



Environmental Planning Commission

***Agenda Number: 3
Project Number: 1001178
Case #: 14EPC-40036
July 10, 2014***

Staff Report

<i>Agent</i>	Mcclain Architecture & Design
<i>Applicant</i>	Roy Solomon
<i>Request</i>	Site Plan for Building Permit
<i>Legal Description</i>	Tract A-1-B-1, ACME ACRES
<i>Location</i>	Cutler Ave NE, at the NE corner of the intersection of I-40 & Carlisle
<i>Size</i>	1.49 Acres
<i>Existing Zoning</i>	C3 – SC
<i>Proposed Zoning</i>	NO CHANGE

Staff Recommendation

APPROVAL of Case #1001178 based on the Findings beginning on Page 10, and subject to the Conditions of Approval beginning on Page 12.

***Staff Planner
Vicente M. Quevedo, Planner***

Summary of Analysis

This is a request to develop a 6,690 square ft. neighborhood scale retail development located at 3600 Cutler Ave. NE.

The site is within the Established Urban Area of the Comprehensive Plan, is not governed by any Sector Development Plans and is covered by a Site Development Plan for Subdivision but no design guidelines exist specific to the subject site.

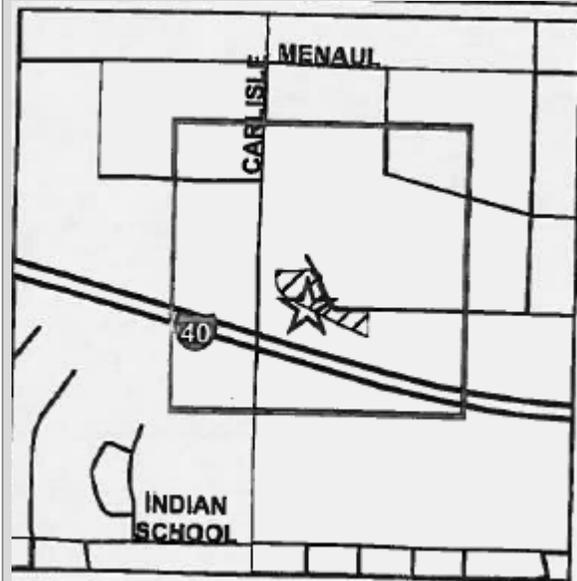
The request is consistent with the goals, policies and regulations of all applicable plans.

A facilitated meeting occurred on June 26, 2014 and attendees expressed general support for the use and design of the retail development.

The Altura Addition Neighborhood Association, Netherwood Park Neighborhood Association and The District 7 Coalition of Neighborhood Associations and property owners within 100 feet were notified.

There is no known neighborhood opposition to this request.

Staff is recommending approval with conditions for the request.



City Departments and other interested agencies reviewed this application from 06/02/2014 to 06/13/2014
Agency comments used in the preparation of this report begin on Page 15.

I. AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses:

	<i>Zoning</i>	<i>Comprehensive Plan Area; Applicable Rank II & III Plans</i>	<i>Land Use</i>
<i>Site</i>	C-3 SC	Established Urban	Vacant
<i>North</i>	C-3 and C-2	Established Urban	Hotel, Commercial Service
<i>South</i>	Interstate 40 (Southern adjacent property is zoned C-1)	Established Urban	Commercial Retail
<i>East</i>	C-3 SC	Established Urban	Hotel, Commercial Service, Warehouse and Storage
<i>West</i>	C-1	Established Urban	Commercial Retail

II. INTRODUCTION

This request for Site Plan for Building Permit will result in a retail development on tract A-1-B-1 of the Acme Acres Subdivision, located on Cutler Avenue bordered by Carlisle Boulevard to the West and Interstate 40 to the South. The site is currently zoned C3-SC (Shopping Center) and is surrounded on all sides by other commercially zoned parcels. The vacant parcel is the last to be developed within the Acme Acres Subdivision (AAS).

EPC Role

The request is a quasi-judicial matter. The Shopping Center (SC) Regulations §14-16-3-2(C) require the same approval process as an SU-1 zoned site. This request is heard by the EPC because of the stated provision in the SC regulations. The SC Regulations do not allow the EPC to have discretion over height and parking regulations, which are regulated by the underlying zoning and any approved Site Development Plans.

History/Background

At the time Tract A was created in 1985 (SP-85-434), the 6.29 acre tract met the criteria for a shopping center site: it was zoned C-3 (Z-70-79); had a size of at least 5 acres; and was in single ownership. The EPC approved a site development plan in 1985 for a Hampton Inn and Residence Inn (Z-85-129, 11/21/1985). The approved 1985 site plan was for un-phased development of the whole site and did not include design guidelines. The hotel/motel was not built and the area remained vacant.

