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January 9, 2012

**REC'D JAN 09 2012**

**HAND-DELIVERED**

Environmental Planning Commission  
c/o Doug Peterson, Chair  
Laurie Moye, Vice Chair  
Ron O. Garcia  
Jonathan Siegel  
Moises A. Gonzalez  
Joe Yardumian  
Hugh Floyd  
Michael Dickson  
Planning Department  
City of Albuquerque  
600 2<sup>nd</sup> Street NW  
Albuquerque, New Mexico 87103

**RE: Project No. 1003859**

Dear Chairman Peterson and Members of the EPC:

I represent Bosque School. Bosque School is an interested party as it is located adjacent to the proposed development, owns land within 300 feet of the development and therefore has standing. *See* EPC Rule B(12)(a)(2). In addition, Bosque School has an interest in traffic and safety issues for its students and community. *See* EPC Rule B(12)(a)(3). The North Andalucia at La Luz Subdivision, as approved, contains specific bargained for restrictions and limitations (hereafter referred to as "Andalucia Regulations") intended to protect Bosque School, the La Luz Development and the community and to comply with adopted City Plans.

The application<sup>1</sup> should be denied. The application:

- violates the Andalucia Regulations as well as City Plans and Ordinances
- does not meet minimum access criteria under the Zoning Code
- will exacerbate already critical traffic issues at Coors and Montano and on the Montano Bridge

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<sup>1</sup> The Applicant has submitted two sets of plans. One set dated 10/26/11 and another dated 12/23/11. Unless otherwise indicated references herein are to the set dated 12/23/11.

The TIS indicates that over 37% of the traffic for the Walmart will come from the North Valley east of the river across the Montano bridge. *See* TIS p. A-29. *See also* TIS A-16. The traffic attributed to the North Valley is underestimated because the City limited the scope of the TIS on the east to 4<sup>th</sup> Street. *See* TIS p. A-29 (“Montano Rd. east of Fourth St. is beyond the 2 mile limit of this distribution.”) *See also* TIS at p. 2 at No. 2 limiting trip distribution to two (2) mile radius. Coors and Montano are two of the most congested roadways in the metropolitan area. If this application is approved the City will create traffic issues similar to Paseo del Norte and I-25 and accelerate the timeline for grade separation of Coors and Montano. The City has no funding source for such a project. Gridlock will result. Approval would set a precedent for converting O-1 zoned land to shopping center and other commercial use. Finally, approval will set a precedent for eviscerating any ability of the EPC and city to enforce sector plan goals and requirements or design standards.

A. Andalusia Subdivision Requirements.

The North Andalusia at La Luz Subdivision was proposed and approved as a comprehensive plan for development of a mixed-use, pedestrian oriented village center. The present application is for a suburban automobile oriented big box retail development and does not meet Andalusia’s mixed-use, pedestrian oriented village center concept, does not meet the Andalusia design regulations and abandons the vision underlying the Andalusia Regulations that were essential and integral components of the EPC’s approval of Andalusia Subdivision. These design standards in many ways mirrored the goals of the West Side Strategic Plan (WSSP). The proposed plan is inconsistent with the Andalusia Regulations, Comprehensive Plan and WSSP.

When the City approved the Andalusia Subdivision it expressly approved a pedestrian oriented mixed-use village development. The Andalusia Subdivision (at Sheet 2 of 3) states: “The primary goal for this property is to achieve a vibrant mixed-use community that fosters pedestrian accessibility and maintains a village-type character.”<sup>2</sup> Under the Plan’s Design Standards future development is “intended to be complimentary to La Luz, Albuquerque’s first cluster housing project and the Bosque School.” To further ensure a village character the Andalusia Regulations provide that there will be “separate vehicle and pedestrian circulation systems in order to support the creation of a village-type character.” *See also* EPC Finding No. 3, May 20, 2005 (“The applicant is proposing design guidelines with the site development plan for subdivision that will help guide for consistency and quality that is complimentary of the subject site area.”) (Site Plan for Subdivision 04EPC-01845-attached under Tab C.)

Instead of developing a pedestrian oriented village center the application seeks to move lot lines in order to develop a big box supercenter oriented to automobile traffic. Both the proposed subdivision amendment and the application for building permit are inconsistent with a

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<sup>2</sup> *See* pages C-1 through C-3 of present submittal.

mixed-use pedestrian oriented village. Any change in the lot lines should not change the original design, vision and other regulations of the Andalucia Subdivision. The applicant's approach appears to be that if sidewalks are eight feet wide, not of asphalt and if the required number of trees are in the plans the city must approve the application regardless of the end result. One look at the plan and it is plain that the focus is not a village with a fine grain network of streets and the result is not pedestrian oriented or of pedestrian scale but a big box retail center with acres of parking between the building and Coors. Sidewalks exist for one purpose only—to facilitate people to enter the proposed big box after parking their cars. There is no natural connection within the subdivision. Pedestrians are given no reason to walk through the area. There is no central plaza. The so-called "plaza" provided is not a genuine pedestrian amenity or a central gathering place for the subdivision but is simply the front of the Walmart gussied up with planter boxes. Is a concrete area in which patrons are rolling shopping carts the pedestrian plaza envisioned by the Andalucia regulations? *See also* Big Box Shopping Center Regulations and WSSP all of which require pedestrian oriented development and central plazas. Illustrative of the fact that the proposed "plazas" are not genuine pedestrian plazas is the fact that one such "plaza" is adjacent to a drive through lane for the pharmacy and another is adjacent to shopping cart storage and the front of the store. This "plaza" has large concrete poles to protect the store from a vehicle driving through the doors. While the poles may be necessary for store security they illustrate that that area is not a plaza or gathering place for pedestrians. The requirements, conditions and Design Standards of the Andalucia Plan are binding. *See* §14-16-3-2(A)(1) ("Once approved, such a plan or subsequent amended plan is binding on the entire area of the original site development plan.").

Applicant seeks to amend the Andalucia Subdivision site plan to change Tracts 1, 2 and 3 into eight tracts (Tracts 1A, 1B, 1C, 1D, 2A, 2B, 2C and 3A). Applicant also requests building permit approval for an auto oriented big box with assorted future retail pads and contends that the big box site plan meets the design standards of the Andalucia Regulations (which require a pedestrian oriented mixed-use village with trails and pedestrian connections). Therefore the application for subdivision amendment presents a question of whether the proposed tract configuration is consistent with a pedestrian oriented village development. Similarly, the site plan for building permit presents the question of whether the suburban big box is consistent with the Andalucia Regulations. Is the intent to appear to not amend the design regulations but then to later argue that by allowing a subdivision amendment EPC implicitly "found" that a big box was consistent with the Design Standards? In any case what is to be amended should be made clear with a justification for each change. This application does not meet the Andalucia Regulations and there is no justification for changing them or amending the subdivision site plan. The EPC should deny the proposed subdivision amendment and site plan for building permit as inconsistent with the Andalucia Regulations.

B. Big Box Ordinance and Shopping Center Regulations of Zoning Code.

Even though the application for site plan for building permit (for a 98,901 square foot large retail facility) is governed by the Big Box Ordinance and regulations set forth at ZC §14-16-3-2 the applicant does not address those regulations. This should raise concern and scrutiny since the location proposed is adjacent to a school, the environmentally sensitive bosque, to a newly approved residential neighborhood and proximate to the residential community of La Luz. This site is also at the critical Montano/Coors intersection which is severally overcapacity. The retail center will impact the Montano Bridge and North Valley neighborhoods. Thus, the site presents issues of traffic, architectural scale and compatibility governed by the Big Box regulations but ignored by the applicant.

The City adopted the Big Box Ordinance to address the problems uniquely associated with development of large retail facilities or supercenters. *See* C/S2 O-06-53 attached as Exhibit A. The City Council found that “[l]arge retail facilities... have created unique problems related to traffic congestion, architectural scale, compatibility with adjoining neighborhoods, and noise....” *Id.* Exhibit A. All four concerns, i.e., traffic congestion, architectural scale, compatibility, and noise, are presented by this application. The Ordinance adopted specific regulations “to manage the location and design of large retail facilities.” *See* Z.C. §14-16-3-2 (D)(2). The City made specific findings that location and traffic congestion necessitates that a large retail facility only be approved at locations that meet specified criteria. With regard to location and traffic congestion the city found that: “These regulations are necessary for the proper functioning and enjoyment of the community. They protect the quality of life within surrounding residential areas, support efficient traffic flows.... Large Retail facilities shall be located to secure adequate street capacity to transport pedestrians and vehicles to and from large retail facilities, and discourage traffic from cutting through residential neighborhoods.” *Id.* **The Ordinance requires that a large retail facility of this size (>98,000 s.f.) must have *primary and full access* to a collector with four through lanes. In this case that means Coors or Montano. The proposed Walmart supercenter (on proposed Tract 2A) does not have the required full access to Coors or Montano. The proposed large retail facility is therefore prohibited.**

The proposed site plan for building permit and amended subdivision site plan also fail to meet design and other requirements of the Big Box Ordinance as described *infra*. The major issues are summarized in Section E below.<sup>3</sup>

#### C. Zone Map Amendment.

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<sup>3</sup> Each issue is discussed in more detail under the tab corresponding to the issue. Evidence concerning each issue and references to the Zoning Code or other controlling authority is also under the respective tab.

The application to amend the Andalucia subdivision is a zone map amendment. This area consists of three tracts:

- Tract 1 SU-1 (10.23 ac.) for C-2 uses
- Tract 2 SU-1 (12.28ac.) for C-2 uses
- Tract 3 SU-1 (1.38 ac.) for O-1 uses

Tract 3 is a buffer tract limited to O-1 use. In addition general note 3 of Andalucia Subdivision created a 300 foot O-1/PRD buffer along Learning Road and adjacent to Bosque School to protect Bosque School from commercial activity. The applicant seeks to amend the zone map by eliminating Tracts 1, 2 and 3 and creating eight new tracts. Tracts 2A and 3A are proposed to have mixed zoning with some areas limited to O-1 use and others available for C-2 use. Pursuant to ZC §14-16-2-22(A)(2) the specific use permitted under SU-1 zoning is recorded on the zone map ("The specific use shall be recorded on the zone map.") This subdivision would amend the uses recorded and the tracts to which those uses are attached and, therefore, amends the zone map. Res. 270-1980 applies to any zone map change. Since the subdivision amendment would amend the zone map applicant bears the burden of demonstrating error, changed neighborhood conditions or that the change is more advantageous as articulated in the Comprehensive Plan or other City master plan. Applicant has not justified the zone change.

Applicant apparently tries to avoid Res. 270-1980 by calling Tracts 2A and 3A mixed zoning tracts – splitting the 1.38 acre Tract 3 (zoned SU-1 for O-1) between new tracts 2A and 3A with both tracts having mixed C-2 and O-1 uses and referring to Andalucia Subdivision General Note No. 3 to indicate which areas are C-2 and O-1. By claiming that the underlying land would still be used for O-1 uses applicant attempts to avoid Res. 270-1980. Since the proposed amendment would eliminate Tract 3, the zone map has to be amended to reflect the changes. In addition in fact the "buffer" O-1 land from Tract 3 that would be in Tract 2A will be used for C-2 shopping center purposes. Finally since the Credit Union recently approved at Coors and Learning Road is a commercial use the effect of that approval reduces the 23.3 ac of C-2 uses available throughout the subdivision so the current application in effect increases C-2 usage.

#### D. Traffic Analysis.

The applicant should be required to submit a new TIS addressing bicycle and pedestrian safety, should be required to use the latest tools and software available, and required to submit a three year accident analysis. The applicant should also be required to submit a truck access and impact study. Applicant assumes new access to Montano and does not address access when Winterhaven is grade separated. All studies should be based on approved access (not access

points not approved) and should consider the effect of grade separation at Winterhaven and Montano. [Grade separation would also eliminate the new proposed Montano access.]

Bicycle and Pedestrian Safety. Prior to the filing of this application Bosque School advised the City and applicant that the 2007 TIS did not address bicycle and pedestrian safety. See Tab B-1. There have been two 2011 updates to the TIS (November 7, 2011 and November 22, 2011). The November 22, 2011 study was made available on November 29, 2011. Neither of the studies addresses bicycle and pedestrian safety even though the location is adjacent to a school and even though the Andalucia plan identifies public and private trails as a *defining element* of the development. ("Public and private trails and sidewalk systems are a defining element to Andalucia at La Luz. Private trails for use by residents are designed to lessen the need for vehicular use and will provide pedestrian connectivity throughout the project.") See also Andalucia Regulations (requiring businesses to post the city trail map and bus routes and to provide conveniently located bicycle racks and facilities to encourage bicycle commuting). The Subdivision requirement to encourage pedestrian and bicycle commuting makes it imperative that the TIS address pedestrian and bicycle safety. The tools to study and address bicycle and pedestrian safety exist. See Exhibit B-1.

Although the TIS failed to address pedestrian safety *per se* the TIS analysis is incomplete to the extent it addresses pedestrian impact. The TIS suggests widening medians. See Exhibit B-2 at p. 4. ("There is no explanation as to the number of pedestrians expected, or how many persons would be accommodated by widening one or more medians.") The TIS does not consider student pedestrian traffic to and from the development and conflicts between students, patrons of the development and delivery trucks. See Exhibit B-2, p. 4.

Bicycles are not addressed in the TIS update even though there is a bicycle path and bicycle access is supposed to be a defining element and TMD guidelines encourage bicycle commuting. (Andalucia p. 3 of 3 at C5).

The TIS Should Utilize Current Review Methodology. The TIS utilized outdated review tools. The November 22, 2011 (and prior TIS) do not use the latest version of the Highway Capacity Manual (HCM) software. See Report of David Albright attached as Exhibit B-2. This was required by the City scoping letter and therefore violates the City's scoping requirement. The author of the TIS justifies this by claiming that a commercial software package utilizing latest HCM software is not "operational". See TIS update November 22, 2011, p. 8. See also Exhibit B-2 at p. 2. The author of the TIS is incorrect. Software is available that implements the current Highway Capacity Manual. As Mr. Albright explains in his report this deficiency is particularly important since the proposed development is at the critical Coors/Montano

intersection is adjacent to a school and involves the confluence of pedestrians, bicycles and automobiles. Albright, Exhibit B-2 at p. 2.<sup>4</sup>

Accident Analysis. A new TIS is required and should include an accident analysis.

No accident analysis was included in the TIS. *See* Exhibit B-2 at p. 3. (“An accident analysis is fundamental for proposed development located next to a school. An accident analysis is also important for any proposed development next to a bike route.” *See* NMDOT “State Access Management Manual” Ch. 6 E§3(c); “Safety Analysis: Three years of accident history should be reviewed for the major study area intersections. Intersection collision diagrams should be prepared showing the number of accidents, accident type, date and time of each accident and accident severity.” The Mid-Region Council of Government CMP Review (Vol. 4, Issue No. 1, March 2011) (*see* Exhibit B-4) provides Congested Corridor Rankings. These rankings compare actual traffic volume to design capacity, speed differential (difference between posted and actual speed) and crash data. Montano is the second worst road and Coors is the eighth worst in the Mid-Rio Grande region. Coors was second highest in crash points. The volume to capacity ratio (V/C) for Montano is 18.7 and Coors is 24.4. Volume to capacity is the ratio of actual traffic to design capacity. A ratio of greater than “1” indicates a level of traffic greater than the roadway was designed to handle. The absence of an accident analysis or safety analysis and use of outdated software are more glaring and potentially more dangerous in terms of lives because this intersection is already failing and the access roads are severally overcapacity. As Mr. Albright states:

“Since the decision by the developer was to not use the current design manual and available software, the TIS should be redone. As a part of the new study, accident analysis in the study area should be conducted. Given the relatively random nature of accidents, it is important that the analysis be over a minimum of three years and over the entire study area. An emphasis should be on bicycle and pedestrians incidents.” Exhibit B-2 at p. 4.

Incomplete analysis of truck access. The TIS admits that the 25-foot curb radii may not accommodate delivery trucks. (11/22/2011 TIS update “Larger radii may be required to accommodate delivery trucks.”) TIS by Terry Brown at p. 22. Applicant has not addressed this issue. Trucks cannot enter from or exit to Montano (truck restriction, future grade separation at Winterhaven). This leaves two possible access points on Coors. Mirandela and the right in/right out driveway between Mirandela and Montano. The site plan provides a 25 foot radii entrance on the northern corner of the site. Can trucks make this right in from the right lane? They would have to drive over the roundabout at the northwest corner of the Walmart (Note that there is no “defining monument” shown for this roundabout. *See* Design Standards at C-3 “Because these

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<sup>4</sup> Andalucia required the entire development to provide trails and sidewalk systems as a “defining element.”

[roundabout] locations will be focal points, a character defining monument element will be located at the center of the traffic circle.”) The northeast corner of the Walmart shows radii of 15’ from Miradela/Winterhaven and no radii for the 90 degree turn from the Walmart north side. If trucks enter from the south side they are forced to make 180 degree turns to enter the loading docks. This requires about 100 feet for a standard semi truck. **A truck access and impact study should be required utilizing the Federal Highway Administration vehicle classifications so the radii can be compared with proposed access points and internal turns required.** Projected number of truck trips by truck type and Gross Vehicle Weight should be stated and evaluated as well as potential conflicts with school, pedestrian, bicycle and auto traffic. Day/time of delivery should be considered. See B-2 at p. 5.

Other TIS Issues:

- The TIS discusses widening medians but fails to address what impact this will have on traffic flow.
- As concluded by Mr. Albright a new TIS update should be required to answer “the more pressing concerns about safety as well as operational efficiency of increased vehicles, delivery trucks, bicycles and pedestrians.”
- This site plan is premised on a new right-in/right out onto Montano. Approval for this entrance to Montano has not been given. Since the site plan and TIS are premised on an entrance/exit that has not been approved the application should not be considered.
- The site is not designed as required by TDM standards adopted by Andalusia Regulations so as to encourage bicycle commuting. (There are no separate bicycle paths, bicycles must travel the auto-oriented lanes though the site to access the buildings). Note: There is no crosswalk across Winterhaven to Bosque School, no crosswalk/pedestrian connections to “future retail”.

E. Summary of Issues.

The application should be denied for the following reasons:

1. The site does not have full access as required by Z.C. §14-16-3-2(D)(2)(b) (requiring a large retail facility “to be located adjacent to and have primary and *full access* to a street designated as at least a collector ....”) (emphasis added). This site does not have full access to Coors or Montano or to a collector meeting the requirements of the ordinance and as a result is prohibited.

The subdivision application shows access to Montano which has not been approved. Approval of a subdivision amendment predicated on a new access to Montano should not proceed until there is approval of the proposed new access by MRCOG. See detailed discussion and supporting materials under Tab 1.

2. Andalusia Regulations and Design Standards. The application for subdivision amendment and building permit for a large retail facility violates the pedestrian oriented **village character** requirements of the Andalusia Regulations. The size or scale of the large retail facility, vast area of parking and design of the center do not create the pedestrian oriented, walkable, village character environment required by the Andalusia Regulations. See discussion and materials under Tab 2.

This application proposes two phases of suburban automobile oriented development but contains no planning or phasing to a finer-scaled pedestrian oriented development. Were there no Andalusia requirement for a pedestrian oriented village character and no activity center under the Comprehensive Plan or WSSP applicant could propose a Phase I auto oriented Big Box. In this case applicant proposes two phases of auto oriented retail development.<sup>5</sup> The zoning code provides that large retail facilities can provide for phasing and transition to a mixed-use pedestrian oriented development. See Z.C. §14-16-3-2(D)(4)(a) and §14-16-3-2(D)(4)(b) (providing for phasing to a finer-scaled, pedestrian oriented, mixed-use development). Pedestrian oriented development is required under the Comprehensive Plan and WSSP and Andalusia Regulations. Approval would also eliminate any hope for future office defeating the true mixed use nature of the original approval.

What applicant proposes is not the fine-scaled, pedestrian oriented mixed use development described in Z.C. §14-16-3-2(D)(4)(a) and §14-16-3-2(D)(4)(b) or the Andalusia regulations. Both the subdivision amendment and the site plan for building permit should be denied. This auto oriented strip commercial development also violates the Comprehensive Plan and WSSP (see for example, definitions of linear v. nodal development, strip commercial development, WSSP Policy 1.3 (p. 39); Policy 1.9 (Scale, p. 40), Policy 1.12 (p. 41); Policy 4.6g (p. 175). Definitional p. 299, Policy 4.6h (p. 175) and WSSP generally including but not limited to pp. 21-40.

3. The application locates semi-truck loading and parking on current Tract 3 (zoned O-1) and in the in the O-1/PRD buffer zone (within 300 feet of Bosque School/Learning Road) adopted by Andalusia Subdivision General Note 3. This area cannot be used for C-2 retail purposes, C-2 parking or for semi-truck loading and parking as

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<sup>5</sup> There is an area reserved of about a half acre of "office" on the otherwise retail zoned Tract 3A but this is so minimal in relation to the rest of the development as to be inconsequential.

proposed. Tract 3 was created as a separate tract to enforce these limitations/protections and should not be eliminated. Parking for the retail center is a C-2 use. Loading dock access and semi-truck loading and unloading and ingress to loading docks is also a C-2 use. See discussion under Tab 3. Tract 3 was to be used as a buffer area and an area for offices. Converting the area to parking for the retail big box and to loading dock use is contrary to the intent of the subdivision site plan and the zoning code.

Not only does the application violate the O-1 zoning of Tract 3 it violates the intent of the buffer requirement. The land of Tract 3 is not being used as a buffer area under this proposal. Its proposed use does not meet the definition of "parking lot." Access to the loading dock and general shopping center access is not a parking lot. Applicant also proposes to use the O-1 buffer area for part of retail garden center which is also not an O-1 use. The original size of the curb cut (24') to a Tract 3 demonstrates that there was never any intent that this buffer O-1 lot be accessed by large trucks and become just part of a retail shopping center site without offices. The proposed use of Tract 3 for retail parking, for loading dock access, truck loading, unloading and other intense C-2 uses is contrary to the zoning code and Andalusia regulations. See Tab 3. [Note: staff opined (11/23/2011 memo) that the O-1 buffer area can be diverted to C-2 shopping center uses "if the activity is mitigated." There is no provision for a variance of the zoning requirements of an SU-1 plan or of zoning to allow C-2 uses in the O-1 zone "if mitigated."] Note that in Project No. 1003859 the EPC required a zone map amendment. To devote this area to C-2 use needs a subdivision amendment and zone map amendment.

4. The Subdivision Amendment application is (as described above) a request to amend the zone map and therefore Res. 270-1980 applies to this request. Applicant has not met its burden for a zone map amendment under Res 270-1980. *See* Tab 4.
5. The applicant has failed to demonstrate effective and sufficient access for large trucks that must supply the supercenter. *See* discussion under Tab 5.
6. The site plan for subdivision is incomplete because it does not address the entire site included in the original subdivision and does not address the Andalusia regulations/standards. *See* discussion under Tab 6.
7. The proposed plan does not create separate vehicle and pedestrian circulation systems so as to support a pedestrian-oriented village character as required by the Andalusia Regulations. *See* discussion under Tab 7.

8. The proposed plan is not complimentary to La Luz and Bosque School as required by Andalusia regulations/standards. *See* discussion under Tab 8.
9. Site design. Z.C. §14-16-3-2(D)(3) provides for a large retail facility site to be designed with a block/street design to promote both pedestrian activity and ultimate evolution to a mixed use. This proposed plan gives nominal attention to blocks of parking but does not meet that requirement. ZC§14-3-2(D)(5) requires pedestrian connections throughout the site, connections to neighborhoods and landscaping compatible with the site's scale. The end result is to be "as active pedestrian street life, replace large off-street parking filled with parking structures ...." *See* Tab9.
10. The application does not meet the zoning code requirements for pedestrian connections and distribution of parking. ZC §14-16-3-2(D)(4) and §14-16-3-2(D)(5). *See* Tab 10.
11. Building articulation does not meet required criteria of the Big Box Ordinance. ZC §14-16-3-2(D)(b). *See* discussion under Tab 11.
12. The public space or plaza calculations are misleading and do not meet the requirements of Andalusia or of the zoning code. Some of the areas calculated as public space do not function as public space and do not meet view requirements of bosque view. *See* Tab 12.
13. A drive through for the large retail facility is inconsistent with the Andalusia requirements. *See* Tab 13.
14. Approval would have the effect of exceeding the maximum allowable C-2 uses provided for (23.3 ac) by the Andalusia Subdivision. There is no justification to increase C-2 uses and doing so is inconsistent with the Andalusia Regulations requirements for mixed use, vibrant pedestrian orientation and village character. *See* Tab 14.
15. Drainage. The plans (C-10) states that Walmart will use passive water harvesting whenever possible. The importance of harvesting and of the quality of water to be discharged into the public drainage pond and the river should be part of any approval of a site plan for building permit. The Development Process manual (DPM)) requires structural measures to address storm water pollution and water quality. Silver Leaf's default regarding its obligations raises concern for further compliance as it is the applicant. *See* Tab 15.

16. Outdoor storage proposed in the nursery area is prohibited. See Tab 16.
17. The application should not be approved but, if approved, the following conditions should be adopted:

Camping and parking of overnight trailers as is typical of Walmarts is incompatible with the zoning and Andalusia Regulations and should be expressly prohibited in any development.

24-hour operating is incompatible with the community and the retail center house should be restricted to 8:00 a.m. to 9:00 p.m.

Liquor sales next to a school are not complimentary and should be expressly prohibited.

Any drive up for pharmacy sales is contrary to the pedestrian village concept and should be prohibited. Any other drive through beyond those already approved should be prohibited.

Additional documents which may be referenced are under Tab 17. Bosque School also adopts issues raised by the Westside Coalition and other neighborhood groups and citizens.

E. Procedure for EPC hearing.

The fundamental requirement of procedural due process is a fair hearing. Although the applicant's complete submittal is required to be included in their application the Commission allows the applicant substantial time to address the Commission to explain their position and illustrate their arguments. As set forth above Bosque School has a vested interest in this application and has standing under EPC rules. I have tried to list major issues in this letter but should have sufficient time to advocate and explain these issues. In order to provide Bosque with due process, I request that the Chair provide me with ten minutes address the Commission.<sup>6</sup>

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<sup>6</sup> Bosque School recognizes the EPC often enlarges time for neighborhood associations. EPC Rules, however, do not expressly provide the same consideration for an adjoining property owner even though the adjoining property owner has a more direct interest in the proceeding and standing under EPC rules. Due process requires some balance in the time allotted Bosque as an interested party with a vested interest to present an intelligent argument and not to be simply limited to 2 minutes of "comment." Counsel recognizes that the Chair typically provides additional time to a property owner represented by counsel and has no reason not to expect the same practice to be followed in this hearing but since the rules applicable to appeals require every issue to be raised administratively Bosque documents its request here. Counsel requests 10 minutes to provide a cogent presentation that focuses on relevant issues.

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For all of the reasons discussed herein the proposed plan is not complimentary to Bosque School and the La Luz Development as required by Andalusia Regulations.

Very truly yours,



Timothy V. Flynn-O'Brien

TVFOB/mlg  
Enclosures as stated

**EXHIBIT A**

- Home
- Living
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- A - Z
- Transparency

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## "Big Box" Regulations

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### Large Retail Facility Ordinance

In recent years a number of Large Retail Facilities, commonly termed "Big Boxes," have been developed in Albuquerque. These operations offer benefits to the community such as a wide variety of goods and service at lower prices. These structures also have sometimes created problems related to traffic congestion, architectural scale, compatibility with the adjoining neighborhoods, light, and noise.

The **Large Retail Facility Ordinance** Bill No. C/S2 O-06-53 was passed (7:2) at the August 20, 2007 City Council meeting. The Ordinance applies to retail suites 75,000 sf. and greater (stand alone or within a structure), and addresses appropriate locations, roadway and transit capacity, street access, and appropriate design. The Ordinance does not prohibit big boxes.



The draft regulations are intended to implement several City policies related to:

- compatibility with surrounding neighborhoods
- creation of a high quality and attractive "built environment"
- prevention of neighborhood cut-through traffic
- pedestrian orientation and connectivity
- use of transit

### Development Phases of Large Retail Facilities

The Ordinance provides for a transition over time from a more vehicle-oriented "big box" type retail development with large surface parking fields to finer-scaled, pedestrian oriented, mixed-use development, replacing surface parking with some parking structures, and producing a village center that is integrated into the surrounding neighborhoods.

This desired transition reflects development trends and is intended to create a better, more marketable, and higher use development. The regulations will implement the goals of the Albuquerque / Bernalillo County Comprehensive Plan  and the Planned Growth Strategy.

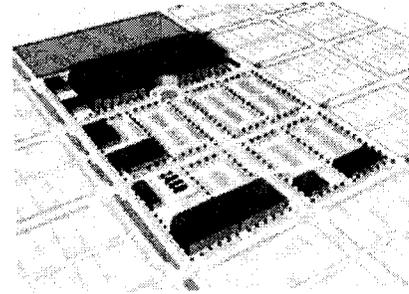
## Large Retail Discussion

A video discussion by Councilors Benton and O'Malley about the Large Retail Ordinance is available for viewing. The video includes pictures of how the best features of Albuquerque's urban commercial landscape will come together through this ordinance.

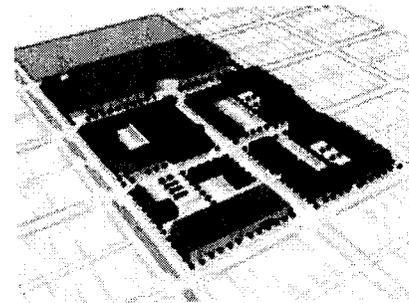
- City Council video discussion

### Navigation

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  - Charter Review Task Force
  - 4th Street & Montaño Area Improvement Coalition
  - 12th and Menaul / Former Albuquerque Indian School Site
  - 21st Century Transportation Task Force
  - "Big Box" Regulations
  - Community Economic Forum 2004
  - Huning Highland - East Downtown (EDO) Planning
  - Montaño Corridor Studies
  - Nob Hill Highland Sector Development Plan
  - Planned Growth Strategy
  - Police Oversight Task Force Report
  - A Report on the Oversight Mechanisms of the Albuquerque Police Department
  - Proposed Downtown Arena
  - South Yale Sector Plan
  - Uptown Sector Development Plan
  - Volcano Cliffs Sector Development Plan (VCSDP)
  - Volcano Heights Sector Development Plan
  - Form Based Code
  - West Side Strategic Plan Amendment for Volcano Mesa
  - Volcano Trails Sector Development Plan
- Find Legislation, Meetings, Agendas
- Council Meeting Schedules
- Current Projects and Studies
- Council History



Phase One



Final Phase

# CITY of ALBUQUERQUE

## SEVENTEENTH COUNCIL

COUNCIL BILL NO. C/S2 O-06-53 ENACTMENT NO. \_\_\_\_\_

SPONSORED BY: Debbie O'Malley

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**ORDINANCE**

**AMENDING SECTION 8-1-2-39 ROA 1994 TO ADD TO THE TRAFFIC ENGINEER DUTIES; AMENDING SECTION 14-8-2-7 ROA 1994, TO CREATE A STAKEHOLDERS' PROCESS AND TRAFFIC REVIEW FOR LARGE RETAIL FACILITIES; AMENDING SECTIONS 14-16-1-5(B), 14-16-2-16(A), 14-16-2-17(A), 14-16-2-20, 14-16-2-21, 14-16-2-22, 14-16-2-23, AND 14-16-2-24 ROA 1994, OF THE COMPREHENSIVE CITY ZONING CODE, TO AMEND AND ADD DEFINITIONS RELATED TO LARGE RETAIL FACILITY REGULATIONS, AMENDING SECTION 14-16-3-2 ROA 1994, SHOPPING CENTER REGULATIONS, TO CREATE NEW SITE DIVISION AND LARGE RETAIL FACILITY REGULATIONS; AMENDING 14-16-3-18(B) ROA 1994 ESTABLISHING PEDESTRIAN PLAZA REQUIREMENTS FOR RETAIL SITES OVER 125,000 SQUARE FEET; REPEALING SECTIONS 14-16-2-16(B)(6) AND 14-16-2-17(B)(6) ROA 1994.**

**BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:**

**Section 1. FINDINGS.**

**The City of Albuquerque finds:**

**(A) That it is beneficial to the City of Albuquerque to require additional design and location requirements for certain large commercial developments.**

**(B) That in recent years a number of Large Retail Facilities, commonly termed "Big Boxes", have been developed in the City. These structures have created unique problems related to traffic congestion, architectural scale, compatibility with the adjoining neighborhoods, and**

1 noise that have adversely impacted the neighborhoods where they have  
2 been located.

3 (C) That municipalities across the United States of America, including  
4 the City of Santa Fe, New Mexico and the City of Tucson, Arizona have  
5 adopted measures to guide the development of these facilities to balance  
6 the interests of the community and those of the developers of the projects.

7 (D) The City has adopted policies governing community identity and  
8 urban design. For instance, the Albuquerque / Bernalillo County  
9 Comprehensive Plan states, "The Goal is to preserve and enhance the  
10 natural and built characteristics, social, cultural and historical features that  
11 identify Albuquerque and Bernalillo County sub-areas as distinct  
12 communities and collections of neighborhoods."

13 (E) That this Ordinance is intended to preserve the ability to develop  
14 Large Retail Facilities while minimizing adverse impacts.

15 Section 2. Section 8-1-2-39 ROA 1994, is amended to read:

16 "§ 8-1-2-39 TRAFFIC ENGINEER.

17 (A) Appointment. The Traffic Engineer shall be appointed by the  
18 Mayor and he shall exercise the powers and duties as provided in this  
19 Traffic Code.

20 (B) Duties.

21 (1) It shall be the general duty of the Traffic Engineer to  
22 determine the installation and proper timing and maintenance of traffic-  
23 control devices; conduct engineering analysis of traffic accidents and  
24 devise remedial measures; conduct engineering investigation of traffic  
25 conditions; cooperate with other city officials in the development of ways  
26 and means to improve traffic conditions; and carry out such additional  
27 powers and duties as are imposed by this code and other city ordinances.

28 (2) The Traffic Engineer shall be responsible to the Mayor to  
29 designate such areas with special restrictions as authorized by this Traffic  
30 Code for the safe and efficient control of traffic and for the encouragement  
31 of either nonmotorized modes of travel or public transportation systems.

1       **Those areas shall include but not be limited to: bicycle lanes and paths,**  
2       **foot paths and paths or roads for other non-motorized modes of travel.**

3               **(3) The Traffic Engineer shall be responsible for management**  
4       **and review of traffic management plans and programs as specified in §14-**  
5       **8-2-7 ROA 1994 and shall also be responsible for those portions of §14-16-**  
6       **3-2 ROA 1994 pertaining to traffic management.”**

7               **Section 3. Section 14-8-2-7 ROA 1994, is amended to read:**

8       **“§ 14-8-2-7 RESPONSIBILITIES OF APPLICANTS AND DEVELOPERS.**

9               **(A) Applicants for approval of amendments of the zone map, site**  
10       **development plans (except houses and accessory buildings), major**  
11       **subdivisions, vacations of public right-of-way, mapping historic districts,**  
12       **landmarking sites, and issuance or transfer of liquor licenses shall, prior to**  
13       **filing the application, make a reasonable attempt to give written notification**  
14       **of their proposal to any recognized neighborhood association which**  
15       **covers, abuts, or is across public right of way from the subject site.**  
16       **Certified letters, return receipt requested, mailed to the two designated**  
17       **neighborhood association representatives on file at the City Office of**  
18       **Neighborhood Coordination constitutes a reasonable attempt to notify an**  
19       **association. Failure by an applicant to show proof of either notification in**  
20       **person or a reasonable attempt to give written notification of its proposal**  
21       **to such designated association representatives shall be grounds for a**  
22       **neighborhood association to request deferral of a hearing. The application**  
23       **for such hearing shall include a signed statement that such notification has**  
24       **been sent.**

25               **(B) Development Of Large Retail Facilities. Prior to submitting an**  
26       **application for a project that includes a Large Retail Facility, the applicant**  
27       **shall perform the following:**

28               **(1) Pre-Application Discussion with the Planning Review Team**  
29       **(PRT) to include the following:**

30               **(a) Complete the pre-application form and appropriate**  
31       **checklists.**

1                   (b)    Review of the request for appropriateness as related  
2 to the design regulations for Large Retail Facility and various applicable  
3 plans, policies, and ordinances including the Comprehensive Zoning Code  
4 and/or the Subdivision Ordinance. The review shall cover, but is not  
5 limited to, the location requirements for a Large Retail Facility, mixed use  
6 component requirements, proposed phases of development, and the  
7 neighborhood traffic management requirements.

8                   (c)    Identify all appropriate actions and procedures  
9 needed to obtain approval. This shall include, but not be limited to, the  
10 pre-application development review meeting with stakeholders.

11                  (d)    Identify a preliminary schedule/time frame for  
12 approval.

13                  (e)    Determine a filing date for the application if  
14 appropriate.

15                  (f)    Determine if a Traffic Impact Study (TIS) is required.  
16 If a TIS is required the City Traffic Engineer or his designee staff shall issue  
17 the developer a written scope for the TIS. The written scope shall be  
18 distributed to the applicant within seven working days of the City Traffic  
19 Engineer being contacted by the applicant's traffic engineer.

20                  (g)    Upon completion of the meeting the Planning  
21 Department shall prepare a report of the Pre-Application Session. The  
22 report shall include an outline of their preliminary direction based upon the  
23 information submitted. A copy of the report shall be provided to the  
24 developer and included in the case report for the site plan.

25                  (h)    The developer, if he or she chooses, may also submit  
26 a report on the meeting into the case file.

27                  (2)    Notice of Pre-Application Meeting.

28                  (a)    The applicant shall coordinate with the Office of  
29 Neighborhood Coordination to set up a pre-application public meeting. The  
30 applicant shall notify affected Neighborhood Associations per §14-8-2-7  
31 and all property owners within 100 feet of the subject site (excluding right-  
32 of-way). Notice shall be delivered by first class mail a minimum of 10 days

1 prior to the public meeting. In addition, the applicant shall post a sign(s) of  
2 at least 4 feet by 6 feet advertising the pre-application public meeting for at  
3 least 10 consecutive calendar days prior to the meeting.

4 (b) Notices shall include the date, time and place of the  
5 pre-application public meeting, the meeting purpose, a description and 8.5  
6 x11 drawing(s) of the proposed development, and any other information  
7 that the Planning Director and the Office of Neighborhood Coordination  
8 deem necessary. Drawings shall contain enough pertinent information to  
9 visually describe the development proposal.

10 (c) The Office of Neighborhood Coordination shall post  
11 meeting dates on the Planning Department's website and shall contact  
12 Neighborhood Associations by email.

13 (3) Pre-Application Public Meeting.

14 (a) The meeting shall be conducted and recorded by a  
15 facilitator.

16 (b) The applicant shall provide a visual and narrative  
17 presentation of the project concept, and shall identify existing traffic  
18 conditions and proposed traffic conditions as preliminarily identified in the  
19 TIS scope related to the project.

20 (c) Meeting attendees may identify any additional traffic  
21 problems that should be scoped and/or studied.

22 (d) The facilitator shall compile and maintain a list of  
23 issues and concerns pertaining to the project and shall inform meeting  
24 attendees on how they can remain involved in the process.

25 (e) The City Traffic Engineer shall attend the pre-  
26 application public meeting and shall consider the additional traffic  
27 problems in determining the scope that shall be addressed in the TIS,  
28 which shall be paid for by the applicant and reviewed by the City.

29 (f) Additional meetings may be held upon the request of  
30 those attending the meeting and as deemed useful by the facilitator. The  
31 facilitator shall prepare a report to be placed in the applicant's case file  
32 detailing the reasons for conducting additional meetings.

1                   **(4) Traffic Studies.** If, in the opinion of the Traffic Engineer, or  
2 upon a receipt by the Planning Director and the Traffic Engineer of a  
3 petition that includes a list of traffic issues created by the development of  
4 the large retail facility from 67% of the residences within 500 feet of the  
5 subject site, a Neighborhood Area Traffic Study is warranted, it shall be  
6 specified by the City Traffic Engineer with input from the meeting attendees  
7 and the applicant. Neighborhood Area Traffic Study or Studies and Cut  
8 Through Studies shall be paid for by the applicant and overseen by the City  
9 Traffic Engineer. The study shall include, at a minimum, the following:

10                   **(a) A baseline count of the vehicles per day traveling the**  
11 **local street;**

12                   **(b) A cut-through traffic study on those streets identified**  
13 **by the meeting attendees;**

14                   **(c) Current conditions and full build-out conditions.**

15                   **(5) Traffic Mitigation.**

16                   **(a) If the Neighborhood Area Traffic Study identifies**  
17 **current problems associated with traffic, speeding, and problem**  
18 **intersections on more than one local street in the neighborhood(s) and**  
19 **provides recommendations to resolve these problems, the City shall**  
20 **initiate a Neighborhood Traffic Management Program in the area.**

21                   **(b) If the Neighborhood Area Traffic Study identifies**  
22 **problems with the build-out conditions, or any phase of the project before a**  
23 **building permit is issued, the applicant shall post a financial guarantee in a**  
24 **form acceptable to the City Attorney and an amount determined by the**  
25 **traffic engineer, to pay for mitigation measures necessitated by the**  
26 **development.**

27                   **(c) Before a building permit is issued, the applicant shall**  
28 **post an additional 2% of the costs of the mitigation measures identified in**  
29 **the TIS as a contingency for future study and mitigation (contingency**  
30 **amount).**

31                   **(d) Within two weeks of issuing an occupancy permit the**  
32 **City Traffic Engineer and or the Planning Director shall provide notice to all**

1 residences and property owners within 200 feet of the project that a Cut  
2 Through Study will occur within 12 months of issuing an occupancy permit  
3 for the applicant's development. At least one year after issuing a certificate  
4 of occupancy, the applicant shall conduct a follow-up Neighborhood Area  
5 Traffic Study to determine if additional traffic mitigation measures are  
6 necessary as a result of the development. The City Traffic Engineer shall  
7 issue notice of the traffic study to the property owners within two hundred  
8 feet of the large retail facility at least two weeks before the commencement  
9 of the study. Such notice shall provide direction as to how the recipient can  
10 provide input into the study. If additional traffic mitigation measures are  
11 necessary, they shall be paid for by the applicant and the contingency  
12 amount of the applicant's bond shall not be released until the City accepts  
13 these mitigation measures. If the Neighborhood Area Traffic Study  
14 determines there is no need for further mitigation measures attributable to  
15 the development, the contingency amount shall be released.

16 (e) Projects identified as a result of the Neighborhood  
17 Traffic Management Program are not to be included in or to be considered  
18 part of the Component Capital Improvement Program (CCIP) except that  
19 improvements identified on the CCIP shall be eligible for impact fee  
20 credits."

21 Section 4. Section 14-16-1-5(B) ROA 1994, DEFINITIONS, is amended by  
22 inserting the following new definitions and definitional changes in proper  
23 alphabetical order:

24 "BACK TO BACK STRUCTURE. A structure that includes two rows of  
25 retail outlets placed rear of outlet to rear of outlet.

26 FORECOURT. A court forming an entrance plaza for a single building or  
27 a group of buildings. Refer to §14-16-3-2, Large Retail Facility Regulations  
28 regarding forecourt requirements.

29 GLAZING. The clear or translucent material through which light is  
30 transmitted into a building; usually glass but also includes acrylic and  
31 other materials. Glazing shall have a transparency that allows a pedestrian  
32 to see through the window.

1           **LARGE RETAIL FACILITY.** A single tenant structure with at least 75,000  
2 square feet of net leasable area for the purpose of retailing. A Shopping  
3 Center Site with a Main Structure of 75,000 square feet or more is a Large  
4 Retail Facility. Refer to §14-16-3-2 for Large Retail Facility Regulations.

5           **MAIN STRUCTURE.** A building used for the purpose of retailing that is  
6 at least 75,000 square feet in size and dedicated to a single tenant, or a  
7 building that has one or more tenants with at least one tenant occupying at  
8 least 75,000 square feet for retail uses. A collection of smaller buildings,  
9 each less than 75,000 square feet and linked by common walls is not  
10 considered a main structure. Refer to §14-16-3-2 for Main Structure  
11 Regulations.

12           **MASSING.** The overall composition of the exterior of the major volumes  
13 of a building and their relationship to each other in a sequence in the  
14 overall design of the building or structure.

15           **NEIGHBORHOOD AREA TRAFFIC STUDY.** A study that is intended to  
16 respond to cut-through traffic, speeding, and problem intersections on  
17 more than one local street in a neighborhood. Neighborhood Area Traffic  
18 Studies are more complex than single street traffic studies. The study area  
19 is larger and problems are inter-related and they require research and  
20 analysis and substantial involvement by neighborhood residents. Cut  
21 through studies that are part of a neighborhood traffic study shall be  
22 performed by the City Traffic Engineer or a qualified professional engineer  
23 using the methodologies of the City of Albuquerque Neighborhood Traffic  
24 Management Program (NTMP) to perform a cut through study.

25           **PARKING SPACE, AUTOMOBILE AND LIGHT TRUCK.** A suitable space  
26 for vehicular storage, at least 8.5 feet in width and 18 feet in length, that  
27 may be reduced to 16 feet in length where cars can overhang wheel stops,  
28 with access and circulation satisfactory to the Traffic Engineer; however, if  
29 a premises contains more than 20 parking spaces, one-third of the spaces  
30 may be at least 8 feet in width and 15 feet in length.

1           **PEDESTRIAN SCALE LIGHTING.** Lighting in pedestrian areas not to  
2 exceed 16 feet in height, which allows people to see and be seen from a  
3 distance of 40-60 feet.

4           **PEDESTRIAN PLAZA (OUTDOOR COURTYARD).** An outdoor public  
5 space that contains seating and shade and is typically privately owned and  
6 maintained.

7           **PEDESTRIAN WALKWAY.** A sidewalk located on a private property.

8           **PETROLEUM PRODUCTS RETAIL FACILITY (FUELING PLAZA).** A  
9 facility for outdoor sales of gasoline, petroleum or liquefied gas.

10          **PRIMARY DRIVEWAY.** The principal vehicular entrance from a public  
11 right of way into or out of a premises. Most automobile trips to and from  
12 the premises are directed to the Primary Driveway as identified in the site  
13 plan.

14          **RETAIL SUITE LINER.** A retail suite connected to and extending from  
15 the front or side of a Main Structure for the purpose of screening.

16          **SECONDARY DRIVEWAY.** A vehicular entrance used to supplement a  
17 Primary Driveway access from a public right of way into or out of a  
18 premises. Provides vehicular access to the premises in addition to a  
19 Primary Driveway access.

20          **SHOPPING CENTER SITE.** A premises containing five or more acres;  
21 zoned P, C-1, C-2, C-3, M-1, M-2, or a combination thereof; or a Large Retail  
22 Facility; but excluding premises used and proposed to be used only for  
23 manufacturing, assembling, treating, repairing, rebuilding, wholesaling,  
24 and warehousing. Shopping Center Sites are subject to the Shopping  
25 Center Regulations of the Zoning Code, §14-16-3-2.

26          **THROUGH TRAFFIC LANE.** A lane which extends between two  
27 roadways both classified as at least a collector on the Long Range Major  
28 Street Plan.

29          **TRUCK BAY.** The freight receiving and discharging area that may  
30 include raised or depressed loading docks, loading ramps and the parking  
31 space and or parking wells for trucks when being unloaded or loaded.”

1           **Section 5. Section 14-16-2-16(A) ROA 1994, C-1 NEIGHBORHOOD**  
2 **COMMERCIAL ZONE, Permissive Uses, is amended to add a new**  
3 **subsection, and renumber remaining subsections accordingly, to read:**

4           **“(7) Residential Uses Permissive in the R-3 Zone with the**  
5 **following exceptions:**

6                   **(a) Houses are not allowed;**

7                   **(b) No less than 20% and no more than 60% of the gross**  
8 **floor area of the structures on the site shall be developed with residential**  
9 **uses;**

10                   **(c) Residential uses shall be part of a vertical mix of**  
11 **uses (e.g. residential over commercial or residential over office).**

12                   **(d) Where residential uses are proposed, the following**  
13 **regulations shall apply:**

14                           **1. Area: minimum of 5 acres.**

15                           **2. Height: Pursuant to the R-3 Zone.**

16                           **3. Density: The total square footage of all**  
17 **buildings shall achieve a minimum floor area ratio of 0.3.**

18                           **4. Usable Open Space: Pursuant to the R-3 Zone.**  
19 **At least 50% of the required open space shall be provided in the form of**  
20 **shared or aggregate open space.**

21                           **5. Shared Parking: As provided in §14-16-3-**  
22 **1(E)(6)(b) except that parking for residential uses is eligible for a shared**  
23 **parking exception.**

24                           **6. Approval Process: Site development plan**  
25 **approval by the Environmental Planning Commission.”**

26           **Section 6. REPEALER. Section 14-16-2-16(B)(6) ROA 1994, is hereby**  
27 **repealed in its entirety and the remaining subsections renumbered**  
28 **accordingly.**

29           **Section 7. Section 14-16-2-17(A) ROA 1994, C-2 COMMUNITY**  
30 **COMMERCIAL ZONE, Permissive Uses, is amended to add a new**  
31 **subsection, and renumber remaining subsections accordingly, to read:**

1           **“(8) Residential Uses Permissive in the R-3 Zone with the**  
2 **following exceptions:**

3                   **(a) Houses are not allowed.**

4                   **(b) No less than 20% and no more than 60% of the gross**  
5 **floor area of the structures on the site shall be developed with residential**  
6 **uses.**

7                   **(c) Residential uses shall be part of a vertical mix of**  
8 **uses (e.g. residential over commercial or residential over office).**

9                   **(d) Where residential uses are proposed, the following**  
10 **regulations shall apply:**

11                           **1. Area: Minimum of 5 acres.**

12                           **2. Height: Pursuant to the R-3 Zone.**

13                           **3. Density: The total square footage of all**  
14 **buildings shall achieve a minimum floor area ratio of 0.3.**

15                           **4. Usable Open Space: Pursuant to the R-3 Zone.**  
16 **At least 50% of the required open space shall be provided in the form of**  
17 **shared or aggregate open space.**

18                           **5. Shared Parking: As provided in §14-16-3-**  
19 **1(E)(6)(b) except that parking for residential uses is eligible for a shared**  
20 **parking exception.**

21                           **6. Approval Process: Site development plan**  
22 **approval by the Environmental Planning Commission.”**

23           **Section 8. REPEALER. Section 14-16-2-17(B)(6) ROA 1994, is hereby**  
24 **repealed in its entirety and the remaining subsections renumbered**  
25 **accordingly.**

26           **Section 9. Section 14-16-2-20 ROA 1994, M-1 LIGHT MANUFACTURING**  
27 **ZONE, is amended to add a new subsection, to read:**

28                   **“(H) Large Retail Facility Regulations. Any site containing a Large**  
29 **Retail Facility, as defined in §14-16-1-5 of the Zoning Code, is subject to**  
30 **special development regulations. The Large Retail Facility Regulations are**  
31 **provided in §14-16-3-2 of the Zoning Code.”**

1           **Section 10. Section 14-16-2-21 ROA 1994, M-2 HEAVY**  
2 **MANUFACTURING ZONE, is amended to add a new subsection, to read:**

3           **“(H) Large Retail Facility Regulations. Any site containing a Large**  
4 **Retail Facility, as defined in §14-16-1-5 of the Zoning Code, is subject to**  
5 **special development regulations. The Large Retail Facility Regulations are**  
6 **provided in §14-16-3-2 of the Zoning Code.”**

7           **Section 11. Section 14-16-2-22 ROA 1994, SU-1 SPECIAL USE ZONE, is**  
8 **amended to add a new subsection, and renumber remaining subsections**  
9 **accordingly, to read:**

10           **“(I) Large Retail Facility Regulations. Any site containing a Large**  
11 **Retail Facility, as defined in §14-16-1-5 of the Zoning Code, is subject to**  
12 **special development regulations. The Large Retail Facility Regulations are**  
13 **provided in §14-16-3-2 of the Zoning Code.**

14           **Section 12. Section 14-16-2-23 ROA 1994, SU-2 SPECIAL**  
15 **NEIGHBORHOOD ZONE, is amended to add a new subsection, to read:**

16           **“(D) Large Retail Facility Regulations. Any site containing a Large**  
17 **Retail Facility, as defined in §14-16-1-5 of the Zoning Code, is subject to the**  
18 **special development regulations for Large Retail Facilities as provided in**  
19 **§14-16-3-2 of the Zoning Code unless the site is governed by a Rank III Plan**  
20 **that contains design regulations or other similar standards applicable to**  
21 **retail development, as determined by the Planning Director, then the**  
22 **regulations of the Rank III Plan shall apply.”**

23           **Section 13. Section 14-16-2-24 ROA 1994, SU-3 SPECIAL CENTER**  
24 **ZONE, is amended to add a new subsection, and renumber remaining**  
25 **subsections accordingly, to read:**

26           **“(F) Large Retail Facility Regulations. Any site containing a Large**  
27 **Retail Facility, as defined in §14-16-1-5 of the Zoning Code, is subject to the**  
28 **special development regulations for Large Retail Facilities as provided in**  
29 **§14-16-3-2 of the Zoning Code unless the site is governed by a Rank III Plan**  
30 **that contains design regulations or other similar standards applicable to**  
31 **retail development, as determined by the Planning Director, then the**  
32 **regulations of the Rank III Plan shall apply.”**

1           **Section 14. Section 14-16-3-2 ROA 1994, SHOPPING CENTER**  
2 **REGULATIONS, is amended to add Large Retail Facility Regulations as**  
3 **follows:**

4           **“(D) Large Retail Facility Regulations.**

5                   **(1) Applicability.**

6                           **(a) Provisions of this section and Section 14-8-2-7,**  
7 **Responsibilities of Applicants and Developers, shall apply to the following,**  
8 **as determined by the Environmental Planning Commission (EPC):**

- 9                                   1. **New construction of a Large Retail Facility;**
- 10                                  2. **Change of use from a non-Large Retail Facility**  
11 **to a Large Retail Facility as defined in Section 14-16-1-5;**
- 12                                  3. **Building expansion of more than 50% of the**  
13 **existing square footage.**

14                           **(b) Building expansion of 10% to 50% of the existing**  
15 **square footage of an existing Large Retail Facility shall be subject to the**  
16 **following requirements:**

- 17                                   1. **Pre-application discussion with the Planning**  
18 **Review Team (PRT).**
- 19                                  2. **Compliance with the Large Retail Facilities**  
20 **design regulations as determined by the EPC. The EPC before issuing final**  
21 **design regulations shall request input from neighborhood associations**  
22 **with boundaries that are within 200 feet of the proposed project.**

23                           **(c) Building expansion up to 10% of the existing square**  
24 **footage and building renovation of an existing Large Retail Facility shall**  
25 **comply with the design regulations in this section to the extent possible as**  
26 **determined by the Planning Director.**

27                           **(2) Location and Access of Large Retail Facility. The following**  
28 **regulations manage the location and design of Large Retail Facilities.**  
29 **These regulations are necessary for the proper functioning and enjoyment**  
30 **of the community. They protect the quality of life within surrounding**  
31 **residential areas, support efficient traffic flows, and provide consistent**  
32 **regulations for such Facilities. Large Retail Facilities shall be located to**

1 secure adequate street capacity to transport pedestrians and vehicles to  
2 and from Large Retail Facilities, and discourage traffic from cutting  
3 through residential neighborhoods. The regulations result in efficient and  
4 safe access for both vehicles and pedestrians from roadways in the  
5 Metropolitan Transportation Plan to neighborhoods in the vicinity of Large  
6 Retail Facilities. The Planning Director, after initial review of a Large Retail  
7 Facilities proposal, may require the site to comply with the next level of  
8 Large Retail Facilities Regulations.

9 (a) Large Retail Facilities containing 75,000 to 90,000 Sq.  
10 Ft. Net Leasable Area are:

- 11 1. Permitted in, C-2, C-3, M-1, M-2, IP, SU-1 and  
12 the SU-2 Zones for uses consistent with C-2, C-3, M-1, M-2, IP Zones; and
- 13 2. Permitted in C-1 zones if the project site or site  
14 plan reviewed for subdivision is greater than seven acres.
- 15 3. Required to be located adjacent to and have  
16 primary and full access to a street designated as at least a collector in the  
17 Mid-Region Council of Governments' Metropolitan Transportation Plan and  
18 having at least two through traffic lanes.

19 (b) Large Retail Facilities containing 90,001 to 124,999  
20 Sq. Ft. Net Leasable Area are:

- 21 1. Permitted in C-2, C-3, M-1, M-2, and IP zones  
22 and SU-1 and SU-2 zones for uses consistent with C-2, C-3, M-1, M-2, IP  
23 Zones; and
- 24 2. Required to be located adjacent to and have  
25 primary and full access to a street designated as at least a collector in the  
26 Mid-Region Council of Governments' Metropolitan Transportation Plan and  
27 having at least four through traffic lanes.

28 (c) Large Retail Facilities containing 125,000 square feet  
29 or greater of Net Leasable Area are:

- 30 1. Permitted in the C-2, C-3, M-1, M-2, IP, SU-1  
31 and SU-2 for uses consistent with C-2, C-3, M-1, M-2, IP Zones; and



1 time. The site plans for subdivision in Phase One and the Final Phase, if  
2 proposed, shall subdivide or plan the site as follows:

3 (a) The entire site shall be planned or platted into  
4 maximum 360' x 360' blocks except as provided in Items (c) and (d) of this  
5 subsection.

6 (b) Primary and Secondary Driveways (or platted  
7 roadways) that separate the blocks shall be between 60' and 85' wide and  
8 shall include the following:

- 9 1. Two 10' travel lanes;
- 10 2. Two parallel or angle parking rows or a  
11 combination of such on both sides of the Driveway rights of way are  
12 permitted but not required;
- 13 3. Two 6' landscaped buffers with shade trees  
14 spaced approximately 30' on center;
- 15 4. Two 8' Pedestrian Walkways constructed of  
16 material other than asphalt;
- 17 5. Pedestrian Scale Lighting that provides at  
18 least an illumination of 1.2 to 2.5 foot candles or the equivalent foot  
19 lamberts; and
- 20 6. Standup curb.

21 (c) One block can be expanded to approximately 790' x  
22 360' if a Main Structure (including Retail Suite Liners) covers more than  
23 80% of the gross square footage of a block.

24 (d) If the site dimensions result in irregular block sizes,  
25 blocks of different dimensions are allowed provided:

- 26 1. The block sizes achieve the intent of this  
27 section;
- 28 2. Approval is granted by the EPC;
- 29 3. The narrow side of the block abuts the  
30 adjacent street that provides the primary access; and
- 31 4. The center of the long side has a major  
32 entrance, including a Forecourt.

1                   **(4) Development Phasing and Mixed-Use Component.** The  
2 **Large Retail Facility regulations address the build-out of a large site over**  
3 **time in order to guide the transition from more vehicle-oriented “big box”**  
4 **type retail development with large surface parking fields to finer-scaled,**  
5 **pedestrian oriented, mixed-use development, replacing surface parking**  
6 **with some parking structures, producing a village center that is integrated**  
7 **into the surrounding neighborhoods. This transition reflects actual trends**  
8 **in development and creates a better, more marketable, and higher use**  
9 **development.**

10                   **(a) Site development plans for Phase One shall be**  
11 **submitted to the EPC for approval. If future and/or final phases are**  
12 **proposed on the site, site development plans containing a level of detail**  
13 **appropriate for the phasing of the development shall also be submitted to**  
14 **the EPC for approval.**

15                   **(b) Mixed Use Component.** Mixed use development is  
16 **strongly encouraged in both Phase One and the Final Phase of the site**  
17 **plans for all Large Retail Facilities.**

18                   **(5) Site Design.** These regulations are intended to create  
19 **pedestrian connections throughout the site by linking structures, make**  
20 **pedestrian connections to external neighborhoods and other uses, and to**  
21 **provide landscaping compatible with the site’s scale for pedestrian shade**  
22 **and aesthetic beauty. The regulations will result in an active pedestrian**  
23 **street life, replace large off-street parking fields with parking structures and**  
24 **transit options, conserve energy and water, and meet the goals of the**  
25 **Albuquerque/ Bernalillo County Comprehensive Plan and the Planned**  
26 **Growth Strategy. The following subsections (a) through (n) apply to all**  
27 **Large Retail Facility Sites:**

28                   **(a) Context:** The design of structures shall be sensitive  
29 **to and complement the aesthetically desirable context of the built**  
30 **environment, e.g., massing, height, materials, articulation, colors, and**  
31 **proportional relationships.**

32                   **(b) Off-Street Parking Standards:**

1                                   1.     If a structure or structures, including Retail  
2     Suite Liners, occupies more than 80% of a planned or platted block, the Off  
3     Street parking shall be placed on another block.

4                                   2.     Parking shall be distributed on the site to  
5     minimize visual impact from the adjoining street. Parking shall be placed  
6     on at least two sides of a building and shall not dominate the building or  
7     street frontage. Parking Areas may front onto roadways identified as  
8     limited access in the Mid-Region Council of Governments' Metropolitan  
9     Transportation Plan, provided that they are adequately screened with  
10    landscape walls and plantings. If a project has multiple phases the final  
11    phase site plan, if proposed, shall show the elimination of surface parking  
12    areas but may include parking structures.

13                                3.     If the site is planned into 360' x 360' lots as  
14    called for in these regulations, parking requirements may be met by spaces  
15    located on a block immediately adjacent to the structure creating the  
16    parking demand.

17                                4.     Every third double row of parking shall have a  
18    minimum 10' wide continuous walkway dividing that row. The walkway  
19    shall be either patterned or color material other than asphalt and may be at-  
20    grade. The walkway shall be shaded by means of trees, a trellis or similar  
21    structure, or a combination thereof. Tree wells, planters or supports for  
22    shading devices may encroach on the walkway up to 3'. In no case shall  
23    the walkway be diminished to less than 5' width at any point.

24                                5.     Parking requirements for a Large Retail Facility  
25    with a mixed use component may use "best practice" standards for shared  
26    parking such as *Driving Urban Environments: Smart Growth Parking Best*  
27    *Practices*, a publication of the Governor's Office of Smart Growth, State of  
28    Maryland. Refer to §14-16-3-1 for Shared Parking Requirements.

29                                (c)    On-Street Parking Standards:

30                                   1.     Arterial or Collector roadways abutting a Large  
31    Retail Facility with a posted speed limit of 35 miles or less per hour shall

1 have on-street parking utilizing a parking/queuing lane under the following  
2 standards and if approved by the Traffic Engineer:

3 a. On-Street parking may use the existing  
4 adjacent outside lanes on an arterial or collector.

5 b. The parking/queuing lane may be  
6 provided by moving the curb lines within the property line and dedicating  
7 the parking/queuing lane to the City. The existing through lanes shall not  
8 be used as the parking/queuing lane unless a traffic analysis indicates that  
9 this will not result in unacceptable degradation of traffic flow, though  
10 existing can be restriped in a narrower configuration to provide space for  
11 the parking/queuing lane.

12 c. The parking/queuing lane has a  
13 maximum width of 16'.

14 d. Curb extensions/bump-outs shall be  
15 constructed at the ends of each block and shall include landscaping to be  
16 maintained by the property owner pursuant to a Maintenance Agreement  
17 with the City.

18 e. Street trees shall be planted pursuant to  
19 the Street Tree Ordinance, Chapter 6, Article 6, ROA 1994.

20 2. The regulations for parking credits and  
21 reductions set forth in 14-16-3-1(E)(6) shall apply to this sub-section except  
22 that 100% of the on-street parking shall be credited towards the project's  
23 parking requirements.

24 (d) Signage.

25 1. Signage shall comply with the Shopping  
26 Center Regulations for signage, §14-16-3-2(B).

27 2. All signage shall be designed to be consistent  
28 with and complement the materials, color and architectural style of the  
29 building(s).

30 3. All free-standing signs shall be monument  
31 style.



1 to blend with the architecture of the building. Trucks may not be moved or  
2 left idling between the hours of 10PM and 6:30AM if the truck bays are  
3 located within 300 feet of a residential structure unless negotiated with  
4 adjacent property owners and approved by the EPC.

5 2. Truck bays not adjacent to residential lots  
6 must be screened with a masonry wall extending vertically 8' above the  
7 finish floor level and horizontally 100' from the face of the dock to screen  
8 the truck. Screen walls shall be designed to blend with the architecture of  
9 the building.

10 (h) Landscaping. The following landscaping requirements  
11 shall apply:

12 1. Landscaped traffic circles are encouraged at  
13 the intersection of interior driveways or platted streets.

14 2. One shade tree is required per 8 parking  
15 spaces. Shade trees may be located at the center of a group of 4-8 parking  
16 spaces, clustered in parking row end caps, or located along internal  
17 pedestrian ways. Shade trees lining a pedestrian way internal to a parking  
18 area may count as a canopy tree of a parking space. Trees in landscape  
19 buffer areas shall not count as parking space trees.

20 3. Shade trees along Pedestrian Walkways shall  
21 be spaced approximately 25 feet on center.

22 4. Water conservation techniques shall be  
23 utilized where possible and as approved by the City Hydrologist or City  
24 Engineer. Such techniques may include water harvesting and permeable  
25 paving. Water from roof runoff should be directed or stored and used to  
26 assist all trees and landscaping. Parking spaces that meet infiltration  
27 basins or vegetated storm water controls should be bordered by permeable  
28 paving. Grasses and other ground vegetation should be near edges to help  
29 filter and slow runoff as it enters the site.

30 (i) Pedestrian Walkways. Internal Pedestrian Walkways  
31 shall be planned and organized to accommodate the inter-related  
32 movement of vehicles, bicycles, and pedestrians safely and conveniently,

1 both within the proposed development and to and from the street, transit  
2 stops, and the surrounding areas. Pedestrian Walkways shall contribute to  
3 the attractiveness of the development and shall be a minimum of 8 feet in  
4 width and constructed of materials other than asphalt. Pedestrian  
5 Walkways along internal driveways or streets internal to the site shall also  
6 be lined with Shade Trees and Pedestrian Scale Lighting. Pedestrian  
7 crosswalks shall be constructed of patterned concrete or a material other  
8 than asphalt and may be at grade.

9 (j) A Pedestrian Plaza or Plazas, shall be required of all  
10 Large Retail Facility development as follows:

11 1. Large Retail Facility sites that include a Main  
12 Structure less than 125,000 square feet in size shall provide public space  
13 pursuant to §14-16-3-18(C)(4) of the Zoning Code.

14 2. Large Retail Facility Sites that include a Main  
15 Structure 125,000 square feet or greater shall provide Pedestrian Plaza  
16 space in the amount of 400 square feet for every 20,000 square feet of  
17 building space. A minimum of 50% of the required public space shall be  
18 provided in the form of aggregate space that encourages its use and that  
19 serves as the focal point for the development. The aggregate space  
20 required shall:

21 a. Be linked to the main entrance of the  
22 principal structure and the public sidewalk or internal driveway;

23 b. Include adequate seating areas.  
24 Benches, steps, and planter ledges can be counted for seating space;

25 c. Have a portion (generally at least 40%)  
26 of the square footage of the plaza area landscaped with plant materials,  
27 including trees;

28 d. Be designed for security and be visible  
29 from the public right of way as much as possible;

30 e. Have pedestrian scale lighting and  
31 pedestrian amenities such as trash receptacles, kiosks, etc.

32 (k) Lighting.

- 1                                   1.     **Ornamental poles and luminaries, a maximum**  
2     **of 16' in height, shall be used as Pedestrian Scale Lighting.**
- 3                                   2.     **The maximum height of a light pole, other than**  
4     **those along Pedestrian Walkways, shall be 20', measured from the finished**  
5     **grade to the top of the pole.**
- 6                                   3.     **All on-site lighting fixtures shall be fully**  
7     **shielded to prevent fugitive light from encroaching into adjacent properties**  
8     **and/or right-of-way.**
- 9                                   (l)    **Outdoor Storage. Outdoor storage as part of a mixed**  
10    **use development or within a C-1 or C-2 zoned site is not allowed. Outdoor**  
11    **uses such as retail display shall not interfere with pedestrian movement.**  
12    **Where the zoning permits and where outdoor storage is proposed, it shall**  
13    **be screened with the same materials as the building.**
- 14                                  (m)    **Transit Stops. If transit stops exist or are planned**  
15    **adjacent to a Large Retail Facility, they shall include a covered shelter with**  
16    **seating provided at the developer's expense. Either the interior of the**  
17    **structures shall be lighted or the area surrounding the structures shall be**  
18    **lighted to the same standards as pedestrian walkways. If the Transit Stop is**  
19    **within the public right-of-way, the City shall assume ownership of the**  
20    **shelter and responsibility for maintenance.**
- 21                                  (n)    **Storm Water Facilities and Structures. The following**  
22    **regulations apply to site hydrology:**
- 23                                   1.     **Impervious surfaces shall be limited by**  
24    **installing permeable paving surfaces, such as bricks and concrete lattice**  
25    **or such devices that are approved by the City Hydrologist, where possible.**
- 26                                   2.     **Where possible, transport runoff to basins by**  
27    **using channels with landscaped pervious surfaces. Landscaped strips**  
28    **may be converted into vegetative storm-water canals but must be shallow**  
29    **to avoid defensive fencing.**
- 30                                   3.     **Ponds, retention and detention areas shall be**  
31    **shallow to prevent the need for defensive/security fencing yet have the**  
32    **capacity to manage storm waters in a 100 year event.**

- 1                                   4.    **Trees, shrubs, and groundcover shall be**  
2 **included in storm water basins.**
- 3                                   5.    **Bare patches shall be revegetated as soon as**  
4 **possible to avoid erosion, according to a landscaping and maintenance**  
5 **plan.**
- 6                                   (o)   **Energy efficient techniques shall be utilized to**  
7 **reduce energy and water consumption where possible and as approved by**  
8 **the City Hydrologist or City Engineer.**
- 9                                   (6)   **Main Structure Design. The following subsections (a)**  
10 **through (d) apply to Main Structures:**
- 11                                   (a)   **Setback.**
- 12                                   1.    **Main Structures shall be screened from the**  
13 **adjacent street by means of smaller buildings, Retail Suite Liners, or 20'**  
14 **wide landscape buffers with a double row of trees.**
- 15                                   2.    **Where the front facade of a Retail Suite Liner is**  
16 **adjacent to a street, the maximum front setback shall be 10' feet for private**  
17 **drives and 25' for public roadways.**
- 18                                   3.    **Main Structures abutting residentially zoned**  
19 **land shall be set back from the property line at least 60'.**
- 20                                   (b)   **Articulation.**
- 21                                   1.    **Facades that contain a primary customer**  
22 **entrance and facades adjacent to a public street or plaza or an internal**  
23 **driveway shall contain Retail Suite Liners, display windows, or a recessed**  
24 **patio at a minimum depth of 20 feet, or a combination of all three, along**  
25 **50% of the length of the façade. Where patios are provided, at least one of**  
26 **the recessed walls shall contain a window for ease of surveillance and the**  
27 **patio shall contain shading and seating. Where Retail Suite Liners are**  
28 **provided, they shall be accessible to the public from the outside.**
- 29                                   2.    **Every 30,000 gross square feet of structure**  
30 **shall be designed to appear as a minimum of one distinct building mass**  
31 **with different expressions. The varied building masses shall have a**  
32 **change in visible roof plane or parapet height. Massing and articulation are**

1 required to be developed so that no more than 100' of a wall may occur  
2 without an offset vertically of at least 24".

3 3. For the Retail Suite Liner, the vertical offset  
4 shall be a visible change (minimum 6"), a change in material may be used  
5 for articulation at the same interval and the visible change in roof plane or  
6 parapet height shall be a minimum of 18".

7 4. Facades adjacent to a public right-of-way or  
8 internal driveway and facades that contain a primary customer entrance  
9 shall contain features that provide shade along at least 40% of the length of  
10 the façade for the benefit of pedestrians.

11 (c) Materials.

12 1. Engineered wood panels, cyclone, chain-link, and  
13 razor-wire fencing are prohibited.

14 2. Design of the external walls and the principal  
15 entrance must include 3 of the below listed options:

- 16 a. Multiple finishes (i.e. stone and stucco);  
17 b. Projecting cornices and brackets;  
18 c. Projecting and exposed lintels;  
19 d. Pitched roof forms;  
20 e. Planters or wing-walls that incorporate  
21 landscaped areas and can be used for sitting;  
22 f. Slate or tile work and molding integrated  
23 into the building;  
24 g. Transoms;  
25 h. Trellises;  
26 i. Wall accenting (shading, engraved  
27 patterns, etc.);  
28 j. Any other treatment that meets the  
29 approval of the EPC.

30 (d) Landscaping.

31 1. The buffer for main structures across the  
32 street from residentially-zoned land shall be at least 23 feet wide and

1 include two rows of street trees. The trees shall be located pursuant to the  
2 guidelines set forth in Crime Prevention Through Environmental Design  
3 Recommendations. The landscaping of the berm shall provide year-round  
4 screening.

5 2. The public sidewalk adjacent to the main  
6 structure may be located within the berm and between the rows of trees.  
7 The sidewalk must be a minimum of 7 feet behind the curb.

8 (7) Mixed-Use Component. The following subsections (a)  
9 through (g) apply to Mixed Use Development:

10 (a) Uses and Building Forms. The mixed use  
11 component may include a mix of the following building forms and uses:

- 12 1. Apartments or condominiums.
- 13 2. Apartments or condominiums over storefronts.
- 14 3. Courtyard housing.
- 15 4. Live-work.
- 16 5. Townhouses.
- 17 6. Lofts.
- 18 7. Lofts over flex.
- 19 8. Senior housing.
- 20 9. Mixed income housing including a minimum of  
21 20% affordable at 80% or less of Area Median Income (AMI) for fee simple  
22 unit and 60% or less of AMI for rental units. If rental units are multiple  
23 sizes, only a maximum of 50% of the rental units set aside for 60% or less  
24 of AMI shall be the size of the smallest size category of rental unit in the  
25 project.
- 26 10. Office building.
- 27 11. Office over storefronts.
- 28 12. Civic, cultural, and community buildings.
- 29 13. Parking structures with commercial or housing  
30 liners.
- 31 14. Schools, both traditional and technical  
32 vocational.

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**(b) Density.**

1. **Minimum density: 12 dwelling units per acre.**
2. **Minimum FAR: .30.**
3. **Maximum density: As determined by the EPC.**

**(c) Building Heights.** Heights within the mixed use portion of the Large Retail Facility site may vary depending on location. Structures adjacent to residentially zoned parcels shall be subject to the Height Requirements of the O-1 Zone and shall not exceed 26' in height within 85' of a lot zoned specifically for houses. The heights of buildings along the central Driveway or street and adjacent to a major arterial or freeway may exceed 4 stories so long as the average building height of all structures in the mixed use site does not exceed the maximum of 4 stories and no individual structure exceeds a height of 7 stories.

**(d) Building Setbacks.**

<u>Primary Building</u>	<u>Mixed Use Component</u>
<u>(1) Street-Facing Setback with Ground-Floor Storefront</u> <u>a. On Private Drive</u> <u>b. On Public Street.</u>	<u>10 foot minimum.</u> <u>15 foot maximum</u>
<u>(2) Street-Facing Setback without Ground-Floor Storefronts</u> <u>a. On Private Drive</u> <u>b. On Public Street.</u>	<u>10 foot minimum.</u> <u>15 maximum</u>
<u>Interior Side Setback (from property line)</u>	<u>Attached or 5' maximum</u>
<u>Interior Side-Side Separation (btw. Adjacent buildings)</u>	<u>Attached or 10' maximum</u>
<u>Interior Rear Setback (from property line)</u>	<u>5' from alley ROW;</u> <u>20' if no alley (e.g. parking lot)</u>
<u>Interior Rear-Rear Separation (btw. Adjacent buildings)</u>	<u>30' minimum.</u>

<u>Interior Side-Rear Separation</u> (btw. Adjacent buildings)	<u>20' minimum</u>
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**Note 1: Features that may encroach into a Pedestrian Way up to the maximum specified: eaves (4' max.), awnings (8' max.), and minor ornamental features (2' max). Over Pedestrian Ways, projections must be more than 8 feet above finished grade.**

**Note 2: Features that may encroach into setbacks facing Driveways or streets (but not Driveway or street right-of-ways), up to the maximum specified: arcades & trellises (to Driveway or street r.o.w.), porches & stoops (8' max.), eaves (4' max.), awnings (8' max.), and minor ornamental features.**

**(e) Street Frontage.**

**All street frontages in the mixed-use component shall be:**

**(1) Lined by buildings with windows and primary entries, not garage doors; parking areas shall be located to the rear or side of the building.**

**(2) Building facades shall occupy at least 50% of the street frontage.**

**(f) Articulation. Mixed-use structures shall have a change in visible roof plane or parapet height for every 50' in length, however each distinct roof length does not have to equal 50' in length. Massing and articulation are required to be developed so that no more than 50' of wall may occur within a 6 foot minimum change in the visible vertical offset, or at the same interval a change in material may be used for articulation and the visible change in roof plane or parapet height shall be a minimum of 18'.**

**(g) Entrances and Glazing. Each ground floor use shall have one entrance minimum for each 50' or less of building frontage length.**

**(h) Materials. The materials standards for the mixed use component are as follows:**

- 1. Engineered wood panels, cyclone, chain-link, and razor-wire fencing are prohibited.**

1                                   **2. Arcades, awnings, cantilevers, portals and shed**  
2 **roofs may be made of metal, fabric, concrete tile, clay tile, or slate**  
3 **(equivalent synthetic or better).**

4                                   **3. A mixed-use component shall include at least 4**  
5 **of the following design features:**

- 6   **a. Balconies.**
- 7   **b. Projecting cornices and brackets.**
- 8   **c. Eaves.**
- 9   **d. Exposed lintels.**
- 10   **e. Multiple veneers (i.e. stone and**  
11 **stucco).**
- 12   **f. Pitched roof forms.**
- 13   **g. Planter boxes.**
- 14   **h. Slate or tile work and molding**  
15 **integrated into the building.**
- 16   **i. Transoms.**
- 17   **j. Trellises.**
- 18   **k. Wall accenting (shading, engraved**  
19 **patterns, etc.).**
- 20   **l. Any other treatment that meets the**  
21 **intent of this section and that receives the approval of the EPC.**

22                                   **(i) On-Premise Signage.**

23   **1. Appropriate signage includes blade signs,**  
24 **awning signs, and wall-mounted or hanging metal panel signs. Internally**  
25 **illuminated box signs, billboards, roof-mounted, free-standing, any kind of**  
26 **animation, and painted window signs, and signs painted on the exterior**  
27 **walls of buildings are not allowed. No flashing, traveling, animated, or**  
28 **intermittent lighting shall be on or visible from (i.e. through windows) the**  
29 **exterior of any building.**

30   **2. Wall signs are permitted within the area**  
31 **between the second story floor line and the first floor ceiling within a**  
32 **horizontal band not to exceed 2' in height. Letters shall not exceed 18" in**

1 height or width and 3' in relief. Company logos or names may be placed  
2 within this horizontal band or placed or painted within ground floor or  
3 second story office windows and shall not be larger than a rectangle of 8  
4 sq. ft. Projecting signs may not be more than 24" by 48" and a minimum  
5 10' clear height above the sidewalk and may be hung below the third story  
6 level. Signs may not project more than 36" perpendicular to the right-of-  
7 way beyond the façade. Lettering on awnings is limited to 9" in height.

