



**Environmental
Planning
Commission**

*Agenda Number: 6
Project Number: 1005243
Case #: 12EPC 40050/40051
September 13, 2012*

Staff Report

Agent	Verdad Real Estate
Applicant	Consensus Planning
Request	Amendment to Site Development Plan for Subdivision Site Development Plan for Building Permit
Legal Description	Tracts 1-5, Broadstone Towne Center
Location	Gibson Boulevard SE, between University Boulevard SE and Buena Vista SE
Size	Approximately 16.76 acres
Existing Zoning	SU-1 for C-2 Permissive Uses with Exclusions (Tracts 2 & 3)
Proposed Zoning	No Change

Staff Recommendation
APPROVAL of EPC 40051 based on the Findings beginning on Page 13, and subject to the Conditions of Approval beginning on Page 15.

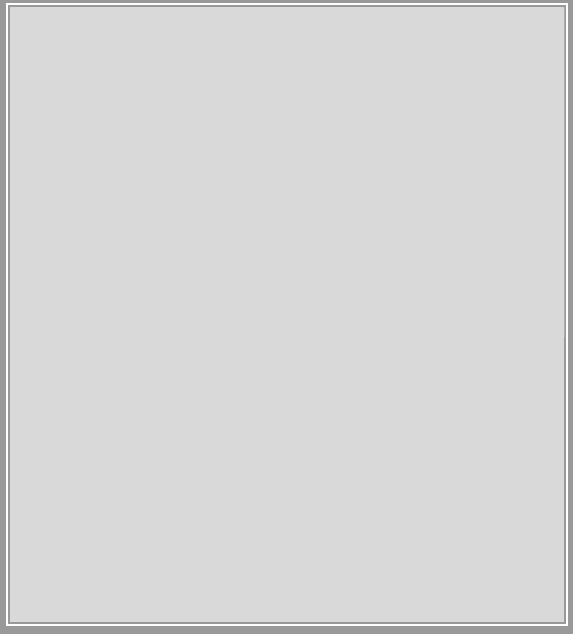
APPROVAL of EPC 40050 based on the Findings beginning on Page 15, and subject to the Conditions of Approval beginning on Page 18.

Staff Planner
Randall Falkner, Planner

Summary of Analysis
 This is a two-part request for an amendment to a site development plan for subdivision and a site development plan for building permit for Tracts 1-5, Broadstone Towne Center, a site of approximately 16.76 acres, located on Towne Center Lane, between Gibson Boulevard and Eastern Avenue. The applicant intends to build a 7,380 square foot restaurant. The project will consolidate tracts 2 and 3 into one tract and slightly modify site entrances.

The subject site is controlled by the Broadstone Towne Center Site Plan for Subdivision and Design Standards, approved by the Environmental Planning Commission (EPC) on January 18, 2007.

The request furthers a preponderance of applicable policies found in the Comprehensive Plan and the South Yale Sector Development Plan. Staff is recommending approval with conditions.



City Departments and other interested agencies reviewed this application from 7/30/2012 to 8/10/2012
 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>
<i>Site</i>	SU-1 for C-2 Permissive Uses with Exclusions (Tracts 2 & 3)	Established Urban Area South Yale Sector Development Plan	Vacant
<i>North</i>	SU-2 PNR or SU-1 PRD 600 DU Max, SU-2 PNR or SU-1 PRD & Commer (20,000 SQ FT) & Self-Serv Storage Fac.	Established Urban Area South Yale Sector Development Plan	Single-Family Residential (Mobile Home Park), Vacant
<i>South</i>	C-1, C-3, C-2	Established Urban Area	Commercial, Vacant, Multi-Family Residential
<i>East</i>	SU-2 NMX	Established Urban Area South Yale Sector Development Plan	Multi-Family Residential, Vacant
<i>West</i>	C-2	Established Urban Area	Commercial (gas station, motel)

II. INTRODUCTION

Proposal

This is a two-part request for an amendment to a site development plan for subdivision and a site development plan for building permit for Tracts 1-5, Broadstone Towne Center, a site of approximately 16.76 acres, located on Towne Center Lane, between Gibson Boulevard and Eastern Avenue.

The applicant intends to build a 7,380 square foot restaurant. The project will consolidate tracts 2 and 3 into one tract and slightly modify site entrances.

The subject site is controlled by the Broadstone Towne Center Site Plan for Subdivision and Design Standards, approved by the Environmental Planning Commission (EPC) on January 18, 2007. The EPC is hearing the case because the Design Standards state that subsequent site plans for building permit shall be submitted to the EPC for the commercial pad sites.

The site is located in the Established Urban Area of the Comprehensive Plan. The site is also located in the South Yale Sector Development Plan (SYSDP). The current zoning for the entire 16.76 acre site is SU-2 PNR or SU-1 PRD & C-2 Permissive Uses with Exclusions. The specific zoning for the residential portion of the site (Tract 1, approx. 12.2 acres) is SU-1 for PRD, while

the precise zoning for the commercial portion of the site (Tracts 2-5, approx. 4.5 acres) is SU-1 for C-2 Permissive Uses with Exclusions.

Context

The subject site for the site development plan for building permit (Tracts 2 and 3) is currently vacant. The property to the immediate north and east of Tracts 2 and 3 are apartments. Further north is single-family residential (mobile home park). Further east of the apartments in Tract 1 is single family residential. West of Tracts 2 and 3 is Tract 4 (vacant) and a restaurant (Tract 5) on the corner of Gibson and University. Further west across University Boulevard are some existing motels. To the south across Gibson Boulevard are a variety of uses including commercial, multi-family residential, and vacant land.

