



**Environmental  
Planning  
Commission**

**Agenda Number: 10  
Project Number: 1001449  
Case Numbers: 07EPC 40007/40008  
September 20, 2007**

**Supplemental Staff Report**

<b>Agent</b>	Consensus Planning
<b>Applicant</b>	DT Land Development
<b>Requests</b>	<b>Zone Map Amendment</b> <b>Site Development Plan for Building Permit</b>
<b>Legal Description</b>	Lot 9, Block A, Kirtland Addition Unit 2
<b>Location</b>	1600 Gibson Blvd. SE (SE corner of Gibson Blvd. and University Blvd.)
<b>Size</b>	Approximately 4 acres
<b>Existing Zoning</b>	C-1
<b>Proposed Zoning</b>	SU-1 for Hotel & C-1 Permissive Uses and Full Liquor

**Staff Recommendation**

**DENIAL of 07EPC 40008, based on the findings beginning on Page 9.**

**DENIAL of 07EPC 40007, based on the findings beginning on Page 11.**

**Staff Planner**

**Catalina Lehner, AICP-Senior Planner**

**Summary of Analysis**

This proposal for a zone map amendment and a site development plan for building permit for an approx. 4 acre site at the SE corner of University and Gibson Blvds. was deferred for 60 days at the July 19, 2007 EPC hearing.

The applicant proposes to change the subject site's zoning from C-1 to "SU-1 for Hotel & C-1 Permissive Uses and Full Liquor" in order to develop a multi-story (78 ft.) hotel with a sit-down restaurant and two parking lots.

Staff finds that the proposal continues to conflict with applicable Comprehensive Plan policies and that the zone change request remains inadequately justified. No new justification has been submitted. Site plan revisions are minor, except for a reduction in landscape buffering.

Another facilitated meeting was held; the neighbors' concerns remain largely the same. The Kirtland Community Association (KCA) opposes the project and has many concerns. Staff recommends denial of the zone change and the site development plan for building permit.

This report should be read in conjunction with the original July 19, 2007 Staff report (see attachment).

City Departments and other interested agencies reviewed this application from 6/11/07 to 6/22/07. Agency comments used in the preparation of this report begin on Page 22 of the original Staff report.

### ***I. BACKGROUND & TIMEFRAMES***

At its July 19, 2007 hearing, the Environmental Planning Commission (EPC) voted to defer this proposal for 60 days. At the hearing, several concerns were expressed regarding both the proposed zone change and the associated site development plan for building permit. The EPC decided that additional time was needed to address outstanding issues.

### ***II. SCOPE***

This proposal is for a zone map amendment and a site development plan for building permit for a vacant parcel located at the southeastern corner of Gibson Blvd. and University Blvd. The applicant proposes to construct a large hotel with a restaurant, but needs to change the zoning from C-1 (neighborhood commercial) to allow these uses. The proposed zoning is "SU-1 for Hotel & C-1 Permissive Uses and Full Liquor." The "Permissive uses" was added at the July hearing.

Since then, the only additional work on the zone change is the addition of some restrictions of C-1 uses that are included on the proposed site development plan, toward the end of the submittal. Some revisions have been made to the previously analyzed July 10, 2007 version of the site development plan. As for the changes reflected in the August 14, 2007 version, Staff analyzes them later in this supplemental report.

### ***III. ZONING REVISITED***

*Background:* The subject site is zoned C-1, neighborhood commercial (Zoning Code §14-16-2-11). The intent of the C-1 zone is to provide day-to-day commercial and service uses for nearby residents. The applicant is requesting "SU-1 for Hotel & C-1 Permissive Uses and Full Liquor." The SU-1 zone (Zoning Code §14-16-2-22) provides suitable sites for special uses when the use's appropriateness to a specific location depends on the character of the site design. SU-1 zoning requires EPC review and *permissively allows both permissive and conditional uses in the underlying category.*

First allowed permissively in the C-2 zone, hotels in the nearby area are located on lots zoned C-2, SU-1 for Motel and Related Facilities, and SU-1 for Permissive O-1, C-2 and IP Uses. The C-2 zone allows a structure height up to 26 ft. The SU-1 zone references the R-2 zone regarding height, which also allows up to 26 ft. "unless modified by the Planning Commission." Therefore, it will be up to the EPC to decide if the hotel's proposed height (78 ft.) is appropriate in this location.

