
5. The site is located within the Established and Developing Urban Areas of the Comprehensive Plan and within the boundaries of the West Side Strategic Plan and the Coors Corridor Plan. Coors Blvd. is an Enhanced Transit Corridor, as designated in the Comprehensive Plan.
6. The Albuquerque/Bernalillo County Comprehensive Plan, West Side Strategic Plan, the Coors Corridor Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.

7. The Site Plan for Subdivision Amendment request furthers the following Comprehensive Plan policies:
  - a. Policy II.B.5.d: With minor conditions, the location, intensity and design of the new development generally further this policy. The proposed use respects neighborhood values and provides a service appropriate for a mixed-use development.
  - b. Policy II.B.5.e: The subject site is contiguous to existing urban facilities and is designed to lessen any potential negative impacts of the proposed use.
  - c. Policy II.B.5.i: The requested zone is governed through the site development plan for subdivision, which provides assurances about the form of development. The site design effectively mitigates potentially adverse effects of the bank and drive-up service. The zone map amendment will facilitate the development of new employment and services.
  - d. Policy II.C.4.a: Noise considerations have been integrated into the site design process and evaluation of the suitability of this site for a zone change.
  - e. Policy II.D.6.a: The request will provide additional employment opportunities in an area that is underserved with jobs.
8. Regarding the West Side Strategic Plan policies, the Site Plan for Subdivision Amendment request furthers Objective 8 and 10 by providing opportunities for additional jobs to locate on an undeveloped, commercially-zoned property. The request seeks to provide a neighborhood-oriented service in a location that is well served by existing infrastructure.
9. Regarding the Coors Corridor Plan policies, the Site Plan for Subdivision Amendment request furthers Policy 3 by facilitating new development in the Coors Corridor that was carefully designed to be compatible with the natural landscape and environment in a Master Planned subdivision with existing infrastructure improvements.
10. The northern portion of the site is within the boundaries of the designated *Montaño/Coors Community Activity Center*. The request furthers the goals for Activity Centers by providing neighborhood-oriented services adjacent to the higher density residential and commercial uses within the Activity Center to reduce auto travel needs per Comprehensive Plan Policy a. In addition, this use provides a transition area of moderately intense development between the lower density residential uses and the higher intensity C-2 commercial uses closer to Montaño, consistent with Comprehensive Plan Policy f. The West Side Strategic Plan Policy 1.13 is furthered by the request by providing a neighborhood service at a location designated for a “higher concentration and greater variety” of land uses.
11. Property-owners within 100’, La Luz del Sol N.A., La Luz Landowners Assoc., Taylor Ranch N.A., the Northwest Alliance of Neighbors, and the Westside Coalition of Neighborhood Associations were notified. A facilitated meeting was held on November 17, 2011. There is general support for the project and the design.

***RECOMMENDATION – 1003859 – 11EPC-40075 – December 8, 2011 – Site Plan for Subdivision Amendment***

**APPROVAL of 11EPC-40075, a request for a Site Plan for Subdivision Amendment for Tract 5, Plat of North Andalucia at La Luz, based on the preceding Findings.**

***CONDITIONS OF APPROVAL – 1003859 – 11EPC-40075 – December 8, 2011 – Site Plan for Subdivision Amendment***

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. Conditions of approval from the City Engineer, Municipal Development and NMDOT for the proposed Site Development Plan for Building Permit shall include:
  - a. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as may be required by the Development Review Board (DRB).
  - b. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and/or provided for.
  - c. Concurrent Plating Action required at Development Review Board (DRB).
  - d. A cross access easement between the two new tracts is required.
  - e. All easements need to be shown and labeled on site plan.
4. The applicant proposed new text in the site plan for subdivision signage design guidelines to clarify the signage regulations, which the EPC supports. The new text is underlined here, to show what has changed; it is not required to be underlined in the site plan. The following changes are approved on Sheet 3:

**“Project Monument Signs**

  - Three project monument signs are allowed at the entries along Coors Boulevard and one minor entry monument sign is allowed on Montano Road as landmarks identifying the project. These project monument signs shall be of similar design and materials as the buildings.

- Project monument signs along Coors Boulevard shall have an overall maximum height of 9 feet and shall identify the tenants in a signage area not to exceed 75 square feet with a total of 10 items of information. The minor monument sign along Montano Road shall have an overall height of 9 feet and shall identify the tenants in a signage area not to exceed 30 square feet.

Individual Monument Signs

- One individual monument sign is allowed for each parcel to be located along the internal roadway system and shall not be located along Coors Boulevard or Montano Road. Maximum height for individual monument signs shall not exceed 9 feet and shall have a maximum signage area not to exceed 30 square feet.”

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***FINDINGS – 1003859 – 11EPC-40074 – December 8, 2011 – Site Plan for Building Permit***

1. This is a request for a Site Plan for Building Permit for Tract 5, Plat of North Andalusia at La Luz, located on Coors Blvd., northeast of Learning Rd., and containing approximately 3.38 acres.
2. The applicant is proposing to subdivide and to develop a Credit Union branch office.
3. This request is accompanied by a zone map amendment and site plan for subdivision request.
4. The Environmental Planning Commission (EPC) has decision-making authority for approving Site Development Plans, pursuant to §14-16-2-22(A)(1) of the Zoning Code.
5. The site is located within the Established and Developing Urban Areas of the Comprehensive Plan and within the boundaries of the West Side Strategic Plan and the Coors Corridor Plan. Coors Blvd. is an Enhanced Transit Corridor, as designated in the Comprehensive Plan.
6. The Albuquerque/Bernalillo County Comprehensive Plan, West Side Strategic Plan, the Coors Corridor Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
7. The Coors Corridor Design Regulations and the North Andalusia at La Luz site plan for subdivision design standards apply.
8. The Site Plan for Building Permit request furthers the following Comprehensive Plan policies:
  - a. Policy II.B.5.d: The request is consistent with the policies and design guidelines provided in adopted area and sector plans, as well as the EPC approved Site Plan for Subdivision. In

this manner, the request respects area values and resources. The site design buffers the drive up service windows from adjacent residential development with a yard wall, landscaping, and 120-foot distance, which will mitigate any potential adverse impacts of the proposed use. The location, intensity and design of the new development generally further this policy.

- b. Policy II.B.5.e: This request proposes new development in an area served by existing urban facilities, infrastructure, and services. The subject site does not propose access from the adjacent principal arterial, Coors Blvd., or the adjacent Major Local Street, Learning Rd., which will minimize impacts on the adjacent neighborhood.
  - c. Policy II.B.5.g: The design and landscaping of the proposed development respect the site topography. The development provides connections to existing trails in the area.
  - d. Policy II.B.5.i: The site is designed to minimize potential noise and traffic impacts. The proposed cut-off lighting and landscape buffers will also serve to minimize potential adverse effects on the adjacent neighborhood.
  - e. Policy II.B.5.k: The subject site is designed to minimize harmful effects of traffic by limiting access to one driveway located on Antequera Rd, a local street, and by not providing access to Coors Blvd. The livability of the adjacent neighborhood is respected by providing extensive site landscaping which serve as a buffer between the uses.
  - f. Policy II.B.5.l: The proposed building is well-articulated and designed to have no "back side." Area residents have indicated that the building is attractive and is compatible with their vision for the area.
  - g. Policy II.B.5.m: The architectural design is compliant with the design regulations included in the Coors Corridor Plan and the Site Plan for Subdivision. The building respects unique vistas from Coors Blvd. and generally improves the quality of the visual environment by adding variety and extensive landscaping.
  - h. Policy II.C.4.a: Noise considerations have been integrated into the site design process and evaluation of the suitability of this site for a zone change.
  - i. Policy II.C.8.d: The request proposes extensive landscaping both on-site and in the adjacent public rights-of-way. The development will help control erosion and dust, and will also incorporate water harvesting and xeric plant species.
  - j. Policy II.D.6.a: The request will provide additional employment opportunities in an area that is underserved with jobs.
9. Regarding the West Side Strategic Plan policies, the Site Plan for Building Permit request furthers Objective 8 and 10 by providing opportunities for additional jobs to locate on an undeveloped, commercially-zoned property. The request seeks to provide a neighborhood-oriented service in a location that is well served by existing infrastructure. Taylor Ranch Area Policy 3.12 is furthered because the subject site is infill development that is within existing transportation and utility service areas. The request furthers Policies 4.6 h and 4.10 by providing a commercial development adjacent to public transit, and accessible by trails, without providing an excess of parking.

10. Regarding the Coors Corridor Plan “Design Guidelines,” Issue 4, Visual Impressions and Design Overlay Zone, the building design is aesthetically integrated into the site in relation to the visual impressions within the corridor, views within and from Coors Blvd., roadway, landscaping, outdoor space, and adjacent buildings, furthering Policies A.1, A.2, B.2, B.10, and C.1. Policies B.3, B.4 and B.5 are furthered by the landscape design which is complementary to the character of Coors Corridor and complies with the size, buffer area, and parking requirements. Policies B.5, B.6, B.7, and B.8 are furthered by the building’s location along Coors and Eagle Ranch, with parking behind the main street frontages and adequate pedestrian access. The request does not conflict with any of the Coors Corridor Plan goals or policies.
11. The northern portion of the site is within the boundaries of the designated *Montaño/Coors Community Activity Center*. The request furthers the goals for Activity Centers by providing neighborhood-oriented services adjacent to the higher density residential and commercial uses within the Activity Center to reduce auto travel needs per Comprehensive Plan Policy a. In addition, this use provides a transition area of moderately intense development between the lower density residential uses and the higher intensity C-2 commercial uses closer to Montaño, consistent with Comprehensive Plan Policy f. The West Side Strategic Plan Policy 1.13 is furthered by the request by providing a neighborhood service at a location designated for a “higher concentration and greater variety” of land uses.
12. The EPC supports the provision of one free-standing monument sign at the project entrance on Antequera Rd. Signage for future tenants must comply with the Coors Corridor Plan design guidelines and the zoning code general regulations.
13. The applicant has submitted a Coors View Analysis, which is consistent with the requirements in the Coors Corridor Plan. The proposed building complies with the Coors Corridor Design Regulations.
14. Property-owners within 100’, La Luz del Sol N.A., La Luz Landowners Assoc., Taylor Ranch N.A., the Northwest Alliance of Neighbors, and the Westside Coalition of Neighborhood Associations were notified. A facilitated meeting was held on November 17, 2011. There is general support for the project and the design.

**RECOMMENDATION – 1003859 – 11EPC-40074 – December 8, 2011 – Site Plan for Building Permit APPROVAL of 11EPC-40076, a request for a Site Plan for Building Permit for Tract 5, Plat of North Andalucia at La Luz, based on the preceding Findings.**

***CONDITIONS OF APPROVAL – 1003859 – 11EPC-40074 – December 8, 2011 – Site Plan for Building Permit***

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. Lighting:
  - a. A note shall be provided on the Site Plan for Building Permit that indicates that all lighting will comply with the standards of §14-16-3-9, Area Lighting Regulations of the Zoning Code and the Coors Corridor Plan Lighting Regulations.
  - b. The Parking Lot Light Fixture Detail shall be modified to be consistent with the Zoning Code Area §14-16-3-9 Area Lighting Regulations, which allow a maximum height of 16-feet for light poles within 100 feet of a residential zone.
4. The following conditions from PNM shall be met:
  - a. As a condition, it is the applicant's obligation to determine if existing utility easements cross the property and to abide by any conditions or terms of those easements.
  - b. As a condition, it is necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service and options for the location of electric service connection regarding this project. Any existing or proposed public utility easements are to be indicated on the site plan utility sheet. PNM's standard for public utility easements is 10 feet in width to ensure adequate, safe clearances.
5. Conditions of approval from the Transit Department:
  - a. Applicant shall provide 5 ft. wide x 20 ft. long easement for placement of bus shelter near the location of existing bus stop on Coors. Transit requests that the applicant install a Type C bus shelter as per the COA Design standard COA 2355, and associated bench and trash can at the proposed bus stop. Applicant to consult the Transit department for the location of the proposed easement.

6. Conditions of approval from the City Engineer, Municipal Development and NMDOT for the proposed Site Development Plan for Building Permit shall include:
  - a. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as may be required by the Development Review Board (DRB).
  - b. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and/or provided for.
  - c. Concurrent Plating Action required at Development Review Board (DRB).
  - d. Sidewalk Easement will be required for meandering 6-foot sidewalk on Learning Road and Coors Blvd.
  - e. A cross access easement between the two new tracts is required.
  - f. All easements need to be shown and labeled on site plan.
  - g. Provide/label/detail all dimensions and proposed infrastructure for Site.
  - h. Stairs are not allowed within City of Albuquerque ROW. Please relocate into private property.
  - i. Site plan shall comply and be designed per DPM Standards.
7. The future Phase 2 expansion of the credit union building, as shown on the site plan for building permit for the 2.42-acre tract may be delegated to DRB.
8. The landscape buffer wall along the northern property line may terminate at the toe of the slope near Coors Blvd., as shown on the site plan, and may terminate at the eastern property line of the 2.42-acre tract.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY **DECEMBER 23, 2011** IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED. IT IS NOT POSSIBLE TO APPEAL EPC RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE EPC's RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE EPC's DECISION.

Persons aggrieved with any determination of the Environmental Planning Commission (EPC) and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department **within 15 days** of the Planning Commission's decision. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday, the next working day is considered as the deadline for filing the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

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

ZONE MAP AMENDMENTS: Pursuant to Zoning Code Section 14-16-4-1(C)(11), a change to the zone map does not become official until the Certification of Zoning is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

SITE DEVELOPMENT PLANS: Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped areas shall terminate automatically seven years after adoption or major amendment of the plan: within six months prior to the seven-year deadline, the property owners shall request in writing thorough the Planning Director that the Planning Commission extend the plan's life an additional five years.

DEFERRAL FEES: Pursuant to Zoning Code Section 14-16-4-1(B), deferral at the request of the applicant is subject to a \$110.00 fee.

Sincerely,

Deborah Stover  
Planning Director

DS/CB/mc

cc: Consensus Planning, 302 8<sup>th</sup> Street NW, Albuquerque, NM 87102  
Suzanne Fetsco, 23 Wind NW, Albuquerque, NM 87120  
Art Woods, 33 Wind NW, Albuquerque, NM 87120  
Heather Badal, 4 Tennis Ct. NW, Albuquerque, NM 87120  
Rae Perls, 15 Tennis Ct. NW, Albuquerque, NM 87120  
David Waters, 5601 La Colonia Dr. NW, Albuquerque, NM 87120  
Rene' Horvath, 5515 Palomino Dr. NW, Albuquerque, NM 87120  
Dan Serrano, 4409 Atherton Way NW, Albuquerque, NM 87120  
Gerald Worrall, 1039 Pinatubo Pl. NW, Albuquerque, NM 87120  
Candy Patterson, 7608 Elderwood NW, Albuquerque, NM 87120



**Environmental  
Planning  
Commission**

**Agenda Number: 5**  
**Project Number: 1003859**  
**Case #: 11EPC-40074, 40075, 40076**  
**December 8, 2011**

**Staff Report**

<b>Agent</b>	Consensus Planning, Inc.
<b>Applicant</b>	US New Mexico Federal Credit Union
<b>Request(s)</b>	<ol style="list-style-type: none"><li>1 Zone Map Amendment (Zone change)</li><li>2 Amendment to Site Development Plan for Subdivision</li><li>3 Site Development Plan for Building Permit</li></ol>
<b>Legal Description</b>	Tract 5, Plat of North Andalucia at La Luz
<b>Location</b>	On Coors Boulevard between Learning Rd. and Montaño Rd.
<b>Size</b>	3.38 acres
<b>Existing Zoning</b>	SU-1 for C-2, O-1 and PRD
<b>Proposed Zoning</b>	SU-1 for O-1 including Bank & Drive-up Service

**Staff Recommendation**

**APPROVAL of 11EPC-40074 based on the Findings beginning on Page 19, and subject to the Conditions of Approval beginning on Page 20.**

**APPROVAL of 11EPC-40075 based on the Findings beginning on Page 21, and subject to the Conditions of Approval beginning on Page 23.**

**APPROVAL of 11EPC-40076 based on the Findings beginning on Page 24, and subject to the Conditions of Approval beginning on Page 26.**

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

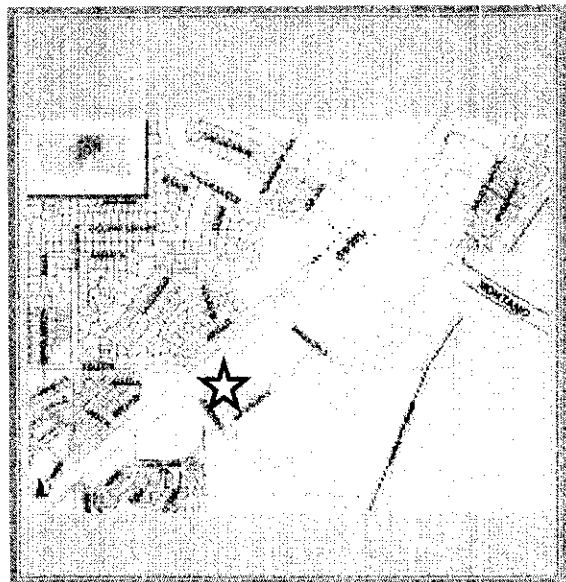
**Summary of Analysis**

The request is to develop a site located on Coors Blvd, north of Learning Rd. The applicant proposes to subdivide and develop an 8,370 SF building for a bank with drive-up facilities.

The request is consistent with the Site Plan for Subdivision Design Guidelines, the Comprehensive Plan, the West Side Strategic Plan, the Coors Corridor Plan, and the City Zoning Code.

The site is partially in the Established and Developing Urban Areas of the Comprehensive Plan. There is neighborhood support and no known neighborhood opposition.

Staff recommends approval with conditions.



City Departments and other interested agencies reviewed this application from 10/31/2011 to 11/10/2011.  
Agency comments used in the preparation of this report begin on Page 29.

## I. AREA CHARACTERISTICS AND ZONING HISTORY

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

	<b>Zoning</b>	<b>Comprehensive Plan Area; Applicable Rank II &amp; III Plans</b>	<b>Land Use</b>
<b>Site</b>	SU-1 for C-2, O-1 Uses & PRD (20 DU/A)	Established & Developing Urban; WSSP; Coors Corridor SDP	Undeveloped
<b>North (NE)</b>	SU-1 for C-2, O-1 Uses & PRD (20 DU/A)	Established & Developing Urban; WSSP; Coors Corridor SDP	Undeveloped
<b>South (SW)</b>	SU-1 for PRD (10 DU/A) and SU-1 for School Recreation & Private Open Space	Established & Developing Urban; WSSP; Coors Corridor SDP	Open Space, Undeveloped, & Residential (La Luz)
<b>East (SE)</b>	SU-1 for C-2, O-1 Uses & PRD (20 DU/A) and SU-1 for School & Related Facilities	Established & Developing Urban; WSSP; Coors Corridor SDP	Undeveloped & Bosque School
<b>West (NW)</b>	R-T	Established Urban; WSSP; Coors Corridor SDP	Single Family Residential

## II. INTRODUCTION

### *Proposal*

The three-part request is for a Zone Map Amendment, Amendment to Site Development Plan for Subdivision, and Site Development Plan for Building Permit for Tract 5, Plat of North Andalucia at La Luz, on a 3.38-acre tract of land located on Coors Blvd. NW at the northeast corner of Learning Rd. NW. The applicant seeks to develop a Credit Union at the subject site.

The subject site is currently zoned SU-1 for C-2, O-1 Uses & PRD (20 DU/A), and designated for O-1 uses by the Site Plan for Subdivision. The Site Plan for Subdivision also restricts the property within 300-feet of Learning to O-1 and PRD uses; therefore, a zone change and Site Plan for Subdivision amendment are required. The applicant seeks to change the zoning designation to SU-1 for O-1 including Bank with Drive-up Service. The Amendment to Site Plan for Subdivision will remove the use restriction from the subject site and subdivide Tract 5 into two new Tracts. The Site Plan for Building Permit ensures that the proposed development is compatible with surrounding uses and development context.

Development within the SU-1 zone may only occur in conformance with an approved Site Development Plan. The Environmental Planning Commission (EPC) has decision-making authority for the zone change request and site plan approval, per §14-16-2-22(A)(1) of the Zoning Code.

### ***Context***

The subject site is vacant, undeveloped land south of Montañó and east of Coors. To the west, across Coors Blvd., are single family residences. The remainder of land adjacent to the development is vacant. The La Luz cluster development subdivision is located south of the subject site and the Bosque School is located south of the subject site. Multi-family residential developments were approved by the EPC on Tracts 4 and 6; development on Tract 6 is moving forward.

The area within 300-feet of Coors Blvd. is designated Established Urban while the remainder of the site is designated Developing Urban per the Comprehensive Plan. The subject site is within the boundaries of the Rank II West Side Strategic Plan. It is also within the Coors Corridor Plan, a Rank III Plan. The subject site is located adjacent to the Montañó/Coors Community Activity Center, as designated pursuant to the Comprehensive Plan and the West Side Strategic Plan. The plan boundaries differ somewhat, see attached maps.

### ***History***

The subject site was annexed in 1985 and zoned SU-1 for C-2, O-1 and PRD 10 du/acre max. In August of 2003, the site was rezoned to SU-1 for C-2 (23.3 acres max.), O-1 (11.7 acres max.), and PRD (20 du/acre max.). The EPC found that the increase in residential density was appropriate given the proximity of the site to the Montañó/Coors Activity Center, north of the site.

In May of 2005, the EPC approved a Site Plan for Subdivision to create Tracts 1 through 9, North Andalucia at La Luz (Project 1003859, 04EPC-01845). The Site Plan for Subdivision proposes residential uses on Tracts 4, 6, 7, and 9; office uses on Tracts 3 and 5; and commercial uses on Tracts 1 and 2. The Site Plan for Subdivision was approved with design standards to "achieve a vibrant, mixed-use community that fosters pedestrian accessibility and maintains a village-type character." Subsequent site plans for building permits within the subdivision require EPC approval. The official Notification of Decision for this case is attached.

In June of 2005, EPC approved a commercial development Site Plan for Building Permit for Tract 2, which has not developed. In June of 2008, Bosque School consolidated Tracts 7, 8, and 9 and removed them from the site plan (Project 1000901, 08EPC-40051).

### ***Transportation System***

The Long Range Roadway System (LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies the functional classifications of roadways.

The Long Range Roadway System designates Coors Blvd. NW as an Urban Principal Arterial. Montañó Rd. NW is classified as an Urban Minor Arterial. Learning Rd. is a Major Local Road. Antequera Rd is a local road.

### ***Comprehensive Plan Corridor Designation & Transit***

Coors Blvd. and Montañó Rd. are Enhanced Transit Corridors, which aim to "improve transit and pedestrian opportunities ... and develop adjacent land uses and intensities that promote the use of transit." Route #790, Rapid Ride Blue line, Route #155, Coors route, and Route #96,

Cross-town commuter route pass the site on Coors Blvd. Route #159 along Montañño will also provide access to the larger subdivision.

***Trails/Bikeways***

There are existing bicycle lanes and trails near the subject site. Coors Blvd. and Montañño Rd. have existing bicycle lanes. There is an existing bicycle path along Learning Rd. that connects to the bosque; an existing bicycle lane connects to the open space trail head at Montañño Rd. There is a proposed bicycle path along the Corrales Drain that will connect to the Paseo del Bosque Trail on the east side of the Rio Grande.

***Public Facilities/Community Services***

See attached Public Facilities Map for details.

***III. ANALYSIS***

***Albuquerque Comprehensive Zoning Code***

The subject site is currently zoned SU-1 for C-2, O-1, and PRD. The zoning for the subdivision establishes uses for each tract and maximum acreage for each use – 23.3 acres for C-2 uses, 11.7 acres for O-1 uses, and 20 acres for PRD. The Site Development Plan for Subdivision specifies O-1 uses for Tract 5. It also indicates the land use within 300-feet of Learning Rd. is restricted to PRD and O-1 uses only. The purpose of this restriction is not explicitly stated on the site plan; however, it was likely established to serve as a transition between the mixed uses in the subdivision and the adjacent lower density residential uses.

Therefore, it is permissive under the current site zoning, but it is not consistent with the site plan designated land uses. The Planning Department recommended requesting a zone change to allow a bank, which is a use generally consistent with the O-1 zone. The SU-1 control will allow review of the site design to ensure that it is appropriate for this location and that it will not negatively impact adjacent residential development. A zone change also restricts the site from developing with C-2 uses.

The O-1 zone, Office and Institutional, provides sites suitable for office, service, institutional, and dwelling uses. The proposed use, a credit union bank, is first permissive under the C-1 zone. The request is to allow a use that is essentially an office use, but which has some elements that are slightly more intense. A bank is not classified an O-1 use because it is a higher traffic generator, with customers staying a relatively short time. Additionally, drive-up service is not a use allowed in the O-1 zone.

The EPC has approved height, signage, landscaping, and parking regulations, per the Site Plan for Subdivision Design Guidelines. Development on an SU-1 zone may “only occur in conformance with an approved site development plan” that is subject to Environmental Planning Commission (EPC) review. If approved, this request for a Site Plan for Building Permit, will satisfy the requirement.

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#### IV. ZONE MAP AMENDMENT – 11EPC-40074

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

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

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

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

The applicant provided justification for the proposed zone change in the application submitted on October 27, 2011, and in a supplemental memorandum submitted on November 21, 2011.

