



**Environmental
Planning
Commission**

**Agenda Number: 2
Project Number: 1007320
Case #: 08EPC 40071
September 18, 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 16 and subject to the Conditions of Approval beginning on Page 17.

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 \approx 138,000 sf home improvement center would replace \approx 100,000 sf of existing retail space. The Large Retail Facilities (LRF, or "big box") Ordinance applies (O-06-53).

Prior to the July EPC hearing, this request was deferred for 30 days by the applicant to allow time to address instances of non-compliance with the LRF Ordinance found in 5. Site Design and 6. Main Structure Design. These issues were mostly addressed. At the August hearing, there was insufficient time to hear this request so it was deferred to the September hearing.

Since then, the applicant has made some revisions to reduce the number of proposed conditions of approval and has investigated the 700 ft. requirement in the LRF ordinance. There is no known opposition. Staff recommends approval subject to conditions.

This report should be read in conjunction with the original July Staff report and the supplemental August 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

At the August 21, 2008 Environmental Planning Commission (EPC) hearing, the EPC voted to adjourn the meeting at approx. 9:10 pm and did not have sufficient time to hear this request-which was deferred to the September 18, 2008 hearing.

In July, the applicant requested a 30 day deferral to the August EPC hearing to allow time to address outstanding issues. Staff and the applicant met and discussed Staff's concern regarding instances of non-compliance with the Large Retail Facilities (LRF or "big box") Ordinance. The applicant produced the August version of the proposed site development plan. Since then the applicant has made additional revisions to incorporate proposed conditions of approval. The "September version" of the proposed site development plan is the subject of this second supplemental Staff 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- September 2008 version

This second supplemental Staff 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 and pages 3-5 of the first supplemental Staff report (see attachments) for explanations of the following categories that do not contain revisions:

- Lighting & Security (p. 4 of first supplemental report).
- Vehicular Access, Circulation & Parking (p. 3 of the first supplemental report)
- Grading & Drainage Plan, Water Re-Use (p. 10 of original report), and
- Utility Plan (p. 10 of original report).

Site Plan Layout/Configuration (Please also refer to p. 3 of the second supplemental report)

One minor change has 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. Now the retaining wall aligns with the edge of the plaza area. This will better define the plaza area space and discourage encroachment into the landscape area.

Walls/Fences (Please also refer to p. 3 of the second supplemental report)

As described above, the retaining wall has been re-aligned to abut the southern end of the plaza area. In this location, the retaining wall is about 3 ft. high.

Two types of walls continue to be proposed. The retaining wall runs along part of the subject site's eastern and southern sides. Its range of height needs to be specified on the site development plan. The screen wall around the dumpster area, which was 10 ft. tall, is now proposed to be 8 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.

Pursuant to Zoning Code §14-16-3-19(B)(2) (a and b), additional articulation is required for the screen wall since it is greater than 4 ft. tall and faces 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).

Pedestrian and Bicycle Access and Circulation, Transit Access (Please also refer to p. 8 of the original report)

Pedestrian crossings have been added across vehicular entrances near the subject site's northeastern corner, southeastern corner and main entrance from Hotel Circle. These crossings, of patterned concrete or thermoplastic, will help improve non-vehicular circulation and safety.

The existing conditions photo (Sheet C-002) shows that the sidewalk continues into the subject site at the main entrance. This is not shown on the site development plan or the landscaping plan; pedestrians would be forced to enter the site using the vehicular entrance. This discrepancy needs to be corrected so that the sidewalk continues and enters the subject site, as shown on the photo.

Zoning Code §14-16-3-18(C) requires a pedestrian sidewalk, a minimum of 8 ft. wide, along the entire length of major facades containing primary entrances. Though a sidewalk is provided, it is not accessible to pedestrians from the main entrance. The retaining wall prevents pedestrian access to the sidewalk in front of the Garden Center. Pedestrians would have no option other than to walk in the “loading zone”. This safety hazard can be remedied by providing a break in the wall.

Landscaping Plan (Please also refer to p. 4 of the second supplemental report)

A few minor changes have been made to the proposed landscaping plan. Some of the plant totals have changed; the only significant change is a large increase in the number of wildflowers. Wildflowers have been added to the sparse portions of the plaza landscape area.

Along the eastern boundary, a Bur Oak has been added as every third tree to avoid a monoculture row of Maple trees. Staff recommends adding additional shrubs to this area; coverage does not appear to be 75% and tree canopies do not count toward this requirement. Also, Bur Oak has been added to the southwestern landscape area to provide a canopy-forming tree.

