



**Environmental  
Planning  
Commission**

**Agenda Number: 11  
Project Number: 1006602  
Case #: 07EPC 40024/40025  
November 15, 2007**

**Supplemental Staff Report**

<b>Agent</b>	George Rainhart Architects & Assoc.
<b>Applicant</b>	ALM, LLC
<b>Requests</b>	<b>Site Development Plan for Subdivision</b>  <b>Site Development Plan for Building Permit</b>
<b>Legal Description</b>	Lots 18-A, 19-A and 20-A, Block 31, North Albuquerque Acres
<b>Location</b>	SW corner of Paseo del Norte Blvd. and Ventura St.
<b>Size</b>	Approximately 6 acres
<b>Existing Zoning</b>	SU-2/C-1
<b>Proposed Zoning</b>	Same

**Staff Recommendation**

**APPROVAL of 07EPC 40024, based on the findings beginning on Page 11 and subject to the Conditions of Approval beginning on Page 14.**

**APPROVAL of 07EPC 40025, based on the findings beginning on Page 14 and subject to the Conditions of Approval beginning on Page 15.**

**Staff Planner**

**Catalina Lehner, AICP-Senior Planner**

**Summary of Analysis**

This proposal is for a site development plan for subdivision and a site development plan for building permit for an approx. 6 acre site at the SW corner of Paseo del Norte Blvd. and Ventura St. The applicant proposes to develop a shopping center with a pharmacy and a credit union, both with drive-thrus, two suites of shops and an office/retail building.

The Comprehensive Plan and the La Cueva Sector Development Plan (LCSDP) apply. Staff finds that compliance with the design standards has improved, though a few items remain outstanding.

A second facilitated meeting was held in September. Neighbors are concerned about views, traffic, uses, architecture, security, drainage and LCSDP compliance.

Staff recommends approval subject to conditions, which are needed to ensure compliance with the LCSDP.

This report should be read in conjunction with the original August Staff report and the October supplemental Staff report (see attachments).

City Departments and other interested agencies reviewed this application from 7/9/2007 to 7/20/2007.  
Agency comments used in the preparation of this report begin on Page 26 of the original report.

## ***I. BACKGROUND***

Prior to the August 2007 Environmental Planning Commission (EPC) hearing, the applicant requested a 60 day deferral in order to work with Staff and neighbors to address outstanding issues. Neighbors were concerned about views, traffic, uses, architecture, security, drainage and compliance with the design regulations in the La Cueva Sector Development Plan (LCSDP). Staff had found insufficient compliance with the LCSDP design standards.

During the deferral period, revisions were made to the proposed site development plans and a second facilitated meeting was held (see attachment). In the October supplemental report, Staff analyzed the September 26, 2007 version of the proposed site development plans (see attachment). Staff recommended a 30 day deferral, which the applicant agreed to prior to the October 2007 EPC hearing.

Staff and the applicant, and the neighborhoods and the applicant, met again to discuss concerns and continue to address them. The resulting revisions are found in the November 1, 2007 version of the proposed site development plans, which Staff analyzes here.

## ***II. SCOPE***

This proposal is for a site development plan for subdivision and a site development plan for building permit for an approximately 6 acre site located at the southwestern corner of Paseo del Norte Blvd. and Ventura St. The subject site, which is a shopping center since it is over 5 acres in size, lies within the boundaries of the LCSDP area and is not located within a designated activity center.

The applicant proposes to subdivide the currently vacant subject site and construct a shopping center consisting of a pharmacy and a credit union, both with drive-up service windows, and two suites of shops and one office/retail building. The purpose of the proposed site development plan for subdivision is to reconfigure the existing three parcels into three parcels of different sizes and shapes. Parcel A will contain two strips of small shops and an office/retail building. Parcel B will be the credit union's location, and Parcel C will be the pharmacy's site.

## ***III. SITE DEVELOPMENT PLAN FOR SUBDIVISION- NOVEMBER 1, 2007 VERSION***

The revised version of the proposed site development plan for subdivision does not differ significantly from the prior version, except for a reconfiguration of the plaza area (see site development plan for building permit section). The size of the proposed lots remains the same. Language regarding setbacks has been added, which Staff believes should be more specific. The same holds true for the language regarding drive-thru uses and height of architectural elements.

- ⇒ A review of the previous version of the proposed site development plan for subdivision is included on p. 2 of the October 18, 2007 Staff report (see attachment).

#### ***IV. SITE DEVELOPMENT PLAN FOR BUILDING PERMIT- NOVEMBER 1, 2007 VERSION***

The applicant requested a second deferral to allow time to continue to work with Staff and neighbors to address outstanding issues. To this end, another series of revisions has been made to the proposed site development plan for building permit. Staff discusses these changes here.

- ⇒ For a review of the proposed site development plan for building permit, please refer to the original August Staff report beginning on p. 11 and to the October supplemental Staff report beginning on p. 2 (see attachments).

#### ***Site Plan Layout / Configuration***

The proposed site development plan for building permit is still for a pharmacy and a credit union, both with drive-up service windows, and two suites of shops and one office/retail building.

*Refuse Enclosure:* Each building, except for the proposed pharmacy, has a refuse enclosure. The enclosures are 6 ft. tall, of brown split-face CMU with faux cedar planks for the doors. The Solid Waste Management Division (SWMD) requested that recycling areas be added, which has been done.