8 (8) Maintenance Agreement for Vacant or Abandoned Site.  
9 Large Retail Facilities sometimes are vacated due to changing conditions  
10 in the retail market. To maintain a quality built environment, Large Retail  
11 Facilities shall be maintained during periods of abandonment or vacancies  
12 at the same standard as when occupied. The owner of a site shall sign a  
13 maintenance agreement with the City that the site will be maintained when  
14 vacant to the following minimal standards, among others as deemed  
15 appropriate by the Planning Director:

16 (a) The landscaping shall be watered, pruned and  
17 weeded.

18 (b) The parking areas shall be cleaned of dirt and litter.

19 (c) The building facades shall be kept in good repair,  
20 cracked windows shall be replaced and graffiti removed.

21 (d) Outdoor security lighting shall be maintained and  
22 operated.

23 (e) Hydrology systems shall be kept in good working  
24 order."

25 Section 15. Subsection 14-16-3-18 (B) ROA 1994, GENERAL BUILDING  
26 AND SITE DESIGN REGULATIONS FOR NON-RESIDENTIAL USES is  
27 amended to add a new paragraph and renumber remaining paragraphs  
28 accordingly as follows:

29 "(5) An aggregate of buildings 125,000 square feet or greater  
30 shall provide Pedestrian Plaza space in the amount of 400 square feet for  
31 every 20,000 square feet of building space. A minimum of 50% of the  
32 required public space shall be provided in the form of aggregate space that

1 encourages its use and that serves as the focal point for the development.  
2 The aggregate space shall:  
3 (a) Be linked to the main entrance of the principal  
4 structure and the public sidewalk or internal driveway;  
5 (b) Include adequate seating areas. Benches, steps, and  
6 planter ledges can be counted for seating space;  
7 (c) Have a portion (generally at least 40%) of the square  
8 footage of the plaza area landscaped with plant materials, including trees;  
9 (d) Be designed for security and visible from the public  
10 right-of-way as much as possible;  
11 (e) Have pedestrian scale lighting and pedestrian  
12 amenities such as trash receptacles, kiosks, etc.  
13 Section 16. Subsection 14-16-3-2(B) ROA 1994, SHOPPING CENTER  
14 REGULATIONS, Shopping center requirements, is amended to add the  
15 following new subsection:  
16 “(6) The site division regulations established in Section 14-16-3-  
17 2(D)(3) ROA 1994, apply to all retail facilities with over 90,001 aggregate  
18 square feet of gross leasable space.”  
19 Section 17. SEVERABILITY CLAUSE. If any section, paragraph,  
20 sentence, clause, word or phrase of this ordinance is for any reason held to  
21 be invalid or unenforceable by any court of competent jurisdiction, such  
22 decision shall not affect the validity of the remaining provisions of this  
23 ordinance. The Council hereby declares that it would have passed this  
24 ordinance and each section, paragraph, sentence, clause, word or phrase  
25 thereof irrespective of any provision being declared unconstitutional or  
26 otherwise invalid.  
27 Section 18. COMPILATION. Sections 2 through 14 of this Ordinance  
28 shall be incorporated in and made part of the Revised Ordinances of  
29 Albuquerque, New Mexico, 1994.  
30 Section 19. EFFECTIVE DATE. This ordinance shall take effect five days  
31 after publication by title and general description.  
32 X:\SHARE\Legislation\Seventeen\O-53cs2final.doc

**EXHIBIT B-1**

# TIMOTHY V. FLYNN-O'BRIEN

Attorney at Law  
817 Gold Avenue SW  
Albuquerque, New Mexico 87102-3014  
Phone: 505-242-4088 / Fax: 866-428-7568

August 25, 2011

Mr. Tony Lloyd  
Traffic Engineering  
City of Albuquerque  
P.O. Box 1293  
Albuquerque, New Mexico 87103

RE: Coors Boulevard/Montano Road

Dear Mr. Lloyd:

I represent Bosque School concerning proposed development on property southeast of Coors Boulevard and Montano Road and west of the school. We have reviewed proposals for a development of a large retail facility containing between 90,001 and 124,999 sq. ft. of leasable area. The pre-application public meeting has not occurred and, therefore, you have not yet heard public comment which by ordinance [see 14-8-2-7(B)(3)(e)] is to be considered in determining the scope of a traffic impact study (TIS). Bosque School is concerned about the traffic impact of the proposal and the possibility that the City will have the developer merely "update" the 2007 study by substituting currently proposed uses for the range of uses in the 2007 study.

A thorough traffic update or entirely new study should be performed. One, there has been substantial retail and residential development since 2007, developments in the roadways on the Westside and existing conditions are not what they were in 2007. The impact of development in 2011 or 2012 should be addressed with regard to current existing conditions – not to conditions of 4-5 years ago. Two, the 2007 study did not specifically address safety. Significant advances in road safety analysis have taken place since the 2007 TIS and therefore safety should be addressed since the tools to do so are now available. The First Edition Highway Safety Manual addresses predictive models for suburban arterial intersection studies and traffic controls and safety performance measures. These should be applied to the intersection and access points for the proposed development and included in an update of the 2007 TIS.

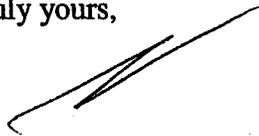
The 2007 TIS intersection capacity analysis was based on the Highway Capacity Manual, Special Report 2009, Transportation Research Board, 2000 and software based on the 2000 manual. The Fifth Edition (HCM 2010) enhances how impacts are assessed. The Fifth Edition addresses over-capacity which analysis will be important to decision makers. More importantly HCM 2010 has improved tools to analyze pedestrian and bicycle safety. This is especially important for intersection turning movements and though traffic at Coors Boulevard/Montano Road, Coors Boulevard/Learning Road, Montano Road/Winterhaven as well as other access

Mr. Tony Lloyd  
August 25, 2011  
Page 2 of 2

points and intersections with bicycle paths. The intersection turning movements in the 2007 TIS appendix are based on no pedestrians and no bicycles. This may have reflected the limited tools available in 2007 but can now be addressed and the scope of the TIS should require it to do so.

I am attaching an analysis prepared for Bosque School which discusses these matters and other specific areas for a thorough update of the 2007 TIS. I am enclosing Mr. Albright's cover letter as his letter makes clear that requesting this scope in an update is not a critique of Mr. Brown but reflects tools which are now available. Please review this in preparing your scope of study for the proposed project.

Very truly yours,



Timothy V. Flynn-O'Brien

TVFOB/mlg  
Enclosure as stated  
cc: Billy Handmaker  
John Badal  
Pauline Barnes  
Ron Bohannan  
Michelle Henrie

## **Bosque School Traffic Impact Study Update Brief**

Prepared for Bosque School, Albuquerque, New Mexico, August 15, 2011

Concerning the 2007 *Montano Shoppes/Andalucia, Tract 6*  
(*Montano Road/Coors Boulevard*) Traffic Impact Study

### **Purpose**

June 1, 2007, Terry O. Brown submitted a Traffic Impact Study (TIS) to the City of Albuquerque on behalf of JPS, LLC/Silver Leaf Ventures, LLC. The TIS was titled, *Montano Shoppes/Andalucia, Tract 6 (Montano Road/Coors Boulevard) Traffic Impact Study*. The purpose of this brief is to present the factual basis for an update to the 2007 TIS. The basis for an update also identifies specific content to be included in an update.

### **Safety**

Safety was not specifically addressed in the 2007 TIS. This may have been the result of limited analytical tools and software available at the time the TIS was prepared. Professional tools and software have changed. Safety can now be specifically addressed in a TIS Update.

Significant advances in road safety analyses have taken place in the traffic engineering profession since the 2007 TIS. These advances are notably publication of the 1<sup>st</sup> Edition of the *Highway Safety Manual*, the 5<sup>th</sup> Edition of the *Highway Capacity Manual*, and the 8<sup>th</sup> Edition of the *Trip Generation Manual*.

The *Highway Safety Manual* was not available in 2007. Editions of two of the foundational publications used in the 2007 TIS are now outdated: the *Highway Capacity Manual* and *Trip Generation*. More to the point of the safety imperative for an update to the 2007 TIS, the new editions provide capabilities directly related to safety of the proposed development. The importance of each of these publications will be described.

#### **The 1<sup>st</sup> Edition of the Highway Safety Manual**

The 1<sup>st</sup> Edition of the *Highway Safety Manual* is now available.<sup>1</sup> Decades of work went into preparing this three-volume text. The Highway Safety Manual identifies factors contributing to crashes and countermeasures to reduce crash frequency and severity. The Manual addresses planning, design, operations and policy decisions.

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<sup>1</sup> *Highway Safety Manual*, 1<sup>st</sup> Edition, American Association of State Highway and Transportation Officials, Washington, D.C., 2010

This Manual was not available for the 2007 TIS. Today, the Highway Safety Manual addresses predictive models for urban and suburban arterials, intersection studies and traffic control, and safety performance measures. These safety concerns can now be applied to the intersections and access points to the proposed development, and included in a TIS Update.

The publication of the *Highway Safety Manual* alone would merit updating the 2007 TIS because the Manual informs and advises the safety of the proposed development. There is more.

### The 5<sup>th</sup> Edition of the Highway Capacity Manual

The 2007 TIS intersection capacity analyses were based on the *Highway Capacity Manual*, Special Report 209, Transportation Research Board, 2000, and software based on the 2000 Manual. The 5<sup>th</sup> Edition of the *Highway Capacity Manual* (HCM2010) enhances how engineers and planners assess traffic and the environmental impacts of highway projects.<sup>2</sup>

HCM2000 addresses over-capacity conditions on urban streets, to improve cost-effective capital and operational decisions. National research efforts in measuring and predicting the performance of automobile traffic on urban streets were incorporated into the 5<sup>th</sup> Edition.

While improving over-capacity conditions will be of interest, there is an additional impact on safety analysis. HCM2010 improved tools for non-motorized transportation. The 5<sup>th</sup> edition proves an integrated multimodal approach to the analysis and evaluation of urban streets from the points of view of automobile drivers, transit passengers, bicyclists, and pedestrians. The manual is applicable to automobile, truck, bus, bicycle, and pedestrian travel on a highway, street facility, sidewalk, or shared-use path in the public street.

The 5<sup>th</sup> Edition of the Highway Capacity Manual permits pedestrian and bicycle safety to be addressed in an updated 2007 TIS. In the 2007 TIS, the intersection turning analyses presented in the appendix are based upon no pedestrians and no bicycles.<sup>3</sup> The uniformity of absence of any pedestrians and bicycles in the 2007 TIS may reflect the limited use of non-motorized transportation in the earlier edition of the *Highway Capacity Manual* and related computer software. This limitation no longer exists.

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<sup>2</sup> *Highway Capacity Manual*, 5<sup>th</sup> Edition, sponsored by the National Cooperative Highway Research Program, the American Association of State Highway and Transportation Officials, and the Federal Highway Administration, Washington, D.C., publication date March 2011, with errata and related modifications in May 2011

<sup>3</sup> Brown, Terry O., *Montano Shoppes/Andalucia, Tract 6 (Montano Road/Coors Boulevard) Traffic Impact Study*, 2007, pages 63-74, 80-81, 83-102, 109-136, 138, 144-158, 164-173, 179-191, 197-225, 230-233

This increase by land use from Shopping Center to Free-Standing Discount Stores or Superstores was characteristic of the 7<sup>th</sup> Edition of *Trip Generation*.<sup>5</sup> There was, however, a smaller sample in the 7<sup>th</sup> Edition, which may reasonably account for not using the land use until now.

With the expanded capability in the 8<sup>th</sup> Edition, it will be important to review the increase in trips and the associated increase in delay caused by these trips. The TIS Update can assess whether or not the increased delay would be associated with increased driver impatience, increased risk taking, and increased accident probability.

### **Other Opportunities for Improvement**

Ensuring the safety of the people traveling to, from and near the proposed development site is the primary reason for updating the 2007 TIS. There are other opportunities to improve the analysis. These are updating the socioeconomic data in the study, communication with the Coors Corridor Study, and emphasis on delay.

#### Socio-Economic Dataset

Population data and employment data in the 2007 TIS were based on the 2020 forecasts prepared by the Mid-Rio Grande Council of Governments in 1997.<sup>6</sup> This information was used to generate trips to the development. The Trip Distribution Tables presented in the 2007 TIS Appendix, beginning on page 303, are based on the socioeconomic dataset. The 2035 datasets are now available with current and forecast data. Updating population, housing, employment and school enrollment information can improve the information used in the improved models described above.

#### The Coors Corridor Study

The 2007 TIS cites the Coors Corridor Plan adopted by the City of Albuquerque in 1989. There is a Coors Corridor Study currently underway. Updating the 2007 TIS will provide an opportunity to communicate with the current study and ensure that the current plans for the corridor are noted in the traffic analysis.

#### Delay

The 2007 TIS includes the observation that the street network and intersections will operate at a low level of service without the development (No Build) and with the development (Build). The implication for some readers is that development should occur because the road network will fail in any event.

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<sup>5</sup> Vivian, Georgiana M., "Trip Generation Characteristics of Free-Standing Discount Superstores," *ITE Journal*, August 2006, pages 30-37.

<sup>6</sup> *2020 Socioeconomic Forecasts for the Data Analysis Subzones in State Planning and Development District 3*, TR-125, Mid-Rio Grande Council of Governments, March 1997

Pedestrian safety is of particular interest in the updated 2007 TIS. The location of the proposed development proximate to Bosque School needs to be addressed in the traffic impact study. The location of the proposed development presents the potential for pedestrian and bicycle movement to and from the school. This, again, underscores the fundamental concern for safety in updating the traffic analysis.

The 1<sup>st</sup> Edition of the Highway Safety Manual and the 5<sup>th</sup> Edition of the Highway Capacity Manual are compelling in updating the 2007 TIS to address safety. There is more.

#### The 8<sup>th</sup> Edition of the Trip Generation Manual

The 2007 TIS uses the 7<sup>th</sup> Edition of the *Trip Generation Manual*, published in 2003. The current, 8th edition of the Institute of Transportation Engineers (ITE) *Trip Generation* was published in December 2008.<sup>4</sup>

The 8<sup>th</sup> Edition include revised land use descriptions, trip generation rates, equations and data plots. Data from more than 550 sites were added to the previous edition, bringing the number of data points contained in the database to more than 4,800.

Twelve new land use classifications were included in the 8<sup>th</sup> Edition, for a total of 162 land uses. Each land use provides unique trip generation characteristics used to assess the impact of a proposed development.

Of most importance to updating the 2007 TIS, several land uses were expanded significantly with the addition of new data. These include “Free-Standing Discount Superstore” (land use 813) and “Drive-in Bank” (land use 912).

The 2007 TIS applied the land use of “Shopping Center” to estimate weekday and pm peak hour trips generated by the proposed development. A “Shopping Center” generates fewer daily and peak hour trips than either a “Free-Standing Discount Store” or a “Free-Standing Discount Superstore”.

A Free-Standing Discount Store offers a variety of customer services under one roof and centralized cashiering. In common language, this is sometimes called a “big box” store. A Free-Standing Discount Superstore is a Free-Standing Discount Store that includes a full-service grocery department under the same roof, and that shares entrances and exits.

Depending on whether or not there will be grocery services in the proposed Discount Store, the trip generation rate for a Free-Standing Discount Store or a Free-Standing Discount Superstore should be used in the 2007 TIS Update. In either instance, in the TIS Update there will be an increase in the number of trips generated.

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<sup>4</sup> *Trip Generation*, 8<sup>th</sup> Edition, Institute of Transportation Engineers, Washington, D.C., December 2008

The issue remains how much worse will traffic be, and one indication of this is vehicle delay. Emphasis on delay is important because this indicator is found in the 2007 TIS as well as in a 2007 TIS Update.

The issue is the amount of time persons will be delayed on the road network with and without the development. When the intersection turning movements are calculated using improved professional tools and based on current socioeconomic data, it will be helpful to review how much additional delay the development will bring with and without certain improvements to the road network and development site plan.

All estimated delay values, however high, should be reported. In the 2007 TIS, there are many asterisks (\*) replacing the delay time for intersection turning movements. In the updated TIS, undefined asterisks should not be used to replace atypically high vehicle delay.

# David Preston Albright

[serve1@dishmail.net](mailto:serve1@dishmail.net)

## Education

### *Academic Degrees*

Doctor of Ministry, School of Theology at Claremont, California (1977)  
Master of Divinity, Garrett-Evangelical Theological Seminary, Evanston, Illinois (1971)  
Bachelor of Science, Political Science (Phil Eta Sigma, National Political Science Honor Society), Willamette University, Salem, Oregon (1968)

### *Certifications and Related Education*

Scientific Content Analysis (SCAN), Scientific Interrogation and Analysis, Avinoam Sapir, Laboratory of Scientific Investigation (2002)  
Technology for Breakthrough Engineering, American Society for Quality, Atlanta, Georgia (1998)  
Advanced Coursework in Civil Engineering, University of New Mexico (1985-1986)

## Honors

Certificate of Appreciation, Anti-Terrorism Advisory Council, United States Attorney's Office, District of New Mexico, U.S. Department of Justice (2004)  
Commendation, Law Enforcement Recognition Awards Ceremony, United States Attorney's Office, District of New Mexico, U.S. Department of Justice (2003)  
Outstanding Contribution to Science and Technology Cooperation, awarded by the China Academy of Transportation Sciences, People's Republic of China (2000)  
Environmental Fellow, University of California, Davis (1996)  
Visiting Transportation Scholar, Sandia National Laboratories (1996)  
Public Service Award, presented by the Federal Highway Administrator, U.S. Department of Transportation, Washington, D.C. (1992)  
Outstanding Achievement Award, American Society for Testing and Materials (1992)  
H. W. Kummer Award, American Society for Testing and Materials (1990)

## Employment

### Current

Consultant  
2005 Transportation Surety Program Manager, Bernalillo County, New Mexico (2010)  
Adjunct Professor, Anderson Schools of Management, the University of New Mexico (2009)  
2004 Chief of Staff to General Annette Sobel, State Office of Homeland Security, serving for ten months while maintaining oversight of the New Mexico

- Department of Transportation (NM DOT) research program and New Mexico Surety Task Force.
- 2002 Assigned responsibility by the Cabinet Secretary, NM DOT, as Executive Director, New Mexico Surety Task Force - a homeland security organization of state and federal agencies, private industry and non-governmental organizations.
- 2001 Assigned responsibility by the Cabinet Secretary, NM DOT, as Department Security Coordinator. Helped form the New Mexico Surety Task Force.
- 1996 Resumed responsibility as the Research Bureau Chief, NM DOT.
- 1993 While President of the Alliance for Transportation Research, appointed Assistant Professor in the Department of Civil Engineering, University of New Mexico
- 1991 At the request of Governor Bruce King, State of New Mexico, designed, developed and led the Alliance for Transportation Research, a partnership of the NM DOT, Los Alamos and Sandia National Laboratories, the University of New Mexico and New Mexico State University.
- 1988 Developed and led the first Research Bureau of the New Mexico Highway and Transportation Department (now NM Department of Transportation)
- 1987 Developed and led the first Research Section of the New Mexico Highway and Transportation Department
- 1986 Developed and led the first Research Unit of the New Mexico Highway and Transportation Department
- 1985 Transportation Planner, New Mexico Highway and Transportation Department
- 1980 Consultant, The Open Research Project, Inc.

### **Advisory Boards**

- Intermodal Transportation Institute, Advisory Board, University of Denver, 1995-1999
- Institute of Transportation Studies, Advisory Committee, University of California, Davis, 1995-1998
- Idaho National Environmental Laboratory, Transportation Advisory Committee, U.S. Department of Energy, 1994-1995

### **Professional Activities**

- Transportation Research Board, National Research Council, National Academies of Science
- Standing Committee on Critical Transportation Infrastructure Protection, ABE40, 2002 to 2005
    - "Transportation Security Research: Establishing A National Priority," Workshop Leader, January 2003
    - "Introduction to Critical Infrastructure Protection: A National Priority," Workshop Leader, January 2002
  - National Cooperative Highway Research Program, Surface Transportation Security, 20-59, Panel Member, 2002 to 2005
  - Forum on Future Directions in Transportation Research and Development, 1995 Intermodal Surface Transportation Efficiency Act and Intermodal Planning Conference, Steering Committee, Irvine, California, 1992

- Strategic Highway Research Program
  - Long-Term Pavement Performance, Advisory Committee, 1989-1992
  - Traffic Data Collection, Chairperson, Expert Task Group, 1988-1992
- Representative, New Mexico State Department of Transportation, 1988-1992

U.S. Department of Homeland Security

Making Intelligence Relevant Conference, Langley, Virginia, August 2004

U.S. General Accounting Office

Advisory Panel on the Transportation Security Administration and U.S. Department of Homeland Security, Transportation Security Research and Development Program, convened by the National Academies of Science, Washington, D.C., March 2004

U.S. Department of Transportation

- Federal Highway Administration Uniform Stakeholder Involvement Process for the National Safety Program, Draft Review Panel, January 2005
- Federal Highway Administration Workshop to Develop a Strategic Framework for Research and Develop to Improve Security, Turner Fairbank Laboratory, McLean, Virginia, March 3, 2004
- Federal Highway Administration Infrastructure Research and Technology Program, Stakeholder Workshop, Chicago, Illinois, October 2002
- Research and Special Programs Administration, Transportation Education Conference, "What are we Doing Now to Prepare the Transportation Professional of the Future," Knoxville, Tennessee, 1996
- Federal Highway Administration, Geographic Information System for Transportation, Pooled Fund Study, Chairperson, 1993-1994
- Federal Transit Administration, Assembly on Public Policy Benefits of Transit, Washington, D.C., September 1994
- Federal Highway Administration, Truck Travel Data Conference, Washington, D.C., 1992

American Association of State Highway and Transportation Officials

- Special Committee on Transportation Security (formerly Task Force on Transportation Security), 2001 to 2005
- Development of a Surface Transportation Information Sharing and Analysis Center, Washington, DC, November 2002
- Research Advisory Committee, New Mexico State Representative, 1988-1992, 2001 to 2005
- Joint Task Force on Traffic Monitoring Standards of the Highway Subcommittee on Traffic Engineering, Program Chairman, 1990-1992

American Society for Testing and Materials

Member 1988 to 2009

Committee participation 1988-1992

Pavement and Vehicle Interactions, E17 Vice Chairperson

Intelligent Vehicle/Highway Systems, E17.5, Main Committee Chairperson

Traffic Monitoring Standards, E17.42, Chairperson

Institute of Transportation Engineers  
Member 1992 to 2009

Office of the U.S. Attorney, New Mexico Division  
Anti-Terrorism Advisory Council, Executive Committee, 2002 to 2005

Federal Bureau of Investigation  
New Mexico Joint Terrorism Task Force-Terrorism Working Group, 2003 to 2005

Intelligent Transportation Systems (ITS) America  
World Congress, International Program Committee, 1996  
World Congress, North American Regional Council, 1994-1995  
Committee on Standards and Protocols, 1991-1992

White House

- White House Conference on Aging, Transportation Position Paper editor and contributor, May 1995
- White House Conference on Environmental Technology, Transportation Technologies Break-Out Session, Co-Chairperson, December 1994

### **Presentations**

"Assessing Local Government Resilience in a Continuity of Operations Exercise," with Tim West, Steve Miller, Roger Paul, Kim McKibben, and Tom Zdunek, Emergency Management and Robotics for Hazardous Environments, American Nuclear Society, Albuquerque, New Mexico, March 2008

"Intergovernmental Cooperation in Benchmarking Local Government Continuity of Operations Exercise," with Tim West; Tom Zdunek; Steve Miller; Kim McKibben; and Roger Paul, presentation to the 87<sup>th</sup> Annual Meeting of the Transportation Research Board, National Research Council, Washington, D.C., January 2008

"Accountable Public Involvement: A Partnership Approach to a Proposed Transportation Project," with Rebecca Alter, Maura Lewiecki and Mikaela Renz, presentation to the 87<sup>th</sup> Annual Meeting of the Transportation Research Board, National Research Council, Washington, D.C., January 2008

"Accountable Public Outreach," presentation to the 12<sup>th</sup> Annual Infrastructure Finance Conference, Albuquerque, New Mexico, October 2007

"Getting Inside Traffic Data," Department of Civil and Geotechnical Engineering, New Mexico State University, May 2006

"Interdependent Systems Framework: Development and Initial Application in the State of New Mexico," with Annette Sobel, Kenneth White and Jacqueline Hood, Transportation Research Board, Washington, D.C., January 11, 2005

"The Governor's Office of Homeland Security Commitment to the Energy Industry," EnergyGard Southwest, InfraGard New Mexico Conference, Albuquerque, New Mexico, May 4, 2004

- "The Role of TRANSIMS in Transportation and Homeland Security," Computer and Computational Sciences Division Review Committee, Los Alamos National Laboratory, April 1, 2004
- "The Role of Transportation Design in the Future of Interdependent Systems," Department of Civil and Geotechnical Engineering, New Mexico State University, March 11, 2004
- "Standard Security Concerns for Critical Systems Using Transportation as a Model," with Steve Roehrig, Sandia National Laboratories, to the Anti-Terrorism Task Force, Office of the U.S. Attorney, New Mexico Division, September 18, 2003
- "Integrated Transportation Analysis: Framework for Response to Natural Disasters or Malevolent Attacks," with Jacqueline Hood and Steve Roehrig, Transportation Research Board, Washington, D.C., January 2003
- "National Transportation Security," Arizona Pavements/Materials Conference, Arizona State University, Tempe, Arizona, November 13, 2002
- "Building the Competency-Centered Organization: from Strategy to Practice," with Jacqueline Hood, Transportation Research Board, Washington, D.C., January 2002
- "Integrated Transportation Analysis and Integrated Incident Management System: Proposed Partnership," with Barry Howard, Chuck Slocter, Steve Roehrig and Tim Olivas, Washington, D.C., and New York City, January 2002
- "Partnership with the National Laboratories," Transportation Research Board, Washington, D.C., January 2001
- "Integrated Transportation Design, Moving from Concept to Practice, lectures invited by the China Academy of Transportation Sciences, presented in Beijing, Xi'an, Kunming and Foshan, June 2000
- "Ethics and Transportation," Transportation Research Board, Washington, D.C., January 2000
- "One Vision of an Ethical Transportation System," Graduate Seminar, the University of Denver, Denver, Colorado, December 7, 1999
- "A Presentation on Simultaneous Vehicle and Infrastructure Design Test Facility," with Steve Roehrig, Sandia National Laboratories, 1997
- "Conceptual Development of a Transportation Ecologic," presentation to Mao Wenbi, General Director, Research Institute of Science and Technology Information, Ministry of Communications, and delegation from the People's Republic of China, Albuquerque, New Mexico, December 1997
- "Addressing System Fracture in Reauthorization," presentation at the NEXTEA Environment and Equity Conference, University of California, Davis, 1997
- "A Response to the Paper, SVID Concept and SVID Practice, by Yang Shuqi," representatives of the China Academy of Transportation Science, Albuquerque, New Mexico, September 1996
- "The Need for Fundamental Improvement in Transportation Equity," Testimony to the Public Hearing on Transportation Reauthorization, New Orleans, Louisiana, July 30, 1996
- "Preliminary Thoughts on Civilian and Defense Transportation Research," prepared for Colonel Lewis Roach, Sandia National Laboratories, June 1996

- "Surety and the Improvement of Transportation Safety and Security," Transportation Working Group, Asia Pacific Economic Community, Vancouver, Canada, April 15-19, 1996
- "The Future of Transportation Research: Technology to Help Ensure Individual Freedom and Social Cohesion," Sixth Annual Transportation Research Conference, University of Minnesota, Minneapolis, Minnesota, 1995
- "Exploring New Partnerships to Further Transportation Research in the State of Oregon," presentation to the Oregon State Department of Transportation, Salem, Oregon, 1995
- "Simultaneous Vehicle and Infrastructure Design," presentation to USCAR, Dearborn, Michigan, August 1995
- "Preliminary Observations on Transportation Infrastructure as a Traffic Monitoring Sensor," NATDAC '94, Rocky Hill, Connecticut, September 1994
- "Vision of the Alliance for Transportation Research," 40th Annual New Mexico Highway Engineering Conference, Las Cruces, New Mexico, April 1994
- "Successful Economic Conversion: Hard Truths from the Front Line," Economic Conversion Seminary, the University of New Mexico, Albuquerque, New Mexico, March 1994
- "Two Years in the Alliance for Transportation Research," Transportation Brown Bag Kick-Off Meeting, Los Alamos National Laboratory, Los Alamos, New Mexico, February 1994
- "Intelligent Vehicle Highway System Information Exchange Forum: IVHS and Local/Regional Needs," Dallas, Texas, February 1994
- "Visions for New Mexico's Transportation System," New Mexico Transportation Planning Conference, University of New Mexico, Albuquerque, New Mexico, November 1993
- "Challenges and Opportunities in Hazardous Materials Transportation," Keynote Address, Hazmat Transportation Conference, Albuquerque, New Mexico, August 1993
- "New Transportation Partnership," Executive Committee, American Trucking Associations Foundation, Washington, D.C., June 1993
- "Leadership in Intermodal Planning," Regional Intermodal Transportation Planning Meeting, Federal Highway Administration, Little Rock, Arkansas, April 1993
- "The Tradition of Innovation from Thomas Jefferson to Today," Banquet Address, GIS-T Symposium, Albuquerque, New Mexico, February 1993
- "Technology Integration: The ATR Model," Federal Highway Administration Technology Transfer Meeting, Santa Fe, New Mexico, February 1993
- "Emission Modeling: How Can It Become Compatible with Travel Demand Forecasting?" Transportation Research Board, Washington, D.C., January 1993
- "The Transportation Research Interest in U.S./Mexico Border Issues," Southwest Border Conference on Transportation and Trade Research, Albuquerque, New Mexico, November 1992
- "New Partnerships for Transportation Research," Transportation Research Center, University of Florida, December 1992
- "Technology Integration: the Public Interest in Putting Research to Work," Governor's Conference on Transportation Research and Business, Albuquerque, New Mexico, November 1992

- "Simulation and Geographic Data Systems," Address to Secretaria de Comunicaciones y Transportes, Mexico City, Mexico, July 1992
- "Traffic Data Standards in the United States," Standards and Protocol Committee, IVHS America, ERTICO, Brussels, Belgium, June 1992
- "New Technologies and Development of Trade Corridors and Border Crossings," Arizona and the North American Trade Corridors Conference, Phoenix, Arizona, May 1992
- "Statewide Multimodal Planning," Transportation Research Board, Washington, D.C., January 1992
- "The Importance of Traffic Data to Pavement Management," 4-R Exposition and Conference, Kansas City, Missouri, October 1989
- "Integrating Urban Area Simulations for Regional Transportation Analysis," Fifth World Conference on Transport Research, Yokohama, Japan, July 1989
- "New Mexico Technical Planning," Planning Technical Conference, Western Association of State Highway and Transportation Officials, San Antonio, Texas, 1987

### **Publications**

- Accountable Public Involvement: Partnership Approach to Proposed Transportation Project, with Rebecca Alter, Maura Lewiecki and Mikaela Renz-Whitmore, Crosscutting Techniques for Planning and Analysis 2008, Journal of the Transportation Research Board, No. 2077, Transportation Research Board, Washington, D.C., 2008
- Respecting, Enabling, and Involving All Personnel in a Sustainable Continuity of Operations Plan*, with Tim West, Steve Miller, Roger Paul, Kim McKibben, and Tom Zdunek, Strategic Management and Productivity 2007, Transportation Research Record 2026, Transportation Research Board, Washington, D.C., 2007
- Evaluating the Highway Capacity Manual's Adjustment Factor for Annual Weekday to Annual Average Daily Traffic: Applying a Consistent Traffic Data Methodology*, with Martin Lewis, Transportation Research Record 1993, Transportation Research Board, Washington, D.C., 2007
- Integrated Systems Framework*, with Annette Sobel, Jacqueline Hood, and Ken White, New Mexico Surety Task Force, September 2004
- The Role of Commonly Defined Partnership Principles in Countering Terrorism*, Proceedings, Bioterrorism Threat Response Conference, Albuquerque, New Mexico, March 2004
- The Integrated Security Exercise Database*, with Annette Sobel, Emergency Transportation Operations Preparedness and Response Workshop, Federal Highway Administration, March 9, 2004
- Principles and Practices for State Transportation Security in Strategic Indirect Warfare*, New Mexico Department of Transportation, September 2003
- Vulnerability Assessment through Integrated Transportation Analysis*, with Jacqueline Hood, Tim Olivas, Chuck Slocter and Barry Howard, Transportation Security Infrastructure Protection, Transportation Research Record 1822, Transportation Research Board of the National Academies, Washington, D.C., 2003

*Integrated Transportation Design: Workbook for Highway Projects*, with Ruinan Jiang, New Mexico State Highway and Transportation Department, June 2000

*Staffing Plan Survey of State Transportation Agencies*, with Tony Alarid and Jacqueline Hood, New Mexico State Highway and Transportation Department, September 1999

*Our National Laboratories and Transportation Research*, presentation to the U.S. Senate, a joint project of Los Alamos, Sandia, Argonne, and the Idaho National Engineering Laboratories, Alliance for Transportation Research, Albuquerque, New Mexico, 1997

*A Partnership Model: The Alliance for Transportation Research*, New Mexico State Highway and Transportation Department, 1997

*Elements of Success: TRANSIMS... Our National Laboratories and Transportation Research*, New Mexico State Highway and Transportation Department, 1997

*The Divided Highway: Transportation Equity and Violence*, with John Hamburg and Henry Richards, Alliance for Transportation Research, the University of New Mexico, 1996

*A Virtual Environment for Transportation Data (VETD)*, with David Fletcher, Alliance for Transportation Research, University of New Mexico, 1996

*A Framework for Developing a Future Transportation Research and Development Agenda*, with Thomas D. Larson, in Conference Proceedings 9, Forum on Future Directions in Transportation Research and Development, National Science and Technology Council, National Academy Press, Washington, D.C., 1995

*Simultaneous Vehicle-Infrastructure Development*, in China's Infrastructure Bottlenecks: Financing and Building China's Highways, Conclusion Papers, The Economist Conferences, Beijing, China, October 1995

*Simultaneous Vehicle/Infrastructure Design*, Transportation Seminar, Los Alamos National Laboratory, Los Alamos, New Mexico, September 1995

*Mobility as a Right*, with John Hamburg and Larry Blair, in Transportation Planning, Management Systems, Public Participation and Land Use Modeling, Transportation Research Record No. 1499, Transportation Research Board, Washington, D.C., 1995

*Standing in the Cold: Mobility and the Mentally Challenged*, Surface Transportation Policy Project, Washington, D.C., 1995

*Safety Products for New and Older Vehicles*, with Phil Kithil, Alliance for Transportation Research, Albuquerque, New Mexico, 1995

*Advanced Technologies for Intelligent Vehicle Highway Systems*, ASTM Standardization News, July 1994

*Celebration: Transportation and Community*, prepared for the Disney Company, with Mike Moulton, Larry Blair, John Hamburg and Gregory Lay, Alliance for Transportation Research, 1994

*Standards, Innovation and the Future of Traffic Monitoring*, ITE Journal, Vol. 63, No. 1, January 1993

*Traffic Data Initiatives of the American Society for Testing and Materials and the American Association of State Highway and Transportation Officials*, Proceedings of the National Traffic Data Acquisition Conference, CALTRANS, Sacramento, California, October, 1992

*Alliance for Transportation Research*, TR News, Number 161, July-August, 1992

*A Traffic Monitoring System: An Application of SAS to Manage Traffic Data*, with Joe Wilkinson, Federal Highway Administration, January 1992

- An Imperative For, and Current Progress Toward, National Traffic Monitoring Standards*, ITE Journal, Volume 61, Number 6, Institute of Transportation Engineers, June 1991
- Traffic Data Collection Techniques and Plans*, in Strategic Highway Research Program Products, edited by Barbara Harder, Proceedings of the SHRP Products Specialty Conference, Highway Division, American Society of Civil Engineers, April 1991
- The Development of ASTM Highway Traffic Monitoring Standards*, in Standardization News, American Society for Testing and Materials, Volume 19, Number 2, February 1991
- Transportation Analysis and Simulation System (TRANSIMS): Simulation Environments, Tools, and Methodologies for Advanced Transportation System Development and Analysis*, contributing author, Chris Barrett principal author, Los Alamos National Laboratory, Los Alamos, New Mexico, 1991
- Traffic Data Requirements of the Strategic Highway Research Program: The Imperative for Truth-in-Data*, in Proceedings of the National Traffic Data Acquisition Technologies Conference, Texas State Department of Highways and Public Transportation, Austin, Texas, 1990
- The Role of AASHTO in Developing National Traffic Monitoring Standards*, Proceedings of the 1990 AASHTO Annual Meeting, American Association of State Highway and Transportation Officials, 1990
- Revisions to Statewide Traffic Monitoring Standards Indicated During Implementation of a Traffic Monitoring System*, Transportation Research Record 1271, Transportation Research Board, Washington, D.C., 1990
- Implementation of a Statewide Traffic Monitoring System*, with Joe Wilkinson, Transportation Research Record 1271, Transportation Research Board, Washington, D.C., 1960
- How One State is Meeting the SHRP Traffic Guidelines*, in Focus, Strategic Highway Research Program, Washington, D.C., May 1989
- 1990 Survey of Traffic Monitoring Practices Among State Transportation Agencies in the United States*, New Mexico State Highway and Transportation Department, Santa Fe, New Mexico, 1990
- New Mexico's Traffic Monitoring System*, in Proceedings of the Twenty-Sixth Paving and Transportation Conference, University of New Mexico, Albuquerque, New Mexico, 1989
- A Volume-Based Model for Forecasting Truck Lane Use on the Rural Interstate*, with Chris Blewett, Transportation Research Record 1194, Transportation Research Board, Washington, D.C., 1988
- Longer-Combination Vehicles in New Mexico*, Proceedings of the Twenty-Fifth Paving and Transportation Conference, University of New Mexico, Albuquerque, New Mexico, 1988
- A Quick Cluster Control Method: Permanent Control Station Cluster Analysis in Average Daily Traffic Calculations*, Transportation Research Record 1134, Transportation Research Board, Washington, D.C., 1988

**EXHIBIT B-2**

**Response to Andalucia, Tract 6  
(Montano Road and Coors Boulevard)  
Traffic Impact Study Update – November 22, 2011**

Prepared for Timothy Flynn-O'Brien  
Prepared by David Albright  
December 1, 2011

A Traffic Impact Study (TIS) Update was prepared for the proposed development at Montano Road and Coors Boulevard. The original study was published in 2005. Substantial changes occurred since that time, and as a result an Update was required and submitted. The document released for public review and comment is marked as a "Draft," and was completed November 22, 2011.

This review identifies primary deficiencies in the TIS Update. The TIS Update is not consistent either with requirements established by the City of Albuquerque or for responsible development in any community. The limitations identified in this response are: failure to use the latest version of the Highway Capacity Manual and Software; failure to either require or include an accident analysis; incomplete assessment of pedestrian impact and recommended facilities; incomplete analysis of truck access and impact; and, lack of bicycle assessment.

**Failure to Use the Latest Version of the Highway Capacity Manual and Software**

The Standard letterform used by the City of Albuquerque to outline the requirements for a Traffic Impact Study includes the following point.

- 10. Method of intersection capacity analysis - planning or operational (see HCM Special Report 209 or equivalent as approved by Transportation Development Staff). Must use latest version of design software and/or current edition of design manual.

The conclusion to the standard letterform, and signature line, is as follows:

The Traffic Impact Study for this development proposal, project name, shall be performed in accordance with the above criteria. If there are any questions regarding the above items, please contact me at 924-3994.

\_\_\_\_\_  
Tony Loyd  
Transportation Development Section

\_\_\_\_\_  
Date

cc: TIS Task Force Attendees  
file

The Standard letterform cited above was initially prepared in 2004. As part of an effort to make traffic studies more consistent in our region, the City of Albuquerque sent the letterform to me in 2008. The Standard letterform is provided in a separate attachment. The format of the letterform may or may not have changed in the past two years, but the language is important.

Terry Brown did not use the latest version of design software and did not use the current edition of the design manual. His explanation presented in the TIS Update is that a commercial software package, Synchro, is not yet operational.

Intersection capacity analyses were performed in accordance with the procedures for signalized and unsignalized intersections in the Highway Capacity Manual, Special Report 209, Transportation Research Board, 2000, using Synchro 7 software. Synchro 8 software has recently been released which conforms with the 2010 Highway Capacity Manual, but there are several significant inconsistencies or bugs in the software. Trafficware, Inc., producers of Synchro 8 software are working on the computational engine to rectify the known issues with the program. Fixes are not expected before the end of the year. Therefore, this analysis was performed using Synchro 7. For signalized intersections, the operational method of analysis was used for implementation year (2015) conditions (NO BUILD and BUILD). (Terry Brown, TIS Update 11/22/2011, p. 8)

What Terry Brown did not state in the TIS Update is that the 2010 Highway Capacity Manual software is available from the McTrans Center, the University of Florida. The software is HCS 2010™ (Release 6.2). There is long-standing cooperation between the Transportation Research Board and McTrans Center. TRB publishes the manual and the McTrans Center implements the manual calculations in software. The software is available and operational. That Terry Brown wants to buy and use software that is not yet operational is not the point. Software is available that implements the "current edition". As a result of the decision not to use available software and the current edition, none of the intersection analyses are consistent with the City of Albuquerque requirement for use of the latest design software and design manual.

Let us say, for whatever reason, that the City of Albuquerque would consider waiving its own requirement for use of the latest design manual and software. For this proposed development, at a minimum it would be imprudent. Use of the most current edition of professional tools is particularly important when there are major improvements in the tools. The

8<sup>th</sup> Edition is a significant advance in understanding intersections and the interactions of vehicles, bicycles and pedestrians.

Since there is design software available and useful it should be implemented. The Updated TIS is not acceptable on this basis alone and the results should be rejected out of hand. There is no merit in debating the output of out-of-date manuals and computer tools.

### **Failure to Either Require or Include an Accident Analysis**

The absence of accident analysis, particularly bicycle and pedestrian accidents, is concerning. The Standard letter to outline TIS content includes the following point.

- 14. Items to be included in the study:
  - a. Intersection analysis.
  - b. Signal progression - An analysis is required if the driveway analysis indicates a traffic signal is possibly warranted. Analysis Method:
  - c. Arterial LOS analysis;
  - d. Recommended street, intersection and signal improvements.
  - e. Site design features such as turning lanes, median cuts, queuing requirements and site circulation, including driveway signalization and visibility.
  - f. Transportation system impacts.
  - g. Other mitigating measures.
  - h. Accident analyses \_\_\_yes \_\_\_no.  
Location(s):
  - i. Weaving analyses \_\_\_yes \_\_\_no.  
Location(s):

If the City of Albuquerque checked “yes,” accident analysis is needed; an analysis was not included in the TIS Update. If the City of Albuquerque indicated that an accident analysis was not needed, the direction should be questioned. There are some proposed developments that would not require an accident analysis. An accident analysis is fundamental for proposed development located next to a school. An accident analysis is also important for any proposed development next to a bike route. This proposed development is next to a school and along a bike route.

Since the decision by the developer was to not use the current design manual and available software, the TIS should be redone. As a part of the new study, accident analysis in the study area should be conducted. Given the relatively random nature of accidents, it is important that the analysis be over a minimum of three years and over the entire study area. An emphasis should be on bicycle and pedestrian incidents.

### **Incomplete Assessment of Pedestrian Impact and Recommended Features**

The TIS Update proposes median pedestrian push buttons. The study states:

Proposed optimized timing for the intersection of Dellyne Ave. (Learning Rd.) / Coors Blvd. can be maintained by constructing median pedestrian push buttons on Coors Blvd so that pedestrians will have time to walk from the curb to the median and then push the button in the median to cross the other half of Coors Blvd. (Terry Brown, p. 14)

In his summary of recommended improvements, Terry Brown adds an additional comment about the proposed pedestrian push buttons in the Montano and Coors medians.

Montano Rd / Coors Blvd. – construct pedestrian push buttons in the medians on Coors Blvd. (Widening of median may be necessary.) (Terry Brown, p. 24)

There is no explanation as to the number of pedestrians expected, or how many persons would be accommodated by widening one or more medians. The need for the recommendation is as unclear as the specific median or medians to be widened.

The practical potential for widening medians and lanes, and any resulting impact on traffic flow, are not noted. Needed widening of the medians as well as the potential for and traffic impact of median widening should be addressed in the new TIS.

Also incomplete in the “TIS Update” is the absence of consideration of student pedestrian traffic to and from the proposed development. Safety issues, such as potential conflicts between students, passenger cars and delivery trucks, should be addressed in a complete assessment of pedestrian impact of the proposed development.

### **Incomplete Analysis of Truck Access and Impact**

The TIS Update offers the following description of truck access to the proposed development.

Driveways shall be constructed using a minimum of 25-foot radius curb returns or the minimum required by the City of Albuquerque Development Process Manual (D.P.M.) or the New Mexico Department of Transportation *State Access Management Manual*. Larger radii may be required to accommodate delivery trucks. (Terry Brown, p. 23)

The purpose of the TIS Update is to answer questions about traffic, not to pose them. The developer must answer the question of whether or not larger turning radii will be required.

A truck access and impact statement needs to be prepared. Truck information could be included in new TIS, or could be a separate and stand-alone document. In either instance, the type of trucks serving the proposed development must be identified by Federal Highway Administration vehicle classification so that turning radii can be compared with proposed access points. The proposed route to the access points by projected truck type and Gross Vehicle Weight is important in terms of assessing any truck restrictions. The projected number of truck trips by truck type is also important in assessing truck impact. The location of delivery truck access to the school grounds should be noted along with any potential conflicts. The question of conflict with student traffic is in part addressed by and day/time of truck delivery. With this information, the TIS would adequately address truck access and impact, and the developer could answer the question of whether or not a larger turning radius is required to accommodate delivery trucks.

### **Lack of Bicycle Assessment**

Bicycles are not addressed in the TIS Update. This is unacceptable for a proposed development along a bike route. This limitation will be addressed when the developer uses the current edition of the Highway Capacity Manual and available software that implements the manual.

### **Conclusion**

The TIS Update was written to demonstrate that the current development is less intense, and will generate less traffic, than the initial proposed development. The TIS Update now needs to be written to answer the more pressing concerns about safety as well as operational efficiency of increased vehicles, delivery trucks, bicycles and pedestrians. These safety and operational concerns were raised before the TIS Update was written.

These questions remain unanswered and are a basis for rejecting the proposed development.

**STANDARD LETTER**  
**SCOPE OF TRAFFIC IMPACT STUDY (TIS)**

**TO:** Name  
Organization  
Address  
City, State, Zip

**MEETING DATE:** Date

**ATTENDEES:** Consultant; Transportation Development, COA; Transportation Planning, COA;  
NMDOT; Bernalillo County.

**PROJECT:** Project Name

**REQUESTED CITY ACTION:** \_\_\_ Zone Change \_\_\_ Site Development Plan

\_\_\_ Subdivision \_\_\_ Building Permit \_\_\_ Sector Plan \_\_\_ Sector Plan Amendment

\_\_\_ Curb Cut Permit \_\_\_ Conditional Use \_\_\_ Annexation \_\_\_ Site Plan Amendment

**ASSOCIATED APPLICATION:** Description of development.

The Traffic Impact Study should follow the standard report format, which is outlined in the DPM. The following supplemental information is provided for the preparation of this specific study. As each item identified in the scoping letter is completed, check the appropriate (box).

- 1. Trip Generation - Use Trip Generation Manual, 7th Edition.  
Consultant to provide.
- 2. Appropriate study area:  
Signalized Intersections;  
  
Unsignalized Intersections;  
  
Driveway Intersections: all site drives.
- 3. Intersection turning movement counts.  
Intersections provided: signalized intersections above except county;  
  
Intersections that need to be counted by developer: unsignalized.
- 4. Existing traffic signal timing and synchronization.  
Intersections provided: signalized intersections above except county.
- 5. Type of intersection progression and factors to be used.  
Type III arrival type (see HCM Special Report 209 or equivalent as approved by Transportation Development Staff). Unless otherwise justified, peak hour factors and % heavy commercial should be taken directly from the MRGCOG turning movement data provided.
- 6. Boundaries of area to be used for trip distribution.  
City Wide - residential, office or industrial;  
x mile radius - commercial;  
Interstate or to be determined by consultant - motel/hotel.

Project Name

- 7. Basis for trip distribution.  
Residential – Use inverse relationship based upon distance and employment. Use employment data from 2030 Socioeconomic Forecasts, MRGCOG (S-07-01).  
  
Office/Industrial - Use inverse relationship based upon distance and population. Use population data from 2030 Socioeconomic Forecasts, MRGCOG (S-07-01).  
  
Commercial - Use relationship based upon population. Use population data from 2030 Socioeconomic Forecasts, MRGCOG (S-07-01).

Residential -

$$T_s = (T_t) (S_e / D) / (S_e / D)$$

$T_s$  = Development to Individual Subarea Trips  
 $T_t$  = Total Trips  
 $S_e$  = Subarea Employment  
 $D$  = Distance from Development to Subarea

Office/Industrial -

$$T_s = (T_t) (S_p / D) / (S_p / D)$$

$T_s$  = Development to Individual Subarea Trips  
 $T_t$  = Total Trips  
 $S_p$  = Subarea Population  
 $D$  = Distance from Development to Subarea

Commercial -

$$T_s = (T_t) (S_p) / (S_p)$$

$T_s$  = Development to Individual Subarea Trips  
 $T_t$  = Total Trips  
 $S_p$  = Subarea Population

- 8. Traffic Assignment. Logical routing on the major street system.
- 9. Proposed developments which have been approved but not constructed that are to be included in the analyses.
- 10. Method of intersection capacity analysis - planning or operational (see HCM Special Report 209 or equivalent as approved by Transportation Development Staff). Must use latest version of design software and/or current edition of design manual.  
Implementation Year:
- 11. Traffic conditions for analysis:
  - a. Existing analysis \_\_\_yes \_\_\_no - year (xxxx);
  - b. Phase implementation year(s) without proposed development;
  - c. Phase implementation year(s) with proposed development;
  - d. Project completion year without proposed development (yr. xxxx);
  - e. Project completion year with proposed development (yr. xxxx).
  - f. Other.
- 12. Background traffic growth.

Project Name

Method: use 5-year historical growth based on standard data from the MRGCOG Traffic Flow Maps (2001 to 2006 w/5 years of standard data). If not available, use 5-year historical growth based upon MRGCOG Traffic Flow Maps. Minimum growth rate to be used is 1/2%.

- 13. Planned (programmed) traffic improvements.  
List planned CIP improvements in study area and projected project implementation year:
- 14. Items to be included in the study:
  - a. Intersection analysis.
  - b. Signal progression - An analysis is required if the driveway analysis indicates a traffic signal is possibly warranted. Analysis Method:
  - c. Arterial LOS analysis;
  - d. Recommended street, intersection and signal improvements.
  - e. Site design features such as turning lanes, median cuts, queuing requirements and site circulation, including driveway signalization and visibility.
  - f. Transportation system impacts.
  - g. Other mitigating measures.
  - h. Accident analyses \_\_\_yes \_\_\_no.  
Location(s):
  - i. Weaving analyses \_\_\_yes \_\_\_no.  
Location(s):
- 15. Number of copies of report required \_\_\_  
Executive Summary Required \_\_\_yes \_\_\_no  
(12 copies if required)
- 16. Other:

The Traffic Impact Study for this development proposal, project name, shall be performed in accordance with the above criteria. If there are any questions regarding the above items, please contact me at 924-3994.

\_\_\_\_\_  
Tony Loyd  
Transportation Development Section

\_\_\_\_\_  
Date

cc: TIS Task Force Attendees  
file

**EXHIBIT B-3**

**STANDARD LETTER**  
**SCOPE OF TRAFFIC IMPACT STUDY (TIS)**

**TO:** Terry Brown, PE  
P.O. Box 92051  
Albuquerque, NM 87199

**MEETING DATE:** October 6, 2011 (by phone)

**ATTENDEES:** Terry Brown; Richard Dourte, City Engineer, COA; Tony Loyd, Impact Fees/Transportation Development, COA.

**PROJECT:** Andalucia, Tract 6 (Montano/Coors)

**REQUESTED CITY ACTION:** \_\_\_ Zone Change     Site Development Plan

\_\_\_ Subdivision    \_\_\_ Building Permit    \_\_\_ Sector Plan    \_\_\_ Sector Plan Amendment

\_\_\_ Curb Cut Permit    \_\_\_ Conditional Use    \_\_\_ Annexation     Site Plan Amendment

**ASSOCIATED APPLICATION:** Site Development Plan for Subdivision Amendment and Site Development Plan for Building Permit for proposed 99k sq. ft. Wal-mart.

The Traffic Impact Study should follow the standard report format, which is outlined in the DPM. The following supplemental information is provided for the preparation of this specific study. As each item identified in the scoping letter is completed, check the appropriate (box).

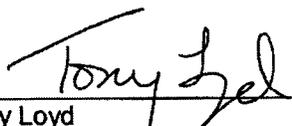
- 1. Trip Generation - Use ITE Trip Generation Manual, current edition.  
Consultant to provide.
- 2. Appropriate study area:  
Signalized Intersections: Montano/Coors, Dellyne/Coors and Montano/4<sup>th</sup> St.;  
  
Unsignalized Intersections: Montano/Winterhaven, Montano/Antequera, E/W Street/Coors and Mirandela/Coors;  
  
Driveway Intersections: all site drives.
- 3. Intersection turning movement counts.  
Intersections provided: none.  
  
Intersections that need to be counted by consultant: all applicable.
- 4. Existing traffic signal timing and synchronization.  
Intersections provided: consultant to determine signal timing and synchronization or coordinate with Traffic Operations to obtain.
- 5. Type of intersection progression and factors to be used.  
Type III arrival type (see HCM 2000 or equivalent as approved by Transportation Development Staff). Unless otherwise justified, peak hour factors and % heavy commercial should be taken directly from the MRCOG turning movement data or equivalent. If not available, consultant will need to calculate/provide.
- 6. Boundaries of area to be used for trip distribution.  
City Wide - residential, office or industrial;  
2 mile radius - commercial;  
Modified (as discussed) for Wal-mart  
Interstate or to be determined by consultant - motel/hotel.

- 7. Basis for trip distribution.  
Residential – Use inverse relationship based upon distance and employment. Use employment data from 2030 Socioeconomic Forecasts, MRCOG (S-07-01).  
  
Office/Industrial - Use inverse relationship based upon distance and population. Use population data from 2030 Socioeconomic Forecasts, MRCOG (S-07-01).  
  
Commercial - Use relationship based upon population. Use population data from 2030 Socioeconomic Forecasts, MRCOG (S-07-01).  
  
Residential -  
$$T_s = (T_t) (S_e / D) / (S_e / D)$$
$$T_s = \text{Development to Individual Subarea Trips}$$
$$T_t = \text{Total Trips}$$
$$S_e = \text{Subarea Employment}$$
$$D = \text{Distance from Development to Subarea}$$
  
  
Office/Industrial -  
$$T_s = (T_t) (S_p / D) / (S_p / D)$$
$$T_s = \text{Development to Individual Subarea Trips}$$
$$T_t = \text{Total Trips}$$
$$S_p = \text{Subarea Population}$$
$$D = \text{Distance from Development to Subarea}$$
  
  
Commercial -  
$$T_s = (T_t) (S_p) / (S_p)$$
$$T_s = \text{Development to Individual Subarea Trips}$$
$$T_t = \text{Total Trips}$$
$$S_p = \text{Subarea Population}$$
  
  
□ 8. Traffic Assignment. Logical routing on the major street system.  
  
□ 9. Proposed developments which have been approved but not constructed that are to be included in the analyses: US New Mexico Credit Union  
  
□ 10. Method of intersection capacity analysis - planning or operational (see HCM 2000 or equivalent as approved by Transportation Development Staff). Must use latest version of design software and/or current edition of design manual.  
Implementation Year: 2015.  
  
□ 11. Traffic conditions for analysis:
  - a. Existing analysis \_x\_ yes \_\_\_no - year (2011);
  - b. Project completion year without proposed development (yr. 2015);
  - c. Project completion year with proposed development (yr. 2015).  
2005 and 2011 plan  
□ 12. Background traffic growth.  
Method: use 5-year historical growth based on standard data from the MRCOG Traffic Flow Maps (2005 to 2010 w/5 years of standard data). If not available, use 5-year historical growth based upon MRCOG Traffic Flow Maps. Minimum growth rate to be used is 1/2%.  
  
□ 13. Planned (programmed) traffic improvements.  
List planned CIP improvements in study area and projected project implementation year: none.

Andalucia, Tract 6 (Montano/Coors)

- 14. Items to be included in the study:
  - a. Intersection analysis (includes queuing requirements and auxiliary lane analysis where applicable).
  - b. Recommended street, intersection and signal improvements.
  - c. Site design features such as turning lanes, median cuts, queuing requirements and site circulation, including driveway signalization and visibility.
  - d. Transportation system impacts.
  - e. Other mitigating measures.
- 15. Number of copies of report required   2    
Executive Summary Required   yes   x  no  
(12 copies if required)
- 16. Other:

The Traffic Impact Study for the Andalucia, Tract 6 (Montano/Coors) proposal shall be performed in accordance with the above criteria. If there are any questions regarding the above items, please contact me at 924-3934.

  
\_\_\_\_\_  
Tony Loyd  
For Transportation Development Section

  11-7-11    
Date (returned to work)

cc: TIS Task Force Attendees  
file

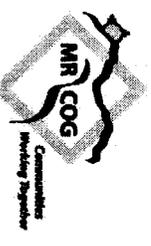
**EXHIBIT B-4**

Issued: December 2011

# A Profile in Congestion:

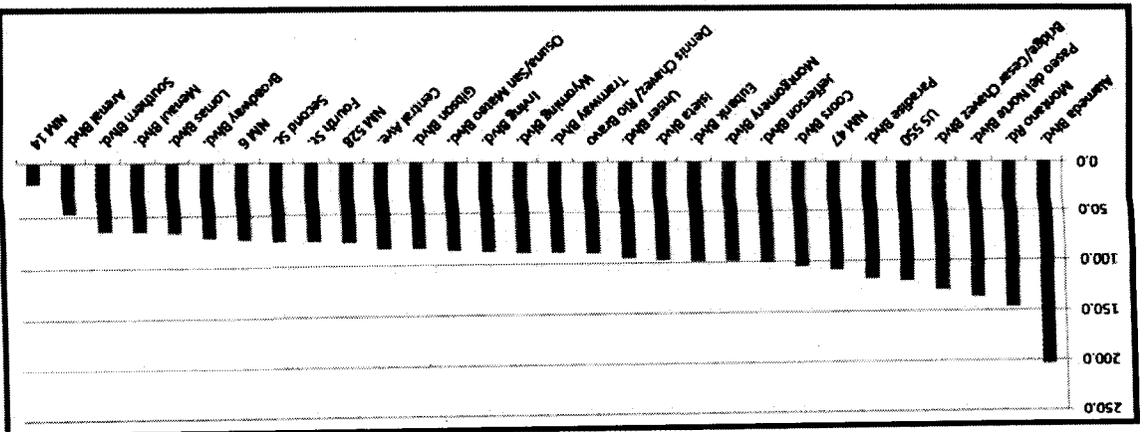


The 30 Most Congested Corridors in the Albuquerque Metropolitan Planning Area



# Process Corridor Score and Rank

Corridor	Corridor Length (Mi)	V/C Points	Speed Points	Crash Points	Total Score	2010 Ranking
Alameda Blvd.	4.2	106.3	91.1	6.4	203.8	1
Montano Rd.	6.4	68.7	56.9	20.8	146.3	2
Paseo del Norte Blvd.	13.5	47.8	62.8	25.3	135.9	3
Bridge/Cesar Chavez Blvd.	5.4	45.8	58.5	24.4	128.6	4
US 550	8.0	86.9	30.0	2.7	119.7	5
Paradise Blvd.	3.4	68.0	32.0	17.1	117.1	6
NM 47	10.2	71.3	36.9	0.0	108.1	7
Coors Blvd.	19.6	24.4	51.6	29.0	105.0	8
Jefferson Blvd.	4.1	17.4	58.2	25.0	100.6	9
Montgomery Blvd.	6.3	13.7	53.6	31.9	99.1	10
Eubank Blvd.	8.1	37.8	39.3	21.8	98.9	11
Isleta Blvd.	3.3	37.2	47.5	12.9	97.5	12
Unser Blvd.	25.6	48.2	29.5	17.1	94.8	13
Denmis Chavez/ Rio Bravo	6.0	24.3	47.5	18.0	89.8	14
Tramway Blvd.	7.4	33.2	43.8	12.6	89.6	15
Wyoming Blvd.	7.7	16.8	51.5	20.9	89.1	16
Irving Blvd.	4.9	30.4	40.0	17.1	87.5	17
Osuna/San Mateo Blvd.	9.2	11.6	55.8	19.3	86.7	18
Gibson Blvd.	4.4	15.2	64.0	4.6	83.8	19
Central Ave.	17.2	4.9	60.8	17.9	83.7	20
NM 528	11.1	36.6	34.3	6.7	77.6	21
Fourth St.	7.2	5.7	57.3	12.6	75.6	22
Second St.	7.1	21.3	42.2	12.0	75.4	23
NM 6	4.2	23.8	47.8	2.0	73.5	24
Broadway Blvd.	14.5	7.7	49.8	14.2	71.8	25
Lomas Blvd.	10.0	0.9	49.2	16.7	66.7	26
Menaui Blvd.	10.0	0.0	52.2	12.7	64.9	27
Southern Blvd.	4.6	15.5	36.4	12.5	64.3	28
Arenal Blvd.	2.5	5.3	30.0	12.0	47.3	29
NM 14	11.3	4.3	16.2	0.0	20.4	30



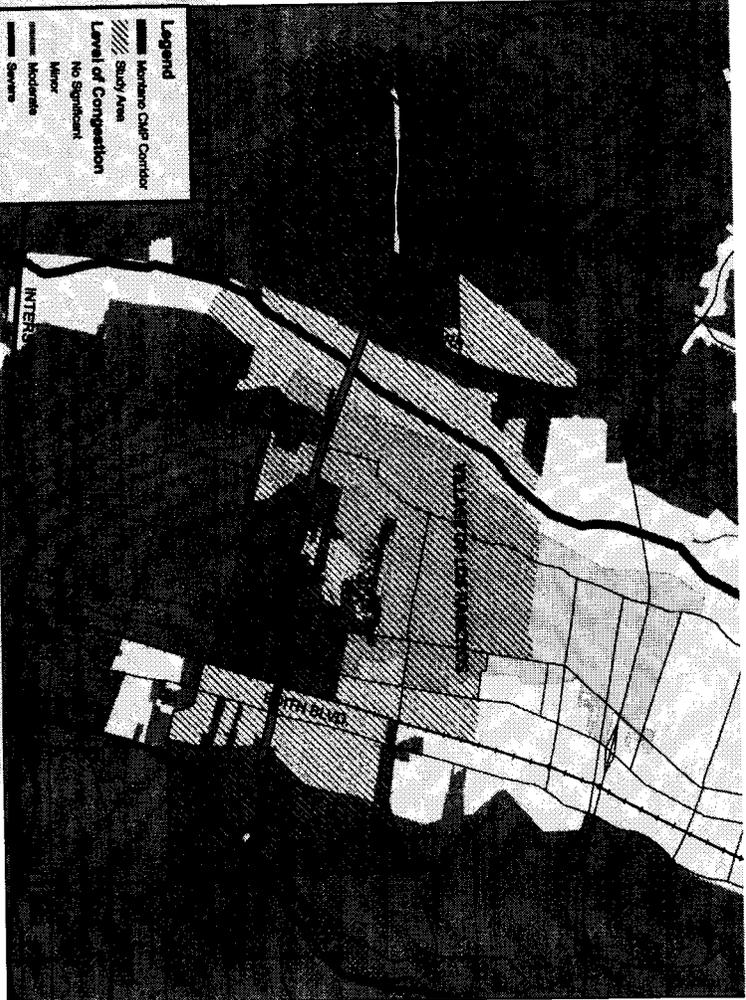
# Montaño Rd

# #2

## Profile & Statistics

Corridor Profile*			
Study Area	16.2 Sq. Miles		
Length & No. of Segments	6.3 Miles - 13 segments		
Functional Class	Principal Arterial		
Access Control	Limited access: Coors to Griegos Drain		
Lanes	4 - 6 lanes		
Intelligent Transportation Systems	Designated corridor: Yes ITS deployment: Yes - F, CCTV, DMS, VDS		
Transit	ABQ Ride : Route 157 (local)		
Bicycle Facilities	Lanes: Entire corridor		
Summary Data <sup>a</sup>			
Daily Volume	13,000 - 47,000		
Average Speeds (PM East)	12 - 46 mph		
Average Speeds (PM West)	12 - 45 mph		
Total Delay (PM East)	111 seconds (18 sec./mile)		
Total Delay (PM West)	197 seconds (31 sec./mile)		
Demographic Trends			
Measure	2000	2008	2035
Population	38,947	42,165	43,512
Employment	17,858	19,065	23,625
Corridor Ranks			
Volume/Capacity Ratio	4 / 30		
Speed Differential	8 / 30		
Crash Rates	8 / 30		
Overall Rank	2 / 30		

<sup>a</sup> See the introduction section for further explanation.  
<sup>v</sup> For more detailed information and segment level data consult the CMP Atlas on the MRCOG website.



## Corridor Notes

- Montaña is an east-west principal arterial in the City of Albuquerque. Montaña provides access from the region's Westside to the I-25 corridor and is one of nine river crossings in the AMPA.
- The CMP corridor runs between Unser and I-25.
- Predominant movement along Montaña is eastbound in the AM and westbound in the PM.
- Congestion is most severe west of I-25 and between Rancho Caballero and Edith.
- Montaña experiences high volume-to-capacity ratios and speeds below posted limits across the stretch between Coors and I-25.
- The highest volume segment of Montaña is west of I-25 (47,000 daily vehicles).
- Crash rates along the corridor are 33% above the regional average. Intersections at 4th St. and Coors have rates more than three times the regional average.
- Projected growth in the study area is mostly in the form of additional employment. However, future growth across the Westside may result in additional traffic along Montaña.

## Transit Characteristics

- ABQ Ride operates two routes along Montaña (157 and 162) and several commuter routes which intersect the corridor.
- Route 157 provides local service between Kirtland AFB and the Northwest Transit Center and passes along Montaña between Golf Course and I-25.
- Route 157 averaged more than 1,200 riders per weekday in April 2011.
- Route 162 provides commuter service between CNM West in Rio Rancho and Coors/Montaña and passes along Montaña between Unser and Coors

# CMP Review

MARCH 2011

"Keeping tabs on  
Albuquerque congestion  
since 2010"

Congestion Management Process Review is a semi-regular publication of the Mid-Region Council of Governments

Vol 4 Issue 1



CENTRAL AVENUE CORRIDOR University of New Mexico Area

## Newsletter Purpose

The intent of the Congestion Management Process (CMP) Review is to better document the progress of the CMP committee and the Congestion Management Process as a whole by providing a summary of considerations, decisions, and actions taken and completed. The Review is complemented by the CMP Annual Report (first edition forthcoming), which describes the Congestion Management Process; tracks developments over the previous year, provides annual congested corridor rankings and related analysis; reviews changes to the transportation network; and assesses the effectiveness and impact of transportation projects on congestion in the Albuquerque Metropolitan Planning Area (AMPA). ●

## In this Issue: 2010 Congested Corridor Rankings

**A key activity of the Congestion Management Process is the collection of data along a series of 30 corridors. This data is aggregated annually to develop a ranked list of the most congested facilities in the Albuquerque Metropolitan Planning Area (AMPA). The rankings are meant to highlight the corridors with the greatest overall needs in the region and help area officials and the public understand the type of congestion experienced on those facilities. This Review provides the 2010 rankings, discusses the data used to develop the rankings, and provides observations regarding the nature of congestion in the AMPA.**

## STAY IN THE LOOP ON CONGESTION MANAGEMENT

### MRCOG CMP Website

Visit [www.mrcog-nm.gov](http://www.mrcog-nm.gov)  
and navigate to  
Transportation and  
Congestion Management  
Process.

### Contact

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## Monitoring Congestion

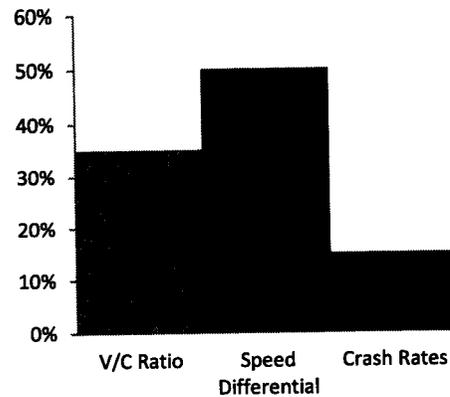
Before congested roadway conditions can be adequately addressed, one must understand the sources of congestion and understand the gravity of the problem. The Congestion Management Process (CMP) involves collecting data to determine the causes, location, and duration of roadway congestion across the Albuquerque Metropolitan Planning Area (AMPA). The CMP collects data on a congested network consisting of 30 corridors along with the two interstate facilities. The data is collected at the segment or link level, but can also be compared across entire corridors to determine the facilities with the most urgent overall needs. A committee consisting of representatives from member agencies and MRCOG staff reviews and analyzes the data. This committee is tasked with disseminating congestion data and developing analysis-driven congestion management strategies.

### Three Types of Data

The CMP collects three types of data for various forms of transportation analysis. Assessing congestion from multiple perspectives constitutes a comprehensive approach to understanding congestion and its sources. The first two types of data – volume-to-capacity ratio and speed differential – measure recurring congestion, while the third type – crash rates – is an indicator of non-recurring congestion.

#### 1. Volume-to-Capacity (V/C) Ratio

The V/C ratio measures the actual roadway volume compared to the intended capacity. A V/C ratio of greater than "0.8" during peak periods is considered congested and a ratio of greater than "1" indicates the level of traffic is greater than the roadway was designed to handle. This data is collected during AM and PM peak periods over a two-day span through



WEIGHT OF DATA BY TYPE FOR CMP CORRIDOR RANKINGS

the MRCOG Traffic Counts Program. Volume counts were performed between 2008 and 2010; if data was collected on a roadway segment more than once in that timeframe, the volumes of those two counts were averaged.

#### 2. Speed Differential

Speed differential measures the percent difference between the observed speed of actual drivers and the posted speed limit. The greater the difference, the slower the travel time along the facility. This data is collected during AM and PM peak periods during an annual travel time survey.

#### 3. Crash Rate Data

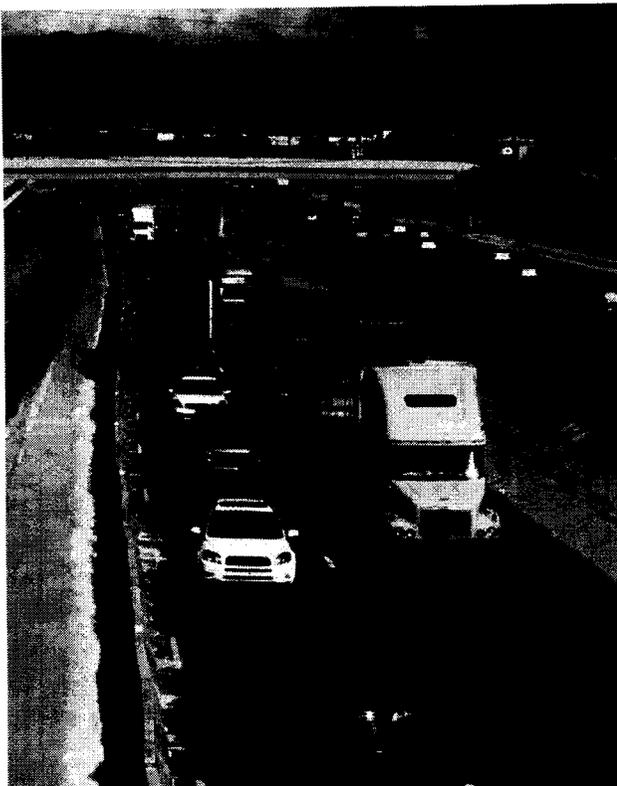
Crash rate data compares the frequency of crashes at particular intersections to the AMPA-wide average. Intersections with crash rates significantly higher than the average rate are indicators of non-recurring congestion and a need for safety improvements. Crash rates are a composite of data collected over a five year period. The current data period is 2004 to 2008.

These three measurements are taken at the roadway link or segment level, which is usually the portion of a road between two intersections. Points are generated by segment and are aggregated for each of

the 30 corridors to develop a raw corridor score for each data type. These raw scores are combined and normalized based on the number of links in the corridor to develop a corridor-wide congestion score that can be compared and ranked against other corridors. (Corridors are normalized by the number of links rather than the lengths of the corridors because not all corridors have an even number of segments. Since scores are calculated for each segment, corridors with higher number of segments could generate higher overall scores. By normalizing by the number of links, each corridor score has the same overall potential score.)

#### Weighting the Data

Weighting the data between the three sources is based on which data source is most complete, accurate, and current. In the past that had been the volume-to-capacity data due to the ongoing nature of the Traffic Counts Program. However, with the completion of the first annual travel time survey the speed differential data is both complete and current, and new data will be collected yearly allowing two-year rolling averages to be taken. For this reason speed differential data is weighted most heavily in the corridor scoring methodology. Volume-



to-capacity data is weighted the second most based on the fact that it is complete and collected annually; however the data is collected only once during that span over a 48-hour period. According to FHWA, 25 percent of all congestion is due to crashes and incidents. MRCOG weights the crash data slightly lower (at around 15 percent) since the data is less recent, although the five-year averages allow for a large sample size and ensure the validity of the data.

**Interpreting the Results**

The overall corridor score is an important indicator of the magnitude of problems along a corridor and helps regional agencies determine where to focus their attention. In other words, the higher the score and ranking of a corridor, the more general attention should be paid to the facility. However different kinds of conclusions should be drawn about the congestion scores based on the source of the points. For example, a corridor that receives a high congestion score in speed differential and a low V/C score may experience markedly different types of congestion than a corridor with high volumes (and a high V/C score) but low speed differential scores.

Low speeds, and hence high speed differentials, do not necessarily indicate a

need for expanded roadway capacity (i.e. more roads or more lanes). Rather high speed differentials may be the product of poor signal timing, access management issues, or lane discontinuity which can create bottlenecks. A range of transportation system management approaches, including intelligent transportation systems (ITS), are often effective strategies. See the CMP Strategies Matrix and the CMP Toolkit for more information. Both can be found on the MRCOG website ([www.mrcog-nm.gov](http://www.mrcog-nm.gov)).

High volume, measured in high peak-period V/C scores, requires different sets of solutions. In some cases in the AMPA, such as for US 550 and Paradise Boulevard, congestion is derived more from high volume than low-speeds, indicating traffic flows reasonably well in spite of the level of use. Corridors and links with high volumes may be alleviated through travel demand management efforts including encouraging alternate modes and transit, reducing peak-period demand by incentivizing carpooling or offering flexible scheduling, or by adding new roads if other strategies prove to be insufficient.

Corridors which experience high speed differential scores and high V/C scores tend to



**Top Five Highest Crash Rate Intersections**

1. Coors Blvd and 7 Bar Loop Road
2. Coors Blvd. and Paseo del Norte
3. I-40 South Frontage Road and 6th/8th Street Interchange
4. Central Ave and Coors Blvd
5. Paseo del Norte and Jefferson Street

emerge as the most congested corridors overall and generally require a comprehensive set of management strategies. There may not be a silver bullet that "corrects" or "solves" the corridor single-handedly.

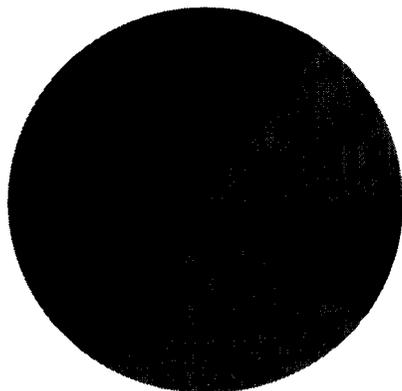
The third component, crash rates, is an indicator of non-recurring congestion and is an important tool in identifying intersections and corridors with significant safety concerns. Dangerous intersections create delays and cause slower speeds, but addressing safety is an important end in itself. Montgomery Boulevard and Coors Boulevard are the corridors with the highest overall crash scores, and three of the five most dangerous intersections in the AMPA are along Coors.