In early 1996 the owner requested an administrative amendment to the 1985 site plan (Z-85-129) to approve the Hampton Inn development (as Phase I) and for the remainder of the site to remain

undeveloped (Phase II). The Hampton Inn development was completed in 1999. In 2001 the undeveloped area (Phase II) containing the subject site, was replatted into three separate lots.

Context

The vacant subject site A-1-B-1 is the westernmost lot of the 6.29 acre AAS zoned C-3 and designated SC on the Zoning Atlas. The remaining lots A-1-A, A-1-B-2 and A-1-B-3 within the AAS east of the subject site consist of: The Hampton Inn, The Reule Sun Corporation, and The Whitener Law Firm.

Further east of the AAS on either side of Cutler Avenue are parcels zoned C-3 and occupied by a variety of office, warehouse and commercial buildings (*i.e. Stone Age Climbing Gym, Keshet Dance Company, Los Pinos Fly & Tackle Shop, and Calibers Shooting Sports Center*). The Embudo Channel runs along the northern boundary of the subject site and the westbound Interstate 40 off-ramp forms its southern boundary. The subject site is accessed from north-bound Carlisle Boulevard on a one-way drive.

Transportation System

The Long Range Roadway System (LRRS) & Current Roadway Functional Classification (CRFC) Maps, produced by the Mid-Region Council of Governments (MRCOG), identify the following roadways as:

The CRFC designates Interstate 40 as an Existing Urban Interstate.

The LRRS designates Carlisle Boulevard as a Minor Arterial.

The LRRS designates Cutler Avenue as a Local Street.

Comprehensive Plan Corridor Designation

The subject site is located within the Enhanced Transit Corridor of the Comprehensive Plan whose intent is to provide transit service competitive with the car, and develop adjacent land uses and intensities that promote the use of transit.

Trails/Bikeways

According to The City of Albuquerque's Advanced Map Viewer (AGIS) an existing Multiple Use Trail is located to the northeastern corner of the subject site. In addition, an existing Bike Route exists on Cutler Avenue along the eastern edge of the subject site.

Transit

ABQ Ride has bus routes on several streets in the area, including Carlisle Blvd., Menaul Blvd., and Indian School Rd.

Public Facilities/Community Services

Fire Station #13 is east of the site on Prospect Ave. at Quincy St. There are three APS schools and a number of neighborhood parks within one mile of the site. Please refer to Public Facilities Map in the packet for additional information.

III. ANALYSIS

Albuquerque Comprehensive Zoning Code

Definitions (Zoning Code §14-16-1-5)

Shopping Center Site. A premises containing five or more acres; zoned P, C-1, C-2, C-3, M-1, M-2 or a combination thereof; but excluding premises used and proposed to be used only for manufacturing, assembling, treating, repairing, rebuilding, wholesaling, and warehousing.

Site Development Plan For Building Permit: In addition to information required for Subdivision, exact structure locations, structure (including sign) elevations and dimensions, parking facilities, loading facilities, any energy conservation features of the plan (e.g., appropriate landscaping, building heights and siting for solar access, provision for non-auto transportation, or energy conservational building construction), and proposed schedule for development.

C-3 Heavy Commercial Zone (Zoning Code §14-16-2-18)

This zone provides suitable sites for C-2 uses, wholesale commercial uses, and some light industrial uses which cause no vibration discernable beyond the premises.

Albuquerque / Bernalillo County Comprehensive Plan

Land Use

The subject site is located in an area that the Albuquerque/Bernalillo County Comprehensive Plan has designated Established Urban. The Comprehensive Plan 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 proposed retail development’s location and intensity are appropriate and the overall proposal is consistent with neighboring commercial land uses. The large amount of easements on the subject site limits the amount of net buildable area, and ensures that the proposed development respects the existing scale of development near the subject site which is neighborhood/service oriented. Therefore, 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.

The vacant subject site is contiguous to a full range of existing urban facilities and services. The proposed retail development is not likely to affect the integrity of the nearby existing neighborhoods because Interstate 40 serves as a buffer south of the subject site. 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 proposed retail development will offer new services and employment opportunities, and will be separated from the residential areas by Interstate 40. Noise, light pollution, and traffic will not adversely affect residential areas to the east of the subject site and south of Interstate 40. The request furthers Policy II.B.5i.

