



**Environmental
Planning
Commission**

*Agenda Number: 02
Project Number: 12EPC-40025
Case #: 10004776
June 14, 2012*

Staff Report

Agent	Benjamin D. Gammie
Applicant	Amie Duran
Request(s)	Amendment of Site Development Plan for Building Permit
Legal Description	Lot 12-A, Volcano Business Park, Phase I
Location	3021 Todos Santos Street NW (Near Ouray Blvd. NW and Unser Blvd. NW)
Size	Approximately 3.59 acres
Existing Zoning	SU-1 for C-1 & IP Uses
Proposed Zoning	No Change

Staff Recommendation
APPROVAL of Case # 1004776 based on the Findings beginning on Page 13, and subject to the Conditions of Approval beginning on Page 15.

Staff Planner
Mikaela Renz-Whitmore, Planner

Summary of Analysis

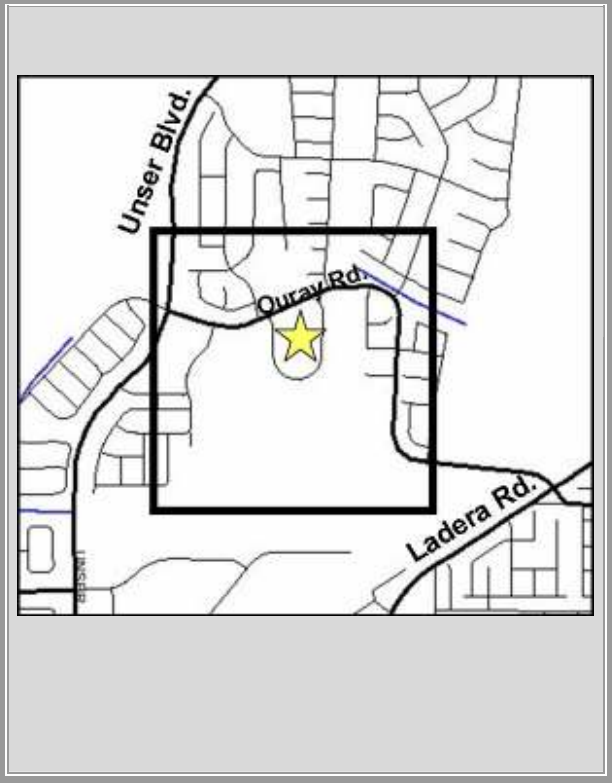
This request for an amended Site Development Plan for Building Permit would effectively replace the previously approved Site Plan from 1987 for Lot 12A. The request includes an additional 15,916 square feet (SF) of classrooms in Phase I and another 3,950 SF of classrooms in Phase II to accommodate a change of tenants from a church to a K-6 charter school. Site improvements and landscaping will all be included as part of Phase I development.

The subject site is in the Developing Urban area, is within the El Rancho Atrisco Sector Plan and the West Side Strategic Plan boundaries, but is not within a Community or Neighborhood Activity Center.

The site includes an existing 21,600 square-foot metal building, a freestanding Wireless Telecommunications Facility (WTF), and a 230 kV electric transmission line.

There is no known opposition to this request.

Staff recommends approval of the amendment to the site development plan based on the Findings and Conditions.



City Departments and other interested agencies reviewed this application from 04/30/2012 to 05/11/2012
 Agency comments used in the preparation of this report begin on Page 18.

I. AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses:

	Zoning	Comprehensive Plan Area; Applicable Rank II & III Plans	Land Use
Site	SU-1 for C-1 and IP Uses	Developing Urban West Side Strategic Plan El Rancho Atrisco Phase III	Church or Place of Worship
North	Same as above		Commercial-Construction & Trade Contractors (NE) Vacant Commercial Land (NW)
South	Same as above		Self Service Storage
East	Same as above		Vacant Commercial Land and Manufacturing and Processing
West	Same as above		Warehouse and Storage (NW) and Vacant Commercial Land (SW)

II. INTRODUCTION

Proposal

The proposal is for an amendment to the Site Development Plan for Building Permit for a property zoned SU-1 for C-1 and IP uses. The amended site plan would effectively replace the previously approved site plan. The applicant wants to change tenants in an existing building from a church to a K-6 charter school and build another 15,916 square feet (SF) of classrooms in Phase I, with another 3,950 SF of classrooms in Phase II. Site improvements and landscaping will all be included as part of Phase I development.

- Existing building area: 21,600 SF (9 classrooms)
- Phase I building area: 15,916 SF (10 classrooms)
- Phase II building area: 3,950 SF (4 classrooms)
- Total building area: 41,466 SF (23 classrooms)

The K-6th grade public charter school is the Horizon Academy West, which is chartered for 450 students maximum. There are 55 current employees. Operating hours will be 8 a.m. – 5 p.m. with occasional evening events. The school is currently renting a facility at 1900 Atrisco Drive NW (Coors & I-40), with 425 students.

EPC Role

As an SU-1 site, the EPC is responsible for reviewing and approving or denying any amendment to the Site Development Plan for Building Permit, which controls development on this site. Because the site will need improvements and additional construction to house the charter school, an amendment to the Site Development Plan for Building Permit will need to be approved to allow the change of tenant and new building construction.