#### ***Walls/Fences***

There are existing CMU walls south of the subject site across the easement and along the subject site's western side to separate the site from the adjacent single-family residences. The proposed screen wall will be located along the southern boundary with adjacent residences, where it will be atop a retaining wall, and along the subject site's western boundary. Its height varies.

A detail for the screen wall has now been provided. Both smooth-face and split-face block, of the same color, are proposed. A slight color contrast would improve the walls' appearance. The LCSDP prohibits long expanses of unbroken walls (Design Regulation 10R-3). The wall detail does not show that the columns are distinct and unbroken. Also, the City's wall design regulations (§14-16-3-19) require, for the façade, variation in color or a cap, which are also not indicated on the wall detail.

#### ***Vehicular Access & Traffic Issues***

The two vehicular access points are still proposed. The entrance near the middle of the eastern side, and contingent upon City approval, was proposed to be a right-in only with the previous submittal. The only difference with the current submittal is that textured concrete is shown where the cross-hatching was.

The concrete area is intended for use by trucks, which will drive over it as they enter the subject site. Staff is concerned that vehicles would also drive over the concrete area. Staff consulted with Transportation Staff, who points out that full height curb along Ventura St. is intended to prevent vehicles from using this entrance as an exit. A few minor modifications, such as striping and different signage, are needed.

*Traffic Impact Study (TIS)*

The required TIS has been completed. Front-end text is included in the October supplemental Staff report (see attachment). Due to neighborhood concerned that traffic was counted when school was not in session, a recount was conducted. Results indicate moderately higher traffic volumes, which can be accommodated provided that the mitigation recommendations in the TIS are followed. The second left turn lane needed from Ventura St. to Paseo del Norte is indicated on the proposed plan.

***Parking***

Parking calculations have now been provided. Staff find them satisfactory, though some clean up is warranted. There is now a column for “parking provided”, but clarification is needed to indicate that handicap spaces are taken from the requirement for regular spaces and motorcycle spaces are provided in addition to the regular spaces.

Staff checked the parking calculations using §14-16-3-1 and arrived at the same number of required spaces, 209. The building square footages for office (and the first 15,000 sf of retail uses) are divided by 200 sf. In addition to the 209 spaces, 3 spaces are needed (to make the required 5 motorcycle spaces) for a total of 211 spaces required.

223 spaces are provided, so the proposed shopping center is overparked by 12 spaces in excess of the minimum requirement. However, as a general rule of thumb, maximum parking for shopping centers is 10% of the minimum requirement, which means that 233 spaces would be the maximum. The 223 spaces provided falls between the minimum and maximum parking allowed, so it seems reasonable to Staff.

***Pedestrian and Bicycle Access & Circulation***

Pedestrian connectivity is similar to that in the previous version of the site development plan, which a few exceptions. A pedestrian pathway has been added between Parcels C and B to connect the pharmacy and the credit union. Near the northern entrance on Ventura St., the pedestrian pathways have been slightly reconfigured around the access point. The pedestrian connections leading to nowhere, on both sides of the concrete used in front of the credit union, have been removed.

The material proposed to delineate the pedestrian pathways is brick pavers, which the applicant prefers to textured, colored concrete. Though pedestrian connectivity has improved since prior versions of the site development plan, Staff finds an additional area of potential improvement: drive aisle crossings, of brick pavers or textured concrete, are needed to guide pedestrians and fulfill the LCSDP’s intent of “sidewalks that connect the public sidewalks” (Design Regulation 3R-1).

A pedestrian connection is needed between the proposed development and the residential area to the west so residents can access the commercial services by walking (LCSDP p. 31). The pedestrian gate could be keyed due to concerns about security. However, residents have indicated (see attachments) that they do not want any type of pedestrian gate.

Though a connection to the existing Primary Trail along Paseo del Norte is required pursuant to the LCSDP, the land adjacent north of the subject site is owned by the New Mexico State Highway Commission and is reserved for future right-of-way.

***Transit Access***

The bus stop at the site's southeastern corner is still connected to the proposed development by a designated pedestrian pathway. This is especially important since this is the only transit stop that serves the subject site.

***Lighting & Security***

To comply with the LCSDP, light poles cannot exceed 16 feet in height. The lighting detail is not to scale, so it is uncertain if they comply. The lighting detail now indicates a dark bronze "factory finish", which needs to be specified as paint if it is paint.

***Landscaping Plan***

The proposed landscaping plan is similar to the previous version with a few key differences. Coverage with living, vegetative materials is now 80%, though the narrative needs to be changed from 75%. Additional landscaping has been added to the subject site's eastern landscape area long Ventura St. and to the western and southern buffers between the subject site and adjacent residential uses. Previously, the minimum requirement for 75% coverage, pursuant to Zoning Code §14-16-3-10, had not been met along the northern buffer and portions of the western and eastern buffers.

- ⇒ For a detailed discussion of the landscaping plan, please refer to p. 12-13 of the October supplemental Staff report (see attachment).

The plant palette remains mostly the same, with the exception of the removal of allergenic juniper species pursuant to the City's Pollen Ordinance (§9-12-5 ROA 1994, amended October 2004) and the addition of Austrian Pine, Cotoneaster, Silverberry and Indian Hawthorn to the residential buffers. Previously, additional evergreen species were needed in the residential buffers. Another change is the reinstatement of trees to the plaza area, which has been relocated. Six Chitalpa, in tree wells, are proposed. However, Advance Planning and the City Forrester commented that continuous planting beds should be used instead of tree wells.