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

- In small neighborhood-oriented centers provided with pedestrian and bicycle access within reasonable distance of residential areas for walking or bicycling.
- In larger area-wide shopping centers located at intersections of arterial streets and provided with access via mass transit; more than one shopping center should be allowed at an intersection only when transportation problems do not result.
- In freestanding retailing and contiguous storefronts along streets in older neighborhoods.

The proposed retail development will be located in a neighborhood scale shopping center (per the Comprehensive Plan definition appendix C-1) which is zoned for commercial uses. Pedestrian and bicycle access exists from the nearby Multiple Use Trail to the northeast corner of the subject site as well as an existing Bike Route along Cutler Avenue. The request furthers Policy II.B.5j.

Policy II.B.5l: Quality and innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate to the Plan area.

The proposed use of inter-modal shipping containers as the basis of the shell for each building is an innovative design solution. This type of design has not yet been utilized anywhere in Albuquerque. In addition, the large amounts of easements on the subject site reduce the net buildable area to less than half of the total 1.49 acre parcel creating a non-standard lot configuration. The existing challenges that the subject site present make the proposed design appropriate for the plan area. Therefore, the request furthers Policy II.B.5l.

Conclusion

The proposed retail development complies with all applicable zoning code regulations and the goals and policies of all applicable plans (i.e. Comprehensive Plan, Site Development Plan for Subdivision).

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

Request

The applicant is proposing to build a 6,960 square foot retail development to accommodate service oriented businesses.

Section §14-16-3-11 of the Zoning Code states, "...Site Development Plans are expected to meet the requirements of adopted city policies and procedures." As such, staff has reviewed the attached site development plan for conformance with applicable goals, policies and regulations in the Comprehensive Plan and The City of Albuquerque Comprehensive Zoning Code.

Site Plan Layout / Configuration

The proposed use is a retail development made up of configurations of one to two-story inter-modal shipping containers oriented toward an interior centralized common area. The retail development is surrounded by appropriate landscape buffers and contains pedestrian walking paths throughout. In addition to the retail uses, a hydroponic farming area is proposed at the southeastern edge of the property which provides a buffer from the Reule Sun Corp. property.

The applicant proposes a main entrance facing south toward the main parking lot off of Cutler Avenue. The retail development will utilize existing access points westbound from Cutler Avenue and will not cause traffic or land use conflicts.

The large amount of easements located on the subject site create a non-standard lot configuration and cause the retail development footprint to be positioned toward the northeastern portion of the subject site and will only take up 6,960 square feet of the total 1.49 acreage of the site.

Public Outdoor Space

A common area is proposed in the center of the retail development with walkways extending north from the main entrance and circulating pedestrian traffic throughout the development. Seating areas are proposed at ground level and second story patios and balconies.

Vehicular Access, Circulation and Parking

The retail development can be accessed from north-bound Carlisle Boulevard, then turning onto Cutler Avenue (east) which is a one-way drive, followed by a right turn (west) from Cutler Avenue onto the subject site (*The one way drive referred to as Cutler Avenue in this report is actually a roadway easement governed by a Roadway Easement Agreement to provide vehicular access between the Hampton Inn and the subject site*).

A parking lot is located at this point of ingress, and a one way gravel drive then extends north from the parking lot lined with additional parking spaces. The gravel drive then makes a right turn east at the dumpster enclosure located at the furthest northwest corner of the site, with an egress point connecting back to the Cutler Avenue near the furthest northeastern corner of the site. Additional parking is located at a second point of ingress at the southeastern corner of the subject site that supplies access to a proposed hydroponic farming area.

The applicant is required under the zoning code to supply a minimum of 35 accessible automobile parking spaces (43 provided), 2 motorcycle spaces (2 provided), 2 handicap spaces (2 provided), and 2 bicycle spaces (16 provided). The handicap accessible spaces are currently demarcated by an AP and VA sign on the site plan, the applicant will need to detail out these spaces with wheelchair logos on the spaces on an amended site plan to address this.

Offsite parking on the subject site complies with the requirements under the Comprehensive Zoning Code (*Sections §14-16-3-1 Subsections (A)(27) - Automobiles, (C)(1) - Motorcycle Parking, (F)(9)(a) - Disabled Parking Spaces, & (G) - Bicycle Space Standards*)

Pedestrian and Bicycle Access and Circulation, Transit Access

Although a bus route along Carlisle Avenue exists, the nearest bus stops are .30 miles to the south and .12 miles north. However, pedestrians can also access the site from one of the surrounding commercially zoned businesses in the SC designated area (i.e.- Hampton Inn or Whitener Law Firm clients).

