



**Environmental
Planning
Commission**

**Agenda Number: 14
Project Number: 1007320
Case #: 08EPC 40071
August 21, 2008**

Supplemental Staff Report

Agent	Denish + Kline Associates
Applicant	Lowe's Home Improvement
Request	Site Development Plan for Building Permit
Legal Description	Tract 2A-5A1-A1, Horne Development Addition
Location	On Hotel Circle NE, between Eubank and Lomas Blvds. (11,150 Lomas Blvd. NE)
Size	Approximately 9 acres
Existing Zoning	SU-1 for Planned Commercial Development with Uses Permissive and Conditional in the C-2 zone
Proposed Zoning	Same

Staff Recommendation

APPROVAL of 08EPC 40071, based on the Findings beginning on Page 17 and subject to the Conditions of Approval beginning on Page 19.

Staff Planner

Catalina Lehner-AICP, Senior Planner

Summary of Analysis

This request is for a site development plan for building permit for a large retail facility (LRF) on a developed site. The proposed ≈ 138,000 sf home improvement center would replace ≈ 100,000 sf of existing retail space.

The Comprehensive Plan and the Large Retail Facilities (LRF, or “big box”) Ordinance apply (O-06-53). Staff finds that the request furthers applicable Goals and policies in the Comprehensive Plan.

This request was deferred for 30 days at the applicant’s request to allow time to address instances of non-compliance with the LRF Ordinance, particularly: 5. Site Design-screening/truck bays, pedestrian walkways, and 6. Main Structure Design, articulation and materials. These issues have been addressed and compliance has improved.

A pre-facilitated meeting was held as required by the LRF ordinance. There is no known neighborhood or other opposition. Staff recommends approval subject to conditions.

This report should be read in conjunction with the original July 17, 2008 Staff report.

City Departments and other interested agencies reviewed this application from 06/09/'08 to 06/20/'08. Agency comments were used in the preparation of this report and begin on Page 23 of the original Staff report.

I. OVERVIEW

Prior to the July 17, 2008 Environmental Planning Commission (EPC) hearing, the applicant requested a 30 day deferral to the August 21, 2008 EPC hearing in order to have sufficient time to address outstanding issues. Staff and the applicant met on July 15, 2008 to discuss these issues, particularly Staff's concern regarding instances of non-compliance with the Large Retail Facilities (LRF or "big box") Ordinance. Since then, the applicant has provided a revised site development plan (the "August version") which is the subject of this supplemental report.

REQUEST (repeated in brief)

This request is for a site development plan for building permit for an approx. 138,000 sf home improvement center on an already developed, approx. 9 acre commercial site. Approx. 100,000 sf of existing retail uses would be replaced. A reconfigured parking lot area, landscaping and other site improvements are also proposed.

- ⇒ For more information, please refer to the original July 17, 2008 Staff report beginning on p. 1 (see attachment).

HISTORY & BACKGROUND

- ⇒ Please refer to p. 2-3 of the original July Staff report (see attachment).

ZONING

- ⇒ Please refer to p. 3 of the original July Staff report (see attachment).

DEFINITIONS

- ⇒ Please refer to p. 4 the original July Staff report for relevant definitions from the LRF ordinance (see attachment).

TRAFFIC IMPACT STUDY (TIS)

- ⇒ Please refer to p. 8 the original July Staff report for a discussion of the trip generation update (see attachment). A TIS was not required.

POLICY ANALYSIS

- ⇒ Please refer to the original July Staff report, beginning on p. 4, for an analysis of conformance to adopted Plans and policies (see attachment). No sector development plans apply to the request.

II. ANALYSIS- SITE DEVELOPMENT PLAN FOR BUILDING PERMIT- August 2008 version

This supplemental report focuses on revisions made during the deferral period and explains them below. However, please refer to pages 7- 10 of the original July 17, 2008 Staff report (see attachment) for an explanation of the following categories that do not contain revisions:

- Pedestrian and Bicycle Access and Circulation, Transit Access (p. 8)
- Grading & Drainage Plan, Water Re-Use (p. 10), and
- Utility Plan (p. 10).

Site Plan Layout/Configuration (Please also refer to p. 7 of the original Staff report)

A few minor changes have been made that affect the subject site's layout. The tip of the subject site, south of the plaza area, has been slightly reconfigured from the previous version to allow for expansion of the plaza area. A curb has been added. The southwestern corner of the garden center is no longer rounded, but is angular.

New recycling areas have been added, two on the eastern side of the proposed building and one on the southern side. The landscape buffer on the subject site's eastern side has increased from 13 ft. to 20 ft.

Walls/Fences (Please also refer to p. 7 of the original Staff report)

Two types of walls continue to be proposed. A retaining wall is proposed along a portion of the subject site's eastern and southern sides. Its height is approx. 3.5 feet as shown on the grading and drainage plan, but needs to be specified as a range on the site development plan. Also, the height of the retaining wall south of the plaza is unknown; Staff recommends that the height be limited to 3 ft. so that views to and from the plaza area are not blocked. The screen wall would then be level with the 5,468 ft. contour.

