



**Environmental
Planning
Commission**

**Agenda Number: 4
Project Number: 1003532
Case Number(s): 10EPC 40035/40036
July 8, 2010**

Staff Report

Agent	Great Basin Engineering – South
Applicant	Smith’s Food & Drug Centers, Inc.
Request(s)	Site Development Plan for Subdivision Site Development Plan for Building Permit
Legal Description	Lots 17 & 18, Block 9, Tract 2, Unit 3, North Albuquerque Acres
Location	Holly Avenue, between Wyoming Blvd. and Louisiana Blvd.
Size	Approximately 1.3 acres
Existing Zoning	SU-2/Mixed Use
Proposed Zoning	No Change

Staff Recommendation

APPROVAL of 10EPC 40036, based on the Findings beginning on Page 14, and subject to the Conditions of Approval beginning on Page 15.

APPROVAL of 10EPC 40035, based on the Findings beginning on Page 16, and subject to the Conditions of Approval beginning on Page 18.

Staff Planner

Randall Falkner, Planner

Summary of Analysis

This is a request for a site development plan for subdivision and a site development plan for building permit for Lots 17 & 18, Block 9, Tract 2, Unit 3, North Albuquerque Acres. The applicant intends to construct a Smith’s fuel station, consisting of seven fuel islands (14 pumps total) and a 186 square foot kiosk. The proposed fuel station will be located across the street (Wyoming Boulevard) from the La Cueva Town Center, which contains an existing Smith’s Food and Drug Center. The applicant also proposes to reconfigure Lots 17 and 18 into Lots 17-A and 17-B.

The request for a site development plan for subdivision and building permit furthers a preponderance of goals and policies found in the Comprehensive Plan and the La Cueva Sector Development Plan. There is no known neighborhood opposition to the request and staff recommends approval with conditions.

Location Map (3" x 3")

City Departments and other interested agencies reviewed this application from 6/1/2010 to 6/11/2010. Agency comments used in the preparation of this report begin on Page 21.

I. AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses:

	<i>Zoning</i>	<i>Comprehensive Plan Area; Applicable Rank II & III Plans</i>	<i>Land Use</i>
Site	SU-2/Mixed Use	Developing Urban La Cueva Sector Development Plan	Vacant
North	SU-2/Mixed Use	”	Bank; public park
South	C-1	”	Commercial
East	C-2 (SC)	”	Vacant; La Cueva Town Shopping Center (Commercial)
West	SU-2/Mixed Use	”	Vacant

II. INTRODUCTION

Proposal

This is a request for a site development plan for subdivision and a site development plan for building permit for Lots 17 & 18, Block 9, Tract 2, Unit 3, North Albuquerque Acres. The applicant intends to construct a Smith’s fuel station, consisting of seven fuel islands (14 pumps total) and a 186 square foot kiosk on a proposed 0.78 acre lot. The proposed fuel station will be located across the street (Wyoming Boulevard) from the La Cueva Town Shopping Center, which contains an existing Smith’s Food and Drug Center. The applicant also proposes to reconfigure Lots 17 and 18 (1.3 acres) into Lots 17-A and 17-B. Presently, Lots 17 and 18 are vertical lots that run north/south, and both have frontage on Holly Avenue. Proposed Lots 17-A and 17-B would be horizontal lots that would run east/west, with only the southern lot having frontage on Holly Avenue. The fuel station would be located on Lot, 17-B. the proposed southern lot.

The EPC is hearing the case because a site development plan and landscaping plan approved by the EPC are required for all SU-2 zoned properties in the La Cueva Sector Development Plan.

The site is located in the Developing Urban Area of the Comprehensive Plan and within the boundaries of the La Cueva Sector Development Plan.

Context

The subject site is located on Holly Avenue, between Wyoming Boulevard and Louisiana Boulevard and is surrounded by commercially zoned properties. To the immediate north is the Bank of Albuquerque, while further north is a public park. To the south are various commercial businesses, to the east is the La Cueva Town Shopping Center, which includes a variety of commercial businesses, including the Smith’s Food and Drug Center, an Office Max and various other businesses. To the west is vacant land with similar zoning as the subject site.

History

There has been no previous development at this site. This will be the first development at this site since the adoption of the La Cueva Sector Development Plan (LCSDP) in 2000. The applicant, would have liked for the fuel center to be at the existing Smith's Food and Drug Center, but could not make that happen. Prior to the existing zoning (SU-2/Mixed Use) the site was temporarily zoned R-D (Residential and Related Uses Zone) until the adoption of the LCSDP. The SU-2/Mixed Use zoning was approved in June 2000 as a result of the adoption of the LCSDP. In November 2009 the EPC denied a site development plan for building permit and an amendment to the La Cueva sector development plan map (09EPC 4002/40034) at the same site.

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 Wyoming Boulevard north of Paseo del Norte as a Principal Arterial, with a right-of-way of 156'.

Holly Avenue is a major local street.

There is an existing bicycle lane and multi-use trail on Wyoming Boulevard north of Paseo del Norte.

Bus routes #31 (Wyoming) and #98 (Wyoming Commuter) pass by the site on Wyoming Boulevard NE. The nearest bus stop is along Wyoming Boulevard adjacent to Lot 17.

Wyoming Boulevard is designated as an Enhanced Transit Corridor per the Comprehensive Plan.