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

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

*The proposed zone change is consistent with the health, safety, morals, and general welfare of the City. The zone change has been carefully crafted for this one parcel and adds a single additional use to the existing office uses already allowed on this parcel. Commercial uses that are permissive in the C-1 and C-2 zones are not allowed. There are no uses proposed that conflict with the health, safety, morals, or general welfare. The development of this vacant infill property will implement the goals and policies of the Comprehensive Plan, as cited in Section C of this letter, and will benefit the surrounding neighborhoods by providing a needed service at a time when more and more people are leaving banks and turning to the option of credit unions. This will be the first development to occur in the 70+ acre mixed use area of North Andalucia, which has long been vacant. US New Mexico Federal Credit Union has 800 customers that live in Taylor Ranch, however, there are no branches currently existing on the West Side. Providing an office with drive-in services at this convenient location along Coors Boulevard will serve the current and future customers of the Credit Union. The drive-up area of the site has been carefully located and extensively landscaped and screened to mitigate any impacts to adjacent properties.*

***Staff agrees. The request seeks to establish a bank which is compatible with the adjacent neighborhood and with the intent of the mixed-use subdivision. Development of the property will promote the general welfare of the City by providing growth on an infill-site that has existing City services. There are no uses proposed which would conflict with public health, safety, morals and general welfare of the city.***

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

*The proposed zone change to SU-1 for O-1 Use including Bank with Drive-up Service provides stability of land use and zoning desired for this location. The applicant's request is more beneficial than the existing zoning because of the service it will provide to the surrounding community. The existing zoning allows any type of office use that may or may not directly serve the Taylor Ranch area to the extent this use will serve. The zone map amendment is a relatively small change since the Credit Union generally operates like a typical office with typical office hours. The intent is not to open the site up to a plethora of commercial uses, which will be allowed in Tracts 1, 2, and 3 of North Andalusia, but rather to limit this tract to primarily office use due to its adjacency to residential development. The bulk of the building will be dedicated to mortgage lending services, and a smaller portion dedicated to branch operations. There is a need for the proposed use as evidenced by the number of unserved customers (800) in Taylor Ranch and this use is not permitted in the O-1 zone. The SU-1 designation requires site plan control, which will ensure a high quality development, and allow neighborhood input which to date has been very supportive. The Credit Union is accessible to the surrounding neighborhood and the larger Taylor Ranch area by vehicle, bicycle, and pedestrian.*

**Staff agrees that the request will not create instability of land use or zoning.**

*The Planning Department considers that the applicant has provided an acceptable justification for the change and has demonstrated that the requested zoning will not destabilize land use and zoning in the area because it is generally consistent with the site's existing mixed-use zoning, which allows residential, office and commercial uses. In addition, although the rezoning changes the specific uses designated on the tract, it would not affect the procedures applicable to the overarching special use zone or the design regulations established by the Site Plan for Subdivision.*

*As the applicant argues, a bank is essentially consistent with O-1 Uses. However, two elements of a bank's operations that distinguish this use from the typical office use – the higher volume of customers and drive-up service. The SU-1 designation and accompanying site development plan demonstrate how these potential adverse effects are mitigated through the site design. The drive through portion of the site is located to the rear of the building, away from the local access roads. It is close to land that is planned for multi-family residential uses; however the site provides adequate screening and landscape buffers.*

*This location is particularly well-suited for an anchor neighborhood service because it is accessed from an intersection with a traffic light and it will meet the need of underserved customers on the West Side of the city.*

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

Albuquerque / Bernalillo County Comprehensive Plan

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

The applicant discussed a plethora of policies that are applicable to the request, most pertaining to the site development plan. The following policies are applicable to the zone map amendment:

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

*The location, intensity and design of the Credit Union respects neighborhood values, natural environmental conditions and carrying capacities, and scenic resources as follows:*

- *The Credit Union will maintain typical office hours and will be closed in the evening, creating a more compatible neighbor to the adjacent apartment development than other commercial uses.*

*The request is consistent with the policies and design guidelines provided in adopted area and sector plans, as well as the EPC approved Site Plan for Subdivision. In this manner, the request respects area values and resources. The proposed bank is located at the corner of a full-access intersection with a traffic control light, which is an appropriate location for a more intense land use. Access to the site is proposed from local streets, so there will be no negative impacts to traffic flow in the area. The proposed use will not have late hours of operation, which could negatively impact adjacent residences. The zone change request and site plan application are well supported by the neighbors. The location and intensity of the proposed use further Policy II.B.5.d.*

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

*This property is adjacent to existing and programmed urban facilities including the major roadway system, water and sanitary sewer systems, and transit service. It is within a master planned area designated for mix of higher density residential, office, institutional, and commercial uses. The project has been carefully designed to ensure the integrity of existing neighborhoods by having one vehicular access point along Antequera Road, abundant landscaping throughout the project and specifically between the drive-up service area and the adjacent apartment site to the north; and building signage which is intentionally smaller than what is allowed by the Site Plan for Subdivision. By complying with the Site Plan for Subdivision Design standards, this incrementally more intense use has no negative impact to the existing neighborhood.*

*This request proposes new development in an area served by existing urban facilities, infrastructure, and services. The applicant describes how the intent of the subdivision is for a mixed use development, which is consistent with the request. The applicant cites specific*

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*elements of the site that are designed to lessen any potential negative impacts of the more intense use that is requested. The request furthers Policy II.B.5.e.*

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

*The project will add an employment and service use on the West Side of Albuquerque. The use, size, and design of the building will have no adverse impact on residential environments. The Credit Union will maintain typical office hours and will be closed in the evening. There will be no semi-truck deliveries associated with this use to disturb residents. This area was planned for mixed use and the project's design elements meet lighting and Night Sky, noise, and buffer requirements. The closest teller speaker is located approximately 120 feet from a residentially zoned property. The project provides landscaping in significant excess of the City's minimum requirement for 15% of the net site area. Access to the site is from Antequera Road, an interior roadway designed to serve the North Andalucia development.*

*The request is to allow a bank with drive up service on a property that is currently zoned for residential, office, and commercial uses. The Site Plan for Subdivision indicates that locations within 300 feet of Learning Rd. shall be used for residential and office uses. This property is within that area. The request is to allow a use that is essentially an office use, but which has some elements that are slightly more intense. The applicant has demonstrated that site elements were designed to minimize adverse effects of the proposed use on nearby residential environments. The location of the service windows are sited away residential areas and with extensive buffering between the drive-up area and the adjacent residential property. The only access to the site is proposed off Antequera Rd, which should minimize traffic impacts on Learning Rd. and Coors Blvd. Also, only one access point is proposed for the two new tracts being created through this request. The request furthers Policy II.B.5.i.*

Policy II.C.4.a: (Noise) Noise considerations shall be integrated into the planning process so that future noise/land use conflicts are prevented.

*The project includes drive in banking facilities. The closest teller speaker to residential is approximately 120 feet. A solid wall 6 foot with 10 feet of adjacent landscaping is proposed along the north side of the site adjacent to the apartment site. Between this 10 feet of landscape and wall, the design incorporates a 20 foot circulation road with a wide median of landscaping and then the teller speakers. Noise conflicts are thereby adequately mitigated.*

*The proposed use, Bank with Drive-up Service, is potentially noisier than office uses. There will be additional traffic, idling traffic in the drive through area, and teller speakers for the drive-up service windows. However, as discussed, the applicant has demonstrated adequate mitigation measures. Staff finds that noise considerations have been integrated into the site design process and evaluation of the suitability of this site for a zone change. The request furthers Policy II.C.4.a.*

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

*The Credit Union anticipates 25-30 employees for this initial phase of development. The Credit Union will provide a range of employment opportunities and skill and salary levels within this facility.*

***The request will provide additional employment opportunities in an area that is underserved with jobs. The request furthers Policy II.D.6.a.***

***West Side Strategic Plan (Rank II)***

The West Side Strategic Plan (WSSP) was adopted in 1997 and amended in 2009 to help promote the development of Neighborhood and Community Centers. It encompasses over 150 square miles (specific boundaries are shown on page 2 in the WSSP). 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, which is entirely east of the volcanic escarpment. Discussion of this community begins on page 58 of the plan. This community has an established pattern of residential neighborhoods and commercial, employment and public/institutional uses. The subject site is not in a Community or Neighborhood Center; it is located south of the Montaño/Coors Village Community Center. Staff has reviewed this application against relevant WSSP goals and policies.

Objective 8: Promote job opportunities and business growth in appropriate areas of the West Side.

***This request will provide additional job opportunities and business growth in an area already zoned for commercial and office use. The request furthers Objective 8 (WSSP).***

Objective 10: The Plan should create a framework to build a community where its citizens can live, work, shop, play, and learn together while protecting the unique quality of life and natural and cultural resource for West Side residents.

*The proposed zone map amendment and site plan provide an additional service for the surrounding neighborhoods, while preserving views, providing appropriate landscaping, and adding to the high quality built environment. As previously stated, the USNMFCU has 800 customers that live in Taylor Ranch with no branches located on the West Side to serve them. Restricting this parcel to strictly office use in this location would not serve the general public as well as mortgage lending and bank use in an area lacking in these types of services. This is a good location for this use and all measures of mitigating any negative impacts of this slightly higher use than what is currently allowed have been utilized in the design and layout of the building and vehicle and pedestrian circulation systems.*

***The request seeks to provide a neighborhood-oriented service in a location that is well served by existing infrastructure. It is located within a mixed-use, Master Planned subdivision. The site is governed by design guidelines that are intended to promote a high quality of life and***

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*respect the natural and cultural resources that can be found in close proximity. The request furthers Objective 10 (WSSP).*

***Coors Corridor Plan (Rank III)***

The site is within the boundaries of the Coors Corridor Plan, adopted in 1984 and revised in 1989. The Plan provides policy and guidelines for the design of Coors Boulevard and adjacent properties from Central Avenue north to State Road 528 (Alameda Boulevard). The plan also puts emphasis on Coors Boulevard as a transit and pedestrian corridor. The subject property is in Segment 3 of the Coors Corridor Plan, which extends from Western Trail on the south to Calabacillas Arroyo on the north. The plan recommends residential uses for the area of this proposed site plan, and for new development to comply with design guidelines. There are policies applicable to this request, including:

Policy 3: 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.

*Although not cited by the applicant, staff finds this policy relevant to the zone map amendment. Staff finds that this request will facilitate new development in the Coors Corridor that was carefully designed to be compatible with the natural landscape and environment. The site is in a Master Planned subdivision which has existing infrastructure improvements, but no development has occurred since 2005, when the site plan was approved. If approved, this development will set a precedent of high quality architecture and site design. Area residents have expressed support of the project and approval of the design, specifically mentioning that future development within the subdivision should be consistent with this project. The request complies with the design regulations and guidelines in the Coors Corridor Plan and the Site Plan for Subdivision. This request furthers Policy 4.A.3 (CCP).*

D. The applicant must demonstrate that the existing zoning is inappropriate because:

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

*The Zone Map Amendment is justified based upon the use being more advantageous to the community. As previously stated, while the Credit Union operates as a typical office, banking is not a permissive use in the O-1 zone. The applicant is requesting as much as needed for this specific use and no greater. This use will add to the mix of uses proposed for Andalucia and can serve adjacent residential neighborhoods.*

*Staff generally agrees with the justification that the proposed category is more advantageous to the community (D.3). As analyzed in Section B, there are significant reasons that banking is not a permissive O-1 use. However, the applicant adequately demonstrated how these potential*

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*adverse effects will be mitigated through site design (Section VII). The use is compatible with the O-1 zone and proposed future uses, and is more advantageous because it will facilitate the development of neighborhood services in an appropriate location.*

*Further, staff finds that the applicant adequately justified that the proposed zoning and land use are more advantageous to the community, according to adopted plans and policies cited in Section C above. As demonstrated, the request is not only consistent with the policies, but it also furthers the preponderance of relevant policies. Because the policies are furthered, this request is generally a more advantageous land use for the community.*

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

*The current zoning on this property is C-2, O-1, and PRD (20 du/ac). The Site Plan for Subdivision restricted the land use to O-1, however, permissive uses in the underlying zoning, particularly C-2 are far more intense than the proposal to change the underlying zoning to O-1 with Bank and Drive Up Service. All of the existing permissive uses in the O-1 zone remain with this request; the zone change has been crafted to only allow one additional use of bank with drive-up service. This additional use will not harm the adjacent property, the neighborhood, or the community. As stated in response to item "C" above, the request furthers numerous city goals and policies from the Comprehensive Plan, West Side Strategic Plan, and the Coors Corridor Plan. Noise, lighting, and development intensity has been designed to minimize the impact to the surrounding area.*

***Staff agrees. Staff finds that the proposed land use and permissive uses are compatible with the surrounding properties and neighborhood. The site design minimizes any potential adverse impacts to the adjacent properties. No new or potentially harmful uses would be added to the neighborhood or subdivision.***

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

*This zone change request will not require any (planned or unplanned) capital expenditures by the city. The subject property is served by an existing transportation network that will be better served with a low traffic generator. Public infrastructure is in place, as well as infrastructure designed and constructed by Silverleaf Ventures to serve this development. On-site infrastructure will be paid for by the US New Mexico Federal Credit Union. This project benefits the city and will benefit the public by the Transit Department's requirement for the developer to install a new bus shelter, bench, and trash receptacle along the Coors Boulevard frontage at the location of the existing bus stop, which currently does not contain any amenities.*

***Staff generally agrees. However, the zone change will allow a higher traffic generator than what is currently permissive at this location. The site is served with existing public infrastructure. No capital expenditures are required at this location.***

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

*Economic considerations pertaining to the applicant are not being used to justify this request.*

***Staff agrees. The applicant has relied on adopted goals and policies to justify this request.***

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

*The subject site is located adjacent to Coors Boulevard, but does not have access. The access is from Antequera Road, which was planned, designed, and constructed to serve this development.*

***Staff agrees. The applicant is not using the location of the property as justification for the zone change request.***

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

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

*The proposed zone change does not create a spot zone. Rather, it maintains the SU-1 zoning designation and the primary underlying zone category of O-1 while removing C-2 and PRD. The SU-1 zoning designation is common to all of the adjacent Andalucia development on the east side of Coors Boulevard from Montañó Road to Namaste Road. Zoning for office use has long been established on this property.*

***This request will maintain the SU-1 zoning that already is designated for this site. However, pursuant to the Site Plan for Subdivision, C-2 uses are not allowed on this site; it is restricted to O-1 and PRD. The request does create a spot zone, by adding a use that is first allowed in the C-1 zone. It is a justifiable spot zone because it furthers goals and policies of the Comprehensive Plan, West Side Strategic Plan, and the Coors Corridor Plan. In this manner, it clearly facilitates realization of adopted plans and policies.***

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

*The proposed zone change does not give this parcel zoning that is wholly different from surrounding zoning of SU-1 for C-2, O-1 and PRD (20 du/ac). It also cannot be considered "strip zoning" due to the size and location of the site. The site is rectangular in shape, only 3.38 acres in size, with 330 feet of frontage along Coors Boulevard and a site depth of 443 feet between Coors Boulevard and Antequera Road, a frontage far short and a depth in excess of the definition of strip zoning/development (see definitions below [in applicant's justification letter]). There is no direct access from Coors Boulevard, a principal arterial or Learning Road, a major local street. The singular vehicular access to this parcel is from Antequera, a local street internal to and designated to serve the Andalucia North development.*

***Staff agrees. Definitions provided by the applicant indicate that strip development has been defined by other jurisdictions as being less than 250-feet in depth and taking access from the principal arterial road. As described by the applicant, this site does not meet these criteria.***

**V. AMENDMENT TO SITE DEVELOPMENT PLAN FOR SUBDIVISION – 11EPC-40075**

The purpose of the Amendment to the Site Development Plan for Subdivision is to subdivide two lots and to develop a bank with drive up service on the western lot and future office on the eastern lot.

Zoning Code §14-16-1-5 defines a site development plan for subdivision as follows:

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.

The amended Site Plan for Subdivision complies with this definition. The amendment adds the two new lots as well as the zoning designation sought by this request (11EPC-40074). It demonstrates vehicle and pedestrian access into the site. It also modifies the use restriction area adjacent to Learning Rd. to terminate southeast of the subject site, so the Site Plan for Subdivision will not conflict with the requested change in use.

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**VI. SITE DEVELOPMENT PLAN FOR BUILDING PERMIT – 11EPC-40076**

The purpose of the proposed Site Plan for Building Permit is to develop a bank with drive up service. Zoning Code §14-16-1-5 defines a Site Plan for Building Permit as follows:

An accurate plan at a scale of at least 1 inch to 100 feet which covers at least one lot and provides all information required for the Site Development Plan for Subdivision...In addition to information required for Subdivision, exact structure locations, structure (including sign) elevations and dimensions, parking facilities, loading facilities, any energy conservation features of the plan (e.g., appropriate landscaping, building heights and siting for solar access, provision for non-auto transportation, or energy conservational building construction), and proposed schedule for development.

§14-16-3-11 of the Zoning Code states, "...Site Development Plans are expected to meet the requirements of adopted city policies and procedures." As such, staff has reviewed the attached site development plan for conformance with applicable goals and policies of the Comprehensive Plan, the West Side Strategic Plan, and the Coors Corridor Plan. The applicant provided extensive policy analysis that is applicable to the Site Plan for Subdivision in the project memo dated November 21, 2011 that demonstrates consistency with the adopted plans and policies.

The Site Development Plan for Building Permit includes a site plan, site details, a landscaping plan, a conceptual grading plan, conceptual utility plan, exterior building elevations, free-standing signage details, and a view analysis. All building-mounted signage is shown on the building elevations. The Site Plan for Building Permit also includes a view analysis, pursuant to the Coors Corridor Plan. Staff notes that the application substantially complies with the Site Plan for Subdivision Design Guidelines. However, there are some instances of non-compliance, including the maximum allowable height of parking lot lights and the location of the proposed free-standing monument sign. The conditions of approval address the inconsistencies.

There is one design standard that the request does not comply with regarding Screening / Walls and Fences. The fourth bullet states: "No refuse collection areas shall be allowed between streets and building fronts." The proposed building has main entrances on the south and east sides; it is not designed to have a "back side." The applicant modified the site plan to address concerns raised by the Solid Waste Department, and agreed on the present location on the south side of the building as the most suitable place for the collection area. The refuse container is screened with landscaping and an architecturally integrated screen wall, which meets the intent of the design guidelines.

***Site Plan Layout / Configuration***

The site is located between Coors and Antequera at Learning Rd. The Site Plan for Subdivision will create two new tracts, one facing Coors Blvd. (2.42 acres) and the other facing Antequera Rd. (0.96 acres). For discussion purposes, the larger lot to the northwest will be referred to as Tract 5A, and the smaller lot facing Antequera Rd. will be referred to as Tract 5B.

The subject site is graded at an elevation approximately 18-feet below Coors Blvd. Learning Rd. slopes down from Coors Blvd. to match the approximate building pad elevation at Antequera Rd.

Retaining walls are used adjacent to Coors Blvd. and Learning Rd. to transition between the two elevations.

The proposed bank building is oriented in the center of Tract 5B. The maximum building height is 26-feet, which is consistent with the O-1 zone allowances. The one-story building will have a minimal impact on the view plane from Coors Blvd. The FAR is 0.11, and 29% of the net lot area is landscaped. The minimum building setback is 73-feet from the southeast internal lot line, which is compliant with the governing O-1 regulations.

#### ***Vehicular Access and Circulation***

The only vehicular access is from Antequera Rd. – no access is provided from Coors Blvd. or Learning Rd. Antequera Rd. is a short local road in the subdivision that is parallel to Coors Blvd.

Access to Tract 5A will be provided via a private access easement across Tract 5B. Internal circulation on Tract 5A is shown all around the building. Parking is located primarily on the south and east sides of the building. Drive-up service windows are located on the north side of the building, with a looped traffic circulation pattern on the north side of the property.

A Traffic Impact Study (TIS) has been submitted and has been reviewed. The City Engineer has required a cross-access easement between the two parcels being created and that all easements are shown and labeled.

#### ***Parking***

The parking is provided in small areas around three sides of the building, which avoids one large parking field and improves pedestrian access. The applicant has provided 65 parking spaces. According to both the West Side Strategic Plan (Policy 4.6.h) and the Site Plan for Subdivision design guidelines, parking is limited to 10% over the minimum parking requirement. At full build-out, the proposed building will be 11,810 SF. Parking for a bank is calculated at the rate of one space per 200 SF of building space, which results in a minimum of 60 parking spaces and a maximum of 66 spaces. The parking provided is consistent with the Design Guidelines.

The parking is shown to directly abut the proposed lot line, without the required landscape buffer. However, the applicant has indicated that the parking area on the east side of the building will be developed as shared access and parking for Tract 5B. Section 14-16-3-10(E)(3)(c) of the Zoning Code states: "The landscape buffer may be relocated if the lot line is within a common access easement." The cross-lot access easement will be provided through platting action at the time of DRB approval, as shown in the notes on Sheet 1.

#### ***Pedestrian and Bicycle Access and Circulation***

The pedestrian and bicycle circulation is consistent with the Design Guidelines. There are existing bicycle lanes on all adjacent roads, and a multi-use trail along Learning Rd. Public sidewalks are proposed to be constructed by the applicant along all adjacent roads at the perimeter of the property. There is one pedestrian connection between the building's main entrance and the public sidewalk along Learning Rd. which includes stairs; ADA-compliant access is provided from Antequera Rd. Due to the site topography, there is no accessible route from Coors Blvd. and Learning Rd. There is also no direct connection between the building and

the proposed transit shelter, due to the site topography. Pedestrian access is provided at the most direct, feasible location.

Within the site, pedestrian access is primarily provided directly from the small parking areas to the pedestrian plaza and paved walkway in front of the building. Colored, textured crosswalks are provided where main pedestrian routes cross the drive aisles.

#### ***Transit Access***

The Transit Department has required an easement and installation of a bus shelter along Coors Blvd. The location was not specified. The applicant must coordinate with Transit to determine the most appropriate location for the bus stop and improvements. This is included as a recommended condition of approval. Adequate pedestrian access has been provided to the site and to adjacent parcels, as the site topography allows.

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

A 373 SF patio area has been provided at the northwest side of the building, with a low courtyard wall, benches and a picnic table, a trash receptacle, and tree canopy shading. An entry plaza area is provided on the southwest side of the building. No public open space is required for buildings under 60,000 SF. Zoning Code §14-16-3-8(D)(3) requires a minimum 300 SF outdoor gathering space for employees, which is provided. The Design Guidelines only require usable open space for residential uses.

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

The walls provided are consistent with the Design Guidelines. Two terraced 2.5-foot retaining walls are used on the north and south sides of the property, along Coors Blvd. and Learning Rd. They are recessed below the level of the street network, and will not be visible from the roads. The split-face masonry block wall will have a 3.5-foot tubular steel safety fence mounted on top.

The request proposes a 3-foot high courtyard wall around the plaza area. It is not specified if the wall is split-face masonry, like the retaining walls, or if it will be stuccoed, like the refuse enclosure.

There is a side yard wall proposed along the length of the property line contiguous to Tract 4. The maximum height is 6-feet tall, and it is colored to match the building. The wall will provide privacy between the two properties as well as serving to terrace the subject site above Tract 4. Per §14-16-3-3 (A)(4)(b)(2) of the Zoning Code, a wall abutting a residential zone may be up to 8-feet above the lowest grade on the residential side.

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

Eleven light poles are proposed at either 16 or 20-feet height, depending on the distance from a residential zone. The site plan indicates that lights within 70-feet of residential will be a maximum of 16-feet; also, it indicates that all lighting shall comply with §14-16-3-9, Area Lighting Regulations. The Area Lighting Regulations, Section F, allows a maximum height of 16-feet for light poles within 100 feet of a residential zone, which is more restrictive than the site

plan. The site plan note should be modified to be consistent with the Zoning Code Area Lighting Regulations. This modification is recommended as a condition of approval.

### ***Landscaping***

The site proposes 28,291 SF of landscaping on-site and 6,017 SF of off-site landscaping. At 27% of the net lot area, the landscaping provided is over and beyond the required 15%. The planting density is approximately 75% coverage with live, vegetative material, which is consistent with the zoning code and the Coors Corridor Plan landscape requirements. Gravel mulch, cobble, and boulders are proposed as ground cover, which is consistent with the Design Guidelines.

There is a 35-foot front landscaped buffer along Coors Blvd.; a 22-foot buffer along Learning Rd.; a 10-foot minimum buffer adjacent to Tract 4; and a zero-lot line at the new Tract 5B. According to §14-16-3-10 (E)(3)(b), the minimum landscape buffer is 6-feet, however, the "landscape buffer may be relocated if the lot line is within a common access easement." The applicant has explained that the future development of Tract 5B will have a circulation pattern that joins with Tract 5A. The cross-lot access easement will be provided through platting action at the time of DRB approval, and is included as a condition of approval.

The Design Guidelines require street trees at the rate of one tree per 25 linear feet. The landscape plan is consistent with this requirement. Fourteen street trees are required along Coors Blvd., and 14 are provided within 20-feet of the right-of-way. The placement of the trees is clustered in order to maintain views of the Sandia Mountains from Coors Blvd. Comments from the Police Department also support clustered landscaping in order to preserve views into and out of the site for safety and surveillance purposes. The Police Department also notes some locations where the landscaping and lighting are in conflict with each other, which may become a problem when the trees are fully mature.

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

Grading, drainage, utility plans are included in the submittal packet. The site relies on culverts, storm drains, and surface drainage to direct on-site drainage to an existing storm drain in the public right of way. A gravel infiltration basin and swale is provided in a landscaped area north of the building and drive through. Other water harvesting is provided in the landscaped areas. The utility plan indicates that the site has private utility lines connecting to existing service in the public right-of-way. The utility plan is consistent with the Design Guidelines.

### ***Architecture***

The proposed building design is a pueblo-influenced design with earth-tone stucco and stacked stone veneer. The building is proposed to be 8,370 SF in the first phase and 11,810 SF at final build-out. The structure has a variegated roofline that is generally between 18 and 21.5-feet tall, including equipment screening walls. The building height is consistent with O-1 regulations, which allow heights up to 26-feet and above if solar access is preserved. The building height is also consistent with the Site Plan for Subdivision design guidelines which allow a maximum height of 45-feet, contingent on preservation of views of the Sandia Mountains.

There are two main entrances to the building, on the south and east sides of the building. The entrances are covered by a portico. The building has a variety of fenestration, building materials, and other architectural detailing.

### ***Signage***

The proposed signage is shown on the building elevations, Sheet 5 and the monument sign detail is on Sheet 7. There are three building mounted signs, one facing each of the public rights-of-way adjacent to the building. The signs are proposed to be internally-lit reverse channel letters. The sign face area for each sign is approximately 92 SF, which is primarily an aluminum face with the words and eagle image cut out. The sign has six words and one image. The building mounted signs are consistent with the Coors Corridor Plan design guidelines, which limit signs to 10 words or items per street frontage. The building mounted signs are also consistent with the entire site plan for subdivision design guidelines.