The screen wall, proposed around the dumpster area used to measure 6 ft. tall and now is proposed to be 10 ft. tall. Both walls are still proposed to be finished in either split-face CMU or light beige stucco. The finish still needs to be specified.

Additional wall articulation is required pursuant to Zoning Code §14-16-3-19(B)(2) (a and b), since both walls are greater than 4 ft. tall and face the public right-of-way. Staff suggests a combination of both proposed finishes (b) and the usage of vertical pilasters with a minimum projection of 2 inches (b).

Vehicular Access, Circulation & Parking (Please also refer to p. 7- 8 of the original Staff report)

Again, minor changes have been made since the previous version. The northern vehicular entrance has increased from 24 ft. to 25 ft. The truck bay entrances on the eastern side have: decreased to 38 ft. from 40.5 ft. and increased from 30 ft. to 38 ft.

Total provided parking is now 318, a decrease of 7 regular spaces from 325 on the previous version of the site development plan. Using Zoning Code §14-16-3-1 to calculate parking, 492 spaces would be

required. However, the applicant has a shared parking agreement with the adjacent tracts. Also, since the subject site is zoned SU-1, parking “shall be provided as required by the Planning Commission.”

Lighting & Security (Please also refer to p. 8 of the original Staff report)

Previously, two types of light poles were proposed with varying numbers of shoe-box fixtures each: pedestrian area pole- 16 ft. tall, and typical pole- 20 ft. tall. The pedestrian area pole has now been replaced by a decorative pole that has hanging luminaries instead of shoe-box fixtures. The two double-fixture light poles on the eastern side of the plaza area are now proposed to be decorative and 16 ft. tall, so all three plaza area light poles will be the same height and design. The decorative light pole design is proposed for the pedestrian walkways in the parking lot.

Landscaping Plan (Please also refer to p. 9 of the original Staff report)

Existing: The proposed landscaping plan does not take advantage of the existing trees to the extent that it could. Existing trees could be incorporated into the proposed landscaping plan and are needed along the eastern side to avoid a monoculture. There are existing parking lot trees, Ash and Honey Locust. Also, the largest Cottonwood in the southwestern buffer has been left out for no apparent reason. Staff suggests that most of the established trees remain (see photos-attachment to original Staff report).

Street Trees (repeated): The existing trees were installed in the Hotel Circle area pursuant to the Street Tree Ordinance, which requires a street tree plan for lots adjacent to a major street or a major local street. Staff has confirmed with the Traffic Engineer that Hotel Circle is a major local street by definition, since it links Eubank and Lomas and carries over 1,000 vehicle trips per day. Street trees were required in the past and are required now. The proposed landscaping plan uses short ornamental trees and shrubs along a portion of its southwestern landscape buffer and does not fully comply with the Street Tree Ordinance.

Proposed-Update: Autumn Purple Ash is no longer proposed; Autumn Blaze Maple has taken its place. The maple trees have been added on the eastern, and a portion of the southern, landscape borders and in the parking lot. There are approx. twice as many Maple trees as any other tree. The size of the parking lot end aisles on the northwestern parking area has changed by minor amounts. The end aisles closest to the building have also changed in size, some increasing and others decreasing. The net effect is an increase of 1,148 sf of landscape bed provided. The percentage of coverage (77%) remains the same.

Separate landscape calculations for the plaza area have been provided and are discussed on the Section III of this report. Additional shrubs are needed in the northern and southern landscape areas of the plaza to ensure 75% coverage with living, vegetative materials. Boulders do not count toward meeting this requirement.

Architecture & Design (Please also refer to p. 9-10 of the original Staff report)

Some changes have been made to the proposed building's design, notably the eastern elevation. 5 pilasters, which match those on the building's other elevations, have been added. The seven pilasters

on the southern elevation, which all used to be integrated with the tubular steel fence, are now spaced along the length of the elevation. On the northern elevation, a section used three colors but two colors are proposed now. However, now there is color differentiation on the cornices.

Zoning Code §14-16-3-18(C)(3) requires, for major façades greater than 100 ft. in length, that outdoor seating be incorporated adjacent to at least one of the façades. Staff suggests that a bench be added to the main (western) elevation, close to the north elevation.

Signage (Please also refer to p. 10 of the original Staff report)

An 8.5 by 11 insert, which contains a detail of the proposed monument signs, can be found at the back of the attachments in the original Staff report. A new detail has not been provided; there have been no changes to the proposed design. The only change appears to be with respect to the proposed monument signs' locations. They have been moved slightly to the northwest and to the southeast, respectively. Staff still measures 298 feet between the signs' locations.

Pursuant to the shopping center regulations in Zoning Code §14-16-3-2-(B)(4), free-standing signs on shopping center sites are limited to one sign per 300 feet of street frontage on arterial and collector streets. Staff believes that less signage would be appropriate on a major local street such as Hotel Circle. However, as long as the monument signs are a minimum of 300 feet apart they would be allowed.

