



**Environmental
Planning
Commission**

*Agenda Number: 8
Project Number: 1007255
Case #'s: 08EPC 40076
August 21, 2008*

Staff Report

Agent	Consensus Planning, Inc.
Applicant	Tekin Group, Inc.
Request(s)	Site Development Plan for Building Permit
Legal Description	Tract A-3, Block A, Vista Grande Addition Unit 1
Location	Montgomery Blvd NE between Monroe Street and San Mateo Blvd
Size	Approximately 0.39 acres
Existing Zoning	C-2 (SC)
Proposed Zoning	No Change

Staff Recommendation

APPROVAL of 08 EPC 40076, based on the findings on page 11 and subject to the conditions of approval on page 13.

Staff Planner
Randall Falkner, Planner

Summary of Analysis

This is a request for a site development plan for building permit. The site is approximately 0.39 acres and is located on Montgomery Boulevard between San Mateo Boulevard and Monroe Street. The site comprises Tract A-3, Block A, Vista Grande Addition, Unit 1. The applicant intends to build a 2,750 square foot restaurant with a drive-up lane and service window.

The neighborhood association declined a facilitated meeting and in the no meeting report the facilitator stated that there was no major opposition to the project. However, there was a letter written by a member of the Hodgin N.A. that had concerns about the request. Staff finds that the applicant has justified the site plan for building permit based upon applicable policies in the Comprehensive Plan, and recommends approval with conditions.

Location Map (3" x 3")

City Departments and other interested agencies reviewed this application from 7/7/2008 to 7/23/2008. Agency comments were used in the preparation of this report and begin on page 16.

AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses:

	Zoning	Comprehensive Plan Area; Applicable Rank II & III Plans	Land Use
Site	C-2 (SC)	Established Urban	Commercial
North	SU-1 C-2 with Warehousing	Established Urban	Commercial
South	C-2 (SC)	Established Urban	Commercial
East	C-2 (SC)	Established Urban	Commercial
West	C-2 (SC)	Established Urban	Commercial

Background

This is a request for a site development plan for building permit on a 0.4 acre parcel of land located on the south side of Montgomery Boulevard between San Mateo Boulevard and Monroe Street. The site comprises Tract A-3, Block A, Vista Grande Addition, Unit 1. The property is currently zoned C-2 (SC). It is located within the Established Urban area of the Comprehensive Plan. The applicant intends to build a 2,750 square foot restaurant with a drive-up lane and service window.

History

The site was originally developed in 1973 and contained a grocery store (Skaggs Supercenter) and several satellite buildings. The original approval required that subsequent building plans be reviewed and approved by the EPC (Z-73-13).

Context

The subject site is along Montgomery Boulevard NE between San Mateo Boulevard and Monroe Street. The existing platted parcel that is proposed for development is currently a parking lot for a grocery store (Albertsons) to the south. The area surrounding the subject site consists entirely of commercial land. To the east is a Phillips 66 gas station, to the west are a number of different businesses for Fiesta Crossing (including various restaurants and a hair salon), while to the north across the street on Montgomery Boulevard is Montgomery Plaza (which has many commercial businesses). The average daily traffic flow along the portion of Montgomery just west of San Mateo is approximately 50,600 (2006 MRCOG).

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.

The Long Range Roadway System designates both Montgomery Boulevard NE and San Mateo Boulevard NE as Principal Arterials, with a right-of-way of 124'.

Montgomery Boulevard is an Enhanced Transit Corridor. There is good access to transit from this site. Weekday bus routes that pass close to the site include the following: 157 (Montano/Uptown/Kirtland), 5 (Montgomery/Carlisle), 140 and 141 (San Mateo). The bus stop along Montgomery Boulevard is located approximately 560 feet to the west on the south side of Montgomery (the same side of the street as the proposed restaurant), while the bus stop for San Mateo Boulevard is located approximately 150 feet away on the west side of San Mateo. Another bus stop along Montgomery Boulevard is located on the other side of the street (north side) and is approximately 130 feet away from the proposed restaurant.