The southern buffer appears to be outside of the subject site. It is unclear who will maintain the landscape or how it will be irrigated. Clarification is needed.

***Grading & Drainage Plan***

A noteworthy change from the September version of the grading and drainage plan was the addition of a detention pond along the subject site's western boundary.

- ⇒ For a discussion of the grading and drainage plan, please refer to p. 13 of the original Staff report (see attachment).

### **Utility Plan**

⇒ For a discussion of the utility plan, please refer to p. 13 of the original Staff report (see attachment).

### **Architecture/Design & Height**

*Previous:* The Shop A, Shops B and the Office/Retail buildings are the same contemporary architectural style. The proposed credit union elevations are similar. The proposed pharmacy elevations differed little from the franchise architecture that typifies this chain and did not blend well with the other buildings. The color renderings appeared to not match the elevations (ex. the roof and the colors proposed).

The LCSDP prohibits franchise architecture (see Design Regulation 5R-8). Staff suggested that the proposed pharmacy have a stone (not block) wainscot and grey flat tile roof to match the other buildings (LCSDP Design Regulation 5R-1: cohesive visual image). The prototypical wavy tile roof, tower element with a multi-paned window, which the other buildings don't have, ensure that the proposed pharmacy is a Walgreens.

⇒ Note: the color renderings do not match the elevations regarding the pharmacy roof, pharmacy window, building height and colors proposed.

Zone Code Services had commented that proposed elevations for the credit union and the pharmacy buildings exceed *the maximum allowable Height of 26 feet-* pursuant to the La Cueva Sector Development Plan, SU-2 /C-1 (p. 29) and section 14-16-2-16(C) of the Zoning Code. Only the Shops buildings and the office/retail buildings complied with the underlying zoning and the LCSDP.

*Update:* Changes have been made to the elevations of the proposed pharmacy to lessen the franchise architecture feeling. The mission style tile has been replaced by light grey flat concrete tile, which is proposed on the other buildings. A cultured stone veneer wainscot has been added to match the other buildings, though the characteristic block wainscot remains. No other buildings have the block wainscot, which is a franchise architecture element prohibited by the LCSDP which should be removed. The franchise window on the tower remains, though it has fewer panes.

The height of the proposed pharmacy has been lowered. The building roofline is now at 26 ft., down from 28 ft. The tower element is now 28ft., down from 33 ft. The building now complies with the underlying C-1 zoning. The height of the proposed credit union has also been lowered, in this case from approximately 33 ft. to 26 ft. and now also complies with the underlying zoning.

### **Signage**

Previously, the only change with respect to signage was that the size of the pharmacy's proposed monument sign had increased from 36 sf to approx. 50 sf. Staff suggests that the monument sign revert to its previous size of 36 sf.

Pursuant to Zoning Code §14-16-3-2, Shopping Center Regulations, monument signs are limited to one per 300 feet of street frontage on arterial and collector streets. Therefore, only 2 of the 3 proposed monument signs are allowed. Now only 2 monument signs are shown along the northern boundary. Their sizes, 8 ft. tall and 11 ft. wide (88 sf), with 36 sf of sign face on both sides of the case (72 sf total signage for each), have not changed.

Staff and the applicant have reached an agreement regarding building mounted signage. A note has been added stating that building mounted signage is 6% of the façade for Shops A, the credit union and the pharmacy and 8% of the façade for the buildings on the subject site's southern side. No sign shall face a residential area.

### ***Public Outdoor Space***

*Previous:* In the September version of the proposed site development plan for building permit, the large plaza area near the subject site's southwestern corner was moved slightly, rendering it largely non-functional. A plaza is intended to be centrally located in an open place where people will gather, not relegated to the back of a shopping center where it is mostly useless and out of the public view. No shading and no seating were proposed.

*Update:* The proposed plaza area has been moved to a location in between the Shops B building and the office/retail building. Though an improvement, this is not an ideal location because it is not central to the development to the degree it should be to create a gathering place. Six tables with chairs are and six Chitalpa trees are proposed. There continues to be a smaller plaza area near the subject site's southwestern corner. Seating and shade are needed.

### ***V. LA CUEVA SECTOR DEVELOPMENT PLAN (LSCDP) DESIGN REGULATIONS REVISITED***

The La Cueva Sector Development Plan (LCSDP) contains 16 categories of design regulations that apply to all SU-2 zoned properties (see Section 5.4.6-p. 31). As elaborated in the original Staff report, the first version of the proposed site development plan demonstrated insufficient compliance with the LCSDP design regulations. The subsequent revision dated September 2007 demonstrated some instances of improved compliance and continued instances of noncompliance; revisions were warranted to meet the intent of the LCSDP.

The proposed site development plan (November version) presents some instances of improved compliance and continued instances where improvement is still needed to meet the intent of the LCSDP. The following is a list of applicable design regulations with which the September proposal *did not comply*. The compliance level resulting from the more recent revisions is noted.

#### **Pedestrian Circulation. Compliance improved, but more needed.**

3R-1: Sidewalks shall connect the public street sidewalks, the main entrances to all businesses, transit stops on or off-site, and other buildings on the site, in addition to providing convenient access to adjacent residential neighborhoods. In shopping centers, clear, logical pathways must be provided to each building on the site, including pad sites.

