



**Environmental  
Planning  
Commission**

**Agenda Number: 7  
Project Number: 1000188  
Case #'s: 07EPC 40095, 07EPC 40101  
January 17, 2008**

**Staff Report**

<b>Agent</b>	Garcia & Kraemer Associates
<b>Applicant</b>	West Bluff Center LLC
<b>Request(s)</b>	<b>Amendment to Site Development Plan for Building Permit</b> <b>Text Amendment to Coors Corridor Sector Development Plan</b>
<b>Legal Description</b>	Lots 1, 2, 3, 4, 5 & 7, West Bluff Center
<b>Location</b>	Coors Blvd. NW between I-40 and Quail Rd.
<b>Size</b>	Approximately 34 acres
<b>Existing Zoning</b>	SU-1 for C-2 (Community Commercial) and C-2
<b>Proposed Zoning</b>	no change

**Staff Recommendation**

***DENIAL of 07EPC 40095 (Amendment to Site Development Plan for Building Permit), based on the findings on page 14.***

***DENIAL of 07EPC 40101 (Text Amendment to Sector Development Plan), based on the findings on page 17.***

**Staff Planner**

**Carol Toffaleti, Planner**

**Summary of Analysis**

The dual request is for a site development plan for building permit amendment for Lots 1, 2, 3, 4, 5 & 7, West Bluff Center, a site of 34 acres zoned SU-1 for C-2 and C-2, located on Coors Blvd. NW between I-40 and Quail Road, and a text amendment to the Coors Corridor Plan. The applicant proposes to build two free-standing signs near the west property line of the site, that would be higher and have larger sign face areas than the previously approved signs at these locations. The text amendment would allow 150 sf free-standing or projecting signs within 200' of the elevated section of Coors Blvd. between I-40 and Quail Road. The requests are in significant conflict with applicable goals, policies and regulations of the Comprehensive Plan, West Side Strategic Plan and Coors Corridor Plan. They are untimely due to imminent review of the updated CCP by the EPC and to City plans to extend the elevated portion of Coors Blvd. over Quail Road at the north boundary of the subject site. The West Side Coalition of Neighborhood Associations is opposed to the requests due their negative impact on view preservation, a primary goal of the current and updated CCP, and the bad precedent they would set for other development in the area.

This staff report should be read in conjunction with the report for Agenda # 8, Project #1000264, Case #s 07EPC 40097, 07EPC 40102

Location Map (3" x 3")

**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 Uses	Established Urban Area; West Side Strategic Plan (Rank II); Coors Corridor Sector Development Plan (Rank III)	West Bluff shopping center
<b>North</b>	SU-1 for C-2 Uses	same	Commercial uses
<b>South</b>	SU-1 for O-1 and Warehouse uses (approved), SU-1 for IP uses	same	Vacant, charter school
<b>East</b>	(north to south) O-1, R-2, R-T, SU-1 for Church & related facilities, R-T	same	Vacant, single family residential, church
<b>West</b>	(across Coors Blvd) C-2, SU-1 for a commercial development to include a truck terminal and related C-2 uses, SU-1 for C-2 uses	same	Commercial, office and warehouse uses

**Background**

This is a dual request for an amendment to a site development plan for building permit for Lots 1, 2, 3, 4, 5 & 7, West Bluff Center, a site of approximately 34 acres zoned SU-1 for C-2 and C-2, located on Coors Blvd. NW between I-40 and Quail Road, and a text amendment to the Coors Corridor Plan, a Rank III plan. The applicant proposes to build two free-standing signs near the west property line of the site, that would be higher and have larger sign face areas than the previously approved signs at these locations (Z-99-38, 9/17/99 and Project #1000188, Case #s 00450-00235 and 00450-00124, DRB91-030, 9/27/00). The text amendment would change the existing sector plan policy on signage to allow 150 sf, rather than 75 sf, free-standing or projecting signs within 200' of the elevated section of Coors Blvd. between I-40 and Quail Road.

The applicant's primary justification for the requests is that NMDOT changed the design of Coors Blvd. at the interchange with I-40 into an overpass after EPC approval of the site development plan for building permit and development of the shopping center. This raised the elevation of the roadway and restricted visibility of the approved signs to passing motorists on Coors Blvd.

The subject site is split into two sections, a northern section and a southern section. The requests pertain to Tracts 4 and 5 in the southern section of the shopping center. The original site development plan shows a gas station on Tract 4, but this was amended to replace it with a Chili's Restaurant in 2001. One of the proposed signs would replace the Chili's restaurant sign on Tract 4,

which was built as approved but subsequently demolished for road works. It would be 45' high instead of 26' and have a sign face area of 102 sf instead of 75 sf. The other sign would replace a WalMart sign that was never built. It would be 41' high instead of 26' and have a sign face area of 150 sf instead of 75 sf.

The applicant has submitted a similar dual request for a free-standing sign in the middle section of the shopping center. It is also to be heard at the January 17, 2008 hearing (see EPC project #1000264, cases #07EPC-40097, 07EPC-40102).

The EPC has authority to approve amendments to a site development plan for building permit, per Sections 14-16-3-11 (B). The text amendment to the Coors Corridor Plan is required because the proposed signage does not comply with regulations in the plan, which established a design overlay zone. Regarding the text amendment, the EPC's authority is limited to making a recommendation to City Council, per Section 14-16-4-3(C)(3) of the Zoning Code.

### ***History***

The shopping center, including the subject site, has a long and varied history of requests, approvals, denials and appeals involving proposed and implemented development.

The subject site began as part of a larger, approximately 62-acre zone change and site plan proposal that included all three parts of the current shopping center plus additional acreage (Z-99-16, Z-99-20 and Z-99-38). After a number of approvals and appeals, the request was reduced to a smaller, approximately 35-acre site plan for the separated northern and southern pieces. A Home Depot and two small retail units were approved on the northern piece in conjunction with a WalMart store and one retail unit on the southern piece, separated by the undeveloped middle piece (Z-99-38).

