



**Environmental
Planning
Commission**

*Agenda Number: 11
Project Number: 1003275
Case #s: 07EPC 40078/40092/40094
April 17, 2008*

Supplemental Staff Report

Agent	Consensus Planning, Inc.
Applicant	SunCal Companies
Request	Sector Development Plan Map Amendment; Site Development Plan for Subdivision; Site Development Plan for Building Permit
Legal Description	Tract 1-A-1, El Rancho Atrisco Phase III
Location	Unser Boulevard NW between Hanover Rd. NW and Ladera Dr. NW
Size	Approximately 20 acres
Existing Zoning	SU-1 for Planned Office Park & Commercial Development; not more than 50% to be developed commercially
Proposed Zoning	SU-1 for C-1 Uses with package liquor associated with a full-service grocery store within 500' of a residential zone.

Staff Recommendation

DEFERRAL of 07EPC 40078 for 60 days, based on the findings beginning on page 2.

DEFERRAL of 07EPC 40092 for 60 days, based on the findings beginning on page 5.

DEFERRAL of 07EPC 40094 for 60 days, based on the findings beginning on page 6.

Staff Planner

Anna DiMambro, AICP -- Planner

Summary of Analysis

This is a 3-part request for a site development plan for subdivision, a site development plan for building permit, and a sector development plan map amendment for Tract 1-A-1, El Rancho Atrisco Phase III, an approximately 20 acre site located on the southeast corner of Unser Boulevard and Ladera Drive NW. The applicant proposes to amend the zoning established by the El Rancho Atrisco Phase III Sector Plan to remove the 50% limitation on commercial uses and to also allow package liquor sales within 500' of a residential zone. The site development plan for subdivision creates 12 lots and also has design standards. The site development plan for building permit shows 12 buildings. All are retail except for Building G, a 3-story office building. Five drive-thru facilities are proposed. The applicant is requesting delegation to the DRB for Buildings A-I.

At the March 20, 2008 EPC hearing, the commission provided clear instructions and guidance to the applicant to work closely with staff and to make major site plan revisions and voted to defer the case for 30 days. Due to the applicant's lack of responsiveness to staff inquiries and because no new revisions have been submitted since the March hearing, staff must continue to recommend deferral of this case for an additional 60 days.

Location Map (3" x 3")

City Departments and other interested agencies reviewed this application from 11/5/07 to 11/16/07 and from 12/10/07 to 12/21/07. Agency comments were used in the preparation of this report and begin on page 24 of the original staff report.

This is a supplemental staff report and should be read in conjunction with the original staff report of January 17, 2008 and the supplemental staff reports of February 21, 2008 and March 20, 2008. This request was originally heard at the January 17, 2008 EPC hearing, but only to determine whether a 30-day or 60-day deferral was more appropriate. The merits of the case itself were not discussed. The EPC voted to defer this case for 30 days to the February 21, 2008 hearing. This deferral allowed the applicant to re-advertise the correct zoning category for the zone change request and to make changes to the site development plans. Due to lack of quorum at the February EPC hearing, this project was deferred to the March 20, 2008 hearing. At the March EPC hearing, the commission again voted to defer this project for 30 days to the April 17, 2008 EPC hearing with instructions for the applicant to work closely with staff to make major revisions to the site plans. This deferral was based upon the proposed site plans' numerous conflicts with adopted policies.

New Information

Since the March 20, 2008 EPC hearing, staff has spoken several times with the applicant's agent regarding the status of the required site plan revisions. The applicant has not yet made any changes to the site plans despite the EPC's instructions and guidance provided at the March hearing. Staff finds that a 60-day deferral would be appropriate in this case due to the applicant's lack of responsiveness to staff inquiries.

CONCLUSIONS

This is a 3-part request for a site development plan for subdivision, a site development plan for building permit, and a sector development plan map amendment for Tract 1-A-1, El Rancho Atrisco Phase III, an approximately 20 acre site located on the southeast corner of Unser Boulevard and Ladera Drive NW. The applicant proposes to amend the zoning established by the El Rancho Atrisco Phase III Sector Plan to remove the 50% limitation on commercial uses and to also allow package liquor sales within 500' of a residential zone. The site development plan for subdivision creates 12 lots and also has design standards. The site development plan for building permit shows 12 buildings. All are retail except for Building G, a 3-story office building. Five drive-thru facilities are proposed. The applicant is requesting delegation to the DRB for Buildings A-I.