The main building-mounted sign on the western elevation is approx. 44 ft. wide and 13 ft. tall, with an additional ornamental area above. This is approx. 618 sf. of sign face area, indicated incorrectly on the elevations as approx. 348 sf. Building mounted signs are also proposed for the Indoor Lumber Yard and the Garden Center. Staff calculates approx. 72.5 sf for each, though the figures on Sheet A-101 differ.

Outdoor Space (Please also refer to p. 10 of the original Staff report)

A plaza area is still proposed near the middle of the southwestern side of the subject site. The plaza area was formerly 2,814 sf and has been increased by 25 sf to 2,839 sf of total area. Staff had erroneously measured the plaza area in the original July 2008 Staff report. Please refer to the analysis of the RLF ordinance (below) for a discussion of the proposed plaza area.

III. ANALYSIS—LARGE RETAIL FACILITIES (LRF) ORDINANCE REQUIREMENTS

The following analysis examines applicable portions of the LRF Ordinance and the request's compliance with them. Typically, in a supplemental report, only the revisions made during the deferral period are discussed. However, for ease of reading, Staff has included the original analysis (pages 11-19 of the July 17, 2008 Staff report- see attachment). Revisions made since then are highlighted in light grey.

SECTION 3- RESPONSIBILITIES OF APPLICANTS AND DEVELOPERS.

Applicants are required to notify neighborhood associations and attend a pre-application review team (PRT) meeting prior to filing an application for development of a LRF.

The applicant coordinated with the Office of Neighborhood Coordination (ONC) to notify neighborhood associations (NAs) and arrange a pre-facilitated meeting. There are no affected NAs. The pre-facilitated meeting was held on May 27, 2008. The few neighbors who attended expressed concern regarding property tax impact and crime at a nearby hotel. The applicant attended the required PRT meeting, which was held in February 2008 (see attachment). The applicant complies with Section 3.

SECTION 14- D. LARGE RETAIL FACILITY (LRF) REGULATIONS.

(2) LOCATION AND ACCESS OF LARGE RETAIL FACILITY.

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

1. Permitted in the C-2, C-3, M-1, M-2, IP, SU-1 and SU-2 for uses consistent with C-2, C-3, M-1, M-2, IP Zones; and *The proposed LRF is a permissive use in the SU-1 zone.*
2. Required to be located within 700 feet of the intersection of two roadways, both of which are designated as at least a collector street and shall have full access to these roadways.

The proposed LRF does not comply, since it is approx. 1,200 ft. from the Eubank/Lomas Blvds. intersection Hotel Circle is a local street. The subject site had already developed with LRFs prior to the LRF Ordinance, which would have required that such an LRF be in a different location.

(3) SITE DIVISION.

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

As mentioned above, the subject site had already developed with LRFs prior to the LRF Ordinance, which would have required that LRF sites be divided differently than in the past.

(4) DEVELOPMENT PHASING AND MIXED-USE COMPONENT.

(b) Mixed Use Component. Mixed use development is strongly encouraged.

The request does not propose any phasing and does not include a mixed-use component. The LRF Ordinance "strongly encourages", but does not require, a mixed use component in both Phase One and the Final Phase of LRF development.

(5) SITE DESIGN.

These regulations are intended to create pedestrian connections throughout the site by linking structures. The intent is to create an active pedestrian street life and replace large off-street parking

fields, conserve energy and water and meet the intent of the Comprehensive Plan and the Planned Growth Strategy (PGS).

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

The proposed franchise architecture, including some materials and colors, is not sensitive to Albuquerque and could occur anywhere in the Country. The massing and height, though quite large, are proportional to the LRF to the north and other large buildings in the vicinity. The request partially complies with (a).

(b) Off-Street Parking Standards.

(b)(2): Parking shall be distributed on the site to minimize visual impact from the adjoining street. Parking shall be placed on at least two sides of a building and shall not dominate the building or street frontage.

The majority of parking is located on the building's western side and dominates the site, though not necessarily the street frontage of Hotel Circle. There is a small amount of parking available on the building's northern side. The request partially complies with (b)(2). As mentioned, the subject site had already developed with LRFs prior to the LRF Ordinance, which would have required that parking be less of a dominant feature on the subject site.

(b)(4): Every third double row of parking shall have a minimum 10' wide continuous walkway dividing that row. The walkway shall be either patterned or color material other than asphalt and may be at-grade. The walkway shall be shaded by means of trees, a trellis or similar structure, or a combination thereof.

Of the 5 double-rows of parking proposed, two will have a 10 ft. concrete sidewalk. The crosswalks will be of the same material. The material is required to be patterned or colored. Trees will provide shading. The request partially complies.

The 10 ft. sidewalk is now specified as patterned concrete. The request complies with (b)(4).

(c)(1)(e): Street trees shall be planted pursuant to the Street Tree Ordinance, Chapter 6, Article 6, ROA 1994.

The Street Tree Ordinance requires that street trees be planted on the portions of the lot that are adjacent to a major street or major local street. Hotel Circle can be considered a major local street (see also p. 4 of this report), since it provides access to the multitude of retail uses therein. The applicant proposes to preserve some existing trees, but only proposes shrubs along Hotel Circle. Additional trees are needed along the subject site's southwestern and southern sides. The request partially complies.