One free-standing monument sign is proposed on Antequera. It has approximately 37.5 SF of sign face area. This is inconsistent with the sign regulations of the site plan for subdivision design standards. The design standards state: "The following standards were developed to regulate the size, location, type, and quality of sign elements within North Andalusia at La Luz." Regarding regulation of the location of signs, the standards indicate: "Three project monument signs are allowed at the entries along Coors Boulevard and one minor entry monument sign is allowed on Montano Road as landmarks identifying the project." By specifying the total number of free-standing signs allowed, their location, and size, the design guidelines are interpreted to prohibit additional free-standing signs. This interpretation is further supported by the fact that the three project monument signs are allowed along Coors Blvd, within the Established Urban Area. One monument sign is specifically allowed in the Developing Urban Area on Montañito Rd. which conflicts with the Zoning Code general signage regulations. Staff does not find that it would be appropriate to allow an additional, unspecified number of free-standing signs in the Developing Urban Area. The EPC would have to modify the site plan for subdivision in order to allow the monument sign as proposed. The Planning Department supports the provision of one multi-tenant monument sign at the intersection of Coors and Learning. Signage for future tenants must comply with the Coors Corridor Plan design guidelines and the zoning code general regulations.

### ***View Preservation***

The Site Plan for Building Permit includes a View Analysis on Sheet 6. This requirement of the Coors Corridor Plan and the Site Plan for Subdivision Design Guidelines is satisfactorily addressed. The View Diagram and View Window demonstrate that the building will have a minor impact on views to the Sandia Mountains. The building height is compliant with the requirements of Issue 4, Section C, View Preservation for Segments 3 and 4 of the Coors Corridor Plan (pages 104-109). At a 45-degree sighting line from the Coors Blvd. centerline, the building height does not penetrate above the view of the Sandia Crest ridgeline as seen from four feet above the east edge of the roadway. Also, less than one-third of the total building height penetrates through the view frame. Finally, significantly less than 50 percent of the view area is obscured by the bulk of the building. The proposed building is consistent with the Coors Corridor Design Regulations.

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## **VII. AGENCY & NEIGHBORHOOD CONCERNS**

### ***Reviewing Agencies/Pre-Hearing Discussion***

City departments and other agencies had the opportunity to review this application between 10/31/11 and 11/10/11. Agency comments used in the preparation of this report begin on page 29. The majority of comments were standard and informational comments.

Transportation Development Services requires additional dimensioning of transportation related items and requires for all easements to be indicated on the site plan. The Transit Department requires an easement to be dedicated and installation of a bus shelter. Public Service Company of New Mexico had comments regarding easements and provision of service. Police provided comments regarding safety and suggestions for improving the surveillance of the site.

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

Property-owners within 100', La Luz del Sol N.A., La Luz Landowners Assoc., Taylor Ranch N.A. the Northwest Alliance of Neighbors, and the Westside Coalition of Neighborhood Associations were notified. A facilitated meeting was held on November 17, 2011. There was general support for the project and the design, which "fit in well with their expectations and desires for development on this site" according to the facilitator's report. Verbal comments were submitted by Dr. Perls expressing concern about the bright sign colors and requesting the lights be dimmed at night. The applicant is unable to modify the Credit Union's logo colors, but is evaluating if the lights could be dimmed.

## **VIII. CONCLUSION**

The proposal is for a zone map amendment, a Site Plan for Subdivision amendment, and a Site Development Plan for Building Permit for Tract 5, North Andalucia at La Luz, on a 3.38-acre tract of land located on Coors Blvd. NW at the northeast corner of the intersection with Learning Rd. NW. The subject site is zoned SU-1 for C-2, O-1 and PRD. The requested zone is SU-1 for O-1 and Bank with Drive-up Service. The requested zone will maintain the stability of land use in the area and will not negatively impact the neighborhood or community.

The request furthers the preponderance of applicable City goals and policies as cited in the Comprehensive Plan, the West Side Strategic Plan, the Coors Corridor Plan, and the City Zoning Code. The zone change request is adequately justified as being more advantageous to the community. With minor modifications, the site plan meets the requirements of a Site Plan for Building Permit. The proposed Site Plan for Building Permit is generally consistent with applicable design guidelines found in the Coors Corridor Plan and the Site Plan for Subdivision. Staff recommends conditions of approval to remedy minor inconsistencies with the zoning code and applicable plans.

***FINDINGS – 1003859 – 11EPC-40074 – December 8, 2011 – Zone Map Amendment***

1. This is a request for zone map amendment for Tract 5, Plat of North Andalucia at La Luz, located on Coors Blvd., northeast of Learning Rd., and containing approximately 3.38 acres.
2. The applicant is proposing to subdivide and to develop a Credit Union branch office.
3. The subject site is zoned SU-1 for C-2, O-1 and PRD. The proposed use is permissive under the current zoning; however, the Site Plan for Subdivision designates this parcel for O-1 uses. Therefore, a zone map amendment is requested to allow a use that is compatible with the O-1 zone, without opening the site to the full range of C-2 uses that are available elsewhere in the subdivision.
4. The Environmental Planning Commission (EPC) has decision-making authority for a zone map amendment, pursuant to §14-16-4-1(C)(10)(a) of the Zoning Code.
5. The site is located within the Established and Developing Urban Areas of the Comprehensive Plan and within the boundaries of the West Side Strategic Plan and the Coors Corridor Plan. Coors Blvd. is an Enhanced Transit Corridor, as designated in the Comprehensive Plan.
6. The Albuquerque/Bernalillo County Comprehensive Plan, West Side Strategic Plan, the Coors Corridor Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
7. The zone map amendment request furthers the following Comprehensive Plan policies:
  - a. Policy II.B.5.d: With minor conditions, the location, intensity and design of the new development generally further this policy. The proposed use respects neighborhood values and provides a service appropriate for a mixed-use development.
  - b. Policy II.B.5.e: The subject site is contiguous to existing urban facilities and is designed to lessen any potential negative impacts of the proposed use.
  - c. Policy II.B.5.i: The requested zone is governed through the site development plan for subdivision, which provides assurances about the form of development. The site design effectively mitigates potentially adverse effects of the bank and drive-up service. The zone map amendment will facilitate the development of new employment and services.
  - d. Policy II.C.4.a: Noise considerations have been integrated into the site design process and evaluation of the suitability of this site for a zone change.

- e. Policy II.C.6.a: The request will provide additional employment opportunities in an area that is underserved with jobs.
8. Regarding the West Side Strategic Plan policies, the zone map amendment request furthers Objective 8 and 10 by providing opportunities for additional jobs to locate on an undeveloped, commercially-zoned property. The request seeks to provide a neighborhood-oriented service in a location that is well served by existing infrastructure.
9. Regarding the Coors Corridor Plan policies, the zone map amendment request furthers Policy 3 by facilitating new development in the Coors Corridor that was carefully designed to be compatible with the natural landscape and environment in a master planned subdivision with existing infrastructure improvements.
10. Property-owners within 100', La Luz del Sol N.A., La Luz Landowners Assoc., Taylor Ranch N.A., the Northwest Alliance of Neighbors, and the Westside Coalition of Neighborhood Associations were notified. A facilitated meeting was held on November 17, 2011. There was general support for the project and the design.

***RECOMMENDATION – 1003859 – 11EPC-40074 – December 8, 2011 – Zone Map Amendment***

**APPROVAL of 11EPC-40074, a request for a Zone Map Amendment for Tract 5, Plat of North Andalucia at La Luz, based on the preceding Findings.**

***CONDITIONS OF APPROVAL – 1003859 – 11EPC-40074 – December 8, 2011 – Zone Map Amendment***

1. Pursuant to Zoning Code §14-16-4-1(C)(11), a zone map amendment does not become official until all Conditions/Requirements of Approval are met. If such requirements are not met within six months after the date of final City approval, the zone map amendment is void. The Planning Director may extend this time limit up to an additional six months upon request by the applicant.

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***FINDINGS – 1003859 – 11EPC-40075 – December 8, 2011 – Site Plan for Subdivision Amendment***

1. This is a request for zone map amendment for Tract 5, Plat of North Andalucia at La Luz, located on Coors Blvd., northeast of Learning Rd., and containing approximately 3.38 acres.
2. The applicant is proposing to subdivide and to develop a Credit Union branch office.
3. The subject site is zoned SU-1 for C-2, O-1 and PRD. The proposed use is permissive under the current zoning; however, the Site Plan for Subdivision designates this parcel for O-1 uses. Therefore, a zone map amendment is requested to allow a use that is compatible with the O-1 zone, without opening the site to the full range of C-2 uses that are available elsewhere in the subdivision.
4. The Environmental Planning Commission (EPC) has decision-making authority for approving Site Development Plans, pursuant to §14-16-2-22(A)(1) of the Zoning Code.
5. The site is located within the Established and Developing Urban Areas of the Comprehensive Plan and within the boundaries of the West Side Strategic Plan and the Coors Corridor Plan. Coors Blvd. is an Enhanced Transit Corridor, as designated in the Comprehensive Plan.
6. The Albuquerque/Bernalillo County Comprehensive Plan, West Side Strategic Plan, the Coors Corridor Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
7. The Site Plan for Subdivision Amendment request furthers the following Comprehensive Plan policies:
  - a. Policy II.B.5.d: With minor conditions, the location, intensity and design of the new development generally further this policy. The proposed use respects neighborhood values and provides a service appropriate for a mixed-use development.
  - b. Policy II.B.5.e: The subject site is contiguous to existing urban facilities and is designed to lessen any potential negative impacts of the proposed use.
  - c. Policy II.B.5.i: The requested zone is governed through the site development plan for subdivision, which provides assurances about the form of development. The site design effectively mitigates potentially adverse effects of the bank and drive-up service. The zone map amendment will facilitate the development of new employment and services.
  - d. Policy II.C.4.a: Noise considerations have been integrated into the site design process and evaluation of the suitability of this site for a zone change.

- e. Policy II.D.6.a: The request will provide additional employment opportunities in an area that is underserved with jobs.
- 8. Regarding the West Side Strategic Plan policies, the Site Plan for Subdivision Amendment request furthers Objective 8 and 10 by providing opportunities for additional jobs to locate on an undeveloped, commercially-zoned property. The request seeks to provide a neighborhood-oriented service in a location that is well served by existing infrastructure.
- 9. Regarding the Coors Corridor Plan policies, the Site Plan for Subdivision Amendment request furthers Policy 3 by facilitating new development in the Coors Corridor that was carefully designed to be compatible with the natural landscape and environment in a Master Planned subdivision with existing infrastructure improvements.
- 10. Property-owners within 100', La Luz del Sol N.A., La Luz Landowners Assoc., Taylor Ranch N.A., the Northwest Alliance of Neighbors, and the Westside Coalition of Neighborhood Associations were notified. A facilitated meeting was held on November 17, 2011. There was general support for the project and the design.

***RECOMMENDATION – 1003859 – 11EPC-40075 – December 8, 2011 – Site Plan for Subdivision Amendment***

**APPROVAL of 11EPC-40075, a request for a Site Plan for Subdivision Amendment for Tract 5, Plat of North Andalucia at La Luz, based on the preceding Findings.**

***CONDITIONS OF APPROVAL – 1003859 – 11EPC-40075 – December 8, 2011 – Site Plan for Subdivision Amendment***

- 1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
- 2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.

3. Conditions of approval from the City Engineer, Municipal Development and NMDOT for the proposed Site Development Plan for Building Permit shall include:
  - a. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as may be required by the Development Review Board (DRB).
  - b. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and/or provided for.
  - c. Concurrent Plating Action required at Development Review Board (DRB).
  - d. Sidewalk Easement will be required for meandering 6-foot sidewalk on Learning Road and Coors Blvd.
  - e. A cross access easement between the two new tracts is required.
  - f. All easements need to be shown and labeled on site plan.
  - g. Provide/label/detail all dimensions and proposed infrastructure for Site.
  - h. Stairs are not allowed within City of Albuquerque ROW. Please relocate into private property.
  - i. Site plan shall comply and be designed per DPM Standards.

***FINDINGS – 1003859 – 11EPC-40076 – December 8, 2011 – Site Plan for Building Permit***

1. This is a request for zone map amendment for Tract 5, Plat of North Andalucia at La Luz, located on Coors Blvd., northeast of Learning Rd., and containing approximately 3.38 acres.
2. The applicant is proposing to subdivide and to develop a Credit Union branch office.
3. The subject site is zoned SU-1 for C-2, O-1 and PRD. The proposed use is permissive under the current zoning; however, the Site Plan for Subdivision designates this parcel for O-1 uses. Therefore, a zone map amendment is requested to allow a use that is compatible with the O-1 zone, without opening the site to the full range of C-2 uses that are available elsewhere in the subdivision.
4. The Environmental Planning Commission (EPC) has decision-making authority for approving Site Development Plans, pursuant to §14-16-2-22(A)(1) of the Zoning Code.
5. The site is located within the Established and Developing Urban Areas of the Comprehensive Plan and within the boundaries of the West Side Strategic Plan and the Coors Corridor Plan. Coors Blvd. is an Enhanced Transit Corridor, as designated in the Comprehensive Plan.
6. The Albuquerque/Bernalillo County Comprehensive Plan, West Side Strategic Plan, the Coors Corridor Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
7. The Coors Corridor Design Regulations and the North Andalucia at La Luz site plan for subdivision design standards apply.
8. The Site Plan for Building Permit request furthers the following Comprehensive Plan policies:
  - a. Policy II.B.5.d: The request is consistent with the policies and design guidelines provided in adopted area and sector plans, as well as the EPC approved Site Plan for Subdivision. In this manner, the request respects area values and resources. The site design buffers the drive up service windows from adjacent residential development with a yard wall, landscaping, and 120-foot distance, which will mitigate any potential adverse impacts of the proposed use. The location, intensity and design of the new development generally further this policy.

- 
- b. Policy II.B.5.e: This request proposes new development in an area served by existing urban facilities, infrastructure, and services. The subject site does not propose access from the adjacent principal arterial, Coors Blvd., or the adjacent Major Local Street, Learning Rd., which will minimize impacts on the adjacent neighborhood.
  - c. Policy II.B.5.g: The design and landscaping of the proposed development respect the site topography. The development provides connections to existing trails in the area.
  - d. Policy II.B.5.i: The site is designed to minimize potential noise and traffic impacts. The proposed cut-off lighting and landscape buffers will also serve to minimize potential adverse effects on the adjacent neighborhood.
  - e. Policy II.B.5.k: The subject site is designed to minimize harmful effects of traffic by limiting access to one driveway located on Antequera Rd, a local street, and by not providing access to Coors Blvd. The livability of the adjacent neighborhood is respected by providing extensive site landscaping which serve as a buffer between the uses.
  - f. Policy II.B.5.l: The proposed building is well-articulated and designed to have no "back side." Area residents have indicated that the building is attractive and is compatible with their vision for the area.
  - g. Policy II.B.5.m: The architectural design is compliant with the design regulations included in the Coors Corridor Plan and the Site Plan for Subdivision. The building respects unique vistas from Coors Blvd. and generally improves the quality of the visual environment by adding variety and extensive landscaping.
  - h. Policy II.C.4.a: Noise considerations have been integrated into the site design process and evaluation of the suitability of this site for a zone change.
  - i. Policy II.C.8.d: The request proposes extensive landscaping both on-site and in the adjacent public rights-of-way. The development will help control erosion and dust, and will also incorporate water harvesting and xeric plant species.
  - j. Policy II.D.6.a: The request will provide additional employment opportunities in an area that is underserved with jobs.
9. Regarding the West Side Strategic Plan policies, the Site Plan for Building Permit request furthers Objective 8 and 10 by providing opportunities for additional jobs to locate on an undeveloped, commercially-zoned property. The request seeks to provide a neighborhood-oriented service in a location that is well served by existing infrastructure. Taylor Ranch Area Policy 3.12 is furthered because the subject site is infill development that is within existing transportation and utility service areas. The request furthers Policies 4.6 h and 4.10 by providing a commercial development adjacent to public transit, and accessible by trails, without providing an excess of parking.
10. Regarding the Coors Corridor Plan "Design Guidelines," Issue 4, Visual Impressions and Design Overlay Zone, the building design is aesthetically integrated into the site in relation to

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the visual impressions within the corridor, views within and from Coors Blvd., roadway, landscaping, outdoor space, and adjacent buildings, furthering Policies A.1, A.2, B.2, B.10, and C.1. Policies B.3, B.4 and B.5 are furthered by the landscape design which is complementary to the character of Coors Corridor and complies with the size, buffer area, and parking requirements. Policies B.5, B.6, B.7, and B.8 are furthered by the building's location along Coors and Eagle Ranch, with parking behind the main street frontages and adequate pedestrian access. The request does not conflict with any of the Coors Corridor Plan goals or policies.

11. The applicant has submitted a Coors View Analysis, which is consistent with the requirements in the Coors Corridor Plan. The proposed building complies with the Coors Corridor Design Regulations.
12. Property-owners within 100', La Luz del Sol N.A., La Luz Landowners Assoc., Taylor Ranch N.A., the Northwest Alliance of Neighbors, and the Westside Coalition of Neighborhood Associations were notified. A facilitated meeting was held on November 17, 2011. There was general support for the project and the design.

***RECOMMENDATION – 1003859 – 11EPC-40076 – December 8, 2011 – Site Plan for Building Permit***

**APPROVAL of 11EPC-40076, a request for a Site Plan for Building Permit for Tract 5, Plat of North Andalucia at La Luz, based on the preceding Findings.**

***CONDITIONS OF APPROVAL – 1003859 – 11EPC-40076 – December 8, 2011 – Site Plan for Building Permit***

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. Lighting:

- a. A note shall be provided on the Site Plan for Building Permit that indicates that all lighting will comply with the standards of §14-16-3-9, Area Lighting Regulations of the Zoning Code and the Coors Corridor Plan Lighting Regulations.
  - b. The Parking Lot Light Fixture Detail shall be modified to be consistent with the Zoning Code Area §14-16-3-9 Area Lighting Regulations, which allow a maximum height of 16-feet for light poles within 100 feet of a residential zone.
4. The following conditions from PNM shall be met:
  - a. As a condition, it is the applicant's obligation to determine if existing utility easements cross the property and to abide by any conditions or terms of those easements.
  - b. As a condition, it is necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service and options for the location of electric service connection regarding this project. Any existing or proposed public utility easements are to be indicated on the site plan utility sheet. PNM's standard for public utility easements is 10 feet in width to ensure adequate, safe clearances.
5. Conditions of approval from the Transit Department:
  - a. Applicant shall provide 5 ft. wide x 20 ft. long easement for placement of bus shelter near the location of existing bus stop on Coors. Transit requests that the applicant install a Type C bus shelter as per the COA Design standard COA 2355, and associated bench and trash can at the proposed bus stop. Applicant to consult the Transit department for the location of the proposed easement.
6. Conditions of approval from the City Engineer, Municipal Development and NMDOT for the proposed Site Development Plan for Building Permit shall include:
  - a. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as may be required by the Development Review Board (DRB).
  - b. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and/or provided for.
  - c. Concurrent Platting Action required at Development Review Board (DRB).
  - d. Sidewalk Easement will be required for meandering 6-foot sidewalk on Learning Road and Coors Blvd.
  - e. A cross access easement between the two new tracts is required.
  - f. All easements need to be shown and labeled on Site plan .
  - g. Provide/label/detail all dimensions and proposed infrastructure for Site.

- 
- h. Stairs are not allowed within City of Albuquerque ROW. Please relocate into private property.
  - i. Site plan shall comply and be designed per DPM Standards.
- 

***K. Carrie Barkhurst  
Planner***

cc: Consensus Planning, 302 8<sup>th</sup> Street NW, Albuquerque, NM 87102  
Suzanne Fetsco, 23 Wind NW, Albuquerque, NM 87120  
Art Woods, 33 Wind NW, Albuquerque, NM 87120  
Heather Badal, 4 Tennis Ct. NW, Albuquerque, NM 87120  
Rae Perls, 15 Tennis Ct. NW, Albuquerque, NM 87120  
David Waters, 5601 La Colonia Dr. NW, Albuquerque, NM 87120  
Rene' Horvath, 5515 Palomino Dr. NW, Albuquerque, NM 87120  
Dan Serrano, 4409 Atherton Way NW, Albuquerque, NM 87120  
Gerald Worrall, 1039 Pinatubo Pl. NW, Albuquerque, NM 87120  
Candy Patterson, 7608 Elderwood NW, Albuquerque, NM 87120

***Attachments***

2005 Official Notification of Decision for Site Plan for Subdivision, 1003859  
Activity Center Boundary Maps – Comprehensive Plan & West Side Strategic Plan  
Resolution 270-1980  
SU-1 Zoning Regulations  
Application Form  
TIS Form  
Authorization Letters – Applicant & Property Owner  
Revised R-270-1980 Justification Letter, November 21, 2011  
Staff Project Review Memo, November 11, 2011  
Applicant Project Letter, October 27, 2011  
Supplemental images to demonstrate sign type  
ONC Letter, Applicant's Letter & Certified Receipts  
La Luz Homeowner's Association comment summary  
Facilitated Meeting Report & Amendment  
Site Plan Reductions

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

### ***PLANNING DEPARTMENT***

#### **Zoning Enforcement**

No comments.

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

La Luz Del Sol NA (R); La Luz Landowners Assoc. (R); Taylor Ranch NA (R); Rio Oeste HOA  
Andalucia HOA; Northwest Alliance of Neighbors; Westside Coalition of NA's

10/31/11 -- Recommending Facilitation -- siw

10/31/11 -- Assigned to Diane Grover - sdb

#### **Long Range Planning**

Established Urban; Developing Urban; Coors Corridor; Westside Strategic Plan

Development on this site must comply with the height, design, setback, and view preservation standards of the Coors Corridor Plan.

The proposed SU-1 zone will continue to offer the community a chance to have input on development on the site.

#### **Metropolitan Redevelopment**

Amended Site Development Plan for Subdivision and for Building Permit. The subject development site is not within a Redevelopment Area, and Metropolitan Redevelopment Section staff have no comments on this application.

### ***CITY ENGINEER***

#### **Transportation Development**

Site Development Plan for Subdivision:

- 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).
- All the requirements of previous actions taken by the EPC and/or the DRB must be completed and/or provided for.
- A Traffic Impact Study (TIS) has been submitted and has been reviewed by Transportation Staff.
- The Traffic Impact Study is available for review by any interested party, in the office of the Traffic Engineer.
- Show all pedestrian and vehicular access/connectivity (ingress and egress).
- Concurrent Plating Action required at Development Review Board (DRB).

- A cross access easement with adjacent property owners is required.
- All easements need to be shown and labeled on Site plan .

**Site Development Plan for Building Permit:**

- 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).
- All the requirements of previous actions taken by the EPC and/or the DRB must be completed and/or provided for.
- A Traffic Impact Study (TIS) has been submitted and has been reviewed by Transportation Staff.
- The Traffic Impact Study is available for review by any interested party, in the office of the Traffic Engineer.
- Concurrent Plating Action required at Development Review Board (DRB).
- Sidewalk Easement will be required for meandering 6-foot sidewalk on Learning Road and Coors Blvd.
- A cross access easement with adjacent property (east tract) is required.
- All easements need to be shown and labeled on Site plan .
- Provide/label/detail all dimensions and proposed infrastructure for Site.
- A 6-foot wide, ADA accessible sidewalk connection needs to be provided from the roadway to the site. Please identify on Site plan .
- Stairs are not allowed within City of Albuquerque ROW. Please relocate into private property.
- Site plan shall comply and be designed per DPM Standards.

**Hydrology Development**

- A Conceptual Grading and Drainage Plan is required for DRB approval.

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

- Coors Boulevard is a limited access facility; but since no additional access points are requested as part of this application, there are no comments regarding on-street bikeways or roadway system facilities.

**DEPARTMENT of MUNICIPAL DEVELOPMENT**

**Traffic Engineering Operations**

- No comments received.

**Street Maintenance**

- No comments received.

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

Conditions of approval for the proposed Site Development Plan for Subdivision (Amendment) and Building Permit and Subdivision shall include:

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. Show all pedestrian and vehicular access/connectivity (ingress and egress).
4. Concurrent Plating Action required at Development Review Board (DRB).
5. Sidewalk Easement will be required for meandering 6-foot sidewalk on Learning Road and Coors Blvd.
6. A cross access easement between the two new tracts is required.
7. All easements need to be shown and labeled on Site plan .
8. Provide/label/detail all dimensions and proposed infrastructure for Site.
9. A 6-foot wide, ADA accessible sidewalk connection needs to be provided from the roadway to the site. Please identify on Site plan .
10. Stairs are not allowed within City of Albuquerque ROW. Please relocate into private property.
11. Site plan shall comply and be designed per DPM Standards.

***WATER UTILITY AUTHORITY***

**Utility Services**

***ENVIRONMENTAL HEALTH DEPARTMENT***

**Air Quality Division**

**Environmental Services Division**

***PARKS AND RECREATION***

**Planning and Design**

Please clearly indicate 6' sidewalk within Coors 35' Landscape Easement area. [PROVIDED]

**Open Space Division**

After review, Open Space Division has 'No Adverse Comment'.

***POLICE DEPARTMENT/Planning***

This project is in the NW Area Command.

- It appears the proposed lighting and landscaping plan are in conflict with each other. Recommend removing from the plan any large variety tree plantings from parking lot islands occupied by a pole light. Also, proposed bush variety plantings should be kept to no more than three feet high.
- All walkways, parking lots and driveways should be free of obstruction. These areas should have clear lines-of-sight.
- The proposed landscaping along the north, south and west sides of the property will eventually block visibility from these directions. Recommend reducing the number of linear plantings to allow more natural or video surveillance opportunities in and away from the property.
- Video surveillance cameras should be installed to cover all driveways, parking lots, walkways, building approaches, common areas and maintenance areas and dumpster location. Each camera should have the ability to be monitored and recorded for real-time and historical use.
- Security personnel should be present during operational hours to detect and detour any non-legitimate persons/activity entering the property from the surrounding proposed development. A portion of the total project could increase in incidents of various types of crimes spilling into this property. Crimes such as auto theft & burglary, robbery, assault, and shoplifting are examples of possible crimes that could adversely impact this facility.