The appropriateness of EPC review of these requests was established following Zoning Hearing Examiner actions, appeals and discussions between the applicant, the City and neighborhood associations. In August 2006, the ZHE denied requests for similar variances to sign height and area (#1004903, 06ZHE-00691, -00692, and #1004904, 06ZHE-00693, -00694, 8/30/06). The main reasons for the denial were that arguments were insufficient to warrant approval and that granting the variance would add to a possible proliferation of requests for variances by business owners on the west side of elevated Coors Blvd. In November 2006, appeals by the applicant were heard by the Board of Appeals. In April 2007, the remanded cases were heard again by the ZHE and deferred indefinitely with the consent of all parties (see attached Notice of Decision dated 4/17/07).

### ***Context***

The subject site is in the Established Urban area of the Comprehensive Plan, and within the West Side Strategic Plan and Segment 2 of the Coors Corridor Sector Development Plan (SDP) areas. To the north and west of the site (across Coors) are various commercial, office and warehouse uses. To the south is vacant land, on which a flex office/warehouse development was recently approved by the EPC (#1002717, 11/15/07), and a charter school. To the east (across Corona Dr.) is a mix of single family residential uses, a church and vacant land. Coors Blvd. is elevated above Ouray Rd. and returns to grade at Quail Rd., the northern boundary of the subject site.

### ***Long Range Roadway System***

The Long Range Roadway System (LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies the functional classifications of roadways (ref. 2030 MTP 6/30/07).

The Long Range Roadway System designates I-40 an Urban Interstate Highway. With regards to the subject site, this includes the access-controlled areas adjacent to the interstate, i.e. the off-ramps, frontage road and the section of Coors Blvd. from I-40 north to Quail Road, as stated by the Chief Engineer at NMDOT in a letter dated February 16, 2007. (See applicant's submittal.)

Ouray and Quail Roads are local streets.

The LRRS map does not identify any roadway capacity projects in the area. However, the City of Albuquerque, Department of Municipal Development, is currently awaiting the authorization of federal highway grant funds for the design and implementation of a grade-separated intersection at Coors Boulevard and Quail Road. These improvements may further affect the visibility of signs in the area of this intersection as a result of elevating the grade of Coors Boulevard over Quail Road. The design of the project is anticipated to be underway by mid-year 2008.

The *Long Range Bicycle Plan* designates an overpass at Coors Blvd. and Ouray Rd. The MTP map indicates an existing bike route on Quail Rd and an existing trail on Coors Blvd..

The MTP map indicates that Coors Blvd. is a potential *High Capacity Transit Corridor*.

The Comprehensive Plan designates Coors Blvd. as an existing *Enhanced Transit Corridor*.

### ***Public Facilities/Community Services***

Public Facilities: Fire Station 17, West Mesa Community Center

APS: Susie Rayos Marmon elementary school, Adams middle school

ABQ Ride: #96 Crosstown Commuter, between Cottonwood Mall Park & Ride and Kirtland AFB; #155 Coors Blvd. Line – 7 days a week, between Cottonwood Mall Park & Ride and Valley Gardens; #790 Blue Line Rapid Ride - 7 days a week, between Montano Plaza and UNM. The routes use bus stops on Coors Blvd. north of Ouray Rd.

## ***ANALYSIS OF APPLICABLE ORDINANCES, PLANS AND POLICIES***

The analysis is based on the original submittal, including videos taken from Coors Blvd., and supplementary information provided by the applicant on January 7 and 8, 2008.

### ***Albuquerque Comprehensive Zoning Code***

The subject site consists of Lots 1, 2, and 3 in the northern part of the shopping center, south of Quail Rd. and Lots 4 and 5 in the southern part of the shopping center, south of Ouray Rd. Although the northern part of the site is split between two zones, SU-1 for C-2 uses and C-2, all of the southern portion is zoned SU-1 for C-2 uses. The applicant is proposing to change two signs in the southern portion of the site only. The signs are free-standing on-premise signs as defined by the Zoning Code (Section 14-16-1-5).

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The EPC has authority to approve amendments to a site development plan for building permit, per Section 14-16-3-11 (B), which states:

“Site Development Plans, especially for unbuilt areas, are often changed so that developers can better respond to changing market conditions. Amendment of Site Development Plans does not require meeting the criteria which must be met to justify changing zones or changing written specifications imposed by Sector Development Plans or by terms of approval of a zone such as SU-1. Site Development Plans are expected to meet the requirements of adopted city policies and procedures.”

Zoning Code Services have confirmed that the proposed height of the new signs is appropriately reviewed under C-2 zoning regulations (Section 14-16-2-17 (A)(10)(d)(1)), which states:

“Height of a free-standing sign shall not exceed 26 feet, except a sign which is within 200 feet of a moving through lane of an Interstate Highway, excluding interchange ramps, may be up to but shall not exceed 26 feet above the freeway at its closest point.”

The sign face area is regulated by the Coors Corridor Plan, a sector development plan, which is why the proposal requires a text amendment to this plan approved by City Council, per Section 14-16-4-3(C)(3) of the Zoning Code.

Zoning Code Services have also clarified that "sign area" includes the shopping center identification, i.e. "West Bluff" on the proposed signs, and excludes the structural frame and base.

### **Albuquerque / Bernalillo County Comprehensive Plan**

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

***In addition to amending two signs in the West Bluff shopping center, the applicant proposes to amend the Coors Corridor Plan (CCP), which would allow larger sign face areas on free standing or projecting signs within 200’ of the elevated section of Coors Blvd., excluding interchange ramps, between I-40 and Quail Road. This could lead to a proliferation of larger signs in the area, which would undermine the CCP Goal of a “visually pleasing built environment”.***

Applicable policies include:

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, or recreational concern.

***The proposed amendments do not respect neighborhood values given the opposition expressed by the West Side Coalition of Neighborhood Associations to the current requests and to similar requests denied by the ZHE. The primary value affected is the scenic resources of the West Side.***

Policy II.B.5g: Development shall be carefully designed to conform to topographical features and include trail corridors in the development where appropriate.

