



**Environmental
Planning
Commission**

**Agenda Number: 6
Project Number: 1005280
Case Number: 17EPC-40064
Hearing Date: December 14, 2017**

Staff Report

Agent	Martin Grummer
Applicant	JMD McMahon, LLC
Request	SDP for Building Permit
Legal Description	Lots 6A1, 9A, 9B, 9C, 9D, Plat of McMahon Marketplace
Location	South side of McMahon Blvd. NW between Unser Blvd. NW and Fineland Dr. NW
Size	approximately 7 acres
Existing Zoning	SU-1 for C-1 uses and SU-1 for C-1 uses including grocery store with package liquor sales incidental to that use, restaurant with full-service liquor for on-premise consumption
Proposed Zoning	N/A

Staff Recommendation

APPROVAL of Project # 1005280
Case # 17EPC-40064
based on the Findings and subject to the Conditions of Approval included within this report

**Staff Planner
Cheryl Somerfeldt**

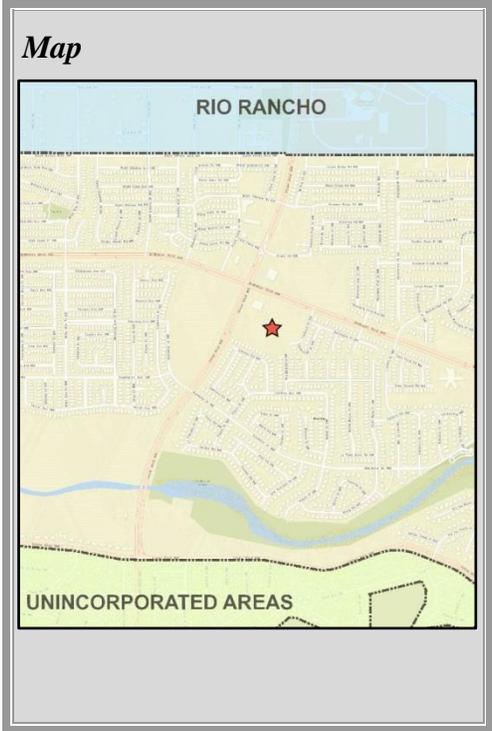
Summary of Analysis

This is a request for a Sector Development Plan for Building Permit for the remaining vacant Lots 6A1, 9A, 9B, 9C, 9D, Plat of McMahon Market Place.

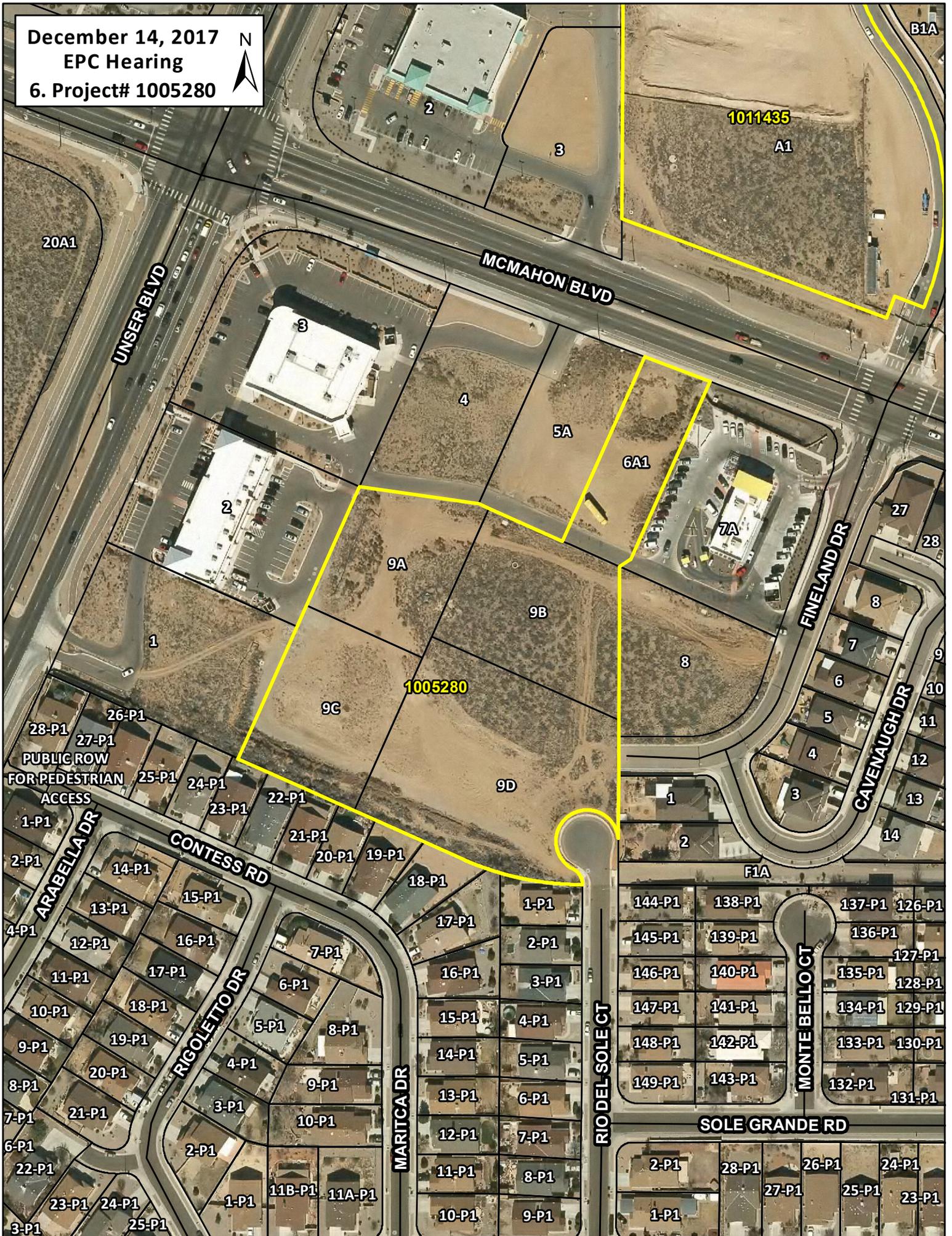
The applicant proposes to construct new buildings on each of the lots as well as parking, landscaping, and pedestrian connections. No specific uses for the buildings are proposed at this time but it is expected to hold local restaurants, medical and business offices, and a daycare, which are all permitted by the existing zoning. The project proposes parking in excess of what is required.