Additional street trees (Autumn Blaze Maple) are proposed along the subject site's eastern and southern sides. However, shrubs continue to be proposed along the southwestern portion and need to be replaced with canopy forming trees. The request partially complies.

(d) Signage.

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

The Shopping Center Regulations allow one on-premise sign per 300 ft. of street frontage on arterial and collector streets, with a maximum area of 150 sf per sign face and height of 26 ft. Staff believes that less signage would be appropriate because Hotel Circle is considered a major local street.

The two proposed monument signs, 15 ft. tall with approx. 60 sf of sign face area are, when combined, almost equal the total signage allowed for one sign. Following this idea, Staff suggests that the monument signs be 13 ft. tall instead of 15 ft. tall. Also, the proposed monument signs are approx. 295 ft. apart, so they will need to be slightly relocated. The request partially complies.

The proposed monument signs are now approx. 298 ft. apart and still need a slight relocation. Prior to the hearing, Staff has worked with the applicant, who was willing to lower the sign height to 13 ft. and have one monument sign. This is because there is a project entry sign for the shopping center. The applicant will be able to occupy one of the slots on it (where the former Sports Authority sign was) and thereby have sufficient signage. The request partially complies with (d), but will comply when these revisions are made.

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

The proposed signage will use the same colors and materials as the building, and therefore will complement it. The request complies.

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

The free-standing signs are both monument signs. The request complies.

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

Both monument signs are 15 ft. tall. The request complies.

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

The type of letters for the building-mounted signs is not indicated on the proposed elevations, though they appear to be individual channel letters. The request partially complies.

(g) Truck Bays.

2. Truck bays adjacent to residential lots must be separated from the adjacent lot by a minimum of 40'. A minimum 15' wide landscape buffer and a 6' high solid masonry wall shall be provided along the property line. The landscape buffer shall contain evergreen trees or trellises with climbing vines to provide year round screening and buffering from noise.

The property line of the existing residential area is approx. 105 ft. northeast of the truck area. A landscape buffer exists and is approx. 13 ft. wide. Ash trees are proposed, which are not evergreen. Staff suggests Afghan or Pinon pine. The request does not comply.

The existing landscape buffer is proposed to be widened to 20 ft. and Maple trees are now proposed along the eastern boundary to screen the truck bay. Maple trees are not evergreen as required in (g)(2); rather, they are canopy forming street trees as required along a major local street. Since the truck area is not adjacent to the residential lots to the northeast, Staff finds the deciduous trees acceptable. The height of the proposed screen wall has increased from 6 ft. to 10 ft., which is allowed assuming that 6 ft. is a minimum. The request complies.

Dock and truck well facilities must also be screened with a masonry wall that extends vertically 8' above the finish floor level and horizontally 100' from the face of the dock. Screen walls shall be designed to blend with the architecture of the building. Trucks may not be moved or left idling between the hours of 10PM and 6:30AM if the truck bays are located within 300 feet of a residential structure unless negotiated with adjacent property owners and approved by the EPC.

The proposed screen wall is 6 ft. tall, but is required to be 8 ft. tall in this location. It is unknown if the screen wall would blend with the building. A note need to be added to the site development plan regarding hours for truck idling. The request does not comply.

The proposed screen wall is now 10 ft. tall, but is required to be 8 ft. tall in this location. The screen wall will be medium beige and either stucco or split-face CMU (needs to be specified) and should blend with the proposed building. A note has been added regarding hours for truck idling. The request partially complies.

(h) Landscaping.

2. One shade tree is required per 8 parking spaces...Trees in landscape buffer areas shall not count as parking space trees.

The parking required for the subject site is 426 spaces, which amounts to 53 trees. 53 trees are proposed. The request complies.

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

The proposed shade trees along the parking lot sidewalks are spaced approx. 27 ft. on center, which is approx. 25 ft. on center. The request complies.

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

Water re-use will be accomplished by 6 inch openings (notches) in the parking lot islands, and setting the landscape area about 2 in. below grade. Parking spaces meet the plaza area, which is proposed in a location that water flows to. The plaza could be a permeable material to allow more water to be absorbed. The request generally complies, but more could be done relatively easily.

The plaza area has now been specified to be made of permeable concrete, brick pavers or flagstone with crusher fines to allow more permeability. The request complies with (h)(4).

(i) Pedestrian Walkways.

Internal Pedestrian Walkways shall...accommodate the inter-related movement of vehicles, bicycles, and pedestrians safely and conveniently, both within the proposed development and to and from the street, transit stops, and the surrounding areas. Pedestrian Walkways shall contribute to the attractiveness of the development and shall be a minimum of 8 feet in width and constructed of materials other than asphalt. [emphasis added]

The proposed pedestrian pathways internal to the site would generally function to accommodate safe non-vehicular movement. However, pedestrians and bicyclists would be subject to unsafe conditions to arrive at the subject site from the surrounding area. Pedestrian crossings are needed across drive aisles on the subject site's northwestern, southern and northeastern sides. The request does not comply.