The site sits 2-11 feet below Gibson Boulevard, sloping downward from east to west. Retaining walls are provided along both Gibson Boulevard and Broadstone Way. Access to the site is provided with two separate driveways along Towne Center Lane, which contains an existing 8 foot wide sidewalk along the entire edge of the subject site. Access from Gibson Boulevard is not allowed because Gibson Boulevard is designated as a Limited-Access Principal Arterial

The site has some limited views of the Sandia Mountains to the northeast, and nice views of the West Mesa and volcanoes to the west. Gibson Boulevard is a busy road with traffic running in an east-west direction. The University/Gibson Boulevard intersection is approximately 1/3 mile from the I-25 interchange. The 2010 traffic flow map, produced by the Mid-Region Council of Governments (MRCOG) shows an average weekday traffic flow of 28,600 along Gibson Boulevard between I-25 and University Boulevard.

History

The subject site was part of a larger annexation of land that occurred between 1940 and 1959 (source: AGIS map). It is likely that the subject site's original R-1 zoning and unusual "horizontal" platting were established at that time. Minutes found in Planning Department archives for a case on the property to the north (Z-689-1) in 1987 indicate that "the property to the south consists of several long, narrow grant tracts and retains original R-1 zoning." These tracts are under separate ownership.

In 2007, the EPC approved a site development plan for subdivision (09EPC 01592) for Broadstone Towne Center along with design standards, a site development plan for building permit (06EPC 01593), and a zone change from R-1 to SU-1 for PRD (06EPC 01594) for the residential portion of the site (approx. 12.2 acres) and to SU-1 for C-2 Permissive Uses with Exclusions for the commercial portion of the site (approx. 4.5 acres). In 2009 the EPC approved a site development plan for building permit at the northeast corner of Gibson and University (Tract 5), which resulted in a restaurant.

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 Gibson Boulevard as a Limited-Access Principal Arterial, with a right-of-way of 156'.

The Long Range Roadway System designates University Boulevard as a Minor Arterial, with a right-of-way of 86'.

Towne Center Lane and Broadstone Way are local roads.

There is an existing bicycle lane and a multi-use trail along Gibson Boulevard east of University Boulevard, and an existing bicycle lane on University north of Gibson Boulevard.

The area is served by bus route #96 (Crosstown Commuter) during rush hour in the morning and afternoon on weekdays, bus route #217 (Downtown-KAFB Limited) during rush hour in the morning and afternoon on weekdays, and by bus route #16/18 (Broadway-University-Gibson) all day on weekdays, Saturdays, and Sundays. There is an existing bus stop along Gibson Boulevard (approximately 600 feet from Tract 2) and another bus stop along University Boulevard (approximately 450 feet from Tract 3).

Gibson Boulevard is an Enhanced Transit Corridor. University Boulevard is an Enhanced Transit Corridor north of Gibson Boulevard, and proposed Enhanced Transit Corridor south of Gibson Boulevard.

Public Facilities/Community Services

See attached Public Facilities Map for details.

III. ANALYSIS

Albuquerque Comprehensive Zoning Code

The zoning for the entire 16.76 acre site development plan for subdivision is SU-2 PNR or SU-1 PRD & C-2 Permissive Uses with Exclusions. The specific zoning is SU-1 for PRD for the residential portion of the site (approx. 12.2 acres) and SU-1 for C-2 Permissive Uses with Exclusions for the commercial portion of the site (approx. 4.5 acres). The following uses are not allowed: Freestanding Cell Towers or Antennas; Vehicle Sales, Rental Service, Repair, Storage; Package Alcohol Sales for Off-Premise Consumption; Gasoline, Oil, & Liquefied Petroleum Gas Retailing; Off-Premise Signs including Billboards; Drive-In Restaurant; School; Parking Lot; Storage Structure; Storage Yard; Uses/Activities in a Tent; and Circus or Carnival.

The SU-1 zone (Zoning Code Section 14-16-2-22) provides suitable sites for uses that are special, and for which the appropriateness of the use to a specific location depends upon the character of the site design. SU-1 zoning requires review by the EPC. The SU-1 zone includes PRD (Planned Residential Development) as a special use and contains requirements for PRD's. The C-2 (Community Commercial) zone "provides suitable sites for offices, for most service and commercial activities, and for certain specified institutional uses."

According to Zoning Code Services, the Broadstone Towne Center Design Standards found in the approved Site Development Plan for Subdivision (April 2007), take precedence over the Design Standards in the SYSDP for lots within the approved subdivision.

Definitions

Site Development Plan for Subdivision: An accurate plan at a scale of at least 1 inch to 100 feet which covers at least one lot and specifies the site, proposed use, pedestrian and vehicular ingress and egress, any internal circulation requirements and, for each lot, maximum building height, minimum building setback, and maximum total dwelling units and/or nonresidential uses' maximum floor area ratio.

Site Development Plan for Building Permit (Section 14-16-1-5, Zoning Code): In addition to information required for Subdivision, exact structure location, 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.

SITE DEVELOPMENT PLAN FOR SUBDIVISION AMENDMENT AND SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

The applicant intends to amend the site development plan for subdivision by consolidating tracts 2 and 3 into one tract. The applicant needs to have a legend with each Tract shown and the total square footage and acreage of each tract after the consolidation.

The applicant intends to amend the site development plan for building permit by building a 7,380 square foot restaurant on existing Tracts 2 and 3.

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 and policies of the Comprehensive Plan, (and other applicable Plans).

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

Established Urban Areas

Policy II.B.5d: The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural and recreational concern.

The request generally respects neighborhood values. The request meets the intent of the Broadstone Towne Center Site Development Plan for Subdivision, meets existing Broadstone Towne Center Design Standards, and is consistent with adjacent uses in the Broadstone Towne Center site development plan for subdivision (there is an existing restaurant on Tract 5). The request has minimal impacts on natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, or recreational concern.