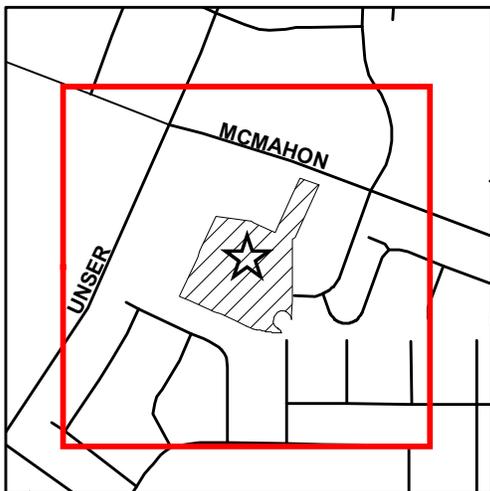
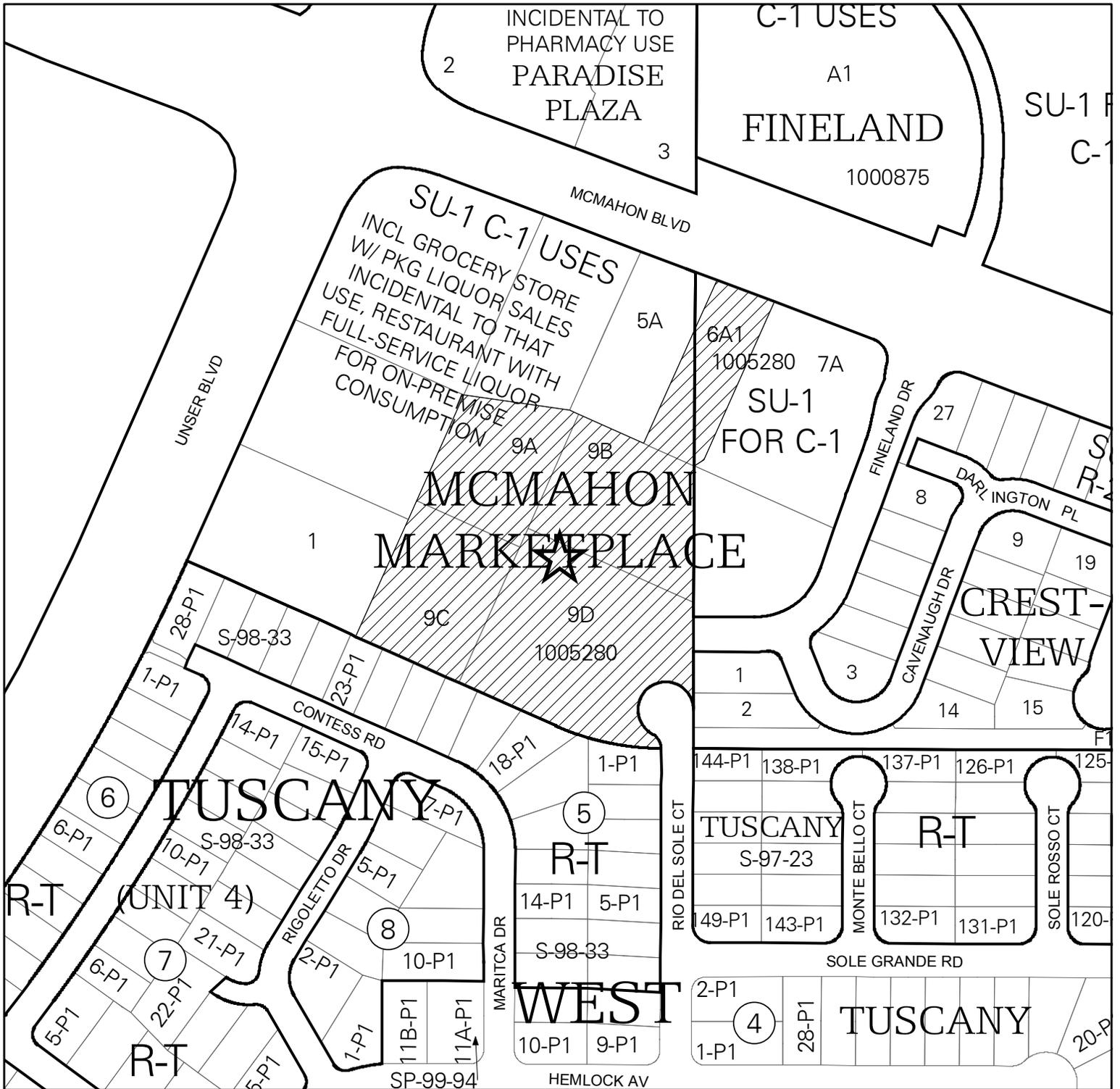
The subject site is within an Area of Change as designated by the Comprehensive Plan, and within the boundaries of the West Side Strategic Plan and the Unser Boulevard Design Overlay Zone.

The Tuscany Neighborhood Association and the Westside Coalition were notified. A facilitated meeting occurred on November 22, 2017 and the attendees were in support of the request. The request furthers applicable goals and policies and staff recommends approval subject to conditions.



December 14, 2017
EPC Hearing
6. Project# 1005280





ZONING MAP

Note: Grey shading indicates County.

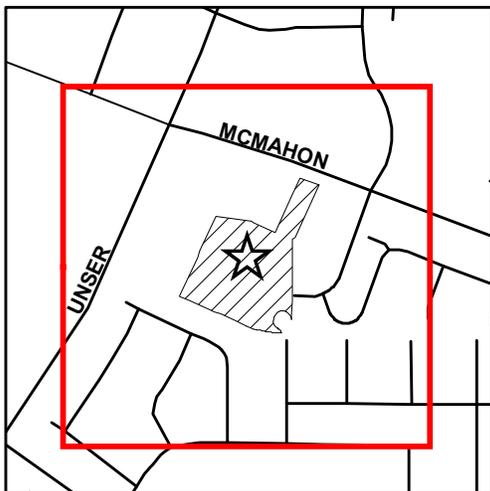
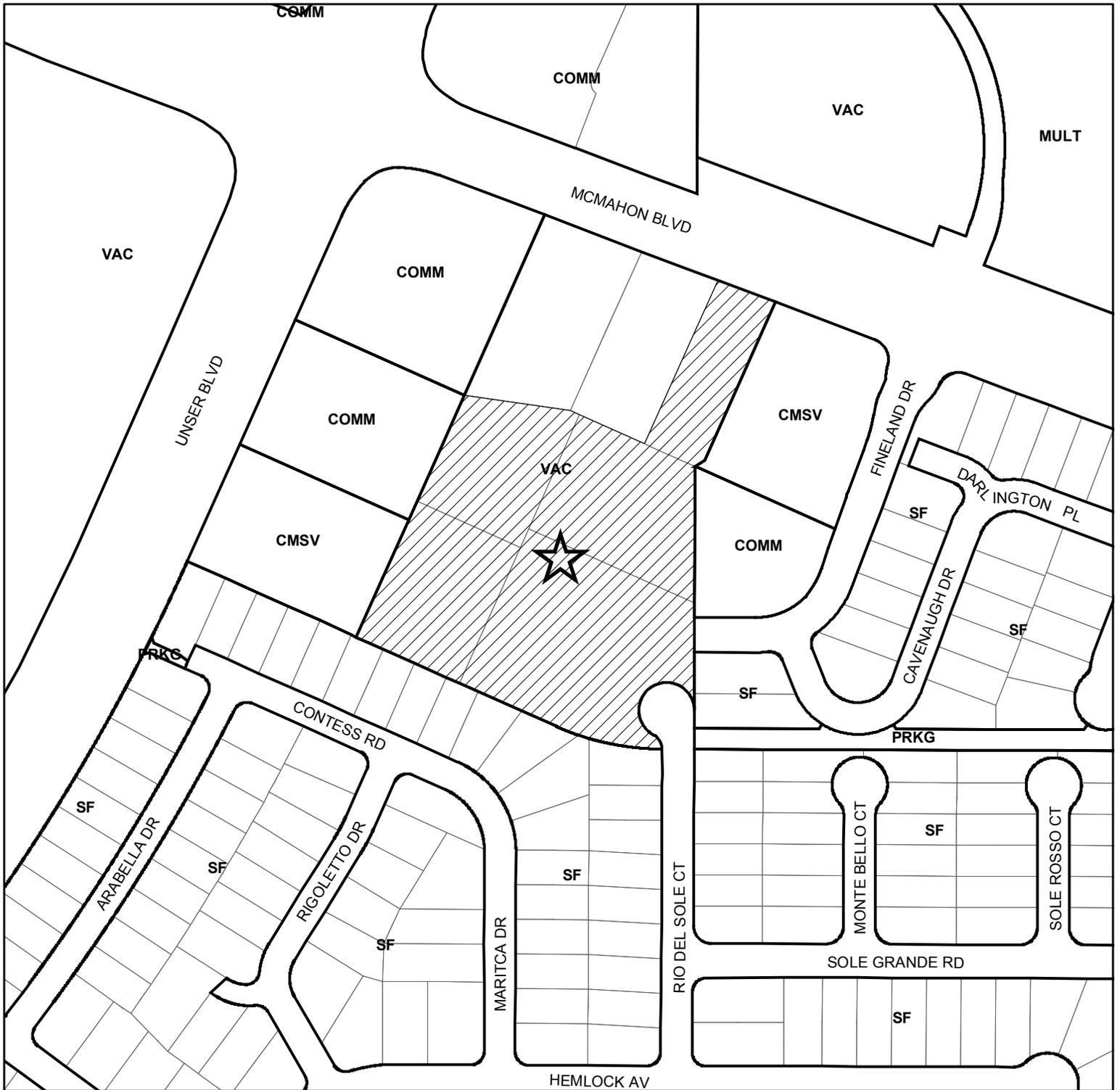


1 inch = 200 feet

Project Number:
1005280

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12/14/2017

Zone Map Page: A-11
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LAND USE MAP

Note: Grey shading indicates County.