***SOLID WASTE MANAGEMENT DEPARTMENT***

***Refuse Division***

Approved must comply with SWMD Ordinances may need to relocate enclosure.  
[RELOCATED]

***FIRE DEPARTMENT/Planning***

No Comments.

**TRANSIT DEPARTMENT**

Project # 1003859 11EPC-40074 SITE DEVELOPMENT - BLDG. PRMT. 11EPC-40075 AMEND SITE DEVELOPMENT PLAN - SUBDVN. 11EPC-40076 AMENDT TO ZONE MAP (ESTB ZONING/ZONE CHG)	Adjacent and nearby routes	Routes #155, Coors route, Route #96, Cross-town commuter, Route #790, Rapid Ride Blue Line pass the site on Coors.
	Adjacent bus stops	Bus stop located on Coors serves Route #96, Route #155 and Route #790 routes in the northbound direction..
	Site plan requirements	Applicant to provide 5' wide x 20' long easement for placement of bus shelter near the location of existing bus stop on Coors. Transit requests that the applicant install a Type C bus shelter as per the COA Design standard COA 2355, and associated bench and trash can at the proposed bus stop. Applicant to consult the Transit department for the location of the proposed easement.
	Large site TDM suggestions	N/A
	Other information	None.

**COMMENTS FROM OTHER AGENCIES**

**BERNALILLO COUNTY**

**ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY**

Reviewed, no comment.

**ALBUQUERQUE PUBLIC SCHOOLS**

North Andalucia at La Luz, Tract 5, is located on Coors Blvd NW between Learning Rd NW and Montano Rd NW. The owner of the above property requests a Site Development Plan for Building Permit, an Amendment to the Site Development Plan for Subdivision, and an Amendment to Zone Map for a Zone Change from SU-1 for C-2, O-1, and PRD to SU-1 for O-1 including Bank and Drive thru Facilities. This development will consist of US New Mexico Federal Credit Union. This will have no adverse impacts to the APS district.

**MID-REGION COUNCIL OF GOVERNMENTS**

For informational purposes, Coors Blvd has been classified as a high capacity limited access principal arterial. Right-in/right-out and driveway accesses are described in the Coors Corridor Plan. Additional restrictions may be imposed as per the adopted Coors Corridor Plan.

For informational purposes, Montano Rd has also been identified as a limited access principal arterial. No access shall be permitted between Coors Blvd and just east of Rio Grande Blvd.

Lastly, see attachments (Coors Blvd and Montano Rd congestion profiles) for more info.

**MIDDLE RIO GRANDE CONSERVANCY DISTRICT**

**NEW MEXICO DEPARTMENT OF TRANSPORTATION**

No comments received.

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

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

As a condition, it is necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service and options for the location of electric service connection regarding this project. Any existing or proposed public utility easements are to be indicated on the site plan utility sheet. PNM's standard for public utility easements is 10 feet in width to ensure adequate, safe clearances.



## TAB 5

The shopping center lacks effective and sufficient ingress/egress fail to recognize that large trucks are restricted on Montano is Coors.

Truck Access. As a result of the Montano truck access restriction trucks cannot access the site from Montano. See 2035 Metropolitan Transportation Plan adopted by MRCOG. For truck traffic south bound on Coors there is no signalized access. Vehicles southbound on Coors can turn left at Mirandela but the turning radii for trucks is uncertain. As discussed under Tab 1 the zoning code requires primary full access that does not go through a residential neighborhood (Learning Road access requires traversing a residential neighborhood).

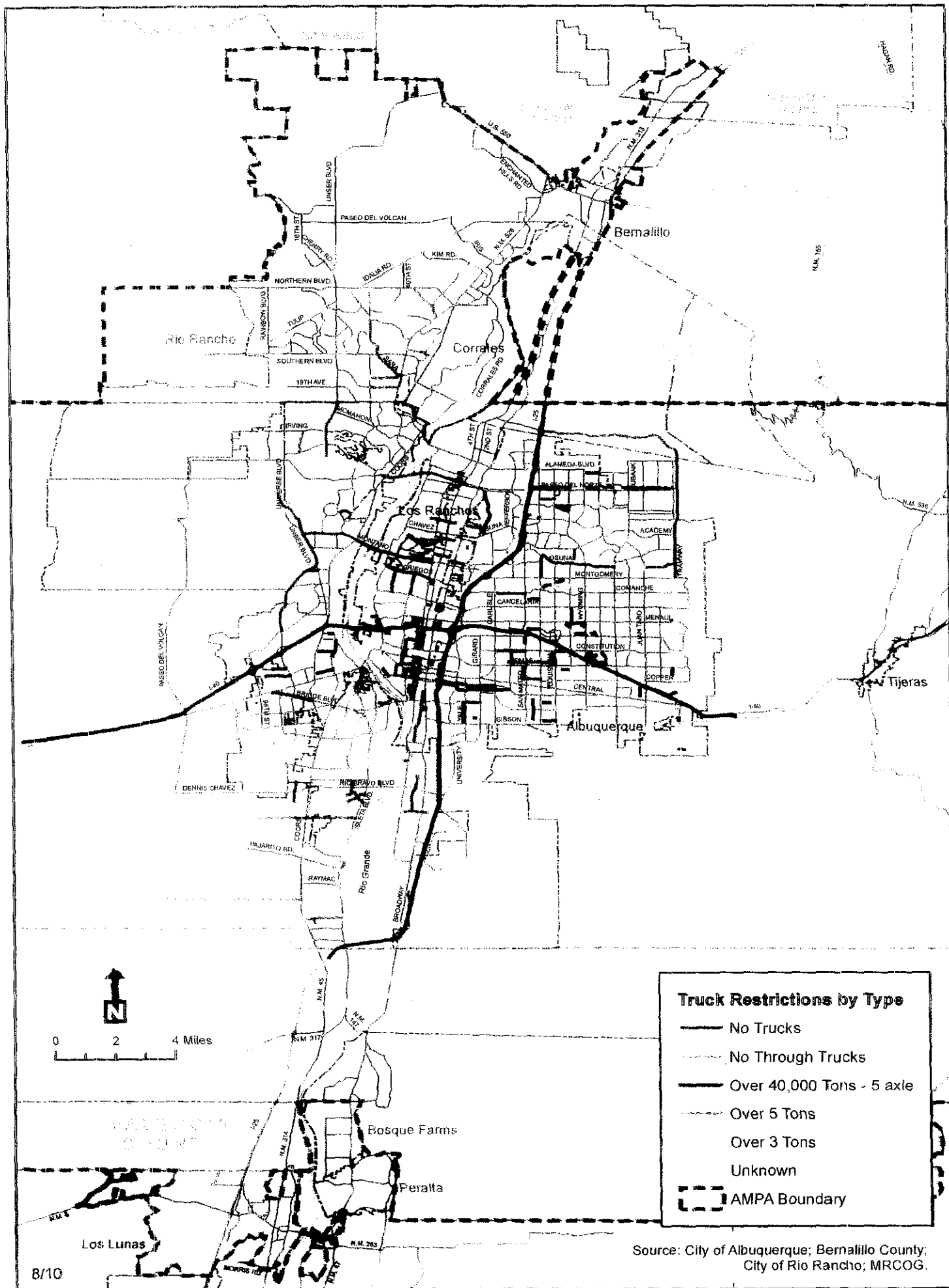
Trucks exiting the center therefore can only go north on Coors since all Coors exists are “right only”. Trucks wanting to go south on Coors would have to go through the residential neighborhood and use the signal at Learning Road. This funneling of traffic thorough a residential neighborhood is exactly what the Big Box Ordinance sought to prevent by requiring full access onto a four lane road.\* See Z.C. §14-16-3-2(D)(2).

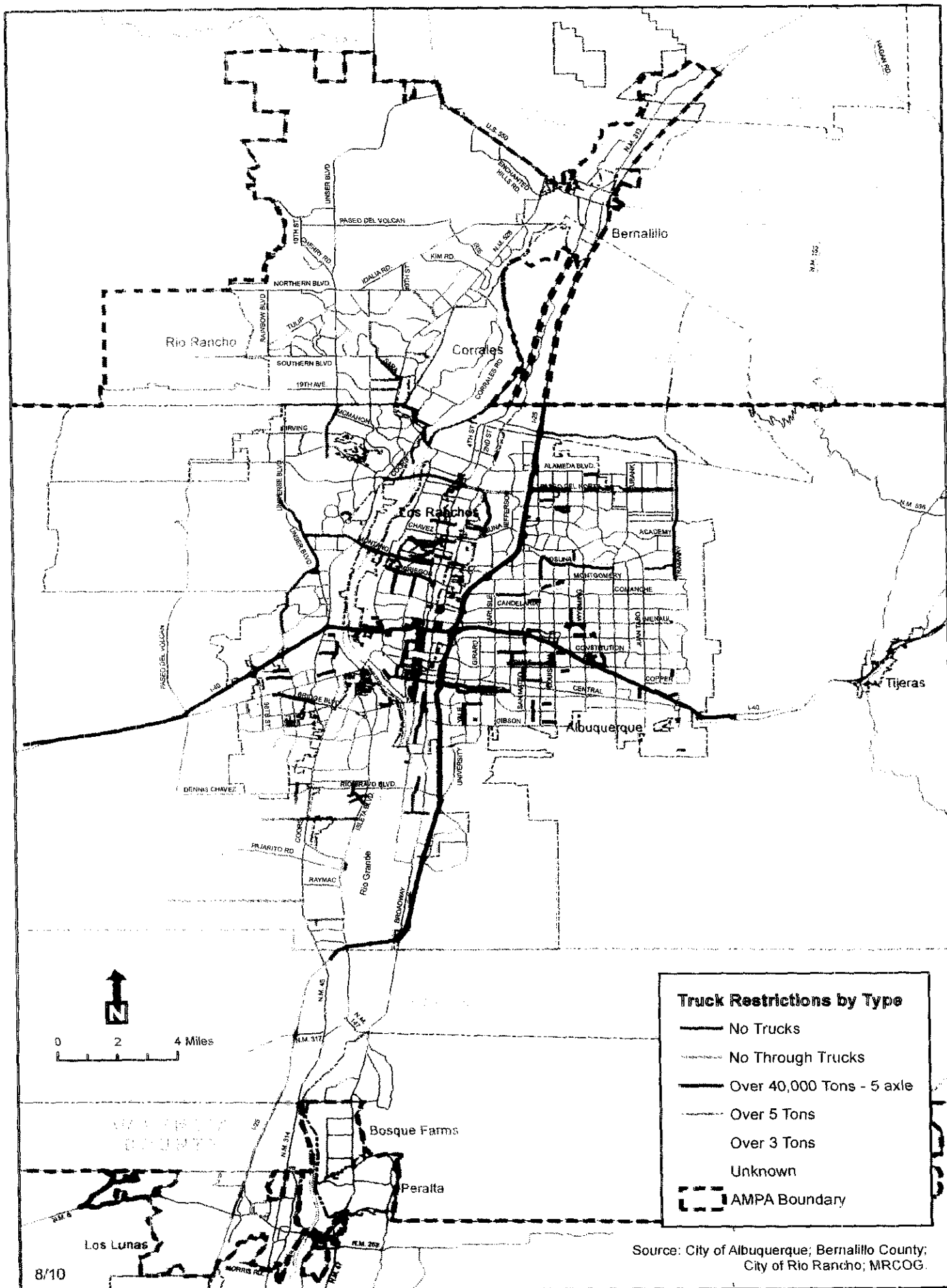
The site’s inadequate access also means that passenger vehicles, SUVs and light trucks wanting to go south on Coors will tend to use the Learning Road and drive through a residential zone. There will also be conflicts with pedestrians and bicycles on Learning Road. These issues are not addressed.

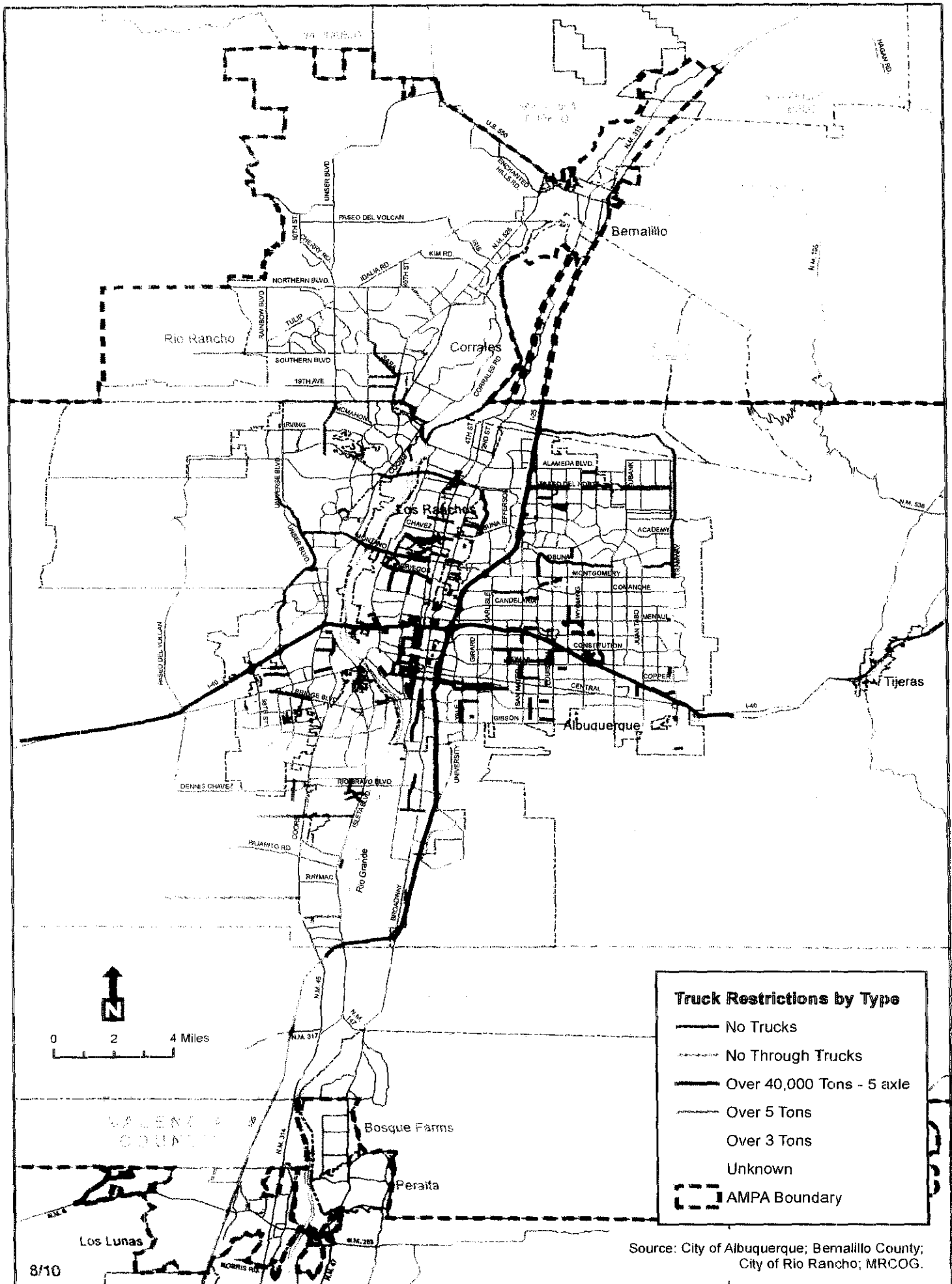
The application fails to demonstrate sufficient internal truck access to loading docks. Is there sufficient turning radius for trucks entering from Coors? How can trucks access the loading docks and exit back onto Coors? **Applicant should be required submit a truck traffic plan showing traffic flow by vehicle classification and turning radius because:**

1. There is a limited turning radii on Coors.
2. Trucks will not be able to avoid driving over the traffic circles (This is inappropriate since roundabouts are to be “focal points” and to include “a character defining monument at the center of each circle.” Trucks have already destroyed the wall at the roundabout on Learning Road.
3. Internal truck access is questionable.

\*Promises by Applicant (Silver Leaf) will not protect the community nor will promises by Walmart. This is approval of a building and use not a particular user. Independent delivery companies cannot be controlled. The Big Box Ordinance sought to avoid the potential of problems by requiring full access – this site does not have full access.







# **A Policy on Geometric Design of Highways and Streets**

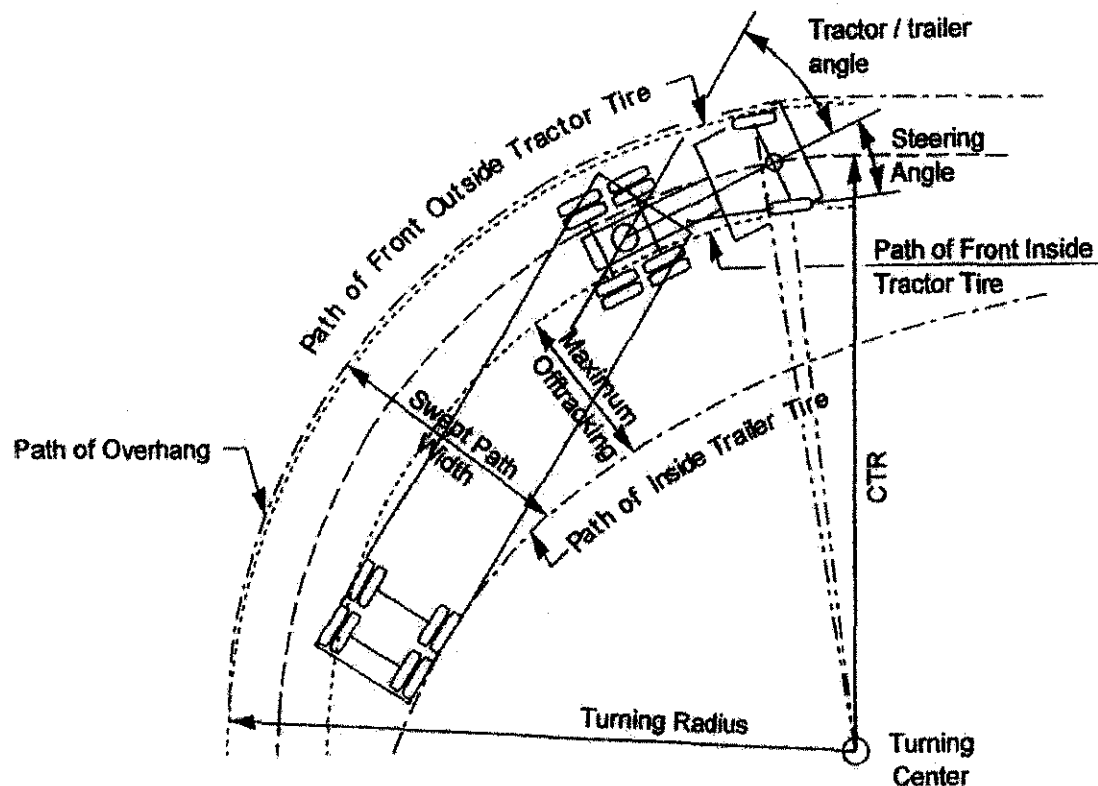
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## Definitions:

1. Turning radius—The circular arc formed by the turning path radius of the front outside tire of a vehicle. This radius is also described by vehicle manufacturers as the "turning curb radius."
2. CTR—The turning radius of the centerline of the front axle of a vehicle.
3. Offtracking—The difference in the paths of the front and rear wheels of a tractor/semitrailer as it negotiates a turn. The path of the rear tires of a turning truck does not coincide with that of the front tires, and this effect is shown in the drawing above.
4. Swept path width—The amount of roadway width that a truck covers in negotiating a turn and is equal to the amount of offtracking plus the width of the tractor unit. The most significant dimension affecting the swept path width of a tractor/semitrailer is the distance from the kingpin to the rear trailer axle or axles. The greater this distance is, the greater the swept path width.
5. Steering angle—The maximum angle of turn built into the steering mechanism of the front wheels of a vehicle. This maximum angle controls the minimum turning radius of the vehicle.
6. Tractor/trailer angle—The angle between adjoining units of a tractor/semitrailer when the combination unit is placed into a turn; this angle is measured between the longitudinal axes of the tractor and trailer as the vehicle turns. The maximum tractor/trailer angle occurs when a vehicle makes a 180° turn at the minimum turning radius; this angle is reached slightly beyond the point where maximum swept path width is achieved.

**Exhibit 2-11. Turning Characteristics of a Typical Tractor-Semitrailer Combination Truck**

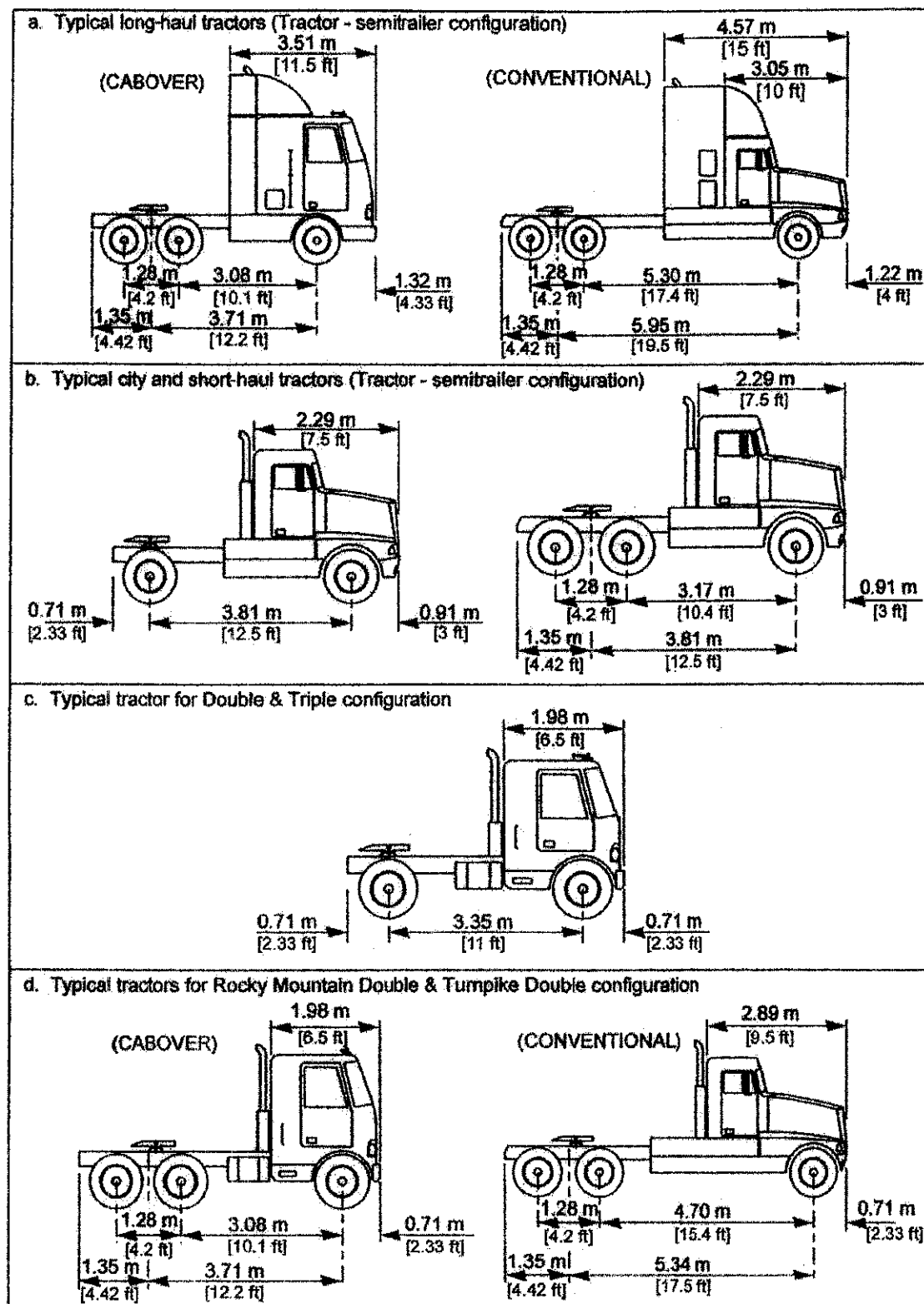
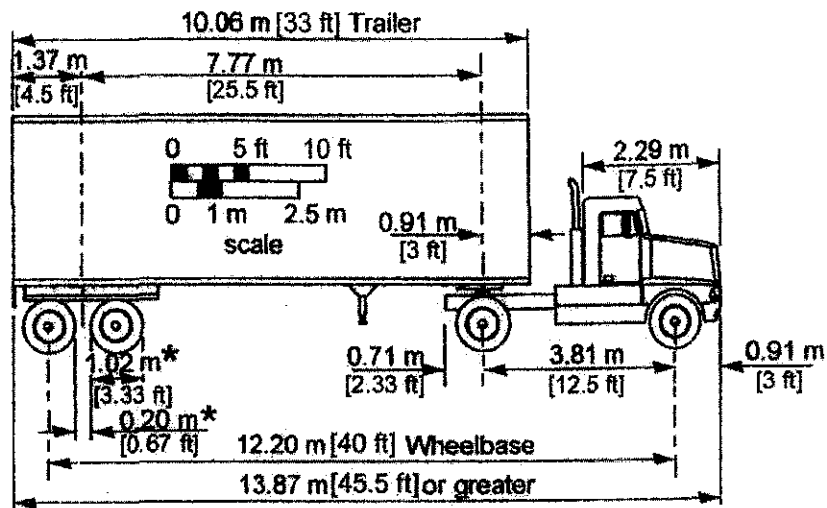


Exhibit 2-12. Lengths of Commonly Used Truck Tractors



\* Typical tire size and space between tires applies to all trailers.