The C-1 regulations indicate that "alcoholic drink may be sold only under a restaurant license for sale of beer and wine" as a permissive use. However, the applicant is requesting "full liquor", meaning that alcoholic beverages in addition to beer and wine would be served. The proposed zoning must specify "full liquor" because a sit down restaurant with full liquor service is not included either permissively or conditionally in the C-1 zone. The zoning for a similar, existing restaurant in the area is SU-1 for Permissive O-1, C-2 and IP Uses.

*Update:* The "Permissive Uses" was added at the July hearing to address concerns that some conditional C-1 uses may not be appropriate adjacent to residential uses. Sheet 8 of the revised site

development plan attempts to address prohibited uses, but convolutes the issue by listing permissive uses right below. The way the information is presented on Sheet 8 is confusing and warrants revision. These restrictions, if intended, need to be a simple bulleted list included on the first sheet so that it is apparent what the restrictions are. Staff suggests specifically restricting the following uses: community residential program, auto/truck rental, service, storage and repair, firework sales, drive-up service window, kennel, outdoor storage, uses/activities in a tent and wireless telecommunications facility.

#### ***IV. ZONE MAP AMENDMENT & RESOLUTION 270-1980***

*Analysis:* No additional justification for the proposed use has been received. The applicant has attempted to address Staff's concern regarding Section E of R270-1980 by limiting some C-1 conditional uses (see above). However, this only addresses one of Staff's many concerns about the proposed zone change and the appropriateness of the proposed used to the location.

⇒ A full analysis of the zone map amendment begins on p. 6 of the original July 19, 2007 Staff report (see attachment).

Staff's concerns remain unchanged and the proposed zone change remains unjustified pursuant to R270-1980. The discussion of how the proposal furthers Comprehensive Plan policies and Goals is insufficient and weak (Section A). The "more advantageous" and "changed community conditions" arguments are inadequate and unconvincing (Section D). These explanations are fundamental components of justifying a zone change request.

#### ***V. POLICY ANALYSIS UPDATE***

In the original report, Staff had found that the proposal conflicted significantly with several key Comprehensive Plan policies. In particular, there are conflicts with Policy II.B.5d-neighborhood values/natural environmental conditions, Policy II.B.5i-location of employment and service uses, Policy II.B.5l-design quality/innovation, the Activity Centers Goal, the Transportation and Transit Goal, and Policy II.D.4g-integration of pedestrian opportunities.

⇒ A full policy analysis begins on p. 3 of the original July 17, 2007 Staff report (see attachment).

For this Supplemental report, Staff had intended to revisit these key policies in light of the revisions reflected in the August 14, 2007 version of the proposal. During the deferral period, minor changes were made to the landscaping, elevations and signage. Staff believes that the revisions are not significant enough to result in improved policy compliance. Besides, minor site plan changes do not alter larger factors such as location and intensity, which contributed to the non-compliance in the first place.

#### ***VI. SITE DEVELOPMENT PLAN FOR BUILDING PERMIT- AUGUST 14, 2007 VERSION***

Some minor revisions have been made since the July version of the proposed site development plan for building permit. These include revised parking calculations, reconfigured sidewalk, relocated handicap spaces, and façade additions, among others. The result is that the revised site development plan has not

changed much since the previous version and continues to have the same deficiencies it had prior to the deferral period. Other changes, such as reduced buffering and increased signage, render the revised plan less desirable than the previous version and certainly further from the “upscale” vision that was touted at the July hearing.

⇒ A full review of the proposed site development plan is included in the original July 19, 2007 Staff report, beginning on p. 10 (see attachment).

The following is a brief recap and a discussion of revisions made to the proposed site development plan:

***Site Plan Layout / Configuration***

The proposed site layout has not changed. The proposed hotel is located on the subject site’s eastern side with two large parking areas in front of it.

***Access & Circulation***

The two access points, from University Blvd. and Miles Rd. (from Gibson Blvd.) remain the same. A new public access easement, which would create an internal street, is still proposed.