Public Facilities/Community Services

There are a number of public facilities/community services close to the proposed subject site. They include the following: Del Norte High School, Governor Best Elementary School, McKinley Middle School, Bel-Air Elementary School, Hodgin Elementary School, Cleveland Middle School, Montgomery Elementary School, Montgomery Park, Palo Duro Senior Center, Vilella Park, Cardwell Park, and the Erme Fergusson Branch Library.

ANALYSIS OF APPLICABLE ORDINANCES, PLANS AND POLICIES

Albuquerque Comprehensive Zoning Code

The existing zoning for the site is C-2 (SC). The C-2 zone provides suitable sites for offices, for most service and commercial activities, and for certain specified institutional uses. SC refers to Shopping Center regulations, which are found in Section 14-16-3-2 of the Zoning Code. The subject site must meet all of the Shopping Center regulations. Both the subject site and the area surrounding the subject site on the south, east, and west sides are also zoned C-2 (SC). The area north of the subject site, on the other side of Montgomery Boulevard NE is zoned SU-1 C-2 with Warehousing.

Albuquerque / Bernalillo County Comprehensive Plan

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

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.” Applicable policies include:

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

The request is partially in accord with the surrounding neighborhood values, natural environmental conditions, and scenic resources. The neighborhood associations have no major opposition to the project. There are some concerns about a fast food restaurant being so close to Del Norte High School, and with access, traffic, and carbon emissions. The request fits in with surrounding development that is entirely commercial. The proposed restaurant would not be the only restaurant close to Del Norte High School, or the only establishment in the area that would sell high fat/calorie food. There are other restaurants in the surrounding area, including Pancho's Mexican Buffet to the south, Zea Restaurant, Del Taco, China Star, and Cici's Pizza to the west. There are also convenience stores in the area that have easy access to pre-packed high fat/calorie foods. These would include a Phillips 66 gas station/convenience store immediately east of the subject site, a Chevron gas station/convenience store to the north across Montgomery. The request will add to the carrying capacity of the already busy Montgomery/San Mateo intersection. The request partially furthers Policy II.B.5d.

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

Full urban services are available to the surrounding properties and existing residential neighborhoods are not in close proximity to the proposed subject site. The subject site provides infill development, is surrounded by existing commercial land uses, and fits in well with other commercial uses. The request furthers Policy II.B.5e.

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.

Noise and lighting would be problematic for drivers on Montgomery Boulevard under the proposed site plan submittal. Vehicle headlights in the drive-up lane would shine onto Montgomery Boulevard. Vehicles waiting in the drive up lane would add to the pollution of the area, and traffic would increase. The request does not further Policy II.B.5i.

Policy II.B.5j: Where new commercial development occurs, it should generally be located in existing commercially zoned areas as follows:

- In larger area-wide shopping centers located at intersections of arterial streets and provided with access via mass transit; more than one shopping center should be allowed at an intersection only when transportation problems do not result.

The request is for a new commercial development that is part of a larger area-wide shopping center that is located close to the intersection of Montgomery Boulevard and San Mateo Boulevard. The subject site has good access to mass transit. Bus routes 5 (Montgomery/Carlisle), 157 (Montano/Uptown/Kirtland) and 140/141 (San Mateo) are all-day routes that are easily accessible from nearby bus stops. Both Montgomery and San Mateo are classified as Enhanced Transit Corridors. The request furthers Policy II.B.5j.

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 is appropriate to the area because the surrounding area is entirely commercial, and several other restaurants are located in close proximity to the subject site. The design is not innovative, but rather plain corporate architecture. The request partially furthers Policy II.B.5l.

Activity Centers

The Activity Center Goal is “to expand and strengthen concentrations of moderate and high-density mixed land use and social/economic activities which reduce urban sprawl, auto travel needs, and service costs and which enhance the identity of Albuquerque and its communities.”

Policy II.B.7a: Existing and proposed Activity Centers are designated by a Comprehensive Plan map where appropriate to help shape the built environment in a sustainable development pattern, create mixed use concentrations of interrelated activities that promote transit and pedestrian access both to and within the Activity Center, and maximize cost-effectiveness of City services.