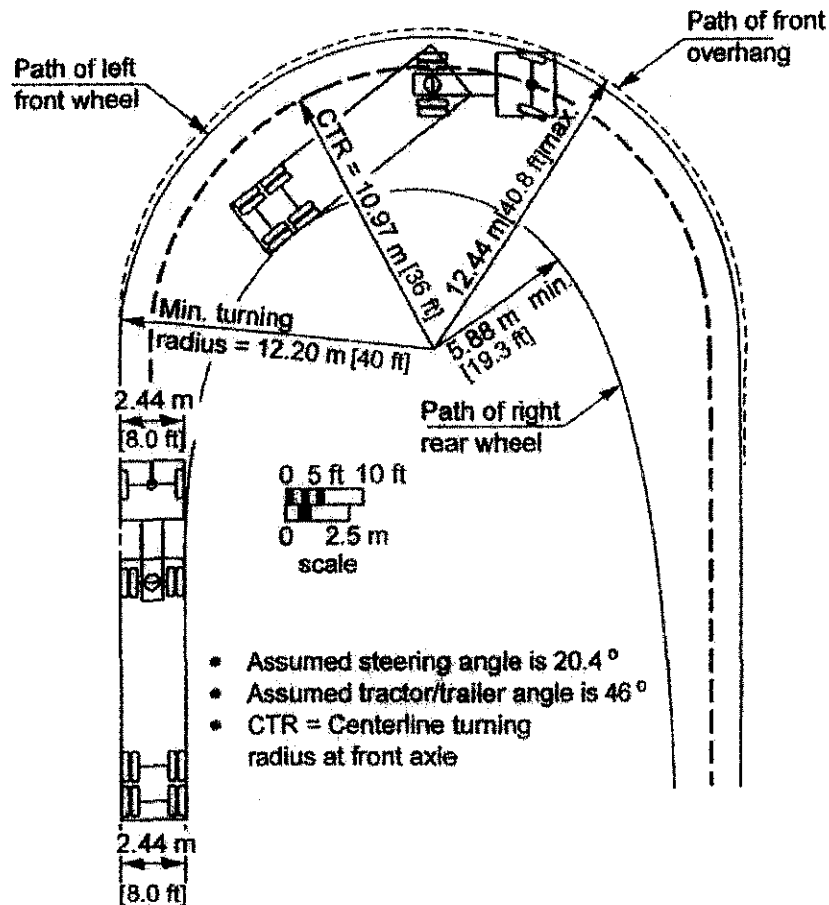


Exhibit 2-13. Minimum Turning Path for Intermediate Semitrailer (WB-12 [WB-40])  
Design Vehicle

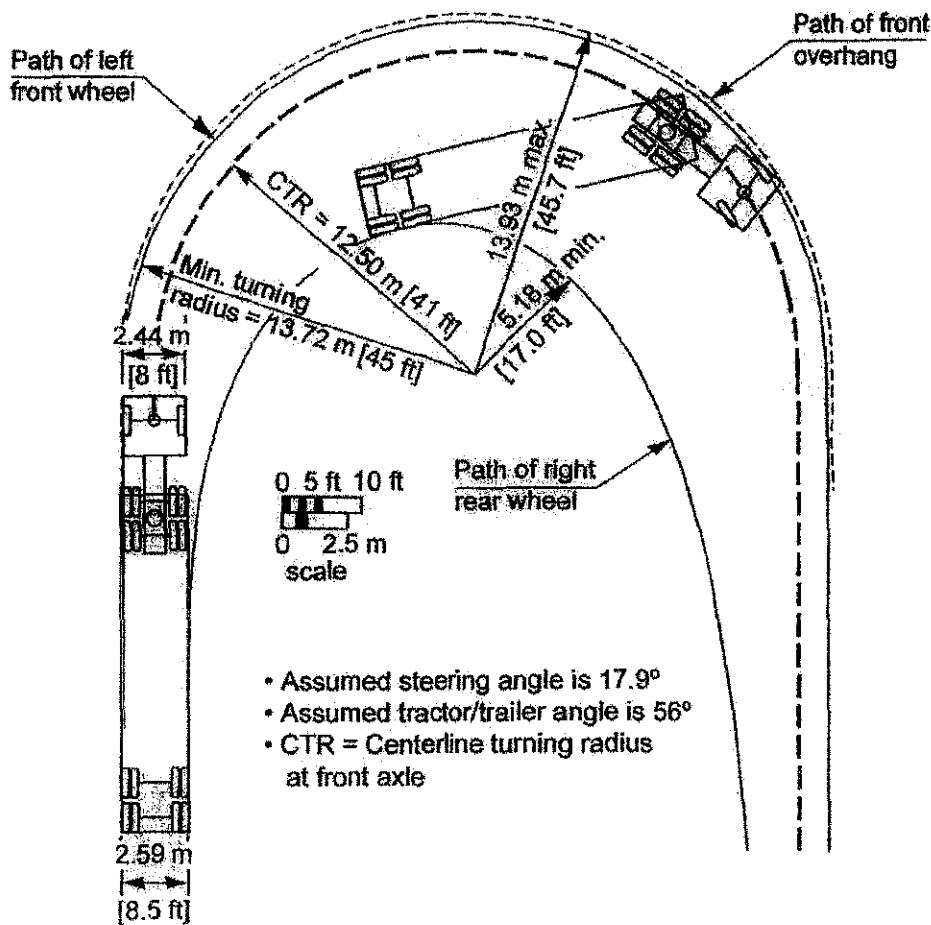
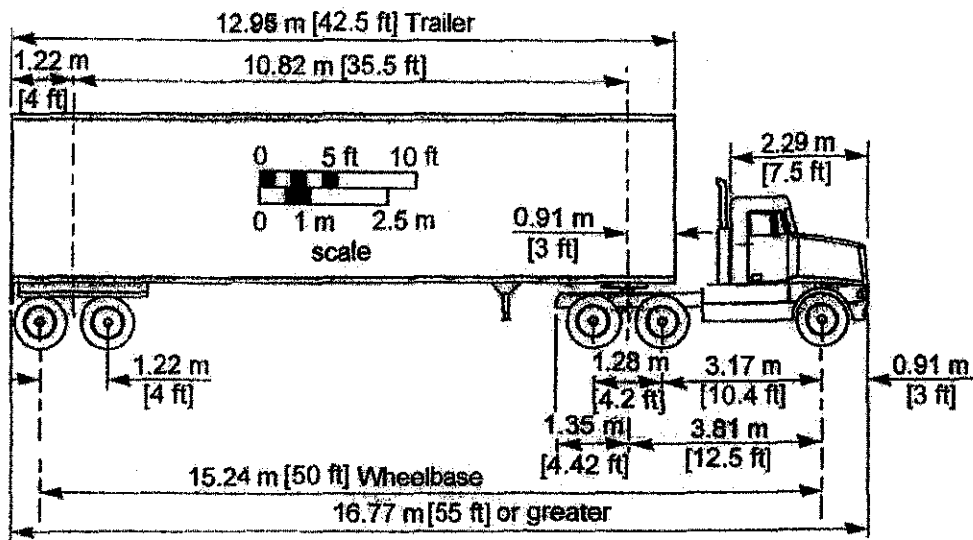


Exhibit 2-14. Minimum Turning Path for Intermediate Semitrailer (WB-15 [WB-50]) Design Vehicle

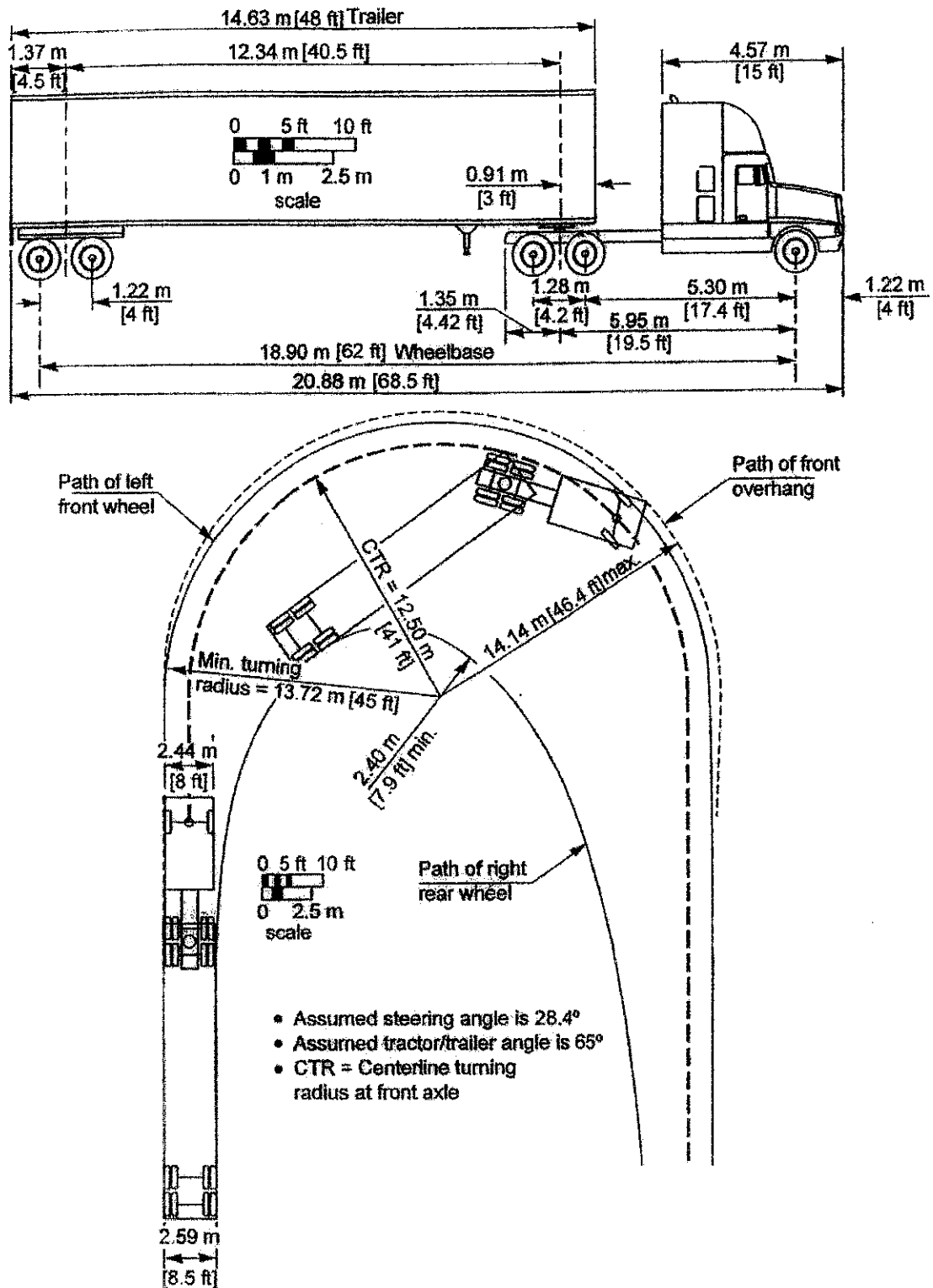
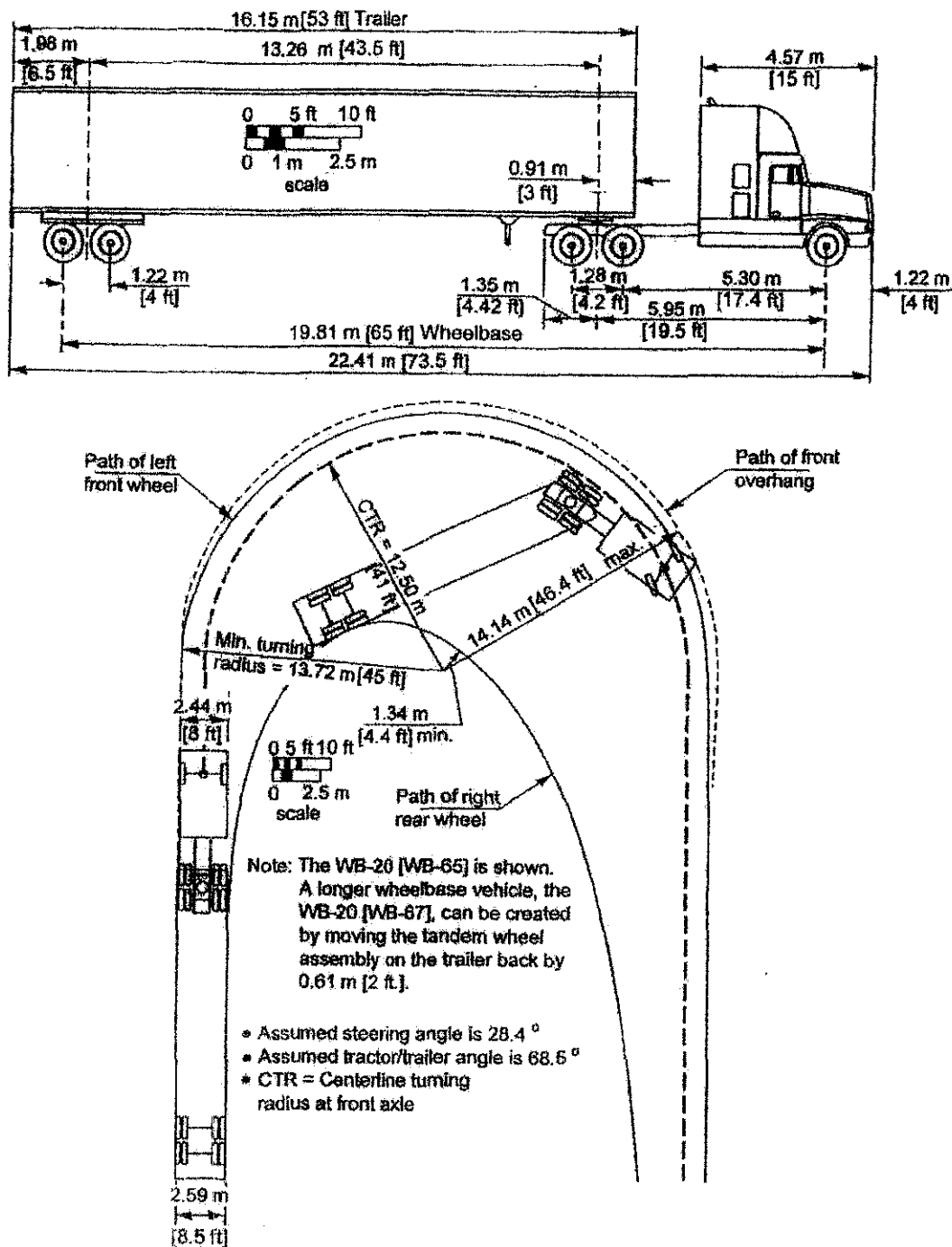


Exhibit 2-15. Minimum Turning Path for Interstate Semitrailer (WB-19 [WB-62])  
Design Vehicle



**Exhibit 2-16. Minimum Turning Path for Interstate Semitrailer  
(WB-20 [WB-65 and WB-67]) Design Vehicle**

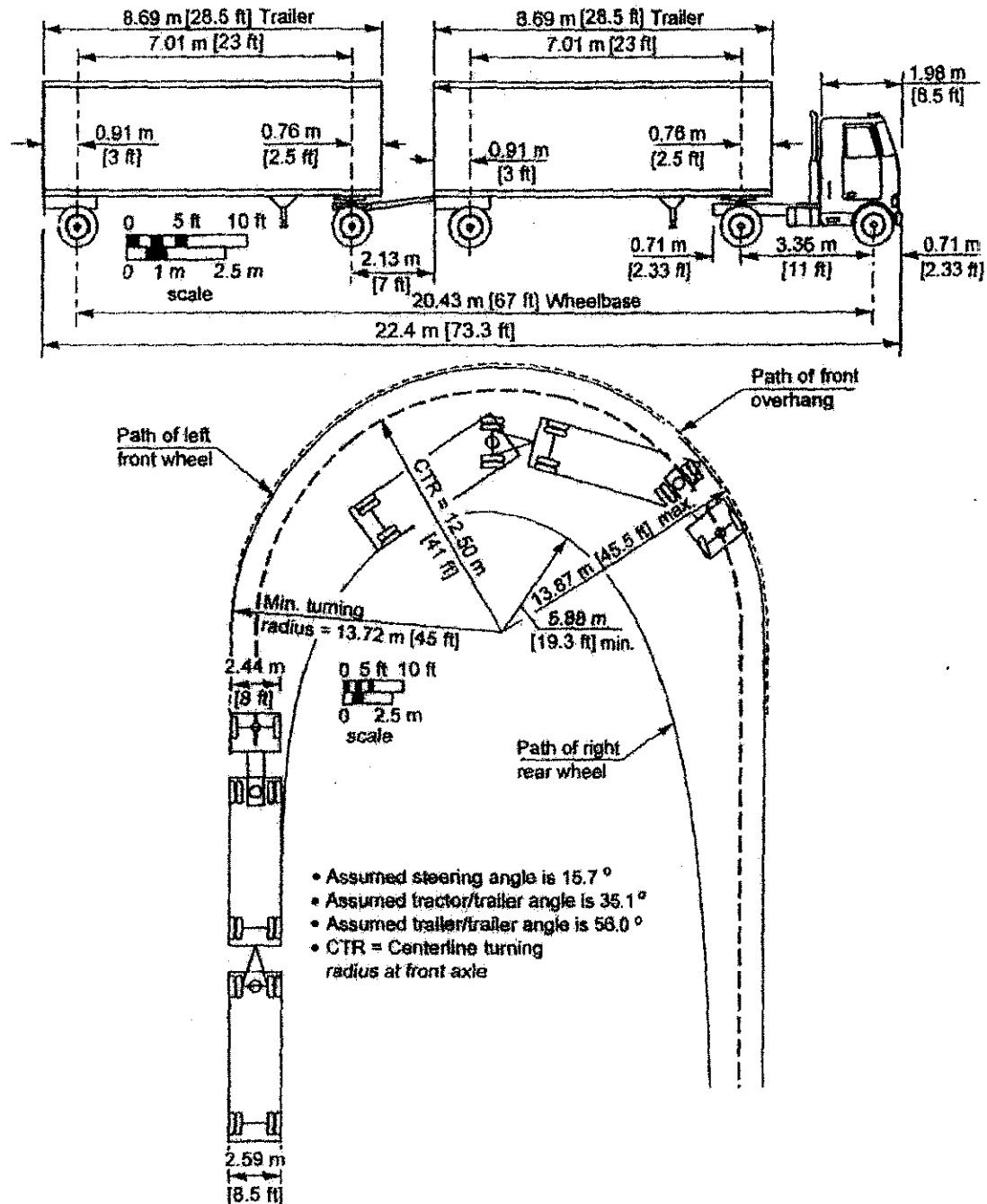


Exhibit 2-17. Minimum Turning Path for Double-Trailer Combination (WB-20D [WB-67D]) Design Vehicle

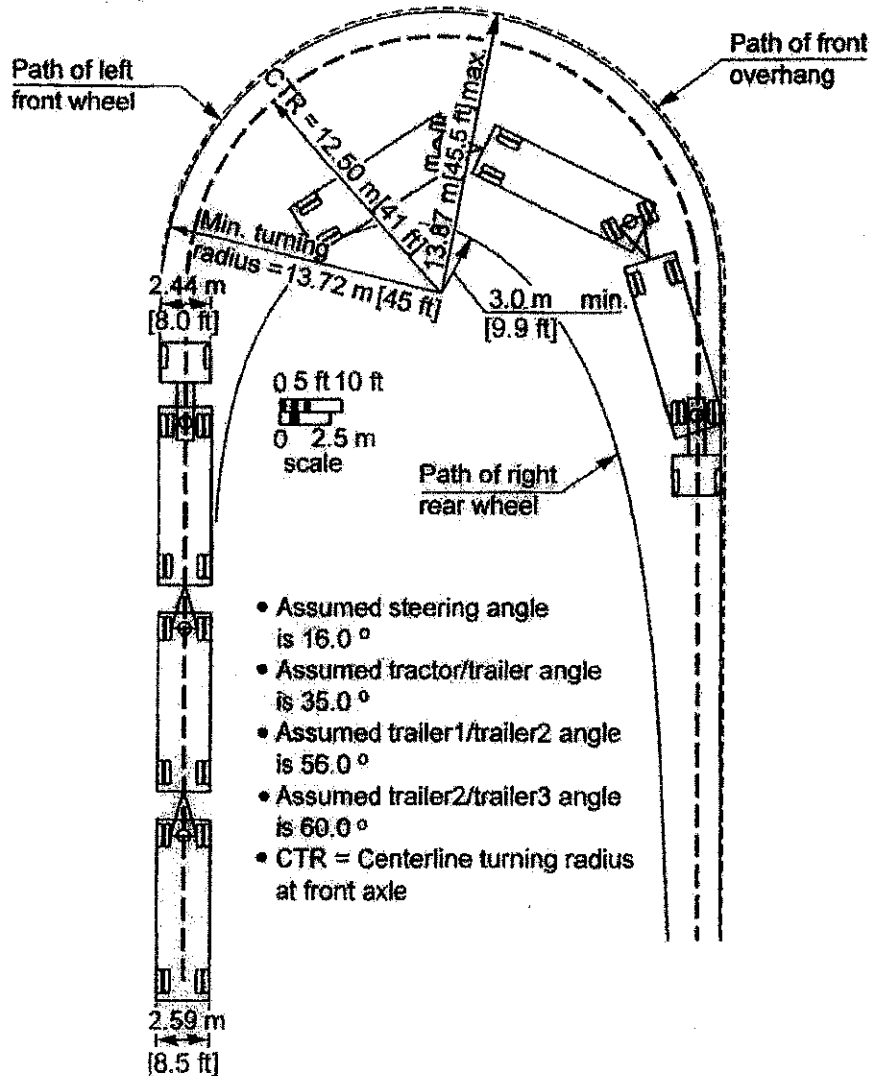
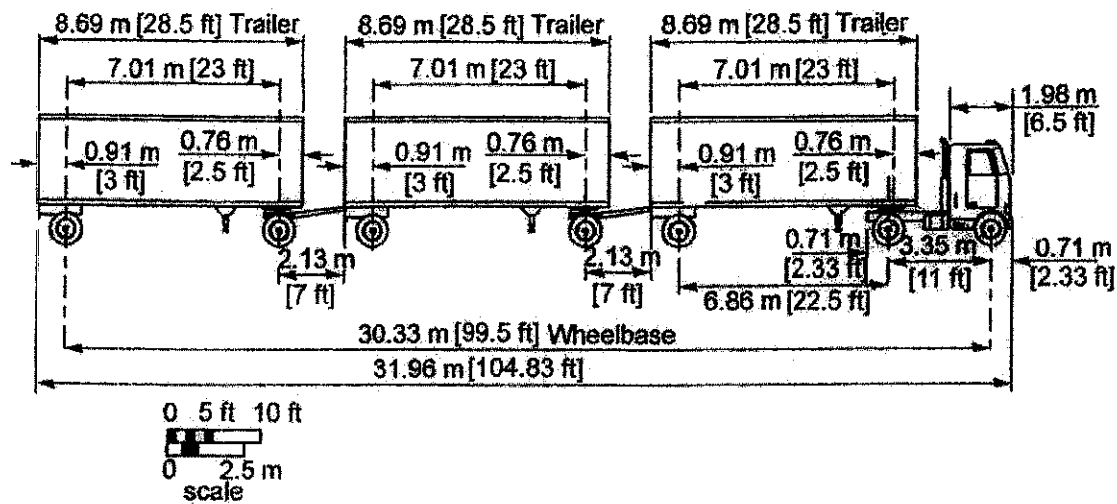


Exhibit 2-18. Minimum Turning Path for Triple-Trailer Combination (WB-30T [WB-100T]) Design Vehicle



TAB 6

The site plan for subdivision is incomplete because it does not address the entire site included in the original subdivision and does not address the Andalusia regulations/standards.

Applicant proposes to amend Andalusia Subdivision but its submittal, except for page C-1 depicts only the part of the subdivision north of Mirandelia. The amendment affects the entire subdivision which should function as a whole and therefore the entire site should be addressed. Applicant also ignores the recent approval of a residential subdivision south of Mirandela and a drive up credit union bank (on Track 5, Project 1003859 EPC 40074, 40075, 40076) (3.38 acres).

Applicant does not address the Andalusia regulations and criteria or demonstrate compliance with these requirements for the entire site. The site is not pedestrian friendly, applicant has not created separate vehicular and pedestrian circulation systems, provided sufficient sidewalks systems and pedestrian connectivity. (See Design Standards: "Private trails for use by residents are designed to lessen the need for vehicular use and will provide *pedestrian connectivity throughout the project.*"(Emphasis added). *See also* WSSP.



## TAB 7

The proposed plan does not create separate vehicle and pedestrian circulation systems supporting a village type character as required by Andalucia subdivision design guidelines and is contrary to the WSSP.

Andalucia required pedestrian and site amenities (see attached) and separate pedestrian circulation system or trails. These would contribute to a pedestrian friendly village character. These are no genuine pedestrian and site amenities created and since the proposal for subdivision amendment and building permit do not meet these criteria the plans should be rejected.

The applicant attempts to address pedestrian amenities and the plaza requirement by installing a couple planter boxes with trees and benches along the entrance to the Walmart and calling this a "pedestrian plaza." A pedestrian plaza should be an area pedestrians would enjoy congregating. A planter box adjacent to the shopping cart collection point or the entrance to the Walmart and looking at the front of the Walmart or at surface parking is hardly the required "high quality" separate circulation system or creative design and does not support the required village character. Compare the one dimensional "plaza" at the entrance of the Walmart to the outdoor area defined by the center of three buildings shown in the Andalucia Design Guidelines. While there can be *linkage* between a plaza and building entrance linkage does not mean double counting the large retail facility entrance as a pedestrian plaza. There should be an "active pedestrian life" (§14-16-3-2(D)(5)). Under Andalucia Regulations the private common areas are to be spread throughout the community. ("A defining feature of Andalucia/La Luz is the private commons areas that are spread throughout the community.")