Context

This site is one of several lots once part of the Westland Corporation, which originally proposed this subdivision as the Volcano Business Park. While many uses have been proposed for this site, the existing building has been on the ground since the 1990s. The surrounding properties are either developed as commercial, light industrial, or warehouse/storage or vacant but zoned for such uses. Because the zoning on all properties in the Volcano Business Park are SU-1 and therefore controlled by site development plan and subject to public hearings through the EPC review and approval process, there are sufficient opportunities for the charter school and property owner to weigh in on any future uses that may pose potential negative impacts on this use.

The existing 21,600 SF building is a metal structure with slabs at two heights because of the topography difference from north to south on the site. The façade is plain, with no articulation in volume. While the site plan does not call for significant change to this structure, the elevations do show some articulation with bands of painted color. Phase II development will add volumes to the north and south facades that increase visual interest. Buildings on surrounding properties are plain, utilitarian structures.

A freestanding Wireless Telecommunications Facility (WTF) lies near the center of the site west of the existing building.

There is a major electrical transmission line (230 kV, typically 100-130 feet high) within a 100-foot easement running through the property on the western boundary, and there is a PNM substation south of this area.

The site includes moveable playground equipment but is largely unlandscaped and unimproved west of the building. There is a missing portion of sidewalk on the south boundary of the site.

There are views to the mountains on the east and views to the volcanic escarpment to the west. As this proposal consists only of single-story buildings, no significant impact on views is expected.

The topography of this site poses some challenges. The drainage plan proposes two new retention areas and protects the existing retention area and drainage channel in the northeast corner of the site.

Traffic patterns are not anticipated to pose problems. The site can be accessed from Ouray Rd. at Painted Rock or Todos Santos, which connect at the south end of the site. While Unser Blvd. carries significant traffic near its intersection with Ouray Rd. (20,200 cars per 2010 traffic flows), Ouray Rd. in this area carries only 4,500 cars until it intersects with Ladera Road west of

this area, when it carries 17,700 cars. This indicates Ouray Rd. is not currently used as a cut-through for traffic from Unser Blvd. to Ladera Rd. More traffic can be expected as vacant properties develop, but the majority of this area is developed. Accommodations may be needed for pedestrians to cross Ouray Rd. for students living nearby or visiting the Rinconada Point park east of Ouray Rd.

History

As mentioned above, this lot is part of the Volcano Business Park originally owned by Westland Corporation. There have been many zoning and site plan actions for this site. The relevant cases are listed starting from most recent in the table below.

Case #	Sign off	Action	Relevance	Notes
1004776	2006	Amended Site Plan for WTF	WTF approval	<ul style="list-style-type: none"> No site plans included No landscaping included
DRB-95-462	1996	Site Plan for Subd.	New plat of parcel	<ul style="list-style-type: none"> Shows existing building Shows this parcel shape
DRB-85-319-2	1987	Amended Master Plan	DRB Sign-off of Site Plan that governs this development	<ul style="list-style-type: none"> Same site plan as Z-80-87-6
Z-80-87-6	1987	Site Plan for Bldg. Permit	EPC approval of Site Plan that governs this development	<ul style="list-style-type: none"> Same site plan as DRB-95-462

The site plan included in DRB-85-319-2 and Z-80-87-6, labeled a Master Plan and signed in 1987, shows the existing building as proposed. The platting and streets are different than current conditions. The 100-foot PNM easement is shown splitting the proposed development to the east, including the existing building and existing use north of the subject site, and proposed development to the west. Only one of the subdivided properties on the west has been developed, but in a scheme different from what the site plan from 1987 shows. The site plan shows proposed landscaping, much of which is still existing and proposed to remain. The written notes are largely irrelevant and will be replaced by the current site plan proposal for Lot 12A if approved. The 1987 site plan refers to the vacation of a PNM easement, but staff could find no record of this action or details relating to which easement is being referenced.

There is no documentation associated with a building permit for the existing 21,600 SF building. There's a certificate of occupancy from 1991. Notes from an inspector state that while there are no plans to go by, the building "seems complete."

The Site Plan for Subdivision from 1996 covers the subject site but was intended for development west of the subject site. This Site Plan establishes the current platting for Lot 12A.

At some point subsequent to this Site Plan, platting was changed again to remove the proposed Vulcan St. and Piedra Lumbre St. and replace them with the more curvilinear Painted Rock, which connects from Ouray Rd. NW to Todos Santos St. south of the subject site.

An Amended Site Plan for Building Permit was signed in 2006 to allow the WTF to be added to the subject site west of the existing building. No site plans are included in the case file, and no landscaping or visual screens were required at that time.

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 Unser Blvd. as a Limited-Access Principal arterial, with a right-of-way of 156 ft.

The Long Range Roadway System designates Ouray Rd. as a Collector street, with a right-of-way of 68 ft.

Painted Rock Dr. and Todos Santos St. are local streets.

