



**Environmental
Planning
Commission**

**Agenda Number: 3
Project Number: 1006761
Case #: 13EPC 40102/40103
April 11, 2013**

Staff Report

Agent	Consensus Planning, Inc.
Applicant	Lord Constructors, Inc. (LCI, LLC) Zone Map Amendment
Requests	Site Development Plan for Building Permit
Legal Description	Tracts 185-A, 184, 183 and the southerly portion of Tract 182 Airport Unit, Town of Atrisco Grant Unit 8
Location	Fortuna Road NW, between 76 th Street NW and Interstate-40
Size	Approximately 9.6 acres
Existing Zoning	SU-1 for IP
Proposed Zoning	SU-1 for IP with Truck Sales & Service

Staff Recommendation

APPROVAL of 13EPC-40102, based on the Findings beginning on Page 19 and subject to the Conditions of Approval beginning on Page 21.

APPROVAL of 13EPC-40103, based on the Findings beginning on Page 21 and subject to the Conditions of Approval beginning on Page 24.

**Staff Planner
Catalina Lehner, AICP- Senior Planner**

Summary of Analysis

This two-part proposal for a zone map amendment and a site development plan for building permit was heard in November 2012. The proposal returns to the EPC because the site size has increased and the proposed site layout has changed correspondingly. The applicant intends to develop a sales, parts and service center for big trucks (semi-trailer trucks).

The subject site is in the Established Urban Area of the Comprehensive Plan, just north of the Atrisco Business Park. The West Side Strategic Plan applies. The applicant has adequately justified the zone map amendment request based on a preponderance of applicable Goals and policies.

Two variance requests regarding signage were heard by the Zoning Hearing Examiner (ZHE) on March 19th and are pending as of this writing.

There is some neighborhood concern about truck traffic on Fortuna Rd. A facilitated meeting was neither recommended nor held. A neighbor submitted a letter of support.

Staff recommends approval subject to conditions.

City Departments and other interested agencies reviewed this application from 3/4/2013 to 3/15/2013.
Agency comments used in the preparation of this report begin on Page 29.

I. AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses:

	<i>Zoning</i>	<i>Comprehensive Plan Area; Applicable Rank II & III Plans</i>	<i>Land Use</i>
<i>Site</i>	SU-1 for IP	Established Urban West Side Strategic Plan	Vacant
<i>North</i>	Not zoned	”	Interstate-40
<i>South</i>	IP	”	Vacant, Warehousing & Storage (Atrisco Business Park)
<i>East</i>	SU-1 for IP, then R-2	”	Vacant, Single-Family Residential
<i>West</i>	Not zoned	”	Interstate-40

II. INTRODUCTION

Proposal

This proposal was first heard at the Environmental Planning Commission (EPC) hearing on November 10, 2012 (12EPC-40071 and 12EPC-40072). Since then, the applicant has decided to incorporate approximately (≈) 3 acres of additional land into the proposal, which changed the site’s size significantly and necessitated a new application. The applicant owns the land.

Like before, the two-part proposal is for: 1) a zone map amendment from “SU-1 for IP” to “SU-1 for IP with Truck Sales and Service”, and 2) a corresponding site development plan for building permit. The subject site is an ≈ 9.6 acre, triangular shaped site located on Fortuna Rd. NW, between 76th St. NW and Interstate 40 (the “subject site”).

The applicant proposes to develop a sales, parts and service center for big trucks (semi-trailer trucks*). An ≈ 41,000 square foot (sf) building is proposed; the prior application specified an ≈ 30,300 sf building. Included are two loading canopies, parking for truck sales, a trailer parking area and two large turn-around areas.

* As defined in Wikipedia, a **semi-trailer truck** is “an articulated vehicle that consists of a towing engine, known as a tractor in the United States and truck in many other places, attached to one or more semi-trailers to carry freight.”

Environmental Planning Commission (EPC) Role

The EPC is hearing this case because zone map amendments are required to receive approval from the EPC, and development of an SU-1 zone may only occur in conformance with an approved site development plan. The EPC is the final decision-making body for the proposal unless the EPC decision is appealed [Ref: §14-16-2-22(A)(1)]. If so, because a zone map amendment request is

involved, an appeal would go to the City Council rather than the Land Use Hearing Officer (LUHO). The LUHO does not hear appeals of zone map amendments; the City Council would decide. The proposal is a quasi-judicial matter.

Context

The subject site is located in the Established Urban Area of the Comprehensive Plan. The West Side Strategic Plan applies. No sector plans apply. The subject site is just north of the Atrisco Business Park, outside its boundaries. Therefore, the Atrisco Business Park master development plan does not apply and the subject site is not in the Atrisco Business Park Metropolitan Redevelopment Area (MRA), either.

The site is mostly surrounded by industrial and vacant land. The properties to the south, located in the Atrisco Business Park, are zoned IP and are vacant or occupied with an industrial use. The recently developed FedEx facility is located south of the subject site. To the north and west of the subject site is Interstate-40 (I-40). To the immediate east is vacant land zoned SU-1 for IP. Further east, and on the east side of 76th St., is single-family residential neighborhood zoned R-2 (approximately 265 feet from the subject site). West Mesa High School is located further east on Fortuna Road (approximately 2,000 feet from the subject site).

History

In August 1984, the EPC recommended approval of an annexation and O-1 zoning for a portion of the subject site- Tracts 183 and 184, Airport Unit, Town of Atrisco Grant (AX-84-18/Z-84-86). The applicant was seeking C-2 zoning and the Staff planner had recommended R-D zoning. However, O-1 zoning was approved because it could serve as a buffer between the residential uses to the south and I-40 to the north, and it was better received by the neighborhoods. After the annexation and zoning were approved by EPC, the request went to Land Use Planning and Zoning (LUPZ). LUPZ denied it mainly on the grounds that the site was in the Developing Urban Area.

In December 1985, when it was recognized that the site was in the Established Urban Area, the EPC recommended approval of the annexation and R-2 zoning (AX-85-21/Z-85-89). Planning Staff cannot locate the Official Notice of Decision or Zoning Certification to document when the zoning changed from R-2 to SU-1 for IP. However, the August 2000 Zone Atlas shows the site zoned R-2, and the July 2001 Zone Atlas shows the site as zoned SU-1 for IP. In addition, a note from AGIS indicates that they entered the zone change in the GIS system on August 30, 2000. Most likely, the site's zoning changed to SU-1 for IP sometime in 2000.

In 2007, the ZHE approved a conditional use (07ZHE-80055) on the subject site to allow for automotive sales, rental, service, repair, and storage in an IP zone. However, the conditional use expired since the property was not developed with those uses within a year.

On November 10, 2012, the EPC approved a zone map amendment (12EPC-40071) and an associated site development plan for building permit (12EPC-40072) for the then subject site, which consisted of \approx 6.6 acres of the \approx 9.6 acres that comprise the current subject site (see attachment).

Atrisco Business Park

In June 1973, the property to the south (the Atrisco Business Park) was annexed to the City and the zoning was amended to SU-1/Special Use for a Planned Development Area (AX-73-9/Z-73-41). In April 1984, the zoning was changed to SU-1 for Industrial Park Uses for all of Atrisco Business Park (Z-84-87).

Transportation System

The Long Range Roadway System (LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies the functional classifications of roadways. Fortuna Rd. is classified as an urban collector. Gallatin Place is a local road. Unser Blvd. is an urban principal arterial.

Concern has been expressed regarding truck traffic heading east on Fortuna Rd. towards the residential neighborhood and West Mesa High School. Truck traffic could also use Glenrio Rd. to head east. However, the applicant has stated that the primary truck route to access the subject site is: I-40 to Unser Blvd., Los Volcanes Rd., and Gallatin Place- which means that trucks would approach the site from the south via the Atrisco Business Park. Unser Blvd. is west of the subject site, while the residential neighborhood and the high school are east.

No existing public transit routes run by the subject site. The nearest routes are on Coors Blvd., approximately 4,300 feet east of the subject site.

Public Facilities/Community Services

See attached Public Facilities Map for details.

III. ALBUQUERQUE COMPREHENSIVE ZONING CODE

Definitions (§14-16-1-5)

VARIANCE. Variation from the strict, literal application of this article; however, the allowable use of premises may never be changed via a variance.