Pedestrian Walkways along internal driveways or streets internal to the site shall also be lined with Shade Trees and Pedestrian Scale Lighting. Pedestrian crosswalks shall be constructed of patterned concrete or a material other than asphalt and may be at grade.

The parking lot sidewalks are proposed to be lined with trees and pedestrian scale (16 ft.) lighting. The crosswalks leading to the building are proposed to be made of concrete, but are required to be patterned in some way. The request partially complies.

The 10 ft. sidewalk is now specified as patterned concrete. The request complies.

(j) A Pedestrian Plaza(s):

2. Large Retail Facility Sites that include a Main Structure 125,000 square feet or greater shall provide Pedestrian Plaza space in the amount of 400 square feet for every 20,000 square feet of building space.

The proposed approx. 217 sf plaza area is proposed near the middle of the southwestern side of the subject site. Landscaping (trees and shrubs), tables, lighting, and a bench are included. The proposed building is approx. 138,000 sf, divided by 20,000 sf = 6.9, and 6.9 x 400 = 2,760 sf. Therefore, the proposed plaza is about one-tenth of the required size and will need to be enlarged. The request does not comply.

Staff incorrectly measured the proposed plaza area, which was actually 2,814 sf. and complied. The plaza area has been slightly enlarged to 2,839 sf. and still complies with (j)(2).

The aggregate space required shall:

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

The proposed plaza area is linked to the main building sidewalk, though the proposed pedestrian crossing connects to a landscape island (not the plaza) and should be relocated. The request partially complies.

Staff had mis-read the previous version of the proposed site development plan. The plaza area is linked to the main building sidewalk, but is not linked to the sidewalk system leading to the subject site because the public sidewalk does not connect at this location. The request partially complies.

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

The proposed plaza area includes 3 tables and two benches, which is adequate given the plaza's size. However, the required plaza size that complies with the LRF Ordinance will need more tables and benches. The request partially complies.

Staff incorrectly measured the proposed plaza area as stated. Staff finds the seating areas to be mostly adequate, but suggests that a bench be added in the expanded southern plaza area. Also, since people may use the nearby retaining wall as seating, Staff suggests either aligning the retaining wall with the southern edge of the plaza or adding curbing or fencing so that people don't enter the landscaping and damage it. The request partially complies.

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

The proposed plaza area includes 3 trees and various shrubs, which will have to be increased with the increase in plaza size needed to comply with the LRF Ordinance. The request partially complies.

Staff incorrectly measured the proposed plaza area as stated. 3 Japanese pagoda trees are still proposed, though the size of the total landscape bed provided in the plaza area decreased by 73 sf. The portion of plaza area devoted to landscape is 41%. The request complies.

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

The proposed plaza area, whether small or compliant with the LRF Ordinance, is located in a visible area where there can be “eyes on the street”. The request complies.

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

The proposed plaza area includes pedestrian scale lighting and a trash can, though more may be needed if the plaza is a compliant size. The request partially complies.

Two pedestrian scale light poles, with double-fixtures, and a trash can are still proposed and are sufficient to meet this requirement. The request complies.

(k) Lighting.

1. Ornamental poles and luminaries, a maximum of 16’ in height, shall be used as Pedestrian Scale Lighting.

The proposed pedestrian scale lighting is 16 ft. high. However, the light poles are the basic “shoe box” fixture type which Staff does not consider ornamental. The request partially complies.

The proposed 16 ft. light poles are now a more decorative style than the standard shoe-box fixtures. The request complies.

2. The maximum height of a light pole, other than those along Pedestrian Walkways, shall be 20’, measured from the finished grade to the top of the pole.

The proposed parking lot light poles are 20 ft. tall. The request complies.

3. All on-site lighting fixtures shall be fully shielded to prevent fugitive light from encroaching into adjacent properties and/or right-of-way.

The proposed parking lot light poles have fully-shielded fixtures. The request complies.

(n) Storm Water Facilities and Structures.

1. Impervious surfaces shall be limited by installing permeable paving surfaces, such as bricks and concrete lattice or such devices that are approved by the City Hydrologist, where possible.

As mentioned, there is an opportunity to use a pervious material for the plaza area. The existing parking lot is proposed to be re-done, so there will be additional opportunities to use pervious materials. Staff suggests that pervious paving be used in the subject site's southeastern corner, since water tends to flow there. The request partially complies.

The plaza area is now proposed to be made of either permeable concrete, brick pavers or flagstone with crusher fines. Staff suggests that the material be specified. Compliance with (n)(1) has improved, but would be better if permeable materials were also used in some of the parking lot area. Prior to the hearing, the applicant has indicated a willingness to extend the permeable material to the retaining wall, which would enlarge the plaza size and increase the amount of permeable material used on site.

2. Where possible, transport runoff to basins by using channels with landscaped pervious surfaces. Landscaped strips may be converted into vegetative storm-water canals but must be shallow to avoid defensive fencing.