***Traffic***

A TIS was not required, but a trip generation table and a queuing analysis were (see attachment). Results indicate 1,700 vehicle trip ends per day. The Miles Rd. connection is not anticipated to have much effect on the number of vehicles using the University Blvd. entrance, which is recommended to be located to allow for a 175 ft. long northbound left turn lane. A new sheet has been added to show traffic circulation patterns.

***Parking***

The parking calculations have changed again. Previously, required parking was listed as 209 spaces and prior to that, 192 spaces. Required parking for a restaurant depends on occupancy, which has changed despite the fact that the restaurant’s square footage remains the same. Restaurant occupancy is calculated using the International Building Code (IBC) standards. Occupancy was 120 on an early site plan version, 175 on the July version and 205 on the version reviewed here. Staff consulted with a commercial plans examiner, who verified that the occupancy calculation on the revised site development plan is incorrect.

According to Staff’s calculation, required vehicular parking is 150 standard spaces for the hotel (1 space/room) and 88 for the restaurant, less a 10% Transit reduction\* and a 5% bus shelter reduction, for a total of 202 required spaces. The applicant lists 186 required and 178 provided. Though the hotel and restaurant can share parking, if they’re both full (a best-case business scenario), there will not be enough parking. The uses will be 24 spaces short of meeting the required amount of parking; the subject site is not large enough for the uses to have sufficient parking. However, since the proposed zoning is SU-1, parking is as determined by the EPC pursuant to §14-16-2-22(C).

\*There is no indication that the applicant has coordinated with Transit regarding the bus shelter in order to obtain the credit, as required by Zoning Code §14-16-3-1.

8 handicap spaces are required and now 8 are provided. However, they are not located close to building entrances and are not functional. Handicap space users would have to cross a large drive-aisle and there is no pathway. 5 motorcycle spaces are required and 5 are provided. All are located in the northern parking lot.

***Pedestrian & Bicycle Access/Circulation***

Access and internal circulation continue to be poor for bicyclists and pedestrians. There are no changes in this regard. The proposed connection from Gibson Blvd. does not lead to the gathering area and could easily be closer to the transit stop. From University Blvd., there is a proposed sidewalk on the northern side but no sidewalk on the southern side, which would serve the neighborhood.

***Transit Access***

The Comprehensive Plan designates Gibson Blvd. and University Blvd. as Enhanced Transit Corridors. Pedestrian access/connections and transit access should be much better than proposed to fulfill the Plan's vision. No changes have been made in this regard.

Transit access is correlated to pedestrian and bicycle access, without which transit cannot function effectively. The proposed wall break from Miles Rd. could easily be located closer to the proposed bus stop to facilitate transit access, which is intended to be great since Gibson Blvd. is designated as an Enhanced Transit Corridor.

***Lighting***

Previously, the location of parking lot lighting was not indicated. The revised submittal, however, includes a site lighting plan indicating the locations, lumens and height of the proposed light poles. Light poles are single and double-fixture, and are all 18 ft. tall from top to grade. Though the pole height is indicated at 16 ft., it is mounted atop a 2 ft. base. Staff recommends that pole height be reduced to 14 ft. throughout the site which would result in 16 ft. light poles. Recall that the panel mounted signage will be illuminated as well.

The proposed panel signs continue to be uplit with large, rotatable lighting fixtures. The applicant must demonstrate that this lighting will not violate night sky protection standards; this amount of lighting could create light pollution spillover onto the adjacent residential area and onto public right-of-way, as well as the night sky. Downlighting or internally lit signs would be acceptable.

***Landscape Plan***

*Discussion:* The landscaping continues to be sparse in the western buffer area and in certain places, such as the parking lot islands and the northwestern corner. Tree canopy does not count toward the requirement for 75% living, vegetative coverage. Staff suggests adding more landscape in these locations. Most proposed trees are still medium+/high water users.

⇒ A full review of the proposed landscaping plan is included in the original July 19, 2007 Staff report, beginning on p. 12 (see attachment).

*Update:* Changes have been made to the proposed landscaping plan. Minor changes include the addition of Crepe Myrtle, the replacement of Photinia with Mugo Pine, the addition of pots with seasonal annuals, the removal of two parking lot trees and the addition of a Redbud tree on the building's northern side.