KEY to Land Use Abbreviations

- AGRI Agriculture
- COMM Commercial - Retail
- CMSV Commercial - Service
- DRNG Drainage
- MFG Manufacturing
- MULT Multi-Family or Group Home
- PARK Park, Recreation, or Open Space
- PRKG Parking
- PUBF Public Facility
- SF Single Family
- TRAN Transportation Facility
- VAC Vacant Land or Abandoned Buildings
- WH Warehousing & Storage



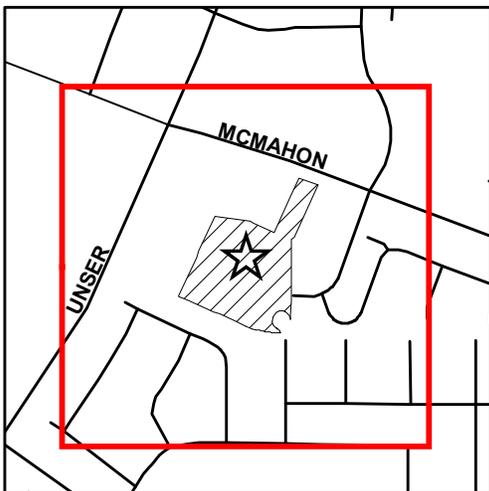
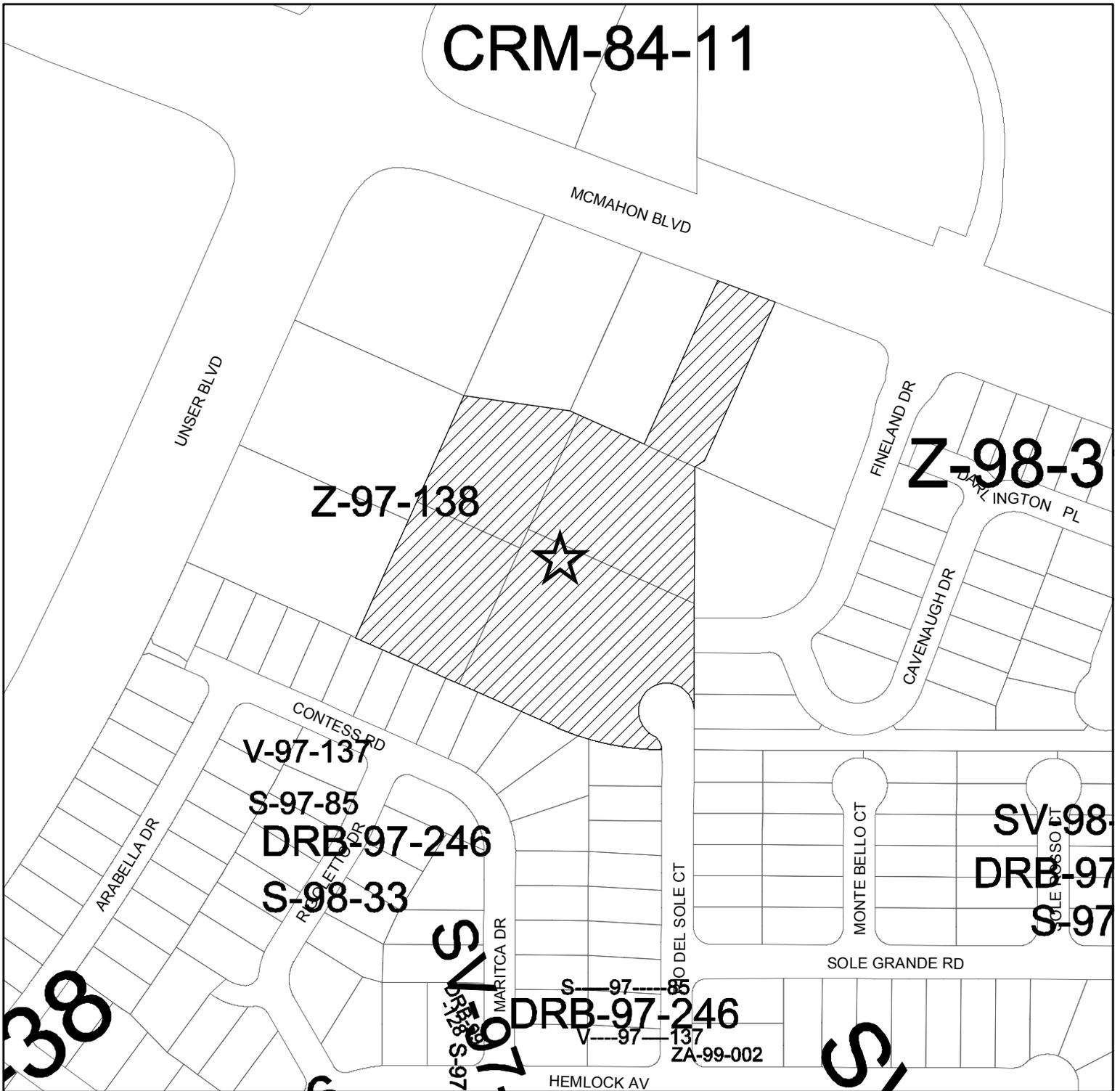
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CRM-84-11



HISTORY MAP

Note: Grey shading indicates County.

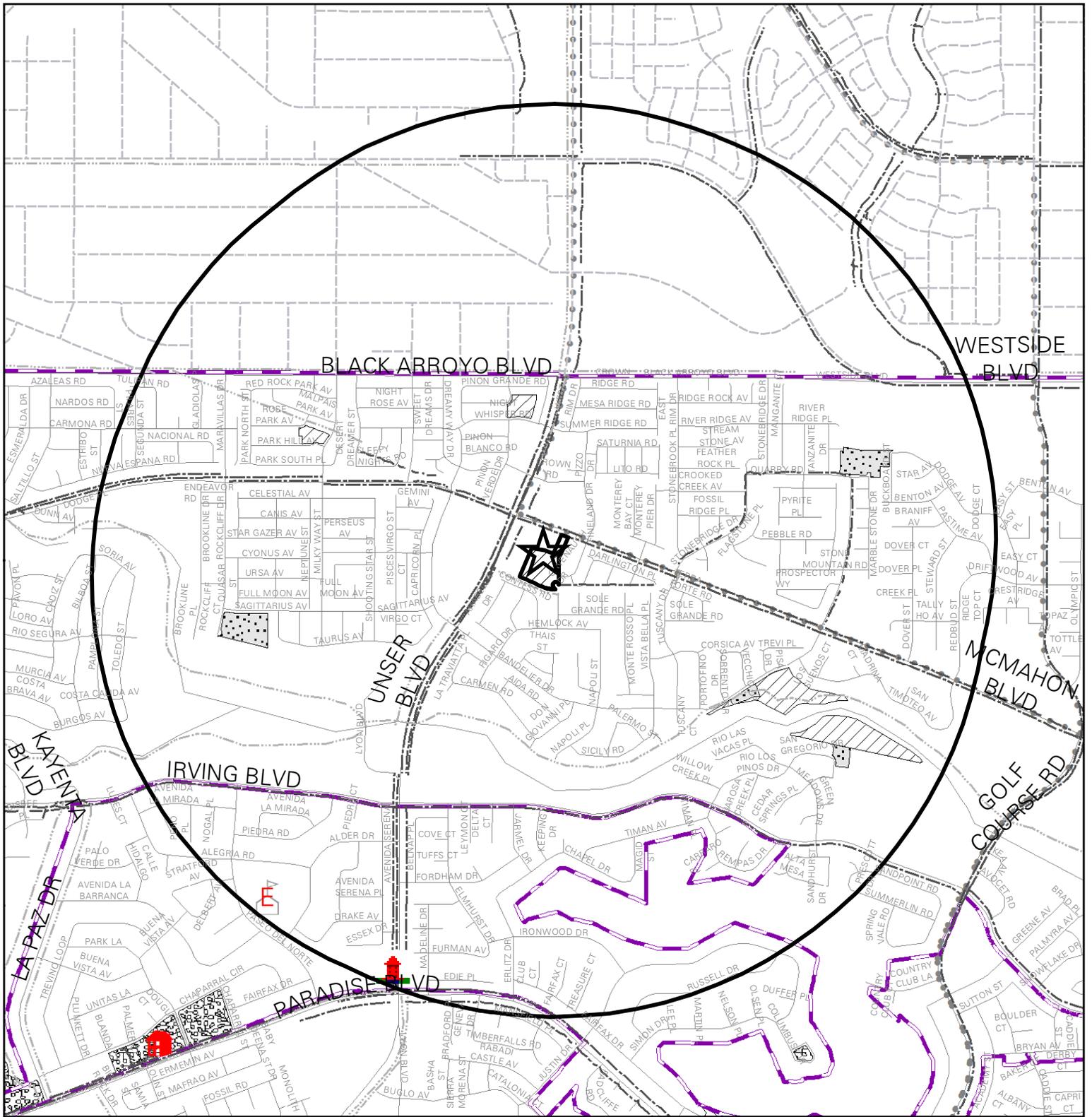


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Public Facilities Map with One-Mile Buffer