The causes of congestion in the AMPA are largely consistent with national data provided by FHWA (see graph to left). Nationally 45 percent of congestion is the result of bottlenecks and signal timing

issues, both of which are identified through volume and speed data. The next greatest source of congestion, crashes/incidents, is explicitly incorporated in safety data. Weather, which is responsible for 15 percent of congestion nationally, probably plays a smaller role in congestion in the Albuquerque metropolitan area as there are relatively few days of heavy rain or inclement weather. Construction and special events are not specifically incorporated in CMP congestion data. However, MRCOG is able to determine whether construction played any role in the data it collects. In general, MRCOG eliminates those instances from its databases in order to best assess incident-free conditions and to determine naturally occurring congestion.

The CMP congested corridors rankings for 2010 are noteworthy foremost for the prominent positions of many of the region's river crossings. In fact, each of the top five most

**NATIONAL SOURCES OF TRAFFIC CONGESTION (FHWA)**



- Special Events
- Signal Timing
- Weather
- Construction
- Crashes/Incidents
- Bottlenecks

## 2010 CMP Corridors Score and Rank

congested corridors features a major crossing over the Rio Grande. What is more, six of the top eight corridors can be found in the northwest portion of the AMPA. This accurately reflects the growing number of commuters from residential areas west of the Rio Grande to major employment centers east of the river and the need

to consider comprehensive management strategies for these corridors. The population in the AMPA is projected to grow considerably in coming decades and the majority of that growth is forecast to occur on the fringes of the metropolitan area, particularly to the west. This growth pattern means that short-term

solutions for congested river crossings, such as building new roadway capacity alone, are not sufficient. It is important for the CMP to monitor these roadways and track changes to congestion conditions over time, determine the extent and severity of congestion, and assess whether improvements have had meaningful impacts.

**"...each of the top five most congested corridors features a major crossing over the Rio Grande"**

Corridor	Corridor Length (MI)	V/C Points	Speed Points	Crash Points	Total Score	2008 Ranking	2010 Ranking	Ranking Change
Alameda Blvd.	4.2	106.3	91.1	6.4	203.8	1	1	0
Montano Rd.	6.4	68.7	56.9	20.8	146.3	2	2	0
Paseo del Norte Blvd.	13.5	47.8	62.8	25.3	135.9	9	3	6
Bridge/Cesar Chavez Blvd.	5.4	45.8	58.5	24.4	128.6	4	4	0
US 550	8.0	86.9	30.0	2.7	119.7	6	5	1
Paradise Blvd.	3.4	68.0	32.0	17.1	117.1	10	6	4
NM 47	10.2	71.3	36.9	0.0	108.1	5	7	-2
Coors Blvd.	19.6	24.4	51.6	29.0	105.0	7	8	-1
Jefferson Blvd.	4.1	17.4	58.2	25.0	100.6	12	9	3
Montgomery Blvd.	6.3	13.7	53.6	31.9	99.1	11	10	1
Eubank Blvd.	8.1	37.8	39.3	21.8	98.9	18	11	7
Isleta Blvd.	3.3	37.2	47.5	12.9	97.5	3	12	-9
Unser Blvd.	25.6	48.2	29.5	17.1	94.8	17	13	4
Dennis Chavez/ Rio Bravo	6.0	24.3	47.5	18.0	89.8	13	14	-1
Tramway Blvd.	7.4	33.2	43.8	12.6	89.6	14	15	-1
Wyoming Blvd.	7.7	16.8	51.5	20.9	89.1	8	16	-8
Irving Blvd.	4.9	30.4	40.0	17.1	87.5	23	17	6
Osuna/San Mateo Blvd.	9.2	11.6	55.8	19.3	86.7	15	18	-3
Gibson Blvd.	4.4	15.2	64.0	4.6	83.8	22	19	3
Central Ave.	17.2	4.9	60.8	17.9	83.7	20	20	0
NM 528	11.1	36.6	34.3	6.7	77.6	21	21	0
Fourth St.	7.2	5.7	57.3	12.6	75.6	29	22	7
Second St.	7.1	21.3	42.2	12.0	75.4	16	23	-7
NM 6	4.2	23.8	47.8	2.0	73.5	24	24	0
Broadway Blvd.	14.5	7.7	49.8	14.2	71.8	27	25	2
Lomas Blvd.	10.0	0.9	49.2	16.7	66.7	25	26	-1
Menaul Blvd.	10.0	0.0	52.2	12.7	64.9	28	27	1
Southern Blvd.	4.6	15.5	36.4	12.5	64.3	19	28	-9
Arenal Blvd.	2.5	5.3	30.0	12.0	47.3	26	29	-3
NM 14	11.3	4.3	16.2	0.0	20.4	30	30	0

TOP FIVE CONGESTED CORRIDORS BY DATA TYPE

VOLUME-TO-CAPACITY RATIO

Corridor	V/C Points	2010 Ranking
Alameda Blvd.	106.3	1
US 550	86.9	5
NM 47	71.3	7
Montano Rd.	68.7	2
Paradise Blvd.	68.0	6

SPEED DIFFERENTIAL

Corridor	Speed Points	2010 Ranking
Alameda Blvd.	91.1	1
Gibson Blvd.	64.0	19
Paseo del Norte Blvd.	62.8	3
Central Ave.	60.8	20
Bridge/Cesar Chavez	58.5	4

CRASH RATES

Corridor	Crash Points	2010 Ranking
Montgomery Blvd.	31.9	10
Coors Blvd.	29.0	6
Paseo del Norte Blvd.	25.3	3
Jefferson Blvd.	25.0	9
Bridge/Cesar Chavez	24.4	4

It is also essential for the CMP to serve as a forum for developing regional strategies to manage transportation needs and ensure mobility.

Changes from 2008 Rankings

Due to new, more accurate speed differential data and updated volume data, a number of significant changes can be observed in the 2010 rankings compared to the 2008 version. While reviewing changes over time will form a fundamental component of future CMP analysis, some caution is advised in interpreting and valuing those changes. Since the 2010 data is effectively a baseline dataset, it is more meaningful as a basis for comparison against future datasets than past ones. In other words, the 2010 dataset, and the speed differential data in particular, replaces outdated and incomplete data.

Comparing the 2008 and 2010 rankings is useful, however, as part of a "common sense"

assessment of roadway conditions. For example, Paseo del Norte surges in the 2010 rankings to #3, up from #9 in 2008, while Isleta Boulevard falls to #12 from #3. Both of these new rankings make more intuitive sense for users of the facilities than the 2008 versions and lend credibility to the recently-collected data.

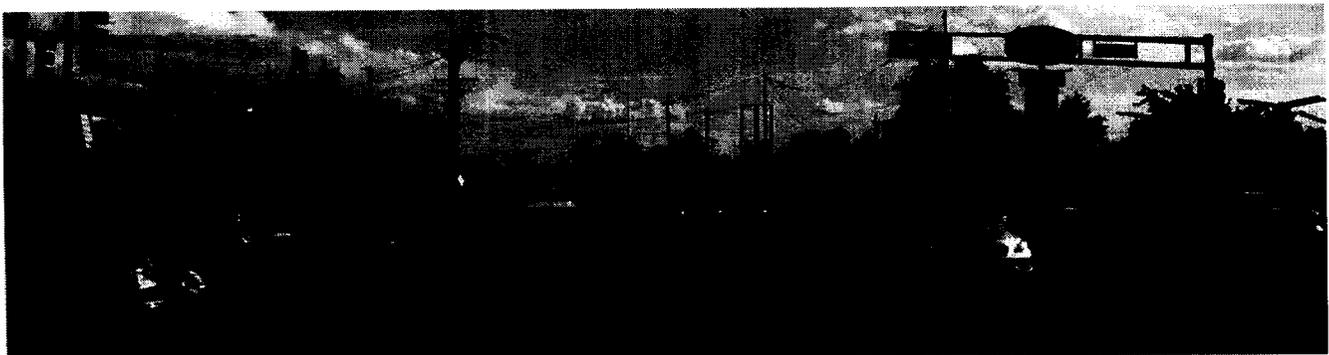
Considering the top five corridors by source of congestion is also revealing. First, **Alameda** is the most congested corridor in terms of both V/C score and speed differential, making it no surprise that it is repeatedly found to be the most congested facility in the AMPA. Second, corridors with high V/C scores or crash scores are more likely to have a high overall ranking than corridors with high speed differential scores. This can be observed by the fact that **all of the top five corridors for V/C are in the top seven overall**. By contrast, two corridors with high speed differential scores –

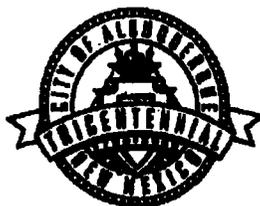
Gibson Boulevard and Central Avenue – have relatively low rankings overall, indicating congestion is not due to fundamental deficiencies in the facilities themselves. In the case of **Central**, slow speeds may actually be a desired condition along much of the corridor given the level of pedestrian activity in the downtown, University, and Nob Hill areas.

Sub-corridor Analysis

The corridor rankings table should be treated as an indication of which corridors need the greatest overall attention. But a high overall corridor ranking does not mean that an entire corridor needs attention. Similarly, a low ranking does not mean that a corridor does not need attention at all. Rather, high-ranked corridors tend to emerge due to the number and degree of severity of bottlenecks or congested intersections. Congestion may also be dispersed across the length of a corridor if there is greater demand than capacity

or if there is low speed due to poorly-timed signals. Corridor-wide congestion may indicate a comprehensive approach is best-suited for the facility. Detailed attention should be paid to corridor segments that display the greatest levels of congestion as there may be one crucial segment or bottleneck along a lower-ranking corridor that could alleviate large levels of concentrated congestion. A forthcoming document will catalogue conditions at the sub-corridor level; in the meantime that information can be obtained upon request by contacting MRCOG.





City of Albuquerque  
Planning Department  
Development Review Division  
P.O. Box 1293  
Albuquerque, New Mexico 87103

Date: May 20, 2005

**OFFICIAL NOTIFICATION OF DECISION**

FILE: Project # 1003859  
04EPC-01845 EPC Site Development Plan-  
Subdivision

Silverleaf Ventures, LLC  
5351 Menaul Blvd NE  
Albuquerque, NM 87110

**LEGAL DESCRIPTION:** for all or a portion of Tract(s) A & 6B, Lands of Ray Graham III, Ovenwest Corp., zoned SU-1, O-1, C-2 and PRD, located on COORS BLVD. NW, between MONTANO ROAD NW and LEARNING ROAD NW, containing approximately 70 acre(s). (E-12) Juanita Garcia, Staff Planner

On May 19, 2005 the Environmental Planning Commission voted to approve Project 1003859/#04EPC-01845, a Site Development Plan for Subdivision, based on the following Findings and subject to the following Conditions:

**FINDINGS:**

1. This is a request for a site development plan for subdivision for Tracts 6B & A, Lands of Ray Graham III, Ovenwest Corp., and COA. The site is located on Coors Blvd, south of Montano, zoned SU-1 C-2 Use (23.3 Acres Max), O-1 Uses (11.7 acres max) and PRD (20 DU/Acre) and contains approximately 70 acres.
2. The site was originally part of a larger site development plan (Project 1000965) known as Andalucia, but the applicant has requested to be separated from that larger site development plan to create a new site development plan (Project 1003859). A new name has been provided for the subject site, which will be identified as "North Andalucia at La Luz."
3. The applicant is proposing to re-plat the two separate tracts into nine new tracts and no zone map amendments are proposed with this request. The applicant is proposing design guidelines within the site development plan for subdivision that will help guide for consistency and a quality that is complementary of the subject site area.
4. The applicant's submittal demonstrates that future Tracts 6B-1 and 6B-2 will contain C-2 uses; Tracts 6B-3 and 6B-5 will contain O-1 uses and Tracts 6B-4, 6B-6, 6B-7, 6B-8 and 6B-9 will

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contain PRD uses. Based on the information that has been provided on the submittal, it appears that the applicant will have 22.51 acres of C-2 uses, 5.05 acres of O-1 uses and 34.98 acres of PRD uses.

5. This case was heard by EPC at the January 20, 2005 all day EPC hearing and was approved with findings and conditions but was appealed by the La Luz Landowners Association and was heard by the Land Use Hearing Officer (LUHO) who recommended that this application be remanded back to EPC to allow for a more "a more thorough record and make findings regarding the proposed streets and traffic flows and patterns." The recommendation was approved by City Council; therefore, this case has been remanded back to the EPC.
6. Since the January 20, 2005 EPC hearing, comments made by the Department of Municipal Development (DMD) have been separated from the consolidated comments provided by the Traffic Engineer. While the DMD recommended a deferral, the negotiations regarding traffic mitigation measures are more appropriately performed prior to Development Review Board (DRB) sign-off of the Site Development Plan for Subdivision.
7. The subject site is located in the area designated Established Urban and Developing Urban by the *Comprehensive Plan*. The submittal meets the goals of these areas by creating 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 area and life styles, while creating a visually pleasing built environment. The submittal furthers the policies of the *Comprehensive Plan* as follows:
  - a. The location, intensity and design of this development respects existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural or recreational concern (Policy 5d, *Comprehensive Plan*). The proposed plan will not have deleterious impacts on surrounding uses, established neighborhoods, or community amenities.
  - b. This request proposes to locate employment and service uses to complement residential areas and to site the development in a way that minimizes adverse effects of noise, lighting pollution, and traffic on residential environments (Policy 51, *Comprehensive Plan*).
  - c. This request constitutes new growth that will be accommodated through development in an area where vacant land is contiguous to existing or programmed facilities and services and where the integrity of existing neighborhoods can be ensured. (Policy 5e, *Comprehensive Plan*). This request represents new commercial development and is located in an existing commercially zoned areas (Policy 5j, *Comprehensive Plan*).
  - d. The subject site is adjacent to arterial streets and is planned to minimize harmful effects of traffic, livability and safety of established residential neighborhoods (Policy 5k, *Comprehensive Plan*).

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- e. The site plan represents a quality and innovative design which is appropriate to the plan area (Policy 51, *Comprehensive Plan*). ↗
  - f. This request represents redevelopment and rehabilitation of an older neighborhood in the Established Area (Policy 50, *Comprehensive Plan*).
8. This request is within a Community Activity Center as designated by the Centers and Corridors section of the *Albuquerque/Bernalillo County Comprehensive Plan*. The submittal furthers the Policies of the Community Activity Center designation as follows:
- a. The request helps to shape an urban form in a sustainable development pattern that helps to promote transit and pedestrian access both to and within the center, and maximizes cost-effectiveness of City services (*Comprehensive Plan*, Policy II. B. 7. a).
  - b. This request will assist in the development of a Community Activity Center as defined by the *Comprehensive Plan* by providing the primary focus for the entire community sub-area with a higher concentration and greater variety of commercial and entertainment uses in conjunction with community-wide services, employment, and the most intense land uses within the community sub-area.
  - c. This request will also assist in the development of a Community Activity Center as defined by the *Comprehensive Plan* by allowing the location of land uses typical of a low-rise office, educational facilities, medium density residential, senior housing and other similar uses.
  - d. This request meets the policies of the *Comprehensive Plan* by providing moderate floor area ratios and urban land uses and pedestrian connections between buildings and sidewalks, buildings separating off-street parking from streets and public plaza and open space (*Comprehensive Plan*, Activity Center Goal, Policy A, Community Activity Centers).
  - e. The subject site contains high-density residential property. The *Comprehensive Plan* is furthered in that the most intense activity centers uses are proposed to be located away from any nearby low-density residential development and is buffered from those residential uses by a transition area of less intensive development (Policy II. B. 7. f.).
9. Transportation:
- a. A Traffic Impact Study (TIS) was completed by the applicant in October of 2004 and has been reviewed by the Planning Department (Transportation Development) and the Department of Municipal Development (DMD). The study was conducted in accordance with the scoping letter and procedures cited in the City's Development Process Manual.
  - b. In addition, in March of 2005, a Supplemental Traffic Analysis was provided by the applicant to support the access approved at the intersection of Street B and Montano Road.
  - c. Coors Boulevard is a limited access, principal arterial with proposed bicycle lanes as designated on the Long Range Roadway System and Long Range Bikeways System.

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- d. The City Engineer may require up to six (6) additional feet of right-of-way on Coors Boulevard to accommodate the designated bicycle lane.
  - e. The ultimate cross-section for Coors Boulevard adjacent to the proposed site includes 4 northbound travel lanes consistent with the Coors Corridor Plan (see figure 6).
  - f. Consistent with the Coors Corridor Plan intersection access policy (see policy 5), access approximately midway between Montano Road and Dellyne Avenue at Street "B" is right-in, right-out only.
  - g. Exceptions to the access policy to allow for the proposed left-in access from southbound Coors Boulevard to Street "B" will require the approval of the Metropolitan Transportation Board (MTB) of the Mid-Region Council of Governments. The City Of Albuquerque has indicated that it will support this request to the Council of Governments based upon the TIS and demonstration that the addition of this left-in access will have beneficial impacts to the Coors/Dellyne/Learning Road intersection.
  - h. Montano Road is a limited access, minor arterial with a proposed grade separation at Winterhaven Road as designated on the Long Range Roadway System and on the Coors Corridor Plan. However, no grade separated intersection has been planned, designed or programmed as of this date.
  - i. In the future, if a grade separation is constructed, north-south traffic at Winterhaven will be able to pass under Montano, but no connection will be allowed between Montano and Winterhaven Road. However, in the interim, the City Engineer and the Director of the Department of Municipal Development have allowed for a right-in, right-out and left in at the intersection of Street B and Montano Road.
  - j. Learning Road will serve as both a public and private road. The areas designated as public or private are identified on the site development plan and the subdivision plat. The portion of Learning Road east of the existing City right-of-way is designated to remain a private road, which will provide access to Bosque School and the City Lift Station Access Road only.
  - k. In order to minimize adverse impacts to the Learning Road/La Luz Connector Road intersection and the Coors/Learning Road intersection, Bosque School has agreed to open access from the school to Street B during the morning and afternoon peaks and during special events.
10. The subject site will be subject to and will need to comply with the Impact Fees Ordinance and the Impact Fees Regulations that are currently in process of being finalized.
11. The proposed request meets the Transportation and Transit provision of the *Albuquerque/Bernalillo County Comprehensive Plan* with a goal to "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

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**PROJECT #1003859**  
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providing sufficient roadway capacity to meet mobility and access needs." The submittal furthers the Policies of the Transportation and Transit provision as follows:

- a. The subject site has been reviewed for street design, transit service and development form consistent with Transportation Corridors and Activity Center polices established in the *Comprehensive Plan*.
  - b. The site is adjacent to Coors Blvd and Montano Road, both designated as Enhanced Transit Corridors as identified in the *Comprehensive Plan's* Activity Centers and Transportation Corridors Map.
  - c. The subject site will contain some access control along Coors Blvd and Montano Road.
  - d. Enhanced Transit Corridors are to operate at a Level of Service (LOS) of "D" or better. The City may allow for lower LOS at an intersection by substituting transit improvements which facilitate transit vehicles bypassing congestion at the intersection for auto improvements; or may be allowed to substitute transit improvements, employee travel demand strategies, and mixed use developments which lower overall trip generation in place of auto based improvements in order to mitigate traffic impacts of a development. The Design Guidelines for the subject site includes a Transportation Demand Management (TDM) plan that will encourage alternative modes of transportation in place of auto based improvements in order to mitigate traffic impacts of this development.
  - e. All intersections near the subject site have transit emergency vehicle signal preemption, the capability of a selected lane for transit and will contain right turn lanes along Coors Blvd.
  - f. The subject site will contain pedestrian circulation that will maximize pedestrian connections to transit stops and between developments.
  - g. The subject site will contain public sidewalks adjacent to the site between 6-8 feet in width.
  - h. Dedicated Bicycle lanes are dedicated along Coors Blvd and Montano Road.
  - i. The submittal includes a network of internal bike lanes that will provide connections from the site to adjacent facilities on Coors and Montano.
12. The subject site is within the Taylor Ranch Community as identified in the *West Side Strategic Plan* and is within the community's Community Activity Center. The proposed development will include retail, office and multi-family residential uses that are appropriate for the Taylor Ranch Community Center (Policy 3.16, WSSP) and will respect the existing neighborhood values as required in Policy 5d, Established Urban, *Comprehensive Plan*. In addition, the site is an appropriate location for continued growth due to its contiguous location to the rest of the City and efficient location for receiving City services. (Policy 3.12, WSSP)
13. A remaining intact portion of the "Montano Pueblo" lies within the northern boundary of this site. Two smaller archeological sites are also identified with the site. The affected sites will need to comply with all the goals and policies under *Issue 2, Policy 6, Archeological Sites*, of the *Coors Corridor Plan*, which states, "development within an identified archeological site shall obtain

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clearance and guidance from the State Historic Preservation Office before actual development begins.”

14. The applicant has obtained clearance from the State Historic Preservation Office with the preferred method of mitigation to contain the burial sites in place and fill the sites with sterile soil to create a sloped surface. The approved mitigation plan also included a commitment to redesign the parking area and leave a portion of the Montano Pueblo site undeveloped, provide for a “protective covenant”, and provide materials for public interpretation such as information signs. At this point, the applicant is not proposing any development in the area that contains the “Montano Pueblo” therefore; this issue can be finalized at a later date.
15. If transportation mitigation is required along Montano Road, adjacent to the subject site, and it is determined there may be encroachment in the archeological site, then further review and approval from the State Historic Preservation Officer may be required.
16. The subject site contains an area of habitat for the Tawny Bellied Rat. An agreement was reached between the applicant, the City Of Albuquerque Open Space Division and the abutting Bosque School to relocate the Tawny Bellied Rat to suitable sites.
17. During the review and approval of this application in January of 2005 a preliminary Air Quality Impact Analysis(AQIA) was not required. However, policy has changed within the Planning Department that now requires a preliminary AQIA. The applicant has submitted a preliminary AQIA and has been reviewed and approved by the Environmental Health Department in accordance with Section 14-16-3-14 of the Comprehensive City Zoning Code.
18. The submitted site plan meets the applicable general policies, site planning and architecture policies, view preservation policies, and signage policies contained in the *Coors Corridor Plan*.
19. The site plan contains the information required by the *Comprehensive City Zoning Code*. It presents the site, the proposed uses, pedestrian and vehicular ingress and egress, internal circulation requirements and the maximum building heights allowed, and the nonresidential uses' maximum floor area ratio.
20. There have been two facilitated meetings between the applicant and the affected neighborhood associations and one non-facilitated meeting to discuss the issues related to the subject request and in accordance with the Land Use Hearing Officer's (LUHO) recommendation. As an agreement during these meetings, the applicant will not allow for any drive-through restaurants or gas stations on the subject site.
21. The applicant intends to assess the “grove of cottonwood trees” on the subject site by an arborist to determine the health of the trees.
22. Based on the review of the traffic studies and related testimony the EPC recognizes that significant long-range traffic solutions in the Coors and Montano area require a major redesign and reconstruction of the Coors/Montano intersection. Consequently, the EPC urges that the City

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Council place the redesign/reconstruction of the Coors/Montano intersection on the TCIP or CIP as quickly as possible.

**CONDITIONS:**

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. K
2. The Site Development Plan for Subdivision shall be amended to include a note that states: Fast Food Restaurants with drive-up windows and gas stations shall not be permitted.
3. If transportation mitigation requires an encroachment of the existing archeological site adjacent to Montano Road, further review and approval will be required from the State Historic Preservation Officer. K
4. In order to minimize adverse impacts to the Learning Road/La Luz Connector Road intersection and the Coors/Learning Road intersection, Bosque School has agreed to open access from the school to Street B during the morning and afternoon peaks and during special events. A gate and appropriate signage shall be provided along Learning Road by the developer of the commercial tract in conjunction with Phase One.
5. The applicant must comply with the following conditions of approval as specified by the City Engineer, the Department of Municipal Development, The Public Works Department and the NM Department of Transportation:
  - a. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for.
  - b. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan for building permit. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
  - c. Completion of the required TIS mitigation measures (when determined), per Transportation Development Staff. Transportation mitigation measures may be accomplished through a combination of Transportation Impact Fees, the Impact Fees Regulations and the TIS recommendations.

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- d. Street B shall intersect with Coors Blvd. at no less than an 80 degree skew. Every effort should be made to provide a connection at 90 degrees.**
- e. Dedicated right turn deceleration lanes will be required at site drives per DPM and/or TIS requirements. Left turn lanes required at site drives where permitted and as approved.**
- f. Existing Learning Rd. will need to intersect with New Street /Winterhaven Rd. at no less than an 80 degree skew. Every effort should be made to provide a connection at 90 degrees.**
- g. Roundabouts will need to meet design requirements of Publications FHWA-RD-00-067 and AASHTO.**
- h. Medians within 100' calming area (Street A) will need to be designed to accommodate left turning vehicles. Will also need to meet AASHTO and DPM criteria (site distance). Provide detail for this area.**
- i. Provide detail and location of bump outs.**
- j. Provide cross sections for Streets A, B and New Street/Winterhaven Rd.**
- k. 10' radius curb returns may not be allowed in high volume traffic areas or in truck circulation areas (includes emergency vehicles and solid waste).**
- l. Site plan shall comply and be designed per DPM Standards.**
- m. Platting must be a concurrent DRB action.**
- n. Dedication of an additional 6 feet of right-of-way along Coors Boulevard, as required by the City Engineer, to provide for on-street bicycle lanes as designated on the Long Range Bikeways System.**
- o. Construction of the northbound bicycle lane along Coors Boulevard, adjacent to the subject property, as designated on the Long Range Bikeways System.**
- p. Dedication of additional rights-of-way, as necessary, and construction of the fourth northbound travel lane on Coors Boulevard adjacent to the subject property consistent with the *Coors Corridor Plan* (see figure 6).**
- q. Approval of the proposed left-in access from southbound Coors Boulevard to Street "B" by the Metropolitan Transportation Board (MTB) of the Mid-Region Council of Governments.**
- r. Access at Montano and Winterhaven will be restricted to right turn in/right turn out and left in as approved by the Director of Municipal Development. Must be accompanied by a written agreement between the applicant and the City Of Albuquerque.**
- s. A notation shall be added on the submittal that reads, "When the future grade separation is constructed access will no longer be allowed to Montano Road from Winterhaven consistent with the Long Range Roadway System."**
- t. Access coordination is required with NMDOT.**

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6. The existing median on Learning Road just east of Coors Boulevard is well landscaped with native plants. The proposed development will require modification to the intersection of Learning Road and the La Luz access road including the median. The applicant has agreed to rebuild the median and re-vegetate it to the pre-modification level of landscaping.

**IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY JUNE 3, 2005 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED. IT IS NOT POSSIBLE TO APPEAL EPC RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE EPC'S RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE EPC'S DECISION.**

**Appeal to the City Council: Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department within 15 days of the Planning Commission's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If they decide that all City plans, policies and ordinances have not been properly followed, they shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.**

**YOU WILL RECEIVE NOTIFICATION IF ANY PERSON FILES AN APPEAL. IF THERE IS NO APPEAL, YOU CAN RECEIVE BUILDING PERMITS AT ANY TIME AFTER THE APPEAL DEADLINE QUOTED ABOVE, PROVIDED ALL CONDITIONS IMPOSED AT THE TIME OF APPROVAL HAVE BEEN MET. SUCCESSFUL APPLICANTS ARE REMINDED THAT OTHER REGULATIONS OF THE CITY MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).**

**Successful applicants should be aware of the termination provisions for Site Development Plans specified in Section 14-16-3-11 of the Comprehensive Zoning Code. Generally plan approval is terminated 7 years after approval by the EPC**

Sincerely,

  
for Richard Dineen  
Planning Director

**OFFICIAL NOTICE OF DECISION  
MAY 20, 2005  
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PAGE 10 OF 10**

**RD//ac**

**cc: Consensus Planning, Inc., 924 Park Ave SW 87102  
Rae Perls, La Luz Landowners Assoc., 15 Tennis Ct NW 87120  
Bruce Masson, La Luz Landowners Assoc., 13 Arco NW 87120  
Don MacCormack, Taylor Ranch NA, 5300 Hattiesburg NW 87120  
Ceil VanBerkel, Taylor Ranch NA, 5716 Morgan Ln NW 87120  
Lynn Perls, 18 Berm NW 87120  
Lois S. Sloan, 21 Tennis Ct NW 87120  
Gail Brownfield, 9 Arco NW 87120  
Jo Allen, 1 Tumbleweed NW 87120  
Andrew Wooden, 8 Arco NW 87120  
Dana Asbury, 1509 Stanford Dr NE 87106  
Frank W. Ikle, 5 Tennis Ct NW 87120  
Joanne G. Kimmey, 6 Link NW 87120  
Bennett King, 10 Arco NW 87120  
Robert Peters, 10 Tumbleweed NW 87120**



STEVEN M. CHAVEZ, Esq.  
ELIAS BARELA, Esq.

Sent via facsimile at the below listed numbers

March 28, 2005

N. Lynn Paris, Esq.  
500 Fourth Street, N.W., Ste. 205  
Albuquerque, NM 87102  
Facsimile: 891-0059

James Stozler  
924 Park Ave. NW  
Albuquerque, NM 87102  
Facsimile: 842-5495

Richard Dineen  
Planning Director  
Plaza Del Sol Building  
600 Second Street NW  
Albuquerque, NM 87102  
Facsimile: 768-3227

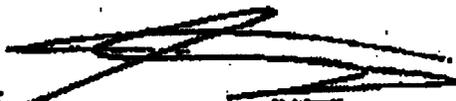
RE: Appeal AC-05-08/2

Dear Parties:

Enclosed herewith is a copy of my decision on the above referenced appeal matter. A copy has been forwarded to the City Council. Please call the City Council for information about when this matter will be reviewed by the Council. Thank you.

Cordially;

CHAVEZ & BARELA, P.C.

By:   
Steven M. Chavez, Esq.  
Land Use Hearing Officer

cc/ File

LAND USE HEARING OFFICER'S RECOMMENDATION

1  
2  
3  
4  
5 APPEAL NO. AC-05-09 (04EPC-01845; Project No. 1000837)

6 Dr. Rae Peris, La Luz Landowners Association, appeals the decision of the Environmental Planning Commission  
7 approving a Site Development Plan for the subdivision of Lots A and 6B, lands of Ray Graham, III, Overwest Corp.,  
8 zoned SU-1 for O-1 (11.7 acres, max.); and C-2 (23.3 acres max.); and, FRD (30/DAU/Acre max.) Located on Coors  
9 Boulevard N.W. between Montana Road N.W. and Learning Road N.W., and containing approximately 70 acres.

10  
11  
12  
13 I. PROCEDURAL BACKGROUND

14  
15 The Record reflects the applicant, Silverleaf Ventures, LLC, by and through their agent  
16 Consensus Planning (hereinafter "Party Opponent") submitted an application and a site development  
17 plan for subdivision to the Albuquerque City Planning Department (hereinafter "City") to subdivide  
18 and replat two adjoining undeveloped tracts of land into nine smaller new tracts. The application  
19 was dated December 1, 2004.<sup>1</sup> The application site of this proposal was previously approved by the  
20 EPC as part of a much larger proposal. The previously approved site plan and this proposed site plan  
21 have significant differences. Pursuant to the City of Albuquerque Comprehensive City Zoning Code  
22 ("Code"), site development plans and major changes thereof must be approved by the  
23 Environmental Planning Commission ("EPC").<sup>2</sup>

24  
25 On January 20, 2005, the EPC held a public hearing on the subject proposal. In its public  
26 hearing the EPC made 12 findings on the recommendation of City staff planners. The EPC  
27 subsequently approved the site plan for the subdivision with 11 conditions. On January 21, 2005,  
28 the EPC issued its Official Notification of Decision.<sup>3</sup> On February 4, 2005, Dr. Rae Peris of the La  
29 Luz Landowners Association ("Appellants") filed a timely appeal to the Land Use Hearing Officer.<sup>4</sup>  
30 The La Luz Land Owners Association has standing to appeal the decision of the EPC.

31  
32 An appeal hearing was held on March 15, 2005. During the appeal hearing the Appellants  
33 objected to the introduction of the Traffic Impact Studies and a report from the SWCA  
34 Environmental Consultants. Their objections were duly noted and overruled. The basis of their  
35 objections was founded on the complaint that Appellants had not been provided these reports and  
36 that they had not had an opportunity to review the them.

<sup>1</sup> See Page 88 of the Record Proper.

<sup>2</sup> See the Code, Preface, page viii and Section 14-16-3-11 respectively.

<sup>3</sup> See Page 110 of the Record Proper.

<sup>4</sup> See page 1 of the Record Proper.

1 **II. ISSUES PRESENTED**

2  
3 In this appeal, Appellants appeal the decision of the EPC on three grounds. The first  
4 concerns the conduct of the EPC itself. Appellants claim the EPC failed to give a representative of  
5 the La Luz Landowner's Association a fair opportunity to be heard. The second point concerns the  
6 findings of the EPC. Appellants claim certain negative findings and circumstances regarding  
7 vehicular access and travel through the proposed site was not adequately considered by the EPC and  
8 therefore, the EPC acted arbitrarily and capriciously in granting approval of the site development  
9 plan. Finally, Appellants claim the environmental and archeological conditions found to be present  
10 on the proposed site were not given due consideration by the EPC. Each of the issues raised by  
11 Appellants contain an element of due process attributed to how the EPC managed the evidence or  
12 lack of evidence before it.

13  
14 **III. STANDARD OF REVIEW**

15 A review of an appeal is a whole record review to determine if the EPC erred:

- 16  
17  
18 1. In applying adopted city plans, policies, and ordinances in arriving at the decision;  
19 2. In the appealed action or decision, including its stated facts;  
20 3. In acting arbitrary or capriciously or manifestly abusive of discretion.

21  
22 The decision and record must be supported by a preponderance of the evidence to be upheld.  
23 If the evidence is not supported the Land Use Hearing Officer may not substitute its judgment for  
24 that of the EPC. The Land Use Hearing Officer's opinion is advisory to the City Council. The  
25 Hearing Officer may recommend that the Council "grant, in whole or in part, an appeal, deny, in  
26 whole or in part, an appeal, or remand an appeal for reconsideration if the remand is necessary to  
27 clarify or supplement the record or if the remand would expeditiously dispose of the matter."<sup>2</sup>  
28 Decisions of the City are presumably valid and the burden of proving otherwise rests upon a party  
29 seeking to void such decision.

30  
31  
32 **IV. ARGUMENTS**

33 **Due Process**

34  
35  
36 I first note that Appellants failed to attend the facilitated meeting. Their misgivings are of no  
37 fault of the Party Opponents or the City. Moreover, Appellants have not raised any legitimate issues  
38 that they did not receive notice of the review stages of this proposal, including the facilitated  
39 meeting. Appellants assert, however, that they did make several requests to the Planning Department  
40 sometime after the facilitated meeting for information regarding the traffic studies. The City staff

<sup>2</sup> See Rules of the Land Use Hearing Officer adopted by the City Council, February 18, 2004. Bill No. F/S OC-04-6.

1 deny that such requests were made and Appellants have not brought forth or shown any evidence  
2 substantiating their alleged requests.  
3

4 The cornerstone of all Appellants' arguments concerns how Mr. John Badal, presumably  
5 a member of the La Luz Landowners' Association was received by the EPC when he spoke out in  
6 opposition to the proposal. Appellants contend that the City's decision-making process violated their  
7 procedural due process rights. I note at the outset, that the City is not required to conduct its public,  
8 quasi-judicial hearings following the same evidentiary and procedural standards applicable to a court  
9 of law; although it must adhere to fundamental principles of justice and procedural due process.<sup>6</sup>  
10

11 Appellants contend Mr. Badal's speech was immediately chilled when he was allegedly  
12 admonished by the EPC for not participating or having an Association member participate in the  
13 facilitated meeting held on January 12, 2005. Although the City staff answer this claim with a  
14 denial that the EPC in fact chilled or stifled Mr. Badal's speech, the official record from the EPC  
15 speaks for itself.  
16

17 After thoroughly reviewing the minutes of the EPC, I cannot find that Mr. Badal was not given  
18 a *per se* opportunity to be heard, when in fact he was allowed to present himself and place his  
19 opposition on the record. However, an opportunity to be heard is more than simply allowing  
20 someone to orally voice their opposition. At least one issue raised by Mr. Badal was relevant to the  
21 discussion before the EPC. That issue relates to the access thoroughfares in and out of the proposed  
22 site and how these new streets will affect existing and future traffic flows and conditions. The  
23 record is clear that Mr. Badal as a representative of the La Luz Homeowner's Association was given  
24 an opportunity to be heard, however the issues raised by him were not given due consideration and  
25 the EPC abused its discretion in how it managed these issues.  
26

27 I cannot find any evidence in the minutes that the EPC evaluated in any meaningful way the  
28 issue raised by Mr. Badal. Although, the EPC took great pains to question Mr. James Strodler of  
29 Consensus Planning about the concerns raised by the La Luz Landowners' Association as presented  
30 by Mr. Badal, it did so in a perfunctory manner. The fact that Mr. Badal and the La Luz  
31 Homeowner's Association did not participate in the earlier facilitated meeting may have been a cause  
32 for Mr. Badal's lack of information regarding the proposal, as the EPC duly noted. Despite Mr.  
33 Badal's imperfect presentation, the EPC did little or nothing to address the issues presented by Mr.  
34 Badal. Consequently, alone, this does not rise to the level of a violation of requisite due process.  
35

36 It abused its discretion when it deferred the issues for a later hearing. This was inappropriate  
37 for reasons enumerated below. For lack of a better phrase, it literally put off the questions raised  
38 by Mr. Badal for another day. It passed on those concerns seemingly for a future hearing.

---

<sup>6</sup> See *Battershall v. City of Albuquerque*, 108 N.M. 658, 662, 777 P.2d 386, 390 (Ct. App. 1989). ("In administrative proceedings due process is flexible in nature and may adhere to such requisite procedural protections as the particular situation demands.")

1 presumably to be addressed at the subsequent hearing for building permits.<sup>7</sup> In doing so, the EPC  
2 virtually communicated to the La Luz Landowners' Association that their "serious" concerns would  
3 be addressed at this later hearing.

4  
5 However, as Staff Planner, Mrs. Juanita Garcia expressly made clear to the EPC, she  
6 concluded "the issues regarding the roads really should be addressed right now."<sup>8</sup> Mrs. Garcia went  
7 on to explain that "once we approve this site development plan for subdivision the roads are in place  
8 and the lot lines are in place and there is not really any flexibility for us to come back and amend the  
9 site development plan for subdivision when we are reviewing the site development plan for building  
10 permit."<sup>9</sup> Although Mrs. Garcia was not specifically referring to the issues raised by Mr. Badal, it  
11 was an abuse of its discretion for the EPC to conduct itself in this manner knowing that the vehicular  
12 concerns and issues raised by the La Luz Homeowner's Association could not be considered by the  
13 EPC after approving the site plan for subdivision.<sup>10</sup>

14  
15 Consequently, the EPC either should have made more than a cursory investigation of the  
16 issues raised by Mr. Badal or it should have deferred its ruling and continued the hearing for a later  
17 date. Notably too, in its Official Notification of Decision, the EPC made no rulings or findings of  
18 traffic conditions, internal traffic flows or measures, or the Traffic Impact Studies, other than the  
19 cursory requisites required of a typical site plan.<sup>11</sup> Then, as a condition of approval, the EPC simply  
20 placed a condition that a Traffic Impact Study was "required and has been submitted," without any  
21 further elaboration. Appellants' are left with a rational, conspicuous impression of apprehension and  
22 suspicion.

23  
24 If an objective observer would entertain reasonable question about whether in fact the EPC  
25 conducted an investigation and then forewarn, that it would investigate further at a later date when  
26 in fact it cannot conduct the later review it said it will conduct, then, we are faced with an  
27 insurmountable question of due process and incredulity of the process itself. The test is an objective  
28 one, and what matters is the appearance of good governance. As the very noble Justice Kennedy  
29 wrote "Justice should not only be done, but should manifestly and undoubtedly be seen to be done."<sup>12</sup>  
30

---

<sup>7</sup> See page 140 of the Record Proper, wherein Chairman Deichmann states the parties should come up with a "good compromise" and the EPC will take "their concerns a lot more seriously" presumably at the next stage of hearing(s) for building permits.

<sup>8</sup> See the Record Proper, EPC minutes page 141.

<sup>9</sup> Id.

<sup>10</sup> See the Code, Section 14-16-1-3, Definitions, Page 16. The distinction between a site plan for subdivision with a site plan for building permits is clearly defined.

<sup>11</sup> In its defense however, the EPC did set conditions of traffic mitigation measures.

1 The EPC has many advantages. Its decision-making process is guided by its expertise in the  
 2 areas assigned to it by the City Council. It has extensive resources to develop the facts relevant to  
 3 a proper investigation into the issues. It can postpone its decisions when it feels it is necessary.  
 4 Despite these advantages, it should not be accorded deference if those advantages did not play a role  
 5 in its decision-making process.

6  
 7 Rather than using its resources to develop the facts relevant to a proper investigation, the  
 8 record reflects that it ignored the pertinent issues or facts (at least those raised by the La Luz Home  
 9 Owners' Association), it did not utilize its knowledge and expertise to discern the merits of the  
 10 issues it was faced with. Rather without authority, it placed the opposition on notice that it would  
 11 investigate later. The record presents genuine doubt whether the EPC's investigation and delay of  
 12 the issues merits deference. The best course is to remand the matter to the EPC for reconsideration.  
 13 The record should be developed more thoroughly.<sup>12</sup>

14  
 15 I recognize that the EPC has a difficult and demanding job and it may not have to respond  
 16 to every issue raised by every person opposing a proposal. Such a requirement is impractical and  
 17 often unnecessary. My recommendation is not intended to stand for that proposition. Yet, the  
 18 additional effort required by a remand in this circumstance, is appropriate to improve the confidence  
 19 in the EPC decision-making process. The purpose of remand is not to require a different result. A  
 20 decision identical to the original decision may well be affirmable, but because the process, as well  
 21 as the result, is of high importance, sometimes it is the process, rather than the result, that justifies  
 22 remand and reconsideration.

23  
 24 Finally, I believe there is good cause, in this matter only, for a second facilitated meeting.  
 25 Although Appellants have no good excuses for missing the meeting, and I believe the City Planning  
 26 Staff acted in good faith to hold a meeting, the fact remains that a facilitated meeting may  
 27 expeditiously assist the parties in disposing this matter when it moves back before the EPC. In  
 28 making this recommendation, I am cognizant of the precedential issues which may arise in the future.  
 29 However, I conclude that the totality of the circumstances in this case are somewhat exceptional and  
 30 this opinion should be narrowly construed in the future.

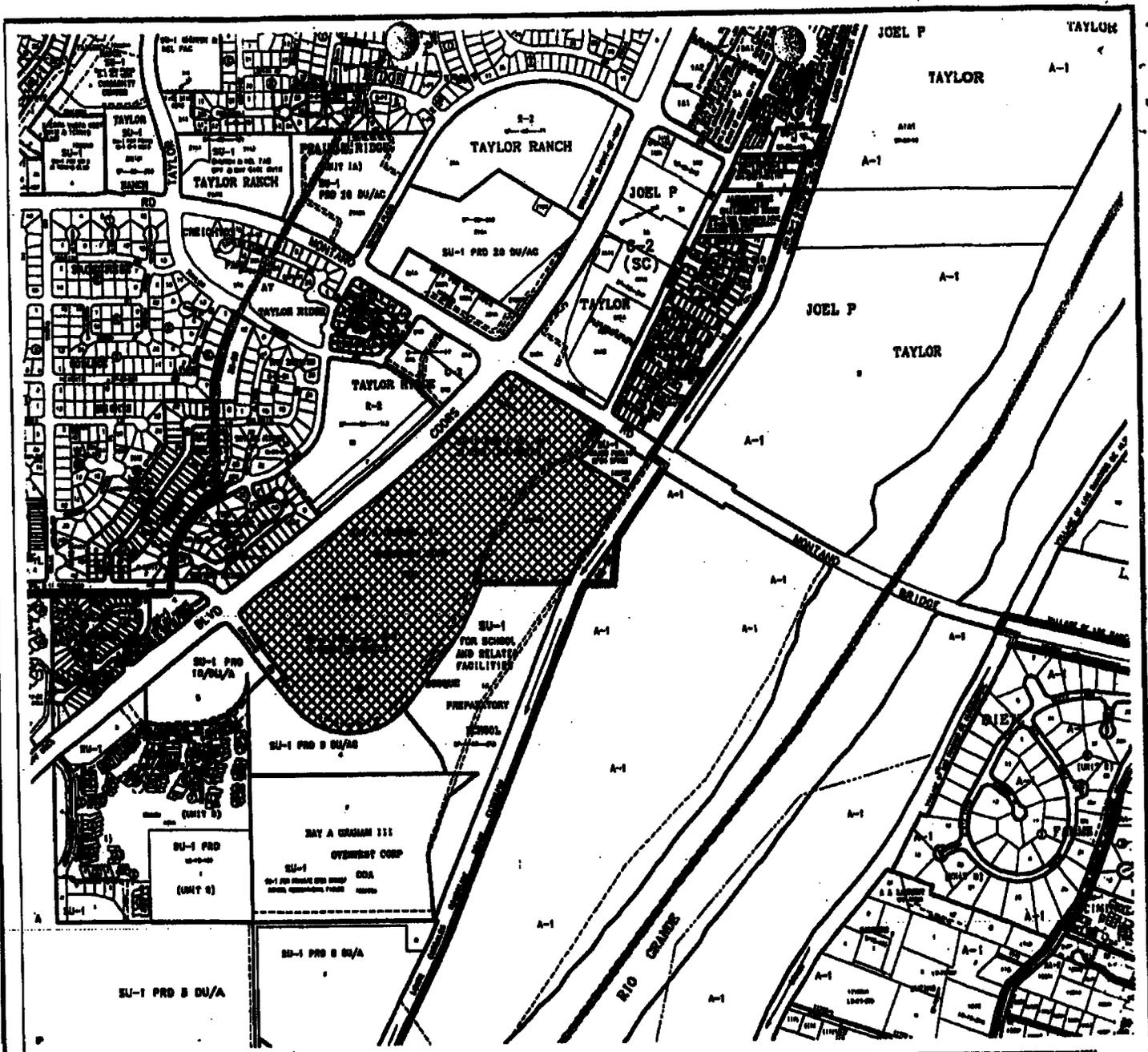
31  
 32  
 33 **V. SUMMARY OF FINDINGS AND RECOMMENDATION**

34  
 35 In summary, I find that the EPC abused its discretion in advising the La Luz Homeowners'  
 36 Association that it would consider the specific issues of subdivision raised by them at a subsequent  
 37 hearing when it considers building permits. The EPC does not have the authority to make  
 38 meaningful inquiries into the site plan for subdivision at a subsequent hearing to consider the site  
 39 plan for building permits.

---

<sup>12</sup> I note for the record, the short time between the application date and the facilitated meeting and the EPC hearing may have been a contributing factor and may not have allowed for, or it may not have been conducive to, a free flow of information in this matter.





### ZONING MAP



Scale 1" = 973'

PROJECT NO.  
1003859

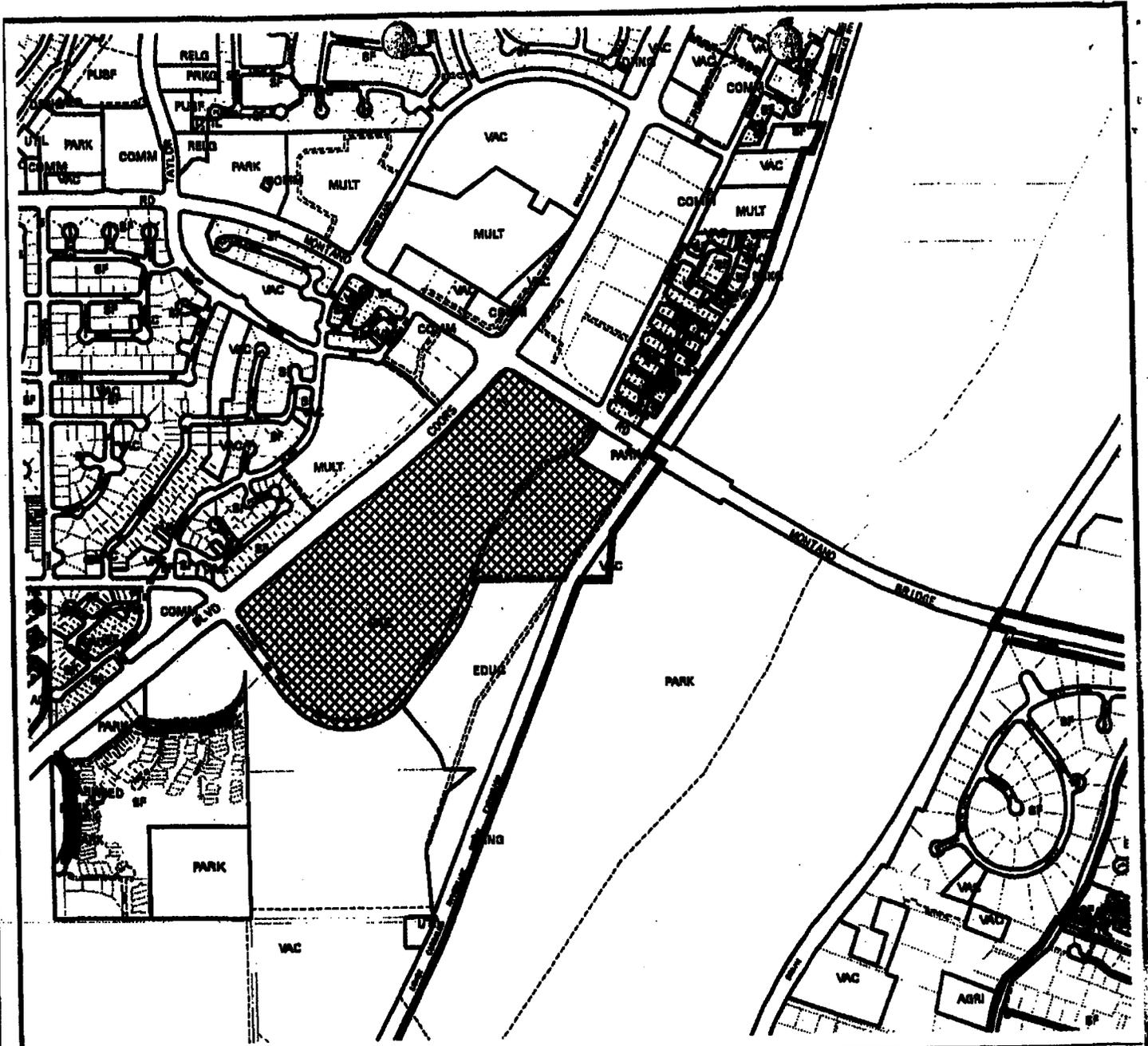
HEARING DATE  
1-20-05

MAP NO.  
E-12

ADDITIONAL CASE NUMBER(S)  
04EPC-01845

Note: Shaded area indicates County Not to Scale





### LAND USE MAP

#### KEY to Land Use Abbreviations

- AGRI Agricultural
- COMM Commercial -Retail, Service, Wholesale
- DRNG Drainage
- EDUC Public or Private School
- GOLF Golf Course
- MED Medical Office or Facility
- MFG Manufacturing or Mining
- MH Mobile Home
- MULT Multi-Family or Group Home
- OFF Office
- ORG Social or Civic Organization
- PARK Park, Recreation or Open Space
- PRKG Parking
- PUBF Public Facility
- RELG Religious Facility
- SF Single Family
- TRAN Transportation Facility
- UTIL Utility
- VAC Vacant Land or Abandoned Bldg
- WH Warehousing & Storage



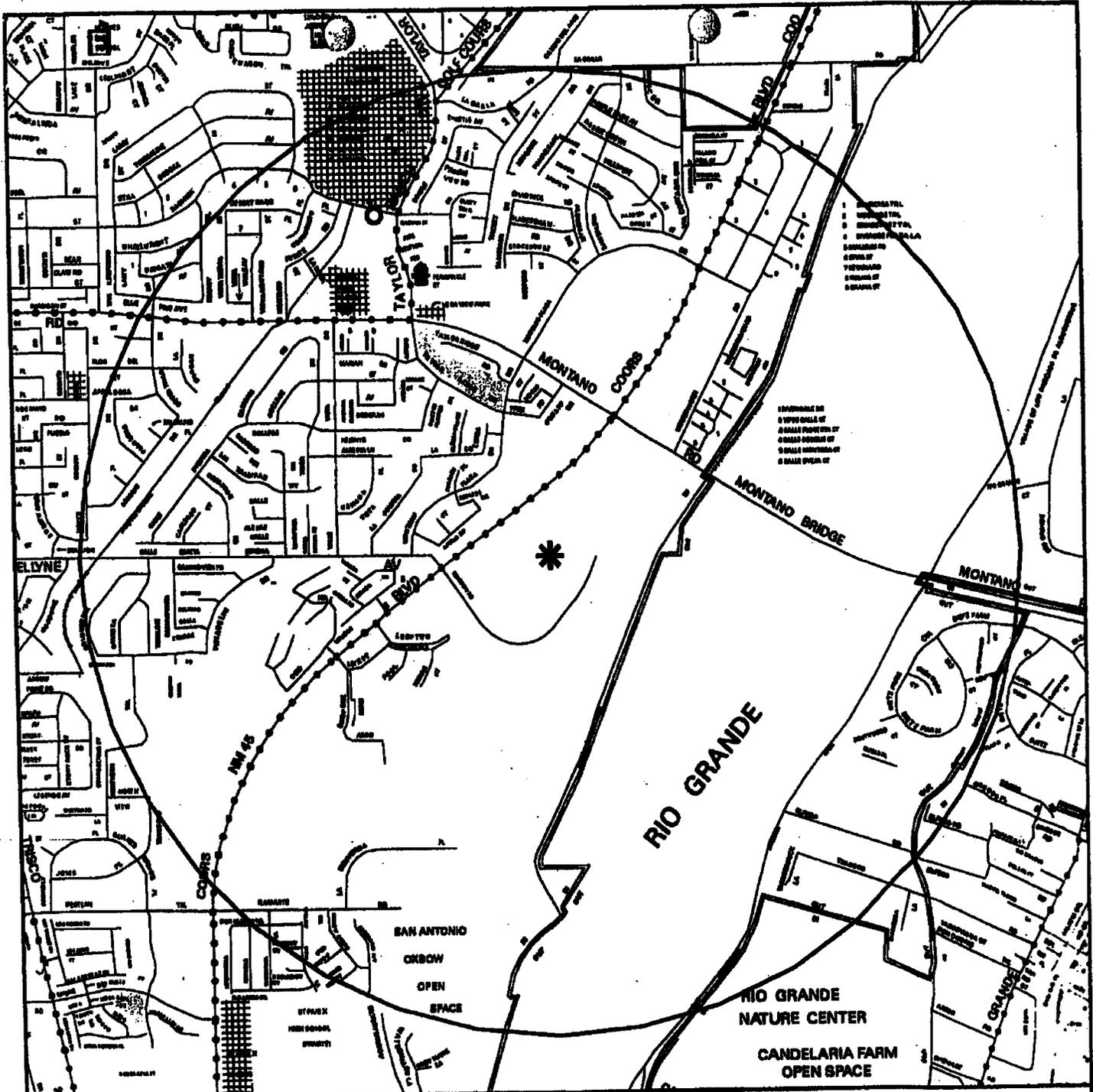
Scale 1" = 973'

**PROJECT NO.**  
**1003859**

**HEARING DATE**  
**1-20-05**

**MAP NO.**  
**E-12**

**ADDITIONAL CASE NUMBER(S)**  
**04EPC-01845**



- |                        |                  |                            |
|------------------------|------------------|----------------------------|
| ▼ Senior Center        | APS Schools      | ▨ Developed City Park      |
| ○ Community Center     | Elementary       | ▩ Undeveloped City Park    |
| ◆ Multi-Service Center | Middle           | ▧ County Park              |
| 📖 Library              | High             | ■ Landfill                 |
| 👮 Police               | ⋯ Suntran Routes | ⊠ Buffer designated by EHD |
| ★ Sheriff              | — City Limits    |                            |
| 🚒 Fire Station         |                  |                            |
| 🏊 Pool                 |                  |                            |
- \* 1003859
- 0 1/2 Miles 1 Mile  
 Scale 1" = 1500'

---

**ADDITIONAL INFORMATION**

**Appeal:**

On February 4, 2005 an appeal was filed by the La Luz Landowners Association on the approval of the site development plan for subdivision approved by the Environmental Planning Commission (EPC) on January 20, 2005. In general, the basis of the appeal was related to traffic congestion at the intersections of Coors at Montano, Coors at Learning Road, and Montano at Winterhaven. The appellants also stated that they were not given an opportunity to express their concerns regarding traffic at the January 20, 2005 EPC hearing. There were other elements related to issues that were primarily related to a site development plan for building permit. The appeal was subsequently forwarded to the City Council and referred to the Land Use Hearing Officer (LUHO). The LUHO heard the matter and recommended that the matter be remanded to the EPC to allow for "a more thorough record and make findings regarding the proposed streets and traffic flows and patterns." The LUHO believed that there was substantial information in the record to show that traffic was of concern to the neighborhood and to staff. The City Council accepted the LUHO's recommendation on April 18, 2005.

Comments received by the Planning Department regarding traffic for the subject request recommended a deferral from the Department of Municipal Development (DMD). However, when the comments were consolidated from the City Engineer, DMD, and other related agencies, the recommendation of deferral was not provided - only findings and conditions of approval. Since there was a conflict in the comments there should have been some sort of discussion regarding this issue.

Since the appeal was heard, staff has verified with the affected agencies if their comments have changed from the January 20, 2005 EPC hearing. It appears that the comments have not changed and DMD is still recommending a deferral.

**Transportation Issues**

The comments for the proposed project have changed from the January 20, 2005 EPC in regards to the format that they have been presented. Typically, comments from the DMD, the City Engineer and related agencies are consolidated and presented as one set of comments. At the January 20, 2005 EPC hearing, the comments from the DMD recommended a deferral of this case. The DMD is still recommending a deferral of this case, therefore, Planning staff is also recommending a deferral as a professional courtesy to a commenting agency. The Planning Department does recommend deferral when a commenting agency strongly recommends a deferral. In this case, the DMD does not believe that the transportation issues can be resolved through conditions of approval. The TIS demonstrates that level of service at Coors and Montano and Coors and Dellyne will diminish and further increase the delay time during peak times. The applicant has proposed some mitigation measures that include widening of Coors and Montano, triple turn lanes at Coors and Montano and converting Montano Bridge from two lanes

to four lanes. DMD does not believe that the applicant's proposal to mitigate transportation issues cannot be done and/or will be difficult to accomplish.

However, DMD does offer recommended findings and conditions of approval in case the EPC does believe that there is an opportunity to proceed with this application. Comments from DMD are identified below:

**Transportation Planning (Department of Municipal Development):**

**Findings**

- Coors Boulevard is a limited access, principal arterial with proposed bicycle lanes as designated on the Long Range Roadway System and Long Range Bikeways System.
- The City Engineer may require up to six (6) additional feet of right-of-way on Coors Boulevard to accommodate the designated bicycle lane.
- The ultimate cross-section for Coors Boulevard adjacent to the proposed site includes 4 northbound travel lanes consistent with the Coors Corridor Plan (see figure 6).
- Consistent with the Coors Corridor Plan intersection access policy (see policy 5), access approximately midway between Montano Road and Dellyne Avenue at Street "B" is right-in, right-out only.
- Exceptions to the access policy to allow for the proposed left-in access from southbound Coors Boulevard to Street "B" will require the approval of the Metropolitan Transportation Board (MTB) of the Mid-Region Council of Governments.
- Montano Road is a limited access, minor arterial with a proposed grade separation at Winterhaven Road as designated on the Long Range Roadway System.
- In the future, after the proposed grade separation is constructed, north-south traffic at Winterhaven will be able to pass under Montano, but no connection will be allowed between Montano and Winterhaven Road.
- To ensure this grade separation can be constructed in the future and is not made impossible by this development, access at the Winterhaven/Montano intersection should be right-turn in, right-turn out only.
- The traffic study identifies impacts at every intersection along Coors Boulevard and Montano Road, some of which cannot be addressed by capacity improvements. Not all of these effects are wholly attributable to this site, but it is clear that the development mix and level proposed cannot be served at this location.
- When a scaled back or substantially modified proposal comes forward, more effort should be made in the traffic study to distinguish site related traffic and mitigation proposals attributed specifically to this development.

**Conditions**

- Dedication of an additional 6 feet of right-of-way along Coors Boulevard, as required by the City Engineer, to provide for on-street bicycle lanes as designated on the Long Range Bikeways System.
- Construction of the northbound bicycle lane along Coors Boulevard, adjacent to the subject property, as designated on the Long Range Bikeways System.

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- Dedication of additional rights-of-way, as necessary, and construction of the fourth northbound travel lane on Coors Boulevard adjacent to the subject property consistent with the Coors Corridor Plan (see figure 6).
  - Approval of the proposed left-in access from southbound Coors Boulevard to Street "B" by the Metropolitan Transportation Board (MTB) of the Mid-Region Council of Governments.
  - The median opening at Montano and Winterhaven will be closed at the time this site is developed. Limit access at the Winterhaven/Montano intersection to right-turn in, right-turn out traffic only until the future grade separation is constructed, at which time, access will no longer be allowed to Montano Road from Winterhaven Road consistent with the Long Range Roadway System.

***Recommendation***

- Deferral to: 1) discuss optional land use proposals, and 2) prepare documentation, satisfactory to the EPC, that the roadway improvements required in the traffic study to serve the proposed development will be in place to serve each phase of building construction.

**Impact Fees**

Above all the issues that are presented by DMD, it has been determined recently that all site development plans that were approved by December 10, 2004 are not subject to the Impact Fee Ordinance that was adopted by City Council on November 15, 2004. This application was accepted before December 10, 2004 but has not been officially approved as of yet. Given this information, the subject request is subject to the Impact Fees Ordinance and the Impact Fees Regulations that are pending approval.

The Impact Fee Ordinance will require property owners/developers to pay for what are known as "System" fees, which will automatically be charged for the overall improvement of the subject site's "Service Area." In addition, property owners/developers will be subject to "Project" fees/improvements that are warranted because of their proposed development and are adjacent to their site. For the subject request, it is unclear what, if any, "Project" fees there may be in relation to the proposed development. It is possible that no additional fees will be required of the applicant and no other mitigation measures will be required, such as an additional fourth lane on Coors or an additional third lane on Montano. It is staff's understanding that further information is required from the applicant to determine what sort of "project" fees might be collected of the applicant.

**Supplemental Traffic Information**

Since the January 20, 2005 EPC hearing the applicant has supplied supplemental information regarding traffic. The applicant has supplied an "Executive Summary" of the Traffic Impact Study (TIS) so that all commissioners will have a consolidated version of the TIS. As discussed at the January 20, 2005 EPC the applicant was asked by the City to provide further analysis of

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the entrances along Coors near the intersection of Coors and Montano. At that point it was not clear what type of ingress/egress would occur at the intersection of Montano and Winterhaven, and what affects that intersection would have at the entrances on Coors. The applicant has supplied that information and based on that information, the site will contain a right-in, right-out and left-in intersection at Montano and Winterhaven.

#### **Open Space Division**

At the January 20, 2005 EPC hearing, Dr. Matt Schmader presented the concerns of the Open Space Division, which were related to the archeological sites, the Tawny Bellied Rat, the grove of trees along the eastern edge of the site, and the design of buildings along the east edge of the site near the City's Open Space parking area.

#### **Archeological Information**

Since the January 20, 2005 EPC Hearing, the applicant has provided information regarding the three archeological sites that exist on the subject site. A remaining, intact portion of the "Montano Pueblo" lies within the northern boundary of this site, beneath Tract 6B. In addition, there are two smaller archeological sites near future Tracts 6B-1 and 6B-2. A note on the site development plan for subdivision requires the applicant to obtain approval from the State Historic Preservation Officer. Since the January 20, 2005 hearing, the applicant did conduct some "limited testing" of the archeological sites to determine the measures of mitigation. The results of the "limited testing" was sent to the State Historic Preservation Office, with a recommendation to (1) contain the burial in place (2) remove all the data from the sites and (3) avoid and preserve the sites as open space.

The applicant's preferred method of mitigation is to contain the burial sites in place and fill the sites with sterile soil to create a sloped surface. However, a fourth option was discussed with City staff in which staff proposed to redesign the parking area and leave a portion of that site undeveloped, provide for a "protective covenant", and provide materials for public interpretation such as information signs. At this point, the applicant is not proposing any development in the area that contains the "Montano Pueblo" therefore; this issue can be finalized at a later date.

Since the January 20, 2005 EPC hearing, it has come to staff's attention that the traffic mitigation recommendations from Transportation Planning and the City Engineer to widen Montano Road to three lanes will have an impact on the "Montano Pueblo." The archeological mitigation measures that were presented to the State Historic Preservation Officer did not include the discussion of a third lane along Montano, which will infringe on the archeological site. It appears that a determination if a third lane along Montano is required from Transportation Planning and the City Engineer and if so, it should be discussed with the State Historic Preservation Officer and how this will impact the archeological site near Montano Road. This issue does concern staff because the amount of right-of-way that is to be dedicated along Montano Road will be finalized with the approval of the site development plan for subdivision.

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Obtaining approval from the State Historic Preservation Office for the remedial action of the archeological sites will comply with the goals and policies of *Issue 2, Policy 6, Archeological Sites, of the Coors Corridor Plan*, which states, "development within an identified archeological site shall obtain clearance and guidance from the State Historic Preservation Office before actual development begins."

A condition of approval from the January 20, 2005 EPC hearing specified, "The future applications for building permit shall include resolution of the archeological sensitive sites by the State Historical Preservation Office." This language is necessary on the site development plan but the condition does not require the applicant to specify the language on the submittal. A future recommended condition of approval will require the applicant to ensure that such notation is provided on the site development plan for subdivision.

The applicant has provided a letter dated April 25, 2005 from the State Historical Preservation Officer to the La Luz Landowners Association that explains their reasoning for accepting the applicant's proposed method of mitigating the archeological sites and encourages La Luz to participate as early in the process as possible. It appears that La Luz had expressed their concerns regarding the mitigation plan to the State Historical Preservation Officer after it had been accepted.

#### ***Tawny Bellied Rat***

At the hearing conditions of approval were placed on the site development plan for subdivision approval that requires the applicant to "assess any issues regarding the existing Cottonwoods and habitat for the Tawny Bellied Rat." Since the January 20, 2005 EPC hearing the applicant has developed a strategy to relocate the Tawny Bellied Rats that includes the involvement of Bosque School. A memorandum dated May 5, 2005 from Consensus Planning identifies the following plan:

**Property owners:** Shall permit the school access to the property for the purposes of habitat study, trapping, and relocation of the Tawney Bellied Rats located on the property. They shall also provide the School with a schedule concerning potential grading and construction activities on the property.

**Open Space Division:** Shall provide guidance and assistance regarding the relocation efforts and shall assist in determining or creating appropriate habitat areas to accommodate the relocation onto City Open Space lands.

**Bosque School:** Shall be responsible to coordinate with the property owners, City Open Space, and experts (as they determine) to implement the relocation of the Tawny Bellied Rats

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from the property. They shall be responsible for the trapping and transport of the animals to the relocation site(s).

*Grove of Trees*

The condition of approval at the January 20, 2005 EPC that requires the applicant to "assess any issues regarding the existing Cottonwoods" has not been clearly addressed to staff. Staff understands that the "grove of trees" is in the path of the new local street and will not be preserved, however, this issue can be clarified at the EPC hearing.

*Design of Buildings near the Open Space parking area*

The applicant has amended their application and is proposing to develop the site in phases. The applicant had originally proposed to develop the entire site and full build was expected by the year 2010, however, the applicant was not able to secure the tenant for the proposed 80,000 square foot building near the Open Space parking area, so the applicant has decided to have that portion reviewed by the EPC at a later date. Nonetheless, staff is confident with the design standards that have been proposed within the site development plan for subdivision and believe that buildings adjacent to the Open space are will be compatible with the adjacent areas.

**AQIA**

A recent appeal decision at City Council now requires applicants to supply an Air Quality Impact Analysis (AQIA) when a development meets the standards of Section 14-16-3-14, Air Quality Impact Regulations of the Comprehensive City Zoning Code. The applicant has submitted a Preliminary AQIA to the Environmental Health Department and the final results of the analysis has not been provided to staff. The Environmental Health Department's position has been modified in regards to the current status of the air quality within the City Of Albuquerque, particularly for carbon monoxide (CO). A previous position from the Environmental Health Department demonstrated that current CO levels are well within compliance of the National Ambient Air Quality Standard (NAAQS). A future recommended condition of approval will require that this portion of the Zoning Code before final approval from the Development Review Board (DRB).

**Additional Meetings**

For the January 20, 2005 EPC hearing, the Planning Department recommended a facilitated meeting between the affected neighborhood associations and the applicant. The response from the neighborhood association to the facilitator was that there was no need for such meeting. However, since that time it has been advised to the neighborhood association and the applicant to meet to discuss the issues that precipitated the appeal.

The applicant asked the Planning Department to make arrangements for a facilitated meeting. A facilitated meeting was held on April 12, 2005 and once again on April 21, 2005. Staff did

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attend both meetings to offer any explanation of pertinent regulations, policies, and goals. There were numerous members from the surrounding communities including members from adjacent neighborhood associations and the president of the west side coalition -- Dr. Joe Valles. All of the representatives from the applicant's development team, including the agent, traffic engineer and architect and the applicants themselves were present at these meetings. In staff's opinion, the meetings were very informative and productive. The applicant heard the concerns of the affected parties at the two facilitated meetings and was charged to determine if any changes could be made to satisfy all parties. Two facilitated reports and one amended report has been provided for your review.

Since that time, an issue has arisen that not only affects this project, but all other applications that have been submitted to the City of Albuquerque. The funding that had been available for facilitated meetings has apparently been depleted, and therefore, the City cannot offer facilitated meetings to applicants or neighborhood associations when there are issues that require a formal discussion. At this point, it is unknown how much longer the City will be unable to offer such services and may last until the end of the fiscal year.

However, both the applicants and the affected neighborhood associations have decided to meet on their own to further discuss the issues. Both parties did meet on May 5, 2005 to discuss the applicant's proposed changes to the request. They are:

*Phasing*

This is a request for a site development plan for subdivision and the applicant has also submitted for approval of a site development plan for building permit, which have been separated from their initial submittal. There has been lots of discussion regarding the site development plan for building permit since the affected parties are well aware of what may be developed once a site development plan for subdivision has been approved. The applicant has decided to phase the development that was originally proposed on the application. The phasing affects the immediate affect on traffic and allows for further discussions and modifications. This issue regarding phasing will be discussed and demonstrated further under the analysis of the site development plan for building permit.

*Bosque School road connection*

Members of the La Luz community are especially concerned with traffic along Learning road since this is the road that is commonly used to exit their development. The residents are concerned with the amount of time that is needed to exit the La Luz subdivision onto Learning Road during peak times because of traffic generated by Bosque School during these times. To remedy this situation, the applicant was able to convince Bosque School to allow for a connection to Street B at proposed Tract 6B-7. This connection will only be utilized by members of the school and not the adjoining development and will be provide for a direct connection to Montano Road and an alternative to Learning Road.

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***Modifications to La Luz Connector Street***

To address the concerns regarding the wait time at the La Luz Connection Road and Learning Road, the applicant has agreed to modify the intersection of Street A and Learning Road so reduce the amount of wait time. This modification is in addition to the applicant's successful attempt to have traffic from Bosque School utilize Street B as well as Street A.

***Amendments to Design Standards***

At the second facilitated meeting, the affected parties addressed their concerns regarding building design, number of colors used for signage and the height of buildings. The applicant did provide additional language to the Design Standards regarding these issues.

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**Site Plan for Subdivision - 04EPC 01845**

**FINDINGS - May 19, 2005,**

1. This is a request for a site development plan for subdivision for Tracts 6B & A, Lands of Ray Graham III, Ovenwest Corp., and COA. The site is located on Coors Blvd, south of Montano, zoned SU-1 C-2 Uses, O-1 Uses and PRD and contains approximately 70 acres.
2. The site was originally part of a larger site development plan (Project 1000965) known as Andalucia, but the applicant has requested to be separated from that larger site development plan to create a new site development plan (Project 1003859). A new name has been provided for the subject site, which will be identified as "North Andalucia at La Luz."
3. The Planning Department has allowed the applicant to apply for an amendment to the larger site development plan that will demonstrate the secession of this site. A new project number was assigned to the subject site to avoid confusion in the future (Project 1003859).
4. The applicant is proposing to re-plot the two separate tracts into nine new tracts and no zone map amendments are proposed with this request. The applicant is proposing design guidelines within the site development plan for subdivision that will help guide for consistency and a quality that is complementary of the subject site area.
5. The applicant's submittal demonstrates that future Tracts 6B-1 and 6B-2 will contain C-2 uses; Tracts 6B-3 and 6B-5 will contain O-1 uses and Tracts 6B-4, 6B-6, 6B-7, 6B-8 and 6B-9 will contain PRD uses. Based on the information that has been provided on the submittal, it appears that the applicant will have 22.9 acres of C-2 uses, 5.05 acres of O-1 uses and 36.34 acres of PRD uses.
6. This case was heard by EPC at the January 20, 2005 all day EPC hearing and was approved with findings and conditions.
7. This case was appealed by the La Luz Landowners Association and was heard by the Land Use Hearing Officer (LUHO) who recommended that this application be remanded back to EPC to allow for a more "a more thorough record and make findings regarding the proposed streets and

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traffic flows and patterns." The recommendation was approved by City Council; therefore, this case has been remanded back to the EPC.

8. Since the January 20, 2005 EPC hearing, comments made by the Department of Municipal Development (DMD) have been separated from the consolidated comments provided by the Traffic Engineer. The consolidated comments provided to the EPC did not reflect a recommendation of deferral from DMD.
9. DMD does not believe that the transportation issues can be resolved through conditions of approval in this matter, therefore a deferral of this matter is still recommended.
10. The TIS for the subject request demonstrates that level of service at Coors and Montano and Coors and Dellyne will diminish and further increase delay time during peak times. The applicant has proposed some mitigation measures that include widening of Coors and Montano, triple turn lanes at Coors and Montano and converting Montano Bridge from two lanes to four lanes. DMD does not believe that the applicant's proposal to mitigate transportation issues can be completed and/or will be difficult to accomplish.
11. The subject site will be subject to the Impact Fees that were adopted by the City Of Albuquerque on December 10, 2005 and further information is required to determine what type of "Project" fees and/or mitigation measures will be required of the applicant.
12. As proposed in the applicant's TIS an additional lane on Montano Road is proposed. The subject site contains the "Montano Pueblo" archeological site adjacent to Montano Road and is unclear how an additional lane will impact this archeological site.

**RECOMMENDATION – 04EPC 01845 May 19, 2005**

**30 DAY DEFERRAL of 04EPC 01845, a Site Development Plan for Subdivision, for Tract 6B and A, Lands of Ray Graham III, Owenwest Corp., and COA, zoned SU-1 for C-2 Uses, O-1 Uses and PRD (Max 20 DU/Acre) located on Coors Blvd between Montano RD NW and Learning RD NW, containing approximately 70 acres, based on the preceding Findings.**

**CITY OF ALBUQUERQUE  
COMMISSION  
PLANNING DEPARTMENT**

**ENVIRONMENTAL PLANNING**

**Project # 1008859  
Number: 04EPC 01845**

**DEVELOPMENT SERVICES DIVISION**

**May 19, 2005  
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**FOR Juanita C. Garcia, CZO,  
Planner**

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**cc: Silverleaf Venures, LLC, 5351 Menaul Blvd. NE, Albuquerque, NM 87110  
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Don MacCornack, Taylor Ranch NA, 5300 Hattiesburg NW, Albuquerque, NM 87120  
Ceil vanBerkel, Taylor Ranch Na, 5716 Morgan Ln. NW, Albuquerque, NM 87120**

***Attachments***

TAB 1

The application for building permit cannot be approved as the site does not have the required *primary and full access* to a collector having four through traffic lanes.

Applicant seeks building permit approval for a large retail facility of 98,901 square feet. Z.C. §14-16-3-2(D)(2)(b) strictly regulates large retail facilities and limits such facilities to locations meeting specific access criteria. A copy of §14-16-3-2 is attached. Pursuant to §14-16-3-2(D)(2)(b) a retail facility of this size cannot be approved unless it is “adjacent to and has *primary and full access* to a street identified as at least a collector in the Mid-Region Council of Government’s Metropolitan Transportation Plan **and** having at least four through traffic lanes” (emphasis added). This site is adjacent to Coors but does not have *primary and full access* to Coors or any street meeting the access criteria of Z.C. §14-16-3-2.

This site has direct access to Mirandela, Mirandela/Winterhaven and to Coors. *See* Site Plan page C-1. Neither Mirandela nor Mirandela/Winterhaven are collectors having four through traffic lanes. A new access is requested on Montano west of Winterhaven but has not been approved. In any case this proposed Montano access would (if approved) be right in/right out so would not satisfy the *full access* requirement. The Coors access (between Mirandela and Montano) is right in/right out – not full access. Even Mirandela does not have full access to Coors. Further, as the Andalucia plan indicates, Winterhaven at Montano will become grade separated so this access will be lost in the future. In sum the site does not have the full access required by §14-16-3-2(D)(2)(b).

Learning Road does have full access to Coors but this indirect access via other public streets does not satisfy the requirement of §14-16-3-2(D)(2)(b). The indirect access to Coors via Antequera and Learning Road is not “primary and full access” because it is indirect, that is, a vehicle must exit to Mirandela, from Mirandela access Antequera and then Learning Road and then Coors. Neither Learning Road nor Antequera are collectors having four traveled lanes. There is an exception permitting “local road access” in certain situations but that exception is not applicable.<sup>1</sup> Even if the local road exception were available to a facility of this size it would not apply because: (1) the local road exception can be used only when access control policies *prohibit* access to one of the adjacent roadways. Access to Coors (and Montano) is not *prohibited* but *controlled*; (2) the Learning Road access would not satisfy the exception because local road access is only available if it “does not pass directly through a residential subdivision.” *See* §14-16-3-2(D)(2)(b). Antequera passes through the recently approved residential subdivision.

The language of 14-16-2-3(D)(2) is mandatory, not discretionary. These access policies cannot be waived.