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*The sidewalk leading into the development from Ventura St. now connects to the businesses' main entrances. However, drive aisle crossings are needed on Ventura St. to connect the public street sidewalks and improve pedestrian circulation and safety.*

3R-2: Structures and on-site circulation systems shall be designed to minimize pedestrian/vehicle conflict.

*The vehicle circulation system still conflicts with pedestrians near the proposed bank's drive-thru, though the island has been extended to help facilitate crossing.*

3R-6: All drive-up service facilities shall be designed to minimize conflict between pedestrians and autos, and be located away from main retail areas and plazas. Drive-up facilities shall be covered with canopies to mitigate noise and odor.

*The central location of the proposed credit union's drive-thru maximizes opportunities for vehicular/pedestrian conflict. The drive-thru is covered by a canopy.*

Non-Residential Building Orientation. **Compliance improved, but more needed.**

4R-2: When the side of a building faces any street, the building must have one of the following: design display windows and landscaping, at least one customer entrance and landscaping, or design/details similar to a front façade and landscaping.

*The eastern façade of the proposed pharmacy building faces Ventura St. The building must have one of the three options and landscaping. A small landscaping strip has been added, but it would better meet the intent of the Plan if it were up against the building.*

Architectural Character, Non-Residential Buildings. **Compliance improved, but more needed.**

5R-1: Multiple buildings shall be designed to create a cohesive visual image.

*The generic franchise architecture of the proposed pharmacy, though improved since the previous submittal, does not contribute to creating a cohesive visual image for this shopping center. The distinct tower element, multi-paned window and brick wainscot, which the other buildings don't have, ensures that everyone knows this is a Walgreens.*

5R-4: Facades greater than 100 ft. must incorporate recessions along at least 20% of the façade.

*Facades greater than 100 ft. are found on all buildings except the proposed credit union. Supposedly recessions have been incorporated as required, though this is not obvious from the Shops buildings of the office/retail building elevations. The southern elevation of the pharmacy does not comply.*

5R-8: No generic prototypical architecture is allowed. Design shall be contextual to its surroundings.

*The proposed pharmacy still has elements of generic franchise architecture, which is not allowed. The proposed design does not fit with other buildings in the area or the site's surroundings to the extent that it could. The distinct tower element, multi-paned window and*



*brick wainscot, which the other buildings don't have, ensures that everyone knows this is a Walgreens.*

9R-4: Trim materials and colors must blend with the predominant building materials. The use of high intensity colors, metallic colors or fluorescent colors is prohibited. No plastic, vinyl, or back-lit panels, fascias or canopies are allowed.

*The pink coral color can be considered a high intensity color, especially relative to the other colors used in the shopping center. Pink coral is only shown on the Office/Retail building and, as such, detracts from the visual cohesiveness of the shopping center (Design Regulation 5R-1).*

Views. **Compliance improved, but more needed.**

11R-1: Site development plans shall include a View Analysis that shall identify views into and out of the site and indicate how these views will be protected within the site.

*Though a View Analysis has been provided, little information is given. Views into and out of the site are now better identified, but there is no explanation of how these views will be protected within the site. Therefore, the view analysis is of less value than it could be.*

Signage. **Compliance improved, but more needed.**

13R-1: All signage shall be designed to be consistent with and complement the materials, color and architectural style of the building or site.

*The detail of the proposed building-mounted signs does not contain sufficient information for Staff to assess if all signage is consistent with the architectural style.*

## **VI. NEIGHBORHOOD CONCERNS**

The affected neighborhood organizations are the Heritage Hills Neighborhood Association (NA), Heritage Hills East NA, North Albuquerque Acres NA, and Vineyard Estates NA. A preliminary, non-facilitated meeting was held on May 7, 2007. Facilitated meetings were held on July 23, 2007 and September 24, 2007 (see attachments in original and supplemental Staff reports).

Neighbors concerns include traffic, uses, views, grade, building height, franchise architecture, noise, parking, security and drainage. Some do not want any more pharmacies, as there are several in the immediate area. The majority of Palomar Ct. residents do not want a pedestrian access (gated or not) to the adjacent cul-de-sac on the western side. Neighbors support compliance with the LCSDP and have expressed concern about the proposal's lack of compliance. The HHNA has been quite concerned with this overarching issue, among others.

⇒ For a more detailed discussion of neighborhood issues, please refer to p. 9-10 of the October supplemental Staff report and p. 15 of the original Staff report (see attachments).

*CONCLUSION*

This proposal for a site development plan for subdivision and a site development plan for building permit is for an approximately 6 acre site on the southwest corner of Paseo del Norte Blvd. and Ventura St. The applicant proposes to reconfigure the site into three parcels and construct a shopping center consisting of a pharmacy and a bank, both with drive-up service windows, and two strips of shops and an office/retail building.

For the most part, neighbors continue to have the same concerns and favor compliance with the LCSDP. Staff has received a few new letters (see attachments).

Another round of revisions was made during the most recent deferral period. Overall, Staff finds that the proposal partially furthers applicable policies. Most of the instances of non-compliance with the LCSDP design standards have improved, though there are a few remaining instances of non-compliance and partial compliance. Additional improvement is needed and can be achieved through the application of conditions of approval. Staff recommends approval subject to conditions.

***FINDINGS -07EPC 40024, November 15, 2007-Site Development Plan for Subdivision***

1. This is a request for a site development plan for subdivision for Lots 18-A, 19-A and 20-A, Block 31, North Albuquerque Acres, an approximately 6 acre site located on the southwestern corner of Paseo del Norte Boulevard and Ventura Street.
  