Public Facilities/Community Services

As shown in the Public Facilities Map in the packet, there are multiple parks and open space areas within a 1-mile radius of the subject site. The closest is Rinconada Point, across Ouray Rd. to the north. The Petroglyph National Monument is across Unser Blvd. to the west. Ladera Golf Course, Ladera pond, and El Rancho Atrisco line Ladera Rd. to the east. Ouray Off-leash Dog Park is within walking distance to the southeast. For more specific information, see the Public Facilities Map.

III. ANALYSIS

Albuquerque Comprehensive Zoning Code

The subject site is zoned SU-1 for C-1 and IP uses. The proposed charter school is a permissive use under C-1 and IP.

14-16-2-22 SU-1 Special Use Zone provides suitable sites for uses that are special because of infrequent occurrence, effect on surrounding property, safety, hazard, or other reasons, and in which the appropriateness of the use to a specific location is partly or entirely dependent on the character of the site design. Because each use must be approved on a Site Development Plan, the requirements of the use can be carefully coordinated with the specific site context.

The zoning includes C-1 (Neighborhood Commercial) uses. In the context of the SU-1 descriptor, "C-1 uses" means permissive and conditional C-1 uses. C-1 "provides suitable sites for neighborhood office, service, institutional, and limited commercial uses to satisfy the day-to-day needs of residential areas" (see Zoning Code §14-16-2-16).

The zoning includes IP (Industrial Park) uses. IP "provides suitable sites for a wide range of compatible industrial and commercial uses" (see Zoning Code §14-16-2-19). Because each use must be approved on a Site Development Plan, its impact on the surrounding uses is taken into account.

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

This request is for an amendment to the Site Development Plan for Building Permit to accommodate a tenant change from a church to a K-6 public charter school, including the addition of a classroom building in Phase I and 4 additional classrooms in Phase II, as well as associated site improvements.

Zone Code §14-16-3-11 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, Facility Plan for Electric System Transmission and Generation (2010-2020), and El Rancho Atrisco Sector Plan.

APPLICABLE ORDINANCES, PLANS AND POLICIES

Albuquerque / Bernalillo County Comprehensive Plan

The subject site is located in an area that the Albuquerque/Bernalillo County Comprehensive Plan has designated Developing 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:

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 generally furthers Policy II.B.5d – neighborhood values/natural environmental conditions. The location on a collector with dual access to Ouray Rd. and the relatively low intensity of the use would generally respect neighborhood values. There is no known neighborhood opposition to the proposal. The relatively low nature of the buildings respects surrounding character and scenic views to the east and west.

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

The proposal furthers Policy II.B.5e – programmed facilities/neighborhood integrity. The subject site is contiguous to existing urban facilities and services, the use of which is unlikely to disrupt neighborhood integrity.

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

The proposal furthers Policy II.B.5i – employment/service use location. Two connected roads provide access to the proposed school from Ouray Rd., so it is unlikely to adversely affect residences to the north or west. As a public charter school open to nearby residents, this use complements nearby residential areas.

West Side Strategic Plan (WSSP) (Rank II)

The West Side Strategic Plan (WSSP) was first adopted in 1997 and amended in 2002 to 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 Ladera community (p. 61-63), which consists of the area within the following boundaries: river on the east, Western Trails on the north, Unser Boulevard on the west, and I-40 on the south.

The policies for this community (policies 3.19 to 3.25, p. 62-63) pertain mostly to Ladera Rd. The site is not located in an area envisioned as a neighborhood or community center.

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 is for a non-residential development outside of the designated Community and Neighborhood Centers. While non-residential development is supposed to occur in Community and Neighborhood Centers, in this case, non-residential uses are already allowed by the existing zoning, and the proposed use is compatible in intensity with nearby residential areas. The proposal does not conflict with WSSP Policy 1.1 – concentrating non-residential development in Community and Neighborhood Centers – but does not further the policy, either.

Policy 3.25: Proposals for new development and rezonings in this area should be carefully analyzed to avoid negative impacts on the [Petroglyph] National Monument and other surrounding properties. Review of proposed projects should consider the design and site layout implications of any new development on surrounding properties.

The proposal furtheres WSSP Policy 3.25 – avoiding negative impact on the Monument and surrounding properties. The low buildings proposed respect views to the Escarpment. This use will have no negative impacts on the Monument, as opposed to more industrial uses that could be developed under this zone, which would pose a bigger potential impact. The design and site layout do not negatively impact surrounding properties.

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 (SOV) use. (p. 176)

The proposal partially furtheres WSSP Policy 4.10 – promote alternatives to single occupant vehicle use. The proposed K-6 public charter school is generally not considered to be a land use that supports non-vehicle or non-SOV travel, though students who live nearby could walk to the school, which generally encourages some non-vehicular travel.

Facility Plan for Electric System Transmission and Generation, 2010-2020 (Rank II)

The Facility Plan for Electric System Transmission and Generation contains policies for the electric transmission system and electric facilities in the City of Albuquerque and unincorporated Bernalillo County. The Plan's main components are location standards for transmission line corridors, design standards for electric transmission facilities, and a list of proposed electric projects. The Plan contains criteria that support City and County long-range planning goals and policies and explains how these criteria are applied when siting transmission corridors and substations.