- | | | | |
|----------------------|-------------------------|--------------------------|-----------------------------|
| Community Center | Fire | Public Schools | Landfill Buffer (1000-feet) |
| Multi-Service Center | Police | Proposed Bike Facilities | Landfill designated by EHD |
| Senior Center | Sheriff | ABQ Bike Facilities | Undeveloped County Park |
| Library | Solid Waste | ABQ Ride Routes | Developed City Park |
| Museum | Albuquerque City Limits | | Undeveloped City Park |

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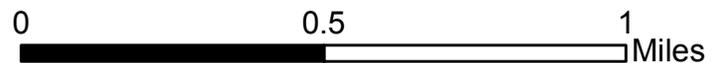


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I. INTRODUCTION

Surrounding Zoning, Plan Designations, and Land Uses:

	Zoning	Comprehensive Plan Area; Applicable Rank II & III Plans	Land Use
Site	SU-1 for C-1 uses and SU-1 for C-1 uses including grocery store with package liquor sales incidental to that use, restaurant with full-service liquor for on-premise consumption.	Area of Change	Vacant
North	SU-1 for C-1 uses including package liquor sales incidental to a pharmacy use and SU-1 for C-1 uses	Area of Change	Commercial Retail and Vacant
South	R-T	Area of Consistency	Single Family
East	SU-1 for R-2 uses	Area of Consistency	Single Family
West	SU-1 for C-1 uses	Area of Change	Vacant

Proposal

This is a request for a Site Development Plan (SDP) for Building Permit for the remaining vacant Lots 6A1, 9A, 9B, 9C, 9D (the “subject site”) of the McMahon Market Place subdivision recently updated plat (August 2017), which is located at the southeast corner of McMahon Boulevard NW and Unser Boulevard NW. The subject site includes Lot 6A1, which fronts onto McMahon Boulevard NW, and Lots 9A through 9D which are located to the interior and southeast corner of the subdivision.

The existing zoning is “SU-1 for C-1 uses” for Lot 6A1 and “SU-1 for C-1 uses including a grocery store with package liquor sales incidental to that use, and restaurant with full-service liquor for on-premise consumption” *-for Lots 9A through 9D. No specific uses for the buildings are proposed at this time; medical and business offices, secondary local restaurants, and daycare are all possible and permitted by the existing zoning. The applicant is requesting a SDP for Building Permit to construct six buildings on the subject 5 lots to accommodate these uses as well as landscaping and parking.

The subject site was re-platted as the result of a SDP for Subdivision Amendment finalized through the DRB process in August of 2017. The recently approved Design Standards from the Amended SDP for Subdivision apply to this SDP for Building Permit. The SDP for Subdivision layout plan (sheet A1.0) will need to be updated to reflect the proposed building configuration through an Administrative Approval prior to DRB sign-off of this SDP for Building Permit.

EPC Role

The Environmental Planning Commission (EPC) is hearing this case because the EPC has decision-making authority for SDP approval in the SU-1 zone, pursuant to §14-16-2-22(A)(1) of the Zoning Code. Also, the governing SDP for Subdivision requires that the subject site be reviewed by the EPC. The EPC is the final decision-making body unless the EPC decision is appealed. If so, the Land Use Hearing Officer (LUHO) would hear the appeal and make a recommendation to the City Council. The City Council would make the final administrative decision. This request is a quasi-judicial matter.

History/Background

In 1985, City Enactment No. 37-185 annexed approximately 10,200-acres of land in northwest Albuquerque (AX-85-20, Z-85-84), of which the subject site was part, and various zoning categories were established. In 1999, the Environmental Planning Commission denied a proposed Zone Map Amendment from R-1 to straight C-2 for Tract 16-A-1 which would eventually become McMahan Market Place. In 2001, the EPC approved zone changes and Site Plans for Subdivision for the sites to the north and northwest of the subject site, which guided the land use designations for the Westside/McMahan Land Use and Transportation Guide.

In September of 2003, the EPC approved a Zone Map Amendment and Site Plan for Subdivision to be “SU-1 for C-1 uses including grocery store with package liquor sales incidental to that use” for Tract 16-A-1 which would eventually become McMahan Market Place. The Site Plan for Subdivision contained Design Standards, and although the Site Plan did not receive final sign-off at DRB, the EPC had approved the Design Standards and they were used to evaluate the 2007 proposal for McMahan Market Place. In 2007, the EPC heard a three-part proposal for a Zone Map Amendment, a SDP for Subdivision and a SDP for Building Permit to create the McMahan Market Place. The Zone Map Amendment changed the zoning to allow for the existing pharmacy instead of a grocery store. The submittal included Design Standards for future development and building elevations for all the pad sites. The proposal was finalized through the DRB process in 2009.

The original McMahan Market Place site consisted of 9 lots. Since 2009, there have been five Administrative Approvals for McMahan Market Place, and 5 lots were developed including a retail pharmacy on Lot 3, retail shops on Lot 2, and a fitness club on Lot 8. In September of 2013, the EPC voted to approve a SDP for Subdivision Amendment and a SDP for Building Permit for the existing fast food restaurant with a drive-up service window on Lot 7a (McDonalds). In May of 2016, the EPC voted to approve, which allowed for a fast-food restaurant with a drive-up service window on Lot 1 (Taco Bell).

In March of 2017, the EPC voted to approve a SDP for Subdivision Amendment and a SDP for Building Permit to construct a fast-food restaurant with a drive-up service window on Lot 4 (Starbucks), a tap-room and retail shops on Lot 5, parking on Lot 6a, landscaping, parking, a multi-use trail on the proposed Lots 9c and 9d, and new monument signs. This case also amended the Design Standards within the Site Plan for Subdivision and divided the previous Lot 9 into the current 4 lots (9A, 9B, 9C, and 9D), which will be built-out with the requested SDP for Building Permit.

Context

The subject site is in an Area of Change as designated by the Comprehensive Plan and within the boundaries of the West Side Strategic Plan. The West Side Strategic Plan designates the larger subject site as the McMahon/Unser Neighborhood Center. The Unser Boulevard Design Overlay Zone applies. There is no applicable Sector Plan.

To the west of McMahon Market Place across Unser Boulevard NW is an approximately 19 acre vacant site which is also part of the West Side Strategic Plan's McMahon/Unser Neighborhood Center. Further west are single-family homes. To the east and south of McMahon Market Place are the single family homes of the Tuscany Neighborhood subdivision. Further north across McMahon Boulevard NW at the corner of Unser Boulevard NW is another retail pharmacy and additional vacant commercial lots.

The original McMahon Market Place site consisted of 9 lots. Five tracts have been developed thus far and contain a national chain retail pharmacy drug store on Lot 3 at the corner, a strip of small retail shops on Lot 2, one fast-food restaurant with a drive-up service window on Lot 1 (Taco Bell) at the southwest corner and one on Lot 7a (McDonalds) at the northeast corner, and a fitness club at the southeast corner on Lot 8. Lot 2 facing Unser Boulevard NW is occupied by a strip of small retail shops including a nail salon, MVD office, yoga studio, candy shop, and sit-down restaurant.

Transportation System

The 2040 Long Range Roadway System (LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies the functional classifications of roadways. The LRRS designates McMahon Boulevard NW and Unser Boulevard NW as Existing Principal Arterials. Both McMahon Boulevard NW and Unser Boulevard NW are also Intelligent Transportation System (ITS) Corridors. McMahon Blvd NW is a limited access facility.