At the March 20, 2008 EPC hearing, the commission provided clear instructions and guidance to the applicant to work closely with staff and to make major site plan revisions. Due to the applicant's lack of responsiveness to staff inquiries and because no new revisions have been submitted since the March hearing, staff must continue to recommend deferral of this case for an additional 60 days.

FINDINGS – 07EPC 40078, April 17, 2008 – Sector Development Plan Map Amendment

1. This is a request for a sector development plan map amendment for Tract 1-A-1, El Rancho Atrisco Phase III, an approximately 20 acre site located on Unser Boulevard NW between Hanover Road NW and Ladera Drive NW. The subject site is currently zoned SU-1 for Planned Office Park & Commercial Development, not more than 50% to be developed commercially. The proposed zoning is SU-1 for C-1 Uses with package liquor in conjunction with a full-service grocery store within 500' of a residential zone.
2. The subject site is located within the boundaries of the Developing Urban Area as designated by the Comprehensive Plan, the West Side Strategic Plan, and the El Rancho Atrisco Phase III Sector Plan. It is also located within the Unser/Ladera Neighborhood Activity Center as designated by the West Side Strategic Plan.
3. The applicant's request for full access to Unser Boulevard from the subject site has been denied by the New Mexico Department of Transportation. Only a right-in/right-out access will be supported. It is unclear to staff whether traffic will function with this access restriction.
4. Staff requires additional traffic information to determine whether the request will further or be in conflict with the following Comprehensive Plan policies:
 - a. The subject site is contiguous to existing urban facilities and services. The proposed zoning may increase traffic in the area, and staff requires additional information to determine whether it will be possible to mitigate the increased traffic (II.B.5.e).
 - b. It is unclear whether traffic will be able to function with 100% commercial uses on the subject site due to NMDOT's denial of the applicant's request for full access to Unser. Adverse effects of noise, lighting, and pollution on residential environments will be minimized (II.B.5.i and II.B.5.k).
5. This request furthers the following Comprehensive Plan goals and policies:
 - a. This area of the West Side is in need of commercial uses. Abundant zoning exists for office development in the nearby Atrisco Business Park (II.B.5.a).
 - b. The proposed zoning can help the city achieve steady and diversified economic development (Economic Development goal).
6. This request is in partial conflict with Policy II.B.5.j of the Comprehensive Plan. The subject site is located at the intersection of Ladera Drive, a minor arterial, and Unser Boulevard, a principal arterial. Mass transit is available. However, the subject site's zoning currently allows a maximum of 50% commercial uses. The proposal to increase the allowed percentage of

commercial uses to 100% is in conflict with this policy, which encourages commercial development on existing commercially zoned land.

7. This request is in conflict with the following Comprehensive Plan goals and policies:
 - a. The current zoning better encourages mixed land use than does the proposed zoning (Activity Centers goal).
 - b. The current zoning better promotes a concentration of employment in this Neighborhood Activity Center than does the proposed zoning (II.D.6.g).
8. Staff requires additional information to determine whether this request will further or be in conflict with West Side Strategic Plan Policy 3.25. The proposed zone change will result in increased traffic, which may have a negative effect on surrounding properties. Additional information is required to determine whether it will be possible to mitigate this increase in traffic.
9. This request furthers the following goals, objectives, and policies of the West Side Strategic Plan:
 - a. This proposal will provide a location for citizens to shop and gather. Employment zoning is located at the nearby Atrisco Business Park (Goal 10).
 - b. The addition of commercial uses in this area of the West Side will contribute to long-term sustainability on the West Side (Goal 12).
 - c. This area of the West Side is currently lacking in commercial uses. Adequate office zoning exists in the nearby Atrisco Business Park (Objective 1).
 - d. The subject site is located in an area appropriate for job opportunities and business growth (Objective 8).
 - e. A large area dedicated to employment uses is being preserved at the Atrisco Business Park (Policy 1.6).
10. Staff does not have sufficient information to determine whether this request meets the requirements of R-270-1980 due to a current lack of traffic information:
 - a. The applicant has not adequately demonstrated that the additional traffic generated by this development will not have adverse effects on the general health, safety, and welfare of surrounding residential uses. (A).
 - b. The applicant has not provided a sound justification for the proposed zone change and thus has not met the burden to show why the zone change should be made (B).