Some of the objectives for access in a community activity center include:

- Very accessible by automobile
- Located on minor and major arterial streets
- Should provide main hub connecting to regional transit system

Typical land uses include:

- Restaurant

Scale for buildings and parking:

- Connections between buildings and to sidewalks, buildings separate off-street parking from street
- Predominantly off-street parking, pedestrian paths between parking and building, bicycle parking encouraged

The subject site is in a designated Community Activity Center, the San Mateo/Montgomery Community Activity Center. The request meets the following policy objectives for Activity Centers: very accessible by automobile, located on a principal arterial (Montgomery Blvd.), has good access to transit on both Montgomery and San Mateo, restaurant is a typical use in a Community Activity Center, connections provided between proposed building and sidewalks,

off-street parking is separated from the street by the building, and bicycle parking is provided. The request furthers Policy II.B.7a.

Air Quality

The Goal is “to improve air quality to safeguard public health and enhance the quality of life.”

Policy II.C.1d: Air quality shall be protected by providing a balanced circulation system that encourages mass transit use and alternative means of transportation while providing sufficient roadway capacity to meet mobility and access needs.

The subject site is located on an Enhanced Transit Corridor that has daily bus routes (157 – Montano/Uptown/Kirtland and 5 – Montgomery/Carlisle), and bus stops in close proximity. Another daily bus route (140/141 – San Mateo) has a bus stop that is close and easy to access. There are currently no bicycle lanes or routes on Montgomery, but the applicant has provided a bicycle rack with room for two bicycles. Pedestrian paths provide access to a public sidewalk and to neighboring businesses. Air quality is protected by a balanced circulation system that encourages mass transit use and alternative means of transportation. Policy II.C.1d is furthered by the request.

Policy II.C.1e: Motor vehicle emissions and their adverse effects shall be minimized.

The adverse effects of motor vehicles are minimized to a degree by a balanced circulation system that encourages mass transit and alternative means of transportation. However, the drive-up lane also encourages automobiles to access the site and to wait with their motors running, which adds to vehicle emissions. It is unknown how many restaurant patrons will access the establishment by vehicle or by alternative means, but the site is set up to receive both, and mass transit is a viable option. The request partially furthers Policy II.C.1e.

Transportation and Transit

The Goal “is to develop corridors, both streets and adjacent land uses, that provide a balanced circulation system through efficient placement of employment and services, and encouragement of bicycling, walking, and use of transit/paratransit as alternatives to automobile travel, while providing sufficient roadway capacity to meet mobility and access needs.”

Policy II.D.4a: Table 11 of the Comprehensive Plan presents ideal policy objectives for street design, transit service and development form consistent with Transportation Corridors and Activity Centers as shown on the Comprehensive Plan’s Activity Centers and Transportation Corridors map in the Activity Centers section. Each corridor will undergo further analysis that will identify design elements, appropriate uses, transportation service and other details of implementation.

The Centers and Corridors Map of the Comprehensive Plan identifies Montgomery Boulevard and San Mateo Boulevard as Enhanced Transit Corridors. The policy objectives in a Major Transit Corridor are:

Street Design

- Pedestrian circulation: Maximize pedestrian connections to transit stops and between adjacent developments
- Sidewalk: 6-8 foot wide sidewalk

Transit Service

- Weather-protected bus stop

Development Form

- Parking Location: Separated from the street by the building or to the side of the building
- Building Access from Street: Provide an entrance from street
- Parking Reduction: 10-20% encouraged; shared parking encouraged
- Model Hierarchy: Transit & Autos, Pedestrians, Bikes

The Policy Objectives for street design, transit service and development form consistent with Transportation Corridors and Activity Centers are met by pedestrian connections to transit stops, the parking being separated from the street by the building, and the model hierarchy of transit & autos, pedestrians, and bikes. However, some sidewalks and crosswalks leading to the 8 foot sidewalk need to be widened and a weather-protected bus stop is needed. There is no entrance provided from the street because the drive-up lane is located on the north side closest to Montgomery Boulevard. The sidewalk and stamped concrete crosswalk on the west side of building however, does lead to a customer entrance. The request partially furthers Policy II.D.4a.

Economic Development

The Goal is to “achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals.

Policy II.D.6g: Concentrations of employment in Activity Centers should be promoted in an effort to balance jobs with housing and population and reduce the need to travel.