2. The purpose of the site development plan for subdivision is to reconfigure the existing three parcels into the following: Parcel A (2.83 acres), Parcel B (1.0 acre), and Parcel C (1.61 acres). Parcel A will contain two strips of small shops and an office/retail building. Parcel B will be the credit union's site, and Parcel C will be the pharmacy's site. A site development plan for building permit (07EPC 40025) accompanies this request.
  
3. The subject site lies within the boundaries of the La Cueva Sector Development Plan (LCSDP) and requires EPC review and approval because it is a shopping center (over 5 acres in size).
  
4. The subject site is zoned SU-2/C-1. The SU-2 zone indicates control by a sector development plan, the LCSDP, which references the C-1 zone. The proposal will need to comply with the requirements in the governing sector plan and the underlying C-1 zone. The drive-up service window for the pharmacy is a conditional use in the C-1 zone. A conditional use permit from the Zoning Hearing Examiner is required.
  
5. The request *partially furthers* the following Comprehensive Plan policies regarding urban land use/urban facilities and commercial development:
  - A. Policy II.B.5a-full range of urban land uses. Land use variety would generally increase, but various commercial uses (including pharmacies) already exist in the area.
  
  - B. Policy II.B.5e-programmed facilities/neighborhood integrity. The development would be new growth contiguous to existing urban facilities, though the integrity of existing neighborhoods may be compromised by increased traffic.
  
  - C. Policy II.B.5j-general location of new commercial development. The development would be located within reasonable distance of residential areas, though the site plan layout does not promote pedestrian and bicycle usage to the extent that it should in a *de facto* neighborhood center.
  
  - D. Policy II.B.5k-land adjacent to arterial streets. Harmful effects of traffic could result from the access on Ventura St. Established neighborhoods could be adversely affected by queuing, though an additional left turn lane has been added.

6. The request *partially furthers* the following Comprehensive Plan policies with respect to site layout/design and environmental conditions:

- A. Policy II.B.5d- neighborhood values, natural environmental conditions. Neighbors greatly value scenic resources, which are likely to be adversely impacted. However, the intensity and design of the development generally respect existing conditions in the area.
- B. Policy II.B.5l-design quality/innovation. Most buildings are designed appropriately for the Plan area, though the pharmacy continues to have some franchise architecture elements that would detract from the otherwise cohesive visual image.
- C. Policy II.B.5m-site design/visual environment. The site design could adversely affect unique vistas. However, the general quality of the visual environment would be improved by a cohesively designed shopping center.

7. Regarding the guiding land use principles in the La Cueva Sector Development Plan (LCSDP), the request *furthers* Principles 2 and 9 and *partially furthers* Principles 5 and 8 . The development would provide a variety of retail uses to serve a growing population (Principle 2) and is generally designed to be appropriate for the Plan area (Principle 9). The retail uses would be located close to Paseo del Norte, but cannot be accessed from it (Principle 5). Some residents' views may be obstructed (Principle 8).

8. The request *does not comply* with the following design regulations in the La Cueva Sector Development Plan (LCSDP) regarding Pedestrian Circulation:

- A. Pedestrian Circulation 3R-1: Drive aisle crossings are needed to connect the public street sidewalks and improve pedestrian circulation and safety. There is no pedestrian gate for adjacent residents' use so access is not convenient.
- B. Pedestrian Circulation 3R-2: The vehicle circulation system still conflicts with pedestrians near the proposed bank's drive-thru, though the island has been extended to help facilitate crossing.

9. The request *does not comply* with the following design regulations in the La Cueva Sector Development Plan (LCSDP) regarding Architectural Character, Non-Residential Buildings:

- A. Architectural Character, Non-Residential Buildings 5R-1: The pharmacy's architecture, though improved, still features franchise elements that the other buildings don't have. The pharmacy does not contribute to creating a cohesive visual image for this shopping center.
- B. Architectural Character, Non-Residential Buildings 5R-4: The required recessions for façades greater than 100 ft. are not obvious from the Shops buildings or the office/retail building elevations. The southern elevation of the pharmacy does not comply.

- C. Architectural Character, Non-Residential Buildings 5R-8: The pharmacy still has elements of generic franchise architecture, which is prohibited. The distinct tower element, multi-paned window and brick wainscot ensures that everyone knows this is a Walgreens.

10. The request *partially complies* with the following various design regulations in the La Cueva Sector Development Plan (LCSDP):

- A. Pedestrian Circulation 3R-6: The central location of the proposed credit union's drive-thru maximizes opportunities for vehicular/pedestrian conflict. The drive-thru is covered by a canopy as required.
- B. Non-Residential Building Orientation 4R-2: The eastern façade of the proposed pharmacy building faces Ventura St. A small landscaping strip has been added, but it would better meet the intent of the Plan if it were up against the building.
- C. Views 11R-1: Little information is provided in the View Analysis. Views into and out of the site are identified, but there is no explanation of how views will be protected. Therefore, the view analysis is of less value than it could be.
- D. Signage 13R-1: The detail of the proposed building-mounted signs does not contain sufficient information for Staff to assess if all signage is consistent with the architectural style.

11. Though the submittal has improved, instances of non-compliance and partial compliance with the design regulations in the La Cueva Sector Development Plan (LCSDP) remain. Compliance with the LCSDP can be attained through the application of conditions of approval.