Comprehensive Plan Corridor Designation

The Comprehensive Plan designates Unser Boulevard as a Commuter Corridor and a Premium Transit Corridor in this area in the future. McMahon Boulevard is designated a Commuter Corridor.

Trails/Bikeways

The Long Range Bikeway System identifies existing paved trails along both McMahon Boulevard NW and Unser Boulevard NW. In addition, bicycle lanes exist on McMahon Boulevard NW and Unser Boulevard NW as they pass the subject site.

Transit

This property is located directly on fixed route 155, which has limited commuter service and approaches the site from the east along McMahon Boulevard NW, turning north onto Unser Boulevard NW. A stop pair for Route 155 is immediately west of the site at the intersection of McMahon Boulevard NW and Unser Boulevard NW, however, in general the shopping center is underserved by transit due to the limited service times.

Public Facilities/Community Services

Please refer to the Public Facilities Map in the packet for a complete listing of public facilities and community services located within one mile of the subject site.

A fire station is about 0.5 mile south of the subject site. Four parks are located within a 1-mile radius of the subject site.

⇒ For specifics, please refer to the Public Facilities Map.

II. ANALYSIS of APPLICABLE ORDINANCES, PLANS AND POLICIES

Albuquerque Comprehensive Zoning Code

The subject site is zoned SU-1 for C-1 uses including grocery store with package liquor sales incidental to that use, restaurant with full-service liquor for on-premise consumption. The SU-1 zone (§14-16-2-22) “provides suitable sites for uses which are special because of infrequent occurrence, effect on surrounding property, safety, hazard, or other reasons, and in which the appropriateness of the use to a specific location is partly or entirely dependent on the character of the site design.” A SDP is required for development on the subject site, pursuant to (A)(1) of the SU-1 zone.

The C-1 zone (§14-16-2-16) “provides suitable sites for office, service, institutional, and limited commercial uses to satisfy the day-to-day needs of residential areas.” The proposed uses, restaurants, retail spaces, offices, and daycare are permissive under the current zoning.

Definitions (if applicable)

SDP for Building Permit:

An accurate plan at a scale of at least 1 inch to 100 feet which covers at least one lot and specifies, in addition to information required for Subdivision, exact structure locations, structure (including sign) elevations and dimensions, parking facilities, loading facilities, any energy conservation features of the plan (e.g., appropriate landscaping, building heights and siting for solar access, provision for non-auto transportation, or energy conservational building construction), and proposed schedule for development.

Albuquerque / Bernalillo County Comprehensive Plan

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

The subject site is located in an Area of Change as designated by the Comprehensive Plan. Areas of Change are intended to be the focus of urban-scale development that benefits job growth and housing opportunities. Applicable policies include:

Applicable policies include:

4. POLICY 4.1.1:Distinct Communities: Encourage quality development that is consistent with the distinct character of communities.

The architecture combines design elements from the original Design Standards and the updated SDP for Subdivision in March of 2017 to blend the more contemporary

designs with earth-tone colors and materials.

POLICY 5.4.2 West Side Jobs: Foster employment opportunities on the West Side.

The request would create more employment opportunities in a West Side center.

POLICY 5.6.2 Areas of Change: Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.

The subject site is located in a partially vacant neighborhood center where additional development is expected. Development would be contiguous to existing urban facilities such as roads and infrastructure, and would not disrupt the integrity of surrounding residential neighborhoods.

West Side Strategic Plan (Rank II)

The West Side Strategic Plan (WSSP) was first adopted in 1997 and amended several times since then (2002, 2005, 2008, 2009 and 2011). The WSSP area encompasses over 96,000 acres of land, or approximately 150 square miles. Specific boundaries are shown on page 2 of the Plan.

The WSSP identifies 13 communities in established areas of the West Side, each with a unique identity and comprised of smaller neighborhood clusters. The subject site is located in the McMahon/Unser Neighborhood Center of the Seven Bar community, which lies between the Calabacillas Arroyo and the County line, and between the Rio Grande and an area slightly west of the Rainbow Boulevard NW Corridor. The following policies apply:

WSSP Policy 1.1: Thirteen distinct communities, as shown on the Community Plan Map and described individually in this Plan, shall constitute the existing and future urban form of the West Side. Communities shall develop with areas of higher density (in Community and Neighborhood Centers) surrounded by areas of lower density. Bernalillo County and the City of Albuquerque Planning Commissions shall require that high density and non-residential development occur within Community and Neighborhood Centers. Low density residential development (typically 3-5 du/acre subdivisions, or large lot rural subdivisions) shall not be approved within the Centers (page 38).

The request would result in development of a commercial use in a designated activity center, the McMahon/Unser Neighborhood Center, which will continue to be surrounded by residential development.

Policy 1.5: Community and Neighborhood Centers shall be required to provide pedestrian/ bicycle access to key activity areas. Parking lots shall be carefully designed to facilitate trail access and pedestrian access between buildings (p. 39).

The subject site is in the McMahon/Unser Neighborhood Center. A pedestrian pathway/multi-use trail on Lot 9D will connect the residential neighborhoods to Unser Boulevard NW along the southern edge of the subject site once constructed.

Policy 3.4 (Seven Bar Ranch): Several clusters of neighborhoods will develop within the Seven Bar Ranch Community. Each of these shall be served by a Neighborhood Center, so neighborhood commercial, public and quasi-public uses and other uses appropriate for such centers shall be encouraged. The lowest density single-family residential development shall not occur within these centers, but must have safe pedestrian and bicycle access to them.

The McMahan/Unser Neighborhood Center contains non-residential uses and serves many surrounding subdivisions, such as the Tuscany and Skies West neighborhoods. The request proposes additional commercial uses in a shopping center along with pedestrian and bicycle access.

Westside-McMahon Land Use & Transportation Guide (Enactment No. 117-1999)*

The subject site falls within the boundaries of Enactment No. 117-1999 of the Westside-McMahon Land Use and Transportation Guide. The policies involved identifying an arrangement of mixed land uses and establishing “a desirable direction for promoting the opportunity for reduced automobile travel and encourage the use of transit, bicycle and pedestrian modes”.

The request complies with Sections 4(A), 4(A)(2) and 4(C) of Enactment 117-1999 because the request proposes pedestrian connections to Unser Boulevard through a trail along the subject site’s southern boundary. This will help contribute to “safe and efficient” pedestrian movements (4C).

Unser Boulevard Design Overlay Zone (R95-1992)

The Unser Boulevard Design Overlay Zone extends approximately 500 feet from the centerline of Unser Boulevard NW and runs from Interstate 40 to the Sandoval County line. Signage is regulated by the Unser Boulevard Design Overlay Zone and limits free-standing signs to 75 square feet of signage area and a height of 12 feet. Free-standing signs are not a part of this proposal and wall-mounted signage will comply.

III. SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

Request

The request is for a SDP for Building Permit for Lots 6A1, 9A, 9B, 9C, 9D, Plat of McMahon Marketplace.

Section 14-16-3-11(B) of the Zoning Code states, “...SDPs are expected to meet the requirements of adopted city policies and procedures.” As such, staff has reviewed the attached SDP for conformance with applicable goals and policies in the Comprehensive Plan, the Comprehensive Zoning Code and all other applicable City planning documents.

Site Plan Layout / Configuration

Commercially zoned properties surround the heavily trafficked intersection of Unser Boulevard NW and McMahon Boulevard NW. McMahon Market Place has three access points including a full median break off Unser Boulevard NW at the south side of the

subdivision, a right-in/right-out drive between Lots 4 & 5, and Fineland Drive NW at the east side of the subdivision which is expected to be signalized. An internal roadway leads through the rear of the site from northeast to southwest.

The subject site consists of five lots in the center of the larger 14 acre McMahon Market Place subdivision. Lot 6A1 fronts onto McMahon Boulevard NW and Lots 9A, 9B, 9C, and 9D are located in the center and to the southeast of the subdivision, and will be accessed from Fineland Drive NW.