A limited amount of mostly low wage jobs will be available and concentrated in the San Mateo/Montgomery Community Activity Center. Mass transit and other alternative means of transportation are available and encouraged at this site. Policy II.D.6g is furthered by the request.

ANALYSIS OF SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

Site Plan Layout / Configuration

The subject site is approximately 0.39 acres in size and is identified as Tract A-3, Block A, Vista Grande Addition Unit 1. The applicant intends to build a 2,750 square foot restaurant with a drive up window on Montgomery Boulevard just west of San Mateo Boulevard. The subject site is currently the north end of the parking lot which contains an Albertsons grocery store. The proposed commercial development is surrounded by commercial development on all sides, an Albertsons to the south, a Phillips 66 to the east, Fiesta Crossing (with an assortment of restaurants and other businesses) to the west, and various businesses across the street on Montgomery Boulevard.

The primary entrance is located on the south side of the building, and there is another entrance on the west side. The drive up begins on the east side of the building and continues on to the north side of the building. The site development plan shows parking separated from the street by the building. The parking is located on the south side of the building. The dumpster is located on the far southeast corner of the lot. The building meets all of the height and setback requirements in a C-2 zone.

Walls/Fences

There is a garden screen wall with a gate on the east side of the building. There is no site detail for the garden screen wall. A site detail of the garden screen wall with dimensions shall be shown on the exterior elevations page (SDP-5). There is a dumpster enclosure around the dumpster that is 6 feet high. Keyed Note #6 for the dumpster enclosure on the conceptual site plan (SDP-2) shows the elevation as being on page SDP-4, and it should be on page SDP-5. There is a retaining wall (with a guard rail) in between the 6 foot wide sidewalk that runs along Montgomery and the drive up lane. This retaining wall is just north of the property line.

Vehicular Access, Circulation and Parking

Vehicular access to the property is provided through a driveway off of Montgomery just west of the property and another driveway off of San Mateo southeast of the property. The parking lot is located behind the proposed building (to the south). The parking lot can be accessed through an entrance/exit on the west side of the property and another entrance/exit on the south side of the property. The drive up entrance begins on the far southeast side of the property, continues north then west counter clockwise around the building and finally south for cars to exit the property. A concern is the vehicles that go through the drive up lane heading north would shine their headlights directly onto traffic headed east on Montgomery Boulevard. Montgomery Boulevard is approximately 4-5 feet below the proposed site. Those driving trucks or SUV's would have headlights shining in their eyes. A landscaping strip that ranges from 10-15 wide would provide some screening from headlights, but until the Photinias get much bigger there would still be the potential for headlights to distract motorists on Montgomery. Staff suggests building a wall 3 feet high on the northeast corner of the drive up lane that begins where the curb starts to widen on the east side of the building all the way to where the cover over the drive-up service window is located to prevent headlights from blinding motorists on Montgomery. The wall shall integrate with building materials/colors. The Montgomery/San Mateo intersection is already one of the busiest intersections in the City, and also one of the most dangerous. A wall that blocks oncoming headlights will provide safety to those driving on Montgomery. Section 14-16-3-18

(General Building & Site for Non-Residential Reg.) states that “Drive-up service windows shall be oriented away from pedestrian areas, residentially-zoned areas and public streets where possible. In cases where drive-up service windows face these areas, screening shall be provided. Screening may be in the form of walls, earth berms, or evergreen landscaping, or a combination thereof and shall be a minimum of three feet in height. Where walls are provided, a minimum 3-foot wide planting strip with live vegetation shall also be provided on the pedestrian or residential or public street side.”

The site development plan requires 14 spaces (including 10% transit reduction). The parking provided is 13 spaces and one handicapped space. The site also has one motorcycle space and a bicycle rack with room for two bicycles. The property (Tract A-3) is subject to a reciprocal, non-exclusive easement over, through and across its parcel for parking, pedestrian traffic and pedestrian access.