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<sup>1</sup>See exception provided by §14-16-3-2(D)(2)(b) which is applicable *only* to large retail facilities of 125,000 square feet or greater. The proposed facility does not meet that criteria. Under that exception for facilities 125,000 square feet and greater “[i]f access control policies prohibit access onto one of the adjacent roadways, a local road may be used as access if it has direct access to at least two roadways that are identified on the Long [Range] Metropolitan Transportation Plan, does not pass directly through a residential subdivision and at least one of the intersections is signalized.”

NOTE: The TIS does not claim Learning Road is primary access. See TIS at p. 5.

## § 14-16-3-2 SHOPPING CENTER REGULATIONS.

This section controls the development of shopping center sites.

### (A) *General.*

(1) No structure shall be erected on a shopping center site except in conformance with a duly approved site development plan. Once approved, such a plan or subsequent amended plan is binding on the entire area of the original site development plan. Sales of all or part of the premises do not alter the effect of the plan. Platting of lots or creation of smaller premises do not alter the effect of the plan. Subsequent to execution of the site development plan, use of the site entirely for manufacturing, assembling, treating, repairing, rebuilding, wholesaling, and warehousing for a period of over one year does change the status of the site as a shopping center and suspends the legal effect of the site development plan for so long as the uses remain.

(2) The rights and duties of the city and of the applicant which result from the approval of an application under this section run with the land and are binding upon successors in interest of the applicant. When an application is approved, a copy of the approved Site Development Plan and Landscaping Plan or record of exemption shall be kept in the office of the Planning Director. A building permit for a shopping center site shall be issued only upon presentation of working plans and specifications drawn in close conformity with an approved Site Development Plan.

(3) The Planning Director shall designate shopping center sites on the official zone map by the symbol "SC."

(4) The Planning Commission may modify the boundaries of or eliminate an existing Shopping Center designation for any site, upon application by the property owner, if the Planning Commission finds no public benefit in continued application of the shopping center regulations because most of the site has been allowed to develop without the guidance of a site development plan.

(B) *Shopping Center Requirements.* The following regulations apply to an application for a building permit for construction on a shopping center site, except applications covering on-site parking expansion:

(1) An applicant shall submit a Site Development Plan and Landscaping Plan for the shopping center site.

(2) (a) Access to the shopping center site is limited to approaches designed according to accepted traffic engineering practice, so laid out as to be an integral part of the parking area and loading facilities.

(b) Pickup points shall be so designed that vehicles do not create congestion on an abutting public way. No loading and unloading is to be conducted on a public way.

(3) Landscaping of shopping center sites must comply with the regulations of § 14-16-3-10 of this Zoning Code. The Planning Commission may require additional buffer landscaping if it finds it necessary due to demonstrably unusual circumstances.

(4) Free-standing signs on shopping center sites shall be limited to one on-premise sign per 300 feet of street frontage on arterial and collector streets. Maximum signable area shall be 150 square feet per sign face and maximum sign height shall be 26 feet. Off-premise signs shall not be permitted on shopping center sites.

(5) Upon approval, the applicant is responsible for payment of the cost for the necessary traffic control devices and channelization to shelter vehicular turning movements into the shopping center or shopping center site, channelization to be designed according to accepted advanced geometric design technique. These responsibilities must be outlined and agreed upon between the applicant and the city at the time of approval of the Site Development Plan.

(6) The site division regulations established in § 14-16-3-2(D)(3) ROA 1994, apply to all retail facilities with over 90,001 aggregate square feet of gross leasable space.

### (C) *Procedure.*

(1) Approval and revision of plans is the same procedure as for SU-1 plans.

(2) The Planning Commission may review the plan and progress of development at least every four years until it is fully implemented to determine if it should be amended.

### (D) *Large Retail Facility Regulations.*

#### (1) *Applicability.*

(a) Provisions of this section and § 14-8-2-7, Responsibilities of Applicants and Developers, shall apply to the following, as determined by the Environmental Planning Commission (EPC):

1. New construction of a large retail facility;

2. Change of use from a non- large retail facility to a large retail facility as defined in § 14-16-1-5;

3. Building expansion of more than 50% of the existing square footage.

(b) Building expansion of 10% to 50% of the existing square footage of an existing large retail facility shall be subject to the following requirements:

1. Pre-application discussion with the Planning Review Team (PRT).

2. Compliance with the large retail facilities design regulations as determined by the EPC.

The EPC before issuing final design regulations shall request input from neighborhood associations with boundaries that are within 200 feet of the proposed project.

(c) Building expansion up to 10% of the existing square footage and building renovation of an existing large retail facility shall comply with the design regulations in this section to the extent possible as determined by the Planning Director.

(2) *Location and Access of Large Retail Facility.* The following regulations manage the location and design of large retail facilities. These regulations are necessary for the proper functioning and enjoyment of the community. They protect the quality of life within surrounding residential areas, support efficient traffic flows, and provide consistent regulations for such facilities. Large retail facilities shall be located to secure adequate street capacity to transport pedestrians and vehicles to and from large retail facilities, and discourage traffic from cutting through residential neighborhoods. The regulations result in efficient and safe access for both vehicles and pedestrians from roadways in the Metropolitan Transportation Plan to neighborhoods in the vicinity of large retail facilities. The Planning Director, after initial review of a large retail facilities proposal, may require the site to comply with the next level of large retail facilities regulations.

(a) Large retail facilities containing 75,000 to 90,000 sq. ft. net leasable area are:

1. Permitted in C-2, C-3, M-1, M-2, IP, SU-1 and the SU-2 Zones for uses consistent with C-2, C-3, M-1, M-2, IP Zones; and

2. Permitted in C-1 zones if the project site or site plan reviewed for subdivision is greater than seven acres.

3. Required to be located adjacent to and have primary and full access to a street designated as at least a collector in the Mid-Region Council of Governments' Metropolitan Transportation Plan and having at least two through traffic lanes.

(b) Large retail facilities containing 90,001 to 124,999 sq. ft. net leasable area are:

1. Permitted in C-2, C-3, M-1, M-2, and IP zones and SU-1 and SU-2 zones for uses consistent with C-2, C-3, M-1, M-2, IP Zones; and

2. Required to be located adjacent to and have primary and full access to a street designated as at least a collector in the Mid-Region Council of Governments' Metropolitan Transportation Plan and having at least four through traffic lanes.

(c) Large retail facilities containing 125,000 square feet or greater of net leasable area are:

1. Permitted in the C-2, C-3, M-1, M-2, IP, SU-1 and SU-2 for uses consistent with C-2, C-3, M-1, M-2, IP Zones; and

2. Required to be located within 700 feet of the intersection of two roadways, both of which are designated as at least a collector street in the Mid-Region Council of Governments' Metropolitan Transportation Plan and shall have full access to these roadways. One of the adjacent roadways shall have at least four through traffic lanes and the other adjacent roadway shall have at least six through traffic lanes or is designated a limited access principal arterial in the Mid-Region Council of Governments' Metropolitan Transportation Plan and have a minimum of four lanes.

3. If an arterial or collector street has yet to be built to its full cross-section and does not have the required number of lanes, the large retail facility may have access onto the roadway if the roadway is identified on the Metropolitan Transportation Plan as having the required number of lanes at full build-out.

4. If access control policies prohibit access onto one of the adjacent roadways, a local road may be used as access if it has direct access to at least two roadways that are identified on the Long Metropolitan Transportation Plan, does not pass directly through a residential subdivision and at least one of the intersections is signalized.

5. If access to a location fulfills the criteria of this section but control policies outside the city jurisdiction prohibit access onto one of the adjacent arterial or collector streets, the remaining arterial

or collector street may serve as the sole access if it has direct access to two intersections with an arterial and the intersections are signalized.

6. If warrants are met, the intersection of the primary driveway and the arterial street shall be signalized, unless prohibited by the City Traffic Engineer for safety reasons, at the expense of the applicant. The applicant may place the name of the development on the mast-arm of the signal.

(3) *Site division.* These regulations create block sizes for large retail facility that are walkable and support land use changes over time. The site plans for subdivision in Phase One and the Final Phase, if proposed, shall subdivide or plan the site as follows:

(a) The entire site shall be planned or platted into maximum 360 foot by 360 foot blocks except as provided in Items (c) and (d) of this division (D)(3).

(b) Primary and secondary driveways (or platted roadways) that separate the blocks shall be between 60 feet and 85 feet wide and shall include the following:

1. Two ten-foot travel lanes;
2. Two parallel or angle parking rows or a combination of such on both sides of the driveway rights of way are permitted but not required;
3. Two six-foot landscaped buffers with shade trees spaced approximately 30 feet on center;
4. Two eight-foot pedestrian walkways constructed of material other than asphalt;
5. Pedestrian scale lighting that provides at least an illumination of 1.2 to 2.5 foot candles or the equivalent foot lamberts; and
6. Standup curb.

(c) One block can be expanded to approximately 790 feet by 360 feet if a main structure (including retail suite liners) covers more than 80% of the gross square footage of a block.

(d) If the site dimensions result in irregular block sizes, blocks of different dimensions are allowed provided:

1. The block sizes achieve the intent of this section;
2. Approval is granted by the EPC;
3. The narrow side of the block abuts the adjacent street that provides the primary access;

and

4. The center of the long side has a major entrance, including a forecourt.

(4) *Development Phasing and Mixed-Use Component.* The large retail facility regulations address the build-out of a large site over time in order to guide the transition from more vehicle-oriented "big box" type retail development with large surface parking fields to finer-scaled, pedestrian oriented, mixed-use development, replacing surface parking with some parking structures, producing a village center that is integrated into the surrounding neighborhoods. This transition reflects actual trends in development and creates a better, more marketable, and higher use development.

(a) Site development plans for Phase One shall be submitted to the EPC for approval. If future and/or final phases are proposed on the site, site development plans containing a level of detail appropriate for the phasing of the development shall also be submitted to the EPC for approval.

(b) *Mixed Use Component.* Mixed use development is strongly encouraged in both Phase One and the Final Phase of the site plans for all large retail facilities.

(5) *Site Design.* These regulations are intended to create pedestrian connections throughout the site by linking structures, make pedestrian connections to external neighborhoods and other uses, and to provide landscaping compatible with the site's scale for pedestrian shade and aesthetic beauty. The regulations will result in an active pedestrian street life, replace large off-street parking fields with parking structures and transit options, conserve energy and water, and meet the goals of the Albuquerque/ Bernalillo County Comprehensive Plan and the Planned Growth Strategy. The following subsections (a) through (n) apply to all large retail facility sites:

(a) *Context:* The design of structures shall be sensitive to and complement the aesthetically desirable context of the built environment, e.g., massing, height, materials, articulation, colors, and proportional relationships.

(b) *Off-Street Parking Standards:*

1. If a structure or structures, including retail suite liners, occupies more than 80% of a planned or platted block, the off street parking shall be placed on another block.
2. Parking shall be distributed on the site to minimize visual impact from the adjoining street. Parking shall be placed on at least two sides of a building and shall not dominate the building or

street frontage. Parking areas may front onto roadways identified as limited access in the Mid-Region Council of Governments' Metropolitan Transportation Plan, provided that they are adequately screened with landscape walls and plantings. If a project has multiple phases the final phase site plan, if proposed, shall show the elimination of surface parking areas but may include parking structures.

3. If the site is planned into 360 foot by 360 foot lots as called for in these regulations, parking requirements may be met by spaces located on a block immediately adjacent to the structure creating the parking demand.

4. Every third double row of parking shall have a minimum ten foot wide continuous walkway dividing that row. The walkway shall be either patterned or color material other than asphalt and may be at-grade. The walkway shall be shaded by means of trees, a trellis or similar structure, or a combination thereof. Tree wells, planters or supports for shading devices may encroach on the walkway up to three feet. In no case shall the walkway be diminished to less than five feet width at any point.

5. Parking requirements for a large retail facility with a mixed use component may use "best practice" standards for shared parking such as *Driving Urban Environments: Smart Growth Parking Best Practices*, a publication of the Governor's Office of Smart Growth, State of Maryland. Refer to § 14-16-3-1 for shared parking requirements.

(c) *On-Street Parking Standards:*

1. Arterial or collector roadways abutting a large retail facility with a posted speed limit of 35 miles or less per hour shall have on-street parking utilizing a parking/queuing lane under the following standards and if approved by the Traffic Engineer:

a. On-street parking may use the existing adjacent outside lanes on an arterial or collector.

b. The parking/queuing lane may be provided by moving the curb lines within the property line and dedicating the parking/queuing lane to the city. The existing through lanes shall not be used as the parking/queuing lane unless a traffic analysis indicates that this will not result in unacceptable degradation of traffic flow, though existing can be restriped in a narrower configuration to provide space for the parking/queuing lane.

c. The parking/queuing lane has a maximum width of 16'.

d. Curb extensions/bump-outs shall be constructed at the ends of each block and shall include landscaping to be maintained by the property owner pursuant to a maintenance agreement with the city.

e. Street trees shall be planted pursuant to the Street Tree Ordinance, Chapter 6, Article 6, ROA 1994.

2. The regulations for parking credits and reductions set forth in § 14-16-3-1(E)(6) shall apply to this subsection except that 100% of the on-street parking shall be credited towards the project's parking requirements.

(d) *Signage.*

1. Signage shall comply with the shopping center regulations for signage, § 14-16-3-2(B).

2. All signage shall be designed to be consistent with and complement the materials, color and architectural style of the building(s).

3. All free-standing signs shall be monument style.

4. The maximum height of any monument sign shall be 15 feet.

5. Building-mounted signage that faces residential zoning shall not be illuminated.

6. Building-mounted signs shall consist of individual channel letters. Illuminated plastic panel signs are prohibited.

(e) Drive-up windows must be located on or adjacent to the side or rear walls of service or retail structures and the window shall not face a public right of way.

(f) *Petroleum Products Retail Facility.*

1. Facilities shall be located at a street or driveway intersection.

2. The frontage of the principal structure shall face and line the two streets and follow the set-back and glazing standards for retail suite liner.

3. Fuel pumps, service facilities, ATMs, storage areas, and repair bays are to be screened from the major street by the principal structure.

4. If the structure between the street and the fueling island is not at least the length of the canopy that is over the fueling island, or if there is no service facility structure, the perimeter of the facility shall be screened by either a landscaped berm three feet in height or a wall at least three feet in height.

(g) *Truck Bays.*

1. Truck bays adjacent to residential lots must be separated from the adjacent lot by a minimum of 40 feet. A minimum 15 foot wide landscape buffer and a six-foot high solid masonry wall shall be provided along the property line. The landscape buffer shall contain evergreen trees or trellises with climbing vines to provide year round screening and buffering from noise. Dock and truck well facilities must also be screened with a masonry wall that extends vertically eight feet above the finish floor level and horizontally 100 feet from the face of the dock. Screen walls shall be designed to blend with the architecture of the building. Trucks may not be moved or left idling between the hours of 10:00 p.m. and 6:30 a.m. if the truck bays are located within 300 feet of a residential structure unless negotiated with adjacent property owners and approved by the EPC.

2. Truck bays not adjacent to residential lots must be screened with a masonry wall extending vertically eight feet above the finish floor level and horizontally 100 feet from the face of the dock to screen the truck. Screen walls shall be designed to blend with the architecture of the building.

(h) *Landscaping.* The following landscaping requirements shall apply:

1. Landscaped traffic circles are encouraged at the intersection of interior driveways or platted streets.

2. One shade tree is required per eight parking spaces. Shade trees may be located at the center of a group of four to eight parking spaces, clustered in parking row end caps, or located along internal pedestrian ways. Shade trees lining a pedestrian way internal to a parking area may count as a canopy tree of a parking space. Trees in landscape buffer areas shall not count as parking space trees.

3. Shade trees along pedestrian walkways shall be spaced approximately 25 feet on center.

4. Water conservation techniques shall be utilized where possible and as approved by the City Hydrologist or City Engineer. Such techniques may include water harvesting and permeable paving. Water from roof runoff should be directed or stored and used to assist all trees and landscaping. Parking spaces that meet infiltration basins or vegetated storm water controls should be bordered by permeable paving. Grasses and other ground vegetation should be near edges to help filter and slow runoff as it enters the site.

(i) *Pedestrian walkways.* Internal pedestrian walkways shall be planned and organized to accommodate the inter-related movement of vehicles, bicycles, and pedestrians safely and conveniently, both within the proposed development and to and from the street, transit stops, and the surrounding areas. Pedestrian walkways shall contribute to the attractiveness of the development and shall be a minimum of eight feet in width and constructed of materials other than asphalt. Pedestrian walkways along internal driveways or streets internal to the site shall also be lined with shade trees and pedestrian scale lighting. Pedestrian crosswalks shall be constructed of patterned concrete or a material other than asphalt and may be at grade.

(j) A pedestrian plaza or plazas shall be required of all large retail facility development as follows:

1. Large retail facility sites that include a main structure less than 125,000 square feet in size shall provide public space pursuant to § ~~14-16-3-18~~(C)(4) of the Zoning Code.

2. Large retail facility sites that include a main structure 125,000 square feet or greater shall provide pedestrian plaza space in the amount of 400 square feet for every 20,000 square feet of building space. A minimum of 50% of the required public space shall be provided in the form of aggregate space that encourages its use and that serves as the focal point for the development. The aggregate space required shall:

a. Be linked to the main entrance of the principal structure and the public sidewalk or internal driveway;

b. Include adequate seating areas. Benches, steps, and planter ledges can be counted for seating space;

c. Have a portion (generally at least 40%) of the square footage of the plaza area landscaped with plant materials, including trees;

d. Be designed for security and be visible from the public right of way as much as possible;

e. Have pedestrian scale lighting and pedestrian amenities such as trash receptacles, kiosks, etc.

(k) *Lighting.*

1. Ornamental poles and luminaries, a maximum of 16 feet in height, shall be used as pedestrian scale lighting.
2. The maximum height of a light pole, other than those along pedestrian walkways, shall be 20 feet, measured from the finished grade to the top of the pole.
3. All on-site lighting fixtures shall be fully shielded to prevent fugitive light from encroaching into adjacent properties and/or right-of-way.

(l) *Outdoor Storage.* Outdoor storage as part of a mixed use development or within a C-1 or C-2 zoned site is not allowed. Outdoor uses such as retail display shall not interfere with pedestrian movement. Where the zoning permits and where outdoor storage is proposed, it shall be screened with the same materials as the building.

(m) *Transit stops.* If transit stops exist or are planned adjacent to a large retail facility, they shall include a covered shelter with seating provided at the developer's expense. Either the interior of the structures shall be lighted or the area surrounding the structures shall be lighted to the same standards as pedestrian walkways. If the transit stop is within the public right-of-way, the city shall assume ownership of the shelter and responsibility for maintenance.

(n) *Storm Water Facilities and Structures.* The following regulations apply to site hydrology:

1. Impervious surfaces shall be limited by installing permeable paving surfaces, such as bricks and concrete lattice or such devices that are approved by the City Hydrologist, where possible.
2. Where possible, transport runoff to basins by using channels with landscaped pervious surfaces. Landscaped strips may be converted into vegetative storm-water canals but must be shallow to avoid defensive fencing.
3. Ponds, retention and detention areas shall be shallow to prevent the need for defensive/security fencing yet have the capacity to manage storm waters in a 100 year event.
4. Trees, shrubs, and groundcover shall be included in storm water basins.
5. Bare patches shall be re-vegetated as soon as possible to avoid erosion, according to a landscaping and maintenance plan.

(o) Energy efficient techniques shall be utilized to reduce energy and water consumption where possible and as approved by the City Hydrologist or City Engineer.

(6) *Main Structure Design.* The following subsections (a) through (d) apply to main structures:

(a) *Setback.*

1. Main structures shall be screened from the adjacent street by means of smaller buildings, retail suite liners, or 20 foot wide landscape buffers with a double row of trees.
2. Where the front facade of a retail suite liner is adjacent to a street, the maximum front setback shall be ten feet for private drives and 25 feet for public roadways.
3. Main structures abutting residentially zoned land shall be set back from the property line at least 60 feet.

(b) *Articulation.*

1. Facades that contain a primary customer entrance and facades adjacent to a public street or plaza or an internal driveway shall contain retail suite liners, display windows, or a recessed patio at a minimum depth of 20 feet, or a combination of all three, along 50% of the length of the façade. Where patios are provided, at least one of the recessed walls shall contain a window for ease of surveillance and the patio shall contain shading and seating. Where retail suite liners are provided, they shall be accessible to the public from the outside.
2. Every 30,000 gross square feet of structure shall be designed to appear as a minimum of one distinct building mass with different expressions. The varied building masses shall have a change in visible roof plane or parapet height. Massing and articulation are required to be developed so that no more than 100 feet of a wall may occur without an offset vertically of at least 24 inches.
3. For the retail suite liner, the vertical offset shall be a visible change (minimum 6 inches), a change in material may be used for articulation at the same interval and the visible change in roof plane or parapet height shall be a minimum of 18 inches.

4. Facades adjacent to a public right-of-way or internal driveway and facades that contain a primary customer entrance shall contain features that provide shade along at least 40% of the length of the façade for the benefit of pedestrians.

(c) *Materials.*

1. Engineered wood panels, cyclone, chain-link, and razor-wire fencing are prohibited.
2. Design of the external walls and the principal entrance must include three of the below

listed options:

- a. Multiple finishes (i.e. stone and stucco);
- b. Projecting cornices and brackets;
- c. Projecting and exposed lintels;
- d. Pitched roof forms;
- e. Planters or wing-walls that incorporate landscaped areas and can be used for sitting;
- f. Slate or tile work and molding integrated into the building;
- g. Transoms;
- h. Trellises;
- i. Wall accenting (shading, engraved patterns, etc.);
- j. Any other treatment that meets the approval of the EPC.

(d) *Landscaping.*

1. The buffer for main structures across the street from residentially-zoned land shall be at least 23 feet wide and include two rows of street trees. The trees shall be located pursuant to the guidelines set forth in *Crime Prevention Through Environmental Design Recommendations*. The landscaping of the berm shall provide year-round screening.

2. The public sidewalk adjacent to the main structure may be located within the berm and between the rows of trees. The sidewalk must be a minimum of seven feet behind the curb.

(7) *Mixed-Use Component.* The following subsections (a) through (g) apply to Mixed Use Development:

(a) *Uses and building forms.* The mixed use component may include a mix of the following building forms and uses:

1. Apartments or condominiums.
2. Apartments or condominiums over storefronts.
3. Courtyard housing.
4. Live-work.
5. Townhouses.
6. Lofts.
7. Lofts over flex.
8. Senior housing.
9. Mixed income housing including a minimum of 20% affordable at 80% or less of Area

Median Income (AMI) for fee simple unit and 60% or less of AMI for rental units. If rental units are multiple sizes, only a maximum of 50% of the rental units set aside for 60% or less of AMI shall be the size of the smallest size category of rental unit in the project.

10. Office building.
11. Office over storefronts.
12. Civic, cultural, and community buildings.
13. Parking structures with commercial or housing liners.
14. Schools, both traditional and technical vocational.

(b) *Density.*

1. Minimum density: 12 dwelling units per acre.
2. Minimum FAR: .30.
3. Maximum density: As determined by the EPC.

(c) *Building Heights.* Heights within the mixed use portion of the large retail facility site may vary depending on location. Structures adjacent to residentially zoned parcels shall be subject to the height requirements of the O-1 Zone and shall not exceed 26 feet in height within 85 feet of a lot zoned specifically for houses. The heights of buildings along the central driveway or street and adjacent to a major arterial or freeway may exceed four stories so long as the average building height of all structures in

the mixed use site does not exceed the maximum of four stories and no individual structure exceeds a height of seven stories.

(d) *Building Setbacks.*

Primary Building	Mixed Use Component
(1) Street-Facing Setback with Ground-Floor Storefront	
a. On Private Drive	10 foot minimum
b. On Public Street	15 foot maximum
(2) Street-Facing Setback without Ground-Floor Storefronts	
a. On Private Drive	10 foot minimum
b. On Public Street	15 maximum
Interior Side Setback (from property line)	Attached or 5' maximum
Interior Side-Side Separation (btw. Adjacent buildings)	Attached or 10' maximum
Interior Rear Setback (from property line)	5' from alley ROW; 20' if no alley (e.g. parking lot)
Interior Rear-Rear Separation] (btw. Adjacent buildings)	30' minimum.
Interior Side-Rear Separation - (btw. Adjacent buildings)	20' minimum

Note 1: Features that may encroach into a pedestrian way up to the maximum specified: eaves (4' max.), awnings (8' max.), and minor ornamental features (2' max). Over pedestrian ways, projections must be more than 8 feet above finished grade.

Note 2: Features that may encroach into setbacks facing driveways or streets (but not driveway or street right-of-ways), up to the maximum specified: arcades & trellises (to driveway or street r.o.w.), porches & stoops (8' max.), eaves (4' max.), awnings (8' max.), and minor ornamental features.

(e) *Street Frontage.* All street frontages in the mixed-use component shall be:

1. Lined by buildings with windows and primary entries, not garage doors; parking areas shall be located to the rear or side of the building.

2. Building facades shall occupy at least 50% of the street frontage.

(f) *Articulation.* Mixed-use structures shall have a change in visible roof plane or parapet height for every 50 feet in length, however each distinct roof length does not have to equal 50 feet in length. Massing and articulation are required to be developed so that no more than 50 feet of wall may occur within a six foot minimum change in the visible vertical offset, or at the same interval a change in material may be used for articulation and the visible change in roof plane or parapet height shall be a minimum of 18 feet.

(g) *Entrances and Glazing.* Each ground floor use shall have one entrance minimum for each 50' or less of building frontage length.

(h) *Materials.* The materials standards for the mixed use component are as follows:

1. Engineered wood panels, cyclone, chain-link, and razor-wire fencing are prohibited.

2. Arcades, awnings, cantilevers, portals and shed roofs may be made of metal, fabric, concrete tile, clay tile, or slate (equivalent synthetic or better).

3. A mixed-use component shall include at least four of the following design features:

- a. Balconies.
- b. Projecting cornices and brackets.
- c. Eaves.
- d. Exposed lintels.
- e. Multiple veneers (i.e. stone and stucco).
- f. Pitched roof forms.
- g. Planter boxes.
- h. Slate or tile work and molding integrated into the building.
- i. Transoms.
- j. Trellises.
- k. Wall accenting (shading, engraved patterns, etc.).
- l. Any other treatment that meets the intent of this section and that receives the approval

of the EPC.

(i) *On-Premise Signage.*

1. Appropriate signage includes blade signs, awning signs, and wall-mounted or hanging metal panel signs. Internally illuminated box signs, billboards, roof-mounted, free-standing, any kind of animation, and painted window signs, and signs painted on the exterior walls of buildings are not allowed. No flashing, traveling, animated, or intermittent lighting shall be on or visible from (i.e. through windows) the exterior of any building.

2. Wall signs are permitted within the area between the second story floor line and the first floor ceiling within a horizontal band not to exceed two feet in height. Letters shall not exceed 18 inches in height or width and three feet in relief. Company logos or names may be placed within this horizontal band or placed or painted within ground floor or second story office windows and shall not be larger than a rectangle of eight square feet. Projecting signs may not be more than 24 inches by 48 inches and a minimum ten feet clear height above the sidewalk and may be hung below the third story level. Signs may not project more than 36 inches perpendicular to the right-of-way beyond the façade. Lettering on awnings is limited to nine inches in height.

(8) *Maintenance Agreement for Vacant or Abandoned Site.* Large retail facilities sometimes are vacated due to changing conditions in the retail market. To maintain a quality built environment, large retail facilities shall be maintained during periods of abandonment or vacancies at the same standard as when occupied. The owner of a site shall sign a maintenance agreement with the city that the site will be maintained when vacant to the following minimal standards, among others as deemed appropriate by the Planning Director:

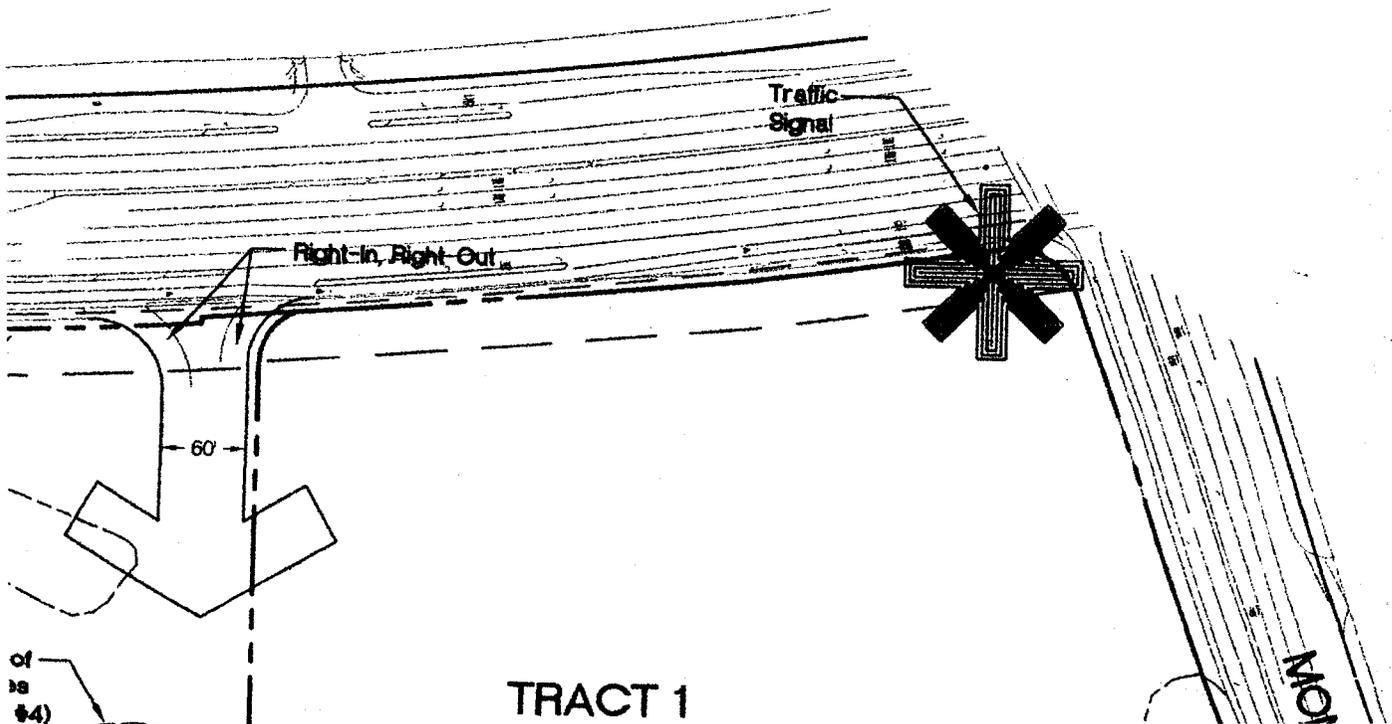
- (a) The landscaping shall be watered, pruned and weeded.
- (b) The parking areas shall be cleaned of dirt and litter.
- (c) The building facades shall be kept in good repair, cracked windows shall be replaced and graffiti removed.
- (d) Outdoor security lighting shall be maintained and operated.
- (e) Hydrology systems shall be kept in good working order.

(\*74 Code, § 7-14-40B) (Am. Ord. 23-2007)



## GENERAL NOTES

1. Tracts 6B and A (referred to on this Site Plan as Tracts 1-9), are part of a Site Plan for Subdivision approved by the Environmental Planning Commission on November 18, 2004 (Project 1000985; 04EPC-00855). This Site Plan replaces the previous Site Plan for Subdivision as it relates to Tracts 6B and A.
2. A portion of Learning Road at Coors Boulevard is public right-of-way. An additional portion of Learning Road within Tract 8 will be granted to the City of Albuquerque as a private access easement in order to provide access to the City's Lift Station #24, Tract B, via a 24 foot limited access road with a 60 foot easement. The final portion of Learning Road will become part of Bosque School, Tract 4A.
3. The area adjacent to Learning Road and the northern boundary of Bosque School, Lot 4A (a minimum of 300 feet) is restricted to PFD and O-1 Uses.
4. Due to the existing Montano Pueblo Archaeological Site and the two smaller sites, future approvals for Site Development Plans for Building Permit on Tracts 6B and A shall require clearance and guidance from the State Historic Preservation Office.
5. A cross access easement will be provided across Tracts 1, 2, and 3.
6. No fast food restaurants with drive through windows or gas stations are allowed at North Andalucla.
7. When the future grade separation is constructed, access will no longer be allowed to Montano Road from Winterhaven, consistent with the Long Range Roadway System.
8. The design for the sign and gate at Tract 7 and Mirandela Road shall be submitted with a Site Plan for Building Permit for development of Tract 7.



## TAB 2

The Andalucia Plan requires a mixed use, pedestrian friendly village center. The Andalucia Subdivision states that the “primary goal for this property is to achieve a vibrant, mixed-use community that fosters pedestrian accessibility and maintains a village-type character.” See Andalucia Plan p. 2 of 3 (attached). See also Site Plan C-2. The “primary design objective” is identified as a pedestrian-friendly environment. Site amenities are to include “benches, plazas, walkways, ... shaded walkways; and ... separate vehicular and pedestrian systems in order to support the creation of a village-type character.” *Id.* These design standards are binding on application for building permit. *Id.* (“Subsequent Site Plans for Building Permits shall be consistent with the design standards established for Subdivision ...”) See also 14-16-3-2(A)(1) (“Once approved, such a plan or subsequent amended plan is binding on the entire area of the original site development plan.”)

The application for subdivision amendment and application for building permit are inconsistent with the Andalucia requirements.

- The site plan for subdivision and building permit do not create a village-type character or development and are incompatible with the goal of a vibrant, mixed use pedestrian friendly community with a village character. See Site Plan page C-4 showing parking rows for approximately 458 vehicles in an area approximately 510.0' by 300.0' to 420.0'. There are no “streets” with parallel or diagonal parking to create a more pedestrian environment. Sidewalks are adjacent to parking lanes but do not create a street like environment oriented to pedestrians. This is not consistent with a village-type character nor is it pedestrian friendly. The design is not consistent with the illustration in the Design Guidelines.
- The scale of a 98,901 square foot retail building with surface parking is an auto oriented suburban use, not a vibrant mixed-use pedestrian village. The Big Box regulations provide for an evolution from a large retail facility in Phase One to “finer-scaled, pedestrian oriented, mixed-use development ....” in Phase Two. §14-16-3-2(D)(4). (“The ordinance provides for a transition over time from a more vehicle oriented “Big Box” type retail development with large surface parking fields to finer-scaled, pedestrian oriented, mixed-use development, replacing surface parking with some parking structures and producing a village center that is integrated into the surrounding neighborhoods.”) The Zoning Code therefore recognizes a large scale retail facility is not a pedestrian oriented mixed-use development. Since a pedestrian oriented mixed-use development is required in the first instance by the Andalucia Regulations the application for building permit should not be approved. Attached hereto are photos of other similar big boxes and, for comparison, existing retail centers that have tried, in one form or another, to develop a more pedestrian friendly atmosphere including Riverside Plaza and parts of ABQ Uptown. This is not to say that either of these developments could be moved to this site and comply with all Andalucia regulations but that some of the design and pedestrian scale features employed elsewhere such as street parking, a liner suite of shops along a sidewalk create a pedestrian friendly environment. The Walmart does nothing in this regard.

- Under the proposed subdivision amendment the entire site between Mirandela and Montano except for .67 ac would be devoted to retail, not mixed use. This is contrary to Andalusia Regulations. The subdivision amendment does not provide for a village character. In fact by creating a large tract and approving a site plan for building permit the City would preclude creation of a genuine mixed use village. Mixed-use should include a mix of building forms and uses including various residential uses, office, civic building, parking structures with commercial or house liners. See, for example, 14-16-3-2(D)(7)(2).
- Applicant has claimed that they have a right to the proposed development based on the 2007 approval. The 2007 North Andalusia Subdivision did not guarantee any development but *permitted* mixed-use conforming to the development requirements (mixed-use, pedestrian oriented, village character).

The village center requirements of the Andalusia plan prohibit, as set forth above, the proposed large scale vehicle oriented development. The zoning code requirements for a big box development phasing so that a big box development transitions to a mixed-use pedestrian oriented development is evidence that the City distinguishes between a large retail facility and a mixed-use, pedestrian friendly facility. See Z.C. §14-16-3-2(D)(4)(a) and §14-16-3-2(D)(4)(b) providing that a large retail facility application should contain detail demonstrating development phasing to a finer-scaled, pedestrian oriented, mixed-use development. This application contains no such information and does not provide for pedestrian orientation.

The City recognizes with these provisions that a large retail facility is not a pedestrian oriented mixed-use development.

The request is in conflict with *Comprehensive Plan* Policies for the Established Urban Area:

- a. The shopping center north of Montano and the surrounding area comprise over several hundred thousand square feet of existing commercial and retail uses; the requested zoning will allow additional commercial and retail uses that may not be needed by the surrounding community and which may endanger the integrity of existing neighborhoods (*Comprehensive Plan*, Policies 5d and 5e). Addition of the proposed uses with lower trip volumes does not prohibit development of the higher trip volume uses allowed by existing zoning.
- b. The requested zoning will allow new commercial development outside of an existing commercial comically zoned area (*Comprehensive Plan*, Policy 5j).

The request is in conflict with WSSP policies:

Policy II.B.5.d: 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 location, intensity and design of the big box large retail facility does not respect neighborhood values, natural environmental conditions and carrying capacities, and scenic resources.*

- *The Walmart and associated parking are out of scale to the site and Andalusia design guidelines. The Walmart could maintain long hours not compatible with the adjacent apartment development and would create traffic impacting Bosque School, the apartments and La Luz neighborhood.*

Policy II.D.6.a: (Economic Development) 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.

This policy is not supported by the application.

*There is no evidence this large retail facility will accommodate a "wide range of occupational skills and salary levels." There is evidence there would be no net new jobs even possibly a loss of net employment opportunities.*

Objective 8: Promote job opportunities and business growth in appropriate areas of the West Side.

*There is no evidence this request will promote any net new jobs.*

Objective 10: The Plan should create a framework to build a community where its citizens can live, work, shop, play, and learn together while protecting the unique quality of life and natural and cultural resource for West Side residents.

*The existing commercial community provides sufficient services. The proposed use would threaten the unique quality of life and produce only low paying jobs. The proposed site plan is not supported by the adjacent community. While development should occur it should respect the community, neighborhood and site and adhere to the Design Guidelines for a pedestrian oriented village with buildings at a pedestrian scale.*

Policy 3: New development in the Coors Corridor should be designed to be compatible with the natural landscape and the built environment in accordance with the design regulations and guidelines.

*The design is not consistent with a pedestrian oriented village as required by Andalusia Regulations or WSSP Policy 3.*

# Design Standards

The purpose of these Design Standards is to provide a framework to assist the architects, landscape architects, and designers in understanding the vision and development goals for the property. The primary goal for this property is to achieve a vibrant, mixed-use community that fosters pedestrian accessibility and maintains a village-type character.

The Design Standards should be used to facilitate the design of buildings which respect the natural conditions of the site, maintain and highlight the spectacular views of the Sandia and Manzano Mountains and to leave significant areas dedicated to open space. Innovative techniques such as cluster housing, water harvesting, and use of "green" building materials are strongly encouraged.

These standards address the issues of landscape, setbacks, pedestrian amenities, screening, lighting, signage, and architecture that will create the visual image desired for Andalucia at La Luz. They are intended to be complementary to La Luz, Albuquerque's first cluster housing project, and the Bosque School. These standards primarily address commercial, office, and multi-family projects. Where specifically applicable to single-family development, the standards are called out as such.

Subsequent Site Plans for Building Permits shall be consistent with the design standards established by this Site Plan for Subdivision and shall be approved by the Environmental Planning Commission. Minor amendments to this Site Plan for Subdivision shall be approved administratively by the Planning Director in accordance with the Comprehensive City Zoning Code, Section 14-16-2-22 (A)(6) Special Use Zone, and major amendments shall be approved by the Environmental Planning Commission.

## COORS CORRIDOR PLAN - VIEW and HEIGHT RESTRICTIONS

A primary design requirement of the Coors Corridor Plan is view preservation. Andalucia at La Luz addresses the Coors Corridor Plan as follows:

- Coors Corridor Viewshed rules come into effect when a northbound vehicle passes Namaste Road.
- Measurement of building heights shall be consistent with the Coors Corridor Plan.
- A combination of walls and berms shall be built along Coors Boulevard. The high point of the wall or berm will occur within the first 60 feet of the property, but not closer than 20 feet from the right-of-way. From any point along the east edge of Coors, the high point of the wall or berm will obscure no more than 50% of the height of Sandia Crest, measured directly below Sandia Crest.
- All multi-story structures shall be built with the finish floor elevation at least 10 feet below the roadway, measured along a 45-degree angle from the northbound direction of travel along Coors.
- In no event will the building height be permitted to penetrate above the view of the ridge line of the Sandia Mountains as seen from four feet above the east edge of Coors Boulevard. In no event will more than 1/3 of the total building height outside of the setback area for multi-story buildings be permitted to penetrate through the view plane.
- As viewed from Coors Boulevard, no structure shall obscure more than 50 percent of the height of Sandia Crest, measured directly below Sandia Crest.

## PEDESTRIAN and SITE AMENITIES

The creation of a pedestrian-friendly environment will depend on creative site design and will be a primary design objective for Andalucia at La Luz. Objectives to achieve this goal include maintaining a high quality and consistency in style for site amenities including benches, plazas, walkways, lighting, etc.; providing shaded walkways; and creating separate vehicular and pedestrian circulation systems in order to support the creation of a village-type character.

The use of alternative paving materials (brick, colored concrete, decomposed granite, etc.) for pedestrian pathways are encouraged. Public art is another site amenity that is strongly encouraged, and if proposed,

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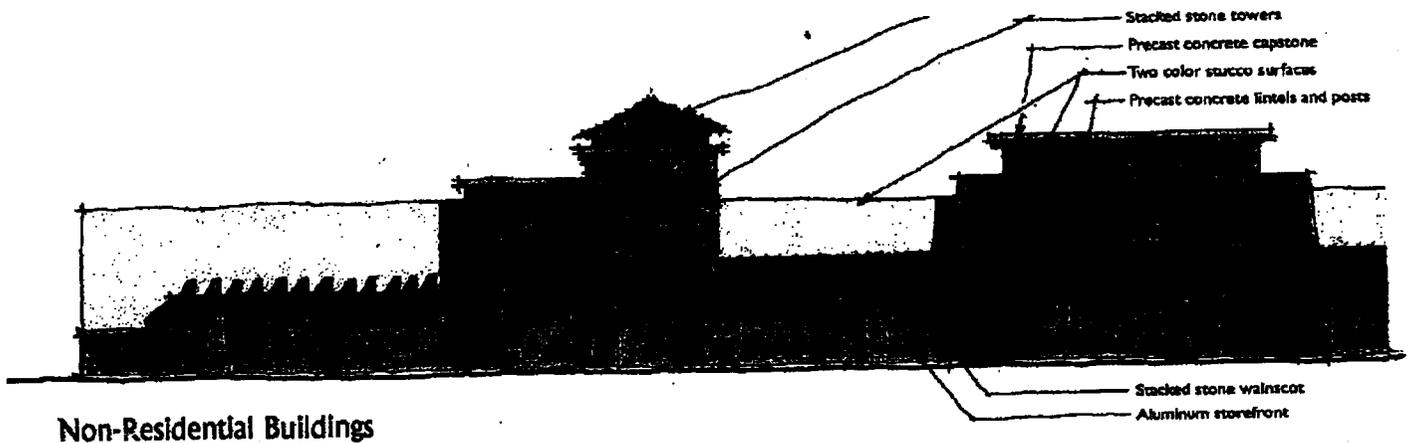
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## TRAILS and SIDEWALKS

Public and private trails and sidewalk systems are a defining element to Andalucia at La Luz. Private trails for use by residents are designed to lessen the need for vehicular use and will provide pedestrian connectivity throughout the project (see Landscape Section for more detail on trail landscaping).

- City Trails - All public multi-use trails through Andalucia at La Luz shall be built to City standards, per the City's Trails and Bikeways Facility Plan.
- All private trails and paths shall be soft surface, with a minimum width of 6 feet.
- All pedestrian paths shall be designed to be handicapped accessible (see Americans with Disabilities Act Criteria for Barrier-Free Design, except where topography makes this unfeasible (several streets require grades over 6%).
- The use of asphalt paving for pedestrian trails is discouraged. Concrete or compacted decomposed granite with stabilizer are acceptable materials.
- Pedestrian connections to buildings should be provided in parking lots with greater than 50 spaces and should connect to adjacent roadways, sidewalks, and pathways.



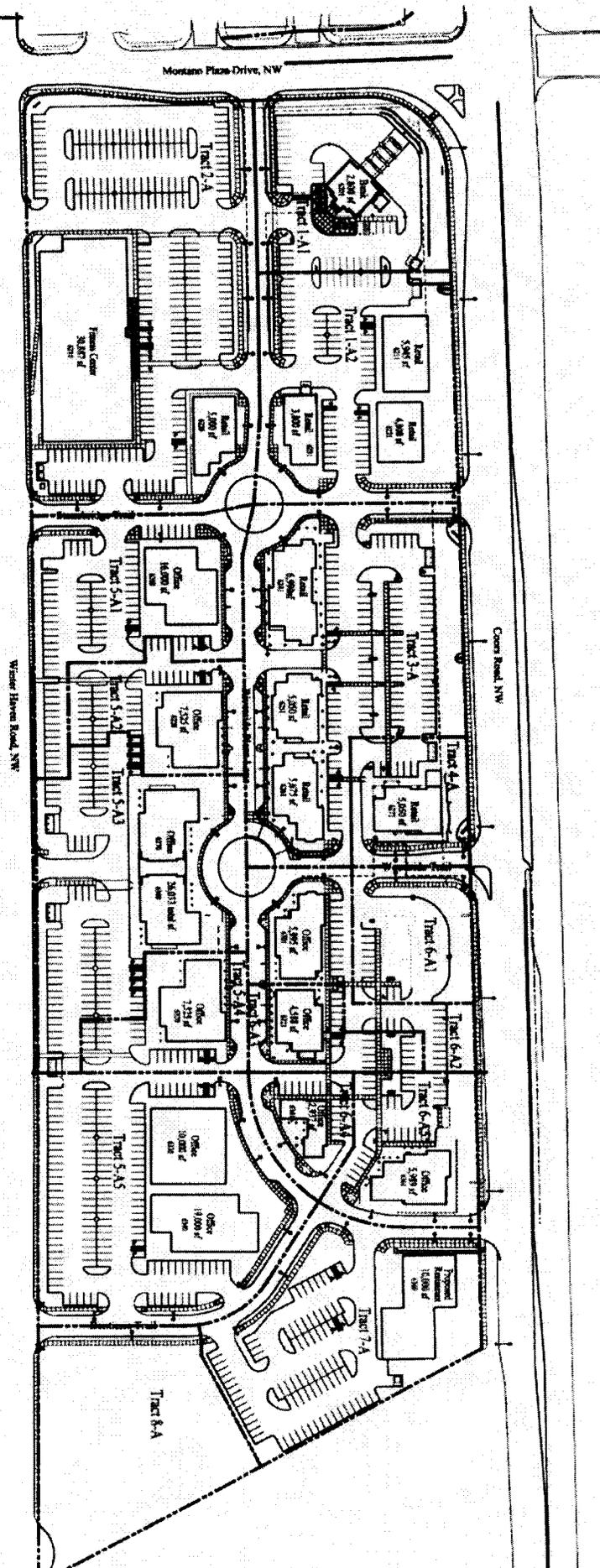


**Non-Residential Buildings**

**Commercial building style** will be a hybrid of New Mexico architectural styles, incorporating stucco surfaces, stacked stone wainscot and tower elements, precast concrete posts, lintels, cap stones, and ramadas, and clay tile roof elements. Materials will be natural rather than synthetic, in warm colors ranging from light to dark tans, terracotta red to deep browns. Roof mounted mechanical equipment will be screened from view by parapets or mechanical screens. Ground-mounted equipment will be screened by building elements or landscaping. All sides of all buildings will be architecturally articulated with the elements described and illustrated above.

#### **NON-RESIDENTIAL and MULTI-FAMILY RESIDENTIAL STANDARDS**

- All non-residential buildings shall comply with Section 14-16-3-18, General Building and Site Design Regulations for Non-Residential Uses of the Comprehensive City Zoning Code, as well as other local building and fire codes.
- Finished building materials shall be applied to all exterior sides of buildings and structures and shall be consistent on all sides. Any accessory buildings and enclosures, whether attached or detached from the main building, shall be of similar compatible design and materials.
- Generic franchise building elevations or canopies are prohibited.
- No plastic or vinyl building panels, awnings, or canopies are allowed. Awnings and canopies, if used, shall be integrated with building architecture.
- Building heights should be kept to a minimum. Maximum height shall be limited to 45 feet for the ridge of the building to correspond with the Coors Corridor Plan.
- Entry ways to non-residential and multi-family buildings shall be clearly defined.
- No freestanding cell towers or antennas are allowed; rather antenna shall be integrated with the building architecture.



**Riverside Plaza: Illustrative Master Development Plan**

Corts and Montano Plaza

Albuquerque, New Mexico

January 16, 2001

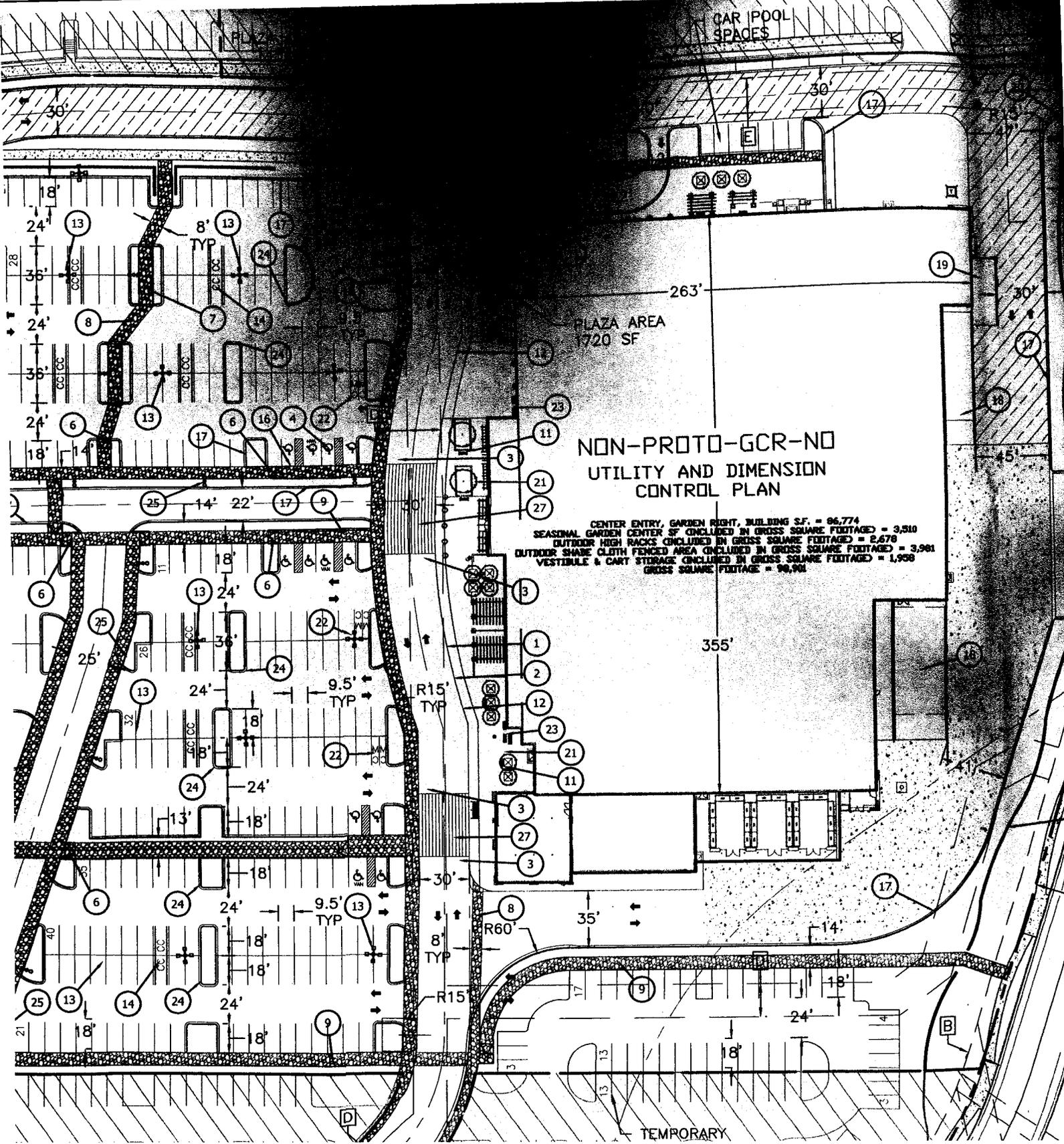
"Subject to change"

**Dekker/Perich Sabatini**

**INDEX OF PHOTOS/ILLUSTRATIONS**  
**Village Center Character, Mixed-Use Pedestrian Friendly**

- 1.1 Proposed site Plan for “Big Box” Aerial View
- 1.2 Proposed site Plan for “Big Box” Aerial View
- 2.1 Site Plan for Riverside Plaza Development on Coors
- 2.2 North of Montano Plaza – showing street parking, site division into blocks
3. Aerial view of Walmart at Coors/Ouray showing Big Box large parking area similar to orientation of proposed Big Box (although the proposed Walmart is a smaller Walmart still proposes a Big Box and large use of parking).
4. ABQ Uptown Aerial view showing street and angled parking with “retail boxes”
5. Walmart at Wyoming and Academy showing Big Box with large parking area and surrounding pad sites similar to proposed development.
- 6.1 through 6.5: Ground level pictures of Riverside Plaza showing street parking and a more pedestrian friendly scale of development.





**NON-PROTO-GCR-NO  
UTILITY AND DIMENSION  
CONTROL PLAN**

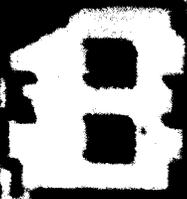
CENTER ENTRY, GARDEN RIGHT, BUILDING S.F. = 96,774  
 SEASONAL GARDEN CENTER SF INCLUDED IN GROSS SQUARE FOOTAGE = 3,510  
 OUTDOOR HIGH RACKS INCLUDED IN GROSS SQUARE FOOTAGE = 2,678  
 OUTDOOR SHADE CLOTH FENCED AREA INCLUDED IN GROSS SQUARE FOOTAGE = 3,981  
 VESTIBULE & CART STORAGE INCLUDED IN GROSS SQUARE FOOTAGE = 1,938  
 GROSS SQUARE FOOTAGE = 106,901

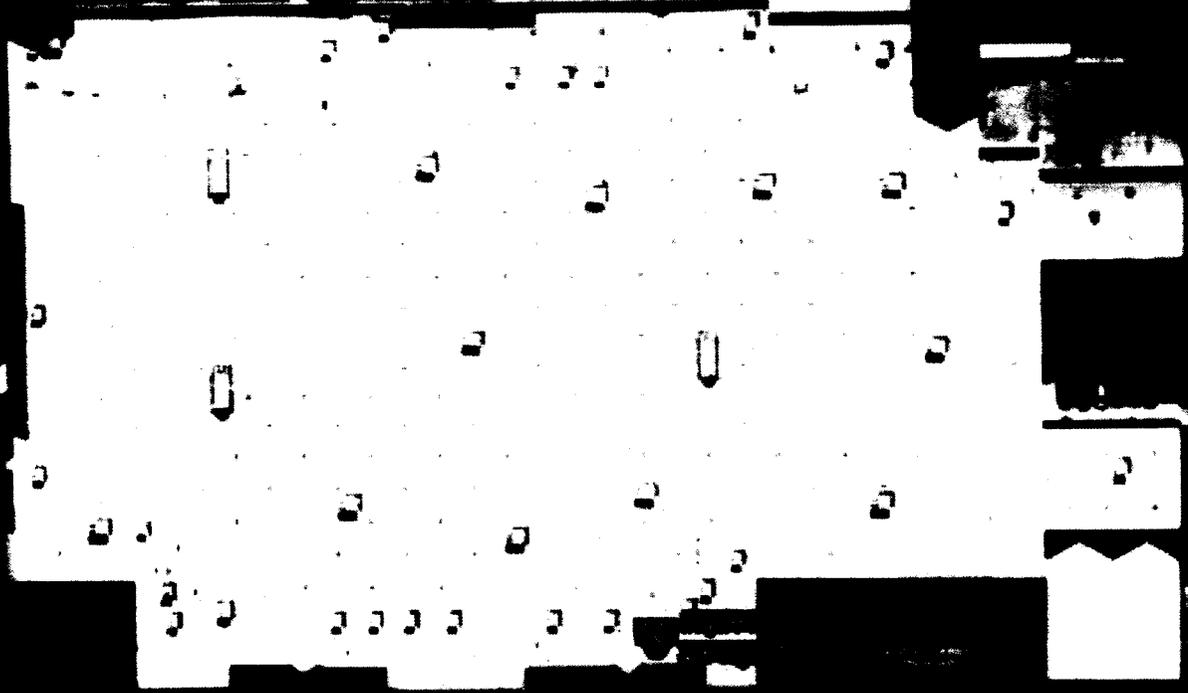
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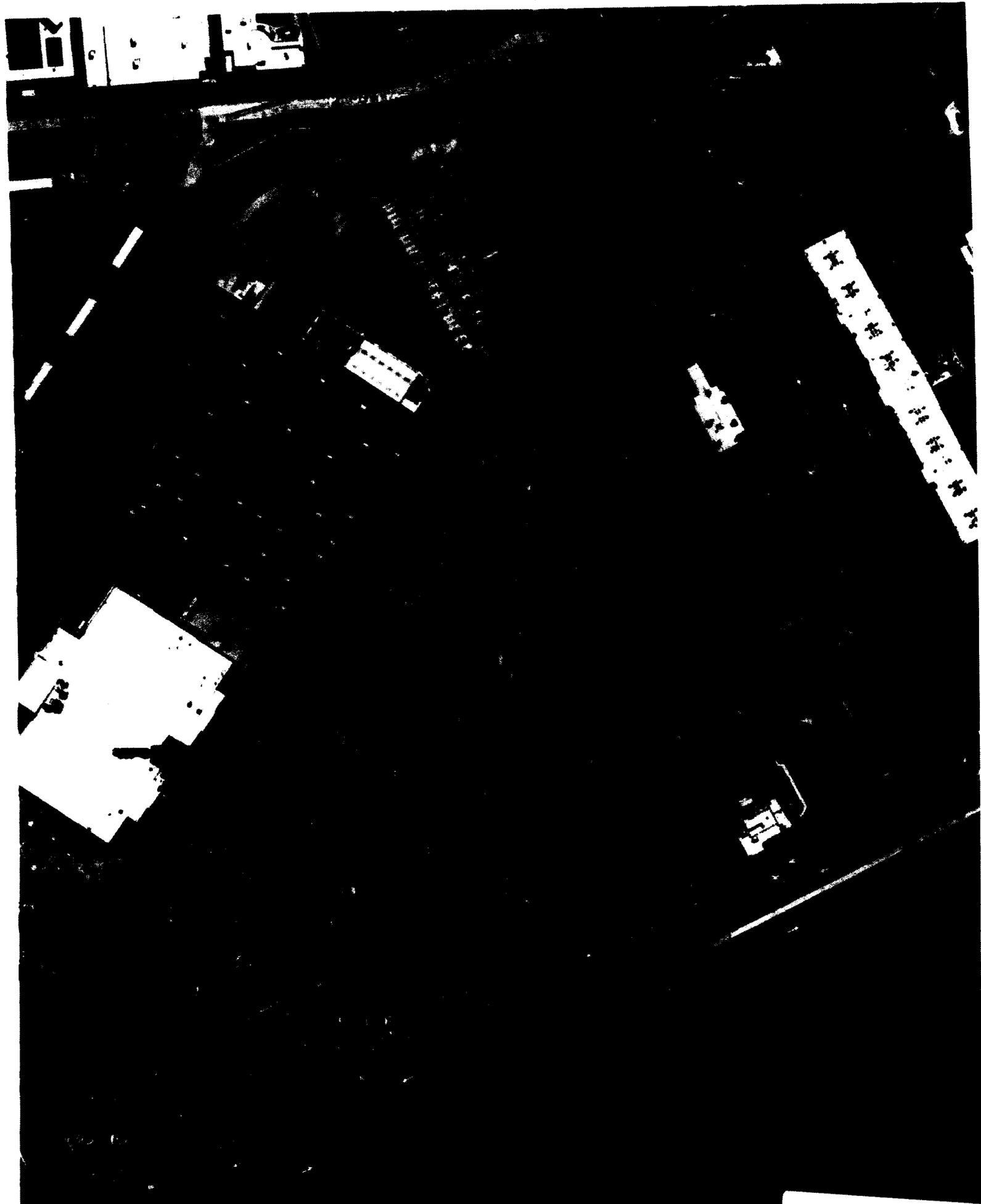


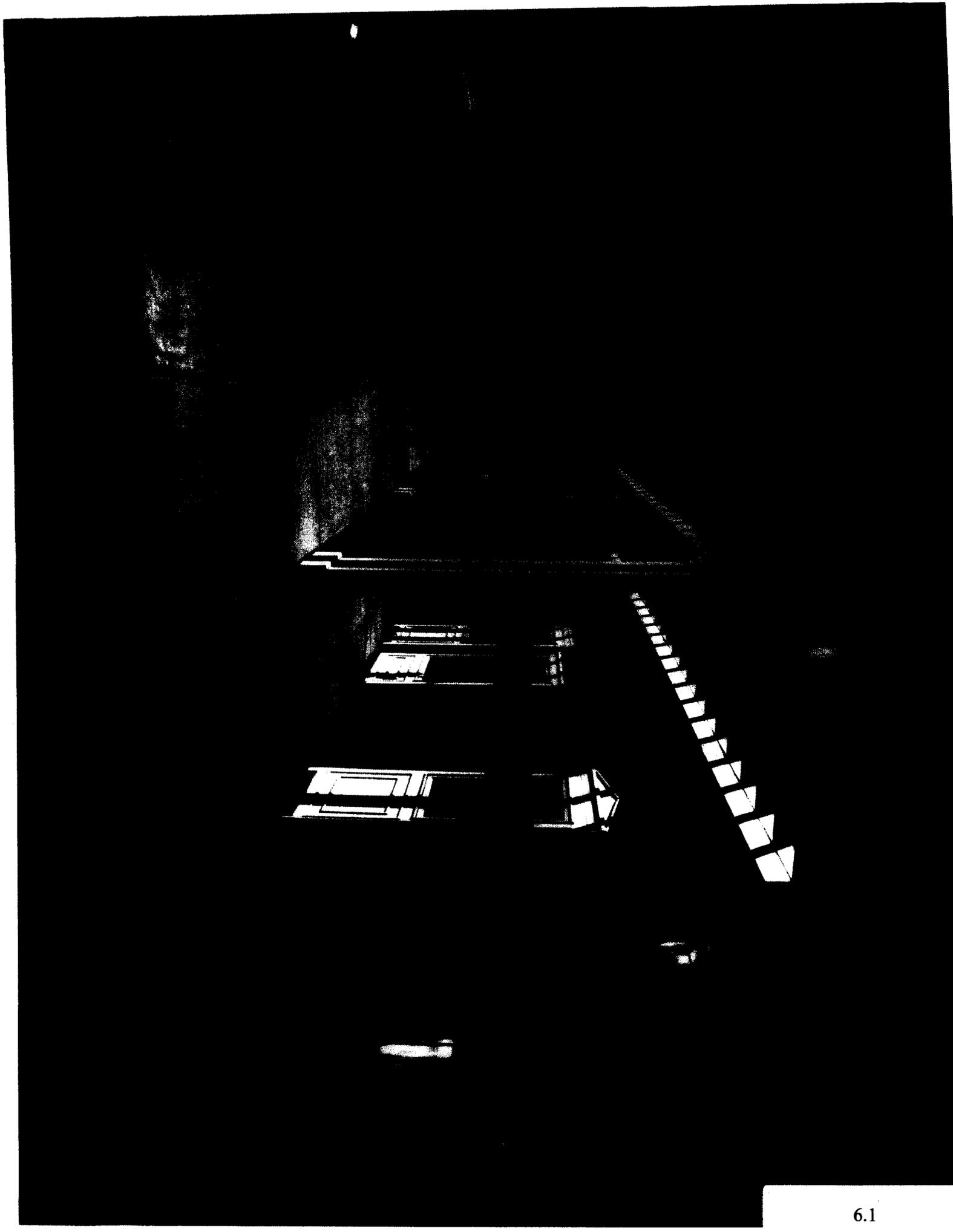
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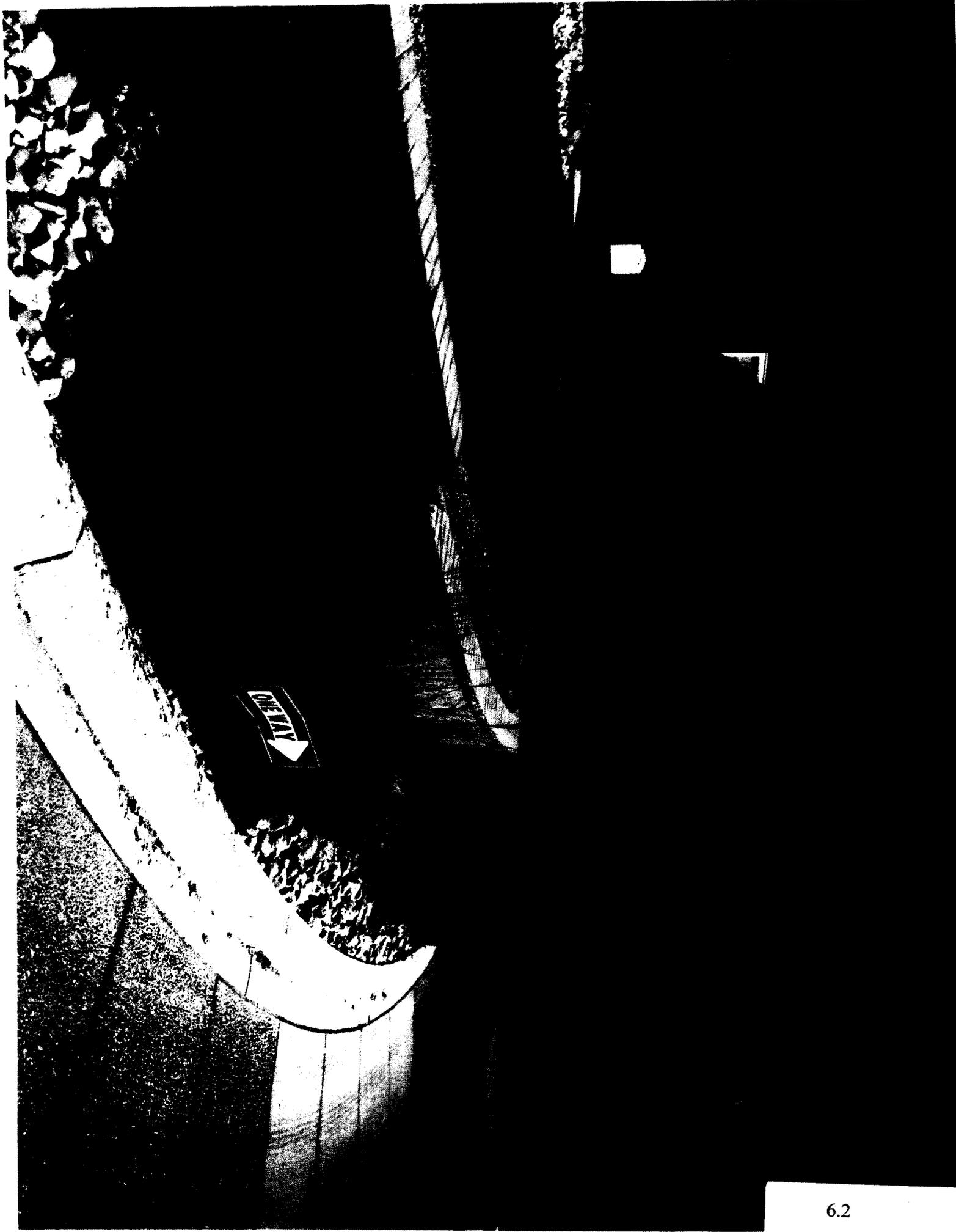




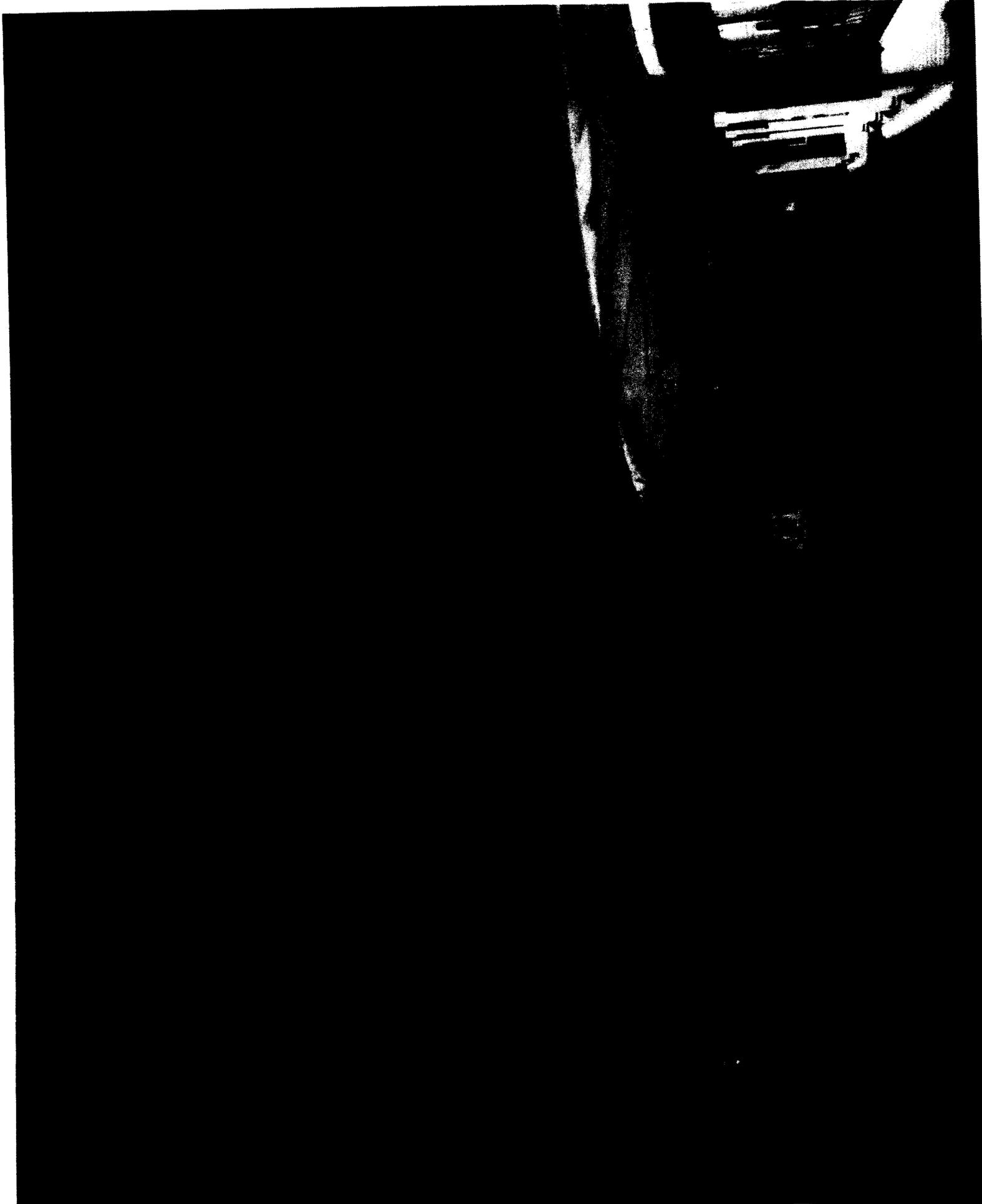














### TAB 3

The location of semi-truck loading and parking in the PRD/O-1 buffer zone (within 300 feet of Bosque School) violates the Andalucia Subdivision regulations and Tract 3's O-1 zoning.

The proposed site plan proposes to use Tract 3 for the most intense C-2 use, that is, for semi truck parking and loading for the Big Box and for an area for truck access to the large retail facility loading docks and for center ingress/egress.

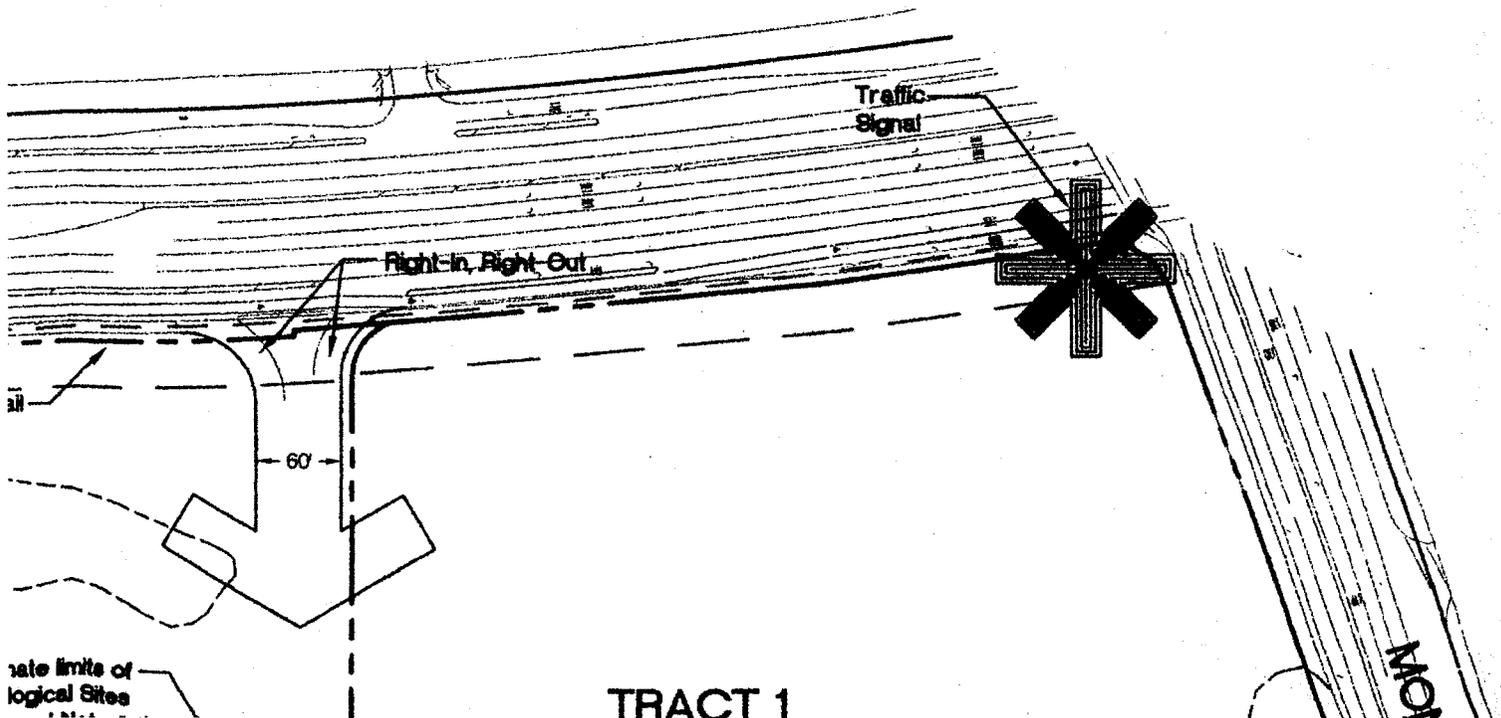
The creation of a separate tract for this area indicates that this area was not to be merged into a C-2 retail development.

1. The Andalucia Subdivision created a separate lot zoned for O-1 uses and provided setbacks. The site plan update violates setback requirements. In addition to creating a separately zoned lot, Condition No. 3 created a 300 foot buffer area. These dual restrictions indicate an intent that the area not be merged into and made part of a tract developed for C-2 uses. For this reason the attempt to amend the subdivision to eliminate the separate lot but should be rejected.
2. Even assuming a re-subdivision and creation of a Tract 2A and 3A with the area formerly in Tract A, O-1 uses do not include uses ancillary to C-2 uses. See also §14-16-3-2(D)(2)(b)(1) (not permitting large retail in O-1 zone). The entire area is one Shopping Center site (see West Bluff case) setbacks are violated. The application for building permit should be denied.
3. The PRD/O-1 area furthered the mixed use requirements of the Andalucia Plan. The PRD/O-1 restriction is violated by using this area for the retail facility particularly the uses proposed which are not O-1 uses.

The restriction of a residential and office use to the buffer zone promoted the requirement that future development be complimentary to Bosque School.

## GENERAL NOTES

1. Tracts 6B and A (referred to on this Site Plan as Tracts 1-9), are part of a Site Plan for Subdivision approved by the Environmental Planning Commission on November 18, 2004 (Project 100065; 04EPC-00655). This Site Plan replaces the previous Site Plan for Subdivision as it relates to Tracts 6B and A.
2. A portion of Learning Road at Coors Boulevard is public right-of-way. An additional portion of Learning Road within Tract 8 will be granted to the City of Albuquerque as a private access easement in order to provide access to the City's Lift Station #24, Tract B, via a 24 foot limited access road with a 60 foot easement. The final portion of Learning Road will become part of Bosque School, Tract 4A.
3. The area adjacent to Learning Road and the northern boundary of Bosque School, Lot 4A (a minimum of 300 feet) is restricted to PFD and O-1 Uses.
4. Due to the existing Montano Pueblo Archaeological Site and the two smaller sites, future approvals for Site Development Plans for Building Permit on Tracts 6B and A shall require clearance and guidance from the State Historic Preservation Office.
5. A cross access easement will be provided across Tracts 1, 2, and 3.
6. No fast food restaurants with drive through windows or gas stations are allowed at North Andaluia.
7. When the future grade separation is constructed, access will no longer be allowed to Montano Road from Winterhaven, consistent with the Long Range Roadway System.
8. The design for the sign and gate at Tract 7 and Mirandela Road shall be submitted with a Site Plan for Building Permit for development of Tract 7.