Policy V.C. Prudent Avoidance: Electric and Magnetic Fields (EMFs) shall be considered when locating new transmission corridors. The City of Albuquerque and Bernalillo County land use planning policy is to adopt measures that will minimize EMF exposures to the public when it is reasonable, practical and low cost. When siting facilities, the utility shall consider schools, child care centers, and residential areas.

The plan provides policies for public utilities, and Policy V.C. – prudent avoidance -- addresses the siting of new transmission lines. While the policy does not apply to private property owners locating near existing transmission lines, the policy of prudent avoidance supports the consideration of potential negative impacts of EMF exposure on schools, child care centers, and residential areas. While the existing transmission line does not preclude a school from locating on this property, the configuration of the site as proposed may not minimize the potential for EMF exposures to students. Because the project is proposed by a private owner and not a public utility, the project neither furtheres nor conflicts with Policy V.C – prudent avoidance of EMF exposure on schools, child care centers, and residential areas.

Sector Plan (Rank III)

The El Rancho Atrisco Sector Plan was first adopted in 1981. The Plan encompasses 348 acres on the Northwest mesa along Unser Boulevard north of I-40. Specific boundaries are not shown in the Plan. The plan sets forth no goals or policies regarding land use and does not include zoning. The sector plan was largely an instrument that allowed annexation to the City and subsequent rezoning of individual properties for subdivision and development.

Site Plan Layout / Configuration

The proposed site development plan consists of a re-use of an existing 21,600 SF metal building (9 classrooms), an additional 15,916 SF building (10 classrooms), staff parking lot, site improvements, and two play areas in Phase I. Phase II would add another 3,950 sf of building space for four (4) future classrooms, bringing the total to 41,466 SF of buildings.

Pursuant to Zoning Code §14-16-2-22, the SU-1 zone, the EPC has discretion regarding height. The existing one-story building is 19 ft. 4 inches high, and the proposed building is also one-story, 21 ft. 4 inches high. Both buildings are within the 26 feet heights allowed permissively in C-1 and IP.

Required setbacks are not relevant to this site configuration, as the existing building is set behind an existing parking lot that will be slightly reconfigured as visitor parking. The proposed building additions will be set behind new staff parking areas, elementary play areas, or vehicle circulation.

The character and scale of the existing and proposed buildings are compatible with surrounding development, which is largely commercial/industrial in nature. The existing building is oriented with the main entry facing east toward Todos Santos St. The additional building will attach to the west and mirror the east/west axis. Existing parking will become visitor parking near the front entrance. Staff parking is proposed on the southern portion of the lot.

Refuse Enclosure: The dumpster area, proposed on the northern end of the subject site, was disapproved by the Solid Waste Management Division because the initial site plan submittal did not make clear whether the dumpster is new or existing. The applicant has updated the site plan to show the enclosure as new. It must comply with the Solid Waste Ordinance. The enclosure is finished in brown stucco over CMU, and the gates are steel painted to match the enclosure.

Public Outdoor Space

City Zoning Code §14-16-3-18(C)(3) General Building and Site Design Regulations for Non-residential Uses requires outdoor seating adjacent to at least one of the façades in buildings containing major façades greater than 100 feet in length, with a ratio of one seat per 25 linear feet of building façade, each a minimum of 24 inches in width and 15 inches in height. The east façade is 300 feet, requiring 12 seats to be provided on the site. This requirement is fulfilled via a patio area of 605 SF just south of the main entrance on the west façade, with a seating wall of 40 linear feet, 16 inches high. A fabric shade structure, detailed as #2 on sheet A1.2, covers 200 SF of this patio area and 100% of the seating, which meets the requirement for a minimum of 25% shaded area, since this seating is on the west façade.

There are two play areas proposed – one for elementary play and one for kindergarten play, with a total square footage of 45,000 SF, or 100 SF per student allowed by the charter. These areas will be landscaped with hydroseeded turf. The applicant is proposing to add a shade structure covering a 400-foot area over the small play area near the bike coral, detailed as #2 on sheet A1.2.

Vehicular Access, Circulation and Parking

Access & Circulation: The subject site is accessed primarily from Todos Santos St. in two locations east of the school, one closer to Ouray Rd. on the north, the other closer to Painted Rock Dr. on the south. Todos Santos St. is accessible from Ouray Rd. both at Todos Santos St. and Painted Rock Dr.

Parking: Pursuant to Zoning Code §14-16-2-22, Special Use Zone, parking is as decided by the EPC on an SU-1 zoned site.

- Zoning Code §14-16-3-1(A)(28), Off Street Parking Regulations, was used to calculate parking, with one space required per employee for an elementary school. The school will have 55 employees; a total of 63 spaces are proposed. There are 51 standard stalls and the required 4 accessible stalls.
- Three motorcycle stalls are required; five are proposed, four near the main entrance in the visitor parking lot and one stall in the staff parking lot. Per Zoning Code §14-16-3-1(C)(2), the three required motorcycle spaces are visible from the entrance of the building and designated with a sign, detailed as #14 on sheet A1.2.
- One bicycle space is required for every 20 students. Since the school charter provides for a maximum of 450 students, 23 spaces are required. The proposed bike coral provides parking for 60 bicycles. Fencing for the coral is detailed as #19 on sheet A1.2.