The request could have some impacts (lighting, noise, traffic) on the existing apartments to the north since the proposed restaurant will be directly across the street. However, the applicant has heavily landscaped the northern portion of the site that faces the existing apartments. Tracts 2-5 of Broadstone Towne Center is zoned SU-1 for C-2 Permissive Uses with Exclusions, and is designated by the site development plan for subdivision to contain commercial uses. General Note 3 of the site development plan for subdivision states the following: "The 4.3 acres of the development are allocated for commercial development. Four commercial parcels are proposed. The users envisioned for the parcels would involve sit down restaurants, service retail, financial facility and drive-up fast food." As a result, the proposed sit down restaurant use is meeting the intent of the Broadstone Towne Center Site Development Plan for Subdivision. The proposed use is appropriate for the location. 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.

Urban services already exist in the Broadstone Towne Center, and the request will develop vacant land inside the site that is currently not in use (Tracts 2 and 3). The proposed restaurant will be located directly across the street from existing apartments to the north and the east. However, these tracts are designated by the site development plan for subdivision to contain commercial uses, as Tract 5 contains an existing restaurant. The applicant has designed the restaurant to have a minimal effect on the neighbors to the north and the east. 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.

Adverse effects of development (lighting, pollution, traffic, and noise) have been minimized by appropriate site design, which complies with the Broadstone Towne Center Design Standards, and by placing the entrance at the south side, away from the existing apartments on the north side. The applicant has provided extensive landscaping on the northern and eastern portions of the site that face the existing apartments. 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 operations.

The request has been designed to minimize harmful effects of traffic, and livability and safety of established residential neighborhoods are protected in transportation planning and operation. The entrance to the building has been placed on the south side, which minimizes some of the harmful effects of traffic (including parking, traffic circulation, noise, and lighting) on the residential neighborhood to the north. Gibson Boulevard is designated as a limited-access principal arterial and therefore does not allow access along Gibson (without approval from the Mi-Region Council of Governments).

The applicant has provided pedestrian connections throughout the site that link to Towne Center Lane and Gibson Boulevard. Pedestrian crossings consist of textured colored concrete, which is a traffic calming device. While the proposed restaurant will be directly across the street from existing apartments to the north and the east, this was the primary intent of the approved site development plan for subdivision (The zoning of Tract 1 is SU-1 for PRD to allow multi-family housing, while Tracts 2-5 of Broadstone Towne Center are zoned SU-1 for C-2 Permissive Uses with Exclusions, and are designated by the site development plan for subdivision to contain commercial uses). Extensive landscaping on the north and east sides of the property and throughout the site will help to shield the site from adjacent properties and the road. The request furthers Policy II.B.5k.

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

The proposed building is consistent with and complements the existing buildings (both commercial and residential) on the site development plan for subdivision. The proposed building is a quality design that is appropriate to the plan area, and which does not contain generic franchise architecture. The applicant has added elements such as Spanish tile roofs, stucco and arches to differentiate it from typical generic franchise architecture, and follow the Mission style theme that is called for in the Design Standards. The request furthers Policy II.B.5l.

Policy II.B.5.o: Redevelopment and rehabilitation of older neighborhoods in the Established Urban Area shall be continued and strengthened.

The request would allow for redevelopment and rehabilitation of an older neighborhood in the Established Urban Area. The Broadstone Towne Center site plan for subdivision helps to rehabilitate older neighborhoods in this area of the City that have contained little commercial development or services in the past. The proposed restaurant for Tracts 2 and 3 will help to realize this plan and will result in commercial development for 3 of the 4 commercial Tracts (only Tract 4 remains vacant). The surrounding area contains many vacant sites and buildings. The request will help to rehabilitate an older neighborhood, eliminate crime and

blight, improve economic development, and provide infill development on the Broadstone Towne Center. The request furthers Policy II.B.5o.

Transportation and Transit

The goal “is to develop corridors, both streets and adjacent land uses that provide a balanced circulation system through efficient placement of employment and services, and encouragement of bicycling, walking, and use of transit/paratransit as alternatives to automobile travel, while providing sufficient roadway capacity to meet mobility and access needs.”

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

The request will promote and integrate pedestrian opportunities into development in order to create safe and pleasant non-motorized travel conditions. Multiple pedestrian connections have been made throughout the site to connect to the building (and provide good internal pedestrian circulation) and to adjacent roads. A textured colored concrete walkway connects the front of the building to Gibson Boulevard, and an interior 8 foot wide walkway connects the front of the building to Towne Center Lane. The front of the site contains a 16’10” wide sidewalk with benches and landscaping. The two driveways (entrances) along Towne Center Lane contain crosswalks with textured colored concrete to slow down traffic. There is an existing pedestrian crossing made of textured colored concrete that connects to the apartment complex across Towne Center Lane. The site plan has been modified by moving the west entrance along Towne Center Lane to the east and by aligning the sidewalk connection with the existing pedestrian crossing. The request provides access to nearby public transit and bicycle lanes. The site is still dominated by the automobile (99 parking spaces); however, the applicant has made every effort to integrate safe and pleasant pedestrian opportunities into the development. The request furthers Policy II.D.4g.

South Yale Sector Development Plan (Rank 3)

The South Yale Sector Development Plan (SYSDP) was adopted in February 2009. The Plan includes approximately 519 acres and generally covers the area north of Gibson Boulevard, east of University Boulevard, south of St. Cyr Avenue and generally west of Columbia Drive; specific boundaries are shown on Figure 1 on page 2 of the Plan. The purpose of the Plan is to promote and guide development in a manner that supports the area’s economic and social vitality. It is important to note that the subject site is also governed by a site development plan for subdivision for the Broadstone Towne Center (adopted in 2007) which contains design standards. According to Zoning Code Services, the Broadstone Towne Center Design Standards found in the approved Site Development Plan for Subdivision (April 2007), take precedence over the Design Standards in the SYSDP for lots within the approved subdivision. However, staff did analyze the request to see if it was compatible with policies in the SYSDP.