Bradley R. Bingham  
City Engineer

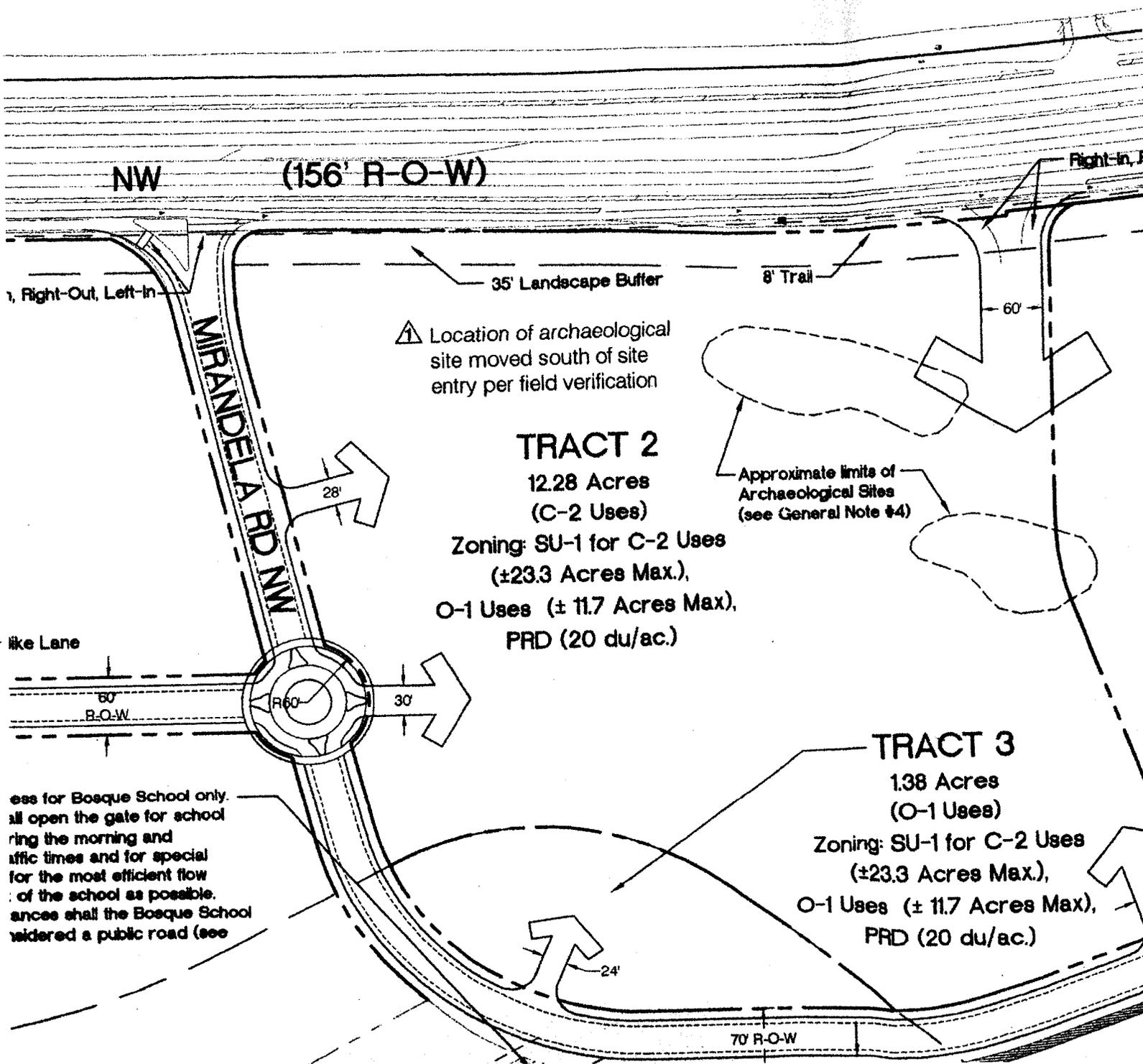
7/16/08  
Date

N/A  
\* Environmental Health Department-(conditional) Date

N/A  
Solid Waste Management Date

*Phil Doss*  
DRB Chairperson, Planning Department 7-16-08  
Date

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Winterhaven, consistent with  
3. The design for the sign and  
Permit for development of 1



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... widened a public road (see

**§ 14-16-2-15 O-1 OFFICE AND INSTITUTION ZONE.**

This zone provides sites suitable for office, service, institutional, and dwelling uses.

**(A) Permissive Uses.**

(1) Antenna, up to 65 feet in height.  
(2) Beauty shop, barber shop.  
(3) Church, or other place of worship, including the usual incidental facilities. Incidental uses allowed include but are not limited to an emergency shelter operated by the church on the church's principal premises which is used regularly for public worship, notwithstanding special limitations elsewhere in this Zoning Code.

(4) Club, provided there is no liquor license.

(5) Community residential program except not either Community residential corrections program or Community residential program for substance abusers: up to 18 client residents, provided that the standards of § 14-16-3-12 of this Zoning Code are met.

(6) Dwelling unit (house, townhouse, or apartment) constituting up to 25% of the gross floor area on the premises, provided usable open space is provided on-site in an amount equal to 400 square feet for each efficiency or one-bedroom dwelling unit, 500 square feet for each two-bedroom dwelling unit, and 600 square feet for each dwelling unit containing three or more bedrooms. If located in an area designated by the master plan as "Developing" or "Semi-Urban," the total open space requirement of the R-D or RA-1 zone, respectively, shall also be met.

(7) Incidental uses within a building, most of which is occupied by offices and/or dwelling units, such as news, cigar or candy stand, restaurant, personal-service shop, and the like, provided the incidental uses comply with the following:

(a) The use is intended primarily for the use of the occupants of the structure.

(b) At least 10,000 square feet of floor area are contained in the structure.

(c) The use is limited to a maximum of 10% of the total floor area.

(d) The use is so situated within the structure that it is not directly accessible from a public right-of-way.

(e) A sign or window display relating to the use is not discernible from a public right-of-way, except that a portable sign shall be allowed per small business pursuant to the General Signage Regulations.

(8) Institution, including library, museum, nursing or rest home, school, day care center, except not hospital for human beings, sanatorium, or disciplinary or mental institutions.

(9) Medical supplies and services, such as drug prescription and supply shop, physical therapy office, or shop for fabricating and fitting prosthetic or correcting devices, or medical or dental laboratory.

(10) Office.

(11) Park-and-ride temporary facilities.

(12) Parking lot, providing it complies with the following:

(a) Paving, all of which shall be maintained level and serviceable.

1. The lot must be graded and surfaced with one of the following:

a. Blacktop or equal: Two inches of asphalt concrete on a prime coat over a four inch compacted subgrade, or a surface of equal or superior performance characteristics.

b. For parking lots of 20 or fewer spaces, Gravel: A layer at least two inches thick of gravel sized from 3/8 minimum to one inch maximum diameter, at least 1/2 inch of which shall be maintained on the surface; gravel shall be kept off the right-of-way.

2. If street curbs and gutters exist adjacent to the parking lot property on a side where lot egress is allowed, the surfacing shall be blacktop for the width of the egress drive(s) and shall extend inward from the property line a minimum of 25 feet along all normal lines of egress traffic flow from the lot.

(b) The lot shall have barriers which prevent vehicles from extending over the sidewalk or abutting lots, or beyond the sides of a parking structure.

(c) A solid wall or fence at least six feet high shall be erected on sides which abut land, other than public right-of-way land, in a residential zone. (See also § 14-16-3-10 of this Zoning Code.)

However:

1. Such wall or fence shall be three feet high in the area within 11 feet of a public sidewalk or planned public sidewalk location.

2. If the wall or fence plus retaining wall would have an effective height of over eight feet on the residential side, the Zoning Hearing Examiner shall decide the required height; such decision shall be made by the same process and criteria required for a conditional use.

(d) In a parking structure there shall be a six-foot solid wall on every parking level where the structure is within 19 feet of privately owned land in a residential zone.

(e) Ingress or egress shall be designed to discourage parking lot traffic from using local residential streets for more than 150 feet, unless no reasonable alternative is available.

(f) A parking lot hereafter developed shall include landscaping planted and maintained according to a Landscaping Plan approved by the Planning Director; however, the Planning Commission may waive this requirement where it is found not useful to achieving the intent of this Zoning Code.

(13) Photocopy, photography studio, except adult photo studio.

(14) Public utility structure, provided its location is in accord with an adopted facility plan and a site development plan for building permit purposes has been approved by the Planning Commission.

(15) Radio or television studio.

(16) Sign, on-premise, as provided in § 14-16-3-5 of this Zoning Code, and further provided:

(a) Location.

1. Only wall signs, canopy signs, and free-standing or projecting signs are permitted.

2. A sign may not overhang into the public right-of-way, except a wall sign may protrude up to one foot into the public right-of-way. (See also § 14-16-3-5(B)(2) of this Zoning Code.)

3. Projecting signs shall not project horizontally more than four feet.

(b) Number.

1. No limit on number of wall signs.

2. One canopy sign per entrance or exit shall be permitted.

3. In the Established or Redeveloping Areas, one free-standing or projecting sign structure shall be permitted for each premises, or joint sign premises, providing the premises or joint sign premises is at least 100 feet wide.

4. In the Developing or Semi- Urban Areas:

a. Free-standing or projecting sign not permitted on premises of under five acres.

b. One free-standing or projecting sign on premises of five acres or more, provided the street frontage is at least 100 feet wide.

(c) Size.

1. Size of Free-Standing or Projecting Signs. Sign area of a free-standing or projecting sign shall not exceed 75 square feet.

2. Size of Building-Mounted Signs, Except Projecting Signs. Sign area of a building-mounted sign shall not exceed 15% of the area of the facade to which it is applied if there is no free-standing or projecting on-premise sign on the premises or joint sign premises, or 7.5% of the area of the facade if there is such a free-standing or projecting sign on the premises or joint sign premises.

(d) Height. Sign height shall not exceed 26 feet or the height of the walls of the tallest building on the premises, whichever is lower.

(e) Motion. Signs or sign parts shall not move; there shall be no wind devices. No sign shall automatically change its message unless it is a time or temperature sign.

(f) Lettering. No lettering on a free-standing sign shall have any character exceeding nine inches in height.

(17) Storage structure or yard for equipment, material, or activity incidental to a specific construction project, provided it is of a temporary nature and is moved after the specific construction project is completed, or work on the project has been dormant for a period of six or more months, and further provided that it is limited to a period of one year unless the time is extended by the Planning Director.

(18) Wireless Telecommunications Facility, provided that the requirements of § 14-16-3-17 of this Zoning Code are met, and as specifically allowed below:

(a) A concealed wireless telecommunications facility, up to 65 feet in height.

(b) A collocated free-standing wireless telecommunications facility, up to 75 feet in height.

(c) A face-mounted wireless telecommunications facility.

(d) A roof-mounted free-standing wireless telecommunications facility, up to 20 feet above the parapet of the building on which it is placed.

(e) A wireless telecommunications facility, the antennas of which are all mounted on an existing vertical structure.

(B) *Conditional Uses.*

(1) Antenna, over 65 feet in height.

(2) Community residential corrections program: up to 15 client residents, provided that the standards of § 14-16-3-12 of this Zoning Code are met.

(3) Community residential program for substance abusers with up to 15 client residents, provided that the standards of § 14-16-3-12 of this Zoning Code are met.

(4) Dwelling units constituting more than 25% of the gross floor area on a premises, provided:

(a) No more than 60% of the gross floor area of the structures on the site shall be developed as dwelling units, and

(b) Open space is provided as specified for permissive dwelling units in this zone.

(c) A dwelling unit constructed as a conditional use in an O-1 Zone shall permanently retain its status as an approved conditional use even if the use of the property as a dwelling unit ceases for a continuous period of more than one year. The provisions of § 14-16-4-2(D)(3) shall not apply to a conditional use approved for a dwelling unit in an O-1 Zone.

(d) A dwelling unit constructed as a conditional use or a permissive use in an O-1 Zone under any former ordinance shall not become a non-conforming use based on a failure to conform with (B)(4)(a).

(e) The request for approval of a conditional use under § 14-16-2-15(B)(4) shall be accompanied by at least one copy of an accurate site development plan for building including a proposed schedule for development. The failure to demonstrate that the non-residential uses will be developed concurrently with the residential uses is evidence that the proposal will be injurious to the neighborhood and the community.

(5) Instruction in music, dance, fine arts, or crafts.

(6) Public utility structure which is not permissive.

(7) Office machines and equipment sales and repair.

(8) Printing, copying, blueprinting incidental to office uses.

(9) Retailing of food and drink, for consumption on premises or off, but not drive-in facility and provided that alcoholic drink is not dispensed for off-premise consumption in broken packages or the following packages within 500 feet of a pre-elementary, elementary or secondary school, a religious institution, a residential zone, a designated Metropolitan Redevelopment Area (as defined in the State Metropolitan Redevelopment Code), a city owned park or city owned major public open space:

(a) distilled spirits, as defined in the New Mexico Liquor Control Act, in any package that contains less than 750 milliliters;

(b) beer, as defined in the New Mexico Liquor Control Act, in any single container labeled as containing 16 or fewer ounces; and

(c) fortified wines with a volume of alcohol of more than 13.5 percent, provided that retailing alcoholic drink, for on or off premise consumption, within 500 feet of a community residential program or hospital for treatment of substance abusers is prohibited pursuant to § 14-16-3-12(A)(11) ROA 1994.

(10) Wireless Telecommunications Facility, Roof-Mounted, up to 20 feet above the parapet of the building on which it is placed, provided that the requirements of § 14-16-3-17 of this Zoning Code are met.

(C) *Height.*

(1) Structure height up to 26 feet is permitted at any legal location. The height and width of the structure over 26 feet shall fall within 45° angle planes drawn from the horizontal at the mean grade along each internal boundary of the premises and each adjacent public right-of-way centerline. To protect solar access, a structure over 26 feet may not exceed the northern boundary of these 45° planes, but may be sited in any other direction within planes drawn at a 60° angle from the same boundaries or centerline. Exceptions to the above are provided in § 14-16-3-3 of this Zoning Code, and for sign and antenna height, in division (A) of this section. Notwithstanding any of the above regulations, structures shall not exceed 26 feet in height within 85 feet of a lot zoned specifically for houses.

(2) Exceptions to division (1) above are provided in § 14-16-3-3 of this Zoning Code, and for sign and antenna height, in division (A) of this section.

(D) *Lot Size.* No requirements.

(E) *Setback.* The following regulations apply to structures other than signs except as provided in §§ 14-16-3-1 and 14-16-3-3 of this Zoning Code:

(1) There shall be a front and a corner side yard setback of not less than five feet and a setback of 11 feet from the junction of a driveway or alley and a public sidewalk or planned public sidewalk location.

(2) Near residential zones, the following greater setback requirements shall apply:

(a) There shall be a front or corner side setback of not less than ten feet where the lot is across the street from the front lot line of a facing lot in a residential zone. This setback applies to on- and off-premise signs.

(b) There shall be a side or rear setback of not less than five feet where the site abuts the side of a lot in a residential zone.

(c) There shall be a side or rear setback of not less than 15 feet where the site abuts the rear of a lot in a residential zone.

(3) The clear sight triangle shall not be infringed upon.

(F) *Off-Street Parking*. Off-street parking shall be as provided in § 14-16-3-1 of this Zoning Code. ('74 Code, § 7-14-20) (Ord. 80-1975; Am. Ord. 40-1976; Am. Ord. 26-1977; Am. Ord. 38-1978; Am. Ord. 48-1980; Am. Ord. 61-1980; Am. Ord. 39-1983; Am. Ord. 40-1983; Am. Ord. 54-1983; Am. Ord. 11-1986; Am. Ord. 41-1987; Am. Ord. 12-1990; Am. Ord. 47-1990; Am. Ord. 58-1995; Am. Ord. 9-1999; Am. Ord. 11-2002; Am. Ord. 36-2002; Am. Ord. 4-2005; Am. Ord. 16-2005; Am. Ord. 5-2008; Am. Ord. 40-2008; Am. Ord. 6-2009; Am. Ord. 19-2010)





City of Albuquerque  
Planning Department  
Urban Design & Development Division  
P.O. Box 1293  
Albuquerque, New Mexico 87103

Date: December 8, 2011

**AMENDED OFFICIAL NOTIFICATION OF  
DECISION (change of case numbers and  
order)**

**FILE: Project # 1003859**  
11EPC-40074 Site Development Plan for  
Building Permit  
11EPC-40075 Amend Site Development Plan for  
Subdivision  
11EPC-40076 Amend Zone Map (Zone Change)

US New Mexico Federal Credit Union  
P.O. Box 129  
Albuquerque, NM, 87103

**LEGAL DESCRIPTION:**

Consensus Planning, agent for US New Mexico Federal Credit Union, requests the above actions for all or a portion of Tract 5, Plat of North Andalucia at La Luz, zoned SU-1 for C-2, O-1 and PRD to SU-1 for O-1 Including Bank & Drive-in Facilities, located on Coors Blvd. NW between Learning Rd. NW and Montano Rd. NW, containing approximately 3.38 acres. (E-12)  
Carrie Barkhurst, Staff Planner

On December 8, 2011 the Environmental Planning Commission voted to APPROVE Project 1003859 / 11EPC-40076, a request for an Amendment to the Zone Map (Zone Change), 11EPC-40075, a request for an Amendment to the Site Development Plan for Subdivision and 11EPC-40074, a request for a Site Development Plan for Building Permit based on the following Findings and subject to the following Conditions:

**FINDINGS:**

***FINDINGS – 1003859 – 11EPC-40076 – December 8, 2011 – Zone Map Amendment***

1. This is a request for zone map amendment for Tract 5, Plat of North Andalucia at La Luz, located on Coors Blvd., northeast of Learning Rd., and containing approximately 3.38 acres.
2. The applicant is proposing to subdivide and to develop a Credit Union branch office.

OFFICIAL NOTICE OF DECISION

PROJECT #1003859 11EPC-40074, 40075 & 40076

DECEMBER 8, 2011

Page 2 of 12

3. The subject site is zoned SU-1 for C-2, O-1 and PRD. The proposed use is permissive under the current zoning; however, the Site Plan for Subdivision designates this parcel for O-1 uses. Therefore, a zone map amendment is requested to allow a use that is compatible with the O-1 zone, without opening the site to the full range of C-2 uses that are available elsewhere in the subdivision.
4. The Environmental Planning Commission (EPC) has decision-making authority for a zone map amendment, pursuant to §14-16-4-1(C)(10)(a) of the Zoning Code.
5. The site is located within the Established and Developing Urban Areas of the Comprehensive Plan and within the boundaries of the West Side Strategic Plan and the Coors Corridor Plan. Coors Blvd. is an Enhanced Transit Corridor, as designated in the Comprehensive Plan.
6. The Albuquerque/Bernalillo County Comprehensive Plan, West Side Strategic Plan, the Coors Corridor Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
7. The applicant provided a justification for the zone change per R-270-1980.
  - A. The proposed special use zoning is consistent with the health, safety, morals and general welfare of the city. The zone change will not have an impact on public services and facilities.
  - B. The applicant has provided an acceptable justification for the change and has demonstrated that the requested zoning will not destabilize land use and zoning in the area, because it will allow a compatible use and retain the overarching special use zone.
  - C. The applicant cited a preponderance of applicable goals and policies of the Comprehensive Plan (CP), the West Side Strategic Plan (WSSP), and the Coors Corridor Plan (CCP), that are furthered by this request, as described below:
    - i. CP Policy II.B.5.d: With minor conditions, the location, intensity and design of the new development generally further this policy. The proposed use respects neighborhood values and provides a service appropriate for a mixed-use development.
    - ii. CP Policy II.B.5.e: The subject site is contiguous to existing urban facilities and is designed to lessen any potential negative impacts of the proposed use.
    - iii. CP Policy II.B.5.i: The requested zone is governed through the site development plan for subdivision, which provides assurances about the form of development. The site design effectively mitigates potentially adverse effects of the bank and drive-up service. The zone map amendment will facilitate development of new employment and services.
    - iv. CP Policy II.C.4.a: Noise considerations have been integrated into the site design process and evaluation of the suitability of this site for a zone change.

- v. CP Policy II.C.6.a: The request will provide additional employment opportunities in an area that is underserved with jobs.
  - vi. WSSP Objective 8 and 10: The request provides opportunities for additional jobs to locate on an undeveloped, commercially-zoned property. The request seeks to provide a neighborhood-oriented service in a location that is well served by existing infrastructure.
  - vii. CCP Policy 3: The request facilitates new development in the Coors corridor that was carefully designed to be compatible with the natural landscape and environment in a master planned subdivision with existing infrastructure improvements.
- D. The applicant has adequately justified the request by demonstrating that the requested zone change is more advantageous to the community per adopted city goals and policies cited under Section C.
- E. None of the uses specified in the proposal will be harmful to adjacent property, the neighborhood or the community.
- F. The request would not require unprogrammed capital expenditures by the City.
- G. The cost of land or other economic considerations pertaining to the applicant are not the determining factor for the zone change.
- H. The property's location on a major street is not the reason for this request.
- I. This request constitutes a justified spot zone. It facilitates realization of the Comprehensive Plan, the West Side Strategic Plan and the Coors Corridor Plan.
- J. The proposed zone change would not result in strip zoning.
8. The northern portion of the site is within the boundaries of the designated *Montaño/Coors Community Activity Center*. The request furthers the goals for Activity Centers by providing neighborhood-oriented services adjacent to the higher density residential and commercial uses within the Activity Center to reduce auto travel needs per Comprehensive Plan Policy a. In addition, this use provides a transition area of moderately intense development between the lower density residential uses and the higher intensity C-2 commercial uses closer to Montaño, consistent with Comprehensive Plan Policy f. The West Side Strategic Plan Policy 1.13 is furthered by the request by providing a neighborhood service at a location designated for a "higher concentration and greater variety" of land uses.
9. Property-owners within 100', La Luz del Sol N.A., La Luz Landowners Assoc., Taylor Ranch N.A., the Northwest Alliance of Neighbors, and the Westside Coalition of Neighborhood Associations were notified. A facilitated meeting was held on November 17, 2011. There is general support for the project and the design.

***RECOMMENDATION – 1003859 – 11EPC-40076 – December 8, 2011 – Zone Map Amendment  
APPROVAL of 11EPC-40074, a request for a Zone Map Amendment for Tract 5, Plat of  
North Andalucia at La Luz, based on the preceding Findings.***

***CONDITIONS OF APPROVAL – 1003859 – 11EPC-40076 – December 8, 2011 – Zone Map  
Amendment***

1. Pursuant to Zoning Code §14-16-4-1(C)(11), a zone map amendment does not become official until all Conditions/Requirements of Approval are met. If such requirements are not met within six months after the date of final City 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.

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***FINDINGS – 1003859 – 11EPC-40075 – December 8, 2011 – Site Plan for Subdivision Amendment***

1. This is a request for a Site Plan for Subdivision Amendment for Tract 5, Plat of North Andalucia at La Luz, located on Coors Blvd., northeast of Learning Rd., and containing approximately 3.38 acres.
2. The applicant is proposing to subdivide and to develop a Credit Union branch office.
3. The subject site is zoned SU-1 for C-2, O-1 and PRD. The proposed use is permissive under the current zoning; however, the Site Plan for Subdivision designates this parcel for O-1 uses. Therefore, a Site Plan for Subdivision Amendment is requested to allow a use that is compatible with the O-1 zone, without opening the site to the full range of C-2 uses that are available elsewhere in the subdivision. The amendment also seeks to clarify free-standing signage regulations to allow one free-standing sign per parcel in the subdivision.
4. The Environmental Planning Commission (EPC) has decision-making authority for approving Site Development Plans, pursuant to §14-16-2-22(A)(1) of the Zoning Code.
5. The site is located within the Established and Developing Urban Areas of the Comprehensive Plan and within the boundaries of the West Side Strategic Plan and the Coors Corridor Plan. Coors Blvd. is an Enhanced Transit Corridor, as designated in the Comprehensive Plan.
6. The Albuquerque/Bernalillo County Comprehensive Plan, West Side Strategic Plan, the Coors Corridor Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.

7. The Site Plan for Subdivision Amendment request furthers the following Comprehensive Plan policies:
  - a. Policy II.B.5.d: With minor conditions, the location, intensity and design of the new development generally further this policy. The proposed use respects neighborhood values and provides a service appropriate for a mixed-use development.
  - b. Policy II.B.5.e: The subject site is contiguous to existing urban facilities and is designed to lessen any potential negative impacts of the proposed use.
  - c. Policy II.B.5.i: The requested zone is governed through the site development plan for subdivision, which provides assurances about the form of development. The site design effectively mitigates potentially adverse effects of the bank and drive-up service. The zone map amendment will facilitate the development of new employment and services.
  - d. Policy II.C.4.a: Noise considerations have been integrated into the site design process and evaluation of the suitability of this site for a zone change.
  - e. Policy II.D.6.a: The request will provide additional employment opportunities in an area that is underserved with jobs.
8. Regarding the West Side Strategic Plan policies, the Site Plan for Subdivision Amendment request furthers Objective 8 and 10 by providing opportunities for additional jobs to locate on an undeveloped, commercially-zoned property. The request seeks to provide a neighborhood-oriented service in a location that is well served by existing infrastructure.
9. Regarding the Coors Corridor Plan policies, the Site Plan for Subdivision Amendment request furthers Policy 3 by facilitating new development in the Coors Corridor that was carefully designed to be compatible with the natural landscape and environment in a Master Planned subdivision with existing infrastructure improvements.
10. The northern portion of the site is within the boundaries of the designated *Montaño/Coors Community Activity Center*. The request furthers the goals for Activity Centers by providing neighborhood-oriented services adjacent to the higher density residential and commercial uses within the Activity Center to reduce auto travel needs per Comprehensive Plan Policy a. In addition, this use provides a transition area of moderately intense development between the lower density residential uses and the higher intensity C-2 commercial uses closer to Montaño, consistent with Comprehensive Plan Policy f. The West Side Strategic Plan Policy 1.13 is furthered by the request by providing a neighborhood service at a location designated for a "higher concentration and greater variety" of land uses.
11. Property-owners within 100', La Luz del Sol N.A., La Luz Landowners Assoc., Taylor Ranch N.A., the Northwest Alliance of Neighbors, and the Westside Coalition of Neighborhood Associations were notified. A facilitated meeting was held on November 17, 2011. There is general support for the project and the design.

***RECOMMENDATION – 1003859 – 11EPC-40075 – December 8, 2011 – Site Plan for Subdivision Amendment***

**APPROVAL of 11EPC-40075, a request for a Site Plan for Subdivision Amendment for Tract 5, Plat of North Andalucia at La Luz, based on the preceding Findings.**

***CONDITIONS OF APPROVAL – 1003859 – 11EPC-40075 – December 8, 2011 – Site Plan for Subdivision Amendment***

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. Conditions of approval from the City Engineer, Municipal Development and NMDOT for the proposed Site Development Plan for Building Permit shall include:
  - a. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as may be required by the Development Review Board (DRB).
  - b. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and/or provided for.
  - c. Concurrent Plating Action required at Development Review Board (DRB).
  - d. A cross access easement between the two new tracts is required.
  - e. All easements need to be shown and labeled on site plan.
4. The applicant proposed new text in the site plan for subdivision signage design guidelines to clarify the signage regulations, which the EPC supports. The new text is underlined here, to show what has changed; it is not required to be underlined in the site plan. The following changes are approved on Sheet 3:

**“Project Monument Signs**

  - Three project monument signs are allowed at the entries along Coors Boulevard and one minor entry monument sign is allowed on Montano Road as landmarks identifying the project. These project monument signs shall be of similar design and materials as the buildings.

- Project monument signs along Coors Boulevard shall have an overall maximum height of 9 feet and shall identify the tenants in a signage area not to exceed 75 square feet with a total of 10 items of information. The minor monument sign along Montano Road shall have an overall height of 9 feet and shall identify the tenants in a signage area not to exceed 30 square feet.

Individual Monument Signs

- One individual monument sign is allowed for each parcel to be located along the internal roadway system and shall not be located along Coors Boulevard or Montano Road. Maximum height for individual monument signs shall not exceed 9 feet and shall have a maximum signage area not to exceed 30 square feet.”

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***FINDINGS – 1003859 – 11EPC-40074 – December 8, 2011 – Site Plan for Building Permit***

1. This is a request for a Site Plan for Building Permit for Tract 5, Plat of North Andalusia at La Luz, located on Coors Blvd., northeast of Learning Rd., and containing approximately 3.38 acres.
2. The applicant is proposing to subdivide and to develop a Credit Union branch office.
3. This request is accompanied by a zone map amendment and site plan for subdivision request.
4. The Environmental Planning Commission (EPC) has decision-making authority for approving Site Development Plans, pursuant to §14-16-2-22(A)(1) of the Zoning Code.
5. The site is located within the Established and Developing Urban Areas of the Comprehensive Plan and within the boundaries of the West Side Strategic Plan and the Coors Corridor Plan. Coors Blvd. is an Enhanced Transit Corridor, as designated in the Comprehensive Plan.
6. The Albuquerque/Bernalillo County Comprehensive Plan, West Side Strategic Plan, the Coors Corridor Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
7. The Coors Corridor Design Regulations and the North Andalusia at La Luz site plan for subdivision design standards apply.
8. The Site Plan for Building Permit request furthers the following Comprehensive Plan policies:
  - a. Policy II.B.5.d: The request is consistent with the policies and design guidelines provided in adopted area and sector plans, as well as the EPC approved Site Plan for Subdivision. In

this manner, the request respects area values and resources. The site design buffers the drive up service windows from adjacent residential development with a yard wall, landscaping, and 120-foot distance, which will mitigate any potential adverse impacts of the proposed use. The location, intensity and design of the new development generally further this policy.

- b. Policy II.B.5.e: This request proposes new development in an area served by existing urban facilities, infrastructure, and services. The subject site does not propose access from the adjacent principal arterial, Coors Blvd., or the adjacent Major Local Street, Learning Rd., which will minimize impacts on the adjacent neighborhood.
  - c. Policy II.B.5.g: The design and landscaping of the proposed development respect the site topography. The development provides connections to existing trails in the area.
  - d. Policy II.B.5.i: The site is designed to minimize potential noise and traffic impacts. The proposed cut-off lighting and landscape buffers will also serve to minimize potential adverse effects on the adjacent neighborhood.
  - e. Policy II.B.5.k: The subject site is designed to minimize harmful effects of traffic by limiting access to one driveway located on Antequera Rd, a local street, and by not providing access to Coors Blvd. The livability of the adjacent neighborhood is respected by providing extensive site landscaping which serve as a buffer between the uses.
  - f. Policy II.B.5.l: The proposed building is well-articulated and designed to have no "back side." Area residents have indicated that the building is attractive and is compatible with their vision for the area.
  - g. Policy II.B.5.m: The architectural design is compliant with the design regulations included in the Coors Corridor Plan and the Site Plan for Subdivision. The building respects unique vistas from Coors Blvd. and generally improves the quality of the visual environment by adding variety and extensive landscaping.
  - h. Policy II.C.4.a: Noise considerations have been integrated into the site design process and evaluation of the suitability of this site for a zone change.
  - i. Policy II.C.8.d: The request proposes extensive landscaping both on-site and in the adjacent public rights-of-way. The development will help control erosion and dust, and will also incorporate water harvesting and xeric plant species.
  - j. Policy II.D.6.a: The request will provide additional employment opportunities in an area that is underserved with jobs.
9. Regarding the West Side Strategic Plan policies, the Site Plan for Building Permit request furthers Objective 8 and 10 by providing opportunities for additional jobs to locate on an undeveloped, commercially-zoned property. The request seeks to provide a neighborhood-oriented service in a location that is well served by existing infrastructure. Taylor Ranch Area Policy 3.12 is furthered because the subject site is infill development that is within existing transportation and utility service areas. The request furthers Policies 4.6 h and 4.10 by providing a commercial development adjacent to public transit, and accessible by trails, without providing an excess of parking.

10. Regarding the Coors Corridor Plan “Design Guidelines,” Issue 4, Visual Impressions and Design Overlay Zone, the building design is aesthetically integrated into the site in relation to the visual impressions within the corridor, views within and from Coors Blvd., roadway, landscaping, outdoor space, and adjacent buildings, furthering Policies A.1, A.2, B.2, B.10, and C.1. Policies B.3, B.4 and B.5 are furthered by the landscape design which is complementary to the character of Coors Corridor and complies with the size, buffer area, and parking requirements. Policies B.5, B.6, B.7, and B.8 are furthered by the building’s location along Coors and Eagle Ranch, with parking behind the main street frontages and adequate pedestrian access. The request does not conflict with any of the Coors Corridor Plan goals or policies.
11. The northern portion of the site is within the boundaries of the designated *Montaño/Coors Community Activity Center*. The request furthers the goals for Activity Centers by providing neighborhood-oriented services adjacent to the higher density residential and commercial uses within the Activity Center to reduce auto travel needs per Comprehensive Plan Policy a. In addition, this use provides a transition area of moderately intense development between the lower density residential uses and the higher intensity C-2 commercial uses closer to Montaño, consistent with Comprehensive Plan Policy f. The West Side Strategic Plan Policy 1.13 is furthered by the request by providing a neighborhood service at a location designated for a “higher concentration and greater variety” of land uses.
12. The EPC supports the provision of one free-standing monument sign at the project entrance on Antequera Rd. Signage for future tenants must comply with the Coors Corridor Plan design guidelines and the zoning code general regulations.
13. The applicant has submitted a Coors View Analysis, which is consistent with the requirements in the Coors Corridor Plan. The proposed building complies with the Coors Corridor Design Regulations.
14. Property-owners within 100’, La Luz del Sol N.A., La Luz Landowners Assoc., Taylor Ranch N.A., the Northwest Alliance of Neighbors, and the Westside Coalition of Neighborhood Associations were notified. A facilitated meeting was held on November 17, 2011. There is general support for the project and the design.

**RECOMMENDATION – 1003859 – 11EPC-40074 – December 8, 2011 – Site Plan for Building Permit APPROVAL of 11EPC-40076, a request for a Site Plan for Building Permit for Tract 5, Plat of North Andalucia at La Luz, based on the preceding Findings.**

***CONDITIONS OF APPROVAL – 1003859 – 11EPC-40074 – December 8, 2011 – Site 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. Lighting:
  - a. A note shall be provided on the Site Plan for Building Permit that indicates that all lighting will comply with the standards of §14-16-3-9, Area Lighting Regulations of the Zoning Code and the Coors Corridor Plan Lighting Regulations.
  - b. The Parking Lot Light Fixture Detail shall be modified to be consistent with the Zoning Code Area §14-16-3-9 Area Lighting Regulations, which allow a maximum height of 16-feet for light poles within 100 feet of a residential zone.
4. The following conditions from PNM shall be met:
  - a. As a condition, it is the applicant's obligation to determine if existing utility easements cross the property and to abide by any conditions or terms of those easements.
  - b. As a condition, it is necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service and options for the location of electric service connection regarding this project. Any existing or proposed public utility easements are to be indicated on the site plan utility sheet. PNM's standard for public utility easements is 10 feet in width to ensure adequate, safe clearances.
5. Conditions of approval from the Transit Department:
  - a. Applicant shall provide 5 ft. wide x 20 ft. long easement for placement of bus shelter near the location of existing bus stop on Coors. Transit requests that the applicant install a Type C bus shelter as per the COA Design standard COA 2355, and associated bench and trash can at the proposed bus stop. Applicant to consult the Transit department for the location of the proposed easement.

6. Conditions of approval from the City Engineer, Municipal Development and NMDOT for the proposed Site Development Plan for Building Permit shall include:
  - a. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as may be required by the Development Review Board (DRB).
  - b. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and/or provided for.
  - c. Concurrent Plating Action required at Development Review Board (DRB).
  - d. Sidewalk Easement will be required for meandering 6-foot sidewalk on Learning Road and Coors Blvd.
  - e. A cross access easement between the two new tracts is required.
  - f. All easements need to be shown and labeled on site plan.
  - g. Provide/label/detail all dimensions and proposed infrastructure for Site.
  - h. Stairs are not allowed within City of Albuquerque ROW. Please relocate into private property.
  - i. Site plan shall comply and be designed per DPM Standards.
7. The future Phase 2 expansion of the credit union building, as shown on the site plan for building permit for the 2.42-acre tract may be delegated to DRB.
8. The landscape buffer wall along the northern property line may terminate at the toe of the slope near Coors Blvd., as shown on the site plan, and may terminate at the eastern property line of the 2.42-acre tract.

**IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY DECEMBER 23, 2011 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED. IT IS NOT POSSIBLE TO APPEAL EPC RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE EPC'S RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE EPC'S DECISION.**

Persons aggrieved with any determination of the Environmental Planning Commission (EPC) and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department **within 15 days** of the Planning Commission's decision. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday, the next working day is considered as the deadline for filing the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

YOU WILL RECEIVE NOTIFICATION IF ANY PERSON FILES AN APPEAL. IF THERE IS NO APPEAL, YOU CAN RECEIVE BUILDING PERMITS AT ANY TIME AFTER THE APPEAL DEADLINE QUOTED ABOVE, PROVIDED ALL CONDITIONS IMPOSED AT THE TIME OF APPROVAL HAVE BEEN MET. SUCCESSFUL APPLICANTS ARE REMINDED THAT OTHER REGULATIONS OF THE CITY ZONING CODE MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

ZONE MAP AMENDMENTS: Pursuant to Zoning Code Section 14-16-4-1(C)(11), a change to the zone map does not become official until the Certification of Zoning is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

SITE DEVELOPMENT PLANS: Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped areas shall terminate automatically seven years after adoption or major amendment of the plan: within six months prior to the seven-year deadline, the property owners shall request in writing thorough the Planning Director that the Planning Commission extend the plan's life an additional five years.

DEFERRAL FEES: Pursuant to Zoning Code Section 14-16-4-1(B), deferral at the request of the applicant is subject to a \$110.00 fee.

Sincerely,

Deborah Stover  
Planning Director

DS/CB/mc

- cc: Consensus Planning, 302 8<sup>th</sup> Street NW, Albuquerque, NM 87102  
Suzanne Fetsco, 23 Wind NW, Albuquerque, NM 87120  
Art Woods, 33 Wind NW, Albuquerque, NM 87120  
Heather Badal, 4 Tennis Ct. NW, Albuquerque, NM 87120  
Rae Perls, 15 Tennis Ct. NW, Albuquerque, NM 87120  
David Waters, 5601 La Colonia Dr. NW, Albuquerque, NM 87120  
Rene' Horvath, 5515 Palomino Dr. NW, Albuquerque, NM 87120  
Dan Serrano, 4409 Atherton Way NW, Albuquerque, NM 87120  
Gerald Worrall, 1039 Pinatubo Pl. NW, Albuquerque, NM 87120  
Candy Patterson, 7608 Elderwood NW, Albuquerque, NM 87120

TAB 4

The Subdivision Amendment application constitutes a zone map amendment making Res. 270-1980 applicable. See Project 1003859, EPC 40074, 40075, 40076. Applicant has not met its burden for a zone map amendment. The application amends the uses and tracts shown on the zone map and increases the total C-2 uses beyond the subdivision maximum.



**Environmental  
Planning  
Commission**

**Agenda Number: 5  
Project Number: 1003859  
Case #s: 11EPC-40074, 40075, 40076  
December 8, 2011**

**Staff Report**

<b>Agent</b>	Consensus Planning, Inc.
<b>Applicant</b>	US New Mexico Federal Credit Union
<b>Request(s)</b>	<ol style="list-style-type: none"> <li>1 Zone Map Amendment (Zone change)</li> <li>2 Amendment to Site Development Plan for Subdivision</li> <li>3 Site Development Plan for Building Permit</li> </ol>
<b>Legal Description</b>	Tract 5, Plat of North Andalucia at La Luz
<b>Location</b>	On Coors Boulevard between Learning Rd. and Montaño Rd.
<b>Size</b>	3.38 acres
<b>Existing Zoning</b>	SU-1 for C-2, O-1 and PRD
<b>Proposed Zoning</b>	SU-1 for O-1 including Bank & Drive-up Service

**Staff Recommendation**

**APPROVAL of 11EPC-40074 based on the Findings beginning on Page 19, and subject to the Conditions of Approval beginning on Page 20.**

**APPROVAL of 11EPC-40075 based on the Findings beginning on Page 21, and subject to the Conditions of Approval beginning on Page 23.**

**APPROVAL of 11EPC-40076 based on the Findings beginning on Page 24, and subject to the Conditions of Approval beginning on Page 26.**

**Staff Planner  
Carrie Barkhurst, Planner**

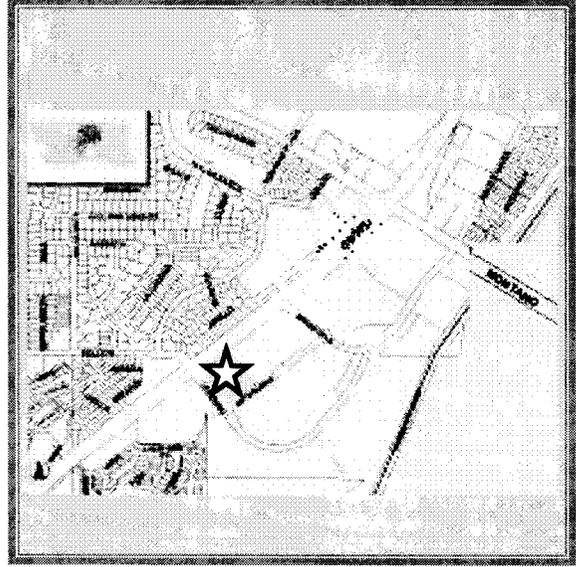
**Summary of Analysis**

The request is to develop a site located on Coors Blvd, north of Learning Rd. The applicant proposes to subdivide and develop an 8,370 SF building for a bank with drive-up facilities.

The request is consistent with the Site Plan for Subdivision Design Guidelines, the Comprehensive Plan, the West Side Strategic Plan, the Coors Corridor Plan, and the City Zoning Code.

The site is partially in the Established and Developing Urban Areas of the Comprehensive Plan. There is neighborhood support and no known neighborhood opposition.

Staff recommends approval with conditions.



City Departments and other interested agencies reviewed this application from 10/31/2011 to 11/10/2011. 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:*

	<b>Zoning</b>	<b>Comprehensive Plan Area; Applicable Rank II &amp; III Plans</b>	<b>Land Use</b>
<b>Site</b>	SU-1 for C-2, O-1 Uses & PRD (20 DU/A)	Established & Developing Urban; WSSP; Coors Corridor SDP	Undeveloped
<b>North (NE)</b>	SU-1 for C-2, O-1 Uses & PRD (20 DU/A)	Established & Developing Urban; WSSP; Coors Corridor SDP	Undeveloped
<b>South (SW)</b>	SU-1 for PRD (10 DU/A) and SU-1 for School Recreation & Private Open Space	Established & Developing Urban; WSSP; Coors Corridor SDP	Open Space, Undeveloped, & Residential (La Luz)
<b>East (SE)</b>	SU-1 for C-2, O-1 Uses & PRD (20 DU/A) and SU-1 for School & Related Facilities	Established & Developing Urban; WSSP; Coors Corridor SDP	Undeveloped & Bosque School
<b>West (NW)</b>	R-T	Established Urban; WSSP; Coors Corridor SDP	Single Family Residential

**II. INTRODUCTION**

**Proposal**

The three-part request is for a Zone Map Amendment, Amendment to Site Development Plan for Subdivision, and Site Development Plan for Building Permit for Tract 5, Plat of North Andalusia at La Luz, on a 3.38-acre tract of land located on Coors Blvd. NW at the northeast corner of Learning Rd. NW. The applicant seeks to develop a Credit Union at the subject site.

The subject site is currently zoned SU-1 for C-2, O-1 Uses & PRD (20 DU/A), and designated for O-1 uses by the Site Plan for Subdivision. The Site Plan for Subdivision also restricts the property within 300-feet of Learning to O-1 and PRD uses; therefore, a zone change and Site Plan for Subdivision amendment are required. The applicant seeks to change the zoning designation to SU-1 for O-1 including Bank with Drive-up Service. The Amendment to Site Plan for Subdivision will remove the use restriction from the subject site and subdivide Tract 5 into two new Tracts. The Site Plan for Building Permit ensures that the proposed development is compatible with surrounding uses and development context.

Development within the SU-1 zone may only occur in conformance with an approved Site Development Plan. The Environmental Planning Commission (EPC) has decision-making authority for the zone change request and site plan approval, per §14-16-2-22(A)(1) of the Zoning Code.

### ***Context***

The subject site is vacant, undeveloped land south of Montañó and east of Coors. To the west, across Coors Blvd., are single family residences. The remainder of land adjacent to the development is vacant. The La Luz cluster development subdivision is located south of the subject site and the Bosque School is located south of the subject site. Multi-family residential developments were approved by the EPC on Tracts 4 and 6; development on Tract 6 is moving forward.

The area within 300-feet of Coors Blvd. is designated Established Urban while the remainder of the site is designated Developing Urban per the Comprehensive Plan. The subject site is within the boundaries of the Rank II West Side Strategic Plan. It is also within the Coors Corridor Plan, a Rank III Plan. The subject site is located adjacent to the Montañó/Coors Community Activity Center, as designated pursuant to the Comprehensive Plan and the West Side Strategic Plan. The plan boundaries differ somewhat, see attached maps.

### ***History***

The subject site was annexed in 1985 and zoned SU-1 for C-2, O-1 and PRD 10 du/acre max. In August of 2003, the site was rezoned to SU-1 for C-2 (23.3 acres max.), O-1 (11.7 acres max.), and PRD (20 du/acre max.). The EPC found that the increase in residential density was appropriate given the proximity of the site to the Montañó/Coors Activity Center, north of the site.

In May of 2005, the EPC approved a Site Plan for Subdivision to create Tracts 1 through 9, North Andalucia at La Luz (Project 1003859, 04EPC-01845). The Site Plan for Subdivision proposes residential uses on Tracts 4, 6, 7, and 9; office uses on Tracts 3 and 5; and commercial uses on Tracts 1 and 2. The Site Plan for Subdivision was approved with design standards to "achieve a vibrant, mixed-use community that fosters pedestrian accessibility and maintains a village-type character." Subsequent site plans for building permits within the subdivision require EPC approval. The official Notification of Decision for this case is attached.

In June of 2005, EPC approved a commercial development Site Plan for Building Permit for Tract 2, which has not developed. In June of 2008, Bosque School consolidated Tracts 7, 8, and 9 and removed them from the site plan (Project 1000901, 08EPC-40051).

### ***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 Coors Blvd. NW as an Urban Principal Arterial. Montañó Rd. NW is classified as an Urban Minor Arterial. Learning Rd. is a Major Local Road. Antequera Rd is a local road.

### ***Comprehensive Plan Corridor Designation & Transit***

Coors Blvd. and Montañó Rd. are Enhanced Transit Corridors, which aim to "improve transit and pedestrian opportunities ... and develop adjacent land uses and intensities that promote the use of transit." Route #790, Rapid Ride Blue line, Route #155, Coors route, and Route #96,

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Cross-town commuter route pass the site on Coors Blvd. Route #159 along Montaño will also provide access to the larger subdivision.

***Trails/Bikeways***

There are existing bicycle lanes and trails near the subject site. Coors Blvd. and Montaño Rd. have existing bicycle lanes. There is an existing bicycle path along Learning Rd. that connects to the bosque; an existing bicycle lane connects to the open space trail head at Montaño Rd. There is a proposed bicycle path along the Corrales Drain that will connect to the Paseo del Bosque Trail on the east side of the Rio Grande.

***Public Facilities/Community Services***

See attached Public Facilities Map for details.

**III. ANALYSIS**

***Albuquerque Comprehensive Zoning Code***

The subject site is currently zoned SU-1 for C-2, O-1, and PRD. The zoning for the subdivision establishes uses for each tract and maximum acreage for each use – 23.3 acres for C-2 uses, 11.7 acres for O-1 uses, and 20 acres for PRD. The Site Development Plan for Subdivision specifies O-1 uses for Tract 5. It also indicates the land use within 300-feet of Learning Rd. is restricted to PRD and O-1 uses only. The purpose of this restriction is not explicitly stated on the site plan; however, it was likely established to serve as a transition between the mixed uses in the subdivision and the adjacent lower density residential uses.

Therefore, it is permissive under the current site zoning, but it is not consistent with the site plan designated land uses. The Planning Department recommended requesting a zone change to allow a bank, which is a use generally consistent with the O-1 zone. The SU-1 control will allow review of the site design to ensure that it is appropriate for this location and that it will not negatively impact adjacent residential development. A zone change also restricts the site from developing with C-2 uses.

The O-1 zone, Office and Institutional, provides sites suitable for office, service, institutional, and dwelling uses. The proposed use, a credit union bank, is first permissive under the C-1 zone. The request is to allow a use that is essentially an office use, but which has some elements that are slightly more intense. A bank is not classified an O-1 use because it is a higher traffic generator, with customers staying a relatively short time. Additionally, drive-up service is not a use allowed in the O-1 zone.

The EPC has approved height, signage, landscaping, and parking regulations, per the Site Plan for Subdivision Design Guidelines. Development on an SU-1 zone may “only occur in conformance with an approved site development plan” that is subject to Environmental Planning Commission (EPC) review. If approved, this request for a Site Plan for Building Permit, will satisfy the requirement.

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#### IV. ZONE MAP AMENDMENT – 11EPC-40074

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

This Resolution outlines policies and requirements for deciding zone map change applications pursuant to the Comprehensive City Zoning Code. There are several tests that must be met and the applicant must provide sound justification for the change. The burden is on the applicant to show why a change should be made, not on the City to show why the change should not be made.

The applicant must demonstrate that the existing zoning is inappropriate because of one of three findings: there was an error when the existing zone map pattern was created; or changed neighborhood or community conditions justify the change; or a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan.

##### *Analysis of Applicant's Justification*

The applicant provided justification for the proposed zone change in the application submitted on October 27, 2011, and in a supplemental memorandum submitted on November 21, 2011.

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

*The proposed zone change is consistent with the health, safety, morals, and general welfare of the City. The zone change has been carefully crafted for this one parcel and adds a single additional use to the existing office uses already allowed on this parcel. Commercial uses that are permissive in the C-1 and C-2 zones are not allowed. There are no uses proposed that conflict with the health, safety, morals, or general welfare. The development of this vacant infill property will implement the goals and policies of the Comprehensive Plan, as cited in Section C of this letter, and will benefit the surrounding neighborhoods by providing a needed service at a time when more and more people are leaving banks and turning to the option of credit unions. This will be the first development to occur in the 70+ acre mixed use area of North Andalucia, which has long been vacant. US New Mexico Federal Credit Union has 800 customers that live in Taylor Ranch, however, there are no branches currently existing on the West Side. Providing an office with drive-in services at this convenient location along Coors Boulevard will serve the current and future customers of the Credit Union. The drive-up area of the site has been carefully located and extensively landscaped and screened to mitigate any impacts to adjacent properties.*

***Staff agrees. The request seeks to establish a bank which is compatible with the adjacent neighborhood and with the intent of the mixed-use subdivision. Development of the property will promote the general welfare of the City by providing growth on an infill-site that has existing City services. There are no uses proposed which would conflict with public health, safety, morals and general welfare of the city.***

- 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.

*The proposed zone change to SU-1 for O-1 Use including Bank with Drive-up Service provides stability of land use and zoning desired for this location. The applicant's request is more beneficial than the existing zoning because of the service it will provide to the surrounding community. The existing zoning allows any type of office use that may or may not directly serve the Taylor Ranch area to the extent this use will serve. The zone map amendment is a relatively small change since the Credit Union generally operates like a typical office with typical office hours. The intent is not to open the site up to a plethora of commercial uses, which will be allowed in Tracts 1, 2, and 3 of North Andalusia, but rather to limit this tract to primarily office use due to its adjacency to residential development. The bulk of the building will be dedicated to mortgage lending services, and a smaller portion dedicated to branch operations. There is a need for the proposed use as evidenced by the number of unserved customers (800) in Taylor Ranch and this use is not permitted in the O-1 zone. The SU-1 designation requires site plan control, which will ensure a high quality development, and allow neighborhood input which to date has been very supportive. The Credit Union is accessible to the surrounding neighborhood and the larger Taylor Ranch area by vehicle, bicycle, and pedestrian.*

**Staff agrees that the request will not create instability of land use or zoning.**

*The Planning Department considers that the applicant has provided an acceptable justification for the change and has demonstrated that the requested zoning will not destabilize land use and zoning in the area because it is generally consistent with the site's existing mixed-use zoning, which allows residential, office and commercial uses. In addition, although the rezoning changes the specific uses designated on the tract, it would not affect the procedures applicable to the overarching special use zone or the design regulations established by the Site Plan for Subdivision.*

*As the applicant argues, a bank is essentially consistent with O-1 Uses. However, two elements of a bank's operations that distinguish this use from the typical office use – the higher volume of customers and drive-up service. The SU-1 designation and accompanying site development plan demonstrate how these potential adverse effects are mitigated through the site design. The drive through portion of the site is located to the rear of the building, away from the local access roads. It is close to land that is planned for multi-family residential uses; however the site provides adequate screening and landscape buffers.*

*This location is particularly well-suited for an anchor neighborhood service because it is accessed from an intersection with a traffic light and it will meet the need of underserved customers on the West Side of the city.*

- 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.

**Albuquerque / Bernalillo County Comprehensive Plan**

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The subject site is primarily located in the area designated Established Urban by the Comprehensive Plan with a Goal to “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.”

The applicant discussed a plethora of policies that are applicable to the request, most pertaining to the site development plan. The following policies are applicable to the zone map amendment:

Policy II.B.5.d: 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 location, intensity and design of the Credit Union respects neighborhood values, natural environmental conditions and carrying capacities, and scenic resources as follows:*

- *The Credit Union will maintain typical office hours and will be closed in the evening, creating a more compatible neighbor to the adjacent apartment development than other commercial uses.*

*The request is consistent with the policies and design guidelines provided in adopted area and sector plans, as well as the EPC approved Site Plan for Subdivision. In this manner, the request respects area values and resources. The proposed bank is located at the corner of a full-access intersection with a traffic control light, which is an appropriate location for a more intense land use. Access to the site is proposed from local streets, so there will be no negative impacts to traffic flow in the area. The proposed use will not have late hours of operation, which could negatively impact adjacent residences. The zone change request and site plan application are well supported by the neighbors. The location and intensity of the proposed use further Policy II.B.5.d.*

Policy II.5.e: 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.

*This property is adjacent to existing and programmed urban facilities including the major roadway system, water and sanitary sewer systems, and transit service. It is within a master planned area designated for mix of higher density residential, office, institutional, and commercial uses. The project has been carefully designed to ensure the integrity of existing neighborhoods by having one vehicular access point along Antequera Road, abundant landscaping throughout the project and specifically between the drive-up service area and the adjacent apartment site to the north; and building signage which is intentionally smaller than what is allowed by the Site Plan for Subdivision. By complying with the Site Plan for Subdivision Design standards, this incrementally more intense use has no negative impact to the existing neighborhood.*

*This request proposes new development in an area served by existing urban facilities, infrastructure, and services. The applicant describes how the intent of the subdivision is for a mixed use development, which is consistent with the request. The applicant cites specific*

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*elements of the site that are designed to lessen any potential negative impacts of the more intense use that is requested. The request furthers Policy II.B.5.e.*

Policy II.B.5.i: 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 project will add an employment and service use on the West Side of Albuquerque. The use, size, and design of the building will have no adverse impact on residential environments. The Credit Union will maintain typical office hours and will be closed in the evening. There will be no semi-truck deliveries associated with this use to disturb residents. This area was planned for mixed use and the project's design elements meet lighting and Night Sky, noise, and buffer requirements. The closest teller speaker is located approximately 120 feet from a residentially zoned property. The project provides landscaping in significant excess of the City's minimum requirement for 15% of the net site area. Access to the site is from Antequera Road, an interior roadway designed to serve the North Andaluca development.*

*The request is to allow a bank with drive up service on a property that is currently zoned for residential, office, and commercial uses. The Site Plan for Subdivision indicates that locations within 300 feet of Learning Rd. shall be used for residential and office uses. This property is within that area. The request is to allow a use that is essentially an office use, but which has some elements that are slightly more intense. The applicant has demonstrated that site elements were designed to minimize adverse effects of the proposed use on nearby residential environments. The location of the service windows are sited away residential areas and with extensive buffering between the drive-up area and the adjacent residential property. The only access to the site is proposed off Antequera Rd, which should minimize traffic impacts on Learning Rd. and Coors Blvd. Also, only one access point is proposed for the two new tracts being created through this request. The request furthers Policy II.B.5.i.*

Policy II.C.4.a: (Noise) Noise considerations shall be integrated into the planning process so that future noise/land use conflicts are prevented.

*The project includes drive in banking facilities. The closest teller speaker to residential is approximately 120 feet. A solid wall 6 foot with 10 feet of adjacent landscaping is proposed along the north side of the site adjacent to the apartment site. Between this 10 feet of landscape and wall, the design incorporates a 20 foot circulation road with a wide median of landscaping and then the teller speakers. Noise conflicts are thereby adequately mitigated.*

*The proposed use, Bank with Drive-up Service, is potentially noisier than office uses. There will be additional traffic, idling traffic in the drive through area, and teller speakers for the drive-up service windows. However, as discussed, the applicant has demonstrated adequate mitigation measures. Staff finds that noise considerations have been integrated into the site design process and evaluation of the suitability of this site for a zone change. The request furthers Policy II.C.4.a.*

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Policy II.D.6.a: (Economic Development) 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 Credit Union anticipates 25-30 employees for this initial phase of development. The Credit Union will provide a range of employment opportunities and skill and salary levels within this facility.*

***The request will provide additional employment opportunities in an area that is underserved with jobs. The request furthers Policy II.D.6.a.***

***West Side Strategic Plan (Rank II)***

The West Side Strategic Plan (WSSP) was adopted in 1997 and amended in 2009 to help promote the development of Neighborhood and Community Centers. It encompasses over 150 square miles (specific boundaries are shown on page 2 in the WSSP). The WSSP identifies 13 communities, each with a unique identity and comprised of smaller neighborhood clusters. The subject site is located in the Taylor Ranch Community, which is entirely east of the volcanic escarpment. Discussion of this community begins on page 58 of the plan. This community has an established pattern of residential neighborhoods and commercial, employment and public/institutional uses. The subject site is not in a Community or Neighborhood Center; it is located south of the Montañño/Coors Village Community Center. Staff has reviewed this application against relevant WSSP goals and policies.

Objective 8: Promote job opportunities and business growth in appropriate areas of the West Side.

***This request will provide additional job opportunities and business growth in an area already zoned for commercial and office use. The request furthers Objective 8 (WSSP).***

Objective 10: The Plan should create a framework to build a community where its citizens can live, work, shop, play, and learn together while protecting the unique quality of life and natural and cultural resource for West Side residents.

*The proposed zone map amendment and site plan provide an additional service for the surrounding neighborhoods, while preserving views, providing appropriate landscaping, and adding to the high quality built environment. As previously stated, the USNMFCU has 800 customers that live in Taylor Ranch with no branches located on the West Side to serve them. Restricting this parcel to strictly office use in this location would not serve the general public as well as mortgage lending and bank use in an area lacking in these types of services. This is a good location for this use and all measures of mitigating any negative impacts of this slightly higher use than what is currently allowed have been utilized in the design and layout of the building and vehicle and pedestrian circulation systems.*

***The request seeks to provide a neighborhood-oriented service in a location that is well served by existing infrastructure. It is located within a mixed-use, Master Planned subdivision. The site is governed by design guidelines that are intended to promote a high quality of life and***

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*respect the natural and cultural resources that can be found in close proximity. The request furthers Objective 10 (WSSP).*

***Coors Corridor Plan (Rank III)***

The site is within the boundaries of the Coors Corridor Plan, adopted in 1984 and revised in 1989. The Plan provides policy and guidelines for the design of Coors Boulevard and adjacent properties from Central Avenue north to State Road 528 (Alameda Boulevard). The plan also puts emphasis on Coors Boulevard as a transit and pedestrian corridor. The subject property is in Segment 3 of the Coors Corridor Plan, which extends from Western Trail on the south to Calabacillas Arroyo on the north. The plan recommends residential uses for the area of this proposed site plan, and for new development to comply with design guidelines. There are policies applicable to this request, including:

Policy 3: New development in the Coors Corridor should be designed to be compatible with the natural landscape and the built environment in accordance with the design regulations and guidelines.

*Although not cited by the applicant, staff finds this policy relevant to the zone map amendment. Staff finds that this request will facilitate new development in the Coors Corridor that was carefully designed to be compatible with the natural landscape and environment. The site is in a Master Planned subdivision which has existing infrastructure improvements, but no development has occurred since 2005, when the site plan was approved. If approved, this development will set a precedent of high quality architecture and site design. Area residents have expressed support of the project and approval of the design, specifically mentioning that future development within the subdivision should be consistent with this project. The request complies with the design regulations and guidelines in the Coors Corridor Plan and the Site Plan for Subdivision. This request furthers Policy 4.A.3 (CCP).*

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.

*The Zone Map Amendment is justified based upon the use being more advantageous to the community. As previously stated, while the Credit Union operates as a typical office, banking is not a permissive use in the O-1 zone. The applicant is requesting as much as needed for this specific use and no greater. This use will add to the mix of uses proposed for Andalucia and can serve adjacent residential neighborhoods.*

*Staff generally agrees with the justification that the proposed category is more advantageous to the community (D.3). As analyzed in Section B, there are significant reasons that banking is not a permissive O-1 use. However, the applicant adequately demonstrated how these potential*

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*adverse effects will be mitigated through site design (Section VII). The use is compatible with the O-1 zone and proposed future uses, and is more advantageous because it will facilitate the development of neighborhood services in an appropriate location.*

*Further, staff finds that the applicant adequately justified that the proposed zoning and land use are more advantageous to the community, according to adopted plans and policies cited in Section C above. As demonstrated, the request is not only consistent with the policies, but it also furthers the preponderance of relevant policies. Because the policies are furthered, this request is generally a more advantageous land use for the community.*

- 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.

*The current zoning on this property is C-2, O-1, and PRD (20 du/ac). The Site Plan for Subdivision restricted the land use to O-1, however, permissive uses in the underlying zoning, particularly C-2 are far more intense than the proposal to change the underlying zoning to O-1 with Bank and Drive Up Service. All of the existing permissive uses in the O-1 zone remain with this request; the zone change has been crafted to only allow one additional use of bank with drive-up service. This additional use will not harm the adjacent property, the neighborhood, or the community. As stated in response to item "C" above, the request furthers numerous city goals and policies from the Comprehensive Plan, West Side Strategic Plan, and the Coors Corridor Plan. Noise, lighting, and development intensity has been designed to minimize the impact to the surrounding area.*

*Staff agrees. Staff finds that the proposed land use and permissive uses are compatible with the surrounding properties and neighborhood. The site design minimizes any potential adverse impacts to the adjacent properties. No new or potentially harmful uses would be added to the neighborhood or subdivision.*

- 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.

*This zone change request will not require any (planned or unplanned) capital expenditures by the city. The subject property is served by an existing transportation network that will be better served with a low traffic generator. Public infrastructure is in place, as well as infrastructure designed and constructed by Silverleaf Ventures to serve this development. On-site infrastructure will be paid for by the US New Mexico Federal Credit Union. This project benefits the city and will benefit the public by the Transit Department's requirement for the developer to install a new bus shelter, bench, and trash receptacle along the Coors Boulevard frontage at the location of the existing bus stop, which currently does not contain any amenities.*

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***Staff generally agrees. However, the zone change will allow a higher traffic generator than what is currently permissive at this location. The site is served with existing public infrastructure. No capital expenditures are required at this location.***

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

*Economic considerations pertaining to the applicant are not being used to justify this request.*

***Staff agrees. The applicant has relied on adopted goals and policies to justify this request.***

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

*The subject site is located adjacent to Coors Boulevard, but does not have access. The access is from Antequera Road, which was planned, designed, and constructed to serve this development.*

***Staff agrees. The applicant is not using the location of the property as justification for the zone change request.***

- 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.

*The proposed zone change does not create a spot zone. Rather, it maintains the SU-1 zoning designation and the primary underlying zone category of O-1 while removing C-2 and PRD. The SU-1 zoning designation is common to all of the adjacent Andaluca development on the east side of Coors Boulevard from Montañõ Road to Namaste Road. Zoning for office use has long been established on this property.*

***This request will maintain the SU-1 zoning that already is designated for this site. However, pursuant to the Site Plan for Subdivision, C-2 uses are not allowed on this site; it is restricted to O-1 and PRD. The request does create a spot zone, by adding a use that is first allowed in the C-1 zone. It is a justifiable spot zone because it furthers goals and policies of the Comprehensive Plan, West Side Strategic Plan, and the Coors Corridor Plan. In this manner, it clearly facilitates realization of adopted plans and policies.***

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- 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.

*The proposed zone change does not give this parcel zoning that is wholly different from surrounding zoning of SU-1 for C-2, O-1 and PRD (20 du/ac). It also cannot be considered "strip zoning" due to the size and location of the site. The site is rectangular in shape, only 3.38 acres in size, with 330 feet of frontage along Coors Boulevard and a site depth of 443 feet between Coors Boulevard and Antequera Road, a frontage far short and a depth in excess of the definition of strip zoning/development (see definitions below [in applicant's justification letter]). There is no direct access from Coors Boulevard, a principal arterial or Learning Road, a major local street. The singular vehicular access to this parcel is from Antequera, a local street internal to and designated to serve the Andalucia North development.*

**Staff agrees. Definitions provided by the applicant indicate that strip development has been defined by other jurisdictions as being less than 250-feet in depth and taking access from the principal arterial road. As described by the applicant, this site does not meet these criteria.**

**V. AMENDMENT TO SITE DEVELOPMENT PLAN FOR SUBDIVISION – 11EPC-40075**

The purpose of the Amendment to the Site Development Plan for Subdivision is to subdivide two lots and to develop a bank with drive up service on the western lot and future office on the eastern lot.

Zoning Code §14-16-1-5 defines a site development plan for subdivision as follows:

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.

The amended Site Plan for Subdivision complies with this definition. The amendment adds the two new lots as well as the zoning designation sought by this request (11EPC-40074). It demonstrates vehicle and pedestrian access into the site. It also modifies the use restriction area adjacent to Learning Rd. to terminate southeast of the subject site, so the Site Plan for Subdivision will not conflict with the requested change in use.

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**VI. SITE DEVELOPMENT PLAN FOR BUILDING PERMIT – 11EPC-40076**

The purpose of the proposed Site Plan for Building Permit is to develop a bank with drive up service. Zoning Code §14-16-1-5 defines a Site Plan for Building Permit as follows:

An accurate plan at a scale of at least 1 inch to 100 feet which covers at least one lot and provides all information required for the Site Development Plan for Subdivision...In addition to information required for Subdivision, exact structure locations, structure (including sign) elevations and dimensions, parking facilities, loading facilities, any energy conservation features of the plan (e.g., appropriate landscaping, building heights and siting for solar access, provision for non-auto transportation, or energy conservational building construction), and proposed schedule for development.

§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, the West Side Strategic Plan, and the Coors Corridor Plan. The applicant provided extensive policy analysis that is applicable to the Site Plan for Subdivision in the project memo dated November 21, 2011 that demonstrates consistency with the adopted plans and policies.

The Site Development Plan for Building Permit includes a site plan, site details, a landscaping plan, a conceptual grading plan, conceptual utility plan, exterior building elevations, free-standing signage details, and a view analysis. All building-mounted signage is shown on the building elevations. The Site Plan for Building Permit also includes a view analysis, pursuant to the Coors Corridor Plan. Staff notes that the application substantially complies with the Site Plan for Subdivision Design Guidelines. However, there are some instances of non-compliance, including the maximum allowable height of parking lot lights and the location of the proposed free-standing monument sign. The conditions of approval address the inconsistencies.

There is one design standard that the request does not comply with regarding Screening / Walls and Fences. The fourth bullet states: "No refuse collection areas shall be allowed between streets and building fronts." The proposed building has main entrances on the south and east sides; it is not designed to have a "back side." The applicant modified the site plan to address concerns raised by the Solid Waste Department, and agreed on the present location on the south side of the building as the most suitable place for the collection area. The refuse container is screened with landscaping and an architecturally integrated screen wall, which meets the intent of the design guidelines.

***Site Plan Layout / Configuration***

The site is located between Coors and Antequera at Learning Rd. The Site Plan for Subdivision will create two new tracts, one facing Coors Blvd. (2.42 acres) and the other facing Antequera Rd. (0.96 acres). For discussion purposes, the larger lot to the northwest will be referred to as Tract 5A, and the smaller lot facing Antequera Rd. will be referred to as Tract 5B.

The subject site is graded at an elevation approximately 18-feet below Coors Blvd. Learning Rd. slopes down from Coors Blvd. to match the approximate building pad elevation at Antequera Rd.

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Retaining walls are used adjacent to Coors Blvd. and Learning Rd. to transition between the two elevations.

The proposed bank building is oriented in the center of Tract 5B. The maximum building height is 26-feet, which is consistent with the O-1 zone allowances. The one-story building will have a minimal impact on the view plane from Coors Blvd. The FAR is 0.11, and 29% of the net lot area is landscaped. The minimum building setback is 73-feet from the southeast internal lot line, which is compliant with the governing O-1 regulations.

#### ***Vehicular Access and Circulation***

The only vehicular access is from Antequera Rd. – no access is provided from Coors Blvd. or Learning Rd. Antequera Rd. is a short local road in the subdivision that is parallel to Coors Blvd.

Access to Tract 5A will be provided via a private access easement across Tract 5B. Internal circulation on Tract 5A is shown all around the building. Parking is located primarily on the south and east sides of the building. Drive-up service windows are located on the north side of the building, with a looped traffic circulation pattern on the north side of the property.

A Traffic Impact Study (TIS) has been submitted and has been reviewed. The City Engineer has required a cross-access easement between the two parcels being created and that all easements are shown and labeled.

#### ***Parking***

The parking is provided in small areas around three sides of the building, which avoids one large parking field and improves pedestrian access. The applicant has provided 65 parking spaces. According to both the West Side Strategic Plan (Policy 4.6.h) and the Site Plan for Subdivision design guidelines, parking is limited to 10% over the minimum parking requirement. At full build-out, the proposed building will be 11,810 SF. Parking for a bank is calculated at the rate of one space per 200 SF of building space, which results in a minimum of 60 parking spaces and a maximum of 66 spaces. The parking provided is consistent with the Design Guidelines.

The parking is shown to directly abut the proposed lot line, without the required landscape buffer. However, the applicant has indicated that the parking area on the east side of the building will be developed as shared access and parking for Tract 5B. Section 14-16-3-10(E)(3)(c) of the Zoning Code states: "The landscape buffer may be relocated if the lot line is within a common access easement." The cross-lot access easement will be provided through platting action at the time of DRB approval, as shown in the notes on Sheet 1.

#### ***Pedestrian and Bicycle Access and Circulation***

The pedestrian and bicycle circulation is consistent with the Design Guidelines. There are existing bicycle lanes on all adjacent roads, and a multi-use trail along Learning Rd. Public sidewalks are proposed to be constructed by the applicant along all adjacent roads at the perimeter of the property. There is one pedestrian connection between the building's main entrance and the public sidewalk along Learning Rd. which includes stairs; ADA-compliant access is provided from Antequera Rd. Due to the site topography, there is no accessible route from Coors Blvd. and Learning Rd. There is also no direct connection between the building and

the proposed transit shelter, due to the site topography. Pedestrian access is provided at the most direct, feasible location.

Within the site, pedestrian access is primarily provided directly from the small parking areas to the pedestrian plaza and paved walkway in front of the building. Colored, textured crosswalks are provided where main pedestrian routes cross the drive aisles.

#### ***Transit Access***

The Transit Department has required an easement and installation of a bus shelter along Coors Blvd. The location was not specified. The applicant must coordinate with Transit to determine the most appropriate location for the bus stop and improvements. This is included as a recommended condition of approval. Adequate pedestrian access has been provided to the site and to adjacent parcels, as the site topography allows.

#### ***Public Outdoor Space***

A 373 SF patio area has been provided at the northwest side of the building, with a low courtyard wall, benches and a picnic table, a trash receptacle, and tree canopy shading. An entry plaza area is provided on the southwest side of the building. No public open space is required for buildings under 60,000 SF. Zoning Code §14-16-3-8(D)(3) requires a minimum 300 SF outdoor gathering space for employees, which is provided. The Design Guidelines only require usable open space for residential uses.

#### ***Walls/Fences***

The walls provided are consistent with the Design Guidelines. Two terraced 2.5-foot retaining walls are used on the north and south sides of the property, along Coors Blvd. and Learning Rd. They are recessed below the level of the street network, and will not be visible from the roads. The split-face masonry block wall will have a 3.5-foot tubular steel safety fence mounted on top.

The request proposes a 3-foot high courtyard wall around the plaza area. It is not specified if the wall is split-face masonry, like the retaining walls, or if it will be stuccoed, like the refuse enclosure.

There is a side yard wall proposed along the length of the property line contiguous to Tract 4. The maximum height is 6-feet tall, and it is colored to match the building. The wall will provide privacy between the two properties as well as serving to terrace the subject site above Tract 4. Per §14-16-3-3 (A)(4)(b)(2) of the Zoning Code, a wall abutting a residential zone may be up to 8-feet above the lowest grade on the residential side.

#### ***Lighting and Security***

Eleven light poles are proposed at either 16 or 20-feet height, depending on the distance from a residential zone. The site plan indicates that lights within 70-feet of residential will be a maximum of 16-feet; also, it indicates that all lighting shall comply with §14-16-3-9, Area Lighting Regulations. The Area Lighting Regulations, Section F, allows a maximum height of 16-feet for light poles within 100 feet of a residential zone, which is more restrictive than the site

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plan. The site plan note should be modified to be consistent with the Zoning Code Area Lighting Regulations. This modification is recommended as a condition of approval.

***Landscaping***

The site proposes 28,291 SF of landscaping on-site and 6,017 SF of off-site landscaping. At 27% of the net lot area, the landscaping provided is over and beyond the required 15%. The planting density is approximately 75% coverage with live, vegetative material, which is consistent with the zoning code and the Coors Corridor Plan landscape requirements. Gravel mulch, cobble, and boulders are proposed as ground cover, which is consistent with the Design Guidelines.

There is a 35-foot front landscaped buffer along Coors Blvd.; a 22-foot buffer along Learning Rd.; a 10-foot minimum buffer adjacent to Tract 4; and a zero-lot line at the new Tract 5B. According to §14-16-3-10 (E)(3)(b), the minimum landscape buffer is 6-feet, however, the "landscape buffer may be relocated if the lot line is within a common access easement." The applicant has explained that the future development of Tract 5B will have a circulation pattern that joins with Tract 5A. The cross-lot access easement will be provided through platting action at the time of DRB approval, and is included as a condition of approval.

The Design Guidelines require street trees at the rate of one tree per 25 linear feet. The landscape plan is consistent with this requirement. Fourteen street trees are required along Coors Blvd., and 14 are provided within 20-feet of the right-of-way. The placement of the trees is clustered in order to maintain views of the Sandia Mountains from Coors Blvd. Comments from the Police Department also support clustered landscaping in order to preserve views into and out of the site for safety and surveillance purposes. The Police Department also notes some locations where the landscaping and lighting are in conflict with each other, which may become a problem when the trees are fully mature.

***Grading, Drainage, Utility Plans***

Grading, drainage, utility plans are included in the submittal packet. The site relies on culverts, storm drains, and surface drainage to direct on-site drainage to an existing storm drain in the public right of way. A gravel infiltration basin and swale is provided in a landscaped area north of the building and drive through. Other water harvesting is provided in the landscaped areas. The utility plan indicates that the site has private utility lines connecting to existing service in the public right-of-way. The utility plan is consistent with the Design Guidelines.

***Architecture***

The proposed building design is a pueblo-influenced design with earth-tone stucco and stacked stone veneer. The building is proposed to be 8,370 SF in the first phase and 11,810 SF at final build-out. The structure has a variegated roofline that is generally between 18 and 21.5-feet tall, including equipment screening walls. The building height is consistent with O-1 regulations, which allow heights up to 26-feet and above if solar access is preserved. The building height is also consistent with the Site Plan for Subdivision design guidelines which allow a maximum height of 45-feet, contingent on preservation of views of the Sandia Mountains.

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There are two main entrances to the building, on the south and east sides of the building. The entrances are covered by a portico. The building has a variety of fenestration, building materials, and other architectural detailing.

### ***Signage***

The proposed signage is shown on the building elevations, Sheet 5 and the monument sign detail is on Sheet 7. There are three building mounted signs, one facing each of the public rights-of-way adjacent to the building. The signs are proposed to be internally-lit reverse channel letters. The sign face area for each sign is approximately 92 SF, which is primarily an aluminum face with the words and eagle image cut out. The sign has six words and one image. The building mounted signs are consistent with the Coors Corridor Plan design guidelines, which limit signs to 10 words or items per street frontage. The building mounted signs are also consistent with the entire site plan for subdivision design guidelines.

One free-standing monument sign is proposed on Antequera. It has approximately 37.5 SF of sign face area. This is inconsistent with the sign regulations of the site plan for subdivision design standards. The design standards state: "The following standards were developed to regulate the size, location, type, and quality of sign elements within North Andalusia at La Luz." Regarding regulation of the location of signs, the standards indicate: "Three project monument signs are allowed at the entries along Coors Boulevard and one minor entry monument sign is allowed on Montano Road as landmarks identifying the project." By specifying the total number of free-standing signs allowed, their location, and size, the design guidelines are interpreted to prohibit additional free-standing signs. This interpretation is further supported by the fact that the three project monument signs are allowed along Coors Blvd, within the Established Urban Area. One monument sign is specifically allowed in the Developing Urban Area on Montano Rd. which conflicts with the Zoning Code general signage regulations. Staff does not find that it would be appropriate to allow an additional, unspecified number of free-standing signs in the Developing Urban Area. The EPC would have to modify the site plan for subdivision in order to allow the monument sign as proposed. The Planning Department supports the provision of one multi-tenant monument sign at the intersection of Coors and Learning. Signage for future tenants must comply with the Coors Corridor Plan design guidelines and the zoning code general regulations.