TIS: A Traffic Impact Study (TIS) was not required.

Pedestrian and Bicycle Access and Circulation, Transit Access

Pedestrian and bicycle access is from Todos Santos St. via a pathway that connects from the public sidewalk. The existing public sidewalk is 4 feet, buffered from the street by a landscape median and mature street trees. There is currently a gap in the existing sidewalk on the southern portion of the site, which the applicant is proposing to fill in with a sidewalk 6 feet wide. There is no transit available on Todos Santos St. or Ouray Rd.

Per City Zoning Code §14-16-3-1, the public sidewalk is connected via crosswalk directly to the main entrance and a pedestrian walkway along the east façade of the building, which leads to the bike coral. This walkway is 6 feet wide and unobstructed.

Walls/Fences

A new 6-ft. chainlink fence will replace an existing chainlink fence on the northern boundary of the subject site, separating it from a commercial use and vacant land to the north. Gates will be

added at the start and end of the vehicle access for the drop-off/pick-up. These gates will be locked during the school day and unlocked 30 minutes before and after school to accommodate pick-up/drop-off at the rear of the site. Per PNM comments, this fence will be grounded, given the 230 kV transmission line above the western portion of this site.

A 6-ft. wrought-iron fence painted kelly blue, detailed as #19 on sheet A1.2, will surround the Kindergarten play area to provide security for younger students.

Per City Zoning Code §14-16-3-17(16)(b), the base of the WTF will be screened from view by a combination of the proposed retaining walls, detailed on sheet C1.0, on the north and west sides of the WTF topped with a dooley wall to the height of 6-feet. A 6-ft. dooley wall, detailed as #6 in sheet A1.2, will screen the base of the WTF from view on the south and east sides.

Lighting and Security

Light poles, medium bronze in color with shielded fixtures, are proposed in three locations on the subject site – two in the staff parking area and one on the north side of the building near the solid waste enclosure. These single-fixture lights are 15 feet, which is permitted by City Zoning Code §14-16-3-9 Area Lighting Regulations. Wall-mounted lighting is proposed on the building on the north and south façades, and recessed lighting is proposed above the doorways on the east façade.

Landscaping

Per Zoning Code §14-16-3-10(F)(1), all trees proposed are between 10-12 feet at installation.

Pursuant to Zoning Code §14-16-3-17(16)(a) a free-standing wireless telecommunication facility shall include landscaping planted and maintained according to a Landscaping Plan approved by the Planning Director or his/her designee; however, the Planning Commission may waive this requirement where the Planning Commission finds this requirement is not useful to achieving the intent of this Zoning Code. The applicant is proposing minimal landscaping on the north, west and south sides of the WTF enclosure.

Per PNM safety policy and the previously approved site plan, all landscaping proposed within the PNM easement is less than 15 feet in height at maturity.

All planters and planting areas achieve at least 75% coverage by living plant material. The applicant is providing more landscaping than required, in large part in order to provide hydroseeded turf in the play areas.

Grading, Drainage, Utility Plans

The subject site slopes downward from the high point of 5151 ft. at the southwest corner of the site to the low point of 5136 ft. at the northeast corner of the subject site. A prominent grade change of 4-5 ft. bisects the property north-south. An existing drainage channel provides detention for the existing building and site improvements. Several retaining walls, earthen slopes, and two detention areas are proposed to provide drainage for new site improvements and additional building area.

Surrounding topography also slopes downward from southwest to northeast. Each lot within the Volcano Business Park discharges to a public storm drain system on Ouray Rd. and is conveyed to the Ladera regional detention facility.

The utility plan proposes adding a domestic water line, a wet tap of the existing 8 inch water line, a new fire hydrant location, a new fire hydrant, 6 inch fire line to building sprinkler system, electric connection at the building, outfall structure from proposed ponding area in the elementary play area, and a new gas point connection.

Architecture

The proposed building is finished with an EIFS system painted a combination of light brown, warm brown, and tan. The east elevation, facing Todos Santos St., uses light brown as the first band of color, warm brown as the second band of color, with accent stripes of darker brown along the first color band. The west elevation is also largely tan articulated by horizontal stripes of darker brown. Doors and other accent elements are kelly blue. Windows are horizontal slits, echoing the emphasis of the horizontal building.

Gateway elements frame the vehicle entry and exit on the north and south ends of the visitor parking lot.

Signage

Pursuant to Zoning Code §14-16-2-22, the SU-1 zone, the EPC has discretion regarding signage. The proposed building-mounted sign is made up of black letters 42 inches high with a total of approximately 70 SF. The address sign has numbers 18 inches high (approximately 3.5 SF). No on-premise sign is proposed on this site.

IV. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies/Pre-Hearing Discussion

PNM comments note coordination needed about high-voltage transmission line safety requirements, easement issues, and re-location of an underground distribution line located beneath the area identified as the site for the new building.

Police comments note that proposed landscaping and exterior lighting may conflict and need to be addressed.

Transportation comments note some ADA accessibility issues that need to be addressed.