Zoning

The subject site is currently zoned “SU-1 for IP”. The SU-1 special use zone (Zoning Code §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. A site development plan is required when requesting SU-1 zoning; the two are inextricably linked [Ref: §14-16-2-22(A)(1)]. The applicant has provided a site development plan for building permit to satisfy this requirement.

The IP (Industrial Park) zone (Zoning Code §14-16-2-19) provides suitable sites for “a wide range of industrial and commercial uses, provided such uses are conducted in a compatible and harmonious manner within industrial environments achieved through a Development Plan”.

The applicant proposes “SU-1 for IP with Truck Sales and Service” zoning. The proposed truck sales and service uses are not allowed under the existing SU-1 for IP zoning, though the IP zone does allow the parts portion of the business: “sales and display rooms or buildings for wholesalers,

distributors, warehouses or manufacturers.” (A)(23). Automotive sales, rentals, service, repair and storage are first permissive in the C-2 zone.

Truck service would occur inside the proposed building, and there would be no outdoor storage. The proposed zoning would allow truck sales and service in addition to what is currently allowed with the SU-1 for IP zoning.

Variances

On March 19, 2013, the Zoning Hearing Examiner (ZHE) heard a request for a two variances pertaining to proposed signage on the subject site. The applicant requested that an additional 9 feet of height and 50 sf of area be allowed, in addition to what is allowed by the underlying IP zoning.

» See also Section VI of this report.

IV. ANALYSIS- APPLICABLE PLANS, POLICIES & REGULATIONS

A) Albuquerque / Bernalillo County Comprehensive Plan (Rank I)

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

Zoning Code §14-16-3-11 states that “Site Development Plans are expected to meet the requirements of adopted city policies and procedures.” As such, Staff has reviewed the proposed site development plan for conformance with applicable goals and policies of the Comprehensive Plan.

The subject site is located in an area that the Albuquerque/Bernalillo County Comprehensive Plan has designated as Established Urban. The goal of the Developing and Established Urban Areas is “to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas and life styles, while creating a visually pleasing built environment.” Applicable policies include:

Land Use Policies-Developing & Established Urban Areas

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

The proposal would facilitate development of a sales and service center for big trucks. The location and development intensity would respect neighborhood values by being as far west as possible, next to I-40, and by being buffered by a strip of vacant land also zoned SU-1 IP. The zoning would be similar to surrounding zoning. Neighbors have expressed concern about truck traffic, though the primary truck route to access the site is: to I-40 via Unser Blvd., Los Volcanes Rd. and Gallatin Pl. However, truck traffic would not be prohibited from passing the neighborhood on Fortuna Rd. A neighbor submitted a letter of support. Scenic, social, cultural and recreational resources aren't really a factor here. The proposal partially furthers Policy II.B.5d-neighborhood/ environmental conditions/resources.

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

The proposal would facilitate new growth in an area where full urban services are available. Utilities exist along Fortuna Rd., adjacent to the subject site. The integrity of the neighborhood would be ensured because a vacant tract zoned SU-1 IP and not owned by the applicant, would buffer it from the subject site. Truck service would occur inside the building. Though trucks would use Unser Blvd. to the west and not pass by the neighborhood, which is approximately 265 feet east of the subject site, it may be difficult to ensure this. The proposal partially furthers Policy II.B.5e- new growth/urban services/neighborhood integrity.

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

The proposed commercial/service use, which the proposal would facilitate, would be located approximately 265 feet east of a residential area. A vacant strip of land zoned SU-1 IP, and the proposed building's location near the center of the approximately 9.6-acre subject site, would help to minimize adverse effects of noise, lighting and pollution. Also, all service work would occur indoors. As stated, trucks would use Unser Blvd. to the west and not pass by the neighborhood, which would help minimize any truck traffic effects (though, again, this may be difficult to ensure). The use is not anticipated to generate a lot of vehicle traffic. The proposal furthers Policy II.B.5i-employment/ service use location.

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 and site design is tailored to meet the particular needs of big trucks, including sales and service. The design, of tilt-up concrete and metal panels, is not particularly innovative. However, it appears to not be franchise architecture and is generally appropriate to an area adjacent to a major interstate and north of an industrial park. The proposal partially furthers Policy II.B.5l-quality design/new development.

D.6. Community Resource Management- Economic Development

Goal: To achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals.

The proposal would provide new economic development and employment opportunities with a range of skills and salary levels (ex. jobs in parts, sales and repair) that can be considered diversified. The development would be balanced with other goals (ex. recreational, social) because a bike lane and connections would be required. The proposal furthers the Economic Development Goal.

Policy II.D.6a: New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs located convenient to areas of most need.

The proposal would provide new employment opportunities that will accommodate a wide a range of skills and salary levels (ex. jobs in parts, sales and repair). 32-47 new jobs are projected. These jobs would be created on the Westside, an area of town characterized by an imbalance in the jobs/housing ratio, and located convenient to areas of most need. The proposal furthers Policy II.D.6a- new employment/range of skills and salaries.

Policy II.D.6b: Development of local businesses enterprises as well as the recruitment of outside firms shall be emphasized.

The proposal would facilitate development in the area by an outside (non-local) firm that will employ local residents. The request will help to remedy the jobs-housing imbalance on the Westside by adding jobs to the area. The proposal furthers Policy II.D.6b- local and outside business development.

B) West Side Strategic Plan (Rank 2)

The West Side Strategic Plan (WSSP) was first adopted in 1997. It was amended in 2002 to help promote development of Neighborhood and Community Activity Centers and in 2009 to incorporate the Southwest Albuquerque Strategic Action Plan (SWASAP) (R-08-169, Enactment R-2009-035).

The WSSP identifies 13 communities, each with a unique identity and comprised of smaller neighborhood clusters. The subject site is located in the Atrisco Park Community (p. 67-69), which is the triangular wedge of land located between I-40 and Central Avenue and west of Coors Boulevard. It contains 1,700 acres of land, which includes the approximately 400 acre Atrisco Business Park. The Atrisco Business Park is one of the three major employment areas on the West Side and is the current home of several manufacturing facilities. It is designated as a Regional Employment Center (p. 97).

Policy 1.6: Large areas dedicated to employment uses shall be preserved on the West Side at Seven Bar Ranch, Atrisco Business Park, and Double Eagle II Airport. Additional employment center development is also encouraged. The City of Albuquerque and Bernalillo County economic development programs shall actively encourage employers to locate in these employment centers.

Though the subject site is not located in the Atrisco Business Park, a designated Employment Center, it is just north of it. Development of the subject site may help encourage more employers to locate in this important area, which could generally help improve the jobs-housing ratio on the Westside. The proposal generally furthers WSSP Policy 1.6.

Policy 3.33 (Atrisco Park): It is appropriate for new development, both residential and non-residential, to occur in this Community. Redevelopment efforts associated with the existing 5 acre tracts in this area shall be encouraged.

The proposal would constitute new, non-residential development in the Atrisco Park Community, which is considered an appropriate and desirable location for new development. The proposal generally furthers WSSP Policy 3.33.

Commercial Development

Policy 4.6.g: Create commercial developments that are or will be accessible by transit. Locate buildings adjacent to street frontages and place parking areas to the rear or sides of properties and/or on adjacent streets. Locate landscaping, walls, or fences so they do not create barriers for pedestrians. Parking shall not take precedence over pedestrian circulation.

The proposed development would be considered a commercial and service use. However, it would not be accessible via Transit. The subject site is located adjacent to Interstate-40 and on Fortuna Rd., a local street. Transit service does not run along Fortuna Rd. currently, and is not likely run along this segment of Fortuna Rd. because it would dead-end at the Interstate. Staff finds that WSSP Policy 4.6.g does not apply.

Policy 4.6.h: Limit the maximum number of parking spaces for office and commercial uses to 10% above Zoning Code requirements. Each development shall have an approved pedestrian and bicycle circulation plan that provides safe, attractive, and efficient routes to neighboring properties, adjacent streets, and transit service. The site plan shall show convenient access throughout the site. Regularly spaced pedestrian access through breaks in walls and continuous landscaping shall be provided. Stairways do not promote pedestrian convenience and shall be restricted or eliminated.

The proposed number of parking spaces does not exceed 10% of the required number of parking spaces. The proposed site development plan shows a pedestrian connection to the existing sidewalk and future bike route. It would be safe, but it's unclear if pedestrians would be able to get through the security fencing. The proposal partially furthers WSSP Policy 4.6.h.