Pedestrian and Bicycle Access and Circulation, Transit Access

An 8 foot wide minimum concrete sidewalk is proposed to be on the south and west sides of the building. A 4 foot wide sidewalk and a 4 foot wide stamped concrete crosswalk are proposed to connect the existing public 6 foot wide sidewalk along Montgomery with the 8 foot wide sidewalk around the building. Another 4 foot wide sidewalk and 4 foot wide stamped concrete crosswalk are proposed to connect the 8 foot wide sidewalk around the building with the parking lot to the south. The proposed 4 foot wide sidewalks and 4 foot wide stamped concrete crosswalks shall be a minimum of 6 feet wide to ensure better pedestrian connectivity and to allow for better wheelchair access.

There are no designated bicycle routes or lanes that pass by the proposed site. Transit access to the proposed subject site is very good. Bus route 157 (Montano/Uptown/Kirtland) runs along Montgomery and has weekday and Saturday service, while bus route 5 (Montgomery/Carlisle) and bus route 140/141 (San Mateo) both have weekday, Saturday, and Sunday service. There is a bus stop along Montgomery Boulevard that is located approximately 560 feet to the west of the subject site on the south side of Montgomery (the same side of the street as the proposed restaurant). There is a bus stop along San Mateo Boulevard that is located approximately 150 feet away on the west side of San Mateo. Another bus stop along Montgomery Boulevard is located on the other side of the street (north side) and is approximately 130 feet away from the proposed restaurant. Both Montgomery Boulevard and San Mateo Boulevard are existing Enhanced Transit Corridors.

Lighting and Security

The light pole detail on the site plan shows 3 proposed 20 foot tall light poles on the site. These light poles are in compliance with the Area Lighting Regulations in the Zoning Code (Sec. 14-16-3-10). The site plan also shows an existing 50 foot tall light fixture that the applicant intends to leave on the site. This pole would be non-conforming, but should be allowed to remain to be consistent with the other large light poles that are found throughout the Albertsons parking lot.

Landscaping

There is landscaping proposed around the perimeter of the site and around the restaurant. The applicant is providing more landscaping (33%) for the net lot area than is required (15%). The proposed tree on the landscape plan is Ash or Honey Locust, which are both shown as high water use trees. The City Foresters list and the COA Xeriscaping Guide both have Ash and Honey Locust trees as Medium+ water use. Ash trees also have high allergy potential. Applicant shall delete Ash from the landscape plan because they have high allergy potential. Applicant shall change water use of Honey Locust from High to Medium+. Staff suggests making cuts in the curb so rainwater can flow into the landscaping. Mature height and spread of all landscaping shall be shown on the landscape plan. The plant size for the Palm Yucca shall be shown, and shall be 2 gallon minimum. The plant sizes for all trees shall be at least two inches in caliper measured six inches above grade, or 10-12 feet in height. Both trees shown on the landscape plan (Honey Locust and Purple Leaf Plum) are listed as 1 ½ caliper. The landscape plan shows 6 Honey Locust and 4 Purple Leaf Plum. The mature canopy diameter of the Purple Leaf Plum is only 20 feet. Section 14-16-3-10 (G)(1)(d) of the landscape regulations require that “at least 75% of the required parking area trees shall be deciduous canopy-type shade trees, capable of achieving a mature canopy diameter of at least 25 feet.” The Purple Leaf Plum tree shall be replaced with a tree on the City Forester’s list that has a minimum mature canopy diameter of 25 feet, and that is not high in water use or allergy potential.

Public Outdoor Space

While no public outdoor space is designated on the site plan, several benches accompanied by potted plants are shown on the south and west sides of the building. The proposed benches and planters and their dimensions shall be shown as a site detail on the site development plan.

Grading, Drainage, Utility Plans

The site drains to the southwest away from Montgomery Boulevard. The site does not lie within a 100-year flood zone and no off-site flows enter this area. New gas lines and water lines are proposed as shown on the utility plan site.

Architecture

The proposed development is a generic corporate architecture. The building is colored in medium and dark tans, red, dark mustard, and dark grey. The materials are stucco, fabric awning, painted metal door and frame, aluminum door/window and frame, split faced and burnished CMU, and bollards.