Public Facilities/Community Services

See attached Public Facilities Map for details.

Albuquerque Comprehensive Zoning Code

The SU-2 zone allows a mixture of uses controlled by a Sector Development Plan, which specifies new development and redevelopment which is appropriate to a given neighborhood, when other zones are inadequate to address special needs. The request is located in the La Cueva Sector Development Plan. The specific zoning for the site is SU-2/Mixed Use, which is intended to provide the community with a mix of mutually-supporting retail, service, office and residential uses. The provisions of the C-1 zone in the City Zoning Code apply in areas mapped SU-2/Mixed Use on the zoning map. Retail sales of gasoline, oil, liquefied petroleum gas, including outside sales are allowed as a permissive use of the C-1 zone, as long as the use does not abut a residentially zoned property. The subject site does not abut a residentially zoned property. Zoning Enforcement does not consider a fuel station to be a drive-up facility, so the minimum lot size for drive-up facilities does not apply (1.75 acres or 1.3 acres on a corner lot).

III. ANALYSIS- SITE DEVELOPMENT PLAN FOR SUBDIVISION

Request

This is a request for a site development plan for subdivision for Lots 17 & 18, Block 9, Tract 2, Unit 3, North Albuquerque Acres, a site of approximately 1.3 acres, zoned SU-2 Mixed Use, located on Holly Avenue, between Wyoming Boulevard and Louisiana Boulevard. The two vertical lots, Lots 17 and 18, would be reconfigured into two horizontal lots, Lots 17-A and 17-B. The applicant is proposing this reconfiguration of the Lots in order to provide better access to the proposed fueling station from Holly Avenue. Lot 17-B is owned by the applicant, Smith's Food and Drug Centers, Inc., while Lot 17-A has a different owner. The proposed fuel station will be located on Lot 17-B, across the street (Wyoming Boulevard) from the La Cueva Town Center, which contains an existing Smith's Food and Drug Store.

The reconfiguring of Lots 17 and 18 into 17-A and 17-B will affect development by essentially hiding Lot 17-A behind Lot 17-B. Lot 17-A will not have direct access from a street, but will have to be accessed by Wyoming Boulevard via a public access easement, by Lot 17-B to the south, or from the north through the existing Bank of Albuquerque. The opportunity for placing a second building along Holly Avenue will be lost with the new configuration. There is little effect on traffic circulation, because the existing vertical lot configuration would have the same traffic problems as the proposed horizontal lot configuration.

APPLICABLE ORDINANCES, PLANS AND POLICIES

Albuquerque / Bernalillo County Comprehensive Plan

Policy Citations are in Regular Text; ***Staff Analysis is in Bold Italics***

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

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 subdivision is proposed on vacant land contiguous to existing urban facilities and service where the integrity of existing neighborhoods can be ensured. The request furthers Policy II.B.5e.

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 operation.

Vehicular access and circulation for the subdivision are designed to coordinate with adjoining properties and to diffuse traffic flows onto Holly Avenue and onto the public access easements which lead to Carmel Avenue and Wyoming Boulevard. Dispersal of traffic onto these streets will protect the livability and safety of neighboring residential zones. The request furthers Policy II.B.5k.

Site Plan Layout / Configuration

The proposed lot configuration creates a configuration that is compatible with the site's relationship to Wyoming Boulevard, Holly Avenue, and opportunities for cross-access with the abutting property (17-A) to the north and other properties to the north via the public access easement.

Vehicular Access, Circulation and Parking

The site plan for subdivision will allow vehicles to access the site by two driveways on Holly Avenue, by Carmel Avenue to the north via a public access easement, and by Wyoming Boulevard via a public access easement. Cross-access agreements with adjacent property owners are required by the City Engineer.

IV. ANALYSIS- SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

Request

This is a request for a site development plan for building permit. The applicant intends to construct a Smith's fuel station with 7 fuel islands (14 pumps total) and a 186 square foot kiosk on the proposed southern Lot 17-B (0.78 acres). The proposed fuel station will be located across the street (Wyoming Boulevard) from the La Cueva Town Shopping Center, which contains an existing Smith's Food and Drug Store.

APPLICABLE ORDINANCES, PLANS AND POLICIES

Albuquerque / Bernalillo County Comprehensive Plan

Policy Citations are in Regular Text; ***Staff Analysis is in Bold Italics***

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

Developing and Established Urban

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 request is in accord with surrounding neighborhood values, natural environmental conditions, carrying capacities, and scenic resources. The height of the canopy is 19'10", which is well below the 26' allowed in the C-1 zone, and the 36' allowed in the LCSDP. The fuel station has been designed to minimize the adverse effects of lighting and traffic. The lighting consists of flat lensed fixtures inside the canopy that do not extend past the canopy, and 16' parking lot lights that are full cut-off fixtures. The site can be accessed from the east via a left or right turn on Wyoming which provides vehicles access to Holly Avenue. The subject site is surrounded by vacant, office, and commercial land uses. There are no residential zones abutting the proposed fuel station. The request furthers Policy II.B.5d.

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.

Full urban services are available to the surrounding properties and the request will provide a needed service and infill development on a vacant portion of land. The request furthers Policy II.B.5e.