### ***View Preservation***

The Site Plan for Building Permit includes a View Analysis on Sheet 6. This requirement of the Coors Corridor Plan and the Site Plan for Subdivision Design Guidelines is satisfactorily addressed. The View Diagram and View Window demonstrate that the building will have a minor impact on views to the Sandia Mountains. The building height is compliant with the requirements of Issue 4, Section C, View Preservation for Segments 3 and 4 of the Coors Corridor Plan (pages 104-109). At a 45-degree sighting line from the Coors Blvd. centerline, the building height does not penetrate above the view of the Sandia Crest ridgeline as seen from four feet above the east edge of the roadway. Also, less than one-third of the total building height penetrates through the view frame. Finally, significantly less than 50 percent of the view area is obscured by the bulk of the building. The proposed building is consistent with the Coors Corridor Design Regulations.

## **VII. AGENCY & NEIGHBORHOOD CONCERNS**

### ***Reviewing Agencies/Pre-Hearing Discussion***

City departments and other agencies had the opportunity to review this application between 10/31/11 and 11/10/11. Agency comments used in the preparation of this report begin on page 29. The majority of comments were standard and informational comments.

Transportation Development Services requires additional dimensioning of transportation related items and requires for all easements to be indicated on the site plan. The Transit Department requires an easement to be dedicated and installation of a bus shelter. Public Service Company of New Mexico had comments regarding easements and provision of service. Police provided comments regarding safety and suggestions for improving the surveillance of the site.

### ***Neighborhood/Public***

Property-owners within 100', La Luz del Sol N.A., La Luz Landowners Assoc., Taylor Ranch N.A. the Northwest Alliance of Neighbors, and the Westside Coalition of Neighborhood Associations were notified. A facilitated meeting was held on November 17, 2011. There was general support for the project and the design, which "fit in well with their expectations and desires for development on this site" according to the facilitator's report. Verbal comments were submitted by Dr. Perls expressing concern about the bright sign colors and requesting the lights be dimmed at night. The applicant is unable to modify the Credit Union's logo colors, but is evaluating if the lights could be dimmed.

## **VIII. CONCLUSION**

The proposal is for a zone map amendment, a Site Plan for Subdivision amendment, and a Site Development Plan for Building Permit for Tract 5, North Andalucia at La Luz, on a 3.38-acre tract of land located on Coors Blvd. NW at the northeast corner of the intersection with Learning Rd. NW. The subject site is zoned SU-1 for C-2, O-1 and PRD. The requested zone is SU-1 for O-1 and Bank with Drive-up Service. The requested zone will maintain the stability of land use in the area and will not negatively impact the neighborhood or community.

The request furthers the preponderance of applicable City goals and policies as cited in the Comprehensive Plan, the West Side Strategic Plan, the Coors Corridor Plan, and the City Zoning Code. The zone change request is adequately justified as being more advantageous to the community. With minor modifications, the site plan meets the requirements of a Site Plan for Building Permit. The proposed Site Plan for Building Permit is generally consistent with applicable design guidelines found in the Coors Corridor Plan and the Site Plan for Subdivision. Staff recommends conditions of approval to remedy minor inconsistencies with the zoning code and applicable plans.

***FINDINGS – 1003859 – 11EPC-40074 – December 8, 2011 – Zone Map Amendment***

1. This is a request for zone map amendment for Tract 5, Plat of North Andalucia at La Luz, located on Coors Blvd., northeast of Learning Rd., and containing approximately 3.38 acres.
2. The applicant is proposing to subdivide and to develop a Credit Union branch office.
3. The subject site is zoned SU-1 for C-2, O-1 and PRD. The proposed use is permissive under the current zoning; however, the Site Plan for Subdivision designates this parcel for O-1 uses. Therefore, a zone map amendment is requested to allow a use that is compatible with the O-1 zone, without opening the site to the full range of C-2 uses that are available elsewhere in the subdivision.
4. The Environmental Planning Commission (EPC) has decision-making authority for a zone map amendment, pursuant to §14-16-4-1(C)(10)(a) of the Zoning Code.
5. The site is located within the Established and Developing Urban Areas of the Comprehensive Plan and within the boundaries of the West Side Strategic Plan and the Coors Corridor Plan. Coors Blvd. is an Enhanced Transit Corridor, as designated in the Comprehensive Plan.
6. The Albuquerque/Bernalillo County Comprehensive Plan, West Side Strategic Plan, the Coors Corridor Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
7. The zone map amendment request furthers the following Comprehensive Plan policies:
  - a. Policy II.B.5.d: With minor conditions, the location, intensity and design of the new development generally further this policy. The proposed use respects neighborhood values and provides a service appropriate for a mixed-use development.
  - b. Policy II.B.5.e: The subject site is contiguous to existing urban facilities and is designed to lessen any potential negative impacts of the proposed use.
  - c. Policy II.B.5.i: The requested zone is governed through the site development plan for subdivision, which provides assurances about the form of development. The site design effectively mitigates potentially adverse effects of the bank and drive-up service. The zone map amendment will facilitate the development of new employment and services.
  - d. Policy II.C.4.a: Noise considerations have been integrated into the site design process and evaluation of the suitability of this site for a zone change.

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- e. Policy II.C.6.a: The request will provide additional employment opportunities in an area that is underserved with jobs.
8. Regarding the West Side Strategic Plan policies, the zone map amendment request furthers Objective 8 and 10 by providing opportunities for additional jobs to locate on an undeveloped, commercially-zoned property. The request seeks to provide a neighborhood-oriented service in a location that is well served by existing infrastructure.
9. Regarding the Coors Corridor Plan policies, the zone map amendment request furthers Policy 3 by facilitating new development in the Coors Corridor that was carefully designed to be compatible with the natural landscape and environment in a master planned subdivision with existing infrastructure improvements.
10. Property-owners within 100', La Luz del Sol N.A., La Luz Landowners Assoc., Taylor Ranch N.A., the Northwest Alliance of Neighbors, and the Westside Coalition of Neighborhood Associations were notified. A facilitated meeting was held on November 17, 2011. There was general support for the project and the design.

***RECOMMENDATION – 1003859 – 11EPC-40074 – December 8, 2011 – Zone Map Amendment***

**APPROVAL of 11EPC-40074, a request for a Zone Map Amendment for Tract 5, Plat of North Andalucia at La Luz, based on the preceding Findings.**

***CONDITIONS OF APPROVAL – 1003859 – 11EPC-40074 – December 8, 2011 – Zone Map Amendment***

1. Pursuant to Zoning Code §14-16-4-1(C)(11), a zone map amendment does not become official until all Conditions/Requirements of Approval are met. If such requirements are not met within six months after the date of final City 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.

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***FINDINGS – 1003859 – 11EPC-40075 – December 8, 2011 – Site Plan for Subdivision Amendment***

1. This is a request for zone map amendment for Tract 5, Plat of North Andalucia at La Luz, located on Coors Blvd., northeast of Learning Rd., and containing approximately 3.38 acres.
2. The applicant is proposing to subdivide and to develop a Credit Union branch office.
3. The subject site is zoned SU-1 for C-2, O-1 and PRD. The proposed use is permissive under the current zoning; however, the Site Plan for Subdivision designates this parcel for O-1 uses. Therefore, a zone map amendment is requested to allow a use that is compatible with the O-1 zone, without opening the site to the full range of C-2 uses that are available elsewhere in the subdivision.
4. The Environmental Planning Commission (EPC) has decision-making authority for approving Site Development Plans, pursuant to §14-16-2-22(A)(1) of the Zoning Code.
5. The site is located within the Established and Developing Urban Areas of the Comprehensive Plan and within the boundaries of the West Side Strategic Plan and the Coors Corridor Plan. Coors Blvd. is an Enhanced Transit Corridor, as designated in the Comprehensive Plan.
6. The Albuquerque/Bernalillo County Comprehensive Plan, West Side Strategic Plan, the Coors Corridor Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
7. The Site Plan for Subdivision Amendment request furthers the following Comprehensive Plan policies:
  - a. Policy II.B.5.d: With minor conditions, the location, intensity and design of the new development generally further this policy. The proposed use respects neighborhood values and provides a service appropriate for a mixed-use development.
  - b. Policy II.B.5.e: The subject site is contiguous to existing urban facilities and is designed to lessen any potential negative impacts of the proposed use.
  - c. Policy II.B.5.i: The requested zone is governed through the site development plan for subdivision, which provides assurances about the form of development. The site design effectively mitigates potentially adverse effects of the bank and drive-up service. The zone map amendment will facilitate the development of new employment and services.
  - d. Policy II.C.4.a: Noise considerations have been integrated into the site design process and evaluation of the suitability of this site for a zone change.

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- e. Policy II.D.6.a: The request will provide additional employment opportunities in an area that is underserved with jobs.
  
  8. Regarding the West Side Strategic Plan policies, the Site Plan for Subdivision Amendment request furthers Objective 8 and 10 by providing opportunities for additional jobs to locate on an undeveloped, commercially-zoned property. The request seeks to provide a neighborhood-oriented service in a location that is well served by existing infrastructure.
  
  9. Regarding the Coors Corridor Plan policies, the Site Plan for Subdivision Amendment request furthers Policy 3 by facilitating new development in the Coors Corridor that was carefully designed to be compatible with the natural landscape and environment in a Master Planned subdivision with existing infrastructure improvements.
  
  10. Property-owners within 100', La Luz del Sol N.A., La Luz Landowners Assoc., Taylor Ranch N.A., the Northwest Alliance of Neighbors, and the Westside Coalition of Neighborhood Associations were notified. A facilitated meeting was held on November 17, 2011. There was general support for the project and the design.

***RECOMMENDATION – 1003859 – 11EPC-40075 – December 8, 2011 – Site Plan for Subdivision Amendment***

**APPROVAL of 11EPC-40075, a request for a Site Plan for Subdivision Amendment for Tract 5, Plat of North Andalusia at La Luz, based on the preceding Findings.**

***CONDITIONS OF APPROVAL – 1003859 – 11EPC-40075 – December 8, 2011 – Site Plan for Subdivision Amendment***

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

3. Conditions of approval from the City Engineer, Municipal Development and NMDOT for the proposed Site Development Plan for Building Permit shall include:
  - a. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as may be required by the Development Review Board (DRB).
  - b. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and/or provided for.
  - c. Concurrent Plating Action required at Development Review Board (DRB).
  - d. Sidewalk Easement will be required for meandering 6-foot sidewalk on Learning Road and Coors Blvd.
  - e. A cross access easement between the two new tracts is required.
  - f. All easements need to be shown and labeled on site plan.
  - g. Provide/label/detail all dimensions and proposed infrastructure for Site.
  - h. Stairs are not allowed within City of Albuquerque ROW. Please relocate into private property.
  - i. Site plan shall comply and be designed per DPM Standards.

***FINDINGS – 1003859 – 11EPC-40076 – December 8, 2011 – Site Plan for Building Permit***

1. This is a request for zone map amendment for Tract 5, Plat of North Andalucia at La Luz, located on Coors Blvd., northeast of Learning Rd., and containing approximately 3.38 acres.
2. The applicant is proposing to subdivide and to develop a Credit Union branch office.
3. The subject site is zoned SU-1 for C-2, O-1 and PRD. The proposed use is permissive under the current zoning; however, the Site Plan for Subdivision designates this parcel for O-1 uses. Therefore, a zone map amendment is requested to allow a use that is compatible with the O-1 zone, without opening the site to the full range of C-2 uses that are available elsewhere in the subdivision.
4. The Environmental Planning Commission (EPC) has decision-making authority for approving Site Development Plans, pursuant to §14-16-2-22(A)(1) of the Zoning Code.
5. The site is located within the Established and Developing Urban Areas of the Comprehensive Plan and within the boundaries of the West Side Strategic Plan and the Coors Corridor Plan. Coors Blvd. is an Enhanced Transit Corridor, as designated in the Comprehensive Plan.
6. The Albuquerque/Bernalillo County Comprehensive Plan, West Side Strategic Plan, the Coors Corridor Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
7. The Coors Corridor Design Regulations and the North Andalucia at La Luz site plan for subdivision design standards apply.
8. The Site Plan for Building Permit request furthers the following Comprehensive Plan policies:
  - a. Policy II.B.5.d: The request is consistent with the policies and design guidelines provided in adopted area and sector plans, as well as the EPC approved Site Plan for Subdivision. In this manner, the request respects area values and resources. The site design buffers the drive up service windows from adjacent residential development with a yard wall, landscaping, and 120-foot distance, which will mitigate any potential adverse impacts of the proposed use. The location, intensity and design of the new development generally further this policy.

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- b. Policy II.B.5.e: This request proposes new development in an area served by existing urban facilities, infrastructure, and services. The subject site does not propose access from the adjacent principal arterial, Coors Blvd., or the adjacent Major Local Street, Learning Rd., which will minimize impacts on the adjacent neighborhood.
  - c. Policy II.B.5.g: The design and landscaping of the proposed development respect the site topography. The development provides connections to existing trails in the area.
  - d. Policy II.B.5.i: The site is designed to minimize potential noise and traffic impacts. The proposed cut-off lighting and landscape buffers will also serve to minimize potential adverse effects on the adjacent neighborhood.
  - e. Policy II.B.5.k: The subject site is designed to minimize harmful effects of traffic by limiting access to one driveway located on Antequera Rd, a local street, and by not providing access to Coors Blvd. The livability of the adjacent neighborhood is respected by providing extensive site landscaping which serve as a buffer between the uses.
  - f. Policy II.B.5.l: The proposed building is well-articulated and designed to have no "back side." Area residents have indicated that the building is attractive and is compatible with their vision for the area.
  - g. Policy II.B.5.m: The architectural design is compliant with the design regulations included in the Coors Corridor Plan and the Site Plan for Subdivision. The building respects unique vistas from Coors Blvd. and generally improves the quality of the visual environment by adding variety and extensive landscaping.
  - h. Policy II.C.4.a: Noise considerations have been integrated into the site design process and evaluation of the suitability of this site for a zone change.
  - i. Policy II.C.8.d: The request proposes extensive landscaping both on-site and in the adjacent public rights-of-way. The development will help control erosion and dust, and will also incorporate water harvesting and xeric plant species.
  - j. Policy II.D.6.a: The request will provide additional employment opportunities in an area that is underserved with jobs.
9. Regarding the West Side Strategic Plan policies, the Site Plan for Building Permit request furthers Objective 8 and 10 by providing opportunities for additional jobs to locate on an undeveloped, commercially-zoned property. The request seeks to provide a neighborhood-oriented service in a location that is well served by existing infrastructure. Taylor Ranch Area Policy 3.12 is furthered because the subject site is infill development that is within existing transportation and utility service areas. The request furthers Policies 4.6 h and 4.10 by providing a commercial development adjacent to public transit, and accessible by trails, without providing an excess of parking.
10. Regarding the Coors Corridor Plan "Design Guidelines," Issue 4, Visual Impressions and Design Overlay Zone, the building design is aesthetically integrated into the site in relation to

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the visual impressions within the corridor, views within and from Coors Blvd., roadway, landscaping, outdoor space, and adjacent buildings, furthering Policies A.1, A.2, B.2, B.10, and C.1. Policies B.3, B.4 and B.5 are furthered by the landscape design which is complementary to the character of Coors Corridor and complies with the size, buffer area, and parking requirements. Policies B.5, B.6, B.7, and B.8 are furthered by the building's location along Coors and Eagle Ranch, with parking behind the main street frontages and adequate pedestrian access. The request does not conflict with any of the Coors Corridor Plan goals or policies.

11. The applicant has submitted a Coors View Analysis, which is consistent with the requirements in the Coors Corridor Plan. The proposed building complies with the Coors Corridor Design Regulations.
  
12. Property-owners within 100', La Luz del Sol N.A., La Luz Landowners Assoc., Taylor Ranch N.A., the Northwest Alliance of Neighbors, and the Westside Coalition of Neighborhood Associations were notified. A facilitated meeting was held on November 17, 2011. There was general support for the project and the design.

***RECOMMENDATION – 1003859 – 11EPC-40076 – December 8, 2011 – Site Plan for Building Permit***

**APPROVAL of 11EPC-40076, a request for a Site Plan for Building Permit for Tract 5, Plat of North Andalucia at La Luz, based on the preceding Findings.**

***CONDITIONS OF APPROVAL – 1003859 – 11EPC-40076 – December 8, 2011 – Site 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. Lighting:

- a. A note shall be provided on the Site Plan for Building Permit that indicates that all lighting will comply with the standards of §14-16-3-9, Area Lighting Regulations of the Zoning Code and the Coors Corridor Plan Lighting Regulations.
  - b. The Parking Lot Light Fixture Detail shall be modified to be consistent with the Zoning Code Area §14-16-3-9 Area Lighting Regulations, which allow a maximum height of 16-feet for light poles within 100 feet of a residential zone.
4. The following conditions from PNM shall be met:
- a. As a condition, it is the applicant's obligation to determine if existing utility easements cross the property and to abide by any conditions or terms of those easements.
  - b. As a condition, it is necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service and options for the location of electric service connection regarding this project. Any existing or proposed public utility easements are to be indicated on the site plan utility sheet. PNM's standard for public utility easements is 10 feet in width to ensure adequate, safe clearances.
5. Conditions of approval from the Transit Department:
- a. Applicant shall provide 5 ft. wide x 20 ft. long easement for placement of bus shelter near the location of existing bus stop on Coors. Transit requests that the applicant install a Type C bus shelter as per the COA Design standard COA 2355, and associated bench and trash can at the proposed bus stop. Applicant to consult the Transit department for the location of the proposed easement.
6. Conditions of approval from the City Engineer, Municipal Development and NMDOT for the proposed Site Development Plan for Building Permit shall include:
- a. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as may be required by the Development Review Board (DRB).
  - b. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and/or provided for.
  - c. Concurrent Platting Action required at Development Review Board (DRB).
  - d. Sidewalk Easement will be required for meandering 6-foot sidewalk on Learning Road and Coors Blvd.
  - e. A cross access easement between the two new tracts is required.
  - f. All easements need to be shown and labeled on Site plan .
  - g. Provide/label/detail all dimensions and proposed infrastructure for Site.

- 
- h. Stairs are not allowed within City of Albuquerque ROW. Please relocate into private property.
  - i. Site plan shall comply and be designed per DPM Standards.
- 

***K. Carrie Barkhurst  
Planner***

**cc:** Consensus Planning, 302 8<sup>th</sup> Street NW, Albuquerque, NM 87102  
Suzanne Fetsco, 23 Wind NW, Albuquerque, NM 87120  
Art Woods, 33 Wind NW, Albuquerque, NM 87120  
Heather Badal, 4 Tennis Ct. NW, Albuquerque, NM 87120  
Rae Perls, 15 Tennis Ct. NW, Albuquerque, NM 87120  
David Waters, 5601 La Colonia Dr. NW, Albuquerque, NM 87120  
Rene' Horvath, 5515 Palomino Dr. NW, Albuquerque, NM 87120  
Dan Serrano, 4409 Atherton Way NW, Albuquerque, NM 87120  
Gerald Worrall, 1039 Pinatubo Pl. NW, Albuquerque, NM 87120  
Candy Patterson, 7608 Elderwood NW, Albuquerque, NM 87120

***Attachments***

2005 Official Notification of Decision for Site Plan for Subdivision, 1003859  
Activity Center Boundary Maps – Comprehensive Plan & West Side Strategic Plan  
Resolution 270-1980  
SU-1 Zoning Regulations  
Application Form  
TIS Form  
Authorization Letters – Applicant & Property Owner  
Revised R-270-1980 Justification Letter, November 21, 2011  
Staff Project Review Memo, November 11, 2011  
Applicant Project Letter, October 27, 2011  
Supplemental images to demonstrate sign type  
ONC Letter, Applicant's Letter & Certified Receipts  
La Luz Homeowner's Association comment summary  
Facilitated Meeting Report & Amendment  
Site Plan Reductions

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## ***CITY OF ALBUQUERQUE AGENCY COMMENTS***

### ***PLANNING DEPARTMENT***

#### **Zoning Enforcement**

No comments.

#### **Office of Neighborhood Coordination**

La Luz Del Sol NA (R); La Luz Landowners Assoc. (R); Taylor Ranch NA (R); Rio Oeste HOA  
Andalucia HOA; Northwest Alliance of Neighbors; Westside Coalition of NA's

10/31/11 – Recommending Facilitation – siw

10/31/11 – Assigned to Diane Grover - sdb

#### **Long Range Planning**

Established Urban; Developing Urban; Coors Corridor; Westside Strategic Plan

Development on this site must comply with the height, design, setback, and view preservation standards of the Coors Corridor Plan.

The proposed SU-1 zone will continue to offer the community a chance to have input on development on the site.

#### **Metropolitan Redevelopment**

Amended Site Development Plan for Subdivision and for Building Permit. The subject development site is not within a Redevelopment Area, and Metropolitan Redevelopment Section staff have no comments on this application.

### ***CITY ENGINEER***

#### **Transportation Development**

Site Development Plan for Subdivision:

- The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as may be required by the Development Review Board (DRB).
- All the requirements of previous actions taken by the EPC and/or the DRB must be completed and/or provided for.
- A Traffic Impact Study (TIS) has been submitted and has been reviewed by Transportation Staff.
- The Traffic Impact Study is available for review by any interested party, in the office of the Traffic Engineer.
- Show all pedestrian and vehicular access/connectivity (ingress and egress).
- Concurrent Plating Action required at Development Review Board (DRB).

- A cross access easement with adjacent property owners is required.
- All easements need to be shown and labeled on Site plan .

**Site Development Plan for Building Permit:**

- The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as may be required by the Development Review Board (DRB).
- All the requirements of previous actions taken by the EPC and/or the DRB must be completed and/or provided for.
- A Traffic Impact Study (TIS) has been submitted and has been reviewed by Transportation Staff.
- The Traffic Impact Study is available for review by any interested party, in the office of the Traffic Engineer.
- Concurrent Plating Action required at Development Review Board (DRB).
- Sidewalk Easement will be required for meandering 6-foot sidewalk on Learning Road and Coors Blvd.
- A cross access easement with adjacent property (east tract) is required.
- All easements need to be shown and labeled on Site plan .
- Provide/label/detail all dimensions and proposed infrastructure for Site.
- A 6-foot wide, ADA accessible sidewalk connection needs to be provided from the roadway to the site. Please identify on Site plan .
- Stairs are not allowed within City of Albuquerque ROW. Please relocate into private property.
- Site plan shall comply and be designed per DPM Standards.

**Hydrology Development**

- A Conceptual Grading and Drainage Plan is required for DRB approval.

**Transportation Planning (Department of Municipal Development):**

- Coors Boulevard is a limited access facility; but since no additional access points are requested as part of this application, there are no comments regarding on-street bikeways or roadway system facilities.

**DEPARTMENT of MUNICIPAL DEVELOPMENT**

**Traffic Engineering Operations**

- No comments received.

**Street Maintenance**

- o No comments received.

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

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

1. 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).
2. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and/or provided for.
3. Show all pedestrian and vehicular access/connectivity (ingress and egress).
4. Concurrent Plating Action required at Development Review Board (DRB).
5. Sidewalk Easement will be required for meandering 6-foot sidewalk on Learning Road and Coors Blvd.
6. A cross access easement between the two new tracts is required.
7. All easements need to be shown and labeled on Site plan .
8. Provide/label/detail all dimensions and proposed infrastructure for Site.
9. A 6-foot wide, ADA accessible sidewalk connection needs to be provided from the roadway to the site. Please identify on Site plan .
10. Stairs are not allowed within City of Albuquerque ROW. Please relocate into private property.
11. Site plan shall comply and be designed per DPM Standards.

***WATER UTILITY AUTHORITY***

***Utility Services***

***ENVIRONMENTAL HEALTH DEPARTMENT***

***Air Quality Division***

***Environmental Services Division***

***PARKS AND RECREATION***

***Planning and Design***

Please clearly indicate 6' sidewalk within Coors 35' Landscape Easement area. [PROVIDED]

***Open Space Division***

After review, Open Space Division has 'No Adverse Comment'.

***POLICE DEPARTMENT/Planning***

This project is in the NW Area Command.

- It appears the proposed lighting and landscaping plan are in conflict with each other. Recommend removing from the plan any large variety tree plantings from parking lot islands occupied by a pole light. Also, proposed bush variety plantings should be kept to no more than three feet high.
- All walkways, parking lots and driveways should be free of obstruction. These areas should have clear lines-of-sight.
- The proposed landscaping along the north, south and west sides of the property will eventually block visibility from these directions. Recommend reducing the number of linear plantings to allow more natural or video surveillance opportunities in and away from the property.
- Video surveillance cameras should be installed to cover all driveways, parking lots, walkways, building approaches, common areas and maintenance areas and dumpster location. Each camera should have the ability to be monitored and recorded for real-time and historical use.
- Security personnel should be present during operational hours to detect and detour any non-legitimate persons/activity entering the property from the surrounding proposed development. A portion of the total project could increase in incidents of various types of crimes spilling into this property. Crimes such as auto theft & burglary, robbery, assault, and shoplifting are examples of possible crimes that could adversely impact this facility.

***SOLID WASTE MANAGEMENT DEPARTMENT***

***Refuse Division***

Approved must comply with SWMD Ordinances may need to relocate enclosure.  
[RELOCATED]

***FIRE DEPARTMENT/Planning***

No Comments.

**TRANSIT DEPARTMENT**

Project # 1003859 11EPC-40074 SITE DEVELOPMENT - BLDG. PRMT. 11EPC-40075 AMEND SITE DEVELOPMENT PLAN - SUBDVN. 11EPC-40076 AMENDT TO ZONE MAP (ESTB ZONING/ZONE CHG)	Adjacent and nearby routes	Routes #155, Coors route, Route #96, Cross-town commuter, Route #790, Rapid Ride Blue Line pass the site on Coors.
	Adjacent bus stops	Bus stop located on Coors serves Route #96, Route #155 and Route #790 routes in the northbound direction..
	Site plan requirements	Applicant to provide 5' wide x 20' long easement for placement of bus shelter near the location of existing bus stop on Coors. Transit requests that the applicant install a Type C bus shelter as per the COA Design standard COA 2355, and associated bench and trash can at the proposed bus stop. Applicant to consult the Transit department for the location of the proposed easement.
	Large site TDM suggestions	N/A
	Other information	None.

**COMMENTS FROM OTHER AGENCIES**

**BERNALILLO COUNTY**

**ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY**

Reviewed, no comment.

**ALBUQUERQUE PUBLIC SCHOOLS**

North Andalucia at La Luz, Tract 5, is located on Coors Blvd NW between Learning Rd NW and Montano Rd NW. The owner of the above property requests a Site Development Plan for Building Permit, an Amendment to the Site Development Plan for Subdivision, and an Amendment to Zone Map for a Zone Change from SU-1 for C-2, O-1, and PRD to SU-1 for O-1 including Bank and Drive thru Facilities. This development will consist of US New Mexico Federal Credit Union. This will have no adverse impacts to the APS district.

**MID-REGION COUNCIL OF GOVERNMENTS**

For informational purposes, Coors Blvd has been classified as a high capacity limited access principal arterial. Right-in/right-out and driveway accesses are described in the Coors Corridor Plan. Additional restrictions may be imposed as per the adopted Coors Corridor Plan.

For informational purposes, Montano Rd has also been identified as a limited access principal arterial. No access shall be permitted between Coors Blvd and just east of Rio Grande Blvd.

Lastly, see attachments (Coors Blvd and Montano Rd congestion profiles) for more info.

**MIDDLE RIO GRANDE CONSERVANCY DISTRICT**

**NEW MEXICO DEPARTMENT OF TRANSPORTATION**

No comments received.

***PUBLIC SERVICE COMPANY OF NEW MEXICO***

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

As a condition, it is necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service and options for the location of electric service connection regarding this project. Any existing or proposed public utility easements are to be indicated on the site plan utility sheet. PNM's standard for public utility easements is 10 feet in width to ensure adequate, safe clearances.



City of Albuquerque  
Planning Department  
Urban Design & Development Division  
P.O. Box 1293  
Albuquerque, New Mexico 87103

Date: December 8, 2011

**AMENDED OFFICIAL NOTIFICATION OF  
DECISION (change of case numbers and  
order)**

**FILE: Project # 1003859**  
11EPC-40074 Site Development Plan for  
Building Permit  
11EPC-40075 Amend Site Development Plan for  
Subdivision  
11EPC-40076 Amend Zone Map (Zone Change)

US New Mexico Federal Credit Union  
P.O. Box 129  
Albuquerque, NM, 87103

**LEGAL DESCRIPTION:**

Consensus Planning, agent for US New Mexico Federal Credit Union, requests the above actions for all or a portion of Tract 5, Plat of North Andalucia at La Luz, zoned SU-1 for C-2, O-1 and PRD to SU-1 for O-1 Including Bank & Drive-in Facilities, located on Coors Blvd. NW between Learning Rd. NW and Montano Rd. NW, containing approximately 3.38 acres. (E-12)  
Carrie Barkhurst, Staff Planner

On December 8, 2011 the Environmental Planning Commission voted to APPROVE Project 1003859 / 11EPC-40076, a request for an Amendment to the Zone Map (Zone Change), 11EPC-40075, a request for an Amendment to the Site Development Plan for Subdivision and 11EPC-40074, a request for a Site Development Plan for Building Permit based on the following Findings and subject to the following Conditions:

**FINDINGS:**

***FINDINGS – 1003859 – 11EPC-40076 – December 8, 2011 – Zone Map Amendment***

1. This is a request for zone map amendment for Tract 5, Plat of North Andalucia at La Luz, located on Coors Blvd., northeast of Learning Rd., and containing approximately 3.38 acres.
2. The applicant is proposing to subdivide and to develop a Credit Union branch office.

3. The subject site is zoned SU-1 for C-2, O-1 and PRD. The proposed use is permissive under the current zoning; however, the Site Plan for Subdivision designates this parcel for O-1 uses. Therefore, a zone map amendment is requested to allow a use that is compatible with the O-1 zone, without opening the site to the full range of C-2 uses that are available elsewhere in the subdivision.
4. The Environmental Planning Commission (EPC) has decision-making authority for a zone map amendment, pursuant to §14-16-4-1(C)(10)(a) of the Zoning Code.
5. The site is located within the Established and Developing Urban Areas of the Comprehensive Plan and within the boundaries of the West Side Strategic Plan and the Coors Corridor Plan. Coors Blvd. is an Enhanced Transit Corridor, as designated in the Comprehensive Plan.
6. The Albuquerque/Bernalillo County Comprehensive Plan, West Side Strategic Plan, the Coors Corridor Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
7. The applicant provided a justification for the zone change per R-270-1980.
  - A. The proposed special use zoning is consistent with the health, safety, morals and general welfare of the city. The zone change will not have an impact on public services and facilities.
  - B. The applicant has provided an acceptable justification for the change and has demonstrated that the requested zoning will not destabilize land use and zoning in the area, because it will allow a compatible use and retain the overarching special use zone.
  - C. The applicant cited a preponderance of applicable goals and policies of the Comprehensive Plan (CP), the West Side Strategic Plan (WSSP), and the Coors Corridor Plan (CCP), that are furthered by this request, as described below:
    - i. CP Policy II.B.5.d: With minor conditions, the location, intensity and design of the new development generally further this policy. The proposed use respects neighborhood values and provides a service appropriate for a mixed-use development.
    - ii. CP Policy II.B.5.e: The subject site is contiguous to existing urban facilities and is designed to lessen any potential negative impacts of the proposed use.
    - iii. CP Policy II.B.5.i: The requested zone is governed through the site development plan for subdivision, which provides assurances about the form of development. The site design effectively mitigates potentially adverse effects of the bank and drive-up service. The zone map amendment will facilitate development of new employment and services.
    - iv. CP Policy II.C.4.a: Noise considerations have been integrated into the site design process and evaluation of the suitability of this site for a zone change.

- v. CP Policy II.C.6.a: The request will provide additional employment opportunities in an area that is underserved with jobs.
  - vi. WSSP Objective 8 and 10: The request provides opportunities for additional jobs to locate on an undeveloped, commercially-zoned property. The request seeks to provide a neighborhood-oriented service in a location that is well served by existing infrastructure.
  - vii. CCP Policy 3: The request facilitates new development in the Coors corridor that was carefully designed to be compatible with the natural landscape and environment in a master planned subdivision with existing infrastructure improvements.
- D. The applicant has adequately justified the request by demonstrating that the requested zone change is more advantageous to the community per adopted city goals and policies cited under Section C.
- E. None of the uses specified in the proposal will be harmful to adjacent property, the neighborhood or the community.
- F. The request would not require unprogrammed capital expenditures by the City.
- G. The cost of land or other economic considerations pertaining to the applicant are not the determining factor for the zone change.
- H. The property's location on a major street is not the reason for this request.
- I. This request constitutes a justified spot zone. It facilitates realization of the Comprehensive Plan, the West Side Strategic Plan and the Coors Corridor Plan.
- J. The proposed zone change would not result in strip zoning.
8. The northern portion of the site is within the boundaries of the designated *Montaño/Coors Community Activity Center*. The request furthers the goals for Activity Centers by providing neighborhood-oriented services adjacent to the higher density residential and commercial uses within the Activity Center to reduce auto travel needs per Comprehensive Plan Policy a. In addition, this use provides a transition area of moderately intense development between the lower density residential uses and the higher intensity C-2 commercial uses closer to Montaño, consistent with Comprehensive Plan Policy f. The West Side Strategic Plan Policy 1.13 is furthered by the request by providing a neighborhood service at a location designated for a "higher concentration and greater variety" of land uses.
9. Property-owners within 100', La Luz del Sol N.A., La Luz Landowners Assoc., Taylor Ranch N.A., the Northwest Alliance of Neighbors, and the Westside Coalition of Neighborhood Associations were notified. A facilitated meeting was held on November 17, 2011. There is general support for the project and the design.

***RECOMMENDATION – 1003859 – 11EPC-40076 – December 8, 2011 – Zone Map Amendment  
APPROVAL of 11EPC-40074, a request for a Zone Map Amendment for Tract 5, Plat of  
North Andalucia at La Luz, based on the preceding Findings.***

***CONDITIONS OF APPROVAL – 1003859 – 11EPC-40076 – December 8, 2011 – Zone Map  
Amendment***

1. Pursuant to Zoning Code §14-16-4-1(C)(11), a zone map amendment does not become official until all Conditions/Requirements of Approval are met. If such requirements are not met within six months after the date of final City 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.

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***FINDINGS – 1003859 – 11EPC-40075 – December 8, 2011 – Site Plan for Subdivision Amendment***

1. This is a request for a Site Plan for Subdivision Amendment for Tract 5, Plat of North Andalucia at La Luz, located on Coors Blvd., northeast of Learning Rd., and containing approximately 3.38 acres.
2. The applicant is proposing to subdivide and to develop a Credit Union branch office.
3. The subject site is zoned SU-1 for C-2, O-1 and PRD. The proposed use is permissive under the current zoning; however, the Site Plan for Subdivision designates this parcel for O-1 uses. Therefore, a Site Plan for Subdivision Amendment is requested to allow a use that is compatible with the O-1 zone, without opening the site to the full range of C-2 uses that are available elsewhere in the subdivision. The amendment also seeks to clarify free-standing signage regulations to allow one free-standing sign per parcel in the subdivision.
4. The Environmental Planning Commission (EPC) has decision-making authority for approving Site Development Plans, pursuant to §14-16-2-22(A)(1) of the Zoning Code.
5. The site is located within the Established and Developing Urban Areas of the Comprehensive Plan and within the boundaries of the West Side Strategic Plan and the Coors Corridor Plan. Coors Blvd. is an Enhanced Transit Corridor, as designated in the Comprehensive Plan.
6. The Albuquerque/Bernalillo County Comprehensive Plan, West Side Strategic Plan, the Coors Corridor Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.

7. The Site Plan for Subdivision Amendment request furthers the following Comprehensive Plan policies:
  - a. Policy II.B.5.d: With minor conditions, the location, intensity and design of the new development generally further this policy. The proposed use respects neighborhood values and provides a service appropriate for a mixed-use development.
  - b. Policy II.B.5.e: The subject site is contiguous to existing urban facilities and is designed to lessen any potential negative impacts of the proposed use.
  - c. Policy II.B.5.i: The requested zone is governed through the site development plan for subdivision, which provides assurances about the form of development. The site design effectively mitigates potentially adverse effects of the bank and drive-up service. The zone map amendment will facilitate the development of new employment and services.
  - d. Policy II.C.4.a: Noise considerations have been integrated into the site design process and evaluation of the suitability of this site for a zone change.
  - e. Policy II.D.6.a: The request will provide additional employment opportunities in an area that is underserved with jobs.
  
8. Regarding the West Side Strategic Plan policies, the Site Plan for Subdivision Amendment request furthers Objective 8 and 10 by providing opportunities for additional jobs to locate on an undeveloped, commercially-zoned property. The request seeks to provide a neighborhood-oriented service in a location that is well served by existing infrastructure.
  
9. Regarding the Coors Corridor Plan policies, the Site Plan for Subdivision Amendment request furthers Policy 3 by facilitating new development in the Coors Corridor that was carefully designed to be compatible with the natural landscape and environment in a Master Planned subdivision with existing infrastructure improvements.
  
10. The northern portion of the site is within the boundaries of the designated *Montaño/Coors Community Activity Center*. The request furthers the goals for Activity Centers by providing neighborhood-oriented services adjacent to the higher density residential and commercial uses within the Activity Center to reduce auto travel needs per Comprehensive Plan Policy a. In addition, this use provides a transition area of moderately intense development between the lower density residential uses and the higher intensity C-2 commercial uses closer to Montaño, consistent with Comprehensive Plan Policy f. The West Side Strategic Plan Policy 1.13 is furthered by the request by providing a neighborhood service at a location designated for a “higher concentration and greater variety” of land uses.
  
11. Property-owners within 100’, La Luz del Sol N.A., La Luz Landowners Assoc., Taylor Ranch N.A., the Northwest Alliance of Neighbors, and the Westside Coalition of Neighborhood Associations were notified. A facilitated meeting was held on November 17, 2011. There is general support for the project and the design.

***RECOMMENDATION – 1003859 – 11EPC-40075 – December 8, 2011 – Site Plan for Subdivision Amendment***

**APPROVAL of 11EPC-40075, a request for a Site Plan for Subdivision Amendment for Tract 5, Plat of North Andalucia at La Luz, based on the preceding Findings.**

***CONDITIONS OF APPROVAL – 1003859 – 11EPC-40075 – December 8, 2011 – Site Plan for Subdivision Amendment***

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. Conditions of approval from the City Engineer, Municipal Development and NMDOT for the proposed Site Development Plan for Building Permit shall include:
  - a. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as may be required by the Development Review Board (DRB).
  - b. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and/or provided for.
  - c. Concurrent Plating Action required at Development Review Board (DRB).
  - d. A cross access easement between the two new tracts is required.
  - e. All easements need to be shown and labeled on site plan.
4. The applicant proposed new text in the site plan for subdivision signage design guidelines to clarify the signage regulations, which the EPC supports. The new text is underlined here, to show what has changed; it is not required to be underlined in the site plan. The following changes are approved on Sheet 3:

**“Project Monument Signs**

  - Three project monument signs are allowed at the entries along Coors Boulevard and one minor entry monument sign is allowed on Montano Road as landmarks identifying the project. These project monument signs shall be of similar design and materials as the buildings.

- Project monument signs along Coors Boulevard shall have an overall maximum height of 9 feet and shall identify the tenants in a signage area not to exceed 75 square feet with a total of 10 items of information. The minor monument sign along Montano Road shall have an overall height of 9 feet and shall identify the tenants in a signage area not to exceed 30 square feet.

Individual Monument Signs

- One individual monument sign is allowed for each parcel to be located along the internal roadway system and shall not be located along Coors Boulevard or Montano Road. Maximum height for individual monument signs shall not exceed 9 feet and shall have a maximum signage area not to exceed 30 square feet.”

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***FINDINGS – 1003859 – 11EPC-40074 – December 8, 2011 – Site Plan for Building Permit***

1. This is a request for a Site Plan for Building Permit for Tract 5, Plat of North Andalucia at La Luz, located on Coors Blvd., northeast of Learning Rd., and containing approximately 3.38 acres.
2. The applicant is proposing to subdivide and to develop a Credit Union branch office.
3. This request is accompanied by a zone map amendment and site plan for subdivision request.
4. The Environmental Planning Commission (EPC) has decision-making authority for approving Site Development Plans, pursuant to §14-16-2-22(A)(1) of the Zoning Code.
5. The site is located within the Established and Developing Urban Areas of the Comprehensive Plan and within the boundaries of the West Side Strategic Plan and the Coors Corridor Plan. Coors Blvd. is an Enhanced Transit Corridor, as designated in the Comprehensive Plan.
6. The Albuquerque/Bernalillo County Comprehensive Plan, West Side Strategic Plan, the Coors Corridor Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
7. The Coors Corridor Design Regulations and the North Andalucia at La Luz site plan for subdivision design standards apply.
8. The Site Plan for Building Permit request furthers the following Comprehensive Plan policies:
  - a. Policy II.B.5.d: The request is consistent with the policies and design guidelines provided in adopted area and sector plans, as well as the EPC approved Site Plan for Subdivision. In

this manner, the request respects area values and resources. The site design buffers the drive up service windows from adjacent residential development with a yard wall, landscaping, and 120-foot distance, which will mitigate any potential adverse impacts of the proposed use. The location, intensity and design of the new development generally further this policy.

- b. Policy II.B.5.e: This request proposes new development in an area served by existing urban facilities, infrastructure, and services. The subject site does not propose access from the adjacent principal arterial, Coors Blvd., or the adjacent Major Local Street, Learning Rd., which will minimize impacts on the adjacent neighborhood.
  - c. Policy II.B.5.g: The design and landscaping of the proposed development respect the site topography. The development provides connections to existing trails in the area.
  - d. Policy II.B.5.i: The site is designed to minimize potential noise and traffic impacts. The proposed cut-off lighting and landscape buffers will also serve to minimize potential adverse effects on the adjacent neighborhood.
  - e. Policy II.B.5.k: The subject site is designed to minimize harmful effects of traffic by limiting access to one driveway located on Antequera Rd, a local street, and by not providing access to Coors Blvd. The livability of the adjacent neighborhood is respected by providing extensive site landscaping which serve as a buffer between the uses.
  - f. Policy II.B.5.l: The proposed building is well-articulated and designed to have no "back side." Area residents have indicated that the building is attractive and is compatible with their vision for the area.
  - g. Policy II.B.5.m: The architectural design is compliant with the design regulations included in the Coors Corridor Plan and the Site Plan for Subdivision. The building respects unique vistas from Coors Blvd. and generally improves the quality of the visual environment by adding variety and extensive landscaping.
  - h. Policy II.C.4.a: Noise considerations have been integrated into the site design process and evaluation of the suitability of this site for a zone change.
  - i. Policy II.C.8.d: The request proposes extensive landscaping both on-site and in the adjacent public rights-of-way. The development will help control erosion and dust, and will also incorporate water harvesting and xeric plant species.
  - j. Policy II.D.6.a: The request will provide additional employment opportunities in an area that is underserved with jobs.
9. Regarding the West Side Strategic Plan policies, the Site Plan for Building Permit request furthers Objective 8 and 10 by providing opportunities for additional jobs to locate on an undeveloped, commercially-zoned property. The request seeks to provide a neighborhood-oriented service in a location that is well served by existing infrastructure. Taylor Ranch Area Policy 3.12 is furthered because the subject site is infill development that is within existing transportation and utility service areas. The request furthers Policies 4.6 h and 4.10 by providing a commercial development adjacent to public transit, and accessible by trails, without providing an excess of parking.

10. Regarding the Coors Corridor Plan “Design Guidelines,” Issue 4, Visual Impressions and Design Overlay Zone, the building design is aesthetically integrated into the site in relation to the visual impressions within the corridor, views within and from Coors Blvd., roadway, landscaping, outdoor space, and adjacent buildings, furthering Policies A.1, A.2, B.2, B.10, and C.1. Policies B.3, B.4 and B.5 are furthered by the landscape design which is complementary to the character of Coors Corridor and complies with the size, buffer area, and parking requirements. Policies B.5, B.6, B.7, and B.8 are furthered by the building’s location along Coors and Eagle Ranch, with parking behind the main street frontages and adequate pedestrian access. The request does not conflict with any of the Coors Corridor Plan goals or policies.
11. The northern portion of the site is within the boundaries of the designated *Montaño/Coors Community Activity Center*. The request furthers the goals for Activity Centers by providing neighborhood-oriented services adjacent to the higher density residential and commercial uses within the Activity Center to reduce auto travel needs per Comprehensive Plan Policy a. In addition, this use provides a transition area of moderately intense development between the lower density residential uses and the higher intensity C-2 commercial uses closer to Montaño, consistent with Comprehensive Plan Policy f. The West Side Strategic Plan Policy 1.13 is furthered by the request by providing a neighborhood service at a location designated for a “higher concentration and greater variety” of land uses.
12. The EPC supports the provision of one free-standing monument sign at the project entrance on Antequera Rd. Signage for future tenants must comply with the Coors Corridor Plan design guidelines and the zoning code general regulations.
13. The applicant has submitted a Coors View Analysis, which is consistent with the requirements in the Coors Corridor Plan. The proposed building complies with the Coors Corridor Design Regulations.
14. Property-owners within 100’, La Luz del Sol N.A., La Luz Landowners Assoc., Taylor Ranch N.A., the Northwest Alliance of Neighbors, and the Westside Coalition of Neighborhood Associations were notified. A facilitated meeting was held on November 17, 2011. There is general support for the project and the design.

**RECOMMENDATION – 1003859 – 11EPC-40074 – December 8, 2011 – Site Plan for Building Permit APPROVAL of 11EPC-40076, a request for a Site Plan for Building Permit for Tract 5, Plat of North Andalucia at La Luz, based on the preceding Findings.**

***CONDITIONS OF APPROVAL – 1003859 – 11EPC-40074 – December 8, 2011 – Site 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. Lighting:
  - a. A note shall be provided on the Site Plan for Building Permit that indicates that all lighting will comply with the standards of §14-16-3-9, Area Lighting Regulations of the Zoning Code and the Coors Corridor Plan Lighting Regulations.
  - b. The Parking Lot Light Fixture Detail shall be modified to be consistent with the Zoning Code Area §14-16-3-9 Area Lighting Regulations, which allow a maximum height of 16-feet for light poles within 100 feet of a residential zone.
4. The following conditions from PNM shall be met:
  - a. As a condition, it is the applicant's obligation to determine if existing utility easements cross the property and to abide by any conditions or terms of those easements.
  - b. As a condition, it is necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service and options for the location of electric service connection regarding this project. Any existing or proposed public utility easements are to be indicated on the site plan utility sheet. PNM's standard for public utility easements is 10 feet in width to ensure adequate, safe clearances.
5. Conditions of approval from the Transit Department:
  - a. Applicant shall provide 5 ft. wide x 20 ft. long easement for placement of bus shelter near the location of existing bus stop on Coors. Transit requests that the applicant install a Type C bus shelter as per the COA Design standard COA 2355, and associated bench and trash can at the proposed bus stop. Applicant to consult the Transit department for the location of the proposed easement.

6. Conditions of approval from the City Engineer, Municipal Development and NMDOT for the proposed Site Development Plan for Building Permit shall include:
  - a. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as may be required by the Development Review Board (DRB).
  - b. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and/or provided for.
  - c. Concurrent Plating Action required at Development Review Board (DRB).
  - d. Sidewalk Easement will be required for meandering 6-foot sidewalk on Learning Road and Coors Blvd.
  - e. A cross access easement between the two new tracts is required.
  - f. All easements need to be shown and labeled on site plan.
  - g. Provide/label/detail all dimensions and proposed infrastructure for Site.
  - h. Stairs are not allowed within City of Albuquerque ROW. Please relocate into private property.
  - i. Site plan shall comply and be designed per DPM Standards.
7. The future Phase 2 expansion of the credit union building, as shown on the site plan for building permit for the 2.42-acre tract may be delegated to DRB.
8. The landscape buffer wall along the northern property line may terminate at the toe of the slope near Coors Blvd., as shown on the site plan, and may terminate at the eastern property line of the 2.42-acre tract.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY **DECEMBER 23, 2011** IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED. IT IS NOT POSSIBLE TO APPEAL EPC RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE EPC'S RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE EPC'S DECISION.

Persons aggrieved with any determination of the Environmental Planning Commission (EPC) and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department **within 15 days** of the Planning Commission's decision. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday, the next working day is considered as the deadline for filing the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

YOU WILL RECEIVE NOTIFICATION IF ANY PERSON FILES AN APPEAL. IF THERE IS NO APPEAL, YOU CAN RECEIVE BUILDING PERMITS AT ANY TIME AFTER THE APPEAL DEADLINE QUOTED ABOVE, PROVIDED ALL CONDITIONS IMPOSED AT THE TIME OF APPROVAL HAVE BEEN MET. SUCCESSFUL APPLICANTS ARE REMINDED THAT OTHER REGULATIONS OF THE CITY ZONING CODE MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

ZONE MAP AMENDMENTS: Pursuant to Zoning Code Section 14-16-4-1(C)(11), a change to the zone map does not become official until the Certification of Zoning is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

SITE DEVELOPMENT PLANS: Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped areas shall terminate automatically seven years after adoption or major amendment of the plan: within six months prior to the seven-year deadline, the property owners shall request in writing thorough the Planning Director that the Planning Commission extend the plan's life an additional five years.

DEFERRAL FEES: Pursuant to Zoning Code Section 14-16-4-1(B), deferral at the request of the applicant is subject to a \$110.00 fee.

Sincerely,

Deborah Stover  
Planning Director

DS/CB/mc

cc: Consensus Planning, 302 8<sup>th</sup> Street NW, Albuquerque, NM 87102  
Suzanne Fetsco, 23 Wind NW, Albuquerque, NM 87120  
Art Woods, 33 Wind NW, Albuquerque, NM 87120  
Heather Badal, 4 Tennis Ct. NW, Albuquerque, NM 87120  
Rae Perls, 15 Tennis Ct. NW, Albuquerque, NM 87120  
David Waters, 5601 La Colonia Dr. NW, Albuquerque, NM 87120  
Rene' Horvath, 5515 Palomino Dr. NW, Albuquerque, NM 87120  
Dan Serrano, 4409 Atherton Way NW, Albuquerque, NM 87120  
Gerald Worrall, 1039 Pinatubo Pl. NW, Albuquerque, NM 87120  
Candy Patterson, 7608 Elderwood NW, Albuquerque, NM 87120

## TAB 5

The shopping center lacks effective and sufficient ingress/egress fail to recognize that large trucks are restricted on Montano is Coors.

Truck Access. As a result of the Montano truck access restriction trucks cannot access the site from Montano. See 2035 Metropolitan Transportation Plan adopted by MRCOG. For truck traffic south bound on Coors there is no signalized access. Vehicles southbound on Coors can turn left at Mirandela but the turning radii for trucks is uncertain. As discussed under Tab 1 the zoning code requires primary full access that does not go through a residential neighborhood (Learning Road access requires traversing a residential neighborhood).

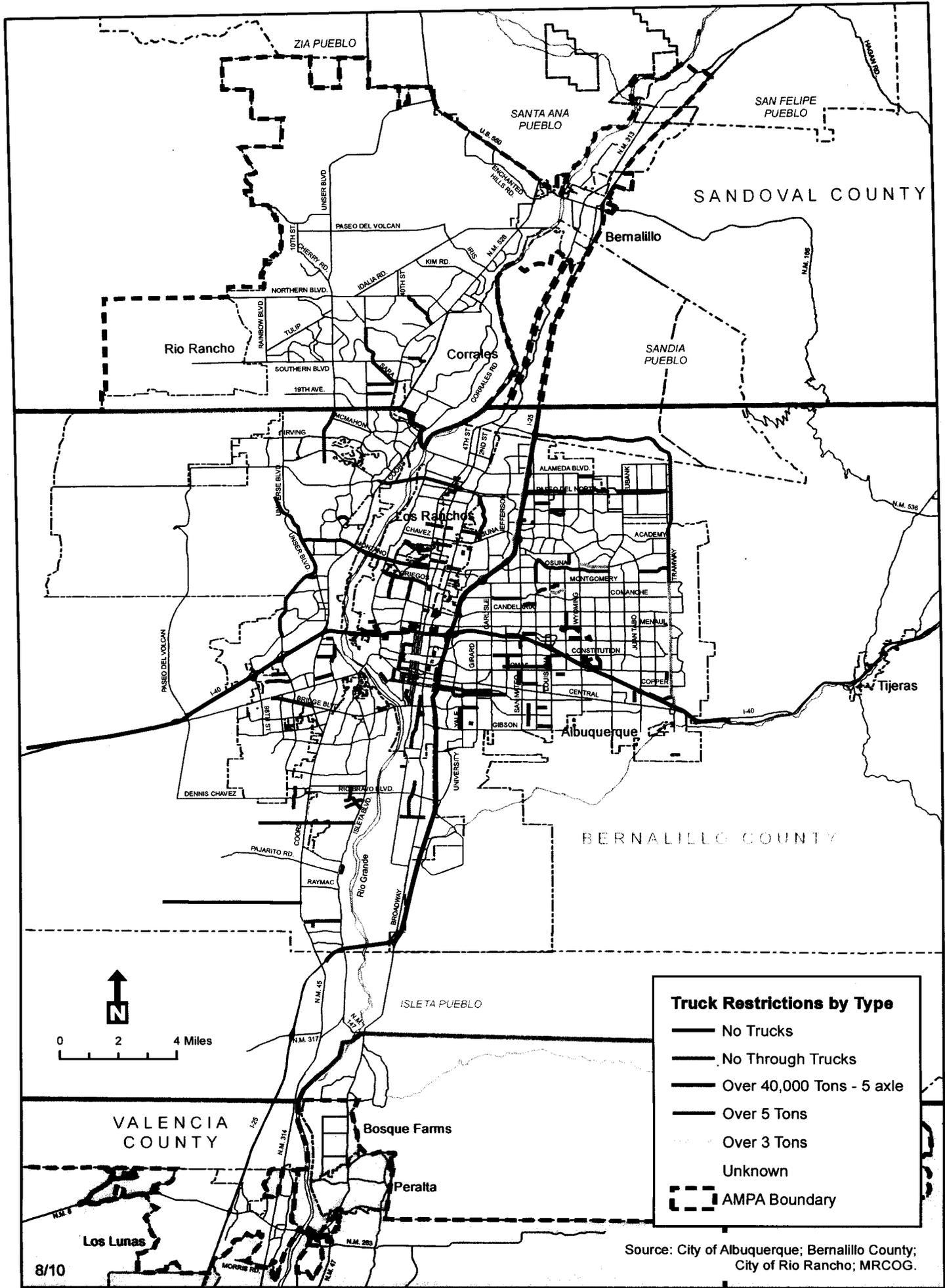
Trucks exiting the center therefore can only go north on Coors since all Coors exists are “right only”. Trucks wanting to go south on Coors would have to go through the residential neighborhood and use the signal at Learning Road. This funneling of traffic thorough a residential neighborhood is exactly what the Big Box Ordinance sought to prevent by requiring full access onto a four lane road.\* See Z.C. §14-16-3-2(D)(2).

The site’s inadequate access also means that passenger vehicles, SUVs and light trucks wanting to go south on Coors will tend to use the Learning Road and drive through a residential zone. There will also be conflicts with pedestrians and bicycles on Learning Road. These issues are not addressed.

The application fails to demonstrate sufficient internal truck access to loading docks. Is there sufficient turning radius for trucks entering from Coors? How can trucks access the loading docks and exit back onto Coors? **Applicant should be required submit a truck traffic plan showing traffic flow by vehicle classification and turning radius because:**

1. There is a limited turning radii on Coors.
2. Trucks will not be able to avoid driving over the traffic circles (This is inappropriate since roundabouts are to be “focal points” and to include “a character defining monument at the center of each circle.” Trucks have already destroyed the wall at the roundabout on Learning Road.
3. Internal truck access is questionable.

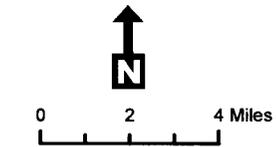
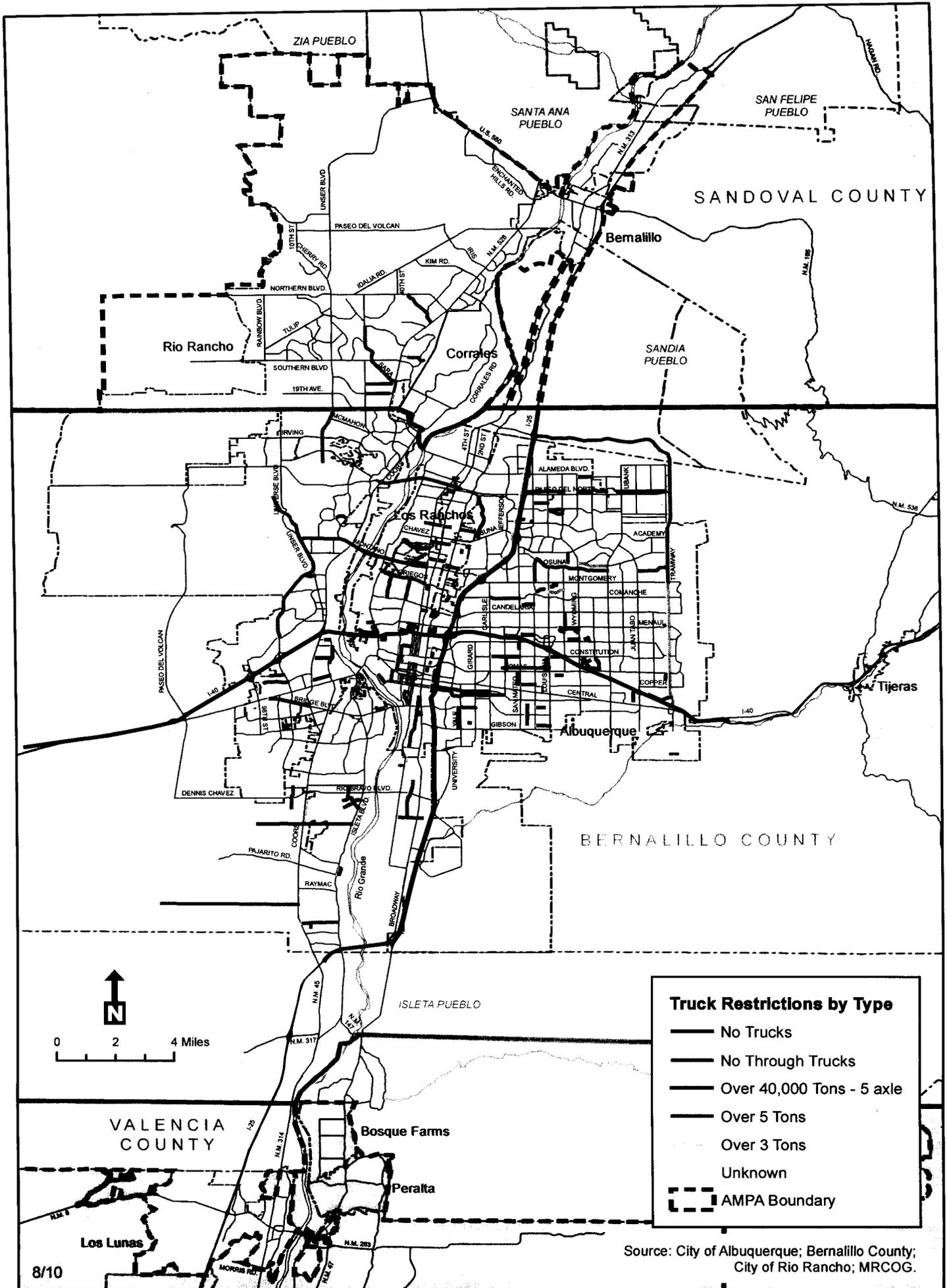
\*Promises by Applicant (Silver Leaf) will not protect the community nor will promises by Walmart. This is approval of a building and use not a particular user. Independent delivery companies cannot be controlled. The Big Box Ordinance sought to avoid the potential of problems by requiring full access – this site does not have full access.

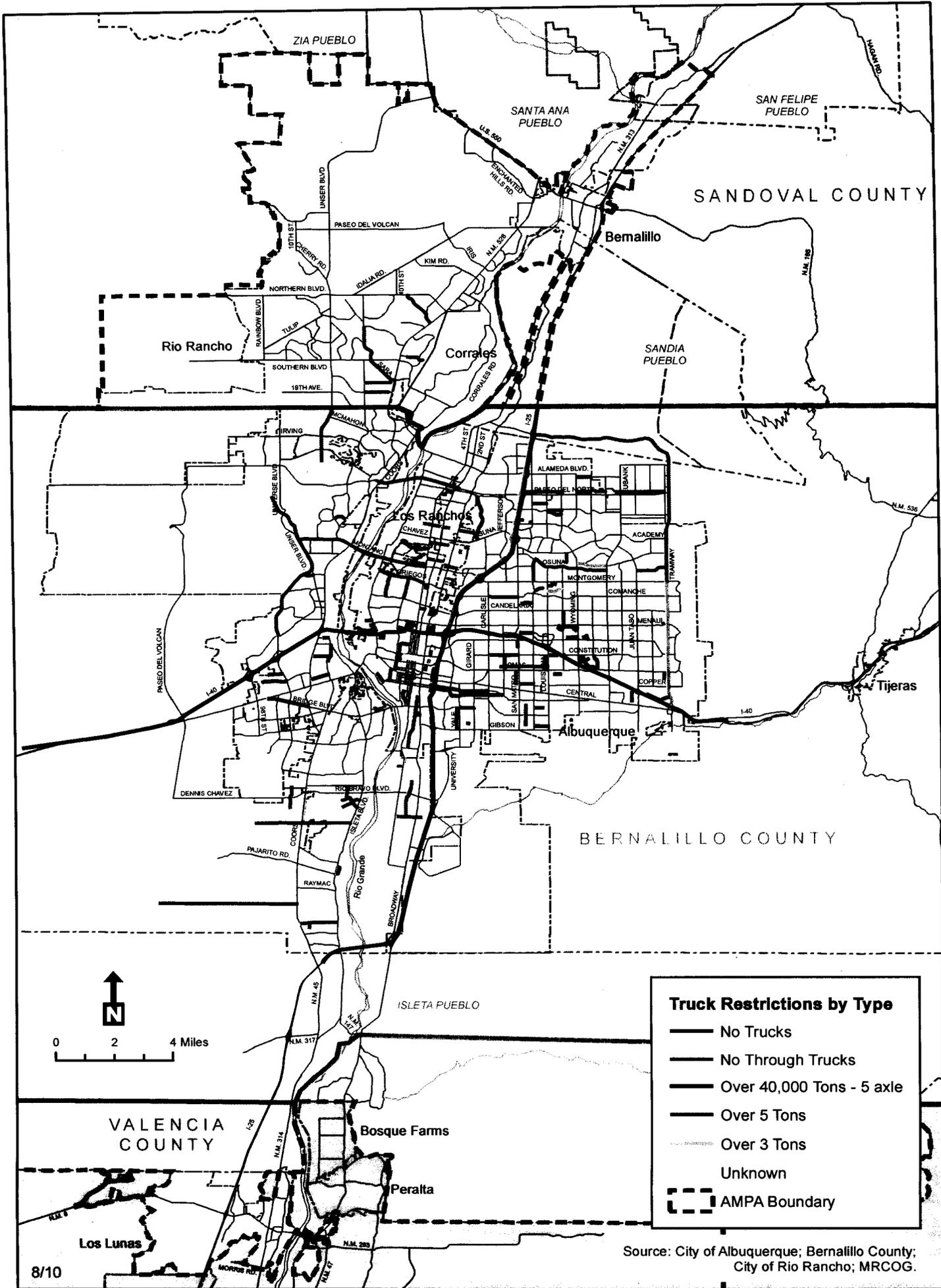


**Truck Restrictions by Type**

- No Trucks
- No Through Trucks
- Over 40,000 Tons - 5 axle
- Over 5 Tons
- Over 3 Tons
- Unknown
- - - AMPA Boundary

Source: City of Albuquerque; Bernalillo County; City of Rio Rancho; MRCOG.





Source: City of Albuquerque; Bernalillo County; City of Rio Rancho; MRCOG.

# A Policy on Geometric Design of Highways and Streets

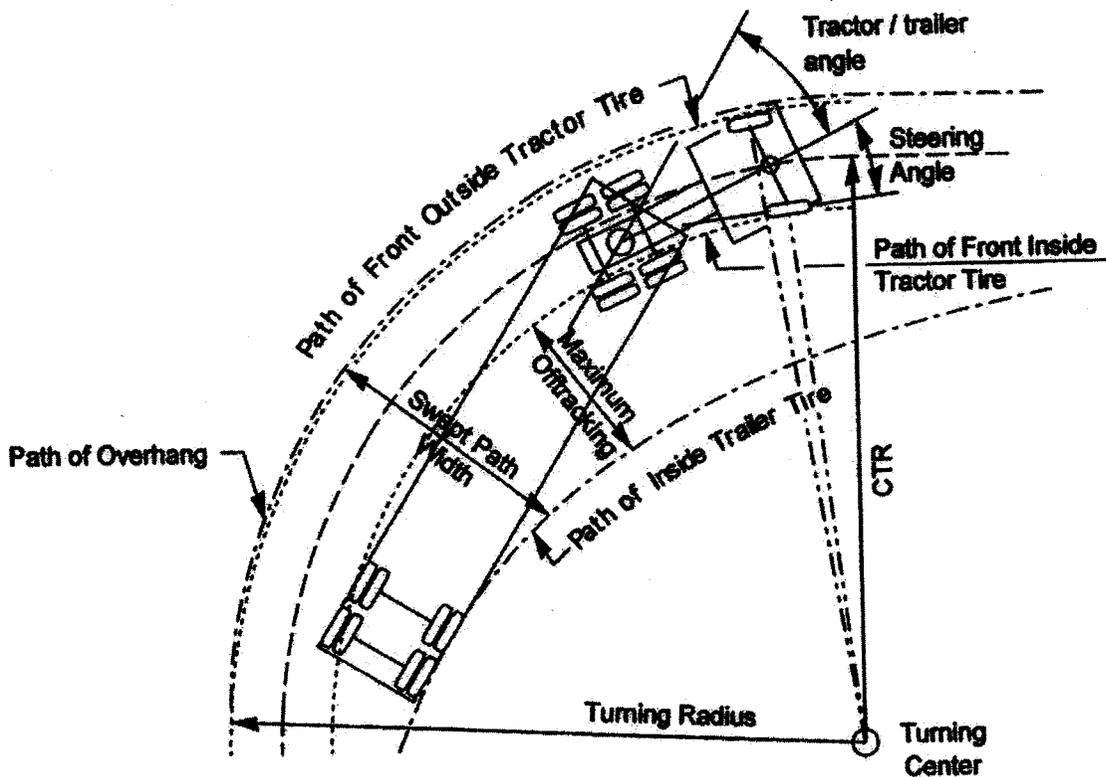
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Washington, D.C. 20001  
(202) 624-5800  
[www.transportation.org](http://www.transportation.org)

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## Definitions:

1. Turning radius—The circular arc formed by the turning path radius of the front outside tire of a vehicle. This radius is also described by vehicle manufacturers as the "turning curb radius."
2. CTR—The turning radius of the centerline of the front axle of a vehicle.
3. Offtracking—The difference in the paths of the front and rear wheels of a tractor/semitrailer as it negotiates a turn. The path of the rear tires of a turning truck does not coincide with that of the front tires, and this effect is shown in the drawing above.
4. Swept path width—The amount of roadway width that a truck covers in negotiating a turn and is equal to the amount of offtracking plus the width of the tractor unit. The most significant dimension affecting the swept path width of a tractor/semitrailer is the distance from the kingpin to the rear trailer axle or axles. The greater this distance is, the greater the swept path width.
5. Steering angle—The maximum angle of turn built into the steering mechanism of the front wheels of a vehicle. This maximum angle controls the minimum turning radius of the vehicle.
6. Tractor/trailer angle—The angle between adjoining units of a tractor/semitrailer when the combination unit is placed into a turn; this angle is measured between the longitudinal axes of the tractor and trailer as the vehicle turns. The maximum tractor/trailer angle occurs when a vehicle makes a 180° turn at the minimum turning radius; this angle is reached slightly beyond the point where maximum swept path width is achieved.

**Exhibit 2-11. Turning Characteristics of a Typical Tractor-Semitrailer Combination Truck**

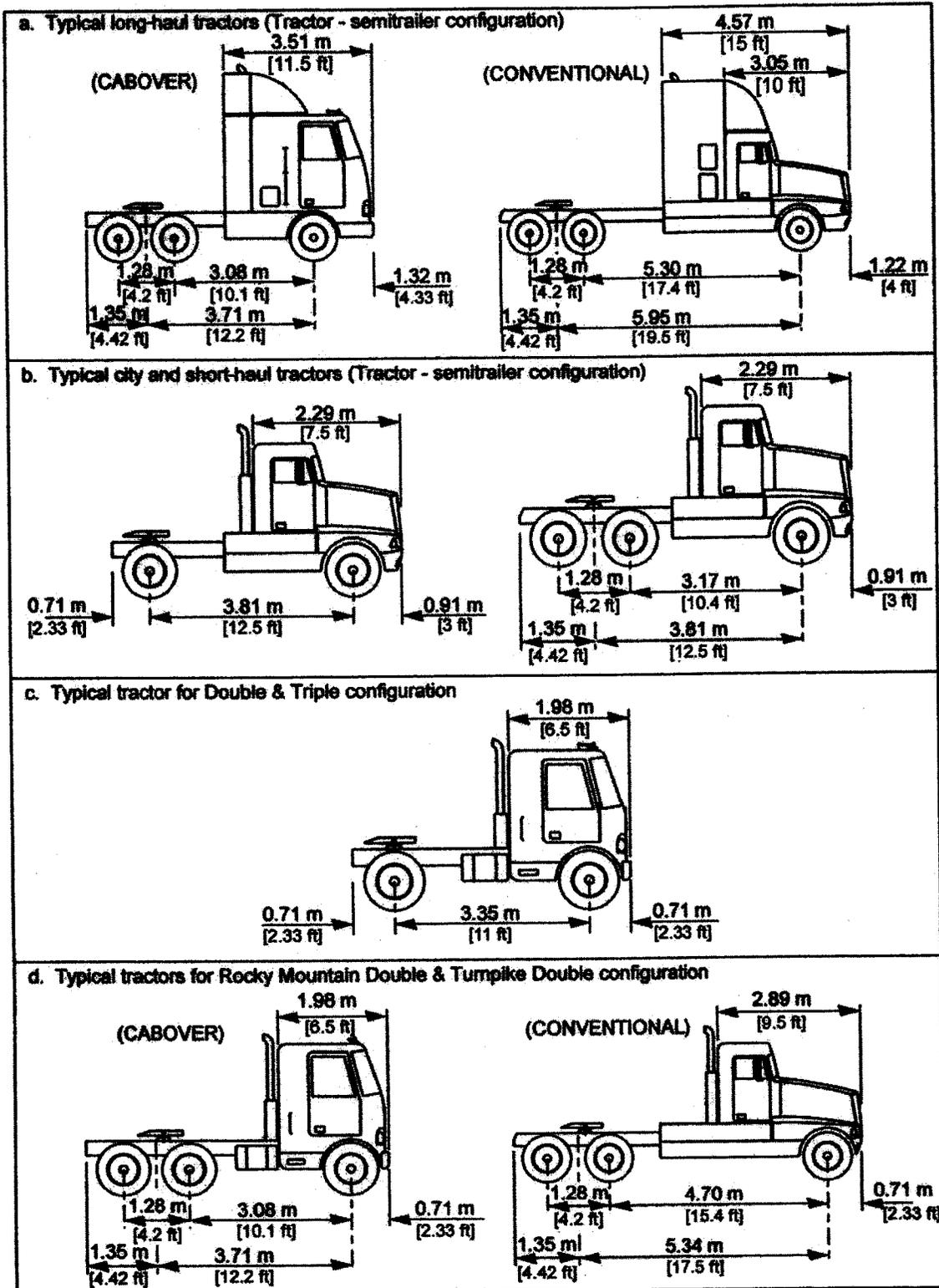
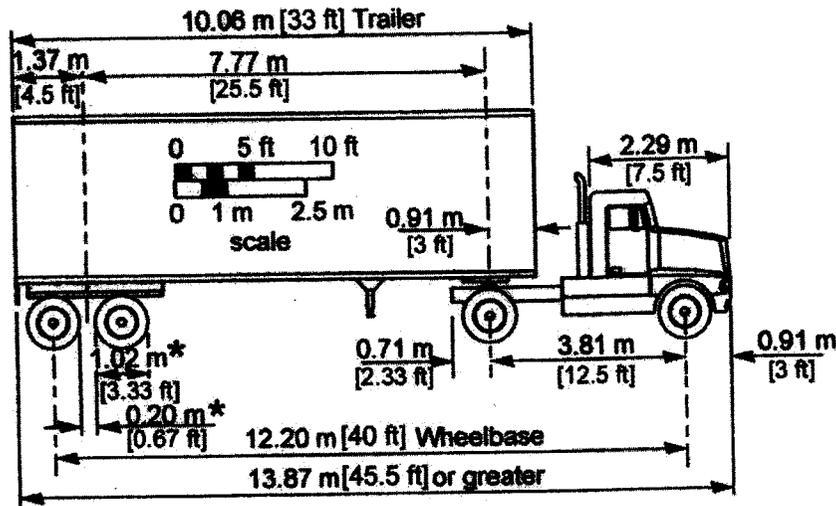


Exhibit 2-12. Lengths of Commonly Used Truck Tractors



\* Typical tire size and space between tires applies to all trailers.