*The proposed signs are justified by the applicant strictly in terms of their visibility from the elevated section of Coors Blvd. without mentioning the topography or grade of the subject site, the adjoining frontage road or other nearby and adjacent surface streets.*

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

*The applicant does not propose changing the location of the previously approved signs, but by increasing their height and their illuminated sign face area, staff considers that they may be visible from surrounding residential environments and therefore have an adverse effect on them.*

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

*The design of the approved signs is proposed to be changed. Extending the base vertically will change the proportions of the original design, affecting the attractiveness of the approved signs. This will undermine the quality of the design and its appropriateness to the plan area.*

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

*Because of their height and size, the proposed signs will obstruct rather than enhance vistas from Coors Blvd., from the subject site and from surrounding neighborhoods. The text amendment would also allow larger free-standing or projecting signs on other properties in the Coors Corridor between I-40 and Quail Rd. The combined effect of the amendments would undermine the quality of the visual environment in the area.*

Elements of the *Developed Landscape* section are also applicable:

Goal: To maintain and improve the natural and the developed landscapes' quality.

*The higher and larger signage allowed by the amendments would not maintain or improve the quality of the developed landscape in the area because it would impair views and tower above the surrounding area.*

Policy II.C.8.a: The natural and visual environment, particularly features unique to Albuquerque, shall be respected as a significant determinant in development decisions.

*By furthering a single objective, namely visibility of signage from Coors Blvd., the proposed amendments do not respect the visual environment overall, and particular views to the mountains, as a significant determinant in development design.*

Policy II.C.8.c: Incidental structures such as signs, guywires, poles, fireplugs, street furniture and overhead utility wires shall be designed for minimal visual intrusion and mobility impediment to pedestrians.

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*The proposed amendments would allow higher free-standing signs and larger free-standing or projecting signs on Coors between I-40 and Quail Road which would exacerbate visual intrusion in the area.*

*In conclusion, the requests are in substantial conflict with all applicable policies of the Comprehensive Plan.*

### **West Side Strategic Plan (WSSP) (Rank II)**

The West Side Strategic Plan (WSSP) was adopted in 1997 and has been amended several times, most recently in December 2005. The WSSP area is bounded by the Sandoval County line on the north, the Rio Puerco Escarpment on the west, a line south of Gun Club Road (the Atrisco Grant line) on the south, and the Rio Grande on the east for areas north of Central, and Coors Boulevard on the east for areas south of Central. It encompasses over 96,000 acres of land, or approximately 150 square miles. Specific boundaries are shown on the Plan Boundary map on p. 5.

The WSSP identifies thirteen communities in established areas of the West Side that are partially developed and describes how community concepts can be applied. A Community is comprised of a Neighborhood Center(s) and Community Center(s).

Community Concept Policy 1.1: Thirteen distinct communities, as shown on the community plan 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.

The subject site is located in the Ladera Community. The Ladera Community is bounded by the Rio Grande on the east, Western Trails on the north, Unser Boulevard and the Petroglyph National Monument on the west and I-40 on the south. The Ladera Community encompasses 2,926 acres and was 40% vacant at the time the WSSP Plan was written, although that percentage has risen decreased dramatically since 1997. Major existing streets are Coors Boulevard and Atrisco. Ladera and Ouray provide east/west access through the community. Substantial existing commercial and public services exist along Coors Boulevard extending from Interstate 40 to St. Joseph's Drive. This is recognized as pre-existing in the Plan and is building out as a major corridor of services, higher density residential, and employment generators.

In Chapter 4. Development Process Issues, the plan emphasizes that the visual aspects of the area's unique environmental features are highly valued by the public and sets out the following policy regarding design:

Policy 4.6: The following design guideline sections shall become policies with the approval of this Plan: Visual Assets; Views East of Coors Boulevard; Views to and from the Monument; Other Views; Height; Lighting; Vegetation; Overhead Utilities; Radio, TV, and Cellular Towers; Signs; Fences and Walls; and Additional Design Guidelines Issues. It is recognized that additional Design Guidelines based on these and other applicable policies of the Plan shall be developed as follow-up work, and will be more complete than those included here. These policies were considered too critical to wait for additional planning efforts in the future.

(pp. 160-171)

Applicable design guidelines include:

Signs: “The public strongly expressed their desire to see more quality West Side development, i.e. higher standards in streetscapes, residential and commercial development...It is the policy of the plan to continue regulating billboards (off-premise signs) and other large free-standing signs on the West Side to protect and preserve views and open space and enhance design of existing and new development. There was a strong public sentiment expressed during the Plan development process that the open vistas of the West Side are a significant feature that should be protected. This was the area of strongest agreement of those expressing an opinion for any of the questions posed regarding the Plan.”

(p. 172)

On-premise signs: New on-premise sign standards...will address design, size and placement in order to minimize confusion and distraction for the public and maximize safety and information, at the same time providing readable and attractive signs which do not dominate the roadway. These standards will minimize impairment of views of the roadway or unique views beyond the roadway.”

(p. 173)

***The proposed amendments conflict with these design guidelines, as the higher and larger signs they would allow would not protect open vistas, which are the West Side feature most valued by the majority of the public. In addition, they would undermine the intent of the guidelines that on-premise signs not dominate the roadway or impair unique views beyond the roadway.***

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.

(p. 176)

***Staff included this policy to clarify the weight of policy 4.6 and of its corresponding design guidelines.***

***In conclusion, the proposals are in significant conflict with the design guidelines for signage in the West Side Strategic Plan.***

### **Coors Corridor Sector Development Plan (Rank III)**

The subject site lies within the boundaries of the Coors Corridor Sector Development Plan (CCSDP), a Rank III plan adopted in 1984 and amended in 1989, 1995 and 2003. The most recent amendment, R-03-270, limited the height of free-standing signs to 9' and building-mounted signs to the building height, in order to protect scenic resources in Segments 3 and 4 of the plan area. It contains policies, regulations and guidelines for the development of Coors Boulevard and adjacent properties from Central Avenue north to State Road 528 (Alameda Boulevard), with the overarching goal to “promote visual harmony between new and existing buildings and between the built



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environment and the natural scene” (p. 82). *Design policies* express the intent of the City and County. *Design regulations* are to control specified critical design aspects of the area. They apply to new construction or alteration of buildings or sites. *Design guidelines* are suggestions to supplement the design regulations. The plan also puts emphasis on Coors Boulevard as a transit and pedestrian corridor.