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 request will complement residential areas by offering a business that meets the needs of the area's growing population. The request has been designed to minimize the adverse effects of noise, lighting, pollution, and traffic on residential environments. A proposed light pole will be 16' in height with a cut-off angle that will not directly shine on any residential premise. Additional recessed lighting will be contained under the canopy. Landscaping will help to screen the fuel station and noises that may come from the site. The site can be accessed via two driveways on Holly Avenue, which connect to public access easements and Carmel Avenue to the north, and to a driveway just north of the site along Wyoming Boulevard (currently used by the Bank of Albuquerque to the north). The request is projected to create 207 pm fuel center trips (according to a trip generation report shown in the applicant support material), which is less than half of what was projected in the Traffic Impact Study (TIS) for the area in 2004 which proposed a supermarket and shopping center that would create 438 trips. The request furthers Policy II.B.5i.

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 operation.

The request will provide additional traffic; however, the site does not abut any residential neighborhoods. The closest residential lot is a single property that is approximately 325' to the west, which is separated by lots 19 and 20. The site can be accessed by two driveways on Holly Avenue, from Carmel Avenue on the north via a public access easement, and Wyoming Boulevard via the existing public access easement to the north that the Bank of Albuquerque currently uses. Because the project does not meet the City threshold for an additional TIS, transportation planning does not believe a new TIS is needed at this time. The request furthers Policy II.B.5k.

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

The site design consists of a 19'10" high canopy, which is considerably less than what is allowed in a C-1 zone (26') or the height allowed in the LCSDP, which is 36'. The request does not necessarily enhance unique vistas, but neither does it significantly impede views in any direction. The request partially furthers Policy II.B.5m.

Activity Centers

The Activity Center Goal is "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."

Policy II.B.7a: Existing and proposed Activity Centers are designated by a Comprehensive Plan map where appropriate to help shape the built environment in a sustainable development pattern, create mixed use concentrations of interrelated activities that promote transit and pedestrian access both to and within the Activity Center, and maximize cost-effectiveness of City services.

The subject site is located within the La Cueva Community Activity Center. While a fuel station, which is auto oriented, is not the most desirable use in an Activity Center, Policy a in the table states that an Activity Center should be "very accessible by automobile" and "the interior of the center should be very accommodating to the pedestrian. . ." The subject request does not jeopardize the policy for Activity Centers because the proposed use will be located at the edge of the Activity Center and it is very accessible by automobile. Pedestrians will have access to both Wyoming Boulevard and Holly Avenue and to the existing bus stop on Wyoming; however, the site is not very accommodating to the pedestrian, because the site is primarily auto oriented. The request partially furthers Policy II.B.7a.

Policy II.B.7f. The most intense uses in Activity Centers shall be located away from nearby low-density residential development and shall be buffered from those residential uses by a transition area of less intensive development.

The subject site is surrounded by a variety of land uses, including commercial, office, and vacant. The site does not abut any residential neighborhoods and is located away from low-density residential development. The closest residential property is approximately 325' to the west, and is separated from the site by lots 19 and 20. Lots 19 and 20 (currently vacant) would act as a buffer for the fueling station to the east. The nearest neighborhood is approximately 950' from the subject site. The site is also buffered from residential area by other commercial areas to the north, south, and east. The request furthers Policy II.B.7f.

La Cueva Sector Development Plan (Rank III)

The La Cueva Sector Development Plan (LCSDP) was approved in 2000 and revised in 2003. The LCSDP encompasses 656 acres in the North Albuquerque Acres portion of the North Albuquerque Community. The plan area's general boundaries are Louisiana Boulevard to the west, Florence Avenue to the north, Ventura to the east, and Paseo del Norte to the south. The LCSDP provides guiding principles and Design Regulations for all SU-2 zoned properties.

Guiding principles of the LCSDP which would apply include the following:

Guiding Principles, 1.3 (page 4), Land uses that are compatible with existing development:

The request for a fuel station would be compatible with existing development, which consists primarily of commercial and office uses. The La Cueva Town Center to the east contains a number of businesses, including a Smith's grocery store. A development to the south contains various commercial offices, while the property to the north is a bank, and further north is a city park. The land to the immediate west is zoned for commercial uses and is currently vacant. The request furthers guiding principle 1.3 of the LCSDP.

Guiding Principles, 5.1 (page 25), The plan area is intended to be urban, with a mix of residential densities and a variety of retail and service businesses to meet the needs of the area's growing population.

The request for a fuel station would add to the variety of retail and service businesses to meet the needs of the area's growing population. There are no other fuel stations located in the immediate area. A fuel station was envisioned by the LCSDP, as "retail sales of gasoline, liquefied petroleum gas, including outside sales" is listed as a permissive use of the C-1 zone, as long as the SU-2/Mixed Use zone does not abut a residentially zoned property (page 20, LCSDP). The request furthers guiding principle 5.1 of the LCSDP.

Section 5.4.6 contains design regulations for all SU-2 zoned properties. Design regulations for All SU-2 Zoned Properties that may have potential conflicts with the request include the following:

Pedestrian Circulation

Intent: Provide pedestrian connections through mixed-use areas and activity centers and separation between parking and pedestrian circulation.

3R-2: Structures and on-site circulation systems shall be designed to minimize pedestrian/vehicle conflict.