Applicant proposes sidewalks that are simply adjacent to the internal parking lot access lanes. There is no separate pedestrian or bicycle circulation system. There are no streets with parking like ABQ Uptown. There is no logical connection to the "future commercial" buildings on lots 2B, 2C, 3A, 3B, 1A, 1C and 1D. By definition a separate circulation system means something other than the sidewalk adjacent to parking lot lanes. There is no reason to walk between buildings. Indeed sidewalks do not connect buildings.

## PEDESTRIAN and SITE AMENITIES

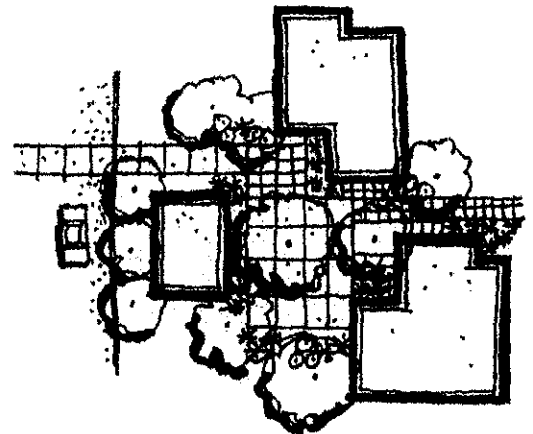
The creation of a pedestrian-friendly environment will depend on creative site design and will be a primary design objective for Andalucia at La Luz. Objectives to achieve this goal include maintaining a high quality and consistency in style for site amenities including benches, plazas, walkways, lighting, etc.; providing shaded walkways; and creating separate vehicular and pedestrian circulation systems in order to support the creation of a village-type character.

The use of alternative paving materials (brick, colored concrete, decomposed granite, etc.) for pedestrian pathways are encouraged. Public art is another site amenity that is strongly encouraged, and if proposed, should be part of the subsequent building plans.

## TRAILS and SIDEWALKS

Public and private trails and sidewalk systems are a defining element to Andalucia at La Luz. Private trails for use by residents are designed to lessen the need for vehicular use and will provide pedestrian connectivity throughout the project (see Landscape Section for more detail on trail landscaping).

- City Trails - All public multi-use trails through Andalucia at La Luz shall be built to City standards, per the City's Trails and Bikeways Facility Plan.
- All private trails and paths shall be soft surface, with a minimum width of 6 feet.
- All pedestrian paths shall be designed to be handicapped accessible (see Americans with Disabilities Act Criteria for Barrier-Free Design, except where topography makes this unfeasible (several streets require grades over 6%).
- The use of asphalt paving for pedestrian trails is discouraged. Concrete or compacted decomposed granite with stabilizer are acceptable materials.
- Pedestrian connections to buildings should be provided in parking lots with greater than 50 spaces and should connect to adjacent roadways, sidewalks, and pathways.
- Pedestrian crossings shall be clearly demarcated with special paving treatment where they cross vehicular entrances and drive aisles and where City trails cross streets.
- Freestanding restaurants, if proposed by subsequent Site Plans for Building Permits, shall provide outdoor patios and shall be shaded by trees and/or a shade structure that is architecturally integrated with building architecture.
- Non-residential and multi-family development shall provide secure bicycle storage racks that are conveniently located near building entrances. The minimum number of bicycle racks shall be determined by the number of parking spaces provided, consistent with the City Zoning Code.

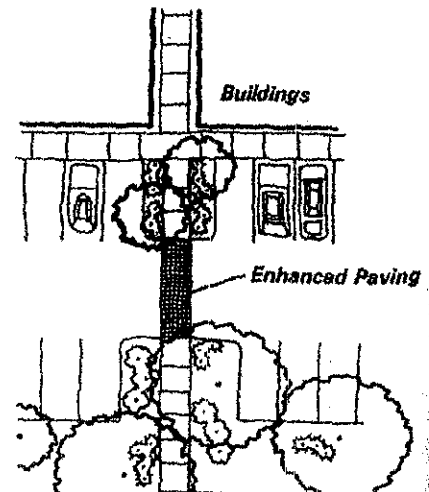


**OUTDOOR AREAS** - defined by building edges, differentiation of paving, variety of scales of landscaping

## PARKING

In order to support the goals for the property regarding pedestrian accessibility, careful attention should be paid to the parking design. An effort should be made by site designers to lessen the impact of parking facilities on the land and to preserve views to the Bosque and the Sandia and Manzano Mountains. In order to lessen the visual impact of parking areas, parking facilities should be broken up into a series of smaller areas.

- Handicapped parking spaces shall be provided adjacent to building entries.
- The total maximum amount of parking provided shall meet parking requirements in the City Zoning Code, plus 10 percent.
- Structures and on-site circulation systems should be located to minimize pedestrian/vehicle conflicts. Pedestrian access shall be provided to link structures to the public sidewalk.



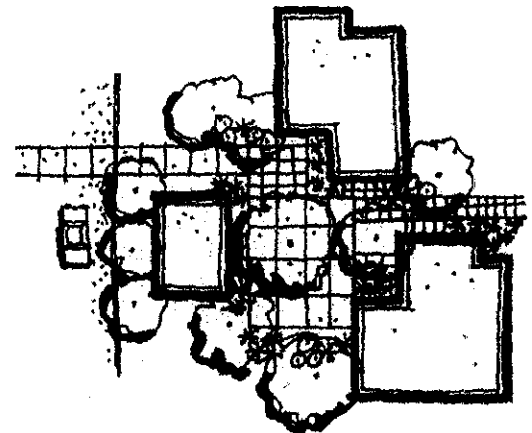
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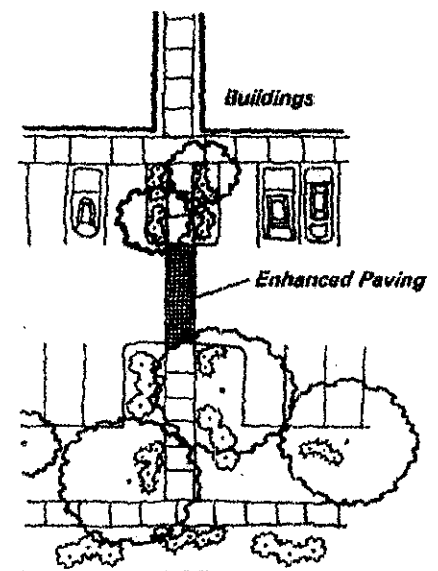


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- The total maximum amount of parking provided shall meet parking requirements in the City Zoning Code, plus 10 percent.
- Structures and on-site circulation systems should be located to minimize pedestrian/vehicle conflicts. Pedestrian access shall be provided to link structures to the public sidewalk.
- Parking areas shall be designed to include a pedestrian link to buildings.



## TAB 8

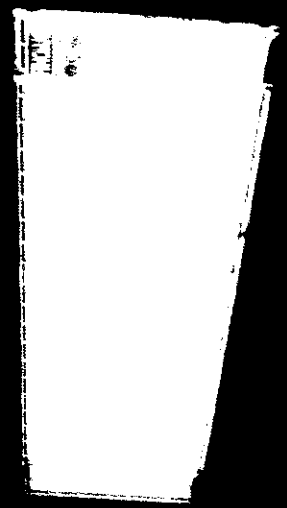
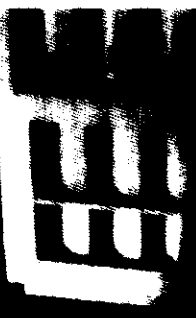
The proposed plan is not complimentary to La Luz and Bosque School as required by Andalusia regulations/standards.

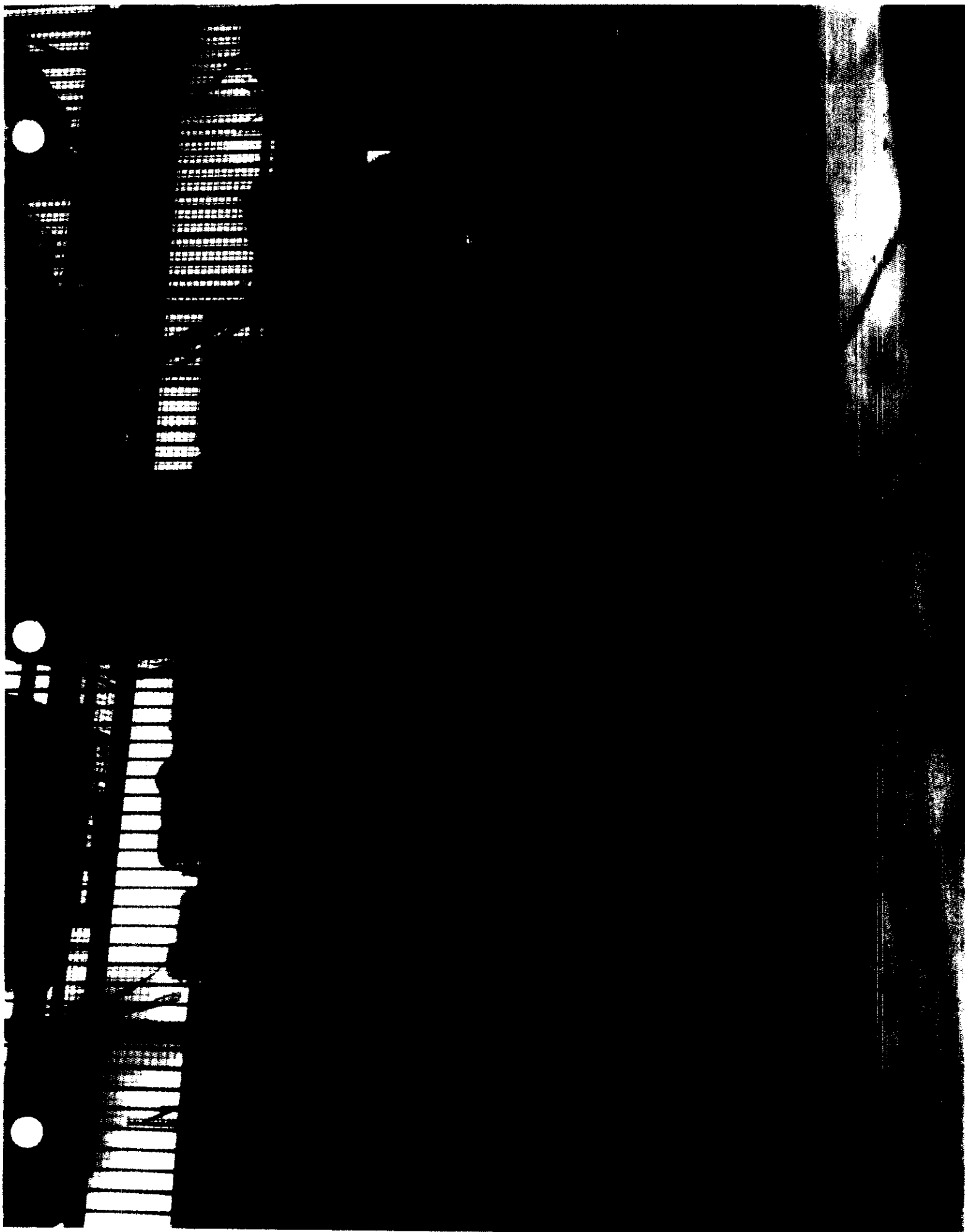
The large retail facility is auto oriented and provides a massive parking lot that dominates the site contrary to WSSP. Loading facilities (with truck turning and back up movements) are closest to Bosque School and within the 300' PRD/O-1 buffer. No effort has been made to make the development complimentary – instead this is a typical suburban Big Box development with drive through uses and an eight foot wall—required because the Big Box use is so uncomplimenting to other uses.

To illustrate the incompatibility of a large retail facility with Bosque, La Luz and a mixed-use pedestrian village. I took photos of what the backside of a big box looks like. See attached pictures of the Walmart on Wyoming south of Menaul showing the “backside” of a Walmart. There were (On December 4, 2011) 19 storage trailers (without wheels or tires) several parked tractor trailers (without the truck cab) including one or two refrigerated trucks with refrigerator compressors running. This kind of intense C-2 use and outside storage and parking of semi trucks is totally antithetical to Bosque School, La Luz Neighborhood, as well as to a pedestrian friendly village center. See also photo of motor camping on Walmart lots under Tab 17.

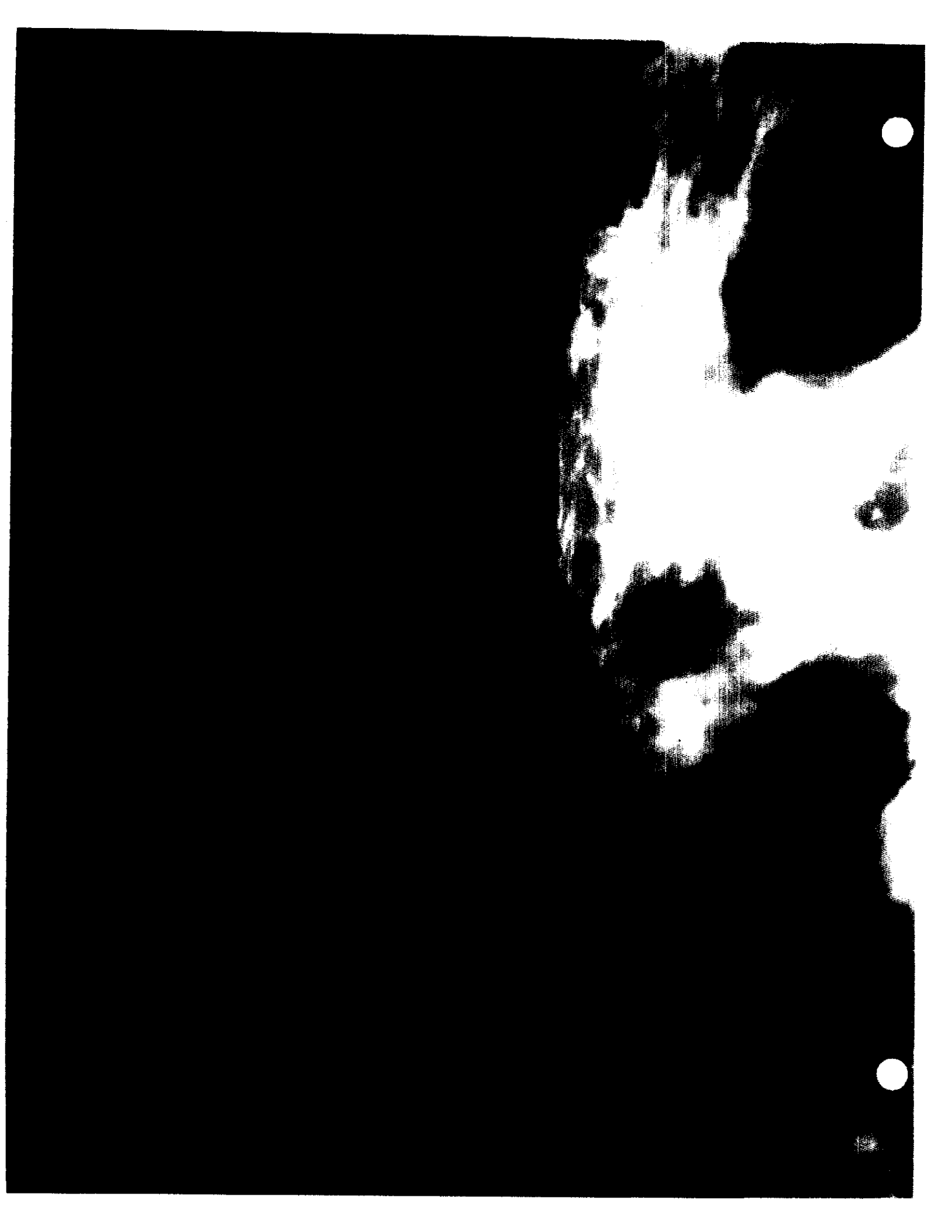




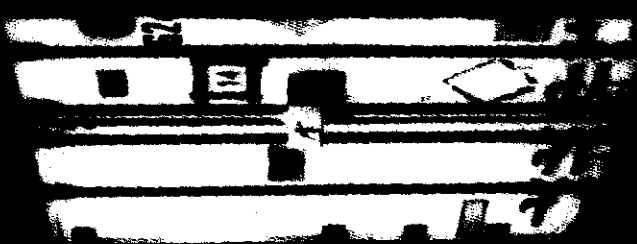
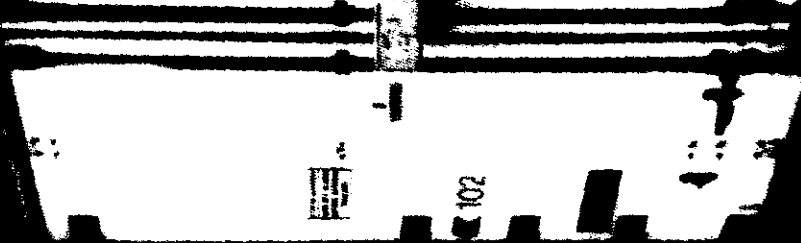
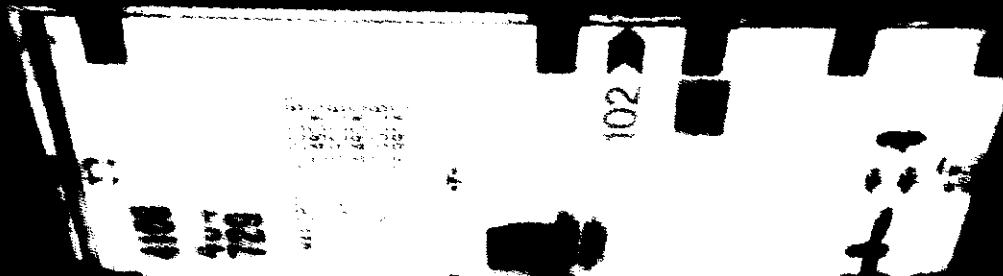






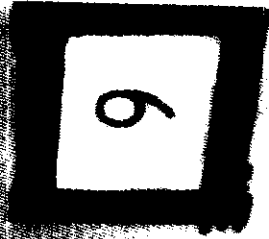






4209  
189

MAX GROSS



67.200 lbs  
30.440 lbs  
36.760 lbs



## TAB 9

Site design. §14-16-3-2(D)(3) requires the site to be designed with a block/street design to promote both pedestrian activity and ultimate evolution to a mixed use. This proposed plan does not address any phasing or ultimate mixed use goal. The site lacks pedestrian connections throughout the site and subdivision. The design does not create the required active pedestrian street life. See WSSP. The site plan does not create an active pedestrian street life.



TAB 10

Z.C §14-16-3(2)(D)(4) requires “pedestrian connections throughout the site by linking structures, make pedestrian connections to external neighborhoods and other uses ....” The objective is to create in an active pedestrian street life and replace large off-street parking with parking structures and transit options ...” If there is surface parking it is to be distributed on the site to minimize visual input from the adjoining street. The zoning code directs that “Parking shall be placed on at least two sides of a building and shall not dominate the building or street frontage.” Z.C. §14-16-3-2(D)(5)(b)(2).

In this plan:

- There are no pedestrian connections linking structures.
- The site plan does not create an active pedestrian street life.
- Surface parking is not designed to have minimal visual impact.
- While there is some parking on the north and south side of the building the parking between the Walmart and Coors dominates.
- There are no viable connections to neighborhoods



TAB 11

Building articulation does not meet the requirements of ZC 14-16-3(2)(D)(6)(b).

The front façade does not have retail suite liners/adequate display windows or a recessed patio. There is only a typical entrance to the Walmart. To call the area fronting the Walmart a plaza or patio ignores intent of the zoning code. Since the facility contains 98,000 square feet it should appear as four separate building masses. ("Every 30,000 gross square feet of structure shall be designed to appear as a minimum of one distinct building mass with difference expressions." The Walmart does not appear as four separate buildings but as one massive building. There is no change in visible roof or parapet. Compare attached photos of the liners surrounding the Century Theater Downtown.

Have pedestrian scale lighting and pedestrian amenities such as trash receptacles,

(k) *Lighting.*

1. Ornamental poles and luminaires, a maximum of 16 feet 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.

(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.

(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.

(n) *Storm Water Facilities and Structures.* The following regulations apply to site hydrology:

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 have 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.

(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.

(6) *Main Structure Design.* The following subsections (a) through (d) apply to main structures:

(a) *Setback.*

1. Main structures shall be screened from the adjacent street by means of smaller buildings, retail suite liners, or 20 foot wide landscape buffers with a double row of trees.

2. Where the front facade of a retail suite liner is adjacent to a street, the maximum front setback shall be ten feet for private drives and 25 feet for public roadways.

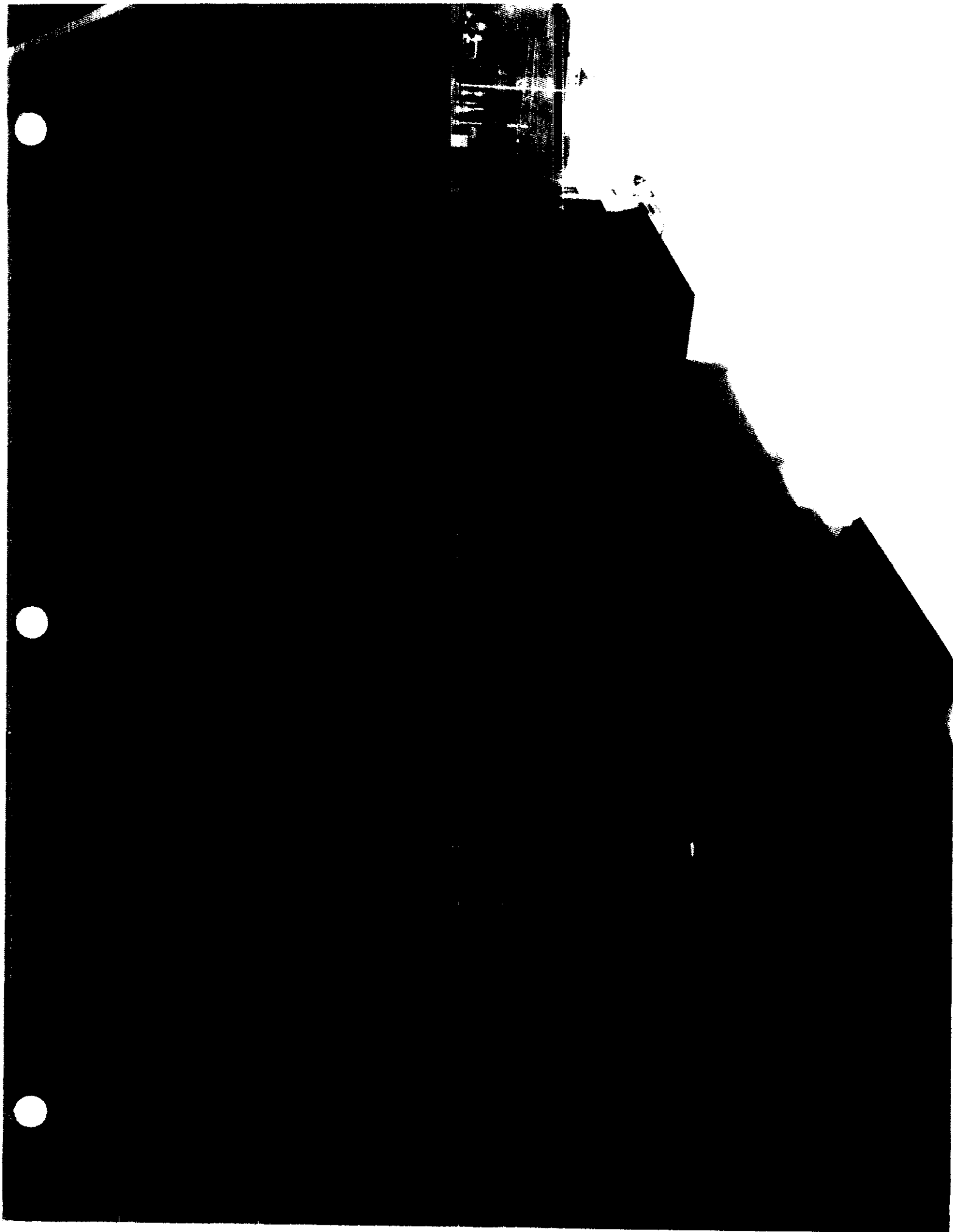
3. Main structures abutting residentially zoned land shall be set back from the property line at least 60 feet.