The subject property is in Segment 2 of the Coors Corridor Plan, which extends from I-40 north to Western trail. All policies and design regulations are applicable to this site, except those concerning view preservation specific to Segments 3 and 4.

The plan is currently being updated. The new plan will emphasize improved building relationships to maintain views and pedestrian elements. An improved Design Overlay Zone will maintain views more effectively. The EPC began reviewing the revised draft of the plan at the hearing on May 10, 2007 and will continue its review at subsequent hearing(s). It is next scheduled to be heard at the February 14, 2008 EPC Study Session. The existing plan is being applied to this proposal. However, Advanced Planning have commented that the Planning Department has no intention of modifying the current sign regulations to increase the allowable sign area for freestanding signs. In general, the Planning Department's view is that the proposed increase in sign area will impact the overall scenic qualities and consistent development character that exists within the design overlay zone.

Applicable policies and design standards are:

*Issue 4 – Visual Impressions and Urban Design Overlay Zone (p. 82)*

- a. General policies - Apply to the entire length of the corridor.  
Policy 4.a.1: Views Within the Corridor: Appropriate and pleasing visual impressions within the corridor should be established and preserved.

***The proposed amendments, by allowing higher and larger signs, will not preserve pleasing visual impressions within this area of the Coors Corridor.***

Policy 4.a.2: Views Beyond the Corridor: Significant views beyond the corridor, including the volcanos, escarpment, arroyos, Bosque, Rio Grande Valley, and the Sandia Mountains as viewed from Coors Boulevard should be preserved and enhanced.

***Views from the elevated section of Coors Blvd north of I-40 will be obstructed by the proposed signs in the West Bluff shopping center and by future signs that would be allowed by the text amendment.***

- d. Signage  
Policy 4.d.1 – Signs should complement the appearance and function of the roadway and the corridor while protecting the unique views beyond the corridor.

Rationale: ...The purpose of signage regulations related to the Coors Corridor is to promote signage designs which are:

1. Compatible with surroundings, expressive of the identity of individual properties and sensitive to the goals for the design and character of the Coors Corridor area.

2. Orderly and appropriate to the activity to which they pertain; related to the place where the activity represented is located.
3. Non-distracting to motorists
4. Aesthetically pleasing.

*The amended signs on Tracts 4 and 5 are designed primarily from the perspective of the elevated section of Coors, with little regard for their appearance from the adjoining Coors frontage road and closest cross-street, Ouray Road, which also form part of the Coors Corridor. The mainly solid base of the signs would be extended upward which will obstruct views beyond the corridor from Coors Blvd. and from the grade of the subject site. In staff's estimation, the large area of these extensions, including the actual sign face area and the plain stucco plane below it, would not be sensitive to the goals for the design and character of the Coors Corridor area nor be aesthetically pleasing.*

Design Regulations: The General Sign Regulations...of the Comprehensive City Zoning Code are extended to apply to all signage in the Coors Corridor Area, as follows:

2. Regulations applicable to signs in all zones:

PROHIBITED SIGNS:

- ...
- is a free-standing ...sign greater than 75 s.f.

*The proposed text amendment would allow free-standing or projecting signs up to 150 sf within 200' of the elevated section of Coors between I-40 and Quail Road.*

6. General Sign Regulations applicable to the design of all signage in the Coors Corridor Area:  
MAXIMUM NUMBER OF ITEMS PER PREMISE FRONTAGE: An item of information means any of the following: a word; an abbreviation; a number; a symbol; a geometric shape. All letters and symbols over 3" in height are counted as items of information.
  - A total of ten items allowed per premise frontage may be displayed on a combination of ground signs, wall signs, and projecting signs. Directional signs are not counted.
  - Each premises on Coors Blvd. is permitted to display signs containing up to a total of ten items of information along any one street frontage. An additional ten items of information may be displayed on any other street which provides access to the same premise.

LIGHTING OF SIGNS: Signs which are directly spotlighted or internally illuminated may be used provided that:

- there is no glare on the street or upon adjacent property; and
- the light does not distract motorists.

(p. 112 – 115)

*The applicant has not addressed these regulations in their written information or on the amended site development plans. Staff was therefore unable to compare the number of items of information relative to what was previously approved. A 150 sf illuminated sign would have greater potential impact to distract motorists than a 75 sf sign.*

*Overall, the proposals are in significant conflict with applicable policies of the Coors Corridor Plan.*

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**ANALYSIS OF AMENDMENT TO SITE DEVELOPMENT PLAN FOR BUILDING PERMIT**

The analysis is based on the original submittal, including videos taken from Coors Blvd., and supplementary information provided by the applicant on January 7 and 8, 2008 in the form of emails, a letter and revised sign details.

EPC approval of an amendment to the site development plan for building permit affecting the sign face area, which is regulated by the Coors Corridor Plan, would be conditional on final approval of the text amendment to the CCP by City Council.

***Signage***

The design of the previously approved free-standing signage on Tracts 4 and 5 is not entirely clear from the materials submitted by the applicant. The sheet provided shows a "Type one" monument sign with a height of 26', a line of text for three unspecified tenants within a sign face area of 75 sf., and an additional line to identify the shopping center. The structure is primarily stucco, with a cut stone wainscot and a 10' 6" arch at the base.

The locations of the signs to be amended are the northwest corner of Tract 4 (Chili's restaurant) and near the northwest corner of the WalMart building on Tract 5. No change is sought to the previously approved locations of the two signs.

The applicant seeks to increase the height of the sign on Tract 4 to 45' and the area of the sign face to 102 sf., which consists of an internally illuminated logo for Chili's restaurant. Below the sign face area would be the shopping center identification. The base structure would be of stucco with a gridded stucco finish, rather than a cut stone wainscot around the archway.

The applicant seeks to increase the height of the sign on Tract 5 to 41' and the sign face area to 150 sf. The sign face area would consist of a 10'2" wide by 14'8" high, internally illuminated panel. No text is specified, making it impossible to compare it to the previously approved signage or to evaluate it against regulations in the Coors Corridor Plan concerning the maximum number of items that would be allowed. Below the sign face area would be the shopping center identification.