Bicycles can access the site utilizing either the existing Multiple Use Trail that directly connects to the subject site at its northeast corner and runs east and west, or the existing designated Bike Route on Cutler Avenue along the eastern edge of the subject site.

The retail development has been designed to be very walkable with a large amount of public space and seating areas. Two separate bicycle racks are located 1.) North of the parking lot at the point of ingress onto the site, and 2.) Near the connection with the Multiple Use Trail at the northeast corner of the site. Each bicycle rack can accommodate 8 bicycles.

Walls/Fences

There is an existing barrier wall outside of the property line along the southwestern edge of the site that was installed as part of the Carlisle Boulevard off-ramp construction. The only additional walls proposed on the subject site are those around the refuse enclosure at the furthest northwest corner of the property.

In addition, an approximately 6 foot high chain link fence exists along the southern edge of the subject site property line. The fencing height complies with the zoning code §14-16-3-19 General Height and Design Regulations for Walls, Fences and Retaining Walls.

Lighting and Security

A total of 18 site lighting poles will be located around the perimeter of the walkable public space located on the site. Each light fixture is 16 feet in height (maximum height is 20 feet), and does not directly shine on any public right-of-way or any other residential premises. Lighting on the subject site therefore complies with zoning code §14-16-3-9 Area Lighting Regulations.

Landscaping

A palette of low to medium water use plants is proposed. Common plant names are identified as required by the zoning code and will be watered utilizing a drip system. The property owner will be responsible for maintenance of the landscaping. The applicant is proposing 19% net lot area

and landscape coverage as noted on the Landscape Plan (*15% minimum is required per the zoning code*). Appropriate buffers and reductions of large expanses of pavement and parked cars are also being proposed for the site. PNM submitted comments encouraging coordination with the PNM Center Service Department regarding certain tree species and their height at maturity to ensure sufficient safety clearances with existing electric facilities.

The landscaping plan submitted by applicant meets the requirements of the zoning code §14-16-3-10 Landscaping Regulations.

Grading, Drainage, Utility Plans

The subject site slopes from the northeast to southwest and flows into an existing swale within the NMDOT ROW. The drainage swale discharges to the into an existing drop inlet near the northwest corner of the site. The swale runs parallel with an existing retaining wall that was constructed for the Carlisle Boulevard off-ramp. The existing drop inlet then then discharges into the Embudo Channel.

A substantial amount of utility easements exist on the subject site as outlined below:

- AMAFCA Slope Easements (North & West edges);
- Public Sewer & Water Easements (Western Edge – At least 6 manhole locations);
- Public Utility Easements - Overhead Lines, Poles, & One off Premise Sign.

PNM submitted comments regarding the need to relocate four of the proposed water harvesting sites that fall within existing electric distribution pole sites, as well as requiring an encroachment document for use of any PNM easement for parking. (*See Conditions of Approval and Agency Comments sections for a more detailed narrative*).

The proposed retail development has taken into account the limitations imposed by these easements (*Net buildable area reduced to approximately 44% according to applicant's calculations*) by proposing to construct each building out of intermodal shipping containers.

Refer to Retracement Survey for additional site easement information.

Architecture

The proposed buildings are to be built out of various configurations of metal rectangular inter-modal shipping containers. Each container measures approximately 10 feet high, 8 feet wide, and 40 feet long. No phasing is proposed for the site, and 6,690 total square feet is proposed for the footprint at final build out.

The Building and Safety Department has advised Planning Staff that each individual or configuration of multiple shipping containers is required to be engineered and meet all of the requirements under the International Building Code and Conservation Code.

The trash enclosure will be located at the northwestern corner of the site, away from the patio area and is proposed to be 12 feet wide and 9 feet long with an 8 foot apron. After consulting with Solid Waste Staff, they require a minimum enclosure of 17 feet wide and 9 foot 6 inch long with an 8 foot apron. The site plan will need to be amended to address this.

Signage

Zoning code section §14-16-3-2(B)(4) Shopping Center Regulations allows one free standing sign per 300 feet of street frontage on arterial and collector streets with a maximum of 150 square feet per sign face and a maximum height of 26 feet. Two free standing signs are allowed on the subject site because there is approximately 660 feet of street frontage along Interstate 40. The applicant is proposing two free standing signs on the site plan (at the southeastern and northwestern corner) with a sign area of 125 square feet and 40 feet in height. However, only one free standing sign is shown with dimensions on the Building and Structure Elevations page 5.1. The applicant will need to detail the second free standing sign's dimensions on page 5.2 of an amended site plan to address this.

