

PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
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OFFICIAL NOTIFICATION OF DECISION

June 15, 2023

United Super Markets LLC
7830 Orlando Ave.
Lubbock, TX 79423

Project # PR-2023-008615
SI-2023-00865 - Site Plan- Major Amendment

LEGAL DESCRIPTION:

Modulus Architects & Land Use Planning, agent for United Super Markets LLC, requests a Site Plan-Major Amendment for an approximately 1 acre portion of the following: Lots 1, 2, & 3 Plat of Lots 1, 2 & 3 San Antonio Center and Tracts B2A1 and B2A2 Plat of Tracts B2A1 & B2A2 Academy Acres Unit 17, located at 7301 San Antonio Dr. NE, at the NW corner of San Antonio Dr. NE and Wyoming Blvd. NE, approximately 8.1 acres (D-19-Z & E-19-Z)
Staff Planner: Robert Messenger & Catalina Lehner

On June 15, 2023 the Environmental Planning Commission (EPC) voted to Approve Project # PR-2023-008615, SI-2023-00865 - Site Plan- Major Amendment based on the following Findings and subject to the following Conditions of Approval:

FINDINGS:

1. The request is for a major amendment for an approximately 1-acre portion of an approximately 8-acre site legally described as Lots 1, 2, & 3 Plat of Lots 1, 2, & 3 San Antonio Center and Tracts B2A1 and B2A2 Plat of Tracts B2A1 & B2A2 Academy Acres Unit 17, between San Antonio Dr. NE, and Wyoming Blvd. NE (the "subject site").
2. The request is to amend the previously approved surface parking lot on Lot 2 of San Antonio Center to facilitate future development of a 640 sf coffee shop with drive-through facility.
3. The subject site is zoned MX-L (Mixed-use – Low intensity), a zoning designation received upon adoption of IDO in May 2018.
4. A minor amendment for changing the original site plan to a parking lot for the subject site was granted administratively in 1991.
5. The subject site is in an area that the Comprehensive Plan designated an Area of Change. Wyoming Blvd. is functionally classified as a Principal Arterial, and San Antonio Dr. is a Minor Arterial.
6. The subject site is in a designated Activity Center, the Cherry Hills Village Activity Center.

7. The City of Albuquerque Integrated Development Ordinance (IDO) and the Comprehensive Plan are incorporated herein by reference and made part of the record for all purposes.
8. The request is consistent with the following, applicable Goal and policy regarding Character in Chapter 4: Community Identity:

- A. Goal 4.1 Character: Enhance, protect, and preserve distinct communities.
- B. Policy 4.1.2 Identity and Design: Encourage quality development that is consistent with the distinct character of communities.

The request would encourage quality development consistent with the distinct character of the Cherry Hills Village Activity Center. The request would facilitate development of a small coffee shop with a drive-through that would enhance the character of the existing shopping center. It would provide landscape buffers south and west of the subject site to office uses (across San Antonio Drive) and retail uses to the west, respectively.

9. The request is consistent with the following, applicable Goal and policies regarding Centers and Corridors from Comprehensive Plan Chapter 5: Land Use:
 - A. Goal 5.1 Centers & Corridors: Grow as a community of strong Centers connected by a multi-modal network of Corridors.
 - B. Policy 5.1.1 Desired Growth: Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.

The request would facilitate continued growth of a designated Center that abuts the Wyoming Multi-Modal Corridor. It would strengthen the Cherry Hills Village Activity Center by providing an appropriate and convenient retail use that enhances the vitality of the neighborhood, because it would be within a 20-minute walk or short bike ride from the surrounding area and is served by the Corridor.

- C. Policy 5.1.6 Activity Centers: Foster mixed-use centers of activity with a range of services and amenities that support healthy lifestyles and meet the needs of nearby residents and businesses.

The request would provide neighborhood-oriented retail services in a mixed-use center of activity that could support healthy lifestyles and meets the needs of nearby residents and businesses. It supports healthy lifestyles by providing safe and convenient pedestrian and biking access, though a drive-thru use is auto-oriented by its nature.

10. The request is consistent with the following Goals and policy regarding Complete Communities and Efficient Development patterns in Chapter 5 Land use:

- A. Goal 5.2 Complete Communities: Foster communities where residents can live, work, learn, shop and play together.

The request would help create a community where residents can live, work, shop, learn, and play within the Cherry Hills Village Activity Center. Although there are few or no residential uses within the Activity Center itself, all of these activities are within an easy 20 minute walk or short bike ride from multi-family and single family residential areas nearby.

- B. Goal 5.3 Efficient Development Patterns: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

The subject site is well-served by existing infrastructure and public facilities, and the redevelopment made possible by the request would promote efficient development patterns and use of land.

- C. Policy 5.3.1 Infill Development: .

The request would support development of a 640 sq. ft. restaurant with drive-through in an infill site within the Cherry Hills Village Activity Center. Roads, site utilities, and other infrastructure as well as public facilities (e.g., Cherry Hills Branch Library) have enough capacity to serve the site without substantial public expense.

11. The request is consistent with the following Goal regarding City Development Areas and Area of Change in Chapter 5 Land use:

- A. Goal 5.6 City Development Areas: Encourage and direct growth to Areas of Change where it is expected and desired and ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

The subject site is located in an Area of Change, where growth is expected and desired. The request provides a small-scale coffee shop use that could be desired by nearby residents and businesses, especially because the surrounding area lacks a similar amenity.

- B. 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 request would direct growth to an Activity Center, where change is encouraged. The request would facilitate development on an infill site surrounded by similar compatible uses allowed under MX-L zoning, as well as the dental and medical offices in the MX-T zoned parcels south of San Antonio Dr. NE.