The amended site development plan does not specify whether there would be sign faces on both sides of the base. However, Zoning Code Services informed staff that a sign on both sides does not affect compliance with City policy.

The applicant has justified the amendments based on the fact that the design of the Coors Blvd./I-40 interchange was changed after approval and development of the shopping center and that the approved signs would no longer be visible to motorists on Coors Blvd. The applicant has pointed out that a 'jersey barrier' of 2 to 3' adds a further obstruction to visibility. The increase in height requested is 19' for the Chili's sign and 15' for the WalMart sign.

The original submittal referred to sign regulations in the C-2 zone (Section 14-16-2-17(A)(10, *not 9 as quoted by the applicant in their cover letter*)(d)(1)) that allow the height of free-standing signs within 200' of a moving through lane of an Interstate Highway, excluding interchange ramps, to be up to 26' above the freeway. To support this argument, the applicant supplied a letter from NMDOT stating that the section of Coors Blvd. from I-40 north to Quail Road is indeed part of the Interstate 40 Highway. The argument for increasing the sign face also refers to the C-2 zone regulations,

which allow a 300 sf sign if it is within 200' of a moving lane of a freeway and is visible from the freeway (Section 14-16-2-17(A)(10)(c)1.d).

The revised overall site development plan indicates the point at which “moving thru lane of Coors Blvd. and Coors Blvd. frontage road meet at grade”. This was requested by staff to evaluate the signs relative to C-2 zoning regulations, which allow height exceptions near an interstate *excluding* interchange ramps. Although the label on the SDP is confusing, staff has looked at the aerial photo in conjunction with the supplementary SDPS and is satisfied that the interchange ramps merge with Coors Blvd. south of the proposed signs and therefore the elevated roadway nearest the signs is part of the interstate, based on NMDOT’s letter. But, the C-2 zone regulations explicitly state: “excluding interchange ramps” (14-16-2-17(A)(10)(d)1.). The NMDOT letter does not change the language of the Zoning Code, its interpretation or implementation.

The applicant also supplied revised sign details, which include the distance from the base of each sign and the height of each sign relative to the elevated portion of Coors Blvd. These indicate that the elevated section of Coors Blvd. near Tract 5 is 51’ from the base of the WalMart sign and 15’ above grade; and near Tract 4, is 51’ from the Chili’s sign and 32’ above grade. This clarifies that the applicant is actually requesting an amended height fully 26’ above Coors Blvd. for the WalMart sign and 12’9” higher for the Chili’s sign. For the sake of comparison: the top of the approved Chili’s sign would have been 6’ below elevated Coors; the top of the approved WalMart sign would have been 11’ above; and the proposed 41’ high WalMart sign is considerably higher (11’8”) than the west elevation of the building, which is closest to the sign and has an approved height of 29’4” to the main parapet.

In terms of design, staff considers that the 15’ vertical extension of the existing base would be disproportionate and an unattractive addition to the streetscape.

The request is based on the premise that visibility of the signs to motorists on Coors Blvd. is the primary concern. However, they have not supplied evidence that the higher and larger signs are an economic necessity for the affected businesses and, more significantly, why this objective should trump broader City goals and policies that foster visual quality of the built environment and the protection of scenic resources, particularly within the Coors Corridor.

## ***ANALYSIS OF TEXT AMENDMENT TO SECTOR DEVELOPMENT PLAN***

### ***Signage***

The proposed text amendment to Policy 4.d.1, Design Regulations 2 (p. 113 of the CCP) puts a qualification on the last type of Prohibited Signs:

- is a free-standing or projecting sign greater than 75 square feet except for signs within 200 feet of the elevated section of Coors Blvd. between I-40 and Quail Road in which case the area may be up to 150 square feet.

(new language underlined)

The applicant justifies the change on the following arguments:

1. NMDOT changed the design of the Coors/I-40 interchange after approval of the West Bluff Center and elevated Coors Blvd. over the freeway. As a result the approved free-standing signs on Tracts 4 and 5 are 15' and 32' below the grade of Coors and are not visible to passing motorists on Coors. The design of elevated Coors also includes a 2 to 3' high 'Jersey Barrier' at its eastern edge which further obstructs visibility. Per Policy 4.d.1 of the CCP, the approved signs do not complement the function of the roadway.
2. Per Policy 2 of the CP [outdated reference], the change would minimize the distraction of motorists' struggling to read signs that are inadequately visible.
3. C-2 zoning regulations pertaining to on-premise signs allow a sign area of 300 sf, if the sign is within 200' of a moving lane of a freeway. The proposed text amendment is requesting the minimum change necessary to provide moderate visibility.

Staff does not consider the justification convincing. The applicant has not addressed any policies of the West Side Strategic Plan and references to Comprehensive Plan policies, CCP policies and zoning regulations are not always clear as some are outdated. The arguments are centered narrowly on the subject site and the signs' visibility to motorists on the elevated portion of Coors Blvd. without providing any actual evidence of harm to Chili's restaurant and WalMart businesses from existing signs. Staff also notes that the top of the *approved* WalMart sign would still be 11' above elevated Coors. Nor do the arguments address the effect of the amended signs on the visual environment of the area generally and the implications of the text amendment on future signage along both the east and west sides of Coors Blvd. Not only would the text amendment undermine signage policies in the current CCP, as mentioned above in the policy analysis section, but it is not in line with the updated plan, per comments from Advanced Planning.

### **CONCERNS OF REVIEWING AGENCIES / PRE-HEARING DISCUSSION**

Comments begin on page 21. There are significant comments from Advanced Planning and Transportation Planning. Advanced Planning stated that the Planning Department has no intention of modifying the current sign regulations to increase the allowable sign area for free-standing signs and that an increase would impact on scenic qualities in the design overlay zone. Transportation Planning provided information that the City has plans to extend the elevated section of Coors Blvd. over Quail Road.