The existing landscape buffers have been incorporated into the proposed site development plan, though the existing drainage run-down transports water to the street. The buffers are located to the southwest and south of the subject site, since water flows in that direction. The request partially complies.

5. Bare patches shall be revegetated as soon as possible to avoid erosion, according to a landscaping and maintenance plan.

The proposed landscape plan will add vegetation to the subject site and will replace the currently bare patches of poorly-maintained turf. The request complies.

(6) MAIN STRUCTURE DESIGN.

(a) Setback.

1. Main Structures shall be screened from the adjacent street by means of smaller buildings, Retail Suite Liners, or 20' wide landscape buffers with a double row of trees.

The proposed building is not screened from the street by means of smaller buildings or retail suite liners. There is an existing landscape buffer along the southwestern and southern sides of the subject site, but it measures 15 ft. along a portion of the southwestern side. Staff suggests that this landscaping buffer be increased to 20 ft. along this narrow portion. Doing so will help meet the intent of the LRF Ordinance while recognizing that the request is a re-use of an existing site.

(b) Articulation.

1. Façades that contain a primary customer entrance and facades adjacent to a public street or plaza or an internal driveway shall contain Retail Suite Liners, display windows, or a recessed patio at a minimum depth of 20 feet, or a combination of all three, along 50% of the length of the façade.

The main (western) façade is 555 ft. long. Therefore, these elements are required along at least 277.5 ft. It is unclear if the proposed patio is recessed 20 ft., but it measures approx. 206 ft. which is 71.5 ft. short of meeting this requirement. There are windows, but they do not appear to be display windows. Should the EPC want to include the windows, there are approx. 31.5 linear ft. of them. The request would still be approx. 40 ft. short of meeting this requirement. Staff did not count the garden center shade structure since it is not a recessed patio. The request does not comply.

The main (western) façade is 556.3 ft. long. Therefore, these elements are required along at least 278 ft. There are not retail suite liners. A patio, recessed by 25 ft., runs for 80 ft. along the northern portion as shown on the sheet C-001. There is another recessed area near the garden center, but the elevations do not show it as covered. There are metal panels near the entrance which run for 111.5 ft. and are recessed by 20 ft., though this is not apparent on Sheet C-001.

Some windows are finished with spandrel glazing and others with vision glazing. It is unknown how transparent the glazing is, or if the windows will be used for display purposes. 278 ft. less 191.5 ft. is 86.5 ft., which is the length of elements needed for compliance. The request does not comply.

2. Every 30,000 gross square feet of structure shall be designed to appear as a minimum of one distinct building mass with different expressions. The varied building masses shall have a change in visible roof plane or parapet height. Massing and articulation are required to be developed so that no more than 100' of a wall may occur without an offset vertically of at least 24".

Staff finds that the second segment of the main (western) façade does not meet this requirement. There are approx. 18 inches difference between the roof height and the column feature, so additional offsetting is needed. The request does not comply.

Staff re-evaluated (b)(2) using square footage as called for. $\approx 138,000$ sf divided by 30,000 sf is 4.6, so about 4 and a half distinct building masses are required. Sheet A-101 shows three distinct building masses-the lumber yard, main building and garden center. The three building masses have a change in height and are off-set by approx. 2 ft. The request partially complies.

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

The main (western) façade is 555 ft. long, and approx. 206 ft. of it is shaded patio area. This amounts to 37% of the length of the façade, so additional shade features are needed. Staff recommends extending the patio. The request does not comply.

The main (western) façade is 556.3 ft. long, and approx. 191.5 ft. is shaded patio area. Staff previously counted the patio area incorrectly. 191.5 ft. is approx. 34% the length of the façade. 222.5 ft. of patio are needed to equal the required 40%. The request does not comply.

(c) Materials.

2. Design of the external walls and the principal entrance must include 3 of the below listed options:
- a. Multiple finishes (i.e. stone and stucco);
 - b. Projecting cornices and brackets;
 - c. Projecting and exposed lintels;
 - d. Pitched roof forms;
 - e. Planters or wing-walls that incorporate landscaped areas and can be used for sitting;
 - f. Slate or tile work and molding integrated into the building;
 - g. Transoms;
 - h. Trellises;
 - i. Wall accenting (shading, engraved patterns, etc.);
 - j. Any other treatment that meets the approval of the EPC.

The principal entrance contains multiple finishes (a), projecting cornices and brackets (c), a pitched roof form (d), and tile work integrated into the building (f), so it meets the requirement. The proposed external walls, however, do not meet the requirement. The north and south wall have (a) and (c), so one additional option is needed. The eastern wall has the least amount of compliance. Only (a) has been applied, so two additional options are needed. The request partially complies.

The principal entrance still complies. The external walls on the northern façade are the same, except that 2 colors are used instead of 3 colors on a portion. The eastern and southern façades have improved with the addition of 4 columns and 2 new columns and wider column spacing, respectively. (b) and (i) have been applied. The request complies.

(8) MAINTENANCE AGREEMENT FOR VACANT OR ABANDONED SITE.