V. ZONE MAP AMENDMENT

Resolution 270-1980 (Policies for Zone Map Change Applications)

Requirements

Resolution 270-1980 outlines policies and requirements for deciding zone map change applications pursuant to the City Zoning Code. The applicant must provide sound justification for the proposed change and demonstrate that several tests have been met. The burden is on the applicant to show why a change should be made, not on the City to show why a change should not be made.

The applicant must demonstrate that the existing zoning is inappropriate because of one of three findings: 1) there was an error when the existing zone map pattern was created; or 2) changed neighborhood or community conditions justify the change; or 3) a different land use category is

more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan.

Previous Request

Though the zone change was approved in November 2012 (12EPC-40071), the associated site development plan for building permit (12EPC-40072) was not finalized so a zone certification (z-cert) could not be issued. Pursuant to the SU-1 zone (§14-16-2-22), a site development plan is required for SU-1 zoning and the two are interdependent. The November 2012 subject site consisted of \approx 6.6 acres. The current subject site is \approx 9.6 acres and necessitated a revised site development plan. A revised site development plan means that, since the two are inseparable, a revised zone change justification was also needed.

Justification & Analysis

The zone change justification letter analyzed here, dated March 28, 2013 and included with the project letter, is a response to Staff's request for a revised justification (see attachment). The subject site is currently zoned "SU-1 for IP". The proposed zoning is "SU-1 for IP with Truck Sales & Service". The reason for the zone change request is to allow development of a sales, parts and service center for big trucks.

Pursuant to Section 1.B of R-270-1980, the burden is on the applicant to show why a change should be made, not on the City to show why a change should not be made. The applicant believes that the zone map amendment conforms to R270-1980 as elaborated below.

Analysis of Applicant's Justification (Response to Section 1, A-J)

Note: Policy is in regular text; *Applicant's justification is in italics; Staff analysis follows in bold italics.*

- A. A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the city.

Applicant (summarized): The proposed zone change will not jeopardize the health, safety, and welfare of the City. It furthers multiple goals and policies of the Comprehensive Plan and will enhance the welfare of the City.

Staff: Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that a request furthers a preponderance of applicable Goals and policies from the Comprehensive Plan and, in this case, the West Side Strategic Plan (see also response to Section C). The applicant references a policy-based explanation so the response is acceptable, though the WSSP should have been mentioned. The response to Section 1.A is sufficient.

- B. Stability of land use and zoning is desirable; therefore the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the city to show why the change should not be made.

Applicant (summarized): Stability of land use and zoning will be preserved and enhanced with this change, and that the relative location of the site supports the existing uses around it. This is a logical amendment based on existing uses and conditions.

In 2007, the ZHE approved a request for a conditional use to allow automotive sales, rental service, repair, and storage on the subject site. Though it expired, the City decision in 2007 indicates that the conditional use was appropriate because it was not injurious to surrounding properties, which are all zoned for industrial and commercial uses. The requested zone change is complimentary to existing uses.

Staff: The request would not adversely affect stability of land use and zoning in the area, which is mostly zoned IP with some R-2 to the east. Adding “truck sales and service” to the current SU-1 for IP zoning would not change the underlying IP zoning, but would add two new uses to it under the framework of the SU-1 zone- which equates to site development plan control of the subject site that would help to further ensure stability. The applicant has provided a sound justification for the proposed change.

The discussion of the Conditional Use permit granted in 2007 is not needed, especially because it expired since the property was not developed within a year. There’s no explanation of how this is relevant to the current request. Staff thinks the applicant is trying to make an argument for stability of land use by saying that, at one time, “automotive sales, rental, service, repair, and storage” was once approved for the subject site. However, the current request is to add “truck sales and service” so the comparison isn’t valid and doesn’t directly relate to stability of land use and zoning. Overall, the response to Section 1.B is sufficient.

- C. A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other city master plans and amendments thereto, including privately developed area plans which have been adopted by the city.

Applicant (summarized): The proposed change is not in conflict with existing City plans and policies. The change will be advantageous for the area and will further the policies of the Westside Strategic Plan and the Comprehensive Plan.

Staff: Staff agrees with the applicant’s citations of Comprehensive Plan Goals and policies, but would add Economic Development Policy II.D.6a- new employment/range of skills and salaries. Regarding the WSSP, Staff agrees with the use of Policies 1.6 and 3.33, but finds that Policy 3.34 does not apply because it refers to business growth within the Atrisco Business Park and the subject site is located outside the Park (WSSP, p. 68). Policies 4.6.g and 4.6.h should have been included; they pertain to additional employment center development and development in the Atrisco Park Community, respectively. Overall, the policy citations are acceptable.

Staff notes that the applicant cited WSSP Plan Objectives 1 and 8 (WSSP, p. 17 and 18) regarding mix of land uses and promoting jobs in the Westside. The Objectives usually aren’t used in justifications, though this is a valid approach to supplement a policy-based discussion. The Objectives were derived from previous planning studies and public meetings, and form the

cornerstone of the Strategic Action Plan. The applicant also cites WSSP text (p. 34-35) regarding Employment Centers but forgot to provide a discussion. Perhaps it was meant for deletion. Staff finds that citing the Plan's Objectives is acceptable as a supplement, but referring to text is not. The ideas in the text are embodied in Goals and policies, and those are used in the justification.

Overall, the discussion is acceptable and demonstrates that there is no "significant conflict" with an adopted element of the Comprehensive Plan or other City master plan. The response to Section 1.C is sufficient.

D. The applicant must demonstrate that the existing zoning is inappropriate because:

1. There was an error when the existing zone map pattern was created; or
2. Changed neighborhood or community conditions justify the change; or
3. A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other city master plan, even though (D)(1) or (D)(2) above do not apply.

Applicant (summarized): The existing zoning is inappropriate because a different use is more advantageous to the community as articulated in the City policies cited in Section C above. In reference to stability of land use, a conditional use was approved in 2007 but expired. This in itself doesn't provide justification, and we've provided City policy justification as well.

Staff: The applicant has shown that a different use category is more advantageous to the community because the request furthers a preponderance of policies in the Comprehensive Plan and the West Side Strategic Plan. Again, the discussion of the Conditional Use permit granted in 2007 to allow "automotive sales, rental, service, repair, and storage" is not needed, especially since it expired and because the current request is to add "truck sales and service." If this argument was relevant, it is related to stability of land use and zoning and would be located with the Section 1.B discussion. Overall, the response to Section 1.D is sufficient.

E. A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the community.

Applicant (summarized): The zoning for the subject site will remain SU-1 for IP and incorporate truck sales and service. The request is to add these to the existing permissive uses. The new uses will not be harmful to adjacent property, the neighborhood or the community. The FedEx facility in the Atrisco Business Park presents a compatible, existing use adjacent to the subject property.

Staff: Staff agrees that the permissive uses in the zone would not be harmful to adjacent property, the neighborhood, or the community and finds that the request is generally compatible with adjacent land uses and zoning, most of which is IP. The nearest residential neighborhood is approximately 265 feet to the east and the SU-1 site plan control would help ensure compatibility. The applicant should have addressed the truck traffic issue. The primary truck route would be west, to Unser Blvd. and not east by the neighborhood. However, the applicant discussed permissive uses as required so the response to Section 1.E is sufficient.

- F. A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the city may be:
1. Denied due to lack of capital funds; or
 2. Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule.

Applicant (summarized): The proposed zone change will not necessitate the need of capital improvements. The development will be incorporated with the existing street networks and all infrastructure will be funded by the developer.

Staff: The request will not require major or unprogrammed capital expenditures by the City. The response to Section 1.F is sufficient.

- G. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

Applicant (summarized): The cost of land and other economic considerations pertaining to the applicant are not a determining factor for the proposed zone change. The cost of land is no longer a consideration for the applicant because they own the proposed site land.

Staff: Staff agrees that the cost of land or other economic considerations are not the determining factor for the proposed zone change. The response to Section 1.G is sufficient.

- H. Location on a collector or major street is not in itself sufficient justification for apartment, office, or commercial zoning.

Applicant (summarized): The subject site is located on Fortuna Road NW between 76th Street NW and I-40. Fortuna is considered a collector. There is also direct access to the site from Gallatin Street, which is also a collector. This zone map amendment request is not based on location on a collector roadway, but is based upon the use being beneficial to the community as articulated in City plans and policies.