Other agency comments can be found at the end of the staff report.

Neighborhood/Public

Ladera West Neighborhood Association and the Westside Coalition of Neighborhood Associations were notified of the project. No facilitated meeting was recommended. There is no known opposition to this proposal.

V. CONCLUSION

The proposal is for an amendment to the Site Development Plan for Building Permit for a property zoned SU-1 for C-1 and IP uses. The amended site plan would effectively replace the previously approved site plan. The applicant proposes to add 15,916 square feet (SF) of classrooms in Phase I and another 3,950 SF of classrooms in Phase II to accommodate a change of tenants from a church to a K-6 charter school. Site improvements and landscaping will all be included as part of Phase I development. The proposed site plan meets requirements per the zoning code.

The request furthers several policies from the Comprehensive Plan, including Policy II.B.5d – neighborhood values/natural environmental conditions, Policy II.B.5e – programmed facilities/neighborhood integrity, and Policy II.B.5i – employment/service use location.

The request partially furthers policies from the West Side Strategic Plan, including Policy 3.25 – avoiding negative impact on the Monument and surrounding properties and Policy 4.10 – promote alternatives to single occupant vehicle use. The request does not conflict with WSSP Policy 1.1 – concentrating non-residential development in Community and Neighborhood Centers – but does not further the policy, either.

As proposed, the project neither conflicts nor furthers Facility Plan for Electric System Transmission and Generation Policy V.C – prudent avoidance of EMF exposure on schools, child care centers, and residential areas.

FINDINGS – (12EPC-40025) (June 14, 2012) – Amendment to Site Development Plan for Building Permit

1. This is a request for amendment to Site Development Plan for Building Permit for Lot 12-A, Volcano Business Park, Phase I located at 3021 Todos Santos (Ouray Rd. and Unser Blvd.) and containing approximately 3.43 acres.
2. The applicant is proposing to change tenants from a church to a public charter school for grades K-6, including a building addition of 15,916 SF, site improvements, staff parking, and two play areas in Phase I, and 3,950 SF of additional classrooms in Phase II.
3. The subject site is zoned SU-1 for C-1 and IP Uses. The proposed public charter school use is permissive under the current zoning.
4. The subject site is governed by a site plan approved by the EPC in 1987 (Z-80-87-6) and by the DRB in 1987 (DRB-85-319-2). This site plan would be replaced with the proposed site development plan.
5. The subject site includes an existing 21,600 square-foot metal building, a freestanding Wireless Telecommunications Facility, and a 230 kV electric transmission line within a 100-foot PNM easement.
6. The Albuquerque/Bernalillo County Comprehensive Plan, West Side Strategic Plan, Facility Plan for Electric System Transmission and Generation 2010-2020, El Rancho Atrisco Sector Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
7. The subject request furthers the following relevant Comprehensive Plan policies:
 - A. Policy II.B.5d-neighborhood values/natural environmental conditions. The location on a collector with dual access to Ouray Rd. and the relatively low intensity of the use would generally respect neighborhood values. There is no known neighborhood opposition to the proposal. The relatively low nature of the buildings respects surrounding character and scenic views to the east and west.
 - B. Policy II.B.5e – programmed facilities/neighborhood integrity. The subject site is contiguous to existing urban facilities and services, the use of which is unlikely to disrupt neighborhood integrity.

- C. Policy II.B.5i – employment/service use location. Two connected roads provide access to the proposed school from Ouray Rd., so it is unlikely to adversely affect residences to the north or west. As a public charter school open to nearby residents, this use complements nearby residential areas.
8. The subject request furthers the following relevant West Side Strategic Plan (WSSP) policy:
- A. Policy 3.25 – avoiding negative impact on the Monument and surrounding properties. The low buildings proposed respect views to the Escarpment. This use will have no negative impacts on the Monument, as opposed to more industrial uses that could be developed under this zone, which would pose a bigger potential impact. The design and site layout do not negatively impact surrounding properties.
9. The subject request partially furthers the following WSSP policy:
- A. Policy 4.10 – promote alternatives to single occupant vehicle use. The proposed K-6 public charter school is generally not considered to be a land use that supports non-vehicle or non-SOV travel, though students who live nearby could walk to the school, which generally encourages some non-vehicular travel.
10. The subject request does not conflict with the following WSSP policy:
- A. Policy 1.1 – concentrating non-residential development in Community and Neighborhood Centers. The proposal is for a non-residential development outside of the designated Community and Neighborhood Centers. While non-residential development is supposed to occur in Community and Neighborhood Centers, in this case, non-residential uses are already allowed by the existing zoning, and the proposed use is compatible in intensity with nearby residential areas. The proposal does not conflict with WSSP – but does not further the policy, either.
11. The subject request neither furthers nor conflicts with the following Facility Plan for Electric System Transmission and Generation Policy:
- A. Policy V.C – prudent avoidance of EMF exposure on schools, child care centers, and residential areas. Because the project is proposed by a private owner and not a public utility, and because the project proposes to site a school near an *existing* electrical facility versus siting an electric facility near an existing school, the project neither furthers nor conflicts with the policy of prudent avoidance.