- c. This request may be in significant conflict with goals, objectives, and policies of the Comprehensive Plan and the West Side Strategic Plan. Additional traffic information is required to make this determination (C).
 - d. The applicant has not yet adequately demonstrated that the existing zoning is inappropriate because of changed neighborhood conditions or that a different zone category is more advantageous to the community as articulated in the Comprehensive Plan and the West Side Strategic Plan (D2 and D3).
 - e. None of the permissive uses in the requested zone will be harmful to adjacent property, the neighborhood, or the community (E).
 - f. The proposed zone change will not require capital expenditures by the City (F).
 - g. The applicant's economic situation was not considered in this analysis (G).
 - h. The subject site's location at the intersection of two arterial roadways was not the major justification for this request (H).
 - i. Approval of this request will not result in a spot zone (I).
 - j. This proposal will not result in a strip zone (J).
11. There is general neighborhood support for this request, with some concerns regarding liquor sales and traffic generation.
12. The applicant has submitted concurrent requests for a site development plan for subdivision and a site development plan for building permit. Because staff is recommending a 60-day deferral on the site plan requests and because the zone change request should be heard concurrently with the site plan requests, staff recommends a 60-day deferral of this request. A deferral of this request is also appropriate to allow the City's Traffic Engineer adequate time to determine whether it will be possible to mitigate the increase in traffic that will result from approval of this request.

RECOMMENDATION - 07EPC 40078, April 17, 2008

DEFERRAL for 60 days of 07EPC 40078, a request for a sector development plan map amendment, for Tract 1-A-1, El Rancho Atrisco Phase III, based on the preceding Findings.

FINDINGS – 07EPC 40078, April 17, 2008 – Site Development Plan for Subdivision

1. This is a request for a site development plan for subdivision with design standards for Tract 1-A-1, El Rancho Atrisco Phase III, an approximately 19.98 acre site located on Unser Boulevard NW between Hanover Road NW and Ladera Drive NW.
2. The subject site is located within the boundaries of the Developing Urban Area as designated by the Comprehensive Plan, the West Side Strategic Plan, and the El Rancho Atrisco Phase III Sector Plan. It is also located within the Unser/Ladera Neighborhood Activity Center as designated by the West Side Strategic Plan.
3. The applicant has submitted concurrent requests for a sector development plan map amendment and a site development plan for building permit. The subject site is currently zoned SU-1 for Planned Office Park & Commercial Development, not more than 50% to be developed commercially. The proposed zoning is SU-1 for C-1 Uses with package liquor in conjunction with a full-service grocery store within 500' of a residential zone.
4. At the March 20, 2008 EPC hearing, the commission voted to defer this request for 30 days, provided the applicant with guidance on necessary revisions to the site plan, and instructed the applicant to work closely with staff to make these revisions. The applicant has not responded to staff inquiries and has not provided any site plan revisions.
5. The applicant's request for full access to Unser Boulevard from the subject site has been denied by the New Mexico Department of Transportation. Only a right-in/right-out access will be supported. It is unclear to staff whether traffic will function with this access restriction.
6. The applicant proposes to subdivide the existing site into 12 lots of varying sizes. Maximum building height for each lot is not shown.
7. The proposed design standards require additional detail and clarification.
8. There is no known neighborhood or other opposition to this request.
9. A 60-day deferral to the June 19, 2008 EPC hearing will allow the applicant additional time to make necessary improvements to the associated site development plan for building permit.