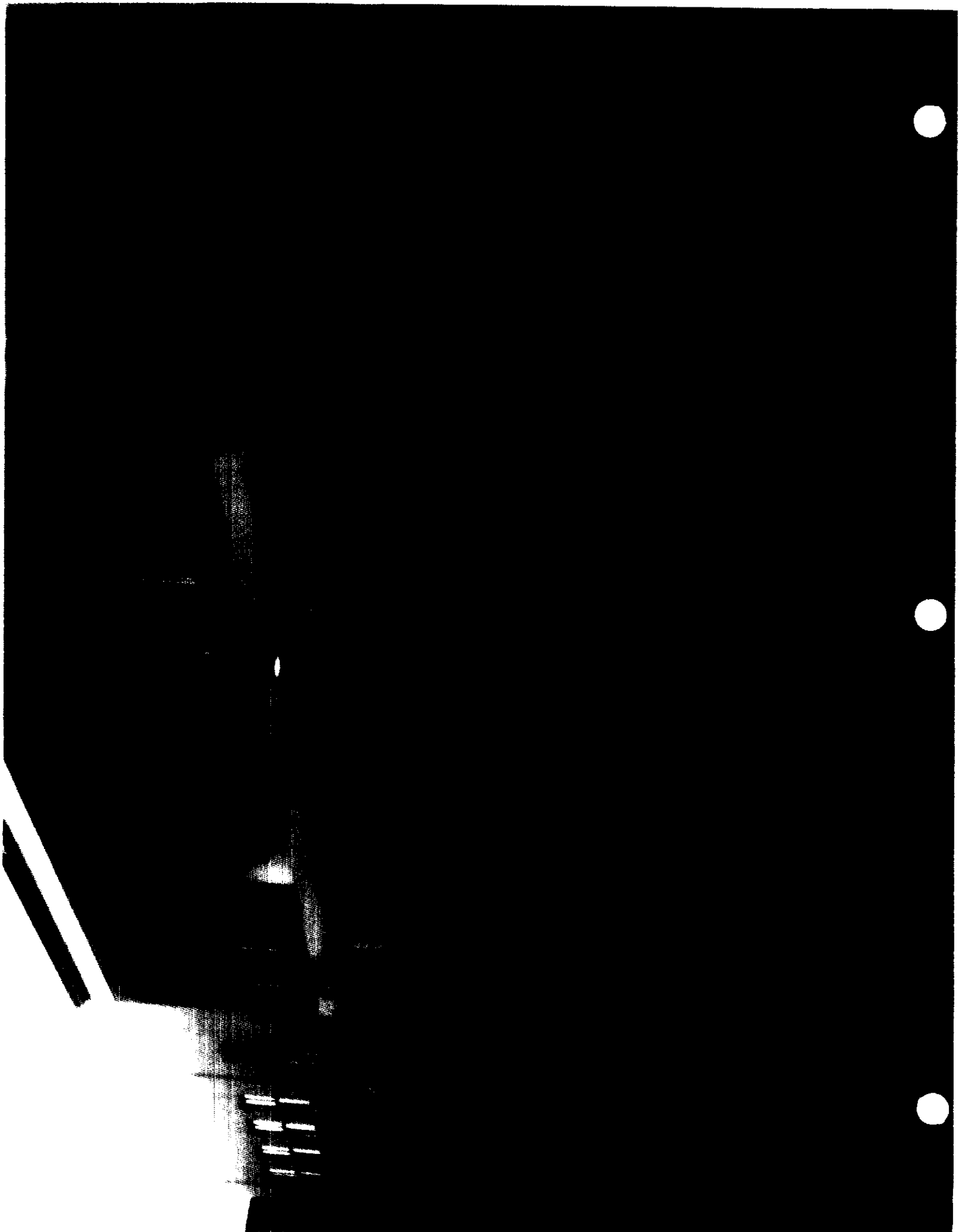
(b) *Articulation.*

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 facade. 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.

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 feet of a wall may occur without an offset vertically of at least 24 inches.

3. For the retail suite liner, the vertical offset shall be a visible change (minimum 6 inches), a change in material may be used for articulation at the same interval and the visible change in roof plane or parapet height shall be a minimum of 18 inches.







## TAB 12

ZC §14-16-3-2(D)(5)(j)(2) requires that pedestrian plaza space pursuant to §14-16-3-18(C)(4) which requires 400 square feet of public space area for every 30,000 square feet of building space. Under this calculation over 1319 square feet of plaza area is required. The original application, requested subdivision approval for an aggregate of over 125,000 square feet. See C-1 original 10/26/2011 submittal Data Table requesting a total of 196,474 square feet. Pursuant to Z.C. §14-16-3-18(B)(5) when more than 125,000 square feet is proposed the pedestrian plaza requirement is 400 square feet for every 20,000 square feet. (“An aggregate of buildings 125,000 square feet or greater shall provide pedestrian plaza space in the amount of 400 square feet for every 20,000 square feet of building space. A minimum of 50% of the required public space shall be in the form of aggregate space that encourages its use and that serve as a focal point for the development.”) The applicant (1) does not create a focal point and (2) seeks to evade the shopping center requirement for public space by piecemeal approval requests. Note that the Credit Union which has been approved on Tract 5 and “future retail” should be considered so that, when all development is complete, the intent of the code is met. If the EPC allows this piecemeal approach there will be no aggregate focal point/public space encouraging use. See also discussion under Tab 7.

In any case applicant seeks plaza and public space credit for the entrance of the Walmart. This is a perversion of the concept of public space (see attached photo). This is not a plaza that provides a *focal point for the development*. The above zoning code requirements should be read in conjunction with the Andalusia regulations and WSSP which emphasize that a pedestrian friendly environment is to be created and a village type character.

Instead of a village plaza or courtyard meeting the intent of the 14-16-3-18(C)(3) and (C)(4) applicant proposes that the EPC accept the customer and shopping cart clogged entrance sidewalks to the Walmart to be “a focal point for the development.” What is proposed is in fact neither a pedestrian plaza nor a focal point for the development. Applicant has not met the basic requirement. The Walmart entrance/sidewalk is not a “plaza.” The Walmart entrance does not meet the intent of §14-16-3-18(C)(4) nor does it meet the village character of Andalusia and the design regulations of Andalusia including but not limited to creation of a pedestrian-friendly environment high quality site design and the other design guidelines. There is nothing “creative” about the Walmart approach and nothing that contributes to a village character.



 § 14-16-3-18 GENERAL BUILDING AND SITE DESIGN REGULATIONS FOR NON-RESIDENTIAL USES.

(A) *General Intent.* The building and site design regulations in this section are intended to enhance the visual appearance of non-residential development; to promote street and neighborhood character; and to strengthen the pedestrian environment. Regulations for large-scale development are also provided to mitigate the negative visual impacts arising from the scale, bulk and mass inherent to large commercial buildings.

(B) *Applicability.*

- (1) Provisions of this section shall apply to all non-residential uses unless otherwise specified.
- (2) Provisions of this section shall apply to the following:
  - (a) Construction of a new building.
  - (b) Construction of a building addition that increases the existing square footage by 50% or by 15,000 square feet, whichever is less. Application of the provisions shall be required of the building addition and the existing building(s).
  - (c) Change of use. Where use changes from manufacturing or warehouse to office or commercial, typical design requirements related to office/institutional or commercial retail/service uses shall be required.
- (3) With the exception of public sidewalks, the area of all required sidewalks, seating areas, patio or other usable outdoor areas may be applied in meeting up to 1/3 of the landscape requirements for the overall site as required in § 14-16-3-10(E)(1).

(C) *Design Standards -- Office/Institutional and Commercial Retail/ Service Uses.* (Note: Sites 5 acres and greater will be required to comply with the following design standards in addition to any other design requirements that the Environmental Planning Commission may deem necessary.)

(1) *Sidewalks.* Pedestrian sidewalks, a minimum of 8 feet in width, shall be provided along the entire length of major facades containing primary entrances. The width of the sidewalk shall be increased as follows:

- (a) Ten feet in width for buildings 10,000 to 30,000 square feet;
- (b) For buildings greater than 30,000 square feet, the width of the sidewalk shall increase at the rate of one foot in width per 10,000 square feet of building size to a maximum required width of 15 feet.
- (c) The width of the required sidewalk may vary along the entire length of the facade provided the average required width is maintained and provided the width of the sidewalk along the facade does not fall below 8 feet.
- (d) A six-foot wide clear path shall be maintained along the sidewalk at all times. Site amenities, cars, landscaping and other uses of the sidewalk may not encroach upon the six-foot clear width.
- (e) The building's overall footprint will be considered the area for calculation of sidewalk width. A collection of smaller buildings linked by common walls will be considered as one building.
- (f) Site amenities, landscaping, vending and customer pick-up may be incorporated into the width of the sidewalk provided they do not encroach upon the clear width as stated above.

(g) *Exceptions.*

1. Where primary entrances are located adjacent to a public sidewalk, the width of the public sidewalk may be included in the calculation provided a pedestrian connection is provided to connect the public sidewalk with the entrance(s).

2. Where a vestibule or other projecting entryway is provided, the depth of the vestibule or entryway may be included in the sidewalk calculation, provided 6 feet of sidewalk is located in front of the vestibule or projecting entryway in order to allow pedestrian connectivity along the entire length of the facade.

(2) *Pedestrian Features.* Major facades shall incorporate at least one or a combination of the following features along no less than 50% of the length of the facade. Such features shall be distributed along the length of the facade in order to avoid creating a blank facade greater than 30 feet in length.

(a) Display windows, provided the sill height does not exceed 45 inches above the finished floor and the overall glass height is a minimum of 48 inches. Where windows are provided, they shall not be mirrored or opaque along the ground floor.

(b) Doors/Entrances.

(c) Portals, arcades, canopies, trellises, awnings associated with windows (windows do not have to comply with dimensions specified in (a) above), or other three dimensional elements that provide shade and/or weather protection.

(d) Raised planters a minimum of 12 inches and a maximum of 28 inches in height, located adjacent to the facade, with living, vegetative materials such as ornamental grasses, vines, spreading shrubs, flowers, or trees over at least 75% of the planter. Coverage shall be calculated from the mature spread of the plants.

(e) A minimum 15-foot wide landscaped area planted adjacent to the facade. One shade tree for every 50 linear feet of facade shall be provided in the landscaped area. Shrubs and/or groundcover shall cover at least 75% of the landscaped area measured from the mature spread of the plants.

(f) Shade trees, provided at one tree for every 30 linear feet of the entire facade, which may be evenly spaced or clustered along the facade. Trees shall be placed within defined planting areas that have a minimum interior dimension of 36 square feet and a minimum width of four feet. Provision of trees will not fulfill off-street parking or street tree requirements.

(g) Any other treatment that meets the intent of this section and that meets the approval of the Planning Director or his designee.

(h) Exception. Major facades containing service areas will not be required to provide pedestrian features in front of the service area.

(3) Major Facades Greater Than 100 Feet In Length. In addition to the requirements set forth in subsection (C)(2) above, buildings containing major facades greater than 100 feet in length shall incorporate outdoor seating adjacent to at least one of the facades, a minimum of one seat per 25 linear feet of building facade. Each seat shall be a minimum of 24 inches in width and 15 inches in height. Benches, raised planters, ledges or similar seating features may be counted as seating space. If the outdoor seating is located on the south or west side of the building, at least 25% of the seating area shall be shaded.

(4) Public Space. (Applicable to buildings 60,000 square feet or greater. A collection of smaller buildings linked by common walls shall be considered one building.) One public space area, a minimum of 400 square feet, shall be provided for every 30,000 square feet of building space. The public space area shall be privately owned and maintained and should typically contain seating and shade. Public space areas are prioritized so that (a) below is required of the first 30,000 square feet. In addition to (a), public space areas may contain one or a combination of the following features:

(a) Outdoor plaza, patio, or courtyard with seating and shade covering a minimum of 25% of the area.

(b) Pocket park with seating and shade covering a minimum of 25% of the area.

(c) Sculpture or other artwork.

(d) Fountain or some other water feature.

(e) Playground or other recreational amenity.

(f) Any other amenity that meets the intent of this section and that meets the approval of the Planning Director or his designee.

(5) An aggregate of buildings 125,000 square feet or greater shall provide pedestrian plaza space in the amount of 400 square feet for every 20,000 square feet of building space. A minimum of 50% of the required public space shall be provided in the form of aggregate space that encourages its use and that serves as the focal point for the development. The aggregate space shall:

(a) Be linked to the main entrance of the principal structure and the public sidewalk or internal driveway;

(b) Include adequate seating areas. Benches, steps, and planter ledges can be counted for seating space;

(c) Have a portion (generally at least 40%) of the square footage of the plaza area landscaped with plant materials, including trees;

(d) Be designed for security and visible from the public right-of-way as much as possible;

(e) Have pedestrian scale lighting and pedestrian amenities such as trash receptacles, kiosks, etc.

(6) Screening.

(a) Roof-mounted mechanical equipment shall be screened from the public right-of-way by parapet walls or structural features. The minimum height of the parapet walls or structural features shall be as follows:

1. 42" if the roof top equipment is within 10 feet of the building wall;
2. 30" if the roof top equipment is within 20 feet of the building wall;
3. 18" if the roof top equipment is beyond 20 feet of the building wall.

(b) Wall-mounted mechanical and electrical equipment on major facades is discouraged. If used, it shall be screened by dense evergreen foliage or by other acceptable screening devices. Wall-mounted mechanical equipment on non-major facades shall be painted to match the color of the subject building or screened by other acceptable screening devices.

(c) Ground-mounted mechanical and electrical equipment, excluding transformers, adjacent to a major facade shall be screened through use of walls, earth berms, dense evergreen foliage or other acceptable screening devices.

(d) Loading areas which face a public street or residentially-zoned property and which are not separated from the public street or a residentially-zoned property by intervening buildings, landscaping or by a distance of at least 100 feet, shall be screened with solid walls which are a minimum of six feet in height when measured from the finished grade exterior to the loading area. The distance of the screening wall from the loading area shall not exceed 100 feet.

(D) *Design Standards – All Non-Residential Uses.*

(1) Building Entrances. Primary entrances along major facades shall be clearly defined with facade variations, porticos, roof variations, recesses or projections, or other integral building forms.

(2) Break up the Mass. Major facades greater than 100 feet in length shall break up building mass by including at least two of the following architectural features:

(a) Wall plane projections or recesses of at least 2 feet in depth, occurring at least every 100 feet and extending at least 25% of the length of the facade;

(b) A vertical change in color, texture, or material occurring every 50 linear feet and extending at least 20% of the length of the facade;

(c) An offset, reveal, pilaster, or projecting element, no less than two feet in width and projecting from the facade by at least six inches and repeating at minimum intervals of 30 feet;

(d) Three dimensional cornice or base treatments;

(e) Art such as murals or sculpture to be coordinated through the City Arts Program;

(f) A change in visible roof plane or parapet height for every 100 feet in length, however, each distinct roof plane does not have to equal 100 feet in length;

(g) Any other treatment that meets the intent of this section and that meets the approval of the Planning Director or his designee.

(h) Exception. In cases where the applicant has provided pedestrian amenities according to subsection (C)(2) above, the applicant need only provide one of the above-listed treatments.

(3) Provisions for Employees. Buildings requiring six or more water closets, pursuant to the Uniform Building Code, shall provide outdoor gathering space for employees. Such space shall be a minimum of 300 square feet, with seating and shade covering a minimum of 25% of the area.

(a) Exception. The provision for employees will not be required if an outdoor plaza, patio, courtyard or pocket park are provided as part of the development plan in accordance with subsection (C)(4) above.

(4) Accessory Buildings. All accessory buildings visible from a public street shall be similar in color and material to the major building on a site.

(5) Drive-Up Service Windows. Drive-up service windows shall be oriented away from pedestrian areas, residentially-zoned areas and public streets where possible. In cases where drive-up service windows face these areas, screening shall be provided. Screening may be in the form of walls, earth berms, or evergreen landscaping, or a combination thereof and shall be a minimum of three feet in height. Where walls are provided, a minimum 3-foot wide planting strip with live vegetation shall also be provided on the pedestrian or residential or public street side.

(6) Gas Fueling Canopies. Gas fueling canopies and canopy fascia shall be similar in color and texture to the major building on a site. All under-canopy lighting shall be recessed so that no light lens projects below the canopy ceiling. The canopy fascia shall not be internally illuminated.

(Ord. 10-2004; Am. Ord. 23-2007)



# Design Standards

The purpose of these Design Standards is to provide a framework to assist the architects, landscape architects, and designers in understanding the vision and development goals for the property. The primary goal for this property is to achieve a vibrant, mixed-use community that fosters pedestrian accessibility and maintains a village-type character.

The Design Standards should be used to facilitate the design of buildings which respect the natural conditions of the site, maintain and highlight the spectacular views of the Sandia and Manzano Mountains and to leave significant areas dedicated to open space. Innovative techniques such as cluster housing, water harvesting, and use of "green" building materials are strongly encouraged.

These standards address the issues of landscape, setbacks, pedestrian amenities, screening, lighting, signage, and architecture that will create the visual image desired for Andalucia at La Luz. They are intended to be complementary to La Luz, Albuquerque's first cluster housing project, and the Bosque School. These standards primarily address commercial, office, and multi-family projects. Where specifically applicable to single-family development, the standards are called out as such.

Subsequent Site Plans for Building Permits shall be consistent with the design standards established by this Site Plan for Subdivision and shall be approved by the Environmental Planning Commission. Minor amendments to this Site Plan for Subdivision shall be approved administratively by the Planning Director in accordance with the Comprehensive City Zoning Code, Section 14-16-2-22 (A)(6) Special Use Zone, and major amendments shall be approved by the Environmental Planning Commission.

## COORS CORRIDOR PLAN - VIEW and HEIGHT RESTRICTIONS

A primary design requirement of the Coors Corridor Plan is view preservation. Andalucia at La Luz addresses the Coors Corridor Plan as follows:

- Coors Corridor Viewshed rules come into effect when a northbound vehicle passes Namaste Road.
- Measurement of building heights shall be consistent with the Coors Corridor Plan.
- A combination of walls and berms shall be built along Coors Boulevard. The high point of the wall or berm will occur within the first 60 feet of the property, but not closer than 20 feet from the right-of-way. From any point along the east edge of Coors, the high point of the wall or berm will obscure no more than 50% of the height of Sandia Crest, measured directly below Sandia Crest.
- All multi-story structures shall be built with the finish floor elevation at least 10 feet below the roadway, measured along a 45-degree angle from the northbound direction of travel along Coors.
- 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 four feet above the east edge of Coors Boulevard. In no event will more than 1/3 of the total building height outside of the setback area for multi-story buildings be permitted to penetrate through the view plane.
- As viewed from Coors Boulevard, no structure shall obscure more than 50 percent of the height of Sandia Crest, measured directly below Sandia Crest.

## PEDESTRIAN and SITE AMENITIES

The creation of a pedestrian-friendly environment will depend on creative site design and will be a primary design objective for Andalucia at La Luz. Objectives to achieve this goal include maintaining a high quality and consistency in style for site amenities including benches, plazas, walkways, lighting, etc.; providing shaded walkways; and creating separate vehicular and pedestrian circulation systems in order to support the creation of a village-type character.

The use of alternative paving materials (brick, colored concrete, decomposed granite, etc.) for pedestrian pathways are encouraged. Public art is another site amenity that is strongly encouraged, and if proposed,

## COORS CORRIDOR PLAN - VIEW and HEIGHT RESTRICTIONS

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- As viewed from Coors Boulevard, no structure shall obscure more than 50 percent of the height of Sandia Crest, measured directly below Sandia Crest.

## PEDESTRIAN and SITE AMENITIES

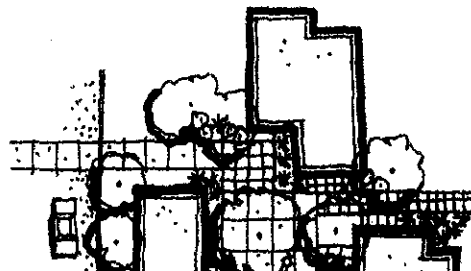
The creation of a pedestrian-friendly environment will depend on creative site design and will be a primary design objective for Andalucia at La Luz. Objectives to achieve this goal include maintaining a high quality and consistency in style for site amenities including benches, plazas, walkways, lighting, etc.; providing shaded walkways; and creating separate vehicular and pedestrian circulation systems in order to support the creation of a village-type character.

The use of alternative paving materials (brick, colored concrete, decomposed granite, etc.) for pedestrian pathways are encouraged. Public art is another site amenity that is strongly encouraged, and if proposed, should be part of the subsequent building plans.

## TRAILS and SIDEWALKS

Public and private trails and sidewalk systems are a defining element to Andalucia at La Luz. Private trails for use by residents are designed to lessen the need for vehicular use and will provide pedestrian connectivity throughout the project (see Landscape Section for more detail on trail landscaping).

- City Trails - All public multi-use trails through Andalucia at La Luz shall be built to City standards, per the City's Trails and Bikeways Facility Plan.
- All private trails and paths shall be soft surface, with a minimum width of 6 feet.
- All pedestrian paths shall be designed to be handicapped accessible (see Americans with Disabilities Act Criteria for Barrier-Free Design, except where topography makes this unfeasible (several streets require grades over 6%).
- The use of asphalt paving for pedestrian trails is discouraged. Concrete or compacted decomposed granite with stabilizer are acceptable materials.
- Pedestrian connections to buildings should be provided in parking lots with greater than 50 spaces and should connect to adjacent roadways, sidewalks, and pathways.





## TAB 13

The large retail facility with a drive through lane is not village type development. The overall design is auto oriented. Drive through uses increase internal traffic and auto use and inconsistent with pedestrian orientation and village character.



TAB 14

Andalucia Regulations limit the entire subdivision to 23.3 acres of SU-1 for C-2 development. There is no justification for increasing the C-2 uses eliminating office uses and thereby reducing the original goal of mixed use.



**From:** Mike Cadigan  
**Sent:** Friday, January 20, 2012 5:47 PM  
**To:** 'cmarrone@cabq.gov'  
**Cc:** Mike Cadigan  
**Subject:** Project 1003859 Walmart at Coors & Montano

Ms. Marrone,

I write in opposition to the proposed Walmart at Coors and Montano. The project cannot be approved for many reasons including, but not limited to the following:

1. The drainage plan is inadequate and has not sufficiently been evaluated by city staff.
2. The drainage plan calls for a retention pond that will not drain to the MRGCD facilities, and will not reach the Rio Grande. Retention ponds that do not drain to the River are prohibited by State Engineer Rules.
3. The current site plan omits the conveyance that was on the prior (2004) Site Plan that had a conveyance to the Corrales drain in the event of a 100 year flood. The current plan has no contingency for 100 year flood.
4. The project's drainage plan is based on a finding that it is not in a flood plane. In fact, the new flood plane that is proposed by the Corps of Engineers shows that the project will be, in part, within a flood plane.
5. The applicant has only submitted a "conceptual" drainage plan. DPM requires that a final drainage plan be submitted.
6. The project does not have legal rights to discharge into the Corrales Main Canal and MRGCD is not likely to allow it.
7. The project lacks sign off from AMAFCA or its agent.
8. The project violates the Andalusia Regulations and City Plans and Ordinances.
9. The project does not meet minimum access criteria under the Zoning Code.
10. The project will exacerbate traffic on Coors & Montano.
11. The circumstances under which the "left in" from Southbound Montano was obtained is the subject of a federal grand jury investigation.

I plan to supplement these objections at a later time. Please place these objections in the record for this case. Thank you.

Michael J. Cadigan

Cadigan Law Firm, P.C.



TAB 16

The outdoor storage for a nursery is not permitted and the clutter associated with a nursery is not compatible with Bosque School. See §14-16-3-2(D)(5)(1) (“Outdoor storage as part of a mixed-use development or within a C-1 or C-2 zoned site is not allowed.”)

# TIMOTHY V. FLYNN-O'BRIEN

Attorney at Law  
817 Gold Avenue SW  
Albuquerque, New Mexico 87102-3014  
Phone: 505-242-4088 / Fax: 866-428-7568

May 21, 2012

Ms. Deborah Stover, Planning Director  
City of Albuquerque  
Planning Department  
600 2nd Street NW  
Albuquerque, New Mexico 87102

[dstover@caba.gov](mailto:dstover@caba.gov)

Ms. Carmen Marrone  
Division Manager, Current Planning  
City of Albuquerque Planning Department  
600 2nd Street NW  
Albuquerque, New Mexico 87102

[cmarrone@cabq.gov](mailto:cmarrone@cabq.gov)

Dora Henry  
Administrative Assistant  
City of Albuquerque Planning Department  
600 2nd Street NW  
Albuquerque, New Mexico 87102

[dhenry@cabq.gov](mailto:dhenry@cabq.gov)

Crystal Ortega, Council Services  
Albuquerque City Council  
City of Albuquerque  
One Civic Plaza NW, 9th Floor  
Albuquerque, New Mexico 87102

[cortega@cabq.gov](mailto:cortega@cabq.gov)

**RE: AC-12-10**

Dear Ms. Stover, Ms. Marone, Ms. Ortega and Ms. Henry:

The following neighborhood associations and coalitions join in the appeal of the declaratory ruling:

1. Santa Fe Village Neighborhood Association (District 1)
2. La Luz Landowners Association (District 1)
3. Las Casitas Del Rio I Home Owners Association (District 1)
4. Las Casitas Del Rio II Home Owners Association (District 1)
5. Quaker Heights Neighborhood Association (District 1)

Deborah Stover  
Carmen Marrone  
Crystal Ortega  
Dora Henry  
May 21, 2012  
Page 2 of 3

6. Alban Hills Neighborhood Association (District 1)
7. Windmill Manor Home Owners Association (District 1)
8. Ladera West Neighborhood Association (District 1)
9. Oxbow Village Home Owners Association (District 1)
10. Pat Hurley Neighborhood Association (District 1)
11. Vista Grande Neighborhood Association (District 1)
12. Grande Heights Neighborhood Association (District 1)
13. West Bluff Neighborhood Association (District 1)
14. San Blas Home Owners Association (District 1)
15. Laurelwood Neighborhood Association (District 1)
16. North Valley Coalition (Districts 2 and 4)
17. Los Griegos Neighborhood Association (District 2)
18. Greater Gardner Neighborhood Association (District 2)
19. Gavilan Addition Neighborhood Association (District 2)
20. Federation of University Neighborhoods (District 2)
21. North Campus Neighborhood Association (District 2)
22. Kirtland Community Association (District 2)
23. Alameda North Valley Neighborhood Association (District 4)
24. Stone Brooke Estates Home Owners Association (District 4)
25. Northeast Valley Neighborhood Association (District 4)
26. Vista Del Norte Alliance (District 4)
27. Vista Del Norte Home Owners Association (District 4)
28. Agave Home Owner Association (District 4)
29. Tuscany Neighborhood Association (District 5)
30. La Sala Grande Neighborhood Association (District 7)
31. Oso Grande Neighborhood Association (District 8)
32. Albuquerque Estates East Neighborhood Association (District 8)

I spoke with Kevin Curran about whether it was necessary to file a new appeal and then to combine the two or just to add these associations as additional parties to the appeal all represented by me.

If you have any questions please call me. Copies of the Certification for each association are attached.

Very truly yours,



Timothy V. Flynn-O'Brien

TVFOB/mlg

Deborah Stover  
Carmen Marrone  
Crystal Ortega  
Dora Henry  
May 21, 2012  
Page 3 of 3

Enclosures as stated

xc: Bruce Thompson  
Michelle Henrie  
Anita Miller  
Kevin Curran  
Rene' Horvath  
Jolene Wolfley  
Bill Kreamer  
Ron Bohannon

**Certification**

The **Santa Fe Village Neighborhood Association** joins in this appeal of the Declaratory Ruling dated March 23, 2012 concerning Large Retail facilities as an appellant.