Staff: Staff agrees that location on a collector is not being used, in itself, as justification for the proposed zone change. The response to Section 1.H is sufficient.

- I. A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:
1. The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
 2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for

the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

Applicant (summarized): The zone change request to SU-1 for IP with Truck Sales and Service is considered a spot zone, but it is appropriate because it facilitates realization of the Comprehensive Plan and the West Side Strategic Plan goals and policies as provided in Section C of this justification.

Staff: Though the SU-1 zoning would give a zone different from surrounding zone to an area, it would not be a small area. More importantly, the request can be approved because the applicant has demonstrated that it would clearly facilitate realization of the Comprehensive Plan and the West Side Strategic Plan. The response to Section 1.I is sufficient.

- J. A zone change request, which would give a zone different from surrounding zoning to a strip of land along a street is generally called “strip zoning.” Strip commercial zoning will be approved only where:
1. The change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan; and
 2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

Applicant (summarized): The proposed zone change does not classify as strip zoning because it is not a strip of land and it is keeping with the current zoning trends of the surrounding area.

Staff: The request would not result in a strip zone because the subject site does not constitute a “strip of land along a street”. The response to Section 1.J is sufficient.

VI. SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

The applicant proposes to develop a sales, parts and service center for big trucks. An ≈ 41,000 square foot (sf) building is proposed on the vacant, ≈ 9.6 acre site.

Zoning Code §14-16-3-11 states: “...Site Development Plans are expected to meet the requirements of adopted city policies and procedures.” Staff has reviewed the proposed site development plan for conformance with applicable goals and policies of the Comprehensive Plan and the WSSP.

Site Plan Layout / Configuration

The proposed building would be located on the site’s western side, oriented south-north, with the main entrance facing Fortuna Rd. Previously, the main entrance faced I-40. Parking spaces are on all sides; sales spaces are along the west side. Two large turn-around areas are on the north and east sides of the lot. Landscaping areas are proposed on all sides. There are two large ponding areas.

Refuse Enclosure

The refuse enclosure, 8 feet high of CMU, is proposed near the eastern side of the site. The gate detail indicates the color is beige; the “dumpster plan” needs to specify color. The IP Zone [§14-16-2-19(G)] requires that outdoor storage and trash collection areas be visually screened from all property lines by a solid wall or fence or by an evergreen hedge at least 6 feet high. The requirement is met.

Public Outdoor Space

Zoning Code §14-16-3-18(C)(3) requires outdoor seating for major facades greater than 100 feet in length, such as the building’s southern façade (≈ 170 feet long). The seating must be provided at the rate of 1 seat per 25 linear feet of façade. Each seat shall be a minimum of 24” wide. $170/25 = 6.8$, ≈ 7 seats required. Another bench is needed. Though the bench detail on Sheet A1.2 is difficult to read and a more standard detail should be used, it appears that there are 4 seats per bench.

A small patio space is proposed at the building’s SW corner. Staff measures 12 x 20, for 120 sf. It’s unclear how the 403 sf was calculated. The landscape area and sidewalk can’t be double counted here because they serve to meet other requirements. There is seating, but no screening or shade. This southern side of the building could get hot.

Public outdoor space is not required because the proposed building is less than 60,000 sf [Ref: 14-16-3-18(C)(4)]. Outdoor space for employees is not required either, because the proposed building is not likely to have more than 6 water closets according to IBC standards. The office portion is classified as occupancy B and the repair garage as occupancy S. Staff consulted with commercial plan check Staff.

Vehicular Access & Circulation

Vehicular access to the site is from Fortuna Rd. only. The entrance is ≈ 50 feet wide to accommodate big trucks. After entering, both vehicles and trucks can proceed around the site in a circular pathway. Vehicles can proceed directly to the building’s main entrance.

Big trucks will access the site via the Unser Blvd. freeway entrance/exit and approach from the south. The large areas on the site’s north and western sides are truck turn-around areas. A truck turning exhibit, indicating turning motions and type of truck, is needed to show the travel path for heavy vehicles (see Transportation comment). Truck size (ex. WB 65) has not been specified.

The proposed non-permeable pavement is considered a means to reduce the overall heat island effect on the site. A Traffic Impact Study (TIS) was not required.

Parking

84 vehicle parking spaces are proposed, though Staff counts 85 spaces. The discrepancy is at the building’s main entrance; 13 are indicated but Staff counts 14. 15 trailer parking spaces and 40 truck sales spaces are also proposed.

Required parking is calculated pursuant to Zoning Code §14-16-3-1. For retail and service uses, one space is required for every 200 sf of building area for the first 15,000 sf of a building, then one space for every 250 sf of area for the next 45,000 sf. The proposed building is 40,914 sf, so: $15,000/200 = 75$, and $25,914/250 = 104$, so 179 spaces are required. However, in this case, parking for the truck repair and servicing was calculated using the warehouse category, as shown below:

Retail (sales/office): 14,000 sf ground floor $14,000/200 = 70$ spaces
Repair service (counted as warehouse): 26,914 sf $26,914/2000 = 13.5, \approx 14$ spaces
Total required spaces = 84 (Staff count is 85)

Of the required parking spaces, 4 must be handicap (HC). 4 HC spaces are provided. In addition to the required spaces, 3 motorcycle (MC) spaces are required. 4 are provided (equivalent to 2 regular, additional parking spaces). Most parking spaces are 9 feet wide and 19 feet long, though some spaces are 25 feet long. For bicycle parking, calculated at the rate of 1 space/20 required parking spaces, 4 spaces are required and 5 are provided on one bike rack. The bike rack is proposed to be painted black; a lighter color would be better for the local climate and the location on the building's hot, southern side.

The applicant's choice to use "warehouse" for part of the parking calculations results in much less required parking than using the "retail/service" category (see above- 179 vs. 84 spaces required) for all the calculations. The off-street parking regulations (§14-16-3-1) do not have a category for a building with an office component and a truck service component that would mostly be used for truck repair. However, the subject site's zoning is (and proposed to be) SU-1. Pursuant to the SU-1 zone [14-16-2-22(C)], "off-street parking shall be provided as required by the EPC." The EPC has discretion regarding the amount of parking provided on the subject site.

Pedestrian and Bicycle Access and Circulation, Transit Access

Pedestrian access is provided from the street (Fortuna Road) to the building's main façade. The pedestrian walkway, 8 feet wide of textured, colored concrete, [Ref: Zoning Code 14-16-3-1(H)] extends across the drive aisle and possibly through a fence opening. This needs clarification because the entire site is proposed to be fenced.

Zoning Code §14-16-3-18 contains design standards for commercial retail/services. Subsection (C)(1) pertains to sidewalks. For buildings 10,000-30,000 sf, a ten foot sidewalk is required along the entire length of main facades that contain primary entrances. For buildings greater than 30,000 sf, the width shall increase 1 foot for every 10,000 sf of building. So, for an $\approx 41,000$ sf building, an 11 foot wide sidewalk is required along the major (southern) façade. The sidewalk on the southern façade varies from 5 to 7 feet, and appears to be obstructed by a screen wall. It's unclear what the other line, by the main door, is. At any rate, the sidewalk width will have to be increased.

Subsection (C)(1)(d) states that sidewalk width may vary along a façade provided that the average required width (11 feet, see above) is maintained and that the width doesn't go below 8 feet. The sidewalk along the southern façade goes to 5 feet but must be at least 8 feet at its narrowest.

The proposed, 6 foot sidewalk along Fortuna Rd. ends abruptly as it approaches the freeway right-of-way. As mentioned last Fall, the applicant will likely need to obtain a permanent sidewalk waiver through the DRB process. The nature of the site (truck sales and service) does not make it very pedestrian oriented.

Walls/Fences

A 6 foot high wrought iron security fence is proposed around the subject site's perimeter. This appears to be compatible with the fencing used to the south, at the Atrisco Business Park. The color of the fence and the columns needs to be specified on the detail (see Sheet A1.3). A gate detail is needed, especially it's unknown how the pedestrian path will interface with the fencing.

Lighting and Security

Parking lot light poles, 30 feet high, are proposed around the subject site's perimeter. The light pole detail shows full cut-off, double fixtures. The light poles are proposed to be painted black. A lighter color may be more suitable for the local climate. Building-mounted lighting is proposed every 50 feet, mounted at 16 feet high.