Goal 2.1 for Retail and Commercial Development: Develop South Yale into a retail/commercial destination with local identity to serve local needs.

The request develops the Gibson/University portion of the SYSDP into a retail/commercial destination that will serve local needs. The request furthers the following design and policy objectives for implementing the above goal: Allow mixed use, but ensure that commercial development is priority; and create a pedestrian friendly/transit friendly development. The request adds a restaurant close to apartments and other commercial businesses, creating a mixed use environment that ensures that commercial development is the priority. The development has pedestrian access throughout the site and to the surrounding streets, providing access to nearby public transit and bicycles. The request furthers Goal 2.1 for Retail and Commercial Development.

Goal 2.2 for Entertainment and Hospitality Development: Develop South Yale into an enjoyable entertainment and hospitality destination which is an inviting, comfortable and easy to use environment for tourists and sports enthusiasts as well as residents.

The request provides a quality sit down restaurant that caters to sports fans. The restaurant is a sports bar that will provide enjoyable sports entertainment for both tourists (is close to the airport) and residents (the site is close to I-25 and UNM). The request furthers Goal 2.2 for Entertainment and Hospitality Development.

Site Plan Layout / Configuration

The subject site for the site development plan for building permit (Tracts 2 and 3) is approximately 2 acres (Tract 2 is 0.98 acres and Tract 3 is 0.94 acres). The entire site development plan for subdivision is approximately 16.7 acres. The applicant intends to build a 7,380 square foot restaurant, as well as consolidate tracts 2 and 3 into one tract. The development will be the second commercial development in the Broadstone Towne Center, leaving one tract (Tract 4) to be developed.

The entrance to the building will be on the south side (which will help to minimize noise, lighting, pollution, and traffic from the apartments to the north). There is a Design Standard (C.4) that states that "Off-street parking areas shall be located to the rear or sides of buildings." Parking is located on the sides (east and west) and front (south) of the building, since it faces Gibson Boulevard. However the Design Standard is met as the language states "parking areas shall be located to the rear *or* sides of buildings." In addition, the site is actually under-parked (111 parking required and 99 parking spaces provided).

The dumpster is located in the northeast corner of the parking lot and is shielded by a refuse enclosure and landscaping (including an evergreen tree to the north). There is an indoor/outdoor patio (1,200 s.f.) located on the east side of the building. The majority of the building ranges from 20' to 24' in height. There is a tower element that rises to 29' in height at the parapet and 34'4" in height to the top of the tiled roof. The Broadstone Towne Center site development plan

for subdivision allows buildings to be a maximum of 40' in height. The site also complies with setbacks and floor area ratio (f.a.r.) as set regulated in the Broadstone Towne Center site plan for subdivision.

Public Outdoor Space

There is an indoor/outdoor patio (1,202 s.f.) on the northeast side of the building, as well as a couple of benches and landscaping at the entrance (south side).

Vehicular Access, Circulation and Parking

Vehicles can obtain access from two driveways along Towne Center Lane. The site plan is providing 99 parking spaces, while 111 is required. The off-street parking requirement for the Broadstone Towne Center Design Standards states that "sit down restaurants shall have 15 spaces per 1,000 s.f. of building area." A parking comparison to the Zoning Code would require 74 parking spaces (1 parking space per 4 seats, 294 seats). The request is required to comply with the off-street parking requirement in the Design Standards, but the comparison shows that the request is in the middle of both requirements (Zoning Code & Design Standards).

Pedestrian and Bicycle Access and Circulation, Transit Access

The applicant has provided pedestrian, bicycle and transit access. There is an existing 8' wide sidewalk along Towne Center Lane and an existing pedestrian crossing that is made of textured colored concrete. Both driveways along Towne Center Lane have textured colored concrete pedestrian crossings. There is also a textured colored concrete pedestrian crossing across the sw corner of the site that connects to Gibson Boulevard. There is also an existing 8' wide sidewalk on the west side of Broadstone Way that connects the 10' wide sidewalk along Gibson Blvd. to the existing 8' wide sidewalk on Towne Center Lane.

There is an existing bicycle lane and a multi-use trail along Gibson Boulevard east of University Boulevard, and an existing bicycle lane on University north of Gibson Boulevard.

The area is served by bus route #96 and by bus route #16/18 (Broadway-University-Gibson). There is an existing bus stop along Gibson Boulevard (approximately 600 feet from Tract 2) and another bus stop along University Boulevard (approximately 450 feet from Tract 3). Gibson Boulevard is an Enhanced Transit Corridor, and University Boulevard is an Enhanced Transit Corridor north of Gibson Boulevard.

Walls/Fences

The retaining wall will be between 6' and 8', and will contain a 4' high safety fence on top of the retaining wall.

Lighting and Security

Light poles will be fully shielded, and will be 20' in height, except when they are within 100' of residential development and then they will be 16' in height. Wall mounted light fixtures are shown at a height of approximately 11' to 12' on the building, and are also fully shielded. Parking lot lights and tree canopies shall not be in conflict with each other. The lighting on the

wall-mounted signs that face residential could be a concern for those residents in the apartments to the north. See discussion below under Signage.

Landscaping

The applicant has provided appropriate landscaping throughout the site to provide shade, screening, and to meet landscaping requirements in the Zoning Code and the Design Standards. An appropriate number of parking lot trees and street trees have been provided. Extensive landscaping has been provided along the north and east sides to screen the site from the existing apartments. The mature size of the Chitalpa tree shall be changed to 25' x 25'.

Grading, Drainage, Utility Plans

The site slopes downward rather dramatically from east to west. Currently, undeveloped flow drains as sheetflow to the northwest and passes to Towne Center Lane. Flow is then collected within existing storm drain inlets and passed to the existing public storm drain system within Towne Center Lane. The site development plan for building permit shows a curb opening in the curbing just east of the 8' wide sidewalk in the parking lot that is to the east of the building. The curb opening shown on the site development plan for building permit shall also be shown on the landscape plan and the grading and drainage plan.