### **NEIGHBORHOOD/PUBLIC CONCERNS**

Property-owners within 100' and the affected neighborhood associations, West Bluff and S. R. Marmon, were notified of the proposal. A letter from the West Side Coalition Executive Committee was received by the Planning Department on 12/26/07. They reaffirmed their opposition to the amended signs, which they also opposed during the previous ZHE and Board of Appeals process. Other than supporting EPC review as the appropriate process for the requests, they stand by their original arguments. The most relevant for the EPC are that the requests conflict with the overarching public interest in view preservation in the Coors Corridor and would set a bad precedent for development in the surrounding area and relative to the CCP update. They also felt that the applicant's economic justification for higher and larger signs was inadequate.

**CONCLUSIONS**

Staff found that the requests are in significant conflict with a preponderance of applicable goals, policies and regulations of the Comprehensive Plan, West Side Strategic Plan and Coors Corridor Plan. The applicant has not provided an adequate justification for the dual request in relation to them. Advanced Planning, the lead division on planning policy, has indicated that the proposed text amendment would (negatively) impact the scenic qualities and consistent development character fostered by the design overlay zone of the CCP. The requests are untimely due to imminent review of the updated CCP by the EPC and to the City's plans to extend the elevated portion of Coors Blvd. over Quail Road at the north boundary of the subject site, which may also affect visibility of signage. The review of the updated CCP is a more appropriate opportunity for the applicant to raise these concerns.

The West Side Coalition of Neighborhood Associations is opposed to the requests based mainly on their negative impact on view preservation, a primary goal of the current and updated CCP, and the bad precedent they would set for other development in the area.

Staff recommends denial of the proposed amendments to the site development plan for building permit and to the text of the sector development plan.

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***FINDINGS – 07EPC 40095, January 17, 2008, Site Development Plan for Building Permit Amendment***

1. This is a request for an amendment to a site development plan for building permit for Lots 1, 2, 3, 4, 5 & 7, West Bluff Center, a site of approximately 34 acres zoned SU-1 for C-2 and C-2, located on Coors Blvd. NW between I-40 and Quail Road. The applicant proposes to build two free-standing signs near the west property line of the site, that would be higher and have larger sign face areas than the previously approved signs at these locations (Z-99-38, Project #1000188, Case #s 00450-00235 and 00450-00124, DRB91-030, 9/27/00).
2. The request is accompanied by a request for a text amendment to the Coors Corridor Plan (07EPC-40101).
3. The applicant has submitted a similar dual request that affects the commercial site between the northern and southern parts of the shopping center for the January 17, 2008 EPC hearing (see project #1000264, cases #07EPC-40097 and -40102).
4. The subject site is split into a northern section and a southern section, that contains a Chili's restaurant and a WalMart. The applicant is proposing to change the size but not the location of two signs in the southern portion of the site. One of the proposed signs would replace the Chili's restaurant sign on Tract 4, which was built as approved but subsequently demolished for road works. It would be 45' high instead of 26' (12'9" above elevated Coors Blvd) and have a sign face area of 102 sf instead of 75 sf. The other sign, on Tract 5, would replace a WalMart sign that was never built, near the northwest corner of the supermarket. It would be 41' high instead of 26' (26' above elevated Coors Blvd.) and have a sign face area of 150 sf instead of 75 sf.
5. The EPC has authority to approve amendments to a site development plan for building permit, per Section 14-16-3-11 (B). The appropriateness of EPC review of the request was established following Zoning Hearing Examiner actions, appeals and discussions between the applicant, the City and neighborhood associations. In August 2006, the ZHE denied requests for similar variances to sign height and area (#1004903, 06ZHE-00691, -00692, and #1004904, 06ZHE-00693, -00694, 8/30/06). In November 2006, appeals by the applicant were heard by the Board of Appeals. In April 2007, the remanded cases were heard again by the ZHE and deferred indefinitely with the consent of all parties.
6. The subject site is in the Established Urban area of the Comprehensive Plan, within the boundaries of the West Side Strategic Plan (Rank II) and in Segment 2 of the Coors Corridor Sector Development Plan (Rank III). With regard to the proposed height of the new signs, C-2

zone regulations are relevant (Section 14-16-2-17 (A)(10)(d)(1)). Their sign face area is regulated by Policy 4.d.1 and associated Design Regulation 2 in the Coors Corridor Plan.

7. Zoning Code Services have clarified that sign face area includes the shopping center identification, i.e. "West Bluff" on the proposed signs, and excludes the structural frame and base.
8. NMDOT changed the design of Coors Blvd. at the interchange with I-40 into an overpass after EPC approval of the site development plan for building permit and development of the shopping center. This raised the elevation of Coors Blvd. relative to the subject site. Coors Blvd. crosses over Ouray Rd. and returns to grade at Quail Rd., the northern boundary of the subject site. A frontage road runs between elevated Coors Blvd. and the west boundary of the subject site with access from the off-ramp of west-bound I-40.
9. The C-2 zone regulations state: "Height of a free-standing sign shall not exceed 26 feet, except a sign which is within 200 feet of a moving through lane of an Interstate Highway, excluding interchange ramps, may be up to but shall not exceed 26 feet above the freeway at its closest point." (Section 14-16-2-17(A)(10)(d)1.). The applicant included a letter from the Chief Engineer, NMDOT, dated February 16, 2007 addressed to the City Planning Director, which includes the statement "the section of Coors from I-40 north to Quail Road is access controlled and thereby part of the 'Interstate Highway'". The NMDOT letter does not change the language of the Zoning Code, its interpretation or implementation.
10. The City of Albuquerque, Department of Municipal Development, is currently awaiting the authorization of federal highway grant funds for the design and implementation of a grade-separated intersection at Coors Boulevard and Quail Road. These improvements may further affect the visibility of signs in the area of this intersection as a result of elevating the grade of Coors Boulevard over Quail Road. The design of the project is anticipated to be underway by mid-year 2008.
11. To the north and west of the site (across Coors) are various commercial, office and warehouse uses. To the south is vacant land, on which a flex office/warehouse development was recently approved by the EPC (#1002717, 11/15/07), and a charter school. To the east (across Corona Dr.) is a mix of single family residential uses, a church and vacant land.
12. The higher and larger signs proposed conflict with the following applicable goals, policies and regulations of the Comprehensive Plan (CP), West Side Strategic Plan (WSSP) and Coors Corridor Plan (CCP):