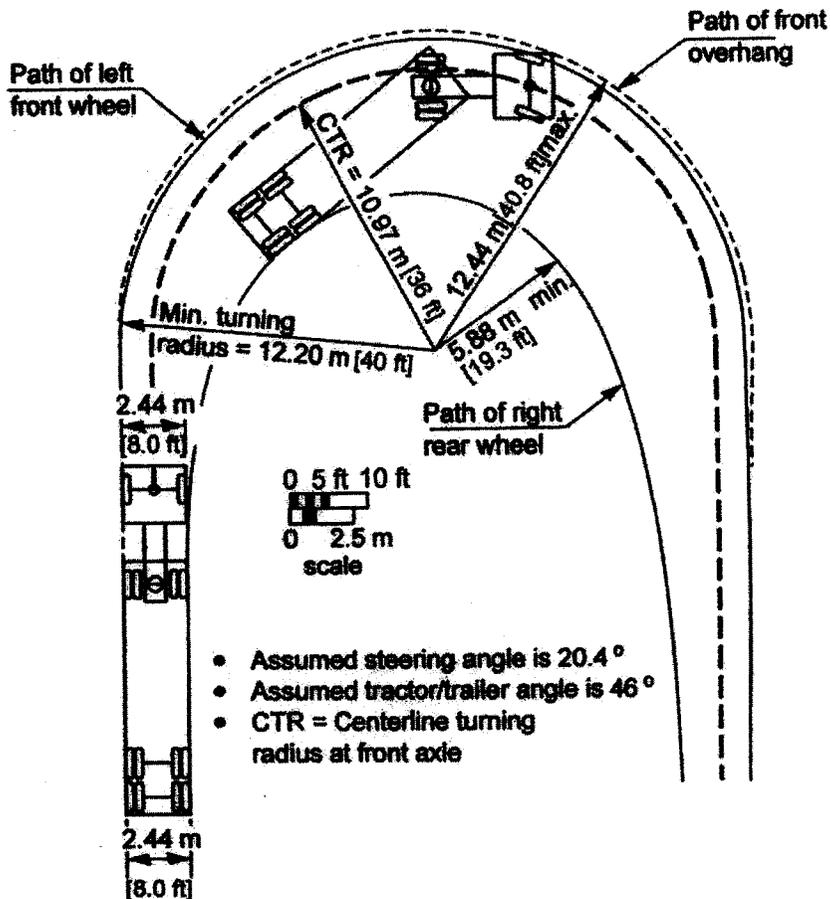


Exhibit 2-13. Minimum Turning Path for Intermediate Semitrailer (WB-12 [WB-40]) Design Vehicle

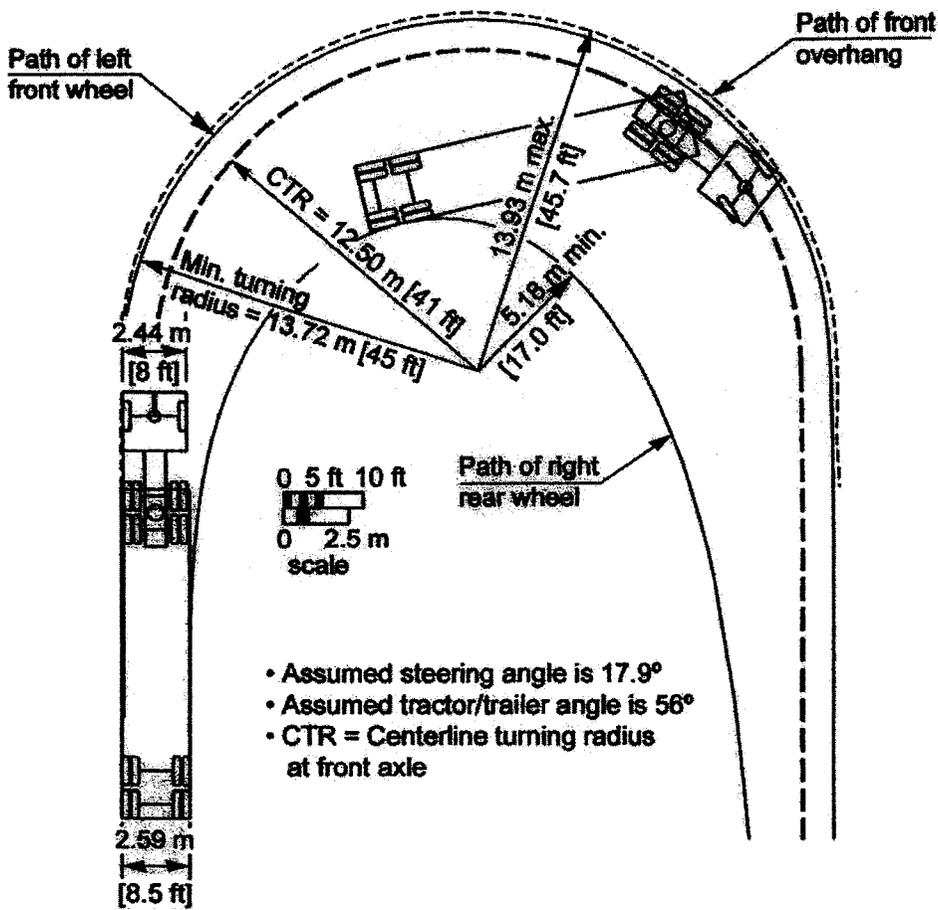
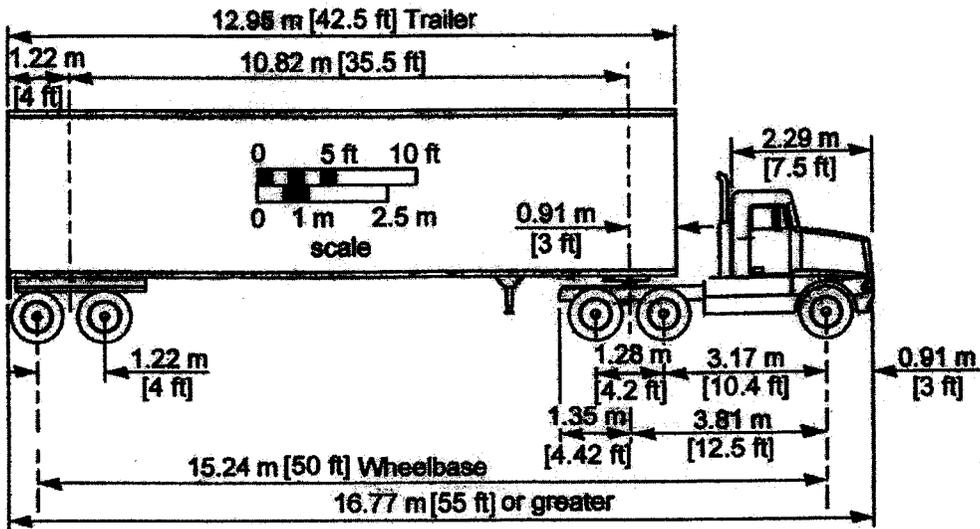


Exhibit 2-14. Minimum Turning Path for Intermediate Semitrailer (WB-15 [WB-50]) Design Vehicle

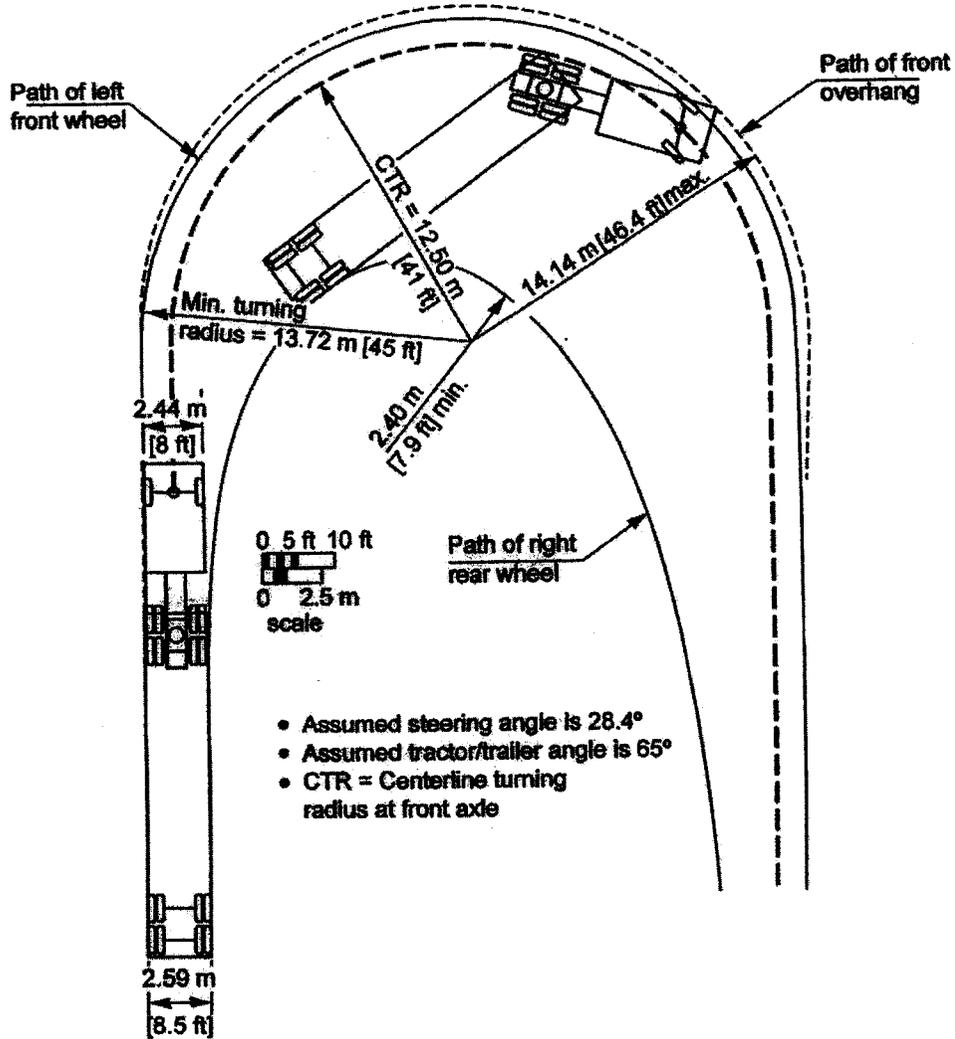
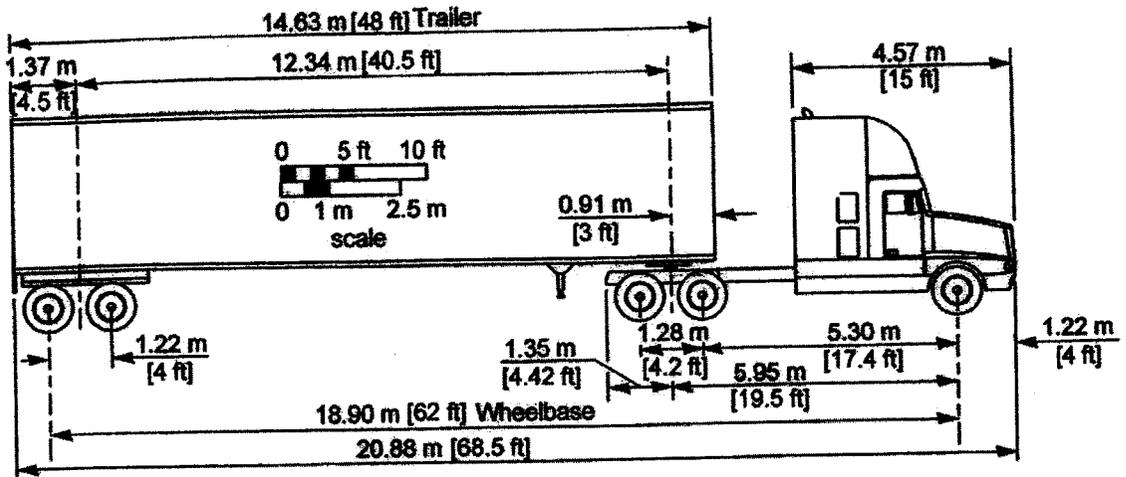


Exhibit 2-15. Minimum Turning Path for Interstate Semitrailer (WB-19 [WB-62]) Design Vehicle

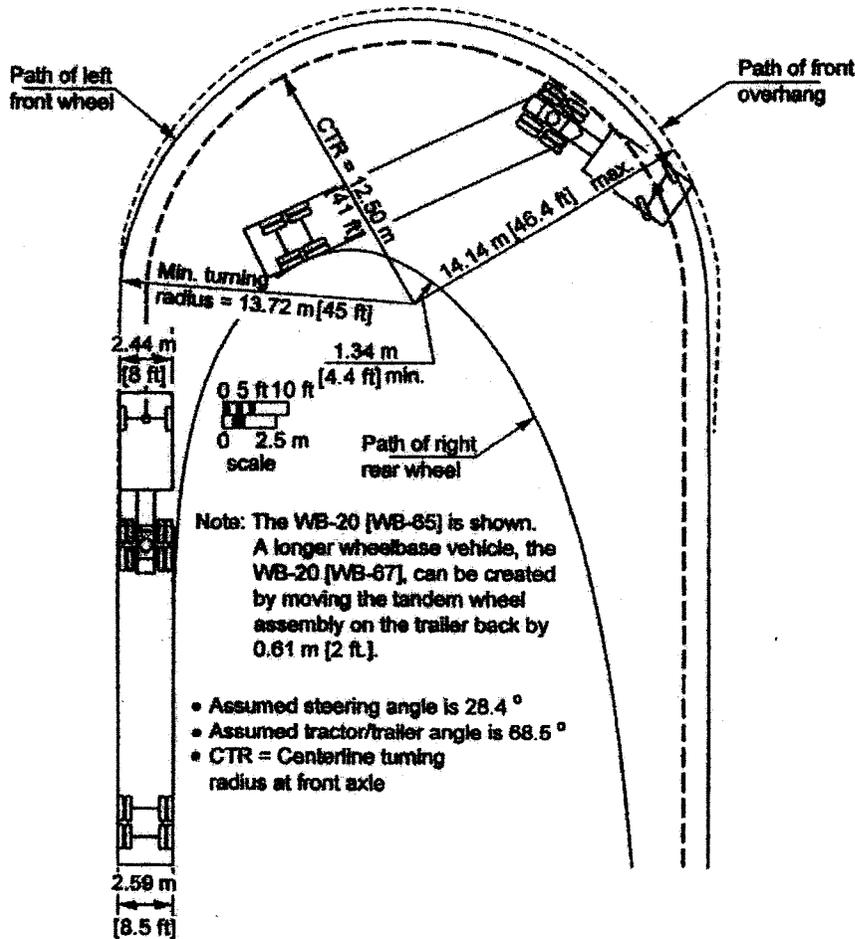
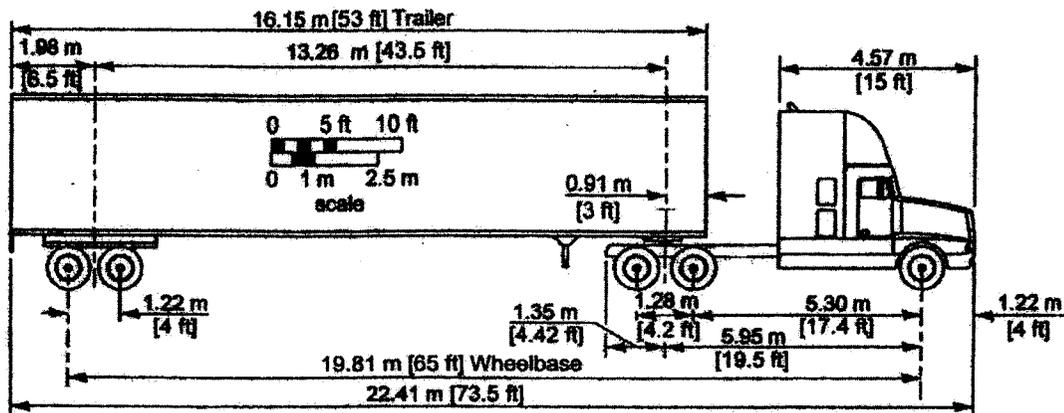


Exhibit 2-16. Minimum Turning Path for Interstate Semitrailer (WB-20 [WB-65 and WB-67]) Design Vehicle

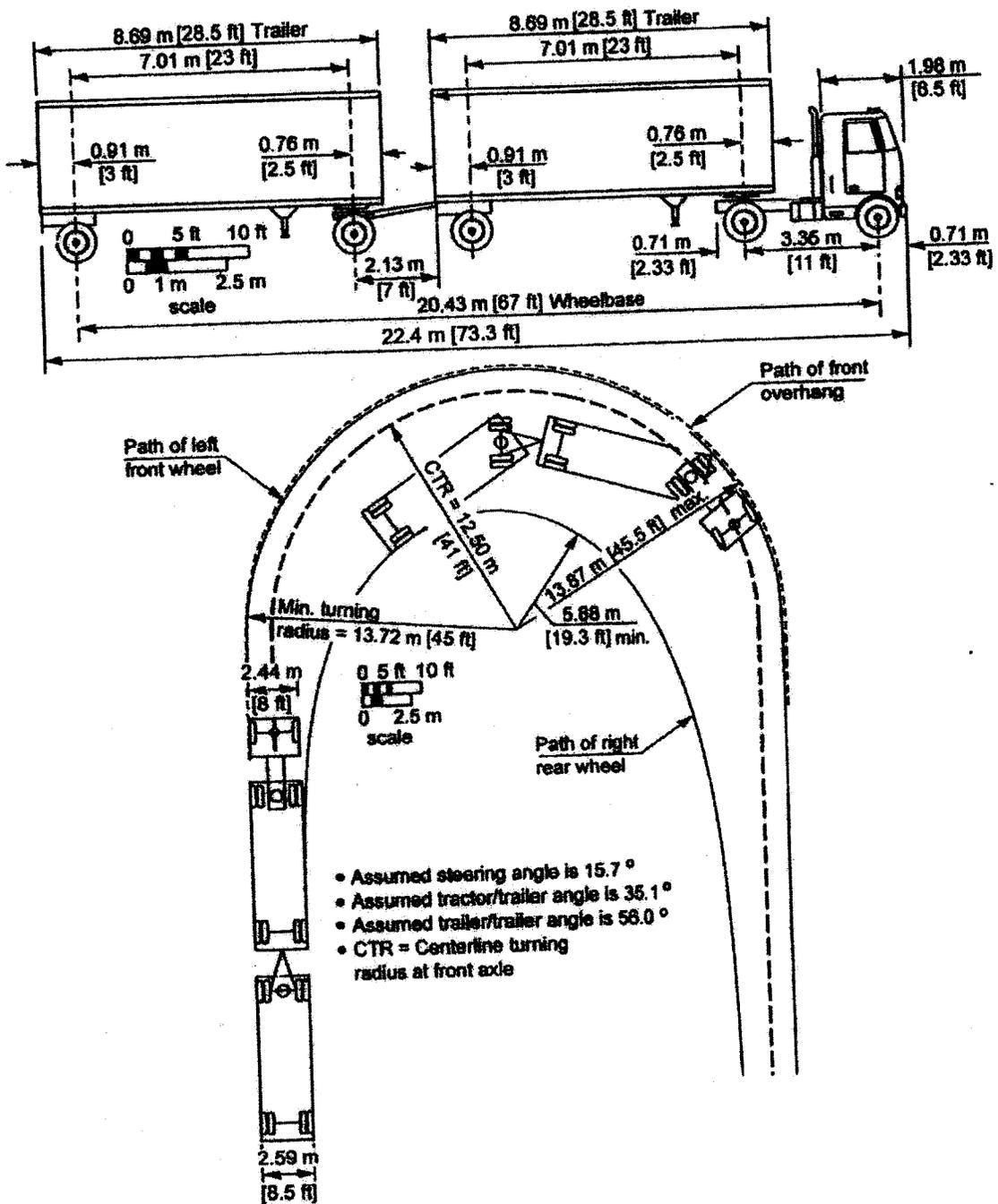


Exhibit 2-17. Minimum Turning Path for Double-Trailer Combination (WB-20D [WB-67D]) Design Vehicle

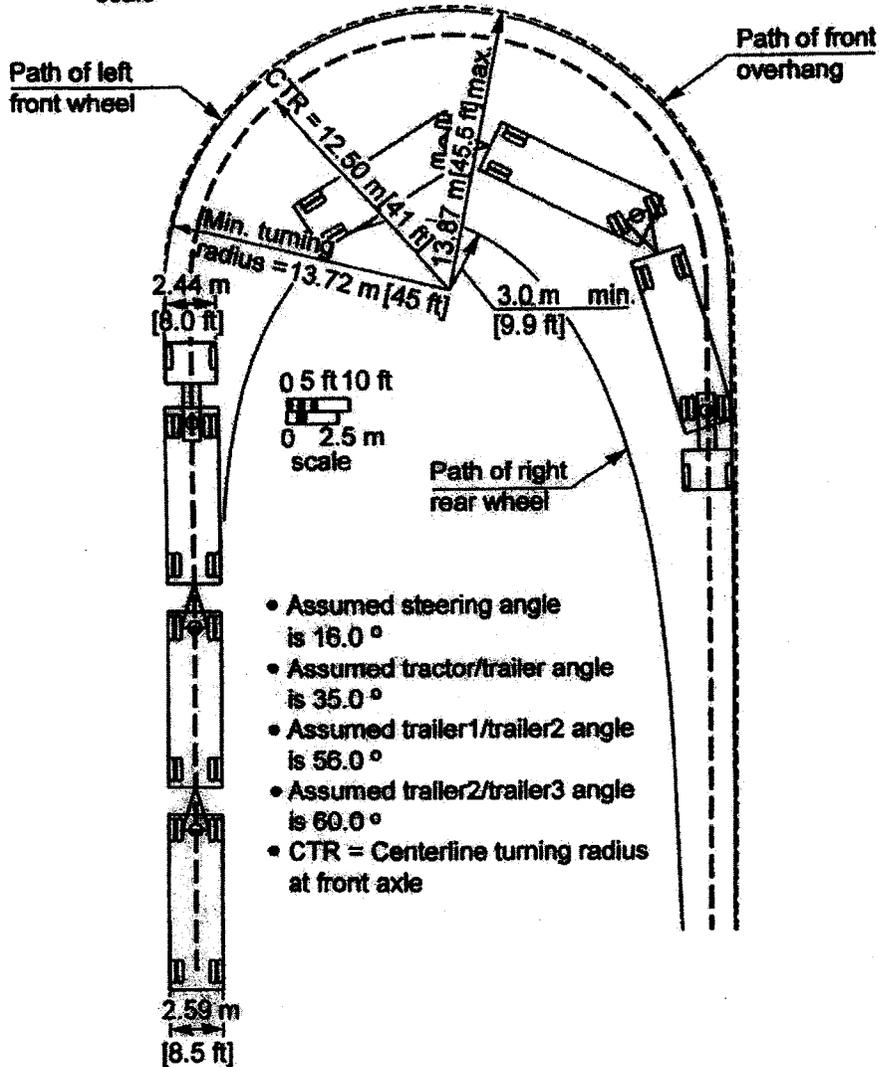
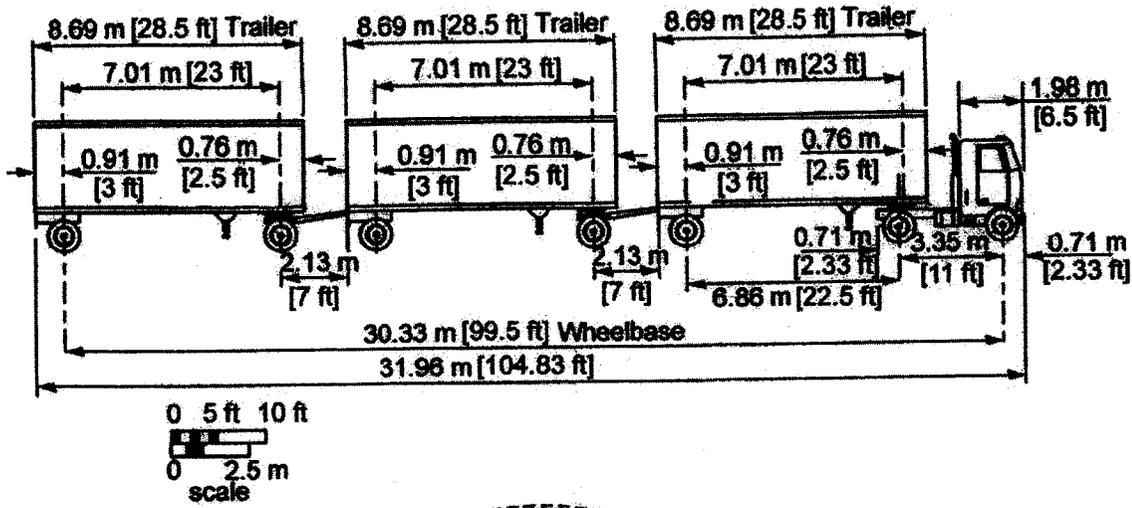


Exhibit 2-18. Minimum Turning Path for Triple-Trailer Combination (WB-30T [WB-100T]) Design Vehicle

## TAB 6

The site plan for subdivision is incomplete because it does not address the entire site included in the original subdivision and does not address the Andalucia regulations/standards.

Applicant proposes to amend Andalucia Subdivision but its submittal, except for page C-1 depicts only the part of the subdivision north of Mirandelia. The amendment affects the entire subdivision which should function as a whole and therefore the entire site should be addressed. Applicant also ignores the recent approval of a residential subdivision south of Mirandela and a drive up credit union bank (on Track 5, Project 1003859 EPC 40074, 40075, 40076) (3.38 acres).

Applicant does not address the Andalucia regulations and criteria or demonstrate compliance with these requirements for the entire site. The site is not pedestrian friendly, applicant has not created separate vehicular and pedestrian circulation systems, provided sufficient sidewalks systems and pedestrian connectivity. (See Design Standards: "Private trails for use by residents are designed to lessen the need for vehicular use and will provide *pedestrian connectivity throughout the project.*"(Emphasis added). See also WSSP.

## TAB 7

The proposed plan does not create separate vehicle and pedestrian circulation systems supporting a village type character as required by Andalusia subdivision design guidelines and is contrary to the WSSP.

Andalusia required pedestrian and site amenities (see attached) and separate pedestrian circulation system or trails. These would contribute to a pedestrian friendly village character. These are no genuine pedestrian and site amenities created and since the proposal for subdivision amendment and building permit do not meet these criteria the plans should be rejected.

The applicant attempts to address pedestrian amenities and the plaza requirement by installing a couple planter boxes with trees and benches along the entrance to the Walmart and calling this a "pedestrian plaza." A pedestrian plaza should be an area pedestrians would enjoy congregating. A planter box adjacent to the shopping cart collection point or the entrance to the Walmart and looking at the front of the Walmart or at surface parking is hardly the required "high quality" separate circulation system or creative design and does not support the required village character. Compare the one dimensional "plaza" at the entrance of the Walmart to the outdoor area defined by the center of three buildings shown in the Andalusia Design Guidelines. While there can be *linkage* between a plaza and building entrance linkage does not mean double counting the large retail facility entrance as a pedestrian plaza. There should be an "active pedestrian life" (§14-16-3-2(D)(5)). Under Andalusia Regulations the private common areas are to be spread throughout the community. ("A defining feature of Andalusia/La Luz is the private commons areas that are spread throughout the community.")

Applicant proposes sidewalks that are simply adjacent to the internal parking lot access lanes. There is no separate pedestrian or bicycle circulation system. There are no streets with parking like ABQ Uptown. There is no logical connection to the "future commercial" buildings on lots 2B, 2C, 3A, 3B, 1A, 1C and 1D. By definition a separate circulation system means something other than the sidewalk adjacent to parking lot lanes. There is no reason to walk between buildings. Indeed sidewalks do not connect buildings.

## PEDESTRIAN and SITE AMENITIES

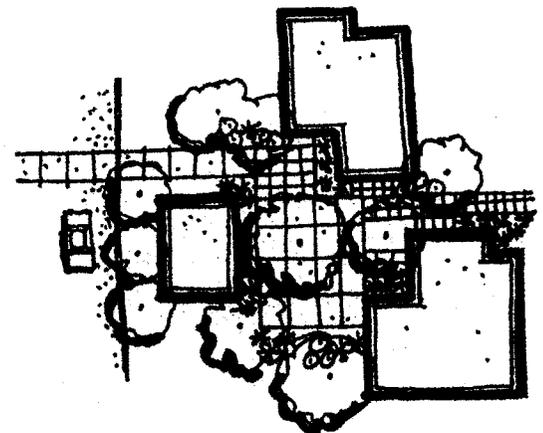
The creation of a pedestrian-friendly environment will depend on creative site design and will be a primary design objective for Andalucia at La Luz. Objectives to achieve this goal include maintaining a high quality and consistency in style for site amenities including benches, plazas, walkways, lighting, etc.; providing shaded walkways; and creating separate vehicular and pedestrian circulation systems in order to support the creation of a village-type character.

The use of alternative paving materials (brick, colored concrete, decomposed granite, etc.) for pedestrian pathways are encouraged. Public art is another site amenity that is strongly encouraged, and if proposed, should be part of the subsequent building plans.

## TRAILS and SIDEWALKS

Public and private trails and sidewalk systems are a defining element to Andalucia at La Luz. Private trails for use by residents are designed to lessen the need for vehicular use and will provide pedestrian connectivity throughout the project (see Landscape Section for more detail on trail landscaping).

- City Trails - All public multi-use trails through Andalucia at La Luz shall be built to City standards, per the City's Trails and Bikeways Facility Plan.
- All private trails and paths shall be soft surface, with a minimum width of 6 feet.
- All pedestrian paths shall be designed to be handicapped accessible (see Americans with Disabilities Act Criteria for Barrier-Free Design, except where topography makes this unfeasible (several streets require grades over 6%).
- The use of asphalt paving for pedestrian trails is discouraged. Concrete or compacted decomposed granite with stabilizer are acceptable materials.
- Pedestrian connections to buildings should be provided in parking lots with greater than 50 spaces and should connect to adjacent roadways, sidewalks, and pathways.
- Pedestrian crossings shall be clearly demarcated with special paving treatment where they cross vehicular entrances and drive aisles and where City trails cross streets.
- Freestanding restaurants, if proposed by subsequent Site Plans for Building Permits, shall provide outdoor patios and shall be shaded by trees and/or a shade structure that is architecturally integrated with building architecture.
- Non-residential and multi-family development shall provide secure bicycle storage racks that are conveniently located near building entrances. The minimum number of bicycle racks shall be determined by the number of parking spaces provided, consistent with the City Zoning Code.

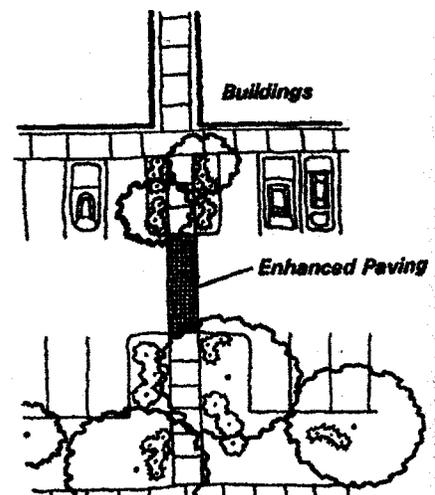


**OUTDOOR AREAS** - defined by building edges, differentiation of paving, variety of scales of landscaping

## PARKING

In order to support the goals for the property regarding pedestrian accessibility, careful attention should be paid to the parking design. An effort should be made by site designers to lessen the impact of parking facilities on the land and to preserve views to the Bosque and the Sandia and Manzano Mountains. In order to lessen the visual impact of parking areas, parking facilities should be broken up into a series of smaller areas.

- Handicapped parking spaces shall be provided adjacent to building entries.
- The total maximum amount of parking provided shall meet parking requirements in the City Zoning Code, plus 10 percent.
- Structures and on-site circulation systems should be located to minimize pedestrian/vehicle conflicts. Pedestrian access shall be provided to link structures to the public sidewalk.



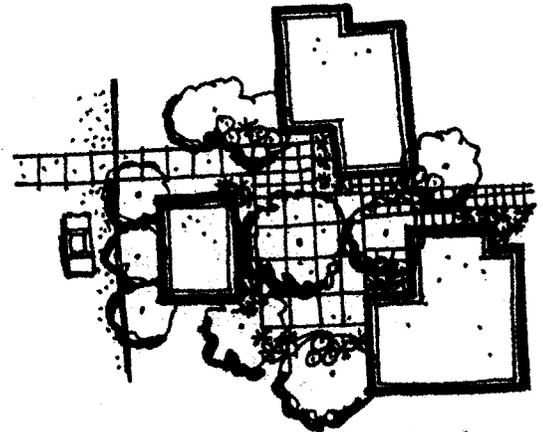
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- Pedestrian crossings shall be clearly demarcated with special paving treatment where they cross vehicular entrances and drive aisles and where City trails cross streets.
- Freestanding restaurants, if proposed by subsequent Site Plans for Building Permits, shall provide outdoor patios and shall be shaded by trees and/or a shade structure that is architecturally integrated with building architecture.
- Non-residential and multi-family development shall provide secure bicycle storage racks that are conveniently located near building entrances. The minimum number of bicycle racks shall be determined by the number of parking spaces provided, consistent with the City Zoning Code.

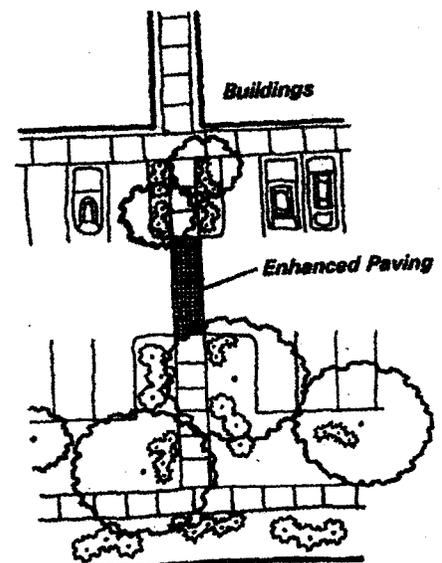


**OUTDOOR AREAS** - defined by building edges, differentiation of paving, variety of scales of landscaping

## PARKING

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- Handicapped parking spaces shall be provided adjacent to building entries.
- The total maximum amount of parking provided shall meet parking requirements in the City Zoning Code, plus 10 percent.
- Structures and on-site circulation systems should be located to minimize pedestrian/vehicle conflicts. Pedestrian access shall be provided to link structures to the public sidewalk.
- Parking areas shall be designed to include a pedestrian link to buildings.



**PARKING** - pedestrian links should be provided

## TAB 8

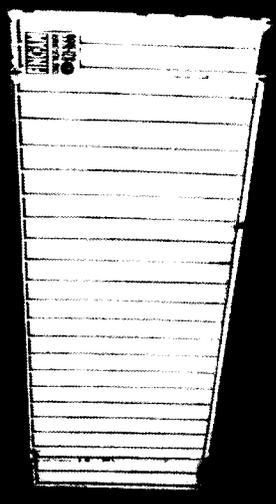
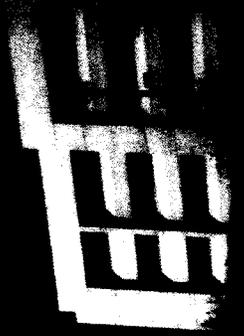
The proposed plan is not complimentary to La Luz and Bosque School as required by Andalusia regulations/standards.

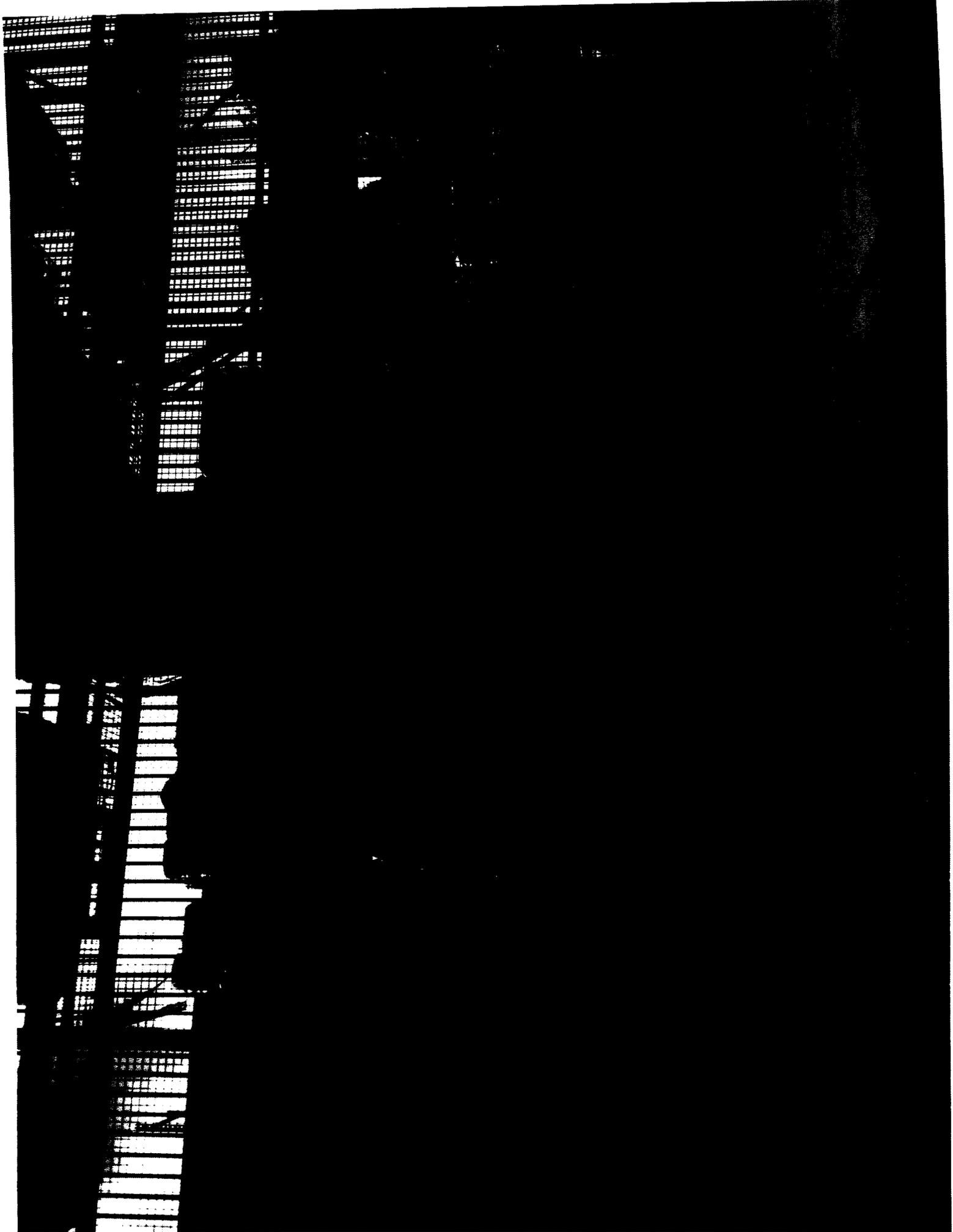
The large retail facility is auto oriented and provides a massive parking lot that dominates the site contrary to WSSP. Loading facilities (with truck turning and back up movements) are closest to Bosque School and within the 300' PRD/O-1 buffer. No effort has been made to make the development complimentary – instead this is a typical suburban Big Box development with drive through uses and an eight foot wall—required because the Big Box use is so uncomplimenting to other uses.

To illustrate the incompatibility of a large retail facility with Bosque, La Luz and a mixed-use pedestrian village. I took photos of what the backside of a big box looks like. See attached pictures of the Walmart on Wyoming south of Menaul showing the “backside” of a Walmart. There were (On December 4, 2011) 19 storage trailers (without wheels or tires) several parked tractor trailers (without the truck cab) including one or two refrigerated trucks with refrigerator compressors running. This kind of intense C-2 use and outside storage and parking of semi trucks is totally antithetical to Bosque School, La Luz Neighborhood, as well as to a pedestrian friendly village center. See also photo of motor camping on Walmart lots under Tab 17.



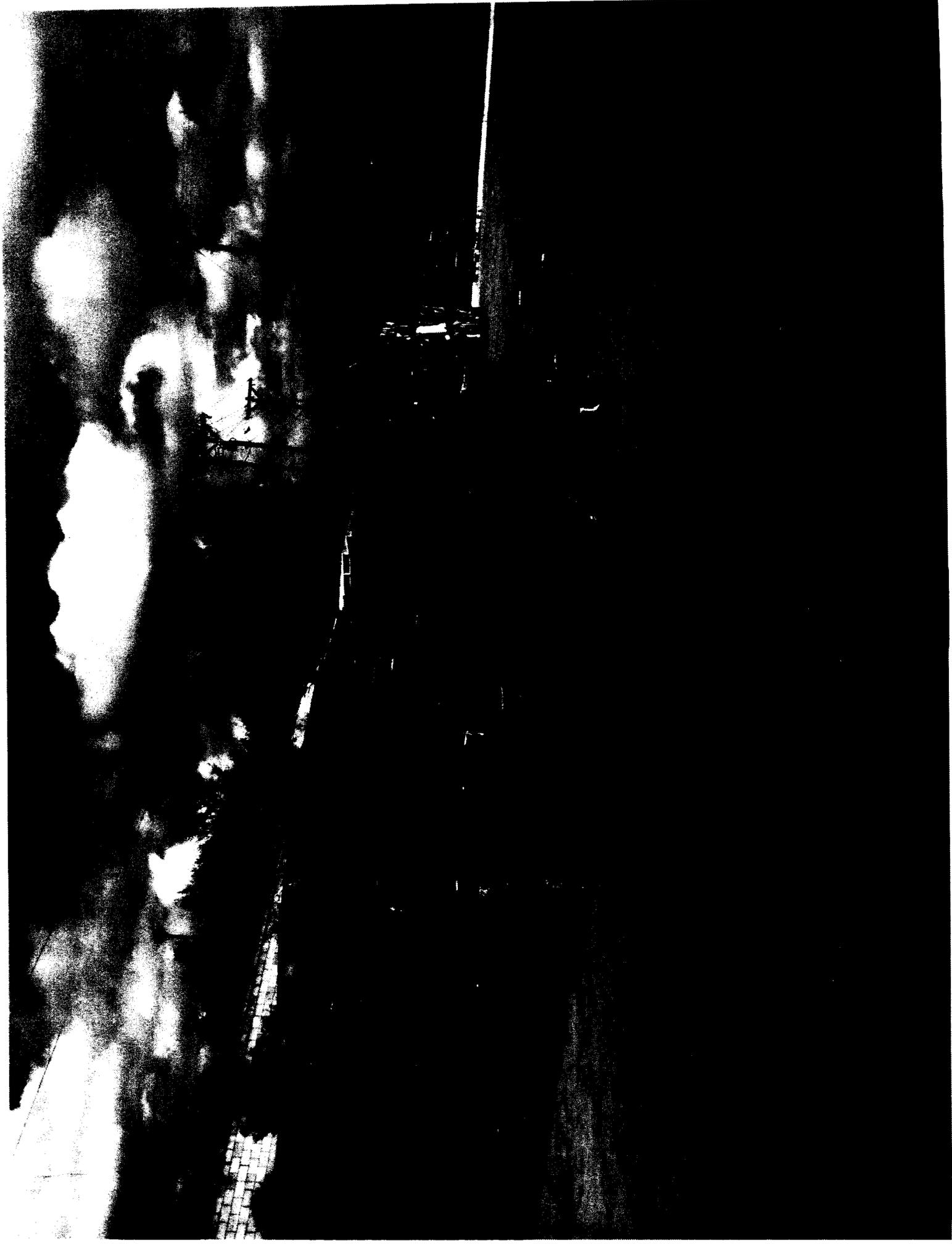












MAX CROSS 67,200 LBS  
30,480 KG  
TARE 9,900 LBS  
4,490 KG  
NET 57,300 LBS  
25,990 KG

102

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SECRET

6

TAB 9

Site design. §14-16-3-2(D)(3) requires the site to be designed with a block/street design to promote both pedestrian activity and ultimate evolution to a mixed use. This proposed plan does not address any phasing or ultimate mixed use goal. The site lacks pedestrian connections throughout the site and subdivision. The design does not create the required active pedestrian street life. See WSSP. The site plan does not create an active pedestrian street life.

## TAB 10

Z.C §14-16-3(2)(D)(4) requires “pedestrian connections throughout the site by linking structures, make pedestrian connections to external neighborhoods and other uses ....” The objective is to create in an active pedestrian street life and replace large off-street parking with parking structures and transit options ...” If there is surface parking it is to be distributed on the site to minimize visual input from the adjoining street. The zoning code directs that “Parking shall be placed on at least two sides of a building and shall not dominate the building or street frontage.” Z.C. §14-16-3-2(D)(5)(b)(2).

In this plan:

- There are no pedestrian connections linking structures.
- The site plan does not create an active pedestrian street life.
- Surface parking is not designed to have minimal visual impact.
- While there is some parking on the north and south side of the building the parking between the Walmart and Coors dominates.
- There are no viable connections to neighborhoods

TAB 11

Building articulation does not meet the requirements of ZC 14-16-3(2)(D)(6)(b).

The front façade does not have retail suite liners/adequate display windows or a recessed patio. There is only a typical entrance to the Walmart. To call the area fronting the Walmart a plaza or patio ignores intent of the zoning code. Since the facility contains 98,000 square feet it should appear as four separate building masses. ("Every 30,000 gross square feet of structure shall be designed to appear as a minimum of one distinct building mass with difference expressions." The Walmart does not appear as four separate buildings but as one massive building. There is no change in visible roof or parapet. Compare attached photos of the liners surrounding the Century Theater Downtown.

Have pedestrian scale lighting and pedestrian amenities such as trash receptacles,

(k) *Lighting.*

1. Ornamental poles and luminaries, a maximum of 16 feet in height, shall be used as pedestrian scale lighting.
2. The maximum height of a light pole, other than those along pedestrian walkways, shall be 20 feet, measured from the finished grade to the top of the pole.
3. All on-site lighting fixtures shall be fully shielded to prevent fugitive light from encroaching into adjacent properties and/or right-of-way.

(l) *Outdoor Storage.* Outdoor storage as part of a mixed use development or within a C-1 or C-2 zoned site is not allowed. Outdoor uses such as retail display shall not interfere with pedestrian movement. Where the zoning permits and where outdoor storage is proposed, it shall be screened with the same materials as the building.

(m) *Transit stops.* If transit stops exist or are planned adjacent to a large retail facility, they shall include a covered shelter with seating provided at the developer's expense. Either the interior of the structures shall be lighted or the area surrounding the structures shall be lighted to the same standards as pedestrian walkways. If the transit stop is within the public right-of-way, the city shall assume ownership of the shelter and responsibility for maintenance.

(n) *Storm Water Facilities and Structures.* The following regulations apply to site hydrology:

1. Impervious surfaces shall be limited by installing permeable paving surfaces, such as bricks and concrete lattice or such devices that are approved by the City Hydrologist, where possible.
2. Where possible, transport runoff to basins by using channels with landscaped pervious surfaces. Landscaped strips may be converted into vegetative storm-water canals but must be shallow to avoid defensive fencing.
3. Ponds, retention and detention areas shall be shallow to prevent the need for defensive/security fencing yet have the capacity to manage storm waters in a 100 year event.
4. Trees, shrubs, and groundcover shall be included in storm water basins.
5. Bare patches shall be re-vegetated as soon as possible to avoid erosion, according to a landscaping and maintenance plan.

(o) Energy efficient techniques shall be utilized to reduce energy and water consumption where possible and as approved by the City Hydrologist or City Engineer.

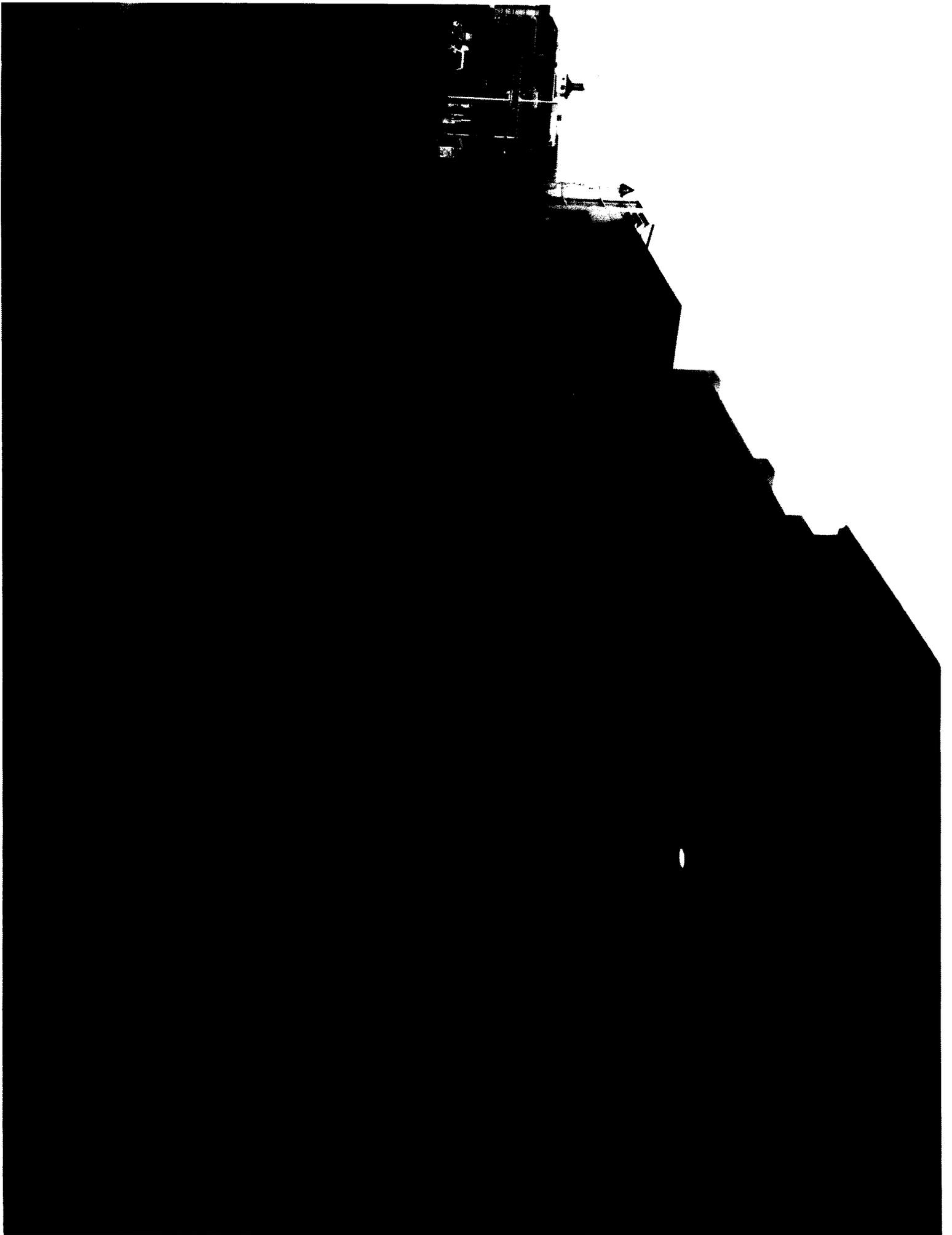
(6) *Main Structure Design.* The following subsections (a) through (d) apply to main structures:

(a) *Setback.*

1. Main structures shall be screened from the adjacent street by means of smaller buildings, retail suite liners, or 20 foot wide landscape buffers with a double row of trees.
2. Where the front facade of a retail suite liner is adjacent to a street, the maximum front setback shall be ten feet for private drives and 25 feet for public roadways.
3. Main structures abutting residentially zoned land shall be set back from the property line at least 60 feet.

(b) *Articulation.*

1. Facades that contain a primary customer entrance and facades adjacent to a public street or plaza or an internal driveway shall contain retail suite liners, display windows, or a recessed patio at a minimum depth of 20 feet, or a combination of all three, along 50% of the length of the facade. Where patios are provided, at least one of the recessed walls shall contain a window for ease of surveillance and the patio shall contain shading and seating. Where retail suite liners are provided, they shall be accessible to the public from the outside.
2. Every 30,000 gross square feet of structure shall be designed to appear as a minimum of one distinct building mass with different expressions. The varied building masses shall have a change in visible roof plane or parapet height. Massing and articulation are required to be developed so that no more than 100 feet of a wall may occur without an offset vertically of at least 24 inches.
3. For the retail suite liner, the vertical offset shall be a visible change (minimum 6 inches), a change in material may be used for articulation at the same interval and the visible change in roof plane or parapet height shall be a minimum of 18 inches.





## TAB 12

ZC §14-16-3-2(D)(5)(j)(2) requires that pedestrian plaza space pursuant to §14-16-3-18(C)(4) which requires 400 square feet of public space area for every 30,000 square feet of building space. Under this calculation over 1319 square feet of plaza area is required. The original application, requested subdivision approval for an aggregate of over 125,000 square feet. See C-1 original 10/26/2011 submittal Data Table requesting a total of 196,474 square feet. Pursuant to Z.C. §14-16-3-18(B)(5) when more than 125,000 square feet is proposed the pedestrian plaza requirement is 400 square feet for every 20,000 square feet. (“An aggregate of buildings 125,000 square feet or greater shall provide pedestrian plaza space in the amount of 400 square feet for every 20,000 square feet of building space. A minimum of 50% of the required public space shall be in the form of aggregate space that encourages its use and that serve as a focal point for the development.”) The applicant (1) does not create a focal point and (2) seeks to evade the shopping center requirement for public space by piecemeal approval requests. Note that the Credit Union which has been approved on Tract 5 and “future retail” should be considered so that, when all development is complete, the intent of the code is met. If the EPC allows this piecemeal approach there will be no aggregate focal point/public space encouraging use. See also discussion under Tab 7.

In any case applicant seeks plaza and public space credit for the entrance of the Walmart. This is a perversion of the concept of public space (see attached photo). This is not a plaza that provides a *focal point for the development*. The above zoning code requirements should be read in conjunction with the Andalusia regulations and WSSP which emphasize that a pedestrian friendly environment is to be created and a village type character.

Instead of a village plaza or courtyard meeting the intent of the 14-16-3-18(C)(3) and (C)(4) applicant proposes that the EPC accept the customer and shopping cart clogged entrance sidewalks to the Walmart to be “a focal point for the development.” What is proposed is in fact neither a pedestrian plaza nor a focal point for the development. Applicant has not met the basic requirement. The Walmart entrance/sidewalk is not a “plaza.” The Walmart entrance does not meet the intent of §14-16-3-18(C)(4) nor does it meet the village character of Andalusia and the design regulations of Andalusia including but not limited to creation of a pedestrian-friendly environment high quality site design and the other design guidelines. There is nothing “creative” about the Walmart approach and nothing that contributes to a village character.

1001



§ 14-16-3-18 GENERAL BUILDING AND SITE DESIGN REGULATIONS FOR NON-RESIDENTIAL USES.

(A) *General Intent.* The building and site design regulations in this section are intended to enhance the visual appearance of non-residential development; to promote street and neighborhood character; and to strengthen the pedestrian environment. Regulations for large-scale development are also provided to mitigate the negative visual impacts arising from the scale, bulk and mass inherent to large commercial buildings.

(B) *Applicability.*

- (1) Provisions of this section shall apply to all non-residential uses unless otherwise specified.
- (2) Provisions of this section shall apply to the following:
  - (a) Construction of a new building.
  - (b) Construction of a building addition that increases the existing square footage by 50% or by 15,000 square feet, whichever is less. Application of the provisions shall be required of the building addition and the existing building(s).
  - (c) Change of use. Where use changes from manufacturing or warehouse to office or commercial, typical design requirements related to office/institutional or commercial retail/service uses shall be required.

(3) With the exception of public sidewalks, the area of all required sidewalks, seating areas, patio or other usable outdoor areas may be applied in meeting up to 1/3 of the landscape requirements for the overall site as required in § 14-16-3-10(E)(1).

(C) *Design Standards -- Office/Institutional and Commercial Retail/ Service Uses.* (Note: Sites 5 acres and greater will be required to comply with the following design standards in addition to any other design requirements that the Environmental Planning Commission may deem necessary.)

(1) Sidewalks. Pedestrian sidewalks, a minimum of 8 feet in width, shall be provided along the entire length of major facades containing primary entrances. The width of the sidewalk shall be increased as follows:

- (a) Ten feet in width for buildings 10,000 to 30,000 square feet;
- (b) For buildings greater than 30,000 square feet, the width of the sidewalk shall increase at the rate of one foot in width per 10,000 square feet of building size to a maximum required width of 15 feet.
- (c) The width of the required sidewalk may vary along the entire length of the facade provided the average required width is maintained and provided the width of the sidewalk along the facade does not fall below 8 feet.
- (d) A six-foot wide clear path shall be maintained along the sidewalk at all times. Site amenities, cars, landscaping and other uses of the sidewalk may not encroach upon the six-foot clear width.
- (e) The building's overall footprint will be considered the area for calculation of sidewalk width. A collection of smaller buildings linked by common walls will be considered as one building.
- (f) Site amenities, landscaping, vending and customer pick-up may be incorporated into the width of the sidewalk provided they do not encroach upon the clear width as stated above.
- (g) Exceptions.

1. Where primary entrances are located adjacent to a public sidewalk, the width of the public sidewalk may be included in the calculation provided a pedestrian connection is provided to connect the public sidewalk with the entrance(s).

2. Where a vestibule or other projecting entryway is provided, the depth of the vestibule or entryway may be included in the sidewalk calculation, provided 6 feet of sidewalk is located in front of the vestibule or projecting entryway in order to allow pedestrian connectivity along the entire length of the facade.

(2) Pedestrian Features. Major facades shall incorporate at least one or a combination of the following features along no less than 50% of the length of the facade. Such features shall be distributed along the length of the facade in order to avoid creating a blank facade greater than 30 feet in length.

(a) Display windows, provided the sill height does not exceed 45 inches above the finished floor and the overall glass height is a minimum of 48 inches. Where windows are provided, they shall not be mirrored or opaque along the ground floor.

(b) Doors/Entrances.

(c) Portals, arcades, canopies, trellises, awnings associated with windows (windows do not have to comply with dimensions specified in (a) above), or other three dimensional elements that provide shade and/or weather protection.

(d) Raised planters a minimum of 12 inches and a maximum of 28 inches in height, located adjacent to the facade, with living, vegetative materials such as ornamental grasses, vines, spreading shrubs, flowers, or trees over at least 75% of the planter. Coverage shall be calculated from the mature spread of the plants.

(e) A minimum 15-foot wide landscaped area planted adjacent to the facade. One shade tree for every 50 linear feet of facade shall be provided in the landscaped area. Shrubs and/or groundcover shall cover at least 75% of the landscaped area measured from the mature spread of the plants.

(f) Shade trees, provided at one tree for every 30 linear feet of the entire facade, which may be evenly spaced or clustered along the facade. Trees shall be placed within defined planting areas that have a minimum interior dimension of 36 square feet and a minimum width of four feet. Provision of trees will not fulfill off-street parking or street tree requirements.

(g) Any other treatment that meets the intent of this section and that meets the approval of the Planning Director or his designee.

(h) Exception. Major facades containing service areas will not be required to provide pedestrian features in front of the service area.

(3) Major Facades Greater Than 100 Feet In Length. In addition to the requirements set forth in subsection (C)(2) above, buildings containing major facades greater than 100 feet in length shall incorporate outdoor seating adjacent to at least one of the facades, a minimum of one seat per 25 linear feet of building facade. Each seat shall be a minimum of 24 inches in width and 15 inches in height. Benches, raised planters, ledges or similar seating features may be counted as seating space. If the outdoor seating is located on the south or west side of the building, at least 25% of the seating area shall be shaded.

(4) Public Space. (Applicable to buildings 60,000 square feet or greater. A collection of smaller buildings linked by common walls shall be considered one building.) One public space area, a minimum of 400 square feet, shall be provided for every 30,000 square feet of building space. The public space area shall be privately owned and maintained and should typically contain seating and shade. Public space areas are prioritized so that (a) below is required of the first 30,000 square feet. In addition to (a), public space areas may contain one or a combination of the following features:

(a) Outdoor plaza, patio, or courtyard with seating and shade covering a minimum of 25% of the area.

(b) Pocket park with seating and shade covering a minimum of 25% of the area.

(c) Sculpture or other artwork.

(d) Fountain or some other water feature.

(e) Playground or other recreational amenity.

(f) Any other amenity that meets the intent of this section and that meets the approval of the Planning Director or his designee.

(5) An aggregate of buildings 125,000 square feet or greater shall provide pedestrian plaza space in the amount of 400 square feet for every 20,000 square feet of building space. A minimum of 50% of the required public space shall be provided in the form of aggregate space that encourages its use and that serves as the focal point for the development. The aggregate space shall:

(a) Be linked to the main entrance of the principal structure and the public sidewalk or internal driveway;

(b) Include adequate seating areas. Benches, steps, and planter ledges can be counted for seating space;

(c) Have a portion (generally at least 40%) of the square footage of the plaza area landscaped with plant materials, including trees;

(d) Be designed for security and visible from the public right-of-way as much as possible;

(e) Have pedestrian scale lighting and pedestrian amenities such as trash receptacles, kiosks, etc.

(6) Screening.

(a) Roof-mounted mechanical equipment shall be screened from the public right-of-way by parapet walls or structural features. The minimum height of the parapet walls or structural features shall be as follows:

1. 42" if the roof top equipment is within 10 feet of the building wall;
2. 30" if the roof top equipment is within 20 feet of the building wall;
3. 18" if the roof top equipment is beyond 20 feet of the building wall.

(b) Wall-mounted mechanical and electrical equipment on major facades is discouraged. If used, it shall be screened by dense evergreen foliage or by other acceptable screening devices. Wall-mounted mechanical equipment on non-major facades shall be painted to match the color of the subject building or screened by other acceptable screening devices.

(c) Ground-mounted mechanical and electrical equipment, excluding transformers, adjacent to a major facade shall be screened through use of walls, earth berms, dense evergreen foliage or other acceptable screening devices.

(d) Loading areas which face a public street or residentially-zoned property and which are not separated from the public street or a residentially-zoned property by intervening buildings, landscaping or by a distance of at least 100 feet, shall be screened with solid walls which are a minimum of six feet in height when measured from the finished grade exterior to the loading area. The distance of the screening wall from the loading area shall not exceed 100 feet.

**(D) Design Standards – All Non-Residential Uses.**

(1) Building Entrances. Primary entrances along major facades shall be clearly defined with facade variations, porticos, roof variations, recesses or projections, or other integral building forms.

(2) Break up the Mass. Major facades greater than 100 feet in length shall break up building mass by including at least two of the following architectural features:

(a) Wall plane projections or recesses of at least 2 feet in depth, occurring at least every 100 feet and extending at least 25% of the length of the facade;

(b) A vertical change in color, texture, or material occurring every 50 linear feet and extending at least 20% of the length of the facade;

(c) An offset, reveal, pilaster, or projecting element, no less than two feet in width and projecting from the facade by at least six inches and repeating at minimum intervals of 30 feet;

(d) Three dimensional cornice or base treatments;

(e) Art such as murals or sculpture to be coordinated through the City Arts Program;

(f) A change in visible roof plane or parapet height for every 100 feet in length, however, each distinct roof plane does not have to equal 100 feet in length;

(g) Any other treatment that meets the intent of this section and that meets the approval of the Planning Director or his designee.

(h) Exception. In cases where the applicant has provided pedestrian amenities according to subsection (C)(2) above, the applicant need only provide one of the above-listed treatments.

(3) Provisions for Employees. Buildings requiring six or more water closets, pursuant to the Uniform Building Code, shall provide outdoor gathering space for employees. Such space shall be a minimum of 300 square feet, with seating and shade covering a minimum of 25% of the area.

(a) Exception. The provision for employees will not be required if an outdoor plaza, patio, courtyard or pocket park are provided as part of the development plan in accordance with subsection (C)(4) above.

(4) Accessory Buildings. All accessory buildings visible from a public street shall be similar in color and material to the major building on a site.

(5) Drive-Up Service Windows. Drive-up service windows shall be oriented away from pedestrian areas, residentially-zoned areas and public streets where possible. In cases where drive-up service windows face these areas, screening shall be provided. Screening may be in the form of walls, earth berms, or evergreen landscaping, or a combination thereof and shall be a minimum of three feet in height. Where walls are provided, a minimum 3-foot wide planting strip with live vegetation shall also be provided on the pedestrian or residential or public street side.

(6) Gas Fueling Canopies. Gas fueling canopies and canopy fascia shall be similar in color and texture to the major building on a site. All under-canopy lighting shall be recessed so that no light lens projects below the canopy ceiling. The canopy fascia shall not be internally illuminated.

(Ord. 10-2004; Am. Ord. 23-2007)



# Design Standards

The purpose of these Design Standards is to provide a framework to assist the architects, landscape architects, and designers in understanding the vision and development goals for the property. The primary goal for this property is to achieve a vibrant, mixed-use community that fosters pedestrian accessibility and maintains a village-type character.

The Design Standards should be used to facilitate the design of buildings which respect the natural conditions of the site, maintain and highlight the spectacular views of the Sandia and Manzano Mountains and to leave significant areas dedicated to open space. Innovative techniques such as cluster housing, water harvesting, and use of "green" building materials are strongly encouraged.

These standards address the issues of landscape, setbacks, pedestrian amenities, screening, lighting, signage, and architecture that will create the visual image desired for Andalucia at La Luz. They are intended to be complementary to La Luz, Albuquerque's first cluster housing project, and the Bosque School. These standards primarily address commercial, office, and multi-family projects. Where specifically applicable to single-family development, the standards are called out as such.

Subsequent Site Plans for Building Permits shall be consistent with the design standards established by this Site Plan for Subdivision and shall be approved by the Environmental Planning Commission. Minor amendments to this Site Plan for Subdivision shall be approved administratively by the Planning Director in accordance with the Comprehensive City Zoning Code, Section 14-16-2-22 (A)(6) Special Use Zone, and major amendments shall be approved by the Environmental Planning Commission.

## COORS CORRIDOR PLAN - VIEW and HEIGHT RESTRICTIONS

A primary design requirement of the Coors Corridor Plan is view preservation. Andalucia at La Luz addresses the Coors Corridor Plan as follows:

- Coors Corridor Viewshed rules come into effect when a northbound vehicle passes Namaste Road.
- Measurement of building heights shall be consistent with the Coors Corridor Plan.
- A combination of walls and berms shall be built along Coors Boulevard. The high point of the wall or berm will occur within the first 60 feet of the property, but not closer than 20 feet from the right-of-way. From any point along the east edge of Coors, the high point of the wall or berm will obscure no more than 50% of the height of Sandia Crest, measured directly below Sandia Crest.
- All multi-story structures shall be built with the finish floor elevation at least 10 feet below the roadway, measured along a 45-degree angle from the northbound direction of travel along Coors.
- In no event will the building height be permitted to penetrate above the view of the ridge line of the Sandia Mountains as seen from four feet above the east edge of Coors Boulevard. In no event will more than 1/3 of the total building height outside of the setback area for multi-story buildings be permitted to penetrate through the view plane.
- As viewed from Coors Boulevard, no structure shall obscure more than 50 percent of the height of Sandia Crest, measured directly below Sandia Crest.

## PEDESTRIAN and SITE AMENITIES

The creation of a pedestrian-friendly environment will depend on creative site design and will be a primary design objective for Andalucia at La Luz. Objectives to achieve this goal include maintaining a high quality and consistency in style for site amenities including benches, plazas, walkways, lighting, etc.; providing shaded walkways; and creating separate vehicular and pedestrian circulation systems in order to support the creation of a village-type character.

The use of alternative paving materials (brick, colored concrete, decomposed granite, etc.) for pedestrian pathways are encouraged. Public art is another site amenity that is strongly encouraged, and if proposed,

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- As viewed from Coors Boulevard, no structure shall obscure more than 50 percent of the height of Sandia Crest, measured directly below Sandia Crest.

## PEDESTRIAN and SITE AMENITIES

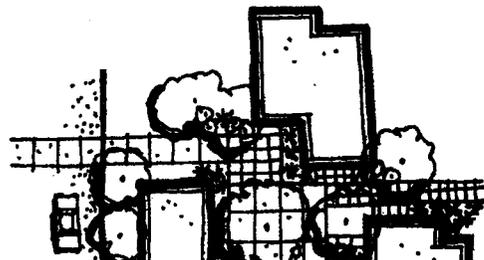
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The use of alternative paving materials (brick, colored concrete, decomposed granite, etc.) for pedestrian pathways are encouraged. Public art is another site amenity that is strongly encouraged, and if proposed, should be part of the subsequent building plans.

## TRAILS and SIDEWALKS

Public and private trails and sidewalk systems are a defining element to Andaluca at La Luz. Private trails for use by residents are designed to lessen the need for vehicular use and will provide pedestrian connectivity throughout the project (see Landscape Section for more detail on trail landscaping).

- City Trails - All public multi-use trails through Andaluca at La Luz shall be built to City standards, per the City's Trails and Bikeways Facility Plan.
- All private trails and paths shall be soft surface, with a minimum width of 6 feet.
- All pedestrian paths shall be designed to be handicapped accessible (see Americans with Disabilities Act Criteria for Barrier-Free Design, except where topography makes this unfeasible (several streets require grades over 6%).
- The use of asphalt paving for pedestrian trails is discouraged. Concrete or compacted decomposed granite with stabilizer are acceptable materials.
- Pedestrian connections to buildings should be provided in parking lots with greater than 50 spaces and should connect to adjacent roadways, sidewalks, and pathways.



TAB 13

The large retail facility with a drive through lane is not village type development. The overall design is auto oriented. Drive through uses increase internal traffic and auto use and inconsistent with pedestrian orientation and village character.

TAB 14

Andalucia Regulations limit the entire subdivision to 23.3 acres of SU-1 for C-2 development. There is no justification for increasing the C-2 uses eliminating office uses and thereby reducing the original goal of mixed use.

TAB 15

Drainage. The site drains into the Bosque managed habitat on school property. The Walmart drainage would be polluted by the parking lot, debris and oil drippings and loading dock debris. This is inconsistent with Andalusia design standards which require that the development be complimentary to the Bosque (Andalusia sheet 2 of 3, C-2). The Big Box regulations require permeable paving, transport to runoff basin by using channels with landscaped pervious surfaces strips and other techniques. Z.C. §14-16-3-2(D)(5)(n). See also §14-16-3-2(D)(5)(b)(4).

Particularly important is that the success of drainage depends upon the Drainage Management Plan and Ponds A and B. The Drainage Management Plan (DMP) was approved by the City on July 5, 2006. The DMP relies on Silver Leaf Ventures LLC (owners of the property and applicant) complying with an agreement and Covenant to maintain the public drainage pond on Tract 9 and another agreement with Bosque School (dated 12/1/2006). See attached. The DMP requires that both Pond A & B be operational. There is to be a spillway between Pond A and B but Silver Leaf has never constructed the spillway. Drainage will not work unless Silver Leaf complies with its duties. See attached. At this critical location the success of the drainage system should be reviewed as part of the site plan for building permit and not deferred to DRB.

# HIGH MESA Consulting Group

2010.008.2  
January 4, 2012

Kirk Ward  
Director of Facilities  
Bosque School  
4000 Learning Road NW  
Albuquerque, NM 87120

*Via e-mail Transmittal*  
kward@bosqueschool.org

**Re: Summary of Drainage Consultation Services – Bosque School**

Dear Kirk:

At your request, we have reviewed the following documents you provided:

- Amended Site Plan for Subdivision, Proposed Lots 1-12 North Andalucia at La Luz dated 10/26/2011
- Site Plan for Building Permit, Proposed Wal-Mart, Lot 1, North Andalucia at La Luz dated 10/25/2011.
- Site Plan for Building Permit, Proposed Multi-Family Residential Development, Tracts 4 and 6, North Andalucia at La Luz dated October 6, 2005.
- Bosque School Drainage Study (Drainage Management Plan or DMP) prepared by Bohannan-Huston, Inc. (BHI), dated 4/10/2006 and approved 7/5/2006 by the City of Albuquerque Hydrology Section for Site Development Plan for Building Permit Approval.

The purpose of this review was to evaluate the grading and drainage impact to the Bosque School and to evaluate whether the proposed developments conform to City requirements and the approved DMP. In conjunction with this evaluation, we obtained and reviewed the following record documents:

- Permanent Public Storm Drain Easements for public drainage pond and public storm drains on Tract 9, North Andalucia at La Luz granted by the Bosque School to the City of Albuquerque recorded 11/30/2006.
- Agreement and Covenant recorded 11/30/2006 whereby Silver Leaf Ventures LLC is responsible for maintenance of the public drainage pond and storm drain easements on Tract 9, North Andalucia at La Luz.
- Agreement recorded 12/01/2006 whereby Silver Leaf Ventures LLC and the Bosque School agreed to several development-related terms including the requirement for the Bosque School to grant public drainage pond and storm drain easements so long as Silver Leaf Ventures LLC assumes full responsibility and liability relating to the construction and maintenance thereof.

[Redacted COMMUNICATION]

December 13, 2011  
Mr. Kirk Ward  
Page 2 of 3

Our conclusion regarding the land treatments and impervious area for the Wal-Mart development is based upon the areas included in the landscaping plan. Actual drainage calculations are not required for the EPC submittal. The Drainage Narrative provided on sheet 10 of the Wal-Mart submittal states that the development will utilize passive water harvesting where possible. This is an important aspect that should be incorporated into the construction plans to reduce the rate, frequency, and volume of runoff discharged to the downstream drainage pond, and to also improve water quality. Parking lot runoff typically includes grease and oils from vehicles along with inevitable amounts of sand and trash. The City of Albuquerque Development Process Manual (DPM) requires all retail and office developments larger than 0.5 acres to incorporate and implement structural measures to address stormwater pollution and water quality.

We understand that the School is actively participating in the EPC communication and coordination process with City and Developer and will be represented, involved, and considered through the EPC and DRB processes. **We recommend that the School voice concerns about runoff and water quality throughout this process to ensure that stormwater harvesting, pollution control, and water quality measures are incorporated into the development as conditions of approval to avoid or minimize any adverse impact on the drainage ponds located on School property.** Following a potential EPC approval, more detailed drainage reports and grading plans including calculations and construction level detail will be required by the City as conditions of subsequent DRB Site Plan, DRB Plat, and building permit approvals. These subsequent reports and plans shall include water quality and pollution control measures and the calculations shall confirm that the peak rates and volume of runoff conform to the DMP.

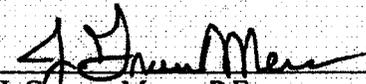
One notable aspect of the BHI DMP is that the overall public drainage pond volume and area is not confined to the excavated Pond "A" on Tract 9, but also includes a much larger area of the school to the south referred to as Pond "B" which includes the area between the school and the west bank of the Albuquerque Riverside Drain. The DMP states that the School preferred to limit the size of Pond "A" so it would overflow to the south to Pond "B". As such, Pond "A" does not have sufficient volume on its own for the fully developed runoff from the proposed commercial and multi-family developments. The DMP includes a requirement for a spillway allowing runoff from Pond "A" to flow to Pond "B" at a peak rate of 89.3 cubic feet per second (cfs). Based on our visual observation, it is apparent that such a spillway was never constructed and the School would be at risk of damage unless it is constructed concurrent with upstream development. This is not a concern in the current condition as the information in the DMP demonstrates that existing Pond "A" has sufficient capacity for the undeveloped condition. **It is our recommendation that the spillway improvements identified and required by the DMP be addressed as part of the proposed development that will trigger their need. The School should also remind the City and the Developers of this requirement through the EPC and DRB coordination to make sure it is a requirement of potential project development.** The design and construction should be closely coordinated with the School as the improvements will be on School property and should be integrated into the School's use, functionality, and aesthetics in this area. The spillway should be designed and constructed in a manner that will prevent erosion and scour for the 100-year flow rate of 89.3 cfs. Based on our interpretation of the Agreement between Silver Leaf Ventures LLC and the Bosque School, it appears that Silver Leaf Ventures LLC should be responsible for this spillway as it is a required element of the drainage pond pursuant to the DMP and required to accommodate developed runoff from the contributing upstream developments.

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Please review this information and let us know if you have any questions or comments, or if we can be of further service to you. We appreciate this opportunity to once again serve the Bosque School. We would be pleased to review upcoming submittals or provide additional consultation in the future.

Sincerely,

HIGH MESA CONSULTING GROUP

  
\_\_\_\_\_  
J. Gracie Mears, P.E.  
Principal

GM/\*

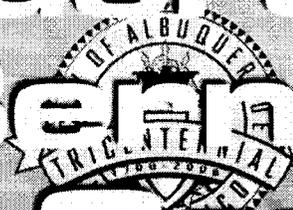
TAB 16

The outdoor storage for a nursery is not permitted and the clutter associated with a nursery is not compatible with Bosque School. See §14-16-3-2(D)(5)(1) (“Outdoor storage as part of a mixed-use development or within a C-1 or C-2 zoned site is not allowed.”)

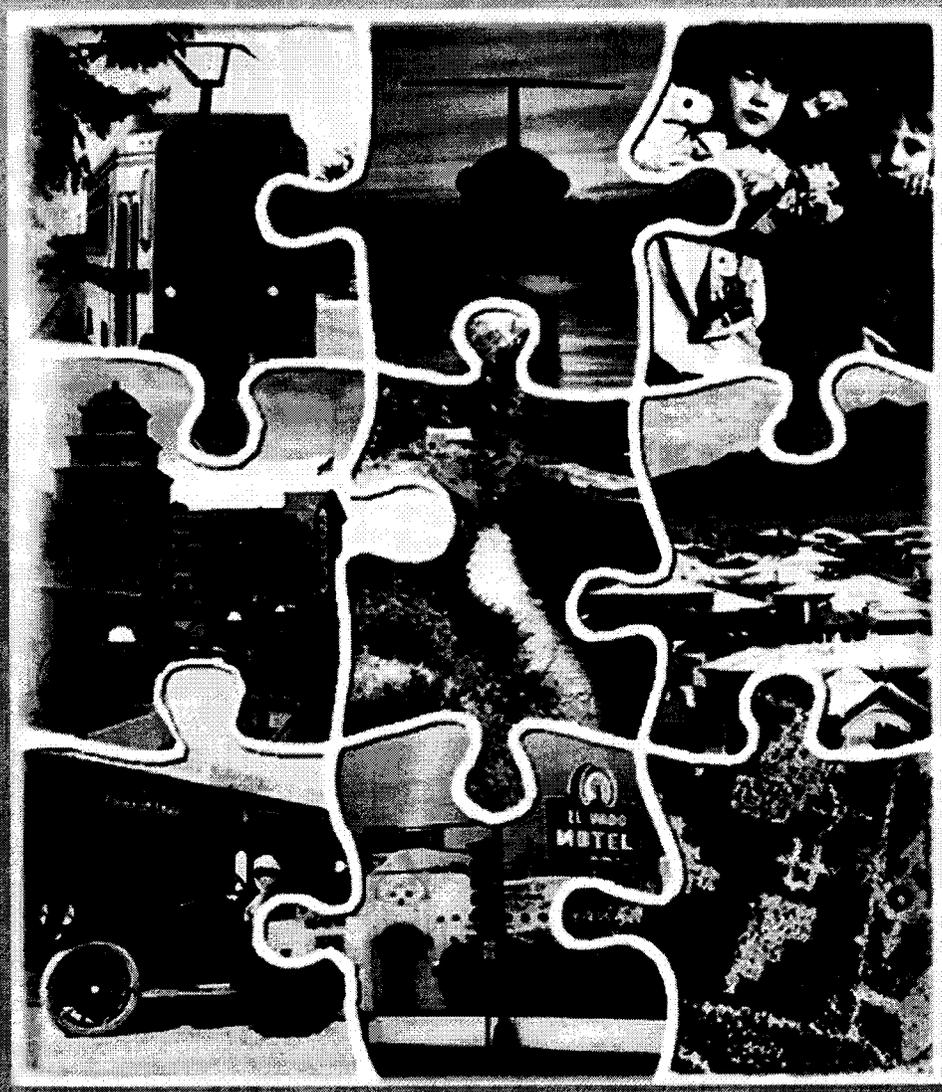
# Albuquerque/ Bernalillo County

As Amended

# 2003



# COMPREHENSIVE PLAN



# P L A N

## 6. ACTIVITY CENTERS

### **Trend**

As noted elsewhere in the Comprehensive Plan, much of Albuquerque's development for the last 50 years has been in a form characterized by buildings with large setbacks and parking lots served by a grid of arterial streets designed primarily to move vehicular traffic. Commercial, office and retail land uses typically are not concentrated in well-differentiated activity centers, but rather tend to be strung out along many of the arterial streets. Also typically, these land uses are auto/driver oriented, with substantial amounts of surface parking. This trend has been made more prevalent in the last two or three decades by increasing numbers of big box retail establishments, and by larger formats for medical services.

While it is true that slightly more agglomerated activity nodes occur at arterial street intersections, they seldom function as singular activity centers with easy walking connections among uses. Instead, they work more like four "sub-centers", one on each corner, separated by multiple lanes of traffic, not at all conducive to pedestrian trips from one side to the other, nor to mass transit usage.

### **Activity Centers Concept**

The Plan's Activity Centers element describes a concept that can have a major effect on urban form through balanced growth and consumption of land. Activity Centers are intended to concentrate a diversity of community activities at appropriate locations. Designated Activity Centers should be the focus of City and County efforts to build upon existing locations and develop future Activity Centers as vibrant, transit-oriented urban places that encourage walking to destinations throughout each center.

The Activity Centers concept provides a rational framework for the efficient allocation of public and private resources. The concept would concentrate land uses for greater efficiency, stability, image, diversity and control while safeguarding the city's single-family residential areas from potential intrusion by more intense land uses. Population concentrations located within Activity Centers and interconnected corridors could help reduce automobile travel, provide better mass transit opportunities, and decrease adverse environmental effects. Other benefits may include housing close to jobs and services, reduced personal transportation costs which can go toward other needs, and increased options for living an urban lifestyle with easy access to a great variety of activities.