Architecture

The architecture is a Mission Style (as required in the Design Standards). The building is primarily light and medium tan stucco, with yellow/orange stucco accents. The tower is yellow/orange stucco with a tile roof. The elevations show a tile roof in terra cotta blend, and black canvas awnings with yellow checkers. The yellow/orange and black is a trademark of the restaurant (Buffalo Wild Wings). Design Standard F.8 states "Building finish will be stucco and color shall be taupe or sand; trim shall be brown." The language describes the principal colors, but does not address the use of accent colors. Staff believes that the accent yellow/orange and black colors would not be harmful to the neighborhood. The existing restaurant to the east (Tract 5) contains green awnings and the apartments to the north and east contain a green/gray shade of stucco. The applicant has significantly reduced the amount of yellow/orange stucco on the tower element that faces south (reduced by approximately 4 feet from a previous submittal), and has reduced the width of the tower that would be visible from the east and west sides of the building (by approximately 18 feet). The applicant has stated that they will provide a color sample at the EPC hearing.

Signage

There is building mounted signage on all sides of the building. The proposed building-mounted signage does not exceed the 6 percent of façade area that is allowed in the Design Standards. The building mounted signage on the north and east sides of the building face the adjacent apartments. The apartments to the north are only approximately 80'-100' from the building, while the apartments to the east are approximately 400' from the building. To help protect the apartments to the north from glare and lighting, staff recommends not illuminating the building-mounted signage on the north side of the building. The building-mounted signage on the north

side of the building shall not be illuminated. The signage on the east side of the building is screened by a few layers of landscaping in the parking lot and is approximately 400' away from the apartments to the east.

There is one monument sign (which will be illuminated and conforms to the Design Standards) that is located on the north side of the site along Towne Center Lane. This sign would provide direction for those traveling along Towne Center Lane at night. In addition, there are also two monument signs along Gibson Boulevard and one on University Boulevard that contain illuminated signage for the commercial tracts in the Broadstone Towne Center. This is in addition to the building-mounted signage on each side of the building (which would be illuminated on three sides). As a result, there would be a multitude of illuminated signage directing patrons to the restaurant at night, even without the signage illuminated on the north side.

IV. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies/Pre-Hearing Discussion

City Departments and other interested agencies reviewed this application. Agency comments begin on page 21. These comments have been addressed through a revised site development plan for building permit or conditions of approval.

Neighborhood/Public

The affected neighborhoods and/or Homeowner Associations and Coalitions include the following: Clayton Heights/Lomas Del Cielo N.A., Kirtland Community Association, and District 6 Coalition of N.A.'s. No letters of opposition have been received. A letter from the Clayton Heights/Lomas Del Cielo Neighborhood Association states that the N.A. does not oppose the project and finds it consistent with the ideals of the South Yale Sector Development Plan and the Clayton Heights Metropolitan Redevelopment Plan.

A facilitated meeting was held on August 29, 2012 at the Loma Linda Community Center. Both the neighborhoods and the applicant were concerned about access on Gibson and University, and the problem with vehicles making U-Turns to be able to access the site. Currently access at Gibson is a right-in/right-out and access at University is also a right-in/right-out. The City would have to go to the Mid-Region Council of Governments in order to be granted additional access. There were also concerns about alcohol and the site being close to a church (Mount Olive Baptist Church on the southwest corner of Gibson and University). However, distance from a church is not a concern here, because those regulations only apply when package liquor sales (for off-premise consumption) are being requested, and the applicant is not requesting package sales. The facilitator stated that "Neighbors in attendance had numerous questions and a couple of concerns. . . , but overall did not appear to have much opposition to this project."

V. CONCLUSION

This is a two-part request for an amendment to a site development plan for subdivision and a site development plan for building permit for Tracts 1-5, Broadstone Towne Center, a site of approximately 16.76 acres, located on Towne Center Lane, between Gibson Boulevard and Eastern Avenue. The applicant intends to build a 7,380 square foot restaurant. The project will consolidate tracts 2 and 3 into one tract and slightly modify site entrances.

The subject site is controlled by the Broadstone Towne Center Site Plan for Subdivision and Design Standards, approved by the Environmental Planning Commission (EPC) on January 18, 2007. The current zoning for the site is SU-1 for C-2 Permissive Uses with Exclusions.

The request furthers a preponderance of applicable policies found in the Comprehensive Plan and the South Yale Sector Development Plan. Staff is recommending approval with conditions.

FINDINGS – 12EPC 40051, September 13, 2012, Amend Site Development Plan for Subdivision

1. This is a request for an amendment to a site development plan for subdivision for Tracts 1-5, Broadstone Towne Center, a site of approximately 16.76 acres, located on Towne Center Lane, between Gibson Boulevard and Eastern Avenue.
2. The project will consolidate tracts 2 and 3 into one tract and slightly modify site entrances.
3. In 2007, the EPC approved a site development plan for subdivision (09EPC 01592) for Broadstone Towne Center along with design standards, a site development plan for building permit (06EPC 01593), and a zone change from R-1 to SU-1 for PRD (06EPC 01594) for the residential portion of the site (approx. 12.2 acres) and to SU-1 for C-2 Permissive Uses with Exclusions for the commercial portion of the site (approx. 4.5 acres). In 2009 the EPC approved a site development plan for building permit at the northeast corner of Gibson and University (Tract 5), which resulted in a restaurant.
4. This request for a site development plan for subdivision is accompanied by a request for a site development plan for building permit (12EPC 40050).
5. The site is located in the Established Urban Area of the Comprehensive Plan and the South Yale Sector Development Plan (SYSDP). The approved site development plan for subdivision contains Design Standards. According to Zoning Code Services, the Broadstone Towne Center Design Standards take precedence over the Design Standards in the SYSDP for lots within the approved subdivision.
6. The Albuquerque/Bernalillo County Comprehensive Plan, South Yale Sector Development Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
7. The request furthers policies of the Comprehensive Plan, including the following:
 - a. Policy II.B.5d – The request generally respects neighborhood values. The request meets the intent of the Broadstone Towne Center Site Development Plan for Subdivision, meets Broadstone Towne Center Design Standards, and is consistent with adjacent uses in the Broadstone Towne Center site development plan for subdivision (there is an existing restaurant on Tract 5). The request has minimal impacts on natural environmental conditions and carrying capacities, scenic

resources, and resources of other social, cultural, or recreational concern. The proposed use is appropriate for the location.