12. The site development plan for subdivision satisfactorily addresses the requirements of Zoning Code §14-16-1-5, which defines the required elements for a site development plan for subdivision. However, the site development plan for subdivision contains instances of non-compliance with the LCSDP and the Zoning Code, and some language that needs clarification.

13. Facilitated meetings were held in July and September 2007. Staff received several letters of input from the Heritage Hills NA and from residents on Palomar Ave. Neighbors are concerned about traffic, views, uses, building height, franchise architecture, noise, parking, security and grading and drainage. Neighbors favor compliance with the LCSDP design standards. Some do not want any more pharmacies, and several do not want pedestrian access to the adjacent cul-de-sac.

***RECOMMENDATION - 07EPC 40024, November 15, 2007-Site Development Plan for Subdivision***

**APPROVAL of 07EPC 40024, a Site Development Plan for Subdivision for Lots 18-A, 19-A and 20-A, Block 31, North Albuquerque Acres, zoned SU-2/C-1, based on the preceding Findings and subject to the following Conditions of Approval.**

***CONDITIONS OF APPROVAL - 07EPC 40024, November 15, 2007- Site Development Plan for Subdivision***

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 conditions of approval are met. Evidence of this meeting shall be provided to the DRB at the time of application.
3. The site development plan for subdivision shall be replatted at the DRB to subdivide the subject site into Parcel A, Parcel B and Parcel C as specified on the site development plan for subdivision.
4. The language in the site development plan for subdivision narrative shall be revised to reflect the following:
  - A. The fact that the credit union and the pharmacy each have drive-thru service windows.
  - B. All setbacks shall comply with the LCSDP and the Zoning Code.
  - C. Architectural elements over 26 feet tall are permitted pursuant to the LCSDP and the Zoning Code.
5. Drive-thru uses shall be limited to a total of two, which are the pharmacy and the credit union.

6. A note shall be added on site development plan for subdivision to indicate that shared parking shall be permitted in this shopping center.
7. The applicant shall obtain a Certificate of No Effect or a Certificate of Approval pursuant to F/S O-07-72, the Albuquerque Archaeological Ordinance, prior to approval of a preliminary plat, site development plan or master development plan.

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

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

- A. If applicable, all the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for.
- B. 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).
- C. Per Transportation Development Staff, completion of the required system improvements that are attributable to the development, as identified in the TIS, is required.
- D. Right-turn in only will be permitted at Ventura site drive if queuing requirements are met, truck turning can be accommodated within the right turn deceleration lane (not the through lanes) and the right turn out movement can be restricted by design. However, site drive, as shown on the site plan, will need to be re-designed for this condition (i.e. flat inside turning radius to accommodate trucks, narrowing site drive to approximately 20', providing the appropriate signing and striping, raised curbing (at site drive) extended along Ventura such that the drive will restrict the right turn out movement.
- E. Provide revised truck circulation route information.
- F. Provide revised trip assignments at site drives.
- G. East site drive on Palomas to development to be located at least 50' from Ventura per DPM or queuing requirements as identified in the TIS (to be revised).
- H. Provide right turn deceleration lane at Palomas (length per DPM or as recommended in TIS).
- I. Provide physical separation between pharmacy drive-thru lane and drive aisle on westside of building. Provide appropriate directional signing and striping for drive-thru lane.

- J. For bank: delete single lane entrance/exit point located at main bank drive-in lanes (i.e. westside of lanes), provide by-pass lane adjacent to drive-in lanes, delete 3 parking spaces adjacent to dumpster and enter/exit point between bank and pharmacy.
  - K. Verify dumpster locations with Solid Waste.
  - L. Provide cross access agreement between subdivided properties.
  - M. Site plan shall comply and be designed per DPM Standards.
  - N. Platting must be a concurrent DRB action.
- 

***FINDINGS -07EPC 40025, November 15, 2007-Site Development Plan for Building Permit***

1. This is a request for a site development plan for building permit for Lots 18-A, 19-A and 20-A, Block 31, North Albuquerque Acres, an approximately 6 acre site located on the southwestern corner of Paseo del Norte Boulevard and Ventura Street.
2. The applicant proposes to construct a shopping center consisting of a pharmacy and a credit union, both with drive-up service windows, and two suites of shops and one office/retail building. A site development plan for subdivision (07EPC 40024) accompanies this request.
3. The subject site lies within the boundaries of the La Cueva Sector Development Plan (LCSDP) and requires EPC review and approval because it is a shopping center (over 5 acres in size).
4. The subject site is zoned SU-2/C-1. The SU-2 zone indicates control by a sector development plan, the LCSDP, which references the C-1 zone. The proposal will need to comply with the requirements in the governing sector plan and the underlying C-1 zone. The drive-up service window for the pharmacy is a conditional use in the C-1 zone. A conditional use permit from the Zoning Hearing Examiner is required.
5. The request *partially furthers* the following Comprehensive Plan policies regarding urban land use/urban facilities and commercial development:
  - A. Policy II.B.5a-full range of urban land uses. Land use variety would generally increase, but various commercial uses (including pharmacies) already exist in the area.
  - B. Policy II.B.5e-programmed facilities/neighborhood integrity. The development would be new growth contiguous to existing urban facilities, though the integrity of existing neighborhoods may be compromised by increased traffic.