The other changes are more significant, especially since the proposed hotel is intended to be "upscale". First, there is an overall reduction of landscaped area from 32,191 sf to 26,303 sf, a loss of 5,888 sf. The facilitated meeting report mis-states that more landscape is being proposed, which is not the case. Landscaping is one of the elements that will contribute to creating the "upscale" hotel the applicant keeps referring to; reduced landscaping is not in keeping with this vision.

Second, the planting strip on the northern side of the drive aisle remains only 4 ft. wide, though the planting strip on the southern side has been increased to 7 ft. Regardless, vegetation needs room to mature. This small increase in landscape area is more than made up for by a 36% decrease of the landscape buffer on the subject site's southern side, which is perhaps most significant since this buffer is needed to protect adjacent residents. The proposed buffer was 14 ft. wide, but has been reduced to 9 ft. wide for no apparent reason. Note that the City Forrester had recommended enlarging the planting strip even when it measured 14 ft.

### ***Water Use and Harvesting***

*Re-cap:* High-water use shrubs such as Potentilla should be replaced in keeping with the City's water conservation emphasis (see: How to Guide to Xeriscaping). Trees need to be watered based on the mature extent of root systems and overall size. An irrigation detail has not been provided.

The landscape strips are narrow and the trees are medium water users. There is a lot of impervious surface proposed. Staff recommends curb cuts every few feet, and landscape level with the ground, so that runoff water can flow into the landscape areas. The City Forrester finds that the landscape area along University Blvd. is wide enough to accommodate water harvesting. Staff suggests that a water collection area be added.

### ***Slope & Height***

The subject site slopes significantly from northeast to southwest at an  $\approx 7\%$  slope, as calculated by Staff (see original report for calculations). Slope percentage is not indicated on the plan but should be. Water flows from approximately east to west and discharges to the University Blvd. storm drain.

The applicant had stated that the proposed hotel and the existing billboard would be at the same height due to the site's significant slope. The existing billboard is located at the 5,118 ft. contour on adjacent C-3 zoned land (see Figure 6-photo). The finished floor of the proposed hotel is at the 5,110 ft. contour; there is 8 ft. of difference.

The proposed hotel would be 78 ft. high, and minus the 8 ft. of difference, would appear 70 ft. high next to the billboard. In the C-3 zone, the highest allowable off-premise sign height is 29 ft. (34 ft. is on an interstate highway). Therefore, if the billboard is 29 ft. high, and the hotel is 70 ft. high, *the hotel will appear to be approximately twice the height of the existing billboard.*

Removing the billboard, which the applicant has suggested, will not change the fact that the scale and massing of the proposed hotel are much greater than any nearby buildings in the area, particularly the adjacent single-family homes.

### ***Architecture & Design***

The proposed building, which is 78 ft. tall, consists of a hotel and a sit-down restaurant.

- ⇒ For a discussion of building height, please refer to the Zoning section and the Grading and Drainage Plan section of the original and supplemental reports.

The proposed building is square and relatively uniform, with some differentiation achieved by color and signage. There have been no architectural changes and the building continues to be monotonous in appearance. Staff suggests adding a feature to the bottom of each window, as was done by an upscale hotel in the Uptown area. This would help give the proposed hotel the appearance of being upscale, as the applicant claims it is, and would help differentiate the façades.

The one change is the addition of a “squiggle” type ornament on the eastern elevation, but it is unclear what this is. It is called out as an “art banner” but appears to be made of neon. Colors, dimensions and materials need to be specified.

### ***Signage***

Previously, the proposed monument sign contained an 18 sf logo sign in a 48 sf sign case. The revised monument sign is now 72 sf in total size, and contains three logo signs. The location, finish and color are still unspecified. The location of the proposed monument sign continues to not be shown on the site development plan.

Proposed building mounted signage, on the western elevation, consists of a logo sign for the hotel and a logo sign for the attached restaurant. The hotel logo sign is approximately 64 sf and the restaurant logo sign is approximately 18 sf. A new 9 sf logo sign for the coffee shop has been added.

The prominent panel display, consisting of four building-mounted signs, is still proposed on the building’s western elevation. The panel displays still measure 407 sf each, for a total of 1,628 sf of signage. Notes need to be added to the site development plan specifying that no advertising or lettering is allowed, an intention stated by the applicant.