12. The subject request complies with all applicable Zone Code regulations. Conditions from the city engineer, municipal development address non-compliance with City standards per the DPM.
13. The affected neighborhood associations (NAs) are Ladera West NA and the Westside Coalition of NAs. No facilitated meeting was recommended. There is no known neighborhood or public support or opposition to this request.

RECOMMENDATION - (12EPC-40025) (June 14, 2012)

APPROVAL of 12EPC-40025, a request for Amendment to Site Development Plan for Building Permit for Lot 12-A, Volcano Business Park, Phase I, based on the preceding Findings (and subject to the following Conditions of Approval.)

CONDITIONS OF APPROVAL – 12EPC-40025 (June 14, 2012) – Amendment to Site Development Plan for Building Permit

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. CONDITIONS FROM THE CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT:
 - a. Concurrent Plating Action required at Development Review Board (DRB) for proposed abandonment of existing 10 feet easement as specified on sheet C2.0 ‘Conceptual Utility Plan.
 - b. Proposed wheel chair ramp located within existing stall doesn’t meet current standards and will need to be re-designed to accommodate current requirements.

-
- c. Any missing sidewalk located within the public roadway (Todos Santos Street) will need to be constructed.
 - d. All existing driveways that are abandoned must be replaced with sidewalk, curb and gutter by the property owner per City of Albuquerque Development Process Manual (DPM).
 - e. The southern entrance existing ramp appears to be non-compliment with current ADA function for multidirectional usage of proposed pathway into site and existing public sidewalk. Please provide design to function as multi-directional ramp with current ADA requirements.
 - f. Provide/label/detail all dimensions, classifications and proposed infrastructure for Site.
 - g. Site plan shall comply and be designed per current DPM standards/ requirements.
 - h. 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).
 - i. Please expand the discussion on the ponding requirements, including calculations, for this site with the DRB submittal.
4. Conditions from PNM:
- a. 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. Screening should be designed to allow for access to utility facilities. All screening and vegetation surrounding ground-mounted transformers and utility pads are to allow 10 feet of clearance in front of the equipment door and 5-6 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Please refer to the PNM Electric Service Guide for specifications.
 - c. PNM's WA 230kV transmission line with associated 100-ft. right-of-way easement is located on the west side of the subject site. Any proposed building encroachment to existing rights-of-way must be reviewed by PNM Land Services Department for a possible encroachment agreement and for safety compliance requirements, as well as maintaining PNM access for maintenance and repair purposes. In addition, the applicant should discuss with PNM proposed tree location, species, height at maturity and tree placement, sign location and height, and lighting height in order to ensure sufficient safety clearances to avoid interference with the existing electric transmission line at the project site. PNM's standard is for trees to be planted outside the PNM easement.
 - d. The developer shall contact PNM's New Service Delivery Department to coordinate electric service regarding this project. An existing PNM underground distribution line is located beneath the area identified as the site for the new building. It will be necessary to coordinate with PNM regarding relocation feasibility. Any relocation, changes or

realignment regarding existing electric utilities will be the developer's expense. In some cases, relocation or changes to existing facilities may not be feasible due to physical, use or safety clearance constraints. PNM will review all technical needs, issues and safety clearances for its electric power systems.

***Mikaela Renz-Whitmore
Planner***

Notice of Decision cc list:

Amie Duran, 1900 Atrisco Rd. NW, Albuquerque, NM 87120
Benjamin D. Gammie, 22425 North 16th Street, Phoenix, AZ 85024
Bob McCannon, 2808 El Tesoro Escondido NW, Albuquerque, NM 87120
Shariesse McCannon, 2808 El Tesoro Escondido NW, Albuquerque, NM 87120
Jerry Worrall, 1039 Pinatubo Pl. NW, Albuquerque, NM 87120
Candy Patterson, 7608 Elderwood NW, Albuquerque, NM 87120

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

The proposed amended Site Development plan for building permit is in compliance with the Comprehensive City Zoning Code for building setbacks, required off-street parking, landscaping, use, and maximum building height.

Office of Neighborhood Coordination

Ladera West NA (R)
Westside Coalition of NA's
No facilitated meeting recommended.

Long Range Planning

Developing Urban
Westside Strategic Plan
El Rancho Atrisco SDP

The El Rancho Atrisco SDP does not contain goals and policies.
The school is an allowed use under the existing zoning.
The SU-1 zone will provide an opportunity for public review of this and future projects.

CITY ENGINEER

Transportation Development Services

- Concurrent Platting Action required at Development Review Board (DRB) for proposed abandonment of existing 20 feet easement as specified on sheet C2.0 Conceptual Utility Plan.
- Proposed wheel chair ramp located within existing stall doesn't meet current standards and will need to be re-designed to accommodate current requirements.
- Any missing sidewalk located within the public roadway (Todos Santos Street) will need to be constructed.
- The southern entrance existing ramp appears to be non-compliment with current ADA function for multidirectional usage of proposed pathway into site and existing public sidewalk. Please provide design to function as multi-directional ramp with current ADA requirements.