Signed: Donna J. Rigano, President, SFVNA



Phone number: 505-899-0910

Email address: [djrigano@swcp.com](mailto:djrigano@swcp.com)

Mailing address: 5601 Bogart St. NW, Albuquerque, NM 87120



### CERTIFICATION

The (enter name of neighborhood association or coalition)

La Luz Landowners Assoc. joins in this appeal of the Declaratory Ruling dated March 23, 2012, concerning Large Retail facilities as an appellant.

Signed

Laura Campbell [Signature] (President/Vice President)

Phone number: 688-6923

Email address: campbell-la@aps.edu

Mailing address: 15 Pool NW Albuquerque, NM 87126

Please return a scan of the signed certification to land@trna.org, or mail to:

TRNA

P.O. Box 66288

Albuquerque, NM 87193-6288

Approved April 23, 2012

Planning Dept Case File:

Dec ruling LRF

AC-12-10

## CERTIFICATION

The (enter name of neighborhood association or coalition)

Las Casitas Del Rio joins in this appeal of the Declaratory  
Ruling dated March 23, 2012, concerning Large Retail facilities as an  
appellant.

Signed  (President/Vice President)

Phone number: 321-1988

Email address: patrickmoore53@gmail.com

Mailing address:  Patrick A. Moore  
3512 Nolina Ct. NW  
Albuquerque, NM 87120

Please return a scan of the signed certification to land@trna.org, or mail to:

TRNA

P.O. Box 66288

Albuquerque, NM 87193-6288

### CERTIFICATION

The (enter name of neighborhood association or coalition)

Las Casitas del Rio das joins in this appeal of the Declaratory  
Ruling dated March 23, 2012, concerning Large Retail facilities as an  
appellant.

---

Signed Laurence Joor (President/Vice President)

Phone number (505) 243-7701

Email address: Le4@comcast.net

Mailing address: 6184 Deercross Cir. N.W. A/B. 87120

Please return a scan of the signed certification to land@trna.org, or mail to:

TRNA

P.O. Box 66288

Albuquerque, NM 87193-6288

## CERTIFICATION

The (enter name of neighborhood association or coalition)

Quaker Heights Neighborhood Assoc joins in this appeal of the Declaratory  
Ruling dated March 23, 2012, concerning Large Retail facilities as an  
appellant.

Signed Matthew R. Bacer (President/Vice President)  
Matthew R. Bacer

Phone number: 505-730-1692

Email address: matthewrbacer@yahoo.com

Mailing address: 5125 Northern Tr. N.W 87120

Please return a scan of the signed certification to [land@trna.org](mailto:land@trna.org), or mail to:

TRNA

P.O. Box 66288

Albuquerque, NM 87193-6288

### CERTIFICATION

The Alban Hills Neighborhood Association joins in this appeal of the Declaratory Ruling dated March 23, 2012 , concerning Large Retail facilities as an appellant.

Signed *Patsy Nelson* (President/Vice President)

Phone number: 505-228-5087

Email address: patsyncnelson@msn.com

Mailing address: 3301 La Rambla St. NW, Albuquerque, NM 87120

Please return a scan of the signed certification to [land@trna.org](mailto:land@trna.org), or mail to:

TRNA

P.O. Box 66288

Albuquerque, NM 87193-6288

## CERTIFICATION

The (enter name of neighborhood association or coalition)  
Windmill Manor Home Owners Assoc. joins in this appeal of the  
Declaratory Ruling dated March 23, 2012, concerning Large Retail facilities  
as an appellant.

Signed Lisa H. Woods (President/Vice President)

Phone number: 505 897-7444

Email address: woods7444@msn.com

Mailing address: 5304 Tierra Amada St NW, Albuquerque, NM 87120

Please return a scan of the signed certification to land@trna.org, or mail to:

TRNA

P.O. Box 66288

Albuquerque, NM 87193-6288

## **Certification**

**The (enter name of neighborhood association or coalition)  
LADERA WEST NA joins in this appeal of the Declaratory  
Ruling dated March 23, 2012 concerning Large Retail facilities  
as an appellant.**

**Signed: ROBERT MCCANNON (President/Vice president)**

**Phone number: 839-9702**

**Email address: [mccannon@flash.net](mailto:mccannon@flash.net)**

**Mailing address: 2808 El Tesoro Escondido, ABQ 87120**

[nigel@hoameco.com](mailto:nigel@hoameco.com)

Dear Mr. Flynn-O'Brien:

On April 16, 2012, the Board of Directors of the Oxbow Village Homeowners Association unanimously voted to join the Taylor Ranch Neighborhood Association in the appeal of the Walmart-related Declaratory Ruling of March 23, 2012. We would appreciate it if you could take the appropriate steps to note our appeal. We understand and agree that the Taylor Ranch Neighborhood Association is your only client in this matter.

The Board has also voted to contribute \$500 toward your ongoing legal fees for this appeal by depositing a check in that amount to your trust fund.

Thank you for your efforts on behalf of the Albuquerque community.

Richard Shine  
President  
Oxbow Village Homeowners Association

The (enter name of neighborhood association or coalition)

PAT HURLEY NEIGHBORHOOD ASS joins in this appeal of the Declaratory Ruling dated March 23, 2012 concerning Large Retail facilities as an appellant.

Signed: George R. Holly (President Vice president)

Phone number: 505-831-1560

Email address: genaly40@aol.com

Mailing address: 5020 La Bajada Rd. N.W. 87105

Please return signed certification enjoining the Appeal or a brief Statement of Support for the Appeal to [land@trna.org](mailto:land@trna.org), or mail to TRNA, P.O. Box 66288, Albuquerque NM 87193-6288

Thank you!

[1] Influential commercial land holders who want to maximize their ownership rights, and residents also with land-use rights that protect the general welfare and maintain the integrity of their property-related investments.

[2] Historically, majority decision-makers from one side of the river have dictated dubious land-use policy decisions upon the other side.

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### Certification

The VISTA GRANDE NEIGHBORHOOD ASSOCIATION joins in this appeal of the Declaratory Ruling dated March 23, 2012 concerning Large Retail facilities as an appellant.

Signed:  Berent Groth (President))

Phone number: 266 6700

Email address: berentgroth@mac.com

Mailing address: 3546 Sequoia Place NW ,

Albuquerque, NM 87120 \_\_\_\_\_

**Please return signed certification enjoining the Appeal or a brief Statement of Support for the Appeal to land@trna.org, or mail to TRNA, P.O. Box66288, Albuquerque NM 87193-6288**

**Thank you!**

[1] Influential commercial land holders who want to maximize their ownership rights, and residents also with land-use rights that protect the general welfare and maintain the integrity of their property-related investments.

[2] Historically, majority decision-makers from one side of the river have dictated dubious land-use policy decisions upon the other side.

May 1, 2012

Tim Flynn-O'Brien

Re: Project # 1003859

Greetings,

This is to certify that Grande Heights Neighborhood Association, at its Annual Meeting held April 30, 2012, voted *unanimously* to join the Taylor Ranch Neighborhood and the West Side Coalition of Neighborhood Associations in their Appeal of Declaratory Rulings issued by the City of Albuquerque in March 2012.

The GRHNA remains in strong opposition to the proposed development project at Coors/Montano, which includes a Large Retail Facility—in this case a large Walmart.

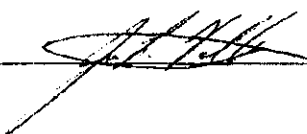
Respectfully submitted,

Dr. Joe L. Valles, President: GHNA

## APPELLANT CERTIFICATION

The GRANDE HEIGHTS NEIGHBORHOOD ASSOCIATION at it's Annual Meeting held April 30, 2012 Voted Unanimously to Join the Taylor Ranch Neighborhood Association and the West Side Coalition of Neighborhood Associations in appeal of the Declaratory Ruling dated March 23, 2012, concerning Large Retail facilities as an Appellant.

Signed



(Dr. Joe L. Valles, President: GHNA)

Phone: Home: 505-836-1847 Cell: 505-720-0253

Email: [joevalles@aol.com](mailto:joevalles@aol.com)

Address: 5020 Grande Vista Ct. NW

Certification

The (enter name of neighborhood association or coalition) West Bluff Neighbor joins in this appeal of the Declaratory Ruling dated March 23, 2012 concerning Large Retail facilities as an appellant. hood Assoc

Signed: John Landman (President/Vice president)

Phone number: 871-2063

Email address: L.J.C. ROTH & LAWRENCE, N.F.

Mailing address: 2736 HNA CT NW, Bldg. 87120

Please return signed certification enjoining the Appeal or a brief Statement of Support for the Appeal to [land@trna.org](mailto:land@trna.org), or mail to TRNA, P.O. Box 66288, Albuquerque NM 87193-6288

Thank you!

- [1] Influential commercial land holders who want to maximize their ownership rights, and residents also with land-use rights that protect the general welfare and maintain the integrity of their property-related investments.
- [2] Historically, majority decision-makers from one side of the river have dictated dubious land-use policy decisions upon the other side.

 **BigBox(Walmart)Appeal-CalltoAction.doc**  
39 KB

## CERTIFICATION

The SAN BLAS HOMEOWNERS ASSOCIATION (name of association) joins in this appeal of the Declaratory Ruling dated March 23, 2012, concerning Large Retail Facilities as an appellant.

Signed PAT MONTAGUE President Vice President, please circle one)

Print Name PAT MONTAGUE

Phone number: 615-0094

Email Address: MONTAGUE-F@SBS.EDU  
SAN BLAS HOMEOWNERS ASSOC.

Mailing address: 3301-R COORS RD. NW, PMB 172  
ALBUQUERQUE, NM 87120

Please return a scan of the signed certification to [land@trna.org](mailto:land@trna.org), or mail to:

TRNA

P.O. Box 66288

Albuquerque, NM 87193-6288

## CERTIFICATION

The Laurelwood Neighborhood Association (name of association) joins in this appeal of the Declaratory Ruling dated March 23, 2012, concerning Large Retail Facilities as an appellant.

Signed Candy Patterson (President/Vice President, please circle one)

Print Name Candy Patterson

Phone number: 321-1761

Email Address: CandyPatterson

Mailing address: 12003 Piñonwood NW ABQ, NM 87120

Please return a scan of the signed certification to [land@trna.org](mailto:land@trna.org), or mail to:

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P.O. Box 66288

Albuquerque, NM 87193-6288

### CERTIFICATION

The (enter name of neighborhood association or coalition)

North Valley Coalition joins in this appeal of the Declaratory Ruling dated March 23, 2012, concerning Large Retail facilities as an appellant.

Signed Ch. Catal. (President/Vice President)

Phone number: 505-271-9876

Email address: catechis@msw.com

Mailing address: 5733 Guadalupe Trail, NW. ABQ NM. 87107

Please return a scan of the signed certification to [land@trna.org](mailto:land@trna.org), or mail to:

TRNA

P.O. Box 66288

Albuquerque, NM 87193-6288

## CERTIFICATION

The Las Griegas Neighborhood Assoc. (name of association) joins in this appeal of the Declaratory Ruling dated March 23, 2012, concerning Large Retail Facilities as an appellant.

Signed Candice Knight (President) Vice President, please circle one)

Print Name Candice Knight

Phone number: 505-344-8844

Email Address: candiceknight282@hotmail.com

Mailing address: 1858 Griegas Rd NW

Please return a scan of the signed certification to [land@trna.org](mailto:land@trna.org), or mail to:

TRNA

P.O. Box 66288

Albuquerque, NM 87193-6288

## CERTIFICATION

The **GREATER GARDNER NEIGHBORHOOD ASSOCIATION** joins in this appeal of the Declaratory Ruling dated March 23, 2012, concerning Large Retail Facilities as an appellant.

Signed David Wood (President) Vice President, please circle one)

Print Name **David Wood, C.P.A.**

Phone number **250-0421**

Email Address: **wood\_cpa@msn.com**

Mailing address: **158 Pleasant NW, Albuquerque, NM 87107**

Please return a scan of the signed certification to [land@trna.org](mailto:land@trna.org), or mail to:

TRNA

P.O. Box 66288

Albuquerque, NM 87193-6288

## CERTIFICATION

The GAVILAN ADDITION NA (name of association) joins in this appeal of the Declaratory Ruling dated March 23, 2012, concerning Large Retail Facilities as an appellant.

Signed Claire A. Goldstein (President/Vice President, please circle one)

Print Name CLAIRE GOLDSTEIN

Phone number: 505-343-9335

Email Address: cagoldstein@comcast.net

Mailing address: 5933 Pauline Ave NW Albuquerque, NM 87107

Please return a scan of the signed certification to [land@trna.org](mailto:land@trna.org), or mail to:

TRNA

P.O. Box 66288

Albuquerque, NM 87193-6288

## CERTIFICATION

The Federation of University Neighborhoods (name of association) joins in this appeal of the Declaratory Ruling dated March 23, 2012, concerning Large Retail Facilities as an appellant.

Signed Mardon Gardella (President Vice President, please circle one)

Print Name Mardon Gardella

Phone number: 505-843-6154

Email Address: mg411@gmail.com

Mailing address: 411 Maple St. NE 87106

Please return a scan of the signed certification to \_\_\_\_\_, or mail to:

TRNA

P.O. Box 66288

Albuquerque, NM 87193-6288

## CERTIFICATION

The \_\_\_\_\_ (name of association) joins in this appeal of the Declaratory Ruling dated March 23, 2012, concerning Large Retail Facilities as an appellant.

Signed *Tim Davis*

Vice President, North Campus Neighborhood Association

Print Name: Tim Davis

Phone number: 505-264-3524

Email Address: [tdavis@pcs-nm.com](mailto:tdavis@pcs-nm.com)

Mailing address: 2404 Hannett NE, Alb. NM 87106

Please return a scan of the signed certification to [land@trna.org](mailto:land@trna.org), or mail to:

TRNA

P.O. Box 66288

Albuquerque, NM 87193-6288

## CERTIFICATION

The Kirtland Community Association (name of association) joins in this appeal of the Declaratory Ruling dated March 23, 2012, concerning Large Retail Facilities as an appellant.

Signed [Signature] <sup>Acting</sup> Secretary (President/Vice President, please circle one)

Print Name Kimberly Brown

Phone number: 505-242-9439

Email Address: Karde@Yahoo.com

Mailing address: 1533 San Jose SE, Albany, NM 87106

Please return a scan of the signed certification to [land@trna.org](mailto:land@trna.org), or mail to:

TRNA

P.O. Box 66288

Albuquerque, NM 87193-6288

### CERTIFICATION

The (enter name of neighborhood association or coalition)

Alameda North Valley Association joins in this appeal of the Declaratory Ruling dated March 23, 2012, concerning Large Retail facilities as an appellant.

Signed Steve Venturi (President/Vice President)

Phone number: 505-897-3052

Email address: 9119NEWS@901.COM

Mailing address: 8919 Bos Lane NE, Albuquerque, N.M. 87113

Please return a scan of the signed certification to [land@trna.org](mailto:land@trna.org), or mail to:

TRNA

P.O. Box 66288

Albuquerque, NM 87193-6288

### CERTIFICATION

The (enter name of neighborhood association or coalition)

Stone Brooke Estates HOA joins in this appeal of the Declaratory Ruling dated March 23, 2012, concerning Large Retail facilities as an appellant.

Signed Colman Seager (~~President~~ Vice President)

Phone number: 505 340-8026

Email address: cdseager@hotmail.com

Mailing address: 7232 Pebble Stone PL NE ABQ NM 87113

Please return a scan of the signed certification to land@trna.org, or mail to:

TRNA

P.O. Box 66288

Albuquerque, NM 87193-6288

Mailed 5/10/12

## CERTIFICATION

The NORTHEAST VALLEY NEIGHBORHOOD ASSOCIATION (name of association) joins in this appeal of the Declaratory Ruling dated March 23, 2012, concerning Large Retail Facilities as an appellant.

Signed RJ Marney (President/Vice President, please circle one)

Print Name RJ MARNEY

Phone number: 345-1205

Email Address: RJMALBNMUSA@COMCAST.NET

Mailing address: 40508 BEAR CANYON LANE NE, ALB 87113

Please return a scan of the signed certification to [land@trna.org](mailto:land@trna.org), or mail to:

TRNA

P.O. Box 66288

Albuquerque, NM 87193-6288

## CERTIFICATION

The (enter name of neighborhood association or coalition)

VISTA DEL NORTE ALLIANCE joins in this appeal of the Declaratory Ruling dated March 23, 2012, concerning Large Retail facilities as an appellant.

Signed *Paul Crawley* (President/Vice President)

Phone number: 505-299-0145

Email address: AMERRON @ YAHOO.COM

Mailing address: 7331 SIDEWINDER DRIVE N.E.

Please return a scan of the signed certification to [land@trna.org](mailto:land@trna.org), or mail to:

TRNA

P.O. Box 66288

Albuquerque, NM 87193-6288

### CERTIFICATION

The (enter name of neighborhood association or coalition)

Vista del Norte Home Owners Assn joins in this appeal of the Declaratory Ruling dated March 23, 2012, concerning Large Retail facilities as an appellant.

Signed [Signature] (President/Vice President)

Phone number: 505-821-6185

Email address: RHix5@Comcast.Net

Mailing address: 905 Bosque Rd NE ALBQ NM 87113

Please return a scan of the signed certification to [land@trna.org](mailto:land@trna.org), or mail to:

TRNA

P.O. Box 66288

Albuquerque, NM 87193-6288

### CERTIFICATION

The (enter name of neighborhood association or coalition)

AGAVE joins in this appeal of the Declaratory  
Ruling dated March 23, 2012, concerning Large Retail facilities as an  
appellant.

Signed Rocky Rochol (President/Vice President)

Phone number: 505-293-0493

Email address: rocket@quest.net

Mailing address: 6512 Agave Verde Way NE 37113

Please return a scan of the signed certification to land@trna.org, or mail to:

TRNA

P.O. Box 66288

Albuquerque, NM 87193-6288

### CERTIFICATION

The (enter name of neighborhood association or coalition)

Tuscany Neighborhood Assn joins in this appeal of the Declaratory Ruling dated March 23, 2012, concerning Large Retail facilities as an appellant.

Signed Rachel Martinez (President/Vice President)

Phone number: 350-2323

Email address: refpaymaster.abq@gmail.com

Mailing address: 10527 Sorrento Dr. NW, 87114

Please return a scan of the signed certification to land@trna.org, or mail to:

TRNA

P.O. Box 66288

Albuquerque, NM 87193-6288

## CERTIFICATION

The La Sala Grande Neighborhood Association (name of association) joins in this appeal of the Declaratory Ruling dated March 23, 2012, concerning Large Retail Facilities as an appellant.

Signed Neva King (President) Vice President, please circle one)

Print Name NEVA KING

Phone number: 401-4326

Email Address: King Neva 99 @ Yahoo . Com

Mailing address: 8714 La Sala Del Centro NE

Please return a scan of the signed certification to [land@trna.org](mailto:land@trna.org), or mail to:

TRNA

P.O. Box 66288

Albuquerque, NM 87193-6288

*Polled our board &  
we support  
Quality of Life issues.*

## CERTIFICATION

The Oso Grande Neighborhood Assn. (name of association) joins in this appeal of the Declaratory Ruling dated March 23, 2012, concerning Large Retail Facilities as an appellant.

Signed Alicia Quinones (President/Vice President, please circle one)

Print Name ALICIA QUINONES

Phone number: 296-3762

Email Address: quinones@cyberwest.com


Mailing address: 4821 Noreen Ct NE

Please return a scan of the signed certification to [land@trna.org](mailto:land@trna.org), or mail to:

TRNA

P.O. Box 66288

Albuquerque, NM 87193-6288

Becky Jay	Becky Tays, Oso Grande NA Board member,	550-5558
	" "	237-9676
Seth Baker	Bethi Becker	" "
	" "	239-4914
	ED BAKER	" "
	" "	400 7404
Gregory Bruce Briscoe	Gregory Bruce Briscoe	" "
	" "	249-4155
Carolyn Kelly	CAROLYN KELLY	" "

## CERTIFICATION

The Albuquerque Estates East Neighborhood Association (AEENA) (name of association) joins in this appeal of the Declaratory Ruling dated March 23, 2012, concerning Large Retail Facilities as an appellant.

Signed Larry E. Pope (President/Vice President, please circle one)

Print Name Larry E. Pope

Phone number: (505) 821-3077

Email Address lepope@msn.com

Mailing address: 9000 Galaxia Way NE, Albuquerque, NM 87111

Please return a scan of the signed certification to land@trna.org, or mail to:

TRNA

P.O. Box 66288

Albuquerque, NM 87193-6288



## TIMOTHY V. FLYNN-O'BRIEN

Attorney at Law  
817 Gold Avenue SW  
Albuquerque, New Mexico 87102-3014  
Phone: 505-242-4088 / Fax: 866-428-7568

February 24, 2012

Ms. Deborah Stover, Planning Director  
City of Albuquerque  
Planning Department  
600 2nd Street NW  
Albuquerque, New Mexico 87102

[dstover@caba.gov](mailto:dstover@caba.gov)

Ms. Juanita Garcia  
Juanita Garcia, Interim Division Manager  
City of Albuquerque Planning Department  
600 2nd Street NW  
Albuquerque, New Mexico 87102

[juanitagarcia@cabq.gov](mailto:juanitagarcia@cabq.gov)

**RE: Project No. 1003859**

Dear Ms. Stover and Ms. Garcia:

I represent Taylor Ranch Neighborhood Association. Please consider the following request for a Declaratory Ruling pursuant to §14-16-4-8 concerning the above Project No. 1003859.

The purpose of this letter is to request a declaratory ruling(s) pursuant to Section 14-16-4-8 of the Zone Code regarding the applicability of the Large Retail Facility regulations contained in Section 14-16-3-2 Shopping Center Regulations. The threshold question is whether the site for the LRF as presented in Project No. 1003859 11 EPC 40067/40068, is permitted at this site, specifically whether it meets the requirements LRF access regulations. I have not included the proposed site plan for building permit or other records from the voluminous record showing, for example, approval by the EPC of apartments for subdivision areas south of the proposed LRF. Since you testified concerning the LRF I assume you are familiar with the record.

On its face the site plan for building permit presents a LRF of 98,901 sq. ft. on a proposed future tract 2-A of 11.6 acres. Section 14-16-3-2(b)(2) requires the LRF itself 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.

Deborah Stover  
Juanita Garcia  
February 24, 2012  
Page 2 of 2

I have reviewed an email exchange between staff and the applicant as well as the testimony before the EPC by Juanita Garcia, the Acting Code Compliance Manager for the Code Enforcement Division. Because it appears that Ms. Garcia may not have had complete information, I am requesting a formal declaratory ruling.

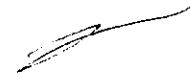
The determination of access for the LRF proposed in this case should be limited to the confines of the area included in the site development plan for building permit. The larger area which is the subject of the Site Development Plan for Subdivision is not a Shopping Center Site, nor a LRF facility. The larger area is subject to site development plan requirements solely because it is zoned SU-1. The Shopping Center designation is a mechanism to impose site plan requirements on properties otherwise exempt.

A LRF is a structure. The purpose of the access restrictions is to guarantee the structure has the required access. LRF regulations cannot be expanded to cover the entire shopping center site. Furthermore, there is nothing in the definition of Site Plan for Subdivision that allows the entire subdivision to be treated as a LRF for purpose of meeting the access requirements.

I believe it is appropriate to request a declaratory ruling with regard to a specific proposed development pursuant to Section 14-16-4-8(A). I also request that you make a general ruling under Section 14-16-4-8(B) on the following question:

Does a LRF meet the access requirements of Section 14-16-3-2(D)(2)(b) if (1) the site plan for building permit for the LRF (98,901 sq. ft.) does not have the required access and; (2) the subdivision in which the LRF is proposed is zoned SU-1 and the local road access to a collector street is through residential zones?

Very truly yours,



Timothy V. Flynn-O'Brien

TVFOB/mlg

xc: Ron Bohannon  
Michelle Henric  
Kevin Curran  
Rene' Horvath  
Jolene Wolfley  
Bill Kreamer

# **TIMOTHY V. FLYNN-O'BRIEN**

**Attorney at Law**  
**817 Gold Avenue SW**  
**Albuquerque, New Mexico 87102-3014**  
**Phone: 505-242-4088 / Fax: 866-428-7568**

April 24, 2012

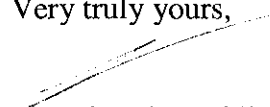
Hugh Floyd, Chair  
Environmental Planning Commission  
City of Albuquerque  
P.O. Box 1293  
Albuquerque, N.M. 87103

Re: Project#1003859; 11EPC-4067/11EPC-40068  
Amendment to Site Plan For Subdivision;  
Site Plan For Building Permit;

Dear Chairman Floyd,

Taylor Ranch Neighborhood Association requests a 60-day deferral of the hearing in this matter. This deferral is requested to allow sufficient time for the City Council to decide AC-12-10. AC-12-10 is an appeal of the March 23, 2012 "Declaratory Ruling Regarding Large Retail Facilities" by the Taylor Ranch Neighborhood Association and other associations and coalitions. The appeal concerns issues central to this case, that is, the proper interpretation of 14-16-3-2(D)(2)(b), including whether the Big Box/LRF ordinance requires that the LRF meet the access criteria or only that the subdivision in which the LRF is located meet the ordinance criteria and whether the EPC can approve a LRF that does not meet access criteria. Since these issues are critical and fundamental to the decisions the EPC must make in this case it makes sense that the City Council clarify the intent of the Ordinance prior to the EPC hearing.

Very truly yours,



Timothy Flynn-O'Brien

cc. Carmone Marrone, Planning Manager  
Catalina Lehner, AICP  
Joe Valles  
Rene' Horvath  
Bill Kraemer  
Ron Bohannon

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[juanitagarcia@cabq.gov](mailto:juanitagarcia@cabq.gov)

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Juanita Garcia  
February 24, 2012  
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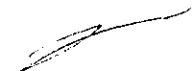
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Timothy V. Flynn-O'Brien

TVFOB/mlg

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April 24, 2012

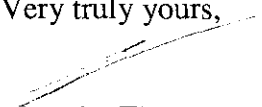
Hugh Floyd, Chair  
Environmental Planning Commission  
City of Albuquerque  
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Timothy Flynn-O'Brien

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