12. The request is consistent with the following Goal and policy regarding Sense of Place in Chapter 7 Urban Design:

- A. Goal 7.3 Sense of Place: Reinforce sense of place through context-sensitive design of development and streetscapes.

The request would reinforce sense of place through context-sensitive design of development and streetscapes. The proposed layout incorporates existing shade trees and adds more trees to buffer the drive-through lanes in the proposed development from pedestrians. It adds a walkway to provide interior pedestrian access within the overall site and provides shading and possibly outdoor seating areas to an area recently used as a parking lot in an area with ample parking.

- B. Policy 7.3.4 Infill: Promote infill that enhances the built environment or blends in style and building materials with surrounding structures and the streetscape of the block in which it is located.

The request would promote infill that enhances the built environment by converting a non-productive parking lot into a retail use that serves customers in vehicles, as well as pedestrians and cyclists.

13. The request meets the Site Plan-EPC Review & Decision Criteria in IDO Section 14-16-6-6(I)(3) as follows:
 - A. 14-16-6-6(I)(3)(a) As demonstrated by the policy analysis of the site plan, the request is consistent with applicable Comprehensive Goals and Policies.
 - B. 14-16-6-6(I)(3)(b) The subject site is zoned MX-L; therefore, this criterion does not apply.
 - C. 14-16-6-6(I)(3)(c) The proposed major amendment is to facilitate future development of an approximately 640 sq. ft. coffee shop with drive-through facility. The subject site is within the controlling Site Development Plan for Subdivision San Antonio Plaza. The request would comply with all applicable provisions of the IDO, DPM, and other adopted City regulations.
 - D. 14-16-6-6(I)(3)(d) The subject property is an infill site. The City's existing infrastructure has adequate capacity for the proposed development made possible by this request.
 - E. 14-16-6-6(I)(3)(e) The applicant has demonstrated that the request would not negatively impact the surrounding area based on the responses to applicable Comp Plan Goals and Policies. The proposed major amendment would allow the development of a 640 sq. ft. coffee shop with drive-through. The proposed development would comply with the IDO mitigating any significant adverse impacts on the surrounding area to the maximum extent practicable.
 - F. 14-16-6-6(I)(3)(f) The subject property is not within a Master Development Plan and therefore this criterion does not apply.
 - G. 14-16-6-6(J)(3)(g) The subject property is not within the Railroad and Spur Area and no cumulative impact analysis is required. Therefore, the above criterion does not apply.
14. The affected neighborhood organizations are the Cherry Hills Civic Association, North Wyoming Neighborhood Association (NA) and District 4 Coalition of NAs, which were notified as required. Property owners within 100 feet of the subject site were also notified as required. Staff has not been contacted and there is no known opposition. A pre-application neighborhood facilitated meeting was offered but neither requested nor held.
15. As of this writing, Staff has not been contacted and is unaware of any opposition.

CONDITIONS OF APPROVAL:

1. The EPC delegates final sign-off authority of this site development plan to the Development Facilitation Team (DFT) to ensure that EPC Conditions have been satisfied and that other applicable City requirements have been met.

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2. The applicant shall meet with the Staff planner prior to applying to the DFT to ensure that all conditions of approval are addressed and met. Upon receiving sign-off from the DFT, the applicant shall submit a finalized version of the site plan for filing at the Planning Department.
3. 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 DFT final sign-off, may result in forfeiture of approvals.
4. Major Amendment Sheet
 - A. Note 4 shall read: Site Plan-EPC Major Amendment for a drive-through restaurant.
 - B. The sheet title shall be Site Plan-EPC Major Amendment.
 - C. Parking calculations shall be clarified regarding existing shopping center and proposed, new use.
5. Parking
 - A. Parking calculations need to be added to the main site plan sheet (in tabular format) and the math shown.
 - B. Bicycle parking shall be provided near the patio area.
 - C. Parking calculations shall be added to the site plan.
6. Pedestrian Connections

Walkways shall be made of a material different than the asphalt they cross (ex. textured concrete) pursuant to 5-3(D)(3)(C) - Materials to alert motorists.
7. Landscaping
 - A. Landscaping calculations shall be revised to match the site acreage mentioned on the main site plan sheet.
 - B. White Pine shall be replaced with a recommended pine from the Albuquerque Plant Palette (ex. Afghan Pine). Idaho Locust shall be replaced with a recommended tree from the Albuquerque Plant Palette.
 - C. Juniper shall be female only.
8. Walls: The color of the refuse enclosure walls shall be specified.
9. Lighting
 - A. Light poles shall be specified as existing or proposed.
 - B. A light pole detail specifying height, color, and finishes, shall be provided.

10. Signage

- A. Signage shall be “boxed out” and the square footage indicated.
- B. Colors and materials for signage shall be specified.

11. Elevations/Architecture: Building height and length shall be clearly dimensioned and called out.

12. Detail sheet

- A. Details shall be on a stand-alone detail sheet.
- B. An order-board detail shall be provided on the detail sheet.

13. Organization and Clarity

- A. The “enlarged site plan” shall be removed and/or provided on the main sheet.
- B. The vicinity map shall be smaller (make room for parking calcs).
- C. The word “application” shall be removed from the main sheet’s title block.
- D. The sensitive lands full-sized sheets shall be removed.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC’s decision or by **June 30, 2023**. 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 14-16-6-4(V) of the Integrated Development Ordinance (IDO), Administration and Enforcement. 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 an EPC Recommendation to the City Council since this is not a final 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 IDO must be complied with, even after approval of the referenced application(s).

Sincerely,

Catalina Lehner

for Alan M. Varela,
Planning Director

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EPC File