

CITY OF ALBUQUERQUE

PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
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OFFICIAL NOTIFICATION OF DECISION

June 10, 2016

Indian Pueblos Marketing Inc.
2401 12th St. NW
ABQ, NM 87104-2302

Project# 1000649
16EPC-40023 Site Development Plan for Subdivision

LEGAL DESCRIPTION:

The above action for Tract A of the Plat for the United States Bureau of Land Management Survey of Town of Albuquerque Grant, Projected Sections 7 and 8 of Township 10 North, Range 3 East New Mexico Principal Meridian, zoned SU-1/C-2, SU-1/O-1 and C-1 Permissive Uses, and R-1, located on 12th St. NW between Menaul Blvd. NW and Indian School Rd., NW, containing approximately 47.3 acres. (H-13 & 14)
Staff Planner: Catalina Lehner

PO Box 1293

On June 9, 2016 the Environmental Planning Commission (EPC) voted to forward a recommendation of APPROVAL of Project #1000649/16EPC-40023, a site development plan for subdivision, to the City Council, for the property referenced herein, zoned SU-1/C-2 as specified in F/S O-05-98, SU-1/O-1 and C-1 Permissive Uses, and R-1, based on the following findings and subject to the following conditions:

FINDINGS:

New Mexico 87103

1. The subject request is for a site development plan for subdivision, with design guidelines and standards, for an approximately 46.11 acre site located between Menaul Blvd. NW and Indian School Rd. NW, and fronting 12th St. (the "subject site"). The subject site has often been referred to as the Old Indian School Site, and is now called the IPMI (Indian Pueblo Management, Inc.) site.
2. The applicant proposes to replace the *12th and Menaul Study* (the "2005 Study") with the *IPMI Development Plan: Design Guidelines and Standards* (the "2016 Development Plan"). The 2016 Development Plan responds to the City's revised street sections for 12th St. NW and Menaul Blvd., which now include bicycle lanes and no parking on 12th St. and Menaul Blvd.
3. The subject site is within the boundaries of the Central Urban Area of the Comprehensive Plan. The North Valley Area Plan (NVAP) also applies.
4. The Albuquerque/Bernalillo County Comprehensive Plan, the NVAP, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.

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5. The request generally furthers the following Comprehensive Plan Goals and associated policy:
 - A. Central Urban Goal. The request would help promote the portion of the Central Urban area near the subject site as a focus for arts and cultural activities, due to its proximity to the IPCC. Nearby residential neighborhoods are continuing to be recognized as part of the process regarding the site's development
 - B. Policy II.B.6b-upgrading efforts/Central Urban Area. The request would result in development that can be considered an effort to upgrade this portion of the Central Urban Area. Efforts to create linkages between the IPCC, a cultural facility, and associated development on the subject site have continued.
 - C. Established Urban Goal. The design guidelines and standards contribute to creating a quality urban environment that perpetuates the character of the area while creating a visually pleasing built environment.

6. The request generally furthers the following Comprehensive Plan Land Use policies:
 - A. Policy II.B.5e-new growth/urban facilities. The subject site is partially developed and is served by existing urban facilities and services, which new development would also make use of, and which is unlikely to adversely affect neighborhood integrity.
 - B. Policy II.B.5j-location of new commercial development. The new commercial development that the request would facilitate would be located on land already zoned for commercial uses and within reasonable distance from residential uses. The subject site can be considered a larger area-wide shopping center site by definition and is located at the intersection of two arterial streets (12th St. and Menaul Blvd. NW are designated as Urban Minor Arterials).
 - C. Policy II.B.5k- land/arterial streets/traffic effects. A TIS, and an update to the TIS, was completed as was the more recent Alternatives Analysis Report. The updated roadway sections for 12th and Menaul include carriage strip buffers with trees, wide sidewalks, and bicycle lanes, which will help minimize the harmful effects of traffic and protect the livability and safety of the established residential neighborhoods on the north side of Menaul Blvd.
 - D. Policy II.B.5l-quality design/new development. The design standards for the commercial and office tracts would generally result in quality building and site design. High-quality building materials, pedestrian connections, and colors appropriate for the area are required.

7. The request generally furthers the Activity Center Goal of the Comprehensive Plan. The subject site is located in the Indian School Community Activity Center (CAC), as designated by the Comprehensive Plan. In general, the request would contribute to expanding and strengthening concentrations of mixed land use and social/economic activities on the subject site and in the nearby area because it would promote development in accordance with design standards that govern the subject site and ensure quality. Emphasis on walkability, bicycle travel, and transit, in an area already served by infrastructure, would generally help reduce auto travel needs, urban sprawl and service costs.