Figure 12: Auto-oriented strip commercial development



Activity Centers can become magnets for activity and development which positively affect urban form, environmental quality, and the transportation network. Committing capital implementation funds specifically to public improvement in Activity Centers and taking actions necessary to limit the range and intensity of land uses outside the Activity Centers are key needs if such a new development style is to be realized, and it will likely take two decades or more to accomplish, depending on what proportion of the capital program is committed to Activity Centers implementation, and on land use regulatory success and private sector response.

### **Types of Activity Centers**

The Plan envisions five basic Activity Center types: Major Activity Centers, Community, and Neighborhood Centers, as well as Specialty Centers and Rural Village Centers. The Plan contains policies which address the function and composition of each.

- **Major Activity Centers:** These are areas whose major focus is concentration of commercial and/or major employment uses.

A Major Activity Center is an area between 300 and 1,000 acres designated to provide a place of work for residents throughout the metropolitan area, but also including medium (7-12 dwelling units per net acre) to high-density (12 dwelling units or greater per net acre) housing and other uses in support of employees and commerce in the area and region.

Predominantly auto-oriented in Albuquerque at the present time, Major Activity Centers should be more concentrated in the future to better support transit usage, and be redesigned for greater pedestrian access. Major Activity Centers floor area ratios should be higher than elsewhere in the city, and they should contain such activities as regional shopping centers, government and financial institutions, and major cultural and entertainment features. Major transportation corridors would connect these Activity Centers with each other and with residential areas.

- **Community Activity Centers:** These are Areas designated to provide focus, identity, and convenient goods and services as well as some employment for a number of surrounding neighborhoods with a combined population of 30,000 or more. The ideal Community Activity Center should be between 15 and 60 acres of

Figure 13: Typical major arterial intersection and auto-oriented land use.

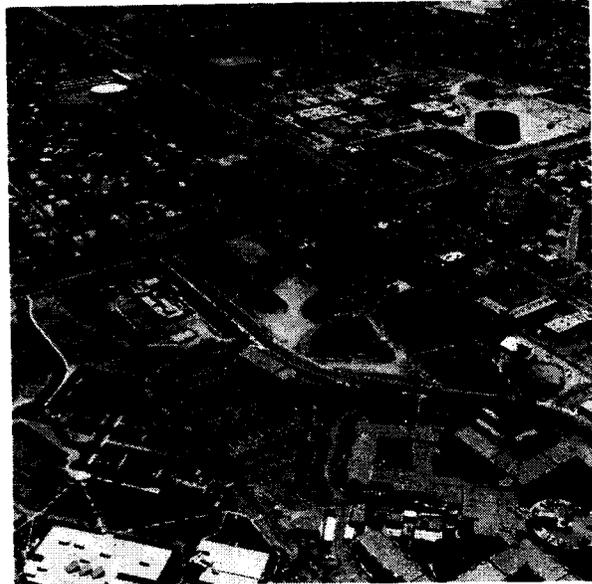
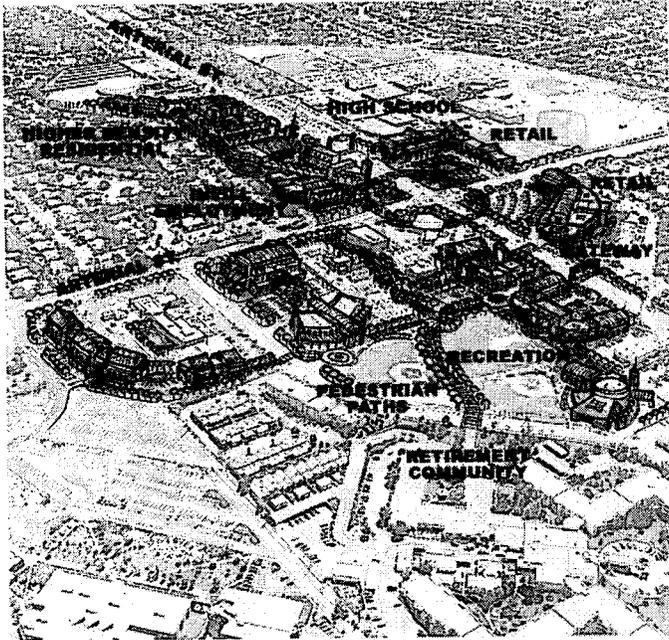


Figure 14: Nob Hill contains good examples of "community scale" center development.



Figure 15: The same arterial intersection showing infill/redevelopment that would convert the area into a community-scale activity center.



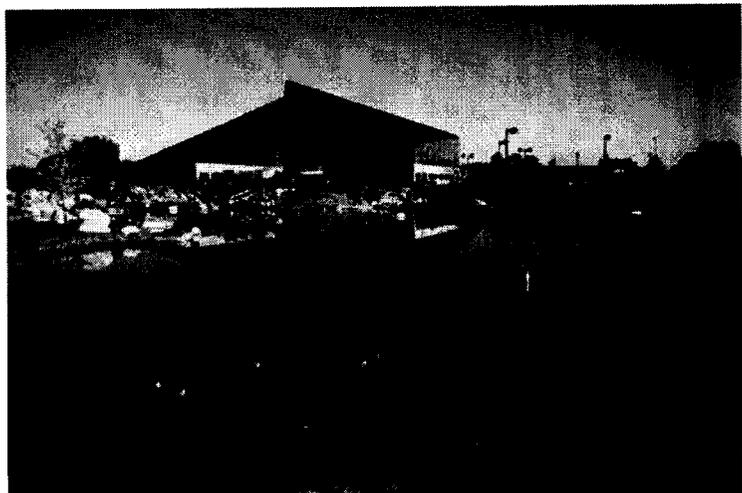
commercial, office, entertainment, medium density residential, and institutional uses accessed by arterial streets and a range of transit service levels depending on composition; adjacent, contributing uses could result in larger quantities of acreage.

The ideal Community Activity Center would have parcels and buildings scaled to pedestrians, small enough to encourage parking once and walking to more than one destination. Off-street parking is often shared, and on-street parking helps contribute to the intimate scale typical of well functioning pedestrian areas. Parking located between and behind buildings would permit people to walk more safely and comfortably between uses that front on sidewalks rather than parking lots. Seating and shade along pedestrian routes also promote walking and informal gathering. The successful multi-use Community Activity Center is a vibrant people place especially serving the surrounding community area as defined by the Plan's "Community Identity and Urban Design" Plan

sections and map, e.g. the San Mateo/Montgomery and Hoffmantown Community Activity Centers serve the Mid-Heights Community Area.

- Specialty Activity Centers:** Several "one-of-a-kind" facilities or Specialty Activity Centers, need support to continue providing the metropolitan area population with variety and interest. The State Fairgrounds, UNM Sports Complex, Balloon Fiesta Park, Old Town/Museum Complex, Biological Park and Zoo all provide unique recreational and entertainment opportunities and, in some cases other, more year-round uses that are complementary to the primary use. The Albuquerque Sunport, the regional air travel hub, is a Specialty Activity Center with another type of significance to Albuquerque and this part of New Mexico. Specialty Activity Centers tend to be quite large, several hundred acres in size, due to their extensive regional, state, and national "service area".

Figure 16: Albuquerque's Biopark exemplifies the uniqueness of Specialty Activity Centers.

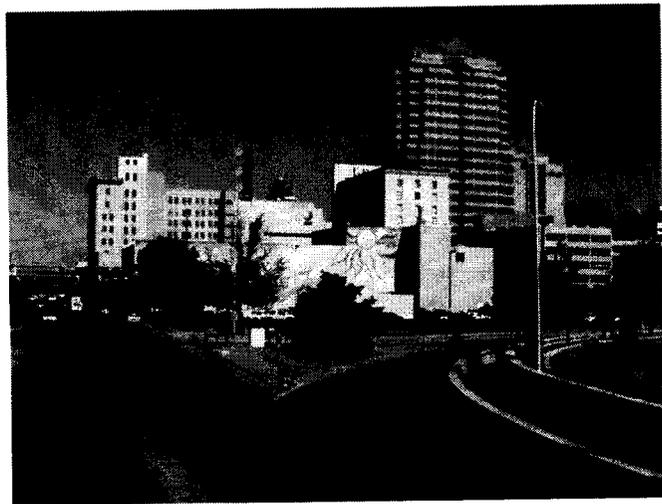


- Neighborhood Activity Centers:** These are designated to meet the daily "convenience" goods and service needs of residents in two or three immediately adjacent neighborhoods. Their size would not usually exceed 10 acres, and would include a mix of small scale retail/service uses, neighborhood park and perhaps small

institutional uses such as elementary schools. Access is generally by local and collector streets. Too numerous to indicate on the following map, Neighborhood Activity Centers should be specifically located and mapped in the course of smaller area planning.

- **Rural Village Activity Centers:** These Activity Centers exist at several locations in unincorporated areas of Bernalillo County. They are designated to serve daily convenience goods and service needs of residents living in the surrounding Rural and Semi-Urban Areas. Similar to Neighborhood Activity Centers in the Urban Area, Rural Village Activity Centers are usually only a few acres in size, located on an arterial street or highway, and should ultimately contain a mix of small scale retail and service uses such as grocery stores, restaurants, gasoline service stations, hardware stores and offices, as well as some housing within walking distance of the other uses.

Figure 17: Downtown, Albuquerque's original Major Activity Center.

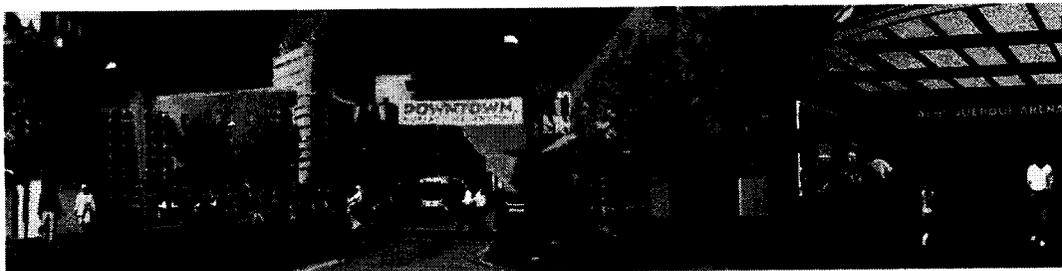


### Objectives for Creating Activity Centers

Generally speaking, Major Activity Centers designated by Figure 30 are too diverse in terms of function to be effectively governed by a single set of design principles, either for streets or the private realm. Where Downtown (in the near term, and perhaps Uptown in the longer term) can realistically pursue a development philosophy of “park once and walk” to multiple destinations during the course of a day, the relatively low density employment district of a Journal Center lacks the small block grid and mixed land use necessary to successfully promote significant pedestrian activity. Specific solutions suited to the unique circumstances of each Major Activity Center must be designed to effectively build and redevelop street features and complimentary land uses. This is best accomplished through Rank Three development plans, similar to those already in place for Downtown and Uptown.

Most of the remaining Activity Centers designated by Figure 30 are community scale in nature, and while they too are quite diverse in their history and functional character, it is useful to establish basic community identity design and development objectives intended to gradually move them toward greater pedestrian and bicycle

Figure 18: One illustration of Downtown developed with more building intensity, transit and pedestrian opportunities.



accessibility and transit usage. This objective is important because the goal of community centers is to serve mainly the routine daily and weekly service needs of nearby neighborhoods, with some employment. This Plan prescribes a “baseline” set of design/development policy objectives for Community Activity Centers. More detailed design objectives appropriate to different locations should be set forth in smaller area planning efforts.

Land use, zoning and transportation decisions made incrementally over decades have undermined effective implementation of the Activity Centers concept at designated locations. A dispersed pattern of commercial, office, industrial and low to medium-density residential zoning and use has developed since the 1975 Plan’s adoption. The availability of lower cost vacant land with equivalent zoning outside the designated Activity Centers works against attempts to concentrate uses in the Activity Centers.

With rigorous community support, public investment and effort to contain intense uses in designated Activity Center areas over the next 20 to 25 years, the concept might succeed. Travel would become less dispersed, making transit systems more efficient and public/private expenditures for pedestrian ways and community amenities more feasible.

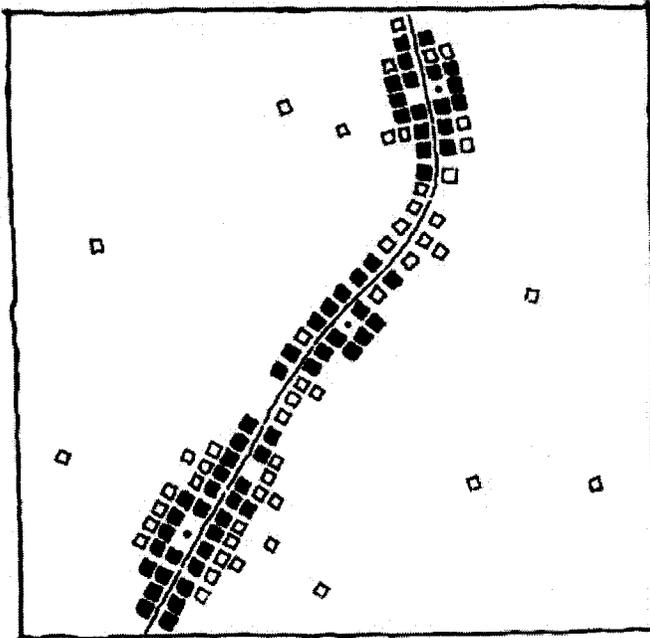
As of 2001, with a limited capital program that annually is \$20 million short of funding infrastructure rehabilitation needs, and with declining Gross Receipts Tax revenue undermining local government operating capacity, Albuquerque and Bernalillo County will need the efficiencies which can be achieved through implementation of Activity Centers and transportation corridors development policy.\* A corollary benefit would be a more compact urban area that is more sustainable, not only fiscally and economically by virtue of more concentrated and efficiently used infrastructure, but also environmentally by virtue of shorter travel distances and reduced landscape irrigation. And finally, property values within the built urban area would be stabilized or improved through reinvestment.

Activity Center development can only be accomplished through careful analysis and identification of advantageous connections among interrelated factors such as land use form and intensity, zoning and its spatial distribution, demographics, market trends, transit considerations, redevelopment and infrastructure conditions and objectives. Ongoing public-private cooperation is essential to creating market conditions that support Activity Center development.

Assumptions that underlie successful development of mixed use Activity Centers and transportation corridors include:

- Albuquerque and Bernalillo County will continue to grow, probably at or near the recent annual rate of 1.4%, most years through 2025, adding more than 60,000 additional households.
- Personal vehicles will continue to be the predominant choice in mode of transportation, though drive time will erode considerably, and a larger share of trips than today will be taken on mass transit, bicycles, or by walking or ridesharing.
- Arterial streets will be maintained and/or reconstructed, with greater attention to serving travel modes including mass transit, walking and bicycling as well as vehicles.
- Transit services will be improved in terms of comfort, convenience and competitiveness as a viable transportation choice.

\* It is also useful to note that, in 2001, there is an estimated \$1.8 billion backlog of water, sewer, transportation and hydrology rehabilitation needs, as well as \$700 million in deficiencies.



Linear Community Form

### *Linear Cities*

Linear cities develop along rivers and highways where development occurs in a long strip of land with limited width. Linear cities are well suited for transit, and moderately well suited for utility service efficiency, but do not respond well to landforms, broad views, and community aesthetics. They are not pedestrian friendly due to the long distance between the linear ends of the development. Strip commercial development becomes the primary form for services. It is difficult for a sense of community to develop when the ends of development are separated by great distance with little depth (width) to the neighborhoods along the way. The West Side landforms, existing neighborhoods clusters, and the public's desire for aesthetically-pleasing development outside of the strip mall format preclude linear city urban form for the area.

# ***WEST SIDE STRATEGIC PLAN***

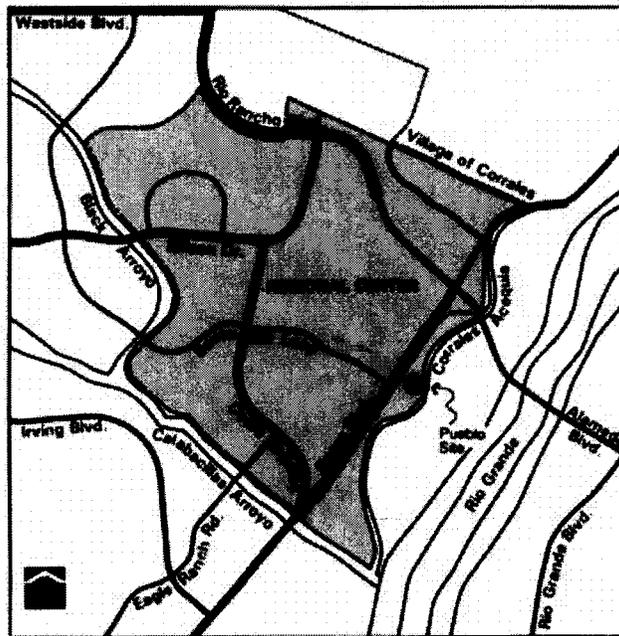
## ***Strategies and Policies***

*Seven Bar Ranch contains the West Side's only Regional Center.*

## ***Regional Center***

There is one Regional Center on the West Side, and it is located at Seven Bar Ranch. It is roughly bounded by the Calabacillas Arroyo on the south, the Seven Bar Ranch Sector Plan boundary on the north, the Corrales Acequia on the east, and Blacks Arroyo to a parcel boundary between Cibola Loop and Seven Bar Loop on the northwest (see map below).

The Regional Center will develop with a greater density and larger amount



**Regional Center Boundary Map**

of commercial services than anywhere else on the West Side. The Regional Center serves the entire region, not just the West Side, and is characterized by a major concentration of a full mixture of the most intensive activities needed to service metropolitan populations. Typical uses include: regional shopping centers, regional commercial activities, corporate offices, large public and quasi-public uses, cultural and entertainment facilities, high-density residential uses, and transit access facilities or stations. These uses are discouraged outside of designated Regional Centers and Community Centers.

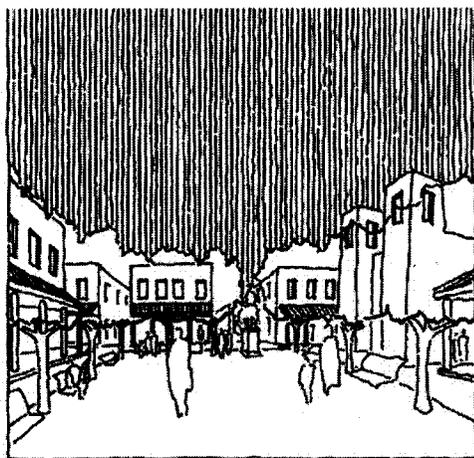
Urban Centers on the West Side were previously designated near St. Pius High School and Westgate Heights. These areas have not, and will not, develop as Urban Centers and the designations will be removed from those areas in the appropriate plans and the Seven Bar location will be designated as a Regional Center.

## WEST SIDE STRATEGIC PLAN

### *Community Activity Centers*

Each Community on the West Side will be served by a Community Activity Center and several smaller Neighborhood Activity Centers that are easily reached by walking from surrounding neighborhoods. The Community Center provides the primary focus for the entire community with a higher concentration and greater variety of commercial and entertainment uses in conjunction with community-wide services, civic land uses, employment, multiple-family dwellings and the most intense land uses within the community. Its service area may be approximately three miles (radius) and a population of at least 30,000. This population can be concentrated within a smaller area by locating multiple-family housing within the community activity center to support nearby services and public transit service.

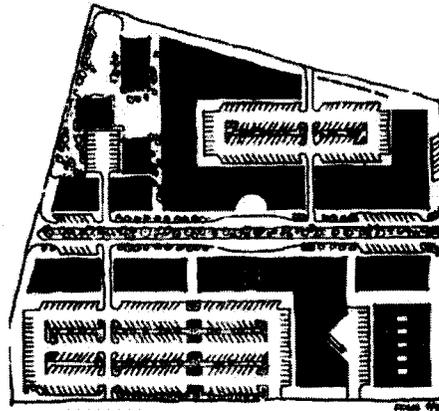
*Community Activity Centers provide focus, identity, and a sense of character.*



New Mexico Plaza Style  
Development

The typical Community Center is accessible by a major street or parkway, provides a hub for the regional transit system, and is accessible by pedestrians and bicyclists. Even off-street parking areas are very accommodating to the pedestrian. The community-wide trail network should provide access to the center. The plaza model of development, with services enclosing a pedestrian-oriented public space, is the desirable form for Community and Neighborhood Centers. This model is traditional to New Mexico and applicable to a community-based urban form.

The ideal community activity center of 35 to 60 acres would have parcels and buildings in scale with pedestrians, small enough to encourage parking once and walking to more than one destination. Off-street parking is often shared, and on-street parking helps contribute to the intimate scale typical of well functioning pedestrian areas. Parking located between and behind



**Community Activity Center  
Design**

buildings permits people to walk more safely and comfortably between uses that front on sidewalks rather than parking lots. Seating and shade along pedestrian routes also promote walking and informal gathering. The successful multi use activity center is a vibrant people place.

Design principles for creating community centers as well as neighborhood centers will be established through amendments to the Comprehensive City Zoning Code. Such amendments should work to create activity centers at locations designated by policy throughout Albuquerque and Bernalillo County.

### ***Employment Centers***

The purpose of Employment Centers is to provide mixed-use areas predominantly devoted to employment which can be places of work for residents of the surrounding communities with convenient access by all modes of transportation. Typical land uses in Employment Centers include: light manufacturing and supporting facilities, production facilities, warehousing, sale of industrial products, multipurpose retail, technical service and research companies, heavy commercial activities, corporate offices, supporting service commercial uses, and employee services (day care, dry cleaning, postal services, banking, etc.). Employment Centers are accessible from major roadways and freeways, are located on major transit routes, and also provide pedestrian and bicycle access into adjacent neighborhoods. These areas service the entire metropolitan region.

*Significant Employment Centers must be preserved.*

## ***WEST SIDE STRATEGIC PLAN***

It is imperative that the West Side preserve adequate space located in appropriate places for major future employment. Commuting problems will only be lessened when major employment opportunities exist on the West Side, and a viable mixed-use area can only result when jobs are located near residential areas. The West Side is typical of developing areas in that residential development usually occurs first, with commercial services and employment development following. As this shift toward nonresidential development occurs on the West Side, significant Employment Centers must be preserved and new ones encouraged.

Three major Employment Centers have been identified in the Strategic Plan. These are: the Regional Center at Seven Bar Ranch where the primary commercial and professional services employment will occur, the Atrisco Business Park in the Atrisco Park Community, and the north end of Double Eagle II Airport (DEII). The Airport Employment Center is envisioned to relate to airport services and the potential for future freight operations typically associated with reliever airports. A well-designed campus-style office park is an appropriate employment center for this area. High-technology manufacturing firms may also find this a desirable location.

The Atrisco Business Park is a full-service business park with existing utilities, several existing manufacturing and research facilities, and excellent access. It is destined to become a major Employment Center for both the Southwest and Northwest Mesas, and will include manufacturing/distribution facilities and high technology/research and development firms. The Atrisco Business Park is pre-approved for development based on approval of the Master Development Plan and Atrisco Business Park Design Guidelines. Applications for new employment facilities which are consistent with the Master Development Plan and Design Guidelines will be administratively approved by the City Planning Director within six days without a public hearing.

Additional smaller employment areas will also occur along major regional transportation facilities. An employment area north of DEII near Paseo del Volcan is planned, and another one near the Paseo del Volcan and I-40 intersection is expected.

### ***Employment Training Facilities***

Job training facilities and programs are envisioned at or near the Atrisco Business Park in order to train local residents for the jobs which will be available in the 21st century. APS already operates a "Tech Prep" program in some local High Schools to begin to train students for technology-based

*Creation of a skills/training center will assist the Atrisco Business Park in becoming a key employment center for the metropolitan area.*

## ***WEST SIDE STRATEGIC PLAN***

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employment in the future. If this program were to be expanded at West Mesa High School, and worked into a cooperative agreement with local businesses at the Park, it would be very beneficial to residents of communities both north and south of I-40. Additionally, negotiations should begin with T-VI and the State of New Mexico in sponsoring a "skills center" job-training facility at or near the Atrisco Business Park. This facility could be temporary until the Business Park builds out, but used as an economic development tool, it could greatly enhance the desirability of new employers locating within the Atrisco Business Park. Important community and employee services (such as day care, transit centers, etc.) should be co-located with the "skills center". This Employment Center is the most central to all West Side residents and has the best transportation system in place of any local employment area.

### ***Neighborhoods and Centers***

There is an entire layer of sub-areas to each of the communities noted in this Plan. These are the clusters of neighborhoods each with an Activity Center, which together comprise a Community. The organizing structure of this type of urban form is represented in the Typical Community Structure Diagram (p 31).

It must be remembered that some higher density land uses will and should occur within Neighborhood Centers. They are the focal points for the surrounding neighborhood, providing for their daily convenience goods and service needs. Their market area would serve up to 15,000 people within about a one mile radius of the center. Services should cluster within the Centers, discouraging strip commercial development elsewhere. Several Neighborhood Clusters (typically 3 to 8) may occur in each Community. Neighborhood Centers should be located on local collector and sometimes arterial streets. Their primary access may be by auto, but pedestrian and bicycle connections should be provided to all adjacent neighborhoods and to the larger planned community open space system; Major Public Open Space and links, and neighborhood parks. Trail connections are more informal, and convenient transit services should be connected with community-wide and regional transit development.

While the Community Center provides the highest density uses in the Community, Neighborhood Centers will also be areas of greater density and more mixed-uses than the surrounding residential development in the neighborhoods. Therefore, commercial services and higher-density

## ***WEST SIDE STRATEGIC PLAN***

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residential will not just be located in the Community Centers identified in this Plan, they are also desirable in Neighborhood Centers. These areas must also provide bicycle and pedestrian linkages between the Centers and the rest of the Neighborhoods.

Smaller in scale than Community Activity Centers, Neighborhood Centers of 15 to 35 acres are to contain generally smaller parcels and buildings, on-street parking is permitted and smaller off-street parking areas shared among businesses and institutions, and a built scale very accommodating to pedestrians and bicyclists, including outdoor seating for informal gathering. Services such as childcare, dry cleaners, drug stores and small restaurants along with a park and/or school are located central to surrounding neighborhoods.

Neighborhood Centers are shown on maps later in this section for each of the West Side Communities. In the existing developed area, these Neighborhoods have already formed or started to form. In the new Planned Communities, Neighborhoods and Neighborhood Centers will be indicated on the Planned Community Master Plan and subsequent smaller area Plans. Policies to enforce the establishment and continuation of this type of urban form follow.

The design and location of future commercial/mixed-use developments will be important to the overall character of each area. The intent of strip commercial policies within the Plan is to concentrate commercial development in clusters within Community and Neighborhood Centers, rather than in long strips along roadways. There are more opportunities for commercial development beyond the Centers, so zone changes to non-residential use outside the centers identified in this Plan should only be allowed through careful consideration as outlined in policy 1.9. Zone changes from non-residential to residential uses outside the centers should be encouraged except where schools are at or over capacity. In cases where area schools are at or over their designed capacity, zone changes from non-residential uses should be denied unless the applicant demonstrates that the proposed development will create no net increase in enrollment for area schools (e.g. senior housing).

Many Albuquerque Public Schools, primarily on the west side are at or over capacity. Increased residential development on the west side is not encouraged where the schools are at or over capacity. The approval of residential subdivisions and zone changes to residential or higher residential zoning should only be allowed through careful consideration as outlined in Policies 1.3 and 2.5 and when APS has provided a viable solution for affected schools.

## **WEST SIDE STRATEGIC PLAN**

It is not the intent of the Plan to change any of the existing zoning on the West Side. Future commercial areas, however, should occur in concentrated clusters rather than in new strip centers. Standards for all West Side commercial development will focus on design rather than on land use or zoning. Through design of the commercial site, the development should integrate with existing neighborhoods, provide safe, convenient pedestrian and bicycle access, not turn its back on the neighborhoods or focus solely on arterial traffic, and avoid long expanses of parking lots at their street frontages.

Design guidelines to be proposed as amendments to the Comprehensive City Zoning Code will look at criteria for commercial development which integrates with its surroundings and adjacent service area through better access connections, reorientation of parking lots, and focus on a centralized cluster of similar uses. The guidelines will also consider combining entrances between adjacent users to limit driveways, combining public and private service providers in centralized locations, recognizing the need for convenient pedestrian and bicycle access. The guidelines should provide for administrative review as part of the Plan check process, and not institute another level of design review. Until these guidelines are developed, it will be the task of staff and Commissions to insure that commercial developments are approved in accordance with the centers principles.

*Policy 1.1: Thirteen distinct Communities, as shown on the Community Plan Map and described individually in this Plan, shall constitute the existing and future urban form of the West Side. Communities shall develop with areas of higher density (in Community and Neighborhood Centers), surrounded by areas of lower density. Bernalillo County and the City of Albuquerque Planning Commissions shall require that high density and non-residential development occur within Community and Neighborhood Centers. Low-density residential development (typical 3-5 du/acre subdivisions, or large lot rural subdivisions) shall not be approved within the Centers.*

*Policy 1.2: A transit feasibility and access plan shall be provided with each development plan located within the Regional Center, Employment Centers, Community Centers, and developments elsewhere adjacent to designated transit corridors. The plan shall state proposed densities, and demonstrate how the proposed development meets "transit friendly" design guidelines found in the design guidelines herein. The plan shall include information on access through larger commercial and residential developments for shuttle for full-size buses, with planned linkages between on-site uses; and access to existing and planned transit facilities such as park-and-ride lots, bike-and-ride programs, bus routes, pedestrian trails and pedestrian linkages. The plan shall include the proposed development's role in area Transportation Management Associations, and/or other incentive programs*

## **WEST SIDE STRATEGIC PLAN**

to promote alternative transportation, such as employee commute passes, carpool/vanpool programs, etc.

*Policy 1.3: Strip commercial developments shall not be approved on the West Side. Commercial development shall occur in concentrated clustered areas rather than new strip developments. Zone changes to commercial, industrial, or office uses for areas outside the centers are strongly discouraged, in order to reinforce the Neighborhood and Community Centers. Changes of commercial and office zoning outside the centers to residential use is encouraged except where area schools are at or over design capacity. In cases where schools are at or over design capacity, zone changes from non-residential to residential uses should be denied unless the applicant demonstrates that the proposed development will create no net expense in enrollment for area schools. (e.g. senior housing). This policy is meant to impact the design and layout of commercial areas and their connections to adjacent development and to encourage clustering of commercial and office uses in activity centers. It is not intended to rezone allowed commercial uses.*

*Policy 1.4: The previously designated Urban Centers in the vicinity of St. Pius High School and near Westgate Heights/Blake Road shall be deleted from existing plans. The Seven Bar Ranch Regional Center is presently the only Regional Center on the West Side.*

*Policy 1.5: Community and Neighborhood Centers shall be required to provide pedestrian/bicycle access to key activity areas. Parking lots shall be carefully designed to facilitate trail access and pedestrian access between buildings.*

*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.*

*Policy 1.7: The City of Albuquerque Office of Economic Development in conjunction with T-VI and the business community shall seek location of a technology skills center at or near Atrisco Business Park.*

*Policy 1.8: Specific design policies for non-residential buildings locating in Centers shall be developed as part of the design principles to be prepared as amendments to the Comprehensive City Zoning Code.*

# ***WEST SIDE STRATEGIC PLAN***

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*Policy 1.9: In the Established and Developing Urban areas mapped by the Albuquerque/Bernalillo County Comprehensive Plan, future neighborhood and community centers may be designated and developed at appropriate locations, determined as follows:*

***Implementation***

***Lead Entity/Support Entities***

***Functional Requirements***

***Funding***

***Timing***

- **Market Area** - Community Centers should be located to serve a primary service area of about 30,000 people within approximately a three mile radius of the center; neighborhood centers should be located to serve approximately 15,000 population within about one mile radius of the center. Uses typical of community centers would likely be accessed on a weekly basis, whereas those in a neighborhood center might be used almost daily.
- **Access/Connections** - Community centers shall be easily accessible by automobile, located at the intersections of at least one major and one minor arterial street, and connected to public transit service as well as the community-wide trail/bikeway network. Neighborhood Centers should be less automobile oriented, located on minor arterial and/or collect or streets, and connected to public transit service as well as informal pedestrian and bicycle ways. Both community and neighborhood centers shall be very accommodating to the pedestrian even within predominantly off-street parking areas.
- **Scale** - Community centers shall be composed of blocks with buildings well connected by sidewalks and public spaces like plazas. Shared parking, through mainly off-street, should be encouraged, and larger parking areas may be divided into smaller ones or used for structured parking and/or additional active land uses. Neighborhood centers should also have small blocks, but with small clusters of shared parking as well as on-street parking. Both community and neighborhood centers shall have outdoor areas that encourage gathering; both shall include bicycle parking and both shall provide safe pedestrian connections among buildings and between buildings and parking areas. In the Reserve Area mapped by the Comprehensive Plan, neighborhood and center Plans for new Planned Communities must be provided by the developer/owner according to the Planned Communities Criteria.
- **Location** - a major facility or employer located in a manner which creates a focus and stimulus to economic and social activity may also be a reason for designating a new center.

## **WEST SIDE STRATEGIC PLAN**

*Policy 1.10: Designated neighborhood and community centers shall be reviewed periodically for viability and appropriateness; if a center comes to exhibit characteristics which justify it, its designation may be amended from neighborhood to community or vice-versa. Similarly, new centers may be located/designated based upon the criteria outlined in Policy 1.9.*

*Policy 1.11: The City shall develop incentives encouraging the private sector to develop activity centers in line with the policies of this plan. Incentives for compliance could be regulatory (e.g. waiver of some impact study requirement on the proposed development) or provision of a special public facility or service (e.g. enhanced pedestrian crossings, transit stops or increased bus frequency within the affected center) by the City.*

*Policy 1.12: The ideal community activity center of 35 to 60 acres will have parcels and buildings in scale with pedestrians, small enough to encourage parking once and walking to more than one destination. Off-street parking should be shared; on-street parking will contribute to the intimate scale typical of well functioning pedestrian areas. Parking shall be located between uses that front on sidewalks rather than parking lots. Seating and shade will be provided along pedestrian routes to promote walking and informal gathering.*

*Policy 1.13: The Community Activity Center shall provide the primary focus for the entire community with a higher concentration and greater variety of commercial and entertainment uses in conjunction with community-wide services, civic land uses, employment, and the most intense land uses within the community. Its service area may be approximately three miles (radius) and a population of up to 30,000.*

*Policy 1.14: The typical Community Center shall be accessible by a major street or parkway, provide a hub for transit service, and be accessible by pedestrians and bicyclists.*

*Policy 1.15: Neighborhood Centers of 15 to 35 acres shall contain generally small parcels and buildings; on-street parking is permitted, with smaller off-street parking areas shared among businesses and institutions. The neighborhood center shall have a built scale very accommodating to pedestrians and bicyclists, including outdoor seating for informal gatherings. Services such as childcare, dry cleaners, drug stores and small restaurants along with a park and/or school should be located central to surrounding neighborhoods.*

**General Principles/  
Summary of Objectives**

## **WEST SIDE STRATEGIC PLAN**

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**Lead Entity/Support Enti-**

*Policy 1.16: Neighborhood Centers shall be located on local collector and sometimes arterial streets. While their primary access may be by auto, pedestrian and bicycle connections shall be provided to all adjacent neighborhoods, parks and to the larger open space system. Convenient transit services shall be connected with community-wide and regional transit development.*

**Implementation**

The strategies of the Community Concept section of the Plan shall be implemented through systematic follow-through on all policies requiring further action, and by enforcement of all policies stating intent. Uniform enforcement and consistency with stated intent is required in order to achieve the urban form envisioned herein which has been endorsed by the public.

*Policy 1.17: The City shall encourage co-location of public services such as schools, libraries, community/senior/multi-service centers, parks, retail and commercial services in Community and Neighborhood Activity Centers.*

*Policy 1.18: Community Activity Centers shall contain mixed-use buildings and/or mixed use developments that combine commercial, residential, and/or civic land uses in one accessible location. Clustered buildings and formation of meaningful plazas and sheltering forms to promote pedestrian-friendly environments are encouraged.*

The City of Albuquerque and Bernalillo County are the lead entities in establishing and enforcing Community based urban form. Support from MRGCOG, AMAFCA, APS, landowners/developers and neighborhood associations will be needed.

The City of Albuquerque and Bernalillo County will need the resources necessary for staff and/or consulting fees to prepare the West Side Plan for Community and Neighborhood Centers and undertake the economic development tasks required by the policies of this section. The Planning Commissions will bear the primary responsibility of enforcing the Community and Neighborhood Center intent of the Plan through rigorous review of pending applications relative to Strategic Plan policies.

## ***WEST SIDE STRATEGIC PLAN***

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- City of Albuquerque operating funds
- Bernalillo County operating funds
- Developer costs for planning private lands

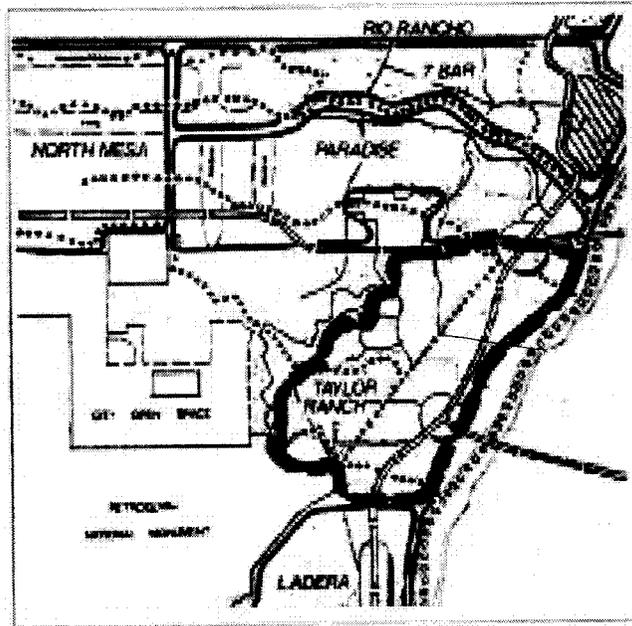
*Funding*

- Continuing - Proposed amendments to the Zoning Code establishing design requirements for creating activity centers areawide should begin in FY 2000.

*Timing*

## ***WEST SIDE STRATEGIC PLAN***

### ***TAYLOR RANCH COMMUNITY***



The Taylor Ranch Community is located entirely below, or east of, the Volcanic Escarpment, and extends to Paseo del Norte on the north, to the river on the east, and to the general vicinity of Western Trails on the south. The Taylor Ranch Community includes approximately 3,700 acres capable of supporting a population of 25,900. This would result in 10,400 housing units, and a potential employment of 8,600. The 1994 population of this Community was approximately 22,000. The Taylor Ranch Community includes rural County areas near the river, as well as established commercial services and built-out neighborhoods in its central area. The vacant land between Coors Boulevard and the river should be designed and developed to maintain the view plane which reveals the bosque and the city beyond, and to preserve of the woodland edge (see Section 76). The bosque interface area is regulated by the Coors Corridor overlay zone.

The Taylor Ranch Community Center is located generally in the vicinity of the Coors Boulevard and Montaño Road intersection. Neighborhood Centers will also develop, or continue to build out over time. One of these is expected in the vicinity of Montaño Road and Taylor Ranch Boulevard.

*Protection and preservation of the bosque is critical. Development east of Coors Boulevard should be sensitive to this community asset.*

## ***WEST SIDE STRATEGIC PLAN***

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*The Escarpment is a community resource that the public wishes to protect. Future development must consider visual impacts on the Escarpment.*

There are several housing developments in Taylor Ranch which have negatively impacted the views of the Volcanic Escarpment through insensitive setback and design. These types of development will be precluded in the future through design guidelines. Future development must consider the view impacts of their design in this vicinity, since views to and from the Escarpment are a community resource the public wishes to protect. See Design Guidelines and View Preservation discussion in Section Four. The rural area of Alban Hills is included in this Community. This area should be preserved with rural character, and not be allowed to redevelop with higher densities.

Taylor Ranch was designed with the Montaña Bridge concept in place. A river crossing was needed in this vicinity as more than seven miles separate bridges, from I-40 to Paseo del Norte. The West Side Strategic Plan supports the City's existing policy to build the Montaña Bridge (completed, 1997 Plan).

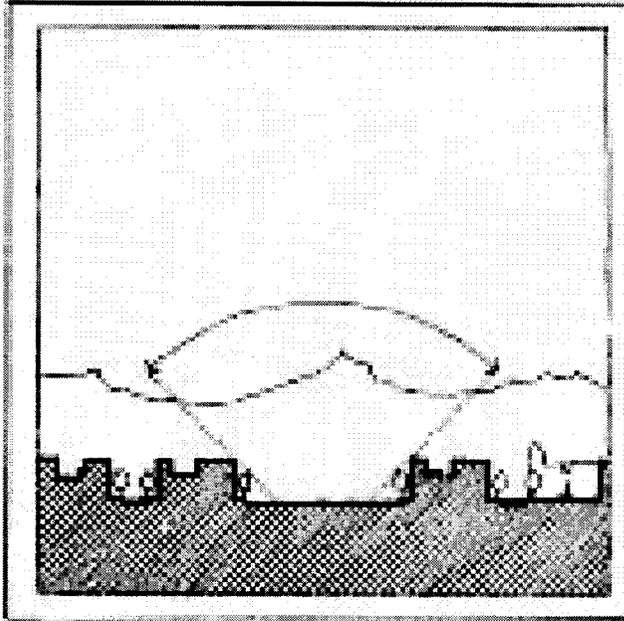
*Policy 3.12: The Taylor Ranch Community is an appropriate location for continued growth due to its contiguous location to the rest of the City, and efficient location for receiving City services.*

*Policy 3.13: The Montaña Bridge has been built. The City should continue consideration of multi-modal opportunities, operational alternatives such as limited directional traffic during peak hours, and environmental concerns for the bridge.*

*Policy 3.14: The rural character of the Alban Hills area is an important character aspect of the Coors corridor and Bosque transition zone. Any zone amendments in this area must be carefully analyzed regarding their consistency with the urban form objectives in this Plan and must be in compliance with the City's zone amendment policy (presently Resolution 270-1980).*

*Policy 3.15: Allow appropriately designed development throughout the Taylor Ranch Community which will not degrade views to and from the Escarpment through design guidelines and consistent enforcement.*

*Policy 3.16: Multifamily development, public uses, educational and institutional facilities, and commercial or employment uses are all appropriate in the Community or Neighborhood Centers. Mixed-use and multi-modal access shall be incorporated into the design for these areas.*



Preservation of Valley Views

### *Visual Assets*

The one design issue guaranteed to generate the largest amount of public comment concern the area's visual resources. The panoramas are the area's main assets and the reason many have chosen to live in Albuquerque's West Side. Views to and from the Volcanic Escarpment, views along major arroyos, views of the Bosque, views of the Sandias, views of the volcanoes, and views of the ceja and the expanses of the far west mesa must all be preserved to the **greatest** extent possible. To do this will require specific setback, height, and building massing limitations, as these three design elements are most critical to views.

Two areas of views are very critical and are at risk from near-term developments, so design intent will be described in more detail for these. They are the views of the Bosque and Sandia Mountains from the east side of Coors Boulevard, and the views to and from the Volcanic Escarpment from the adjacent areas. These two view areas are currently regulated by the "Coors Corridor Plan" and the "Northwest Mesa Escarpment Plan". These plans will remain in place. Their design sections will be expanded and strengthened as part of the follow-up action for this Plan, based on the criteria noted in the following sections.

## ***WEST SIDE STRATEGIC PLAN***

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***Views East of Coors Boulevard:*** There is a need to preserve some degree of Bosque and mountain views through update of the Coors Corridor Plan by applying a design overlay zone. "Some degree" of views means where Bosque views are available from a site, and when some portion of the view can be

retained through reasonable site design, without unreasonably limiting the development rights of the property, that portion of the view should be maintained. It is not the intent of the City or County to downzone property or restrict approved densities or land uses in the area through new Bosque view regulations. It is also recognized that some properties east of Coors Boulevard have no Bosque views or are too small to accommodate significant view areas, and that all views cannot be protected.

The West Side Strategic Plan adopts the policy that the Bosque view is important to the public and a portion of this view should be preserved through good design. It is the intent of this policy that the City shall actively seek the cooperation of specific property owners to implement the goal of preserving some degree of Bosque views in current and future planning efforts.

Additionally, the City shall identify key scenic views east of Coors Boulevard, and will take action to publicly acquire (with financial support from other local agencies, the State, and other means) the most significant sites for enjoyment by the public.

The City shall prepare, performance-based evaluation techniques to assess the performance of a site's design in relation to specific criteria, one of which shall be preservation of a portion of the Bosque view when possible and practical to do so. The performance-based system developed will most likely be broader than just view criteria, as other issues are also best assessed by performance criteria. Any new performance standards developed by the City will require the cooperation and participation of property owners, the public, and Bernalillo County. The view criteria will be flexible enough to implement on a site-by-site basis, and they will not apply to all sites.

The City and County, with cooperation of all departments involved and with each other, shall make every effort to comply with their own plans and policies, and shall operate under the same design and procedural standards by which they regulate on private landowners. Plan amendments may require compromises between competing goals, and when any design issues affecting competing goals are evaluated, property owner cooperation in their resolution will be sought.

## **WEST SIDE STRATEGIC PLAN**

*Policy 4.6.b: Design subdivisions to provide safe, attractive, and efficient circulation patterns for pedestrians. Walking distances from residences within subdivisions to arterials, collectors, or streets with existing or proposed transit service should be kept to 1/4 mile or less whenever possible.*

*Policy 4.6.c: Gated and/or walled communities and cul-de-sacs are strongly discouraged on the West Side. In rare instances when these design features are permitted, openings through perimeter walls and cul-de-sacs shall be provided every 600 feet so that pedestrians and bicyclists are provided direct access to transit service and other destinations.*

*Policy 4.6.d: Subdivisions shall be designed to avoid rear yard walls facing public streets.*

*Policy 4.6.e: Subdivisions shall be designed to provide multiple vehicular and pedestrian access points.*

*Policy 4.6.f: Locate multiple-family residential housing within or adjacent to Community and Neighborhood Centers. Allow higher density housing in activity centers so they serve as transit hubs +]*

### **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.*

*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.*

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# ***WEST SIDE STRATEGIC PLAN***

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## ***Additional Design Guideline Issues***

Additional design guideline standards shall be developed which relate to site context, community character, scale and pattern of development, public facility design, etc. The intent of design guidelines is not to cause similarity or "sameness" for new development on the West Side, but to ensure that local context, public preferences, and design efficiency are considered.

*Policy 4.7: Bernalillo County and the City of Albuquerque shall jointly develop and enforce West Side Design Guidelines. These guidelines shall have the force of ordinance and be a part of the Unified Development Code for the area.*

*Policy 4.8: It is recognized that different standards are desired for areas with different characteristics (urban vs. rural neighborhoods for example, or Bosque areas vs. volcanic areas). The design guidelines will recognize and embrace these differences which give communities their identity. However, to be effective, the design guidelines must be enforced consistently by both the City and County, so agreement on the content of the guidelines must be developed early on.*

*Policy 4.9: Design guidelines affect West Side residents in personal and economic ways. The process utilized to develop the design guidelines must be as inclusive as possible.*

*Policy 4.10: It is important to promote and establish land uses and urban patterns whose design support bicycle and pedestrian travel, and public transportation, encourage ridership, enhance public mobility and promote alternatives to single occupant vehicle use.*

*Policy 4.11: Existing design standards, not altered through the policies of this Plan, remain in force until such time as the new design guidelines have been adopted and previous standards rescinded. However, elected officials and neighborhoods are encouraged to suggest that new development occurring in the interim respect the intent of the future design guidelines as described above, as it represents the will of the public.*

## ***Incentives for Areas Provided with Water and Sewer Services, Transportation Access, and Hydrology Improvements***

*Provide penalties for sprawl and incentives for served areas.*

"Served Development" means any development occurring in an area that already has water and sewer services, wither public or private, transportation access, and hydrology improvements, all of which meet level of service standards, rather than new communities which have not yet been served.

## ***WEST SIDE STRATEGIC PLAN***

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Transportation engineers use level of service measurements as a technique to measure traffic delay (congestion) at specific locations. Service levels are ranked from A to F, with A being the least congested and F indicating system failure.

Existing level of service (LOS) standards for City of Albuquerque roads are:

- Signalized intersections are to operate at level of service D or better
- The Transportation Division's criteria for service level standards for roadways are that the standards be:
  - based on information obtained without an undue allocation of resources,
  - based on a technique that is not obscure, and is based on established professional practices,
  - understandable by most citizens willing to review the explanatory information with a degree of care, and
  - capable of evaluating problems and alternative solutions.
- MRGCOG's Long Range Multi-Modal Transportation Plan identified a goal of reducing single-occupancy vehicle trips by 10% by the year 2015.
- The City and County are looking to the new Development Fees Act work to recommend both new service level standards and how to handle the fee calculations. More than one service area may be needed. The Fee Act covers roads, bridges, signals, bike and pedestrian trails, landscaping and bus bays. It is unclear how service areas for new major bridges will be defined.

It is estimated that the urban form required by this Plan will result in lower road costs for the local governments than conventional grid-based sprawl does, although the assumptions of fiscal analyses completed to date are greatly simplified and generalized. No detailed cost comparisons have yet been completed to compare urban form transportation systems. By concentrating development in specific areas, the road network will be more

## ***WEST SIDE STRATEGIC PLAN***

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***Plaza Model*** - A pedestrian-oriented design for public, civic, and commercial spaces that are located around the perimeter of an open, landscaped space. This model is rooted in European design and is traditional to New Mexico. Public and commercial developments being planned for location in community or Neighborhood Centers are encouraged to emulate the plaza model of development when feasible and practical to do so.

***Regional Authority*** - An organizational entity comprised of representatives of area-wide governments to address specific issues and resources of regional concern that transcend jurisdictional boundaries (i.e. transportation, water, air quality). The creation of regional authorities is predicated on the will of all area-governments to cooperate for the benefit of the metropolitan area and for the prudent use of resources. In order for regional authorities to have legal and binding decision-making powers, enabling legislation at the state level must exist. Regional authorities operate best when they replace a layer of bureaucratic function and do not duplicate or add to existing layers.

***Regional Center*** - a concentration of land uses that includes multi-family, employment, residential, and commercial areas which contain the highest intensities and building mass in the metropolitan area. A Regional Center serves an entire region and outlying communities that rely on the metropolitan area for employment, services, entertainment, etc. A Regional Center is characterized by convenient mass transit, pedestrian and other amenities, and is specifically designated by the city for special actions and policies to facilitate its purpose and function.

***Rural*** - Of or pertaining to the country as opposed to the city. Rural areas are characterized by low residential densities per acre, open spaces, agricultural and/or grazing land, fewer city-type services, and a slower pace of life than is found in urban areas.

***Sprawl*** - The awkward spreading out of low-density development around an urban core that makes the provision of utilities and services costly and inefficient. Sprawl is characterized by large areas of low-density widely-separated developments rather than a compact high-density urban form.

***Stakeholder*** - Property and business owners, community or neighborhood organizations, or other groups that have a vested "stake" in policies promulgated and implemented by the government that could potentially affect their investment, livelihood, etc.

***Strip Commercial*** - A long, narrow development style usually found along major thoroughfares with a series of commercial establishments. This style is characterized by a strip of buildings oriented solely toward the nearest roadway with no connection to adjacent land uses or neighborhoods. It is often no more than one lot deep, but extends for miles cumulatively and has a large parking lot adjacent to the major road.

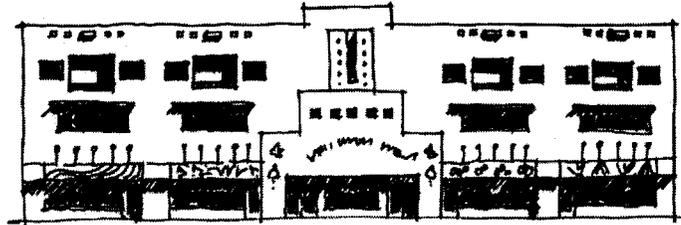
***Transit-friendly Design*** - The physical and spatial design of residential subdivisions and commercial centers that not only incorporate mass-transit into the overall site layout, but also encourage and promote its use based on a reduced dependence on the single-occupancy automobile. Transit-friendly design includes clear, open, and safe pedestrian corridors that link neighborhoods and commercial centers and are adjacent to, but not dominated by, major roads and streets.

# WEST SIDE STRATEGIC PLAN

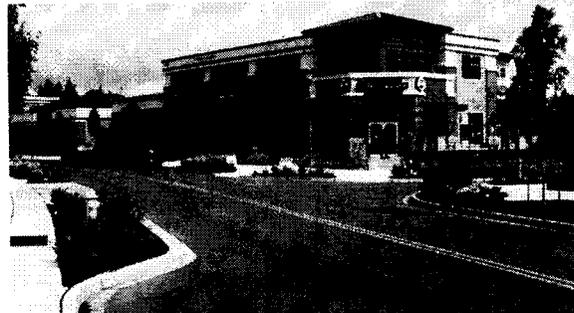


Examples of Community Activity Centers  
(Images courtesy of Dan Burden and Studio Southwest Architects.)

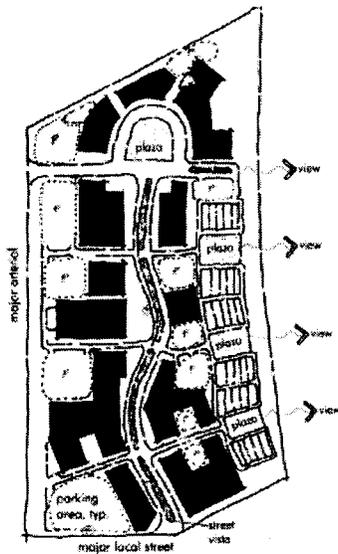
**Community Activity Centers** are usually between 30 and 60 acres. They are intended to provide a cluster of stores, offices, medical services, day care, entertainment, higher-density residences, and/or institutions like schools, libraries, community centers, and multigenerational centers for people living within a radius of up to three miles. Community Activity centers are prime locations for transit hubs because they serve concentrations of residents, employees, shoppers, and people accessing entertainment.



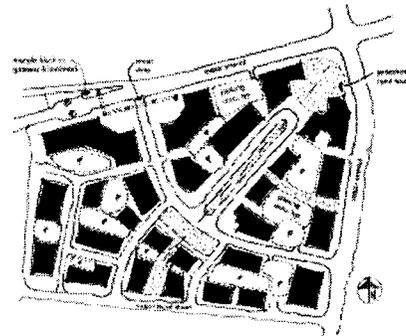
**Neighborhood Activity Centers** may range from approximately 5 to 15 acres. They should be easily accessible destinations for nearby residents and others, making it possible for nearby residents to access local services within a one-quarter to half-mile walk. Southwest Albuquerque has the potential to support a number of Neighborhood Activity Centers.



Example of a neighborhood activity center (Courtesy: Dan Burden.)



Other desirable layouts for possible activity centers in the Southwest Albuquerque (Source: "How to Create Village & Community Centers on Albuquerque's West Side," Draft, February 1999)



## **WEST SIDE STRATEGIC PLAN**

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for cross-streets in community and neighborhood centers. Location of additional access shall be determined at the time of development or redevelopment of these centers. +]

### 4. Gibson Boulevard

[+In 2006 Gibson West extended from Unser Boulevard to approximately 106<sup>th</sup> Street. It is the primary east/west access to the Community Center designated at the junction of 98<sup>th</sup> Street, 86<sup>th</sup> Street, and Gibson. Existing access from the east is confined to Arenal, then south on Unser to Blake. Both of these streets are somewhat indirect and limited traffic carriers. In 2004, Arenal (Coors to Unser) carried 11,500 vehicle trips per day and Blake, a collector, carried 5,000 trips per day.

Gibson Boulevard cannot simply be extended east from Unser Boulevard because the continuing street, Spring Flower Road, is a narrow local residential street. If possible, Gibson West would need to be aligned to the south of Spring Flower Road, meander to avoid other residential neighborhoods and tie into Coors Boulevard. This new east/west link will provide better access for the growing central and southern portions of planning area. If this new street is built, it should serve pedestrian, bicycle, and vehicle travel and should terminate at Coors to protect the rural character and historic development pattern of the South Valley. Further study is needed to ascertain area travel demand and to identify any possible street alignment. +]

**After adoption of the Southwest Albuquerque Strategic Action Plan, insert a map in an appropriate part of the Sector Development Plan to show Activity Centers. Renummer subsequent figures accordingly.**

**To create a Community Activity Center (CAC) mixed-use zoning district that can be applied voluntarily to designated Community Activity Centers, add the following new section to II. D. 1. Rio Bravo Sector Plan Amendment/ Plan Revisions/ Land Use, Parcelization and Development.**

#### [+CAC Community Activity Center

This zone may be applied in designated Community Activity Centers. It provides for development of a mixture of two or more of the following uses in a pedestrian-oriented format: community and/or neighborhood serving retail, commercial and/or publicly provided services, institutions (schools, libraries, religious institutions), multi-family residences, and live/work spaces.

#### (A) Permissive Uses:

(1) Uses listed as permissive in §14-16-2-17 C-2 Community Commercial Zone, except:

- (a) Signs: Only wall signs are permitted. No free-standing signs are allowed, except those exceptions listed in §14-16-2-17(A)(9)(f) of the Zoning Code. On live/work spaces, signs may be no more than eight square feet in area and shall be located on the building wall no higher than the first floor.
- (b) Drive-up and drive-in facilities are not allowed.
- (c) Vehicle sales, rental, service, repair, or storage are not allowed.

## WEST SIDE STRATEGIC PLAN

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(g) Metal foundries, blast furnaces, explosives, plastic production, and odorous processes are not allowed.

(4) Transit stops and transit facilities.

(5) Uses listed as conditional in the C-1 zone if they are also listed as permissive in the R-2 zone and uses listed as conditional in the R-2 zone if they are also listed as permissive in the C-1 zone, excepting uses excluded from the CAC zone.

(B) Conditional uses:

(1) Uses listed as conditional in the §14-16-2-17 C-2 Zone, except:

(a) Cold storage plants are not allowed.

(b) Drive-in theaters are not allowed.

(c) Kennels are not allowed.

(d) Mobile home development is not allowed.

(e) Tire capping or retreading is not allowed.

(f) Transfer or storage of household goods is not allowed.

(2) Uses listed as conditional in the §14-16-2-11R-2 zone excepting those excluded in the CAC Zone.

(C) Required mixture of uses:

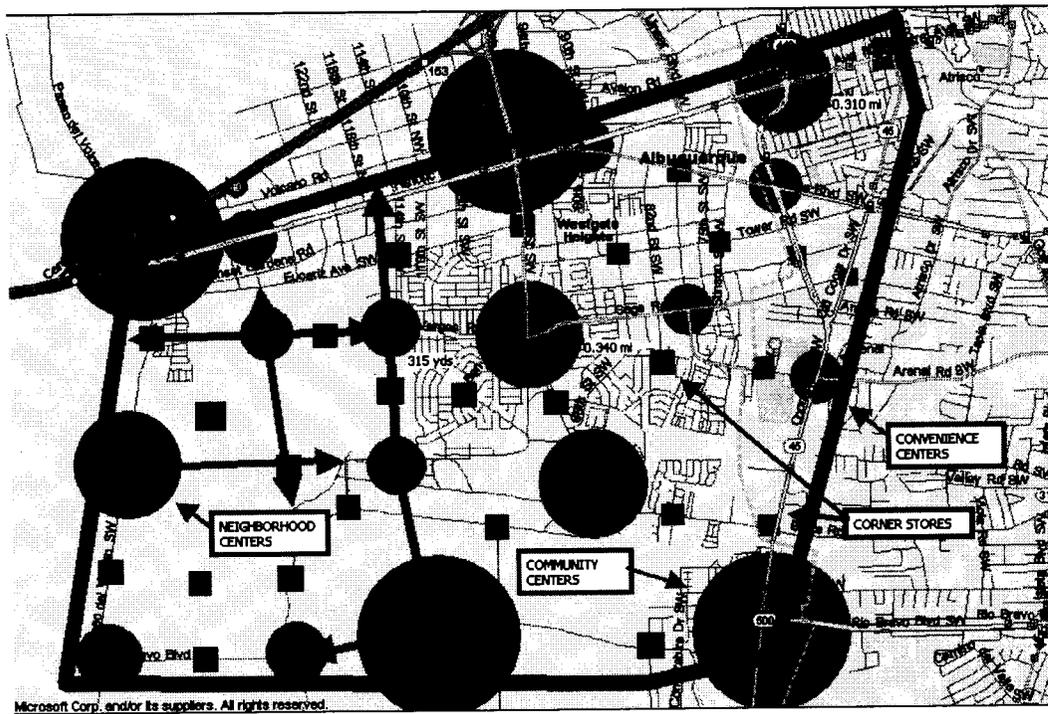
(1) Not less than 10% and not more than 50% of the gross floor area of the designated Community Activity Center shall be developed with residential uses.

(2) Not less than 50% and not more than 90% of the gross floor area of the designated Community Activity Center shall be developed with commercial, office, and/or institutional uses.

(3) Live/work units may satisfy the requirements for both residential and commercial uses, but not more than 50% of the gross floor area of the designated Commercial Activity Center shall be developed with live/work units.

(D) Height:

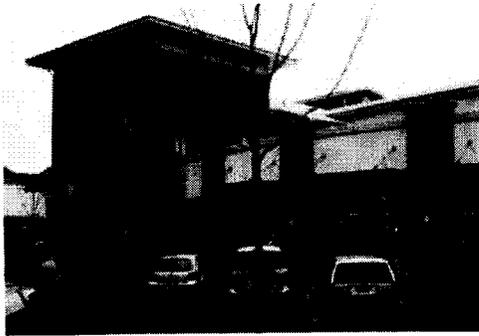
Non-residential, residential, and mixed-use structure height shall be as provided in the R-2 zone: Structure height up to 26 feet is permitted at any legal location. The height and width of the structure over 26 feet shall fall within 45° angle planes drawn from the horizontal at the mean grade along each internal boundary of the premises and each adjacent public right-of-way centerline. To protect solar access, a structure over 26 feet may not exceed the northern boundary of these 45° planes, but may be sited in any other direction within planes drawn at a 60° angle



**Retail Development Plan & Guidelines**

This study recommends that any retail planned within the Southwest study area be developed to both allow for a market rate of return for the investor and to enhance the quality of life for the area's residents. Most retailers will need to be located along major roads and highways, while smaller corner stores can locate within neighborhoods.

As much as possible, the new shopping centers should be designed as walkable open air centers, rather than strip centers. This newer format will allow for the centers to be competitive with future centers that are becoming common nationwide. As a guideline, the planning principles of the *Congress for the New Urbanism* and the *Urban Land Institute* should be considered standard for new retail development in the Southwest area.



*New retail development should incorporate the best practices of modern planning and design, including walkable streets, smaller parking lots, display windows, mixed-use and multi-level stores (A new Home Depot in suburban Vancouver, BC upper left and a large bookseller in Columbus, Ohio upper right).*

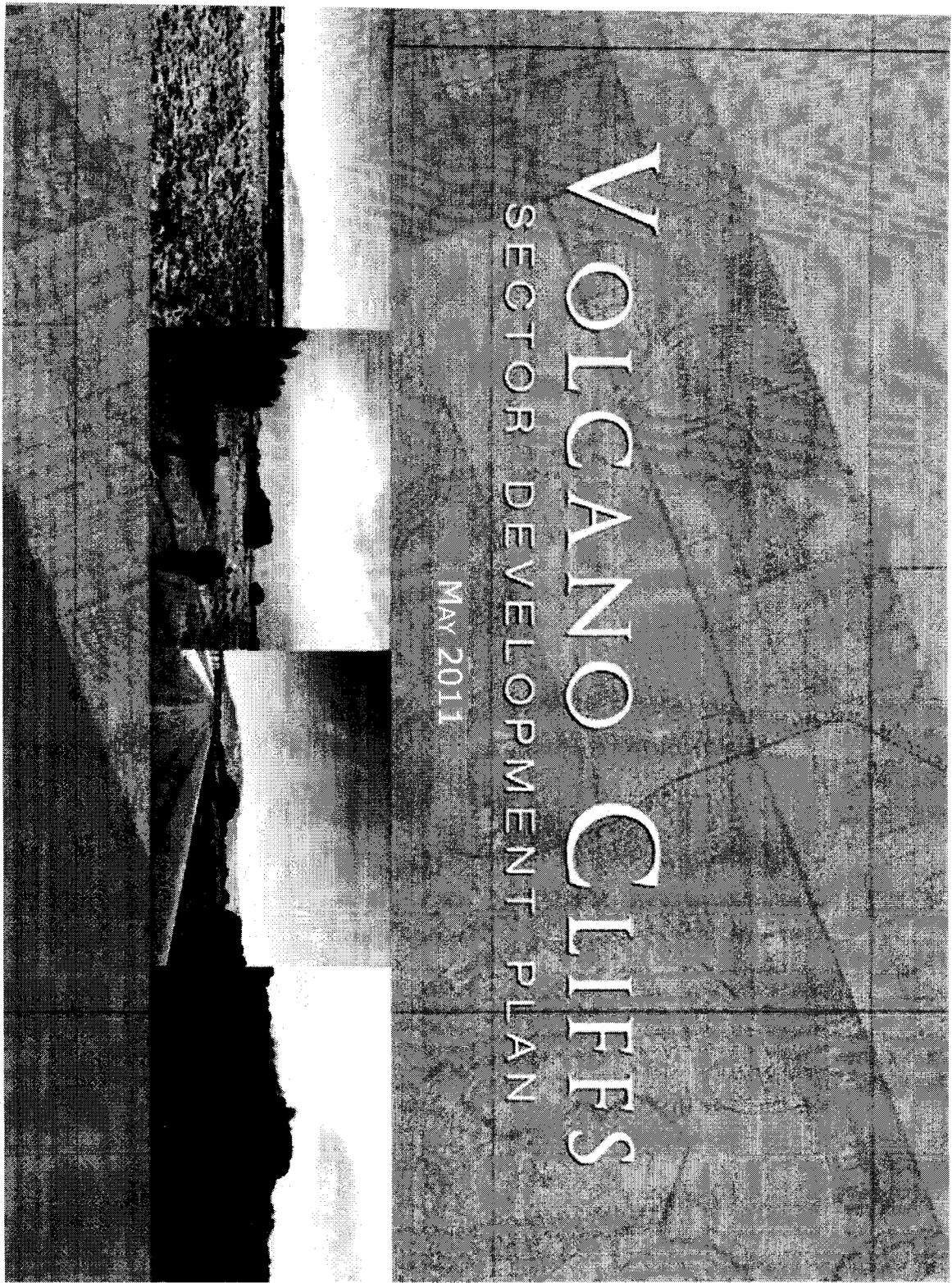
Please find a summary of the basic planning guidelines for commercial development in the Southwest area:

- Build streets to allow for pedestrian walkability and traffic calming.
- Provide for on-street parking in commercial areas.
- Place a majority of buildings along sidewalks and street frontage.
- Plan for the long range and A-B sides of town center.
- Encourage mixed land uses and multi-floor buildings.
- Require minimal store front windows along first level.
- Improve sign design standards over existing City standards.
- Require enhanced landscaping.
- Improve approval process for quality centers.

# VOLCANO CLIFFS

SECTOR DEVELOPMENT PLAN

MAY 2011



# Chapter 1

## Goals

3. *Encourage architectural and landscape treatments that are consistent with the region's traditions and climate and that help to enhance a unique sense of place.*  
Albuquerque's design traditions spring from its arid climate, intense sun, local materials, and the cultural backgrounds of its inhabitants. These considerations deserve continued attention out of respect for the past and also out of concern for an energy- and water-efficient future.
4. *Promote diverse housing options throughout Volcano Cliffs.*  
A variety of housing types—at varying densities—allows residents, if they choose to do so, to move through all stages of life within the same neighborhood. Housing diversity will also help attract businesses and balance development on the West Side.
5. *Establish a Village Center as a mixed-use Neighborhood Activity Center that offers a range of service, commercial, and entertainment uses; urban housing; and some employment opportunities.*  
A mixed-use Neighborhood Activity Center designation (as per the Rank II West Side Strategic Plan, using the criteria of the Rank I Comprehensive Plan) for the Village Center will provide an opportunity for residents in the surrounding residential areas to access a range of goods and services that they may need in their daily lives. The Village Center also provides an opportunity for housing options at higher densities than the surrounding single family neighborhoods. Clustering retail services within close proximity to residential areas provides an opportunity for goods and services to be accessible to adjacent residential neighborhoods. Following the West Side Strategic Plan, a well-designed central plaza will serve as a focus for community life in the Neighborhood Activity Center and help enhance a sense of place.
6. *Provide for the orderly expansion of infrastructure and public facilities in the area.*  
Volcano Cliffs' infrastructure improvements will need to be phased in a way that recognizes available funding and that provides infrastructure and facilities in a timely way to meet the needs of residents and local employees. One funding mechanism that is available for development in the area is Special Assessment Districts (SADs).

## SU-2 Volcano Cliffs Village Center (VCVC)

### SU-2/VCVC. Village Center.

*The Village Center zone provides opportunities to develop a mix of commercial and higher-density residential uses to serve the Volcano Cliffs area.*

#### A. GENERAL

##### Permitted Uses

SU-1 MX, C-1, and R-2 with the following additions and exceptions:

1. Parking structures shall be permitted with ground floor level uses along the street facade.

2. Drive-in restaurants are prohibited.

3. Single-family development is prohibited.

4. Gated and/or walled developments are prohibited.

5. In the Village Center, food stores shall not exceed 50,000 square feet, and other retail facilities shall not exceed 25,000 square feet per store to maintain a neighborhood scale and to distribute desirable uses among multiple village centers.

6. Health Care facilities, such as hospitals, laboratories, medical offices, and clinics shall incorporate uses that serve and are accessible to the public along street-facing building frontage in the Village Center.

7. Public Utility Structure locations shall be in accordance with an adopted Rank II Facility Plan and a site development plan for building permit approved by the Environmental Planning Commission.

8. Transit facilities outside the public right-of-way are permissive subject to a Site Development Plan for Building Permit approved by the Environmental Planning Commission.

##### Mixed-Use Requirement

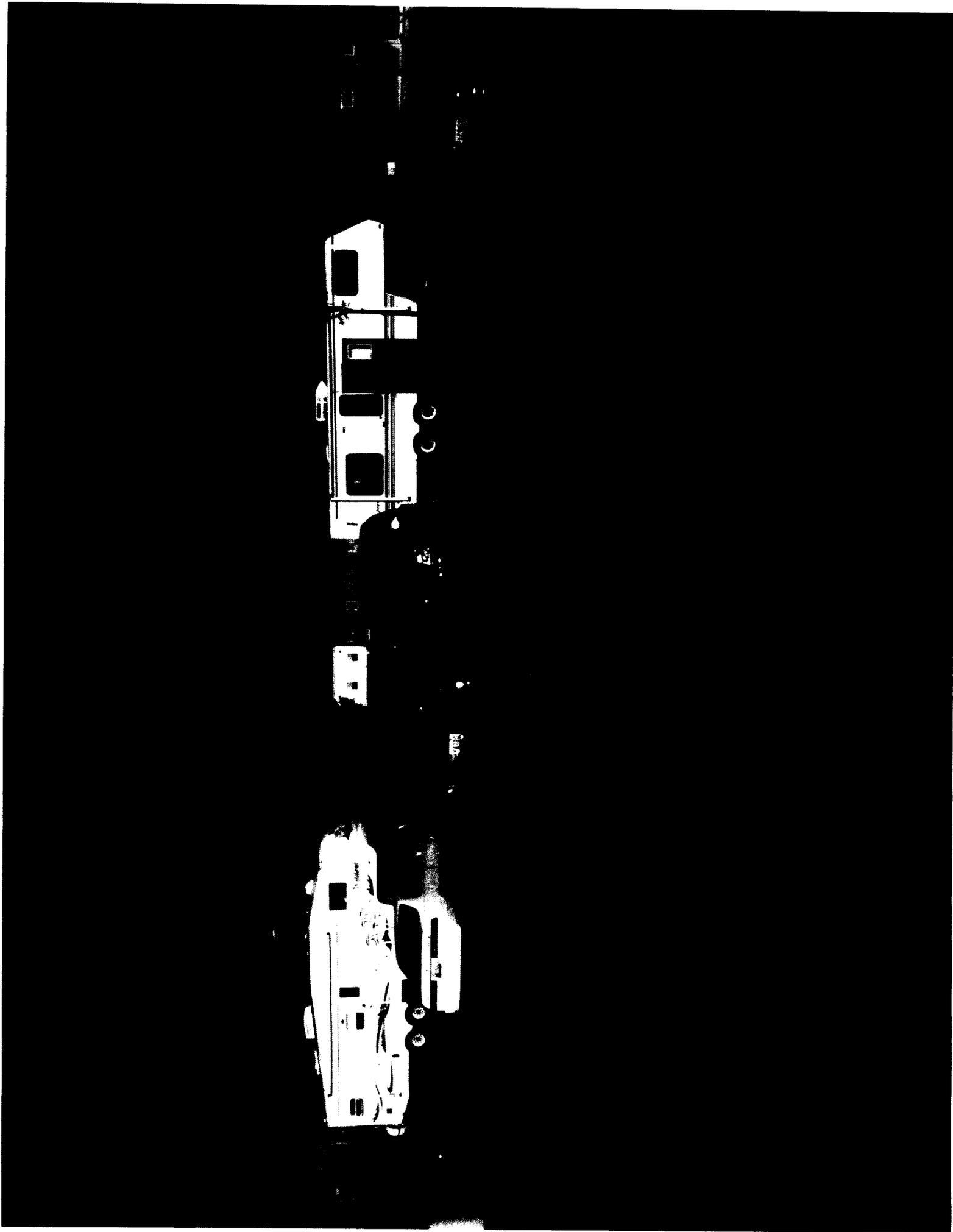
In order to develop a well-functioning, mixed-use environment, all development over 1/2 acre shall contain the following mixture of uses:

1. Commercial (C-1 and live/work): minimum 40% of total development square footage.

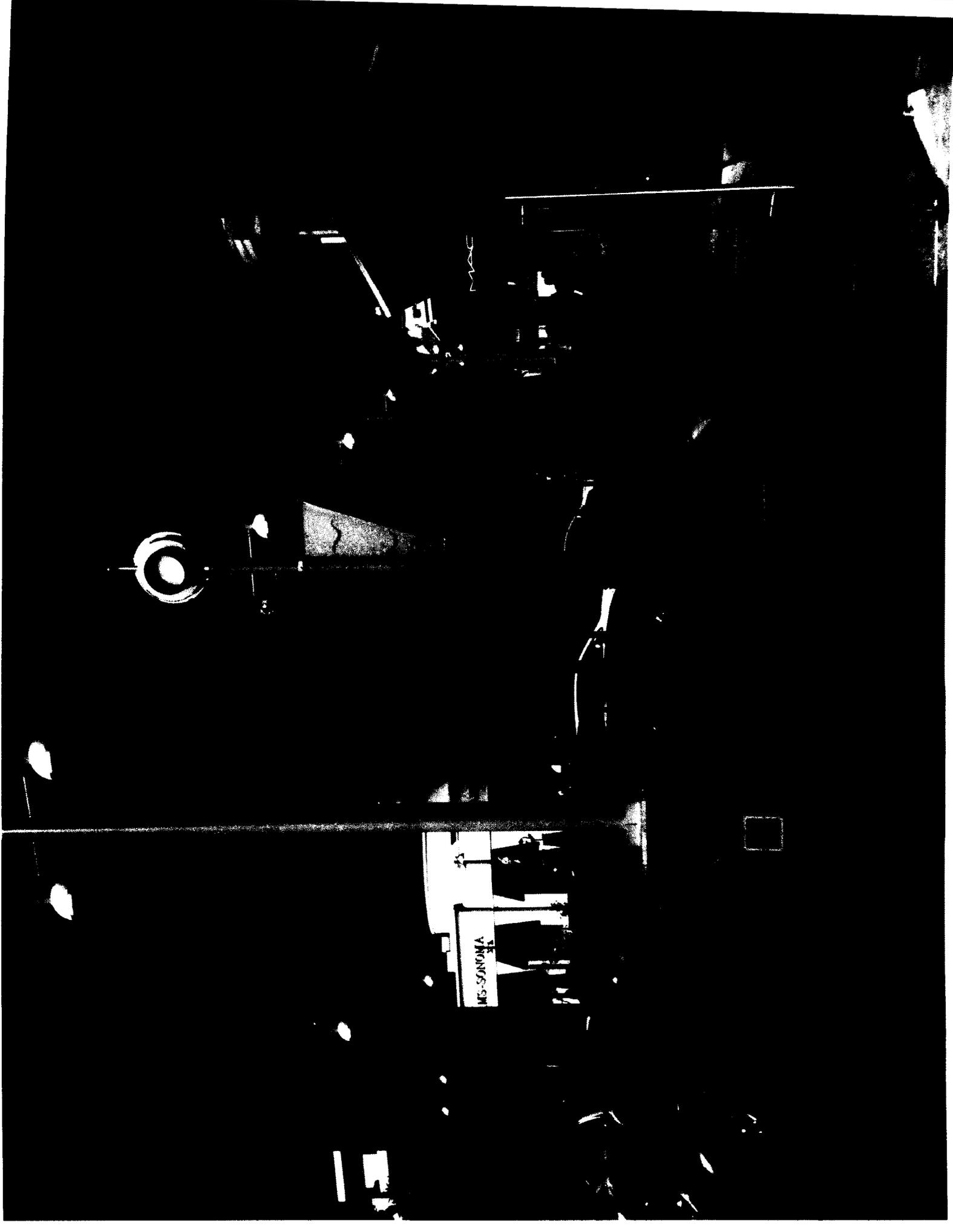
2. Residential: maximum 30% of total development square footage.

3. Percentages apply to gross developable area, i.e. exclusive of site constraints such as undevelopable areas.

4. Compliance shall be demonstrated by Master Development or Site Plans.



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