Zoning Enforcement has explained that while the proposed sign face of 125 square feet and the signage height of 26 feet comply with the zoning code, the sign structure height extends an additional 14 feet in height bringing the total sign structure height to 40 feet that does not comply with the zoning code. The EPC can only approve a sign height of 26 feet per section §14-16-3-2(B)(4) Shopping Center Regulations. Therefore the applicant would need to modify the sign height structure to comply with the existing zoning regulations. They can apply for a zone code variance through the Zoning Hearing Examiner to allow for a smaller sign.

Zoning code section §14-16-2-17(A)(10)(c)(2) Community Commercial Zone states that a building mounted sign on premises where there is a free-standing sign shall not exceed 10% of the façade area if the sign area is not wholly visible from an abutting collector street, arterial, or freeway. This equates to a maximum of 76 feet given the total of 760 square feet of façade along the proposed juice bar's western elevation. The applicant is proposing one building mounted sign on the proposed juice bar tenant space facing east onto Cutler Avenue measuring 32 square feet

The site plan elevations highlighting the Juice Bar Western Elevation will need to be amended to show the correct total amount of façade square footage. It currently lists a total area of 720 square feet and should be listed as 760 square feet. Additionally the street frontage dimension along the southwestern edge of the property must be noted on the site plan to highlight

compliance with the free standing sign requirements per section §14-16-3-2(B)(4) Shopping Center Regulations of the Zoning Code.

IV. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies

PNM had several comments regarding existing easements and electric facilities on the site. Please see Agency Comment and Conditions sections of this report for more detailed information.

Neighborhood/Public

The Altura Addition Neighborhood Association, Netherwood Park Neighborhood Association and The District 7 Coalition of Neighborhood Associations were notified. A facilitated meeting was held on June 26, 2014. Participants expressed general support for the use and design of the retail development.

Staff did receive correspondence from the owner of Reule Sun Corporation dated July 1, 2014 and the Area General Manager of the Hampton Inn dated July 2, 2014. These were forwarded to the applicant to the email address on file.

There is no known neighborhood opposition to this request.

V. CONCLUSION

This is a request to approve a Site Development Plan for Building Permit to allow the construction of a 6,960 square feet retail development on tract A-1-B-1 of the Acme Acres Subdivision.

The request is generally consistent with the applicable goals, policies, and regulations in the Albuquerque/Bernalillo County Comprehensive Plan along with The City of Albuquerque Zoning Code C-3 (Heavy Commercial) and SC (Shopping Center).

FINDINGS - 14EPC-40036 July 10, 2014 - Site Development Plan for Building Permit

1. This is a request to approve a Site Development Plan for Building Permit for Tract A-1-B-1, Plat of Tracts A-1-B-1, A-1-B-2 and A-1-B-3, Plat of ACME ACRES located at 3600 Cutler Avenue and containing approximately 1.49 acres zoned C-3 SC.
2. The applicant proposes construction of a 6,960 square foot retail development on tract A-1-B-1 of the Acme Acres Subdivision. This request is being heard by the EPC because of the SC, Shopping Center Designation.
3. The subject site is the last lot within the subdivision to be developed.
4. The current site plan for subdivision does not include specific design guidelines for the subject site. Design guidelines are therefore governed by the regulations within the C-3 and SC sections of the Zoning Code.
5. The subject site is located in the Established Urban Area of the Comprehensive Plan. The site is not located within any Sector Development Plan boundaries.
6. The retail development has been designed to be very walkable with a large amount of public space, walking paths, seating areas, and multi-modal transportation access such as bicycle access from an existing Multiple Use Trail that directly connects to the subject site.
7. The large amounts of easements on the subject site reduce the net buildable area to less than half of the total 1.49 acre parcel (approximately 44% according to the applicant's calculations) creating a non-standard lot configuration requiring innovative design solutions.
8. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
9. This request is consistent with the following applicable policies of the Comprehensive Plan:
Land Use
 - a) 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 proposed retail development's location and intensity are appropriate and the overall proposal is consistent with neighboring commercial land uses. The large amount of easements on the subject site limits the amount of net buildable area, and ensures that the proposed development respects the existing scale of development near the subject site which is neighborhood/service oriented. Therefore, the request furthers Policy II.B.5d.