- a. The request does not respect and preserve the visual environment of the area nor help improve its quality (Goal of the Established Urban Area and Policy II.B.5.m, Goal of the Developed Landscape section and Policy II.C.8.a)
  - b. The request is based on visibility of the signs from the elevated section of Coors Blvd. and does not respect broader neighborhood values, including the protection of views and the enhancement of development design, in the area and within the corridor (CP Policy II.B.5.d, WSSP Policy 4.6 and associated Design Guidelines regarding Signs, CCP Policy 4.d.1.)
  - c. The higher and larger illuminated sign faces do not minimize adverse effects on residential environments nor minimize visual intrusion (CP Policies II.B.5.i, II.C.8.c.)
  - d. The proposed design of the signs, including height, area of the supporting structure and size of the illuminated sign face, is inappropriate, as it does not complement the appearance of the corridor and is less attractive than the approved signs. The proposed signs will dominate the adjoining frontage road and surface street. (CP Policy II.B.5.1, WSSP Policy 4.6 and associated Design Guidelines regarding Signs and On-Premise Signs, CCP Policy 4.d.1. and Rationale 1.)
  - e. The increased height and sign area will impair views within the corridor and open vistas from elevated Coors Blvd, the subject site and the surrounding neighborhoods (CP Policy II.B.5.m, WSSP Policy 4.6 and associated Design Guidelines regarding Signs, CCP Policies 4.a.1 and 4.a.2)
  - f. The larger illuminated sign areas, 102 sf and 150 sf, conflict with regulations of the design overlay zone and have greater potential to distract motorists navigating the interchange than the approved 75 sf sign face areas (CCP Design Regulations 2 and 6 under Policy 4.d.1)
13. The applicant has not provided sufficient information to evaluate the request against the previously approved signs or CCP Policy 4.d.1, General Sign Regulation 6 regarding the maximum number of items per premise frontage.
14. Property-owners within 100' and the affected neighborhood associations, West Bluff and S. R. Marmon, were notified of the proposal. A comment from the West Side Coalition Executive Committee was received by the Planning Department on 12/26/07. They reaffirmed their opposition to the proposed signs in the shopping center, which are identical to what was denied by the ZHE, and their support for EPC review as the appropriate process. Their opposition is

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based mainly on the requests' negative impact on view preservation, which is a primary goal of the current and draft revised CCP, and the bad precedent they would set for other development in the area.

***RECOMMENDATION – 07EPC 40095, January 17, 2008***

**DENIAL of 07EPC 40095, Site Development Plan for Building Permit Amendment, for Lots 1, 2, 3, 4, 5 & 7, West Bluff Center, based on the preceding Findings.**

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***FINDINGS - 07EPC 40101, January 17, 2008, Sector Development Plan Text Amendment***

1. This is a request for a text amendment to the Coors Corridor Plan, a Rank III plan that established a design overlay zone. The applicant proposes to amend Policy 4.d.1, Design Regulations 2, Prohibited Signs (p. 113) as follows:
  - is a free-standing or projecting sign greater than 75 square feet except for signs within 200 feet of the elevated section of Coors Blvd. between I-40 and Quail Road in which case the area may be up to 150 square feet.  
(new language underlined)
2. Zoning Code Services have confirmed that the 75 sf limitation applies to sign area only (excluding supports). They have clarified that the sign area includes shopping center identification and excludes the structural frame and base.
3. The request is accompanied by a request for an amendment to a site development plan for building permit (07EPC-40095).
4. The applicant has submitted a similar dual request associated with the commercial site between the northern and southern parts of the shopping center for the January 17, 2008 EPC hearing (see project #1000264, cases #07EPC-40097 and -40102).
5. Regarding text amendments to a sector development plan, the EPC's authority is limited to making a recommendation to City Council, per Section 14-16-4-3(C)(3) of the Zoning Code. The appropriateness of EPC review of the request was established following Zoning Hearing Examiner actions, appeals and discussions between the applicant, the City and neighborhood associations. In August 2006, the ZHE denied requests for variances to sign height and area (#1004903, 06ZHE-00691, -00692, and #1004904, 06ZHE-00693, -00694, 8/30/06). In November 2006, appeals by the applicant were heard by the Board of Appeals. In April 2007,

the remanded cases were heard again by the ZHE and deferred indefinitely with the consent of all parties.

6. NMDOT changed the design of Coors Blvd. at the interchange with I-40 into an overpass after EPC approval of the site development plan for building permit and development of the West Bluff shopping center. North of I-40, Coors Blvd. crosses over Ouray Rd. and returns to grade at Quail Rd.. I-40 ramps merge with, and peel off, of the elevated section of Coors Blvd. North of I-40, a frontage road runs east of elevated Coors Blvd. and adjacent to the West Bluff center, with access from the off-ramp of west-bound I-40.
7. The City of Albuquerque, Department of Municipal Development, is currently awaiting the authorization of federal highway grant funds for the design and implementation of a grade-separated intersection at Coors Boulevard and Quail Road. These improvements may further affect the visibility of signs in the area of this intersection as a result of elevating the grade of Coors Boulevard over Quail Road. The design of the project is anticipated to be underway by mid-year 2008. There is no construction schedule at this time for these proposed improvements
8. To the north and west of the site (across Coors) are various commercial, office and warehouse uses. To the south is vacant land, on which a flex office/warehouse development was recently approved by the EPC (#1002717, 11/15/07), and a charter school. To the east (across Corona Dr.) is a mix of single family residential uses, a church and vacant land.
9. The proposed text amendment conflicts with the following applicable goals, policies and regulations of the Comprehensive Plan, West Side Strategic Plan (WSSP) and Coors Corridor Plan (CCP):
  - a. The request does not respect and preserve the visual environment in the area nor help improve its quality, as it would allow larger free-standing or projecting signs on properties within 200' of elevated Coors Blvd. between I-40 and Quail Road (Goal of the Established Urban Area and Policy II.B.5.m, Goal of the Developed Landscape section and Policy II.C.8.a)
  - b. The request is based on visibility of the signs from the elevated section of Coors Blvd. and does not respect broader neighborhood values, including the protection of views and the enhancement of development design in the area and within the corridor (CP Policy II.B.5.d, WSSP Policy 4.6 and associated Design Guidelines regarding Signs, CCP Policy 4.d.1.)
  - c. The larger sign faces that would be allowed do not minimize visual intrusion and adverse effects on residential environments (CP Policies II.B.5.i, II.C.8.c.)