- b. Policy II.B.5e – Urban services already exist in the Broadstone Towne Center, and the request will develop vacant land inside the site that is currently not in use (Tracts 2 and 3).
 - c. Policy II.B.5k – The request to consolidate tracts 2 and 3 into one tract and slightly modify site entrances has been designed to minimize harmful effects of traffic, and livability and safety of established residential neighborhoods are protected in transportation planning and operation.
 - d. Policy II.B.5o – The request would allow for redevelopment and rehabilitation of an older neighborhood in the Established Urban Area. The Broadstone Towne Center site plan for subdivision was designed to help rehabilitate older neighborhoods in this area of the City that have contained little commercial development or services in the past. The surrounding area contains many vacant sites and buildings.
 - e. Policy II.D.4g – The request will promote and integrate pedestrian opportunities into development in order to create safe and pleasant non-motorized travel conditions. Modifying the western site entrance by moving it to the east will allow the existing pedestrian crossing to be used by pedestrians crossing Towne Center Lane. The request provides access to nearby public transit and bicycle lanes.
8. The request furthers the following policy of the South Yale Sector Development Plan:
- a. Goal 2.1 for Retail and Commercial Development – The request develops the Gibson/University portion of the SYSDP into a retail/commercial destination that will serve local needs. The request adds a local restaurant close to apartments and other commercial businesses, creating a mixed use environment that ensures that commercial development is the priority. The development has pedestrian access throughout the site and to the surrounding streets, providing access to nearby public transit and bicycles.
9. There is no known neighborhood or other opposition.

RECOMMENDATION - 12EPC 40051, September 13, 2012, Amend Site Development Plan for Subdivision

APPROVAL of 12EPC-40051, a request for an amendment to a Site Development Plan for Subdivision, Tracts 1-5, Broadstone Towne Center, based on the preceding Findings (and subject to the following Conditions of Approval.)

CONDITIONS OF APPROVAL - 12EPC 40051, September 13, 2012, Amend 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. The applicant shall include a legend with each Tract shown and the total acreage of each Tract after the consolidation.
4. Conditions of Approval from Public Service Company of New Mexico:
 - a. As a condition of approval, it is the applicant's obligation to determine if existing utility easements cross the property and to abide by any conditions or terms of those easements.
5. Conditions from City Engineer, Municipal Development, and NMDOT:
 - a. Concurrent Platting Action required at Development Review Board (DRB) for proposed lot line adjustments.
 - b. The existing pedestrian crossing and signage will need to be relocated away from driveway opening and connect to proposed wheel chair ramp, and ramp will need to be modified to service multi-directional usage.
 - c. All easements need to be shown and labeled on Site Plan.

FINDINGS – 12EPC 40050, September 13, 2012, Site Development Plan for Building Permit

1. This is a request for a site development plan for building permit for Tracts 2-3, Broadstone Towne Center, a site of approximately 2 acres, located on Towne Center Lane, between Gibson Boulevard and Eastern Avenue.

2. The applicant intends to build a 7,380 square foot restaurant.
3. In 2007, the EPC approved a site development plan for subdivision (09EPC 01592) for Broadstone Towne Center along with design standards, a site development plan for building permit (06EPC 01593), and a zone change from R-1 to SU-1 for PRD (06EPC 01594) for the residential portion of the site (approx. 12.2 acres) and SU-1 for C-2 Uses with Restrictions for the commercial portion of the site (approx. 4.5 acres). In 2009 the EPC approved a site development plan for building permit at the northeast corner of Gibson and University (Tract 5), which resulted in a restaurant.
4. This request for a site development plan building permit is accompanied by a request for a site development plan for subdivision (12EPC 40051).
5. The site is located in the Established Urban Area of the Comprehensive Plan and the South Yale Sector Development Plan (SYSDP). The approved site development plan for subdivision contains Design Standards. According to Zoning Code Services, the Broadstone Towne Center Design Standards take precedence over the Design Standards in the SYSDP for lots within the approved subdivision.
6. The Albuquerque/Bernalillo County Comprehensive Plan, South Yale Sector Development Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
7. The request complies with the Broadstone Towne Center Design Regulations of the site development plan for subdivision. The Design Regulations do not specifically address accent colors. Off-street parking is located to the front and sides of the building. Placing parking and the entrance at the front of the building will help to minimize noise, lighting, pollution, and traffic from the apartments to the north.
8. The Broadstone Towne Center Design Standards require 111 parking spaces (15 spaces per 1,000 square feet of building area). The applicant is providing 99 parking spaces. The Zoning Code Parking regulations would require 74 parking spaces, considerably less than the Towne Center requirements. The EPC supports less parking, rather than more to meet the goals of the Broadstone Towne Center.
9. The request furthers policies of the Comprehensive Plan, including the following:
 - a. Policy II.B.5d – The request generally respects neighborhood values. The request meets the intent of the Broadstone Towne Center Site Development Plan for

Subdivision, meets Broadstone Towne Center Design Standards, and is consistent with adjacent uses in the Broadstone Towne Center site development plan for subdivision (there is an existing restaurant on Tract 5). The request has minimal impacts on natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, or recreational concern. The proposed use is appropriate for the location.