The purpose of the site is to attract vehicles to fill up their cars and then leave. There are four access points on the site to disperse the traffic, two on Holly, one on Wyoming, and one on Carmel (Carmel is actually further north of the subject site, but is designed to be reached via the public access easement on the far western side of the property). A 6' wide pedestrian walkway (approximately 12' long across the fuel station pavement and 66' long in total) connects the fuel station to the existing public sidewalk to the east. Another 6' wide pedestrian walkway (approximately 20' long) connects the fueling station to the proposed parking area to the west. The existing bank to the north of proposed Lot 17-A does not have any sidewalks that would connect to the subject site. The internal sidewalks on this site are relatively short in order to minimize vehicle/pedestrian conflict. Small pedestrian islands in the middle of both of the driveways on Holly Avenue have been provided to ensure that the pedestrian feels safe and secure when crossing these wide (approximately 38 feet) drive aisle crossings. The request partially complies with this design regulation.

3R-6: All drive-up service facilities shall be designed to minimize conflict between pedestrians and autos, and be located away from main retail areas and plazas. Drive-up facilities shall be covered with canopies to mitigate noise and odor.

Zoning Enforcement does not consider the fuel center to be a drive-up facility. However, the fuel station is covered with a canopy that mitigates noise and odor. The request is also located away from main retail areas and plazas. The request complies with this design regulation.

Architectural Character, Non-Residential Buildings

Intent: Reduce the apparent scale and uniformity of facades to make large buildings seem more inviting.

5R-8: No generic prototypical architecture is allowed. Design shall be contextual to its surroundings.

The fuel station is not completely comprised of generic prototypical architecture. The prototypical Smith's fuel station is gray and red, without decorative stone veneer or cornices. However, this fuel station consists of natural earth tone colors, light tan and dark brown, and

contains decorative stone veneer and cornices, which is contextual to its surroundings. The request partially complies with this design regulation.

Open Space and Common Areas

Intent: Provide public places for people to meet, gather, and interact.

8R-2: Every non-residential development shall contribute to the enhancement of the community and public spaces by providing amenities such as a plaza, courtyard, patio seating area, or a pedestrian plaza with benches.

The purpose of the fuel station is to get people to fill up their vehicles and get in and out as soon as possible. The request does not further this design regulation; however, the fuel station is not a location for people to meet, gather, and interact.

Views

Intent: Ensure that development respects the views of the Sandia Mountains to the east and the mesa to the west. This includes preserving views from out of the site and site design to take advantage of views from the site.

11R-1: Site development plans shall include a View Analysis that shall identify views into and out of the site and indicate how these views will be protected within the site.

Views to the mountains are shown with notes on the site development plan for building permit. The requirements for a View Analysis in the LCSDP are vague. The intent is to ensure that development respects the views of the Sandia Mountains to the east and the mesa to the west. The fuel station canopy is 19'10" in height, which is much shorter than what is allowed in the C-1 zone (26') or what is allowed in the LCSDP (36'). The fuel canopy is a 43' x 126' structure, which is a relatively small area compared to most buildings. The fuel canopy is basically a roof over the fuel station. The height of the kiosk is 11'. The open air between the canopy and the ground does allow for some limited views of the Sandia Mountains to the east and the mesa to the west, even while under the canopy. Although a proper View Analysis may or may not have been completed, staff believes that the intent to respect the views of the Sandia Mountains and the mesa has been met by the site development plan, which allows views into and out of the site, and proposes a much smaller roof height (19'10") than what could be allowed in this area (36').

Signage

Intent: Establish continuity and consistency in the design and location of public signage, so that the aesthetic appearance is improved.

13R-9: Logo design signs shall not exceed two feet in height or width.

The logo design sign on the side of the canopy and on the kiosk is two feet in height, but is over two feet in width. The LCSDP states that logo design signs shall not exceed two feet in height or width. The request does not currently further this design regulation.

Site Plan Layout / Configuration

The subject site (proposed Lot 17-B) is approximately 0.78 acres in size. The proposed development is for a fuel station, consisting of 7 islands (fuel dispensers), 14 pumps total, and a 186 square foot kiosk. The kiosk is located on the far north side of the fueling station, and will face south towards the 7 islands. The site will also have landscaping to help screen the site. The seven fuel islands are located in the interior of the site and can be accessed by two driveways on Holly Avenue, a public access easement that connects to Carmel Avenue, and another public access easement that connects to Wyoming Boulevard immediately north of the site. Two required parking spaces, a motorcycle stall, a bicycle rack, and a dumpster have been placed approximately 20' west of the fuel station. The surrounding area consists of commercial, office, and vacant land uses. There are no residential neighborhoods in close proximity to the subject site (the closest neighborhood is approximately 950' north of the subject site). The request for a fuel station would fit in well with the surrounding land uses. The height of the kiosk is 19'10", which is well below what is allowed in a C-1 zone (26'), and in the LCSDP (36').

Walls/Fences

There are not walls or fences proposed.

Vehicular Access, Circulation and Parking

Vehicles can access the site by two driveways on Holly Avenue, by Carmel Avenue to the north via a public access easement, and by Wyoming Boulevard via a public access easement. There are two parking spaces (one is handicapped), one motorcycle space, and a bicycle rack that can accommodate four bicycles, located on the far west side of property.