Lot 6A1 is approximately 0.53 acres with a proposed 4300-square-foot building for potential retail or restaurant use, which complies with the 10-foot setback off McMahon Boulevard NW required by the Design Standards. Lot 9 was divided into the four existing lots by the most recent SDP for Subdivision re-plat signed off by the DRB in August of 2017. Lot 9A is approximately 0.71 acres and is proposed to hold two buildings totaling 4,995 square-feet with retail or restaurant uses. Lot 9B is approximately 0.23 acres and is proposed to hold a 6,656 square foot building for retail or restaurant uses. Lot 9C is approximately 0.81 acres and is proposed to hold a 4,898 square foot building for retail or restaurant uses. Lot 9D is approximately 1.55 acres and is proposed to hold a 7,176 square foot building for office, school, or daycare uses.

The Design Standards require a minimum of a 30-foot setback from the adjacent residences and the subject site complies. Setbacks are not required from internal lot lines. Refuse enclosures are located to the south of each building.

Public Outdoor Space

Freestanding restaurants are required by the Design Standards to provide a minimum of 600 square foot of shaded outdoor patio space. Non-restaurant uses are required by the Design Standards to have a minimum of 300 square feet of outdoor patio space with 30% shading. The entrances to the two buildings on Lot 9A are facing each other, which allows for outdoor restaurant seating and/or an outdoor gathering space adjacent to the building. A 1610 square-foot public seating area with 1313 square-feet of shaded space covered by a trellis is proposed, which is sufficient for Lots 9A and 9B. Lots 6A1, 9C, and 9D meet the required outdoor space for non-restaurant uses.

Vehicular Access, Circulation and Parking

The Design Standards state that structures and on-site circulation systems shall be located to minimize pedestrian/vehicle conflicts, which is met by the proposed project because parking is separated into small pods with pedestrian connections between each building.

Because the requested zoning is SU-1, off-street parking is as decided by the EPC pursuant to Zoning Code §14-16-2-22. The original Design Standards stated that parking should not exceed the amount required in the Zoning Code and that cross-access is acceptable. The Design Standards were amended to state that “Parking shall be per COA Zoning Code, each building shall have enough parking.”

Parking calculations pursuant to Zoning Code §14-16-3-1 Off Street Parking Regulations, require 1 space for every 200 square feet of retail space and 1 space for every 4 seats of a restaurant. Specific tenants have not been identified for each of the buildings, therefore,

parking has been calculated according to the requirement for retail space except for Lot 9D which uses a daycare calculation.

Building 6A1 requires 22 vehicle parking spaces and provides 27 spaces. Building 9A requires 25 vehicle parking spaces and provides 42 spaces. Buildings 9B require 34 vehicle parking spaces and provide 60 spaces. Building 9C requires 25 vehicle parking spaces and provides 42 spaces. Building 9D only requires 17 vehicle parking spaces due to its use for a daycare facility, and provides 63 spaces. All lots exceed the required disabled, motorcycle, and bicycle spaces.

Therefore, a total of 123 parking spaces would be required for the subject site in a straight C-1 zone and 234 are provided causing an excess of 111 vehicle parking spaces. The entire McMahon Market Place subdivision including the subject site is shown to have an excess of 102 vehicle parking spaces. The EPC could use its discretion to decrease the provided parking spaces in order to provide for more landscaping, pedestrian connections, or gathering spaces, if desired.

Pedestrian and Bicycle Access and Circulation, Transit Access

The Design Standards state that McMahon Market Place is a pedestrian oriented neighborhood center and calls for all buildings to be interconnected by a pedestrian access network which is directly tied to the adjacent neighborhood, and the proposal complies.

Lot 9D remains in a similar configuration as the original site plan with a multi-use trail and landscaping along the southern edge to be constructed under the previous SDP for Building Permit, connecting the residential neighborhood to McMahon Market Place and the Unser Boulevard NW multi-use trail. The interior sidewalks vary in width but are a minimum of 8' feet wide, clear and unobstructed, pursuant to §14-16-3-18(C)(1). Where a walkway crosses a drive aisle, it is required to be textured, colored concrete; and the walkways meet this requirement.

Walls/Fences

An approximately 6-foot high CMU screening wall currently exists at the property line between the commercial development and the residences to the south. New retaining walls which will provide space for the multi-use trail were proposed in the previous SDP for Building Permit at the southern and eastern portions of Lot 9D at the parking lot edge with the highest point at the southeast corner, sloping down toward accessible ramps.

Lighting and Security

New light poles are proposed on the subject site to illuminate the parking area. The Design Standards specify that light poles cannot be taller than 16-feet within 130 feet of a residential area. The Design Standards also state that pedestrian scale lighting (16 feet high) is required near pedestrian walks and plaza areas. A detail on sheet A1.5 shows that all light poles are specified to be a maximum of 16-feet tall to comply.

Landscaping

The Landscaping Plans propose trees and shrubs that are shown on the approved plant legend from the Design Standards of the SDP for Subdivision. The Design Standards call for buffer yards at site perimeters bordering rights-of-way and landscape screening to protect adjacent neighborhoods. Parking lot trees are required at the rate of one tree per 10 parking spaces and no space shall be over 100 feet from a tree. The request meets these Design Standards. All landscaping for Lot 6A1 including street trees at McMahan Boulevard were provided with the most recent SDP for Building Permit.

The Design Standards state that “a minimum of 15% of the site area (minus the building square footage) shall be devoted to landscape materials”; and “living, vegetative materials shall cover a minimum of 80 percent of landscaped areas”. Landscape coverage is deficient by 1383 square feet on Lot 9A and by 620 square feet on Lot 9B. Landscape exceeds the required amount by 956 square feet on Lot 9C, and by 6,204 square feet on Lot 9D. Therefore, the aggregate of the lots exceed the landscape required by 5,157 square-feet, however, most of it is along the southern property line. The EPC could use its discretion to decrease the provided parking spaces in order to provide for more landscaping, pedestrian connections, or gathering spaces, if desired. Per Zoning Code section 14-16-3-1 (H) (1), pedestrian walkways shall be lined with adjacent shade trees spaced approximately 25 feet on center and placed within defined planting areas, which will be conditioned.

A Landscape Plan was not provided for Lot 6A1, because one was previously approved as part of the Site Development Plan for Building Permit for McMahan Market Place in August of 2017.

Grading, Drainage, Utility Plans

A proposed private storm drain system empties into first flush ponds. Water and sanitary sewer would connect to existing lines that run north-south. Landscaping is depressed, and curb openings accept storm-water where possible.

Architecture

The proposed architecture combines the approved elevations from the original Design Standards with the contemporary style of the Design Standards updated in March of 2017. The Design Standards include a color palette, to which the other buildings in the shopping center were required to adhere. The stucco portions of the proposed buildings will be painted the same standard colors. Other elements include brick pilasters and corten steel cladding (a dark rust earth tone metal) and glass for the entryways and storefront windows.

Building 9B has a tower which extends upward to 36-feet, which is permitted by the Design Standards for towers and entry elements. The maximum height of the remaining buildings would be 26-feet with some portions stepping down to 18-feet.

Signage

Freestanding monument signs were approved as part of the Building Permit in March of 2017, and are not proposed with this SDP for Building Permit request. The Design

Standards allow for one wall sign per business per façade not to exceed 6% of the façade, and the project will comply.

IV. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies/Pre-Hearing Discussion

There are no significant Agency comments or outstanding issues that affect the request. Please refer to the Agency Comments at the end of this staff report for a complete listing.

Neighborhood/Public

The Tuscany Neighborhood Association (NA) and the Westside Coalition of NAs were notified as required and requested a facilitated meeting which was held on November 22, 2017 (see attached facilitation report). The tone of the meeting was very positive and the project was supported by attendees and representative associations. Property owners within 100 feet of the subject site were also notified. Staff has not received public comment in support or opposition to the request.

V. CONCLUSION

This is a request for a SDP for Building Permit for the vacant Lots 6A1, 9A, 9B, 9C, and 9D of McMahon Marketplace (the approximately 7 acre “subject site”) located at the southeastern corner of the intersection of Unser Boulevard NW and McMahon Boulevard NW.

Staff finds that the request meets and/or furthers goals and policies of the Comprehensive Plan, the Westside Strategic Plan, and the Unser Boulevard Design Overlay Zone as well as regulations in the City of Albuquerque Zoning Code, and the Design Standards as part of the SDP for Subdivision for the McMahon Market Place. The project meets all current Design Standards but has excess vehicle parking spaces. Note: the applicant has met some of the Site Plan Conditions of Approval on the electronic pdf files posted to the EPC website, which will be slightly different than the full-size printed hard-copies.