To maintain a quality built environment, LRFs shall be maintained during periods of abandonment or vacancies at the same standard as when occupied. The owner of a site shall sign a maintenance agreement with the City that the site will be maintained when vacant to certain standards.

The applicant has not provided evidence of such a maintenance agreement, but has included a note on the site development plan to acknowledge this requirement. Staff recommends that the maintenance agreement be required as a condition of approval. The request partially complies.

Conclusion of Analysis

Overall, the request demonstrates partial compliance with the Large Retail Facilities (LRF) Ordinance, which is due in part to the site already existing and in part to simple lack of compliance. Improvement is needed with respect to 6. Main Structure Design- articulation and materials. These instances can be remedied through the application of conditions of approval.

CONCERNS OF REVIEWING AGENCIES/PRE-HEARING DISCUSSION

⇒ Please refer to page 19 of the original July Staff report (see attachment).

NEIGHBORHOOD CONCERNS

⇒ Please refer to page 19 of the original July Staff report (see attachment).

IV. CONCLUSION

This request is for a site development plan for building permit for an approx. 138,000 sf large retail facility (LRF) for a home improvement center, on an already developed, approx. 9 acre site in the area known as Hotel Circle.

Overall, the request furthers applicable policies in the Comprehensive Plan. No area or sector Plans apply. The Large Retail Facilities (LRF) Ordinance (O-06-53), adopted by the City Council in August 2007, applies. Staff has analyzed the request using the LRF Ordinance and concludes that instances of compliance are overshadowed by the instances of non-compliance. Improvement is needed with respect to 6. Main Structure Design- articulation and materials, which can be achieved through the application of conditions of approval.

The required pre-facilitated meeting was held. A follow-up facilitated meeting was not requested. There is no known neighborhood support or opposition as of this writing. Staff recommends approval subject to conditions.

FINDINGS -08EPC 40071, August 21, 2008-Site Development Plan for Building Permit

1. This is a request for a site development plan for building permit for Tract 2A-5A1-A1, Horne Development Addition, an approximately 9 acre site located south of Lomas Boulevard and approximately in the center of the area known as Hotel Circle.
2. The applicant proposes to develop an approximately 138,000 square foot home improvement center, which will replace approximately 100,000 square feet of existing retail space. The proposed building is not a re-use; it is a new structure since the existing buildings will be demolished and a new building will be constructed. A reconfigured parking lot area, landscaping and other site improvements are also proposed.
3. The subject site is zoned SU-1 for Planned Commercial Development with Uses Permissive and Conditional in the C-2 zone. The proposed retain use is allowed under the subject site's current zoning.
4. The subject site lies within the boundaries of the Established Urban Area of the Comprehensive Plan and is located in the Los Altos/Market Center Community activity center. No sector development plans apply.
5. The request is subject to the Large Retail Facilities (LRF) Ordinance, commonly referred to as the "Big Box" Ordinance (O-06-53). The proposed building is greater than the 75,000 square foot threshold for applicability of the Ordinance.
6. The request *further*s the following applicable Comprehensive Plan policies:
 - A. Policy II.B.5j-general location of commercial uses. The proposed development would be located in a larger area-wide shopping center that is commercially zoned.
 - B. Policy II.B.7f- Activity Centers/buffering. The more intense uses in this shopping center are separated from the single-family homes to the east by a buffer of other uses, including townhomes, a hotel and a school.
7. The request *partially further*s the following applicable Comprehensive Plan Goal and policies:

- A. Activity Centers Goal- Locating another commercial use in a designated activity center generally supports the Activity Centers Goal; however, in this case the request will not reduce auto travel needs and will not enhance the identity of Albuquerque and the nearby community.
- B. Policy II.B.5d-location and intensity/other resources. The location and intensity are appropriate for the proposed use, though many of the LRF Ordinance requirements that would increase its compatibility are not met.
- C. Policy II.B.5l- design quality and innovation/plan area. The proposed new development is franchise architecture and does not demonstrate design innovation, though there is some other franchise architecture in the area.

8. The proposed site development plan for building permit does not comply with key sections of O-06-53, the Large Retail Facilities (LRF) Ordinance. The lack of compliance is particularly evident with respect to Section 5. Site Design- screening/truck bays, pedestrian walkways and pedestrian plaza, and Section 6. Main Structure Design- articulation and materials.

9. Several conditions of approval are needed to ensure that the site development plan complies with O-06-53, the Large Retail Facilities (LRF) Ordinance. Deferral is warranted to allow the applicant time to make revisions and increase compliance.

10. A Traffic Impact Study (TIS) was not required, though a Trip Generation Comparison (TGC) was. The TGC indicates that the proposed Large Retail Facility (LRF) will generate approximately 3,000 fewer two-way vehicle trips in a 24 hour period than the existing retail uses.

11. Because the subject site is greater than 5 acres, the archaeological ordinance (O-07-72) applies. The applicant has obtained a Certificate of No Effect.

12. The required pre-facilitated meeting was held. A few neighbors attended and expressed concern regarding property tax impact and crime at a nearby hotel. A follow-up facilitated meeting was not requested or held. There is no known neighborhood or other opposition as of this writing.