- b) 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 vacant subject site is contiguous to a full range of existing urban facilities and services. The proposed retail development is not likely to affect the integrity of the nearby existing neighborhoods because Interstate 40 serves as a buffer south of the subject site. The request furthers Policy II.B.5e.

- c) 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 proposed retail development will offer new services and employment opportunities, and will be separated from the residential areas by Interstate 40. Noise, light pollution, and traffic will not adversely affect residential areas to the east of the subject site and south of Interstate 40. The request furthers Policy II.B.5i.

- d) Policy II.B.5j: Where new commercial development occurs, it should generally be located in existing commercially zoned areas as follows:
- In small neighborhood-oriented centers provided with pedestrian and bicycle access within reasonable distance of residential areas for walking or bicycling.
 - In larger area-wide shopping centers located at intersections of arterial streets and provided with access via mass transit; more than one shopping center should be allowed at an intersection only when transportation problems do not result.
 - In freestanding retailing and contiguous storefronts along streets in older neighborhoods.

The proposed retail development will be located in a neighborhood scale shopping center (per the Comprehensive Plan definition appendix C-1) which is zoned for commercial uses. Pedestrian and bicycle access exists from the nearby Multiple Use

Trail to the northeast corner of the subject site as well as an existing Bike Route along Cutler Avenue. The request furthers Policy II.B.5j.

- e) Policy II.B.5l: Quality and innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate to the Plan area.

The proposed use of inter-modal shipping containers as the basis of the shell for each building is an innovative design solution. This type of design has not yet been utilized anywhere in Albuquerque. In addition, the large amounts of easements on the subject site reduce the net buildable area to less than half of the total 1.49 acre parcel creating a non-standard lot configuration. The existing challenges that the subject site present make the proposed design appropriate for the plan area. Therefore, the request furthers Policy II.B.5l.

10. The one way drive referred to as Cutler Avenue on the site plan is actually a roadway easement governed by a Roadway Easement Agreement to provide vehicular access between the Hampton Inn and the subject site.
11. The neighborhood organizations required to be notified are the Altura Addition Neighborhood Association, Netherwood Park Neighborhood Association and The District 7 Coalition of Neighborhood Associations, which the applicant notified as required. A facilitated meeting was held on June 26, 2014. Participants expressed general support for the use and design of the retail development. There is no known neighborhood opposition to this request.
12. Conditions of approval are necessary to provide clarification and ensure compliance with applicable regulations, including the Zoning Code, and bring the submittal in line with local standards.

RECOMMENDATION - 14EPC-40036 July 10, 2014

APPROVAL of 14EPC-40036, a request for Site Development Plan for Building Permit, for Tract A-1-B-1, Plat of Tracts A-1-B-1, A-1-B-2 and A-1-B-3, Plat of ACME ACRES, City of Albuquerque, Bernalillo County, New Mexico based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL - 14EPC-40036 July 10, 2014 Site Development Plan for Building Permit

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

EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.

2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. The handicap accessible spaces are currently demarcated by an AP and VA sign on the site plan, the applicant must detail out these spaces with wheelchair logos on the spaces within the site plan.
4. The street frontage dimension along the southwestern edge of the property must be noted on the site plan to highlight compliance with the free standing sign requirements per section §14-16-3-2(B)(4) Shopping Center Regulations of the Zoning Code.
5. The applicant is proposing two free standing signs on the site plan (at the southeastern and northwestern corner) with a sign area of 125 square feet and 26 feet in height. However, only one free standing sign is shown with dimensions on the Building and Structure Elevations page 5.1. The applicant will need to detail the second free standing sign's dimensions on page 5.2 of an amended site plan to address this.
6. The free standing sign structure height extends an additional 14 feet in height bringing the total sign structure height to 40 feet that does not comply with the zoning code. The EPC can only approve a sign height of 26 feet per section §14-16-3-2(B)(4) Shopping Center Regulations. Therefore the applicant must decide whether they will modify the sign height structure to comply with the existing zoning regulations or apply for a zone code variance through the Zoning Hearing Examiner.
7. The site plan elevations highlighting the Juice Bar Western Elevation will need to be amended to show the correct total amount of façade square footage. It currently lists a total area of 720 square feet and should be listed as 760 square feet.
8. The current refuse enclosure is proposed to be 12 feet wide and 9 feet long with an 8 foot apron. After consulting with Solid Waste Staff, they will require a minimum enclosure of 17 feet wide and 9 foot 6 inch long with an 8 foot apron based on the square footage of the proposed retail development. The site plan will need to be amended to address this.
9. Conditions of Approval based on Comments from AMAFCA:
 - a. The applicant shall show secure encroachment permits to allow parking lots and landscaping within existing AMAFCA easements (no permanent building structures) for the slope easement on the north side and the drainage easement on the west side of the subject site.
10. Conditions of Approval based on Comments from PNM:

- a. Water harvesting is proposed at four of the existing electric distribution pole sites on the western edge of the subject property as indicated on Sheet 3, Conceptual Grading and Drainage Plan. Water harvesting at these locations is unacceptable to PNM. An amended site plan demonstrating the relocation of the water harvesting locations is required.
 - b. PNM will require an encroachment document from the applicant for use of the easement for parking.
11. The Site Development Plan shall comply with the General Regulations of the Zoning Code, the Subdivision Ordinance, and all other applicable design regulations, except as specifically approved by the EPC.
-
-

***Vicente Quevedo
Planner***

Notice of Decision cc list:

Roy Solomon, 2929 Monte Vista NE, ABQ, NM 87108

Mcclain Architecture & Design, 2009 Ridgecrest Dr. SE, ABQ, NM 87108

Colin L. Adams 1405 Solano Dr. NE, ABQ, NM 87110

Denise Hammer 1735 Aliso Dr. NE, ABQ, NM 87110

Charles Maguire 1925 Apache NE, ABQ, NM 87106

John Vittal 1737 Miracerros Pl. NE, ABQ, NM 87106

Bill Hoch 813 Calle del Corte NE, ABQ, NM 87110

Lynne Martin 1531 Espejo NE, ABQ, NM 87112

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

- No adverse comments.

Office of Neighborhood Coordination

Altura Addition NA (R), Netherwood Park NA (R), District 7 Coalition of NA's

6/4/14 – Recommended for Facilitation by Agent – siw

6/9/14 – Assigned to Jessie Lawrence – th

6/11/14 – Facilitated Meeting scheduled for Thursday, June 26, 2014 @ 6 pm at McClain Architecture and Design Office – 2009 Ridgecrest Drive SE - siw

Long Range Planning

Project 1001178 – Site Development Plan for Building Permit

The request is not within the boundaries of a Sector Development Plan. The proposed site plan demonstrates a creative infill project on a property that has been challenging to develop due to its location, shape, and easements.

Metropolitan Redevelopment Agency

- No comments received.

CITY ENGINEER

Transportation Development

- Landscape Plan conflicts with proposed layout on site plan.
- Label motorcycle parking spaces.
- Does *Private Access Easement* on Cutler Ave allow public access onto site?
- Per the DPM, a 20 ft concrete threshold/drive pad is required from egress of a gravel drive to allow vehicle tires to shed gravel sediment before contacting public street. Proposed layout provides only 10 ft. concrete drive pad.
- Please label and detail proposed infrastructure or provide build details: sidewalk, curb and gutter, drive pads, valley gutters, header curbing, ADA crosswalk ramps, pavement striping and signage.
- Will the directional curb bump-out along the eastern property line become a new be dedicated to owner of current *Private Access Easement* with the proposed removal of “curb projection” and “re-align easement”?
- The proposed new egress only drive is located directly parallel to a designated bike trail and perpendicular to a one-way vehicular bridge. To avoid conflicts, an evaluation of the vehicular,

pedestrian, and bicycle circulation must be reviewed by the Traffic Engineer. A forced right-turn only road configuration may be required at egress.

- Clarify what infrastructure is proposed with first phase of project. Provide phasing lines on site plan and label / define.
- According to site plan, 8 bike spaces required and provided but 16 bike spaces indicated on site layout.
- Submitted *Retracement Survey* is not signed/dated/stamped

Hydrology Development

- The site has a couple AMAFCA easements on it and drains to the NMDOT ROW.

New Mexico Department of Transportation (NMDOT):

Project Number: 1001178

Case Description: Request for a Building Permit for mirco-retail venue consist with neighboring uses of small retail, small food service and small service-oriented business

Location Portion: Northeast corner of I-40 WB Off-Ramp and Carlisle Blvd

Type of Development (Residential/Commercial): Commercial

Possible Impacted NMDOT roadway(s): I-40

Department Comments: The NMDOT has no objections to the building request. There shall be no advertisement signs within state right-of-way. The property owner shall maintain the existing ONE WAY traffic pattern on Cutler Avenue near the northern access point.