The existing trees to remain are show in light grey on the landscaping plan. The following note regarding existing trees has been added: “all existing trees not shown to be existing ‘to remain’ shall be removed.” Staff finds this confusing and suggests clarification. The landscaping calculations have been revised to accurately depict the size of the plaza area and indicate the permeable paving is proposed. Staff checked the calculations and gets a few different numbers, however.

Architecture & Design (Please also refer to p. 4 of the second supplemental report)

A couple of changes to the proposed building’s design have occurred. On the northern elevation, a section of smooth face CMU has been changed to EIFS, and is now broken up by horizontal and vertical lines. The end of the southern elevation has changed with the addition of a tower, on which a new building-mounted sign is proposed.

Outdoor seating is required, for at least one façade, for major façades greater than 100 ft. in length pursuant to Zoning Code §14-16-3-18(C)(3). A bench has been added near the northern side of the main (western) elevation.

Signage (Please also refer to p. 5 of the second supplemental report)

There have been no changes to the proposed monument sign design or location. However, the monument sign detail has been placed on Sheet A-102 and is no longer separate from the site development plan.

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. There is approx. 733 ft. of street frontage, so the monument signs would be allowed. However, Staff believes that one monument sign is sufficient. Hotel Circle is classified as a local street and the applicant has just added an approx. 432 sf building mounted sign facing Hotel Circle.

The signage areas on Sheet A-101 continue to differ from Staff's calculations. The applicant is measuring only the sign area with the letters, whereas Staff is measuring signage using the sign area within the borders. Zoning Code §14-16-1-5 (Definitions) states that sign area, for building-mounted signs with borders, is the area within the border.

For example, Staff calculates approx. 740 sf for the main building-mounted sign (26% of façade area) whereas the applicant lists 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. The table needs to be corrected using the measuring practices of this municipality.

Outdoor Space (Please also refer to p. 5 of the second supplemental report)

The proposed plaza area is still 2,839 sf (Sheet C-001). The landscaping plan lists a different figure, but that is probably because the landscape beds are included in that total. The significant change is that the plaza area is now proposed to be constructed of permeable material. Please refer to the analysis of the RLF ordinance (below) for more 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 analysis from the first supplemental Staff report dated August 21, 2008 (pages 3 – 5, see attachment). Revisions made since then, and any new information, are highlighted here 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.

Staff has researched the meaning of this subsection and discussed it with Planning Staff involved in the creation of the LRF Ordinance. The northern side of the subject site is located approx. 676 ft. from the intersection of two roadways, Lomas Blvd. and Morris St., which are classified as an urban principal arterial and an urban collector, respectively, on the 2030 Metropolitan Transportation Plan (MTP) map. Full access means that.....

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.

Staff points out that the LRF Ordinance allows for blocks of different dimensions (d) provided that the block sizes achieve the intent of this Section and that the EPC approves them.

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.

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.

A Bur Oak has been added as every third tree, along the eastern boundary, to avoid a monoculture row of Maple trees. Also, Bur Oak has been added to the southwestern landscape area to provide a canopy-forming Street tree in lieu of Desert Willow. The request 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).

Free-standing signs on shopping center sites are limited to one sign per 300 feet of street frontage on arterial and collector streets. There is approx. 733 ft. of street frontage, so the monument signs would be allowed. However, Staff believes that one monument sign is sufficient. Hotel Circle is classified as a local street and the applicant has just added an approx. 432 sf building mounted sign facing Hotel Circle. The applicant will also have signage on the project entry sign for the shopping center. Though the request complies, there is room for improvement.

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 13 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 now indicated as individual channel letters. The request complies.

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 existing landscape buffer has been widened to 20 ft. A mix of Maple trees and Bur Oak is now proposed. The height of the proposed screen wall is now 8 ft. The request complies.

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 has been lowered from 10 ft. to 8 ft. tall as required, though the finish still needs to be specified. The request complies.

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.

318 parking spaces, including handicap, are provided on the subject site, so 40 trees are required in the parking lot. 41 trees are proposed (see Sheet L-101), so the request complies.

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.

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]

Pedestrian crossings have been added across the five drive aisles around the subject site, which will help improve the safety of non-vehicular travel. However, the sidewalk does not connect from the street to the main entrance; movement is impeded by the retaining wall at that location. The request partially complies.