Landscaping

Scope: Landscaping is proposed around the subject site's perimeter and in a couple of internal locations. Cobble mulch is proposed, with no landscaping, for the ponding areas.

Trees proposed include Chitalpa, Chinese Pistache, Austrian Pine, Modesto Ash, Purple Robe Locust and the accent tree, Vitex. Shrubs proposed include Butterfly Bush, Cotoneaster, Spirea, Chamisa, Turpentine Bush, Russian Sage, Red Yucca, Rosemary, Three-Leaf Sumac, Sugarbush, and Spanish Broom. Proposed ornamental grasses are Muhly Grass and Threadgrass.

Requirements: Zoning Code §14-16-3-10, Landscaping Regulations Applicable to Apartment and Non-Residential Development, applies. The minimum requirement for 75% coverage with living, vegetative materials is not met in all required locations. Tree canopy does not count. For instance, in the landscaping beds fronting Fortuna Rd., if you place all the plants side-by-side, about 50% of the area would be covered. The same is true of the west-east buffer near the site's eastern side.

Parking Lot Trees: One parking lot tree is required for every 10 parking spaces. $84/10 \approx 8$ parking lot trees required. 12 are provided (Chinese Pistache and Modesto Ash). Staff did not count the trees in areas that are not parking lots; if so, that would make 15 total. The 19 indicated on the landscaping plan is incorrect.

Street Trees: Street trees are required pursuant to the Street Tree Ordinance (§ 6-6-2-1). Chinese Pistache and Chitalpa are proposed along Fortuna Rd. The required spacing, about 30 feet, is achieved.

Water Harvesting: For new build sites such as this, landscape areas should be depressed slightly below the parking areas so that runoff water can be captured for supplemental irrigation. The applicant states that this will occur. However, the tree planting detail and the shrub planting detail both state "on grade" and show the plantings level with the ground. The details need to be changed.

Curb cuts in select places in landscape islands and curbing can facilitate water re-use on site. The curb cuts need to be shown on the landscaping plan and on the grading and drainage plan. The southwest corner and north corner of the subject site will serve as detention basins.

Grading & Drainage Plan

The subject site generally slopes downward, approximately from W to E, with about a 22 foot drop. Contour elevations range from $\approx 5,151$ ft. near the far SW corner to $\approx 5,129$ near the eastern border. There are two ponding areas, at the site's SW corner and far northern end. Existing and proposed grading contours are shown at one-foot intervals. Curb cuts for water harvesting need to be shown and match those shown on the landscaping plan.

Drainage Narrative: Usually the drainage narrative discusses the site's existing and proposed conditions in terms of elevations, slopes and percentages. However, this drainage narrative doesn't do that. Rather, it states the maximum runoff discharge allowed, and further states that depressed landscaping and water harvest basins will be used and shown on the final grading and drainage plan.

Utility Plan

Existing water, sewer, and fire lines will be extended north into the site from Fortuna Rd. A new water line and a new sanitary sewer line are proposed to run from the road to the building's eastern side. Two new fire hydrants are proposed, one near the Interstate and the other near the building's SE corner.

Architecture

The proposed, $\approx 41,000$ sf, single-story building is 26 feet tall with parapet height changes that make it 22 feet tall in places, such as the western and eastern sides of the southern (main) façade. These are canopies for truck service. A concrete screen wall is shown on the main elevation, but it's not clear what being screened.

The proposed building is tilt-up concrete, to be painted a medium shade of gray (Castlerock paint by Dunn-Edwards), to have a color similar to plain concrete. The horizontal metal panel and exterior columns are a darker gray (Slate Gray by American Buildings Company). All other accents such as canopies, window mullions, expanded metal and trim, will be clear anodized aluminum. The accent bands going around the building are Kenworth red on the top 4 inch band and clear aluminum color on the bottom 4 inch band. The agent received these details after printing of the site development plan set, so these clarifications will need to be incorporated as conditions. The doors will be painted white.

Design standards applicable to all non-residential uses are found in Zoning Code §14-16-3-18(D). As required, the primary entrance is clearly defined (D)(1). (D)(2) requires that at least two architectural features listed (a – g) are used to break-up the building's mass. The building is similar on all sides and uses a horizontal band and blocks of aluminum framing as accents. A change in visible roof plane for every 100 feet of length is shown (f); there is a one foot difference in parapet height. Another option from this list needs to be incorporated into the design.

Signage

Building-mounted signage is proposed on the south (main), north and west elevations. The company name sign, 172 sf, is white letters on a red background and is proposed on the north and south elevations. A red and white logo sign, 40 sf, is proposed on the west elevation. No building-mounted signage is proposed on the north elevation.

Also proposed is a 150 sf, pole-mounted pylon sign facing I-40. The IP regulations allow a 100 sf free-standing sign if the most important abutting street is a collector or arterial street or freeway [Zoning Code §14-16-2-19(A)(25)(c)]. The proposed sign is 50 sf larger than allowed. The applicant requested a variance from the Zoning Hearing Examiner (ZHE) at the March 19, 2013 hearing. As of this writing, the variance is pending.

The proposed sign would be plastic panel, internally illuminated, and mounted to two steel grey support columns on a dark tan, 8 foot CMU perimeter base. The detail shows a dimension of 5 feet by 30 feet, but the 30 feet falls short of the actual length. Therefore, the sign shown exceeds 150 sf. (Staff estimates 155 sf). The detail needs to be scaled.

VII. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies/Pre-Hearing Discussion

City Departments and other agencies reviewed this application from 3/4/'13 to 3/15/'13. Zoning Enforcement Staff noted that landscape requirements regarding street trees and the 75% coverage were not met. Current Planning Staff asks if any truck traffic will use Fortuna Rd. Transportation Staff commented regarding the heavy vehicle pathway, labeling and easements, specifying pavement type and compliance with the City's Development Process Manual (DPM).

Department of Municipal Development (DMD) Staff comment that the bicycle lanes along Fortuna Rd. need to be provided. Albuquerque Police Department (APD) Planning recommends that surveillance cameras be used and that landscaping and light poles don't conflict. The Public Service Company of New Mexico (PNM) commented regarding screening of utility facilities and the overhead line.

Neighborhood/Public

The affected neighborhood associations (NAs), homeowner associations (HOAs) and Coalitions, as cited by the Office of Neighborhood Coordination (ONC), are: Los Volcanes NA, Laurelwood NA, Parkway NA, South Valley Coalition of NAs, South West Alliance of Neighbors, and the Westside Coalition of NAs (see attachment). Property owners within 100 feet of the subject site were also notified as required.

A facilitated meeting was neither recommended nor held. Though Staff has not been contacted by members of the public, the applicant has been in contact with a couple of neighbors to the east in the West Mesa Manor neighborhood and a nearby property owner. The neighbors expressed concern regarding truck traffic along Fortuna Rd. and request that no trucks use this travel route. Staff received a letter of support (see attachment).

VIII. CONCLUSION

This two-part proposal is for a zone map amendment from “SU-1 for IP” to “SU-1 for IP with Truck Sales and Service” and an associated site development plan for building permit for an \approx 9.6 acre site located between Fortuna Rd. NW and I-40. The applicant intends to develop a sales, parts and service center for big trucks, with an \approx 41,000 sf proposed building, large turn around areas and parking for display (sales) and customers. The big trucks will access the site via the Unser Blvd. freeway entrance/exist and approach from the south.

The subject site is in the Established Urban Area of the Comprehensive Plan. The Westside Strategic Plan (WSSP) applies. No sector plan applies. The subject site is vacant and just north of the Atrisco Business Park. Staff finds that the applicant has adequately justified the zone map amendment request pursuant to R270-1980. Staff recommends approval subject to conditions.