DEPARTMENT of MUNICIPAL DEVELOPMENT

Transportation Planning

- Along the north boundary of the subject property is the existing Embudo Arroyo Trail, which is per the Long Range Bikeway Systems Map. The local street fronting the subject property is private, allowing only one-way, west to east traffic from Carlisle Blvd. to south of the Embudo Arroyo crossing. The right-in-only access from Carlisle Blvd. onto this local private street is not subject to alteration. The 31.3 feet of existing private easement width on this street may be deficient when considering the additional traffic being generated by new uses associated with this request

Traffic Engineering Operations

- No comments received.

Street Maintenance

- No comments received.

WATER UTILITY AUTHORITY

- Project #1001178: No objection as long as there are no permanent structures inside the existing Sanitary Sewer easement on the western portion of the project.

ENVIRONMENTAL HEALTH DEPARTMENT

- No comments received.

PARKS AND RECREATION

- No adverse comments.

POLICE DEPARTMENT/Planning

EPC 1001178 – This project is in the Northeast Area Command

- Proposed parking lot pole lights and tree variety landscaping have the potential to conflict with each other. Recommend eliminating tree plantings immediately adjacent to proposed pole lights. Once trees become mature they will reduce available illumination.
- There appears to be several pedestrian, bicycle and vehicle access points into the property. Recommend not planting bush variety landscaping immediately adjacent to these access points. Bushes will reduce natural surveillance of these areas. Also, all bushes should be maintained or trimmed to a level no more than three feet from the ground.
- Adequate lighting should be available at all pedestrian, bicycle and vehicle access points. Illuminating these areas will increase natural surveillance at night and create a safer environment for users.
- A video surveillance system should be incorporated into the plan. Recommend cameras be placed at all pedestrian, bicycle and vehicle access points, all parking areas, walkways, building approaches, common or gathering space and maintenance/refuge areas. Each camera should be monitored and recorded for real-time and historical use.

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

- No comments received.

FIRE DEPARTMENT/Planning

- No comments received.

TRANSIT DEPARTMENT

- No adverse comments received.

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

- No comments received.

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

P#1001178 - Green Jeans Farmery, (H-17)

AMAFCA has no objection to the Site Development Plan for Building Permit. The agent has coordinated with AMAFCA regarding its drainage easements on the property. Staff has determined that the easements are no longer required for the Embudo Channel. The owner may either request quitclaim/release of the easements from the AMAFCA Board of Directors or an Encroachment Permit from AMAFCA staff. If the easements remain, parking and landscaping will be allowed, but no permanent building structures will be allowed within the easement limits.

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

Conditions for Approval for Project #1001178 Site Development Plan for Building Permit (Green Jeans Farmery)

1. Existing overhead electric distribution facilities are located on the western edge of the subject property which then turns east to the eastern edge of the site. The applicant is responsible to abide by any conditions or terms of those easements.
2. Water harvesting is proposed at four of the existing electric distribution pole sites on the western edge of the subject property as indicated on Sheet 3, Conceptual Grading and Drainage Plan. Water harvesting at these locations is unacceptable to PNM. PNM will continue to review the grading and drainage plan for this project and will potentially have future comments regarding the grading and drainage plan as it continues through the approval process.
3. Coordination with PNM will be necessary for this project regarding proposed tree species, the height at maturity and tree placement, sign location and height, and lighting height in order to ensure sufficient safety clearances to avoid interference with the existing electric facilities along the western project site boundary and turning east. Honey locust trees indicated on the Landscape Plan, Sheet 2, are not a compatible height with the existing overhead electric distribution utilities on the eastern portion of the property. A shorter tree selection at mature height is recommended at this location. PNM's landscaping preference is for trees and shrubs to be planted outside the PNM easement; however, if within the easement, trees and shrubs should be located to minimize effects on electric facility maintenance and repair. New trees planted near PNM facilities should be no taller than 25 feet in height at maturity to avoid conflicts with existing electric infrastructure. Contact:

Mike Moyer, PNM Center Service
4201 Edith Boulevard NE
Albuquerque, NM 87107
Phone: (505) 241-3697

4. One existing electric distribution pole is indicated on Sheet 1 Site Plan, located within the area specified as the “plaza” area. It is unclear if this pole would be subject to potential vehicle damage. If the pole is located within the potential path of vehicles accessing the eastern portion of the site, protection such as bollards is necessary.
5. Ground-mounted equipment screening will 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 2 remaining three sides for safe operation, maintenance and repair purposes. Refer to the PNM Electric Service Guide at www.pnm.com for specifications.
6. PNM will require an encroachment document from the applicant for use of the easement for parking.
7. Comment: Appendix C is referenced in the application letter but is not labeled or identified in the submittal.