RECOMMENDATION - 07EPC 40078, April 17, 2008

DEFERRAL for 60 days of 07EPC 40078, a request for a site development plan for subdivision, for Tract 1-A-1, El Rancho Atrisco Phase III, based on the preceding Findings.

FINDINGS – 07EPC 40078, April 17, 2008 – Site Development Plan for Building Permit

1. This is a request for a site development plan for building permit for Tract 1-A-1, El Rancho Atrisco Phase III, an approximately 19.98 acre site located on Unser Boulevard NW between Hanover Road NW and Ladera Drive NW.
2. The subject site is located within the boundaries of the Developing Urban Area as designated by the Comprehensive Plan, the West Side Strategic Plan, and the El Rancho Atrisco Phase III Sector Plan. It is also located within the Unser/Ladera Neighborhood Activity Center as designated by the West Side Strategic Plan.
3. The applicant has submitted concurrent requests for a sector development plan map amendment and a site development plan for subdivision with design standards. The subject site is currently zoned SU-1 for Planned Office Park & Commercial Development, not more than 50% to be developed commercially. The proposed zoning is SU-1 for C-1 Uses with package liquor in conjunction with a full-service grocery store within 500' of a residential zone.
4. At the March 20, 2008 EPC hearing, the commission voted to defer this request for 30 days, provided the applicant with guidance on necessary revisions to the site plan, and instructed the applicant to work closely with staff to make these revisions. The applicant has not responded to staff inquiries and has not provided any site plan revisions.
5. The applicant's request for full access to Unser Boulevard from the subject site has been denied by the New Mexico Department of Transportation. Only a right-in/right-out access will be supported. It is unclear to staff whether traffic will function with this access restriction.
6. The applicant proposes to construct 12 buildings. All are retail except for Building G, a three-story office building. 5 drive-thru facilities are proposed. The applicant is requesting delegation to the DRB for Buildings A-I.
7. This request is in conflict with the following Comprehensive Plan goals and policies:

- a. The proposed site design shows the rear of a long strip mall facing an established residential area. This design does not respect existing neighborhood values (II.B.5.d).
 - b. The proposed site design does not complement adjacent residential areas (II.B.5.i).
 - c. While the proposed architecture is high quality and is appropriate to the Plan area, the proposed site design is oriented towards Unser Boulevard instead of to the neighborhood and shows a traditional strip mall with parking in front. Several liner buildings shield much of the parking area from Unser Boulevard, but these liner buildings bear no relationship to the remaining buildings (II.B.5.l).
 - d. The purpose of a Neighborhood Activity Center is to provide for the daily service of convenience goods and personal services for the surrounding neighborhoods. Five drive-thru facilities will serve a larger market, including Unser Boulevard commuters, than is intended for a Neighborhood Activity Center (II.B.7.a).
 - e. The large expanse of parking separating the proposed buildings and the number of drive-thrus proposed do not encourage bicycling and walking (Transportation and Transit goal).
 - f. This proposal does not promote and integrate pedestrian opportunities due to the large expanse of parking separating the proposed buildings and the five proposed drive-thrus (II.D.4.g).
8. This request is in conflict with the following policies of the West Side Strategic Plan:
- a. The large parking area separating the proposed buildings and the 5 proposed drive-thru facilities do not facilitate pedestrian access between buildings (Policies 1.5, 1.15, and 4.10).
 - b. While this proposal would locate commercial services on the western side of the Ladera Community, the site plan shows commercial development oriented in two strips with several pad sites. This strip style development is specifically prohibited by Policy 3.23.
9. There is general neighborhood support for this request, with some concerns regarding liquor sales and traffic generation.
10. A 60-day deferral to the June 19, 2008 EPC hearing will allow the applicant additional time to make necessary improvements to the site development plans in order to comply with applicable policies.

RECOMMENDATION - 07EPC 40078, April 17, 2008

DEFERRAL for 60 days of 07EPC 40078, a request for a site development plan for building permit, for Tract 1-A-1, El Rancho Atrisco Phase III, based on the preceding Findings.

***Anna DiMambro, AICP
Planner***

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Attachments