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 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 minimum size required plaza area would be 2,760 sf. The proposed plaza area still measures 2,839 sf. The improvement is that the plaza area will be made of permeable material. The request still complies with (j)(2).

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;

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;

A bench has been added to the southern part of the plaza area and the retaining wall has been moved up to correspond with the plaza area's southern border. The retaining wall can serve as additional seating, provided it is not too high. The request 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 total landscape bed provided is listed as having increased by 283 sf, though the size of the plaza area remains the same. Staff believes there may be some discrepancies in these calculations, but finds that the request still 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.

Note: 3 tables and 3 benches are still proposed. Staff suggests that the tables have umbrellas. The request 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 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.

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 landscape buffer along the southwestern side measures approx. 18 ft. from the edge of the sidewalk. This buffer was approx. 15 ft. on the previous version of the landscaping plan. This is

an improvement, though the buffer does not measure 20 ft. and does not have a double row of trees. Therefore, the request does not comply.

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.

Staff has revisited this. The main (western) façade is still 556.3 ft. long. Therefore, these elements are required along at least 278 ft. Staff counts an 80 ft. covered patio near the northern end and the approx. 147 ft. covered patio near the middle of the façade. The total is approx. 227 ft., so the request is approx. 51 ft. short of meeting this requirement. Staff is not aware of any changes to the proposed windows.

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 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.

Staff revisited this as well and had mis-counted. Approx. 227 ft. of the main (western) façade is shaded patio area, which is approx. 41% of the length of the façade. The request complies.

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:
- Multiple finishes (i.e. stone and stucco);
 - Projecting cornices and brackets;
 - Projecting and exposed lintels;
 - Pitched roof forms;
 - Planters or wing-walls that incorporate landscaped areas and can be used for sitting;
 - Slate or tile work and molding integrated into the building;
 - Transoms;
 - Trellises;
 - Wall accenting (shading, engraved patterns, etc.);
 - Any other treatment that meets the approval of the EPC.

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. Improvements have been made and compliance has increased, though the requirement for shaded patio area and

display windows (found in 6b. Main Structure Design- articulation) has not been met. 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 re-analyzed the request using the LRF Ordinance and concludes that instances of compliance are overshadowed by the instances of non-compliance. The needed improvements that remain, most of which are “clean up” items, 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, September 18, 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 retail 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 mostly complies with O-06-53, the Large Retail Facilities (LRF) Ordinance. The needed improvements that remain, many of which are “clean up” items, can be achieved through the application of conditions of approval.

9. 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.

10. 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.

11. 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, September 18, 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, September 18, 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, prior to final DRB sign-off, 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, such as multiple finishes and vertical pilasters, as required pursuant to Zoning Code §14-16-3-19(B)(2) (a and b).
- B. The retaining wall shall not exceed 3 ft. tall in the west-east segment south of the plaza area.
- C. The retaining wall's range of height and finish shall be specified on the site development plan.
- D. The finish for the retaining wall and the screen wall shall be specified as split-face CMU or light beige stucco.

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. A break in the retaining wall shall be provided to allow pedestrian access from the external sidewalk to the required 8 ft. wide sidewalk along the primary (western) façade so that pedestrians do not have to walk in the loading area [(D)(5)(i)].

- B. The sidewalk entering the subject site from Hotel Circle, on the western side of the vehicular entrance, shall be shown on the site development plan and the landscaping plan.

7. Landscaping-Buffers:

- A. The landscape buffer along the subject site's southwestern side shall measure 20 ft. wide and the wider portions shall remain [(D)(6)(a)(1)].
- B. Additional shrubs shall be added to the eastern landscape buffer to provide the required 75% coverage with living, vegetative materials (Zoning Code §14-16-3-10).

8. Landscaping- Minor "clean up":

- A. The note regarding existing trees, and whether or not they will remain, shall be clarified.
- B. The landscaping calculations shall be revised to correct minor discrepancies, such as the size of the plaza area, size of total landscape bed and certain percentages.

9. Architecture:

- 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)].

10. Signage:

- A. There shall be one monument sign, either near the northwest corner or the southern corner of the subject site, along Hotel Circle.
- B. Sign area, for building-mounted signs with borders, shall be measured as the area within the border pursuant to Zoning Code §14-16-1-5 (Definitions), and the signage table on Sheet A-101 shall be corrected.

11. Plaza/Outdoor Space:

The tables in the plaza area shall have umbrellas or other comparable shading structure.

12. CONDITION FROM THE CITY FORESTER:

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

13. 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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