- C. Policy II.B.5j-general location of new commercial development. The development would be located within reasonable distance of residential areas, though the site plan layout does not promote pedestrian and bicycle usage to the extent that it should in a *de facto* neighborhood center.
- D. Policy II.B.5k-land adjacent to arterial streets. Harmful effects of traffic could result from the access on Ventura St. Established neighborhoods could be adversely affected by queuing, though an additional left turn lane has been added.

6. The request *partially furthers* the following Comprehensive Plan policies with respect to site layout/design and environmental conditions:

- A. Policy II.B.5d- neighborhood values, natural environmental conditions. Neighbors greatly value scenic resources, which are likely to be adversely impacted. However, the intensity and design of the development generally respect existing conditions in the area.
- B. Policy II.B.5l-design quality/innovation. Most buildings are designed appropriately for the Plan area, though the pharmacy continues to have some franchise architecture elements that would detract from the otherwise cohesive visual image.
- C. Policy II.B.5m-site design/visual environment. The site design could adversely affect unique vistas. However, the general quality of the visual environment would be improved by a cohesively designed shopping center.

7. Regarding the guiding land use principles in the La Cueva Sector Development Plan (LCSDP), the request *furthers* Principles 2 and 9 and *partially furthers* Principles 5 and 8 . The development would provide a variety of retail uses to serve a growing population (Principle 2) and is generally designed to be appropriate for the Plan area (Principle 9). The retail uses would be located close to Paseo del Norte, but cannot be accessed from it (Principle 5). Some residents' views may be obstructed (Principle 8).

8. The request *does not comply* with the following design regulations in the La Cueva Sector Development Plan (LCSDP) regarding Pedestrian Circulation:

- A. Pedestrian Circulation 3R-1: Drive aisle crossings are needed to connect the public street sidewalks and improve pedestrian circulation and safety. There is no pedestrian gate for adjacent residents' use so access is not convenient.
- B. Pedestrian Circulation 3R-2: The vehicle circulation system still conflicts with pedestrians near the proposed bank's drive-thru, though the island has been extended to help facilitate crossing.

9. The request *does not comply* with the following design regulations in the La Cueva Sector Development Plan (LCSDP) regarding Architectural Character, Non-Residential Buildings:

- A. Architectural Character, Non-Residential Buildings 5R-1: The pharmacy's architecture, though improved, still features franchise elements that the other buildings don't have. The pharmacy does not contribute to creating a cohesive visual image for this shopping center.
- B. Architectural Character, Non-Residential Buildings 5R-4: The required recessions for façades greater than 100 ft. are not obvious from the Shops buildings or the office/retail building elevations. The southern elevation of the pharmacy does not comply.
- C. Architectural Character, Non-Residential Buildings 5R-8: The pharmacy still has elements of generic franchise architecture, which is prohibited. The distinct tower element, multi-paned window and brick wainscot ensures that everyone knows this is a Walgreens.

10. The request *partially complies* with the following various design regulations in the La Cueva Sector Development Plan (LCSDP):

- A. Pedestrian Circulation 3R-6: The central location of the proposed credit union's drive-thru maximizes opportunities for vehicular/pedestrian conflict. The drive-thru is covered by a canopy as required.
- B. Non-Residential Building Orientation 4R-2: The eastern façade of the proposed pharmacy building faces Ventura St. A small landscaping strip has been added, but it would better meet the intent of the Plan if it were up against the building.
- C. Views 11R-1: Little information is provided in the View Analysis. Views into and out of the site are identified, but there is no explanation of how views will be protected. Therefore, the view analysis is of less value than it could be.
- D. Signage 13R-1: The detail of the proposed building-mounted signs does not contain sufficient information for Staff to assess if all signage is consistent with the architectural style.

11. Though the submittal has improved, instances of non-compliance and partial compliance with the design regulations in the La Cueva Sector Development Plan (LCSDP) remain. Compliance with the LCSDP can be attained through the application of conditions of approval.

12. The required Traffic Impact Study (TIS) has been completed. The development was estimated to generate 5,882 vehicle trip ends per day. Due to neighborhood concern, traffic on Ventura St. was re-

counted while school was in session. Updated results indicate moderately higher traffic volumes, which can be dealt with provided the mitigation recommendations in the TIS are followed.

13. An Air Quality Impact Analysis (AQIA), a study of CO levels at a given intersection, was required. Zoning Code §14-16-3-14 remains in place despite Federal approval of the Limited Maintenance Plan for Carbon Monoxide (2006-2016), which contains no local CO emission budgets to which transportation projects must conform. AQIA results indicate that the proposed development will not cause or contribute to air quality exceedences.

14. Facilitated meetings were held in July and September 2007. Staff received several letters of input from the Heritage Hills NA and from residents on Palomar Ave. Neighbors are concerned about traffic, views, uses, building height, franchise architecture, noise, parking, security and grading and drainage. Neighbors favor compliance with the LCSDP design standards. Some do not want any more pharmacies, and several do not want pedestrian access to the adjacent cul-de-sac.

***RECOMMENDATION - 07EPC 40025, November 15, 2007***

**APPROVAL of 07EPC40025, a Site Development Plan for Building Permit for Lots 18-A, 19-A and 20-A, Block 31, North Albuquerque Acres, zoned SU-2/C-1, based on the preceding Findings and subject to the following Conditions of Approval.**

***CONDITIONS OF APPROVAL - 07EPC 40025, November 15, 2007- 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 conditions of approval are met. Evidence of this meeting shall be provided to the DRB at the time of application.