FINDINGS – 13EPC-40102, April 11, 2013, Zone Map Amendment

1. This is a request for a zone map amendment from “SU-1 for IP” to “SU-1 for IP with Truck Sales and Service” for Tracts 185-A, 184, 183 and the southerly portion of Tract 182 Airport Unit, Town of Atrisco Grant Unit 8, an approximately 9.6 acre site located on Fortuna Rd. NW, between 76th St. NW and Interstate-40.
2. The request is accompanied by a request for a site development plan for building permit (13EPC-40103) for an approximately 41,000 square foot building, a truck sales area and parking for trucks and trailers. The applicant intends to develop a sales and service center for big trucks.
3. The proposed use, Truck Sales and Service, is not permissive under the current zoning SU-1 for IP zoning. Automotive sales, rentals, service, repair and storage are first permissive in the M-1 zone. A conditional use approved in 2007 (07ZHE-080055), to allow automotive sales, rental, service, repair, and storage in an IP zone, expired because the property was not developed within a year. Regardless, the current request is to add Truck Sales and Service and not automotive sales, rentals, service, repair and storage.
4. The subject site is located in the Established Urban Area of the Comprehensive Plan and in the boundaries of the West Side Strategic Plan. It is located in the Atrisco Park Community, just north of the Atrisco Business Park.
5. The Albuquerque/Bernalillo County Comprehensive Plan, West Side Strategic Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
6. The applicant has demonstrated that the zone change request is justified pursuant to Resolution 270-1980 as follows:
 - A. Section 1A: The request is consistent with the City’s health, safety, morals and general welfare because it furthers a preponderance of applicable Goals and policies in the Comprehensive Plan and the West Side Strategic Plan.
 - B. Section 1B: The request would not adversely affect stability of land use and zoning in the area. Adding “truck sales and service” to the current SU-1 for IP zoning would add two new uses under the framework of the SU-1 zone, which is site development plan controlled. The applicant has provided a sound justification for the proposed change.
 - C. Section 1C: The applicant has adequately demonstrated that the request furthers a preponderance of applicable Goals and policies in the Comprehensive Plan and the West Side Strategic Plan. There is no “significant conflict” with an adopted element of either.

- D. Section 1D: A different use category is more advantageous to the community because the request furthers a preponderance of policies in the Comprehensive Plan and the West Side Strategic Plan.
 - E. Section 1E: The permissive uses in the zone would not be harmful to adjacent property, the neighborhood, or the community. The request is generally compatible with adjacent land uses and zoning, most of which is IP. The primary truck route would utilize Unser Blvd. and approach the subject site from the south, and would not go east through the nearby neighborhood.
 - F. Section 1F: The request will not require major or unprogrammed capital expenditures by the City.
 - G. Section 1G: The cost of land or other economic considerations are not the determining factor for the proposed zone change. The applicant owns the subject site.
 - H. Section 1H: *Location* on a collector street is not being used, in itself, as justification for the proposed zone change. The request is based on the use based upon the use being beneficial to the community as articulated in City plans and policies.
 - I. Section 1I: The request would clearly facilitate realization of the Comprehensive Plan and the West Side Strategic Plan. Also, the SU-1 zoning would not be given to one, small area.
 - J. Section 1J: The request would not result in a strip zone because the subject site does not constitute a “strip of land along a street”.
7. The proposal furthers the Comprehensive Plan’s Economic Development Goal and the following policies pertaining to economic development:
- A. Goal- The request would provide new economic development and employment opportunities with a range of skills and salary levels, balanced with other goals (ex. recreational, social).
 - B. Policy II.D.6a- new employment/range of skills and salaries. The approximately 40 new jobs would accommodate a range of skills and salary levels. The jobs would be located convenient an area of need, the Westside, which is characterized by an imbalance in the jobs/housing ratio.
 - C. Policy II.D.6b- local and outside business development. The proposed development will employ local residents and help remedy the jobs-housing imbalance on the Westside.
8. The request furthers and partially furthers the following Comprehensive Plan land use policies:

- A. Policy II.B.5.d- neighborhood/environmental conditions/resources. The location and intensity would respect neighborhood values by being as far west as possible, next to I-40, and by being buffered by vacant land zoned SU-1 IP. Neighbors have expressed concern about truck traffic, though the primary truck route to access the site would use Unser Blvd. and approach the subject site from the south. However, trucks would not be prohibited from passing the neighborhood by using Fortuna Rd. A letter of support has been received.
 - B. Policy II.B.5e-new growth/urban services/ neighborhood integrity. The proposal would facilitate new growth in an area where full urban services are available. Utilities exist along Fortuna Rd. The integrity of the neighborhood would be ensured because a vacant tract zoned SU-1 IP would buffer it from the subject site and truck service would occur inside the building. However, it may be difficult to ensure that trucks don't use Fortuna Rd.
9. The proposal furthers and partially furthers the following, applicable West Side Strategic Plan (WSSP) policies:
- A. WSSP Policy 1.6- Though not located in the Atrisco Business Park, a designated Employment Center, the subject site is just north of it. The request may help encourage more employers to locate in this area, which could generally help improve the jobs-housing ratio on the Westside.
 - B. WSSP Policy 3.33 (Atrisco Park)- The request would constitute new, non-residential development in the Atrisco Park Community, which is considered an appropriate and desirable location for new development.
10. The affected neighborhood organizations are the Los Volcanes Neighborhood Association (NA), Laurelwood NA, Parkway NA, South Valley Coalition of NAs, South West Alliance of Neighbors, and the Westside Coalition of NAs. Property owners within 100 feet of the subject site were also notified. A facilitated meeting was neither recommended nor held. Neighbors to the east in the West Mesa Manor neighborhood expressed concern regarding truck traffic along Fortuna Rd. A neighbor submitted a letter of support.

RECOMMENDATION - 13EPC 40071, April 11, 2013, Zone Map Amendment

APPROVAL of 13EPC-40102, a request for a Zone Map Amendment from "SU-1 for IP" to "SU-1 for IP with Truck Sales and Service", for Tracts 185-A, 184, 183 and the southerly portion of Tract 182 Airport Unit, Town of Atrisco Grant Unit 8, based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL - 13EPC-40102, April 11, 2013, Zone Map Amendment

1. The zone map amendment does not become effective until the accompanying site development plan is approved by the DRB pursuant to Zoning Code §14-16-4-1(C)(11). If such requirement

is not met within six months after the date of EPC approval, the zone map amendment is void. The Planning Director may extend this time limit up to an additional six months upon request by the applicant.

2. The subject site shall be replatted at the DRB.
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FINDINGS – 13EPC-40103, April 11, 2013, Site Development Plan for Building Permit

1. This is a request for a site development plan for building permit for Tracts 185-A, 184, 183 and the southerly portion of Tract 182 Airport Unit, Town of Atrisco Grant Unit 8, an approximately 9.6 acre site located on Fortuna Rd. NW, between 76th St. NW and Interstate-40.
2. The applicant intends to develop a sales and service center for semi-trucks. The proposed, approximately 41,000 sf building will contain office and truck sales and service uses.
3. The subject site is located in the Established Urban Area of the Comprehensive Plan and in the boundaries of the West Side Strategic Plan. It is located in the Atrisco Park Community, just north of the Atrisco Business Park.
4. The Albuquerque/Bernalillo County Comprehensive Plan, West Side Strategic Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. A request for a zone map amendment (13EPC-40102) accompanies this request.
6. The proposal furthers the Comprehensive Plan's Economic Development Goal and the following policies pertaining to economic development:
 - A. Goal- The request would provide new economic development and employment opportunities with a range of skills and salary levels, balanced with other goals (ex. recreational, social), because a bike lane and pedestrian connections would be provided.
 - B. Policy II.D.6a- new employment/range of skills and salaries. The approximately 40 new jobs would accommodate a range of skills and salary levels. The jobs would be located convenient an area of need, the Westside, which is characterized by an imbalance in the jobs/housing ratio.
 - C. Policy II.D.6b- local and outside business development. The proposed development will employ local residents and help remedy the jobs-housing imbalance on the Westside.