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- d. Larger sign faces are inappropriate as they do not complement the appearance of the corridor and will dominate the adjoining frontage road and nearby surface streets in the area . (CP Policy II.B.5.1, WSSP Policy 4.6 and associated Design Guidelines regarding Signs and On-Premise Signs, CCP Policy 4.d.1. and Rationale 1.)
  - e. The increase in allowable sign area will lead to signage that impairs views within the corridor and open vistas from elevated Coors Blvd and the surrounding neighborhoods (CP Policy II.B.5.m, WSSP Policy 4.6 and associated Design Guidelines regarding Signs, CCP Policies 4.a.1 and 4.a.2)
  - f. The proposed increase in sign area to 150 sf has greater potential to distract motorists navigating the interchange than the current 75 sf (CCP Design Regulations 2 and 6 under Policy 4.d.1)
15. Property-owners within 100' and the affected neighborhood associations, West Bluff and S. R. Marmon, were notified of the proposal. A comment from the West Side Coalition Executive Committee was received by the Planning Department on 12/26/07. They reaffirmed their opposition to the proposed signs in the shopping center, which are identical to what was denied by the ZHE, and their support for EPC review as the appropriate process. Their opposition is based mainly on the requests' negative impact on view preservation, which is a primary goal of the current and draft revised CCP, and the bad precedent they would set for other development in the area.

***RECOMMENDATION - 07EPC 40101, January 17, 2008,***

**DENIAL of 07EPC 40101, a Sector Development Plan Text Amendment to the Coors Corridor Plan, based on the preceding Findings.**

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***Carol Toffaleti  
Planner***

cc: West Bluff LLC, 6211 San Mateo Blvd. NE, Albuquerque, NM 87109  
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Deaun Lewis, SR Marmon NA, 6400 Sunny Day Ct. NW, Albuquerque, NM 87120  
Annette Gonzales, SR Marmon NA, 2323 Big Pine Dr. NW, Albuquerque, NM 87120

***Attachments***

EPC Notification of Decision, Z-99-38, dated 9/17/99

ZHE Notification of Decision, 06ZHE-00693, -00694, ref. Tract 4, dated 8/30/06 [body of text is same for 06ZHE-00691, 00692 ref. Tract 5]

ZHE Notification of Decision, 06ZHE-00691, -00692, dated 4/17/07

ZHE Notification of Decision, 06ZHE-00693, -00694, dated 4/17/07

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## ***CITY OF ALBUQUERQUE AGENCY COMMENTS***

### ***PLANNING DEPARTMENT***

#### ***Zoning Code Services***

Reviewed: Unless amended, the proposed sign should comply with all regulations of the Coors Corridor Sector development Plan.

#### ***Office of Neighborhood Coordination***

#### ***West Bluff NA (R), S.R. Marmon NA (R)***

#### ***Advanced Planning***

The Planning Department is currently working on updating the Coors Corridor Plan, which currently regulates signs. The Planning Department does not have intentions of modifying the current sign regulations to increase the allowable sign area for freestanding signs. In general, an increase in sign area will impact the overall scenic qualities and consistent development character that exists within the design overlay zone.

### ***PUBLIC WORKS DEPARTMENT***

#### **Transportation Development (City Engineer/Planning Department):**

- Reviewed, no comments.

#### **Hydrology Development (City Engineer/Planning Department):**

- No comments received.

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

- The City of Albuquerque, Department of Municipal Development, is currently awaiting the authorization of federal highway grant funds for the design and implementation of a grade-separated intersection at Coors Boulevard and Quail Road. These improvements may further affect the visibility of signs in the area of this intersection as a result of elevating the grade of Coors Boulevard over Quail Road. The design of the project is anticipated to be underway by mid-year 2008. There is no construction schedule at this time for these proposed improvements.

#### **Traffic Engineering Operations (Department of Municipal Development):**

- No comments received.

#### ***Street Maintenance (Department of Municipal Development):***

- No comments received.

#### **Utility Development (Water Authority):**

- No comments received.

**Water Resources, Water Utilities and Wastewater Utilities (Water Authority):**

- No comments received.

**New Mexico Department of Transportation (NMDOT):**

- No comments received.

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

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

- a. None.

**ENVIRONMENTAL HEALTH DEPARTMENT**

**Air Quality Division**

No comments received.

**Environmental Services Division**

No comments received

**City Forester**

No comments received

**PARKS AND RECREATION**

**Planning and Design**

No comments received

**Open Space Division**

Open Space has no adverse comments

**POLICE DEPARTMENT/Planning**

No comments received

**SOLID WASTE MANAGEMENT DEPARTMENT**

**Refuse Division**

No adverse comments.

**FIRE DEPARTMENT/Planning**

No comments received

***TRANSIT DEPARTMENT***

No comments received

***COMMENTS FROM OTHER AGENCIES***

***BERNALILLO COUNTY***

No comments received

***ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY***

Reviewed, no comment.

***ALBUQUERQUE PUBLIC SCHOOLS***

**West Bluff Center**, Lots 1-7 is located on Coors NW between I-40 and Ouray NW. The owner of the above property requests approval for an Amendment to the Site Plan and Coors Corridor Plan to allow for a change in sign height and area. This will have no adverse impacts to the APS district.

***MID-REGION COUNCIL OF GOVERNMENTS***

No comments received

***MIDDLE RIO GRANDE CONSERVANCY DISTRICT***

No comments received

***PUBLIC SERVICE COMPANY OF NEW MEXICO***

No comment based on the information provided to date. It is the applicant's obligation to determine if utility easements cross the property and to abide by any conditions or terms of those easements.