- b. Policy II.B.5e – Urban services already exist in the Broadstone Towne Center, and the request will develop vacant land inside the site that is currently not in use (Tracts 2 and 3). The applicant has designed the restaurant to have a minimal effect on the apartments to the north and the east.
 - c. Policy II.B.5i – The entrance to the restaurant will be on the south side of the development, away from the existing apartments on the north side. Adverse effects of development (lighting, pollution, traffic, and noise) have been minimized by appropriate site design, which complies with the Broadstone Towne Center Design Standards. The applicant has provided extensive landscaping on the northern and eastern portions of the site that face the existing apartments.
 - d. Policy II.B.5k – The request has been designed to minimize harmful effects of traffic, and livability and safety of established residential neighborhoods are protected in transportation planning and operation.
 - e. Policy II.B.5l – The proposed building is consistent with and complements the existing buildings (both commercial and residential) on the site development plan for subdivision. The proposed restaurant is a quality design that is appropriate to the plan area. The applicant has added elements such as Spanish tile roofs, stucco and arches to differentiate it from typical generic franchise architecture, and follow the Mission style theme that is called for in the Design Standards.
 - f. Policy II.B.5o – The request would allow for redevelopment and rehabilitation of an older neighborhood in the Established Urban Area. The request will allow additional commercial development in an area of the City that needs to be rehabilitated. The surrounding area contains many vacant sites and buildings.
 - g. Policy II.D.4g – The request will promote and integrate pedestrian opportunities into development in order to create safe and pleasant non-motorized travel conditions. Multiple pedestrian connections have been made throughout the site to connect to the building and to adjacent roads. The request provides access to nearby public transit and bicycle lanes.
10. The request furthers the following policies of the South Yale Sector Development Plan:
- a. Goal 2.1 for Retail and Commercial Development – The request develops the Gibson/University portion of the SYSDP into a retail/commercial destination that will serve local needs. The request adds a local restaurant close to apartments and other commercial businesses, creating a mixed use environment that ensures that

commercial development is the priority. The development has pedestrian access throughout the site and to the surrounding streets, providing access to nearby public transit and bicycles.

- b. Goal 2.2 for Entertainment and Hospitality Development – The request provides a quality sit down restaurant that caters to sports fans. The restaurant is a sports bar that will provide enjoyable sports entertainment for both tourists (is close to the airport) and residents (the site is close to I-25 and UNM).
11. There is no known neighborhood or other opposition.

RECOMMENDATION - 12EPC 40050, September 13, 2012, Site Development Plan for Building Permit

APPROVAL of 10EPC-40071, a request for a Site Development Plan for Building Permit, for Tracts 2-3, Broadstone Towne Center, based on the preceding Findings (and subject to the following Conditions of Approval.)

CONDITIONS OF APPROVAL - 12EPC 40050, September 13, 2012, 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. Parking lot lights and tree canopies shall not be in conflict with each other.
4. The mature size of the Chitalpa tree shall be changed to 25'x 25'.
5. The curb opening shown on the site development plan for building permit shall also be shown on the landscape plan and the grading and drainage plan.

6. The building-mounted signage on the north side of the building shall not be illuminated.
 7. Conditions of Approval from Public Service Company of New Mexico:
 - a. As a condition of approval, it is the applicant's obligation to determine if existing utility easements cross the property and to abide by any conditions or terms of those easements.
 8. Conditions from City Engineer, Municipal Development, and NMDOT:
 - a. Concurrent Platting Action required at Development Review Board (DRB) for proposed lot line adjustments.
 - b. The existing pedestrian crossing and signage will need to be relocated away from driveway opening and connect to proposed wheel chair ramp, and ramp will need to be modified to service multi-directional usage.
 - c. Provide details on all proposed infrastructure fronting the Private Road (Towne Center Lane).
 - d. All internal radiuses need to be 15 feet minimum to accommodate vehicle traffic and 25 feet for Refuse, fire and larger service vehicles.
 - e. Site plan shall comply and be in accordance with DPM (Development Process Manual) and ADA standards/ requirements.
 - f. Site Plan for Subdivision calls out a 30-foot width for entrance but Site Plan for Building Permit calls out 24-feet of entrance width. Please clear up the width discrepancies.
 - g. All easements need to be shown and labeled on Site Plan.
 - h. Hydrology requests the applicant consider routing parking lot flows through parking islands.
 - i. For DRB approval, please verify the amount of runoff from this site is in compliance with the master drainage plan.
-
-

***Randall Falkner
Planner***

Notice of Decision cc list:

Verdad Real Estate, 502 North Carroll Avenue, Suite 120, Southlake, TX 76092
Consensus Planning, 302 8th Street NW, Albuquerque, NM 87102
Lee Graham, P.O. Box 27543, Albuquerque, NM 87125
Isabel F. Cabrera, 1720 Buena Vista SE, Albuquerque, NM 87106
Kimberly Brown, 1533 San Jose SE, Albuquerque, NM 87106

Marcia Boyer, 1624 Alamo SE, Albuquerque, NM 87106
Nancy Bearce, 600 San Pablo Street NE, Albuquerque, NM 87108
Georgia Montoya, P.O. Box 21266, Albuquerque, NM 87154
Chris Catechis, 5733 Guadalupe Trail NW, Albuquerque, NM 87107
David Wood, 158 Pleasant NW, Albuquerque, NM 87107

Attachments

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

The proposed use is *permissive*. If the proposed amendment is approved, any application for building permit shall be reviewed according to the approved Site Development plan and amendment. Pedestrian connections should be provided.