Wyoming Boulevard is projected to be widened in the future. The City Engineer has a condition concerning this right-of-way as follows "Dedication of a minimum 78 feet of right-of-way from the centerline of Wyoming Boulevard a principal arterial as designated on the Long Range Roadway System map." The proposed widening of Wyoming Boulevard would reconfigure the existing public sidewalk, bus stop, and a portion of the proposed landscaping and proposed sidewalk that is currently within the right-of-way.

The surrounding neighborhoods are concerned about traffic and would like a new Traffic Impact Study for the area. A TIS was completed most recently in July 2004. The trip generation in the 2004 TIS shows 438 total pm peak hour trips. A trip generation for the Smith's Fuel Center completed in June 2010 shows 207 total pm peak hour trips. Transportation Planning has stated that a new TIS is not currently needed because it does not meet the threshold. Parking spaces need to have barriers that will prevent overhang into landscaped areas.

Pedestrian and Bicycle Access and Circulation, Transit Access

Pedestrian access is provided on the site with 6' wide sidewalks that connect from the fuel station to the public sidewalk to the east (which connects to the bus stop) and to the parking area to the west. The pedestrian pathways are constructed of colored stamped concrete. Colored stamped curb islands have been provided in the middle of both Holly Avenue driveways to provide relief for pedestrians crossing the 41' wide driveways.

Lighting and Security

The fuel canopy will be recessed to minimize glare and light pollution. The lights in the canopy are flat-lensed fixtures that are not visible from outside of the canopy. Three parking lot lights that are 16' in height and with cut-off angle lighting will be provided on the site. Video surveillance cameras should be installed to view all points-of-sale, walkways, service islands, dumpsters and building entrance/exit points.

Landscaping

There is no existing landscaping on the site. The street tree notes on the landscape plan should be deleted. These street tree notes do not apply to this site. The applicant is required to provide landscaping on 15 percent of the net lot area, but is providing 17 percent. The 17 percent of net lot area in this case is 17 percent of the entire area, since there is no proposed building. This 17 percent does not include any of the landscaping outside of the property line that is in the right-of-way on Wyoming Boulevard or Holly Avenue. It is possible that a small portion of the landscaping in the Wyoming Boulevard right-of-way could be lost in the future if Wyoming becomes a 6 lane road; however, only a small portion of the proposed landscaping would be lost (approximately 12 feet) and none of those plants lost would be trees. If Wyoming Boulevard were widened in the future it would have to line up with the property to the south, which is why approximately only 12 feet of right-of-way would be lost. The applicant wants to properly landscape the site and make it look nice, and would be willing to take out any landscaping that would have to be removed for a road widening project in the future. The submittal needs to demonstrate that 75% of living ground cover will be provided. Additional trees should be added along Holly Avenue. Two trees could be added in the southern landscaping strip directly south of the fuel station, and two more trees could be added in the landscaping strip southeast of the fuel station close to Holly Avenue.

Public Outdoor Space

The fuel station does not provide a public outdoor space area. The Smith's grocery store to the southeast also does not have a public outdoor space (the land east of the subject site is not in the boundaries of the LCS DP). Only the Starbucks immediately to the east of the Smith's grocery store has outdoor tables and chairs for pedestrians. The purpose of the fuel station is to get people to fill up their vehicles and get in and out as soon as possible. The fuel station is not an ideal location for people to meet, gather, and interact. As a result, public outdoor space is not required, especially since a 60 acre community park is in close proximity to the site (approximately 300' north of the site).

Grading, Drainage, Utility Plans

The site slopes from east to west. Drainage would flow mostly to the west and a little to the south towards Holly Avenue. New water and sewer lines will connect to existing lines along Holly Avenue.

Architecture

The canopy that covers the fuel station islands has a stucco appearance with cornices that is colored light tan and dark brown. The 186 square foot kiosk has windows on the south, east, and west sides; and has a stucco appearance colored in light tan and dark brown with a light brown stone veneer under the window.

Signage

The logo design sign on the side of the canopy and on the kiosk is two feet in height, but is over two feet in width. The LCSDP states that logo design signs shall not exceed two feet in height or width. No monument signs are proposed. No monument signs are allowed or proposed

V. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies/Pre-Hearing Discussion

City Departments and other interested agencies reviewed this application from 6/1/2010 to 6/11/2010. Agency comments begin on page 21.

Neighborhood/Public

The Office of Neighborhood Coordination has determined that the Neighborhood and/or Homeowner Associations and Coalitions affected by this request include the following: North Domingo Baca N.A., Nor Este N.A., La Cueva Village N.A., and District 4 Coalition of N.A.'s. A facilitated meeting was held on June 15, 2010 at the Covenant United Methodist Church. Those attending the meeting were generally supportive of the fuel station. Concerns about the project include the following: traffic issues (a more recent TIS has been requested by neighbors), closing off the left turn along Wyoming Boulevard that allows access to Holly Avenue, lack of a traffic light at Holly and Wyoming, trucks containing fuel being allowed on Carmel Avenue, and exhaust for tanks.