8. Regarding the NVAP, the request furthers and partially furthers the following, applicable policies:
 - A. General Goal 6: The subject site is in an area that is already developed and established as a commercial area. The design standards would ensure quality commercial development.

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- B. **Community Design Policy 9:** Though written in the early 1990s, the intent is that coordinated planning efforts continue regarding the subject site between the City, the IPMI, and neighborhood representatives. The request achieves this intent.
- C. **Zoning & Land Use Policy 3 (partially furthers).** A portion of the commercial tract would be developed as a strip, but it would not have entrances on 12th St. The rest is already developed with pad sites and a hotel. The design standards regulate signage and require it to be coordinated, but would allow two 15 foot project signs with 100 sf of digital display on each side, so signage would not be limited to smaller, village and pedestrian-scale signage as envisioned in the NVAP.
9. Conditions of approval are suggested to provide clarification and increase user-friendliness of the document.
10. The affected neighborhood organizations are the Near North Valley Neighborhood Association (NNVNA) and the North Valley Coalition of Neighborhood Associations (NAs), which were notified as required. Property owners within 100 feet of the subject were also notified as required. A facilitated meeting was offered, but the NNVNA declined it and the North Valley Coalition deferred to them. The NVNA has a long history of working with the subject site's property owners and has continued to do so. City Council Staff has also met with the neighbors.
11. Planning Staff received written comments from the NNVNA, which is concerned that the intent of the original plan for the subject site is not fully reflected in the proposed new site plan, standards and guidelines. Specific, major concerns include, but are not limited to, lack of specificity in the site plan, removal of the on-street front entrance requirement, and the lack of clarity regarding the plaza and signage. Another concern is that the subject site is fenced off and there is no access through it to the adjacent City park. One neighbor, whose backyard faces the ditch and Menaul Blvd. NW, called Planning Staff to inquire about the request.

CONDITIONS:

1. **Coordination:**

The IPMI shall continue to coordinate with the City and its consultants on the roadway and streetscape design and shall continue to work with the NNVNA on clarifying standards, including them in the 2016 Master Development Plan where appropriate, and refining the roundabout/design medians and adjacent pedestrian crossings on Turquoise and Eagle Way.

2. **Background & Documentation:**

- A. Create separate lists of changed conditions, site impacts, and proposed changes to the 2005 Study (based on the project letter) to document these.
- B. Place the lists of changed conditions, site impacts, and proposed changes to the 2005 Study in Appendix C.

3. **Major Plaza Area:**

The major, central plaza shall be located directly across from the Indian Pueblo Cultural Center, east of 12th St. and north of Turquoise St., and subject to the following standards:

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- A. A 78' minimum plaza width from the face of the curb on Turquoise St. to the face of a building.
 - B. Within the 78' plaza width, an 18'-wide café space shall be allowed and a 60' clear dimension for the pedestrian plaza shall be maintained.
 - C. The minimum square footage of the plaza shall be 24,000 sf.
4. Landscaping:
- A. Remove the landscaping palette from Appendix C and integrate it with the design standards for the Commercial Tract and the Office Tract.
 - B. Broaden the landscape palette to include more plants to choose from and add sections for Grasses and Desert Accents.
 - C. Remove cypress (highly allergenic) and use Afghan pine rather than Austrian pine (hardier).
 - D. Add a design standard to require that landscape beds are depressed below grade for supplemental irrigation purposes.
 - E. Remove the word "suggested" from the plant palette (and index and divider tab).
5. Commercial Tract:
- A. Signage shall comply with the General Sign Regulations of the Zoning Code (§14-16-3-5), especially the illumination standards.
 - B. Lighting shall comply with the illumination standards for lighting in the Area Lighting Regulations of the Zoning Code (§14-16-3-9).
6. Drive-thru uses: The following standards shall be added to the 2016 Master Development Plan:
- A. Two drive-thru restaurants are allowed in the commercial block bounded by Turquoise Street, Pumpkin Road, Eagle Way, and 12th Street. The drive-thru component is not allowed along 12th Street frontage.
 - B. One drive-thru bank is allowed north of Turquoise Street (north of the main plaza) and west of Eagle Way. The bank shall not have frontage on 12th and the drive-thru component shall not be located along 12th Street or Menaul Boulevard frontage.
7. Office Tract:
- Building Setbacks- the 50' setback required along the eastern property line and along Menaul Blvd. shall be listed as a "minimum 50' setback."
8. Menaul Blvd. Streetscape:
- A. The Menaul Blvd. section sidewalk width and café space or buffer shall match the 12th St. design.
 - B. A minimum 5'-6" café space or buffer, set at the south side of the 10' wide COA-constructed sidewalk, shall be added at the commercial tract along Menaul Blvd.