A facilitated meeting was held on January 11, 2017, and overall, neighbors were very positive about the proposed project. Staff recommends approval subject to the conditions included within this report.

FINDINGS, Site Development Plan for Building Permit

Project # 1005280, Case # 17EPC- 40064

1. This is a request for a Site Development Plan for Building Permit for Lots 6A1, 9A, 9B, 9C, 9D, Plat of McMahan Marketplace located on the south side of McMahan Boulevard NW between Unser Boulevard NW and Fineland Drive NW and containing approximately 7 acres (“subject site”).
2. The existing zoning for the subject site is “SU-1 for C-1 uses” for Lot 6A1 and “SU-1 for C-1 uses including grocery store with package liquor sales incidental to that use, restaurant with full-service liquor for on-premise consumption” for Lots 9A, 9B, 9C, and 9D.
3. The subject site was re-platted as the result of a Site Development Plan for Subdivision Amendment finalized through the DRB process in August of 2017. The subject site includes the remaining vacant lots in the subdivision. Lot 6A1 fronts onto McMahan Boulevard NW, and Lots 9A through 9D are located to the interior and southeast corner of the subdivision.
4. The Zoning Code requires that applicants requesting SU-1 Special Use zoning submit a site development plan. The applicant has submitted this Site Development Plan for Building Permit to fulfill this requirement and to be evaluated against the Design Standards of the associated approved Site Plan for Subdivision for the McMahan Market Place.
5. The purpose of the request is to construct six buildings on the five subject lots to accommodate uses that are expected to be medical and/or business offices, secondary local restaurants, and daycare, which are permitted by the existing zoning, as well as landscaping and parking.
6. Lot 6A1 will hold a 4,300 square-foot building. Lot 9A will hold two buildings with a total of 4,954 square feet. Lot 9B will hold a 6,656 square-foot building. Lot 9C will hold a 4,898 square-foot building; and Lot 9D will hold a 7,176 square-foot building.
7. Section 14-16-3-11 of the Zoning Code states, “...SDPs are expected to meet the requirements of adopted city policies and procedures.” The attached SDP has been evaluated for conformance with applicable goals and policies in the Comprehensive Plan, and other applicable Plans.
8. Vehicular circulation includes an interior roadway that leads through the site, provides access to Lots 9A through 9C, and connects Unser Boulevard NW at the southwest corner to Fineland Drive NW at the north east corner of the subdivision. Pedestrian walkways connect the buildings and will be shaded by trees. Each lot provides sufficient public outdoor space.
9. A Landscape Plan for Lot 6A1 was previously approved as part of the Site Development Plan for Building Permit in August of 2017 and not provided herein.
10. The subject site is in an Area of Change of the Albuquerque/Bernalillo County Comprehensive Plan; and within the boundaries of the West Side Strategic Plan and the Unser Boulevard Design Overlay Zone. The subject site is under the jurisdiction of the City

of Albuquerque Zoning Code. All of the former are incorporated herein by reference and made part of the record for all purposes.

11. The following Comprehensive Plan policies are applicable:

- 4. POLICY 4.1.1: Distinct Communities: The architecture combines design elements from the original Design Standards and the updated SDP for Subdivision in March of 2017 to blend the more contemporary designs with earth-tone colors and materials.
- POLICY 5.4.2 West Side Jobs: The request would create more employment opportunities in a West Side center.
- POLICY 5.6.2 Areas of Change: The subject site is located in a partially vacant neighborhood center where additional development is expected. Development would be contiguous to existing urban facilities such as roads and infrastructure, and would not disrupt the integrity of surrounding residential neighborhoods.

12. The following policies of the West Side Strategic Plan (WSSP) are applicable:

- WSSP Policy 1.1: The request would result in development of a commercial use in a designated activity center, the McMahan/Unser Neighborhood Center, which will continue to be surrounded by residential development. The proposed non-residential development would occur in a designated center.
- WSSP Policy 1.5 is partially furthered: The request would result in development of a commercial use in a designated activity center, the McMahan/Unser Neighborhood Center, which will continue to be surrounded by residential development. The proposed non-residential development would occur in a designated center.
- WSSP Policy 3.4 (Seven Bar Ranch) is furthered: The McMahan/Unser Neighborhood Center contains non-residential uses and serves many surrounding subdivisions, such as the Tuscany and Skies West neighborhoods. The request proposes additional commercial uses in a shopping center along with pedestrian and bicycle access.

13. The request complies with Sections 4(A), 4(A)(2) and 4(C) of Enactment 117-1999 of the Westside-McMahan Land Use and Transportation Guide. The request proposes pedestrian connections to Unser Boulevard through a trail along the subject site's southern boundary. This will help contribute to "safe and efficient" pedestrian movements (4C).

14. The Tuscany Neighborhood Association (NA) and the Westside Coalition of NAs were notified as well as property owners within 100 feet of the subject site, as required. A facilitated meeting was held on November 22, 2017. The tone of the meeting was very positive and the project was supported by attendees and representative associations.

15. Conditions of approval are provided to improve compliance and provide clarity.

RECOMMENDATION

APPROVAL of 17EPC-40064, a request for Site Development Plan for Building Permit, for (legal description), based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL, Site Development Plan for Building Permit

Project # 1005280, Case # 17EPC- 40064

1. The EPC delegates final sign-off authority of this Site Development Plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. The Site Plan for Subdivision (sheet A1.0) shall be updated to remove the buildings or to reflect the revised building layout through the Administrative Approval process prior to Development Review Board (DRB) sign-off of this SDP for Building Permit.
4. For clarity, landscape plants and/or trees shall be removed from Site Plan pages, and pavement hatching shall be removed from Landscape Plan pages.
5. The square footage of the buildings shall be added to the Site Plan pages and square footage shall be updated on the Landscape Plan to reflect the Site Plan.
6. The asphalt trail location in notes 5 & 6 shall be clarified.
7. The purpose of the 6'3" space on page A2.1 shall be clarified and transferred to landscaping if not needed. Motorcycle spaces shall be clearly identified.
8. For clarity and if not necessary, dimensions for parking spaces shall be removed from the Site Plan pages.
9. Per Zoning Code section 14-16-3-1 (H) (1), pedestrian walkways shall be lined with adjacent shade trees spaced approximately 25 feet on center and placed within defined planting areas.
10. Per Zoning Code section 14-16-3-18 (C) (3), major facades greater than 100 feet shall incorporate outdoor seating. The Facades on Lots 6A and 9D are 100-feet.
11. Per Zoning Code section 14-16-3-10 (C) (3) (b), topography shall be added to the Landscape Plans.

12. Conditions of Approval from other agencies...

13. Conditions from Transportation Development:

- Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed development site plan, as required by the Development Review Board (DRB).
- Site plan shall comply and be in accordance with all applicable City of Albuquerque requirements, including the Development Process Manual and current ADA criteria.

The following comments need to be addressed prior to DRB:

- The ADA accessible parking sign must have the required language per 66-7-352.4C NMSA 1978 "**Violators Are Subject to a Fine and/or Towing.**" Please call out detail and location of HC signs.
- Please check ADA pathways slope limits on sheet L1.5.

14. Conditions from the Department of Municipal Development:

- DMD currently has a project on Fineland and McMahon to improve the intersection with a new mastarm, striping and activation of traffic signalization and is expected to be complete by February, 2018. Mr. Eric Michalski is the Project Manager and can be reached at (505) 768-2680 or emichalski@cabq.gov. The developer shall further coordinate their project with Mr. Michalski.

15. Conditions from the Water Utility Authority:

- Serviceability Statement 170117R was issued 05/26/2017.
- As a condition of approval please provide the City Fire Marshal approved Fire 1 Plan to the Utility Development section of the Water Utility Authority for comparison and confirmation that the existing Serviceability Statement is still applicable.
- A proposed utility plan was not provided with this submittal. Please provide the proposed utility plan to the Water Utility Authority as supplemental materials to the Fire 1 Plan.