### ***Open Space***

In the SU-1 zone, the EPC has discretion regarding open space. No open space or employee break area has been provided. Zoning Code §14-16-3-18 (D)(3), General Building and Site Design Regulation for Non-Residential Uses, requires that buildings with 6 or more water closets provide outdoor gathering

space for employees. Such space shall be a minimum of 300 sf with seating and shade covering at least 25% of the area. An employee area could easily be provided at the southern end of the proposed hotel.

## **VII. NEIGHBORHOOD CONCERNS**

⇒ For a discussion of neighborhood issues prior to the revisions' timeframe, please refer to the original July 19, 2007 Staff report, beginning on p. 15 (see attachment).

*Recap:* The affected neighborhood organizations are the Kirtland Community Association and the Clayton Heights/Lomas Del Cielo Neighborhood Association (NA). The first facilitated meeting was held on June 26, 2007 (see attachment in original report). Many issues were discussed, including traffic, safety, environmental impacts, promises, scale/character and neighborhood care/benefits. No consensus was reached. The applicants stated that the proposed upscale hotel will not generate much traffic or impact on the neighborhood. It was erroneously stated that a 6 or 7 story building could be constructed on the subject site without a public process (C-1 allows 26 ft. maximum height), and that the hotel will not be as tall as the existing billboard.

*Update:* A second facilitated meeting was held on August 29, 2007. Many of the same concerns were expressed. The neighbors are particularly worried about what would happen if the business were to fail or even change hands; they would be stuck. They are also concerned that changes could be made to the site plan later without their knowing, resulting in something different from what was agreed upon. The applicant stated that neighbors will be notified when administrative amendments occur.

It was erroneously stated at the facilitated meeting that the revisions included "beefed up" landscaping, which is not reflected in the most recent submittal (see Landscape portion of this supplemental report). As of this writing, Staff has not received any correspondence from neighborhood representatives.

## **Conclusion**

This proposal is for a zone map amendment and a site development plan for building permit for an approx. 4 acre site at the southeast corner of Gibson Blvd. and University Blvd. The applicant proposes to change the subject site's zoning from C-1 to "SU-1 for Hotel & C-1 Permissive Uses and Full Liquor" in order to develop a multi-story (78 ft.) hotel with a restaurant.

At the core of this proposal is the zone change request, which is tied to compliance with the policies and criteria of R270-1980 and the appropriateness of the proposed uses to this particular location. The proposed development could not occur without a zone change from C-1.

The proposal continues to conflict with several relevant Comprehensive Plan policies and Goals, for the same reasons as before. Staff concludes that the zone change has not been adequately justified pursuant to R270-1980. The applicant's arguments with respect to "more advantageous to the community" and "changed community conditions" are unconvincing, and the demonstration that relevant Goals and policies are furthered is inadequate.



Minor revisions have been made to the proposed site development plan; most of them make very little difference. The significant change is a 36% reduction in proposed landscaping, which does not contribute to the upscale look or nature that the applicant continues to emphasize. Nor does it adequately buffer the adjacent neighborhood.

Two facilitated meetings have been held and the neighbors' concerns remain largely the same. The Kirtland Community Association (KCA) opposes the project and has many concerns, particularly because there are already many hotels in the area and the proposed building is quite large and adjacent to their neighborhood.

Staff recommends denial of the zone map amendment request and denial of the associated site development plan for building permit.

***FINDINGS -07EPC 40008, September 20, 2007-Zone Map Amendment***

1. This request is for a zone map amendment for an approximately 4 acre site located at the southeast corner of Gibson Blvd. and University Blvd. SE. A request for a site development plan for building permit (07EPC-40007) accompanies this request.
  
2. The applicant proposes to change the subject site's zoning from C-1 to "SU-1 for Hotel & C-1 Permissive Uses and Full Liquor" in order to develop a multi-story (78 ft.) hotel and an attached sit-down restaurant.
  