VI. CONCLUSION

This is a request for a site development plan for subdivision and a site development plan for building permit for Lots 17 & 18, Block 9, Tract 2, Unit 3, North Albuquerque Acres. The applicant intends to construct a Smith's fuel station, consisting of seven fuel islands (14 pumps total) and a 186 square foot kiosk. The proposed fuel station will be located across the street (Wyoming Boulevard) from the La Cueva Town Center, which contains an existing Smith's Food and Drug Center. The applicant also proposes to reconfigure Lots 17 and 18 into Lots 17-A and 17-B. Presently, Lots 17 and 18 are vertical lots that run north/south, and both have frontage on Holly Avenue. Proposed Lots 17-A and 17-B would be horizontal lots that would

run east/west, with only the southern lot having frontage on Holly Avenue. The fuel station would be located on Lot, 17-B. the proposed southern lot.

The request for a site development plan for subdivision and building permit furthers a preponderance of applicable policies found in the Comprehensive Plan and the La Cueva Sector Development Plan. There is no known neighborhood opposition to the request and staff recommends approval with conditions.

FINDINGS – 10EPC 40036, July 8, 2010, Site Development Plan for Subdivision

1. This is a request for a site development plan for subdivision for Lots 17 & 18, Block 9, Tract 2, Unit 3, North Albuquerque Acres, a site of approximately 1.3 acres, zoned SU-2 Mixed Use, located on Holly Avenue, between Wyoming Boulevard and Louisiana Boulevard. The two vertical lots, Lots 17 and 18, would be reconfigured into two horizontal lots, Lots 17-A and 17-B.
2. The request is accompanied by a site development plan for building permit for proposed Lot 17-B (10EPC 40035).
3. The subject site is in the Developing Urban Area of the Comprehensive Plan and within the boundaries of the La Cueva Sector Development Plan. Wyoming Boulevard is an Enhanced Transit Corridor. The site is within the La Cueva Community Activity Center.
4. The Albuquerque/Bernalillo County Comprehensive Plan, the La Cueva Sector Development Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. The subject site was included in a Traffic Impact Study, dated July 29, 20004, and entitled Plaza @ La Cueva Wyoming and Paseo del Norte, that was reviewed by City Transportation Staff.
6. Development on the site is subject to the regulations of the SU-2/Mixed Use zone and the “Common Design Regulations for all SU-2 Zoned Properties and RT Development in the RD Zone” in the La Cueva Sector Development Plan. Approval of a site development plan and landscape plan by the EPC is required.
7. The request furthers the following Developing and Established Urban policies of the Comprehensive Plan.
 - a. Policy II.B.5e – The subdivision is proposed on vacant land contiguous to existing urban facilities and services where the integrity of existing neighborhoods can be ensured.
 - b. Policy II.B.5k – Vehicular access and circulation for the subdivision are designed to coordinate with adjoining properties and to diffuse traffic flows onto Holly Avenue and onto the public access easements which lead to Carmel Avenue and Wyoming Boulevard. Dispersal of traffic onto these streets will protect the livability and safety of neighboring residential zones.

8. A facilitated meeting was held on June 15, 2010 at the Covenant United Methodist Church, and was attend by the following Neighborhood and/or Homeowner Associations and Coalitions: Nor Este N.A., North Domingo Baca N.A., La Cueva Village N.A., District 4 Coalition of N.A.'s, West La Cueva N.A., North Wyoming N.A., Del Rey N.A., Academy Estates East N.A., and Academy Hills Park N.A. The main concern raised at the meeting pertained to traffic and traffic circulation.

9. There is no known neighborhood or other opposition.

RECOMMENDATION - 10EPC 40036, July 8, 2010, Site Development Plan for Subdivision

APPROVAL of 10EPC 40036, a site development for subdivision, for Lots 17 & 18, Block 9, Tract 2, Unit 3, North Albuquerque Acres, based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL - 10EPC 40036, July 8, 2010, Site Development Plan for Subdivision

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

2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.

3. Lots 17 and 18 shall be replatted into Lots 17-A and 17-B.

4. CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT:

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- 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. Include truck turning template information on site plan.
 - c. Provide cross access agreements with adjacent property owners.
 - d. Site plan shall comply and be designed per DPM Standards.
 - e. Dedication of a minimum 78 feet of right-of-way from the centerline of Wyoming Blvd a principal arterial as designated on the Long Range Roadway System.
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FINDINGS – 10EPC 40035, July 8, 2010, Site Development Plan for Building Permit

1. This is a request for a site development plan for building permit for Lots 17 & 18, Block 9, Tract 2, Unit 3, North Albuquerque Acres, a site of approximately 0.78 acres, zoned SU-2 Mixed Use, located on Holly Avenue, between Wyoming Boulevard and Louisiana Boulevard. The applicant intends to construct a Smith’s fuel station, consisting of seven fuel islands (14 pumps total) and a 186 square foot kiosk.
2. The request is accompanied by a site development plan for subdivision (10EPC 40036).
3. The subject site is in the Developing Urban Area of the Comprehensive Plan and within the boundaries of the La Cueva Sector Development Plan. Wyoming Boulevard is an Enhanced Transit Corridor. The site is within the La Cueva Community Activity Center.
4. The Albuquerque/Bernalillo County Comprehensive Plan, the La Cueva Sector Development Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. The subject site was included in a Traffic Impact Study, dated July 29, 20004, and entitled Plaza @ La Cueva Wyoming and Paseo del Norte, that was reviewed by City Transportation Staff.
6. Development on the site is subject to the regulations of the SU-2/Mixed Use zone and the “Common Design Regulations for all SU-2 Zoned Properties and RT Development in the RD Zone” in the La Cueva Sector Development Plan. Approval of a site development plan and landscape plan by the EPC is required.