Signage

There is a proposed free standing monument sign on the far northwest corner of the site between the drive-up lane and the public sidewalk along Montgomery Boulevard. The proposed monument sign is 15 feet tall with 250 square feet of signage on both sides. While the signage regulations in the C-2 zone allow a free-standing sign up to 250 s.f., the Shopping Center (SC) Regulations do not. The site is zoned C-2 (SC), which requires that any site classified as a Shopping Center site is subject to special site development regulations. Shopping Center regulation 14-16-3-2 (B)(4) states that “Free-standing signs on shopping center sites shall be limited to one on-premise sign per 300 feet of street frontage on arterial and collector streets.

Maximum signable area shall be 150 square feet per sign face and maximum sign height shall be 26 feet. Off-premise signs shall not be permitted on shopping center sites.” The maximum signable area of the free-standing monument sign shall be 150 square feet, per Sec. 14-16-3-2 (B)(4).

There are four proposed building-mounted signs, one on each façade. Each of these signs complies with the regulations in the City Zoning Code.

CONCERNS OF REVIEWING AGENCIES / PRE-HEARING DISCUSSION

Comments from City agencies begin on page 16. Zoning Code services included the following comments: “The proposed use of the property is a *permissive use* in the C-2 Community Commercial Zone, Per Section 14-16-2-17(A)(13). A note should be added specifying that the proposed development shall comply with the General Building and Site Design Regulations for non-residential uses, per section 14-16-3-18 of the Comprehensive City Zoning Code.”

NEIGHBORHOOD/PUBLIC CONCERNS

Hodgin N.A. and Del Norte N.A. are the recognized Neighborhood Associations in this area. The neighborhood associations were notified by the applicant. The City Planning Department also notified the associations as required by the USDP, and informed property owners within 100 feet of the site. A facilitated meeting was requested by the Office of Neighborhood Coordination, but was declined. The facilitator stated that the neighborhoods “did not have major opposition to the project and seemed to feel that the few concerns that they do have can be addressed outside of a facilitated meeting.” A letter from a member of the Hodgin N.A. was received that had issues with a fast food restaurant being close to Del Norte High School, and with access, traffic, and carbon emissions. The letter has been included in the application.

CONCLUSIONS

This is a request for a site development plan for building permit. The site is approximately 0.39 acres and is located on Montgomery Boulevard between San Mateo Boulevard and Monroe Street. The site comprises Tract A-3, Block A, Vista Grande Addition, Unit 1. The applicant intends to build a 2,750 square foot restaurant with a drive-up lane and service window.

There was a letter written by a member of the Hodgin N.A. that had concerns about the request, but the neighborhood association declined a facilitated meeting and in the no meeting report the facilitator stated that there was no major opposition to the project. Staff finds that the applicant has justified the site plan for building permit based upon applicable policies in the Comprehensive Plan, and recommends approval with conditions.

FINDINGS – 08EPC 40076, 8/21/08, Site Development Plan for Building Permit

1. This is a request for a site development plan for building permit. The site is approximately 0.39 acres and is located on Montgomery Boulevard between San Mateo Boulevard and Monroe Street. The site comprises Tract A-3, Block A, Vista Grande Addition, Unit 1. The applicant intends to build a 2,750 square foot restaurant with a drive-up lane and service window.
2. The subject site is within the Established Urban area of the Comprehensive Plan. It is located on Montgomery Boulevard, an Enhanced Transit Corridor, and is in the San Mateo/Montgomery Community Activity Center.
3. The following Comprehensive Plan policies for Developing and Established Urban Areas are furthered by the proposal:
 - a. Policy II.B.5e – Full urban services are available to the surrounding properties and existing residential neighborhoods are not in close proximity to the proposed subject site. The subject site is surrounded by existing commercial land uses and fits in well with other commercial uses.
 - b. Policy II.B.5j – The proposed commercial development is located in an area-wide shopping center located close to the intersection of Montgomery Boulevard and San Mateo Boulevard, and has good access to mass transit.
4. The following Comprehensive Plan policies for Developing and Established Urban Areas are partially furthered by the proposal:
 - a. Policy II.B.5d – The request fits in with the surrounding development that is entirely commercial. Many other restaurants are located in this area. The neighborhood associations have no major opposition to the project. There are some concerns about a fast food restaurant being so close to Del Norte High School, and with access, traffic, and carbon emissions. The request will add to the carrying capacity of the already busy Montgomery/San Mateo intersection.
 - b. Policy II.B.5l – The design is appropriate to the plan area because the surrounding area is entirely commercial and several restaurants are located in close proximity to the subject site. The design is not innovative, but rather plain corporate architecture.
5. The request does not further Comprehensive Plan Policy II.B.5i for Developing and Established Urban Areas. Vehicle headlights in the drive-up lane would shine onto Montgomery Boulevard. Vehicles waiting in the drive up lane would add to the pollution of the area, and traffic would increase.