7. The request furthers and partially furthers the following Comprehensive Plan land use policies:
- A. Policy II.B.5i-employment/ service use location (furthers). The proposed use would be located approximately 265 feet east of a residential area. A vacant strip of land zoned SU-1 IP and the building's location near the center of the subject site would help minimize adverse effects of noise, lighting and pollution. Service work would occur indoors. Trucks would use Unser Blvd. and not pass by the neighborhood, though this may be difficult to ensure
 - B. Policy II.B.5.d- neighborhood/environmental conditions/resources. The location and intensity would respect neighborhood values by being as far west as possible, next to I-40, and by being buffered by vacant land zoned SU-1 IP. Neighbors have expressed concern about truck traffic, though the primary truck route to access the site would use Unser Blvd. and approach the subject site from the south. However, trucks would not be prohibited from passing the neighborhood by using Fortuna Rd. A letter of support has been received.
 - C. Policy II.B.5e-new growth/urban services/ neighborhood integrity. The proposal would facilitate new growth in an area where full urban services are available. Utilities exist along Fortuna Rd. The integrity of the neighborhood would be ensured because a vacant tract would buffer it from the subject site and truck service would occur inside the building. However, it may be difficult to ensure that trucks don't use Fortuna Rd.
 - D. Policy II.B.5l-quality design/new development. The proposed building and site design is tailored to meet the particular needs of semi-trailer trucks. The building design is not franchise architecture and is generally appropriate for the area.
8. The proposal furthers and partially furthers the following, applicable West Side Strategic Plan (WSSP) policies:
- A. WSSP Policy 1.6- Though not located in the Atrisco Business Park, a designated Employment Center, the subject site is just north of it. The request may help encourage more employers to locate in this area, which could generally help improve the jobs-housing ratio on the Westside.
 - B. WSSP Policy 3.33 (Atrisco Park)- The request would constitute new, non-residential development in the Atrisco Park Community, which is considered an appropriate and desirable location for new development.
 - C. WSSP Policy 4.6.h (partially furthers)- The proposed number of parking spaces does not exceed 10% of the required number of parking spaces. The proposed site development plan shows a pedestrian connection to the existing sidewalk and future bike route. It would be safe, but it's unclear if pedestrians would be able to get through the security fencing.

10. On March 19, 2013, the Zoning Hearing Examiner (ZHE) heard a request for a two variances pertaining to proposed signage on the subject site. The applicant requested that an additional 9 feet of height and 50 sf of area be allowed in addition to what the underlying IP zoning allows.
11. A Traffic Impact Study (TIS) was not required because the proposed development does not meet applicable thresholds. A certificate of no effect, pursuant to the Archaeological Ordinance, was obtained.
12. The affected neighborhood organizations are the Los Volcanes Neighborhood Association (NA), Laurelwood NA, Parkway NA, South Valley Coalition of NAs, South West Alliance of Neighbors, and the Westside Coalition of NAs. Property owners within 100 feet of the subject site were also notified. A facilitated meeting was neither recommended nor held. Neighbors to the east in the West Mesa Manor neighborhood expressed concern regarding truck traffic along Fortuna Rd. A neighbor submitted a letter of support.

RECOMMENDATION - 12EPC 40072, November 8, 2012, Site Development Plan for Building Permit

APPROVAL of 12EPC 40072, a request for a Site Development Plan for Building Permit, Tracts 185-A, 184, 183 and the southerly portion of Tract 182 Airport Unit, Town of Atrisco Grant Unit 8, based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL - 13EPC-40103, April 11, 2013, 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. Transportation & Parking:
 - A. A truck turning exhibit, indicating turning motions and travel path for heavy vehicles, shall be provided.
 - B. Truck size(s) (ex. WB 65) shall be specified.
 - C. The type of non-permeable pavement shall be specified.

- D. Total parking required shall be listed as 84 (not 52).
4. Pedestrian & Bicycle Access:
- A. The relationship between the pedestrian walkway and the security fencing shall be clarified (ex. indicate the fence opening).
- B. The bike rack shall be painted a lighter color than black.
5. Sidewalks:
- A. An 11 foot wide sidewalk shall be provided along the major (southern) façade pursuant to Zoning Code §14-16-3-18(C)(1).
- B. The average required sidewalk width of 11 feet shall be maintained; the width shall not be less than 8 feet [Subsection (C)(1)(d)].
- C. The applicant shall obtain a permanent sidewalk waiver through the DRB process.
6. Outdoor Seating & Space:
- A. A second bench shall be provided along the building's southern (main) façade [Zoning Code §14-16-3-18(C)(3)].
- B. Each seat shall be a minimum of 24 inches wide.
- C. A standard bench detail shall be provided.
- D. Clarify and show how the 403 sf was calculated for the patio space at the building's SW corner.
7. Walls/Fences:
- The color of the wrought iron security fence and the columns shall be specified.
- A gate detail for the security fencing shall be provided.
- A concrete screen wall is shown on the main elevation, but it's not clear what being screened.
- The color of the refuse enclosure walls shall be specified.
8. Landscaping- Requirements:
- To achieve the minimum of 75% coverage with living, vegetative materials, additional plant material shall be added to the landscaping beds fronting Fortuna Rd. and the west-east buffer near the site's eastern side.

The landscaping buffer along the site's western side shall be at least 6 feet wide and dimensioned.

The required 27 street trees along Fortuna Rd. shall be provided.

Parking lot trees provided shall be listed as 15 and required listed as 8.

9. Landscaping & Water Harvesting:

- A. Landscaping beds shall be depressed slightly below grade.
- B. The tree planting detail and the shrub planting detail shall show planting below grade (not "on grade").
- C. A minimum of 6 curb notches shall be provided at landscape islands throughout the site, and located so that water can flow into them.
- D. Curb cuts shall be shown on the landscaping plan and match those shown on the grading and drainage plan.
- E. The landscape area near the building's SW corner shall be the same size on the main site development plan sheet (BP-1) and the landscaping plan.

10. Elevations & Signage:

- A. Incorporate another architectural feature to break up the mass Zoning Code §14-16-3-18(D). As required, the primary entrance is clearly defined (D)(1). (D)(2) requires that at least two architectural features listed (a – g) are used to break-up the building's mass.
- B. The common-name colors and manufacturer's colors used in the elevations shall be specified in a color legend.
- C. The paint color of the concrete and the color of the horizontal accent band shall be specified.

11. Signage:

The sign detail shall show 150 sf of signage and shall be to scale.

12. Minor, "Clean-Up":

- A. The current zoning shall be listed as "SU-1 IP"
- B. A keyed note shall be added to label what the concrete wall on the building's southern façade is screening.
- C. A keyed note shall be added to label the "bumped-out" items near the main door.

- D. The function of the lines shown by the bicycle rack and the main entrance shall be clarified and key noted.

13. Conditions from the City Engineer, Municipal Development and NMDOT:

- A. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as may be required by the Development Review Board (DRB).
- B. Site plan shall comply and be in accordance with DPM (Development Process Manual) and current ADA standards/requirements.
- C. A cross access easement and a shared parking agreement will be required if all four tracts are not re-plated at DRB.
- D. It is not apparent the type of pavement surface being proposed or referenced. "Note: concrete pavement shall be considered..." is referenced but not a definitive statement. A hard driving surface will be required as part of this proposed project for parking area and drive aisles.
- E. All Easements need to be shown and labeled on Site Plan.
- F. Please provide the route the large-heavy trucks will negotiate to and from the site via the interstate.
- G. Please provide the largest truck size and classification that will be accessing the site and provide turning movements and route for entering, exiting and circulation within the site.
- H. Provide/label/detail all dimensions, classifications and proposed infrastructure for on-site.
- I. Submit the plan to Hydrology for DRB approval.
- J. Show existing grades in the area of the "Drainage Concept" narrative to ensure NMDOT flows are not being diverted.
- K. Per the Long Range Bike System, a proposed trail is to be installed along Fortuna Rd. near I-40 east to 76th St. and proposed bike lanes are to be installed along Fortuna Rd. from 76th St. to Coors Blvd.

14. Conditions from the Public Service Company of New Mexico (PNM):

- A. It is the applicant's obligation to determine if existing utility easements cross the property and to abide by any conditions or terms of those easements.
- B. There is an existing overhead electric distribution line between the north side of the property and Interstate 40. It will be necessary for the applicant to coordinate with PNM's New Service Delivery Department regarding proposed tree species, tree placement and height at maturity, sign location and height, and lighting height in order to ensure sufficient safety clearances and to avoid interference with the existing facilities.
- C. Screening should be designed to allow for access to utility facilities. All screening and vegetation surrounding ground-mounted transformers and utility pads are to allow 10 feet of

clearance in front of the equipment door and 5-6 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Please refer to the PNM Electric Service Guide at www.pnm.com for specifications.