3. The applicant shall obtain a Certificate of No Effect or a Certificate of Approval pursuant to F/S O-07-72, the Albuquerque Archaeological Ordinance, prior to approval of a preliminary plat, site development plan or master development plan.

4. Vehicular Access and Circulation:

- A. A note shall be added to explanation how the textured concrete area at the northern Ventura St. entrance is intended to function.
- B. The curb along Ventura St. shall be specified as full-height curb as requested by Transportation Staff.
- C. The northern Ventura St. entrance shall be striped as requested by Transportation Staff.
- D. The signage on the northern and southern sides of the northern Ventura St. entrance shall read "No Exit" as requested by Transportation Staff.

5. Parking-general:

- A. Pursuant to Zoning Code 14-16-3-1, motorcycle parking shall be located in an area that is visible from the entrance of the building and shall be designated by its own conspicuously posted upright sign.
- B. The symbol "MC" shall be used on the site development plan to indicate motorcycle parking.
- C. Shared parking shall be allowed.

6. Parking-calculations:

- A. A note shall be added to indicate that handicap parking is included in the parking totals for standard spaces, but that motorcycle spaces are provided in addition to the parking totals for standard spaces.
- B. The parking calculations shall be revised based on the following: handicap parking is included in the parking totals for standard spaces and motorcycle spaces are provided in addition to the parking totals for standard spaces.

7. Pedestrian/Bicycle Circulation:

Drive aisle crossings shall be provided across both of the entrances on Ventura St. (LCSDP Design Regulation 3R-1).

8. Public Outdoor Space/Pedestrianism:

- A. The plaza area shall include at least two planting strips instead of individual tree wells.
- B. The plaza area shall have seating and provision of shade that covers a minimum 30% of each area.
- C. The plaza shall have a minimum depth of at least 30 feet on a portion of the plaza (LCSDP Design Regulation 8R-3).
- D. At least two tables with chairs, with umbrellas for shading, shall be added to the smaller plaza area in the subject site's southwestern corner.

9. Walls/Fences/Screening:

- A. A note shall be added to indicate that chain link fencing, barbed wire and concertina wire shall be prohibited.
- B. Long expanses of unbroken walls shall be prohibited (LCSDP Design Regulation 10R-3).
- C. Pursuant to Zoning Code §14-16-3-19 and LCSDP Design Regulation 10R-3, variation in color and/or a cap are required on the screen wall.
- D. The color(s) of the screen wall shall be specified.

10. Landscaping-plants:

- A. The landscape buffers to the west and to the south shall consist primarily of evergreen trees (not shrubs) pursuant to Zoning Code §14-16-3-10(E)(4).
- B. Landscaping in parking lot islands shall be at grade.
- C. The trees on the plaza area shall be planted in a continuous landscaping strip rather than individual tree wells.

11. Landscaping-other:

- A. A note shall be added to indicate that the owner of the subject site shall maintain the landscaping in the southern landscape buffer.
- B. The landscaping narrative shall be updated to reflect that 80% coverage is being provided.

12. Building Height:

- A. Maximum building height shall be 26 feet as allowed in the underlying C-1 zoning (LCSDP p. 29).
- B. Tower elements shall not exceed 28 feet in height.

13. Architecture:

- A. The roof tile type and roof color for the pharmacy shall be the same as that used on the other buildings to avoid the prohibited franchise architecture (LCSDP Design Regulations 5R-1 and 5R-8).
- B. The pharmacy shall have a stone wainscot that matches the wainscotting used on the other buildings to create cohesiveness in the shopping center (LCSDP Design Regulation 5R-1).
- C. Façade recesses shall be incorporated into the design of the buildings (LCSDP Design Regulation 5R-4).
- D. The characteristic franchise block wainscot shall not be included on the pharmacy elevations (LCSDP Design Regulations 5R-8 and 5R-1).
- E. The pink coral color shown on the Office/Retail building shall not be used (LCSDP Design Regulations 5R-1 and 9R-4).

14. Signage:

- A. Free-standing signs shall be limited to monument signs, the “No exit” signs and the handicap and motorcycle parking space signs.
- B. All signage and sign cases shall be consistent with and complement the materials, color and architectural style of the buildings (LCSDP 13R-1).
- C. Awnings with signage and/or logos shall be included in the allowance for building-mounted signage.

15. Lighting:

- A. Parking lot light poles shall not exceed 16 ft., high from top to grade (LCSDP 14R-6).
- B. The type of finish for the light poles shall be specified on sheet AS4.

- C. Pedestrian scale lighting shall be required to illuminate the plaza areas and any other gathering areas.
- D. Pedestrian scale lighting shall not exceed 2 ft. in height.
- E. Uplighting of any kind shall be prohibited.

16. View Analysis:

- A. An explanation of how views from within the site will be protected shall be provided (LCSDP Design Regulation 11R-1.
- B. The vicinity map shall be reinstated on the View Analysis sheet.

17. Minor “clean up” revisions:

- A. Bollards shall be deleted from the keyed notes.
- B. Keyed notes 23, 24 and 25 shall be reinstated.
- C. The “Do not enter” sign shall be referred to as a “No exit” sign.
- D. The location of the fire hydrants shall match the location depicted on the utility plan.
- E. The parking calculation table shall indicate the subject site’s correct zoning.
- F. The light grey flat tile shall be specified as “concrete” as it is on the pharmacy elevations.
- G. The tower for the pharmacy shall be depicted in the same manner as the towers on the other buildings are depicted.

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

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