6. The request furthers Activity Centers Policy II.B.7a of the Comprehensive Plan. The subject site is in the San Mateo/Montgomery Community Activity Center. The request meets the following policy objectives for Activity Centers: very accessible by automobile, located on a principal arterial (Montgomery Blvd.), has good access to transit on both Montgomery and San Mateo, restaurant is a typical use in a Community Activity Center, connections provided between proposed building and sidewalks, off-street parking is separated from the street by the building, and bicycle parking is provided.
7. The request furthers Air Quality Policy II.C.1d of the Comprehensive Plan. Air quality is protected by a balanced circulation system, which includes three daily bus routes (Montano/Uptown/Kirtland, Montgomery/Carlisle and San Mateo), bus stops which are in close proximity to the site, and alternative means of transportation (pedestrian paths with connections to public sidewalk and neighboring businesses, bicycle rack) are provided.
8. The request partially furthers Air Quality Policy II.C.1e of the Comprehensive Plan. The adverse effects of motor vehicles are minimized to a degree by a balanced circulation system that encourages mass transit and alternative means of transportation. The drive-up lane, however, encourages automobiles to access the site and wait with their motors running, which adds to vehicle emissions.
9. The request partially furthers Transportation and Transit Policy II.D.4a of the Comprehensive Plan. Policy objectives for street design and development form are met by providing pedestrian connections to transit stops, separating parking from the street by the building, and the model hierarchy of transit & autos, then pedestrians, and then bikes. Some sidewalks and crosswalks need to be widened and a weather protected bus stop is needed.
10. The request furthers Economic Development Policy II.D.6g of the Comprehensive Plan. A limited amount of mostly low wage jobs will be available and concentrated in the San Mateo/Montgomery Community Activity Center. Mass transit and other alternative means of transportation are available and encouraged at this site.
11. A member of the Hodgin N.A. sent in a letter with concerns about a fast food restaurant in close proximity to Del Norte High School, access, traffic, and carbon emissions.
12. The Hodgin N.A. declined a facilitated meeting and the facilitator stated that there was no major opposition to the project.

RECOMMENDATION - 08EPC 40076, 8/21/08, Site Development Plan for Building Permit

APPROVAL of 08EPC 40076, a site development plan for building permit, for Tract A-3, Block A, Vista Grande, Unit 1, based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL - 08EPC 40076, 8/21/08, Site Development Plan for Building Permit

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. The site development plan shall comply with all Solid Waste Management Department ordinances and requirements, including recycle areas.
4. The following deficiencies in the site development plan and exterior elevations shall be addressed:
 - a. Keyed note #6 for the dumpster enclosure on the conceptual site plan (SDP-2) that states "see elevation detail L on sheet SDP-4" shall be corrected to SDP-5.
 - b. A site detail of the garden wall screen wall shall be shown on the exterior elevations page (SDP-5).
 - c. Keyed Notes/Materials Q on the Exterior Elevations sheet (SDP-5) shall be corrected from Comprehensive City Zoning Code Section 14-16-3-18(5)(a) to 14-16-3-18(6)(a).
5. Construct a 3 foot high wall on the northeast corner of the drive up lane that begins where the curb starts to widen on the east side of the building all the way to where the cover over the drive-up service window is located to prevent headlights from blinding motorists on Montgomery. The wall shall integrate with building materials/colors.
6. The proposed 4 foot wide sidewalks and 4 foot wide stamped concrete crosswalks shall be a minimum of 6 feet wide to ensure better pedestrian connectivity and to allow for better wheelchair access.

7. A note should be added specifying that the proposed development shall comply with the General Building and Site Design Regulations for non-residential uses, per section 14-16-3-18 of the Comprehensive City Zoning Code as requested by Zoning Code Services.