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9. Architecture:

All façades shall comply with the major façade criteria in the design standards except those portions of a façade screened by an architecturally compatible wall or screening fence, such as a loading dock or service area.

10. Project Signage: The following standards shall be added to the 2016 Master Development Plan:

- A. Two monument entry signs shall be allowed: the major monument sign shall be located at the main plaza on 12th Street and the minor monument sign shall be located along Menaul Blvd. in the commercial tract and west of Eagle Way.**
- B. Major sign: The maximum height is 15' tall with a maximum sign face area of 200 sf. Digital media is allowed.**
- C. Minor sign: The sign shall be a maximum of 10' tall with a maximum sign face area of 100 sf. Digital media is not allowed on the minor monument sign.**

11. Development Process:

- A. Add a reference to explain what Goals (ex. Design Guidelines topics) are to be used to evaluate a deviation application.**
- B. Specify surrounding development as "surrounding development on the IPMI site".**

12. Organization:

- A. Number design standard categories, and use letters for each design standard underneath each category, for ease of use.**
- B. In the legislation section, place the most recently enacted legislation first followed by historical legislation.**

13. Clarification:

- A. Add a note to Exhibit A-1 to reference Exhibits B-2 and B-3 (design standards for commercial tract and office tract).**
- B. Label the trip generation table in Appendix B, provide a date and explain what it is with a brief note.**
- C. Where new text is added, indicate exactly what has changed by adding "new text inserted here", or something similar, on the former exhibit.**
- D. Cloud-line only language that has changed, or use strikeout format, to indicate language that is new.**
- E. Explain the meaning of the diagonal line in the former Exhibit C.**

14. Conditions from the City Engineer:

- A. Infrastructure and transportation improvements shall be as described by the license agreement dated November 30, 2015.**

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- B. A copy of Traffic Impact Study (TIS) must be provided to Planning Department's Traffic Engineer.
 - C. Provide additional detail regarding the access to the site along the southern frontage.
15. Conditions from the Water Utility Authority:
- A. Request an availability statement at the following link for requirements of service: http://www.abcwua.org/Availability_Statements.aspx. Requests shall include fire marshal requirements. Availability statements are required prior to service.
 - B. Onsite fire hydrants shall be private and painted safety orange.
 - C. Provide overall utility plan.
16. Conditions from the Public Service Company of New Mexico (PNM):
- A. It is the applicant's obligation to determine if existing utility easements or rights-of-way are located on or adjacent to the property and to abide by any conditions or terms of those easements.
 - B. It is necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service regarding this project. Contact: Mike Moyer, PNM Service Center, 4201 Edith Boulevard NE, Albuquerque, NM 87107 Phone: (505) 241-3697
 - C. 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.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **JUNE 24, 2016**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-4-4 of the Zoning Code. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's decision.

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of the City Zoning Code must be complied with, even after approval of the referenced application(s).

ZONE MAP AMENDMENTS: Pursuant to Zoning Code Section 14-16-4-1(C)(16), a change to the zone map does not become official until the Certification of Zoning (CZ) is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If

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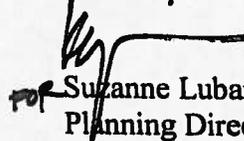
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such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

SITE DEVELOPMENT PLANS: Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped areas shall terminate automatically seven years after adoption or major amendment of the plan: within six months prior to the seven-year deadline, the property owners shall request in writing through the Planning Director that the Planning Commission extend the plan's life an additional five years. Additional design details will be required as a project proceeds through the Development Review Board and through the plan check of Building Permit submittals for construction. Planning staff may consider minor, reasonable changes that are consistent with an approved Site Development Plan so long as they can be shown to be in conformance with the original, approved intent.

DEFERRAL FEES: Pursuant to Zoning Code Section 14-16-4-1(B), deferral at the request of the applicant is subject to a \$110.00 fee per case.

Sincerely,


Suzanne Lubar
Planning Director

SL/CLL

cc: Indian Pueblos Marketing Inc., 2401 12th St. NW, ABQ, NM 87104-2302
Studio Southwest Architects Inc., Daniel Solares Jr, 2101 Mountain Rd NW, ABQ, NM 87104
Joe Sabatini, Near North Valley NA, 3514 6th St. NW, ABQ, NM 87107-2419
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