- Pavement markings and signage must be provided for the pick-up/drop off exit.
- Keyway must be 5 feet deep by aisle width instead of the proposed 3 feet.
- All existing driveways that are abandoned must be replaced with sidewalk, curb and gutter by the property owner per City of Albuquerque Development Process Manual (DPM).
- Provide/label/detail all dimensions, classifications and proposed infrastructure for Site.
- Site plan shall comply and be designed per current DPM standards/ requirements.
- 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 easements need to be shown and labeled on Site Plan.

Traffic Engineering Operations (Department of Municipal Development):

- No comments received.

Street Maintenance (Department of Municipal Development):

- No comments received.

New Mexico Department of Transportation (NMDOT):

- No comments received.

RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT:

Conditions of approval for the proposed Zone Map Amendment, Site Development Plan for Subdivision and Site Development Plan for Building Permit shall include:

1. Concurrent Plating Action required at Development Review Board (DRB) for proposed abandonment of existing 20 feet easement as specified on sheet C2.0 'Conceptual Utility Plan.
2. Proposed wheel chair ramp located within existing stall doesn't meet current standards and will need to be re-designed to accommodate current requirements.
3. Any missing sidewalk located within the public roadway (Todos Santos Street) will need to be constructed.
4. The southern entrance existing ramp appears to be non-compliment with current ADA function for multidirectional usage of proposed pathway into site and existing public

sidewalk. Please provide design to function as multi-directional ramp with current ADA requirements.

5. Pavement markings and signage must be provided for the pick-up/drop off exit.
6. Keyway must be 5 feet deep by aisle width instead of the proposed 3 feet.
7. All existing driveways that are abandoned must be replaced with sidewalk, curb and gutter by the property owner per City of Albuquerque Development Process Manual (DPM).
8. Provide/label/detail all dimensions, classifications and proposed infrastructure for Site.
9. Site plan shall comply and be designed per current DPM standards/ requirements.
10. 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).
11. All easements need to be shown and labeled on Site Plan.
12. Please expand the discussion on the ponding requirements, including calculations, for this site with the DRB submittal.

Traffic Engineering Operations

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

Hydrology

Please expand the discussion on the ponding requirements, including calculations, for this site with the DRB submittal.

DEPARTMENT of MUNICIPAL DEVELOPMENT

Transportation Planning

No comments received.

WATER UTILITY AUTHORITY

Utility Services

No comments received.

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

No comments received.

Environmental Services Division

No comments received.

PARKS AND RECREATION

Planning and Design

No comments received.

Open Space Division

No comments received.

City Forester

No comments received.

POLICE DEPARTMENT/Planning

This project is in the Northwest Area Command.

It appears the proposed landscaping and exterior lighting are in conflict with each other. Recommend removing large tree variety plantings adjacent to pole lights in the parking lot. Additionally, landscaping should be absent next to the building, especially near walkways and building entrances. Natural surveillance and clear lines-of-sight should be considered for occupants entering and exiting the building.

Video surveillance cameras should be included in the exterior building design. Cameras should be positioned to view all property vehicle entrances, parking lots, walkways, building entrances, common gathering points and play areas. Internal cameras should be positioned to view main building entrances and other areas deemed necessary for operational needs. Each camera should be monitored from a variety of locations through out the facility and recorded for real-time and historical use.

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

Disapproved. Must call for detail 681-2766. Need to check enclosures. Existing or added?

FIRE DEPARTMENT/Planning

TRANSIT DEPARTMENT

No transit facilities.

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

No comments received.

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

Reviewed, no comment.

ALBUQUERQUE PUBLIC SCHOOLS

No comments received.

MID-REGION COUNCIL OF GOVERNMENTS

No comments received.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

No comments received.

PUBLIC SERVICE COMPANY OF NEW MEXICO

1. 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.
2. Screening should be designed to allow for access to utility facilities. As a condition, all screening and vegetation surrounding ground-mounted transformers and utility pads are to allow 10 feet of clearance in front of the equipment door and 5-6 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Please refer to the PNM Electric Service Guide for specifications.
3. PNM's WA 230kV transmission line with associated 100-ft. right-of-way easement is located on the west side of the subject site. As a condition, any proposed building encroachment to existing rights-of-way must be reviewed by PNM Land Services Department for a possible encroachment agreement and for safety compliance requirements, as well as maintaining PNM access for maintenance and repair purposes. In addition, the applicant should discuss with PNM proposed tree location, species, height at maturity and tree placement, sign location and height, and lighting height in order to ensure sufficient safety clearances to avoid interference with the existing electric transmission line at the project site. PNM's standard is for trees to be planted outside the PNM easement.
4. As a condition, it is recommended that the developer contact PNM's New Service Delivery Department to coordinate electric service regarding this project. An existing PNM underground distribution line is located beneath the area identified as the site for the new building. It will be necessary to coordinate with PNM regarding relocation feasibility. Any relocation, changes or realignment regarding existing electric utilities will be the developer's expense. In some cases, relocation or changes to existing facilities may not be feasible due to physical, use or safety

clearance constraints. PNM will review all technical needs, issues and safety clearances for its electric power systems.

5. All fencing on site will require appropriate grounding and should be added to “Notes” section on the site plan.