***Catalina Lehner, AICP
Senior Planner***

Notice of Decision cc list:

Consensus Planning, Inc., 302 Eighth Street NW, Albuquerque, NM 87102
LCI, LLC, 1920 W. Eleventh Street, Upland, CA 91786
Margaret K. Woods, 6503 Honeylocust Avenue NW, Albuquerque, NM 87121
Ann McCoy Chavez, 6700 Silkwood Avenue NW, Albuquerque, NM 87121
Candelaria Patterson, 7608 Elderwood NW, Albuquerque, NM 87120
Marie Barr, 7625 Maplewood Drive NW, Albuquerque, NM 87120
Carol Cunningham, 8012 Bridgewater NW, Albuquerque, NM 87120
Mary Loughran, 8015 Fallbrook NW, Albuquerque, NM 87120
Andres Lazo, 3220 Grasshopper Drive SW, Albuquerque, NM 87121
Marcia Fernandez, 2401 Violet SW, Albuquerque, NM 87105
Klarissa Pena, 6525 Sunset Gardens SW, Albuquerque, NM 87121
Louis Tafoya, 6411 Avalon Road NW, Albuquerque, NM 87105
Gerald (Jerry) C. Worrall, 1039 Pinatubo Place, Albuquerque, NM 87120

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

The number of required street trees along Fortuna Rd is 27- the Landscaping plan in the SDP for Building permit shows 20 street trees provided. A variance is required. Reference section 14-16-3-10(G)(2).

The required percentage of vegetative ground cover within any landscaped areas 36sq ft or larger is 75%. The landscaping plan shows the provided percentage of vegetative ground cover is 50%. A variance is required. Reference section 14-16-3-10(G)3.

Office of Neighborhood Coordination

Los Volcanes NA (R), Laurelwood NA (R), Parkway NA (R), South Valley Coalition of NAs, South West Alliance of Neighbors (SWAN), Westside Coalition of NAs

Long Range Planning

How will traffic impact the adjacent residential areas? The applicant states that traffic will use Los Volcanes and Gallatin. Will any traffic use Fortuna?

Metropolitan Redevelopment

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

CITY ENGINEER

Transportation Development Services:

Amendment to the Zone Map:

Transportation Development (City Engineer/Planning Department):

- No Comments

Hydrology Development (City Engineer/Planning Department):

- Hydrology has no objection to the Zone Map Amendment.

Transportation Planning (Department of Municipal Development):

- No comments

Traffic Engineering Operations (Department of Municipal Development):

- No comments received.

Street Maintenance (Department of Municipal Development):

- No comments received.

New Mexico Department of Transportation (NMDOT):

- No comments received.

Site Development Plan for Building Permit:

Transportation Development (City Engineer/Planning Department):

- The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as may be required by the Development Review Board (DRB).
- Site plan shall comply and be in accordance with DPM (Development Process Manual) and current ADA standards/requirements.
- A cross access easement and a shared parking agreement will be required if all four tracts are not replated at DRB.
- It is not apparent the type of pavement surface being proposed or referenced. “Note: concrete pavement shall be considered...” is referenced but not a definitive statement. A hard driving surface will be required as part of this proposed project for parking area and drive aisles.
- All Easements need to be shown and labeled on Site Plan.
- Please provide the route the large-heavy trucks will negotiate to and from the site via the interstate.
- Please provide the largest truck size and classification that will be accessing the site and provide turning movements and route for entering, exiting and circulation within the site.
- Provide/label/detail all dimensions, classifications and proposed infrastructure for on-site (including all ADA ramps, pedestrian gate, COA ROW 8” curb/gutter, road infrastructure and associated pavement markings).
- Please clarify hatching line type used on Fortuna Rd. and site access point.
- Please clarify the location of the Refuse Enclosure.
- Please remove/ relocate misplaced keyed notes on site plan (including: 11, 13, 14, and 23) and please remove any keyed notes and details that are not applicable to this site plan.
- Keyed Note 18 misspelled striping.
- The handicap access aisles adjacent to the HC parking stalls must to be striped to prevent vehicles from parking in space. Colored concrete is not an effective deterrent.
- Please provide dimensional distance from ROW curb to on-site security gate. Is there adequate width and depth of entrance to allow vehicle turn-around without backing into street?

Hydrology Development (City Engineer/Planning Department):

- Conceptually Hydrology has no objection.
- Submit the plan to Hydrology for DRB approval.
- Show existing grades in the area of the “Drainage Concept” narrative to ensure NMDOT flows are not being diverted.

Transportation Planning (Department of Municipal Development):

- Per the Long Range Bike System, a proposed trail is to be installed along Fortuna Rd. near I-40 east to 76th St. and proposed bike lanes are to be installed along Fortuna Rd. from 76th St. to Coors Blvd.

Traffic Engineering Operations (Department of Municipal Development):

- No comments received.

Street Maintenance (Department of Municipal Development):

- No comments received.

New Mexico Department of Transportation (NMDOT):

- No comments received.

RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT:

Conditions of approval for the proposed Amendment to Zone Map shall include: None.

Conditions of approval for the proposed Site Development – Building Permit shall include:

- L. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as may be required by the Development Review Board (DRB).
- M. Site plan shall comply and be in accordance with DPM (Development Process Manual) and current ADA standards/requirements.
- N. A cross access easement and a shared parking agreement will be required if all four tracts are not replatted at DRB.
- O. It is not apparent the type of pavement surface being proposed or referenced. “Note: concrete pavement shall be considered...” is referenced but not a definitive statement. A hard driving surface will be required as part of this proposed project for parking area and drive aisles.
- P. All Easements need to be shown and labeled on Site Plan.
- Q. Please provide the route the large-heavy trucks will negotiate to and from the site via the interstate.
- R. Please provide the largest truck size and classification that will be accessing the site and provide turning movements and route for entering, exiting and circulation within the site.
- S. Provide/label/detail all dimensions, classifications and proposed infrastructure for on-site.
- T. Submit the plan to Hydrology for DRB approval.
- U. Show existing grades in the area of the “Drainage Concept” narrative to ensure NMDOT flows are not being diverted.
- V. Per the Long Range Bike System, a proposed trail is to be installed along Fortuna Rd. near I-40 east to 76th St. and proposed bike lanes are to be installed along Fortuna Rd. from 76th St. to Coors Blvd.

WATER UTILITY AUTHORITY

Utility Services

No adverse comment.

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

Environmental Services Division

PARKS AND RECREATION

Planning and Design

No comments.

Open Space Division

POLICE DEPARTMENT/Planning

This project is in the Southwest Area Command

- Proposed exterior pole lights appear to be in conflict with the proposed landscaping plan. Suggest removing from the plans all tree variety landscaping near or adjacent to proposed lighting. Once the trees grow to maturity, the available lighting will be diminished.
- Recommend including in the plan an exterior video surveillance system. Cameras should be positioned to cover all parking stalls, walkways, building walk-up and entrances. Each camera should be monitored on premise and recorded for real-time and historical use.

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

FIRE DEPARTMENT/Planning

TRANSIT DEPARTMENT

Project #1006761	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

Project #1006761 13EPC-40102 AMNDT TO ZONE MAP (ESTB ZONING/ZONE CHG) 13EPC-40103 SITE DEVELOPMENT-BUILDG PRMT	Town of Atrisco Grant Unit 8 , Lots 182, 184, 185-A-1, 185-A, is located on Fortuna Rd NW between 76 th St NW and I-40. The owner of the above property requests approval of a zone change from SU-1 for IP to SU_1 for IP with truck sales and service, and a Site Development Plan for Building Permit for the development of a truck dealership. This will have no adverse impacts to the APS district.
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MID-REGION COUNCIL OF GOVERNMENTS

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

PUBLIC SERVICE COMPANY OF NEW MEXICO

PNM provided comments on this project for the November 8, 2012 EPC hearing. Here are the comments again:

1. It is the applicant's obligation to determine if existing utility easements cross the property and to abide by any conditions or terms of those easements.
2. There is an existing overhead electric distribution line between the north side of the property and Interstate 40. It will be necessary for the applicant to coordinate with PNM's New Service Delivery Department regarding proposed tree species, tree placement and height at maturity, sign location and height, and lighting height in order to ensure sufficient safety clearances and to avoid interference with the existing facilities.
3. Screening should be designed to allow for access to utility facilities. All screening and vegetation surrounding ground-mounted transformers and utility pads are to allow 10 feet of clearance in front of the equipment door and 5-6 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Please refer to the PNM Electric Service Guide at www.pnm.com for specifications.