RECOMMENDATION - 08EPC 40071, August 21, 2008

APPROVAL of 08EPC 40071, a Site Development Plan for Building Permit for Tract 2A-5A1-A1, Horne Development Addition, zoned SU-1 for Planned Commercial Development

with Uses Permissive and Conditional in the C-2 zone, based on the preceding Findings and subject to the following Conditions of approval.

CONDITIONS OF APPROVAL - 08EPC 40071, August 21, 2008- 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 final DRB sign off, the applicant shall meet with the Development Review Staff planner to ensure that the conditions of approval are met. Evidence of this meeting shall be provided to the DRB at the time of application.

3. Maintenance Agreement:

The applicant shall sign a maintenance agreement with the City so that the site will be maintained when vacant to the minimal standards, among others as deemed appropriate by the Planning Director, elaborated in the LRF Ordinance.

4. Walls/Fences:

A. The screen wall [and the retaining wall if over 4 ft. tall] shall have additional articulation as required pursuant to Zoning Code §14-16-3-19(B).

B. The retaining wall shall not exceed 3 ft. tall in the west-east segment south of the plaza area.

C. The height and finish of the retaining wall shall be specified on the site development plan.

5. Loading Dock/Screening:

A. The screen wall near the truckwell/loading dock area shall be 8 ft. tall above the finished floor level and extend horizontally 100 ft. from the face of the dock [(D)(5)(g)(1)].

- B. The finish for both screen walls, for the truck area and the truckwell/loading dock area, shall be specified and blend with the architecture of the building [(D)(5)(g)(1)].

6. Pedestrian/Bicycle Connections:

- A. Pedestrian crossings of patterned concrete or thermoplastic shall be provided across the drive aisles on the subject site's northwestern and southern sides [(D)(5)(i)].
- B. A pedestrian crossing shall be provided across the drive aisle near the northeast corner of the subject site, to facilitate pedestrian access from the neighborhood [(D)(5)(i)].

7. Pedestrian Amenities:

A bench shall be added to the main (western) elevation, close to the north elevation, to meet the requirement for outdoor seating for major façades greater than 100 ft. in length [Zoning Code §14-16-3-18(C)(3)].

8. Landscaping-Buffers:

- A. The narrow portion of the landscape buffer along the subject site's southern side shall measure 20 ft. wide and the wider portions shall remain [(D)(6)(a)(1)].
- B. The very large Cottonwood trees, in the southwest landscape buffer, shall be preserved and become part of the landscaping plan.

9. Landscaping-Street Trees:

- A. Street Trees shall be added to the northern portion of the southwestern landscape buffer of this major local street [(D)(5)(c)(1)(e)].
- B. The landscape plan shall match the aerial photo and denote the street trees to be preserved in the southeastern landscape buffer.

10. Architecture- Articulation:

- A. Every 30,000 gross square feet of structure shall be designed to appear as a minimum of one distinct building mass with distinct expressions [(D)(6)(b)(2)].
- B. The patio along the building's main (western) façade shall be recessed a minimum of 20 ft. [(D)(6)(b)(1)].

- C. The main (western) façade shall contain Retail Suite Liners, display windows, or a recessed patio at a minimum depth of 20 feet, or a combination of all three, along 50% of the length of the façade [(D)(6)(b)(1)].
- D. The main (western) façade shall contain features that provide shade along at least 40% of the length of the façade [(D)(6)(b)(4)].

11. Architecture- Materials:

- A. An additional treatment from the list in (D)(6)(c)(2)- Materials, shall be applied to the north walls.
- B. Glazing shall have a transparency that allows a pedestrian to see through the window [(D)(6)(b)(1)].

12. Signage:

- A. The letters for the building-mounted sign shall be specified as individual channel letters [(D)(5)(d)(6)].
- B. The monument sign detail shall be included on the detail sheet.
- C. There shall be one monument sign, either near the northwest corner or the southern corner of the subject site.

13. Plaza/Outdoor Space:

- A. The permeable material used for the plaza area shall be extended to the retaining wall.
- B. A wall, of either CMU or natural materials such as boulders, shall be added to the border of the western side of the plaza area to discourage entry to the landscape area.
- C. Another bench shall be added to the southern portion of the plaza area [(D)(5)(j)(2)(b)].
- D. Additional landscaping shall be added to the northern and southern landscape areas in the plaza area to meet the Zoning Code requirement for 75% coverage with living, vegetative materials.

14. CONDITION FROM THE CITY FORESTER:

The parking lot tree wells shall be larger than the minimum 36 sf size.

15. CONDITIONS FROM THE CITY ENGINEER, MUNICIPAL DEVELOPMENT, WATER AUTHORITY 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. Where drives are to be constructed on opposite sides of the street, unless they are offset 50' or more, the centerlines need to be within 15' of each other. The only exceptions considered, will be the loading areas at the rear of the store or as approved by the Traffic Engineer.
 - C. Provide truck turning template information on site plan.
 - D. Site plan shall comply and be designed per DPM Standards.
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