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7. The request furthers the following Developing and Established Urban policies in the Comprehensive Plan:
 - a. Policy II.B.5d – The request is in accord with surrounding neighborhood values, natural environmental conditions, carrying capacities, and scenic resources. The subject site is surrounded by vacant, office, and commercial land uses. There are no residential zones abutting the proposed fuel station.
 - b. Policy II.B.5e – Full urban services are available to the surrounding properties and the request will provide a needed service and infill development on a vacant portion of land.
 - c. Policy II.B.5i – The request has been designed to minimize the adverse effects of noise, lighting, pollution, and traffic on residential environments. Proposed lighting, landscaping, and transportation planning will mitigate the adverse effects of development.
 - d. Policy II.B.5k – Vehicular access and circulation for the development are designed to coordinate with adjoining properties and to diffuse traffic flows onto Holly Avenue and onto the public access easements which lead to Carmel Avenue and Wyoming Boulevard. Dispersal of traffic onto these streets will protect the livability and safety of neighboring residential zones.
 8. The request furthers Activity Center Policy II.B.7f of the Comprehensive Plan by locating the most intense uses in Activity Centers away from nearby low-density residential development and buffering those residential uses by a transition area of less intensive development.
 9. The request furthers the following Guiding Principles of the LCSDP:
 - a. Guiding Principles, 1.3 – The request would be compatible with existing development, which consists of commercial and office uses.
 - b. Guiding Principles, 5.1 – The request would add to the variety of retail and service businesses, to meet the needs of the area’s growing population.
 10. A facilitated meeting was held on June 15, 2010 at the Covenant United Methodist Church, and was attend by the following Neighborhood and/or Homeowner Associations and Coalitions: Nor Este N.A., North Domingo Baca N.A., La Cueva Village N.A., District 4 Coalition of N.A.’s, West La Cueva N.A., North Wyoming N.A., Del Rey N.A., Academy Estates East N.A., and Academy Hills Park N.A. The main concern raised at the meeting pertained to traffic and traffic circulation.
 11. There is no known neighborhood or other opposition.

RECOMMENDATION - 10EPC 40035, July 8, 2010, Site Development Plan for Building Permit

APPROVAL of 10EPC 40035, a site development plan for building permit, for Lots 17 & 18, Block 9, Tract 2, Unit 3, North Albuquerque Acres, based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL - 10EPC 40035, July 8, 2010, 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. Video surveillance cameras shall be installed to view all points-of-sale, walkways, service islands, dumpsters and building entrance/exit points.
4. Lighting:
 - a. The submittal shall comply with the General Lighting Regulations of 14-16-3-9, specifically in reference to lighting under the canopy.
 - b. Proposed lighting and landscaping should not be in conflict. All trees should be placed so that the mature canopy does not block visibility of fuel islands, walkways and building entrances and the point-of-sale.
5. Parking spaces shall have barriers that prevent overhang into landscaped areas.
6. Landscaping
 - a. The street tree notes on the landscape plan shall be deleted.
 - b. The landscape plan shall demonstrate that 75% of living ground cover will be provided.

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- c. Additional trees shall be added along Holly Avenue to provide more screening of the site.
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7. The logo design signs on the side of the canopy and on the kiosk should not exceed two feet in height or width.
 8. The trash enclosure shall be re-angled (per the Solid Waste Department).
 9. CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT:
 - 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. Include truck turning template information on site plan.
 - c. Provide cross access agreements with adjacent property owners.
 - d. Site plan shall comply and be designed per DPM Standards.
 - e. Dedication of a minimum 78 feet of right-of-way from the centerline of Wyoming Blvd a principal arterial as designated on the Long Range Roadway System.
 10. CONDITIONS FROM PUBLIC SERVICE COMPANY OF NEW MEXICO
 - a. There is an overhead electric distribution facility along Wyoming Blvd. on the west side of the street and an overhead single-phase electric distribution facility on the south side of the site along Holly Avenue. As a condition, it is the applicant's obligation to determine if existing utility easements or rights-of-way are located on or adjacent to the property and to abide by any conditions or terms of those easements.
 - b. As a condition, it is necessary that the applicant coordinate with PNM regarding proposed tree species, the height at maturity and tree placement, sign location and height, and lighting height in order to ensure sufficient safety clearances to avoid interference with the existing electric transmission and/or distribution lines along the project site. PNM's standard is for trees to be planted outside the PNM easement.
 - c. As a condition, 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.
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***Randall Falkner
Planner***

cc: Great Basin Engineering South, 2010 North Redwood Road, Salt Lake City, UT 84116
Smith's Food & Drug Center, Inc., 1550 South Redwood Road, Salt Lake City, UT 84104
Judie Pellegrino, 8515 Murrelet NE, Albuquerque, NM 87113
Erik Bose, 7200 Peregrine NE, Albuquerque, NM 87113
Jeff Peterson, 7800 Eagle Rock Avenue NE, Albuquerque, NM 87122-2723
Joe Yardumian, 7801 R.C. Gorman Avenue, Albuquerque, NM 87122-2748
Celina Stoyanof, 8111 Oso Feliz NE, Albuquerque, NM 87122
Dave Nufer, 7912 Oso Rico Road NE, Albuquerque, NM 87122
Amy Whitling, P.O. Box 91343, Albuquerque, NM 87199-1343
Erica Vasquez, P.O. Box 92315, Albuquerque, NM 87199