16. Conditions from the Solid Waste Management Department:

- Approved DRB Site Plan (Pg. A1.0) Provided. All new/proposed refuse enclosures built to COA minimum requirements, must include a sanitary drain indicated on spec. sheet (Pg.A1.5) for all food services.

17. Conditions from the Mid-Region Council of Governments:

- MRMPO is concerned that a full signalized intersection at McMahan Blvd and Fineland Dr has already been constructed, and having been modified from its original configuration as a partial access intersection, it is not now in accord with the currently adopted roadway access policy. McMahan Blvd NW and Unser Blvd NW are limited access facilities, and full access is provided along McMahan Blvd at approximately 1000 foot intervals, whereas the intersection at McMahan and Fineland is approximately 875 feet east of the intersection at Unser Blvd (centerline to centerline). Future modifications to access policy should come before the Roadway Access Committee for review. Please contact Dave Pennella at 724-3621 or dpennella@mrcog-nm.gov with any questions about access control.

18. Conditions from the Public Service Company of New Mexico:

- Existing underground distribution lines are located along the access drive from Fineland NW to serve the nearby McDonalds. It is the applicant's obligation to abide by any conditions or terms of those easements. PNM's landscaping preference is for trees and shrubs to be planted outside the PNM easement; however, if within an easement, trees and shrubs should be located to minimize effects on electric facility maintenance and repair. New trees planted near PNM facilities should be no taller than 25 feet in height at maturity to avoid conflicts with existing electric infrastructure. It is necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service regarding this project. Contact:
Andrew Gurule
PNM Service Center
4201 Edith Boulevard NE
Albuquerque, NM 87107
Phone: (505) 241-0589
- Ground-mounted equipment screening will be designed to allow for access to utility facilities. All screening and vegetation surrounding ground-mounted transformers and utility pads are to allow 10 feet of clearance in front of the equipment door and 5-6 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Refer to the PNM Electric Service Guide at www.pnm.com for specifications.

19. The SDP shall comply with the General Regulations of the Zoning Code, the Subdivision Ordinance, and all other applicable design regulations, except as specifically approved by the EPC.



**Cheryl Somerfeldt
Planner**

Notice of Decision cc list:

JMD McMahon, LLC, 2325 San Pedro NE, ABQ, NM 87106
Martin Grummer, 331 Wellesley Pl. NE, ABQ, NM 87106
Tuscany NA & WS Coali Assoc, Harry Hendriksen, 10592 Rio Del Sole Ct. NW, ABQ, NM 87114
Tuscany NA, Janelle Johnson, P.O. Box 6270, ABQ, NM 87197
Westside Coali. of Neigh. Assoc., Gerald Worrall, 1039 Pinatubo Pl. NW, ABQ, NM 87120

VI. AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

No adverse comments.

Office of Neighborhood Coordination

NA's and Coalitions Contacted: Tuscany Neighborhood Association (NA) and the Westside Coalition of NAs, which were notified as required.

Long Range Planning

No comment.

CITY ENGINEER

Transportation Development

Notes needed for Conditions:

- Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed development site plan, as required by the Development Review Board (DRB).
- Site plan shall comply and be in accordance with all applicable City of Albuquerque requirements, including the Development Process Manual and current ADA criteria.

The following comments need to be addressed prior to DRB:

- The ADA accessible parking sign must have the required language per 66-7-352.4C NMSA 1978 "**Violators Are Subject to a Fine and/or Towing.**" Please call out detail and location of HC signs.
- Please check ADA pathways slope limits on sheet L1.5.

Hydrology Development

This project has already been submitted to Hydrology on 11/02/17 and the Conceptual Grading and Drainage Plan is approved on 11/07/17 for action by the DRB on the Site Plan for Building Permit.

Hydrology Engineer: René Brissette, PE

DEPARTMENT of MUNICIPAL DEVELOPMENT

The site abuts Unser Blvd. and McMahon Blvd. which are both classified as a Regional Principal Arterial by MRCOG's 2040 Long Range Roadway System Map. An existing bicycle lane runs along both Unser Blvd and McMahon Blvd. per MRCOG's 2040 Long Range Bikeway System Map. An existing multi-purpose trail runs along McMahon Blvd.

A traffic impact study for this particular request was not required because a TIS for McMahon/Unser commercial development (southeast corner) was conducted in 2006 using MRCOG traffic data from 2005. The existing traffic volumes in 2016 from

MRCOG are greater than what was identified in the 2005 study. The study recommended that at full build out of the development the southeast corner of Unser would have dual westbound left turn lanes on McMahon Blvd., however the current roadway only has one turn lane that is almost 590 feet. According to the 2005 TIS, the intersection will fail with the impact of additional vehicle counts and recommended roadway design – the current roadway design further stresses that failure.

DMD currently has a project on Fineland and McMahon to improve the intersection with a new mastarm, striping and activation of traffic signalization and is expected to be complete by February, 2018. Mr. Eric Michalski is the Project Manager and can be reached at (505) 768-2680 or emichalski@cabq.gov. DMD recommends that the developer further coordinate their project with Mr. Michalski.

WATER UTILITY AUTHORITY

17EPC-40064 SDP for Building Permit

Identification: UPC – 101106636627910409

Serviceability Statement 170117R was issued 05/26/2017.

As a condition of approval please provide the City Fire Marshal approved Fire 1 Plan to the Utility Development section of the Water Utility Authority for comparison and confirmation that the existing Serviceability Statement is still applicable.

A proposed utility plan was not provided with this submittal. Please provide the proposed utility plan to the Water Utility Authority as supplemental materials to the Fire 1 Plan.

SOLID WASTE MANAGEMENT DEPARTMENT

Approved DRB Site Plan (Pg. A1.0) Provided. All new/proposed refuse enclosures built to COA minimum requirements, must include a sanitary drain indicated on spec. sheet (Pg.A1.5) for all food services.

TRANSIT DEPARTMENT

1005280 17EPC-40064	Site Plan for Building Permit for McMahon Marketplace on McMahon between Unser and Fineland; 7.0 acres	Not on a Corridor	Is on the commuter extension of Fixed Route 155 which runs from the Northwest Transit Center along Coors to a turnaround at Gun Club Road	Nearest stop pair for the 155 Commuter is at the intersection of McMahon and Unser.	No comment.
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NMDOT

No comments.

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

Reviewed, No comments.

ALBUQUERQUE PUBLIC SCHOOLS

This will have no adverse impacts to the APS district.

MID-REGION COUNCIL OF GOVERNMENTS

MRMPO is concerned that a full signalized intersection at McMahon Blvd and Fineland Dr has already been constructed, and having been modified from its original configuration as a partial access intersection, it is not now in accord with the currently adopted roadway access policy. McMahon Blvd NW and Unser Blvd NW are limited access facilities, and full access is provided along McMahon Blvd at approximately 1000 foot intervals, whereas the intersection at McMahon and Fineland is approximately 875 feet east of the intersection at Unser Blvd (centerline to centerline). Future modifications to access policy should come before the Roadway Access Committee for review. Please contact Dave Pennella at 724-3621 or dpennella@mrcog-nm.gov with any questions about access control.

For informational purposes:

- McMahon Blvd NW and Unser Blvd NW are functionally classified as principal arterials in the project area.
- The LRBS indicates existing bicycle lanes and paved trails on McMahon Blvd NW and Unser Blvd NW in the project area; also, a proposed paved trail extending east from the driveway access on Unser Blvd NW to the existing paved trail that currently ends at the cul-de-sac on Rio Del Sole Court NW, in the southeast corner of the project area.
- McMahon Blvd NW and Unser Blvd NW are Intelligent Transportation System (ITS) Corridors. Please consult with the reviewing agency's Traffic Engineering and/or ITS Department.

PUBLIC SERVICE COMPANY OF NEW MEXICO

Existing underground distribution lines are located along the access drive from Fineland NW to serve the nearby McDonalds. It is the applicant's obligation to abide by any conditions or terms of those easements. PNM's landscaping preference is for trees and shrubs to be planted outside the PNM easement; however, if within an easement, trees and shrubs should be located to minimize effects on electric facility maintenance and repair. New trees planted near PNM facilities should be no taller than 25 feet in height at maturity to avoid conflicts with existing electric infrastructure. It is necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service regarding this project. Contact:

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