3. The proposal *does not further* the following relevant Comprehensive Plan policies:
  - A. Policy II.B.5j—The development would not be located in a small neighborhood-oriented center, an area-wide shopping center or in contiguous storefronts.
  - B. Policy II.B.5i—The development would be relatively intense for the surrounding area and does not complement the existing, adjacent residential area.
  - C. Policy II.B.5l— The building design is not innovative and has few architectural features on the large expanses of three façades.
  - D. Policy II.B.5d—The hotel would be about twice as tall as the recently approved apartments across the street and would appear intense at this location, adjacent to an established neighborhood. Neighbors are concerned about buffering and scale.
  - E. Policy II.D.4g—Pedestrian opportunities have not been adequately integrated into this development and are not being promoted to the extent that they should be in an Enhanced Transit Corridor.
  
4. The Activity Centers Goal is *not furthered*. The subject site is not located in a designated Activity Center, but is between two designated Activity Centers in which large scale developments are intended to occur. The vehicle dominated site layout renders the development non-friendly to other transportation modes.
  
5. The Transportation and Transit Goal is *not furthered*. The development does not encourage bicycling, walking and Transit use to the extent that it could and caters to vehicles in an Enhanced Transit Corridor, which is supposed to promote transit usage.
  
6. The subject site is not within the boundaries of the area to be included in the Clayton Heights/Lomas del Cielo Metropolitan Redevelopment Area (MRA) Plan. City Council's adoption of the Designation Report (R-07-220) directed the Albuquerque Metropolitan Redevelopment Agency to

develop an MRA Plan, which has not yet occurred. Nor is the subject site within the boundaries of the South Yale Moratorium area as established by R-06-81.

7. The applicant has not adequately justified the zone change request pursuant to Resolution 270-1980:

- A. Section A: Additional, relevant Comprehensive Plan policies and Goals should have been cited. The applicant has not proven that the proposed development is consistent with the City's health, safety, morals and general welfare, particularly for the adjacent residential neighborhood.
- B. Section B: An explanation of how the proposal will contribute to land use stability in the area, especially the adjacent residential neighborhood, is lacking. The burden is on the applicant to provide the reasoning. The Kirtland Community Association opposes the request.
- C. Section C: The applicant has stated that the proposal is not in significant conflict with existing plans, but has not developed arguments that support this assertion (see Findings 3, 4 and 5).
- D. Section D: An adequate explanation of why the proposed zoning is more advantageous to the community, as articulated by the Comprehensive Plan, has not been elaborated upon by the applicant.
- E. Section E: The requested SU-1 zoning permissively allows both permissive and conditional uses, some of which could be considered harmful to the adjacent residential area. C-1 uses were not sufficiently addressed.
- F. Section F: The zone change would not require any additional capital expenditure by the City.
- G. Section G: The cost of land or other economic considerations are not the determining factor in this zone change request.
- H. Section H: Location on Gibson Blvd. and University Blvd., both major arterial streets, is not a consideration for this request.
- I. Section I: The applicant should have provided a more specific explanation of why the proposed zoning would create a justified "spot zone".
- J. Section J: This zone change request would not result in a strip commercial development.

8. Some C-1 uses could be considered harmful to the adjacent residential area. Uses such as gas station, community residential program (not corrections or substance abuse), wireless telecommunications facility, outdoor storage and uses/activities in a tent may not be appropriate or desired in this location, adjacent to the Kirtland residential neighborhood. The applicant has modified the requested zoning to "SU-1 for Hotel & C-1 Permissive Uses and Full Liquor", but has not agreed to prohibit all of the uses listed.

9. Two facilitated meetings have been held. The affected neighborhood organizations are the Kirtland Community Association (KCA) and the Clayton Heights/Lomas Del Cielo Neighborhood Association. The KCA opposes the project and has many concerns, particularly because there are already many hotels in the area and the proposed building is quite large and adjacent to their neighborhood.

***RECOMMENDATION - 07EPC 40008, September 20, 2007***

**DENIAL of 07EPC 40008, a request for a zone map amendment from C-1 to SU-1 for Hotel & C-1 Permissive Uses and Full Liquor, for Lot 9, Block A, Kirtland Addition Unit 2, located at the southeast corner of Gibson Blvd. and University Blvd. SE, based on the preceding findings.**

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***FINDINGS -07EPC 40007, September 20, 2007-Site Development Plan for Building Permit***