Office of Neighborhood Coordination

Clayton Heights/Lomas Del Cielo NA (R), Kirtland Community Assoc. (R), District 6 Coalition of NA's, North Valley Coalition

7/30/12 – Recommended for Facilitation – siw

8/2/12 – Assigned to Kathleen Oweegon – sdb

8/10/12 – Facilitated Meeting scheduled for Monday, August 27, 2012 from 6-8pm at the Thomas Bell Community Center - siw

Long Range Planning

Established Urban
South Yale Sector Development Plan

The proposed use is allowed under the existing zone and should be compatible with the surrounding development.

The proposed amendment to the site plan for subdivision will not alter the intent of the site plan.

The number of parking spaces listed on the Landscaping Plan is 109, the number listed on the Site Plan for Building Permit checklist is 99- which is the correct number?

The General Notes on sheet 1, C-101 states that depressed landscaping for drainage purposes will be provided. This does not seem to be shown anywhere on the landscaping plan.

Why is the North Valley Coalition notified for this request?

Metropolitan Redevelopment Agency

The subject development site is not within a Redevelopment Area, and therefore Metropolitan Redevelopment Section staff have no comments on this application.

Transportation Development (City Engineer/Planning Department):

Site Plan for Subdivision Amendment:

- Concurrent Platting Action required at Development Review Board (DRB) for proposed lot line adjustments.

- The existing pedestrian crossing and signage will need to be relocated away from driveway opening and connect to proposed wheel chair ramp, and ramp will need to be modified to service multi-directional usage.
- All easements need to be shown and labeled on Site Plan.

Site Plan for Building Permit:

- Concurrent Platting Action required at Development Review Board (DRB) for proposed lot line adjustments.
- The existing pedestrian crossing and signage will need to be relocated away from driveway opening and connect to proposed wheel chair ramp, and ramp will need to be modified to service multi-directional usage.
- Provide details on all proposed infrastructure fronting the Private Road (Towne Center Lane).
- All internal radiuses need to be 15 feet minimum to accommodate vehicle traffic and 25 feet for Refuse, fire and larger service vehicles.
- Site plan shall comply and be in accordance with DPM (Development Process Manual) and ADA standards/ requirements
- Site Plan for Subdivision calls out a 30-foot width for entrance but Site Plan for Building Permit calls out 24-feet of entrance width. Please clear up the width discrepancies.
- All easements need to be shown and labeled on Site Plan.

Hydrology Development (City Engineer/Planning Department):

Site Plan for Subdivision Amendment:

- Hydrology has no adverse comments.

Site Plan for Building Permit:

- Hydrology requests the applicant consider routing parking lot flows through parking islands.
- For DRB approval, please verify the amount of runoff from this site is in compliance with the master drainage plan.

Transportation Planning (Department of Municipal Development):

- No comments received.

Traffic Engineering Operations (Department of Municipal Development):

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

Street Maintenance (Department of Municipal Development):

- No comments received.

New Mexico Department of Transportation (NMDOT):

- No comments received.

**RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT
and NMDOT:**

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

1. Concurrent Platting Action required at Development Review Board (DRB) for proposed lot line adjustments.
2. The existing pedestrian crossing and signage will need to be relocated away from driveway opening and connect to proposed wheel chair ramp, and ramp will need to be modified to service multi-directional usage.
3. Provide details on all proposed infrastructure fronting the Private Road (Towne Center Lane).

4. All internal radiuses need to be 15 feet minimum to accommodate vehicle traffic and 25 feet for Refuse, fire and larger service vehicles.
5. Site plan shall comply and be in accordance with DPM (Development Process Manual) and ADA standards/ requirements.
6. Site Plan for Subdivision calls out a 30-foot width for entrance but Site Plan for Building Permit calls out 24-feet of entrance width. Please clear up the width discrepancies.
7. All easements need to be shown and labeled on Site Plan.
8. Hydrology requests the applicant consider routing parking lot flows through parking islands.
9. For DRB approval, please verify the amount of runoff from this site is in compliance with the master drainage plan.

WATER UTILITY AUTHORITY

Utility Services

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

Environmental Services Division

PARKS AND RECREATION

Planning and Design

Open Space Division

City Forester

POLICE DEPARTMENT/Planning

This project is in the Southeast Area Command.

- Parking lot pole lights, which are proposed to be placed in interior lot islands appear to be in direct conflict with proposed tree variety landscaping. Once these trees reach their mature canopy size, they will obscure illumination. Recommend eliminating the trees for the plans and replace with lower-level bush variety plantings.

- Suggest placing additional parking lot lights adjacent to the two vehicle access points. If a video surveillance system is installed, the additional illumination will provide for better image clarity.

- A video surveillance system should be included in the plans. Recommend cameras be placed to cover all vehicle entrances/exits, parking lot stalls, walkways and building entrances. Each camera should be monitored and recorded for real-time and historical use.

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

Approved must have drain inside the enclosure and comply with SWMD Ordinance.

FIRE DEPARTMENT/Planning

All site development plans for subdivisions and site development plans for building permit shall be submitted to the Fire Marshal's Office Plans Checking Division for review and approval.

TRANSIT DEPARTMENT

Adjacent and nearby routes	None.
Adjacent bus stops	None.
Site plan requirements	None.
Large site TDM suggestions	None.
Other information	None.

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

Reviewed, no comment.

ALBUQUERQUE PUBLIC SCHOOLS

This will have no adverse impacts to the APS district.

MID-REGION COUNCIL OF GOVERNMENTS

For informational purposes, Gibson Blvd has been classified as a high capacity, high speed, limited access Principal Arterial.

For more details on Roadway Access Modification Policies please contact the Mid Region Council of Governments at 247-1750.

Gibson Blvd has also been identified as an ITS Corridor in the AMPA Regional ITS Architecture and ITS Corridor Map. Please contact City of Albuquerque-DMD at 291-6220 for ITS enhancement planning and programming information.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

PUBLIC SERVICE COMPANY OF NEW MEXICO

As a condition of approval, it is the applicant's obligation to determine if existing utility easements cross the property and to abide by any conditions or terms of those easements.