Attachments

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

1. The submittal needs to comply with the General Lighting Regulations of 14-16-3-9, specifically in reference to lighting under the canopy.
2. Parking spaces need to have barriers that will prevent overhang into landscaped areas.
3. The submittal needs to demonstrate that 75% of living ground cover will be provided.
4. Submittal needs to demonstrate square footage of all landscaped areas.
5. The majority of landscaping and freestanding sign is shown in future right-of-way. Submittal needs to demonstrate the location of landscaping and sign once the right-of-way has been granted.
6. The site is located within an area designated as Developing Urban within the Comprehensive Plan and is less than 5 acres, therefore, a freestanding sign is not allowed.

Office of Neighborhood Coordination

North Domingo Baca NA (R)

Nor Este NA (R)

La Cueva Village NA (R)

District 4 Coalition of NA's

6/1/10 – Recommended for facilitation – siw

6/4/10 – Assigned to Diane Grover – sdb

6/7/10 – A meeting is in the works for June 15, 2010 – location/time TBD - siw

Long Range Planning

The subject site is located within the boundaries of the La Cueva Sector Development Plan and is within the Developing Urban area of the Comprehensive plan.

CITY ENGINEER

Transportation Development Services

- 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).
- A Trip Generation Analysis has been submitted and reviewed by Transportation Staff. The purpose of the analysis was to verify whether a full Traffic Impact Study (TIS) was required. Based on the analysis, no TIS would be required.
- Include truck turning template information on site plan.
- Provide cross access agreements with adjacent property owners.
- Site plan shall comply and be designed per DPM Standards.

Hydrology

- The Hydrology Section has no adverse comments on the Site Plans.
- An infrastructure list will be required for DRB approval.

DEPARTMENT of MUNICIPAL DEVELOPMENT

Transportation Planning

Findings

Wyoming Blvd is a principal arterial with a minimum right-of-way width of 156 feet as designated on Long Range Roadway System map.

Conditions

Dedication of a minimum 78 feet of right-of-way from the centerline of Wyoming Blvd a principal arterial as designated on the Long Range Roadway System map.

Traffic Engineering Operations

- No comments received.

Street Maintenance

- No comments received.

New Mexico Department of Transportation (NMDOT):

No comments received.

RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT:

Conditions of approval for the proposed Site Development Plan for Subdivision and 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. Include truck turning template information on site plan.
- c. Provide cross access agreements with adjacent property owners.
- d. Site plan shall comply and be designed per DPM Standards.
- e. Dedication of a minimum 78 feet of right-of-way from the centerline of Wyoming Blvd a principal arterial as designated on the Long Range Roadway System map.

WATER UTILITY AUTHORITY

Utility Services

Reviewed, no comment.

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

Environmental Services Division

PARKS AND RECREATION

Planning and Design

Reviewed, no objection. Request does not affect our facilities.

Open Space Division

Open Space has no adverse comments

City Forester

POLICE DEPARTMENT/Planning

This project is in out NE Area Command.....

Proposed lighting and landscaping should not be in conflict. All trees should be placed so that the mature canopy does not block visibility of fuel islands, walkways and building entrances and the point-of-sale.

- All other landscaping should be low-level variety and maintained to not block visibility.

- Video surveillance cameras should be installed to view all points-of-sale, walkways, service islands, dumpsters and building entrance/exit points.

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

10EPC-40035 APPROVED: WILL REQUIRE REANGLE OF ENCLOSURE

10EPC-40036 APPROVED: MUST COMPLY WITH ALL SWMD ORDIANCES

FIRE DEPARTMENT/Planning

TRANSIT DEPARTMENT

Adjacent and nearby routes	Route # 31, Wyoming route, and Route #98, Peak Hour Wyoming route, pass the site on Wyoming.
Adjacent bus stops	Adjacent bus stop has a Lamar shelter serving the above-mentioned route southbound.
Site plan requirements	None.
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

This will result in no adverse impacts to the APS district.

MID-REGION COUNCIL OF GOVERNMENTS

Wyoming Blvd is designated as an ITS corridor in the AMPA Regional ITS Architecture and ITS Corridor Map. Please contact City of Albuquerque-DMD at (505)-291-6220 for implementation timelines and details.

For informational purposes, the functional classification of Wyoming Blvd is that of urban collector from Paseo del Norte to Tramway Rd as per the Current Roadway Functional Classification System Map.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

PUBLIC SERVICE COMPANY OF NEW MEXICO

- There is an overhead electric distribution facility along Wyoming Blvd. on the west side of the street and an overhead single-phase electric distribution facility on the south side of the site along Holly Avenue. As a condition, it is the applicant's obligation to determine if existing utility easements or rights-of-way are located on or adjacent to the property and to abide by any conditions or terms of those easements.
- As a condition, it is necessary that the applicant coordinate with PNM regarding proposed tree species, the height at maturity and tree placement, sign location and height, and lighting height in order to ensure sufficient safety clearances to avoid interference with the existing electric transmission and/or distribution lines along the project site. PNM's standard is for trees to be planted outside the PNM easement.
- As a condition, 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.