1. This is a request for approval of a site development plan for building permit for Lot 9, Block A, Kirtland Addition Unit 2, an approximately 4 acre site located at the southeast corner of Gibson Blvd. and University Blvd. SE. The applicant proposes to construct a multi-story (78 ft.) hotel with an attached sit-down restaurant.
2. A request for a zone map amendment (07EPC-40008) accompanies this request. The zone map amendment request has not been adequately justified.
3. The proposal *does not further* the following relevant Comprehensive Plan policies:
  - A. Policy II.B.5j—The development would not be located in a small neighborhood-oriented center, an area-wide shopping center or in contiguous storefronts.
  - B. Policy II.B.5i—The development would be relatively intense for the surrounding area and does not complement the existing, adjacent residential area.
  - C. Policy II.B.5l— The building design is not innovative and has few architectural features on the large expanses of three façades.
  - D. Policy II.B.5d—The hotel would be about twice as tall as the recently approved apartments across the street and would appear intense at this location, adjacent to an established neighborhood. Neighbors are concerned about buffering and scale.
  - E. Policy II.D.4g—Pedestrian opportunities have not been adequately integrated into this development and are not being promoted to the extent that they should be in an Enhanced Transit Corridor.

4. The Activity Centers Goal is *not furthered*. The subject site is not located in a designated Activity Center, but is between two designated Activity Centers in which large scale developments are intended to occur. The vehicle dominated site layout renders the development non-friendly to other transportation modes.

5. The Transportation and Transit Goal is *not furthered*. The development does not encourage bicycling, walking and Transit use to the extent that it could and caters to vehicles in an Enhanced Transit Corridor, which is supposed to promote transit usage.

6. The subject site is not within the boundaries of the area to be included in the Clayton Heights/Lomas del Cielo Metropolitan Redevelopment Area (MRA) Plan. City Council's adoption of the Designation Report (R-07-220) directed the Albuquerque Metropolitan Redevelopment Agency to develop an MRA Plan, which has not yet occurred. Nor is the subject site within the boundaries of the South Yale Moratorium area as established by R-06-81.

7. The accompanying zone map amendment request is not justified or supportable pursuant to the policies and criteria of R270-1980.

8. A revised site development plan was provided. The revised version consists mostly of minor changes and is not substantially different than the previous version, except for decreased landscaping and increased signage.

9. A Traffic Impact Study (TIS) was not required; however, a trip generation table and a queuing analysis were. Results indicate that the Miles Rd. connection is not anticipated to have much effect on the number of vehicles using the University Blvd. entrance.

10. An existing off-premise sign (billboard) is located on an adjacent parcel at 5,118 feet. The finished floor of the proposed hotel is at 5,110 feet. The proposed 78 foot hotel would appear 70 feet high next to the billboard; 29 feet is the highest allowed for an off-premise sign. Therefore, the hotel will appear to be approximately twice the height of the existing billboard.

11. Zoning Code §14-16-3-10, Landscaping Regulations Applicable to Apartment and Non-Residential Development, applies. It appears that the requirement for 75% coverage with living, vegetative materials has not been met in certain areas. Several higher water use plants are used and some of the buffer areas are quite narrow. Irrigation and runoff water need to be addressed.

12. The panel signs are uplit with large, rotatable lighting fixtures. This amount of lighting could create light pollution spillover onto the adjacent residential area and onto public right-of-way, as well as the night sky. The applicant needs to demonstrate that this lighting will not violate night sky protection standards.

13. Zoning Code §14-16-3-18 (D)(3), General Building and Site Design Regulation for Non-Residential Uses, requires that buildings with 6 or more water closets provide outdoor gathering space for employees. Such space shall be a minimum of 300 sf with seating and shade covering at least 25% of the area. The submittal does not propose or provide such space.

14. Two facilitated meetings have been held. The affected neighborhood organizations are the Kirtland Community Association (KCA) and the Clayton Heights/Lomas Del Cielo Neighborhood Association. The KCA opposes the project and has many concerns, particularly because there are already many hotels in the area and the proposed building is quite large and adjacent to their neighborhood.

***RECOMMENDATION - 07EPC 40007, September 20, 2007***

**DENIAL of 07EPC 40007, September 20, 2007, a Site Development Plan for Building Permit for Lot 9, Block A, Kirtland Addition Unit 2, an approximately 4 acre site located at the southeast corner of Gibson Blvd. and University Blvd. SE, based on the preceding Findings.**

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