8. Landscaping
 - a. Ash shall be deleted from the landscape plan because they have high allergy potential.
 - b. Applicant shall change water use of Honey Locust from High to Medium+.
 - c. Make cuts in the curb so rainwater can flow into the landscaping.
 - d. Mature height and spread of all landscaping shall be shown on the landscape plan, per Sec. 14-16-3-10(C)(3)(e).
 - e. The plant size for the Palm Yucca shall be shown, and shall be a 2 gallon minimum.
 - f. The plant sizes for all trees shall be at least two inches in caliper measured six inches above grade, or 10-12 feet in height, per Sec. 14-16-3-10(F)(1).
 - g. The Purple Leaf Plum tree shall be replaced with a tree on the City Forester's list that has a minimum mature canopy diameter of 25 feet, and that is not high in water use or allergy potential, per Sec. 14-16-3-10(G)(1)(d).

9. The proposed benches and planters and their dimensions shall be shown as a site detail on the site development plan.

10. The maximum signable area of the free-standing monument sign shall be 150 square feet, per Shopping Center Regulations in Sec. 14-16-3-2(B)(4).

11. RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT:
 - a. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
 - b. Site plan shall comply and be designed per DPM Standards.

***Randall Falkner
Planner***

cc: Tekin Group, Inc., 4113 Eubank NE, Suite 400, Albuquerque, NM 87114
Consensus Planning, Inc., 302 8th St. NW, Albuquerque, NM 87102
Marlo Clown, Kiva MontePark NA, 3317 Cardenas NE, Albuquerque, NM 87110
Gabriel Nims, Kiva MontePark NA, 5709 Arvilla Ave. NE, Albuquerque, NM 87110

Attachments

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Code Services

Reviewed: The proposed use of the property is a *permissive use* in the C-2 Community Commercial Zone, Per Section 14-16-2-17(A)(13). A note should be added specifying that the proposed development shall comply with the General Building and Site Design Regulations for non-residential uses, per section 14-16-3-18 of the Comprehensive City Zoning Code.

Office of Neighborhood Coordination

Hodgin NA (R)

Del Norte NA (R)

6/7/08 – Recommended for Facilitation – siw

Assigned to Diane Grover – siw

7/17/08 – A “No Meeting” Report filed by Diane Grover - siw

Advanced Planning

CITY ENGINEER

Transportation Development (City Engineer/Planning Department):

- The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
- Site plan shall comply and be designed per DPM Standards.

Hydrology Development (City Engineer/Planning Department):

- No adverse comments.

Transportation Planning (Department of Municipal Development):

- Reviewed, and no comments regarding on-street bikeways, off-street trails or roadway system facilities.

Traffic Engineering Operations (Department of Municipal Development):

- No comments received.

Street Maintenance (Department of Municipal Development):

- No comments received.

New Mexico Department of Transportation (NMDOT):

- No comments received.

RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT

and NMDOT:

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

- a. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
- b. Site plan shall comply and be designed per DPM Standards.

DEPARTMENT of MUNICIPAL DEVELOPMENT

Transportation Planning

WATER UTILITY AUTHORITY

Utility Services

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

Environmental Services Division

PARKS AND RECREATION

Planning and Design

Reviewed, no objection. Request does not affect our facilities.

Open Space Division

Open Space has no adverse comments

City Forester

POLICE DEPARTMENT/Planning

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

Approved on condition, will comply with all SWMD ordinances and requirements, and have required recycle area.

FIRE DEPARTMENT/Planning

TRANSIT DEPARTMENT

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

Reviewed, no comment.

ALBUQUERQUE PUBLIC SCHOOLS

Vista Grande Addition Unit 1, Tract A-3, is located on Montgomery Blvd NE between Monroe St NE and San Mateo Blvd NE. The owner of the above property requests approval of a Site Development for Building Permit for a development that will consist of Carl's Jr. restaurant with a drive up service window. This will have no adverse impacts to the APS district.

MID-REGION COUNCIL OF GOVERNMENTS

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

PUBLIC SERVICE COMPANY OF NEW MEXICO

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. Adequate clearance for all utilities must be provided for operation, maintenance and repair purposes. Any relocation of existing utilities will be at customer's expense.